

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "M3" PLANNED INDUSTRIAL DISTRICT TO A "PI" PLANNED INDUSTRIAL DISTRICT FOR TWO (2) PARCELS TOTALING .5 ACRES LOCATED ON THE WEST SIDE OF LONG ROAD, SOUTH OF CHESTERFIELD AIRPORT ROAD (P.Z. 37-2005 143 LONG ROAD/JACK WOLF PROPERTY)

WHEREAS, the petitioner, Dr. Jack Wolf, has requested a change in zoning from "M3" Planned Industrial District to "PI" Planned Industrial District for two (2) parcels of land located on the west side of Long Road; and,

WHEREAS, the Planning Commission held a public hearing on January 23, 2006 to consider the matter; and,

WHEREAS, P.Z. 37-2005 143 Long Road/Jack Wolf Property was considered by the Planning Commission of the City of Chesterfield and recommended for approval by a vote of 9-0.

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 "M3" Planned Industrial District to a "PI" Planned Industrial District for two (2) parcels totaling .5 acres on the west side of Long Road, south of Chesterfield Airport Road. A description of the subject site is as follows:

PROPERTY DESCRIPTION

LEGAL DESCRIPTION FOR JACK WOLF FOR PROPERTY ON LONG ROAD INCLUDING PROPERTY DESCRIBED IN BOOK 10158 PAGE 923 AND 25 FOOT STRIP NORTH AND ADJOINING BOOK 10158 PAGE 923:

A TRACT OF LAND BEING PART OF LOT 2 OF PARTITION OF DAMIAN KROENUNG ESTATES, IN U.S. SURVEY 1010, TOWNSHIP 45 NORTH, RANGE 4 EAST, AND PART OF OUT-PARCEL B OF CHESTERFIELD BUSINESS PARK RECORDED IN PLAT BOOK 347 PAGE 697 OF THE ST. LOUIS COUNTY RECORDS, FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT A POINT LYING ON THE WEST RIGHT OF WAY LINE OF LONG ROAD, VARYING WIDTH, BEING DISTANT NORTH 89 DEGREES 35 MINUTES 42 SECONDS EAST 8.01 FEET FROM THE NORTHEAST CORNER OF LOT B OF A SUBDIVISION OF A TRACT OF LAND BEING PART OF LOT 2 OF DAMIAN KROENUNG ESTATES RECORDED IN PLAT BOOK 350 PAGE 93 OF THE ST. LOUIS COUNTY RECORDS, SAID POINT BEING THE SOUTHEAST CORNER OF PROPERTY HEREIN DESCRIBED; THENCE ALONG SAID WEST LINE OF LONG ROAD, NORTH 01 DEGREES 34 MINUTES 03 SECONDS EAST 99.26 FEET TO AN IRON PIPE AT THE SOUTHEAST CORNER OF A 14 FOOT WIDE DEDICATION STRIP PER SAID CHESTERFIELD BUSINESS PARK, PLAT BOOK 347 PAGE 697; THENCE LEAVING SAID WEST LINE OF LONG ROAD, SOUTH 89 DEGREES 47 MINUTES 09 SECONDS WEST 14.01 FEET TO A POINT BEING THE SOUTHWEST CORNER OF SAID 14 FOOT DEDICATION STRIP; THENCE ALONG THE WEST LINE OF SAID 14 FOOT DEDICATION STRIP, NORTH 01 DEGREES 19 MINUTES 13

