

AN ORDINANCE REPEALING THE CITY OF CHESTERFIELD ORDINANCE 1556 TO ALLOW FOR ADDITIONAL USES AND APPROVING A LANDMARK AND PRESERVATION AREA PROCEDURE (LPA) FOR A 1.95 ACRE TRACT OF LAND LOCATED AT 16625 CHESTERFIELD AIRPORT ROAD AND 16635 CHESTERFIELD AIRPORT. (P.Z. 18-2006 AND P.Z. 22-2006 BECKMANN PROPERTIES)

WHEREAS, the Petitioner, Bruce Beckmann, requested an ordinance amendment to add additional uses; and,

WHEREAS, the Planning Commission held a public hearing regarding the request for ordinance amendment on July 24, 2006 and for the LPA Procedure on August 14, 2006; and,

WHEREAS, the Planning Commission, upon review of both requests, recommended approval by a vote of 6-0 on August 14, 2006; and,

WHEREAS, the City Council upon review of said request, recommended approval with an amendment to the permitted uses.

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

Section 1. The City of Chesterfield Ordinance Number 1556 is hereby repealed and those conditions therein are incorporated into the revised Attachment A, which is attached hereto and made a part hereof for 16625 Chesterfield Airport Road and 16635 Chesterfield Airport Road.

LAND DESCRIPTION

A tract of land in U.S. Survey 2031, Township 45 North, Range 4 East, St. Louis County, MO, and described as follows: Beginning at a point in the north line of Olive Street Road (60 feet wide), and its intersection with the east line of a tract of land conveyed to Chesterfield Farmer's Elevator Supply Company, per deed recorded in Deed Book 467, page 165 of the St. Louis County Records; thence west along said north line of Olive Street Road, north 70 degrees, 47 minutes west, a distance of 300.00 feet to a point, and said point being the intersection of the west line of property of conveyed to St. Louis, Kansas City and Colorado Railroad Company by deed recorded in Deed Book 87, page 574 of the St. Louis County Records; thence along said west line north 19 degrees, 13 minutes east, a distance of 175.00 feet to a point, said point being the northeast corner of property conveyed to Louis C. Goehri and wife by deed recorded in Deed Book 1741, page 445 of the aforesaid records; thence along Goehri's north line north 70 degrees, 47 minutes west, a distance of 100.00 feet to a point; thence north 19 degrees, 13 minutes east, a distance of 73.84 feet to a point in the south line of the right-of-way, 100 feet wide, of Chicago, Rock Island and Pacific Railroad Company; thence along said right-of-way, along a curve to the right having a radius of 1948.90 feet, and arc distance of 47.42 feet (the cord of which bears south 73

degrees, 27 minutes, 49 seconds east, a distance of 47.41 feet) to a point of tangency; thence south 72 degrees, 46 minutes east, a distance of 302.50 feet to a point of curve; thence along a curve to the left having a radius of 1470.85 feet an arc distance of 50.39 feet (the chord of which bears south 73 degrees, 44 minutes, 53 seconds east, a distance of 50.38 feet) to a point being the intersection of the east line of aforesaid property conveyed per book 467, page 165 with said right-of-way line; thence along said east line south 19 degrees, 13 minutes west, a distance of 264.13 feet to the point of beginning and containing 85,049 square feet or 1.95 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.

Section 3. The City Council, pursuant to the petition filed by Bruce Beckmann in P.Z. 18-2006 and P.Z. 22-2006 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 14th day of August 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 6th day of September, 2006.


