

SPONSOR: COUNCILMEMBER

SPECIAL **ORDINANCE No.** 6457

AN ORDINANCE ADOPTING THE WHITEHEAD PLAZA PRECISE PLAN REQUESTED BY MING, INCORPORATED BY DAVID E. SUMMERS, AGENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ST. JOSEPH, MISSOURI AS FOLLOWS:

SECTION 1. That the City Council of the City of St. Joseph, Missouri does hereby adopt the Whitehead Plaza Precise Plan attached hereto as Exhibit "A", and incorporated herein by reference; said plan to apply to the P-6, Whitehead Plaza Precise Plan zoning district as adopted by General Ordinance Number 2055, dated October 11, 2004.

SECTION 2. The Planning Commission finds and declares that due notice and hearing required by Section 89.050, Missouri Revised Statutes, 1994, as amended, has been given, and furthermore, as provided by Section 31-071 of the Code of Ordinances of the City of St. Joseph, Missouri, has submitted its recommendation to the City Attorney and the City Manager including notations as to protests or lack of protests.

Authenticated Copy
of Reso., G.O., (S.O.) 6457
By Paula Heyde City Clerk
Deputy
Date 10-13-04

Approved as to form:

Theodore S. Ebo

ASST City Attorney

Passed October 11, 2004

Attest: /s/ Paula Heyde, CMC
(Seal)

City Clerk

[Signature]

Mayor

1234567890

Date: September 14, 2004
Type of Ordinance: Special

CITY CLERK
2004 SEP 17 AM 9:39

EXPLANATION TO COUNCIL BILL

ORIGINATING DEPARTMENT: Planning and Community Development Department

PURPOSE: Consideration of an ordinance to **approve** the Whitehead Plaza Precise Plan.

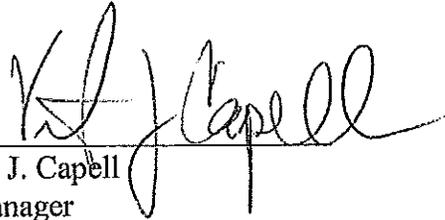
REMARKS: If the City Council chooses to approve the zone district change for 2503 South Belt Highway and 3809 Pickett Road, then it is appropriate to adopt the Whitehead Plaza Precise Plan by the attached special ordinance. The Planning Commission reviewed the plan on August 26, 2004, along with the aforementioned zone district change and has recommended approval.

Submitted by:

Reviewed by:



Clint Thompson, Director of
Planning and Community Development



Vincent J. Capell
City Manager

Prepared by:



Richard Rossiter
Assistant City Planner

CITY CLERK

EXHIBIT A

2004 SEP 17 AM 9:39

WHITEHEAD PLAZA

A
PRECISE PLAN

FOR

MING INCORPORATED

May 4, 2004
(Revised June 21, 2004)
(Revised August 2, 2004)
(Revised August 11, 2004)

PREPARED FOR:

David E. Summers
St. Joseph, Missouri

PREPARED BY:

Goldberg, Sullivan & McCreery Inc.
Architects & Planners
510 Francis - Suite 314
St. Joseph, Missouri 64501

August 11, 2004

CITY CLERK

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Ming Incorporated Business Park
Property at South Belt and Pickett Road

Precise Plan Summary

Intent: It is the desire and intent of Ming Incorporated (the Owner) to develop his property in a controlled, logical and professional manner that will benefit the City of St. Joseph and the surrounding areas. The use of a Precise Plan defines the types of commercial businesses that may or may not be established on the property, and establishes minimum standards of construction and appearance for structures built within the development.

The Owner has broken the site up into parcels for individual development in order to accommodate a number of smaller tenants, and to avoid the site being dominated by a couple of large concerns. This has the added benefit of minimizing truck traffic, and the street patterns are intended to reduce "short-cut" traffic through the site.

Land Use Areas: The project site is divided into five (5) land use areas that establish the types of business and functions that will be permitted.

Area 1 – Adjacent to, and immediately off of, the Belt Highway entrance will be Retail/Office. Businesses such as restaurants and small convenience stores, small retail shops, offices for Insurance, Real Estate, Mortgage, Doctors, Dentists, branch Bank and etc. would be permitted in these areas.

Buildings in Area 1 are required to have architectural finish on all four sides, street façade requires a minimum of 30% masonry. Other approved exterior materials include EFIS, brick, stucco, cast stone, architectural CMU, etc. Exposed metal roofs are to be colored.

Area 2 – New entrance off of Pickett Road is Professional/Office. Legal, Doctor, Dentist, Real Estate, Mortgage, Banking offices would be permitted.

The street façade and at least 20' of return on each side requires an architectural finish with a minimum of 20% masonry. Rear sides may be tilt-up concrete, CMU or other substantial materials, colored or painted to be compatible with the front façade.

Area 3 – The center portion of the development is slated for Office/Warehouse. Offices with some warehouse storage attached that would have some truck traffic for shipping/receiving. Furniture, Office Supplies, Printing, Machinery Sales, Carpet/Floor Covering sales and etc.

The street façades are to be of architectural finishes as other areas, with tilt-up concrete permitted as an additional option, however, a minimum of 10% of the street façade must be masonry. On walls away from the street, painted concrete or CMU may be used, and with written permission from the Owner, colored metal panels may be used above minimum 10' tall concrete or CMU walls. Loading docks and service doors cannot face Belt or Pickett.

Area 4 – Furthest from the residential areas is for Warehouse. Warehouse facilities for storage and distribution of finished products. Electronics and computer systems, components and supplies, plastic products, Auto Parts distribution, light metal or wood products are examples of permitted usage. *The changes omit manufacturing.*

The street façades are to be of architectural finishes as other areas, with tilt-up concrete permitted as an additional option, however, a minimum of 10% of the street façade must be masonry. On walls away from the street, painted concrete or CMU may be used, and with written permission from the Owner, colored metal panels may be used above minimum 10' tall concrete or CMU walls. Loading docks and service doors cannot face Belt or Pickett.

Area 5 – Open Space adjacent to Pickett School, and smaller plots throughout the development. Dedicated green space and water retention pond acts as a buffer between the school and the development. Provides public recreation areas with shade, water features, trails and etc.

Any structures built in Area 5 must be compatible with the “park like” setting and intended use. Materials should be wood or stone masonry. Trails, walks and paths are to be reflective of the intended use and anticipated traffic, materials include concrete, asphalt, wood chips, and maintained turf.

Other General Requirements and Conditions:

All buildings and developments within the Plan area are required to comply with all the requirements of the City of St. Joseph Building and Zoning divisions prior to construction and occupancy. *This includes size, layout and connection of water, sewer and power to available sources.*

All streets and sidewalks in the development are to be constructed to City of St. Joseph standards.

All parking areas are to be hard surfaced (dustless), concrete or asphalt. Dirt and gravel are not permitted.

All sites are to be landscaped per the City of St. Joseph Landscape Ordinance and the requirements of the Plan along street frontage, set backs and side yards between buildings. Maintained turf, trees, shrubs and planting beds are required, all planting areas are to have ground cover or mulch.

Signage is controlled and restricted to individual letters on the building, monument signs on solid base, or box signs with raised letters may be approved. Signs are limited to the business or trade name of the premises. Signs are not permitted to extend above the roofline, nor are exposed lamps, tubing, conduits or raceways permitted.

Screening is required around outdoor storage areas, service and loading areas, refuse collection, exterior mechanical and utility equipment, exterior maintenance equipment and exterior communications apparatus. Screening may be by landscaping or opaque structural fencing to a minimum of 6' tall, compatible with the buildings. Mechanical penthouses on roofs should be enclosed or screened in a manner that blends with the exterior material and color of the primary structure.