SECONDS EAST 25.19 FEET TO AN IRON PIPE AT THE NORTHWEST CORNER OF SAID 14 FOOT DEDICATION STRIP; THENCE SOUTH 89 DEGREES 47 MINUTES 37 SECONDS WEST 164.87 FEET TO AN IRON PIPE BEING THE NORTHWEST CORNER OF PROPERTY HEREIN DESCRIBED; THENCE SOUTH 01 DEGREES 06 MINUTES 45 SECONDS WEST 25.21 FEET TO AN IRON PIPE; THENCE SOUTH 01 DEGREES 30 MINUTES 29 SECONDS WEST 99.85 FEET TO AN IRON PIPE LYING ON THE NORTH LINE OF SAID LOT B, PLAT BOOK 350 PAGE 93, SAID PIPE ALSO BEING THE SOUTHWEST CORNER OF PROPERTY HEREIN DESCRIBED; THENCE ALONG SAID NORTH LINE OF LOT B, NORTH 89 DEGREES 35 MINUTES 42 SECONDS EAST 178.70 FEET TO THE POINT OF BEGINNING.

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.

Section 3. The City Council, pursuant to the petition filed by Jack Wolf in P.Z. 37-2005 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 hearings, held by the Planning Commission on the 23rd day of January 2006, 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.

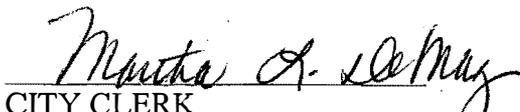
Section 4. This ordinance and the requirements thereof are exempt from the warnings and summons for violations as set out in Section 1003.410 of the zoning Ordinance of the City of Chesterfield.

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

Passed and approved this 19th day of June, 2006.


MAYOR

ATTEST:


CITY CLERK

FIRST READING HELD: 6/5/06

ATTACHMENT A

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

- 1.2 Adherence to the Plan
- 1.4 Quality of Development
- 1.6 Lighting Plan and Program
- 1.7 Chesterfield Valley
- 3.1 Quality Commercial Development
- 3.5 Chesterfield Valley
- 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 Storm water Management

I. SPECIFIC CRITERIA

A. Information to be shown on the Site Development Concept Plan shall adhere to conditions specified under General Criteria-Concept Plan. Site Development Plans and Site Development Section Plans shall adhere to specific design criteria.

B. Definitions

1. A Site Development Concept Plan is a conceptual plan for development in a planned district being done in phases.
2. A Site Development Section Plan is a plan for development for sections of the overall concept plan.
3. A Site Development Plan is a plan for development in planned districts that is being done in one phase.

C. PERMITTED USES

1. The uses allowed in this "PI" Planned Industrial District shall be:
 - a. Offices or Office buildings
 - b. Medical or Dental Offices

D. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. FLOOR AREA

Total building floor area shall not exceed 4,224 square feet.

2. HEIGHT

- a. The maximum height of the building, exclusive of roof screening, shall not exceed one and one half (1.5) stories.

3. BUILDING REQUIREMENTS

- a. Open space: Open space includes all areas excluding the building or areas for vehicular circulation.

A minimum of 36% open space is required for this development.

- b. Floor Area Ratio: F.A.R. is the gross floor area of all buildings on a lot divided by the total lot area. This square footage does not include any structured or surface parking. Planning Commission may request two (2) calculations: one (1) calculation for those areas above grade and another that includes building area below grade.

This development shall have a maximum Floor Area Ratio (F.A.R.) of .21.

E. SETBACKS

1. STRUCTURE SETBACKS

No building or structure, other than: a freestanding project identification sign, boundary and retaining walls, light standards, flag poles or fences will be located within the following setbacks:

- a. Seventy-five (75) feet from the new right-of-way of Long Road on the eastern boundary of the PI District.
- b. Twenty (20) feet from the southern boundary of the PI District.
- c. Ten (10) feet from the western boundary of the PI District.
- d. Fifteen (15) feet from the northern boundary of the PI District.

2. PARKING SETBACKS

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

- a. No surface parking will be permitted.
- b. Ten (10) feet from the new right-of-way of Long Road.
- c. Fifteen (15) feet from the southern boundary of the PI District.
- d. Eighty-five (85) feet from the western boundary of the PI District.
- e. Five (5) feet from the northern boundary of the PI District.

