

III. K.



Memorandum Department of Planning & Public Works

To: Planning and Public Works Committee
From: Annissa G. McCaskill-Clay, Lead Senior Planner
Date: 10/16/2008
RE: P.Z. 08-2008 Tpheris Israel Chevra Kadish Congregation: A request for a change of zoning from "NU" Non-Urban to "R2" Residence District for a 4.94 acre tract of land located 14550 Ladue Road, west of the intersection of Ladue Road and Green Trails. (17R220443)

Summary

Tpheris Israel Chevra Kadish Congregation has submitted the above-referenced change of zoning from "NU" Non-Urban District to "R2" Residence District for their current location which is a 4.94 acre tract of land located at 14660 Ladue Road. The request is for a "straight zoning." This means that the subject site will be subject to the requirements of Section 1003.113 of the City of Chesterfield Zoning Ordinance without exemption.

Public Hearing for the proposed change of zoning was held before the City of Chesterfield Planning Commission on September 8, 2008. At the Commission's September 22, 2008 a recommendation for approval was passed by a vote of 8-0.

Attached please find a copy of Staff's report and the preliminary plan.

Respectfully submitted,

Annissa McCaskill-Clay

Annissa G. McCaskill-Clay, AICP
Assistant Director of Planning

Cc: Michael G. Herring, City Administrator
Rob Heggie, City Attorney
Michael O. Geisel, Director of Planning and Public Works
Aimee E. Nassif, Planning and Public Works Director



VIII. A.

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

Planning Commission Staff Report

Subject: Rezoning Issues/Vote Report

Meeting Date: September 15, 2008

From: Annissa G. McCaskill-Clay, AICP
Lead Senior Planner

Location: 14550 Ladue Road (17R220443)

Petition: P.Z. 08-2008 Tpheris Israel Chevra Kadish

Proposal Summary

Tpheris Israel Chevra Kadish Congregation is requesting a change in zoning from "NU" Non-Urban District to "R2" Residence District, per the regulation of City of Chesterfield Zoning Ordinance Section 1003.113. The location of the site is 14550 Ladue Road, west of the intersection of Ladue Road and Green trails, between Brayhill Subdivision and Green Trails Subdivision.

Zoning Analysis

A preliminary plan and Attachment A are not necessary as the Petitioners are attempting a "straight zoning." That is, the subject site will be developed directly from the requirements of the Section 1003.113 of the City of Chesterfield Zoning Ordinance without exemption.

Surrounding Land Use and Zoning

The subject site was zoned "NU" Non-Urban prior to incorporation of the City of Chesterfield.

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



North,

East and West: To the north, east and west of the subject site is commonground belonging to the Villages at Green Trails subdivision, which is zoned "R1-A"

South: To the south of the subject site is Brayhill Subdivision, which is zoned "R2" Residence District.

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 single family residential. There is no recommendation for density for this area and it 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 subject site was zoned "NU" Non-Urban prior to incorporation by the City of Chesterfield.

Issues

A Public Hearing for P.Z. 08-2008 was held on September 8, 2008. At that time, issues were identified, some of which were addressed at the meeting. Issues raised, along with responses are as follows:

1. Use of the Brayhill lot as a driveway for entry to the subject site.
2. Barrier to the parking lot from Brayhill.

During the meeting, it was stated that this matter is addressed by the parking standards in the Zoning Ordinance which require landscaping and/or a wall to act as a barrier and by the Petitioner's offer to add bollards.

3. Clarification of the setbacks.

It was clarified by Staff that there is a required 10 foot setback between the "NU" Non-Urban District-zoned subject site and the "R2" Residence District-zoned Brayhill lot. Maintaining this setback would dramatically impact the layout of the proposed future expansion.

4. Drainage – how would drainage affect Lots 5-9?
5. How would any construction behind Lots 5-9 affect these lots?

During the meeting, the Petitioner's representative offered to provide a deed restriction on the property which would bar development in this area.

6. Maintenance of the site.
7. The ability to build on Lot 11.

Staff advised the Commission that Lot 11 is just under one-half of an acre so with the proposed parking, there would be no ability to place a home on this lot.

Please find attached the Petitioners' response to those issues not addressed above. In addition, the Petitioners have included a draft deed restriction as referenced in Issue #5. In addition, notes have been added to the preliminary plan provided by the Petitioners.

Request

Staff requests action by the Planning Commission on P.Z. 08-2008 Tpheris Israel Chevra Kadish, a request for rezoning from "NU" Non-Urban District to "R2" Residence District.

