

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 2245 TO ALLOW FOR AN AMENDMENT TO THE ALLOWABLE BUILDING SQUARE FOOTAGE REQUIREMENTS FOR A 24.997 ACRE TRACT OF LAND ZONED "PI" PLANNED INDUSTRIAL DISTRICT, LOCATED NORTH OF THE INTERSECTION OF SPIRIT DRIVE NORTH AND CHESTERFIELD AIRPORT ROAD, SOUTH OF I-64 US-40/61, AT THE INTERSECTION OF LONG ROAD CROSSING DRIVE AND TRADE CENTER BOULEVARD (P.Z. 31-2007 TERRA CORPORATE PARK)

WHEREAS, the petitioner, Chesterfield Airport Rd. Investments LLC., has requested an ordinance amendment to the allowable building square footage requirements; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the ordinance amendment request with a vote of 7-0; and,

WHEREAS, the Planning & Zoning Commission, having considered said request, recommended approval of the petition by a 4-0 vote the Attachment A as written with the addition that the City Council shall have Automatic Power of Review and provide final approval of the site development section plans for the proposed development for the five (5) out lots; and,

WHEREAS, the City Council, having considered said request, voted to approve the Ordinance Amendment.

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 The City of Chesterfield Ordinance Number 2245 is hereby repealed and those conditions therein are incorporated into the Attachment A, which is attached hereto and made a part hereof for Terra Corporate Park.

Legal Description

A tract of land being part of U.S. Survey 1010, Township 45 North, Range 3 East of the 5th Principal Meridian, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at a point on the Northerly line of Chesterfield Airport Road, 100 feet wide, said point being the Southwesterly corner of a tract of land now or formerly conveyed to Lipton Realty, Inc., as recorded in Deed Book 8193 Page 629 of the St. Louis County Record; thence along the Northerly line of said Chesterfield Airport Road the following courses and distances; thence along a curve to the right, said curve having a radius point bearing North 00 degrees 32 minutes 07 seconds West 5,679.15 feet, an arc length of 671.23 feet to a point of tangency; thence North 83 degrees 45

minutes 48 seconds West 404.33 feet to the Southeasterly corner of a tract of land now or formerly conveyed to Mary L. Dunker as recorded in Deed Book 7309 Page 1105 of said records; thence along the Northeasterly line of said Dunker tract, and a tract of land now or formerly conveyed to James A. Waller, Trustee, as recorded in Deed Book 11260 Page 28 of said records North 11 degrees 57 minutes 55 seconds West 267.40 feet to the Southwesterly corner of a tract of land now or formerly conveyed to John and Florence Kramer, Trustees as recorded in Deed Book 8665 Page 1239 of said records; thence along the Southerly and Easterly lines of said Kramer tract the following courses and distances; thence South 84 degrees 13 minutes 12 seconds East 289.72 feet; thence North 05 degrees 48 minutes 33 seconds East 1095.67 feet to a point on the Southerly line of Missouri Interstate Highway 64 (U.S. Highway 40/61); thence along said Southerly line of Missouri Interstate Highway 64 the following courses and distances; thence along a curve to the left, said curve having a radius point bearing North 05 degrees 46 minutes 04 seconds East 34,517.47 feet an arc distance of 455.72 feet; thence North 09 degrees 58 minutes 18 seconds West 15.53 feet to a point on a curve to the left, said curve having a radius point bearing North 05 degrees 01 minutes 05 seconds East 34,502.47 feet an arc distance of 146.93 feet to a point of tangency; thence South 85 degrees 13 minutes 34 seconds East 45.77 feet to the Northwesterly corner of above said Lipton Realty Tract; thence along the Westerly line of said Lipton Realty Tract South 03 degrees 35 minutes 47 seconds East 1358.56 feet to the Point of Beginning and containing 1,088,881 square feet or 24.997 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. during February, 2000.

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

Section 3. The City Council, pursuant to the petition filed Terra Corporate Park (Chesterfield Airport Rd. Investments, LLC.) in P.Z. 31-2007, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 13th day of August, 2007, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

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

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

Passed and approved this _____ day of _____, 2007.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: 10/01/2007

ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this "PI" Planned Industrial District South of Long Road Crossing Drive shall be:
 - a. Animal hospitals, veterinary clinics, and kennels.
 - b. Auditoriums, Churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
 - c. Automatic vending facilities for:
 - i. Ice and solid carbon dioxide (dry ice);
 - ii. Beverages;
 - iii. Confections.
 - d. Broadcasting studios for radio and television.
 - e. Business, professional, and technical training schools.
 - f. Business service establishments.
 - g. Cafeterias for employees and guests only.
 - h. Child care centers, nursery schools, and day nurseries.
 - i. Churches shall be allowed on tracts of land of at least one acre in area.
 - j. Filling Stations.
 - k. Financial Institutions.
 - l. Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public and private), and indoor and unlighted outdoor tennis courts (public and private).
 - m. Hotels and motels.

