

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 1679 AND INCORPORATING THE CONDITIONS THEREIN TO THE REVISED ATTACHMENT 'A' AUTHORIZING REVISED FLOOR AREA REQUIRMENTS FOR A "PI" PLANNED INDUSTRIAL DISTRICT TOTALING APPROXIMATELY 16.17-ACRES LOCATED SOUTH OF CHESTERFIELD AIRPORT ROAD, WEST OF VALLEY CENTER DRIVE AND NORTH OF EDISON AVENUE (P.Z. 11-2000 ST. LOUIS FAMILY CHURCH).

WHEREAS, the petitioner, St. Louis Family Church has requested an ordinance amendment to allow for revised floor area requirements in St. Louis Family Church, a "PI" Planned Industrial district located south of Chesterfield Airport Road, west of Valley Center Drive and north of Edison Avenue and,

WHEREAS, the request was considered by the City of Chesterfield Planning Commission and upon review the Commission recommended approval of said amendment by a vote of eight in favor to none opposed.

WHEREAS, after consideration of an amendment, the City Council approved the request with an amendment to utilities.

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

Section 1. The City of Chesterfield Ordinance Number 1679 is hereby repealed and those conditions therein are incorporated into the revised Attachment 'A', which is attached hereto and made a part hereof for St. Louis Family Church.

This is to certify that we have during the Month of February 2000, at the request of St. Louis Family Church, Inc. a Missouri not for profit Corporation, executed a Survey and prepared a Boundary Adjustment Plat of tracts of land situated in U.S. Survey 126 Township 45 North, Range 4 East, City of Chesterfield, Missouri and being further described as follows:

Beginning at a point on the South line of Chesterfield Airport Road, 100 feet wide, said point being the Northwest corner of "The Valley Center", a subdivision according to the plat thereof recorded in Plat Book 235, page 46 of the St. Louis County Records; thence along said South line of Chesterfield Airport Road, North 89 degrees 34 minutes 24 seconds East, 303.43 feet to a point, said point being the Northeast corner of Phase 1 of said plat of "The Valley Center"; thence along the East line of said Phase 1, the East line of "The Valley Center Plat 2, according to the plat thereof recorded in Plat Book 286, pages 25 & 26 of the St. Louis County Records and the East line of a Boundary Adjustment Plat of Plat 4 of The Valley Center and Part of Share 7 of the Peter Steffan Estate according to the plat thereof recorded in Plat Book 347 page 13 of the St. Louis County Records the following: along a curve to the left having a radius of 45.00 feet an arc distance of 32.84 feet (chord of South 20 degrees 28 minutes 56 seconds West, 32.12 feet); thence South 0 degrees 25 minutes 36 seconds East, 293.52 feet; thence South 27 degrees 52 minutes 46 seconds East, 12.93 feet; thence North 89 degrees 34 minutes 24 seconds East, 8.62 feet; thence South 0 degrees 34 minutes 00 seconds West, 342.15 feet; thence South 89 degrees 26 minutes 00 seconds East, 17.68 feet; thence South 0 degrees 34 minutes 00 seconds West, 534.02 feet to the Southeast corner of said Boundary Adjustment Plat of Plat 4 of The Valley Center and Part of Share 7 of the Peter Steffan Estate; thence along the South line of said

Boundary Adjustment Plat, South 79 degrees 12 minutes 20 seconds West, 416.30 feet; thence along a curve to the left having a radius of 853.13 feet an arc distance of 126.64 feet (chord of South 74 degrees 57 minutes 11 seconds West, 126.52 feet) to the Southwest corner thereof; thence along the West line of said Boundary Adjustment Plat, North 0 degrees 34 minutes 00 seconds East, 309.57 feet to a point on the South line of a Boundary Adjustment Plat of Part of Share 7 of the Peter Steffan Estate and Part of Lot 4 of a Subdivision of the West Half of U.S. Survey 126 according to instrument recorded in Plat Book 346 pages 760 & 761 of the St. Louis County Records; thence along the South line of said Boundary Adjustment Plat of Part of Share 7 of the Peter Steffan Estate and Part of Lot 4 of a Subdivision of the West Half of U.S. Survey 126, North 89 degrees 27 minutes 00 seconds West, 225.49 feet to the Southwest corner thereof; thence along the West line of said Boundary Adjustment Plat, North 1 degree 23 minutes 10 seconds East, 459.11 feet; thence North 89 degrees 34 minutes 58 seconds East, 102.51 feet; thence North 0 degrees 34 minutes 00 seconds East, 191.10 feet to the Northwest corner thereof; thence along the North line of said Boundary Adjustment Plat, North 89 degrees 34 minutes 58 seconds East, 316.48 feet to the Northeast corner thereof, said point being on the West line of said The Valley Center recorded in Plat Book 235, page 46; thence along said West line North 0 degrees 34 minutes 00 seconds East, 355.00 feet to the point of beginning and containing 16.167 acres and the results of said Survey and Boundary Adjustment Plat are shown on this plat. Survey and Boundary Adjustment was executed in accordance with the requirements for Urban Property as defined by the Missouri Minimum Standards For Property Boundary Surveys, established by the Missouri Board for Architects, Professional Engineers and Land Surveyors 4 CSR 30-16. Basis of Bearings: The Valley Center recorded in Plat Book 235, page 46.