Business or activities that require storage of, use of, or that generate noxious or hazardous chemicals or vapors are strictly prohibited. *This language has been strengthened.*

The property to the east is not a part of this development, or of this Precise Plan. A link to Powers Drive on the north will be a private drive for the Owner's personal use, and will not be a part of the road network.

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Article I - Property Description

This Precise Plan shall provide the development standards for the following real property:

PROPOSED DESCRIPTION: A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 57 NORTH, RANGE 35 WEST, CITY OF ST. JOSEPH, BUCHANAN COUNTY, MISSOURI, LYING EAST OF THE EASTERLY RIGHT-OF-WAY LINE OF 169 (BELT) HIGHWAY, AND SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF THE ABANDONED CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY, BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 23; THENCE NORTH 00° 11' 59" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, 870.00 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND RECORDED AND DESCRIBED IN DEED BOOK 963 AT PAGE 451, BUCHANAN COUNTY, MISSOURI, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 88° 52' 27" WEST ALONG THE NORTH LINE OF SAID RECORDED TRACT, 553.71 FEET TO THE NORTHWEST CORNER OF SAID RECORDED TRACT; THENCE SOUTH 00° 12' 00" WEST ALONG THE WEST LINE OF SAID RECORDED TRACT, 441.29 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND RECORDED AND DESCRIBED IN DEED BOOK 954 AT PAGE 233, BUCHANAN COUNTY, MISSOURI; THENCE NORTH 88° 52' 27" WEST ALONG THE NORTH LINE OF SAID RECORDED TRACT, 251.14 FEET, TO THE NORTHWEST CORNER OF SAID RECORDED TRACT; THENCE SOUTH 00° 11' 59" WEST ALONG THE WEST LINE OF SAID RECORDED TRACT, 101.71 FEET, TO A POINT ON THE NORTH LINE OF A TRACT OF LAND RECORDED AND DESCRIBED IN DEED BOOK 532 AT PAGE 627, BUCHANAN COUNTY, MISSOURI; THENCE NORTH 88° 52' 27" WEST ALONG NORTH LINE OF SAID TRACT, 263.15 FEET TO A POINT BEING SOUTHEAST CORNER OF A TRACT OF LAND RECORDED AND DESCRIBED IN DEED BOOK 921 AT PAGE 13, BUCHANAN COUNTY, MISSOURI; THENCE NORTH 02° 43' 53" ALONG THE EAST LINE OF SAID RECORDED TRACT, 154.55 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 89° 54' 07" WEST ALONG THE NORTH LINE OF SAID RECORDED TRACT, 215.00 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. NO. 169 (BELT) HIGHWAY; THENCE FOLLOWING THE SAID EASTERLY RIGHT-OF-WAY LINE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2904.95 FEET; AN ARC LENGTH OF 16.20 FEET, AND A CHORD BEARING OF NORTH 00° 15' 28" WEST; THENCE LEAVING SAID CURVE AND ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 89° 34' 56" EAST 10.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2914.95 FEET, AND ARC LENGTH OF 101.75 FEET, AND A CHORD BEARING OF NORTH 01° 25' 03" WEST; THENCE LEAVING SAID CURVE, AND CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 87° 34' 57" WEST 10.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2904.95 FEET, AND ARC LENGTH OF 126.13 FEET, AND A CHORD BEARING OF NORTH 03° 39' 41" WEST, TO THE SOUTHWEST CORNER OF A TRACT OF LAND RECORDED AND DESCRIBED IN DEED BOOK 905, AT PAGE 103, BUCHANAN COUNTY, MISSOURI; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 85° 05' 41" EAST ALONG THE SOUTH LINE OF SAID RECORDED TRACT, 215.00 FEET, TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE FOLLOWING THE EAST LINE OF SAID TRACT, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 3119.95 FEET, AND ARC LENGTH OF 180.71 FEET, AND A CHORD BEARING OF NORTH 06° 33' 53" WEST; THENCE NORTH 08° 13' 27" WEST ALONG THE EAST LINE OF SAID TRACT, 298.15 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE ABANDONED CHICAGO ROCK ISLAND AND PACIFIC RAILWAY, AS RECORDED IN DEED BOOK 1514, AT PAGE 661, BUCHANAN COUNTY, MISSOURI; THENCE FOLLOWING SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1849.60 FEET, AND ARC LENGTH OF 657.15 FEET, AND A CHORD BEARING OF NORTH 63° 53' 35" EAST; THENCE NORTH 53° 42' 53" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 402.28 FEET; THENCE CONTINUED ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1692.50 FEET, AN ARC LENGTH OF 269.94 FEET, AND A CHORD BEARING OF NORTH 58° 17' 02" EAST, TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23; THENCE SOUTH 00° 11' 59" WEST ALONG SAID EAST LINE, 1035.88 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 24.01 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROADS, EASEMENTS, RESERVATIONS, RESTRICTIONS, COVENANTS, AND CONDITIONS, IF ANY, NOW OF RECORD.

RECORD DESCRIPTION GENERAL WARRANTY DEED BOOK 1750 AT PAGE 722 BUCHANAN COUNTY RECORDER OF DEEDS:

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION TWENTY-THREE (23), IN TOWNSHIP FIFTY-SEVEN (57), OF RANGE THIRTY-FIVE (35), WHICH IS SOUTH OF THE RIGHT-OF-WAY OF THE CHICAGO, ROCK ISLAND & PACIFIC RAILWAY COMPANY, NORTH OF PICKETT ROAD, AND EAST OF THE RIGHT-OF-WAY OF STATE HIGHWAY ROUTE U.S. 71 (COMMONLY KNOWN AS THE BELT HIGHWAY), EXCEPT THEREFROM THOSE PORTIONS THEREOF CONVEYED; TO LULA HOWARD MANN AND TO THE CHILDREN OF HER BODY BY WARRANTY DEED RECORDED IN BOOK 532 AT PAGE 627; TO PAUL J. HOWARD BY WARRANTY DEED RECORDED IN BOOK 544 AT PAGE 549; TO

LOUIS PIKE AND WIFE BY WARRANTY DEED RECORDED IN BOOK 898 AT PAGE 663; TO LOUIS J. KAMLER AND WIFE BY WARRANTY DEED RECORDED IN BOOK 905 AT PAGE 103; TO WILLIE W. SIMPSON BY WARRANTY DEED RECORDED IN BOOK 921 AT PAGE 13; TO LESTER P. BASHAM AND WIFE BY WARRANTY DEED RECORDED IN BOOK 963 AT PAGE 211; TO THE PICKETT SCHOOL DISTRICT OF ST. JOSEPH, MISSOURI, BY WARRANTY DEED RECORDED IN BOOK 963 AT PAGE 451; AND TO DONALD P. MANN BY WARRANTY DEED RECORDED IN BOOK 954 AT PAGE 233; ALL OF SAID DEEDS BEING RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF BUCHANAN COUNTY, MISSOURI.

