

Memorandum Department of Planning & Public Works



To: Planning and Public Works Committee

From: Mara M. Perry, Senior Planner

Date: 10/3/11

RE: **P.Z. 08-2011 Kramer Commerce Center (Kramer Assets Group, LLC and Kramer Properties, LLC)**: A request for a change of zoning from "PI" Planned Industrial District to a new "PI" Planned Industrial District for a 16.7 acre tract of land located north of the intersection of Spirit Drive North and Chesterfield Airport Road and south of Interstate 64/U.S. Highway 40-61. (17V620083, 17V620094 and 17V610040)

Summary

Stock and Associates, on behalf of Kramer Assets Group, LLC and Kramer Properties, LLC, are requesting a change of zoning from "PI" Planned Industrial District to a new "PI" Planned Industrial District. The site is currently the location of Cambridge Engineering. The site was zoned "PI" Planned Industrial District under the old planned district regulations. The petitioner would like to update some of the development regulations in order to build new office buildings.

Public Hearing was held on September 12, 2011. At the September 26, 2011 meeting of the Planning Commission, a recommendation for approval of the above-referenced matter was approved by a vote of 5-0.

The petitioner has requested a modification to the open space requirements for this development. The request can be made according to the requirements in Section 1005.150 Planned Industrial District which allows the Planning Commission to modify the standards of the district by a two-thirds (2/3) vote or for City Council to modify the standards with a majority vote.

A separate vote on this item was held at the Planning Commission and although it did pass by a majority, it was short of the two-thirds vote requirement. As stated in the City Code, the City Council can modify the standards for the "PI" District with a simple majority vote on this item.

Open Space Request

The Kramer Commerce Center was previously zoned "PI" Planned Industrial District under the former "PI" development requirements. The Attachment A for the development included a thirty (30) percent required open space. The new "PI" District regulations require Thirty-five (35) percent open space. The petitioner is asking that thirty (30) percent open space as previously approved be required for the development. Please see the chart on the next page showing the current open space requirements of the surrounding developments.

OPEN SPACE REQUIREMENT COMPARISON

Development	Zoning	Open Space Requirement
Sentrus Place	PI	30%
Chesterfield Exchange	PI	30% Greenspace
Waller Hoch Corporate Center	PI	30% Greenspace
Kramer Commerce Center	PI	30% PROPOSED
Terra Corporate Park	PI	30%
Long Road Lipton Parcel	PI	30%
Long Road Crossing	PC	30% Greenspace

Attached please find a copy of staff's report, the Attachment A, and the Preliminary Plan.

Respectfully submitted,



Mara M. Perry, AICP
Senior Planner

Cc: Michael G. Herring, City Administrator
Rob Heggie, City Attorney
Michael O. Geisel, Director of Planning and Public Works
Aimee Nassif, Planning and Development Services Director



VIII.A.

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Planning Commission Vote Report

Subject: Rezoning Vote Report

Meeting Date: September 26, 2011

From: Mara M. Perry, AICP, Senior Planner

Location: North of the intersection of Spirit Drive North and Chesterfield Airport Road and south of Interstate 64/U.S. Highway 40-61. (17V620083, 17V620094 and 17V610040)

Petition: **P.Z. 08-2011 Kramer Commerce Center (Kramer Assets Group, LLC and Kramer Properties, LLC)**

Proposal Summary

Stock and Associates, on behalf of Kramer Assets Group, LLC and Kramer Properties, LLC, are requesting a change of zoning from “PI” Planned Industrial District to a new “PI” Planned Industrial District. The site is currently the location of Cambridge Engineering. The site was zoned “PI” Planned Industrial District under the old planned district regulations. The petitioner would like to update several development regulations in order to build new office buildings.

The City of Chesterfield Comprehensive Plan Land Use Map delineates this subject site within the Mixed Commercial use and Office Park use designations.

Site Area History

The subject tract was zoned by St. Louis County prior to the incorporation of the City of Chesterfield to the “M3” Planned Industrial District. On February 21, 2001, the City of Chesterfield approved Ordinance 1717 which changed the zoning from “M-3” Planned Industrial District to “PI” Planned Industrial District. In June of 2007, Ordinance 1717 was repealed and a new Ordinance 2376 was approved which amended the parking setbacks and the development requirements for open space.

