

VIII. A & B

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Planning Commission Issues Report

Subject:	Change of Zoning Issues Report
Meeting Date:	October 14, 2013
From:	John Boyer, Senior Planner
Location:	Northwest of the intersection of Clayton Rd. and Schoettler Rd.
Petition:	P.Z. 09 & 10-2013 Schoettler Grove (2349 Schoettler Rd.).

Proposal Summary

Brinkman Holdings, LLC has submitted a request for a zoning map amendment to rezone 17.0 acres for a proposed single-family residential development. The petitioner is proposing to rezone from "NU" Non-Urban District 3 acre minimum to "R-3" Residence District 10,000 sqft minimum via application P.Z. 09-2013 and then rezone the entire tract to "PUD" Planned Unit Development under application P.Z. 10-2013. Since a property cannot be rezoned to "PUD" from "NU", the purpose of rezoning the tract from "NU" to "R-3" is to fulfill a requirement of the City Code and to establish the overall density for the proposed "PUD".

While this report combines two applications for discussion and review, a separate vote for each application will be required when this proposal seeks a recommendation from the Planning Commission. Since P.Z. 09-2013 is requesting the "R-3" Residence District, no Attachment A is required or presented with the request. A rezoning to a "straight" district non-planned development does not require additional conditions or development standards since that approval would only require compliance with the minimum standards approved under City Code for the zoning district.

Department Input

This petition is before the Planning Commission following up on issues that were identified on both applications during the Public Hearing on August 12, 2013. After the meeting, an Issues Letter was sent to the petitioner by Staff. This letter included concerns identified at the Public Hearing, Staff issues and selected development criteria to which this development will be required to adhere. A written response to those issues was received by Staff, which is included for your review as an attachment to this report. Based upon these items, Staff has prepared a draft planned district ordinance associated with P.Z. 10-2013 which is attached for the Planning Commission's review and comment.

Site History

The subject property has been zoned "NU" Non-Urban by St. Louis County prior to the incorporation of the City of Chesterfield. The subject property includes a single-family residence on the eastern half, with the western section containing the 1st Missionary Baptist Church of

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Ballwin cemetery (purchased in 1890). As indicated on the Preliminary Plans the cemetery is identified and planned to be preserved. The remainder of the property is vacant.

Surrounding Land Uses

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

- <u>North</u>: The land uses of the properties to the north are single family residential within the Westerly Place which is zoned "R1A/PEU" Residence District with a Planned Environmental Unit.
- South: The properties to the south are single-family attached dwellings within the Gascony subdivision which is zoned "R-3/PEU" Residence District with a Planned Environmental Unit and a commercial shopping area within the City of Ballwin, zoned "C-1" Commercial with a Neighborhood Commercial Overlay.
- East: Properties east of the site have a land use of single family residential within the Amberleigh subdivision which is zoned "R-3/PEU" Residence District with a Planned Environmental Unit.
- <u>West</u>: The property to the west is St. Louis Retirement development containing multi-family uses zoned "R-1" Residence District with a Conditional Use Permit (CUP).

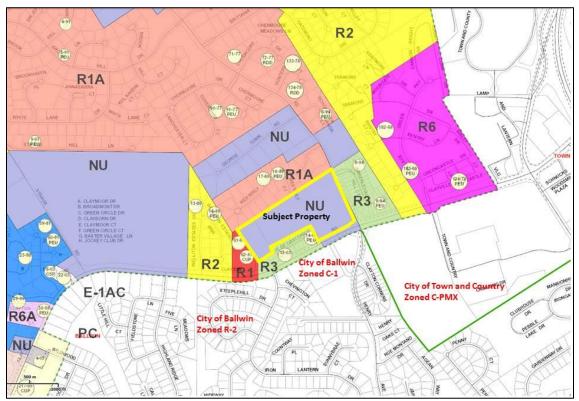


Figure 1: Area Zoning

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Figure 2: Site Location



Figure 3: Cemetery



Figure 5: Schoettler Rd. across proposed entrance



Figure 4: Site from Clayton Rd.



Figure 6: Westerly Ct.

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Comprehensive Plan Analysis

The subject site is located within Ward 3 of the City of Chesterfield. The City of Chesterfield Land Use Plan indicates these parcels are within the Residential Single-Family district. Proposed uses and density of the "PUD" (1.82 units per acre) and the "R-3" District would be compliant with the Land Use Plan. 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.

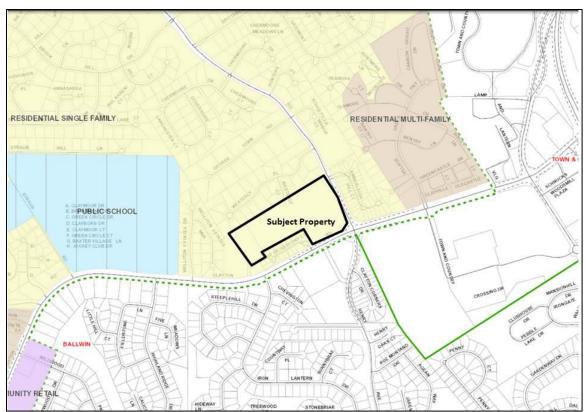


Figure 7: Comprehensive Land Use Plan

Analysis

Zoning Request

The rezoning of this property from the existing "NU" Non-Urban district to "R-3" Residential District via application P.Z. 09-2013 would establish the density requirement of 10,000 square foot minimum lot size. Similar zoning districts and densities are present in the vicinity (see zoning map on page 2 and below density comparison in Table 1). A proposed density of 1.82 units per acre, or 31 lots on 17.002 acres, is requested by the petitioner.

