

RESOLUTION 173

**RESOLUTION AMENDING THE CITY OF CHESTERFIELD ZONING ORDINANCE BY GRANTING APPROVAL OF A DENSITY DEVELOPMENT PROCEDURE IN THE "R-2" 15,000 SQUARE FOOT RESIDENCE DISTRICT FOR A 15.0 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLIVE BOULEVARD, WEST OF SUNBRIDGE DRIVE (EAGLE RIDGE).**

WHEREAS, Pentrex Development Company filed with the City of Chesterfield through its Department of Planning, a request for a Density Development Procedure in the "R-2" 15,000 Residence District for a tract of land 15.0 acres in size located on the north side of Olive Boulevard, west of Sunbridge Drive; and,

WHEREAS, the petitioner proposes to develop thirty (30) single family residences on lots ranging in size from approximately 10,000 square feet to 22,600 square feet within a development to be known as Eagle Ridge; and,

WHEREAS, the Chesterfield Department of Planning, in conjunction with the Department of Public Works, has reviewed this request in accordance with Section 1003.183 Density Development Procedure and Subdivision and associated plan regulations Section 1005.050 Sketch Plan and presented a report to the Planning and Zoning Committee of City Council; and,

WHEREAS, the Department of Planning evaluated said request in accordance with the following statement of intent incorporated within the Density Development Procedure ordinance;

1. to provide permissive, voluntary, and alternate zoning procedures in the "NU", "R-1", "R-1A", "R-2", "R-3", "R-4", and "R-5" Residence Districts by permitting variations in lot size and design while maintaining the maximum dwelling unit density limitations of the particular residence district;
2. variation in the zoning requirements to promote economic and energy efficient subdivision design, encourage a variety of housing types, encourage ingenuity and originality in site design, preserve open space, and provide recreation areas within residential developments; and

WHEREAS, the Department of Planning, with the concurrence of the Department of Public Works, did not support the Density Development Procedure request as stated in their report to the City Council; and

WHEREAS, the Planning and Zoning Committee of City Council has reviewed said request and recommended the matter be referred to the City Council of the City of Chesterfield for approval pursuant to the Zoning Ordinance of the City of Chesterfield.

**NOW THEREFORE BE IT RESOLVED 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 made a part thereof, are amended by establishing a Density Development Procedure in the "R-2" 15,000 square foot Residence District for a 15.0 acre tract of land located on the north side of Olive Boulevard, west of Sunbridge Drive described as follows:

A tract of land being part of Lot 11 of the Subdivision of D.J.Talbot's Heirs, as per plat thereof recorded in Pocket 5, Folder 5, Plan File 4 in Page 68 of the St. Louis County Records, and in U.S. Survey 2030, Township 46 North, Range 4 East, City of Chesterfield, St. Louis County, Missouri, and said tract being more particularly described as follows:

Beginning at the intersection of the Easterly line of said Lot 11 with the Northerly line of Olive Boulevard (also known as Missouri State Highway 340), the centerline of said Olive Boulevard being 55 feet perpendicular distance Southerly of said Northerly line of Olive Boulevard, according to State of Missouri Right of Way Plans for Job No. J6UO792 thence along said Northerly line of Olive Boulevard South 61 degrees 59 minutes 00 seconds West 322.37 feet to the Westerly line of a parcel described in deed to Stemme, et al, recorded in Deed Book 9700 Page 1361 of the St. Louis County Records; thence along said Westerly line North 25 degrees 49 minutes 35 seconds West 1459.56 feet to a found stone on the Northerly line of said Lot 11; thence along said Northerly line North 59 degrees 29 minutes 17 seconds East 486.68 feet to a found stone at the Northeasterly corner of said Lot 11; thence along the Easterly line of said Lot 11 the following bearings and distances: South 30 degrees 12 minutes 36 seconds East 202.28 feet; South 03 degrees 07 minutes 07 seconds East 286.79 feet; South 57 degrees 20 minutes 08 seconds East 271.99 feet and South 10 degrees 55 minutes 53 seconds East 816.29 feet to the point of beginning and containing 15.0 acres, more or less, according to Survey No. 128179 executed by James Engineering and Surveying Co., Inc., in August, 1994. Subject to building lines, easements, conditions, restrictions, etc., if any, of record. Bearings based on the Northerly line of Olive Blvd. being "South 61 degrees 59 minutes 00 seconds West", as recited in said deed to Stemme, et al, recorded in Deed Book 9700 Page 1361 of the St. Louis County Records. Said tract herein described being the same parcel as described in said deed to Stemme, et al, recorded in Deed Book 9700 Page 1361 of the St. Louis County Records.

