



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

**PLANNING & ZONING COMMISSION
AGENDA
AUGUST 11, 2021
7:00 P.M.**

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL Alderman Wandling
Chairman Etzkorn
Commission members:
Bailey
Brockmann
Detweiler
Helms
Rowley
Shea
Stankovich
Wooldridge

OPEN FORUM

PUBLIC HEARINGS

1. Conditional Use Permit Application for the approximately 6.61 acres of the land commonly known as 1691 Duvall Court and more particularly described in the conditional use permit application received by the City on July 6, 2021, on file with the City Clerk from Applicant Greg and Debbie Haley and Property Owner Haley Family Residence Trust Dated November 15, 2017.
2. Proposed amendments to various provisions of Chapter 405 of the Municipal Code of the City of Dardenne Prairie, Missouri, pertaining to the regulation of zoning, land use, signage, parking, architectural standards, procedural requirements and other related matters.

NEW BUSINESS

1. Conditional Use Permit Application for the approximately 6.61 acres of the land commonly known as 1691 Duvall Court and more particularly described in the conditional use permit application received by the City on July 6, 2021, on file with the City Clerk from Applicant Greg and Debbie Haley and Property Owner Haley Family Residence Trust Dated November 15, 2017.

2. 2nd Amended P.U.D. Request – Final Plan for the approximate 10.97 acres of land being Outlot B of BaratHaven for the proposed residential development to be known as “The Courtyards at BaratHaven” from Applicant St. Charles Engineering & Surveying, Inc. and Property Owner Reisch Sansone Communities BaratHaven, LLC.
3. Display House Plat for for the approximate 10.97 acres of land being Outlot B of BaratHaven for the proposed residential development to be known as “The Courtyards at BaratHaven” from Applicant St. Charles Engineering and Surveying, Inc. and Property Owner Reisch Sansone Communities BaratHaven, LLC.
4. Proposed amendments to various provisions of Chapter 405 of the Municipal Code of the City of Dardenne Prairie, Missouri, pertaining to the regulation of zoning, land use, signage, parking, architectural standards, procedural requirements and other related matters – **New Development Zoning District**
5. Proposed amendments to various provisions of Chapter 405 of the Municipal Code of the City of Dardenne Prairie, Missouri, and providing regulations on zoning, parking and signage, and the procedures for administration and enforcement of same – **Various Zoning Provisions**

OLD BUSINESS

1. Site Plan for the proposed “Commerce Park West” development and Request to Vacate Public Right-of-Way application from Applicant Stock & Associates Consulting Engineers, Inc. and Property Owner Commerce Park West, LLC.

APPROVAL OF MINUTES

Approval of 07-14-21 Minutes

COMMISSION COMMUNICATIONS

ADJOURNMENT

MEMO

TO: Dardenne Prairie Planning and Zoning Commission

FROM: Luke R. Kehoe, PE, PLS, CFM, LEED AP
Kehoe Engineering Company, Inc. (KEC)

DATE: July 30, 2021

SUBJECT: Planning and Zoning Commission Meeting Scheduled for August 11, 2021

Items for consideration at this meeting include:

PUBLIC HEARINGS:

1. **Conditional Use Permit Application for the approximately 6.61 acres of the land commonly known as 1691 Duvall Court and more particularly described in the conditional use permit application received by the City on July 6, 2021, on file with the City Clerk from Applicant Greg and Debbie Haley and Property Owner Haley Family Residence Trust Dated November 15, 2017.** On July 6, 2021, the City received the enclosed conditional use permit application for a homeowner business of "wedding venue, special events." Upon review the enclosed 1st review letter was sent to the applicant. On July 19, 2021, the City received the enclosed email response from the applicant. On July 28, 2021, the City received the enclosed site plan for your consideration.
2. **Proposed amendments to various provisions of Chapter 405 of the Municipal Code of the City of Dardenne Prairie, Missouri, pertaining to the regulation of zoning, land use, signage, parking, architectural standards, procedural requirements and other related matters.** At their meeting on July 14, 2021, the Planning and Zoning Commission indicated their desire to conduct a public hearing at their next meeting to consider the replacement of the current "Uptown" zoning district and is applicable to those properties zoned "Uptown" on the City's Official Zoning Map as of the date of adoption of this "ND" New Development zoning district. This new district would, by site or area plan approval, design standards, supplemental standards, and other procedures as set forth in the attached proposed regulations, provide for retail commercial, limited light industrial (consistent with the High Tech Corridor District), office, business and personal service, residential, and mixed-use developments for designated areas in the City of Dardenne Prairie as appropriate generally in accordance with the City's Comprehensive Plan - Vision 2020 Future Land Use Map for the properties designated "ND". These new district regulations would work in conjunction with the existing regulations of the City's zoning code to foster a higher quality of architecture and site design that creates a distinct character for the area and promotes an inviting, pedestrian-friendly environment.

EXISTING ITEMS:

1. **Site Plan for the proposed "Commerce Park West" development and Request to Vacate Public Right-of-Way application from Applicant Stock & Associates Consulting Engineers, Inc. and Property Owner Commerce Park West, LLC.** On May 7, 2021, the City received the previously provided site plan application and request to vacate public right-of-way. Upon review the previously provided 1st review letter was sent to the developer's engineer on May 21, 2021. On May 28, 2021, the City received the previously provided revised site plan and response letter from the developer's engineer. Upon review, the previously provided 2nd review letter was sent to the developer's engineer on May 28, 2021. This item was considered by the Planning and Zoning Commission at their meeting on June 16, 2021, and postponed for further study.

