

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT FOR A .45 ACRE TRACT OF LAND LOCATED EAST OF LONG ROAD AND SOUTH OF CHESTERFIELD AIRPORT ROAD (LOCATOR NUMBER 17V140043)

WHEREAS, the petitioner, Mary McCarthy, requested a change in zoning from an "NU" Non-Urban District to a "PC" Planned Commercial District for a tract of land located east of Long Road and south of Chesterfield Airport Road, and;

WHEREAS, the Planning Commission, held a public hearing regarding said request on September 13, 2004, and;

WHEREAS, the Planning Commission, having considered said request, recommended approval of said change of zoning with the amendments regarding the permitted uses and the appearance of the pavilion by a vote of 8-0.

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 a part thereof, are hereby amended by transferring from the "NU" Non-Urban District to the "PC" Planned Commercial district a .45 acre tract of land located on east of Long Road and south of Chesterfield Airport Road, as described below:

Legal Description:

A tract of land in U. S. Survey 126, Township 45 North, Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Commencing at the intersection of the northwest corner of Pohlman Industrial Park as recorded in Plat Book 244, Page 30 of the St. Louis County, Missouri Records and the east line of Long Road (variable width) as widened by Deed Book 7983, Page 2462, St. Louis County, Missouri Records; thence along the north line of said Pohlman Industrial Park North 88 degrees 47 minutes 00 seconds East a distance of 6.75 feet to the Point of Beginning of the herein described tract of land; thence leaving the north line of said Pohlman Industrial Park, along the east line of Long Road (variable width) as shown on the St. Louis County Highway Plans Project AR-28711 North 01 degree 23 minutes 43 seconds East a distance of 76.19 feet to a point; thence leaving the east line of said Long Road North 88 degrees 53 minutes 29 seconds East a distance of 260.03 feet to a point, said point being the southwest corner of a tract of land now or formerly of Human TR, F.

William, Jr. et al. as recorded in Deed Book 13128, Page 1035 of the St. Louis County, Missouri Recorder's Office; thence South 00 degrees 43 minutes 07 seconds West a distance of 75.67 feet to a point in the North line of the aforementioned Pohlman Industrial Park; thence along the north of said Pohlman Industrial Park South 88 degrees 47 minutes 00 seconds West a distance of 260.95 feet to the Point Of Beginning and containing 19,764 square feet or 0.45 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 Attachment A, which is attached hereto and made a part hereof.

Section 3. The City Council, pursuant to the petition filed by Mary McCarthy in P.Z. 20-2004 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 13th day of September, 2004, 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.

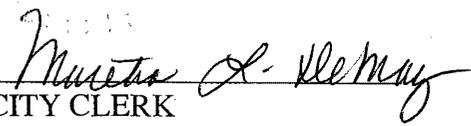
Section 4. This ordinance and the requirements thereof are exempt from the warnings and summons for violations as set out in Section 1003.410 of the zoning Ordinance of the City of Chesterfield.

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

Passed and approved this 3rd day of JANUARY, 2005.


MAYOR

ATTEST:


CITY CLERK

ATTACHMENT A

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

- 1.4 Quality New Development
- 1.5 Diversity of Development
- 1.6 Lighting Plan and Program
- 1.7 Chesterfield Valley
- 3.1 Quality Commercial Development
 - 3.1.1 Quality of Design
- 3.2 Hierarchy of Retail Facilities
 - 3.2.1 Neighborhood Retail Facilities
- 3.4 Signage Considerations
- 3.5 Chesterfield Valley
 - 3.5.2 Chesterfield Valley Airport Compatibility
- 3.6 Mixed Commercial, Long Road, north of Wild Horse Creek Road
- 7.2.3 Maintain Proper Traffic Flow
- 7.2.4 Encourage Sidewalks
- 7.2.5 Right-of-Way Dedication
- 7.2.6 Cross-Access Circulation
- 7.2.9 Access Management
- 8.2.2 Underground Electric Service
- 8.3 Stormwater Management

I. PERMITTED USES

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

- (e) Associated work and storage areas required by a business, firm, or service to carry on business operations.
- (h) Barber shops and beauty parlors.
- (i) Bookstores.
- (w) Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or
 - (ii) Placed underground; or
 - (iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

- (x) Medical and dental offices.

