

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "PC" PLANNED COMMERCIAL DISTRICT AND AN "R3" 10,000 SQUARE-FOOT RESIDENTIAL DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT FOR A 2.08-ACRE TRACT OF LAND LOCATED ON CHESTERFIELD PARKWAY EAST BETWEEN SWINGLEY RIDGE ROAD AND OLIVE BOULEVARD. (P.Z. 7-2002 CHESTERFIELD PARKWAY, L.L.C.)**

**WHEREAS**, the petitioner, Chesterfield Parkway, L.L.C., has requested a change in zoning from a "PC" Planned Commercial District and an "R3" 10,000 Square-foot Residential District to a "PC" Planned Commercial District for a 2.08-acre tract of land located on Chesterfield Parkway East between Swingley Ridge Road and Olive Boulevard; and,

**WHEREAS**, the request was considered by the Planning Commission of the City of Chesterfield, and after consideration of the request and review of the report of the City of Chesterfield Department of Planning, the Planning Commission recommended approval of the change of zoning to "PC" Planned Commercial District, with the condition that the northern access be constructed to a width of thirty-eight (38) feet to provide two (2) 12-foot outbound and one fourteen (14) foot inbound lane, and, subject to conditions contained in Attachment A; and,

**WHEREAS**, the City Council, having considered said request, recommended approval of the rezoning from a "PC" Planned Commercial District and an "R3" 10,000 Square-foot Residential District to a "PC" Planned Commercial District contingent on: 1) the permitted uses shall be restricted to a drug store, as defined in Attachment A, Section I (B) – PERMITTED USES, 2) Cross access to the parcel of land located to the south, southwest and west of the site, shall be provided, 3) the development shall adhere to the Architectural Guidelines set forth in Exhibit A and 4) The Site Development Plan shall have an automatic review by the City Council.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are a part thereof, are hereby amended by transferring from the "PC" Planned Commercial District and "R3" 10,000 Square-foot Residential District to the "PC" Planned Commercial District for a 2.08-acre tract of land located on Chesterfield Parkway East between Swingley Ridge Road and Olive Boulevard, described as follows:

Legal Description

Tracts of land situated in the City of Chesterfield, the County of St. Louis, and the State of Missouri, lying in all of Lot 2 of Texaco Schoettler Subdivision as recorded in Plat Book 309 page 30 of the Land Records of said St. Louis County and parts of Lot 8 of John Long Estates Subdivision, Township 45 North, Range 4 East and being more particularly described as follows:

Commencing at a found iron rod with cap marking the intersection of a common line between Lot 2C-2 of the Resubdivision of Lot 2C of the Subdivision of Lot 2 of Herman Stemme Office Park as recorded in Plat Book 247 page 92 of the Land Records of said St. Louis County and a tract of land conveyed to Walter F. & Dorothy E. Haas as recorded in Deed Book 2906, Page 605 of said Land Records, with the Southwesterly

right-of-way line of Chesterfield Parkway North, 82 feet wide, and the TRUE POINT OF BEGINNING for the herein described tract; thence along the common line between said Lot 2C-2 & Haas tracts, South 51 degrees 19 minutes 07 seconds West, a distance of 224.09 feet to a common corner between said Lot 2C-2 and Haas tracts, said corner also being the Southernmost corner of said Haas tract; thence along another common line between said Lot 2C-2 and Haas tracts, a common line between said Lot 2C-2 and a tract of land conveyed to Re Pel Mar Company, Inc. as recorded in Deed Book 12734, Page 1983 of said Land Records, a common line between said Lot 2C-2 and a tract conveyed to Leo B. Pelligreen as recorded in Deed Book 11101, Page 2529 of said Land Records, and the Southwesterly line of said Lot 2 of Texaco Schoettler Subdivision, North 33 degrees 54 minutes 44 seconds West a distance of 407.04 feet to Westernmost corner of said Re Pel Mar Company tract; thence along the Northwesterly line of said Lot 2, North 51 degrees 19 minutes 07 seconds East, a distance of 223.13 feet to the Northerly corner of said Lot 2, said corner also being on said Southwesterly right-of-way line of Chesterfield Parkway North; thence along said Southwesterly right-of-way line, South 34 degrees 02 minutes 49 seconds East, a distance of 406.96 feet to the Point of Beginning, containing 2.08 acres (90,705 square feet) according to a survey by J.R. Grimes Consulting Engineers, Inc.

