

BILL NO. 2035

ORDINANCE NO. 1818

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “C-8” PLANNED COMMERCIAL DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR A 2.807 ACRE TRACT OF LAND LOCATED ON THE NORTHEAST CORNER OF CHESTERFIELD AIRPORT ROAD AND MCBRIDE CORPORATE CENTER DRIVE, WEST OF BOONE’S CROSSING (P.Z. 35-2000).

WHEREAS, the petitioner, McBride & Sons Homes, Inc., has requested a change in zoning from a “C-8” Planned Commercial District to a “PC” Planned Commercial District subject to changes in the Attachment A regarding setbacks, greenspace requirements, cross-access, and a median, for a 2.807 acre tract of land located on the northeast corner of Chesterfield Airport Road and McBride Corporate Center Drive, west of Boone’s Crossing; and,

WHEREAS, the Planning Commission, having considered said request, recommends approval of the request for a change of zoning from a “C-8” Planned Commercial District subject to changes in the Attachment A regarding setbacks, greenspace requirements, cross-access, and a median, to a “PC” Planned Commercial District for a 2.807 acre tract of land located on the northeast corner of Chesterfield Airport Road and McBride Corporate Center Drive, west of Boone’s Crossing, with conditions in the Attachment A regarding permitted uses.

WHEREAS, the City Council made an amendment to require the provision of cross access to the adjacent property to the west once the median is constructed at the intersection of McBride & Son Drive and Chesterfield Airport Road.

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

Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are part thereof, are hereby amended by establishing a “PC” Planned Commercial District for a 2.807 acre tract of land located on the northeast corner of Chesterfield Airport Road and McBride Corporate Center Drive, west of Boone’s Crossing, and described as described as follows:

A tract of land being part of Lot 4 of “McBride & Son Center” a subdivision according to the plat thereof recorded in Plat Book 347, pages 314 and 315 of the St. Louis County Records and part of the right of way of Boones Crossing, varying width, as described in deed recorded in Book 6343 page 824 of the St. Louis County Records, in U.S. Survey 125, Township 45 North – Range 4 East, St. Louis County, Missouri and being more particularly described as:

Commencing at the Southeast corner of Lot 1 of said "McBride & Son Center"; thence Eastwardly along the North right of way line of Chesterfield Airport Road, 100 feet wide, North 89 degrees 35 minutes 06 seconds East 38.00 feet to the actual point of beginning of the tract herein described; thence North 00 degrees 24 minutes 54 seconds West 266.00 feet to the South line of Lot 3 of said "McBride & Son Center"; thence along said South line of Lot 3 of "McBride and Son Center" North 89 degrees 35 minutes 06 seconds East 278.74 feet to the Southeast corner thereof; thence Northwardly along the East line of said Lot 3 of "McBride & Son Center" North 00 degrees 35 minutes 42 seconds East 81.99 feet and North 00 degrees 39 minutes 40 seconds West 98.37 feet to the South right of way line of Interstate Highway 64, varying width, as shown on said "McBride & Son Center"; thence Eastwardly along said South right of way line of Interstate Highway 64, varying width, South 67 degrees 54 minutes 37 seconds East 2.17 feet to the Northeast corner of said Lot 4 of "McBride & Son Center"; thence Southwardly along the proposed West right of way line of Boones Crossing, varying width, the following courses and distances: South 44 degrees 40 minutes 33 seconds East 228.05 feet, South 05 degrees 53 minutes 06 seconds West 207.77 feet and South 47 degrees 44 minutes 06 seconds West 74.48 feet to the proposed North right of way line of Chesterfield Airport Road, varying width; thence Westwardly along said proposed North right of way line of Chesterfield Airport road, varying width, South 89 degrees 35 minutes 06 seconds West 142.17 feet to the Southeast line of said Lot 4 of "McBride & Son Center"; thence Southwestwardly along said Southeast line of Lot 4 of "McBride & Son Center" South 47 degrees 48 minutes 31 seconds West 39.03 feet to said 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 South 89 degrees 35 minutes 06 seconds West 191.37 feet to the point of beginning and containing 2.807 acres according to calculations by Volz, Inc. during June, 2000.

