

SUBDIVISION PETITION REVIEW REPORT

Petition Number: SUB 14-01

Petitioner: Ken Grasse
2187 White Lane Dr.
St. Louis, MO, 63017
314-952-6005

Agent: None

Project Name: Westglen Village Plat 7 Resubdivision

Location: 905 Quail Terrace

Petition Date: 2/6/14

Review Date: 3/12/14

Requested Action: Subdivision approval

Code Section: Chapter 25, Article II & III

Existing Land Use/Zoning: Multiple Family / R-4

Surrounding Land Use/Zoning: North – Multiple Family/R-4
South –Single Family / R-3
East –Single Family / R-3
West – Multiple Family / R-4

Plan Designation: High Density Residential

Project Description:

The petitioner proposes to develop a 2 lot single family subdivision on an approximately 1.46 acre tract at the extreme southeast corner of the Westglen Village Apartment development property which has a street address of 905 Quail Terrace. The tract proposed for this development fronts on Westglen Village Dr. This subdivision petition is accompanied by a zoning district change petition (Z14-01) from R-4 to R-3.

The site proposed for this subdivision sits at the extreme southeast corner of the approximately 17.12 acre property occupied by the Westglen Village Apartments which is presently zoned R-4 multiple family. The property is located on the west side of Westglen Village Dr. approximately 200' north of the intersection with Westrun Drive. The site proposed for development is rectangular

in shape with the narrow end of the rectangle fronting on the west side of Westglen Village Dr. for a distance of 202'. The property extends approximately 320' west from Westglen Village Dr. The property is gently sloping and the western 80% is wooded. The highest point of the site is near the road at the north east corner with an elevation of 654 feet. The site drops as one moves west. The low point of the proposed subdivision is 604' in the flow line of the creek at the western property line. This means that there is substantial elevation change (50') across the development.

There is a pronounced and heavily wooded ravine of substantial depth that begins approximately 30' from the Westglen Village Dr. right-of-way line. This ravine trends westwardly and exits the proposed subdivision at the western edge where it continues onto the adjoining apartment property to the west. This ravine has substantial depth (as much as 40' depending upon where it is measured) and runs over 100' wide in most places. A stormwater pipe discharges into the ravine approximately 120' west of Westglen Village Dr.

Zoning Ordinance Provisions / R-3 District Requirements:

This subdivision petition is accompanied by a zoning district change petition Z14-01. The issues associated with the R-3 district are discussed in detail in that report.

Subdivision Ordinance Requirements (Chapter 25)

1. Sidewalks (Article II, Sec 25-28, 25 -29.5): Sidewalks already exist along this portion of Westglen Village Dr. No new or additional sidewalks are required.

2. Streetlights Required (Article II, Sec 25-29, 25-29.5): Streetlights are already in place along Westglen Village Dr. No new streetlights will be required.

3. Deed Restrictions (Article II, Sec 25-30(a)): **This development was approved and built in St. Louis County prior to annexation by Ballwin as part of a large multi-faceted residential development approved under the county procedure called Planned Environmental Unit (PEU). This procedure incorporated the approval of a site development plan that establishes the distribution and relationship of land uses within and adjacent to the PEU area. The Westglen Village PEU was approved in 1972 and includes all of the Westglen single family subdivisions, the Westglen Village Apartments, the Westglen Village Townhouses and all of the associated common ground areas, roadways, easements and related improvements. St. Louis County Ordinance # 6541 that approved the PEU formed an additional set of deed restriction that controlled the land use within the PEU. On June 10, 1991, Ballwin adopted Ordinance 2168 which rezoned the Westglen Village Apartments to R-4 Planned Multiple Dwelling District. No new site development plan was adopted as a part of the rezoning, so the most recently amended plan under St. Louis County (March 28, 1988) became the R-4 site plan.**

4. Boundary Lines, Bearings and Distances (Article II, Sec 25-30(b) (1)): The required distance and bearing information has been provided.

5. Street Lines (Article II, Sec 25-30(b) (2)): The required information appears to have been provided.

6. Streetlights (Article II, Sec 25-30 (b) (3)): Streetlights were addressed in number 2 above.

7. Underground Utilities and Structures (Article II, Sec 25-30 (b) (4)): The locations of the nearby water, sewer and gas utilities have been shown. **Communications and cable have not been shown.**

8. Dedications (Article II, Sec 25-30 (b) (5)): No dedications are proposed as a part of this petition.

9. Lines of Adjoining Lands (Article II, Sec 25-30 (b) (6)): All lines of all adjoining properties appear to have been shown.

10. Identification System (Article II, Sec 25-30 (b) (7)): All lots have been given proper identification numbers.

11. Building Lines and Easements (Article II, Sec 25-30 (b) (8)): All easements and all building setback lines of the R-3 district appear to have been presented on the drawing.

12. Subdivision name, legal description, property owner and presentation details (Article II, Sec 25-30 (b) (9)): These issues appear to have been addressed on the plan or through the accompanying petitioning forms.

13. Storm Water Control (Article II, Sec 25-30 (b) (10)): All submitted preliminary subdivision plats are required to provide storm water control information in accordance with the requirements of Article III, Division 2, Section 25-72. **No stormwater detention or water quality information has been provided. MSD may not require any detention for the subdivision, and given the nature of the drainage and grading pattern, it may not be required under Ballwin's standards either, but no stormwater information has been provided. Detention is typically required by Ballwin, but the petitioner can request a waiver if it believes that detention is not necessary. Additionally, no information has been provided regarding water quality features. These will probably be required by MSD and Ballwin. Again, a waiver by Ballwin can be requested if the petitioner believes that such features are not necessary.**

No information has been provided that MSD has reviewed this plan for compliance with its detention or water quality standards. Given the size of the development and the area that will be disturbed as part of the grading and filling, MSD may not require detention but may impose water quality requirements. Ballwin may also require them. These issues need to be reviewed in the preliminary plat review process. If the petitioner believes that waivers are warranted and the water quality and detention facilities required by Ballwin are not necessary, documentation should be provided from the petitioner requesting the waiver

and addressing the salient issues and explaining why no such facilities are needed. This would provide the information necessary to properly evaluate this issue and for the Board of Aldermen to base a waiver petition if that is requested. No such documentation or explanation has been provided.

