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Planning Commission Vote Report

Subject: Ordinance Amendment Vote Report

Meeting Date: March 9, 2015

From: Jonathan Raiche, Senior Planner

Location: The north side of Wild Horse Creek Road west of its intersection of Greystone Manor Parkway and east of its intersection with Tara Oaks Drive

Petition: **P.Z. 01-2015 Barat Academy Foundation (17831, 17815 & 17803 Wild Horse Creek Road)**

Summary

Klitzing Welsch Associates, Inc., on behalf of Barat Academy, has submitted a request for a zoning map amendment from a “LLR” Large Lot Residential District and “NU” Non-Urban District to a new “LLR” Large Lot Residential District to allow for the use of the residence at 17803 Wild Horse Creek Road as a dormitory use accessory to the existing school located at 17815 Wild Horse Creek Road. A Public Hearing was held at the February 23, 2015, City of Chesterfield Planning Commission meeting. No issues were discussed at this meeting.

The Unified Development Code requires that the accessory use be located within the same zoning district as the principal use. In order to meet this requirement, the petitioner has requested that a new “LLR” Large Lot Residential District be created which would encompass the entire subject site. While the accessory dormitory use is the reason for this petition, it is important to note that the request is for the “LLR” Large Lot Residential District which is considered a non-planned district or a “straight” zoning district.

As a “straight” zoning district, this ordinance will have no preliminary plan and no Attachment A per City Code. If approved, this zoning will permit the following uses in addition to accessory uses:

- | | |
|---|--|
| 1) Single-family detached residential | 8) Wildlife reservation, forest and conservation project |
| 2) Public safety facilities | 9) College/University |
| 3) Churches and other places of worship | 10) Primary school |
| 4) Farming | 11) Secondary school |
| 5) Home Occupation | 12) Kindergarten, Nursery School |
| 6) Livestock and stables | 13) Public Facilities |
| 7) Parks | |

Site History

The subject site was incorporated into the City of Chesterfield under an “NU” Non-Urban District from St. Louis County. Since that time, the site has gone through multiple zoning amendments. The approximately 3 acre portion of the subject site currently containing the single-family residential home located at 17803 Wild Horse Creek Road received approval for a Conditional Use Permit in 1990 along with its “NU” Non-Urban District zoning.

The Conditional Use Permit authorized the bulk sale of sand, gravel, mulch, railroad ties, and similar materials.

A 1 acre portion of the site near the northwest corner was originally a part of the adjacent Tara at Wildhorse subdivision and was zoned “R-1” Residential District with that development in 1997. The largest portion of the site, approximately 31 acres, is currently occupied by the Barat Academy. This portion was zoned “LLR” Large Lot Residential, along with the 1 acre portion previously mentioned, in 1999 by Gateway Academy. Currently, all of the approximately 35 acres is under the ownership of Barat Academy.

Photos of the existing site and surrounding uses



Site photo of Parcel 1



Site photo of Parcel 2

Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel and shown in Figure 1 are as follows:

North: The property to the north on the lower side of the bluff is the Landing at Spirit Golf Course property zoned “M-3” Planned Industrial District in the Landings at Spirit subdivision. The current use on this property includes a golf course.

South: The properties to the south include the Miramonte Subdivision zoned “E-2AC” Estate District. Current uses include single-family residential.

East: The property to the east is the West County Christian Church Subdivision zoned “NU” Non-Urban District currently occupied by Harvest Bible Chapel.

West: The property to the west is in the Tara at Wildhorse subdivision zoned “R1” Residential District with a Planned Environment Unit. Current uses include single-family residential.

