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# Planning and Development Services Division Public Hearing Summary Report

**P.Z. 09-2014 Bur Oaks (17751 Wild Horse Creek Road)**: A request for a zoning map amendment from an "NU" Non-Urban District to an "E-1/2AC" Estate District with a Wild Horse Creek Road Overlay District designation for 21.876 acres located on the north side of Wild Horse Creek Road west of its intersection of Long Road and east of its intersection with Savonne Court (18V510105).

#### **Summary**

Stock & Associates Consulting Engineers, Inc., on behalf of Pulte Homes of St. Louis, LLC, has submitted a request for a zoning map amendment from an "NU" Non-Urban District to an "E-1/2AC" Estate District with a Wild Horse Creek Road Overlay District designation to allow for a thirty-five (35) unit, detached single-family home residential development. The subject site is located within the recently amended Wild Horse Creek Road Overlay District. While the base zoning for this proposal is the "E-1/2AC" Estate District, there are additional requirements and allowances that are provided by the overlay district.

This proposal includes a lower minimum lot size than the  $\frac{1}{2}$  acre lot size required by the underlying "E-1/2AC" zoning. This lower lot size is permitted with the overlay district to encourage minimum grading; preservation of open space, natural amenities, and topography; and provide for trails, paths, and other community amenities. The proposed lots vary between 15,000 and 18,524 square feet.

Certain development criteria are permitted to be modified by a two-thirds vote by the City Council. The process for these modifications will be discussed later in this report and these modifications are not voted on by the Planning Commission, but are highlighted for informational purposes. The plan, as submitted, includes requests for the following modifications:

#### 1) <u>Structure Setbacks</u>

Setback Location	<b>Required</b>	<b>Modification Requested</b>
Side	15'	8'
Between Structures	30'	16'

#### 2) Landscape Buffer Location

The overlay district prohibits the location of Landscape Buffers on any developed lot with a residential structure on it; however, this is one of the items that is able to be modified. The developer is requesting portions of the required 30' Landscape Buffer to be placed on private lots. These portions on private lots will be recorded as easements that vary in width between 1.75' and 10' for a total of eight (8) lots within the development.

#### Wild Horse Creek Road Overlay Procedures

The new Wild Horse Creek Road Overlay District regulations are established in Ordinance 2816 which is attached to this report for reference. As previously mentioned, the new ordinance does provide the developer with an ability to request modifications to a specific subset of the district requirements. These modification requests, however, are not voted on by the Planning Commission. Each modification request requires a separate, super majority vote by the City Council for approval. As required by the ordinance, the developer has included a note on the plan identifying the modification requests (described in the Summary section of this report) that will be voted on by the City Council.

If the Planning Commission votes in favor of the zoning request, plan approval is conditioned upon approval of modifications by the City Council. In the case that one or more of the modification requests are denied by the City Council, the preliminary plan is required be amended and will be sent back to the Planning Commission for consideration.

#### Site History

The subject site was incorporated into the City of Chesterfield under an "NU" Non-Urban District from St. Louis County. The site currently contains one (1) residential structure along with two (2) large barn/storage buildings and various other smaller out-buildings. These buildings are in various physical conditions and can be seen in the photos below. The main structure on this property, the Mary Schaeffer Farmhouse, was built in 1908 and is on the Chesterfield Historic and Landmark Preservation Committee's list of structures to be evaluated for historic significance and value. The City is awaiting comments from the committee on this project.



#### Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel shown in the aerial image on the next page are as follows:

**North:** The property to the north across the Missouri Pacific Railroad is the Landings at Spirit subdivision zoned "M-3" Planned Industrial. The current use on this property includes a recreational golf course. The Spirit of St. Louis Airport is located north of the golf course.

#### P.Z. 09-2014 Bur Oaks (17751 Wild Horse Creek Road)

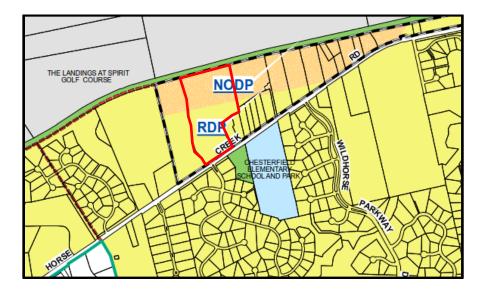
Public Hearing Report October 27, 2014

- **South:** The properties to the south across Wild Horse Creek Road include the Greystone residential subdivision zoned "R1" Residence District with a Planned Environment Unit and the Chesterfield Elementary School zoned "NU" Non-Urban. Current uses include single-family residential and educational.
- **East:** The properties to the east include six (6) single-family residential lots zoned "NU" Non-Urban and the Wildhorse-Schaeffer subdivision zoned "E-1AC" with a Conditional Use Permit to permit a Nursing Home and Senior Living units. The latter of these adjacent uses is currently a vacant lot.
- <u>West:</u> The property to the west is the West County Christian Church subdivision zoned "NU" Non-Urban and is currently occupied by a church.



#### **Comprehensive Plan Analysis**

The subject site is located within both Neighborhood Office Development Policy (NODP) area and Residential Development Policy (RDP) area of the Wild Horse Creek Road Sub-area as seen in the figure on the next page. As previously mentioned, the ordinance for this area was recently amended which eliminated the provisions for Neighborhood Office uses and placed an emphasis on single-family residential use throughout the entire overlay district. The proposed plan does comply with the desire for single-family residential uses to occupy this site.



#### **Outstanding Issues**

While not an exhaustive list, a few of the items under review by staff include:

- 1. The Wild Horse Creek Road Overlay District does require the minimization of development on slopes in excess of 20%. The lots along the bluff on the northern end of this development do appear to impact the slopes on the bluff, but more information is needed to determine the extent of this impact. Staff has requested information from the developer regarding the extent of this slope disturbance and the efforts made to minimize this impact.
- 2. As previously mentioned, staff is awaiting comments from the Chesterfield Historic and Landmark Preservation Committee on the existing structure (Mary Schaeffer Farmhouse) located in this proposed development.
- 3. The proposed right-of-way width requires sidewalks to be placed within a 5' easement and for the front yard setback to be increased by 5'. The Unified Development Code does not allow for modification to this requirement. The developer has been notified that the current proposal does not meet these requirements and Staff is awaiting revisions to the plan that would address this.