Table 1 identifies development figures for the adjacent development and the proposed Schoettler Grove proposal. As identified, the proposed development is within the range of existing subdivisions and listed as the second less dense development.

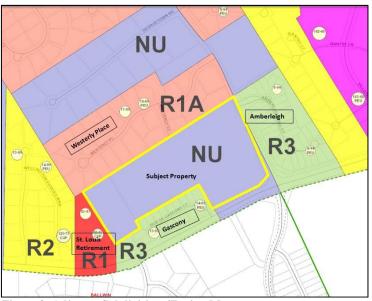
Development	Lots	Acres	Density (units/acre)
Westerly Place	25	15.67	1.59
Gascony	14	3.7	3.78
St. Louis Retirement	90	8.0	31.03
Amberleigh	33	8.0	4.13
Schoettler Grove (proposed)	31	17.0	1.82

 Table 1: Adjacent Development Figures

It is important to note that an "R-3" district without the "PUD" designation as presented would allow 4.35 units per acre density, which exceeds the adjacent developments except for the St. Louis Retirement development. While this density represents 10,000 square foot lots over a tract

or 74 lots, the density does not represent actual buildable area after right-of-way and storm-water detention is placed within a development. Actual density would be less than 4.35 units per acre after placement of these required facilities.

The addition of the "PUD" designation to this request would allow flexibility in the development of this property. The purpose of "PUD" Planned the Unit Development District is to encourage flexibility in the development standards that will result in exceptional design, character and quality of new developments, as well as to preserve the natural and scenic Figure 8: Adjacent Subdivisions/Zoning Map features, and open space.



Associated with a request for a "PUD" designation, a list of Design Features within the PUD requirements are suggested be utilized. While satisfaction is not mandatory, the list will be reviewed on the use of these Design Features deemed desirable by the City of Chesterfield. A list of features pertinent to this proposal as reviewed by Staff is as follows;

- Placement of structures on most suitable sites with consideration of maintaining existing site topography, soils, vegetation, slope, etc.; This site has topographic considerations due to existing and proposed access points, steep slopes and adjacent developments. These conditions, in combination with placement of streets, dictate placement of lots/residential units. With the update of the Preliminary Plan discussed below on page 6, proposed lots are placed in a manner to provide additional buffering to adjacent development while maintaining additional vegetation and slope more so than the previous plan submittal.
- Preservation of natural and cultural areas, as well as the creation of open space through active and passive recreation areas to include greenways, landscape gardens, plazas, and walking and cycling trails that serve to connect significant areas and various land uses;

Associated with this plan, preservation of an existing cemetery is proposed. Fenced areas and a trail/access system are planned to incorporate this cultural portion of the area's history. This Preservation Area, in addition to planned Common Open Space, is proposed to meet the City's open space requirements.

• Preservation of existing mature trees and trees deemed extraordinary by the City of Chesterfield Tree Specialist due to, but not limited to, the following: size, type, origin, grouping, or number of;

Due to site conditions (topography/slopes), the developer has identified that grading will necessitate the removal of landscaping and existing tree masses. However; with the new submittal, additional tree masses appear to be preserved from grading activities that were identified on the original submittal which was discussed at the Public Hearing. Additional review of the preservation of mature trees will be reviewed through the Site Development Plan process if the zoning is approved. This site is required to be compliant with the City's Tree Preservation and Landscape Requirements. A Tree Stand Delineation plan is attached for review which has been reviewed by the City Arborist/Urban Forester.

• Enhanced landscaping, deeper and opaque buffers, and increased planting along public right-of-ways, open space/recreational areas, and the overall perimeter to protect and ensure compatibility with adjacent land uses; Landscape Buffers are required associated with this site and are depicted on the proposed Preliminary Plan. Buffers are depicted to be within common ground and not within private property ensuring long-term compliance. Proposed landscape buffers depict more than the thirty (30) foot buffer minimum as required by Code. A landscaping plan documenting compliance will be required at the Site Development Plan stage if the zoning is approved.

Preliminary Plan

Following the Public Hearing, the petitioner has provided an amended Preliminary Plan which redesigned the site to address issues identified the Public Hearing and by Staff. This new Preliminary Plan removed the loop street on the western section of the plan, provided additional right-of-way dedication along Schoettler for future road improvements, and provided more detail on the preservation area around the existing cemetery on-site on the western section.

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The following are additional items which represent a summary of the Preliminary Plan;

- 31 lots are proposed on the submitted plan
 - Min lot size of 7,269 sqft.
 - Max lot size of 20,468 sqft.
- Density of 1.82 units per acre (R-3 would allow a density of 4.365 units per acre or 74 lots on 17 acres).
- As submitted, the combination of proposed density and number of lots would allow for 30% of the site (5.04 acres) being reserved as Common Open Space plus 1.15 acres, or 6.8% of the site, of Preservation Area (Cemetery) preserved. Combining both planned Common Open Space and Preservation Area equals 6.19 acres or 36.8% of restricted open area.
- Landscape buffers are present around the perimeter of the development achieved by common ground. A minimum of 30 feet is required by the "PUD". The Preliminary Plan indicates this is achieved by common ground. Some of the buffers proposed exceed the 30 foot buffer requirement.
- Two access points to the site; 1) from Schoettler Rd. to the east and 2) from Westerly Ct. to the north.
- Dedication along Schoettler Rd. for future road improvements compliant with City Concept Study for Schoettler Rd.

