

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "C8" PLANNED COMMERCIAL DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT FOR A 1.5 ACRE PARCEL LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD, WEST OF VALLEY DRIVE CENTER (P.Z. 14-2005 RHODES DEVELOPMENT/PLAZA TIRE)

WHEREAS, the petitioner, Rhodes Development, has requested a change in zoning from "C8" Planned Commercial District to "PC" Planned Commercial District for a 1.5 acre tract of land located on the south side of Chesterfield Airport Road; and,

WHEREAS, the Planning Commission held a public hearing on October 24, 2005 to consider the matter; and,

WHEREAS, P.Z. 14-2005 Rhodes Development/Plaza Tire was considered by the Planning Commission of the City of Chesterfield and recommended for approval by a vote of 7-0; and,

WHEREAS, the City Council, after discussions regarding landscaping and setbacks for the development, voted to concur with the Planning Commission's decision and approved P.Z. 14-2005 by a vote of 5-4.

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

Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are a part thereof, are hereby amended by transferring from the "C8" Planned Commercial District to a "PC" Planned Commercial District for a 1.5 acre tract of land located on the south side of Chesterfield Airport Road. A description of the subject site is as follows:

PROPERTY DESCRIPTION

Beginning at the intersection of the west line of said Share 7 with south line of Chesterfield Airport Road, 100 feet wide, formerly Olive Street Road; thence eastwardly along the said south line North 89 degrees 37 minutes East 180.48 feet, to a point; thence South 00 degrees 34 minutes West 354.99 feet to a point; thence South 00 degrees 34 minutes West 354.99 feet to a point; thence South 89 degrees 37 minutes West 180.48 feet to a point on the aforesaid west line of Share 7; thence northwardly along said west line North 00 degrees 34 minutes East 354.99 feet to the point of beginning and containing 1.5 acres according to calculations by Volz Engineering and Surveying, Inc.

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

Section 3. The City Council, pursuant to the petition filed by Rhodes Development/Plaza Tire in P.Z. 14-2005 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 24th 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.

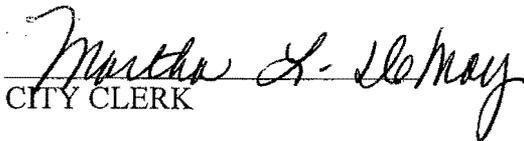
Section 4. This ordinance and the requirements thereof are exempt from the warnings and summons for violations as set out in Section 1003.410 of the zoning Ordinance of the City of Chesterfield.

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

Passed and approved this 13th day of JUNE, 2006.


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
- 1.7 Chesterfield Valley
- 3.1. Quality Commercial Development
- 3.1.1 Quality of Design
- 3.4 Signage Considerations
- 3.4.1 Preserve Aesthetics and Public Safety
- 3.5 Chesterfield Valley
- 3.5.2 Chesterfield Valley Airport Compatibility
- 7.2.4 Encourage Sidewalks
- 7.2.5 Right-of-Way Dedication
- 7.2.9 Access Management
- 7.4 Cooperation with Other Agencies
- 8.2.2 Underground Electric Service
- 8.3 Stormwater Management
- 8.3.1 New Development Review for Stormwater 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 P.C. District shall be:

- (cc) Parking areas, including garages, for automobiles, but not including any sales of automobiles. Wrecked or otherwise damaged and immobilized automotive vehicles shall not be stored outside.
- (rr) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind are being offered for sale or hire to the general public on the premises.
- (uu) Vehicle repair facilities for automobiles.
- (vv) Vehicle service centers for automobiles.

2. The above uses in the Planned Commercial District shall be restricted as follows:

- (uu) Body work is prohibited.
- (vv) Sale of motor vehicles is prohibited.

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

1. FLOOR AREA

- a. Total building floor area shall not exceed 7,750 square feet.

2. HEIGHT

- a. The maximum height of the building, exclusive of roof screening, shall not exceed one (1) story.

3. BUILDING REQUIREMENTS

- a. Openspace: A minimum of 30% openspace is required for this development. Openspace includes all areas excluding the building or areas for vehicular circulation.
- b. Floor Area Ratio: The development shall have a maximum Floor Area Ratio (F.A.R.) of 55% F.A.R. is 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.

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. One hundred (100) feet from the right-of-way Chesterfield Airport Road on the northern boundary of the P.C. District.
- b. One hundred fifteen (115) feet from the southern boundary of the P.C. District.
- c. Fifty-five (55) feet from the eastern boundary of the P.C. District.
- d. Forty-five (45) feet from the western boundary of the P.C. District.

2. PARKING 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. Forty (40) feet from the right-of-way of Chesterfield Airport Road.
- b. Seventy (70) feet from the southern boundary of the P.C. District.
- c. Ten (10) feet from the eastern boundary of the P.C. district.
- d. Ten (10) feet from the western boundary of the P.C. district.

3. LOADING SPACE SETBACKS

No loading space will be located within the following setbacks:

- a. Two hundred thirty (230) feet from the right-of-way of Chesterfield Airport Road.

