



**AGENDA REVIEW MEETING
CHESTERFIELD CITY COUNCIL
Monday, February 5, 2018
5:45 PM**

I. Planning and Public Works Committee – Chairperson Guy Tilman-Ward II

- A. **Bill No. 3172** – P.Z. 16-2017 Chesterfield Village Mall (Shelbourne Senior Living) **(Second Reading)**
- B. **Bill No. 3173** – P.Z. 18-2017 Falling Leaves Estates II **(Second Reading)**
- C. **Bill No. 3174** – P.Z. 21-2017 Clock Tower Plaza **(Kommerz LC) (Second Reading)**
- D. **Bill No. 3175** – P.Z. 14-2017 Larry Enterprises-Lynch Hummer (17401 N Outer 40 Rd) Ordinance Amendment **(First Reading)**
- E. **Bill No. 3176** – P.Z. 15-2017 MPD Investments (14781 N Outer 40 Rd) Ordinance Amendment **(First Reading)**
- F. **Bill No. 3177** – P.Z. 19-2017 Downtown Chesterfield (Sachs Properties) **(First Reading)**
- G. **Bill No. 3178** – P.Z. 17-2017 Aventura at Wild Horse Creek (Above All Development) **(First Reading)**
- H. **Bill No. 3184** – Grand Reserve Record Plat **(First & Second Readings)**
- I. **Bill No. 3179** – River Valley Drive Right-of-Way Vacation **(First & Second Readings)**
- J. **Public Hearing Advertising Process (Voice Vote)**
- K. **Next Meeting – February 22, 2018 (5:45pm)**

II. Finance and Administration Committee – Chairperson Tom DeCampi-Ward IV

- A. **Policy Amendments (Voice Vote)**
 - CC#1 Membership – Non-statutory Committees

- CC#22 First/Second Legislation
- CC#24 Statutory Committee Nominees
- CC#29 Executive Session
- FA#25 Citizen of the Year Award

B. Proposed Policy – Land Acquisition (Voice Vote)

C. Boundary Commission Map Plan Amendment submission (Voice Vote)

D. Bill No. 3180 – City Administrator’s Compensation (First & Second Readings)

E. Bill No. 3181 – Victims’ Rights Ordinance (First Reading)

F. Bill No. 3182 – Public Works Board of Variance (First Reading)

G. Next Meeting – February 26, 2018 (5:30pm)

III. Parks, Recreation and Arts Committee – Chairperson Randy Logan-Ward III

A. Community Garden Relocation (Roll Call Vote)

B. Parks Master Plan

IV. Public Health and Safety Committee – Chairperson Barry Flachsbart-Ward I

V. Report from the City Administrator – Mike Geisel

A. Bill No.3183 – Renewal of St. Louis County Communications Contract (First Reading)

B. Parks Master Plan Contract Authorization (Roll Call Vote)

VI. Unfinished Business – Mayor Bob Nation

VII. New Business – Mayor Bob Nation

VIII. Adjourn –

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

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

or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups (RSMo 610.021(9) 1994; and/or bidding specification (RSMo 610.021(11) 1994.



AGENDA
CHESTERFIELD CITY COUNCIL MEETING
Chesterfield City Hall
690 Chesterfield Parkway West
Monday, February 5, 2018
7:00PM

- 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 Hass
- V. APPROVAL OF MINUTES** – Mayor Bob Nation
 - A. City Council Meeting Minutes** – January 17, 2018
- VI. COMMUNICATIONS AND PETITIONS** – Mayor Bob Nation
- VII. INTRODUCTORY REMARKS** – Mayor Bob Nation
 - A. Monday, February 12, 2018** – Planning Commission (7 pm)
 - B. Monday, February 19, 2018** – City Hall Closed – Presidents’ Day
 - C. Wednesday, February 21, 2018** – Next City Council Meeting (7 pm)
 - D. Thursday, February 22, 2018** – Planning and Public Works (5:45 pm)
 - E. Monday, February 26, 2018** – Finance and Administration Committee (5:30 pm)

VIII. APPOINTMENTS – Mayor Bob Nation

IX. COUNCIL COMMITTEE REPORTS

A. Planning and Public Works Committee – Chairperson Guy Tilman, Ward II

1. **Bill No. 3172** – P.Z. 16-2017 Chesterfield Village Mall (Shelbourne Senior Living) **(Second Reading)**
2. **Bill No. 3173** – P.Z. 18-2017 Falling Leaves Estates II **(Second Reading)**
3. **Bill No. 3174** – P.Z. 21-2017 Clock Tower Plaza (Kommerz LC) **(Second Reading)**
4. **Bill No. 3175** – P.Z. 14-2017 Larry Enterprises-Lynch Hummer (17401 N Outer 40 Rd) Ordinance Amendment **(First Reading)**
5. **Bill No. 3176** – P.Z. 15-2017 MPD Investments (14781 N Outer 40 Rd) Ordinance Amendment **(First Reading)**
6. **Bill No. 3177** – P.Z. 19-2017 Downtown Chesterfield (Sachs Properties) **(First Reading)**
7. **Bill No. 3178** – P.Z. 17-2017 Aventura at Wild Horse Creek (Above All Development) **(First Reading)**
8. **Bill No. 3184** – Grand Reserve Record Plat **(First & Second Readings)**
9. **Bill No. 3179** – River Valley Drive Right-of-Way Vacation **(First & Second Readings)**
10. **Public Hearing Advertising Process (Roll Call)**
11. **Next Meeting – February 22, 2018 (5:45pm)**

B. Finance and Administration Committee – Chairperson Tom DeCampi, Ward IV

1. **Policy Amendments (Voice Vote)**
 - CC#1 Membership – Non-statutory Committees
 - CC#22 First/Second Legislation
 - CC#24 Statutory Committee Nominees
 - CC#29 Executive Session
 - FA#25 Citizen of the Year Award

2. **Proposed Policy – Land Acquisition (voice vote)**
3. **St. Louis County Boundary Commission (Voice Vote)**
4. **Bill No. 3180 – City Administrator’s Compensation (First & Second Readings)**
5. **Bill No. 3181 – Victims’ Rights Ordinance (First Reading)**
6. **Bill No. 3182 – Public Works Board of Variance (First Reading)**
7. **Next Meeting – February 26, 2018 (5:30pm)**

C. Parks, Recreation and Arts Committee – Chairperson Randy Logan, Ward III

1. **Community Garden Relocation (Roll Call Vote)**
2. **Parks Master Plan**

D. Public Health and Safety Committee – Chairperson Barry Flachsbart, Ward I

X. REPORT FROM THE CITY ADMINISTRATOR – Mike Geisel

- A. **Bill No.3183 – Renewal of St. Louis County Communications Contract (First Reading)**
- B. **Parks Master Plan Contract Authorization (Roll Call Vote)**

XI. UNFINISHED BUSINESS – Mayor Bob Nation

XII. NEW BUSINESS – Mayor Bob Nation

XIII. LEGISLATION

- A. **Bill No. 3179 - An ordinance vacating a portion of the River Valley Drive right of way in part of U.S. Survey 387 Township 46 North, Range 5 East of the 5th Principal Meridian in the City of Chesterfield, St. Louis County, Missouri. (First & Second Readings) Department of Public Works recommends approval**
- B. **Bill No. 3180 – An ordinance setting the 2018 salary for the City Administrator. (First & Second Readings) F&A Committee recommends approval**
- C. **Bill No. 3181 – An ordinance amending Chapter 19 - Municipal Court of the Municipal Code of the City of Chesterfield, Missouri by adding Section 19-16 titled “Victim’s Bill of Rights”. (First Reading) F&A Committee recommends approval**

- D. Bill No. 3182** – An ordinance of the City Council of the City of Chesterfield, Missouri authorizing the elimination of the Public Works Board of Variance. **(First Reading) F&A Committee recommends approval**
- E. Bill No. 3183** – An ordinance authorizing the City Administrator of the City of Chesterfield to execute a renewal agreement with St. Louis County for the establishment of a communications agreement between the City of Chesterfield and St. Louis County. **(First Reading)**

XIV. LEGISLATION – PLANNING COMMISSION

- A. Bill No. 3172** - An ordinance amending the Zoning Ordinance of the City of Chesterfield by changing the boundaries of a “C8” Planned Commercial District to a “UC” Urban Core District for an 8.2 acre tract of land located southeast of the intersection of Chesterfield Parkway West and Chesterfield Center (P.Z. 16-2017 Chesterfield Village [Shelbourne Senior Living] - 18S110148). **(Second Reading) Planning Commission recommends approval**
- B. Bill No. 3173** - An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of an existing “PUD” Planned Unit Development to a “LLR” Large Lot Residential District for a 17.4 acre tract of land located west of Wilson Avenue and northwest of the intersection of Wilson Avenue and Clarkson Road (P.Z. 18-2017 Falling Leaves Estates II — 19T220214, 19T210161). **(Second Reading) Planning Commission recommends approval**
- C. Bill No. 3174** - An ordinance amending City of Chesterfield Ordinance 2,442 to revise development restrictions in a “PC” Planned Commercial District for 2.61 acres located north of Edison Avenue and northeast of the intersection of Chesterfield Commons East Road and Edison Avenue. (17T240243).(P.Z 21-2017 Clock Tower Plaza) **(Second Reading) Planning Commission recommends approval**
- D. Bill No. 3175** - An ordinance repealing City of Chesterfield Ordinance Number 2055 to amend the legal description and development conditions for a 15.4 acre tract of land, more or less, zoned “PI” Planned Industrial District located north of Highway 40/Interstate 64, west of Boone’s Crossing (P.Z. 14-2017 Larry Enterprises-Lynch Hummer [17401 N Outer 40 Rd] 17U610139, 17U520258, 17U520269). Green Sheet Amendment included. **(First Reading) Planning Commission recommends approval; Planning & Public Works Committee recommends approval, as amended.**

- E. Bill No. 3176** - An ordinance repealing City of Chesterfield Ordinance Number 2411 to amend the legal description and development conditions for a 7.0 acre tract of land, more or less, zoned "PI" Planned Industrial District located north of Highway 40/Interstate 64, west of Boone's Crossing (P.Z. 15-2017 MPD Investments [14781 N Outer 40 Rd] 17U610139, 17U520258, 17U520269). **(First Reading) Planning Commission recommends approval**
- F. Bill No. 3177** - An ordinance amending City of Chesterfield Ordinance Number 2449 for a "PC&R" Planned Commercial and Residence District located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West (P.Z. 19-2017 Downtown Chesterfield [Sachs Properties]). **(First Reading) Planning Commission recommends approval**
- G. Bill No. 3178** - An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of a "PC&R" Planned Commercial and Residential District, the "C8" Planned Commercial District and the "LLR" Large Lot Residential District to an "R-6AA" Residence District for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development] 17T310016, 18T630173, 18T630205, 18T640226). **(First Reading) Planning Commission recommends approval**
- H. Bill No. 3184** - An ordinance providing for the approval of a record plat and escrow agreements for the Grand Reserve Subdivision, an 11.87 acre tract of land zoned "R-3" Residence District for a 0.722 acre portion and "R-4" Residence District for an 11.159 acre portion and located east of the intersection of Olive Boulevard and Chesterfield Parkway. **(First Reading) Planning Commission recommends approval**

XV. ADJOURNMENT

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

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

AGENDA REVIEW – Monday, 2/5/2018 – 5:45 PM

An AGENDA REVIEW meeting has been scheduled to start at **5:45 pm, on Monday, February 5, 2018.**

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

JANUARY 17, 2018

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 Barry Flachsbart
Councilmember Barbara McGuinness
Councilmember Ben Keathley
Councilmember Guy Tilman
Councilmember Dan Hurt
Councilmember Randy Logan
Councilmember Tom DeCampi
Councilmember Michelle Ohley

APPROVAL OF MINUTES

The minutes of the January 3, 2018 City Council meeting were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Tilman, to approve the January 3, 2018 City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the January 3, 2018 Executive Session were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Tilman, to approve the January 3, 2018 Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mr. Kevin Kamp, Civil Environment Consultants, representing the petitioner relative to Bill No. 3168 (P.Z. 08-2017 Brite Worx Carwash), expressed his appreciation for the cooperation on this project and indicated he was available to answer any questions.

Mr. Michael Kane, 1292 Stillhouse Creek Road, addressed City Council in response to a Post-Dispatch opinion article regarding the history of Chesterfield.

Mr. Mike Doster, 16839 Chesterfield Bluffs Circle, stated that he was available to answer any questions pertaining to Bill No. 3172 (P.Z. 16-2017 Chesterfield Village Mall [Shelbourne Senior Living]) and Bill No. 3174 (P.Z. 21-2017 Clock Tower Plaza [Kommerz LC]).

Mr. Mike Falkner, 5055 New Baumgartner, stated that he was available to answer any questions pertaining to Bill No. 3173 (P.Z. 18-2017 Falling Leaves Estates II).

INTRODUCTORY REMARKS

Mayor Nation announced that candidate filing for the April 3, 2018 Municipal Election closed January 16th. The names of the candidates were announced and Mayor Nation recognized those in attendance:

Councilmember – Ward I

Barry Flachsbart (incumbent)

Councilmember – Ward II

Jami Dolby

Mary Ann Mastorakos

Councilmember – Ward III

Randy Logan (incumbent)

Michael Moore

Councilmember – Ward IV

William Lawson

Tom DeCampi (incumbent)

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

Councilmember McGuinness recognized Senior Civil Engineer Chris Krueger, P.E. for being named the American Public Works Association (APWA) Young Public Works Leader of the Year. Mr. Geisel shared his appreciation and respect for Mr. Krueger's work and professionalism. Councilmember McGuinness expressed how pleased the residents were with the design and construction of the River Valley Closure that Mr. Krueger designed and managed.

Mayor Nation recognized a Boy Scout in attendance and invited him to stay after the meeting to ask any questions he may have.

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

Planning/Public Works Committee

Councilmember Guy Tilman, Chairperson of the Planning/Public Works Committee, reported that Bill No. 3168 (P.Z. 08-2017 Brite Worx Carwash [Wallis Companies]) will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Tilman reported that Bill No. 3171 (P.Z. 20-2017 City of Chesterfield [Unified Development Code Articles 1 and 6]) will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Tilman reported that Bill No. 3172 (P.Z. 16-2017 Chesterfield Village Mall [Shelbourne Senior Living]) will be read for the first time under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Tilman reported that Bill No. 3173 (P.Z. 18-2017 Falling Leaves Estates II) will be read for the first time under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Tilman reported that Bill No. 3174 (P.Z. 21-2017 Clock Tower Plaza [Kommerz LC]) will be read for the first time under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Tilman made a motion, seconded by Councilmember Flachsbarth, to approve the recommended revisions to Public Works Policy No. 23 (Pavement Specification & Acceptance Policy) and the simultaneous elimination of Public Works

Policy No. 8 (Winter Paving). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilman announced that the next meeting of this Committee has been scheduled for Thursday, January 18, at 5:45 p.m.

Finance and Administration Committee

Councilmember Tom DeCampi, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Logan, to approve a proposed resolution adopting and implementing revisions to the City of Chesterfield Employee Salary Administration Manual, which were recommended by the F&A Committee, to amend the document which was recently adopted by Resolution No. 441.

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, to amend the main motion to include two typographical corrections. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed.

A voice vote was taken on the main motion to approve a proposed resolution adopting and implementing revisions to the City of Chesterfield Employee Salary Administration Manual, as amended, with a unanimous affirmative result and the motion was declared passed. The successful resolution became Chesterfield Resolution No. 443.

Councilmember DeCampi announced that the next meeting of this Committee has been scheduled for Monday, January 29, at 5:30 p.m.

Parks, Recreation & Arts Committee

Councilmember Randy Logan, Chairperson of the Parks, Recreation & Arts Committee, announced that this committee met on January 16, 2018 and the next meeting has not been scheduled at this time.

Public Health & Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health & Safety Committee, indicated that he had no report this evening.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel reported that the Planning and Public Works Committee recommended approval of allocation from the General Fund – Fund Reserves in the amount of \$538,000 for costs associated with the Emerald Ash Borer Preparedness Plan and Action Strategy as proposed by Staff. On November 16, 2015 City Council approved a Preparedness Plan and Action Strategy (EAB Plan) for the removal of Ash Trees within public rights of way due to the impacts of the Emerald Ash Borer (EAB). That EAB Plan

included an optional reforestation component, which was subsequently funded by City Council. Councilmember Flachsbart made a motion, seconded by Councilmember Tilman, to allocate \$538,000 from General Fund – Fund Reserves for costs associated with the Emerald Ash Borer Preparedness Plan and Action Strategy. A roll call vote was taken with the following results: Ayes – Keathley, DeCampi, Tilman, Logan, Ohley, McGuinness, Flachsbart and Hurt. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that Chesterfield Valley BP, Inc., dba Gas Mart 32 (located at 18403 Convenience Way), has requested a new liquor license, for retail sale of all kinds of intoxicating liquor in original package not to be consumed on premise and Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Tilman made a motion, seconded by Councilmember Ohley, to approve issuance of a new liquor license to Chesterfield Valley BP, Inc. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember McGuinness asked for a brief financial report from City Administrator Mike Geisel. Mr. Geisel gave a brief update on the status of sales tax revenue received from the State of Missouri.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

LEGISLATION – PLANNING COMMISSION

**BILL NO. 3168 AMENDS THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN EXISTING “PC” PLANNED COMMERCIAL DISTRICT TO A NEW “PC” PLANNED COMMERCIAL DISTRICT FOR A 1.8 ACRE PARCEL OF LAND LOCATED ON THE WESTERN CORNER OF THE INTERSECTION OF BAXTER ROAD AND CLAYTON ROAD. (P.Z. 08-2017 BRITE WORX [WALLIS COMPANIES] - 21R410960) (SECOND READING)
PLANNING COMMISSION RECOMMENDS APPROVAL;
PLANNING & PUBLIC WORKS COMMITTEE
RECOMMENDS APPROVAL, AS AMENDED**

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3168. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3168 was read for the second time.

A roll call vote was taken for the passage and approval of Bill No. 3168 with the following results: Ayes – Logan, Hurt, DeCampi, Flachsbart, Ohley, Keathley and Tilman. Nays – McGuinness. Whereupon Mayor Nation declared Bill No. 3168 approved, passed it and it became **ORDINANCE NO. 2977**.

BILL NO. 3171 AMENDS ARTICLE 1 SECTION 01-11 ADMINISTRATIVE AND DECISION MAKING AUTHORITIES AND ARTICLE 6 TELECOMMUNICATIONS FACILITIES SITING OF THE UNIFIED DEVELOPMENT CODE {P.Z. 20-2017 CITY OF CHESTERFIELD UNIFIED DEVELOPMENT CODE ARTICLES 1 AND 6} **(SECOND READING) PLANNING COMMISSION RECOMMENDS APPROVAL**

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3171.

Councilmember Keathley made a motion, seconded by Councilmember Logan, to amend Sec. 06-03 General Requirements, Paragraph B(9) of Attachment B to include: that a Facility Site Permit (FSP) for substantial modifications are reviewed by PPW prior to review by City Council and that MZAs are required to be submitted to staff for approval following City Council approval. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed.

A voice vote was taken on the main motion for the second reading of Bill No. 3171, as amended, with a unanimous affirmative result and the motion was declared passed. Bill No. 3171 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3171 with the following results: Ayes – Hurt, McGuinness, DeCampi, Tilman, Ohley, Keathley, Flachsbart and Logan. Nays – None. Whereupon Mayor Nation declared Bill No. 3171 approved, passed it and it became **ORDINANCE NO. 2978**.

BILL NO. 3172 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “C8” PLANNED COMMERCIAL DISTRICT TO A “UC” URBAN CORE DISTRICT FOR AN 8.2 ACRE TRACT OF LAND LOCATED SOUTHEAST OF THE INTERSECTION OF CHESTERFIELD PARKWAY WEST AND CHESTERFIELD CENTER (P.Z. 16-2017 CHESTERFIELD VILLAGE [SHELBOURNE SENIOR LIVING] - 18S110148) **(FIRST READING) PLANNING COMMISSION RECOMMENDS APPROVAL**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3172. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3172 was read for the first time.

BILL NO. 3173 AMENDS THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN EXISTING "PUD" PLANNED UNIT DEVELOPMENT TO A "LLR" LARGE LOT RESIDENTIAL DISTRICT FOR A 17.4 ACRE TRACT OF LAND LOCATED WEST OF WILSON AVENUE AND NORTHWEST OF THE INTERSECTION OF WILSON AVENUE AND CLARKSON ROAD (P.Z. 18-2017 FALLING LEAVES ESTATES II — 19T220214, 19T210161) **(FIRST READING) PLANNING COMMISSION RECOMMENDS APPROVAL**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3173. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3173 was read for the first time.

BILL NO. 3174 AMENDS CITY OF CHESTERFIELD ORDINANCE 2,442 TO REVISE DEVELOPMENT RESTRICTIONS IN A "PC" PLANNED COMMERCIAL DISTRICT FOR 2.61 ACRES LOCATED NORTH OF EDISON AVENUE AND NORTHEAST OF THE INTERSECTION OF CHESTERFIELD COMMONS EAST ROAD AND EDISON AVENUE (17T240243) (P.Z. 21-2017 CLOCK TOWER PLAZA) **(FIRST READING) PLANNING COMMISSION RECOMMENDS APPROVAL**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3174. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3174 was read for the first time.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:49 p.m.

Mayor Bob Nation

ATTEST:

Vickie J. Hass, City Clerk

APPROVED BY CITY COUNCIL: _____

UPCOMING MEETINGS/EVENTS

- A. **Monday, February 12, 2018** – Planning Commission (7 pm)
- B. **Monday, February 19, 2018** – City Hall Closed – Presidents' Day
- C. **Wednesday, February 21, 2018** – Next City Council Meeting (7 pm)
- D. **Thursday, February 22, 2018** – Planning and Public Works (5:45 pm)
- E. **Monday, February 26, 2018** – Finance and Administration Committee (5:30 pm)

APPOINTMENTS

There are no appointments proposed for this meeting.

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

PLANNING AND PUBLIC WORKS COMMITTEE

The Planning and Public Works Committee has the following action items for the February 5, 2018 City Council meeting.

LEGISLATION - PLANNING COMMISSION

Bill No. 3172 - P.Z. 16-2017 Chesterfield Village Mall (Shelbourne Senior Living) (Second Reading) Planning Commission recommends approval

An ordinance amending the Zoning Ordinance of the City of Chesterfield by changing the boundaries of a "C8" Planned Commercial District to a "UC" Urban Core District for an 8.2 acre tract of land located southeast of the intersection of Chesterfield Parkway West and Chesterfield Center (P.Z. 16-2017 Chesterfield Village [Shelbourne Senior Living] - 18S110148).

Bill No. 3173 - P.Z. 18-2017 Falling Leaves Estates II (Second Reading) Planning Commission recommends approval

An ordinance amending the Unified Development Code of the City Of Chesterfield by changing the boundaries of an existing "PUD" Planned Unit Development to a "LLR" Large Lot Residential District for a 17.4 acre tract of land located west of Wilson Avenue and northwest of the intersection of Wilson Avenue and Clarkson Road (P.Z. 18-2017 Falling Leaves Estates II — 19T220214, 19T210161).

Bill No. 3174 - P.Z. 21-2017 Clock Tower Plaza (Kommerz LC) (Second Reading) Planning Commission recommends approval

An ordinance amending City of Chesterfield Ordinance 2,442 to revise development restrictions in a "PC" Planned Commercial District for 2.61 acres located north of Edison Avenue and northeast of the intersection of Chesterfield Commons East Road and Edison Avenue. (P.Z. 21-2017 Clock Tower Plaza {Kommerz LC} 17T240243).

Bill No. 3175 - P.Z. 14-2017 Larry Enterprises-Lynch Hummer (17401 N Outer 40 Rd) Ordinance Amendment

(First Reading) Planning Commission recommends approval; Planning & Public Works Committee recommends approval, as amended.

An ordinance repealing City of Chesterfield Ordinance Number 2055 to amend the legal description and development conditions for a 15.4 acre tract of land, more or less, zoned "PI" Planned Industrial District located north of Highway 40/Interstate 64, west of Boone's Crossing (P.Z. 14-2017 Larry Enterprises-Lynch Hummer [17401 N Outer 40 Rd] 17U610139, 17U520258, 17U520269).

Green Sheet Amendment included.

Bill No. 3176 - P.Z. 15-2017 MPD Investments (14781 N Outer 40 Rd) Ordinance Amendment:

(First Reading) Planning Commission recommends approval

An ordinance repealing City of Chesterfield Ordinance Number 2411 to amend the legal description and development conditions for a 7.0 acre tract of land, more or less, zoned "PI" Planned Industrial District located north of Highway 40/Interstate

64, west of Boone's Crossing (P.Z. 15-2017 MPD Investments [14781 N Outer 40 Rd] 17U610139, 17U520258, 17U520269).

**Bill No. 3177 - P.Z. 19-2017 Downtown Chesterfield (Sachs Properties)
(First Reading) Planning Commission recommends approval**

An ordinance amending City of Chesterfield Ordinance Number 2449 for a "PC&R" Planned Commercial and Residence District located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West (P.Z. 19-2017 Downtown Chesterfield [Sachs Properties]).

Bill No. 3178 - P.Z. 17-2017 Aventura at Wild Horse Creek (Above All Development) (First Reading) Planning Commission recommends approval

An ordinance amending the Unified Development Code of the City Of Chesterfield by changing the boundaries of a "PC&R" Planned Commercial and Residential District, the "C8" Planned Commercial District and the "LLR" Large Lot Residential District to an "R-6AA" Residence District for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development] 17T310016, 18T630173, 18T630205, 18T640226).

Bill No.3184 - An ordinance providing for the approval of a record plat and escrow agreements for the Grand Reserve Subdivision, an 11.87 acre tract of land zoned "R-3" Residence District for a 0.722 acre portion and "R-4" Residence District for an 11.159 acre portion and located east of the intersection of Olive Boulevard and Chesterfield Parkway. **(First & Second Readings) Planning Commission recommends approval**

LEGISLATION - DEPARTMENT RECOMMENDATION

**Bill No. 3179 - River Valley Drive Right-of-Way Vacation
(First & Second Readings) Department of Public Works recommends approval**

An ordinance vacating a portion of the River Valley Drive right of way in part of U.S. Survey 387 Township 46 North, Range 5 East of the 5th Principal Meridian in the City of Chesterfield, St. Louis County, Missouri. This Right of Way was originally conveyed to the City of Chesterfield by representatives of River Bend in conjunction with the original design. The validity of the conveyance was challenged and the project was subsequently re-designed and the Right of Way was no longer required. As such, it is necessary to vacate the original conveyance.

COMMITTEE RECOMMENDATION

Public Hearing Advertising Process

(Voice Vote) Planning & Public Works Committee recommends approval

Recommendation to utilize The Countian as the paper of record for publication of all zoning-related notices.

NEXT MEETING

The next meeting of the Planning & Public Works Committee is scheduled for Thursday, February 22, 2018 at 5:45 pm.

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

MEMORANDUM

TO: Mike Geisel, City Administrator
FROM: Justin Wyse, Director of Planning & Development Services *JW*



SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, January 18, 2018

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, January 18, 2018 in Conference Room 101.

In attendance were: **Chair Guy Tilman** (Ward II), **Councilmember Barry Flachsbart** (Ward I), **Councilmember Dan Hurt** (Ward III), and **Councilmember Michelle Ohley** (Ward IV).

Also in attendance were: Mayor Bob Nation; Planning Commission Chair Merrell Hansen; Justin Wyse, Director of Planning & Development Services; Cecilia Dvorak, Project Planner; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:45 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the January 4, 2018 Committee Meeting Summary

Councilmember Ohley made a motion to approve the Meeting Summary of January 4, 2018. The motion was seconded by Councilmember Flachsbart and passed by a voice vote of 3-0 with Councilmember Hurt abstaining.

II. UNFINISHED BUSINESS – None

III. NEW BUSINESS

- A. P.Z. 14-2017 Larry Enterprises-Lynch Hummer (17401 N Outer 40 Rd)
Ordinance Amendment: A request to amend the legal description and development conditions of an existing "PI" Planned Industrial District in Ordinance #2055, for a 15.4 acre tract of land located north of Highway 40/Interstate 64, west of Boone's Crossing (17U610139, 17U520258, 17U520269) (Ward 4)

STAFF REPORT

Cecilia Dvorak, Project Planner, presented the project request for an ordinance amendment to a "PI" Planned Industrial District for a 15.4 acre parcel located north of Highway 40/I-64, west of Boone's Crossing. The request includes the following:

1. An update to the legal description to ensure property lines are aligned with the ordinance.

2. An update to the permitted uses so that the current code uses are listed.
3. An additional allocation of 41,000 sq. ft. for parcel 1 – McBride Design Center
4. The removal of the maximum of four buildings for the entire development.
5. An update from the current Greenspace requirement to Open Space requirement as required by the City's current code.

A public hearing was held on November 27, 2017. In lieu of allocating 41,000 sq. ft. to one tract, it was agreed that imposing an FAR to each lot would be more beneficial ensuring that no single parcel could allot more than its share of square footage to the development. The applicant also agreed to prohibit outdoor storage of derelict vehicles and to comply with the 35% open space required of developments today. The Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8-0.

DISCUSSION

After considerable discussion regarding eliminating the four building maximum, it was decided the best approach would be to limit the number of buildings to two per tract in order to encourage larger buildings more appropriate of a PI District. Before the next City Council meeting the developer can modify the request and it can be further discussed at the Council meeting.

Councilmember Hurt made a motion to amend Section B.3 of the Attachment A regarding Floor Area, Height and Building Requirements to state that no single platted tract shall exceed two buildings. The motion was seconded by Councilmember Flachsbart and passed by a voice vote of 4-0.

Councilmember Hurt made a motion to forward P.Z. 14-2017 Larry Enterprises-Lynch Hummer (17401 N Outer 40 Rd) Ordinance Amendment, as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember Ohley and passed by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning and Public Works Committee will be needed for the February 5, 2018 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 14-2017 Larry Enterprises-Lynch Hummer (17401 N Outer 40 Rd) Ordinance Amendment.]

- B. P.Z. 15-2017 MPD Investments (14781 N Outer 40 Rd) Ordinance Amendment:**
A request to amend the legal description and development conditions of an existing "PI" Planned Industrial District in Ordinance #2411, for an 8.3 acre tract of land located north of Highway 40/Interstate 64, west of Boone's Crossing (17U520269, 17U520247, 17U520148) (Ward 4)

STAFF REPORT

Cecilia Dvorak, Project Planner, stated that this petition is running concurrently with P.Z. 14-2017. The request is for an ordinance amendment to an existing "PI" Planned Industrial District for 8.3 acres located north of Hwy 40/I-64 west of Boone's Crossing. The request is to change the legal description to adjust the boundary changes to match the boundary line of adjusted Lot 2 of the MPD Investments subdivision.

The public hearing for P.Z. 15-2017 was also held on November 27, 2017 at which time no issues were heard. The Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8-0.

DISCUSSION

Councilmember Ohley made a motion to forward P.Z. 15-2017 MPD Investments (14781 N Outer 40 Rd) Ordinance Amendment to City Council with a recommendation to approve. The motion was seconded by **Councilmember Flachsbart** and **passed** by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning Commission, will be needed for the February 5, 2018 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 15-2017 MPD Investments (14781 N Outer 40 Rd) Ordinance Amendment.]

- C. **P.Z. 17-2017 Aventura at Wild Horse Creek (Above All Development)**: A request for a zoning map amendment from the "PC&R" Planned Commercial and Residential District, the "C8" Planned Commercial District and the "LLR" Large Lot Residential District to an "R-6AA" Residence District for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road (17T310016, 18T630173, 18T630205, 18T640226) (Ward 2)

STAFF REPORT

Cecilia Dvorak, Project Planner, presented the request for a zoning map amendment from the "PC&R" Planned Commercial and Residential District, the "C8" Planned Commercial District and the "LLR" Large Lot Residential District to an "R-6AA" Residence District for a 12.6 acre tract of land. The tract is located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road.

The public hearing was held on December 11, 2017 at which time one issue was raised. Based on the number of units intended to be built, question was raised as to the need to rezone to the "R-6" versus the "R-6AA" Residence District, which is a slightly less dense zoning district. Additionally, concerns were raised regarding access and traffic, the sky exposure plane, the high design standards of the Urban Code land use designation, and the open space and tree preservation requirements. The Applicant has confirmed their willingness to rezone to "R-6AA" as opposed to the "R-6" Residence District. They have also acknowledged that they will comply with all City's requirements, which will be reviewed during the Site Plan stage.

The Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8-0.

DISCUSSION

Urban Core

Planning Commission Chair **Merrell Hansen** pointed out that this is a key piece of property for the Urban Core and, as such, the developer has a responsibility to reflect the City's vision when developing the site. She noted that the riparian trail is adjacent to the site and that the developer has indicated that they will integrate the trail into their plans.

Councilmember Flachsbart stated that "R-6AA" is a straight zoning district which does not allow the City to negotiate any special conditions with the developer. He then asked Staff whether the petition can go forward while allowing some control over how it is developed. Justin Wyse, Director of Planning & Development Services, replied that there are certain requirements within the Urban Core which must be adhered to, and Staff will continue working with the applicant to ensure those requirements are met.

Sky Exposure Plane

Because there is a transition from residential to urban core, Councilmember Hurt asked that the sky exposure plane be carefully reviewed once a site plan is submitted.

Current Zoning

Mr. Wyse stated that there are two important facts to note about the current zoning. There is an existing C-8 district on the northern side of the site which has been approved for a gas station; however, the requested rezoning will eliminate that use. On the east side, there is an existing portion that is zoned "PC&R" which is part of the downtown Chesterfield "PC&R." Petition P.Z. 19-2017 is related to the subject petition and amends the "PC&R" to allow a land swap in order to facilitate where Wild Horse Creek Road was relocated.

Vision for the Urban Core

Ms. Hansen felt that there are certain instances where the Architectural Review Board, the Planning Commission, and the Planning & Public Works Committee should collaborate on the vision of certain developments, and thinks the subject site is such an example.

Discussion followed wherein it was suggested that a meeting be scheduled between the Planning Commission and the Planning & Public Works Committee to discuss the City's vision for future development in the urban core area.

Councilmember Flachsbart felt that there should also be a meeting to review whether straight zoning was appropriate for the subject site, or whether a planned district should have been considered.

Councilmember Hurt stated that the site plan will need to be carefully reviewed, and pointed out that calling Power of Review is an option for the subject petition.

Petitioner's Comments

Mr. Bryan Aston, Above All Development, stated that they are well aware of the City's design standards for the Urban Core and they are confident they can achieve a product that will satisfy the City. Their engineer is already incorporating the riparian trail into their plans by designing a path leading to the trail, which will be an amenity for the residents.

Mr. Wyse confirmed that there has been extensive communication between the applicant and Staff regarding density, the riparian trail, tree requirements, etc. He noted that this project has successfully evolved to its current state based on adopted policy and the City's Comprehensive Plan.

Councilmember Flachsbart repeated his suggestion that a review meeting be held on this petition. The meeting could be a learning exercise regarding future urban core projects to determine whether straight zoning is feasible or whether additional restrictions need to be added to the City code.

Councilmember Tilman made a motion to forward P.Z. 17-2017 Aventura at Wild Horse Creek (Above All Development) to City Council with a recommendation to approve. The motion was seconded by Councilmember Ohley and **passed** by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning Commission, will be needed for the February 5, 2018 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 17-2017 Aventura at Wild Horse Creek (Above All Development).]

- D. P.Z. 19-2017 Downtown Chesterfield (Sachs Properties):** A request to amend the legal description and preliminary plan of existing "PC&R" Planned Commercial & Residential Ordinance 2449 for a 104.9 acre tract of land located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West (Ward 2)

STAFF REPORT

Cecilia Dvorak, Project Planner, presented the request for an amendment to the legal description and preliminary plan of existing "PC&R" Planned Commercial & Residential Ordinance 2449. The request is for a 104.9 acre tract of land located at the southwest corner of the intersection of U.S. Hwy 40/I-64 and Chesterfield Parkway West. The Petitioner desires to change the legal description of existing Ordinance 2449 to remove a 2.95 acre parcel and replace it with a separate 3.37 acre parcel.

The public hearing was held on December 11, 2017, at which time no issues were raised. The Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8-0.

DISCUSSION

When being placed on the City Council agenda, the Committee felt that petition P.Z. 19-2017 should be voted on prior to petition P.Z 17-2017.

Councilmember Tilman made a motion to forward P.Z. 19-2017 Downtown Chesterfield (Sachs Properties) to City Council with a recommendation to approve. The motion was seconded by Councilmember Ohley and **passed** by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning Commission, will be needed for the February 5, 2018 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 19-2017 Downtown Chesterfield (Sachs Properties).]

E. Public Hearing Advertising Process

STAFF REPORT

Justin Wyse, Director of Planning & Development Services, explained that State statute requires public hearing notices for zoning-related items to be published in a paper of record. The City is currently publishing in the Post-Dispatch. Over the years, the cost of advertising in the Post-Dispatch has increased, with many notices costing over \$1,000. Due to the ever-increasing costs associated with advertising in the Post-Dispatch, Staff is recommending that all future zoning-related notices be advertised in The Countian, which is in accordance with the City's Finance & Administration policy. The average cost for advertising in The Countian is \$50-\$60 per application.

DISCUSSION

A question was raised as to whether Staff had investigated advertising in the West Newsmagazine. Mr. Wyse replied that the West Newsmagazine is not published as frequently as The Countian, which would mean that some notices would have to be published earlier than the 15-day requirement now being followed.

Councilmember Flachsbart agreed with advertising in The Countian but suggested placing a small ad in a local newspaper notifying the residents of upcoming public hearings that would include the City's website address. He expressed concern that most residents do not read The Countian and would therefore not be aware of upcoming hearings.

Mr. Wyse suggested that Staff review the City's notification practices as a whole – such as utilization of ads, signs, website, mailers, and social media.

Councilmember Flachsbart made a motion to recommend to City Council that: (1) the paper of record for all zoning-related publication notices be The Countian; and (2) that Staff review the City's current advertising process. The motion was seconded by Councilmember Tilman and **passed** by a voice vote of 4-0.

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on Public Hearing Advertising Process.]

IV. OTHER - None

V. ADJOURNMENT

The meeting adjourned at 6:47 p.m.



City Council Memorandum

Department of Planning & Development Services

To: Michael O. Geisel, City Administrator
From: Justin Wyse, Director of Planning and Development Services *JW*
Date: January 27, 2018
CC Date: February 5, 2018 *See BIN NO. 3175*
RE: **P.Z. 14-2017 Larry Enterprises-Lynch Hummer (17401 N Outer 40 Rd) Ordinance Amendment:** A request to amend the legal description and development conditions of an existing "PI" Planned Industrial District in Ordinance #2055, for a 15.4 acre tract of land located north of Highway 40/Interstate 64, west of Boone's Crossing (17U610139, 17U520258, 17U520269).

Summary

Stock & Associates Consulting Engineers, Inc. has submitted a request for an ordinance amendment to an existing "PI" Planned Industrial District. The request is for a 15.4 acre parcel located north of Highway 40/Interstate 64, west of Boone's Crossing.

The public hearing was held on November 27, 2017, at which time five requests were made. First was to change the legal description to match the boundaries of the parcels, second was to allocate 41,000 square feet to a single tract. Staff recommended and the applicant agreed that imposing an FAR to each tract would be more beneficial to ensure no single tract could allot more than its share of square footage in the development. The third request was to remove the maximum of 4 buildings for the development. The fourth request was to update the permitted uses to the current code language. This request was largely driven by staff to ensure consistent administration of the code. The fifth and final request was to update the 31% Green Space requirement to a 31% Open Space Requirement.

Three issues were raised at the Public Hearing regarding the need to restrict outdoor storage of derelict vehicles which is currently permitted for up to 72 hours, the potential to maximize the minimum open space requirement in lieu of the existing green space requirement, and the general aesthetic along the Levee Trail.

After the public hearing, the applicant agreed to prohibit outdoor storage of derelict vehicles, comply with the 35% open space required of developments today, and advise future buyers of the City's desire to see four-sided architecture within the development. Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8 - 0.

At the January 18, 2018 Planning and Public Works Committee meeting, a motion was passed by a vote of 4-0 to amend Section B.3 of the Attachment A regarding Floor Area, Height and Building Requirements. These amendments are reflected in the attached Green Sheet.

Attached to this report, please find a copy of the Green Sheet Amendment, legislation, Attachment A, and Preliminary Plan.



Figure 1. Aerial Photograph

AMENDMENTS:

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

Section B. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS
Amend language as follows:

3. Building Requirements
 - b. No single platted tract shall exceed two (2) buildings.

Green Sheet



City Council Memorandum

Department of Planning & Development Services

To: Michael O. Geisel, City Administrator

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

Date: January 27, 2018

CC Date: February 5, 2018 *See Bill NO. 317U*

RE: **P.Z. 15-2017 MPD Investments (14781 N Outer 40 Rd)**
Ordinance Amendment: A request to amend the legal description and development conditions of an existing "PI" Planned Industrial District in Ordinance #2411, for an 8.3 acre tract of land located north of Highway 40/Interstate 64, west of Boone's Crossing (17U520269, 17U520247, 17U520148).

Summary

Stock & Associates Consulting Engineers, Inc. has submitted a request for an ordinance amendment to an existing "PI" Planned Industrial District. The request is for an 8.3 acre tract located north of Highway 40/Interstate 64, west of Boone's Crossing. The only request is to update the legal description.

The public hearing was held on November 27, 2017, at which time no issues were raised.

Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8 - 0.

At the January 18, 2018 Planning and Public Works Committee meeting, a motion was passed by a vote of 4-0 to recommend approval.

Attached to this report, please find a copy of the legislation, Attachment A, and Preliminary Plan.



Figure 1. Aerial Photograph



City Council Memorandum

Department of Planning & Development Services

To: Michael O. Geisel, City Administrator

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

Date: January 27, 2018 *See Bill No. 3177*

CC Date: **February 5, 2018**

RE: **P.Z. 19-2017 Downtown Chesterfield (Sachs Properties):** A request to amend the legal description and preliminary plan of existing "PC&R" Planned Commercial & Residential Ordinance 2449 for a 104.9 acre tract of land located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West.

Summary

Grimes Consulting has submitted a request to amend the legal description and preliminary plan of existing "PC&R" Planned Commercial & Residential Ordinance 2449.

The public hearing was held on December 11, 2017, at which time no issues were raised.

Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8 – 0.

At the January 18, 2018 Planning and Public Works Committee meeting, a motion was passed by a vote of 4-0 to recommend approval.

Attached to this report, please find a copy of the legislation, and Preliminary Plan.



Figure 1. Aerial Photograph



City Council Memorandum

Department of Planning & Development Services

To: Michael O. Geisel, City Administrator
From: Justin Wyse, Director of Planning and Development Services *JW*
Date: January 27, 2018
CC Date: February 5, 2018 *See BILL NO. 3178*

RE: **P.Z. 17-2017 Aventura at Wild Horse Creek (Above All Development)**: A request for a zoning map amendment from the "PC&R" Planned Commercial and Residential District, the "C8" Planned Commercial District and the "LLR" Large Lot Residential District to an "R-6AA" Residence District for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road (17T310016, 18T630173, 18T630205, 18T640226).

Summary

Grimes Consulting has submitted a request for a zoning map amendment from a "PC&R" Planned Commercial and Residential District, the "C8" Planned Commercial District and the "LLR" Large Lot Residential District to an "R-6AA" Residence District for a 12.6 acre tract located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road. The Petitioner has stated that they intend to develop the subject site into a 170-unit multiple-family development.

As a conventional (versus planned) zoning district, the legislation for this request does not include a preliminary plan nor an Attachment A. If the request is approved, these parcels will have to adhere to the permitted uses and district regulations of the "R-6AA" Residence District as well as all other applicable code requirements.

A public hearing was held on December 11, 2017, at which time one (1) issue was raised regarding the need to zone to the "R-6" versus the "R-6AA" Residence District. Additionally, four (4) concerns were raised regarding access and traffic, the sky exposure plane, the high design standards of the Urban Core land use designation, and the open space and tree preservation requirements.

In an issues response letter, the petitioner confirmed their willingness to rezone to "R-6AA" as opposed to the "R-6" Residence District, and their understanding of the requirements to gain approval during the Site Plan review process. Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8 - 0.

At the January 18, 2018 Planning and Public Works Committee meeting, a motion was passed by a vote of 4-0 to recommend approval.

Attached to this report, please find a copy of legislation and Property Survey.



Figure 1. Aerial Photograph

Memorandum

Department of Public Works



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

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

DATE: January 23, 2018 *See Bill NO. 3179*

RE: River Valley Drive Right of Way Vacation

I am pleased to announce that the River Valley Drive Closure Project has been completed on time and within the amount authorized by City Council. Now that the project is complete, the only remaining matter is to address the right of way acquired by the City from the property at 178 River Valley Drive. As you will recall, after that right of way was acquired it was later determined that the trustees of River Bend Estates did not have the legal authority to convey any portion of 178 River Valley Drive as right of way. Accordingly, the River Valley Drive Closure Project was re-designed to avoid that parcel entirely. Now that the project has been completed, it would be prudent for the City to formally vacate the right of way acquired from 178 River Valley Drive (which was not used as part of the project) and record the vacation so that the St. Louis County records accurately reflect the River Valley right of way in that area.

The recommended right of way vacation will have no impact on the recently completed project, and is merely a "housekeeping" measure to ensure the limits of the new right of way are recorded appropriately. Should there be any questions regarding this matter, I would be happy to address them. A supporting memorandum from Senior Civil Engineer Christopher Krueger, as well as a Vacation Exhibit and Legal Description, are included for City Council's use in considering this matter.

Action Recommended

This matter should be forwarded to the City Council for consideration. Should Council concur with Staff's recommendation, it should adopt the attached ordinance authorizing Staff to execute and record the right of way vacation.

Memorandum

Department of Public Works



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

FROM: Chris Krueger, PE
Senior Civil Engineer

DATE: January 23, 2018 *CK*

RE: River Valley Drive Right of Way Vacation

As you know, the River Valley Drive Closure Project #2015-PW-14 included the acquisition of right of way from the River Bend Subdivision Common Ground (178 River Valley Drive) and the River Bend Bath and Tennis Club (180 River Valley Drive) in order to construct the project as it was originally designed in 2016. It was later determined that the trustees of River Bend Estates did not have the legal authority to convey any portion of the property at 178 River Valley Drive. This parcel is actually owned by all lot owners of River Bend Estates Additions 1 - 6.

In order to proceed with the project, the road closure and cul-de-sac were redesigned in 2017 using only the right of way dedicated by the River Bend Bath and Tennis Club at 180 River Drive and the existing River Valley Drive right of way. The project did not use any of the Subdivision Common Ground at 178 River Valley Drive. The construction contract was approved by City Council in August of 2017 and construction was completed by the end of 2017.

Recommendation:

The portion of River Valley Drive right of way originally acquired from 178 River Valley Drive should be vacated, and returned to Subdivision Common Ground. I recommend presenting the attached vacation ordinance and right of way exhibits to City Council for approval at their next regularly scheduled meeting.

Memorandum

Department of Planning & Development Services



To: Michael O. Geisel, City Administrator
From: Justin Wyse, Director of Planning and Development Services
Date: February 1, 2018
CC Date: February 5, 2018

See Bill # 3184

Re: **Grand Reserve Record Plat:** A Record Plat for an 11.87 acre tract of land zoned "R-3" Residence District for a 0.722 acre portion and "R-4" Residence District for an 11.159 acre portion and located east of the intersection of Olive Boulevard and Chesterfield Parkway.

Stock and Associates Consulting Engineers, Inc., on behalf of Conturix Investment Group, LLC, has submitted a request for a Record Plat for an 11.87 acre tract which proposes thirty-four (34) new lots, various areas of common ground, and two interior streets. The purpose of this plat is to establish the thirty-four (34) lots for development and to provide for necessary infrastructure.

On January 22, 2018, the Planning Commission recommended approval of the Record Plat for the Subdivision of Grand Reserve with a vote of 7-0.

Attached to the legislation, please find a copy of the Record Plat and Escrow Agreements.





City Council Memorandum

Department of Planning & Development Services

To: Michael O. Geisel, City Administrator
From: Justin Wyse, Director of Planning and Development Services JW
Date: January 27, 2018
CC Date: February 5, 2018
RE: Recommended Updates to Public Hearing Advertising Process

Summary

Staff presented a recommendation to the Planning and Public Works Committee to utilize the County for publication of legal notices for Planning and Zoning related items. The proposal is consistent with existing F&A policy on publication of public notices and would result in significant cost savings.

At the January 18, 2018 Planning and Public Works Committee meeting, a motion was passed by a vote of 4-0 to recommend approval.

In addition to changes to the current practice for publication, the Committee directed Staff to prepare a complete review of notification practices for the Department of Planning and Development Services as a future action.

The P&PW Staff Report is attached for your information.



Memorandum

Department of Planning & Development Services

To: Michael O. Geisel, City Administrator
From: Justin Wyse, Director of Planning and Development Services
Date: January 8, 2018
RE: Recommended Updates to Public Hearing Advertising Process

BACKGROUND

The Department of Planning and Development Services currently advertises Public Hearings in the Suburban Journal, as directed by the Planning and Public Works Committee in 2010. Prior to 2010, the Department published notices in both the Countian and the Suburban Journal. Following direction by P&PW, the Department policy has been to advertise zoning related petitions in the Post-Dispatch / Suburban Journal and other items (i.e. public notice for Board of Adjustment) in the Countian.

The minutes and Staff Report from 2010 cite discussion about changes in technology (notice on the City's website) and practices of posting a sign on the site as being more effective in notifying residents and businesses of proposed zoning changes than publication in the newspaper. However, RSMo Chapter 89.050 requires that the, "place of such hearing shall be published in an official paper or a paper of general circulation in such municipality." RSMo 493.050 defined papers that meet this criteria. In short, the paper shall:

- Be in the county where located and which shall have been admitted to the post office as periodicals class matter in the city of publication;
- Have been published regularly and consecutively for a period of three years; and
- Shall have a list of subscribers.

The Countian complies with this requirement and is widely used by municipalities across St. Louis County for Public Hearing notices. Additionally, the City of Chesterfield currently publishes notices for Board of Adjustment in the Countian.

The Staff Report from 2010 noted concern with how advertising costs continued to "skyrocket" with costs to advertise in the Suburban Journal having an average cost of \$570. This cost has continued to increase dramatically. The average cost in 2017 has risen to over \$950 per notification. Meanwhile, projects that included advertising Public Hearings for Board of Adjustment had an average cost of \$40, which has remained reasonably constant over the past seven years.

CURRENT NOTIFICATION PRACTICES

The City currently completes several practices to ensure compliance with minimum State and local Public Hearing notification requires. The table on the next page shows a comparison of the City's current practice compared to required notification procedures.

Notification Type	State Notification Requirement	Practice
Adjacent Property Owners	Mail notice to owners within 185 feet of the subject site	Mail notice to owners within 225 feet of the subject site (required by UDC)
Newspaper	Posted 15 days prior to public hearing	Posted in Suburban Journal 15 days (minimum) before Public Hearing
Posted Notice	Notice posted in a public area	Notice posted at City Hall in an area available for viewing at any time.
Website	n/a	Posted on City website. Site also allows users to sign up to receive alerts for when notices are added. Project added to Active Developments page on City website.
Trustees	n/a	Notice provided to subdivision trustees within 1 mile of the subject site (required by UDC)
Property	n/a	Public Hearing sign posted on property (required by UDC)
General Media	n/a	Information provided to several newspapers regarding all Public Hearings
Petitioner's Responsibility	n/a	Required to provide attestation that they have notified adjacent properties of the proposed change

As the table shows, the City's notification process exceeds the required notification substantially.

BUDGET IMPLICATIONS

Along with the changes in 2010, City Council approved changes to the zoning ordinance (now incorporated in the Unified Development Code) that modified the fees for zoning petitions to include a direct reimbursement for all Public Hearing related publications. This change ensured that the City was not subsidizing the publication of private development generated zoning petitions, as petitioners are required to reimburse the City directly for the cost to publish the notice. However, the volatility and continued growth in this fee for the Department's advertising budget require that the Department continues to spend more each year to accommodate the largest, non-personnel related cost. Additionally, as the notices are typically for private development work, the City does not have the ability to reduce the number of notices that are posted.

RECOMMENDATION

Staff does not believe that advertising in the Suburban Journal is an effective means of increasing awareness of projects to justify the ever-increasing costs; however, State law and City Code require that notification be provided in a newspaper of general circulation. Staff is recommending that the City of Chesterfield utilize the Countian as the paper of record for publication of all zoning related notices, similar to the current practice of advertising Public Hearing notices for Board of Adjustment.

I recommend that this be forward to the Planning and Public Works Committee for review and direction.

FINANCE AND ADMINISTRATION COMMITTEE

Policy Amendments

(Voice Vote) The Finance and Administration Committee recommended acceptance of the policy revisions, updates, and consolidation as proposed by City Clerk, Vickie Hass.

- CC#1 Membership – Non-statutory Committees
- CC#22 First/Second Legislation
- CC#24 Statutory Committee Nominees
- CC#29 Executive Session

Policy Amendment

(Voice Vote) The Finance and Administration Committee recommended an amendment to the Citizen of the Year criteria.

- F&A#25 Citizen of the Year

Proposed New Policy- Land Acquisition

(Voice Vote) Finance and Administration Committee recommends approval

This policy establishes a process and procedure to be followed for the acquisition of real property by the City of Chesterfield.

St. Louis County Boundary Commission

(Voice Vote) Finance and Administration Committee recommends approval

The Committee recommended that staff proceed with the submittal of Map Plan amendments to the Boundary Commission representing three areas:

- 1) New alignment of Route 141
- 2) Westland Acres
- 3) Clarkson Valley

Bill No. 3180 – City Administrators Compensation

(First & Second Readings) As considered and recommended by City Council in conjunction with the annual performance evaluation, the proposed bill establishes the annual compensation for the City Administrator as required by Statute.

Bill No. 3181 -Victims' Rights Ordinance

(First Reading) An ordinance amending chapter 19 - municipal court of the municipal code of the city of chesterfield, Missouri by adding section 19-16 titled "Victim's Bill of Rights".

Bill No. 3182 - Public Works Board of Variance

(First Reading) An ordinance of the City Council of the City of Chesterfield, Missouri authorizing the elimination of the Public Works Board of Variance.

The next meeting of the Finance and Administration Committee is scheduled for Monday, February 26, 2018 at 5:30 pm.

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



DATE: January 31, 2018
TO: Michael O. Geisel, City Administrator
FROM: Vickie J. Hass, City Clerk *VJH*
SUBJECT: City Council Policies

The Finance & Administration Committee met on Monday, January 29, 2018 and recommended the following Policy actions. Please add this item to the February 5, 2018 City Council agenda for approval.

Recommend Revisions to Policies:

- CC #1 **Membership – Non-Statutory Committees:** Revise as noted, combine with new City Council Policy No. 8 and new City Council Policy Re: Composition of Management Information Systems Citizens Advisory Committee (MISCAC). In an effort to be more efficient, this will eliminate CC #8 and the new policy re: Composition of MISCAC.
- CC #22 **First/Second Readings of Legislation:** Minor revisions to clarify language as noted.
- CC #24 **Statutory Committee Nominees - Interviews:** Revise as noted, combine with City Council Policy No. 33; thereby eliminating CC #33.
- CC #29 **Executive Session:** Revise as noted, combine with Finance & Administration Policy No. 38; thereby eliminating FA #38.

CITY OF CHESTERFIELD
POLICY STATEMENT

Recommended Replacement
(combined 3 new City Council policies)

CITY COUNCIL

No. XX

SUBJECT: MEMBERSHIP – NON-STATUTORY COMMITTEES

INDEX: CC

DATE ISSUED: 4/18/89

DATE 1/5/98

REVISED: 1/4/17

X/XX/XX

POLICY

Members on any of the various City non-statutory committees are appointed by the Mayor with the consent of both Councilmembers in whose ward the individual nominee resides. If the Mayor does not reappoint a current committee member upon the expiration of their term, the member will be removed from the committee.

Membership of all non-statutory committees shall be limited to seventeen members; four per ward and one "At Large", unless otherwise noted.

Membership of the Chesterfield Historic and Landmark Preservation Committee (CHLPC) shall consist of six members per ward, plus six "At Large" members, plus up to fifteen total members to serve as "Member Emeritus" and "Ex-Officio".

Due to the technical nature of the subject matter discussed and the need to maintain effectiveness, the composition of the Management Information Systems Citizens Advisory Committee shall be limited to a total of nine members – two per ward and one "At Large".

An individual may concurrently serve on two non-statutory committees, or one statutory and one non-statutory committee; but not on two statutory committees.

Minutes

Individual non-statutory committees shall designate a member of the committee to take minutes.

Funding

There will be no formal program for funding for non-statutory committees, but each committee could submit requests for funding, to be evaluated on their own merit, to the appropriate Committee of Council.

RECOMMENDED BY:

Department Head/Director/Council Committee (if applicable)

Date

APPROVED BY:

City Administrator

Date

City Council (if applicable)

Date

CITY OF CHESTERFIELD
POLICY STATEMENT

Existing Policy to
be Replaced

CITY COUNCIL

No. 1

SUBJECT: MEMBERSHIP – NON-STATUTORY COMMITTEES

INDEX: CC

DATE ISSUED: 4/18/89

DATE

REVISED: 1/4/17

POLICY:

Membership on any of the various City non-statutory committees will be possible if appointed by the Mayor and approved by both Councilmembers in whose ward the individual nominee resides. This policy will not apply to statutory Committees.

An individual may simultaneously serve on two non-statutory Committees, or one statutory and one non-statutory Committee; but not on two statutory Committees.

Minutes

Individual Boards/Commissions/Committees/Task Forces will decide who should be designated to take minutes, either a member of the Committee or a Staff representative.

Funding

There will be no formal program for funding for Boards and Commissions, but each Board and Commission could submit requests for funding, to be evaluated on their own merit, to the appropriate Committee of Council.

RECOMMENDED BY:

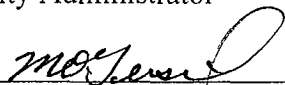
Department Head/Director/Council Committee (if applicable)

Date

APPROVED BY:

City Administrator

Date



City Council (if applicable)

Date

2/6/2017

CITY OF CHESTERFIELD
POLICY STATEMENT

*Existing Policy to
be Replaced*

CITY COUNCIL

No. 8

**SUBJECT: NON-STATUTORY BOARD/COMMISSION/
COMMITTEE MEMBERSHIP**

INDEX: CC

DATE ISSUED: 12/18/97

DATE 1/5/98

REVISED: 2/6/17

POLICY:

Membership of all non-statutory Boards/Commissions/Committees/Task Forces shall be limited to seventeen (17) members; four (4) per Ward and one (1) "At Large", unless otherwise noted. Both Councilmembers in the Ward where the person resides must concur prior to the Mayor's appointment. If the Mayor does not reappoint a current Committee member, the person will be off the Committee.

Membership of the Chesterfield Historic and Landmark Preservation Committee (CHLPC) shall consist of six (6) members per Ward, plus six (6) "At Large" members, plus up to fifteen (15) total members to serve as "Member Emeritus" and "Ex-Officio".

RECOMMENDED BY:

Department Head/Director/Council Committee (if applicable)

Date

APPROVED BY:

City Administrator

Date

City Council (if applicable)

Date

CITY OF CHESTERFIELD
POLICY STATEMENT

Existing Policy
to be Replaced

CITY COUNCIL

NO.

SUBJECT Composition of Management
Information Systems Citizens Advisory
Committee

INDEX

CITY
COUNCIL

DATE 6-5-17
ISSUED

DATE
REVISED

POLICY

Due to the technical nature of the subject matter discussed and the need to maintain effectiveness, the composition of the Management Information Systems Citizens Advisory Committee shall be a total of 9 members – two from each of the four City Council Wards and one at-large member.

RECOMMENDED BY:

Finance & Admin Committee
Department Head/Council Committee (if applicable)

5-8-2017
Date

APPROVED BY:

City Administrator
[Signature]
City Council (if applicable)

Date
6/6/2017
Date

**CITY OF CHESTERFIELD
POLICY STATEMENT**

*Recommended
Replacement*

CITY COUNCIL

No. **XX**

SUBJECT: FIRST/SECOND READINGS OF LEGISLATION

INDEX: CC

DATE ISSUED: 4/20/92

DATE 7/18/94

REVISED: X/X/17

POLICY:

City Council will have its first reading and second reading of proposed legislation (Bills) at two separate Council meetings, with the exception of legislation pertaining to fire hydrants, plats, easements or urgent matters may include first and second reading during the same meeting when City Council may elect to suspend the rules.

RECOMMENDED BY:

Department Head/Director/Council Committee (if applicable)

Date

APPROVED BY:

City Administrator

Date

City Council (if applicable)

Date

CITY OF CHESTERFIELD
POLICY STATEMENT

*Existing Policy to
be Replaced*

CITY COUNCIL

NO. 22

SUBJECT First/Second Readings of Legislation

INDEX CC

DATE 4/20/92
ISSUED

DATE 7/18/94
REVISED

POLICY

City Council will have its first reading and second reading of proposed legislation (Bills) at two separate Council meetings, except legislation that pertains to planning and zoning issues, fire hydrants, or urgent matters.

RECOMMENDED BY:

Misty DeMay

Department Head/Council Committee (if applicable)

5-17-99

Date

APPROVED BY:

Michael J. Jessing

City Administrator

5-17-99

Date

City Council (if applicable)

Date

**CITY OF CHESTERFIELD
POLICY STATEMENT**

*Recommended
Replacement
(combined CC# 24 and CC# 33)*

CITY COUNCIL

No. XX

**SUBJECT: STATUTORY COMMITTEE
NOMINEES - INTERVIEWS**

INDEX: CC

DATE ISSUED: 4/20/92

DATE 6/17/96

REVISED: X/X/17

POLICY:

New nominations for appointments to Planning Commission, Board of Adjustment and Police Personnel Board are submitted to the appropriate Committee of Council for an interview in open session, with all members of City Council invited to attend. The liaison of each Committee will contact the nominee directly and invite him/her to attend the next regularly scheduled meeting of the Committee for this interview.

When there is a vacancy on the Planning Commission and a candidate is selected to be interviewed to fill said vacancy, the interview will be placed on an upcoming Planning and Public Works Committee agenda and the Planning Commission Chair will be notified. A copy of the candidate's resume will be distributed to the Planning Commission Chair and members of City Council only.

RECOMMENDED BY:

Department Head/Director/Council Committee (if applicable)

Date

APPROVED BY:

City Administrator

Date

City Council (if applicable)

Date

CITY OF CHESTERFIELD
POLICY STATEMENT

*Existing Policy to
be Replaced*

CITY COUNCIL

NO. 24

SUBJECT Interviews – Statutory Committee
Nominees/Reappointments

INDEX CC

DATE
ISSUED 5/17/93

DATE
REVISED 6/17/96

POLICY

New nominations for appointments and reappointments to all statutory Boards/ Commissions/Committees are submitted to the appropriate Committee of Council for an interview in open session, with all members of City Council invited to attend. The Chairperson of each Committee will contact the nominee directly and invite him/her to attend the next regularly scheduled meeting of the Committee for this interview.

RECOMMENDED BY:

Marty DeMay
Department Head/Council Committee (if applicable)

5-17-99
Date

APPROVED BY:

Michael S. Fleming
City Administrator

5-17-99
Date

City Council (if applicable)

Date

CITY OF CHESTERFIELD
POLICY STATEMENT

Existing Policy to
be Replaced

CITY COUNCIL

NO. 33

SUBJECT Planning Commission Candidates

INDEX CC

DATE 7/18/2016
ISSUED

DATE
REVISED

POLICY

When there is a vacancy on the Planning Commission and a candidate is selected to be interviewed to fill said vacancy, the Chair of the Planning Commission shall be notified and provided a copy of the Candidate's resume.

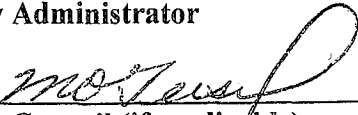
Notification to the Chair shall be made once the candidate is selected and the interview is placed on an upcoming Planning and Public Works Committee agenda. The notification shall also include a copy of the candidate's resume. This resume shall be kept confidential by the Chair and not shared with other members of the Planning Commission or the public.

RECOMMENDED BY:


Department Head/Council Committee (if applicable)

7/18/16
Date

APPROVED BY:

City Administrator

City Council (if applicable)

Date
7/18/2016
Date

**CITY OF CHESTERFIELD
POLICY STATEMENT**

*Recommended
Replacement
(combined CC # 29 and FA # 38)*

CITY COUNCIL

No. **XX**

SUBJECT: EXECUTIVE SESSION

INDEX: CC

DATE ISSUED: 9/22/14

DATE
REVISED: X/X/17

POLICY:

Executive (closed) Session Meetings shall only be scheduled at the City Council level. There shall be no Executive Sessions scheduled or conducted at the standing committee level.

Reference Finance and Administration Committee meeting minutes, 9/22/2014.

Executive Session Procedures:

- Agendas for the Executive Session of Council shall describe the topic to be discussed as clearly as possible.
- Whenever possible and not detrimental to the City, Council will vote on ordinances in open session.
- When and how to release the results of votes held in Executive Session will be discussed by City Council and the information released accordingly.

RECOMMENDED BY:

Department Head/Director/Council Committee (if applicable)

Date

APPROVED BY:

City Administrator

Date

City Council (if applicable)

Date

CITY OF CHESTERFIELD
POLICY STATEMENT

*Existing Policy to
be Replaced*

CITY COUNCIL

NO. 29

SUBJECT Executive Session

INDEX: CC

DATE 9/22/2014
ISSUED

DATE
REVISED

POLICY

Executive (closed) Session Meetings shall only be scheduled at the City Council level. There shall be no Executive Sessions scheduled or conducted at the Committee level.

Reference Finance and Administration Committee meeting minutes, 9/22/2014.

*NOTE:
COMMITTEE OF
THE WHOLE MTD
✓ MGH*

RECOMMENDED BY:

Finance and Administration Committee

9/22/2014

Department Head/Council Committee (if applicable)

Date

APPROVED BY:

City Administrator

Date

Michael [Signature]

City Council (if applicable)

9/22/14

Date

CITY OF CHESTERFIELD
POLICY STATEMENT

Existing Policy to
be Replaced

FINANCE AND ADMINISTRATION

NO. 38

SUBJECT Executive Sessions

INDEX FA

DATE
ISSUED 3/18/02

DATE
REVISED

POLICY

The following are changes in Executive Session procedures:

- Agendas for the Executive Session of Council shall describe the topic to be discussed as clearly as possible.
- Whenever possible, Council will vote on ordinances in open session.
- When and how to release the results of votes held in Executive Session will be discussed by City Council and the information released accordingly.

RECOMMENDED BY:

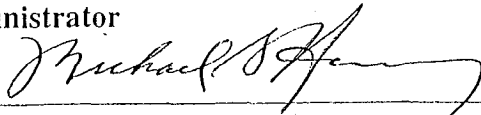


Department Head/Council Committee (if applicable)

3/19/02

Date

APPROVED BY:

City Administrator


City Council (if applicable)

Date
3/18/02

Date

**CITY OF CHESTERFIELD
POLICY STATEMENT**

FINANCE AND ADMINISTRATION

No. 25

SUBJECT: CITIZEN OF THE YEAR AWARD

INDEX: FA

DATE ISSUED: 2/18/98

DATES

REVISED: 6/17/2015

1/29/2018

POLICY:

Selection Criteria

Citizens to be selected for recognition should meet the following criteria:

- Actions being recognized should benefit the overall community of the City of Chesterfield and its residents in some manner through volunteerism, work performed on community projects, and overall civic contributions to the community.
- Individuals nominated shall be a resident of the City of Chesterfield.

Nomination Guidelines

- One nomination per person per household (spouses can be nominated jointly).
- Previously nominated individuals **can** be re-nominated.
- A nominee cannot serve on the Selection Committee.
- The person nominating an individual cannot serve on the Selection Committee.
- City Employees will not be considered for the award.
- Elected officials serving in any office within Chesterfield's boundaries are not eligible.
- The nominee cannot work in a paid position for which their efforts are being recognized.

Public Notification

The public will be notified of the "Call for Nominations" by information being posted on the City's website, a press release being sent to local news and community publications, social media, and by an article in the December Citizen Newsletter. A "Call for Nomination" e-mail notice will also be sent in early January to City Council, Citizen Committee Chairpersons, and various community leaders in order to gain awareness.

Selection Process

An on-line nomination form will be available on the City’s website at www.chesterfield.mo.us or call 636-537-4000 for assistance. This nomination form must be used for all nominations. No attachments or enclosures are permitted.

All nominations are due the first Friday in February. Nominations will not be accepted after this date. All nominations will then be forwarded to the Selection Committee for their review. The Selection Committee will consist of the previous Citizen of the Year Award recipient, four Citizen Committee chairpersons, one representative from each ward selected by the Councilmember of that ward and a representative from an area civic or community group such as the Chamber of Commerce, Rotary Club, or Kiwanis. A meeting of this Committee will be scheduled in mid-February to review the nominations submitted and to select the Citizen of the Year. Once a candidate has been chosen, the nomination will be forwarded via-email to the Mayor and City Council for final approval. The Mayor and City Council are not obligated to approve the Selection Committee’s recommendation.

Recognition Process

The presentation of this award will take place at the second City Council meeting in March, wherein the Mayor will present a recognition award plaque. A reception will follow at City Hall for the recipient to celebrate with friends and family.

The award recipient will have their photo taken. A press release will accompany the photo in a media release and be placed on the City’s website. An article will also be published in the June Citizen Newsletter.

RECOMMENDED BY:

Finance & Administration Committee

1/29/2018 Meeting

Department Head/Director/Council Committee (if applicable)

Date

APPROVED BY:

City Administrator

Date



CITIZEN OF THE YEAR POLICY

The City of Chesterfield recognizes many of our citizens contribute in a significant manner to the City each day without reward or recognition. These include people who have brought honor upon themselves and the community through some outstanding accomplishment, as well as service-minded volunteers who simply want to be involved and helpful. The City is desirous of recognizing those individuals who have contributed a significant and useful service to the community and the City of Chesterfield.

Selection Criteria

Citizens to be selected for recognition should meet the following criteria:

- Actions being recognized should benefit the overall community of the City of Chesterfield and its residents in some manner through volunteerism, work performed on community projects, and overall civic contributions to the community.
- Individuals nominated shall be a resident of the City of Chesterfield.

Nomination Guidelines

- One nomination per person per household (spouses can be nominated jointly).
- Previously nominated individuals **can** be re-nominated.
- A nominee cannot serve on the Selection Committee.
- The person nominating an individual cannot serve on the Selection Committee.
- City Employees will not be considered for the award.
- Elected officials serving in any office within Chesterfield's boundaries are not eligible.
- The nominee cannot work in a paid position for which their efforts are being recognized.

Selection Process

An on-line nomination form will be available on the City's web site at www.chesterfield.mo.us or call 636-537-4000 for assistance. This Nomination Form **must** be used for all nominations. No attachments or enclosures are permitted.

All nominations are due the first Friday in February. Nominations will not be accepted after this date. All nominations will then be forwarded to the Selection Committee for their review, comprised of appointees from each ward, the prior year's recipient, and appointees from various civic organizations in Chesterfield. Once a candidate has been chosen, the nomination will be forwarded to City Council for final approval.

Recognition Process

The recipient will be recognized at a City Council meeting in March, with a reception following at City Hall to celebrate with friends and family.

Updated: January 30, 2018



CITIZEN OF THE YEAR NOMINATION FORM

Date:

Name of Nominee:

Submitted By:

Address:

Address:

Phone #:

Phone #:

e-mail:

e-mail:

**Description of accomplishments or actions and why you believe this individual merits this award.
Nomination information must be limited to this page at a font no smaller than 10 pt.**

**CITY OF CHESTERFIELD
POLICY STATEMENT**

PUBLIC WORKS		NO.	TBD
SUBJECT	Land Acquisition	INDEX	TBD
DATE ISSUED		DATE REVISED	

POLICY STATEMENT

The City of Chesterfield often considers the acquisition of land for a number of purposes, including the creation of parks, public space, trails, or other public purposes. All land acquisition by the City of Chesterfield shall adhere to this Policy except as specified herein.

DONATION

Land owners in the City of Chesterfield may desire to donate real property to the City of Chesterfield. Prior to the City of Chesterfield considering the acceptance of any land donation, the property owner shall communicate their desire to donate real property, in writing to the City Administrator. The City Administrator will investigate the offer to donate and compile preliminary information which will then be forwarded to one of the four standing committees of City Council. Should the donation be primarily for parks purposes, it would be directed to the Parks, Recreation and Arts Committee. If the primary purpose of the donation was for a capital improvement or public works purpose, it would be forwarded to the Planning and Public Works Committee of Council. Likewise, if the primary purpose for the donation were for a public safety purpose, it would be directed to the Public Health and Safety Committee of Council. If the primary purpose of the donation is indeterminate, it would be forwarded to the Finance and Administration Committee for review or assignment to another standing committee of Council. If the full Council favorably recommends acceptance of the donation the land acquisition shall follow the ***Land Acquisition Procedure*** detailed on Page 2.

PURCHASE

Any proposal for the purchase of a fee interest in real property by the City of Chesterfield shall be reviewed by one of the four Standing Committees of City Council and by the City Council as a whole. Prior to any expenditure of funds, the potential land acquisition shall be reviewed by the full City Council for conceptual approval. Pursuant to RSMo 610.021 (2), this review may be considered in Closed Executive Session. Once the full City Council has made a determination that a specific property should be considered for acquisition, the Land Acquisition Procedure detailed herein shall be adhered to.

PUBLIC RIGHT OF WAY

The City of Chesterfield may consider the acquisition of real property for public right of way (temporary or permanent) or easements (temporary or permanent) in conjunction with road, bridge, or trail improvement projects. All right of way and easement acquisition shall be in accordance with City and State Law. However, the acquisition of rights of way or easements in conjunction with road, bridge, trail or other capital projects is not subject to the land acquisition procedure described herein.

LAND ACQUISITION PROCEDURE

Once the City Council has indicated an interest in the acquisition of real property, the following actions shall be taken:

- 1) A written appraisal of the property to be acquired shall be obtained from a certified professional appraiser.
- 2) The City Council shall include in the written record, a description of the intended use of the acquired property and any estimated schedule projection for the future development of the property. If the property is intended to remain undeveloped for the foreseeable future, that information should be recorded.
- 3) To the extent reasonably practicable, the City Council shall request that City Staff provide an estimate of the fiscal impact of the intended development of the site, and associated maintenance costs. The maintenance cost estimates should reflect the various phases of development, for at least the initial five years after acquisition.
- 4) A Phase I Environmental Assessment shall be obtained for the property to determine whether any foreseeable environmental hazards exist which would impact the value or future use of the property.

- 5) A title report should be obtained, which identifies encumbrances, liens, or other items which may impact the free use of the property.
- 6) Unless the property is to be donated, City Staff shall negotiate with the property owner(s) to obtain the property at a reasonable value to the City.
- 7) Any reasonably anticipated additional costs, including survey, closing costs, and title insurance shall be estimated.

Information obtained from the described process shall be summarized in a memorandum created by the City Administrator, or his/her designee, and submitted to the full City Council for consideration. At that time the City Council shall take one of the following actions:

- Determine that the land donation / purchase is not acceptable to the City of Chesterfield, and all efforts to obtain said land will be terminated.
- Determine that the land donation / purchase is in the best interest of the City of Chesterfield, and authorize the City Administrator to take all actions necessary to acquire the land as described in the memorandum.
- Determine that the land donation / acquisition should be further pursued, with additional criteria or stipulations specifically defined by City Council. Such action will result in further negotiation between the City Staff and the property owner, with a subsequent submittal to City Council for consideration.

Once the prescribed actions have been taken in accordance with Council directives, Staff will prepare an ordinance approving the land acquisition for consideration by City Council. While some or all prior actions may have occurred in Closed Session, the ordinance approving the land acquisition shall be voted on in Open Session. Under normal circumstances, an ordinance approving land acquisition will be read twice in one meeting.

