

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE 1763 AND REPLACING IT WITH A NEW ORDINANCE ESTABLISHING A PLANNED ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN THE "R-5" 6,000 SQUARE FOOT RESIDENTIAL DISTRICT FOR A 10.97 ACRE TRACT OF LAND LOCATED ON CLARKSON ROAD, SOUTH OF LEIMAN DRIVE. (P.Z. 27-2005 CHESTERFIELD RIDGE/PHASE II).

WHEREAS, the City of Chesterfield approved Ordinance 1763 on the 16th day of July, 2001.

WHEREAS, the Petitioner, Kemp Homes, requested a special procedure to establish a Planned Environment Unit (PEU) in an "R-5" 6,000 square foot Residential District; and,

WHEREAS, the Planning Commission, upon review of the request, recommended approval of the petition by a 9-0 vote on December 12, 2005, with an amendment requiring the sidewalk along Clarkson Road to be constructed in such a way that Tree Number 12 is preserved; and,

WHEREAS, the City Council, having also reviewed the request and the Planning Commission's recommendation, voted to approve P.Z. 27-2005 Chesterfield Ridge (Phase II).

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

Section 1. The City of Chesterfield Zoning Ordinance and Official Zoning District Maps, which are part thereof, are hereby amended by approving preliminary plans for a special procedure establishing a Planned Environment Unit "PEU" in an "R-5" 6,000 square foot residential district for a 10.97 acre tract of land located on Clarkson Road, South of Leiman Drive in the City of Chesterfield as follows:

LAND DESCRIPTION

A TRACT OF LAND IN U.S. SURVEY 2002 AND THE SOUTHEAST FRACTIONAL QUARTER OF SECTION 16, TOWNSHIP 45 NORTH, RANGE 4 EAST IN THE CITY OF CHESTERFIELD, COUNTY OF ST. LOUIS, STATE OF MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EASTERN LINE OF CLARKSON ROAD, NOW KNOWN AS MISSOURI STATE HIGHWAY NO. 340, 60.00 FEET WIDE, AS CONDEMNED FOR PUBLIC USE BY THE COUNTY OF ST. LOUIS ON APRIL 18, 1932. A CERTIFIED COPY OF WHICH BEING OF RECORD IN BOOK 1145, PAGE 632 OF THE ST. LOUIS COUNTY RECORDS, WITH THE SOUTHERN LINE OF U.S. SURVEY 2002; THENCE ALONG SAID EASTERN RIGHT OF WAY LINE OF HIGHWAY NUMBER 340, NORTH 31 DEGREES 07 MINUTES 38 SECONDS EAST 557.40 FEET TO A POINT; THENCE SOUTH 58 DEGREES 52 MINUTES 22 SECONDS EAST 5.00 FEET TO A POINT; THENCE NORTH 31 DEGREES 07 MINUTES 38 SECONDS EAST 64.00 FEET TO A POINT; THENCE NORTH 58 DEGREES 52 MINUTES 22 SECONDS WEST 5.00 FEET TO A POINT; THENCE NORTH 31 DEGREES 07 MINUTES 38 SECONDS EAST 72.46 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND NOW OR FORMERLY CONVEYED TO 3-0 PARTNERSHIP AS RECORDED IN DEED

BOOK 7370, PAGE 1511 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG SAID SOUTHERN LINE OF 3-0 PARTNERSHIP TRACT SOUTH 65 DEGREES 42 MINUTES 22 SECONDS EAST 394.10 FEET TO THE SOUTHEAST CORNER OF SAID 3-0 PARTNERSHIP PROPERTY, SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF OLD CLARKSON ROAD, 40.00 FEET WIDE; THENCE IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF SAID OLD CLARKSON ROAD THE FOLLOWING COURSES AND DISTANCES, SOUTH 30 DEGREES 36 MINUTES 33 SECONDS WEST 230.81 FEET TO A POINT; THENCE SOUTH 20 DEGREES 01 MINUTES 34 SECONDS WEST 361.95 FEET TO A POINT; THENCE SOUTH 40 DEGREES 23 MINUTES 33 SECONDS WEST 555.92 FEET TO A POINT; THENCE SOUTH 58 DEGREES 58 MINUTES 18 SECONDS WEST A DISTANCE OF 65.29 FEET TO A POINT ON THE NORTHEAST LINE OF PROPERTY CONVEYED TO DIETRICH AND JUDITH STEINBERG IN DEED BOOK 7508 PAGE 1708 OF THE ST. LOUIS COUNTY LAND RECORDS; THENCE ALONG SAID NORTHEAST LINE NORTH 53 DEGREES 37 MINUTES 42 SECONDS WEST A DISTANCE OF 344.52 FEET TO A POINT ON THE SAID EASTERN RIGHT-OF-WAY LINE OF HIGHWAY NO. 340; THENCE ALONG SAID EASTERN LINE NORTH 31 DEGREES 07 MINUTES 38 SECONDS EAST A DISTANCE OF 420.13 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.97 ACRES MORE OR LESS.

