

## Planning Commission Public Hearing Report

**Meeting Date:** November 23, 2020

**From:** Annisa Kumerow, Planner **AK**

**Location:** A 2.79 acre tract of land located north of Clayton Road, west of its intersection with Schoettler Road.

**Petition:** **P.Z. 07-2020 St. Louis Retirement (Conditional Use Permit Amendment):** A request to amend Conditional Use Permit 570 to permit two existing units for staff as resident living units at 14525 Clayton Rd (21R540724).

### **SUMMARY**

Kutak Rock, LLP, on behalf of the property owner, is requesting an amendment to St. Louis County Conditional Use Permit 570 with respect to the density of the existing permitted use for 14525 Clayton Road of the St. Louis Retirement subdivision.

The request is to increase the number of living units from 90 units to 92 units and update the development criteria in the Conditional Use Permit to reflect updated references and criteria utilized by the City. As no physical changes to the existing development are proposed, the most recently approved Site Development Plan serves as the preliminary development plan.



Figure 1: Subject Site Aerial Image

### **SITE HISTORY**

In 1987, the subject site was zoned "R1" Residence District by St. Louis County. Later that year, St. Louis County granted Conditional Use Permit (CUP) 570 to authorize a group home for the elderly. CUP 570 limited the group home to no more than ninety living units and further restricted the living units to exclude kitchen facilities. In 1988, St. Louis County approved a Site Development Plan for the subject site, which noted the 90 proposed living units in conformance with the approved Conditional Use Permit.

**LAND USE AND ZONING OF SURROUNDING PROPERTIES**

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

Direction	Zoning	Land Use
North	“R1A” Residence District w/PEU	Suburban Neighborhood
East	“R3” Residence District, “PUD” Planned Unit Development	Conservation
South	City of Ballwin	N/A
West	“R2” Residence District w/PEU	Suburban Neighborhood

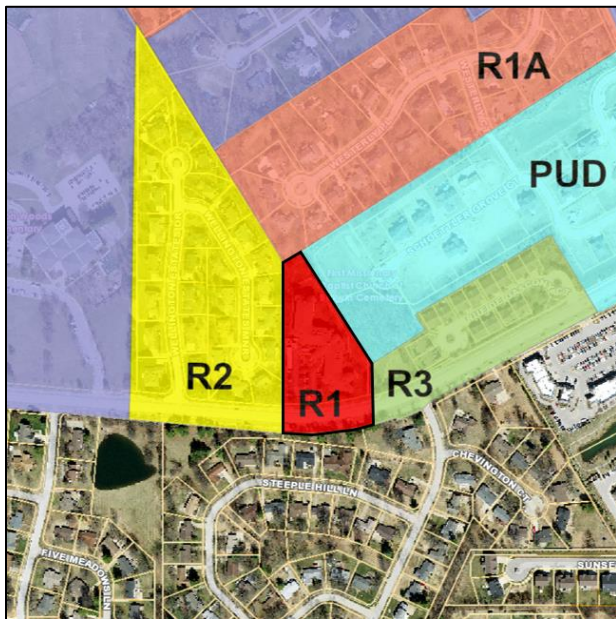


Figure 2: Zoning Map



Figure 3: Comprehensive Land Use Plan

**COMPREHENSIVE PLAN ANALYSIS**

The subject site is located within Ward 3 of the City of Chesterfield. The City of Chesterfield Comprehensive Land Use Plan indicates that this development is within the Suburban Neighborhood Character Area. As evidenced from the figures and table above, the subject site is surrounded by other Suburban Neighborhood designated areas. The Comprehensive Plan identifies single-family residential as the primary land use in the Suburban Neighborhood character area.

The City of Chesterfield’s Comprehensive Plan identifies specific development policies, strategies, and objectives. Outlined below are specific policies, strategies, and objectives that are applicable to this request.

- Encourage preservation of existing residential neighborhoods’ identities.
- New residential development should reinforce existing residential development patterns by continuing to reinforce high quality site and subdivision design, layout, and planning practices.
- Respond to residents’ desire to age in place.

The specific Development Policies pertaining to the Suburban Neighborhood Character Area promote the safeguard of the identities of existing neighborhoods while reinforcing residential development patterns through high quality design and planning practices. Although the primary land use for the Suburban Neighborhood Character Area is single-family residential, the existing group residential facility has operated at the property since prior to the City’s incorporation. Furthermore, the proposed use furthers the Comprehensive Plan objective to allow independent seniors to age in place.

### **STAFF ANALYSIS**

The Petitioner is requesting an amendment to Conditional Use Permit 570 with respect to the density of the existing permitted use. As no physical changes to the existing development are proposed, the most recently approved Site Development Plan serves as the required preliminary development plan.

#### **Living Units**

The petitioner is requesting to increase the number of living units from the currently permitted 90 units to 92. Upon the initial construction of the building, 92 total units were constructed – 90 of which were for residents, and 2 units for employees. The 2 employee units were not factored into the total count of 90 living units as noted in CUP 570 and the approved Site Development Plan. No additional changes to the existing permitted uses are proposed. Furthermore, no physical changes to the development are proposed, nor are any changes required in association with the increase in living units.

#### **Revised Development Criteria**

The original Conditional Use Permit 570 was authorized by St. Louis County in 1987. As part of the request for the change in living units, obsolete references and sections of text no longer applicable in St. Louis County CUP 570 are proposed to be updated in a new City of Chesterfield Conditional Use Permit (CUP 38). For example, St. Louis County referred to the existing use as “group home for the elderly.” This use term is no longer used in City Code, and has been updated to refer to “group residential facility for the elderly.” Generally, the existing development criteria established in CUP 570 has been restructured to better reflect the outline of more recent Conditional Use Permits.

### **REQUEST**

A Public Hearing further addressing the request will be held at the November 23, 2020 City of Chesterfield Planning Commission meeting. After the completion of the Public Hearing portion of the meeting, Planning Commission may choose to vote on this item should there be no outstanding issues with the request. Attached please find a copy of the Public Hearing Notice, Applicant’s Narrative Statement, Site Development Plan, Survey, and a copy of Conditional Use Permit 38 for further consideration.

#### Attachments

1. Public Hearing Notice
2. Narrative Statement
3. Existing Site Development Plan
4. Outboundary Survey
5. Conditional Use Permit 38



# NOTICE OF PUBLIC HEARING CITY OF CHESTERFIELD PLANNING COMMISSION

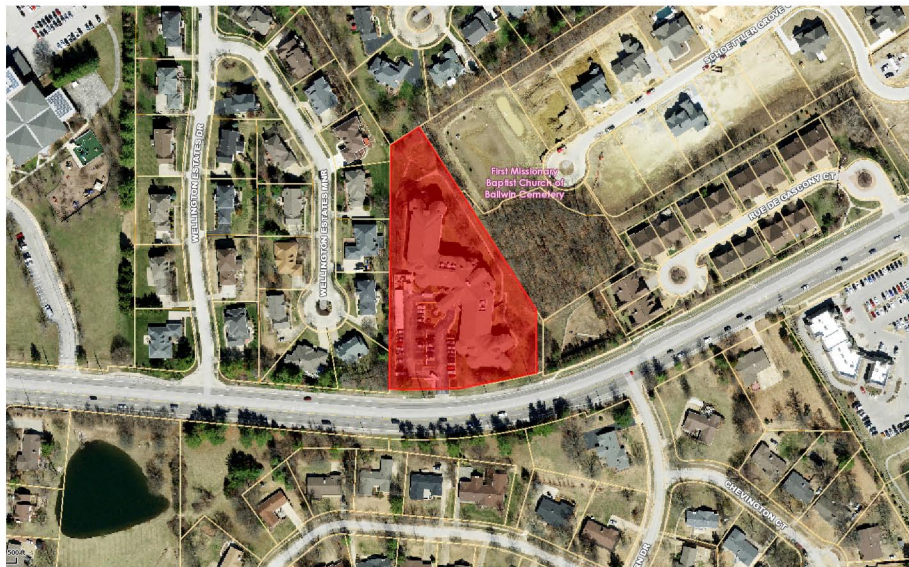
NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Chesterfield will hold a Public Hearing on November 23, 2020 at 7:00 p.m. Due to the recommendations of the President, the Governor, and the CDC, the meeting will be conducted virtually at <https://zoom.us/j/93803827652> or call in at (312) 626-6799 and enter meeting ID 938 0382 7652.

