PLANNING & ZONING COMMISSION
Thursday, May 2, 2019 - 7:00 pm
200 Civic Center Drive, Lake Saint Louis, Missouri 63367
For more information or if individual accommodations are required, contact Brenda Cueller at 636-625-7936 or bcueller@lakesaintlouis.com.

AGENDA

I. CALL TO ORDER

II. ROLL CALL

<table>
<thead>
<tr>
<th>Name</th>
<th>Present</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pearson Buell, Chairman</td>
<td>______</td>
<td>______</td>
</tr>
<tr>
<td>Tom Mispagel, Vice Chairman</td>
<td>______</td>
<td>______</td>
</tr>
<tr>
<td>Rhonda Ferrett</td>
<td>______</td>
<td>______</td>
</tr>
<tr>
<td>William Fridley</td>
<td>______</td>
<td>______</td>
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<tr>
<td>Glen Heiman</td>
<td>______</td>
<td>______</td>
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<tr>
<td>Tom O'Connor</td>
<td>______</td>
<td>______</td>
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<tr>
<td>Dominique Stoddard</td>
<td>______</td>
<td>______</td>
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<tr>
<td>Mayor Kathy Schweikert</td>
<td>______</td>
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<tr>
<td>Alderman Jason Law</td>
<td>______</td>
<td>______</td>
</tr>
</tbody>
</table>

Also present: Louis Clayton, AICP, Director of Community Development
Matthew Kuelker, Senior Project Manager
Brenda Cueller, Recording Secretary

III. APPROVAL OF AGENDA

IV. APPROVAL OF MEETING MINUTES

Regular meeting of April 4, 2019

V. PUBLIC COMMENT

VI. PUBLIC HEARING - TABLED BUSINESS

VII. PUBLIC HEARING - NEW BUSINESS

1. 607 Royal Pine Court & 703 Pine View Court & (Lots 4 and 2 of The Pines of Lake Saint Louis Plat 2 Subdivision)

Preliminary Subdivision Plat and Final Subdivision Plat:
Consideration of a request by Christina Anderson, applicant and property owner, to increase the size of Lot 4 to 16,447 square feet and to decrease the size of Lot 2 to 14,086 square feet by adjusting the location of the shared rear property line.
2. **100 Big River Drive – The Waterways of Lake Saint Louis Phase Two-B**  
   **Amended Preliminary Development Plan, Site Plan Review and Special Use Permit**: Consideration of a request by Joe Scott III, Scott Brothers Investment Corporation, applicant, for the construction of 112 multi-family dwelling units in 14 buildings and related site improvements to be known as The Waterways of Lake Saint Louis Phase Two-B.

3. **Medical Marijuana Facilities**  
   **Textual Amendments**: Consideration of a request by the City of Lake Saint Louis for textual amendments to Municipal Code Title IV: Land Use, regarding medical marijuana facilities.

VIII. **OTHER BUSINESS**

IX. **COMMISSION AND STAFF COMMENTS**

X. **ADJOURNMENT**
The City of Lake Saint Louis Planning and Zoning Commission met on April 4, 2019, 7:00 p.m. at Lake Saint Louis Civic Center in Board Chambers, 200 Civic Center Drive, Lake Saint Louis, Missouri.

ROLL CALL:

Chairman Pearson Buell called the meeting to order. Present: Commissioners Rhonda Ferrett, Tom Mispagel, Tom O’Connor, Alderman Jason Law, and Mayor Kathy Schweikert. Absent: Commissioners William Fridley, Glen Heiman and Dominique Stoddard. Also present: Louis Clayton, Director of Community Development, and Brenda Cueller, acting as recording secretary.

PUBLIC COMMENT:

There were no comments made, the meeting continued.

APPROVAL OF AGENDA:

MOTION TO APPROVE AGENDA:

Vice Chairman Mispagel made a motion to approve the April 4, 2019 regular meeting agenda. The motion was seconded by Commissioner Ferrett and the motion carries.

MOTION TO APPROVE THE APRIL 4, 2019 REGULAR MEETING AGENDA IS HEREBY APPROVED, AS NOTED ABOVE.

APPROVAL OF MINUTES: March 7, 2019

MOTION TO APPROVE MINUTES:

Vice Chairman Mispagel made a motion to waive the reading of the minutes from the March 7, 2019 Planning and Zoning Commission regular meeting and approve as submitted. The motion was seconded by Commissioner Ferrett and the motion carries.

THE MINUTES FROM THE MARCH 7, 2019 PLANNING AND ZONING
COMMISSION REGULAR MEETING ARE HEREBY APPROVED, AS NOTED ABOVE.

PUBLIC COMMENT:

There were no comments, the meeting continued.

PUBLIC HEARING – TABLED BUSINESS:

PUBLIC HEARING – NEW BUSINESS:

1. 159 Pond Fort Trail – Detail Driven Car Wash

Amended Preliminary Development Plan, Site Plan Review, and Special Use Permit: Consideration of a request by Josh Castello, Detail Driven Car Wash, applicant and property owner, to construct a 200-square-foot waiting room addition for Detail Driven Car Wash.

Chairman Buell opened the meeting to a public hearing as duly advertised in a legal publication on the above noted topic.

Charlie Castello, applicant, stated they were requesting to add a 1,000-square-foot waiting room to the car wash.

The Commission discussed parking of cars along Pond Fort Trail and lighting layout.

Mr. Castello stated some of the cars parked along Pond Fort Trail are staff or dealer cars. He noted new lighting fixtures were shown in the past two months.

Louis Clayton, Director of Community Development, stated Pond Fort Trail is a private road and the cars parked are not impacting public roads. He noted the photo has not been updated.

Mr. Clayton said the proposed new building addition matches the structure. He noted there is no change to parking. Mr. Clayton said there was some discrepancy of the approved landscaping plan submitted in 2012. It appears at least six trees shown on the plan at the southeast corner of the building are missing. Mr. Clayton said staff recommends that any missing
landscaping shown on the approved 2012 landscape plan be installed. He noted the applicant is proposing to install five new trees along Highway N frontage and install the required foundation landscaping adjacent to the proposed addition. Staff recommends approval of the Amended Preliminary Development Plan, Site Plan Review and Special Use Permit with the two conditions in the staff report.

Public Hearing closed.

MOTION TO RECOMMEND APPROVAL:

Vice Chairman Mispagel made a motion to recommend approval of the requested Amended Preliminary Development Plan, Site Plan Review and Special Use Permit to the Board of Aldermen with the following conditions:

1. All landscaping shown on the previously approved landscape plan, as depicted on sheet A1.1 of the proposed plans, shall be installed in addition to proposed new landscaping.
2. Submit an updated photometric plan incorporating data from the proposed wall lights, and verify conformance with the following requirements as specified in the Detail to Development Standards: “Light levels shall "taper off’ to edge of parking field. Lighting shall maintain a minimum average of 1.8 footcandles within actual parking spaces and drive lanes, and entrance drives shall drop to 1.0 footcandles on perimeter drives and 0.0 footcandles on adjoining residential perimeters. The entire illuminated area shall maintain a uniformity ratio (average to minimum) of 4 to 1. Light fixtures lawfully installed prior to July 2, 2018 are exempt from this requirement except any light fixture which is upgraded, changed or replaced shall conform to this requirement.”

The motion was seconded by Commissioner Ferrett and the motion passes.

MOTION TO RECOMMEND APPROVAL OF THE REQUESTED AMENDED PRELIMINARY DEVELOPMENT PLAN, SITE PLAN REVIEW AND SPECIAL USE PERMIT TO THE BOARD OF ALDERMEN WITH THE TWO CONDITIONS IN THE STAFF REPORT IS HEREBY APPROVED, AS NOTED ABOVE.
2. 607 Royal Pine Court – Christina Anderson

Preliminary Subdivision Plat and Final Subdivision Plat: Consideration of a request by Christina Anderson, applicant and property owner, to increase the size of Lot 4 to 16,447 square feet and to decrease the size of Lot 2 to 14,086 square feet by adjusting the location of the shared rear property line.

