

**DARDENNE**



**PRAIRIE**

**CITY OF DARDENNE PRAIRIE  
2032 HANLEY ROAD  
DARDENNE PRAIRIE, MO 63368**

**BOARD OF ALDERMEN  
WORK SESSION AGENDA  
MARCH 15, 2023  
6:00 p.m.**

**CALL MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ITEMS FOR DISCUSSION AND CONSIDERATION**

**1. Occupancy Permit Requirements**

**STAFF COMMUNICATIONS**

1. City Attorney
2. City Engineer
3. City Administrator
4. Aldermen
5. Mayor

**CLOSED SESSION**

Roll call vote to hold closed session pursuant to RSMo 610.021 section \_\_\_\_\_

Litigation and Privileged Communications (1)

Real Estate (2)

Personnel (3)

Labor (9)

Bid Specs (11)

Audit (17)

**RETURN TO REGULAR MEETING AGENDA**

**ADJOURNMENT**

EXHIBIT B

**RBA FORM (OFFICE USE)**

MEETING DATE:

Regular ( ) Work Session ( X )

ATTACHMENT: YES ( ) NO ( X )

Contract ( ) Ordinance ( X ) Other ( )

**Request for Board Action**  
**By: Alderman Costlow**

Ward   2  

• **Description:**

As has been discussed previously, I would like to review our current ordinance requiring occupancy permits, identify appropriate exclusions for home sales to owner/occupants, and direct City Staff to draft the appropriate changes for vote in April.

• **Recommendation:**      Staff – Approve ( ) Disapprove ( )

• **Summary/Explanation:**

• **Budget Impact:** (revenue generated, estimated cost, CIP item, etc.)

RBA requested by:   Mike Costlow        Date:   3/8/2023

**DARDENNE**



**CITY OF DARDENNE PRAIRIE  
2032 HANLEY ROAD  
DARDENNE PRAIRIE, MO 63368**

**BOARD OF ALDERMEN  
MEETING AGENDA  
MARCH 15, 2023  
7:00 p.m.**

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**CALL MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL**

Mayor Gotway  
Alderman Costlow  
Alderman Johnson  
Alderman Reilly  
Alderman Sansone  
Alderman Ungerboeck  
Alderman Wandling

**CONSENT AGENDA**

1. Board of Aldermen Minutes 02-15-23 & 03-01-23
2. Work Session Summary 02-15-23 & 03-01-23
3. Expenditures for Approval 03-15-23

**ITEMS REMOVED FROM CONSENT AGENDA**

**OPEN FORUM**

**PUBLIC HEARINGS**

1. P.U.D. & Rezoning Request – Area Plan for the proposed “Prairie Encore” Mixed-use Development on the approximately 14.07 acres of the land commonly known as 15765 Bryan Road and more particularly described in the P.U.D. & Rezoning Request – Area Plan application received by the City on October 3<sup>rd</sup>, 2022, on file with the City Clerk from Applicant Engenuity.
2. Cora Marie CID - Request to Remove Property

## NEW BUSINESS

### 1. **Bill #23-08**

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, APPROVING A WRITTEN REQUEST TO REMOVE CERTAIN REAL PROPERTY FROM THE CORA MARIE COMMUNITY IMPROVEMENT DISTRICT AND THEREBY REMOVING SUCH PROPERTY FROM THE CORA MARIE COMMUNITY IMPROVEMENT DISTRICT

### 2. **Resolution #367**

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, DECLARING THE INFORMALLY PROJECTED AND NONBINDING TAX LEVY FOR THE YEAR 2023.

## OLD BUSINESS

### 1. **Bill #22-74**

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR REZONING OF APPROXIMATELY 14.07 ACRES OF LAND FROM C-2, GENERAL COMMERCIAL DISTRICT, TO C-3, RETAIL COMMERCIAL, PLANNED UNIT DEVELOPMENT (P.U.D.) AND R-M, MULTIFAMILY RESIDENTIAL, PLANNED UNIT DEVELOPMENT (PUD); AND APPROVING AN AREA PLAN FOR THE SAME

### 2. **Bill #22-74 A**

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR REZONING OF APPROXIMATELY 17.25 ACRES OF LAND FROM C-2, GENERAL COMMERCIAL DISTRICT, TO C-3, RETAIL COMMERCIAL, PLANNED UNIT DEVELOPMENT (P.U.D.); AND APPROVING AN AREA PLAN FOR THE SAME

## STAFF COMMUNICATIONS

1. City Attorney
2. City Engineer
3. City Administrator
4. Aldermen
5. Mayor

## CLOSED SESSION

Roll call vote to hold closed session pursuant to RSMo 610.021 section \_\_\_\_\_

Litigation and Privileged Communications (1)  
Real Estate (2)  
Personnel (3)  
Labor (9)  
Bid Specs (11)  
Audit (17)

## ADJOURNMENT



The City of Dardenne Prairie Board of Aldermen meeting was called to order at 7:15 p.m. The meeting was opened with the Pledge of Allegiance followed by an invocation by Ruth Earhart.

Present at roll call were Mayor Gotway, Aldermen Ungerboeck (via video conferencing), Johnson, Reilly, and Wandling. Also present were Clerk Jennifer Bohn, City Administrator James Knowles, City Engineer Tom Weis and City Attorney John Young.

A motion was made by Alderman Wandling, seconded by Alderman Johnson to accept the consent agenda. Motion passed unanimously.

#### **CONSENT AGENDA**

1. Board of Aldermen Minutes 02-01-23
2. Work Session Summary 02-01-23
3. Expenditures for Approval 02-15-23
4. Treasurer's Report as of October 31, 2022
5. Treasurer's Report as of November 30, 2022
6. Treasurer's Report as of December 31, 2022

**OPEN FORUM** – The following individuals were in attendance to speak:

Colleen Stroobant – 209 Castle Stuart Court  
Cheryl Bratton – 620 Cruden Bay Court  
Roxanne Filson – 501 Crail Court  
Laura Gittemeier – 6 Jura Court

A motion was made by Alderman Johnson, seconded by Alderman Reilly to open the public hearing. Motion passed unanimously.

#### **PUBLIC HEARINGS**

1. P.U.D. & Rezoning Request – Area Plan for the proposed "Prairie Encore" Mixed-use Development on the approximately 14.07 acres of the land commonly known as 15765 Bryan Road and more particularly described in the P.U.D. & Rezoning Request – Area Plan application received by the City on October 3<sup>rd</sup>, 2022, on file with the City Clerk from Applicant Engenuity. (Continued from 2-01-23)

A motion was made by Alderman Johnson, seconded by Alderman Wandling to continue the public hearing to the next meeting. Motion passed unanimously.

#### **NEW BUSINESS**

A motion was made by Alderman Johnson, seconded by Alderman Reilly to read Bill #23-06 for the first time by title only. Motion passed unanimously.

#### **Bill #23-06**

**AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A DEPOSIT**

AGREEMENT GUARANTEEING LAND DISTURBANCE IMPROVEMENTS WITH LETTER OF CREDIT BY AND BETWEEN THE CITY AND 24 CONDO STL, LLC, GUARANTEEING THE CONSTRUCTION, INSTALLATION, AND COMPLETION OF CERTAIN IMPROVEMENTS WITHIN THE CONDOS AT TOWN CENTER DEVELOPMENT

A motion was made by Alderman Wandling, seconded by Alderman Johnson to read Bill #23-06 for the second time by title only. Motion passed unanimously.

A motion was made by Alderman Johnson, seconded by Alderman Reilly to put Bill #23-06 to final vote. Roll call was as follows:

Alderman Sansone – Absent	Alderman Reilly – Aye
Alderman Johnson – Aye	Alderman Costlow – Absent
Alderman Ungerboeck – Aye	Alderman Wandling – Aye

Mayor Gotway declared Bill #23-06 passed and designated it to be Ordinance #2235.

A motion was made by Alderman Johnson, seconded by Alderman Reilly to read Bill #23-07 for the first time by title only. Motion passed unanimously.

A motion was made by Alderman Wandling, seconded by Alderman Reilly to read Bill #23-07 for the second time by title only. Motion passed unanimously.

A motion was made by Alderman Johnson, seconded by Alderman Wandling to put Bill #23-07 to final vote. Roll call was as follows:

Alderman Sansone – Absent	Alderman Reilly – Aye
Alderman Johnson – Aye	Alderman Costlow – Absent
Alderman Ungerboeck – Aye	Alderman Wandling – Aye

Mayor Gotway declared Bill #23-07 passed and designated it to be Ordinance #2236.

OLD BUSINESS

**1. Bill #22-74 (Postponed until March 1, 2023)**

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR REZONING OF APPROXIMATELY 14.07 ACRES OF LAND FROM C-2, GENERAL COMMERCIAL DISTRICT, TO C-3, RETAIL COMMERCIAL, PLANNED UNIT DEVELOPMENT (P.U.D.) AND R-M, MULTIFAMILY RESIDENTIAL, PLANNED UNIT DEVELOPMENT (PUD); AND APPROVING AN AREA PLAN FOR THE SAME

STAFF COMMUNICATIONS

City Engineer Weis provided an update on Hanley Road and Post Road grants. He spoke about the grading being done at the development condominium on Town Square Ave. He also provided an update on the Gateway Greenlight program.

City Administrator Knowles spoke about the timing of development of the Bopp property. He introduced Nichole Bouchard to the audience and about her role in being

able to bring more information to the public. He also said that the questions that are being submitted by residents are being answered. He asked for patience since some require lengthy research in order to provide the best information possible. He stated that the answers would be sent out to the public as the research gathered allowed.

Alderman Wandling asked that the Board of Aldermen be added to any emails sent to the public.

Alderman Ungerboeck pointed out that the developers are in control of the timeline of projects. There would be value to add an educational piece on how the planning and zoning process works and the obligations of the Board of Aldermen.

Mayor Gotway said we are doing the best with our current budget.

#### **ADJOURNMENT**

A motion was made by Alderman Wandling, seconded by Alderman Reilly to adjourn the meeting at 7:58 p.m. Motion passed unanimously.

Respectfully submitted,



Jennifer Bohm, Clerk

The City of Dardenne Prairie Board of Aldermen meeting was called to order at 7:09 p.m. The meeting was opened with the Pledge of Allegiance followed by an invocation by Ruth Earhart.

Present at roll call were Mayor Gotway, Aldermen Ungerboeck, Johnson, Reilly, Sansone, Costlow and Wandling. Also present were City Clerk Kim Clark, City Administrator James Knowles, City Engineer Tom Weis and City Attorney's John Young and Brad Pryor.

A motion was made by Alderman Wandling, seconded by Alderman Johnson to accept the consent agenda. Motion passed unanimously.

#### **CONSENT AGENDA**

1. Expenditures for Approval 03-01-23
2. Partial Escrow Release – Bryan 364 Junction LLC - \$1,230,446.17

**OPEN FORUM** – The following individuals were in attendance to speak:

John Smerek – 2917 Sweet Flag Court  
David Miller – 625 Cruden Bay Court  
Arnie Dienoff – P.O. Box 1535, 63366  
Tim Thompson – 341 Royal Dornoch Court

#### **PUBLIC HEARINGS**

A motion was made by Alderman Wandling, seconded by Alderman Ungerboeck to open the public hearing. Motion passed unanimously.

1. P.U.D. & Rezoning Request – Area Plan for the proposed “Prairie Encore” Mixed-use Development on the approximately 14.07 acres of the land commonly known as 15765 Bryan Road and more particularly described in the P.U.D. & Rezoning Request – Area Plan application received by the City on October 3<sup>rd</sup>, 2022, on file with the City Clerk from Applicant Engenuity.

