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## **Planning Commission Staff Report**

**Meeting Date:** June 25, 2007

**From:** Jennifer Yackley, Project Planner

**Subject:** Conditional Use Permit Vote Report

**Location:** 14000 Ladue Road

**Petition:** P.Z. 25-2007 Montessori Children's House (14000 Ladue)

### **Proposal Summary**

John King of Lathrop & Gage, on behalf of MCH Holdings LLC, has submitted an application for an amendment to St. Louis County Conditional Use Permit Number 600 to allow for an increase in the number of students enrolled. Currently, the school is allowed to have an enrollment not to exceed one hundred and fifty (150) students during the school year and an enrollment not to exceed sixty (60) students during the months of June, July and August. The petitioner is seeking to amend the Conditional Use Permit to allow an enrollment not to exceed two hundred (200) students and one hundred (100) students respectively.

### **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, across Ladue Road, is zoned "NU" Non-Urban District.

South: The property to the south is zoned "FPNU" Flood Plain Non-Urban District.

East: The property to the east is zoned "FPNU" Flood Plain Non-Urban District.

West: The property to the west is zoned "R1A" Residence District.





**View of the subject site.**



**View across Ladue Road.**

### **Comprehensive Plan Analysis**

The subject site is located within Ward 1 of the City of Chesterfield. The Comprehensive Plan calls for this area to be residential. This subject site is not located in any sub-area identified by the Comprehensive Plan; therefore there are no additional development guidelines for this site.

### **Site Area History**

The site was granted Conditional Use Permit Number 600 from St. Louis County in 1988. In February 1989 the City Council passed Resolution Number 57 amending Conditional Use Permit Number 600 by limiting the enrollment for both the child care center and school enrollment and limited the number of teams competing at any one meet or tournament and allowed the swim club to operate during the summer months. In August 1989 the Planning Commission approved an amendment allowing the swim club to operate on Sundays during the summer months. In 1992 the Planning Commission amended the permit to allow one (1) diving competition which is limited to six (6) teams. In April 2000 the Planning Commission amended the permit to allow the facility to be open during the month of August and increasing the number of students from thirty (30) to sixty (60) for the months of June, July and August.

### **Issues**

A public hearing was held on June 25, 2007. Prior to the public hearing Staff received a letter from an adjoining property owner expressing his concern regarding the proposed amendment. A copy of the letter is enclosed.

### **Request**


Staff recommends repeal of St. Louis County Conditional Use Permit #600 and approval of City of Chesterfield Conditional Use Permit #28 as written by Staff for the Montessori Children's House in a "NU" Non-Urban District.

Respectfully submitted,



Jennifer Yackley  
Project Planner

Respectfully submitted,



Aimee Nassif  
Senior Planner of Zoning  
Administration

Attachments

1. Conditional Use Permit
2. Letter from adjacent property owner
3. Preliminary Plan

Dr. Naphtali (Neil) Dunski  
104 Saylesville Drive  
Chesterfield, MO 63017-3456

314-878-5585

June 11, 2007

Honorable Chairman and Members of the Chesterfield Planning Commission:

Today I received a letter from Chairman Maurice Hirsch, Jr. regarding a public hearing on June 25, 2007. The subject of this hearing is P.Z. 25-2007 Montessori Children's House (Goddard School) in which the School is requesting to amend St. Louis County Conditional Use Permit Number 600 to allow an increase in the number of students in the School from 150 to 200 during the regular school year and from 60 to 100 during the summer months of June, July and August.

Since there is a common boarder between my property and the School's property, I have a personal interest in the outcome of this request. Unfortunately, I have already scheduled a European vacation during the last week in June and will be out of the Country and unable to attend the June 25, 2007 Planning Commission public hearing. I would, therefore, request that this letter be read during the public comments and be included as part of the minutes of the meeting.

I would like to state first that in principle I do not object to a reasonable increase in the number of student in the School, provided that steps are taken to avoid any impact on the School's immediate neighbors. First and foremost is the increase in noise level. A 33.3% increase in the number of young children during the regular school year and 66.6% increase during the summer months is inevitably going to create more loud talking, screaming and a general noise level. This is particularly more acute during recess time and lunch periods when the children are roaming outside in the play ground.

I am requesting that conditional with granting this request, the School will be required to plant a raw of trees (at least 10 feet tall) along the entire fence separating the School property from its 3 immediate neighbors. The trees should be in a dense configuration to provide adequate privacy.

Additionally, I am requesting that a new playground area be developed by the school on the east side of the school building so that noise generated by additional numbers of children be directed away from our property and toward the School's parking lot and empty field to the east.

