



690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

PLANNING COMMISSION VOTE REPORT

SUBJECT: Change in Zoning Vote Report

MEETING DATE: April 11, 2011

FROM: Justin Wyse, AICP
Project Planner

LOCATION: 17655 Wildhorse Creek Road

PETITION: P.Z. 11-2010 Chesterfield Senior Living (Plan Provisions, LLC) – A request for a change in zoning from a “PC” Planned Commercial District to an “R-2” Residence District.

PROPOSAL SUMMARY

Civil Engineering Design Consultants (CEDC), on behalf of Plan Provisions, LLC, is requesting a change in zoning to change from a “PC” Planned Commercial District to an “R-2” Residence District. The proposed request has been filed simultaneously with P.Z. 12-2010 Chesterfield Senior Living (Plan Provisions, LLC) which seeks a change in zoning from the “R-2” Residence District to a Planned Unit Development (“PUD”) District.

In 2010 the City of Chesterfield received P.Z. 11-2010 and P.Z. 12-2010 seeking to allow a senior living facility. The original request for P.Z. 11-2010 requested a change in zoning to an “R-4” Residence District. After receiving comments from the Public Hearing, the petitioner has modified the petition to request a change in zoning to the “R-2” Residence District.

Prior to review and action on P.Z. 12-2010 (which seeks a “PUD” designation to permit a senior living facility on the subject site), a determination must be made on the consistency of the proposed “R-2” designation with the surrounding land uses and Comprehensive Plan.

PUBLIC HEARING AND ISSUES MEETING

A Public Hearing was held on this Petition on November 22, 2010. At that time, one speaker spoke in opposition to the Petition and one speaker spoke in favor of the

Petition. The speaker in opposition to the Petition was representing the Wildhorse Creek Road Association and raised concerns about the "R-4" zoning designation, the accessory uses proposed for the site, and setting a precedent in the area. The speaker noted that she believed a senior living facility could be compatible with the adjacent uses, but not as currently proposed by the Petitioner. The speaker in favor of the Petition was a neighbor of the subject site. He noted that he believed an "R-4" zoning designation with the construction of a senior living facility on the subject site would be preferable to having "R-2" or "R-3" single family houses constructed on the site. There were no other speakers in support or opposition to the Petition.

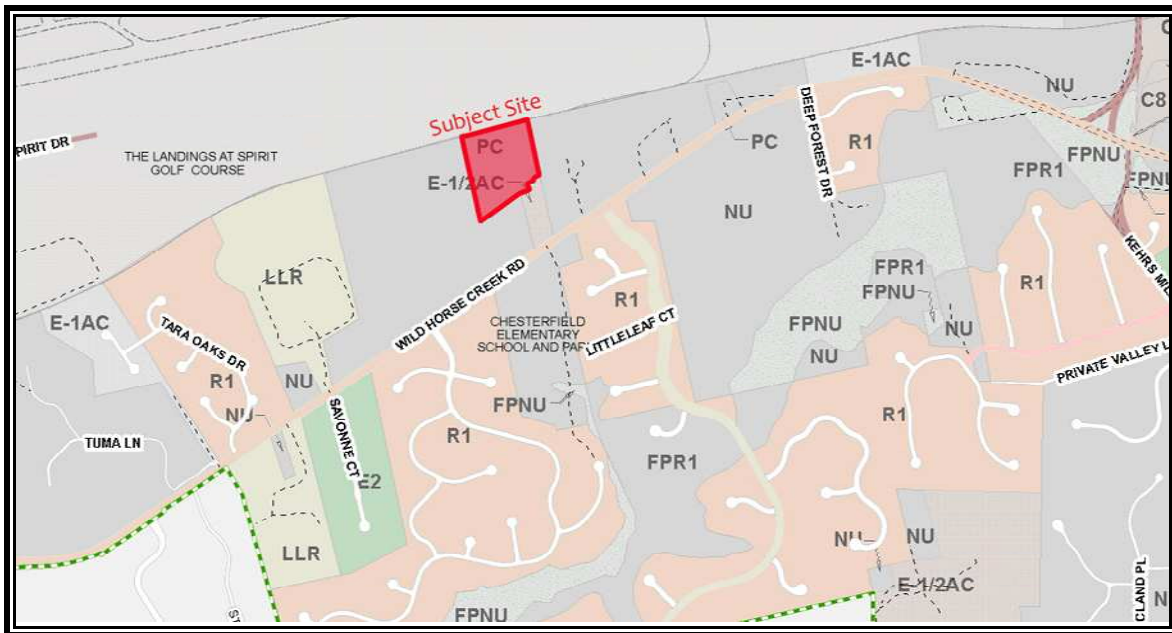
An issues meeting was held on the request on March 28, 2011. No new issues were raised at that time.

