

AN ORDINANCE AMENDING CITY OF CHESTERFIELD ORDINANCE NUMBER 1773 FOR A NEW AMENDED ORDINANCE RELATING TO A “PI” PLANNED INDUSTRIAL DISTRICT FOR A 21.643 ACRE TRACT OF LAND LOCATED SOUTH OF CHESTERFIELD AIRPORT ROAD AND EAST OF PUBLIC WORKS DRIVE (ORIGINALLY P.Z. 07-2001 THF TECHNOLOGY PARK II).

WHEREAS, in response to P.Z. 07-2001, the City Council of the City of Chesterfield, approved Ordinance Number 1773 on August 6, 2001 changing the zoning designation from an “NU” Non-Urban District to “PI” Planned Industrial District; and,

WHEREAS, the petitioner, Mike Doster on behalf of THF Realty, requested an amendment with regards to number of outlots, number of buildings, and the maximum building height; and,

WHEREAS, it was determined by the Department of Planning that the amendments were consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, therefore a new public hearing was not necessary; and,

WHEREAS, after consideration of the amendments, the Planning Commission recommended approval of the request with amendments to building height and one structure setback; and,

WHEREAS, after consideration of the amendments, the City Council approved the request with amendments to Floor Area, Height and Building Requirements.

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 Number 1773, establishing a “PI” Planned Industrial District for a tract of land located on the south side of Chesterfield Airport Road, east of Public Works Drive, is hereby amended by revising Attachment A as follows:

Section II. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

- A.
- Delete-** 2. ~~*Outlots A, B, and C shall not exceed a total of 50,000 square feet. Lots D and C shall not exceed a total of 205,000 square feet.*~~
- Replace-** 2. *City of Chesterfield Ordinance #1773 allowed for 3 possible outlots with Outlots A, B, and C not exceeding a total of 50,000 square feet. Lots D and E were not to exceed a total of 205,000 square feet. If this site is developed with a movie theater, the maximum number of outlots shall not exceed six (6) within this district.*

- Delete-** 3. *The uses permitted within this district shall be contained in a maximum of ~~five (5)~~ buildings.*
- Replace-** 3. *City of Chesterfield Ordinance #1773 allowed that the uses permitted within this district would be contained in a maximum of five (5) buildings. If this site is developed with a movie theater, the uses permitted within this district shall be contained in a maximum of seven (7) buildings.*
- Add-** 5. *Maximum building height shall be twenty-five (25) feet (exclusive of mechanical equipment) for all outlots, and seventy (70) feet above finished grade (exclusive of mechanical equipment) for theater building.*

Section VII. SPECIFIC CRITERIA
Structure Setbacks

Delete- 1. a. ~~Outlots A, B, and C (as presented on the Preliminary Plan) shall have the following structure setbacks:~~

Replace- 1. a. *All outlots shall have the following structure setbacks:*

Delete- 1. a. (iv) ~~Thirty (30) feet from the internal drive to the north of the Outlots.~~

Replace- 1. a. (iv) *Thirty (30) feet from the internal drive known as THF Boulevard.*

Delete- 1. b. ~~Lots C and D (as presented on the preliminary Plan) shall have the following structure setbacks:~~

Replace- 1. b. *The remaining portion of this development shall have the following structure setbacks:*

Delete- 1. b. (iii) ~~Ten (10) feet from the internal drive to the south of the Lots.~~

Replace- 1. b. (iii) *Thirty-four (34) feet from the southern boundary of the Outlots.*

Parking and Loading Setbacks

Delete- 1. a. ~~Outlots A, B, and C (as presented on the Preliminary Plan) shall have the following parking setbacks:~~

Replace- 1. a. *All outlots shall have the following parking setbacks:*

- Delete- 1. a. (iv) ~~Twenty (20) feet from the internal drive to the north of the Outlots.~~
- Replace- 1. a. (iv) **Twenty (20) feet from the internal drive known as THF Boulevard.**
- Delete- 1. b. ~~Lots C and D (as presented on the preliminary Plan) shall have the following structure setbacks:~~
- Replace- 1. b. **The remaining portion of this development shall have the following parking setbacks:**
- Delete- 1. b. (iii) ~~Ten (10) feet from the internal drive to the south of the Lots.~~
- Replace- 1. b. (iii) **Thirty-five (35) feet from the southern boundary of the Outlots.**

Access

- Add- 9. **Direct access to all outlots shall be as directed by the City of Chesterfield.**

