

Memorandum

Planning & Development Services Division



To: Planning and Public Works Committee

From: Purvi Patel, Project Planner

Date: November 5, 2015

RE: **P.Z. 09-2015 Friendship Village of West County (15239, 15249 & 15255 Olive Blvd)**: A request for a zoning map amendment from a "NU" Non-Urban District to an "R-4" Residential District for 2.13 acres located at the northeast corner of Olive Boulevard and Braefield Drive (18S640272, 18S640326 & 18S640162).

Summary

Friendship Village of West County has submitted a request for a zoning map amendment from a "NU" Non-Urban District to an "R-4" Residential District. Their ultimate plan is to incorporate the subject site into the existing Friendship Village campus. Nursing homes or group residential facilities are not permitted uses under the "NU" Non-Urban District zoning designation. Therefore, in order to amend the existing Conditional Use Permit (CUP) for Friendship Village, it is first necessary to apply for a zoning map amendment to an active zoning district. Per the City Code, nursing homes and group residential facilities are conditional uses under the "R-4" Residential District. This is also the zoning designation for the current Friendship Village campus.

As a conventional (versus planned) zoning district, the legislation for this request will neither include a preliminary plan nor an Attachment A. If the request is approved, these parcels will have to adhere to the permitted uses and district regulations of the "R-4" Residential District as well as all other applicable code requirements.

A Public Hearing was held on October 26, 2015. At the same meeting of the Planning Commission, a recommendation for approval of the above referenced matter was approved by a vote of 9-0.

Attached to this report, please find a copy of Staff's Planning Commission report, Outboundary Survey, and Tree Stand Delineation Plan.

Respectfully submitted,

Purvi Patel
Project Planner

cc: Aimee Nassif, Planning and Development Services Director

Attachments: Planning Commission Report
Outboundary Survey
Tree Stand Delineation Plan



**IV. A.
VIII.A.**

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**Planning and Development Services Division
Public Hearing and Vote Report**

Meeting Date: October 26, 2015

From: Purvi Patel, Project Planner

Location: Northeast corner of Olive Boulevard and Braefield Drive

Petition: **P.Z. 09-2015 Friendship Village of West County (15239, 15249 & 15255 Olive Blvd):** A request for a zoning map amendment from a “NU” Non-Urban District to an “R-4” Residential District for 2.13 acres located at the northeast corner of Olive Boulevard and Braefield Drive (18S640272, 18S640326 & 18S640162).

Summary

Friendship Village of West County has submitted a request for a zoning map amendment from a “NU” Non-Urban District to an “R-4” Residential District as part of a two-step process in order to obtain entitlements to develop the subject site which will be incorporated into the existing Friendship Village campus in the future. Nursing homes or group residential facilities are not permitted or conditional uses under the current “NU” Non-Urban District zoning designation; additionally, the “NU” Non-Urban District is no longer an active zoning district. Therefore, in order to amend the existing Conditional Use Permit (CUP) for Friendship Village to include the subject site and amend the current development criteria, it is first necessary to apply for a zoning map amendment to an active zoning district. Per the City Code, nursing homes and group residential facilities are conditional uses under the “R-4” Residential District, which is also the zoning designation for the current Friendship Village campus.

