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

PLANNING & ZONING COMMISSION
AGENDA
AUGUST 12, 2015
7:00 P.M.

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Zucker
Alderman Koch
Chairman Etzkorn
Commissioners:
- Fine
- King
- Collins
- Claspille
- Donahue
- Brockmann
- Shea
- Mutz

ELECTION OF SECRETARY

OPEN FORUM

PUBLIC HEARINGS

1. Amendment to the Dardenne Prairie Municipal Code pertaining to a moratorium on the City's acceptance and issuance of development or construction permits and approvals for the development of property within the area of the Uptown Zoning District.

OLD BUSINESS

1. Amendment to the Dardenne Prairie Municipal Code pertaining to a moratorium on the City's acceptance and issuance of development or construction permits and approvals for the development of property within the area of the Uptown Zoning District.

APPROVAL OF MINUTES

Approval of 07-08-15 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: July 31, 2015

SUBJECT: Planning and Zoning Commission Meeting Scheduled for August 12, 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 retailed (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.

At your meeting on March 11, 2015, the Planning and Zoning Commission voted to postpone the public hearing for this item until your meeting on April 8, 2015.

At your meeting on April 8, 2015, the Planning and Zoning Commission discussed the existing Municipal Code related to permitted and conditional uses with the C-1 and C-2 zoning districts and asked that comparative analysis be made to adjacent cities that fall within the bounds of potential site locations of businesses seeking to locate in the region.

A working document for possible C-1 and C-2 permitted and conditional uses was provided with your May 13, 2015, meeting packet. At your discretion, this document may be used as a working draft for a "proposed Section 405.180 and 405.190 of the City Code." Also provided was a Commercial Zoning Code Comparison Spreadsheet for comparing land uses from the various commercial zoning districts in the cities of O'Fallon, Lake St. Louis, Wentzville and St. Peters. The city of O'Fallon regulations was used as a base to generate potential permitted and conditional uses because this city has the most comprehensive and detailed list of uses of all the cities reviewed and, consistent with the discussion from previous Planning and Zoning commission discussions, a comparison can be made to other land use regulations from areas that are within the bounds of potential site locations of businesses seeking to locate in the region.

The city of O'Fallon has five different commercial zoning districts in its code. The C-1, Restricted Business District and C-2, General Business District, are most comparable to the C-1, Local Commercial District and C-2 General Commercial District in the city of Dardenne Prairies in terms of uses and expressed purpose. The enclosed working document for possible C-1 and C-2 permitted and conditional uses was generated using comparable, but more restrictive regulations from the adjacent cities' regulations. For example, in O'Fallon, restaurants are generally permitted uses. In St. Peters, however, a restaurant in a strip center is permitted, but one in free-standing building is a conditional use. Therefore, the more restrictive use was used. In certain uses, compatibility with the stated purposes of Dardenne Prairie zoning districts was

less obvious. For example, the various wholesale, manufacturing or heavy equipment related uses otherwise allowed as conditional uses in O'Fallon were not include in the enclosed working document for possible C-1 and C-2 permitted and conditional uses.

Also, uses in the City of Dardenne Prairie Code that are no longer likely to be compatible with the current development of the City (e.g., "amusement park or racetrack", "truck terminals", "Farm store or feed store including accessory storage of liquid or solid fertilizer", etc.) are not included in the enclosed working document for possible C-1 and C-2 permitted and conditional uses.

At their meeting on July 8, 2015, the Planning and Zoning Commission voted to postpone this item until their meeting scheduled for September 9, 2015.

2. **A public hearing concerning a moratorium on the City's acceptance and issuance of development or construction permits and approvals for the development of property within the area of the Uptown Zoning District.** A copy of the Dardenne Prairie City Plan for the Uptown Zoning District is included in Appendix A of the Dardenne Prairie Comprehensive Plan, which is available on the City's website for your reference.

   The Uptown Zoning District is a proposed mixed-use community center for the residents of Dardenne Prairie and as a regional destination for visitors. The approximate 300-acre Uptown Zoning District is made up of four distinct planning areas with unique character and function:
   1. City Center (the area around the Highway N and Hanley Road intersection)
   2. Technology Campus (along Interstate 64 and Technology Drive)
   3. Feise Road Corridor (for residential and commercial development along Feise Road)
   4. Community Center (for future redevelopment of the area at and around the existing Dardenne Town Square development)

   The Uptown Zoning District was developed as a compact, mixed-use planning area as an alternative to single-use suburbanized development that is prevalent throughout the area with an amenity-rich civic center, variable commercial site options and variety of housing sizes and types.

   The Uptown Zoning District plan cautions that there would be certain challenges, with its implementation, which would be dependent upon the City's "well-positioned geographic location, effective leadership and relative prosperity."

   At their meeting on July 8, 2015, the Planning and Zoning Commission opened a public hearing for this item, directed the City Engineer to send Notice of Public Hearing letters to all property owners within the Uptown Zoning District and voted to continue this public hearing at their meeting scheduled for August 8, 2015. A copy of the letter and public notice that were sent to property owners within the Uptown Zoning District are attached for your reference.

NEW ITEMS:

1. **A public hearing concerning a moratorium on the City's acceptance and issuance of development or construction permits and approvals for the development of property within the area of the Uptown Zoning District.** From Public Hearing Item 2 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

DARDENNE
PRAIRIE
www.DardennePrairie.org

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

City Engineer
Phone 636.978.6008
Fax 636.898.0923
Engineer@DardennePrairie.org

July 24, 2015

Re: Notice of Public Hearing
Dardenne Prairie, Missouri

Dear Property Owner:

The City of Dardenne Prairie is going to re-examine the usefulness of the Uptown Zoning District over the course of the next several months with the intent to retain, revise, reduce or eliminate it from the City's Comprehensive Plan. The City is considering whether to suspend new development within the Uptown Zoning District while the re-examination takes place. The City invites you to share your opinion on this subject.

