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## **Planning Commission Staff Report**

**Subject:** Change of Zoning Issues Report

**Meeting Date:** October 11, 2010

**From:** Kristian Corbin, Project Planner

**Location:** 17531 Wild Horse Creek Road (18V610106).

**Petition:** P.Z. 08-2010 17531 Wild Horse Creek Road (Larry Mintz)

### **Proposal Summary**

Larry Mintz requests a change of zoning from “PC” Planned Commercial to an “E-1” One Acre Estate District for a 1.47 acre tract of land located at 17531 Wild Horse Creek Road. The purpose of the application is to change the zoning for the subject site to allow for a residential use. The current structures on the subject site include a brick ranch style house, a shed, and a garage.

### **Department Input**

The request meets all of the development requirements of the City of Chesterfield “E-1” One Acre District. The proposal for the change of zoning of the subject site to “E-1” One Acre Estate District does not meet the Comprehensive Plan Land Use Plan however, the proposal for single family land use is consistent with the surrounding land use and zoning. Further analysis of the Comprehensive Plan will appear later in this report.

Additionally, the “E-1” One Acre Estate District is one of the City of Chesterfield’s “straight zoning” districts. As with all “straight zoning” districts, the “E-1” One Acre Estate District does not require a Preliminary Plan and Attachment A. Only an Outboundary Survey is required to be submitted for reference purposes.

### **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 of the subject site is a golf course part of the Landings at Spirit Golf Course subdivision. The property is currently zoned “M3” Planned Industrial District.
- South: The property to the south of the subject site is an undeveloped parcel not part of a subdivision. It is currently zoned “NU” Non-Urban District.
- East: The property to the east of the subject site is an undeveloped parcel of land part of the Wildhorse Bluffs Subdivision. It is currently zoned “NU” Non-Urban District.
- West: The property to the west of the subject site is a single family detached residence not part of a subdivision. It is currently zoned “NU” Non-Urban District.



View looking north into the site from Wild Horse Creek Road



View looking northeast into the site from Wild Horse Creek Road



View looking northwest into the site from Wild Horse Creek Road

### Site Area History

The subject site is located in the area known as the Wild Horse Creek Road Sub Area. This area is bounded by bluffs to the north, Wild Horse Creek Road to the south, Long Road to the east, and Gateway Academy Subdivision to the west making up a total area of 72.22 acres. In December of 2005, a study was conducted and policies were adopted into the City of Chesterfield's Comprehensive Plan for the Wild Horse Creek Road Sub Area. Based on the study, in August of 2006 City of Chesterfield Ordinance 2286 was signed into legislation which created the "WH" Wild Horse Creek Road overlay district. The overlay district provided general and specific development criteria for all properties within the Wild Horse Creek Road Sub Area based on which land use they were located in.

It was determined that three (3) types of land uses, Neighborhood Office (Green), 1/2 acre Residential (Yellow) and 1 acre Residential (Orange) should occur within the sub area. Figure 1 displays the spatial relationship of the land use for the Wild Horse Creek Road Sub Area with the subject site outlined in red.



Figure 1

Referring back to Figure 1 above, the subject site is located in the Neighborhood Office Land Use. The Neighborhood Office Land Use was created based on airport noise concerns associated with the Spirit of St. Louis Airport. The airport is located north of the Wild Horse Creek Road Sub Area in the Chesterfield Valley. Within the Neighborhood Office, it was determined that the appropriate uses would be Dental Offices, Medical Offices (excluding surgical) and General Offices.

The subject site was zoned “NU” Non-Urban District prior to the incorporation of the City of Chesterfield. The most recent zoning change occurred in October of 2006 with the subject site rezoned from “NU” Non-Urban District to “PC” Planned Commercial District via City of Chesterfield Ordinance 2303. The corresponding Site Development Plan was recorded in July of 2007.

### Comprehensive Plan Analysis

The subject site is located within Ward 4 of the City of Chesterfield. As mentioned earlier, appropriate uses for Neighborhood Office Land Use set forth in the policies for the Wild Horse Creek Road overlay district would be Dental Offices, Medical Offices (excluding surgical) and General Offices. Figure 2 is a portion from the City of Chesterfield Comprehensive Plan Land Use map with the subject site outlined in red. With the exception of the Neighborhood Office Land Use delineation indicated in light orange, the vast majority of the area on top of the bluffs within and adjacent to the Wild Horse Creek Road Sub Area is planned for single family use development.