MAYOR

ATTEST:


DEPUTY CITY CLERK

First Reading Held: 9/6/06

ATTACHMENT A

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

- 1.5 Diversity of Development
- 1.8 Urban Core
- 2.1.1 Conservation of Existing Quality of Life
- 3.1 Quality Commercial Development
- 4.1.6 Limit Curb Cuts

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

- A. The uses allowed this "PI" Planned Industrial District, with a Landmark and Preservation Area (LPA) procedure shall be:**
1. Business, professional and technical training schools;
 2. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services related to floral or interior design, artwork, crafts for the home or other similar and related items are being offered for sale or hire to the general public on the premises;
 3. Business service establishment;
 4. Cafeterias for employees and guests only;
 5. Laundries and dry cleaning plants, which include dry cleaning drop-off and pickup stations;
 6. Offices or office buildings;
 7. Plumbing, electrical, air conditioning and heating equipment sales, warehousing and repair facilities;
 8. Restaurants, sit down;

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9. Sales, servicing, repairing, cleaning, renting, leasing and necessary outdoor storage of equipment and vehicles used by business, industry and agriculture;
 10. 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 premises;
 11. Warehousing, storage or wholesaling of manufactured commodities;
 12. Or other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.
- B. The uses permitted in section A.5, A.7, and A.9 above shall only be permitted in conjunction with the buildings which were in existence at the time of passage of this ordinance.

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

1. FLOOR AREA

- a. Total building floor area shall not exceed 24, 990 square feet.

2. HEIGHT

- a. The maximum height of the building, exclusive of roof screening, shall not exceed one (1) story.

3. BUILDING REQUIREMENTS

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

A minimum of eight percent (8%) openspace 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 (30%).

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. Fifty (50) feet from the right-of-way of Chesterfield Airport Road. If additional right-of-way is required by the St. Louis County Department of Highways and Traffic, this shall be measured from the right-of-way.
- b. Twenty (20) feet from the northern limits of this "PI" development.
- c. Twenty five (25) feet from property lines adjoining property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
- d. Twenty (20) feet from the eastern limits of this "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. In this "PI" Planned Industrial District, no unenclosed parking or loading space or internal drive shall be closer than ten (10) feet to any adjoining "PS" Park and Scenic, "NU" Non-Urban or "R" Residence District.
- b. Said parking setbacks shall be effectively screened. Such screening shall consist of a sight-proof fence or wall, and such screening shall be not less than five (5) feet in height above the surface or wall, and such screening shall not be less than five (5) feet in height above the surface elevation of the parking area, except where sight distance regulations at streets require other arrangements.

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

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- 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.
3. Building and parking setbacks and curb islands at the ends of parking rows shall be landscaped as approved by the Planning Commission on appropriate development plans. Landscaping shall complement building and site design through the use of appropriate materials in accordance with the City Code.
4. All new landscaping materials shall meet the following criteria:
 - a. Deciduous Trees-one and one half (1 ½) inch minimum caliper.
 - c. Evergreen Trees-four (4) feet minimum height.
 - d. Shrubs-eighteen (18) inch minimum diameter.

H. SIGN REQUIREMENTS

1. All signage is subject to review by the Planning Commission for compatibility with the existing historic area.
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis

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County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.

3. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.
4. No temporary, portable, or advertising signs shall be permitted.

I. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. Light standards shall not exceed twenty-four (24) feet in height and the location of light standards shall be as approved by the Planning Commission on the appropriate development plan.
3. No on-site illumination source shall be so situated that light is cast directly on adjoining properties or public roadways.
4. Streetlights are required to be added which will be in keeping with the historical character of the area, as approved by the Planning Commission.

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. Proposed structures will remain in harmony with the existing surrounding historic area.
3. 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.
4. 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.

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

K. ACCESS/ACCESS MANAGEMENT

1. 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 as may be amended from time to time.
2. Access to this development from Chesterfield Airport Road shall be restricted to the existing entrances reconstructed as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield Department of Public Works.
3. The proposed drop-off/drive-thru area shall be located on-site to eliminate stacking onto Chesterfield Airport Road.
4. No more than two (2) access points to Chesterfield Airport Road shall be permitted as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield Department of Public Works.
5. The entrance(s) shall not be less than twenty four (24) feet wide or more than forty (40) feet wide at the right-of-way line. The radius used to increase the opening at the curb or pavement edge shall not be less than ten (10) feet or than forty (40) feet. The Department of Public Works must approve any method used to channel traffic within the site.