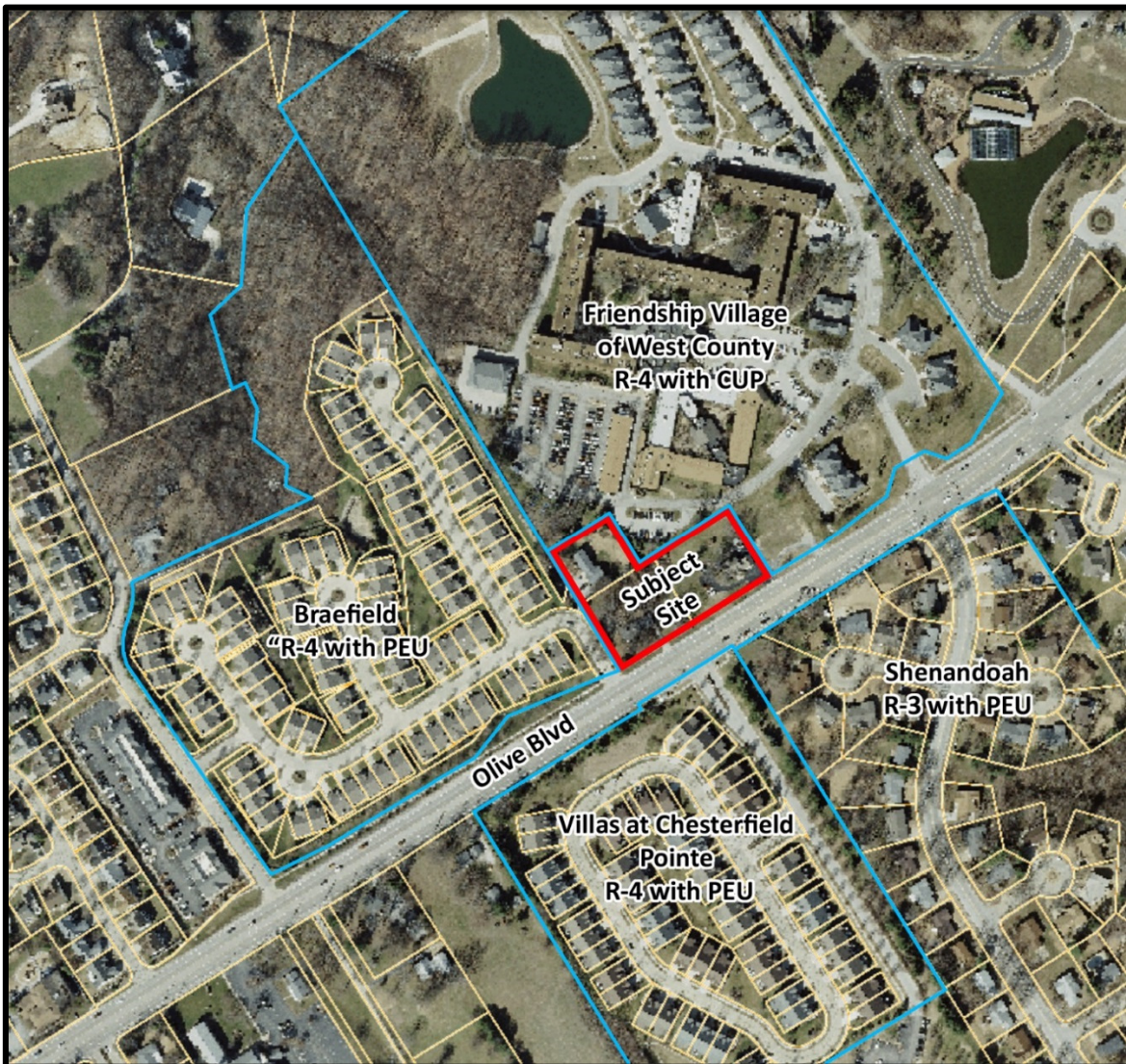
As a conventional (versus planned) zoning district, the legislation for this request will neither include a preliminary plan nor an Attachment A. If approved, the uses permitted for the subject site will be those specified in the “R-4” Residential District regulations.

Site History

The subject site includes three parcels of 0.83, 0.81 and 0.49 acres and was incorporated into the City of Chesterfield under the “NU” Non-Urban District designation from St. Louis County. In December 1990, City Council approved a Commercial Service Procedure (CSP) for 15239 Olive Boulevard to allow an office, excluding medical or dental office, for the existing structure of 1,300 square feet. This parcel was previously occupied by American Family Insurance, but is currently vacant. The single-family home located at 15255 Olive Boulevard is vacant as well and the applicant plans on demolishing both these structures in the near future. The single-family home located at 15249 Olive Boulevard was demolished in April 2015.