ZONING ANALYSIS

P.Z. 11-2010 and P.Z. 12-2010 have been filed simultaneously per the regulations of Section 1003.187 of the City of Chesterfield Zoning Ordinance. If both petitions were approved as submitted, the subject site would be permitted to construct a nursing home and group home for the elderly with a maximum of 120 units. If P.Z. 11-2010 were approved without the approval of P.Z. 12-2010, the site would be permitted to develop in accordance with the regulations of the "R-2" Residence District found in Section 1003.113 of the City of Chesterfield Zoning Ordinance.

As shown on the zoning map on the next page, the subject site is generally located within a residential context.

Staff has presented information that illustrates a comparison of the density requested in P.Z. 11-2010 with the surrounding area. This information showed that the majority of the subdivisions in the vicinity of the subject site have zoning designations that require a gross density of 1 unit per acre or less. Under the "R-2" designation, 2.9 units per acre would be permitted.



Staff was asked to present information that would clarify and illustrate how the gross density could be brought closer in line with the existing development pattern. Residential by-right (straight) zoning districts within the Zoning Ordinance regulate density through minimum lot size. For example, the minimum lot size in the “R-2” District is 15,000 square feet. Dividing one acre (43,560 square feet) by the minimum lot size (15,000 square feet) gives the density permitted. In the case of the “R-2” District, the following results:

$$43,560 / 15,000 = 2.904 \text{ units per acre}$$

As the minimum lot size increases, the density per acre decreases. For example, a development with a 22,500 square foot minimum lot size would result in:

$$43,560 / 22,500 = 1.94 \text{ units per acre.}$$

The previous report included information on subdivisions and referenced *gross density*. This term is utilized in order to account for the provision of common ground in subdivisions. This was the procedure utilized in the former Planned Environmental Unit District. Utilizing this approach, minimum lot sizes were permitted to decrease a specified amount; however, the total density for the development was not changed. This process allows for preservation of natural areas and provisions for common open space. Evaluation of developments utilizing this procedure includes utilization of gross density to assure total development area is included in the analysis.

In the recently adopted "PUD" Planned Unit Development District, the maximum gross density permitted is determined based on the existing residential density permitted prior to application for the "PUD" District.

DEPARTMENT INPUT

P.Z. 11-2010 originally requested a change in zoning to an "R-4" Residence District. After the Public Hearing, the petitioner has modified the request for a change in zoning to an "R-2" Residence District. The request for a change in zoning to an "R-2" Residence District must be reviewed by the City of Chesterfield to ensure that the "R-2" designation is appropriate for the subject site.

Based on a review of the existing development patterns and the residential plan policies for this area in the Comprehensive Plan, Staff believes that the "E-1" One Acre Estate District would be most appropriate to reinforce the existing development patterns. Additionally, the "E-1" designation would be compatible with the residential plan policies of the Comprehensive Plan.

An "E-1" designation, similar to an "R-2" designation, **would allow for a Petition for a Conditional Use Permit (CUP) for a nursing home use.** As mentioned in previous reports, Staff does not foresee any conflicts with the Comprehensive Plan and /or Zoning Ordinance with a nursing home in this area.

