

Planning Commission Staff Report

Meeting Date: April 22, 2019

From: Andrew Stanislav, Planner *AS*

Location: A 2.14 acre tract of land located on the south side of Conway Road at its intersection with Still House Creek Road

Petition: **P.Z. 02-2019 Highland on Conway (14880 Conway Road)**: A request for a zoning map amendment from the “NU” Non-Urban District to the “R-4” Residence District for a 2.14 acre tract of land located on the south side of Conway Road at its intersection with Still House Creek Road (18R120324).

SUMMARY

DK & JC, LLC has submitted a request for a zoning map amendment from the “NU” Non-Urban District to the “R-4” Residence (7,500 square feet) District for a 2.14 acre tract of land located on the south side of Conway Road at its intersection with Still House Creek Road. The Petitioner intends to develop the subject site into single-family dwellings. As a conventional (versus planned) zoning district, the legislation for this request will neither include a preliminary plan nor an Attachment A. If approved, the uses permitted for the subject site will be those specified in the “R-4” (7,500 square feet) Residence District regulations.

A Public Hearing was held on March 25, 2019, and issues raised by the public, including compatibility with nearby development and traffic related concerns, are detailed within this report.



Figure 1: Subject site aerial image

HISTORY OF SUBJECT SITE

The subject site was zoned “NU” Non-Urban District by St. Louis County prior to the City’s incorporation. According to St. Louis County’s records, the existing single-family home on the subject site was built in 1961, and the property is part of Lot 5 of the Highland on Conway subdivision that was approved by the St. Louis County Planning Commission in 1957. Since the City’s incorporation, there have been no requests to rezone the property nor submittals of any development plans for review.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The land use and zoning for the properties surrounding this parcel are as follows:

Direction	Zoning	Land Use
North	“R-1A” Residence District	Detached Single-Family Dwellings
East	“NU” Non-Urban District	Detached Single-Family Dwelling
South	“NU” Non-Urban District	Place of Worship/Institution
West	“R-3” Residence District w/ PEU	Attached Single-Family Dwellings