A public hearing further addressing the request will be held at the October 27, 2014, City of Chesterfield Planning Commission meeting. Attached, please find a copy of the Public Hearing Notice, Applicant Narrative Statement, the Wild Horse Creek Road Overlay District ordinance, and the Preliminary Plan for this petition.

Respectfully submitted,

the D. Raiche

Jonathan D. Raiche, AICP Senior Planner

Attachments 1. Public Hearing Notice

## P.Z. 09-2014 Bur Oaks (17751 Wild Horse Creek Road)

- 2.
- Applicant Narrative Statement Wild Horse Creek Road Overlay District (Ordinance 2816) 3.
- Preliminary Plan 4.
- Aimee Nassif, Planning and Development Services Director cc:

### NOTICE OF PUBLIC HEARING CITY OF CHESTERFIELD PLANNING COMMISSION

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of Chesterfield will hold a Public Hearing on October 27, 2014 at 7:00 p.m. in the City Council Chambers at Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri 63017.

Said Hearing will be as follows:

**P.Z. 09-2014 Bur Oaks (17751 Wild Horse Creek Road)**: A request for a zoning map amendment from a "NU" Non-Urban District to an "E-1/2AC" Estate District with a Wild Horse Creek Overlay District designation for 21.876 acres located on the north side of Wild Horse Creek Road west of its intersection of Long Road and east of its intersection with Savonne Court (18V510105).

Anyone interested in the proceedings will be given an opportunity to be heard. Copies of the request are available for review in the Department of Public Services at Chesterfield City Hall, 690 Chesterfield Parkway West during weekdays between the hours of 8:30 a.m. and 4:30 p.m. If you should need additional information about this project, please contact Mr. Jonathan Raiche, Senior Planner, by telephone at 636-537-4736 or by email at jraiche@chesterfield.mo.us

CITY OF CHESTERFIELD Mike Watson, Chair Chesterfield Planning Commission

#### PROPERTY DESCRIPTION

A tract of land being Part of Lot 1 of Mary Schaeffer Estates Subdivision, as recorded in Plat Book 17, Page 4 of the St. Louis County Records and part of Share 6 of the Partition of the Estate of Missouri A Stevens, also part of Lot 24 of R.H. Stevens Farm Subdivision, located in U.S. Survey 122, Township 45 North, Range 3 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri being more particularly described as follows:

Beginning at the a found Iron Pipe located at the intersection of the northern right-of-way line of Wild Horse Creek Road, variable width, with the western line a tract of land as conveyed to John Wilmas, by instrument recorded in Book 12756, Page 2437 of above said records; thence along said right-of-way line, South 55 degrees 15 minutes 47 seconds West, 481.15 feet to a found Iron Pipe at the eastern line of a tract of land as conveyed CDF Holdings, LLC by instrument recorded in Book 18588, Page 2418 of above said records; thence along the eastern line of said CDF Holdings, LLC tract the following courses and distances: North 13 degrees 12 minutes 14 seconds West, 5.15 feet to a found Iron Pipe; North 40 degrees 09 minutes 05 seconds West, 69.35 feet to a found Iron Pipe; North 37 degrees 11 minutes 51 seconds West, 172.32 feet to the beginning of a non-tangent curve to the right having a radius of 413.50 feet; along said curve with an arc length of 209.79 feet and a chord which bears North 21 degrees 38 minutes 46 seconds West, 207.54 feet; North 07 degrees 12 minutes 28 seconds West, 266.41 feet;

North 11 degrees 03 minutes 11 seconds West, 64.81 feet and North 11 degrees 40 minutes 19 seconds West, 692.78 feet to the southern right-of-way line of the Chicago Rock Island and Pacific Rail Road,100 feet wide, from which a found Iron Pipe bears South 70 degrees 11 minutes 48 seconds East, 0.56 feet; thence along said right-of-way line, North 74 degrees 47 minutes 19 seconds East, 777.36 feet to the northwest corner of a tract of land as conveyed to Vision Ventures, LLC by instrument recorded in Book 18974, Page 1757 of above said records, from which a found Iron Pipe bears South 58 degrees 15 minutes 52 seconds East, 1.00 feet; thence along the western line of said Vision Ventures, LLC tract, South 12 degrees 36 minutes 00 seconds East, 783.00 feet to the northeast corner of a tract of land as conveyed to Emil & Loretta Tomschin by instrument recorded in Book 16601, Page 462 of above said records, from which a found Iron Pipe bears South 60 degrees 11 minutes 01 seconds East, 0.48 feet; thence along the northern lines of said Tomschin and above said Wilmas tracts, South 55 degrees 15 minutes 47 seconds West, 250.88 feet to the northwest corner of said Wilmas tract from which a found Iron Pipe bears South 59 degrees 05 minutes 01 seconds East, 0.41 feet; thence along the western line of said Wilmas tract, South 12 degrees 36 minutes 00 seconds East, 134.45 feet; thence departing last said western line the following courses and distances: South 59 degrees 19 minutes 34 seconds West, 31.56 feet; South 12 degrees 36 minutes 00 seconds East, 15.26 feet and South 30 degrees 00 minutes 01 seconds East, 100.32 feet to the western line of said Wilmas tract; thence along said western line, South 12 degrees 36 minutes 00 seconds East, 172.34 feet to the Point of Beginning and containing 952,958 square feet or 21.876 acres more or less as per a survey by Stock & Associates Consulting Engineers, Inc. during March, 2014.



Consulting Engineers, Inc.