- n. Mail order sale warehouses.
- o. Manufacturing, fabrication, assembly, processing or packaging of any commodity except:
 - i. Facilities producing or processing explosives or flammable gases or liquids;
 - ii. Facilities for animal slaughtering, meat packing, or rendering;
 - iii. Sulphur plants, rubber reclamation plants, or cement plants; and
 - iv. Steel mills, foundries, or smelters.
- p. Medical and dental offices.
- q. Mortuaries.
- r. Offices or office buildings.
- s. Outpatient substance abuse treatment facilities.
- t. 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.
- u. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
- v. Police, fire and postal stations.
- w. Printing and duplicating services.
- x. Public utility facilities.
- y. Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters (indoor use only).
- z. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- aa. Restaurants, fast food.
- bb. Restaurants, sit down.
- cc. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers,

typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.

- dd. Sewage treatment facilities, as approved by the appropriate regulatory agency.
 - ee. Permitted signs (See City of Chesterfield Code).
 - ff. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
 - gg. Union halls and hiring halls.
2. The following ancillary uses in this "PI" Planned Industrial District South of Long Road Crossing Drive shall be permitted:
- a. The purpose of an ancillary uses is to serve the occupants and patrons of the principal permitted uses within the building. No separate access from the exterior building shall be permitted with respect to these uses.
 - b. Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.
3. The above uses in the "PI" Planned Industrial District South of Long Road Crossing Drive shall be restricted as follows:
- a. Use "j" shall be limited to Lot 6 as shown on the preliminary plan.
 - b. In addition, no car wash shall be allowed as an ancillary use to the filling station.
4. The above uses in the "PI" Planned Industrial District North of Long Road Crossing Drive shall be restricted as follows:
- a. Animal hospitals, veterinary clinics, and kennels (excluding outside kennels).
 - b. Auditoriums, Churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
 - c. Business service establishments.

- d. Cafeterias for employees and guests only.
 - e. Churches shall be allowed on tracts of land of at least one acre in area.
 - f. Financial Institutions.
 - g. Hotels and motels.
 - h. Mail order sale warehouses.
 - i. Manufacturing, fabrication, assembly, processing or packaging of any commodity except:
 - i. Facilities producing or processing explosives or flammable gases or liquids;
 - ii. Facilities for animal slaughtering, meat packing, or rendering;
 - iv. Sulphur plants, rubber reclamation plants, or cement plants; and
 - v. Steel mills, foundries, or smelters.
 - j. Medical and dental offices.
 - k. Offices or office buildings.
 - l. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities. (indoor use only).
 - m. Police, fire and postal stations.
 - n. Printing and duplicating services.
 - o. Public utility facilities.
 - p. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
 - q. Warehousing, storage of manufactured commodities, live animals, explosives, or flammable gases and liquids (excluding live animals, explosives, or flammable gases and liquids).
5. The following ancillary uses in this "PI" Planned Industrial District North of Long Road Crossing Drive shall be permitted:
- a. The purpose of ancillary uses is to serve the occupants and patrons of the principal permitted uses within the building.

No separate access from the exterior building shall be permitted with respect to these uses.

- b. Child care centers, nursery schools, and day nurseries.
- c. Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public and private), and indoor and unlighted outdoor tennis courts (public or private).
- d. Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters (indoor use only).
- e. Restaurants, sit down.

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

1. FLOOR AREA

- a. There shall be a maximum of five (5) out parcels within this "PI" Planned Industrial District located adjacent to Chesterfield Airport Road.
- b. North of Long Road Crossing Drive: Total building floor areas shall not exceed 150,000 square feet for a maximum of three buildings.
- c. South of Long Road Crossing Drive, north of the five out parcels: Total building floor area shall not exceed 60,000 square feet.
- d. The amount of square footage constructed (including out parcels) shall be based on the developer's ability to comply with the parking regulations of the City of Chesterfield Code.

