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## **Planning Commission Staff Report**

Project Type:	Subdivision Record Plat
Meeting Date:	April 13, 2015
From:	John Boyer Senior Planner
Location:	Located north of the intersection of Strecker Road and Church Road.
Applicant:	Arbors at Kehrs Mill, LLC
Description:	<b>Arbors at Kehrs Mill - Plat 2, Record Plat</b> : A Subdivision Plat for a 31.093 acre tract of land zoned "PUD" Planned Unit Development District located north of the intersection of Strecker Road and Church Road.

## **PROPOSAL SUMMARY**

Arbors at Kehrs Mill, LLC, applicant and property owner has submitted a request for a Subdivision Plat for a 31.093 acre tract which proposes eighteen (18) new lots and interior streets.

### **HISTORY OF SUBJECT SITE**

The subject property was originally zoned NU Non-Urban District. In 1998 the property was rezoned from the original NU District designation to LLR District via Ordinance Number 1472. Associated with this development, no single family units were proposed or allowed, instead, the permitted uses were only schools and the cultivation of crops. In 2006, Ordinance Number 2322 approved the rezoning of 57.56 acres of the subject site to E-1 Estate One Acre District and E-2 Estate Two Acre District. This ordinance also approved the density for a proposed development known as Tuscany Reserve for 36 single family lots. Most recently in November of 2013 the City approved a petition for a zoning map amendment to E-1 Estate District (One Acre) via Ordinance Number 2770 and from E-1 to Planned Unit Development PUD District via Ordinance Number 2771. The requested PUD permitted a total of 44 single family units on the 58.149 acre tract while minimizing proposed grading and tree canopy removal by modifying minimum lot sizes and setbacks. The Site Development Plan was approved on July 14, 2014.



Figure 1: Aerial Photo

## STAFF ANALYSIS

A record plat is the instrument which dedicates lots, common ground, easements and road rightof-way for future roads within a development or a portion thereof. Once a plat is recorded, lots may be sold for future construction. This plat would establish eighteen (18) of forty-four (44) total lots within the Arbors at Kehrs Mill development. The subject site is zoned "PUD" Planned Unit Development District. The submittal was reviewed against and adheres to the requirements of City of Chesterfield Ordinance 2771, the sites governing ordinance, as well as all other applicable requirements of the City of Chesterfield Unified Development Code (UDC). The record plat is also substantially consistent with the approved Site Development Plan.

### DEPARTMENTAL INPUT

Staff has reviewed the submittal and has found the application to be in conformance with the City of Chesterfield Unified Development Code and Ordinance 2771. Staff recommends approval of the Record Plat for Arbors at Kehrs Mill – Plat 2.

## **MOTION**

The following options are provided to the Planning Commission for consideration relative to this application:

1) "I move to approve (or deny) the Record Plat for Arbors at Kehrs Mill – Plat 2 (Record Plat)."

2) "I move to approve the Record Plat for Arbors at Kehrs Mill – Plat 2 (Record Plat) with the following conditions..." (Conditions may be added, eliminated, altered or modified)

Attachments: Record Plat

## OWNER'S CERTIFICATE

THE UNDERSIGNED OWNER OF A TRACT OF LAND HEREIN PLATTED AND FURTHER DESCRIBED IN THE FORGOING SURVEYORS CERTIFICATION HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT, WHICH SUBDIVISION SHALL HEREAFTER BE KNOWN AS "ARBORS AT KEHRS MILL - PLAT 2". BOTTLEBRUSH (50'W.) COURT. WHITE SAGE (50'W.) COURT, AND SOFT RUSH (50'W.) COURT TOGETHER WITH ALL CUL-DE-SACS AND ROUNDINGS LOCATED AT THE STREET INTERSECTIONS WHICH FOR BETTER IDENTIFICATION ARE SHOWN HATCHED ON THIS PLAT. ARE HEREBY DEDICATED TO THE CITY OF CHESTERFIELD FOR PUBLIC USE FOREVER.

