

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

**BOARD OF ALDERMEN
WORKSHOP AGENDA
MARCH 18, 2015
5:30 p.m.**

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ITEMS FOR DISCUSSION AND CONSIDERATION

1. Short Term Goals (0 – 3 year projects)
2. Long Term Goals (3 – 10 year projects)
3. Review of Board of Aldermen Meeting Agenda (03-18-15)

STAFF COMMUNICATIONS

1. City Attorney
2. City Engineer
3. Staff
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

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

BOARD OF ALDERMEN
MEETING AGENDA
MARCH 18, 2015
7:00 p.m.

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Fogarty
Alderman Menichino
Alderman West
Alderman Kampelman
Alderman Santos
Alderman Zucker
Alderman Koch

PROCLAMATION – Michael D. McAteer

CONSENT AGENDA

1. Board of Aldermen Minutes 03-04-15
2. Workshop Summary 03-04-15
3. Bills for Approval 03-18-15

ITEMS REMOVED FROM CONSENT AGENDA

OPEN FORUM

NEW BUSINESS

1. **Bill #15-15**

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR THE VACATION OF AN UNIMPROVED PORTION OF RIGHT-OF-WAY OF DEVON DRIVE IN THE CITY

PUBLIC HEARINGS

1. Amendments to the Dardenne Prairie Municipal Code pertaining to zoning and land use regulations.
2. A Conditional Use Permit Application for the approximate 15.4 acres of land at the northwest corner of the intersection of Bryan Road and Feise Road known as "Commercial Area – 1" of the City-Approved Cora Marie's Marketplace, P.U.D. Area Plan from Applicant Gary H. Feder, Husch Blackwell LLP, Attorney for Property Owner/Applicant Cora Bopp Family Limited Partnership.
3. Adoption of revised zoning map.

NEW BUSINESS (Continued)

2. **Bill #15-16**

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR THE APPROVAL OF THE FINAL PLAN FOR CORA MARIE'S MARKETPLACE P.U.D. (PHASE ONE) IN THE CITY OF DARDENNE PRAIRIE, MISSOURI

3. **Bill #15-17**

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR THE APPROVAL OF A CONDITIONAL USE PERMIT FOR PROPERTY ZONED C-2, P.U.D., GENERAL COMMERCIAL DISTRICT, PLANNED UNIT DEVELOPMENT IN RESPONSE TO AN APPLICATION FROM CORA BOPP FAMILY LIMITED PARTNERSHIP C/O GARY H. FEDER

4. **Bill #15-18**

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AMENDING SECTION 405.100 OF THE MUNICIPAL CODE BY DELETING SUBSECTION B THERETO IN ITS ENTIRETY; ENACTING IN LIEU THEREOF A NEW SUBSECTION B TO SECTION 405.100; AND ADOPTING A REVISED ZONING MAP FOR THE CITY

5. **Bill #15-19**

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE ECONOMIC DEVELOPMENT CENTER OF ST. CHARLES COUNTY FOR ECONOMIC DEVELOPMENT SERVICES

STAFF COMMUNICATIONS

1. City Attorney
2. City Engineer
3. Staff
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

DARDENNE

PRAIRIE
PROCLAMATION

WHEREAS, the City of Dardenne Prairie has a tradition of recognizing and honoring individual citizens worthy of praise for their actions and activities; and

WHEREAS, we wholeheartedly applaud the youth of our community for their positive actions and activities; and

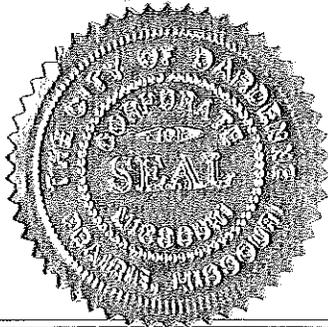
WHEREAS, the City of Dardenne Prairie is proud to recognize the achievement of **Michael D McAteer**, who has been awarded the titles of **Missouri Class 1 State Champion** and **Class 1 - District 1 Wrestler of the Year** by the Missouri Wrestling Association; and

WHEREAS, Michael has won numerous High School tournaments in the 2014-2015 season, which led to several other honors including being named the **St Louis Post Dispatch Athlete of the Week** (February 19, 2015) and **The News Channel 2's Johnny Mac's High School Athlete of the Week** (February 28, 2015); and

WHEREAS, the City of Dardenne Prairie especially enjoys recognizing and honoring the youth of our community for their positive actions and activities;

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the City of Dardenne Prairie recognizes the importance of achieving this honor and the hard work and dedication required by **Michael D. McAteer** to reach his goals, and publicly thanks him for adhering to the morals and values which enable young men to become the leaders and role models of tomorrow.

Dated this 18th day of March, 2015



Pamela J. Fogarty, Mayor

BOARD OF ALDERMEN MINUTES

MARCH 4, 2015

The City of Dardenne Prairie Board of Aldermen meeting was called to order at 7:03 p.m. The meeting was held at Dardenne Prairie City Hall located at 2032 Hanley Road.

The meeting was opened with the Pledge of Allegiance.

Present at roll call were Mayor Fogarty, Aldermen Zucker, Kampelman, Menichino, Santos and Koch. Alderman West was absent. Also present were City Clerk Kim Clark, City Engineer Luke Kehoe and City Attorney's David Hamilton and John Young.

A motion was made by Alderman Koch, Seconded by Alderman Zucker to remove item #1 Board of Aldermen Minutes 02-18-15 from the consent agenda. Motion passed unanimously.

A motion was made by Alderman Santos, Seconded by Alderman Koch to approve the consent agenda. Motion passed unanimously.

CONSENT AGENDA

2. Workshop Summary 02-18-15
3. Bills for Approval 03-04-15

ITEMS REMOVED FROM CONSENT AGENDA

1. Board of Aldermen Minutes 02-18-15

A motion was made by Alderman Zucker, Seconded by Alderman Koch to amend the 02-18-15 Board of Aldermen Minutes to include Norm Nieder and Ed Etzkorn under the staff communications of Alderman Koch. Motion passed unanimously.

A motion was made by Alderman Zucker, Seconded by Alderman Koch to approve the amended 02-18-15 Board of Aldermen Minutes. Motion passed unanimously.

OPEN FORUM – No one present to speak.

NEW BUSINESS

A motion was made by Alderman Zucker, Seconded by Alderman Menichino to read Bill #15-14 for the first time by short title only. Motion passed unanimously.

Bill #15-14

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AUTHORIZING EXECUTION OF A DEPOSIT AGREEMENT GUARANTEEING IMPROVEMENTS WITH LETTER OF CREDIT FOR TOWN SQUARE APARTMENTS PHASE I

A motion was made by Alderman Koch, Seconded by Alderman Menichino to read Bill #15-14 for the second time by short title only. Motion passed unanimously.

BOARD OF ALDERMEN MINUTES

MARCH 4, 2015

A motion was made by Alderman Zucker, Seconded by Alderman Santos to put Bill #15-14 to final vote. Motion passed unanimously.

Roll call was as follows:

Alderman Koch – Aye	Alderman Menichino - Aye
Alderman West – Absent	Alderman Santos - Aye
Alderman Kampelman – Aye	Alderman Zucker – Aye

Mayor Fogarty declared Bill #15-14 passed and designated it to be Ordinance #1756.

STAFF COMMUNICATIONS

City Engineer Luke Kehoe mentioned the cost to replace the street signs at the subdivision entrances would be approximately \$27,745.

Alderman Koch mentioned he has received several complaints on the property located at the corner of Weldon Spring Road and Henning Road.

ADJOURNMENT

A motion was made by Alderman Zucker, Seconded by Alderman Koch to adjourn the meeting at 7:12 p.m. Motion passed unanimously.

Respectfully submitted,

Kim Clark, City Clerk

The City of Dardenne Prairie workshop session was called to order at 5:36 p.m. The meeting was held at Dardenne Prairie City Hall located at 2032 Hanley Road.

The meeting was opened with the Pledge of Allegiance.

The following were in attendance: Mayor Fogarty, Aldermen Zucker, Kampelman, Menichino, Santos and Koch. Alderman West was absent. Also present were City Clerk Kim Clark, City Engineer Luke Kehoe and City Attorney David.

ITEMS FOR DISCUSSION AND CONSIDERATION

1. Street Identification Signs (Kehoe)

A motion was made by Alderman Kampelman, Seconded by Alderman Koch to direct the City Engineer Luke Kehoe to move forward with ordering of the signs. Motion passed unanimously.

2. Town Square Apartments Grading/Land Disturbance/Site Improvements Construction Deposit Agreement (Kehoe)
3. Short Term Goals (0 – 3 year projects)
4. Long Term Goals (3 – 10 year projects)
5. Review of Board of Aldermen Meeting Agenda (03-04-15)

STAFF COMMUNICATIONS

Alderman Santos mentioned the recent security hack with Anthem.

Mayor Fogarty mentioned St. Charles County Police officer Jones has been patrolling the Canvas Cove subdivision but has not written any citations or warnings.

A motion was made by Alderman Kampelman, Seconded by Alderman Santos to hold a closed session pursuant to RSMo 610.021 section (2) Real Estate and (3) Personnel .

Motion passed unanimously. Roll call was as follows:

Alderman Koch – Aye	Alderman Kampelman – Aye
Alderman Zucker – Aye	Alderman Menichino – Aye
Alderman Santos - Aye	Alderman West – Absent

A motion was made by Alderman Zucker, Seconded by Alderman Santos to return to regular meeting agenda. Motion passed unanimously.

ADJOURNMENT

A motion was made by Alderman Santos, Seconded by Alderman Zucker to adjourn the meeting at 6:22 p.m. Motion passed unanimously.