REQUEST

Staff has reviewed the requested change in zoning by CEDC, on behalf of Plan Provisions, LLC and has no outstanding issues at this time. Staff requests action on P.Z. 11-2010 Chesterfield Senior Living (Plan Provisions, LLC.).

Attachments

1. Boundary Survey

CEDC

CIVIL ENGINEERING
DESIGN CONSULTANTS

April 6, 2011

Mr. Justin Wyse
City Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017-0760

Re: Chesterfield Senior Living
PZ 11-2010 & PZ 12-2010
17665 Wild Horse Creek Road
Chesterfield, Missouri 63005
(CEDC Project No. 1000)

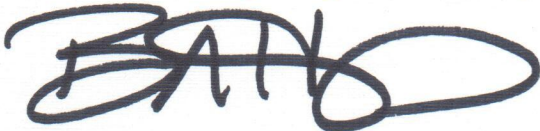
Dear Mr. Wyse:

On behalf of the Owner, we hereby amend the petitions as follows:

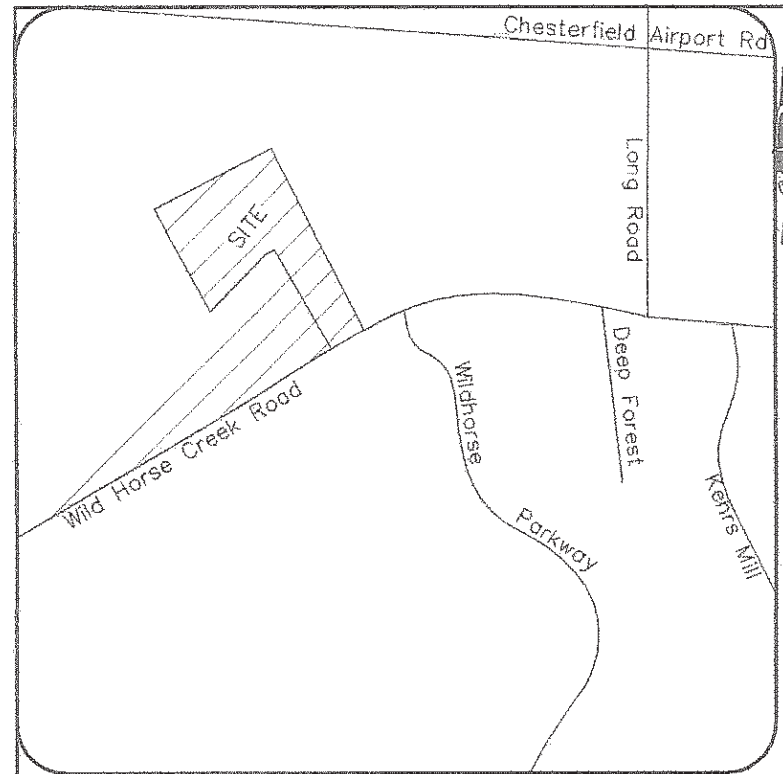
1. PZ 11-2010: Amend the requested zoning from "R-2" to "E-1" Estate One-Acre District
2. PZ 12-2010: Withdrawal the requested PUD

Please call should you have any questions or require additional information.

Sincerely,
Civil Engineering Design Consultants, Inc.