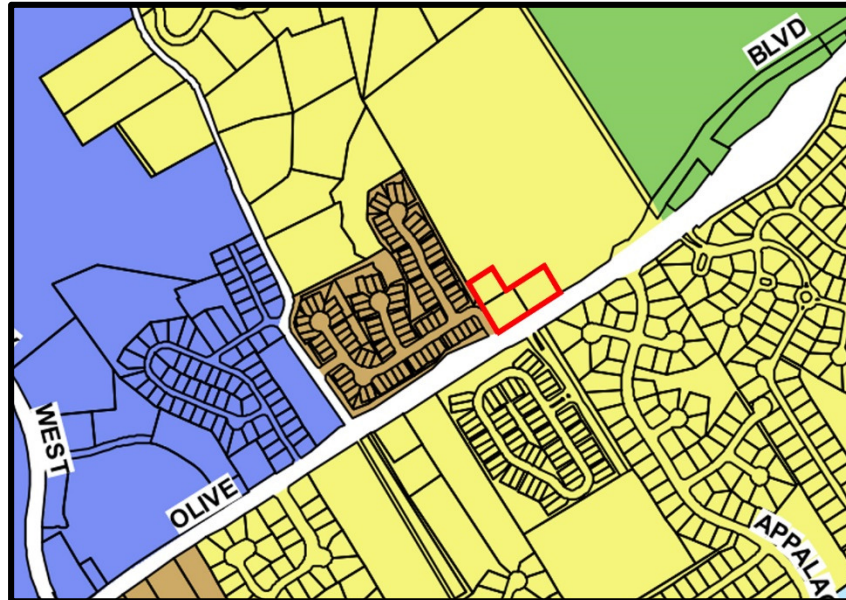
Surrounding Land Use and Zoning

- North:** North of the site is the Friendship Village of West County campus which is currently zoned “R-4” Residential District with a Conditional Use Permit (CUP).
- South:** The properties to the south are located within the Shenandoah and Villas at Chesterfield Pointe subdivisions. The Shenandoah subdivision is zoned “R-3” Residential District with a “PEU” Planned Environmental Unit; and Villas at Chesterfield Pointe is zoned “R-4” Residential District with a “PEU” Planned Environmental Unit.
- East:** The Friendship Village of West County campus wraps to the east of the subject site as well.
- West:** The parcels to the west are located in the Braefield subdivision which is zoned “R-4” Residential District with a “PEU” Planned Environmental Unit.



Comprehensive Plan Analysis

The subject site is located within Ward 1 of the City of Chesterfield. The City of Chesterfield Land Use Plan indicates these parcels are within the Residential Single-Family land use designation. This subject site is not located in any sub-area identified by the Comprehensive Plan. The current zoning request is consistent with the Comprehensive Plan.



Staff Analysis

As previously mentioned, this zoning request is consistent with the Comprehensive Plan and with the surrounding zoning districts. If approved, these parcels will have to adhere to the permitted uses and district regulations of the “R-4” Residential District as well as all other applicable City of Chesterfield development regulations. Furthermore if the current request is approved, Staff will begin processing the Conditional Use Permit (CUP) application which will serve to incorporate the subject site into the existing campus and to amend the current development criteria. Please note that a separate public hearing will be held in conjunction with the application for a Conditional Use Permit (CUP).

Request

A public hearing further addressing this request will be held at the Monday, October 26th, 2015, City of Chesterfield Planning Commission meeting.

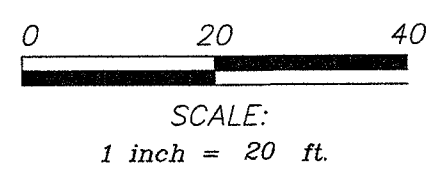
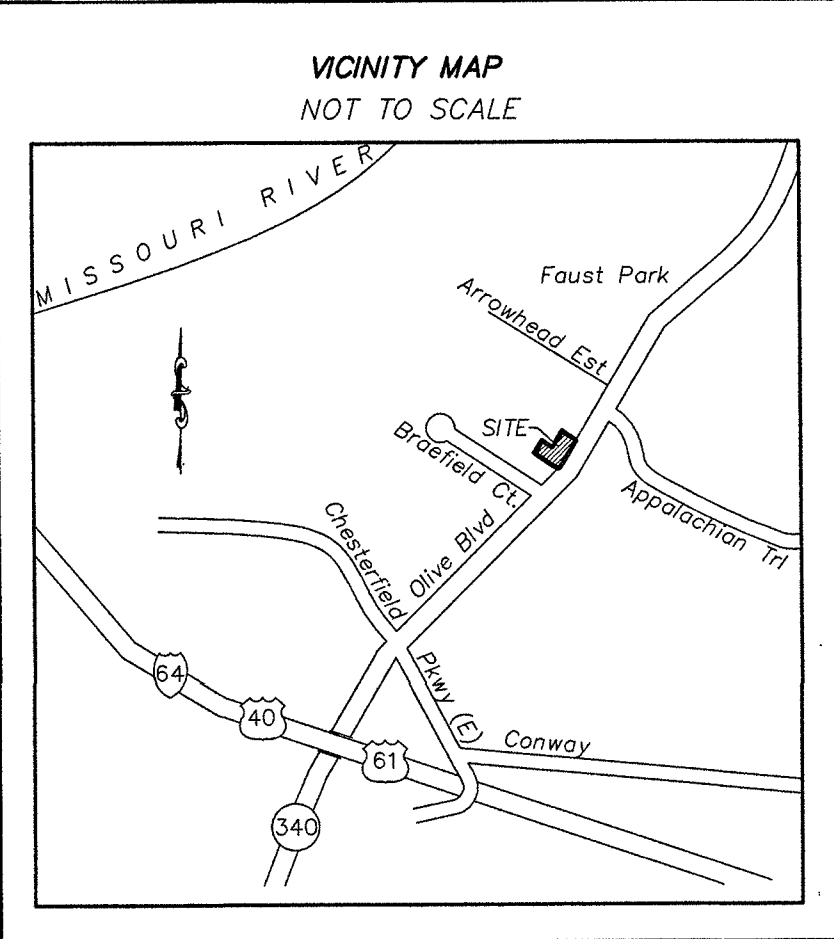
Staff has reviewed the request for a zoning map amendment by Friendship Village of West County and has found that the request is compliant with the City of Chesterfield Code and consistent with the Comprehensive Plan. As this zoning request is for a conventional zoning district, there will be no preliminary plan or Attachment A. At this time, Staff has no outstanding issues on this petition and recommends approval of the request. Staff requests action on P.Z. 09-2015 Friendship Village of West County (15239, 15249 & 15255 Olive Blvd).

