

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 2255 TO ALLOW FOR AN AMENDMENT TO THE STRUCTURE SETBACK AND HEIGHT OF THE CAR WASH FACILITY FOR A 0.92-ACRE TRACT OF LAND ZONED "PC" PLANNED COMMERCIAL DISTRICT LOCATED ON THE SOUTH SIDE OF CLAYTON ROAD, AT ITS INTERSECTION WITH BAXTER ROAD. (PETRO MART/14898 CLAYTON ROAD)

WHEREAS, the petitioner, Land West One LLC., has requested an ordinance amendment to allow for an amendment to the structure setback and height requirement for the car wash facility; and,

WHEREAS, the request was considered by the City of Chesterfield Planning Commission and upon review, the recommendation to approve the amendment was approved; and,

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 The City of Chesterfield Ordinance Number 2255 is hereby repealed and those conditions therein are incorporated into this Attachment A, which is attached hereto and made a part hereof for Petro Mart.

LEGAL DESCRIPTION

A tract of land being part of Adjusted Tract 1 of the Boundary Adjustment Plat of Tracts 1 and 2 of part of Lot 6 of Baxter Estate Partition, as recorded in Plat Book 248, page 36, of the St. Louis County Records, and also being in the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 26, Township 45 North, Range 4 East, of the Fifth Principal Meridian, in St. Louis County, Missouri, and more particularly described as follows:

Beginning at the Northeast corner of said Adjusted Tract 1, said corner is also the Northwest corner of Wildwood, Plat 2, a subdivision recorded in Plat Book 105, pages 8, 9 of the St. Louis County Records; thence along the East line of Adjusted Tract 1 and along the West line of said Wildwood, Plat 2, S $1^{\circ} 03' 00''$ W, a distance of 73.20', by record and survey, to the Southeast corner of Adjusted Tract 1; thence along the South line of Adjusted Tract 1, S $74^{\circ} 53' 27''$ W, a distance of 299.79', by survey, to the East line of Baxter Road, as widened by Plat Book 255, page 8, of the St. Louis County Records; thence along the East line of said Baxter Road, as widened, N. $28^{\circ} 17' 00''$ W, a distance of 124.58', by record and survey, to a point of curve; thence continuing along the East line of said Baxter Road in a Northeasterly direction along a curve to the right having a radius of 40.00', an arc distance of 59.41', with a chord being, N $14^{\circ} 16' 16''$ E, a distance of 54.10', by record and survey, to a point of reverse curve on the South line of Clayton Road, as widened, by Plat Book 255, page 8, of the St. Louis County Records; thence along the South line of said Clayton Road, as widened, in a Northeasterly direction along a curve to the left having a radius of 931.95', an arc distance of 128.32', with a chord bearing, N. $52^{\circ} 52' 51''$ E, a distance of 128.22', to the East line of

Adjusted Tract 1; thence along the East line of said Adjusted Tract 1, S 20° 31' 00" E, a distance of 143.04', by survey, to the corner of Adjusted Tract 1; thence along the North line of said Adjusted Tract 1, N 76° 02' 00" E, a distance of 189.70', by record and survey, to the Northeast corner of Adjusted Tract 1 and to the point of beginning, containing 0.92 acre, more or less, according to a Survey performed by T. L. Consultants in January, 2004.

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 request filed by Petro Mart, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted, 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.

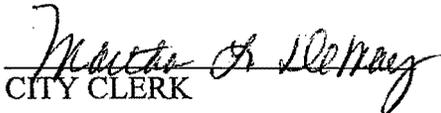
Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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 NOVEMBER, 2006.


MAYOR

ATTEST:


CITY CLERK

FIRST READING HELD: 11/6/06



690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

September 28, 2006

Planning Commission
City of Chesterfield
690 Chesterfield Pkwy W
Chesterfield, MO 630170-0760

Dear Commission Members:

The following petition is hereby submitted for your consideration:

Petition: Petro-Mart (14898 Clayton Road)

Petitioner: George Eble, Land West 1, LLC

Request: A request for an ordinance amendment

George Eble, on behalf of Petro Mart, has submitted for your review a request for an ordinance amendment to the City of Chesterfield Ordinance Number 2255 which governs this site.