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. The City Council, pursuant to the petition filed by G.H.H. Investments, L.L.C. in P.Z. 3-2005 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 hearings, held by the Planning Commission on the 10th day of October, 2005, 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 FEBRUARY, 2006.


MAYOR

ATTEST:



ATTACHMENT A

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

- 1.1.1 Conservation of Existing Quality of Life
- 1.1.3 Diversity of Development
- 1.2.1 Coordinated Growth
- 1.2.2 Quality New Development
- 1.3.2 Encourage Quality Project Planning
- 2.1.2 Encourage Planned Residential Development
- 2.1.3 Restrict Access of Individual Homes on Arterial Streets
- 2.1.5 Residential Development along Arterial Streets
- 4.1.8 Develop Sidewalks
- 4.2.3 New Development Storm Water Control

I. SPECIFIC CRITERIA

A. Information to be shown on the Site Development Concept Plan shall be limited to those conditions specified in Section A, General Criteria-Concept Plan. Site Development Plans and Site Development Section Plans shall adhere to specific design criteria.

B. Definitions

1. Site Development Concept Plan is a conceptual plan for development in a planned district being done in phases. A concept plan provides an overall picture of a development that is being divided into sections to be developed in phases.
2. A Site Development Section Plan is a plan for development for sections of the overall concept plan.
3. Site Development Plan is a plan for development in planned districts that is being done in one phase.

C. PERMITTED USES

1. The uses allowed this R-5 PEU District shall be:
 - a. Forty (40) single-family attached units.
2. The above uses in the R-5 PEU District shall be restricted as follows:

- a. The development shall contain a combination of two (2) and three (3) units building groups. A maximum of ten (10) three-unit building groups is permitted.
- b. Two car garages shall be provided for each unit.

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

1. HEIGHT

- a. The maximum height of the building, exclusive of roof screening, shall not exceed two (2) stories or forty-five (45) feet.

2. BUILDING REQUIREMENTS

- a. Openspace: A minimum of fifty-five (57%) openspace is required for this development. Openspace includes all areas excluding the building or areas for vehicular circulation.

E. STRUCTURE AND PARKING SETBACKS

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. A minimum of thirty (30) foot setback, which includes the landscape buffer, shall be provided on Clarkson Road.
- b. A minimum of a thirty (30) foot setback, from existing edge of pavement and including the landscape setback, shall be provided on Old Clarkson Road.
- c. A minimum of twenty (20) foot setback shall be provided for the northern and southern boundaries of the district.

2. LOT CRITERIA

- a. Front yard setbacks shall be a minimum twenty-five (25) feet from property lines.
- b. Side Yard setbacks shall be a minimum eight (8) feet from property lines. Property line N 62 degrees 00' 42"W shall have a zero (0) foot setback.

- c. Building groups shall be separated by a minimum of sixteen (16) feet.
- d. Rear yard setbacks shall be a minimum of fifteen (15) feet.
- e. A minimum of thirty (30) feet shall be provided between a structure, which backs-up to the rear of another structure. A minimum of twenty-five (25) feet shall be provided between a structure, which backs-up to the side of another structure.

F. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
 - a. Parking shall be restricted to one side of the proposed street as directed by the City of Chesterfield Department of Public Works.
 - b. No driveway, within one-hundred (100) feet of the entrance across from Forest Meadows Drive, may be located within eighty (80) feet of the existing edge of pavement of Clarkson Road.
- 2. Construction Parking
 - a. No construction related parking shall be permitted within the State Route 340 and Old Clarkson Road right-of-way.

G. LANDSCAPE AND TREE REQUIREMENTS

- 1. The developer shall submit a landscape plan, tree stand delineation; and tree preservation plan in accordance with the City of Chesterfield Code.
- 2. The vegetative buffer on Old Clarkson Road must be preserved in the City's right-of-way and may not be disturbed without the specific approval of City Council. This includes the dedicated additional right-of-way as referred to in Section L, Item 6. The buffer may be disturbed only for utility connections, improvements to the drainage swale, the detention basin, and the emergency access, or as approved by City Council, and must meet the guidelines established in Section G, Item 3. Removal of plant materials in the buffer will be replaced with plant materials as specified in Section G.3.
- 3. If the existing vegetation buffer on Old Clarkson Road (beyond the dedicated right-of-way) cannot be preserved, a ten (10)-foot dense landscape strip shall be provided along Old Clarkson Road. To achieve this dense landscaping the following combination of plant material shall be used:
 - a. Deciduous Trees
 - b. Evergreen Trees
 - c. Bushes and Shrubs

The plant material shall comply with the following:

- a. Three (3) Deciduous trees per 100 feet, at 3 1/2 inch caliper
 - b. Six (6) Evergreen trees per 100 feet, at 10 foot in height
 - c. Eight (8) Bushes and Shrubs per 100 feet, at 18 inches in diameter
4. The installation of landscaping abutting Clarkson Road and Old Clarkson Road shall be scheduled to coordinate with the installation of utilities in order to screen the site. This activity shall take place in accordance with approval of the Tree Preservation Plan, Tree Removal Permits, and Grading Permits and shall be directed by the City of Chesterfield.
 5. The existing fire access for Chesterfield Phase I must be replaced with the required landscape buffering when relocated.
 6. 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.
 7. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

H. SIGN REQUIREMENTS

1. 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, Missouri Department of Transportation for sight distance considerations prior to installation or construction.
2. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.
3. 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 sign and landscaping shall be as approved by the Planning Commission on the Site Development Plan.
4. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

I. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. The location and height of the light standards will be as approved by the Planning Commission.
3. Except for required street lighting, no source of illumination will be situated so that light is cast on any public right-of-way or adjoining property.

J. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.

K. ACCESS/ACCESS MANAGEMENT

1. Streets and drives related to this development shall be designed and located in conformance with the Chesterfield Driveway Access Location and Design Standards, as originally adopted by Ordinance No. 2103 and as may be amended from time to time.
2. Permanent access to the site from Clarkson Road (State Rte. 340) shall be limited to one entrance. The entrance shall be aligned with Forest Meadows Drive as directed by the Missouri Department of Transportation and the City of Chesterfield Department of Public Works. Until the existing home on south side of the site is vacated and the permanent access constructed, a temporary entrance may be utilized as approved by the Missouri Department of Transportation and the City of Chesterfield Department of Public Works.
3. A gated temporary emergency access to the site shall be provided on Old Clarkson Road as directed by the City of Chesterfield and the Chesterfield Fire District. The location of the access shall be directed by the City Council, the City of Chesterfield, and the Chesterfield Fire Department. The temporary access shall be vacated at the time the parcels to the south (bounded by Clarkson Road, Old Clarkson Road, and this development) are developed. At that time, alternative gated emergency access only via Old Clarkson Road may be required as directed by the City of Chesterfield and the Chesterfield Fire District.
4. A cross access easement instrument shall be executed to allow for one point of access to the southern parcels from the main internal drive as directed by the City of Chesterfield.

5. No direct access to State Route 340 (Clarkson Road) and Old Clarkson Road will be allowed from this parcel. Access to the subdivision will be via Chesterfield Ridge Circle. Access for emergency vehicles will be allowed to Old Clarkson Road as directed by the appropriate Fire District and the City of Chesterfield.
6. The temporary turnaround at the end of the internal drive shall be constructed as directed by the City of Chesterfield and the Chesterfield Fire District.
7. No lot shall be allowed direct access to Clarkson Road.
8. No lot shall be allowed direct access to Old Clarkson Road.