Brandon A. Harp, P.E.
Principal



PROPERTY DESCRIPTIONS OF RECORD

LOT B:
 A TRACT OF LAND BEING PART OF LOTS 2 & 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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" IRON PIPE BEING ON THE WESTERN LINE OF LOT 2 AT THE SOUTHERN RIGHT OF WAY LINE OF THE ROCK ISLAND RAILROAD (100' W); THENCE EASTWARDLY ALONG THE SAID RAILROAD RIGHT OF WAY, NORTH 74 DEGREES 45 MINUTES 00 SECONDS EAST A DISTANCE OF 405.43 FEET TO A SET 1/2" x 1/8" REBAR WITH CAP STAMPED "MARLER L.S. 347-0" (TYPICAL); THENCE CONTINUING ALONG SAID RAILROAD RIGHT OF WAY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 10445.92 FEET, AND ARC LENGTH OF 182.85 FEET AND A DELTA OF 01 DEGREES 00 MINUTES 11 SECONDS TO A SET REBAR, SAID POINT BEING ON THE EASTERN LINE OF AFORESAID LOT 3; THENCE ALONG SAID EAST LINE OF LOT 3, SOUTH 12 DEGREES 36 MINUTES 00 SECONDS EAST A DISTANCE OF 462.69 FEET TO A SET REBAR; THENCE LEAVING SAID EAST LINE, SOUTH 77 DEGREES 24 MINUTES 00 SECONDS WEST A DISTANCE OF 60.00 FEET TO A SET REBAR; THENCE SOUTH 12 DEGREES 36 MINUTES 00 SECONDS EAST A DISTANCE OF 7.38 FEET TO A SET REBAR; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 35.51 FEET AND A DELTA OF 81 DEGREES 23 MINUTES 00 SECONDS TO A SET REBAR; THENCE SOUTH 68 DEGREES 47 MINUTES 00 SECONDS WEST A DISTANCE OF 40.48 FEET TO A SET REBAR; THENCE SOUTH 21 DEGREES 13 MINUTES 00 SECONDS EAST A DISTANCE OF 60.00 FEET TO A SET REBAR, SAID REBAR BEING ON THE SOUTHERN RIGHT OF WAY OF OLD WILD HORSE CREEK ROAD, AS VACATED BY COUNTY COUNCIL OF FEBRUARY 8, 1937, A CERTIFIED COPY OF WHICH IS RECORDED IN DEED BOOK 1415 PAGE 481; THENCE ALONG SAID FORMER SOUTHERN RIGHT OF WAY, THE FOLLOWING COURSES AND DISTANCES, SOUTH 68 DEGREES 47 MINUTES 00 SECONDS WEST A DISTANCE OF 106.80 FEET TO A SET REBAR; THENCE SOUTH 52 DEGREES 51 MINUTES 00 SECONDS WEST A DISTANCE OF 406.59 FEET TO A SET REBAR, SAID REBAR BEING ON THE WESTERN LOT LINE OF AFORESAID LOT 2; THENCE ALONG SAID WESTERN LINE OF LOT 2, NORTH 12 DEGREES 36 MINUTES 00 SECONDS WEST A DISTANCE OF 719.49 FEET TO THE POINT OF BEGINNING, CONTAINING 350,470 SQUARE FEET OR 8.04 ACRES AS SURVEYED BY MARLER SURVEYING COMPANY INC. DURING THE MONTH OF AUGUST 2006.

N/F
 ETHEL M. WILLIAMS FAMILY LTD. PARTNER
 LOC. # 18V51-0105
 DEED BOOK (15291/0574)