Chairman Buell stated staff requested this item be tabled until the next meeting.

Louis Clayton, Director of Community Development, gave the Commission background of this application. He noted this item will go before the Board of Adjustment on April 29th for a variance on lot area size for the neighbor’s parcel at 703 Pine View Court. The decision of the Board of Adjustment will direct the proceeding of the applicant’s application at 607 Royal Pine Court.

OTHER BUSINESS:

COMMISSION DISCUSSION & COMMENTS FROM STAFF:

1. The Commission discussed Medical Marijuana Facilities.

2. Mr. Clayton informed the Commission that the City received an Outstanding Plan Making Award from the St. Louis Section of the Missouri Chapter of the American Planning Association for the City’s Comprehensive Plan.

ADJOURNMENT:

There being no further business to come before the Planning and Zoning Commission, the meeting was, on motion duly made, seconded and unanimously voted on, adjourned at 7:11 p.m.

Brenda Cueller
Serving as recording secretary of the meeting
<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>May 2, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT LOCATION</td>
<td>607 Royal Pine Court and 703 Pine View Court and (Lots 4 and 2 respectively of The Pines of Lake Saint Louis Plat 2 Subdivision).</td>
</tr>
<tr>
<td>OWNER</td>
<td>Christina L. Anderson (607 Royal Pine Court - Lot 4) and Benjamin M. &amp; Tonya Powers (703 Pine View Court – Lot 2)</td>
</tr>
<tr>
<td>APPLICANT</td>
<td>Christina Anderson</td>
</tr>
<tr>
<td>SITE AREA</td>
<td>15,362 square feet (607 Royal Pine Court – Lot 4) and 15,173 square feet (703 Pine View Court – Lot 2)</td>
</tr>
<tr>
<td>ZONING</td>
<td>“SR1” Single-Family Residential</td>
</tr>
<tr>
<td>APPLICATION TYPE</td>
<td>Preliminary and Final Subdivision Plat</td>
</tr>
<tr>
<td>PROPOSAL</td>
<td>Resubdivision of the subject properties to increase the size of Lot 4 to 16,447 square feet and to decrease the size of Lot 2 to 14,086 square feet by adjusting the location of the shared rear property line.</td>
</tr>
<tr>
<td>STAFF</td>
<td>Louis Clayton, AICP, Director of Community Development</td>
</tr>
</tbody>
</table>
PROJECT DESCRIPTION

607 Royal Pine Court measures +/- 15,362 square feet and contains a 2,132-square-foot home constructed in 1997. 703 Pine View Court measures +/-15,172 square feet and contains a 2,275-square-foot home that was constructed in 1996. The adjacent land uses are single-family homes built in the late 1990s.

The owners of 607 Royal Pine Court wish to install a pool in their rear yard; however, they claim that it wouldn’t be permitted due to the existing placement of the home, current setback requirements and existing utility easements. Staff has requested that the owners submit a site plan to verify that the proposed pool and pool deck/apron will comply with the setback requirements; however, none has been submitted at this time.

The owners of 703 Pine View Court have agreed to transfer +/- 1,085 square feet of their property to the owners of 607 Royal Pine Court and adjust the location of the shared rear property line which would increase the size of 607 Royal Pine Court to 16,447 square feet and decrease the size of 703 Pine View Court to 14,086 square feet. According to the owners of 607 Royal Pine Court, this boundary adjustment will allow the installation of pool which does not conflict with utility easements and is in conformance with the City’s set back requirements.

<table>
<thead>
<tr>
<th>Address</th>
<th>Lot #</th>
<th>Owners</th>
<th>Existing Lot Size (sf)</th>
<th>Proposed Lot Size (sf)</th>
</tr>
</thead>
<tbody>
<tr>
<td>607 Royal Pine Ct</td>
<td>4</td>
<td>Christina Anderson</td>
<td>15,362</td>
<td>16,447</td>
</tr>
<tr>
<td>703 Pine View Ct</td>
<td>2</td>
<td>Benjamin M. &amp; Tonya Powers</td>
<td>15,172</td>
<td>14,086</td>
</tr>
</tbody>
</table>

On February 26, 2019, the owners of 607 Royal Pine Court submitted an application to resubdivide the two properties by adjusting the location of the shared rear property line. As prescribed in Section 410.230.A of the City’s Municipal Code, the minimum lot area in the “SR-1” Single-Family Zoning District is 15,000 square feet. The proposed Adjusted Lot 2 does not meet the minimum lot area requirement, and the owner of 703 Pine View Court has submitted an appeal to the Board of Adjustment for a variance from the minimum lot area requirement which will be considered at the April 29, 2019 Board of Adjustment meeting:

CONCLUSION

With the exception of the minimum lot size for Adjusted Lot 2, staff is of the opinion that the proposed subdivision complies with the applicable requirements of the Municipal Code.

STAFF RECOMMENDATION

If the variance request is approved by the Board of Adjustment:

To recommend approval of the requested Preliminary Subdivision Plat and Final Subdivision Plat to the Board of Aldermen as submitted

If the variance request is denied by the Board of Adjustment:

To recommend denial of the requested Preliminary Subdivision Plat and Final Subdivision Plat to the Board of Aldermen as submitted
MOTION

The following motions can be read verbatim or modified as desired:

If the variance request is approved by the Board of Adjustment:

“I move to recommend approval of the Preliminary Subdivision Plat and Final Subdivision Plat to the Board of Aldermen as submitted.”

If the variance request is denied by the Board of Adjustment:

“I move to recommend denial of the Preliminary Subdivision Plat and Final Subdivision Plat to the Board of Aldermen as submitted.”
Application is hereby made to the Planning and Zoning Commission of the City of Lake Saint Louis to approve the following request as described below.

Applicant's Name: CHRISTINA ANDERSON

Applicant's Address: 307 Royal Pine Ct 1X 60367

Applicant's Email Address: ANDERSON 607@ICLOUD.COM

Applicant's Phone #: (636) 696-3341 Fax No.

Property Owner's Name: CHRISTINA ANDERSON

Property Owner's Address: 307 Royal Pine Ct 1X 60367

Property Owner's Email Address: ANDERSON 607@ICLOUD.COM

Property Owner's Phone #: (636) 696-3341 Fax No.

Legal Description of Property (legal description may be attached):


Requested Action: ☑ Subdivision - Preliminary Plat, Final Plat
☐ Site Plan Review
☐ Special Use Permit
☐ Preliminary Development Plan
☐ Zoning Amendment

General Location of Property:

Size of Tract: 0.35 ac.

Zoning of Tract: SR1

Applicant's Interest in Property: Owner

(Owner, Agent, Lease Option, Etc.)

Purpose of Request: Gaining additional property to put in swimming pool

Updated: January 18, 2019
Name, address, and title of all officers, partners, or control persons who have any interest in the application:

Sam + CHRISTINA ANDERSON 107 Royal Avenue
Ben + Tanya Powers 703 Pine View Drive

Description of Proposed Project: \underline{Adding additional property to put in swimming pool}

Is there any deed restrictions on this property? \underline{No}

If so, please attach a copy of the property deed restrictions.

PLEASE NOTE: As specified in Section 405.320, paragraph C. of the Municipal Code, "No site plan approval shall be valid for a period longer than twenty-four (24) months from the date of approval of the site plan application, unless within such period a building permit is obtained and construction is commenced."

For further information related to validity and extensions, please see the full text of the Code, available online at www.lakesaintlouis.com or by request to the Community Development Department.