Issues

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The Planning Commission, with input from the public, identified multiple issues at the August 12, 2013 Public Hearing on this petition. Additionally, Staff identified several items that were included with the Planning Commission's issues and sent to the Petitioner. The Petitioner has submitted a formal response to each of these items which is attached to the Planning Commission's packet for review. Additional information from Staff on several of these Issues is provided below.

• Storm Water concerns north of the site.

The development is required to meet all standards established by the Metropolitan St. Louis Sewer District (MSD). Further review of this site's storm water compliance will continue to be reviewed by MSD and Staff. This item will also be further addressed during the Site Development Plan and Improvement Plan process if zoning is approved.

• Buffering issues adjacent to this development; specifically concerns with loss of heavy vegetation/landscaping/berming and vehicular headlight glare from the proposed street layout.

As discussed under the Analysis Section, a new Preliminary Plan has been proposed by the Developer to address the multiple concerns of this development. With the new proposed layout (removing the internal loop street on the western half of the site), additional buffering can be provided which as a by-product limits grading activity near the borders of the proposed development. Additionally, this re-design removed the opportunity for headlight glare to adjacent properties. With the redesign, larger landscape buffers within proposes common are along the north and south boundaries of the development assist to maintain the existing landscape along the boundaries.

 Traffic concerns associated with the planned development were discussed for Clayton Road, Schoettler Road and Westerly Court.
 The Petitioner identified that the proposed units for development is less than anticipated in the City's Traffic Demand Model. The model indicates this area was projected to have a total of 80 single-family units (14 units currently exists within Gascony). Per the Traffic Demand Model, 66 units were left for the future development of the Mertz (subject Property). At 31 units, the proposed development is within assumptions found within the City's Traffic Demand Model.

Associated with this development, additional right-of-way will be dedicated to account for planned upgrades to the adjacent roadway system, specifically Schoettler Rd as documented on the Schoettler Road Corridor Improvements dated August 29, 2013 for the entire road length from Clayton Rd. to S. Outer Rd. The development, if approved, would be responsible for road improvements on Schoettler Rd. associated with access to this development. If the zoning is approved, a Traffic Analysis will be required by the City at the Site Development Plan stage which reviews the subdivision access to Schoettler Rd.

The connection with Westerly Ct. is required by the Monarch Fire District as well as by the City of Chesterfield to provide additional access and improve interconnectivity within developments this is required by the City in Westerly Place's ordinance and has been planned for when future development to the south occurred. The requirement by the Monarch Fire Protection District to provide secondary access for developments over 30 lots is associated with Ordinance 31 of the Monarch Fire Protection District.

- Discussion occurred surrounding the secondary access, specifically questioning Monarch Fire Protection District requirements. Provide clarification. Staff received comments from the Monarch Fire Protection District that the development is compliant as identified on the proposed Preliminary Plan. The District standards require secondary access for development exceeding 30 lots. The Monarch Fire Protection District has provided comments and will also during the Site Development Plan review stage.
- Please be advised staff will seek comments from the Chesterfield Landmarks and Preservation Committee (CLPC) concerning the on-site gravesite. In addition, the Public Hearing included discussion on how this area will be protected and preserved.

Comments were received and are provided as attachments to this report from the CLPC. A total of nineteen (19) gravesites are within the cemetery. The Preliminary Plan as submitted incorporates features recommended by the CLPC such as cleaning up the cemetery site for access and fenced. Preservation of areas will be required in the Attachment A under Section R "Miscellaneous".

 Discussion occurred on the grading and tree removal proposed on the site and the ability to conform to the City of Chesterfield Tree Manual. The City of Chesterfield requires all development to comply with the Tree Preservation and Landscaping Requirements. Within those requirements, developments are required to preserve 30% of existing tree masses. If the preservation of 30% existing tree mass cannot be achieved, the developer is required to apply for a modification for City review and prove that there are Special Conditions which merit modification.

- Discussion occurred by the Planning Commission requesting distance from improvements by the Gascony development and the Westerly Place development. Distances of improvements (flatwork/porches/driveways) within the Gascony development range from the edge of the Schoettler Grove property line from three (3) feet to eight (8) feet with residences setback a distance of fifteen (15) feet. Distances of improvements in Westerly Place range from approximately 1 foot to 106 feet with homes ranging from twenty-five (25) feet to 124 feet. The 1 foot for Westerly Place represents driveway accesses off Westerly Ct stub.
- Review rezoning records for neighboring subdivisions to determine if the Mertz's or their representatives made any particular assertions to the City. A review of City records found no assertions concerning the development by the Mertz's or their representatives were found for Amberleigh or Gascony.

City staff is still awaiting agency comments from St. Louis County Department of Highways and Traffic concerning this development proposal. All comments received at this point from other agencies have been included in the draft planned district ordinance.

Request

This meeting is for discussion of issues concerning the rezoning to "R-3" (P.Z. 09-2013), and "PUD" (P.Z. 10-2013) with the subsequent planned development ordinance only (no vote is requested at this time for this project for either application). The intent of the Issues Meeting is to receive feedback on the draft planned district ordinance, analysis of the suitability of the zoning requests and to examine if any further issues need to be resolved prior to requesting a recommendation from the Planning Commission.

Respectfully Submitted,

John Boyer, Senior Planner

Attachments:

- 1. Draft Planned District Ordinance
- 2. Response to Issues Letter
- 3. Preliminary Plan
- 4. Tree Stand Delineation Plan
- 5. Chesterfield Landmarks and Preservation Committee Letter

ATTACHMENT A

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

I. SPECIFIC CRITERIA

A. PERMITTED USES

- 1. The uses allowed in this PUD District shall be:
 - a. Dwellings, Single Family Detached.