Attached is a copy of a Notice of Public Hearing concerning a moratorium on the City's acceptance and issuance of development or construction permits and approvals for the development of property within the area of the Uptown Zoning District. You are being sent this letter because you are the owner of property within or adjacent to the City of Dardenne Prairie's Uptown Zoning District.

You are welcome to attend and be heard at the public hearings.

If you have any questions, please feel free to contact me at (636) 978-6008.

Sincerely,
KEHOE ENGINEERING COMPANY, INC.

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

Attachment

cc: David C. Zucker, Mayor
Kim Clark, City Clerk
Dardenne Prairie Planning and Zoning Commission
Dardenne Prairie Board of Aldermen

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Dardenne Prairie, Missouri, will conduct a Public Hearing before the Planning and Zoning Commission on Wednesday, August 12, 2015, at 7:00 p.m., or as soon thereafter as same may be heard, at the City of Dardenne Prairie City Hall located at 2032 Hanley Road in Dardenne Prairie, Missouri, and before the Board of Aldermen on Wednesday, August 19, 2015, at 7:00 p.m., or as soon thereafter as same may be heard, at the City of Dardenne Prairie City Hall located at 2032 Hanley Road in Dardenne Prairie, Missouri, concerning a moratorium on the City's acceptance and issuance of development or construction permits and approvals for the development of property within the area of the Uptown Zoning District.

DARDENNE
PRAIRIE
www.DardennePrairie.org

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

CERTIFICATE OF MAILING

I hereby certify that the attached letter and Notice of Public Hearing, were sent by ordinary, first class mail, to the Property Owners on the attached list this 24th day of July, 2015.

Luke R. Kehoe, P.E., CFM, City Engineer
Kehoe Engineering Company, Inc.

