

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "C8" PLANNED COMMERCIAL DISTRICT TO A "PI" PLANNED INDUSTRIAL DISTRICT FOR AN 8.318 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD AND EAST OF THE INTERSECTION OF CHESTERFIELD AIRPORT ROAD AND LONG ROAD (P.Z. 16-2009 17526, 17550, & 17536 Chesterfield Airport Road {St. Louis Family Church})

WHEREAS, St. Louis Family Church has requested a change in zoning from a "C8" Planned Commercial District to a "PI" Planned Industrial District for a 8.318 acre tract of land located on the south side of Chesterfield Airport Road and east of the Chesterfield Airport Road and Long Road intersection; and,

WHEREAS, a Public Hearing was held before the Planning Commission on December 14, 2009; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the change of zoning; and,

WHEREAS, the City Council, having considered said request voted to approve the change of zoning request.

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 part thereof, are hereby amended by establishing a "PI" Planned Industrial District for a 8.318 acre tract of land located on the south side of Chesterfield Airport Road and east of the Chesterfield Airport Road and Long Road intersection and described as follows:

A tract of land being part of Lot 4 of "A Subdivision of the West half of U.S. Survey 126," Township 45 North – Range 4 East, St. Louis County, Missouri and being more particularly described as:

Beginning at the Northwest corner of property described in deed to Junior G. Kool and wife recorded in Book 7086 page 1129 of the St. Louis County records; said point being also the Northeast corner of "Steve W. Wallace Subdivision," a subdivision according to the plat thereof recorded in Plat Book 345 page 701 of the St. Louis County records, and being also a point in the South line of Chesterfield Airport Road, 100 feet wide; thence Eastwardly along said South line of Chesterfield Airport Road, being also along the North line of said Kool property and along the North line of property described in deed to Craig Kool and wife recorded in Book 12463 page 814 of the St. Louis County records, North 89 degrees 35 minutes 24 seconds East 664.00 feet to the Northwest corner of

property described in deed to Rhodes Development Co, LLC recorded in Book 17621 page 4668 of the St. Louis County records; said point being also a point in the East line of aforesaid Lot 4 of "A Subdivision of the West half of U.S. Survey 126"; thence Southwardly along said East line of Lot 4, being also along said West line of the Rhodes Development Co, LLC property and along the boundary line of property described in deed to St. Louis Family Church, Inc. recorded in Book 11893 page 1782 of the St. Louis County records, South 0 degrees 34 minutes 26 seconds West 546.09 feet to a point in said last mentioned boundary line; said St. Louis Family Church, Inc. property being shown as Adjusted Parcel Two on "A Boundary Adjustment Plat of Tracts of Land being part of Share 7 of the Peter Steffan Estate and part of Lot 4 of A Subdivision of the West half of U.S. Survey 126, Township 45 North – Range 4 East, St. Louis County, Missouri," according to the plat thereof recorded in Plat Book 346 pages 760 and 761 of the St. Louis County records; thence Westwardly along the North line of Adjusted Parcel Two and Adjusted Parcel One of said Boundary Adjustment Plat South 89 degrees 35 minutes 24 seconds West 667.91 feet to the Southeast corner of property described in deed to McCarthy LLC d/b/a Valley Farmers Market recorded in Book 16541 page 866 of the St. Louis County records; said point being also the Southwest corner of aforementioned Junior G. Kool and wife property; thence Northwardly along the East line of said McCarthy LLC d/b/a Valley Farmers Market property and the East line of aforementioned "Steve W. Wallace Subdivision," being also along the West line of said last mentioned Kool property the following courses and distances: North 1 degree 23 minutes 36 seconds East 296.29 feet, North 89 degrees 33 minutes 58 seconds East 15.40 feet, North 1 degree 23 minutes 36 seconds East 62.00 feet, South 89 degrees 33 minutes 58 seconds West 19.30 feet and North 1 degree 23 minutes 36 seconds East 188.00 feet to the point of beginning and containing 8.318 acres according to a survey by Volz Incorporated dated September 18, 2009.

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 of.

Section 3. The City Council, pursuant to the petition filed by St. Louis Family Church, in P.Z.16-2009, 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 December, 2009, 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 _____, 2010.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: 02/01/2010

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 shall be:
 - a. Church and other place of worship
 - b. Educational facility – specialized private school.
 - c. Fairground, to be utilized by St. Louis Family Church or its affiliate, Service International.
 - d. Office, general.
 - e. Park.
 - f. Parking area.
 - g. Vehicle repair and services facility, to be utilized for repairing and servicing vehicles owned and/or operated by St. Louis Family Church or its affiliate, Service International.
2. Hours of Operation.
 - a. Hours of operation for this "PI" Planned Industrial District shall not be restricted.

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

1. Height
 - a. The maximum height of the building, exclusive of roof screening, shall not exceed fifty (50) feet.
2. Building Requirements
 - a. A minimum of thirty-five (35) percent openspace is required for this development.
 - b. This development shall have a maximum F.A.R. of 0.55.

C. SETBACKS

1. Structure Setbacks

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

- a. Thirty (30) feet from the right-of-way of Chesterfield Airport Road on the northern boundary of the "PI" Planned Industrial District.
- b. Thirty (30) feet from the southern boundary of the "PI" Planned Industrial District.
- c. Thirty (30) feet from the eastern boundary of the "PI" Planned Industrial District.
- d. Thirty (30) feet from the western boundary of the "PI" Planned Industrial District.