L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Construct a 10-foot wide median through the left turn lane of Clarkson Road (Rte. 340) in accordance with the Missouri Department of Transportation standards. The median shall connect to the existing median to the north and shall be continuous, except as necessary for turning movements, across the entire frontage of the site. The Developer will be responsible for the installation of a water tap so that an irrigation system may be installed at a later date. The median is to be backfilled with an approved topsoil and temporarily seeded as directed by the Department of Public Works. The City will be responsible for the installation of the irrigation system, permanent landscaping and future maintenance.
2. The plan indicates street grades in excess of the standard maximum of six percent (6%). If street grades in excess of six percent (6%) slope will be desired, steep grade approval must be obtained prior to Site Development Plan approval. In no case shall slopes in excess of twelve percent (12%) be considered.
3. Provide a street connection to the adjoining property to the south from the main street serving this development, as directed by the City of Chesterfield. In conformance with Section 1005.180 of the Subdivision Ordinance, any street connection that is stubbed for future extension shall be posted with signage indicating that the street is to be extended as part of future development. Said signage shall be posted within 30 days of the street pavement being placed. Signs on private streets shall be maintained and/or replaced by the developer until such time as all of the subdivision trustees are residents of the subdivision, at which time the trustees will be responsible. Signage on public rights of way shall be maintained by the developer until such time as the streets are accepted for maintenance by a governmental agency.

4. Provide a five (5) foot wide sidewalk, conforming to St. Louis County ADA standards, adjacent to Clarkson Road and along both sides of the proposed internal drive (as shown on the Preliminary Plan). Said sidewalk shall be constructed in such a way to preserve Tree No. 12 as delineated on the Tree Stand Delineation. The sidewalk may be located within State right-of-way or within a six (6) foot wide sidewalk, maintenance and utility easement on the subject property.
5. The developer shall provide any additional right-of-way for Clarkson Road and construct any improvements as directed by the Missouri Department of Transportation and the City of Chesterfield.
6. The developer shall dedicate ten (10) feet of right-of-way along Old Clarkson Road in addition to the existing forty (40) foot wide right-of-way. The developer shall provide a special cash escrow in an amount equal to the City's estimated cost for a one (1) foot roadway widening, eight (8) foot wide shoulder and drainage improvements.
7. All roadway and related improvements shall be constructed prior to sixty-percent (60%) occupancy of the plat or phase.
8. Provide any additional right-of-way and construct any improvements to State Route 340 (Clarkson Road), as required by the Missouri Department of Transportation.

M. TRAFFIC STUDY

1. Prior to Site Development Plan approval, provide a traffic study, including internal and external circulation, for review, and approval, by the City of Chesterfield Department of Public Works, and the St. Louis County Department of Highways and Traffic.

N. POWER OF REVIEW

1. The City Council shall have automatic power of review and provide final approval of the site development plan.

O. STORMWATER AND SANITARY SEWER

1. Due to the inherent nature of development, the specific size, location, and configuration of the storm water infrastructure are conceptual in nature. The exact location, size, and type of each segment of storm water infrastructure are to be reviewed and approved in conjunction with the development of specific sites. It is expected, that developers will submit alternate plans, proposed alternative geometry, size, and type for these infrastructure improvements, along with supporting hydraulic computations. The Public Works Department will review said proposals for functional equivalence. Functional equivalence is said to be achieved

when, as determined by the Director of Public Works, the alternate proposal provides the same hydraulic function, connectivity, and system wide benefits without adversely affecting water surface profiles at other locations or adjacent properties.

2. The maintenance of the required storm water/ditch system shall be the responsibility of the property owner(s).
3. 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.
4. Emergency over flow 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.
5. 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.

P. 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.
2. Internal streets shall be constructed in accordance with Section 1005.180 of the Subdivision Ordinance of the City of Chesterfield.

