

X2-16-12

SPONSOR: COUNCILMEMBER

SPECIAL **ORDINANCE No.** 8379

AN ORDINANCE ADOPTING THE UPTOWN DEVELOPMENT PRECISE PLAN (AKA THE ROBIDOUX DISTRICT PRECISE PLAN), AS REQUESTED BY PIONEER INVESTMENT UPTOWN DEVELOPMENT BY ROSS R. FREEMAN, AGENT, CONSISTING OF 10.4 ACRES LOCATED GENERALLY NORTH OF FARAON STREET TO JUST SOUTH OF HALL STREET; BETWEEN 6TH AND 10TH STREETS.

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 does hereby adopt The Uptown Development Precise Plan (aka the Robidoux District Precise Plan) attached hereto as Exhibit "A", and incorporated herein by reference; said plan to apply to the P-11 The Uptown Development Precise Plan zoning district as adopted by General Ordinance Number 2458, dated March 5, 2012, said approval being for the following property:

Beginning at the Southwest corner of Block 16 Smith's Addition, said point being on the North right-of-way line of Faraon Street; thence East along the North right-of-way line of Faraon Street to the Southeast corner of Lot 1 Block 36 Smith's Addition; thence North and the Northerly projection thereof along the East line of Lots 1, 2, 3, and 4, in Block 36 of Smith's Addition to a point on the North right-of-way line of Robidoux Street; thence West along the North right-of-way line of Robidoux Street to the Southeast corner of a tract of land described in Book 2881 at Page 453; thence North 140.00 feet along the East line of said tract to a point on the South line of Tract "C"; thence East along the South line of Tract "C" 30.00 feet to the Southeast corner of Tract "C"; thence North along the East line of Tracts "C" and "H" to the Northeast corner of Tract "H"; thence West and the Westerly projection thereof along the North line of Tract "H" to a point on the West right-of-way line of Ninth Street; thence North along the West right-of-way line of Ninth Street to the Northeast corner of Tract "N"; thence West along the North line of Tract "N" to the Northwest Corner of Tract "N"; thence South along the West line of Tract "N" 59.91 feet; thence West 20.00 feet; thence South 60.00 feet; thence East 20.00 feet; thence South 277.25 feet along the West line of Tract "N" and Tract "M" to a point on the West line of Lot 2 of Nigh's Addition; thence West along the North line of Tract "M" to the East right-of-way line of Eighth Street; thence North 116.89 feet along the East line of Eighth Street; thence West 40.01 feet to a point on the West right-of-way of line of Eighth Street; thence along said West right-of-way line the following courses and distances: North 00 degrees 08 minutes 31 seconds East, 15.84 feet; thence North 34 degrees 19 minutes 39 seconds West, 18.92 feet; thence North 41 degrees 07 minutes 25 seconds West, 79.38 feet; thence North 00 degrees 03 minutes 38 seconds West, 29.76 feet; thence departing from said right-of-way line South 88 degrees 46 minutes 13 seconds West, 199.44 feet to the West right-of-way line of Seventh Street; thence South along the West right-of-way line of Seventh Street to the

Northeast corner of Tract "J"; thence West along the North line of Tract "J" to the Northwest corner of Tract "J"; thence South 59.90 feet along the West line of Tract "J"; thence West 38.22 feet; thence South 94.58 feet along the West line of Tract "J" and the Southerly projection thereof to a point on the North line of Lot 5 Young's Addition; thence West 31.54 to the Northwest Corner Lot 5; thence South 135.19 feet to the Southwest Corner Lot 5, said point being on the North right-of-way line of Robidoux Street; thence East along the North right-of-way line of Robidoux Street 161.10 feet; thence South 290.00 feet to the Point of Beginning. Except Tract K described as follows: The South half of Lot 8 in Bush Addition, an addition to the City of St. Joseph, Buchanan County, Missouri.

SECTION 2. That the City Council of the City of St. Joseph does hereby attach the following conditions to said approval of the Precise Plan and does hereby require that said conditions be made a part of the plan upon its adoption:

1. All construction permits, business licenses and other activity that require permits from the City will remain the ultimate authority of the City.

SECTION 3. The Council finds and declares that before taking any action on the proposed precise plan, all public notices and hearings required by law have been given and had including making protests or lack of protests a part of the record.

SECTION 4. That this ordinance will be in full force and effect from the date of its passage.

Authenticated Copy  
of Reso., G.O., S.O. 8379  
PAULA HEYDE, City Clerk  
By John X. Ramirez Deputy  
Date 3-6-12

Approved as to form:

Jason Carlt

Asst City Attorney

Passed March 5, 2012

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

City Clerk

/s/Bill Falkner

Mayor

Date: February 10, 2012  
Type of Ordinance: Special

CITY CLERK

2012 FEB 13 PM 1:29

**EXPLANATION TO COUNCIL BILL**

ORIGINATING DEPARTMENT: Planning and Community Development

PURPOSE: Consideration of an ordinance to approve The Uptown Development Precise Plan (P-11).