St. Louis County records show the existing Cambridge Engineering building on Lot 2 was built in 1987. A Site Development Section Plan for Lot 3 of the development was approved by the Planning Commission on November 15, 2007. The plan was for a 28,294 square foot single story office building. The plan was subsequently amended and administratively approved by Staff in March of 2008.

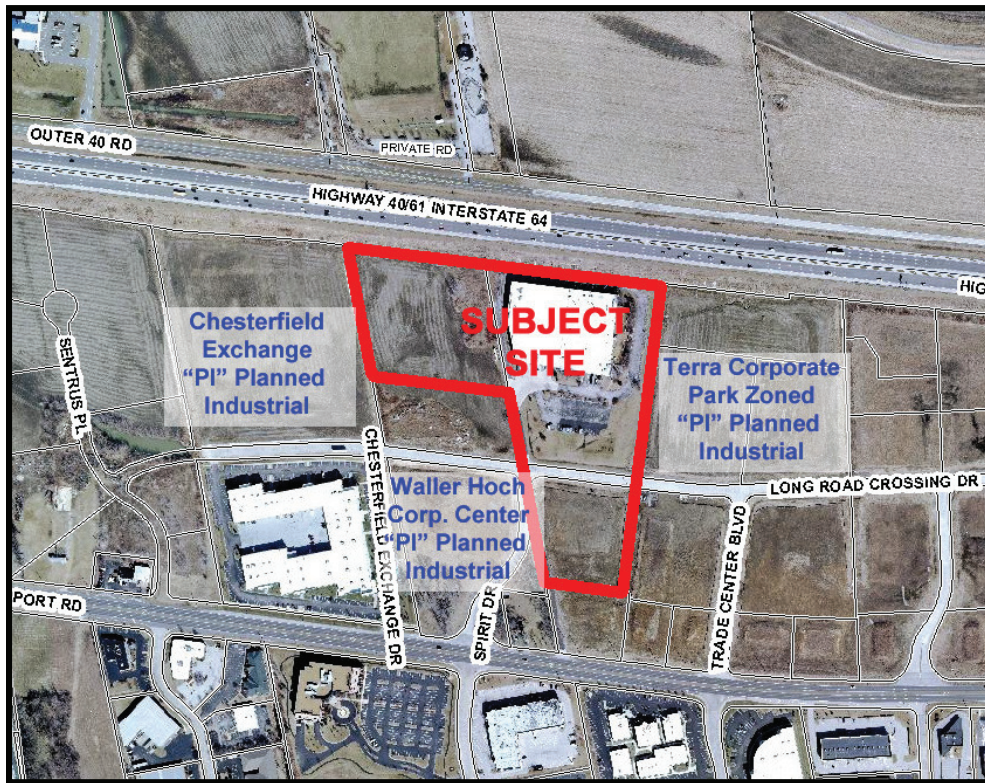
Department Input

As part of the request for a change in zoning, the petitioner is also seeking a modification to the required open space. The “PI” District regulations require 35% open space. The petitioner is asking that 30% open space be required for the development. The former “PI” District regulations required only 30% open space and a chart showing the current open space requirements of the surrounding developments is later in this report. A separate vote regarding open space is required from the Planning Commission. All other aspects of the accompanying Attachment A meet the development requirements of the City of Chesterfield.

Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel are as follows:

- North: Interstate 64/U.S. Highway 40-61
- South/East: The property to the south and east is Terra Corporate Park zoned “PI” Planned Industrial District.
- West: The property to the west is Chesterfield Exchange and Waller Hoch Corporate Center zoned “PI” Planned Industrial District.



Zoning Analysis

The surrounding properties are all zoned “PI” Planned Industrial District and most have yet to be developed. The two developments to the west were originally zoned “PI” at the same time as Kramer Commerce Center. All of these developments, with the exception of Terra Corporate Park to the east, have an almost identical list of permitted uses. Terra Corporate Park was zoned in 2007 and contains an additional number of permitted uses.

The petitioner is requesting to rezone under the new “PI” Planned Industrial District regulations and have requested uses from the new list of permitted uses to match the uses that are currently permitted under their site specific ordinance. Staff has reviewed

the requested uses against the current allowed uses for the development and a summary is provided in Table 1 below.