I, \underline{CHRISTINA ANDERSON}, hereby certify that the information given above is true and accurate and that I have reviewed the applicable land development regulations.

Signature of Owner or Agent

Date 2/13/2019
PLEASE SUBMIT THE FOLLOWING ALONG WITH THE COMPLETED APPLICATION:

[NOTE: COMPLETED APPLICATIONS ARE REQUIRED 35 DAYS IN ADVANCE OF THE MEETING DATE. APPLICATIONS LACKING ANY ONE OF THE FOLLOWING ITEMS ON DEADLINE SUBMITTAL DATE WILL BE CONSIDERED INCOMPLETE AND WILL NOT BE PLACED ON THE AGENDA.]

- Review Fee

- One (1) full size (24" by 36") plan set FOLDED to 8½" by 11".

- Vicinity map placed on plans.

- One (1) consolidated PDF of the plan via flash drive or email. Do not exceed 20 MB if emailing.

- **RESIDENTIAL ZONING:** CERTIFIED list from the St. Charles County Assessor's Office of property owners' names and addresses within 300 feet of the property. List to be placed on letter-size mailing labels and submitted with original certified list.

- **COMMERCIAL ZONING:** CERTIFIED list from the St. Charles County Assessor's Office of property owners' names and addresses within 1,000 feet of the property. List to be placed on letter-size mailing labels and submitted with original certified list.

- Mail-out Fee of letters to property owners.

- Cost of advertising in Newstime and St. Charles County Business Record.

Please note, the applicant or his representative is expected to be in attendance and make a presentation during the Public Hearing portion of the P&Z meeting. The meetings are held the 1st Thursday of each month.
PLANNING AND ZONING FEES

SUBDIVISION PLATTING FEE – RESIDENTIAL
{Preliminary Development Plan}
LOT/UNIT

$250.00 +
$25.00 PER

SUBDIVISION PLATTING FEE – COMMERCIAL
AND INDUSTRIAL
{Preliminary Development Plan}

$75.00 PER SHEET +
$10.00 PER ACRE

SITE PLAN REVIEW FEE

$100.00

SPECIAL USE PERMIT

$100.00

ZONING/REZONING REVIEW FEE

$200.00

MAIL-OUT LETTER FEE

$0.79 per letter

AD FEE (St. Charles Business Record and Newstime)

*$400.00

*This cost is an estimate. Once the ads have been placed, you will be notified regarding the difference.

PLEASE NOTE THE APPLICATION FEE IS DUE AT TIME OF APPLICATION SUBMITTAL. THERE WILL BE NO REFUND OF OVERPAYMENTS THAT ARE LESS THAN $3.00.

Lake Saint Louis City ordinances state no application may be approved if the applicant, its entities or affiliates are in arrears as to payment of taxes or fees. (SECTION 135.260: TAXES MUST BE PAID PRIOR TO THE ISSUANCE OF ANY PERMIT, LICENSE OR FORMAL APPROVAL)

TO BE COMPLETED BY CITY STAFF

Filing Fee Amount:________________ Mailing Fee Amount:________________
Date Fees Paid:________________________
REAL ESTATE OWNER AFFIDAVIT

1. [Name], am the owner or authorized agent of the owner of the parcel, which is the subject matter of the above application, and swears upon my oath that:

1. All taxes, fees and assessments, due and assessed by the City of Lake Saint Louis, have been paid with regard to the parcel, which is the subject matter of this application.

2. All taxes, fees and assessments, due and assessed by the City of Lake Saint Louis, have been paid with regard to all parcels in the City of Lake Saint Louis, owned by the same owner of the parcel of land which is the subject matter of this application.

3. All taxes, fees and assessments, due and assessed by the City of Lake Saint Louis, have been paid with regard to all parcels of land owned by the control entities of the owner of the parcels which are the subject matter of this application.

4. All taxes and fees due and assessed by the City of Lake Saint Louis have been paid with regard to all parcels in the City of Lake Saint Louis owned by affiliates of the owner of the parcels which are the subject matter of this application, including those entities which are controlled by owner.

Signature of Owner (if individual) or
Signature of Authorized Agent of Applicant
Owner

STATE OF MISSOURI )
COUNTY OF ST. CHARLES )

On this 26th day of February, 2019, before me, a notary public in and for the State of Missouri, personally appeared Christina Anderson, known to me to be the person who executed the within Real Estate Owner Affidavit and acknowledged to me that he/she executed the same for the purpose stated therein and as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal this 26th day of February, 2019, in the County of St. Charles, State of Missouri.

Brenda J. Cueller
Notary Public

My Commission Expires:__________________________

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Authorized Agent

STATE OF MISSOURI )
COUNTY OF ST. CHARLES )

On this _____ day of __________________________, 20___, before me, a notary public in and for the State of Missouri, personally appeared ____________________, who stated that he/she is the __________________ of __________________, Corporation, Partnership, Association, etc.

and that he/she has been authorized to make this application, and is further known to me to be the person who executed the within Real Estate Owner Affidavit and acknowledged to me that he/she executed the same for the purpose stated therein and as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal this ____ day of __________________, 20____, in the County of St. Charles, State of Missouri.

__________________________
Notary Public

My Commission Expires:__________________________
<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>May 2, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT LOCATION</td>
<td>100 Big River Drive</td>
</tr>
<tr>
<td>OWNER/APPLICANT</td>
<td>Joe Scott III, Scott Brothers Investment Corporation</td>
</tr>
<tr>
<td>LOT SIZE</td>
<td>69.08 acres</td>
</tr>
<tr>
<td>ZONING</td>
<td>“PD” Planned Development</td>
</tr>
<tr>
<td>APPLICATION TYPE</td>
<td>Amended Preliminary Development, Site Plan Review and Special Use Permit</td>
</tr>
<tr>
<td>PROPOSAL</td>
<td>Construction of 112 multi-family dwelling units in 14 buildings and related site improvements to be known as The Waterways of Lake Saint Louis Phase Two-B.</td>
</tr>
<tr>
<td>STAFF</td>
<td>Louis Clayton, AICP, Director of Community Development</td>
</tr>
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</table>
BACKGROUND

The subject property is located on the east side of South Henke Road between Feise Road and Ridgepointe Place Drive. The property measures 69.08 acres in size and has a zoning designation of “PD” Planned Development. The site is developed with a 480-unit apartment complex known as The Waterways. Adjacent land uses and zoning designations are summarized in the following chart:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Name</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Single-Family &amp; Two-Family</td>
<td>Villas at Ridgepointe</td>
<td>“PR” Planned Residential</td>
</tr>
<tr>
<td>East</td>
<td>Single-Family</td>
<td>Manors at Meadowbrook &amp; Dardenne Landing</td>
<td>“PR” Planned Residential</td>
</tr>
<tr>
<td>South</td>
<td>Institutional</td>
<td>Hope Montessori Academy &amp; Andrew’s Academy</td>
<td>“PD” Planned Development</td>
</tr>
<tr>
<td>West</td>
<td>Agricultural &amp; Commercial</td>
<td>NA</td>
<td>“PD” Planned Development &amp; “HC” Highway Commercial</td>
</tr>
</tbody>
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The following is a brief timeline of the site’s development:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 16, 1987</td>
<td>Property is annexed into the City pursuant to a pre-annexation agreement (Ordinance 511).</td>
</tr>
<tr>
<td>September 18, 2000</td>
<td>Preliminary Development Plan is approved for a two-phase, 696-unit multi-family development (Ordinance 1539).</td>
</tr>
<tr>
<td>2002-2004</td>
<td>Construction of Phase One (280 units in 23 buildings).</td>
</tr>
<tr>
<td>October 1, 2007</td>
<td>Amended Preliminary Development Plan approved for a revised phasing plan (adding Phase One-A) for the construction of 64 units in five buildings (Ordinance 2517).</td>
</tr>
<tr>
<td>March 18, 2013</td>
<td>Amended Preliminary Development Plan approved for a revised phasing plan (adding Phase One-A) for the construction of 64 units in five buildings, and adjusted property lines (Ordinance 3160).</td>
</tr>
<tr>
<td>2014-2015</td>
<td>Construction of Phase One-A (64 units in five buildings).</td>
</tr>
<tr>
<td>August 17, 2015</td>
<td>Amended Preliminary Development Plan approved for a modified phasing plan (adding Phase One-B) for the construction of 16 units in two buildings (never constructed - Ordinance 3445).</td>
</tr>
<tr>
<td>June 20, 2016</td>
<td>Amended Preliminary Development Plan approved for a revised phasing plan (voided Phase One-B, added Phase Two-A) for the construction of 40 units in five buildings (never constructed - Ordinance 3560)</td>
</tr>
<tr>
<td>July 17, 2017</td>
<td>Amended Preliminary Development Plan approved for Phase Two-A for the construction of 72 multi-family dwelling units in nine buildings (Ordinance 3716).</td>
</tr>
<tr>
<td>2017-present</td>
<td>Construction of Phase Two-A (72 units in nine buildings).</td>
</tr>
</tbody>
</table>