RECORD DESCRIPTION GENERAL WARRANTY DEED, BOOK 532, AT PAGE 627, AT THE BUCHANAN COUNTY RECORDER OF DEEDS BUCHANAN COUNTY, MISSOURI:

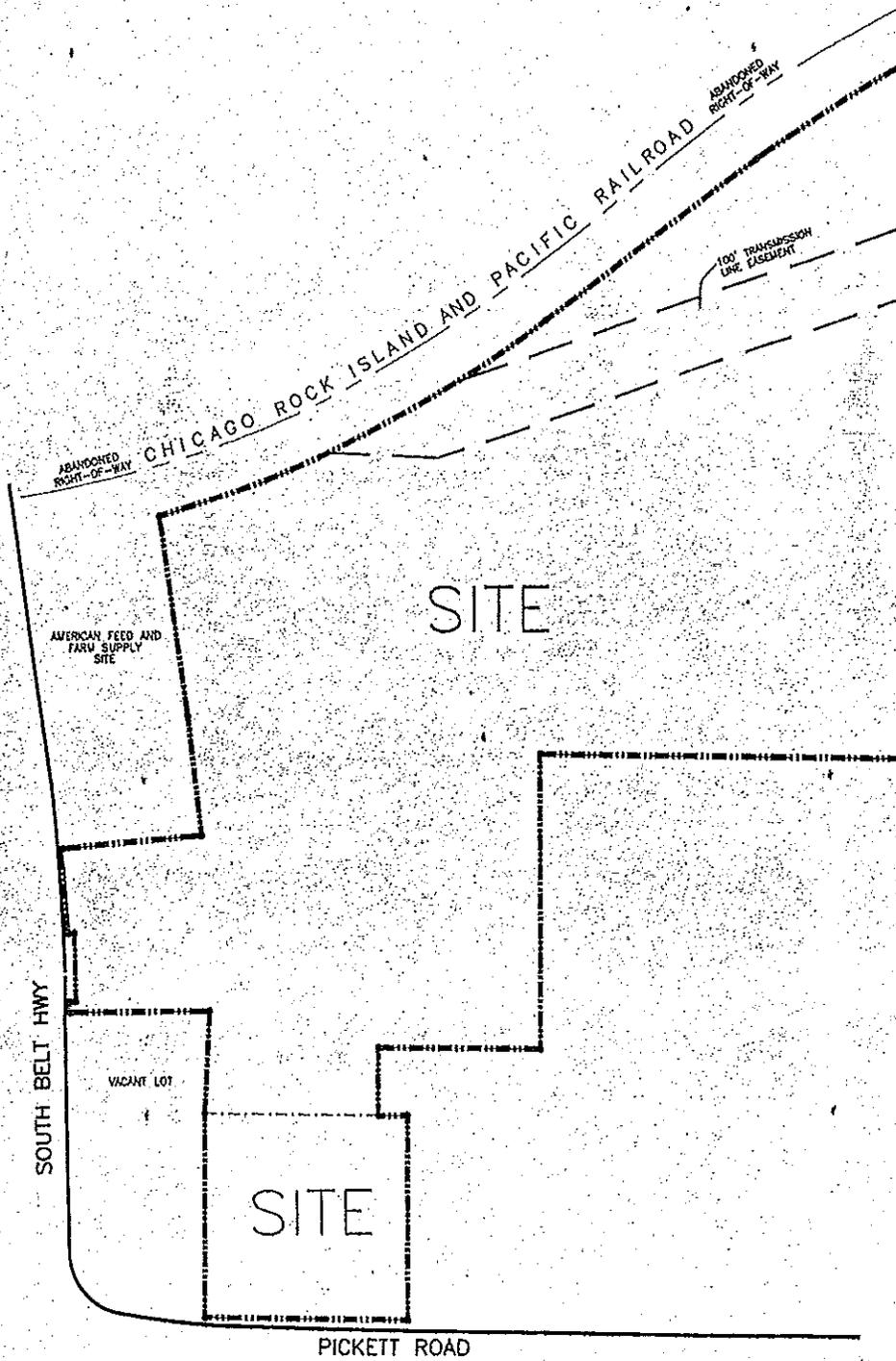
A TRACT OF LAND SITUATE IN THE NORTHWEST QUARTER OF SECTION TWENTY-THREE (23), TOWNSHIP FIFTY-SEVEN (57), RANGE THIRTY-FIVE (35), BUCHANAN COUNTY, MISSOURI AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 760.0 FEET WEST OF THE CENTER OF SAID SECTION TWENTY-THREE (23) THENCE WEST PARALLEL WITH EAST AND WEST CENTER LINE OF SAID SECTION TWENTY-THREE (23) 308.0 FEET, THENCE NORTH 327.0 FEET, THENCE EAST PARALLEL WITH THE EAST AND WEST CENTER LINE OF SAID SECTION TWENTY-THREE (23) 308.0 FEET, THENCE SOUTH 327.0 FEET TO THE PLACE OF BEGINNING. SAME CONTAINING 2.312 ACRES. FOUND IN BOOK 532 PAGE 627 AT THE BUCHANAN COUNTY RECORDER OF DEEDS BUCHANAN COUNTY, MISSOURI.

The above description is taken from a Plat of Survey by Bartlett & West Engineers, Inc., sealed by F. Shane Terhune, R.L.S., dated 30 May, 2000.

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Exhibit 1
PARCEL BOUNDARY MAP



CITY OF MINNAPOLIS
2004 SEP 17 AM 9:39

LAND USE AREA PLAN
NOT TO SCALE

Article II - Intent of the Precise Plan

The intent of this Precise Plan for Ming Incorporated Business Park is to provide for the development of the real property within the development in the City of St. Joseph, Missouri in a coordinated, complementary fashion in order to create consistently developed, high quality improvements that will contribute to functionality and aesthetics, and higher land value, while permitting the developer flexibility in responding to changes in market demand during development.

The Precise Plan zoning classification permits the establishment of development criteria and design standards. This will permit informal adjustments in land use while conforming to an orderly development.

The Precise Plan will:

- Allow for mixed land uses in the plan area;
- Allow for the integration of all of the affected surrounding premises and neighborhoods into the plan area;
- Examine development and planning issues surrounding the plan area and permit a comprehensive strategy to be developed in addressing them;
- Allow for a broader vision for the plan area and its place in the community;
- Grant flexibility in response to the needs of individual businesses considering a location in St. Joseph;
- Provide open space that is accessible to the surrounding community that creates an attractive buffer between the plan area and adjacent residential areas;
- Allow for the development of high standards of quality for design and construction within the plan area that will be compatible with surrounding residential and commercial development.

Goals for the Plan

Through the use of careful design, land use mixes, regulated design guidelines and development criteria, infrastructure planning and upgrades and flexibility to meet changing occupant demands, Ming Incorporated Business Park will endeavor to accomplish the following goals:

- Create an attractive environment for businesses that provide quality goods and services and quality jobs to the community;
- Create a development integral with the surrounding community, by employing modified and improved circulation and access, pedestrian-dedicated walks, landscape enhancements, thoughtful site planning, and attractive architectural elements;
- Establish development criteria and architectural design guidelines that will control the development patterns and the external appearance of the development and encourage a cohesive and unified development;
- Provide an attractive, uniform, well-designed development that will combine various sizes of office, office-warehouse, and light industrial facilities;

August 11, 2004

- Allow flexibility within the plan area to allow the plan to react to changing market conditions, while remaining cohesive and unified;
- Increase the value of the real property in the plan area while protecting the values of adjacent real property;
- Create new infrastructure, including sanitary sewer and transportation needs that will benefit the plan area and the surrounding community and spur additional quality development in the South Belt Highway area;
- Provide useable open space opportunities that will buffer adjacent land uses, connect to adjacent greenways that will be an asset for the users of the development and the surrounding community.

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Article III - Development Principles

This section describes the use and development principles for land development within the plan area under the Ming Incorporated Business Park Precise Plan.

