



690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

Planning Commission Public Hearing Report

Meeting Date: May 14, 2018

From: Mike Knight, Project Planner *MK*

Location: North of North Outer 40 Road and east of Boone's Crossing

Petition: **P.Z. 02-2018 Summit-Topgolf (Topgolf USA Chesterfield LLC)** An ordinance repealing City of Chesterfield Ordinance 2932 to establish a new "PC" Planned Commercial District for a 22.22 acre tract of land located north of North Outer 40 Road and east of Boone's Crossing. (17T510063, 17T520105, 17T520116)

Summary

Summit Ice Center Investors, is requesting a zoning map amendment to repeal City of Chesterfield Ordinance 2932 and establish a new "PC" Planned Commercial District for a 22.22 acre tract of land located north of North Outer 40 Road and east of Boone's Crossing. The 22 acre tract of land is made up of three lots; Lots A, B, and C seen in Figure 1 on the next page. There are four primary purposes to this request. Three of the requests are solely for Lot C. These three requests are to add "Automobile Dealership" as a permitted use; request limitations on hours of operation and restrict sales to indoor only for the "Automobile Dealership" use; and increase the maximum height on Lot C from 60 feet to 75 feet. As indicated later in this report, these three requests have since been removed by the applicant. The fourth request is for all three lots (A, B, and C), and is to increase the total building floor area to 200,000 square feet from the current 150,000 square feet combined in all three lots. This request is the sole request that remains active.

A public hearing was held on March 26, 2018. There were a few issues addressed from the Planning Commission that are detailed within this report. In between the public hearing packet distribution and this report, there were a number of residents who provided letters of opposition. They have been attached to the end of this report.

On April 19, 2018 a letter was submitted to the City by the applicant in response to the issues that were derived from the public hearing. In this letter the applicant formally amended their petition to remove three of the four requests. **The sole request that remains from the applicant is to increase the total building floor area to 200,000 square feet from the current 150,000 square feet combined in all three lots.**



Figure 1: Subject Site Aerial

SITE HISTORY

In January of 2017, the City Council approved Ordinance 2932 which consolidated two Planned Commercial districts (the Hardees Iceplex and Valley Gates Subdivision) into one new 22.2 acre Planned Commercial district.

The portion of the site from the Hardees Iceplex is approximately 14.5 acres and was governed by Ordinance 1564 until the current 2932. Prior to this zoning, the site was zoned “NU” Non-Urban but had also been approved for a Conditional Use Permit (CUP #13) in 1993. CUP #13 allowed for the operation of an indoor ice arena, sports pro shop, snack bar, game room, ancillary seating facilities, and offices.

The portion of the site from the Valley Gates subdivision is approximately 7.7 acres and was vacant until the City approved a change of zoning from an “NU” Non-Urban designation to a “PC” Planned Commercial designation in 2005, which allowed for a number of recreational, retail, and other commercial uses. The site went through two subsequent amendments for various development standards including, but not limited to, building height and setbacks, which resulted in the site-specific Ordinance 2570.

SURROUNDING LAND USES

The land use and zoning for the properties surrounding this parcel are as follows (and seen in Figure 2):

North

The Monarch Chesterfield Levee is located directly to the north with Flood Plain Non-Urban zoned property, currently being used for the stockpiling of dirt

South

The subject site is bordered by North Outer 40 and Interstate 64 to the south. The Kemp Auto Museum is the nearest subdivision.

East

The property to the east is zoned a combination of Agriculture and Non-Urban, currently being used for agricultural operations including a plant nursery under an active Conditional Use Permit.

West

The property to the west is Taubman Prestige Outlets and is currently zoned Planned Commercial.



Figure 2: Zoning

COMPREHENSIVE PLAN

The subject site is located within Ward 4 of the City of Chesterfield and is within the Mixed Commercial Use land use designation per the City's Land Use Plan as seen in Figure 3. The Comprehensive Plan designates the permitted land uses under Mixed Commercial Use (Retail, Low-Density Office, and Limited Office/Warehouse Facilities). All of the currently permitted uses under governing Ordinance 2932, along with the previously requested "Auto Dealership" use, are consistent with the City's Comprehensive Land Use Plan.