Respectfully submitted,

Kim Clark, City Clerk

**BILLS FOR APPROVAL
3/18/2015**

1 AFLAC	March, 2015	174.36
2 Ameren	Page/Bryan Street light to 3/9/15	104.19
3 C N A Surety	Annual Public Officials Bond	283.05
4 Charlie's Farm & Home	Calcium Chloride Pellets	105.71
5 Charter	City Hall Internet	125.03
6 Classic Sign Services	Westborough Street Identification Signs	704.80
7 County Land Maintenance	City Hall Mulch Application	2,000.00
8 County Land Maintenance	City Hall Summer & Spring Lawn Applications	435.00
9 County Land Maintenance	BaratHaven Spring, Summer & Later Summer Lawn Applications	2,365.00
10 Court-Missouri Department of Revenue	Crime Victims: February, 2015	1,136.21
11 Court-Sheriff Retirement Fund	Retirement Fund: February, 2015	477.00
12 Court-St. Charles County-Dom Violence Fund	Court Fines: February, 2015	322.93
13 Court-Treasurer; State of Missouri	POST Fees: February, 2015	161.47
14 GFI Digital	Copies	147.87
15 Hazelwood & Weber	February, 2015 Legal Fees	14,857.54
16 Insurance: Capital Administrators	Vision: March, 2015	113.95
17 Insurance: FCL Dental	Dental: April, 2015	410.58
18 Kehoe Engineering Company	Engineering: February, 2015	9,380.87
19 Kehoe Engineering Company	Reimbursable Engineering: February, 2015 (85%)	3,165.96
20 Kimberlie Clark	Conference Mileage Reimbursement	146.63
21 Kone, Inc.	Elevator Maintenance to 5/31/15	360.45
22 Mercy Corporate Health	Employee Testing	50.00
23 MO Assoc of Court Administration	Annual Membership & Certification Fee	115.00
24 MyGov, LLC	Building Dept Software: April & May, 2015	1,200.00
25 nCisive Consulting	Computer Maintenance	140.00
26 Newstime	Part Time Parks Maintenance Ad	25.00
27 Office Essentials	Office & Coffee Supplies	461.08
28 Parks: Bill Grosch	7-18-15 Performance	1,400.00
29 Parks: Charlie Mann	7-11-15 Performance	750.00
30 Parks: Robert S. Gilda	8-1-15 Performance	600.00
31 Parks: Robin Ruhmann	7-11-15 Performance	350.00
32 Parks: Tonya Tanner	6-6-15 Performance	850.00
33 PASS Security	System Monitoring to 6-30-15 & service call	110.31
34 Payroll	Payroll: 03-13-15	15,368.51
35 PNC	Credit Card Charges	1,012.35
36 PWSD #2	City Hall Fountain Service to 2/17/15	29.31
37 PWSD #2	City Hall Service to 2/17/15	56.09
38 PWSD #2	Georgetown Service to 2/27/15	13.10
39 Sprint	Cell Phone: Amelong	67.17
40 St. Charles County EDC	2015 Local Support	6,500.00
41 St. Charles County Election Authority	Estimated 2015 Election Cost	7,687.47
42 St. Louis Post Dispatch	Public Hearing Notice	482.12
43 Stratus Building Solutions	Cleaning: April, 2015	385.00
44 Target/JC Penney	Mayors Ball Basket	100.00
45 Thoele	Gasoline Charges to 2-26-15	300.33
46 Tracker Designs	Monthly Website Search Engine & Quarterly Update	140.00
47 Windstream	Phones	604.29
		75,775.73

Approved by Board of Aldermen 03-18-15

Mayor Pam Fogarty

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE,
MISSOURI, PROVIDING FOR THE VACATION OF AN
UNIMPROVED PORTION OF RIGHT-OF-WAY OF
DEVON DRIVE IN THE CITY**

WHEREAS, there is on file at the office of the Recorder of Deeds of St. Charles County at Plat Book 37, Page 327, the record plat for Hampshire Village of the Villages at Bainbridge (the "Record Plat"); and

WHEREAS, pursuant to the filing of the Record Plat the property owner dedicated certain real property as "public streets and roadways" to the "Town of Dardenne Prairie, Missouri for public use forever" (the "Dedication Area"); and

WHEREAS, on February 3, 2015, the Villages of Bainbridge submitted a Request to Vacate Public Right-of-Way to the City, requesting the vacation of a certain unimproved and unused portion of right-of-way, more particularly described on **Exhibit A**, attached hereto and incorporated by reference herein, and shown on **Exhibit B**, attached hereto and incorporated by reference herein (collectively, the "Vacation Area"); and

WHEREAS, the City is not currently using the Vacation Area as right-of-way, and has no immediate plans for the use of such Vacation Area for such purposes; and

WHEREAS, the Planning and Zoning Commission for the City of Dardenne Prairie has recommended that, to the extent that any right-of-way was dedicated to the City pursuant to the filing of the Record Plat, the right-of-way identified in the Vacation Area be vacated; and

WHEREAS, the Board of Aldermen finds and determines that vacating the right-of-way identified on the Vacation Area serves the public interest through enhancing public safety by limiting the use of Devon Drive by motor vehicles; and

WHEREAS, the Board of Aldermen of the City of Dardenne Prairie finds and determines that it is in the interest of the health, safety and welfare of the residents of the City of Dardenne Prairie that any right-of-way within the Vacation Area be vacated;

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

SECTION 1. That the right-of-way within the Vacation Area, more particularly described on **Exhibit A** and shown on **Exhibit B**, shall be, and is hereby vacated, and shall no longer be deemed or considered a right-of-way of the City of Dardenne Prairie and every right, title, interest, or easement the public has or might have in and to said right-of-way are hereby extinguished and

divested of the public, and shall revert to those, who in law or in equity, are properly entitled thereto.

SECTION 2. Nothing contained herein is intended to or shall be construed as impacting or otherwise divesting the City or any other public utility or political subdivision of this State of any right, title, interest, easement or right-of-way the public has or might have in and to the public streets and roadways dedicated to the City in the Record Plat except as expressly provided in Section 1 of this Ordinance.

SECTION 3. 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.

SECTION 4. 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 5. 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.

[The rest of this page is intentionally left blank. Signature page to follow.]

Read two (2) times, passed, and approved this _____ day of _____, 2015.

As Presiding Officer and as Mayor

Attest:

City Clerk

Approved this _____ day of _____, 2015.

Mayor

Attest:

City Clerk

EXHIBIT A

THE **STERLING** CO

ENGINEERS & SURVEYORS

5055 New Baumgartner Road St. Louis, Missouri 63129
(314) 487-0440 fax: (314) 487-8944

Order Number: 99-08-195

Date: Mar. 06, 2015

Page 1 of 1: By: BRD

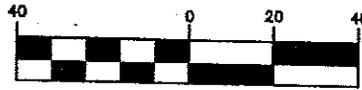
PROPERTY DESCRIPTION

Project: THE VILLAGES AT BAINBRIDGE
Description: LAND DESCRIPTION – RIGHT OF WAY VACATION

BEGINNING AT THE SOUTHEAST CORNER OF HAMPSHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE RECORDED IN PLAT BOOK 37 AT PAGE 327, RECORDS OF ST. CHARLES COUNTY, MISSOURI, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LAKESHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE RECORDED IN PLAT BOOK 37 AT PAGE 208, OF THE ABOVE MENTIONED RECORDER'S OFFICE, SAID POINT ALSO BEING ON THE WEST LINE OF A TRACT OF LAND DEEDED TO CORA BOPP FAMILY LIMITED PARTNERSHIP IN DEED BOOK 2679 AT PAGE 1612, OF THE ABOVE MENTIONED RECORDER'S OFFICE; THENCE ALONG THE EAST LINE OF SAID LAKESHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE AND THE WEST LINE OF SAID BOPP TRACT, SOUTH 00°50'13" WEST, 30.50 FEET TO THE NORTHEAST CORNER OF A 2,041 SQUARE FOOT, COMMON GROUND TRACT AS SHOWN ON SAID RECORD PLAT FOR LAKESHIRE VILLAGE; THENCE AROUND SAID COMMON GROUND TRACT, NORTH 89°09'47" WEST, 100.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 9.50 FEET, WHOSE CHORD BEARS SOUTH 00°50'13" WEST, 19.00 FEET AN ARC DISTANCE OF 29.71 FEET TO A POINT; THENCE TANGENT TO PREVIOUS CURVE, SOUTH 89°09'47" EAST, 100.00 FEET TO THE SOUTHEAST CORNER OF SAID COMMON GROUND TRACT, SAID POINT ALSO BEING ON THE COMMON LINE OF SAID LAKESHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE AND BOPP TRACT; THENCE ALONG SAID COMMON LINE, SOUTH 00°50'13" WEST, 30.50 FEET TO THE NORTHEAST CORNER OF THE 2,350 SQUARE FOOT, COMMON GROUND TRACT NORTH OF LOT 1G OF SAID LAKESHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE; THENCE ALONG THE NORTH LINE OF SAID COMMON GROUND TRACT, NORTH 89°09'47" WEST, 99.17 FEET TO A POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 25 FEET, WHOSE CHORD BEARS SOUTH 47°16'05" WEST, 34.46 FEET AN ARC DISTANCE OF 38.03 FEET TO A POINT ON THE EAST LINE OF GARRICK PLACE (50' WIDE); THENCE NORTH 00°50'13" EAST, 127.50 FEET TO A POINT ON THE WEST LINE OF LOT 1F OF AFOREMENTIONED HAMPSHIRE VILLAGES OF THE VILLAGES AT BAINBRIDGE; THENCE ALONG A CURVE TO THE LEFT BEING NON-TANGENTIAL TO THE PREVIOUS COURSE, WITH A RADIUS OF 25.00 FEET, WHOSE CHORD BEARS SOUTH 45°35'39" EAST, 34.46 FEET AN ARC DISTANCE OF 38.03 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE SOUTH LINE OF AFOREMENTIONED HAMPSHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE AND THE NORTH LINE OF AFOREMENTIONED LAKESHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE; THENCE ALONG SAID COMMON LINE, SOUTH 89°09'47" EAST, 99.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 8,156 SQUARE FEET.