The City received a request from the applicant to postpone this item until the Planning and Zoning Commission meeting on August 11, 2021.

On June 22, 2021, the City received the enclosed traffic study and on July 9, 2021, the City received revised building and site plans. These revised plans depict two buildings instead of the single building layout that was previously considered by the Planning and Zoning Commission. Upon review of these plans, the enclosed 3rd review letter was sent to the applicant on July 22, 2021. On July 29, 2021, the City received the enclosed response letter from the applicant along with the enclosed revised site plan for your consideration.

NEW ITEMS:

1. **Conditional Use Permit Application for the approximately 6.61 acres of the land commonly known as 1691 Duvall Court and more particularly described in the conditional use permit application received by the City on July 6, 2021, on file with the City Clerk from Applicant Greg and Debbie Haley and Property Owner Haley Family Residence Trust Dated November 15, 2017.** From Public Hearing Item 1 above.
2. **2nd Amended P.U.D. Request – Final Plan for the approximate 10.97 acres of land being Outlot B of BaratHaven for the proposed residential development to be known as “The Courtyards at BaratHaven” from Applicant St. Charles Engineering & Surveying, Inc. and Property Owner Reisch Sansone Communities BaratHaven, LLC.** On July 7, 2021, the City received the enclosed P.U.D. Request – Final Plan for the proposed “2nd Amended The Courtyards at BaratHaven” residential subdivision along with the enclosed letter from St. Charles Engineering and Surveying, Inc. indicating that the proposed amendment entails an 8-foot high privacy fence to be constructed along the Technology Drive right-of-way and an entrance monument at the proposed subdivision entrance at BaratHaven Boulevard. Upon review of the P.U.D. Final Plan, the enclosed “1st Review” comment letter was sent to the applicant’s engineer on July 22, 2021. On July 28, 2021, the City received the enclosed revised 2nd Amended P.U.D. Final Plan dated 07/28/2021 with the latest revision date of 07-28-2021 for your consideration.
3. **Display House Plat for for the approximate 10.97 acres of land being Outlot B of BaratHaven for the proposed residential development to be known as “The Courtyards at BaratHaven” from Applicant St. Charles Engineering and Surveying, Inc. and Property Owner Reisch Sansone Communities BaratHaven, LLC.** The City received a display house plat for the proposed “The Courtyards at BaratHaven” residential subdivision along with the enclosed plat submittal information form from St. Charles Engineering and Suveying, Inc. on July 7, 2021. On July 22, 2021, the enclosed 1st review letter was sent to the developer’s surveyor. On July 28, 2021 the City received the enclosed display house plat dated 07/28/2021 with no revision date for your consideration.
4. **Proposed amendments to various provisions of Chapter 405 of the Municipal Code of the City of Dardenne Prairie, Missouri, pertaining to the regulation of zoning, land use, signage, parking, architectural standards, procedural requirements and other related matters.** From Public Hearing Item 2 above.

INFORMATION ONLY:

1. **None.**

Enclosures

cc: Board of Aldermen
Dan Lang, City Administrator
Kim Clark, City Clerk
John Young, City Attorney



August 5, 2021

To: Planning and Zoning Commission
From: Dan R. Lang, City Administrator
Re: Public Hearing

On your upcoming August 11, 2021, agenda is a Public Hearing concerning various proposed zoning changes to Section 405 of the City of Dardenne Prairie Municipal Code. There are two major components concerning this Public Hearing.

1. A proposed change to the Uptown zoning designation to replace it with a new zoning district referred to as the New Development zoning district. This item has been discussed at the last few Commission meetings and will be presented by John Brancaglione with the consulting firm of PGAV.
2. There are five additional proposed zoning changes which include the following:
 - a. A definition of the Administrative Officer, who is the person responsible to interpret the Zoning Code, as designated by the Board of Aldermen.
 - b. Specifically adding tilt-up concrete as an acceptable building material for an industrial building in the "I-1" Light Industrial District.
 - c. Changing the work "shall" to "may" as it pertains to signage and other aspects for conditional use approval. Ultimate approval of any conditional use remains with the Board of Aldermen.
 - d. Replacing the City Engineer with the Building Official for signage issuance and enforcement (which has been the City's practice and procedure for several years).
 - e. A change in the off-street parking requirements for both office use and warehousing to be more consistent with surrounding communities.

These five additional proposed zoning changes will be presented at the Public Hearing. The public will be invited to offer comments on any of these zoning topics.

The business portion of your meeting will separate the newly proposed zoning district from the other zoning matters to allow a separate vote and recommendation on each to the Board of Aldermen.

Feel free to contact me at (636) 755-5303 should you have questions or need clarification prior to the meeting.

Dan R. Lang

BILL NO. 21-____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AMENDING VARIOUS PROVISIONS OF CHAPTER 405 OF THE MUNICIPAL CODE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AND PROVIDING REGULATIONS ON ZONING, PARKING AND SIGNAGE, THE PROCEDURES FOR ADMINISTRATION AND ENFORCEMENT OF SAME; AND OTHER MATTERS RELATING THERETO

WHEREAS, the Planning and Zoning Commission of the City considered amendments to Chapter 405 of the Municipal Code of the City of Dardenne Prairie, Missouri; and

WHEREAS, the Board of Aldermen and the Planning and Zoning Commission held Public Hearings on the proposed amendments; and

WHEREAS, at such Public Hearings all persons were given an opportunity to be heard on the proposed amendments; and

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

SECTION 1. That Section 405.080 of the Municipal Code of the City of Dardenne Prairie, Missouri, be and is hereby amended by adding the following defined term:

ADMINISTRATIVE OFFICER

An office or individual having specific authority to administer the regulations within this Chapter or as may otherwise be designated by the Board of Aldermen.

