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Planning Commission Vote Report

Meeting Date: March 13, 2017

From: Cecilia Hernandez – Project Planner

Location: East of Clarkson Road and north of Baxter Road

Petition: **P.Z. 04-2017 Dierberg’s The Market Place** – A request for an amendment to an existing “C-8” Planned Commercial District for an 11.35 acre tract of land located east of Clarkson Road and north of Baxter Road to increase the allowable density to permit an additional 3,800 square feet of supermarket and an additional 2,000 square feet in retail shopping abutting the supermarket.

PROPOSAL SUMMARY

Dierbergs Chesterfield Village, Inc. has submitted a request for an amendment to an existing “C-8” Planned Commercial District for an 11.35 acre tract of land. The request is to increase the allowable density to permit 80,000 square feet (an additional 3,800 square feet) of supermarket and 19,500 (an additional 2,000 square feet) in retail shopping abutting the supermarket. If approved, a new ordinance and Attachment A would be put in place which repeals and replaces Ordinance #2256, Section D, numbers 1.a and 1.b.

SITE HISTORY

The subject site was zoned “C8” Planned Commercial prior to incorporation of the City of Chesterfield via St. Louis County Ordinance 12,964, which was subsequently amended by St. Louis County Ordinance 13,306. In 1992, the City of Chesterfield approved a new ordinance which added the animal hospital/veterinary use to the permitted uses for the site. Finally, in April 2006 the City of Chesterfield approved Ordinance 2256, the currently governing ordinance for the site, which approved a parking reduction and an amendment to permitted uses for the outbuilding.

SURROUNDING LAND USE AND ZONING

The land use and zoning for the properties surrounding the amendment area are shown and described below.

North: North of the site is the Drew Station subdivision which is currently zoned “C-8” Planned Commercial District.

South: To the south across Baxter Road is the Lord of Life Lutheran Church subdivision which is zoned “R6A” Residence District.

East: East of the site across Clarkson Road is the Clarkson Square subdivision which is currently zoned “C-8” Planned Commercial District.

West: Located to the west of the subject site is the Eberwein Park which is zoned “PS” Park and Scenic.

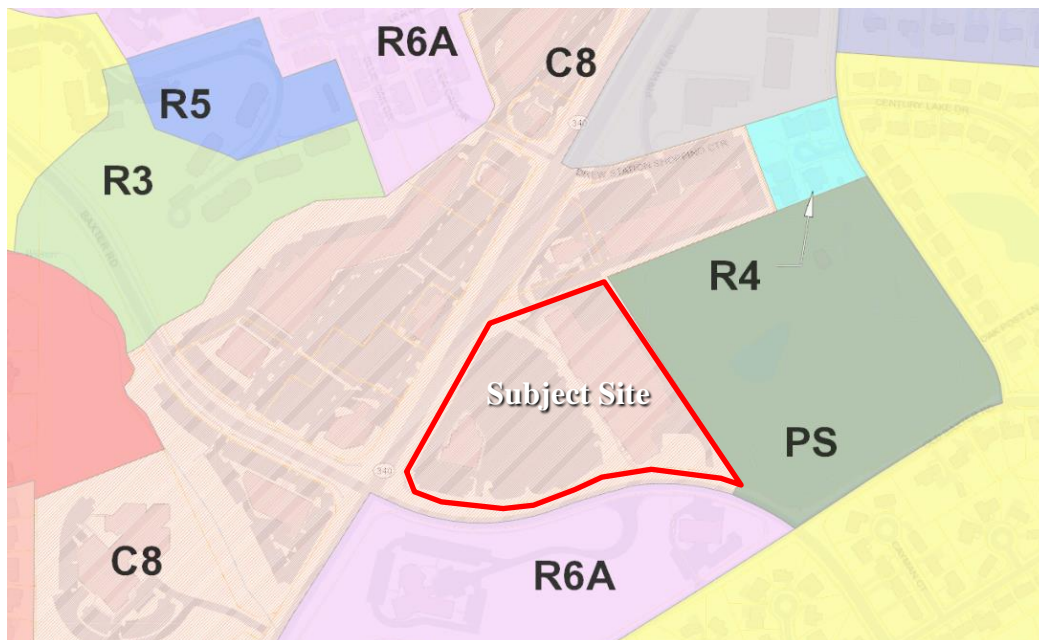


Figure 1: Zoning Map

COMPREHENSIVE PLAN

The City of Chesterfield Comprehensive Land Use Map delineates the subject site within the “Urban Core” land use designation. The Comprehensive Plan states that the Urban Core should include land uses of a mixture of high-density residential, retail, and office uses containing the highest density development in Chesterfield.