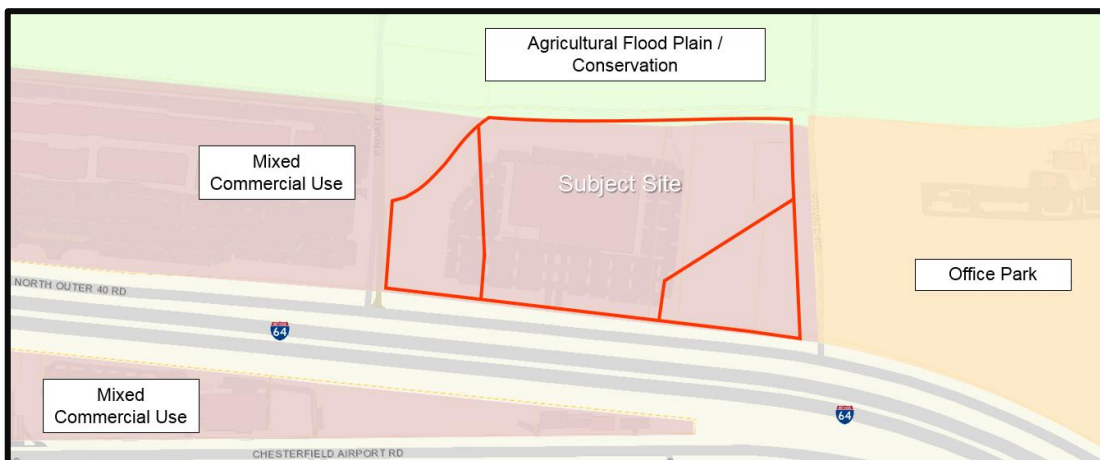


Figure 3: Comprehensive Land Use Plan

REQUEST

The petitioner submitted four requests to Planning Commission at the public hearing. Three of the requests were solely for Lot C, and there was one request collectively for Lots A, B, and C. Since the public hearing, the applicant has removed three of the four requests from petition PZ 02-2018. Outlined in Figure 4 below is a table demonstrating each request originally submitted and there current status.

REQUEST	LOTS AFFECTED	DESCRIPTION	CURRENT STATUS
1	C	The addition of the "Automobile Dealership" use.	Removed
2	C	Restrictions on the "Automobile Dealership" use including: hours of operation 7 days a week from 7:00AM - 9:00PM and automobile sales limited to inside the building.	Removed
3	C	The maximum building height would be increased from 60 to 75 feet.	Removed
4	A,B,C	The total building floor area within this development be increased from 150,000 square feet to not exceed 200,000 square feet.	Active

Figure 4: Current Request

ISSUES

During the Public Hearing held on March 26th four residents spoke in opposition of this development. Issues associated with the requests were identified by Planning Commission. Below is a brief summary of those issues, direction from staff, and a formal response from the applicant.

1. Proximity to residents to the south. There was discussion on how this development, specifically Lot C, would be seen by the residents who live on the bluffs to the south. Staff requested detail on how the residents would be affected by the additional use and increased height. This may include, but not be limited to, section profiles from the bluffs including sight triangles.

Applicant Response. The nearest resident to the south is approximately 2,100 feet in distance. Also, the request is being amended to remove the automobile use, associated hours of operation and increase in height from 60-75 feet for Lot C.

2. Use Restrictions/Appropriateness. Questions were raised on the appropriateness of the new "automobile use" in combination with the current and proposed height restriction. Additionally, concerns were raised on the necessity of the "automobile use" to be open 7 days a week. Advise on this necessity.

Applicant Response. The requests for the "automobile use" and increase in height for Lot C have been removed.

3. Storage vehicles in parking stalls. Questions were raised regarding the number and length of time when cars for sale, or already sold, would be stored in parking stalls for Lot C. Please clarify.

Applicant Response. The request for “automobile use” has been removed.

4. Lighting. Concerns were raised by Planning Commission with lighting remaining on after hours of operation for Lot C. Please clarify what lighting would be on during operating hours and what would be on 24/7.

Applicant Response. The request for “automobile use” has been removed.

5. F.A.R. Planning Commission noted that the F.A.R. does not fully capture the entirety of land uses in this development as the Topgolf field itself occupies a large area of land that is not included in the F.A.R. calculation. Provide an analysis which includes the area inside the Topgolf poles.

Applicant Response. The request to increase the floor area ratio to allow 200,000 gross square feet is in alignment with the Planned Commercial District. We are requesting a 0.21 F.A.R vs the 0.55 F.A.R allowed in the PC District.

Staff Input. The Gross Floor Area, as defined by the Unified Development Code, is the sum of the gross horizontal area of all floors of a building, including basement areas, as measured from the interior perimeter of exterior walls. The Topgolf field does not constitute gross floor area within the UDC. Also, ball fields, tennis courts, and related athletic areas within the City of Chesterfield are consistently not included in the gross floor area and F.A.R. calculation. Below in Figure 5 is the F.A.R. calculation for both 150,000 and 200,000 gross floor area within the Summit Topgolf development.

CALCULATIONS			
Scenario	GFA (SF)	Total Area (SF)	F.A.R.
Current	150,000	967,903	0.15
Proposed	200,000	967,903	0.21

Figure 5: F.A.R Calculations

Staff calculated an approximate square footage of the field area contained within the poles of the Topgolf site based off of the approved Site Development Section Plan. The square footage of the Topgolf field is roughly 200,000 square feet. Staff also calculated the maximum square footage that one could have within a 22.22 acre site having an F.A.R. of 0.55, which is the maximum for the Planned Commercial district within the UDC. The total square footage in this scenario would be 532,347 square feet.