The following individuals were in attendance to speak on the proposal:

Cheryl Bratton – 620 Cruden Bay Court  
Tim Galvin – 456 Parkshire Place Drive  
Laura Gittemeier – 6 Jura Court  
Marcos Jovert – 634 Cruden Bay Court  
Roxanne Filson – 501 Crail Court  
Rich Linderman – 44 Parkshire Place Court  
Pamela Walsh – 302 Greenshire Lane  
Arnie Dienoff – P.O. Box 1535, 63366

A motion was made by Alderman Ungerboeck, seconded by Alderman Costlow to continue the public hearing to 03-15-23. Motion passed unanimously.

**OLD BUSINESS**

A motion was made by Alderman Ungerboeck, seconded by Alderman Costlow to postpone to 03-15-23. Motion passed unanimously.

**1. Bill #22-74**

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR REZONING OF APPROXIMATELY 14.07 ACRES OF LAND FROM C-2, GENERAL COMMERCIAL DISTRICT, TO C-3, RETAIL COMMERCIAL, PLANNED UNIT DEVELOPMENT (P.U.D.) AND R-M, MULTIFAMILY RESIDENTIAL, PLANNED UNIT DEVELOPMENT (PUD); AND APPROVING AN AREA PLAN FOR THE SAME

**STAFF COMMUNICATIONS**

City Engineer Tom Weis provided an update on the STP & CMAQ funding applications. City Administrator Knowles thanked the residents for providing their thoughts and concerns. He addressed the Cora Marie Drive extension, Chapter 100, future sales tax revenue and bond concerns which have been expressed on The Encore development. He also shared a communications plan.

Mayor Gotway thanked everyone for their engagement.

A motion was made by Alderman Ungerboeck, Seconded by Alderman Costlow to hold a closed session pursuant to RSMo 610.021 section (1) Litigation and Privileged Communications, (2) Real Estate and (14) Protected Records. Motion passed unanimously. Roll call was as follows:

Alderman Johnson – Aye  
Alderman Wandling – Aye  
Alderman Sansone – Aye

Alderman Reilly – Aye  
Alderman Costlow – Aye  
Alderman Ungerboeck – Aye

**CLOSED SESSION**

Mayor Gotway mentioned he and Mark Johnson met with MODOT in Jefferson City regarding slip ramps. They have scheduled a follow up meeting for March 6<sup>th</sup>.

**ADJOURNMENT**

A motion was made by Alderman Ungerboeck, seconded by Alderman Costlow to adjourn the meeting at 9:05 p.m. Motion passed unanimously.

Respectfully submitted,

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Kim Clark, City Clerk

## WORK SESSION SUMMARY

FEBRUARY 15, 2023

The City of Dardenne Prairie Work Session was called to order at 6:05 p.m.

The meeting was held at Dardenne Prairie City Hall located at 2032 Hanley Road.

The following were in attendance: Mayor Gotway, Aldermen Wandling, Ungerboeck (via video conferencing, Johnson and Reilly. Also present were Clerk Jennifer Bohn, City Administrator James Knowles, City Engineer Tom Weis and City Attorney John Young.

The meeting was opened with the Pledge of Allegiance.

Nichole Bouchard was introduced as the new Parks and Outreach Coordinator. She was present for the introduction and spoke about her background.

### ITEMS FOR DISCUSSION AND CONSIDERATION

Discussion on Town Square Avenue Vision Planning Process. The Board discussed ideas for the board including the make-up of the committee and gauging the interest of the public.

A motion was made by Alderman Wandling, Seconded by Alderman Johnson to hold a closed session pursuant to RSMo 610.021 section (1) Litigation and Privileged Communications, (2) Real Estate and (14) Protected Records. Motion passed unanimously. Roll call was as follows:

Alderman Johnson – Aye	Alderman Reilly – Aye
Alderman Wandling – Aye	Alderman Costlow – Absent
Alderman Sansone – Absent	Alderman Ungerboeck – Aye

### CLOSED SESSION

### RETURN TO REGULAR MEETING AGENDA

### ADJOURNMENT

A motion was made by Alderman Wandling, seconded by Alderman Reilly to adjourn the meeting at approximately 7:16 p.m.

Respectfully submitted,

  
Jennifer Bohn, Clerk

The City of Dardenne Prairie Work Session was called to order at 6:00 p.m.

The meeting was held at Dardenne Prairie City Hall located at 2032 Hanley Road.

The following were in attendance: Mayor Gotway, Aldermen Sansone, Wandling, Ungerboeck, Costlow, Johnson and Reilly. Also present were City Clerk Kim Clark, City Administrator James Knowles, City Engineer Tom Weis and City Attorney John Young and Brad Pryor.

The meeting was opened with the Pledge of Allegiance.

A motion was made by Alderman Ungerboeck, Seconded by Alderman Johnson to hold a closed session pursuant to RSMo 610.021 section (1) Litigation and Privileged Communications, (2) Real Estate and (14) Protected Records. Motion passed unanimously. Roll call was as follows:

Alderman Johnson – Aye

Alderman Reilly – Aye

Alderman Wandling – Aye

Alderman Costlow – Aye

Alderman Sansone – Aye

Alderman Ungerboeck – Aye

#### **CLOSED SESSION**

#### **RETURN TO REGULAR MEETING AGENDA**

#### **ADJOURNMENT**

A motion was made by Alderman Ungerboeck, seconded by Alderman Costlow to adjourn the meeting at 7:08 p.m.

Respectfully submitted,

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Kim Clark, City Clerk

**EXPENDITURES FOR APPROVAL**  
**3/15/2023**

1 AFLAC	February, 2023	436.56
2 Ameren	City Hall	1,539.53
3 Ameren	Concession Stand	302.17
4 Ameren	City Park	179.73
5 Ameren	Traffic Light 2	46.59
6 Ameren	Traffic Light	11.51
7 Ameren	Athletic Complex	400.58
8 Ameren	Street Lights	43.96
9 Ameren	Street Lights	179.06
10 American Carnival Mart	Easter egg hunt candy	430.50
11 Americom Technology Solutions	IT - March, 2023	2,056.42
12 BSN Sports, LLC	Baseball equipment	3,176.79
13 Butler Supply	Lights for Bryan Road bridge	1,736.89
14 CDS Office Technologies	Copies	192.15
15 Cuivre River Electric	Light on Weldon Spring	35.61
16 Cuivre River Electric	Henke/Feise Rd. Traffic Signals	76.00
17 Cuivre River Electric	Light at Georgetown Park	56.75
18 Cuivre River Electric	Lights at St. Williams Apts.	84.07
19 Cuivre River Electric	Hanley Rd. Traffic Signal	76.00
20 DEAF, Inc.	Interpreter: 03-01-23 BOA meeting	232.31
21 First Bank	Credit card charges	3,616.20
22 GFI Digital	Copies	64.75
23 HR Green	Stump Road - Invoice #200154-15	4,038.51
24 Insurance - The Hartford	March, 2023	348.12
25 Insurance: KC Life	Vision & Dental: March, 2023	753.94
26 Insurance: Principal Life	Life: February & March, 2023	666.91
27 James Knowles	Conference Reimbursement	250.38
28 Jen Bohn	Bingo prizes: 3-3-23	100.00
29 Jonathan Fuchs	Prosecuting Attorney: March, 2023	1,100.00
30 Kone Chicago	Elevator Quarterly Maintenance	508.56
31 LAGERS	February, 2023	4,597.68
32 Mark Byrne	Municipal Judge: March, 2023	500.00
33 Mark Johnson	Conference Reimbursement	154.88
34 Mat Dewinters	February Consulting	1,800.00
35 Mission Square Retirement	Contribution Aug, 21 - March, 23	9,884.62
36 MO Rural Services	Annual Workers Comp Premium	9,356.00
37 Parks: John T. Holzum II	8/17/23 Performance	3,500.00
38 PASS Security	Monitoring to 6/30/23	207.00
39 Payroll	03-03-23 Payroll	29,910.90
40 PGAV Planners	Professional services to 2/25/23	1,260.00
41 PWSD No. 2	City Hall Fountain	43.10
42 PWSD No. 2	City Hall	62.34
43 PWSD No. 2	Athletic Complex	26.67
44 R & R Contracting Services, Inc.	Portable toilets to 3-23-23	354.21
45 SLACMA	Winter dinner: Knowles	70.00
46 Spire	Service to 2-28-23	155.85
47 Superior Turf Installation, LLC	Batting cage turf install	3,000.00
48 The UPS Store	Baseball rule books	91.60
49 Total Lock & Security, Inc.	Lock Maintenance	441.25
50 Traffic Guard	BaratHaven ballards	802.00
		<b>88,958.65</b>

Approved by Board of Aldermen 03-15-23

Mayor John Gotway



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI,  
APPROVING A WRITTEN REQUEST TO REMOVE CERTAIN REAL  
PROPERTY FROM THE CORA MARIE COMMUNITY IMPROVEMENT  
DISTRICT AND THEREBY REMOVING SUCH PROPERTY FROM THE  
CORA MARIE COMMUNITY IMPROVEMENT DISTRICT**

**WHEREAS**, pursuant to Sections 67.1401 to 67.1571, RSMo., as amended (the "CID Act"), the Board of Aldermen of the City of Dardenne Prairie, Missouri, by Ordinance No. 1701, approved the Petition to Establish Cora Marie Community Improvement District, thereby establishing the Cora Marie Community Improvement District (the "District"); and

**WHEREAS**, pursuant to Section 67.1441 of the CID Act, upon the written request of any real property owner within the District, the Board of Aldermen may, after holding a public hearing in accordance with the CID Act, remove real property from the District by ordinance; and

**WHEREAS**, certain owners of real property within the District, such property generally located at 1575 Bryan Road, more particularly described in **Exhibit A**, attached hereto and incorporated by this reference (the "Property"), as shown on the accompanying map attached as **Exhibit B**, submitted a written request to remove the Property from the District, the written request being attached hereto as **Exhibit C** and incorporated by this reference ("Written Request"); and

**WHEREAS**, upon the receipt of the Written Request, a public hearing was set with all proper notice being given in accordance with the CID Act and other applicable law; and

**WHEREAS**, the Board of Aldermen held a public hearing in accordance with the CID Act, at which all persons interested in the removal of the Property from the District were allowed an opportunity to speak and at which time the Board of Aldermen heard all protests and received all endorsements; and

**WHEREAS**, the Board of Directors of the District have confirmed to the City of Dardenne Prairie the District is able to meet its obligations, if any, without the revenues generated by or on the Property; and

**WHEREAS**, the Board of Directors of the District has given its consent for the removal of the Property from the District; and

**WHEREAS**, the Board of Aldermen hereby finds and determines that notice of the removal of the Property from the District has been duly given and the public hearing thereon has been held in which all reasonable protests, objections and endorsements have been heard; the Board of Directors of the District have confirmed the District is able to meet its obligations without the revenues generated by or on the Property; and the Board of Directors of the District has consented to the removal of the Property, all in accordance the CID Act;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AS FOLLOWS:**

**SECTION 1.** The written request submitted by the owners of certain property located within the Cora Marie Community Improvement District, attached hereto as **Exhibit C** and incorporated by this reference ("Written Request"), is hereby approved. The property described in the Written Request, such property being generally located at 1575 Bryan Road, and more particularly described in **Exhibit A**, attached hereto and incorporated by this reference, and as depicted on the accompanying map attached hereto as **Exhibit B** and incorporated by this reference, be and hereby is removed from the Cora Marie Community Improvement District.

**SECTION 2.** That, pursuant to Section 1 of this Ordinance, the boundary of the Cora Marie Community Improvement District shall be amended to reflect the change in the District boundary, as depicted on the new boundary map, attached hereto as **Exhibit D** and incorporated by this reference.

**SECTION 3. Effective Date.** This ordinance shall be in full force and effect from and after the day of its passage and approval.

**SECTION 4. Savings:** Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

**SECTION 5. Severability.** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

[The remainder of this page is intentionally left blank.]

