

CONDITIONAL USE PERMIT APPLICATION



**CITY OF ST. ROBERT, MISSOURI
CONDITIONAL USE PERMIT
APPLICATION**



Date of Filing: _____
Application No.: _____
Application Fee: **\$50.00**
Received By: _____

The signers of this application petition the St. Robert Board of Aldermen to approve a Conditional Use Permit, as described below, on the following described tract of land:

LAND DESCRIPTION (attach separate metes and bounds description sheet if necessary):

Owners of Record: _____ Book & Page number: _____

Tax parcel ID number: _____ Date property acquired: _____

Current zoning classification: _____ Present use of property: _____

PROPOSED CONDITIONAL USE:

A. Describe the proposed development (conditional use): _____

B. Is the proposed conditional use located within a “residentially” zoned district? (circle one) YES NO

C. If yes, identify the residential area the proposed use will be located: _____

D. Does the current zoning classification support the proposed use? (circle one) YES NO

E. Has a change of rezoning district been approved for this proposed use? (circle one) YES NO

F. If yes, when was the change of zoning district approved? _____ Ordinance number? _____

G. List all conditions that are to be met relative to the approved change of zoning district: (attach copy of ordinance)

H. Will all conditions of the change of rezoning district be met as required? (circle one) YES NO

I. If no, describe in detail the reasons that the rezoning conditions cannot be met, and how this would prevent the successful development of this property for which you are seeking a conditional use permit. (attach separate sheet)

J. Have any variances been granted for this parcel of land? (circle one) YES NO

K. If yes, provide copy of the documentation that outlines the specifics of the granted variance(s).

L. Will any streets, alleys, easements, parks or other dedications to the public have to be “vacated” in order to accommodate the proposed development of this conditional use permit? (circle one) YES NO

M. If yes, identify all dedications to the public that must be vacated, and describe in detail the justification for seeking a vacation of those offers dedicated to the public. (attach separate sheet)

The unified zoning and subdivision regulations of the City of St. Robert can be reviewed on the City web site at www.saintrobert.com by accessing the “City Ordinance Codes” link and referring to “Title VI: Land Use”.

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NOTICE TO APPLICANT: Application for a Conditional Use Permit shall be made under the provisions of Chapter 406, Part II of the City of St. Robert *Land Development Regulations*, a portion of which is attached, and shall be accompanied with the following documentation to show conformance with the *Land Development Regulations*:

- A. Two copies of a master plan of development or engineered site plan, and
- B. A completed listing of all adjacent property owners, (attached as Attachment A) and
- C. A written detailed summary of development that describes the proposed conditional use (attached as Attachment B) and written timeline of development activities to take place, and
- D. Written responses to the following inquiries:
 - 1. State how the proposed conditional use will comply with each of the specific criteria delineated in Section 406.041, Subparagraph B of the *Land Development Regulations*. (attached as Attachment C)
 - 2. State how the proposed conditional use is to be designed, arranged and operated in order to ensure that future development and/or use of neighboring properties will not be prevented or made unlikely, and that the value, use and reasonable enjoyment of such property will not be impaired or adversely affected by this conditional use.
 - 3. Identify any potentially adverse effects that may be associated with the proposed conditional use, and the means proposed by the applicant to avoid, minimize or mitigate such effects.

We, the signers of this application, do attest to the truth and correctness of all facts and information presented with this application. The City of St. Robert is authorized to prepare and deliver to the Daily Guide; all required public notice advertising required by RsMO 89.050.

CURRENT PROPERTY OWNER’S NAME(S):

Name of current owner(s): _____
(please print)

If corporation: Corporate official: _____
(please print)

Mailing address: _____ City: _____ State: _____
(corporate seal)

Zip Code: _____ Telephone Number: _____ Fax No.: _____

PROPERTY OWNER(S) SIGNATURE:

Signature(s): _____

APPLICANT NAME: (if different from the owner)

I hereby certify that I am authorized to represent all property owners of the above-described tract in this application proceeding. A power of attorney is attached.

Name: _____ Signature: _____
(please print)

Mailing address: _____ City: _____ State: _____
Zip Code: _____ Telephone Number: _____ Fax No.: _____

APPLICANTS SIGNATURE: _____ Date: _____

Note to Applicant: Incomplete applications will be rejected and returned to the applicant. All applications must be submitted to the City of St. Robert Building and Land Use Department by the filing deadline for applications which has been established by the Planning and Zoning Commission. (***Application fees are non-refundable**)

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ATTACHMENT B

NOTICE: The process of obtaining a building permit is a separate permit process governed by the provisions of the adopted building codes of St. Robert. The issuance of building permits may be restricted to the provisions in the St. Robert *Land Development Regulations*, in that in order to obtain the necessary building permits, the provisions of these Regulations must first be met.

NOTE: The applicant must complete the following development summary in its entirety, and attach it as supporting documentation for the conditional use permit application that is being filed for consideration. Incomplete information will delay the processing of the zoning permit application until all necessary documentation is provided.

