

BILL NO. 2302

ORDINANCE NO. 2124

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "M-3" PLANNED INDUSTRIAL DISTRICT TO A "PI" PLANNED INDUSTRIAL DISTRICT FOR A 7.123 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF EDISON AVENUE AT CEPI DRIVE (P.Z. 30-2002 EDISON SOUTH INVESTORS, L.L.C.).

WHEREAS, the petitioner, Edison South Investors, L.L.C. made a request for a change of zoning from an "M-3" Planned Industrial District to a "PI" Planned Industrial District for a 7.123 acre tract of land located on the south side of Edison Avenue at Cepi Drive; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the request.

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

Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are part thereof, are hereby amended by establishing a "PI" Planned Industrial District for a 7.123 acre tract of land located on the south side of Edison Avenue at Cepi Drive, as described as follows:

A tract of land being part of Lot 5 of the Damian Kroenung Estate Partition in U.S. Surveys 126, 150, and 1010 as per plat attached to Commissioner's Report recorded in Book 97 Page 473 and plat recorded in Plat Book 5 Page 28 of the records of the Recorder of Deeds Office in St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the point of intersection of the Eastern line of the above said Lot 5 with the Southern line of Edison Avenue, 40 feet wide, as established by plat recorded in Plat book 311 Page 64 and Plat Book 342 Page 49 of the above said records; thence along the Eastern line of above said Lot 5, South 11 degrees 25 minutes 33 seconds East 420.23 feet to a point on the Northern line of a tract of land conveyed to St. Louis County, Missouri by deed recorded in Book 9017 Page 2488 of the above said records; thence along last said Northern line South 69 degrees 27 minutes 41 seconds West 704.21 feet to a point on the West line of the above said Lot 5; thence along last said West line North 11 degrees 24 minutes 56 seconds West 426.42 feet to a point on the Southern line of the above said Edison Avenue; thence along the Southern line of Edison Avenue the following courses and distances: North 78 degrees 10 minutes 12 seconds East 1.53 feet to a point of curvature, Northeasterly along a curve to the left whose radius point bears North 11 degrees 49 minutes 48 seconds West 401.97 feet of an arc length of 210.55 feet to a point of reverse curvature, Easterly along a curve to the right whose radius point bears South 41 degrees 50 minutes 27 seconds East 361.97 feet an arc length of 191.90 feet to the point of tangency, and North 78 degrees 32 minutes 06 seconds East 310.04 feet to the Point of Beginning and containing 310,262 square feet or 7.123 acres more or less.

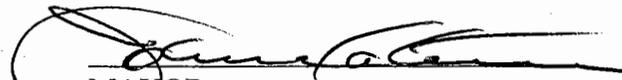
Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in the Attachment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

Section 3. The City Council, pursuant to the petition filed by Edison South Investors, L.L.C. in P.Z. 30-2002 requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

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

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

Passed and approved this 20th day of September, 2004.


MAYOR

ATTEST:


CITY CLERK

ATTACHMENT A

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

- 1.4 Quality New Development
- 1.7 Chesterfield Valley
- 3.1 Quality Commercial Development
 - 3.1.1 Quality of Design
- 3.5.1 Chesterfield Valley Regional Retail and Low Intensity Industry
- 3.5.2 Chesterfield Valley Airport Compatibility
- 6.1 Low-Intensity Industrial
- 7.2.3 Maintain Proper Traffic Flow
- 7.2.4 Encourage Sidewalks
- 7.2.6 Cross-Access Circulation
- 7.2.9 Access Management
- 8.2.1 Coordinated Growth
- 8.2.2 Underground Electric Service
- 8.3 Stormwater Management

I. PERMITTED USES

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

- (f) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
- (j) Business, professional, and technical training schools.
- (q) Financial institutions.
- (bb) Laundries and dry cleaning plants, which include dry cleaning drop-off and pick-up stations.
- (dd) Mail order sale warehouses.
- (ff) Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - (i) Facilities producing or processing explosives or flammable gases or liquids;
 - (ii) Facilities for animal slaughtering, meat packing, or rendering;
 - (iii) Sulphur plants, rubber reclamation plants, or cement plants, and
 - (iv) Steel mills, foundries, or smelters.
- (ii) Offices or office buildings.
- (mm) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
- (oo) Printing and duplicating services.

- (qq) Radio, television, and communication studios, transmitting or relay towers, antennae, and other such facilities no greater in height than two hundred (200) feet above the average ground elevation at the perimeter of such structure.
- (tt) Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice ranges, tennis courts, and gymnasiums, and indoor theaters, including drive in theaters.
- (uu) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- (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 vehicles.
- (ccc) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
- (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.

B. The following uses in the "PI" Planned Industrial District shall be ancillary uses:

- (g) Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
- (m) Child care centers, nursery schools, and day nurseries.
- (jj) Outdoor advertising sign (additional to provisions of Section 1003.168.).
- (ll) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
- (eee) Permitted signs (See Section 1003.168 'Sign Regulations').