The Comprehensive Plan also provides a number of Plan Policies related to this type of development. Each of the policies is provided below.

Policy 3.1 Quality Commercial Development– *Commercial developments should positively affect the image of the City, provide employment opportunities, and offer retail and service options to residents.*

Policy 3.7 Urban Core– *The Urban Core should be developed to contain the highest density of mixed-use development in Chesterfield. It should serve as the physical and visual focus for the City.*

The applicant has indicated that they are intending to make minor adjustments and improvements to the subject site, including a renovated entry area. The amendment is consistent with how the zoning was proposed, with the exception of the increase in floor area.

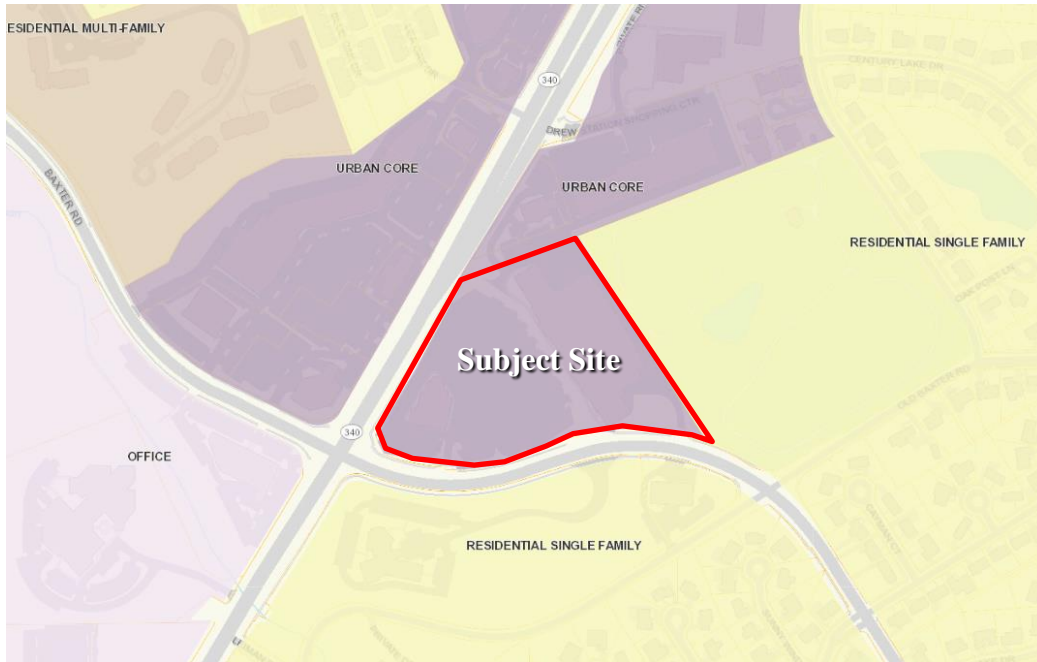


Figure 2: Future Land Use Plan

REQUEST AND ANALYSIS

The changes requested to the Attachment A are as follows:

A. FLOOR AREA AND HEIGHT REQUIREMENTS

1. FLOOR AREA

- a. The supermarket shall not exceed ~~seventy six thousand two hundred (76,200)~~ **eighty thousand (80,000)** square feet in area.
- b. The retail shopping area abutting the supermarket shall not exceed ~~seventeen thousand five hundred (17,500)~~ **nineteen thousand five hundred (19,500)** square feet in area.
- c. The outlot building shall not exceed eleven thousand three hundred (11,300) square feet in area.

The site is located within the Urban Core land use designation within the Comprehensive Plan. Currently, Ordinance 2256 permits a maximum of 105,000 square feet of development on the 11.35 acre area totaling 0.21 FAR. While the “C-8” Planned Commercial District regulations do not contain a maximum floor area ratio (FAR), the “UC” Urban Core District does include a maximum FAR of 0.55 that can be utilized to compare the existing allowable floor area and the proposed allowable floor area with other projects within the Urban Core.

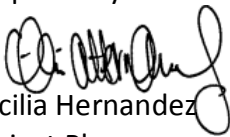
	Ord. 2256	Proposed Changes	“UC” Urban Core
Floor Area	105,000 sq. ft.	110,800 sq. ft.	271,923 sq. ft.
Floor Area Ratio	0.21	0.22	0.55

As shown above, the floor area proposed is still less than one-half the maximum permissible floor area within the Urban Core.