Section 2. The rezoning, pursuant to the City of Chesterfield Zoning Ordinance, is granted subject to all ordinances, rules and regulations of the City of Chesterfield as recommended by the Planning Commission in its recommendations to the City Council.

Section 3. The City Council, pursuant to the petition filed by Chesterfield Parkway, L.L.C. in P.Z. 7-2002, requesting the rezoning amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted, and after public hearing held by the Planning Commission on March 25, 2002, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

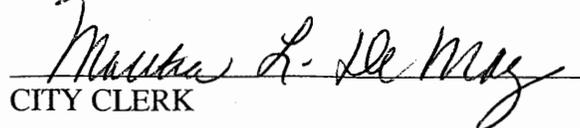
Section 4. This Ordinance and the requirements thereof are exempt from the warning, summons and penalty for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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

Passed and approved this 5th day of August, 2002.

  
MAYOR

ATTEST:

  
CITY CLERK

## ATTACHMENT A

### COMPREHENSIVE PLAN AND POLICY

Comprehensive Plan Policies used in review of this petition include:

- 1.1.2 Reinforce Existing Development Pattern
- 1.2.1 Coordinated Growth
- 1.2.2 Quality New Development
- 1.2.4 Control “Strip Commercial” Development
- 1.3.2 Encourage Quality Project Planning
- 1.3.3 Urban Core
- 2.2.3 Neighborhood / Service Oriented Retail Facilities
- 4.1.8 Develop Sidewalks
- 4.2.3 New Development for Storm Water Control

#### I. PERMITTED USES

A. The uses allowed in this "PC" Planned Commercial District shall be:

1. Associated work and storage areas required by a business, firm, or service to carry on business operations.
2. Film drop-off and pick-up stations.
3. Permitted signs (See Section 1003.168 'Sign Regulations').
4. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind are being offered for sale or hire to the general public on the premises.

B. The above-mentioned uses shall be restricted to a drug store, defined as a business of apothecary or druggist or pharmacy where drugs or medicines are compounded or dispensed by a state licensed pharmacist and may include the selling at retail of sundries such as stationery, magazines, cosmetics, and assorted household goods commonly sold in supermarkets, markets, and grocery stores.

#### II. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

A. The following requirements shall apply to the permitted uses:

NOTE: All heights referenced are to be measured from existing grade.

1. FLOOR AREA.

The total floor area of the building shall not exceed 14,145 square-feet.

2. BUILDING HEIGHT.

The maximum height of the building shall not exceed thirty-three (33) feet above the floor elevation of 644.50 feet (677.50) exclusive of mechanical equipment.

### 3. BUILDING REQUIREMENTS.

- a. GREENSPACE: A minimum of 40% greenspace is required for this development. This greenspace calculation shall be exclusive of pedestrian cross-access ways as approved by the City of Chesterfield. Greenspace is calculated combining all green area and non-paved surfaces and dividing by the total area of the site.
- b. BUILDING FOOTPRINT: The building shall have a Maximum Building Footprint of twenty-five percent (25%) of the development site. The building footprint includes only the amount of building area on the horizontal plane measured from the outside walls and supporting columns of the exterior grade.

### III. **SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS**

Within eighteen (18) months from the date of approval of the preliminary development plan by the City Council and prior to issuance of any building permit, the petitioner shall submit to the Planning Commission for its review and approval a Site Development Plan. Where due cause is shown by the petitioner, this time interval may be extended through appeal to and approval by the Planning Commission in accord with the City of Chesterfield Zoning Ordinance.

Failure to comply with aforementioned time limits will result in the expiration of the preliminary plan for that portion not developed and will require a new public hearing. Said Site Development Plans shall include but not be limited to the following:

### IV. **GENERAL CRITERIA**

- A. Outboundary plat and legal description of the property.
- B. Location and size, including height above sea level, of all uses, buildings, parking and loading areas, light standards, fencing, free-standing signs, trash enclosures, other above ground structures and landscaping.
- C. Existing and proposed contour intervals of not more than two (2) foot, and extending one hundred fifty (150) feet beyond the limits of the site.
- D. Existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way.
- E. Location map, north arrow, and plan scale.
- F. Parking calculations.
- G. Confirmation of compliance with the sky exposure plan and height restrictions as set forth in this ordinance.
- H. All existing and proposed easements and rights-of-way on site and all existing or proposed off-site easements and rights-of-way required for utilities, storm water drainage, grading, or other improvements.
- I. Specific structure and parking setbacks along all roadways and property lines.