AGENCY COMMENT

In February of 2018 the Fire Prevention Bureau of the Monarch Fire Protection District stated in a comment letter concern over the rapid pace of development north of Highway 64/40 and east of the Boones Crossing exit. The fire District referenced they would be amiable if the construction of the proposed Baxter Road/I-64 interchange of Swingley Ridge Road to North Outer 40 Road were completed first.

The applicant reached out to Deputy Chief/Fire Marshal Roger Herin to discuss the comments and further explain the Ordinance Amendment.

In March of 2018 Mr. Herin supplied an additional comment letter clarifying that this concern is not a fire code enforcement issue, but a planning issue. The intent of the letter was to bring the subject of additional access to forefront again with the City of Chesterfield.

PRELIMINARY PLAN

A zoning map amendment to a planned zoning district requires a Preliminary Development Plan, which has been included in the Planning Commission's packet. Staff has reviewed the plan and it fully conforms to the Unified Development Code and all of the requirements stated in City of Chesterfield Ordinance 2932.

Should Planning Commission provide a vote in favor of the request for a zoning map amendment to repeal City of Chesterfield Ordinance 2932 and establish a new "PC" Planned Commercial District, staff provided the following red line below to demonstrate the only change that would be made to the current governing ordinance. A draft attachment A has been included within this packet.

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

1. Floor Area

- a. The total building floor area within this development shall not exceed ~~150,000~~ 200,000 square feet.

2. Height

- a. The maximum height including parapets and other similar features, rooftop equipment, and lighting structures of all buildings shall not exceed sixty (60) feet.
- b. The maximum height of poles and nets for the driving range in conjunction with above use "h" Recreation Facility shall not exceed one hundred and seventy (170) feet.

All issues discussed at the Public Hearing on March 26, 2018 have been resolved. Staff has no concerns/issues with this petition. The petition has met all filing requirements and procedures of the City of Chesterfield. Staff recommends action from Planning Commission on the amended request and Attachment A.

Attachments

1. Resident Correspondence
2. Issues Response Letter
3. Applicant Narrative Statement
4. Attachment A
5. Preliminary Plan

Joseph Knight

Subject: FW: Zoning

From: Guy Tilman
Sent: Monday, March 26, 2018 10:20 AM
To: Bonnie Thorn
Cc: Joseph Knight <JKnight@chesterfield.mo.us>
Subject: Re: Zoning

Hi Bonnie,

Thank you for letting me know your thoughts on the proposed project. I have copied Mike Knight on this email. He is the City Project Planner assigned to the project. Your email will be added to the public record for this project.

Your comments, as well as all others, will be provided to the Planning Commission and City Council as the project moves through the process. Resident comments and suggestions are very important and appreciated.

Best Regards,

Guy Tilman
Sent from my iPhone

On Mar 26, 2018, at 9:57 AM, Bonnie Thorn

I have lived in Chesterfield for the last 35 years and am very proud of the progress and development that we have had. I want to tell you that the Topgolf is an eyesore that smacks me in the face every time I come to the valley. Now I hear there is a tall car venture going up. Please do not let this happen. I don't know who to send this to so please forward to the appropriate department.

Bonnie Thorn
[13 Baxter Lane](#)

Sent from my iPhone

Joseph Knight

Subject: Homeowner comments RE: P.Z. 02-2018 Summit-Topgolf

From: Kathy Teutenberg
Sent: Monday, March 19, 2018 4:44 PM
To: Joseph Knight <JKnight@chesterfield.mo.us>
Cc: tom.decampi@gmail.com; michelleohley@gmail.com
Subject: Homeowner comments RE: P.Z. 02-2018 Summit-Topgolf

Mike,

Thank you so much for your emails/phone conversations last week in answer to my questions concerning P.Z. 02-2018.

One of your emails indicated that this proposal includes a height increase request in Lot C to a maximum height of 75 feet from 60 feet.

With this email I wish to document that as a homeowner living in a neighborhood overlooking the Valley and Topgolf, I am against allowing any such increase in maximum height. Actually, I had no idea of the 60 feet height allowance in existence now. This in itself is concerning to me.

Had I known when I moved in over 20 years ago of the planned Valley development explosion in the area I doubt I would have chosen this location. Hindsight is 20/20, I know, so short of a move there's not much I am able to do.

Except - Try to voice a homeowner concern as I become aware of additional developments in the Valley that the Villas may overlook. Such is the situation with the Lots in question.

Villa homes sitting on the Bluffs have a clear view of this end of Chesterfield Valley. When built and sold they were premium lots, each Bluffs lot costing additional money due to the view over the valley. The recently completed Topgolf is an eyesore, in my opinion and in the opinion of neighbors and friends. Unlike prior Valley developments, it stands above all other developments in the immediate area and may be seen clearly from some of the Villa Bluffs homes, disrupting a beautiful view. I had no idea what it would look like until it was on it way.