Attachments

1. Public Hearing Notice
2. Outboundary Survey
3. Tree Stand Delineation

cc: Aimee Nassif, Planning and Development Services Director

ZONING EXHIBIT
PART OF LOT 2 OF THE HUGO ESSEN FARM IN
U.S. SURVEY 154 AND 157, TOWNSHIP 45 NORTH, RANGE 4 EAST.
 ST. LOUIS COUNTY, MISSOURI



- Denotes Set 1/2" x 18" Rebar with cap stamped "Marler L.S.-347-D"
- Denotes Found 1/2" Iron Pipe

GENERAL NOTES

1. The basis of bearing of this survey is Plat Book 356 Page 143 of the St. Louis County Land Records.
2. Parcel 1 has an area of 36,041 square feet or 0.834 acres of land.
3. Parcel 2 has an area of 35,441 square feet or 0.813 acres of land.
4. Parcel 3 has an area of 21,418 square feet or 0.494 acres of land.
5. The property is designated by St. Louis County parcel # 185640272 (Parcel 1), # 185640326 (Parcel 2) & # 185640162 (Parcel 3).
6. Source of deed reference is Deed Book 12657 Page 2252 (Parcel # 1).
7. Source of deed reference is Deed Book 12656 Page 1576 (Parcel # 2).
8. Source of deed reference is Deed Book 8261 Page 2421 (Parcel # 3).
9. R. = Record and S. = Surveyed.

SCHEDULE "B" TITLE EXCEPTION NOTES

- This survey is based on a title report prepared by Continental Title Company, Commitment No. 05010539, dated April 26, 2014. Items not listed below are standard exceptions and/or are not matters or issues that pertain to this survey.
1. Standard exceptions, not land survey related.
 2. Easements to Union Electric recorded in Book 2457 page 467 (2.5' easement as shown, encumbers Parcel 1).
 3. Easement for water pipe recorded in Book 7376 page 102 (Easement 10' wide currently within the Right of Way of Olive Blvd., does not encumber the subject parcel).
 4. Temporary Easement for improvement of entrance and slope line granted to the State of Missouri by instrument recorded in Book 8762 Page 1332 and recorded in Book 8768 page 1137. (Right of way dedication as shown on this survey and contains temporary easements, document dated April 12, 1990, temporary easements to cease upon completion of construction, believed to have ceased, not plotted).
 5. Permanent Utility Easement granted to State of Missouri by instruments recorded in Book 9097 page 889 and Book 9347 page 205. (Existing right of way taking along Olive Road as shown on this survey, a temporary construction easement, document dated June 1997, to have ceased upon completion of construction of Olive Blvd., not shown believed to have ceased and the permanent water line along Olive Blvd. as shown which encumbers parcels 1 and 2.)
 Note: Permanent Water Pipe Easement granted to St. Louis County Water Company by Quit Claim Deed recorded in Book 9490 page 1792. (Quit claim deed from State of Missouri to St. Louis County Water Company for easements contained in Cause # 626577 as recorded in Deed Book 9347 Page 205 as shown on this survey encumbering Parcels 1 and 2.)
 6. Terms and conditions of Ordinance No. 536, recorded in Book 9488 page 1887. (An ordinance amending the City of Chesterfield Zoning Ordinance to allow a Commercial Service Procedure in the "NU" zoning district and states that all building setback requirements shall be in accordance with the "NU" Non-Urban District and other conditions and restrictions that are not land survey related items).
 7. Easement granted to Union Electric Company d/b/a Ameren UE by instrument in Book 15907 page 701. (5' Easement as shown on this survey).
 8. Encroachment of driveway from neighboring lot over the East Property line as shown on Surveyor's Real Property Report No. 166036 by James Engineering and Surveying Co., Inc. dated August 4, 2000. (Existing asphalt drive as shown on this survey).