PROJECT DESCRIPTION & ANALYSIS

The applicant proposes a revised plan for Phase Two-B which includes the construction of 112 units in 14 buildings, 281 parking spaces, pool and pool house, and pedestrian path. The approved Preliminary Development Plan allows up to 664 dwelling units, and 480 have been
constructed. Upon completion of Phase Two-B, an additional 72 units could be constructed on site per the approved Preliminary Development Plan. This project requires approval of an Amended Preliminary Development Plan, Site Plan Review and Special Use Permit.

**Access & Circulation and Parking**
Phase Two-B is located to the east of Phase Two-A and has access from Henke Road via two existing private drives which will be extended to the east, along with a new north south drive along the eastern property line (Street B). The approved development plan shows Street B connecting to the existing street to the north. This connection is no longer proposed; however, a sidewalk connection is. According to the applicant, in order to limit traffic, the connection to Street B has been removed.

281 on-street parking spaces are proposed including 135 covered parking spaces. Because Street B is located closer to the eastern property line than the drive to the north, the on-street parking along the east side of Street B is located +/- 30 feet to the adjacent single-family property lines whereas the existing garages to the north are located +/- 45 feet from the property line. The applicant proposes a row of evergreen shrubs to shield headlights from the adjacent residential properties.

A pedestrian path is proposed behind buildings 47 through 51 which will connect to an existing pedestrian path in Phase Two-A which goes around the retention pond.

**Landscaping**
A landscape plan for Phase One was approved by the Development Review Board on July 27, 2004. The applicant has submitted a new landscape plan for Phase Two-B. The proposed landscaping is consistent with the design and plant selection for the previous phases. The City’s contracted arborist has reviewed the landscape plan and is of the opinion that the landscape design and plant selection is acceptable.

**Stormwater Management**
Stormwater runoff from the site will be directed to a detention and water-quality basin located south of Pomme De Terre Drive. The Public Works Department finds the stormwater plan acceptable.

**Height and Setbacks**
There are no minimum setback requirements. The proposed residential buildings are two-stories in height.

**Building Design**
On March 6, 2001, the Development Review Board approved the building plans and color selections for the development. According to the applicant, the design and materials of the proposed buildings is consistent with existing building and prior approvals.

**CONCLUSION**

Staff is of the opinion that the proposed development complies with the applicable requirements of Chapter 405: Zoning Regulations, and is compatible with adjacent land uses.
STAFF RECOMMENDATION

To *recommend approval* of the Amended Preliminary Development Plan, Site Plan Review and Special Use Permit to the Board of Aldermen as submitted.

MOTION

The following motion can be read verbatim or modified as desired:

"I move to recommend approval of the requested Amended Preliminary Development Plan, Site Plan Review and Special Use Permit to the Board of Aldermen as submitted".
APPLICATION FOR SPECIAL USE PERMIT,
SITE PLAN REVIEW, SUBDIVISION DEVELOPMENT
PLAN REVIEW, OR ZONING AMENDMENT

Application is hereby made to the Planning and Zoning Commission of the City of Lake Saint Louis to approve the following request as described below.

Applicant’s Name: Joe Scott III

Applicant’s Address: 1575 Woodson Road, St. Louis, MO 63114

Applicant’s Email Address: joe@sbicmgmt.com

Applicant’s Phone #: 314-993-2064 Fax No.

Property Owner’s Name: Scott Brothers Investment Corporation

Property Owner’s Address: 1575 Woodson Road, St. Louis, MO 63114

Property Owner’s Email Address: joejr@sbicmgmt.com

Property Owner’s Phone #: 314-993-2064 Fax No.

Legal Description of Property (legal description may be attached):
LSL #284 Waterways Lot 2 (includes T151800003 split by page map)

Requested Action:

X Subdivision – Preliminary Plat, Final Plat

X Site Plan Review

X Special Use Permit

X Preliminary Development Plan

X Zoning Amendment

General Location of Property: Northeast of intersection of Fiese Road and Henke Road

Size of Tract: 29.06 Acres

Zoning of Tract: Planned Residential

Applicant’s Interest in Property: Owner
(Owner, Agent, Lease Option, Etc.)

Purpose of Request: Amend Final Development Plan: Add proposed Phase Two-B consisting of 14 new 8-unit buildings with associated improvements and a pool with storage and bathrooms.

Page 1 of 6
Updated: December 20, 2018
Name, address, and title of all officers, partners, or control persons who have any interest in the application:  Mr. Joe Scott Jr., President
P.O. Box 289
Chesterfield, Missouri 63006

Description of Proposed Project: Add proposed Phase Two-B: Buildings 34-51 (112 Units) and a pool with storage and bathrooms.

Is there any deed restrictions on this property? no

If so, please attach a copy of the property deed restrictions.

**PLEASE NOTE:** As specified in Section 405.320, paragraph C. of the Municipal Code, “No site plan approval shall be valid for a period longer than twenty-four (24) months from the date of approval of the site plan application, unless within such period a building permit is obtained and construction is commenced.”

For further information related to validity and extensions, please see the full text of the Code, available on line at [www.lakesaintlouis.com](http://www.lakesaintlouis.com) or by request to the Community Development Department.

I, Joe Scott III, hereby certify that the information given above is true and accurate and that I have reviewed the applicable land development regulations.

signature of Owner or Agent

3-28-2019

Date
PLEASE SUBMIT THE FOLLOWING ALONG WITH THE COMPLETED APPLICATION:

[NOTE: COMPLETED APPLICATIONS ARE REQUIRED 35 DAYS IN ADVANCE OF THE MEETING DATE. APPLICATIONS LACKING ANY ONE OF THE FOLLOWING ITEMS ON DEADLINE SUBMITTAL DATE WILL BE CONSIDERED INCOMPLETE AND WILL NOT BE PLACED ON THE AGENDA.]

- Review Fee
- One (1) full size (24" by 36") plan set **FOLDED** to 8½" by 11".
- Vicinity map placed on plans.
- One (1) consolidated PDF of the plan via flash drive or email. Do not exceed 20 MB if emailing.

**RESIDENTIAL ZONING:** **CERTIFIED list** from the St. Charles County Assessor’s Office of property owners’ names and addresses within **300 feet** of the property. List to be placed on letter-size mailing labels and submitted with original certified list.

