

## ARTICLE 11 SITE PLAN REVIEW

1. Intent: The City of De Soto recognizes that the very nature of land development creates potential for traffic congestion, overcrowding, adverse visual environmental impacts, and health problems. Also, the City strives to achieve the goal of promoting growth in De Soto, while stabilizing the established residential patterns of the area. The City seeks to ensure that any location that must accommodate intense urban use, shall be subject to Site Plan Review by the Planning Commission. Site Plan Reviews shall help ensure that the meaning and intent of the Zoning Regulations, and all portions thereof, are fully complied with.

The Site Plan Review regulates the development of structures and sites in a manner that considers the following concerns:

- A. The balancing of landowners' rights to use their land, with the corresponding rights of abutting and neighboring landowners to live without undue disturbances (e.g., noise, smoke, fumes, dust, odor, glare, stormwater runoff, etc.);
- B. The convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent areas or roads;
- C. The adequacy of waste disposal methods and protection from pollution of surface or groundwater;
- D. The protection of historic and natural environmental features on the site under review, and in adjacent areas; and
- E. The stability of the built environment--particularly residential neighborhoods--by promoting urban development that is compatible with clearly identified natural resources.

2. Applicability: *The Planning and Zoning Department shall require that all applications for building permits for any development other than detached single family and duplex residences or associated accessory structures, unless otherwise required by Section 3 of Article 5 of these regulations, be subject to Site Plan Review in accordance with these regulations, and for redevelopments in the following circumstances:*
  - *if the redevelopment enlarges the size of the original structure by more than 25 percent in the case of a renovation or alteration; and/or*

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- *if a site or structure is being changed from a predominantly residential use to a non-residential use. (Added Ord. 2229)*

*Additionally, redevelopments that enlarge the size of the original structure by less than 25 percent may be subject to Site Plan Review if staff determines that the redevelopment may trigger any of the concerns listed in Section 1 of Article 11 of the Zoning Regulations. Developments shall be encouraged to implement the objectives of the Comprehensive Plan in preserving natural resources along the Kill Creek Valley and to foster compatibility among land uses in the City of De Soto. (Ord. 2158)*

Prior to application, a pre-application conference shall be held between the applicant and the Site Plan Review Committee and City Staff to discuss the site review requirement and to other site or application specific issues. The applicant is strongly encouraged to submit preliminary plans for initial review and comment at this time.

Following application submittal, site plan reviews shall be performed by the Site Plan Review Committee and City Staff. Following review a recommendation of the committee and staff shall be submitted to the Planning Commission for consideration and action. *As determined by staff, some Site Plan applications may be forwarded to the Planning Commission without review and recommendation by the Site Plan Review Committee. This determination shall be based upon a finding that the scale or intensity of the development does not merit Committee review. Staff shall provide a written finding and explanation to the Planning Commission as to the exclusion of the Site Plan Committee's review prior to their consideration of the item. The Planning Commission shall have the right to direct the site plan to the Site Plan Review Committee notwithstanding staff's written finding and explanation. (Ord. 2158)*

The Planning Commission shall perform their review at the next regularly scheduled meeting of the Planning Commission for which the item may be scheduled and shall adjourn and reconvene as is determined necessary.

The applicant may appeal a site plan review determination to the City Council for approval in the event that an applicant alleges that there is an error in any order, requirement, decision or determination made by the Planning Commission in the enforcement of Site Plan Review. The request for review by the City Council shall be accompanied by a complete description of the error(s) alleged.

3. Authority: Building permits shall not be issued for any use of land or proposed construction on a lot in the zoning districts in which Site Plan Review is applicable, unless Site Plan Review approval has been granted.
4. Submission Requirements: The Site Plan shall include the following data, details, and supporting plans which are found relevant to the proposal. The number of pages submitted will depend on the proposal's size and complexity. The applicant shall make notations explaining the reasons for any omissions.