SCHEDULE "B" TITLE EXCEPTION NOTES

- This survey is based on a title report prepared by Continental Title Company, Commitment No. 05010540, dated March 25, 2014. Items not listed below are standard exceptions and/or are not matters or issues that pertain to this survey.
1. Standard exceptions, not land survey related.
 2. Building lines, easements, conditions, and restrictions as shown on plot recorded in Plat Book 11 page 18. (Does not show any building lines, does show East Drive (40' wide) which has been abandoned see item 11, listed below).
 3. Easement granted to Union Electric Company by instrument recorded in Book 3857 page 235 (10' wide and 5' wide easements as shown on this survey, encumbers parcel 2).
 4. Easement granted to St. Louis County Water Company by instrument recorded in Book 7361 page 2233 (15' Easement within the current right of way of Olive Blvd., does not encumber the subject parcel) and Book 9097 page 907 (As shown on survey, encumbers parcel 2) and Book 9490 page 1792. (Quit claim deed from State of Missouri to St. Louis County Water Company for easements contained in Cause # 626577 as recorded in Deed Book 9347 Page 205 as shown on this survey encumbering Parcels 1 and 2).
 5. Abandonment of roadway recorded in Book 10010 page 1372. (Abandonment of private roadway known as East Drive (40' w) by Parcel 3, the owners or holders of interest in East Drive are releasing their rights to the easement only and are not releasing their fee simple ownership to owners of the underlying real estate) and Book 10010 page 1380. (States that the owners of Existing East Drive hereby releases, terminates, vacates and abandons all right, title and interest they may have in the easements and right of ways defined as Existing East Drive, so that henceforth said roadway easements and right of way shall be null and void and of no further force or effect).
 6. Terms and provisions of the agreement and encumbrance between Thomas C. Eggers and Gloria C. Eggers, and St. Louis County Water Company by instrument recorded in Book 9878 page 263. (An agreement and encumbrance, naming parcel 2 and 3 stating that the rules of the water company generally require for the benefit of its customers that every parcel have a separate located totally on the parcel being served and that the service lines to the parcel listed are not in compliance, not a land survey related item).