Said Hearing will be as follows:

P.Z. 07-2020 St. Louis Retirement (Conditional Use Permit Amendment): A request to amend Conditional Use Permit 570 to permit two existing units for staff as resident living units at 14525 Clayton Rd (21R540724).

## PROPERTY DESCRIPTION

A tract of land in the southwest fractional quarter of Section 24, Township 45 North, Range 4 East, St. Louis County, Missouri.



Information on this Public Hearing may be found on the City's website at <http://www.chesterfield.mo.us/public-notice.html> or by contacting Planner Annisa Kumerow at 636.537.4743 or via e-mail at [akumerow@chesterfield.mo.us](mailto:akumerow@chesterfield.mo.us). All interested parties will be given an opportunity to be heard at the Public Hearing.

**ATTACHMENTS TO  
CHANGE OF ZONING OR SPECIAL PROCEDURE APPLICATION FOR  
BRIARCREST ESTATES**

**PART IV. COMPREHENSIVE PLAN POLICY AND LAND USE:**

Pursuant to the City of Chesterfield Comprehensive Plan dated July 13, 2009 (the “Plan”), the land use designation is “residential single family.” Although the current land use designation is not consistent with the use of the property, it is consistent with the zoning (as described below in the “Narrative Description”) and the policies of the Plan.

Section 1.0 of the Plan sets forth general policies, which includes diversity of development. In particular, Section 1.5 encourages “a complete range of lifestyle opportunities within the City of Chesterfield.” Section 2.0 of the Plan sets forth policies related to residential development, which includes conservation of the existing quality of life (see Section 2.1.1) and a range of housing opportunities (see Section 2.1.10).

As described in more detail in the “Narrative Description,” the property provides an living community for adults aged 55 and older. The property clearly supports a range of lifestyle opportunities and an additional housing opportunity for older adults in and around the City of Chesterfield, consistent with the Plan. Furthermore, the services and amenities provided at the property serve to improve the quality of life of its residents.

**PART IX, SECTION 10. NARRATIVE DESCRIPTION:**

*a. A general description of the proposal.*

This Change of Zoning or Special Procedure Application for the real property located at 14525 Clayton Road and commonly known as Briarcrest Estates (the “Property”) is submitted for the purpose of requesting an amendment to that certain Conditional Use Permit 570 (the “CUP”) to increase the number of living units on the Property from 90 to 92.

When the Property was built and the development approvals were originally obtained, two units were designated to be used as dwellings by employees of the company that managed the Property. For reasons not known to the current owner or manager of the Property, those units were not included in the count of “living units” approved under the CUP.

As is set forth in more detail below, the requested amendment does not alter the use of the Property, nor does it allow for increased density as the number of people able to live in the facility is not changing. Finally, as noted below, the change in the number of living units will not cause the Property to be out of compliance with the other terms and conditions of the CUP or the Zoning Ordinance.

*b. A list of all requested uses directly from the proposed zoning district regulations.*

Group Residential Facility

*c. Proposed land uses and development standards, density and height limitations, yard requirements all of which shall be compatible with other nearby uses within and without the proposed district and in keeping with the intent of the Comprehensive Plan.*

Current Use of the Property:

Pursuant to the CUP, the “permitted uses” was described as a group home for the elderly and accessory uses including but not limited to central dining and recreation facilities.

The Property is currently zoned “R-1 Residence” District pursuant to St. Louis County Ordinance 13403, which re-zoned the Property from “NU” Non-Urban District to “R1” Residence District. (Please note that pursuant to Ord. No. 28283 § 3 (Att. C), 1-5-2015, “R-1 Residence” District is an inactive district and accordingly, certain references provided are to the City of Chesterfield Zoning Ordinance dated November 17, 1997 instead of the City of Chesterfield Zoning Ordinance dated March 22, 2018. When possible and relevant, references to both are included.)

Pursuant to the “R-1 Residence” District Regulations (Sec. 1003.11(3), Publication Date 6/97), “group homes for the elderly” are permitted, subject to conditional land use and development permits.

The current Zoning Ordinance no longer refers to the term, “group home for the elderly” and instead refers to “group residential facility.” Group residential facilities are allowed in residential districts, subject to conditional land use and development permits. Group residential facilities are designed to provide resident services to children or adults that are not related. The individuals may be aged and are provided services to meet their needs.

The Property is currently operated as a living facility for people over the age of 55. The community is designed to minimize daily responsibilities but does not include personal staff or nursing care. The amenities provided to the residents include prepared meals, housekeeping and linen service, maintenance and utilities, social activities and transportation. Residents are also provided with a personal emergency response device that connects to trained staff 24-hours per day.

As discussed above, the current use of the Property is not changing and is compatible with the CUP and the Zoning Ordinance.

Setbacks and Parking:

With the exception of one very minor encroachment noted on the attached survey, the Property complies with the setback and parking requirements contained in both the CUP and the Zoning Ordinance.

The prior Zoning Ordinance required front setbacks of 30 feet and side setbacks of 15 feet, and the Property complies with both such requirements. The CUP required 40 foot setbacks

with the exception of Clayton Road, which required 30 feet and the northern limits, which required 125 feet of the north limit.

The Property contains a 3-story building and is less than 30 feet in height, which also complies with both the CUP and the Zoning Ordinance (which both limit the height to 3 stories).

The Property contains 52 parking spaces, which is also sufficient given the increase to 92 units. The Zoning Ordinance requires 46 spaces (1 parking space per 2 living units) and the CUP require 50 parking spaces, as calculated below.

1 parking space per 2 living units = 46 spaces  
6 employees on maximum shift  
2 parking space per 3 employees = 4 spaces  
Total Parking Spaces Required = 50

***d. A listing of permitted uses for each separate tract within a particular district.***

Group Residential Facility

***e. Exceptions or variations from the requirement of the Zoning Ordinance, if any are being requested.***

None.

***f. Tables showing the total number of acres in the proposed development and the percentage designated for each proposed type of land use, including public facilities.***

Total Acres	Use	Percentage Dedicated to Use
2.79*	Group Residential Facility	100%

\*Pursuant to the attached survey, the Property currently contains approximately 2.79 acres. The CUP refer to the Property as being a 2.964 acre tract. The difference of approximately 0.174 acres is the result of a dedication of a right-of-way to the State of Missouri for the expansion of Clayton Road, a state route highway and public right-of-way.

***g. Proposed dedication or reservation of land for public use, including streets and easements.***

N/A

***h. Plans for parking, loading, access ways, and means of protecting adjacent areas from lighting and other potential adverse effects.***

As noted above, the Property complies with the parking requirements set forth in both the Zoning Ordinance and CUP. No new loading or access ways are being requested and no new lighting is being established.