Site Plans shall be prepared by a registered professional engineer, architect, land surveyor or landscape architect at a scale of 1 inch equals 20 feet, on standard 24" x 36" sheets. Items required for submission include:

- A. Name of the project, address, boundaries, date, north arrow and scale of the plan.
- B. Name and address of the owner of record, developer, and seal of the engineer, architect or landscape architect.
- C. Name and address of all owners of record of abutting parcels.
- D. All existing lot lines, easements, and rights-of-way. Include area in acres or square feet, abutting land uses and structures.
- E. The location and use of all existing and proposed structures within the development. Include all dimensions of height and floor area, and show all exterior entrances and all anticipated future additions and alterations. For developments in the "C-1" Central Business District (CBD), indicate design details to make new construction compatible with existing structures.
- F. The location of all present and proposed public and private streets, parking areas, driveways, sidewalks, ramps, curbs and fences. Location, type, and screening details for all waste disposal containers shall also be shown. *Sidewalks abutting arterial roadways may be deferred as part of the Site Plan approval process, see Section 6.10 of the Subdivision Regulations. (Ord. 2110)*
- G. Location, height, intensity, and bulb type (e.g., fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.
- H. The location, height, size, materials, and design of all proposed signage.
- I. A landscape plan per the requirements of these regulations.
- J. The location of all present and proposed utility systems including:
  - (1) sewerage system;
  - (2) water supply system;
  - (3) telephone, cable and electrical systems; and
  - (4) storm drainage system including existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales.

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- K. Plans to prevent the pollution of surface or groundwater, erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable.
- L. Existing and proposed topography shown at not more than two-foot contour intervals. All elevations shall refer to the United States Geodetic Survey (USGS) datum. If any portion of the parcel is within the 100-year flood plain, the area shall be shown, with base flood elevations; and the developer shall present plans for meeting Federal Emergency Management Agency (FEMA) requirements.
- M. Zoning district boundaries adjacent to the site's perimeter shall be drawn and identified on the site plan.
- N. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within 100 feet of the site.

The City Engineer may require a detailed traffic study for mixed use and multi-tenant developments, or for developments in heavy traffic areas to include:

- (1) The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
  - (2) The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and
  - (3) The impact of this traffic upon existing abutting public and private ways (streets/roads) in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels, as well as road capacity levels, shall also be given.
- O. For new construction or alterations to any existing structure, a table containing the following information must be included:
- (1) Area of structure to be used for a particular use, such as retail operation, office, storage, etc.;
  - (2) Maximum number of employees;
  - (3) Maximum seating capacity, where applicable; and

(4) Number of parking spaces existing and required for the intended use.

P. Covenants and deed restrictions proposed, including the following required restriction worded as shown:

(1) The property being planned is zoned \_\_\_\_\_ at the time of *site planning* and abuts land zoned \_\_\_\_\_ along the \_\_\_\_\_ (direction) property line. (May require separate statements for each property line where dissimilar zoning occurs). The land owner and their successors and assigns are by this action put on notice of the existing adjacent zoning and permitted land uses within such zoning district in accordance with the City of De Soto zoning regulations. Landowners are encouraged to verify zoning and permitted land uses within such zoning district within the City of De Soto. (*Ord. 2110*)

5. Standard of Review: The recommendations of the Planning and Zoning Department shall be based on the following standards:

A. The extent to which the proposal conforms to the previous sections of these regulations.

B. The extent to which the development would be compatible with the surrounding area.

C. The extent to which the proposal conforms to the provisions of the City's Subdivision Regulations.

D. The extent to which the proposal conforms to customary engineering standards used in the City.

E. The extent to which the location of streets, paths, walkways, and driveways are located so as to enhance safety and minimize any adverse traffic impact on the surrounding area.

6. Development Standards, "Kill Creek Valley Overlay District": The Site Plan shall demonstrate the extent to which the structures, walkways, roads, driveways, open space (if any), and parking lots in the "Kill Creek Valley Overlay District" have been proposed to achieve the following objectives:

A. Conserve natural resources and amenities available on the site;

B. Preserve the natural beauty of the Kill Creek Valley as viewed from the public rights-of-way of local streets and regional thoroughfares;

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- C. Ensure that proposed structures are located on suitable soils; and
- D. Minimize any adverse environmental impact.