B. DENSITY REQUIREMENTS

The total number of single family residential units shall not exceed thirty-one (31) units.

C. DEVELOPMENT STANDARDS

1. Minimum lot size for this development shall be 7,269 sf.

Unless specifically identified on the Preliminary Plan attached hereto and marked as Exhibit B; structure setbacks shall be as follows. No building or structure, other than: a freestanding project identification sign, light standards, or flag poles will be located within the following setbacks:

- a. twenty (20) feet from the front yard
- b. six (6) feet from the side yard
- C. fifteen (15) foot from the rear yard
- 2. Maximum height of all structures shall be fifty (50) feet.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- 2. No construction related parking shall be permitted within Schoettler Road or Clayton Road right of way.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.

- 2. A thirty (30) foot Landscape Buffer shall be required around the entire perimeter of the PUD except as identified on the Preliminary Plan attached hereto and marked as Exhibit B.
- **3**. Landscape plantings associated with planned site mitigation/landscape buffers along Schoettler Road shall be escrowed for future installation after completion of Schoettler Road improvements due to slope and construction license requirements.
- 4. A minimum of 30% Common Open Space shall be required for this PUD.

F. SIGN REQUIREMENTS

- 1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.
- 2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.

G. LIGHT REQUIREMENTS

Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

H. ARCHITECTURAL

The developer shall adhere to the Architectural Review Standards of the City of Chesterfield Code.

I. ACCESS/ACCESS MANAGEMENT

- 1. Access to this development shall be comprised of a connection to the existing stub on Westerly Court and no more than one (1) street approach onto Schoettler Road.
- 2. No lot shall be allowed direct access to Schoettler Road or Clayton Road.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. The Developer of the property governed by this ordinance shall be responsible for providing full half-width improvements along the west side of Schoettler Road adjacent to the subject site, as determined by the Department of Public Services. Alternatively, in the event Schoettler Road improvements cannot be fully constructed at this time, or in the opinion of the City it is desirable to defer a portion of the improvements, the Developer will be required to deposit with the City of Chesterfield a special cash escrow for half width improvements to Schoettler Road as identified in the City-Wide Transportation Study and the City of Chesterfield's Schoettler Road Corridor Improvement Study. Said improvements shall include but not limited to pavement widening, bike lanes, sidewalks, streets lights, utility relocations, traffic signal modifications, and storm drainage facilities. Should roadway improvements be required in order to provide safe access to the development governed by this ordinance then the cost of those road improvements shall be deducted from the amount owed for the special cash escrow.

- 2. Dedicate all necessary right-of-way and provide temporary slope construction licenses as necessary to accommodate the Schoettler Road Corridor Improvements and those improvements identified in the City-Wide Transportation Study. In the event that temporary slope and construction licenses are required over areas designated for landscape, reforestation or other improvements, the Developer will be required to provide a separate special cash escrow for these improvements in lieu of constructing them prior to completion of the road improvements.
- **3**. A disclosure statement shall be prominently displayed in the sales trailer and included on all site development plans notifying potential buyers of the proposed improvements to Schoettler Road.
- 4. Developer shall be responsible for conveying to future lot owners the existence of the temporary slope construction licenses and the planned improvements to Schoettler Road.
- 5. Any request to install a gate at the entrance to this development must be approved by Department of Public Services and will not be allowed within public right of way. If a gate is installed on a street in a development, the streets within the development or that portion of the development that is gated shall be private and remain private forever and a disclosure statement shall be provided to all potential buyers in conformance with Section 1005.180 of the Chesterfield Subdivision Ordinance. A sign shall be posted at the entrance of the subdivision and shall contain the following required disclosure language:

THE STREETS IN THIS SUBDIVISION ARE PRIVATE. THE SCHOETTLER GROVE [OWNERS OR HOMEOWNERS' ASSOCIATION or CONDOMINIUM ASSOCIATION] IS RESPONSIBLE FOR ALL REPAIRS AND MAINTENANCE.

Maintenance of private subdivision streets, including, but not limited to, snow removal, shall be the responsibility of the developer/subdivision.

6. Provide street lights on Schoettler Road as directed by the Department of Public Services.

7. If the right-of-way is reduced as permitted under Section 1005.180 of the City of Chesterfield Municipal Code, the front setback shall be increased by five (5) feet.

K. TRAFFIC STUDY

Provide a traffic analysis as directed by the City of Chesterfield. The analysis shall be required prior to approval of the Site Development Plan. The scope of the analysis shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, and other improvements required. The analysis shall focus on the area immediately adjacent the proposed entrance on Schoettler Road. The purpose of the analysis shall be to analyze existing conditions in conjunction with the proposed entrance. Should the analysis indicate improvements are needed to safely accommodate the proposed conditions; the developer will then be required to construct roadway improvements as needed to comply with the traffic analysis.

L. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

M. STORM WATER

- 1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
- 2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
- **3**. Emergency overflow drainage ways to accommodate runoff from the 100year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.

4. The lowest opening of all structures shall be set at least two (2) feet higher than the 100-year high water elevation in adjacent detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the 100-year high water elevation.

N. SANITARY SEWER

Provide public sewer service for this site in accordance with the Metropolitan St. Louis Sewer.