SCHEDULE "B" TITLE EXCEPTION NOTES

- This survey is based on a title report prepared by Continental Title Company, Commitment No. 05010544, dated April 1, 2014. Items not listed below are standard exceptions and/or are not matters or issues that pertain to this survey.
1. Standard exceptions, not land survey related.
 2. Building lines, easements, conditions, and restrictions as shown on plot recorded in Plat Book 11 page 18. (Does not show any building lines, does show East Drive (40' wide) which has been abandoned see item 11, listed below).
 3. Easement granted to Union Electric by instrument recorded in Book 3957 page 235 (Encumbers Parcel 2, as shown on this survey) and Book 3957 page 236 (5' easement and 10' x 20' easement as shown on this survey).
 4. Terms and provisions of the sewer agreement, including a provision for assessments, contained in the instrument recorded in Book 6769 page 1648 (Does not encumber the subject parcel) and Book 6769 page 1652 (Does not encumber the subject parcel).
 5. Easement granted Union Electric by instrument recorded in Book 6775 page 1795 Book 6783 page 1810 (various 10' wide strips of land being part Parcel 3 and the adjointer to the North and East, existing estimate plot provided by Ameren does not encumber Parcel 3), and Book 6775 page 1795 (various 10' wide strips of land being part Parcel 3 and the adjointer to the North and East, existing estimate plot provided by Ameren does not encumber Parcel 3).
 6. Easement granted to St. Louis County Water company by instrument recorded in Book 9097 page 907. (As shown on survey, encumbers parcel 2).
 7. Easement agreement by and between Greater Missouri Builders, Inc. and David L. Prange and Elizabeth A. Prange, his wife by instrument recorded in Book 10010 page 1384. (Access easement benefiting parcel 3 encumbering the adjointer, as shown on this survey).
 8. Abandonment of roadway recorded in Book 10010 page 1372. (Abandonment of private roadway known as East Drive (40' w) by Parcel 3, the owners or holders of interest in East Drive are releasing their rights to the easement only and are not releasing their fee simple ownership to owners of the underlying real estate) and Book 10010 page 1380. (States that the owners of Existing East Drive hereby releases, terminates, vacates and abandons all right, title and interest they may have in the easements and right of ways defined as Existing East Drive, so that henceforth said roadway easements and right of way shall be null and void and of no further force or effect).

