

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

PLANNING & ZONING COMMISSION
AGENDA
OCTOBER 11, 2017
7:00 P.M.

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Zucker
Alderman Koch
Chairman Etzkorn
Commissioners:
King
Brockmann
Shea
Stankovich
Bailey
Rowley
Helms

OPEN FORUM

PUBLIC HEARINGS

1. Amendments to the Municipal Code regarding zoning and land use.
 - a. Proposed amendments to the permitted and conditional uses in the C-3 Retail Commercial District.
 - b. Proposed amendments to Chapter 550 of the Municipal Code enacting a new Section 550.030 regulating City-Approved Drainage Areas.
 - c. Proposed amendments to the Grading Permit Process in Section 410.080 of the Municipal Code.
 - d. Proposed amendments to Street Right-of-Way and Utility Easement Requirements in Section 410.240 of the Municipal Code.
2. Rezoning Request and P.U.D. Request - Area Plan for the approximate 16.706 acres of land located along the north right-of-way line of Missouri Route 364, approximately 300 feet east of Langrove Drive, 700 feet south of Feise Road, and 1300 feet west of Bryan Road and being more particularly described in the P.U.D. Request – Area Plan rezoning application received by the City on September 6, 2017, on file with the City Clerk, from Applicant Payne Family Homes, LLC and Owner Harry V. Gilmer Irrevocable Living Trust U/T/A August 28, 1996, and Katherine R. Gilmer Irrevocable Living Trust U/T/A August 28, 1996.

NEW BUSINESS

1. Amendments to the Municipal Code regarding zoning and land use.
 - a. Proposed amendments to the permitted and conditional uses in the C-3 Retail Commercial District.
 - b. Proposed amendments to Chapter 550 of the Municipal Code enacting a new Section 550.030 regulating City-Approved Drainage Areas.
 - c. Proposed amendments to the Grading Permit Process in Section 410.080 of the Municipal Code.
 - d. Proposed amendments to Street Right-of-Way and Utility Easement Requirements in Section 410.240 of the Municipal Code.

2. Rezoning Request and P.U.D. Request - Area Plan for the approximate 16.706 acres of land located along the north right-of-way line of Missouri Route 364, approximately 300 feet east of Langrove Drive, 700 feet south of Feise Road, and 1300 feet west of Bryan Road and being more particularly described in the P.U.D. Request – Area Plan rezoning application received by the City on September 6, 2017, on file with the City Clerk, from Applicant Payne Family Homes, LLC and Owner Harry V. Gilmer Irrevocable Living Trust U/T/A August 28, 1996, and Katherine R. Gilmer Irrevocable Living Trust U/T/A August 28, 1996.

APPROVAL OF MINUTES

Approval of 08-09-17 Minutes

COMMISSION COMMUNICATIONS

ADJOURNMENT

MEMO

TO: Dardenne Prairie Planning and Zoning Commission

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

DATE: October 4, 2017

SUBJECT: Planning and Zoning Commission Meeting Scheduled for October 11, 2017

Items for consideration at this meeting include:

PUBLIC HEARINGS:

1. **Amendments to the Municipal Code regarding zoning and land use.** The proposed amendments to the Municipal Code include:
 - a. **Proposed amendments to the permitted and conditional uses in the C-3 Retail Commercial District.** A copy of the proposed changes will be provided by Mayor Zucker.
 - b. **Proposed amendments to Chapter 550 of the Municipal Code enacting a new Section 550.030 regulating City-Approved Drainage Areas.** The proposed changes would require a permit to make changes to land including the construction of any structure or the performing of any activity which affects the ground surface and/or vegetation that is within or upon any storm water management system. See enclosed document for the proposed changes.
 - c. **Proposed amendments to the Grading Permit Process in Section 410.080 of the Municipal Code.** The proposed changes amend this section of the Code to be aligned with existing Storm Water Drainage Facilities regulations of the Municipal Code, regulating development along natural watercourses. See enclosed document for the proposed changes.
 - d. **Proposed amendments to Street Right-of-Way and Utility Easement Requirements in Section 410.240 of the Municipal Code.** The proposed changes amend this section of the Code to regulate the construction of new street pavement widths and cul-de-sac radii. See enclosed document for the proposed changes.

