BILL NO. 2227 ORDINANCE NO. 2055

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE 1790, AND REPLACING IT WITH A NEW ORDINANCE PROVIDING FOR THE ADDITION OF OUTDOOR STORAGE, AND CHANGES TO PROPERTY SETBACKS FOR A 14.1 ACRE "PI" PLANNED COMMERCIAL DISTRICT LOCATED NORTH OF HIGHWAY 40/INTERSTATE 64, WEST OF BOONES CROSSING (P.Z. 21-2003 JIM LYNCH/LARRY ENTERPRISES)

WHEREAS, the petitioners, Jim Lynch and Larry Enterprises, have requested amendments to City of Chesterfield Ordinance 1790 to allow for outdoor storage and changes to the building setbacks, and;

WHEREAS, a public hearing before the City of Chesterfield Planning Commission regarding the above-referenced was held on September 22, 2003; and,

WHEREAS, the request was considered by the Planning Commission and upon review, the Commission recommended approval; and,

WHEREAS, the City Council amended the Attachment A relative to structure and parking setbacks, the location of access for the site and limitation of outdoor storage to the proposed Lot B.

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 City of Chesterfield Ordinance Number 1790 is hereby repealed and replaced with a new ordinance the conditions of which are established in the Attachment A.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 Jim Lynch and Larry Enterprises 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 22nd day of September 2003, 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 21st day of January, 2004

MAYOR

ATTEST:

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
- 1.3.2 Encourage Quality Project Planning
- 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:

Primary Uses:

(j) Business, professional, and technical training schools.
(k) Business service establishments.
(q) Financial institutions.
(y) Hotels and motels.
(dd) Mail order sale warehouses (excluding on-site sales).
(ii) Offices or office buildings.
(mm) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
(oo) Printing and duplicating services
(ww) Restaurants, sit down.
(uu) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith (excluding facilities that do not generate hazardous, environmental waste, liquid, solid, or gaseous).
(xx) Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said.
(yy) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture (excluding necessary outdoor storage).
(eee) Permitted signs (See Section 1003.168 "Sign Regulations).

(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).

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.
(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 (excluding for a period in excess of seventy (72) hours).

B. Outdoor storage referenced above in item (xx) shall be limited to proposed Lot B as delineated on the preliminary plan.

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 a based on the developer's ability to comply with the parking regulations of the City of Chesterfield Zoning Ordinance.

5. The total square footage of all buildings in the district shall not exceed 224,000 square feet.

6. Total number of buildings constructed on this development shall not exceed four (4) buildings.

7. Maximum building height shall be three (3) stories or forty-five (45) feet (exclusive of mechanical equipment) whichever is less. Height limitation shall also be exclusive of parapet walls.

8. The district shall contain a minimum of thirty-one percent (31%) greenspace, excluding stormwater drainage structures. Greenspace is calculated by combining all green area and non-paved surfaces and dividing by the total area of the site.

NOTE: The building heights referenced is to be measured from final grade.

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.

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.

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 appropriate Fire District.

13. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.

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

A. 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

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

(1) Two hundred fifteen (215) feet from the northern district boundary.

(2) One hundred twenty (120) feet from the southern district boundary.

(3) Western District Boundaries:

a. Lot A: One hundred (100) feet from the western district boundary.

b. Lot B: Twenty (20) feet from the proposed property line as delineated on the Revised Preliminary Plan.

(4) Eastern District Boundaries:

a. Lot A: Twenty (20) feet from the proposed property line as delineated on the Revised Preliminary Plan.

b. Lot B: Seventy-five (75) feet from the eastern district boundary of the "PI" Planned Industrial District.

Parking and Loading Space Setbacks

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

(1) Fifty (50) feet from the northern district boundary.

(2) Thirty-five (35) feet from the southern district boundary.

3) Western District Boundaries:

a. Lot A: Twenty (20) feet from the western district boundary of the "PI" Planned Industrial District. The shared westernmost internal driveway is exempted from this requirement.
b. Lot B: Five (5) feet from the proposed property line as delineated on the Revised Preliminary Plan

(4) Eastern District Boundaries:

a. Lot A: Five (5) feet from the proposed property line as delineated on the Revised Preliminary Plan.

b. Lot B: Ten (10) feet from the eastern district boundary of the "PI" Planned Industrial District.