As the city reviews this request I hope all involved remember the residents whose homes overlook the Valley and who may be impacted, paying attention to aesthetics. Such tall heights make it difficult to enjoy the horizon and the beauty of the landscape. While Valley development is key, this homeowner hopes that a satisfactory compromise may be reached to meet both developer and homeowner desires. Please don't forget us.

Sincerely,

Kathy Teutenberg

P.S. Other thoughts that come to mind as I think thought this issue:

- How well do residents of the Bluffs and other nearby subdivisions understand your plans for expansion in the Valley that may impact their homes, especially those overlooking the valley? I know I don't understand such plans.

- How may I and other homeowners find out of any expansion plans impacting our homes in advance?

- What efforts have you made or are planning to make to gather feedback from local citizens in the future?

- Can data be provided that suggests homeowners would be pleased to live close to 75-foot structures?

- In short, have you been assured that homeowners have no problems overlooking a business area with 75-foot buildings?

It seems to me that until you have obtained the approval of local residents in view , or at least communicated such plans to these local residents, isnt it a mistake to proceed with such development plans, changing/repealing existing ordinances?

In summary, now that this has come to light, it would be helpful if all information related to this expansion would be made accessible to homeowners . I would welcome such information.

Thank you sincerely.

Joseph Knight

To: jkm
Subject: FW: Carvana in the Valley

From: Michelle Ohley
Sent: Saturday, March 24, 2018 10:19 AM
To: Joseph Knight <JKnight@chesterfield.mo.us>
Subject: Fwd: Carvana in the Valley

Mike,

Please include in the public record.

Thank you,

Michelle Ohley - Councilmember
City of Chesterfield - Ward IV

Sent from my iPhone

Begin forwarded message:

From: Sarah Hoffman
Date: March 24, 2018 at 10:06:29 AM CDT
To: <cityofficials@chesterfield.mo.us>
Subject: Carvana in the Valley

Dear Mayor and City Council,

I will always fondly remember the days when driving into the valley was a farmland vista. Those days are long gone with the sprawling retail and outlet malls. The skyline was intact until the recent installation of top golf which is just such an eyesore, the proposal for Carvana is just a monstrosity.

People will likely enjoy what Top Golf has to offer, but Carvana doesn't add any added value on a regular basis to the general population. Please preserve what is left of the landscape in the valley and oppose this project.

Sincerely,
Sarah Hoffman

Sent from my iPhone

Joseph Knight

Subject: FW: Carvana in the Valley

Good afternoon,

Thank you for providing the correspondence below. This email will be added to the public record for this zoning petition. Your comments, as well as all others, will be provided to the Planning Commission and City Council as the project moves through the process.

The Public Hearing for this petition is this evening at 7:00PM CST. Below is a link to our City's website that contains a link to the Planning Commission Agenda.

Click Here: [Planning Commission Agenda](#)

Please feel free to reach out to me personally. If you have any further questions, all of my contact information is provided in the signature below.

Thank you,
Mike

Joseph M. Knight
Project Planner

City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017
Phone: 636.537.4736
Fax: 636.537.4798
<image001.png>

-----Original Message-----

From: Mark Kuming
Sent: Monday, March 26, 2018 12:46 PM
To: Joseph Knight <JKnight@chesterfield.mo.us>; tom.decampi@gmail.com; michelleohley@gmail.com; Mike Geisel <mgeisel@chesterfield.mo.us>
Subject: Carvana in the Valley

All,

I wish to express my disapproval of the proposed zoning ordinance changes requested by Summit/Top Golf to allow a Carvana Auto Dealership to be built on lot C. I live on the bluffs overlooking the valley and I feel that adding 7 story building containing automobiles would further detract from the valley and certainly would negatively impact my property value.

Please do all you can to prevent the ordinance change and to encourage Carvana to locate its business further west where other auto dealerships already operate and which is out of view of residences. Also, encourage Carvana to present a lower profile establishment.

Thank you,

Mark Kumming
16821 Chesterfield Bluffs Circle
Chesterfield, MO. 63005

636-698-5162

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Joseph Knight

Subject: FW: Chesterfield Valley view

From: Guy Tilman

Sent: Tuesday, March 27, 2018 12:01 PM

To: J B

Cc: Joseph Knight <JKnight@chesterfield.mo.us>; Ben Keathley <BKeathley@chesterfield.mo.us>

Subject: Re: Chesterfield Valley view

Hi Julia,

Thank you for writing to let us know your thoughts on the proposed Carvana site in the valley. Your opinion matters! The Public Hearing last night is the beginning of the review process.

I have copied Mike Knight, the City Planner assigned to the project, on this email. He will include your email in the public record for this project so that it will be shared with the Planning Commissioners and City Council.

I have also copied Ben Keathley, the other Ward 2 Councilmember, for his information.

Best Regards,

Guy Tilman

Sent from my iPhone

On Mar 27, 2018, at 11:45 AM, J B

Mr. Tilman,

My name is Julia Lega and I am Chesterfield resident, living in Shenandoah.