& Associates

Stock

October 21, 2014

Bur Oaks Subdivision Stock Project No. 213-5241

# **RECEIVED** City of Chesterfield

OCT 2 1 2014

#### Narrative Statement:

Department of Public Services

The subject 21.92 acre site at 17751 Wild Horse Creek Road (the "Property") presents a number of development challenges. The Property is an un-developed tract situated atop an existing bluff over looking Chesterfield Valley. There has been site excavation and grading previously occurring on the site near the north end of the site. There is an existing residential subdivision to the south, Greystone Manor, a Church to the west, un-developed property (planned senior living facility) and single family residential homes to the east as well as a day care, and the Spirit Airport to the north. Compatibility of uses, density, and design will be addressed below.

An overlay district was established on the property in 2006 (Ordinance #2286) and amended on 10/16/2014 by Ordinance #2816.

The Plan submitted with this Application (the "Plan") shows a total of 35 lots (detached single family homes), with lots ranging in size from approximately 15,000 sq. ft. to 18,524 sq. ft., with an average lot size of 15,744 sq. ft. Bur Oaks is intended to be developed as a unique community compatible with adjoining subdivisions to the south and east.

The Applicant is owner under contract of the Property, and applying for a re-zoning from 'NU' Non-Urban to 'E-1/2 Acre' with the Wild Horse Creek Overlay District (Ordinance #2816)

#### Site Design

This project is designed "to promote the most appropriate use of the land". Presumably the "most appropriate use" of the subject site is Single Family Residential. Compatibility with the adjacent residential subdivision to the south is also a planning objective, and the Petitioner has considered the site design.

The subject site cannot be developed for its "most appropriate use" without substantial grading and utility extensions to the subject site. Excessive grading previously occurred on the site, causing additional on-site grading to mitigate the existing condition.

In recognition of the initial site impacts, the developer has incorporated unique features to provide for exceptional site design, including but not limited to:

1) Extensive professionally landscaped buffers, in addition to preservation of existing tree canopy along the north buffer common ground.

2) Expansive, restricted, and retention of heavily wooded/landscaped common ground.

3) Adherence to MSD stormwater requirements.

4) Placement of lots such that all lots back to common ground and/or landscape buffer areas with trails and public amenities.

5) All of the proposed lots will only have access to the internal public subdivision streets. No lots will have stand-alone driveways on Wild Horse Creek Road. Additionally, the internal subdivision street has been designed such that connections to future developments to the east and southeast of the subject property are available to provide additional means of ingress/egress from the proposed community.

6) The grading and stormwater management facilities contemplated by the proposed preliminary plan are also necessary to meet MSD requirements and create an environmentally sustainable stormwater system. The proposed grading and stormwater management facilities will improve existing runoff conditions as follows:

(1) There will be volume reduction for the first 1.14 inch of stormwater runoff by implementation of bio-retention basins.

(2) The runoff rate for the 2 year through 100 year events will be reduced below the predevelopment condition, by installation of the stormwater management system.

#### **General Considerations**

- A. A Narrative Statement has been submitted.
- B. The proposed uses are permitted uses within the City's applicable ordinances.
- C. The proposed density compares favorably to existing developments along Wild Horse Creek Road and Comprehensive Plan & Ordinance #2816 (single family detached). The development can be served by all relevant public utilities and is appropriate to the location and conditions of the Property.
- D. The development is to be constructed in a single phase.

- E. The Comprehensive Plan Designation is "Single Family Residential & Commercial". The surrounding land uses are residential single family detached and institutional.
- F. Development of the Property pursuant to the Plan will promote public health, safety and general welfare. The un-developed property will be improved with new single family homes.

#### **Design Features**

- A. As noted above, the topographical condition and location of the Property were taken into consideration in locating the homes on the site. Because of the topographical condition of the Property, stormwater drainage requirements and buffering from Wild Horse Creek Road, the existing topography due to previous grading is not desirable and cannot be maintained. Necessary grading will result in the removal of existing vegetation, but will allow for retention of 30% minimum existing tree canopy and not disturbing the north slope of the site.
- B. 6.82 acres of common ground is provided by the Plan which equates to 31.17% of the site. The perimeter landscape buffer provided by the Plan is a minimum of 30' on the east and west property lines and 50' along Wild Horse Creek Road. These buffer areas allow for enhanced landscaping. A hiking/fitness trail is proposed around the perimeter of the site, as well as within the interior common ground. There will be multiple locations along the trail where outdoor fitness equipment will be provided. The trail will also have "lookout" points overlooking Chesterfield Valley. A "community recreation area" is proposed with passive recreation. A proposed sidewalk across the property frontage along Wild Horse Creek Road will be provided and will connect to the existing sidewalk to the west, located on the Harvest Bible Chapel of St. Louis property. A landscaped berm will be constructed within a 50' wide common ground strip adjacent to Wild Horse Creek Road.
- C. Regarding tree removal an excess of 30% minimum tree canopy will be retained. Enhanced buffer yard plantings with native species will be provided for greater diversity of planting types. These new plantings will be located adjacent to the access trail and will utilize small signage to educate and inform trail users of the unique nature of the trees.

- D. Enhanced landscaping will be provided in buffers (minimum 30 feet wide) on the East and West property lines and along Wild Horse Creek Road (50 feet wide). Spectacular views to the north will be provided, overlooking the Chesterfield Valley and the Missouri River. A hiking trail is proposed around the perimeter of the site as well as within interior common ground areas. The trail will include "lookout" points. A "community recreation area" is proposed in the center of the site with passive recreation and access to the hiking trail. Playground & fitness equipment & "tot-lot" will be incorporated in the community recreation area as well as along the trail. These facilities will be available to all residents. The community recreation area will also include a sitting area with trellis, gently sloping grassy areas which can be utilized as a place to walk and meet with neighbors, hold neighborhood block parties and other community events.
- E. Single family detached homes are proposed as being compatible with the homes of Greystone Manor to the south of Wild Horse Creek Road.
- F. Traditional Neighborhood Design (TND):
  - a. Rectangular-shaped lots
  - b. Openspace of heavily wooded/landscaped common ground and landscaped bioretention/raingarden
  - c. Stormwater detention and water quality bioretention
  - d. Uniform lot widths
  - e. Curvilinear/serpentine street with "eyebrows" and walk circulation
  - f. Pedestrian walk connection to Wild Horse Creek Road and Harvest Bible Chapel of St. Louis to the West
  - g. Quality building materials and appealing architectural design
  - h. Street trees and extensive landscaped buffers
  - i. Community Recreation Area, playground and hiking/fitness trail
- G. This will be an upscale residential community compatible with the existing adjacent Greystone Manor subdivision. The average home sale price is expected in the mid-\$600,000's.