TABLE 1: USE COMPARISON

Current Use	Proposed Use(s)
Business, professional, and technical schools	Educational facility - vocational
Business service establishments	Commercial service facility; Professional and technical service facility
Cafeterias for employees and guests only	Cafeterias for employees and guests only
Child care centers, nursery school, and day nurseries	Day care center, child
Dwelling or lodging units, only for watchmen, caretakers, or other personnel whose residence on the premises is essential to the operation of a permitted use or uses	Dwelling, employee
Financial institutions	Financial institutions
Manufacturing, fabrication, assembly, processing, or packaging of any commodity except: <ul style="list-style-type: none"> i. Facilities producing or processing explosives or flammable gases or liquids ii. Facilities for animal slaughtering, meat packing or rendering iii. Sulphur plants, rubber reclamation plants, or cement plants, and iv. Steel mills, foundries, or smelters 	Manufacturing, fabrication, assembly, processing, or packaging facility (<i>the new definition includes the exceptions to this use</i>)
Medical and dental offices	Office, dental; Office, medical
Offices or office buildings	Office, general
Outpatient substance abuse treatment facilities	Substance abuse treatment facilities - outpatient
Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours	Parking areas, including garages, for automobiles
Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities (indoor use only)	Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility
Printing and duplicating services (indoor use only)	Commercial service facility
Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith	Research facility; Laboratories – professional, scientific
Warehousing, storage, or wholesaling of manufactured commodities, excluding live animals, explosives, or flammable gases and liquids	Warehouse - General
Automatic vending facility	Automatic vending facility

In addition, the petitioner is asking for a modification to the open space requirement from 35% to 30%. Below is a summary of the open space requirements of the surrounding area.

TABLE 2: OPEN SPACE REQUIREMENT COMPARISON

Development	Zoning	Open Space Requirement
Sentrus Place	PI	30%
Chesterfield Exchange	PI	30% Greenspace
Waller Hoch Corporate Center	PI	30% Greenspace
Current Kramer Commerce Center	PI	30% PROPOSED
Terra Corporate Park	PI	30%
Long Road Lipton Parcel	PI	30%
Long Road Crossing	PC	30% Greenspace



View looking north at the Cambridge Engineering building.