- J. The location of the proposed storm sewers, detention basins, sanitary sewers, and connections to existing systems.
- K. Location and size of all parking areas.
- L. A landscape plan, including, but not limited to, location, sizes, and types of all plant and other material to be used.
- M. Architectural elevations and building materials addressing City of Chesterfield Design Guidelines.
- N. Show existing improvements, including roads and driveways on the opposite side of roadway adjacent to the site, and the location of significant natural features, such as wooded areas and rock formations that are to remain or be removed.
- O. Provide comments/approvals from the Metropolitan St. Louis Sewer District, the St. Louis County Department of Highways and Traffic and the Chesterfield Fire Protection Fire District.
- P. 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.

## V. SITE SPECIFIC CRITERIA

- A. The Site Development Plan shall illustrate adherence to the following site specific design criteria:

- 1. STRUCTURE SETBACKS

No building or structure, other than boundary walls, retaining walls, signs, light standards, flagpoles, or fences shall be located within the following setbacks:

- a. Twenty (20) feet from the northeastern boundary of the “PC” Planned Commercial District on Chesterfield Parkway East, bearing S34<sup>0</sup>02’49”E.
- b. One hundred two (102) feet from the southeastern boundary of the “PC” Planned Commercial District, bearing S51<sup>0</sup>19’07”W.
- c. Ninety-five (95) feet from the southwestern boundary of the “PC” Planned Commercial District, bearing N33<sup>0</sup>54’44”W.
- d. One hundred fifty-six (156) feet from the northwestern boundary of the “PC” Planned Commercial District, bearing N51<sup>0</sup>19’07”E.

- 2. PARKING AND LOADING SPACE SETBACKS.

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

- a. Ten (10) feet from the northeastern boundary of the “PC” Planned Commercial District on Chesterfield Parkway East, bearing S34<sup>0</sup>02’49”E.
- b. Fifty (50) feet from the southeastern boundary of the “PC” Planned Commercial District, bearing S51<sup>0</sup>19’07”W.
- c. Thirty (30) feet from the southwestern boundary of the “PC” Planned Commercial District, bearing N33<sup>0</sup>54’44”W.
- d. Ten (10) feet from the northwestern boundary of the “PC” Planned Commercial District, bearing N51<sup>0</sup>19’07”E.

3. PARKING AND LOADING REQUIREMENTS

Parking and loading spaces for this development shall be as required in Section 1003.165 of the City of Chesterfield Zoning Ordinance, with the exception that the number of required parking spaces shall be calculated at the rate of five (5.0) cars per one thousand (1,000) square-feet of floor space.

4. ACCESS

- a. Access to Chesterfield Parkway East shall be limited to a maximum of two curb cuts. The northern-most access point shall be a minimum distance of eighty (80) feet from the curb on Chesterfield Parkway East, or as directed by the City of Chesterfield Department of Public Works. The southern curb cut shall be exit only. The location of the southern curb cut shall be as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield Department of Public Works.
- b. Maintenance of a 45' site distance as measured from the intersection of two lines, representing the prolongation of the back of curb of Chesterfield Parkway and the back of the curb at the western side of the entrance shall be maintained. There shall be no plantings, obstructions, or signage, in excess of 3-1/2 feet in height within the triangle
- c. Cross access to the site to the west (Taco Bell) must be maintained.
- d. The northern access shall be constructed to a width of thirty-eight (38) feet to provide two (2) 12-foot outbound lanes (designated left and right turn lanes) and one fourteen (14) foot inbound lane.
- e. Cross access to the parcel of land, located to the south, southwest and west of the site, shall be provided, in the future, subject to review/approval by the Departments of Planning and Public Works and subject to the final approval of the City Council.
- f. At such time as the cross-access set forth in (e) above is approved the City of Chesterfield shall determine if the southern-most entrance to the parcel shall close. Closure shall be subject to the determination by the City of Chesterfield Department of Public Works that there is adequate egress through the southern parcel.

5. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

- a. Provide improvements along the frontage of Chesterfield Parkway in accordance with the “Pathway on the Parkway” project. A minimum 16’ wide area is required for the improvements. The improvements may be located in the St. Louis County ROW or within an easement on the subject property. The improvements include, but are not limited to, construction of a 6’ wide sidewalk and installation of street trees and streetlights.
- b. Pedestrian circulation throughout the development must be addressed. Connection to adjacent properties as directed by Department of Planning.