Residential Home building is often expressed and thought of in terms of Land (lots, location, etc.) and Homes (price points, square footage, etc.) These are obviously critical elements of the business, but are really parts of the supply chain and define the products we build and sell, not who we're building them for. But at our core, Pulte is a consumer product company, selling what is likely the biggest consumer purchase in one's lifetime. Focusing on the wants and needs of consumers not only leads to better products (homes), but successful communities that mature well and maintain their

#### appeal.

Pulte adheres to a proven research model in understanding the distinct wants and needs of a specific market/community. In short, the Pulte model classifies all consumers into one of eleven different Target Consumer Groups (TCG's). The TCGs provide a structured way to think about consumers, their needs/wants and the product concepts delivered to them. For this specific community, we know we are serving TCG 6 buyers. Thusly, the homes offered, and the amenities provided in the community will match what we know is of importance to this consumer group.

In addition to the TCG model, Pulte also adheres to a rigorous 12-step product development process that was recently on display at Pulte's Reserve Crossings community in Chesterfield. In summary, Pulte constructed a \$750,000 prototype home that was based on earlier consumer research on what this specific buyer group (TCG 6) desires in a 4,000 sq ft home. Over the course of two days, multiple focus groups were conducted in the home (with residents of Chesterfield and the surrounding communities) with the goal of identifying any final needed tweaks before the home is officially brought 'to life' in other communities. In the end, the testing was a success and the home sold within 30 days to a local buyer – this home plan will now be marketed as a 'Life Tested Home Design' and will continue to display Pulte's commitment to not only exceptional community design, but exceptional home design as well

- H. Four (4) foot wide sidewalks will be provided along both sides of the internal public streets as well as a five (5) foot wide sidewalk along the frontage of Wild Horse Creek Road.
- I. Transit Oriented Development (TOD) is not available to the proposed development.
- J. Affordable housing is not applicable.
- K. LEED certification is not applicable, with the exception of stormwater management which will exceed LEED requirements. Access to the bioretention basins, via a hiking trail, will be provided from the subdivision to allow for visual learning of the benefits to the environment.
- L. Community Facilities have been added in the form of playground/tot-lot/fitness equipment, gazebo/sitting area with trellis and benches.

#### BILL NO. <u>2996</u>

# ORDINANCE NO. 2816

AN ORDINANCE AMENDING ARTICLE 2 SECTION 04.B.3 AND SECTION 07 AND ARTICLE 3 SECTION 05C AND SECTION 08 OF THE UNIFIED DEVELOPMENT CODE TO AMEND DEVELOPMENT CRITERIA AND STANDARDS PERTAINING TO THE WILD HORSE OVERLAY DISTRICT (P.Z. 14-2014 CITY OF CHESTERFIELD {WILD HORSE CREEK ROAD OVERLAY DISTRICT UPDATES}).

WHEREAS, the City of Chesterfield Unified Development Code contains regulations and requirements pertaining to the development and construction of land within the City; and,

WHEREAS, the Unified Development Code serves to promote the public health, safety, and general welfare of the citizens of the City of Chesterfield; and.

WHEREAS, the City of Chesterfield seeks to update development criteria and standards pertaining to the Wild Horse Creek Road Overlay District; and,

**WHEREAS,** a Public Hearing was held before the Planning Commission on August 25, 2014; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval with amendments; and,

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval with amendments pertaining to the development criteria; and,

WHEREAS, the City Council, having considered said request, voted to approve the updates to Article 2 and 3 of the Unified Development Code pertaining to the Wild Horse Creek Road Overlay District with amendments to the development criteria.

# NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

**Section 1.** The City of Chesterfield hereby repeals Article 2 Sections 04.B.3 and Section 07 and Article 3 Section 05C and Section 08 of the Unified Development Code and replaces them with new Sections as set out in Attachment "A" which is attached hereto and made part thereof.

<u>Section 2.</u> If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as whole, or any part thereof.

**Section 3.** The provisions of the Ordinance may be amended in the future by the City Council of the City of Chesterfield, after notice and hearing as provided by law.

Section 4. Where this Ordinance differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the County, State, or Federal government, the more restrictive or protective of the City and the public shall apply.

Section 5. The City Council, pursuant to the petition filed by the City of Chesterfield in P.Z. 14-2014, requesting amendment embodied in this Ordinance and pursuant to the recommendations of the City of Chesterfield Planning Commission. Planning and Public Works Committee and City Council that said petition be granted and after public hearing, held by the Planning Commission on the 25th day of August, 2014, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 6. This Ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section 7. This Ordinance shall take effect immediately upon its publication. pursuant to applicable legal and procedural requirements.

This Ordinance shall be in full force and effect from and after its Section 8. passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ October, 2014.

Bob Mation

MAYOR

ATTEST:

First Reading Held: 9/15/2014

#### **ATTACHMENT A**

### **UNIFIED DEVELOPMENT CODE AMENDMENTS**

#### Amendment 1: Article 03-05C.

#### **OVERLAY DISTRICTS AND ZONING PROCEDURES**

"WH" Wildhorse Creek Road Overlay District.

C.