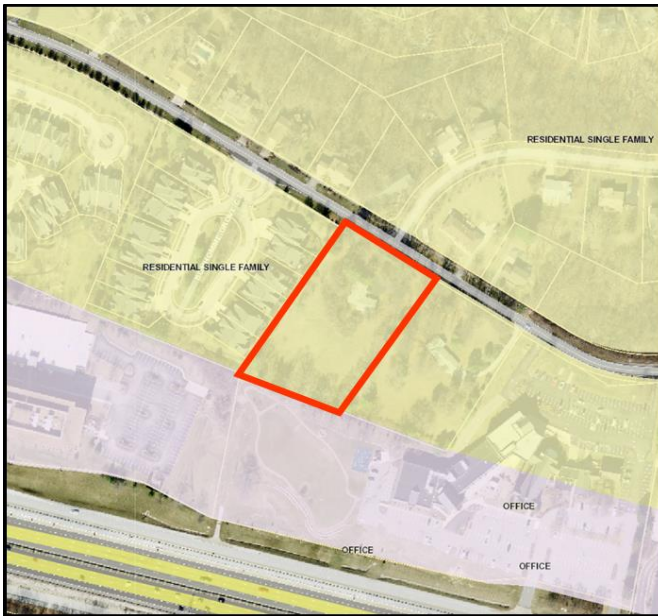


Figure 2: Comprehensive Land Use Plan

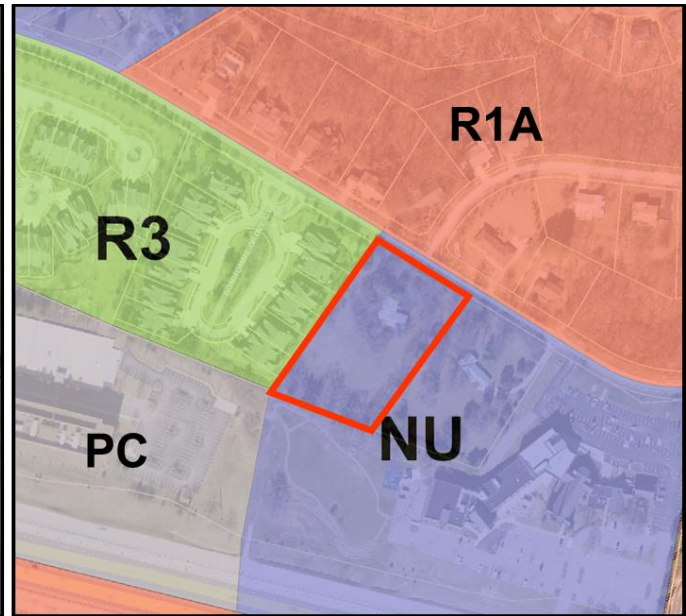


Figure 3: Zoning Map

COMPREHENSIVE PLAN ANALYSIS

The subject site is located within Ward 2 of the City of Chesterfield. The City of Chesterfield Land Use Plan indicates this parcel is within the “Residential Single Family” land use designation, which is the predominant designation on the plan. The Comprehensive Plan designates appropriate land uses of this designation as detached single-family dwellings and 2 or 3 attached single-family dwellings. The proposed uses and density of the “R-4” Residence (7,500 square feet) District would comply with the Land Use Plan and would permit the applicant to build single-family dwellings in accordance with all other requirements established in the Unified Development Code (UDC).

Additionally, a number of Plan Policies are applicable to this request. The following items identify the applicable plan policy in italics followed by staff analysis:

2.1 Quality Residential Development – *The City recognizes that neighborhoods are the identity of Chesterfield and that the condition of neighborhoods determines the desirability of Chesterfield as a place to raise a family. This Plan is meant to assist residents in creating and preserving neighborhoods.*

This request is anticipated to become a small subdivision of detached single-family dwellings. The development of the subject site into single-family dwellings is consistent with the Comprehensive Plan and is compatible with adjacent residential development. Any proposed development would be required to meet all other requirements of the UDC, including landscape buffers between adjacent development.

2.1.4 Compatible In-Fill Residential Construction – *Construction of new homes in existing neighborhoods, where practical, should be compatible with the existing homes.*

While the subject site is part of the original Highland on Conway subdivision, the abutting properties to the west were similarly former single-family dwellings along Conway Road and were rezoned from the “NU” District to the “R-3” District with a PEU in 2001 and platted into the Conway on the Grove subdivision in 2003. The properties to the south and east are also part of the Highland on Conway subdivision and consist of the Bonhomme Presbyterian Church campus and a single-family dwelling built in 1963, respectively. To the north is the Shenandoah subdivision established by St. Louis County in the 1970s and is zoned “R-1A” with a PEU across from the subject site.

The anticipated development of detached single-family dwellings on the subject site is compatible with the existing surrounding uses. While some surrounding properties are also currently zoned “NU” Non-Urban, properties fronting the highway form a commercial corridor and there are single-family residential uses north of Conway Road. The area of the subject site just south of Conway Road in between these areas, while still single-family residential, acts as a transitional area of which the proposed development fits into the established framework.

2.1.5 Provide Buffer for Existing Residential Development – *New higher density residential development and non-residential development adjacent to existing residential subdivisions should provide for a substantial landscape buffer and landscaped area between the uses so as not to alter the conditions and environment of existing residential neighborhoods.*

The subject site will maintain a similar residential density as the attached single-family dwellings to the west on the south side of Conway Road as established by the minimum lot size requirements in the “R-4” District regulations.

Landscape buffers are also required for anticipated development on this site along Conway Road, between the subject property and the existing homes to the west, the Bonhomme Presbyterian Church campus to the south, and the existing single-family dwelling to the east.

2.1.6 Reinforce Existing Residential Development Pattern – *New residential development should reinforce existing residential neighborhood patterns by continuing to enforce high quality site and subdivision design, layout, and planning practices.*

As similarly mentioned under the previous plan policy, the subject site will maintain a similar residential density as the adjacent neighborhood to the west as required by the minimum lot size regulations of the “R-4” District, and landscape buffers will also be required. The elements recognizing high quality site and subdivision design, layout, and planning practices will be further analyzed once a design has been officially submitted to the City for review during the preliminary plat and record plat phases, which would require compliance with all City regulations.

ISSUES

During the Public Hearing held on March 25, 2019, three residents spoke in opposition of the proposed development. Issues associated with the request were identified by the Planning Commission, and below is a summary of the issues mentioned incorporating the applicant’s response and staff input in italics:

1. **Exterior Building Materials:** There were inquiries as to the compatibility of the exterior building materials proposed for the single-family homes with the existing nearby residential developments. The applicant was directed to reference the Architectural Standards in the Unified Development Code (UDC) pertaining to residential architecture in the [Site and Building Design Table](#).

The applicant clarified at the Public Hearing that the exterior materials used will include high-end masonry and Hardie board siding. Residential architectural requirements in the UDC include utilizing materials from the front façade on the sides and rear when facing a street external to the subdivision as well as extending the primary building material so that no more than twelve (12) inches of concrete foundation wall is exposed.

