

AN ORDINANCE AMENDING TITLE IV LAND USE OF THE OLIVETTE MUNICIPAL CODE TO UPDATE REFERENCES TO THE 2024 OLIVETTE COMPREHENSIVE PLAN UPDATE, INCLUDING CHAPTER 400 ZONING REGULATIONS, CHAPTER 405 SUBDIVISION REGULATIONS, CHAPTER 410 FLOODPLAIN MANAGEMENT, CHAPTER 428 COMMUNITY DESIGN-OLIVE BOULEVARD CORRIDOR, AND CHAPTER 430 REDEVELOPMENT

WHEREAS, the City of Olivette Planning and Community Design Commission (“PCDC”) has adopted the 2024 Comprehensive Plan Update; and

WHEREAS, in compliance with Chapter 89 of the Revised Statutes of Missouri, the PCDC hosted a public hearing on January 17, 2024, as published in the St. Louis Countian, a newspaper of general circulation in the City of Olivette, on January 2, 2024, and all interested members of the public were given the opportunity to be heard; and

WHEREAS, The PCDC closed the public hearing on February 1, 2024, and reviewed the 2024 Comprehensive Plan Update taking into account the efforts, analyses, and work product conducted by the City, the planning consultants and the comments of interested parties at the public hearing and elsewhere, and then adopted Resolution #2024-001, A Resolution to Adopt the 2024 Comprehensive Plan Update; and

WHEREAS, staff reviewed the Olivette Municipal Code for references to the former Comprehensive Plan/Strategic Plan and noted several sections throughout Title IV Land Use code of the Olivette Municipal Code referenced the former comprehensive plan; and

WHEREAS, at the PCDC meeting of May 2, 2024, the PCDC reviewed a memo prepared by staff noting the various sections of the Title IV Land Use of the Olivette Municipal Code that referenced the former comprehensive plan, and the PCDC by unanimous vote recommended to the City Council (“Council”) of the City of Olivette to amend said sections to reflect the 2024 Comprehensive Plan Update; and

WHEREAS, due and lawful notice of a public hearing amending Title IV Land Use of the Olivette Municipal Code, to be held by the Council on June 11, 2024, at 7:00 PM in the City Council Chambers at the Olivette City Center, 1140 Dielman Road, Olivette, Missouri, was published in the St. Louis Countian, a newspaper of general circulation in the City of Olivette, on May 27, 2024; and

WHEREAS, a public hearing was duly and properly held by the Council at the time and place provided for in the notice and all comments, statements, objections, and suggestions concerning Title IV Land Use of the Olivette Municipal Code, were duly heard and considered by the Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLIVETTE, AS FOLLOWS:

Section One. Title IV of the Olivette Municipal Code is hereby amended by enacting in lieu the following sections in each of the following Chapters as attached hereto as follows:

- Exhibit A, Chapter 400 Zoning Regulations
- Exhibit B, Chapter 405 Subdivision Regulations
- Exhibit C, Chapter 410 Floodplain Management
- Exhibit D, Chapter 428 Community Design-Olive Boulevard Corridor
- Exhibit E, Chapter 430 Redevelopment

made a part of this ordinance as fully set out herein.

Section Two. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unlawful or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section Three. This Ordinance shall be effective after its passage and adoption.

PASSED AND ADOPTED THIS 11th DAY OF JUNE, 2024.

ATTEST:

Missy Waldman, Mayor

Jennifer Conrad, Deputy City Clerk

EXHIBIT A

Chapter 400 Zoning Regulations

Article II Definitions

Section 400.020 Definitions.

Add:

COMPREHENSIVE PLAN

Refers to the Olivette 2024 Comprehensive Plan Update, as adopted on February 1st, 2024, and as subsequently amended.

Remove:

STRATEGIC PLAN

Refers to the Olivette Strategic Plan: Dynamic Sense of Place, as adopted on August 17, 2006, and as subsequently amended.