My husband and I really dislike the view of the golf facility when coming around the bend into Chesterfield Valley. It used to be a serene drive, and now all we think of are the huge old water tanks that you see when driving into the city along I-44. It reminds me of a huge water containment facility -- not aesthetically pleasing at all. I wish the city had not permitted this facility.

Although that is already old news, I am hearing from neighbors that another monstrous facility is being considered that will sell cars from a tower. Please consider the aesthetics that make Chesterfield such a desirable place to live, when making decisions like this.

Thanks for your consideration,

Julia Lega

Joseph Knight

Subject: FW: question

From: Jane Dulle

Date: March 28, 2018 at 10:02:36 PM CDT

To: <PDSDirector@chesterfield.mo.us>

Subject: question

Hello,

To whom should I register my disapproval of Carvana being in Chesterfield Valley.

Who votes on ordinance waivers?

Who decides to allow new businesses?

Or was this already discussed and decided?

Thank you,

Jane

Joseph Knight

Subject: FW: Carvana project

Expires: Tuesday, March 05, 2019 12:00 AM

From: Kleinschmidt
Sent: Sunday, April 01, 2018 3:39 PM
To: Joseph Knight <JKnight@chesterfield.mo.us>
Subject: Carvana project

After attending the Planning meeting on Monday 3/26/18, we are strongly opposed to the proposed Carvana project.

1. The Carvana project building is UGLY. We do NOT need to have a 75 foot glass tower that is lit 24/7 on our skyline.
2. We feel the committee that over-saw the building plans for Topgolf failed to make this project as aesthetically pleasing as possible. Therefore, we are pessimistic about the approval and oversight of the Carvana project based on the Topgolf project.
3. When and if this business fails, who is going to be responsible for the cost of demolishing this building as it will be quite an ugly and unusable tower?
4. This property should be better utilized for a more beneficial project for the residents of Chesterfield.

Mary and Richard Kleinschmidt
16921 Todd Evan Trail
Chesterfield MO 63005

Joseph Knight

Subject: FW: Carvana

> From: Mary Merenda
> Sent: Tuesday, April 24, 2018 2:29 PM
> To: Joseph Knight <JKnight@chesterfield.mo.us>
> Subject: Carvana

>
> Hi Mike
> I live in Chesterfield Bluffs. Many of us in this neighborhood are opposed to this unsightly addition. We request to know the status of Carvana proposed to be put in next to Top Golf. Is the City council still proposing this? If so we request to know when the next hearing is on carvana. Please let me know as soon as possible. Thanks

>
>
> Mary Merenda

>
> _____
>

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STOCK & ASSOCIATES
Consulting Engineers, Inc.

RECEIVED

APR 18 2018

City of Chesterfield
Department of Public Services

April 18, 2018

Via Email: (jknight@chesterfield.mo.us)

City of Chesterfield
690 Chesterfield Pkwy W
Chesterfield, MO. 63005

Attention: Mr. Mike Knight – Project Planner

Re: P.Z. 02-2018 Summit – Topgolf (Topgolf USA Chesterfield LLC)
(Stock Project No. 217-6089)

Dear Mr. Knight,

The following responses relate to your letter dated 3/30/18 regarding the Public Hearing held on 3/26/18.

1. Proximity to residents to the south. There was discussion on how this development would be seen by the residents who live on the bluff to the south. Provide detail on how the residents would be affected by the additional use and increased height. This may include but not limited to section profiles from the bluffs including sight triangles.

Response: The nearest resident to the south is approximately 2100 feet.

We are amending our petition to delete our previous requests regarding:

- a. Automobile Dealership & Associated Hours of Operation
- b. Increase in Height from Sixty (60) feet to seventy-five (75) feet on Lot C.

Please Delete A&B from our petition.

2. Use Restrictions/Appropriateness. Questions were raised on the appropriateness of the new "automobile use" in combination with the current and proposed height restriction. It was stated at the Public Hearing that shorter building designs exist in different locations. Address the necessity for the height requirement in relation to the use proposed.

Additionally, concerns were raised on the necessity of the "automobile use" to be open 7 days a week. Advise on this necessity.

Response: We are deleting our request for an "automobile dealership" and "increase in height on Lot C".

257 Chesterfield Business Parkway, St. Louis, MO 63005
636.530.9100 – Main | 636.530.9130 – Fax
www.stockassoc.com | general@stockassoc.com

April 18, 2018

Page 2

3. Storage vehicles in parking stalls. Questions were raised in the number and length of time when cars for sale or already sold would be stored in parking stalls. Please clarify.

Response: Non-Applicable

4. F.A.R. Planning Commission noted that the F.A.R. does not fully capture the entirety of land uses in this development as the Topgolf field (existing and proposed) occupied a large area of land that is not included in the F.A.R. calculation. Provide an alternate F.A.R. analysis which includes the field area inside the Topgolf poles.

Response: We believe our request to increase the floor area ratio to allow 200,000 gross square feet is in alignment with the Planned Commercial District.