Parking and Loading Requirements

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

Access

a. Access shall be as shown on the attached Exhibit 1.

b. Access to the North Outer Forty Road shall be no closer than 100 feet to the western property line or as directed by the City of Chesterfield and the Missouri Department of Transportation unless the adjacent property owner is agreeable to a shared entrance and must be willing to execute and record their portion of the cross access easement.

c. Provide cross access easement or other appropriate legal instrument guaranteeing permanent access to the east and to the west adjacent properties as approved by the City of Chesterfield.

Public/Private Road Improvements, Including Sidewalks

Provide any additional right of way and pavement widening to the North Outer Forty Road as required by MoDot.

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

The developer shall submit a landscape plan in accord with the Landscape Guidelines adopted by the Planning Commission, either as part of the appropriate Site Development Concept Plan or on a separate drawing to be reviewed as part of said plan, to comply with the following:

a. If the estimated cost of new landscaping indicated on the Site Development Section Plans as required by the Planning Commission exceeds one thousand ($1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping.

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

Since landscaping is not permitted in the underseepage berm area, landscape provisions for said area, including but not exclusive to landscaped parking islands and perimeter landscaping requirements, will not be required to adhere to the Landscaping Guidelines adopted by the Planning Commission. In this event, landscaping plans shall be approved by the Planning Commission during the appropriate site development plan (Concept or Section) review. The landscaping plans will include additional landscaping provisions in the front portion of the building area which will buffer the lack of landscaping in the rear of the property. The landscaping plans will include additional landscaping that will not only be comprised of additional plantings but will also include landscape features which may include but not be limited to water features, brick planters and outdoor artwork.

Sign Requirements

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

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

b. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development. Real estate signs, including for sale or lease, are permitted.

c. 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.

d. All other signs shall be permitted in accord with the regulations of Section 1003.168 of the City of Chesterfield Zoning Ordinance.

Lighting Requirements

a. The location and height of all light standards shall be as approved by the Planning Commission on the appropriate development plan. No on-site illumination source shall be so situated that light is cast directly on adjoining properties or public roadways. Illumination levels shall comply with the provisions of Section 1005.160 Non-Residential Subdivision Design Standards and Section 1005.320 Street Lighting of the City of Chesterfield Subdivision Ordinance and the Chesterfield Valley Master Street Lighting Plan.

b. The installation, maintenance, operation, and all expenses related thereto for the street lighting along all public streets associated with this development, including Chesterfield Airport Road shall be provided by the developer in perpetuity as directed by the City of Chesterfield Department of Public Works.

c. The light standard design shall be as presented on the Preliminary Plan including recessed or screened lenses.

Levee District

a. 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.

b. Prior to approval of any grading permit or improvement plans for the development, an underseepage study may be required for review/approval as directed by the Monarch Chesterfield Levee District, the U.S. Army Corps of Engineers and the City of Chesterfield's Department of Public Works.

c. No improvements or use that would alter, diminish, damage or interfere with the performance of the Monarch Chesterfield Levee including seepage berm is permitted.

d. Any drainage structures or systems, including or not limited to under drains, installed for the relief of hydrostatic head or seepage water shall be designed, construed, operated, and maintained to prevent infiltration of soil/ground loss.

e. No building or structure other than boundary walls, retaining walls, signs, light standards, flag poles or fences, shall be located within 150 ft. from the southern toe of the Chesterfield Monarch Levee.

f. No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress, shall be located within 30 ft. from the southern toe of the Chesterfield Monarch Levee.

g. Trees, vegetation and landscaping which have roots which extend more than six (6) inches in depth below the ground are not permitted in the Permanent Underseepage Berm Easement. Buildings or structures are not permitted in the Permanent Underseepage Berm Easement.

Recreational Easement

An easement, for recreational and trail purposes shall be provided for this site as directed by the City of Chesterfield and the Monarch Chesterfield Levee District. The easement is anticipated to be located within or overlying the levee/seepage berm easement. Alternatively, the easement script for the seepage berm easement may permit recreational and trail usage as an allowable activity within the easement.

Architectural Elevations

a. 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.

b. The buildings in the district shall be built of compatible architectural standards including predominate masonry facades and have an office-type appearance, or as approved by Planning Commission.

Power of Review

a. 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.

Miscellaneous

a. All trash enclosures shall be enclosed by such means as approved by the Planning Commission on the Site Development Plan.

b. Roofing or other screening as approved by the Planning Commission shall adequately screen all mechanical equipment.