Section 2. The Density Development Procedure is hereby approved based on the Planning and Zoning Committee's recommendation that the request has met the provisions outlined in the statement of intent of the Density Development Procedure. Said approval should not be construed as a granting of any variances in the Subdivision Regulations or Engineering Design Criteria by the City of Chesterfield.

This approval is subject to the development of the subdivision as follows:

- 1) Conclusive upon the fulfillment of all the provisions of Section 1003.183 Density Development Procedure; and
- 2) In compliance with all Subdivision Regulations and Zoning Ordinances;
- 3) In recognition of the revisions to the sketch plan as outlined in the petitioner's letter received by the Department of Planning on November 29, 1994 (Exhibit A) and the response from the Director of Planning dated December 7, 1994 (Exhibit B); and
- 4) In accordance with the preliminary plat as approved by the Planning and Zoning Committee.

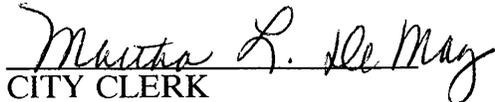
Section 3. That the Mayor and City Clerk shall execute on behalf of the City, all documents required by the Zoning Ordinance of the City of Chesterfield, to reflect the approval of the City of Chesterfield of said Density Development Procedure.

Section 4. This Resolution shall be in full force and effect from and after its passage and approval.

Adopted this 19<sup>TH</sup> day of DECEMBER, 1994.

  
MAYOR

ATTEST:

  
CITY CLERK



XIII

November 8, 1994

ATTACH TO  
RESOLUTION  
#173

Mayor Jack Leonard & City Council Members  
City Of Chesterfield  
922 Roosevelt Parkway  
Chesterfield, Mo 63017

Re: Request for Approval of Density Development Procedure for Eagle Ridge "R-2"  
15,000 square foot Residence District north side of Olive Boulevard, west of  
Sunbridge Drive.

Dear Mayor and Council Members:

The Department of Planning is in receipt of a request on behalf of Pentrex Development Company for consideration of a Density Development Procedure for the proposed Eagle Ridge Development. The Department of Planning, in conjunction with the Department of Public Works, has reviewed this request and the accompanying sketch plan in accordance with the City of Chesterfield Zoning Ordinance Section 1003.183 Density Development Procedure and Subdivision Regulation Section 1005.050 Sketch Plan. As the application to utilize the Density Development Procedure has met the minimum application requirements, the Department of Planning hereby submits the following report and recommendation to the City Council.

#### PETITIONER'S REQUEST

The petitioner, Pentrex Development Company, is requesting approval of a Density Development Procedure for a 15.0 acre tract of land, comprised of two (2) parcels on the north side of Olive Boulevard, west of Sunbridge Drive. The petitioner seeks to develop thirty (30) single family residences on lots ranging in size from approximately 10,000 square feet to 22,600 square feet within the "R-2" 15,000 square foot Residence District.

Access to the development would be gained via a single street connection with Olive Boulevard the approximate mid-point of the combined tract's current frontage. The aforementioned street would terminate in a cul-de-sac with a stub street being provided to the west for future access to the Chesterfield Manor property. An additional vehicular way terminating in a cul-de-sac would be provided along the site's western most boundary, which would access the northern portion of the site.

SITE AND SURROUNDING AREA LAND USE

The 15.0 acre "R-2" District zoned tract is comprised of two (2) parcels. Parcel "A", which is located adjacent to the tract's eastern-most boundary is currently occupied by a single family residence. Parcel "B", which comprises the remainder of the tract, is occupied by a single family dwelling with six (6) auxiliary farm buildings. The combined tract is used primarily for agricultural purposes with the exception being the area containing a large tree mass adjacent to the existing pond in the center of the site. An additional area of dense woods can be found along the bluff line, which comprises approximately the northern-most one-third of the combined tract. Topographically, the site slopes significantly upward from Olive Boulevard for the southern-most one-quarter of the combined tract, then levels out for the next one-quarter of the site as one proceeds north. Continuing north, the next one-quarter of the combined tract slopes steeply downward toward the previously mentioned pond and then slopes steeply upward again to the bluff line. The final one-quarter of the subject site slopes sharply downward toward the railroad tracks at the base of the bluff.