DENSITY SUMMARY:

1. Does the proposed use meet the "Minimum Lot Area" criteria? (circle one) YES NO
2. If yes, what is the gross area of the site that the proposed development is located on? _____ Square Feet.
3. Does the proposed use meet the "Minimum Lot Width" criteria? (circle one) YES NO
4. If yes, what is the minimum lot width that the proposed development is located on? _____ Feet.
5. Does the proposed use meet the "Minimum Setback" criteria? (circle one) YES NO
6. If yes, what is the minimum setback distances for the proposed use on the site it is located on?
Front yard _____ feet Side yard _____ feet Rear yard _____ feet
7. What will the "Maximum Height" be of the building/structures to be developed on the site? _____ Feet.
8. What is the gross floor area of the proposed use to be constructed on the site? _____ Square Feet.
9. Is the proposed use a "stand-alone" structure or a "co-located retail plaza"? _____
10. If the proposed use is a "co-located retail plaza", how many tenant spaces will be designed for the proposed development? _____ Co-located Spaces
11. If the proposed development is comprised of different "use types", list each use below:
 - (a) Use #1 _____ Gross floor area _____
 - (b) Use #2 _____ Gross floor area _____
 - (c) Use #3 _____ Gross floor area _____
 - (d) Use #4 _____ Gross floor area _____
 - (e) Use #5 _____ Gross floor area _____
12. What are the total gross off-street parking spaces that have designed for this proposed use? _____ Spaces.
13. How many total spaces have been dedicated and reserved as handicap accessible? _____ Spaces.
14. How many off-street parking spaces have been dedicated for each co-located use?
 - (a) Use #1 _____ Total parking spaces _____
 - (b) Use #2 _____ Total parking spaces _____
 - (c) Use #3 _____ Total parking spaces _____
 - (d) Use #4 _____ Total parking spaces _____
 - (e) Use #5 _____ Total parking spaces _____
15. Has the minimum landscaping and buffering criteria been shown on the final site plan? (circle one) YES NO

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NOTE: All uses will be individually metered. No proposed developments will be allowed to have multiple uses on any one individual meter.

INFRASTRUCTURE SUMMARY:

1. What are the anticipated electrical requirements needed to provide service to this proposed development? (list in detail and attach on a separate sheet)
2. What are the anticipated water requirements needed to provide service to this proposed development? (list in detail and attach on a separate sheet)
3. What are the anticipated sanitary sewer requirements needed to provide service to this proposed development? (list in detail and attach on a separate sheet)
4. What are the anticipated natural gas requirements needed to provide service to this proposed development? (list in detail and attach on a separate sheet)

SUPPLEMENTAL SUMMARY:

1. Has the location of all driveway entrances providing access to the development site been designed in conformance with the "Access Management" criteria of the *Land Development Regulations*? (circle one) YES NO
2. What is the anticipated "Average Daily Traffic Volume" projected for this development? _____ ADTV.
3. Will any "Cross-Access Agreements" between adjoining property owners be required? (circle one) YES NO
4. If yes, provide one copy of the duly recorded agreement with this application.
5. Have all necessary sign permit applications been acquired? (circle one) YES NO
6. Have all necessary Missouri DNR permits been approved and received? (circle one) YES NO N/A
7. If yes, provide one complete copy of all approved DNR permit(s) and plans with this application.
8. If no, when will the necessary DNR permits be applied for? _____, 20____
9. Have all necessary MoDot access construction permits been received? (circle one) YES NO N/A
10. If yes, provide one copy of the approved MoDot permit and construction plans with this application.
11. If no, when will the necessary MoDot permits be applied for? _____, 20____

NOTE: A Certificate Of Occupancy" shall **not** be issued, nor will any building or structure be occupied until all development requirements set forth in the St. Robert Land Development Regulations are complied with as part of the approval of this conditional use permit application.

NOTE: The applicant may submit all building permit applications and construction documents and plans only upon the approval of this conditional use permit application. The Building Department cannot accept any building permit applications in advance of the approval of this conditional use permit application.

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ATTACHMENT C

SECTION 406.041 Applicant Burden of Proof

- B. In presenting any application for a conditional use permit, the burden of proof shall rest with the applicant to clearly establish that the proposed conditional use shall meet the following criteria:
- (1) The proposed conditional use complies with all applicable provisions of the district zoning regulations.
 - (2) The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public and not adversely affect adjoining properties.
 - (3) The location and size of the conditional use, the nature and intensity of operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations or the city's comprehensive plan.
 - (4) The applicant can demonstrate adequate provision for maintenance of the conditional use and associated structures.
 - (5) Adequate utility, drainage, and other such necessary facilities have been or will be provided.
 - (6) The conditional use will not create undue traffic congestion or hazardous conflict points at points of intersection of the traveled way especially at those points where entrance drives intersect public streets. Traffic studies will be provided, at the developer's cost, to substantiate proposed traffic volume projections created by the conditional use.
 - (7) The proposed uses where such developments or uses are deemed consistent with good planning practice which can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and are deemed essential, convenient, or desirable to preserve and promote the public health, safety, and general welfare of the City of St. Robert.

NOTE: The developer has the duty of compliance with reasonable conditions laid down by the Commission and the Aldermen for the design, dedication, improvement and restrictive use of the land so as to conform to the physical and economical development of the city, and to promote the safety and general welfare of the future lot owners in residential and nonresidential subdivisions and of the community at large; the subdivision of land being a privilege conferred through these Regulations. The recipient or successor of any zoning permit or conditional use permit, shall be responsible for maintaining all common areas, improvements, infrastructures or facilities required by this Regulation or any permit issued in accordance with its provisions, until such time as the offer of dedication to the public has been accepted by the Board of Aldermen. As illustrations, and without limiting the generality of the foregoing, this means that streets and parking areas, water and sewer lines, and recreational facilities must be properly maintained so that they can be used in the manner intended.

NOTE: A developer shall be required to complete all improvements and utilities required by the council, and upon completion shall dedicate such improvements and utilities to the city, free and clear of all liens and encumbrances on the property or public improvements dedicated. The prior to development, the developer of the subdivision shall provide a performance bond, performance contract or other surety satisfactory to the City Council **before** any infrastructure improvements are constructed.

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