**COMMERCIAL ZONING:** **CERTIFIED list** from the St. Charles County Assessor’s Office of property owners’ names and addresses within **1,000 feet** of the property. List to be placed on letter-size mailing labels and submitted with original certified list.

- Mail-out Fee of letters to property owners.
- Cost of advertising in Newstime and St. Charles County Business Record.

Please note, the applicant or his representative is expected to be in attendance and make a presentation during the Public Hearing portion of the P&Z meeting. The meetings are held the 1st Thursday of each month.
PLANNING AND ZONING FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUBDIVISION PLATTING FEE – RESIDENTIAL</td>
<td>$250.00 +</td>
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<tr>
<td>{Preliminary Development Plan}</td>
<td>$25.00 PER LOT/UNIT</td>
</tr>
<tr>
<td>SUBDIVISION PLATTING FEE – COMMERCIAL AND INDUSTRIAL</td>
<td>$75.00 PER SHEET +</td>
</tr>
<tr>
<td>{Preliminary Development Plan}</td>
<td>$10.00 PER ACRE</td>
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<tr>
<td>SITE PLAN REVIEW FEE</td>
<td>$100.00</td>
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<tr>
<td>SPECIAL USE PERMIT</td>
<td>$100.00</td>
</tr>
<tr>
<td>ZONING/REZONING REVIEW FEE</td>
<td>$200.00</td>
</tr>
<tr>
<td>MAIL-OUT LETTER FEE</td>
<td>$0.79 per letter</td>
</tr>
<tr>
<td>AD FEE (St. Charles County Business Record and Newstime)</td>
<td>*$400.00</td>
</tr>
<tr>
<td>*This cost is an estimate. Once the ads have been placed, you will be notified regarding the difference.</td>
<td></td>
</tr>
</tbody>
</table>

PLEASE NOTE THE APPLICATION FEE IS DUE AT TIME OF APPLICATION SUBMITTAL.

Lake Saint Louis City ordinances state no application may be approved if the applicant, its entities or affiliates are in arrears as to payment of taxes or fees. (SECTION 135.260: TAXES MUST BE PAID PRIOR TO THE ISSUANCE OF ANY PERMIT, LICENSE OR FORMAL APPROVAL)

TO BE COMPLETED BY CITY STAFF

Filing Fee Amount: ______________________  Mailing Fee Amount: ______________________
Date Fees Paid: _________________________

Page 4 of 6
Updated: December 20, 2018
REAL ESTATE OWNER AFFIDAVIT

1. ________________________________ , am the owner or
   (Owner or Agent) authorized agent of the owner of the parcel, which is the subject matter of the above
   application, and swears upon my oath that:

   1. All taxes, fees and assessments, due and assessed by the City of Lake Saint
      Louis, have been paid with regard to the parcel, which is the subject matter of
      this application.

   2. All taxes, fees and assessments, due and assessed by the City of Lake Saint
      Louis, have been paid with regard to all parcels in the City of Lake Saint Louis,
      owned by the same owner of the parcel of land which is the subject matter of this
      application.

   3. All taxes, fees and assessments, due and assessed by the City of Lake Saint
      Louis, have been paid with regard to all parcels of land owned by the control
      entities of the owner of the parcels which are the subject matter of this
      application.

   4. All taxes and fees due and assessed by the City of Lake Saint Louis have been
      paid with regard to all parcels in the City of Lake Saint Louis owned by affiliates
      of the owner of the parcels which are the subject matter of this application,
      including those entities which are controlled by owner.

[Signature]

Signature of Owner (if individual) or
Signature of Authorized Agent of Applicant
Owner

STATE OF MISSOURI  

COUNTY OF ST. CHARLES  

On this 28 day of March, 2019, before me, a notary public in and for the State of Missouri, personally appeared  

known to me to be the person who executed the within Real Estate Owner Affidavit and acknowledged to me that he/she executed the same for the purpose stated therein and as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal this 28 day of March, 2019, in the County of St. Charles, State of Missouri.

DEBRA JANE ROY  
Notary Public – Notary Seal  
St Charles County – State of Missouri  
Commission Number 12487168  
My Commission Expires Dec 23, 2020

My Commission Expires: Dec 23, 2020

******************************************************************************

Authorized Agent

STATE OF MISSOURI  

COUNTY OF ST. CHARLES  

On this 28 day of March, 2019, before me, a notary public in and for the State of Missouri, personally appeared  

who stated that he/she is the  

and that he/she has been authorized to make this application, and is further known to me to be the person who executed the within Real Estate Owner Affidavit and acknowledged to me that he/she executed the same for the purpose stated therein and as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal this 28 day of March, 2019, in the County of St. Charles, State of Missouri.

DEBRA JANE ROY  
Notary Public – Notary Seal  
St Charles County – State of Missouri  
Commission Number 12487168  
My Commission Expires Dec 23, 2020

My Commission Expires: Dec 23, 2020

Page 6 of 6
Updated: December 20, 2018
A tract of land being part of Section 2, U.S. Surveys 287 and 53, Township 46 North, Range 2 East, St. Charles County, Missouri, being more particularly described as follows:

Commencing at the intersection of the south line of a tract of land now or formerly Waterways Apartments, L.P. as recorded in Deed Book 2741, Page 92 of the St. Charles County, Missouri Records; thence leaving said east line of said tract of land and containing 1,265,751 square feet or 29.06 acres more or less, herein described tract of land and containing 1,265,751 square feet or 29.06 acres more or less.

Comprehensive and particularly described as follows:

- South 89°59'13" East a distance of 140.96 feet to a point;
- thence along an arc length of 120.71 feet to a point of tangency;
- North 00°22'55" West a distance of 120.92 feet, the chord which bears North 05°20'37" East a chord of 65.31 feet to a point;
- thence along a curve to the left having a radius of 605.00 feet, an arc length of 102.96 feet, the chord which bears South 01°01'35" West a distance of 1255.89 feet to a point of curvature;
- thence continuing along the west line of said Tract of Land, the southern line of said Tract of Land, a distance of 83.12 feet, the chord which bears North 82°19'36" West a distance of 193.80 feet to a point on the eastern width of said Tract of Land;
- thence along the eastern width of said Tract of Land, the northern line of said Tract of Land, a distance of 83.21 feet, the chord which bears North 44°56'49" West a distance of 136.28 feet to a point;
- thence a line at right angles to the eastern width of said Tract of Land, a distance of 174.86 feet, the chord which bears South 01°01'35" West a distance of 1266.78 feet to the POINT OF BEGINNING of said Tract of Land.

DETECTION AND WATER QUALITY

The following WATERWAYS ADJUSTED LOT 1:

DESCRIPTION

A tract of land being part of Fractional Section 2 and U.S. Surveys 287 and 53, Township 46 North, Range 2 East, St. Charles County, Missouri, recorded in Plat Book 1474, Page 92 of the St. Charles County, Missouri Records the following:

- Commencing at the intersection of the south line of a tract of land now or formerly Waterways Apartments, L.P. as recorded in Deed Book 2741, Page 92 of the St. Charles County, Missouri Records; thence leaving said east line of said tract of land and containing 1,265,751 square feet or 29.06 acres more or less, herein described tract of land; thence continuing along the west line of said Tract of Land, the southern line of said Tract of Land, a distance of 83.12 feet, the chord which bears North 82°19'36" West a distance of 193.80 feet to a point on the eastern width of said Tract of Land;
- thence continuing along the west line of said The Manors at Meadowbrook Plat Two and the western line of Dardenne Landing as recorded in Plat Book 37, Page 44 of the St. Charles County, Missouri Records; thence along the western line of said The Manors at Meadowbrook Plat Two as recorded in Plat Book 37, Page 161 of the said St. Charles County, Missouri Records and the northwest corner of The Manors at Meadowbrook Plat Two and the western line of Dardenne Landing as recorded in Plat Book 37, Page 161 of the said St. Charles County, Missouri Records; thence leaving said west line of said Tract of Land and containing 1,265,751 square feet or 29.06 acres more or less, herein described tract of land; thence continuing along the west line of said Tract of Land, the southern line of said Tract of Land, a distance of 83.12 feet, the chord which bears North 82°19'36" West a distance of 193.80 feet to a point on the eastern width of said Tract of Land;
- thence a line at right angles to the eastern width of said Tract of Land, a distance of 174.86 feet, the chord which bears South 01°01'35" West a distance of 1266.78 feet to the POINT OF BEGINNING of said Tract of Land.

