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Planning Commission Staff Report

Meeting Date: April 28, 2008

From: Charlie Campo, Project Planner

Subject: Conditional Use Permit Vote Report

Location: 15201 Olive Boulevard

Petition: P.Z. 09-2008 Friendship Village of West County (15201 Olive)

Proposal Summary

Doster Guin, on behalf of Friendship Village of West County, has submitted an application for an amendment to City of Chesterfield Conditional Use Permit #2 to expand the geographical boundary of the Conditional Use Permit to include property that was added to the site.

Staff Recommendation

The Conditional Use Permit for this request meets all of the development requirements of the City of Chesterfield and therefore, staff recommends approval of the requested amendment to the existing Conditional Use Permit.

Zoning Analysis

The procedure for review/approval of a conditional use permit is set forth in Section 1003.181 of the Zoning Ordinance as follows:

- A public hearing is held at which time, unless further discussion is deemed necessary by the Commission, a vote is taken on the requested conditional use.
- If the Planning Commission votes to approve a conditional use, the Commission may impose conditions related to the requested conditional use as necessary.
- The Planning Commission, via Staff, files a report with the City Council granting or denying the application and stating the reasons therefore.
- Unless the City Council exercises its power of review or a protest is duly filed with the City Clerk, the Conditional Use Permit (C.U.P.) will become effective after 15 days of the City Council's receipt of the Planning Commission's report granting the application.

- If the Commission votes to deny a conditional use, the City Council may still exercise its power of review or the applicant may file an appeal within 15 days of the Planning Commission decision.

A preliminary plan accompanies all conditional use permit requests. When a vote is taken on the conditional use request, the vote is to approve the use(s), not to approve the accompanying preliminary plan which is provided for informational purposes only.

Surrounding Land Use and Zoning

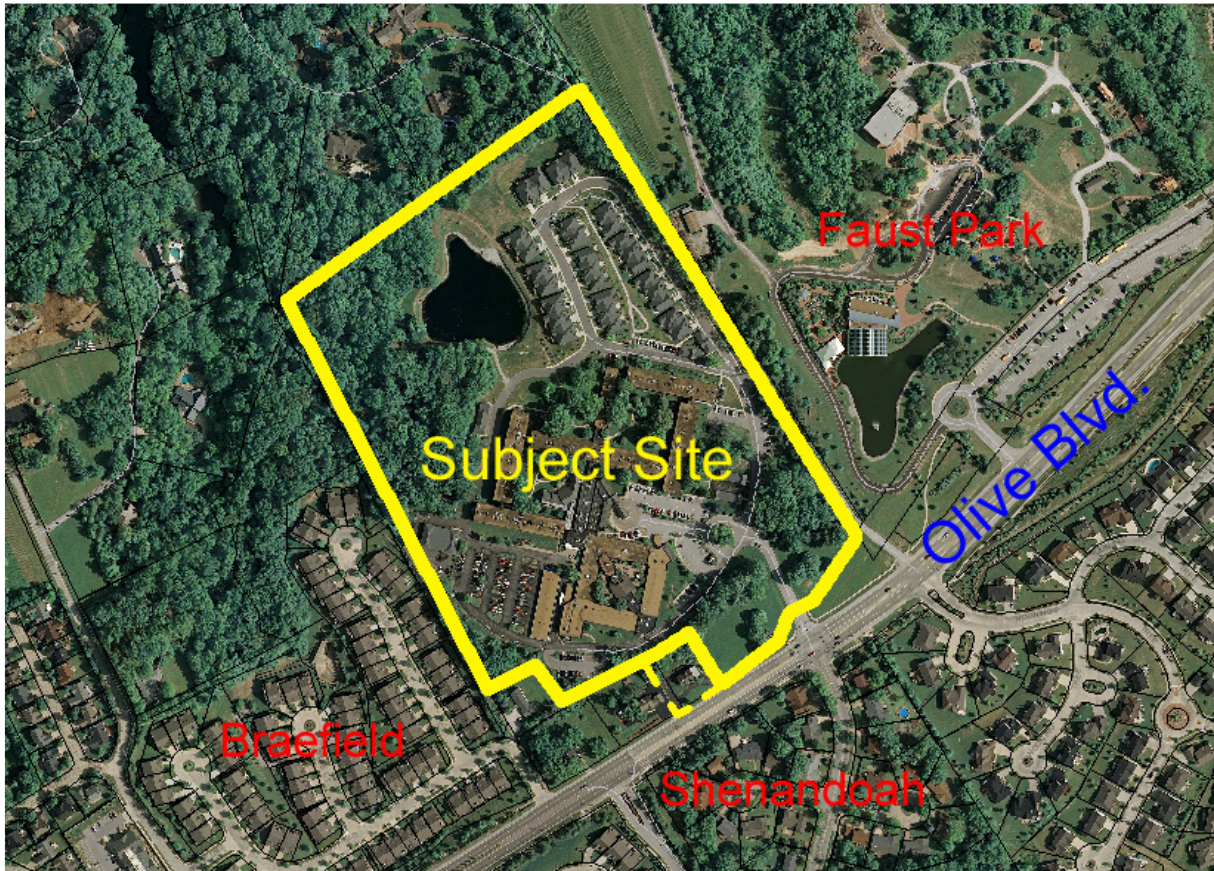
The land use and zoning for the properties surrounding this parcel are as follows:

North: The property to the north, is zoned "NU" Non-Urban District.

South: The property to the south is zoned "R3" Residence District.

East: The property to the east is zoned "PS" Park and Scenic.

West: The property to the west is zoned "R4" Residence District.





View looking SW along Olive Blvd.



View of the subject site.

Comprehensive Plan Analysis

The subject site is located within Ward 1 of the City of Chesterfield. The comprehensive plan shows the site to be bordered by Single Family Residential to the north south and west, Park/Recreation to the east, and Urban Core to the west.

Site Area History

The site was granted Conditional Use Permit Number 264 from St. Louis County in 1973. In August 1989, the City Council approved Conditional Use Permit #2

Issues

A public hearing was held on March 24, 2008. Concerns were raised by surrounding property owners regarding stormwater discharge from the site. Please see the attached letter from the petitioner. The City has made a number of inspections of the site and the surrounding area to ensure that the current construction on the site is in conformance with all city codes.

Request

Staff recommends repeal of City of Chesterfield Conditional Use Permit #2 and approval of City of Chesterfield Conditional Use Permit #29 as written by staff for Friendship Village of West County in an "NU" Non-Urban District.

Respectfully submitted,

Charlie Campo
Project Planner

Respectfully submitted,

Mara Perry AICP
Senior Planner of Plan Review

Attachments

1. Conditional Use Permit
2. Letter from petitioner
3. Preliminary Plan

CONDITIONAL USE PERMIT #29

Petition:	P.Z. 09-2008 Friendship Village of West County (15201 Olive)
Public Hearing Date:	March 24, 2008
Site Location:	15201 Olive Boulevard
Acreage for CUP:	34.57 acres
Underlying Zoning District:	Non-Urban District "NU"

The following Conditional Uses shall be allowed in this development:

1. A full life care retirement center including:
 - a. A 300 unit apartment complex for residents of age 62 or above.
 - b. A 117 bed nursing facility.
 - c. A separate residence for the resident administrator.
 - d. Parking lots, drives, recreation and dining facilities and associated supporting uses.
 - e. A maximum of 2,000 square feet of limited service and retail commercial uses, to be located within (1) self-care building. Uses authorized may include a financial facility, excluding drive-up and external walk up facility, barber and beauty shop, food or drug store, laundry or dry-cleaning pick-up, and a newspaper stand and card shop.

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified below:

1. General
 - a. A minimum of 356 off-street parking spaces shall be provided for the development.

- b. No structure shall exceed four stories in height at any point on the building perimeter.
- c. Sign regulations shall be the same as those contained in the city code with the exception that no signage or other device on the exterior, shall indicate the presence of commercial uses within.
- d. Existing trees and tree masses in the north, east and west portions of the property shall be retained and supplemented with new planting where necessary to assure dense buffering.
- e. Entrance to the project shall be allowed only from Olive Boulevard.
- f. Fencing shall be provided along the north property line.
- g. The perimeter driveway shall be a minimum of ten (10) feet from the limits of this C.U.P.
- h. No construction vehicles shall be allowed to enter the property in question from Arrowhead Estates Drive.
- i. All the conditions contained within this permit shall be posted upon the property in such a manner that they are visible to the public during the operation of the facility.