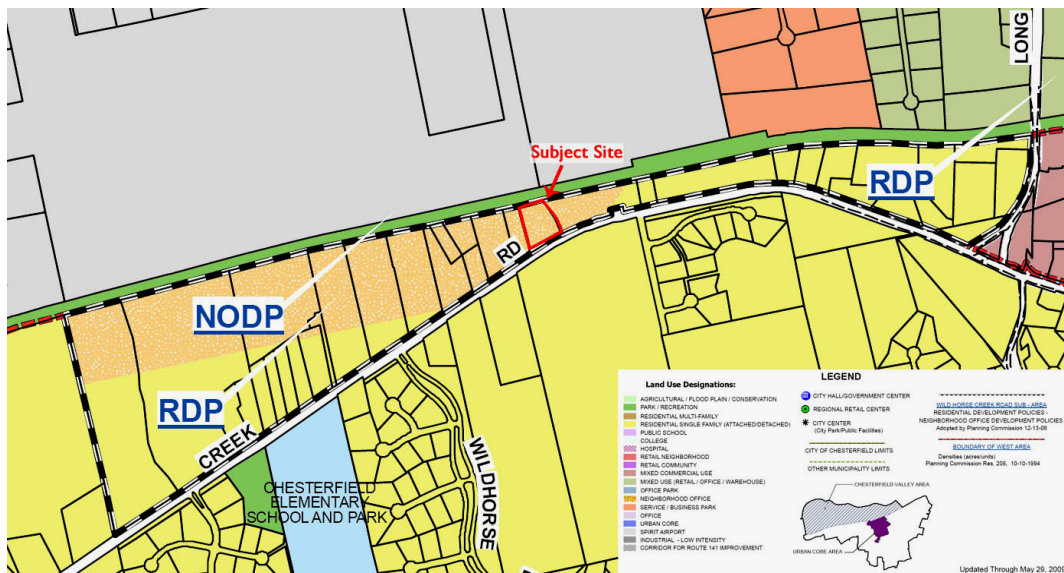


Figure 2

As previously mentioned, the proposal is a request to change the zoning from “PC” Planned Commercial District to an “E-1” One Acre Estate District for the purpose of using the existing structure on the subject site as a residence. Although the proposal does not fit the Comprehensive Plan Land Use Plan of Neighborhood Office, allowing the use

of the site as residential would be consistent with surrounding land uses and the intended design for this section of Wild Horse Creek Road.

Figure 3 is an aerial view of the subject site showing the relationship between the Comprehensive Plan to the existing uses in addition to how the subject site relates to the surrounding built environment. Single family detached structures currently exist to the west of the subject site (Figure 4) and to the southeast, the Windridge Estates subdivision which is also a single family use development (Figure 5) of the subject site. To the southwest of the site is a church.



Figure 3



Figure 4



Figure 5

Adjacent to the south of the subject site is undeveloped land (Figure 6) which has a Comprehensive Plan Land Use as Residential Single Family (Attached/Detached).



Figure 6

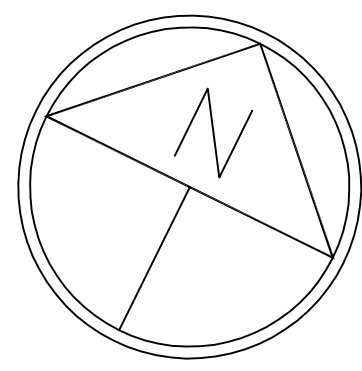
Currently, development patterns for properties adjacent to the Wild Horse Creek Road Sub Area are consistent with the Comprehensive Plan Land Use. As for properties with an identical Comprehensive Plan Land Use as the subject site (Neighborhood Office), many of them are currently single family uses.

### **Issues**

The petition is consistent with surrounding uses, the City of Chesterfield Comprehensive Plan designates the subject site as Neighborhood Office.

The petition is currently under review for compliance with all City of Chesterfield Zoning Codes and awaiting comments from outside agencies. Therefore no vote can be taken at this time.

Attachments: Outbounday Survey



20 0 20  
Scale 1" = 20 ft

# ADJUSTED PARCEL 1 OF THE PROPERTY BOUNDARY SURVEY OF A TRACT OF LAND BEING PART OF LOT 21 R. H. STEVENS FARM T 45 N, R 3 E, OF THE 5TH P.M. ST. LOUIS CO., MISSOURI