REMARKS: The attached ordinance formally establishes the Uptown Development Precise Plan area and adopts the Uptown Development Precise Plan, which sets forth development criteria and guidelines to promote quality and compatibility within the existing urban neighborhoods. The Precise Plan contains design guidelines (Article VI) and architectural standards for the residential development and community building within the Plan area emphasizing the use of wood, brick and stone on the exterior of the structures. A total of 99 residential units are proposed by the Precise Plan, which yields a development density of approximately 9.52 units per acre. The development plan includes a mix of various types of residential housing, including single-family residential; various types of townhomes and cottage and mansion homes that will be distributed throughout the Plan area.

The Planning Commission reviewed the plan on January 26, 2012 and recommended **CONDITIONAL APPROVAL** with the following condition:

- 1) All construction permits, business licenses and other activity that require permits from the City will remain the ultimate authority of the City.

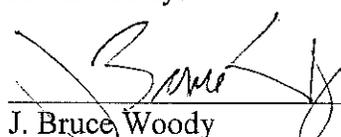
The Planning and Community Development Department supports this recommendation.

No opposition was filed by property owners within 185 feet of the petitioned property.

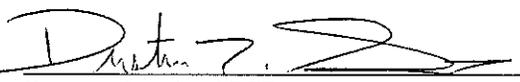
Submitted by:

  
\_\_\_\_\_  
Clint Thompson, Director  
Planning and Community Development

Reviewed by:

  
\_\_\_\_\_  
J. Bruce Woody  
City Manager

Prepared by:

  
\_\_\_\_\_  
Dustin Smith, AICP  
City Planner

# A PRECISE PLAN FOR THE ROBIDOUX DISTRICT

## (UPTOWN DEVELOPMENT DISTRICT)



**PIONEER INVESTMENT UPTOWN, INC.**



**Table of Contents:**

I.	Property Description	3
	a. Exhibit 1 – Parcel Boundary Map	3
	b. Exhibit 2 – Legal Description Narrative	4
	c. Exhibit 3 - Legal Description Illustrated	5
II.	Intent of Precise Plan	6
III.	Development Principles	8
IV.	Land Use Areas	9
	a. Exhibit 4 – Land Use Area Plan	10
V.	Development Standards	11
	a. Table A - Height and Area Regulations	18
	b. Table B - Table of Permitted Uses by Land Use Areas	19
VI.	Design Guidelines	23
VII.	Implementation and Administration	26



## ARTICLE I – Property Description

This Precise Plan shall provide the development standards for the property generally located north of Faraon, between 6<sup>th</sup> Street and 10<sup>th</sup> Street, and not extending past Hall Street on the north, commonly known as the Robidoux District (Uptown Development District), hereinafter referred to as “District”, and more specifically described as follows:

