

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "M3" PLANNED INDUSTRIAL DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT FOR A 7.8 ACRE PARCEL OF LAND LOCATED ON CHESTERFIELD AIRPORT ROAD AT ITS INTERSECTION WITH GODDARD AVENUE. (P.Z. 1-2006 SPIRIT TOWN CENTER/GREENBERG-BLATT MANAGEMENT, L.P.)

WHEREAS, the petitioner, Greenberg-Blatt Management, L.P., has requested a change in zoning from "M3" Planned Industrial District to "PC" Planned Commercial District for a 7.8 acre tract of land located on Chesterfield Airport Road at its intersection with Goddard Avenue; and,

WHEREAS, the Planning Commission held public hearings on June 12 and August 28, 2006 to consider the matter; and,

WHEREAS, P.Z. 1-2006 Spirit Town Center was considered by the Planning Commission and was recommended for approval with amendments relative to floor area by a vote of 8-1;

WHEREAS, the City Council, having considered the petition, voted to approve P.Z. 1-2006 with amendments relative to permitted uses and open space.

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 "PC" Planned Commercial District for a 7.8 acre tract of land located on Chesterfield Airport Road at its intersection with Goddard Avenue. A description of the subject site is as follows:

PROPERTY DESCRIPTIONS

A tract of land being part of St. Louis Air Park, according to the plat thereof recorded in Plat Book 107, Pages 42 and 43 of St. Louis County Records, located in U.S. Surveys 150 and 122, Township 45 North, Range 3 East of the Fifth Principal Meridian, St. Louis County, Missouri, more particularly described as follows:

BEGINNING at the Northeast corner of a tract of land conveyed to Porta-Fab Corporation by deed recorded in Book 8129, Page 2127 of said records, said corner also being on the South right-of-way line of Chesterfield Airport Road (variable width); thence along said South line, South 82 degrees 30 minutes 00 seconds East, 620.02 feet; thence North 11 degrees 10 minutes 00 seconds West, 5.28 feet;

thence South 82 degrees 30 minutes 00 seconds East, 36.65 feet; thence along the West right-of-way line of Goddard Avenue (60 feet wide), along to a curve to the left with a radius point that bears South 82 degrees 30 minutes 16 seconds East, 660.00 feet from the last mentioned point, an arc distance of 215.02 feet; thence South 11 degrees 10 minutes 00 seconds East, 133.55 feet; thence South 33 degrees 50 minutes 00 seconds West, 181.08 feet to the North right-of-way line of Eads Avenue (60 feet wide); thence along said line, North 82 degrees 30 minutes 00 seconds West, 652.09 feet to the Southeast corner of the aforementioned Porta-Fab tract; thence along the East line of said tract North 07 degrees 30 minutes 00 seconds East, 495.00 feet to the POINT OF BEGINNING and containing 339,949 square feet or 7.804 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 Greenberg-Blatt Management, L.P. in P.Z. 1-2006 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 hearings, held by the Planning Commission on the 12th day of June and 28th 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.

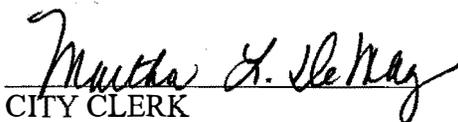
Section 4. This ordinance and the requirements thereof are exempt from the warnings and summons for violations as set out in Section 1003.410 of the zoning Ordinance of the City of Chesterfield.

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

Passed and approved this 17th day of JANUARY, 2007.


MAYOR

ATTEST:


CITY CLERK

FIRST READING HELD: _____

ATTACHMENT A

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

- 1.4 Quality New Development
- 1.6 Lighting Plan and Program
- 1.7 Chesterfield Valley
- 3.1 Quality Commercial Development
- 3.1.1 Quality of Design
- 3.4 Signage Considerations
- 3.5 Chesterfield Valley
- 3.5.1 Chesterfield Valley Regional Retail and Low Intensity Industry
- 3.5.2 Chesterfield Valley Airport Compatibility
- 7.2.1 Maintain Proper Level of Service
- 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. 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 "PC" Planned Commercial District shall be:
 - a. Animal hospitals and veterinary clinics.
 - b. Associated work and storage areas required by a business, firm, or service to carry on business operations.
 - c. Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
 - d. Barber shops and beauty parlors.
 - e. Bookstores.
 - f. Child care centers, nursery schools, and day nurseries.
 - g. Dry cleaning drop-off and pick-up stations.
 - h. One filling station provided that no automobile, truck or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.
 - i. Film drop-off and pick-up stations.
 - j. Financial institutions.
 - k. Hotels and motels.
 - l. Medical and dental offices.
 - m. Offices or office buildings.
 - n. 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.
 - o. Permitted signs (See Section 1003.168 'Sign Regulations').
 - p. Rental and leasing of new and used vehicles.
 - q. Restaurants, fast food, including drive-thru facilities.
 - r. Restaurants, sit down