The property to the immediate east of the subject site is Riverbend West Subdivision, an "R-2" Residence District zoned development comprised of fifty-nine (59) lots. To the west, adjacent to Olive Boulevard, is a lot occupied by a single family residence with associated outbuildings. Immediately to the north of this lot, and adjacent to the west of the subject tract, is Chesterfield Manor, a nursing home facility. Both parcels to the west of the subject tract were zoned "R-2" Residence District by St. Louis County in 1965. To the south of the subject tract, across Olive Boulevard, is an undeveloped tract in the "R-2" Residence District. Immediately to the west of that tract is a "C-8" Planned Commercial District development ( P.Z.99-83 Holifield Corporation - Hog Hollow Office Center).

The subject "R-2" Residence District zoned combined tract was zoned by St. Louis County in 1965. The Department would note that there have been no prior petitions seeking rezoning nor have any applications for a special procedure been filed for either of the individual parcels.

ANALYSIS

The Department believes it appropriate to preface its remarks by formally stating the intent the Density Development Procedure as established by ordinance. The statement of intent is as follows:

1. To provide permissive, voluntary, and alternate zoning procedures in the "NU", "R-1", "R-1A", "R-2", "R-3", "R-4", and "R-5" Residence Districts by permitting variations in lots size and design while maintaining the maximum dwelling unit density limitations of the particular residence district.

2. Through variation in the zoning requirements to promote economic and energy efficient subdivision design, encourage a variety of housing types, encourage ingenuity and originality in site design, preserve open space, and provide recreation areas within residential developments.

Relative to reduction in lot size, the Density Development Procedure allows a minimum lot area of 10,000 square feet in the "R-2" Residence District. The procedure requires that the maximum number of lots allowable be calculated by dividing the net area of the development by the minimum lot area requirements of the residence district in which the subdivision is located. The net area consists of the gross area of the development minus the area utilized for roadway right-of-way purposes. The calculations for this particular development are as follows:

Gross area of tract =	15.0 acres	(653,400 square feet)
Area in street right-of-way (approximate) =	1.95 acres	(84,942 square feet)
Net area of tract =	13.05 acres	(568,458 square feet)
$\frac{13.05 \times 43,560}{15,000}$ =	37.9 total allowable lots	

The Department notes the side yard setback requirement of the Density Development Procedure, as applied to the "R-2" Residence District, is in accordance with the "R-3" Residence District standards, or a side yard of eight (8) feet. As indicated on the sketch plan, the developer proposes to establish only thirty (30) lots in lieu of the thirty-seven (37) lots allowed. The developer is proposing approximately 3.9 acres of common ground, some of which is proposed as playground and recreation area included along the bluff line and adjacent to the existing pond. Accordingly, the Department believes the proposal as submitted complies with the permitted variations in minimum lot size and setback.

Relative to the second provision incorporated into the statement of intent, the Department believes certain issues should be raised. Initially, the Department acknowledges that the site is of an unusual nature specifically as it relates to the site's topography. Consequently, the Department believes that any proposed development should be especially "sensitive" to this site. With this intent in mind, the Department is of the opinion that the sketch plan submitted does not adequately preserve the site's natural features, namely the existing tree line along the bluff and the site's most prominent geographic feature, best described as the "hogback" or ridge with steeply sloping sides which forms the top of the bluff. While the Department applauds the effort to maintain the existing pond and some of the trees adjacent thereto, the Department believes additional efforts need to be made to preserve the site's natural features.

The above discussion relates directly to the design of the street network of the proposed subdivision. Specifically, the Department, in conjunction with the Department of Public Works, has concerns about the thirty (30) foot wide private driveway depicted adjacent to the western-most property line. According to the comments received from the Department of Public Works, the typical pavement section indicated must be in accordance with an approved road cross-section for the City. The City would require a minimum right-of-way of forty (40) feet with adjacent five (5) foot wide sidewalk maintenance and utility easements in order to access the six (6) lots on the northern-most portion of the site. The Department of Planning believes that two (2) "flag" lots would be more appropriate in this area in an effort to preserve the existing treeline along the bluff. Though not a minimum sketch plan requirement, the Department would note that we had sought depiction of the area of tree masses to be retained as a result of the construction activities. The lack of an accurate depiction of the limits of tree masses to be retained makes it very difficult for the Department to properly evaluate the impact of the development on the existing environment.