Respectfully Submitted,



Annissa McCaskill-Clay, AICP
Lead Senior Planner

Cc: Petitioner's Response to Issues
Preliminary Plan



JOHN P. KING
(314) 613-2809
EMAIL: JPKING@LATHROPGAGE.COM
WWW.LATHROPGAGE.COM

PIERRE LACHEDE CENTER
7701 FORSYTH BOULEVARD, SUITE 400
CLAYTON, MISSOURI 63105
(314) 613-2800, FAX (314) 613-2801

September 11, 2008

Ms. Annissa G. McCaskill-Clay
Assistant Director of Planning
690 Chesterfield Parkway W
Chesterfield, Missouri 63017

Re: P.Z. 08-2008 Tpheris Israel Chevra Kadish Congregation

Dear Annissa:

I am in receipt of your letter dated September 9, 2008, with regard to the above-captioned matter. Following are our responses to the Planning Commissions' concerns which you set out in your letter.

- 1) Brayhill will not be used as an entry or access point to the Temple. Concrete posts will be placed at the walkway entrance at Brayhill. Landscaping will be planted along the Brayhill cul-de-sac to prevent cars from using this sidewalk as an entrance into the parking lot.
- 2) We agree with this statement as set forth in your letter.
- 3) We agree with this statement as set forth in your letter.
- 4) All drainage will be handled in accordance with regulations of MSD and the City of Chesterfield. There will be no adverse affect on Lots 5-9 as a result of the new construction.
- 5) We agree with this statement as set forth in your letter.
- 6) There will be a new parking lot built and new landscaping installed all of which will be maintained by the Temple.
- 7) We agree with this statement as set forth in your letter.

CLAYTON 16061v1

Ms. Annissa G. McCaskill-Clay
September 11, 2008
Page 2

If you have any questions or require any additional information, please do not
hesitate to contact me.

Sincerely,

LATHROP & GAGE L.C.

By: 
John P. King

JPK:njn

DEED RESTRICTION

THIS INSTRUMENT , made and entered into this ____ day of _____,
2008, by and between _____, hereinafter referred to as "Grantor" and City
of Chesterfield, Missouri hereinafter referred to as "Grantee";

WITNESSETH:

WHEREAS, Grantors are the owners of a tract of land situated in the City of
Chesterfield, Missouri containing ____ acres, hereinafter referred to as "Tract", said
Tract being described in Exhibit "A" attached hereto and made a part hereof, and

WHEREAS, Grantor has filed a Petition for Zoning requesting that the
Chesterfield City Council and Planning Commission under normal procedures pursuant
to the Ordinances of the City of Chesterfield rezone the Tract owned by Grantors from
N-U to R-2 for the development of an addition to Grantor's Synagogue; and

WHEREAS, the said Petition for rezoning is under consideration by the proper
authorities of the City of Chesterfield;

WHEREAS, Grantee under Section 67.870-67,910, R.S.Mo., 1969, as amended,
is vested with the power to accept an interest in land for the purpose of implementing a
plan of development adopted by the City of Chesterfield and to promote orderly urban
and suburban development;

NOW, THEREFORE, Grantor being the owner of the Tract, by this instrument
covenants that he does subject said Tract to the following conditions:

1. That there shall be no house or housing units of any kind constructed on
the Tract and said Tract shall be developed per the Site Plan.

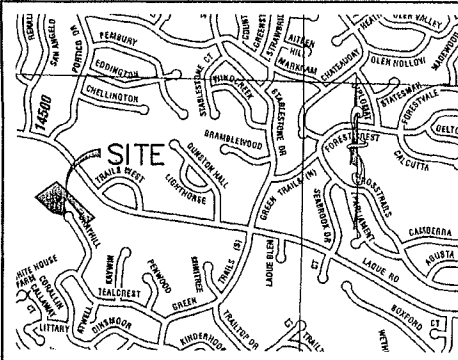
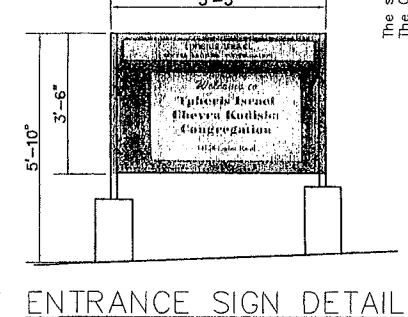
AMENDED SITE DEVELOPMENT PLAN
TPHERIS ISRAEL CHEVRA KADISHA SYNAGOGUE
 A Tract of land being
**LOT A AND LOT 11 OF
 BRAYHILL COURT**
 SITUATED IN U.S. SURVEY 1911 & 415
 TOWNSHIP 45 NORTH, RANGE 4 EAST
 CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