DEPARTMENTAL INPUT

Staff has reviewed the request for an amendment to an existing "C-8" Planned Commercial District for an 11.35 acre tract of land to increase the allowable density to permit 80,000 square feet (an additional 3,800 square feet) of supermarket and 19,500 square feet (an additional 2,000 square feet) in retail shopping abutting the supermarket. Staff has prepared an amended Attachment 'A' reflecting this request for consideration to repeal and replace by the Planning Commission and requests action on P.Z. 04-2017 Dierbergs The Market Place (Amendment).

Respectfully submitted,


Cecilia Hernandez
Project Planner

Attachments

1. Attachment "A"

cc: Justin Wyse, Director of Planning and Development Services

ATTACHMENT A

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

- 1.2 Adherence to the Plan
- 1.4 Quality New Development
- 3.1 Quality Commercial Development
 - 3.1.1 Quality of Design
 - 3.2.1 Neighborhood Retail Facilities
 - 3.2.2 Community Retail Facilities
- 7.2.1 Maintain Proper Level of Service
- 7.2.3 Maintain Proper Traffic Flow
- 7.2.7 Collectors and Local Streets
- 8.2.2 Underground Electric Service

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 "C8" Planned Commercial District shall be:
 - a. Animal hospitals and veterinary clinics.
 - b. Auditoriums and other facilities for public assembly.
 - c. Child care centers, nursery schools, and day nurseries.
 - d. Churches.
 - e. Clubs, lodges, and meeting rooms.
 - f. Financial institutions, not including drive-through facilities.

- g. Libraries and reading rooms.
- h. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - i. Adequately screened with landscaping, fencing or walls, or any combination thereof; or
 - ii. Placed underground; or
 - iii. Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

- i. Medical and dental offices.
 - j. Mortuaries.
 - k. Offices or office buildings.
 - l. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
 - m. Police, fire, and postal stations.
 - n. Recreational facilities, including indoor theaters, but not including drive-in theaters, golf practice driving ranges, and outdoor swimming pools.
 - o. Restaurants, including fast food restaurants except those which provide drive-through service or those which constitute the only use in a freestanding building.
 - p. Fast food restaurants selling only ice cream products, yogurt, or similar dairy dessert products, and soft drinks.
 - q. Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
 - r. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind are offered for sale or hire to the general public on the premises.
2. The above uses in the "C8" Planned Commercial District shall be restricted as follows:
- a. There shall be no open kennels, overnight boarding of animals or outdoor exercise yards permitted in relation to the "Animal Hospital/veterinary clinic."
 - b. One (1) outlot building shall be permitted.

D. FLOOR AREA AND HEIGHT REQUIREMENTS

1. FLOOR AREA

- a. The supermarket shall not exceed eighty thousand two hundred (80,000) square feet in area.
- b. The retail shopping area abutting the supermarket shall not exceed nineteen thousand five hundred (19,500) square feet in area.
- c. The outlot building shall not exceed eleven thousand three hundred (11,300) square feet in area.

2. HEIGHT

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

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. Twenty-five (25) feet from the right-of-way of Baxter Road.
- b. Fifty (50) feet from the right-of-way of Clarkson Road.
- c. Twenty-five (25) feet from the northern boundary of this "C8" Planned Commercial District.
- d. Thirty (30) feet from the east boundary of this "C8" 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. Ten (10) feet from the right-of-way of Clarkson Road.
- b. Ten (10) feet from the right-of-way of Baxter Road.
- c. Ten (10) feet from the northern and eastern boundaries of this "C8" Planned Commercial District.

F. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code with the exception that a 17.1% reduction shall be permitted with this development.
2. Construction Parking
 - a. Adequate temporary off-street parking for construction employees shall be provided. Parking on non-surfaced areas shall be 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.

G. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall submit a landscape plan, tree stand delineation plan, and tree preservation plan in accordance with the City of Chesterfield Code.
2. If the estimated cost of new landscaping indicated on the Site Development Section Plans as required by the Planning Commission exceeds one thousand (\$1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping.
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. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield Department of Public Works, St. Louis County Department of Highways and Traffic, and the 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. The location of 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. No on-site illumination source shall exceed twenty-five (25) feet in height.
2. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
3. The location and height of the light standards will be as approved by the Planning Commission.
4. 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 also be enclosed within a six (6) foot high sight-proof enclosure complimented by adequate landscaping and consist of a material also approved by the Planning Commission on 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 the subject site from Clarkson Road north of Baxter Road shall be located as approved by the Missouri Department of Transportation and Transportation Department. This entrance access will ultimately be limited to right turns in and right turns out only due to the future median barrier on Clarkson Road in this area.
2. One (1) minor entrance limited to right in and right out turning movements shall be permitted for the shopping center a minimum distance of three hundred (300) feet from Clarkson Road.