- b. Seventy (70) feet from the southern boundary of the P.C. District.
- c. Fifty-nine (59) feet from the eastern boundary of the P.C. district.
- d. Fifty-three (53) feet from the western boundary of the P.C. district.

F. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code. There shall be no parking on the northern portion of the site along Airport Road.
2. Construction Parking
 - a. 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.
 - b. 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.
 - c. Construction parking shall not be permitted on public-maintained roadways. Adequate off-street stabilized parking area(s) shall be provided for construction employees.
3. Parking lots shall not be used as streets.

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. There shall be a berm and landscaping along Chesterfield Airport Road to provide screening from the parking on the subject site.
2. If the estimated cost of new landscaping indicated on the Site Development Plans 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.

3. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

H. SIGN REQUIREMENTS

1. Sign package submittal materials shall be required for this development. All sign packages shall be reviewed and approved by the City of Chesterfield Planning Commission.
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.
3. 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.

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.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
3. 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.
4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

K. ACCESS/ACCESS MANAGEMENT

1. Access to Chesterfield Airport Road shall be limited to one driveway entrance. The driveway entrance shall be as close to the west property line as practical as well as aligned with the access for 84 Lumber on the north side of Chesterfield Airport Road as directed by the City of Chesterfield's Department of Public Works and the St. Louis County Department of Highways and Traffic.
2. The nearest edge of any street, access or driveway intersecting the entrance street shall be located a minimum of 80 feet from the edge of pavement of Chesterfield Airport Road, as directed by the City of Chesterfield's Department of Public Works.
3. Provide cross access easement(s) or other appropriate legal instrument(s) guaranteeing permanent access to the adjacent properties to the east and west as directed.
4. 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.

L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide any additional right-of-way and construct any improvements to Chesterfield Airport Road, as required by the St. Louis County of Highways and Traffic and the City of Chesterfield's Department of Public Works.
2. 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.

3. Provide a 5 foot wide sidewalk, conforming to ADA standards, along Chesterfield Airport Road frontage of the site.
4. Construct a 10 foot wide full depth shoulder along the frontage of this tract.
5. Access to this development from Chesterfield Airport Road shall be restricted to one (1) commercial entrance, located at the east property line and constructed to Saint Louis County standards as directed by Saint Louis County Department of Highways and Traffic. Be advised that the entrance may be signalized in the future, which may necessitate easements and modifications to this entrance.

M. TRAFFIC STUDY

1. A traffic study, as directed by the City of Chesterfield, including internal and external circulation, shall be required for review, and approval, by the City of Chesterfield Department of Public Works, and the St. Louis County Department of Highways and Traffic prior to Site Development Plan approval.
2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Wilson Avenue and/or Wild Horse Creek Road. If adequate sight distance cannot be provided at the access location, acquisition of right of way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the Missouri Department of Transportation.

N. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed, or the Mayor, may request that the site plan 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 of the site plan. The City Council will then take appropriate action relative to the proposal.

O. STORMWATER AND SANITARY SEWER

1. The Chesterfield Valley Master Storm Water Plan indicates a one half acre stormwater reservoir that needs to be located along the south property line of this site and that drainage from this site is to be directed to the south to a roadway culvert under a parking drive aisle for St. Louis Family Church. The developer shall be responsible for construction of the required storm water

improvements and coordination with the owners of the properties affected by construction of the required improvements.

2. The developer may elect to propose alternate geometry, size and/or type of storm water improvements that are functionally equivalent to the required improvements. 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 any of the following: water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the Director of Public Works determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.
3. Provide a Chesterfield Valley Storm Water Easement along the south property line to accommodate the Chesterfield Valley Master Storm Water Plan channel in that area, and depict the channel on the Site Development Plan and improvement plans. Maintenance of the required channel shall be the responsibility of the property owner.
4. All Chesterfield Valley Master Storm Water Plan improvements shall be operational prior to the paving of any driveways or parking areas.
5. If any lot is proposed to be located in an existing or proposed Special Flood Hazard Area, the lot shall be clearly labeled as being located in the floodplain on the Site Development Plan and improvement plans. If any development in, or alteration of, the floodplain is proposed, the developer shall obtain a Floodplain Development Permit from the Department of Public Works. The developer must demonstrate that the proposed work will have no adverse impact on other properties in Chesterfield Valley. The Floodplain Development Permit must be approved prior to the approval of a grading permit or improvement plans. If any change

in the location of the Special Flood Hazard Area is proposed, the developer shall be required to obtain a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency. The LOMR must be issued by FEMA prior to the final issuance of an occupancy permit and final release of any escrow for improvements in the development.

6. The lowest Reference Level (floor) of any structure, as defined by FEMA, shall be constructed a minimum of one (1) foot above the base flood elevation and a minimum of one (1) foot above the 100-year high water elevation as produced by the Chesterfield Valley Master Storm Water Plan model. The minimum elevation for the Reference Level for each lot shall be indicated on the Site Development Plan and improvement plans, and an Elevation Certificate, on the form developed by FEMA for that purpose, shall be submitted immediately after construction of each structure. Occupancy permits shall not be issued for structures for which an Elevation Certificate has not been submitted.
7. 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.
8. 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.