SECTION 2. That Section 405.200(D)(11)(b) of the Municipal Code of the City of Dardenne Prairie, Missouri, be and is hereby amended by deleting it in its entirety and enacting, in lieu thereof, a new Section 405.200(D)(11)(b) to read, as follows:

- b. Material for the buildings shall include **tilt-up concrete**, masonry, brick, stucco and selected forms of aggregate. Colors should be earth tones to blend with the environment.

SECTION 3. That Section 405.475(B)(10)&(11) of the Municipal Code of the City of Dardenne Prairie, Missouri, be and is hereby amended by deleting it in its entirety and enacting, in lieu thereof, a new Section 405.475(B)(10)&(11) to read, as follows:

10. Specific provisions for signage ~~shall~~ **may** be included in the conditional use approval.

11. In consideration of requests for any Conditional Use Permits the Planning and Zoning Commission may recommend and the Board of Aldermen shall require such conditions of use as it deems necessary to protect the health, safety and welfare of the residents of the City and to achieve the objectives of this Chapter. These additional requirements ~~shall~~ **may** include, but **are** not necessarily ~~be~~ limited to:
 - a. Use limitations and/or requirements;
 - b. Height, area and setback limitations and/or requirements;
 - c. Parking and loading limitations and/or requirements;
 - d. Sign limitations and/or requirements;
 - e. Limitations and/or requirements for architectural elevations for any proposed structures;
 - f. Landscaping limitations and/or requirements; and/or
 - g. Limitations as specified in this Article.

SECTION 4. That Section 405.615 of the Municipal Code of the City of Dardenne Prairie, Missouri, be and is hereby amended by deleting it in its entirety and enacting, in lieu thereof, a new Section 405.615 to read, as follows:

Section 405.615 Administration and Enforcement.

- A. *Administrator.* Except where herein otherwise stated, the provisions of this Article shall be administered by the ~~City Engineer~~ **Building Official** ~~or by deputies of his/her department as the Board of Aldermen may designate to enforce provisions of this Article.~~
 1. The ~~City Engineer~~ **Building Official** ~~(or his/her authorized representative)~~ is hereby empowered in performance of its functions to enter upon any land in the City for the purpose of making inspections, examinations and surveys or to place and maintain thereon markers, notices or signs required to affect provisions of this Article. The above authorized person shall be required to present proper credentials upon demand when entering upon any land or structure for the purpose of this Section.
 2. **For purposes of this Article X, the term "Building Official" shall mean the Building Official as defined in Section 500.020 of this Code, the Building Inspector, as defined in Section 505.050 of this Code, their respective designees, and such other persons as may be designated by the Board of Aldermen from time to time.**
- B. *Duties Of The **Building Official***~~City Engineer.~~ The ~~City Engineer~~ **Building Official** shall have the power to grant sign permits and to make inspections of buildings or premises necessary to carry out his/her duties in the enforcement of this Article.
 1. It shall be improper for the **Building Official** ~~City Engineer~~ to approve plans or issue any permits or certificates for any sign until he/she has inspected such plans in detail and found them to conform with this Article, nor shall the **Building Official** ~~City Engineer~~ vary or change any terms of this Article.

2. If the **Building Official** ~~City Engineer~~ shall find that any of the provisions of this Article are being violated, he/she shall notify in writing the person responsible for such violations, indicating the nature of the violation and stating the action necessary to correct it. He/she shall order discontinuance of illegal use of land, buildings or structures; removal of illegal signage; discontinuance of any illegal work being done; or shall take any other action authorized by this Article to insure compliance with or to prevent violation of its provisions.
- C. *Permit Required And Fees.* For freestanding pole or ground signs exceeding thirty-two (32) square feet of face on a side, it shall be unlawful to commence or to proceed with the erection, construction, reconstruction, conversion, alteration, enlargement, extension, razing or moving of any sign or sign structure or any portion thereof without first having applied in writing to the **Building Official** ~~City Engineer~~ for a sign permit to do so and a sign permit has been granted therefore. Primary responsibility for securing the necessary permits shall be the property owner's. However, if the property owner should contract part or all of the proposed work, it shall become the responsibility of the person or firm hired to ensure that all required permits and approvals have been secured prior to any work being initiated.
1. Blank forms shall be provided by the **Building Official** ~~City Engineer~~ for the use of those applying for permits as provided in this Article. Any permits issued by the **Building Official** ~~City Engineer~~ shall be on standard forms for such purpose and **prepared by the Building Official** ~~furnished by the Board of Aldermen~~. There shall be a separate permit for each sign constructed, altered or erected.
 2. Permit fees shall be charged for plan review and inspection at the one-time rate of two dollars (\$2.00) per square foot of sign face payable at the time of permit application.
 3. Any sign permit under which no construction work has been commenced within six (6) months after the date of issuance of said permit or under which proposed construction has not been completed within one (1) year of the time of issuance shall expire by limitation.
- D. *Voiding Of Sign Permit.* A permit may be revoked by the **Building Official** ~~City Engineer~~ at any time prior to the completion of the sign for which the same was issued, when it shall appear to him/her that there is departure from the plans, specifications or conditions as required under terms of the permit, that the same was procured by false representation or that any provisions of this Article are being violated. Written notice of such revocation shall be served upon the owner, his/her agent or contractor or upon any such person employed on the building or structure for which such permit was issued, via a stop work order, which shall be posted in a prominent location and thereafter no such construction shall proceed.
- E. *Existing Signage.* Should any existing sign be enlarged, replaced or reconstructed, it shall be considered a new sign. If an existing sign is repainted or the sign panels