Area Land Use/History

- ✦ The subject site is a 0.92 acre parcel and currently contains a gas station and car wash facility.
- ✦ The site was rezoned to "PC" Planned Commercial District via City of Chesterfield Ordinance 2255 on April 17, 2006 to add additional uses for the purposes of redeveloping the site.
- ✦ The future use of the site is a convenience store, gas station, and new car wash facility.

Request

- ✦ Since the time of the rezoning, the petitioner realized that the height of the car wash will need to be 17 feet versus the 12 feet originally written in the Attachment A. Also, in an effort to provide additional greenspace, the car wash facility has been relocated and will require an amendment to the structure setback.

- ✦ The two (2) amendment requests are as follows:
 - **Section D. Height** allows for a maximum height of twelve (12) feet for the car wash and the Petitioner is requesting an amendment to allow for seventeen (17) feet.
 - Petitioner is also requesting an amendment to **Section E. Structure Setbacks** to allow for a setback of thirty-eight (38) feet from the northern property in lieu of the current forty (40) feet requirement.

- ✦ No other changes are being made to the Attachment A.

Surrounding Land Use and Zoning

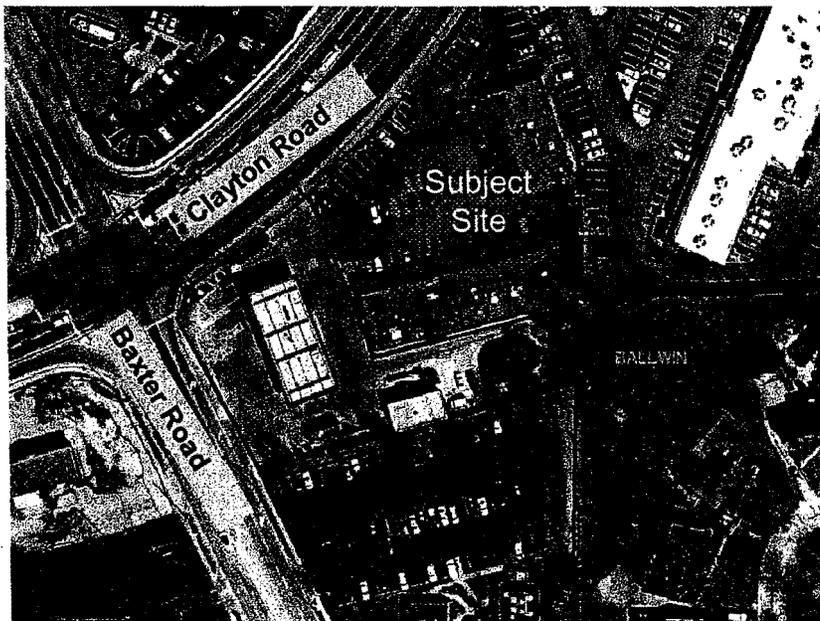
The land use and zoning for the properties surrounding this parcel are as follows:

North: The property located to the north is zoned "C-8" Commercial District.

South: The property located to the south is zoned "C-8" Commercial District.

East: The property located to the east of the site is zoned "C-2" Commercial District and includes a residential area in Ballwin.

West: The property located to the west zoned "C-2" Commercial District.



Planning Commission
October 9, 2006

Petro Mart (14898 Clayton Road)
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Respectfully submitted,

Respectfully submitted,

Aimee Nassif
Senior Planner of Zoning Administration

Teresa Price
Director of Planning

Cc: City Attorney
City Administrator
Department of Public Works
Petitioner

Attachments:

1. Attachment A

ATTACHMENT A

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

- 3.1 Quality Commercial Development
- 3.1.2 Buffering of Neighborhoods
- 3.2.1 Neighborhood Retail Facilities

I. SPECIFIC CRITERIA

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

B. Definitions

1. **A Site Development Concept Plan is a conceptual plan for development in a planned district being done in phases.**
2. **A Site Development Section Plan is a plan for development for sections of the overall concept plan.**
3. **A 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 in this "PC" Planned Commercial District shall be:
 - a. Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.
 - b. Permitted signs.
 - c. 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.
 - d. Vehicle washing facilities for automobiles.