2. **Rezoning Request and P.U.D. Request - Area Plan for the approximate 16.706 acres of land located along the north right-of-way line of Missouri Route 364, approximately 300 feet east of Langrove Drive, 700 feet south of Feise Road, and 1300 feet west of Bryan Road and being more particularly described in the P.U.D. Request – Area Plan rezoning application received by the City on September 6, 2017, on file with the City Clerk, from Applicant Payne Family Homes, LLC and Owner Harry V. Gilmer Irrevocable Living Trust U/T/A August 28, 1996, and Katherine R. Gilmer Irrevocable Living Trust U/T/A August 28, 1996.** This Rezoning Request and P.U.D. Request – Area Plan were received by the City on September 6, 2017. The present zoning classification of this land is “R-1A” Single Family Residential. The proposed zoning classification for this land is “R-1D”, Planned Unit Development, Single Family Residential.

Upon review of the Rezoning Request and P.U.D. Request – Area Plan, the enclosed 1st Review comment letter was sent to the Applicant's engineer on September 19, 2017. On September 26, 2017, the City received the enclosed revised P.U.D Area Plan dated 09-26-2017 and the enclosed comment letter dated September 26, 2017, from the Applicant's engineer. Upon review, the enclosed 2nd Review comment letter was sent to the Applicant's engineer on October 3, 2017.

NEW ITEMS:

1. Amendments to the Municipal Code regarding zoning and land use. From Public Hearing Item 1 above.
2. Rezoning Request and P.U.D. Request - Area Plan for the approximate 16.706 acres of land located along the north right-of-way line of Missouri Route 364, approximately 300 feet east of Langrove Drive, 700 feet south of Feise Road, and 1300 feet west of Bryan Road and being more particularly described in the P.U.D. Request – Area Plan rezoning application received by the City on September 6, 2017, on file with the City Clerk, from Applicant Payne Family Homes, LLC and Owner Harry V. Gilmer Irrevocable Living Trust U/T/A August 28, 1996, and Katherine R. Gilmer Irrevocable Living Trust U/T/A August 28, 1996. From Public Hearing Item 2 above.

EXISTING ITEMS:

1. None.

INFORMATION ONLY:

2. None.

Enclosures

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

Proposed Section 405-195 "C-3" Retail Commercial District

SECTION 405.195: "C-3" RETAIL COMMERCIAL DISTRICT

- A. *Purpose.* This district is composed of those areas of the City where the principal use is and ought to be concentrated retail business activities that serve the entire City and the surrounding region. Due to size and scale of such commercial developments, development under this Section will be expected to closely follow the City's Comprehensive Plan to insure a well-designed, attractive and integrated development. To these ends, certain uses which would function more effectively in other districts and would interfere with the operation of these business activities and the purpose of this district have been excluded.
- B. *Permitted Uses.*
1. Antique stores
 2. Appliances (including parts and equipment) – retail
 3. Artist galleries
 4. Bicycles (including parts and equipment) – retail and rental
 5. Books, magazines, newspapers and similar printed materials – retail
 6. Camera and photographic equipment and supplies – retail
 7. Carpet and floor covering stores
 8. China, glassware, and metalware – retail
 9. *Chiropractors*
 10. Clothing and apparel – retail
 11. Convenience stores (without fuel sales)
 12. Curtains, drapery, and upholstery – retail
 13. Delicatessen without drive-thru windows
 14. Department and home improvement stores
 15. Discount and variety stores
 16. Drug stores and pharmacies
 17. Electronic apparatus and components – retail

Proposed Section 405-195 "C-3" Retail Commercial District

18. Electronic entertainment and communication products (including parts and equipment) – retail
19. Florists
20. Furniture and home/office furnishings – retail
21. Gift, novelty, and souvenir stores
22. Grocery stores and supermarkets
23. Hardware stores
24. Hobby stores
25. Ice cream and frozen desserts – retail
26. Jewelry, watches, and clocks (including repair) – retail
27. Musical instruments (including parts and supplies) – retail
28. *Optometrists-opticians*
29. Religious places of worship (churches, synagogue, temple, mosque, etc.)
30. Restaurants, coffee shops, bakeries and similar dining establishments without drive-thru windows, including a restaurant bar, as that term is defined in Section 600.010 of this Code.
31. Sporting goods stores
32. Theaters, motion picture (indoor)
33. Theaters, performing arts (indoor)
34. Toy stores
35. *Personal service uses including barbershop, photographic or art studio, etc.*