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

d. All utilities shall be installed underground. The development of this parcel shall coordinate the installation of all utilities in conjunction with the construction of the East/West Connector Roadway and/or any applicable roadway on the site. Utility easements that cross over Chesterfield Valley Master Stormwater Easement shall be subordinate to the Chesterfield Valley Stormwater Easement.

Sleeves for future telecommunications services shall be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future uses.

e. No service facility entrances or customer drop off areas shall be located on the south side of any building nor shall they be visible from Interstate64/Highway 40.

VIII. VERIFICATION PRIOR TO APPROVAL

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

1. Roadway Improvements and Curb Cuts

a. Obtain approval from the City of Chesterfield Department of Public Works and the MoDot of the locations of proposed curb cuts, areas of new dedication, and roadway improvements.

2. Stormwater and Sanitary Sewer

a. 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 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.

b. The development improvements shall provide the sanitary force main, gravity lines and/or regional pump station as depicted on the current MSD Conceptual Valley Master Plan. Alternatively, the Developer's Engineer may submit a functionally equivalent proposal to be reviewed and approved by the Metropolitan St. Louis Sewer District and the City of Chesterfield Department of Public Works.

3. Geotechnical Report

a. 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.

4. Grading and Improvement Plans

a. A clearing/grading permit or improvement plan approval is required prior to any clearing or grading on the site. Be advised, the Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a clearing and grading permit. No change in watersheds will be permitted. Interim storm water drainage control in the form of siltation control and/or siltation basins is required. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by the Department of Public Works prior to any clearing, grading, and/or improvement plan approval. The SWPPP covers required erosion control practices specific to site conditions and maintenance and implementation, management and maintenance of the Best Management Practices (BMP's) in order to reduce the amount of sediment and other pollutants in stormwater discharges associated with land disturbance activities. It shall comply with the Missouri Water Quality Standards, and ensure compliance with the terms and conditions of the NPDES.

b. Erosion and siltation control shall be installed prior to any grading and be maintained throughout the project until acceptance of the work by the owner and/or controlling regulatory agency and adequate vegetative growth insures no future erosion of the soil. Construct temporary settlement basins during construction to allow for settling of sediment, prior to the discharge of stormwater from this site.

c. When clearing and/or grading operations are completed or suspended for more than 30 days, all necessary precautions shall be taken to retain soil materials on site. Protective measures, such as permanent seeding, periodic wetting or other means, may be required by the Director of Public Works/City Engineer.

d. Provide adequate temporary off-street parking for construction employees and a vehicle washdown/cleaning area. Parking on non-surfaced areas is prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions. The contractor shall keep the roads in the area clear of mud and debris related to his construction at all times. The streets surrounding this development and any street used for

construction access thereto shall be cleaned continuously throughout each day.

e. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses shall be utilized to retard erosion, if adequate stormwater detention and erosion control devices have not been established.

f. Prior to issuance of an occupancy permit, all disturbed areas shall be seeded and mulched at the minimum rates defined in Appendix "A" of the City of Chesterfield's "Model Sediment & Erosion Control Guidelines" or soded. A temporary occupancy permit may be issued by the Department of Planning in cases of undue hardship because of unfavorable ground conditions.

g. Prior to improvement plan approval, provide comments/approvals from the Missouri Department of Transportation, the Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, the Missouri Department of Natural Resources, the Monarch Chesterfield Valley Levee District and the appropriate Fire District.

h. Be advised, this development may require a NPDES permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb five(5) or more acres.

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

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:

Type of Development	Required Contribution
Industrial	$4,003.84/acre of gross acreage
General Office	$1.16/square foot
Commercial	$1.66/square foot
Stormwater	$1,667.77/acre of gross acreage

If the types of development proposed differ form 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 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 $486.43 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 $1,534.99 per acre for the total area as approved on the Site Development Plan.

The stormwater contributions to the Trust Fund shall be deposited with the St. Louis County Department of 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.

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.

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

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.

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.

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.

XV. FINAL RELEASE OF ESCROW

A. 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

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

1. Sanitary Sewers

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

2. Notification of City of Chesterfield

   a. 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

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 Pubic Land Survey located within, or which define or lie upon, the outboundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the U.S. Public Land Survey Corners.