2. Access

- a. Access to the development shall be allowed only from Olive Boulevard.

3. Road Improvements, Including Sidewalks

- a. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the Olive Boulevard (State Route 340) frontage of the site. The sidewalk may be located within State right-of-way, if permitted by the Missouri Department of Transportation, or within a six (6) foot wide sidewalk maintenance and utility easement on the subject property.
- b. Remove the existing entrance and restore the right-of-way on the former 15217 Olive Blvd. property. The existing shared entrance will need to be shifted over to 15239 Olive Blvd., and built to MoDOT standards, maintaining a minimum width of 24 ft.

- c. The developer shall contribute a Traffic Generation Assessment (TGA) to the Chesterfield Trust Fund. This contribution shall not exceed an amount established by multiplying the ordinance-required parking spaces for the difference between the existing and proposed uses by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
Retirement Community	\$364.04

(Parking Space as required by the site-specific ordinance or by section 1003.165 of the Saint Louis County Zoning Ordinance.)

If types of development proposed differ from those listed, rates shall be provided by the Saint Louis County Department of Highways and Traffic.

Allowable credits for required roadway improvements will be awarded as directed by the Saint Louis County Department of Highways and Traffic. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

- d. As this development is located within a trust fund area established by Saint Louis County, any portion of the traffic generation assessment contribution, which remains following completion of road improvements required by the development, should be retained in the appropriate trust fund.
- e. The amount of the required contribution/improvements, if not approved for construction by January 1, 2009, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the Saint Louis County Department of Highways and Traffic.
- f. Traffic generation assessment contributions shall be deposited with Saint Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

4. Lighting Requirements

- a. Light standards shall not exceed sixteen (16) feet in height.

5. Landscape Requirements

- a. Existing trees and tree masses in the north, east and west portions of the property shall be retained and supplemented with new planting where necessary to assure dense buffering.

6. Miscellaneous Conditions

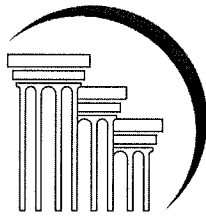
- a. Provide an outside trash collection area enclosed by a six (6) foot high sight proof wooden fence with supporting plant material.
- b. No outdoor incineration shall be allowed on the site.