- (z) Offices or office buildings.
- (cc) 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.
- (ee) Public utility facilities.
- (hh) Restaurants, fast food
- (ii) Restaurants, sit down
- (nn) 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.
- (pp) Permitted signs
- (qq) Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
- (rr) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.

B. The above uses in the "PC" Planned Commercial District shall be amended as follows:

- (cc) Use of garages shall be limited to the pavilion structure only.
- (hh) Restaurants, fast food, exclusive of drive-through facilities.
- (rr) Indoor sale of motor vehicles shall be excluded.

II. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

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

1. The uses permitted within this "PC" Planned Commercial District shall be contained in a maximum of two (2) buildings.
2. Building height shall not exceed two (2) stories or thirty (30) feet, whichever is less, as measured from the average finished ground elevation of the building.
3. Gross floor area constructed for the two (2) buildings shall not exceed 3,000 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.

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 the development 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.

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 within 150 feet of the site and all existing or proposed off-site easements required for proposed 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. Indicate the location the proposed sanitary sewer will connect to the existing system.
13. Provide comments/approvals from the Spirit of St. Louis Airport, the Monarch Fire Protection District, the Metropolitan St. Louis Sewer District, the Monarch Chesterfield Levee 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 the development 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.

2. Handicapped parking and access requirements should comply with Section 512.4 of the St. Louis County Building Code.
3. No construction-related parking shall be permitted within the Long Road right-of-way.

D. Access

1. Direct access to this development from Long Road shall not be permitted. The existing entrance onto Long Road, along with the existing gravel driveway, shall be removed and the area restored. Access to this site shall be from the existing parcel to the north via the existing ingress/egress easement.
2. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and all adjacent properties as directed by the Director of Highways and Traffic.

E. Public/Private Road Improvements, Including Sidewalks

1. The developer shall be responsible for providing all necessary right-of-way, easements, Temporary Slope Construction License, etc., as required for Saint Louis County Project Number AR-863. All on-site improvements shall be compatible with this project. For the developer's information, in order to conform to AR-863 the following are required:

Dedicate on half of a one-hundred (100) foot right-of-way along Long Road. All easements, T.S.C.L. and other requirements for Saint Louis County Project Number AR-863 shall be as directed by the Saint Louis County Department of Highways and Traffic.

2. Construct a five (5) foot wide sidewalk, conforming to ADA standards, adjacent to Long Road, as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield.

F. Traffic Study

Prior to Site Development Plan approval, a traffic study, including internal and external circulation, may be required for review and approval as directed by the City of Chesterfield and the St. Louis County Department of Highways and Traffic.

G. Landscape Plan

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 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.

H. Sign Requirements

1. Ornamental 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.
2. 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.
3. A sign package will be submitted to the Department of Planning in conjunction with the Site Development Concept Plan or Site Development Plan, as applicable. When a sign package is required for a proposed or existing development, the criteria for signs located in the City of Chesterfield Zoning Ordinance Section 1003.168 are no longer applicable. The reasons for the variation are because the purpose of a Sign Package is to provide for flexible sign criteria that promote superior design and are tailored to a specific development which may vary from general ordinance provisions if it can be demonstrated that the proposed terms would encourage, promote, and reward good architecture and urban planning

I. Lighting Requirements

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.

J. Sanitary Sewers

Provide public sewer service for the site, including sanitary force main, gravity lines and/or regional pump stations, in accordance with the Metropolitan St. Louis Sewer District Conceptual Sewer Master Plan for Chesterfield Valley.

K. 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.

L. 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.

M. 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. The adequacy and condition of the existing downstream systems shall be verified and upgraded if necessary.

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 and shall address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans.