ALL EASEMENTS SHOWN ON THIS PLAT, UNLESS DESIGNATED FOR OTHER SPECIFIC PURPOSES, ARE HEREBY DEDICATED TO THE CITY OF CHESTERFIELD, MISSOURI MISSOURI AMERICAN WATER COMPANY, LACIEDE GAS COMPANY, UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI, SOUTHWESTERN BELL TELEPHONE COMPANY, L.P., D/B/A AT&T MISSOURI, METROPOLITAN ST. LOUIS SEWER DISTRICT, THE RELEVANT CABLE TELEVISION COMPANY, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR FOR THE PURPOSE OF IMPROVING. CONSTRUCTING, REPLACING, MAINTAINING, AND REPAIRING PUBLIC UTILITIES, SEWER OR SEWERS, STORM WATER IMPROVEMENTS AND DRAINAGE FACILITIES, WITH THE RIGHT OF TEMPORARY USE OF ADJACENT GROUND NOT OCCUPIED BY IMPROVEMENTS FOR THE EXCAVATION AND STORAGE OF MATERIALS DURING INSTALLATION. REPAIR OR REPLACEMENT OF SAID UTILITIES, SEWER OR SEWERS, STORM WATER IMPROVEMENTS AND DRAINAGE FACILITIES.

THE ARBORS AT KEHRS MILL HOMEOWNERS' ASSOCIATION MAY ERECT SUBDIVISION SIGNS/MONUMENTS AND LANDSCAPING WITHIN THE COMMON GROUND AREAS AS SHOWN ON THIS PLAT, WHICH SHALL BECOME THE MAINTENANCE RESPONSIBILITY OF THE ARBORS AT KEHRS MILL HOMEOWNERS ASSOCIATION, WITH AUTHORIZATION, APPROVAL AND PERMIT BY THE CITY OF CHESTERFIELD, MISSOURI.

STORMWATER MANAGEMENT RESERVE AREAS AS SHOWN ON THIS PLAT ARE HEREBY ESTABLISHED FOR THE STORMWATER MANAGEMENT FEATURES. ALSO KNOWN AS BMP(S) (BEST MANAGEMENT PRACTICE). THE RESERVE AREAS HEREBY ESTABLISHED ARE IRREVOCABLE AND SHALL CONTINUE FOREVER, SUBJECT TO A "MAINTENANCE AGREEMENT" EXECUTED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ THE ST. LOUIS COUNTY RECORDS IN DEED BOOK \_\_\_\_\_, PAGE\_\_\_\_\_, OR AS AMENDED THEREAFTER \_\_\_, 201\_, AS RECORDED IN

THE ARBORS AT KEHRS MILL HOMEOWNERS' ASSOCIATION SHALL BE OBLIGATED TO MAINTAIN, REPAIR, CONSTRUCT, IMPROVE AND OPERATE THE STORMWATER MANAGEMENT RESERVE AREAS AS SHOWN ON THIS PLAT AND THE DETENTION FACILITIES, STORMWATER BEST MANAGEMENT PRACTICES. INCLUDING, BUT NOT LIMITED TO, PRIVATE SEWERS AND PRIVATE STORMWATER IMPROVEMENTS CONSTRUCTED THEREON AS PER THE MSD APPROVED STORMWATER MANAGEMENT FACILITIES REPORT (P-27551-02)

ANY RETAINING WALLS IN THE OPEN SPACE AREA OF THIS PLAT ARE HEREBY DEDICATED TO THE ARBORS AT KEHRS MILL HOMEOWNERS' ASSOCIATION FOR THE ERECTION, MAINTENANCE AND REPAIR OF A RETAINING WALL, WITH THE RIGHT OF TEMPORARY USE OF ADJACENT GROUND NOT OCCUPIED BY IMPROVEMENTS FOR THE EXCAVATION AND STORAGE OF MATERIALS DURING INSTALLATION, REPAIR OR REPLACEMENT OF SAID RETAINING WALL .. MAINTENANCE OF THE RETAINING WALL SHOWN ON THIS PLAT IS THE RESPONSIBILITY OF THE ARBORS AT KEHRS MILL HOMEOWNERS ASSOCIATION.