- The development shall be developed in phases as part of a single coordinated development.
- Coordinated connections to the South Belt Highway and Pickett Road are important to the development of the property.
- The plan shall flexibly respond to changes in market demand over time, provided no restrictions or building use types are modified by doing so.
- The development is planned as a mixed-use development, combining office, office-warehouse, business park and open space uses. The design guidelines in the Precise Plan shall guide the development of plan areas over time to insure consistent, quality design and construction.
- Within the plan area, businesses purveying high quality goods and services to the community, quality employment opportunities for the community, and that improve the character and level of the quality of the development shall be encouraged.
- The plan shall be sensitive to adjacent neighbors and neighborhoods, and shall provide for buffering, screening, and sensitive site planing to minimize development impact on adjacent land uses.
- Businesses or activities that require storage of, use of, or that generate noxious or hazardous chemicals or vapors are strictly prohibited.
- The plan shall provide pedestrian connections through the development's open spaces and within the development.
- The plan shall provide increased vehicular accessibility around and through the development, including an improved entrance to Pickett Road by reducing existing duplicate entrances that creates a traffic hazard, and an entrance to the Belt Highway.
- The plan shall provide safe, convenient and accessible pedestrian circulation through the development of dedicated routes, trails and walks.
- In all cases, development within the park shall be subject to the City of St. Joseph's review and permit requirements to insure compliance with City infrastructure and capacities.
- Landscaping of property is required, and must meet or exceed the requirements of this Precise Plan and the City of St. Joseph Landscaping Ordinance.

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Article IV - Land Use Areas

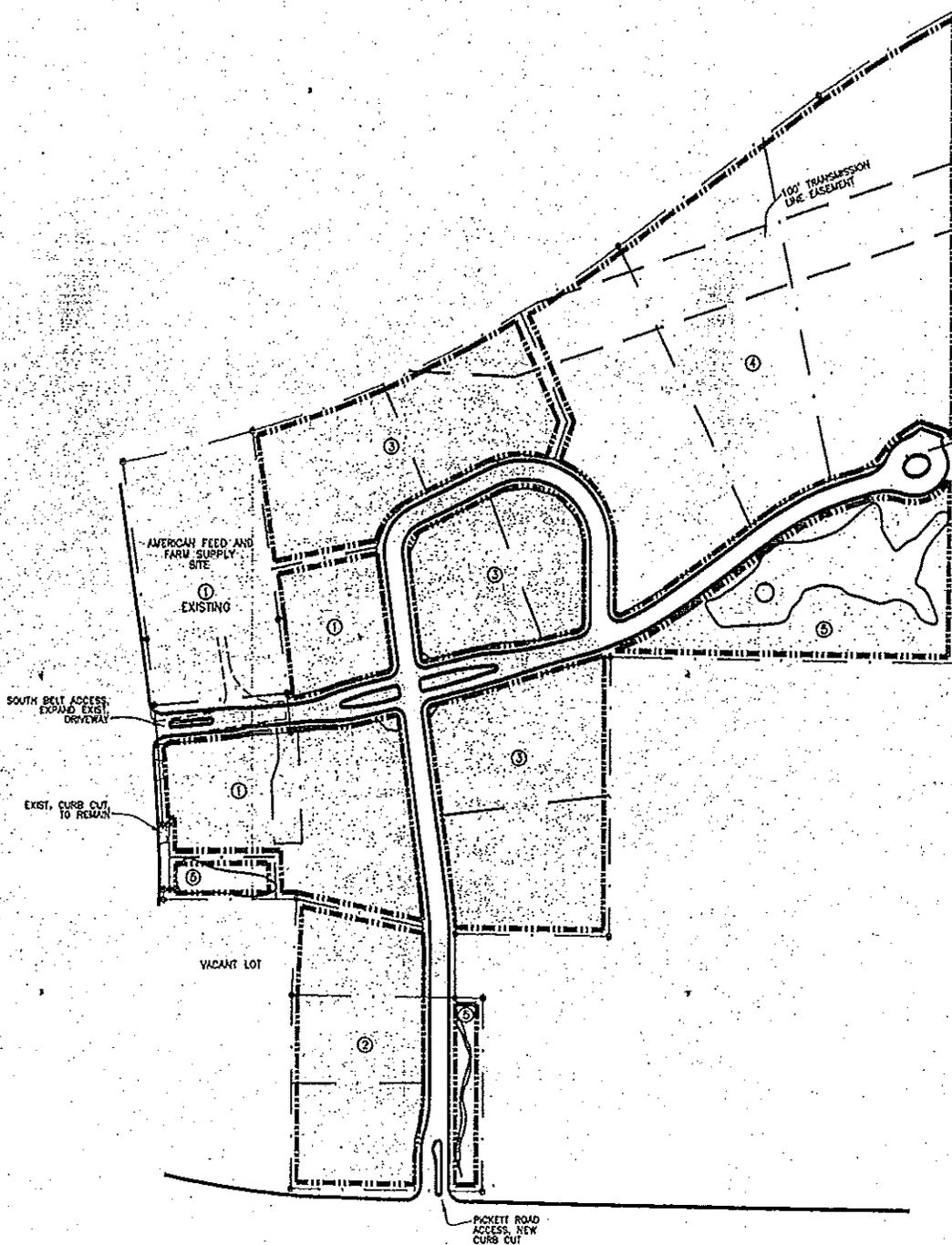
The Precise Plan establishes the following land use areas as indicated in Exhibit 2 - Land Use Area Plan and referred to below:

Description	Land Use Classification	Area
Area 1	Retail/Office	3.86 +/- acres
Area 2	Professional/Office	2.90 +/- acres
Area 3	Office/Warehouse	7.04 +/- acres
Area 4	Warehouse	4.18 +/- acres
Area 5	Open Space	3.34 +/- acres

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Exhibit 2
LAND USE AREA PLAN



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LAND USE AREA PLAN
NOT TO SCALE

COLOR KEY - DEVELOPMENT ZONES

- ZONE ①
- ZONE ②
- ZONE ③
- ZONE ④
- ZONE ⑤

MING INCORPORATED LAND USE STANDARDS

Article V - Development Standards

The following Development Standards outline the specific uses permitted within each Land Use Area and define the development standards appropriate for each Land Use Area. The intent of these standards is to provide a guide for appropriate planning of the development and circulation patterns of the development. Application of these standards will promote the best use of the land, encourage use compatibility and minimize conflicts between differing adjacent uses.

Purpose

The purpose of the Development Standards is as follows:

- To establish use regulations, performance standards, height and area regulations and design guidelines.
- To consolidate compatible uses within appropriate land use areas to ensure expansion opportunities for existing uses as well as to provide protection for new uses; and
- To regulate uses at the boundaries of such land use areas to control incompatibilities and adverse impacts on uses in adjacent land use areas and adjacent zoning.

General Standards**A. Architectural Compatibility**

1. To the maximum extent practicable, the design of adjacent developments, including development located across a street from each other, shall be compatible with each other in order to promote a common character and sense of arrival.
 - a) "Compatibility" may be achieved through a combination of the following:
 - i. Incorporation of similar architectural materials, colors and architectural styles that are easily read and understood by motorists on adjacent streets; AND
 - ii. Common site design elements such as site and area features, building lighting, common landscape treatments (especially at corner lots) and consistent and attractive signage.
 - b) "Compatibility" with existing adjacent non-conforming land uses and structures shall not represent just cause for any new development or re-development to be planned in a manner with is not in full compliance with the requirements of the Business Park Plan.

B. Outside Storage

1. No outside storage of any type, including but not limited to materials, supplies, equipment, vehicles, finished or semi-finished products, raw materials or articles of any nature shall be stored or permitted to remain on any building sites outside of the Building or Buildings constructed thereon, without being screened and/or fenced in a manner so as to not be objectionable to any occupant of other Building Sites in the Precise Plan area or to the general public, and shall be continued only in accordance with the terms of the original notice of approval.