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

1. FLOOR AREA

- a. The gross floor area constructed for the convenience store building shall not exceed two thousand six hundred and ten (2,610) square feet. The gross floor area constructed for the car wash shall not exceed two thousand five hundred and thirty one (2,531) square feet.

2. HEIGHT

- a. The maximum height of the building, exclusive of roof screening, shall not exceed twenty (20) feet.
- b. The maximum height for the car wash shall not exceed seventeen (17) feet.
- c. The maximum height of the gasoline canopy shall not exceed eighteen (18) feet.

3. BUILDING REQUIREMENTS

- a. **OPENSOURCE:** A minimum of twenty two (22%) opensource is required for this development. Opensource is determined by a fraction: the numerator of which is all green area plus all non-paved surfaces, the denominator of which is the total area of the site minus the area of the pedestrian access ways as approved by the City of Chesterfield. The proposed greenspace is shown on the attached Exhibit A.
- b. **Floor Area Ratio:** The development shall have a maximum Floor Area Ratio (F.A.R.) of .190. 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. 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 (1) foot from the eastern property line bearing S20°31'00"E.
- b. Thirty-eight (38) feet from the northern property line bearing N76°02'00"E.
- c. Seventy (70) feet from the eastern property line bearing S01°03'00"W.
- d. One (1) foot from the southern property line bearing S74°53'27"W.
- e. Structure setbacks from the western property line bearing N28°17'00"W shall be as follows:
 - (i.) for the gas station canopy-setback shall be thirty (30) feet.
 - (ii.) for the convenience store-setback shall be one hundred and seven (107) feet.
 - (iii.) for the car wash-setback shall be one hundred eighteen (118) feet.
- f. Twenty four (24) feet from the right-of-way Clayton Road on the northern boundary of the "PC" Planned Commercial District.

2. PARKING AND LOADING SPACE SETBACKS

No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress, will be located within the following setbacks:

- a. Forty (40) feet from the right-of-way of Clayton Road.
- b. Two (2) feet from the northern property line bearing N76°02'00"E.

- c. Twenty five (25) feet from the eastern property line bearing S01°03'00"W.
- d. Five (5) feet from the southern property line bearing S74°53'27"W.

F. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Construction Parking
 - a. No construction related parking shall be permitted within the State Route HH (Clayton Road) or Baxter Road rights-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. Provide a white vinyl fence, not to exceed six (6) feet in height, along the southern and eastern property lines in addition to the required landscaping.
3. 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.
4. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.
5. Landscape buffer requirement for this site shall be as follows:
 - a. Eight (8) feet from the southern boundary of the site.
 - b. Twenty (20) feet from the eastern property line bearing S01°03'00"W.
 - c. Four (4) feet from the northern property line bearing N76°02'00"E.
 - d. Two (2) feet from the right-of-way of Clayton Road.

- e. The developer shall provide comments from the Missouri Department of Transportation and the City of Chesterfield Department of Public Works regarding plantings in the right-of-way.

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 or 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.
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 Baxter Road shall be limited to one entrance. The location and geometry of the access shall be as directed by the Department of Public Works and the St. Louis County Department of Highways and Traffic.
2. Access to State Route HH (Clayton Road) shall be limited to one entrance. The location and geometry of the access shall be as directed by the Department of Public Works and the Missouri Department of Transportation (MoDOT).
3. Provide cross access easement(s) or other appropriate legal instrument(s) guaranteeing permanent access to the adjacent properties to the east 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 State Route HH (Clayton Road) as required by MoDOT.
2. Provide any additional right-of-way and construct any improvements to Baxter Road as required by the St. Louis County Department of Highways and Traffic.
3. All roadway and related improvements shall be completed prior to occupancy for the development.

4. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the Baxter Road and the State Route HH (Clayton Road) frontage of the site. The sidewalk may be located within County and State right-of-way, if permitted by MoDOT and the St. Louis County Department of Highways and Traffic.

M. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield, St. Louis County Highways and Traffic and MoDOT. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements as required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

N. POWER OF REVIEW

1. The City Council shall review and provide final approval of the site development plan for the proposed development subsequent to Planning Commission review.

O. STORMWATER AND SANITARY SEWER

1. Any additional stormwater runoff generated shall be attenuated onsite.
2. This development shall conform to the St. Louis County Department of Highways and Traffic's requirements regarding car wash drainage within road rights-of-way.
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 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.
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 provided 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 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.

6. 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 thirty (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, St. Louis County Department of Transportation and MoDOT for 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.
4. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Highways and Traffic and the Missouri Department of Transportation. No gate installation will be permitted on public right of way. A minimum stacking distance of 60 feet from any intersection and a turnaround for rejected vehicles designed to accommodate a single unit truck shall be provided in advance of the gate, as directed by the Department of Public Works and the St. Louis County Department of Highways and Traffic and the Missouri Department of Transportation.

5. If a gate is installed on a street in this development, the streets within the development or that portion of the development that is gated shall be private and remain private forever. Maintenance of private streets, including snow removal, shall be the responsibility of the developer/subdivision. In conformance with Section 1005.265 of the Subdivision Ordinance, a disclosure statement shall be provided to all potential buyers. In conformance with Section 1005.180 of the Subdivision Ordinance, signage indicating that the streets are private and owners are responsible for maintenance shall be posted. Said signage shall be posted within 30 days of the placement of the adjacent street pavement and maintained and/or replaced by the developer until such time as the subdivision trustees are residents of the subdivision, at which time the trustees will be responsible for maintenance.
6. The nearest edge of any drive or intersecting street shall be located at least 40 feet from the line of the gate, as directed.

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 grading permit or improvement plan approval is required prior to any clearing or grading.
2. 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.
3. 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 Erosions Control Manual.

4. No grading which results in a change in watersheds will be permitted.
5. 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.
6. An evaluation, including film record, of the current condition of the pavement on the approved travel route must be submitted.
7. 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.
8. 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.
9. Additional protective measures, as deemed necessary by the Department of Public Works, may also be required.

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.
2. 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 CONCEPT PLANS AND SITE DEVELOPMENT PLANS

- 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 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 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 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 1 inch equals 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 two (2) feet, 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 St. Louis County Department of Highways and Traffic, 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, Missouri Department of Transportation, Spirit of St. Louis Airport, 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. 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.

VIII. RECORDING

Within 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.

IX. 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.

X 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

XI. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

- A. 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.
- B. All required subdivision improvements in each plat of a subdivision shall be completed prior to issuance of more than 85 percent of the building permits for all lots in the plat.
- C. Prior to the issuance of foundation or building permits, all approvals from all applicable agencies and the Department of Public Works, as applicable, must be received by the City of Chesterfield Department of Planning.
- D. Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, the Missouri Department of Transportation and the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.

XII. OCCUPANCY PERMIT/FINAL OCCUPANCY

- A. Prior to the issuance of any occupancy permit, floodplain management requirements shall be met.
- B. 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.
- C. 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.

XIII. FINAL RELEASE OF ESCROW

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.

XIV. GENERAL DEVELOPMENT CONDITIONS

- A. 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.
- B. 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.
- C. When clearing and/or grading operations are completed or will be suspended for more than fourteen (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.
- D. 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.
- E. 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.*
- F. 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.
- G. 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 percent (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.

- H. 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.
- I. 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.
- J. 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.

XV. ENFORCEMENT

- A. 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.
- B. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C. 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.
- D. Waiver of Notice of Violation per the City of Chesterfield Code.
- E. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.