are replaced for the purpose of changing the business, occupation or tenant advertised or identified, it shall be considered a new sign. However, the repainting of a sign for ordinary maintenance or the repair or restoration of an existing sign to a safe condition after being damaged by storm or other accidental act as shown in accordance with the original sign permit shall not constitute such a change as to classify the sign as a new one subject to the provisions of Section 405.610(4) "Destruction".

- F. *Permit Number Displayed.* Any billboard sign hereafter erected following passage of this Article shall display the sign permit number upon the face of the sign in the lower right-hand corner in no less than one (1) inch letters and numerals. In the case of pole-mounted signs, the number shall be incorporated into the base of the sign structure.
- G. *Structural Requirements.* All signs shall comply with the pertinent requirements of the City of Dardenne Prairie's Building Code.
- H. *Safety.* Any existing sign which is or becomes an immediate danger or hazard to persons or property because of being in an unsafe condition or which obstructs any fire escape, window or door is subject to immediate removal by the **Building Official** ~~City Engineer~~ without notice and at the expense of the property and/or sign owner.
- I. *Maintenance.* All signs and sign supports shall be maintained in good repair so as to prevent rust, peeling, flaking or fading. Broken panels, missing letters, flaking or peeling paint and other visual damage to a sign shall be repaired within forty-five (45) days of the occurrence or within thirty (30) days' notification by the **Building Official** ~~City Engineer~~.
- J. *Abandoned Signs.* Any sign or sign structure which advertises a business no longer conducted or service no longer rendered or a product no longer sold on the premises or lot shall be classified an abandoned sign and shall be removed by the owner, agent or person having beneficial use of the premises or lot upon which the sign is located within ten (10) days following written notice by the **Building Official** ~~City Engineer~~ concerning its removal.
- K. *Illumination.* Neither the direct nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares. All illuminated signs shall require a electrical permit from the City of Dardenne Prairie.
- L. *State Right-Of-Way Requirements.* All signs erected within the jurisdiction of State right-of-way requirements shall meet State, County and City requirements.
- M. *Violations.* If it is found that a sign is in violation of this Article, the **Building Official** ~~City Engineer or his/her designee~~ shall give notice to the owner of the sign or, if the owner cannot be located, to the owner or property management agent of the premises on which the sign is located or, if the sign erection is not complete, to the sign erector, either personally, by United States Mail or by posting such a notice on the premises, such notice stating:
 - 1. The violations found; and
 - 2. The violations must be brought into compliance with requirements of this and all other City ordinances within ten (10) days from the date of such

notice (for temporary signs the date of such notice shall constitute the first (1st) day of the thirty (30) day time period allowed by such signs; and

3. The requirements which must be met; and

4. Any person found to be in violation of any provision of this Article shall be prosecuted to the full extent of the law.

N. *Compliance With Sign Permits.* Sign permits issued on the basis of approved plans and applications authorize only the use, arrangement and construction set forth in the approved plans and applications and no other use, arrangement or construction. Any use, arrangement or construction at variance with that authorized shall be deemed a violation of this Article as provided herein.

SECTION 5. That Section 405.635 of the Municipal Code of the City of Dardenne Prairie, Missouri, be and is hereby amended by deleting it in its entirety and enacting, in lieu thereof, a new Section 405.635 to read, as follows:

Section 405.635 Schedule of Off-Street Parking Requirements.

Off-street parking spaces shall be provided in accordance with the following off-street parking schedule.

Land Use	Number Spaces Required
Single-family	2 enclosed per unit
Two-family	2 enclosed per unit
Multi-family	3 per unit
Town house	3 per unit
Dormitories	1 per resident
Fraternity and sorority houses	1 per resident
Club, lodge	Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurant, auditorium, etc.
Hotel or motel	1 per guest room plus 0.5 per employee
Boarding house	1 per guest room; minimum 2 spaces
Convalescent care facility	1 per 3 beds plus 0.5 per employee
Hospital	1 per 4 beds plus 0.75 per employee
Correctional facility	1 per 5 beds plus 0.5 per employee
Auditoriums and stadiums	1 per 3 seats
Religious assembly	1 per 3 seats
College or university	1 per 3 students plus 0.5 per faculty member and employee
Vocational school	1 per 3 students plus 0.5 per faculty member and employee