3. If street grades in excess of six percent (6%) are desired, steep grade approval must be obtained. In no case shall slopes in excess of twelve percent (12%) be considered. Any request for steep street grades must include justification prepared, signed and sealed by a registered professional engineer and include plans, profiles, boring logs, cross-sections, etc in accordance with the Street Grade Design Policy. The justification should clearly indicate site conditions and alternatives considered. If steep grades are approved for this site, a disclosure statement shall be provided to all potential buyers and a note indicating that priority snow removal will not be given to this site shall be included on the Site Development Plan and Record Plat.

Q. GEOTECHNICAL REPORT.

1. Provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

R. GRADING AND IMPROVEMENT PLANS.

1. 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.
2. 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.

3. When clearing and/or grading operations are completed or suspended for more than thirty (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.
4. Provide adequate temporary off-street parking for construction employees and a vehicle washdown/cleaning area. Parking on non-surfaced areas is prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions. The contractor shall keep the roads in the area clear of mud and debris related to 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.
5. 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.
6. 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.
7. Prior to improvement plan approval, provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Metropolitan St. Louis Sewer District, Missouri Department of Transportation, and the appropriate Fire District.
8. 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.
9. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be required.
10. No grading which results in a change in watersheds will be permitted.
11. If existing City maintained streets are to be used as construction access to this site, prior to approval of a grading permit or improvement plans, or any construction related traffic or delivery of any construction equipment to the site, the following items must be addressed:

- a. The travel route must be approved by the Department of Public Works. No deviation from the approved route will be permitted.
 - b. An evaluation, including film record, of the current condition of the pavement on the approved travel route must be submitted.
 - c. An appropriate bond must be submitted, as approved by the City of Chesterfield, to ensure that any damage to existing pavement is repaired. Repair of damage to existing streets will not be included in the subdivision escrow; a separate bond must be established.
 - d. All plan sheets shall indicate that vehicle loads of construction traffic using this route are not to exceed 22,400 pounds axle load per 60,000 gross vehicle weight and that no tri-axle trucks are to be used. Weight tickets may be used to determine conformance with this requirement.
 - e. Additional protective measures, as deemed necessary by the Department of Public Works, may also be required.
12. Prior to grading permit or improvement plan approval, provide comments/approvals from the appropriate Fire District, the Missouri Department of Transportation, and the Metropolitan St. Louis Sewer District.
13. Prior to approval of a grading permit or improvement plans, copies of recorded easements, including book and page of record, for all off-site work and off-site areas inundated by headwater from on-site improvements must be submitted.

S. MISCELLANEOUS

1. During the Site Development Plan process, the Trustees of Old Clarkson Forest shall be notified of the Architectural Review Board and Planning Commission meeting dates.
2. The trustees of Old Clarkson Forest and Chesterfield Place should be notified prior to any blasting that may be required.
3. 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.
 - a. 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.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT PLANS AND SITE DEVELOPMENT CONCEPT PLANS

1. TIME PERIOD FOR PLAN SUBMITTAL

- a. The developer shall submit a concept plan within eighteen (18) months of City Council approval of the Preliminary Development Plan. This requirement shall be accomplished prior to issuance of building permits.
- b. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the Preliminary Development Plan by the City.
- c. Failure to comply with these submittal requirements will result in the expiration of the preliminary development plan and will require a new public hearing.
- d. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- e. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two (2) years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance. Substantial construction means final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary storm sewers.
- B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA-SITE DEVELOPMENT CONCEPT PLAN SUBMITTAL REQUIREMENTS

- A. The Site Development Concept Plan shall include, but not be limited to, the following:

1. Outboundary plat and legal description of the property.
2. Density Calculations.
3. Zoning district lines and floodplain boundaries.
4. Location map, north arrow, and plan scale.
5. Conceptual location, and size, including height, of all proposed buildings, parking and loading areas, and lots.
6. Specific structure and parking setbacks along all roadways and property lines.
7. Parking calculations.
8. Provide the greenspace percentage for each lot on the plan.
9. Provide open space percentage.
10. Address trees and landscaping in accordance with the City of Chesterfield Code.
11. Provide a lighting plan in accordance with the City of Chesterfield Code.
12. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.
13. Provide size and approximate location of existing and proposed internal and adjacent roadway, drives, major utility easements, necessary right-of-way dedications, road improvements, and curb cuts on and adjacent to property in question.
14. Provide location of curb cuts, necessary right-of-way dedication, road improvements, and driveways on opposite side of street.
15. Show existing and proposed contours at intervals of not more than two (2) foot, and extending one hundred fifty (150) feet beyond the limits of the site.
16. Show 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.
17. Preliminary stormwater and sanitary sewer facilities.

18. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
19. Show the location of significant natural features, such as wooded areas and rock formations that are to remain or be removed.
20. 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.
21. Provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Metropolitan St. Louis Sewer District, Missouri Department of Transportation, and the appropriate Fire District.

V. GENERAL CRITERIA - SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

- A. In addition to the above referenced requirements, the Site Development Section Plan shall adhere to the following criteria:
 1. Show 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.
 2. Show confirmation of compliance with the sky exposure plan and height restrictions as set forth in this ordinance.
 3. Show 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. Prior to plan approval depict existing and proposed improvements, easements, right-of-ways, and off-site easements and right-of-way required for proposed improvements within one hundred fifty (150) feet of the site as directed by the City of Chesterfield. Improvements include, but are not limited to, roadways and driveways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
 5. Show the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to existing systems.

6. Show existing improvements and the locations of significant natural features, such as wooded areas and rock formations that are to remain or be removed.
7. The Site Development Plan and Tree Preservation Plan must be approved prior to any clearing or grading.

VI. GENERAL CRITERIA -- SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

- A. Site Development Plan shall include, but is not limited to, the following:
1. Outboundary plat and legal description of the property.
 2. Density Calculations.
 3. Zoning District lines and floodplain boundaries.
 4. Location map, north arrow, and plan scale.
 5. Conceptual location and size, including height, of all proposed buildings, parking and loading areas, and lots.
 6. Parking calculations.
 7. Specific structure and parking setbacks along all roadways and property lines.
 8. Provide the greenspace percentage for each lot on the plan.
 9. Provide open space percentage.
 10. Address trees and landscaping in accordance with the City of Chesterfield Code.
 11. Provide a lighting plan in accordance with the City of Chesterfield Code.
 12. Provide Floor Area Ratio (F.A.R.)
 13. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.
 14. Scale shall be no greater than one (1) inch equals one hundred (100) feet.
 15. Confirmation of compliance with the sky exposure plan and height restrictions as set forth in this ordinance.

16. Size and approximate location of existing and proposed internal and adjacent roadway, drives, major utility easements, necessary right-of-way dedications, road improvements and curb cuts on and adjacent to property in question.
17. Show location of curb cuts, necessary right-of-way dedication, road improvements, and driveways on opposite side of street.
18. Show existing and proposed contours at intervals of not more than two (2) foot, and extending one hundred fifty (150) feet beyond the limits of the site.
19. Show 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.
20. Show preliminary stormwater and sanitary sewer facilities.
21. Show the location of significant natural features, such as wooded areas and rock formations that are to remain or be removed.
22. 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.
22. Provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Metropolitan St. Louis Sewer District, Missouri Department of Transportation, and the appropriate Fire District.
23. Show 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.
24. Show 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.
25. Prior to plan approval; depict existing and proposed improvements, easements, right-of-ways, and off-site easements and right-of-way required for proposed improvements within one hundred fifty (150) feet of the site as directed by the City of Chesterfield. Improvements include, but are not limited to, roadways and driveways adjacent to and across the

street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.

26. Show the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to existing systems.
27. Show existing improvements and the locations of significant natural features, such as wooded areas and rock formations that are to remain or be removed.
28. The Site Development Plan and Tree Preservation Plan must be approved prior to clearing or grading.

VII. RECORDING

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

XII. VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE

Prior to any Special Use Permit being issued 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.

IX. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL

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

1. Provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Metropolitan St. Louis Sewer District, Missouri Department of Transportation, and the appropriate Fire District and any other applicable agency as required by the Department of Planning.
2. Copies of recorded easements for off-site work, including book and page information, will be provided.