- 1. <u>Purpose</u>. The intent of the "WH" Wild Horse Creek Road Overlay District is to protect and maintain the scenic character of the Wild Horse Creek Road Sub Area and the adjacent neighborhoods by ensuring compatibility through site design, site plan review, and the regulation of activity upon the designated sites so that the uses of the property will not adversely affect the character of the neighborhood or the general welfare of the City.
- 2. <u>Applicability</u>. All properties located within the Wild Horse Study Sub Area (also known as "the Bow Tie") are required to zone to the "WH" Overlay District prior to any development or redevelopment action. The properties included within this Study Area are as described and shown in the City of Chesterfield Comprehensive Plan and attached hereto marked as Exhibit A.
- 3. <u>Zoning.</u> Properties located within the Wild Horse Study Sub Area may only seek a zoning map amendment to one of the Estate District categories. As the "WH" Overlay District is required for all properties in this sub area, properties in the sub area do not qualify for a "PUD" Planned Unit Development zoning.
- 4. <u>Scope of Provisions</u>. This Section contains the regulations of the "WH" Overlay District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in the UDC and additional regulations as required in the underlying estate district zoning.
- 5. <u>Compatibility of Residential Uses with Airport.</u> Zoning of land near airports raises a unique set of challenges and issues to ensure that safety of both the aircraft and the general public is achieved. This includes, but is not limited to, items such as noise, lighting, and building height. The impacts of long term noise exposure on the public's health and safety is of great importance to the City of Chesterfield. Therefore, the following airport and noise mitigation requirements shall apply to all residential development in the Wild Horse Sub Area:
  - a.) Residential development shall not be permitted on parcels located in areas with a DNL of greater than 65 as depicted on the Noise Disclosure Map. If a portion of a residential development

is located above the 65 DNL line, the area may be used as common ground, open space, or other such preservation area only.

- b.) Comments from the Spirit of St Louis Airport shall be required prior to approval of any zoning request and site development plan request.
- c.) Provide an avigation easement or other such easement as required by the Spirit of St. Louis Airport.
- d.) Sound attenuation methods through the use of site design and layout, architectural design and building materials shall be utilized and may be required in addition to other standards provided herein. This may include, but not be limited to, building height, room arrangement, window placement, building material, and orientation of residential structures.
- 6. <u>Minimum Standards of Design</u>. In addition to the development standards and district requirements required for the site in accordance with the underlying Estate District zoning, the following performance standards are applicable to the "WH" Overlay District:
  - a.) Uses. Permitted and Conditional Uses for the "WH" Overlay District are found in Section 03-08 of this Article.
  - b.) Community amenities such as a community center, nature preserve areas, park, lake, recreation areas, and other similar uses and amenities are required for all residential development and shall be shown on any preliminary plan and/or site development plan.
  - c.) Specific design requirements are set forth in Table 1:

· .	Table 1: Specific Design Requirements		
Building Design	Rear and side facades shall be designed with similar detailing and be compatible with the principal facades of the building.		
Internal Roadway System	As development occurs in the area, an internal roadway system, complete with buffers, landscaping, pedestrian circulation, and cross access shall be required as directed by the City of Chesterfield.		
Pedestrian Circulation	To achieve pedestrian circulation, all development shall include sidewalks and/or trails.		
Preservation of Slopes and Natural Features	Development on slopes in excess of 20% shall be minimized to the greatest extent practicable except for necessary infrastructure and public improvements.		
Protection of Historic Features	Future development shall minimize any impact to historic and heritage sites. Historic buildings and archeological sites shall be of utmost importance.		

d.)

- Specific development criteria requirements are set forth in Table 2. In addition, any requests for modification to any of these requirements in Table 2 shall follow the procedure set forth below:
  - a. An Applicant may submit to the PDS Division a statement requesting modification to any criteria in Table 2. Said request shall include an explanation as to why the modification is being requested. Each modification request shall include an explanation statement.
- b. Each modification request to criteria in Table 2 shall require a separate, super majority (two-thirds) vote by the City Council for approval. Therefore, the preliminary plan submitted to the Planning Commission for consideration of the zoning request, shall include a note identifying the modification request that will be made to the City Council. Approval of the zoning request by the Planning Commission is conditional upon approval by the City Council.
- c. If one or more of the modification requests is denied by the City Council, the preliminary plan shall be amended so that it adheres to all criteria of Table 2 and sent back to the Planning Commission for consideration.

Table 2: Development Criteria			
Building Height	The building height for residential structures shall not exceed 50 feet.		
Structure Setbacks	Structure setbacks shall be as established in the underlying zoning district.		
Landscape Buffering	The perimeter landscape buffer required in the underlying estate district zoning category shall not be located within any developed lot with a residential structure on it. The landscape buffer may include areas of common ground or conveyed park lands.		
Protection of Wild Horse Creek Road Character	To protect the scenic character of Wild Horse Creek Road, all developed lots must be set back at least fifty (50) feet from Wild Horse Creek Road right of way and screened from view. In addition, when any residential structure's rear façade fronts Wild Horse Creek Road, additional landscape buffering and vegetative screening such as landscape berms shall be provided within a permanent landscape easement to screen the view of the structure from Wild Horse Creek Road.		
Common Ground	A minimum of 30% common ground shall be provided in the development. Common ground shall be deed restricted, not concentrated in one area of the development site, and not located within any developable lot. However, common ground may be concentrated in areas in a residential development which lie above the 65 DNL line. Any land conveyed for public park purposes may be counted toward the Common Ground requirement.		

Lot Size. In order to encourage minimum grading, preservation of open space and natural amenities and topography, and provide for trails, paths and other community amenities, the minimum lot sizes for developments may be reduced with the "WH" Overlay zoning in accordance with Table 3 below:

Table 3: Minimum Lot Size Requirements					
Underlying Zoning District	Minimum Lot Size Required in Underlying Zoning District	Minimum Lot Size Permitted with WH Overlay			
E-2	2 acres	1 acre			
E-1	1 acre	22,000 sq ft			
E-1/2	½ acre	15,000 sq ft			

8. The procedure for zoning to the "WH" Overlay District and site development plan approval is established in Article 02 of this UDC.

