

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

**PLANNING & ZONING COMMISSION
AGENDA
DECEMBER 11, 2019
7:00 P.M.**

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL Mayor Zucker
Alderman Wandling
Chairman Etzkorn
Commissioners:
Shea
Brockmann
Bailey
Stankovich
Rowley
Wooldridge
Helms
Seurer

OPEN FORUM

PUBLIC HEARINGS

1. Rezoning Request and P.U.D. Request – Area Plan for the approximate 9.84 acres of land commonly known as 7231 Highway N and more particularly described in the Rezoning Request received by the City on November 4, 2019, on file with the City Clerk from Applicant KAPB, L.L.C. and Property Owner St. Louis Metro Baptist Association.

NEW BUSINESS

1. Rezoning Request and P.U.D. Request – Area Plan for the approximate 9.84 acres of land commonly known as 7231 Highway N and more particularly described in the Rezoning Request received by the City on November 4, 2019, on file with the City Clerk from Applicant KAPB, L.L.C. and Property Owner St. Louis Metro Baptist Association.
2. Request to Vacate Public Right-of-Way at the Villages at Bainbridge, Cheshire Village Plat 1, Lot 58D, commonly known as 708 Knollshire Way Court from Applicant Premier Pools & Spas and Property Owner Ryan Litchfield.
3. Preliminary Plat for the proposed “Hanley Hollow” subdivision from Property Owner Harold P. Henke & Rita Marie Henke Revoc. Living Trust.
4. Record Plat for the proposed “Inverness Phase One” residential subdivision from Developer Inverness Development, LLC.
5. Proposed “Grand Inverness Parkway Right-of-Way Dedication Plat” from Property Owner Cora Bopp Family Limited Partnership.

APPROVAL OF MINUTES

Approval of 11-13-19 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: December 6, 2019

SUBJECT: Planning and Zoning Commission Meeting Scheduled for December 11, 2019

Items for consideration at this meeting include:

PUBLIC HEARINGS:

1. **Rezoning Request and P.U.D. Request – Area Plan for the approximate 9.84 acres of land commonly known as 7231 Highway N and more particularly described in the Rezoning Request received by the City on November 4, 2019, on file with the City Clerk from Applicant KAPB, L.L.C. and Property Owner St. Louis Metro Baptist Association.** On November 4, 2019, the City received the enclosed Rezoning Request and P.U.D. Request – Area Plan for the proposed “Ardenne” residential subdivision.

Upon review of the Rezoning Request and the P.U.D. Request – Area Plan, the enclosed “1st Review” comment letter was sent to the applicant’s engineer on November 19, 2019. On November 27, 2018, the City received the enclosed P.U.D. Area Plan dated 11-01-2019 with the latest revision date of 11/26/2019 for the proposed Ardenne residential subdivision development along with the enclosed associated landscape plan, draft indentures, building elevations and response letter from the applicant’s engineer. Upon review, the enclosed “2nd review” letter was sent to the applicant on December 6, 2019.

NEW ITEMS:

1. **Rezoning Request and P.U.D. Request – Area Plan for the approximate 9.84 acres of land commonly known as 7231 Highway N and more particularly described in the Rezoning Request received by the City on November 4, 2019, on file with the City Clerk from Applicant KAPB, L.L.C. and Property Owner St. Louis Metro Baptist Association.** From Public Hearing Item 1 above.
2. **Request to Vacate Public Right-of-Way at the Villages at Bainbridge, Cheshire Village Plat 1, Lot 58D, commonly known as 708 Knollshire Way Court from Applicant Premier Pools & Spas and Property Owner Ryan Litchfield.** On October 22, 2019, the City received the enclosed application (plan) from Applicant Mike Hampton with Premier Pools and Spas requesting that the City vacate a portion (220 square feet) of easement that was dedicated to the City upon the creation of the subject residential subdivision and Lot 58D of the Villages at Bainbridge, Cheshire Village Plat 1 residential subdivision. On November 2, 2019, the enclosed “1st Review” letter was sent to the Applicant and Property Owner via the Ryan Patrick Litchfield Revocable Living Trust. On November 14, 2019, the City received the enclosed “Request to Vacate Public Right-of-Way” application form for your consideration.

Upon review, the enclosed “2nd Review” letter was sent to the Applicant and Property Owner on November 21, 2019.

Pursuant to the Municipal Code, there is no right under law to vacate or to develop public right-of-way. In order to do so, a discretionary legislative approval must be obtained from the Board of Aldermen and the Board may not vacate right-of-way unless it determines that to do so is in the public interest. Part of that determination is to assure that potential development and use of the vacated right-of-way would serve the public interest in a significant way. The Board is not bound by land use policies or this Section in making right-of-way vacation decisions and may condition or deny vacations as it may deem necessary, in its sole discretion, to protect the public interest. The City will generally not support vacations that do not advance City planning goals, particularly if inconsistent with the desired intensity of development and preferred uses. In making this determination, the Board of Aldermen and City reviewers will weigh three (3) components of the public interest described as follows:

- i. Public trust functions. The City will consider the impact of the proposed vacation upon the circulation, access, utilities, light, air, open space, and views provided by the right-of-way;
- ii. Land use impacts. The City will consider the land use impacts of the proposed vacation. Potential development involving the vacated right-of-way must be consistent with City land use policies for the area in which the right-of-way is located; and
- iii. Public benefit. Benefits accruing to the public from the vacation of the right-of-way will be considered. The proposal must provide a long-term benefit for the general public.