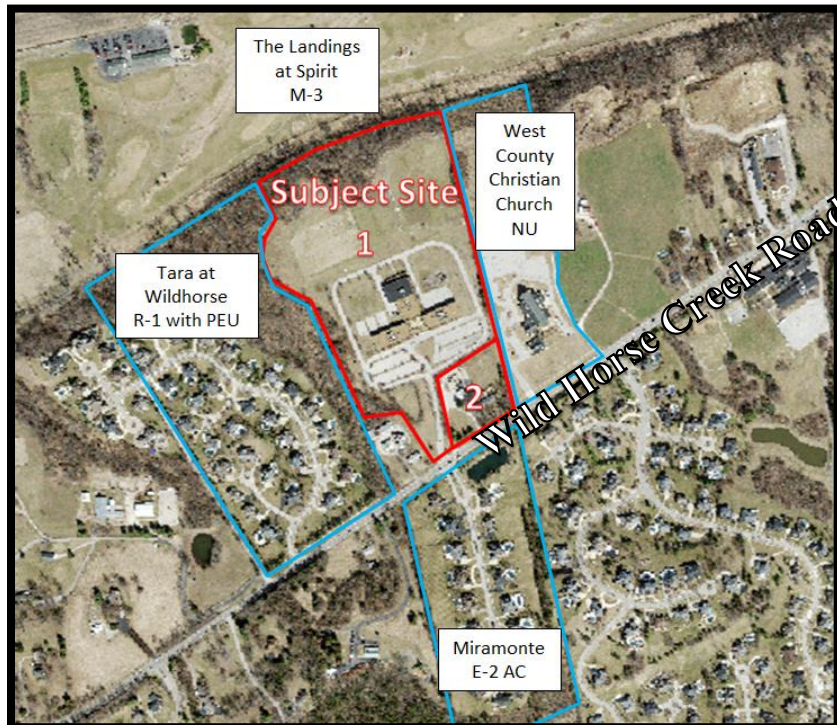


Figure 1

Comprehensive Plan Analysis

The subject site is located within the Residential Single Family land use designation. As seen in Figure 2, all adjacent sites on the upper side of the bluffs are designated as Residential Single Family. The proposed uses of Secondary School and accessory dormitory use would be permitted under each of the Residential Single Family zoning districts available in the City’s Unified Development Code. The zoning designation of “LLR” Large Lot Residential is consistent with the Residential Single Family land use designation found in the Comprehensive Plan.

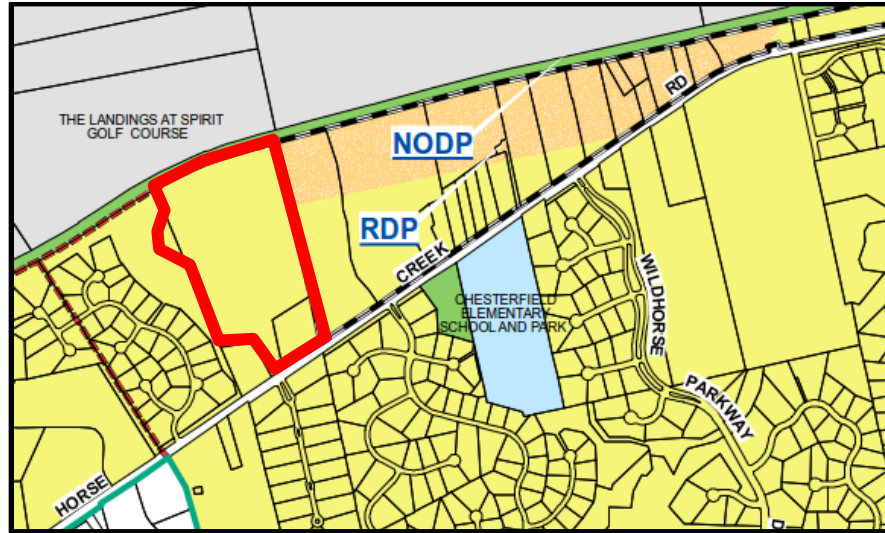


Figure 2

Staff Analysis

As previously mentioned, this zoning request is consistent with the Comprehensive Plan and with the existing surrounding zoning districts. The proposed use would be permitted as an accessory use to the existing Secondary School which is currently operated by Barat Academy. As a reminder, if the principal use (Secondary School) ceases operation, the dormitory use would no longer be permitted. The current structures and uses would meet the various requirements of the “LLR” Large Lot Residential District including but not limited to lot area and structure setbacks. Any future development would be reviewed against all requirements in the Unified Development Code.