O. GEOTECHNICAL REPORT

Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Services. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

R. MISCELLANEOUS

- 1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
- 2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code shall be required where applicable.
- 3. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the Saint Louis County Department of Highways and Traffic. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
- 4. The on-site cemetery, as depicted on the attached preliminary plan, shall be cleaned from brush and debris, fenced and permanently maintained and preserved. Said fencing and other improvements shall be as approved by the City of Chesterfield.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS

- **A.** The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- **B.** In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.
- **C.** Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- **D.** Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- **E.** Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

- **A.** Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.
- **B.** Where due cause is shown by the developer, the City Council may extend the period to commence construction for not more than two (2) additional year.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall include, but not be limited to, the following:

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Outboundary plat and legal description of property.
- **3**. Density calculations.
- 4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.

- 5. Provide openspace percentage for overall development including separate percentage for each lot on the plan.
- 6. Provide Floor Area Ratio (F.A.R.).
- 7. A note indicating all utilities will be installed underground.
- 8. A note indicating signage approval is separate process.
- 9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
- 10. Specific structure and parking setbacks along all roadways and property lines.
- 11. Indicate location of all existing and proposed freestanding monument signs.
- 12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
- 13. Floodplain boundaries.
- 14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
- **15**. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
- 16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
- 17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
- 18. Address trees and landscaping in accordance with the City of Chesterfield Code.
- **19**. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
- 20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.

- 21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
- 22. Compliance with Sky Exposure Plane.
- **23**. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. RECORDING

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VI. ENFORCEMENT

- **A.** The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- **B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- **C.** Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- **D.** Waiver of Notice of Violation per the City of Chesterfield Code.
- **E.** This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.



<u>St. Louis</u> 16090 Swingley Ridge Road Suite 620 Chesterfield, MO 63017 (636) 532-0042 (636) 532.1082 Fax

Michael J. Doster mdoster@dosterullom.com

REC

City of Chesterfield

OCT - 8 2013

Department of Public Services

October 8, 2013

John Boyer Senior Planner City of Chesterfield 690 Chesterfield Parkway W Chesterfield, Missouri 63017

RE: <u>*P.Z.* 09 & 10-2013 Schoettler Grove</u>

Dear Mr. Boyer:

The following are our responses to your comment letter dated August 26, 2013:

1. Storm Water concerns were discussed. While storm water will be reviewed by staff in association with MSD, concerns were brought up north of the site. Please advise.

We have designed storm water management facilities in accordance with applicable MSD rules and regulations which will assure a reduction in post run off water and improve water quality.

2. Buffering issues adjacent to this development were discussed, specifically concerns with loss of heavy vegetation/landscaping/berming and vehicular headlight glare from proposed street layout (streets near property lines).

The Preliminary Plan (the "Plan") has been revised to (a) move streets away from property lines so that the rear yards of the homes in the development back to rear yards of Gascony and Westerly; (b) provide greater non-disturbance limits and larger lots along the North and South boundaries of the development West of Westerly Court; (c) create greater separation of new homes from existing homes in Gascony and Westerly; and (d) reconfigure the streets so that headlights from motor vehicles in the development do not shine North or South, West of Westerly Court, when motor vehicles are travelling on the street at night.

3. Traffic concerns associated with the planned development were discussed for Clayton Road, Schoettler Road and Westerly Court.

A traffic analysis will be provided as directed by the City of Chesterfield during the Site Development Plan review process. The trip generation from the development will be less than what is projected by the City's Traffic Demand Model. As shown by the revised Plan, the rightof-way the developer proposes to dedicate and the road improvements the developer proposes to construct are consistent with the Schoettler Road Corridor Improvements Conceptual Plans John Boyer, Senior Planner October 8, 2013 Page 2

dated August 29, 2013 (the "City's Conceptual Plans"). The cost of the improvements the developer proposes to construct would be deducted from a cost assessment to be determined after consultation with City Staff.

4. Discussion on whether the proposed zoning (R-3 and PUD) were appropriate and compliant with surrounding land and zoning uses.

Please note the following density comparison:

Amberleigh: 7.75 acres and 33 lots (4.3 lots/acre)

Gascony: 3.77 acres and 14 lots (3.7 lots/acre)

Westerly: 15.64 acres and 25 lots (1.6 lots/acre)

Schoettler Grove (the development): 17 acres and 31 lots (1.8 lots/acre)

The density of the development compares favorably with adjacent residential developments.

5. Discussion on merit and desirable design features specific to the PUD request was expressed during the public hearing. Provide information.

All objective standards in the PUD enabling ordinance are met or exceeded by the There are subjective guidelines (not requirements) in the PUD enabling revised Plan. ordinance. Those guidelines should be judged in the context of the peculiar conditions of this site and the adjacent zoning. As indicated in the response to item 4 above, the density of the development compares favorably to the adjacent subdivisions, but it is only able to achieve that by use of the PUD. A straight R-3 (which is the zoning in adjacent subdivisions, Gascony and Amberleigh) would allow much more density and the site would be leveled to achieve it. That is not what the developer plans to do. The developer wants to have a lower density, higher end, planned development that takes into account the adjacent subdivisions and the existing topography. The planned development under a PUD allows the City to regulate a plan, an opportunity the City would not have under an R-3 straight zoning. Even a lower proposed density would require the removal of many of the trees, but the revised Plan allows for greater non-disturbance limits as noted in the response to item 2 above and an improved layout of lots relative to the adjoining subdivision lots. The revised Plan retains the Preservation Area to the West and provides for increased buffer areas on the North, South, East and West that meet or exceed the objective requirements of the PUD enabling ordinance. The revised Plan contemplates improving and maintaining the Preservation Area that is in poor condition and not maintained today. The revised Plan also provides for additional road and sidewalk improvements and additional right-of-way along Schoettler Road, in accordance with the City's Conceptual Plans.