Request .21 F.A.R. vs .55 F.A.R. allowed in the PC District.

5. Lighting. Concerns were raised by Planning Commission noted with lighting remaining on after hours of operation for Lot C. Please clarify what lighting would be on during operating hours and what would be on 24/7.

Response: Non-Applicable

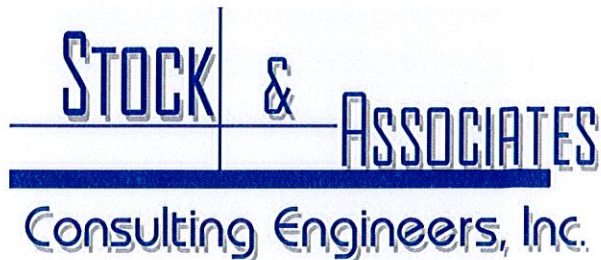
Should you have any questions and / or comments please do not hesitate to call.

Sincerely,



George M. Stock, P.E.
President

CC: Mr. Scott Murph Reese – Summit Development Group
Mr. Justin Wyse – Director of Planning & Development Services.



**PROJECT NARRATIVE ASSOCIATED WITH
A REQUEST FOR TEXT AMENDMENT TO ORDINANCE #2932**

Date: March 19, 2018
(Stock Project No. 217-6089)

There are four primary purposes for our request for changes to Ordinance #2932:

Lot "C"

- (1) We respectfully request to add "Automobile Dealership" as a permitted use on only "Lot C" of this ordinance. The Summit-Topgolf Subdivision is zoned Planned Commercial "PC", under Sec.31-03-07 "Use Table for Non-Residential District" of the Unified Development Code, "Automobile Dealership" is a permitted use in the Planned Commercial District.
- (2) Secondly, regarding request (1) above, we request that the hours of operation specific to the use "Automobile Dealership" be permitted seven (7) days a week from 7:00 a.m. to 9:00 p.m., with all automobile display limited to inside the building.
- (3) A change to Section B "Floor Area, Height, Building, and Parking Structure Requirements" item "2. Height" of attachment A. Specific to "Lot C", we request that the maximum building height be increased from sixty (60) to seventy-five (75) feet.

Lots "A", "B", and "C"

- (4) Fourthly, a second change to Section B "Floor Area, Height, Building, and Parking Structure Requirements" item "1. Floor Area" of attachment A. We respectfully request that the total building floor area within this development be increased from 150,000 square feet to not exceed 200,000 square feet. A maximum allowed Floor Area Ratio (F.A.R.) in the PC district is 0.55. Lots "A", "B", and "C" combined is a total of 22.2 Acres or 967,827 square feet, the F.A.R. for the entire 22.2 Acres would be 0.21, (200,000 s.f./ 967,827 s.f.= 0.21), which is less than the maximum allowed in a PC District. The total building square footage that could be developed on the 22.2 Acres under an F.A.R. of 0.55 is

257 Chesterfield Business Parkway, St. Louis, MO 63005
636.530.9100 – Main | 636.530.9130 – Fax
www.stockassoc.com | general@stockassoc.com

March 19, 2018

PROJECT NARRATIVE – TEXT AMENDMENT TO ORDINANCES

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532,305 square feet. The Preliminary Development Plan associated with Ordinance 2932 speculated that the 22.2 Acres would be used for small restaurants and retail shops, which established the maximum floor area of 150,000 square feet for the entire tract. Those uses differ from what is currently under construction on Lot B (TopGolf) and are proposed for Lots A & C. Due to the intended uses for the two remaining undeveloped lots a request for an increase in the total building floor area is needed to accommodate the potential 4-store Residence Inn by Marriott on Lot A and Carvana on Lot C.

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 “PC” Planned Commercial District shall be:
 - a. Administrative Offices for Educational or Religious Institutions
 - b. Church and other Places of Worship
 - c. Community Center
 - d. Art Gallery
 - e. Art Studio
 - f. Banquet Facility
 - g. Gymnasium
 - h. Recreation Facility
 - i. Office, Dental
 - j. Office, General
 - k. Office, Medical
 - l. Bakery
 - m. Bar
 - n. Bowling Center
 - o. Brewpub
 - p. Coffee Shop
 - q. Grocery, Community
 - r. Grocery, Neighborhood
 - s. Grocery, Supercenter
 - t. Restaurant, Sit Down
 - u. Restaurant, Fast Food
 - v. Restaurant, Take Out
 - w. Retail Sales Establishment, Community
 - x. Retail Sales Establishment, Regional

- y. Tackle and Bait Shop
 - z. Barber or Beauty Shop
 - aa. Commercial Service Facility
 - bb. Drug Store and Pharmacy
 - cc. Dry Cleaning Establishment
 - dd. Financial Institution, no drive-thru
 - ee. Hotel and Motel
 - ff. Hotel and Motel, Extended Stay
 - gg. Professional and Technical Service Facility
 - hh. Research Laboratory and Facility
 - ii. Theatre, Indoor
2. Hours of Operation.
- a. Uses “q”, “r”, “s”, “w”, “x”, “y”, and “bb”, above shall be restricted to hours of operation open to the public from 6:00 AM to 12:00 AM. Hours of operation for said use may be expanded for Thanksgiving Day and the day after Thanksgiving upon review and approval of a Special Activities Permit, signed by the property owner and submitted to the City of Chesterfield at least seven (7) business days in advance of said holiday.
 - b. All deliveries and trash pick-ups shall be limited to the hours from 7:00 AM to 11:00 PM.