2. **Lot Sizes and Development Density:** There was discussion regarding the compatibility of the size of the lots proposed and overall development density in comparison to existing nearby residential developments.

The applicant noted that the proposed development will have larger lot sizes than the adjacent Conway on the Grove development, which has lot widths of 55 feet with the smallest lot at 7,163 square feet, and the anticipated lot sizes will be larger than that required by the “R4” District regulations. Staff has provided an analysis of the proposed development on the subject site in comparison to the adjacent Conway on the Grove Planned Environment Unit (PEU) in Table 1 and Table 2 on the following page. As depicted through these tables, the development criteria of the “R4” District and other regulations in the UDC are comparable to those established in the neighboring PEU development, including minimum lot size, unit per acre density, and setback requirements, though common ground is a specific requirement in the PEU and is not a requirement for straight zoning districts. The PEU procedure permitted this development as approved by the ordinance and associated plan as opposed to a straight zoning district as requested for the subject property. The subject property is not eligible for a planned zoning district

because it does not meet the minimum lot size requirement. Please note that the information provided regarding the proposed development is conceptual to give a scale and is not absolute as this may change through review of the platting phase and any potential redesign to meet both City and other agency comments.

Table 1. Comparison of Development Criteria

	SUBJECT SITE (as proposed)	CONWAY ON THE GROVE
Zoning	"R-4"	"R-3" w/ PEU
Min. Lot Size	7,500 sq. ft. (0.17 acre) per UDC	7,163 sq. ft. (0.16 acre)
Number of Units	7	13
Total Development Size	2.14 acres (includes ROW) 1.74 acres (excludes ROW)	4.37 acres (includes ROW) 3.57 acres (excludes ROW)
Density (Units/Acre)	3.3 units/acre (includes ROW) 4.0 units/acre (excludes ROW)	3.0 units/acre (includes ROW) 3.6 units/acre (excludes ROW)
Maximum Height	45 ft	45 ft
Sidewalk Along Conway	Yes	Yes

Table 2. Comparison of Setback Criteria

	SUBJECT SITE (as proposed)	CONWAY ON THE GROVE
DEVELOPMENT SETBACKS		
Conway Road	30 ft landscape buffer	40 ft
South	30 ft landscape buffer	15 ft
East	20 ft landscape buffer	15 ft
West	20 ft landscape buffer	15 ft
STRUCTURE SETBACKS (per lot)		
Front	25 ft (b/c of reduced ROW per UDC)	20 ft
Rear	15 ft	15 ft
Side	6 ft (12 ft between structures)	12 ft between structures (allows 0 ft for attached bldgs.)

- 3. Landscaping, Buffering, and Tree Preservation:** Discussions were had at the Public Hearing regarding the intent and location of tree preservation on the subject property in relation to preserving mature trees and maintaining adequate buffering between existing neighboring developments. The applicant was advised of the City's thirty percent (30%) tree preservation requirement, and asked to provide a narrative on the intent or strategy for preserving trees on the subject property.

The applicant stated that "the grading plan for the site will determine the trees that could be saved along the perimeter of the development" and also noted that the location of building pads and street elevations could impact the location of trees to be preserved. The applicant mentioned at the Public Hearing that they intend to keep as many of the mature trees along the perimeter of the site as possible.

- 4. Existing Retaining Wall West of Subject Property:** Concerns were expressed regarding the existing retaining wall supporting homes within the adjacent Conway on the Grove development to the west. The applicant was advised that future grading and building permits will require engineering sign off.

The applicant noted that the existing retaining wall will not be disturbed nor the bearing soils below the footings of the retaining wall. City Staff will review required plans for this development if the zoning is approved to ensure there is no disturbance or negative impacts to adjacent properties, including the existing retaining wall.

- 5. Traffic and Potential Intersection:** Sight distance was expressed as a concern at the Public Hearing regarding a potential intersection of new right-of-way proposed with this development aligning with Still House Creek Road across from the site along Conway Road. The applicant was advised that sight distance evaluation will be required during the Preliminary Plat phase of this project.

The applicant confirmed that they intend to line up across from the existing roadway across from the site to avoid turning conflicts and also stated that the proposed seven lots of the development should not have a very large impact at the intersection. City Staff will review a sight distance study for the property intersection as well as ensuring the City's Access Management Standards are in compliance.

- 6. Potential Stub Street:** It was noted during the Public Hearing that a potential stub street anticipating development on the adjacent property to the east would be preferred. The applicant was asked to provide a statement regarding consideration of incorporating a stub street.

City Staff is working with the applicant regarding potential scenarios to include a future connection to the unsubdivided property to the east in order to prevent possible future conflicts with the City's Access Management Standards.