- s. Schools for business, professional, or technical training, but not outdoor areas for driving or heavy equipment training.
 - t. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, 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.
 - u. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, are being offered for sale or hire to the general public on the premises.
2. "Goods and services" as referenced above in Use "u" shall be limited to the following specific retail uses:
- a. Accounting services.
 - b. Antiques.
 - c. Apparel and accessories.
 - d. Cameras and photographic supplies.
 - e. Candy, nut and confectionery.
 - f. China, glassware, metalware.
 - g. Crafts.
 - h. Home décor.
 - i. Electronics.
 - j. Floor coverings.
 - k. Florists.
 - l. Furniture.
 - m. Furriers and fur apparel.
 - n. Gifts, novelties and souvenirs.
 - o. Wall coverings and window treatments.
 - p. Hearing aids, optical goods, orthopedic appliances and other similar devices.
 - q. Hobby supplies.
 - r. Home furnishings.

- s. Jewelry.
- t. Musical instruments and supplies.
- u. Office equipment sales and service.
- v. Office supplies.
- w. Shoes.
- x. Sporting goods.
- y. Stationery.
- z. Alteration, pressing and garment repair.
- aa. Barber and beauty services.
- bb. Blueprinting and photocopying services.
- cc. Dry cleaning and laundering pickup services.
- dd. Duplicating, mailing and stenographic services.
- ee. Photo finishing services.
- ff. Postal services (private).

3. Ancillary Uses

The following ancillary use shall be permitted:

- a. Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.

D. FLOOR AREA, HEIGHT, BUILDING REQUIREMENTS

1. FLOOR AREA

Total building floor area shall not exceed 51,930 square-feet for the overall development, with the following restrictions:

- (a) There shall be no more than three (3) lots adjacent to Chesterfield Airport Road. Buildings on said lots shall comprise no more than 15,490 square-feet;
- (b) There shall be no more than two (2) lots south of the interior connector road, adjacent to Eads Avenue. Buildings on said lots shall comprise no more than 36,440 square-feet.

2. HEIGHT

- a. The maximum height of the building, exclusive of roof screening, shall not exceed forty-five (45) feet.

3. BUILDING REQUIREMENTS

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

A minimum of thirty percent (30%) openspace is required for this development due to the increased Floor Area Ratio over the minimum standard, and the other good planning practices as shown in 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 an overall Floor Area Ratio (F.A.R.) of fifteen percent (15%). The maximum Floor Area Ratio (F.A.R.) for and individual lot shall not exceed twenty-one percent (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. Thirty-five (35) feet from the right-of-way of Chesterfield Airport Road on the northern boundary of the "PC" Planned Commercial District.
- b. Thirty (30) feet from the eastern boundary of the "PC" Planned Commercial District.
- c. Fifty-five (55) feet from the western boundary of the "PC" Planned Commercial District.
- d. Twenty (20) feet from the southern boundary of the "PC" Planned Commercial 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. Twenty (20) feet from the right-of-way of Chesterfield Airport Road on the northern boundary of the "PC" Planned Commercial District.
- b. Fifteen (15) feet from the eastern boundary of the "PC" Planned Commercial District.
- c. Ten (10) feet from the western boundary of the "PC" Planned Commercial District.
- d. Twenty-five (25) feet from the southern boundary of the "PC" Planned Commercial District.