PERMANENT SIGHT DISTANCE EASEMENTS ARE HEREBY DEDICATED TO THE CITY OF CHESTERFIELD, MISSOURI, FOR PUBLIC USE FOREVER, TO ENSURE AND PROTECT THE CLEAR AND UNOBSTRUCTED VIEW OF MOTORISTS ON AND ENTERING THE ADJACENT ROADWAY. NO PART OF SAID EASEMENT SHALL BE BUILT ON WITH ANY STRUCTURE (INCLUDING SIGNS, FENCES OR POLES) OR PLANTING (INCLUDING ANY TREES, SHRUBS, ORNIMENTAL GRASS, OR WEEDS) IN ANY MANOR WHATSOEVER, NOR SHALL THE GRADE OF THE LAND WITHIN THE EASEMENT BE CHANGED, UNLESS EXPRESSLY APPROVED BY THE CÍTY OF CHESTERFIELD. ANY STRUCTURE OR PLANTING APPROVED BY THE CITY OF CHESTERFIELD SHALL BE MAINTAINED TO PROVIDE SIGHT DISTANCE. ANY STRUCTURES, PLANTS OR GRADING WHICH IS NOT APPROVED BY THE CITY OF CHESTERFIELD, OR WHICH IS NOT MAINTAINED, SHALL BE REMOVED OR CORRECTED.

LANDSCAPE - BUFFER EASEMENTS AND AREAS, AS SHOWN HEREON, ARE ESTABLISHED AS PROTECTED AREAS FOR VEGETATIVE LANDSCAPING ONLY. STRUCTURES OF ANY SIZE, WHETHER TEMPORARY OR PERMANENT, ARE NOT PERMITTED WITHIN LANDSCAPE EASEMENTS AND/OR AREAS. LANDSCAPING AS APPROVED BY THE CITY OF CHESTERFIELD DURING SITE PLAN REVIEW IS REQUIRED TO BE MAINTAINED AND PRESERVED INDEFINITELY BY THE ARBORS AT KEHRS MILL HOME OWNERS ASSOCIATION. FAILURE TO MAINTAIN OR PRESERVE LANDSCAPE EASEMENTS MAY RESULT IN INSPECTION AND ISSUANCE OF FINES BY THE CITY OF CHESTERFIELD.

THE LANDSCAPE BUFFER EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE "ARBORS AT KEHRS MILL HOMEOWNERS' ASSOCIATION" FOR THE PLANTING AND MAINTAINING OF LANDSCAPE VEGETATION AND APPURTENANT LANDSCAPE MATERIALS. THE COMMON GROUND SHOWN ON THIS PLAT HAS BEEN CONVEYED FOREVER TO THE ARBORS AT KEHRS MILL HOMEOWNERS' ASSOCIATION, ITS

SUCCESSORS AND ASSIGNS, BY GENERAL WARRANTY DEED RECORDED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201 AS DAILY \_\_\_\_ IN THE ST. LOUIS COUNTY RECORDS.

ALL COMMON GROUND LOCATED IN CUL-DE-SAC ISLANDS OR DIVIDED STREET ISLANDS OR MEDIAN STRIPS, SHALL BE PROHIBITED OF ANY ABOVE GROUND STRUCTURE, OTHER THAN REQUIRED STREET LIGHTS OR OTHER PUBLIC UTILITIES IN ACCORDANCE WITH THE APPROVED IMPROVEMENT PLANS, OR WITHOUT AUTHORIZATION BY THE CITY OF CHESTERFIELD THROUGH THE ISSUANCE OF A SPECIAL USE PERMIT.

THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN THE ARBORS AT KEHRS MILL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FILED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_ AS DAILY NO.\_\_\_\_\_ THE ST. LOUIS COUNTY RECORDS.

A PART OF THIS PLAT (12.7 ACRES AS SHOWN HEREON) IS ENCUMBERED BY THE 1995 "AMENDMENT AND RESTATEMENT OF INDENTURE OF TRUST AND RESTRICTIONS OF PACLAND PLACE" AS RECORDED IN DEED BOOK 10409 PAGE 559 OF THE ST. LOUIS COUNTY RECORDS.

