

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "R-2" RESIDENCE DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT FOR A 1.38 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLIVE BOULEVARD, WEST OF RIVER VALLEY DRIVE.

WHEREAS, the petitioner, Montgomery First National Bank, requested a change in zoning from an "R-2" Residence District to a "PC" Planned Commercial District on the north side of Olive Boulevard, west of River Valley Drive, and;

WHEREAS, the Planning Commission, having considered said request, recommended approval of said change of zoning with the amendments that the developer provide the exit lane with a "No Right Turn" sign, construct a rounding on the north side of entrance to make right turns difficult and construct the proposed driveway in such a way towards Olive to further restrict right turns by a vote of 8-0-1, and;

WHEREAS, the Planning and Zoning Committee, having considered said request, recommended approval of the rezoning from an "R-2" Residence District to a "PC" by a vote of 4-0.

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 "R-2" Residence District to a "PC" Planned Commercial district for a 1.38 acre tract of land located on the north side of Olive Boulevard, west of River Valley Drive, as described in "Exhibit A."

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 Montgomery First National Bank in P.Z. 3-2003 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 24th day of March, 2003, 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 12th day of DECEMBER, 2003.


MAYOR

ATTEST:

DEPUTY 
CITY CLERK

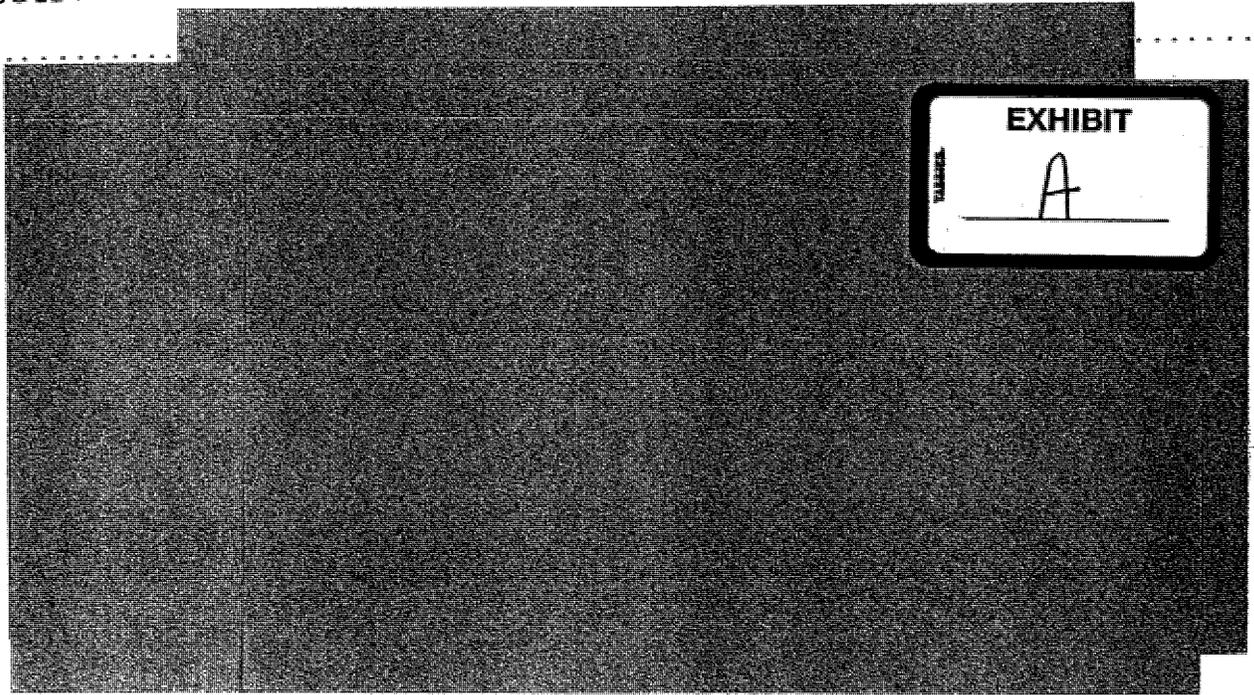
Petitioner's Name Montgomery - First National Bank Petition No. _____

Sheet _____ of _____

Supplement to Item I _____

DESCRIPTION OF PROPERTY

The Metes and Bounds description is to be typed SINGLE SPACE WITHIN THE GUIDE LINES BELOW. CLOSE LEGAL DESCRIPTION WITH ACREAGE TO THE NEAREST TENTH OF AN ACRE. If more space is needed use additional sheets.