Parcel Id	Site Address	Owner(s)	Mailing Address
4-0033-4052-01-0001.0000000	2089 HANLEY RD	ST CHARLES COUNTY CATHOLIC CHURCH REAL EST TRUST	20 ARCHBISHOP MAY DR, ST LOUIS MO, 63119
4-0033-4052-01-0001.0000000	2089 HANLEY RD	JOHN T. LEGER, DIRECTOR OF ADMINISTRATION	20 ARCHBISHOP MAY DR, ST LOUIS MO, 63119
4-0033-4052-02-0001.0000000	7707 WHITE BIRCH LN	BUCHHEIT DAVID*BUCHHEIT JUDITH	7707 WHITE BIRCH LN, DARDENNE PRAIRIE MO, 63368
4-0033-4052-02-0003.0000000	2063 HANLEY RD	BURKEMPER PHILIP J*BURKEMPER CYNTHIA M	2063 HANLEY RD, DARDENNE PRAIRIE MO, 63368
4-0033-4052-02-0003.1000000	7701 WHITE BIRCH LN	BROCKMEIER WALTER BRUCE*BROCKMEIER RENDA	7701 WHITE BIRCH LN, DARDENNE PRAIRIE MO, 63368
4-0033-4052-02-0002.0000000	WHITE BIRCH LN	BUCHHEIT DAVID*BUCHHEIT JUDITH	7707 WHITE BIRCH LN, DARDENNE PRAIRIE MO, 63368
4-0033-4052-03-0001.0000000	2025 HANLEY RD	WENTZVILLE R-4 SCHOOL DISTRICT	1 CAMPUS DR, WENTZVILLE MO, 63385
4-0033-S002-00-0026.0000000	7701 HWY N	ST CHARLES COUNTY CATHOLIC CHURCH REAL EST TRUST	20 ARCHBISHOP MAY DR, ST LOUIS MO, 63119
4-0033-S002-00-0027.0000000	7755 HWY N	OHRMAN THOMAS J*OHRMAN SANDRA K	7755 HWY N, DARDENNE PRAIRIE MO, 63368
4-0033-S002-00-0029.0000000	7773 HWY N	ERKER WILLIAM H SR REVOC TRUST	7420 BLAND AVE, ST LOUIS MO, 63105
4-0033-S002-00-0019.0000000	1999 HANLEY RD	BLATTNER FAMILY RESIDENCE TRUST	1999 HANLEY RD, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0010.0000000	1966 HANLEY RD	HANLEY JAMES A	1709 RENOIR DR, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0001.2100000	1296 FEISE RD	PUBLIC WATER SUPPLY DIST NO 2 OF ST CHARLES CO MO	100 WATER DR, OFALLON MO, 63366
4-0033-S001-00-0025.0000000	2032 HANLEY RD	TOWN OF DARDENNE PRAIRIE	2032 HANLEY RD, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0025.0120000	HWY N	ZUCKNER MARY GENTEMANN LIVING TRUST	1823 WALNUTWAY DR, ST LOUIS MO, 63146
4-0033-S001-00-0025.0140000	HWY N	PREWITT REGINE O TRUST	1 BRIAR PATCH DR, DEFIANCE MO, 63341
4-0033-S001-00-0025.0130000	7601 HWY N	PREWITT MAUREEN*PREWITT WAYNE	7601 HWY N, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0025.0160000	HANLEY RD	KERSTING JEAN M LIV TRUST*PREWITT MAUREEN C LIV TRUST*WILMES RAYMOND L* WILMES RITA A REVOC LIVTRUS*	75 HAMPSHIRE HEATH CT, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0025.5000000	1390 FEISE RD	PRINSTER PAUL C*PRINSTER BARBARA A	1390 FEISE RD, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0025.3000000	1332 FEISE RD	CONNECTION CHRISTIAN CHURCH	1054 RONDALE CT, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0025.4000000	1400 FEISE RD	GABLE RON*GABLE SUSAN	253 CHESTNUT HILL DR, OFALLON MO, 63368
4-0033-S001-00-0025.6000000	2006 HANLEY RD	FARRELL KENNETH W*FARRELL BARBARA A	2006 HANLEY RD, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0025.1000000	1372 FEISE RD	STAGEMAN DOUGLAS G*STAGEMAN LISA A	1372 FEISE RD, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0009.0000000	1366 FEISE RD	HORACE THOMAS V*HORACE FRANCES L	1366 FEISE RD, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0025.2000000	1998 HANLEY RD	OWENS GARTH D*OWENS THERESA A	1998 HANLEY RD, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0023.0000000	2090 HANLEY RD	WILMES CHRISTOPHER A*WILMES LUANN G	214 EVESHAM W, LAKE ST LOUIS MO, 63367-2546
4-0033-S001-00-0024.0000000	2098 HANLEY RD	WHITEHEAD THOMAS GREGORY*WHITEHEAD MADELINE E	2098 HANLEY RD, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0020.0000000	2080 HANLEY RD	DARDENNE COMMUNITY	2080 HANLEY RD, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0025.9000000	1426 FEISE RD	UNTERREINER JEFFREY	1426 FEISE RD, OFALLON MO, 63368
4-0033-S001-00-0025.9100000	1418 FEISE RD	WEIBEL SAMUEL J*WEIBEL DONNA K	1418 FEISE RD, OFALLON MO, 63368
4-0033-S001-00-0025.0100000	1446 FEISE RD	AKN INVESTMENTS LLC	38 BARNOR RD, WENTZVILLE MO, 63385
4-0033-S001-00-0025.0110000	1436 FEISE RD	HOWERTON JASON L*HOWERTON MOLLY A	1436 FEISE RD, OFALLON MO, 63368
4-0033-S001-00-0001.0000000	1306 FEISE RD	CONNECTION CHRISTIAN CHURCH	1054 RONDALE CT, DARDENNE PRAIRIE MO, 63368
4-0033-S001-00-0008.0000000	1326 FEISE RD	BOSCHERT SELMA S	1326 FEISE RD, DARDENNE PRAIRIE MO, 63368
4-0033-S002-00-0028.0000000	7767 HWY N	TRIBLE DANIEL K	7767 HWY N, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0026.1000000	2275 POST RD	THEOBALD CLARENCE*THEOBALD STEPHANIE	3811 BLUE MEADOW CT, DEFIANCE MO, 63341
4-0036-S011-00-0012.0000000	2630 TECHNOLOGY DR	KOHLER LEONARD R*KOHLER CAROL J	2630 TECHNOLOGY DR, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0010.0000000	7836 HWY N	ST LOUIS INVESTMENT PROPERTIES INC	14323 S OUTER 40 DR, TOWN & COUNTRY MO, 63017
4-0036-S011-00-0027.0000000	2349 POST RD	OHRMAN SANDRA K	7755 HWY N, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0031.0000000	2500 TECHNOLOGY DR	HIMMELSBACH BRYANT DALE	2500 TECHNOLOGY DR, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0008.0000000	7784 HWY N	CHAPMAN MARY KAY	451 E HWY N, WENTZVILLE MO, 63385
4-0036-S011-00-0030.0000000	2361 POST RD	GRAHAM KEVIN D*GRAHAM SUSANNE M	2361 POST RD, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0026.0000000	POST RD	BLUBAUGH TRUST THE	2069 SOUTHEAST BLVD, SALEM OH, 44460-4046
4-0036-S011-00-0031.2000000	2450 TECHNOLOGY DR	DARDENNE TECH LLC	7 LONE EAGLE TRL, ST CHARLES MO, 63303
4-0036-S011-00-0004.0000000	7700 HWY N	POST RD LLC	1833 LAKE ST LOUIS BLVD, LAKE ST LOUIS MO, 63367
4-0036-S011-00-0029.0000000	2355 POST RD	CAMPBELL HARRY R*CAMPBELL LARETHA	2355 POST RD, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0021.0000000	2540 TECHNOLOGY DR	EDER ALBERT H*EDER ROSEMARY	2540 TECHNOLOGY DR, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0034.0000000	2980 HWY 40 61	TLC PROPERTIES INC	16 CHESTER RD, HANNIBAL MO, 63401
4-0036-S011-00-0020.0000000	2634 HWY 40 61	WILLIAMS JOHN S*WILLIAMS SYLVIA*SCHULTE RITA H REVOC TRUST	418 STONE PARK DR, WENTZVILLE MO, 63385