X. 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 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.

XI. 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.
- c. Prior to the issuance of any occupancy permit, floodplain management requirements shall be met.
- d. All lots shall be seeded and mulched or sodded before an occupancy permit shall be issued, except that a temporary occupancy permit may be issued in cases of undue hardship because of unfavorable ground conditions. Seed and mulch shall be applied at rates that meet or exceed the minimum requirements stated in the Sediment and Erosion Control Manual.

XII. 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.

All conditions of the Escrow as stated in the Escrow Agreement shall be met and approved by the Department of Public Works per the established Escrow Agreement.

XIII. 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 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.
 5. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
 6. If cut or fill slopes in excess of the standard maximum of 3:1 horizontal run to vertical rise are desired, approval for the steeper slopes must be obtained from the Director of Public Works. Approval of steeper slopes is limited to individual and isolated slopes, rock dikes, undisturbed and stable natural slopes and slopes blending with the natural terrain. Design of the steep slopes must be performed by a registered professional engineer and include recommendations regarding construction methods and long-term maintenance of the slope. Any steep slope proposed on a Site Development Plan shall be labeled and referenced with the following note: *Approval of this plan does not constitute approval of slopes in excess of 3:1. Steep slopes are subject to the review and approval of the Director of Public Works. Review of the proposed steep slope will be concurrent with the review of the grading permit or improvement plans for the project.*

7. Soft soils in the bottom and banks of any existing or former pond sites or tributaries or any sediment basins or traps should be removed, spread out and permitted to dry sufficiently to be used as fill. This material shall not be placed in proposed public right-of-way locations or in any storm sewer location.
8. All fills placed under proposed storm and sanitary sewer lines and/or paved areas, including trench backfill within and off the road right-of-way, shall be compacted to ninety (90%) of maximum density as determined by the "Modified AASHTO T-180 Compaction Test" (ASTM D-1557) for the entire depth of the fill. Compacted granular backfill is required in all trench excavation within the street right-of-way and under all paved areas. All tests shall be performed concurrent with grading and backfilling operations under the direction of a geotechnical engineer who shall verify the test results.
9. Access/utility easements shall be required throughout the development. A continuous 15-foot wide rear yard easement shall be provided. At a minimum, a 10-foot wide utility/access easement shall be provided at every other lot line or break between structures, as directed.
10. Should the design of the subdivision include retaining walls that serve multiple properties, those walls shall be located within common ground or special easements, including easements needed for access to the walls.
11. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the Missouri Department of Transportation and the City of Chesterfield for sight distance considerations prior to installation or construction.
12. This development may require an NPDES permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb one (1) or more acres.
13. The detention lakes servicing Old Clarkson Forest and the tributary to Lieman Road are located adjacent to the proposed development which may, in the opinion of the Department of Public Works, be impacted by development of subject site. The Detention lake and tributary shall be in the same condition at the completion of development of subject site as pre-development. This condition is dependent on the ability of the developer to acquire necessary easements/agreements for pre and post condition surveys and restorative activities. Condition of the downstream area shall be determined by a pre-construction survey conducted prior to any clearing, grading or construction on the subject site. A copy of the pre-construction survey of downstream detention area shall be submitted to the City of Chesterfield, Department of Public Works prior to any clearing or grading on the site. Within twelve (12) months of the completion of the proposed development or two (2) years from the start of the development,

whichever is greater, a post-construction survey shall be made of the same downstream detention to determine condition of same. The developer shall be required to return surrounding downstream basin to pre-construction condition. A bond as approved by the Department of Public Works of the City of Chesterfield shall be posted to assure compliance with this condition.

14. Construction access shall be limited to Clarkson Road and vacated when construction is complete.
15. During the Site Development Plan process, the Trustees of Old Clarkson Forest shall be notified of the Architectural Review Board and Planning Commission meeting dates.
16. The trustees of Old Clarkson Forest and Chesterfield Place should be notified prior to any blasting that may be required.
17. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.

XIV. ENFORCEMENT

1. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development Plan approved by the City of Chesterfield and the terms of this Attachment A.
2. 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.
3. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
4. Waiver of Notice of Violation per the City of Chesterfield Code.
5. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.