EXHIBIT B

GRAPHIC SCALE



(IN FEET)

1 inch = 40 ft.

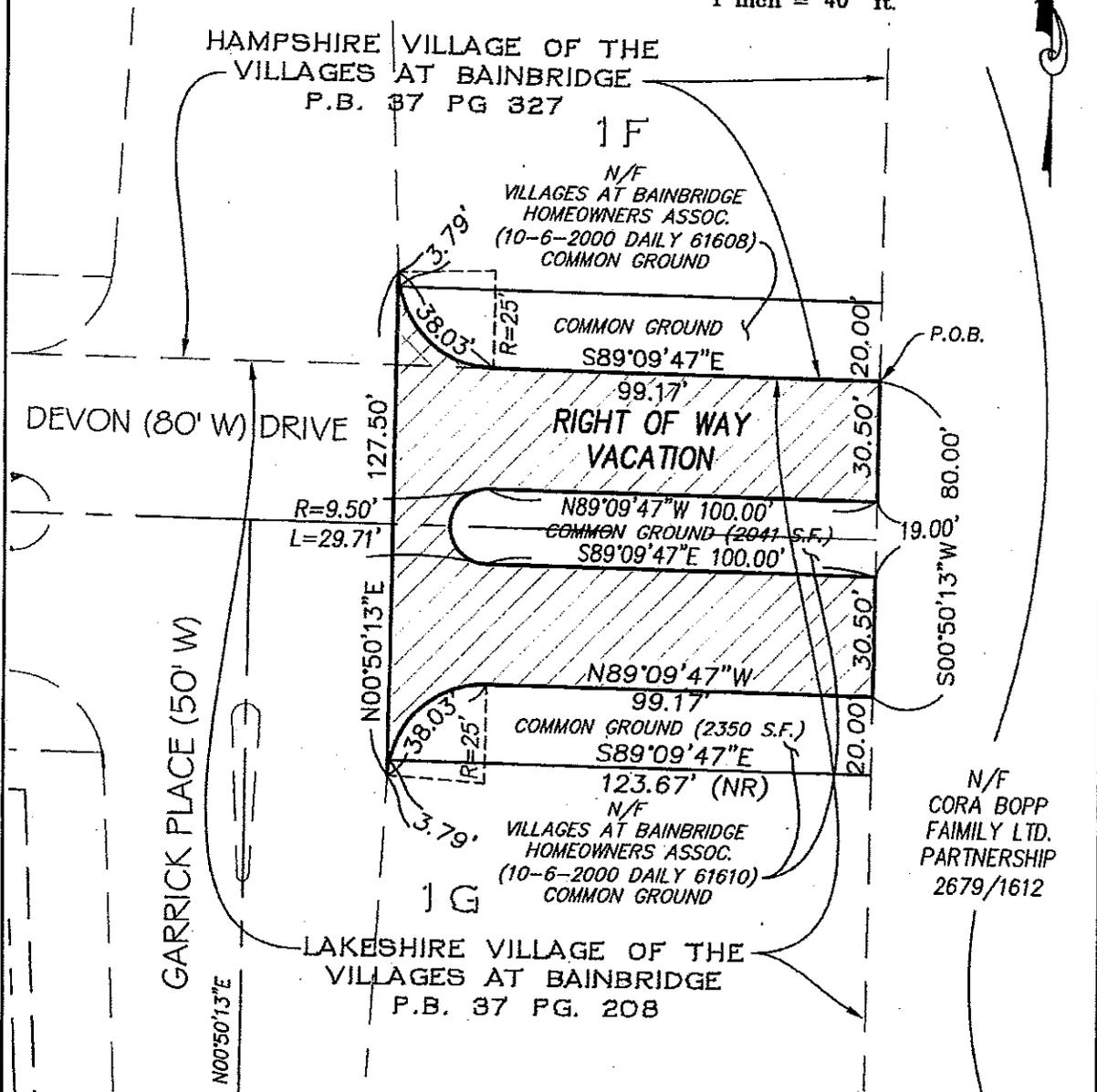


EXHIBIT "A"

INITIAL:

RIGHT OF WAY VACATION PLAT

A TRACT OF LAND BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 46 NORTH, RANGE 2 EAST, ST CHARLES COUNTY, MISSOURI.

BILL NO. 15-16

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE,
MISSOURI, PROVIDING FOR THE APPROVAL OF THE
FINAL PLAN FOR CORA MARIE'S MARKETPLACE
P.U.D. (PHASE ONE) IN THE CITY OF DARDENNE
PRAIRIE, MISSOURI**

WHEREAS, the Cora Bopp Family Limited Partnership c/o Gary H. Feder submitted to the Board of Aldermen of the City of Dardenne Prairie, Missouri, for approval, a Final Plan for the Cora Marie's Marketplace P.U.D. (Phase One); and

WHEREAS, the Board of Aldermen of the City did refer the Final Plan to the City's Planning and Zoning Commission; and

WHEREAS, said Planning and Zoning Commission of the City did consider the Final Plan and recommended approval to the Board of Aldermen;

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

SECTION 1. Final Plan Approval. 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 Final Plan for the Cora Marie's Marketplace P.U.D. (Phase One), submitted by the Cora Bopp Family Limited Partnership c/o Gary H. Feder, prepared by Volz Incorporated, dated January 8, 2015, revised February 19, 2015, and referencing job number 11313-0, which plan is on file in the office of the City Clerk and incorporated by reference herein.

SECTION 2. Effective Date: This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION 3. 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 4. 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 two times, passed, and approved this _____ day of _____, 2015.

As Presiding Officer and as Mayor

Attest:

City Clerk

Approved this _____ day of _____, 2015.

Mayor

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR THE APPROVAL OF A CONDITIONAL USE PERMIT FOR PROPERTY ZONED C-2, P.U.D., GENERAL COMMERCIAL DISTRICT, PLANNED UNIT DEVELOPMENT IN RESPONSE TO AN APPLICATION FROM CORA BOPP FAMILY LIMITED PARTNERSHIP C/O GARY H. FEDER

WHEREAS, a Conditional Use Permit Application was submitted to the Board of Aldermen, a copy of which is attached hereto as **Exhibit A** and incorporated by reference herein (the "Application"), by Cora Bopp Family Limited Partnership c/o Gary H. Feder (the "Applicant"), to allow certain uses described in **Exhibit B**, attached hereto and incorporated by reference herein, of a certain tract of property within the City of Dardenne Prairie more particularly described in **Exhibit C**, a copy of which is attached hereto and incorporated by reference herein, (the "Property"), and owned by Warren G. Busch and Grace L. Busch, husband and wife, William R. Aldrich and Irene M. Aldrich, husband and wife, Donald W. Prestien and Joan C. Prestien, husband and wife, Harold H. Prestien and Yvonne M. Prestien, husband and wife, Charles W. Prestien and Pamela Sue Prestien, husband and wife, and Cora Bopp Family Limited Partnership, L.P., a Missouri limited partnership (the "Owners"); and

WHEREAS, the property is zoned C-2, P.U.D., General Commercial District, Planned Unit Development; and

WHEREAS, the uses described in **Exhibit B** are permitted conditional uses under the Municipal Code of the City of Dardenne Prairie, Missouri, §§ 405.180 and 405.190; and

WHEREAS, the Board of Aldermen of the City of Dardenne Prairie, Missouri, did refer the Application to the City's Planning and Zoning Commission; and

WHEREAS, said Planning and Zoning Commission of the City did consider the Application and made a recommendation to the Board of Aldermen; and

WHEREAS, the Board of Aldermen and the Planning and Zoning Commission did hold hearings on the proposed conditional uses; and

WHEREAS, at these hearings interested persons and citizens were given an opportunity to be heard on the proposed conditional uses; and

WHEREAS, the Planning and Zoning Commission and the Board of Aldermen did consider the following:

1. The character of the surrounding area;

2. The traffic conditions of the surrounding area;
3. The public utility facilities;
4. The Comprehensive Plan, a copy of which is available in the office of the City Clerk and incorporated by reference herein;
5. The Application;
6. The City Code, a copy of which is available in the office of the City Clerk and incorporated by reference herein;
7. The Memo from the City Engineer to the Planning and Zoning Commission dated February 27, 2015, updated on March 10, 2015, a copy of which is attached hereto as **Exhibit D** and incorporated by reference herein;
8. The Site Plan submitted with the Application, prepared by Volz Incorporated, dated February 2, 2015, referencing project number 11313-0, which plan is on file in the office of the City Clerk and incorporated by reference herein;
9. The recommendation of the Planning and Zoning Commission;
10. Testimony presented at the hearing before the Planning and Zoning Commission on March 11, 2015, recorded audio of which is on file in the office of the City Clerk and incorporated by reference herein; and
11. Testimony presented at the hearing before the Board of Aldermen on March 18, 2015, recorded audio of which is on file in the office of the City Clerk and incorporated by reference herein.