4-0036-S011-00-0019.0000000	2600 TECHNOLOGY DR	KOHLER LEONARD R FAM TRUST	2630 TECHNOLOGY DR, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0006.0000000	7706 HWY N	TRI COLOR LLC	920 BELLERIVE MANOR DR, CREVE COEUR MO, 63141
4-0036-S011-00-0007.0000000	7724 HWY N	SCHAFFNER ROBERT A	7724 HWY N, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0005.0000000	2169 POST RD	BLANTON DUANE M*BLANTON JUDITH ANN	2169 POST RD, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0028.0000000	2337 POST RD	PHILLIPS BARBARA ANN	2337 POST RD, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0007.1000000	2199 POST RD	DARDENNE KNIGHTS OF COLUMBUS	2199 POST RD, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0006.1000000	7712 HWY N	TRI COLOR LLC	920 BELLERIVE MANOR DR, CREVE COEUR MO, 63141
4-0036-S011-00-0025.0000000	2261 POST RD	BENJAMIN DONALD B*BENJAMIN DIANE	2261 POST RD, OFALLON MO, 63368
4-0036-S011-00-0023.0000000	2231 POST RD	SCHROEDER JOSEPH L*SCHROEDER CHRISTINE	2231 POST RD, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0024.0000000	2247 POST RD	SALFEN LORRAINE J TRUST	126 ARABIAN PATH, ST PETERS MO, 63376-1798
4-0036-4317-00-0003.0000000	2682 TECHNOLOGY DR	POIGNEE MICHAEL*POIGNEE CAROLE	90 POOLE PL, OLDSMAR FL, 34677-2350
4-0036-4317-00-0004.0000000	2676 TECHNOLOGY DR	ZAHNER STEPHEN L*ZAHNER ERIN C	126 BEAR CLAW DR, WENTZVILLE MO, 63385
4-0036-4317-00-0005.0000000	2664 TECHNOLOGY DR	DIERBERG WILLIAM C*DIERBERG MARY H REVOC TRUSTS	12951 MEADOW HL, ST LOUIS MO, 63128-3225
4-0036-4317-00-0006.0000000	TECHNOLOGY DR	ST LOUIS INVESTMENT PROPERTIES INC	14323 S OUTER 40 DR, TOWN & COUNTRY MO, 63017
4-0036-4317-00-0008.0000000	TECHNOLOGY DR	ST LOUIS INVESTMENT PROPERTIES INC	14323 S OUTER 40 DR, TOWN & COUNTRY MO, 63017
4-0036-4317-00-0013.0000000	2140 LA LE DR	ST LOUIS INVESTMENT PROPERTIES INC	14323 S OUTER 40 DR, TOWN & COUNTRY MO, 63017
4-0036-4317-00-0022.0000000	7938 HWY N	DARDENNE CREEK FARMS INC	3153 HOPEWELL RD, WENTZVILLE MO, 63385
4-0036-4317-00-0024.0000000	2700 TECHNOLOGY DR	MIDWEST PETROLEUM CO	6760 SOUTHWEST AVE, ST LOUIS MO, 63143-2635
4-0036-4317-00-0026.0000000	2127 LA LE DR	DARDENNE CREEK FARMS INC	3153 HOPEWELL RD, WENTZVILLE MO, 63385
4-0036-4345-00-0001.0000000	2534 TECHNOLOGY DR	LUMLEY ALGIE G*LUMLEY CAROL A	9 COGNAC DR, LAKE ST LOUIS MO, 63367
4-0036-4345-00-0002.0000000	3 MARIAN DR	ELDER MARGARET ROSE*ELDER GLENN PALMER	69 SUSAN DR, ST CHARLES MO, 63301
4-0036-4345-00-0003.0000000	4 MARIAN DR	EICHHORN JASON A	4 MARIAN DR, DARDENNE PRAIRIE MO, 63368
4-0036-4345-00-0005.0000000	6 MARIAN DR	MARTIN STEVEN W*MARTIN SUZANNE	6 MARIAN DR, DARDENNE PRAIRIE MO, 63368
4-0036-4345-00-0006.0000000	8 MARIAN DR	MEYERS STEVEN W*MEYERS APRIL L	8 MARIAN DR, DARDENNE PRAIRIE MO, 63368
4-0036-4345-00-0007.0000000	7 MARIAN DR	LOHDEN GARY A	7 MARIAN DR, DARDENNE PRAIRIE MO, 63368
4-0036-4345-00-0008.0000000	5 MARIAN DR	VANDERWIELEN JAMES J*VANDERWIELEN DONNA K	5 MARIAN DR, OFALLON MO, 63368
4-0036-4355-00-0001.0000000	7866 HWY N	ST LOUIS INVESTMENT PROPERTIES INC	14323 S OUTER 40 DR, TOWN & COUNTRY MO, 63017
4-0036-S012-00-0003.0000000	HWY N	CITY OF DARDENNE PRAIRIE MO	2032 HANLEY RD, DARDENNE PRAIRIE MO, 63368
4-0036-S011-00-0034.1000000	2394 TECHNOLOGY DR	WALMAR INVESTMENT CO	14151 CLAYTON RD, CHESTERFIELD MO, 63017-8355
4-0033-S002-00-0011.1300000	1967 HANLEY RD	K PROPERTIES	7420 BLAND DR, ST LOUIS MO, 63105-2102
4-0033-S002-00-0011.1400000	7717 HWY N	ST CHARLES COUNTY CATHOLIC CHURCH REAL EST TRUST	20 ARCHBISHOP MAY DR, ST LOUIS MO, 63119
4-0033-S002-00-0027.1000000	HWY N	ST CHARLES COUNTY	201 N 2ND ST RM 529, ST CHARLES MO, 63301
4-0033-8750-00-000A.0000000	PRAIRIE COMMONS DR	CM 2001 LLC	5530 SALT RIVER RD, ST PETERS MO, 63376
4-0033-S002-00-0011.1500000	7801 HWY N	ST CHARLES COUNTY	201 N 2ND ST RM 529, ST CHARLES MO, 63301
4-0033-S002-00-0029.1000000	HWY N	ST CHARLES COUNTY	201 N 2ND ST RM 529, ST CHARLES MO, 63301
4-0033-S002-00-0011.1310000	1600 FEISE RD	MORNING STAR CHURCH	1600 FEISE RD, DARDENNE PRAIRIE MO, 63368
4-0033-8961-00-000A.0000000	1503 FEISE RD	DARDENNE PARTNERSHIP	2500 S OLD HWY 94 STE 200, ST CHARLES MO, 63303
4-0033-8961-00-000B.0000000	1509 FEISE RD	DARDENNE PARTNERSHIP	2500 S OLD HWY 94 STE 200, ST CHARLES MO, 63303
4-0033-8961-00-000C.0000000	1515 FEISE RD	DARDENNE PARTNERSHIP	2500 S OLD HWY 94 STE 200, ST CHARLES MO, 63303
4-0033-8961-00-000D.0000000	1521 FEISE RD	DARDENNE PARTNERSHIP	2500 S OLD HWY 94 STE 200, ST CHARLES MO, 63303
4-0033-8961-00-000E.0000000	1527 FEISE RD	DARDENNE PARTNERSHIP	2500 S OLD HWY 94 STE 200, ST CHARLES MO, 63303
4-0033-S002-00-0012.1100000	2708 TECHNOLOGY DR	COMMERCE BANK	8000 FORSYTH BLVD- STE 1300, ST LOUIS MO, 63105
4-0033-S002-00-0011.1320000	1550 FEISE RD	WENTZVILLE R IV SCHOOL DISTRICT	1 CAMPUS DR, WENTZVILLE MO, 63385
4-0033-9934-00-0001.0000000	7959 HWY N	BESTAR LLC	P O BOX 410842, ST LOUIS MO, 63141
4-0033-9934-00-0004.0000000	7857 HWY N	COVINGTON DARDENNE ACQUISTION 6 17-27 LLC ETAL	30 S WACKER DR STE 2750, CHICAGO IL, 60606
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4-0033-9934-00-0007.0000000	7833 HWY N	FIRST BANK	135 N MERAMEC AVE STE 408, CLAYTON MO, 63105-3751
4-0033-9934-00-0008.0000000	7827 HWY N	FRANCO INC	2510 S BRENTWOOD BLVD STE 220, ST LOUIS MO, 63144-2326
4-0033-9934-00-0009.0000000	7821 HWY N	COVINGTON DARDENNE ACQUISTION 6 17-27 LLC ETAL	30 S WACKER DR STE 2750, CHICAGO IL, 60606