REQUEST

A Public Hearing was held on March 25, 2019, and the applicant has responded to the issues raised as noted in this staff report. As this zoning request is for a change to a “straight” (conventional) zoning district, there will be no preliminary plan or Attachment A in accordance with City Code. Therefore, fixed development criteria, such as minimum lot size and building setbacks, are established by the “R-4” Residence District regulations rather than negotiated through the zoning process.

Attached please find an Outboundary Survey and Tree Stand Delineation as required by City Code, as well as resident correspondence received by staff. Staff recommends action from Planning Commission on the change of zoning request.

Attachments

1. Outboundary Survey
2. Tree Stand Delineation
3. Resident Correspondence

BASIS OF BEARINGS:
P.B. 83, PG. 23

LEGEND
--- EASYLINE ---
--- SETBACK LINE ---

BOUNDARY AND IMPROVEMENT SURVEY PT LOT 5 OF HIGHLAND ON CONWAY PLAT NO. 1, A SUBDIVISION RECORDED IN PLAT BOOK 83 PAGE 23 ST LOUIS COUNTY, MISSOURI

SCHEDULE B SECTION II: ITEM 10: IS SHOWN HEREON

THIS IS TO CERTIFY THAT AT THE REQUEST OF DK & JC LLC / ALLIANCE TITLE GROUP, LLC / FIDELITY NATIONAL TITLE INSURANCE COMPANY AND PER TITLE COMMITMENT NUMBER 5400ATG, WE HAVE DURING THE MONTH OF November, 2018 EXECUTED A BOUNDARY AND IMPROVEMENT SURVEY ON PT LOT 5 OF HIGHLAND ON CONWAY PLAT NO. 1, A SUBDIVISION IN ST. LOUIS COUNTY, MO. THE RESULTS REFLECT THE CONDITIONS FOUND AT THE TIME OF THE SURVEY, ARE CORRECTLY SHOWN ABOVE AND CONFORM TO THE CURRENT STANDARDS FOR URBAN CLASS PROPERTY BOUNDARY SURVEYS AS ISSUED BY THE MISSOURI DEPARTMENT OF AGRICULTURE AND THE MISSOURI BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND PROFESSIONAL LANDSCAPE ARCHITECTS. THIS SURVEY WAS CONDUCTED UNDER THE IMMEDIATE PERSONAL SUPERVISION OF THE UNDERSIGNED REGISTERED LAND SURVEYOR. THE EASEMENTS, RESTRICTIONS, AND BUILDING LINES SHOWN ARE BASED ON RECORD PLAT INFORMATION OR ON INFORMATION SUPPLIED BY THE CLIENT. NO INVESTIGATION HAS BEEN MADE BY THD DESIGN GROUP AS TO THE PRESENT STATUS OF ANY EASEMENTS, RESTRICTIONS, OR BUILDING LINES, SHOWN OR NOT SHOWN, AFFECTING THE TRACT SURVEYED.

I, ERNEST P TURNER, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF MISSOURI HEREBY STATE FOR AND ON BEHALF OF THD DESIGN GROUP TO DK & JC LLC / ALLIANCE TITLE GROUP, LLC / FIDELITY NATIONAL TITLE INSURANCE COMPANY, THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE ON November 21, 2018; THAT SAID SURVEY AND THE ATTACHED PRINT HEREON WERE EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR BOUNDARY SURVEYS AND THAT THE SURVEY ACCURATELY REFLECTS ALL IMPROVEMENTS, INCLUDING FENCES, RECORDED EASEMENTS AND UNRECORDED VISIBLE EASEMENTS.

NOTES:

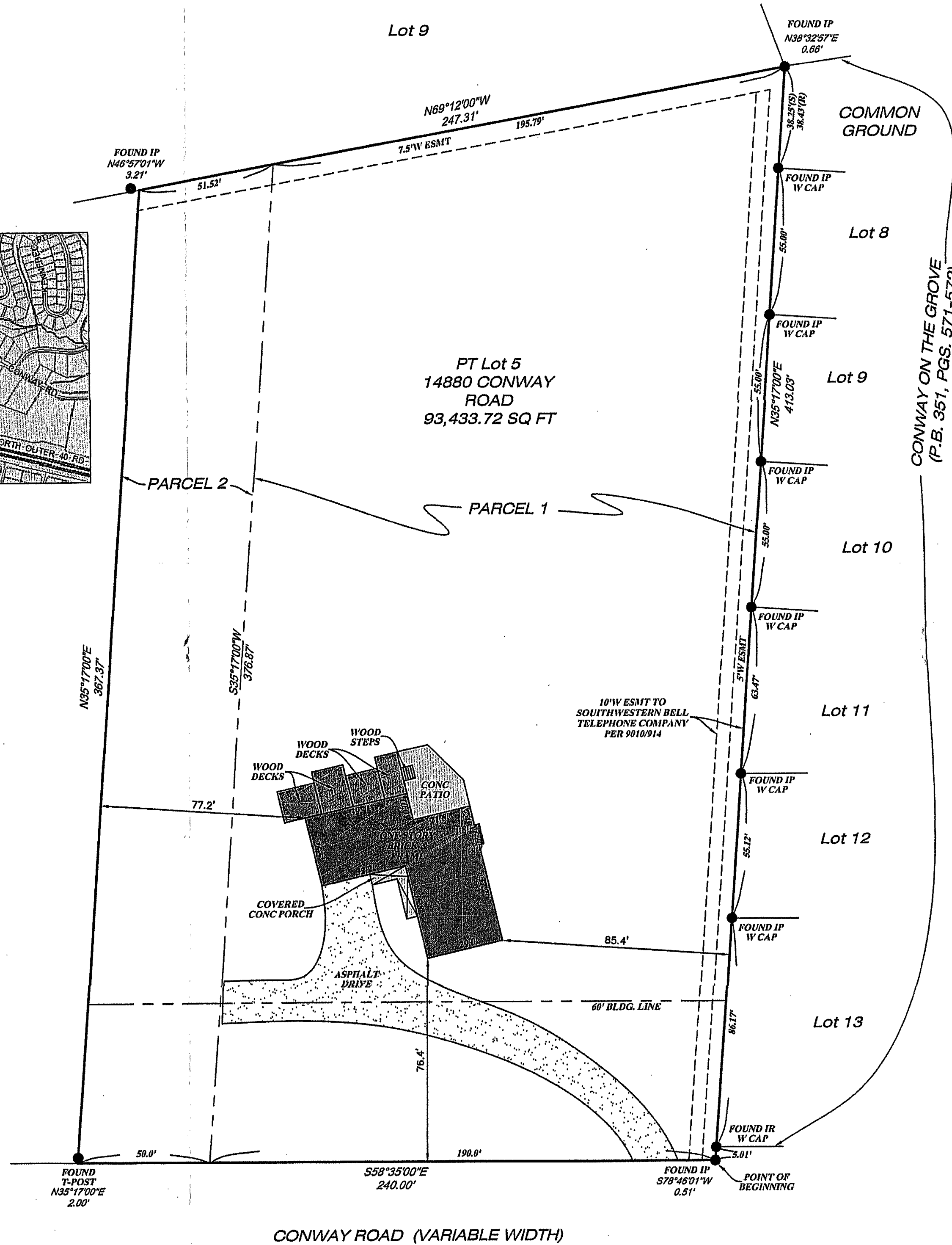
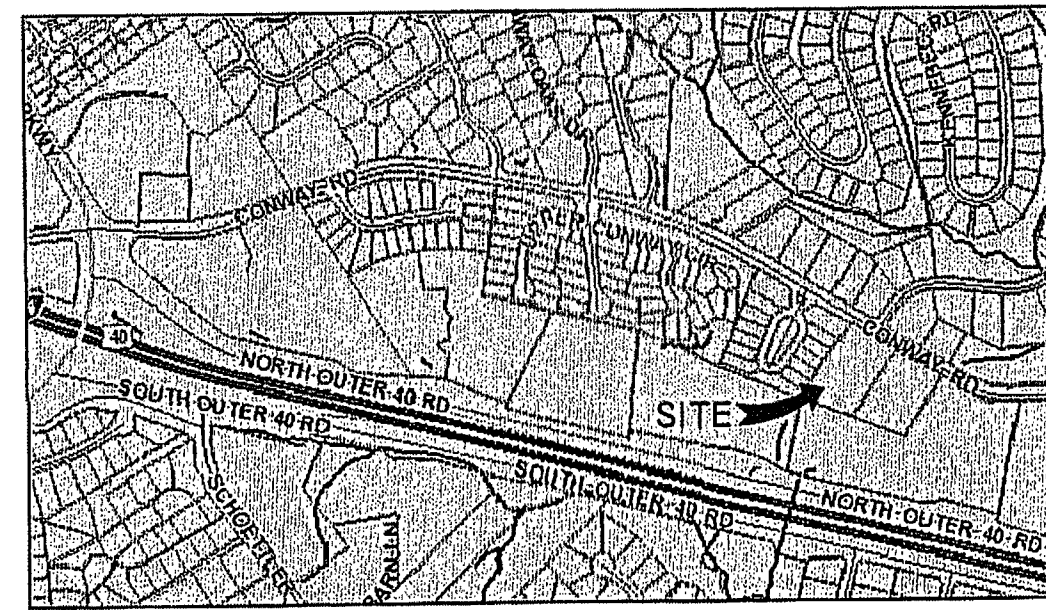
1. THERE ARE NO ENCROACHMENTS ON THIS PROPERTY.
2. FENCE OWNERSHIP (IF SHOWN) BASED ON CONSTRUCTION AND FIELD OBSERVATIONS.
3. BUILDING LINES AND EASEMENTS SHOWN PER ABOVE MENTIONED RECORD PLAT.