Read the first (1<sup>st</sup>) time this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
As Presiding Officer and as Mayor

Attest: \_\_\_\_\_  
City Clerk

Read the second (2<sup>nd</sup>) time and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
As Presiding Officer and as Mayor

Attest: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

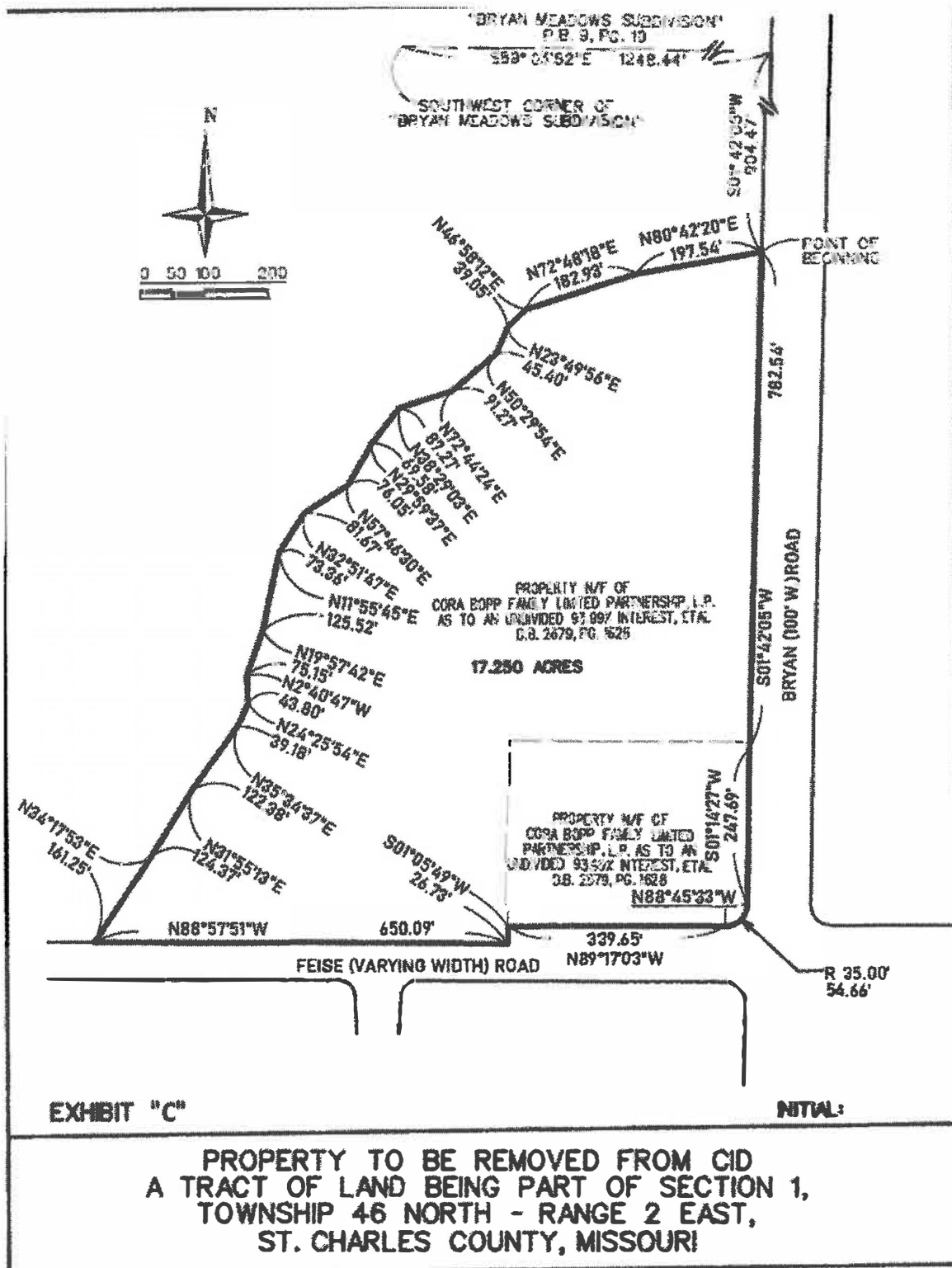
## Exhibit A

### LEGAL DESCRIPTION OF PROPERTY

A tract of land being part of Section 1, Township 46 North – Range 2 East, St. Charles County, Missouri and being more particularly described as:

Commencing at a point in the North line of property described in deed to Cora Bopp Family Limited Partnership, L.P., et al, recorded in Book 2679 page 1626 of the St. Charles County records, being the Southwest corner of “Bryan Meadows Subdivision”, a subdivision according to the plat thereof recorded in Plat Book 9 page 19 of the St. Charles County records; thence Eastwardly along the North line of said Bopp property, being also the South line of said “Bryan Meadows Subdivision”, South 89 degrees 03 minutes 52 seconds East 1248.44 feet to a point in the West line of Bryan Road, 100 feet wide, as widened by deed recorded in Book 1884 page 71 of the St. Charles County records; thence Southwardly along the West line of Bryan Road, 100 feet wide, as widened by said Book 1884 page 71, South 01 degree 42 minutes 05 seconds West 904.47 feet to the ACTUAL POINT OF BEGINNING; thence Southwardly along the West line of Bryan Road, 100 feet wide, as widened by said Book 1884 page 71 and by Book 1884 page 69 of the St. Charles County records, the following courses and distances: South 01 degree 42 minutes 05 seconds West 782.54 feet, South 01 degree 14 minutes 27 seconds West 247.69 feet and along a curve to the right whose radius point bears North 88 degrees 45 minutes 33 seconds West 35.00 feet from the last mentioned point, a distance of 54.66 feet to a point in the North line of Feise Road, varying width, as widened by the aforesaid Book 1884 page 69 of the St. Charles County records; thence Westwardly along said North line of Feise Road, as widened, North 89 degrees 17 minutes 03 seconds West 339.65 feet to the Northwest corner of said widening; thence Southwardly along the West line of said widening, South 01 degree 05 minutes 49 seconds West 26.73 feet to a point in the North line of Feise Road, 60 feet wide, said point being 20.00 feet perpendicularly distant North of the centerline; thence Westwardly along said North line of Feise Road, 60 feet wide, being 20.00 feet perpendicularly distant North of and parallel to the centerline, North 88 degrees 57 minutes 51 seconds West 650.09 feet to a point; thence leaving said road line, North 34 degrees 17 minutes 53 seconds East 161.25 feet to a point; thence North 31 degrees 55 minutes 13 seconds East 124.37 feet to a point; thence North 35 degrees 34 minutes 37 seconds East 122.38 feet to a point; thence North 24 degrees 25 minutes 54 seconds East 39.18 feet to a point; thence North 02 degrees 40 minutes 47 seconds West 43.80 feet to a point; thence North 19 degrees 57 minutes 42 seconds East 75.15 feet to a point; thence North 11 degrees 55 minutes 45 seconds East 125.52 feet to a point; thence North 32 degrees 51 minutes 47 seconds East 73.36 feet to a point; thence North 57 degrees 46 minutes 30 seconds East 81.67 feet to a point; thence North 29 degrees 59 minutes 37 seconds East 76.05 feet to a point; thence North 38 degrees 29 minutes 03 seconds East 69.58 feet to a point; thence North 72 degrees 44 minutes 24 seconds East 87.27 feet to a point; thence North 50 degrees 29 minutes 54 seconds East 91.27 feet to a point; thence North 23 degrees 49 minutes 56 seconds East 45.40 feet to a point; thence North 46 degrees 58 minutes 12 seconds East 39.05 feet to a point; thence North 72 degrees 48 minutes 18 seconds East 182.93 feet to a point; thence North 80 degrees 42 minutes 20 seconds East 197.54 feet to the point of beginning and containing 17.250 acres according to a survey by Volz Incorporated during March, 2022.

## Property Map



**Exhibit C**

**[Attach Written Request to Remove Certain Real Property from the Cora Marie Community  
Improvement District]**

Exhibit C

SANDBERG  
PHOENIX

**Molly E. Dougherty**  
Attorney

120 S. Central Avenue, Suite 1600  
Clayton, MO 63105  
Tel: 314.425.4970  
Fax: 314.725.5754  
mdougherty@sandbergphoenix.com  
www.sandbergphoenix.com

January 31, 2023

City of Dardenne Prairie  
2023 Hanley Road  
Dardenne Prairie, MO 63368  
Attn: James W. Knowles III, City Administrator

**Re: Request to remove certain property from the Cora Marie Community Improvement District**

Mr. Knowles:

Enclosed, please find the Written Request to Remove Certain Real Property from the Cora Marie City Improvement District for your review.

Please advise us as to the earliest available public hearing date so we may proceed with the appropriate and required notice. If you have any questions or concerns, please contact our office at your earliest convenience.

Very truly yours,



Molly E. Dougherty

*Enclosure.*

JAN 31 2023

2:59pm

**WRITTEN REQUEST TO REMOVE CERTAIN REAL PROPERTY FROM THE  
CORA MARIE COMMUNITY IMPROVEMENT DISTRICT**

To the City of Dardenne Prairie, Missouri:

This Request to Remove Certain Real Property from the Cora Marie Community Improvement District (the “**District**”) located in Dardenne Prairie, Missouri (the “**City**”) is submitted by the undersigned owners of record of certain real property within the District (the “**Requesting Owners**”) to the City in accordance with the Community Improvement District Act as set forth in Sections 67.1401 through 67.1571 of the Revised Statutes of Missouri, as amended (the “**Act**”).

The District was established pursuant to that certain Petition to Establish Cora Marie Community Improvement District as filed with the City Clerk on October 17, 2013 (the “**Original Petition**”), which was approved by the Board of Aldermen and adopted by that certain Ordinance Number 1701 signed by the Mayor of the City on December 4, 2013 (the “**Ordinance**”).

The Requesting Owners desire to remove from the District that certain real property described in **Exhibit A** attached hereto and incorporated herein (the “**Property**”), which Property includes the St. Charles County parcels identified on **Exhibit B** attached hereto and incorporated herein, in accordance with the requirements of the Act. The Requesting Owners hereby request that the Board of Aldermen hold a public hearing in the same manner as required by Section 67.1431 of the Act and approve and adopt an ordinance that removes the Property from the District. In support of such request, the Petitioners submit the following:

1. **REMOVAL OF REAL PROPERTY.** Pursuant to Section 67.1441.1 of the Act, the Requesting Owners hereby request that:
  - a. The Property be removed from the District;



- b. The legal description and map of the boundaries of the District be modified to reflect the removal of such Property, as shown on Exhibit C attached hereto and incorporated herein; and
  - c. The City conduct the public hearing required by Section 67.1441.1(3) of the Act with regard to this Written Request.
- 2. **DISTRICT OBLIGATIONS.** Pursuant to Section 67.1441.1(2) of the Act, the District board will confirm in writing to the City that the District will be able to meet its obligations, if any, without the revenues generated by or on the real property proposed to be removed by this request.
- 3. **BOARD CONSENT.** Pursuant to Section 67.1441.1(1) of the Act, upon submission of this Written Request to the City, the District board will convene to consent to the removal of property from the District, and the District board will confirm in writing to the City that such consent has been granted.

**WHEREFORE,** the Requesting Owners respectfully request that within 45 days of the City Council's receipt of this request from the City Clerk, the Board of Aldermen give notice that: (a) by both publication in a newspaper of general circulation within the City once a week for two consecutive weeks prior to the week of the hearing, and by registered or certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the District; (b) specifies the date, time, and place of a public hearing on this Petition, which such notice shall include depiction of the District's boundaries; (c) includes a statement indicating a copy of this request is available for review at the City Clerk's office during regular business hours; and (d) includes a statement that all interested persons shall be given an opportunity to be heard at the public hearing; further, that following said public hearing, the City shall remove the Property from the District in accordance with Section 67.1441 of the Act.