DESCRIPTION: ADJUSTED PARCEL 1 P.B. 353 P. 955  
A TRACT OF LAND BEING PART OF U.S. SURVEY NO. 150, TOWNSHIP 45 NORTH,  
RANGE 3 EAST OF THE 5th P.M., ST. LOUIS COUNTY, MISSOURI AND BEING  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF THE  
CHICAGO, ROCK ISLAND RAILROAD WITH THE EAST LINE OF U.S. SURVEY NO. 150;  
THENCE ALONG SAID SOUTH RIGHT-OF-WAY S77°05'00"W 755.79 FEET TO A SET  
IRON ROD AT THE POINT OF BEGINNING OF THE TRACT OF LAND DESCRIBED  
HEREIN; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY S47°49'24"E 139.17 FEET  
TO A SET IRON ROD; THENCE S19°44'19"E 174.03 FEET TO A SET IRON ROD ON  
THE NORTH RIGHT-OF-WAY OF WILD HORSE CREEK ROAD 60 FEET WIDE; THENCE  
ALONG SAID RIGHT-OF-WAY ALONG A CURVE DEFLECTING TO THE LEFT HAVING  
A RADIUS OF 1940.08 FEET AN ARC LENGTH OF 174.12 FEET TO A CHORD COURSE  
S57°48'17"W 174.06 FEET; THENCE S 55°14'00"W 65.83 FEET; THENCE LEAVING  
SAID RIGHT-OF-WAY N12°21'59"W 368.92 FEET TO THE SOUTH RIGHT-OF-WAY  
OF THE CHICAGO, ROCK ISLAND RAILROAD; THENCE ALONG SAID SOUTH RIGHT-  
OF-WAY N77°05'00"E 121.55 FEET TO THE POINT OF BEGINNING, CONTAINING  
1.47 ACRES, MORE OR LESS.

ST. LOUIS COUNTY BENCHMARK #11-1 ELEV=541.50'  
"STANDARD TABLET" STAMPED 96-75 S.L.C. SET IN WEST END OF  
NORTH HEADWALL OF SMALL DRAIN CROSSING ALONG WILD HORSE  
CREEK ROAD; 0.4 MILE EAST OF THE CHESTERFIELD SCHOOL.

SITE BENCHMARK ELEV=541.50'  
"STANDARD TABLET" STAMPED 96-75 S.L.C. SET IN WEST END OF  
NORTH HEADWALL OF SMALL DRAIN CROSSING ALONG WILD HORSE  
CREEK ROAD; 0.4 MILE EAST OF THE CHESTERFIELD SCHOOL.

NOTES: BEARING SYSTEM ADOPTED PER THE SOUTH LINE OF  
CHICAGO, ROCK ISLAND RAILROAD(N77°05'E) PER SURVEY  
BY R. DAN BOLES & CO. DATED APRIL 27, 1960.

I HEREBY CERTIFY THAT THE ADJACENT DESCRIBED TRACT OF LAND WAS SURVEYED UNDER MY AUTHORITY  
AND DIRECTION DURING MAY, 2006 AT THE ORDER OF AMERICAN WEST HOMES INC.  
TO LOCATE THE BOUNDARY & TOPOGRAPHY AND THAT SAID SURVEY WAS  
EXECUTED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY  
BOUNDARY SURVEYS AND MEETS THE ACCURACY STANDARDS FOR URBAN PROPERTY,  
OF THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF GEOLOGY AND  
LAND SURVEY AND THE MISSOURI BOARD OF REGISTRATION FOR ARCHITECTS,  
PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE  
ARCHITECTS THAT THE RESULTS OF THE SURVEY, AND ALL VISIBLE ENCROACHMENTS AND THE  
INSTRUMENTS REFERRED TO IN THE ADJACENT DESCRIPTION ON THIS TRACT, ARE CORRECTLY SHOWN  
HEREON.