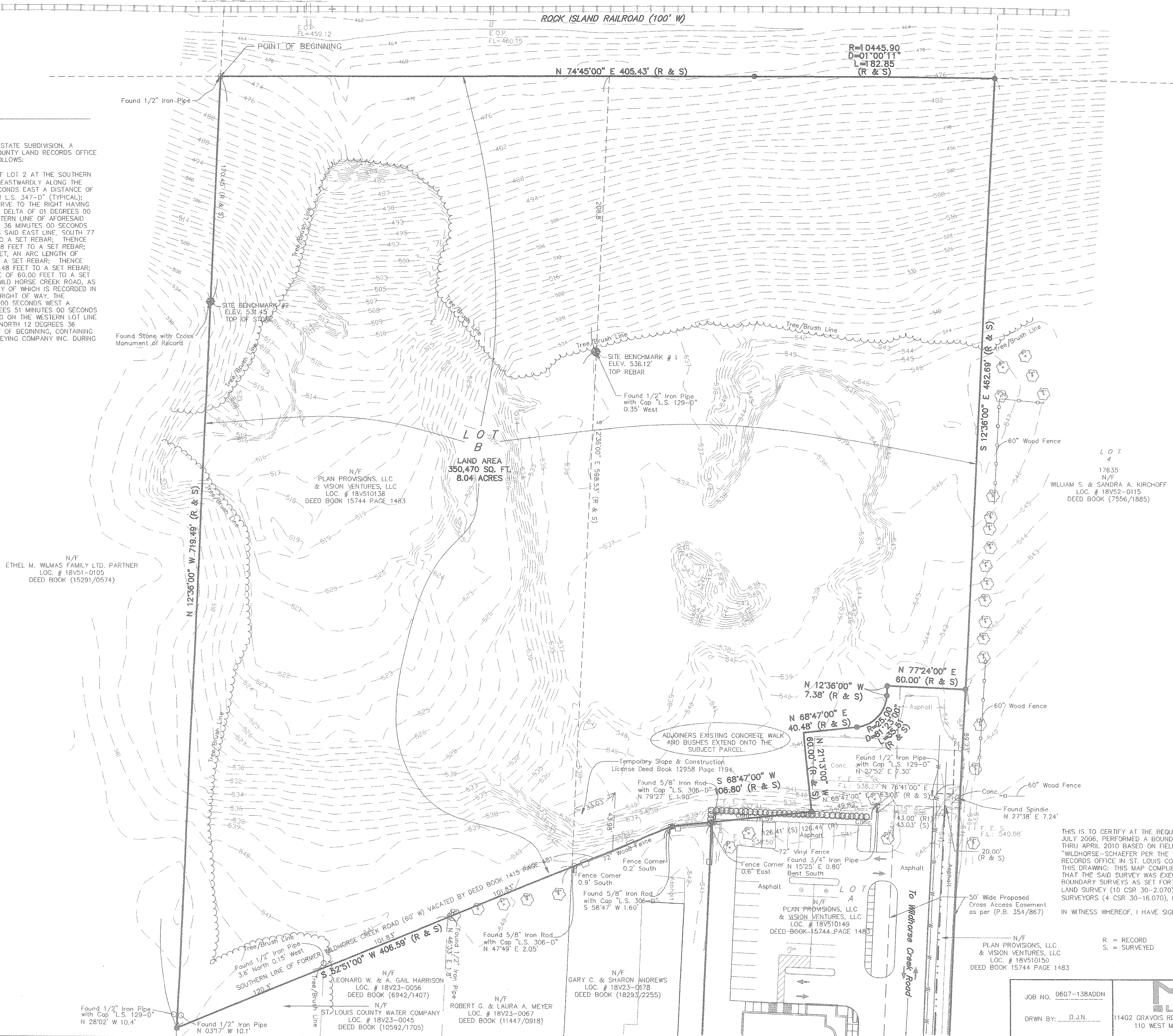
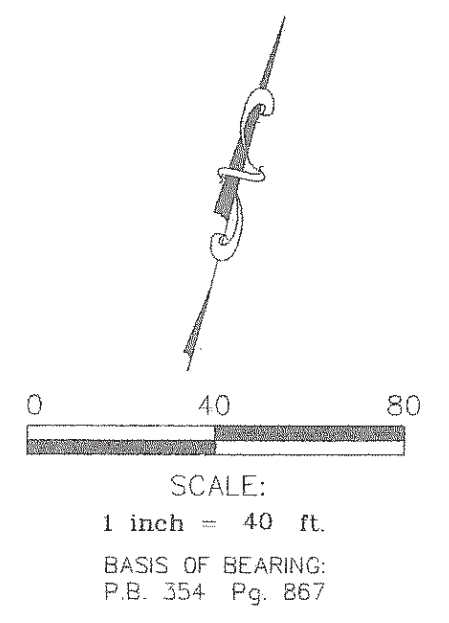
N/F
 PLAN PROVISIONS, LLC
 & VISION VENTURES, LLC
 LOC. # 18V510138
 DEED BOOK 15744 PAGE 1483