Land Use	Number Spaces Required
School, high	1 per 3 students plus 0.5 per faculty member and employee
School, elementary and middle	2 per classroom or 1 per 5 seats in auditorium or assembly room, whichever is greater
Library	1 per 400 square feet plus 0.5 per employee
Bowling center	5 per lane plus 0.5 per employee
Golf course or country club	1 per 4 members or spaces required to serve eating and drinking facilities, whichever is greater
Entertainment, indoor	1 per 100 square feet
Auction houses	1 per 2 employees plus 1 per 3 seats plus 1 per 75 square feet within main sales area
Banks or financial institutions	1 per 250 square feet
Service station	1 per service bay plus 0.5 per gas pump
Car wash	
Self-service	2 holding spaces for each car washing stall plus 2 drying spaces for each car washing stall
Automatic	10 spaces minimum for customers awaiting service
Vehicle repair	1 per 500 square feet; minimum 5 spaces
Vehicle sales and service	1 per 3,000 square feet of open sales lot plus 1 per employee
Auto wrecking or salvage yard	1 per employee plus 1 per 10,000 square feet of storage area
Barber and beauty shop	2 per operator/employee
Bars, taverns and nightclubs	1 per 2 seats and 1 per 75 square feet
Dance halls or ballrooms	1 per 100 square feet of dance area
Dance or music studios	1 per 200 square feet
Day care	1 per 10 pupils plus 1 per employee
Laundromats	1 per 3 washing machines
Funeral homes	1 per 4 seats plus 0.5 per employee
Health club	1 per 200 square feet
Office, medical	4 spaces per 1,000 square feet of gross floor area
Greenhouse or nursery	1 per employee plus 2 per company vehicle and 1 per 600 square feet
Office, general	1 per 300 square feet of gross floor area
Personal care service and	1 per 200 square feet

Land Use	Number Spaces Required
personal improvement service	
Restaurant, general	20 plus 1 per 100 square feet
Restaurant, limited	1 per 75 square feet
Restaurant, fast-food	1 per 50 square feet
Repair service	1 per 400 square feet
Research service	1 per employee
Retail, general	
0 — 1,999 square feet	1 per 200 square feet
2,000 + square feet	10 plus 1 per 400 square feet for space in excess of the first 2,000
Theater	1 per 4 seats
Animal care, limited or general	1 per 300 square feet
Warehouse	1 space for every employee on the maximum work shift, plus 1 for each vehicle utilized in the operation of the business, plus 2 guest spaces. Any other uses within a warehouse building (office, retail, manufacturing, etc.) would also require parking based upon those separate calculations. 1 per employee plus 1 per 400 square feet
Freight terminal	1 per employee plus 1 per 400 square feet
Light industrial	1 per employee plus 1 per 400 square feet
Day care, adult	1 per 10 care recipients plus 1 per employee

SECTION 6. That Section 405.815(A) of the Municipal Code of the City of Dardenne Prairie, Missouri, be and is hereby amended by deleting it in its entirety and enacting, in lieu thereof, a new Section 405.815(A) to read, as follows:

- A. The City Engineer shall have the power to grant certificates of zoning compliance, ~~building permits~~ and to make inspections of ~~buildings or land, developments, or~~ premises **as may be** necessary to carry out his/her duties in the enforcement of this Chapter.

SECTION 7. Savings Clause: 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 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 invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 9. Effective Date: This Ordinance shall take effect and be in force from and after its passage by the Board of Aldermen and its approval by the Mayor of the City of Dardenne Prairie, Missouri.

Read two times, passed, and approved this _____ day of _____, 2021.

As Presiding Officer and as Mayor

Attest:

City Clerk

Approved this _____ day of _____, 2021.

Mayor

Attest:

City Clerk

Section 405.215 "ND" New Development Zoning District

A. Purpose.

This district is intended to replace the current "Uptown" zoning district as adopted by Ordinance no. _____ and is applicable to those properties zoned "Uptown" on the City's Official Zoning Map as of the date of adoption of this "ND" New Development zoning district. This district further intends, by site or area plan approval, design standards, supplemental standards, and other procedures hereinafter set forth, to provide for retail commercial, limited light industrial (consistent with the High Tech Corridor District), office, business and personal service, residential, and mixed-use developments for designated areas in the City of Dardenne Prairie as appropriate generally in accordance with the City's Comprehensive Plan – Vision 2020, Future Land Use Map for the properties designated "ND". It is intended to work in conjunction with the existing regulations of the City's zoning code to foster a higher quality of architecture and site design that creates a distinct character for the area and promotes an inviting, pedestrian-friendly environment. The purposes of this district include the following:

1. Create a pedestrian-friendly and walkable environment that connects residential, recreational, and commercial uses.
2. Encourage site and building design that establishes a sense of place and establishes an image for the designated areas.
3. Encourage increased private investment.
4. Encourage an imaginative and innovative design of land development; and
5. Promote development compatible with the City's Comprehensive Plan.

B. Applicability.

1. All existing and proposed developments approved prior to _____ shall continue to be governed by the existing applicable Area Plan or Site Plan or such plan as may have been approved for a proposed project not completed as of that date.
2. All requirements of other codes and ordinances of the City shall be applicable including, but not limited to, the following:
 - a. Building and Construction Regulations, Chapter 500 – Chapter 550.
 - b. Article V, Supplementary District Regulations.
 - c. Article IX, Landscaping and Screening; and
 - d. Article XI, Off-Street Parking and Loading Regulations.