2. HEIGHT

- a. The maximum height of the building, exclusive of roof screening, shall not exceed three (3) stories or forty-five (45) feet (as measured from existing grade), whichever is less.

3. BUILDING REQUIREMENTS

- a. A minimum of thirty percent (30%) open space is required for this development. The overall open space for the development shall be shown on each Site Development Section Plan as they are submitted for approval. Open

space includes all areas excluding the building or areas for vehicular circulation.

C. 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. Ninety (90) feet from the new right-of-way of I-64/U.S. 40/61.
- b. Thirty (30) feet from the new right-of-way of Chesterfield Airport Road.
- c. Thirty (30) feet from the east and west property lines of this development.
- d. Thirty (30) feet from the right-of-way from principal internal streets.
- e. Fifteen (15) feet from internal lot lines in this development.

2. PARKING SETBACKS

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

- a. Thirty (30) feet from the new right-of-way of I-64/U.S. 40/61.
- b. Thirty (30) feet from the new right-of-way of Chesterfield Airport Road.
- c. Thirty (30) feet from the east and west property lines of this development.
- d. Ten (10) feet from internal property lines with the exception of shared driveways.
- e. Fifteen (15) feet from the principal internal street.

D. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code, with the exception that parking calculations utilized for general use shall be four (4) spaces per one-thousand (1,000) square feet.

2. A parking agreement shall be reached among the building structures on Lots 1, 2, and 3 which provides for shared use of designated parking areas and provided for each Site Development Section Plan.
3. Parking shall be prohibited on Chesterfield Airport Road, the proposed Terra Corporate Park Drive, and the proposed Long Road Crossing Drive.
4. Construction Parking
 - a. No construction parking will be permitted on the Chesterfield Airport Road right-of-way or any public streets during construction.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
2. The landscape plan submitted shall not conflict with the required Master Plan ditches.

F. SIGN REQUIREMENTS

1. Sign package submittal materials shall be required for this development and shall adhere to the requirements of the City of Chesterfield Code. 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/or the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.
3. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.

G. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. The installation, maintenance, operation and all expenses related thereto for the street lighting along all public streets associated with this development, including Chesterfield Airport Road shall be provided by the developer in perpetuity as directed by the City of Chesterfield Department of Planning and Public Works

H. 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, material, 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. An opportunity for recycling will be provided.
4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.
5. For a distance of three-hundred (300) feet from the south right-of-way of I-64/U.S. 40/61 the building elevations shall have the appearance of an office or hotel.
6. No loading docks shall face north, east, or west for a distance of three-hundred (300) feet from the south right-of-way of I-64/U.S. 40/61.

I. ACCESS/ACCESS MANAGEMENT

1. The intersection of internal drive, proposed as Terra Corporate Park Drive, and Chesterfield Airport Road shall be aligned with the intersection of Spirit Trade Center Boulevard and Chesterfield Airport Road. No other access to Chesterfield Airport Road will be provided.
2. The entrance geometrics shall conform to the standards of the Missouri Department of Transportation.
3. The entrance shall be at least four-hundred (400) feet from the side property line of the site as directed by the City of Chesterfield Department of Planning and Public Works.
4. Cross access shall be provided between the lots within the proposed development.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. 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 and the Missouri Department of Transportation. No gate installation will be permitted on public right of way.
2. 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.
3. The developer shall provide any additional right-of-way and construct improvements to Chesterfield Airport Road as required by St. Louis County Department of Highways and Traffic and the City of Chesterfield Department of Planning and Public Works.
4. The developer shall provide a forty (40) foot right-of-way, with a ten (10) foot minimum roadway improvement, maintenance, utility, and drainage easements on both sides, from Chesterfield Airport Road to the eastern and western property lines.
5. The intersection of the right-of-way at the eastern and western property lines shall be a minimum of six-hundred (600) feet north of the Chesterfield Airport Road right-of-way and shall coincide with the development access on the east and west sides.
6. The centerline radius of the proposed Terra Corporate Park Drive and Chesterfield Airport Road intersection shall have a minimum radius of two-hundred and seventy-five (275) feet.
7. A minimum twenty-six (26) foot pavement with seven (7) foot shoulders and appurtenant storm drainage facilities shall be constructed on both sides of the intersection of the proposed Terra Corporate Park Drive and Chesterfield Airport Road.
8. Additional widening shall be provided to accommodate separate right and left turn approach lanes at the intersection with Chesterfield Airport Road.
9. A ten (10) foot wide median shall be constructed beginning at the entrance at the proposed Terra Corporate Park Drive from Chesterfield Airport Road to a point one-hundred (100) feet north as directed by the Department of Planning and Public Works. The developer shall be responsible for the landscaping and maintenance of the median.