*[signature pages to follow]*

**REQUESTING OWNER:**

**NAME OF OWNER:** Cora Bopp Family Limited Partnership, L.P.  
(a/k/a Cora Bopp Family Limited Partnership,  
a/k/a Bopp Family Limited Partnership, L.P.),  
a Missouri limited partnership

**TELEPHONE NUMBER:** (314) 680-1122

**MAILING ADDRESS:** 3028 Lake Country Lane, Glencoe, MO 63038

**NAME OF SIGNER:** Donald W. Prestien  
Lee Ann Difani  
Susan A. Buster

**BASIS OF LEGAL AUTHORITY TO SIGN:** Managers of General Partner of Owner

**SIGNER'S TELEPHONE NUMBER:** (314) 680-1122 (Prestien)  
(314) 814-3030 (Difani)  
(314) 303-8795 (Buster)

**SIGNER'S MAILING ADDRESS:** 3028 Lake Country Lane, Glencoe, MO 63038  
(Prestien)  
12715 Irene Marie Way, Creve Coeur, MO  
63141 (Difani)  
1751 Golden Lake, Chesterfield, MO 63017  
(Buster)

**TYPE OF ENTITY:** Missouri limited partnership

**PARCEL #:** 4-0033-S001-00-0001.2000000

[Signature and Notary Pages to Follow]

By executing this Written Request on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, the undersigned represents and warrants that he is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**CORA BOPP FAMILY LIMITED  
PARTNERSHIP, L.P.**, a Missouri limited  
partnership

By: Bopp Family, L.L.C., a Missouri limited  
liability company, its General Partner

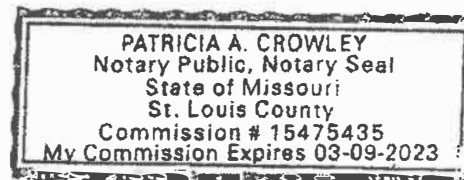
By: *Donald W. Prestien*  
Donald W. Prestien, Manager

STATE OF MISSOURI                    )  
  ) ss.  
COUNTY OF                            )

Before me personally appeared Donald W. Prestien, Manager of Bopp Family, L.L.C., a Missouri limited liability company, General Partner of Cora Bopp Family Limited Partnership, L.P., a Missouri limited partnership, who is personally known to me to be such officer, and who is personally known to me to be the person who executed, as such officer, the within instrument on behalf of such limited liability company, and such person duly acknowledged the execution of the same to be the act of such limited liability company as general partner of said limited partnership.

WITNESS my hand and official seal this 8<sup>th</sup> day of December 2022.  
*Patricia A. Crowley*  
Notary Public

My Commission Expires: \_\_\_\_\_



By executing this Written Request on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**CORA BOPP FAMILY LIMITED  
PARTNERSHIP, L.P.**, a Missouri limited  
partnership

By: Bopp Family, L.L.C., a Missouri limited  
liability company, its General Partner

By: Lee Ann Difani  
Lee Ann Difani, Manager

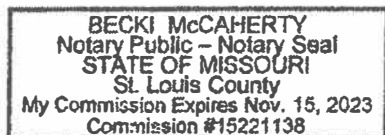
STATE OF MISSOURI                    )  
  ) ss.  
COUNTY OF                            )

Before me personally appeared Lee Ann Difani, Manager of Bopp Family, L.L.C., a Missouri limited liability company, General Partner of Cora Bopp Family Limited Partnership, L.P., a Missouri limited partnership, who is personally known to me to be such officer, and who is personally known to me to be the person who executed, as such officer, the within instrument on behalf of such limited liability company, and such person duly acknowledged the execution of the same to be the act of such limited liability company as general partner of said limited partnership.

WITNESS my hand and official seal this 8<sup>th</sup> day of December, 2022.

Becki McCaherty  
Notary Public

My Commission Expires: 11-15-2023



By executing this Written Request on this 8 day of December, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**CORA BOPP FAMILY LIMITED  
PARTNERSHIP, L.P.**, a Missouri limited  
partnership

By: Bopp Family, L.L.C., a Missouri limited  
liability company, its General Partner

By: Susan A. Buster  
Susan A. Buster, Manager

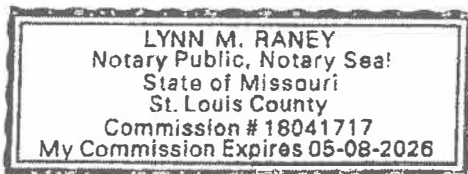
STATE OF MISSOURI                    )  
  ) ss.  
COUNTY OF St. Louis            )

Before me personally appeared Susan A. Buster, Manager of Bopp Family, L.L.C., a Missouri limited liability company, General Partner of Cora Bopp Family Limited Partnership, L.P., a Missouri limited partnership, who is personally known to me to be such officer, and who is personally known to me to be the person who executed, as such officer, the within instrument on behalf of such limited liability company, and such person duly acknowledged the execution of the same to be the act of such limited liability company as general partner of said limited partnership.

WITNESS my hand and official seal this 8<sup>th</sup> day of December, 2022.

Lynn M. Raney  
Notary Public

My Commission Expires: 05/08/2026



**REQUESTING OWNER:**

NAME OF OWNER: Busch Family GST Trust  
TELEPHONE NUMBER: (314) 303-8795  
MAILING ADDRESS: 1751 Golden Lake, Chesterfield, MO 63017

NAME OF SIGNER: FBO: Jeanne L. Buchner, Mary L. Biderman  
and Susan A. Buster

BASIS OF LEGAL AUTHORITY TO SIGN: Trustees of Owner

SIGNER'S TELEPHONE NUMBER: (314) 469-7431 (Buchner)  
(314) 221-5921 (Biderman)  
(314) 303-8795 (Buster)

SIGNER'S MAILING ADDRESS: 2138 Butterfield Ct., Maryland Heights, MO  
63043 (Buchner)  
832 Minarca Dr., St. Louis, MO 63131  
(Biderman)  
1751 Golden Lake, Chesterfield, MO 63017  
(Buster)

TYPE OF ENTITY: Trust

PARCEL #: 4-0033-S001-00-0001.2000000

[Signature and Notary Pages to Follow]

By executing this Written Request on this 8 day of December, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**BUSCH FAMILY GST TRUST FBO  
JEANNE L. BUCHNER**

By: *Jeanne L. Buchner*  
Jeanne L. Buchner, Trustee

STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF St. Louis             )

On this 8<sup>th</sup> day of December, 2022, before me personally appeared Jeanne L. Buchner, Trustee of the Busch Family GST Trust FBO Jeanne L. Buchner, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8<sup>th</sup> day of December 2022.

*Lynn M. Raney*  
Notary Public

My Commission Expires: 05/08/2026



By executing this Written Request on this 8th day of December, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**BUSCH FAMILY GST TRUST FBO  
MARY L. BIDERMAN**

By: Mary L. Biderman, Trustee  
Mary L. Biderman, Trustee

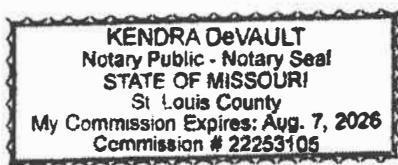
STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF                                )

On this 8th day of December, 2022, before me personally appeared Mary L. Biderman, Trustee of the Busch Family GST Trust FBO Mary L. Biderman, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8th day of December, 2022.

Kendra DeVault  
Notary Public

My Commission Expires: 8/26





By executing this Written Request on this 8 day of December, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**BUSCH FAMILY GST TRUST FBO  
SUSAN A. BUSTER**

By Susan A. Buster  
Susan A. Buster, Trustee

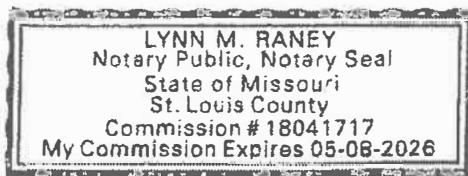
STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF St. Louis             )

On this 8<sup>th</sup> day of December, 2022, before me personally appeared Susan A. Buster, Trustee of the Busch Family GST Trust FBO Susan A. Buster, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8<sup>th</sup> day of December, 2022.

Lynn M. Raney  
Notary Public

My Commission Expires: 05/08/2026



**REQUESTING OWNER:**

NAME OF OWNER:	Grace L. Busch Revocable Living Trust dated February 28, 1997, as amended
TELEPHONE NUMBER:	(314) 878-9329
MAILING ADDRESS:	12769 Mason Manor, St. Louis, MO 63141
NAME OF SIGNER:	Grace L. Busch and Susan Ann Buster
BASIS OF LEGAL AUTHORITY TO SIGN:	Co-Trustees of Owner
SIGNER'S TELEPHONE NUMBER:	(314) 878-9329 (Busch) (314) 303-8795 (Buster)
SIGNER'S MAILING ADDRESS:	12769 Mason Manor, St. Louis, MO 63141 (Busch)  1751 Golden Lake, Chesterfield, MO 63017 (Buster)
TYPE OF ENTITY:	Trust
PARCEL #:	4-0033-S001-00-0001.2000000

[Signature and Notary Page to Follow]

By executing this Written Request on this 8 day of December, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**GRACE L. BUSCH REVOCABLE LIVING  
TRUST DATED FEBRUARY 28, 1997, AS  
AMENDED**

By: Grace L. Busch Co-Trustee  
Grace L. Busch, Co-Trustee

STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF St. Louis             )

On this 8<sup>th</sup> day of December, 2022, before me personally appeared Grace L. Busch, Co-Trustee of the Grace L. Busch Revocable Living Trust dated February 28, 1997, as amended, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8<sup>th</sup> day of December, 2022.

Lynn M. Raney  
Notary Public

My Commission Expires: 05/08/2026



By executing this Written Request on this 8 day of December 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**GRACE L. BUSCH REVOCABLE LIVING  
TRUST DATED FEBRUARY 28, 1997, AS  
AMENDED**

By Susan Ann Buster  
Susan Ann Buster, Co-Trustee

STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF St. Louis                     )

On this 8<sup>th</sup> day of December, 2022, before me personally appeared Susan Ann Buster, Co-Trustee of the Grace L. Busch Revocable Living Trust dated February 28, 1997, as amended, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8<sup>th</sup> day of December 2022.

Lynn M. Raney  
Notary Public

My Commission Expires: 05/08/2026



**REQUESTING OWNER:**

NAME OF OWNER: Aldrich GST Trust dated September 12, 1989  
TELEPHONE NUMBER: (314) 814-3030  
MAILING ADDRESS: 12715 Irene Marie Way, Creve Coeur, MO  
63141

NAME OF SIGNER: Karen L. Lindner and Lee Ann Difani  
BASIS OF LEGAL AUTHORITY TO SIGN: Trustees of Owner  
SIGNER'S TELEPHONE NUMBER: (314) 620-5247 (Lindner)  
(314) 814-3030 (Difani)  
SIGNER'S MAILING ADDRESS: 540 Spitz Drive, Fenton, MO 63026 (Lindner)  
12715 Irene Marie Way, Creve Coeur, MO  
63141 (Difani)

TYPE OF ENTITY: Trust  
PARCEL #: 4-0033-S001-00-0001.2000000

[Signature and Notary Pages to Follow]

By executing this Written Request on this 5<sup>th</sup> day of December, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**ALDRICH GST TRUST FBO KAREN L.  
LINDNER U/A DATED SEPTEMBER 12,  
1989**

By: Karen L. Lindner Trustee  
Karen L. Lindner, Trustee

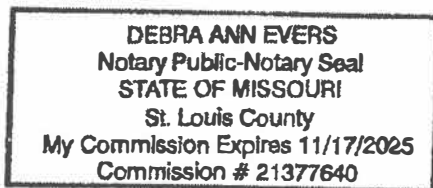
STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF                                )

On this 8<sup>th</sup> day of December, 2022, before me personally appeared Karen L. Lindner, Trustee of the Aldrich GST Trust FBO Karen L. Lindner U/A dated September 12, 1989, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8<sup>th</sup> day of December, 2022.