3. There shall be one (1) main entrance into the shopping center on the north side of Baxter Road to be aligned with the main entrance into the church complex on the south side of Baxter Road, both containing channelized islands. These main entrances shall be a minimum distance of six hundred (600) feet west of Old Baxter Road-Old Clarkson Road.
4. There shall not be any other driveways from the shopping center, except a service entrance to the shopping center, intersecting Baxter Road.

L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Conform to the requirements of the Missouri Department of Transportation regarding Clarkson Road (Route 340) in this area.
2. Improve Clarkson Road to a minimum of five (5) lane roadway, with stabilized shoulders and storm water drainage facilities as required by the Missouri Department of Transportation.
3. As the tract abuts a roadway under the jurisdiction of the Missouri Department of Transportation, sidewalks along the tract must be placed in a public easement outside of the state right-of-way. Maintenance of sidewalks along state highways must be the responsibility of the property owners.
4. Provide a sidewalk or stabilized shoulder adjacent to Clarkson Road.
5. Improve Baxter Road from Clarkson Road to Old Clarkson Road-Old Baxter Road to a minimum of eighty-two (82) foot right-of-way and sixty-three (63) foot pavement including required storm drainage facilities as directed by the St. Louis County Department of Highways and Traffic. This proposed five lane facility would function as two (2) eastbound through lanes, one (1) continuous left turn lane and two (2) westbound through lanes.
6. Provide a sidewalk adjacent to Baxter Road.
7. Install a traffic signal at the intersection of Baxter Road and the main entrances to the shopping center and church property at seventy percent (70%) completion of the development. Also interconnect with existing signal system on Baxter Road.
8. The service entrance on Baxter Road to the shopping center shall be approximately two hundred seventy-five (275) feet east of the main entrance to the shopping center.
9. Install a traffic signal at the intersection of Baxter Road and Old Baxter Road-Old Clarkson Road. Install underground conduit and interconnect between Clarkson Road and Old Baxter Road-Old Clarkson Road as directed by the St. Louis County Department of Highways and Traffic.

10. It should be noted that upon completion of Baxter Road through this development and the Missouri Department of Transportation's improvements to the roadway system in this area and when directed by MODOT, a cul-de-sac turnaround will be constructed on Old Baxter Road near the existing entrance to the Brandywine Condominium Development which will terminate access to Clarkson Road (State Route 340) at this location. Following completion of this road closure, all area traffic will utilize Baxter Road to access Clarkson Road.
11. The main entrance driveway serving the shopping center shall be thirty-eight (38) feet in width to provide two (2) new through lanes and one (1) continuous left turn lane for a distance of approximately one hundred fifty (150) feet with 15:1 tapers. Parking shall be prohibited along both sides of this main drive. Minor parking lot driveways shall not intersect this main drive closer than approximately one hundred fifty (150) feet from Baxter Road.
12. The driveway adjacent to the proposed supermarket and retail shops shall be a minimum of thirty-two (32) feet in width to provide two (2)-twelve (12) foot driving lanes and an eight (8) foot drop-off/pick-up lane. Parallel and angle parking shall be restricted along both sides of this driveway.
13. The entrance driveway at Clarkson Road serving the shopping center shall be thirty-two (32) feet in width. There shall be no minor driveway intersecting within approximately one hundred (100) feet.
14. The service driveway for the shopping center located along the eastern property line shall be designed as a two (2)-way driveway. Trucks will use this driveway entering and exiting from Baxter Road.
15. Internal parking lot driveways serving the shopping center shall be a maximum of twenty-four (24) feet in width. Wider driveway widths on skewed approaches to the parking lot create an unnecessary hazard.
16. The Missouri Department of Transportation requirements include dual left turn facilities for southbound Clarkson Road traffic and a right turn lane for northbound Clarkson Road traffic turning east at the Baxter Road intersection. This further widening will require modification of the traffic signal facilities recently completed as part of the Baxter Road improvements.
17. The first entrance east of Clarkson Road shall be right in/right out through an extension of the median of Baxter Road east of the entrance and shall be a minimum of twenty-four (24) feet in width for a minimum distance of one hundred (100) feet. There shall be no minor driveways intersecting within one hundred (100) feet.

M. TRAFFIC STUDY

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, the Missouri Department of Transportation and the St. Louis County Department of Highways and Traffic prior to Site Development Plan approval.