*i. In the event that the development will be constructed in phases, a development schedule indicating the approximate date when construction of each site or phase of development can be expected to begin and be completed.*

N/A. The requested amendment is not the result of construction nor will any new construction be undertaken.

*j. A statement regarding landscaping and tree preservation.*

N/A. The requested amendment is not the result of construction nor will any new construction be undertaken. Landscaping is maintained on the Property.



**PROPERTY DESCRIPTION**

A TRACT OF LAND IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 24, TOWNSHIP 45 NORTH, RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

"BEGINNING" AT A POINT IN THE NORTHERN LINE OF CLAYTON ROAD (60 FEET WIDE), SAID POINT BEING ON THE WESTERN LINE OF THE ABOVE-MENTIONED SECTION 24, AND ALSO BEING THE SOUTHWEST CORNER OF PROPERTY NOW OR FORMERLY OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA), AS RECORDED IN BOOK 6227, PAGE 94, OF THE ST. LOUIS COUNTY, MISSOURI RECORDS;

THENCE LEAVING THE NORTHERN LINE OF SAID CLAYTON ROAD, ALONG THE WESTERN LINE OF SAID SECTION 24, ALSO BEING THE EASTERN LINE OF SAID YMCA PROPERTY NORTH 08 DEGREES 44 MINUTES 07 SECONDS WEST, A DISTANCE OF 541.31 FEET TO A POINT, SAID POINT BEING THE NORTHEASTERN MOST CORNER OF SAID YMCA PROPERTY, AND BEING THE SOUTHWESTERN CORNER OF PROPERTY NOW OR FORMERLY OF EARL N. AND JUDITH D. TAYLOR, AS RECORDED IN BOOK 7617, PAGE 1392, OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, SAID POINT ALSO BEING THE SOUTHERN MOST CORNER OF U.S. SURVEY 412;

THENCE LEAVING THE SOUTHERN MOST CORNER OF SAID U.S. SURVEY 412, AND THE SOUTHWESTERN CORNER OF SAID TAYLOR PROPERTY, ALONG THE SOUTHERN LINE OF SAID U.S. SURVEY 412, ALSO BEING THE SOUTHERN LINE OF SAID TAYLOR PROPERTY NORTH 48 DEGREES 41 MINUTES 04 SECONDS EAST, A DISTANCE OF 73.35 FEET TO A POINT, SAID POINT BEING THE NORTHWESTERN CORNER OF PROPERTY NOW OR FORMERLY OF THE BALLWIN COLORED CEMETERY;

THENCE LEAVING THE SOUTHERN LINE OF SAID TAYLOR PROPERTY, AND THE SOUTHERN LINE OF SAID U.S. SURVEY 412, ALONG THE WESTERN LINE OF SAID BALLWIN COLORED CEMETERY SOUTH 41 DEGREES 25 MINUTES 59 SECONDS EAST, A DISTANCE OF 460.17 FEET TO A POINT, SAID POINT BEING ON THE WESTERN LINE OF A 15 FOOT WIDE ROADWAY;

THENCE LEAVING THE WESTERN LINE OF SAID BALLWIN COLORED CEMETERY ALONG THE WESTERN LINE OF SAID 15 FOOT WIDE ROADWAY SOUTH 08 DEGREES 44 MINUTES 27 SECONDS EAST, A DISTANCE OF 165.65 FEET TO A POINT IN THE NORTHERN LINE OF AFOREMENTIONED CLAYTON ROAD;

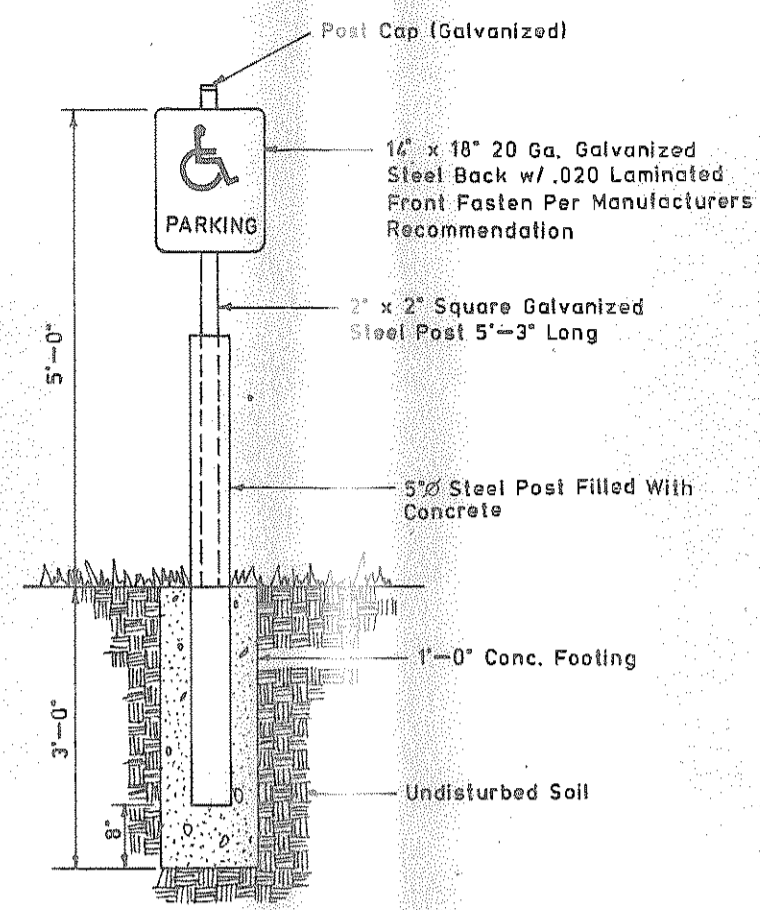
THENCE LEAVING THE WESTERN LINE OF SAID 15 FOOT WIDE ROADWAY ALONG THE NORTHERN LINE OF SAID CLAYTON ROAD ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 925.36 FEET AND AN ARC LENGTH OF 309.27 FEET, A CHORD OF WHICH BEARS SOUTH 76 DEGREES 00 MINUTES 32 SECONDS WEST, A CHORD DISTANCE OF 307.83 FEET TO A POINT;

THENCE CONTINUING ALONG THE NORTHERN LINE OF SAID CLAYTON ROAD SOUTH 85 DEGREES 35 MINUTES 00 SECONDS WEST, A DISTANCE OF 3.89 FEET BACK TO THE POINT OF "BEGINNING," CONTAINING 129,347 SQUARE FEET OR 2,969 ACRES MORE OR LESS, ACCORDING TO CALCULATIONS BY KENNETH BALK & ASSOCIATES, INC. COMPLETED IN OCTOBER, 1987.

This is to certify that this Site Development Plan is a correct representation of all existing and proposed land divisions.