3. LOADING SPACE SETBACKS

No loading space will be located within the following setbacks:

- a. Ten (10) feet from the new right-of-way of Long Road.
- b. Five (5) feet from the southern boundary of the PI District.
- c. One hundred nineteen (119) feet from the western boundary of the PI District.
- d. One hundred five (105) feet from the northern boundary of the PI District.

F. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Construction Parking
 - a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
 - b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

- c. Construction parking shall not be permitted on public-maintained roadways. Adequate off-street stabilized parking area(s) shall be provided for construction employees.

3. Parking lots shall not be used as streets.

G. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall submit a landscape plan, tree stand delineation, and tree preservation plan which adheres to the Tree Manual of the City of Chesterfield Code.
2. Landscaping in the right of way, 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.

H. SIGN REQUIREMENTS

1. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.
2. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

I. LIGHT REQUIREMENTS

Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

J. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
3. Trash enclosures: The location and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed

with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan. The material will be as approved by the Planning Commission in conjunction with the Site Development Plan.

4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

K. ACCESS/ACCESS MANAGEMENT

1. Access to Long Road shall be limited to one street approach. The street approach shall align with the existing drive to the Pohlman Industrial Park, as directed by the Department of Public Works and the St. Louis County Department of Highways and Traffic.
2. Provide cross access easement(s) or other appropriate legal instrument(s) guaranteeing permanent access to Long Road for the adjacent properties to the north and south as directed by the City of Chesterfield.
3. Streets and drives related to this development shall be designed and located in conformance with the Chesterfield Driveway Access Location and Design Standards, as originally adopted by Ordinance No. 2103 and may be amended from time to time.

L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide any additional right-of-way, easements, and construct any improvements to Long Road, as required by the St. Louis County Department of Highways and Traffic and the City of Chesterfield.
2. 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 is required:

Dedicate one half of an eighty-eight (88) 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.

3. Provide 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. The sidewalk may be located within County right-of-way, if permitted by the St. Louis County Department of Highways and Traffic, or within a 6-foot wide sidewalk, maintenance and utility easement.

4. Internal streets shall be constructed in accordance with Section 1005.180 of the Subdivision Ordinance of the City of Chesterfield.
5. Obtain approvals from the Department of Public Works and the Missouri Department of Transportation for areas of new dedication, and roadway improvements.

M. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or the St. Louis County Department of Highways and Traffic. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

N. POWER OF REVIEW

The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan 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 of the site plan. The City Council will then take appropriate action relative to the proposal.

O. STORMWATER AND SANITARY SEWER

1. All proposed storm sewer improvements shall comply with the Chesterfield Valley Master Plan.
2. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system. The adequacy and condition of the existing downstream systems shall be verified and upgraded if necessary.
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the Department of Public Works.

4. All Chesterfield Valley Master Storm Water Plan improvements shall be operational prior to the paving of any driveways or parking areas.
5. 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.
6. If any lot is proposed to be located in an existing or proposed Special Flood Hazard Area, the lot shall be clearly labeled as being located in the floodplain on the Site Development Plan and improvement plans. If any development in, or alteration of, the floodplain is proposed, the developer shall obtain a Floodplain Development Permit from the Department of Public Works. The developer must demonstrate that the proposed work will have no adverse impact on other properties in Chesterfield Valley. The Floodplain Development Permit must be approved prior to the approval of a grading permit or improvement 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 issuance of an occupancy permit and final release of any escrow for improvements in the development.
7. The lowest Reference Level (floor) of any structure, as defined by FEMA, shall be constructed a minimum of one (1) foot above the base flood elevation and a minimum of one (1) foot above the 100-year high water elevation as produced by the Chesterfield Valley Master Storm Water Plan model. The minimum elevation for the Reference Level for each lot shall be indicated on the Site Development Plan and improvement plans, and an Elevation Certificate, on the form developed by FEMA for that purpose, shall be submitted immediately after construction of each structure. Occupancy permits shall not be issued for structures for which an Elevation Certificate has not been submitted.