7.

# **USE TABLE FOR OVERLAYS AND SPECIAL PROCEDURES**

#### **Use Table for Overlays and Special Procedures** P-Permitted

Uses:

**C-Conditional** \* means the use is allowed with conditions. See the district regulations the underlying district in this Article for additional regulations

USE GROUP	Overlay Distr	ict or Special Procedure	1	1	
	FP	MAA	PUD	RBU	WH
CIVIC	27.19 M				e a ser a
Church and other places of worship					Р
Community center					С
Library					С
Open air performance and educational facility		P*			
Parks	Р				Р
Public safety facility Railroad switching yard and tracks and associated structures	С				P
Retreat center Wildlife reservations and					С
forests including conservation projects					Р
Wildlife habitats and fish hatcheries	Р				
RESIDENTIAL					
Dwelling, single-family attached					Р
Dwelling, single-family detached					Р
Dormitories					С
Group residential facility					С
Yard areas for single-family lots	Р*			-	
PUBLIC/RECREATIONAL			5 A.		
Airport	C				
Art gallery		Р			
Athletic fields	С				
Boat dock for other than commercial or industrial use	Р				
Cemetery					C*

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USE GROUP	Overlay Dist	rict or Special Procedure	1		
	FP	MAA	PUD	RBU	WH
Club					C*
Farming	Р				
Golf courses	Р				1
Hunting, fishing, and propagation of wildlife	Р				
Mortuary					С
Museum		P			
Recreation facility	С				
Riding stable					С
Shooting range, outdoor	Р				
Swimming pools-outdoor	Р				
Swimming pools-indoor	Р				
Theatre		P			
Theatre, drive-in	С				
OFFICE					
Office-dental				P*	
Office-general		P		Р	
Office-medical				P*	
COMMERCIAL/SALES					
Newspaper stand			P*		
Restaurant, sit-down			P*		
Retail sales establishment, neighborhood			P*	P*	<u></u>
Commercial sales facility				P*	
SERVICE/INDUSTRIAL					
Barber or beauty shop		· ·	P*		
Day care center			P*		С
Drug store and pharmacy			P*		
Extraction & processing of raw materials from the earth and processing thereof	С				
Hospice					С
Hospital		· · · · · · · · · · · · · · · · · · ·			C
Kennel, boarding					С
Kennel, private					C
Laundromat			P*		
Nursing home					C
Open storage	С				-
Tow yard	С				

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USE GROUP	Overlay District or Special Procedure				
	FP	MAA	PUD	RBU	WH
EDUCATIONAL				40 F 4	1944 - S. 194
College/university					Р
Educational facility		Р			Р
Kindergarten or nursery school					Р
Specialized private school					C
UTILITIES					
Public utility facilities	P*	· ·			Р
Public facilities over 60 ft. in height					с
Radio, television, and communication transmitting, receiving, or relay towers and facilities		X			с
Sewage treatment facilities, other than facilities permitted as an accessory use	С				с