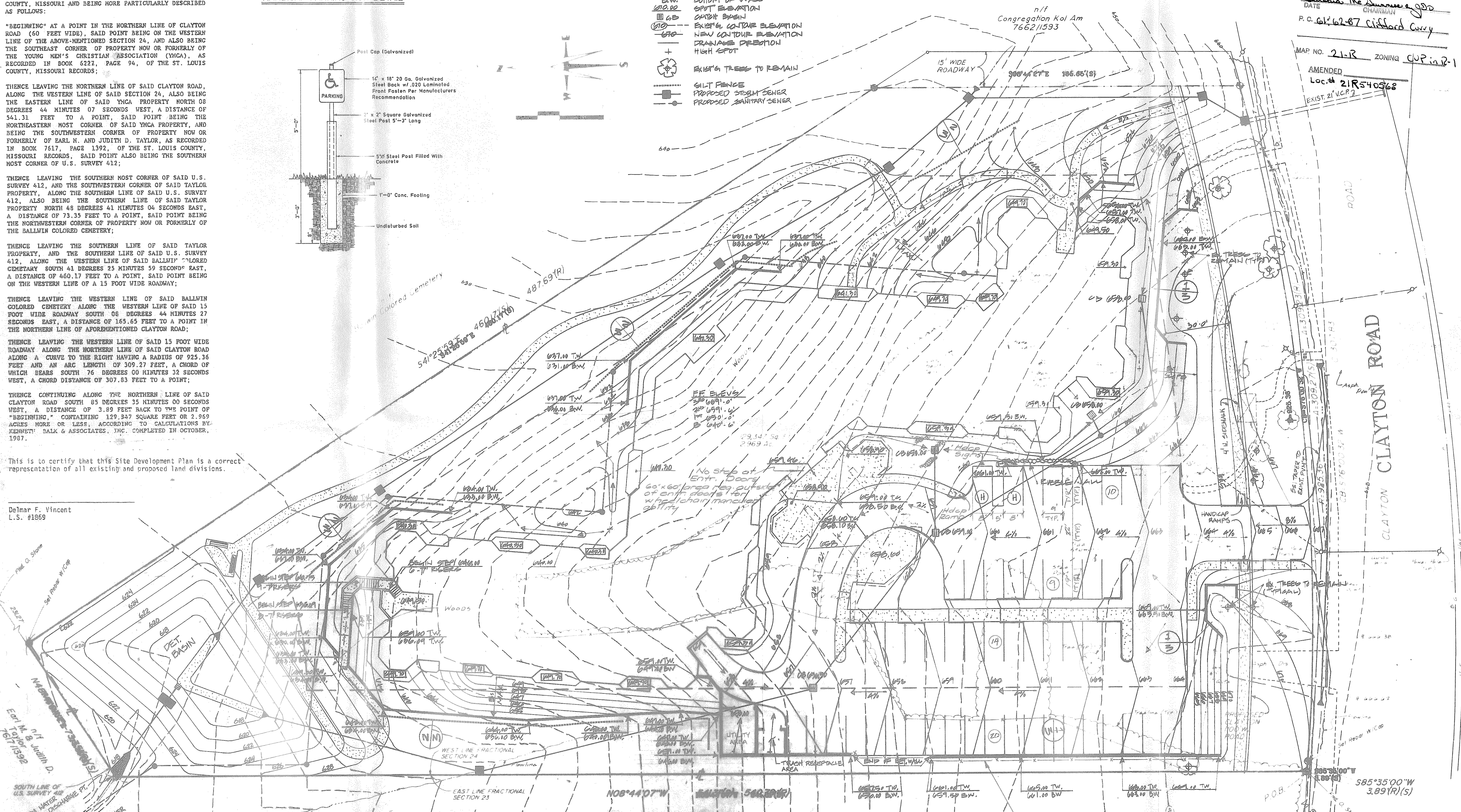
Delmar F. Vincent  
L.S. #1869

**HANDICAP PARKING SIGN DETAIL**



**LEGEND**

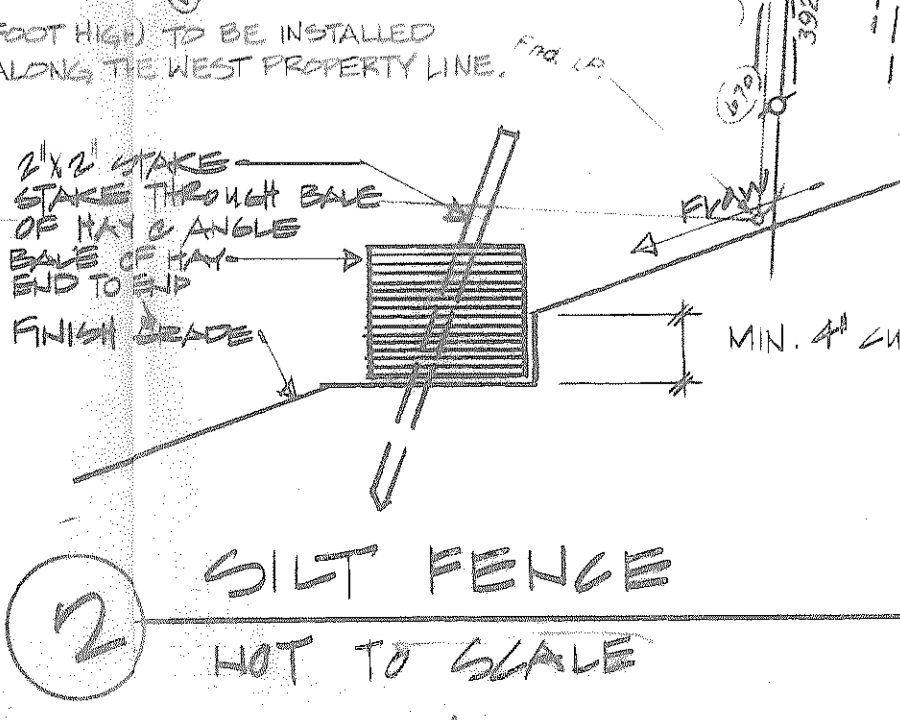
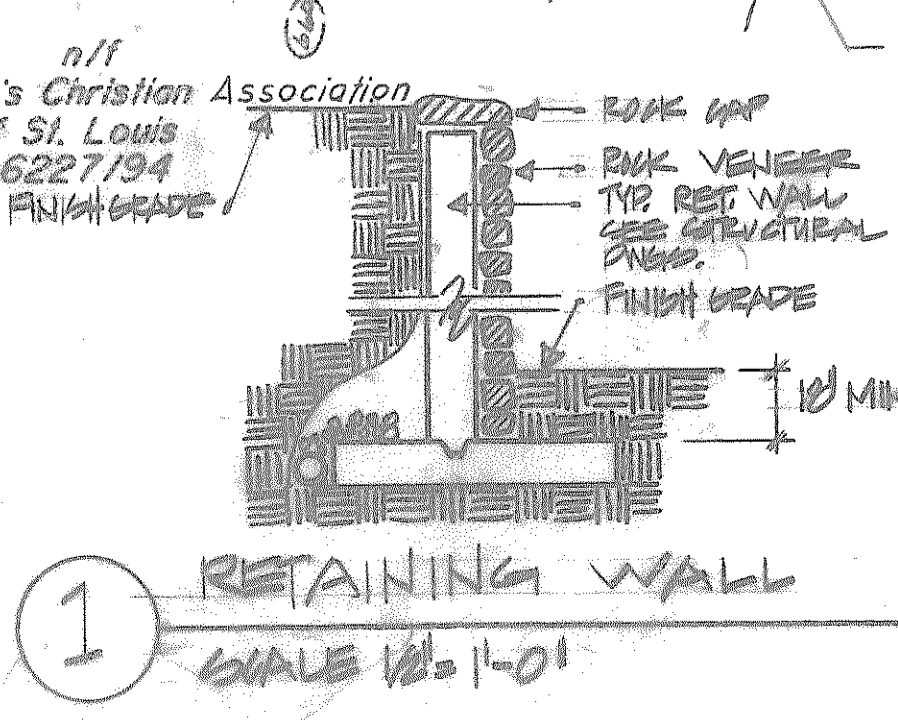
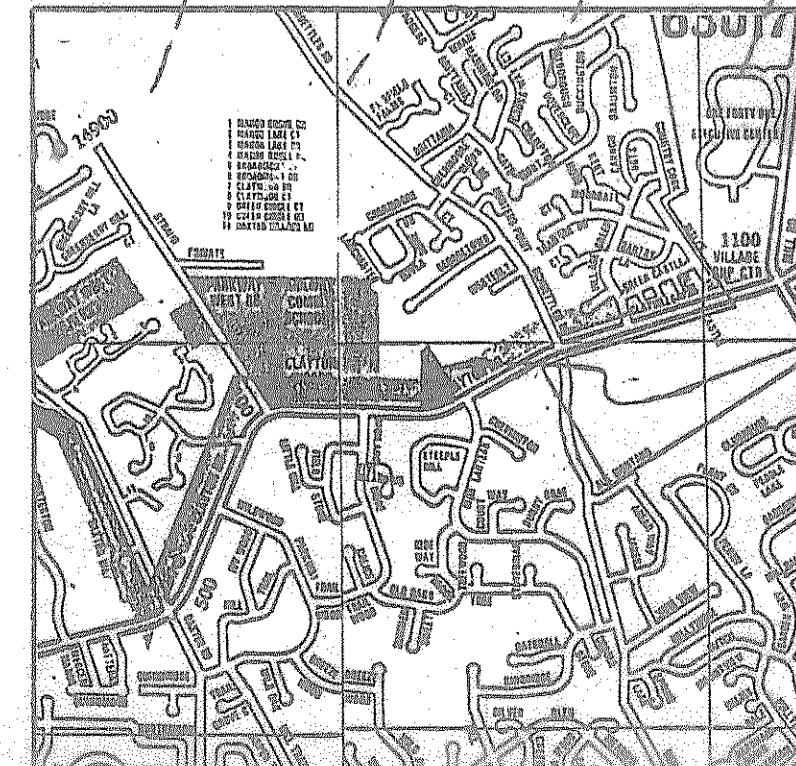
- T.G. TOP OF CURB
- B.G. BOTTOM OF CURB
- T.W. TOP OF WALL
- B.W. BOTTOM OF WALL
- 102.00 SPOT ELEVATION
- 60.00 EXIST'G. BASIN
- 610.00 EXIST'G. CONTOUR ELEVATION
- 670.00 NEW CONTOUR ELEVATION
- DRAINAGE DIRECTION
- HIGH SPOT
- EXIST'G. TREES TO REMAIN
- SILT FENCE
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER



- Proposed Use:** Group home for the elderly.
- Number of Proposed Units:** 90
- Building Height:** 3 floors and 1 basement = 41'-9 1/4"
- Parking Calculations:**
- 90 living units
  - 1 parking space per 2 living units = 45 spaces
  - 12 employees on maximum shift
  - 2 parking spaces per 3 employees
  - Required = 63 spaces
  - Provided = 53 spaces

- Help. Ramps**
1. Min 36" wide
  2. Max slope of ramp 1:12 or 4.85%
  3. Max slope of floors 1:10 or 9.7%
  4. Max vert. rise 30"
  5. Landings req'd. top 4 both, 60" deep x 36"

- GENERAL NOTES**
1. Grading and drainage will be per St. Louis County Standards.
  2. Access to the development shall be limited to one (1) driveway as directed by the Missouri Highway and Transportation Department and the Department of Highways and Traffic.
  3. Conform to the requirements of the Missouri Highway and Transportation Department regarding Clayton Road (Route 144) in this area including dedication of one-half of a 110 ft. right-of-way and finished grading for future improvement to a five-lane facility.
  4. Provide a sidewalk or stabilized shoulder adjacent to Clayton Road.
  5. The developer is required to provide adequate stormwater systems in accordance with St. Louis County Standards.
  6. All stormwater shall be discharged at an adequate natural discharge point.
  7. Detention of differential runoff of stormwater is required by providing permanent detention facilities, such as dry reservoirs, ponds, or other acceptable alternative. The detention facilities shall be completed and in operation prior to issues of building permits exceeding sixty (60) of the approved dwelling units.
  8. Living units will not contain individual kitchen facilities.
  9. The trash area will be enclosed by minimum 6 foot high sightproof fencing.
  10. All rooftop mechanical equipment shall be screened.



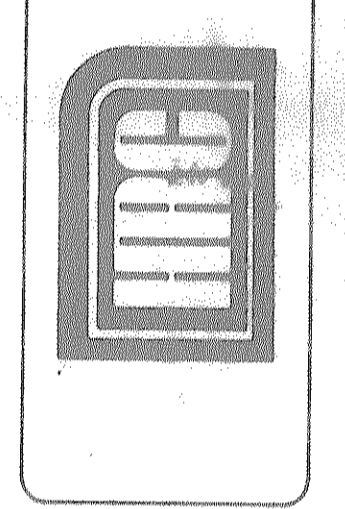
APPROVED SITE DEVELOPMENT PLAN  
 CONCEPT SECTION LANDSCAPE  
 CITY OF CHESTERFIELD PLANNING COMMISSION  
 8/22/88  
 DATE CHAIRMAN  
 P.C. 61-62-87 Clifford Curry

MAP NO. 21-R ZONING CUP-1-R-1  
 AMENDED Loc. # 21R540368  
 EXIST. 21 VCP 2

STATE OF MISSOURI  
 CLIFFORD B. CURRY  
 REGISTERED ARCHITECT  
**Clifford Curry**  
 Architect  
 OFFICE 471 HIGH B.E.  
 SALEM, OREGON 97301  
 P.O. BOX 44  
 SALEM, OREGON 97302  
 PHONE (503) 959-1001

**HOLIDAY RETIREMENT CORP.**  
 2741 12TH STREET SE P.O. BOX 14111  
 SALEM, OREGON 97302 SALEM, OR. 97308  
 PHONE (503) 370-7070

**HOLIDAY RETIREMENT RESIDENCE**  
 MISSOURI



**ST. LOUIS RETIREMENT RESIDENCE**  
 MISSOURI

DATE 2/22/88  
 REVISED DATE 2/17/88  
 RECEIVED NOV 18 1988  
 CITY OF CHESTERFIELD DEPARTMENT OF PLANNING  
 SHEET 1 OF 2  
 SITE DEV. PLAN

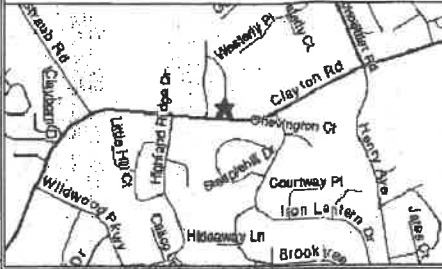
ITEMS CORRESPONDING TO SCHEDULE B-1

- 9 STORMWATER CONTROL AND RETENTION BASIN EASEMENT GRANTED TO ST. LOUIS COUNTY, MISSOURI...
10 UTILITY AND SIDEWALK EASEMENT GRANTED TO ST. LOUIS COUNTY, MISSOURI...
11 STORM SEWER EASEMENT GRANTED TO ST. LOUIS COUNTY, MISSOURI...
13 SANITARY SEWER EASEMENT GRANTED TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT...
14 STORM WATER MAINTENANCE AGREEMENT EXECUTED BY ST. LOUIS RETIREMENT RESIDENCE LIMITED PARTNERSHIP...
15 STORM WATER SEWER MAINTENANCE AGREEMENT EXECUTED BY ST. LOUIS RETIREMENT RESIDENCE LIMITED PARTNERSHIP...
16 SEWER EASEMENT GRANTED TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT...
17 EASEMENT FOR WATER PIPE GRANTED TO ST. LOUIS COUNTY WATER COMPLYANT...
18 SEWER EASEMENT GRANTED TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT...
19 EASEMENT(S) GRANTED TO CHARTER COMMUNICATIONS ENTERTAINMENT I, LLC...