- GENERAL NOTES:**
1. Site address is 14550 Ladue Road, Chesterfield, Missouri 63017
 2. Tract is currently zoned NU-Non-Urban and R2-Single Family Residential Districts.
 3. PROPOSED ZONING: R-2 Single Family Residential District.
 4. Tract is identified by St. Louis County Locator Numbers: 17 R 22 0443 and 17 R 22 0393
 5. Current owner: Tpheris Israel Chevra Kadisha Congregation
 6. Site is served by the following utility companies:
 - a. Metropolitan St. Louis Sewer District
 - b. Ameren UE
 - c. Ladue Gas Company
 - d. Southwestern Bell Telephone
 - e. Missouri American Water Company
 7. Fire Protection is provided by the Monarch Fire Protection District.
 8. Tract lies within the Parkway School District.
 9. All construction shall be in accordance with City of Chesterfield and Metropolitan St. Louis Sewer District standards and specifications.
 10. Stormwater management and detention shall be provided in accordance with the City of Chesterfield.
 11. A Soils report shall be submitted with the results of soil conditions, subsurface rock and water table information prior to the commencement of the grading operation.
 12. Colors are USGS.
 13. All landscaping shall be in accordance with City of Chesterfield regulations. A Landscape plan shall be submitted as a separate plan by others.
 14. A Lighting plan shall be submitted as a separate plan by others.
 15. This tract does not lie in any Special Flood Hazard Area.

BUILDING AREA Calculations:
 Existing Building Footprint = 12,973 s.f.
 Proposed Addition Footprint = 5,115 s.f.
TOTAL FOOTPRINT = 18,088 s.f.

FLOOR AREA RATIO Calculations:
 Total Area of Tract = 5.380 Acres (234,353 s.f.)
 Total Floor Area = 0.415 Acres (18,088 s.f.)
 F.A.R. = 18,088 / 234,353 = 0.0771 (7.71%)

GREEN SPACE Calculations:
 Total Area of Tract = 5.380 Acres (234,353 s.f.)
 Total Green Space provided = 3.779 Acres (164,606 s.f.) = **70.25%**



Call Before you DIG
 TOLL FREE
1-800-344-7483
 MISSOURI ONE-CALL SYSTEM INC.

Underground facilities, structures & utilities have been plotted from available surveys, records & information, and therefore, do not necessarily reflect the actual existence, nonexistence, size, type, number of, or location of these facilities, structures, & utilities.

The Contractor shall be responsible for verifying the actual location of all underground facilities, structures, & utilities, either shown or not shown on these plans. The underground facilities, structures, & utilities shall be located in the field prior to any grading, excavation or construction of improvements. These provisions shall in no way obviate any party from complying with the Underground Facility Safety and Damage Prevention Act, Chapter 319, RSMO.