3. LOADING SPACE SETBACKS

No loading space will be located within the following setbacks:

- a. Twenty (20) feet from the right-of-way of Chesterfield Airport Road on the northern boundary of the "PC" Planned Commercial District.
- b. Fifteen (15) feet from the eastern boundary of the "PC" Planned Commercial District.
- c. Ten (10) feet from the western boundary of the "PC" Planned Commercial District.
- d. Twenty-five (25) feet from the southern boundary of the "PC" Planned Commercial 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 shall be prohibited along both sides of the main driveway. Parking lot aisles, where possible, should intersect the main and minor driveways at right angles and be logically located opposite minor driveways and other parking lot aisles. The main and minor driveways shall not have speed bumps. Stop signs shall not be installed for traffic on the minor driveways that intersect the main driveways. Minor driveways shall not intersect the main driveways closer than one hundred (100) feet from the Goddard Avenue right-of-way.
 4. 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 the St. Louis County Department of Highways and Traffic.
3. Trees "M1," "M2," and "M68" as delineated on the Tree Stand Delineation shall be retained.

H. SIGN REQUIREMENTS

1. Sign package submittal materials shall be required for this development. All sign packages shall be reviewed and approved by the City of Chesterfield Planning Commission.

2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.

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 an overall design package for the proposed development, including, but not limited to, architectural elevations, colored renderings and building materials for the development for approval with the Site Development Concept Plan.
2. The proposed package should give consideration to creating a visually appealing development pattern, particularly from Chesterfield Airport Road, achieved by retaining open spaces and creating consistency in the location and massing of structures on the site.
3. Placement of a filling station/convenience store on the subject site shall be developed in accord with the City of Chesterfield Design guidelines for Auto Service Stations.
4. 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.
5. 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.
6. 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 Goddard Avenue shall be restricted to one (1) commercial entrance. The location of the drive access shall provide required sight distance and shall be a minimum of one hundred fifty (150) feet from the proposed right-of-way line for Chesterfield Airport Road and aligned opposite with the existing entrance as directed by the Department of Public Works and the St. Louis County Department of Highways and Traffic."
3. Review of internal circulation during Site Development Concept stage shall include, but not be limited to, the location and number of internal curb cuts. Internal drive aisles shall be located and spaced apart appropriately in order to reduce potential traffic conflicts.
4. The nearest edge of any street, access or driveway intersecting the entrance street shall be located a minimum of eighty (80) feet from the edge of pavement of Chesterfield Airport Road, as directed by the Department of Public Works.
5. No direct access to Chesterfield Airport Road will be permitted from any lot within the subdivision.
6. Provide cross access easement(s) or other appropriate legal instrument(s) guaranteeing permanent access to the adjacent property to the west as directed.
7. Provide cross access easement(s) or other appropriate legal instrument(s) guaranteeing that all lots within this subdivision shall have access to Eads Avenue and Goddard Avenue.

L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Construct an eastbound right turn lane two hundred (200) feet in length on Chesterfield Airport Road at Goddard Avenue with a 10:1 inbound taper as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield.

2. Construct a ten (10) foot wide shoulder adjacent to Chesterfield Airport Road along the frontage of the tract, except where it is located adjacent to the right turn lane where its width shall be six (6) feet wide, to Saint Louis County standards, as directed by Saint Louis County Department of Highways and Traffic and the City of Chesterfield.
3. Provide the necessary right-of-way and construct an additional lane twelve (12) feet wide on Goddard Avenue from the intersection of Chesterfield Airport Road to a point a one hundred fifty (150) feet south of the proposed entrance, with a 30:1 through taper to existing pavement as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield.
4. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the Saint Louis County Department of Highways and Traffic.
5. Provide additional right-of-way and construct a canalization island in the southwest quadrant of Chesterfield Airport Road and Goddard Avenue, including necessary underground signal facilities as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield. Dedicate a Permanent Traffic Signal Easement (P.T.S.E.) for the future signal installation.
6. Provide any additional right-of-way and construct any improvements to Chesterfield Airport Road, Goddard Avenue and Eads Avenue, as required by the St. Louis County Department of Highways and Traffic.
7. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the Chesterfield Airport Road frontage of the site. 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 six (6) foot wide sidewalk, maintenance and utility easement.
8. Internal streets shall be constructed in accordance with Section 1005.180 of the Subdivision Ordinance of the City of Chesterfield.
9. If roadways are designated to be private, these roadways shall remain private forever. Maintenance of private streets, including, but not limited to, snow removal, shall be the responsibility of the developer/subdivision. In conformance with Section 1005.265 of the Subdivision Ordinance, a disclosure statement shall be provided to all potential buyers. In

conformance with Section 1005.180 of the Subdivision Ordinance, the method for providing continuous maintenance of streets and appurtenant storm sewers shall be included in the trust indentures and the record plat.