Debra Ann Evers  
Notary Public

My Commission Expires: 11/17/2025



By executing this Written Request on this 8<sup>th</sup> day of December, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**ALDRICH GST TRUST FBO LEE ANN  
DIFANI U/A DATED SEPTEMBER 12,  
1989**

By: *Lee Ann Difani*  
Lee Ann Difani, Trustee

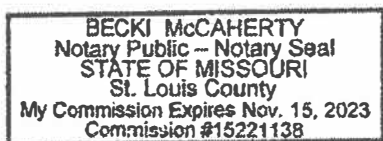
STATE OF MISSOURI                    )  
  ) ss.  
COUNTY OF                            )

On this 8<sup>th</sup> day of December, 2022, before me personally appeared Lee Ann Difani, Trustee of the Aldrich GST Trust FBO Lee Ann Difani U/A dated September 12, 1989, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8<sup>th</sup> day of December 2022.

*Becki McCaherty*  
Notary Public

My Commission Expires: 11-15-2023



**REQUESTING OWNER:**

NAME OF OWNER:	Donald W. Prestien Revocable Trust dated March 13, 2015
TELEPHONE NUMBER:	(314) 680-1122
MAILING ADDRESS:	3028 Lake Country Lane, Glencoe, MO 63038
NAME OF SIGNER:	Donald W. Prestien and Joan C. Prestien
BASIS OF LEGAL AUTHORITY TO SIGN:	Co-Trustees of Owner
SIGNER'S TELEPHONE NUMBER:	(314) 680-1122 (Donald) (314) 960-511 3 (Joan)
SIGNER'S MAILING ADDRESS:	3028 Lake Country Lane, Glencoe, MO 63038
TYPE OF ENTITY:	Trust
PARCEL #:	4-0033-S001-00-0001.2000000

[Signature and Notary Pages to Follow]



By executing this Written Request on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, the undersigned represents and warrants that he is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**DONALD W. PRESTIEN REVOCABLE  
TRUST DATED MARCH 13, 2015**

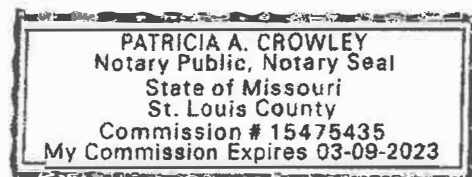
By: Donald W. Prestien  
Donald W. Prestien, Co-Trustee

STATE OF MISSOURI                    )  
  ) ss.  
COUNTY OF                            )

On this 8<sup>th</sup> day of December, 2022, before me personally appeared Donald W. Prestien, Co-Trustee of the Donald W. Prestien Revocable Trust dated March 13, 2015, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8<sup>th</sup> day of December, 2022.  
Patricia A. Crowley  
Notary Public

My Commission Expires: \_\_\_\_\_



By executing this Written Request on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**DONALD W. PRESTIEN REVOCABLE  
TRUST DATED MARCH 13, 2015**

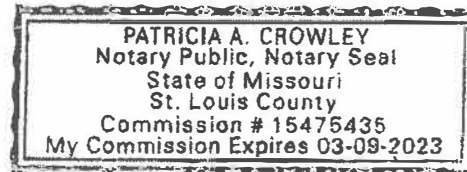
By: Joan C. Prestien  
Joan C. Prestien, Co-Trustee

STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF                                )

On this 8<sup>th</sup> day of December, 2022, before me personally appeared Joan C. Prestien, Co-Trustee of the Donald W. Prestien Revocable Trust dated March 13, 2015, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8<sup>th</sup> day of December, 2022.  
Patricia A. Crowley  
Notary Public

My Commission Expires: \_\_\_\_\_



**REQUESTING OWNER:**

NAME OF OWNER:	Joan C. Prestien Revocable Trust dated March 13, 2015
TELEPHONE NUMBER:	(314) 960-5113
MAILING ADDRESS:	3028 Lake Country Lane, Glencoe, MO 63038
NAME OF SIGNER:	Donald W. Prestien and Joan C. Prestien
BASIS OF LEGAL AUTHORITY TO SIGN:	Co-Trustees of Owner
SIGNER'S TELEPHONE NUMBER:	(314) 960-5113 (Joan) (314) 680-1122 (Donald)
SIGNER'S MAILING ADDRESS:	3028 Lake Country Lane, Glencoe, MO 63038
TYPE OF ENTITY:	Trust
PARCEL #:	4-0033-S001-00-0001.2000000

[Signature and Notary Pages to Follow]

By executing this Written Request on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, the undersigned represents and warrants that he is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**JOAN C. PRESTIEN REVOCABLE  
TRUST DATED MARCH 13, 2015**

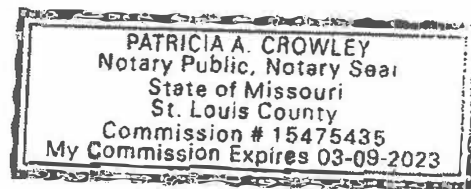
By: Donald W. Prestien  
Donald W. Prestien, Co-Trustee

STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF                                )

On this 8th day of December, 2022, before me personally appeared Donald W. Prestien, Co-Trustee of the Joan C. Prestien Revocable Trust dated March 13, 2015, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8th day of December, 2022.  
Patricia A. Crowley  
Notary Public

My Commission Expires: \_\_\_\_\_



By executing this Written Request on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**JOAN C. PRESTIEN REVOCABLE  
TRUST DATED MARCH 13, 2015**

By: Joan C. Prestien  
Joan C. Prestien, Co-Trustee

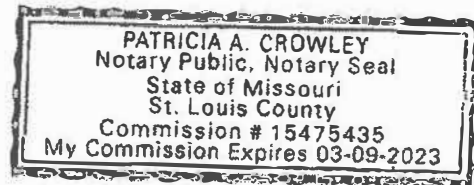
STATE OF MISSOURI                    )  
  ) ss.  
COUNTY OF                            )

On this 8th day of December, 2022, before me personally appeared Joan C. Prestien, Co-Trustee of the Joan C. Prestien Revocable Trust dated March 13, 2015, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8th day of December, 2022.

Patricia A. Crowley  
Notary Public

My Commission Expires: \_\_\_\_\_



**REQUESTING OWNER:**

NAME OF OWNER:	Harold H. Prestien Revocable Trust dated November 22, 2011
TELEPHONE NUMBER:	(618) 980-0375
MAILING ADDRESS:	208 Rebekah Court, Waterloo, IL 62298
NAME OF SIGNER:	Harold H. Prestien and Yvonne M. Prestien
BASIS OF LEGAL AUTHORITY TO SIGN:	Co-Trustees of Owner
SIGNER'S TELEPHONE NUMBER:	(618) 980-0375 (Harold) (618) 980-5159 (Yvonne)
SIGNER'S MAILING ADDRESS:	208 Rebekah Court, Waterloo, IL 62298
TYPE OF ENTITY:	Trust
PARCEL #:	4-0033-S001-00-0001.2000000

[Signature and Notary Pages to Follow]

By executing this Written Request on this 9 day of December, 2022, the undersigned represents and warrants that he is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**HAROLD H. PRESTIEN REVOCABLE  
TRUST DATED NOVEMBER 22, 2011**

By: Harold H. Prestien  
Harold H. Prestien, Co-Trustee

STATE OF ~~MISSOURI~~ ILLINOIS )  
 ) ss.  
COUNTY OF Monroe )

On this 9 day of December, 2022, before me personally appeared Harold H. Prestien, Co-Trustee of the Harold H. Prestien Revocable Trust dated November 22, 2011, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 9 day of December, 2022.

Notary Public

My Commission Expires: 12/16/2025



By executing this Written Request on this 9 day of December, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**HAROLD H. PRESTIEN REVOCABLE  
TRUST DATED NOVEMBER 22, 2011**

By: Yvonne M. Prestien  
Yvonne M. Prestien, Co-Trustee

STATE OF ~~MISSOURI~~ Illinois )  
 ) ss.  
COUNTY OF Monroe )

On this 9 day of December, 2022, before me personally appeared Yvonne M. Prestien, Co-Trustee of the Harold H. Prestien Revocable Trust dated November 22, 2011, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 9 day of December, 2022.

Notary Public

My Commission Expires: 12/16/2025





**REQUESTING OWNER:**

NAME OF OWNER:	Yvonne M. Prestien Revocable Trust dated November 22, 2011
TELEPHONE NUMBER:	(618) 980-5159
MAILING ADDRESS:	208 Rebekah Court, Waterloo, IL 62298
NAME OF SIGNER:	Harold H. Prestien and Yvonne M. Prestien
BASIS OF LEGAL AUTHORITY TO SIGN:	Co-Trustees of Owner
SIGNER'S TELEPHONE NUMBER:	(618) 980-5159 (Yvonne) (618) 980-0375 (Harold)
SIGNER'S MAILING ADDRESS:	208 Rebekah Court, Waterloo, IL 62298
TYPE OF ENTITY:	Trust
PARCEL #:	4-0033-S001-00-0001.2000000

[Signature and Notary Pages to Follow]

By executing this Written Request on this 9 day of December, 2022, the undersigned represents and warrants that he is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**YVONNE M. PRESTIEN REVOCABLE  
TRUST DATED NOVEMBER 22, 2011**

By: Harold H. Prestien  
Harold H. Prestien, Co-Trustee

STATE OF ~~MISSOURI~~ Illinois )  
 ) ss.  
COUNTY OF Monroe )

On this 9 day of December, 2022, before me personally appeared Harold H. Prestien, Co-Trustee of the Yvonne M. Prestien Revocable Trust dated November 22, 2011, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 9 day of December, 2022.

Notary Public

My Commission Expires: 12/16/2025



By executing this Written Request on this 9 day of December, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**YVONNE M. PRESTIEN REVOCABLE  
TRUST DATED NOVEMBER 22, 2011**

By: Yvonne M. Prestien  
Yvonne M. Prestien, Co-Trustee

STATE OF ~~MISSOURI~~ Illinois )  
 ) ss.  
COUNTY OF Monroe )

On this 9 day of December, 2022, before me personally appeared Yvonne M. Prestien, Co-Trustee of the Yvonne M. Prestien Revocable Trust dated November 22, 2011, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 9 day of December, 2022.

Sarah Biffar  
Notary Public

My Commission Expires: 12/16/2025



**REQUESTING OWNER:**

NAME OF OWNER:	Charles W. Prestien Revocable Trust dated December 8, 2011
TELEPHONE NUMBER:	(314) 803-3739
MAILING ADDRESS:	17416 W. Bridle Trail, Wildwood, MO 63038
NAME OF SIGNER:	Charles W. Prestien and Pamela S. Prestien
BASIS OF LEGAL AUTHORITY TO SIGN:	Co-Trustees of Owner
SIGNER'S TELEPHONE NUMBER:	(314) 803-3739 (Charles) (636) 394-1493 (Pamela)
SIGNER'S MAILING ADDRESS:	17416 W. Bridle Trail, Wildwood, MO 63038
TYPE OF ENTITY:	Trust
PARCEL #:	4-0033-S001-00-0001.2000000

[Signature and Notary Pages to Follow]

By executing this Written Request on this 8 day of December, 2022, the undersigned represents and warrants that he is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**CHARLES W. PRESTIEN REVOCABLE  
TRUST DATED DECEMBER 8, 2011**

By: Charles W. Prestien  
Charles W. Prestien, Co-Trustee

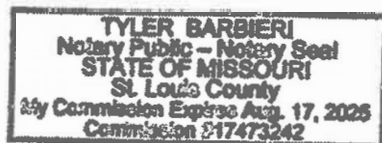
STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF                                )

On this 8<sup>TH</sup> day of DECEMBER, 2022, before me personally appeared Charles W. Prestien, Co-Trustee of the Charles W. Prestien Revocable Trust dated December 8, 2011, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8<sup>TH</sup> day of December, 2022.