### Exhibit 1 ORIGINAL PARCEL BOUNDARY MAP

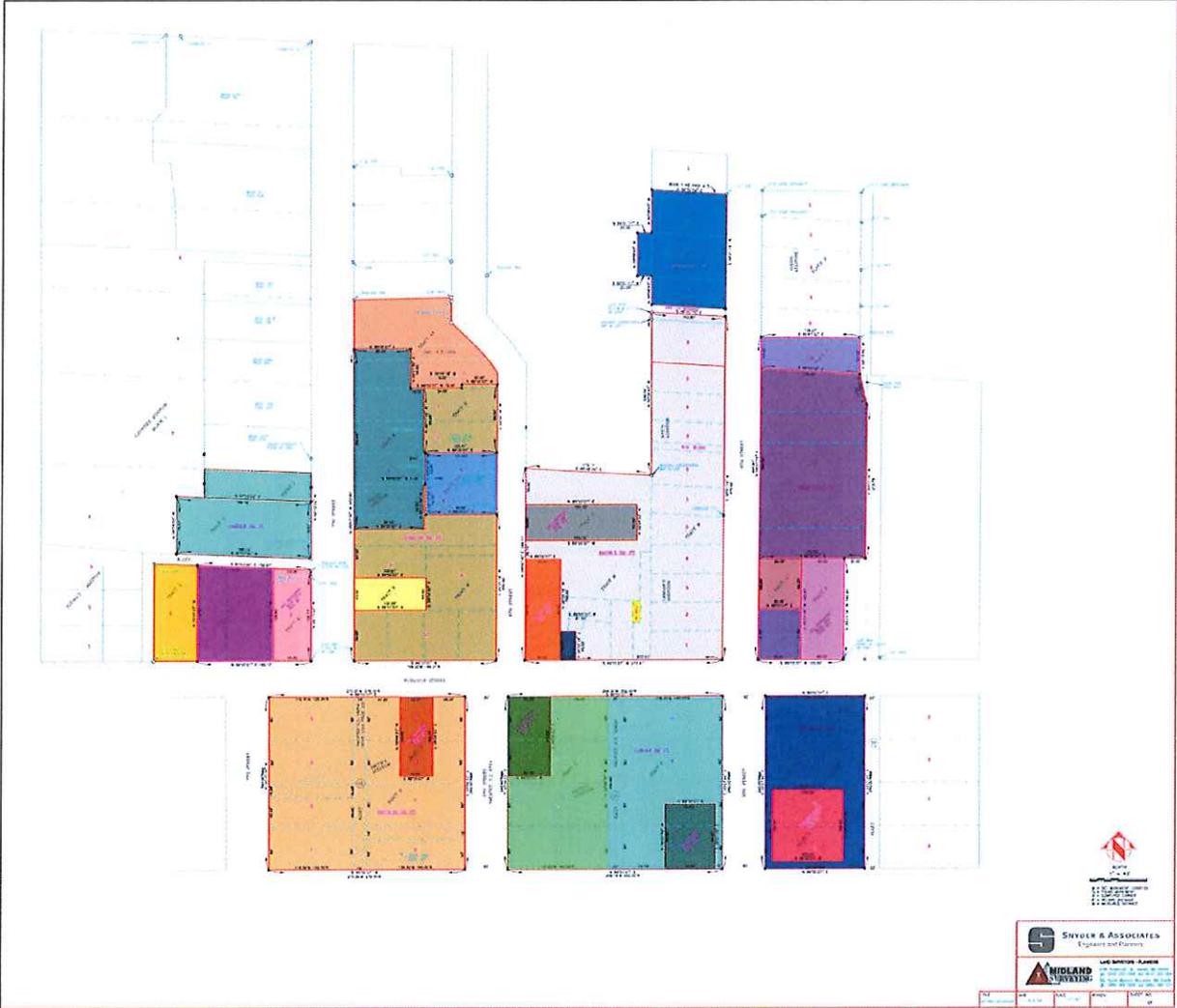


**Exhibit 2**  
**LEGAL DESCRIPTION NARRATIVE**

**ROBIDOUX PROJECT - LEGAL DESCRIPTION:**

Beginning at the Southwest Corner of Block 16 Smith's Addition, said point being on the North right-of-way line of Faraon Street; thence East along the North right-of-way line of Faraon Street to the Southeast corner of Lot 1 Block 36 Smith's Addition; thence North and the Northerly projection thereof along the East line of Lots 1, 2, 3, and 4, in Block 36 of Smith's Addition to a point on the North right-of-way line of Robidoux Street; thence West along the North right-of-way line of Robidoux Street to the Southeast corner of a tract of land described in Book 2881 at Page 453; thence North 140.00 feet along the East line of said tract to a point on the South line of Tract "C"; thence East along the South line of Tract "C" 30.00 feet to the Southeast corner of Tract "C"; thence North along the East line of Tracts "C" and "H" to the Northeast corner of Tract "H"; thence West and the Westerly projection thereof along the North line of Tract "H" to a point on the West right-of-way line of Ninth Street; thence North along the West right-of-way line of Ninth Street to the Northeast corner of Tract "N"; thence West along the North line of Tract "N" to the Northwest Corner of Tract "N"; thence South along the West line of Tract "N" 59.91 feet; thence West 20.00 feet; thence South 60.00 feet; thence East 20.00 feet; thence South 277.25 feet along the West line of Tract "N" and Tract "M" to a point on the West line of Lot 2 of Nigh's Addition; thence West along the North line of Tract "M" to the East right-of-way line of Eighth Street; thence North 116.89 feet along the East line of Eighth Street; thence West 40.01 feet to a point on the West right-of-way of line of Eighth Street; thence along said West right-of-way line the following courses and distances: North 00 degrees 08 minutes 31 seconds East, 15.84 feet; thence North 34 degrees 19 minutes 39 seconds West, 18.92 feet; thence North 41 degrees 07 minutes 25 seconds West, 79.38 feet; thence North 00 degrees 03 minutes 38 seconds West, 29.76 feet; thence departing from said right-of-way line South 88 degrees 46 minutes 13 seconds West, 199.44 feet to the West right-of-way line of Seventh Street; thence South along the West right-of-way line of Seventh Street to the Northeast corner of Tract "J"; thence West along the North line of Tract "J" to the Northwest corner of Tract "J"; thence South 59.90 feet along the West line of Tract "J"; thence West 38.22 feet; thence South 94.58 feet along the West line of Tract "J" and the Southerly projection thereof to a point on the North line of Lot 5 Young's Addition; thence West 31.54 to the Northwest Corner Lot 5; thence South 135.19 feet to the Southwest Corner Lot 5, said point being on the North right-of-way line of Robidoux Street; thence East along the North right-of-way line of Robidoux Street 161.10 feet; thence South 290.00 feet to the Point of Beginning. **EXCEPT TRACT K** described as follows: The South Half of Lot Eight (8) in Bush Addition, an addition to the City of St. Joseph, Buchanan County, Missouri.