Public/Private Road Improvements, Including Sidewalks

- Delete- 5. ~~Sidewalks shall be provided around the perimeter of the office/warehouse buildings in order to provide pedestrian circulation from parking lots to building entrances, or as approved by the Planning Commission. Sidewalks shall be provided around the perimeter of the outlot buildings in order to provide pedestrian circulation from parking lots to building entrances, or as approved by the Planning Commission. Interruptions are allowable in instances of conflict with loading areas and landscaping, or as approved by the Planning Commission. All sidewalks shall be five (5) foot wide and constructed to St. Louis County ADA standards.~~
- Replace- 5. **Sidewalks shall be provided around the perimeter of the building(s) on the remaining portion of this development in order to provide pedestrian circulation from parking lots to building entrances, or as approved by the Planning Commission. Sidewalks shall be provided around the perimeter of the outlot buildings in order to provide pedestrian circulation from parking lots to building entrances, or as approved by the Planning Commission. Interruptions are allowable in instances of conflict with loading areas and landscaping, or as approved by the Planning Commission. All sidewalks shall be five (5) foot wide and constructed to St. Louis County ADA standards.**

Section VII. **SPECIFIC CRITERIA**

Miscellaneous

- Add- 11. **All references herein to the City of Chesterfield Zoning Ordinance or sections thereof shall refer to said Ordinance and amendments thereto**

as approved by the City of Chesterfield City Council, as of the date the petitioner submits a Site Development Plan for review and approval.

Section XII. VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE

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

Section XIX. GENERAL DEVELOPMENT CONDITIONS

Delete- *6. — Prior to Site Development Plan approval, show all existing and proposed easements/rights of way on site and all existing or proposed off site easements required for utilities, stormwater drainage, grading or other improvements.*

Delete- *7. — Prior to Site Development 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 Monarch Chesterfield Valley Levee District and the appropriate Fire District.*

Delete- *8. — Prior to Site Development Plan approval, provide existing and proposed contours at 1-foot intervals extending 150 feet beyond the limits of the site.*

Delete- *9. — 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.*

Delete- *10. — 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.*

Delete- *11. — Ornamental Entrance Monument 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.*

Delete- *12. — 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.~~

- ~~Delete- 13. — 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.~~
- ~~Delete- 14. — 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.~~
- ~~Delete- 15. — 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.~~
- ~~Delete- 16. — 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.~~
- ~~Delete- 17. — 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.~~

- Delete-** ~~18. 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 in cases of undue hardship because of unfavorable ground conditions.~~
- Delete-** ~~19. 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 appropriate Fire District.~~
- Delete-** ~~20. Be advised this development will require an NPDES permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb five (5) or more acres.~~
- Delete-** ~~21. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off site work shall be required.~~
- Delete-** ~~25. 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.~~
- Delete-** ~~26. 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.~~
- Delete-** ~~27. 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.~~
- Add-** **9. 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 Section 1003.410.2 of the Zoning Ordinance.**

Add- B. This document shall read as a whole and any inconsistency shall be integrated to carry out the overall intent of this Attachment A.

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

Section 3. The City Council, pursuant to the request filed by Mike Doster on behalf of THF Realty, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

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

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

Passed and approved this 5th day of May, 2003.


MAYOR

ATTEST:


CITY CLERK

P.Z. 07-2001 Chesterfield Valley Technology Park, Phase II
June 1, 2001
June 15, 2001 (Planning Commission)
July 5, 2001 (Planning and Zoning Committee)
February 26, 2003 (Amended)
March 10, 2003 (Planning Commission)
May 5, 2003 (City Council)

ATTACHMENT A

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

- 1.1.1 Conservation of Existing Quality of Life
- 1.1.2 Reinforce Existing Development Pattern
- 1.2.2 Quality New Development
- 1.3.1 Preservation of Natural Features and Open Space
- 1.3.2 Encourage Quality Project Planning
- 2.1.1 Encourage Preservation of Existing Residential Neighborhoods
- 2.3.1 Office Development along I-64/40 Highway Corridor
- 4.1.6 Limit Curb Cuts
- 4.1.12 Internal Commercial Circulation
- 4.2.3 New Development for Stormwater Control

I. PERMITTED USES

A. The uses allowed in this "PI" Planned Industrial District shall be:

Permitted uses:

- (b) Animal hospitals, veterinary clinics, and kennels (all uses shall be indoor).
- (f) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
- (h) Broadcasting studios for radio and television.
- (j) Business, professional, and technical training schools.
- (k) Business service establishments.
- (m) Child care centers, nursery schools, and day nurseries.
- (q) Financial institutions.
- (y) Hotels and motels.
- (cc) Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or
 - (ii) Placed underground; or
 - (iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation

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permit shall be issued until these plans have been approved by the Department of Planning.

