

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "R2" RESIDENCE DISTRICT WITH A CONDITIONAL USE PERMIT (CUP) TO AN "R-3" RESIDENCE DISTRICT FOR TWO (2) TRACTS OF LAND TOTALING 29.4 ACRES LOCATED ON OLIVE BOULEVARD, IN THE PROPERTY FORMERLY KNOWN AS CHESTERFIELD MANOR NURSING HOME. (16R340151, 16R340207) (P.Z. 2-2005 BRIARCLIFFE VILLAS/G.H.H. INVESTMENTS, LLC)**

**WHEREAS**, the petitioner, GHH Investments, LLC has requested a change in zoning from "R2" Residence District with a Conditional Use Permit (CUP) to an "R-3" Residence District for two (2) tracts of land totaling 29.4 acres located on Olive Boulevard, in the property formerly known as Chesterfield Manor Nursing Home, and;

**WHEREAS**, the Planning Commission held a public hearings on March 14, 2005 and June 27, 2005 to consider the matter, and;

**WHEREAS**, P.Z. 2-2005 Briarcliffe Villas/GHH Investments, LLC was considered by the Planning Commission of the City of Chesterfield and recommended for approval by a vote of 5-3, and;

**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 Zoning Ordinance and the Official Zoning District Maps, which are a part thereof, are hereby amended by transferring from the "R2" Residence District to an "R-3" Residence District for a 29.4 acre tract of land located on Olive Boulevard. The Conditional Use Permit (CUP) located within the "R2" District is vacated. A description of the subject site is as follows:

**PROPERTY DESCRIPTION**

Part of Lot 11 of D.J. Talbots Estate Subdivision, in U.S. Surveys 2030 and 206, Township 46 North, Range 4 East, in St. Louis County, Missouri, and described as follows:

Beginning at a point in the center line of Hog Hollow Road, 40 feet wide, at its intersection with the South line of U.S. Survey 2030; thence along the center line of said road, North 45 degrees 03 minutes 31 seconds West 86.69 feet, North 74 degrees 44 minutes 26 seconds West 142.55 feet; thence North 47 degrees 14 minutes 26 seconds West 211.20 feet and North 28 degrees 14 minutes 26 seconds West 353.81 feet to a point; thence leaving said road line and running North 59 degrees 31 minutes 48 seconds East 1,249.07 feet to a point; thence

South 25 degrees 49 minutes 00 seconds East 1,460.05 feet to a point in the North line of Olive Street road, 60 feet wide; thence along the North line of Olive Street road South 61 degrees 58 minutes 49 seconds West 294.51 feet to a point; thence North 28 degrees 33 minutes 00 seconds West 175.96 feet to a point in the South line of U.S. Survey 2030; thence along said Survey line, North 82 degrees 32 minutes 26 seconds West 854.19 feet to the **POINT OF BEGINNING** and containing 1,282,091 square feet or 29.433 acres more or less, according to calculations by Stock & Associates Consulting Engineers, Inc. on August 11, 2004.

**Section 2.** The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council.

**Section 3.** The City Council, pursuant to the petition filed by G.H.H. Investments in P.Z. 2-2005 requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearings, held by the Planning Commission on the 14<sup>th</sup> day of March 2005 and 27<sup>th</sup> day of June 2005, 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.

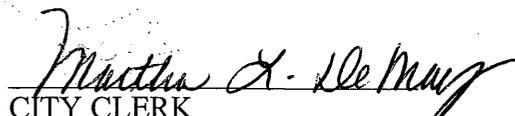
**Section 4.** This ordinance and the requirements thereof are exempt from the warnings and summons for violations as set out in Section 1003.410 of the zoning Ordinance of the City of Chesterfield.

**Section 5.** This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 7<sup>th</sup> day of NOVEMBER, 2005.

  
MAYOR

ATTEST:

  
CITY CLERK