L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Internal streets shall be constructed in accordance with Section 1005.180 of the Subdivision Ordinance of the City of Chesterfield.
2. If street grades in excess of six percent (6%) are desired, steep grade approval must be obtained. In no case shall slopes in excess of twelve percent (12%) be considered. Any request for steep street grades must include justification prepared, signed and sealed by a registered professional engineer and include plans, profiles, boring logs, cross-sections, etc in accordance with the Street Grade Design Policy. The justification should clearly indicate site conditions and alternatives considered. If steep grades are approved for this site, a disclosure statement shall be provided to all potential buyers and a note indicating that priority snow removal will not be given to this site shall be included on the Site Development Plan and Record Plat.

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3. Obtain approvals from the Department of Public Works and the St. Louis County Department of Highways and Traffic for areas of new dedication and roadway improvements.
4. Improve Chesterfield Airport Road to one-half of a seventy (70) foot right-of-way and a thirty-nine (39) foot pavement with required tapers and including all storm drainage facilities as directed by the St. Louis County Department of Highways and Traffic.
5. Provide a four (4) foot wide sidewalk and associated handicap access ramps, constructed to St. Louis County ADA standards, along Chesterfield Airport Road frontage of the site.
6. An easement for a pedestrian trail shall be dedicated to the City of Chesterfield. Said easement shall be located along the western property line and the southwestern property line of one hundred (100) feet noted as North 70 degrees 47 minutes 00 seconds West. Easement width shall be ten (10) feet unless adjacent to the existing building as shown on the Preliminary Plan dated March 1999. Easement adjacent to such building shall be the maximum allowable between the property line and the structure.
7. The existing fence located in the easement shall be relocated by the City of Chesterfield when the pedestrian trail is developed.
8. If the pedestrian trail is to be located at another location, a vacation of easement will be done by the City of Chesterfield. The setbacks shall be from the property line not the edge of the easement.

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.
2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Chesterfield Airport Road. If adequate sight distance cannot be provided at the access location, acquisition of right of way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the St. Louis County Department of Highways and Traffic.

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 twenty four (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. 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.
2. 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.
3. Detention/retention is to be provided in each watershed as required by the City of Chesterfield. Detention of storm water runoff is required by providing permanent detention/retention facilities, such as dry reservoirs, ponds, underground vaults or other alternatives acceptable to the Department of Public Works. The maximum fluctuation from the permanent pool elevation to the maximum ponding elevation of a basin shall be three feet, as directed. Wetland mitigation shall not be permitted within a detention/retention basin. The detention/retention facilities shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding 60 percent of the approved dwelling units in each plat, watershed or phase of residential developments. The location and types of detention/retention facilities shall be identified on the Site Development Plan.
4. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least thirty (30) feet horizontally from the limits of the one hundred (100) year high water.

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5. Stormwater should be controlled as required by the Chesterfield Valley Master Facility Plan.

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. 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.
3. Handicapped parking design features shall comply with St. Louis County building code requirements.

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

- A. The developer shall submit a concept plan within eighteen (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 eighteen (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.

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- 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

A. 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 one (1) inch equals one hundred (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.).

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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 one hundred and fifty (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 two (2) feet, 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.

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22. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the St. Louis County Department of Highways and Traffic, 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.

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- 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, 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. TRUST FUND CONTRIBUTION

- A. The developer shall contribute to the Chesterfield Village Road Trust Fund. This contribution will not exceed an amount established by multiplying the ordinance required parking spaces by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
Office	\$537.19/Parking Space
Retail	\$1,611.66/Parking Space
Laundry or Dry Cleaning Plant	\$429.76/Parking Space
Loading Space	\$2,637.29/Loading Space

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

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

Credits for roadway improvements will be as approved by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic.

As this development is located within a trust fund area, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development, will be retained in the appropriate trust fund.

The amount of this required contribution, if not submitted by January 1, 2007 will be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the St. Louis County Department of Highways and Traffic.

VIII. 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.

IX. 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.

X 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

XI. 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 eighty five percent (85%) 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, the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.

XII. 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.

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- 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.

XIII. 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.

XIV. 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

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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 fifteen (15) foot wide rear yard easement shall be provided. At a minimum, a ten (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.

XV. 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.

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- 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.