Article VIII "COR" Commercial/Office/Retail District

Section 400.730 Intent and Purpose.

Amend as follows:

- A. The intent and purpose of the "COR" Commercial/Office/Retail District is to exhibit a mix of businesses, services and residential options developed collaboratively to meet the specific needs of the community. Development should promote:
 1. Design and character reflective of community preferences and objectives as defined in the ~~Strategic Plan~~ **Comprehensive Plan**. This district should not deter:
 - a. Horizontal and vertical mixed use developments which may be freestanding or part of small-scale planned developments.
 - b. Multi-story buildings so long as design considerations to soften the building mass and site transition are incorporated.
 2. Connectivity between Olivette's neighborhoods and Olive Boulevard, connectivity across the Boulevard, as well as connectivity between new and existing commercial and mixed use projects themselves, including:
 - a. Managing access onto and off the Olive Boulevard corridor; and
 - b. Coordinating multi-modal movement, including both vehicle and pedestrian access, with surrounding properties.

Article VIIIA "CC" City Center District

Section 400.780 Intent and Purpose.

Amend as follows:

- A. The purpose of the City Center Zoning District is to further the goals and objectives of the ~~Olivette 2006 Strategic Plan~~ **Comprehensive Plan**.
- B. The City Center Zoning District is intended to:
 1. Create a city center consistent with the concepts and key revitalization elements of the ~~2006 Strategic Plan~~ **Comprehensive Plan**.
 2. Create a walkable community center with pedestrian and streetscape improvements.
 3. Develop new horizontal mixed-use buildings with higher density and presence at Olive Boulevard and Dielman Road to provide community as well as business and personal services.
 4. Develop new continuous street grid to improve access to and throughout City Center area.

EXHIBIT A

(Continued)

Article XII Special Permits

Section 400.1223 Standards and Conditions for Special Permit Uses.

Amend subparagraph (B) as follows:

- B. General Conditions For Special Permit Uses. In reviewing a petition for a special permit use, the Commission may recommend to the City Council conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:
1. The proposed land use is listed as a special permit use in the underlying zoning district;
 2. The use and location is consistent with the goals and **objects objectives** of the **strategic plan Comprehensive Plan**;
 3. The parcel in which the special permit use is proposed is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;
 4. The special permit use will not alter the architectural character, traffic circulation, or site and building connectivity of the surrounding area in a manner which limits, impairs or prevents the access and use of surrounding properties for the permitted uses listed in the underlying zoning district;
 5. Efforts to mitigate any potential spillover effects generated by the special permit use, including, but not limited to:
 - a. Placement, height, or size of buildings and structures;
 - b. Location and number of vehicle access points;
 - c. Increasing the width of any adjacent roads;
 - d. The number of required off-street parking or loading spaces;
 - e. The number, size, location or lighting of signs; and
 - f. Noise from traffic and other activities associated with the use.
 6. The right to:
 - a. Require visual buffering of buildings, parking, traffic, and other activities associated with the use in excess of the minimum fencing, screening, or landscaping required under this Code;
 - b. Prescribe exterior finish for buildings or additions thereto;
 - c. Designate areas and prescribing improvements for open space;
 - d. Prescribe a time limit within which to fulfill any established conditions; and
 - e. Consider the adequacy of public facilities and services existing or planned for the area affected by the use.

Article XXII "MU" Gateway I-170/Olive Boulevard Mixed-Use Gateway District

Section 400.780 Intent and Purpose.

Amend as follows:

- A. The intent and purpose of the "M-U" Gateway District is to ensure the coordinated redevelopment of the land area adjacent to the I-170/Olive Boulevard interchange to develop a mixed-use gateway to the City of Olivette in substantial compliance with the Olivette **Strategic Plan Comprehensive Plan**, all regulations and standards in this Article, and all other applicable or informative land use regulations of the Olivette Municipal Code.

