

BILL NO. 2349

ORDINANCE NO. 2172

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 1218 AND INCORPORATING THE CONDITIONS THEREIN TO THE REVISED ATTACHMENT A AUTHORIZING MEDICAL AND DENTAL OFFICES AS A PERMITTED USE FOR A "C-8" PLANNED COMMERCIAL DISTRICT LOCATED SOUTH OF BAXTER ROAD ON CLARKSON ROAD. (P.Z. 08-2004 BULL MOOSE TUBE)

WHEREAS, the petitioner, Bull Moose Tube Holdings has requested an ordinance amendment to allow for a medical and dental office on Lot 1 in the Bull Moose Tube Executive Center, a "C-8" Planned Commercial district located south of Baxter Road on Clarkson Road; and,

WHEREAS, after discussion of the Planning Commission, cross access between the Bull Moose Tube property and the Property to the north (St. Josephs School for the Deaf) was agreed to and has been provided; and,

WHEREAS, after discussion of the Planning Commission, the permitted use of a parking garage has been deleted from the list of permitted uses as it will not be necessary for development of this site; and,

WHEREAS, after discussion of the Planning Commission, the maximum allowable square footage of this development has been reduced to 78,500 square feet from 90,000 square feet; and,

WHEREAS, the request was considered by the City of Chesterfield Planning Commission and upon review the Commission recommended approval of said amendment by a vote of 6 in favor to 2 opposed; and,

WHEREAS, after consideration of the amendments, the City Council approved the request with amendment to the language in regards to cross access.

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

Section 1. The City of Chesterfield Ordinance Number 1218 is hereby repealed and those conditions therein are incorporated into the revised Attachment A, which is attached hereto and made a part hereof for Bull Moose Tube.

Bull Moose Tube Executive Center Legal Description

A tract of land being all of Bull Moose Tube Executive Center, a subdivision according to the plat thereof recorded in Plat Book 306 Page 14 of the Recorder of Deeds Office in St. Louis County, Missouri, and being located in part of U.S. Survey 2002, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the Northwesterly corner of above said Bull Moose Tube Executive Center; thence along the Northerly, Easterly, Southerly and Westerly lines of said Bull Moose Tube Executive Center the following courses and distances: thence North 89 degrees 15 minutes 00 seconds East 715.66 feet; thence South 30 degrees 56 minutes 53 seconds West 764.47 feet; thence North 59 degrees 03 minutes 07 seconds West 5.00 feet; thence South 30 degrees 56 minutes 53 seconds West 268.91 feet; thence North 03 degrees 27 minutes 26 seconds West 356.09 feet; thence South 89 degrees 05 minutes 46 seconds West 161.91 feet; thence North 00 degrees 22 minutes 59 seconds East 521.45 feet to the **POINT OF BEGINNING** and containing 334,540 square feet or 7.680 acres, more or less, according to calculations performed by Stock and Associates Consulting Engineers, Inc. on April 23, 2003.

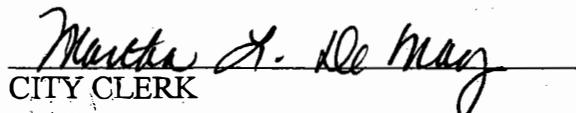
Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in the Attachment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

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 16th day of May, 2005.


MAYOR

ATTEST:


CITY CLERK

ATTACHMENT A

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

- 1.4 Quality New Development
- 1.5 Diversity of Development
- 1.6 Lighting Plan and Program
- 2.1.5 Provide Buffer for Existing Residential
- 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
- 3.4.2 Discouragement of Billboards
- 4.1 Buffering of Neighborhoods
- 7.2.3 Maintain Proper Traffic Flow
- 7.2.6 Cross-Access Circulation
- 7.2.8 Traffic Control Devices and Signs
- 8.2.1 Coordinated Growth
- 8.2.2 Underground Electric Service
- 8.3 Stormwater Management

I. PERMITTED USES

A. The uses allowed in this "C-8" Planned Commercial District shall be:

- (a) Bookstores,
- (b) Broadcasting studios for radio and television,
- (c) Business and professional services wholly accessory to office operations and activities,
- (d) Colleges and universities,
- (e) Employee dining facilities for the specific use of a designated office,
- (f) Libraries,
- (g) Medical and dental offices,
- (h) Nursery schools and day nurseries,
- (i) Offices or office buildings. No more than ten (10) percent of the gross floor area of a building may be used for retail and personal services,

- (j) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours,
- (k) Police, fire, and postal stations,
- (l) Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.