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 of.

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

Passed and approved this 3rd day of May, 2004.


MAYOR

ATTEST:


CITY CLERK

ATTACHMENT A

I. PERMITTED USES

- A. The uses allowed in this "PI" Planned Industrial District shall be:
1. Churches shall be allowed on tracts of land of at least one acre in area.

II. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

- A. The following restrictions shall apply to the permitted uses:
1. The uses permitted within this "PI" Planned Industrial District shall be contained in a maximum of two (2) buildings
 2. Gross floor area constructed for the development shall not exceed 96,000 square feet. The square footage constructed shall be based on the development's ability to comply with the parking and stormwater regulations of the City of Chesterfield.
 3. Building height shall not exceed one (1) story or twenty-two (22) feet, whichever is less, as measured from the average finished ground elevation of the building. The above shall be exclusive of rooftop mechanical equipment.
 4. The permitted buildings and any fencing shall be of architectural style and construction type approved by the Planning Commission on building elevations and architectural renderings reviewed in conjunction with the Site Development Plan.

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 petitioner shall submit to the Planning Commission 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, which 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.

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, flag poles, 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 roadways, 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 Chesterfield Airport Road.
4. 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.
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, sizes and types of all plant and other material to be used.
9. Area of each building phase.
10. 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.
11. 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.
12. 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.

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.

1. Structure Setbacks

- a. Three Hundred (300) feet from the new right-of-way of Edison Avenue.
- b. Three Hundred Fifty (350) feet from the new right-of-way of Chesterfield Airport Road.
- c. Thirty (30) feet from the eastern limits of this "PI" District.
- d. Two hundred (200) feet from the western limits of this "PI" District.
- e. One hundred (100) feet from all other limits of this "PI" District.
- f. No building or structure, other than boundary walls, retaining walls, signs, light standards, flagpoles or fences, shall be located within the setbacks.

2. 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 new right-of-way of Edison Avenue.
 - (2) Fifteen (15) feet from the new right-of-way of Chesterfield Airport Road.
 - (3) Zero (0) feet from the eastern limits of this "PI" District.
 - (4) Twenty-five (25) feet from the western limits of this "PI" District.
 - (5) Twenty-five (25) feet from all other limits of this "PI" District.

3. Parking and Loading Requirements

- a. Parking shall be prohibited on the Chesterfield Airport Road and Edison Avenue rights-of-way.
- b. No construction parking will be permitted on the Chesterfield Airport Road or Edison Avenue rights-of-way.
- c. Parking and loading requirements shall be as required by Section 1003.165 of the City of Chesterfield Zoning Ordinance
- d. Handicapped parking and access requirements should comply with Section 512.4 of the St. Louis County Building Code.

4. Access

- a. Chesterfield Airport Road: Access to this development from Chesterfield Airport Road shall be restricted to existing commercial entrance reconstructed as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield Department of Public Works. The commercial entrance intersection shall be aligned with existing or proposed streets and entrances on the other side of Chesterfield Airport Road as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield Department of Public Works.
- b. Secondary access to the main site drive shall be at least 130 feet from the right-of-way of Chesterfield Airport Road, as directed by the City of Chesterfield Department of Public Works and the St. Louis County Department of Highways and Traffic.
- c. Edison Avenue: Access to Edison Avenue shall be limited to one commercial entrance. The entrance approach shall be located a minimum of 44 feet east of the western property line of the site as defined by the Boundary Adjustment Plat recorded in Plat Book 347 Page 13 with the St. Louis County Recorder of Deed's office. In addition, the entrance may not be closer than 150 feet to the eastern property line.
- d. Access of 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.

5. Public/Private Road Improvements, Including Sidewalks

- a. Improve Chesterfield Airport Road to one-half of a five (5) lane cross section. The construction of an eight (8) foot stabilized shoulder is required to conform to the typical section for

Chesterfield Airport Road. The St. Louis County Department of Highways and Traffic will provide the typical section.