P. ROADWAY IMPROVEMENTS AND CURB CUTS.

1. 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.

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 Site Development Plan and Tree Preservation Plan/Tree Removal Permit must be approved prior to issuance of a grading permit or approval of improvement plans.
2. Prior to approval of a grading permit or improvement plans, a Storm Water Pollution Prevention Plan (SWPPP) must be submitted and approved. The SWPPP shall address installation and maintenance of required erosion control practices specific to site conditions. The purpose of the SWPPP is to ensure the design, implementation, management and maintenance of Best Management Practices (BMPs) to control erosion and reduce the amount of sediment and other pollutants in storm water discharges associated with land disturbance activities, and ensure compliance with the terms and conditions stated in the Sediment and Erosion Control Manual.
3. No grading which results in a change in watersheds will be permitted.
4. 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.
5. Prior to grading permit or improvement plan approval, provide comments/approvals from the appropriate Fire District, St. Louis County Department of Highways and Traffic, Spirit of St. Louis Airport,

Monarch Chesterfield Levee District, and the Metropolitan St. Louis Sewer District.

6. 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. 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.
2. The developer is advised that utility companies will require compensation for relocation of their facilities with 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 also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy before completion of road improvements.

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.
- C. A grading permit or improvement plan approval is required prior to any clearing or grading.
- D. Erosion and siltation control devices shall be installed prior to any clearing or grading and be maintained throughout the project until adequate vegetative growth insures no future erosion of the soil and work is accepted by the owner and controlling regulatory agency.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall adhere to the above criteria and to the following:

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Outboundary plat and legal description of the property.
- 3. Density Calculations.
- 4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.

5. Provide open space percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways 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.
15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Provide a lighting plan in accordance with the City of Chesterfield Code.

20. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.
21. 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 appropriate Fire District, the Metropolitan St. Louis Sewer District, the Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
23. Compliance with Sky Exposure Plane.

V. GRADING AND IMPROVEMENT PLAN REQUIREMENTS

- A. A Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a grading permit or approval of improvement plans.
- B. Prior to approval of a grading permit or improvement plans, a Storm Water Pollution Prevention Plan (SWPPP) must be submitted and approved. The SWPPP shall address installation and maintenance of required erosion control practices specific to site conditions. The purpose of the SWPPP is to ensure the design, implementation, management and maintenance of Best Management Practices (BMPs) to control erosion and reduce the amount of sediment and other pollutants in storm water discharges associated with land disturbance activities, and ensure compliance with the terms and conditions stated in the Sediment and Erosion Control Manual.
- C. No grading which results in a change in watersheds will be permitted.
- D. 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:
 1. The travel route must be approved by the Department of Public Works. No deviation from the approved route will be permitted.
 2. An evaluation, including film record, of the current condition of the pavement on the approved travel route must be submitted.
 3. 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.

4. All plan sheets shall indicate that vehicle loads of construction traffic using this route are not to exceed 22,400 pounds axle load or 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.
 5. Additional protective measures, as deemed necessary by the Department of Public Works, may also be required.
- E Prior to grading permit or improvement plan approval, provide comments/approvals from the appropriate Fire District, St. Louis County Department of Highways and Traffic, Spirit of St. Louis Airport, Monarch Chesterfield Levee District, and the Metropolitan St. Louis Sewer District.
- F. 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.

VI. 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.

VII. 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.

VIII. VERIFICATION PRIOR TO RECORD PLAT APPROVAL

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 United States Public Land Survey Corners.

IX. 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.

4. A grading permit or improvement plan approval is required prior to issuance of a building permit. In extenuating circumstances, an exception to this requirement may be granted.

5. All required subdivision improvements in each plat of a subdivision shall be completed prior to issuance of more than 85% of the building permits for all lots in the plat.

X. OCCUPANCY PERMIT/FINAL OCCUPANCY

1. Prior to the issuance of any occupancy permit, floodplain management requirements shall be met.

2. 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.

3. Prior to final occupancy of any building, the developer shall provide certification by a registered land surveyor that all monumentation

depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

XI. FINAL RELEASE OF SUBDIVISION DEPOSITS

Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

XII. 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. 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.
2. 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.
3. When clearing and/or grading operations are completed or will be suspended for more than 14 days, all necessary precautions shall be taken to retain soil materials on site. Protective measures may include a combination of seeding, periodic wetting, mulching, or other suitable means.
4. If cut and fill operations occur during a season not favorable for immediate establishment of permanent ground cover, unless alternate storm water detention and erosion control devices have been designed and established, a fast germinating annual, such as rye or sudan grasses, shall be utilized to retard erosion.
5. 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.*

6. 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.
7. 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 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.
8. 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.
9. 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.

XIII. 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.