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

SECTION 1. Based upon the evidence presented to it, and subject to the conditions stated herein, the Board of Aldermen of the City of Dardenne Prairie, Missouri, does hereby find and determine that the use of the Property for the conditional uses described on **Exhibit B**:

- a. Will not adversely affect the character or the traffic conditions of the surrounding area;
- b. Will not adversely affect public utility facilities;
- c. Complies with the Comprehensive Plan of the City and with other matters pertaining to the general welfare of its residents; and
- d. Meets all of the criteria set forth in § 405.475.B of the City Code.

SECTION 2. The Board of Aldermen of the City of Dardenne Prairie, Missouri, does hereby authorize the requested uses of the Property described on **Exhibit B**, subject to the Applicant's and Owners' compliance with all conditions set forth herein.

SECTION 3. Conditions of Issuance:

1. Applicant and Owners, having to the best of their knowledge provided the City with all information required by the appropriate sections of the Zoning Ordinance pertaining to C-2, General Commercial Districts, and P.U.D., Planned Unit Development Districts, agree that any information inadvertently omitted will be provided upon request, as soon as it may reasonably be obtained.

2. Applicant and Owners (or their successors in interest) agree that all improvements shall be constructed to meet all applicable federal, state and local codes and shall comply with all of the City's applicable ordinances and construction standards.

3. Applicant and Owners (or their successors in interest) agree that the Property shall be used in compliance with all requirements of the Municipal Code.

4. The Conditional Use Permit granted by this Ordinance is subject to the Applicant's and Owners' (or their successors in interest) compliance with the conditions reflected on the Site Plan submitted with the Application, prepared by Volz Incorporated, dated February 2, 2015, referencing project number 11313-0, which plan is on file in the office of the City Clerk and incorporated by reference herein.

5. Any violation of a requirement, term, condition or safeguard contained herein shall be considered a violation of Chapter 405 of the Municipal Code, subject to the applicable penalties contained therein and grounds for the Board of Aldermen to take all such actions as may be necessary to terminate and cancel the conditional use permit approved pursuant to this ordinance.

SECTION 4. 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.

SECTION 5. 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 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 invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

[The rest of this page is intentionally left blank. Signature page to follow.]

Read two (2) times, passed, and approved this _____ day of _____, 2015.

As Presiding Officer and as Mayor

Attest:

City Clerk

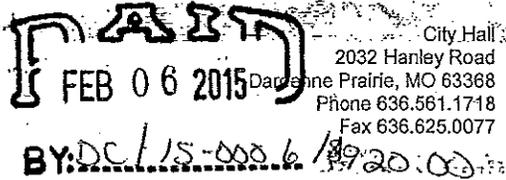
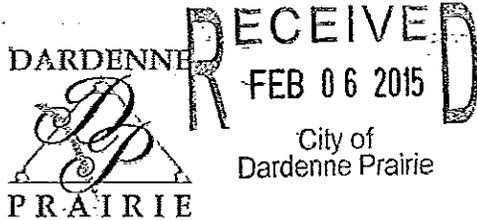
Approved this _____ day of _____, 2015.

Mayor

Attest:

City Clerk

"Exhibit A"



CONDITIONAL USE PERMIT APPLICATION

CITY OF DARDENNE PRAIRIE, MISSOURI
www.DardennePrairie.org

APPLICANT:

Cora Bopp Family Limited Partnership

Company Name
c/o Gary H. Feder, Attorney for Applicant.

Printed Name, Title
190 Carondelet Plaza, Suite 600

Street Address
Cheyton, Mo. 63105

City/State/Zip Code
314-480-1705 314-480-1505

Telephone gary.feder@huschblackwell.com Facsimile

Email Address

STREET ADDRESS OF CONDITIONAL USE: 1575 Bryan Road, Dardenne Prairie, Mo.

OWNER (attach additional): Don Prestine / Cora Bopp Family

Printed Name
Limited Partnership

Printed Name
815 N. Mason Rd.

Street Address
St. Louis, Mo. 63141

City/State/Zip Code

Telephone Facsimile

Email Address

Contract Purchaser/Developer:

Company Name

Printed Name, Title

Street Address

City/State/Zip Code

Telephone Facsimile

Email Address

See Ex. A attached
See Ex. A-1 attached

LEGAL DESCRIPTION OF PROPERTY (other than address) 15.4 acre +/- parcel designated as Commercial Phase 2 in P.U.D. Final Plan document dated 12/24/2014

EXISTING ZONING: C-2/PUD PROPOSED ZONING: C-2/PUD 11/9/2015

PROPOSED USE: Commercial Uses as described by type in Exhibit B attached

NO. UNITS: N/A CUP APPLICATION FEE SUBMITTED:

SITE PLAN REVIEW FEE SUBMITTED: P.U.D. Final Plan previously submitted, with application + review fee submitted on 2/2/15

CONDITIONAL USE PERMIT APPLICATION

The decision to recommend approval or denial of the proposed conditional use shall be based on the following criteria:

- A. The use complies with all applicable provisions of the zoning ordinance.
- B. The use at the specified location will contribute to and promote the welfare and convenience of the public.
- C. The use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
- D. The use shall not dominate the immediate neighborhood. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 1. The location, nature and height of buildings, structures, walls and fences on the site; and
 2. The nature and extent of proposed landscaping and screening on the site.
- E. Off-street parking and loading areas shall be provided in accordance with the standards set forth in the zoning ordinance.
- F. Adequate utility, drainage and other such necessary facilities must be provided.
- G. Adequate access roads or entrance and exit drives must be provided. (Minimum 25' for 2-way and 14' for 1-way traffic.)
- H. In consideration of requests for any conditional use permits, the Planning and Zoning Commission/Board of Aldermen shall require such conditions of use as it deems necessary to protect the best interests of the City and the surrounding property and to achieve the objectives of the zoning ordinance.
- I. A time limitation may be required.

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.



ENGINEERING
 LAND PLANNING
 LAND SURVEYING
 TRANSPORTATION
 CONSTRUCTION MANAGEMENT

Exhibit A

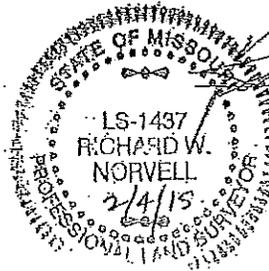
February 4, 2015

RWN

Re: Bryan and Feise Road Property
 Conditional Use Permit
 Volz Project No. 11313-02

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

Commencing at 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 South line of said subdivision South 89 degrees 00 minutes 48 seconds East 1247.96 feet, more or less, to a point in the proposed West line of Bryan Road, varying width; thence Southwardly along said proposed West line of Bryan Road South 01 degree 53 minutes 00 seconds West 943.58 feet to the Actual Point Of Beginning; thence Southwardly along said West line of Bryan Road the following courses and distances: South 01 degree 53 minutes 00 seconds West 740.83 feet, South 01 degree 25 minutes 23 seconds West 246.69 feet and along a curve to the right whose radius point bears North 88 degrees 34 minutes 37 seconds West 35.00 feet from the last mentioned point, a distance of 54.77 feet to a point in the proposed North line of Feise Road, varying width; thence continuing along said North line of Feise Road the following courses and distances: North 88 degrees 55 minutes 31 seconds West 339.47 feet, South 01 degree 25 minutes 31 seconds West 10.00 feet and North 88 degrees 55 minutes 31 seconds West 583.56 feet to a point; thence North 28 degrees 20 minutes 51 seconds East 160.79 feet to a point; thence North 35 degrees 04 minutes 58 seconds East 226.25 feet to a point; thence North 08 degrees 00 minutes 18 seconds East 72.90 feet to a point; thence North 17 degrees 01 minute 41 seconds East 174.23 feet to a point; thence North 19 degrees 56 minutes 15 seconds East 80.10 feet to a point; thence South 73 degrees 54 minutes 53 seconds East 31.64 feet to a point; thence North 23 degrees 22 minutes 09 seconds East 20.79 feet to a point; thence North 80 degrees 50 minutes 45 seconds East 61.60 feet to a point; thence North 43 degrees 02 minutes 04 seconds East 262.37 feet to a point; thence North 40 degrees 16 minutes 36 seconds East 47.74 feet to a point; thence North 30 degrees 26 minutes 23 seconds East 47.66 feet to a point; thence North 65 degrees 18 minutes 20 seconds East 70.16 feet to a point; thence North 85 degrees 22 minutes 25 seconds East 48.48 feet to a point; thence North 66 degrees 53 minutes 38 seconds East 84.36 feet to a point; thence North 86 degrees 16 minutes 31 seconds East 71.04 feet to a point; thence North 82 degrees 44 minutes 32 seconds East 101.10 feet to the point of beginning and containing 15.4 acres according to calculations by Volz Incorporated on February 4, 2015.