2. Prior to final occupancy of any building, the developer shall provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

XVIII. 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:

1. Stormwater drainage improvements shall be operational prior to the paving of any driveways or parking lots. Roadway and related improvements shall be constructed prior to 60% occupancy of the retail portion of the site.

2. Prior to Site Development Plan approval, indicate the location of the proposed sanitary sewers and connection(s) to the existing system.

3. Prior to Site Development Plan approval, show all off-site easements required for utility, grading and/or stormwater drainage improvements.

4. Prior to Site Development Plan approval, provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, Monarch Chesterfield Levee District, and the Chesterfield Fire Protection District.

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

6. Prior to Site Development Plan approval, show existing improvements, including roads and driveways on the opposite side of roadways adjacent to the site, and the location of significant natural features, such as wooded areas and rock formations, that are to remain or be removed.

7. Prior to Site Development Plan approval, provide a geotechnical report, as directed by the City of Chesterfield, Department of Public Works, prepared by

a Professional Engineer, licensed to practice in the state of Missouri. Said Report shall verify the suitability of grading and proposed improvements with soil and geologic conditions. A statement of compliance, signed and sealed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. This report shall address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendation for treatment.

8. Ornamental Entrance Monument construction shall be reviewed by the City of Chesterfield Department of Public Works, and/or the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.

9. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point. Emergency overflow drainage ways to accommodate the 100-year storm shall be provided.

10. A clearing/grading permit or improvement plan approval is required prior to any clearing or grading on the site. Be advised, the Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a clearing and grading permit. No change in watersheds will be permitted. Interim storm water drainage control in the form of siltation control and/or siltation basins is required. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by the Department of Public Works prior to any clearing, grading, and/or improvement plan approval. The SWPPP covers required erosion control practices specific to site conditions and maintenance and implementation, management and maintenance of the Best Management Practices (BMP's) in order to reduce the amount of sediment and other pollutants in stormwater discharges associated with land disturbance activities. It shall comply with the Missouri Water Quality Standards, and ensure compliance with the terms and conditions of the NPDES.

11. Erosion and siltation control shall be installed prior to any grading and be maintained throughout the project until acceptance of the work by the owner and/or controlling regulatory agency and adequate vegetative growth insures no future erosion of the soil. Construct temporary settlement basins during construction to allow for settling of sediment, prior to the discharge of stormwater from this site.

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

13. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as

rye grasses or sudan grasses shall be utilized to retard erosion, if adequate stormwater detention and erosion control devices have not been established.

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

15. Be advised this development will require a NPDES permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb five (5) or more acres.

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

17. If any development in, or alteration of, the floodplain is proposed, the developer shall submit a Floodplain Development Permit/Application to the City of Chesterfield Department of Public Works for approval. Be advised that in conjunction with any site alteration the developer will be required to demonstrate that there will be no adverse effect on other properties located within the Chesterfield Valley. The Floodplain Development Permit/Application must be approved by the City of Chesterfield Department of Public Works prior to the approval of the Improvement Plans or Grading Plans. If any change in the location of the Special Flood Hazard Area is proposed, the Developer shall be required to obtain a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency. The LOMR must be issued by FEMA prior to the final release of any escrow held by the City of Chesterfield for improvements in the development.

18. If any building is proposed to be located in an existing, or proposed, Special Flood Hazard Area the building shall be clearly labeled as being located in the Floodplain on the Approved Site Development Plan and Improvement Plan. The lowest Reference Level (floor), as defined by FEMA, shall be constructed a minimum of one (1) foot above the base flood elevation unless a LOMR has been issued by FEMA prior to construction. The minimum elevation for the Reference Level for each building shall also be noted on the approved Site Development Plan and Improvement Plan.

19. Prior to the issuance of an occupancy permit for any building within the development the Developer shall be required to submit an "Elevation Certificate" (FEMA form 81-31) for that building to the City of Chesterfield Department of Public Works.

20. The developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners

of the United States Public Land Survey located within, or which define or lie upon, the outboundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the U.S. Public Land Survey Corners.

