

CITY OF FENTON
COMMUNITY DEVELOPMENT DEPARTMENT
625 New Smizer Mill Road
Fenton, MO 63026 (636) 349-8110

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION CHECKLIST

A **complete** application for a Planned Unit Development (PUD) must be received by the Community Development Department no less than thirty (30) days prior to the next Planning and Zoning Commission Meeting in order to be placed on the agenda for consideration. ***Partial or incomplete applications will not be accepted.***

Please review the checklist below to verify that your application is complete before submitting materials to the Community Development Department. *Please check-off below that all items are included in your submittal, and sign at the bottom.*

REQUIRED DOCUMENTS FOR A COMPLETE PLANNED UNIT DEVELOPMENT APPLICATION:

- One (1) Petition for Planned Unit Development: All blanks completed, application signed and notarized.
- One (1) legal property description
- One (1) letter of property owner consent (if you are not the owner), or proof of ownership-under-contract.
- One (1) check for fee payable to 'City of Fenton' (*see attached fee schedule*).
- One (1) Survey Plat/Site Plan of the property (*see item E on the Petition and the Preliminary Plat Checklist --attached*).
- Twenty-five (25) 11"x17" or 8½"x11" copies of items/plans (must be legible at this size), plus two (2) full-sized copies to scale; **OR** twenty-five (25) full-sized copies to scale if smaller plans are not legible, plus one 11"x17" or 8½"x11" copy.
- All other items identified on the Preliminary Plat Checklist and Chapter 440 Article V of the Zoning Code.

NOTE: A pre-application conference with the Community Development Director is encouraged.

I/we (Petitioner) _____ do submit the attached application for a Planned Unit Development for (project name) _____ at (address) _____ and verify that all of the required documents are attached herewith. I understand that in order for my case to be placed on the agenda, all required materials must be received within 30 days of the next scheduled public hearing meeting. *If the application and materials are incomplete or are returned for corrections by the Community Development Director, placement of my case on an agenda will be delayed until such time as all required materials are received within the 30-day requirement.*

Signed: _____

Date: _____

City of Fenton
Community Development Department
625 New Smizer Mill Road
Fenton, MO 63026
(636) 349-8110

PETITION FOR PLANNED UNIT DEVELOPMENT (PUD)

DATE: _____

PETITION NO.: _____

DATE PAID: _____

FEE: _____

I (we), the petitioner(s) _____ am (are) seeking a **Planned Unit Development (PUD)** from the City of Fenton. I understand this petition will be scheduled for a public hearing with the Planning and Zoning Commission of the City of Fenton and a recommendation from this Commission will be made to the Board of Aldermen for a final decision.

I. The petitioner(s) state(s) that the property is:

A. Presently zoned: _____

B. Presently used for: _____

C. Proposed zoning: _____

II. The following information is required to complete this application:

A. Reason this Planned Unit Development (PUD) is being requested: _____

(separate letter may be attached)

B. Describe your legal interest in the property or state the name of the person or firm you are representing. _____
(if Petitioner is not the owner, a letter of legal consent from the property owner is required)

C. Address of property: _____

D. Legal description of property (metes and bounds); attach if necessary: _____

E. A survey or plat of property, drawn to scale of 100 feet or less to the inch, showing nearest street intersection, dimension of property, north point, and showing appropriate angles, bearings, and distances must be attached to this petition. *(See item G on page 2 for quantity).*

F. Size of parcel to the nearest tenth of an acre: _____

G. Return signed and notarized application, fee, and twenty-five (25) 11"x17" or 8½"x11" sets and two (2) full-sized sets to scale of any plans to the Community Development Department. Please submit twenty-five (25) full-sized sets to scale of all items/plans plus one 11"X17" or 8½"x11" copy if smaller plans are not legible.

I (we) hereby certify that I (we) have a legal interest in the described property or I (we) am (are) the duly appointed representative(s) of the property owner and that all information given herein is true and a statement of fact. As owner(s) or petitioner(s), I (we) will comply with all requirements and conditions set forth by the City of Fenton's Planning and Zoning Commission and Board of Aldermen.

(Print Name)

(Petitioner's Signature)

Address: _____

Phone: _____

Email: _____

Subscribed and sworn to before me this _____ day of _____ 20____.