C. Procedures.

- 1.** An Area Plan or Site Plan approved by the Board of Aldermen in accordance with Article IV PUD Planned Unit Development or Article XIII, Site Plan Review shall be required for any new development involving:
 - a.** New construction on a vacant or cleared site.
 - b.** Rehabilitation of existing structures that requires a building permit; or
 - c.** Redevelopment or rehabilitation of a site or improvements from its most recent or current use to a use not of the same type (established by using North American Industrial Classification System (NAICS) use designations.
- 2.** Amendments. Once an Area Plan or Site Plan is approved for a site/development, amendments to the plan shall be approved according to the following:
 - a.** If construction of the development has not commenced or is not yet completed, amendments shall be approved according to the process established by Article IV, PUD Planned Development or Article XIII, Site Plan Review, respectively.
 - b.** Major Amendments shall require approval using the same process as the original Area Plan or Site Plan approval. The following shall be considered major amendments:
 - i.** Any construction listed under C.1, above.
 - ii.** Construction of new or additional buildings.
 - iii.** Construction of additions equal or greater in size to twenty-five (25) percent of the existing structure; or
 - iv.** Any amendment not listed as a Minor Amendment.
 - c.** Minor Amendments shall require approval by the City Engineer, who may decide to require approval as a Major Amendment at his/her discretion. The following shall be considered minor amendments unless other district requirements relating to elements such as parking, lot coverage, yard areas, setback, screening, fencing, etc. would be violated or require action by the Board of Adjustment:
 - i.** Construction of site features such as patios, porches, pergolas, awnings, and similar.
 - ii.** Construction of additions measuring less than twenty-five (25) percent of the existing structure; or

- iii. A change in type of screening or fencing that results in the same density or opacity of approved screening.

D. Permitted Uses.

1. Uses shall generally be compatible with the land uses as depicted on the Future Land Use Map (FLUM) of the City's Comprehensive Plan – Vision 2020, or any successor document as may be adopted by the City's Planning and Zoning Commission in compliance with R.S. Mo Chapter 89. Each Future Land Use Map designation is correlated to the permitted and conditional uses of a City Zoning District as outlined below. The left column of the table describes the area on the FLUM that is presently zoned "Uptown" and its application to the "ND" District.

"ND" New Development District Use Matrix		
Future Land Use Map Designation	Corresponding Zoning District	
1. Single-Family Residential (Applicable to those parcels along either side of Hanley Road/Post Road and Town Square Avenue and shown on the FLUM as single-family)	a. "R-1B" Single-Family Residential District	Section 405.150
	b. "R-1C" Single-Family Residential District	Section 405.160
	c. "R-1D" Single-Family Residential District	Section 405.170
2. Residential Alternative Overlay (Applicable to the area indicated on the FLUM in the I-64 Commercial area at the intersection of Post Road and Technology Drive as Residential Alternative)	a. See "I-64 Commercial"	
	b. See "Single-Family Residential"	
3. Commercial (Applicable to the properties on the north side of Town Square Avenue immediately east of the shopping center shown as commercial on the FLUM)	a. "C-2" General Commercial District	Section 405.190
	b. "C-3" Retail Commercial District	Section 405.195
4. I-64 Commercial (Applicable to the properties fronting Technology Drive and shown as commercial on the FLUM)	a. "C-2" General Commercial District	Section 405.190
	b. "C-3" Retail Commercial District	Section 405.195
	c. "HTCD" High Tech Corridor District	Section 405.210
5. Public, Institutional, and Parks (Applicable to those properties along either side of Post Road/Hanley Road shown as public, institutional, and parks on the FLUM)	a. Park or playground	
	b. Recreational facility	
	c. Government facility	
	d. Religious institution	
	e. Educational facility/institution	

E. Site Regulations.

"ND" New Development District Site Regulations			
1. Lot Standards	As required by applicable Corresponding District Regulations per subsection D above.		
2. Yards and Setbacks	As required by applicable Corresponding District Regulations per subsection D above.		
3. Building Height	As provided for under applicable district regulations per subsection D. above.		
4. Off-street Parking and Loading	See Article XI for parking and loading requirements. The following modifications		
	a. may be approved through site plan review for uses located within 800 feet of the shared parking facility.		
	Shared parking b. reductions for different use combinations	(1) Joint Office and retail or service uses	A maximum 20% reduction in total spaces required.
		(2) Joint Residential and retail or service uses	A maximum 30% reduction in the residential parking required. Restaurant and entertainment venues shall be excluded.
		(3) Joint Residential and office uses	A maximum 40% reduction in the residential parking required.
	Shared parking c. reductions for same use combinations	(1) Four or more separate establishments of same use	A maximum 20% reduction in the total spaces required.
		(2) Three separate establishments	A maximum 15% reduction in the total spaces required.
		(3) Two separate establishments	A maximum 10% reduction in the total spaces required.
5. Utilities	Utilities serving a site and the on-site structures shall be located underground in easements that can serve multiple properties.		
6. Landscape Requirements	See Article IX		
7. Performance Standards	See Article XII		
8. Stormwater	See Chapter 550		

F. Design Standards.

"ND" New Development District Design Standards	
1. Building Placement and Orientation	a. The main façade of a building must be oriented to face the principal street on which it has frontage.
	b. Buildings on corner lots must be oriented so that the façade design is giving equal treatment to each street on which it has frontage.
	c. Buildings should occupy a lot in accord with the standards of the district as may be applicable as set forth in subsections D.1 and E above.