Richard W. Norvell

Richard W. Norvell, P.L.S.
 Professional Land Surveyor
 Mo. Reg. P.L.S. #1437

**EXHIBIT "B" TO
CONDITIONAL USE PERMIT APPLICATION
FOR 15.4 ACRE PARCEL
(PART OF LARGER 86.5 ACRE AREA PLAN)
(CORA MARIE'S MARKETPLACE – BRYAN AND FEISE ROADS)**

Applicant requests approval of the following conditional uses under Section 405.190 (C-2 General Commercial District):

Conditional Uses (reference below is to entire section in zoning regulations)

- Section 3 – Bakery . . .
- Section 4 – Drive-in Establishment . . .
- Section 5 – Lumber Yard . . .
- * Section 10 – Automobile Service Station . . .
- Section 11 – Commercial Recreational Uses . . .
- Section 12 – Display and Sales Room . . .
- Section 19 – Rental Agency . . .
- Section 20 – Veterinarian . . .
- Section 23 – Accessory Uses . . .
- Section 24 – Any permissive or conditional use in the "C-1" District

Applicant also requests approval of the following conditional uses under Section 405-180 (C 1 Local Commercial District):

Conditional Uses (reference below is to entire section in zoning regulations)

- * Section 2 – Automobile Service Station . . .
- Section 7 – Dressmaking . . .
- Section 9 – Nursery Sales . . .
- Section 10 – Personal Service Uses . . .
- ** Section 12 – Retail Store . . .
- Section 14 – Restaurants . . .
- Section 15 – Accessory Uses . . .
- Section 16 – Agriculture (as a permissive use in the "R" Districts)
- Section 18 – Health Service Providers

* Applicant understands such use to include automobile fueling facilities, irrespective of level of service

** Applicant understands "retail store" list of included products is by way of example rather than limitation

Exhibit "C"
(1 of 2)

HANNAH KUMPULA 27 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
CHARLES & HELEN BRYNER, LIVING TRUST 23 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
ROBERT R BENSON 21 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
VINCENT & PATRICIA BADALAMENTI 19 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
AARON CLINE 17 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
BLAKE PROPP 15 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
JAMES & JUNE MCMURTRY 11 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
SARAH BEESE 9 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
DIANE WILLIAMS 7 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
MATTHEW & CATHERINE MCDERMOTT 5 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
SCOTT & CHRISTINA HUNTER 3 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
JERRY & SKINNER SHERYL SKINNER 6 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
MARK & CHERYL HUNTER 10 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
GERALD & CARRIE MAUS 12 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
ERIC & TIFFANY WINKLER 14 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
KELLY & STEFANIE PRINCE 16 HEAVENLY VALLEY DR

Exhibit "C"
(2 of 2)

DARDENNE PRAIRIE MO, 63368
GENEVA ODESSA MITCHELL 18 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
RAYMOND & RUTH SMITH 22 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
PINNACLE POINTE HOMEOWNERS ASSOCIATION 10 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
PINNACLE POINT TRUSTEES 10 HEAVENLY VALLEY DR DARDENNE PRAIRIE MO, 63368
DENNIS & DONNA ROGLES 1257 PINNACLE POINTE DR DARDENNE PRAIRIE MO, 63368-6750
JAMES & KREITNER LYNN 1261 PINNACLE POINTE DR DARDENNE PRAIRIE MO, 63368
ROBYN G SCHABER REVOC TRUST 1297 FEISE RD DARDENNE PRAIRIE MO, 63368
MICHELLE LISTON 1269 PINNACLE POINTE DR DARDENNE PRAIRIE MO, 63368
SCHNUCK MARKETS INC 11420 LACKLAND RD ST LOUIS MO, 63146-3559
STEVEN & NOREEN MUELLER 9 SAGE MEADOWS CT O'FALLON MO, 63366
MASTER HOMEOWNERS ASSOCIATION PO BOX 176 ST PETERS MO, 63376
SFG LL 2011-1 LLC 3414 PEACHTREE RD NE STE 250 ATLANTA GA, 30326

EXHIBIT B

Applicant requests approval of the following conditional uses under Section 405.190 (C-2 General Commercial District):

Conditional Uses (reference below is to entire section in zoning regulations)

- Section 3 – Bakery . . .
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- Section 18 – Health Service Providers

* Applicant understands such use to include automobile fueling facilities, irrespective of level of service

** Applicant understands “retail store” list of included products is by way of example rather than limitation

"Exhibit C"



ENGINEERING
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONSTRUCTION MANAGEMENT

Exhibit A

February 4, 2015

RWN

Re: Bryan and Feise Road Property
Conditional Use Permit
Volz Project No. 11313-02

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

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Richard W. Norvell
Richard W. Norvell, P.L.S.
Professional Land Surveyor
Mo. Reg. P.L.S. #1437

"Exhibit D"

MEMO

TO: Dardenne Prairie Planning and Zoning Commission

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

DATE: February 27, 2015 ~~Updated March 10, 2015~~

SUBJECT: Planning and Zoning Commission Meeting Scheduled for March 11, 2015

Items for consideration at this meeting include:

PUBLIC HEARINGS:

1. Amendments to the Dardenne Prairie Municipal Code pertaining to zoning and land use regulations.

A public hearing for this item was opened by the Planning and Zoning Commission at their meeting on February 11, 2015. Commercial districts are located within the City to permit the development of business activities and to protect adjacent areas against the encroachment of incompatible uses and to lessen the congestion on public streets.

Pursuant to discussion by the Planning and Zoning Commission, the following information was provided for discussion at the Planning and Zoning Commission meeting on February 11, 2015:

City of O'Fallon Municipal Code sections:

- "C-O" Office District
- "C-1" Restricted Business District
- "C-2" General Business District
- "C-3" Highway Commercial District

City of St. Peters Municipal Code sections:

- "C-1" Neighborhood Commercial District
- "C-2" Community Commercial District
- "C-3" General Commercial District

City of Wentzville Municipal Code sections:

- "C-O" Office District
- "C-2" General Commercial District
- "C-3" Highway Commercial District

From the discussion at the Planning and Zoning Commission meeting on February 11, 2015, the following land uses and business license items were reviewed by the City Attorney, City Engineer and City Clerk and were found to be either already covered by the current Municipal Code or an item that could be regulated by business license or police powers (not through the Planning and Zoning Commission).

- Firearms sales; Itinerant Vendors, Solicitors and canvassers (Article III Sec. 605.300-310, 605.365-370)
- Alcohol sales of any type (Section 600.020, 600.035, 210.660)
- Pawnbrokers (Chapt. 620)
- Tattoo and body piercing establishments (Chapter 612; 405.200 CUP in I-1)
- Adult businesses (Section 405.454 – Chapt 630)
- Tobacco (Section 210.620, 210.660 210.670)
- Drones (Article XII – Performance Standards)
- Massage Establishment (Chapter 610)

- Mechanical amusement centers (Chapt. 625)
- Private security officers (could be by regulated by business license)
- Cigarette/Cigar/Vapor sales (police powers – see enclosed State of Missouri Regulations)

Also from the discussion at the Planning and Zoning Commission meeting on February 11, 2015, the following land uses and business license items were reviewed by the City Attorney, City Engineer and City Clerk and were found to be items not currently within the City Code that would fall within the land use regulatory purview of the Planning and Zoning Commission pursuant to Section 89.020.1, RSMo.

1. Shooting Range (could be land use – CUP plus 405.480: Additional Development Requirement of Certain Uses)
2. Payday and title loan business (could be zoning – could be business license) – O’Fallon has enacted laws on this (see enclosed)
3. Smoking / Vapor Lounge (could be land use – CUP)
4. Various sized retail (could be land use - CUP)

For your reference: RSMo. 89.020.1 For the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of all cities, towns, and villages is hereby empowered to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, the preservation of features of historical significance, and the location and use of buildings, structures and land for trade, industry, residence or other purposes.

2. **A Conditional Use Permit Application for the approximate 15.4 acres of land at the northwest corner of the intersection of Bryan Road and Feise Road known as “Commercial Area – 1” of the City-Approved Cora Marie’s Marketplace, P.U.D. Area Plan from Applicant Gary H. Feder, Husch Blackwell LLP, Attorney for Property Owner/Applicant Cora Bopp Family Limited Partnership.** The enclosed Conditional Use Permit Application was received by the City from the property owners’ attorney on February 4, 2015. The present zoning classification of this land is “C-2, P.U.D.” (General Commercial, Planned Unit Development). This application has been made to allow the various uses listed in Exhibit B of the enclosed Conditional Use Permit Application.

Upon review of the Conditional Use Permit Application, the enclosed comment letter was sent to the property owners’ engineer on February 13, 2015. On February 20, 2015, the City received the enclosed “Area Plan, Phase II, Conditional Uses” plan dated 02-20-2015 with no revisions. This P.U.D. Area Plan details the planned phasing of the 86.5-acre City-Approved Cora Marie’s Marketplace, P.U.D. Area Plan. On February 27, 2015, the enclosed comment letter was sent to the property owners’ attorney.

A response from the property owner’s attorney was received on March 4, 2015, and on March 10, 2015. A copy of these responses are attached for your reference.

3. **Adoption of revised zoning map.**

At least annually, if there has been the adoption of an ordinance by the Board of Aldermen of the City of Dardenne Prairie that changes the zoning of any tract of land in the City limits, the City Engineer shall cause the official map to be changed to reflect the new zoning. This Zoning Map shall also show the ordinance number and date of adoption of any zoning changes since the previous update. The Zoning Map has been updated on a regular basis; however, the last time the official Zoning Map was adopted by the Board of Alderman was April 2012.

A copy of the revised map proposed to be adopted by the Board of Aldermen as the official Zoning Map is enclosed for your reference.