ZONING INFORMATION

ZONING PROVIDED BY THE PLANNING & ZONING RESOURCE CORPORATION
100 NORTH EAST 21st STREET
OKLAHOMA CITY, OKLAHOMA 73104
405-840-6344 (PHONE)
405-840-3938 (FAX)
PZR SITE NUMBER: 71850-11, DATED DECEMBER 4, 2013
ZONING CLASSIFICATION: "R-1" RESIDENCE DISTRICT

VICINITY MAP - NOT TO SCALE



MISCELLANEOUS NOTES

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF U.S. SURVEY #13 PER LEGAL DESCRIPTION CONTAINED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. HCS-834872-00-OR1...
THERE WAS NO OBSERVABLE EVIDENCE OF OBSTACLES FOUND AT THE TIME OF THIS SURVEY...
THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR REPAIRS AT THE TIME OF THIS SURVEY...
THERE WAS NO OBSERVABLE EVIDENCE OF SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL AT THE TIME OF THIS SURVEY...
THERE WAS NO OBSERVABLE EVIDENCE OF STREET WIDENING AT THE TIME OF THIS SURVEY...
THE LOCATION OF UTILITIES SHOWN HEREON IS FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY...
PER THE PHASE I ENVIRONMENTAL SITE ASSESSMENT PREPARED BY EMJ, THERE ARE NO WETLAND AREAS ON THE PROJECT SITE.

TOTAL AREA

\$121,719 S.F.
2.878 AC.

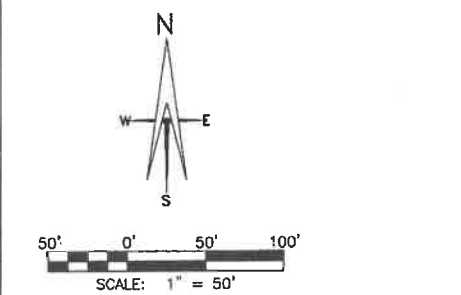
TOTAL PARKING

REGULAR 48
HANDICAPPED 4
TOTAL 52

LEGEND OF SYMBOLS & ABBREVIATIONS

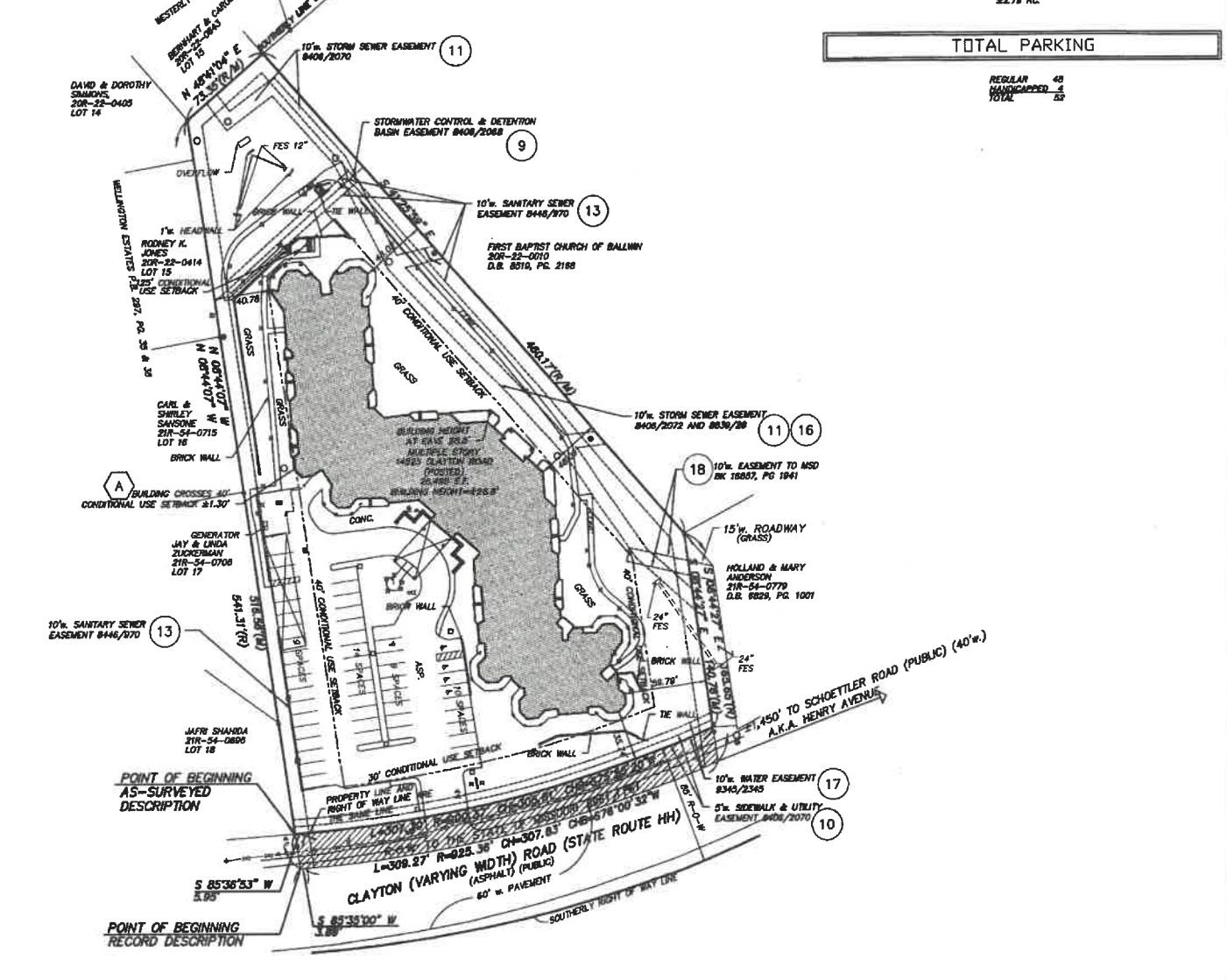
- IRON PIN FOUND
CONC. HOH. FOUND
PK NAIL FOUND
CHISELED "X" FOUND
STONE FOUND
FENCE POST FOUND AND USED
IRON PIN SET
CONC. HOH. SET
PK NAIL SET
CHISELED "X" SET
ANCHOR FOUND
AXLE FOUND

- EXISTING STRUCTURE
CONCRETE
ASPHALT
GRAVEL
GRASS
POWER POLE
GUY WIRE
LIGHT STANDARD
WATER METER
WATER VALVE
FIRE HYDRANT
GAS METER
GRATED BILET
MANHOLE
SIGN
HANDICAP
SPRINKLER HEAD
SPRINKLER CONTROL
BOX
PIPE BOLLARD
WATER SERVICE
ELECTRIC SERVICE
GAS SERVICE
TELEPHONE SERVICE
SANITARY SEWER
STORM SEWER
NOTE: AN "O" DESIGNATION FOR UTILITIES DENOTES "OVERHEAD."
ABBREVIATIONS
CMP CORRUGATED METAL PIPE
ROW RIGHT OF WAY
TRANS TRANSFORMER
CONC CONCRETE
CL CENTER LINE
PL PROPERTY LINE
(TYP) TYPICAL
(R) RECORD
(M) MEASURED



FLOOD NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE(X) X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY NO. 00000, MAP NUMBER 85189C 85187H WHICH BEARS AN EFFECTIVE DATE OF AUGUST 21, 1995 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FEMA WEBSITE (HTTP://MSCFEMA.GOV). WE HAVE LEARNED THAT COMMUNITY DOES CURRENTLY PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE, AND A FLOOD ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.