Tyler Barbieri  
Notary Public

My Commission Expires: AUG. 17, 2025



By executing this Written Request on this 8 day of December, 2022, the undersigned represents and warrants that she is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**CHARLES W. PRESTIEN REVOCABLE  
TRUST DATED DECEMBER 8, 2011**

By: *Pamela S. Prestien*  
Pamela S. Prestien, Co-Trustee

STATE OF MISSOURI                    )  
  ) ss.  
COUNTY OF                            )

On this 8<sup>TH</sup> day of December, 2022, before me personally appeared Pamela S. Prestien, Co-Trustee of the Charles W. Prestien Revocable Trust dated December 8, 2011, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 8<sup>TH</sup> day of December, 2022.

*[Signature]*  
Notary Public

My Commission Expires: Aug. 17, 2025



**REQUESTING OWNER:**

NAME OF OWNER:	Pamela S. Prestien Revocable Trust dated December 8, 2011
TELEPHONE NUMBER:	(636) 394-1493
MAILING ADDRESS:	17416 W. Bridle Trail, Wildwood, MO 63038
NAME OF SIGNER:	Charles W. Prestien and Pamela S. Prestien
BASIS OF LEGAL AUTHORITY TO SIGN:	Co-Trustees of Owner
SIGNER'S TELEPHONE NUMBER:	(636) 394-1493 (Pamela) (314) 803-3739 (Charles)
SIGNER'S MAILING ADDRESS:	17416 W. Bridle Trail, Wildwood, MO 63038
TYPE OF ENTITY:	Trust
PARCEL #:	4-0033-S001-00-0001.2000000

[Signature and Notary Pages to Follow]

By executing this Written Request on this 8 day of December, 2022, the undersigned represents and warrants that he is authorized to execute this Written Request on behalf of the Requesting Owner named immediately above.

**PAMELA S. PRESTIEN REVOCABLE  
TRUST DATED DECEMBER 8, 2011**

By: Charles W. Prestien  
Charles W. Prestien, Co-Trustee

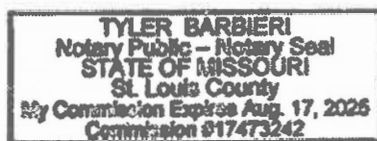
STATE OF MISSOURI )  
COUNTY OF ) ss.

On this 8<sup>TH</sup> day of DECEMBER, 2022, before me personally appeared Charles W. Prestien, Co-Trustee of the Pamela S. Prestien Revocable Trust dated December 8, 2011, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 27<sup>th</sup> day of December, 2022.

## Notary Public

My Commission Expires: AUG. 17, 2025







## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

A tract of land being part of Section 1, Township 46 North - Range 2 East, St. Charles County, Missouri and being more particularly described as:

Commencing at a point in the North line of property described in deed to Cora Bopp Family Limited Partnership, L.P., etal, recorded in Book 2679 page 1626 of the St. Charles County records, being the Southwest corner of "Bryan Meadows Subdivision", a subdivision according to the plat thereof recorded in Plat Book 9 page 19 of the St. Charles County records; thence Eastwardly along the North line of said Bopp property, being also the South line of said "Bryan Meadows Subdivision", South 89 degrees 03 minutes 52 seconds East 1248.44 feet to a point in the West line of Bryan Road, 100 feet wide, as widened by deed recorded in Book 1884 page 71 of the St. Charles County records; thence Southwardly along the West line of Bryan Road, 100 feet wide, as widened by said Book 1884 page 71, South 01 degree 42 minutes 05 seconds West 904.47 feet to the ACTUAL POINT OF BEGINNING; thence Southwardly along the West line of Bryan Road, 100 feet wide, as widened by said Book 1884 page 71 and by Book 1884 page 69 of the St. Charles County records, the following courses and distances: South 01 degree 42 minutes 05 seconds West 782.54 feet, South 01 degree 14 minutes 27 seconds West 247.69 feet and along a curve to the right whose radius point bears North 88 degrees 45 minutes 33 seconds West 35.00 feet from the last mentioned point, a distance of 54.66 feet to a point in the North line of Feise Road, varying width, as widened by the afore said Book 1884 page 69 of the St. Charles County records; thence Westwardly along said North line of Feise Road, as widened, North 89 degrees 17 minutes 03 seconds West 339.65 feet to the Northwest corner of said widening; thence Southwardly along the West line of said widening, South 01 degree 05 minutes 49 seconds West 26.73 feet to a point in the North line of Feise Road, 60 feet wide, said point being 20.00 feet perpendicularly distant North of the centerline; thence Westwardly along said North line of Feise Road, 60 feet wide, being 20.00 feet perpendicularly distant North of and parallel to the centerline, North 88 degrees 57 minutes 51 seconds West 650.09 feet to a point; thence leaving said road line, North 34 degrees 17 minutes 53 seconds East 161.25 feet to a point; thence North 31 degrees 55 minutes 13 seconds East 124.37 feet to a point; thence North 35 degrees 34 minutes 37 seconds East 122.38 feet to a point; thence North 24 degrees 25 minutes 54 seconds East 39.18 feet to a point; thence North 02 degrees 40 minutes 47 seconds West 43.80 feet to a point; thence North 19 degrees 57 minutes 42 seconds East 75.15 feet to a point; thence North 11 degrees 55 minutes 45 seconds East 125.52 feet to a point; thence North 32 degrees 51 minutes 47 seconds East 73.36 feet to a point; thence North 57 degrees 46 minutes 30 seconds East 81.67 feet to a point; thence North 29 degrees 59 minutes 37 seconds East 76.05 feet to a point; thence North 38 degrees 29 minutes 03 seconds East 69.58 feet to a point; thence North 72 degrees 44 minutes 24 seconds East 87.27 feet to a point; thence North 50 degrees 29 minutes 54 seconds East 91.27 feet to a point; thence North 23 degrees 49 minutes 56 seconds East 45.40 feet to a point; thence North 46 degrees 58 minutes 12 seconds East 39.05 feet to a point; thence North 72 degrees 48 minutes 18 seconds East 182.93 feet to a point; thence North 80 degrees 42 minutes 20 seconds East 197.54 feet to the point of beginning and containing 17.250 acres.

**EXHIBIT B****Parcel Information of Property to be Removed from District**

Parcel ID No. (PIN)	Property Owners	Parcel Address
4-0033-S001-00-0001.2000000	<ul style="list-style-type: none"><li>-Cora Bopp Family Limited Partnership, L.P.</li><li>-Busch Family GST Trust</li><li>-Grace L. Busch Revocable Living Trust dated February 28, 1997</li><li>-Aldrich GST Family Trust dated September 12, 1989</li><li>-Donald W. Prestien Revocable Trust dated March 13, 2015</li><li>-Joan C. Prestien Revocable Trust dated March 13, 2015</li><li>-Harold H. Prestien Revocable Trust dated November 22, 2011</li><li>-Yvonne M. Prestien Revocable Trust dated November 22, 2011</li><li>-Charles W. Prestien Revocable Trust dated December 8, 2011</li><li>-Pamela S. Prestien Revocable Trust dated December 8, 2011</li></ul>	1575 Bryan Road

## New Cora Marie Community Improvement District Boundary Map



**RESOLUTION NO. 367**

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, DECLARING THE INFORMALLY PROJECTED AND NONBINDING TAX LEVY FOR THE YEAR 2023.**

**WHEREAS**, pursuant to 2008 Missouri State Senate Bill 711, enacted as §§ 137.180 and 137.243, RSMo., as of January 1, 2009, the governing body of each political subdivision within a county with a charter form of government, must informally project a nonbinding tax levy, based upon property valuations provided by the county, and return such projected tax levy to the county no later than April 8th; and

**WHEREAS**, on or before March 15<sup>th</sup>, 2023, and pursuant to § 137.243, RSMo., the City received from St. Charles County an abstract of the assessment book showing the aggregate amounts of different kinds of real, personal, and other tangible property and the valuations of each for the City; and

**WHEREAS**, using such information the Board of Aldermen of the City of Dardenne Prairie, Missouri, has informally projected a nonbinding tax levy for the year 2023; and

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AS FOLLOWS:**

**Section 1.** In compliance with the requirements of § 137.243, RSMo., the informal projections of a nonbinding tax levy for the year 2023 in the City of Dardenne Prairie, Missouri, by the Board of Aldermen of the City of Dardenne Prairie, Missouri, are reflected in **Exhibit A**, attached hereto and incorporated by reference herein.

**Section 2.** That the City Clerk is hereby directed to submit this Resolution to St. Charles County no later than April 8, 2023.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk



MARCH 8, 2023

DARDENNE PRAIRIE (53)  
ATTENTION: KIM CLARK  
2032 HANLEY ROAD  
DARDENNE PRAIRIE, MO 63366

PURSUANT TO SENATE BILL 711 (SB711), SECTION 137.243, THE COUNTY IS TO PROVIDE THE AGGREGATE VALUES AS STATED BELOW FOR THE PROJECTED TAX RATES FOR 2023.

2022-2023 VALUE REPORT  
CERTIFIED - MARCH 2023  
DARDENNE PRAIRIE (53)

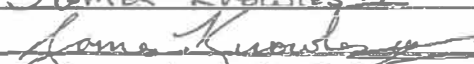
REAL ESTATE	397,789,803
PERSONAL PROPERTY	65,743,586
RAILROAD & UTILITIES	
STATE ASSESSED REAL	194,742
STATE ASSESSED PERSONAL	232,489
LOCAL ASSESSED REAL	420,853
LOCAL ASSESSED PERSONAL	32,064
TOTAL VALUE	464,413,537

GAIN NEW CONSTRUCTION-PRELIMINARY-ASSESSOR	12,289,110
GAIN ANNEXATION-PRELIMINARY-ASSESSOR	214,411

Given under my hand and official seal the 2023 Real Estate preliminary totals this 8th day of March, 2023.

2022 TAX RATE .0969

Stephanie Hughey, Financial Program Administrator

By April 8th 2023 we must have in our office the following:	General Revenue	Debt (GO Bonds)	Other:
1. Projected tax Rate	.0862		
2. Ceiling Rate	.0862		
3. Maximum Voter Approved Levy	.2500		
4. Phone number to be published on Projected Tax Liability Statement	(636) 561-1718		
5. Name of person completing form	James Knowles III		
6. Signature of person completing form			
7. Contact phone number of person completing form	(636) 755-5303		
8. Date completed	3/10/2023		

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR REZONING OF APPROXIMATELY 14.07 ACRES OF LAND FROM C-2, GENERAL COMMERCIAL DISTRICT, TO C-3, RETAIL COMMERCIAL, PLANNED UNIT DEVELOPMENT (P.U.D.) AND R-M, MULTIFAMILY RESIDENTIAL, PLANNED UNIT DEVELOPMENT (PUD); AND APPROVING AN AREA PLAN FOR THE SAME**

**WHEREAS**, an application was submitted by The Engenuity, LLC (“Applicant”), to the City of Dardenne Prairie, Missouri (the “City”), for the rezoning of approximately 14.07 acres of real property more particularly described in Exhibit A, attached hereto and incorporated by reference herein (the “Property”), and owned by the Bopp Family Limited Partnership (the “Owner”), from C-2, General Commercial District, to C-3 Retail Commercial, Planned Unit Development (P.U.D.) and R-M Multifamily Residential, Planned Unit Development (P.U.D.), pursuant to the Municipal Code of the City of Dardenne Prairie, Missouri; and

**WHEREAS**, the Applicant also submitted a P.U.D. Request – Area Plan for the approval of an Area Plan for the Property; and

**WHEREAS**, the Planning and Zoning Commission of the City (the “Planning and Zoning Commission”), considered the proposed rezoning and Area Plan and recommended denial of said rezoning and Area Plan; and

**WHEREAS**, the Board of Aldermen of the City and the Planning and Zoning Commission held Public Hearings on the proposed rezoning request and Area Plan; and

**WHEREAS**, at such Public Hearings all persons-in-interest and other citizens were given an opportunity to be heard on the proposed rezoning request and Area Plan.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AS FOLLOWS:**

**SECTION 1. Zoning Amendment.** That after proper notice in accordance with the ordinances of this City and applicable laws of the State of Missouri, a public hearing was held with regard to the rezoning of a certain 14.07 acres area of real property described more particularly on Exhibit A, attached hereto and incorporated by reference herein, first before the Planning and Zoning Commission and then the Board of Aldermen of the City of Dardenne Prairie, Missouri, and approval is hereby granted to rezone such 14.07 acre area of real property from C-2, General Commercial District, to C-3 Retail Commercial, Planned Unit Development (P.U.D.) and R-M Multifamily Residential, Planned Unit Development (P.U.D.), pursuant to the Municipal Code of the City of Dardenne Prairie, Missouri, subject to the Applicant and Owner’s (or their respective

successors in interest) compliance with all conditions herein as well as those reflected on the Area Plan approved in Section 2 of this Ordinance.