B. The following listed permitted use is allowed on Lot 1 only:

- (g) Medical and dental offices,

II. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

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

- 1) The uses permitted within this "C-8" Planned Commercial District shall be contained in a maximum of two (2) buildings.
- 2) A maximum of one (1) building 41 feet tall (629 mean sea level), and one (1) building 32 feet tall (622 mean sea level), as measured from the average finished ground elevation of the building shall be permitted. The above shall be exclusive of rooftop mechanical equipment.
- 3) Gross floor area constructed for the two (2) buildings shall not exceed 78,500 square feet. The square footage constructed shall be based on the development's ability to comply with the parking and stormwater regulations of the City of Chesterfield.
- 4) The facades of all buildings shall be of earth tone, non-reflective materials. The developer shall submit typical architectural elevations for all buildings for Planning Commission approval with the Site Development Plan.

III. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

- A. Within eighteen (18) months from the preliminary development plan approval date by the City of Chesterfield 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 Concept Plan. Within twelve (12) months of the Site Development Concept Plan approval date, the developer shall submit the first Site

Development Section Plan to the City of Chesterfield for review and approval. Where due cause is shown by the developer, this time interval may be extended by the City of Chesterfield.

Failure to comply with aforementioned time limits will result in the expiration of the preliminary plan/site development concept 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 - CONCEPT PLAN

A. The Site Development Concept Plan shall include the following:

1. Outboundary plat and legal description of the property.
2. Conceptual location, design (with design statement), materials, and size, including height, of all proposed buildings, parking and loading areas, and lots.
3. Specific structure and parking setbacks along all roadways and property lines.
4. 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.
5. Existing and proposed contours at intervals of not more than two (2) feet, and extending 150 feet beyond the limits of the site.
6. Preliminary stormwater and sanitary sewer facilities.
7. Show existing improvements, including roads and driveways on the opposite side of roadways adjacent to the site.
8. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.
9. The scale to which the Site Development Concept Plan will be drawn shall be no greater than one (1) inch equals one hundred (100) feet.

10. Show the location of significant natural features, such as wooded areas and rock formations, which are to remain or be removed.
11. 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.
12. Provide the greenspace percentage for each lot on the plan. Greenspace is calculated by dividing the pervious surfaces by the site area (excluding right-of-ways).
13. A Sign Package will be submitted to the Department of Planning in conjunction with the Site Development (Concept) Plan. Approval of sign package by the Planning Commission does not constitute issuance of a permit for signage.

V. GENERAL CRITERIA - SECTION PLANS

A. Site Development Section Plans shall include the following:

1. Location and size, including height, of all uses, buildings, parking and loading areas, light standards, fencing, free-standing signs, trash enclosures, other above ground structures and landscaping.
2. Existing and proposed contour intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site.
3. Existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.
4. All existing and proposed easements/right-of-ways on site and all existing or proposed off-site easements required for utilities, storm water drainage, grading or other improvements.
5. Specific structure and parking setbacks along all roadways and property lines.

6. The location of the proposed storm sewers, detention basins, sanitary sewers, and connection(s) to existing systems.
7. Location and size of all parking areas.
8. A landscape plan, including, but not limited to, location, size, and type of all plant and other material to be used.
9. Area of each building phase.
10. Architectural elevations and building materials addressing City of Chesterfield Design Guidelines.
11. 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.
12. Provide comments/approvals from the Missouri Department of Transportation, The Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, and the appropriate Fire District.
14. 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.
15. Provide the open space percentage for each lot on the plan. Open space can include grass areas, landscaped areas, water features or drainage ditches, sidewalks, and plaza areas or seating, but specifically excludes any portion of a site covered by a building, any paved area for vehicular circulation or parking, and any outdoor storage areas.
16. A Conceptual Landscape Plan shall be submitted with the Site Development Concept Plans. The Conceptual Landscape Plan shall indicate proposed landscaping along arterial and collector roadways. The purpose of the Conceptual Landscape Plan is to coordinate and make compatible landscaping along the arterial and collector roadways in a planned district.
17. A Lighting Plan shall be submitted in accordance with the criteria set forth in the City of Chesterfield Lighting Ordinance.

18. A sign package shall be submitted with the Site Development Section Plan.

VI. SITE DEVELOPMENT PLAN SUBMITTAL OPTION

In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may instead submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the Preliminary Development Plan by the City. Said Plan shall be submitted in accord with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.

VII. SPECIFIC CRITERIA

- A. The Site Development Concept and Section Plans shall illustrate adherence to the following specific design criteria. Information to be shown on the Site Development Concept Plan shall be limited to those items specified in Section A, General Criteria-Concept Plan.