DETECTION AND WATER QUALITY

The following WATERWAYS ADJUSTED LOT 2:

DESCRIPTION

A tract of land being part of Fractional Section 2 and U.S. Surveys 287 and 53, Township 46 North, Range 2 East, St. Charles County, Missouri, recorded in Plat Book 1474, Page 92 of the St. Charles County, Missouri Records the following:

- Commencing at the intersection of the south line of a tract of land now or formerly Waterways Apartments, L.P. as recorded in Deed Book 2741, Page 92 of the St. Charles County, Missouri Records; thence leaving said east line of said tract of land and containing 1,265,751 square feet or 29.06 acres more or less, herein described tract of land; thence continuing along the west line of said Tract of Land, the southern line of said Tract of Land, a distance of 83.12 feet, the chord which bears North 82°19'36" West a distance of 193.80 feet to a point on the eastern width of said Tract of Land;
- thence continuing along the west line of said The Manors at Meadowbrook Plat Two and the western line of Dardenne Landing as recorded in Plat Book 37, Page 44 of the St. Charles County, Missouri Records; thence along the western line of said The Manors at Meadowbrook Plat Two as recorded in Plat Book 37, Page 161 of the said St. Charles County, Missouri Records and the northwest corner of The Manors at Meadowbrook Plat Two and the western line of Dardenne Landing as recorded in Plat Book 37, Page 161 of the said St. Charles County, Missouri Records; thence leaving said west line of said Tract of Land and containing 1,265,751 square feet or 29.06 acres more or less, herein described tract of land; thence continuing along the west line of said Tract of Land, the southern line of said Tract of Land, a distance of 83.12 feet, the chord which bears North 82°19'36" West a distance of 193.80 feet to a point on the eastern width of said Tract of Land;
- thence a line at right angles to the eastern width of said Tract of Land, a distance of 174.86 feet, the chord which bears South 01°01'35" West a distance of 1266.78 feet to the POINT OF BEGINNING of said Tract of Land.
Photos of recently constructed Waterways of Lake Saint Louis Buildings
PLANNING & ZONING COMMISSION
STAFF REPORT

MEETING DATE  May 2, 2019

APPLICANT     City of Lake Saint Louis

APPLICATION TYPE  Text Amendment

SUMMARY    Consideration of text amendments to Municipal Code Title IV: Land Use, regarding medical marijuana facilities.

STAFF       Louis Clayton, AICP, Director of Community Development

BACKGROUND

The voters of Missouri passed Amendment 2 in November 2018 legalizing the growing, manufacturing, transportation, and consumption of marijuana for medical purposes. This amendment will allow state-licensed physicians to recommend marijuana for medical purposes to patients with serious illnesses and medical conditions. Medical marijuana may be smoked (or vaporized); or it may be ingested in capsules, teas, or food. The Amendment specifically prohibits the public consumption of medical marijuana and operating a vehicle while under the influence.

The Missouri Department of Health and Senior Services is expected to issue regulations which may impact some of the assumptions that are being distributed to cities. The information provided in this staff report is based on the best information that is now available. As shown below, the earliest that medical marijuana could be commercially available will be January of 2020.
Cities are free to enact regulations as to the time, place and manner of operation of medical marijuana facilities; however, these regulations may not be “unduly burdensome” or effectively prohibit the operation of medical marijuana facilities in the City. The Amendment does not define what the term “unduly burdensome” means, so cities should expect that any regulation will be subject to attack as “unduly burdensome.”

The City may regulate hours of operation, location, odor, business licenses, and other similar requirements. The City may not regulate the consumption of medical marijuana within residential zones, the home cultivation of medical marijuana, the number of marijuana facilities allowed in the City, or any other requirement which would directly contradict Amendment 2.

**SUMMARY**

The proposed regulations (see Exhibit A) are based on model legislation provided by the Missouri Municipal League, regulations recently adopted by other municipalities, and feedback received by the Board of Aldermen and Planning and Zoning Commission. The following is a summary of the key components of the proposed regulations:

**Zoning Districts**

Medical marijuana facilities will be considered permitted uses in the following zoning districts:

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>Community Business</th>
<th>Highway Commercial</th>
<th>Business Park</th>
<th>Office and Research Park</th>
<th>Light Industrial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultivation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Permitted</td>
</tr>
<tr>
<td>Manufacturing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Permitted</td>
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<tr>
<td>Testing</td>
<td></td>
<td></td>
<td>Permitted</td>
<td>Permitted</td>
<td>Permitted</td>
</tr>
<tr>
<td>Dispensary</td>
<td>Permitted</td>
<td>Permitted</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Licensing requirements**

State licenses and City business licenses are required for all medical marijuana facilities.

**Location Requirements**

Medical marijuana facilities must be located at least 1,000 feet from churches, schools, daycares, and other marijuana related uses and 500 feet from a residential zoning district, public park or public recreational facility (refer to the map in Exhibit B). These distances may be reduced by the Board of Aldermen by approval of a Special Use Permit.

**Hours of Operation**

A dispensary facility may be open seven days a week and may open no earlier than 8:00 A.M. and shall close no later than 10:00 P.M. the same day. There is no limit on the hours of operation of other medical marijuana facilities.

**Odor**

No marijuana related use, activity or facility shall emit an odor or in any way cause a public nuisance as defined in Chapter 220 of the Municipal Code. Appropriate ventilation systems to
prevent any odor of marijuana or fumes from leaving the premises or other changes to the facilities can be required if a public nuisance violation occurs.

Onsite Consumption
The consumption, inhalation or other personal use of marijuana or medical marijuana-infused products on or within the premises of a medical marijuana facility is prohibited, except testing facilities.

CONCLUSION

The proposed text amendments (see Exhibit A) are based on model legislation provided by the Missouri Municipal League, regulations recently adopted by other municipalities, and feedback received by the Board of Aldermen and Planning and Zoning Commission. Staff is of the opinion that the proposed text amendments are consistent with the requirements of Amendment 2, adequately restrict the time, place and manner of operation of medical marijuana facilities, and are not unduly burdensome.

STAFF RECOMMENDATION

To recommend approval of the proposed text amendments to the Board of Aldermen.

MOTION

Staff recommends the following motion which can be read verbatim or modified as desired:

“I move to recommend approval of the proposed Text Amendments to the Board of Aldermen as submitted.”
EXHIBIT A

New text is **bold and underlined**, eliminated text is struck through and all changes are **highlighted**.

Title IV: Land Use

Chapter 405 Development Regulations and General Provisions

Article II Definitions

Section 405.190 Usage

**AGRICULTURE OR FARMING**
The planting, cultivating, harvesting and storage of grains, hay or plants, vineyards or trees, **excluding marijuana**. The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area in which the livestock or poultry is kept contains ten (10) acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops.

**MARIJUANA: OR “MARIHUANA”**
*Cannabis indica, Cannabis sativa, and Cannabis ruderalis,* hybrids of such species, and any other strains commonly understood, within the scientific community to constitute marijuana, as well as, resin extracted from the plant and marijuana-infused products. “Marijuana” or “Marihuana” does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

**MARIJUANA-INFUSED PRODUCTS**
Products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.

**MEDICAL MARIJUANA CULTIVATION FACILITY**
A facility licensed by the Missouri Department of Health and Senior Services to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Marijuana Dispensary Facility, Medical Marijuana Testing Facility, or to a Medical Marijuana-Infused Products Manufacturing Facility.

