



**PLANNING AND ZONING COMMISSION  
MEETING**

**AT 7:00 P.M. ON NOVEMBER 8, 2021**

**In person and Via Zoom**

**Meeting ID: 819 977 6413**

**Passcode: 543697**

**VALLEY PARK CITY HALL, 320 BENTON  
STREET, VALLEY PARK, MISSOURI 63088**

**\*\*\*\* TENTATIVE AGENDA\*\*\*\***

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES**
- 5. PUBLIC HEARING**
  - a. Proposed Text Amendment to add regulations to the City's Land Use Code.
- 6. NEW BUSINESS**
  - a. Proposed Text Amendment to add regulations to the City's Land Use Code.
- 7. ADJOURNMENT**



CITY OF VALLEY PARK  
320 Benton Street  
Valley Park, Missouri 63088  
Phone: 636-225-5171 • Fax: 636-225-0643 • www.valleyparkmo.org

## Text Amendment Application

### Parties of Interest

Name of Applicant:

Kim Gardner

Address:

2 Meppen Dr., Sunset Hills, MO 63128

Phone Number:

314.842.9600

Email:

kinggardner@engineer.com

Name of Interested Party:

Steve Leathers

Address:

1300 Big Bend Blvd., Valley Park MO 63088

Phone Number:

314.221.4844

Email:

leatherssteve@yahoo.com

Interest in Property (property owner/tenant/agent/resident/etc.):

Property Owner

### Text Amendment

Chapter/Article/Section of proposed amendment:

Appendix A to Zoning Ordinance

### Submission Requirements Checklist

- Filing fee.
- Existing text to be modified or deleted.
- New/Proposed text to be added or wording of proposed modified text.
- Letter addressing the reason for the proposed text amendment and Section 405.930 Finding of Fact Required.
- Additional pertinent material to the request may be attached.

### Notice and Process Summary

Requests are reviewed during a public hearing held before the Planning and Zoning Commission. Public hearings are advertised in a newspaper of general circulation 15 days prior to the public hearing date. The Planning and Zoning Commission may continue the request to a subsequent hearing or make a recommendation to the Board of Aldermen to approve, conditionally approve, or deny the request. The Board of Aldermen shall host a public hearing to review the request and recommendation of the Planning and Zoning Commission. Such public hearing shall be advertised as required. The Board of Aldermen may confirm the Planning and Zoning Commission recommendation, overrule the Planning and Zoning Commission recommendation or refer the request back to the Planning and Zoning Commission for additional review. See the City Code section below for detailed requirements and process.

*Chapter 405 Zoning Regulations, Article XII Amendments Special Procedures and Regulations*

### Signature(s)

Name(s):

Kim Gardner

Signature(s):

Kim Gardner

Date:

15 Sep. 2021

## **Text Amendment Application**

### **Submission Requirements Checklist**

- Filing fee.
  - The filing fee is attached.
- Existing text to be modified or deleted.
  - No existing text is to be modified or deleted.
- New/Proposed text to be added or wording of proposed modified text.
  - The new text to be added is to Appendix A: Listing of Permitted and Conditional Zoning District Uses of the City of Valley Park Zoning Ordinance, wherein the following text will be added to the alphabetical listing of allowable uses: “RV and Boat Storage”, with the NAICS Code Number “531130”, and the letter “C” placed under the column labeled “NU”.
- Letter addressing the need for the proposed text amendment and Section 405.930 Finding of Fact Required.
  - See attached letter and findings of fact.
- Addition pertinent material to the request may be attached.
  - None.

**GARDNER ENGINEERING**  
2 Meppen Drive, Sunset Hills, Missouri 63128  
(314) 842.9600  
KimGardner@Engineer.com

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September 15, 2021

Planning and Zoning Commission  
City of Valley Park  
320 Benton Street  
Valley Park, Missouri 63088

Re: Text Amendment Application for "RV and Boat Storage"

Dear Commission:

The owners of the property located within the city limits of Valley Park at 802 Forest Avenue, et al, request the addition of the following category into the list of allowable use under the City of Valley Park Zoning Ordinance – Appendix A - Listing of Permitted and Conditional Zoning District Uses:

- RV and Boat Storage – NAICS Code 531130

This use will have the designation of "C" under the zoning category of "NU", meaning it is a Conditional Use for properties zoned as Non Urban.

This request for a Text Amendment to the Zoning Ordinance is a result of discussions and negotiations with neighboring residents who have opposed other uses for this site. The addition of RV and Boat Storage as a Conditional Use under the Non Urban zoning classification has been identified by the neighbors and residents of the area as an acceptable use category.