6. TRAFFIC STUDY

- a. Prior to Site Development Plan approval, a traffic study may be required, including internal and external circulation, for review and approval, by the City of Chesterfield Department of Public Works and the Missouri Department of Transportation.

7. LANDSCAPE PLAN

The developer shall submit a landscape plan in accord with the Landscape Guidelines adopted by the Planning Commission, either as part of the appropriate Site Development Plan or on a separate drawing to be reviewed as part of said plan. The developer shall submit a landscape plan to comply with the following:

- a. All new landscaping materials shall meet the following criteria:
  - (1) Deciduous trees shall be a minimum three (3) inches in caliper.
  - (2) Evergreen trees shall be a minimum seven (7) feet in height.
  - (3) Shrubs shall have a minimum diameter of twenty-four (24) inches.
  - (4) Flowering trees shall be a minimum of two and one-half (2 ½) inches in caliper.
- b. Building and paved area setbacks and landscaped areas shall contain adequate landscaping as required and approved by the Planning Commission on the Site Development Plan.
- c. If the estimated cost of new landscaping indicated on the Site Development Section Plans as required by Planning Commission exceeds one thousand (\$1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping.
- d. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

- e. Retention facilities shall be appropriately landscaped with both evergreen and deciduous trees as approved by the Planning Commission on the Site Development Plan.

8. SIGN REQUIREMENTS

- a. The location of all freestanding signs shall be as approved by the Planning Commission on the Site Development Plan.
- b. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.
- c. One (1) freestanding business sign shall be permitted along Chesterfield Parkway East. This sign shall not exceed fifty (50) square-feet in outline area and eight (8) feet in height.
- c. All permanent freestanding business and identification signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports. This landscaping shall be as approved by the Planning Commission on the Site Development Plan.
- d. All other signs shall be permitted in accord with the regulations of Section 1003.168 of the City of Chesterfield Zoning Ordinance.
- e. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield Department of Public Works and/or the St. Louis County Department of Highways & Traffic for sight distance considerations prior to installation or construction.
- f. Illumination of any sign shall be by an internal source only.

9. LIGHTING REQUIREMENTS

- a. The location of the light standards shall be as approved by the Planning Commission on the Site Development Plan and shall be in conformance with City of Chesterfield regulations. A Lighting Plan, with specific product information, is required in conjunction with the Site Development Plan.
- b. Except for required street lighting, no source of illumination shall be so situated that light is cast on any public right-of-way or adjoining property. Lighting shall be required in compliance with City of Chesterfield regulations, including the Subdivision Ordinance.
- c. All light standards within this development shall not exceed a total vertical height of twenty-four (24) feet.

10. ARCHITECTURAL ELEVATIONS

- a. The permitted structures, retaining walls and any fencing shall be of architectural style and construction type approved by the Planning Commission on building

elevations and architectural renderings reviewed in conjunction with the Site Development Plan and shall be in conformance with the City of Chesterfield Design Guidelines and the Architectural Guidelines set forth in Exhibit A. Review by the Architectural Review Board is required prior to submission to Planning Commission.

11. POWER OF REVIEW

- a. The Site Development Plan will have an automatic review by the City Council. The City Council will then take appropriate action relative to the proposal.

12. MISCELLANEOUS

- a. The location of any trash enclosures shall be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas shall be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate screening approved by the Planning Commission on the Site Development Plan. The material shall be as approved by the Planning Commission in conjunction with the Site Development Plan.
- b. Mechanical equipment shall be adequately screened by roofing or other material as approved by the Planning Commission.
- c. The loading spaces shall be adequately landscaped in order to screen the area from view of Chesterfield Parkway East.
- d. Hours of operation for the retail facility, including the pharmacy, shall be 7:00 AM to 10:00 PM. However, extended hours will be allowed, but only if a licensed pharmacist is on duty.
- e. All utilities shall be installed underground. The development of this parcel shall coordinate the installation of all utilities in conjunction with the construction of any roadway on site.

Sleeves for future telecommunication services shall be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future users.