**Exhibit 3**  
**LEGAL DESCRIPTION ILLUSTRATED**



## **ARTICLE II – Intent of the Precise Plan**

---

The intent of the Precise Plan for the District is to allow for the development of 10.40 acres of redeveloped land in St. Joseph, Missouri, in a comprehensive and coordinated manner, creating a high quality environment and increasing land values, while maintaining the flexibility to adapt the plan as market demand changes.

It is the ability of the Precise Plan zoning classification to provide regulations for development criteria, design guidelines and quality, and still remain flexible in land use patterns and locations that make it a good fit for its use on the District

The Precise Plan will:

- Allow for the integration of all the impacted surrounding uses and neighborhoods into the development;
- Look at development and planning issues surrounding the plan area and allow a comprehensive strategy to be developed in dealing with them;
- Allow for a wider vision for the plan area and its place in the greater community;
- Allow for flexibility to respond to changing market demands over time;
- Allow for the creation of a high quality environment for a multitude of alternative housing options in an urban environment; and,
- Allow for the development of upscale quality standards for design and construction within the plan area.

### **Goals for the Plan**

Through the use of thoughtful design, regulated design guidelines and development criteria, infrastructure planning and upgrades, and flexibility to meet changing demands, the District Plan will strive to meet the following goals:

- Encourage a high quality development that is unique to the St. Joseph area and positioned in the marketplace for success;
- Create a development integrated in the fabric of the surrounding community, through the use of modified and improved circulation and access, pedestrian dedicated walks, significant landscape enhancements, thoughtful site planning, and people scale amenities and details;
- Provide development criteria and design guidelines for a cohesive and unified development;
- Provide an attractive, well-designed development that combines appropriate scale residential units with the adjacent commercial and residential uses;
- Allow flexibility within the plan area to allow the plan to react to changing market conditions, and stay cohesive and unified;
- Increase the value of the plan property;

- Create new infrastructure as needed, to benefit the plan area and the surrounding community; and,
- Provide useable open space and amenities that are assets for the users of the development and the surrounding community.

### Requirement Review

The entity reviewing plans to determine compliance with the Precise Plan is the Uptown Design Review Committee (UDRC), subject to the City's normal permitting process. The UDRC is a group of six individuals appointed by the Uptown Redevelopment Corporation Board of Directors (UBD). Three of the UDRC are from the Uptown Board of Directors and three are from the Advisory Committee, which is also appointed by the Board of Directors. UBD shall have the right to establish a Homeowners' Association for the District, which association may assume responsibility and authority of the UDRC with respect to this Precise Plan

[This Space Intentionally Left Blank]

## **ARTICLE III – Development Principles**

---

### Development Principles

The following section outlines the basic use and development principles for the District Precise Plan. These principles shall provide a general guide for land development within the plan area.

- The development is generally located on the former Heartland Hospital property, which included the hospital, parking lots and associated uses. As such, the future developers shall seize the opportunity to plan and develop the property as one coordinated development, phased in over time.
- The development has significant access to major transportation routes, as the downtown is on a grid system. Fredrick Avenue and I-229 are easily accessed from the downtown area and carry residents to other parts of the city as needed.
- The Land Use Plan shall be as set forth in this document.
- The plan shall have the flexibility to respond to changes in the market demand over time.
- The development is planned as Detached and Attached Residential. The design guidelines in the plan shall guide the development of plan areas over time, insuring consistent and quality design and construction.
- Within the plan area, housing styles that provide high quality housing options for the community and that elevate the character and level of quality of the neighborhood shall be encouraged.
- The plan shall be sensitive to the adjacent neighbors and neighborhoods, and shall provide for buffering, screening, and sensitive site planning to minimize development impact as needed.
- The plan shall provide sidewalks from the development to adjacent residential neighborhoods and commercial areas.
- The plan shall provide safe, convenient, and accessible pedestrian circulation through the development on dedicated routes and walks.

**ARTICLE IV – Land Use Areas**

---

The precise plan establishes the following land use areas as indicated in Exhibit 4 – Land Use Area Plan and referred to in subsequent articles of this Precise Plan:

<b>Description</b>	<b>Land Use Classification</b>	<b>Area</b>
Area 1:	Townhome Units	1.83 Acres
Area 2:	The Quarters”	4.02 Acres
Area 3:	Single Family Homes	1.46 Acres
Area 4:	Cottage Units	0.50 Acres
Area 5:	Mansion Homes	0.91 Acres
Area 6	Future Development	1.68 Acres

[This Space Intentionally Left Blank]

## Exhibit 4 Land Use Area Plan



LEGEND	
①	37 Townhome Units 1200-1500 SF
②	'The Quarters' 20 Mixed Use Single Family & Townhomes 1200-1500 SF
③	16 Single Family Homes 1200-1400 SF
④	8 Cottage Units (2 units/bldg, stacked duplex) 1000-1400 SF
⑤	18 Mansion Home Units (4-6 units/bldg) 1000-1400 SF
⑥	Future Development

August 31, 2011

**ST. JOSEPH HEARTLAND HEALTH CENTER**  
REDEVELOPMENT PROPOSED CONCEPT SITE PLAN

## **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 regulate uses and create a development that is viable and compatible with the existing adjacent developments.