10. Five (5) foot wide side walk and associated handicap access ramps, constructed to St. Louis County ADA standards shall be provided along the north side of Chesterfield Airport Road and along both side of the proposed Terra Corporate Park Drive and the proposed Long Road Crossing Drive.
11. Any easements necessary for construction of the sidewalks shall be provided as directed by the City of Chesterfield Department of Planning and Public Works.
12. The petitioner shall be required to relocate any improvement within St. Louis County right-of-way as necessary for the installation of the sidewalks.

K. TRAFFIC STUDY (if applicable)

A traffic study including internal and external circulation will be provided for review and approval by the City of Chesterfield Department of Planning and Public Works, the St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation. Queuing and stacking will be addressed with each Site Development Section Plan.

L. POWER OF REVIEW

The City Council shall have Automatic Power of Review and provide final approval of the site development section plans for the five (5) out lots subsequent to Planning Commission 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 the appropriate action relative to the proposal.

M. STORMWATER AND SANITARY SEWER

1. The current Chesterfield Valley Sanitary Sewer Master Plan depicts a public pump station, force main, and a series of gravity sewers that will serve the vicinity of this development. A functional equivalence study shall be submitted to the Metropolitan Sewer District and the City of Chesterfield Department of Planning and Public Works for review/approval prior to receiving approval of the Improvement Plans for this development.
2. The current Chesterfield Valley Storm Water Plan depicts storm water improvements within the subject tract. Consideration shall be given to building the Master Plan Improvements. Alternatively, a functional equivalence study shall be submitted to the Metropolitan

Sewer District and the City of Chesterfield's Department of Planning and Public Works for this development.

N. 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 Planning and 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.

O. GRADING AND IMPROVEMENT PLANS

1. Prior to improvement plan approval, provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, the Missouri Department of Natural Resources, the Monarch Chesterfield Valley Levee District and the appropriate Fire District.
2. Be advised, this development may require a NPDES permit form the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb five (5) or more acres.
3. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be required.

P. 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. Reserve an area for display of works of art so long as the art to be displayed is mutually agreed upon by the City of Chesterfield and the Petitioner.

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 change of zoning.

- 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 change of zoning by the City.
- C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning 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.
- 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.

IV. GENERAL CRITERIA

A. Site Development Concept Plan.

1. Any site development concept plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
2. Include a conceptual landscape plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
3. Include a lighting plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial and collector roadways.
4. 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, Spirit of St. Louis Airport and the Missouri Department of Transportation.

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 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 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 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, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.

V. TRUST FUND CONTRIBUTION

- A. The developer shall be required to contribute to the **Chesterfield Valley Trust Fund**. Traffic generation assessment contributions shall be deposited with St. Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

Roads

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

<u>Type of Development</u>	<u>Required Contribution</u>
Industrial	\$3,685.05/acre

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

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

Credits for roadway improvements required will be awarded as directed by St. Louis County 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 appropriate Trust Fund. Credits for roadway improvements will be as approved by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic.

The roadway improvement contribution shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made before the issuance any a Special Use Permit (SUP) by St. Louis County Highways and Traffic or a Building Permit by St. Louis County Public Works Department. Funds shall be payable to "Treasurer, St. Louis County."

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 these required contributions for the roadway, storm water and primary water line improvements, if not submitted by January 1, 2006 shall 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 Saint Louis County Department of Highways and Traffic.

Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$486.43 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contributions shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made prior to approval of the Site Development Plan unless otherwise directed by the St. Louis County Department of Highway and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

Stormwater

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by St. Louis County and the Metropolitan St. Louis Sewer District. The amount of the storm water

contribution will be computed on the basis of \$1,534.99 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 St. Louis County Department of Highways and Traffic. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by St. Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

Sanitary Sewer

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

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

The amount of these required contributions for the roadway, storm water and primary water line improvements, if not submitted by January 1, 2006 shall 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 Saint Louis County Department of Highways and Traffic.

Trust Fund contributions shall be deposited with St. Louis County in the form of a cash escrow prior to the issuance of building permits.

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. ENFORCEMENT

- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development Concept Plan and Site Development Section Plans 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.