"ND" New Development District Design Standards		
2.	Building Materials	a. Building materials should be used and installed in keeping with the chosen architectural style. Building material colors should be varied and complementary.
		b. Unless modified through Area Plan or Site Plan approval, at least seventy (70) percent of a façade (not including window and door openings) should be clad using primary materials.
		c. Walls (primary materials) (1) Primary materials include brick, stone, stucco, cast stone, wood shingle, wood or fiber cement siding. (2) EIFS shall also be allowed as a primary material but shall not be permitted on the ground floor portion of a façade. (3) Tilt-up concrete, or similar, is permitted when tinted, stained, or stamped with a pattern.
		d. Walls (accent materials) Accent materials include metal panels, decorative concrete masonry units, architectural cement block, textured concrete panels, glass block, or any primary materials.
		e. Arches and Piers Shall match or be compatible with wall materials.
		f. Columns and Posts Shall be wood, composite, metal, brick, stone, cast stone.
		g. Fences (1) Shall be wood boards, composite, vinyl, ornamental iron, decorative concrete, decorative metal (but not including chain link), masonry, trellis, lattice, or some combination. (2) Bases or columns of stucco, brick, or stone are encouraged.
		h. Accessory structures Shall be clad with materials compatible with or matching the primary structure.
		i. Generally unacceptable materials Vinyl or aluminum siding, plywood panels, plexiglass, corrugated metal, concrete modular block, corrugated tin roof, mirrored glass on ground floor.
3.	Façade Articulation and Relief	a. Each building shall incorporate several common architectural features, appropriate for the architectural style chosen. Design features should be used to enhance main facades, especially at building entries. Windows are key to the overall design of a building and the relationship between the exterior and interior.
		b. Entrance design requirements Building entrances are required to be clearly delineated and indicate a clear transition from the exterior to the interior of the building. Every main entrance is required to have a special emphasis when compared to the other portions of the building.
		c. Articulation requirements Horizontal and vertical façade variations (depth relief) shall be required on the first three floors of facades. Above the third floor, a flat façade design is permitted.
		d. Window requirements At least 50% of the ground floor façade shall be window or door openings. Clear glass for storefronts, windows, and doors shall be used for retail type buildings.
		e. Corner requirements Corner lot buildings should include a prominent architectural feature of greater height than the rest of the roof, or emphasis at the corner where the two public streets meet.
		f. Façade detail examples Pilasters, piers, columns, friezes, cornices, and window surrounds.
		g. Façade relief examples Balconies of various depth, canopies, awnings, covered arcades, roof overhangs, recesses, and bay windows or similar projections.
4.	Height and Rooflines	a. Buildings should have varying roofline elevations to add architectural interest and avoid the appearance of long, monotonous roofline expanses.

"ND" New Development District Design Standards		
		b. For flat roof designs, a variation such as a parapet or tower is required every fifty (50) feet of roofline.
5. Amenity Areas	a.	Outdoor seating and gathering areas should be provided for commercial developments.
	b.	Patio and seating areas may be located in required setbacks, but shall not encroach into required walkways.
	c.	Bicycle racks or parking areas shall be provided adjacent to entrances. Centralized racks may be located to serve multiple businesses.
	d.	Public art is encouraged to help create an identity for the "ND" District.
6. Sidewalks and Walkways	a.	Sites and buildings shall be designed to encourage pedestrian activity and social interaction and create an environment that supports pedestrian and bicycle access.
	b.	Interior sidewalks and walkways shall be a minimum of five (5) feet in width.
	c.	Walkways from rear parking areas to the front of lots shall be a minimum of ten (10) feet in width.
7. Right-of-way and Streetscape	d.	If a tree lawn and sidewalk are not already located along an adjacent roadway, a wide tree lawn of at least five (5) feet in width and a sidewalk minimum of five (5) feet in width shall be constructed.
8. Parking and Access	a.	Parking areas shall be located along the side or rear of buildings.
	b.	No direct pull-in, back-out parking spaces shall be permitted along roadways. Parallel parking is allowed.
	c.	Shared access (vehicle ingress/egress) points are encouraged to reduce the number of curb cuts along roadways.
9. Screening	a.	Mechanical equipment and dumpster areas Screening from ground-level view of primary access roads and residential districts shall be provided for ground mounted and rooftop equipment.
	b.	Loading and service areas The same screening shall be required as for mechanical equipment. In addition, loading and service areas should be located away from residential uses to the maximum extent possible and buffered in accordance with standards of Article IX, Landscaping and Screening.
	c.	Solid fences or walls compatible in design and color to the building material and design shall be used.
	d.	Chain link (including cloth, canvas, or slat covered) and wire fencing shall not be used for screening.
10. Lighting	a.	Proper layout, height, fixture selection, and lighting level shall be incorporated as part of the site plan design requirements.
	b.	Site lighting shall use LED bulb technology of low-intensity from a concealed source, shall be of a clear white or amber light that does not distort colors, and shall not spill over onto adjoining properties, highways, or in any way interfere with the vision of oncoming motorists. Lighting fixtures shall be of a type capable of shielding the light source from direct view. The development plan or site plan must show the relationship of fixtures and the light patterns to each other, to the project site, to the development, and the adjacent rights-of-way.
	c.	Fixtures used to accent architectural features, landscaping or art shall be located, aimed or shielded to minimize light spillover onto the surrounding environment.
	d.	Architectural lighting shall be recessed under roof overhangs or generated from a concealed source, low-level light fixture(s). Roof lights, lighted roof panels, and other methods of illuminating buildings, deemed inappropriate, are not allowed.
	e.	Decorative, low-level intensity, non-concealed source lighting that defines on-site vehicular and/or pedestrian ways are acceptable.