C. The above uses in the "PI" Planned Industrial District shall be excluded as follows:

- (tt) Illuminated outdoor facilities, golf courses, and drive in theaters.
- (rrr) Warehousing, storage, or wholesaling of live animals and explosives.

II. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

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

1. The uses permitted within this "PI" Planned Industrial District shall be contained in a maximum of four (4) buildings.
2. Building height shall not exceed two (2) stories or twenty-four (24) feet, whichever is less, as measured from the average finished ground elevation of the building.
3. Gross floor area constructed for the four (4) buildings shall not exceed 84,008 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.

III. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

- A. Within eighteen (18) months from the preliminary development plan approval exclusively to storage 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.
- B. 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 1-foot intervals 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. A Conceptual Landscape Plan shall be submitted with the Site Development Concept Plans. The Conceptual Landscape Plan shall indicate proposed landscaping along arterial and collector roadways. The purpose of the Conceptual Landscape Plan is to coordinate and make compatible landscaping along the arterial and collector roadways in a planned district.
13. Provide the open space percentage for each lot on the plan. Open space can include grass areas, landscaped areas, water features or drainage ditches, sidewalks, and plaza areas or seating, but specifically excludes any portion of a site covered by a building, any paved area for vehicular circulation or parking, and any outdoor storage areas.
14. A Sign Package will be submitted to the Department of Planning in conjunction with the Site Development (Concept) Plan. Approval of sign package by the Planning Commission does not constitute issuance of a permit for signage. Signs shall be permitted in accord with the regulations of Section 1003.168 of the City of Chesterfield Zoning Ordinance.

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 streets, 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, 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.
12. Show the location of significant natural features, such as wooded areas and rock formations that are to remain or be removed.
13. Provide comments/approvals from the Spirit of St. Louis Airport, the Monarch Fire District, the Metropolitan St. Louis Sewer District, and the St. Louis County Department of Highways and Traffic.

14. 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.
15. Provide the open space percentage for each lot on the plan. Open space can include grass areas, landscaped areas, water features or drainage ditches, sidewalks, and plaza areas or seating, but specifically excludes any portion of a site covered by a building, any paved area for vehicular circulation or parking, and any outdoor storage areas.
16. A lighting plan, in conformance with the City of Chesterfield Lighting Ordinance.

VI. SITE DEVELOPMENT PLAN SUBMITTAL OPTION

In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may instead submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the Preliminary Development Plan by the City. Said Plan shall be submitted in accord with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.

VII. SPECIFIC CRITERIA

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

A. Structure Setbacks

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

1. Ninety (90) feet from the right-of-way of Edison Avenue.
2. Twenty (20) feet from the eastern boundary of the total tract bearing S 11° 25' 33" E 420.23'.
3. Eighteen (18) feet from the southern boundary of the total tract bearing S 69° 27' 41" W 704.21'.

4. Eighty-eight (88) feet from the western boundary of the total tract bearing N 11° 24' 56" W 426.42'.
5. Seventeen (17) feet from the internal roadway.
6. Fifteen (15) feet from all other property lines.

B. Parking and Loading Space Setbacks

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

1. Twenty (20) feet from the right-of-way of Edison Avenue.
2. Five (5) feet from the internal roadway.
3. Fifteen (15) feet from all other property lines.

C. Parking and Loading Requirements

1. Parking and loading space requirements shall be as required in Section 1003.165 of the City of Chesterfield Zoning Ordinance.
2. Handicapped parking and access requirements should comply with Section 512.4 of the St. Louis County Building Code.

D. Access

1. Access to Edison Avenue shall be limited to one street approach and one entrance. The street approach intersection shall be aligned with Cepi Drive.

1. The developer shall submit a landscape plan in accord with the Landscape Guidelines adopted by the Planning Commission as part of the appropriate Site Development Concept/Section Plan or on a separate drawing.
2. 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.
3. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.
4. Open space for the entire development shall be a minimum of thirty (30) percent.

H. Sign Requirements

1. The Sign Package shall adhere to the criteria and requirements set forth in Section 1003.168 (4) of the City of Chesterfield Zoning Ordinance.
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield Department of Public Works for sight distance considerations prior to installation or construction.
3. No advertising signs, temporary signs, portable signs, off-site signs, or attention getting devices shall be permitted in this development.
4. 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.
5. All other signs shall be permitted in accord with the regulations of Section 1003.168 of the City of Chesterfield Zoning Ordinance.

I. Lighting Requirements

1. A Lighting Plan shall be as approved by the Planning Commission in conjunction with the Site Development Plan and shall be in conformance with the City of Chesterfield Lighting Ordinance.
2. Except for required street lighting, no source of illumination shall be so situated that light is cast on any public right-of-way or adjoining property.