THE LAND IS DESCRIBED AS FOLLOWS PER TITLE COMMITMENT:

PARCEL NO. 1: THE WESTERN PART OF LOT 5 OF HIGHLAND ON CONWAY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 83 PAGE 23 OF THE ST. LOUIS COUNTY RECORDS AND DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERN CORNER OF SAID LOT 5, THENCE SOUTH 58 DEGREES 35 MINUTES EAST ALONG THE SOUTHWEST LINE OF CONWAY ROAD 190 FEET TO A POINT; THENCE SOUTH 35 DEGREES 17 MINUTES WEST 376.87 FEET TO A POINT IN THE SOUTH LINE OF SAID LOT; THENCE NORTH 69 DEGREES 12 MINUTES WEST ALONG SAID SOUTH LINE 195.79 FEET TO THE SOUTHWEST CORNER OF SAID LOT AND THENCE NORTH 35 DEGREES 17 MINUTES EAST ALONG THE WEST LINE 413.03 FEET TO THE POINT OF BEGINNING ACCORDING TO SURVEY MADE BY ELBRING SURVEYING COMPANY DURING NOVEMBER, 1960.

PARCEL NO. 2: PART OF LOT NO. 5 OF HIGHLAND ON CONWAY PLAT NO. 1, A SUBDIVISION IN US SURVEYS 366 AND 370 IN TOWNSHIP 45 NORTH RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 83 PAGE 23 OF THE ST. LOUIS COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT IN THE SOUTH LINE OF CONWAY ROAD, SAID POINT BEING 240 FEET FROM THE NORTHWEST CORNER OF LOT 5, THENCE ALONG THE SOUTH LINE OF CONWAY ROAD NORTH 58 DEGREES 35 MINUTES WEST 50 FEET TO A POINT, THENCE ALONG THE EAST LINE OF PROPERTY OF SIDNEY B. WILSON SOUTH 35 DEGREES 17 MINUTES WEST 376.87 FEET TO THE SOUTH LINE OF SAID LOT 5, THENCE ALONG SAID SOUTH LINE, SOUTH 69 DEGREES 12 MINUTES EAST 50 FEET, MORE OR LESS, TO A POINT, AND THENCE NORTH 35 DEGREES 17 MINUTES EAST TO THE POINT OF BEGINNING.

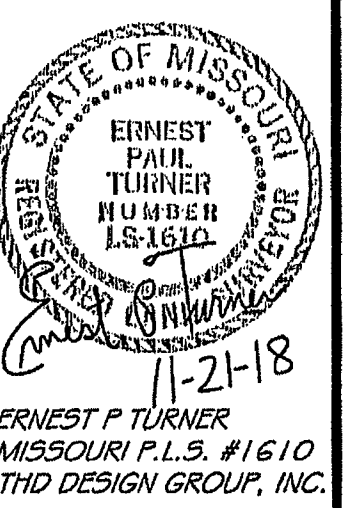
LOCATION MAP



NO. 18-2736
DATE: 11/21/18
DRAWN BY: CNS
CREW: DR / SN

THD DESIGN GROUP, INC.
"your solution for engineering and surveying"
148 CHESTERFIELD INDUSTRIAL BLVD, STE E, CHESTERFIELD, MO 63005
TEL: 636-394-9872
WEB: THDDESIGNGROUP.COM
CORPORATE CERTIFICATE OF AUTHORITY # 2011004412

BOUNDARY AND IMPROVEMENT SURVEY
PT LOT 5 OF HIGHLAND ON CONWAY
PLAT NO. 1,
A SUBDIVISION RECORDED IN
PLAT BOOK 83 PAGE 23
ST LOUIS COUNTY, MISSOURI



SCALE: 1" = 30'
0 15 30

From: Susan Hale
Sent: Sunday, April 14, 2019 2:38 PM
To: PDSDirector
Cc: Andrew Stanislav
Subject: P.Z. 02-2019 Highland on Conway (14880 Conway Road)
Attachments: Comparison 2.pdf

Mr. Wyse,

Thank you for meeting with me last Wednesday to discuss the concerns that Conway on the Grove homeowners have regarding the proposed rezoning of the property adjacent to our community on the east side of Conway Road. We appreciate your thoughtful consideration of our concerns.