Request

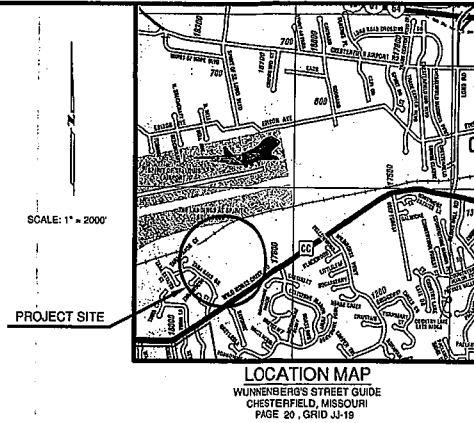
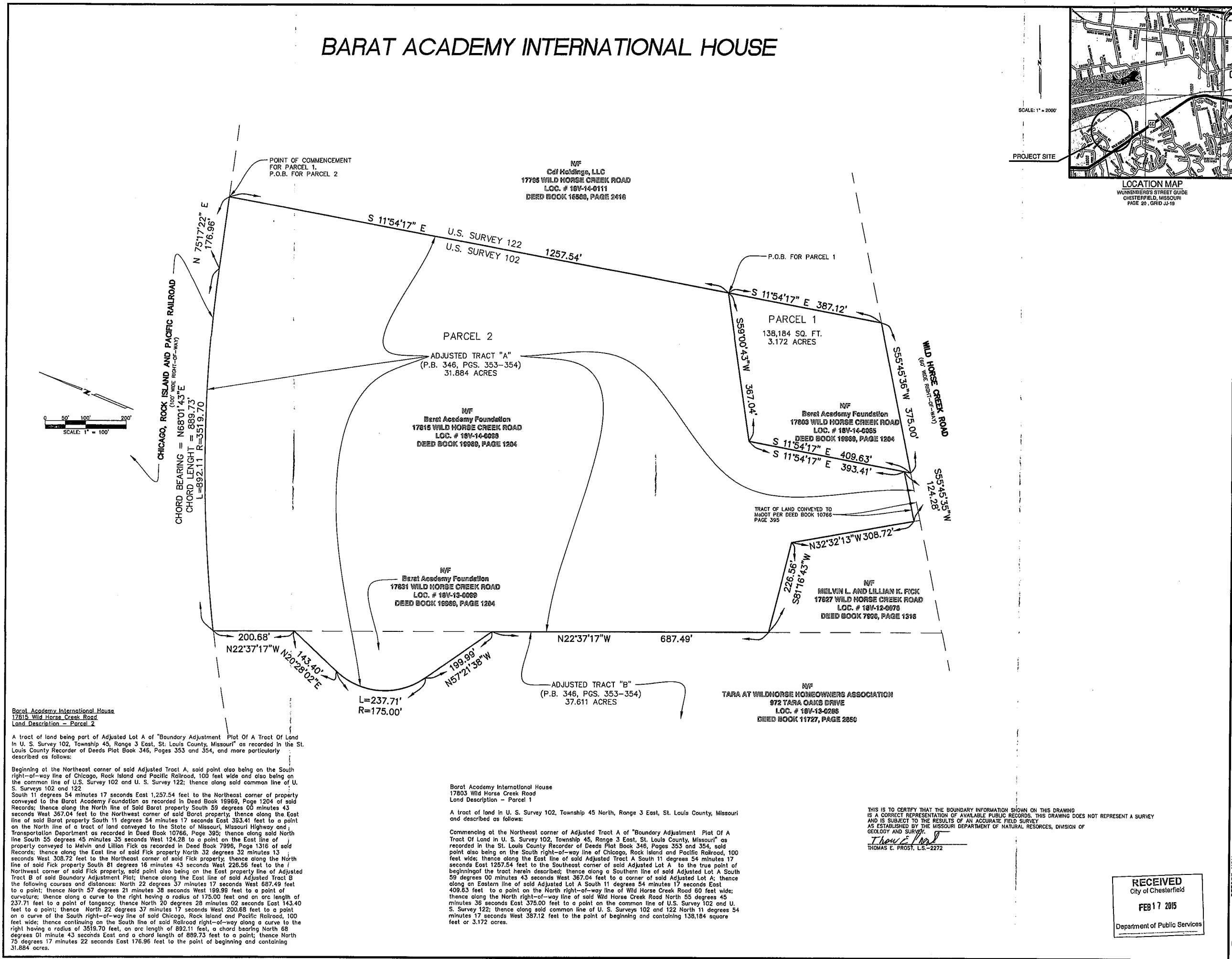
Staff has reviewed the request for a zoning map amendment by Klitzing Welsch Associates, Inc. on behalf of Barat Academy and has found that the request is compliant with the City of Chesterfield Code and consistent with the Comprehensive Plan. As this zoning request is for a “straight” zoning district, there will be no preliminary plan or Attachment A per City Code and thus no modifications or conditions will be a part of this request. Staff requests action on PZ 01-2015 Barat Academy Foundation (17831, 17815 & 17803 Wild Horse Creek Road).