Verify handling of surface runoff along Chesterfield Airport Road will not require additional easement dedication. Pavement improvements including all storm drainage facilities shall be as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield Department of Public Works.

- b. Provide a 5 foot wide sidewalk and associated handicap access ramps, constructed to St. Louis County ADA standards, along the south side of Chesterfield Airport Road. The sidewalk will be located within the 15-ft. setback for parking, and will be excepted from the green space calculation.

6. Traffic Study

- a. Prior to Site Development Plan approval, the City of Chesterfield Department of Public Works and the St. Louis County Department of Highways and Traffic may need a traffic study, including internal and external circulation, for review, and approval.

7. 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 Site Development Plan or on a separate drawing to be reviewed as part of said plan, to comply with the following:

- a. All new required landscaping material shall meet the following criteria:
 - (i) Deciduous trees - two and one-half (2-1/2) inch minimum caliper.
 - (ii) Evergreen trees - six (6) feet minimum height.
 - (iii) Shrubs - eighteen (18) inch minimum diameter.
- b. If the estimated cost of new landscaping indicated on the Site Development Plan 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.
- c. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

8. Sign Requirements

- a. A Sign Package will be submitted to the Department of Planning in conjunction with Site Development Concept Plan.
- b. Freestanding signs: The location of all freestanding signs shall be as approved by the Planning Commission on the Site Development Plan and shall be in conformance with the City of Chesterfield Zoning Ordinance.
- c. 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.
- d. No advertising signs, temporary signs, portable signs or attention getting devices shall be permitted in this development.
- e. 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.
- f. All other signs shall be permitted in accord with the regulations of Section 1003.168 of the City of Chesterfield Zoning Ordinance.
- g. Illumination of any sign shall be by an internal source only.

9. Lighting Requirements

- a. 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 and Edison Avenue, in perpetuity, as directed by the City of Chesterfield Department of Public Works. The street lighting plan shall comply with the Chesterfield Valley Master Street Lighting Plan.
- b. 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.

10. Monarch-Chesterfield Levee District

- a. The structures/improvements within 150 feet of the levee toe shall be as directed by the City of Chesterfield in consultation with the Monarch-Chesterfield Levee District, as pursuant to U.S. Army Corp of Engineers Requirements.
- b. Mitigation measures identified in the memorandum from the Monarch-Chesterfield Levee District and prepared by Sverdrup Civil, Inc., dated May 26, 2000, shall be addressed as directed by the City of Chesterfield in consultation with the Monarch-Chesterfield Levee District.

11. Miscellaneous

- a. Trash enclosures: All exterior trash areas shall be enclosed with a six- (6) foot high sight-proof fence. The location, elevation and material of any trash enclosures shall be as approved by the Planning Commission on the Site Development Plan.
- b. 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.
- c. 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.
- d. Architectural elevations for all buildings and design package for the development shall be as approved by the Planning Commission in conjunction with the Site Development Concept Plan.
- e. Roofing or other screening as approved by the Planning Commission shall adequately screen all mechanical equipment.
- f. All deliveries and trash pick-up shall occur between the hours of 7:00 a.m. and 7:00 p.m.
- g. 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.

12. 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 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.

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 St. Louis County Department of Highways and Traffic of the locations of proposed curb cuts, areas of new dedication, and roadway improvements.

2. Stormwater, Sanitary Sewer and Potable Water

- a. Due to the inherent nature of development, the specific size, conceptual in nature. The exact location, size, and type of each segment of storm water infrastructure is to be reviewed and approved in conjunction with the development of specific sites. It is expected, that developers will submit alternate plans, proposed alternative geometry, size, and type for these infrastructure improvements, along with supporting hydraulic computations. The City of Chesterfield Department of Public Works will review said proposals for functional equivalence. Functional equivalence is said to be achieved when, as determined by the Director of Public Works, the alternate proposal provides the same hydraulic function, connectivity, and system wide benefits without adversely affecting water surface profiles all other locations or adjacent properties.
- b. The maintenance of the required storm water/ditch system shall be the responsibility of the property owner(s).
- c. Storm Water Master Plan: The current Chesterfield Valley Storm Water Plan depicts a 10 foot wide trapezoidal channel along the southern portion of the site adjacent to Edison Avenue. In addition, the Master Plan depicts a 5 foot wide trapezoidal channel located along the western property line of the development as defined by

the Boundary Adjustment Plat recorded in Plat Book 347 Page 13 with the St. Louis County Recorder of Deed's office.