As we discussed, our homeowners do not believe that the proposed rezoning to R-4 is compatible with the Conway on the Grove development or with any of the other surrounding residential developments. Based on the City of Chesterfield Zoning Base Map, the closest R-4 zoning is a small tract of property, which appears to be undeveloped, at the west end of Conway Road just before it intersects with Chesterfield Parkway East. All other residential zoning districts in proximity to 14880 Conway Road are zoned R1A and NU (inactive zoning districts) and R2 and R3. We believe rezoning the property at 14880 Conway Road to R2 or R3 would be more compatible with the surrounding residential uses and more in keeping with the City's policy under the Comprehensive Plan to "assist residents in creating and **preserving** neighborhoods. "

At the Public Hearing on March 25, there was some discussion by staff that the proposed R4 zoning requires a minimum lot size of 7,500 square feet and that this lot size is comparable to the lots in Conway on the Grove. We respectfully disagree with this conclusion. First, the comparison is based on a proposal for single family **detached** homes on a minimum lot size of 7,500 square feet versus single family **attached** homes or villas on lots that were part of an R3 Planned Environment Unit.

The lots in Conway on the Grove range in size from 7,163 to 17,768 square feet with an average lot size of 9,249 square feet. Only 4 of the 13 lots in Conway on the Grove are 7500 square feet or smaller. And, the **smallest** "lot size" for a two villa attached "building" (lots 8 and 9) is 14,330 square feet. Also, the distance between buildings is double or more the amount of space required for R4 zoning.

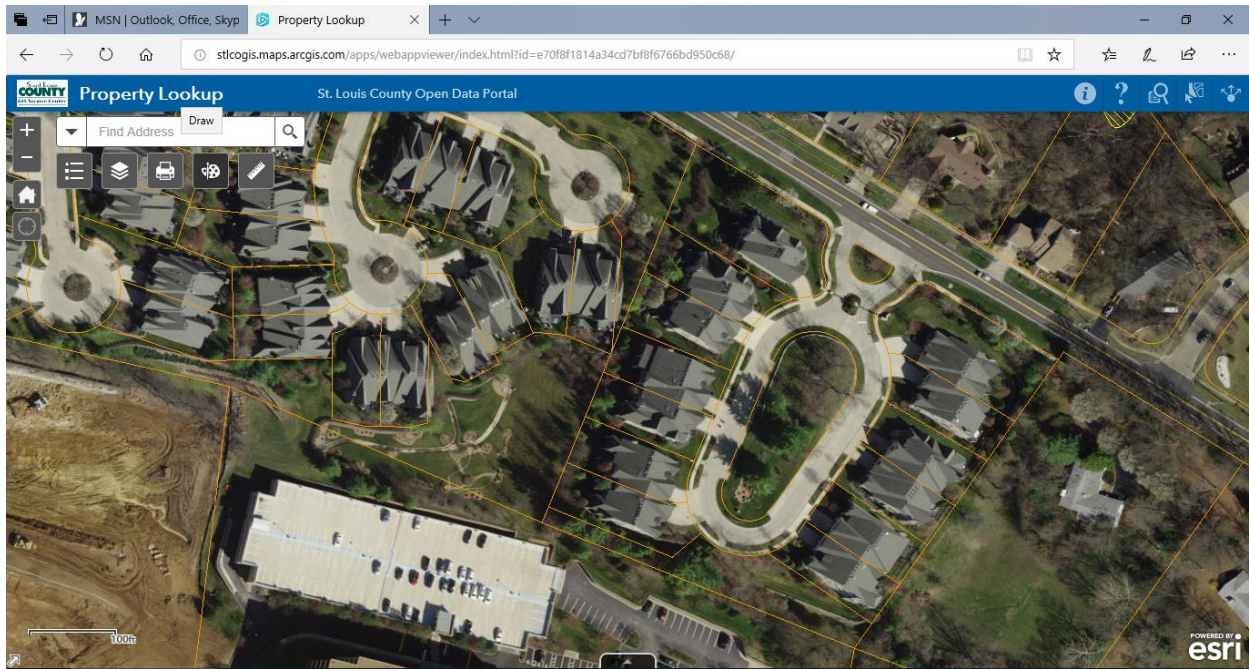
Finally, the staff report presented at the March 25 Public Hearing stressed in several places that any proposed development would be required to "provide for a substantial landscape buffer and landscaped area between the uses so as not to alter the conditions and environment of existing residential neighborhoods." One of our owners has done an analysis of the "building footprint" in Conway on the Grove as well as the amount of green space or common ground in the development. He also compared that to the amount of building per acre and green space or common ground per acre in the proposed rezoned property. (See attached comparison.)