This Policy is intended to define the process and criteria to be considered for the acquisition of land by the City of Chesterfield. However, the City Council reserves the right to deviate from this procedure under special circumstances, if such deviation is in the best interest of the City of Chesterfield, as determined by the Chesterfield City Council. Intentional or purposeful deviation or exception from the prescribed process requires approval by a simple majority vote of City Council.

RECOMMENDED BY:

Department Head/Council Committee (if applicable)

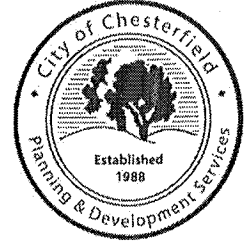
Date

City Administrator

Date

City Council (if applicable)

Date



Memorandum
Department of Planning & Development Services

To: Michael O. Geisel, City Administrator
From: Justin Wyse, Director of Planning and Development Services *JW*
Date: January 19, 2018
RE: St. Louis County Boundary Commission

BACKGROUND

The Boundary Commission is responsible for review of all proposals affecting boundaries of incorporated and unincorporated areas within St. Louis County and most boundary changes are required to be approved by the Boundary Commission, as well as be approved by the votes in the impacted areas.

Section 72.400-72.423 of the Revised Missouri Statutes dictate the authority and activities of the Boundary Commission. The Statute establishes a six-year cycle that includes a *Map Plan* phase and a *Proposal* phase. We are currently in the *Map Plan* phase until July 1, 2018. Submission of a municipality's *Map Plan(s)* serves to reserve the right to pursue annexation during the Proposal phase. No jurisdiction can pursue annexation or established unincorporated area proposals unless the proposal(s) are within the map plan boundaries. Therefore, if the City has interest in contemplating boundary changes in the next six years, a submittal must be provided to the Boundary Commission prior to July 1, 2018. Submission of a *Map Plan* does not obligate a City to pursue annexation; however, lack of a submission does preclude the ability for changes until the next *Map Plan* phase begins.

AREAS

Staff has identified several areas and prepared draft maps for review and direction. An overview of each of these areas is presented below.

Along 141 (Chesterfield / Creve Coeur / Town and Country) – Construction of Hwy. 141 resulted in illogical municipal boundaries between Chesterfield, Creve Coeur, and Town and Country. The result of the alignment is that there are several pieces of ground that are not logically located within the municipality which is best suited to provide services to the parcels. Two exhibits are attached showing the areas previously discussed for changes to the boundaries.

Westland Acres – The area in the southwest portion of Chesterfield off Strecker Road known as Westland Acres was proposed for development in 2005. At that time, property owners cited difficulty with gaining municipal approvals as a portion of the area is located within Chesterfield and a portion within Wildwood. Concerns

about obtaining approvals from two separate bodies are routinely raised by private sector parties.

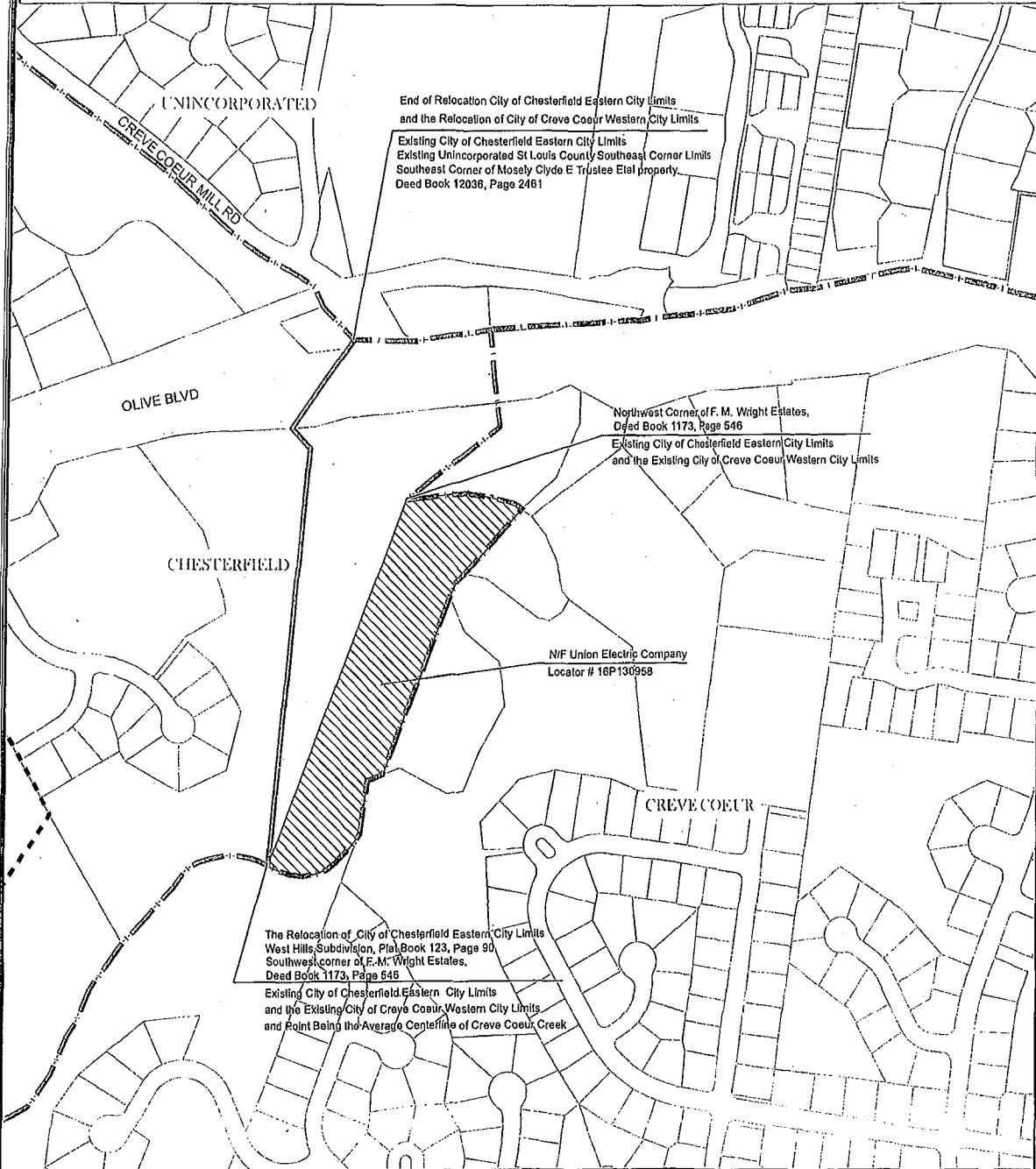
Clarkson Valley – The City of Clarkson Valley has a population of 2,628 people according to estimates from the U.S. Census Bureau and is approximately 2.7 square miles. Chesterfield currently provides contractual police service for Clarkson Valley.

RECOMMENDATION

I recommend that the topic be forwarded to the Finance and Administration Committee for discussion and recommendation in proceeding with a *Map Plan* phase submission for each of these areas.

Attachments: 141 Maps (Exhibits A-L)
 Westland Acres Area Map (Exhibit M)
 Clarkson Valley Map (Exhibit N)

EXHIBIT "A"
LOC # 16P130958
13190 OLIVE BLVD
F M WRIGHT ESTATES SUB
DEED BOOK 1173 PAGE 546



End of Relocation City of Chesterfield Eastern City Limits
 and the Relocation of City of Creve Coeur Western City Limits

Existing City of Chesterfield Eastern City Limits
 Existing Unincorporated St Louis County Southeast Corner Limits
 Southeast Corner of Mosely Clyde E Trustee Elal property
 Deed Book 12036, Page 2461

Northwest Corner of F. M. Wright Estates,
 Deed Book 1173, Page 546






Existing City of Chesterfield Eastern City Limits
 and the Existing City of Creve Coeur Western City Limits

NF Union Electric Company
 Locator # 16P130958

The Relocation of City of Chesterfield Eastern City Limits
 West Hills Subdivision, Plat Book 123, Page 90
 Southwest corner of F. M. Wright Estates,
 Deed Book 1173, Page 546

Existing City of Chesterfield Eastern City Limits
 and the Existing City of Creve Coeur Western City Limits
 and Point Being the Average Centerline of Creve Coeur Creek

Legend

-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141
(Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 5.984 Acres from
Chesterfield to Creve Coeur

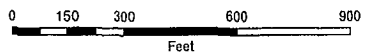
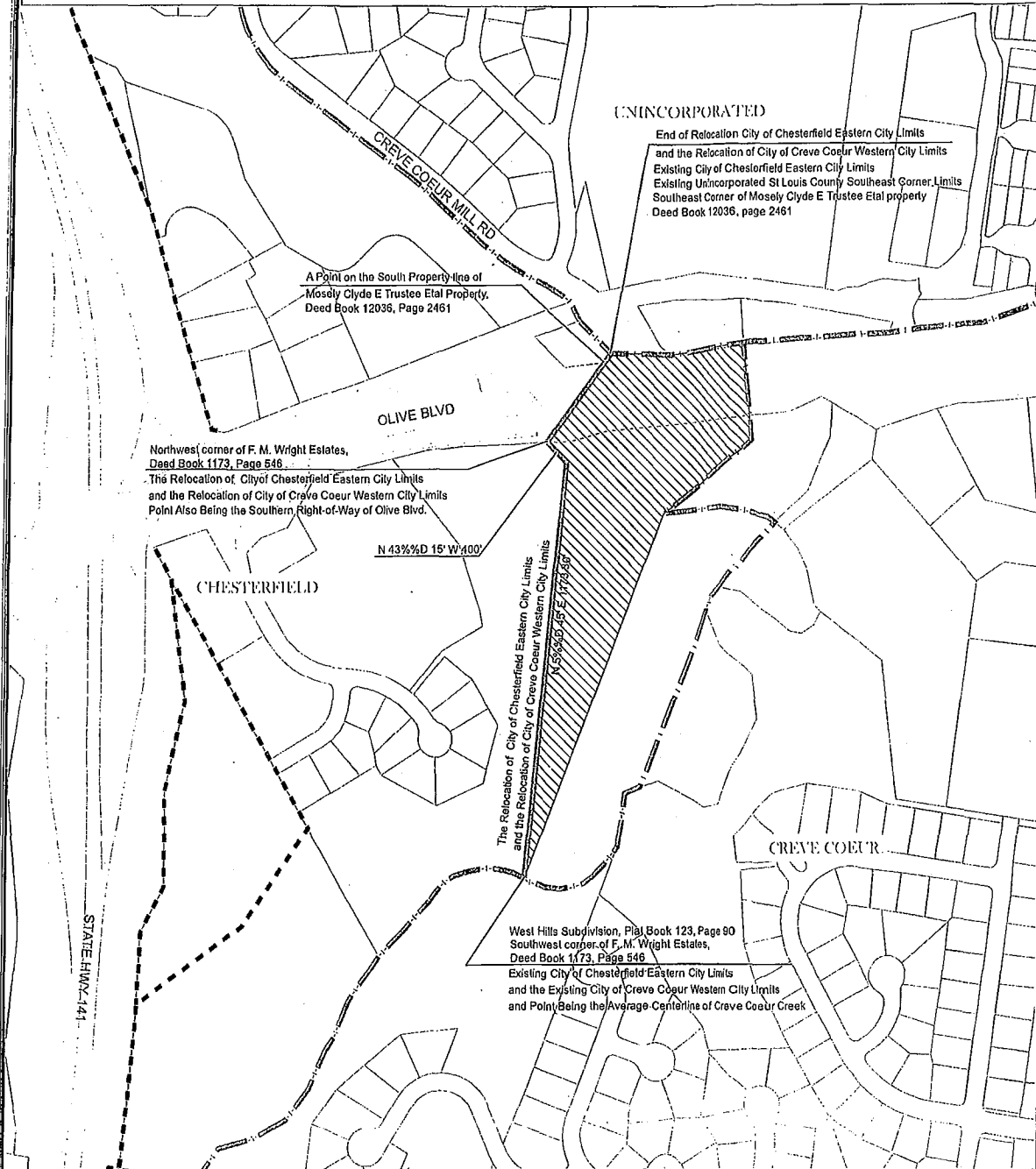







EXHIBIT "B"
LOC # 16P130073
13192 OLIVE BLVD
SCHOENBERG RICHARD TRUSTEE
DEED BOOK 12026 PAGE 2461



Legend

-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141
(Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 8,537 Acres from
Chesterfield to Creve Coeur

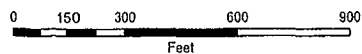
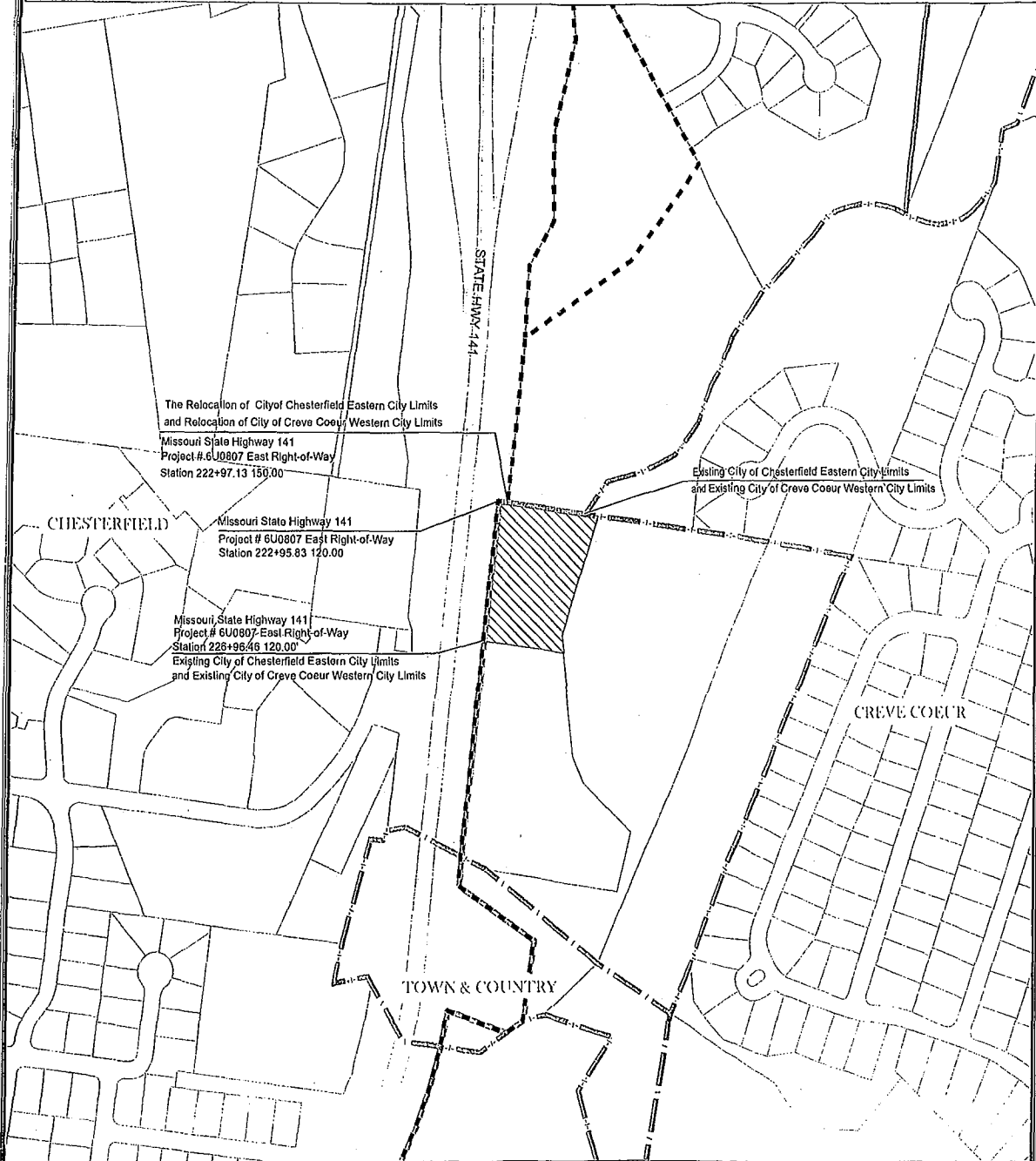







EXHIBIT "C"
LOC # 17Q640693
858 LAND O WOODS DR
STATE OF MISSOURI
DEED BOOK 18759 PAGE 403



Legend

-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141 (Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 2.332 Acres from Chesterfield to Creve Coeur

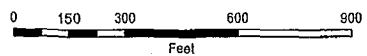
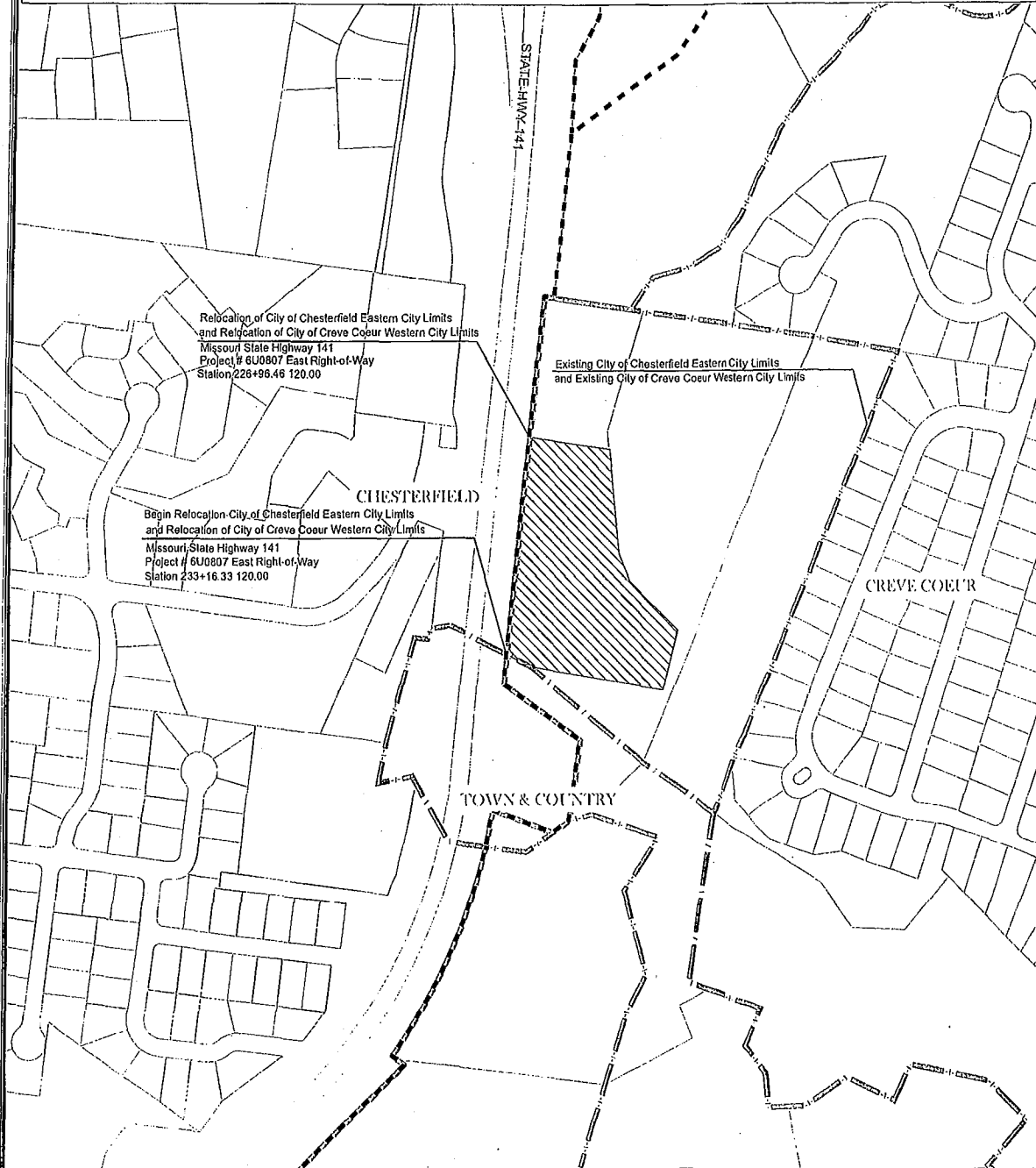







EXHIBIT "D"
LOC # 17Q640651
868 LAND O WOODS DR
WOOD LAKE RESIDENTS ASSOC
DEED BOOK 6703 PAGE 822



Legend

-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141 (Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 5.298 Acres from Chesterfield to Creve Coeur

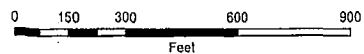
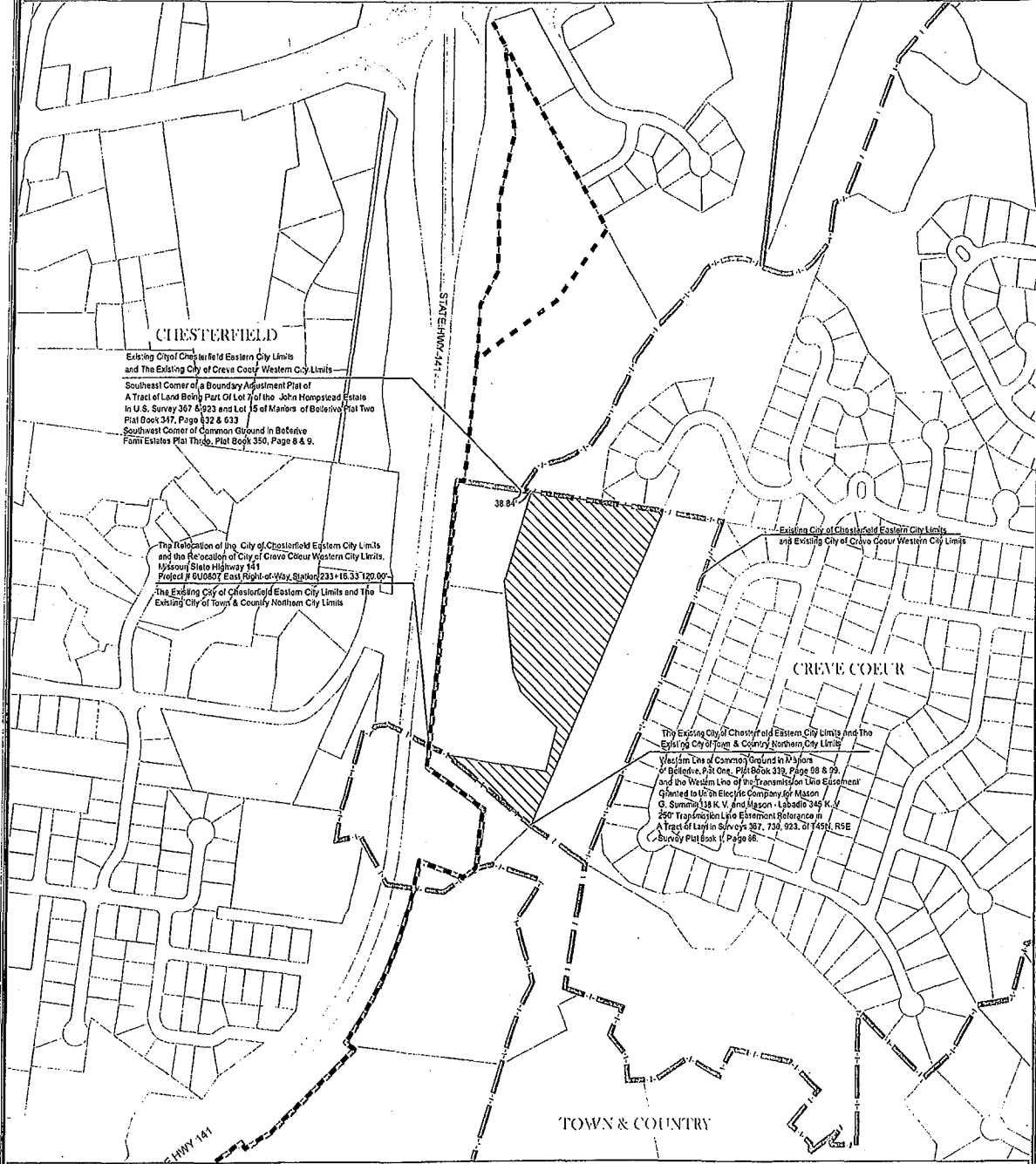







EXHIBIT "E"
LOC # 17Q640716
13245 AUTUMN TRAILS CT
BRAUER STEPHEN F TRUSTEE
DEED BOOK 18999 PAGE 3525



Legend

-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141 (Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 9.255 Acres from Chesterfield to Creve Coeur

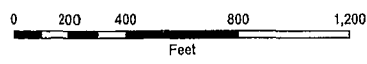
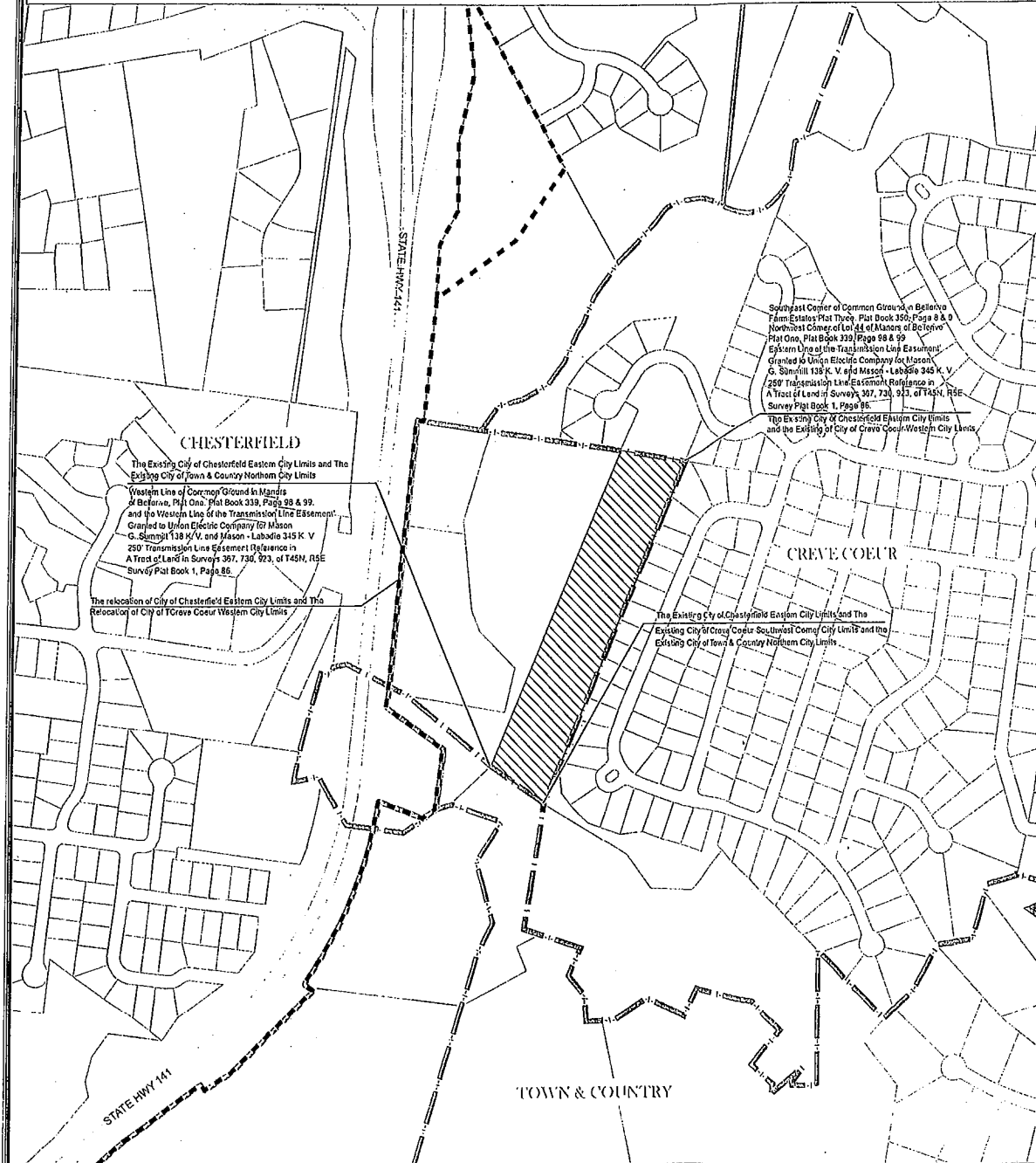







EXHIBIT "F"
LOC # 17P410343
13210 DARTAGNAN CT
BRAUER STEPHEN F TRUSTEE
DEED BOOK 10976 PAGE 2230



Legend

-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141 (Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 7,869 Acres from Chesterfield to Creve Coeur

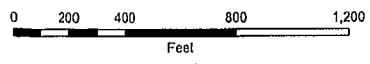
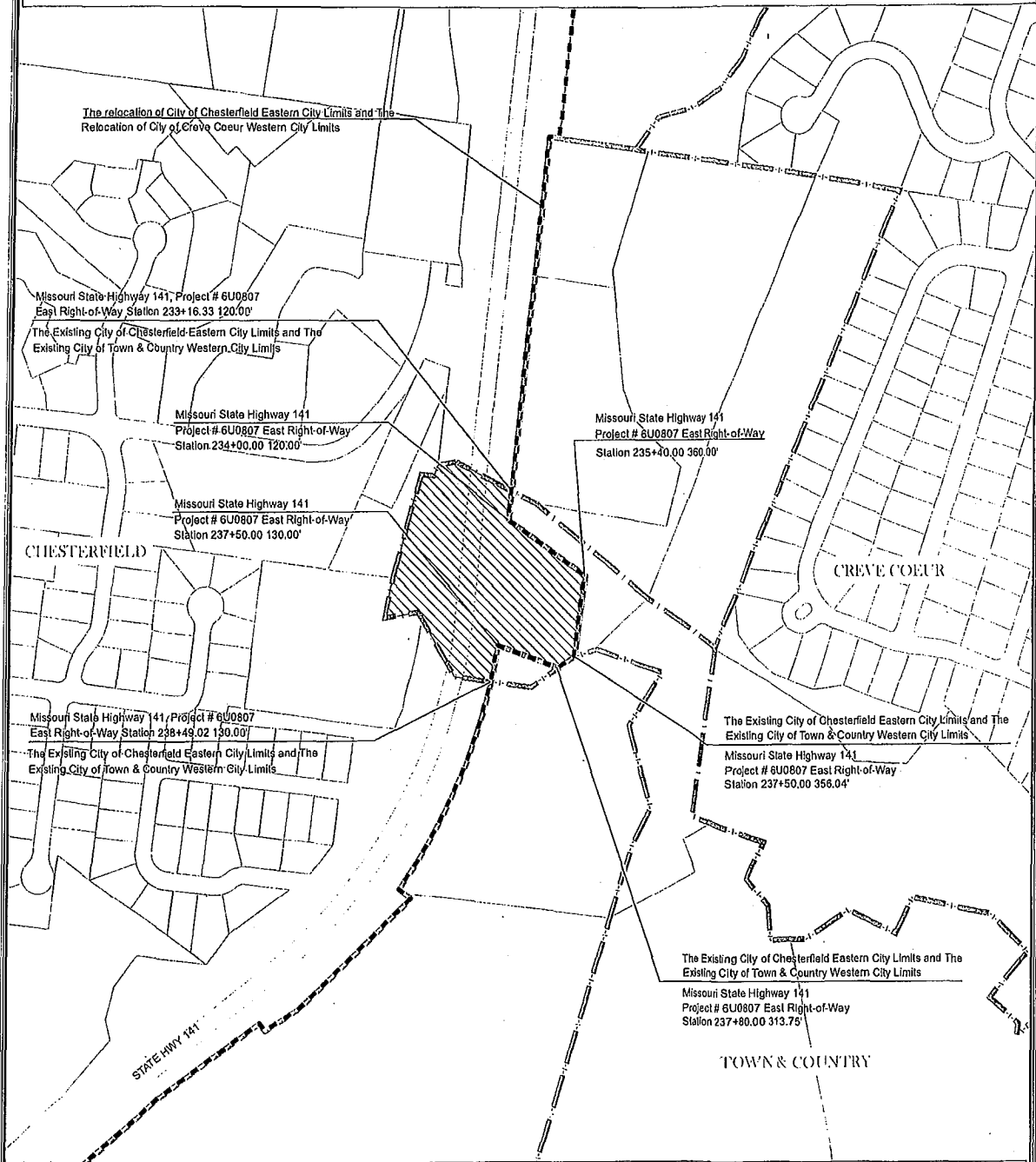


EXHIBIT "G"
MoDOT PROJECT # 6U0807
MISSOURI STATE HWY 141
(WOODS MILL RD)
STA. 238+49.02 TO STA. 233+16.33



Legend






-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141 (Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 5.316 Acres from Town & Country to Chesterfield



EXHIBIT "H"
LOC # 17Q620145
13364 WALFIELD LN
WOOD LAKE RESIDENTS ASSOC
DEED BOOK 6356 PAGE 872



Legend






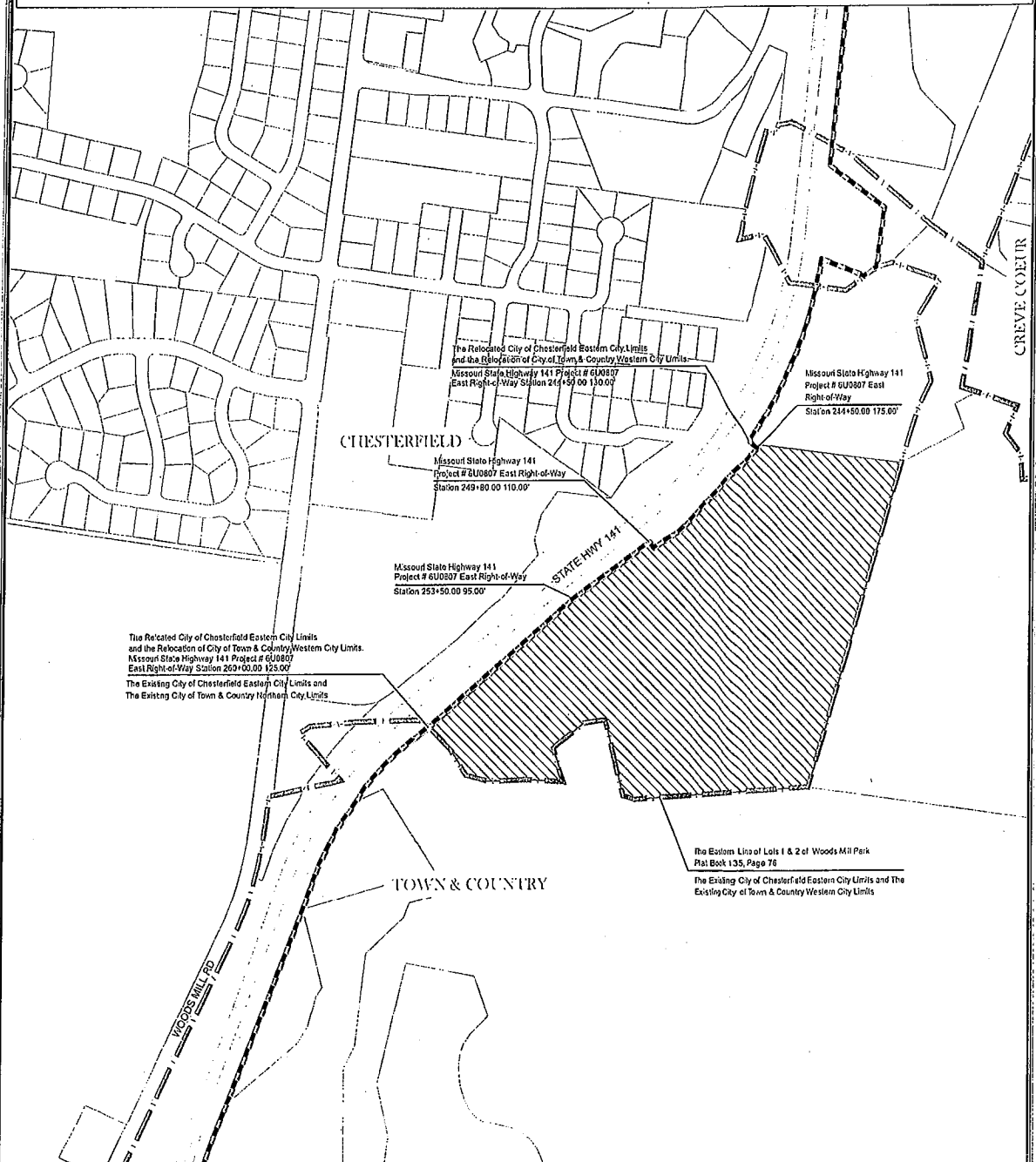





-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141 (Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 8.355 Acres from Chesterfield to Town & Country



EXHIBIT "I"
LOC # 17Q340041
13468 POST RD
BRAUER STEPHEN F TRUSTEE
DEED BOOK 9348 PAGE 545



Legend

-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141 (Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 33.898 Acres from Chesterfield to Town & Country

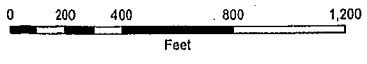
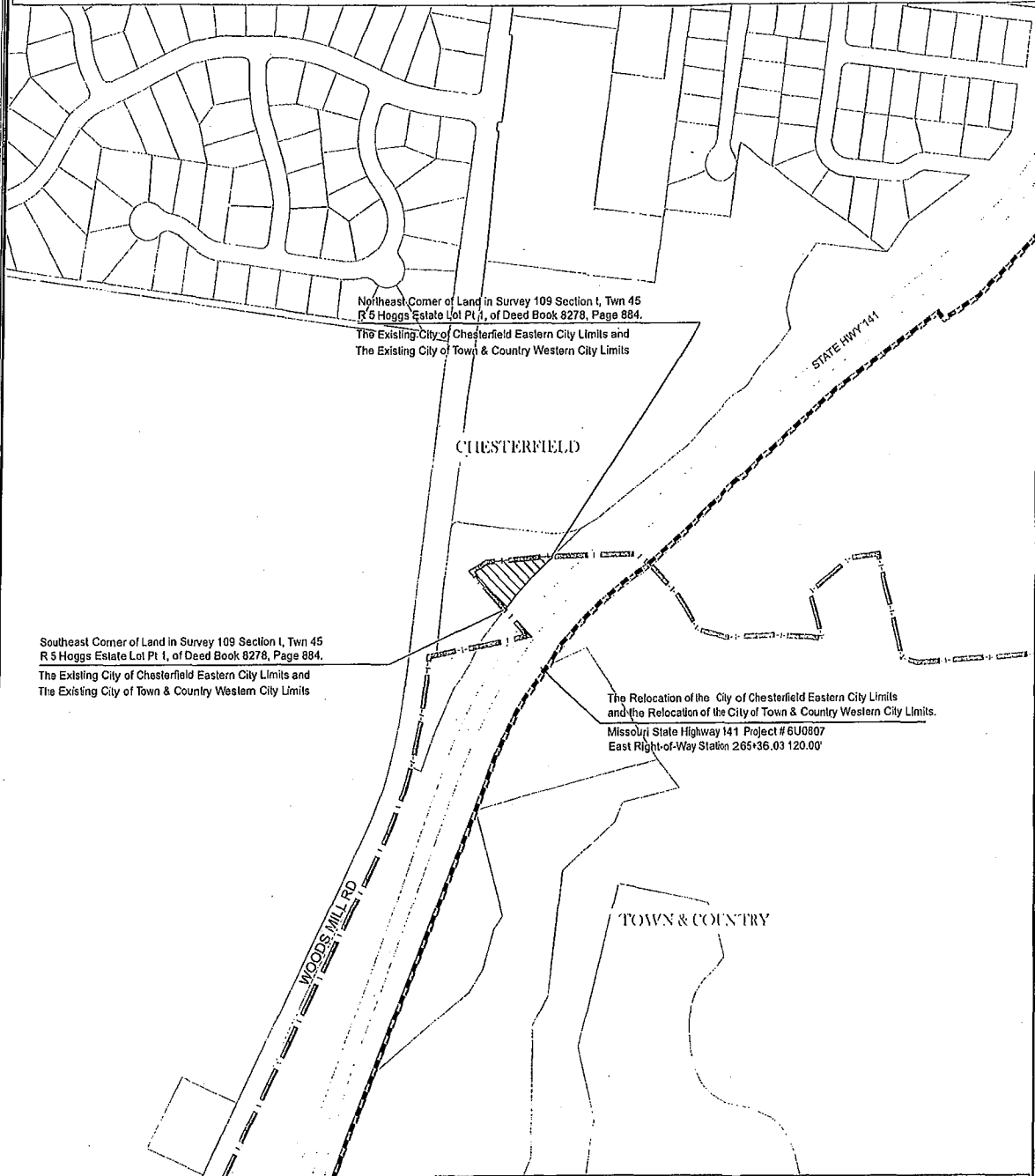







EXHIBIT "J"
LOC # 17Q240141
482 WOODS MILL RD
BRAUER STEPHEN F TRUSTEE
DEED BOOK 8278 PAGE 884



Legend

-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141 (Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 0.368 Acres from Town & Country to Chesterfield

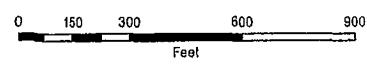
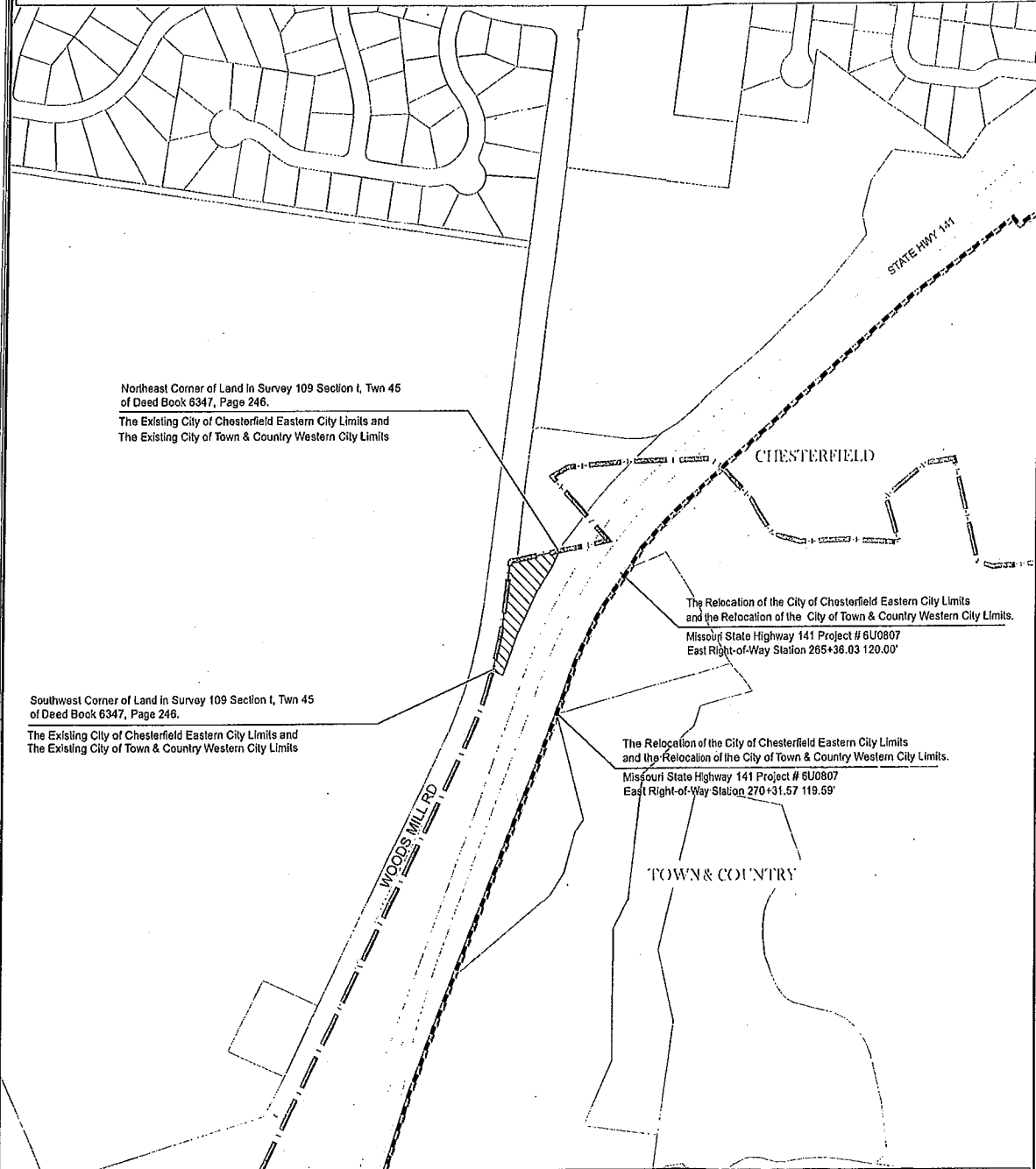


EXHIBIT "K"
17Q240132
440 WOODS MILL RD
HUNTER ENGINEERING CO
DEED BOOK 6347 PAGE 246

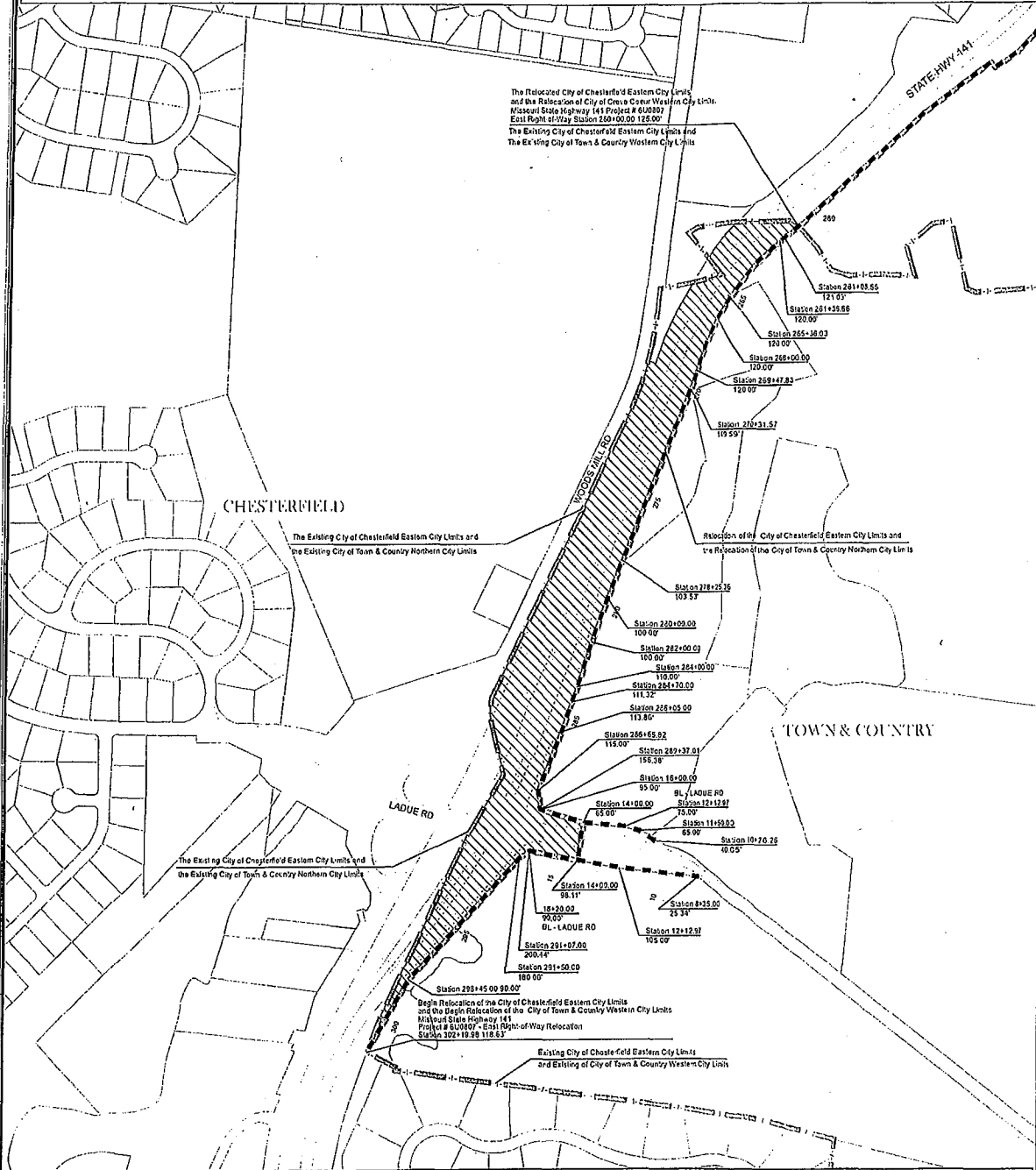


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




- Relocated City Limits of Chesterfield
- City Limits of Chesterfield
- Missouri State Highway 141 (Woods Mill Rd) Right-of-way
- Other Municipality City Limits
- Approx. 0.59 Acres from Town & Country to Chesterfield

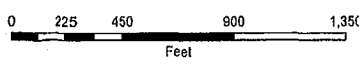


EXHIBIT "L"
MoDOT PROJECT # 6U0807
MISSOURI STATE HWY 141
(WOODS MILL RD)
STA. 302+19.98 TO STA. 260+00



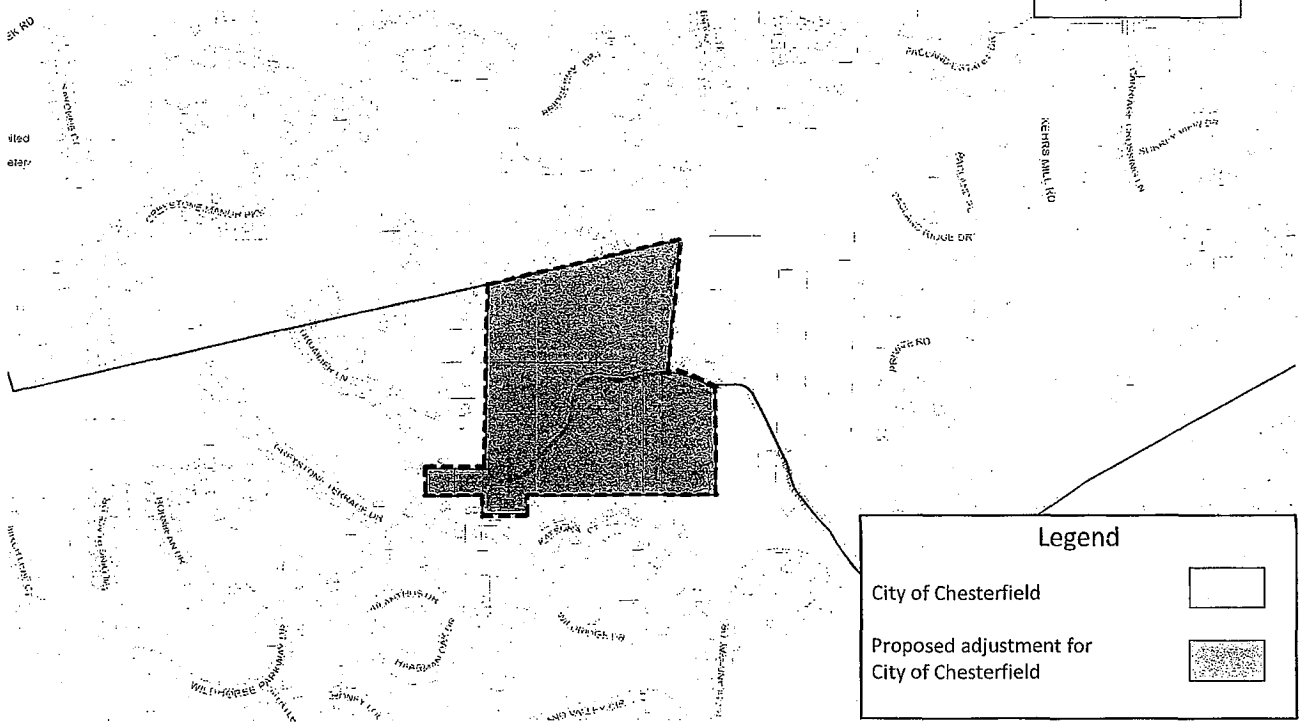
Legend

-  Relocated City Limits of Chesterfield
-  City Limits of Chesterfield
-  Missouri State Highway 141 (Woods Mill Rd) Right-of-way
-  Other Municipality City Limits
-  Approx. 19,948 Acres from Town & Country to Chesterfield



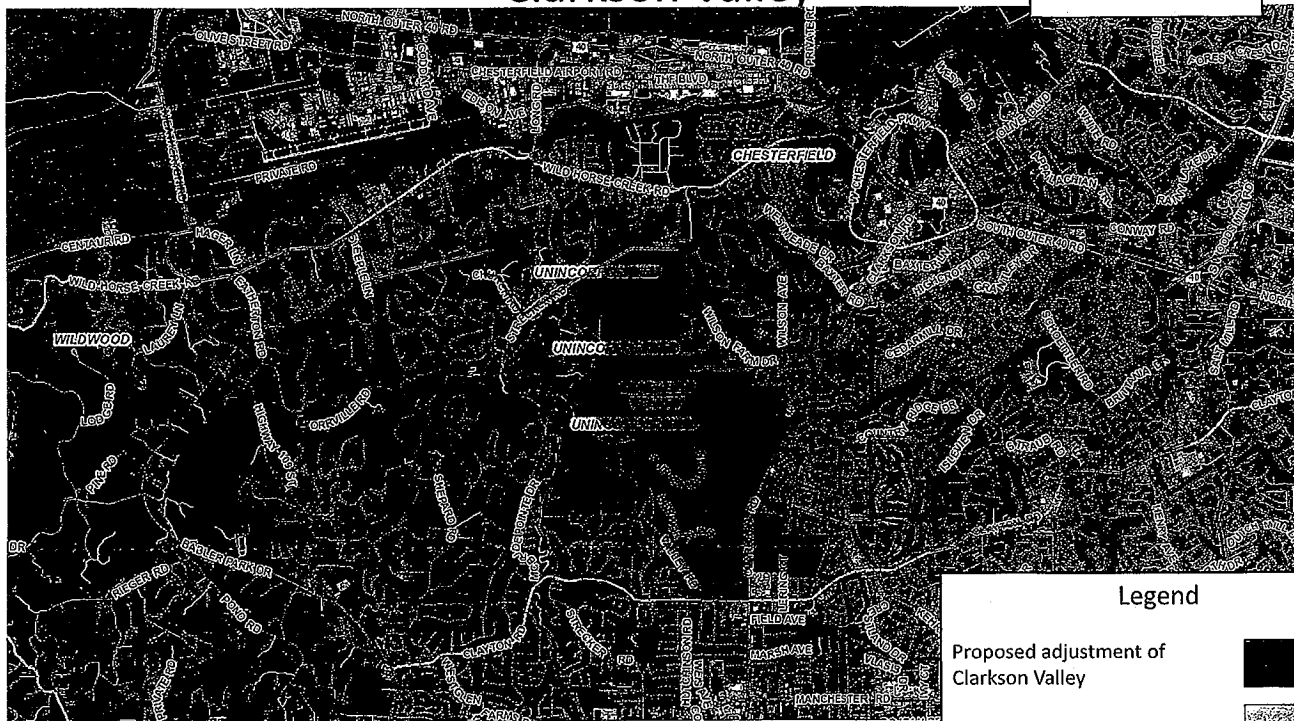
Westland Acres

Exhibit "M"



Clarkson Valley

Exhibit "N"



Legend

Proposed adjustment of
Clarkson Valley



Chesterfield boundary line



Memorandum

Department of Public Works



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

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

DATE: January 30, 2018 *See Bill # 3182*

RE: Public Works Board of Variance

The Public Works Board of Variance (PWBOV) was created by the City of Chesterfield in 1989 via Ordinance 306 (attached). The PWBOV was created in order to hear appeals related to Public Works, interpret the mechanical and building codes of the City, and authorize variances where appropriate. As established, the PWBOV was to contain five members. However, the PWBOV has not met in the last 17 years, and currently only contains two members.

It is the recommendation of the City Staff that the PWBOV be abolished. The PWBOV is no longer necessary because in 1993 the City of Chesterfield created the Board of Adjustment via Ordinance 834 (attached). Two of the powers of the Board of Adjustment are: 1) to hear appeals where it is alleged that an error has been made by City Staff; and 2) to grant variances where appropriate. The only remaining duty of the PWBOV not encompassed by the powers of the Board of Adjustment is the interpretation of the mechanical and building codes of the City. However, the City of Chesterfield has adopted the Building and Mechanical Codes of St. Louis County as the codes of the City of Chesterfield. Any interpretation of those codes should more appropriately be forwarded to the St. Louis County Board of Appeals, i.e. the St. Louis County Building Commission, which was created for this purpose.

Due to the creation of the City's Board of Adjustment, there is no need for the PWBOV. This is supported by the fact that the PWBOV has not meet in 17 years. Citizens who are interested in becoming involved with a City board or commission would be better served by being appointed to a different advisory body.

Action Recommended

In accordance with the recommendation from the Finance and Administration, the attached ordinance has been drafted which would eliminate the Public Works Board of Variance. This ordinance should be forwarded to the full City Council for consideration.

PARKS RECREATION AND ARTS COMMITTEE

Community Garden Relocation

The Parks, Recreation and Arts Committee recommended relocating the existing community garden which is being displaced by private development, at an estimated cost of \$8,500, funded by a transfer from the Parks Fund – Fund Reserve. Some of the materials from the displaced community garden will be used to reconstruct the garden in its new location, reducing the overall cost.

Parks Master Plan

The Parks, Recreation and Arts Committee favorably recommended authorizing the City Administrator to execute a Contract with “Pros” for to complete an update to the Parks Master Plan, in an amount not to exceed \$60,000, using the funds originally allocated within the Parks Fund in the 2017 approved budget and as was included in the projected expenditures when developing the 2018 adopted budget. \$60,000 to City Council with the recommendation to approve funding for the Parks Master Plan contract that was provided in the approved 2017 budget and was included in the projected expenditures used to prepare the 2018 budget. No additional funding or appropriation is being requested, simply a request to approve a contract with “Pros” using the funds budgeted for this purpose in the 2017 approved budget.

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

As always, if you have any questions or require additional information, please contact Tom McCarthy or me prior to Monday’s meeting.

Memorandum

To: Mike Geisel, City Administrator
From: Tom McCarthy
Director of Parks, Recreation and Arts
Date: 1/12/18
Re: Community Garden Relocation



7

Mike, we have to move the Community Garden that was put in off the Parkway at Justus Post and the Parkway due to the property being sold. I have worked out another location with Ami Kutz from Sachs Properties. The new location is just north of the existing garden, directly east of Burkhardt and the Parkway, on the eastern side of the Parkway.

Attached is a picture of the new location. We have removed everything from the original garden location next to Bishop's Post and will be using most of the fencing and other supplies from the original Parkway garden. To relocate the garden, we are looking at an estimated \$8,500 price tag. With the close proximity to the original Parkway garden, we don't feel that we will lose any of the current plot holders. If we do, we still have seventeen residents waiting for plots currently and, as spring approaches, we will add additional residents to the waiting list.



Blue rectangle denotes placement of garden, yellow area will be the parking area

We will stick with the same plot sizes (8' x 4', 8' x 8', 8' x 16') and we will add a few additional plots depending on the actual layout. Our Parkway Garden had 6, 4' x 8' plots, 21, 8' x 8' plots and 9, 8' x 16' plots which brought in \$4,050 in the two years it was in existence.

Budget Break Down

Water tap and hose bib installation for watering	\$ 3,000
Soil mixture for garden	\$ 3,000
Fence	\$ 1,000
Wood for raised beds	\$ 1,000
Rock	\$ 500

Garden Relocation Improvement Cost \$8,500


General information on initial funding for the Parkway Community Garden in 2016 was \$30,000 from the Parks Fund- Fund Reserve. Staff completed the garden build and, in the end, the complete installation of the Parkway Community Garden ended up costing \$16,752.37.

The projected fund balance for the Parks Sales Tax Fund-Fund Reserve account on 12/31/17 was projected to be at \$1,919,275.

I would like to request that this information be forwarded to the Parks, Recreation and Arts Committee of Council, in hopes of a positive recommendation to transfer an amount not to exceed \$8,500 from the Excess Parks Fund- Fund Reserve account, to provide for the construction funds to relocate our second Community Garden on the above mentioned property that Ami Kutz, Vice President of Sachs Properties, has graciously allowed us to use on an ongoing basis for the next several years or until the land is slated for development.

Our goal is to have the garden reconstructed over the winter months by Park Maintenance staff and open for spring planting.

Memorandum

To: Mike Geisel, City Administrator
From:  Tom McCarthy
Director of Parks, Recreation and Arts
Date: 1/12/2018
Re: Parks Master Plan Questions



3

During discussion of Staff's recommendation to enter into a contract for updating the Parks Master Plan at the Council meeting on December 4th 2017, a question came up about the ability to still apply for the Municipal Park Grants without an updated Parks Master Plan. Council directed us to send the Parks Master Plan proposal to the Parks, Recreation and Arts Committee of Council for an answer to this question, a review of the proposal and a recommendation. After talking to Steve Ables at the Municipal Grant Commission concerning our 14-year-old Parks Master Plan, Steve said we would still be able to apply for grants and, based on our score, still receive grants without an updated Parks Master Plan. To be completely clear, having a current Parks Master Plan is one of many scoring categories and while it enhances the application score, having a 14 year old plan is not disqualifying and the City's grants applications could be successful regardless.

There was also discussion about the outdated Master Plan's impact on the City's National CAPRA Accreditation through NRPA. With the accreditation process, having a current and regularly updated Master Plan is one of the 37 Fundamental Standards required to which must be satisfied to even be considered for the accreditation. There is also the requirement to meet 97 of the remaining 114 standards. Without the periodically updated Master Plan, we will no longer be able to be re-accredited as a nationally ranked Parks and Recreation Department. However, it should be noted that the City successfully completed the re-accreditation process in 2017, as long as the plan is updated within the next three years, it wont in itself be an impediment to the City's accreditation.

I have attached the standard below for review.

2.4 - Park and Recreation System Master Plan

Standard: The agency shall have a comprehensive park and recreation system plan that provides recommendations for provision of facilities, programs and services; parkland acquisition and development; maintenance and operations; and administration and management. The plan shall be officially adopted by the policy-making body, updated periodically and linked with a capital improvement budget and a phased development program. The system master

plan shall implement policies adopted in the comprehensive plan for the jurisdiction. Interested and affected agencies, organizations, and groups shall be engaged in the planning process.

Suggested Evidence of Compliance: Provide the current plan with documentation of official approval; describe update process; and describe a phased implementation program with linkage to the agency's capital improvement budget. The system master plan shall include:

- a. Agency mission (1.4);
- b. Agency objectives (1.4.1);
- c. Recreation and leisure trends analysis (10.5.1);
- d. Needs assessment (10.4);
- e. Community inventory (10.5.2); and
- f. Level of service standards (10.3.1).

Informational reference in the Management of Park and Recreation Agencies, (2010), 3rd Ed., Chapter 7 – Planning for Strategic Management, p. 120.

Agency Evidence of Compliance:

This Comprehensive Parks, Recreation and Arts Master Plan (Master Plan) is a comprehensive and inclusive step-by-step process to reach a preferred future, providing employee and citizen empowerment and buy-in, and allowing the City to focus and partner its resources most effectively in addressing the key critical issues impacting our success and future.

The primary purpose of the Master Plan is to establish a planning tool that will serve as a guideline for the development and improvement of the parks, recreation and arts system and the creation of new opportunities. This Master Plan is expected to be an achievable goal that will provide the Chesterfield Community with a parks, recreation and arts system that will not only meet, but exceed the City's Mission Statement. (Document - Master plan update 2015)

Funding for the Parks Master Plan contract was provided in the approved 2017 budget and was included in the projected expenditures used to develop the 2018 budget. No additional funding or appropriation is being requested, simply a request to approve a contract with "Pros" using the funds budgeted for this purpose in the 2017 approved budget.

One additional consideration that Council should be aware of, is that the Parks Master Plan is typically coordinated with and referenced in the City's Comprehensive plan. The Comprehensive plan typically includes data and vision extracted from the parks master planning process. Absent a separate and independent process to update the Parks Master Plan, this scope of work will necessarily become part of the Comprehensive Plan process that has been discussed for 2018.

I would like to bring this forward to the Parks, Recreation and Arts Committee of Council at our January 16th meeting for their discussion and approval so it can then move back to Council at our earliest convenience.

I have also attached the memo that went to Council initially for reference.

Memorandum



To: Mike Geisel, City Administrator
From: Tom McCarthy
Director of Parks, Recreation and Arts
Date: 1/9/20187
Re: Park, Recreation and Arts Master Plan

Mike, In the 2017 Budget, we have \$60,000 set aside for the update of the Parks, Recreation and Arts Master Plan. We advertised and sent out the RFQ which is attached and received seven proposals back. After a thorough review of the RFQ's and lengthy discussion by Jason Baucom, Arts and Entertainment Superintendent, Kari Johnson, Recreation Superintendent, Steve Jarvis, Parks Superintendent, Justin Wyse, the Director of Planning, Mike Whelan, the Parks Recreation and Arts citizens Advisory Committee Chair and myself, we initiated four interviews with the following firms; Forum, Planning Design Studio, SWT Design and Pros Consulting. The four firms all were excellent in their RFQ submittal, scope of service, public engagement process and statistical analysis.

Pros was the number one choice by the entire interview panel. Pros is a leader in the field of Parks Master Plans, and has the greatest overall experience and expertise based on the four hundred plus Master Plans they have completed, along with their overall public engagement process. The interview group feels Pros can deliver the best product in the end to give us the best information from our Chesterfield residents, a clear path to move forward and the ability to address the financial constraints and guidance on potential future funding sources. I checked with several of Pros past clients and they were all extremely happy with their Master Plan results and highly recommended them.

I would like to bring this to Council at the December 4th meeting for their approval to extend a contract to perform our Parks, Recreation and Arts Master Plan Update to Pros Consulting for the sum of \$60,000 from our 2017 Parks Budget. The funds are in account number #119-084-5261 under Professional Services. We would set the dollars aside in a PO for the services and work out the final details and schedule for the Master Plan after the first of the year. The Master Plan would be completed and presented back to Council prior to the end of 2018.

I have attached the following for review

1. Our RFQ request
2. Pros RFQ submittal
3. Pros power point from their interview

Mike, please let me know if you would like to discuss any of the attached material at your earliest convenience.



Request for Qualification
Comprehensive Master Plan Services

For

The Chesterfield Parks, Recreation and Arts Department

September 15, 2017

RFQ Submission Deadline
October 20, 2017

Chesterfield City Hall
690 Chesterfield Parkway West
Chesterfield MO 63017-63005

1. General Information

The City of Chesterfield Parks, Recreation and Arts Department is requesting qualifications from accomplished consultant or team of consultants to update our current comprehensive Parks, Recreation and Arts Master Plan which will provide overall steering for updates and renovation to our current plan that was last updated in 2004. Our Parks, Recreation and Arts Master Plan will assist in the overall guidance and future expansion, prioritize needs of the community and take an overall look at potential opportunities along with generating an all-encompassing strategic action plan for the Department and City to work with for the next ten years. The plan should support heavy public engagement, along with strategic interaction with our Parks, Recreation and Arts Citizens Advisory Committee, expansion opportunities for our trail systems, parks development with renovation ideas and new trends that will enhance the overall Chesterfield community for young and old alike. We are looking for environmentally friendly practices and a close attention to resident's needs for open space, trails, programmed and non-programmed areas that continues to keep Chesterfield in the forefront of West County municipalities.

2. City of Chesterfield Background Basics

The City of Chesterfield, Missouri is 25 miles west of the City of St. Louis on Highway 64/40. Chesterfield was incorporated in 1988. The population of Chesterfield is 47,484 with a workday population of about 84,000. The City encompasses 33.52 square miles, and the Parks, Recreation and Arts Department manages over 518 acres of park land and green space. 207 acres of our parks are located down at the Chesterfield Valley Athletic Complex which consists of 19 baseball/softball fields and 14 multisport fields with two playgrounds, commercial concession stand operations and the Monarch Levee Trail. Other major amenities include our 38 acre Central Park with our Outdoor Aquatic Center, State of the Art Amphitheater and recently opened Veterans Honor Park. Eberwein Park consist of 18.5 acres, with the overly loved dog park and community garden plots. There are additional parks throughout the City, our Conway Cemetery, River's Edge Park, which is 188 acres with a 33 acre lake, and several other open green spaces and undeveloped park opportunities. Our Parks Department also has over 38 acres of medians and interchanges we manage throughout the City.

3. Mission Statement

The City of Chesterfield's Parks, Recreation & Arts Department strives to be a leader in the progressive development, maintenance and operations of Parks, Recreation & Arts facilities.

The Department is committed to provide a balance of active and passive Parks, Recreation & Arts facilities that enhance and preserve the conservation of environmental and natural resources.

Develop partnerships with community organizations and agencies.

Provide programs so people can grow, develop character, mature, learn skills, and respect for themselves and others.

Work with citizens and community leaders to enhance its position as a premier place to live, work and play.

4. Purpose

Our purpose in this exercise is to develop a heavily engaged resident based group to support our Parks, Recreation and Arts Master Plan that gives us direction and guidance for the growth of our City's parks, trails, programs, green space and recreation and arts program. The Parks updated Master Plan will assist in guiding priorities, policy development and future opportunities along with a strategic action plan to be updated every 3 years.

5. Scope of Services

- Park Review and Inventory Study- Review the current condition of Chesterfield's parks, facilities, trails, green space, parking infrastructure, office space and parks maintenance facilities.
- Review and prioritize underserved portions of the City.
- Recreation Program Review and Analysis- Analyze and assess the current recreation programs and services along and take note of strengths and weaknesses now and for the future based on current and future trends.
- Demographic Study- Look into current and trending demographics and use the projected demographic data for future Chesterfield resident's needs and interest in parks, trails and open space needs to keep Chesterfield on the forefront.
- Chesterfield's Needs Study- Forecast the community's interest and needs for enhancement to the parks overall system through community engagement, town hall meetings and surveys. For example, neighborhood parks, dog parks, open space, pavilions, trails,
- Capital Projects- Assist in the identification of important capital projects to consider to be incorporated into the short and long range plan. 3-5 years, 6-10 years and 11-20 years.
- Cost and Funding Sources Study- Identify probable cost and funding sources, strategies to use and look at best use of current parks sales tax funds.

6. Insurance

Contractor's Liability Insurance

The Contractor shall purchase and maintain, in full force and effect, the following insurance coverage with an insurance carrier acceptable to the City:

The policy shall be endorsed to cover the contractual liability of the Contractor under the General Conditions.

The Contractor and his Subcontractors shall procure and maintain during the life of this agreement insurance of the types and minimum amounts as follows:

(a) Worker's Compensation in full compliance with statutory requirements of Federal and State of Missouri law and Employer's Liability coverage in the amount of \$500,000.

(b) Comprehensive General Liability and Bodily Injury

Including Death: \$ 500,000 each person
\$2,500,000 each occurrence

Property Damage: \$2,500,000 each occurrence
\$2,500,000 aggregate

(c) Comprehensive Automobile Liability, Bodily Injury

Including Death: \$ 500,000 each person
\$2,500,000 each occurrence

Property Damage: \$2,500,000 each accident

(d) Owner's Protective Bodily Injury

Including Death: \$ 500,000 each person
\$ 500,000 each occurrence

Property Damage: \$ 500,000 each occurrence
\$ 500,000 aggregate

The Owner's Protective Policy shall name the City as the Insured. Certificates evidencing such insurance shall be furnished the City prior to Contractor commencing the work on this project. The certificates must state the City of Chesterfield is an additional insured.

7. Information Included for RFQ

- Parks Master Plan 2016 update can be found at [www.chesterfield.mo.us/webcontent/parks/Comprehensive Master Plan with Strategic Action Plan.pdf](http://www.chesterfield.mo.us/webcontent/parks/Comprehensive%20Master%20Plan%20with%20Strategic%20Action%20Plan.pdf)
- Chesterfield Parks, Recreation and Arts APP can be down loaded at the mobile app store at Chesterfield Parks, Recreation and Arts
- Veterans Honor Park www.vhp.chesterfield.mo.us
- Parks, Recreation and Arts website www.chesterfieldparks@chesterfield.mo.us
- Chesterfield Amphitheater Website www.chesterfieldamphitheater.com

8. Submission requirements

- Title page
- Table of contents
- An introduction and overview of your organization, team members and additional consultants, which will include a brief resume and background on individuals.
- Organizational chart of all members on the team.

- List of recent master plans and similar municipal and private work projects you have worked on in the last five years along with a contact name and number for the projects.
- Recommended list of items you plan on delivering, with a list of additional alternative options.
- Timeline for anticipated deliverables
- Additional materials and samples of your work that you would like us to review that pertain to our Master Plan.

9. Foundation for Review and Selection

- The expert and ethical prominence of the team as a whole along with the strength of the individuals leading the project.
- Overall knowledge of opportunities, strengths and weaknesses of the City of Chesterfield and the Chesterfield Parks, Recreation and Arts Department.
- Passion, expertise and creativity of the team to perform the services required in the most professional and timely manner.
- Past history of projects with current team members, innovation and vision.

10. Submission Instructions

- Submittals must be delivered on or before October 20, 2017 to be considered.
- We will need five (5) complete copies bound with one (1) PDF copy to be considered.
- Faxed or e-mailed submittals will not be considered.
- Late or incomplete submittals will not be considered.

11. Additional Terms

- The submission of a Proposal shall be clear evidence that the RFQ respondent has full knowledge of the scope, nature, quantity, and quality of the work to be performed.
- The RFQ respondent shall furnish the City such additional information as the City may reasonably require.
- All decisions related to this solicitation by the Parks, Recreation and Arts Department will be final.
- The Parks, Recreation and Arts Department reserves the right to request clarification of information submitted and to request additional information of one or more respondents.
- All materials submitted in response to this RFQ will become the property of the City upon delivery.
- Costs incurred for preparing the Statement of Qualifications in response to this request are solely the responsibility of the respondent.

12. Applicant Interviews

After a thorough review of the submittals that meet the qualifications and warrant interviews, we will contact the applicants for a team interview in person. Teams selected for onsite interviews must include their Project Manager as part of the interview team. This Project Manager will be identified in the RFQ response, and it is the expectation of the Parks, Recreation and Arts Department that this manager will lead the actual implementation if a contract is awarded.

Interviews will be held at the Chesterfield Parks, Recreation and Arts Office, 17891 North Outer Forty Road, Chesterfield MO 63005.

The review and selection of consultant shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation. The City of Chesterfield, Missouri is an Equal Opportunity Employer and encourages proposals from qualified minority and woman-owned businesses.

Firms selected for onsite interviews must include their Project Manager as part of the interview team. This Project Manager will be identified in the RFQ response, and it is the expectation of the City that this manager will lead actual implementation if a contract is awarded.

13. CITY CONDITIONS OR RESERVATIONS

CONTRACT NEGOTIATIONS

Upon being notified that the Consultant has been selected, contract negotiations shall commence. Contract negotiations will require the selected Consultant to proceed with the development of a Scope of Work and costs for all the components of the project. If the Consultant fails to provide the necessary Scope of Work and cost information for negotiations in a timely manner, does not negotiate in good faith, or cannot perform the Contract for the Project, the City may cancel negotiations with that Consultant and commence negotiations with the next ranked Consultant.

All aspects of the scope of work and pricing may be subject to negotiation.

