

BILL NO. 2832 _____

ORDINANCE NO. _____

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE 2378 BY CHANGING THE ZONING OF A "PC" PLANNED COMMERCIAL DISTRICT WITH A "WH" OVERLAY TO AN "E-1" ESTATE ONE ACRE DISTRICT OF 8.04 ACRES IN SIZE LOCATED NORTH OF WILD HORSE CREEK ROAD AND WEST OF LONG ROAD (P.Z. 11-2010 CHESTERFIELD SENIOR LIVING {PLAN PROVISIONS, LLC}).

WHEREAS, the petitioner, Brandon Harp of Civil Engineering Design Consultants (CEDC), on behalf of Plan Provisions, LLC, has requested a change of zoning from "PC" Planned Commercial District with a "WH" Wildhorse Overlay to an "E-1" Estate One Acre District for an 8.04 acre tract of land located north of Wild Horse Creek road and west of Long Road; and,

WHEREAS, a Public Hearing was held before the Planning Commission on November 22, 2010 requesting a change in zoning from a "PC" Planned Commercial District "WH" Wildhorse Overlay to an "R-4" Residence District; and,

WHEREAS, on January 10, 2011 the Petitioner amended their request to propose a change in zoning from a "PC" Planned Commercial District with a "WH" Wildhorse Overlay to an "R-2" Residence District; and,

WHEREAS, on April 6, 2011 the Petitioner amended their request again to propose a change in zoning from a "PC" Planned Commercial District with a "WH" Wildhorse Overlay to an "E-1" Estate One Acre District; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the rezoning request; and,

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the rezoning request; and,

WHEREAS, the City Council, having considered said request, voted to approve the rezoning 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 a part thereof, are hereby amended by establishing an "E-1" Estate One Acre District for an 8.04 acre tract of land located north of Wild Horse Creek Road and west of Long Road and described as follows:

A tract of land being part of Lots 2 and 3 of Mary Schaeffer Estate Subdivision, a subdivision recorded in Plat Book 17 Page 4 of the St. Louis County Land Records Office in St. Louis County, Missouri.

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

Section 3. The City Council, pursuant to the petition filed by Brandon Harp of Civil Engineering Design Consultants (CEDC) in P.Z. 11-2010 Chesterfield Senior Living (Plan Provisions, LLC), requesting the amendment 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 November, 2010, 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 _____, 2011.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: 05/02/2011