7. Development Standards:

In the “R-3”, “C-1”, “C-2”, “O-I”, “M-1” and “M-2” zoning districts, no building shall be erected that does not meet the following minimum standards:

- A. Buildings shall be located to ensure the provision of adequate open space for outdoor living areas, facilities, services and amenities and to provide natural indoor light, air and privacy. All buildings, parking lots and other structures shall be located to integrate with the natural topography and to avoid deep cuts and fills, excessive foundation wall depth, unnecessary steps and steep access gradients.
- B. Careful consideration of durable materials, proportions, and shapes, emphasizing the importance of roofs as integral and embracing elements of the over-all design, is particularly important. Building roof tops shall have at least two of the following features:
  - (1) Parapets concealing flat roofs and roof top equipment, “C-1”, “C-2”, “O-I”, “M-1” and “M-2”;
  - (2) Overhanging eaves, “R-3”, “C-1”, “C-2”, “O-I”, “M-1” and “M-2”;
  - (3) Sloped roofs and/or flat roofs, “R-3”, “C-1”, “C-2”, “O-I”, “M-1” and “M-2”;
  - (4) Three or more roof slope planes, “R-3”.
- C. Roof mounted equipment, including ventilators, and satellite dishes greater than 30” shall be screened from view (100% opacity) or isolated so as not to be visible from ground level of any adjacent public thoroughfare or residentially-zoned area, up to a maximum of three hundred feet (300’) away. The appearance of roof screens shall be coordinated with the building to maintain a unified appearance.

But it is not the intent of this requirement to increase the height of the screening significantly above that of the equipment in order to screen it from view from tall buildings or from higher ground.

- D. All electrical and mechanical equipment located adjacent to the building and visible from any adjacent public thoroughfare or a residentially-zoned area shall be screened from view (100% opacity), up to a maximum of three hundred feet (300’) away. Such screens and enclosures shall be treated as integral elements of the building’s appearance.

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- E. All telephone and cable television lines, electrical services and distribution lines shall be placed underground, except that this provision shall not include meters, electric and telephone service pedestals, transformers, three-phase feeder lines, subtransmission and transmission lines (34.5kv and above), electrical substations and such other facilities as the utility may deem necessary to install utilizing “overhead” type construction.
- F. All gas meters must be located within maximum 12” from face of building foundation if located within front yards.
- G. The form and proportion of buildings shall be consistent or compatible with the scale, form and proportion of existing development in the immediate area.
- H. Pedestrian Access: Pedestrian access shall be an integral part of the overall design of each multi-family, commercial, office/institutional and industrial development. The pedestrian access should provide not only safe and convenient access to and from off-street parking areas but should also connect with abutting properties and developments so as to create an alternative means of transportation for residents of the city.
- (1.) Sidewalks at least 5 feet in width shall be provided along all sides of a lot that abut a dedicated public or private street. A continuous internal pedestrian sidewalk shall be provided from the perimeter public sidewalk to the principal customer entrance(s). This internal sidewalk shall feature landscaping, benches, and other such materials and facilities for no less than 50 percent of its length.
- (2.) Sidewalks shall be provided along the full length of the building along any façade featuring a customer entrance and along any façade abutting a public parking area. Such sidewalks shall be located at least ten feet away from the building façade to provide planting areas for landscaping along the foundation of the building.
- I. Architectural design should create visual interest through the use of different textures, complementary colors, shadow lines and contrasting shapes. The use of walls in a single color, with little detailing or completely blank, is strongly discouraged.
- J. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest.
- K. The rhythm of structural mass to voids, such as windows and glass doors, of a front facade should relate to the rhythms established in adjacent buildings.