EXHIBIT A

(Continued)

- B. To provide the flexibility necessary to effect the intent and purpose of this Article, the method by which such redevelopment shall take place is by application for rezoning to a Planned Development District (PDD), after concept review and development review as provided in Section 400.2170 of this Article. A PDD rezoning application should be accompanied by any necessary subdivision application as may be required by Chapter 405 of the Olivette Municipal Code.

Section 400.2120 Objectives.

- A. The objectives of the "M-U" Gateway District include:
1. Guiding development surrounding the I-170/Olive Boulevard interchange to create a mixed-land use destination, with emphasis on promoting:
 - a. Medium density development consisting of two (2) or more stories,
 - b. Development of corporate offices, educational campuses, and medical services, and
 - c. Development of housing and lodging services.
 2. Limiting retail land uses to prevent such uses from dominating or fully anchoring redevelopment.
 3. Maximizing development by encouraging higher development density.
 4. Assuring that the street system is coordinated and managed with regard to the Olive Boulevard corridor.
 5. Providing redevelopment flexibility while coordinating redevelopment efforts with surrounding properties.
 6. Enabling redevelopment that is consistent with the ~~strategic plan~~ **Comprehensive Plan**.
 7. Developing a safe and attractive pedestrian environment along the Olive Boulevard corridor and within the district.
 8. Provide minimum standards and regulations to protect and preserve the value of properties along the Olive Boulevard corridor.

Section 400.2130 Definitions.

Remove:

STRATEGIC PLAN

Refers to the Olivette Strategic Plan: Dynamic Sense of Place, as adopted on August 17, 2006, and as subsequently amended.

EXHIBIT B

Chapter 405 Subdivision Regulations

Article II Definitions

Section 400.040 Definitions.

Add:

COMPREHENSIVE PLAN

Refers to the Olivette 2024 Comprehensive Plan Update, as adopted on February 1st, 2024, and as subsequently amended.

Amend as follows:

Section 405.020 Intent and Purpose.

- A. This Chapter is intended to be utilized in conjunction with the zoning ordinance of the City of Olivette, Missouri, to ensure that the development of land within the City of Olivette occurs in a manner that protects, provides for and promotes the public health, safety, convenience, comfort and general welfare of the residents of Olivette. Specific purposes of this Chapter include the following:
1. To ensure the orderly development or redevelopment of land **consistent with the goals and objectives of the Comprehensive Plan**;
 2. To protect and to conserve the value of buildings and other improvements and to minimize adverse impact of development on adjoining or nearby properties;
 3. To ensure proper legal descriptions and documentation of subdivided land for the protection of both purchasers and sellers of land;
 4. To ensure that purchasers of land will receive a buildable, properly oriented lot which is provided with adequate infrastructure and service facilities;
 5. To establish standards of design for subdivision improvements and improvements within unsubdivided developments to ensure safe and proper construction of new streets, utilities, drainage facilities, erosion control and installation of street lighting;
 6. To ensure a beneficial relationship between the location and orientation of lots and the street system, including safe access and maneuvering of emergency vehicles;
 7. To designate and define the powers and duties of the officials administering and enforcing this Chapter; and
 8. To establish penalties for the violation of this Chapter.

EXHIBIT C

Chapter 410 Floodplain Management

Article II Definitions

Section 400.270 Word Usage; Terms Defined.

Add to Section 410.2701.B:

COMPREHENSIVE PLAN

Refers to the Olivette 2024 Comprehensive Plan Update, as adopted on February 1st, 2024, and as subsequently amended.

EXHIBIT D

Chapter 428 Community Design – Olive Boulevard Corridor

Article I General Provisions

Section 428.100 Intent and Purpose.

- A. The intent of this Chapter is to further the goals and objectives of the Olivette **Strategic Comprehensive** Plan (see Figure 1 below). Supplemental to the **Strategic Comprehensive** Plan, this Chapter provides direction and guidance to the petitioner, developer, and design professional in articulating, defining, and illustrating what constitutes "dynamic sense of place".