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

Section 3. The City Council, pursuant to the petition filed by McBride & Sons Homes, Inc., in P.Z. 35-2000, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 10th day of October, 2000, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

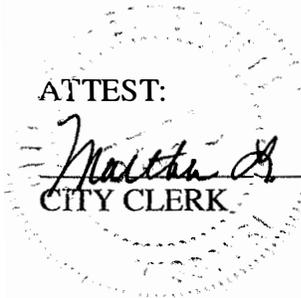
Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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

Passed and approved this 4th day of February, 2002


MAYOR

ATTEST:



CITY CLERK

ATTACHMENT A

The extent that former St. Louis County Ordinance #12,192 is inconsistent with this ordinance, the conditions of this ordinance shall apply.

In keeping with the following Comprehensive Plan policies, these conditions have been developed:

- Conservation of Existing Quality of Life
- Reinforce Existing Development Pattern
- Quality New Development
- Preservation of Natural Features and Open Space
- Encourage Quality Project Planning
- Limit Curb Cuts
- Internal Commercial Circulation
- New Development for Stormwater Control

I. PERMITTED USES

A. The uses allowed in this "PC" Planned Commercial District shall be:

1. Financial Institutions.
2. Medical and dental offices.
3. Office or Office Buildings.
4. Restaurants, sit down.
5. 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.

B. Ancillary Uses:

1. Associated work and storage areas required by a business, firm, or service to carry on business operations.
2. Automatic vending facilities for:
 - a) Ice and solid carbon dioxide (dry ice);
 - b) Beverages; and
 - c) Confections.
3. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be;
 - a) Adequately screened with landscaping, fencing or walls, or any combination thereof;
 - b) Placed underground; or
 - c) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area; and

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d) Submitted to the Department of Planning for review. No building permit or installation permit shall be issued until the Department of Planning has approved these plans.

4. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.

5. Permitted signs (See Section 1003.168 "Sign Regulations").

II. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

The following restrictions shall apply to the permitted uses:

A. The uses permitted within this "PC" Planned Commercial District shall be contained in a maximum of two (2) buildings. This shall include one building to be located on Lot 4A, and one building to be located on Lot 5A.

B. Gross floor area constructed for the "Lot 4A" building shall not exceed 8,000 square feet. The square footage constructed shall be based on the development's ability to comply with the parking and stormwater regulations of the City of Chesterfield.

C. Gross floor area constructed for the "Lot 5A" building shall not exceed 4,000 square feet. The square footage constructed shall be based on the development's ability to comply with the parking and stormwater regulations of the City of Chesterfield.

D. Building height shall not exceed three (3) stories or 45 feet, whichever is less, as measured from the average finished ground elevation of the building. The above shall be exclusive of rooftop mechanical equipment.

E. The permitted buildings and any fencing shall be of an architectural style and construction type approved by the Planning Commission on building elevations and architectural renderings reviewed in conjunction with the Site Development Plan.

F. The development shall contain a minimum of thirty-one percent (31%). Greenspace is calculated by combining all green area and non-paved surfaces and dividing by the total area of the site. This percentage shall be an average of the entire development.

III. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

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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. Said Site Development Plans shall include but not be limited to the following:

IV. GENERAL CRITERIA - CONCEPT PLAN

The Site Development Concept Plan shall include the following:

- A. Outboundary plat and legal description of the property.
- B. Conceptual location, design (with design statement), materials, and size, including height, of all proposed buildings, parking and loading areas, and lots.
- C. Specific structure and parking setbacks along all roadways and property lines.
- D. 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.
- E. Existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site.
- F. Preliminary stormwater and sanitary sewer facilities.
- G. Show existing improvements, including roads and driveways on the opposite side of roadways adjacent to the site.
- H. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.
- I. 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.
- J. Show the location of significant natural features, such as wooded areas and rock formations that are to remain or be removed.
- K. Provide the greenspace percentage for each lot. Greenspace is calculated by dividing the pervious surfaces by the site area (excluding right-of-ways).

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L. 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.