John Boyer, Senior Planner October 8, 2013 Page 3

In summary, the revised Plan delivers a better product than a straight R-3 zoning. We believe that is the intent of the PUD enabling ordinance.

6. Provide clarification of proper ownership for a portion of the subject property (2339 Schoettler Rd aka, 20R310072).

All property included in the zoning requests is under contract to the developer. Correct property information is shown on the revised Plan.

7. Discussion occurred surrounding the secondary access, specifically questioning Monarch Fire Protection District requirements. Provide clarification.

In May of 2012 the Fire District requirements changed. As a result, now if a proposed residential development exceeds 30 lots, a secondary access must be provided. The developer has made previous revisions to the Plan that ultimately reduced the number of lots from 35 to 31. Further reduction in the number of lots is not feasible. Regardless, further reduction of the number of lots would not result in the elimination of the connection to the Waverly Court stub because the City Staff is requiring it.

8. Please be advised staff will seek comments from the Chesterfield Landmarks and Preservation Commission concerning the on-site gravesite. In addition, discussion at the Public Hearing involved on how this area will be protected and preserved.

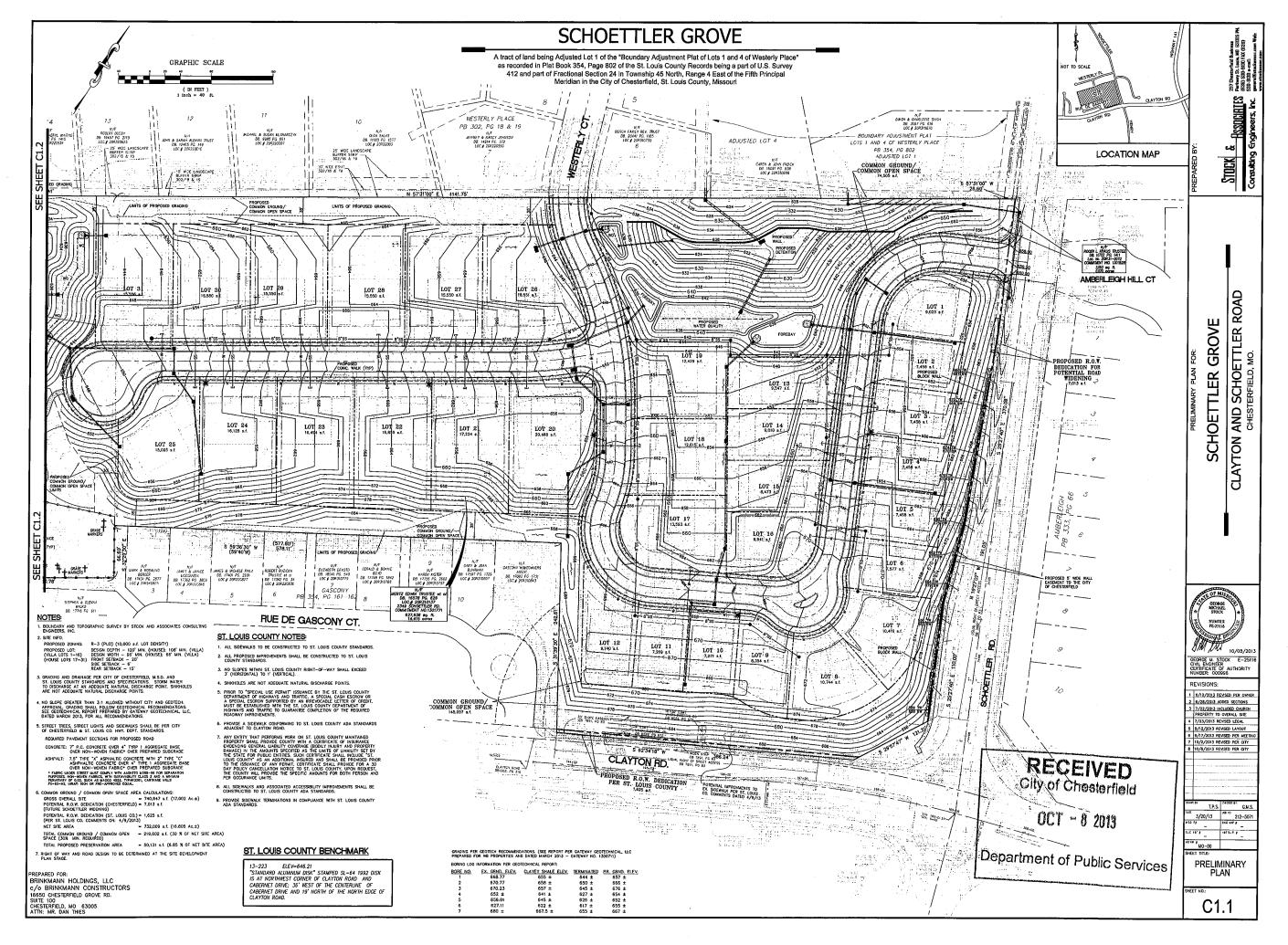
A member of the developer's team has been in contact with a representative of the Commission, Jane Durrell. She requested contact information for the owner of the Mertz property in order to obtain historical Information. That contact information was provided. Maintenance and fencing of the existing grave sites was discussed, and she was advised that the Church would have its own requirements regarding those sites. The developer will respond appropriately to written comments received from the Commission.

