

BILL NO. 2089

ORDINANCE NO. 1870

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR 5.29 ACRES OF LAND LOCATED ON NORTH SIDE OF NORTH OUTER FORTY ROAD AND NEAR THE INTERSECTION OF NORTH OUTER FORTY ROAD AND CHESTERFIELD PARKWAY EAST. (P.Z. 34-2001 CHESTERFIELD VILLAGE/ALTSHULER TRACT)

WHEREAS, the petitioner, the Chesterfield Village, requested a change in zoning from an “NU” Non-Urban District to an “PC” Planned Commercial District for 5.29 acres of land located on the north side of North Outer Forty Road, near the intersection of North Outer Forty Road and Chesterfield Parkway East (the Altshuler Tract); and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the rezoning from an “NU” Non-Urban District to an “PC” Planned Commercial District by a vote of 7-2; and,

WHEREAS, the Planning and Zoning Committee, having considered said request, recommended approval of the rezoning from an “NU” Non-Urban District to an “PC” Planned Commercial District with an amendment to the setbacks for the office building; and,

WHEREAS, the City Council, having considered said request and the recommendations of Planning Commission and the Planning and Zoning Committee, voted to approve the rezoning from “NU” Non-Urban District to “PC” Planned Commercial District via P.Z. 34-2001 Chesterfield Village.

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

Section 1. 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 “NU” Non-Urban District to the "PC" Planned Commercial District an 5.29 acre tract of land located on the north side of North Outer Forty Road, near the intersection of North Outer Forty Road and Chesterfield Parkway East, described as follows:

A tract of land being part of Lot 21 of “Highland on Conway Plat No. 2”, a subdivision according to the plat thereof recorded in Plat Book 83 page 39 of the St. Louis County Records and part of the right of way of Interstate 64 and U.S. Highway 40-61, being also part of original Lot 21 of said subdivision of “Highland on Conway

Plat No. 2", in U.S. Survey 370, Township 45 North – Range 4 East, St. Louis County, Missouri and being more particularly described as:

Being at the intersection of the East line of Lot 20 of said "Highland on Conway Plat No. 2", with the South line of Lot 14 of said "Highland on Conway Plat No. 2"; thence Eastwardly along the South line of Lots 14 and 13 of said "Highland on Conway Plat No. 2", South 77 degrees 22 minutes 00 seconds East 400.00 feet to the Northwest corner of Lot 8 of "Highland on Conway Plat No. 1", a subdivision according to the plat thereof recorded in Plat Book 83 page 23 of the St. Louis County Records; thence Southwardly along the West line of said Lot 8, South 06 degrees 56 minutes 00 seconds West 482.05 feet to a point; thence North 76 degrees 15 minutes 00 seconds West 571.49 feet to a point on the West line of Lot 21 of said "Highland on Conway Plat No.2"; thence Northwardly along said West line, North 27 degrees 24 minutes 00 seconds East 484.52 feet to the point of beginning and containing 5.29 acres according to calculations by Volz, Inc.

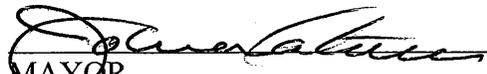
Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in Attachment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

Section 3. The City Council, pursuant to the petition filed by Chesterfield Village in P.Z. 34-2001 requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 14th day of January, 2001, 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 warnings and summons for violations as set out in Section 1003.410 of the zoning Ordinance of the City of Chesterfield.

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

Passed and approved this 6th day of September, 2002.


MAYOR

ATTEST:

Maria L. May
CITY CLERK

ATTACHMENT A

In keeping with the following Comprehensive Plan policies, these conditions have been developed:

- 1.1.1 Conservation of Existing Quality of Life - Substantiated
- 1.1.2 Reinforce Existing Development Pattern - Substantiated
- 1.2.1 Coordinated Growth - Substantiated
- 1.2.2 Quality New Development -Substantiated
- 1.3.1 Preservation of Natural Features and Open Space – Not Substantiated
- 1.3.2 Encourage Quality Project Planning – Not Substantiated
- 2.3.1 Office Development along I-64/40 Highway Corridor -Substantiated
- 4.1.6 Limit Curb Cuts - Substantiated
- 4.1.12 Internal Commercial Circulation - Substantiated
- 4.2.3 New Development for Stormwater Control -Substantiated

I. PERMITTED USES

- A. The uses allowed in this "PC" Planned Commercial District shall be:
 - 1. Offices or office buildings.
- B. Said uses shall not exceed the following:
 - 1. One (1) five-story office building.
 - 2. One (1) accessory tri-level parking structure

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

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

- A. The following requirements shall apply to the permitted uses:
 - 1. FLOOR AREA
 - a. Total office building floor area shall not exceed 126,700 square feet. The square footage constructed shall be based on the development's ability to comply with the requirement to provide four (4.0) parking spaces per one thousand (1000) square feet of gross floor area for general office use.
 - 2. OFFICE BUILDING HEIGHT
 - a. The maximum height of the office building shall not exceed seventy (70) feet from grade, exclusive of mechanical equipment.