LEGAL DESCRIPTION-TRACT TO BE REZONED TO PC-PLANNED COMMERCIAL

- Revised 1-16-63 -

A tract of land being part of Lot 2 of "Chesterfield Fire Protection District Subdivision", according to the Plat thereof recorded in Plat-Book 341, Pages 28 and 29 of the St. Louis County Records, situated in U.S. Survey 207, Township 46 North, Range 5 East, in the City of Chesterfield, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the Southeastern corner of Lot 1 of said Chesterfield Fire Protection District Subdivision, being a point on the Northern Right Of Way Line of Olive Boulevard, variable width; thence Northeasterly, along the eastern Line of said Lot 1, North 16 degrees 42 minutes 32 seconds East 289.63 feet, thence leaving the Eastern line of said Lot 1 the following courses and distances: South 78 degrees 50 minutes 00 seconds East 166.94 feet, thence along a curve to the right having a radius of 73 feet, length of 114.67 feet, and chord bearing South 33 degrees 50 minutes, 00 seconds East, 103.24 feet, thence South 11 degrees 10 minutes 00 seconds West 91.67 feet, thence along a curve to the right having a radius of 68 feet, arc length of 106.81 feet and chord bearing South 56 degrees, 10 minutes 00 second West 96.17 feet, thence North 78 degrees 50 minutes 00 seconds West 129.46 feet, thence South 16 degrees 42 minutes 32 seconds West 55.70 feet, to a point of the Northern Right of Way Line of Olive Boulevard, variable width, thence Northwesterly, along the Northern Right Of Way Line thereof, North 78 degrees 50 minutes 00 seconds West 48.58 feet to an angle point therein; thence North 79 degrees 25 minutes 15 seconds West 16.49 feet to the point of beginning, containing 1.376 acres, more or less.

ATTACHMENT A

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

- 1.4. Quality New Development
- 3.1 Quality Commercial Development
 - 3.1.1 Quality of Design
 - 3.1.2 Buffering of Neighborhoods
- 3.4 Signage Considerations
 - 3.4.1 Preserve Aesthetics and Public Safety
- 7.2.3 Maintain Proper Traffic Flow
- 7.2.4 Encourage Sidewalks
- 7.2.9 Access Management
- 8.2.2 Underground Electric Service
- 10.1 Open Space Preservation and Creation
 - 10.2.1 Open Space/Public Space
 - 10.2.2 Unstructured Parks and Open Space

I. PERMITTED USES

- A. The uses allowed this "PC" Planned Commercial District shall be:
 - 1. Financial Institution
 - 2. Offices or office buildings
- B. The above uses in the "PC Planned Commercial District shall be restricted as follows:
 - 1. One (1) one-story building with drive-through facilities.

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

- A. The following requirements will apply to the permitted uses:
 - 1. FLOOR AREA
 - a. Total building floor area will not exceed 5,000 square feet. The square footage constructed will be based on the development's ability to comply with the requirement to provide a minimum of

four and one half (4.5) parking spaces per one thousand (1000) square feet of gross floor area for the financial institution.

2. HEIGHT

- a. The maximum height of the office building will not exceed forty (40) feet, inclusive of roof screening.

3. BUILDING REQUIREMENTS

- a. Greenspace: A minimum of forty-five percent (45%) greenspace is required for this development. Greenspace is determined by a fraction: the numerator of which is all green area plus all non-paved surfaces, the denominator of which is the total area of the site minus the area of the pedestrian access ways as approved by the City of Chesterfield.
- b. Floor Area Ratio: The development will have a maximum Floor Area Ratio (F.A.R.) of ten percent (10%). The 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.