C. Conditional Uses.

1. Accessory dwelling units, provided that no more than one accessory dwelling unit shall be permitted per lot.

Proposed Section 405-195 "C-3" Retail Commercial District

2. Alcoholic beverages (liquor, beer and wine) – retail
3. *Any permitted use listed in subsection B of Section 405.180 of this Code and subsection B of Section 405.190 of this Code*
4. Automobile and other motor vehicles– fuel sales (without repair services)
5. Automobile and other motor vehicles – drive-through oil change facilities
6. Automobile and other motor vehicles, parts and equipment sales – retail
7. Automobiles and other passenger vehicles – rental services
8. Banks, savings and loans, and credit unions with drive through facilities (does not include check cashing, payday loans and similar facilities)
9. Banquet hall and party centers
10. Bars, pubs, nightclubs and taverns
11. Bowling alleys
12. Car washes (excluding semi-trailer trucks)
13. Commercial recreation not elsewhere listed, provided all buildings are two hundred (200) feet from a "R" District
14. Convenience stores (with fuel sales)
15. Drive-thru facilities (restaurants, pharmacy, grocery, etc.)
16. Electronic entertainment and communication products – repair
17. Farmers markets
18. Farms (roadside stands) – retail
19. Garden centers, greenhouses (commercial) and nurseries – retail only
20. *General Stores and retail trade not elsewhere listed*
21. Gun shops and gunsmiths
22. Hotels, motels, extended stay hotels
23. Health and fitness clubs

Proposed Section 405-195 "C-3" Retail Commercial District

24. Microbreweries within restaurants and do-it-yourself beer and wine making stores
25. Outdoor storage or display in connection with, and accessory to, a permitted retail use on the site. Material, product, inventory, goods and/or equipment not displayed for sale or lease on the site may be permitted in the side and/or rear yard provided items are screened or enclosed by a masonry wall, sight-proof fence or equivalent landscape hedge not less than six (6) feet in height. Outdoor display of merchandise and goods for lease or sale at retail may be approved without screening subject to any conditions of the conditional use permit
26. Pet stores
27. Pool and billiard halls
28. Secondhand merchandise (including consignment, but not including pawnshops) – retail
29. Wholesale establishment or warehouse in a completely enclosed building
30. Wireless support structures and wireless facilities
31. Accessory uses customarily incident to any conditional uses in this Section.
32. *Veterinarian*

D. *Planned Unit Developments.* Notwithstanding any other provision of this Code to the contrary, uses permitted on any property within the C-3 Retail Commercial District with a Planned Unit Development designation pursuant to Article IV of Chapter 405 of this Code shall be limited to those uses expressly authorized in the ordinance passed by the Board of Aldermen approving the Area Plan, and any use not expressly permitted in the ordinance approving the Area Plan shall be prohibited. For any property within the C-3 Retail Commercial District with such a Planned Unit Development designation, the Board of Aldermen is authorized to permit or permit with conditions any uses described in subsections B and C of this Section, subsections B and C of Section 405.180, and subsections B and C of Section 405.190 of this Code.

E. Regulations And Performance Standards.

1. Lot width: The minimum lot width for a structure shall be one hundred fifty (150) feet at the building line; *provided, however*, that the Board of Aldermen may approve a lesser minimum lot width as part of the approval of an Area Plan pursuant to Article IV of Chapter 405 of this Code.
2. Lot depth: none.
3. Lot coverage: none.