### **General Standards**

#### **A. Architectural Compatibility**

1. To the maximum extent practicable, the design of adjacent developments, including developments 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; AND
    - ii. Common site design elements such as site and area features, building lighting, common landscape treatments (especially at lot corners) and consistent and attractive signage.

#### **B. Outside Storage**

1. Except during relevant construction periods, no outside storage of any type, including but not limited to materials, supplies, equipment, inoperative 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 the written approval of the Uptown Design Review Committee. Any permitted storage shall be 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. Outdoor facilities for storage of waste and rubbish shall be maintained within a screened area and subject to the City's ordinances regarding waste and rubbish.
  - a) All screening enclosures shall be constructed of materials compatible with the primary structure which occupies the property being served by said enclosure.

#### C. Circulation

1. Circulation patterns should be thoughtfully planned and designed to provide safe and intuitive movement throughout the Precise Plan Area.
  - a) Connections to adjacent roadways shall provide adequate and safe separation between driveways and intersections.
  - b) All public vehicular routes include public streets shall be designed and built according to the standards of the City of St. Joseph Public Works Department. Alleys shall be designed and built according to the standards agreed to between the Developer and City of St. Joseph Public Works Department.
  - c) Alleys shall be owned by the City of St. Joseph and shall be public accesses and connect to the public street system.
2. Pedestrian connections shall be provided from the front door of the structure to the public sidewalk.
3. Public sidewalks shall be owned by the City of St. Joseph and shall be provided along public streets to allow for a pedestrian circulation system throughout the precise plan area.

### **Area Standards**

#### **AREA 1 - Town Homes**

##### A. Permitted Uses

1. In AREA 1, all buildings, structures, lands or premises' shall be used for one or more of the purposes provided in the permitted uses indicated in Table B – Table of Permitted Uses by Land Use Areas or as more specifically described below for AREA 1:
  - a) Attached Residential: This housing type is an individual unit having at least one common wall with another unit. These structures may be located on an individual lot or within a lot.

##### B. Provisional Uses

1. Provisional uses for the Uptown Development District Plan include home based business, and other uses determined by the Uptown Design Review Committee to be similar to those described. These uses are not prohibited but require approval by the Uptown Design Review Committee.

- C. Height and Area Standards:
  - 1. In AREA 1, the minimum parcel area, minimum parcel dimensions (width and depth), minimum yard dimensions (front, side and rear), maximum building height, and maximum building coverage applicable to buildings or structures hereafter erected, constructed or moved and applicable to nonconforming uses and/or nonconforming buildings hereafter enlarged, extended or reconstructed shall be as shown in Table A - Height and Area Regulations unless otherwise specifically indicated herein.
    - a) Front porches shall be allowed to encroach 5' into the landscape street side setback.
  
- D. Site Design Standards:
  - 1. Site Coordination – All property owners within the precise plan area must coordinate all site design issues with Uptown Design Review Committee as they relate to adjacent property within the precise plan.
  
  - 2. Vehicular Circulation – Public Streets are provided for access purposes, supplemented by dedicated alleys. Connections shall be made to the public street via driveways or alleys.
  
  - 3. Fencing – Fencing may be allowed subject to the prior approval of the Uptown Design Review Committee.

**AREA 2-The Quarters**

- A. Permitted Uses
  - a) In AREA 2, all buildings, structures, lands or premises' shall be used for one or more of the purposes provided in the permitted uses indicated in Table B – Table of Permitted Uses by Land Use Areas or as more specifically described below for AREA 2:
    - a) Detached Residential: This housing type is an individual structure having no common walls with other units. These structures may be located on an individual lot or within a tract.
    - b) Front porches shall be allowed to encroach 5' into the landscape street side setback.
  
- B. Provisional Uses
  - a) Provisional uses for the Uptown Development District Plan include home based business, and other uses determined by the Uptown Design Review Committee to be similar to those described. These uses are not prohibited but require approval of the Uptown Design Review Committee.
  
- C. Height and Area Standards:

- a) In AREA 2, the minimum parcel area, minimum parcel dimensions (width and depth), minimum yard dimensions (front, side and rear), maximum building height, and maximum building coverage applicable to buildings or structures hereafter erected, constructed or moved and applicable to nonconforming uses and/or nonconforming buildings hereafter enlarged, extended or reconstructed shall be as shown in Table A - Height and Area Regulations unless otherwise specifically indicated herein.
- a) Front porches shall be allowed to encroach 5' into the landscape street side setback.

D. Site Design Standards:

- a) Site Coordination – All property owners within the precise plan area must coordinate all site design issues with the Uptown Design Review Committee as they relate to adjacent property within the precise plan.
- b) Vehicular Circulation – Public Streets are provided for access purposes, supplemented by dedicated alleys. Connections shall be made to the public street via driveways or alleys.
- c) Fencing – Fencing may be allowed subject to the prior approval of the Uptown Design Review Committee.