RFQ are to be submitted to

Chesterfield Parks, Recreation and Arts Department

Tom McCarthy

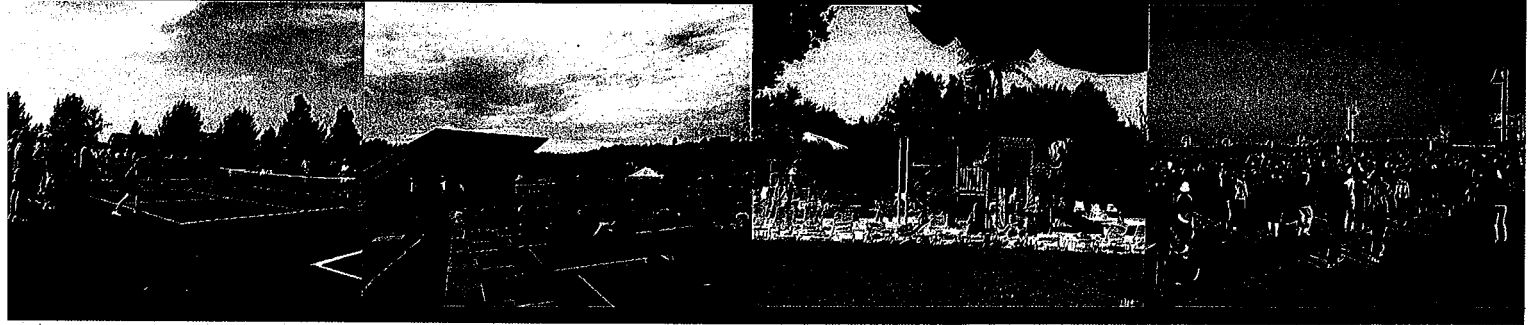
690 Chesterfield Parkway West

Chesterfield MO.63017-0760

tmccarthy@chesterfield.mo.us

(O) 636.812.9500

K/Tom/parks/parksmasterplan



Request for Qualification:
Comprehensive Master Plan Services

Presented to the:
City of Chesterfield



October 20, 2017

PROS CONSULTING
201 S. Capitol Avenue
Suite 505
Indianapolis, IN 46202
877.242.7766
www.prosconsulting.com

Prepared By:



pros →
consulting
INC.



October 20, 2017

Letter of Submission

Inspiring
Communities
to Lead
Forward

Attn: Mr. Tom McCarthy, Park, Recreation & Arts Director
Chesterfield Parks, Recreation and Arts Department
690 Chesterfield Parkway West
Chesterfield, MO 63017

RE: RFP – Development of a Parks, Recreation and Arts Comprehensive Master Plan

Dear Mr. McCarthy and Selection Committee:

PROS Consulting considers it our privilege to present our approach and qualifications for the opportunity to work with the Chesterfield Parks, Recreation, and Arts Department on the preparation of a *Parks, Recreation, and Arts Master Plan*. We are a full-service management consulting and strategic master planning firm focusing on services to government agencies, with specialized experience in parks, recreation, arts, economic development, sports strategy, marketing and branding, and open space planning.

Our national experience, combined with our local experience in the St. Louis region, specifically ensures that we are able to offer the best of both worlds to help the Department achieve its vision and goals as it relates to parks, recreation, and arts. In summary, we propose a proven approach that can aid the Department to:

- **Engage the Chesterfield community**, leadership and stakeholders through innovative public input means to build a shared vision for parks, recreation, and arts in the City for the next ten years.
- **Utilize a wide variety of data sources and best practices** to predict trends and patterns of use and how to address unmet needs in the City of Chesterfield.
- **Determine unique Level of Service Standards** to develop appropriate actions regarding parks, recreation programs and arts that reflects the Department’s strong commitment in providing high quality activities for the community.
- **Shape financial and operational preparedness** through innovative and “next” practices to achieve the strategic objectives and recommended actions.
- **Develop a dynamic and realistic strategic action plan** that creates a road map to ensure long-term success and financial sustainability for the Department’s parks, recreation programs and arts, as well as action steps to support the family-oriented community and businesses that call the City of Chesterfield home.

Our team is most qualified because we combine our objective, data-driven approach with national experience that will help the Department enhance its operational preparedness and meet the community’s needs. By triangulating **community input driven needs, planning priorities** and the **available and potential resources of the Department** we will help you **build the organizational and financial capacity** to continue exceeding your organization’s goals for the future.

We are pleased to have assembled an esteemed and award-winning team for this project, which includes the expertise of **ETC Institute**, a nationally renowned survey and market research firm to assist in the statistically-valid community survey development. ETC Institute and PROS Consulting have completed over 300 statistically-valid surveys together over the last twenty years.

We look forward to the opportunity to meet with you in person to present our approach and qualifications to perform this exciting project. If you have any questions or need additional information, please do not hesitate to contact me at 317.679.5615 or leon.younger@prosconsulting.com or our project manager Austin Hochstetler at 574.209.0687 or Austin.hochstetler@prosconsulting.com.

Sincerely,
PROS Consulting

Leon Younger
President

201 South Capitol Avenue
Suite 505
Indianapolis, Indiana 46225

☎ 877.242.7760

📠 877.242.7761

prosconsulting.com

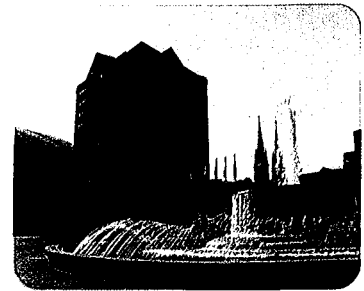
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Section Two - Firm Background & Qualifications Who is PROS Consulting?

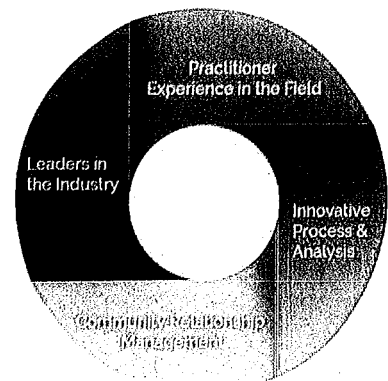
PROS Consulting is a small firm with a big presence in the field of management consulting for public entities and non-profit organizations. With a small team of highly professional and experienced consultants, PROS is a flexible firm that is agile to the evolving dynamics of the social, economic, and political environments our clients operate in. PROS is among only a small handful of firms that have tremendous experience in the field as practitioners and have become nationally recognized for helping to shape and further transform the industry of parks and recreation. The full name and location of the office that will be working on this project are:



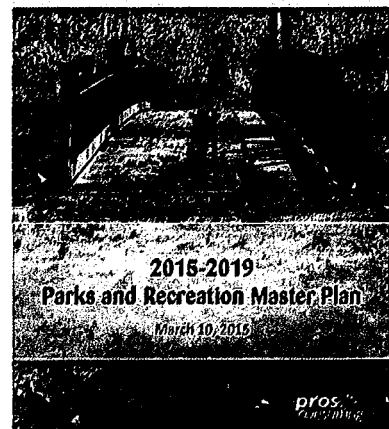
Full Legal Company Name: PROS Consulting, Inc.
Years in Business: 22 (formed in 1995)
Type of Company: S-Corporation, Leon Younger and Katherine Younger are the Principals
Contact Information: 201 S. Capitol Avenue, Suite 505; Indianapolis, Indiana 46225;
P: 877.242.7760; F: 877.242.7761
Contact: Leon Younger, President; 317.679.5615; leon.younger@prosconsulting.com

Operational Philosophy & Organizational Characteristics

- Since the firm was established in 1995 to uniquely serve the park, recreation and tourism services industry, PROS has completed more than 1,000 projects in over 47 states and numerous projects internationally in seven countries.
- The PROS Team has worked in **highly diverse environments** from the inner cities of Los Angeles, Houston, Atlanta, and Dallas, to remote areas in Appalachia, Montana, and the American West. Our experience includes working with the best-of-the-best, the worst-of-the-worst, and a lot in between.
- Our planning team has great depth of operational experience with **over 100 combined years as former parks and recreation managers**. This perspective of being trained “in the industry” and not just “on the industry” allows us to relate to communities and their residents, recreationalists of all types, and to understand the unique relevance of needs that can be most appropriately served by our clients. In other words, great recreational and park planning is not just collecting surveys and reporting results – it is about **achieving a sustainable balance of services, meeting community needs, and resource protection with community fulfillment**.
- Our approach to planning projects are that we become the **extension of the client’s team** and carry the same accountability as they do in serving their communities.
- This project is not about the PROS Team or what we think is best for your organization and stakeholders, nor do we believe that what works on some parts of the country will work here. This project is about producing **reliable, sustainable, relevant, and innovative outcomes for the City of Chesterfield, and the people that live, work and play in the region**.



Carmel • Clay
Parks & Recreation
NATIONAL GOLD MEDAL WINNER
AND ACCREDITED AGENCY

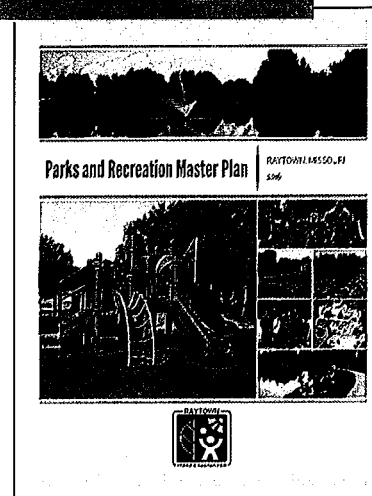




Firm's Qualifications

Management consulting and planning services offered by PROS span the full spectrum of planning needs for public agencies, and are grouped into the following practice areas:

- **Master Planning** – completed over 300 master plans for parks and park systems that have been successfully implemented and driven over \$5 billion worth of capital investment.
- **Strategic Planning** – completed over 300 strategic plans for cities, counties and state agencies to help them become established in their market or to reposition themselves.
- **Programming Analysis** – As part of many of our Master Plans or Strategic Plans, PROS utilizes our PROS Program Positioning Model, or 3PM. The outcome of the process is the creation of a dynamic recreation program plan that results in increased registration, drives customer retention and loyalty, improves customer satisfaction, and increases revenues. We have completed over 300 program plans for systems across the country.
- **Needs Assessment** – completed over 300 needs assessments as a precursor of doing a Master Plan, Strategic Plan or Feasibility Study.
- **Operations, Maintenance and Organizational Development** – PROS has completed over 450 plans that involved operations, maintenance and organizational development components.
- **Financial Planning and Management** – PROS is most renowned for providing the most innovative and proven methods for financial planning and management in the public sector with direct experience with over 150 proven ways to fund public parks and park systems.
- **Feasibility Studies and Business Planning** – PROS has completed over 200 feasibility studies and business plans, often counseling our clients on how they can shape their projects and their vision around the reality of what is feasible and sustainable.
- **Customer Service Training** – completed customer service excellent training for municipalities across the country. The training is customized to each agency's goals and outcomes and range from single day work sessions to multi-year culture change processes.



"PROS Consulting has been one of the reasons for this department's success, which includes CAPRA Accreditation and the 2012 Gold Medal. PROS completed the department's 10-Year Comprehensive Master Plan. Far more than just a capital investment plan, the master plan delved into all aspects of the department, including key master plan "themes," service levels, land acquisition, a comprehensive program review, operations and financing, prioritization for future facilities, and a strategic action plan."

Michael Kirschman, Deputy Parks and Recreation Director, Charlotte-Mecklenburg County, NC regarding the Comprehensive Parks and Recreation Master Plan (2008) and the 2015 Update

Unique Experience Specific to the Project

The Consulting Team features unique experience that can serve the Chesterfield Parks, Recreation, Arts Department. The matrix below illustrates why our Consulting Team is the most qualified in relation to the qualifications requested by the Department.

Qualifications	PROS Consulting
Experience with parks, recreational facilities, programs and service management	Over 100 years combined experience as practitioners in the parks and recreation industry and as planners
A firm understanding of the work of parks and recreation agencies	Successfully completed over 1,000 planning projects in all levels of the public sector
Familiarity with public sector cost accounting and budgeting	Successfully completed over 150 cost of service, financial management, or revenue enhancement plans for public clients
Knowledge of existing park-centric partnerships throughout the country	Directly assisted over 70 public clients with identifying, establishing, and maintaining innovative partnerships
Experience developing fiscal or financial plans at facility level (park or sector), or system level	Successfully completed over 200 business plans for individual parks and park systems
Public facilitation experience	Facilitated over 4,000 meaningful public meetings and focus groups throughout the United States
Personnel training experience	Organized and facilitated personnel development and training programs for over 10,000 participants in the last 25 years
Familiarity with and experience doing business in Missouri	Completed similar projects in Westerville, Ferguson, Kansas City, Warrensburg, Columbia, O'Fallon, Clayton, Great Rivers Greenway District, CityArchRiver Foundation and many other parks and recreation agencies across the region
Experience in CAPRA Accreditation	Assisted the following agencies with CAPRA Accreditation in the past through master and strategic plans: Kansas City, MO; Carmel, IN; Indianapolis, IN; Roanoke, VA; Toledo, OH MetroParks; Prince George's County, MD; Mecklenburg County, NC; Olathe, KS and many others throughout the last 22 years. Two CAPRA Visitors on staff.
Forensic accounting and economic analysis experience	Utilized forensic accounting in all cost of service, business plan projects, and economic impact analysis; former public finance director and CPA on staff
Operational and programming analysis experience	PROS Consulting has completed over 300 operational and programming studies for a wide variety of parks and recreation planning projects on a system-wide level as well as site/facility specific
Statistically-Valid Survey Development and Benchmarking	Members of the project team have completed over 300 statistically-valid surveys on park related projects. Through this work, members of the project team have developed a benchmark of "best practice" agencies across North America

"PROS Consulting has proved to be responsive, innovative, and sensitive to the unique needs and interests of our community. Based on the recently completed Parks and Recreation Master Plan, I am confident it will provide us a sound framework for decision-making for the next five years and beyond. PROS has assisted us to become the award-winning park system CCPR is today on many planning projects and has played an integral role in CCPR's planning efforts for nearly two decades."

Michael Klitzing, Chief Operating Officer, Carmel Clay Parks & Recreation



Subcontractors

We have expanded our expertise and capabilities in order to best serve the needs of the City of Chesterfield in this project. Our sub-consultants have worked with us on similar projects in the past and have a great reputation across the industry, both locally and nationally.

ETC Institute

Our ability to Effectively Listen & Involve Citizens and Clients has given ETC Institute a reputation as one of the premier public policy market research firms in the country. ETC Institute's services focus on involving citizens, users, and stakeholders in the decision making process and developing creative and sustainable funding strategies.

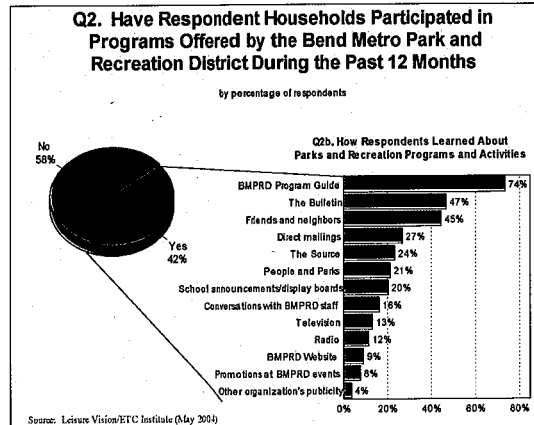


Core services of the firm involve conducting statistically valid phone and mail/phone services and related market research. We have conducted more than 600 surveys for parks and recreation systems in 46 states across the Country for a wide variety of projects including parks and recreation master plans, strategic plans and feasibility studies.

Chris Tatham, CEO
725 W. Frontier Circle
Olathe, KS 66061
P. 913.829.1215

Established in 1992, the principals and associates of ETC Institute helped secure funding for more than \$2 billion of parks and recreation projects.

PROS Consulting and ETC Institute have teamed on more than 300 similar parks and recreation projects.



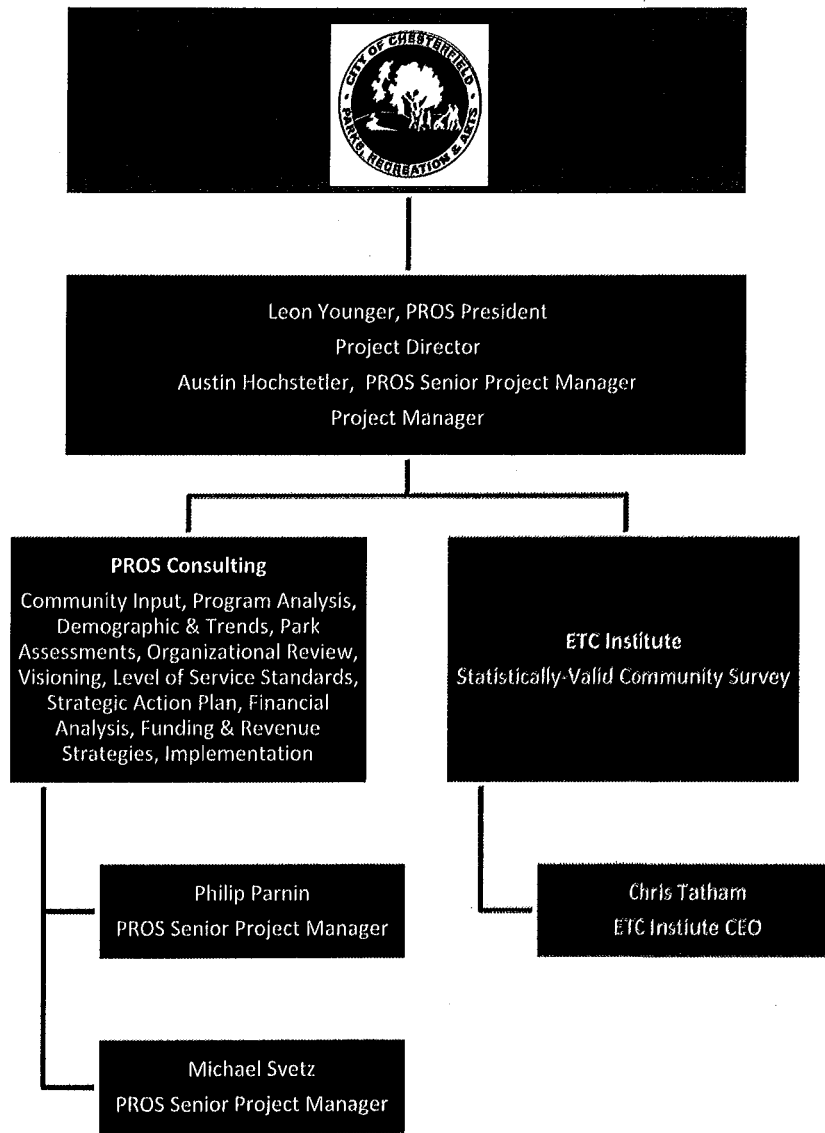
Section Three - Project Management and Personnel Project Management

The Consulting Team on this project will be led by PROS Consulting President Leon Younger, as well as Austin Hochstetler with assistance by all PROS Consulting team members. Central to our project approach is providing a high level of responsiveness to the Chesterfield Parks, Recreation, and Arts Department staff and maintaining accessibility throughout the project lifespan. Our team has the capacity, flexibility and will work hard to effectively serve as an extension of the City's project staff.

The Consulting Team we have assembled has the experience and reputation of meeting time schedules and budgets on past projects and have completed hundreds parks and recreation planning projects of similar nature.

Team Organization

The following organizational structure demonstrates how the team will be coordinated by PROS Consulting.





Resumes

The following pages outline each Consulting Team member's professional experience.

Leon Younger

PROS Consulting

President

Education

M.P.A., University of Kansas, Aug. 1988

B.S., Kansas State University, May 1975

Employment History

President, PROS Consulting, Sep. 1995 to present

Director/Chairman of the Board, Indianapolis Parks and Recreation, Apr. 1992 to Sept. 1995

Executive Director, Lake MetroParks (OH), Jun. 1988 to Mar. 1992

Director, Jackson County (MO) Parks and Recreation, Aug. 1983 to Jun. 1988

Certification

Certified Park and Recreation Professional

Professional Experience

- Founder and President of PROS Consulting
- More than 40 years in parks, recreation, and leisure services
- Recognized leader in applying innovative approaches to managing parks and recreation organizations
- Held positions as Director of Parks and Recreation in Indianapolis, Indiana; Executive Director of Lake Metroparks in Lake County, OH (Cleveland vicinity); and Director of Parks and Recreation in Jackson County, MO (Kansas County)
- Received the 1994 National Recreation and Park Association's Distinguished Professional Award for his progressive and innovative thinking in management of public parks and recreation entities
- Co-creator of the Community Values Model™, a business model that synthesizes public input into a strategic plan
- Regularly addresses sessions at the National Recreation and Park Association Conferences and has served as a board member and instructor at the Pacific Revenue and Marketing School in San Diego, California and the Rocky Mountain Revenue and Management School in Colorado
- In 2012, Leon was inducted into the NRPA Legends Hall of Fame
- Currently, Leon is serving on the Board of Directors for the City Parks Alliance, the only independent, nationwide membership organization solely dedicated to urban parks

Similar Project Experience

- City of Kansas City, MO Parks and Recreation Master Plan
- Wentzville, MO Parks and Recreation Master Plan
- Raytown, MO Parks and Recreation Master Plan
- Shawnee County, KS (Topeka) Parks and Recreation Strategic Master Plan
- Olathe, KS Parks and Recreation Master Plan & Recreation Center Feasibility Study
- Carmel Clay, IN Parks and Recreation Master Plan
- Westerville, OH Parks, Recreation and Open Space Master Plan
- Aspen, CO Recreation Division Business Planning Services
- Estes Valley, CO Recreation Center Feasibility Study
- Everett, WA Parks and Recreation Master Plan
- City of San Francisco, CA Recreation Plan and Needs Assessment
- City of Healdsburg, CA Parks and Recreation Needs Assessment and Parks and Open Space Plan
- Sonoma County, CA Management Review Services and Implementation Plan
- Grapevine, TX Parks, Recreation and Open Space Plan
- Charlotte/Mecklenburg County, NC Parks and Recreation Strategic Master Plan



Austin L. Hochstetler

PROS Consulting

Senior Project Manager

Education

M.S., Clemson University, May 2012

B.S., Indiana University, May 2010

Employment History

Senior Project Manager, PROS Consulting, 2015 to Present

Project Manager, Eppley Institute for Parks and Public Lands, Indiana University, 2012 to 2015

Graduate Teaching and Research Assistant, Clemson University, 2010 to 2012

Clemson Outdoor Recreation and Education Program Manager, Clemson University 2010 to 2011

Certification

Certified Park and Recreation Professional (CPRP)

Professional Experience

- Has held various positions in the non-profit and public sectors including the Indiana Department of Natural Resources, Boy Scouts of America, and Young Men's Christian Association (YMCA)
- Experienced project manager, master and strategic planner, facilitator, organizational consultant, professional trainer, and course curriculum developer
- Current chair-elect for the Natural Resources, Trails, and Greenways (NRTG) Section for the Indiana Park and Recreation Association (IPRA)
- Served as Program Administrator for the World Parks Academy, an international certification program for World Urban Parks, formerly known as the International Federation of Park and Recreation Administration (Ifpra)
- Served as course coordinator for the W. Edwards Deming Award winning Facility Manager Leaders Program (FMLP) for the National Park Service (NPS)
- Has coordinated park and recreation projects at the local, state, federal, and international levels
- Has extensive experience in managing online learning management systems (LMS), web-conferencing systems, and online survey development and implementation

Similar Project Experience

- Edwardsville, IL Sports Complex Business Plan
- Valparaiso, IN Parks and Recreation Master Plan
- Speedway, IN Parks and Recreation Master Plan
- West Chicago, IL Sports Complex Feasibility Study
- Brownsburg, IN Parks and Recreation Organizational Assessment
- Centerville-Washington Township, OH Parks and Recreation Maintenance Management Plan
- Huber Heights, OH Parks and Recreation Master Plan
- Derby, KS Recreation Commission Parks and Recreation Master Plan
- Pulaski County, AR River Trail Recreation Junction Study
- Montana State Parks Business Planning Services
- Tacoma, WA Metro Parks Comprehensive Program Plan
- Arlington County, VA Parks and Recreation Master Plan
- Minneapolis, MN Maintenance and Operations Plan
- Montana State Parks Business Planning Services
- Dakota County, MN Visitor Services Plan
- Milwaukee County, WI Parks and Recreation Master Plan
- Northwoods Urban Forest Park Feasibility Study (Hot Springs, AR)





Philip Parnin

PROS Consulting

Senior Project Manager

Education

B.S. Recreation and Parks Management, Indiana University

Employment History

Consultant, PROS Consulting; 2017 - present

Director of Parks and Recreation, Town of Brownsburg, IN; 2007 to 2017

Assistant Director of Parks and Recreation, Town of Brownsburg, IN; 2006 to 2007

Director of Recreation, Mooresville Park District, IN; 2000 to 2006

Recreation Supervisor, Town of Munster, IN; 1998 to 2000

Recreation Programmer, Monroe County, Bloomington, IN; 1997 to 1998



Professional Experience

- Philip Parnin has 25 years of experience in the field of parks, recreation, and leisure services.
- He has managed and led park development and sustainable operations at the executive level for over 16 years (including over a decade as director).
- In his leadership role, Philip established standards for improved efficiencies and operations by developing system-wide business plans, enterprise fund business plans, strategic master plans, recreation plans, marketing plans, site master plans, capital improvement plans, maintenance plans, trails and greenways plans, emergency action plans, and feasibility studies.
- He has served on several different park capital and economic development projects while in the field including, land acquisition, downtown revitalization, infrastructure improvements, along with facility design and construction.
- Served as the Indiana Park and Recreation Association President, along with serving on the Board of Directors.
- Served on the Indianapolis Metropolitan Planning Regional Bikeways Steering Committee
- Served on the Stone Belt Board of Directors preparing, empowering and supporting individuals with disabilities.
- He currently serves as the Treasurer of the Indiana Park & Recreation Foundation
- His approach to planning helps agencies transform ideas into plans, plans into implementation and ultimately successes that can be leveraged for even greater opportunities.

Similar Project Experience

- City of Upper Arlington, OH; Comprehensive Master Plan
- City of Durango, CO; Strategic Master Plan
- Great Parks of Hamilton County, Cincinnati, OH; Comprehensive Master Plan
- Town of Brownsburg, IN; Strategic Master Plan
- City of Huber Heights, OH; Needs Assessment & Prioritization Plan
- Town of Avon, IN; Park Site Master Plan
- Town of Brownsburg, IN; Little League Baseball Business Plan
- Cincinnati Recreation Commission, OH; Business Plan
- Streamwood Park District, Streamwood Village, IL; Strategic Marketing Plan
- City of Santa Clara, CA; Operational Costing Model
- Town of Brownsburg, IN; Maintenance Management Plan
- Town of Brownsburg, IN; Organizational Assessment

Michael Svetz

PROS Consulting

Senior Project Manager

Education

B.S., Miami University, 1990

M.S., Miami University, 1991

Employment History

Consultant, PROS Consulting; 2012 to present

Director of Parks and Recreation, City of Goodyear, AZ; 2009 to 2012

Director of Parks and Recreation, City of Charlottesville, VA; 2004 to 2009

Director of Parks and Recreation, City of Strongsville, OH 2000 to 2004

Assistant Director of Parks and Recreation, City of Strongsville, OH 1997 to 2000

Recreation Supervisor, City of Brunswick, OH 1991 to 1997)



Professional Experience

- Michael Svetz has served 25 years in the field of parks and recreation for local governments, the last 15 of which at the executive management level. He has held Director-level positions in Strongsville, Ohio (Cleveland vicinity), Charlottesville, Virginia and most recently for the City of Goodyear, Arizona.
- He has vast experience in developing and applying cutting edge business processes to create self-sustaining operations of multi-million dollar community centers, golf courses, and a Major League Baseball Player Development and Spring Training complex.
- Throughout his career, Mike has successfully developed and implemented strategic master plans for the parks and recreation departments that he led and the city and state associations that he served.
- As a dedicated public servant, Mike developed a deep knowledge of, and sincere appreciation for, organizational development, citizen engagement, board involvement and political acumen, all of which are critical elements in the successful creation and implementation of any parks and recreation plan.
- Since joining PROS Consulting, he has participated in numerous parks and recreation planning projects that include master plans, strategic plans, business planning, and strategic implementation. His project management skills and organization have assisted in the creation of innovative and fiscally sustainable projects across the United States.

Certification

Certified Public Manager

Similar Project Experience

- Great Falls, MT Parks and Recreation Master Plan
- Billings, MT Parks and Recreation Master Plan
- City of Aspen, CO Recreation Division Business Plan
- City of Boulder, CO Aquatic Division Business Plan
- City of Calgary, Alberta, Canada, Park Zero Based Budget Review
- City of American Canyon, CA Parks and Recreation Master Plan
- City of Scottsdale, AZ Parks and Recreation Master Plan
- City of Provo, UT Parks and Recreation Master Plan
- Muskingum Watershed District (New Philadelphia, OH) Lakefront Business Planning Analysis
- Fairfax County, VA Park Authority Needs Assessment
- City of Charlottesville, VA Parks and Recreation Master Plan
- Santa Clara County, CA Cost Recovery and Pricing Plan
- City of Pasadena, CA Sports Field Strategic Plan and Parks Maintenance Management Plan
- City of West Hollywood, CA Park Ordinance Review
- City of Napa, CA Senior Center Feasibility Study and Business Plan
- City of Kansas City, MO Garrison Community Center Business Planning Services
- Cleveland Metropolitan Park District, OH, Lakefront Parks Business Planning Services



Christopher E. Tatham

ETC Institute
Chief Executive Officer

Education

M.B.A., Management, Kansas State University
B.A., Princeton University, Political Science/Economics



Professional Experience

- Mr. Tatham is currently serving as the Chief Executive Officer for ETC Institute. Under his leadership, ETC Institute has become the nation's leading market research firm in the field of community-based research for local governments. The company has extensive research experience with issues that affect local governments including: parks and recreation, transportation, planning and zoning, public safety, and more.
- Mr. Tatham is also considered to be one of the nation's leading authorities on the development of qualitative and quantitative research for state and local governments. In 1999, Mr. Tatham designed ETC Institute's national benchmarking database. He developed the database and supporting analytical tools to give local governments the ability to objectively assess community needs, service delivery, and priorities against regional and national norms. Today, the database is used by leaders in hundreds of communities to assess issues for parks and recreation systems, libraries, public safety providers, utilities, planning organizations, transportation agencies, military installations, and many others.
- Mr. Tatham has served as political advisor and conducted survey research that led to voter approval of projects of sales taxes and bond issues valued at more than \$4 billion during the past ten years. He received an award from the Midwest Region of NRPA for his efforts to help local communities secure funding for parks and recreation system improvements.
- During the past 20 years, he has designed and managed nearly 2,000 community surveys in more than 700 communities, including many of the nation's largest communities

Similar Project Experience

- | | |
|-------------------|-----------------------|
| • Anchorage, AK | Las Vegas, NV |
| • Atlanta, GA | Miami-Dade County, FL |
| • Austin, TX | Nashville, TN |
| • Cleveland, OH | New York, NY |
| • Charlotte, NC | Oklahoma City, OK |
| • Columbus, OH | Phoenix, AZ |
| • Dallas, TX | Providence, RI |
| • Denver, CO | Riverside County, CA |
| • Des Moines, IA | San Antonio, TX |
| • Durham, NC | San Diego, CA |
| • Fort Worth, TX | San Francisco |
| • Honolulu, HI | San Jose, CA |
| • Houston, TX | Seattle, WA |
| • Kansas City, MO | |

Section Four - Related Experience & References PROS Consulting & ETC Institute Experience & References

Wentzville, MO Parks and Recreation Master Plan (2016)

WENTZVILLE, MISSOURI

The Wentzville Parks and Recreation Department provides a comprehensive approach in the delivery of parks, recreation facilities, historic sites, and program services to the citizens of Wentzville that greatly contributes to the quality of life for residents of the city.

In 2016, PROS Consulting worked with the Wentzville Parks and Recreation Department to complete a parks and recreation master plan. The plan serves as a blueprint to meet the needs and wishes of Wentzville citizens over the next 10 years. The recommendations outlined in the Master Plan include both immediate needs of the city and long-term, visionary actions.

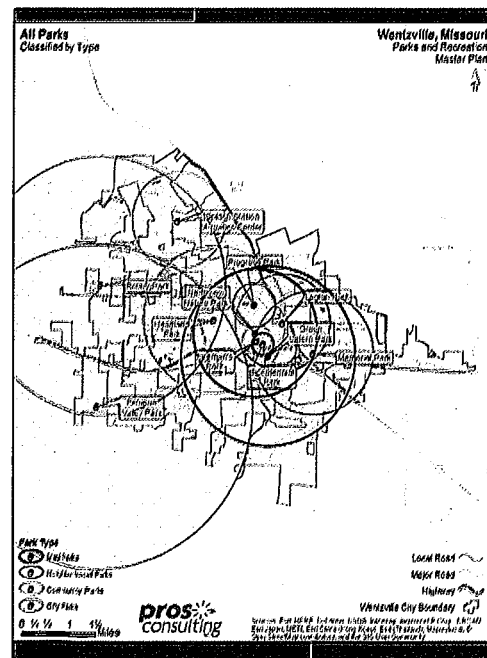
The Wentzville Parks and Recreation Master Plan followed an iterative process of data collection, public input, on-the-ground study, assessment of existing conditions, market research, and open dialogue with local leadership and key stakeholders. The project process followed a logical planning path, as illustrated below:



The Master Plan was not an end product in itself. The plan is rather a means to guide the provision of parks and recreation and advance the overall mission and vision of parks and recreation department. The purpose of the Plan was three-fold:

- First, it put into place a systematic and ongoing inventory, analysis, and assessment process that helps the City now and in the future.
- Second, it determined the context of recreation facilities and programs system-wide.
- Third, it provided guidance in determining the effectiveness of programs and services, marketing strategies, and land management.

Project Reference: Mr. Mike Lueck, Director of Parks & Recreation; 968 Meyer Rd.; Wentzville, MO 63385; 636.939.2080; mike.lueck@wentzvillemo.org





Raytown, MO Parks and Recreation Master Plan (2016)

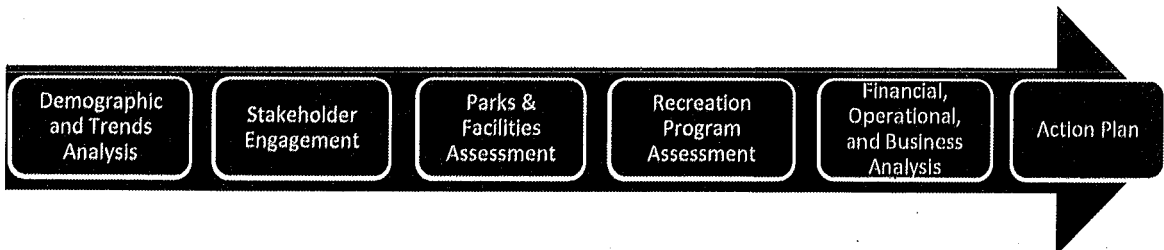
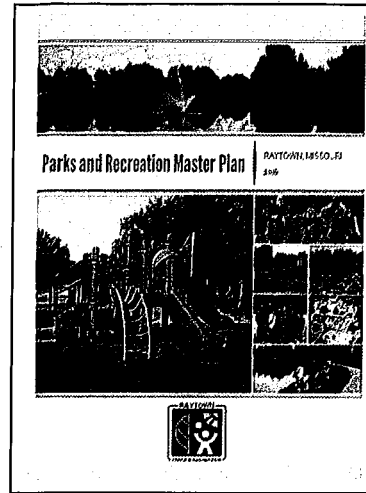
RAYTOWN, MISSOURI

The City of Raytown Parks and Recreation Department offers quality valued assets and programs to the community through a variety of services that enhance Raytown’s quality of life, economic value, and sense of community. The Department owns and maintains 177 acres of parkland and also offers exceptional recreation programming for all ages in the areas of Adult & Youth Sports, Special Events, and Aquatics.

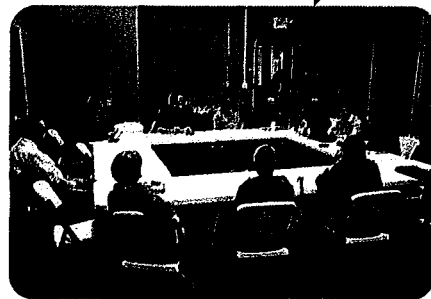
Developing the Parks and Recreation Master Plan helped to ensure the continued success of the Raytown system and community. The Master Plan guided decisions regarding future parks, open space, recreational facilities, recreation programs, and organizational management over the next ten years. Additionally, the Master Plan recommendations and implementation plan contribute to the sustainable operations of Raytown’s facilities and services through potential partnerships and administrative enhancements.

PROS Consulting was retained to be a partner with the city to develop the Parks and Recreation Master Plan. The Master Plan was built around a series of technical assessment processes to evaluate the parks and recreation system, as well as the operations and management of Super Splash USA, the city’s aquatic center and waterpark. Policies, procedures, parks, facilities, programs, and services were evaluated against best practices in the state and region to ensure quality service delivery to the community.

The Raytown Parks and Recreation Master Plan Update followed an iterative process of data collection, public input, on-the-ground study, assessment of existing conditions, market research, and open dialogue with local leadership and key stakeholders. The project process followed a logical planning path, as illustrated below:



Major elements of the Master Plan included community engagement, a recreation program plan, Level of Service analysis, aquatic facility assessment, and strategic action plan. Overall these assessments offered an analytical perspective of program and service offerings and helps identify strengths, weaknesses, and opportunities regarding their funding and management. The assessments also assisted in identifying core programs, program gaps within the community, key system-wide issues, and areas of improvement and in determining future programs and services for residents.



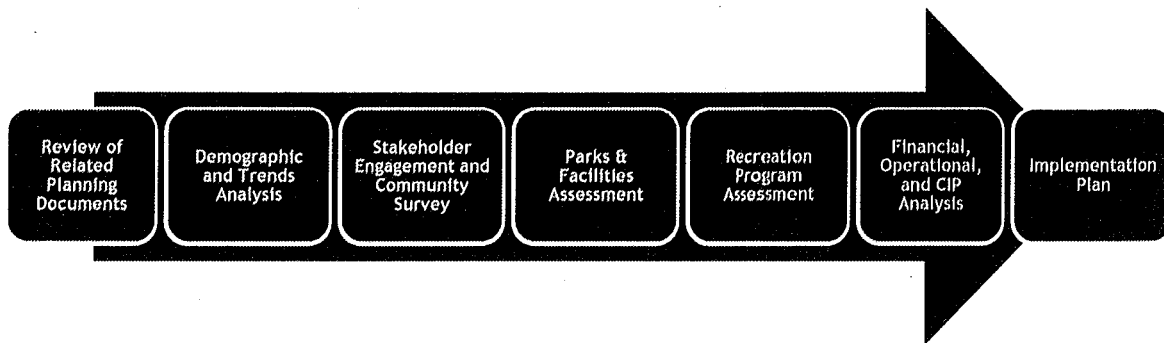
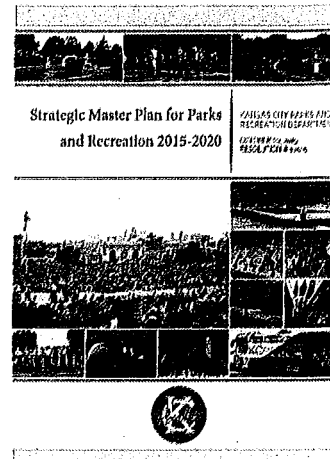
Project Reference: Mr. Kevin Boji, Director of Parks & Recreation; 5912 Lane Ave, Raytown, MO 64133; 816.358.4100; kevinb@raytownparks.com

**Request for Qualification:
Development of a Parks, Recreation, and Arts Comprehensive Master Plan**

City of Kansas City, MO Parks & Recreation System Master Plan Update (2015)

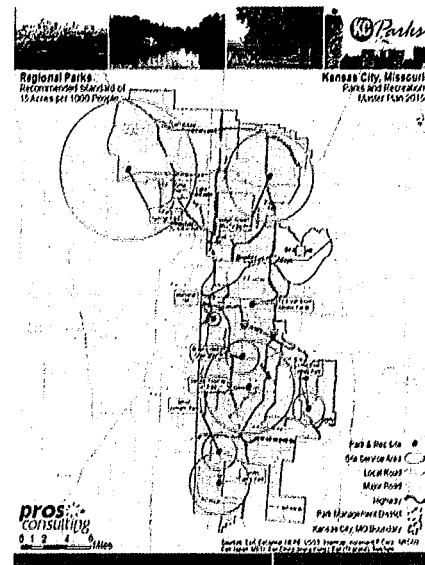
KANSAS CITY, MISSOURI

In its effort to continually improve the services and overall effectiveness that it provides to the community, the Kansas City, Missouri, Parks and Recreation Department (KCMOPRD) hired PROS Consulting in the spring of 2014 to update their parks and recreation system plan. The outcomes, as outlined in the plan, assisted the Department in re-evaluating park and amenity conditions, refining its recreational service delivery programming, increasing access to facilities, enhancing connectivity, and implementing operational business practices and pricing strategies to enhance/or sustain services over both the short and long term. The process of developing the Master Plan followed a logical planning path, as described below:



As part of the study, PROS Consulting conducted an extensive public involvement process to vet or refine community values and issues leading the KCMOPRD's vision. The PROS Team utilized its Community Values Model as the foundation of the study. The Community Values Model is an innovative process approach to gather comprehensive public input and insight from key community leaders, stakeholders, general public and users to define the overall guiding principles and values of the community related to the delivery of parks, recreation facilities and program services. The Parks and Recreation System Plan focused on evaluating how the Department approaches not only park maintenance, service delivery, and facility operations, but also how to plan for a long-term sustainably funded and properly staffed system that aligns with the evolving needs of the Kansas City Community.

Project Reference: Mr. Mark McHenry, Parks and Recreation Director; 4600 E. 63rd St.; Kansas, MO 64130; 816.513.7500; mark.mchenry@kcmo.org





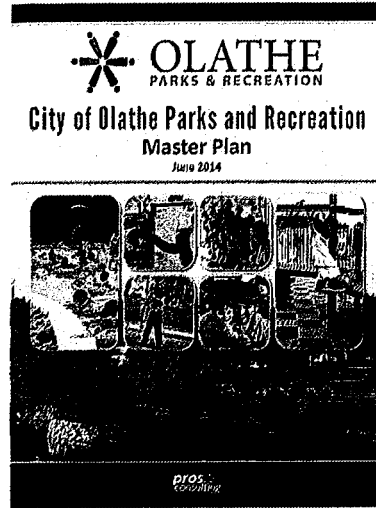
City of Olathe Parks and Recreation Master Plan (2014)

OLATHE, KANSAS

The Olathe Parks and Recreation Department provides a comprehensive approach in the delivery of parks, recreation facilities, historic sites, and program services to the citizens of Olathe that greatly contributes to the quality of life for residents of the City. In order for the Parks and Recreation Department to continue to be viable, it needed a solid planning document to guide the City's efforts, which was outlined in the Olathe Parks and Recreation Master Plan.

In 2014, PROS Consulting, as well as Confluence and ETC Institute, completed the master plan, which took nine months to develop and involved all representative departments with an extensive and robust public input process. The master plan provided a framework to respond to citizens' needs and expectations, as well as identifies priorities for the staff to work toward successful implementation.

The process of developing the Olathe Parks and Recreation Master Plan followed a logical planning path as described below:



The purpose of the Olathe Parks and Recreation Master Plan was to serve as a planning document to guide the City leaders and staff for the next 5 to 10 years. The results of which will aid the City with guidance toward where and how to deliver parks, recreation facilities, historic sites, and programs to meet public expectations and needs. The document that clearly states key issues that need to be addressed along with key recommendations on how to address those issues.

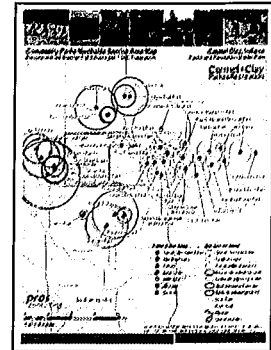
Throughout the planning process, residents supported the efforts of the City to build the new Community Center scheduled to open in July 2014. The community has also supported City administrators as they continue to project further improvements to the park and recreation system with the desire to brand the City of Olathe as the city of choice when living in Johnson County, Kansas.

Project Reference: Mr. Brad Clay, Deputy Director; Olathe Parks & Recreation; 100 E. Santa Fe Street; Olathe, KS 66051; 913.971.8618; bclay@olatheks.org

Carmel, IN Comprehensive Parks and Recreation Master Plan (2015)

CARMEL, INDIANA

Founded in 1991, Carmel Clay Parks & Recreation (CCPR) was established through an Interlocal Cooperation Agreement between the City of Carmel and Clay Township in Indiana. CCPR was created to serve the nature and fitness needs of the community, manage and develop existing spaces and resources, and create a sustainable future for parks and recreation programs through a financially viable and environmentally conscious parks system. CCPR manages and maintains more than 500 acres of park land and numerous recreation facilities, providing more than 5,000 annual classes and programs for all ages. CCPR contributes to the community's outstanding quality of life by providing enriching, enjoyable escapes through recreation, fitness, and nature.



To continue to serve the City of Carmel and Clay Township, CCPR desired an updated Parks and Recreation Comprehensive Master Plan to guide development and actions for the next five years, as well as use as part of the agency's CAPRA Requirement. The purpose of the Parks and Recreation Comprehensive Master Plan was to identify current and future needs of the community, while also updating level of service standards, reviewing the financial strength of CCPR, and providing an action plan with funding and revenue strategies. The Parks and Recreation Comprehensive Master Plan represents CCPR's commitment to providing a quality park and recreation system for the City of Carmel and Clay Township.

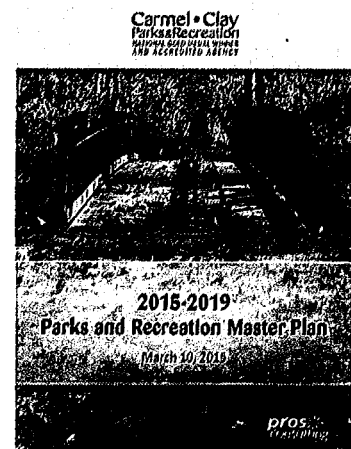
PROS Consulting, as well as ETC Institute, worked with CCPR to complete the master plan, which included extensive community input and distinct analysis. The Master Plan was an updated of the previous master plan completed by PROS Consulting for the CCPR, and built off other plans completed by PROS (marketing plan, maintenance management plan, The Monon Community Center Business Plan). The Master Plan scope included:



- Community and Stakeholder Input
 - Focus groups, key leader interviews, and public meetings; **Joint meetings with fiscal bodies;** Community survey; Demographics and trend report; Benchmark Analysis
- Parks, Facilities and Program Assessment
 - Park assessment; Facility assessment; Level of Service standards; **Equity mapping/service area analysis;** Program Assessment, Priority ranking needs assessment; **Capital Improvement Plan**
- Operations, Financial, and Benchmark Analysis
 - Operations review; Finance review; Funding sources review
- Master Plan Development
 - Review vision, mission, values; Master Plan themes, initiatives and goals; Plan briefings/public meetings

The master plan built off a great legacy of parks and recreation within Carmel. Recently, Carmel was named one of the "Best Places to Live in America" by CNN Money Magazine, and parks and recreation played an integral role in the quality of life of residents. **The agency recently become CAPRA Accredited and won the 2014 Gold Medal for Parks and Recreation at NRPA.**

Project Reference: Mr. Michael Klitzing, Parks and Recreation Assistant Director; 1235 Central Park Drive East; Carmel, IN 46032; 317.573.4018; mklitzing@carmelclayparks.com





City of Westerville, OH Parks, Recreation & Open Space Master Plan (2013) & Recreation Center Feasibility Study (2017)

WESTERVILLE, OHIO

The City of Westerville Parks & Recreation Department is nationally recognized for excellence in parks and recreation and widely respected in the state of Ohio as a "best practice" agency. A three-time National Recreation and Park Association (NRPA) Gold Medal winner, Westerville Parks & Recreation is one of only 106 accredited agencies in the U.S. Healthy, active lifestyles, preservation of the environment and economic development are among the core values as they serve nearly one million residents, patrons and guests annually.

In 2013, PROS Consulting, as well as ETC Institute, completed a Parks, Recreation & Open Space Master Plan for the City of Westerville, a historic community nestled in the heart of the Columbus metro-plex that has managed to maintain a strong sense of individual character and identity amidst the fast pace of the surrounding cities. Westerville is home to numerous regional destinations, businesses, and attractions, many of which are owned, operated, or partnered with the Westerville Parks and Recreation Department.

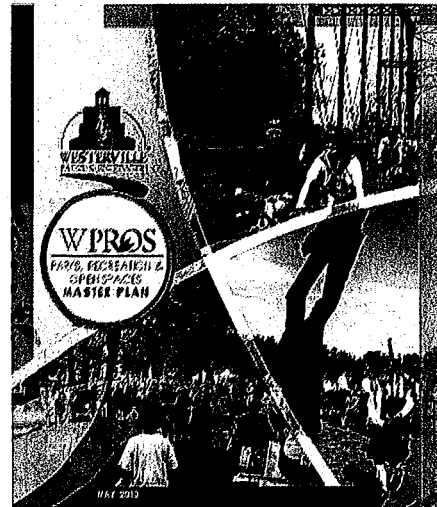
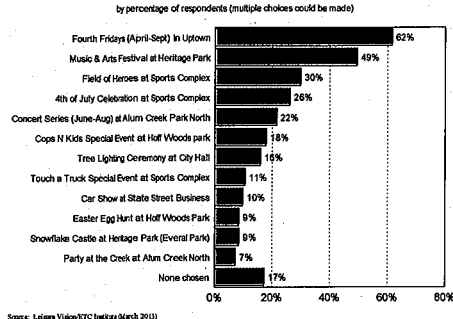
Westerville Parks and Recreation Department is widely respected as a best-practice agency in the State of Ohio, as well as in the United States for maintaining a consistent standard of excellence and level of service for residents of Westerville and visitors to the City. Westerville Parks and Recreation has received accreditation by the Commission for Accreditation of Parks and Recreation Agencies. The Master Plan was designed to support the Department in continuing to provide innovative and well-balanced facilities and programs in the community as the City grows and evolves. The consulting team developed the PROS Master Plan using the following processes:

- Community input that included focus groups, intercept surveys, key leadership meetings, staff focus groups, public forums and a City-wide statically valid survey
- Demographic and Trends Analysis
- Park site assessments
- Program assessments
- Level of service assessment
- Financial assessment
- Community center and senior center feasibility study
- Future park site and trail assessment and improvements
- Capital improvement cost for key recommendations

The City of Westerville Park and Recreation Department is a best practice agency that has demonstrated to the community the value of having a first-class park and recreation system to access and take great pride in for living in Westerville. The Master Plan was a guide on where the Department needed to center their energy and values for the next ten years. It was also a plan to inform the residents on where they will invest future income tax revenues over the next ten years. **The agency recently become CAPRA Accredited and won the 2013 Gold Medal for Parks and Recreation at NRPA.**

Project Reference: Mr. Randy Auler, Director of Parks and Recreation; City of Westerville; 350 N. Cleveland Ave.; Westerville, OH 43082; 614.901.6504; randy.auler@westerville.org

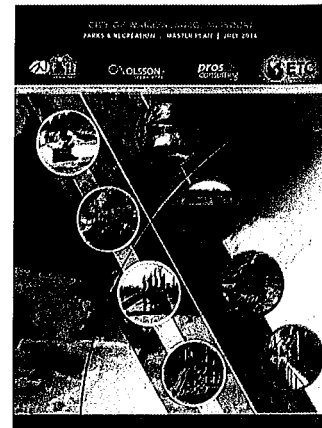
Q7. Community Special Events, Festivals, and Programs That Households Have Attended in the Past 3 Years



City of Warrensburg, MO Parks and Recreation Master Plan (2014)

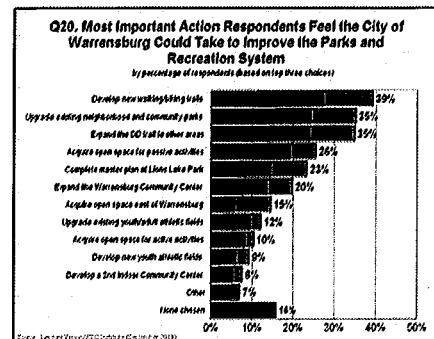
WARRENSBURG, MISSOURI

In 2014, PROS Consulting, as well as Olsson Associates and ETC Institute collaborated with the City of Warrensburg Parks and Recreation Department to develop a Parks and Recreation Master Plan. The City of Warrensburg Parks and Recreation Department (WPR) offers quality valued assets and programs to the community through a variety of services that enhance Warrensburg's quality of life, economic value, and sense of community. WPR owns and maintains 401.7 acres of parkland. The system includes the 54,000-square foot Warrensburg Community Center, the Nassif Aquatic Center, seven playgrounds, seven ball diamonds, five multi-use fields, and 4.5 miles of trail. WPR also offers exceptional recreation programming for all ages in the areas of aquatics, health and fitness, general recreation, sports, and special events.



Developing the 2014 *Parks and Recreation Master Plan* helped to ensure the continued success of the Warrensburg system and community. The Master Plan was a critical element in the strategic management of WPR and, when used as a living document, helps guide decisions regarding future parks, open space, recreational facilities, recreation programs, and organizational management over the next ten years.

Additionally, the Master Plan recommendations and implementation plan contributed to the sustainable operations of Warrensburg's facilities and services through potential partnerships and administrative enhancements.



The master plan was built around a series of technical assessment processes to measure the parks and recreation system, as well as the operational management of policies, procedures, parks, facilities, programs, and services against best practices in the state and region.

The *Parks and Recreation Master Plan* began with an analysis in the community of Warrensburg in terms of demographics and local recreation trends. National trends in recreation were also be presented for comparison. A benchmark analysis that demonstrates how Warrensburg compares with similar communities along key variables was completed. Community input was gathered through focus groups, public meetings, and a community survey. The findings of this input with data from the community profile, benchmark assessment, and consultant team observations were applied to produce priority rankings for facilities and programs. Also, an assessment of the City's parks and facilities was presented along with CIP. The Consulting Team also completed an assessment of recreation programs, financial information, organizational practices and an overall strategic action plan.

Warrensburg Facility/Amenity Priority Rankings	Overall Ranking
Walking and biking trails	1
Dog parks	2
Nature trails/nature center	3
Indoor fitness and exercise facilities	4
Outdoor swimming pools/water parks	5
Indoor running/walking track	6
Outdoor amphitheater	7
Playground equipment	8
Indoor swimming pools/leisure pools	9
Green space and natural areas	10
Small neighborhood parks	11
Community gardens	12
Shelters/picnic areas	13
Large community parks	14
Racquetball courts	15
Disc golf	16
Youth baseball fields	17
Outdoor tennis courts	18
Indoor basketball/volleyball courts	19
Youth soccer fields	20
Youth softball fields	21
Youth football fields	22
Outdoor basketball courts	23
Adult softball fields	24
Skateboard park	25

Project Reference: Ms. Dodee Matthews, Parks and Recreation Director; 102 South Holden Street Warrensburg, MO 64093; 660.747.7178; dodee.matthews@warrensburg-mo.com

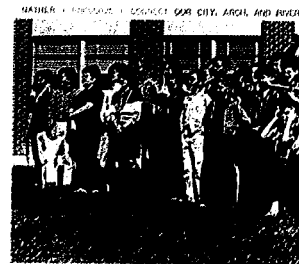


CityArchRiver 2015 Foundation Strategic Plan, Maintenance Management Plan & Business Plan

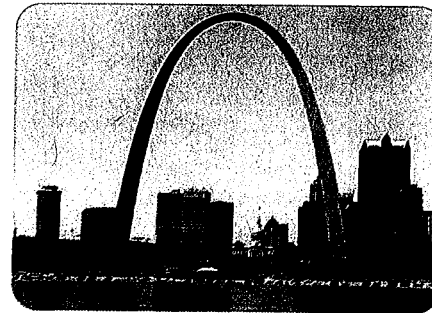
ST. LOUIS, MISSOURI

In 2014, PROS Consulting was retained by the CityArchRiver 2015 Foundation to develop a Strategic Plan, Maintenance Management Plan, and a Business Plan for the agency. CityArchRiver will make the Arch easier and safer for everyone to experience by connecting, invigorating and expanding the park's grounds and museums. CityArchRiver connects the Gateway Arch grounds with the East and West riverfronts and the region. Through the creation of new spaces for events and public education, expanded museum space, additional park acreage and bicycle trails, children's play areas, performance venues and a lively, invigorated riverfront, locals and tourists alike will find new opportunities to learn, linger and enjoy one of the world's most recognized icons.

STRATEGIC PLAN

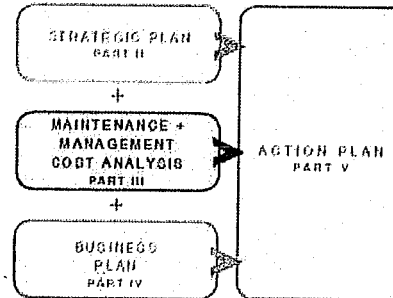


Gathering the ideas, knowledge, enthusiasm, and tools necessary to bring to life one of the most innovative and iconic of all park partnership endeavors is no simple task, but one in which great efforts yield a great reward. An Alliance of partners, comprised of the National Park Service, City of St. Louis, Great Rivers Greenway, CityArchRiver 2015 Foundation, Bi-State Development Agency, Jefferson National Parks Association, St. Louis Convention and Visitors Commission, Missouri Department of Transportation, Partnership for Downtown St. Louis, and other entities jointly developed a Strategic Plan to guide the work through the construction and perpetual operation of the CityArchRiver 2015 Project Area.



Strategies focused on five Overall Priorities for the Alliance as it evolved into a fully functional consortium overseeing a dynamic, globally significant area:

- Build consensus around one path forward
- Coordinate core CityArchRiver area functions
- Utilize an enterprise approach, not simply a jurisdictional one, in managing the area
- Regularly renew area features and programs
- Continually explore new ways to work together



To ensure mutually beneficial relationships were maintained as these priorities were pursued, Strategic Outcomes and tactical recommendations are identified for various management functions.

The Strategic Plan provided insight on organizational and operational decisions for the long-term management of the CityArchRiver area, but it alone was not sufficient to fully develop a unified Action Plan for all of the tactics needed. The companion Operations and Maintenance Cost Analysis and Business Plan supported the Strategic Plan in forming the comprehensive plan for the Alliance.

Project Reference: Ms. Susan Trautman, Executive Director; Great Rivers Greenway District; 6174 A Delmar Blvd.; Saint Louis, MO 63112; 314-932-4901; strautman@grgstl.org

Section Five - Project Understanding and Approach

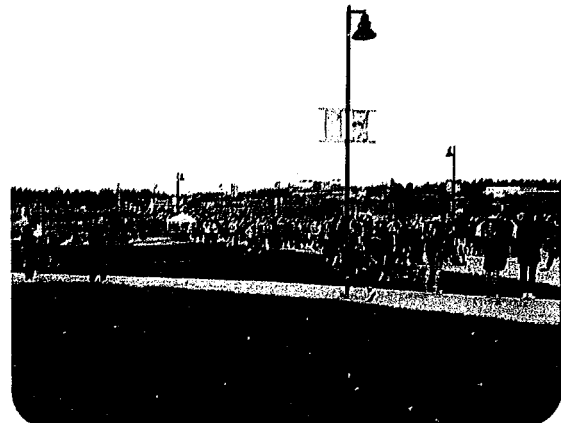
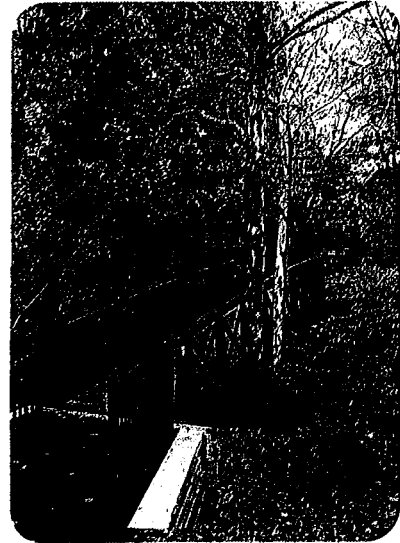
Project Understanding

The City of Chesterfield Parks, Recreation, and Arts Department has a long standing commitment to provide high quality parks and recreation programs to the community. As such, the Department is seeking professional services to complete a *Parks, Recreation, and Arts Master Plan*. The plan will guide the Department's investment in parks, programs, arts and facilities that will serve as a roadmap to ensure that the parks remain vital community resources now and into the future.

A system-wide approach to evaluating parks, programs, arts, and recreational facilities is desired in order to develop goals, policies and guidelines with achievable strategies. Through the collection and analysis of data, the planning process will identify what is needed and develop a plan for the Department's parks, open space, recreation facilities, arts, and programs for the next 10 years. The outcome will be an action plan that will enable the Department to improve the parks system in a way that best utilizes the efforts and resources of all involved. The plan will include at a minimum the following components:

- **Engage the community**, leadership and stakeholders through innovative public input means to build a shared vision for parks, recreation programs and facilities in the City of Chesterfield for the next ten years.
- **Utilize a wide variety of data sources and best practices** to predict trends and patterns of use and how to address unmet needs for the City of Chesterfield.
- **Determine unique Level of Service Standards** to develop appropriate actions regarding parks, recreation programs, arts, and facilities that reflects the Department's strong commitment in providing high quality activities for the community.
- **Shape financial and operational preparedness** through innovative and "next" practices to achieve the strategic objectives and recommended actions.
- **Develop a dynamic and realistic strategic action plan** that creates a road map to ensure long-term success and financial sustainability for the Department's parks, recreation programs, arts, and facilities, as well as action steps to support the family-oriented community and businesses that call Chesterfield home.

The foundation of the Consulting Team's approach is a creative and comprehensive public participation process. It is very important to not only to engage those who typically participate in the planning process, but also those who do not. We will identify opportunities that engage people through a variety of community input processes. The information derived by the public's participation in key leadership meetings, focus group meetings, public forums, and surveys are important. However, it is equally important that the information received is applied to the overall planning process to accurately articulate the true unmet needs, address key issues and provide the greatest recommendations and strategies to move the Department's parks, recreation, and arts forward for optimum results.





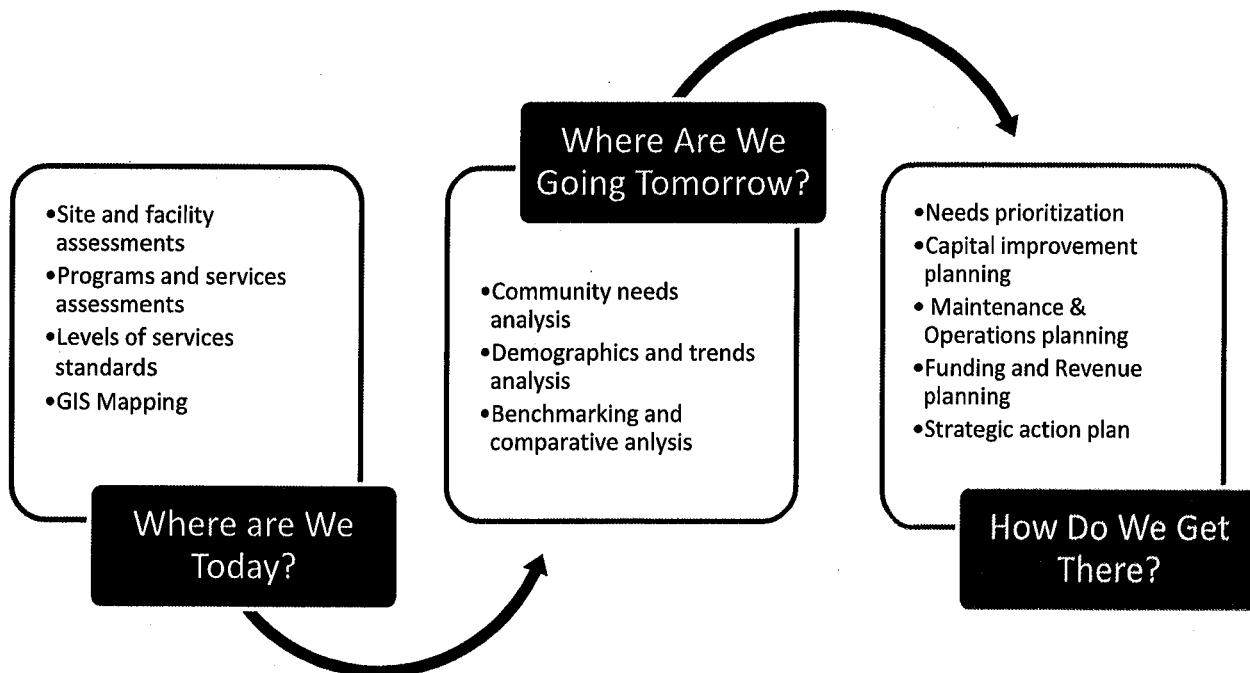
City of Chesterfield Parks, Recreation & Arts

The PROS Consulting Team proposes to utilize its Community Values Model™ as the foundation of the *Parks, Recreation, and Arts Master Plan*. The Community Values Model™ is an innovative process to utilize comprehensive public input and insight in a meaningful way. Input, guidance and values from key community leaders, stakeholders, and the general public are used to create overall guiding principles and values of the community related to the delivery of parks and recreation services. The Community Values Model™ is then used as the basis for developing or reaffirming the vision, mission and strategic objectives for the *Parks, Recreation, and Arts Master Plan*. The strategic objectives address six unique areas of master planning including:

Community / Mandates / Priorities	Standards	Levels of Services	Financially / Revenue	Partnerships	Governance / Organization
<ul style="list-style-type: none"> • Health & Wellness • Principles of Community • Mandatory Elements for Facilities, Programs & Services 	<ul style="list-style-type: none"> • Land and Open Space • Facilities • Programs • Maintenance 	<ul style="list-style-type: none"> • Levels of Service Delivery • Core Services • Role in Delivery vs. Other Service Providers 	<ul style="list-style-type: none"> • Funding Mechanisms to Support Operations & Capital 	<ul style="list-style-type: none"> • Public/Public • Public/Not-for-Profit • Public/Private 	<ul style="list-style-type: none"> • Design/Align Organization to Support Vision and Values to Community

Key Steps in the Process

The *Parks, Recreation, and Arts Master Plan* will create a clear set of objectives that will provide direction to Department staff, the Parks, Recreation, and Arts Citizen Advisory Committee, and the City Council for a short-term, mid-term and long-term range. There are numerous steps in the project, with the following key areas of focus being foundation components that will enhance Chesterfield's position as a premier place to live, work, and play.



Proposed Project Scope of Work

The PROS Consulting Team proposes a comprehensive planning approach to address the requirements to the *Parks, Recreation, and Arts Master Plan* and will deliver a living and working document that provides guidance for both short-term and long-term goals in a financially sustainable and achievable manner. The following is a detailed approach to develop the master plan related to implementing specific action items.

Task 1 -Project Management, Progress Reporting & Data Review

A. Kick-off Meeting, Data Collection & Project Management – A kick-off meeting should be attended by the key Department staff and Consulting Team members to confirm project goals, objectives, and expectations that will help guide actions and decisions of the Consulting Team. Detailed steps of this task include:

- Confirmation – The project goals, objectives, scope, and schedule will be confirmed.
- Outcome Expectations – Discuss expectations of the completed project.
- Communications – Confirmation on lines of communication, points of contact, level of involvement by Department staff and local leaders, and other related project management details. Also, protocols and procedures for scheduling meetings should be agreed to.
- Data Collection – The Consulting Team will collect, log, and review key data and information to facilitate a thorough understanding of the project background.
- Progress Reporting – The Consulting Team will develop status reports to the Department on a monthly basis. More importantly, we will be in close and constant contact with your designated project coordinator throughout the performance of the project. The Consulting Team and the Director will hold progress meetings as often as necessary, at least once per month, until the final plan is approved by the elected officials. Prior to meetings, the Consulting Team will supply the Director with at least one (1) copy of all completed or partially completed reports, studies, forecasts, maps, or plans as deemed necessary by the Director at least three (3) working days before each progress meeting. The Director will schedule the meetings, as necessary, at key times during the development of the Master Plan.
- Prepare database of stakeholders – The Consulting Team will work with the Department who will gather contact information from a variety of sources. This information will be used in the key leadership/focus group interview portion of the *Parks, Recreation, and Arts Master Plan*.

Meetings: Department staff review meeting of scope and schedule. The Consulting Team and the Director will hold progress meetings via conference call as often as necessary, but no less than once per month until the final plan is approved by the elected officials for the purpose of progress reporting. Lastly, the Consulting Team will complete a progress review of previous planning efforts and will meet with the Director at important milestone dates during the planning process, which will be finalized at the kick-off meeting with specific dates outlined.

Deliverables: Finalized scope of work, work schedule with target completion dates, and identification of relevant stakeholders and focus groups. Department staff input of existing planning documents based on the data collection.

Task 2 - Community Profile & Public Engagement Process

The Consulting Team will utilize a **robust** public input process to solicit community input on how the City of Chesterfield recreation and park system meet the needs of residents into the future. This task is an integral part of the planning process. A wide range of community/participation methods may be utilized with traditional public meetings. The Consulting Team will prepare a community outreach agenda to include the number and types of meetings which will be held. Specific tasks include:

A. Demographic & Recreation Trends Analysis – The Consulting Team will utilize the City's projections and supplement with census tract demographic data obtained from Environmental Systems Research Institute, Inc. (ESRI), the largest research and development organization dedicated to Geographical Information Systems (GIS) and specializing in population projections and market trends; for comparison purposes data will also be obtained



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from the U.S. Census Bureau. This analysis will provide an understanding of the demographic environment for the following reasons:

- To understand the market areas served by the park and recreation system and distinguish customer groups.
- To determine changes occurring in the county and the region, and assist in making proactive decisions to accommodate those shifts.
- Provide the basis for Equity Mapping and Service Area Analysis

The demographic analysis will be based on US 2010 Census information, 2017 updated projections, and 5 (2022) and 10 (2027) year projections. The following demographic characteristics will be included:

- Population density
- Age Distribution
- Households
- Gender
- Ethnicity
- Household Income

From the demographic base data, sports, recreation, and outdoor trends are applied to the local populace to assist in determining the potential participation base within the community. For the sports and recreation trends, the Consulting Team utilizes the Sports & Fitness Industry Association's (SFIA) 2017 Study of Sports, Fitness and Leisure Participation, ESRI local market potential, as well as participation trends from the Outdoor Foundation on outdoor recreation trends.

- B. Benchmark Analysis** – A benchmark analysis could be completed to compare the Chesterfield Parks and Recreation Department to five (5) other relevant peer agencies. The Consultant Team will work with the Department to identify the 15 key metrics to be surveyed and analyzed, as well as the benchmarked communities.

System	City Area (Sq. Miles)	Current Population of City/ Jurisdiction	Population Per Square Mile	Total Number of Parks and Greenways	Total Acres Owned or Managed by System	Total Developed Acres	% Acres Maintained to Total Park Acres	Total Park Acres Per 1,000 Pop.	Total Trail Miles
Olathe Parks and Recreation	60.4	130,045	2,152	35	1,988.4	1,952.8	98%	15.37	36.5
Carmel Clay Parks and Recreation	49.1	83,565	1,761	15	505.0	505	100%	6.04	16.0
Roseville Parks and Recreation	36.2	124,519	3,440	68	408.5	253	62%	3.28	
Frisco Parks and Recreation	62.4	128,176	2,054	36	1,509.0	671	44%	11.77	55.5
Overland Park Parks and Recreation	75.4	178,919	2,374	83	2,940.2	2,618	89%	16.43	90.1

- C. Key Leadership/Focus Group Interviews** – The Consulting Team will perform focus groups and key leadership interviews within the community to evaluate their vision for parks, recreation, and arts in the City of Chesterfield. Six (6) focus group meetings and key leadership interviews and other key leaders (up to 10) will be held over a two-day period. Also, one (1) meeting with the Parks, Recreation, and Arts Citizen Advisory Committee, and one (1) with the City Council will be completed to solicit their perspective and input. During these interviews/focus groups, the Consulting Team will gain an understanding of community values, as well as determine the priority for recreation facilities and programming, parks, arts, trails and open space development needs of the Department. The following list of potential interviewees will be used to select the final list in conjunction with the Department:

- Elected Officials
- Key Business Leaders
- City Administration
- Planning and Development Services
- Key Partners/Philanthropic Organizations

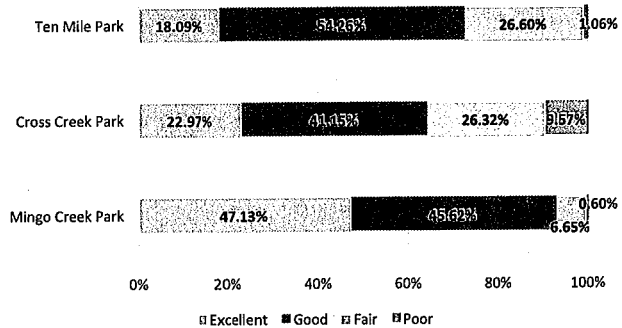
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- School Officials
- Users and non-users of the parks and recreation system
- Seniors
- Youth sports groups

D. Public Forums/Workshops – Public forums will serve to present information and gather feedback from citizens at large. It is important to have initial meetings early in the process and follow-up meetings during the final plan development process. It will be important to get maximum media exposure to inform citizens of the purpose and importance of the meetings and clearly note time and locations. We propose to conduct a total of three (3) public forums: two (2) initial public forums to introduce the project and project goals, gain input for the community's vision and core values for the Department's parks, recreation, and arts system, and one (1) as a final briefing and input opportunity on the draft plan. These meetings would be informal in nature, offering the public an opportunity to participate in the planning process and to provide feedback on the proposed options. The purpose for these meetings will be to ensure opportunities for the general public to discuss their priorities and perceptions surrounding the parks, recreation, and arts system. The forums will also afford the opportunity to subtly educate the public on the opportunities, benefits, and constraints of the system.

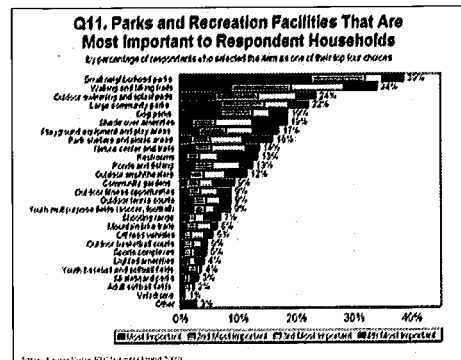


E. Electronic Survey – Also, the Consulting Team will create an online survey administered through www.surveymonkey.com. This survey will be promoted through the Department's website and promotional mediums to maximize outreach and response rates. These surveys will provide quantitative data and guidance, in addition to the stakeholder and focus groups, in regards to the recommendations for park amenities, specific programs, trail linkages, facility components, usage, and pricing strategies.



F. Statistically-Valid Needs Analysis Survey – The Consulting Team can perform a random, scientifically valid community-wide household survey to quantify knowledge, need, unmet need, priorities and support for system improvements, including facilities, programs, trails, and parks of the City.

The survey would be administered by phone, or by a combination of a mail/phone survey, and will have a minimum sample size of 350 completed surveys at a 95% level of confidence and a confidence interval of +/- 5.2%. Prior to the survey being administered, it would be reviewed by the City staff.





G. Crowd-Sourcing Project Website (OPTIONAL) – The Consultant Team will develop a customized project website to provide on-going project updates and will serve as the avenue to crowd-source information throughout the project for the entire community.

This could be combined with input through Social Media and could also host videos through a dedicated YouTube Channel and utilize the City’s website. E.g. www.planindyparks.com. It has proven to be a very effective tool in engaging the community on an ongoing basis as well as maximize outreach to an audience that may not traditionally show up at public meetings or choose to respond to a phone or mail survey.



Meetings: Department staff review of community meetings agenda. Six focus group meetings, up to ten community stakeholder meetings, one meeting with the Parks, Recreation, and Arts Citizen Advisory Committee, one meeting with City Council, and three Community Public Forum Meetings to gather public input. City staff review and finalization of statistically-valid needs analysis survey.