D. Grading and Improvement Plans

1. A grading permit or improvement plan approval is required prior to issuance of a building permit, as directed.
2. A 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.
3. Prior to approval of a grading permit or improvement plans, a Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by the Department of Public Works. The SWPPP shall address installation and maintenance of required erosion control practices specific to site conditions. The purpose of the SWPPP is to ensure the design, implementation, management and maintenance of the Best Management Practices (BMP's) to control erosion and reduce the amount of sediment and other pollutants in stormwater discharges

associated with land disturbance activities, and ensure compliance with the terms and conditions stated in the Sediment and Erosion Control Manual.

4. Prior to grading permit or improvement plan approval, provide comments/approvals from the appropriate Fire District, St. Louis County Department of Highways and Traffic, Spirit of St. Louis Airport, Monarch Chesterfield Levee District, and the St. Louis Metropolitan Sewer District.
5. Prior to approval of a grading permit or improvement plans, copies of recorded easements, including book and page of record, for all off-site areas inundated by headwater from on-site improvements must be submitted.
6. Erosion and siltation control devices shall be installed prior to any grading and be maintained throughout the project until adequate vegetative growth insures no future erosion of the soil and acceptance of the work by the owner and/or controlling regulatory agency.
7. 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.
8. 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.
9. 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.
10. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be provided.
11. All lots shall be seeded and mulched or sodded before an occupancy permit shall be issued, except that a temporary occupancy permit may be issued in cases of undue hardship because of unfavorable ground conditions. Seed and mulch shall be applied at rates that meet or exceed the minimum requirements stated in the Sediment and Erosion Control Manual.
12. Soft soils in the bottom and banks of any existing or former pond sites or tributaries or any sediment basins or traps should be removed, spread out and

permitted to dry sufficiently to be used as fill. This material shall not be placed in proposed public right-of-way locations or in any storm sewer location.

13. All fills placed under proposed storm and sanitary sewer lines and/or paved areas, including trench backfill within and off the road right-of-way, shall be compacted to 90% of maximum density as determined by the "Modified AASHTO T-180 Compaction Test" (ASTM D-1557) for the entire depth of the fill. Compacted granular backfill is required in all trench excavation within the street right-of-way and under all paved areas. All tests shall be performed concurrent with grading and backfilling operations under the direction of a geotechnical engineer who shall verify the test results.

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. Any cost associated with the required improvements, above the original estimate, shall be borne by the developer. The amount of the developer's contribution to this fund shall be computed on the basis of the following:

<u>Type of Development</u>	<u>Required Contribution</u>
Commercial	\$1.60/square foot
Office	\$1.12/square foot
Industrial	\$3,856.46/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. 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 percent as approved on the Site Development Plan.

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 \$509.05 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 \$1,606.38 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 approval of the Site Development Plan unless directed 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.

Traffic generation assessment contributions shall be deposited with Saint Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to the issuance of building permits for each phase of development.

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:

A. Notification of Department of Planning

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

B. Notification of St. Louis County Department of Public Works

Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, the 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.

C. Certification of Plans

Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soil requirements and conditions contained in the report.

XIV. OCCUPANCY PERMIT/FINAL OCCUPANCY

- A. 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.
- B. Prior to final occupancy of any building the developer shall provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.
- C. Right-of-way dedication shall be completed prior to the issuance of an occupancy permit.

XV. FINAL RELEASE OF ESCROW

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

XVI. VERIFICATION PRIOR TO BUILDING PERMITS

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

- A. Sanitary Sewers

delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

- D. Failure to comply with any or all the conditions of this ordinance shall be adequate cause for revocation of permits by issuing Departments and Commissions.
- E. The City of Chesterfield, Missouri shall enforce the conditions of this ordinance in accord with the Site Development Concept Plan approved by the City of Chesterfield and any Site Development Section Plans approved by the City of Chesterfield.
- F. This document shall read as a whole and any inconsistency shall be integrated to carry out the overall intent of this Attachment A.
- G. Notice requirements set forth in Section 1003.410.2 of the Zoning Ordinance shall not apply to violations pursuant to this Attachment A.