Attachments

1. Outboundary Survey

cc: Aimee Nassif, Planning and Development Services Director

BARAT ACADEMY INTERNATIONAL HOUSE



UTILITY LOCATION NOTE:
THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, VERTICALITY, SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UTILITIES, SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROFESSIONALS SHALL IN NO WAY ASSUME ANY LIABILITY ARISING FROM COMPLIANCE WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMO.

PREPARED FOR:
Barat Academy International House
c/o Kitzing Welsh & Associates
3109 South Grand, Suite 200
St. Louis, MO 63118
ph: (314)-772-8073
fax: (314)-772-0108

PREPARED BY:
POEHLMAN & PROST, INC.
Land Surveying and Civil Engineering
P.O. Box 8340
9280 Dirlman Industrial Drive
St. Louis, Missouri 63132
(314) 997-5777 Phone
(314) 997-0407 Fax
E-Mail: bpoehlman@poehlman-prost.com

CERTIFICATE OF AUTHORITY:
CIVIL ENGINEERING # E-922-D
LAND SURVEYING # LS-189-D

ENGINEERING/SURVEYING RELEASE:
THE ORIGINAL OF THIS DRAWING IS ON FILE AT THE OFFICE OF POEHLMAN & PROST, INC. ANY MODIFICATIONS TO THIS DRAWING SHALL BE RELEASED TO THE CLIENT BY POEHLMAN & PROST, INC. WITHOUT RESPONSIBILITY TO THE CLIENT UNLESS SPECIFICALLY NOTED IN WRITING FROM ANY LIABILITY ARISING FROM SAID UNAUTHORIZED MODIFICATIONS.

BARAT ACADEMY INTERNATIONAL HOUSE
17803 AND 17815 WILD HORSE CREEK ROAD PARCELS OF LAND
BEING PART OF ADJUSTED LOT "A" OF "BOUNDARY ADJUSTMENT
PLAT OF A TRACT OF LAND IN U.S. SURVEY 102, T. 45 N., R. 3 E.,
IN ST. LOUIS COUNTY, (PB 346, PGS 353-354) AND A TRACT
OF LAND CONVEYED BY DEED BOOK 19969, PAGE 1204
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MO.

NO.	DESCRIPTION	DATE

RECEIVED
City of Chesterfield
FEB 17 2015
Department of Public Services

2-15-15
THOMAS E. PROST, PLS
PLS# LS-2272

DATE: 01-09-2015
PROJECT NUMBER: 215-002

RE-ZONING DOCUMENT

1 OF 1

Barat Academy International House
17815 Wild Horse Creek Road
Land Description - Parcel 2

A tract of land being part of Adjusted Lot A of "Boundary Adjustment Plat Of A Tract Of Land In U. S. Survey 102, Township 45, Range 3 East, St. Louis County, Missouri" as recorded in the St. Louis County Recorder of Deeds Plat Book 346, Pages 353 and 354, and more particularly described as follows:

Beginning at the Northeast corner of said Adjusted Tract A, said point also being on the South right-of-way line of Chicago, Rock Island and Pacific Railroad, 100 feet wide and also being on the common line of U.S. Survey 102 and U. S. Survey 122; thence along said common line of U. S. Surveys 102 and 122;

South 11 degrees 54 minutes 17 seconds East 1,257.54 feet to the Northeast corner of property conveyed to the Barat Academy Foundation as recorded in Deed Book 19969, Page 1204 of said Records; thence along the North line of said Barat property South 59 degrees 00 minutes 43 seconds West 367.04 feet to the Northwest corner of said Barat property; thence along the East line of said Barat property South 11 degrees 54 minutes 17 seconds East 393.41 feet to a point on the North line of a tract of land conveyed to the State of Missouri, Missouri Highway and Transportation Department as recorded in Deed Book 10766, Page 395; thence along said North line South 55 degrees 45 minutes 35 seconds West 124.28 feet to a point on the East line of property conveyed to Melvin and Lillian Fick as recorded in Deed Book 7956, Page 1316 of said Records; thence along the East line of said Fick property North 32 degrees 32 minutes 13 seconds West 308.72 feet to the Northeast corner of said Fick property; thence along the North line of said Fick property South 81 degrees 16 minutes 43 seconds West 226.56 feet to the Northwest corner of said Fick property, said point also being on the East property line of Adjusted Tract B of said Boundary Adjustment Plat; thence along the East line of said Adjusted Tract B the following courses and distances: North 22 degrees 37 minutes 17 seconds West 687.49 feet to a point; thence North 22 degrees 37 minutes 17 seconds West 200.68 feet to a point; thence North 20 degrees 28 minutes 02 seconds East 143.40 feet to a point; thence North 75 degrees 17 minutes 22 seconds East 176.96 feet to the point of beginning and containing 31.884 acres.

Barat Academy International House
17803 Wild Horse Creek Road
Land Description - Parcel 1

A tract of land in U. S. Survey 102, Township 45 North, Range 3 East, St. Louis County, Missouri and described as follows:

Commencing at the Northeast corner of Adjusted Tract A of "Boundary Adjustment Plat Of A Tract Of Land In U. S. Survey 102, Township 45, Range 3 East, St. Louis County, Missouri" as recorded in the St. Louis County Recorder of Deeds Plat Book 346, Pages 353 and 354, said point also being on the South right-of-way line of Chicago, Rock Island and Pacific Railroad, 100 feet wide; thence along the East line of said Adjusted Tract A South 11 degrees 54 minutes 17 seconds East 1257.54 feet to the Southeast corner of said Adjusted Lot A to the true point of beginning of the tract herein described; thence along a Southern line of said Adjusted Lot A South 59 degrees 00 minutes 43 seconds West 367.04 feet to a corner of said Adjusted Lot A; thence along an Eastern line of said Adjusted Lot A South 11 degrees 54 minutes 17 seconds East 409.63 feet to a point on the North right-of-way line of Wild Horse Creek Road 60 feet wide; thence along the North right-of-way line of said Wild Horse Creek Road North 55 degrees 45 minutes 35 seconds East 375.00 feet to a point on the common line of U.S. Survey 102 and U. S. Survey 122; thence along said common line of U. S. Surveys 102 and 122 North 11 degrees 54 minutes 17 seconds West 387.12 feet to the point of beginning and containing 138,184 square feet or 3.172 acres.

THIS IS TO CERTIFY THAT THE BOUNDARY INFORMATION SHOWN ON THIS DRAWING IS A CORRECT REPRESENTATION OF AVAILABLE PUBLIC RECORDS. THIS DRAWING DOES NOT REPRESENT A SURVEY AND IS SUBJECT TO THE RESULTS OF AN ACCURATE FIELD SURVEY AS ESTABLISHED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF GEOLOGY AND SURVEY.

Thomas E. Prost
THOMAS E. PROST, L.S.-2272