SEAL:

(Notary Public)

My Commission expires: _____.

REMINDER: Applications, all attachments, and fee must be received by the Community Development Department at least **thirty (30) days prior to the next Planning and Zoning Commission Meeting** in order to be placed on the agenda for consideration.

IMPORTANT NOTICE

Petitions for Public Hearing

- The Planning and Zoning Commission holds a public meeting on the first Tuesday of every month, 7:00 p.m., at the City of Fenton City Hall, 625 New Smizer Mill Road.
- Prior to the public meeting, the City must have your completed application and other documents delivered to the Community Development Department thirty (30) days in advance of the Commission's next meeting date to post the required public notice. Staff will determine whether the petition will be on the Planning and Zoning Commission agenda for the following meeting.
- Your attendance at the Planning and Zoning Commission meeting is mandatory. Failure to appear may result in a Commission recommendation to continue or deny your request.
- The Planning and Zoning Commission will make their recommendation for approval or denial of your petition to the Board of Aldermen, which will conduct a public hearing at their regular Board meeting on the fourth Thursday of every month.
- The Board of Aldermen will have final approval or denial of the petition.

If you have any questions, please do not hesitate to call the Community Development Department at (636) 349-8110.

PRELIMINARY PLAT CHECKLIST

PRELIMINARY PLATS SUBMITTED TO THE PLANNING AND ZONING COMMISSION FOR REVIEW AND APPROVAL MUST CONTAIN THE FOLLOWING INFORMATION:

- The name of the subdivision if within an existing subdivision.
- The proposed name of the subdivision if not within a previously platted subdivision. The proposed name of any new subdivision shall not duplicate or closely approximate phonetically the name of any other subdivision within the City of Fenton.
- The property name if no subdivision name has been chosen.
- A key map on the first sheet if the entire subdivision will not fit on one (1) sheet and match-lines to facilitate the matching of separate sheets.
- Municipal, County, and School District boundaries within two hundred (200) feet.
- If the applicant is not the owner, a statement consenting to the subdivision signed by the owner.
- The location, size and purpose of any existing or proposed easement, street, or lot reserved or dedicated to public use.
- The names, locations and widths of all existing or platted streets within and immediately adjacent to the proposed lot(s).
- Existing trust indentures, if applicable.
- Lot lines with accurate dimensions, bearing or deflection angles, radii arcs and central angles of all curves.
- The number of proposed lots shown on each sheet and the dwelling unit density and all applicable setback lines.
- The use of any lot to be used for other than residential purposes.
- Location and name of proposed streets. The maximum grade of all streets shall be shown on the drawings or verified on a written form.
- Existing and proposed location of all storm and sanitary sewers within and immediately adjacent to the subdivision.
- Proposals for connection to an adequate public water supply and sanitary sewer systems or other means of providing water and sewage disposal.
- Proposals for collecting and discharging surface water drainage including location of all detention/retention areas.
- The number, size, and type of trees to be planted in the subdivision.
- All existing buildings within one hundred (100) feet of the property.

ARTICLE V
Planned Unit Development

Section 440.170. Scope Of Provisions.

[R.O. 2009 § 483.010]

This Article contains the regulations for a Planned Unit Development, herein "PUD." These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Title.

Section 440.180. Statement Of Intent/Purpose.

[R.O. 2009 § 483.020]

The intent of this Article is to provide a voluntary and alternate zoning procedure in applicable Zoning Districts in order to permit flexibility in Building types and arrangements that would not be possible under the strict application of the Zoning District; encourage a creative approach to the use of land and related physical facilities that results in better development and design to preserve existing site topography, major tree cover, and natural water features on and adjacent to the development to the extent reasonably possible; and contribute to enhancement of the City's urban design, with particular attention to adaptation to adjacent neighborhoods and Street systems under conditions of approved Site Plans.

Section 440.190. Applicable Zoning Districts.

[R.O. 2009 § 483.030]

The PUD procedure may be utilized for developments containing not less than seven (7) acres in the "R-1," "R-2," and "R-3" Districts and not less than four (4) Dwelling Units in the "OT-1" District.

Section 440.200. Authorized Developments And Limitations.