Legal Description

A TRACT OF LAND CONSISTING OF TWO TRACTS OF LAND IN PART OF LOTS 1 AND 2 OF THE HUGO ESSEN FARM IN U.S. SURVEYS 154 AND 157, TOWNSHIP 45 NORTH, RANGE 4 EAST, LESS AND EXCEPTING THOSE PORTIONS TAKEN FOR RIGHT OF WAY PURPOSES, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET 1/2" X 18" REBAR WITH CAP STAMPED "MARLER L.S. 347-D" (TYPICAL), MARKING THE SOUTHWESTERN CORNER OF PROPERTY NOW OR FORMERLY OF FRIENDSHIP VILLAGE OF WEST COUNTY PER DEED BOOK 13864 PAGE 1987 OF THE ST. LOUIS COUNTY LAND RECORDS, BEING A POINT ON THE NORTHWESTERN CORNER OF AN EXCEPTION FOR RIGHT OF WAY PURPOSES RECORDED IN DEED BOOK 8828 PAGE 1831 OF THE ST. LOUIS COUNTY LAND RECORDS; THENCE ALONG THE SOUTHWESTERN PROPERTY LINE OF SAID FRIENDSHIP VILLAGE PROPERTY, AND IT'S EXTENSION, WHICH IS THE PROPERTY LINE OF ANOTHER TRACT OF LAND OF FRIENDSHIP VILLAGE OF WEST COUNTY, LISTED WITH THE TAX ASSESSOR AS DEED BOOK 8484 PAGE 2019, NORTH 30 DEGREES 31 MINUTES 42 SECONDS WEST A DISTANCE OF 175.75 FEET TO A POINT FROM WHICH A FOUND IRON PIPE WITH CAP STAMPED "L.S. 134-D" BEARS SOUTH 00 DEGREES 43 MINUTES WEST A DISTANCE OF 0.11 FEET; THENCE ALONG THE FRIENDSHIP VILLAGE TRACT LISTED AS DEED BOOK 8484 PAGE 2019, SOUTH 57 DEGREES 46 MINUTES 10 SECONDS WEST A DISTANCE OF 242.96 FEET TO A POINT FROM WHICH A FOUND 3/4 INCH IRON PIPE BEARS NORTH 16 DEGREES 00 MINUTES EAST A DISTANCE OF 0.13 FEET; THENCE NORTH 30 DEGREES 35 MINUTES 40 SECONDS WEST A DISTANCE OF 134.92 FEET TO A FOUND 3/4 INCH IRON PIPE; THENCE SOUTH 57 DEGREES 43 MINUTES 34 SECONDS WEST A DISTANCE OF 159.39 FEET TO A SET REBAR, FROM WHICH A FOUND 3/4 INCH IRON PIPE BEARS SOUTH 57 DEGREES 10 MINUTES WEST A DISTANCE OF 1.97 FEET; THENCE NORTH 30 DEGREES 32 MINUTES 03 SECONDS WEST A DISTANCE OF 1184.67 FEET TO A SET REBAR, FROM WHICH A FOUND "U" POST BEARS SOUTH 47 DEGREES 23 MINUTES EAST A DISTANCE OF 0.49 FEET; THENCE NORTH 53 DEGREES 49 MINUTES 20 SECONDS EAST A DISTANCE OF 1033.70 FEET TO A SET REBAR; THENCE SOUTH 32 DEGREES 06 MINUTES 20 SECONDS EAST A DISTANCE OF 1503.73 FEET TO A POINT IN THE NORTHWESTERN RIGHT OF WAY LINE OF OLIVE BOULEVARD (VARIABLE WIDTH) ALSO KNOWN AS HIGHWAY 340, FROM WHICH A FOUND 5/8 INCH REBAR BEARS NORTH 32 DEGREES 06 MINUTES WEST A DISTANCE OF 0.28 FEET; THENCE ALONG THE SAID

NORTHWESTERN RIGHT OF WAY LINE OF SAID OLIVE BOULEVARD SOUTH 32 DEGREES 30 MINUTES 32 SECONDS WEST A DISTANCE OF 132.25 FEET TO A POINT FROM WHICH A FOUND IRON ROD WITH CAP STAMPED "L.S. 134-D" BEARS NORTH 21 DEGREES 49 MINUTES WEST A DISTANCE OF 0.12 FEET; THENCE SOUTH 58 DEGREES 18 MINUTES 50 SECONDS WEST A DISTANCE OF 66.98 FEET TO A POINT FROM WHICH A FOUND 5/8 INCH REBAR BEARS NORTH 24 DEGREES 05 MINUTES EAST A DISTANCE OF 0.10 FEET; THENCE NORTH 72 DEGREES 06 MINUTES 11 SECONDS WEST A DISTANCE OF 53.16 FEET TO A FOUND 5/8 INCH REBAR; THENCE SOUTH 61 DEGREES 49 MINUTES 45 SECONDS WEST A DISTANCE OF 75.01 FEET TO A POINT FROM WHICH A FOUND 5/8 INCH REBAR BEARS NORTH 06 DEGREES 01 MINUTES WEST A DISTANCE OF 0.13 FEET; THENCE SOUTH 16 DEGREES 21 MINUTES 14 SECONDS WEST A DISTANCE OF 68.59 FEET TO A FOUND 5/8 INCH REBAR; THENCE SOUTH 53 DEGREES 21 MINUTES 49 SECONDS WEST A DISTANCE OF 172.33 FEET TO A POINT FROM WHICH A FOUND RIGHT OF WAY MARKER BEARS NORTH 22 DEGREES 41 MINUTES EAST A DISTANCE OF 0.16 FEET; THENCE SOUTH 59 DEGREES 01 MINUTES 29 SECONDS WEST A DISTANCE OF 151.14 FEET TO THE POINT OF BEGINNING, CONTAINING 1,506,235 SQUARE FEET, OR 34.57 ACRES, MORE OR LESS, AS SURVEYED BY MARLER SURVEYING CO., INC. DURING THE MONTH OF MARCH, 2007.