NEW ITEMS:

1. **A P.U.D. Request – Final Plan for approximately 10.80 acres of land generally located at the northwest corner of the intersection of Bryan Road and Feise Road to be known as “Cora Marie’s Marketplace, Phase I” from Applicant Gary H. Feder, Husch Blackwell LLP, Attorney for Property Owner/Applicant Cora Bopp Family Limited Partnership.** The enclosed P.U.D. Request – Final Plan was received by the City from the property owners’ attorney on February 2, 2015. The present zoning classification of this land is “C-2, P.U.D.” (General Commercial, Planned Unit Development). Upon review of the P.U.D. Request – Final Plan, the enclosed comment letter was sent to the property owners’ engineer on February 13, 2015. On February 23, 2015, the City received the enclosed revised “P.U.D. - Final Plan, Phase 1” plan dated 01-08-2015 with latest revision of 02-19-2015. This P.U.D. Final Plan details the proposed improvements in this approximate 10.80 acres of the City-Approved Cora Marie’s Marketplace, Planned Unit Development.
2. **A Conditional Use Permit Application for the approximate 15.4 acres of land at the northwest corner of the intersection of Bryan Road and Feise Road known as “Commercial Area – 1” of the City-Approved Cora Marie’s Marketplace, P.U.D. Area Plan from Applicant Gary H. Feder, Husch Blackwell LLP, Attorney for Property Owner/Applicant Cora Bopp Family Limited Partnership.** From public hearing Item 2 above.
3. **Request to Vacate Public Right-of-Way from Villages at Bainbridge.** A request to vacate a portion of Devon Drive was received by the City on February 3, 2015. The request was reviewed by the City Engineer, and the enclosed 1st Review letter was sent to Villages at Bainbridge on February 13, 2015. A response to this review has not yet been received.

A response from the Villages at Bainbridge HOA’s attorney was received on March 5, 2015, and March 6, 2015. Copies of these responses are attached for your reference. The referenced “formal response” has not yet been received.

A response from The Sterling Company was received on March 6, 2015. A copy of this response is attached for your reference.

4. **Adoption of Revised Zoning Map.** From public hearing Item 3 above.

EXISTING ITEMS:

1. **Amendments to the Dardenne Prairie Municipal Code pertaining to zoning and land use regulations.** From public hearing Item 1 above.

INFORMATION ONLY:

1. **None.**

Enclosures

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

Response from Attorney for Cora Bopp Family Limited Partnership
March 4, 2015
(6 pages)

FW: Bopp deeds for 15 acre tract (Volz Project No. 11313)

1 message

Feder, Gary <Gary.Feder@huschblackwell.com>

Wed, Mar 4, 2015 at 11:27 AM

To: Luke Kehoe <engineer@dardennepairie.org>

Cc: "Don Prestien (prestien@charter.net)" <prestien@charter.net>, "(jyoung@hazelwoodweber.com)" <jyoung@hazelwoodweber.com>, "Meyer, Andrew" <Andrew.Meyer@huschblackwell.com>, "Human, David" <David.Human@huschblackwell.com>, "dave Volz (dvolz@volzinc.com)" <dvolz@volzinc.com>

Luke: Thank you for your letter to me dated 2/27/15. Attached are copies of the deeds you requested.

As you know, throughout the history of this project to date we have had Don Prestine execute applications on behalf of the Cora Bopp Family Limited Partnership which is the approximate 94% owner of the Final Plan site, including the affected CUP parcel. Family members who are part of that entity collectively own the remaining 6% (+/-). Do you need the individual owners to also sign some verification and /or need a Limited Partnership Resolution? I can work on getting that if required. Thanks.

Gary H. Feder
Partner
Direct: 314.480.1705
Gary.Feder@huschblackwell.com

From: David Volz [mailto:dvolz@volzinc.com]
Sent: Friday, February 27, 2015 3:20 PM
To: Feder, Gary
Subject: FW: Bopp deeds for 15 acre tract (Volz Project No. 11313)

Gary,

Here are the deeds for the CUP area that Luke requested.

Dave

From: Rick G. Norvell [mailto:rnorvell@volzinc.com]
Sent: Friday, February 27, 2015 2:31 PM
To: dvolz@volzinc.com
Subject: Bopp deeds for 15 acre tract (Volz Project No. 11313)

Dave:

Attached are the two deeds for ownership of the 15 acre tract.

Thank you,

Richard G. Norvell
Professional Land Surveyor
Volz Incorporated
10849 Indian Head Industrial Blvd.
St. Louis, Missouri 63132
Direct] 314-890-1253
ph] 314-426-6212
fax] 314-890-1250
web] www.volzinc.com

2 attachments



2679-1626.pdf
104K



2679-1628.pdf
104K

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

Re: Bryan & Feise Roads, Tract D

PARCEL NO. 1:

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 Saint Louis Country Club Greens Plat One, 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 One 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 the on the South line of Andrew Woods Plat One 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 Three as recorded in Plat Book 24 Page 148 of said Recorder's Office; thence along the Western line of said Plat Three and the Western line of Osage Meadows Plat Four as recorded in Plat Book 25 Page 110, Osage Meadows Plat Five as recorded in Plat Book 26 Page 81 and Osage Meadows Plat Six 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 Six; thence along the Southern line of said Plat Six, North 89 degrees 42 minutes 50 seconds Est, 302.52 feet to a point; said point being the Northwestern corner of Greenbriar Subdivision as recorded in Plat Book 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 a point; thence leaving said Western line and 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, 1677.40 feet to the point of beginning of the tract of land herein described; thence continuing along said right-of-way, South 00 degrees 10 minutes 31 seconds West, 320.00 feet to the Northern right-of-way line of Fiese Road, 40 feet wide; thence leaving said Western line and along said Northern line, North 89 degrees 53 minutes 09 seconds West, 408.38 feet to a point ; thence leaving said right-of-way line, North 00 degrees 10 minutes 31 seconds East, 320.00 feet to a point; thence South 89 degrees 53 minutes 09 seconds East, 408.38 feet to the point of beginning.

END OF DOCUMENT

Response from Attorney for Cora Bopp Family Limited Partnership
March 10, 2015
(3 pages)

Bopp Property

1 message

Feder, Gary <Gary.Feder@huschblackwell.com>
To: Luke Kehoe <engineer@dardenneprairie.org>

Tue, Mar 10, 2015 at 12:47 PM

Luke:

2 pages of Current Minutes are attached. Thanks.

Gary H. Feder
Senior Counsel

HUSCH BLACKWELL LLP
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105-3433
Direct: 314.480.1705
Fax: 314.480.1505
gary.feder@huschblackwell.com
huschblackwell.com



20150310173357463.pdf
76K

CORA BOPP FAMILY LIMITED PARTNERSHIP

Consent Minutes of Special Meeting

March 9, 2015

The undersigned, being all of the Managers of BOPP FAMILY, L.L.C., the General Partner of the CORA BOPP FAMILY LIMITED PARTNERSHIP, a Missouri limited partnership (hereinafter called the "Partnership"), hereby waive notice and the holding of a special meeting and consent to, adopt, and vote in favor of the following, such consent to have the same effect as a vote of the General Partner at a meeting duly held. This written consent may be executed in any number of counterparts and by electronically transmitted signature, and all such counterparts and signatures shall constitute this entire written consent.

Application for Conditional Use Permit - City of Dardenne Prairie

RESOLVED, that the General Partner hereby authorizes and appoints DONALD W. PRESTIEN to sign alone as a Manager of the General Partner of the Partnership that certain Application for a Conditional Use Permit (the "Application") for the City of Dardenne Prairie for the purpose of development of the Partnership's property located at Bryan and Feise Roads in St. Charles County, Missouri; and

RESOLVED FURTHER, that DONALD W. PRESTIEN, as a Manager of the General Partner, is authorized and directed in the name of and on behalf of the Partnership (i) to execute and deliver the Application, and (ii) to take such further actions and execute and deliver such other documents, instruments, agreements and certificates as may reasonably be necessary or appropriate to perform the terms and conditions of the Application as required by City of Dardenne Prairie, and (iii) to carry out and act upon the issuance of such Conditional Use Permit by the City of Dardenne Prairie for the development of the Partnership's property at Bryan and Feise Roads in St. Charles County, Missouri; and

RESOLVED FURTHER, that the authority given hereunder shall be deemed retroactive and any and all acts performed prior to the passage of these resolutions are hereby ratified and approved.

Approved and adopted as of the day and year first above written:

BOPP FAMILY, L.L.C.

By: Lee Ann Difani
LEE ANN DIFANI, Manager

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

By: In Counterpart
DONALD W. PRESTIEN, Manager

CORA BOPP FAMILY LIMITED PARTNERSHIP

Consent Minutes of Special Meeting

March 9, 2015

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RESOLVED FURTHER, that DONALD W. PRESTIEN, as a Manager of the General Partner, is authorized and directed in the name of and on behalf of the Partnership (i) to execute and deliver the Application, and (ii) to take such further actions and execute and deliver such other documents, instruments, agreements and certificates as may reasonably be necessary or appropriate to perform the terms and conditions of the Application as required by City of Dardenne Prairie, and (iii) to carry out and act upon the issuance of such Conditional Use Permit by the City of Dardenne Prairie for the development of the Partnership's property at Bryan and Feise Roads in St. Charles County, Missouri; and

RESOLVED FURTHER, that the authority given hereunder shall be deemed retroactive and any and all acts performed prior to the passage of these resolutions are hereby ratified and approved.

Approved and adopted as of the day and year first above written.

BOPP FAMILY, L.L.C.