#### Amendment 3: Article 02-04.

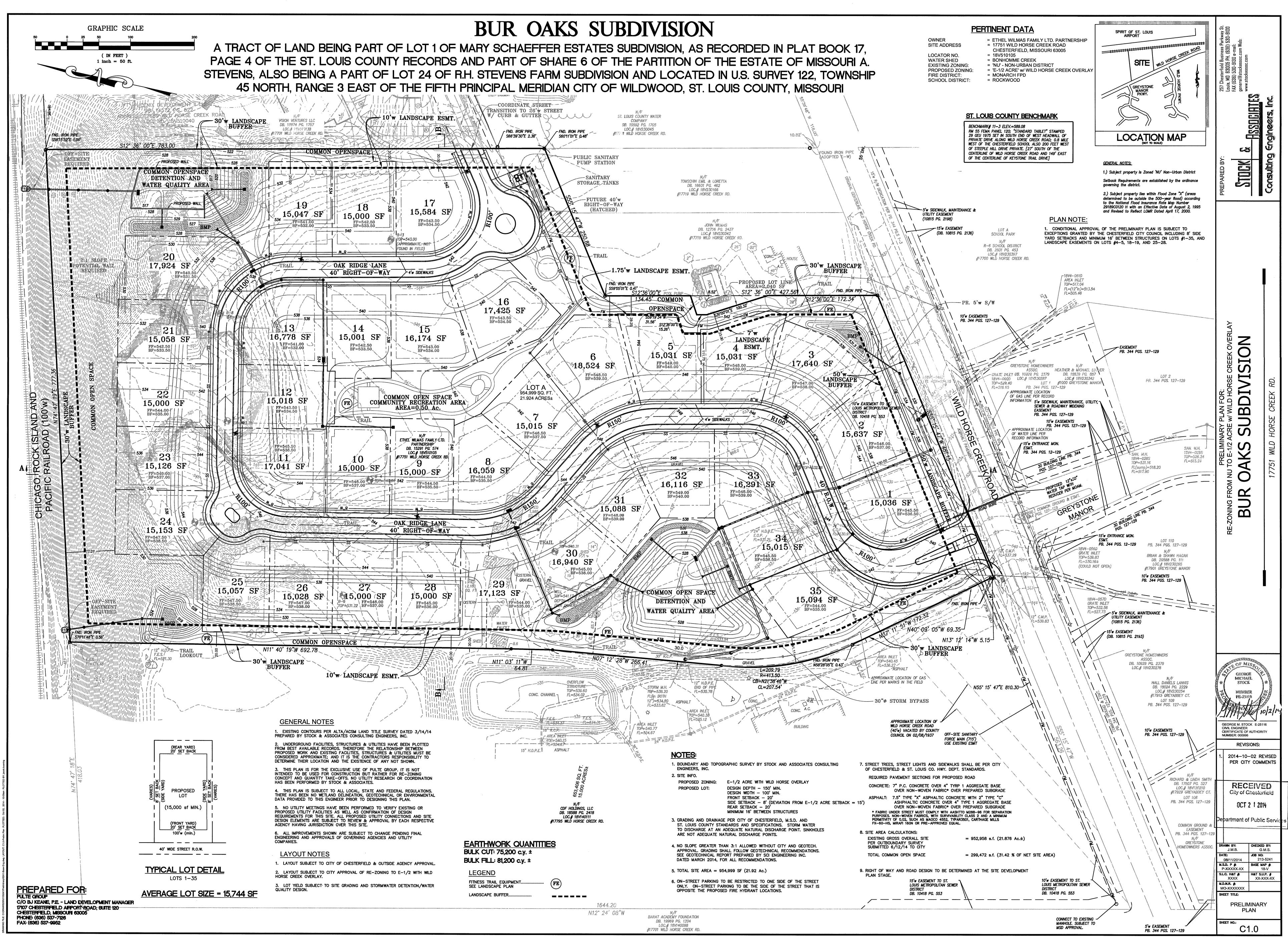
#### PROCEDURES FOR ESTABLISHING PLANNED DISTRICTS AND SPECIAL PROCEDURES

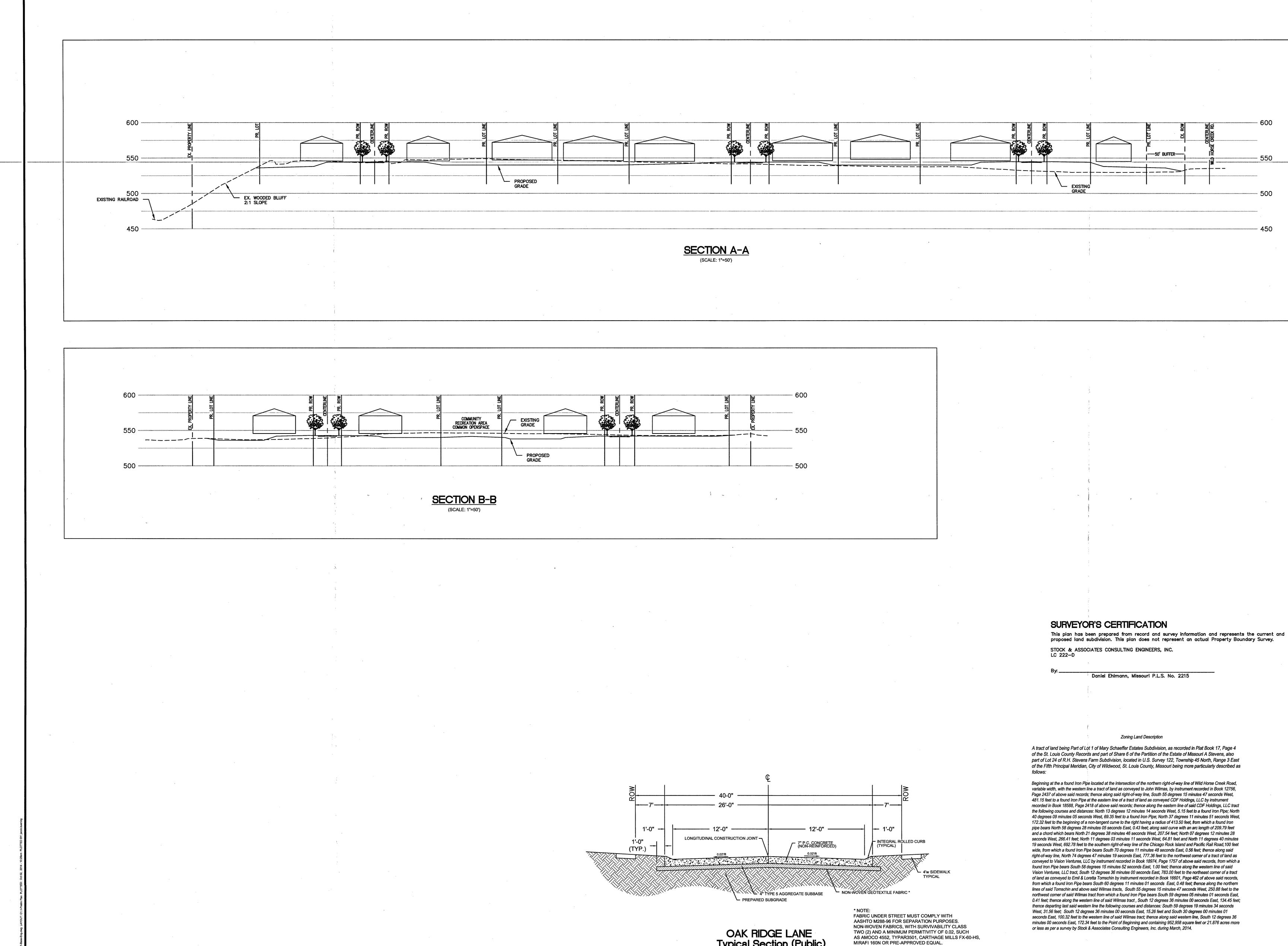
- B. Procedures.
  - 3. <u>Planning Commission Review and Recommendation</u>. No action shall be taken by the City Council with respect to the petition until it has received the recommendation of the Planning Commission. The recommendation shall address the proposed development and its relation to all applicable Sections of this UDC, the City of Chesterfield Comprehensive Plan, and compatibility with adjoining permitted developments and uses. A recommendation of approval or approval as amended shall include recommended conditions to be included in the ordinance, preliminary development plan, or permit authorizing the establishment of the Planned District or Special Procedure.