Proposed Section 405-195 "C-3" Retail Commercial District

4. Yard requirements.
 - a. Front yard: not less than twenty-five (25) feet, excluding all signs, pump islands and canopies of gasoline service stations.
 - b. Side yard: not less than ten (10) feet. A side yard of not less than twenty-five (25) feet shall be provided on the street side of a corner lot.
 - c. Rear yard: not less than fifteen (15) feet.
 - d. Notwithstanding the foregoing, the Board of Aldermen may approve lesser yard requirements as part of the approval of an Area Plan pursuant to Article IV of Chapter 405 of this Code.
5. Height requirements. No building or structure shall exceed the building height of forty-five (45) feet unless the Planning and Zoning Commission and the Board of Aldermen make a determination that a building height in excess of forty-five (45) feet would be warranted based upon a finding that such a use of property would meet the requirements for a conditional use under Sections 405.455 and 405.475 of this Code.
6. Off-street parking. Two (2) off-street parking spaces shall be provided for each accessory dwelling unit, and all other off-street parking shall be provided in compliance with the requirements of Article XI for parking requirements; *provided, however*, that the Board of Aldermen may provide specific off-street parking requirements as part of the approval of an Area Plan pursuant to Article IV of Chapter 405 of this Code.
7. Landscape requirements. See Article IX.
8. Site plan review. See Article XIII.
9. Performance standards. See Article XII.
10. Signs. See Article X.

SECTION 550.035 STORM WATER MANAGEMENT PLANS.

- A. The construction of any structure or the performing of any activity which affects the ground surface and/or vegetation that is within or upon any area of a storm water management system, including, but not limited to, swales on private property, shall be prohibited except as approved by permit.

- B. Applications for permits required pursuant to this section shall be submitted to the City Engineer for approval on forms created by the City Engineer. Applicants for permits must submit the following:
 - a. The name, address and phone number of the applicant;
 - b. The name, address and phone number of the owner(s) of the subject property;
 - c. The name, address, phone number and contact person for any contractor hired by the applicant to perform the construction or activity requiring the permit required pursuant to this subsection;
 - d. The address of the subject property;
 - e. Such information as may be required by the City Engineer to evidence the provision of adequate facilities to carry surface waters to the nearest practical storm drain, natural watercourse, street or other suitable place to deposit and receive such waters, which may include, but is not necessarily limited to:
 - i. A grading plan meeting the requirements of Section 410.080 of this Code;
 - ii. Location and design specifications for a rain garden;
 - iii. Location and design specifications for an infiltration basin; and
 - iv. Stormwater flow calculations, plans and specifications prepared and sealed by a professional engineer registered in the State of Missouri; and
 - f. The application fee of \$400 plus \$100/acre of land affected.

- C. Nothing contained in this section shall prohibit the performance of routine maintenance of landscaped areas or other existing vegetation.

Section 410.080. Grading Permit Process.

~~9. Development along natural watercourses shall have residential lot lines, commercial or industrial improvements, parking areas or driveways set back a minimum of fifty (50) feet from the top of the existing stream bank or 100-year, twenty (20) minute water surface elevation where no defined bank exists. The watercourse shall be maintained and made the responsibility of the subdivision trustees or, in the case of a Site Plan, by the property owner. Permanent vegetation shall be left intact. Variances may be approved and may include designed streambank erosion control measures and shall be approved by the City Engineer, City of Dardenne Prairie, Federal Emergency Management Agency and U.S. Army Corps of Engineers regulations and guidelines shall be followed where applicable regarding site development areas designated as floodplains and wetlands.~~ Development along natural watercourses shall have residential lot lines, commercial or industrial improvements, parking areas or driveways set back a minimum of twenty five (25) feet from the top of existing stream bank or 15-year, twenty (20) minute water surface elevation, where no defined bank exists. The watercourse and twenty-five (25) foot setback area shall be maintained and made the responsibility of the subdivision trustees. Residential lots having an area of one (1) acre or greater which shall be exempt from this regulation if the stream bank is not erosive. In the case of a site plan, commercial or industrial site, the watercourse and twenty-five (25) foot setback area shall be maintained and made the responsibility of the property owner. Permanent native vegetation and existing ground elevation and grades within the twenty-five (25) foot setback shall be left intact and undisturbed. Variances will include designed stream bank erosion control measures and shall be approved by the appropriate government agency, which has jurisdiction over the land and/or development in question. FEMA and U.S. Army Corps of Engineers guidelines shall be followed where applicable regarding site development areas designated as floodplains and wetlands.