By: In Counterpart
LEE ANN DIFANI, Manager

By: In Counterpart
SUSAN A. BUSTER, Manager

By: Donald W. Prestien
DONALD W. PRESTIEN, Manager

Response from Attorney for Villages at Bainbridge HOA
March 5, 2015
(18 pages)

FW: Villages of Bainbridge - City of Dardenne Prairie - Request to Vacate Public Right-of-Way (portion of Devon Drive) 2/3/2015

Mary Schultz <mschultz@sl-lawyers.com>

Thu, Mar 5, 2015 at 5:08 PM

To: Luke Kehoe <engineer@dardennepairie.org>

Cc: Kim Clark <CityClerk@dardennepairie.org>, "mayorfogarty@dardennepairie.org"

<mayorfogarty@dardennepairie.org>, Dave Kampelman <aldermankampelman@dardennepairie.org>, David

Zucker <aldermanzucker@dardennepairie.org>, Bob Menichino <aldermanmenichino@dardennepairie.org>, Doug

Santos <aldermansantos@dardennepairie.org>, Sharon West <aldermanwest@dardennepairie.org>, Dan Koch

<aldermankoch@dardennepairie.org>

Thank you for your "review letter" dated February 13, 2015 (electronic (.pdf) copy "attached"). I forwarded your review letter to Sterling Engineering, which prepared the original plats for the Villages of Bainbridge, and most of the materials I submitted on behalf of the homeowners association for the Villages of Bainbridge. (The application to vacate an unused and undeveloped portion of Devon Drive is also "attached".) I spoke with an engineer from Sterling Engineering, who told me I should receive Sterling's comments tomorrow morning. I hope to get a more formal response to you early next week. In the meantime, please be assured the Bainbridge homeowners are not proposing a "new" use for the unimproved and unused limited portion of the right-of-way for Devon Drive, the subject of the application. The subject property would remain "as is", common ground held in trust for the homeowners of the Villages of Bainbridge. It is my understanding that many homeowners have signed a homeowners' petition that vacation of a limited portion of the right-of-way for Devon Drive would serve the public interest, by reducing the threat of more traffic that might imperil public safety. Vacation of the unused and undeveloped portion Devon Drive would protect the residential character of the neighborhood, the very reason that the Bainbridge homeowners live in Dardenne Prairie. I look forward to meeting you next week.

Mary B. Schultz

Schultz & Associates LLP

mschultz@sl-lawyers.com

www.sl-lawyers.com

640 Cepi Drive, Suite A
Chesterfield, MO 63005-1221
(636) 537-4645
(636) 537-2599 (fax)

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From: Mary Schultz [mailto:mschultz@sl-lawyers.com]

Sent: Tuesday, February 03, 2015 3:39 PM

To: cityclerk@dardenneprairie.org; engineer@dardenneprairie.org
Cc: mayorfogarty@dardenneprairie.org; aldermankampelman@dardenneprairie.org; aldermanzucker@dardenneprairie.org; aldermanmenichino@dardenneprairie.org; aldermansantos@dardenneprairie.org; aldermanwest@dardenneprairie.org; aldermankoch@dardenneprairie.org
Subject: Villages of Bainbridge - City of Dardenne Prairie - Request to Vacate Public Right-of-Way (portion of Devon Drive) 2/3/2015

Electronic (.pdf) copy "attached". Also hand-delivered and deposited in U.S. Mail.

Mary B. Schultz

Schultz & Associates LLP

mschultz@sl-lawyers.com
www.sl-lawyers.com

640 Cepi Drive, Suite A
Chesterfield, MO 63005-1221
(636) 537-4645
(636) 537-2599 (fax)

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2 attachments

 Bainbridge, Villages of - City of Dardenne Prairie - Request to Vacate Public Right-of-Way (portion of Devon Drive) 2.3.2015 SLL7738_000.pdf
4803K

 Baiinbridge - City Engineer Review Letter.2.13.2015. 970351-Villages-of-Bainbridge-HOA-Request-ROW-Vacation-Portion-of-DevonDr-Review-01 (3).pdf
2635K



City Engineer
Phone 636.978.6008
Fax 636.898.0923
Engineer@DardennePrairie.org

City Hall
2032 Hanley Road
Dardenne Prairie, MO 63368
Phone 636.561.1718
Fax 636.625.0077

February 13, 2015

Villages of Bainbridge
Mary B. Schultz, Attorney
Schultz & Associates LLP
640 Cepi Drive, Ste. A
Chesterfield, MO 63005
mschultz@sl-lawyers.com

Subject: Request to Vacate Public Right-of-Way Application – 1st Review
Portion of Devon Drive in the Villages of Bainbridge Residential Subdivision
Dardenne Prairie Project No. 970351

Dear Ms. Schultz:

The subject application received by the City on February 3, 2015, for consideration by the Dardenne Prairie Planning and Zoning Commission and Board of Aldermen has been reviewed. The application review fee of \$100.00 has been received by the City.

The Board of Aldermen, upon recommendation from the Planning and Zoning Commission will determine what action on the subject application would best serve and protect the public interest, and expresses the City's values related to right-of-way vacations. Pursuant to City Code, the default position is that unless there are compelling reasons to vacate, the City will retain the right-of-way for future public purposes. Please address the following City Code-required items.

1. The provided legal description of the right-of-way to be affected does not appear to correlate to the referenced subdivision plats and existing right-of-ways of Devon Drive, Garrick Place and Hampshire Heath (see attached redlined legal description for points of question). Please provide one (1) printed copy and one (1) electronic copy (in a Microsoft Word compatible format) of the corrected legal description.
2. Provide a scaled map of the subject right-of-way, correlated with its legal description and clearly showing the location of the right-of-way to be affected;
3. The names, addresses and telephone numbers of the applicant(s), all the fee owners of the property(s) burdened by the right(s)-of-way, and copies of the deeds on file with the office of the St. Charles County Recorder of Deeds evidencing such ownership;
4. Provide copies of all deeds, plats, easements, instruments of dedication or such other records or documents on file with the office of the St. Charles County Recorder of Deeds evidencing the location, nature and extent of the right(s)-of-way subject to the application;
5. The submitted application indicates that the right-of-way to be affected is zoned R/1A. The subject development is shown to be zoned R-1D, PUD on the Dardenne Prairie Zoning Map.

Subject: Request to Vacate Public Right-of-Way – 1st Review
Portion of Devon Drive in the Villages of Bainbridge Residential Subdivision
Dardenne Prairie Project No. 970350

6. Please clarify the proposed use of the subject property area.
 - a. The attached copy of a portion of the design site improvement construction plans for the subject development shows existing 8" water mains in a portion of the right-of-way to be affected. You may wish to confer with Public Water Supply District No. 2 of St. Charles County and all other utility companies that have an interest in the right-of-way to be affected. Please provide a copy of any correspondence in this matter.

The subject application will be considered by the Planning and Zoning Commission at their meeting on March 11, 2015, and by the Board of Aldermen at their meeting on March 18, 2015. Both of these meetings are scheduled to begin at 7:00 pm at the Dardenne Prairie City Hall. All plans, drawings 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.

If you have any questions, please feel free to contact me.

Sincerely,
KEHOE ENGINEERING COMPANY, INC.



Luke R. Kehoe, P.E., CFM, LEED AP
City Engineer

Attachments

cc: Pamela Fogarty, Mayor
Kim Clark, City Clerk
Planning and Zoning Commission
Board of Aldermen

THE **STERLING** CO

ENGINEERS & SURVEYORS

5055 New Baumgartner Road St. Louis, Missouri 63129
(314) 487-0440 fax: (314) 487-8944

Order Number: 99-03-195

Date: Oct. 30, 2014

Page 1 of 1: By: BRD

PROPERTY DESCRIPTION

Project: THE VILLAGES AT BAINBRIDGE
Description: LAND DESCRIPTION - RIGHT OF WAY VACATION

BEGINNING AT THE SOUTHEAST CORNER OF HAMPSHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE RECORDED IN PLAT BOOK 37 AT PAGE 327, RECORDS OF ST. CHARLES COUNTY, MISSOURI, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LAKESHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE RECORDED IN PLAT BOOK 37 AT PAGE 208, OF THE ABOVE MENTIONED RECORDER'S OFFICE, SAID POINT ALSO BEING ON THE WEST LINE OF A TRACT OF LAND DEEDED TO CORA BOPP FAMILY LIMITED PARTNERSHIP IN DEED BOOK 2679 AT PAGE 1612, OF THE ABOVE MENTIONED RECORDER'S OFFICE; THENCE ALONG THE EAST LINE OF SAID LAKESHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE AND THE WEST LINE OF SAID BOPP TRACT, SOUTH $00^{\circ}50'13''$ WEST, 30.50 FEET TO THE NORTHEAST CORNER OF A 2,041 SQUARE FOOT, COMMON GROUND TRACT AS SHOWN ON SAID RECORD PLAT FOR LAKESHIRE VILLAGE; THENCE AROUND SAID COMMON GROUND TRACT, NORTH $89^{\circ}09'47''$ WEST, 100.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 9.50 FEET, A DELTA OF 180° , AN ARC LENGTH OF 29.71 FEET TO A POINT; THENCE TANGENT TO PREVIOUS CURVE, SOUTH $89^{\circ}09'47''$ EAST, 100.00 FEET TO THE SOUTHEAST CORNER OF SAID COMMON GROUND TRACT, SAID POINT ALSO BEING ON THE COMMON LINE OF SAID LAKESHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE AND BOPP TRACT; THENCE ALONG SAID COMMON LINE, SOUTH $00^{\circ}50'13''$ WEST, 30.50 FEET TO THE NORTHEAST CORNER OF THE 2,350 SQUARE FOOT, COMMON GROUND TRACT NORTH OF LOT 1G OF SAID LAKESHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE; THENCE ALONG THE NORTH LINE OF SAID COMMON GROUND TRACT, NORTH $89^{\circ}09'47''$ WEST, 99.17 FEET TO A POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 25 FEET, A DELTA OF 90° AND AN ARC LENGTH OF 34.24 FEET TO A POINT ON THE EAST LINE OF GARRICK PLACE (50' WIDE); THENCE ALONG THE EAST LINE OF SAID GARRICK PLACE, NORTH $00^{\circ}50'13''$ EAST, 127.50 FEET TO A POINT ON THE WEST LINE OF LOT 1F OF AFOREMENTIONED HAMPSHIRE VILLAGES OF THE VILLAGES AT BAINBRIDGE; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIAL BEARING OF NORTH $87^{\circ}58'28''$ EAST A RADIUS OF 25.00 FEET, A DELTA OF 90° AND AN ARC LENGTH OF 34.24 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE SOUTH LINE OF AFOREMENTIONED HAMPSHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE AND THE NORTH LINE OF AFOREMENTIONED LAKESHIRE VILLAGE OF THE VILLAGES AT BAINBRIDGE; THENCE ALONG SAID COMMON LINE, SOUTH $89^{\circ}09'47''$ EAST, 99.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 8,126 SQUARE FEET.

southeast?