**MEDICAL MARIJUANA DISPENSARY FACILITY**
A facility licensed by the Missouri Department of Health and Senior Services, to acquire, store, sell, transport and deliver marijuana, marijuana-infused products and drug paraphernalia used to administer marijuana as provided for in
this section to a Qualifying Patient, a Primary caregiver, another Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or a Medical Marijuana-Infused Products Manufacturing Facility.

**MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY**
A facility licensed by the Department to acquire, store, manufacture, transport, and sell marijuana-infused products to a Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or to another Medical Marijuana-Infused Products Manufacturing Facility.

**MEDICAL MARIJUANA TESTING FACILITY**
A facility certified by the Department to acquire, test, certify, and transport Marijuana.

Chapter 410 Zoning Districts and Regulations

Article VI “CB” Community Business District

Section 410.340 Uses Permitted By Site Plan Approval

A. The following uses shall be permitted in the "CB" District provided that the total gross floor area of any structure or structures shall not exceed a one and twenty-five hundredths (1.25) floor area ratio (FAR) and further providing that the following uses shall be permitted in accordance with the provisions of site plan review, Chapter 430, Article IV.

1. All uses permitted in Section 410.330 which exceed two thousand (2,000) square feet.
2. Household appliance sales and repair.
3. Home and office furniture stores.
4. Pet shops, pet sales, food and supplies.
5. Garden supplies.
6. Hardware, paint, glass or wallpaper sales.
7. Medical or dental clinic or laboratories.
8. Printing, lithography and publishing (including office duplicating).
9. Retail store or market providing the convenience needs of the City's residents.
11. Auditoriums and other assembly halls.
12. Indoor theaters or cinemas.
13. Business, institutional, governmental, professional and medical offices at a density of up to two (2.0) FAR.
14. Private clubs whose chief activity is customarily carried on as a business.
15. Financial institutions with drive-in facilities.
16. Medical Marijuana Dispensary Facility in accordance with Chapter 430, Article VI.

Article VII Office and Research Park District

Section 410.380 District Uses

A. The following uses shall be permitted provided the total gross floor area does not exceed a two (2.0) FAR and are subject to site plan review and approval Chapter 430, Article IV. Environmental design standards shall apply to the review.

1. Basic permitted uses.

   a. Offices including commercial, professional, executive, institutional and medical occupancy.
   b. Research and development establishments provided that the occupancy of such a facility does not exceed one (1) employee per one hundred seventy (170) square feet of gross laboratory or office space at any one period of the day.
   c. Accessory retained uses provided that same shall not exceed ten percent (10%) of the total gross floor area within the development, and provided that such uses are intended primarily for the use and convenience of the occupants of the development.
   d. Medical Marijuana Testing Facility in accordance with Chapter 430, Article VI.

   d. Any proposed use that is not listed above shall be reviewed by the Planning and Zoning Commission and forwarded with a recommendation to the Board of Aldermen for final determination and approval.

Article VIII “LI” Light Industrial District

Section 410.405 Permitted Uses

A. All existing buildings, structures and properties located within this zone shall be maintained in conformity with the following provisions and with all other applicable provisions of the Municipal Code of the City of Lake Saint Louis, including those provisions identified in Chapter 430, Article I regulating the emission of odor, smoke, toxic gases, dirt, dust, fly ash and other particulate matter, the generation of noise and vibration and relating to fire prevention and safety. All buildings and structures that are hereafter erected, structurally altered or enlarged within this zone shall be erected, structurally altered or enlarged and maintained only in conformity with the following provisions and with all other applicable provisions of the Municipal Code of the City of Lake Saint Louis, including those provisions identified in Chapter 430, Article I regulating the emission of odor, smoke,
toxic gases, dirt, dust, fly ash and other particulate matter, the generation of noise and vibration and relating to fire prevention and safety.

1. Basic permitted uses.
   a. Bottling and canning facility.
   b. Cabinetmaking, planing mill, carpentry and woodworking plant.
   c. Chemical laboratory not emitting fumes or odors outside the building.
   d. Food lockers, cold storage facilities.
   e. General business offices.
   f. Business offices of labor unions and labor organizations.
   g. Laboratories, research, experimental or testing, excluding explosives and Class IV drugs and above.
   h. Laundry and linen supply services.
   i. Lumberyard.
   j. Machine shop, photoengraving, plumbing or sheet metal shop.
   k. Manufacturing or processing or assembly of materials and products similar to those listed below.
      (1) Aircraft and accessories.
      (2) Appliances (household and electrical).
      (3) Athletic and sporting goods.
      (4) Bags/boxes — excluding jute type materials
      (5) Bakery goods.
      (6) Brooms and brushes.
      (7) Candy.
      (8) Canvas products.
      (9) Watches and clocks.
      (10) Clothing.
      (11) Communication equipment.
      (12) Computer and data processing equipment.
      (13) Electrical equipment and wiring.
      (14) Engineering, laboratory, scientific equipment.
      (15) Furniture.
      (16) General hardware.
      (17) Glass or glass containers.
      (18) Hats and caps.
      (19) Ice and frozen desserts.
      (20) Industrial belting and packing.
      (21) Medical and surgical instruments.
      (22) Musical instruments and supplies.
      (23) Newspaper, printing and publishing.
      (24) Office machines and products.
      (25) Pipe products, excluding plastic based pipes.
      (26) Radio, television products.
      (27) Shoes and boots.
      (28) Signs.
      (29) Stone products and cut stone.
      (30) Syrups.
(31) Terra-cotta.
(32) Textiles.
(33) Tobacco, tobacco products and cigars.
(34) Toys.
(35) Wall coverings.

l. Masonry, marble, tile or stonework operation.
m. Medical laboratory and services.
n. Medical Marijuana Cultivation Facility in accordance with Chapter 430, Article VI.
o. Medical Marijuana Testing Facility in accordance with Chapter 430, Article VI.
p. Medical Marijuana-Infused Products Manufacturing Facility in accordance with Chapter 430, Article VI.

ng. Office facilities for carrying out administrative functions in connection with any of the permitted uses or for the sale and/or display of industrial and commercial goods.

or. Recreational uses (enclosed or open), including tennis, handball or paddle-ball, swimming, skating, gymnasiums or health club, bowling, etc., but excluding outdoor theatres.

ps. Rental, sale or repair of commercial or industrial machinery and equipment.

qt. Warehousing and associated wholesale/retail sales of individual specialty products similar to:

   (1) Agricultural fertilizers (non-hazardous).
   (2) Air conditioning, refrigeration equipment.
   (3) Alcoholic beverages, wines, spirits.
   (4) Apparel and accessories.
   (5) Appliances (household and electrical).
   (6) Building materials.
   (7) Construction equipment.
   (8) Drug, drug proprietary Class III and below.
   (9) Electrical supplies.
   (10) Electronics, electrical equipment, wiring supplies.
   (11) Equipment and supplies for service establishments.
   (12) Farm supplies.
   (13) Furniture and home furnishings.
   (14) Garden supplies and landscape supplies.
   (15) General contractor service supplies.
   (16) Grocery supplies.
   (17) Hardware products.
   (18) Household goods, non-hazardous products.
   (19) Lumber and building materials.
   (20) Paper and paper products.
   (21) Research, development or testing products.
   (22) Shoes and boots.
   (23) Tobacco and tobacco products.

ru. Shipping and distribution facility.
sv. Utility substation for electric, water, gas or telephone.
Welding, blacksmith supply, production, service facility.