G. Sign Regulations.

- 1.** Signage shall be in compliance with Chapter 405, Article X, Sign Regulations, unless a "Comprehensive Sign Plan" is submitted for approval in association with a Area Plan or Site Plan. The Planning and Zoning Commission may recommend, and the Board of Aldermen may approve, a Comprehensive Sign Plan and such plan shall be made part of the ordinance approving the Area Plan or Site Plan. This ordinance may contain conditions, requirements or standards regarding signs that may be stipulated by the Board of Aldermen.
 - a.** A request for approval for a Comprehensive Sign Plan shall include, but is not limited to, the following:
 - i.** A site plan, depicting the proposed plan of development and illustration of proposed sign locations;
 - ii.** Descriptions and drawings indicating size, qualities, materials and illumination; and
 - iii.** A narrative description of the common theme for signage within the development, how it relates to architectural and/or landscaping elements of the development, and how the Comprehensive Sign Plan relates to each of the criteria set forth in this Section.
 - b.** Comprehensive Sign Plans shall be evaluated based upon the following criteria:

Placement. All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features, structures and sign orientation relative to viewing distances and viewing angles.

- i.** Quantity. The number of signs that may be approved within any development shall be no greater than that required to provide project identification and entry signs, internal circulation and directional information to destinations and development sub-areas and business identification. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.
- ii.** Size. All signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of display (location and height), lettering style and the presence of distractive influences. In no event shall a plan contain a sign which exceeds by more than fifty (50) percent that of any

maximum area standard contained in Article X unless otherwise waived by the Board of Aldermen.

- iii. **Materials.** Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style or the use of consistent lettering style and typography.

PLANNING & ZONING MINUTES

JULY 14, 2021

The City of Dardenne Prairie Planning & Zoning Commission meeting was called to order at 7:03 p.m. The meeting was held at the Dardenne Prairie City Hall located at 2032 Hanley Road.

The meeting was opened with the Pledge of Allegiance.

Present at roll call were Alderman Wandling, Chairman Etzkorn and Commissioners Bailey, Detweiler, Shea and Wooldridge. Commissioners Brockmann, Helms, Rowley and Stankovich were absent. Also present were City Clerk Kim Clark, City Engineer Luke Kehoe and City Attorney's John Young and Sam Beffa.

OPEN FORUM – No one present to speak.

PUBLIC HEARINGS

1. Rezoning Request and P.U.D. Request – Area Plan for the northwestern approximately 48.70 acres of the land commonly known as 1575 Bryan Road and more particularly described in the P.U.D. Request – Area Plan application received by the City on June 8, 2021, on file with the City Clerk from Applicant McKelvey Homes, LLC and Property Owner Cora Bopp Family Limited Partnership.

Phil Brennan, David Volz and Ken Kruse were in attendance to present the plan.

The following individuals were in attendance to speak:

Al Wulf
Dave Wandling
Don Prestien

A motion was made by Alderman Wandling, seconded by Commissioner Shea to close the Public Hearing. Motion passed unanimously.

2. Conditional Use Permit Application for the northwestern approximately 48.70 acres of the land commonly known as 1575 Bryan Road and more particularly described in the P.U.D. Request – Area Plan application received by the City on June 8, 2021, on file with the City Clerk from Applicant McKelvey Homes, LLC and Property Owner Cora Bopp Family Limited Partnership.

David Volz was in attendance to present the request.

A motion was made by Commissioner Shea, seconded by Alderman Wandling to close the Public Hearing. Motion passed unanimously.

NEW BUSINESS

1. Rezoning Request and P.U.D. Request – Area Plan for the northwestern approximately 48.70 acres of the land commonly known as 1575 Bryan Road and more particularly described in the P.U.D. Request – Area Plan application received by the City on June 8, 2021, on file with the City Clerk from Applicant McKelvey Homes, LLC and Property Owner Cora Bopp Family Limited Partnership.

A motion was made by Commissioner Shea, seconded by Commissioner Wooldridge to recommend approval. Motion passed unanimously.

2. Conditional Use Permit Application for the northwestern approximately 48.70 acres of the land commonly known as 1575 Bryan Road and more particularly described in the P.U.D. Request – Area Plan application received by the City on June 8, 2021, on file with the City Clerk from Applicant McKelvey Homes, LLC and Property Owner Cora Bopp Family Limited Partnership.

A motion was made by Commissioner Detweiler, seconded by Commissioner Shea to recommend approval. Motion passed unanimously.

OLD BUSINESS

1. Site Plan for the proposed “Commerce Park West” development and Request to Vacate Public Right-of-Way application from Applicant Stock & Associates Consulting Engineers, Inc. and Property Owner Commerce Park West, LLC.

A motion was made by Alderman Wandling, seconded by Commissioner Bailey to continue to August. Motion passed unanimously.

2. Presentation of Uptown Zoning District Modifications – PGAV

John Brancaglione was in attendance to present the modifications.

A motion was made by Commissioner Wooldridge, seconded by Commissioner Bailey to move forward with the Public Hearing in August. Motion passed unanimously.

APPROVAL OF MINUTES

Approval of 06-09-21 Minutes

A motion was made by Commissioner Shea, seconded by Commissioner Wooldridge to approve the 06-09-21 minutes. Motion passed unanimously.

COMMISSION COMMUNICATIONS

ADJOURNMENT

A motion was made by Commissioner Shea, seconded by Commissioner Wooldridge to adjourn the meeting at 8:15 p.m.

Respectfully submitted,

Kim Clark, City Clerk