Section 410.240. Right-of-Way and Utility Easement Requirements.

B. *Street Right-Of-Way And Utility Easement Requirements.*

1. ~~Refer to Exhibit "A". Highway and major thoroughfares. Highways and major thoroughfares shall have widths as specified by the St. Charles County Highway Department.~~

2. Collector streets. Refer to Exhibit "A".

3. ~~Minor stub and cul-de-sac streets. Fifty-two (52) feet. All cul-de-sac and stub streets shall have a turnaround radius of fifty-two (52) feet.* The Planning Commission may approve a "T" or "Y" shaped paved space instead of a required turning circle. Turnarounds may not be required on stub streets which are less than two hundred fifty (250) feet in length and are planned to be extended in the future. All stub streets in excess of two hundred fifty (250) feet in length must provide a temporary turnaround with three (3) standard specification, "Manual on Uniform Traffic Control Devices", end of roadway markers mounted on two (2) pound "U" channel sign post. Each marker shall consist of an eighteen (18) inch diamond reflectorized red panel. The bottom of each panel shall be mounted a minimum of four (4) feet above the elevation of the pavement surface and installed at terminus of pavement. Forty-two (42) feet. All cul-de-sac streets shall have a minimum turnaround pavement radius of forty (40) feet and a minimum right-of-way radius of forty-eight (48) feet. In subdivisions with no through streets, a fifty-five (55) foot pavement radius and a sixty-three (63) foot right-of-way radius will be required on at least one (1) cul-de-sac. For subdivisions in which the only street is a cul-de-sac, the fifty-five (55) foot pavement radius and sixty-three (63) foot right-of-way radius shall only be required if the cul-de-sac exceeds one thousand three hundred (1,300) feet in length. For public streets, an island with a twenty-nine (29) foot radius common ground is recommended in the fifty-five (55) foot radius cul-de-sac. Turnarounds shall not be required on stub streets which are less than two hundred fifty (250) feet in length and are planned to be extended in the future, but will require hazard markers consisting of three (3) standard specification end-of-roadway markers, as set forth in the current "Manual on Uniform Traffic Control Devices" (M.U.T.C.D.), at terminus of pavement. All stub streets in excess of two hundred fifty (250) feet in length must provide a temporary turnaround with hazard markers consisting of three (3) standard specification end-of-roadway markers, as set forth in the M.U.T.C.D., being installed at terminus of pavement. Temporary turnarounds shall have a minimum pavement radius of forty (40) feet centered within a forty-three (43) foot radius easement. Permits will not be issued for building construction on lots abutting a temporary turnaround, as shown on any recorded subdivision plat, unless and until the temporary facility is actually constructed and approved by the City Engineer. The removal of the temporary turnaround and the restoration of the disturbed ground shall be the responsibility of the party that will be extending the street. Refer to Exhibit "A" for general street standards.~~

4. Utility easements. Utility easements, where required, shall be at least ten (10) feet wide (five (5) feet on each side of the lot line) along rear, front and side lot lines. Easements of adequate width shall be provided for open drainage channels, where required. Easements five (5) feet in width may be allowed for underground cable installations. Telephone and electric power lines shall be located underground, except in subdivisions where all of the lots are twenty thousand (20,000) square feet or larger in size and then the developer will have the option of underground or overhead utility lines.

~~*Note. In subdivisions with no through streets, a fifty-five (55) foot pavement radius and a sixty-seven (67) foot right-of-way radius will be required on at least one (1) cul-de-sac in order to facilitate school bus circulation. For individual cul-de-sacs the fifty-five (55) foot pavement radius and sixty-seven (67) foot right-of-way radius shall only be required if the cul-de-sac exceeds one thousand three hundred (1,300) feet in length.~~

Section 410.240. Right-of-Way and Utility Easement Requirements.

C. Minimum Pavement Widths.

1. Highways, major thoroughfares and collector streets. Thirty-eight (38) foot minimum. In the case of a major thoroughfare requiring an improvement different than a thirty-eight (38) foot pavement, the matter of financial and other arrangements for installing wide pavements at the time shall be taken up by the developer with the officials having jurisdiction.