V. GENERAL CRITERIA - SECTION PLANS

Site Development Section Plans shall include the following:

- A. 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.
- B. Existing and proposed contour intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site.
- C. 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.
- D. 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.
- E. Specific structure and parking setbacks along all roadways and property lines.
- F. The location of the proposed storm sewers, detention basins, sanitary sewers, and connection(s) to existing systems.
- G. Location and size of all parking areas.
- H. A landscape plan, including, but not limited to, location, size, and type of all plant and other material to be used.
- I. Area of each building phase.
- J. Architectural elevations and building materials addressing City of Chesterfield Design Guidelines.
- K. 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.

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L. Provide comments/approvals from the St. Louis County Department of Highways and Traffic, The Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, the Monarch Chesterfield Valley Levee District and the appropriate Chesterfield Fire Protection District.

M. 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.

N. Provide the greenspace percentage for each lot on the plan. Greenspace is calculated by dividing the pervious surfaces by the site area (excluding right-of-ways).

VI. SITE DEVELOPMENT PLAN SUBMITTAL OPTION

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.

VII. SPECIFIC CRITERIA

The Site Development Concept and Section Plans shall illustrate adherence to the following specific design criteria. Information to be shown on the Site Development Concept Plan shall be limited to those items specified in Section A, General Criteria-Concept Plan.

A. Structure Setbacks

No building or structure, other than boundary walls, retaining walls, signs, light standards, flagpoles or fences, shall be located within the following setbacks:

1. Lot 4A
 - a) Thirty (30) feet from the southern boundary of this lot;
 - b) Sixty (60) feet from the northern property boundary of this district bearing N 89° 35' 06' '' ; and
 - c) Eighty (80) feet from McBride and Sons Center Drive.

2. Lot 5A
 - a) Thirty (30) feet from the southern boundary of this lot;
 - b) Sixty (60) feet from the northern property boundary of this district bearing N 89° 35' 06' '' ; and
 - c) Eighty (80) feet from the eastern building face to the boundary of this district.

B. Parking and Loading Space Setbacks

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

1. Lot 4A

- a) Nineteen (19) feet from the Chesterfield Airport Road right-of-way;
- b) Ten (10) feet from the McBride and Sons Drive and
- c) Seven (7) feet from the northern boundaries of this lot.

2. Lot 5A

- a) Thirty (30) feet from the easternmost boundary of this lot;
- b) Thirteen (13) feet from the Chesterfield Airport Road right-of-way; and
- c) Forty (40) feet from the northern property boundary of this district bearing S 44⁰ 40' 33."''
- d) No loading areas or loading docks shall be permitted on the east side of this lot.

C. Parking and Loading Requirements

1. No construction parking will be permitted on the Chesterfield Airport Road right of way;
2. Parking and loading requirements shall be as required by Section 1003.165 of the City of Chesterfield Zoning Ordinance; and
3. Handicapped parking and access requirements should comply with Section 512.4 of the St. Louis County Building Code.

D. Access

1. Access of internal streets or drives shall be a minimum of 150 feet from Chesterfield Airport Road, or as directed by the City of Chesterfield Public Works Department and the St. Louis County Department of Highways and Traffic.
2. No direct access to Chesterfield Airport Road from any lot within the proposed development shall be permitted.
3. There shall be a thirty (30) foot wide cross access easement on Lot 4A, to allow Lot 5A access to McBride and Son Center Drive.
4. Prior to the approval of any Site Plan for Lot 4 or Lot 5, the developer shall record a 24' easement providing cross-access for vehicular traffic as identified on Exhibit "A" attached hereto, through Lot 1 of McBride & Son Center. If, in the future, a median is constructed at the intersection of McBride & Son Center Drive