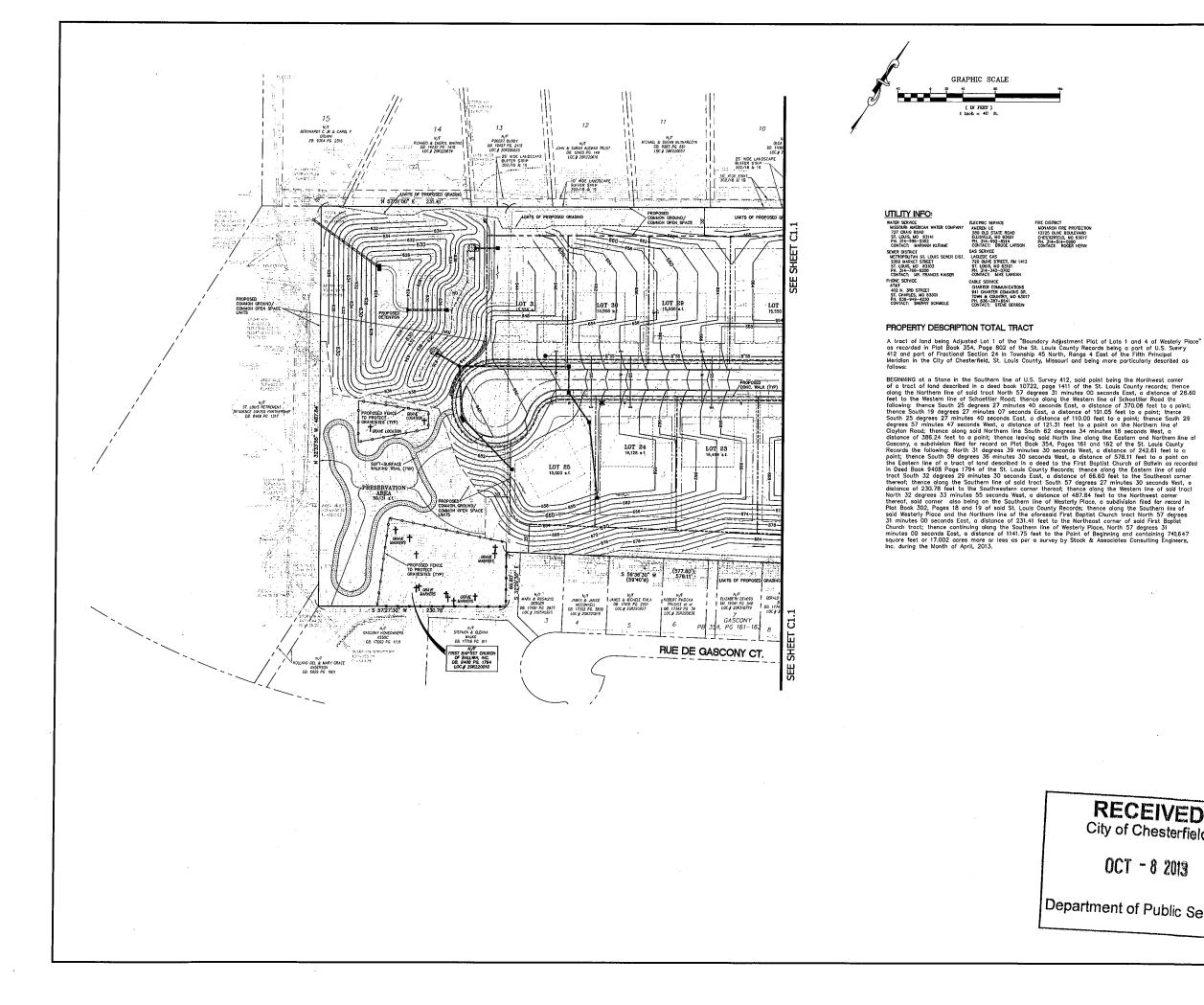
9. Discussion occurred on the grading and tree removal proposed on the site and the ability to conform to the City of Chesterfield Tree Manual.

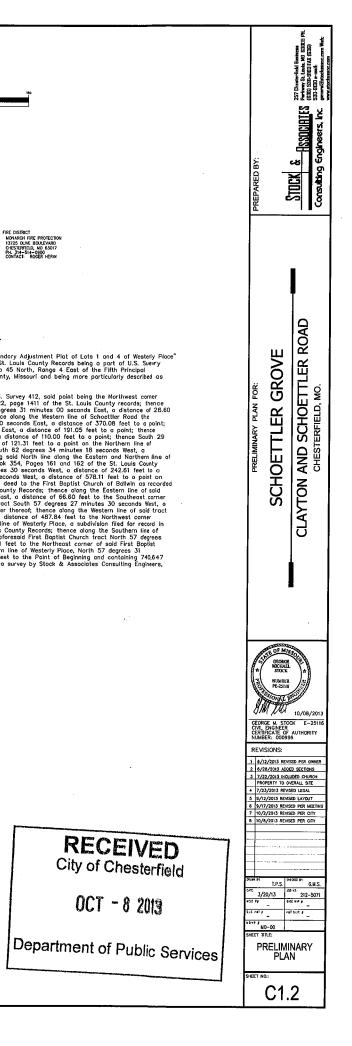
The developer will comply with the City's Tree Manual. No "exceptions" or "variances" will be requested. During the Site Development Plan process, the developer will apply for mitigation that will involve more and denser landscaping in the buffers in addition to the required landscaping.