21. Prior to final occupancy of any building the developer shall provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

22. Prior to the release of final escrow, the developer shall provide certification by a Registered Land surveyor that all monumentation depicted on the Record Plat has been installed and that the U.S. Public Land Survey Corners have not been disturbed during the construction activities or that they have been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

SITE DEVELOPMENT CONCEPT PLAN
FOR
JIM LYNCH & LARRY ENTERPRISES

A TRACT OF LAND BEING PART OF THE TRACT OF LAND FORMERLY KNOWN AS THE RUPPEL FARM TRACT
LOCATED IN U.S. SURVEY 125, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI
ZONED P.I. - ORDINANCE No.1790

GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

LEGEND

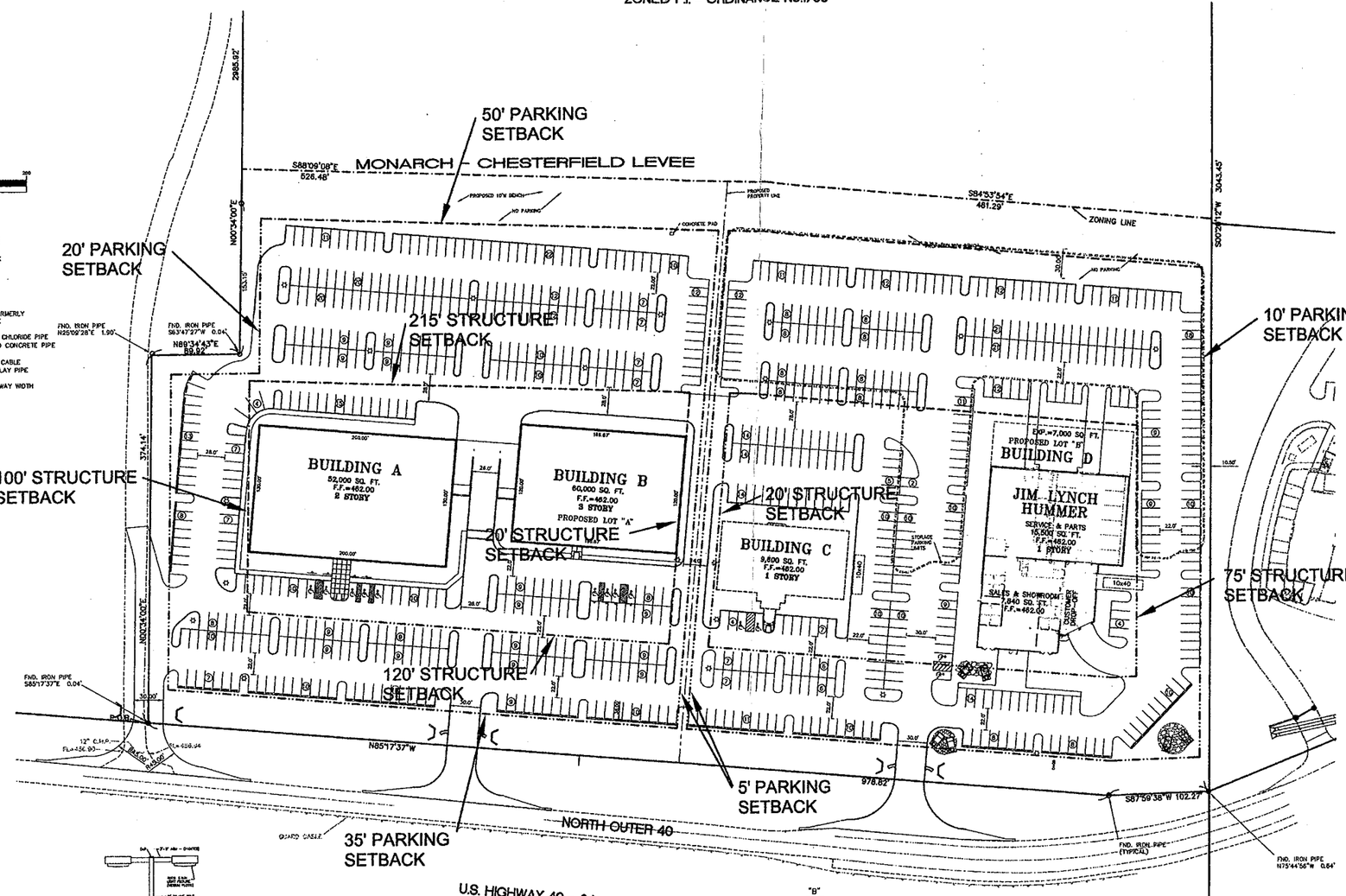
EXISTING SANITARY SEWER
EXISTING STORM SEWER
EXISTING TREE
EXISTING BUILDING
EXISTING CONTOUR
SPOT ELEVATION
EXISTING UTILITIES
FOUND 1/2" IRON PIPE
SET IRON PIPE
FOUND CROSS
FOUND STONE
FIRE HYDRANT
LIGHT STANDARD
BUSH
SIGN
NOTES PARKING SPACES
GUY WIRE
POWER POLE
WATER VALVE
DENOTES RECORD INFORMATION
HANDICAPPED PARKING