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and Chesterfield Airport Road, which would prevent vehicular access to or from McBride & Son Center Drive, to or from eastbound Chesterfield Airport Road, the developer or then current owner, at their sole and exclusive expense, upon demand by the City of Chesterfield, shall construct a 24' wide roadway on said easement. The developer or then current owner may satisfy its obligations under VII.D.4 by agreement with other lot owners of McBride & Son Center, but the City will look solely to the developer or then current owner for satisfaction of such obligations. However, to the extent any agreement makes the City a third party beneficiary for enforcement of the obligation to construct the roadway on such easement, the City shall also be entitled to enforcement under said Agreement. Construction is specifically conditioned upon the adjacent property to the west (formerly the Wehrenberg Site, under St. Louis County Ordinance 13,933 as amended) ("Wehrenberg Site") being developed, with the Wehrenberg Site cross-access (being constructed by the then developer or owner of the Wehrenberg Site) which shall reasonably line up, both in terms of location and elevation, with the cross-access herein and shall allow for the continuation of two-way vehicular traffic, across the Wehrenberg Site to a signalized intersection at Chesterfield Airport Road. The roadway required herein shall be maintained by the Developer, then current owner, or the lot owners of McBride & Son Center forever. Therefore, the construction of said roadway need not be built to public street standards. The easement required herein shall be shown on all future site plans for all lots in McBride & Son Center derived from parcels originally identified under St. Louis County Ordinance No. 12,192; when said easement is recorded, the condition of Section 7.m. of Ordinance No. 12,192 regarding "cross-access" shall be deemed satisfied.

E. Public/Private Road Improvements, Including Sidewalks

1. The Developer shall provide any additional right-of-way and construct any improvements to Chesterfield Airport Road, and shall construct improvements to McBride and Son Center Drive, as required by the St. Louis County Department of Highways and Traffic and the City of Chesterfield Department of Public Works.
2. If, in the future, the City of Chesterfield and the St. Louis County Department of Highways and Traffic determine that left turns into McBride and Son Center from Chesterfield Airport Road are no longer acceptable from a public safety perspective, the St. Louis County Department of Highways and Traffic may construct a median on Chesterfield Airport Road across the entrance to McBride & Son Center Drive. The cost of such median shall be paid by the St. Louis County Department of Highways and Traffic from the traffic generation assessment generated by this development or other funds of the St. Louis County Department of Highways and Traffic.

3. No construction parking will be permitted on the Chesterfield Airport Road.
4. Sidewalks shall be as proposed on the Preliminary Plan including sidewalks around the perimeter on office and retail/restaurant structures and an internal walkway connecting lots within the development. Where pedestrian facilities are broken by internal drives, access striping or contrasting paving material is required.

F. 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 Highways and Traffic.

G. Landscape Plan

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:

1. 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.
2. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

H. Sign Requirements

1. One monument sign shall be permitted per lot for Lots 4A and 5A fronting Chesterfield Airport Road. The sign face shall not exceed fifty (50) square feet in area per face located ten (10) feet from the right-of-way. Base of sign shall be landscaped with adequate cover to conceal mounting. Lighting shall be interior, ground, or back lighted. The location of monument signs shall be approved by the Planning Commission on the Site Development Section Plan.
2. Monument sign construction shall be reviewed by the City of Chesterfield Department of Public Works, and/or the St. Louis County Department of Highways and traffic, for sight distance considerations prior to installation or construction.

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3. 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 Section Plan.
4. No advertising signs, temporary signs, portable signs, off-site signs, or attention getting devices shall be permitted in this development.
5. All attached wall signs shall be permitted in accord with the regulations of Section 1003.168 of the City of Chesterfield Zoning Ordinance.
6. Illumination of any sign shall be by an internal source only.

I. Lighting Requirements

1. The Lighting Plan submittals for Concept and Section Site Development Plans shall conform to the Lighting Plan presented with the Preliminary Plan package.
2. Provide for the installation, maintenance, operation and all expenses related thereto for the street lighting along all public streets associated with this development, including Chesterfield Airport Road in perpetuity, as directed by the City of Chesterfield's Department of Public Works. The street lighting plan shall comply with the Chesterfield Valley Master Street Lighting Plan.
3. Light standards shall be consistent with adjacent commercial developments particularly using a flat lens and a maximum eight foot candle.

J. Architectural elevations

1. A material and color palette for the development shall be submitted with the Site Development Concept Plan.
2. 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.
3. Buildings shall be constructed of compatible material and design as adjacent commercial developments or as approved by Planning Commission.