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 developer shall provide verification to the St. Louis County Department of Public Works that adequate sanitary services are provided.
2. Interim stormwater drainage control in the form of siltation control measures are required.
3. Submit to the Planning Commission an engineering plan approved by the Department of Public Works showing that adequate handling of the stormwater drainage of the site is provided.
4. The developer is required to provide adequate stormwater systems in accordance with City of Chesterfield standards.
5. All stormwater shall be discharged at an adequate natural discharge point.
6. Detention or differential runoff of stormwater is required by providing permanent detention facilities, such as dry reservoirs, ponds or other acceptable alternative. The detention basin shall be completed and in operation prior to paving of any streets or parking areas.

P. ROADWAY IMPROVEMENTS AND CURB CUTS.

1. Obtain approval from the City of Chesterfield Department of Public Works, the St. Louis County Department of Highways and Traffic and the Missouri Department of Transportation for the locations of proposed curb cuts, areas of new dedication, and roadway improvements.
2. Additional lanes and/or widening, pavement thickness, drainage facilities, granular base, traffic control devices and other improvements may be required to accommodate heavy traffic volumes, unsuitable soil conditions, steep grades, or other conditions not apparent at this time.

Q. GRADING AND IMPROVEMENT PLANS

1. A grading permit is required prior to any grading on the site. No change in watershed shall be permitted.

R. 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.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT PLANS

A TIME PERIOD FOR PLAN SUBMITTAL

1. The developer shall submit a Site Development 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.
2. Failure to comply with these submittal requirements will result in the expiration of the preliminary development plan and will require a new public hearing.
3. 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. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

- A. The Site Development Plan shall adhere 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 a all off street parking spaces, required and proposed, and the number, size and location for designed for handicapped.
 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 unitlies will be installed underground
 8. A note indcating signage approval is sperate 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 free standing monument signs
 12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different that site
 13. Floodplain boundaries.
 14. Depict existing and proposed improvements within 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 one hundred fifty (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 the 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 one hundred fifty (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, and the Missouri Department of Transportation.

V. TRUST FUND CONTRIBUTION

- A. The developer will contribute to the Chesterfield Village Trust Fund. This contribution will not exceed an amount established by multiplying the ordinance required parking spaces by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
General Office	\$537.19/Parking Space
General Retail	\$1,611.66/Parking Space
Supermarket	\$1,611.66/Parking Space
High turnover sit down restaurant	\$1,611.66/Parking Space
Bank	\$3,223.44/Parking Space
Loading Space	\$2,637.29/Loading Space

(Parking space as required by the City of Chesterfield Code.)

If types of development differ from those listed, the St. Louis County Department of Highways and Traffic will provide rates.

The contribution will be used to help defray the cost for engineering, right-of way acquisition, and construction of Chesterfield Village Parkway east of Clarkson Road and south of Highway 40 and installation of traffic signal facilities in the area.

Credit for the cost of allowable portions of road improvements required herein will be limited to improvements along Clarkson Road and Old

Clarkson Road. Improvements to Baxter Road from the Clarkson Road right-of-way to the Old Baxter Road /Old Clarkson Road intersection will not be credited toward the trust fund contribution.

The required contribution of P.C. 87 and 88-86 to the Chesterfield Village Trust Fund shall be limited to nine hundred thousand dollars (\$900,000) less the estimated cost of the Baxter Road improvement required as part of P.C. 87 and 88-86 from Clarkson Road to Old Clarkson Road (said estimate to be based on 1987 St. Louis County Department of Planning schedule of unit prices).

The amount of the required contribution, if not submitted by January 1, 2007 shall be increased on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the St. Louis County Department of Highways and Traffic.

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 IMPROVEMENT PLAN APPROVAL

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

1. Comments/approvals from the Missouri Department of Transportation, the Metropolitan St. Louis Sewer District 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.

VIII. 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, the Metropolitan St. Louis Sewer District, and the Missouri Department of Transportation 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. Trust Fund Contribution

Trust Fund contribution and/or credits for roadway improvements shall be deposited with St. Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the Trust Fund contribution and/or credits for roadway improvement prior to issuance of building permits for each phase of development.

IX. OCCUPANCY PERMIT/FINAL OCCUPANCY

Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the St. Louis Department of Highways and Traffic.

X. 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.

XI. 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. If roadways in this petition are to be private roadways, these roadways shall remain private forever. Maintenance of private roadways shall be the responsibility of the property owner(s) or trustees(s) forever.
 - 2. The existence of private roadways within the development requires disclosure by the developer of responsibility for street maintenance in accord with the provisions of the City of Chesterfield Code.

XII. 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 permits adequate cause for revocation of permits by issuing 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.