2. Facilities for storage of waste and rubbish shall be maintained within a screened area in closed metal containers of type approved by the City of St. Joseph in writing and only in locations presented on the approved development site plan.
 - a) All screening enclosures shall be constructed of materials compatible with the primary structure which occupies the property being served by said enclosure.
 - b) Architectural plans for screening enclosures shall be submitted along with the development site plan documents for approval by the City of St. Joseph.
3. The bulk storage of any liquids or materials on the outside of Buildings shall be permitted only in locations and in a manner as may be approved in writing by the City of St. Joseph.
4. Use, storage, or generation of noxious or hazardous chemicals or vapors is strictly prohibited.

C. Circulation

1. Circulation patterns should be thoughtfully planned and designed to provide safe and intuitive movement throughout the Precise Plan Area.
 - a) Connections between various internal Land Use Areas should be easily understood and direct to minimize confusion and to limit unnecessary vehicular traffic congestion.
 - b) Connections to adjacent roadways should provide adequate and safe access to and from the development.
 - c) All vehicular routes shall be designed and built according to the standards of the City of St. Joseph Public Works Department for the type and volume of anticipated traffic.
2. Pedestrian circulation alternatives should be provided in all development areas.
3. The internal pedestrian circulation system should provide connection to public pedestrian ways and provide interconnection between land use areas including connection to AREA 5 (Open Space).
4. A circulation network plan should be provided along with all specific development site plans, indicating both vehicular and pedestrian circulation routes.

Area Standards

Building Height: Shall be measured from the average finish grade elevation of the building line to the top of the fascia or coping of the primary building roof of parapet wall; mechanical penthouses are not included in this dimension, but should be enclosed or screened in a manner that blends with the exterior material and color of the primary structure.

Yards (Front, Rear, Side): Shall be as defined in Section 31-010 of the St. Joseph Zoning Ordinance.

Maximum Building Coverage: Shall be defined as the percentage of the total Parcel Area covered by the cumulative "footprint" floor areas of all primary and accessory buildings located on a parcel.

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AREA 1- RETAIL /OFFICE

A. Permitted Uses:

1. In area 1, no building, structure, land, or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed or moved, except for one or more of the permitted uses indicated in Table A- Table of Permitted Uses by Land Use Areas (page 15).

B. Height and Area Standards:

1. Maximum Building Height: 45 feet.
2. Front Yard: No minimum front yard setback.
3. Side Yard: No minimum side yard setback.
4. Rear Yard: 10 feet.
5. Maximum Building Coverage: 40%.

AREA 2- PROFESSIONAL /OFFICE

A. Permitted Uses:

1. In AREA 2, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed or moved, except for one or more of the permitted uses indicated in Table A- Table of Permitted Uses by Land Use Areas (page 15).

B. Height and Area Standards:

1. Maximum Building Height: 60 feet.
2. Front Yard: 50 feet.
3. Side Yard: 15 feet.
4. Rear Yard: 10 feet.
5. Maximum Building Coverage: 40%.

AREA 3 - OFFICE/WAREHOUSE

A. Permitted Uses:

1. In AREAS 3 & 4, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed or moved, except for one or more of the permitted uses indicated in Table A- Table of Permitted Uses by Land Use Areas (page 15).

B. Height and Area Standards:

1. Maximum Building Height: 60 feet.
2. Front Yard: 50 feet.

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3. Side Yard: 15 feet.
4. Rear Yard: 10 feet.
5. Maximum Building Coverage: 40%.

AREA 4 - WAREHOUSE

A. Permitted Uses:

1. In AREA 4, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed or moved, except for one or more of the permitted uses indicated in Table A- Table of Permitted Uses by Land Use Areas (page 15).

B. Height and Area Standards:

1. Maximum Building Height: 60 feet.
2. Front Yard: 50 feet.
3. Side Yard: 15 feet.
4. Rear Yard: 10 feet.
5. Maximum Building Coverage: 40%.

AREA 5- OPEN SPACE

A. Permitted Uses:

1. See Table A- Table of Permitted Uses by Land Use Areas (page 15).

B. Height and Area Standards:

1. Plans for any structures proposed for AREA 5 (Open Space) shall be submitted to the City of St. Joseph for approval and permitting.

Accessory Uses

Accessory uses pursuant to Section 31-050 of the Zoning Ordinance of St. Joseph, Missouri are permitted in the Precise Plan Area subject to compliance with the height and area regulations and the design standards of the Precise Plan and other applicable requirements of the zoning code.

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TABLE A: Permitted Uses by Land Use
Subject to applicable use restrictions

	Land Use Area				
	Area 1 Retail/Office	Area 2 Prof./Office	Area 3 Off./Warehse.*	Area 4 Warehouse*	Area 5 Open Space
X – Denotes a permitted use O – Denotes a non-permitted use					
Warehousing					
Food & Related Products	O	O	X	X	O
Apparel & other fabric products	O	O	X	X	O
Furniture & Fixtures	O	O	X	X	O
Paper & allied products*	O	O	X	X	O
Printing, Publishing & allied industries	O	O	X	X	O
Rubber & misc. plastics products*	O	O	X	X	O
Industrial & commercial machinery*	O	O	X	X	O
Computer equipment	O	O	X	X	O
Electronics except computers	O	O	X	X	O
Measuring, analyzing instruments	O	O	X	X	O
Transportation, Utilities, Communication					
Local & suburban Transit	X	X	X	X	O
Motor freight transport & warehouse	O	O	X	X	O
US Postal Service	O	X	X	X	O
Transportation services	O	O	X	X	O
Communications	O	O	X	X	O
Wholesale trade					
Durable goods	O	O	X	X	O
Non-durable goods	O	O	X	X	O
Finance, Insurance & Real Estate					
Depository institutions	X	X	X	X	O
Non-depository credit institutions	X	X	X	X	O
Security & commodity brokers & dealers	X	X	X	X	O
Insurance carriers	X	X	X	X	O
Insurance agents, brokers & service	X	X	X	X	O
Real estate brokers, agents	X	X	X	X	O
Holding & investment offices	X	X	X	X	O
Services					
Restaurant & food service	X	X	X	X	O
Personal services	X	X	X	X	O
Automotive repair & services	X	X	X	X	O
Health services	X	X	X	X	O
Legal services	X	X	X	X	O
Educational services	X	X	X	X	O
Social services	X	X	X	X	O
Engineering, accounting, research	X	X	X	X	O
Warehousing, storage services	X	X	X	X	O
Open Space					
Recreation	O	O	X	X	X
Trails, walks, paths	X	X	X	X	X
Parks	X	X	X	X	X
Water features	X	X	X	X	X

* Excludes manufacturing facilities

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ARTICLE VI- Design Guidelines

Purpose

The purpose of the Design Guidelines is to more specifically guide future development of the Precise Plan Area in a cohesive and architecturally consistent manner. Incorporation of the following standards will reinforce a commonality and high quality architectural type throughout the Plan Area.

A. Architectural Standards:

1. AREA 1- Retail/Office

- a) Individual building designs should add richness to the built environment and are encouraged to be positioned to accentuate and create a 'gateway' to the Business Park. These lots are critical to establishing a first impression of the development and should be of the highest quality design.
- b) Exterior Finishes
 - i. The exterior four sides of the building will be primarily a mixture of brick, EFIS, or architectural CMU with accents/banding of differing colors of EFIS, brick, stucco, or cast stone Masonry veneer shall comprise at least 30% of building façade.
- c) The exterior of all buildings on a building site shall be illuminated according to a plan approved by Ming Incorporated.
- d) In the event that any building or other improvement on a building site is to be constructed or otherwise improved with an exposed metal roof, such as a standing seam metal roof or similar installations, Ming Incorporated may require that said roof be finished with an enduring finish in an approved color to achieve an aesthetically pleasing appearance of said roof from other portions of the Entire Tract.
- e) Building signage standards:
 - i. All signs shall comply with the criteria booklet furnished by Ming Incorporated and as documented by this plan.
 - ii. All signage is subject to the approval of Ming Incorporated.
 - iii. All signs must be made up of individual illuminated letters; conventional box signs will not be approved. Box signs will not be approved. Box signs with raised letters will be considered but are subject to landlord approval.
 - a.) Lettering on all signs shall be limited to business or trade name of the premises as it is known. No sign manufacturer's name, union labels, or other lettering shall be visible. Logo signs or registered trademarks will be reviewed on an individual basis, but will be allowed only as approved by Ming Incorporated as a part of the sign program.
 - b.) No exterior sign or sign panel will be permitted to extend above any roofline.
 - c.) Any sign, notice or other graphic or video display, particularly self-illuminated signs, located within the store and which is easily visible from the shopping center will not be permitted.
 - d.) No exposed lamps or tubing will be permitted.
 - e.) No exposed raceways, crossovers or conduits will be permitted.
 - f.) All signage returns shall be semi-gloss black enamel finish or blend with adjacent building color.