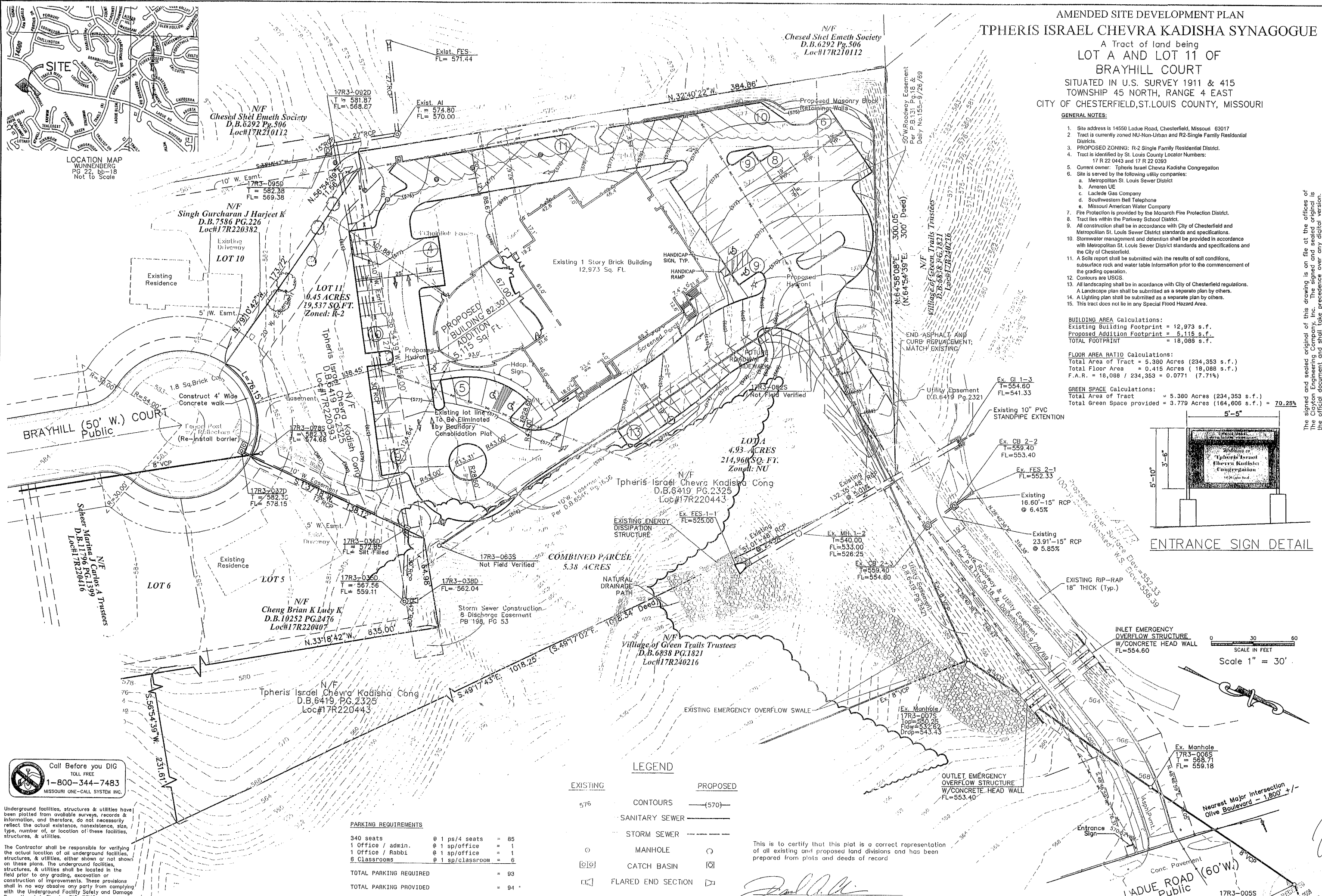
PARKING REQUIREMENTS

340 seats	@ 1 ps/4 seats	= 85
1 Office / admin.	@ 1 sp/office	= 1
1 Office / Rabbi	@ 1 sp/office	= 1
8 Classrooms	@ 1 sp/classroom	= 8
TOTAL PARKING REQUIRED		= 93
TOTAL PARKING PROVIDED		= 94

LEGEND

EXISTING	PROPOSED
576	(570)
—	—
—	—
—	—
○	○
□	□
□	□

This is to certify that this plat is a correct representation of all existing and proposed land divisions and has been prepared from plats and deeds of record



Prepared by: TIPHERIS ISRAEL CHEVRA KADISHA CONGREGATION
 Drawn by: [Signature]
 Checked by: [Signature]
 Date: [Date]
 Project: [Project Name]

Tpheris Israel Chevra Kadisha Synagogue
TREE STAND DELINEATION

June 15, 2005 Rev. March 14, 2008

Tree Stand Delineation Prepared by: Skip Kincaid & Associates

Tree Specialist: Meridith McAvoy (certified arborist MW-4223)