[R.O. 2009 § 483.040]

- A. The PUD may authorize the following development types and standards:
1. Permitted Uses. Any Permitted Use in the Zoning District within which the PUD is located is permitted in the PUD. Additionally, Attached Single-Family Dwellings or Two-Family Dwellings are permitted in the "R-2" and "R-3" Districts and Attached Single-Family, Two-Family Dwellings, and Multiple-Family Dwellings each with no more than four (4) Dwelling Units are permitted in the "OT-1" District.
 2. Uses Allowed by Special Use Permit. Any Use allowed by Special Use Permit in the Zoning District within which the PUD is located is permitted in the PUD by Special Use Permit to be issued in accordance with Section 410.080.
 3. The PUD requirements shall be established in the Ordinance authorizing the PUD with the following restrictions:
 - a. Off-Street Parking. Off-Street Parking requirements shall meet the minimum requirements of the proposed use and shall in no event be diminished; however, the Commission and Board may require that unenclosed Off-Street Parking Spaces be depressed below the grade of the remainder of the Lot or screened by walls, fences, or plant material or by

both methods to preserve and complement the general character of any existing developments on adjacent properties.

- b. Setbacks. The required Setbacks of the underlying Zoning District shall apply to all Lot Lines contiguous with or within fifty (50) feet of the boundary line of the PUD.
- c. Buffer Areas. For PUDs in "R-2" or "R-3" Districts wherein Lot Areas do not comply with the minimum Lot Area of the underlying Zoning District, a Buffer Area of not less than thirty (30) feet in depth shall be provided along any Lot Line that abuts a Residential District or Lot with a Residential Use that is not located within the PUD.
- d. Lots. The PUD shall not contain more Lots or Dwelling Units than would be permitted under the regulations of the Zoning District which the PUD is permitted, and in no case shall the minimum Lot Area in the "R-1" District be less than twenty thousand (20,000) square feet; in the "R-2" District be less than ten thousand (10,000) square feet; in the "R-3" District be less than seven thousand five hundred (7,500) square feet; or in the "OT-1" District be less than six thousand (6,000) square feet and:
 - (1) The maximum number of Lots allowable in "R-1," "R-2," and "R-3" Districts shall be calculated by dividing the net area of the PUD by the minimum Lot Area requirement for a Residential Dwelling Unit of the underlying Zoning District in which the PUD is located. The net area is the gross area of the development, minus the following:
 - (a) Any area within special flood hazard areas inundated by a 100-year flood (i.e., plain and floodway Zones "A," "AE," "AH," "AO," "A99") as determined by the Federal Emergency Management Agency (FEMA).
 - (b) All Street pavement.
 - (c) Area for Detention/Retention Areas as measured ten (10) feet back from the high-water elevation for any Detention/Retention Area.
 - (2) The maximum number of Lots within the "OT-1" District shall be dependent on each Lot containing not less than six thousand (6,000)

square feet, exclusive of any area included within above Subsection (A)(3)(d)(1), (a), (b), and (c).

Section 440.210. Sketch Plan.

[R.O. 2009 § 483.050]

See Section 440.090.

Section 440.220. Preliminary Plat Required.

[R.O. 2009 § 483.060]

In addition to the Preliminary Plat meeting the requirements of Section 440.100, the Commission shall review the proposed PUD to determine if the PUD is:

- A. Consistent with good general planning practice and with good site planning;
- B. Can be constructed and operated in a manner that is not detrimental to the Permitted Uses in the Zoning District;
- C. Would be visually compatible with the uses and Property within the surrounding area; and
- D. Is deemed desirable to promote the general health, safety, and welfare of the City. Additionally, the Commission and Board shall also consider the architectural, landscape, and other relationships which may exist between the proposed development and the character of the surrounding neighborhood and shall prescribe and require such physical treatment such as Screening, Buffer Areas, or other features as will, in its opinion, enhance the neighborhood character.

Section 440.230. Improvement Plans Required.

[R.O. 2009 § 483.070]

See 440.110.

Section 440.240. Improvement Guarantees Required.

[R.O. 2009 § 483.080]

See Section 440.120.

Section 440.250. Final Plat Procedures.