- (dd) Mail order sale warehouses.
- (ff) Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - (i) Facilities producing or processing explosives or flammable gases or liquids;
 - (ii) Facilities for animal slaughtering, meat packing, or rendering;
 - (iii) Sulfur plants, rubber reclamation plants, or cement plants, and
 - (iv) Steel mills, foundries, or smelters.
- (gg) Medical and dental offices.
- (ii) Offices or office buildings.
- (mm) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
- (oo) Printing and duplicating services.
- (tt) Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters (excluding golf courses, golf practice ranges, and drive-in theaters).
- (uu) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- (vv) Restaurants, fast food.
- (ww) Restaurants, sit down.
- (ccc) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
- (iii) 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.
- (ooo) Vehicle repair facilities.
- (ppp) Vehicle service centers.
- (qqq) Vehicle washing facilities.
- (rrr) Warehousing, storage, or wholesaling of manufactured commodities, live animals, explosives, or flammable gases and liquids (excluding live animals, explosives, or flammable gases and liquids).

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Ancillary Uses:

- (g) Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
- (l) Cafeterias for employees and guests only.
- (kk) Outpatient substance abuse treatment facilities.
- (ll) 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.
- (eee) Permitted signs (See Section 1003.168 'Sign Regulations').

II. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

A. The following requirements shall apply to the permitted uses:

1. 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.
2. City of Chesterfield Ordinance #1773 allowed for 3 possible outlots with Outlots A, B, and C not exceeding a total of 50,000 square feet. Lots D and E were not to exceed a total of 205,000 square feet. If this site is developed with a movie theater, the maximum number of outlots shall not exceed six (6) within this district.
3. City of Chesterfield Ordinance #1773 allowed that the uses permitted within this district would be contained in a maximum of five (5) buildings. If this site is developed with a movie theater, the uses permitted within this district shall be contained in a maximum of seven (7) buildings.
4. The development shall contain a minimum of twenty-eight percent (28%) greenspace. Greenspace is calculated by combining all green area and non-paved surfaces and dividing by the total area of the site.
5. Maximum building height shall be twenty-five (25) feet (exclusive of mechanical equipment) for all outlots, and seventy (70) feet above finished grade (exclusive of mechanical equipment) for theater building.

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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 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

- A. 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.

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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 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).

V. GENERAL CRITERIA - SECTION PLANS

A. 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.

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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 Highways and Traffic, The Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, the Monarch Chesterfield Valley Levee District and the Chesterfield 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 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

- A. 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.

Structure Setbacks

1. No building or structure, other than boundary walls, retaining walls, screen walls, truck dock walls, signs, light standards, flagpoles or fences, shall be located within the following setbacks:
 - a. All outlots shall have the following structure setbacks:
 - (i) Fifty (50) feet from Chesterfield Airport Road Right-of-Way.
 - (ii) Twenty (20) feet from Public Works Drive Right-of-Way.
 - (iii) Twenty (20) feet from the eastern boundary of this district.
 - (iv) Thirty (30) feet from the internal drive known as THF Boulevard.
 - b. The remaining portion of this development shall have the following structure setbacks:
 - (i) Sixty (60) feet from Public Works Drive Right-of-Way.
 - (ii) One hundred and forty (140) feet from the eastern boundary of this district.
 - (iii) *Thirty-four (34)* feet from the southern boundary of the Outlots.
 - (iv) One hundred and twenty-five feet (125) from Edison Avenue Right-of-Way.

Parking and Loading Space Setbacks

1. No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress, shall be located within the following setbacks:
 - a. All outlots shall have the following parking setbacks:

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- (i) Twenty (20) feet from Chesterfield Airport Road Right-of-Way.
 - (ii) Fifteen (15) feet from Public Works Drive Right-of-Way.
 - (iii) Fifteen (15) foot from the eastern boundary of this district.
 - (iv) Twenty (20) feet from the internal drive known as THF Boulevard.
- b. The remaining portion of this development shall have the following parking setbacks:
- (i) Thirty (30) feet from Public Works Drive Right-of-Way.
 - (ii) Fifty (50) feet from the eastern boundary of this district.
 - (iii) Thirty-five (35) feet from the southern boundary of the Outlots.
 - (iv) Seventy-five (75) from Edison Avenue Right-of-Way.

Parking and Loading Requirements

Parking and loading spaces for this development shall be as required in Section 1003.165 of the City of Chesterfield Zoning Ordinance.