SIGNIFICANT OBSERVATIONS

A BUILDING CROSSES 40' CONDITIONAL USE SETBACK BY 61.30'

COPYRIGHT 2013

THIS PRODUCT STYLE AND FORMAT IS PROTECTED BY COPYRIGHT AND ALL RIGHTS ARE RESERVED. THE USE OF THIS STYLE AND FORMAT IS STRICTLY PROHIBITED WITHOUT THE WRITTEN CONSENT AND PERMISSION OF BOCK & CLARK CORP.

RECORD DESCRIPTION

THE LAND REFERRED TO HEREIN IN THIS COMMITMENT IS SITUATED IN THE STATE OF MISSOURI, COUNTY OF ST. LOUIS AND IS DESCRIBED AS FOLLOWS:
A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 48 NORTH, RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTHERLY CORNER OF CLAYTON ROAD (20 FEET WIDE) SAID POINT BEING ON THE WESTERN LINE OF THE ABOVE MENTIONED SECTION 24 AND BEING THE SOUTHWEST CORNER OF PROPERTY NOW OR FORMERLY OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) AS RECORDED IN BOOK 6527 PAGE 94 OF THE ST. LOUIS COUNTY RECORDS; THENCE LEAVING THE NORTHERLY LINE OF SAID CLAYTON ROAD ALONG THE WESTERN LINE OF SAID SECTION 24, ALSO BEING THE EASTERN LINE OF SAID TRACT PROPERTY, NORTH 88 DEGREES 44 MINUTES 27 SECONDS WEST, A DISTANCE OF 841.31 FEET TO A POINT, SAID POINT BEING THE NORTHEAST CORNER OF SAID TRACT PROPERTY AND BEING THE CORNER OF PROPERTY NOW OR FORMERLY OF EARL H. AND JOYCE D. TAYLOR AS RECORDED IN BOOK 7017 PAGE 138 OF THE ST. LOUIS COUNTY RECORDS; THENCE LEAVING THE WESTERN LINE OF SAID U.S. SURVEY #13, ALSO BEING THE SOUTHWEST CORNER OF SAID TAYLOR PROPERTY, ALONG THE SOUTHERLY LINE OF SAID U.S. SURVEY #13, A DISTANCE OF 70.50 FEET TO A POINT, SAID POINT BEING THE WESTERN MOST CORNER OF SAID U.S. SURVEY #13, ALSO BEING THE WESTERN LINE OF SAID BALLENGER COLONIAL CHURCH SOUTH 85 DEGREES 45 MINUTES 08 SECONDS EAST, A DISTANCE OF 480.17 FEET TO A POINT, SAID POINT BEING ON THE WESTERN LINE OF A 10 FOOT WIDE ROADWAY, THENCE LEAVING THE WESTERN LINE OF SAID BALLENGER COLONIAL CHURCH ALONG THE WESTERN LINE OF SAID 10 FOOT WIDE ROADWAY SOUTH 88 DEGREES 44 MINUTES 27 SECONDS EAST, A DISTANCE OF 148.85 FEET TO A POINT IN THE NORTHERLY LINE OF APPOINTMENTED CLAYTON ROAD, THENCE LEAVING THE WESTERN LINE OF SAID 10 FOOT WIDE ROADWAY ALONG THE NORTHERLY LINE OF SAID CLAYTON ROAD ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 384.98 FEET AND AN ARC LENGTH OF 304.67 FEET, A CHORD OF WHICH BEARS SOUTH 78 DEGREES 10 MINUTES 39 SECONDS WEST, A CHORD DISTANCE OF 304.67 FEET TO A POINT (BEING CORNER) ALONG THE NORTHERLY LINE OF SAID CLAYTON ROAD, SOUTH 85 DEGREES 35 MINUTES 08 SECONDS WEST, A DISTANCE OF 3.08 FEET BACK TO THE POINT OF BEGINNING, LESS AND EXCEPT THAT PORTION HEREBY CONVEYED TO THE STATE OF MISSOURI, ACTING BY AND THROUGH THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION BY GENERAL WARRANTY DEED RECORDED IN BOOK 8991 PAGE 781.

AS-SURVEYED DESCRIPTION

THIS DESCRIPTION WAS PREPARED TO REFLECT THE PROPERTY WITH THE BEST OF ONLY REASONABLE KNOWLEDGE.
A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 48 NORTH, RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE SOUTHWEST CORNER OF LOT 18 OF BALLENGER ESTATES, A SUBDIVISION RECORDED IN PLAT BOOK 382, PAGES 35 AND 36 OF THE ST. LOUIS COUNTY RECORDS; THENCE NORTH 88 DEGREES 44 MINUTES 27 SECONDS WEST, ALONG THE EASTERN LINE OF SAID LOT 18 THROUGH THE INCLUDING OF SAID BALLENGER ESTATES, A DISTANCE OF 841.31 FEET TO THE INTERSECTION OF THE SOUTHWEST CORNER OF U.S. SURVEY #13 AND THE WESTERN CORNER OF LOT 18 OF BALLENGER ESTATES; THENCE NORTH 88 DEGREES 44 MINUTES 27 SECONDS WEST, A DISTANCE OF 841.31 FEET TO THE WESTERN CORNER OF PROPERTY NOW OR FORMERLY OF THE FIRST BAPTIST CHURCH OF BALLENGER BY DEED RECORDED IN DEED BOOK 4018, PAGES 38 AND 39 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTH 85 DEGREES 35 MINUTES 08 SECONDS WEST, ALONG THE WESTERN LINE OF SAID FIRST BAPTIST CHURCH PROPERTY, A DISTANCE OF 480.17 FEET TO THE WESTERN CORNER OF PROPERTY NOW OR FORMERLY OF EARL H. AND JOYCE D. TAYLOR AS RECORDED IN BOOK 7017 PAGE 138 OF THE ST. LOUIS COUNTY RECORDS; THENCE LEAVING THE WESTERN LINE OF SAID U.S. SURVEY #13, ALSO BEING THE SOUTHWEST CORNER OF SAID TAYLOR PROPERTY, ALONG THE SOUTHERLY LINE OF SAID U.S. SURVEY #13, A DISTANCE OF 70.50 FEET TO A POINT, SAID POINT BEING THE WESTERN MOST CORNER OF SAID U.S. SURVEY #13, ALSO BEING THE WESTERN LINE OF SAID BALLENGER COLONIAL CHURCH SOUTH 85 DEGREES 45 MINUTES 08 SECONDS EAST, A DISTANCE OF 480.17 FEET TO A POINT, SAID POINT BEING ON THE WESTERN LINE OF A 10 FOOT WIDE ROADWAY, THENCE LEAVING THE WESTERN LINE OF SAID BALLENGER COLONIAL CHURCH ALONG THE WESTERN LINE OF SAID 10 FOOT WIDE ROADWAY SOUTH 88 DEGREES 44 MINUTES 27 SECONDS EAST, A DISTANCE OF 148.85 FEET TO A POINT IN THE NORTHERLY LINE OF APPOINTMENTED CLAYTON ROAD, THENCE LEAVING THE WESTERN LINE OF SAID 10 FOOT WIDE ROADWAY ALONG THE NORTHERLY LINE OF SAID CLAYTON ROAD ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 384.98 FEET AND AN ARC LENGTH OF 304.67 FEET, A CHORD OF WHICH BEARS SOUTH 78 DEGREES 10 MINUTES 39 SECONDS WEST, A CHORD DISTANCE OF 304.67 FEET TO A POINT (BEING CORNER) ALONG THE NORTHERLY LINE OF SAID CLAYTON ROAD, SOUTH 85 DEGREES 35 MINUTES 08 SECONDS WEST, A DISTANCE OF 3.08 FEET BACK TO THE POINT OF BEGINNING, LESS AND EXCEPT THAT PORTION HEREBY CONVEYED TO THE STATE OF MISSOURI, ACTING BY AND THROUGH THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION BY GENERAL WARRANTY DEED RECORDED IN BOOK 8991 PAGE 781.