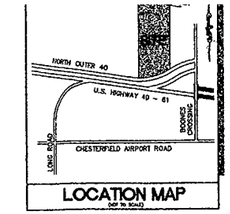
ABBREVIATIONS

C.O. – CLEANOUT
DB. – DEED BOOK
E – ELECTRIC
FL – FLOWLINE
FT – FEET
FND. – FOUND
G – GAS
M.H. – MANHOLE
N/F – NOW OR FORMERLY
P.B. – PLAT BOOK
PG. – PAGE
P.V.C. – POLYVINYL CHLORIDE PIPE
R.C.P. – REINFORCED CONCRETE PIPE
SQ. – SQUARE
T – TELEPHONIC CABLE
V.C.P. – VETRIFIED CLAY PIPE
W – WATER
(66'W) – RIGHT-OF-WAY WIDTH

LEGEND

EXISTING CONTOURS
PROPOSED CONTOURS
EXISTING SANITARY SEWERS
EXISTING STORM SEWERS
PROPOSED SANITARY SEWERS
PROPOSED STORM SEWERS
PROPOSED RIGHT-OF-WAY
CENTERLINE
EASEMENT
NON-REINFORCED CONCRETE PAVEMENT
EXISTING SPOT ELEVATION
PROPOSED SPOT ELEVATION
SWALE
TO BE REMOVED
TO BE REMOVED & RELOCATED
TO BE USED IN PLACE
BACK OF CURB
FACE OF CURB
GAS MAIN
WATER MAIN
UNDERGROUND TELEPHONE
FIRE HYDRANT
POWER POLE
SILTATION CONTROL





LOCATION MAP
(NOT TO SCALE)

LEGAL DESCRIPTION
Total Area – 72.9 Acres
Chesterfield, Missouri

A tract of land being part of the tracts of land described in Book 7853, Page 1771, of the St. Louis County Missouri Office Recorder of Deeds, being situated in U.S. Survey 125, Townshi North, Range 4 East, St. Louis County, Missouri, being part of some property known as the Ruppel Farm, and being more pa described as follows:

Beginning at the Intersection of the North right-of-way line o Missouri State Highway 40-61 with the East line of Share 1 o Subdivision of the Estate of Peter Stefion, as recorded in Dee Book 80, Page 457 in the St. Louis County Records; thence Northwardly along said East line of Share 1 the following cour and distances: North 0 degrees 34 minutes 00 seconds East feet, North 89 degrees 34 minutes 43 seconds East 89.92 fe North 0 degrees 34 minutes 00 seconds East 2,985.92 feet t of bank of the Missouri River, as located on December 28, 19 thence Eastwardly along said top of bank of Missouri River to West line of Lot 1 of the Subdivision of the Estate of Harmon Ficke; thence South 0 degrees 20 minutes 12 seconds West feet along said West line of Lot 1 to the said North right-of- line of Missouri State Highway 40-61; thence South 87 degre minutes 38 seconds West 102.27 feet and North 85 degrees 37 seconds West 978.82 feet along said North right-of-way Missouri State Highway 40-61 to the point of beginning and containing 72.9 acres more or less.

LAND DESCRIPTION
Tract Petitioned for Rezoning
14.12 Acres – Chesterfield, Missouri

A tract of land being part of the tracts of land described in Book 7853, Page 1771, of the St. Louis County, Missouri Offic Recorder of Deeds, being situated in U.S. Survey 125, Townshi North, Range 4 East, St. Louis County, Missouri, being part o some property known as the Ruppel Farm, and being more pa described as follows:

Beginning at the Intersection of the North right-of-way line o Missouri state Highway 40-61 with the East line of Share 1 o Subdivision of the Estate of Peter Stefion, as recorded in Dee Book 80, Page 457 in the St. Louis County Records; thence Northwardly along said East line of Share 1 the following cour and distances: North 0 degrees 34 minutes 00 seconds East feet, North 89 degrees 34 minutes 43 seconds East 89.92 fe North 0 degrees 34 minutes 00 seconds East 188.00 feet to thence Eastwardly along the center of a levee, South 88 degr minutes 08 seconds East 526.48 feet to a point; thence con along the center of a levee, South 84 degrees 53 minutes S East 461.29 feet to a point on the West line of Lot 1 of the Subdivision of the Estate of Harmon Ficke; thence South 0 d 20 minutes 12 seconds West 581.52 feet along said West line 1 to the said North right-of-way line of Missouri state Highw 61; thence South 87 degrees 59 minutes 38 seconds West 1 and North 85 degrees 17 minutes 37 seconds West 978.82 f said North right-of-way line of Missouri State Highway 40-6 point of beginning and containing 14.112 acres, more or less.

PERTINENT DATA

OWNER	=	LARRY ENTERPRISES, L.L.C.
EXISTING ZONING	=	P.I. (ORD. #1790)
LOCATOR NUMBER	=	17U520027
REZONED ACREAGE	=	14.12 Acres ±
TOTAL SITE ACREAGE	=	72.9 Acres ±
FIRE DISTRICT	=	CHESTERFIELD FIRE PROTECTIO
SCHOOL DISTRICT	=	ROCKWOOD R6
SEWER DISTRICT	=	M.S.D.
WATER SHED	=	BONHOMME CREEK
WATER SERVICE	=	ST. LOUIS CO. WATER COMPA
GAS SERVICE	=	LACLEDE GAS COMPANY
ELECTRIC SERVICE	=	AMERENUE ELECTRIC COMPAN
PHONE SERVICE	=	S.W.B.T.

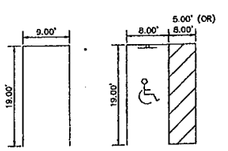
GENERAL NOTES

1. BOUNDARY AND TOPOGRAPHIC SURVEY BY STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
2. ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE ENGINEER FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES, PRIOR TO CONSTRUCTION, TO HAVE EXISTING UTILITIES FIELD LOCATED.
3. NO GRADE SHALL EXCEED 3:1 SLOPE.
4. PARKING CALCULATIONS:

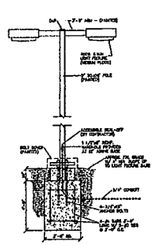
LOT A
PARKING REQUIRED:
OFFICE: 112,000 S.F./1000 x 4 = 448 SPACES
HANDICAP REQ'D = 9 SPACES
LOADING REQ'D = 4 SPACES
PARKING PROVIDED:
STANDARD 9'x19' = 439 SPACES
HANDICAP = 9 SPACES
TOTAL = 448 SPACES

LOT B
PARKING REQUIRED:
CAR SALES: 7,840 S.F./10
OFFICE: 9,600 S.F./1000 x
12 BAYS x 3
HANDICAP
SPACES REQ'D
LOADING REQ'D
PARKING PROVIDED:
STANDARD 9'x19'
HANDICAP
CAR STORAGE (FOR DEALE
TOTAL

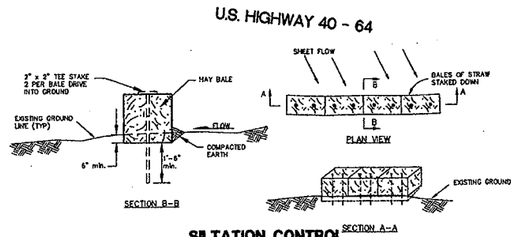
5. F.A.R. = 0.25
6. GREENSPACE CALCULATIONS
BUILDING: (85,940S.F.) 1.97 AC./14.11 AC. = 13.97%
PAVEMENT: (337,718 S.F.) 7.74 AC./14.11 AC. = 54.65%
GREEN: (191,617S.F.) 4.40 AC./14.11 AC. = 31.18%
7. GRADING AND STORM WATER PER M.S.D. AND THE CITY OF CHESTERFIELD MISSOURI AND THE LEVEE DISTRICT.
8. STORMWATER SHALL BE DISCHARGED AT ADEQUATE NATURAL DISCHARG POINT.
9. NO STEP ALLOWED AT ACCESSIBLE ENTRANCE DOORS.
10. EXTERIOR LIGHTING WILL BE SUBMITTED UNDER SEPERATE COVER BY TH DESIGN/BUILD CONTRACTOR CONFORMING TO GOVERNING ORDINANCES.
11. Subject property
Has within Flood Zone "A#" (flood depths of 1 to 3 feet) (usually areas of ponding) base flood elevation determined (Elevation 459) according to the National Flood Insurance Program Flood Insurance Rate Map for St. Louis County, Missouri and Incorporated Areas. The map is identified as Map No. 29189C0140 H which an effective date of August 2, 1995 and revised to reflect LOMR dated April 17, 2000.