LOT B
 LAND AREA
 350,470 SQ. FT.
 8.04 ACRES

BOUNDARY RETRACEMENT AND TOPOGRAPHIC SURVEY
LOT B
"WILDHORSE-SCHAEFFER" BOUNDARY ADJUSTMENT PLAT
 ST. LOUIS COUNTY, MISSOURI

LEGEND

PP	UTILITY POLE	(R. & S.)	RECORD and SURVEYED
—	GUY WIRE	D.B.	DEED BOOK
—	LIGHT STANDARD	P.C.	PAGE
—	ELEC. YARD LIGHT	N/F	NOW OR FORMERLY
—	GAS METER	—	TELEPHONE LINE
—	GAS VALVE	—	GAS LINE MARK
—	FIRE HYDRANT	—	UNDERGROUND ELEC.
—	WATER METER	—	OVERHEAD UTILITY
—	DOWNSPOUT	—	WATERLINE
—	MANHOLE	—	TREE WITH SIZE
—	CLEAN-OUT		



BENCHMARK
 MSD. BENCHMARK 12-171 ELEV. 460.06' - "STANDARD ALUMINUM DISK" STAMPED SL-38, 1990. DISK IS SET AT THE NORTHWEST CORNER OF CHESTERFIELD AIRPORT ROAD AND CAPRICE DRIVE.

SITE BENCHMARK # 1
 ELEV. 536.12' - TOP OF 1/2" REBAR WITH CAP STAMPED "L.S. 129-0" AS SHOWN ON SURVEY.

SITE BENCHMARK # 2
 ELEV. 531.45' - TOP OF FOUND STONE AS SHOWN ON SURVEY.

SURVEYOR'S STATEMENT

THIS IS TO CERTIFY THAT AT THE REQUEST OF CIVIL ENGINEERING DESIGN CONSULTANTS INC., WE HAVE DURING THE MONTHS OF JULY 2006, PERFORMED A BOUNDARY RETRACEMENT SURVEY AND COMPILED A TOPOGRAPHIC SURVEY DURING JULY 2006 THRU APRIL 2010 BASED ON FIELD AND AERIAL SURVEYS ON LOT B OF THE BOUNDARY ADJUSTMENT KNOWN AS "WILDHORSE-SCHAEFFER" PER THE SUBDIVISION RECORDED IN PLAT BOOK 354 PAGE 867 IN THE ST. LOUIS COUNTY LAND RECORDS OFFICE IN ST. LOUIS COUNTY, MISSOURI, AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS DRAWING; THIS MAP COMPLETES WITH THE MISSOURI MAPPING STANDARDS, CLASS III.

THAT THE SAID SURVEY WAS EXECUTED IN COMPLIANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS SET FORTH BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES DIVISION OF GEOLOGY AND LAND SURVEY (10 CSR 30-2.070) AND THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS (4 CSR 30-16.070), EFFECTIVE 12/30/94, AND LAST REVISED OCTOBER OF 2003 (URBAN CLASS PROPERTY)

IN WITNESS WHEREOF, I HAVE SIGNED AND SEALED THE FOREGOING THIS 2nd DAY OF NOVEMBER, 2010.

By: *[Signature]*
 MARLER SURVEYING COMPANY INC.
 MISSOURI LICENSE # 23347-D
 REGISTERED PROFESSIONAL SURVEYOR
 LS-1869
 MISSOURI LICENSE # S. 1869

N/F
 PLAN PROVISIONS, LLC
 & VISION VENTURES, LLC
 LOC. # 18V510149
 DEED BOOK 15744 PAGE 1483

JOB NO. 0607-138ADDN
 DRWN BY: D.J.N.

MARLER SURVEYING COMPANY, INC.
 11402 GRAVOIS RD., STE. 200 ST. LOUIS, MO 63126 (314) 729-1001 PH. (314) 729-1044 FAX
 110 WEST MAIN STREET, SULLIVAN, MO (573) 468-4684 PH. (573) 860-8606 FAX
 email: marler@marlersurveying.net

DEPUTY S.R.F./D.V.F./R.W.
 CHK'D BY: D.F.V.