Figure 1. The following figure is from the 2004 Olivette **Strategic Comprehensive** Plan. It provides an illustration of the overall redevelopment vision for the Olive Boulevard Corridor and articulates the concept of dynamic sense of place.

...

- B. It is the purpose of this Chapter to:
1. Promote redevelopment along the Olive Boulevard Corridor consistent with the visions of the Olivette **Strategic Comprehensive** Plan;
 2. Enhance the visual appearance of the Olive Boulevard Corridor through the creation of uniform streetscape standards, landscape standards, and architectural standards;
 3. Develop a safe and attractive pedestrian passageway along the Olive Boulevard Corridor;
 4. Encourage coordinated planning between parcels, including, but not limited to, joint vehicle access, cross access easements for vehicles, pedestrians, and other non-motorized vehicular movement; and
 5. Protect and preserve the value of properties along Olive Boulevard Corridor.

Section 428.120 Definitions.

Remove:

OLIVETTE STRATEGIC PLAN

~~Refers to the Olivette Strategic Plan: Dynamic Sense of Place as adopted on August 17, 2006, and as subsequently amended.~~

Add:

COMPREHENSIVE PLAN

Refers to the Olivette Comprehensive Plan, as adopted on February 1st, 2024, and as subsequently amended.

Section 428.130 Procedures.

...

- C. The Commission may review and approve variations to the design aspects as outlined in this Chapter. In exercising this authority, the Commission shall vary requirements only to the extent necessary, subject to the following standards:
1. Strengthen and reinforce the Olive Boulevard corridor and the streetscape as proposed under this Chapter.
 2. Provide for and accommodate safe and efficient pedestrian movement between the street, building, neighboring buildings, and adjacent structures;
 3. Create comfortable environments for pedestrians on site and near buildings;

EXHIBIT D

(Continued)

4. Minimize the visibility of surface parking dominating the view of a parcel from the street;
5. Minimize the spillover effects of noise, vehicles, and lighting, to surrounding residential neighborhoods; and
6. Establish acceptable standards for transitions between non-residential properties abutting residential properties.
7. Alternative building materials or exterior building material finishes reinforce the spirit and intent of this Chapter and the visions outlined in the **Strategic Comprehensive** Plan.
8. Provide innovative landscaping treatments that finishes reinforce the spirit and intent of this Chapter and the visions outlined in the **Strategic Comprehensive** Plan.

Article II Site Planning

Section 428.200 Intent and Purpose.

- A. The intent of this Article is to ensure:
 1. The placement and orientation of all buildings along the Olive Boulevard corridor to enhance the streetscape and aesthetics of the Olive Boulevard corridor consistent with the City's goals and objectives as outlined in the Olivette **Strategic Comprehensive** Plan;
 2. Safe and convenient pedestrian access from the street and to the building entrance;
 3. Coordinate traffic management and access from the public right-of-way to developments, as well as between parcels and developments;
 4. Minimal impact on surrounding and abutting residential properties; and
 5. Redevelopments provide a uniform and coordinated off-road cross access trail for pedestrians and non-motorized vehicular movement that is separate and independent from the Olive Boulevard streetscape.
- B. The purpose for proper Site Planning is to:
 1. Strengthen and reinforce the Olive Boulevard corridor and the streetscape as proposed under this Chapter.
 2. Provide for and accommodate safe and efficient pedestrian movement between the street, building, neighboring buildings, and adjacent structures;
 3. Minimize the visibility of surface parking dominating the view of a parcel from the street;
 4. Minimize the spillover effects of noise, vehicles, and lighting, to surrounding residential neighborhoods; and
 5. Establish acceptable standards for transitions between non-residential properties abutting residential properties.

Figure 1. The following figure, taken from the Olivette **Strategic Comprehensive** Plan, illustrates various principles and objectives for the type of site planning articulated in this Article.

Section 428.230 Building Setback Along Olive Boulevard.

- A. For sites one hundred twenty thousand (120,000) square feet or less.