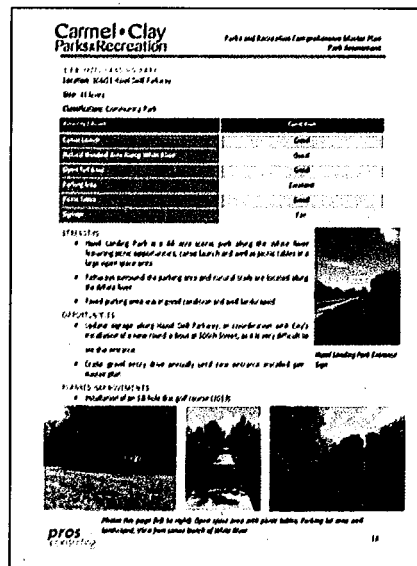
Deliverables: A Demographic & Recreational Trends Analysis and an optional Benchmark Report. The Consulting Team will act as professional facilitators to gather information about services, use, preferences and any agency strengths, weaknesses, opportunities and threats. Well organized and directed activities, techniques, and formats will be provided to ensure that a positive, open and proactive public participation process is achieved. Written community meeting report for each meeting will be provided, along with a technical report on the electronic survey findings. Statistically-valid community survey draft for review and survey results and analysis report. Also, if desired, a crowd-sourcing project website can be created.

Task 3 - Parks, Facilities, and Program Analysis

A. Parks, Trails, Open Space, and Facilities Inventory and Assessment

– The Consulting Team will provide an electronic form for Department staff to use in completing acreage and facility inventory of park property and facility/amenity inventory. A park and facility tour will be performed with Operations and Maintenance staff and Programming staff to confirm and modify any additional information to the inventory form. The analysis will consider the capacity of each amenity found within the system (e.g. playgrounds, ball fields, trails, etc.) as well as functionality, accessibility, condition, comfort, and convenience. Each amenity will be evaluated regarding its service from both resident and visitor perspective. Also, the evaluation will be based on the expressed values of the community. During this tour, general observation of park and recreation facilities will include:

- Photographs along with text to illustrate key environmental features
- General state and condition
- Compatibility with neighborhoods
- Compatibility of amenities offered through the system



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- Aesthetics/Design
- Safety/security
- Public Access
- Connectivity to the surrounding neighborhoods through non-motorized travel
- Program capacity and compatibility with users
- Partnership opportunities
- Revenue generation opportunities
- Inventory existing miles of trail locations and destinations

The findings from this review will be documented in a prepared data collection form. Analysis will be performed from this review, and incorporated into an *Assessment Summary Report*.

B. Park Classifications and Level of Service Standards – The Consulting Team will work with the Department to review and confirm, modify or add to existing park classifications, and preferred facility standards for all park sites, trails, open space amenities including common areas and indoor and outdoor facilities. These classifications will consider size, population served, length of stay, and amenity types/services. Facility standards include level of service standards and the population served per recreational facilities and park amenities. Any new or modified classification or standard will be approved as required. These are based on regional, statewide or nationally accepted parks and recreation standards, as well as the Consulting Team’s national experience and comparison with peer/survey agencies. These standards will be adapted based on the needs and expectations of the Chesterfield Parks, Recreation, and Arts Department.

PARKS: 2012 Inventory - Developed Facilities										2012 Facility Standards		2017 Facility Standards	
Park Type	CCPR Inventory	City/CRC	School District	Dads Club	HOA	County Parks	Total Inventory	Current Service Level based upon population	Recommended Service Level Based on Local Service Area	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed
Local Parks (1-10 acres)	28.25	-	-	-	-	63.00	231.37	0.33 acres per 1,000	1,000	Meets Standard	- Acre(s)	Meets Standard	- Acre(s)
Community Parks (11-100 acres)	168.37	-	-	-	-	125.00	404.22	2.68 acres per 1,000	1,000	Need Exists	28 Acre(s)	Need Exists	55 Acre(s)
Signature Parks (100+ acres)	279.22	-	-	-	-	-	-	4.68 acres per 1,000	1,000	Meets Standard	- Acre(s)	Meets Standard	- Acre(s)
Undeveloped Parks	13.38	141.20	-	-	-	-	154.58	1.79 acres per 1,000	1,000	Meets Standard	- Acre(s)	Meets Standard	- Acre(s)
Greenways	51.83	-	-	-	-	-	51.83	0.60 acres per 1,000	1,000	Need Exists	121 Acre(s)	Need Exists	139 Acre(s)
Total Park Acres	541.05	141.20	-	-	-	168.00	870.25	10.07 acres per 1,000	1,000	Meets Standard	- Acre(s)	Need Exists	83 Acre(s)
OUTDOOR AMENITIES:													
Playgrounds	6.00	-	11.00	-	25.00	2.00	44.00	1.00 structure per 1,965	1,965	Meets Standard	- Structures(s)	Meets Standard	- Structures(s)
Spray Pads	2.00	-	-	-	-	-	2.00	1.00 structure per 43,220	43,220	Need Exists	2 Structures(s)	Need Exists	3 Structures(s)
Picnic Areas/Shellers	14.00	-	-	-	14.00	-	28.00	1.00 structure per 3,087	3,087	Meets Standard	- Structures(s)	Meets Standard	- Structures(s)
Soccer Field	-	-	-	23.00	1.00	3.00	27.00	1.00 field per 3,201	3,201	Meets Standard	- Field(s)	Meets Standard	- Field(s)
Ballfields	-	-	12.00	11.00	5.00	4.00	32.00	1.00 field per 2,701	2,701	Meets Standard	- Field(s)	Meets Standard	- Field(s)
Mult-Purpose Fields	2.00	-	3.00	14.00	-	-	19.00	1.00 field per 4,549	4,549	Need Exists	3 Field(s)	Need Exists	5 Field(s)
Basketball Courts	2.00	-	8.00	-	12.00	-	22.00	1.00 court per 3,929	3,929	Meets Standard	- Court(s)	Meets Standard	- Court(s)
Tennis Courts	-	-	37.00	-	50.00	-	87.00	1.00 court per 894	894	Meets Standard	- Court(s)	Meets Standard	- Court(s)
Mult-Use Trails (Miles)	16.00	-	-	-	-	-	16.00	0.19 miles per 1,000	1,000	Need Exists	19 Mile(s)	Need Exists	22 Mile(s)
Amphitheater	1.00	1.00	-	-	-	1.00	3.00	1.00 site per 28,813	28,813	Meets Standard	- Site(s)	Meets Standard	- Site(s)
Skate Park	1.00	-	-	-	-	-	1.00	1.00 site per 88,439	88,439	Need Exists	1 Site(s)	Need Exists	1 Site(s)
Volleyball Pit	2.00	-	-	-	14.00	-	16.00	1.00 site per 5,402	5,402	Meets Standard	- Site(s)	Meets Standard	- Site(s)
Outdoor Aquatic Center (Square Feet)	48,183.50	-	-	-	-	-	48,183.50	0.58 SF per person	82,971.50	Meets Standard	- Square Feet	Meets Standard	- Square Feet
Monon Community Center (Square Feet)	148,225.00	-	-	-	-	-	148,225.00	1.69 SF per person	87,707.00	Meets Standard	- Square Feet	Meets Standard	- Square Feet
2012 Estimated Population	86,438												
2017 Estimated Population	95,303												

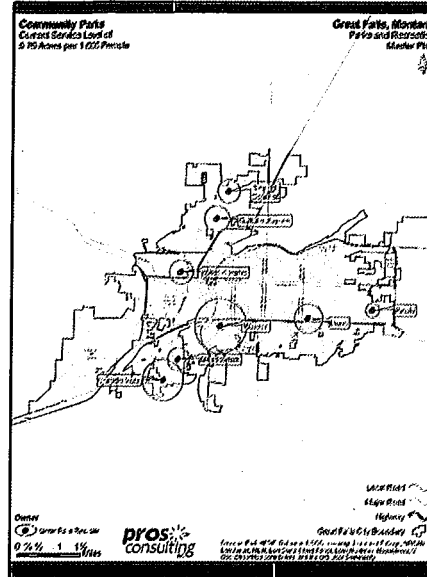
Notes:
County Inventory includes inventory only found in Carmel Clay Parks and Recreation jurisdiction
Population based on Clay Township's limits
The 37 tennis courts are part of an inter-local agreement established with school district for public use



City of Chesterfield Parks, Recreation & Arts

C. Geographical Analysis through Mapping – The Consulting Team will work with the Department to determine appropriate GIS mapping. The Consulting Team can utilize GIS to perform geographical mapping to identify service area analysis for specific facilities and programs. This includes mapping by classification and major amenities by facility standards as applied to population density and geographic areas. A service area is defined as a circular area around a park or amenity whose radius encompasses the population associated with the appropriate facility standard for each park classification and amenity. Using the facility standards and service areas provided by the Consulting Team for each park and major facility type (amenity), a series of maps by each park classification and major amenities will be prepared. Major parks and facilities to be mapped could include:

- Neighborhood Parks
- Community Parks
- Soccer Fields
- Football Fields
- Baseball Fields
- Softball Fields
- Basketball Courts
- Tennis Courts
- Trails
- Playgrounds
- Picnic Pavilions
- Aquatics/Pools
- Recreation/Community Centers



This mapping identifies gaps and overlaps in service area. It is assumed that the Department will provide base GIS information including inventory and general location of park sites and amenities. The Consulting Team will provide maps in digital format (ARCGIS and Adobe Acrobat PDF format) and hard copy.

D. Recreation Program Assessment – Recreation programs, arts, and special events are the backbone of park and recreation agencies. This assessment will review how well the Department aligns itself with community needs. The goal of this process is to provide recreation program enhancements that result in successful and innovative recreation program offerings. The Consulting Team will provide insight into recreation program trends from agencies all around the country. The process includes analysis of:

- Age segment distribution
- Lifecycle analysis
- Core program analysis and development
- Similar provider analysis/duplication of service
- Market position and marketing analysis
- User fee analysis for facilities and programs/services
- Review of program development process
- Backstage support, or service systems and agency support needed to deliver excellent service

Ultimately, the outcome of the process will be the creation of a dynamic recreation program plan that results in increased registration, drives customer retention and loyalty, improves customer satisfaction, and increases revenues. Additionally, it will help focus staff efforts in core program areas and create excellence in those programs deemed most important by program participants.

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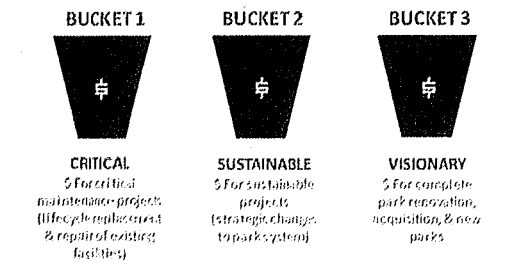
E. Rank and Prioritize Demand and Opportunities – The Consulting Team will synthesize the findings from the community input, standards, demographics and trends analysis, park and facility assessment, recreation services assessment and the service area mapping into a quantified facility and program priority ranking. This priority listing will be compared against gaps or surplus in recreation services, parks, facilities and amenities. This will list and prioritize facilities, infrastructure, amenities, and program needs for the parks, recreation, and arts system and **provide guidance** for the Capital Improvement Plan. The analysis will include probable future parks, recreation facilities, arts, open spaces, and trail needs based on community input, as well as state and national user figures and trends. The Team will conduct a work session with staff to review the findings and make revisions as necessary.

Stouffville County Facility/Amenity Needs Assessment	Overall Ranking
Walking, hiking and biking trails	1
Small neighborhood parks	2
Indoor fitness/exercise facilities	3
Large community parks	4
Natural areas/wildlife habitats	5
Indoor running/walking track	6
Picnic areas and shelters	7
Outdoor swimming pools/water parks	8
Indoor swimming pools/leisure pools	9
Playground equipment	10
Boating and fishing areas	11
Golf courses	12
Off-leash dog park	13
Indoor theater	14
Indoor sports fields (baseball, soccer, etc)	15
Indoor basketball/volleyball courts	16
Youth baseball/softball fields	17
Historic homes/grounds	18
Youth soccer fields	19
Outdoor basketball courts	20
Adult baseball/softball fields	21
Skate parks	22
Outdoor tennis courts	23
Outdoor sand volleyball courts	24
Adult soccer fields	25

F. Capital Improvement Plan – The Consulting recommends the development of a three-tier capital improvement plan that will assist the City in the inevitable and continuous rebalancing of priorities and their associated expenditures. Each tier reflects different assumptions about available resources.

- The **Critical Alternative** has plans for prioritized spending within existing budget targets and focuses on deferred maintenance and lifecycle replacement of assets and amenities within the existing parks system. The intention of this alternative is to refocus and make the most of existing resources with the primary goal being for the department to maintain high quality services.
- The **Sustainable Alternative** describes the extra services or capital improvement that should be undertaken when additional funding is available. This includes strategically enhancing and renovating existing parks and facilities to better meet the park and recreational needs of the City of Chesterfield residents that would require additional operational or capital funding. In coordination with the City Council, the Parks, Recreation, and Arts Department would evaluate and analyze potential sources of additional revenue, including but not limited to capital bond funding, partnerships, grants, and existing or new taxes.
- The **Visionary Alternative** represents the complete set of services and facilities desired by the community. It is fiscally unconstrained but can help provide policy guidance by illustrating the ultimate goals of the parks and recreation system and by providing a long-range look to address future needs and deficiencies. In the Master Plan, the Visionary Alternative addresses complete renovations of aging parks and facilities and the development of new parks and facilities. Funding for visionary projects would be derived from partnerships, private investments and new tax dollars.

Understanding Cost “Buckets”



Meetings: Review of staff provided inventory and condition information. Tour of existing Department facilities/properties for the purposes of assessment of parks and facilities. Park classification and standards review discussion. Also, meeting on appropriate mapping method desired. Initial meeting with staff to provide information regarding current program offerings, as well as follow up to present findings and recommendations. Rank and prioritize demand and opportunities and provide a Capital Improvement Plan.

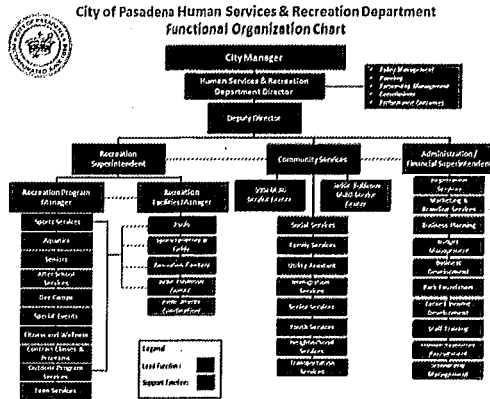
Deliverables: Parks and Facility Analysis / Assessment Report. Level of service standards and appropriate GIS mapping. Programs and Services Assessment Report. Capital Improvement Plan based on priority rankings.



Task 4 -Operational, Financial and Funding Plan

A. Organizational Review – The Consulting Team will perform an analysis of the current practices of the Department to evaluate its operational situation. This analysis will identify future organizational and staffing needs of the Department, improved operational efficiencies, policy development, process improvements, system and technology improvements, and marketing/communication opportunities. This task will include recommendations in a comprehensive manner. This will include data collection, analysis and on-site observations of key organizational components in the following areas:

- Classification of services
• Administrative delivery
• Maintenance and Operating Standards
• Organizational Design and Staffing
• Customer service
• Staffing levels
• Regulations and ordinances
• Service contracts
• Workload requirements
• Procedures manuals
• Existing policy and procedures management
• Performance measures and indicators
• Marketing and communications
• Review and suggest new rules and regulations related to parks



B. Financial Analysis – The Consulting Team will perform analysis to document the financial situation of the Department. The financial analysis will look at the budget, pricing policy, user fees, current and other revenue generating opportunities, grant opportunities, and the revenue forecast. This analysis will identify the financial situation of the Department with three primary goals:

- Understand the financial dynamics to further advance the understanding of operations gained through the work described above
• Review funding and accounting practices with an objective of accurate financial fund tracking and the ability of the Department to have more useful financial information for strategic decision-making
• Seek opportunities to improve the financial sustainability of the Department including evaluating expenditures and increasing current and new sources of revenue

This review will include comparison of current policies with national standards of best practice agencies. The Consulting Team will recommend policies and adjustments to current policies where enhancements may be needed or gaps are identified.

C. Funding and Revenue Strategies – Funding strategies will be developed based in part to our review and analysis, as well as the national experience brought by the Consulting Team. The Consulting Team has identified numerous funding options that can be applied to the Parks, Recreation, and Arts Master Plan based on the community values. The funding strategies to be evaluated for recommendations will include at a minimum:

- Fees and charges options and recommendations
• Endowments/Non-profits opportunities for supporting operational and capital costs
• Sponsorships to support programs, events, and facilities
• Partnerships with public/public partners, public/not-for-profit partners and public/private partnerships
• Dedicated funding sources to support land acquisition and capital improvements
• Development agreements to support park acquisition, open space and park and facility development
• Earned Income options to support operational costs

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- Land or facility leases to support operational and capital costs
- Identify grant opportunities and resources to construct parks and facilities identified in the Master Plan including suggested timelines

Meetings: Review of staff provided organization and staffing information, financial information and any current financial and funding opportunities. Follow up to present findings and recommendations and possible funding options.

Deliverables: Organizational Analysis Findings and Financial Report. Funding and revenue strategies outlined with recommendations.

Task 5 - Action Plan & Master Plan Development

The *Parks, Recreation, and Arts Master Plan* will be framed and prepared through a series of workshops with Department staff. The overall vision and mission statements will be affirmed or modified, and direction for the Department will be established along with individual action strategies that were identified from all the research work completed. Key recommendations and tactics that support each action strategy to its fullest potential will be outlined in a strategy matrix with priorities, timelines, measurement, and teams within the Department or external partners to focus on. Specific tasks include:

- A. **Develop Vision, Mission and Goals/Objectives** – The supporting vision and mission statements will be affirmed or developed with senior Department staff in a work session. Following this effort, goals/objectives and policies will be established and prioritized. A status briefing will be presented to gain input and consensus on direction.
- B. **Strategic Action Plan** - Upon consensus of all technical work, the remaining action plan will be completed with supporting strategies, actions, responsibilities, priorities/timelines and cost estimates. These strategies will be classified as short-term, mid-term or long-term strategies and priorities. This will be reviewed with senior Department staff in a half-day workshop. The Consulting Team will propose a prioritization schedule and methodology used on successful master plans across the United States from their work. Action plans will be established in the following key areas:
 - **Land Acquisition, Development and Improvements** – Recommendations that provide for short and long term enhancement of land acquisition in the Department. This will include useable and workable definitions and recommendations for designated park and open space with acreages and parameters defined as appropriate.
 - **Park and Facility Management** – Recommendations that provide for short and long term enhancement of park and facility management practices of the Department.
 - **Programs and Services** – Recommendations that provide for short and long term development and maintenance of programs and services provided by the Department, including opportunities to improve meeting user needs.
 - **Financial and Budgetary Capacity Development** – Recommendations that provide for short and long term enhancement of the financial and budgetary capacity of the Department related to parks and lands.
 - **Policies and Practices** – Specific policies and practices for the Department that will support the desired outcomes of the Master Plan will be detailed.
- C. **Draft Report Preparation and Briefings**– The Consulting Team will prepare a draft Master Plan with strategies taking into account all analyses performed and consider the fiscal and operational impacts to the Department. The recommendations and prioritization of needs will be reviewed and discussed with the Department. Also, one (1) meeting with the City Council and Parks, Recreation, and Arts Citizen Advisory Committee will be completed.
- D. **Final Master Plan Presentations, Preparation, and Production** – Upon comment by all vested Department staff and the community, the Consulting Team will revise the Draft Master Plan to reflect all input received. Once



City of Chesterfield Parks, Recreation & Arts

the draft Master Plan is approved by the Department, the Consulting Team will prepare a final summary report and present to the elected officials and the Parks, Recreation, and Arts Citizen Advisory Committee for final approval and adoption. The final plan will be prepared with a Summary Report delivered along with associated appendices (technical reports).

Meetings: Meetings with staff on vision/mission and workshop on strategic action plan. Presentations to the City Council (one during the draft master plan and one for the adoption of the final Master Plan). One (1) meeting with the Parks, Recreation, and Arts Citizen Advisory Committee at the time of the adoption of the Master Plan. The Consulting Team will meet with staff for review of changes.

Deliverables: Deliverables will be the following:

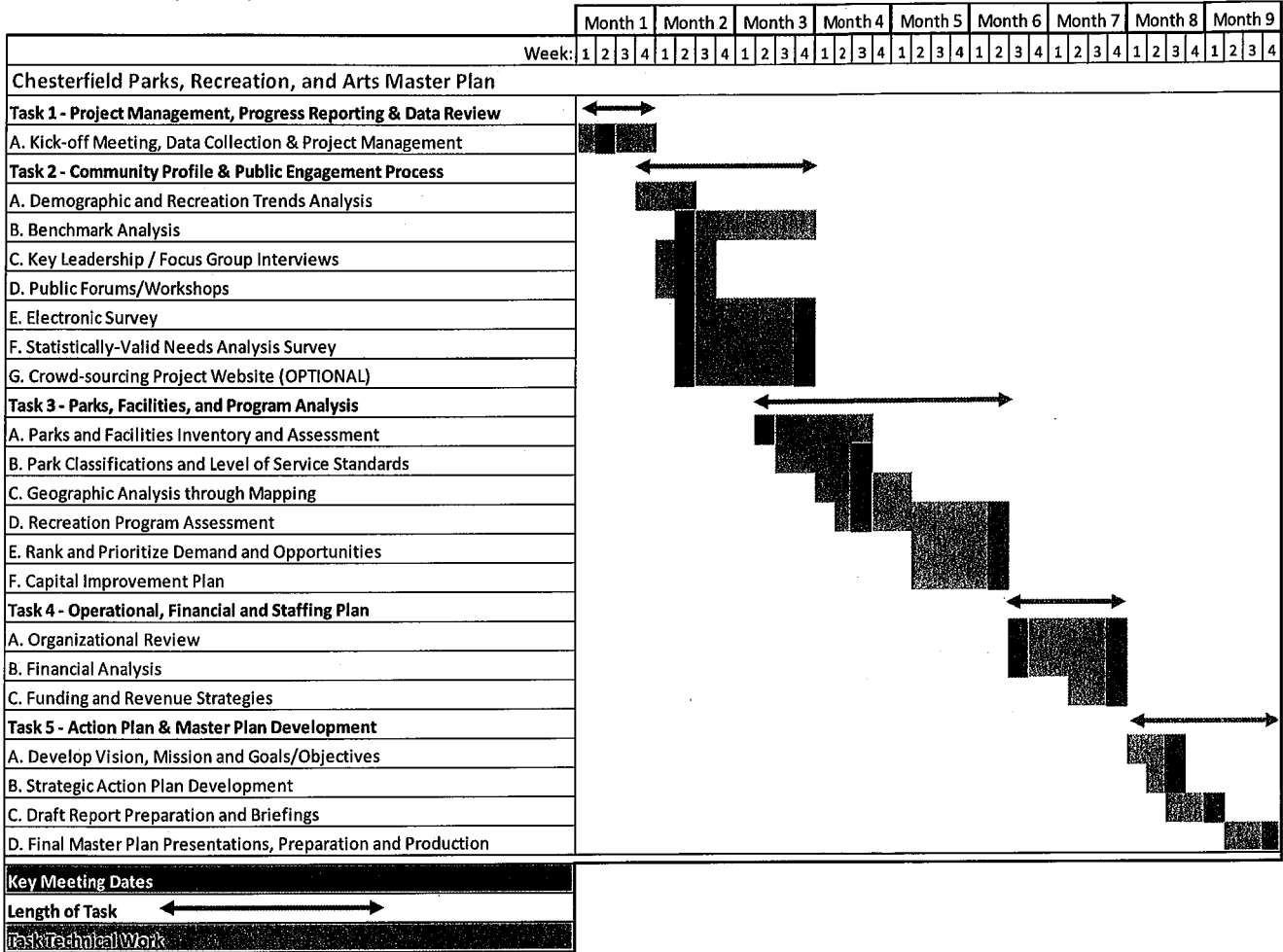
- The Master Plan must include written goals, plans, objectives, and policy statements that articulate a clear vision and “road map” and model for the Parks, Recreation, and Arts Department’s future
- A summary of existing conditions, inventories and Level of Service analysis
- Charts, graphs, maps and other data as needed to support the plan and its presentation to the appropriate audiences
- An Action Plan
- A minimum of one (1) meetings with the City Council and Parks, Recreation, and Arts Citizen Advisory Committee, one at the time of the presentation of the draft Master Plan, and one at the adoption of the final Master Plan
- A color version of the draft Master Plan document consisting of one (1) printed and bound color copy and an electronic copy in a format compatible with the City’s software
- A color version of the final Master Plan document consisting of one (1) printed and bound color copies and an electronic copy in a format compatible with the City’s software
- A color version of the final Executive Summary consisting of one (1) printed copy and an electronic version in a format compatible with the City’s software



**Request for Qualification:
Development of a Parks, Recreation, and Arts Comprehensive Master Plan**

Project Schedule

The project approach and scope of work detailed in this proposal can be completed by the PROS Team collaboratively with the Chesterfield Parks, Recreation, and Arts Department. PROS can begin the project immediately and has the capability and availability to meet the schedule depicted below. Specific dates will be set during the kick-off meeting process and the PROS Team will consider any special requirements by the Department in regards to scheduling to meet your expectations.





pros 
consulting
INC.



Parks, Recreation and Arts Comprehensive Master Plan

Chesterfield, Missouri

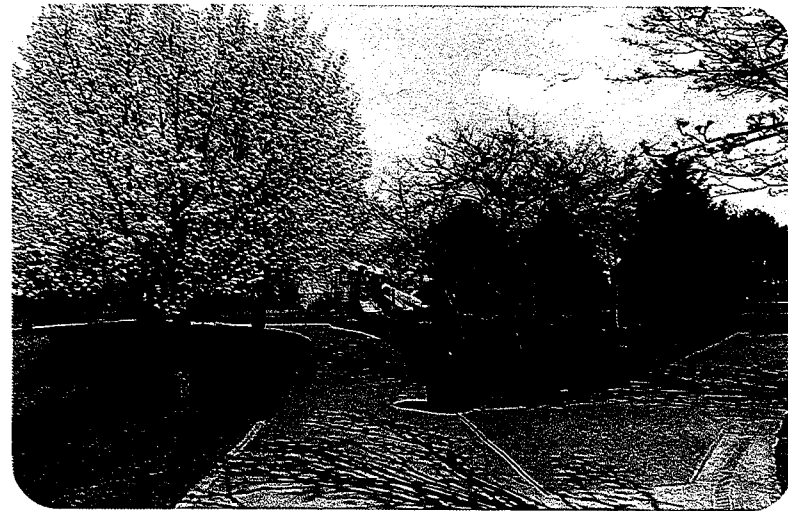


Plan Purpose

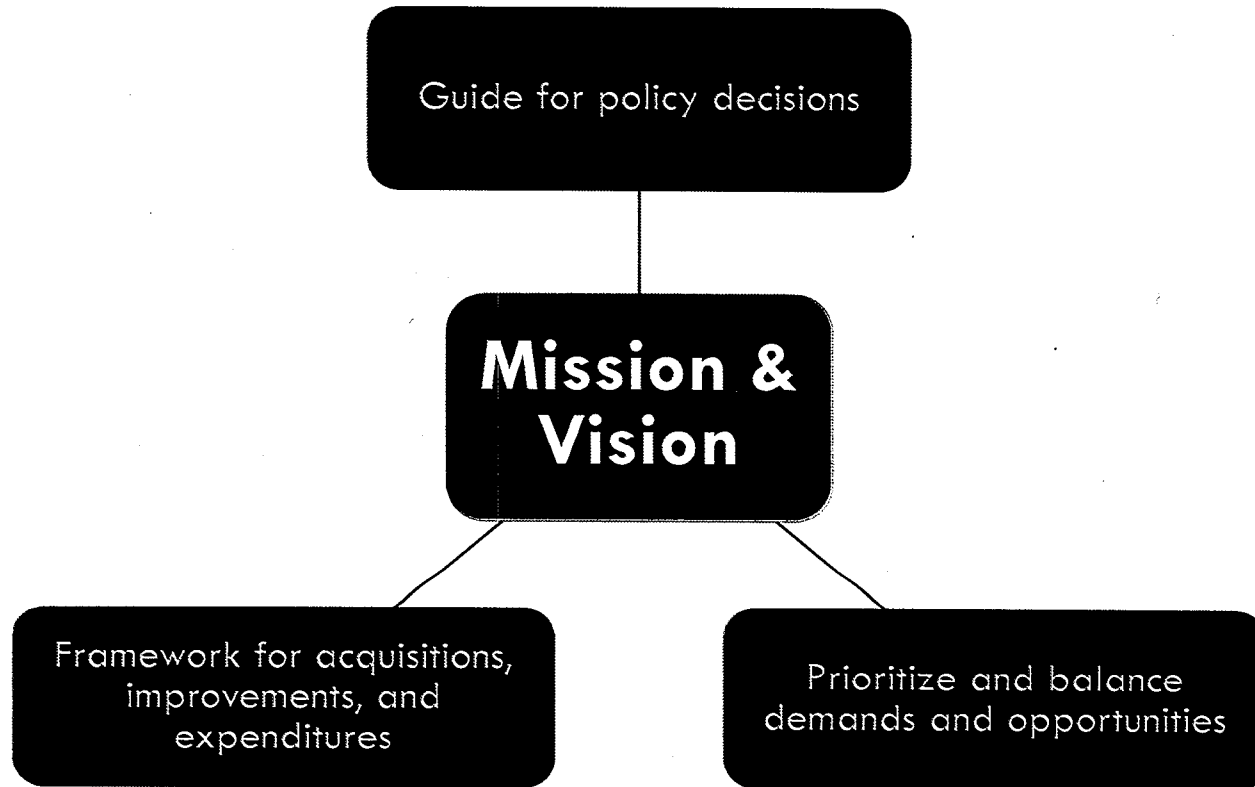
Create a Compelling Vision and Direction for Parks and Recreation



Determine the Right Path to Follow



Desired Outcomes?



Planning Objectives

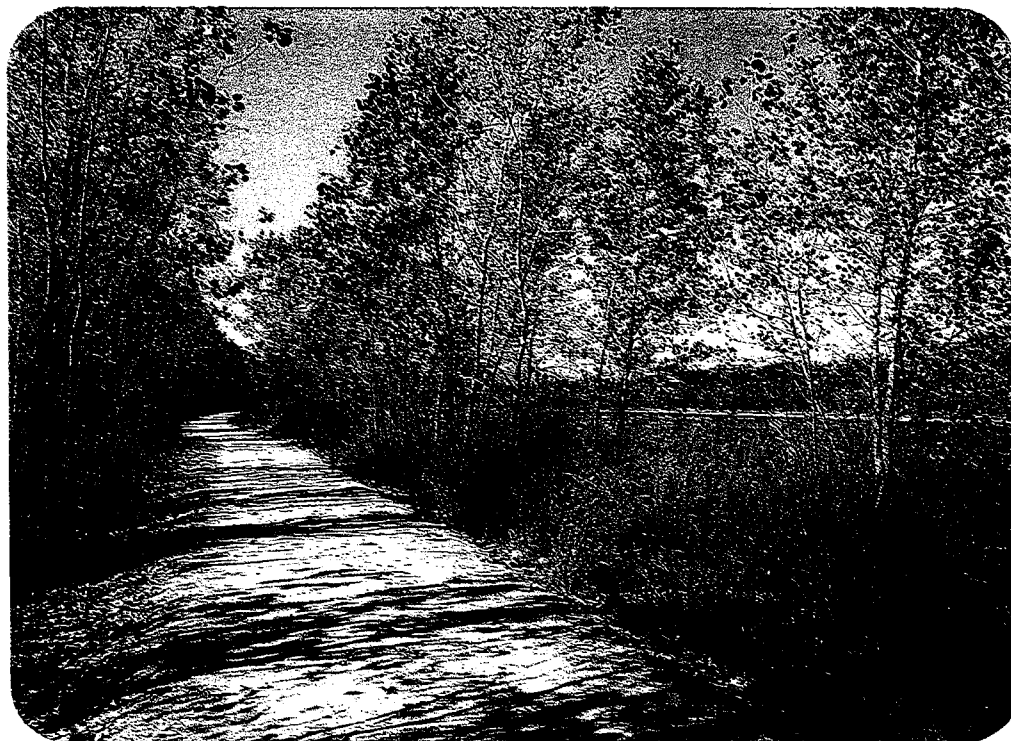
Engage the Chesterfield community, leadership and stakeholders through an innovative public outreach strategy to build a shared vision

Utilize a wide variety of data sources and best practices

Determine unique Level of Service Standards to develop appropriate actions to support current planning efforts and community needs

Shape financial and operational preparedness through innovation and “next” practices

Create a realistic, prioritized implementation road map that represents the community and businesses that call Chesterfield home



Our Team



National, full-service management consulting and planning firm specializing in government and not-for-profit agencies

Helped agencies in 45 states and 7 foreign countries through 1,000+ projects

Working all over the US including specifically in Missouri and the Midwest for the last 22+ year

Over **400 master plans** successfully implemented and driven over **\$5 billion** worth of capital investment

Full-service Consulting Practice

- o Master Planning
- o Strategic Planning
- o Community Needs Assessment
- o Operations, Maintenance and Organizational Development
- o Financial Planning and Management
- o Feasibility Studies and Business Planning
- o Revenue & Partnership Development
- o Land Use and Sustainable Practices



Master Plan Projects in Missouri and the Region
Wentzville, MO
Kansas City, MO
Warrensburg, MO
CityArchRiver Foundation
Great Rivers Greenway District
Clayton, MO
Ferguson, MO
Raytown, MO
O'Fallon, MO
Gladstone, MO
Grandview, MO
Olathe, KS

Recent Master Plan Projects with CAPRA Accredited Agencies
Kansas City, MO
Indianapolis, IN
Mecklenburg County, NC
Carmel, IN
Mooresville, NC
Carlsbad, CA
Durango, CO
Oak Park, IL
Westerville, OH
Five Rivers MetroParks, OH
Dallas, TX
Roanoke, VA

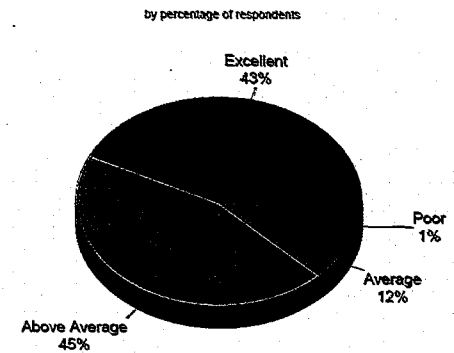


Full service market research firm of nearly 100 people

Have worked with PROS Consulting on over 400 statistically-valid surveys over the past 22 years

Extensive experience conducting surveys in multiple languages

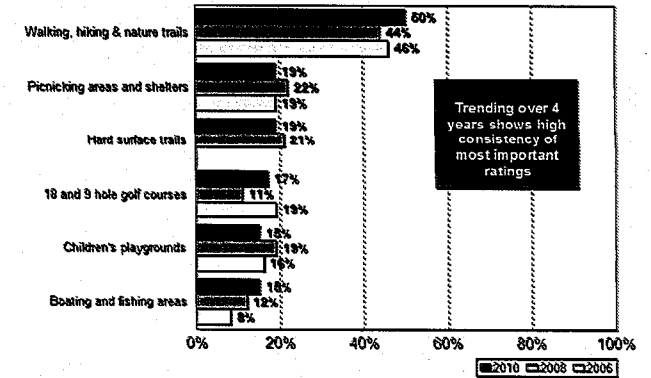
Q3. How Would You Rate the Overall Quality of Programs Your Household Has Participated In Over the Past 12 Months?



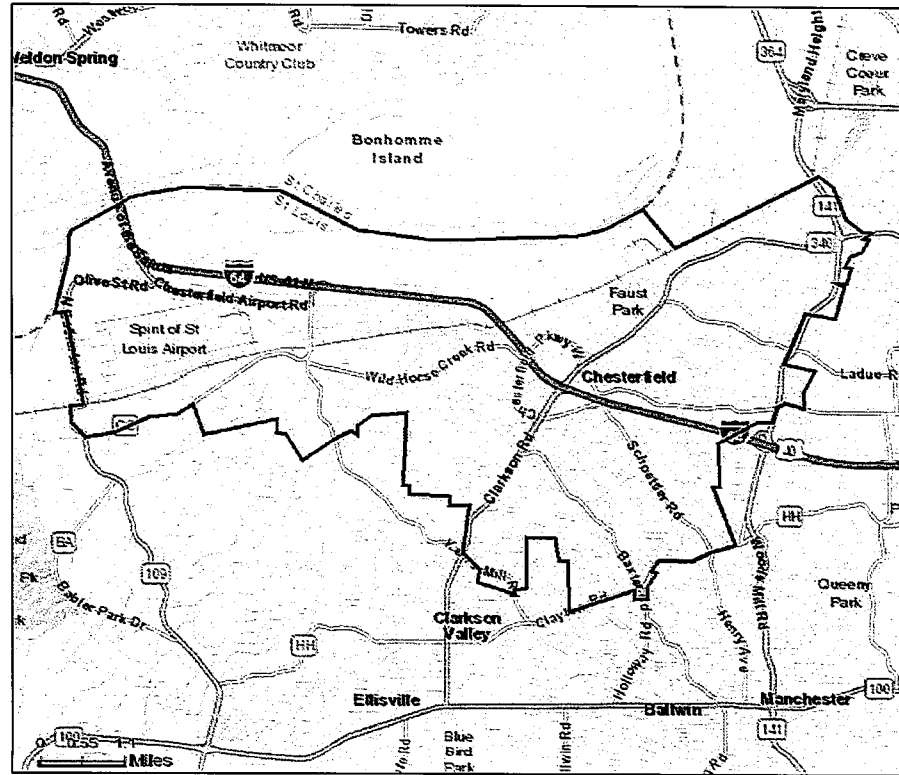
Source: Leisure Vision/ETC Institute (September 2013)

Q11. Parks and Recreation Facilities That Are Most Important to Households

by percentage of respondents who selected the item as one of their top four choices

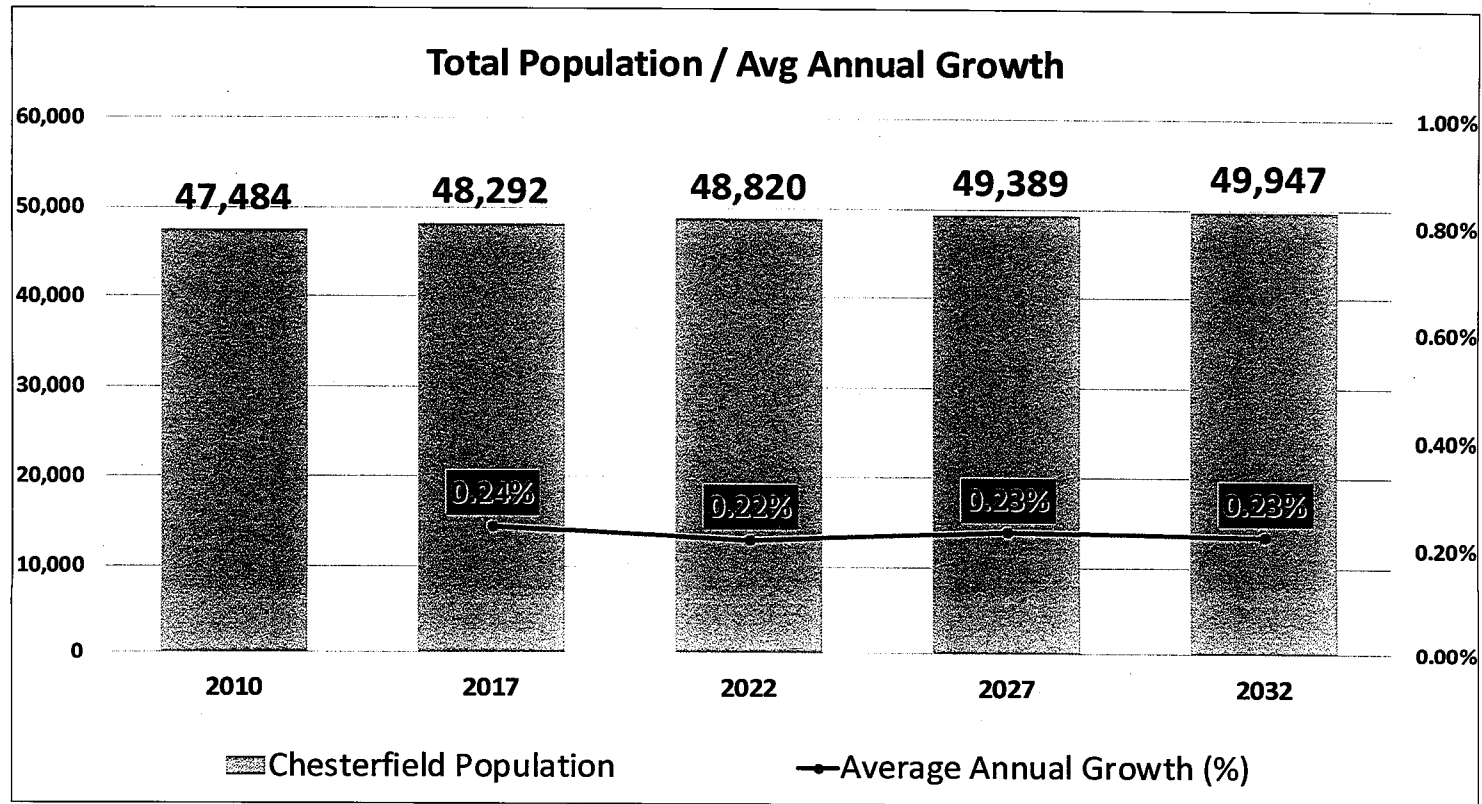


Source: Leisure Vision/ETC Institute (March 2010)

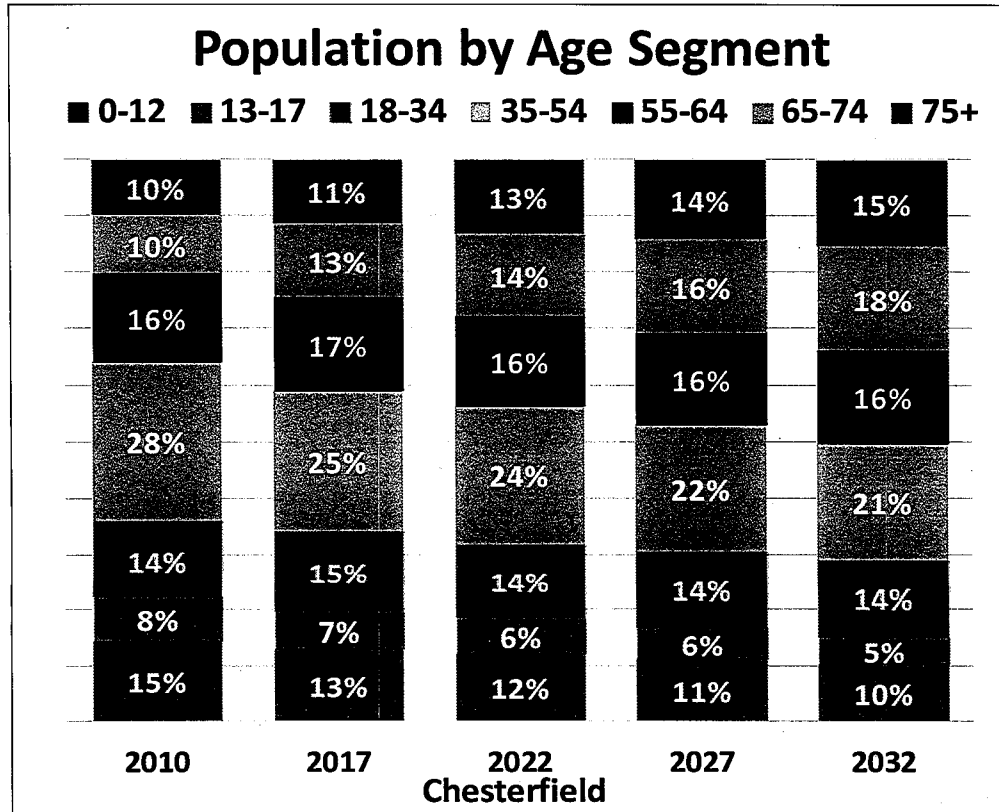


Influencing Factors

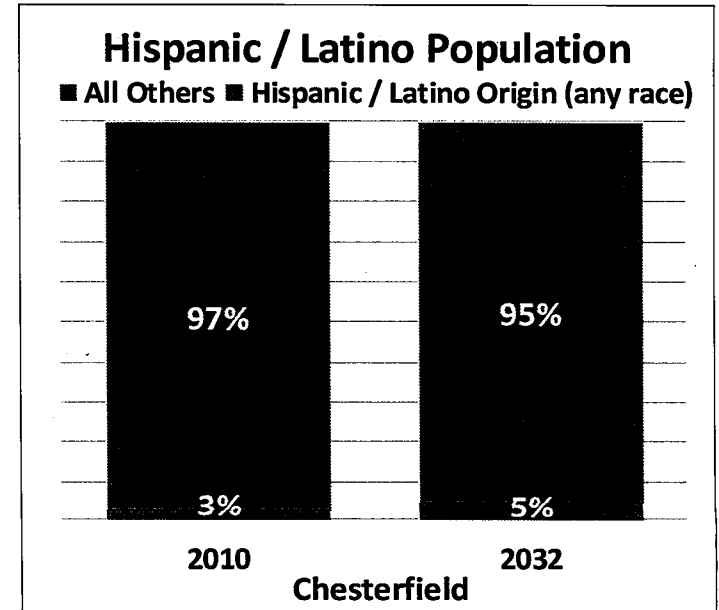
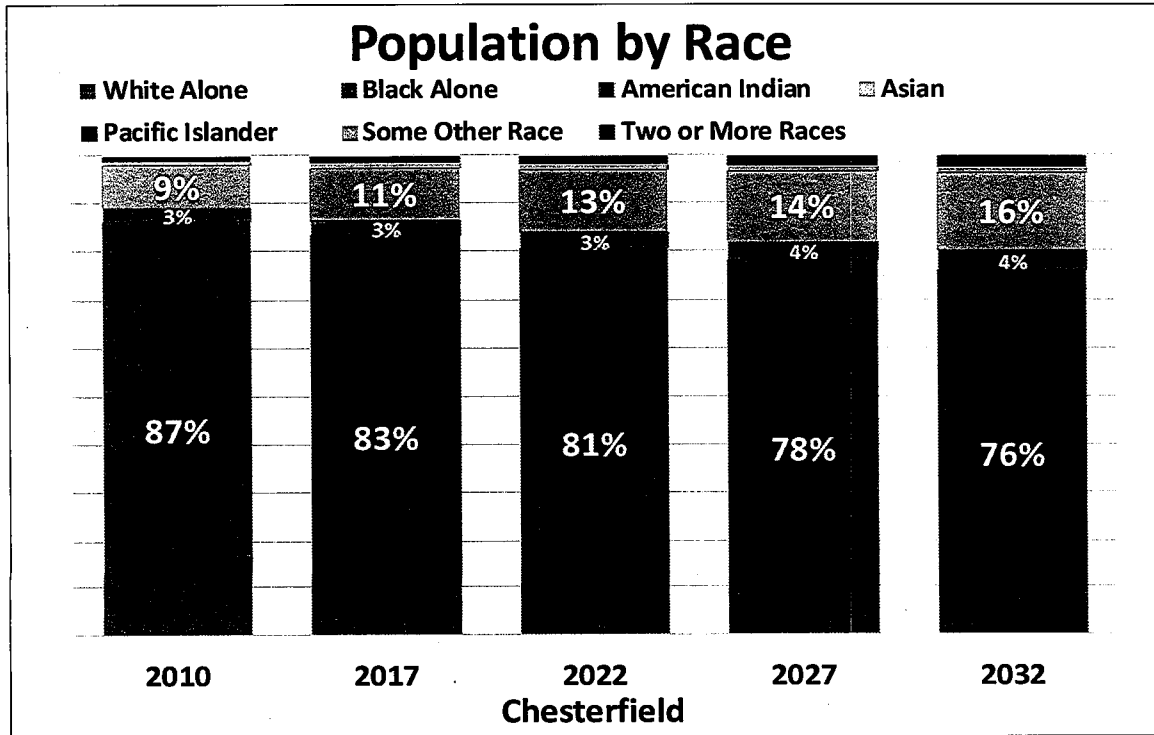
What Will the City of Chesterfield Look Like?



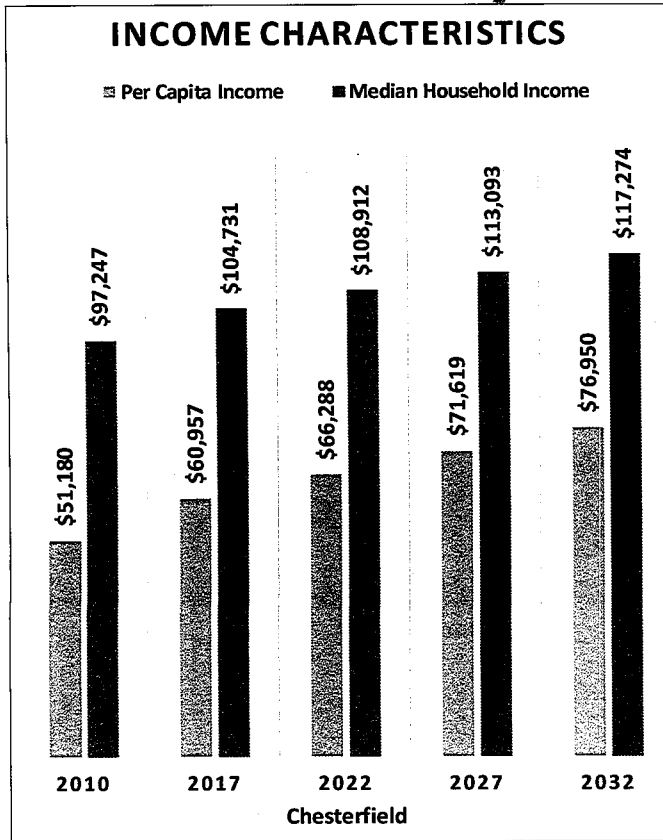
What Will the City of Chesterfield Look Like?



What Will the City of Chesterfield Look Like?



What Will the City of Chesterfield Look Like?



2017 Demographic Comparison		Chesterfield	Missouri	U.S.A.
Income Characteristics	Per Capita Income	\$60,957	\$28,143	\$30,820
	Median Household Income	\$104,731	\$51,113	\$56,124

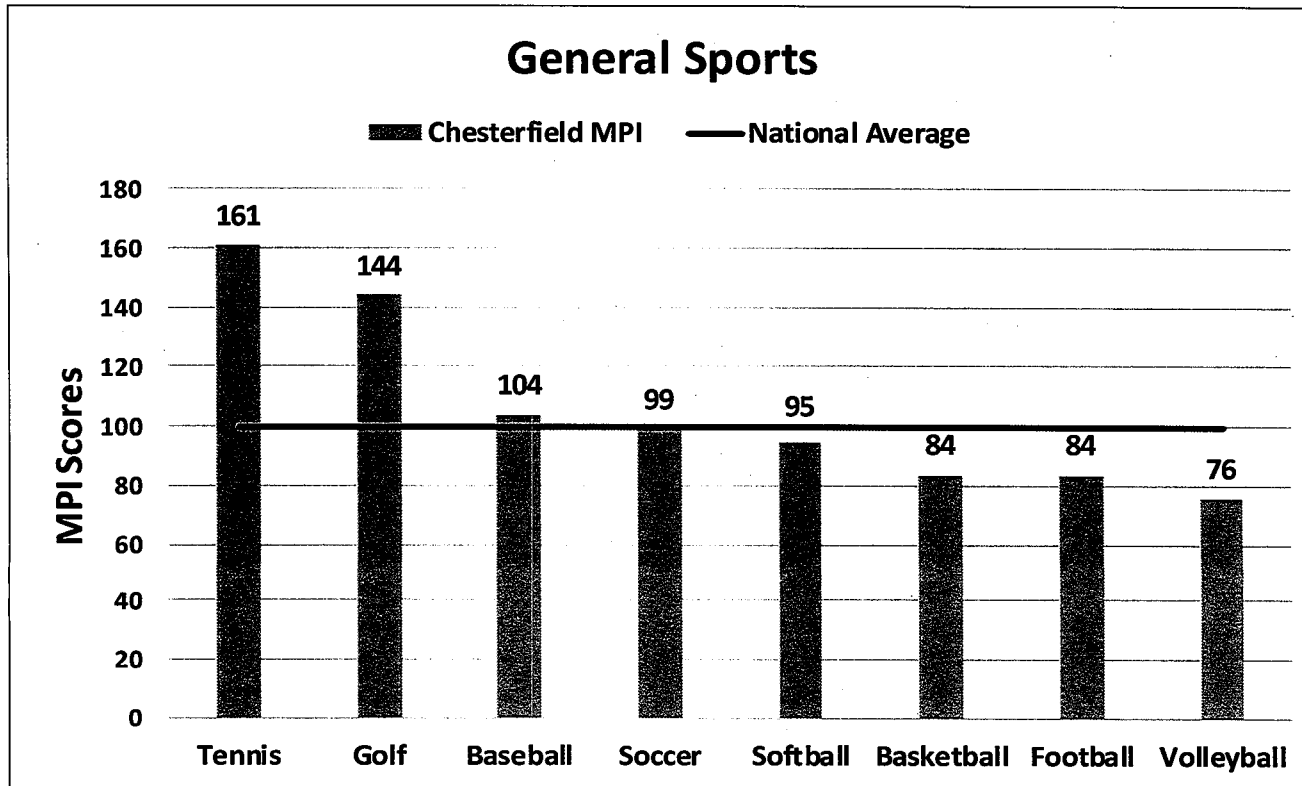
Market Potential Index

SOURCE: ESRI

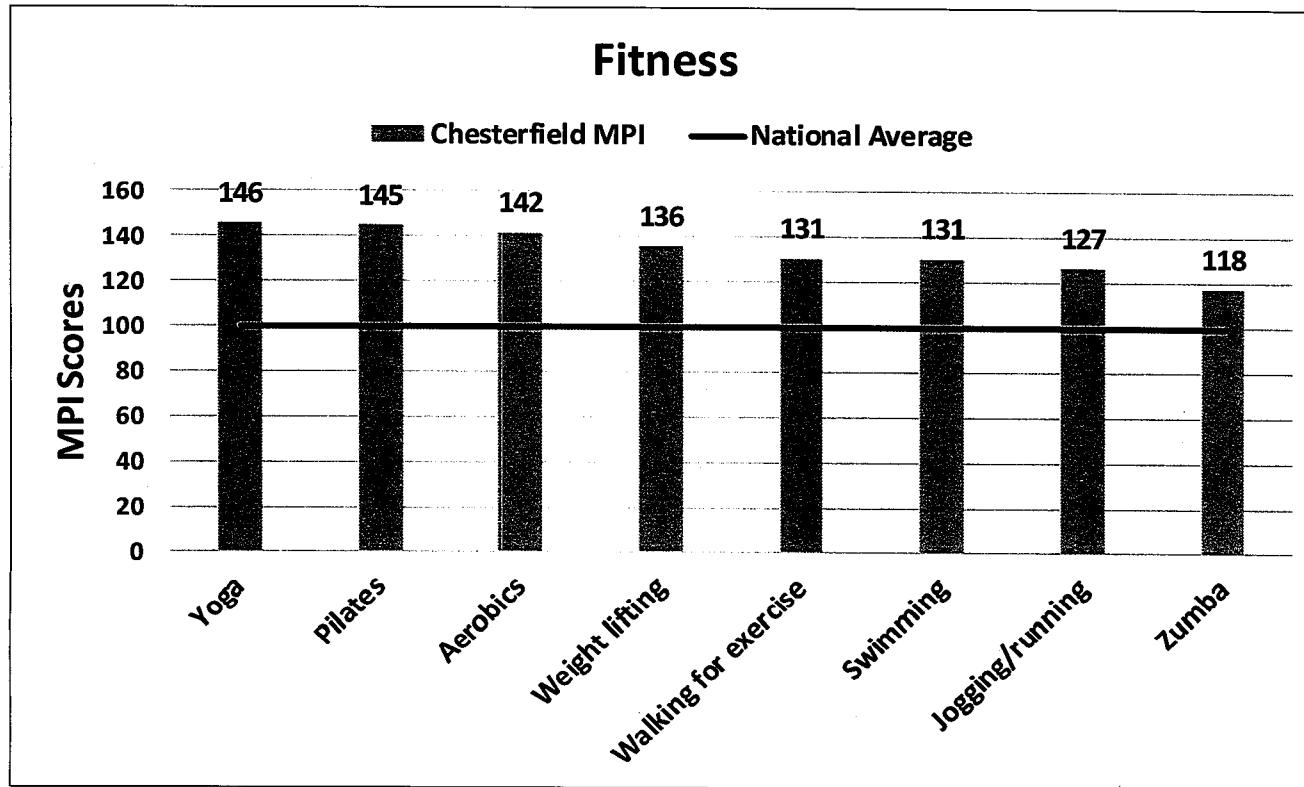
MEASURES DEMAND FOR SPECIFIC ACTIVITIES



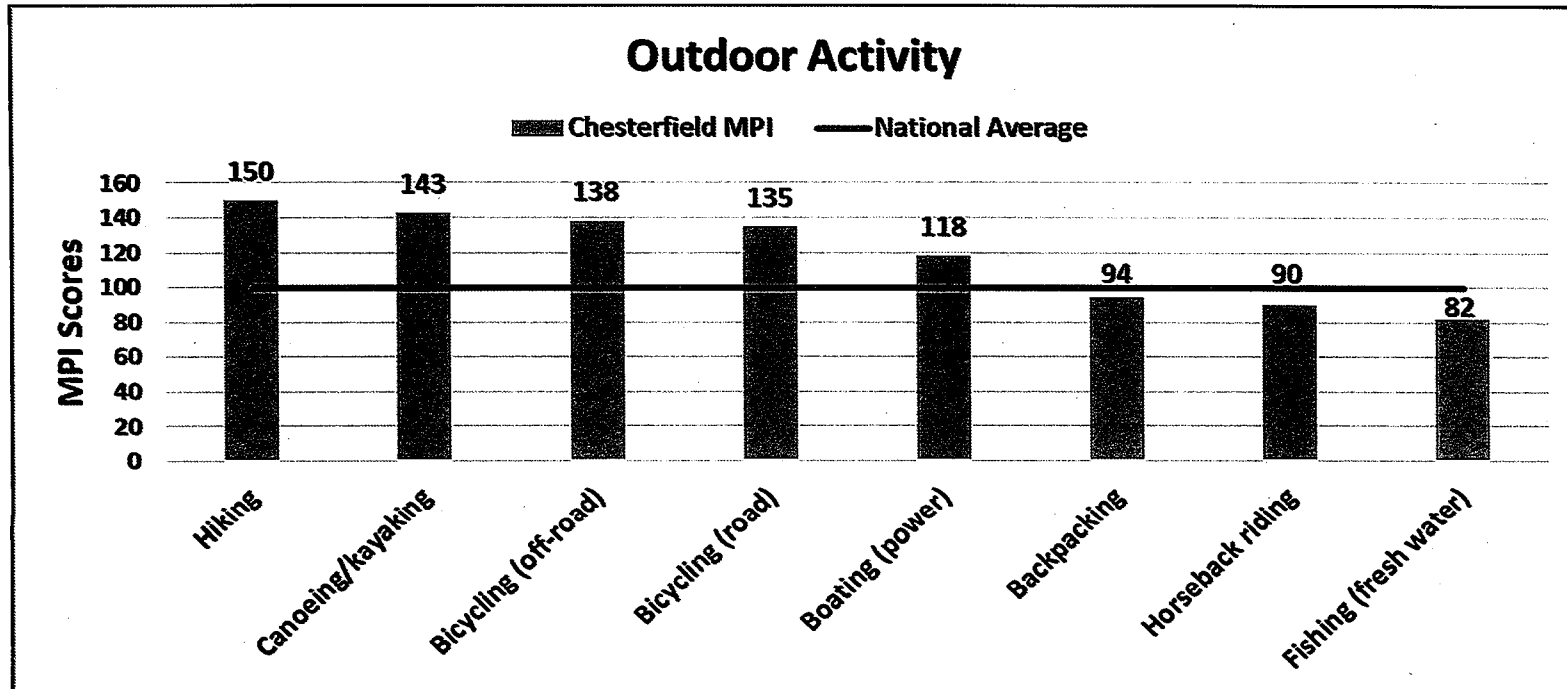
What does the City of Chesterfield Like to Do?



What does the City of Chesterfield Like to Do?



What does the City of Chesterfield Like to Do?





The Proposed Process

Community Values Model™ (Proprietary)

Community Mandates/ Priorities

Safety & Health/Wellness
Mandatory elements for Facilities,
Programs, & Services
Principles of Community



Financial/ Revenue



Funding Mechanisms to
Support Operations & Capital

Levels of Service

Levels of Service Delivery
Core Services
Role in Delivery vs. Other
Service Providers



Partnerships

Public/ Public
Public/ Not-for-Profit
Public/ Private



Standards

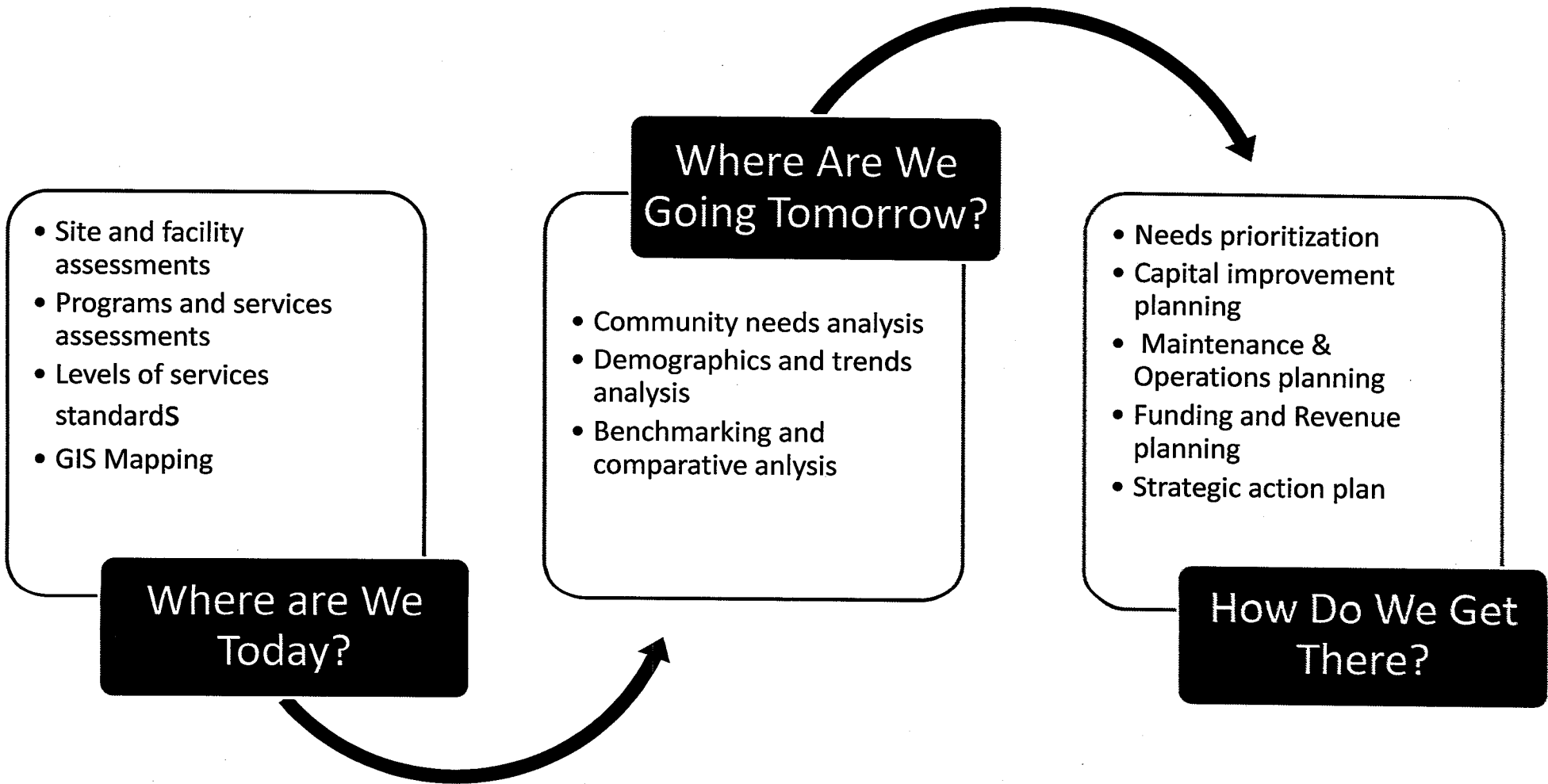


Programs & Facilities
Maintenance & Operations
Land & Open Space

Governance/Organization



Design/ Align Organization
to Support Vision and Values
to Community





Public Input

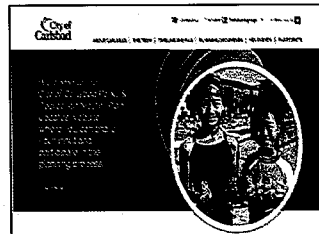
Collaborative Planning



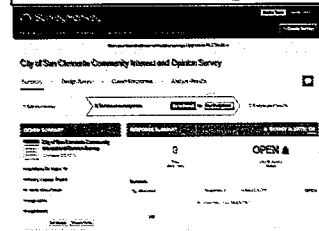
Public Input (In-person)

Focus Groups	Stakeholder, User Groups, Partners
Key Leaders	Key leader interviews
Public Meetings	Meetings - Gather community priorities, vision for the future; report key findings and key recommendations
Intercept Surveys	Go Where People Are!
Pop Up Meetings	"Meeting-in-a-box" at Special Events

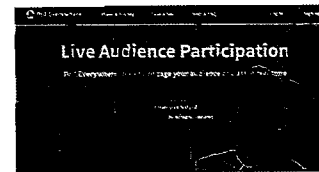
Public Input (Online)



Custom, responsive design crowdsourcing website
e.g. www.planchesterfieldparks.com



Survey Monkey surveys hosted on the website



Real Time Polling



Real-time, GPS location based customer feedback
App – HAPPI FEET[™]

Statistically-Valid Survey

Only scientific and defensible method to understand community needs

Administered by mail/phone/web

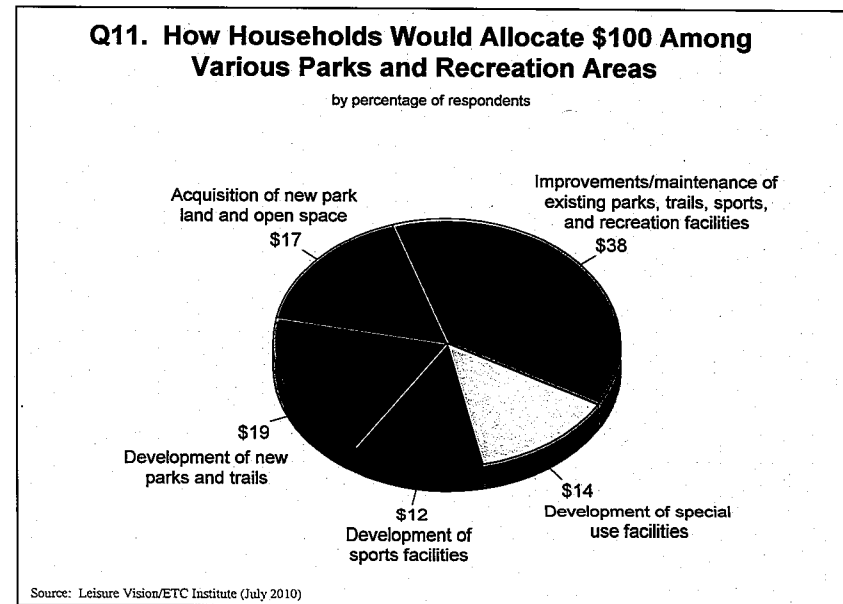
Developed in partnership with the City

Methodology allows high return rate (25%-35%) - Distribution of 1,200-1,500 surveys

Total of 350 completed surveys, 95% level of confidence with a margin of error of +/- 5.2%

Demographically and geographically balanced

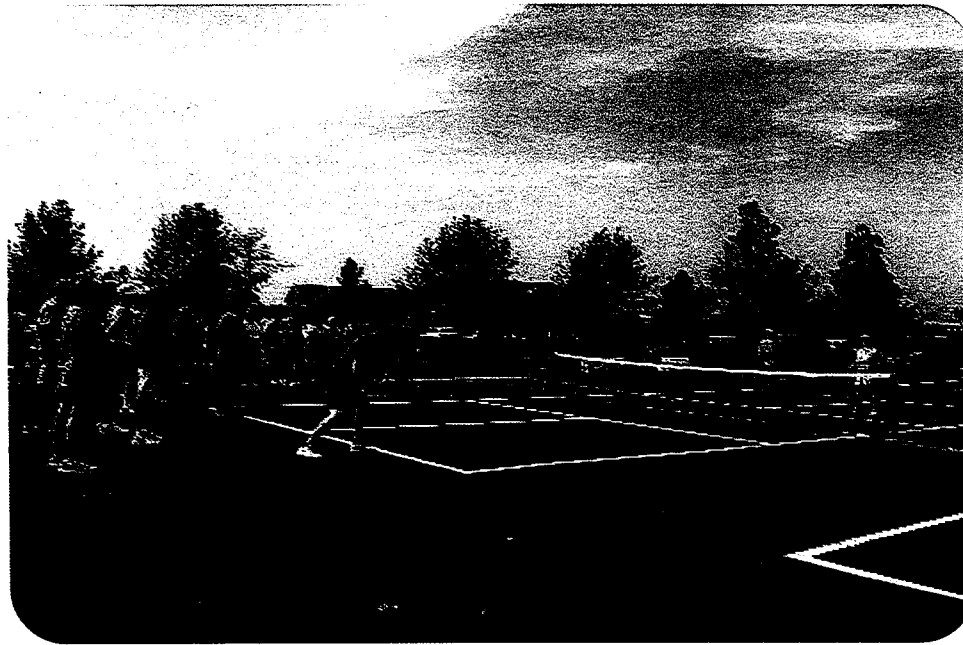
Input from users and non users of the system



Public and Leadership Engagement/Advocacy Strategy

Each Series of meetings includes presentations and opportunities for feedback to:

- Staff
 - Master Plan Steering Committee
 - Parks, Recreation, and Arts Citizen Advisory Committee
 - Planning Commission
 - City Council
-
- Meeting Series #1 – Overview of project and processes to achieve successful, sustainable implementation
 - Meeting Series #2 – Present Key Public Needs Assessment Findings
 - Meeting Series #3 – Present Key Technical findings
 - Meeting Series #4 – Present Recommendations and Implementation Plan
 - Meeting Series #5 – Present Final Plan for Adoption



Program Assessment and Revenue Recovery

Program Assessment

PROS Program Positioning Model (3PM) includes significant input from staff

Outcome of the process will be successful and innovative recreation program offerings that result in:

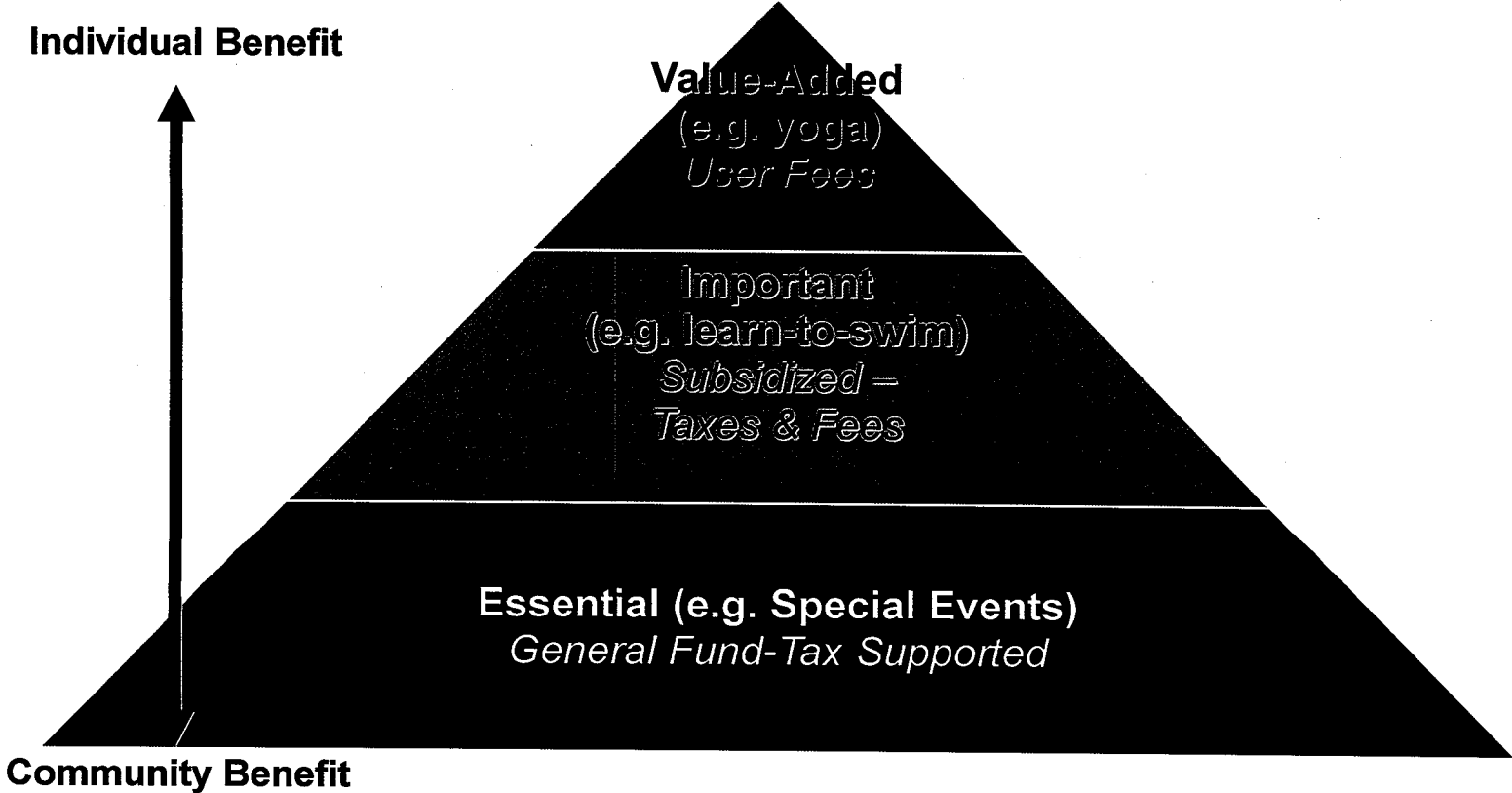
- Increased registration
- Customer satisfaction
- Customer retention
- Increase in revenue

PROS Program Positioning Model Checklist

- Review of Program Development Process
- Age Segment Distribution
- Lifecycle Analysis
- Core Program Analysis and Development
- Similar Provider Analysis
- Market Position and Analysis
- Technology Analysis
- Staff Support for Service Delivery Excellence

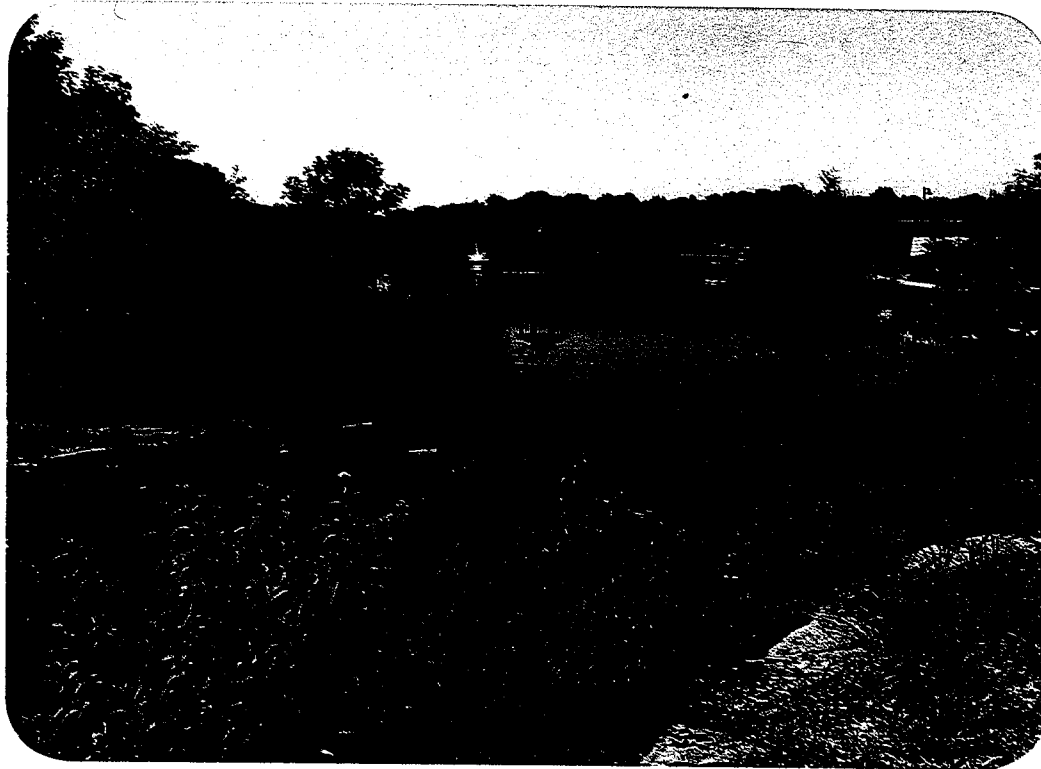
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Service Classification



Revenue/Cost Recovery

Programming Lines of Service	Benefit Level	Classification	Pricing Strategy	Recommended Total Cost Recovery
Active Older Adults 55+	Individual	Value Added	User Fees	100%
Adult Sports	Individual	Value Added	User Fees	100%
Aquatics (Learn to Swim)	Community	Essential	General Fund	35%
Aquatics (Other)	Merit/Individual	Important/Value Added	General Fund/User Fees	50-100%
Cemetery Services	Merit/Individual	Important/Value Added	General Fund/User Fees	50%
Early Learning	Merit	Important	General Fund/User Fees	50%
Fitness	Individual	Value Added	User Fees	100%
Outdoor Recreation	Individual	Value Added	User Fees	100%
Senior Services (Arts and Crafts)	Community	Essential	General Fund	up to 35%
Senior Services (Events)	Community	Essential	General Fund	up to 35%
Senior Services (Fitness)	Community	Essential	General Fund	up to 35%
Senior Services (Games)	Community	Essential	General Fund	up to 35%
Senior Services (Groups and Clubs)	Community	Essential	General Fund	up to 35%
Senior Services (Wellness)	Community	Essential	General Fund	up to 35%
Special Events	Merit/Individual	Important/Value Added	General Fund/User Fees	50-100%
Special Interest	Individual	Value Added	User Fees	100%
Volunteer Services/Community Outreach	Community/Merit	Essential/Important	General Fund/Sponsorships	0-50%
Youth Camps	Merit/Individual	Important/Value Added	General Fund/User Fees	50-100%
Youth Sports	Merit/Individual	Important/Value Added	General Fund/User Fees	50-100%



System Evaluation

Benchmark Comparisons – (including NRPA)

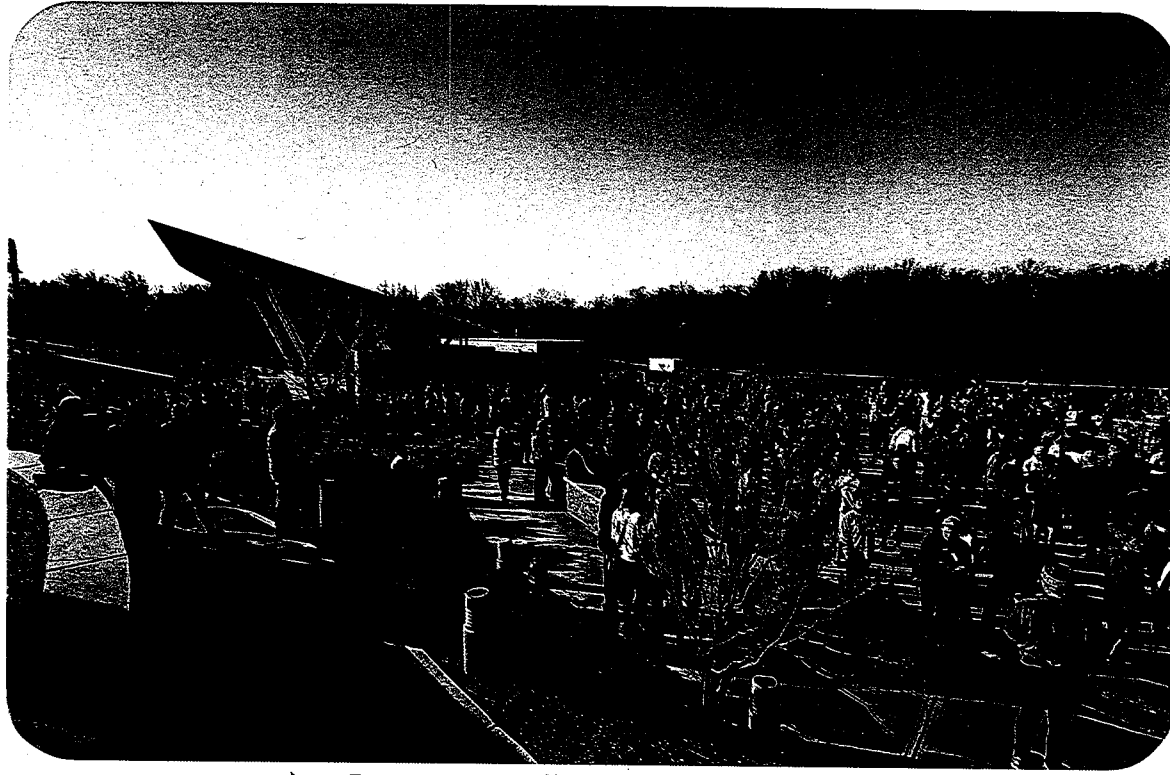
Agency	Total Operating Expenses	Total Developed Acres	Operating Cost per Developed Acre
Flower Mound	\$ 7,329,766	863	\$ 8,493
Allen	\$ 12,095,222	720	\$ 16,799
Colleyville	\$ 2,071,197	202	\$ 10,253
Coppell	\$ 8,027,968	544	\$ 14,757
Frisco	\$ 14,949,702	1,369	\$ 10,920
Grapevine	\$ 10,046,378	771	\$ 13,030
Highland Village	\$ 1,939,074	313	\$ 6,195
Lewisville	\$ 7,412,181	1,002	\$ 7,397
Keller	\$ 6,574,208	336	\$ 19,566
Piano	\$ 45,166,408	2,507	\$ 18,016
Richardson	\$ 12,022,706	837	\$ 14,364
Southlake	\$ 5,967,181	419	\$ 14,241
Westerville	\$ 9,594,116	397	\$ 24,167

Agency	Jurisdiction Population	Total Trail Miles	Total Trail Miles per 1,000 Residents
Flower Mound	68,819	59.9	0.87
Allen	96,227	40.0	0.42
Colleyville	25,267	9.4	0.37
Coppell	41,042	7.0	0.17
Frisco	149,803	56.0	0.37
Grapevine	50,542	34.0	0.67
Highland Village	15,810	10.0	0.63
Lewisville	104,494	15.2	0.15
Keller	44,443	19.0	0.43
Piano	278,537	56.2	0.20
Richardson	110,377	40.0	0.36
Southlake	29,353	6.0	0.20
Westerville	37,667	26.0	0.69

Site Inventory and Assessments

Scale of Conditions	
Assessment Finding	General Description
A	Park/amenities are in excellent condition with little or no maintenance problems noted. Park/amenities do not feature any major design issues that contribute to diminished use or maintenance.
B	Park/amenities are in good condition and feature only minor maintenance problems. Generally, most maintenance issues with these park/amenities appear to be the result of age and/or heavy use. Park/amenities may only feature minor design issues that contribute to diminished use or maintenance (i.e. drainage, structural, utilities, etc.).
C	Park/amenities are in fair condition and indicate ongoing maintenance problems. Generally, most maintenance issues with these park/amenities appear to be the result of age and heavy use. Some maintenance issues may be compounded over time due to being deferred because of budget and/or resource limitations.
D	Park/amenities are in poor condition and clearly show ongoing maintenance problems that ultimately may result in suspended use for repair/replacement. Maintenance issues with these park/amenities are the result of age and heavy use, and generally are compounded over time due to deferred maintenance as a result of budget and/or resource limitations. Park/amenities may feature major design issues that contribute to diminished use or maintenance (i.e. drainage, structural, utilities, etc.).