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

1. Floor Area
- a. The total building floor area within this development shall not exceed 200,000 square feet.
2. Height
- a. The maximum height including parapets and other similar features, rooftop equipment, and lighting structures of all buildings shall not exceed sixty (60) feet.
 - b. The maximum height of poles and nets for the driving range in conjunction with above use “h” Recreation Facility shall not exceed one hundred and seventy (170) feet.

3. Building Requirements

- a. A minimum of thirty-five percent (35%) openspace is required for each lot within 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. Seventy-five (75) feet from the southern boundary of the “PC” District.
- b. Five (5) feet from the eastern and western boundaries of the “PC” District.
- c. Thirty (30) feet from the northern boundary of the “PC” 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 southern boundary of the “PC” District.
- b. Zero (0) feet from the eastern and western boundaries of the “PC” District.
- c. Thirty (30) feet from the northern boundary of the “PC” 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. No construction related parking shall be permitted within right of way or on any existing roadways. All construction related parking shall be confined to the development.

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.
4. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The development 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. Installation of a Landscaping and Ornamental Entrance Monument or Identification Signage construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic (or MoDOT), for sight distance considerations and approved prior to installation or construction.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

1. The development shall adhere to the Architectural Review Standards of the City of Chesterfield Code.
2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Site Development Plan.

I. ACCESS/ACCESS MANAGEMENT

1. Access to Lot A shall be as shown on the Preliminary Plan attached hereto as Attachment B.
2. No direct access to Lot A from North Outer 40 Road shall be permitted.
3. Access to Lot B shall be as shown on the Preliminary Plan attached hereto as Attachment B.
4. Lot C shall be permitted one access point from North Outer 40 Road as shown on the Preliminary Plan attached hereto as Attachment B and as directed by the City of Chesterfield and St. Louis County Department of Transportation.
5. Adequate sight distance shall be provided as directed by the City of Chesterfield and St. Louis County Department of Transportation, as applicable.
6. Provide public access easements through Lot B of the development as needed such that access is provided from North Outer 40 Road to the adjoining property to the north for trail access. The easement shall be dedicated to the City of Chesterfield for public use. The conveyance or dedication of these easements will be a condition of Site Improvement Plan approval. The location, dimensions, and form of the conveyance or dedication shall be mutually agreed upon by the developer and the City of Chesterfield, and any such conveyance or dedication shall be subject to existing easements, if any.
7. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide the required sight distance as required by the City of Chesterfield and the St. Louis County Department of Transportation.
8. Cross access shall be provided to serve the development as shown on the Preliminary Plan attached hereto as Attachment B and as directed by the City of Chesterfield and St. Louis County Department of Transportation.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Construct improvements as required by St. Louis County Department of Transportation and the City of Chesterfield, as directed by the City.

2. Additional right-of-way and road improvements shall be provided, as required by the St. Louis County Department of Transportation and the City of Chesterfield.
3. Prior to Special Use Permit issuance by the St. Louis County Department of Transportation, a special cash escrow or a special cash escrow supported by an Irrevocable Letter of Credit, must be established with the St. Louis County Department of Transportation to guarantee completion of the required roadway improvements.
4. The developer is advised that utility companies will require compensation for relocation of their facilities within 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.
5. 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.
6. 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 the St. Louis County 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.

2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto North Outer 40 Road. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the St. Louis County Department of Transportation.

L. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

M. STORM WATER

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.
2. Formal MSD review and approval and permits are required prior to construction.
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the one hundred (100) year high water.
6. The developer shall be responsible for construction of any required storm water improvements per the Chesterfield Valley Master Storm Water Plan, as applicable, and shall coordinate with the owners of the properties affected by construction of the required improvements. In the event that the ultimate required improvements cannot be constructed concurrently with this development, the developer shall

provide interim drainage facilities and establish sufficient escrows as guarantee of future construction of the required improvements, including removal of interim facilities. Interim facilities shall be sized to handle runoff from the 100-year, 24-hour storm event as produced by the Master Storm Water Plan model. The interim facilities shall provide positive drainage and may include a temporary pump station, if necessary. Interim facilities shall be removed promptly after the permanent storm water improvements are constructed.