EXHIBIT D

(Continued)

1. The maximum building setback for at least fifty percent (50%) of the building footprint parallel to and along Olive Boulevard shall not exceed twenty (20) feet. The front yard setback along streets intersecting Olive Boulevard shall be no less than twenty (20) feet.

Figure 2. The following figure illustrates the setback standards that are consistent with the Olivette **Strategic Comprehensive** Plan. The buildings illustrated are consistent with the maximum twenty-foot setback required for lots one hundred twenty thousand (120,000) square feet or less.

...no change to illustration...

- B. For sites in excess of one hundred twenty thousand (120,000) square feet, the building placement should complement the vision and goals of the Olivette **Strategic Comprehensive** Plan by orienting the building to reinforce the streetscape and to minimize the dominance of the parking areas and drive aisles.

Section 428.240 Building Placement.

- A. The placement of buildings on the lot grounds are to reinforce the City's streetscape standards, to foster and be conducive to pedestrian movement along the Olive Boulevard corridor, and develop an identity unique to Olivette that is consistent with the Olivette **Strategic Comprehensive** Plan.
- B. The following figures provide various illustrations intended to assist the designer of the preferred building placements that reflects the City's goals and objectives in reinforcing the City's streetscape standards, fostering and conducive to pedestrian movement along the Olive Boulevard corridor, and developing an identity unique to Olivette that is consistent with the Olivette **Strategic Comprehensive** Plan.

...no change to illustrations 3-A through 3-C...

Figure 3-E. This illustration is taken from the Olivette **Strategic Comprehensive** Plan and illustrates a dynamic entrance way. Buildings are placed along the street and parking fields are screened from view.

...no change to illustration...

...no further changes to this section...

Section 428.280 Variation To Site Planning.

- A. Upon written request from an applicant, the Commission may forward a recommendation to the City Council to modify or consider alternative site plan or design standards under this Article so long as:
 1. The request is reviewed in conjunction with Section 428.130(C), consistent with; and
 2. The alternative design reinforces the spirit and intent of this Chapter, and the visions outlined in the **Strategic Comprehensive** Plan.

...no further changes to this section...

Article III Streetscape

Section 428.300 Intent and Purpose.

- A. The intent of the streetscape is to define the Olive Boulevard Corridor and establish the City's image consistent with the Olivette **Strategic Comprehensive** Plan.

EXHIBIT D

(Continued)

B. The purpose of the following regulations is to:

1. Establish a City identity consistent with the Olivette **Strategic Comprehensive** Plan;

...no further changes to this section...

Section 428.310 Applicability.

Amend Note 'B' under Table 1. Applicability Table Regarding Article III. Streetscape.

...no changes to note A...

- B. At the request of the petitioner, the Commission may **wave waive** the requirements under Section 428.330(G) in lieu of an alternative landscape plan that reinforces the spirit and intent of this Section and Chapter in accordance with the visions outlined in this Article and the Olivette **Strategic Comprehensive** Plan.

...no further changes to this table...

Amend Note 'B' under Table 2. Applicability Table Regarding Article III. Streetscape.

...no changes to note A...

- B. At the request of the petitioner, the Commission may **wave waive** the requirements under Section 428.330(G) in lieu of an alternative landscape plan that reinforces the spirit and intent of this Section and Chapter in accordance with the visions outlined in this Article and the Olivette **Strategic Comprehensive** Plan.

...no further changes to this table...

Amend Note 'C' under Table 3. Applicability Table Regarding Article III. Streetscape.

...no changes to notes A and B...

- C. At the request of the petitioner, the Commission may wave the requirements under Section 428.350(B)(2) and (B)(3) in lieu of an alternative landscape plan that reinforces the spirit and intent of this Section and Chapter in accordance with the visions outlined in the Olivette **Strategic Comprehensive** Plan.

...no further changes to this table...

Section 428.350 Intersections.

...no change to subsections A through B (4)...