The right side of the page features a site plan and a grid of photographs. The site plan at the top right is titled 'CARLSBAD Parks and Recreation Planning Division STAGECOACH COMMUNITY PARK' and includes a legend and a scale bar. Below the site plan are three photographs showing different areas of the park. The bottom right section contains a grid of 12 photographs, each with a caption: 'HOT COAL RECEPTACLE & BIRDS', 'PLAY AREA - AGE 5-12', 'FOUNTAIN AND TRASH', 'FULL-HALF BASKETBALL COURT', 'TENNIS COURT', 'RESTROOMS', 'MOUNT LIGHTING', 'COAL BARBEQUE', 'BENCH', and 'TABLE'. To the right of these photographs is a table titled 'AMENITY CONDITION' with columns for 'AMENITY', 'CONDITION', and 'REMARKS'. The table lists various amenities and their current condition, such as 'RESTROOMS' being 'POOR' and 'TABLE' being 'GOOD'.



Community Needs

Current Level of Service

Facility	Existing			
	Total Inventory	Current Service Level		
PARKS				
Regional Parks	182.0	1.9	acres per	1,000
Community Parks	115.0	1.2	acres per	1,000
Neighborhood Parks	309.0	3.2	acres per	1,000
Pocket Parks	2.3	0.0	acres per	1,000
Total Park Acres	608.3	6.3	acres per	1,000
OUTDOOR AMENITIES				
Shelters	40	1.0	site per	2,418
Multi-Purpose Fields	37	1.0	field per	2,614
Ball Fields	21	1.0	field per	4,606
Basketball Courts	10	1.0	court per	10,181
Tennis Courts	17	1.0	court per	5,689
Playgrounds	29	1.0	site per	3,335
INDOOR AMENITIES				
Recreation Centers	171,052	1.8	SF per	person

Data Driven, Prioritized Community Rankings

Program Needs Assessment	Overall Ranking
Community Events (concerts, Tour De Carmel, etc.)	1
Fitness/Wellness for Adults	2
Outdoor/Environmental	3
Arts & Crafts Classes	4
Fitness/Wellness for Seniors	5
Senior Programs	6
Fitness/Wellness for Youth	7
Learn to Swim	8
Recreational Sports Adults	9
Recreational Sports Youth	10
Golf Lessons/Leagues Adults	11
Dance Performing Arts	12
Preschool/Early Childhood	13
Golf Lessons/Leagues youth	14
Before/After School Care	15
Gymnastics/Tumbling	16
Recreational Sports Seniors	17
Ropes/Challenge Courses	18
Scuba Diving Instruction	19
Golf Lessons/Leagues Seniors	20
Martial Arts	21
Parent's Day Out	22
Daycare for Preschoolers	23
Rock Climbing Instruction	24
Adaptive Programs (for people with disabilities)	25

Facility/Amenity Needs Assessment	Overall Ranking
Paved Multipurpose Trails	1
Nature Trails/Boardwalks	2
Off-leash Dog Park	3
Fitness/Exercise Indoor Facilities	4
Playgrounds	5
Nature Center	6
Swimming/Activity Pools Outdoor	7
Fishing Areas	8
Tennis Courts Outdoor	9
Spray Park	10
Swimming/Activity Pools Indoor	11
Lap Lanes for Exercise Swim Indoor	12
Rock Climbing Walls Indoor	13
Ice Skating Rink Indoor	14
Community Vegetable Garden	15
Basketball Courts-Outdoor	16
Disc Golf Course	17
Soccer/Multipurpose Youth Fields	18
Basketball/Volleyball Courts-Indoor	19
Soccer/Multipurpose Adult Fields	20
Bocce Ball Courts	21
Bike/BMX Park	22
Picnic Shelters	23
Skate Park	24
Baseball/Softball Youth Fields	25
Pickleball Courts	26
Softball Fields-Adults	27

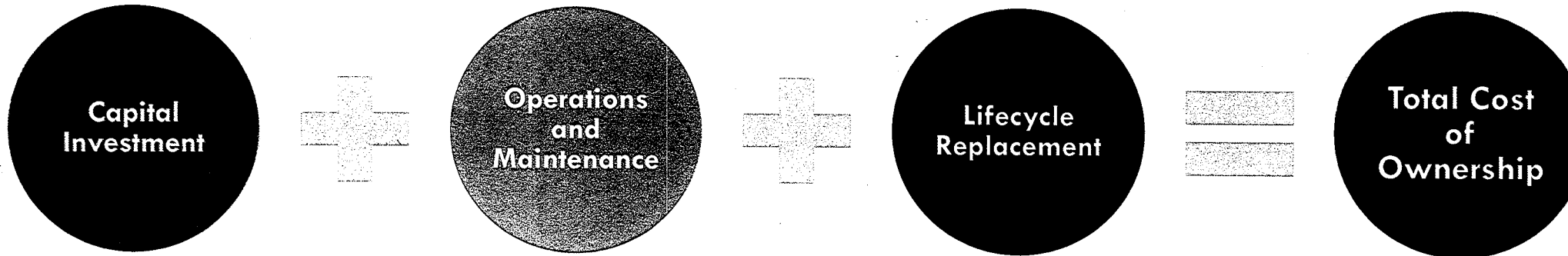
Recommended Level of Service

Facility	Existing							Current Needs			5-Year Needs		
	Total Inventory	Current Service Level		Recommendation			Status	Additional Needs		Status	Additional Needs		
PARKS													
Regional Parks	182.0	1.9	acres per	1,000	4.0	acres per	1,000	Need Exists	205	Acre(s)	Need Exists	226	Acre(s)
Community Parks	115.0	1.2	acres per	1,000	3.5	acres per	1,000	Need Exists	224	Acre(s)	Need Exists	242	Acre(s)
Neighborhood Parks	309.0	3.2	acres per	1,000	3.0	acres per	1,000	Meets Standard	-	Acre(s)	Meets Standard	-	Acre(s)
Pocket Parks	2.3	0.0	acres per	1,000	0.0	acres per	1,000	Meets Standard	-	Acre(s)	Meets Standard	-	Acre(s)
Total Park Acres	608.3	6.3	acres per	1,000	0.0	acres per	1,000	Meets Standard	-	Acre(s)	Meets Standard	-	Acre(s)
OUTDOOR AMENITIES													
Shelters	40	1.0	site per	2,418	1.0	site per	4,000	Meets Standard	-	Sites(s)	Meets Standard	-	Sites(s)
Multi-Purpose Fields	37	1.0	field per	2,614	1.0	field per	4,000	Meets Standard	-	Field(s)	Meets Standard	-	Field(s)
Ball Fields	21	1.0	field per	4,606	1.0	field per	4,000	Need Exists	3	Field(s)	Need Exists	5	Field(s)
Basketball Courts	10	1.0	court per	10,181	1.0	court per	4,000	Need Exists	15	Court(s)	Need Exists	16	Court(s)
Tennis Courts	17	1.0	court per	5,689	1.0	court per	6,000	Meets Standard	-	Court(s)	Need Exists	0	Court(s)
Playgrounds	29	1.0	site per	3,335	1.0	site per	3,000	Need Exists	3	Site(s)	Need Exists	5	Site(s)
INDOOR AMENITIES													
Recreation Centers	171,052	1.8	SF per	person	2.0	SF per	person	Need Exists	22,380	Sq Ft	Need Exists	33,038	Sq Ft



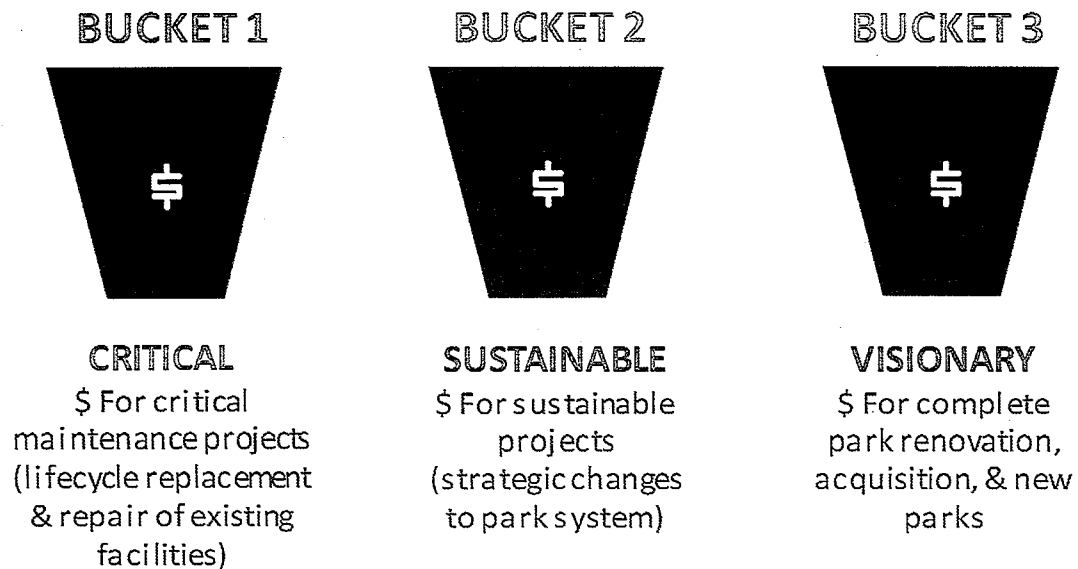
Capital Improvements and Financing the Plan

Total Cost of Ownership Financial Plan



Capital Improvement Plan

Understanding Cost “Buckets”



Funding Strategy Plan – Specific to the City!!

Funding Category	Funding Strategy	Funding Description	Implementation Feasibility	Sustainability
External Funding				
	Corporate Sponsorships	This revenue-funding source allows corporations to invest in the development or enhancement of new or existing facilities in park systems. Sponsorships are also highly used for programs and events.	Select	Select
	Crowdfunding	Fairly new web-based source which aggregates funds from a group of people who are willing to support a specific project, be it program related or facility related. Some sites that successfully do that are www.kickstarter.org and www.razoo.com etc.	Select	Select
	Partnerships	Partnerships are joint development funding sources or operational funding sources between two separate agencies, such as two government entities, a non-profit and a City department, or a private business and a City agency. Two partners jointly develop revenue producing park and recreation facilities and share risk, operational costs, responsibilities and asset management, based on the strengths and weaknesses of each partner.	Select	Select



Implementing the Plan

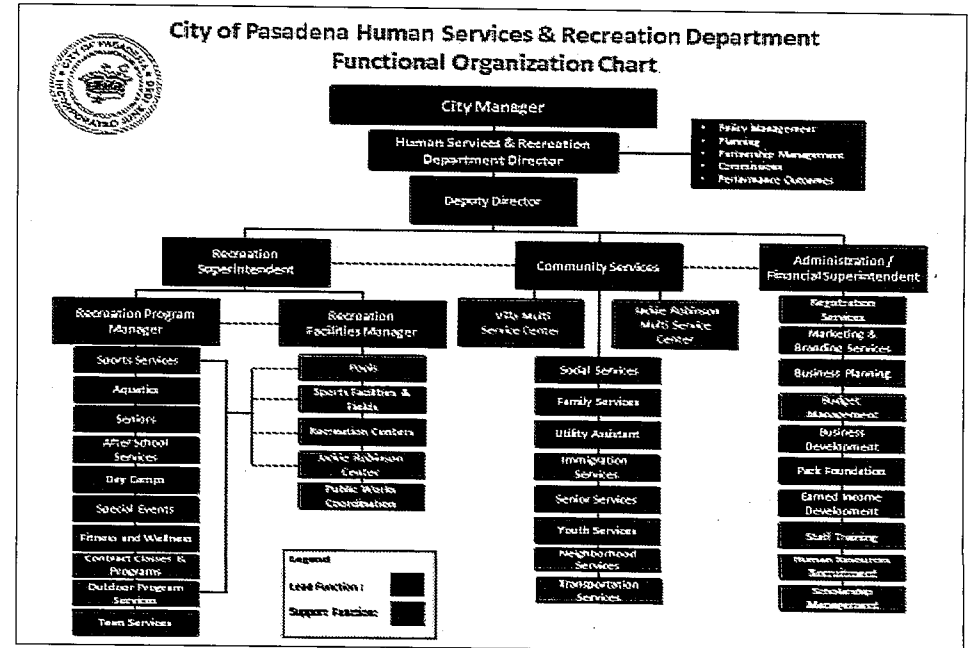
Organizational Capacity for Implementing the Plan

Evaluate each area of operations and focus on **right-staffing** not just right-sizing

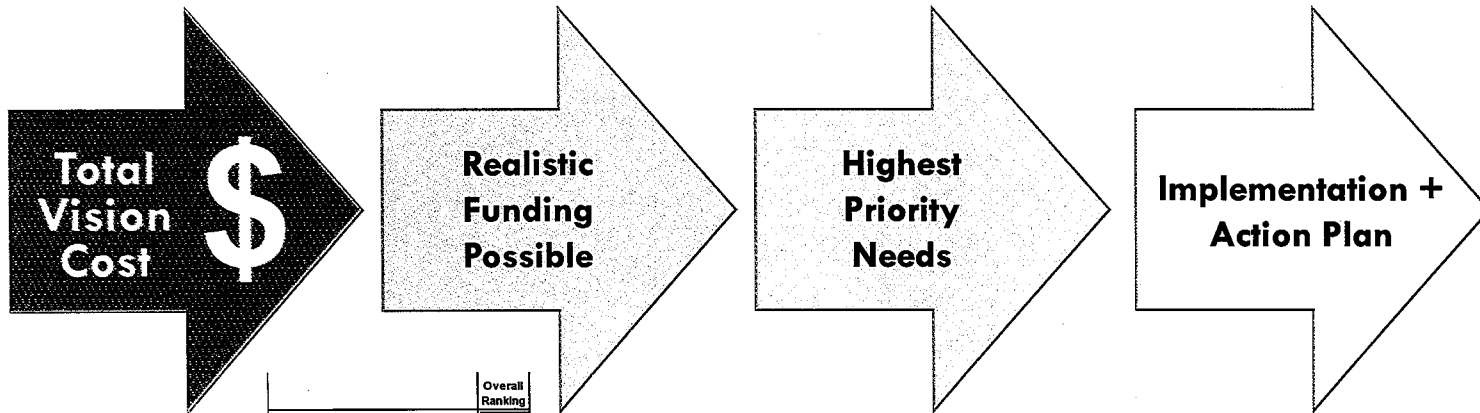
Evaluate policy and procedure to **ensure consistent implementation** system-wide

Determine whether the **organizational structure is aligned** to the community's vision, mission and goals

Create a **functional, outcome-driven agency**

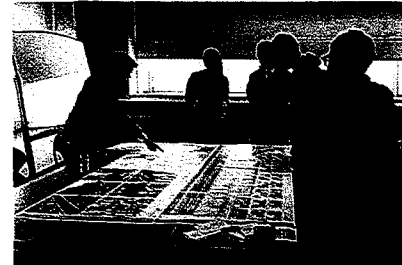


Implementation Plan



Top Priority Needs:

	Overall Ranking
Walking and biking trails	1
Outdoor swimming pools / water parks	2
Indoor fitness and exercise facilities	3
Nature center and trails	4
Indoor running / walking track	5
Indoor swimming pools / leisure pools	6
Small neighborhood parks	7
Green space and natural areas	8
Off-leash areas	9
Ambitheater	10
Playground equipment	11
Large community parks	12
Youth Soccer Fields	13
Camping facilities	14
Arts Center	15
Riverside picnic areas	16
Teen / youth center	17
Multi-purpose fields	18
Senior center	19
Indoor basketball / volleyball courts	20
Public golf course	21
Youth Baseball and Softball Fields	22
Skateboarding park	23
Adult soccer fields	24
Outdoor tennis courts	25
Adult baseball and softball fields	26
Outdoor basketball courts	27
Disc golf	28



Action Plan Matrix



Community Vision for Recreation Facilities:

"Our vision for development of recreation facilities in Merriam will follow what the community desires based on public input and financial capability to provide citizens with a well-designed community center with indoor and outdoor pool for people of all ages to enjoy for the next 50 years."

Goal: Develop a new community center with an indoor and outdoor pool by the end of 2019.

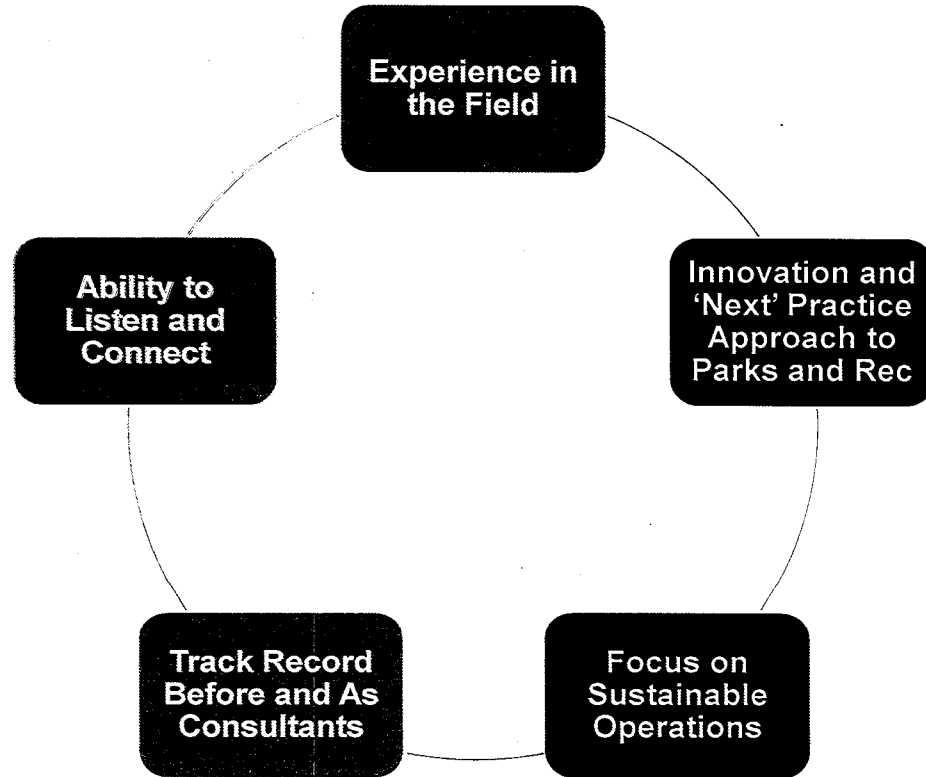
Strategy	Tactics	Group Responsible	Start Date	Performance Measure
1.1 Seek final approval from City Council for what facilities they would like to move forward on as it applies to new development or renovation of existing facilities by the end of March including which financing options they will pursue through a voter approval process	<ul style="list-style-type: none"> Finalize and accept the Recreation Facilities Master Plan presented in January of 2017 by the Consulting Team 	City Manager and Parks Director	January 2017	<ul style="list-style-type: none"> Final Acceptance of the Facilities Master Plan completed in January of 2017
	<ul style="list-style-type: none"> City Council will determine the timeline they follow to achieve their desired goal in 2017. 	City Council	March 2017	<ul style="list-style-type: none"> Timeline and funding sources will be determined to develop or improve the existing facilities in March of 2017
	<ul style="list-style-type: none"> Establish or use the existing Facilities Master Plan Steering Committee to raise money for educational materials to inform citizens of what financial means they have selected to finance the proposed facilities 	City Council and City Manager	March 2017	<ul style="list-style-type: none"> Determine the date for when the voters will be asked to participate in the decision to move forward on the new or improved recreation facilities



Why US?



Points of Distinction - Experience



Why This Team?

Award-winning **local and national experience**

Local familiarity

Innovative **community-based process**

Ideal combination of asset-based and operations-based planning

Knowledgeable of latest “**next practices**” and local conditions

Clear and measurable **data-driven outcomes**

Help you **define your vision** and provide a roadmap to achieve it!

Over **400 master plans** successfully implemented and driven over **\$5 billion** worth of capital investment

Over **\$2 billion** of voter approved initiatives (ETC)

Ready to begin work!

CITY ADMINISTRATOR'S REPORT

Renewal of St. Louis County Communications Contract

Bill No. 3183 is included in the legislation section of the agenda for first reading. As more fully described in Chief Johnson's memorandum, this represents the City's contract with St. Louis County to provide dispatching for the City. This expense is within budget and includes services related to the additional dispatching for the City's police contract with Clarkson Valley. The 2018 annual cost is

Parks Master Plan – Authorization to execute contract with “Pros”

The Parks, Recreation and Arts Committee favorably recommended authorizing the City Administrator to execute a Contract with “Pros” to complete an update to the Parks Master Plan, in an amount not to exceed \$60,000, using the funds originally allocated within the Parks Fund in the 2017 approved budget and as was included in the projected expenditures when developing the 2018 adopted budget. No additional funding or appropriation is being requested, simply a request to approve a contract with “Pros” using the funds budgeted for this purpose in the 2017 approved budget.

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



Chesterfield Police Memorandum



DATE: January 31, 2018

✓ TO: Mike Geisel, City Administrator

CC: Chris DesPlanques, Finance Director

FROM: Chief Ray Johnson 

See Bill NO. 3183

SUBJECT: POLICE COMMUNICATIONS CONTRACT

The purpose of this memo is to recommend to you the acceptance of the attached contact for Coordinated Communications between our City and the St. Louis County Police Department.

As you know, we have contracted for communication services with St. Louis County Police Dept. since the inception of our agency in June, 1989; this required approval/adoption action is the annual process for the renewal of our Communications Contract.

Our current Communications Service contract will expire on February 28, 2018. The attached contract/service agreement is a two year agreement commencing on March 1, 2018 and terminating on February 28, 2020. The first year new Service Agreement cost is \$193,313.94 annually or \$16,109.50 monthly. Due to cost saving measures implemented by our department in 2017, the annual cost for services for the renewal period is \$40,141.00 below our previous annual cost. The second year of the contract includes a cap of 5% maximum on potential increases. The costs as reflected in the attached contract include also, the expanded communications service for the City of Clarkson Valley for which we now provide police services.

The contract costs for Communications Services to commence on March 1, 2018 have been included in our 2018 Police Department Operating Budget and I recommend approval of the contract as included herein. Attached also, is a proposed ordinance for council adoption authorizing the City Administrator to execute the agreement for Communications Service. Again, I recommend approval of the attached contract. Thank you for your consideration, and if you should have any questions please advise.

UNFINISHED BUSINESS

There are no unfinished items on the agenda for Monday evening.

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

NEW BUSINESS

I am unaware of any New Business items for Monday's agenda.

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

LEGISLATION

- A. **Bill No. 3179** – An ordinance vacating a portion of the River Valley Drive right of way in part of U.S. Survey 387 Township 46 North, Range 5 East of the 5th Principal Meridian in the City of Chesterfield, St. Louis County, Missouri. **(First & Second Readings) Department of Public Works recommends approval**

- B. **Bill No. 3180** – An ordinance Setting the 2018 Salary for the City Administrator. As considered and recommended by City Council in conjunction with the annual performance evaluation, the proposed bill establishes the annual compensation for the City Administrator as required by Statute. (City Administrators Compensation)**(First Reading & Second Readings)**

- C. **Bill No. 3181** – An ordinance amending chapter 19 - municipal court of the municipal code of the city of chesterfield, Missouri by adding section 19-16 titled “victim’s bill of rights”. **(First Reading) F&A Committee recommends approval**

- D. **Bill No. 3182** – An ordinance of the City Council of the City of Chesterfield, Missouri authorizing the elimination of the Public Works Board of Variance. **(First Reading) F&A Committee recommends approval**

- E. **Bill No.3183** – An ordinance authorizing the City Administrator of the City of Chesterfield to execute a renewal agreement with St. Louis County for the establishment of a communications agreement between the City of Chesterfield and St. Louis County. **(First Reading)**

BILL NO. 3179

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF THE RIVER VALLEY DRIVE RIGHT OF WAY IN PART OF U.S. SURVEY 387 TOWNSHIP 46 NORTH, RANGE 5 EAST OF THE 5th PRINCIPAL MERIDIAN IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

WHEREAS, a portion of the River Bend Common Ground was dedicated as Right of Way in 2016 as part of the River Valley Drive Closure project, as depicted in Exhibit "A" and described in Exhibit "B".

WHEREAS, the improvements associated with the River Valley Drive Closure Project #2015-PW-14 were designed and constructed outside of the portion of right-of-way described herein;

WHEREAS, the Public Works Department has reviewed the vacation and has determined that said vacation meets all applicable regulations and is in the best interest of the City of Chesterfield.

WHEREAS, this portion of right of way shall revert back to All Record Lot Owners of River Bend Estates Additions 1 – 6, 178 River Valley Drive (16Q530221).

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

Section 1. The City Council of the City of Chesterfield hereby approves the vacation of the portion of River Valley Drive as depicted in Exhibit "A" and described in Exhibit "B", which are attached hereto and made part of hereof. This portion of River Valley Drive shall henceforth no longer be deemed or considered public right-of-way, and all rights and interests that exist or might exist from said public status are hereby extinguished and shall revert to those who, in law or in equity, are properly entitled thereto.

Section 2. The Mayor and City Clerk are authorized and directed to facilitate this vacation by affixing their signatures and the Official Seal of the City of Chesterfield to this ordinance. This right-of way vacation shall be recorded with the Saint Louis County Recorder of Deeds Office.

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

Passed and approved this _____ day of _____, 2018.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD _____

LEGEND

- CONCRETE MONUMENT FOUND
- EXISTING RIGHT OF WAY
- EXISTING LOT LINE
- - - VACATED RIGHT OF WAY

CURVE	RADIUS	LENGTH	CHORD LENGTH	CHORD BEARING
C1	54.00'	88.02'	78.60'	S80°38'42"E

50' EASEMENT AWARDED TO ST. LOUIS COUNTY WATER COMPANY RECORDED IN DB. 5964, PG. 123

N/F
ALL RECORD LOT OWNERS OF RIVER BEND ESTATES ADDITIONS 1-6
16Q530221

PT. OF COMMON LANDS OF RIVER BEND ESTATES 1ST ADDITION

COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN BK. 16463, PG. 1857

N/F
RBB & TC
16Q530197

17814 / 1732
PT. OF LOT 4 OF SUBDIVISION OF LANDS OF JACOB STUDD JR.

COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN BK. 14259 , PG. 435

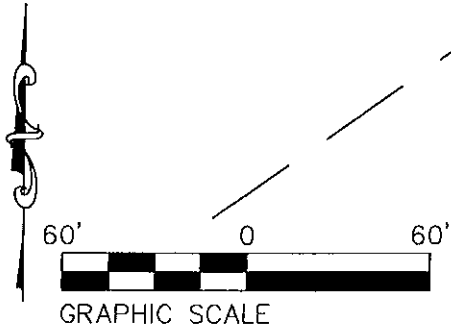
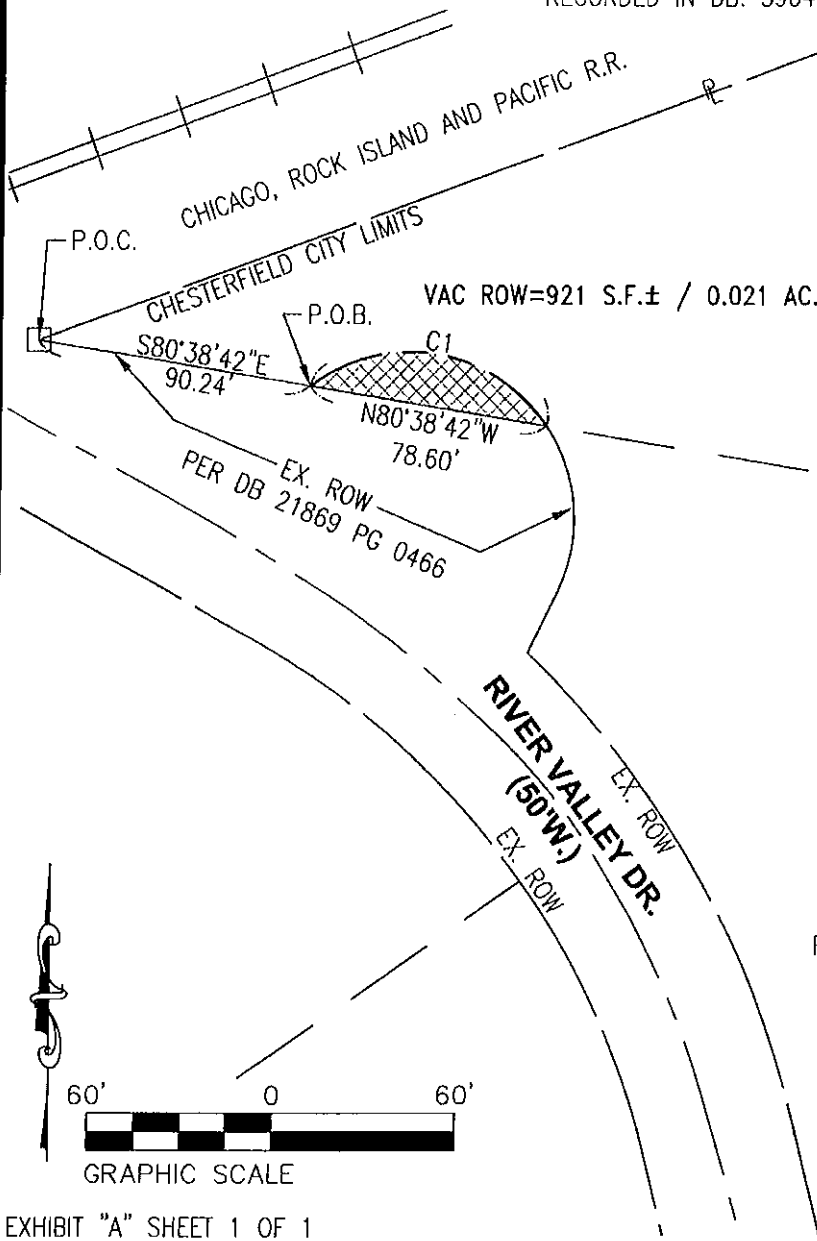
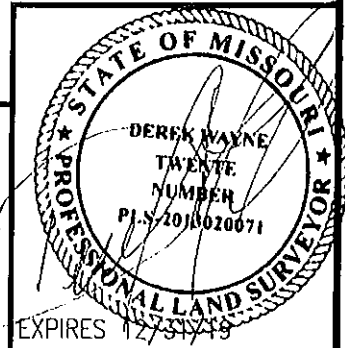


EXHIBIT "A" SHEET 1 OF 1

RIGHT OF WAY VACATION EXHIBIT
PART OF U.S. SURVEY 387, TOWNSHIP 46 NORTH,
RANGE 5 EAST OF THE 5TH PRINCIPAL MERIDIAN
ST. LOUIS COUNTY, MISSOURI



P:\150480\4 CAD - DWG\150480-ROW VAC-EX_160530221.dwg Plotted By: jfounders

EXHIBIT "B"

DESCRIPTION OF VACATED RIGHT OF WAY

CLIENT: CITY OF CHESTERFIELD, MISSOURI

JOB NO.: L12150480

JANUARY 22, 2018

Part of Common Lands of River Bend Estates First Addition, being part of U.S. Survey 387, Township 46 North, Range 5 East of the Fifth Principal Meridian, City of Chesterfield, County of St. Louis, State of Missouri, reference being had to the plat thereof in the St. Louis County Recorder's Office in Plat Book 103 on Pages 82 and 83, and being more particularly described as follows:

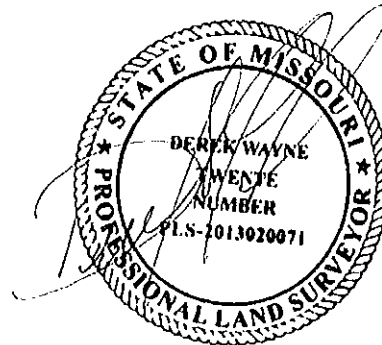
Commencing at a concrete monument at the most westerly corner of said Common Lands of River Bend Estates First Addition; thence South 80 degrees 38 minutes 42 seconds East, on the southerly line of said Common Lands, 90.24 feet to the Point of Beginning.

From said Point of Beginning thence northeasterly 88.02 feet on a curve to the right having a radius of 54.00 feet, the chord of said curve bears South 80 degrees 38 minutes 42 seconds East, 78.60 feet to said southerly line of the Common Lands; thence North 80 degrees 38 minutes 42 seconds West, on said southerly line, 78.60 to the Point of Beginning.

Said right of way contains 0.021 Acres, more or less.

Subject to easements, conditions, and restrictions of record.

As shown on Exhibit "A" attached hereto and made a part hereof.



BILL NO. 3180

ORDINANCE NO. _____

AN ORDINANCE SETTING THE 2018 SALARY FOR THE CITY ADMINISTRATOR

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

Section 1.

In accordance with §3(a) & (b) of the City Administrator Employment Agreement (the "Agreement"), which is attached hereto as Exhibit "A" and incorporated herein by this reference, the annual salary of the City Administrator shall be One Hundred Seventy Three Thousand Four Hundred Dollars and Zero Cents (173,400.00). Said salary shall commence on January 1, 2018 and represents a Three Thousand Four Hundred Dollar (\$3,400.00) increase in the salary of the City Administrator. Except as specifically modified by the terms of this Ordinance, all the terms of the Agreement are hereby ratified and confirmed, and shall remain unchanged and are in full force and effect.

Section 2.

This Ordinance shall serve as ratification of the City Council's previous approval, as required pursuant to §77.044 RSMo.

Section 3.

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

Read two times and passed by the City Council of the City of Chesterfield, Missouri, this 5th day of February, 2018.

Presiding Officer

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

BILL NO. 3109

ORDINANCE NO. 2908

AN ORDINANCE APPOINTING MICHAEL O. GEISEL TO THE OFFICE
OF CITY ADMINISTRATOR AND APPROVING THE COMPENSATION
AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT

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

Section One. In accordance with §77.042 RSMo and Article III of the City of Chesterfield's Municipal Code, Michael O. Geisel is hereby appointed to the office of City Administrator for the City of Chesterfield, Missouri, effective August 22, 2016 and conditioned on the execution by all parties per the terms of the attached City Administrator Employment Agreement (the "Agreement"), which is attached hereto as Exhibit "A" and incorporated herein by this reference. The Agreement sets forth the compensation and other terms and conditions of the City Administrator's employment and the Mayor is hereby authorized to execute the Agreement on behalf of the City.

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

Read two times and passed by the City Council of the City of Chesterfield, Missouri, this 22nd day of August, 2016.

Bob Nation
Presiding Officer

Bob Nation
Bob Nation, MAYOR

ATTEST:

Vickie Hass
Vickie Hass, CITY CLERK

CITY ADMINISTRATOR
EMPLOYMENT AGREEMENT

This employment agreement ("Agreement") is dated August 22, 2016, and is between the City of Chesterfield, Missouri ("City") and Michael Oliver Geisel ("Employee").

WHEREAS, prior City Administrator Michael Herring retired on March 31, 2016 and Employee and Chief Ray Johnson have worked cooperatively as Interim Co-City Administrators since his retirement; and,

WHEREAS, the City contracted with Novak Consulting Group to perform a nationwide search and recruitment of a new City Administrator after consideration of proposals from eight of the top executive recruitment firms in the United States; and,

WHEREAS, after conducting an exhaustive internal candidate assessment and analysis of Employee, a national recruitment search, initial review and interviews of all recruited candidates and two days of finalist interviews, the City, with the assistance of Novak Consulting Group, has selected Michael O. Geisel to be the next City Administrator of Chesterfield, Missouri commencing August 22, 2016; and,

WHEREAS, Employee has the requisite skills and is qualified to serve as City Administrator and Employee desires to serve as City Administrator; and,

WHEREAS, The Mayor and City Council desire to establish the terms and conditions of Employee's services through this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, City and Employee hereby agree as follows:

1. **Duties.** The City hereby agrees to retain the services of Employee as City Administrator to perform the functions and duties specified in the City's Municipal Code and policies, as currently in effect and as may be amended from timetotime, §77.042 RSMo and to perform such other legally permissible and proper duties and functions as he may be assigned. Employee shall also serve on any authority and/or district created by or participated in by the City if directed by the Mayor and City Council.

2. Term. The term of this Agreement shall be at-will, commencing on August 22, 2016, and shall continue indefinitely from year-to-year unless terminated by City or Employee as provided herein. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Mayor and Council to terminate the services of Employee at any time with or without cause upon thirty (30) days advance written notice, subject only to the provisions set forth in Section 4 of this Agreement.

3. Compensation. Employee shall receive the following salary and benefits during the term of his employment with the City:

a. Salary: Beginning on August 22, 2016 the City shall pay Employee an annual salary of One Hundred Seventy Thousand Dollars and Zero Cents (\$170,000.00). Employee's salary will be payable in such periodic installments as City pays its other employees, subject to withholding for required or employee authorized withholdings.

b. Merit Increases: Employee may be granted merit increases for accomplishments and excellent performance if the City's financial circumstances permit such salary increase. Employer and Employee agree that Employee will not be eligible for any merit increase until January 1, 2018.

c. Retirement: Employee may continue to participate in the deferred compensation plans to which both the City and City employees contribute in the same manner as in his prior role as Director of Public Services/Interim Co-City Administrator and as other City employees, which may hereafter be amended by the City Council from time-to-time.

d. Paid Time Off: Employee shall be entitled to the same four (4) week vacation time and long-term service days off he currently receives as Director of Public Services/Interim Co-City Administrator. Employee shall be eligible for increased vacation time and/or long-term service days as set by City ordinance or policy and in the same manner as other City employees, which may hereafter be amended by the City Council from time-to-time.

e. Other Benefits: Employee shall receive any other benefits not specifically listed herein that are provided as a part of the City's employee benefit package as now in effect or as such benefits may hereafter be amended by the City Council from time-to-time.

f. Professional Association Dues: City and Employee hereby agree that Employee's continuation in and full participation in national, regional, state and local associations and organizations are necessary and desirable for Employee's continued professional development and growth which provide direct benefits to the

City. The City will pay Employee's dues for memberships in the International City/County Management Association (ICMA), the Missouri City/County Management Association (MCMA), the St. Louis Area City Management Association (SLACMA), The American Public Works Association (APWA), the American Society of Civil Engineers (ASCE), and the National Society of Professional Engineers (NSPE). As long as the City's financial situation permits, the City hereby agrees to annually budget for and pay the reasonable travel and subsistence expenses for one (1) national association out-of-state conference and up to two (2) regional, state or local association conferences located in the state of Missouri.

g. Phone: Employee shall be provided a "smart phone" for professional and reasonable personal use by the City. The cell phone plan shall have unlimited data and minutes so that Employee is available to the Mayor, Council and City employees at all reasonable times.

h. Vehicle: The City will provide Employee with a City owned vehicle, consistent with current City ordinance or policy and in the same manner as other City employees, which may hereafter be amended by the City Council from time-to-time. Employee shall have full personal use of said vehicle, however, the employee shall be responsible for the purchase of any fuel for personal use of the City owned vehicle outside of a two hundred (200) mile radius of the City of Chesterfield. Employee shall keep accurate records of personal use mileage calculated at the rate allowed by the Internal Revenue Service as in effect at time of personal use. Employee shall be solely responsible for reporting and/or paying any state or federal taxes due and owing for personal use mileage.

4. Termination or Resignation. Employee is appointed by and serves at the pleasure of the Mayor and Council as an at-will employee. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the City to terminate this Agreement and employment of Employee, with or without cause. The City shall pay Employee for all services through the effective date of termination and Employee shall have no right to any additional compensation or payment, except as provided hereunder.

a. Termination For Cause: The City may terminate this Agreement for cause at any time and Employee's salary and benefits, including any severance compensation and post-employment benefits, shall terminate upon notification of termination to Employee. "Cause" as used herein shall mean: (i) Employee has been charged with or found guilty of, or has pled guilty, entered an Alford plea or no contest to a felony; or (ii) Employee has engaged in theft, embezzlement, fraud, obtaining funds or property under false pretenses, or similar acts of misconduct

involving City funds or property; or (iii) Employee has engaged in any conduct that is generally considered to be reprehensible in the community or that causes a loss of confidence in the City's government; or, (iv) Employee has committed any other act for which termination of employment is authorized or required under the City's personnel policy.

b. Termination Without Cause: The City may terminate this Agreement without cause at any time by providing thirty (30) days prior written notice to Employee. In the event Employee is terminated by the City without cause, at or during such time that Employee is willing and able to perform his duties under this Agreement, Employer agrees to pay Employee a lump sum cash payment equal to six (6) months salary, provided Employee has executed a full and final release of any and all actual or potential claims, including those unknown on the date of the execution of this Agreement, that Employee has or could have against the City, its representatives, officers, employees and attorneys, arising out of or related to Employee's employment with the City. In addition to the lump sum severance payment, the City shall provide for continuation of Employee's and his dependent's medical insurance, dental insurance life insurance and disability insurance for six (6) months after the date of termination or until Employee obtains other employment, whichever occurs first. In the event Employee is terminated without cause as set forth in this section herein, Employee and City hereby agree that in no event shall the City be liable to Employee, his heirs or assigns, for any damages and all actual or potential claims, including those unknown on the date of the execution of this Agreement, that Employee has or could have against the City, its representatives, officers, employees and attorneys, arising out of or related to Employee's employment with the City in excess of the total monetary value of Employee's severance package as set forth in Section 4(b). Only in the event Employee is terminated for cause as set out in Section 4(a) of this Agreement, shall the City be relieved of the obligation to pay Employee the benefits or the severance payment designated in this paragraph.

c. Resignation. In the event Employee voluntarily resigns his position with the City, Employee shall give the City thirty (30) days advance written notice, unless the City and Employee mutually agree in writing to a reduction of the notice period. If Employee terminates this Agreement (thereby terminating Employee's employment), Employee shall not be entitled to any severance payment or health benefits as set forth in section 4(b) of this Agreement.

5. Death or Disability. If Employee dies during the term of this Agreement the Employee's successors, heirs and assigns shall not be entitled to any severance payment or health benefits as set forth in 4(b) of this Agreement. This Agreement

shall, at the option of the City, terminate upon the disability of Employee. "Disability" shall mean that Employee suffers from a mental or physical condition that renders him unable to substantially perform all of his duties as City Administrator and that is reasonably expected to continue for a period of four (4) months or result in Employee's death within such period of time. A finding of permanent disability by any Federal or State agency or by any private disability insurance carried by Employee for his own benefit shall create a conclusive presumption of disability for purposes of this subsection. Failure of employee, his attorney-in-fact, successors, heirs, assigns and health care providers to timely cooperate in determining Employee's disability shall be considered grounds for termination with cause resulting in no severance payment or health benefits due to Employee, as set forth in 4(b) of this Agreement.

6. Performance Evaluation. Immediately following the commencement of Employee's employment with Employer, the Mayor, City Council and Employee shall discuss the City's goals and objectives for the next year. Beginning with the first anniversary of the commencement of Employee's employment with City, the Mayor, City Council and Employee shall define annually the goals and objectives that they determine are appropriate for the proper operation of the City and to attain the Mayor and City Council's policy objectives. Concurrently with the establishment of the goals and objectives for the City, the Mayor, City Council and Employee shall establish the performance goals for Employee and any specific criteria that shall be used to evaluate Employee's performance. The Mayor and City Council may amend said criteria from time-to-time, after consultation with Employee. The City's failure to carry out the provisions of Section 6 of the Agreement shall not be deemed a breach of this Agreement or a waiver of its right to conduct a performance evaluation as authorized by the City's Municipal Code, policy, practice or this Agreement.

7. General Provision.

a. Integrated Agreement. This Agreement constitutes a single integrated contract expressing the entire agreement of the parties hereto. There are no other agreements, written or oral, express or implied, between Employee and City, except the agreements set forth in this Agreement.

b. Severability. If any provision, or portion hereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement or portion thereof, shall be deemed severable and shall not be affected and remain in full force and effect.

c. Execution. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one and the same instrument.

d. Governing Law and Venue. This Agreement is executed and delivered in the State of Missouri and the rights and obligations of the parties herein shall be construed and enforced in accordance with the laws of the State of Missouri. In the event of any litigation arising from or out of this Agreement, the City and Employee hereby agree to the exclusive jurisdiction of the 21st judicial circuit of St. Louis County, Missouri. In the event the City prevails in any litigation arising out of the terms and conditions of this Agreement, Employee shall pay City's reasonable costs and attorney's fees.

e. Conflicts with Law. In the event there are any inconsistencies between the ordinances, policies and practices of the City, this Agreement shall govern except when this Agreement conflicts with the statutes of the State of Missouri, then State law will govern.

f. Amendment. This Agreement cannot be amended, modified, supplemented or extended without prior approval of the City Council and Mayor. Any amendment, modification, supplement or extension shall be agreed upon, in writing, by the City and Employee.

g. Joint Preparation. This Agreement shall not be construed against any one party, but shall be construed as if jointly prepared by Employee and City. Any uncertainty or ambiguity shall not be construed against any one party.

h. Employee Review. Employee acknowledges that he has been provided the opportunity to be represented by independent counsel of his choice throughout all negotiations preceding this Agreement and that he has either consulted with or made the determination not to consult with an attorney regarding this Agreement.

i. Notice. Any notice required under this Agreement by its terms or reasonably necessary to fulfill the terms of this Agreement shall be deemed delivered if, to City, such notice is delivered to the Mayor; and if to Employee, such notice is delivered to his address of record or in person. Notices shall be delivered by certified mail, return receipt requested or by hand-delivery.

j. Residency. Employee shall not be required to maintain his primary residence with the City limits; however, Employee acknowledges and agrees to devote all of his time and energy and give his best attention exclusively to the business of the City and carry out his responsibilities as City Administrator to the best of his abilities.

IN WITNESS WHEREOF, the City of Chesterfield has cause this Agreement to be signed and executed on its behalf by its Mayor, and duly attested by its officers thereunto duly authorized Employee has signed and executed this Agreement.

CITY OF CHESTERFIELD

Dated: 8/22/2016

Bob Nation

Bob Nation
Mayor

ATTEST:

Vickie Hass

Vickie Hass
City Clerk

EMPLOYEE

Dated: 8/22/2016

MO Geisel

Michael O. Geisel
Employee

BILL NO. 3181

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 19 - MUNICIPAL COURT OF THE MUNICIPAL CODE OF THE CITY OF CHESTERFIELD, MISSOURI BY ADDING SECTION 19-16 TITLED "VICTIM'S BILL OF RIGHTS".

WHEREAS, it is the belief of the Mayor and the City Council for the City of Chesterfield that victims of municipal violations need and deserve support and assistance to help them cope with the consequences of crime as well as navigate the complexities of an unfamiliar judicial system; and

WHEREAS, the City of Chesterfield has, through its Municipal Court, demonstrated its continued commitment to the rights and welfare of victims through court sponsored legal advocacy programs, availability on the part of the Municipal Judge and Prosecuting Attorney for contact by victims in person or via phone conference, and robust policies that ensure timely restitution to victims; and

WHEREAS, the Mayor and the City Council for the City of Chesterfield are desirous that the City secure permanent and enforceable rights for victims to continue and define the City's protection of victims' rights; and

WHEREAS, the Mayor and the City Council for the City of Chesterfield believe the rights of victims granted herein are absolute and will serve to reinforce the policy of this City to hold the rights of victims paramount to the rights of Defendants.

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

Section I. Chapter 19 of the Municipal Code of the City of Chesterfield is hereby amended by adding:

Sec. 19-16 Victim's Bill of Rights.

- (a) The ordinance provisions established in this and the following sections shall constitute and be designated as the Victim's Bill of Rights of the City of Chesterfield, Missouri, and may be so cited. In order to ensure the fair and compassionate treatment of victims of violations of the ordinances of the City of Chesterfield and to increase the effectiveness of the justice system of the City of Chesterfield, said victims as defined by law shall be entitled to certain basic rights to the extent that these rights do not interfere with the constitutional rights of the accused.

- (1) No part of this or any following sections shall be construed as creating a cause of action for monetary damages against the State, the City of Chesterfield, or any of the agencies, instrumentalities, or employees thereof.
- (2) No part of this or any following sections shall be construed to authorize a court to set aside or void a finding of guilt or innocence or an acceptance of a plea of guilty or to set aside any sentence imposed in any criminal case.

(b) Definitions.

Defendant

As used in this section, “Defendant” means a person charged with or convicted of violation the ordinances of the City of Chesterfield.

Prosecuting Attorney

As used in this section, “Prosecuting Attorney” means the Prosecuting Attorney, an Assistant Prosecuting Attorney, or a Special Prosecuting Attorney for the City of Chesterfield.

Public Court Proceeding

As used in this section, “public court proceeding” means any court proceeding or administrative hearing which is open to the public and shall include but not be limited to:

- (1) judicial pre-trial conference;
- (2) trial;
- (3) sentencing;
- (4) sentencing modification; and
- (5) probation revocation hearings.

Victim

(1) In general. As used in this section, “victim” shall mean a natural person, or legally recognized entity that suffers direct, proximate or threatened physical, emotional or financial harm as the result of the commission or attempted commission of an ordinance violation.

If a victim is physically or emotionally unable to exercise the privileges and rights under this provision, the victim may designate his or her spouse, child 18 years of age or older, parent, sibling, grandparent, or any other person 18 years of age or older who is neither the defendant nor incarcerated to act in his or her place while the physical or emotional

disability continues. The victim shall provide the Prosecuting Attorney with the name of the person who is to act in his or her place. During the physical or emotional disability, notices to be provided under this article to the victim shall continue to be sent only to the victim.

(2) Minors and certain other victims. As used in this section, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the term “victim” also includes the legal guardians of the victim or the representatives of the victim’s estate, family members, or any other persons appointed as suitable by the Court, may assume the victim’s right under this section, but in no event shall the defendant be named as such guardian or representative.

Violation

As used in this section, “violation” shall mean any violation of a City ordinance committed against another individual or their property.

(c) Victim’s Rights.

- (1)** To be reasonably protected from the accused;
- (2)** To be treated with courtesy, compassion and with respect for their dignity and privacy, suffering the minimum of necessary inconvenience from their involvement with the municipal court system;
- (3)** Upon request of the victim, to receive a summary explanation by the Prosecuting Attorney regarding due process and justice system procedures;
- (4)** Upon request of the victim, to receive an un-redacted copy of the information and all reports and/or video alleging the violation;
- (5)** Upon request of the victim, to be provided reasonable, accurate, and timely notice of any public court proceeding, unless in the determination of the Court the interests of justice require otherwise;
- (6)** Upon request of the victim, to be present at public court proceedings;

- (7) Upon request of the victim, to be reasonably heard at any public court proceeding involving release, plea sentencing, or any probation revocation hearing, unless in the determination of the Court the interests of justice require otherwise;
- (8) Upon written request of the victim and accompanied by supporting documentation, to receive restitution from the defendant for the harm which they have suffered, unless in the determination of the Prosecuting Attorney or Court the interest of justice requires otherwise; and
- (9) Upon request of the victim, to request that the Prosecuting Attorney seek a speedy disposition of a case.

(d) Bonds.

Subject to the statutory limitations imposed upon the City of Chesterfield's Municipal Court regarding bond and bail for ordinance violations, the Court may require a bond and impose special bond conditions upon showing that a defendant poses a danger to a victim, the community or any other person.

(e) Procedures of the Prosecuting Attorney.

The Office of the Prosecuting Attorney may adopt policies and procedures consistent with this ordinance.

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

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

Passed and approved this ____ day of _____, 2017.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, City Clerk

BILL NO. 3182

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI AUTHORIZING THE ELIMINATION OF THE PUBLIC WORKS BOARD OF VARIANCE.

WHEREAS, the City of Chesterfield has recently performed a comprehensive review of its board and committees; and

WHEREAS, the responsibilities of the Public Works Board of Variance are duplicative of responsibilities of the City of Chesterfield's Board of Adjustment and the St. Louis County Building Commission; and

WHEREAS, the Public Works Board of Variance has not met since 2001; and

WHEREAS, the City of Chesterfield is desirous of eliminating the Public Works Board of Variance in order that residents desirous of serving the City can do so on another board or committee;

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

Section 1. The Public Works Board of Variance is hereby eliminated by repealing Ordinance 306 and the associated Chapter 2, Division 3 (Section 2-221 to 2-232) of the Chesterfield Municipal Code.

Section 2. The City of Chesterfield shall refer matters which may have previously been considered by the Public Works Board of Variance to the Board of Adjustment or the St. Louis County Building Commission, as appropriate.

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

Passed and approved this _____ day of _____, 2018.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD: _____

BILL NO. 304

ORDINANCE NO. 306

AN ORDINANCE CREATING THE PUBLIC WORKS BOARD OF VARIANCE.

WHEREFORE, in order to promote the general welfare of the community and to assure that the buildings and the structures erected in the City of Chesterfield shall conform with acceptable community standards; and

WHEREAS the City of Chesterfield has certain standards; and procedures as followed by the Department of Public Works; and

WHEREAS from time to time it may serve the needs of the City of Chesterfield that the decisions of the Department of Public Works have a review board which can review the decisions and the appropriateness of the standards as determined by the Department of Public Work.

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

Section 1. It is hereby established that the Public Works Board of Variance, hereinafter referred to as "Board", which is authorized to:

a. Hear and decide appeals where it is alleged that there is an error in law; misinterpretation of a standard; a need to vary from adopted standards; and, appeal decisions or determinations made by the Public Works Director and the enforcement of the City of Chesterfield ordinances as passed and enacted by the City Council.

b. Interpret the provisions of the mechanical and building codes and construction codes as adopted by the City of Chesterfield.

c. Review the specifications for use of building or building materials.

d. Permit variations of establish procedures and requirements of any public works standard as provided by law or where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape or topography or other condition as long as the variance will not seriously affect the integrity and soundness of the project; will not seriously affect any adjoining property or the general welfare of the public.

e. Authorize variances whenever a property owner can show that a strict application of the current standard as passed and enacted by the City of Chesterfield or approved by the City of Chesterfield would adversely affect or alter sound engineering principals or create practical difficulty or particular hardship other than pure financial hardship and grant such variances of policy as are in harmony with the general intended purposes by which the procedures have been established and only when the Board is satisfied that the granting of such variances will not merely serve as a convenience to the applicant, but will alleviate some demonstrable or unusual hardship or difficulty so great as to warrant a variation from standard and accepted practice and procedures and at the same time protect the general public.

f. The Board may reverse, affirm or modify wholly, or in part, any decision upon which an appeal is made.

Section 2. Membership of the Board. The Public Works Board of Variance shall consist of five (5) members, who shall be appointed by the Mayor and approved by the City Council. One of the members may be a citizen of the City of Chesterfield with no building trade qualifications. Every other member shall be a licensed professional engineer or architect or a builder or superintendent of building construction, with a least ten (10) years experience, five (5) years of which shall have been in responsible charge of work. There shall not be more than two (2) members of the Board selected from the same profession or business, and at least one (1) of the professional engineers shall be a licensed structural or civil engineer with architectural engineering experience. At least two (2) of the professional board members must be professionals who are not actively participating with or in the City of Chesterfield building trades or whose source of income is derived principally from business carried out in the City of Chesterfield at the time of their appointment.

The members of said Board shall serve for periods of five (5) years. The first Board shall consist of the one (1) member serving for one (1) year, one (1) for two (2) years, one (1) for three (3) years, one (1) for four (4) years and one (1) for five (5) years and for all subsequent years, there shall be one new member replaced on the Board, and no member shall be re-appointed to the Board and for more than one (1) additional term.

Section 3. The Board shall select one (1) of its members to serve as Chairperson, and the Department of Public Works shall appoint a Secretary to the Board, who shall keep a detailed record of all proceedings on file with the Board. The records of the proceedings shall be transcribed in an official minute book, but

need not be a verbatim transcription. A copy of the minutes of each meeting shall be transmitted to each member of the Board following the meeting.

Section 4. The members of the Board shall serve without compensation.

Section 5. At least three (3) members of the Board must be present to hear appeals.

Section 6. All appeals shall be filed in writing with the Director of Public Works within thirty (30) days after the decision of the Director of Public Works which is to be appealed has been rendered by the Director. All appeals must be accompanied by a filing fee of \$50.00.

Section 7. The Board shall meet no later than thirty (30) days after the notice of appeal is received by Public Work Department of the City of Chesterfield or at a stated periodic meeting if warranted by the volume of work. The Board shall give notice of all appeals by one publication in a newspaper of general circulation in the City of Chesterfield seven (7) days in advance of the hearing on said appeal. The Secretary of the Board shall notify the Appellant of the decision of the Board by letter in a timely manner.

Section 8. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings and show the vote of each member upon each question or absent, or failing to vote to be so noted and shall indicate each action, shall keep records of examinations and other official actions, all of which shall immediately be filed with the Public Works Citizens Advisory Group.

Section 9. The Board shall from time to time make such reasonable rules and regulations as they may deem necessary and proper. The Board shall prepare an instruction sheet for applications, describing procedures, plans and samples that shall be submitted with each referral.

Section 10. Approvals with modifications by the Board shall be made in writing and shall be noted on one copy of the approved plans or specifications by an appropriate stamp, signed by the Board Chairman and the Chairman of the Public Works Sub-Committee of the City Council.

Section 11. Any project approved by the Board in which construction is not started within six (6) months may be required to be re-submitted at the discretion at the Board. Any approval given to the project in which construction has not started within one year is void and re-submission shall be required for approval.

Section 12. In the event that a member of the Board is employed by, related to, or has any other material connection with any party involved in a matter that has come before the Board, the member shall, before any discussion, commence upon such matter and immediately disclose, to the Board, the nature of said employment, relationship and material connection with the party involved. Thereupon, the other members of the Board attending the meeting shall vote on the question of the member so making the disclosure and whereupon the party shall withdraw from the discussion and the voting upon the matter at hand.

Section 13. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 19TH day of June, 1989.

Frederic M. Stenseth
MAYOR

ATTEST:

Martha L. He May
CITY CLERK

PUBLIC WORKS BOARD OF VARIANCE

(Planning & Public Works)

(5-Year Term)

(no set date for meeting)

(Ordinance No. 306)

VACANCY

Term expired - 8/21/10

Lauren Strulman

16120 Walnut Hill Farm

Chesterfield, MO 63005

636-532-7908 - h

636-537-0880 - w

Ward IV

VACANCY

Term expires - 8/21/14

Term expires - 8/21/22

Vacancy

Term expired 8/21/01

Steven Spencer

1317 Carriage Crossing Lane

Chesterfield, MO 63005

636-530-7726 - h

Ward IV

Term expires - 8/21/18

Council Liaison

Barry Flachsbart

BILL NO. 844ORDINANCE NO. 834

AN ORDINANCE REPEALING ORDINANCE NUMBERS 603 AND 673 OF THE CITY OF CHESTERFIELD BY SUBSTITUTING A NEW ORDINANCE DEALING WITH THE ESTABLISHMENT OF THE BOARD OF ADJUSTMENT, QUALIFICATIONS AND AN APPOINTMENT OF ITS MEMBERS AND POWERS, DUTIES AND PROCEDURES.

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

Section 1. Ordinance Numbers 603 and 673 are hereby deleted and restated in their entirety.

"Section 1. Pursuant to Section 89.080 Revised Statutes of Missouri 1986, as amended, there is created a Board of Adjustment. The Board of Adjustment shall consist of five (5) members who shall be residents of the City of Chesterfield. The membership of the first Board appointed shall serve respectively, one for one (1) year, one for two (2) years, one for three (3) years, one for four (4) years and one for five (5) years. Thereafter, members shall be appointed for terms of five (5) years. Five (5) alternate members may be appointed to serve in the absence or the disqualification of the regular members. Alternates shall serve terms of five (5) years with the first alternates serving respectively one for one (1) year, one for two (2) years, one for three (3) years, one for four (4) years, and one for five (5) years. All members and alternates shall be removable for cause by the appointing authority upon written charges and after a public hearing. Vacancies shall be filled for unexpired term of any members whose term becomes vacant. The Board shall elect its own Chairman who shall serve for one (1) year. All current members of the Board, as of the date of this Ordinance, shall remain in their appointed position and shall serve the term in accordance with the dates of their appointment.

Section 2. The Board is hereby empowered to adopt rules of procedure, and from time to time, amend and supplement its rules of procedure not inconsistent with the provisions of this chapter, or of any ordinance adopted pursuant to Section 89.010 to 89.140 of the Revised Statutes of Missouri 1986 as amended.

Section 3. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. Such chairman, or in his absence, the acting chairman may administer oaths and compel the attendance of the witnesses. All meetings of the Board shall be open to the public.

Section 4. The Board shall keep minutes of its proceedings showing the vote of each member upon question, or if absent or failing to vote indicate such fact, and shall keep records of its examinations and other official actions. All of the above records shall be immediately filed with the Department of Planning and shall be on public record. All testimony, objections thereto and rulings thereon shall be taken down by a reporter employed by the Board for that purpose.

Section 5. For assistance in reaching its decisions relative to any appeal or other matter under consideration by the Board, the Director of Planning and the Director of Public Works shall furnish technical services, advice, data or factual evidence requested by the Board.

Section 6. The Board of Adjustment shall have the following powers:

- (1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of these sections or of any Ordinance adopted pursuant thereto;
- (2) To hear and decide all matters referred to it or upon which it is required to pass under such Ordinance;
- (3) In passing upon appeals, where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of such Ordinance, to vary or modify the application of any of the regulations or provisions of such Ordinance relating to the use, construction or alteration of buildings or structures or the use of land so that the spirit of the Ordinance shall be observed, public safety and welfare secured and substantial justice done.
- (4) Permit a variation in the yard requirements of any zoning district or the building or setback lines from major highways as provided by law where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other

purpose of continuing the non-conforming use is not to continue a monopoly.

In exercising the above mentioned powers, such board may, in conformity with the provisions of Sections 89.010 to 89.140 Revised Statutes of Missouri reverse or affirm wholly or partly or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made to that end shall have all the powers of the officer from whom the appeal is taken.

Section 7. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any manner upon which it is required to pass under any such Ordinance or to effect any variation in such Ordinance.

Section 8. The following procedures shall govern the hearings of the Board:

- (1) Before making its decision on any appeal or other matter within the Board's purview, the Board shall hold a public hearing thereon.
- (2) At least five (5) days' notice of the time and place of said public hearing shall be sent by registered mail to the appellant. The Board may, in its discretion, send notices of hearing to other interested persons, organizations, or agencies.
- (3) The public notice shall contain the name of the appellant, the date, time, and place fixed for the hearing; and a brief statement of the error alleged by the appellant or the variance or other question which is the subject of the appeal.
- (4) Hearings may be adjourned, from time to time, and that the time and place of the continued hearing be publicly announced at the time of adjournment. No further notice of such continued hearing shall be required; otherwise, notice thereof shall be given as in the case of an original hearing.

- (5) An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with the Department of Planning, that by reason of fact stated in the Certificate a stay would, in his opinion, cause immediate peril to life or property. In such cases, proceedings shall not be stayed, otherwise than by restraining order, which may be granted by the Board of Adjustment or by a court of record or upon application or notice to the officer from whom the appeal is taken and on due cause shown.
- (6) Upon the hearing of any matter, any party may appear in person or by agent or by attorney.

Section 9. A decision of the Board granting a variance that permits the erection or alteration of a building shall be valid for a period of six (6) months, unless a building permit for such erection or alteration is obtained within this period and the erection or alteration is started and proceeds to completion in accordance with the terms of the decision.

Section 10. Nothing contained in this ordinance shall be deemed to authorize the Board to reverse or modify any refusal of a permit or any other order, requirement, decision or determination which conforms to the provisions of the City of Chesterfield Zoning Code or any zoning ordinance passed or enacted by the City of Chesterfield and which, therefore, is not erroneous; nor to authorize the Board to validate, ratify or legalize any violation of law or any of the regulations of the City of Chesterfield Zoning Code or zoning ordinances which may be passed or enacted by the City Council of the City of Chesterfield.

Section 11. Members of the Board of Adjustment shall be appointed by the Mayor with the approval of the City Council."

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 7TH day of SEPTEMBER, 1993.

John L. ...
MAYOR

ATTEST:

Marta L. DeMay
CITY CLERK

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF CHESTERFIELD TO EXECUTE AN AGREEMENT WITH ST. LOUIS COUNTY FOR THE ESTABLISHMENT OF AN INTERGOVERNMENTAL COMMUNICATIONS AGREEMENT WITH THE CITIES OF CHESTERFIELD, ELLISVILLE, EUREKA, VALLEY PARK AND ST. LOUIS COUNTY.

WHEREAS, an agreement has been reached between the cities of Chesterfield, Ellisville, Eureka and Valley Park and St. Louis County for St. Louis County to provide services to these four (4) cities for dispatching services to the various police departments; and

WHEREAS, St. Louis County and these cities have entered into negotiations to provide a communications service agreement to allow 911 services, radio and computerized criminal history services (REJIS) , and automated police reporting systems (CARE); and

WHEREAS, St. Louis County currently provides these same services to the City of Chesterfield by separate contract which is in conjunction with all of St. Louis County and its various interrelationships with the municipal departments throughout the area; and

WHEREAS, the new agreement provides for a contract which will call for a separate dispatching console dedicated specifically to the four (4) cities as mentioned above.

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

Section 1. The City Administrator of the City of Chesterfield is authorized to execute a contract with St. Louis County, a copy of which is attached as Exhibit “A” and made a part hereof as if fully set out herein, which calls for intergovernmental communications services between the cities of Ellisville, Eureka, Valley Park and Chesterfield with St. Louis County.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved by the City Council of the City of Chesterfield, Missouri this _____ day of _____, 2018.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD

**COORDINATED COMMUNICATIONS
AND COMPUTER-ASSISTED REPORT
ENTRY SERVICE AGREEMENT
BY AND BETWEEN
COUNTY OF ST. LOUIS
AND CITY OF CHESTERFIELD**

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COORDINATED COMMUNICATIONS AND COMPUTER-ASSISTED REPORT ENTRY SERVICE AGREEMENT

City of Chesterfield and St. Louis County, Missouri



THIS AGREEMENT, entered into this _____ day of _____, 2018, by and between the City of Chesterfield, a CITY in St. Louis County, Missouri, hereinafter referred to as the CITY, and ST. LOUIS COUNTY, MISSOURI, hereinafter referred to as the COUNTY;

WITNESSETH THAT:

RECITALS

WHEREAS, the provisions of Section 70.210 to 70.320, inclusive, RSMo. 2000, as amended, empower municipalities and other political subdivisions to contract and cooperate with each other for a common service; and

WHEREAS, Chapter 701.070 SLCRO 1974, as amended, authorizes the Chief of Police of St. Louis County to contract for police services with municipalities; and

WHEREAS, the CITY desires a Coordinated Communications and Computer-Assisted Report Entry Service Agreement; and

WHEREAS, COUNTY holds a license from the Federal Communications Commission and thereunder operates radio consoles by and through the agency of the St. Louis County Police Department for and in the performance of its duties of law enforcement, and has offered to perform certain communications services for CITY; and

WHEREAS, CITY wishes to avail itself of the 911 and communications services offered by COUNTY, including radio and computerized criminal history services (REJIS); and

WHEREAS, CITY owns certain radio equipment which it desires to use in connection therewith; and

WHEREAS, CITY desires COUNTY to provide Computer-Assisted Report Entry services; and

WHEREAS, the CITY has duly enacted and approved Ordinance No _____, a copy of which is attached hereto, marked Exhibit A, and made a part hereof by reference, authorizing the CITY to execute this Agreement.