**VI. TRUST FUND CONTRIBUTION**

- A. The developer shall contribute to the St. Louis County Chesterfield Village Road Trust Fund (Number 554). This contribution shall not exceed an amount established by multiplying the ordinance required parking spaces by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
General Retail	\$1,344.88/Parking Space
Loading Space	\$2,200.73/Loading Space

If types of development differ from those listed the Department of Highways and Traffic shall provide rates.

Credits for roadway improvements will be as approved by the City of Chesterfield and St. Louis County Department of Highways and Traffic.

As this development is located within a trust fund area, any portion of the traffic generation assessment contribution which remains, following completion of road improvements required by the development, shall be retained in the appropriate trust fund.

The amount of this required contribution, if not submitted by January 1, 2002, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the St. Louis County Department of Highways and Traffic.

Traffic generation assessment contributions shall be deposited with the City of Chesterfield or St. Louis County in the form of a check made payable to the City of Chesterfield 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.

## **VII. VERIFICATION PRIOR TO APPROVAL**

**A.** Prior to approval of the Site Development Plan, the developer shall provide the following:

**1. ROADWAY IMPROVEMENTS AND CURB CUTS**

- a. Obtain approval from the City of Chesterfield Department of Public Works and the St. Louis County Department of Highways & Traffic for the locations of proposed curb cuts, areas of new dedication, and roadway improvements.

**2. STORMWATER AND SANITARY SEWER**

- a. Detention/retention is to be provided for this site. Detention of storm water runoff is required by providing permanent detention/retention facilities such as dry reservoirs, ponds, underground vaults or another alternative acceptable to the Department of Public Works. The detention/retention basin shall be operational prior to paving of any driveways or parking areas. The location and types of detention facilities shall be identified on the site development plan.
- b. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point. No change in watersheds shall be permitted. The adequacy of any existing downstream storm water facilities shall be verified and upgraded if necessary as directed by the City of Chesterfield Department of Public Works. Emergency overflow drainage ways to accommodate the 100-year storm shall be provided. Off-site easements for areas inundated by headwater from on site improvements shall be provided as required by the Department of Public Works.

### 3. GEOTECHNICAL REPORT

- a. Provide a geotechnical report, as directed by the City of Chesterfield, Department of Public Works, prepared by a Professional Engineer, licensed to practice in the state of Missouri. Said Report shall verify the suitability of grading and proposed improvements with soil and geologic conditions. A statement of compliance, signed and sealed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. This report shall address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendation for treatment.

### 4. GRADING AND IMPROVEMENT PLANS

- a. A clearing/grading permit or improvement plan approval is required prior to any clearing or grading on the site. The Site Development Plan must be approved prior to issuance of a grading permit.
- b. Interim stormwater drainage control in the form of siltation control and/or siltation basins is required. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by the Department of Public Works prior to any clearing, grading, and/or improvement plan approval. The SWPPP covers required erosion control practices specific to site conditions and maintenance and implementation, management and maintenance of the Best Management Practices (BMP's) in order to reduce the amount of sediment and other pollutants in stormwater discharges associated with land disturbance activities. It shall comply with the Missouri Water Quality Standards, and ensure compliance with the terms and conditions of the NPDES.
- c. Construct temporary settlement basins during construction to allow for settling of sediment, prior to the discharge of stormwater from this site.
- d. When clearing and/or grading operations are completed or suspended for more than 30 days, all necessary precautions shall be taken to retain soil materials on site. The Director of Public Works/City Engineer may require protective measures, such as permanent seeding, periodic wetting or other means.
- e. Provide adequate temporary off-street parking for construction employees and a vehicle washdown/cleaning area. Parking on non-surfaced areas is 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. The contractor shall keep the roads in the area clear of mud and debris related to this construction at all times. The streets surrounding this development and any street used for construction access thereto shall be cleaned continuously throughout each day.
- f. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses shall be utilized to retard erosion, if adequate stormwater detention and erosion control devices have not been established.

- g. Prior to issuance of an occupancy permit, all disturbed areas shall be seeded and mulched at the minimum rates defined in Appendix “A” of the City of Chesterfield’s “Model Sediment & Erosion Control Guidelines” or sodded. A temporary occupancy permit may be issued by the Department of Planning in cases of undue hardship because of unfavorable ground conditions.
- h. Prior to improvement plan approval, copies of recorded easements/rights-of-way dedication, including book and page information, for off-site work shall be required.
- i. Prior to improvement plan approval, provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, and the St. Louis County Department of Highways and Traffic.
- j. Temporary settlement basins, as required by the City of Chesterfield Department of Public Works, shall be constructed during construction to allow for settling of sediment, prior to the discharge of storm water from this site. Erosion and siltation control shall be installed prior to any grading and be maintained throughout the project until acceptance of the work by the owner and/or controlling regulatory agency and adequate vegetative growth insures no future erosion of the soil.