4-0033-9934-00-0010.0000000	7817 HWY N	DARDENNE 610 LLC	7800 FORSYTH BLVD STE 710, CLAYTON MO, 63105
4-0033-9934-00-0011.0000000	7955 HWY N	TARGET CORPORATION	PO BOX 9456, MINNEAPOLIS MN, 55440-9456
4-0033-9934-00-0015.0000000	7805 HWY N	COVINGTON DARDENNE ACQUISTION 6 17-27 LLC ETAL	30 S WACKER DR STE 2750, CHICAGO IL, 60606
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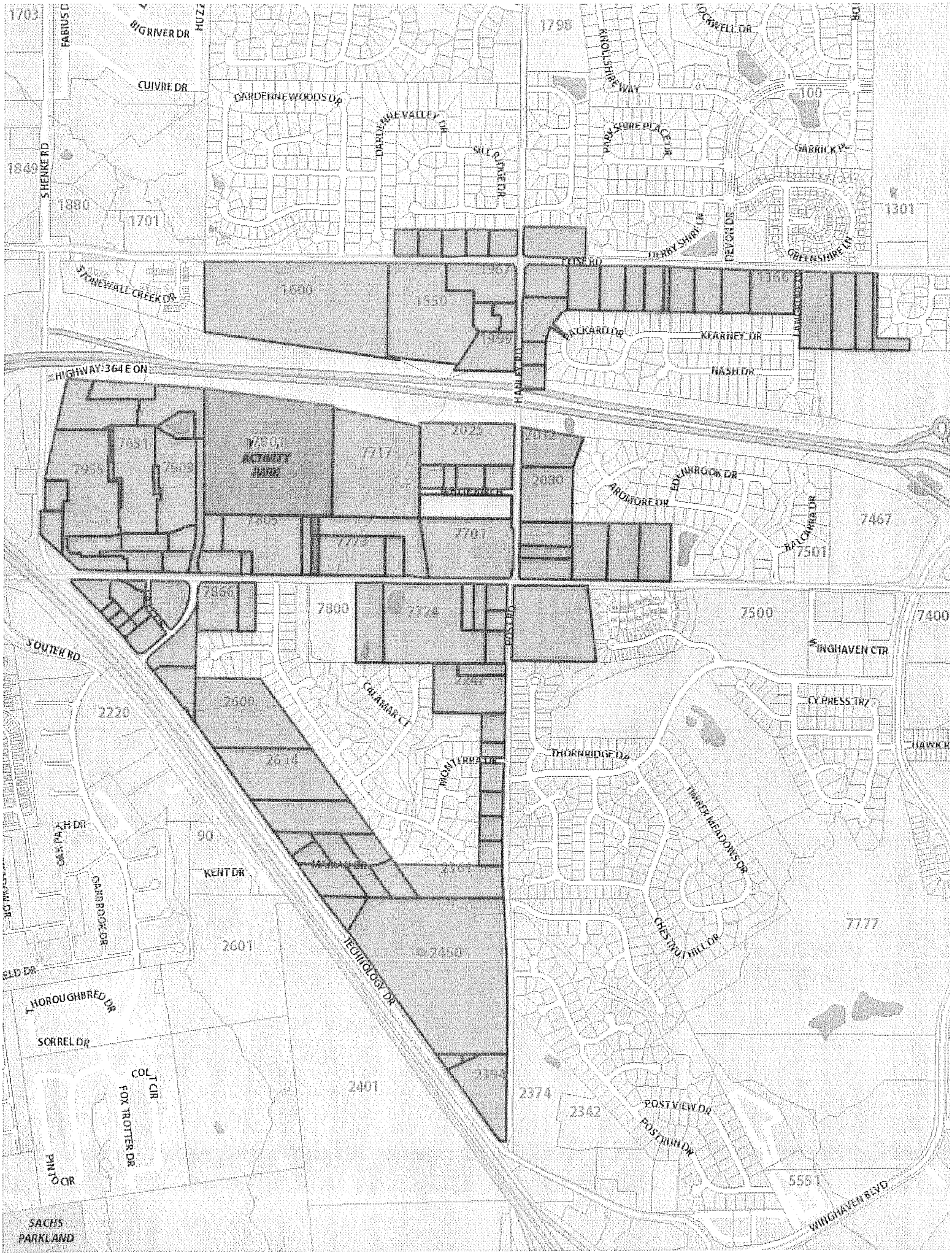
4-0033-9934-CG-000B.0000000	HWY N	COVINGTON DARDENNE ACQUISTION 6 17-27 LLC ETAL	PO BOX 4900, SCOTTSDALE AZ, 85261
4-0036-4317-00-0022.1000000	HWY N	CITY OF DARDENNE PRAIRIE MO	2032 HANLEY RD, DARDENNE PRAIRIE MO, 63368
4-0033-A034-00-012A.0000000	TECHNOLOGY DR	COVINGTON DARDENNE ACQUISTION 6 17-27 LLC ETAL	30 S WACKER DR STE 2750, CHICAGO IL, 60606
4-0033-A034-00-012B.0000000	7651 TECHNOLOGY DR	J C PENNEY PROPERTIES INC	6501 LEGACY DR M/S 1103, PLANO TX, 75024-3698
4-0033-A034-00-012C.0000000	7913 HWY N	COVINGTON DARDENNE ACQUISTION 6 17-27 LLC ETAL	30 S WACKER DR STE 2750, CHICAGO IL, 60606
4-0033-A034-00-0013.0000000	7909 TECHNOLOGY DR	COVINGTON DARDENNE ACQUISTION 6 17-27 LLC ETAL	30 S WACKER DR STE 2750, CHICAGO IL, 60606
4-0033-A034-00-0014.0000000	TECHNOLOGY DR	COVINGTON DARDENNE ACQUISTION 6 17-27 LLC ETAL	30 S WACKER DR STE 2750, CHICAGO IL, 60606
4-0036-S011-00-0034.2000000	2980 HWY 40 61	GLOBAL SIGNAL ACQUISITIONS IV LLC	4017 WASHINGTON RD, MCMURRAY PA, 15317
4-0033-A553-00-0001.0000000	1979 HANLEY RD	ST WILLIAM APARTMENTS INC	7601 WATSON RD, ST LOUIS MO, 63119
4-0033-A553-00-0002.0000000	1983 HANLEY RD	ST WILLIAM APARTMENTS II INC	7601 WATSON RD, ST LOUIS MO, 63119
4-0033-A568-00-002A.0000000	7907 HWY N	COLE PC DARDENNE PRAIRIE MO LLC	2325 E CAMELBACK RD STE 1100, PHOENIX AZ, 85016
4-0033-8085-00-000A.0000000	PACKARD CT	DARDENNE MEADOWS HOMEOWNERS ASSOCIATION	PO BOX 340, ST PETERS MO, 63376
4-0033-8085-00-00OA.0000000	PACKARD CT	BAXTER & ELLIS LLC	404 STABLE LN, WENTZVILLE MO, 63385