**SECTION 2. Area Plan.** That upon review, first before the Planning and Zoning Commission and then the Board of Aldermen of the City of Dardenne Prairie, Missouri, the Board of Aldermen does hereby approve the Area Plan for the Property submitted by Applicant and prepared by The Engenuity, LLC, stamped and sealed by a professional engineer on December 5, 2022, and referencing Project # 22-0113, which plan is on file in the Office of the City Clerk and incorporated by reference herein (the “Area Plan”), subject to the Applicant’s and the Owner’s (and their respective successors in interest) compliance with all of the conditions herein as well as those reflected on the approved Area Plan.

**SECTION 3. Area Plan Conditions of Issuance.** The approval of the Area Plan pursuant to Section 2 of this Ordinance is expressly conditioned upon the following:

1. The Applicant and the Owner, having to the best of its knowledge, provided City with all information required by the appropriate sections of the Zoning Ordinance pertaining to a C-3 Commercial, Planned Unit Development (P.U.D.) and R-M Multifamily Residential, Planned Unit Development (P.U.D.), and agrees that any information inadvertently omitted will be provided upon request, as soon as it may reasonably be obtained; and

2. The Applicant and the Owner (and their respective successors in interest) agree that all improvements shall be constructed to meet all applicable state and local codes and shall comply with all of the City’s applicable Ordinances and street construction standards; and

**SECTION 4. Amend Zoning Map.** That, pursuant to the Municipal Code of the City of Dardenne Prairie, Missouri, the City Engineer is hereby directed to amend the Official Zoning Map of the City consistent with this Ordinance.

**SECTION 5. Savings.** Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

**SECTION 6. Severability Clause.** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.



**SECTION 7. Effective Date:** This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

Read the first (1<sup>st</sup>) time this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
As Presiding Officer and as Mayor

Read the second (2<sup>nd</sup>) time and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
As Presiding Officer and as Mayor

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



Exhibit A

City Hall  
2032 Hanley Road  
Dardenne Prairie, MO 63368  
Phone 636.561.1718  
Fax 636.825.0077

**REZONING REQUEST**  
CITY OF DARDENNE PRAIRIE, MISSOURI  
[www.DardennePrairie.org](http://www.DardennePrairie.org)

APPLICANT:

ENGENUITY

Company Name

TOM BUERK III, P.E. PROJECT MANAGER

Printed Name, Title

17057 N. OUTER 40 ROAD, SUITE 147

Street Address

CHESTERFIELD, MO 63005

City/State/Zip Code

636-793-5622

Telephone

Facsimile

TOMB@THEENGENUITY.COM

Email Address

STREET ADDRESS OF REZONING: 1575 BRYAN ROAD, DARDENNE PRARIE, MO 63366

OWNER (attach additional):

BOPP CORA FAMILY LMTD PARTNERSHIP

Printed Name

Printed Name

12715 IRENE MARIE WAY

Street Address

ST. LOUIS, MO 63141

City/State/Zip Code

Telephone

Facsimile

Email Address

Contract Purchaser/Developer:

MIA ROSE HOLDINGS, LLC

Company Name

TOM KAIMAN

Printed Name, Title

7 BAXTER LANE

Street Address

CHESTERFIELD, MO 63017

City/State/Zip Code

(314)280-5872

Telephone

Facsimile

TOMKAIMAN@GMAIL.COM

Email Address

LEGAL DESCRIPTION OF PROPERTY (other than address) A TRACT OF LAND BEING PART OF SECTION 1, TOWNSHIP 46 NORTH, RANGE 2 EAST, ST. CHARLES COUNTY, MISSOURI

EXISTING ZONING: C-2 GEN COMMERCIAL PROPOSED ZONING: C-2 PUD

PROPOSED USE: MIXED-USE PUD - COMMERCIAL/RESIDENTIAL

NO. UNITS: 190 MULTI-FAMILY RESIDENTIAL

REZONING REQUEST APPLICATION FEE SUBMITTED: \$920.00

## **REZONING REQUEST**

In reviewing any application for rezoning, the Planning and Zoning Commission shall identify and evaluate all factors relevant to the application and shall report its findings in full, along with its recommendation, to the Board of Aldermen. The facts to be considered by the Commission include:

- A. Whether or not the requested zoning is justified by a change in conditions since the original ordinance was adopted or, by an error in the original ordinance.
- B. The precedents, the possible effects of such precedents, which might likely result from approval or denial of the application.
- C. The ability of the City or other government agencies to provide any services, facilities and/or programs that might likely result from approval or denial of the petition.
- D. Effect of approval of the application on the condition and/or value of property in the City or in adjacent civil divisions.
- E. Effect of approval of the petition on adopted development policies of the City and other government units.
- F. The zoning and land use recommended by the Comprehensive Plan.

[v] CHECKLIST TO COMPLETE THIS APPLICATION

- ☒ Provide two (2) folded copies of a scaled map of the property, correlated with the legal description and clearly showing the location of the property.  
*Additional copies for distribution to Planning and Zoning Commission and Board of Aldermen members will be requested upon review by the City Engineer..*
- ☒ Electronic and paper copy of legal description of the property are provided. Electronic files may be sent via email to the City Engineer ([engineer@dardenneprairie.org](mailto:engineer@dardenneprairie.org)).
- ☒ Provide a list of the names and mailing addresses of property owners with property within an area determined by lines drawn parallel to and three hundred (300) feet distant from the boundaries of the subject property. Electronic files may be sent via email to the City Engineer ([engineer@dardenneprairie.org](mailto:engineer@dardenneprairie.org)).
- ☒ A good faith effort shall be made by the petitioner to notify by mail all property owners known to the petitioner whose property is within an area determined by lines drawn parallel to and three hundred (300) feet distant from the subject property of the time and place of the public hearings. Such notices shall be postmarked at least fifteen (15) days prior to the date of the hearings.
- Date of 1<sup>st</sup> Public Hearing: 11/9/2022 Postmark Deadline: 10/25/2022
- ☒ The applicant is required to appear before the Planning and Zoning Commission and Board of Aldermen.

**Please Note:**

Prior to approval of a Building Permit, a Construction Site Plan must be reviewed and approved by the City Engineer. In addition, the appropriate Fire Protection District will need to review and approve the development.

Any signage to be placed on the subject property requires a separate Sign Permit or Master Sign Plan.


Any business occupying the site requires approval of a Business License.

\*\*\*Before signing this application, make sure all items above are completed\*\*\*

  
\_\_\_\_\_  
Applicant's Signature

10/3/2022

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Owner's Signature

10/3/2022

\_\_\_\_\_  
Date

**NOTE: By affixing signatures to this application form, the Applicant and Owner hereby verify that: they have reviewed the applicable zoning regulations; they are familiar with the specific requirements relative to this application; and they take full responsibility for this application. The above signatures further indicate that the information provided on this form and on any additional data attached hereto is true, complete, and accurate.**



3:21pm

REC 22-2234  
PD  
10/4/22  
\$ 2168.75City Hall  
2032 Hanley Road  
Dardenne Prairie, MO 63368  
Phone 636.561.1718  
Fax 636.625.0077**P.U.D. REQUEST – AREA PLAN**  
CITY OF DARDENNE PRAIRIE, MISSOURI[www.DardennePrairie.org](http://www.DardennePrairie.org)

APPLICANT:

ENGENUITY

Company Name

TOM BUERK III, P.E. PROJECT MANAGER

Printed Name, Title

17057 N. OUTER 40 ROAD, SUITE 147

Street Address

CHESTERFIELD, MO 63005

City/State/Zip Code

636-793-5622N/A

Telephone

Facsimile

TOMB@THEENGENUITY.COM

Email Address

STREET ADDRESS OF P.U.D.: 1575 BRYAN ROAD, DARDENNE PRARIE, MO 63366

OWNER (attach additional):

BOPP CORA FAMILY LMTD PARTNERSHIP

Printed Name

DONALD PRESTIEN

Printed Name

12715 IRENE MARIE WAY

Street Address

ST. LOUIS, MO 63141

City/State/Zip Code

(314) 680-1122

Telephone

Facsimile

DPRESTIEN@YAHOO.COM

Email Address

Contract Purchaser/Developer:

MIA ROSE HOLDINGS, LLC

Company Name

TOM KAIMAN, PRESIDENT

Printed Name, Title

7 BAXTER LANE

Street Address

CHESTERFIELD, MO 63017

City/State/Zip Code

(314) 280-5872

Telephone

Facsimile

TOMKAIMAN@GMAIL.COM

Email Address

LEGAL DESCRIPTION OF PROPERTY (other than address) A TRACT OF LAND BEING PART OF  
SECTION 1, TOWNSHIP 46 NORTH, RANGE 2 EAST, ST. CHARLES COUNTY, MISSOURIEXISTING ZONING: C-2 PROPOSED ZONING: RM-PUD & C-3 PUDPROPOSED USE: MIXED-USE DEVELOPMENT NO. UNITS: 214 RES. UNITSPROJECT AREA: 14.21 ACRES PROPERTY AREA: 17.25 ACRESREZONING REQUEST FEE SUBMITTED: \$1,248.75AREA PLAN REVIEW FEE SUBMITTED: \$920.00

### P.U.D. REQUEST - AREA PLAN

1. The submitted area plan shall be prepared on sheet(s) not to exceed twenty-four (24) inches by thirty-six (36) inches and meet the requirements of Article IV "PUD Planned Unit Development"
2. A landscape plan prepared on sheet(s) not to exceed twenty-four (24) inches by thirty-six (36) inches and meeting the requirements of Article IX "Landscaping and Screening" shall be included as part of the area plan submitted.
3. The submitted area plan shall show the proposed design and layout of streets, driveways, sidewalks and other vehicular and pedestrian circulation features within and adjacent to the site; also the location, size and number of parking spaces in the off-street parking areas and the identification of service lands, service parking and loading zones in conformance with the requirements set forth in Article XI "Off-Street Parking and Loading Regulations."

***Please Note:***

- Prior to approval of a Building Permit, a Construction Site Plan must be reviewed and approved by the City Engineer. In addition, the appropriate Fire Protection District will need to review and approve the development.
- Any signage to be placed on the subject property requires a separate Sign Permit or Master Sign Plan.
- Any business occupying the site requires approval of a Business License.
- All plans, architectural drawings, renderings or other materials or visual aids either submitted to the Commission and/or Board of Aldermen or presented at their meeting shall become the property of the City and part of the permanent record of any approval.