The total acreage of the proposed rezoned property at 14880 Conway Road (2.14 acres) is approximately half of the total acreage of Conway on the Grove (4.29 acres). However, the amount of land set aside for common ground in the new development (11,731 square feet as shown on the concept plan mailed to Conway on the Grove homeowners) is only one-third of the amount of land set aside for common ground in Conway on the Grove (35,140 square feet). As homeowners, we believe that the smaller common ground acreage plus the smaller distance (12ft. vs. 16ft.) required between buildings for R4 versus R3 zoning will have a significant impact on the overall land character and environment of the neighborhood. The available green space in the proposed development also will limit any ability to provide a "substantial landscape buffer." Developing a "substantial landscape buffer" also will be complicated by the topography of the property at 14880 Conway Road, which drops off sharply from north to south and east to west adjacent to the residences in Conway on the Grove.

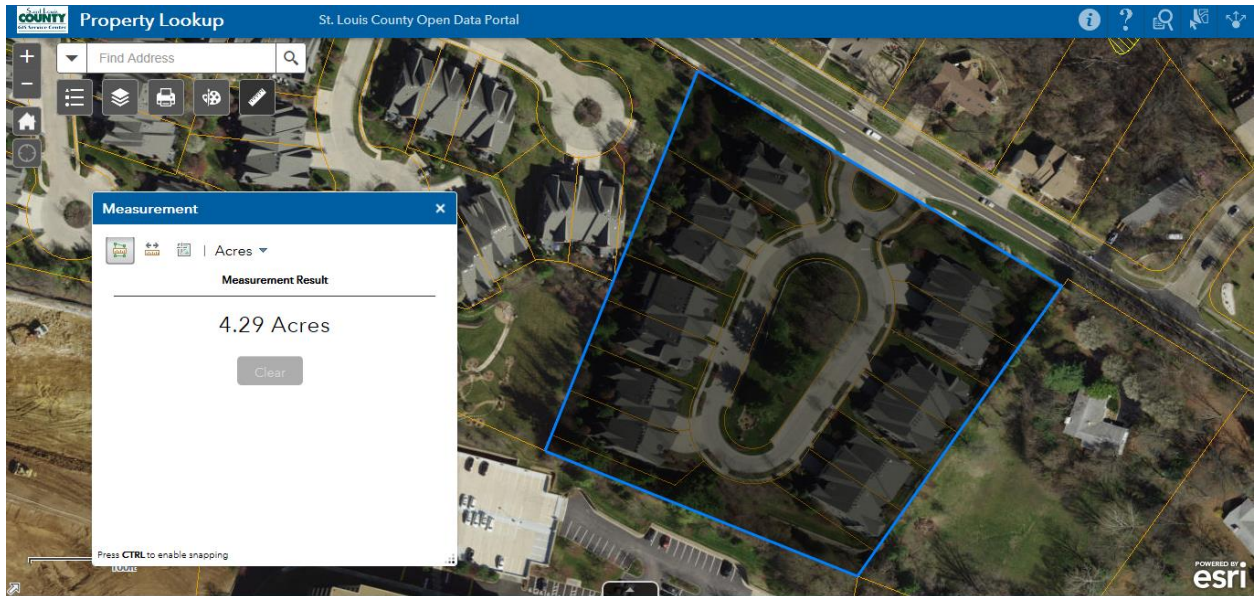
Thank you again for the time you took to hear the concerns of Conway on the Grove residents at our April 10 meeting. We will continue to stay in touch, at your suggestion, with Andrew Stanislav to monitor and provide input to the rezoning.

Susan M. Hale
#2 Bonhomme Grove Court, and
President
Conway on the Grove Homeowners Association

This is the St. Louis County Property Lookup mapping for Conway on the Grove:



This is the same mapping using the web site's Acreage Measurement tool. There are 4.29 acres as shown.



This is the proposed development of 2.14 acres at 14880 Conway Road



Comparisons

	Conway on the Grove	14880 Conway Rd
Total Property Acres:	4.29	2.14
Green Space:	.81 Acres	.27 Acres
Number of Buildings:	7	7
Property Density:	.613 Acres/Building	.306 Acres/Building
Green Space Density:	.116 Acres/Building	.039 Acres/Building
Distance Between Buildings:	25 ft.	12 ft.