K. Power of Review

1. Either Council member 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.

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2. 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.
3. The City Council will then take appropriate action relative to the proposal.

L. Miscellaneous

1. All trash enclosures shall be enclosed by a six (6) foot high sight proof fence and constructed of a similar material as the main buildings.
2. All utilities shall be installed underground. The development of this parcel shall coordinate the installation of all utilities in conjunction with the construction of any roadway on site. Utilities Easements that cross over Chesterfield Valley Master Stormwater Easement shall be subordinate to the Chesterfield Valley Stormwater Easements.
3. Sleeves for future telecommunication 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 users.
4. Roofing or other screening as approved by the Planning Commission shall adequately screen all mechanical equipment.
5. All loading docks are to be screened by sound attenuating material.
6. No retail, storage or displays are permitted outside the main building unless one side is attached to said building. Screening for the remaining three (3) sides shall be approved by the Planning Commission as part of the Site Development Plan.

VIII. VERIFICATION PRIOR TO APPROVAL

Prior to approval of the Site Development Concept and Section Plans, the developer shall provide the following:

A. Roadway Improvements and Curb Cuts

Obtain approval from the City of Chesterfield Department of Public Works and the St. Louis County Department of Highways and Traffic of the locations of proposed curb cuts, areas of new dedication, and roadway improvements.

B. Stormwater and Sanitary Sewer

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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 is 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 routing calculations signed and sealed by a registered professional engineer licensed to practice in the State of Missouri, demonstrating functionally equivalent operation shall be submitted. The calculations shall be performed using identical methods as the initial analysis, AdICPR software. The Public Works Department 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 maintenance of the required storm water/ditch system shall be the responsibility of the property owner(s).
3. The current Chesterfield Valley Sanitary Sewer Master Plan depicts a public pump station, force main and a series of gravity sewers that will serve the region surrounding this development. A functional equivalence study shall be submitted to the Metropolitan St. Louis Sewer District and the City of Chesterfield's Department of Public Works for review/approval prior to receiving approval of the Improvement Plans for this Development.
4. Storm water 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.
5. 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.

C. 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.

D. Grading and Improvement Plans

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.

6. 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 soded. A temporary occupancy permit may be issued by the Department of Planning in cases of undue hardship because of unfavorable ground conditions.
7. Prior to improvement plan approval, provide comments/approvals from the St. Louis County Department of Highways and Traffic, 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 Chesterfield Fire Protection District.
8. 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.
9. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be required.

E. Floodplain

1. 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.
2. 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.

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IX. 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.

X. CHESTERFIELD VALLEY TRUST FUND

A. The developer shall contribute to the Chesterfield Valley Trust Fund (No. 556). This fund was created for roadway improvements, stormwater improvements, sanitary sewer facilities and water main improvements in the Chesterfield Valley Area.

The trust contribution consists of four components representing the improvement categories.

1. Roads

The roadway improvement contribution is based on land and building use. The roadway contributions are necessary to help defray the cost of engineering, right-of-way acquisition, and major roadway construction in accordance with the Chesterfield Valley Road Improvement Plan on file with the St. Louis County Department of Highways and Traffic. Any cost associated with the required improvements, above the original estimate, shall be borne by the developer. The amount of the developer's contribution to this fund shall be computed on the basis of the following:

<u>Type of Development</u>	<u>Required Contribution</u>
Commercial	\$1.66/sq. ft. of building space
Office	\$1.16/sq. ft. of building space
Industrial	\$4,003.84/acre of gross acreage

If the types of development proposed differ from those listed, rates shall be provided by the St. Louis County Department of Highways and Traffic. Where more than one land use type is proposed and each land use type constitutes thirty-five (35) percent or more of the gross building area, the applicable road improvement contribution shall be determined considering each land use exceeding thirty-five (35) percent as approved on the Site development Plan.

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

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

2. Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$528.50 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contributions shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made prior to approval of the Site Development Plan unless otherwise directed by the St. Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

3. Stormwater

The stormwater contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of stormwater from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by the City of Chesterfield, St. Louis County and the Metropolitan St. Louis Sewer District. The amount of the stormwater contribution will be computed on the basis of \$1,667.77 per acre for the total area as approved on the Site Development Plan.