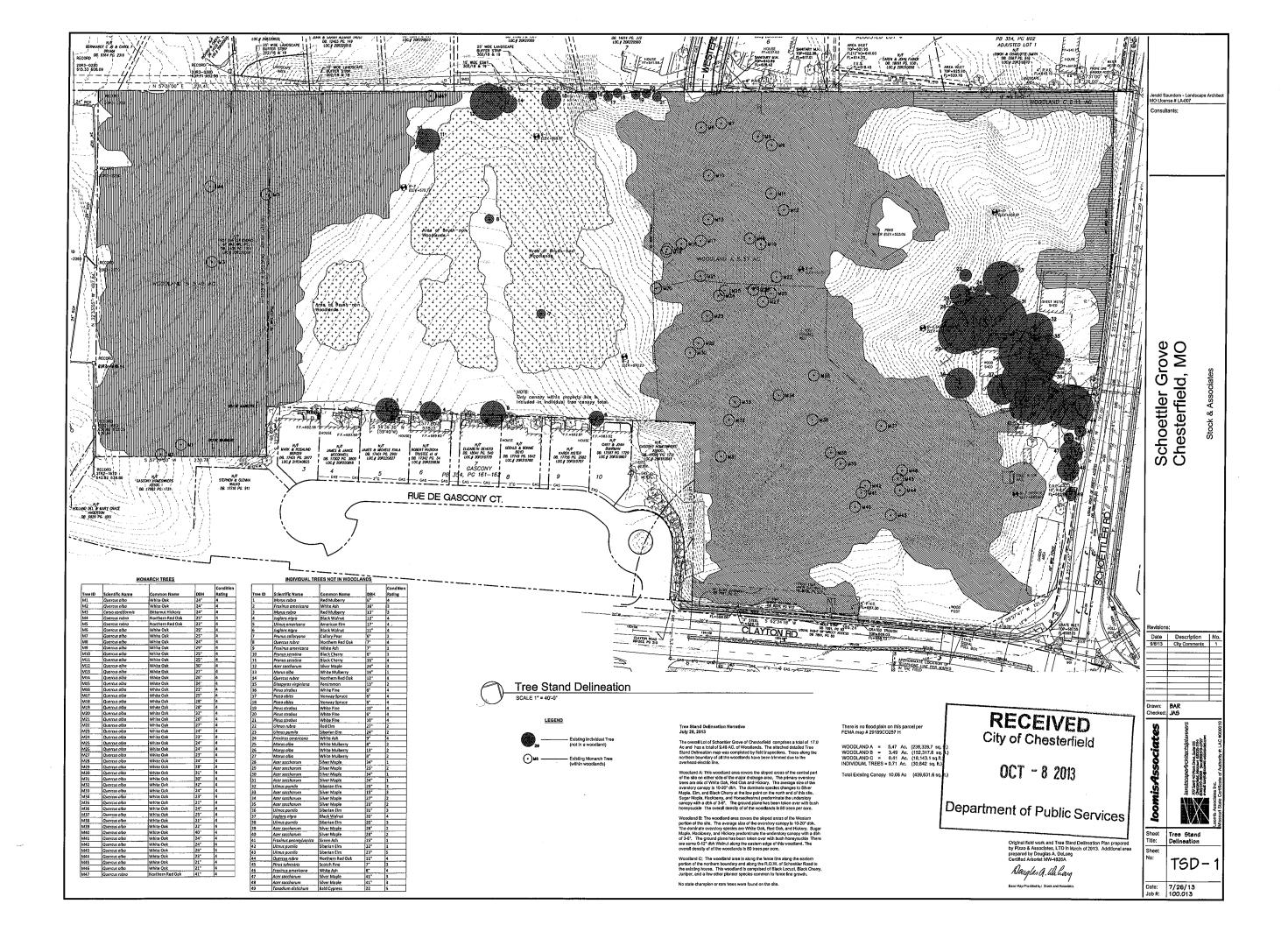
ery truly yours Michael J. Doster

MJD/kml











Chesterfield Historical and Landmarks Preservation Committee

Chesterfield City Hall 690 Chesterfield Parkway West Chesterfield, Missouri 63017 (636) 537-4000

September 15, 2013

Re: PZ.09-2013 & 10-2013 Schoettler Grove RECEIVED City of Chesterfield SEP 1 6 2013

Department of Public Services

To the Members of the Planning and Public Works Committee,

The Chesterfield Historic and Landmarks Preservation Committee would like to make some recommendations concerning the cemetery on the site of the proposed Schoettler Grove development.

The previous members of the Chesterfield Historical Commission have had an interest in this cemetery since 1991 when they researched, photographed, and published material about the cemetery in the Commission's book, <u>Chesterfield Missouri</u> <u>Cemeteries</u> by Marcella Stranz Mertz. In that book they mentioned the cemetery origins in 1890 when the land was purchased by the First Baptist Church of Ballwin. Burials took place up to at least 1960. Nineteen gravestones were listed and identified in an area where other graves could not be located because of the dense undergrowth.

Recent conversations with Mr. Denny Mertz, whose cousin owns the surrounding property, revealed that there has never been a vehicle access to the cemetery but mourners walked to it. About half of the internments were of local church members but half were outsiders from Saint Louis City.

The CHLPC recommends that the cemetery be cleaned up so that its boundaries can be identified. Then it should be surrounded by a tasteful fence with an access gate. The cemetery would be the responsibility of the future subdivision and its trustees to maintain it as they would any common ground.

The CHLPC would be happy to assist the developer or trustees in researching cemetery records.

Sincerely,

Sharon

Lynne Johnson Chairman, CHLPC