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE CITY AND THE COUNTY AS FOLLOWS:

ARTICLE I-COORDINATED COMMUNICATIONS SERVICES

1. COUNTY shall provide 911 and non-emergency telephone call processing and radio dispatching to and from police officers employed, or under contract by the CITY and other entities within the CITY which have the right, permission, and operating equipment used to receive such calls and radio dispatches.
2. COUNTY shall perform the services provided for in this Agreement in compliance with the standards, policies, and procedures of the St. Louis County Police Department, Bureau of Communications and all applicable laws.
3. COUNTY will provide the CITY with REJIS services; however, said services will be for the CITY's police department in the normal course of COUNTY's dispatching obligation and will not be provided for CITY's courts or other municipal agencies. The REJIS services will be limited to active inquiries as related to patrol services. COUNTY will provide CITY with REJIS services through the Bureau of Central Police Records and will be limited to inquiries; wanted entries and cancellation on persons/vehicle/property; entry/cancellation of towed vehicles; entry of repossessed vehicles; 10-minute hit request and responses; entry/cancellation of missing persons/juveniles; and locate messages/wanted verification. REJIS services will not include arrest entries, arrest updates or municipal warrant entries.
4. CITY will provide updated radio alias information of all mobile and portable radios within law enforcement agency as officers are hired or leave the agency. Additionally, this information must be submitted to the Bureau of Communications and to the Emergency Communications Network on a quarterly basis. The law enforcement agency must complete the Alias Change Request Form which can be downloaded from the Emergency Communications Commission (ECC) website.
5. The CITY shall maintain a false alarm ordinance similar to COUNTY's Ordinance 271 during the duration of this Contract.
6. CITY shall comply with all regulations set by the FCC and those rules and regulations set by the St. Louis County Police Department.
7. It is further understood and agreed by the parties hereto that if this Agreement is terminated by either party, for whatever reason, or if either party does not enter into a similar Agreement at the expiration of this Agreement, the current programming which allows access to the St. Louis County Police Department talk groups will be inhibited by the Emergency Communications Network. Furthermore, all reprogramming costs associated with CITY's failure to renew this Agreement will be borne by the CITY.
8. For the purpose of performing said law enforcement communication services,

COUNTY shall furnish and supply all necessary labor, supervision, and communication facilities, to maintain the agreed level of service to be rendered hereunder.

9. The St. Louis County Police Department complies with all standards related to the communications function as prescribed to the Commission on Accreditation for Law Enforcement Agencies (CALEA).

ARTICLE II-COMPUTER-ASSISTED REPORTY ENTRY (CARE) SERVICES

1. The COUNTY shall provide to the CITY the same CARE processing services as it provides to the unincorporated portion of COUNTY.

2. The COUNTY shall provide CARE services consisting of the following:

(a) The COUNTY shall provide basic CARE services which consist of 24-hour-a-day self-entry and telephone entry of police reports, by personnel of the CITY. Personnel of the St. Louis County Police Department's CARE Unit shall enter the reports and shall cooperate with the CITY in the performance of their duties but shall be subject to the supervision of the COUNTY recognized chain of command. A police report is defined as a report which results in a document summarizing facts and circumstances surrounding a police-related incident or criminal offense. A police report is generated whenever a municipal police unit obtains a report number and subsequently dictates/provides a report to CARE personnel. Police report transactions include original and supplemental reports. The entering of all police reports into CARE will satisfy RSMo 66.200 which requires exact copies of municipal police reports for all felonies and misdemeanors be transmitted to the County immediately after the information is obtained by the CITY. COUNTY shall maintain all CARE records.

(b) COUNTY will provide the necessary training to designated officials of the CITY in the operation of the CARE computer system. Any unauthorized use or disclosure of CARE data or maps generated by other cities or agencies, by the CITY or agents of the CITY, without written authorization from the entering agency is prohibited and will be cause for termination of this AGREEMENT.

3. The CITY shall provide the following:

- (a) Computers, peripherals, and a network compatible for the installation and operation of the CARE program.
- (b) The final review and approval of CARE generated police reports is the responsibility of the CITY.

4. The COUNTY offers technical support for the service through REJIS. Procurement of related supplies such as computer paper, printer ribbons, etc., will be at the expense of the CITY. Procurement of and payment for the necessary REJIS networking will be at the CITY's expense. Remote access to these systems is conditional on the information being used solely and expressly for reviewing, approving, modifying or printing only that data or those reports which originated from the CITY or its officers. Reviewing, approving, modifying or printing data or reports originated by COUNTY or any other governmental agency contracting with COUNTY by the CITY or agents of the CITY without written authorization from the entering agency is prohibited and will be cause for immediate termination of this agreement.

5. For maintenance, enhancements, and other administrative purposes, the COUNTY shall have access to the CITY entered CARE report.

ARTICLE III-TERM OF AGREEMENT

1. The original term of this Agreement shall commence on March 1, 2018 and terminate on February 28, 2019 and will be subject to a one (1) year renewal term to commence on March 1, 2019 and terminate on February 28, 2020. Thirty (30) days before the termination of the original Agreement, COUNTY shall notify CITY of the projected cost for the communication and CARE services for the renewal term. If there should be an increase in the projected cost for communication services, it shall not exceed 5% of the original cost, but the CARE cost will have no 5% cap. It is further agreed by the parties hereto that if they are unable to agree to the monthly cost for the renewal term by February 28, 2019, the present monthly cost for such services shall be increased by 5% until such time a new monthly cost is agreed upon by the parties. The new monthly cost will apply retroactively to March 1, 2019 and the annual cost will be adjusted accordingly.

ARTICLE IV - BILLING RATES

1. CITY shall pay COUNTY a monthly sum of SIXTEEN-THOUSAND ONE HUNDRED NINE DOLLARS AND FIFTY CENTS (\$16,109.50) payable monthly in advance on the first day of each month for a total contract cost of ONE HUNDRED NINETY-THREE THOUSAND THREE HUNDRED THIRTEEN DOLLARS AND NINETY-FOUR CENTS

(\$193,313.94), for the services herein described.

2. A review of the account will be performed twice a year to determine if the CITY has a balance on the account. If a credit/past due balance is found, a statement will be sent to the CITY and the CITY shall pay the past due balance to COUNTY within ten (10) business days of receipt of said statement.

ARTICLE V-RIGHT OF TERMINATION

1. The COUNTY may terminate this Agreement immediately upon written notice to the CITY when the actions of the CITY are not in compliance with FCC or with the COUNTY's rules and/or regulations.

2. Either party shall have the option to re-negotiate or to terminate this AGREEMENT in the event that the service agreement through REJIS is not maintained as current.

3. This Agreement may be terminated by either party hereto upon written notice to the other, a minimum of one hundred twenty (120) days prior to the commencement of the applicable renewal period.

4. This Agreement shall automatically be terminated in the event that the appropriate officer, agent, council or other body with authority to appropriate money fails to appropriate sufficient funds to pay for the obligations imposed by this Agreement for the fiscal year in question. The CITY agrees that it will not exercise its right to terminate this Agreement for lack of fiscal funding while appropriating funding for the same or similar services. The CITY agrees to inform the COUNTY in good faith at the earliest time such non-appropriation becomes apparent.

ARTICLE VI - DEFENSE OF CLAIMS

1. As between the parties hereto, CITY is not responsible for defense of claims against the COUNTY or personnel providing services under this Agreement, and insofar as either party is legally responsible for such defense, it is the COUNTY. This provision shall not be understood as waiving the sovereign immunity or any other defense of either party, or as an indemnity by either party for conduct for which the other party is responsible by law. This provision is not for the benefit of any other third party.

ARTICLE VII – NOTICES

1. Unless otherwise specified herein, all notices or demands required or permitted to be given or made under this Agreement shall be in writing and shall be hand delivered with signed receipt or mailed by first class registered or certified mail, postage prepaid, addressed to the parties at the following addresses and to the attention of the person named. Addresses and persons to be notified may be changed by either party

by giving ten (10) calendar days prior written notice thereof to the other party.

A. Notices to POLICE DEPARTMENT shall be addressed as follows:

St. Louis County Police Department
Police Contract Services Unit
Attn: Unit Commander
7900 Forsyth Boulevard
Clayton, Missouri 63105
Phone #:314-615-0184

B. Notices to CITY shall be addressed as follows:

City of CHESTERFIELD
Attn: Mayor and/or Police Chief
690 Chesterfield Parkway W
CHESTERFIELD, Missouri 63017
Phone #:636-537-4000

ARTICLE VIII - AMENDMENTS

1. The parties expressly recognize and agree that special circumstances and needs may arise which may require adjustments in terms of personnel, equipment and/or materials provided and the additional costs related thereto. The parties agree to negotiate suitable ancillary addendums or amendments to this Agreement in the event of adjustments requested.

ARTICLE IX - ENTIRE AGREEMENT

1. This Agreement, Attachment A, and any executed Amendments hereto constitute the complete and exclusive statement of understanding of the parties which supersedes all previous agreements, written or oral, and all communications between the parties relating to the subject matter of this Agreement. No change to this Agreement shall be valid unless prepared pursuant to Article VIII, Amendments, of this Agreement.

IN WITNESS THEREOF, CITY and COUNTY have signed their names and affixed their official seals to this Agreement on the day and year first above written.

Attest:

CITY OF CHESTERFIELD

City Clerk

By _____
Mayor

Attest:

City Attorney



ST. LOUIS COUNTY, MISSOURI

By _____
County Executive

Attest:

Administrative Director

Approved:

Chief of Police
St. Louis County Police Department

ST. LOUIS COUNTY
BOARD OF POLICE COMMISSIONERS

Approved as to Legal Form:

By _____
Chairman

County Counselor

Approved:

Accounting Officer

SIGNATURES

LEGISLATION – PLANNING COMMISSION

- A. Bill No. 3172** - An ordinance amending the zoning ordinance of the City of Chesterfield by changing the boundaries of a “c8” Planned Commercial District to a “UC” Urban Core District for an 8.2 acre tract of land located southeast of the intersection of Chesterfield Parkway West and Chesterfield Center (P.Z. 16-2017 Chesterfield Village [Shelbourne Senior Living] - 18s110148). **(Second Reading) Planning Commission recommends approval**
- B. Bill No. 3173** - An ordinance amending the unified development code of the City of Chesterfield by changing the boundaries of an existing “PUD” Planned Unit Development to a “LLR” Large Lot Residential District for a 17.4 acre tract of land located west of Wilson Avenue and northwest of the intersection of Wilson Avenue and Clarkson Road (P.Z. 18-2017 Falling Leaves Estates II — 19T220214, 19T210161). **(Second Reading) Planning Commission recommends approval**
- C. Bill No. 3174** - An ordinance amending City of Chesterfield ordinance 2,442 to revise Development Restrictions in a “PC” Planned Commercial District for 2.61 acres located north of Edison Avenue and northeast of the intersection of Chesterfield Commons East Road and Edison Avenue. (17T240243).(P.Z 21-2017 Clock Tower Plaza) **(Second Reading) Planning Commission recommends approval**
- D. Bill No. 3175** - An ordinance repealing City of Chesterfield Ordinance Number 2055 to amend the legal description and development conditions for a 15.4 acre tract of land, more or less, zoned “PI” Planned Industrial District located north of Highway 40/Interstate 64, west of Boone’s Crossing (P.Z. 14-2017 Larry Enterprises-Lynch Hummer [17401 N Outer 40 Rd] 17U610139, 17U520258, 17U520269). Green Sheet Amendment included. **(First Reading) Planning Commission recommends approval; Planning & Public Works Committee recommends approval, as amended.**
- E. Bill No. 3176** - An ordinance repealing City of Chesterfield Ordinance Number 2411 to amend the legal description and development conditions for a 7.0 acre tract of land, more or less, zoned “PI” Planned Industrial District located north of Highway 40/Interstate 64, west of Boone’s Crossing (P.Z. 15-2017 MPD Investments [14781 N Outer 40 Rd] 17U610139, 17U520258, 17U520269). **(First Reading) Planning Commission recommends approval**

F. Bill No. 3177 - An ordinance amending City of Chesterfield Ordinance Number 2449 for a "PC&R" Planned Commercial and Residence District located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West (P.Z. 19-2017 Downtown Chesterfield [Sachs Properties]). **(First Reading) Planning Commission recommends approval**

G. Bill No. 3178 - An ordinance amending the Unified Development Code of the City Of Chesterfield by changing the boundaries of a "PC&R" Planned Commercial and Residential District, the "C8" Planned Commercial District and the "LLR" Large Lot Residential District to an "R-6AA" Residence District for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development] 17T310016, 18T630173, 18T630205, 18T640226). **(First Reading) Planning Commission recommends approval**

H. Bill No.3184 - An ordinance providing for the approval of a record plat and escrow agreements for the Grand Reserve Subdivision, an 11.87 acre tract of land zoned "R-3" Residence District for a 0.722 acre portion and "R-4" Residence District for an 11.159 acre portion and located east of the intersection of Olive Boulevard and Chesterfield Parkway. **(First Reading) Planning Commission recommends approval**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “C8” PLANNED COMMERCIAL DISTRICT TO A “UC” URBAN CORE DISTRICT FOR AN 8.2 ACRE TRACT OF LAND LOCATED SOUTHEAST OF THE INTERSECTION OF CHESTERFIELD PARKWAY WEST AND CHESTERFIELD CENTER (P.Z. 16-2017 CHESTERFIELD VILLAGE MALL {SHELBOURNE SENIOR LIVING} 18S110148).

WHEREAS, Shelbourne Healthcare Development Group LLC, has requested a change in zoning to “UC” Urban Core District for a 8.2 acre tract of land, more or less, located southeast of the intersection of Chesterfield Parkway West and Chesterfield Center; and,

WHEREAS, a Public Hearing was held before the Planning Commission on November 13, 2017; and,

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

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

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

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 and the Official Zoning District Map, which are part thereof, are hereby amended by establishing a “UC” Urban Core District with conditions therein incorporated into the Attachment A, which is attached hereto and made a part hereof and as described as follows:

A TRACT OF LAND BEING C109 AND C208 OF “CHESTERFIELD VILLAGE AREA ‘A’ PHASE ONE PLAT ONE”, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 158 PAGES 96 AND 97 OF THE ST. LOUIS COUNTY RECORDS, IN U.S. SURVEY 2002, TOWNSHIP 45 NORTH – RANGE 4 EAST, CITY

OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF SAID C109, SAID POINT BEING ON THE EAST LINE OF WEST CHESTERFIELD PARKWAY, 73 FEET WIDE (FORMERLY CHESTERFIELD VILLAGE PARKWAY); THENCE EASTWARDLY ALONG THE NORTH LINE OF SAID C109 THE FOLLOWING COURSES AND DISTANCES: SOUTH 85 DEGREES 45 MINUTES 33 SECONDS EAST 14.48 FEET, ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 04 DEGREES 14 MINUTES 22 SECONDS EAST 337.50 FEET FROM THE LAST MENTIONED POINT A DISTANCE OF 245.60 FEET, NORTH 52 DEGREES 32 MINUTES 36 SECONDS EAST 8.62 FEET, ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 37 DEGREES 27 MINUTES 19 SECONDS EAST 432.82 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 106.88 FEET AND SOUTH 65 DEGREES 19 MINUTES 35 SECONDS EAST 41.68 FEET TO THE EAST LINE OF SAID C109; THENCE SOUTHWARDLY ALONG EAST LINE AND ALONG THE NORTHEAST LINE OF SAID C208 SOUTH 19 DEGREES 20 MINUTES 00 SECONDS EAST 305.00 FEET AND SOUTH 54 DEGREES 00 MINUTES 00 SECONDS EAST 268.86 FEET TO THE EAST LINE OF SAID C208; THENCE SOUTHWARDLY ALONG SAID EAST LINE SOUTH 14 DEGREES 17 MINUTES 04 SECONDS WEST 439.97 FEET TO SAID EAST LINE OF WEST CHESTERFIELD PARKWAY, 73 FEET WIDE; THENCE NORTHWARDLY ALONG SAID EAST LINE ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 13 DEGREES 01 MINUTES 10 SECONDS EAST 763.50 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 1044.79 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.207 ACRES ACCORDING TO CALCULATIONS BY VOLZ INC. DURING AUGUST 2017.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its 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 Shelbourne Healthcare Development Group LLC in P.Z. 16-2017, 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 13th day of November 2017, 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’s 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 _____, 2018

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD: __01/17/2018__

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 UC Urban Core District shall be:
 - a. Animal grooming service
 - b. Art gallery
 - c. Art studio
 - d. Automotive retail supply
 - e. Bakery
 - f. Barber or beauty shop
 - g. Brewpub
 - h. Broadcasting studio
 - i. Church and other place of worship
 - j. Club
 - k. Coffee shop
 - l. Coffee shop, drive-thru
 - m. Commercial service facility
 - n. Community center
 - o. Day Care Center
 - p. Drug store and pharmacy
 - q. Drug store and pharmacy, drive-thru
 - r. Dry cleaning establishment
 - s. Dry cleaning establishment, drive-thru
 - t. Education facility- specialized private schools
 - u. Education facility- vocational school
 - v. Educational facility- college/university
 - w. Educational facility- kindergarten or nursery school
 - x. Film drop-off and pick-up station
 - y. Financial institution

- z. Financial institution, drive-thru
- aa. Grocery-community
- bb. Grocery-neighborhood
- cc. Group Residential Facility
- dd. Gymnasium
- ee. Hospice
- ff. Hotel and motel
- gg. Laundromat
- hh. Library
- ii. Mortuary
- jj. Museum
- kk. Newspaper stand
- ll. Nursing home
- mm. Office, dental
- nn. Office, general
- oo. Office, medical
- pp. Park
- qq. Professional and technical service facility
- rr. Public safety facility
- ss. Reading room
- tt. Recreation facility
- uu. Research facility
- vv. Restaurant, fast food
- ww. Restaurant, sit down
- xx. Restaurant, take out
- yy. Retail sales establishment, community
- zz. Retail sales establishment, neighborhood
- aaa. Telecommunications structure
- bbb. Telecommunications tower or facility
- ccc. Veterinary clinic

2. The above uses in the "UC" District shall be restricted as follows:

- a. The Group Residential Facility, Nursing Home and Hospice uses shall be limited to no more than 150 units.
- b. Retail sales uses shall be prohibited from any outdoor sales, storage or display of materials or goods.
- c. Land uses 'u', 'v', 'dd', 'vv' and 'ww' listed above are not permitted in stand-alone structures.
- d. Restaurant land uses shall not be permitted to have a drive-thru component.

3. Hours of Operation.

Hours of operation for this "UC" District shall be restricted from 7 a.m. to 11 p.m. for all uses with the exception of Group Residential Facility, Nursing Home, Hospice and Hotel/Motel land uses.

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

1. Height

- a. The maximum height of any structure, exclusive of roof screening, shall not exceed 4 stories.

2. Building Requirements

- a. A minimum open space of thirty percent (30%) is required. Open space should be integrated into the development to provide aesthetic, recreational, or other public benefit. Covered pedestrian walkways and bridges may be counted towards the open space requirement of thirty percent (30%)
- b. A maximum floor area ratio (F.A.R.) of fifty-five hundredths (0.55) is allowed.

C. SETBACKS

1. Structure Setbacks

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

- a. Thirty-five (35) feet from the north boundary of the UC district.
- b. Thirty-five (35) feet from the right-of-way of Chesterfield Center on the west boundary.

- c. Thirty-five (35) feet from the right of way of Chesterfield Parkway West on the south boundary.
 - d. Thirty-five (35) feet from the east boundary of the UC district.
2. Parking Setbacks

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

- a. Thirty (30) feet from the north boundary of the UC district.
- b. Thirty (30) feet from the right-of-way of Chesterfield Center on the west boundary.
- c. Thirty (30) feet from the right of way of Chesterfield Parkway West on the south boundary.
- d. Five (5) feet from the east boundary of the UC district.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- 2. Parking lots shall not be used as streets.
- 3. No construction related parking shall be permitted within the right of way or on any existing roadways surrounding the development including but not limited to Lydia Hill Drive, Chesterfield Center, and Chesterfield Parkway West. 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. A landscape buffer is not required along the eastern property line.

F. SIGN REQUIREMENTS

- 1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission.

2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic (or MoDOT), for sight distance considerations prior to installation or construction.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

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

I. ACCESS/ACCESS MANAGEMENT

1. Access to the development from Chesterfield Parkway West shall be restricted to one (1) commercial entrance, as shown on the Preliminary Site Plan and as directed by the St. Louis County Department of Transportation and City of Chesterfield.
2. Access to the development from 16123 Chesterfield Parkway West shall be secured by cross access easement(s) or other appropriate legal instrument or agreement guaranteeing permanent access between this parcel and the adjacent parcel(s) as directed by the City of Chesterfield.
3. Adequate sight distance shall be provided, as directed by the City of Chesterfield and the St. Louis County Department of Transportation. 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.
4. Traffic signal modifications shall be as directed
5. Provide cross-access easements to the adjacent parcels as directed 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 and the St. Louis County Department of Highways and Traffic. No gate installation will be permitted on public right-of-way.
2. Provide and/or improve sidewalk and curb ramps, in conformance with ADA standards, along Chesterfield Parkway West and at the north side of the Chesterfield Parkway West and Justus Post Road intersection. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects or maintain existing connectivity. The sidewalk may be located within right-of-way controlled by another agency, if permitted by that agency or on private property within a 6 foot wide sidewalk access easement dedicated to the City of Chesterfield.
3. Obtain approvals from the City of Chesterfield, St. Louis County Department of Highways and Traffic, 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.
4. Additional right-of-way and road improvements shall be provided, as required by the Missouri Department of Transportation, St. Louis County Department of Highways and Traffic, and the City of Chesterfield.
5. Internal sidewalks shall be provided to the site from the sidewalk along Chesterfield Parkway West creating an accessible pedestrian path to the proposed building. Internal sidewalks and curb ramps shall conform to ADA standards, as applicable.

K. TRAFFIC STUDY

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

L. POWER OF REVIEW

1. Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

M. STORM WATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the one hundred (100) year high water.
6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.
7. The receiving storm system(s) shall be evaluated to ensure adequate capacity and to ensure that the project has no negative impacts to the existing system(s).

8. Treatment for water quality is required in accordance with our region's MS4 permit. Volume reduction BMPs shall be the emphasis for the water quality treatment strategy. In order to comply with the Chesterfield Village Southwest Quadrant Stormwater Master Plan for detention, post development impervious coverage shall not exceed 90% and the site post developed CN shall be less than 91. Provisions for Channel Protection are required and may be satisfied by volume reduction BMPs.
9. The site is tributary to Lake 1 in the Chesterfield Village Master Storm water Plan. A 2 year 24 hour detention and 100 year - 24 hour detention is provided for this site by the lake if the buildout remains at or below 90% imperviousness. Additional onsite detention will be required for a buildout that exceeds 90% imperviousness.

N. SANITARY SEWER

1. Sanitary sewers shall be as approved by the Metropolitan St. Louis Sewer District and the City of Chesterfield.
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).
3. Formal Metropolitan Sewer District review, approval, and permits are required prior to construction.
4. Post Construction BMPs for water quality with a runoff volume reduction component are required. Extended detention (Channel Protection, CPv) of the site's runoff resulting from the 1 year-24 hour storm shall be provided. CPv storage may be nested within a volume reduction BMP.
5. The site is tributary to a sanitary sewer that is included in MSD's hydraulic models. During formal plan review, an estimate of the site's sanitary flows will need to be provided by the developer's engineering consultant so MSD staff can evaluate the site's impact on the receiving sanitary sewer. Downstream system upgrades or onsite retention may be necessary if that evaluation indicates the development's additional flow would cause an adverse effect to system capacity.
6. The site is located within the Caulks Creek Service area, subject to the Caulks Creek Surcharge. The surcharge will be assessed during formal plan review, and will be due prior to MSD approving the improvement plans for permits.

O. GEOTECHNICAL REPORT

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

P. MISCELLANEOUS

1. All utilities will be installed underground.
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
3. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and St. Louis County Department of Highways and Traffic or MoDOT. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
4. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
5. Prior to final release of 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.
6. Formal MSD plan review, approval and construction permits for this project will be required prior to construction of site improvements.

7. Easements to MSD will be required to cover public sewers that are reconfigured to accommodate the layout of the development. Encroachments upon MSD facilities and easements shall be avoided.
8. Any off-site easements necessary for installation of proposed improvements on this site must be in place prior to acceptance of improvement plans and/or issuance of a grading permit.
9. Retaining walls 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.
10. General areas where public art may be placed shall be indicated on the appropriate site development plan. The specific details for the public art, such as location, size, placement, type, etc., shall be approved by the City of Chesterfield.

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

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

III. COMMENCEMENT OF CONSTRUCTION

- A.** Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.

- B.** Where due cause is shown by the developer, the City Council may extend the period to commence construction for two (2) additional years.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

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

site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.

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

V. TRUST FUND CONTRIBUTION

A. The developer shall be required to contribute to the Chesterfield Village Road Trust Fund (No. 554), as directed by the St. Louis County Department of Highways and Traffic. This contribution shall not exceed an amount established by multiplying the ordinance-required parking spaces for the difference between the existing and proposed uses by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
Retirement Community	\$497.22/parking space

Nursing Homes	\$2,278.87/parking space
Loading Space	\$3,257.09/parking space

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

If types of development differ from those listed, St. Louis County Department of Highways and Traffic will provide rates.

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 the development is mandatory.

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.

The amount of the required contribution, if not submitted by January 1, 2018, shall be adjusted on that date and on the first day of January in each succeeding year thereafter by the St. Louis County Department of Highways and Traffic.

The roadway improvement contribution shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of any Special Use Permit (SUP) by St. Louis County Highways and Traffic or a Building Permit by St. Louis County Public Works Department. Funds shall be payable to "Treasurer, St. Louis County."

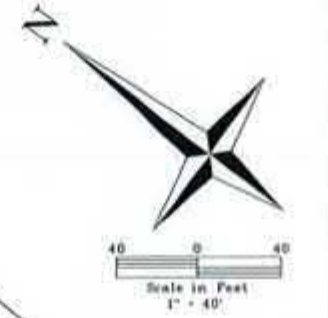
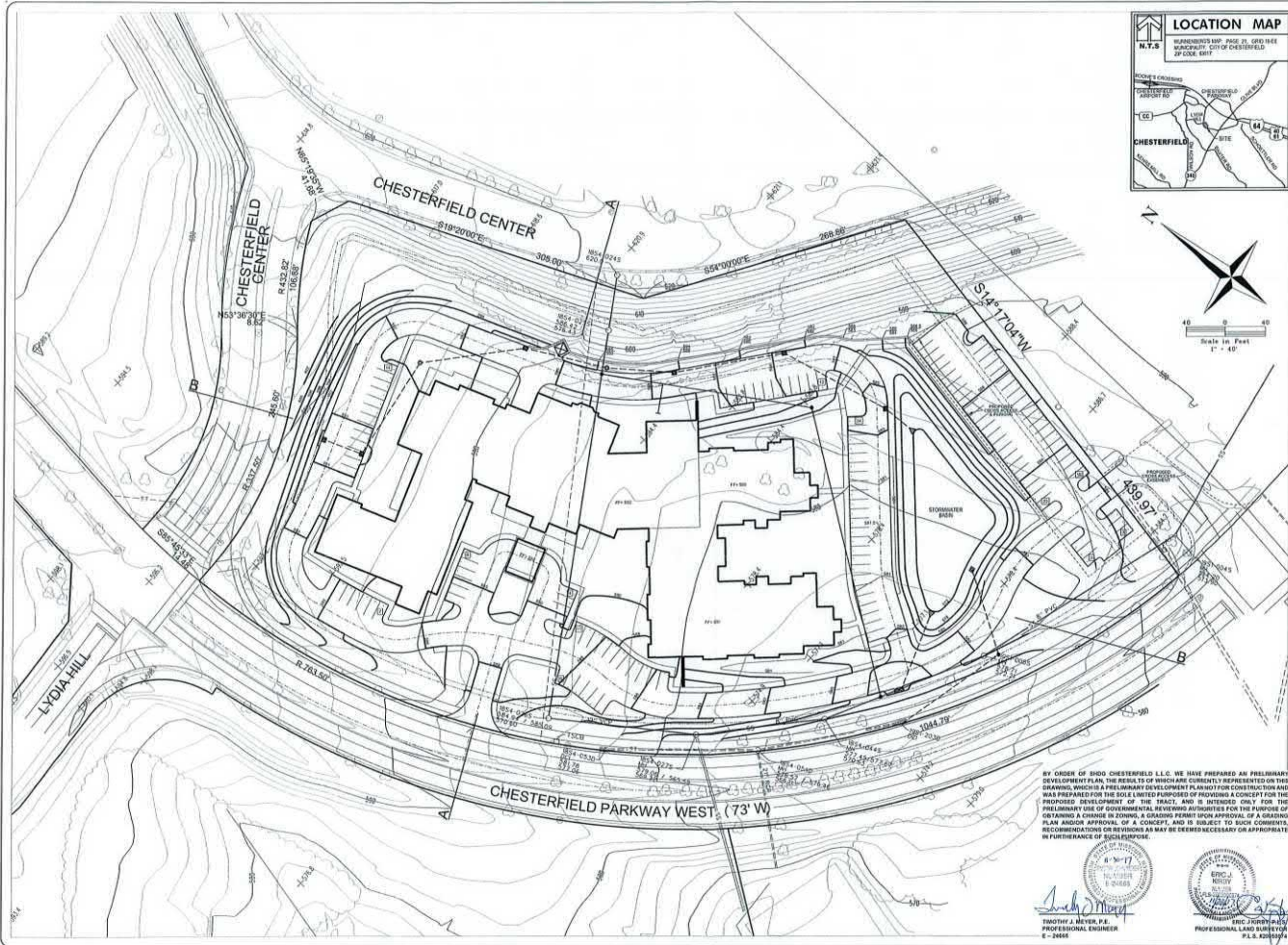
The developer is advised that utility companies will require compensation for relocation of their facilities within public right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays on utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

VI. RECORDING

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

VII. ENFORCEMENT

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



SHDG
CHESTERFIELD LLC
123 WEST WAYNE AVE
WAYNE, PA 19087
610.416.9635

1068 INDIAN HEAD INCL BLVD
ST. LOUIS, MISSOURI 63132
314.455.8212 main
314.890.1200 fax
www.volzinc.com

VOLZ
Incorporated

SHELBOURNE SENIOR LIVING

A tract of land being C109 and C206 of "Chesterfield Village Area 'A' Phase One Plat Cnr", a subdivision according to the plat thereof recorded in Plat Book 156 pages 96 and 97 of the St. Louis County Records, in U.S. Survey 2002, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri.

PRELIMINARY DEVELOPMENT PLAN

BASE MAP NO. 186
LOCAL NO. 187181A
VOLZ NO. 2148

805 CHESTERFIELD CTN
2.2 ACRES

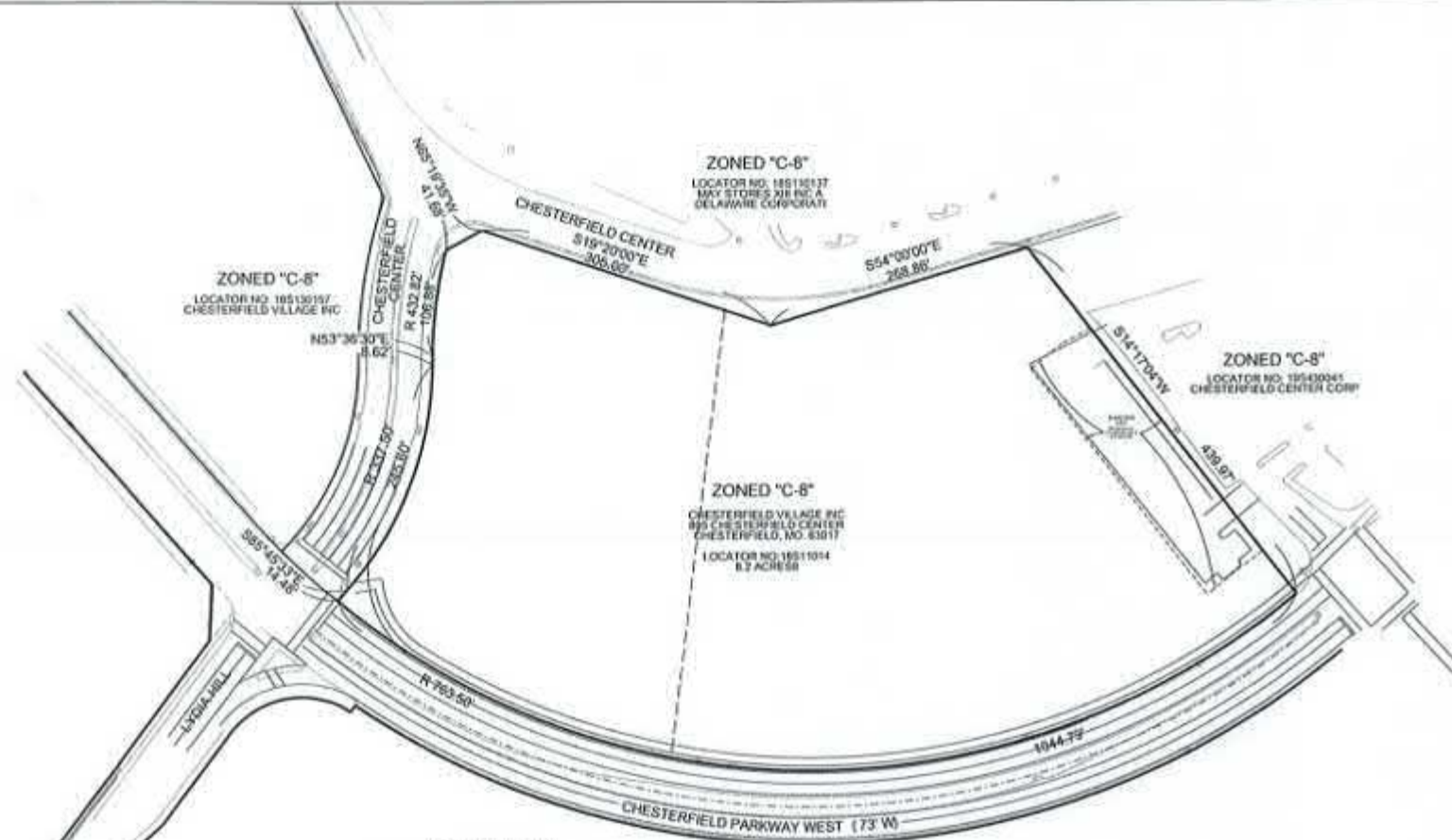
09-29-2017

BY ORDER OF SHDG CHESTERFIELD LLC, WE HAVE PREPARED AN PRELIMINARY DEVELOPMENT PLAN, THE RESULTS OF WHICH ARE CURRENTLY REPRESENTED ON THIS DRAWING, WHICH IS A PRELIMINARY DEVELOPMENT PLAN NOT FOR CONSTRUCTION AND WAS PREPARED FOR THE SOLE LIMITED PURPOSE OF PROVIDING A CONCEPT FOR THE PROPOSED DEVELOPMENT OF THE TRACT, AND IS INTENDED ONLY FOR THE PRELIMINARY USE OF GOVERNMENTAL REVIEWING AUTHORITIES FOR THE PURPOSE OF OBTAINING A CHANGE IN ZONING, A GRADING PERMIT UPON APPROVAL OF A GRADING PLAN AND/OR APPROVAL OF A CONCEPT, AND IS SUBJECT TO SUCH COMMENTS, RECOMMENDATIONS OR REVISIONS AS MAY BE DEEMED NECESSARY OR APPROPRIATE IN FURTHERANCE OF SUCH PURPOSE.

Timothy J. Meyer

TIMOTHY J. MEYER, P.E.
PROFESSIONAL ENGINEER
E-2666

ERIC J. KIRBY, P.L.S.
PROFESSIONAL LAND SURVEYOR
P.L.S. #2045974



THIS SITE IS IN THE FOLLOWING DISTRICTS:
 METROPOLITAN ST. LOUIS SEWER DISTRICT
 MONARCH FIRE PROTECTION DISTRICT
 PARKWAY SCHOOL DISTRICT
 BOGGSVILLE CREEK WATERSHED

THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS:
 MISSOURI AMERICAN WATER COMPANY
 Laclede GAS COMPANY
 AMEREN COMPANY
 SOUTHWESTERN BELL TELEPHONE COMPANY
 CHARTER COMMUNICATION (CABLE TV)

SANITARY SEWER CONNECTIONS SHALL BE AS APPROVED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT.

STORMWATER MANAGEMENT SHALL BE DESIGNED PURSUANT TO THE CITY OF CHESTERFIELD AND METROPOLITAN ST. LOUIS SEWER DISTRICT REQUIREMENTS AND DISCHARGED AT AN ADEQUATE NATURAL DISCHARGE POINT.

THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL CONDITIONS AND SHALL BE INDICATED ON THE LOCATION SHALL BE DETERMINED BY FIELD IMPROVEMENT PLANS.

GRADING SHALL BE PER CITY OF CHESTERFIELD STANDARDS.

BE ADVISED, A GRADING PERMIT OR IMPROVEMENT PLAN APPROVAL WILL NEED TO BE OBTAINED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES ON THE SITE.

PROPOSED SLOPES SHALL NOT EXCEED 3:1.

THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES, SHOWN OR NOT SHOWN AND SHALL BE LOCATED IN EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS IN THE FIELD PRIOR TO ANY GRADING. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 318, RSMO.

PROJECT NOTES:	
AREA OF SITE:	8.2 ACRES
LOCATOR NO.:	185130137
SITE ADDRESS:	805 CHESTERFIELD CENTER CHESTERFIELD, MO. 63017
OWNER OF RECORD:	CHESTERFIELD VILLAGE INC. 488 CHESTERFIELD CTR SUITE 800 CHESTERFIELD, MO 63017
PREPARED FOR:	SHELBOURNE SENIOR LIVING SHELBOURNE HEALTHCARE DEVELOPMENT GROUP 123 WEST WAYNE AVE WAYNE, PA 19087 OFFICE: 610.275.9274
PREPARED BY:	VOLZ INCORPORATED 10545 INDIAN HEAD INDL BLVD ST. LOUIS, MO 63132 314.426.6121 MAIN 314.883.1200 FAX
EXISTING ZONING:	"C-8" PLANNED COMMERCIAL
PROPOSED ZONING:	"C-8" URBAN CORNER
PROPOSED HEIGHT:	4 STORY
OPEN SPACE:	MINIMUM
OPEN SPACE AMOUNT OF 30% OPEN SPACE IS REQUIRED. OPEN SPACE SHOULD BE INTEGRATED INTO THE DEVELOPMENT TO PROVIDE AESTHETIC, RECREATIONAL, OR OTHER PUBLIC BENEFIT. COVERED DECKS/STAIRS/WALKWAYS/SCREENS/ETC MAY BE COULDED TOWARDS THE 30% OPEN SPACE REQUIREMENT.	
PARKING:	SURFACE PARKING TO MEET REQUIRED CODE

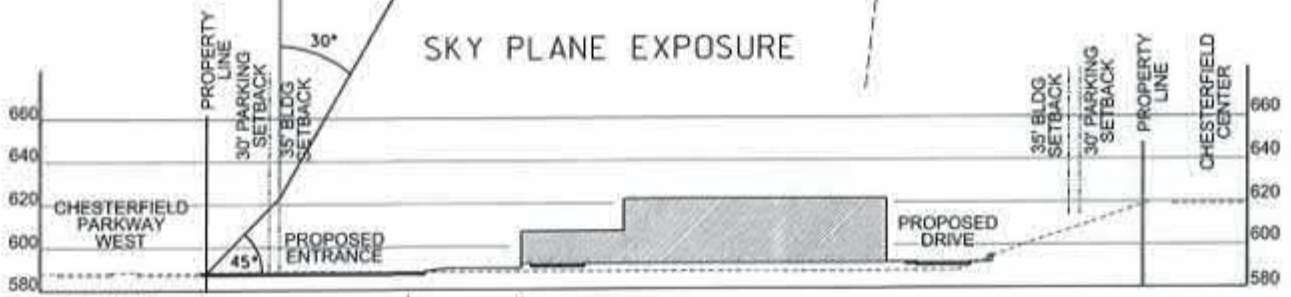
A TRACT OF LAND BEING C109 AND C208 OF "CHESTERFIELD VILLAGE AREA 'A' PHASE ONE PLAT ONE", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 188 PAGES 90 AND 91 OF THE ST. LOUIS COUNTY RECORDS, IN S.A. SURVEY 2001, TOWNSHIP 45 NORTH - RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF SAID C109, 880 FEET BEING ON THE EAST LINE OF WEST CHESTERFIELD PARKWAY, 75 FEET WIDE (FORMERLY CHESTERFIELD VILLAGE PARKWAY); THENCE EASTWARDLY ALONG THE NORTH LINE OF SAID C109 THE FOLLOWING COURSE AND DISTANCES: SOUTH 85 DEGREES 45 MINUTES 33 SECONDS EAST 14.48 FEET, ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 84 DEGREES 14 MINUTES 22 SECONDS EAST 337.58 FEET FROM THE LAST MENTIONED POINT A DISTANCE OF 245.86 FEET, NORTH 52 DEGREES 33 MINUTES 36 SECONDS EAST 842 FEET, ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 37 DEGREES 27 MINUTES 19 SECONDS EAST 432.82 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 106.84 FEET AND SOUTH 88 DEGREES 18 MINUTES 35 SECONDS EAST 41.60 FEET TO THE EAST LINE OF SAID C109; THENCE SOUTHWARDLY ALONG SAID EAST LINE AND ALONG THE NORTHEAST LINE OF SAID C208 SOUTH 19 DEGREES 20 MINUTES 00 SECONDS EAST 305.00 FEET AND SOUTH 84 DEGREES 00 MINUTES 00 SECONDS EAST 208.00 FEET TO THE EAST LINE OF SAID C308; THENCE SOUTHWARDLY ALONG SAID EAST LINE SOUTH 14 DEGREES 17 MINUTES 04 SECONDS WEST 439.87 FEET TO SAID EAST LINE OF WEST CHESTERFIELD PARKWAY, 75 FEET WIDE; THENCE NORTHWARDLY ALONG SAID EAST LINE ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 13 DEGREES 01 MINUTES 10 SECONDS EAST 703.80 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 1044.79 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.207 ACRES ACCORDING TO CALCULATIONS BY VOLZ INC. DURING AUGUST 2017.

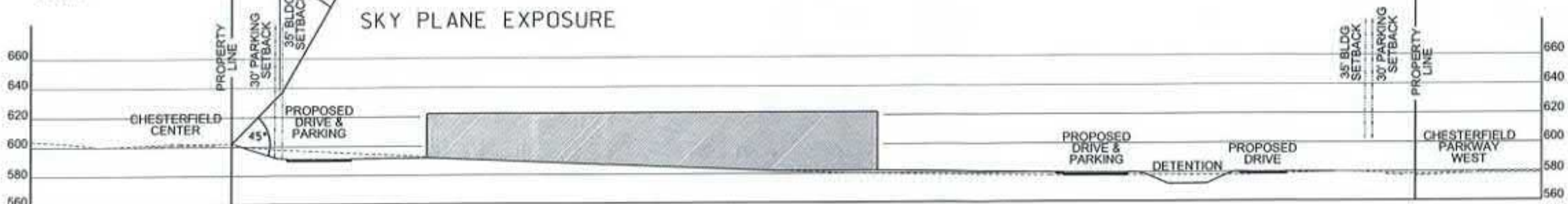
BY ORDER OF SHDG CHESTERFIELD L.L.C. WE HAVE PREPARED AN PRELIMINARY DEVELOPMENT PLAN, THE RESULTS OF WHICH ARE CURRENTLY REPRESENTED ON THIS DRAWING, WHICH IS A PRELIMINARY DEVELOPMENT PLAN NOT FOR CONSTRUCTION AND WAS PREPARED FOR THE SOLE LIMITED PURPOSE OF PROVIDING A CONCEPT FOR THE PROPOSED DEVELOPMENT OF THE TRACT, AND IS INTENDED ONLY FOR THE PRELIMINARY USE OF GOVERNMENTAL REVIEWING AUTHORITIES FOR THE PURPOSE OF OBTAINING A CHANGE IN ZONING, A GRADING PERMIT UPON APPROVAL OF A GRADING PLAN AND/OR APPROVAL OF A CONCEPT, AND IS SUBJECT TO SUCH COMMENTS, RECOMMENDATIONS OR REVISIONS AS MAY BE DEEMED NECESSARY OR APPROPRIATE IN FURTHERANCE OF SUCH PURPOSE.

TIMOTHY J. MEYER, P.E.
 PROFESSIONAL ENGINEER
 E - 2885

TIMOTHY J. MEYER, P.L.S.
 PROFESSIONAL LAND SURVEYOR
 P.L.S. 42062074



SECTION AA
 1" = 40'
 SCALE



SECTION BB
 1" = 40'
 SCALE

SHDG
 CHESTERFIELD L.L.C.
 123 WEST WAYNE AVE
 WAYNE, PA 19087
 610.419.9635

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 www.volz.com

VOLZ
 Incorporated

SHELBOURNE SENIOR LIVING

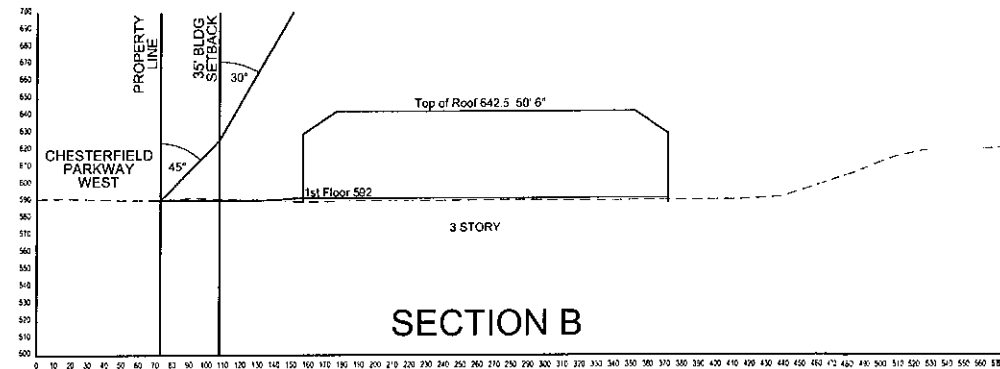
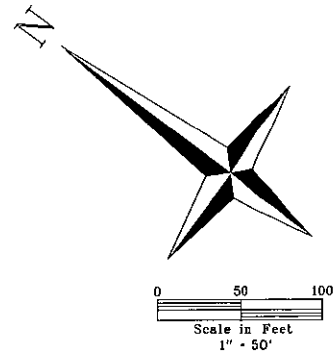
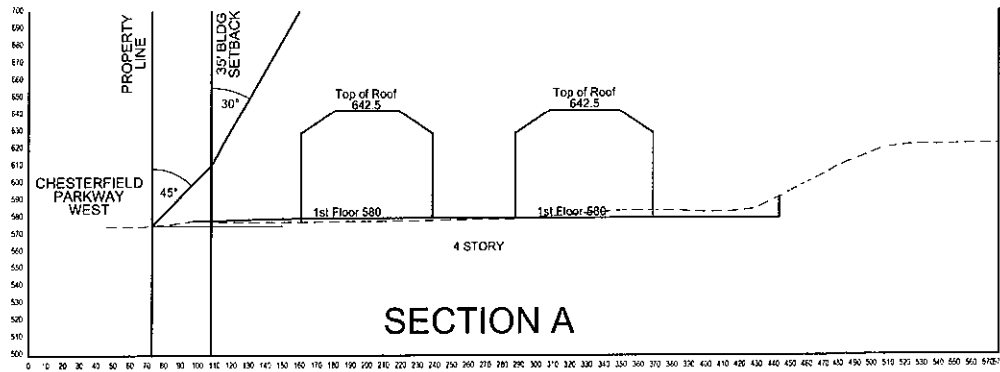
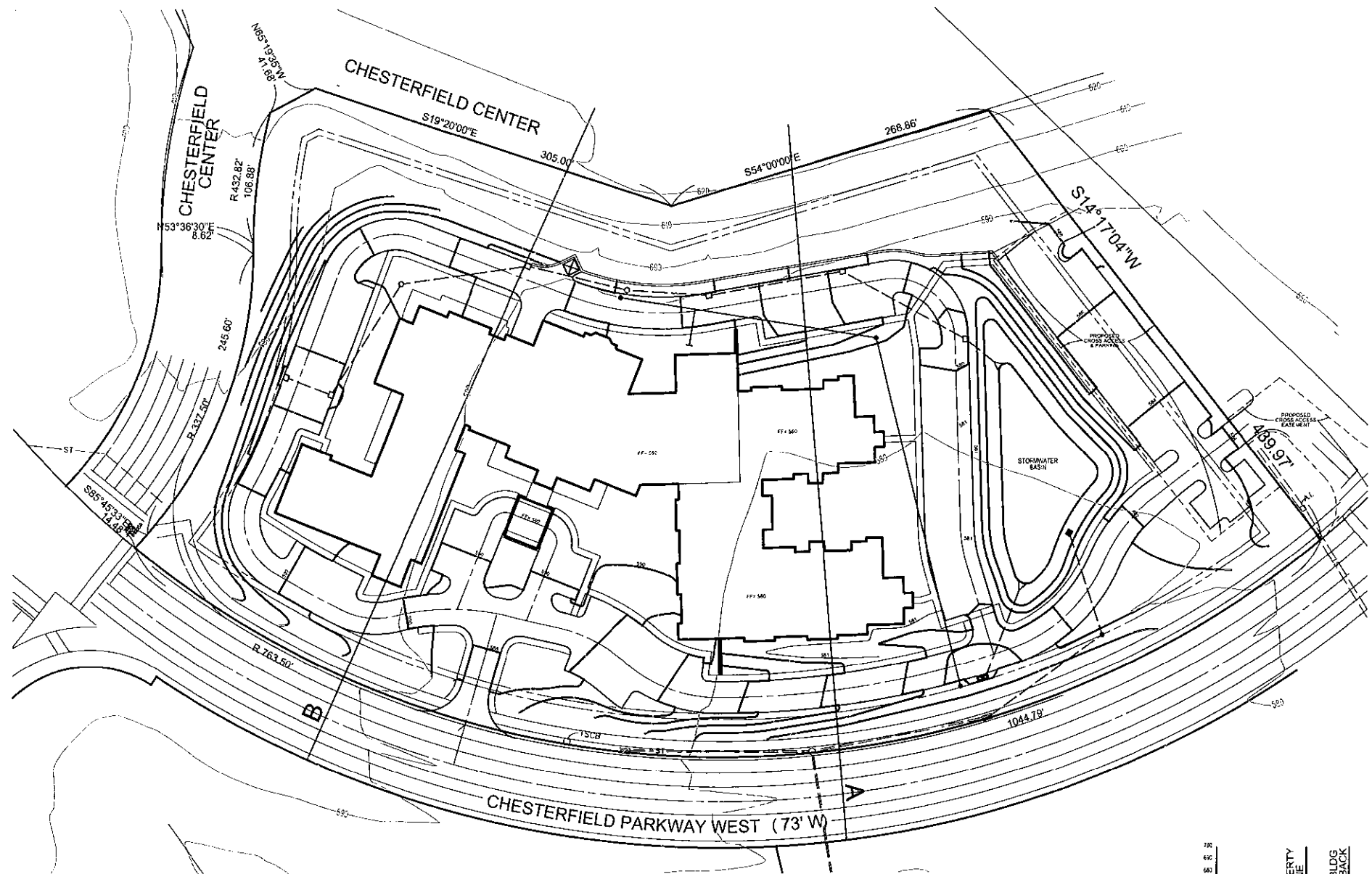
A tract of land being C109 and C208 of "Chesterfield Village Area 'A' Phase One Plat One", a subdivision according to the plat thereof recorded in Plat Book 188 pages 90 and 91 of the St. Louis County Records, in U.S. Survey 2001, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri

PRELIMINARY DEVELOPMENT PLAN

BASE MAP NO. 185
 LOCATOR NO. 185130137
 VOLZ NO. 21482

805 CHESTERFIELD CTR
 CHESTERFIELD, MO 63017

09-29-2017



SHDG
CHESTERFIELD LLC
123 WEST WAYNE AVE
WAYNE, PA 19087
610.416.9635

1089 INDIAN HEAD INCL BLVD
ST. LOUIS, MISSOURI 63132
314.426.9272 main
314.990.1290 fax
www.volzinc.com

VOLZ

SHELBOURNE SENIOR LIVING
A tract of land being C109 and C208 of "Chesterfield Village Area 'A' Phase One Plat One", a subdivision according to the plat thereof recorded in Plat Book 155 pages 96 and 97 of the St. Louis County Records, in U.S. Survey 2002, Township 45 North, Range 4 East, City of Chesterfield, St. Louis County, Missouri.

PRELIMINARY DEVELOPMENT PLAN
BASE MAP NO. 285
LOCATOR NO. 1851:0148
VOLZ NO. 21482
805 CHESTERFIELD CTR
8.2 ACRES
11/15/2016:21482:1621:Planning:Preminary:Layer

12-29-2017
3



Shelborne Senior Living Chesterfield, Missouri 63017

Shelborne Healthcare

Revisions:

Date	Description	No.

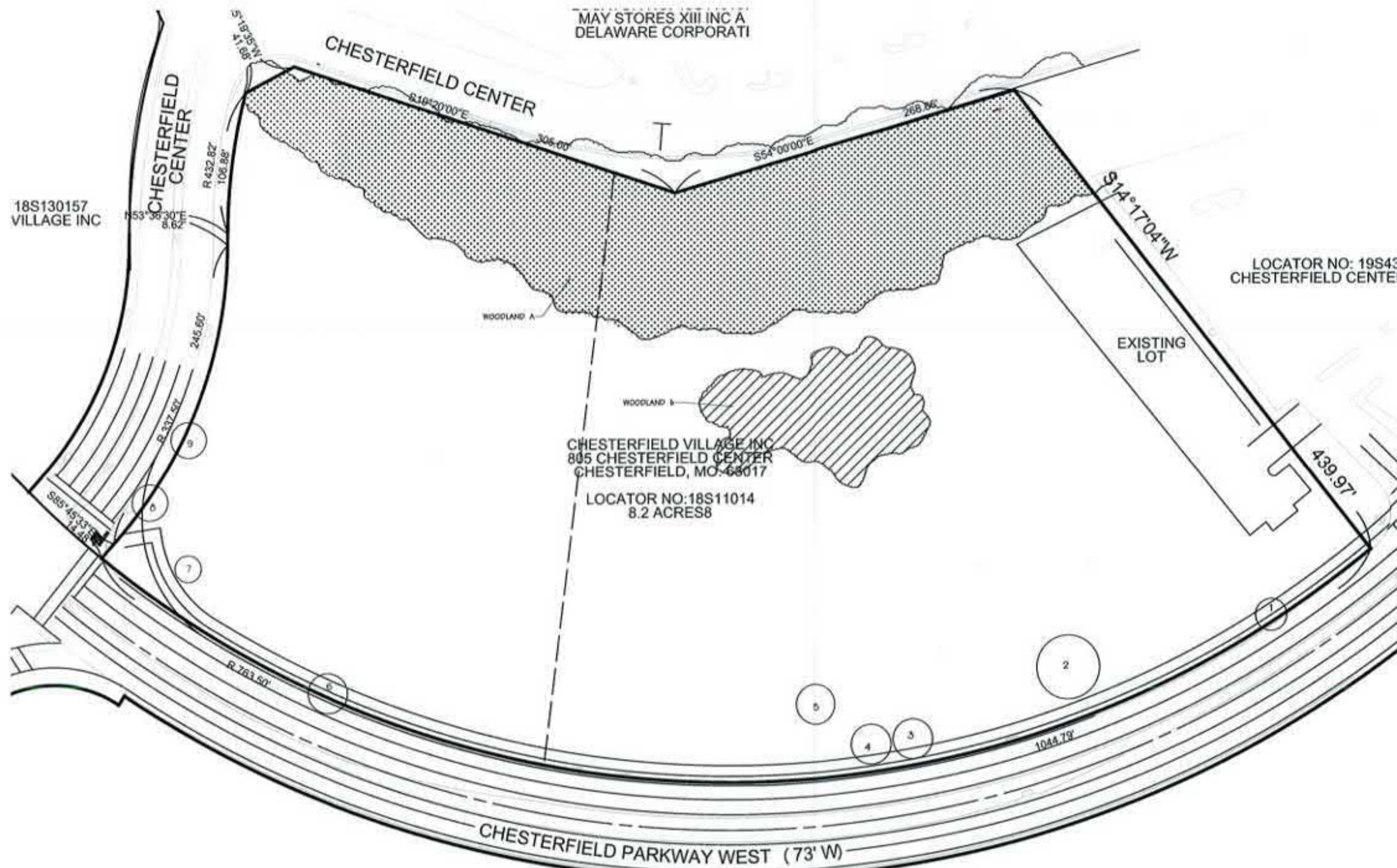
Drawn: DD
Checked: DD

DeLong & DeLong Landscape Architects, LLC
7620 West Bruno Ave
St. Louis, MO 63117
(314) 546-4856
delong.la@gmail.com

Sheet Title: Tree Stand Delineation

Sheet No: TSD-1

Date: 10-2-2017
Job #: 154-002



LOCATOR NO. 18T321095
WATERMARK AT CHESTERFIELD VILLAGE MO

LOCATOR NO. 19T641152
CHESTERFIELD VILLAGE ASSOCIATION

Tree Stand Delineation

SCALE 1" = 40'-0"

Chesterfield Parkway West					
Number	Common Name	DBH Of Trunk	Canopy Area	Condition Rating	Comment
1	Green Ash	10	452	2	Street Tree
2	Silver Maple	22	1,828	3	
3	Green Ash	16	706	2	
4	Green Ash	16	706	2	
5	HuBardy	14	706	2	
6	Green Ash	17	706	2	Street Tree
7	Red Maple	6	314	1	Sun Shade
8	Austrian Pine	18	400	2	
9	White Pine	16	530	3	
Total			6,328		

LEGEND

Location
109 - Reference Number

RATING:
1 - Fair Quality
2 - Average Quality
3 - Excellent Quality

Tree Stand Delineation Memo
October 2, 2017

The overall lot encompasses a total of 8.2 acres and has a total of 9.31 AC. of Woodlands. The attached detailed Tree Stand Delineation Map was completed by field inspection.

Woodland A: This woodland area covers the slope on the Eastern part of the site and covers 1.43 AC. The primary canopy trees are oaks of Burdock, Black Locust, Pin Oak, Elm, Ash, and Black Cherry. The average size of the inventory canopy is 6-17' dbh with a density of 80 trees per acre. The understory is primarily shrub hollyhocks and Rough Leaf Dogwood.

Woodland B: This woodland area is found in the center of the site (27 AC) and is made up of intermixed Burdock, Black Cherry, Ash, Silver Maple, with some hollyhock at the south end corner. The average size is 6-9' dbh.

All invent. size information on trees were found on the site.

WOODLAND A	=	1.43	Ac.	(62,339 sq. ft.)
WOODLAND B	=	6.27	Ac.	(27,009 sq. ft.)
WOODLAND TREES	=	9.14	Ac.	(39,328 sq. ft.)
Total Existing Canopy		1.84	Ac.	(80,704 sq. ft.)

Tree Stand Delineation Plan Prepared under direction of Skip Kincaid of Hansen's Tree Service
Certified Arborist MW-041558W

Skip Kincaid

Scale Map Provided by: V&E Engineering

BILL NO. 3173

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN EXISTING “PUD” PLANNED UNIT DEVELOPMENT TO A “LLR” LARGE LOT RESIDENTIAL DISTRICT FOR A 17.4 ACRE TRACT OF LAND LOCATED WEST OF WILSON AVENUE AND NORTHWEST OF THE INTERSECTION OF WILSON AVENUE AND CLARKSON ROAD (P.Z. 18-2017 FALLING LEAVES ESTATES II — 19T220214, 19T210161).

WHEREAS, the petitioner, Fisher Family Investments LP has requested a change in zoning from a “PUD” Planned Unit Development to a “LLR” Large Lot Residential District for a 17.4 acre tract of land located west of Wilson Avenue and northwest of the intersection of Wilson Avenue and Clarkson Road; and,

WHEREAS, a Public Hearing was held before the Planning Commission on December 11, 2017; and,

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

WHEREAS, the Planning and Public Works Committee in a meeting of the Committee of the Whole, having considered said request, recommended approval of the change of zoning; and,

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

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

Section 1. City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing an “LLR” Large Lot Residential District for 17.4 acre tract of land located west of Wilson Avenue and northwest of the intersection of Wilson Avenue and Clarkson Road and as described as follows:

A TRACT OF LAND BEING ALL OF LOTS 1 AND 1A OF “A RESUBDIVISION OF LOT 1 OF FALLING LEAVES ESTATES” ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT

THEREOF RECORDED IN PLAT BOOK 327, PAGE 88 OF SAID RECORDS, LOCATED IN SECTIONS 16 AND 21, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS

BEGINNING AT THE NORTHWEST CORNER OF ABOVE SAID LOT 1 OF SAID RESUBDIVISION, THENCE ALONG THE NORTH LINE OF SAID LOT 1, NORTH 88 DEGREES 02 MINUTES 40 SECONDS EAST, 714.14 FEET TO A POINT ON THE WEST LINE OF WILSON ROAD, AS WIDENED, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID LOT 1; THENCE LEAVING LAST SAID NORTH LINE AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WILSON ROAD, SOUTH 00 DEGREES 15 MINUTES 50 SECONDS WEST, 710.17 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF COMMON GROUND OF "WILSON FARM ESTATES PLAT 1", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 217 PAGE 90 OF SAID RECORDS; THENCE LEAVING LAST SAID WEST RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID LOT 1 AND ABOVE SAID LOT 1A, SAID LINE ALSO BEING THE NORTH LINE OF SAID "WILSON FARM ESTATES PLAT ONE" THE FOLLOWING COURSES AND DISTANCES: NORTH 89 DEGREES 45 MINUTES 00 SECONDS WEST, 385.00 FEET; SOUTH 82 DEGREES 26 MINUTES 58 SECONDS WEST, 261.68 FEET; SOUTH 88 DEGREES 00 MINUTES 00 SECONDS WEST, 237.22 FEET; SOUTH 65 DEGREES 53 MINUTES 25 SECONDS WEST, 108.09 FEET AND NORTH 89 DEGREES 24 MINUTES 40 SECONDS WEST, 310.31 FEET TO A POINT BEING THE SOUTHWEST CORNER OF SAID LOT 1A, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 130 OF SAID "WILSON FARM ESTATES PLAT ONE"; THENCE LEAVING LAST SAID LINE AND ALONG THE WEST LINE OF SAID LOT 1A THE FOLLOWING COURSES AND DISTANCES: NORTH 00 DEGREES 35 MINUTES 00 SECONDS EAST, 106.67 FEET; NORTH 41 DEGREES 00 MINUTES 00 SECONDS WEST, 52.26 FEET; NORTH 37 DEGREES 00 MINUTES 00 SECONDS EAST, 56.88 FEET; NORTH 00 DEGREES 04 MINUTES 20 SECONDS WEST, 169.58 FEET TO THE NORTHWEST CORNER OF SAID LOT 1A; THENCE WITH THE NORTH LINE OF SAID LOT 1A AND THE

NORTHWEST LINE OF SAID LOT 1, NORTH 89 DEGREES 55 MINUTES 40 SECONDS EAST, 325.00 FEET; AND NORTH 32 DEGREES 02 MINUTES 02 SECONDS EAST, 479.18 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.37 ACRES, MORE OR LESS ACCORDING TO RECORD INFORMATION AND SUBJECT TO THE RESULTS OF A FUTURE PROPERTY BOUNDARY SURVEY.

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 Fisher Family Investments LP, Inc. in P.Z. 18-2017, 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 11th day of December 2017, 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 _____, 2018

PRESIDING OFFICER

Bob Nation, MAYOR

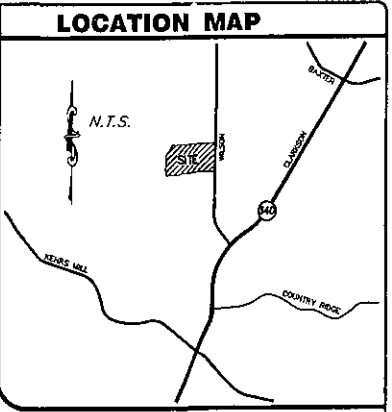
ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD: 01/17/2018

Falling Leaves Estates

TWO TRACTS OF LAND BEING ALL OF LOTS 1 AND 1A
OF "RESUBDIVISION OF LOT 1 OF FALLING LEAVES ESTATES" (P.B. 327, PG. 88)
ALL LOCATED IN SECTIONS 16 AND 21, TOWNSHIP 45 NORTH, RANGE 4 EAST
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



ISSUE/REMARKS/DATE
1 10-2-2017

Fischer Custom Homes LLC
695 TRADE CENTER BLVD STE. 200
CHESTERFIELD, MO 63005
Ph. 314 576-0500
Fax 314 576-0502

THE STERLING CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63128
Ph 314-487-0440 Fax 314-487-4844
www.sterling-engineers.com
Corporate Certificate of Authority #0011348

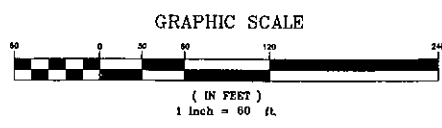
Falling Leaves Estates

CHESTERFIELD, MISSOURI

The Professional Engineer's seal and signature shall be placed on this drawing at the time of preparation of the drawing and shall remain on the drawing until the drawing is approved by the original and the engineer's signature shall be a part of the record of the drawing. The engineer's signature shall not be placed on the drawing until the drawing is approved by the original and the engineer's signature shall be a part of the record of the drawing.

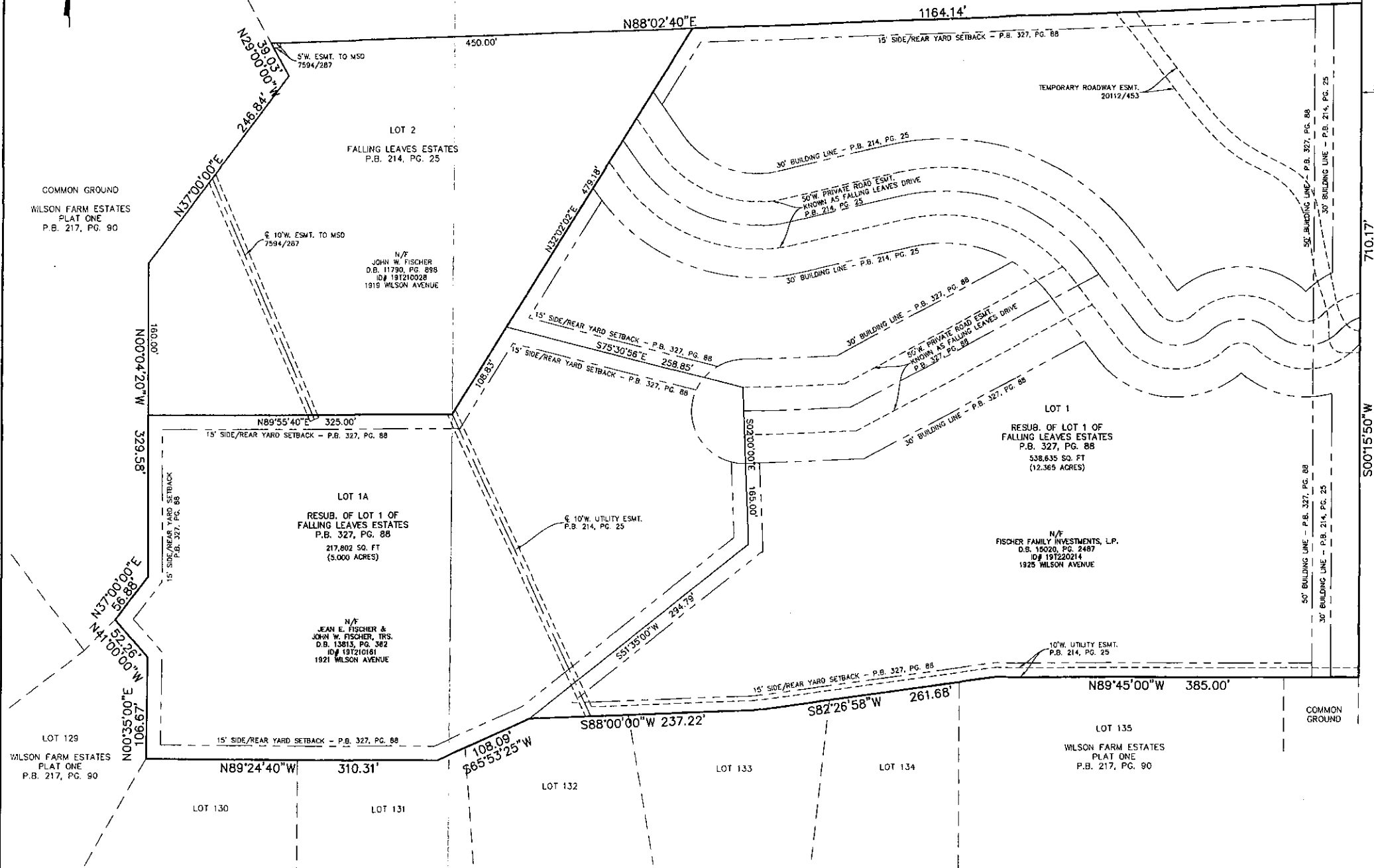
Date: _____
License No. _____
Civil Engineer

Job Number: **12-06-162**
Date: **Oct. 3, 2017**
Designed: _____ Sheet _____
Drawn: _____ 1.1
Checked: _____



LOT 1
SUBD. OF ADJUSTED LOT A OF
BNDRY. ADJUSTMENT PLAT
P.B. 333, PG. 27

N/E
KEITH J. STROPE &
DONNA J. STROP N/W
ID# 191220225
1695 WILSON AVENUE



LEGAL DESCRIPTION (LOTS 1 AND 1A):

A TRACT OF LAND BEING ALL OF LOTS 1 AND 1A OF "A RESUBDIVISION OF LOT 1 OF FALLING LEAVES ESTATES" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 327, PAGE 88 OF SAID RECORDS, LOCATED IN SECTIONS 16 AND 21, 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 THE NORTHWEST CORNER OF ABOVE SAID LOT 1 OF SAID RESUBDIVISION, THENCE ALONG THE NORTH LINE OF SAID LOT 1, NORTH 88 DEGREES 00 MINUTES 40 SECONDS EAST, 714.14 FEET TO A POINT ON THE WEST LINE OF WILSON AVENUE, AS WIDENED, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID LOT 1; THENCE LEAVING LAST SAID NORTH LINE AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WILSON AVENUE, SOUTH 00 DEGREES 15 MINUTES 50 SECONDS WEST, 710.17 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF COMMON GROUND OF "WILSON FARM ESTATES PLAT 1", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 217 PAGE 90 OF SAID RECORDS; THENCE LEAVING LAST SAID WEST RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID LOT 1 AND ABOVE SAID LOT 1A, SAID LINE ALSO BEING THE NORTH LINE OF SAID "WILSON FARM ESTATES PLAT ONE" THE FOLLOWING COURSES AND DISTANCES: NORTH 89 DEGREES 45 MINUTES 00 SECONDS WEST, 385.00 FEET; SOUTH 82 DEGREES 26 MINUTES 58 SECONDS WEST, 281.88 FEET; SOUTH 88 DEGREES 00 MINUTES 00 SECONDS WEST, 237.22 FEET; SOUTH 85 DEGREES 53 MINUTES 25 SECONDS WEST, 108.08 FEET AND NORTH 89 DEGREES 24 MINUTES 40 SECONDS WEST, 310.31 FEET TO A POINT BEING THE SOUTHWEST CORNER OF SAID LOT 1A, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 130 OF SAID "WILSON FARM ESTATES PLAT ONE"; THENCE LEAVING LAST SAID LINE AND ALONG THE WEST LINE OF SAID LOT 1A THE FOLLOWING COURSES AND DISTANCES: NORTH 00 DEGREES 35 MINUTES 00 SECONDS EAST, 108.87 FEET; NORTH 44 DEGREES 00 MINUTES 00 SECONDS WEST, 52.28 FEET; NORTH 37 DEGREES 00 MINUTES 00 SECONDS EAST, 58.88 FEET; NORTH 00 DEGREES 04 MINUTES 20 SECONDS WEST, 169.58 FEET TO THE NORTHWEST CORNER OF SAID LOT 1A; THENCE WITH THE NORTH LINE OF SAID LOT 1A AND THE NORTHWEST LINE OF SAID LOT 1, NORTH 89 DEGREES 55 MINUTES 40 SECONDS EAST, 325.00 FEET; AND NORTH 32 DEGREES 02 MINUTES 02 SECONDS EAST, 478.18 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.37 ACRES, MORE OR LESS ACCORDING TO RECORD INFORMATION AND SUBJECT TO THE RESULTS OF A FUTURE PROPERTY BOUNDARY SURVEY.