BUILDING LINES AS SHOWN ON THIS PLAT ARE HEREBY ESTABLISHED.

IT IS HEREBY CERTIFIED THAT ALL EXISTING EASEMENTS ARE SHOWN ON THIS PLAT AS OF THE TIME AND DATE OF RECORDING OF THIS PLAT.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

ARBORS AT KEHRS MILL, LLC JHB PROPERTIES, INC. (MEMBER)

# SIGNATURE

<u>JOHN H. BERRA</u> STAME PRINMESS

PRESIDENT EOGNION OF ST. LOUIS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, BEFORE ME PERSONALLY APPEARED JOHN H. BERRA, JR., TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF JHB PROPERTIES, INC., A CORPORATION OF THE STATE OF MISSOURI AND MEMBER OF ARBORS AT KEHRS MILL, LLC, A LIMITED LIABILITY COMPANY OF THE STATE OF MISSOURI, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS; AND SAID JOHN H. BERRA, JR. ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION AND LIMITED LIABILITY COMPANY

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

PARTIAL RELEASE OF DEED OF TRUST:

WHEREAS, \_\_\_\_\_ \_\_\_\_, BY A DEED OF TRUST DATED \_\_\_\_\_\_. \_\_\_\_\_, 2015 AND RECORDED AS DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ OF THE ST. LOUIS COUNTY RECORDS, CONVEYED TO THE TRUSTEE THEREIN NAMED CERTAIN REAL ESTATE TO SECURE THE PAYMENT OF CERTAIN NOTE OR NOTES IN SAID DEED DESCRIBED AND SET FORTH; AND WHEREAS, SAID DEED OF TRUST AND NOTE OR NOTES HAS OR HAVE BEEN PARTIALLY PAID AND SATISFIED.

NOW THEREFORE, THE UNDERSIGNED, PRESENT HOLDER AND LEGAL OWNER OF SAID DEED OF TRUST AND NOTE OR NOTES HEREBY JOINS IN AND APPROVES IN EVERY DETAIL THIS SUBDIVISION PLAT OF THE ARBORS AT KEHRS MILL - PLAT 2 AND DOES HEREBY REMISE, RELEASE AND QUITCLAIM UNTO THE PRESENT OWNERS, PART OF THE REAL ESTATE IN SAID DEED OF TRUST DESCRIBED, TO WIT: ALL COMMON GROUND OR COMMON LAND SHOWN ON THIS PLAT AND ALL STREETS, PUBLIC OR PRIVATE, OR ROADWAY EASEMENTS ON THIS PLAT.

TO HAVE AND TO HOLD SAME, WITH ALL APPURTENANCES THERETO BELONGING FREE, CLEAR AND DISCHARGED FROM THE ENCUMBRANCE OF SAID DEED OF TRUST.

IN WITNESS THEREOF, THE UNDERSIGNED HAS EXECUTED THESE PRESENTS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_\_ DAY OF \_\_\_\_\_\_, 2015.