Signage indicating that the streets are private and owners are responsible for maintenance shall be posted in conformance with Section 1005.180 of the Subdivision Ordinance. Said signage shall be posted within thirty (30) days of the placement of the adjacent street pavement and maintained/replaced by the developer until such time as the subdivision trustees are residents of the subdivision, at which time the trustees shall be responsible.

10. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Highways and Traffic. No gate installation will be permitted on public right of way. A minimum stacking distance of sixty (60) feet from any intersection and a turnaround for rejected vehicles designed to accommodate a single unit truck shall be provided in advance of the gate, as directed by the Department of Public Works and the St. Louis County Department of Highways and Traffic.
11. If a gate is installed on a street in this development, the streets within the development or that portion of the development that is gated shall be private and remain private forever. Maintenance of private streets, including snow removal, shall be the responsibility of the developer/subdivision. In conformance with Section 1005.265 of the Subdivision Ordinance, a disclosure statement shall be provided to all potential buyers. In conformance with Section 1005.180 of the Subdivision Ordinance, signage indicating that the streets are private and owners are responsible for maintenance shall be posted. Said signage shall be posted within thirty (30) days of the placement of the adjacent street pavement and maintained and/or replaced by the developer until such time as the subdivision trustees are residents of the subdivision, at which time the trustees will be responsible for maintenance.

The nearest edge of any drive or intersecting street shall be located at least forty (40) feet from the line of the gate, as directed.

12. 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.

13. Obtain approvals from the Department of Public Works and St. Louis County Highways and Traffic for areas of new dedication, and roadway improvements.
14. 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.

M. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation. 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 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.

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 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.
- 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 (2) 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 (1) 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 CONCEPT PLAN SUBMITTAL REQUIREMENTS

The Site Development Concept Plan shall include, but not be limited to, the following:

1. Outboundary plat and legal description of the property.
2. Location of all roadways adjacent to the property and general location, size, and pavement widths of all interior roadways.
3. General design of the development including unit types (i.e., single-family detached, single-family attached, garden apartment), number of each unit type proposed, location of units, minimum and maximum size of single-family lots, approximate size of multiple-family structures, and location and size of common areas and recreation facilities.
4. Location and size of any commercial uses, types of uses proposed and general parking layout.
5. Zoning district lines and floodplain boundaries.
6. Density calculations.
7. Provide a conceptual landscape plan in accordance with the City of Chesterfield Code.
8. Provide a lighting plan in accordance with the City of Chesterfield Code.

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

The Site Development Section 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. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs
10. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.
12. Depict existing and proposed improvements within one hundred fifty (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.
13. Depict all existing and proposed easements and rights-of-way within one hundred fifty (150) feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.

14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending one hundred fifty (150) feet beyond the limits of the site as directed.
16. Address trees and landscaping in accordance with the City of Chesterfield Code.
17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. 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.
19. 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.
20. Compliance with Sky Exposure Plane.

C. 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.).
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 one hundred fifty (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 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 one (1) foot, and extending one hundred fifty (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 VALLY TRUST FUND CONTRIBUTION

- A. The developer will contribute to the Chesterfield Valley 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>
Commercial	\$2.05/S.F.
Office	\$1.43/S.F.
Industrial	\$4,937.22/Acre
Stormwater	\$2,056.58/Acre

(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 will be as approved by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic.

If 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, 2006 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.

Traffic generation assessment contributions will be deposited with the City of Chesterfield or St. Louis County in the form of a check made payable to the City of Chesterfield or to St. Louis county as directed by the Department of Planning prior to the issuance of building permits. If development phasing is anticipated, the developer will provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

Stormwater

Stormwater should be controlled as required by the Chesterfield Valley Master Facility Plan. This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2750.00 per acre.

VIII. RECORDING

Within sixty (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 Highways and Traffic and 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.
- 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.

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 ninety percent (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.
6. 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.
7. 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.
- 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.