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF OCTOBER, 2017, AT THE REQUEST OF FISCHER CUSTOM HOMES, LLC, PREPARED THIS EXHIBIT OF "FALLING LEAVES ESTATES" A TRACT OF LAND BEING ALL OF LOTS 1 AND 1A OF "A RESUBDIVISION OF LOT 1 OF FALLING LEAVES ESTATES" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 327, PAGE 88 OF SAID RECORDS, LOCATED IN SECTIONS 16 AND 21, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

THE STERLING COMPANY

NOV 2 2017

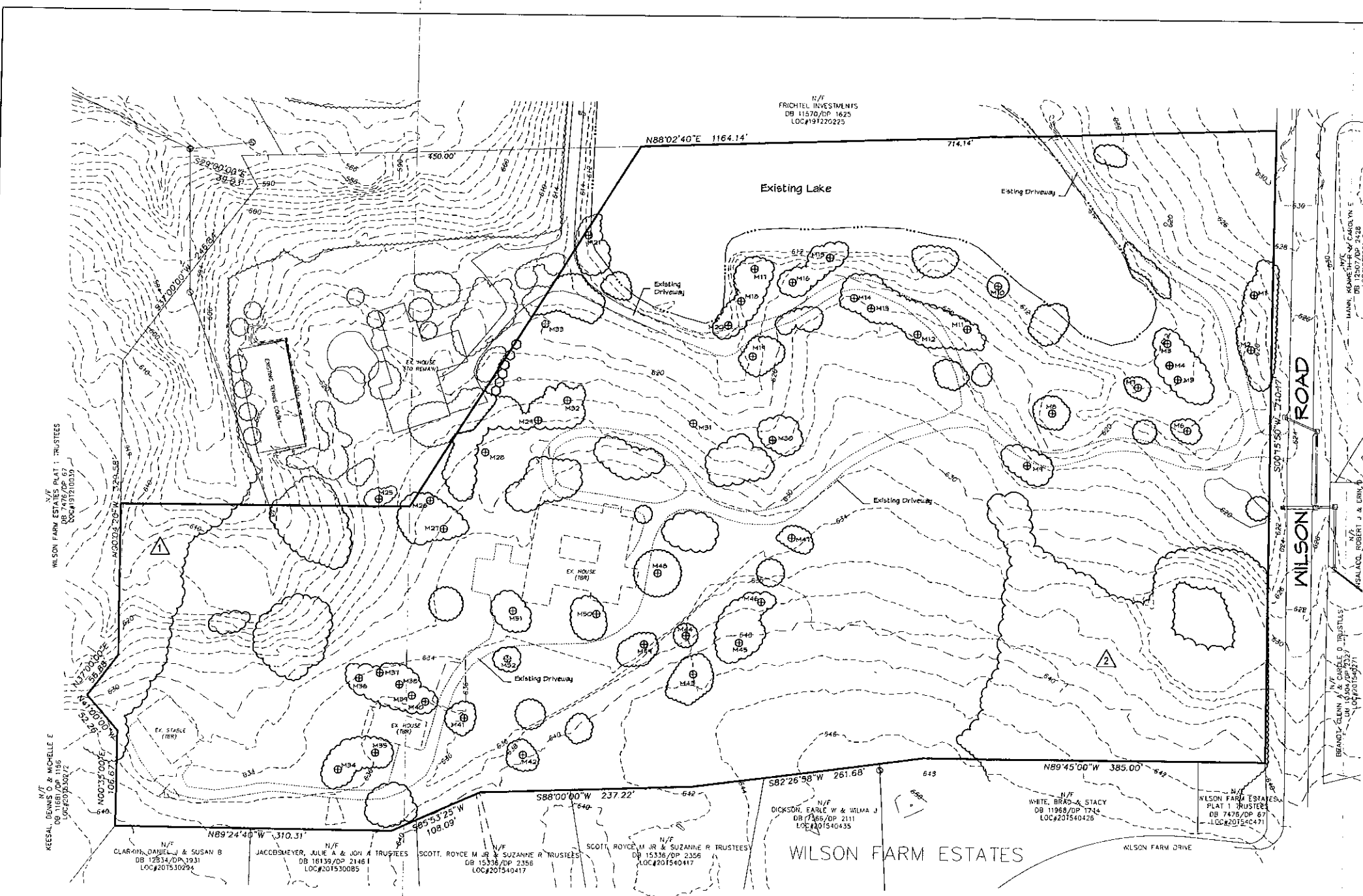
NO. 2336

GEORGE J. GOWER - VICE PRESIDENT

M.O. REG. #2336

MSD Base Map - 19T, 20T

Drawing Name: V:\11206702\Wilson Farm\Drawings\Boundary\Boundary.dwg Plotted on: Oct 24, 2017 1:28pm Plotted by: shvchick



- Legend:**
- Existing tree or tree mass
 - Existing monarch tree
 - BAF Sample Point

Monarch Trees

Tree#	Species	dbh	Cond
M1	E. Redcedar	20	Fair
M2	E. Redcedar	20	Fair
M3	Silver Maple	30	Fair
M4	Silver Maple	37	Fair
M5	Silver Maple	20	Fair
M6	White Pine	23	Good
M7	Spruce spp	25	Fair
M8	Basswood	20x20x24"	Fair
M9	Pin Oak	30	Fair
M10	Sugar Maple	25	Fair
M11	White Pine	22	Fair
M12	White Pine	28	Fair
M13	Pin Oak	25	Fair
M14	White Pine	37	Fair
M15	Black Cherry	22	Fair
M16	White Pine	25	Fair
M17	Ash	29	Fair
M18	Sycamore	25	Fair
M19	Ash	32	Fair
M20	Sycamore	26	Fair
M21	White Pine	24	Fair
M25	Pin Oak	29	Fair
M26	Pin Oak	26	Fair
M27	Tulip Poplar	20	Fair
M28	White Pine	23	Fair
M29	Ash	23	Fair
M30	Pin Oak	29	Fair
M31	Red Oak	25	Fair
M32	Sugar Maple	27	Fair
M33	River Birch	23	Fair
M34	Silver Maple	27	Fair
M35	Silver Maple	28	Fair
M36	Silver Maple	40	Fair
M37	Silver Maple	24	Fair
M38	Silver Maple	40	Fair
M39	Pin Oak	28	Fair
M40	Sweetgum	22	Fair
M41	River Birch	27	Fair
M42	Silver Maple	25	Fair
M43	Pin Oak	29	Fair
M44	Sweetgum	23	Fair
M45	Ash	31	Fair
M46	Pin Oak	22	Fair
M47	Sweetgum	20	Fair
M48	Sweetgum	21	Fair
M49	Sugar Maple	25	Fair
M50	Pin Oak	31	Fair
M51	Red Oak	28	Fair
M52	Catalpa	27	Fair

Tree Preservation Calculations:

1. Site of Track: 11.31 acres (1/3)
2. Existing tree canopy: 4.44 acres (1/3)
3. Trees required to be retained: 139 trees (50% of existing tree canopy)
4. Source of base information: Outboundary, topographic and preliminary engineering information obtained from available records, and as provided by the Sterling Company Engineers Surveyors.

Sample Point Information

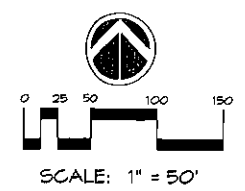
Tree#	Species	dbh	Cond	Comments
1	Hackberry	7"	Fair	BAF Point 1
2	Hackberry	8x11x12"	Poor	BAF Point 1
3	Hickory	6"	Poor	BAF Point 1
4	Hackberry	6"	Fair	BAF Point 1
5	Hackberry	11"	Fair	BAF Point 1
6	Post Oak	18"	Fair	BAF Point 1
7	Hackberry	9"	Fair	BAF Point 1
8	Hackberry	10"	Fair	BAF Point 1
9	Elm	8"	Dead	BAF Point 1
10	Elm	10"	Dead	BAF Point 1
11	White Oak	37"	Fair	BAF Point 1
12	Hickory	12"	Fair	BAF Point 1
13	Hickory	14"	Fair	BAF Point 1
14	Hackberry	13x14x15"	Fair	BAF Point 1
M15	White Oak	30"	Fair	BAF Point 1
M16	White Oak	39"	Fair	BAF Point 1
1	Red Maple	18"	Very Poor	BAF Point 2
2	Elm	11"	Poor	BAF Point 2
3	Red Maple	15"	Poor	BAF Point 2
4	White Pine	23"	Fair	BAF Point 2
5	Silver Maple	64"	Poor	BAF Point 2
6	Red Maple	8"	Very Poor	BAF Point 2
7	Mulberry	16"	Very Poor	BAF Point 2

BAF Point 1

Elm	2	13%
Hackberry	7	44%
Hickory	3	19%
Post Oak	1	6%
White Oak	3	19%

BAF Point 2

Silver Maple	1	14%
Elm	1	14%
White Pine	1	14%
Red Maple	3	43%
Mulberry	1	14%



Prepared for:
FISCHER & FRICHEL CUSTOM HOMES, LLC.
 695 Trade Center Boulevard
 Suite 200
 Chesterfield, Missouri 63005

Arborist/Forester:
 Bruce Vauter
 Forestry Consultant Services
 4921 Manorak Drive
 St. Louis, Missouri 63126
 314/849-2753
 Certified Arborist: # MW-0469A
 Certified Forester: # 2501
Bruce Vauter

Falling Leaves Estates II
 Tree Stand Delineation

HALL + ASSOCIATES, L.L.C.
 LAND PLANNING
 LANDSCAPE ARCHITECTURE
 424 SOUTH CLAY AVENUE, ST. LOUIS, MO 63122 314.966.5377

Drawn By: JSH
 Date: 1-19-16
 Revision: 3-23-16

Checked By: [Blank]
 Project Number: 13004
 Sheet Number: 1 OF 1

BILL NO. 3174

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY OF CHESTERFIELD ORDINANCE 2,442 TO REVISE DEVELOPMENT RESTRICTIONS IN A “PC” PLANNED COMMERCIAL DISTRICT FOR 2.61 ACRES LOCATED NORTH OF EDISON AVENUE AND NORTHEAST OF THE INTERSECTION OF CHESTERFIELD COMMONS EAST ROAD AND EDISON AVENUE (P.Z. 21-2017 CLOCK TOWER PLAZA {KOMMERZ LC} 17T240243).

WHEREAS, the petitioner, Kommerz LC has requested a text amendment to City of Chesterfield Ordinance 2,442 with respect to the hours of operation for the Clock Tower Plaza subdivision. This amendment would revise the development restrictions in a “PC” Planned Commercial district for a 2.61 acre tract of land located north of Edison Avenue and northeast of the intersection of Chesterfield Commons East Road and Edison Avenue.; and,

WHEREAS, a Public Hearing was held before the Planning Commission on January 08, 2018; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the text amendment by a vote of 6-2; and,

WHEREAS, Per City Council policy #30, those amendments to existing planned district ordinances which receive a vote of $\frac{3}{4}$ of those present with a minimum of 5 votes, will go directly to City Council; and,

WHEREAS, the City Council, having considered said request, voted to approve the text amendment request.

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

Section 1. Section I.A.2. of the Attachment “A” of City of Chesterfield Ordinance Number 2,442 is repealed and in lieu thereof the following is adopted.

- b. Hours of operation for restaurants, retail sales, and recreational uses are as follows:

Normal Hours

6 a.m. to 11 p.m., Sunday – Thursday

6 a.m. to 12 midnight, Friday and Saturday

Seasonal Hours (from the day after Thanksgiving through December 23)
6 a.m. to 12 midnight, Sunday – Thursday
6 a.m. to 1 a.m., Friday and Saturday

Four Promotions per Calendar Year
(By permit only; same as “Seasonal Hours” - limit to three (3) days per promotion)

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 Kommerz LC, requesting the text 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 8th day of January 2018, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

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

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

Passed and approved this _____ day of _____, 2018

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD: 01/17/2018

BILL NO. 3175

ORDINANCE NO. _____

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 2055 TO AMEND THE LEGAL DESCRIPTION AND DEVELOPMENT CONDITIONS FOR A 15.4 ACRE TRACT OF LAND, MORE OR LESS, ZONED "PI" PLANNED INDUSTRIAL DISTRICT LOCATED NORTH OF HIGHWAY 40/INTERSTATE 64, WEST OF BOONE'S CROSSING [P.Z. 14-2017 LARRY ENTERPRISES-LYNCH HUMMER (17401 N OUTER 40 RD) ORDINANCE AMENDMENT 17U610139, 17U520258, 17U520269].

WHEREAS, Stock & Associates Consulting Engineers, Inc. on behalf of Maryland Land Company LLC, MCB Design LLC, and Scott Joe H Sr Living Trust, has requested an ordinance amendment to amend the legal description and development conditions for a 15.4 acre tract of land, more or less, located north of Highway 40/Interstate 64, west of Boone's Crossing; and,

WHEREAS, a Public Hearing was held before the Planning Commission on November 27, 2017; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the ordinance amendment on January 8, 2018; and,

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the ordinance amendment with one amendment; and

WHEREAS, the City Council, having considered said amendment by the Planning and Public Works Committee, voted on February 5, 2018 to approve the ordinance amendment request with one amendment.

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 Ordinance 2055 is hereby repealed and those conditions therein incorporated into the Attachment A, which is attached hereto and made a part hereof for Larry Enterprises-Lynch Hummer and as described as follows:

A TRACT OF LAND BEING LOT B OF "LARRY ENTERPRISES AND LYNCH HUMMER SUBDIVISION" ACCORDING TO THE PLAT THEREOF RECORDED IN

PLAT BOOK 352, PAGE 135, AND PARCELS 1 AND 2 OF THE "LOT SPLIT PLAT OF ADJUSTED LOT A1 OF THE BOUNDARY ADJUSTMENT PLAT OF LOT 2 OF AMENDED OUTDOOR EQUIPMENT SUBDIVISION AND LOT A1 OF THE RESUBDIVISION OF LARRY ENTERPRISES AND LYNCH HUMMER, PB 364, PG 369" A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 365, PAGE 262 OF THE ST. LOUIS COUNTY RECORDS, LOCATED IN U.S. SURVEY 125, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF ABOVE SAID LOT B, SAID POINT ALSO BEING LOCATED ON THE NORTH RIGHT-OF-WAY LINE OF NORTH OUTER 40 ROAD, VARIABLE WIDTH; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 87 DEGREES 59 MINUTES 38 SECONDS WEST, 102.27 FEET; NORTH 85 DEGREES 17 MINUTES 37 SECONDS WEST, 978.82 FEET AND NORTH 84 DEGREES 06 MINUTES 40 SECONDS WEST, 86.13 FEET TO THE SOUTHWEST CORNER OF ABOVE SAID PARCEL 2 OF THE LOT SPLIT PLAT RECORDED IN PLAT BOOK 365, PAGE 262; THENCE ALONG THE WEST LINE OF SAID PARCEL 2, NORTH 00 DEGREES 33 MINUTES 56 SECONDS EAST, 509.16 FEET TO THE NORTHWEST CORNER THEREOF; THENCE ALONG THE NORTH, WEST AND NORTH LINES OF SAID PARCEL 2 AND PARCEL 1 AND ABOVE SAID LOT B OF THE "LARRY ENTERPRISES AND LYNCH HUMMER SUBDIVISION" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 352, PAGE 135, THE FOLLOWING COURSES AND DISTANCES: NORTH 85 DEGREES 06 MINUTES 10 SECONDS EAST, 125.05 FEET; SOUTH 89 DEGREES 15 MINUTES 32 SECONDS EAST, 51.19 FEET; NORTH 00 DEGREES 34 MINUTES 00 SECONDS EAST, 34.93 FEET AND SOUTH 88 DEGREES 08 MINUTES 08 SECONDS EAST, 488.67 FEET TO THE NORTHEAST CORNER OF THE AFORESAID PARCEL 1 BEING ON THE WESTERN LINE OF THE AFORESAID LOT B; THENCE CROSSING SAID LOT B, SOUTH 88 DEGREES 09 MINUTES 08 SECONDS EAST, 37.81 FEET AND SOUTH 84 DEGREES 53 MINUTES 54 SECONDS EAST, 461.24 FEET TO THE EAST LINE OF SAID LOT B; THENCE ALONG SAID EAST LINE, SOUTH 00 DEGREES 19 MINUTES 57 SECONDS WEST, 581.52 FEET TO THE POINT OF BEGINNING AND CONTAINING 672,883 SQUARE FEET OR 15.447 ACRES MORE OR LESS ACCORDING TO CALCULATIONS PERFORMED BY STOCK & ASSOCIATES CONSULTING ENGINEERS, INC ON MARCH 13, 2017.

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

Section 3. The City Council, pursuant to the petition filed by Stock & Associates Consulting Engineers, Inc. in P.Z. 14-2017, 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 27th day of November 2017, 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 _____, 2018.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD: 02/05/2018

ATTACHMENT A

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

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this "PI" Planned Industrial District development shall be:
 - a. Education Facility – Vocational School
 - b. Commercial Service Facility
 - c. Financial Institution, no drive-through
 - d. Mail order sales warehouse
 - e. Office – dental
 - f. Office – general
 - g. Office – medical
 - h. Plumbing, electrical, air conditioning, and heating equipment sales, warehouse, warehousing and repair facility
 - i. Restaurant – sit-down
 - j. Research laboratory and facility
 - k. Automobile dealership
 - l. Trucks, trailers, construction equipment, agricultural equipment sales, rental, leasing, outdoor storage
 - m. Vehicle repair and services facility
 - n. Retail sales establishment – community
 - o. Retail sales establishment – neighborhood
 - p. Industrial sales, service, and storage
 - q. Car wash
 - r. Warehouse, general

2. The above uses in the "PI" Planned Industrial District shall be restricted as follows:
 - a. Use "j" shall exclude uses which generate hazardous environmental waste, liquid, solid or gaseous.
 - b. Outdoor storage associated with uses "k" and "l" shall only be permitted in areas delineated on the preliminary plan.
 - c. Any outdoor storage associated with use "m" shall be prohibited.
 - d. Uses "n" and "o" listed above are considered retail uses and retail sales, and will be subject to hours of operation from 6:00 am to 11:00 pm. Hours of operation for said uses may be expanded for

Thanksgiving Day and the day after Thanksgiving upon review and approval of a Special Activities Permit, signed by the property owner and submitted to the City of Chesterfield at least seven (7) days in advance of said holiday.

- e. Use “r” above shall exclude live animals explosives, or flammable gases and liquids.
- f. The sale or storage of damaged vehicles shall be prohibited within outdoor areas of this development.

B. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

1. Floor Area

- a. The amount of square footage constructed shall be based on the developer’s ability to comply with the parking regulations of the City of Chesterfield Zoning Ordinance.
- b. The total square footage of all buildings in the development shall not exceed 224,000 square feet, and no single property shall exceed 0.36 FAR.

2. Height

- a. Maximum building height shall be three (3) stories or forty-five (45) feet (exclusive of mechanical equipment) whichever is less. Height limitation shall also be exclusive of parapet walls.

NOTE: The building heights referenced are to be measured from final grade.

3. Building Requirements

- a. A minimum of thirty-five percent (35%) openspace shall be provided on each platted tract within this development.

C. SETBACKS

1. Structure Setbacks

No building or structure, other than: boundary walls, retaining walls, signs, light standards, flag poles or fences, shall be located within the setbacks shown on the Preliminary Plan, attached hereto as Attachment B.

2. Parking Setbacks

No parking stall, loading space, internal driveway, or roadway, except points of ingress or egress, shall be located within the setbacks shown on the Preliminary Plan, attached hereto as Attachment B.

D. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall submit a landscape plan in accord with the Landscape Guidelines adopted by the Planning Commission, either as part of the appropriate Site Development Concept Plan or on a separate drawing to be reviewed as part of said plan, to comply with the following:
 - a. If the estimated cost of new landscaping indicated on the Site Development Section Plans as required by the Planning Commission exceeds one thousand (\$1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping.
 - b. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.
 - c. Since landscaping is not permitted in the underseepage berm area, landscape provisions for said area, including but not exclusive to landscaped parking islands and perimeter landscaping requirements, will not be required to adhere to the Landscaping Guidelines adopted by the Planning Commission. In this event, landscaping plans shall be approved by the Planning Commission during the appropriate site development plan (Concept or Section) review. The landscaping plans will include additional landscaping provisions in the front portion of the building area which will buffer the lack of landscaping in the rear of the property. The landscaping plans will include additional landscaping that will not only be comprised of additional plantings but will also include landscape features which may include but not be limited to water features, brick planters and outdoor artwork.

F. SIGN REQUIREMENTS

Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield Department of Public Works, and/or the St. Louis County Department of Transportation, for sight distance considerations prior to installation or construction.

1. No advertising signs, temporary signs, portable signs, off site signs, or attention-getting devices shall be permitted in this development. Real estate signs, including for sale or lease, are permitted.
2. All permanent freestanding business and identification 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. This landscaping shall be as approved by the Planning Commission on the Site Development Plan.
3. When a sign package is required for a proposed or existing development, the criteria for signs located in the City of Chesterfield Zoning Ordinance Section 1003.168 are no longer applicable. The reasons for the variation are because the purpose of a Sign Package is to provide for flexible sign criteria that promote superior design and are tailored to a specific development which may vary from general ordinance provisions if it can be demonstrated that the proposed terms would encourage, promote, and reward good architecture and urban planning.

G. LIGHT REQUIREMENTS

1. The location and height of all light standards shall be as approved by the Planning Commission on the appropriate development plan. No on-site illumination source shall be so situated that light is cast directly on adjoining properties or public roadways. Illumination levels shall comply with the provisions of Section 1005.160 Non-Residential Subdivision Design Standards and Section 1005.320 Street Lighting of the City of Chesterfield Subdivision Ordinance and the Chesterfield Valley Master Street Lighting Plan.
2. The installation, maintenance, operation, and all expenses related thereto for the street lighting along all public streets associated with this development, including Chesterfield Airport Road shall be provided by the developer in perpetuity as directed by the City of Chesterfield Department of Public Works.
3. The light standard design shall be as presented on the Preliminary Plan including recessed or screened lenses.

H. ARCHITECTURAL

1. The developer shall submit architectural elevations and building materials. Architectural information is to be reviewed by the Architectural Review Board prior to submission to the Planning Commission.

2. The buildings in the district shall be built of compatible architectural standards including predominate masonry facades and have an office-type appearance, or as approved by Planning Commission.

I. ACCESS/ACCESS MANAGEMENT

1. Access to this development from North Outer 40 Road shall be restricted to the three (3) commercial entrances as directed by the Saint Louis County Department of Transportation. Cross-access easements shall be provided as necessary to allow for the shared access with the neighboring property.
2. Access shall be as shown on the attached Exhibit 1.
3. Access to the North Outer Forty Road shall be no closer than 100 feet to the western property line or as directed by the City of Chesterfield and the Missouri Department of Transportation unless the adjacent property owner is agreeable to a shared entrance and must be willing to execute and record their portion of the cross access easement.
4. Provide cross access easement or other appropriate legal instrument guaranteeing permanent access to the north, east, and to the west adjacent properties as approved by the City of Chesterfield.
5. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the Saint Louis County Department of Transportation.
6. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the Saint Louis County Department of Transportation for sight distance consideration and approved prior to installation or construction.
7. The developer is advised that utility companies will require compensation for relocation of their facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

Provide any additional right-of-way and pavement widening to the North Outer Forty Road as directed by the Saint Louis County Department of Transportation.

K. TRAFFIC STUDY

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

L. MONARCH-CHESTERFIELD LEVEE DISTRICT

1. The developer shall dedicate an underseepage berm easement adjacent to the existing Levee, as directed by the Monarch Chesterfield Levee District and the City of Chesterfield's Department of Public Works.
2. Prior to approval of any grading permit or improvement plans for the development, an underseepage study may be required for review/approval as directed by the Monarch Chesterfield Levee District, the U.S. Army Corps of Engineers and the City of Chesterfield's Department of Public Works.
3. No improvements or use that would alter, diminish, damage or interfere with the performance of the Monarch Chesterfield Levee including seepage berm is permitted.
4. Any drainage structures or systems, including or not limited to under drains, installed for the relief of hydrostatic head or seepage water shall be designed, construed, operated, and maintained to prevent infiltration of soil/ground loss.
5. No building or structure other than boundary walls, retaining walls, signs, light standards, flag poles or fences, shall be located within 150 ft. from the southern toe of the Chesterfield Monarch Levee.
6. No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress, shall be located within 30 ft. from the southern toe of the Chesterfield Monarch Levee.
7. Trees, vegetation and landscaping which have roots which extend more than six (6) inches in depth below the ground are not permitted in the Permanent Underseepage Berm Easement. Buildings or structures are not permitted in the Permanent Underseepage Berm Easement.

8. The existing aggregate roadway from North Outer 40 to and over the levee shall be provided a cross access easement, giving the levee district continuous and perpetual access to the levee and the existing aggregate roads at the landside toe of the levee, from North Outer 40 Road. Access for the two properties north of the levee must also be preserved.

M. RECREATIONAL EASEMENT

An easement, for recreational and trail purposes, shall be provided for this site as directed by the City of Chesterfield and the Monarch Chesterfield Levee District. The easement is anticipated to be located within or overlying the levee/seepage berm easement. Alternatively, the easement script for the seepage berm easement may permit recreational and trail usage as an allowable activity within the easement.

N. POWER OF REVIEW

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

O. STORM WATER & SANITARY SEWER

1. Due to the inherent nature of development, the specific size, location, and configuration of the stormwater infrastructure are conceptual in nature. The exact location, size, and type of each segment of stormwater infrastructure are to be reviewed and approved in conjunction with the development of specific sites. It is expected that developers will submit alternate plans, proposed alternative geometry, size, and type for these infrastructure improvements, along with supporting hydraulic computations. The Department of Public Works will review said proposals for functional equivalence. Functional equivalence is said to be achieved when, as determined by the Director of Public Works, the alternate proposal provides the same hydraulic function, connectivity, and system wide benefits without adversely affecting water surface profiles at other locations or adjacent properties.
2. The development improvements shall provide the sanitary force main, gravity lines and/or regional pump station as depicted on the current MSD Conceptual Valley Master Plan. Alternatively, the Developer's Engineer may submit a functionally equivalent proposal to be reviewed

and approved by the Metropolitan St. Louis Sewer District and the City of Chesterfield Department of Public Works.

P. GEOTECHNICAL REPORT

Provide a geotechnical report, as directed by the City of Chesterfield, Department of Public Works, prepared by a Professional Engineer, licensed to practice in the state of Missouri. Said Report shall verify the suitability of grading and proposed improvements with soil and geologic conditions. A statement of compliance, signed and sealed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. This report shall address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendation for treatment.

Q. MISCELLANEOUS

1. All trash enclosures shall be enclosed by such means as approved by the Planning Commission on the Site Development Plan.
2. Roofing or other screening as approved by the Planning Commission shall adequately screen all mechanical equipment.
3. The maintenance of the required storm water / ditch system shall be the responsibility of the property owner(s).
4. 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.
5. All utilities shall be installed underground. The development of this parcel shall coordinate the installation of all utilities in conjunction with the construction of the East/West Connector Roadway and/or any applicable roadway on the site. Utility easements that cross over Chesterfield Valley Master Stormwater Easement shall be subordinate to the Chesterfield Valley Stormwater Easement
6. Sleeves for future telecommunications services shall be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future uses.
7. No service facility entrances or customer drop-off areas shall be located on the south side of any building nor shall they be visible from Interstate 64/Highway 40.

8. 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.
9. Customer drop-off areas shall be landscaped with dense vegetation as shown on the plan dated 11/3/2003 to minimize visibility of Interstate 64/Highway 40.
10. Vehicle display area is not specifically approved by this ordinance but is to be reviewed at the Site Development Plan stage.
11. No vehicle displays shall be permitted on grassy areas.
12. Prior to Special Use Permit issuance by St. Louis County Department of Transportation, a special cash escrow or a special escrow supported by an Irrevocable Letter of credit must be established with this Department to guarantee completion of the required roadway improvements.
13. Prior to improvement plan approval, provide comments/approvals from the St. Louis County Department of Transportation, the Spirit of St. Louis Airport, MSD, the Missouri Department of Natural Resources, the Monarch-Chesterfield Levee District and the Chesterfield Fire Protection District.

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

- A.** Within eighteen (18) months from the preliminary development plan approval date by the City of Chesterfield and prior to issuance of any building permit, the developer shall submit to the City of Chesterfield for their review and approval a Site Development Concept Plan. Within twelve (12) months of the Site Development Concept Plan approval date, the developer shall submit the first Site Development Section Plan to the City of Chesterfield for review and approval. Where due cause is shown by the developer, this time interval may be extended by the City of Chesterfield.

Failure to comply with aforementioned time limits will result in the expiration of the preliminary plan/site development concept plan for that portion not developed and will require a new public hearing.

- B.** In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may instead submit a Site Development Plan for the entire development within eighteen (18) months

of the date of approval of the Preliminary Development Plan by the City. Said Plan shall be submitted in accord with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.

III. GENERAL CRITERIA

A. SITE DEVELOPMENT CONCEPT PLAN

The Site Development Concept Plan shall include the following:

1. Outboundary plat and legal description of the property.
2. Conceptual location, design (with design statement), materials, and size, including height, of all proposed buildings, parking and loading areas, and lots.
3. Specific structure and parking setbacks along all roadways and property lines.
4. The size and approximate location of the proposed internal and adjacent roadway, major utility easements, necessary right-of-way dedications, road improvements, and curb cuts.
5. Existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site.
6. Preliminary stormwater and sanitary sewer facilities.
7. Show existing improvements, including roads and driveways on the opposite side of roadways adjacent to the site.
8. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.
9. The scale to which the Site Development Concept Plan will be drawn shall be no greater than one (1) inch equals one hundred (100) feet.
10. Show the location of significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
11. 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.

12. Provide openspace percentage for the overall development including separate percentage for each lot on the plan.

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

Site Development Section Plans shall include the following:

1. Location and size, including height, of all uses, buildings, parking and loading areas, light standards, fencing, free-standing signs, trash enclosures, other above ground structures and landscaping.
2. Existing and proposed contour intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site.
3. Existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.
4. All existing and proposed easements/rights-of-way on site and all existing or proposed off-site easements required for utilities, storm water drainage, grading or other improvements.
5. Specific structure and parking setbacks along all roadways and property lines.
6. The location of the proposed storm sewers, detention basins, sanitary sewers, and connection(s) to existing systems.
7. Location and size of all parking areas.
8. A landscape plan, including, but not limited to, location, size, and type of all plant and other material to be used.
9. Area of each building phase.
10. Architectural elevations and building materials addressing City of Chesterfield Design Guidelines.
11. Show existing improvements, including roads and driveways on the opposite side of roadway adjacent to the site, and the location of significant natural features, such as wooded areas and rock formations, that are to remain or be removed.

12. Provide comments/approvals from the St. Louis County Department of Transportation, The Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, the Monarch Chesterfield Valley Levee District and the appropriate Fire District.
 13. 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.
 14. Provide openspace percentage for the overall development including separate percentage for each lot on the plan.
- C.** Prior to approval of the Site Development Concept and Section Plans, the developer shall provide the following:
1. Roadway Improvements and Curb Cuts

Obtain approval from the City of Chesterfield Department of Public Works and the MoDOT of the locations of proposed curb cuts, areas of new dedication, and roadway improvements.
 2. Grading and Improvement Plans
 - a. A clearing/grading permit or improvement plan approval is required prior to any clearing or grading on the site. Be advised, the Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a clearing and grading permit. No change in watersheds will be permitted. Interim storm water drainage control in the form of siltation control and/or siltation basins is required. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by the Department of Public Works prior to any clearing, grading, and/or improvement plan approval. The SWPPP covers required erosion control practices specific to site conditions and maintenance and implementation, management and maintenance of the Best Management Practices (BMP's) in order to reduce the amount of sediment and other pollutants in stormwater discharges associated with land disturbance activities. It shall comply with the Missouri Water Quality Standards, and ensure compliance with the terms and conditions of the NPDES.
 - b. Erosion and siltation control shall be installed prior to any grading and be maintained throughout the project until acceptance of the work by the owner and/or controlling regulatory agency and

adequate vegetative growth insures no future erosion of the soil. Construct temporary settlement basins during construction to allow for settling of sediment, prior to the discharge of stormwater from this site.

- c. When clearing and/or grading operations are completed or suspended for more than 30 days, all necessary precautions shall be taken to retain soil materials on site. Protective measures, such as permanent seeding, periodic wetting or other means, may be required by the Director of Public Works/City Engineer.
- d. Provide adequate temporary off-street parking for construction employees and a vehicle washdown/cleaning area. Parking on non-surfaced areas is 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. The contractor shall keep the roads in the area clear of mud and debris related to his construction at all times. The streets surrounding this development and any street used for construction access thereto shall be cleaned continuously throughout each day.
- e. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses shall be utilized to retard erosion, if adequate stormwater detention and erosion control devices have not been established.
- f. Prior to issuance of an occupancy permit, all disturbed areas shall be seeded and mulched at the minimum rates defined in Appendix "A" of the City of Chesterfield's "Model Sediment & Erosion Control Guidelines" or sodded. A temporary occupancy permit may be issued by the Department of Planning & Development Services in cases of undue hardship because of unfavorable ground conditions.
- g. Prior to improvement plan approval, provide comments/approvals from the Missouri Department of Transportation, the Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, the Missouri Department of Natural Resources, the Monarch Chesterfield Valley Levee District and the appropriate Fire District.
- h. Be advised, this development may require a NPDES permit from the Missouri Department of Natural Resources. NPDES permits are

applicable to construction activities that disturb five (5) or more acres.

- i. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be required.

D. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

Subsequent to approval of the Site Development Plan and prior to the issuance of any foundation or building permit, the following requirements shall be met:

1. Notification of Department of Planning
Prior to the issuance of foundation or building permits, all approvals from the above mentioned agencies and the City of Chesterfield Department of Public Works, as applicable, must be received by the City of Chesterfield Department of Planning & Development Services.
2. Notification of St. Louis County Department of Public Works
Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, the Department of Transportation and the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.
3. Certification of Plans
Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soil requirements and conditions contained in the report.

E. OCCUPANCY PERMIT/FINAL OCCUPANCY

1. 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 U.S. Public Land Survey Corners.
2. Prior to final occupancy of any building the developer shall provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or

that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

F. FINAL RELEASE OF ESCROW

Prior to the release of final escrow, the developer shall provide certification by a Registered Land surveyor that all monumentation depicted on the Record Plat has been installed and that the U.S. Public Land Survey Corners have not been disturbed during the construction activities or that they have been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

G. VERIFICATION PRIOR TO BUILDING PERMITS

Subsequent to approval of the appropriate development plan and prior to issuance of any building permit, the following requirements shall be met:

1. Sanitary Sewers

Provide verification to the St. Louis County Department of Public Works and the City of Chesterfield of provision of adequate sanitary services.

2. Notification of City of Chesterfield

Prior to issuance of zoning approvals for foundation or building permits, the City of Chesterfield must receive approvals from the St. Louis County Department of Transportation and the Metropolitan St. Louis Sewer District.

H. SUPPLEMENTARY DEVELOPMENT CONDITIONS

Supplementary development conditions relating to the operation of this development are as follows:

1. 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 Pubic 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 U.S. Public Land Survey Corners.
2. Prior to final occupancy of any building, the developer shall provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

I. GENERAL DEVELOPMENT CONDITIONS

General development conditions relating to the operation, construction, improvement and regulatory requirements to be adhered to by the developer are as follows:

1. Stormwater drainage improvements shall be operational prior to the paving of any driveways or parking lots. Roadway and related improvements shall be constructed prior to 60% occupancy of the retail portion of the site.
2. Prior to Site Development Plan approval, indicate the location of the proposed sanitary sewers and connection(s) to the existing system.
3. Prior to Site Development Plan approval, show all off-site easements required for utility, grading and/or stormwater drainage improvements.
4. Prior to Site Development Plan approval, provide comments/approvals from the St. Louis County Department of Transportation, the Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, Monarch Chesterfield Levee District, and the Chesterfield Fire Protection District.
5. Prior to Site Development Plan approval, provide existing and proposed contours at 1 foot intervals extending 150 feet beyond the limits of the site.
6. Prior to Site Development Plan approval, show existing improvements, including roads and driveways on the opposite side of roadways adjacent to the site, and the location of significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
7. Prior to Site Development Plan approval, provide a geotechnical report, as directed by the City of Chesterfield, Department of Public Works, prepared by a Professional Engineer, licensed to practice in the state of Missouri. Said Report shall verify the suitability of grading and proposed improvements with soil and geologic conditions. A statement of compliance, signed and sealed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. This report shall address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendation for treatment.
8. Ornamental Entrance Monument construction shall be reviewed by the City of Chesterfield Department of Public Works, and/or the St. Louis County Department of Transportation, for sight distance considerations prior to installation or construction.

9. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point. Emergency overflow drainage ways to accommodate the 100-year storm shall be provided.
10. A clearing/grading permit or improvement plan approval is required prior to any clearing or grading on the site. Be advised, the Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a clearing and grading permit. No change in watersheds will be permitted. Interim storm water drainage control in the form of siltation control and/or siltation basins is required. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by the Department of Public Works prior to any clearing, grading, and/or improvement plan approval. The SWPPP covers required erosion control practices specific to site conditions and maintenance and implementation, management and maintenance of the Best Management Practices (BMP's) in order to reduce the amount of sediment and other pollutants in stormwater discharges associated with land disturbance activities. It shall comply with the Missouri Water Quality Standards, and ensure compliance with the terms and conditions of the NPDES.
11. Erosion and siltation control shall be installed prior to any grading and be maintained throughout the project until acceptance of the work by the owner and/or controlling regulatory agency and adequate vegetative growth insures no future erosion of the soil. Construct temporary settlement basins during construction to allow for settling of sediment, prior to the discharge of stormwater from this site.
12. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas is 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.
13. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses shall be utilized to retard erosion, if adequate stormwater detention and erosion control devices have not been established.
14. Prior to improvement plan approval, provide comments/approvals from the St. Louis County Department of Transportation, the Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, the Monarch Chesterfield Levee District, the Missouri Department of Natural Resources and the appropriate Fire District.

15. Be advised this development will require a NPDES permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb five (5) or more acres.
16. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be required.
17. If any development in, or alteration of, the floodplain is proposed, the developer shall submit a Floodplain Development Permit/Application to the City of Chesterfield Department of Public Works for approval. Be advised that in conjunction with any site alteration, the developer will be required to demonstrate that there will be no adverse effect on other properties located within the Chesterfield Valley. The Floodplain Development Permit/Application must be approved by the City of Chesterfield Department of Public Works prior to the approval of the Improvement Plans or Grading Plans. If any change in the location of the Special Flood Hazard Area is proposed, the Developer shall be required to obtain a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency. The LOMR must be issued by FEMA prior to the final release of any escrow held by the City of Chesterfield for improvements in the development.
18. If any building is proposed to be located in an existing, or proposed, Special Flood Hazard Area, the building shall be clearly labeled as being located in the Floodplain on the Approved Site Development Plan and Improvement Plan. The lowest Reference Level (floor), as defined by FEMA, shall be constructed a minimum of one (1) foot above the base flood elevation unless a LOMR has been issued by FEMA prior to construction. The minimum elevation for the Reference Level for each building shall also be noted on the approved Site Development Plan and Improvement Plan.
19. Prior to the issuance of an occupancy permit for any building within the development, the Developer shall be required to submit an "Elevation Certificate" (FEMA form 81-31) for that building to the City of Chesterfield Department of Public Works.
20. 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 U.S. Public Land Survey Corners.
21. Prior to final occupancy of any building, the developer shall provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or

that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

22. Prior to the release of final escrow, the developer shall provide certification by a Registered Land surveyor that all monumentation depicted on the Record Plat has been installed and that the U.S. Public Land Survey Corners have not been disturbed during the construction activities or that they have been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

IV. TRUST FUND CONTRIBUTION

A. ROADS

The developer shall be required to contribute a Traffic Generation Assessment contribution to the Chesterfield Valley Trust Fund (No. 556). The amount of the developer's contribution to this fund shall be computed based on the following:

<u>Type of Development</u>	<u>Required Contribution</u>
Industrial	\$6,981.57 / acre

If the 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 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. Road Improvement 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 for roadway, storm water and primary water line improvements, if not submitted by January 1, 2018, 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. WATER MAIN

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$916.54 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contributions shall be deposited with the St. Louis County Department of Transportation. The deposit shall be made prior to approval of the Site Development Plan unless otherwise directed by the St. Louis County Department of Highway and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

C. STORMWATER

The stormwater contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of stormwater from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by St. Louis County and the Metropolitan St. Louis Sewer District. The amount of the stormwater contribution will be computed on the basis of \$1,534.99 per acre for the total area as approved on the Site Development Plan.

The stormwater contributions to the Trust Fund shall be deposited with the St. Louis County Department of 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. Funds shall be payable to the Treasurer, St. Louis County.

D. SANITARY SEWER

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

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

The amount of this required contribution for the roadway, stormwater and primary waterline improvements, on the first day of January in each succeeding year in accord with the construction cost index as determined by the St. Louis County Departments of Highway and Traffic.

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

V. RECORDING

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan shall be recorded with the St. Louis County Recorder of Deeds.

VI. 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.

BILL NO. 3176

ORDINANCE NO. _____

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 2411 TO AMEND THE LEGAL DESCRIPTION AND DEVELOPMENT CONDITIONS FOR A 7.0 ACRE TRACT OF LAND, MORE OR LESS, ZONED "PI" PLANNED INDUSTRIAL DISTRICT LOCATED NORTH OF HIGHWAY 40/INTERSTATE 64, WEST OF BOONE'S CROSSING [P.Z. 15-2017 MPD INVESTMENTS (14781 N Outer 40 Rd) ORDINANCE AMENDMENT 17U610139, 17U520258, 17U520269].

WHEREAS, Stock & Associates Consulting Engineers, Inc. on behalf of Maryland Land Company LLC, MCB Design LLC, and Scott Joe H Sr Living Trust, has requested an ordinance amendment to amend the legal description and development conditions for a 7.0 acre tract of land, more or less, located north of Highway 40/Interstate 64, west of Boone's Crossing; and,

WHEREAS, a Public Hearing was held before the Planning Commission on November 27, 2017; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the ordinance amendment on January 8, 2018; and,

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the ordinance amendment; and

WHEREAS, the City Council, having considered said request voted to approve the ordinance amendment request.

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

Section 1. City of Chesterfield Ordinance 2411 is hereby repealed and those conditions therein incorporated into the Attachment A, which is attached hereto and made a part hereof for MPD Investments and as described as follows:

A TRACT OF LAND BEING LOT 1 OF "AMENDED OUTDOOR EQUIPMENT SUBDIVISION" A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 353, PAGE 948 AND ADJUSTED LOT 2 OF THE "BOUNDARY ADJUSTMENT PLAT OF LOT 2 OF AMENDED OUTDOOR EQUIPMENT SUBDIVISION, PER PLAT BOOK 353, PAGE 948 AND LOT A1 OF THE RESUBDIVISION OF LARRY ENTERPRISES

AND LYNCH HUMMER PER PLAT BOOK 354, PAGES 1022” A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 364, PAGE 369 OF THE ST. LOUIS COUNTY RECORDS, LOCATED IN U.S. SURVEY 125, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF ABOVE SAID ADJUSTED LOT 2 OF THE “BOUNDARY ADJUSTMENT PLAT OF LOT 2 OF AMENDED OUTDOOR EQUIPMENT SUBDIVISION, PER PLAT BOOK 353, PAGE 948 AND LOT A1 OF THE RESUBDIVISION OF LARRY ENTERPRISES AND LYNCH HUMMER PER PLAT BOOK 354, PAGES 1022” A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 364, PAGE 369, SAID POINT ALSO BEING LOCATED ON THE NORTH RIGHT-OF-WAY LINE OF NORTH OUTER 40 ROAD, VARIABLE WIDTH; THENCE ALONG SAID RIGHT-OF-WAY LINE, NORTH 84 DEGREES 06 MINUTES 40 SECONDS WEST, 690.02 FEET TO THE SOUTHWEST CORNER OF ABOVE SAID LOT 1 OF THE “AMENDED OUTDOOR EQUIPMENT SUBDIVISION” A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 353, PAGE 948; THENCE ALONG THE WEST LINE OF SAID LOT 1, NORTH 00 DEGREES 34 MINUTES 00 SECONDS EAST, 379.44 FEET TO THE NORTHWEST CORNER THEREOF; THENCE ALONG THE NORTH LINES OF SAID LOT 1 AND ADJUSTED LOT 2, NORTH 85 DEGREES 06 MINUTES 10 SECONDS EAST, 690.17 FEET TO THE NORTHEAST CORNER OF SAID ADJUSTED LOT 2; THENCE ALONG SAID EAST LINE OF SAID ADJUSTED LOT 2, SOUTH 00 DEGREES 33 MINUTES 56 SECONDS WEST, 509.16 FEET TO THE POINT OF BEGINNING, CONTAINING 305,250 SQUARE FEET OR 7.007 ACRES MORE OR LESS ACCORDING TO CALCULATIONS PERFORMED BY STOCK & ASSOCIATES CONSULTING ENGINEERS, INC ON MARCH 13, 2017.

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

Section 3. The City Council, pursuant to the petition filed by Stock & Associates Consulting Engineers, Inc. in P.Z. 15-2017, 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 27th day of

November 2017, 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 _____, 2018.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD: 02/05/2018

ATTACHMENT A

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

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this “PI” Planned Industrial District shall be:
 - a. Animal hospitals, veterinary clinics and kennels;
 - b. Business, professional, and technical training schools;
 - c. Business service establishments;
 - d. Financial institutions;
 - e. Hotels and motels;
 - f. Mail order sale warehouses (excluding on site sales);
 - g. Medical and Dental offices;
 - h. Offices or office buildings;
 - i. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities;
 - j. Printing and duplicating services;
 - k. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith (excluding facilities that generate hazardous, environmental waste, liquid, solid or gaseous);
 - l. Restaurants, sit down;
 - m. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, and boats, as well as associated repairs and necessary outdoor storage of said vehicles;
 - n. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises;
 - o. Vehicle repair facilities;

- p. Vehicle service centers;
 - q. Vehicle washing facilities;
 - r. Warehousing, storage, or wholesaling of manufactured commodities (indoor only);
2. The above uses in the "PI" Planned Industrial District shall be restricted as follows:
- a. Only two of uses o. Vehicle repair facilities, p. Vehicle service centers, and q. Vehicle washing facilities shall be a permitted use at any time.
 - b. Only one of uses o. Vehicle repair facilities, p. Vehicle service centers, and q. Vehicle washing facilities shall be a permitted use on any individual lot.
3. The following ancillary uses shall be permitted:
- a. Automatic vending facilities for:
 - i. Ice and solid carbon dioxide (dry ice);
 - ii. Beverages;
 - iii. Confections.
 - b. Cafeterias for employees and guests only.
 - c. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles.

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

1. HEIGHT

Any building exceeding thirty (30) feet in height shall be reviewed in accordance with the City's architectural design review including conformance to the sky exposure plane guideline.

2. BUILDING REQUIREMENTS

A minimum of thirty-one percent (31%) open space is required for this development.

C. SETBACKS

1. STRUCTURE SETBACKS

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

- a. Fifty (50) feet from the right-of-way of North Outer Forty Road.
- b. Forty (40) feet from the western property lines of this "PI" District.
- c. Twenty (20) feet from the eastern property lines of this "PI" District.
- d. One Hundred and Sixty-five (165) feet from the northern property lines of this "PI" District.
- e. Fifteen (15) feet from internal property lines of this "PI" District.

2. PARKING SETBACKS

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

- a. Thirty-Five (35) feet from the right-of-way of North Outer Forty Road. For the parking for the existing structure on the site, twenty (20) feet from the right-of-way of North Outer Forty Road. Upon the removal of the existing structure, the thirty-five (35) foot setback shall be in effect.
- b. Ten (10) feet from the western property lines of this "PI" District.
- c. Five (5) feet from the eastern property lines of this "PI" District with the exception of shared driveways.
- d. Thirty (30) feet from the northern property lines of this "PI" District.
- e. Five (5) feet from internal property lines of this "PI" District with the exception of shared driveways.

D. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Construction Parking
 - a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
 - b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
 - c. No construction related parking shall be permitted within the North Outer Forty Road right of way.
3. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
2. Since landscaping is not permitted in the underseepage berm area, landscape provisions for said area, including but not exclusive to landscaped parking islands and perimeter landscaping requirements, will not be required to adhere to the City of Chesterfield Tree Manual. In this event, landscaping plans shall be approved by the Planning Commission during the appropriate site development plan (Concept or Section) review. The landscaping plans will include additional landscaping provisions in the front portion of the building area which will buffer the lack of landscaping in the rear of the property. The landscaping plans will include additional landscaping that will not only be comprised of additional plantings but will also include landscape features which may include but not be limited to water features, brick planters and outdoor artwork.

F. SIGN REQUIREMENTS

1. Sign package submittal materials shall be required for this development. All sign packages shall be 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 Missouri Department of Transportation, for sight distance considerations prior to installation or construction.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

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

I. ACCESS/ACCESS MANAGEMENT

1. The western entrance to the site from North Outer Forty Road shall be as close to the west property line as practical to allow for cross access to the adjacent parcel as directed by the

Department of Public Works and the Missouri Department of Transportation.

2. The eastern entrance to the site from North Outer Forty Road shall be located as dictated by ordinance 2055 which governs the Larry Enterprises /Jim Lynch development.
3. Provide cross access easements as necessary to provide the adjacent parcels to the east and west full access to the eastern and western entrances off of North Outer Forty Road.
4. The development shall be permitted two (2) access points off North Outer 40 Road and both shall provide cross access to the adjacent properties.

The three existing access points are allowed to remain in place until such time as the existing building at 17485 N. Outer 40 is demolished. After said building is removed, not more than two access points will be permitted.

5. Access to this development from North Outer 40 Road shall be restricted to the two (2) commercial entrances as directed by the Saint Louis County Department of Transportation. Cross-access easements shall be provided as necessary to allow for the shared access with the neighboring property.
6. Provide any additional right-of-way and pavement widening to North Outer 40 Road, as directed by the Saint Louis County Department of Transportation.
7. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the Saint Louis County Department of Transportation.
8. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the Saint Louis County Department of Transportation for sight distance consideration and approved prior to installation or construction.
9. The developer is advised that utility companies will require compensation for relocation of their facilities within public road right-of-way. Utility relocation cost shall not be

considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

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 and the Missouri Department of Transportation. 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.

K. MONARCH-CHESTERFIELD LEVEE DISTRICT

1. The Monarch-Chesterfield Levee District retains a Permanent Underseepage Berm Easement for the area covered by the seepage berm. Any use or improvements proposed within the Permanent Underseepage Berm Easement are subject to Protective Restrictions.
2. No improvements or use that would alter, diminish, damage or interfere with the performance of the Monarch-Chesterfield Levee including Underseepage Berm is permitted.
3. No building or structure other than boundary walls, retaining walls, signs, light standards, flag poles or fences, shall be located within one-hundred fifty (150) feet from the southern toe of the Monarch-Chesterfield Levee.
4. Trees, vegetation and landscaping which have roots which extend more than six (6) inches in depth below the ground are not permitted in the Permanent Underseepage Berm Easement. Buildings or structures are not permitted in the Permanent Underseepage Berm Easement.
5. Any required or existing easements for access to the Monarch Chesterfield Levee and Monarch-Chesterfield Levee District owned property need to be shown on all plans.

L. POWER OF REVIEW

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

M. STORMWATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
2. Detention/retention and other storm water quantity and quality management measures are to be provided in each watershed as required by the City of Chesterfield. The storm water quantity management facilities, related to flood and channel protection, shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan.
3. The property bound by this ordinance shall be required to conform to the Chesterfield Valley Master Storm Water Plan as directed by the City of Chesterfield. Drainage from this property shall be directed to the west to the pump station located near Long Road. In the event that the required permanent off-site improvements are not constructed prior to or concurrently with this development, interim stormwater improvements may be required to effectively manage the stormwater until such time as the required off-site permanent stormwater improvements are constructed.

Pursuant to a prior written agreement, the City of Chesterfield will reimburse the developer for the permanent stormwater drainage improvements adjacent to the State right-of-way at 17485 N. Outer 40 Road if the developer chooses to construct them. No work subject to reimbursement should commence or otherwise be authorized until the City has reviewed and

approved any and all costs related to the work, including but not limited to written contractor bids.

The developer may elect to propose alternate geometry, size and/or type of storm water improvements that are functionally equivalent to the required improvements. Functional equivalence is said to be achieved when, as determined by the Director of Public Works, the alternate proposal provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following: water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the Director of Public Works determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.

4. Provide a Chesterfield Valley Storm Water Easement along the south property line to accommodate the future construction of the Chesterfield Valley Master Storm Water Plan improvements in that area, and depict the improvements on the Site Development Plan and improvement plans. Maintenance of the required improvements shall be the responsibility of the property owner.
5. All Chesterfield Valley Master Storm Water Plan improvements shall be operational prior to the paving of any driveways or parking areas.
6. The petitioner shall provide adequate detention and/or hydraulic calculations for review and approval of all storm water that will encroach on MoDOT right of way.

7. All drainage storage facilities shall be placed outside of the standard governmental agency planning and zoning setbacks, or 15 feet from the new or existing right of way line, whichever is greater.

N. SANITARY SEWER

1. Certification will be required from the City of Chesterfield that stormwater will be controlled as required by the Chesterfield Valley Master Facility Plan.
2. Treatment for water quality, in accordance with Metropolitan Sewer District regulations dated February 2006, shall be required.
3. This project is in the Caulks Creek Surcharge area and at least a portion of this site is subject to a surcharge of \$2,750 per acre.
4. Formal plan submittal and approval is required by the Metropolitan Sewer District prior to the issuance of permits. Formal plan approval is subject to the requirements of detailed review.

O. GEOTECHNICAL REPORT.

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

P. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code, with the exception of the land use designation, shall be required where applicable.

3. 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.
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.

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

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

III. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two (2) years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance.

- B.** Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT CONCEPT PLAN SUBMITTAL REQUIREMENTS

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

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

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

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

18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
19. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.

V. CHESTERFIELD VALLEY TRUST FUND

- A.** The developer shall be required to contribute to the Chesterfield Valley Trust Fund (No. 556). Traffic generation assessment contributions shall be deposited with St. Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

Roads

The roadway improvement contribution is based on land and building use. The roadway contributions are necessary to help defray the cost of engineering, right-of-way acquisition, and major roadway construction in accordance with the Chesterfield Valley Road Improvement Plan on file with the St. Louis County Department of Transportation. The amount of the developer's contribution to this fund shall be computed based on the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
Industrial	\$6,681.57/acre

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.

The roadway improvement contribution shall be deposited with the St. Louis County Department of Transportation. The deposit shall be made before the issuance of a Special Use Permit (SUP) by St. Louis County Department of Transportation or a Building Permit by St. Louis County

Public Works Department. Funds shall be payable to "Treasurer, St. Louis County."

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, will be retained in the appropriate trust fund.

The amount of these required contributions for the roadway, storm water and primary water line improvements, if not submitted by January 1, 2018 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.

Road Improvement 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".

Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$916.54 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of construction of the primary water line serving the Chesterfield Valley area.

The primary water line contribution shall be deposited with the St. Louis County Department of Transportation. The deposit shall be made before approval of the Site Development Plan by St. Louis County Transportation. Funds shall be payable to the "Treasurer, Saint Louis County".

Stormwater

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and MSD. The amount of storm water contribution will be computed based on \$2,907.99 per acre for the total area as approved on the Site Development Plan. The storm water contributions to the Trust Fund shall be deposited with the Saint Louis County Department of Transportation. The deposit shall be

made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Transportation. Funds shall be payable to the "Treasure, Saint Louis County".

Sanitary Sewer

The sanitary sewer contribution is collected as the Caulks Creek Impact Fee. The sanitary sewer contribution within Chesterfield Valley area shall be deposited with MSD as required by the District.

The amount of these required contributions for the roadway, storm water and primary water line improvements, if not submitted by January 1, 2018 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.

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

VI. RECORDING

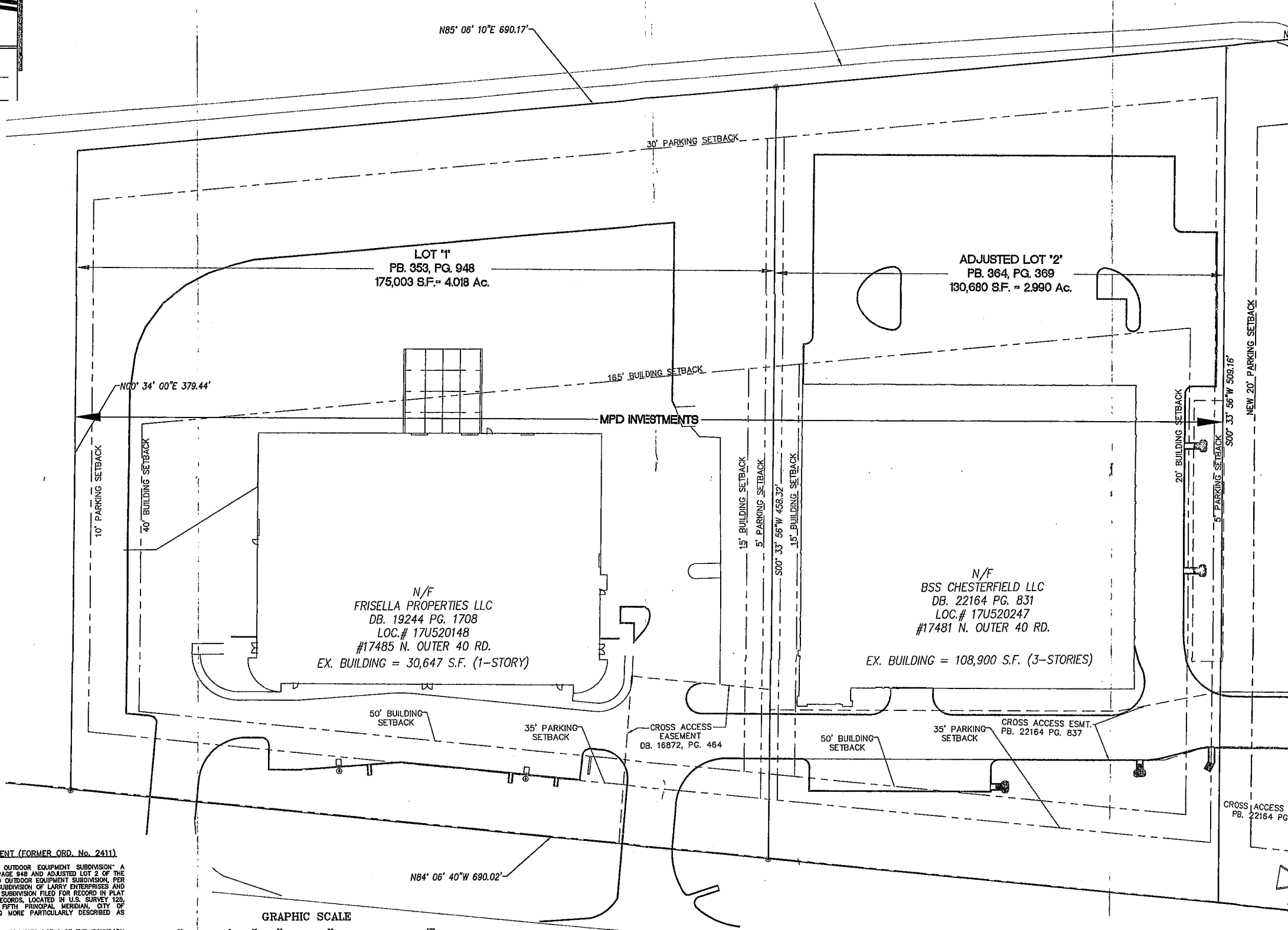
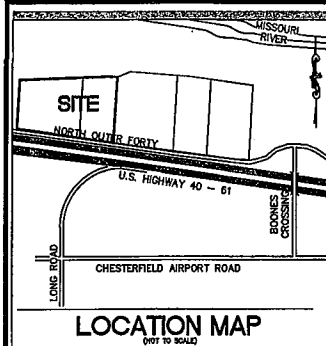
Within 60 days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VII. ENFORCEMENT

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

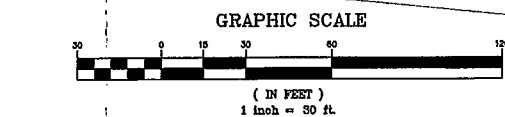
PRELIMINARY PLAN FOR TEXT ORDINANCE AMENDMENT

TEXT ORDINANCE AMENDMENT TO ORD: #2411
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI
ZONED PLANNED INDUSTRIAL DISTRICT 'PI',



PROPERTY DESCRIPTION FOR MPD INVESTMENT (FORMER ORD. No. 2411)

A TRACT OF LAND BEING LOT 1 OF 'AMENDED OUTDOOR EQUIPMENT SUBDIVISION' A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 353, PAGE 948 AND ADJUSTED LOT 2 OF THE 'BOUNDARY ADJUSTMENT PLAT OF LOT 2 OF AMENDED OUTDOOR EQUIPMENT SUBDIVISION PER PLAT BOOK 353, PAGE 948 AND LOT A1 OF THE RESUBDIVISION OF LARRY ENTERPRISES AND LYNCH HUNTER PER PLAT BOOK 354, PAGES 1022' A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 364, PAGE 369. SAID POINT ALSO BEING LOCATED ON THE NORTH RIGHT-OF-WAY LINE OF NORTH OUTER 40 ROAD, VARIABLE WIDTH, THENCE ALONG SAID RIGHT-OF-WAY LINE, NORTH 84 DEGREES 08 MINUTES 40 SECONDS WEST, 690.02 FEET TO THE SOUTHWEST CORNER OF ABOVE SAID LOT 1 OF THE 'AMENDED OUTDOOR EQUIPMENT SUBDIVISION' A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 353, PAGE 948; THENCE ALONG THE WEST LINE OF SAID LOT 1, NORTH 00 DEGREES 34 MINUTES 00 SECONDS EAST, 379.44 FEET TO THE NORTHWEST CORNER THEREOF; THENCE ALONG THE NORTH LINES OF SAID LOT 1 AND ADJUSTED LOT 2, NORTH 85 DEGREES 08 MINUTES 10 SECONDS EAST, 690.17 FEET TO THE NORTHEAST CORNER OF SAID ADJUSTED LOT 2; THENCE ALONG SAID EAST LINE OF SAID ADJUSTED LOT 2, SOUTH 00 DEGREES 53 MINUTES 28 SECONDS WEST, 509.16 FEET TO THE POINT OF BEGINNING, CONTAINING 303,250 SQUARE FEET OR 7.007 ACRES MORE OR LESS ACCORDING TO CALCULATIONS PERFORMED BY STOCK & ASSOCIATES CONSULTING ENGINEERS, INC ON MARCH 13, 2017.



UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, RECORDS AND INFORMATION, AND THEREFORE DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NON-EXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE FACILITIES, STRUCTURES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES, EITHER SHOWN OR NOT SHOWN ON THESE PLANS. THE UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION, OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY WITH COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 310 RSMo.

PREPARED BY:
STOCK & ASSOCIATES
Consulting Engineers, Inc.

EXHIBIT FOR:
TEXT ORDINANCE AMENDMENT OF ORD. 2411 & 2055
17371, 17401, 17455, 17481, 17485 N. OUTER FORTY ROAD
CITY OF CHESTERFIELD, MO 63005

STATE OF MISSOURI
GEORGE MICHAEL STOCK
NUMBER PB-25116
12/15/2017
GEORGE M. STOCK E-25116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000988

- REVISIONS:
- 2017-10-11 CITY COMMENTS
 - 2017-11-15 CITY COMMENTS
 - 2017-12-15 CITY COMMENTS

DRAWN BY: K.M.S.	CHECKED BY: C.M.S.
DATE: 9/21/2017	JOB NO. #: 217-6006.1
LEG. #: -	BASE MAP #: 17U5
SLC. HAT #: -	HAT SUR. #: -
M.D.N.R. #: -	
SHEET TITLE: PRELIMINARY PLAN FOR MPD INVESTMENTS	
SHEET NO. #: C3.0	

BILL NO. 3177

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY OF CHESTERFIELD ORDINANCE NUMBER 2449 FOR A "PC&R" PLANNED COMMERCIAL AND RESIDENCE DISTRICT LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 40/I-64 AND CHESTERFIELD PARKWAY WEST [P.Z. 19-2017 DOWNTOWN CHESTERFIELD (SACHS PROPERTIES)].

WHEREAS, Above All Development LLC on behalf of Sachs Properties, has requested an ordinance amendment to amend the legal description for a 98.6 acre tract of land, more or less, located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West; and,

WHEREAS, a Public Hearing was held before the Planning Commission on December 11, 2017; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the ordinance amendment on January 8, 2018; and,

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the ordinance amendment; and

WHEREAS, the City Council, having considered said request voted to approve the ordinance amendment request.

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

Section 1. City of Chesterfield Ordinance 2449 is hereby amended by repealing Section 1 to read as follows:

AREA 1

A TRACT OF LAND BEING PART OF U.S. SURVEYS 123, 415 AND 2031 AND PART OF LOT C120 OF "CHESTERFIELD VILLAGE AREA A PHASE ONE PLAT TWO" IN TOWNSHIP 45 NORTH - RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF PROPERTY DESCRIBED IN THE DEED TO CHESTERFIELD VILLAGE, INC. RECORDED IN BOOK 6881 PAGE 1745 OF THE ST. LOUIS COUNTY RECORDS; THENCE NORTHWARDLY

ALONG THE WEST LINE OF AFORESAID CHESTERFIELD VILLAGE, INC. PROPERTY BEING ALSO THE EAST LINE OF PROPERTY DESCRIBED IN THE DEED TO RICHARD B. GODWIN RECORDED IN BOOK 12444 PAGE 731 OF THE ST. LOUIS COUNTY RECORDS NORTH 00 DEGREES 02 MINUTES 30 SECONDS EAST 302.54 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WILD HORSE CREEK ROAD OF VARYING WIDTH AS SHOWN ON THE "WILD HORSE CREEK ROAD DEDICATION PLAT" RECORDED IN PLAT BOOK 354 PAGES 865 AND 866 OF THE ST. LOUIS COUNTY RECORDS, AFORESAID POINT BEING THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE EASTWARDLY ALONG AFORESAID SOUTH LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 00 DEGREES 02 MINUTES 30 SECONDS EAST 5.31 FEET, ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 19 DEGREES 51 MINUTES 11 SECONDS WEST 991.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 19.25 FEET, NORTH 79 DEGREES 48 MINUTES 05 SECONDS EAST 84.71 FEET, ALONG A CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 15 DEGREES 42 MINUTES 05 SECONDS EAST 907.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 320.45 FEET, NORTH 04 DEGREES 32 MINUTES 30 SECONDS EAST 12.00 FEET, ALONG A CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 04 DEGREES 32 MINUTES 30 SECONDS WEST 919.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 623.36 FEET TO A POINT ON THE WEST LINE OF PROPERTY DESCRIBED IN THE DEED TO CHESTERFIELD AIRPORT ROAD GROUP PARTNERSHIP RECORDED IN BOOK 8296 PAGE 1439 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTHWARDLY ALONG AFORESAID WEST LINE SOUTH 00 DEGREES 38 MINUTES 59 SECONDS WEST 323.47 FEET TO A POINT; THENCE NORTH 45 DEGREES 14 MINUTES 46 SECONDS EAST 232.33 FEET TO A POINT ON THE SOUTHWEST LINE OF CHESTERFIELD AIRPORT ROAD OF VARYING WIDTH; THENCE ALONG THE RIGHT-OF-WAY LINE OF CHESTERFIELD AIRPORT ROAD THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 41 DEGREES 26 MINUTES 45 SECONDS EAST 1181.92 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 25.00 FEET, SOUTH 49 DEGREES 45 MINUTES 58 SECONDS EAST 4.14 FEET, SOUTH 44 DEGREES 11 MINUTES 16 SECONDS EAST 3.70 FEET, SOUTH 49 SECONDS 40 MINUTES 42 SECONDS EAST 36.63 FEET, SOUTH 40 DEGREES 19 MINUTES 18 SECONDS WEST 20.00 FEET, SOUTH 49 DEGREES 40 MINUTES 42 SECONDS EAST 112.45 FEET, ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 40 DEGREES 19 MINUTES 18 SECONDS EAST 1959.86 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 301.05 FEET, SOUTH 58 DEGREES 28 MINUTES 42 SECONDS EAST 163.68 FEET, ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 31 DEGREES 31 MINUTES 18 SECONDS EAST 1959.86 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 84.78 FEET AND SOUTH 17 DEGREES 45 MINUTES 50 SECONDS EAST 135.94 FEET TO A POINT ON THE WEST LINE OF CHESTERFIELD VILLAGE PARKWAY 73 FEET WIDE; THENCE SOUTHWARDLY

ALONG AFORESAID WEST LINE ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 65 DEGREES 36 MINUTES 56 SECONDS EAST 1186.50 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 296.65 FEET, SOUTH 10 DEGREES 03 MINUTES 33 SECONDS WEST 1252.38 FEET AND SOUTH 55 DEGREES 03 MINUTES 33 SECONDS WEST 35.36 FEET TO A POINT ON THE RIGHT-OF-WAY OF BURKHARDT PLACE; THENCE ALONG THE RIGHT-OF-WAY OF BURKHARDT PLACE THE FOLLOWING COURSES AND DISTANCES: NORTH 79 DEGREES 56 MINUTES 27 SECONDS WEST 15.00 FEET, SOUTH 10 DEGREES 03 MINUTES 33 SECONDS WEST 4.00 FEET, ALONG A CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS NORTH 10 DEGREES 04 MINUTES 13 SECONDS EAST 289.23 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 244.78 FEET, NORTH 31 DEGREES 26 MINUTES 20 SECONDS WEST 472.64 FEET AND ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 58 DEGREES 33 MINUTES 40 SECONDS WEST 568.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 351.80 FEET, ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 23 DEGREES 04 MINUTES 25 SECONDS WEST 818.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 281.27 FEET TO A POINT; THENCE NORTH 03 DEGREES 22 MINUTES 22 SECONDS EAST 8.50 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 03 DEGREES 22 MINUTES 22 SECONDS WEST 826.50 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 244.40 FEET TO A POINT; THENCE SOUTH 76 DEGREES 25 MINUTES 47 SECONDS WEST 99.72 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS NORTH 13 DEGREES 34 MINUTES 13 SECONDS WEST 345.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 697.80 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 77 DEGREES 41 MINUTES 01 SECONDS WEST 985.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 900.59 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS NORTH 49 DEGREES 55 MINUTES 50 SECONDS EAST 345.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 294.85 FEET TO A POINT; THENCE NORTH 08 DEGREES 53 MINUTES 55 SECONDS EAST 9.88 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 81 DEGREES 06 MINUTES 05 SECONDS EAST 84.61 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 89.04 FEET TO A POINT ON THE WEST LINE OF AFORESAID GODWIN PROPERTY, AFORESAID POINT BEING ALSO ON AFORESAID SOUTH LINE OF RELOCATED WILD HORSE CREEK ROAD; THENCE NORTHWARDLY ALONG AFORESAID WEST LINE AND ALONG AFORESAID SOUTH LINE OF RELOCATED WILD HORSE CREEK ROAD NORTH 06 DEGREES 56 MINUTES 30 SECONDS EAST 12.85 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 12 DEGREES 25 MINUTES 44 SECONDS EAST 996.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 559.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 77.835 ACRES ACCORDING TO CALCULATIONS BY GRIMES CONSULTING, INC. DURING OCTOBER 2017

AND

A TRACT OF LAND BEING PART OF U.S. SURVEY 2031 IN TOWNSHIP 45 NORTH - RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PROPERTY DESCRIBED IN THE DEED TO CHESTERFIELD VILLAGE, INC. RECORDED IN BOOK 6881 PAGE 1745 OF THE ST. LOUIS COUNTY RECORDS, AFORESAID SOUTHWEST CORNER BEING ON THE SOUTH LINE OF AFORESAID OF U.S. SURVEY 2031; THENCE WESTWARD ALONG AFORESAID U.S. SURVEY LINE BEING ALSO THE SOUTH LINE OF PROPERTY DESCRIBED IN THE DEED TO RICHARD B. GODWIN RECORDED IN BOOK 12444 PAGE 731 OF THE ST. LOUIS COUNTY RECORDS NORTH 89 DEGREES 53 MINUTES 36 SECONDS WEST 583.09 FEET TO THE SOUTHWEST CORNER OF AFORESAID GODWIN PROPERTY; THENCE NORTHWARDLY ALONG THE WEST LINE OF AFORESAID GODWIN PROPERTY NORTH 06 DEGREES 56 MINUTES 30 SECONDS EAST 268.18 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WILD HORSE CREEK ROAD OF VARYING WIDTH AS SHOWN ON THE "WILD HORSE CREEK ROAD DEDICATION PLAT" RECORDED IN PLAT BOOK 354 PAGES 865 AND 866 OF THE ST. LOUIS COUNTY RECORDS; THENCE EASTWARDLY ALONG AFORESAID SOUTH LINE ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 12 DEGREES 25 MINUTES 44 SECONDS EAST 996.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 559.36 FEET; THENCE SOUTHWARDLY ALONG AFORESAID WEST LINE OF THE CHESTERFIELD VILLAGE, INC. PROPERTY BEING ALSO THE EAST LINE OF AFORESAID GODWIN PROPERTY SOUTH 00 DEGREES 02 MINUTES 30 SECONDS WEST 302.54 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.364 ACRES ACCORDING TO CALCULATIONS BY GRIMES CONSULTING, INC. DURING OCTOBER 2017

AREA 2

A TRACT OF LAND IN U.S. SURVEY 123, TOWNSHIP 45 NORTH - RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF PROPERTY OF CHESTERFIELD VILLAGE, INC., AS DESCRIBED IN THE DEED RECORDED IN BOOK 6881 PAGE 1745 OF THE ST. LOUIS COUNTY RECORDS WITH THE NORTH LINE OF RELOCATED WILD HORSE CREEK ROAD, AS SHOWN IN THE "WILD HORSE CREEK ROAD DEDICATION PLAT" RECORDED IN PLAT BOOK 354 PAGES 865 AND 866 OF THE ST. LOUIS COUNTY RECORDS; THENCE NORTHWARDLY ALONG SAID EAST LINE NORTH 00 DEGREES 02 MINUTES 30 SECONDS EAST 551.26 FEET TO A POINT ON THE SOUTHWEST LINE OF CHESTERFIELD AIRPORT ROAD (FORMERLY OLIVE STREET ROAD); THENCE

SOUTH 57 DEGREES 18 MINUTES 34 SECONDS EAST 191.41 FEET TO A POINT; THENCE SOUTH 55 DEGREES 38 MINUTES 57 SECONDS EAST 90.12 FEET TO A POINT ON THE EAST LINE OF RELOCATED CHESTERFIELD AIRPORT ROAD AS SHOWN ON SAID "WILD HORSE CREEK ROAD DEDICATION PLAT" RECORDED IN PLAT BOOK 354 PAGES 865 AND 866 BEING THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE NORTHERLY ALONG SAID EAST LINE ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 59 DEGREES 01 MINUTES 58 SECONDS WEST 602.96 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 85.14 FEET TO A POINT ON THE CENTERLINE OF SAID CHESTERFIELD AIRPORT ROAD; THENCE ALONG SAID CENTERLINE SOUTH 55 DEGREES 38 MINUTES 57 SECONDS EAST 312.75 FEET TO A POINT ON THE WEST LINE OF U.S. SURVEY 123; THENCE NORTHWARDLY ALONG SAID WEST LINE NORTH 00 DEGREES 05 MINUTES 18 SECONDS EAST 888.55 FEET TO A POINT ON THE SOUTHWEST RIGHT OF WAY LINE OF MISSOURI INTERSTATE HIGHWAY 64 (STATE HIGHWAY ROUTE 40 T.R.) OF VARYING WIDTH; THENCE SOUTH 42 DEGREES 03 MINUTES 01 SECONDS EAST 271.15 FEET TO A POINT; THENCE SOUTH 42 DEGREES 13 MINUTES 47 SECONDS EAST 477.80 FEET TO A POINT; THENCE SOUTH 40 DEGREES 02 MINUTES 17 SECONDS EAST 336.56 FEET TO A POINT; THENCE SOUTH 37 DEGREES 12 MINUTES 27 SECONDS EAST 198.40 FEET TO A POINT; THENCE SOUTH 35 DEGREES 44 MINUTES 14 SECONDS EAST 128.95 FEET TO A POINT; THENCE SOUTH 76 DEGREES 41 MINUTES 55 SECONDS WEST 16.52 FEET TO A POINT; THENCE SOUTH 34 DEGREES 43 MINUTES 14 SECONDS EAST 34.68 FEET TO A POINT; THENCE SOUTH 24 DEGREES 25 MINUTES 24 SECONDS EAST 129.32 FEET TO A POINT; THENCE SOUTH 14 DEGREES 28 MINUTES 56 SECONDS WEST 134.14 FEET TO A POINT; THENCE SOUTH 03 DEGREES 22 MINUTES 08 SECONDS EAST 145.49 FEET TO A POINT; THENCE SOUTH 40 DEGREES 19 MINUTES 00 SECONDS WEST 105.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 48 MINUTES 22 SECONDS WEST 81.39 FEET TO A POINT; THENCE SOUTH 40 DEGREES 19 MINUTES 00 SECONDS WEST 20.00 FEET TO A POINT; THENCE NORTH 49 DEGREES 40 MINUTES 43 SECONDS WEST 33.82 FEET TO A POINT; THENCE NORTH 44 DEGREES 11 MINUTES 16 SECONDS WEST 327.23 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 39 DEGREES 30 MINUTES 15 SECONDS WEST 991.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 118.97 FEET TO A POINT; THENCE NORTH 77 DEGREES 09 MINUTES 59 SECONDS EAST 51.40 FEET TO A POINT ON THE NORTH LINE OF PROPERTY OF CHESTERFIELD VILLAGE, INC. AS DESCRIBED IN THE DEED RECORDED IN BOOK 14336 PAGE 2705 OF THE ST. LOUIS COUNTY RECORDS; THENCE EASTWARDLY ALONG SAID NORTH LINE NORTH 61 DEGREES 01 MINUTES 19 SECONDS EAST 68.88 FEET, NORTH 62 DEGREES 47 MINUTES 13 SECONDS EAST 24.33 FEET, NORTH 74 DEGREES 05 MINUTES 24 SECONDS EAST 59.17 FEET AND NORTH 67 DEGREES 06 MINUTES 31 SECONDS EAST 26.83 FEET TO A POINT ON THE EAST LINE OF PROPERTY OF THEODORE J. LOEFFLER AND WIFE AS

DESCRIBED IN THE DEED RECORDED IN BOOK 6672 PAGE 1193 OF THE ST. LOUIS COUNTY RECORDS; THENCE NORTHWARDLY ALONG SAID EAST LINE NORTH 06 DEGREES 30 MINUTES 29 SECONDS WEST 53.70 FEET TO A POINT; THENCE SOUTH 77 DEGREES 09 MINUTES 59 SECONDS WEST 296.16 FEET TO A POINT ON THE CENTERLINE OF AFORESAID WILD HORSE CREEK ROAD; THENCE ALONG SAID CENTERLINE SOUTH 44 DEGREES 11 MINUTES 16 SECONDS EAST 67.40 FEET TO A POINT ON SAID NORTH LINE OF RELOCATED WILD HORSE CREEK ROAD, AS SHOWN ON THE "WILD HORSE CREEK ROAD DEDICATION PLAT" RECORDED IN PLAT BOOK 354 PAGES 865 AND 866; THENCE WESTERLY ALONG AFORESAID NORTH LINE THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 30 DEGREES 19 MINUTES 17 SECONDS WEST 991.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 237.03, ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 22 DEGREES 06 MINUTES 55 SECONDS WEST 992.54 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 125.85 FEET, ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 09 DEGREES 25 MINUTES 07 SECONDS WEST 1003.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 102.8, NORTH 03 DEGREES 32 MINUTES 47 SECONDS EAST 11.00 FEET, ALONG A CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS NORTH 03 DEGREES 32 MINUTES 47 SECONDS EAST 94.50 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 130.29 FEET, AND SOUTH 82 DEGREES 32 MINUTES 19 SECONDS WEST 5.00 FEET TO A POINT ON SAID EAST LINE OF RELOCATED CHESTERFIELD AIRPORT ROAD AS SHOWN ON "WILD HORSE CREEK ROAD DEDICATION PLAT" RECORDED IN PLAT BOOK 354 PAGES 865 AND 866; THENCE NORTHERLY ALONG AFORESAID EAST LINE, ALONG A CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 82 DEGREES 32 MINUTES 19 SECONDS WEST 602.96 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 247.37 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.842 ACRES ACCORDING TO CALCULATIONS BY GRIMES CONSULTING, INC. DURING OCTOBER 2017.