**AREA 3 – Single Family Homes**

A. Permitted Uses

- 1. In AREA 3, all buildings, structures, lands or premises' shall be used for one or more of the purposes provided in the permitted uses indicated in Table B – Table of Permitted Uses by Land Use Areas or as more specifically described below for AREA 3:
  - a) Detached Residential: This housing type is an individual structure having no common walls with other units. These structures may be located on an individual lot or within a lot.

B. Provisional Uses

- 1. Provisional uses for the Uptown Development District Plan include home based business, and other uses determined by the Uptown Design Review Committee to be similar to those described. These uses are not prohibited but require approval of the Uptown Design Review Committee.

C. Height and Area Standards:

- 1. In AREA 3, the minimum parcel area, minimum parcel dimensions (width and depth), minimum yard dimensions (front, side and rear), maximum building height, and maximum building coverage applicable to buildings or structures hereafter erected, constructed or moved and applicable to nonconforming uses

and/or nonconforming buildings hereafter enlarged, extended or reconstructed shall be as shown in Table A - Height and Area Regulations unless otherwise specifically indicated herein.

- a) Front porches shall be allowed to encroach 5' into the landscape street side setback.

D. Site Design Standards:

1. Site Coordination – All property owners within the precise plan area must coordinate all site design issues with the Uptown Design Review Committee as they relate to adjacent property within the precise plan.
2. Vehicular Circulation – Public Streets are provided for access purposes, supplemented by dedicated alleys. Connections shall be made to the public street via driveways or alleys.
3. Fencing – Fencing may be allowed subject to the prior approval of the Uptown Design Review Committee.

**AREA 4 & 5 – Cottage and Mansion Homes**

A. Permitted Uses

1. In AREA 4 & 5, all buildings, structures, lands or premises' shall be used for one or more of the purposes provided in the permitted uses indicated in Table B – Table of Permitted Uses by Land Use Areas or as more specifically described below for AREA 4 & 5:
  - a) Attached Residential: This housing type is an individual unit having at least one common wall with another unit. These structures may be located on an individual lot or within a tract.

B. Provisional Uses

1. Provisional uses for the District Plan include home based business, and other uses determined by the Uptown Design Review Committee to be similar to those described. These uses are not prohibited but require approval by the Uptown Design Review Committee.

C. Height and Area Standards:

1. In AREA 4 & 5, the minimum parcel area, minimum parcel dimensions (width and depth), minimum yard dimensions (front, side and rear), and maximum building height applicable to the buildings or structures hereafter erected, constructed or moved and applicable to nonconforming uses and/or nonconforming buildings hereafter enlarged, extended or reconstructed shall be as shown in Table A - Height and Area Regulations unless otherwise specifically indicated herein.
  - a) Front porches shall be allowed to encroach 5' into the landscape street side setback.

D. Site Design Standards:

1. Site Coordination – All property owners within the precise plan area must coordinate all site design issues with Uptown Design Review Committee as they relate to adjacent property within the precise plan.
2. Vehicular Circulation – Public Streets are provided for access purposes, supplemented by dedicated alleys. Connections shall be made to the public street via driveways or alleys.
3. Fencing – Fencing may be allowed subject to the prior approval of the Uptown Design Review Committee.

## **AREA 6 – Future Development**

### **A. Permitted Uses**

1. In AREA 6, all buildings, structures, lands or premises' may be used for one or more of the purposes provided in the permitted uses indicated in Table B – Table of Permitted Uses by Land Use Areas or as more specifically described below for AREA 5:

- a) Community Building:
- b) Assisted Living and/or Senior Housing
- c) Commercial/Office use as approved by the Uptown Design Review Committee

### **B. Height and Area Standards:**

1. In AREA 6, the minimum parcel area, minimum parcel dimensions (width and depth), minimum yard dimensions (front, side and rear), maximum building height, and maximum building coverage applicable to buildings or structures hereafter erected, constructed or moved and applicable to nonconforming uses and/or nonconforming buildings hereafter enlarged, extended or reconstructed shall be as shown in Table A - Height and Area Regulations unless otherwise specifically indicated herein.

### **C. Site Design Standards:**

1. Site Coordination – All property owners within the precise plan area must coordinate all site design issues with the Uptown Design Review Committee as they relate to adjacent property within the precise plan.
2. Vehicular Circulation – Public Streets are provided for access purposes, supplemented by dedicated alleys. Connections shall be made to the public street via driveways or alleys.
3. Fencing – Fencing may be allowed subject to the prior approval of the Uptown Design Review Committee.