The owners of 802 Forest Avenue, et al, will submit under separate cover a request for a Conditional Use Permit for RV and Boat Storage after the successful inclusion of this category into the City of Valley Park Zoning Ordinance.

Respectfully,



Kim E. Gardner, P.E.

## Section 405.930 - Findings of Fact

The Comprehensive Plan for the City of Valley Park was adopted on January 19, 2010. The applicant is requesting the City consider a change to the Zoning Ordinance to allow storage of recreational vehicles and boats as a Conditional Use on Non-Urban zoned land based on this usage being both in conformance with the Comprehensive Plan and based on factors that have changed since adoption of the Comprehensive Plan. The presence of both conformance and change make this requested change acceptable.

The requested change to the Zoning Ordinance to allow the storage of recreational vehicles and boats as a Conditional Use within the Non-Urban zoning district will have limited impact within the City. Non-Urban zoning is very limited, existing on only five parcels. By allowing such use within Non-Urban, the actual opportunities to adopt RV and boat storage is thus limited, considering that two of the sites are in the floodplain, one is a horse stable, and one is a landfill. The remaining property, known as "Lakehill", is the only parcel readily adaptable to this type of storage.

The location of Lakehill is along Forest Avenue approximately half way between the intersection of Forest Avenue with Hwy 141 and the intersection of Forest Avenue with Dougherty Ferry Road. The site was a former racetrack which as since been elevated above the floodplain and leveled for future economic use. At this time the site is vacant of any use.

In the present case, the proposed Text Amendment to Appendix A of the Zoning Ordinance conforms to the intent and descriptions in the Comprehensive Plan. According to the Comprehensive Plan, there are several statements which support the allowance of RV and boat storage along Forest Avenue.

- "Dougherty Ferry Road / Big Bend Boulevard intersection . . . has some of the more recent development in the City and is primarily commercial."
- "Forest Avenue should be upgraded to an arterial roadway by the County to provide improved access to the Area"
- "Neighborhood commercial should be encouraged along Forest Avenue as a support to existing and future residential development"

The Text Amendment is further supported by changes in the area since the Comprehensive Plan was adopted. When considering how the area may have changed, one can look to the statement "While there are several large areas of undeveloped land along this corridor, access and the presence of Grand Glaize Creek significantly inhibit development on these properties." The difference today is that the Lakehill site, one of the large areas where development was inhibited, has since been filled and raised above the floodplain elevation, making the site an economically viable location for future development.

Other changes since the Comprehensive Plan was adopted include the recent and ubiquitous ownership of recreational vehicles and boats. With the recent impacts due to the coronavirus, ownership of recreational vehicles and boats has boomed. And with that boom in ownership comes the need for locations in which to store these items.

Most cities have adopted rules limiting the parking of such items in front of residential structures or on residential streets. While such rules are well intended, enforcement can be a challenge when the residents have limited alternative locations in which to store these items.

By allowing RV and Boat Storage within the Non-Urban zoning as a Conditional Use, the City will be providing a needed facility to its residents, will reduce the difficulties of parking enforcement throughout the City and will allow the partial economic use of a currently unused parcel.

There may have been confusion in the Comprehensive Plan for the prospective uses at the Lakehill location. The text of the Comprehensive Plan states: "single-family use is shown on the land that is situated between the Burlington Northern Santa Fe and Union Pacific right-of-ways". The only location where these two railroads contain land is at Lakehill. However, the map of this area, titled as the "North Central Planning Area", shows the property as "Park/Open Space". [See Pages 52 and 53 of the Comprehensive Plan.] The reality of this site is that economic use is limited and narrow in scope. Prior design attempts for single family residential failed due to various reasons and development as a park is possible only if the City or other benefactor decides to purchase it for such use. To date, there has been no such effort.

# MEMORANDUM

Re: **Text Amendment to Modify Allowed Uses in the NU Non-Urban District** To: City of Valley Park Planning and Zoning Commission  
Date: November 5, 2021 From: Anna Krane, AICP  
CC: Dusty Hosna, City Administrator

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## Introduction

Text Amendment is the process for amending, modifying, revising, or repealing the written Zoning Code of the City. Text amendments are sponsored by the City, however, property owners, business owners, and residents may initiate the review and drafting of a text amendment. In this case, a property owner has initiated the review.