2. Minor, stub and cul-de-sac streets. ~~Thirty (30) feet. Refer to Exhibit "A". The pavement of a turning circle at the end of a cul-de-sac street shall have a minimum outside diameter of eighty (80) feet.~~

A "T" or "Y" shaped paved space, when approved by the Planning Commission in place of a turning circle, shall extend entirely across the width of the street right-of-way, except for sidewalk space, and shall be at least ten (10) feet wide with the flared portion rounded by a minimum radii of twenty (20) feet.

3. Alleys and service drives. Twenty (20) feet minimum.

4. Sidewalks. Sidewalks shall be installed on both sides of all major streets, collector streets, minor, dead-end and cul-de-sac streets. Sidewalks shall have a minimum width of ~~four (4)~~ five (5) feet in residential areas. In commercial and industrial areas sidewalks may be required as deemed appropriate by the Planning Commission. The City by these requirements does not accept dedication of sidewalks.

PLANNING & ZONING MINUTES

AUGUST 9, 2017

The City of Dardenne Prairie Planning & Zoning Commission meeting was called to order at 7:00 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 Mayor Zucker, Alderman Koch, Commissioners Bailey, Stankovich, Rowley, King, Donahue and Shea. Chairman Etzkorn and Commissioner Brockmann were absent. Also present were City Clerk Kim Clark, City Engineer Luke Kehoe and City Attorney John Young.

OPEN FORUM – No one present to speak.

PUBLIC HEARINGS

1. A Rezoning Request and P.U.D. Request - Area Plan for the approximate 1.37 acres of land commonly known as 2353 Jay Court, being part of Lot 3 of Bates Estates, a Re-Subdivision of Part of Lot 1 of said Bates Estates and more particularly described in the Rezoning Request received by the City on July 3, 2017, on file with the City Clerk, from Applicant and Owner February Properties, LLC.

Jack Wu was in attendance to present the proposal.

The following individuals spoke on the proposal:

Sandy Schwendemann – 1159 Blue Jay
David Rendelman – 1155 Quail Lane

A motion was made by Commissioner Donahue, Seconded by Commissioner Stankovich to close the public hearing. Motion passed unanimously.

NEW BUSINESS

1. A Rezoning Request and P.U.D. Request - Area Plan for the approximate 1.37 acres of land commonly known as 2353 Jay Court, being part of Lot 3 of Bates Estates, a Re-Subdivision of Part of Lot 1 of said Bates Estates and more particularly described in the Rezoning Request received by the City on July 3, 2017, on file with the City Clerk, from Applicant and Owner February Properties, LLC.

A motion was made by Commissioner Donahue, Seconded by Alderman Koch to recommend denial of the Rezoning Request and P.U.D. Request - Area Plan. Motion failed.

A motion was made by Commissioner Bailey, Seconded by Commissioner Rowley to recommend approval of the Rezoning Request and P.U.D. Request - Area Plan. Motion passed.

2. A P.U.D. Request - Final Plan for the approximate 1.37 acres of land commonly known as 2353 Jay Court, being part of Lot 3 of Bates Estates, a Re-Subdivision of Part of Lot 1 of said Bates Estates and more particularly described in the Rezoning Request received by the City on July 3, 2017, on file with the City Clerk, from Applicant and Owner February Properties, LLC.

A motion was made by Commissioner Bailey, Seconded by Commissioner Rowley to recommend approval of the P.U.D. Request - Final Plan. Motion passed.

APPROVAL OF MINUTES

Approval of 05-10-17 Minutes

PLANNING & ZONING MINUTES

AUGUST 9, 2017

A motion was made by Commissioner Stankovich, Seconded by Commissioner Bailey to recommend approval of the 05-10-17 Minutes. Motion passed unanimously.

COMMISSION COMMUNICATIONS

Mayor Zucker mentioned amendments to the zoning code would be forthcoming.

ADJOURNMENT

A motion was made by Commissioner Donahue, Seconded by Commissioner Bailey to adjourn the meeting at 8:34 p.m. Motion passed unanimously.

Respectfully submitted,

Kim Clark, City Clerk