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 will 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 or receipt of an extension prior to the aforementioned time requirements will result in the expiration of preliminary plan and will require a new public hearing. The Site Development Plan will include but not be limited to the following:

IV. GENERAL CRITERIA

- A. The Site Development Plan will 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. Architectural elevations (with design statement) and materials of the proposed building and any trash enclosures.
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 or as directed by the City of Chesterfield Department of Public Works.
10. Existing improvements within 150 feet of the site as directed. Road and driveways on the opposite side of roadways 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 will be included.
11. All existing and proposed easements/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.
12. The location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to existing systems.
13. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.
14. The scale to which the Site Development Plan will be drawn will be no greater than one (1) inch equals one hundred (100) feet.

15. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, and the Missouri Department of Transportation.
16. 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.
17. Provide the greenspace percentage and Floor Area Ratio (F.A.R).
18. Provide a tree stand delineation.

V. SPECIFIC CRITERIA

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

1. Structure Setbacks

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

- a. One hundred twenty-five (125) feet from the new right of way Olive Street Road.
- b. Seventy-five (75) feet from the northern boundary of the PC district.
- c. Forty (40) feet from the western boundary of the PC District.
- d. Seventy-five (75) 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, will be located within the following setbacks:

- a. Seventy-five (75) feet from the new right of way of Olive Boulevard.

- b. Twenty-five (25) feet from the northern boundary of the PC District.
- c. Twenty-five (25) feet from the eastern boundary of the PC District.
- d. Twenty-five (25) feet from the southern boundary of the PC District.

3. Parking and Loading Requirements

Parking and loading spaces for this development will be as required in Section 1003.165 of the City of Chesterfield Zoning Ordinance, with the exception that parking calculations utilized for four and one half (4.5) cars per one thousand (1,000) square feet.

Adequate on-site parking for construction related vehicles and equipment shall be provided. No parking shall be permitted on the Olive Street Road or River Valley Drive right of way.

4. Access

- a. Access to Olive Street Road (State Highway 340) will be via the existing access shared with the parcel to the west of the subject site.
- b. Access to River Valley Drive shall be limited to the existing cross access easement, as shown in P.B. 341 Pgs. 28-29 as directed by the City of Chesterfield Department of Public Works.
- c. The nearest edge of any internal drive off the common access drive from Olive Street Road shall be a minimum of 60 feet from the State Right of Way as directed by the City of Chesterfield Department of Public Works.
- d. The intersection of an internal drive to the main access drive from River Valley Drive shall be no closer than 45 feet from the existing edge of pavement of River Valley Drive. Parking Spaces perpendicular to the main entrance drive shall be located outside this setback also.
- e. The developer will provide the exit lane with a "No Right Turn" sign.

- f. The developer will construct a rounding on the north side of entrance to make right turns difficult.
- g. The developer will construct the proposed driveway in such a way towards Olive to further restrict right turns.

5. Public/Private Road Improvements, Including Pedestrian Circulation

- a. A 10-foot wide right-of-way (ROW) dedication strip along River Valley Drive will be required as directed by the City of Chesterfield Department of Public Works.
- b. A five (5) foot wide sidewalk, conforming to St. Louis County ADA standards, shall be required adjacent to River Valley Drive within the ROW or within a six (6) foot wide easement on the property as directed by the City of Chesterfield Department of Public Works.
- c. Provide a five (5) foot wide sidewalk, conforming to St. Louis County ADA standards, adjacent to Olive Street Road (State Highway 340) as directed by the City of Chesterfield Department of Public Works. The sidewalk shall be constructed within public right-of-way or within a six (6) foot wide easement on the property.

6. 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 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 Plan 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.

7. 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. The petitioner shall provide a sign package with the Site Development Concept Plan or Site Development Plan.
- e. All other signs shall be permitted in accord with the regulations of Section 1003.168 of the City of Chesterfield Zoning Ordinance.