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- L. Loading docks, trash enclosures, outdoor storage and similar facilities and functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are reduced to as great an extent as possible and are out of view from adjacent properties and public street. (See current trash enclosure requirements.)
- (1.) Exterior refuse will be kept in an enclosed area large enough to contain a week of refuse and be contained in a refuse bin equipped with a lid.
  - (2.) The enclosure shall be a minimum of 12 feet wide to allow access for the truck picking up the refuse bin. The depth of the enclosure should be the depth of the refuse bin being used plus an additional 4 feet to allow for the mechanical dumping of the refuse bin. The enclosure shall have a minimum height of 5 feet.
  - (3.) The floor of the enclosure shall be reinforced concrete with a minimum thickness of 4" with #4 reinforcing at 24" each direction.
  - (4.) There shall be a 12' x 12' concrete pad in front of the enclosure. This pad should be a minimum depth of 8" and have 5/8" reinforcing rods every 24", in each direction, and have a test strength of 4,000psi.
  - (5.) The number and location of the refuse bins shall be located on the site plans prior to approval and the capacity of each refuse bin shall be noted on the plans.
- M. Building facades that are 100 feet or greater in length shall incorporate recesses and projections along at least 20 percent of the length of the building façade. Windows, awnings, and arcades must total at least 60 percent of the façade length abutting any public street.
- N. Overly-long horizontal facades should be articulated with variations in the building plane and parapet height, materials and colors, entrance canopies, and landscaping. Parking lots along the façade can also relieve horizontally through the use of landscaped fingers and islands containing trees and shrubs.
- O. The use of unusual shapes, color and other characteristics that cause new buildings to call excessive attention to themselves and create disharmony shall not be allowed. Long expanses of overhead doors should be relieved by matching their color to the wall or trim, recessing the doors, or adding architectural details to diminish the dominance of the doors.
- P. Minimum Exterior Building Material Standards:

- (1.) For “C-1”, “C-2”, “O-1”, “M-1” and “M-2”, a minimum of 30% of the street façade shall consist of one or more of the materials listed below. For “R-3”, a minimum of 75% of each exterior wall shall consist of one or more of the materials listed below:
  - (a) Masonry: Masonry construction shall include all masonry construction which is composed of solid cavity faced or veneered-wall construction, or similar materials.
    - (i) Some material used for masonry construction may consist of granite, sandstone, slate, limestone, marble, or other hard and durable all-weather stone. Ashlar, cut stone, and dimensioned stone construction techniques are acceptable.
    - (ii) Brick material used for masonry construction shall be composed of hard fire (kiln fired) all-weather common brick or other all-weather facing brick.
  - (b) Stucco or approved gypsum concrete/plaster materials, dryvet, shall be used with other masonry and architectural accents.
  - (c) Glass Walls: Glass walls shall include glass curtain walls or glass block construction. A glass curtain wall shall be defined as an exterior wall that carries no floor or roof loads and which may consist of a combination of metal, glass, and other surfacing material supported in a metal framework.
  - (d) Wood other than exposed plywood paneling shall not be more than 25% of total exterior wall.
- (2.) Corrugated metal facades should be complemented with the use of masonry, whether brick, stone, stucco, or split-face block, especially along perimeter streets.
- (3.) The following materials shall be prohibited on all exterior walls:
  - (a) Concrete finish or precast concrete panel (tilt wall) that is not exposed aggregate, hammered, sandblasted or covered with a cement-based acrylic coating.

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- (b) Metal panels with a depth of less than one inch or a thickness less than U.S. Standard 26 gauge, unless otherwise excepted by the Planning Commission.
- (c) Vinyl siding other than Georgia Pacific or ALCO siding with a thickness of .042" or greater, or equal quality siding as approved by the Planning Commission.
- (4.) Screening and buffering: See Landscaping and Buffering in the Supplementary District Regulations.

8. *Expiration of Site Plan: (Ord. 2075)*

*Development rights for land shall vest upon the final approval of a site plan pursuant to this Article. If all permits required for such development have not been issued and the start of construction and the completion of substantial amounts of work under the validly issued permits has not begun within 18 months of final approval of the site plan, the site plan and development rights created thereby shall expire and become null and void unless an extension of the site plan and development rights is granted as provided for pursuant to subsection 10 of Article 3 of these regulations. Whenever a site plan expires pursuant to this subsection -- and no extension of the same is granted -- then no development shall take place on the land until a new site plan has been approved.*