3. BUILDING REQUIREMENTS

- a. Greenspace: A minimum of 45% greenspace is required for this development. The percentage derived by calculating the combination of all green area and non-paved surfaces and dividing by the total area of the site. The numerator shall equal all greenspace area plus all non-paved surfaces. The denominator shall equal the total area of the site, minus the area of all pedestrian cross-access ways.
- b. Floor Area Ratio: The development shall have a maximum Floor Area Ratio (F.A.R.) of 55%. Floor Area Ratio is gross floor area of all buildings on a lot divided by the total lot area. This square footage does not include any structured or surface parking. Planning Commission may request two calculations: one calculation for those areas above grade and another that includes building area below grade.

4. ACCESSORY PARKING STRUCTURE REQUIREMENTS

- a. The height of the accessory parking structure shall not exceed five hundred eighty-five feet (585), excluding top of rail elevation.

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 developer shall submit to the City of Chesterfield for their review and approval a Site Development Plan. Where due cause is shown by the developer, 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 and will require a new public hearing. The Site Development Plan shall include but not be limited to the following:

IV. GENERAL CRITERIA

- A. The Site Development Plan shall include the following:
 - 1. Outboundary plat and legal description of the property.
 - 2. Location and size, including height above sea level, of all buildings, parking and loading areas, light standards, fencing, free-standing signs, trash enclosures, and all other above-ground structures and landscaping.

3. Location map, north arrow, and plan scale.
4. Parking calculations.
5. Design (with design statement) and materials of the proposed building and accessory parking structure.
6. Confirmation of compliance with the sky exposure plan and height restrictions as set forth in this ordinance.
7. Specific structure and parking setbacks along all roadways and property lines.
8. The size and approximate location of the proposed internal and adjacent roadway, major utility easements, necessary right-of-way dedications, road improvements, and curb cuts.
9. Existing and proposed contours at intervals of not more than two (2) feet, and extending 150 feet beyond the limits of the site.
10. 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.
11. Provide the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to existing systems.
12. Show existing improvements and the locations of significant natural features, such as wooded areas and rock formations that are to remain or be removed.
13. Provide to Site Development Plan approval, show all existing or proposed easements and right-of-way on site. The Site Development Plan and Tree Preservation Plan must be approved prior to clearing or grading.
14. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.
15. The scale to which the Site Development Plan will be drawn shall be no greater than one (1) inch equals one hundred (100) feet.
16. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation.
17. Provide a geotechnical report 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, septic fields, etc., and recommendations for treatment.

18. Show the location of significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
19. 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.
20. Provide the greenspace percentage and Floor Area Ratio (F.A.R).
21. Provide a tree stand delineation.

V. SITE SPECIFIC CRITERIA

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

1. Office Structure Setbacks

No building or structure, other than a freestanding project identification sign, boundary and retaining walls, light standards, flag poles or fences shall be located within the following setbacks:

- a. Eighty (80) feet from the new right of way of North Outer Forty on the southern boundary of the Planned Commercial (PC) District.
- b. Seventy-five (75) feet from the western boundary of the PC District.
- c. Two hundred eighty (280) feet from the northern boundary of the PC District.
- d. One hundred eighty (180) feet from the eastern boundary of the PC District.

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. No surface parking will be permitted.
 - b. Two hundred forty (240) feet from the right-of-way of North Outer Forty on the southern boundary of the PC District.
 - c. Thirty-five (35) feet from the western boundary of the PC District.
 - d. Twenty-five (25) feet from northern boundary of the PC District.
 - e. Thirty-three (33) feet from the eastern boundary of the PC District.
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 parking calculations utilized for general office development shall be four (4.0) cars per one thousand (1,000) square feet.
4. Access
- No direct access will be allowed to North Outer Forty. The drives and cross access easements on the parcels to the east and west shall be utilized for ingress and egress. Reference Ordinance No. 1660 and Ordinance No. 1806 for the requirements of the shared entrances and internal drive locations on the adjacent properties.
5. Public/Private Road Improvements, Including Pedestrian Circulation
- The Developer shall provide engineering and construction services for any required improvements relative to the Highway 40 Road Trust Fund (Ordinance No. 1652) as directed by the City of Chesterfield, the St. Louis County Department of Highways and Traffic and the Missouri Department of Transportation.
6. Prior to Site Development Plan approval, the petitioner may be requested to provide a traffic study by the City of Chesterfield, the St. Louis County Department of Highways and Traffic 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, to comply with the following:

- a. If the estimated cost of new landscaping indicated on the Site Development Plans as required by the 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.
- b. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

8. Sign Requirements

- a. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield Department of Public Works and/or the Missouri Department of Transportation for sight distance considerations prior to installation or construction.
- b. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.
- 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. The location and elevations of all signage shall be as approved in a signage plan submitted and approved by the Planning Commission with the Site Development Plan.
- f. An overall Sign Plan for all signs, including directional and information signs, is required in conjunction with Site Development Plan.
- g. This development shall be limited to one (1) monument sign setback fifteen (15) feet from the new North Outer Forty Road right-of-way and shall not exceed ten (10) feet in height. The sign shall be a maximum of fifty (50) square feet in outline area. Said sign shall be constructed with materials similar to the office building and heavily landscaped around its base.

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.
- d. All light standards located on the parking structure, other than those for security purposes, shall be turned off by 9:00 p.m., seven (7) days a week.

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. Review by Architectural Review Board is required prior to submission to Planning Commission.

11. Power of Review

- a. Either Councilmember of the Ward where a development is proposed, or the Mayor, may request that the site 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 before posting the agenda for the next City Council meeting after Planning Commission review and approval. The City Council will then take appropriate action relative to the proposal.

12. Miscellaneous

- a. Trash enclosures: The location and elevation 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 landscaping 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. 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 City of Chesterfield Outer Forty or the Route 40 (I-64) Corridor Trust Fund or other funds as directed by the City of Chesterfield. 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 Office	\$435.64/Parking Space
Loading Space	\$2,138.71/Loading Space

(Parking space as required by Section 1003.165 of the St. Louis County Zoning Ordinance.)

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, 2003, 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 Missouri Department of Transportation 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 in operation 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 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 grading on the site. The Site Development Plan and Tree Preservation Plan must be approved prior to issuance of clearing and grading.
- b. Interim storm water 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, or grading permit approval. The SWPPP covers required erosion control practices specific to site conditions and maintenance and adherence to the SWPPP plan. Its purpose is to ensure the design, implementation, management and maintenance of the Best Management Practices (BMP's) in order to reduce the amount of sediment and other pollutants in storm water 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. 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.
- 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. Protective measures, such as permanent seeding, periodic wetting or other means, may be required by the Director of Public Works/City Engineer.
- e. Provide adequate temporary off-street parking for construction employees and a vehicle washdown/cleaning area shall be provided during

construction. 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 road clear of mud and debris at all times. The streets surrounding this development and any street used for construction access thereto shall be cleaned continuously throughout the day. No construction parking on North Outer 40 Road ROW.

- 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, including book and page information, for off-site work shall be provided.

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 the Metropolitan St. Louis Sewer District, the appropriate Fire District and the 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:

1. Notification of Department of Planning

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.

2. Notification of St. Louis County Department of Public Works

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.

3. Certification of Plans

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

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

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:

Sanitary Sewers

1. Provide verification to the St. Louis County Department of Public Works and the City of Chesterfield of provision of adequate sanitary services.

Notification of City of Chesterfield

1. 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. SUPPLEMENTARY DEVELOPMENT CONDITIONS

- A. Supplementary development conditions relating to the operation of this development are as follows:

1. 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.
2. 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.

XVI. 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 Site Development Plan approved by the City of Chesterfield.
 4. The entrance geometrics and drainage design shall be in accordance with Missouri Department of Transportation (MoDot) standards and shall be reviewed and approved by (MoDot).
 5. The petitioner shall provide adequate detention to eliminate any additional water discharge to encroach MoDot right of way.
 6. Detention may be required for the entire project site such that the release rates will not exceed the allowable release rates for the post developed peak flow of the 2-year and 100-year, 24 hour storm event. Stormwater must be discharged at an adequate discharge point. Wetland mitigation will not be allowed in the detention basin area.
 7. An ornamental structure shall be placed in the detention area.
 8. All drainage detention storage facilities shall be placed outside of the standard governmental agency planning and zoning setbacks, or 15 feet from the new or existing right of way line, whichever is greater.