SIGNATURE

PRINT NAME AND TITLE

STATE OF MISSOURI COUNTY OF ST. LOUIS

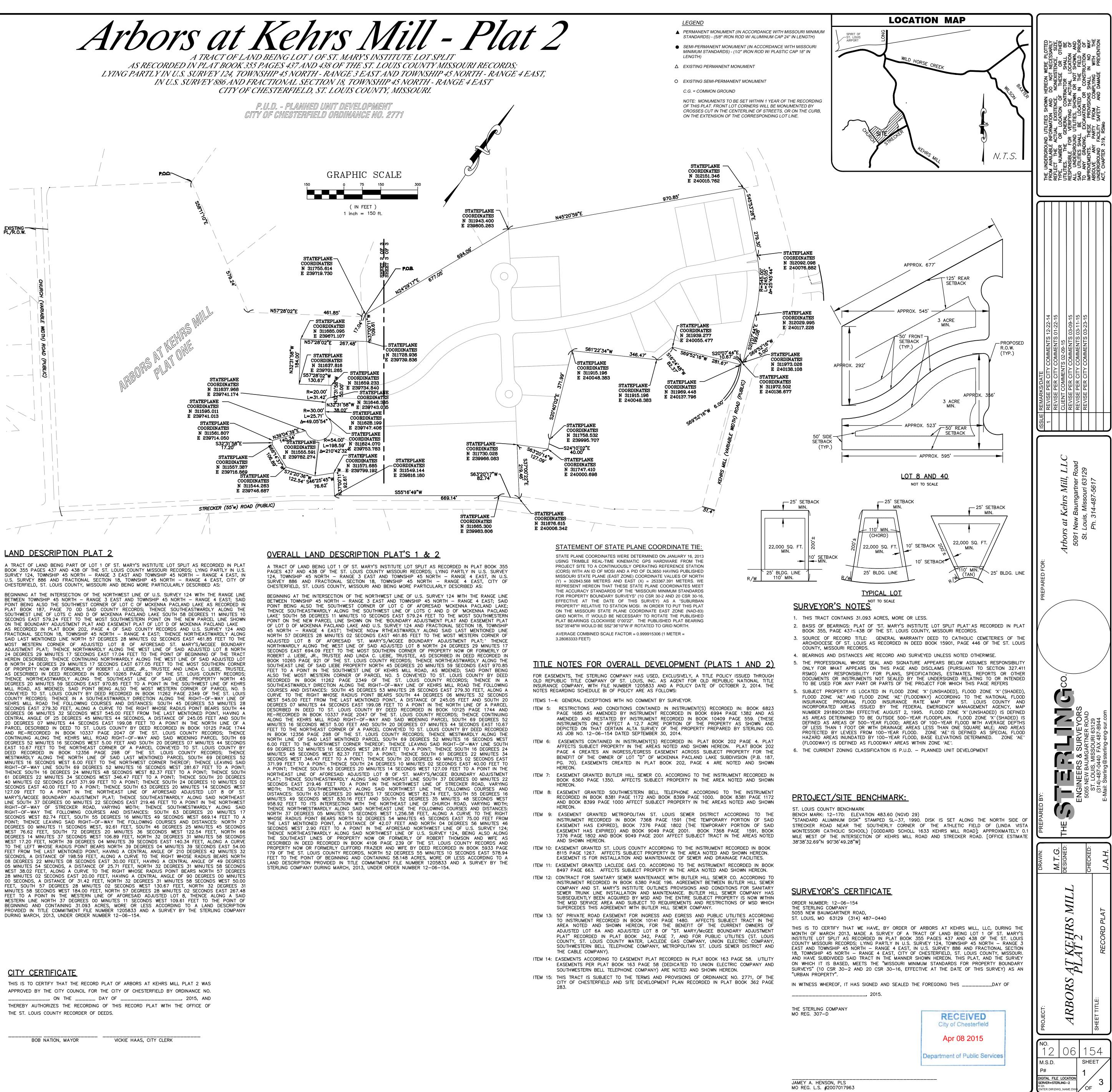
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, BEFORE ME APPEARED \_\_\_\_\_, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY HE/SHE IS THE \_\_\_\_\_ OF \_\_\_\_\_ OF \_\_\_\_\_, A NATIONAL BANKING ASSOCIATION, AND THAT SAID INSTRUMENT WAS SIGNED AND SEALED ON BEHALF OF SAID ASSOCIATION AND SAID ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID ASSOCIATION.