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

4. Sanitary Sewer

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

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

The amount of this required contribution for the roadway, stormwater and primary waterline improvements, if not submitted by January 1, 2002 shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the St. Louis County Department of Highways and Traffic.

XI. VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE

Prior to Special Use Permit issuance by St. Louis County Department of Highways and Traffic, a special cash escrow or a special escrow supported by an Irrevocable Letter of credit must be established with this Department to guarantee completion of the required roadway improvements.

XII. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL

Prior to improvement plan approval, provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Spirit of St. Louis Airport, MSD, the Missouri Department of Natural Resources, the Monarch-Chesterfield Levee District and the Chesterfield Fire Protection District.

XIII. 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:

A. 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.

B. 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 Highways and Traffic and the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.

C. 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.

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XIV. OCCUPANCY PERMIT/FINAL OCCUPANCY

A. 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.

B. 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.

C. 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.

XV. 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.

XVI. 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:

A. Sanitary Sewers

Provide verification to the St. Louis County Department of Public Works and the City of Chesterfield of provision of adequate sanitary services.

B. 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 Highways and Traffic and the Metropolitan St. Louis Sewer District.

XVII. SUPPLEMENTARY DEVELOPMENT CONDITIONS

Supplementary development conditions relating to the operation of this development are as follows:

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A. 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.

B. 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.

XVIII. 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:

A. The developer is advised that utility companies will require compensation for relocation of their utility 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 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.

B. Failure to comply with any or all the conditions of this ordinance shall be adequate cause for revocation of permits by issuing Departments and Commissions.

C. The City of Chesterfield, Missouri shall enforce the conditions of this ordinance in accord with the Site Development Concept Plan approved by the City of Chesterfield and any Site Development Section Plans approved by the City of Chesterfield.

EXHIBIT "A"

ANITARY MAIN

24' wide easement

LUSIVE ESMT. EGRESS 7949/1014

WATER ESMT. 7949/1014

RY
IN
W
ER

N00° 21'46"E

266.02'

N00° 21'46"E

20' W. STORM WATER AND UTILITY EASEMENT

S89° 35'08"W 399.30'

375.39' 10' PARKING SETBACK

10' PARKING SETBACK

ADJUSTED PARCEL B
ADJUSTED PARCEL A

10' W. STORM WATER AND UTILITY ESMT. 7949/1014 (TO BE VACATED)

38' W. PERPETUAL, NON-EXCLUSIVE ESMT. FOR ACCESS, INGRESS AND EGRESS AND UTILITIES 7949/1014

EXISTING PARKING ZONED "C-8"

ADJUSTED PARCEL A
"BOUNDARY ADJUSTMENT PLAT"
P.B. 250, PG. 39

EXISTING McBRIDE AND SON BUILDING

S89° 35'06"W

379.00'

EX. F.H.R.