Structure Setbacks

1. No building or structure, other than boundary walls, retaining walls, signs, light standards, flagpoles or fences, shall be located within the following setbacks:
 - a) Seventy (70) feet of the new right-of-way of Clarkson Road.
 - b) One hundred twenty (120) feet of the south limits of this development.
 - c) Eighty (80) feet of the north limits of this development.
 - d) One hundred ten (110) feet of the west limits of this development.

Parking and Loading Space Setbacks

2. No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress, shall be located within the following setbacks:
 - a) Sixty (60) feet of the new right-of-way of Clarkson Road.
 - b) Seventy-five (75) feet of the west limits of this development.

- c) All other setbacks shall be as approved by the Planning Commission on the Site Development Plan.

Parking and Loading Requirements

Lot 1

3. Parking and Loading requirements for Lot 1 shall comply with the requirements set forth in the City of Chesterfield's Zoning Ordinance.

Lot 2

4. Parking and loading requirements for Lot 2 shall be reviewed for compliance set forth in the City of Chesterfield's Zoning Ordinance at such time that a change in use or tenancy occurs.

Access

5. Access to this development shall be limited to one curb cut with ingress and egress to Clarkson Road located and constructed as directed by the Missouri Highway and Transportation Department.
6. The entrance geometrics and drainage design shall be in accordance with Missouri Highway and Transportation Department standards.
7. Cross access to include the construction of a stub street to the property line shall be provided between this site and adjacent properties as directed by the City of Chesterfield. In particular, cross access shall be granted, and directional signage provided, for the property which shares the northern boundary line of this development.

Public/Private Road Improvements, Including Sidewalks

8. The developer shall dedicate the necessary additional right-of-way for the future five (5) lane roadway at the portion of Clarkson Road serving his property.
9. Should development of the tract occur prior to the improvement of Clarkson Road, the developer shall grade the roadway for future five (5) lane facility at the frontage of his property.

10. The developer shall conform to the requirements of the Missouri Department of Transportation regarding Clarkson Road (Route 340) in this area.
11. The developer shall contribute to the Chesterfield Village Road Trust Fund in a manner similar to the previous contributions required of other developers in the area. Contributions to this fund to be based on the following rates:

<u>Type of Development</u>	<u>Required Contribution</u>
Commercial – General Office Space	\$ 471.41 / Parking Space
Commercial – Medical Office Space	\$ 1,414.31 / Parking Space
Commercial Loading Space	\$ 2,314.36 / Loading Space

(Parking space as required by Section 1003.165 of the City of Chesterfield Zoning Ordinance)

12. The contribution will be used to help defray the cost for engineering, right-of-way acquisition, and construction of the roadway bridge and interchange at U.S. Highway 40, in accordance with the assessment required in Ordinance Nos. 6814-6817, 1973, and completion of the Chesterfield Village Parkway.
13. The developer shall construct the divided entrance road intersection with Clarkson Road with a minimum fifteen (15) foot wide in-bound and minimum twenty-four (24) foot wide outbound pavement surface. Provide six (6) inch vertical curb around median and adjacent edges of pavement. Installation of Landscaping and Ornamental Entrance Monument construction within the entrance road median shall be reviewed by the Chesterfield Public Works Department for sight distance considerations and approved prior to installation or construction. No entrances shall be permitted within the median frontage along the entrance roadway.
14. Additional lanes and/or widening, pavement thickness, drainage facilities, granular base traffic control devices and other improvements may be required to accommodate heavy traffic volumes, unsuitable soil conditions, steep grades, or other conditions not apparent at this time.

Traffic Study

15. Prior to Site Development Plan approval, provide a traffic study, including internal and external circulation, for review, and approval, as directed by the City of Chesterfield.

Landscape Plan

16. The developer shall submit a landscape plan in accord with the Landscape Guidelines adopted by the Planning Commission as part of the appropriate Site Development Concept/Section Plan or on a separate drawing and it shall comply with the following:
 - a) Paved area setbacks shall be adequately landscaped as approved on the appropriate Site Development Plan.
 - b) The south and west property limits of this development shall be densely landscaped with evergreen and deciduous trees as approved by the Planning Commission. In addition, a landscaped berm of not less than five (5) feet in height, shall be provided along the west property limits as approved by the Planning Commission.
 - c) All new required landscaping material shall meet the following criteria:
 - i) Deciduous trees – two (2) inch minimum caliper.
 - ii) Evergreen trees – four (4) feet minimum height.
 - iii) Shrubs – eighteen (18) inch minimum diameter.
17. If the estimated cost of new landscaping indicated on the Site Development Section 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.
18. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

Sign Requirements

19. 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 and Traffic, for sight distance considerations prior to installation or construction.

20. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.
21. 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.
22. A sign package shall be required for this site and shall adhere to the submittal requirements set forth in the City of Chesterfield Ordinance 2057.

Lighting Requirements

23. A Lighting Plan shall be as approved by the Planning Commission in conjunction with the Site Development Plan and shall be in conformance with the City of Chesterfield Lighting Ordinance.

Architectural elevations

24. 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.

Power of Review

25. 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.

Miscellaneous

26. All trash areas shall be enclosed with a six (6) foot high sight-proof fence.
27. 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. Utilities Easements that cross

over Chesterfield Valley Master Stormwater Easement shall be subordinate to the Chesterfield Valley Stormwater Easements.

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.

28. All references herein to the City of Chesterfield Zoning Ordinance or sections thereof shall refer to said Ordinance and amendments thereto as approved by the City of Chesterfield City Council, as of the date the petitioner submits a Site Development Plan for review and approval.
29. All roof top mechanical equipment shall be adequately screened.
30. A combination of landscaping and/or sightproof board on board fencing shall be provided along the south and west limits of this "C-8" development as approved by the Planning Commission on the Site Development Plan.
31. Parapet wall projections above the roof line shall be required to conceal rooftop mechanical equipment.
32. If the estimated cost of new landscaping indicated on the Final Development Plan as required by the Planning Commission exceeds an estimated cost of one thousand (\$1000) 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.
33. Prior to release of the Landscape Installation Bond, a two (2) year Landscape Maintenance Bond, in an amount approved by the Director of Planning, shall be in place.

VIII. VERIFICATION PRIOR TO APPROVAL

- A. Prior to approval of the Site Development Concept and Section Plans, the developer shall provide the following:

Roadway Improvements and Curb Cuts

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

Stormwater and Sanitary Sewer

2. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system. The adequacy and condition of the existing downstream systems shall be verified and upgraded if necessary.

Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the Department of Public Works.

Detention/retention is to be provided in each watershed as required by the City of Chesterfield. Detention of storm water runoff is required by providing permanent detention/retention facilities, such as dry reservoirs, ponds, underground vaults or other alternatives acceptable to the Department of Public Works. The maximum fluctuation from the permanent pool elevation to the maximum ponding elevation of a basin shall be three (3) feet, as directed. Wetland mitigation shall not be permitted within a detention/retention basin. The detention/retention facilities shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding sixty (60%) of the approved dwelling units in each plat, watershed or phase of residential developments. The location and types of detention/retention facilities shall be identified on the Site Development Plan.

The lowest opening of all structures shall be set at least two (2) feet higher than the 100-year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the 100-year high water.

Geotechnical Report

4. Provide a geotechnical report, as directed by the City of Chesterfield, Department of Public Works, prepared by a Professional Engineer,

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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.

Grading and Improvement Plans

5. A clearing/grading permit or improvement plan approval is required prior to any clearing or grading on the site. Be advised, the Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a clearing and grading permit. No change in watersheds will be permitted. 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, 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.
6. 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. Construct temporary settlement basins during construction to allow for settling of sediment, prior to the discharge of stormwater from this site.
7. 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.
8. 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

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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 his construction at all times. The streets surrounding this development and any street used for construction access thereto shall be cleaned continuously throughout each day.

9. 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.
10. 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 soded. A temporary occupancy permit may be issued by the Department of Planning in cases of undue hardship because of unfavorable ground conditions.
11. Prior to improvement plan approval, provide comments/approvals from the Missouri Department of Transportation, the Spirit of St. Louis Airport, the Metropolitan St. Louis Sewer District, and the appropriate Fire District.
12. Be advised, this development may require a NPDES permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb five (5) or more acres.
13. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be required.

IX. 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. Failure to record the plan within sixty (60) days of approval shall deem the plan void.

X. TRUST FUND CONTRIBUTIONS

Trust Fund contributions shall be deposited with St. Louis County prior to the issuance of building permits.

XI. 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 must be established with this Department to guarantee completion of the required roadway improvements.

XII. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL

Prior to improvement plan approval, provide comments/approvals from the Missouri Department of Transportation, the Spirit of St. Louis Airport, MSD, and the Chesterfield Fire Protection District.

XIII. 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

2. 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

3. 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.

XIV. 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.

XV. 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.

XVI. 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

- 2. 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.

XVII. 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.

XIX. 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 Concept Plan approved by

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the City of Chesterfield and any Site Development Section Plans approved by the City of Chesterfield.

4. Notice requirements set forth in Section 1003.410.2 of the Zoning Ordinance shall not apply to violations pursuant to this Attachment A.