The future and use of the property known as Lakehill, or the former Speedway, has been an ongoing discussion in the City. Previously the property owner has submitted requests to the City for the property to be rezoned from NU Non-Urban to I-1 Light Industrial. After the previous request was denied, the property owner has participated in discussions with the City as well as surrounding residents as to the future use. The property owner is now interested in pursuing a storage use specifically for RVs and boats. This specific storage use is not contemplated in Appendix A of the City's Land Use Regulation. The property owner has now chosen to request that the City consider a Text Amendment to add this use as allowed with a Conditional Use Permit in the NU Non-Urban District.

Adopting the proposed regulations and modifications will require a Text Amendment and follow the procedures as required by **Chapter 405, Article XII Amendments**. The following amendment is proposed

*The addition of "Storage of RVs and boats" to Appendix A as allowed with a Conditional Use Permit in the NU Non-Urban District. The use is classified under NAICS Code 531130.*

## Analysis

**Section 405.166.A** of the City's Zoning Regulations states, "The "NU" Non-Urban District encompasses areas within the City wherein rough natural topography, geological conditions, location in relation to urbanized areas, locations within or adjacent to flood plains, development constraints created by railroad, utility, or highway rights-of-way creates practical difficulties for development of urban land uses and/or in providing and maintaining public roads, and public or private utility services and facilities. The "NU" Non-Urban District also encompasses areas where specific potential development patterns have not been identified or where significant non-urban uses have been established." There are five areas of property currently zoned NU Non-Urban in the City. The areas include mostly park, reservation, and floodplain lands along with farming and horse stables, vacant

# MEMORANDUM

land, residential, and utility uses. Currently allowed uses cover a wide range including residential, recreational, institutional, commercial, and industrial.

The proposed amendment to allow RV and boat storage is a more specific type of outdoor storage than storage currently allowed in other districts or than is contemplated by the other Text Amendment for outdoor storage regulations. This use does not require the construction of expansive structures or single purpose structures. The use is similar to others already allowed in the NU Non-Urban District such as railroad equipment and maintenance yards, road maintenance yards, or telephone maintenance yards, which would include the storage of large vehicles and trailers. RV and boat storage areas are typically accessed with less frequency than general storage facilities because the vehicles and boats are not used on a regular basis. As a conditional use, the intensity and other element associated with the business operation can be managed based on the specific site conditions. The regulations and process described under **Section 405.610** of the City's Zoning Regulations would apply.

The use falls under the NAICS code 531130, which is also the NAICS code assigned to other storage uses listed in Appendix A. NAICS codes are larger buckets used to group industry classifications. These codes are helpful when determining a definition or category of a use, but do have limitations when being more specific about the use. The proposed Text Amendment would only permit RV and boat storage as a use and would not permit general storage and warehousing of goods, even though the general storage categories listed in Appendix A reference the same NAICS code. The title of the use category in this case is more limiting than the NAICS code reference, which provides the support and differentiation for being allowed in different zoning districts.

It is important to re-enforce that the proposed Text Amendment would impact all property currently zoned NU Non-Urban District as well as any property that may be rezoned to NU Non-Urban District in the future. With a proposed use being similar in nature to other uses already allowed, the operation of the use is not likely to alter the nature of the NU Non-Urban District. This use would also be subject to other City regulations for development and maintenance of the property.

**Section 405.930 Findings of Fact Required** lists the facts to be considered by the Planning and Zoning Commission and the Board of Aldermen when reviewing a text amendment or a rezoning request. A brief summary of review of each provision is provided below. The phrasing of these provisions is more directly connected to Rezoning requests, with references to property and use, however, the provisions do apply to Text Amendment requests as well.

1. *How the proposed amendment would conform to the Comprehensive Plan.*
  - » This specific change does not alter the intent or impact of the NU Non-Urban District and therefore, still conforms to the Comprehensive Plan.



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2. *Why the existing zone district classification of the property in question is inappropriate or improper.*
  - » The proposed amendment would impact the zoning code as a whole and not a specific property.
3. *What major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate:*
  - a. *List such changes.*
  - b. *Describe how said changes were not anticipated by the Comprehensive Plan.*
  - c. *Describe how said changes altered the basic character of the area.*
  - d. *Describe how said changes make the proposed amendment to the Zoning District Map appropriate.*
    - » This criterion is again aimed more at rezoning requests, which should conform and recognize the future land use assigned and discussed in the Comprehensive Plan. The proposed text amendment does not alter the regulations of any specific property, rather allows for the opportunity of incorporating the proposed use in a future development.

### **Conclusion**

Staff recommends approval of the proposed Text Amendment to add “storage of RVs and boats” as an allowed use with a Conditional Use Permit in the NU Non-Urban District.