### Amendment 4: Article 02-07.

#### WILD HORSE CREEK ROAD (WH) OVERLAY DISTRICT

- A. Procedure.
  - 1. The "WH" District is established as an Overlay District. An Overlay District is a special procedure which addresses circumstances or environmental safeguards and is superimposed over the underlying existing zoning district.
  - 2. Properties required to zone to the "WH" Overlay District per Article 03.05 of this UDC must zone to one of the Estate District zoning classifications found in Article 03 of this UDC concurrently.
  - 3. All properties in utilizing the "WH" Overlay District shall follow the procedures set forth for establishment of special procedures or amendments thereto in Section 02-04 of this Article of the UDC.
  - 4. Development requirements are established by the underlying zoning district, the "WH" Overlay District, and the preliminary development plan.
  - 5. Approval of development plans or amendments thereto shall be in accordance with Article 02-10 of this UDC.

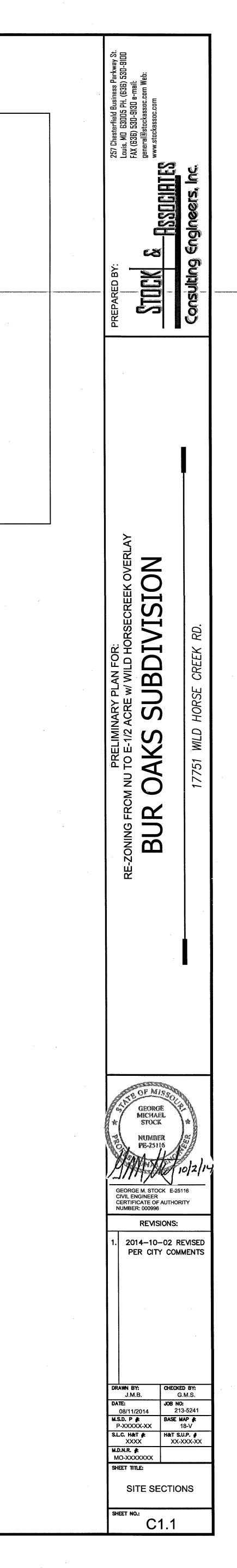


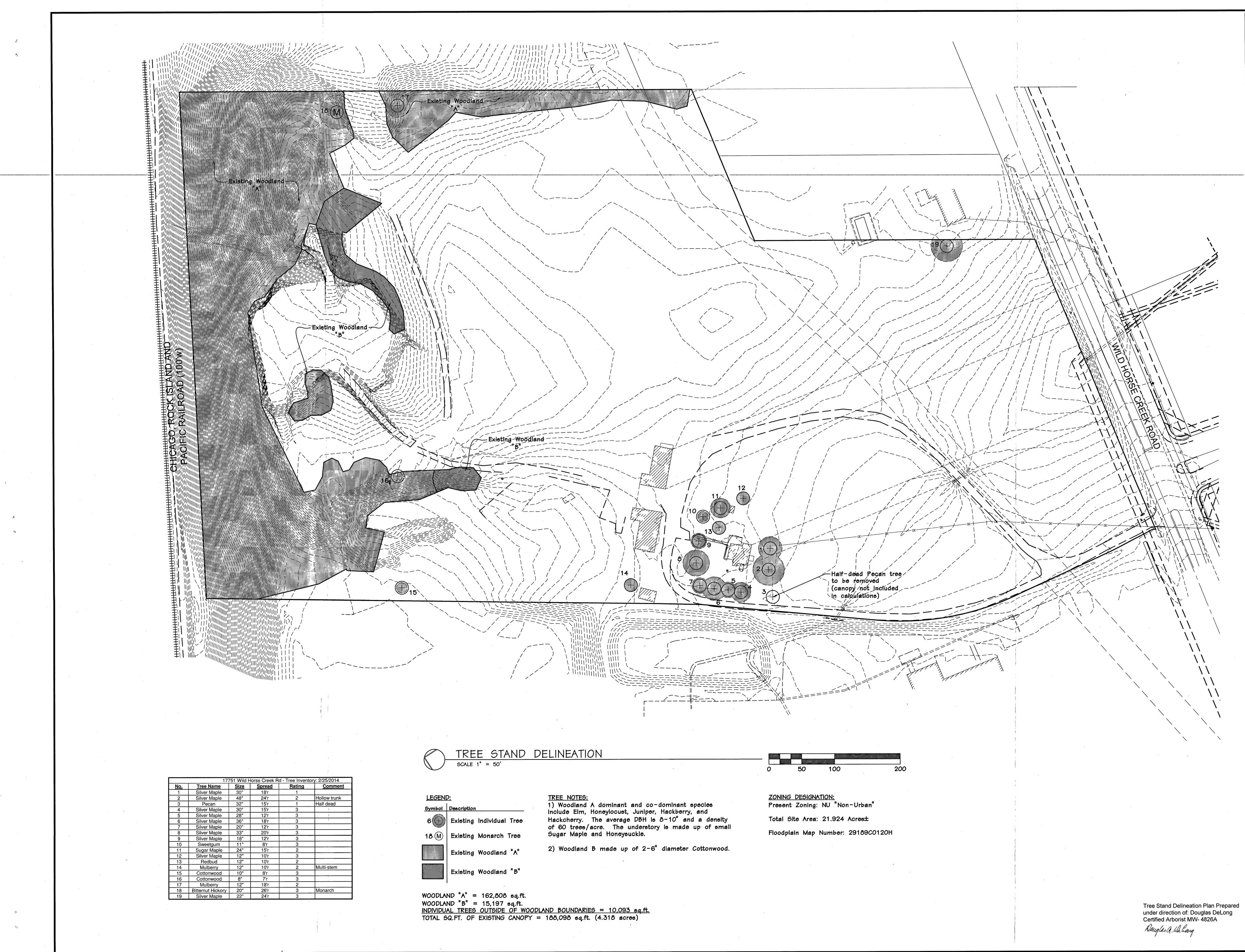


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\$ 21 OAK RIDGE LANE Typical Section (Public) (NOT TO SCALE: FOLLOW DIMENSIONS)





Symbol	Description	· · · · · · · · · · · · · · · · · · ·
6	Existing	Individual Tree
18 M	Existing	Monarch Tree
	Existing	Woodland "A"
	Existing	Woodland "B"

