

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT, “FPNU” FLOOD PLAIN NON-URBAN DISTRICT, “R-3” RESIDENTIAL DISTRICT AND “FPR-3” FLOOD PLAIN RESIDENTIAL DISTRICT TO AN “R-6AA” RESIDENTIAL DISTRICT FOR A 16.7 ACRE TRACT OF LAND LOCATED AT THE INTERSECTION OF WOODSMILL RD. AND KINGSCROSS LN. (P.Z. 44-2007 WOODS MILL PARK APARTMENTS {542 KINGSCROSS LN})

WHEREAS, the petitioner, Michael Doster of Doster, Mickes, James, Ullom, Benson and Guest, on behalf of Woods Mill Park Apartments., has requested a change in zoning from an “NU” Non-Urban District, “FPNU” Flood Plain Non-Urban District, “R-3” Residential District and “FPR-3” Flood Plain Non-Urban District to an “R-6AA” Residential District for a 16.7 acre tract of land located at the intersection of Woodsmill Rd. and Kingscross Ln. and,

WHEREAS, the Planning Commission held a public hearing regarding said request on October 22, 2007; and,

WHEREAS, the Planning Commission, upon review of said request, recommended approval of the petition by a vote of 9 to 0; and,

WHEREAS, the City Council, having considered said request, voted to approve the request.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are part thereof, are hereby amended by establishing a an “R-6AA” Residential District for a 16.7 acre tract of land located at the intersection of Woodsmill Rd. and Kingscross Ln. and described as follows.

A tract of land being part of Apartment Lots 1 and 2 of “Woods Mill Park”, a Subdivision according to the plat thereof recorded in Book 135 pages 76 and 77 of the St. Louis County Records, including therein part of Lots 2 through 6 of “Lavac Addition”, a Subdivision according to the Plat thereof recorded in Book 60, page 3 of the St. Louis County Records, situated within Lots 1 and 2 of the Subdivision in Partition of the Kinkead Estate in U.S. Survey 367, Township 45 North, Range 5 East, in the City of Chesterfield, St. Louis County, Missouri, being more particularly described as follows:

Beginning at a point on the Southern line of a tract of land conveyed to Ivy Chapel (by deed recorded in Book 7712 page 1599 of the St. Louis County Records), at the Northwestern Corner of Apartment Lot 2, as aforementioned; thence along said Southern line, South 83 degrees 08 minutes 15 seconds East, 297.00 feet to the Northeastern corner of Lot 6 of “Lavac Addition” as aforementioned; thence along the Eastern line of Lot 6, South 06 degrees 51 minutes 45 seconds

West, 3.41 feet to a point; thence departing said Eastern line South 83 degrees 08 minutes 15 seconds East, 200.00 feet to a point; thence North 06 degrees 20 minutes 06 seconds East, 214.34 feet to the Southwestern corner of Lot 26 of "Judson Manor Plat No. 1", a Subdivision according to the Plat thereof recorded in Plat Book 105 page 71 of the St. Louis County Records; thence along the Southern line of said Subdivision, South 83 degrees 00 minutes 00 seconds East, 200.11 feet to a point; thence North 07 degrees 00 minutes 00 seconds East, 211.39 feet to a point; thence South 53 degrees 53 minutes 47 seconds East, 562.47 feet to a point on the Western line of a tract of land conveyed to Stephen Brauer, Trustee (by Deed recorded in Book 9348 page 545 of the St. Louis County Records) at the Southernmost corner of Lot 62 of "Judson Manor Plat No. 2", a Subdivision according to the Plat thereof recorded in Book 113, page 100 of the St. Louis County Records; thence along said Western line, North 83 degrees 00 minutes 00 seconds West, 213.00 feet to a point; thence South 05 degrees 30 minutes 00 seconds West, 338.00 feet to a point; thence South 36 degrees 15 minutes 00 seconds West, 353.11 feet to a point; thence South 49 degrees 20 minutes 00 seconds West, 276.07 feet to a point; thence South 89 degrees 40 minutes 00 seconds West, 253.00 feet to a point on the Southern Right of Way line of Post Road, 50 feet wide; thence along said Southern Right of Way Line, Northeastwardly 112.05 feet along a curve to the left, having a radius of 220.00 feet and a chord bearing North 56 degrees 14 minutes 39 seconds East to a point of reverse curvature; thence Northeastwardly 75.45 feet along a curve to the right, having a radius of 435.00 feet and a chord bearing North 46 degrees 37 minutes 22 seconds East to a point of tangency; thence North 51 degrees 35 minutes 31 seconds East, 238.54 feet to a point of curvature; thence Northeastwardly 36.17 feet along a curve to the right, having a radius of 30.00 feet and a chord bearing North 86 degrees 07 minutes 47 seconds East to a point of reverse curvature; thence Northwestwardly 251.48 feet along a curve to the left, having a radius of 54.00 feet and a chord bearing North 12 degrees 44 minutes 46 seconds West to a point of reverse curvature on the Northern Right of Way Line of Post Road; thence Southwestwardly 9.29 feet along a curve to the right, having a radius of 30.00 feet and a chord bearing South 42 degrees 42 minutes 58 seconds West to a point of tangency; thence South 51 degrees 35 minutes 31 seconds West, 291.39 feet to a point of curvature; thence Southwestwardly 84.13 feet along a curve to the left, having a radius of 485.00 feet and a chord bearing South 46 degrees 37 minutes 22 seconds West to a point of reverse curvature; thence Southwestwardly 163.85 feet along a curve to the right having a radius of 170.00 feet and a chord bearing South 69 degrees 15 minutes 54 seconds West to a point of tangency; thence North 83 degrees 07 minutes 25 seconds West, 254.21 feet to a point of curvature; thence Northwestwardly 31.41 feet along a curve to the right having a radius of 20.00 feet and a chord bearing North 38 degrees 07 minutes 50 seconds West to a point of tangency on the Eastern Right of Way Line Missouri State Highway 141 (also known as Woods Mill Road, 80 feet wide) as widened by the plat of "Woods Mill Park", as aforementioned; thence along said Eastern Right of Way line, North 06 degrees 51 minutes 45 seconds East, 685.57 feet to the point of beginning.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council.

Section 3. The City Council, pursuant to the request filed by Michael Doster of Doster, Mickes, James, Ullom, Benson and Guest, on behalf of Woods Mill Park Apartments, in P.Z. 44-2007, requesting the amendments embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 22nd day of October, 2007, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

Section 5. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2008.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: 04-23-2008