1703
FABIUS D
BIG RIVER DR
CUIVRE DR
DARDENNE WOODS DR
DARDENNE VALLEY DR
SILL RIDGE DR
1798
KNOLLSHIRE WAY
PARKSHIRE PLACE DR
100
GARRICK PL
1849
S HENKE RD
1880
1701
1301
DERBYSHIRE LN
DEVON DR
GREENSHIRE LN
FUSE RD
STONEWALL CREEK DR
1600
1550
1967
1999
KEARNEY DR
NASH DR
HIGHWAY 364 E ON
HANLEY RD
7651
7955
7909
ACTIVITY PARK
7717
2025
2032
2080
EDENBROOK DR
AROMORE DR
BALCARRA DR
7467
7501
7805
7773
7701
7866
7800
7724
POST RD
7500
7400
WINGHAVEN CTR
SOUTER RD
2220
2600
CALAMAR CT
CYPRESS TRZ
2614
MONTERRA DR
THORNRIDGE DR
HAWK R
90
KENT DR
OAKBROOK DR
2601
2450
TECHNOLOGY DR
CHESTNUT HILL DR
7777
THOROUGHBRED DR
SORREL DR
COLT CIR
FOX TROTTER DR
PINTO CIR
2401
2374
2342
POST VIEW DR
POST RUN DR
5551
WINGHAVEN BLVD
SACHS PARKLAND

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR A TEMPORARY MORATORIUM ON THE CITY'S ACCEPTANCE AND ISSUANCE OF DEVELOPMENT OR CONSTRUCTION PERMITS OR APPROVALS FOR THE DEVELOPMENT OF PROPERTY OR CONSTRUCTION OF NEW BUILDINGS WITHIN THE UPTOWN ZONING DISTRICT IN THE CITY; PROVIDING A PROCESS FOR THE DETERMINATION OF VESTED RIGHTS AND WAIVERS; AND OTHER MATTERS PERTAINING THERETO

WHEREAS, on July 18, 2007, pursuant to Ordinance No. 1175, the Board of Aldermen of the City of Dardenne Prairie Missouri, established the Uptown Dardenne Prairie Master Plan (the "Uptown Plan"); and

WHEREAS, pursuant to Ordinance No. 1175, as amended by Ordinance Nos. 1133 and 1775, the Board of Aldermen adopted the Dardenne Prairie SmartCode (the "SmartCode") for regulation of uses and development of property within the area of the Uptown Plan more particularly described on **Exhibit A**, attached hereto and incorporated by reference herein (the "Uptown District"); and

WHEREAS, in light of changed conditions within the City and the surrounding area since the adoption of the Uptown Plan and the SmartCode, the Board of Aldermen desires to review the uses, density, building sizes and building heights permitted within the Uptown District to determine the possible negative impacts on traffic, safety, property values, land use compatibility, public utilities, public resources, and the preservation of open space, light and the environment; and

WHEREAS, the Board of Aldermen finds and determines that permitting continued development consistent with the Uptown Plan and the SmartCode could pose serious threats to the general public health, safety and welfare of the residents of the City through the over-development of the City without adequate regulations addressing the issues of traffic, safety, property values, land use compatibility, public utilities, public resources, and the preservation of open space, light and the environment; and

WHEREAS, the Board of Aldermen finds and determines that the City will need a period of time not to exceed one (1) year to review, develop and implement the necessary amendments to the zoning and land use ordinances and regulations of the City to address these concerns; and

WHEREAS, the Board of Aldermen desires to impose an immediate one-year moratorium on the City's acceptance and issuance of development or construction permits and

approvals for the development of property or construction of new buildings within the area of the Uptown District (the "Moratorium"); and

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

WHEREAS, the Planning and Zoning Commission considered the Moratorium and recommended _____ to the Board of Aldermen based directly upon the particular evidence presented to it; and

WHEREAS, after published notice, the Board of Aldermen and the Planning and Zoning Commission held public hearings on the proposed Moratorium; and

WHEREAS, at such Public Hearings all persons-in-interest and other citizens were given an opportunity to be heard.