Any proposed use that is not listed above shall be reviewed by the Planning and Zoning Commission and forwarded with a recommendation to the Board of Aldermen for final determination and approval.

Article XII “HC” Highway Commercial District

Section 410.580 Permitted Uses

A. The following shall be considered basic permitted uses, provided that the total floor area of any structures shall not exceed a one and twenty-five hundredths (1.25) floor area ratio (FAR).

1. Stores, shops and retail uses, including:
   
   a. Accounting, computing, office machine — retail.
   b. Antiques — retail.
   c. Apparel and accessories — retail.
   d. Appliances (household) — retail.
   e. Automobile parts and supplies — retail.
   f. Bagel shops — retail.
   g. Bakeries manufacturing — retail.
   h. Bicycles — retail.
   i. Books, magazines, periodicals — retail.
   j. Cameras and photographic supplies — retail.
   k. Candy, nut and confectionery — retail.
   l. China, glassware, metalware — retail.
   m. Cigarettes and cigars — retail.
   n. Coffee shops/houses — retail.
   o. Convenience store or food shop.
   p. Crafts — retail.
   q. Home decor — retail.
   r. Department, variety and discount stores — retail.
   s. Electrical supplies — retail.
   t. Electronics — retail including the sale of radios, televisions and other consumer electronics.
   u. Farm supplies — retail.
   v. Fish and seafood — retail.
   w. Floor coverings — retail.
   x. Florists — retail.
   y. Frozen desserts and ice cream — retail.
   z. Fruits and vegetables — retail.
   aa. Furniture — retail.
   ab. Furriers and fur apparel — retail.
   ac. Garden supplies and displays including outdoor storage.
   ad. Gasoline service stations — retail.
   ae. General stores — retail.
   af. Gifts, novelties and souvenirs — retail.
ag. Glass, paint and wallpaper — retail.
ah. Hardware — retail.
ai. Hearing aids, optical goods, orthopedic appliances and other similar devices — retail.
aj. Heating and plumbing equipment and supplies — retail.
ak. Hobby supplies — retail.
al. Home and building stores including indoor lumberyards.
am. Home furnishings — retail.
an. Jewelry — retail.
ao. Liquor — retail.
ap. Meats — retail.
aaq. Medical Marijuana Dispensary Facility in accordance with Chapter 430, Article VI.
aar. Monuments — retail.
as. Musical instruments and supplies — retail.
atas. Office and business equipment sales and service.
atau. Office supplies — retail.
avav. Pet supplies — retail.
avaw. Pharmacies — retail.
avax. Retail sale, rental and leasing of new automobiles and other new light motor vehicles.
avay. Shoes — retail.
avaz. Sporting goods — retail.
avazba. Stationery — retail.
avazz. Supermarket or grocery.

Article XIII “BP” Business Park

Section 410.620 Permitted Uses

A. Permitted land uses and developments shall be established in the conditions of the ordinance governing any particular Business Park District. All proposed uses shall be reviewed on a case-by-case basis and shall be allowed in any particular "BP" District only when found to be in compliance with an approved development plan. The following uses and types of uses shall be encouraged in the "BP" District in accordance with the provisions for site plan reviews and in accordance with approved area-wide plans which have been adopted by the Board of Aldermen. However, uses proposed for existing structures which would not result in the exterior modification of buildings or land and which satisfy the "Conditions of Use" of this Article may be authorized by the City Development Administrator without Planning Commission approval. The Planning and Zoning Commission shall determine if proposed uses meet the standards set forth in the "Conditions of Use" Section of this Article. Following is a listing of the type of uses this district is intended to encourage and may permit, however, this list is neither inclusive or exclusive of all possible types of uses.

1. Arenas and stadiums.
2. Broadcasting studios and facilities for radio, TV, telephone.
3. Cemeteries.
5. Day care facilities.
6. Hospitals, medical offices, clinics.
7. Hotels, motels.
8. Medical and dental facilities.
9. Adult retirement community, retirement community, housing which restricts occupancy to the age of the occupants.
12. Recreation facilities including, but not limited to, golf course, clubhouse, swimming pool, tennis courts, running paths, amphitheater.
13. Research facilities.
15. Schools, colleges, public and private.
17. Medical Marijuana Testing Facility in accordance with Chapter 430, Article VI.
18. Any proposed use that is not listed above shall be reviewed by the Planning and Zoning Commission and forwarded with a recommendation to the Board of Aldermen for final determination and approval.

Chapter 430 Additional Development Standards

Article VI Medical Marijuana Facilities

Section 430.660 Purpose and Intent

A. The purpose of this Article is to regulate the placement and operation of facilities for the dispensing, selling, cultivating, manufacturing, storing, and testing of marijuana and marijuana-infused products, to the extent permitted by the Missouri Constitution, applicable statutes enacted by the General Assembly, and regulations promulgated by the Missouri Department of Health and Senior Services, and to protect the health safety, and welfare of the residents, businesses, and property owners in the City.

Section 430.670 Definitions

A. The applicable definitions in Section 405.190 shall apply in interpretation and enforcement of this Article, unless otherwise specifically stated. Terms not expressly defined in Section 405.190 shall have the meaning set forth in Mo. Const. art. XVI, Section 1(2), enacted as Amendment 2 (2018) to the Missouri Constitution and approved by Missouri voters on November 6, 2018, relating to access to medical marijuana, if defined therein.
Section 430.680 Licensing Requirements

A. No Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility shall be operated within the City without a valid license issued by the Missouri Department of Health and Senior Services.

B. No marijuana or marijuana-infused products shall be acquired, certified, cultivated, delivered, manufactured, processed, sold, stored, tested, or transported within the City, except by persons or entities licensed for such purposes by the Missouri Department of Health and Senior Services.

C. Each Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility shall at all times possess a current City business license. By obtaining a City business license, the facility licensee irrevocably consents to the immediate closure and cessation of operation of the facility in addition to all other penalties or remedies available by law for the failure to possess a current City business license.

Section 430.690 Location Requirements

A. No Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility shall be located within the following:

1. 1,000 feet of a parcel of land which is owned and occupied by a religious institution, educational institution, or a licensed child daycare center.

2. 1,000 feet of another Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility except when marijuana sales represents less than 5% of the dollar volume of business in a state or federally licensed pharmacy. Facilities under the same ownership and on the same property are exempt from this requirement.

3. 500 feet of a residential zoning district, public park or public recreational facility.

B. The distances described in this Section shall be computed by direct measurement from the nearest property line of the land used for the above purposes to the nearest portion of the building housing the Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility, using a straight line.
C. The distances described in this section may be reduced by the Board of Aldermen, upon recommendation of the Planning and Zoning Commission, and in such instances, approval of a Special Use Permit is required in accordance with Section 405.340.

Section 430.700 Other Requirements

A. A Medical Marijuana Dispensary Facility may open no earlier than eight o’clock (8:00) A.M. and shall close no later than ten o’clock (10:00) P.M. the same day. A Medical Marijuana Dispensary Facility may be open seven (7) days a week.

B. No Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility shall emit an odor or in any way cause a public nuisance as defined in Chapter 220. Appropriate ventilation systems to prevent any odor of marijuana or fumes from leaving the premises or other changes to the facilities can be required if a public nuisance violation occurs.

C. The consumption, inhalation or other personal use of marijuana or marijuana-infused products on or within the premises of a Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility is prohibited.

D. The consumption, inhalation or other personal use of marijuana or marijuana-infused products on or within the premises of a Medical Marijuana Testing Facility is permitted during the testing process and only as it relates to the testing process.
White areas depict a 1,000 foot setback from churches, schools, and daycares, a 500-foot setback from residential zoning districts, public parks and public recreational facilities.