AREA 3

A TRACT OF LAND IN U.S. SURVEY 123, TOWNSHIP 45 NORTH - RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT ON THE SOUTHWEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 40, SAID POINT BEING DISTANT NORTH 33 DEGREES 47 MINUTES 31 SECONDS WEST 41.56 FEET FROM THE SOUTH LINE OF SAID U.S. SURVEY 123, SAID POINT ALSO BEING PERPENDICULAR DISTANT NORTH 53 DEGREES 04 MINUTES 08 SECONDS WEST 85.00 FEET FROM THE CENTERLINE OF CHESTERFIELD PARKWAY; THENCE SOUTHWESTWARDLY

ALONG THE NORTHWEST RIGHT-OF-WAY LINE OF SAID CHESTERFIELD PARKWAY SOUTH 36 DEGREES 55 MINUTES 52 SECONDS WEST 59.27 FEET TO THE SAID SOUTH LINE OF U.S. SURVEY 123; THENCE WEST ALONG SAID SOUTH LINE OF U.S. SURVEY 123 SOUTH 77 DEGREES 39 MINUTES 53 SECONDS WEST 110.86 FEET TO THE NORTH RIGHT-OF-WAY LINE OF CHESTERFIELD AIRPORT ROAD, 100 FEET WIDE; THENCE WESTWARDLY ALONG SAID NORTH RIGHT-OF-WAY LINE OF CHESTERFIELD AIRPORT ROAD, 100 FEET WIDE, ALONG A CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS NORTH 29 DEGREES 47 MINUTES 51 SECONDS EAST 1859.86 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 55.96 FEET, NORTH 58 DEGREES 28 MINUTES 42 SECONDS WEST 163.68 FEET AND ALONG A CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS NORTH 31 DEGREES 31 MINUTES 18 SECONDS EAST 1859.86 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 117.66 FEET TO THE LIMITED ACCESS LINE OF RAMP "A"; THENCE ALONG THE SAID LIMITED ACCESS LINE OF RAMP "A" THE FOLLOWING COURSES AND DISTANCES: NORTH 18 DEGREES 05 MINUTES 04 SECONDS WEST 139.51 FEET, NORTH 38 DEGREES 44 MINUTES 47 SECONDS EAST 50.00 FEET AND NORTH 29 DEGREES 35 MINUTES 23 SECONDS EAST 237.00 FEET TO THE AFORESAID SOUTHWEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 40; THENCE SOUTHEASTWARDLY ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 40 SOUTH 33 DEGREES 47 MINUTES 31 SECONDS EAST 584.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.91 ACRES.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as set out in the original approval as granted by the City of Chesterfield in its attachments which were set out in the original Attachment "A" as amended by this action which is incorporated herein.

Section 3. The City Council, pursuant to the petition filed by Above All Development LLC in P.Z. 19-2017, 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 11th day of December 2017, 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 _____, 2018.

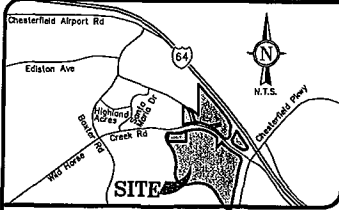
PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

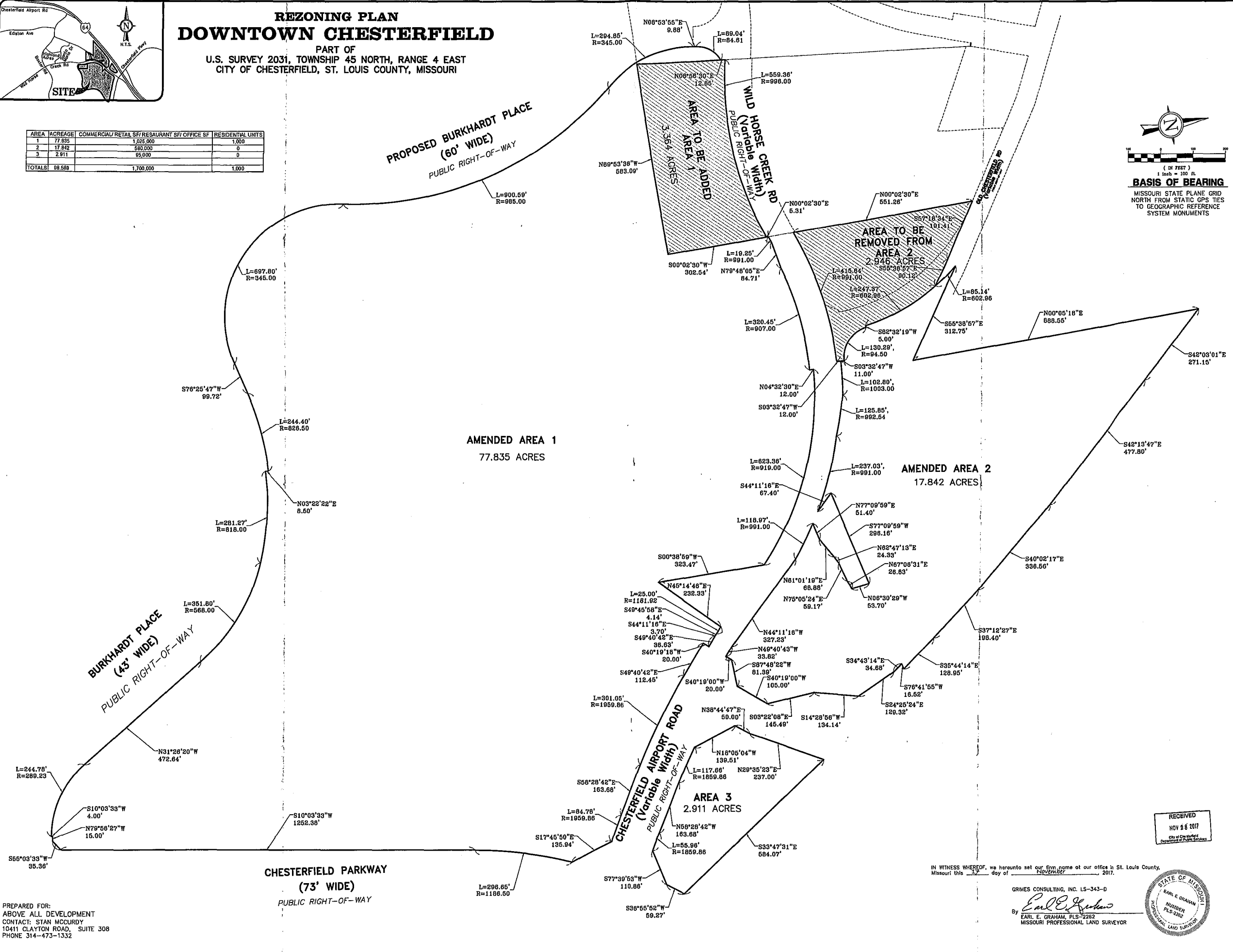
FIRST READING HELD: 02/05/2018



REZONING PLAN DOWNTOWN CHESTERFIELD

PART OF
U.S. SURVEY 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

AREA	ACREAGE	COMMERCIAL/ RETAIL SF	RESTAURANT SF	OFFICE SF	RESIDENTIAL UNITS
1	77.835		1,025,000		1,000
2	17.842		580,000		0
3	2.911		95,000		0
TOTALS	98.588		1,700,000		1,000



GRIMES CONSULTING, INC.
Civil Engineering & Surveying Services
13300 Old Truman Road
Suite 2000
St. Louis, MO 63131
P.O. Box 848-0100
Professional Land Surveyor, License No. LS-343-D
www.grimesconsulting.com

DATE	REVISIONS

**DOWNTOWN
CHESTERFIELD**
CHESTERFIELD, MISSOURI

PRELIMINARY PLAN

RECEIVED
NOV 28 2017
City of Chesterfield
Department of Public Works

IN WITNESS WHEREOF, we hereunto set our firm name at our office in St. Louis County, Missouri this 27 day of November, 2017.

GRIMES CONSULTING, INC. LS-343-D
By *Earl E. Graham*
EARL E. GRAHAM, PLS-2282
MISSOURI PROFESSIONAL LAND SURVEYOR



PREPARED FOR:
ABOVE ALL DEVELOPMENT
CONTACT: STAN MCCURDY
10411 CLAYTON ROAD, SUITE 308
PHONE 314-473-1332

BILL NO. 3178

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "PC&R" PLANNED COMMERCIAL AND RESIDENTIAL DISTRICT, THE "C8" PLANNED COMMERCIAL DISTRICT AND THE "LLR" LARGE LOT RESIDENTIAL DISTRICT TO AN "R-6AA" RESIDENCE DISTRICT FOR A 12.6 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF OLD CHESTERFIELD ROAD, NORTHWEST OF THE INTERSECTION WITH WILD HORSE CREEK ROAD [P.Z. 17-2017 AVENTURA AT WILD HORSE CREEK (ABOVE ALL DEVELOPMENT)17T310016, 18T630173, 18T630205, 18T640226].

WHEREAS, the petitioner, Above All Development, has requested a change in zoning from a "PC&R" Planned Commercial and Residential District, the "C8" Planned Commercial District and the "LLR" Large Lot Residential District to an "R-6AA" Residence District for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road; and,

WHEREAS, a Public Hearing was held before the Planning Commission on December 11, 2017; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the change of zoning on January 8, 2018; and,

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

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

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

Section 1. City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing an "R-6AA" Residence District designation for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road and as described as follows:

A tract of land situated in the City of Chesterfield, the County of St. Louis, and the State of Missouri, lying in part of U.S. Survey 2031, Township 45 North, Range 4 East, and being part of a tract of land conveyed to Chesterfield Village, Inc. as described in Deed Book 6549 page 1873, part of a tract of land conveyed to Chesterfield Village, Inc. as described in Deed Book 6881 page 1745, part of a tract of land conveyed to Chesterfield Village, Inc. as described in Deed Book 6928 page 45, part of a tract of land conveyed to Chesterfield Village, Inc. as described in Deed Book 11222 page 379, part of a tract of land conveyed to Chesterfield Village, Inc. as described in Deed Book 11324 page 2292, and part of a tract of land conveyed to Richard Bausch Godwin, Trustee and Marilyn F.M. Johnston, Trustee as described in Deed Book 12444 page 733, all of the land records of said St. Louis County, Missouri, and being more particularly described as follows:

COMMENCING at a found $\frac{1}{2}$ inch iron pipe on the South line of said U.S. Survey 2031 marking the Southwest corner of Adjusted Lot A of the Boundary Adjustment Plat, Lot A and Lot B of Chesterfield Professional Village, a subdivision filed for record in Plat Book 260 page 3 of said land records of St. Louis County, Missouri, said Southwest corner of Adjusted Lot A being a record distance of 281.42 feet West of the Southeast corner of said U.S. Survey 2031; thence along said South line of said U.S. Survey 2031, North 89 degrees 53 minutes 06 seconds West a distance of 162.88 feet to the Southwest corner of said Chesterfield Village, Inc. tract as described in Deed Book 6881 page 1745, from said Southeast corner a found stone bears South 00 degrees 01 minutes 14 seconds West a distance of 0.90 feet; thence leaving said South line of U.S. Survey 2031 along the West line of said Chesterfield Village, Inc. tract as described in Deed Book 6881 page 1745, North 00 degrees 01 minutes 14 seconds East a distance of 384.78 feet to an angle point on the Northern right-of-way line of Relocated Wild Horse Creek Road, width varies, from said angle point a found $\frac{5}{8}$ inch iron rod by the St. Louis County Highway and Transportation Department bears South 43 degrees 02 minutes 41 seconds West a distance of 0.08 feet, said angle point in the right-of-way line being the TRUE POINT OF BEGINNING of the tract herein described; thence along said West line of said Chesterfield Village, Inc. tract and along said Northern right-of-way line of Relocated Wild Horse Creek Road, North 00 degrees 01 minutes 14 seconds East a distance of 5.34 feet to a found $\frac{5}{8}$ inch iron rod by the St. Louis County Highway and Transportation Department; thence leaving said West line of said Chesterfield Village, Inc. tract along said Northern right-of-way line of Relocated Wild Horse Creek Road as follows: 10.17 feet along the arc of a curve to the left, having a radius of 996.00 feet, through a central angle of 00 degrees 35 minutes 07 seconds, with a chord that bears South 69 degrees 20 minutes 02 seconds West a distance of 10.17 feet to a set $\frac{5}{8}$ inch iron rod marking a point of reverse curvature; 540.61 feet along the arc of a curve to the right, having a radius of 914.00 feet, through a central angle of 33 degrees 53 minutes 21 seconds, with a chord that bears South 85 degrees 59 minutes 09 seconds West a distance of 532.77 feet to a found $\frac{5}{8}$ inch iron rod by the St. Louis County Highway and

Transportation Department; South 06 degrees 54 minutes 34 seconds West a distance of 5.03 feet; thence 0.28 feet along the arc of a curve to the right, having a radius of 919.00 feet, through a central angle of 00 degrees 01 minutes 04 seconds, with a chord that bears North 77 degrees 05 minutes 37 seconds West a distance of 0.28 feet to a point of reverse curvature, from said point of reverse curvature a found "X" in concrete bears North 89 degrees 35 minutes 28 seconds East a distance of 0.09 feet; 372.90 feet along the arc of a curve to the left, having a radius of 991.00 feet, through a central angle of 21 degrees 33 minutes 34 seconds, with a chord that bears North 87 degrees 51 minutes 52 seconds West a distance of 370.70 feet to a found 5/8 inch iron rod by the St. Louis County Highway and Transportation Department marking a point of tangency; South 81 degrees 21 minutes 21 seconds West a distance of 18.53 feet to the intersection of said Northern right-of-way line of Relocated Wild Horse Creek Road and the Southern right-of-way line of Wild Horse Creek Road as located circa 2007, width varies, from said intersection a found 5/8 inch iron rod by the St. Louis County Highway and Transportation Department bears North 84 degrees 48 minutes 44 seconds West a distance of 0.13 feet; thence leaving said Northern right-of-way line of Relocated Wild Horse Creek Road along said Southern right-of-way line of Wild Horse Creek Road as follows, 67.73 feet along the arc of a curve to the left, having a radius of 995.37 feet, through a central angle of 03 degrees 53 minutes 55 seconds, with a chord that bears North 56 degrees 52 minutes 18 seconds East a distance of 67.71 feet to a set 5/8 inch iron rod; North 00 degrees 54 minutes 22 seconds East a distance of 12.39 feet to an angle point in said Southern right-of-way line, from said angle point a found 1/2 inch iron pipe by LS-19-D bears South 00 degrees 41 minutes 04 seconds West a distance of 0.30 feet; 65.00 feet along the arc of a curve to the left, having a radius of 985.37 feet, through a central angle of 03 degrees 46 minutes 46 seconds, with a chord that bears North 52 degrees 36 minutes 34 seconds East a distance of 64.99 feet to a set 5/8 inch iron rod; South 39 degrees 16 minutes 49 seconds East a distance of 28.00 feet to a set 5/8 inch iron rod; 30.85 feet along the arc of a curve to the left, having a radius of 1,013.37 feet, through a central angle of 01 degrees 44 minutes 39 seconds, with a chord that bears North 49 degrees 50 minutes 51 seconds East a distance of 30.85 feet to a set 5/8 inch iron rod; North 41 degrees 01 minutes 29 seconds West a distance of 28.00 feet to a set 5/8 inch iron rod; 507.48 feet along the arc of a curve to the left, having a radius of 985.37 feet, through a central angle of 29 degrees 30 minutes 29 seconds, with a chord that bears North 34 degrees 13 minutes 17 seconds East a distance of 501.89 feet to a set 5/8 inch iron rod marking a point of tangency; North 19 degrees 28 minutes 03 seconds East a distance of 140.96 feet to a set 5/8 inch iron rod; thence South 70 degrees 31 minutes 57 seconds East a distance of 10.00 feet to a found 1/2 inch iron pipe by LS-1635; North 19 degrees 28 minutes 03 seconds East a distance of 177.64 feet to the intersection of said Southern right-of-way line of Wild Horse Creek Road and the Southern right-of-way line of Chesterfield Airport Road, 60 feet wide, formerly Olive Street Road, from said intersection a found 1/2 inch iron pipe bears South 76 degrees 53 minutes 08 seconds West a distance of 0.28 feet; thence leaving said Southern right-of-way line of Wild Horse Creek

Road along said Southern right-of-way line of Chesterfield Airport Road, South 64 degrees 06 minutes 59 seconds East a distance of 130.93 feet to an angle point in said Southern right-of-way line, from said angle point a found ½ inch iron pipe by LS-1685 bears South 44 degrees 49 minutes 2 seconds West a distance of 0.07 feet; South 57 degrees 18 minutes 08 seconds East a distance of 351.43 feet to a found ½ inch iron pipe marking a point of curvature; 514.15 feet along the arc of a curve to the right, having a radius of 542.96 feet, through a central angle of 54 degrees 15 minutes 19 seconds, with a chord that bears South 30 degrees 10 minutes 28 seconds East a distance of 495.15 feet to a found 5/8 inch iron rod by the St. Louis County Highway and Transportation Department marking a point of tangency; South 03 degrees 02 minutes 49 seconds East a distance of 22.40 feet to a found 5/8 inch iron rod by the St. Louis County Highway and Transportation Department; South 86 degrees 57 minutes 11 seconds West a distance of 5.00 feet to a found 5/8 inch iron rod by the St. Louis County Highway and Transportation Department; South 33 degrees 41 minutes 48 seconds West a distance of 44.54 feet to a found 5/8 inch iron rod by the St. Louis County Highway and Transportation Department marking the intersection of said Southern right-of-way line of Chesterfield Airport Road and said Northern right-of-way line of Relocated Wild Horse Creek Road; thence leaving said Southern right-of-way line of Chesterfield Airport Road along said Northern right-of-way line of Relocated Wild Horse Creek Road, 239.86 feet along the arc of a curve to the left, having a radius of 991.00 feet, through a central angle of 13 degrees 52 minutes 04 seconds, with a chord that bears South 76 degrees 27 minutes 10 seconds West a distance of 239.28 feet to the point of beginning.

Containing 12.596 Acres, according to survey by Grimes Consulting, Inc. dated October 2017.

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 Above All Development in P.Z. 17-2017, 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 11th day of December 2017, 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 _____, 2018

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD: 02/05/2018

BILL NO. 3184

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A RECORD PLAT AND ESCROW AGREEMENTS FOR THE GRAND RESERVE SUBDIVISION, AN 11.87 ACRE TRACT OF LAND ZONED "R-3" RESIDENCE DISTRICT FOR A 0.722 ACRE PORTION AND "R-4" RESIDENCE DISTRICT FOR AN 11.159 ACRE PORTION AND LOCATED EAST OF THE INTERSECTION OF OLIVE BOULEVARD AND CHESTERFIELD PARKWAY.

WHEREAS, Stock and Associates Consulting Engineers, Inc., on behalf of Conturix Investment Group, LLC, has submitted for review and approval a Record Plat for the Grand Reserve subdivision; and,

WHEREAS, the purpose of said Record Plat is to subdivide an 11.87 acre tract of land into thirty-four (34) residential lots; and,

WHEREAS, the Planning Commission having reviewed the same and has recommended approval thereof; and,

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

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

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

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

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

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

Passed and approved this _____ day of _____,
2018.

PRESIDING OFFICER

Bob Nation, MAYOR

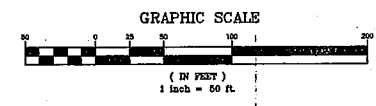
ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD: 02/05/2018

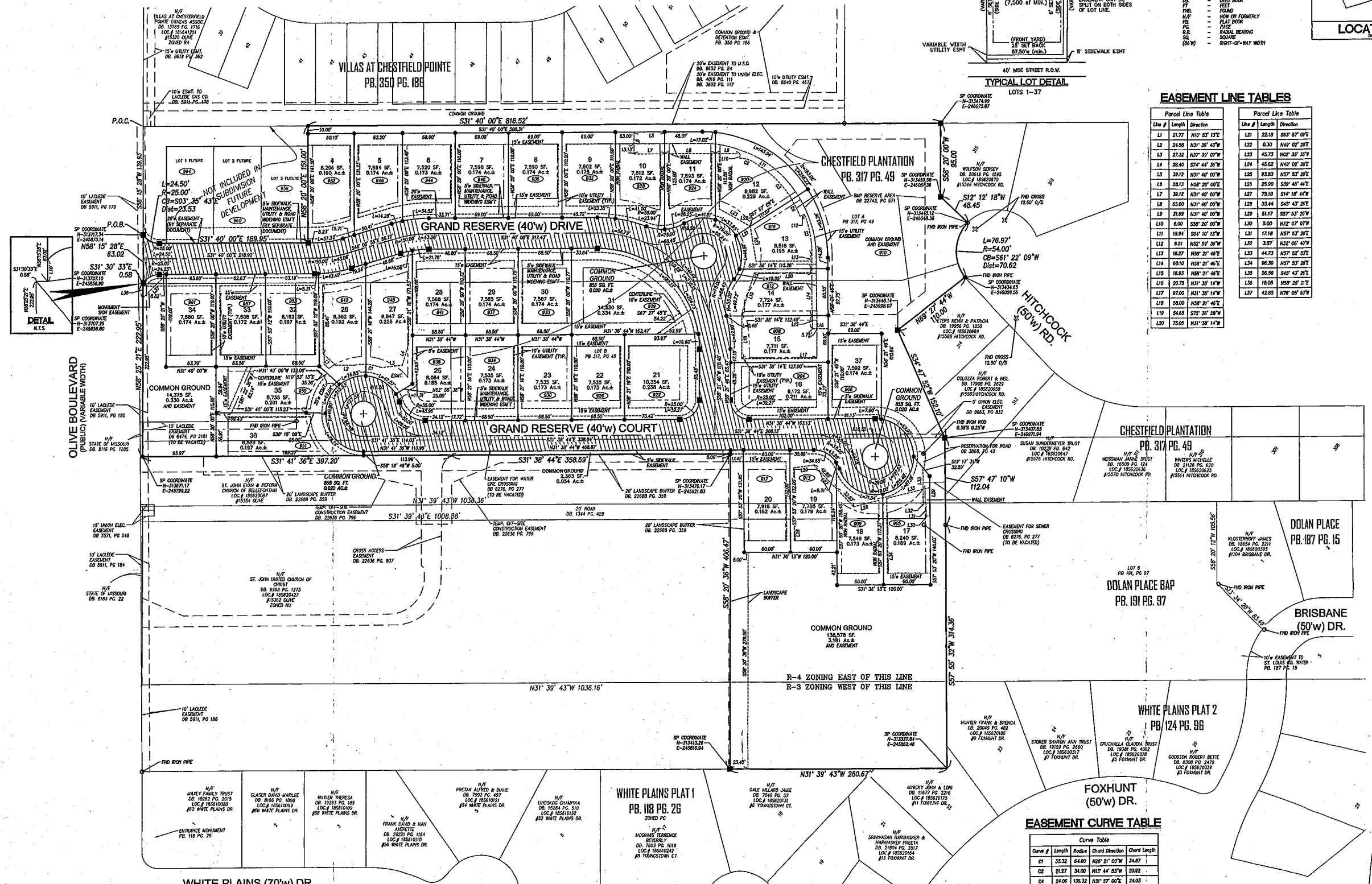
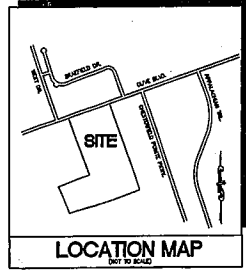
GRAND RESERVE SUBDIVISION

A TRACT OF LAND BEING LOTS A AND B OF 'CHESTERFIELD PLANTATION' PB 317, PG 49 + 50 AND PART OF U.S. SURVEYS 1911 AND 415, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI
THIS PLAT CONTAINS 118.76 ACRES±



LEGEND Exhibit 1

- BENCH MARK
 - FOUND IRON PIPE
 - RIGHT OF WAY MARKER
 - FOUND CUT CROSS
 - SET PERMANENT MONUMENTARY
 - SET IRON ROD
- ABBREVIATIONS
- DEE BOOK
 - DEED
 - FEED
 - FOOT
 - HOW OR FORMERLY PLAT BOOK
 - PL
 - PAGE
 - RADIAL BEARING SQUARE
 - SET
 - RIGHT-OF-WAY WIDTH



EASEMENT LINE TABLES

Parcel Line Table			Parcel Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	21.77	N10° 53' 13"E	L21	22.10	S83° 57' 07"E
L2	24.50	N31° 30' 45"W	L22	0.30	N40° 02' 20"E
L3	27.32	N37° 39' 07"W	L23	45.75	N57° 33' 55"W
L4	28.40	S74° 44' 30"W	L24	45.62	N40° 02' 20"E
L5	30.12	N31° 40' 00"W	L25	83.63	N57° 33' 55"W
L6	28.13	N58° 20' 00"E	L26	25.90	S30° 40' 44"E
L7	30.12	N31° 40' 00"W	L27	73.18	S14° 18' 14"W
L8	65.00	N31° 40' 00"W	L28	33.44	S45° 43' 28"E
L9	31.69	N31° 40' 00"W	L29	51.17	S57° 53' 29"W
L10	8.00	S58° 20' 00"E	L30	5.00	N12° 07' 07"W
L11	15.84	S04° 10' 13"W	L31	17.18	N57° 53' 20"E
L12	6.51	N32° 59' 30"W	L32	3.87	N13° 06' 49"W
L13	18.27	N58° 21' 46"E	L33	44.73	N57° 53' 20"E
L14	60.10	N58° 21' 46"E	L34	96.30	N57° 53' 20"E
L15	16.83	N58° 21' 46"E	L35	56.50	S45° 43' 28"E
L16	20.75	N31° 30' 14"W	L36	18.05	N58° 21' 46"E
L17	87.00	N31° 30' 14"W	L37	42.65	N75° 05' 53"W
L18	58.00	N58° 21' 46"E			
L19	84.63	S72° 38' 28"W			
L20	75.01	N31° 30' 14"W			

EASEMENT CURVE TABLE

Curve #	Length	Radius	Chord Direction	Chord Length
C1	33.32	64.00	N09° 21' 03"W	34.87
C2	21.27	34.00	N15° 44' 53"W	20.92
C3	24.06	136.32	N31° 57' 00"E	24.03
C4	51.85	136.32	N15° 58' 36"E	51.63
C5	51.08	138.01	N40° 14' 37"E	52.75

PREPARED BY: **STOCK & ASSOCIATES** Consulting Engineers, Inc.

RECORD PLAT: **GRAND RESERVE SUBDIVISION** CHESTERFIELD MISSOURI

STATE OF MISSOURI
DANIEL EHLMANN
NUMBER PLS-2215
PROFESSIONAL LAND SURVEYOR

REVISIONS:
1. 1/18/2019 - CITY COMMENTS

RECEIVED
JAN 16 2019

ST. LOUIS COUNTY BENCHMARK
BENCHMARK 12206
ELEV=552.25 (NGVD29)
1/4" IN THE CORNER OF ENTRANCE WALK TO 18340
OLIVE BLVD. 49' SOUTH OF CENTERLINE OLIVE BLVD. AND
181' EAST OF CENTERLINE WEST DRIVE.

PREPARED FOR:
Conthark Investment Group, LLC
27 Bushwinkle Grove Court
Chesterfield, MO 63017
Ronald Gigerich, (314) 941-1801

RECORD PLAT
SHEET NO. 1 OF 2

GRAND RESERVE SUBDIVISION
 A TRACT OF LAND BEING LOTS A AND B OF "CHESTERFIELD PLANTATION" PB 317, PG 49 + 50 AND
 PART OF U.S. SURVEYS 1911 AND 415, TOWNSHIP 45 NORTH, RANGE 4 EAST OF
 THE 5TH PRINCIPAL MERIDIAN CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI
 THIS PLAT CONTAINS 11.876 ACRES:



PREPARED BY:
STOCK & ASSOCIATES
 Consulting Engineers, Inc.
 257 Chesterfield Business Parkway
 St. Louis, MO 63103 P.O. Box 6300
 314-991-1100 FAX 314-991-1101
 e-mail: gcamer@stockassoc.com
 Web: www.stockassoc.com

PROPERTY DESCRIPTION

A tract of land being part of Lots A and B of the Chesterfield Plantation, a subdivision filed for record in Plat Book 317, pages 49 and 50 of the St. Louis County records and part of U.S. Surveys 1911 and 415 in Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

COMMENCING at the Northeast corner of Lot A of Chesterfield Plantation, a subdivision filed for record in Plat Book 314, pages 49 and 50 of the St. Louis County records, said point also being on the southeastern right-of-way of Olive Blvd.; thence along said right-of-way line, South 58 degrees 15 minutes 28 seconds East, 139.93 feet to the POINT OF BEGINNING of the herein described tract, said point also being located on a curve to the left; having a radius of 25.00 feet; thence departing said right-of-way line the following courses and distances: along said curve with an arc length of 24.50 feet and a chord which bears South 03 degrees 35 minutes 43 seconds East, 23.53 feet to a point of tangency; South 31 degrees 40 minutes 00 seconds East, 189.95 feet and North 58 degrees 20 minutes 00 seconds East, 151.00 feet to the northeastern line of said Lot A; thence along said northeastern line, South 31 degrees 40 minutes 00 seconds East, 816.52 feet to the northeast corner of Lot 315 of above said Chesterfield Plantation; thence along the northern and western line lines of said Lot 315, South 58 degrees 20 minutes 00 seconds West: 95.00 feet and South 12 degrees 12 minutes 18 seconds West, 48.45 feet to a found iron pipe located at the northwestern corner of said Lot 315 said point also being located on the northern right-of-way of Hitchcock Drive, variable width, said point also being located on a non-tangential curve to the left having a radius of 54.00 feet; thence along said curve with an arc length of 76.97 feet and a chord which bears South 61 degrees 22 minutes 09 seconds West, 70.62 feet to a found iron pipe located at the southeastern corner of Lot 314 of said Chesterfield Plantation; thence along the northeastern line of said Lot 314, North 69 degrees 27 minutes 44 seconds West, 110.00 feet to the northern corner thereof; thence along the northern lines of Lots 314 and Lot 313 of said Chesterfield Plantation, South 34 degrees 47 minutes 52 seconds West, 152.10 feet; thence along the northwestern line said Lot 313 and its direct westerly prolongation, South 57 degrees 47 minutes 10 seconds West, 112.04 feet to a found iron pipe located on the northern line of Lot 6 of Dolan Place Boundary Adjustment Plat, as recorded in Plat Book 191, Page 97 of above said records; thence along the northern line and the northern line of Lot 23 and 22 of White Plains Plat 1, a subdivision according to the plat thereof as recorded in Plat Book 118, Page 26 of above said records, South 57 degrees 55 minutes 32 seconds West, 314.36 feet to the northeastern line of said White Plains Plat 1; thence along the eastern line of said White Plains Plat 1, North 31 degrees 39 minutes 43 seconds West, 280.67 feet; thence departing said eastern line, North 58 degrees 20 minutes 36 seconds East, 406.47 feet to the northeastern line of a tract of land as conveyed to St. John's Evangelical & Reformed Church of Christ by instrument recorded in Book 6988, page 1275 of above said records; thence along said northeastern line, North 31 degrees 38 minutes 44 seconds West, 358.59 feet and South 31 degrees 41 minutes 36 seconds East, 397.20 feet to the southeastern right-of-way of Olive Boulevard; thence along said right-of-way line, North 58 degrees 25 minutes 21 seconds East, 222.95 feet; South 31 degrees 30 minutes 33 seconds East, 0.58 feet and North 58 degrees 15 minutes 28 seconds East, 63.02 feet the Point of Beginning, containing 517,301 square feet or 11.876 acres more or less.

GENERAL NOTES:

- 1) Subject property lies within Flood Zone X (areas determined to be outside the 0.2% annual chance floodplain) according to the National Flood Insurance Rate Map Number 29189C0170K with an effective date of 02/04/2015.
- 2) The basis of bearings for this survey is Plat Book 317, Page 49 - 50.
- 3) PRESENT ZONING: 'R-3' & 'R-4' RESIDENCE DISTRICT

 Minimum structure setbacks R-4:
 Front - Zero (0) feet from Property line
 Side - Six (6) feet from Property Line
 Rear - Fifteen (15) feet from Property Line
 Right-of-Way - Twenty (20) feet from front yard
 Height:
 No building elevation of any dwelling structure or building accessory to a dwelling structure shall exceed three (3) stories or forty-five (45) feet in height, whichever is less.
- 4) Source of record title are Deed Book 22636, page 3391, Deed Book 22636, page 3331, Deed Book 22636, page 791, Deed Book 22636, Page 3371 and Deed book 22634, page 1322.
- 5) Monuments to be set: 23 permanent and 90 semipermanent.

OWNER'S CERTIFICATION

We, the undersigned, owners of the tract of land herein platted and further described in the foregoing surveyor's certificate, have caused the same to be surveyed and resubdivided in the manner shown on this plat, which boundary adjustment plat shall hereafter be known as:

"GRAND RESERVE SUBDIVISION"

All Common Ground and easements, except Wall Easement, shown on this plat, unless designated for other specific purposes, are hereby dedicated to The City of Chesterfield, Missouri, Missouri American Water Company, Laclede Gas Company, AmerenUE, Southwestern Bell d.b.a. AT&T of Missouri, Metropolitan ST. Louis Sewer District, the relevant Cable Company, their successors and/or assigns as their interests may appear for the purpose of improving, constructing, maintaining, and repairing public utilities, sewers, and drainage facilities with a right of temporary use of adjacent ground not occupied for improvements for excavation and storage of materials during installation, repair, or replacement of said utilities, sewers, and drainage facilities.

Grand Reserve Drive and Grand Reserve Court, 40 feet wide along with widenings and roundings at the street intersections, which for better identification is shown hatched on this plat, are hereby dedicated to the City of Chesterfield, Missouri for public use forever.

The "Wall Easement" shown hereon is for the purpose of protecting modular "wall system." Encroachments are allowed within this area, however any encroachment shall require design approval by the project geotechnical engineer, wall designer and project civil engineer prior to construction. Maintenance of the retaining wall shall be the sole responsibility of the Grand Reserve Subdivision Homeowners Association.

The Common Ground Easements, cul-de-sac islands, as shown hereon, are hereby dedicated to the Trustees of the aforementioned subdivision for landscape maintenance. However, no above ground structure other than required street lights or other public utilities in accordance with the approved improvement plans may be constructed and installed within a cul-de-sac island without authorization by the City of Chesterfield through issuance of a Special Use Permit.

The 5-foot Sidewalk Maintenance, Utility and Road Widening Easements shown here on are hereby dedicated to the City of Chesterfield, Missouri, for public use forever.

Building lines as shown on this plat are hereby established.

This subdivision is subject to the conditions and restrictions as recorded in Book _____, Page _____ of the St. Louis County Recorder's Office.

Common Ground Area as shown hereon, has been conveyed to the Trustees of this Subdivision by General Warranty deed recorded in Book _____, Page _____ of the St. Louis County Recorder's Office.

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

Permanent and/or semi permanent monuments, as required, will be set as shown, with the exception that the front lot corners may be monumented by notches or crosses cut in the concrete paving on the prolongation of the side lot line within twelve (12) months after the recording of this plat, in accordance with 20 CSR 2030-16 of the Department of Insurance, Financial Institutions and Professional Registration. In addition other survey monuments indicated on this subdivision plat, required by the Subdivision Ordinance of the City of Chesterfield, Missouri, will be set.

IN WITNESS THEREOF, I have hereunto set my hand this _____ day of _____, 20__.

Conurb Investment Group, LLC
 a Missouri limited liability company

By: _____

PRINT NAME

PRINT TITLE

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

On this _____ day of _____ in the year _____ before me, _____ a Notary Public in and for said state, personally appeared _____ of Conurb Investment Group, LLC, a Missouri limited liability company, known to me to be the person who executed this Record Plat in behalf of said limited liability company and acknowledged to me that he executed the same for the purposes therein stated.

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

My commission expires: _____ Notary Public

STATEMENT OF STATE PLANE COORDINATE TIE:

STATION: SL-31
 GRID FACTOR = 0.99990765
 NORTH (Y) = 312625.342
 EAST (X) = 244719.740

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

STATION: SL-31, ADJUSTED IN 2012

Station SL-31 to Azimuth Mark SL-31A - Grid Azimuth = 38 Degree 30 Minutes 32 Seconds.

The Missouri Coordinate System of 1983 East Zone coordinate values reported hereon were determined based upon a field traverse during 2017 using Trimble GPS receivers, and that in my professional opinion, as a land surveyor registered in the State of Missouri, the reported State Plane Coordinates meet the current Missouri Minimum Standards for Property Boundary Surveys (20 CSR 2030-16). The basis of bearings shown on this plat were adopted from Plat Book 317, Pages 49 & 50. The grid bearing along the North line on this plat is found to be South 32 degrees 09 minutes 21 seconds East. The measured bearing labeled along the same line is South 31 degrees 40 minutes 00 seconds East 816.52 feet. The grid bearing from SL-31 to the most Northwest corner is North 49 degrees 05 minutes 27 seconds East 1619.169 meters with the scale factor applied.

LENDER CERTIFICATION

The undersigned Owner and Holder of Note, as secured by Deed of Trust recorded in Book _____ Page _____ of the St. Louis County Records, does hereby join in and approve the foregoing Subdivision Plat as shown hereon.

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

By: _____

Print Name:

Print Title:

STATE OF _____)
) SS.
 COUNTY OF _____)

On this _____ day of _____, 20__ before me appeared _____, to me personally known, who, being by me duly sworn, did say that he is the person _____ of _____, known to me to be the person who executed the within instrument in behalf of said _____ and acknowledged to me that _____ executed same for the purposes therein stated.

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

My commission expires: _____ Notary Public

This is to certify that the "Grand Reserve Subdivision" Plat, was approved by the City Council for the City of Chesterfield by Ordinance No. _____ on the _____ day of _____, 20__ and thereby authorizes the recording of this Record Plat with the office of the St. Louis County Recorder of Deeds.

Bob Nation, Mayor

Vicki Hass, City Clerk

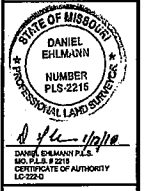
SURVEYOR'S CERTIFICATION

This is to certify that Stock and Associates Consulting Engineers, Inc. have, during October, 2017, by order of and for the use of Conurb Investment Group, LLC, executed a Property Boundary Survey and Record Plat of a tract of land being part of Lots A and B of the Chesterfield Plantation, a subdivision filed for record in Plat Book 317, pages 49 and 50 of the St. Louis County records and part of U.S. Surveys 1911 and 415 in Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri, and that the results of said survey and Record Plat are shown hereon. We further certify that the above plat was prepared from an actual survey, according to the records available and recorded, and said survey meets or exceeds the current minimum standards for Property Boundary Surveys for "Class Urban Property" as defined in Chapter 18, Division 2030 Missouri Minimum Standards for Property Boundary Surveys as adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
 LC NO. 222-D

By: *Daniel Ehlmann* 10/18
 Daniel Ehlmann, Missouri P.L.S. No. 2215

RECORD PLAT
GRAND RESERVE SUBDIVISION
 CHESTERFIELD
 MISSOURI



REVISIONS:

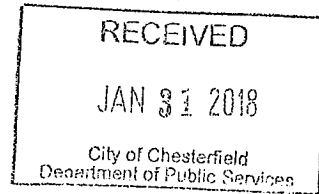
1 11/21/2017 CITY COMMENTS

DATE	BY	CHKD BY
11/21/17	JAC	D.M.E.

RECORD PLAT

SHEET NO. 2 OF 2

PREPARED FOR:
 Conurb Investment Group, LLC
 27 Bonhomme Grove Court
 Chesterfield, MO 63017
 Ronald Gingerich, (314) 941-1801



Great Southern Bank
1451 E Battlefield
Springfield MO 65804

February 5, 2018

IRREVOCABLE LETTER OF CREDIT NO. 2378

City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Dear Sir:

We hereby establish in favor of the CITY OF CHESTERFIELD, upon the application of and for the account of Conturix Investment Group, LLC, a Missouri limited liability company (the "Account Party") our transferable irrevocable standby letter of credit (the "Letter of Credit") in the amount of \$ 1,595,536.52 (the "Maximum Available Credit"), subject to the reduction as hereinafter set forth.

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

- Grading Surety
- Landscape Surety
- Pavement Restoration Surety
- Subdivision Construction Deposit
- Subdivision Maintenance Deposit
- Tree Preservation Surety
- Other _____

as detailed on the accompanying agreements for Grand Reserve, approval of same issued by you for the benefit of the Account Party (the "Approval").

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

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

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

Multiple drawings may be presented under this Letter of Credit, which, in the aggregate and subject to the limitations set forth herein, shall not exceed the Maximum Available Credit then in effect and each such drawing honored by us hereunder shall reduce the Maximum Available Credit by the amount of such drawing. The draft(s) drawn under this Letter of Credit must be drawn and presented to our offices at 8235 Forsyth Blvd., Ste 150 Clayton MO 63105

Attention: Carol Hanson (or such other officer, department or address designated in writing by us to you at your address shown above or at such other address as you shall advise us of in writing) by hand delivery or by delivery by courier between 9:00 a.m. and 4:30 p.m. (St. Louis, Missouri time) on a Business day (as defined below). As used in this Letter of Credit, "Business day" shall mean any day other than a Saturday, Sunday or a day on which banking institutions in the State of Missouri are authorized or required by law to close.

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

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

Payment under this Letter of Credit to you shall be made by wire transfer or as agreed by the Chesterfield Department of Finance of immediately available funds per your instructions.

Only you or a transferee may make drawings under this Letter of Credit. Upon payment as provided above of the amount specified in a sight draft drawn hereunder, the Maximum Available Credit of the Letter of Credit shall be reduced by the amount of the payment.

If demand for payment does not conform to the terms and conditions of this Letter of Credit, we will promptly notify you thereof and of the reasons thereof, such notice to be promptly confirmed in writing to you, and we shall hold all documents at your disposal or return the same to you, if directed by you.

This Letter of Credit is effective immediately and expires on the earliest of (i) 4:00 p.m. (St. Louis, Missouri time) on February 5, 2020, except that unless such date may be extended as hereinafter provided, this letter of credit shall automatically and immediately be paid by wire transfer the balance of the Maximum Available Credit to the City of Chesterfield at the following account: to receiving bank Reliance Bank (ABA #081018888) for beneficiary City of Chesterfield, Account # 50044296, or (ii) when you have drawn and we have paid to you the Maximum Available Credit of this Letter of Credit or (iii) the day on which this Letter of Credit is surrendered to us for cancellation (collectively, the "Expiration Date"); provided, however, notwithstanding the termination by expiration of this Letter of Credit, our payment obligation shall survive such expiration with respect to any sight drafts accompanied by a certificate in the form of Exhibits A, or B, as the case may be, presented to us for payment prior to the expiration of this Letter of Credit; **and/or further provided that upon such expiration, or if automatically extended upon expiration of the last extension, we shall automatically and immediately transfer the balance of the Maximum Available Credit to the City of Chesterfield at the account set forth above or such**

other account subsequently designated by you, unless you authorize in writing a release of our obligations under this Letter of Credit or authorize a replacement of the Letter of Credit. It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for one year (or such other date as the City and Account Party may agree in writing) from the present or any future Expiration date hereof, unless at least 75 days prior to any such date, we shall send you, in the form attached hereto as Exhibit C, notice that we elect not to consider this Letter of Credit renewed for such additional one-year period. Notwithstanding any automatic extensions, this letter of credit shall expire fully and finally not later than February 5, 2023.

Upon our receipt, from time to time, from you of a written reduction certificate in the form attached as Exhibit D, we are authorized to reduce the Maximum Available Credit hereunder by the amount stated in such certificate, any such reduction to be effective only at our close of business on the date on which we receive such written reduction certificate. Final reduction / release of the Letter of Credit shall be effective at our close of business on the date on which we receive a certificate in the form attached as Exhibit E.

This Letter of Credit shall be governed by the Uniform Customs and Practice for Documentary Credits, 2007 Revision, International Chamber of Commerce Commission Publication No. 600, but excluding the provisions of Article 32 thereof (the "UCPDC").

Any communications with respect to this Letter of Credit shall be in writing and shall be addressed to us at 8235 Forsyth Blvd., Ste. 150 Clayton MO 63105,
Attention: Carol Hanson, specifically referring thereon to Irrevocable Letter of Credit No. 2378.

You may transfer your rights under this Letter of Credit in their entirety (but not in part) to any transferee. Transfer of your rights under this Letter of Credit to any such transferee shall be effected only upon the presentation to us of this Letter of Credit accompanied by a transfer letter in the form attached hereto as Exhibit F, and we consent to such transfer without charges or fees of any kind. Upon such transfer, the transferee shall have no further rights to transfer this Letter of Credit.

This Letter of Credit sets forth in full our undertaking, and such undertaking shall not in any way be modified, amended, amplified or limited by reference to any document, instrument or agreement referred to herein (including, without limitation, the Approval, but excluding the UCPDC), and any such reference shall not be deemed to incorporate herein by reference any document, instrument or agreement. Exhibits A, B, C, D, E, F and G attached hereto are incorporated herein by reference as an integral part of this Letter of Credit.

Very truly yours,

Great Southern Bank

By:

Carol A. Hanson
Authorized signer

EXHIBIT A
TO LETTER OF CREDIT
FORM OF CERTIFICATE FOR "A" DRAWING

Attention: _____

Re: Your Letter of Credit No. _____
In Favor of City of Chesterfield, Missouri

To Whom It May Concern:

The undersigned, a duly authorized official of City of Chesterfield, Missouri (the "Beneficiary"), hereby certifies to _____ (the "Bank"), with reference to Irrevocable Letter of Credit No. _____ (the "Letter of Credit"; any capitalized terms used herein and not defined shall have their respective meanings as set forth in the said Letter of Credit) issued by the Bank in favor of the Beneficiary, that:

1. The Account Party has failed to complete all of the required work or fulfill all obligations required by the City Code, permits, approved plans or agreements.
2. The draft in the sum of \$ _____ accompanying this Certificate is not in excess of the Maximum Available Credit under the Letter of Credit and shall result in a reduction of the Maximum Available Credit under the Letter of Credit.

Transfer the funds as stated above to the credit of the City of Chesterfield, Missouri to
[INSERT BANK Account # _____], Attention: Director of Finance.

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate this
_____ day of _____, 20____.

CITY OF CHESTERFIELD, MISSOURI

By: _____
Director of Planning & Development Services

EXHIBIT B
TO LETTER OF CREDIT
FORM OF CERTIFICATE FOR "B" DRAWING

Attention:

Re: Your Letter of Credit No. _____ in Favor of City of Chesterfield,
Missouri

To Whom It May Concern:

The undersigned, a duly authorized official of City of Chesterfield, Missouri (the "Beneficiary"), hereby certifies to _____ (the "Bank"), with reference to Irrevocable Letter of Credit No. _____ (the "Letter of Credit"; any capitalized terms used herein and not defined shall have their respective meanings as set forth in the said Letter of Credit) issued by the Bank in favor of the Beneficiary, that:

1. Funds in the amount of the accompanying draft are now due for deposit in a special transit account for the payment per Work completion.
2. The draft in the sum of \$ _____ accompanying this Certificate is not in excess of the Maximum Available Credit under the Letter of Credit and shall result in a reduction of the Maximum Available Credit under the Letter of Credit.

Transfer the funds as stated above to the credit of the City of Chesterfield, Missouri to

[INSERT BANK Account # _____], Attention: Director of Finance.

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate this _____ day of _____, 20_____.

CITY OF CHESTERFIELD, MISSOURI

By: _____
Director of Planning & Development Services

EXHIBIT C
TO LETTER OF CREDIT
FORM OF NOTICE OF EXPIRATION

City of Chesterfield
690 Chesterfield Parkway W
Chesterfield, Missouri 63017

Attention: Director of Planning & Development Services

Re: Our Letter of Credit No. _____ in Favor of City of Chesterfield,
Missouri

Amount: _____

Expiration Date: _____

To Whom It May Concern:

Please consider this letter as the Bank's notification that the Bank does not intend to renew the above-reference letter of credit and, therefore, it will expire in full and finally on the above-mentioned date. All remaining amounts under the Letter of Credit shall be transferred to the City of Chesterfield per the terms of the Letter.

Very truly yours,

By: _____
Authorized Officer

cc: _____

EXHIBIT D
TO LETTER OF CREDIT
FORM OF REDUCTION CERTIFICATE

City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Attention:

Re: LETTER OF CREDIT NUMBER: _____
IN ORIGINAL AMOUNT OF: \$ _____

To Whom It May Concern:

This certificate authorizes reduction in the amount of \$ _____ of the above letter of credit.
The remaining maximum available credit for this letter of credit is \$ _____.

CITY OF CHESTERFIELD, MISSOURI

By: _____
Director of Planning & Development Services

cc _____

EXHIBIT E

TO LETTER OF CREDIT

FORM FOR FULL REDUCTION / RELEASE OF LETTER OF CREDIT

Attention:

Re: LETTER OF CREDIT NUMBER: _____

IN ORIGINAL AMOUNT OF: \$ _____

FINAL REDUCTION

To Whom It May Concern:

The City of Chesterfield hereby authorizes the final reduction of the letter of credit established for _____ . The letter of credit referenced above is hereby being surrendered.

Should you desire additional information, please contact * _____*.

By: _____
Director of Planning & Development Services

Enclosures: Letter of Credit

cc

EXHIBIT F
TO LETTER OF CREDIT
FORM FOR FULL TRANSFER OF LETTER OF CREDIT

Attention:

Re: Your Letter of Credit ("Letter of Credit") No. _____ in favor of City of
Chesterfield, Missouri

To Whom It May Concern:

The undersigned, City of Chesterfield, Missouri ("Transferor") has transferred and assigned
and hereby confirms said transfer and assignment) all of its rights in and under the Letter of Credit
to [_____] ("Transferee"). Transferor confirms that it no longer has any
rights under or interest in the Letter of Credit and that you shall have no further responsibility to
make payment under the Letter of Credit to Transferor.

Transferor hereby surrenders the Letter of Credit subject to the transfer to you and requests
that you note the transfer of the Letter of Credit and deliver the Letter of Credit, amended or
endorsed to reflect said transfer, to Transferee.

CITY OF CHESTERFIELD, MISSOURI

[_____]

CITY OF CHESTERFIELD, MISSOURI

By: _____
Director of Planning & Development Services

Inclosures: Letter of Credit, if applicable

cc

EXHIBIT G
TO LETTER OF CREDIT

SIGHT DRAFT

Attention:

Re: Your Letter of Credit ('Letter of Credit') No. _____ in favor of City of
Chesterfield, Missouri.

To Whom It May Concern:

Pay on demand to _____ the sum of U.S. \$ _____. This
draft is drawn under your Irrevocable Letter of Credit No. _____.

CITY OF CHESTERFIELD, MISSOURI

By: _____

Name: _____

Title: _____

-or-

[Insert Lender's name]

By: _____

Name: _____

Title: _____

RECEIVED
JAN 26 2018
City of Chesterfield
Department of Public Services

SUBDIVISION IMPROVEMENT CONSTRUCTION DEPOSIT AGREEMENT

THIS CONSTRUCTION DEPOSIT AGREEMENT made and entered into by
CONTURIX INVESTMENT GROUP, LLC
_____, herein called DEVELOPER,
GREAT SOUTHERN BANK
_____, herein called ESCROW
HOLDER (*strike through this party if cash deposited with City*), and the City of Chesterfield,
Missouri, herein called CITY.

WITNESSETH:

WHEREAS, the DEVELOPER has submitted plans, information and data to the CITY
for the creation and development of a subdivision to be known as
Grand Reserve
_____ in accordance with
Ordinance No. 2949, the governing ordinance for the subdivision, and the Subdivision
Regulations of the City of Chesterfield, and has requested approval of same; and

WHEREAS, the subdivision plans have been approved and the CITY has reasonably
estimated and determined that the cost of construction, installation and completion of said
improvements, all in accordance with the provisions of said governing ordinance and
Subdivision Regulations, as amended, will be in the sum of
One Million Five Hundred Ninety Five Thousand Five Hundred Thirty Six Dollars and Fifty Two Cents

~~DOLLARS~~
(\$ 1,595,536.52), lawful money of the United States of America; and

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

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

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

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

IT IS HEREBY MUTUALLY AGREED:

1. That the DEVELOPER has established a CONSTRUCTION DEPOSIT in the amount of One Million Five Hundred Ninety Five Thousand Five Hundred Thirty Six Dollars and Fifty Two Cents, ~~DOLLARS~~ (\$ 1,595,536.52) lawful money of the United States of America by: (check one)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the 26 day of January, 2018.

ATTEST: (SEAL)

DEVELOPER: CONTURIX INVESTMENT GROUP, LLC

Elyseth D. Gajjarh
Type Name:
Title:

BY: Ronald L. Gingerich
Type Name: Ronald L. Gingerich, PhD
Title: Manager

Firm Address:
27 Bonhomme Grove Court
Chesterfield, MO 63017

ATTEST: (SEAL)

ESCROW HOLDER: GREAT SOUTHERN BANK

Thomas Murphy
Type Name: THOMAS MURPHY
Title: VICE PRESIDENT

BY: Carol L. Hanson
Type Name:
Title: Vice President

Firm Address:
1451 E Battlefield
Springfield, MO 65804

CITY OF CHESTERFIELD, MISSOURI

BY _____
Director of Planning and Development Services

ATTEST: (SEAL)

APPROVED:

City Clerk

Mayor

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

BANK OFFICIAL'S ACKNOWLEDGMENT

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

On this 26 day of January, 2018, before me appeared Carl Hanson, to me personally known, who, being by me duly sworn, did say that he/she is the Vice President (title) of Great Southern Bank (name of bank), a Missouri Trust Company (corporation, etc.) organized and existing under the laws of the United States of America, and that the seal affixed to the foregoing instrument is the Corporate Seal of said bank, and that said instrument was signed and sealed on behalf of said bank by authority of its Board of Directors, and said Vice President (title) acknowledged said instrument to be the free act and deed of said bank.

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

TERRI STAFFORD
Notary Public

My Commission Expires:



LLC EXECUTING OFFICIAL'S ACKNOWLEDGEMENT

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

On this 26 day of January, 2018, before me appeared Ronald L. Gungorich (name) to me personally known, who, being by me duly sworn, did say that he/she is the Manager (title or Executing Official) of Century Investment Group LLC, a Missouri Limited Liability Corporation, and that he/she in fact has the authority to execute the foregoing agreement pursuant to the authority given him/her by the Limited Liability Corporation, and that said agreement was signed and sealed by him/her on behalf of the aforesaid L.L.C. by authority of its Manager, (President or title of chief officer), Ronald L. Gungorich (name) as Manager (title of Executing Official) of said L.L.C. acknowledges said agreement to be the lawful, free act and deed of said L.L.C.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal, this 26 day of January, 2018

TERRI STAFFORD
Notary Public

My Commission Expires:



RECEIVED

JAN 26 2018

City of Chesterfield
Department of Public Services

CONSTRUCTION DEPOSIT

SUBDIVISION: GRAND RESERVE
 PLAT: N/A
 SUBDIVISION CODE: 328
 NO. LOTS: 37
 DATE OF PLAT APPROVAL:

DEVELOPER: CONTURIX INVESTMENT GROUP, LLC

CATEGORY	DATE OF RELEASE	% RELEASE	ORIGINAL BALANCE	TOTAL RELEASED	TOTAL % RELEASED	CURRENT BALANCE	% REMAINING
STREETS			\$246,968.22	\$0.00 \$0.00	0	\$246,968.22	100
SIDEWALKS			\$14,877.78	\$0.00 \$0.00	0	\$14,877.78	100
STORM SEWER			\$213,028.62	\$0.00 \$0.00	0	\$213,028.62	100
SAN. SEWER			\$211,873.18	\$0.00 \$0.00	0	\$211,873.18	100
DETENTION			\$16,087.50	\$0.00 \$0.00	0	\$16,087.50	100
GRADING			\$113,185.33	\$0.00 \$0.00	0	\$113,185.33	100
EROSION CONTROL			\$15,276.80	\$0.00 \$0.00	0	\$15,276.80	100
SILTAT'N CONTROL			\$8,637.20	\$0.00 \$0.00	0	\$8,637.20	100
BIORETENTION			\$152,536.38	\$0.00 \$0.00	0	\$152,536.38	100
STREET LIGHTS			\$50,645.10	\$0.00 \$0.00	0	\$50,645.10	100
STREET SIGNS			\$1,650.00	\$0.00 \$0.00	0	\$1,650.00	100
WATER MAINS			\$253,551.22	\$0.00 \$0.00	0	\$253,551.22	100
COMMON GR. SEED			\$27,500.00	\$0.00 \$0.00	0	\$27,500.00	100
SURVEY MONUMENTS			\$29,546.00	\$0.00 \$0.00	0	\$29,546.00	100
RETAINING WALL			\$182,555.21	\$0.00 \$0.00	0	\$182,555.21	100
FENCE			\$57,618.00	\$0.00 \$0.00	0	\$57,618.00	100
TOTALS			\$1,595,536.52	\$0.00	0	\$1,595,536.52	100

Retainage required PRIOR to release of Sewer Escrow \$79,776.83
 Retainage required AFTER release of Sewer Escrow \$58,531.74



RECEIVED
JAN 31 2018
City of Chesterfield
Department of Public Services

Great Southern Bank
1451 E Battlefield
Springfield MO 65804

February 5, 2018

IRREVOCABLE LETTER OF CREDIT NO. 2379

City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Dear Sir:

We hereby establish in favor of the CITY OF CHESTERFIELD, upon the application of and for the account of Conturix Investment Group, LLC, A Missouri Limited Liability Company (the "Account Party") our transferable irrevocable standby letter of credit (the "Letter of Credit") in the amount of \$ 159,553.65 (the "Maximum Available Credit"), subject to the reduction as hereinafter set forth.

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

- | | |
|---|---|
| <input type="checkbox"/> Grading Surety | <input checked="" type="checkbox"/> Subdivision Maintenance Deposit |
| <input type="checkbox"/> Landscape Surety | <input type="checkbox"/> Tree Preservation Surety |
| <input type="checkbox"/> Pavement Restoration Surety | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Subdivision Construction Deposit | |

as detailed on the accompanying agreements for Grand Reserve, approval of same issued by you for the benefit of the Account Party (the "Approval").

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

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

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

Multiple drawings may be presented under this Letter of Credit, which, in the aggregate and subject to the limitations set forth herein, shall not exceed the Maximum Available Credit then in effect and each such drawing honored by us hereunder shall reduce the Maximum Available Credit by the amount of such drawing. The draft(s) drawn under this Letter of Credit must be drawn and presented to our offices at 8235 Forsyth Blvd., Ste 150 Clayton MO 63105

Attention: Carol Hanson (or such other officer, department or address designated in writing by us to you at your address shown above or at such other address as you shall advise us of in writing) by hand delivery or by delivery by courier between 9:00 a.m. and 4:30 p.m. (St. Louis, Missouri time) on a Business day (as defined below). As used in this Letter of Credit, "Business day" shall mean any day other than a Saturday, Sunday or a day on which banking institutions in the State of Missouri are authorized or required by law to close.

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

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

Payment under this Letter of Credit to you shall be made by wire transfer or as agreed by the Chesterfield Department of Finance of immediately available funds per your instructions.

Only you or a transferee may make drawings under this Letter of Credit. Upon payment as provided above of the amount specified in a sight draft drawn hereunder, the Maximum Available Credit of the Letter of Credit shall be reduced by the amount of the payment.

If demand for payment does not conform to the terms and conditions of this Letter of Credit, we will promptly notify you thereof and of the reasons thereof, such notice to be promptly confirmed in writing to you, and we shall hold all documents at your disposal or return the same to you, if directed by you.

This Letter of Credit is effective immediately and expires on the earliest of (i) 4:00 p.m. (St. Louis, Missouri time) on February 5, 2020, except that unless such date may be extended as hereinafter provided, this letter of credit shall automatically and immediately be paid by wire transfer the balance of the Maximum Available Credit to the City of Chesterfield at the following account: to receiving bank Reliance Bank (ABA #081018888) for beneficiary City of Chesterfield, Account # 50044296, or (ii) when you have drawn and we have paid to you the Maximum Available Credit of this Letter of Credit or (iii) the day on which this Letter of Credit is surrendered to us for cancellation (collectively, the "Expiration Date"); provided, however, notwithstanding the termination by expiration of this Letter of Credit, our payment obligation shall survive such expiration with respect to any sight drafts accompanied by a certificate in the form of Exhibits A, or B, as the case may be, presented to us for payment prior to the expiration of this Letter of Credit; **and/or further provided that upon such expiration, or if automatically extended upon expiration of the last extension, we shall automatically and immediately transfer the balance of the Maximum Available Credit to the City of Chesterfield at the account set forth above or such**

other account subsequently designated by you, unless you authorize in writing a release of our obligations under this Letter of Credit or authorize a replacement of the Letter of Credit. It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for one year (or such other date as the City and Account Party may agree in writing) from the present or any future Expiration date hereof, unless at least 75 days prior to any such date, we shall send you, in the form attached hereto as Exhibit C, notice that we elect not to consider this Letter of Credit renewed for such additional one-year period. Notwithstanding any automatic extensions, this letter of credit shall expire fully and finally not later than February 5, 2024.

Upon our receipt, from time to time, from you of a written reduction certificate in the form attached as Exhibit D, we are authorized to reduce the Maximum Available Credit hereunder by the amount stated in such certificate, any such reduction to be effective only at our close of business on the date on which we receive such written reduction certificate. Final reduction / release of the Letter of Credit shall be effective at our close of business on the date on which we receive a certificate in the form attached as Exhibit E.

This Letter of Credit shall be governed by the Uniform Customs and Practice for Documentary Credits, 2007 Revision, International Chamber of Commerce Commission Publication No. 600, but excluding the provisions of Article 32 thereof (the "UCPDC").

Any communications with respect to this Letter of Credit shall be in writing and shall be addressed to us at 8235 Forsyth Blvd., Ste 150 Clayton MO 63105, Attention: Carol Hanson, specifically referring thereon to Irrevocable Letter of Credit No. 2379.

You may transfer your rights under this Letter of Credit in their entirety (but not in part) to any transferee. Transfer of your rights under this Letter of Credit to any such transferee shall be effected only upon the presentation to us of this Letter of Credit accompanied by a transfer letter in the form attached hereto as Exhibit F, and we consent to such transfer without charges or fees of any kind. Upon such transfer, the transferee shall have no further rights to transfer this Letter of Credit.

This Letter of Credit sets forth in full our undertaking, and such undertaking shall not in any way be modified, amended, amplified or limited by reference to any document, instrument or agreement referred to herein (including, without limitation, the Approval, but excluding the UCPDC), and any such reference shall not be deemed to incorporate herein by reference any document, instrument or agreement. Exhibits A, B, C, D, E, F and G attached hereto are incorporated herein by reference as an integral part of this Letter of Credit.

Very truly yours,

Great Southern Bank

By:

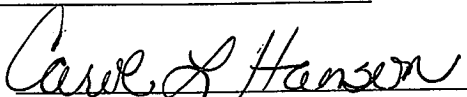

Authorized signer

EXHIBIT A
TO LETTER OF CREDIT
FORM OF CERTIFICATE FOR "A" DRAWING

Attention: _____

Re: Your Letter of Credit No. _____
In Favor of City of Chesterfield, Missouri

To Whom It May Concern:

The undersigned, a duly authorized official of City of Chesterfield, Missouri (the "Beneficiary"), hereby certifies to _____ (the "Bank"), with reference to Irrevocable Letter of Credit No. _____ (the "Letter of Credit"; any capitalized terms used herein and not defined shall have their respective meanings as set forth in the said Letter of Credit) issued by the Bank in favor of the Beneficiary, that:

1. The Account Party has failed to complete all of the required work or fulfill all obligations required by the City Code, permits, approved plans or agreements.
2. The draft in the sum of \$ _____ accompanying this Certificate is not in excess of the Maximum Available Credit under the Letter of Credit and shall result in a reduction of the Maximum Available Credit under the Letter of Credit.

Transfer the funds as stated above to the credit of the City of Chesterfield, Missouri to

[INSERT BANK Account # _____], Attention: Director of Finance.

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate this _____ day of _____, 20_____.

CITY OF CHESTERFIELD, MISSOURI

By: _____
Director of Planning & Development Services

EXHIBIT B
TO LETTER OF CREDIT
FORM OF CERTIFICATE FOR "B" DRAWING

Attention:

Re: Your Letter of Credit No. _____ in Favor of City of Chesterfield,
Missouri

To Whom It May Concern:

The undersigned, a duly authorized official of City of Chesterfield, Missouri (the "Beneficiary"), hereby certifies to _____ (the "Bank"), with reference to Irrevocable Letter of Credit No. _____ (the "Letter of Credit"; any capitalized terms used herein and not defined shall have their respective meanings as set forth in the said Letter of Credit) issued by the Bank in favor of the Beneficiary, that:

1. Funds in the amount of the accompanying draft are now due for deposit in a special transit account for the payment per Work completion.
2. The draft in the sum of \$ _____ accompanying this Certificate is not in excess of the Maximum Available Credit under the Letter of Credit and shall result in a reduction of the Maximum Available Credit under the Letter of Credit.

Transfer the funds as stated above to the credit of the City of Chesterfield, Missouri to

[INSERT BANK Account # _____], Attention: Director of Finance.

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate this
____ day of _____, 20____.

CITY OF CHESTERFIELD, MISSOURI

By: _____
Director of Planning & Development Services

EXHIBIT C
TO LETTER OF CREDIT
FORM OF NOTICE OF EXPIRATION

City of Chesterfield
690 Chesterfield Parkway W
Chesterfield, Missouri 63017

Attention: Director of Planning & Development Services

Re: Our Letter of Credit No. _____ in Favor of City of Chesterfield,
Missouri

Amount: _____

Expiration Date: _____

To Whom It May Concern:

Please consider this letter as the Bank's notification that the Bank does not intend to renew the above-reference letter of credit and, therefore, it will expire in full and finally on the above-mentioned date. All remaining amounts under the Letter of Credit shall be transferred to the City of Chesterfield per the terms of the Letter.

Very truly yours,

By: _____
Authorized Officer

cc: _____

EXHIBIT D
TO LETTER OF CREDIT
FORM OF REDUCTION CERTIFICATE

City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Attention:

Re: LETTER OF CREDIT NUMBER: _____
IN ORIGINAL AMOUNT OF: \$ _____

To Whom It May Concern:

This certificate authorizes reduction in the amount of \$ _____ of the above letter of credit.
The remaining maximum available credit for this letter of credit is \$ _____.

CITY OF CHESTERFIELD, MISSOURI

By: _____
Director of Planning & Development Services

cc _____

EXHIBIT E

TO LETTER OF CREDIT

FORM FOR FULL REDUCTION / RELEASE OF LETTER OF CREDIT

Attention:

Re: LETTER OF CREDIT NUMBER: _____

IN ORIGINAL AMOUNT OF: \$ _____

FINAL REDUCTION

To Whom It May Concern:

The City of Chesterfield hereby authorizes the final reduction of the letter of credit established for _____ . The letter of credit referenced above is hereby being surrendered.

Should you desire additional information, please contact * _____*.

By: _____
Director of Planning & Development Services

Enclosures: Letter of Credit

cc

EXHIBIT F
TO LETTER OF CREDIT
FORM FOR FULL TRANSFER OF LETTER OF CREDIT

Attention:

Re: Your Letter of Credit ("Letter of Credit") No. _____ in favor of City of
Chesterfield, Missouri

To Whom It May Concern:

The undersigned, City of Chesterfield, Missouri ("Transferor") has transferred and assigned (and hereby confirms said transfer and assignment) all of its rights in and under the Letter of Credit to [_____] ("Transferee"). Transferor confirms that it no longer has any rights under or interest in the Letter of Credit and that you shall have no further responsibility to make payment under the Letter of Credit to Transferor.

Transferor hereby surrenders the Letter of Credit subject to the transfer to you and requests that you note the transfer of the Letter of Credit and deliver the Letter of Credit, amended or endorsed to reflect said transfer, to Transferee.

CITY OF CHESTERFIELD, MISSOURI

[_____]

CITY OF CHESTERFIELD, MISSOURI

By: _____
Director of Planning & Development Services

Enclosures: Letter of Credit, if applicable

cc

EXHIBIT G
TO LETTER OF CREDIT
SIGHT DRAFT

Attention:

Re: Your Letter of Credit ("Letter of Credit") No. _____ in favor of City of
Chesterfield, Missouri

To Whom It May Concern:

Pay on demand to _____ the sum of U.S. \$ _____. This
draft is drawn under your Irrevocable Letter of Credit No. _____.

CITY OF CHESTERFIELD, MISSOURI

By: _____
Name: _____
Title: _____

-or-

[Insert Lender's name]
By: _____
Name: _____
Title: _____

RECEIVED

JAN 26 2018

City of Chesterfield
Department of Public Services

SUBDIVISION IMPROVEMENT MAINTENANCE DEPOSIT AGREEMENT

THIS MAINTENANCE DEPOSIT AGREEMENT made and entered into by
CONTURIX INVESTMENT GROUP, LLC
_____, herein called DEVELOPER,
GREAT SOUTHERN BANK
_____, herein called CREDIT
HOLDER (*strike through this party if cash deposited with City*), and the City of Chesterfield,
Missouri, herein called CITY.

WITNESSETH:

WHEREAS, the DEVELOPER has submitted plans, information and data to the CITY
for the creation and development of a subdivision to be known as
Grand Reserve
_____ in accordance with
Ordinance No. 2949, the governing ordinance for the subdivision, and the Subdivision
Regulations of the City of Chesterfield, and has requested approval of same; and

WHEREAS, the subdivision plans have been approved and the CITY has reasonably
estimated and determined that the cost of maintenance of the required improvements, based on
the cost of construction of said improvements, all in accordance with the provisions of said
subdivision governing ordinance and Subdivision Regulations, as amended, will be in the sum
of One Hundred Fifty Nine Thousand Five Hundred Fifty Three Dollars and Sixty Five Cents DOLLARS
(\$ 159,553.65), lawful money of the United States of America; and

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

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

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

IT IS HEREBY MUTUALLY AGREED:

1. That the DEVELOPER has established a MAINTENANCE DEPOSIT in the amount of One Hundred Fifty Nine Thousand Five Hundred Fifty Three Dollars and Sixty Five Cents
\$159,553.65
~~DOLLARS~~ (\$ _____), lawful money of the United States of America by:

(check one)

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

Said deposit guarantees the DEVELOPER will perform his maintenance obligations regarding subdivision improvements, including, but not limited to; lots, streets, sidewalks, trees, common ground areas, erosion and siltation control, and storm drainage facilities, in Grand Reserve Subdivision, all in accordance with the approved plans, the governing ordinance for the subdivision and the Subdivision Regulations of

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

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

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

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

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

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

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

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

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

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

civil liability that may exist for defects or damages caused by any construction, improvement or development for which any deposit has been released.

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

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

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

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

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

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

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

seals the 26 day of January, 2018 A.D.

ATTEST: (SEAL)

DEVELOPER: CONTURIX INVESTMENT GROUP, LLC

Elizabeth D. Singh
Type Name:
Title:

BY: Ronald L. Gingerich
Type Name: Ronald L. Gingerich, PhD
Title: Manager

Firm Address:
27 Bonhomme Grove Court
Chesterfield, MO 63017

ATTEST: (SEAL)

CREDIT HOLDER: GREAT SOUTHERN BANK

Thomas Murphy
Name: THOMAS MURPHY
Title: VICE PRESIDENT

BY: Carol L. Hansen
Name: Carol L. Hansen
Title: Vice President

Firm Address:
1451 E. Battlefield
Springfield, MO 65804

CITY OF CHESTERFIELD, MISSOURI

BY _____
Director of Planning and Development Services

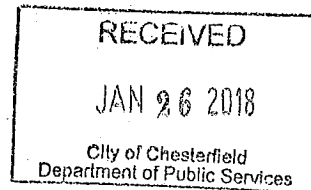
ATTEST: (SEAL)

APPROVED:

City Clerk

Mayor

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



MAINTENANCE DEPOSIT

SUBDIVISION: GRAND RESERVE
PLAT: N/A
SUB CODE: 328
DEVELOPER: CONTURIX INVESTMENT GROUP, LLC

NOTE: Deposit is adjusted to account for 10% of entire sewer costs, and 0% of LOMR/Elev. Cert's, if any)

CATEGORY	ORIGINAL BALANCE	DATE OF RELEASE	AMOUNT RELEASED	CURRENT BALANCE
STREETS	\$24,696.82			\$24,696.82
SIDEWALKS	\$1,487.78			\$1,487.78
STORM SEWER	\$21,302.86			\$21,302.86
SAN. SEWER	\$21,187.32			\$21,187.32
DETENTION	\$1,608.75			\$1,608.75
GRADING	\$11,318.53			\$11,318.53
EROSION CONTROL	\$1,527.68			\$1,527.68
SILTAT'N CONTROL	\$863.72			\$863.72
BIORETENTION	\$15,253.64			\$15,253.64
STREET LIGHTS	\$5,064.51			\$5,064.51
STREET SIGNS	\$165.00			\$165.00
WATER MAINS	\$25,355.12			\$25,355.12
COMMON GR. SEED	\$2,750.00			\$2,750.00
SURVEY MONUMENTS	\$2,954.60			\$2,954.60
RETAINING WALL	\$18,255.52			\$18,255.52
FENCE	\$5,761.80			\$5,761.80
TOTALS	\$159,553.65		\$0.00	\$159,553.65