Access

1. Access to Edison Avenue shall be limited to one street approach. The centerline of the street approach shall be located approximately 550 feet from the existing centerline of Public Works Drive.
2. Access off internal streets or drives shall be a minimum distance of 150 feet from the right of way of Edison Avenue, as directed by the City of Chesterfield Department of Public Works.
3. No driveway access will be permitted to Edison Avenue from any lot within the proposed development.
4. No direct access to Chesterfield Airport Road from any lot within the proposed development shall be permitted.
5. The centerline of the interior connector road that parallels Chesterfield Airport Road shall be located approximately 300 feet from Chesterfield

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Airport Road or as directed by the City of Chesterfield and the St. Louis County Department of Highways and Traffic.

6. Access to Public Works Drive shall be aligned with or a minimum of 100 feet from existing or proposed streets and entrances on the other side and no closer than 100 feet from each other on the same side. Access to the drive entrances shall be designed to support a Single Unit Truck radius of 42 feet at a minimum.
7. Secondary access to the drive entrances shall be spaced no closer than 100 feet from the Public Works right of way, or as directed by the City of Chesterfield.
8. Cross access shall be provided between the lots within the proposed development. Cross access shall be provided between lots in order to minimize the number of curb cuts on the interior street(s).
9. Direct access to all outlots shall be as directed by the City of Chesterfield.

Public/Private Road Improvements, Including Sidewalks

1. Please be advised that Edison Avenue is to be constructed within the sand berm of the Monarch Chesterfield Levee along Bonhomme Creek, by others. The developer shall be required to construct any street intersections, including, but not limited to widenings, striping, and/or turn lanes. Edge of pavement radii shall be a minimum of 50 feet as directed by the City of Chesterfield Department of Public Works.
2. The Developer shall provide any additional right-of-way and construct any improvements to Chesterfield Airport Road and Public Works Drive as required by the St. Louis County Department of Highways and Traffic and the City of Chesterfield's Department of Public Works.
3. No construction parking will be permitted on the Chesterfield Airport Road, Edison Avenue, or Public Works rights of way.
4. Sidewalks shall be provided along the east side of Public Works Drive, the south side of Chesterfield Airport Road, and along both sides of the interior road of the development. Necessary crosswalks to connect the sidewalks shall be provided. All sidewalks shall be five (5) foot wide and constructed to St. Louis County ADA standards.

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5. Sidewalks shall be provided around the perimeter of the office/warehouse buildings in order to provide pedestrian circulation from parking lots to building entrances, or as approved by the Planning Commission. Sidewalks shall be provided around the perimeter of the outlot buildings in order to provide pedestrian circulation from parking lots to building entrances, or as approved by the Planning Commission. Interruptions are allowable in instances of conflict with loading areas and landscaping, or as approved by the Planning Commission. All sidewalks shall be five (5) foot wide and constructed to St. Louis County ADA standards.

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.

Landscape Plan

1. A landscape buffer shall be required on the south side of Chesterfield Airport Road on the Site Development Concept Plan.
2. 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:
3. 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.
4. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

Sign Requirements

1. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield department of Public Works, and/or

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the St. Louis County Department of Highways and traffic, for sight distance considerations prior to installation or construction.

2. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.
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 Plan.
4. All other signs shall be permitted in accord with the regulations of Section 1003.168 of the City of Chesterfield Zoning Ordinance.

Lighting Requirements

1. 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.
2. Light standards: The location of the light standards shall be as approved by the Planning Commission on the Site Development Plan and shall be in conformance with City of Chesterfield regulations. A lighting plan is required to be submitted in conjunction with the Site Development Concept Plan, noting foot candles and fixture information.
3. A lighting plan is required to be submitted in conjunction with the Site Development Concept Plan. The lighting plan shall include a layout of proposed luminaire locations, including aiming angles, minimum and average illuminances for each task, uniformity ratios, a description of the equipment (catalog cuts), glare control devices, lamps, mounting heights and means, hours of operation, maintenance methods proposed, and an illumination (foot-candle) grid demonstrating intensities and uniformity. The illumination grid scales shall be maximized to the extent of a thirty (30) inch by forty-two (42) inch drawing. Additional submissions may be required showing greater detail of areas needing further clarification. Said plans shall satisfy the following standards:

Parking lot lighting;

