

BILL NO. 2539

ORDINANCE NO. 2353

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO A "PS" PARK AND SCENIC DISTRICT FOR A 48.748-ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLIVE BOULEVARD, DIRECTLY WEST OF THE MANSIONS AT SPYGLASS SUMMIT SUBDIVISION. (P.Z. 09-2007 City of Chesterfield {Beckemeier Property})

WHEREAS, the petitioner, The City of Chesterfield, has requested a change in zoning from a "NU" Non-Urban District to a "PS" Park and Scenic District for a 48.478-acre tract of land located on the north side of Olive Boulevard directly west of the Mansions at Spyglass Summit subdivision; and,

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

WHEREAS, the City Council, having considered said request, voted to approve the change of zoning.

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 part thereof, are hereby amended by establishing a "NU" Non-Urban District for a 48.478-acre tract of land located on the north side of Olive Boulevard directly west of the Mansions at Spyglass Summit subdivision and described as follows:

Legal Description

A tract of land being part of U.S. Surveys 120, 206 and 2030, Township 46 North – Range 4 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the intersection of the East line of "Amended Old River Woods" a subdivision according to the plat thereof recorded in Plat Book 185 page 46 of the St. Louis County Records, with the South right-of-way line of Missouri Central Railroad, 100 feet wide; thence Eastwardly along said South line North 62 degrees 04 minutes 25 seconds East 2230.79 feet to the West line of the Adjusted North Lot of "Boundary Adjustment Survey of Part of Lot 5 of Talbot's Subdivision" as recorded in Plat Book 347 page 477 of the St. Louis County Records; thence Southwardly along said West line South 21 degrees 37 minutes 35 seconds East 301.82 feet to a point, said point being 300 feet perpendicular distance South of the aforementioned South right-of-way line of the Missouri Central Railroad, 100 feet wide; thence Westwardly and parallel with said South right-of-way line South 62 degrees 04 minutes 25 seconds West 13.03 feet to the South line of U.S. Survey 2030; thence Westwardly along said South line North 83 degrees 30 minutes 57 seconds West 64.87 feet to the North line of property described in deed to Christy F. Fryer and Minot P. Fryer, Jr. as recorded in Book 15257 page 463 of the St. Louis County

Records; thence Westwardly along said North line South 62 degrees 11 minutes 11 seconds West 294.48 feet to the West line of said Fryer property; thence Southwardly along said West line, along the West line of "The Mansions at Spyglass Summit" a subdivision according to the plat thereof recorded in Plat Book 268 page 90 of the St. Louis County Records and along the West line of property described in deed to Wayne R. Gottschall as recorded in Book 14743 page 2100 of the St. Louis County Records South 00 degrees 20 minutes 56 seconds West 1196.36 feet to the North right-of-way line of Olive Boulevard – Missouri State Route 340, varying width, as widened by instrument recorded in Book 10941 page 1224 of the St. Louis County Records, said point being 50 feet perpendicular distance Northwardly from the centerline of said Olive Boulevard-Missouri State Route 340; thence Westwardly along said North right-of-way line, the following courses and distances: South 72 degrees 02 minutes 57 seconds West 568.59 feet, along a curve to the left, whose radius point bears South 17 degrees 57 minutes 03 seconds East 1960.03 feet from the last mentioned point, a distance of 171.05 feet, along a curve to the left, whose radius point bears South 22 degrees 57 minutes 03 seconds East 1482.39 feet from the last mentioned point, a distance of 244.45 feet, along a curve to the left, whose radius point bears South 32 degrees 23 minutes 56 seconds East 1960.03 feet from the last mentioned point, a distance of 171.05 feet, South 52 degrees 36 minutes 04 seconds West 191.79 feet, North 87 degrees 22 minutes 07 seconds West 32.65 feet and North 39 degrees 53 minutes 09 seconds West 37.58 feet to the East line of said "Amended Old River Woods"; thence Northwardly along said East line North 12 degrees 57 minutes 50 seconds East 72.94 feet, North 60 degrees 23 minutes 28 seconds East 47.85 feet and North 27 degrees 46 minutes 32 seconds West 1136.98 feet to the point of beginning and containing 48.748 acres according to calculations by Volz Inc. during December 2006.

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 The City of Chesterfield, in P.Z. 09-2007, 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 hearing, held by the Planning Commission on the 26th day of March, 2007, 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.

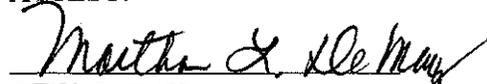
Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

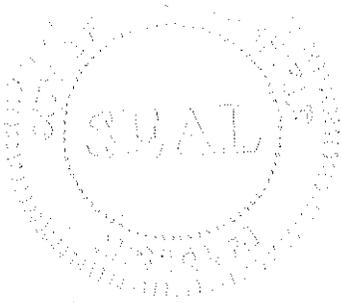
Section 5. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 7th day of May, 2007.


MAYOR

ATTEST:


CITY CLERK



FIRST READING HELD: 5/7/07