In prior discussions with the developer the Department requested access to the Chesterfield Manor subdivision to the west be provided, because of the nursing home facility's future development potential. The sketch plan currently depicts an eighteen (18') foot wide access drive. The Department of Planning believes that an actual pavement connection should not be required, however full width pavement (26' wide) and right-of-way (50' wide) or a reduction to forty (40') foot wide right-of-way with associated five (5') foot wide easements is appropriate at the west property line.

Realizing that the sketch plan submitted is not intended to meet all grading plan requirements, the Department of Public Works, however, has some concerns that the proposed contours depicted on Lots 25 through 30 do not accurately reflect the extent of grading that would be necessary in order to accommodate home construction. In order to create graded slopes not in excess of three (3) feet horizontal to one (1) foot vertical, extensive encroachment into the bluff line may be necessary in order to create buildable pads for the units in the locations proposed. Should a local street (26' wide pavement, 40' right-of-way) be utilized in lieu of the proposed thirty (30) foot wide "driveway", a requirement for a cul-de-sac to accommodate a fire emergency vehicle and/or bus turnaround could move the structures on proposed Lots 27 and 28 a significant distance further into the existing treeline.

As the overall purpose of the Density Development Procedure is to be "sensitive" to the site, the Department has concerns about the request to maintain the existing pond along with the existing stand of trees which are adjacent. Significant grading activities on Lots 10, 11 and 12 encroach into this tree mass. The Department of Planning would prefer to see the existing pond remain in its natural state, however the Department of Public Works believes it is far more beneficial and desirable to fill the water feature and possibly recreate it at a higher elevation as a stormwater retention or detention basin. The Department of Planning acknowledges the desirability, from an engineering standpoint, of the existing pond being configured as a retention/detention basin; however, the Department believes it still

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appropriate to have the general area about the existing pond be incorporated as common ground, with an emphasis on maintaining the existing tree mass which would be a loss, particularly as a result of development of Lots 10 and 11.

Relative to the proposed underground detention facility adjacent to Olive Boulevard, the Department of Public Works notes that detention within pipes is not permitted. Further, the Department of Planning would note that the location of these pipes within the thirty (30) foot common ground strip adjacent to Olive Boulevard is generally coincident with an existing twenty (20) foot wide Union Electric easement along Olive Boulevard.

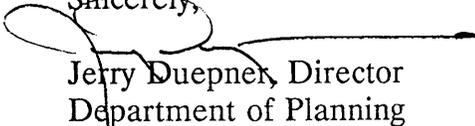
Given the significance of grading on this site, (upwards of thirty (30) feet of excavation as well as thirty (30) feet of fill), the Department of Public Works would recommend that a geotechnical report be required and that a geotechnical engineer be required to sign and seal the Preliminary Plat plus any improvement plans for this site.

Relative to the access to the site, the petitioner has received conceptual approval for an entrance onto Olive Boulevard. The Department notes that this approval is contingent upon the entrance and any associated improvements being compatible with the State's future roadway project in this area. Formal permitting of this entrance would be accomplished at the improvement plan stage.

**RECOMMENDATION:**

As mentioned previously in this report, the Department of Planning as well as the Department of Public Works, have several concerns with regard to the conceptual plan's sensitivity to the site. In the Department's opinion, the design proposed is not particularly original or ingenious, nor does it adequately preserve the amount of open space and trees which are indigenous to this site. Because of these concerns, particularly the street design proposed and the amount of tree masses to be retained as a result of grading activities, the Department of Planning, with the concurrence of the Department of Public Works, cannot support this Density Development procedure request.

Sincerely,



Jerry Duepner, Director  
Department of Planning

JD/JH/sh  
Attachments

cc: Michael G. Herring, City Administrator  
Michael O. Geisel, Director of Public Works/City Engineer  
Tom Wolfner, Pentrex Development Company  
Larry Wurm, James Engineering & Surveying, 7810 Forsyth, Ste. 300, 63105  
Walter Lamkin, McCarthy, Leonard, Kaemmerer, Owen, Laderman & Lamkin, L.C.  
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