P. GEOTECHNICAL REPORT.

Provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and 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 and Improvement Plans.

Q. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. The developer is advised that utility companies will require compensation for relocation of their facilities with 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 also 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.
3. Sleeves for future telecommunication services are required to 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.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS

- A. The developer shall submit a concept plan within 18 months of City Council approval of the Preliminary Development Plan. This requirement shall be accomplished prior to issuance of building permits.
- B. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within 18 months of the date of approval of the Preliminary Development Plan by the City.
- C. Failure to comply with these submittal requirements will result in the expiration of the preliminary development plan and will require a new public hearing.
- D. Said Plan shall be submitted in accordance 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.

- E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance. Substantial construction means final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary storm sewers.
- B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.
- C. Grading and Improvement Plan Requirements shall be met prior to start of work.
- D. A grading permit or improvement plan approval is required prior to any clearing or grading.

IV. GENERAL CRITERIA--SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall adhere to the above criteria and to the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than 1 inch equals 100 feet.
2. Outboundary plat and legal description of the property.
3. Density Calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide open space percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.

9. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Provide a lighting plan in accordance with the City of Chesterfield Code.
20. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.
21. 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.
22. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the St. Louis County

Department of Highways and Traffic, Monarch Levee District, and Spirit of St. Louis Airport.

23. Compliance with Sky Exposure Plane.

V. GRADING AND IMPROVEMENT PLAN REQUIREMENTS

- A. A Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a grading permit or approval of improvement plans.
- B. Prior to approval of a grading permit or improvement plans, a Storm Water Pollution Prevention Plan (SWPPP) must be submitted and approved. 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 Best Management Practices (BMPs) to control erosion and reduce the amount of sediment and other pollutants in storm water discharges associated with land disturbance activities, and ensure compliance with the terms and conditions stated in the Sediment and Erosion Control Manual.
- C. No grading which results in a change in watersheds will be permitted.
- D. If existing City maintained streets are to be used as construction access to this site, prior to approval of a grading permit or improvement plans, or any construction related traffic or delivery of any construction equipment to the site, the following items must be addressed:
 - 1. The travel route must be approved by the Department of Public Works. No deviation from the approved route will be permitted.
 - 2. An evaluation, including film record, of the current condition of the pavement on the approved travel route must be submitted.
 - 3. An appropriate bond must be submitted, as approved by the City of Chesterfield, to ensure that any damage to existing pavement is repaired. Repair of damage to existing streets will not be included in the subdivision escrow; a separate bond must be established.
 - 4. All plan sheets shall indicate that vehicle loads of construction traffic using this route are not to exceed 22,400 pounds axle load or 60,000 gross vehicle weight, and that no tri-axle trucks are to be used. Weight tickets may be used to determine conformance with this requirement.
 - 5. Additional protective measures, as deemed necessary by the Department of Public Works, may also be required.

- E 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 Metropolitan St. Louis Sewer District.
- F. Prior to approval of a grading permit or improvement plans, copies of recorded easements, including book and page of record, for all off-site work and off-site areas inundated by headwater from on-site improvements must be submitted.

VI. CHESTERFIELD VALLEY TRUST FUND

- A. The developer will contribute to the Chesterfield Valley Trust Fund. This fund was created for roadway improvements, storm water improvements, sanitary sewer facilities and water main improvements in the Chesterfield Valley area.

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

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- 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 Saint 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	\$2.05/sq. ft. of building space
Office	\$1.43/sq. ft. of building space
Industrial	\$4,937.22/acre of gross acreage

(Parking spaces as required by the City of Chesterfield Code.)

If types of development differ from those listed, the Department of Highways and Traffic will provide rates.