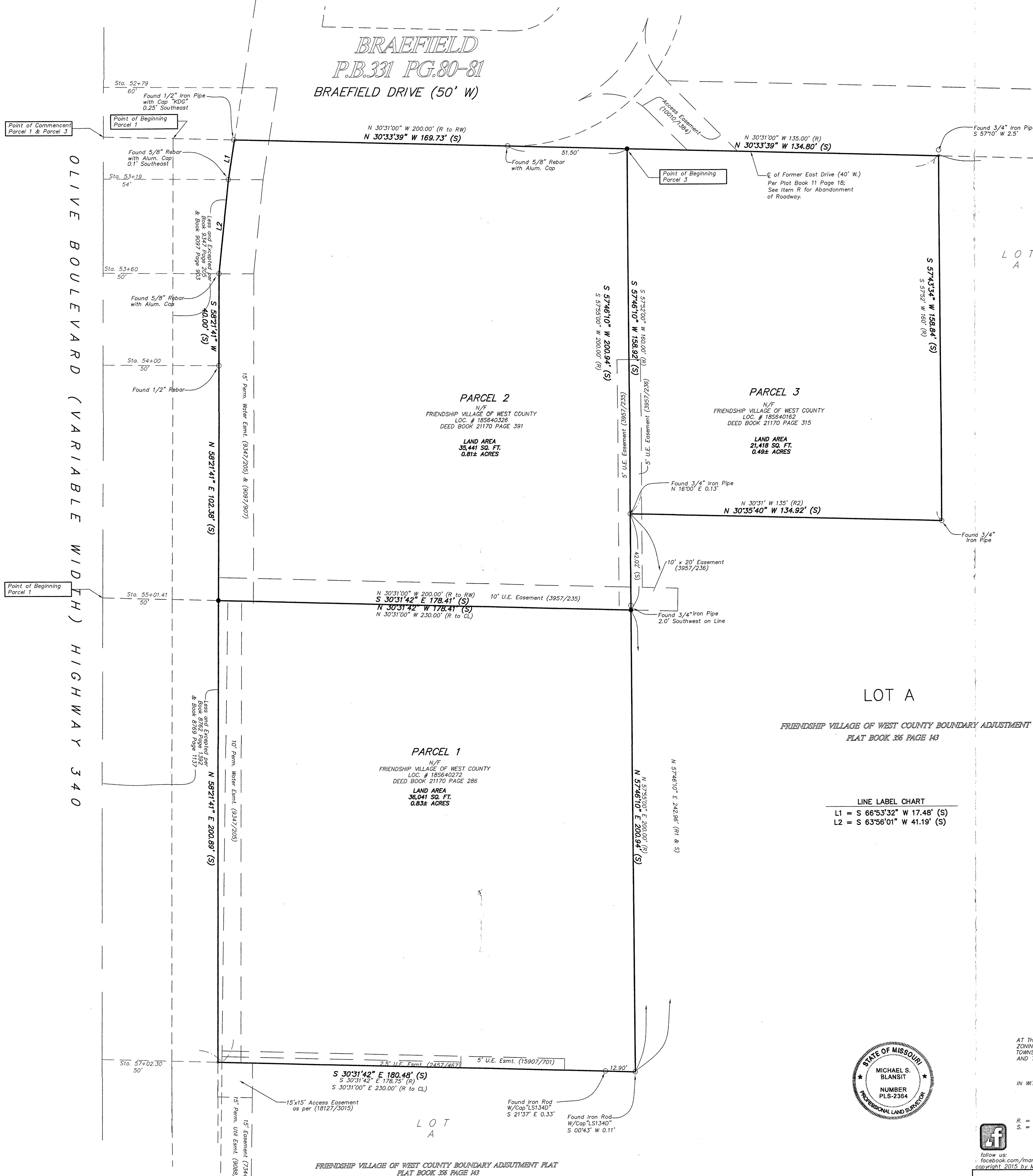
ZONING NOTES

Zoned: Parcel 1 NU-CSP Non Urban - Commercial Service Procedure
 Parcel 2 NU Non Urban
 Parcel 3 NU Non Urban

Existing site conditions may fall within permitted uses as listed in the City of Chesterfield zoning regulations. Zoning regulations are subject to change, interpretation and exception, for further information contact the City of Chesterfield planning and zoning department.

FLOOD ZONE NOTES

By graphic plotting only, this property does not lie within any special flood zone areas according to the flood insurance rate map panel number 29189C0145 H and community number 290896 (City of Chesterfield) which bears an effective date of August 2, 1995. The property lies within unshaded zone X (Area determined to be outside 500 year flood plain).



LAND DESCRIPTION

Commitment No. 05010539 (Parcel 1)
 A tract of land in U.S. Survey 157, Township 45 North, Range 4 East, being more particularly described as follows: Beginning at a point in the center line of Olive Street Road, distant North 57 degrees 35 minutes East 200 feet from the intersection of the center line of said road with the center line of East Drive as laid out in Hugo Essen Farm, as per plat recorded in Plat Book 11 page 18 of the St. Louis County records; thence along the center line of Olive Street Road 57 degrees 35 minutes East 200 feet to a point; thence leaving said road line and running North 30 degrees 31 minutes West 230.01 feet to an iron pipe; thence South 57 degrees 55 minutes West 200 feet to an iron pipe; thence South 30 degrees 31 minutes East 230.01 feet to the place of beginning. Less and excepting therefrom that portion conveyed to the State of Missouri acting by and through the Missouri Highway and Transportation Commission by instrument recorded in 8762 page 1392, and re-recorded in Book 8769 page 1137. 15239 Olive Blvd. 185640272.

Commitment No. 05010540 (Parcel 2)
 Part of Lot 2 of the Subdivision of the Hugo Essen Farm, according to the plot thereof recorded in Plat Book 11 page 18 of the St. Louis County records and described as: Beginning at the intersection of the North line of Olive Street Road 60 feet wide, with the center line of East Drive, 40 feet wide, thence along the North line of Olive Street Road, North 57 degrees 55 minutes East, 200 feet to the Southwest corner of property conveyed to Carl H. Albrecht and wife by deed recorded in Book 2009 page 66 of the St. Louis County records; thence along the West line of said property as conveyed to Albrecht and wife North 30 degrees 31 minutes West, 200 feet to the Northwest corner thereof; thence South 57 degrees 55 minutes West 200 feet to the center line of East Drive; thence along the center line of said drive South 30 degrees 31 minutes East 200 feet to the beginning. Less and excepting that portion conveyed to Missouri Highway and Transportation Commission according to instrument recorded in 9097 page 903 and Book 9347 page 205. 15249 Olive Blvd. 185640326.

Commitment No. 05010544 (Parcel 3)
 A tract of land in Lot 2 of Hugo Essen Farm in U.S. Survey 154 and 157 in Township 45 North, Range 4 East and being more particularly described as follows: Beginning at a point in the center line of Olive Street Road, distant North 57 degrees 35 minutes East 200 feet from the intersection of the center line of said road with the center line of East Drive as laid out in Hugo Essen Farm, as per plat recorded in Plat Book 11 page 18 of the St. Louis County records; thence along the center line of Olive Street Road, North 57 degrees 55 minutes East, 200 feet to a point; thence leaving said road line and running North 30 degrees 31 minutes West 230.01 feet to an iron pipe; thence South 57 degrees 55 minutes West 200 feet to an iron pipe; thence South 30 degrees 31 minutes East 230.01 feet to the place of beginning. Less and excepting therefrom that portion conveyed to the State of Missouri acting by and through the Missouri Highway and Transportation Commission by instrument recorded in 8762 page 1392, and re-recorded in Book 8769 page 1137. 15239 Olive Blvd. 185640272.