3. **Preliminary Plat for the proposed "Hanley Hollow" subdivision from Property Owner Harold P. Henke & Rita Marie Henke Revoc. Living Trust.** On October 31, 2019, the City received a preliminary plat from the property owner's surveyor. Upon review, the enclosed "1st Review" comment letter was sent to the developer's surveyor. On December 2, 2019, the City received the enclosed revised preliminary plat dated 9-26-2019 with latest revision date of 11-22-2019 and response letter from the property owner's surveyor dated November 25, 2019. Upon review, the enclosed "2nd Review" comment letter was sent to the developer's surveyor on December 6, 2019.

4. **Record Plat for the proposed "Inverness Phase One" residential subdivision from Developer Inverness Development, LLC.** On November 6, 2019, the City received a record plat for approval by the City for the proposed "Inverness Phase One" residential subdivision. Upon review, the enclosed "1st Review" comment letter was sent to the developer's surveyor.

On November 25, 2019, the City received the enclosed revised record plat dated 11/22/19 and on November 27, 2019, the City received the enclosed "Inverness Draft Indentures" proposed for this subdivision. Upon review, the enclosed "2nd Review" comment letter was sent to the developer's surveyor on December 6, 2019.

Pursuant to City Code, after the improvement plans have been approved and all inspection fees paid, but before approval of the record subdivision plat, the developer shall guarantee the completion of improvements required by the approved improvement plans and guarantee maintenance of such improvements. The site improvement construction plans for this proposed subdivision have been approved and the development is currently under construction; however, the developer has not yet provided the required deposit guarantee nor completed construction of the proposed improvements for this subdivision.

5. **Proposed “Grand Inverness Parkway Right-of-Way Dedication Plat” from Property Owner Cora Bopp Family Limited Partnership.** On November 6, 2019, the City received a right-of-way dedication plat for approval by the City for the proposed “Grand Inverness Parkway” public roadway. Upon review, the enclosed “1st Review” comment letter was sent to the developer’s surveyor on November 15, 2019. On November 25, 2019, the City received the enclosed revised right-of-way dedication plat dated 11-22-2019 and response letter from the property owner’s surveyor dated November 25, 2019. On November 27, 2019, the City received the enclosed “Inverness Draft Indentures” proposed for this subdivision. Upon review, the enclosed “2nd Review” comment letter was sent to the developer’s surveyor on December 6, 2019.

Pursuant to City Code, after the improvement plans have been approved and all inspection fees paid, but before approval of the record subdivision plat, the developer shall guarantee the completion of improvements required by the approved improvement plans and guarantee maintenance of such improvements. The site improvement construction plans for this proposed roadway have been approved and the development is currently under construction; however, the developer has not yet provided the required deposit guarantee nor completed construction of the proposed improvements for this roadway.

EXISTING ITEMS:

1. **None.**

INFORMATION ONLY:

1. **None.**

Enclosures

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

PLANNING & ZONING MINUTES

NOVEMBER 13, 2019

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 Alderman Wandling, Chairman Etzkorn and Commissioners Shea, Bailey, Seurer, Rowley, Wooldridge, Stankovich, Helms and Brockmann. Mayor Zucker was absent. Also present were City Clerk Kim Clark, City Engineer Luke Kehoe and City Attorney Drew Weber.

OPEN FORUM – The following individuals were in attendance.

Alderman Mike Costlow

NEW BUSINESS

1. 2020 Submittal and Meeting Calendar

A motion was made by Alderman Wandling, Seconded by Commissioner Seurer to approve the 2020 Submittal and Meeting Calendar. Motion passed unanimously.

2. Bill #19-43 (Referred back by Board of Aldermen for further deliberation)

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AMENDING SUBSECTION D(7)(e) OF SECTION 405.170 OF THE MUNICIPAL CODE BY DELETING IT IN ITS ENTIRETY; ENACTING, IN LIEU THEREOF, A NEW SUBSECTION D(7)(e) OF SECTION 405.170; AND PROVIDING REGULATIONS FOR THE MINIMUM DWELLING SIZE FOR ATTACHED RESIDENTIAL DWELLING UNITS

A motion was made by Commissioner Seurer, Seconded by Alderman Wandling to make a recommendation to the Board of Aldermen to not approve the proposed amendment. Roll call was as follows:

Chairman Etzkorn – Nay

Commissioner Brockmann – Aye

Commissioner Bailey – Aye

Commissioner Rowley – Nay

Commissioner Shea – Nay

Alderman Wandling – Aye

Commissioner Stankovich – Aye

Commissioner Wooldridge – Aye

Commissioner Helms – Aye

Commissioner Seurer – Aye

APPROVAL OF MINUTES

Approval of 09-11-19 Minutes

Approval of 10-09-19 Minutes

A motion was made by Commissioner Bailey, Seconded by Commissioner Helms to approve the 9-11-19 and 10-9-19 minutes. Motion passed unanimously.

COMMISSION COMMUNICATIONS

ADJOURNMENT

PLANNING & ZONING MINUTES

NOVEMBER 13, 2019

A motion was made by Commissioner Shea, Seconded by Commissioner Stankovich to adjourn the meeting at 7:53 p.m. Motion passed unanimously.

Respectfully submitted,

Kim Clark, City Clerk