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- g.) All cabinets, conductors, transformers and other equipment shall be concealed from public areas, visible fasteners will not be permitted.
 - h.) All metal letters shall be fabricated using full-welded construction, with all welds ground smooth so as not to be visible.
 - i.) A trimcap or trimcap retainer used at the perimeter of sign letter faces shall match in color and finish the face or the sides of the sign.
 - j.) Threaded rods or anchor bolts shall be used to mount sign letters, which are spaced out from the building face. Angle clips attached to letter sides will not be permitted. All mounting attachments shall be sleeved and panted, and concealed.
 - k.) All main signs are to be centered in the signage band.
 - l.) All electric signs and installation methods must meet UL standards and contain a UL label.
 - m.) All illuminated signs must be turned on during the business's normal operating hours. The use of time clocks for sign lighting is required.
 - n.) Lighting of signs shall be at hours as required by Landlord.
 - o.) Minimum height of all signage shall not be less than 60% of the maximum allowable letter height.
 - p.) All buildings shall provide access to building signage through a concealed access panel from the interior of the building, if applicable, to service and install exterior building signage.
- iv. Additional Signage
- a.) Signage on service doors shall be standard 4" height, identification only (name and address number). No other signage shall be applied to services doors without the written permission of Ming Incorporated.
 - b.) All signage must be shown to scale on the approved building elevations.
 - c.) All additional signage shall be submitted to Ming Incorporated.
 - d.) Any minor deviations to these criteria will be reviewed on an individual basis and subject to developer approval.
2. **AREA 2- Professional/Office:** All buildings erected within these areas shall be constructed according to the standards above with the following modifications.
- a.) Exterior walls of building shall be finished with EFIS, brick or architectural CMU with accents/banding of differing colors of EFIS, brick, stucco or cast stone. Masonry veneer shall comprise at least 20 % of building street façade.
 - b.) Exterior walls of buildings not facing streets may be constructed of painted tilt up concrete, EFIS, Brick or architectural CMU, provided returns of twenty feet (20') are constructed from wall facing streets of the same material as the material on walls facing streets.
 - c.) In no case shall one side wall be constructed of different materials than another side wall unless approved in writing by Ming Incorporated.
3. **AREA 3- Office/Warehouse:** All buildings erected within these areas shall be constructed according to the standards above with the following modifications.
- a.) Building exteriors that face the street shall be finished with a mixture of Stucco or tilt up concrete with accents/banding of differing colors of brick, stucco, cast stone or masonry veneer. Masonry veneer shall comprise at least 10% of building façade. This

- applies to buildings that face, Picket Road, the Belf Highway, and the internal development streets.
- b.) With the written permission of the Business Park Corporation, exterior walls of buildings not facing streets may be constructed of painted concrete block, tilt up concrete panels or metal panel. Masonry or concrete walls must extend up 10' minimum from the finish floor at all exterior walls.
 - c.) Loading docks and service doors cannot face Belt highway or Picket Road.
4. **AREA 4- Warehouse:** All buildings erected within these areas shall be constructed according to the standards above with the following modifications.
- a.) Building exterior that face the street shall be finished with a mixture of EFIS, Stucco or tilt up concrete with accents/banding of differing colors of brick, stucco, cast stone or masonry veneer. Masonry veneer shall comprise at least 10% of building façade. This applies to buildings that face Picket Road, Belt Highway and the internal development streets.
 - b.) With the written permission of Ming Incorporated, exterior walls of buildings not facing streets may be constructed of painted concrete block, tilt up concrete panels or metal panel. Masonry or concrete walls must extend up 10' minimum from the finish floor at all exterior walls.
 - c.) Loading docks and service doors cannot face Belt highway or Picket Road.
5. **AREA 5- Open Space:** The open space areas shall range in character from natural and untouched riparian area at the southeast corner of the project area to an improved drainage swale along the south side of the property. The area shall be improved with additional landscape materials, smooth rolling earth berms and a meandering pedestrian trail system. The trail shall provide for future connection to City sidewalks along perimeter roads and shall connect to the internal system of walkways.
- a.) Any structures proposed for AREA 5 shall be appropriately designed to compliment the context of a natural park-like setting.
 - b.) Materials will compliment the natural environment within which any proposed structures are situated.
 - c.) Natural, indigenous construction materials such as wood and stone masonry are recommended.
 - d.) Trails, walks, and paths shall be provided throughout the open space areas with connections to the public pedestrian circulation system and to the internal walkway system.
 - i. Materials used for construction of trails, walks, and paths shall be reflective of their intended use and expected traffic volumes.
 - ii. Acceptable materials include but are not limited to:
 - a.) Concrete
 - b.) Asphalt
 - c.) Wood chips
 - d.) Maintained turf
 - e.) Others as approved by the Development Board

B. Parking regulations:

1. The parking lot standards for uses in the Precise Plan Area shall be as required for the various uses in Section 31-053 of the Zoning Ordinance of St. Joseph, and as provided in this plan. If there is a direct conflict between the plan and the Zoning Ordinance, the plan shall take precedence.
2. The number of parking spaces required in all areas shall be as outlined in Table 31-053 (page 31:105) of the Zoning Ordinance of St. Joseph unless otherwise determined by the City of St. Joseph as part of the plan approval.
3. The number of handicap stalls and their dimension and locations shall be provided for the development and determined from the ADA specifications.
4. If any tenant requires a deferral of parking spaces it may be granted by the City of St. Joseph as long as the tenant or tenant's representative is able to demonstrate that the proposed usage does not require the number of parking stalls. Parking may also be deferred for the implementation of other aesthetic amenities not required by this Precise Plan, on condition of approval by the City of St. Joseph.
5. Parking lot paving and design requirements.
 - a.) All parking lots shall be hard-surfaced (dustless) with concrete, asphalt or similar material. Dirt and loose gravel are prohibited.
 - b.) All parking lots shall be striped for definitive automobile spaces in the number, size and design as required by Section 31-053 of the Zoning Ordinance of St. Joseph.
 - c.) All off-street parking facilities shall be used solely for the parking of vehicles in operating condition by patrons, occupants or employees of the principal use. No motor vehicle repair work, except emergency service, shall be permitted in association with any required off-street parking.
 - d.) All off-street parking areas shall be provided with safe convenient, access to a public street.
 - e.) All off-street parking areas shall comply with commonly accepted geometric design standards which may include, but which shall not be limited to: angle of parking; direction of parking; width of parking space; depth of parking space; and width of aisles. In general, design should meet the minimum standards provided in the Zoning Ordinance of St. Joseph.
 - f.) All parking lots shall be illuminated in accordance with the standards of the City of St. Joseph for minimum public parking area illumination.
 - i. All lighting fixture used to illuminate off-street parking areas shall be designed to minimize glare and will be equipped with cut off shields to minimize spill-over light onto adjacent properties.