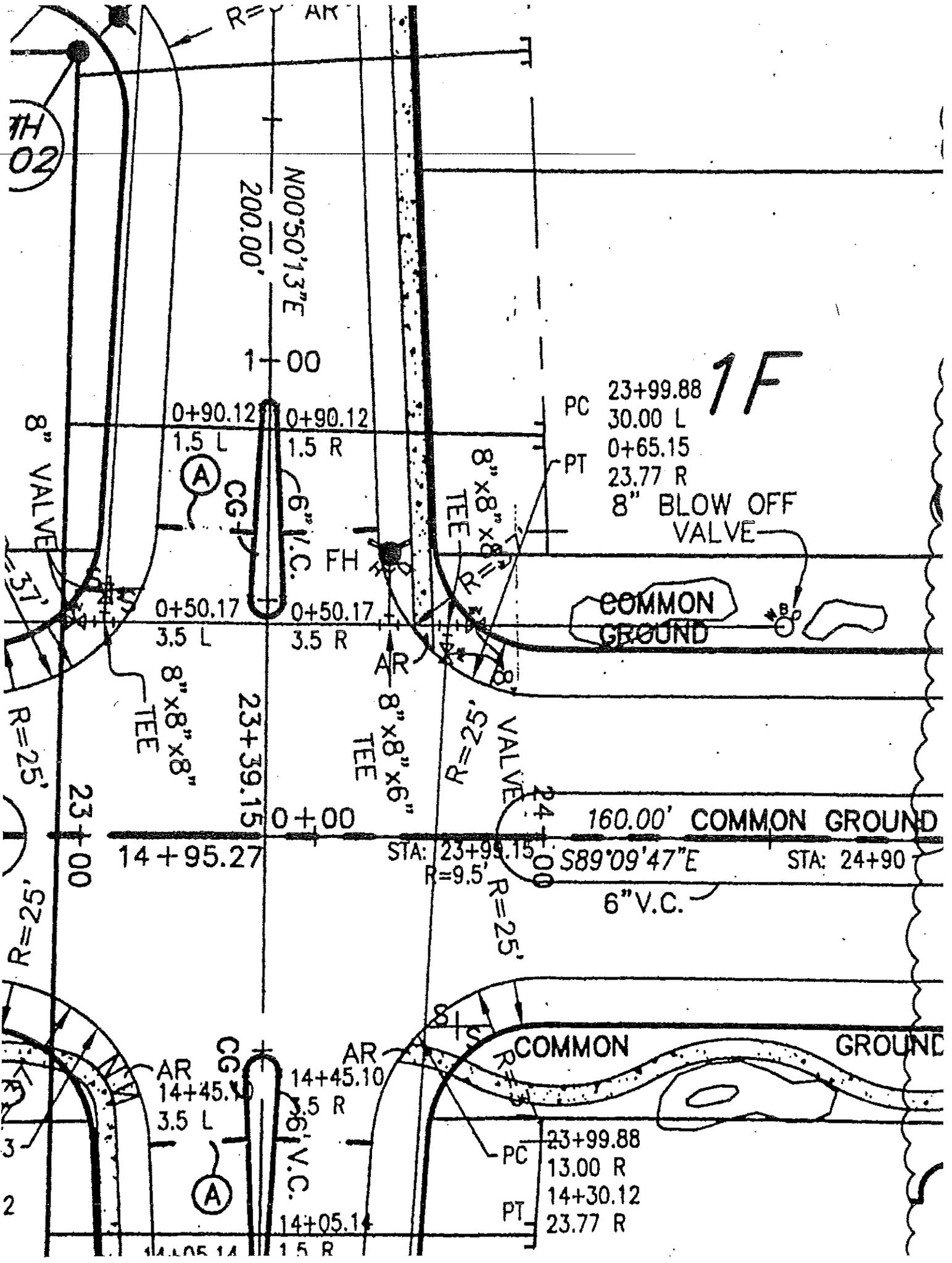
south?

120.00?

not along east line of Garrick Place?

Legal Description

8,088.6 square feet?



ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AMENDING SECTION 405.100 OF THE MUNICIPAL CODE BY DELETING SUBSECTION B THERETO IN ITS ENTIRETY; ENACTING IN LIEU THEREOF A NEW SUBSECTION B TO SECTION 405.100; AND ADOPTING A REVISED ZONING MAP FOR THE CITY

WHEREAS, the Board of Aldermen of the City of Dardenne Prairie, Missouri, referred to the City's Planning and Zoning Commission a proposal to adopt a revised zoning map of the City; and

WHEREAS, the Planning and Zoning Commission of the City made a recommendation to the Board of Aldermen based directly upon the particular evidence presented to it; and

WHEREAS, the Board of Aldermen and the Planning and Zoning Commission did hold hearings on this proposed adoption of the zoning map; and

WHEREAS, at these hearings interested persons and residents were given an opportunity to be heard on this proposed adoption of the zoning map;

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

SECTION 1. That Section 405.100 of the Municipal Code of the City of Dardenne Prairie, Missouri, be and it is hereby amended by deleting subsection B thereto in its entirety, and enacting, in lieu thereof a new subsection B to Section 405.100, to read as follows:

B. *Revised Zoning Map Adopted.*

1. The official Zoning Map of the City of Dardenne Prairie, dated March 1, 2012, is hereby replaced, corrected and made current by the adoption of the revised Zoning Map of the City of Dardenne Prairie, Missouri, prepared by the City Engineer, and dated February 27, 2015.
2. The revised Zoning Map of the City of Dardenne Prairie, Missouri, dated February 27, 2015, shall be used to determine the zoning of all land within the City of Dardenne Prairie as of March 18, 2015.

SECTION 2. Effective Date: This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION 3. 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 4. 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 two times, passed, and approved this _____ day of _____, 2015.

As Presiding Officer and as Mayor

Attest:

City Clerk

Approved this _____ day of _____, 2015.

Mayor

Attest:

City Clerk

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE,
MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE
AN AGREEMENT WITH THE ECONOMIC
DEVELOPMENT CENTER OF ST. CHARLES COUNTY
FOR ECONOMIC DEVELOPMENT SERVICES**

WHEREAS, the Board of Aldermen of the City of Dardenne Prairie, Missouri, find and determine that it is desirable to obtain marketing, loan packaging and servicing for industrial revenue bonds and SBA 504 loans from the Economic Development Center of St. Charles County;

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

SECTION 1. That the form, terms, and provisions of the Agreement attached hereto, marked as Exhibit A, and incorporated by reference herein, by and between the City of Dardenne Prairie, Missouri, and Economic Development Center of St. Charles County be and they hereby are approved and the Mayor is hereby authorized, empowered and directed to further negotiate, execute, acknowledge, deliver and administer on behalf of the City such Agreement in substantially the form attached hereto. The City Clerk is hereby authorized and directed to attest to the Agreement and other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of the Agreement and this Ordinance.

SECTION 2. 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 3. Effective Date: This Ordinance shall be in full force and take effect from and after its final 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.

Read two times and passed this ____ day of _____, 2015.

As Presiding Officer and as Mayor

Attest:

City Clerk

Approved this ____ day of _____, 2015.

Mayor

Attest:

City Clerk

EXHIBIT A
AGREEMENT

Whereas, the St. Charles Economic Development Center serves as a one-stop shop for small business financing, training and education, incubation services and development assistance; and

Whereas, the Economic Development Center consolidates existing economic development organizations and prevents duplication of effort and staff resources; and

Whereas, the Economic Development Center seeks a positive and recognizable identity as the contact point of economic development opportunities in the county; and

Whereas, the Economic Development Center serves as the clearinghouse and implementor of financial and other programs which will result in the retention and creation of private sector jobs in the county; and

Whereas, the Economic Development Center will provide marketing, loan packaging and servicing for industrial revenue bonds and SBA 504 loans; and

Whereas, the Economic Development Center shall operate and manage the Center, a small business incubator, to assist the development of small business;

NOW, THEREFORE, The City of Dardenne Prairie, Missouri (City), and the Economic Development Center of St. Charles County (Center), on the __ day of _____, 2015, agree as follows:

1. The Center shall provide a minimum of \$6,500 of services providing marketing, loan packaging and servicing for industrial revenue bonds and SBA 504 loans. As part of the services, Center shall serve as a one-stop shop for small business financing and development assistance, consolidate existing economic development organizations and prevent duplication of effort and staff resources, seek a positive and recognizable identity as the contact point of economic development opportunities in the County, operate and manage the small business incubator and serve as the clearinghouse and implementor of financial and other programs which will result in the retention and creation of private sector jobs in the City and County.

2. The Center shall provide documentation to the City indicating the extent of the services provided. The documentation shall be provided quarterly.

3. The City shall pay the Center \$6,500 for the services required by this agreement. Payment shall be made within 30 days after the effective date of this agreement.

CITY OF DARDENNE PRAIRIE, MISSOURI

by: Pam Fogarty, Mayor

ATTEST:

City Clerk

ECONOMIC DEVELOPMENT CENTER
OF ST. CHARLES COUNTY


by: Gregory D. Prestemon, President