Subparagraph 428.350.B (3) Focus point. Item b(5)

- (5) The Planning and Community Design Commission, at its discretion, may consider alternative streetscape area design standards so long as the alternative design reinforces the spirit and intent of this Section and Chapter in accordance with the visions outlined in the Olivette **Strategic Comprehensive** Plan.

EXHIBIT D

(Continued)

Article IV Building Materials and Building Design

Section 428.400 Intent and Purpose.

- A. The building design regulations specified in this Section are intended to foster quality architectural design and building material use to encourage aesthetically pleasing buildings which will protect and preserve the appearance, character, general health, safety and welfare of the City. Specifically, these regulations are intended to heighten the design of architecture in the City and to preserve the value of properties located along the Olive Boulevard Corridor. These standards are considered reasonable basic standards, providing sufficient flexibility to encourage creativity and are not intended to limit the ingenuity of the design professional. The Council of the City makes the following determinations and findings with regards to the requirements below:
1. The materials selected for use by the City represent the character and quality of architecture of the City;
 2. The building design standards are those the City believes best reflect the architectural values of the community, preserve and enhance the existing surrounding environment, preserve the value of properties located along the Olive Boulevard Corridor and advance the principles and goals of the Olivette **Strategic Comprehensive** Plan; and
 3. Ensure that accessory structures, mechanical equipment, and other supportive structures intended for a building, multiple buildings, or site maintenance are not an afterthought, but properly designed to support and enhance the aesthetics of the building structures, enhance the site grounds, and complement the overall surroundings of the site and neighboring properties.

Section 428.430 Building Materials.

...no change to subsections A through B...

C. Variations.

1. Upon written request from an applicant, the Commission may forward a recommendation to the City Council to modify or consider alternative building materials or exterior building material finish requirements under this Article so long as the alternative design reinforces the spirit and intent of this Article, Chapter, and the visions outlined in the **Strategic Comprehensive** Plan.

...no further changes to this section...

Section 428.440 Building Design.

- A. The intent of this Section is to establish provisions to promote the highest quality of design consistent with the Olivette **Strategic Comprehensive** Plan and standards of the City of Olivette.

...no further changes to this section...

Article V Landscaping

Section 428.310 Applicability.

Amend the four (4) references to Note 'A' under Table 1. Applicability Table Regarding Article V Landscaping to read as follows:

EXHIBIT D

(Continued)

- A. At the request of the petitioner, the Commission may authorize a reduction of the required units in lieu of an alternative landscape plan that reinforces the spirit and intent of this Section and Chapter in accordance with the visions outlined in the Olivette **Strategic Comprehensive** Plan.

Article VII Submission Requirements

Section 428.750 Deviations, Variations, and Variances.

- A. Deviations. In certain cases, the Commission may authorize deviations to the submission requirements of this Article that provide an alternative format that reinforces the spirit and intent of this Article and Chapter in accordance with the visions outlined in the Olivette **Strategic Comprehensive** Plan.

...no further changes to this section...

EXHIBIT E

Chapter 430 Redevelopment

Article II Eminent Domain.

Section Council Considerations.

A. The Council recognizes that requests for and the use of eminent domain will depend on the unique circumstances of each particular development being proposed. While eminent domain can only be considered and exercised or denied on a case-by-case basis, it should be granted only when all fair and reasonable efforts to negotiate the purchase of real estate have failed. To assist in the determination of whether and how to use eminent domain, the Council shall consider the following non-exclusive factors as may be applicable:

...no further changes to items #1 and #2...

3. Whether the applicant's redevelopment proposal is consistent with the planning principles and goals of the Olivette ~~Strategic~~ Comprehensive Plan ~~Dynamic Sense of Place~~ as may be amended from time to time.
4. Whether the applicant's proposal has been determined to be viable and desirable in conjunction with the City's redevelopment project management process as established in the Olivette ~~Strategic~~ Comprehensive Plan ~~Dynamic Sense of Place~~ and as may be amended from time to time and whether the applicant has followed that process.

...no further changes to this section...