7. The developer may elect to propose alternate geometry, size and/or type of storm water improvements that are functionally equivalent to the required improvements per the Chesterfield Valley Master Storm Water Plan. Functional equivalence is said to be achieved when, as determined by the Public Works Director, the alternate proposal provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following: water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the Public Works Director determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.
8. The developer shall provide all necessary Chesterfield Valley Storm Water Easements to accommodate future construction of the Chesterfield Valley Master Storm Water Plan improvements, and depict any and all Chesterfield Valley Master Storm Water Plan improvements on the Site Development Plan(s) and Improvement Plans. Maintenance of the required storm water improvements shall be the responsibility of the property owner unless otherwise noted.
9. All Chesterfield Valley Master Storm Water Plan improvements, as applicable, shall be operational prior to the paving of any driveways or parking areas unless otherwise approved.

10. Post Construction Best Management Practices (BMPs) will be required to treat the extents of the project's disturbed area. Additional BMPs may need to be integrated throughout the site in order to demonstrate this as detailed plans are developed. BMPs with a runoff volume reduction component shall be the emphasis of the site's water quality strategy.
11. Approval from the Monarch Chesterfield Levee District and the City of Chesterfield with regards to the project's compliance with the Chesterfield Valley master drainage plan will be required prior to MSD approval of final plans.
12. The Chesterfield Outlets Pump Station was planned to serve the subject property and the adjacent property to the east.
 - a. The proposed sanitary sewer shall be public and located within a minimum 10' wide easement granted to MSD. The easement corridor shall extend to the eastern property line.
 - b. The easement and the horizontal and vertical design location of the new sanitary sewer shall maximize accessibility to the Chesterfield Outlets Pump Station via gravity sewers.
 - c. The anticipated flows generated by the Top Golf development will need to be determined and compared to the current capacity of the Chesterfield Outlets Pump Station. Improvements to the pump station and its effluent main may be necessary if the Top Golf development would generate flows in excess of the pump station's current storage and pumping capacities.
13. 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. SANITARY SEWER

1. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.

O. 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 Public Services. 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.

P. MISCELLANEOUS

1. All utilities will be installed underground.
2. 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 out boundaries 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, as necessary.
3. 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, as necessary.
4. If any development in, or alteration of, the floodplain or supplemental protection area is proposed, the developer may be required to submit a Floodplain Study and/or a Floodplain Development Permit/Application to the City of Chesterfield for approval. The Floodplain Study must be approved by the City of Chesterfield prior to the approval of the Site Development Plan, as directed. The Floodplain Development Permit must be approved prior to the approval of a grading permit or improvement plans. If any change in the location of the Special Flood Hazard Area is proposed, the Developer shall be required to obtain a Letter of Map Revision (LOMR) from the Federal Emergency

Management Agency. The LOMR must be issued by FEMA prior to the final release of any escrow held by the City of Chesterfield for improvements in the development. Elevation Certificates will be required for any structures within the Special Flood Hazard Area or the Supplemental Protection Area. Consult Article 5 of the Unified Development Code for specific requirements.

5. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
6. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and Saint Louis County Department of Highways and Traffic. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

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, the City Council may extend the period to submit a Site Development Concept Plan or Site Development Plan for eighteen (18) months.

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 City Council may extend the period to commence construction for two (2) additional years.

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 Unified Development Code to indicate proposed landscaping along arterial and collector roadways.
3. Include a Lighting Plan in accordance with the City of Chesterfield Unified Development 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, Spirit of St. Louis Airport and the Missouri Department of Transportation.
5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

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, lot dimensions, lot 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, 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 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 Unified Development Code.
17. Comply with all preliminary plat requirements of the City of Chesterfield Unified Development 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, St. Louis Department of Highways and Traffic, and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.
21. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

C. 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 openspace 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, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTION

Traffic Generation Assessment Rates

The amount of all required contributions for roadway, storm water and primary water line improvements, if not submitted by January 1, 2017, 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 Transportation.

A. ROADS

1. The developer shall be required to 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 Retail	\$2,223.29/parking space
Recreational Uses	\$512.12/parking space
Office Space	\$741.06/parking space

If types of development proposed differ from those listed, rates shall be provided by the St. Louis County Department of Transportation.

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 Transportation and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

2. As this development is located within a trust fund area established by St. Louis County, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development shall be retained in the appropriate trust fund.
3. Road Improvement Traffic Generation Assessment contributions shall be deposited with Saint Louis County Department of Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Transportation or prior to the issuance of building permits in the case where no Special Use Permit is required. If development phasing is anticipated, the developer shall provide the Traffic Generation Assessment contribution prior to the issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

B. WATER MAIN

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$894.19 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 Transportation. The deposit shall be made before Saint Louis County approval of the Site Development Plan unless otherwise directed by the Saint Louis County Department of Transportation. Funds shall be payable to Treasurer, Saint Louis County.

C. STORM WATER

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and the Metropolitan Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,837.06 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 Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Transportation or prior to the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to Treasurer, Saint Louis County.

D. SANITARY SEWER

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

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

VI. 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.

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.