C. Landscaping, Street Trees, Landscape Setback/Buffer Area, and Screening Standards:

1. Purpose and applicability:

- a.) The general intent of the overall landscaping standards is to break down the visual impact of large parking areas and building facades by intensifying landscaping near building facades and entrances, along the internal roads, and along pedestrian walkways.
- b.) The City of St. Joseph, MO Landscape Ordinance No. 2016, Enacted April, 2004, shall apply to this development in conjunction with the requirements of this article. In the case of conflict between these requirements and the Landscape Ordinance, the more restrictive shall apply.

- c.) Landscape Setback Buffer Area: The purpose of the landscape setback/buffer area is to separate potentially conflicting land uses and to provide a visual buffer between such uses. The landscape setback/buffer area is required for all new permitted and conditionally permitted uses in the Precise Plan area.
- d.) Screening Standards: The purpose of the screening requirements is to shield certain accessory structures and uses associated with new permitted and conditionally permitted uses through the use of planting and/or structural screen walls. The screening requirements shall be applicable to the following (and similar) accessory uses and structures:
 - i. Outdoor storage areas;
 - ii. Outdoor service and loading areas;
 - iii. Refuse collection areas;
 - iv. Exterior mechanical and utility equipment;
 - v. Exterior maintenance equipment; and
 - vi. Exterior communications apparatus.
- e.) Street Trees: The purpose of the street tree requirement is to create a more desirable visual image along streets and to visually link the various land uses that develop throughout the Precise Plan Area.

2. Requirements:

- a.) Landscape setback/buffer area requirements: A landscape setback/buffer area is required along the common property line associated with the side and rear yard areas of new permitted and conditionally permitted uses according to the following:
 - i. AREAS 1 & 2: 10' minimum landscape buffer
 - ii. AREAS 3 & 4: 5' minimum landscape buffer
- b.) Landscape setback/buffer area design standards: The minimum quantity of trees and shrubs within the side and rear yard landscape setback/buffer area shall be as follows:
 - i. The ten foot landscape setback shall require one tree per 30 feet along the length of the buffer; and
 - ii. The five-foot landscape setback shall require one tree per 20 feet along the length of the buffer.
 - iii. Any shrubs planted in the landscape buffer area shall not be strung out evenly for the entire length of the buffer area. Rather shrubs shall be clustered within the buffer area in beds, in areas where the greatest impact can be made. Shrubs shall only be planted as an uninterrupted, continuous hedge or shrub mass.
 - iv. Trees shall be planted in beds as much as is possible for ease of maintenance. Those not planted in beds shall have a minimum 3' mulch ring at the base of the tree.
 - v. Landscape and ground cover area beds shall have cover at the time of planting a minimum of 60% ground coverage of plant material; the remaining 40% may be nonliving, consisting of bark, wood chips, decorative rock or stone or other similar material. The plant material will be of quantity and spacing so that in 2-4 years, 100% ground coverage shall be achieved.
 - vi. Turf areas may be seeded or sodded. Coverage after 3 mowing cycles shall be 100%.
 - vii. Depending on the size and spacing of the selected palette of trees may be located outside of, by adjacent to the buffer area.

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- viii. All trees shall be a minimum of two-inch-caliper, and all shrubs shall be a minimum container size of five gallons with a minimum mature height of four to six feet.
- c.) The required landscape setback/buffer area is a minimum width. Additional area adjacent to the required buffer area may be utilized for the location/siting of required trees and/or to achieve specific design intent.
- d.) Landscape maintenance standards:
 - i. Plant materials that have died or are no longer functional shall be replaced within one year.
 - ii. Plant materials shall be maintained in such a manner as to preserve their functional and aesthetic integrity.
 - iii. All trees adjacent to pedestrian and vehicular spaces shall be maintained so that mature branching occurs a minimum of seven feet from the ground.
 - iv. All shrubs and trees shall be planted so as to avoid obstructing visibility from a vehicle. A clear sight triangle of 25 feet from an intersection shall be established to ensure such visibility and safety.
- e.) Screening requirements: Each accessory use and structure associated with new permitted and conditionally permitted uses shall be totally screened by a 100% opaque structure, including fences and walls, to a minimum six foot height such that the use or activity is not visible from adjacent uses or streets. The screen shall completely obstruct view through the structure. The opaque structure shall be located as near as possible to the use or activity without interfering with the functional requirements or the use of activity.
 - i. All ground mounted utility equipment including, but not limited to transformers, backflow prevention enclosures, and meters located in front yards shall be screened with a combination of the aforementioned opaque structure. If adequate screening can be achieved through the use of landscaping only, the opaque structure may be omitted upon written approval of Ming Incorporated.
- f.) Street Tree requirements: Street Trees shall be provided and a minimum along both sides of all public roadways as follows:
 - i. Street Trees shall be spaced at approximately 50' on center taking into consideration the location of curb cuts, drives, and other unavoidable obstructions.
 - ii. Street Trees generally shall be large shade trees that attain a minimum mature height of 50'-60', provide attractive fall color, and are relatively free or "messy" fruits which over time would collect in streets and create a high maintenance unsightly appearance.
 - iii. In order to create a consistent appearance throughout the development, one species shall be used for all Street Trees and all Street Trees shall be the same size and general condition upon installation.
 - a.) Future phases shall incorporate the same species as initial phases.
 - b.) Street Trees shall be a minimum of 2 1/2" caliper when installed.
 - iv. Street Trees shall be evenly spaced and aligned along both sides of the street in order to create a formal, symmetrical appearance.
 - v. Street Trees shall be installed within the public right of way. In cases where limited right of way width makes this impractical, trees may be located outside of, but as close as possible to, the public right of way.

- vi. A Street Tree plan shall be submitted along with the development master plan to the City of St. Joseph for approval.

D. Parking Lot Landscaping Design Standards

1. Purpose and applicability:

- a.) The purpose of the parking lot screening and landscaping requirements is to provide relief from large, hard paved surfaces associated with parking lots necessary to meet the needs of nonresidential developments and to improve the visual appearance of the Precise Plan Area.
- b.) The parking lot landscaping requirements shall be applicable to all new permitted and special permit uses with open parking lots. These requirements are only applicable to parking lots and surfaces. The general landscaping requirements apply to all other areas.
- c.) Two types of parking lot landscaping are required:
 - i. Screening or buffering between the parking lot and adjoining land uses and adjacent streets; and
 - ii. Trees for shading within parking lots.
- d.) Parking lot screening.
 - i. The perimeter area of all on-site, open parking areas shall be screened from the view of adjacent properties and streets to an eventual minimum height of three feet by the use of berms, walls and/or plantings.
 - ii. Parking lot screening shall be designed so as to avoid obstructing visibility from vehicles in the parking lot or on adjacent streets. A clear sight triangle of 25 feet from an intersection shall be established to ensure visibility and safety.
 - iii. The parking lot screening requirement does not apply to internal parking lots which do not directly front adjacent properties or streets.
 - iv. One hundred percent of the affected street frontage or property boundary, excluding intersecting driveways, must have the required screening
 - v. Structures such as decorative walls or fences may be approved if:
 - a.) The structure avoids a blank and monotonous appearance by such means as architectural articulation and/or the planting of vines, shrubs or trees; or
 - b.) The total use of berms and/or plantings is not physically feasible; or
 - c.) The structures complement the use of berms and/or plantings.
 - vi. The reference elevation for the base of the required screen shall be the surface of the parking area that is to be screened.
 - vii. The following maximum grades shall be conformed to in the parking lot screen area:
 - a.) Grass sod or seeded berms: 3:1 (three feet horizontal: one foot vertical); and
 - b.) Planting beds: 2:1
 - viii. Where a parking lot is located adjacent to or comes in direct contact with a side or rear yard setback, the side and rear yard landscape setback/buffer area requirements shall apply and the above parking lot screening requirements shall be waived.

e.) Parking lot landscaping.