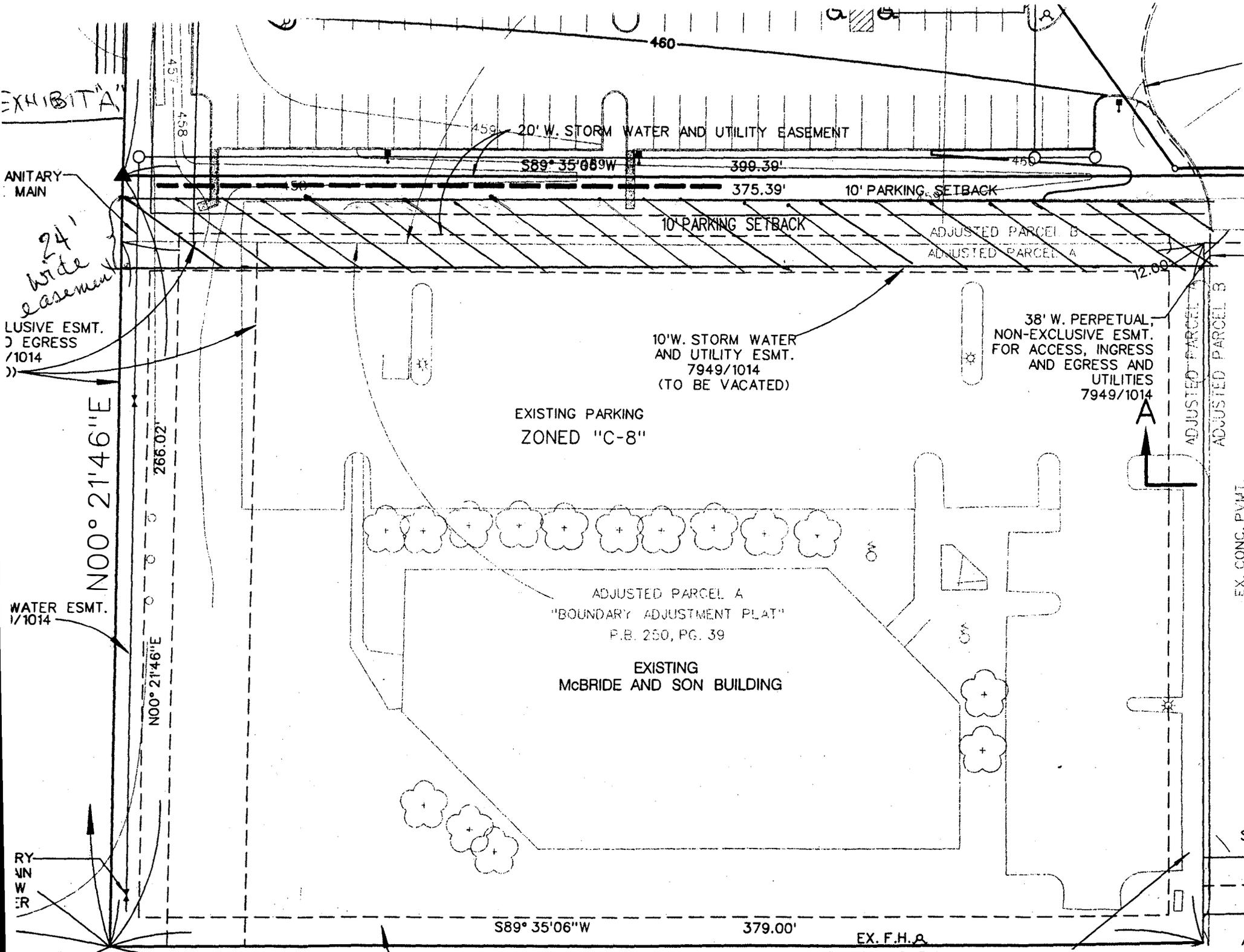
A

ADJUSTED PARCEL 1
ADJUSTED PARCEL 3

EX. CONC. PV.WT.

ST. M. BRIDGE

ST.



50



SCALE: 1" = 60'

McBRIDE & SON CENTER

P.B. 347 PG. 314/315

LOT 2

WEST LINE LOT 1
HERMAN FIGKE ESTATE SUBDIVISION

PROP N/F/ OF
CHESTERFIELD INDUSTRIAL INVESTORS
7853/1771 (PARCEL TWO)

N00° 21'46"E 266.02'

N89° 35'06"E

375.39'

N89° 28'57"E

375.52'

N89° 28'57"E

375.89'

EXISTING EDGE OF
PAVEMENT

CROSS ACCESS EASEMENT

89°

24.00'

LOT 1

PROPERTY N/F OF
SHERIDAN PROPERTIES
7947/1014

S00° 24'54"W 266.00'

McBRIDE & SON CENTER DRIVE

S89° 35'06"W

379.00'

CHESTERFIELD AIRPORT (100'W) ROAD

EXHIBIT "A"

INITIAL:

CROSS ACCESS EASEMENT PLAT
LOT ONE OF McBRIDE & SON CENTER
PLAT BOOK 347, PAGES 314 & 315
ST. LOUIS COUTNTY, MISSOURI, CITY OF CHESTERFIELD