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

SECTION 1. The foregoing recitals are hereby ratified and incorporated as the legislative intent of this Ordinance.

SECTION 2. Moratorium Imposed. The Board of Aldermen hereby imposes within the area of the Uptown District an immediate moratorium on the acceptance and issuance of any and all development or construction permits or approvals for the development of property or the construction of new buildings pursuant to the SmartCode or Titles IV or V of the Municipal Code of the City of Dardenne Prairie, Missouri.

SECTION 3. Duration of Moratorium. The moratorium imposed by this Ordinance shall be effective for a period of one-year from the effective date of this Ordinance, unless dissolved earlier by ordinance.

SECTION 4. Determination of Vested Rights or Denial of All Economic Use and Waivers.

(A) Vested Right. Nothing in this Ordinance shall be construed or applied to abrogate the vested right of a property owner to complete development of property where the property owner can demonstrate by substantial competent evidence each of the following:

(1) A governmental act of development approval or construction permit was obtained prior to the effective date of this Ordinance; and
(2) Upon which the property owner has detrimentally relied, in good faith, by making substantial expenditure; and
(3) That it would be highly inequitable to deny the property owner the right to complete the development or new building.

(B) No Economic Use. Nothing in this Ordinance shall be construed or applied to prevent development of a particular property where the property owner can demonstrate by substantial competent evidence that, because of the moratorium, no economic use can be made of the property.

(C) Waiver. Any property owner claiming vested rights or denial of all economic use under this Section 3 must file an application seeking a waiver from the moratorium with the City Engineer within one hundred eighty (180) days after the effective date of this Ordinance. The application shall be accompanied by a sworn statement as to the basis upon which the vested rights or denial of all economic use are asserted, together with documentation required by the City and other documentary evidence supporting the claim.

(1) The City Engineer shall review applications claiming a vested right, and may issue a waiver upon presentation of substantial competent evidence of the requirements of subsection A of this Section.

(a) Within ten (10) days of the denial of a waiver by the City Engineer, the property owner who was denied a waiver may file with the City Engineer a written request for hearing before the Board of Aldermen contesting the denial.

(2) Upon receipt of an application claiming a denial of all economic use or a written request for hearing under subsection (C)(1)(a) of this Section, and an accompanying fee of five hundred dollars ($500.00), the application or appeal shall be placed before the Board of Aldermen within a reasonable time.

(a) Notice of Hearing.

i. Notice of the date, time and place of the hearing shall be mailed to the affected property owner at least fifteen (15) days prior to the hearing.
ii. Notice of the hearing shall be published in a newspaper of general circulation in the City at least fifteen (15) days prior to the hearing.

(b) Evidence & Witnesses.

i. All interested parties shall have the right to call and examine witnesses, introduce exhibits, cross-examine opposing witnesses and impeach any witness.
ii. Oral evidence shall be taken only on oath or affirmation.
iii. All evidence shall be suitably recorded and preserved.
iv. The technical rules of evidence shall not apply, except the Board of Aldermen may exclude evidence which is irrelevant or repetitious.

v. All interested parties shall be entitled to present oral arguments or written briefs at or after the hearing.

(c) Final Order. After a hearing, the Board of Aldermen shall issue a final order based upon findings of fact and conclusions of law.

(d) Right Of Appeal. Any person aggrieved by the decision of the Board of Aldermen shall have the right to appeal to the Circuit Court pursuant to Chapter 536, RSMo.

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

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

_____
As Presiding Officer and as Mayor

Attest:

_____
City Clerk

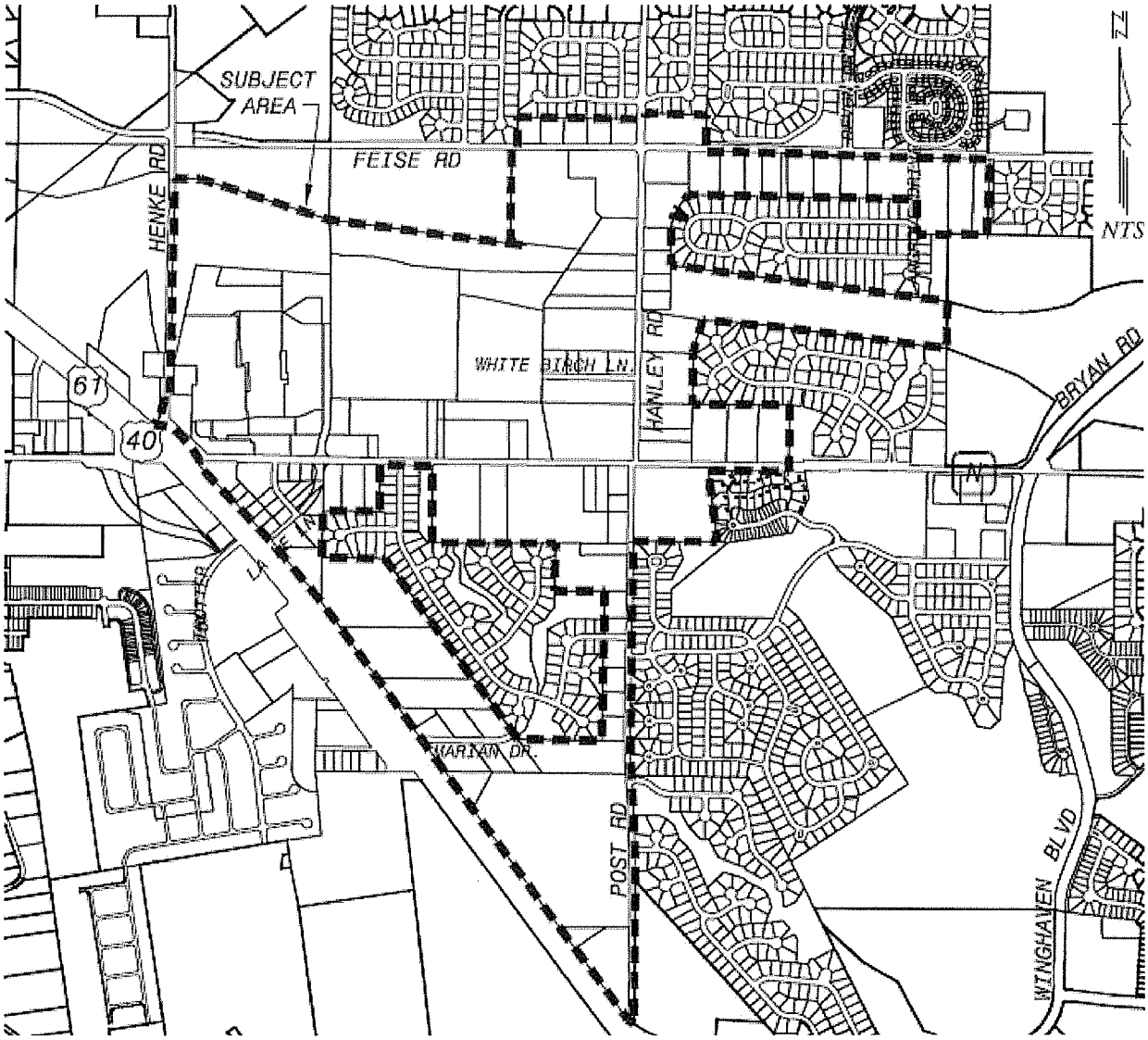
Approved this _____ day of _____, 2015.