☒ CHECKLIST TO COMPLETE THIS APPLICATION

- ☒ Two (2) folded copies of the plan are provided.  
*Additional copies for distribution to Planning and Zoning Commission and Board of Aldermen members will be requested upon review by the City Engineer.*
- ☒ Electronic and paper copy of legal description of the property are provided. Electronic files may be sent via email to the City Engineer ([engineer@dardenneprairie.org](mailto:engineer@dardenneprairie.org)).
- ☒ Provide a list of the names and mailing addresses of property owners with property within an area determined by lines drawn parallel to and three hundred (300) feet distant from the boundaries of the subject property. Electronic files may be sent via email to the City Engineer ([engineer@dardenneprairie.org](mailto:engineer@dardenneprairie.org)).
- ☒ A good faith effort shall be made by the petitioner to notify by mail all property owners known to the petitioner whose property is within an area determined by lines drawn parallel to and three hundred (300) feet distant from the subject property of the time and place of the public hearings. Such notices shall be postmarked at least fifteen (15) days prior to the date of the hearings.
- Date of 1<sup>st</sup> Public Hearing: 12/14/2022 Postmark Deadline: 11/29/2022
- ☒ The applicant is required to appear before the Planning and Zoning Commission and Board of Aldermen.

\*\*\*Before signing this application, make sure all items above are completed\*\*\*

 11/9/2022  
Applicant's Signature Date

 11/9/2022  
Owner's Signature Date  
(additional below)

**NOTE: By affixing signatures to this application form, the Applicant and Owner hereby verify that: they have reviewed the applicable zoning regulations; they are familiar with the specific requirements relative to this application; and they take full responsibility for this application. The above signatures further indicate that the information provided on this form and on any additional data attached hereto is true, complete, and accurate.**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI,  
PROVIDING FOR REZONING OF APPROXIMATELY 17.25 ACRES OF  
LAND FROM C-2, GENERAL COMMERCIAL DISTRICT, TO C-3,  
RETAIL COMMERCIAL, PLANNED UNIT DEVELOPMENT (P.U.D.);  
AND APPROVING AN AREA PLAN FOR THE SAME**

**WHEREAS**, an application was submitted by The Engenuity, LLC (“Applicant”), to the City of Dardenne Prairie, Missouri (the “City”), for the rezoning of approximately 17.25 acres of real property more particularly described in Exhibit A, attached hereto and incorporated by reference herein (the “Property”), currently zoned C-2 Commercial District, and owned by the Cora Bopp Family Limited Partnership (the “Owner”), pursuant to the Municipal Code of the City of Dardenne Prairie, Missouri; and

**WHEREAS**, the Applicant also submitted a Planned Unit Development (P.U.D.) Request – Area Plan for the approval of an Area Plan for the Property; and

**WHEREAS**, the submitted Area Plan reflects a request consistent with rezoning the property as C-3, Planned Unit Development (P.U.D.) pursuant to the Municipal Code of the City of Dardenne Prairie, Missouri; and

**WHEREAS**, the Planning and Zoning Commission of the City (the “Planning and Zoning Commission”), considered the proposed rezoning and Area Plan and recommended denial of said rezoning and Area Plan; and

**WHEREAS**, the Board of Aldermen of the City and the Planning and Zoning Commission held Public Hearings on the proposed rezoning request and Area Plan; and

**WHEREAS**, at such Public Hearings all persons-in-interest and other persons were given an opportunity to be heard on the proposed rezoning request and Area Plan.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AS FOLLOWS:**

**SECTION 1. Zoning Amendment.** That after proper notice in accordance with the ordinances of this City and applicable laws of the State of Missouri, a public hearing was held with regard to the rezoning of a certain 17.25 acres area of real property described more particularly on Exhibit A, attached hereto and incorporated by reference herein, first before the Planning and Zoning Commission and then the Board of Aldermen of the City of Dardenne Prairie, Missouri, and approval is hereby granted to rezone such 17.25 acre area of real property from C-2, General Commercial District, to C-3 Retail Commercial, Planned Unit Development (P.U.D.) pursuant to the Municipal Code of the City of Dardenne Prairie, Missouri, subject to the Applicant and



Owner's (or their respective successors in interest) compliance with all conditions herein as well as those reflected on the Area Plan approved in Section 3 of this Ordinance.

**SECTION 2. Authorized Uses.** Consistent with Section 405.195(D), uses permitted on any property with a C-3 Retail Commercial District, Planned Unit Development (P.U.D.) designation shall be limited to those uses expressly authorized in the Ordinance that approved the area plan regarding such property, and any use not expressly permitted in such Ordinance shall be prohibited. In approving the area plan, Section 405.195(D) authorizes the Board of Aldermen to permit, or permit with conditions, any uses described in Section 405.180(B)-(C), Section 405.190(B)-(C), and/or Section 405.195(B)-(C). The following uses are hereby permitted on the Property, subject to their compliance with the Area Plan:

1. Multiple Family Residential Dwellings subject to the provisions of Section 405.170(D)-(K);
2. Retail Store, (in connection with which there shall be no slaughtering of animals or poultry, no commercial fish cleaning or processing on the premises), including antique, art, book, candy, camera, cigar, clothing, department, dress, drug, dry goods, furniture, gift, glass, hardware, jewelry, leather, liquor, luggage, music, notions, novelty, pastry, pet, pottery, radio, sporting goods, stationery and toy shops;
3. Drive-Through Facilities (restaurants, pharmacy, grocery, etc.);
4. Convenience store (with fuel sales);
5. Business Office;
6. Bank or Financial Institution;
7. General Service and Repair Establishments, including dyeing or cleaning works or laundry, plumbing and heating, printing, painting, upholstering and repairing;
8. Health Service Providers; Health Care Providers; Health and Wellness Services; Medical Services; Medical Offices; Clinics and Laboratories; and Hospitals on not less than five (5) acres;
9. Educational Facility;
10. Restaurants, coffee shops, bakeries, and similar dining establishments without drive-through windows, including a restaurant bar, as defined in Section 600.010;
11. Personal Service Uses, including barbershop, beauty parlor, photographic or art studio, messenger, taxicab, reducing salon, newspaper or telegraphic branch station, laundry or dry cleaning, pet grooming, launderette or self-service laundry and uses of a similar character;

12. Grocery stores and supermarkets;
13. Hobby Stores;
14. Microbreweries within restaurants and do-it-yourself beer- and wine-making stores;
15. Theater, not including drive-in theater;
16. Ice cream and frozen desserts, retail; and
17. Alcoholic beverages (liquor, beer and wine), retail.

**SECTION 3. Area Plan.** That upon review, first before the Planning and Zoning Commission and then the Board of Aldermen of the City of Dardenne Prairie, Missouri, the Board of Aldermen does hereby approve the Area Plan for the Property submitted by Applicant and prepared by The Engenuity, LLC, received by the City on March 7, 2023, and referencing Project # 22-0113, which plan is on file in the Office of the City Clerk and incorporated by reference herein (the "Area Plan"), subject to the Applicant's and the Owner's (and their respective successors in interest) compliance with all of the conditions herein as well as those reflected on the approved Area Plan.

**SECTION 4. Area Plan Conditions of Issuance.** The approval of the Area Plan pursuant to Section 3 of this Ordinance is expressly conditioned upon the following:

1. The Applicant and the Owner, having to the best of its knowledge, provided City with all information required by the appropriate sections of the Zoning Ordinance pertaining to a C-3 Commercial, Planned Unit Development (P.U.D.) and agrees that any information inadvertently omitted will be provided upon request, as soon as it may reasonably be obtained;
2. The Applicant and the Owner (and their respective successors in interest) agree that all improvements shall be constructed to meet all applicable state and local codes and shall comply with all of the City's applicable Ordinances and street construction standards; and
3. The Applicant and Owner (and their respective successors in interest) agree that the final architectural design of each building included in the Area Plan shall be subject to final approval by the City during the Final Plan review and approval process.

**SECTION 5. Amend Zoning Map.** That, pursuant to the Municipal Code of the City of Dardenne Prairie, Missouri, the City Engineer is hereby directed to amend the Official Zoning Map of the City consistent with this Ordinance.

**SECTION 6. Effective Date:** This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

**SECTION 7. Savings:** Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

**SECTION 8. Severability Clause:** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read the first (1<sup>st</sup>) time this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
As Presiding Officer and as Mayor

Attest: \_\_\_\_\_  
City Clerk

Read the second (2<sup>nd</sup>) time and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
As Presiding Officer and as Mayor

Attest: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

## EXHIBIT A

Re: Bryan & Feise Roads, Tract C

A tract of land being part of Section 1, Township 46 North, Range 2 East, St. Charles County, Missouri, said tract being more particularly described as follows:

Commencing at an iron pipe found at the Southeast corner of Lake St. Louis Country Club Greens Plat 1, as recorded in Plat Book 24 Page 192 of the St. Charles County Recorder's Office, said point also being the Southwest corner of property now or formerly of Hollenberg as recorded in Book 955 Page 1468 of the said Recorder's Office; thence along the common line between Lake Saint Louis Country Club Greens Plat 1 and said Hollenberg property, North 00 degrees 03 minutes 27 seconds West, 928.10 feet to a point; thence leaving said common line, South 89 degrees 14 minutes 21 seconds East, 435.64 feet to a point; thence North 00 degrees 03 minutes 27 seconds West, 300.03 feet to a point, said point being on the South line of Andrew Woods Plat 1 as recorded in Plat Book 30 Page 32 of said Recorder's Office; thence along said Southern line and also along the Southern line of property now or formerly of Thompson, et al., as recorded in Book 1126 Page 313 of the said Recorder's Office, south 89 degrees 14 minutes 21 seconds East, 1839.75 feet to a point, said point being on the Western line of Osage Meadows Plat 3 as recorded in Plat Book 24 page 148 of said Recorder's Office; thence along the Western line of said Plat 3 and the Western line of Osage Meadows Plat 4 as recorded in Plat Book 25 Page 110 Osage Meadows Plat 5 as recorded in Plat Book 26, Page 81 and Osage Meadows Plat 6 as recorded in Plat Book 29 Page 39 of said Recorder's Office, South 00 degrees 16 minutes 29 seconds East, 1227.41 feet to a point, said point being the Southwestern corner of the aforementioned Osage Meadows Plat 6; thence along the Southern line of said Plat 6. North 89 degrees 42 minutes 50 seconds East, 302.52 feet to a point, said point being the Northwestern corner of Greenbriar Subdivision as recorded in Plat 9 Page 19 of said Recorder's Office; thence along said Western line and along the Western line of Bryan Meadows Subdivision as recorded in Plat Book 9 Page 19 of said Recorder's Office, South 00 degrees 01 minutes 45 seconds West, 676.46 feet to the point of beginning of the tract of land herein described; thence along the Southern line of said Bryan Meadows Subdivision, South 89 degrees 55 minutes 35 seconds East, 1259.86 feet to a point, said point being on the Western line of Bryan road, 40 feet wide, as recorded in Road Plat Book 1 Page 45 of said Recorder's Office; thence along said Western line, South 00 degrees 10 minutes 31 seconds West, 1677.15 feet to a point; thence leaving said Western line, North 89 degrees 53 minutes 09 seconds West, 408.38 feet to a point; thence South 00 degrees 10 minutes 31 seconds West, 320.00 feet to a point on the Northern line of Fiese Road, 40 feet wide; thence along said Northern line, North 89 degrees 53 minutes 09 seconds West, 865.19 feet to a point; thence leaving said right-of-way line, North 00 degrees 08 minutes 21 seconds East, 1996.24 feet to a point; thence South 89 degrees 55 minutes 35 seconds East, 14.97 feet to the point of beginning.

**END OF DOCUMENT**