8. Light Requirements

- a. The location of the light standards will be as approved by the Planning Commission on the Site Development Plan and will 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 will be so situated that light is cast on any public right-of-way or adjoining property. Light standards shall utilize flat lens and a maximum eight foot candle. Lighting will be required in compliance with City of Chesterfield regulations, including the Subdivision Ordinance.
- c. Any building-mounted lighting, including both utilitarian and decorative applications, shall be limited to fully shielded, cut-off optics, flat lens luminaries
- d. All light standards within this development will not exceed a total vertical height of twenty-four (24) feet.

9. Architectural elevations

The developer shall submit architectural elevations and building materials. Architectural information is to be reviewed by the Architectural Review Board prior to submission to the Planning Commission.

10. Power of Review

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.

11. Miscellaneous

- a. Trash enclosures: The location and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan. The material will be as approved by the Planning Commission in conjunction with the Site Development Plan.
- b. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission
- c. If any work is proposed in, near or above the natural watercourse through this site, a hydrologic/hydraulic study evaluating the impacts of the proposed work shall be provided as directed by the City of Chesterfield Department of Public Works. Said study shall evaluate impacts on the entire length of stream, and any maintenance requirements. Appropriate permits and approvals from other agencies shall also be provided.
- d. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.

Sleeves for future telecommunication services are required to 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 will contribute to the appropriate trust fund as directed by St. Louis County Department of Highways and Traffic. This contribution will 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 | \$457.68/Parking Space |
| Bank | \$2,746.34/Parking Space |
| Loading Space | \$2,246.95/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 will 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, will be retained in the appropriate trust fund.

The amount of this required contribution, if not submitted by January 1, 2004, will 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 will 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 will 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 will 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 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.**

Provide a 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 also address the existence of any potential sinkhole, ponds, septic fields, etc., and recommendations 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.
- c. Interim storm water drainage control in the form of siltation control and/or siltation basins shall be required throughout construction. A Storm Water Pollution Prevention Plan (SWPPP) must be submitted and approved by the City of Chesterfield 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.

- d. 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.
- e. 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.
- f. All drainage detention storage facilities will 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 as directed by the Missouri Department of Transportation.
- g. When clearing and/or grading operations are completed or suspended for more than 30 days, all necessary precautions will 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 upon demand.
- h. If cut and fill operations occur during a season not favorable for immediate establishment of permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses will be utilized erosion, if adequate storm water detention and erosion control devices have not been established.
- i. 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 throughout the day.

- j. This development may require an NPDES Permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb five or more acres. A copy of the NPDES permit must be submitted to the City of Chesterfield Department of Public Works prior to issuance of a grading permit or approval of improvement plans.

VIII. 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 by the Planning Commission.

X. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL

Prior to improvement plan approval, the developer will provide the following:

1. Comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District and the Missouri Department of Transportation
2. Copies of recorded easements/right-of-way dedications for off-site work, including book and page information, shall be provided.

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 will 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 Missouri Department of Transportation (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 will 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 will 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.
- C. 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.
- D. The obligations and conditions set forth in this attachment are specific to the developer. These obligations and conditions survive the issuance building permits until they are fulfilled and an occupancy permit shall not be released to the developer until they are met.

XIII. FINAL RELEASE OF ESCROW

Prior to the release of final escrow, the developer will 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.

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. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of permits by issuing Departments and Commissions.
 2. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accord with the Site Development Plan approved by the City of Chesterfield and the terms of this Attachment A.
 3. Waiver of Notice of Violation per Section 1003.410(2) of the City of Chesterfield Zoning Ordinance.
 4. The entrance geometrics and drainage design will be in accordance with Missouri Department of Transportation (MoDot) standards and will be reviewed and approved by the City of Chesterfield and the Missouri Department of Transportation (MoDot).
 5. The petitioner will provide adequate detention to eliminate any additional water discharge to encroach MoDot right of way.
 6. The developer will 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.
 7. 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 Section 1003.410(2) of the Zoning Ordinance.
 8. Hours of Operation: The hours of operation for the financial institution shall be as normal for the proposed use.

- B. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.