DOSTERGUIN
JAMES ULLOM BENSON & MUNDORF, LLC
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RECEIVED
APR 11 2008
PLANNING
DEPARTMENT

April 11, 2008

HAND DELIVERED

Mr. Charlie Campo, Project Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

RE: P.Z. 09-2008 Friendship Village of West County (15201 Olive Blvd.)

Dear Charlie:

In response to the issues identified at the March 24, 2008 Public Hearing for the above-mentioned petition and specified in your letter dated March 31, 2008 we offer the following responses:

CITY OF CHESTERFIELD COMMENTS

1. **Submit a copy of the Missouri Department of Natural Resources letter which approves the dam modification plan**

Response: Missouri Department of Natural Resources has confirmed to us that the plans regarding the dam are approved and will provide a letter confirming such approval shortly. We will submit the letter upon receipt.

2. **Please verify that the current development on the site is in conformance with all city codes regarding stormwater drainage and siltation control.**

Response: We have obtained all permits required for the current development (see copies attached). In addition, we have attached a memo summarizing erosion control measures taken to mitigate effects from recent rainstorms.

3. **Please be advised of the attached comments submitted by MoDot, these conditions will be included in your Attachment A.**

Response: We acknowledge the conditions noted by MoDot. Note that, in connection with such comments, Friendship Village should not be required to make any traffic generation assessment contribution to the Chesterfield Trust Fund because the number of permitted units is not being increased beyond what is permitted in the existing Conditional Use Permit.

Pedestrian Circulation

4. **Provide a 5 foot wide sidewalk, conforming to ADA standards, along the Olive Boulevard (State Route 340) frontage of the site. The sidewalk may be located within State right of way, if permitted by the Missouri Department of Transportation, or within a 6 foot wide sidewalk maintenance and utility easement on the subject property.**

Response: We acknowledge this requirement

City Code Requirements

- **Access management principals to be applied to this development can be found in Chapter 26, Article III of the City Code.**

Response: We acknowledge this requirement

- **A Grading Permit will need to be obtained for this project if more than 5,000 square feet of area, outside of the proposed building footprint, will be disturbed during construction. Grading Permit requirements can be found in Chapter 12, Article II of the City Code.**

Response: We acknowledge this requirement

- **A downstream impoundment area exists which must be documented and protected.**

Response: We will comply with the provisions of Section 12-21 of the City Code regarding protection of downstream impoundment areas in connection with construction of new units. However, please note that due to the location of construction for the proposed new units, we do not believe that there will be any impact on downstream impoundment and that Section 12-21 is not applicable.

Please call if you have any questions.

Very truly yours,



William B. Remis

cc: Tim Cain
Bill Mitchell

CONERSTONE CONSULTANTS MEMO

TO: BILL REMIS
FROM: BILL MITCHELL
SUBJECT: EROSION CONTROL REGARDING FRIENDSHIP VILLAGE MULTI-PURPOSE ROOM AND VILLA'S PHASE II
DATE: 4/04/08

Bill,

The following are additional erosion control measures exceeding the requirements of the current SWPPP approved by the city of Chesterfield Public Works that have been put in place on the Friendship Village Site. These additional measures were the result of our engineering team working together with both the City of Chesterfield, MODNR and our contractor to provide the best possible containment of soils during our recent above average inclement weather.

- Additional row of silt fence along the entire length of the apron of the dam.
- Additional sections of silt fence @ all erosion control points down the face of the dam.
- Additional silt fence along each side of the discharge pipe at the base of the dam.
- Four additional check dams. (using 150 additional sand bags and 20 bales of straw).
- Additional height added to each check dam.
- Additional silt fence around parking lots @ the upper end of the site.
- Additional silt fence around the perimeter of stockpiled soils added to cover required.
- Additional silt sacks placed in storm water sewer inlets on the upper Villa site.

As you know the above average rainfall and unstable weather patterns have made it a challenge to maintain the site, but we will continue to maintain the site as best we can as the weather allows.

If you have any additional questions please give me a call.

Bill Mitchell, Owner's Representative for Friendship Village West County