- a. Fully shielded flat-lens enclosed luminaires must be used.
- b. Pole heights cannot exceed a maximum of thirty-nine (39) feet, in addition to the base of the pole (typically 3 feet).
- c. The source type shall be metal halide.
Horizontal illuminance (measured at 5'-0" above the ground) must conform, within +/- 10%, to the following maintained illuminance values established by the Illuminating Engineering Society of North America (IESNA):
 - Minimum 0.5 footcandles
 - Average 2.5 footcandles
 - Maximum 7.5 footcandlesIESNA recognized maintenance factors (lamp lumen depreciation-LLD, luminaire dirt depreciation-LLD and equipment operating factor-EOF) shall be used for computing illuminance levels. A metal halide parking lot lighting system normally requires a 0.65 combined factor.
- d. Light trespass onto neighboring properties shall be mitigated such that maximum vertical illuminance measured at the adjacent property line shall be not more than 0.50 footcandles at 5'-0" above grade.
- e. All lighting fixtures shall be controlled through as automated system with timeclock capabilities.
- g. Within one (1) hour after close of business, illumination shall be reduced to security lighting levels of 25% of normal maintained levels.
- h. This provision is not necessary with the inclusion of (1)g.
- i. Searchlights are prohibited.

Building lighting;

- a. Building mounted lighting, including both utilitarian and decorative applications, shall be limited to fully shielded, cut-off optics, flat lens luminaires.
- b. Decorative wall sconces are prohibited on the sides of the building.

Maintenance;

All lighting installations shall be relamped or repaired as necessary to maintain prescribed illumination levels and glare control.

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Architectural elevations

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. Buildings shall be constructed of compatible material and design as adjacent commercial developments or as approved by Planning Commission.

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 shall be submitted 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.

Recreation 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

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.

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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.

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.
3. Roofing or other screening as approved by the Planning Commission shall adequately screen all mechanical equipment.
4. Between the hours of 7:00 p.m. and 7:00 a.m., all doors shall remain closed except for temporary access.
5. No commercial vehicles shall remain on the premises with idling engines between the hours of 7:00 p.m. and 7:00 a.m.
6. All deliveries and trash pick-up shall occur between the hours of 7:00 a.m. and 7:00 p.m.
7. All loading docks are to be screened by sound attenuating material.
8. 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.
9. Screening for outdoor storage shall be approved by the Planning Commission on the Site Development Plan and shall have the same sight-proof materials as approved on the Site Development Plan as Chesterfield Commons and Valley Crossing.

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10. The Planning and Zoning Committee shall review the appropriate Site Development Plan for each of the Outparcels.
11. All references herein to the City of Chesterfield Zoning Ordinance or sections thereof shall refer to said Ordinance and amendments thereto as approved by the City of Chesterfield City Council, as of the date the petitioner submits a Site Development Plan for review and approval.

VIII. VERIFICATION PRIOR TO APPROVAL

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

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.

Stormwater and Sanitary Sewer

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 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.

The maintenance of the required storm water/ditch system shall be the responsibility of the property owner(s).

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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 in the vicinity of 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.

Water Main

Construct a 12" water main extension of the main in an east-west direction across the southern limit of the property, adjacent to the Levee District Easement. The main shall be constructed of ductile iron pipe and shall connect to the existing 12" main located on the West Side of Public Works Drive. A functionally equivalent potable water extension may be submitted to the City of Chesterfield Department of Public Works for review and possible approval.

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.

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

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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.

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9. 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 District.
10. 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.
11. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be required.

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

1. Roads

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

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

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

Credits for roadway improvements required in condition will be awarded as directed by the St. Louis County Highways and Traffic. Any portion of the

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roadway improvement contribution which remains, following completion of road improvements required by the development shall be retained in the trust fund.

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

2. Water Main

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

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

3. Stormwater

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

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

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4. Sanitary Sewer

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

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

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

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

XII. 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 must be established with this Department to guarantee completion of the required roadway improvements.

XIII. 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.

XIV. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

A. 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:

Notification of Department of Planning

1. 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.

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Notification of St. Louis County Department of Public Works

2. 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.

Certification of Plans

3. 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.

XV. 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.

XVI. 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.

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XVII. VERIFICATION PRIOR TO BUILDING PERMITS

- A. Subsequent to approval of the appropriate development plan and prior to issuance of any building permit, the following requirements shall be met:

Sanitary Sewers

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

Notification of City of Chesterfield

2. 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.

XVIII. SUPPLEMENTARY DEVELOPMENT CONDITIONS

- A. 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 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.

XIX. GENERAL DEVELOPMENT CONDITIONS

- A. General development conditions relating to the operation, construction, improvement and regulatory requirements to be adhered to by the developer are as follows:

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1. 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.
2. 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.
3. 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.
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. Prior to Site Development Plan approval indicate the location of the proposed storm sewers, detention basins, sanitary sewers, and connection(s) to existing systems.
6. 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.

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7. 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.
 8. 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.
 9. 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 Section 1003.410.2 of the Zoning Ordinance.
- B. This document shall read as a whole and any inconsistency shall be integrated to carry out the overall intent of this Attachment A.