**TABLE A: Height and Area Regulations**

Description	Land Uses				
	Area 2 The Quarters	Area 3 Single Family homes	Area 1 Town Homes	Area 4 & 5 Cottage Units & Mansion Homes	Area 5 Future Develop.
Minimum Parcel Area (SF)	5400	4620	2800	5850	
Minimum Parcel Dimensions					
Width (FT)	45	42	28	65	
Depth (FT)	99	110	100	90	
Minimum Yard Dimensions					
Front (FT)	10 - 15	15	15	10	15
Side (FT)	5	5	7.5	7.5	15
Rear (FT)	0	0	0	0	15
Landscape Street Yard					
Front/Side (FT)	10 - 15	10	10	10	15
Maximum Building Height (FT) <sup>1</sup>	36 <sup>2</sup>	36	36	36	36

Notes:

- <sup>1</sup> Measured from the average finish grade elevation of the building line to the top of the primary building roofline.
- <sup>2</sup> Maximum building height for Residential Uses shall be the greater of 36 feet or 2 1/2 stories.

Table B: Permitted Uses by Land Use

Table of Permitted Uses By Land Use Areas	Land Use Area				
	Area 2  The Quarters	Area 3  Single Family Homes	Area 1  Town Homes	Area 4/5 Cottage & Mansion Homes	Area 6  Future Development
X = Denotes a permitted use - = Denotes a non-permitted / prohibited use					
<b>Residential</b>					
Single Family – Detached	X	X	X	X	-
Single Family – Attached	X	X	X	X	-
Apartment house	-	-	-	-	-
Condominium	-	-	X	X	-
<b>Open Space</b>					
Recreation	-	-	-	-	X
Trails, walks, & paths	X	X	X	X	X
Parks	X	X	X	X	X
Water features	X	X	X	X	X

## Accessory Uses

- A. Accessory uses are permitted in the Precise Plan Area subject to compliance with the height and area regulations and the design standards of the Precise Plan. An accessory use shall meet the following criteria:
1. Be subordinate to and serve the principal use;
  2. Be subordinate in area, extent or purpose to the principal use served;
  3. Contributes to the comfort, convenience or necessity of the occupants, of the principal use;
  4. Is related to the principal use of the property;
  5. Is located on the same lot as the principal use served;
  6. Is not injurious, noxious or offensive to the neighborhood;
  7. Does not exceed 50% of the rear yard area inclusive of that area occupied by other accessory structures in residential districts;
  8. Accessory uses of a storage nature shall not be located in the front yard area; and,
  9. All attached and detached accessory structures shall conform to the same height, area and setback regulations required of the main use or structure.
- B. Permitted Accessory Uses: Accessory uses and buildings include, but are not limited to, the following list of examples, provided that each accessory use or building shall comply with all the provisions of this section.
1. Recreational uses and structures for the use and convenience of occupants or guests of a principal use.
  2. The following accessory uses customarily associated with a residential use, but not limited to, shall be permitted: arbors, barbecue pits and grills, firewood neatly stacked, gazebos, operational and licensed vehicles, planters, play structures, toys, trash cans used for normal on-site garbage collection and trellises attached to a building.
  3. Garage structures. Shall be located in the rear or side yard and accessed by an alley, drive way, or side street if approved by the Uptown Design Review Committee. The setbacks for garage structures are encouraged to be at different setbacks along the alley providing for a more interesting view.
- C. Prohibited Accessory Uses:
1. Storage of any materials not directly related to the principal use of the property and located outside of a building in a residentially zoned district is specifically prohibited except for building materials needed for construction related to the property.
  2. Above ground pools are not allowed.
  3. Metal carports are prohibited.

- D. General regulations:
1. In the case of a corner lot, attached and detached accessory structures shall be locate no closer to the street side yard property line than the minimum distance required for the primary structure.
  2. Detached structures, such as garages, carports, gazebos, parking facilities or storage sheds shall be located a minimum of seven (7) feet from the main dwelling.
  3. Exterior materials of detached structures shall be compatible with the exterior materials of the main structure.

## Home Occupations

Home occupations shall be compatible with the neighborhoods in which they are located. The intent is to protect residential areas from adverse effects of activities associated with home occupations, while allowing residents of the community to utilize their homes as a work place and a source of livelihood under certain conditions.

- A. Home occupations permitted. The following listed home occupations are allowed within the District. All home occupations not listed are prohibited unless the use is similar in nature to those listed and the use is reviewed and approved by the Uptown Design Review Committee.
1. Artists, sculptors, authors, photographers and composers;
  2. Computer programming, personal computer data processing and home computer bulletin board services.
  3. Direct sale product distribution (i.e. Amway, Avon, Tupperware, etc.) provided parties for the purpose of selling merchandise or taking orders shall not be held more than once a month.
  4. Dressmakers, seamstresses, and tailors.
  5. Home crafts and hobby.
  6. Home offices for architects, engineers, lawyers, realtors, insurance agents, brokers, ministers, rabbis, priests, salesmen, sales representatives, manufacturers' representatives, home builders, and similar occupations.
  7. Music and art teachers or other tutoring services on an individual basis.
  8. Work at home activities where employees of a business, located at another location, perform work for the business in their own residences, provided all physical contact between the business and the employee occurs at the place of business and not the residence, other than the initial installation of any equipment or other work facilities.
- B. Use limitations:
1. Home occupations shall be carried out by members of the household occupying the dwelling only.
  2. The home occupation shall be conducted entirely within the principal residential building or in a permitted accessory building.
  3. No manufacturing or processing of any sort shall be done.