View looking west down Long Rd. Crossing Drive



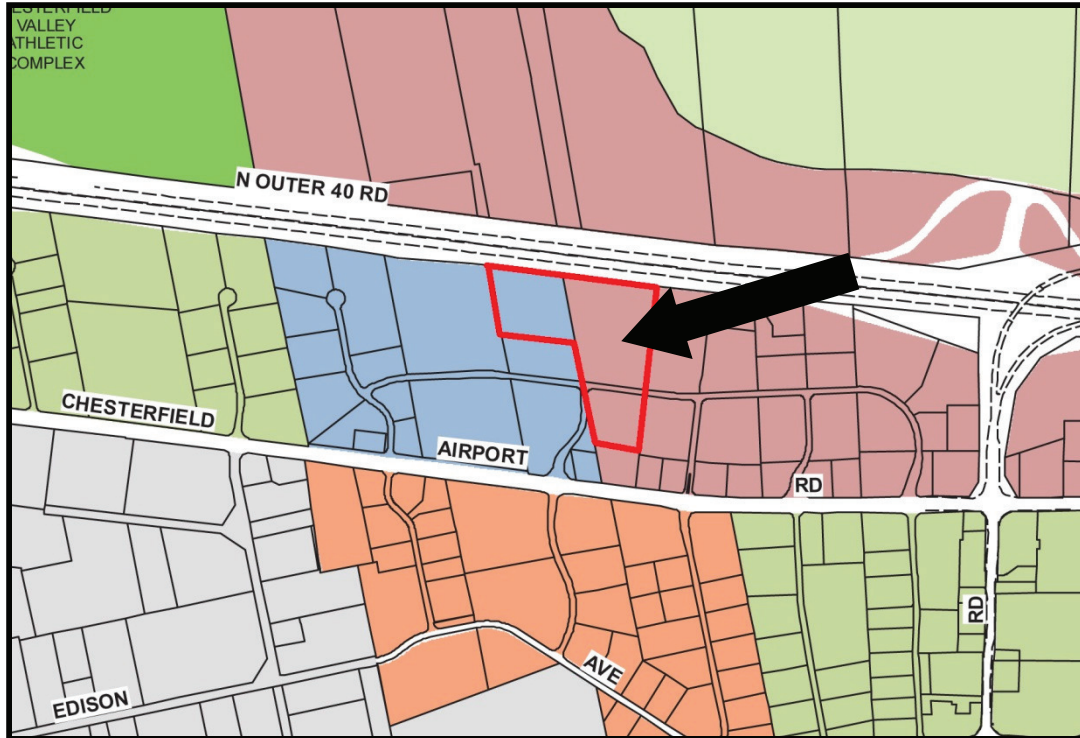
View looking south into Lot 3



View of the Cambridge Engineering building looking south from Interstate 64/U.S. Highway 40-61

Comprehensive Plan Analysis

The City of Chesterfield Comprehensive Plan Land Use Map delineates this subject site within the Mixed Commercial use and Office Park use designations. This subject site is not located in any sub-area identified by the Comprehensive Plan; therefore there are no additional development guidelines for this site.



Issues

A Public Hearing was held on September 12, 2011 and the only speaker on this matter was the Petitioner. At that time, no issues on this matter were identified.

The Spirit of St. Louis Airport in a comment letter dated September 7, 2011 had some concerns about the potential noise impacts for uses: d. Day care center, child; e. Dwelling, employee; and f. Educational facility – Vocational School. This review is based upon the updated plans for the airport. Staff has added language to the Attachment A to require an aviation easement for these uses.

Staff has no outstanding issues on this Change of Zoning petition.

Request

Staff has reviewed the Change of Zoning request and found it to be in conformance with the City of Chesterfield "PI" Planned Industrial District and all other applicable City of Chesterfield requirements. The applicant has requested that the required 35% open space requirement be reduced to 30%. **This will require a separate vote of Planning Commission with a two-thirds vote for recommendation of approval.**

Staff requests action on P.Z. 08-2011 Kramer Commerce Center (Kramer Assets Group, LLC & Kramer Properties, LLC).

Attachments

1. Attachment A
2. Preliminary Plan

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. Automatic vending facility
 - b. Cafeteria for employees and guests only
 - c. Commercial service facility
 - d. Day care center, child
 - e. Dwelling, employee
 - f. Education facility - Vocational school
 - g. Financial institution
 - h. Laboratories-professional, scientific
 - i. Manufacturing, fabrication, assembly, processing, or packaging facility
 - j. Office, dental
 - k. Office, general
 - l. Office, medical
 - m. Parking area, including garages, for automobiles
 - n. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility
 - o. Professional and technical service facility
 - p. Research facility
 - q. Substance abuse facilities – Outpatient
 - r. Warehouse - General

2. The above uses in the "PI" Planned Industrial District shall be restricted as follows:
 - a. The building or buildings on Lot 1 shall be primarily office.
 - b. Uses d, e, and f above shall require an avigation easement to the Spirit of St. Louis Airport.
3. 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 forty-five (45) feet or three stories whichever is less measured from final grade. The height of the existing structure shall be permitted.
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. Ninety (90) feet from the right-of-way of Interstate-64/U.S. 40-61. The existing Cambridge Engineering structure is set back sixty (60) feet from the new right-of-way of Interstate-64/U.S. 40-61 and shall remain as built. Upon the removal of the aforementioned structure, the ninety (90) foot setback shall be in effect.
 - b. Twenty-five (25) feet from the southern, western and eastern boundaries of the "PI" Planned Industrial District.
 - c. Thirty (30) feet from the right-of-way of Long Road Crossing Drive.

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 Interstate-64/U.S. 40-61. No parking shall be allowed in front of the existing Cambridge Engineering Building. Existing pavement is provided for Fire Protection District only.
- b. Fifteen (15) feet from the southern boundary of the "PI" Planned Industrial District at Lot Three.
- c. Ten (10) feet from the southern boundary of the "PI" Planned Industrial District at Lot One.
- d. Twenty-five (25) feet from the western and eastern boundaries of the "PI" Planned Industrial District.
- e. Twenty-five (25) feet to the south of the right-of-way of Long Road Crossing Drive.
- f. Thirty (30) feet to the north of the right-of-way of Long Road Crossing Drive.