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 right-of-way of Chesterfield Airport Road on the northern boundary of the "PI" Planned Industrial District.
- b. Fifteen (15) feet from the southern boundary of the "PI" Planned Industrial District.
- c. Fifteen (15) feet from the eastern boundary of the "PI" Planned Industrial District.
- d. Fifteen (15) feet from the western boundary of the "PI" Planned Industrial District.

D. 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.
3. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

The developer shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.

F. SIGN REQUIREMENTS

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are 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.

G. LIGHT REQUIREMENTS

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

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 City of Chesterfield on the Site Development Plan.

4. Mechanical equipment will be adequately screened by roofing or other material as approved by the City of Chesterfield.

I. ACCESS/ACCESS MANAGEMENT

1. Access to this development from Chesterfield Airport Road shall be restricted to one (1) commercial entrance, with one (1) inbound lane and two (2) outbound lanes located opposite Caprice Drive and providing required sight distance, and constructed to Saint Louis County standards as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield. All other accesses on to Chesterfield Airport Road shall be removed and right-of-way restored as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield.
2. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield.

J. 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 the proposed access 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 full depth 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 a 5 foot wide sidewalk, conforming to ADA standards, along the Chesterfield Airport Road frontage of the site. The sidewalk shall connect to the sidewalk to be constructed with the adjacent development to the east. The sidewalk may be located within right-of-way, if permitted by the St. Louis County Department of Highways and Traffic, or within a 6 foot wide sidewalk, maintenance and utility easement.

4. 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 and the City of Chesterfield.
5. Parking shall be prohibited along both sides of the access 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 main driveway. Minor driveways shall not intersect the access drive closer than one hundred fifty (150) feet from Chesterfield Airport Road right-of-way.
6. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the Saint Louis County Department of Highways and Traffic for sight distance consideration and approved prior to installation or construction.
7. 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.
8. 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.
9. 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.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or St. Louis County. 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 St. Louis County Department of Highways and Traffic.

L. POWER OF REVIEW

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

M. STORMWATER

1. Jurisdictional wetlands have been identified on this site. The mitigation for the wetlands has been addressed under the Chesterfield Valley Mitigation Bank Program; therefore, the developer shall reimburse the Program for the mitigation provided for this site. Prior to approval of a grading permit or improvement plans, or issuance of a building permit, the developer needs to pay the required mitigation to the City of Chesterfield as the site's proportionate share of the cost of establishment of the mitigation area.
2. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
3. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).

N. GEOTECHNICAL REPORT

Prior to Site Development Plan approval, 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. MISCELLANEOUS

1. All utilities will be installed underground.
2. Jurisdictional wetlands have been identified on this site. The mitigation for the wetlands has been addressed under the Chesterfield Valley Mitigation Bank Program; therefore, the developer shall reimburse the Program for the mitigation provided for this site.
3. A portion of the site is located in the floodplain. Consult Chapter 14 of the City Code for specific requirements. A certification of the actual elevation of the constructed floor will be required prior to occupancy of the building.
4. Access management principals to be applied to this development can be found in Chapter 26 of the City Code.

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 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 Chesterfield Levee District, and Spirit of St. Louis Airport.
5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

B. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall include, but not be limited 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 property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide open space percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.

18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. 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.
21. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, and Spirit of St. Louis Airport.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

C. 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, significant natural features, such as wooded areas and rock formations and other karst features, 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 St. Louis Department of Highways and Traffic.
20. Compliance with Sky Exposure Plane.
21. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTION

- A. The developer shall contribute a Traffic Generation Assessment (TGA) to the Chesterfield Valley Trust Fund (No. 556). This contribution shall not exceed an amount established by multiplying the required parking spaces by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
General Office	\$575.04
General Retail	\$1,752.20
Loading Space	\$2,823.08

If types of development differ from those listed, rates shall be provided by the St. Louis County Department of Highways and Traffic. If a portion of the improvements required herein are needed to provide for the safety of the traveling public, their completion as a part of this development is mandatory.

Allowable credits for required roadway improvements will be awarded as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

1. As this development is located within a trust fund area established by Saint Louis County, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development should be retained in the appropriate trust fund.
2. Traffic generation assessment contributions shall be deposited with Saint Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$693.85 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contribution shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before St. Louis County approval of the Site Development Plan unless otherwise directed by the

Saint Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, Saint Louis County.

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 Saint Louis County and the Metropolitan Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,201.47 per acre for the total area as approved on the Site Development Plan. The storm water contributions to the Trust Fund shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Highways and Traffic or before the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to the Treasurer, Saint Louis County.

Sanitary Sewer

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

The sanitary sewer contribution within Chesterfield Valley area shall be deposited with the Metropolitan St. Louis 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, 2010, 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.

We request the following additional general conditions be met:

1. Traffic generation assessment contributions shall be deposited with Saint Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.
2. Prior to Special Use Permit issuance by the Saint Louis County Department of Highways and Traffic, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with the Saint Louis County Department of Highways and Traffic to guarantee completion of the required roadway improvements.
3. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the

condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

VI. 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.

VII. 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.