_____
Mayor

Attest:

City Clerk

EXHIBIT A


SUBJECT AREA
FEISE RD
HENKE RD
61
40
WHITE BIRCH LN.
HANLEY RD
BRYAN RD
WARNAM DR.
POST RD
WINGHAVEN BLVD
N
NTS

PLANNING & ZONING MINUTES JULY 8, 2015

The City of Dardenne Prairie Planning & Zoning Commission meeting was called to order at 7:00 p.m. The meeting was held at the Dardenne Prairie City Hall located at 2032 Hanley Road.

The meeting was opened with the Pledge of Allegiance.

Present at roll call were Mayor Zucker, Alderman Koch, Commissioners Claspille, Fine, Brockmann, Donahue, Mutz, Shea and Etzkorn. Commissioner's King and Collins were absent. Also present were City Clerk Kim Clark, City Engineer Luke Kehoe and City Attorney John Young.

ELECTION OF CHAIRMAN

Commissioner Brockmann nominated Commissioner Claspille for Chairman.
Alderman Koch nominated Commissioner Etzkorn for Chairman.

The roll call vote to elect Commissioner Claspille as chairman was as follows:
Mayor Zucker - Nay
Alderman Koch - Nay
Commissioner Etzkorn - Aye
Commissioner Fine - Aye
Commissioner King - Absent
Commissioner Collins – Absent
Commissioner Claspille - Aye
Commissioner Donahue - Nay
Commissioner Brockmann - Aye
Commissioner Shea – Nay
Commissioner Mutz - Nay

The roll call vote to elect Commissioner Etzkorn as chairman was as follows:
Mayor Zucker - Aye
Alderman Koch - Aye
Commissioner Etzkorn - Aye
Commissioner Fine - Nay
Commissioner King - Absent
Commissioner Collins – Absent
Commissioner Claspille - Nay
Commissioner Donahue - Aye
Commissioner Brockmann - Nay
Commissioner Shea – Aye
Commissioner Mutz - Aye

Commissioner Etzkorn took his place as chairman and continued the meeting.

OPEN FORUM – The following individual spoke:
Linda Klingerman on behalf of Alderman Klingerman – 1102 Whispering Pines

PUBLIC HEARINGS

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

A motion was made by Mayor Zucker, Seconded by Commissioner Donahue to postpone the public hearing until 09-09-15. Motion passed unanimously.

2. Amendment to the Dardenne Prairie Municipal Code pertaining to a moratorium on the City's acceptance and issuance of development or construction permits and approvals for the development of property within the area of the Uptown Zoning District.

A motion was made by Commissioner Donahue, Seconded by Commissioner Brockmann to postpone the public hearing until 08-12-15 after all property owners have been notified by letter. Motion passed unanimously.

NEW BUSINESS

1. Amendment to the Dardenne Prairie Municipal Code pertaining to a moratorium on the City's acceptance and issuance of development or construction permits and approvals for the development of property within the area of the Uptown Zoning District.

A motion was made by Mayor Zucker, Seconded by Commissioner Donahue to postpone until 08-12-15 after all property owners have been notified by letter. Motion passed unanimously.

OLD BUSINESS

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

A motion was made by Commissioner Donahue, Seconded by Mayor Zucker to postpone the public hearing until 09-09-15. Motion passed unanimously.

APPROVAL OF MINUTES

Approval of 04-08-15 Minutes

A motion was made by Commissioner Donahue, Seconded by Commissioner Brockmann to approve the 04-08-15 Minutes. Motion passed unanimously.

Approval of 05-13-15 Minutes

A motion was made by Commissioner Donahue, Seconded by Commissioner Brockmann to approve the 05-13-15 Minutes. Motion passed unanimously.

COMMISSION COMMUNICATIONS

Commissioner Claspille thanked Garth Owens who was in attendance for his service to the community.

ADJOURNMENT

A motion was made by Commissioner Donahue, Seconded by Alderman Koch to adjourn the meeting at 7:56 p.m. Motion passed unanimously.

Respectfully submitted,

_____

Kim Clark, City Clerk