ALTA/ACSM LAND TITLE SURVEY

FOR
NEXT HOUSE PORTFOLIO PROJECT
BIRACREBET ESTATES
14888 CLAYTON ROAD
BALLWIN, MO
BASED UPON TITLE COMMITMENT NO. NCS-684872-68-OR1
OF FIRST AMERICAN TITLE INSURANCE COMPANY
BEARING AN EFFECTIVE DATE OF OCTOBER 1, 2013

Surveyor's Certification
I, the undersigned, being duly sworn, depose and say that I am a duly Licensed Surveyor in the State of Missouri, and that I am the Surveyor of the above described property, and that the above described survey was performed by me or under my direct supervision and control, and that the same is a true and correct copy of the original survey as shown to me by the client, and that I am not aware of any fraud or other wrongful act in the preparation of the same, and that I am not aware of any fraud or other wrongful act in the preparation of the same, and that I am not aware of any fraud or other wrongful act in the preparation of the same.

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and include items 2, 3, 4, 6(a), 7(a), 7(b)(1), 7(c), 8, 9, 11(a), 13, 16, 17, 18 and 19 of Table A thereof. The field work was completed on 11-12-13.

Professional seal and signature block for David J. Sherrill, Surveyor, Registration No. 2051, State of Missouri, License No. LS-2051.

BOCK & CLARK logo and RECEIVED stamp dated OCT 02 2020, City of Chesterfield - Department of Planning.





## CONDITIONAL USE PERMIT #38

**Petition:** P.Z. 07-2020 St. Louis Retirement (14525 Clayton Rd)

**Public Hearing Date:** November 23, 2020

**Site Location:** 14525 Clayton Rd

**Acreage for CUP:** 2.79 acres

**Underlying Zoning District:** "R-1" Residence District

The following Conditional Uses shall be allowed in this development:

Group Residential Facility which includes:

- a. Ninety-two (92) living units.
- b. Parking lots, drives, recreation and dining facilities and associated supporting uses.

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

1. General
  - a. Kitchen facilities shall not be allowed in individual living units.
  - b. The uses authorized by this Conditional Use Permit shall be contained in one (1) building of not more than three (3) building levels in height.
  - c. No building or structure, other than: a free standing project identification sign, light standards, flag poles, or retaining walls shall be located within the following setbacks:
    - 1) 125 feet of the northern limit of this Conditional Use Permit development.
    - 2) Thirty (30) feet of the proposed right-of-way of Clayton Road.
    - 3) Thirty-eight (38) feet of the western limit of this Conditional Use Permit development.
    - 4) Forty (40) feet of all other limits of this Conditional Use Permit development.

All other parking and structure setbacks shall be in accord with Section 1003.11 "R-1" Residence District Regulations of the City of Chesterfield Zoning Ordinance.

2. Access

- a. Access to this development from Clayton Road shall be limited to one (1) commercial entrance built to Saint Louis County Standards, as directed by the Saint Louis County Department of Transportation and the City of Chesterfield and shall be located to provide adequate sight distance, as directed by the Saint Louis County Department of Transportation. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the Saint Louis County Department of Transportation.

3. Road Improvements, Including Sidewalks

- a. A sidewalk conforming to Saint Louis County ADA standards shall be provided adjacent to Clayton Road, as directed by the Saint Louis County Department of Transportation.

4. Lighting Requirements

- a. Light standards shall not exceed sixteen (16) feet in height.
- b. Street lighting on Clayton Road may be required in conjunction with future site improvements as directed by St. Louis County and the City of Chesterfield.

5. Miscellaneous Conditions

- a. All utilities will be installed underground.
- b. An opportunity for recycling shall be provided.
- c. All exterior trash areas shall be enclosed with a six (6) foot high sight-proof fence.
- d. All rooftop mechanical equipment shall be screened.
- e. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the Saint Louis County Department of Transportation for sight distance consideration and approved prior to installation or construction.
- f. The developer is advised that utility companies will require compensation for relocation of their facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

- g. Adequate temporary off-street parking for construction employees shall be provided. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions

6. Trust Fund Contribution

- a. As this development is not subject to traffic generation assessment, the roadway improvements required herein represent the developer’s road improvement obligation. These improvements will not exceed an amount established by multiplying the ordinance-required parking spaces by the following applicable rates:

<b>Type of Development</b>	<b>Required Contribution</b>
Retirement Community	\$508.69/parking space

(Parking Space as required by the site-specific ordinance)

If types of development proposed differ from those listed, rates shall be provided by the Saint Louis County Department of Transportation.

Allowable credits for required roadway improvements will be awarded as directed by the Saint Louis County Department of Transportation. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

- b. The applicable rates limiting required road improvements shall be adjusted on January 1, 2021 and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the Saint Louis County Department of Transportation.

Legal Description

A TRACT OF LAND IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 24, TOWNSHIP 45 NORTH. RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEAST CORNER OF LOT 18 OF WELLINGTON ESTATES, A SUBDIVISION RECORDED IN PLAT BOOK 297, PAGES 35 AND 36 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, AND THE NORTHERLY RIGHT OF WAY OF CLAYTON (VARYING WIDTH) ROAD (AS NOW WIDENED); THENCE NORTH 08 DEGREES 44 MINUTES 07 SECONDS WEST, ALONG THE EASTERLY LINES OF LOTS 18 THROUGH 16, INCLUSIVE, OF SAID WELLINGTON ESTATES, A DISTANCE OF 516.56 FEET TO THE INTERSECTION OF THE SOUTHERLY LINE OF U.S. SURVEY 412 AND THE SOUTHWEST CORNER OF LOT 15 OF WESTERLY PLACE OF PLAT BOOK 302, PAGES 18 AND 19. OF THE ST. LOUIS COUNTY RECORDS; THENCE NORTH 48 DEGREES 41 MINUTES 04 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 15 OF WESTERLY PLACE, A DISTANCE OF 73.35 FEET TO THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY OF THE FIRST BAPTIST CHURCH OF BALLWIN BY DEED RECORDED IN DEED BOOK 8519, PAGE 2168 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTH 41 DEGREES 25 MINUTES 59 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID FIRST BAPTIST CHURCH PROPERTY; A DISTANCE OF 460.17 FEET;

THENCE SOUTH 08 DEGREES 44 MINUTES 27 SECONDS EAST, A DISTANCE OF 140.78 FEET TO THE NORTHERLY RIGHT OF WAY OF CLAYTON (VARYING WIDTH) ROAD; THENCE ALONG SAID NORTHERLY LINE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 900.37 FEET, AND A CHORD BEARING SOUTH 75 DEGREES 55 MINUTES 20 SECONDS WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 307.30 FEET; THENCE SOUTH 85 DEGREES 38 MINUTES 53 SECONDS WEST, A DISTANCE OF 5.95 FEET TO THE POINT OF BEGINNING, CONTAINING 121,719 SQUARE FEET, OR 2.79 ACRES, MORE OR LESS.