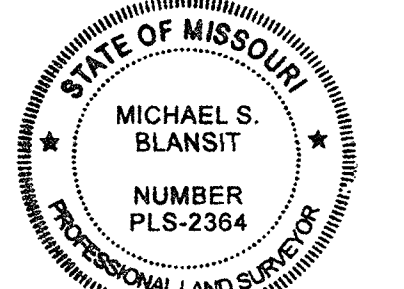
OVERALL LAND DESCRIPTION

A tract of land being part of Lot 2 of Hugo Essen Farm in U.S. Survey 154 & 157, Township 45 North, Range 4 East in St. Louis County, Missouri, being more particularly described as follows: Beginning at a point on the Northern right of way line of Olive Boulevard (variable width) and the Eastern line of Braefield, a subdivision recorded in Plat Book 331 Pages 80 and 81 of the St. Louis County Land Records; thence along the Northern line of said Braefield, North 30 degrees 34 minutes East, 0.25 feet; thence along the Eastern line of Braefield subdivision, North 30 degrees 33 minutes 39 seconds West a distance of 304.53 feet to a set 1/2" x 18" rebar with cap stamped "Marler L.S.-347-D" (Typical) being on the Southern line of Lot A of Friendship Village of West County Boundary Adjustment Plat, as recorded in Plat Book 356 Page 143; thence along the Southern line of said Lot A, North 57 degrees 43 minutes 34 seconds East a distance of 158.94 feet to a found 3/4" iron pipe; South 30 degrees 35 minutes 40 seconds East a distance of 134.92 feet to a point from which a found 3/4" iron pipe bears North 16 degrees 00 minutes East 0.13 feet; North 57 degrees 46 minutes 10 seconds East a distance of 242.96 feet to a point from which a found 1/2" rebar with cap stamped "L.S. 134-0" bears South 00 degrees 43 minutes, 0.11 feet; South 30 degrees 31 minutes 42 seconds East a distance of 180.48 feet to a set rebar on the Northern right of way line of Olive Boulevard; thence along said Northern right of way line, South 58 degrees 21 minutes 41 seconds West a distance of 343.77 feet to a found 5/8" rebar with an aluminum cap; thence South 63 degrees 56 minutes 01 seconds West a distance of 41.19 feet to a point from which a found 5/8" rebar with an aluminum cap bears South 01 feet; thence South 65 degrees 53 minutes 12 seconds West a distance of 17.48 feet to the point of beginning containing 92,900 square feet or 2.13 acres more or less as surveyed by Marler Surveying Company, Inc.

SURVEYOR'S STATEMENT

AT THE REQUEST OF FRIENDSHIP VILLAGE, CHESTERFIELD, WE HAVE DURING THE MONTH OF SEPTEMBER 2015, PREPARED A ZONING EXHIBIT ON THREE PARCELS BEING PART OF LOT 2 OF THE HUGO ESSEN FARM, IN U.S. SURVEYS 154 AND 157, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE ST. LOUIS COUNTY LAND RECORDS OFFICE IN ST. LOUIS COUNTY, MISSOURI, AND THE RESULTS OF SAID EXHIBIT ARE REPRESENTED ON THIS DRAWING.

IN WITNESS WHEREOF, I HAVE SIGNED AND SEALED THE FOREGOING THIS 20th DAY OF OCTOBER, 2015.



R. = RECORD
 S. = SURVEYED

MARLER SURVEYING COMPANY, INC.
 MISSOURI CORP., NO. L.S. 347-D
 By: *Michael S. Blansit*
 MISSOURI P.L.S. 2364

MARLER SURVEYING COMPANY, INC.

JOB NO. 1309-064ZE
 11402 GRAVDS RD., STE. 200 ST. LOUIS, MO 63126 (314) 729-1001 PH. (314) 729-1044 FAX
 402 EAST SPRINGFIELD ROAD, SULLIVAN, MO (573) 460-4634 PH. (573) 880-8606 FAX
 email: marler@marlersurveying.net

DEPUTY: J.B.
 CHECKED BY: M.S.B.

THIS PLAT CONTAINS 2.13± ACRES