4. No stock in trade shall be displayed or sold on the premises except for delivery of orders.
5. No stock in trade, except articles produced by residents of the premises, shall be stored on the premises.
6. No alteration of the principal residential building shall be made which changes the character of a dwelling.
7. The home occupation shall not produce offensive noise, vibration, smoke, electrical interference, dust odors or heat.
8. No mechanical or electrical equipment other than normal domestic or household equipment shall be used.
9. There shall be no outdoor storage of equipment or materials used in the home occupation.
10. The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States mail, similar parcel delivery services.
11. Not more than one vehicle shall be utilized for business purposes.
12. No customer waiting areas shall be provided.

[This Space Intentionally Left Blank]

## 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. **Residential:** Through this Precise Plan, a certain set of quality and design standards are issued, which will help create within the residential portions of the Precise Plan Area, structures that are compatible with the overall design quality of the Uptown Development District. All residential buildings erected within AREA 1, 2, 3, 4 and 5 shall be constructed according to the following standards.

- a) Individual building designs that add richness to the built environment are encouraged to be implemented upon approval.
- b) Initial review of building design compatibility to the precise plan design guidelines for residential applications shall be reviewed by the Uptown Design Review Committee and shall require a letter of approval from the Uptown Design Review Committee prior to submittal to city for plan approval. Review shall include all aspects of design including but not limited to building materials, architectural design compatibility, landscape design and use.
- c) Residential building signage standards:
  - i. Signs shall not be allowed on residential buildings.
  - ii. Address numbers shall be prominently placed to allow for ease of emergency identification.

2. **Community Buildings:** Through this Precise Plan, a certain set of quality and design standards are issued, which will help create within the residential portions of the Precise Plan Area, amenity structures that are compatible with the overall design quality of the District. All community buildings erected within AREA 6 shall be constructed according to the following standards.

- d) All existing buildings within Area 6 shall maintain existing materials. Additions to the building shall be made to complement the existing structure.
- e) Individual building designs that add richness to the built environment are encouraged to be implemented upon approval.
- f) Initial review of the building design compatibility to the precise plan design guidelines shall be reviewed by the Uptown Design Review Committee and shall require a letter of approval from the Uptown Design Review Committee prior to submittal to city for plan approval. Review shall include all aspects of design including but not limited to signage, building materials, architectural design compatibility, landscape design and use.

- g) Amenity building signage standards:
  - i. All signs shall be of residential scale and character.
  - ii. All signs shall be individual letters and non-illuminated.
  - iii. Address numbers shall be prominently placed to allow for ease of emergency identification.

B. Parking regulations:

1. The number of parking stalls required for AREA 1, 2, and 3 shall be a minimum 2 spaces per unit.

2. The number of parking stalls required for AREA 4 and 5, shall be a minimum 1 ½ space per unit.

3. The number of parking stalls required for AREA 6 shall be 4 parking spaces per 1,000 square feet of useable building space. Dedicated parking is not required for the common park.

4. The number of handicap stalls and their dimension and locations shall be provided for the development and determined from the ADA specifications.

5. Parking lot paving and design requirements.

- a) All parking lots and driveways 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.
- 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 spaces 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.
- f) All lighting fixtures 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.
- g) All parking lot lighting shall be consistent throughout the development and shall be approved by the Uptown Design Review Committee.

C. Landscaping, Street Trees, Landscape Setback Area, and Screening Standards shall be the subject of the applicable Restrictive Covenants as approved by the Uptown Design Review Committee.

D. Parking Lot Landscaping Design Standards shall be the subject of the applicable Restrictive Covenants as approved by the Uptown Design Review Committee.

E. Lighting

1. Ornamental street lights identified in Section 26-100 of the Code of Ordinances as "period" lighting by the City of St. Joseph shall be used.

## **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. Submit all plans to Uptown Design Review Committee prior to submittal to the City. Tenant/owner/occupant must get Uptown Design Review Committee approval of materials, layout of buildings and etc. prior to this submittal. The city will not review plans unless a signed letter of approval has been submitted to the tenant/owner/occupant from the Uptown Design Review Committee.
- C. Conditional Use Permits: 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 decisions 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 Circuit Court.
- 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 Planning and Community Development Department Director or his/her designee at the time of the proposed upgrades to defer parking lot improvements. The plan in no way is intended to deter necessary building upgrades or construction due to lack of 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.
- G. Modification of Development Standards: Should a specific major change to the plan in regards to use, development standards, design guidelines, or implementation be proposed, the proponent of the change shall notify the Director of the Planning and Community Development Department, City of St. Joseph, Missouri. Minor modifications to plan language, if necessary in the future, may be approved by the

Uptown Design Review Committee. Major changes must be approved by the City Council of St. Joseph, Missouri after receipt of a recommendation by the Planning Commission.

- H. The developer/Home Owners' Association will be fully responsible for the maintenance of the common areas.