IN TESTIMONY WHEREOF, I HAVE HEREWITH SET MY HAND AND AFFIXED MY NOTARIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES: \_\_\_\_

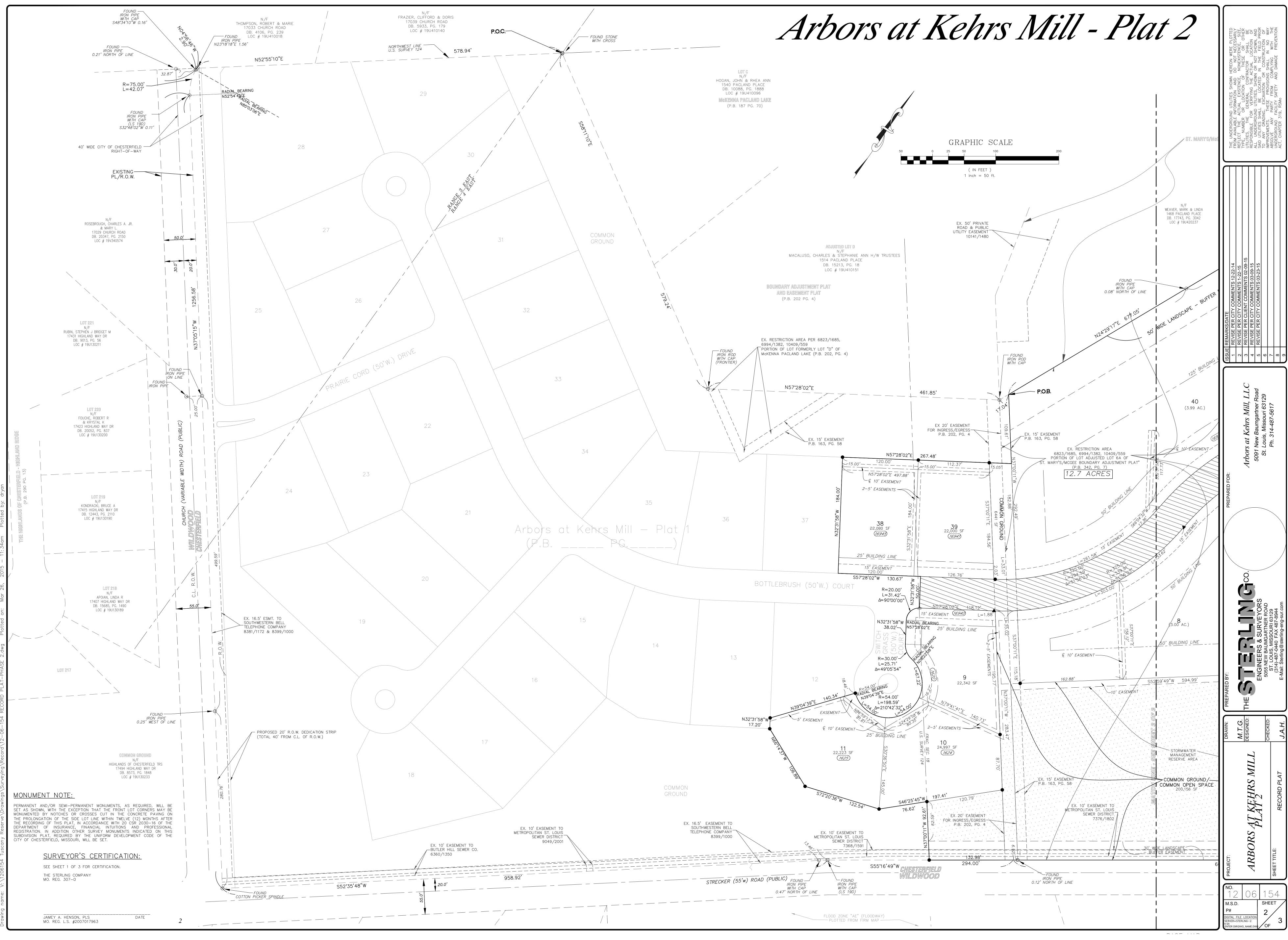
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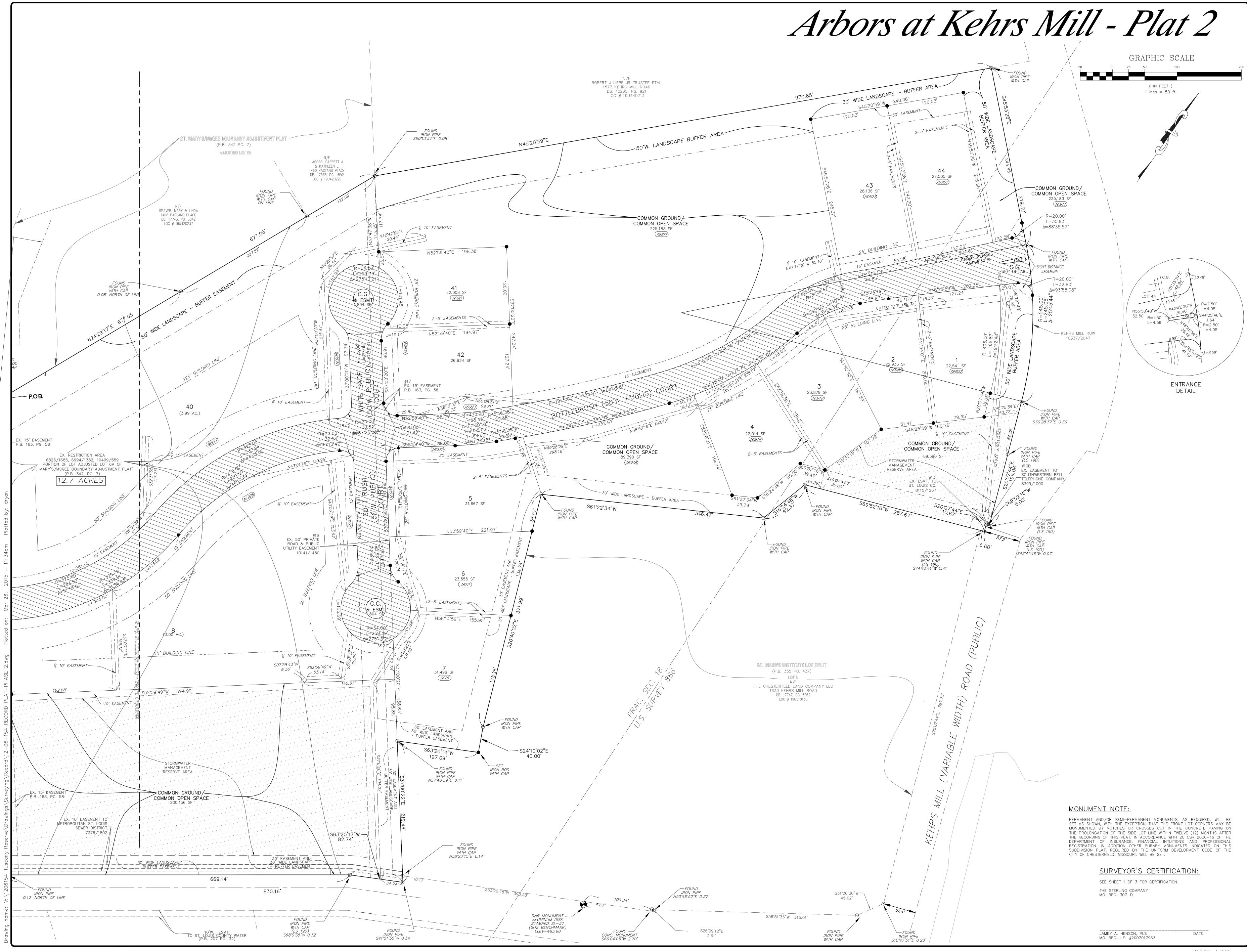
EXISTING PL/R.O.W.



THIS IS TO CERTIFY THAT THE RECORD PLAT OF ARBORS AT KEHRS MILL PLAT 2 WAS APPROVED BY THE CITY COUNCIL FOR THE CITY OF CHESTERFIELD BY ORDINANCE NO. \_\_\_\_\_, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, AND THEREBY AUTHORIZES THE RECORDING OF THIS RECORD PLAT WITH THE OFFICE OF THE ST. LOUIS COUNTY RECORDER OF DEEDS.

BOB NATION. MAYOR





ER=STERLING-

5091 St. R  $\Box$ KF TT PL RBORS. M.S.D. SHEET