## **VIII. RECORDING**

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan shall be recorded with the St. Louis County Recorder of Deeds.

## **IX. VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE**

Prior to Special Use Permit issuance by St. Louis County Department of Highways and Traffic, a special cash escrow or a special escrow supported by an Irrevocable Letter of credit must be established with this Department to guarantee completion of the required roadway improvements.

## **X. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL**

Prior to improvement plan approval, provide comments/approvals from MSD, the Missouri Department of Natural Resources, the Chesterfield Fire Protection District, and Missouri Department of Transportation.

## **XI. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS**

- A. Subsequent to approval of the Site Development Plan and prior to the issuance of any foundation or building permit, the following requirements shall be met:

### NOTIFICATION OF DEPARTMENT OF PLANNING

- 1. Prior to the issuance of foundation or building permits, all approvals from the above mentioned agencies and the City of Chesterfield Department of Public Works, as applicable, must be received by the City of Chesterfield Department of Planning.

NOTIFICATION OF ST. LOUIS COUNTY DEPARTMENT OF PUBLIC WORKS

1. Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, the Department of Highways and Traffic and the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.

CERTIFICATION OF PLANS

1. Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soil requirements and conditions contained in the report.

**XII. OCCUPANCY PERMIT/FINAL OCCUPANCY**

Prior to issuance of occupancy permit:

- A. The developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the outboundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the U.S. Public Land Survey Corners.
- B. Prior to final occupancy of any building the developer shall provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

**XIII. FINAL RELEASE OF ESCROW**

- A. Prior to the release of final escrow, the developer shall provide certification by a Registered Land surveyor that all monumentation depicted on the Record Plat has been installed and that the U.S. Public Land Survey Corners have not been disturbed during the construction activities or that they have been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

**XIV. VERIFICATION PRIOR TO BUILDING PERMITS**

- A. Subsequent to approval of the appropriate development plan and prior to issuance of any building permit, the following requirements shall be met:
  1. SANITARY SEWERS
    - a. Provide verification to the St. Louis County Department of Public Works and the City of Chesterfield of provision of adequate sanitary services.
  2. NOTIFICATION OF CITY OF CHESTERFIELD
    - a. Prior to issuance of zoning approvals for foundation or building permits,

the City of Chesterfield must receive approvals from the St. Louis County Department of Highways and Traffic and the Metropolitan St. Louis Sewer District.

## **XV. GENERAL DEVELOPMENT CONDITIONS**

- A. General development conditions relating to the operation, construction, improvement and regulatory requirements to be adhered to by the developer are as follows:
1. The developer is advised that utility companies will require compensation for relocation of their utility 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 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.
  2. Failure to comply with any or all the conditions of this ordinance shall be adequate cause for revocation of permits by issuing Departments and Commissions.
  3. The City of Chesterfield, Missouri shall enforce the conditions of this ordinance in accord with the Preliminary Development Plan approved by the City of Chesterfield and any Site Development Plan approved by the City of Chesterfield.

*Architectural Design Standards*  
*August, 2002*

The following Design Standards shall apply to the Walgreen's store proposed in this "PC" Planned Commercial District.

1. The building shall be designed to emphasize the pedestrian scale by using brick color combinations to reduce building height.
2. The building shall be designed to create a strong sense of entry and shall incorporate an entry plaza that ties into the Pathway on the Parkway.
3. The building design and architectural materials shall be consistent on all sides of the building.
4. The building materials shall be consistent with surrounding buildings with the following features
  - a. Two brick colors
  - b. Stone at the entry element
  - c. EFIS parapet emulating stone
  - d. Brick and cedar enclosures
5. The building shall have metal awnings at the storefronts.
6. Site lighting shall tie into the Pathway on the Parkway streetscape.
7. The "Mortar & Pestle" shall not have "Walgreen's" written at the bottom of the logo.
8. The Planning Commission shall review the neon lighting used for the Mortar & Pestle, the background lighting and the color of the wall inside the glass enclosure.
9. The entrance of the store shall present a residential appearance.