3. All light standards within this development shall not exceed a total vertical height of sixteen (16) feet.
4. Provide for the installation, maintenance, operation, and all expenses related thereto for the street lighting along Edison Avenue in perpetuity, as directed by the City of Chesterfield's Department of Public Works. The street lighting plan shall comply with the Chesterfield Valley Street and Lighting Plan.

J. Architectural elevations

The developer shall submit architectural elevations, building materials, and other items in accordance with the City of Chesterfield Design Guidelines. Architectural information is to be reviewed by the Architectural Review Board prior to submission to the Planning Commission for Site Development Plan approval.

K. Power of Review

Either Council member of the Ward where a development is proposed, or the Mayor, may request that the site plan for a development be reviewed and approved by the entire City Council. 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.

L. Miscellaneous

1. Trash enclosures: The location and elevation of any trash enclosures shall be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas shall be enclosed with a six (6) foot high sight-proof enclosure of similar materials to the buildings and complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan.
2. Mechanical equipment shall be adequately screened by roofing or other material as approved by the Planning Commission.
3. 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.

4. 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.
5. All references herein to the City of Chesterfield Zoning Ordinance or sections thereof shall refer to said Ordinance and amendments thereto as approved by the City of Chesterfield City Council, as of the date the petitioner submits a Site Development Plan for review and approval.

VIII. VERIFICATION PRIOR TO APPROVAL

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

A. Roadway Improvements and Curb Cuts

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

B. Stormwater and Sanitary Sewer

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

C. Geotechnical Report

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

D. Grading and Improvement Plans

1. A clearing/grading permit or improvement plan approval is required prior to any clearing or grading on the site. Be advised, the Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a clearing and grading permit. No change in watersheds will be permitted.

2. 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.
3. Temporary settlement basins, as required by the City of Chesterfield Department of Public Works, shall be constructed during construction to allow for settling of sediment, prior to the discharge of stormwater from this site. 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.
4. 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.
5. Provide adequate temporary off-street parking for construction employees and a vehicle wash down/cleaning area shall be provided during construction. 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.
6. 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.
7. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be provided.

E. Floodplain

1. If any development in, or alteration of, the floodplain is proposed, the developer shall submit a Floodplain Development Permit/Application to the City of

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

2. If any building is proposed to be located in an existing, or proposed, Special Flood Hazard Area the building shall be clearly labeled as being located in the Floodplain on the approved Site Development Plan and Improvement Plan. The lowest Reference Level (floor), as defined by FEMA, shall be constructed a minimum of one (1) foot above the base flood elevation unless a LOMR has been issued by FEMA prior to construction. The minimum elevation for the Reference Level for each building shall also be noted on the approved Site Development Plan and Improvement Plan.
3. 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.

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. Failure to record the plan within sixty (60) days of approval shall deem the plan void.

X. CHESTERFIELD VALLEY TRUST FUND

A. Roads

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

<u>Type of Development</u>	<u>Required Contribution</u>
Commercial	\$1.80/square foot
Office	\$1.25/square foot
Industrial	\$4,332.66/Acre

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

Saint Louis County will determine the actual amount that the developer will be required to contribute.

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.

B. Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$568.82 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.

C. Stormwater

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by St. Louis County and the Metropolitan St. Louis Sewer District. The amount of the storm water contribution shall be a sum of \$1,804.75 per acre for the total area as approved on the Site Development Plan by St. Louis County and the Metropolitan St. Louis Sewer District.

The storm water 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.

D. Sanitary Sewer

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

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

The amount of this required contribution for the roadway, stormwater and primary waterline improvements, if not submitted by January 1, 2005 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 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 Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, the Monarch-Chesterfield Levee District, and the Monarch Fire Protection District.

XIII. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

Subsequent to approval of the Site Development Plan and prior to the issuance of any foundation or building permit, the following requirements shall be met:

B. Notification of Department of Planning

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

C. 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.

D. 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.

XIV. OCCUPANCY PERMIT/FINAL OCCUPANCY

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

F. 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

Prior to the release of final escrow, the developer shall provide certification by a Registered Land surveyor that all monumentation depicted on the Record Plat has been

installed and that the U.S. Public Land Survey Corners have not been disturbed during the construction activities or that they have been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

XVI. VERIFICATION PRIOR TO BUILDING PERMITS

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

G. Sanitary Sewers

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

B. Notification of City of Chesterfield

Prior to issuance of zoning approvals for foundation or building permits, the City of Chesterfield must receive approvals from the St. Louis County Department of Highways and Traffic and the Metropolitan St. Louis Sewer District.

XVII. SUPPLEMENTARY DEVELOPMENT CONDITIONS

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

H. 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.

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

XVIII. GENERAL DEVELOPMENT CONDITIONS

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