These 2 steps which I am requesting the School to undertake are relatively inexpensive, easy to implement and should alleviate any adverse impact on the School's neighbors.

Thank you very much for your consideration.

Respectfully,

Dr. Naphtali (Neil) Dunski

## CONDITIONAL USE PERMIT #28

<b>Petition:</b>	P.Z. 25-2007 Montessori Children's Home (14000 Ladue)
<b>Public Hearing Date:</b>	June 25, 2007
<b>Site Location:</b>	14000 Ladue Road
<b>Acreage for CUP:</b>	5.00 acres
<b>Underlying Zoning District:</b>	Non-Urban District "NU" and Floodplain Non-Urban "FPNU"

The following Conditional Uses shall be allowed in this development:

1. Child care center and primary school with a combined enrollment not to exceed two hundred (200) students, and a private recreational facility (swim club). However, during the months of June, July, and August, enrollment of the day care center and primary school may not exceed one hundred (100) students.

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

1. The above specified uses shall be accommodated in a facility not to exceed 23,000 square feet.
2. Structure Setbacks:  
No building or structure, other than boundary walls, retaining walls, signs, light standards, flag poles or fences, shall be located within the following setbacks:
  - a. Fifteen (15) feet from the new dedication of right-of-way for Ladue Road.
  - b. Twenty (20) feet from the east and west limits of this CUP.
  - c. All other building setbacks shall be as approved on the Site Development Plan.
3. Parking Setbacks:  
No parking stall, loading space, internal drive, or roadway excluding points of ingress or egress, shall be located within the following setbacks:
  - a. Fifteen (15) feet from the new dedication of right-of-way for Ladue Road.
  - b. Twenty (20) feet from the east and west limits of this CUP.

c. All other setbacks as approved on the Site Development Plan.

4. Access

a. Access to the development shall be limited to the two (2) existing driveways as directed by the St. Louis County Department of Highways and Traffic. The west driveway will serve only as an entrance to the facility while the east driveway will accommodate both incoming and outgoing traffic.

5. Road Improvements, Including Sidewalks

a. Provide additional right-of-way and pavement widening, including all storm drainage facilities, to construct left-turn lane facilities serving the entrance to the subject development and/or restripe the pavement as directed by the Department of Public Works and St. Louis County Department of Highways and Traffic.

b. If any significant change is made to the building or the site layout, a five (5) foot wide sidewalk, conforming to ADA standards, along Ladue Road shall be provided as directed by the Department of Public Works and St. Louis County Department of Highways and Traffic.

6. Lighting Requirements

a. No on-site illumination source shall be so situated that light is cast directly on adjoining properties or public roadways.

b. Light standards shall not exceed sixteen (16) feet in height. The location of all light standards shall be as approved by the Department of Planning on the Site Development Plan.

c. No outdoor lighting of recreational facilities will be permitted as part of this CUP.

7. Landscape Requirements

a. Building and parking area setbacks and curb islands shall be adequately landscaped as approved by the Department of Planning on the Site Development Plan. Planter islands should be sufficient in area to support mature shade trees.

b. All new landscaping materials shall meet the following criteria:

(1) Deciduous Trees—one and one-half (1 ½) inch minimum caliper.

(2) Evergreen Trees—four (4) feet minimum height.

(3) Shrubs—eighteen (18) inch minimum diameter

c. Additional landscaping shall be provided adjoining the single-family residences.