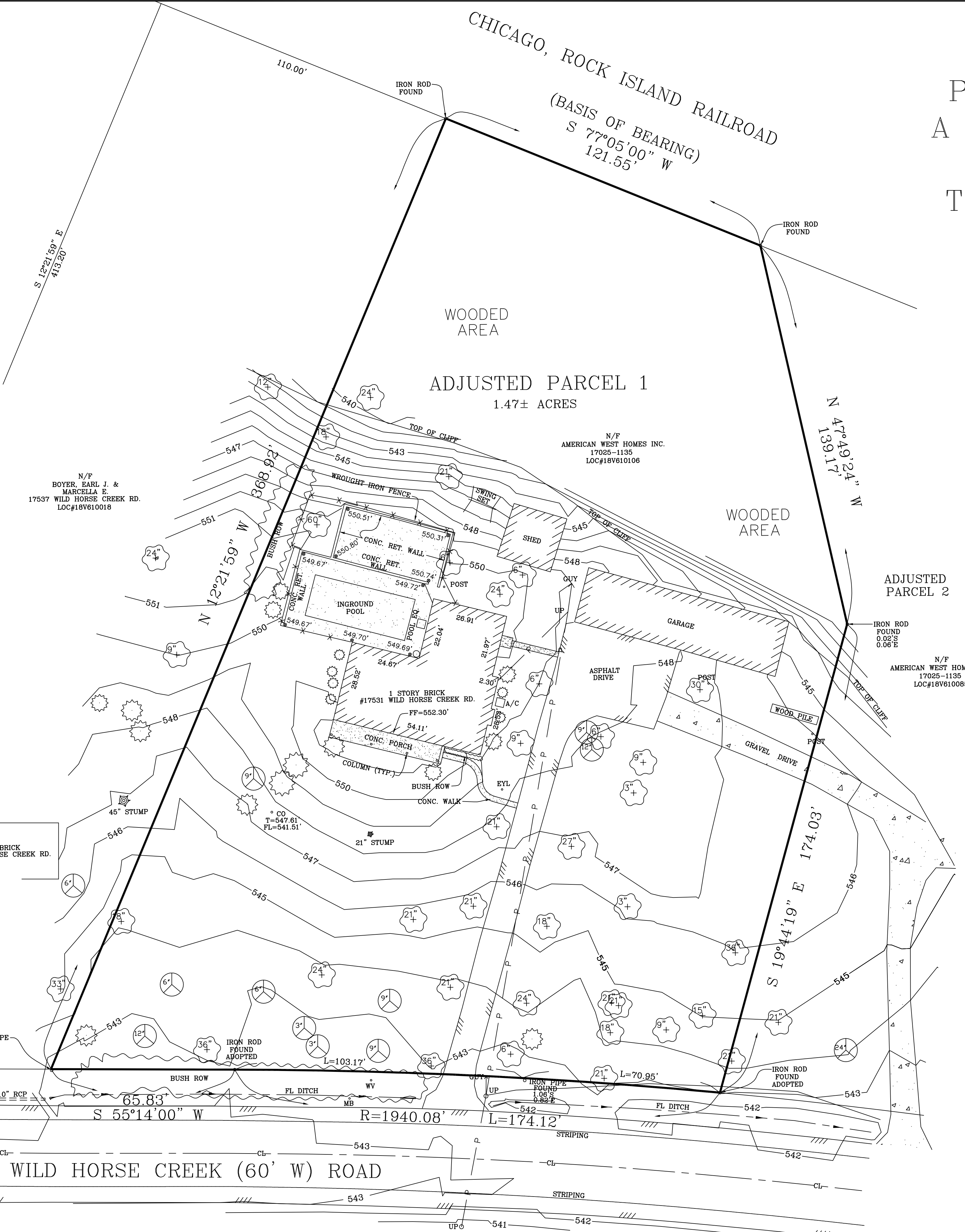
**METRON** Surveying Co.  
14369 OLIVE BOULEVARD  
CHESTERFIELD, MO. 63017  
314-432-5400 FAX: 314-469-6167

WAYNE R. GOTTSCHALL L.S. - 886

BOUNDARY & TOPOGRAPHY SURVEY			
For: AMERICA WEST HOMES INC. 18102 C CHESTERFIELD AIRPORT RD. CHESTERFIELD, MISSOURI 63005 TEL 636-537-1776			
REV.	DATE	DESCRIPTION	BY
	ORDER NO. 5118		
	DATE 5-09-06		
	DRAWN JEW		
	CHECKED WRG		
		14369 OLIVE BOULEVARD CHESTERFIELD, MO. 63017 314-432-5400 FAX: 314-469-6167	

S.L.C. BM 11-1 & SITE BM  
EL=541.50'

- LEGEND
- ASPH ASPHALT
  - A/C AIR CONDITIONER
  - BUSH BUSH
  - CL FE CHAINLINK FENCE
  - CD CLEAN DUT
  - CONCR CONCRETE
  - EYL ELECTRIC YARD LIGHT
  - FF FINISHED FLOOR
  - FL FLOWLINE
  - GUY GUIDE WIRE
  - IP IRON PIPE
  - IR IRON ROD
  - MB MAILBOX
  - MH MANHOLE
  - RP REPORTED
  - RET RETAINING (WALL)
  - SP SEWER PIPE
  - SVY SURVEY
  - (typ) TYPICAL
  - UG UNDERGROUND
  - 6" TREE 6" TREE
  - 12" PINE 12" PINE
  - WV WATER VALVE
  - UP UTILITY POLE
  - VP VENT PIPE
  - RP REPORTED
  - SV SEWER VENT
  - GAS GAS MAIN
  - W WATER MAIN
  - T TELEPHONE LINE
  - P POWER LINE
  - CONCR CONCRETE
  - GRAVEL GRAVEL
  - EDGE OF ASPHALT PAVT. EDGE OF ASPHALT PAVT.
  - SPOT ELEVATION SPOT ELEVATION



CHECKED BY: JEW  
 SCALE: 1" = 20 FT  
 DATE: 5-09-06  
 DRAWN BY: JEW