Credits for roadway improvements required will be awarded as directed by City of Chesterfield and/or St. Louis County Department of Highways and Traffic. Any portion of the roadway improvement contribution that 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 Saint 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 Saint Louis County Department of Highways and Traffic. Funds shall be payable to Treasurer, Saint 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 \$648.18 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 contribution shall be deposited with the Saint 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 Saint Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, Saint Louis County.

c. Storm water

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 Saint Louis County and the Metropolitan St. Louis Sewer District. The amount of the storm water contribution will be computed on the basis of \$2,056.58 per acre for the total area as approved on the Site Development Plan.

The storm water contributions to the Trust Fund shall be deposited with the Saint 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 Saint Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, Saint Louis County.

d. Sanitary Sewer

The sanitary sewer contribution is collected as the Caulk's Creek impact fee.

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

- e. The amount of this required contribution for the roadway, storm water and primary waterline improvements, if not submitted by January 1, 2007, 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 Saint Louis County Department of Highways and Traffic.

VII. RECORDING

Within 60 days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VIII. VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE

Prior to any Special Use Permit being issued 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.

IX. VERIFICATION PRIOR TO RECORD PLAT APPROVAL

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 United States Public Land Survey Corners

X. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

- A. A grading permit or improvement plan approval is required prior to issuance of a building permit. In extenuating circumstances, an exception to this requirement may be granted.
- B. All required subdivision improvements in each plat of a subdivision shall be completed prior to issuance of more than 85 percent of the building permits for all lots in the plat.
- C. Prior to the issuance of foundation or building permits, all approvals from all applicable agencies and the Department of Public Works, as applicable, must be received by the City of Chesterfield Department of Planning.

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

XI. OCCUPANCY PERMIT/FINAL OCCUPANCY

- A. Prior to the issuance of any occupancy permit, floodplain management requirements shall be met.
- B. 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.
- C. Prior to final occupancy of any building, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

XII. FINAL RELEASE OF SUBDIVISION DEPOSITS

Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

XIII. GENERAL DEVELOPMENT CONDITIONS

- A. Erosion and siltation control devices shall be installed prior to any clearing or grading and be maintained throughout the project until adequate vegetative growth insures no future erosion of the soil and work is accepted by the owner and controlling regulatory agency.
- B. General development conditions relating to the operation, construction, improvement and regulatory requirements to be adhered to by the developer are as follows:
 - 1. When clearing and/or grading operations are completed or will be suspended for more than five (5) days, all necessary precautions shall be taken to retain soil materials on site. Protective measures

may include a combination of seeding, periodic wetting, mulching, or other suitable means.

2. If cut and fill operations occur during a season not favorable for immediate establishment of permanent ground cover, unless alternate storm water detention and erosion control devices have been designed and established, a fast germinating annual, such as rye or sudan grasses, shall be utilized to retard erosion.
3. If cut or fill slopes in excess of the standard maximum of 3:1 horizontal run to vertical rise are desired, approval for the steeper slopes must be obtained from the Director of Public Works. Approval of steeper slopes is limited to individual and isolated slopes, rock dikes, undisturbed and stable natural slopes and slopes blending with the natural terrain. Design of the steep slopes must be performed by a registered professional engineer and include recommendations regarding construction methods and long-term maintenance of the slope. Any steep slope proposed on a Site Development Plan shall be labeled and referenced with the following note: *Approval of this plan does not constitute approval of slopes in excess of 3:1. Steep slopes are subject to the review and approval of the Director of Public Works. Review of the proposed steep slope will be concurrent with the review of the grading permit or improvement plans for the project.*
4. 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.
5. 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 percent 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.
6. Access/utility easements shall be required throughout the development. A continuous 15 foot wide rear yard easement shall be provided. At a minimum, a 10 foot wide utility/access easement shall be provided at every other lot line or break between structures, as directed.
7. Should the design of the subdivision include retaining walls that serve multiple properties, those walls shall be located within

common ground or special easements, including easements needed for access to the walls.

8. This development may require an NPDES permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb one or more acres.

XIV. ENFORCEMENT

- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C. 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 the City of Chesterfield Code.
- D. Waiver of Notice of Violation per the City of Chesterfield Code.
- E. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.