8. Miscellaneous Conditions

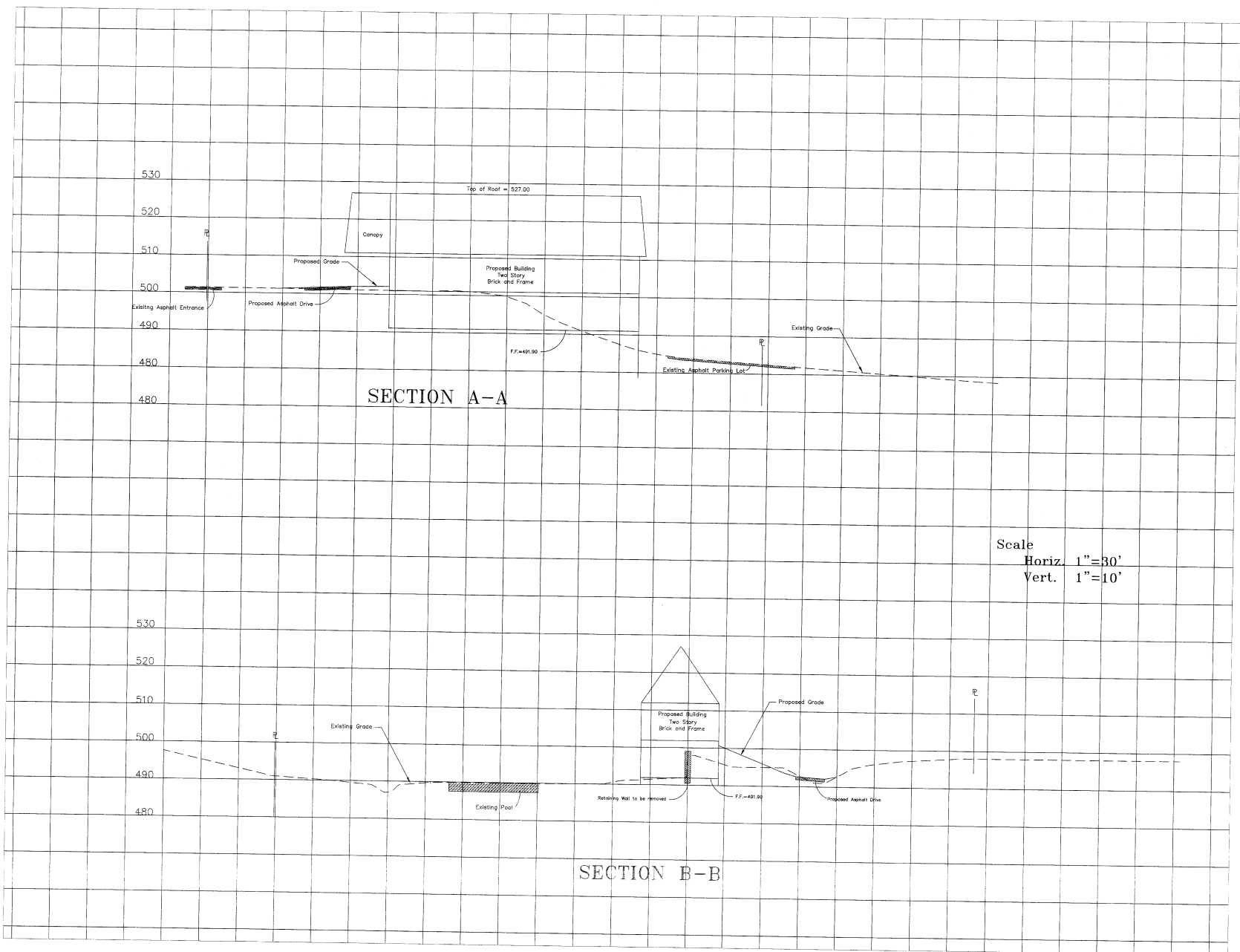
- a. Exterior trash areas shall be surrounded by a six (6) foot high sight-proof fence. Location of trash areas shall be next to the main day care center structure away from the adjoining single family residences.
- b. Any play area shall be fenced with a minimum four (4) foot high fence.
- c. Conform to the requirements of Union Electric Company regarding the existing easement, which is located along the southeastern boundary line of the tract.
- d. The private recreational facility (swim club) shall operate from Memorial Day to Labor Day, Tuesday through Sunday during the hours of 11:00 a.m. to 8:00 p.m.
- e. Hours of operation for the day care center and primary school shall be from 7:30 a.m. to 6:30 p.m., Monday through Friday only.
- f. Swimming meets or tennis tournaments at the recreation facility shall be limited to two (2) teams only. No multi-teams events are permitted, with the exception of one (1) diving competition, which shall be limited to a maximum of six (6) teams.

Legal Description

A tract of land being part of Lot 1 of "Ladue Trails Section of the Village of Green Trails Plat Two", a Subdivision, according to the Plat thereof recorded in Book 114, Pages 14 and 15 of the St. Louis County Records, situated in U.S. Survey 109, Townships 45 North, Ranges 4 and 5 East, in the City of Chesterfield, St. Louis County, Missouri.







Scale  
 Horiz. 1"=30'  
 Vert. 1"=10'



PROJECT Montessori Children's House 14000 Ladue Road St. Louis, MO 63017	DRAWING TITLE Amended Site Development Plan Conditional Use Permit #600
the clayton clayton company, inc. ENGINEERS, ARCHITECTS, PLANNERS 10000 W. 11th Street St. Louis, MO 63043 (314) 991-1100	10 North 4th Street Suite 1000 - 53102 St. Louis, MO 63102 (314) 435-8888
Drawn by MB, AM	Checked by DAC
Date 2/22/00	Scale As Shown
Sheet 2 of 2	Revisions