- i. Generally, there shall be landscaping along all pedestrian walks and there shall be landscaping along all vehicular entries from the surrounding city streets and the interior circulation roads.

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- ii. For every ten parking spaces in the parking lot area, one tree will be required to be planted within the parking lot area. This does not mean one landscape island is required for every ten spaces. More than one required tree may be placed in a landscape island as long as the island is large enough to support its healthy growth.
- iii. The required trees shall be located within the parking lot so as to divide and break up expanses of paving and long rows of parking stalls and to create a canopy effect. In general, a minimum of one tree should be located within 5 feet of any parking stall when measured from the trunk.
- iv. The required parking lot trees should be located within the "parking lot area" where vehicles park and maneuver and not in designated landscape areas. "Within the parking lot area" means the trees must be located in planting areas bounded on at least two sides by parking lot paving. Only trees in landscape "island," "divider" or "fingers" shall count toward meeting the parking lot tree requirement.
- v. There shall, at a minimum, be a landscape island with a minimum of one tree (2 1/2 " min. caliper at installation) at the end of each row of parking.
- vi. In cases where the size, location or design of parking lots may not significantly be provided adjacent to the parking area, or at the end of aisles.
- vii. The design and size of the landscape planter (island, dividers and finger) shall be sufficient to accommodate the growth of the tree and prevent damage to the tree by vehicles.

E. Signage

1. Because of the unique nature of this development, the plan encourages that an overall sign program with specific sign design guidelines be developed for each Land Use Area.
 - a.) The sign program shall be submitted to the Planning Commission of the City of St. Joseph for approval along with the development master plan. Public notice is not required, however the Commission shall review and approve.
 - b.) The sign program should generally follow the sign provisions of the City's Zoning Ordinance.
 - c.) The program should attempt to unify the signs throughout the Precise plan area such that there is sign consistency displayed throughout the Precise Plan area.
 - d.) Allowable sign area should be based on the prominence of the user, size of the building façade upon which the sign is located (for wall mount signs), and nature of the use.
 - e.) Freestanding signs should be restricted to monument type sign structures with a full, solid base at ground level or similar.
 - i. Freestanding signs should be designed and constructed of materials and character compatible with the primary structures occupying the property upon which said sign is situated while maintaining consistency with the overall sign program for the Precise Plan area.
 - f.) Monument signs shall be incorporated into landscape areas, said areas can be counted toward total landscape areas required.
2. Building signage standards:
 - a.) All signs shall comply with the approved criteria booklet furnished by Ming Incorporated and as documented by this plan.

- b.) All signs must be made up of individual illuminated letters; conventional box signs will not be approved. Box signs with raised letters will be considered but are subject to approval by the City of St. Joseph.
- i. Lettering on all signs shall be limited to business or trade name of the premises as it is known. No sign manufacturer's name, union labels, or other lettering shall be visible. Logo signs or registered trademarks will be reviewed on an individual basis and will be allowed only as approved by Ming Incorporated as a part of the sign program.
 - ii. No exterior sign or sign panel will be permitted to extend above any roofline.
 - iii. No exposed lamps or tubing will be permitted.
 - iv. No exposed raceways, crossovers or conduits will be permitted.
 - v. All cabinets, conductors, transformers and other equipment shall be concealed from public areas, visible fasteners will not be permitted.
 - vi. All metal letters shall be fabricated using full-welded construction, with all welds ground smooth so as not to be visible.
 - vii. Threaded rods or anchor bolts shall be used to mount sign letters, which are spaced out from the building face. Angle clips attached to letter sides will not be permitted. All mounting attachments shall be sleeved and painted, and concealed.
 - viii. All electric signs and installation methods must meet UL standards and contain a UL label.
 - ix. All signage must be shown to scale on the approved building elevation.
 - x. Any minor deviations to these criteria will be reviewed on an individual basis and subject to approval by Ming Incorporated.

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ARTICLE VII- Implementation and Administration

- A. All buildings within the plan area shall be required to comply with all the requirements of the City of St. Joseph building division prior to construction and occupancy.
- B. A separate development plan review by the City of St. Joseph Development Review Committee, City Planner, or Building Official is required prior to City approval of proposals or issuance of permits. This review will occur as mandated by City policy.
- C. Conditional use permits: Uses not defined in this Precise Plan may be allowed via a Conditional Use Permit (CUP). The proposed use must be somewhat consistent with, and compatible to, principally permitted uses in the Precise Plan. The CUP process shall be as defined in Section 31-070 of the City of St. Joseph Zoning Ordinance.
- D. Variances and exceptions: Variances and Exceptions shall be processed in compliance with, and as defined in Section 31-090-31-109 of the City of St. Joseph Zoning Ordinance.
- E. Appeals: Appeals to any decision made as a result of the interpretation of the plan, decision of the City Planner, or Planning Commission by any person aggrieved or by any officer, department, board, or bureau of the municipality affected by any decision of the chief building official or city planner may be appealed to the Board of Adjustment. Appeals to any decisions of the Board of Adjustment may be appealed to the City Council. Such appeals shall be taken within five days from the date of the decision by filing with Planning and Zoning Decision of the Community Services Department, City of St. Joseph, Missouri. In order to file an appeal, the requisite application and fee shall be paid to the Community Services Department unless waived by the Director or Community Services. The process for appeal, extent of the Boards appeal powers, stay of proceedings, and decisions on appeals shall be as defined in Section 31-091 of the City of St. Joseph Ordinance. Decisions of the Board of Adjustments may be appealed to City Council for final decision. Appeals to the City Council shall be filed with the Planning and Zoning Division of the Community Services Department in the same manner as any item for inclusion of the agenda of a regular City Council meeting.
- F. Nonconforming structures and uses: If, by virtue of this Precise Plan, any structure or use should become non-conforming, the provisions of Section 31-056 of the St. Joseph Zoning Ordinance shall apply except as follows:
 - 1. Nonconforming parking lots shall be upgraded and landscaped as part of proposed building upgrades, however discretion can be made by the Community Services director or his/her designee at the time of the proposed upgrades to defer parking lot improvements, but rather to encourage parking lot improvements for the benefit of the entire plan area. Normal parking lot maintenance as required by the City's Zoning Ordinance, however, is required within the plan area.
 - 2. A non-conforming use of property that does not have a building associated with said use on the same property shall be considered final, and not allowed to return to the property if discontinued for a period of one year. Said uses shall be considered abandoned if said use has not been active for one year. The mere existence of a use on a property, for instance, does not allow for continuance of the use. The use must be active. It is incumbent upon

the property owner to show that the use is active. Agricultural uses shall be exempt from the standards of the plan.

3. Nonconforming uses in structures shall be allowed to continue for the life of the building, unless such use is discontinued for a period of two years. The mere existence of said use does not constitute continuation of the use. It is incumbent upon the property owner to show current receipts if the structure is used for rental purposes, or to show that an active use has continued if not for rental purposes. An active use is one in which the products, goods, or services have continued to be viable in so much as a market exists, or the stock contained therein is rotated on a basis that is consistent with similar businesses.

G. Modification of Development Standards: Should a specific major change to the plan in regards to use, development standards, design guidelines, or implementation, the proponent of the change shall notify the following entities: Ming Incorporated and Director of Planning and Zoning Division of the Community Services Department, City of St. Joseph, Missouri. Major changes must be approved by Ming Incorporated, the Planning Commission, and the City Council of St. Joseph, Missouri.

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