[R.O. 2009 § 483.090]

See Section 440.120.

Section 440.260. Changes In Approved PUDs.

[R.O. 2009 § 483.100]

- A. The PUD shall be developed only according to the approved and recorded Final Plat and all supporting data. The recorded Final Plat and supporting data, together with all

recorded amendments, shall be binding on the Applicants, their successors, grantees, and assigns and shall limit and control the use of Property (including the internal use of Buildings and Structures) and location of Structures in the PUD as set forth therein. All changes to the Final Plat shall be recorded with the Recorder of Deeds as amendments to the Final Plat or reflected in the recording of a new, corrected Final Plat.

1. Major changes. Changes which alter the concept or intent of the PUD, including increases in density, Building Heights, or proposed decreases in open space. Changes in the sequence of development and changes in Street standards shall be approved by submission of a new Preliminary Plat under Section 440.100 and subsequent amendment to the Final Plat.
2. Minor changes. The Director may approve minor changes in the PUD which do not change the concept or intent of the development. "Minor changes" are defined as any change not defined as a major change.

Section 440.270. Failure To Submit Final Plat Or Construction On Schedule.

[R.O. 2009 § 483.110]

- A. The Board shall consider the PUD subject to revocation if substantial construction fails to commence within one (1) year of filing of the Final Plat or construction is not completed within five (5) years from approval of the Final Plat. The Applicant shall be notified in writing at least sixty (60) days prior to any revocation hearing.
- B. The Board may grant an extension to commence construction for not more than one (1) additional year. As used in this Article, "substantial construction" shall mean final grading for Streets necessary for first approved Plat or phase of construction and commencement of installation of sanitary and storm sewers.
- C. In the event the Final Plat is not submitted or substantial construction has not commenced within the prescribed time limits, the PUD shall terminate and the Commission shall within forty-five (45) days recommend initiation of a new Public Hearing before the Board to revert the Property to its prior classification in accord with the proceedings specified in Section 410.060. In the case where rezoning was granted in conjunction with the PUD and said PUD has terminated, no building permit shall be issued on that Property in accord with the provisions of the above-noted Section.

Section 440.280. Dedications For Public Parks.

[R.O. 2009 § 483.120]

- A. A PUD may include a Lot or Lots designated for Public Park use, which may be considered part of the gross acreage of the development in computing the maximum number of Lots that may be created or Dwelling Units that may be authorized, provided that:
 1. No Lot of less than ten (10) acres is dedicated for Public Park. However, a Lot Area less than this minimum may be accepted for a Public Park by the Board if it is an addition to an existing or proposed Public Park or school site respectively or is recommended by the Parks and Recreation Committee as part of the City's Public Park system.
 2. Prior to approval of a Final Plat for a PUD indicating Public Park dedication, a

written statement recommending approval of the proposed Public Park shall be received from the Parks and Recreation Committee.

3. The proposed Public Park is dedicated in a manner approved by the Board as to the legal form prior to recording of the Final Plat.
4. The Final Plat identifies the boundaries of the dedicated Lot for a Public Park within the PUD.
5. The deed of dedication for Public Park shall provide that in the event the Property shall no longer be used for that purpose, it will revert to the trustees of the Subdivision in which it is located as common land. The trust indenture required in Section 440.290 shall provide for the manner in which the common land shall be treated, so that the provisions of this Section are complied with.

Section 440.290. Trust Indentures And Warranty Deeds.

[R.O. 2009 § 483.130]

In PUDs where common areas, which may include open spaces, recreational areas, or other common grounds, are provided, a trust indenture shall be recorded simultaneously with the Final Plat. The indenture shall provide for the proper and continuous maintenance and supervision of said common land by trustees (and mechanism to pay for the same) to be selected and to act in accordance with the terms of such indenture and the common land shall be deeded to the trustees under said indenture by general warranty deed. The trust indenture and shall comply with the requirements established in Section 440.150, Subdivision Indentures.

Fees for Planned Unit Development (PUD) Applications

Fees for Planned Unit Development (PUD) Applications shall be as follows:

One (1) to seven (7) lots: \$200.00 for the first lot, plus \$100.00 for each additional lot;

Each additional lot in
excess of seven (7) lots: \$90.00 per lot