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.
4. No construction related parking shall be permitted on any public right-of-way.
5. No parking shall be permitted on any public roadway in or adjacent to the development as directed by the City of Chesterfield. The parking restriction and requirement for signage shall be indicated on the Site Development Plan and improvement plans and MUTCD compliant No Parking signs shall be installed by the developer before the street shall be opened to traffic or as otherwise directed by the City of Chesterfield.

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.
 - a. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.
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 (or MoDOT), 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 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

Access to Long Road Crossing Drive shall be limited to a maximum of two (2) drive entrances on the north side and two (2) drive entrances on the south. All drive entrances shall be a minimum of fifty (50) feet from the eastern property line of the tract.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Highways. No gate installation will be permitted on public right-of-way.

2. If a gate is installed on a street in this development, the streets within the development, or that portion of the development that is gated, shall be private and remain private forever.
3. Provide a forty (40) foot right-of-way with a minimum of ten (10) foot roadway improvement, maintenance, utility and drainage easements on both sides for Long Road Crossing Drive. In addition, provide additional right-of-way and easements for the Spirit Drive North/Long Road Crossing Drive intersection and associated roundings as depicted on plans entitled "Chesterfield Business Parkway North Road Improvements" on file in the Department of Planning and Public Works.

The roadways have been constructed to provide a twenty-six (26) foot travelway with seven (7) foot shoulders on both sides. Appurtenant storm drainage facilities shall be provided as directed by the Department of Planning and Public Works when adjacent lots develop.

4. Provide a five (5) foot wide, privately maintained sidewalk, conforming to ADA standards, along both sides of Long Road Crossing Drive.

K. 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.

L. STORMWATER

1. 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.
2. 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).
3. Per the Chesterfield Valley Master Storm Water Plan, ten (10) foot wide flat bottom ditches have been constructed along the north, east and west property lines of this site, with drainage directed to the east to the pump station at Long Road. Provide Chesterfield Valley Storm Water Easements along the north, east and west property lines, as required and directed by the

City, to accommodate the Chesterfield Valley Master Storm Water Plan channel in those areas, and depict the channel on all Site Development Plans and improvement plans. Maintenance of the required channel shall be the responsibility of the property owner.

4. Any existing storm water channels located on this site shall be graded to establish or maintain the channel to the line and grade of the original design as directed by the Department of Planning and Public Works.

M. GEOTECHNICAL REPORT

Provide a geotechnical report, prepared by a professional engineer licensed in the State of Missouri, as directed by the Department of Planning and Public Works, prior to site disturbance including surcharge, clearing, grading, site utilities and infrastructure or building construction. The geotechnical report shall identify the suitability of soil and geologic conditions for proposed improvements and shall include methods to address any ponds, septic fields, sinkholes, wetlands, compressible soils, steep slopes, or liquefaction risk. A statement of report compliance signed and sealed by the engineer preparing the geotechnical report, shall be included on all Site Development Plans, grading plans, and improvement plans.

N. MISCELLANEOUS

1. All utilities will be installed underground.

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 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 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, 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.

V. TRUST FUND CONTRIBUTION

The developer shall be required to contribute to the Chesterfield Valley Trust Fund (No. 556). Traffic generation assessment contributions shall be deposited with St. Louis County prior to the issuance of building permits.

Roads

The roadway improvement contribution is based on land and building use. The roadway contributions are necessary to help defray the cost of engineering, right-of-way acquisition, and major roadway construction in accordance with the Chesterfield Valley Road Improvement Plan on file with the St. Louis County Department of Highways and Traffic. The amount of the developer's contribution to this fund shall 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	\$606.42
General Retail	\$1,819.37
Loading Space	\$2,977.17

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

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

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.

Credits for roadway improvements required will be awarded as directed by St. Louis County Highways and Traffic. Any portion of the roadway improvement contribution that remains, following completion of road improvements required by the development, shall be retained in the appropriate Trust Fund. Allowable credits for roadway improvements will be awarded as directed by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$731.73 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 \$2,321.64 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, 2012 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.

Traffic generation assessment contributions shall be deposited with the St. Louis County Department of Highways and Traffic 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, St. Louis County."

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 should be retained in the appropriate trust fund.

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.