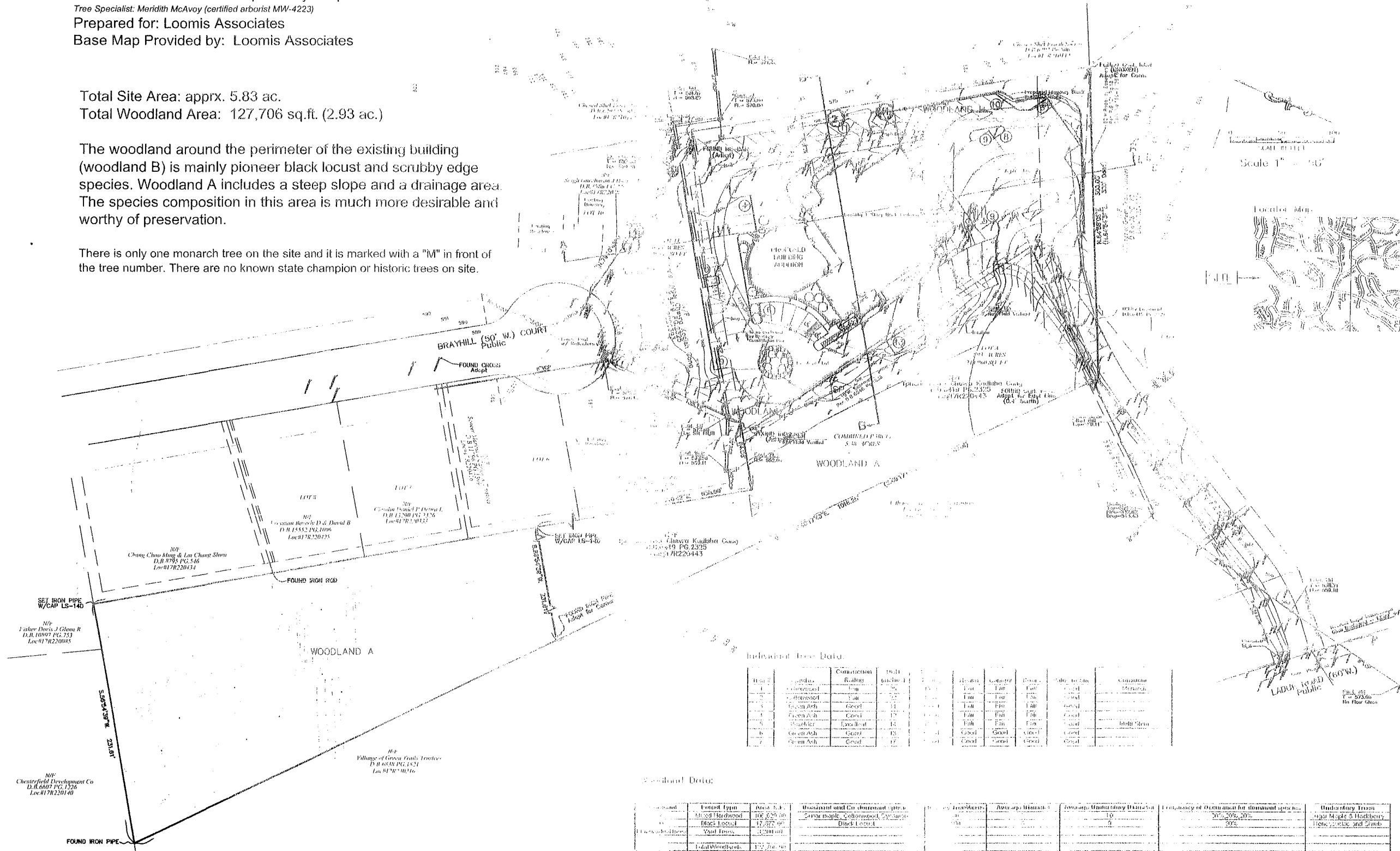
Prepared for: Loomis Associates

Base Map Provided by: Loomis Associates

Total Site Area: appr. 5.83 ac.
 Total Woodland Area: 127,706 sq.ft. (2.93 ac.)

The woodland around the perimeter of the existing building (woodland B) is mainly pioneer black locust and scrubby edge species. Woodland A includes a steep slope and a drainage area. The species composition in this area is much more desirable and worthy of preservation.

There is only one monarch tree on the site and it is marked with a "M" in front of the tree number. There are no known state champion or historic trees on site.



Individual Tree Data

ID	Species	Condition	DBH	Height	Caliper	Form	Health	Notes
1	Green Ash	Good	12	15	1.5	Upright	Good	
2	Green Ash	Good	10	12	1.2	Upright	Good	
3	Green Ash	Good	11	14	1.4	Upright	Good	
4	Green Ash	Good	13	16	1.6	Upright	Good	
5	Green Ash	Good	14	17	1.7	Upright	Good	
6	Green Ash	Good	15	18	1.8	Upright	Good	
7	Green Ash	Good	16	19	1.9	Upright	Good	

Woodland Data

Woodland	Forest Type	Area (sq. ft.)	Woodland and Co. dominant species	Average Diameter	Average Understory Diameter	Percentage of Occurrence for dominant species	Understory Trees
Woodland A	Decid. Forest	10,000 sq. ft.	Silver maple, Yellowwood, Sycamore, Black Locust	10	2	50%, 30%, 20%	ugar Maple & Hackberry
Woodland B	Decid. Forest	127,706 sq. ft.	Black Locust	10	2	50%	White Birch and Zebra
Total Woodland		137,706 sq. ft.					

Professional seal and signature of Meridith McAvoy, Tree Specialist.