- d. Water Main Master Plan: The current Chesterfield Valley Water Main Master Plan depicts a 20" water main extension of the main in an east-west direction across the southern limit of the property, adjacent to the Edison Avenue right-of-way.
- e. 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 development.
- f. 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.

3. Wetlands

- a. There are jurisdictional wetlands identified on this site. This site shall be required to participate in the City of Chesterfield's Valley Wide Mitigation Bank. There is 0.50 acres of wetlands delineated on this site which will require a total of 0.50 acres of mitigation credit at \$25,000 per acre.

4. 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 sinkholes, ponds, dams, septic fields, etc., and recommendation for treatment.

5. 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 or grading permit. No change in watersheds will be permitted. Interim stormwater 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 City of Chesterfield 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 Best Management Practices (BMP's) in order to reduce the amount of sediment and other pollutants in stormwater discharges associated with land disturbance activities. The SWPPP 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. The City of Chesterfield Director of Public Works/City Engineer may require protective measures, such as permanent seeding, periodic wetting or other means.
- d. Provide adequate temporary off-street parking for construction employees and a vehicle washdown/cleaning area. Parking on non-surfaced areas is prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions. The contractor shall keep the roads in the area clear of mud and debris related to his construction at all times. The streets surrounding this development and any street used for construction access thereto shall be cleaned continuously throughout each day.
- e. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses shall be utilized to retard erosion, if adequate stormwater detention and erosion control devices have not been established.
- f. Prior to issuance of an occupancy permit, all disturbed areas shall be seeded and mulched at the minimum rates defined in Appendix "A" of the City of Chesterfield's "Model Sediment & Erosion Control Guidelines" or sodded. The City of Chesterfield Department of Planning in cases of undue hardship because of

unfavorable ground conditions may issue a temporary occupancy permit.

- g. 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 Levee District and the appropriate Fire District.
- i. 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.
- j. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be required.
- k. 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.

6. Floodplain

- a. 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.

IX. RECORDING

- A. Within sixty (60) days of approval of the Site Concept Plan, Site Development Section Plans and/or Site Development Plan by the Planning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

X. CHESTERFIELD VALLEY TRUST FUND

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

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

1. Road

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	\$1.65/sq. ft. of building space
Office	\$1.15/sq. ft. of building space
Industrial	\$3,976.01/acre of gross acreage

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

Credits for roadway improvements required in Condition VII(A)(4)(a) will be awarded as directed by the St. Louis County Department of Highways and Traffic. Any portion of the roadway improvement contribution which remains, following completion of road improvements required by the development, shall be retained in the trust fund.

The roadway improvement contributions shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be

made prior to the issuance of a Special Use Permit (S.U.P.) by St. Louis County Department of Highways and Traffic. Funds shall be payable to 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 \$524.83 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

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

3. Stormwater

The stormwater contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of stormwater from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by St. Louis County and the Metropolitan St. Louis Sewer District. The amount of the stormwater contribution will be computed on the basis of \$1,656.18 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 approval of the Site Development Plan unless otherwise directed by the St. Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

4. Sanitary Sewer

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

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

- B. The amount of this required contribution, 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 Department of Highways and Traffic.

XI. MONARCH-CHESTERFIELD LEVEE DISTRICT

- A. No structures, detention/drainage facilities, trees, plants, or vegetation with roots, or any other improvement that would penetrate the ground surface should be permitted within a 150-foot setback from the landside toe of the ultimate 5000-year levee.

XII. VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE

- A. Prior to Special Use Permit issuance by St. Louis County Department of Highways and Traffic, a special cash escrow must be established with the St. Louis County Department of Highways and Traffic to guarantee completion of the required roadway improvements.

XIII. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL

- A. 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.

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:

- 1. Notification of Department of Planning

- Prior to the issuance of foundation or building permits, all 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, and the City of Chesterfield Department of Public Works, as applicable, must be received by the City of Chesterfield Department of Planning.

- 2. Notification of St. Louis County Department of Public Works

- Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, the St. Louis County Department of Highways and Traffic and the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.

- 3. Certification of Plans

- Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a

certification that the proposed construction will be completed in accordance with the grading and soil requirements and conditions contained in the report.

XV. OCCUPANCY PERMIT/FINAL OCCUPANCY

- A. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
- B. 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.

XVI. 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.

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:
 - 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.

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:

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 of the conditions of this ordinance shall be adequate cause for revocation of permits by issuing Departments or Commissions.
3. The City of Chesterfield, Missouri, shall enforce the conditions of this ordinance in accordance with Site Development Concept Plan approved by the City of Chesterfield and any Site Development Section Plans approved by the City of Chesterfield.
4. 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.