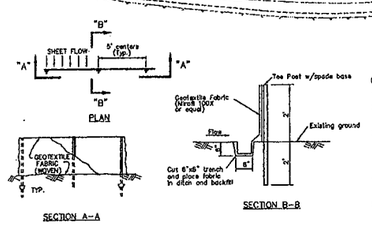
TYPICAL PARKING STALLS
(n.t.s.)



AREA LIGHT & POLE DETAIL
(n.t.s.)



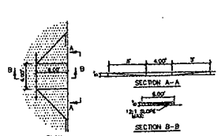
SILTATION CONTROL
HAY BALE DETAIL
(n.t.s.)



SILTATION CONTROL
SILTFENCE DETAIL
(n.t.s.)

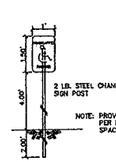
GENERAL NOTES:

1. Do not scale drawing. Follow Dimensions
2. Siltation Control Devices to remain in place until adequate vegetative growth insures no further erosion of the soil.
3. Siltation Fences shall be inspected periodically for damage and for the amount of sedimentation which has accumulated. Removal of sediment will be required when it reaches 1/2 of th height of the siltation fence.
4. Straw Bales shall be inspected periodically for deterioration. Bales which have rotted or failed shall be replaced.
5. Attachment of Geotextile
Fabric to be in accordance with the manufacturer's recommendation.



HANDICAP RAMP DETAIL
(n.t.s.)

HANDICAP SIGN
(n.t.s.)



HANDICAP PARKING SIGN
(n.t.s.)

M.S.D. BENCHMARKS

11-108 488.82 – "Standard Aluminum Disk" stamped SL-40 1990 Disk is set along the north side of the North Outer Road of Highway 64 and the extended centerline of the Spirit of Saint Louis Boulevard. Approximately 0.3 mile north of Chesterfield Airport Road.

12-24 482.12 – "Standard Tablet" stamped TT 1, E 1930 set in a concrete boat; 32' west of Chesterfield Airport Road and 150' south of Old Olive Street Road, 20' south of tracks.

12-144 586.97 – "U" on top of the curb next to an inlet; 13' west of the centerline of Palladian Court and 58' north of the centerline of Ladue Road.

12-171 460.06 – "Standard Aluminum Disk" stamped SL-38, 1990. Disk is set at the northwest corner of Chesterfield Airport Road and Coprica Drive.

SURVEYOR'S CERTIFICATION

This is to certify that Stock and Associates Consulting Engineers, Inc. has prepared this Site Development Plan from an actual survey. The information shown is a correct representation of all existing and proposed land divisions.

STOCK AND ASSOCIATES CONSULTING ENGINEERS INC.
L.S. No. 222-D

DONALD W. TAYLOR, Missouri L.S. No. 2041

EXHIBIT A

GEORGE M. STOCK E-25116

REVISED 11/21/03 – REVISED ACCESS DRIVES PER REQUESTS CITY OF CHESTERFIELD P&Z C
REVISED 11/03/03 – REVISED BUILDING "D"
REVISED 10/17/03 – REVISED SERVICE ENTRY
REVISED 08/04/03 – REVISED STORMWATER MASTER DITCH GRADES

JIM LYNCH & LARRY ENTERPI
SITE DEVELOPMENT CONCEPT PL

STOCK & ASSOCIAT
CONSULTING ENGINEER
425 NORTH NEW BALLAS ROAD
SUITE 165
ST. LOUIS, MO. 63141
PH. (314) 432-8100
FAX (314) 432-8171
e-mail: general@stockassoc.com

DRAWN BY:	DATE	CHECKED BY:	DATE	JOB NUMBER:
J.E.F.	08/01/03	G.M.S.	08/01/03	203-3056

PREPARED FOR
JIM LYNCH HUMMER
2530 EAST PITMAN
O'FALLON, MO 63366
(636) 327-4027

LARRY ENTERPRISES, L.L.C.
722 GODDARD AVENUE
CHESTERFIELD, MO 63005-1193
(636) 532-4511