14. Size of Proposed lots (Article II, Sec 25-30 (b) (11)): All lot sizes have been shown on the submitted plan.

15. Lot platting (Section 25-36): This section requires that new subdivisions laid out adjacent to existing residential development shall be "arranged, laid out, or platted in a manner that the side yard of any new lot abutting and contiguous to the rear yard of an existing approved, platted and recorded lot in an adjacent contiguous subdivision, shall have a side yard setback of not less than 15' regardless of a permitted smaller minimum side yard setback requirement of the zoning district in which the new lot is located." The platting has been laid out to address this issue.

16. Street Construction Sections 25-91(a-d): No new streets are proposed as a part of this petition.

17. Grade of Streets (Section 25-92): This section does not apply to this petition.

18. Width of Streets (Section 25-93): This subsection does not apply to this petition.

19. Street Relationship (Section 25-102(a -e)): This subsection does not apply to this petition.

20. Sections 25-121 through 25-125 provide for the dedication of public open space or private recreational facilities in subdivisions or for the payment of a fee in lieu of such dedication. **There is no mention in the petition of how this issue will be addressed. Since no land is shown for park dedication, and the site is so small, it is assumed that the petitioner proposes to pay a fee in lieu of dedication. Based upon the provisions of the subdivision ordinance, this fee will be \$8,417.44 or \$4,208.72/lot if the recreation operation / development contribution mechanism is used. If the percentage of purchase price mechanism is utilized, the petitioner will have to provide documentation of the purchase price to justify the contribution amount.**

21. Section 25-126 of the subdivision ordinance stipulates that natural features such as trees, hilltops, brooks, views, artificial and natural lakes and ponds and wooded areas are to be preserved. **This is a substantially wooded site with a deep and well-defined ravine running down virtually its entire length. Substantial mature trees appear to be growing in the area. Approximately ½ of this wooded area and the ravine will be lost to regrading and filling to create flat buildable pads for houses.**

Comprehensive Plan Recommendations:

The Future Land Use and Transportation map of the Comprehensive Community Plan 2007 (page 8:6) recommends high density residential development for the petitioned property. High Density Residential development is recommended for a density of 8 –20 units per acre (page 8:6). **The density of this proposed development is approximately 1.4 units per acre, so it is substantially lower in density than is recommended by the plan.** The density of the adjoining Westglen Village Condominiums is 8.55 units per acre. The density of the adjoining Westglen Village Apartments is 5.5 units per acre. **This section of the plan goes on to say that such development should feature street trees, sidewalks and professional landscaping that includes buffering and screening to lower density residential development. None of these design recommendations appear to have been taken into account in the design of this subdivision.**

Section 2 (Residential Design) of the Future Residential Development Guidelines of the 2007 Comprehensive Community Plan is described on pages 8:16 and 8:17 of the plan:

1. Bullet #1 states that residential buildings should contain street-facing architectural features of human scale to enhance curb appeal and reinforce local building traditions. **No proposed building elevations have been submitted but the orientation of the lots is such that the houses will in all probability be street oriented. Few houses built in Ballwin do not meet this requirement.**

2. Bullet #2 establishes performance criteria for the orientation of dwelling units and the design of the street-facing elements. **No proposed building elevations have been submitted, so no determination of compliance with this guideline of the plan can be made.**

3. Bullet #3 recommends limiting garage frontages to no more than 50% of the dwelling's width. **No proposed building elevations have been submitted, so no determination of compliance with this guideline of the plan can be made.**

Section 4 (Open Space) of the Future Residential Development Guidelines of the 2007 Comprehensive Community Plan is described on pages 8:17 and 8:18 of the plan:

1. Bullet #1 states that residential development should provide open space common areas. Such common areas should be no less than 10% of the gross development area of the site and should exclusively provide natural green space. A recreational fee in lieu of such land dedication is permitted under this guideline. The issue of a recreational fee in lieu of dedication has not been addressed nor has the creation dedicated open space. This matter is discussed earlier in this report.

2. Bullet #2 states that natural habitat areas, wildlife corridors, water features such as ponds, wetlands and creeks and environmentally sensitive areas should be preserved. There is a defined creek that flows east-west through the two proposed lots. **The plan proposes to extend the existing stormwater discharge pipe to the west approximately 80' and to allow it to continue to discharge into the creek at that location. These 80 feet of additional pipe will be buried along with a significant portion of the wooded area of these lots. This section of the**

plan recommends preserving the creek and its associated habitat areas.

Section 5 (Compatibility Standards for Infill, Tear-Down & Redevelopment Sites) of the Future Residential Development Guidelines of the 2007 Comprehensive Community Plan is described on page 8:18 of the plan:

On page 8:18 the plan says that the areas designated for high density residential development should be developed in a manner that is consistent with surrounding land uses with regard to general character, density, structure height and bulk. **To some degree the proposed development does this. It is located at the extreme southeast corner of the area within the property recommended for high density residential development. This corner, however, is undeveloped and somewhat removed from the adjoining apartments. The establishment of two houses that are oriented to Westglen Village Dr. in a manner similar to that of the houses directly across the street probably makes some sense. Since the bulk of the surrounding neighborhood is single family residential, this proposal blends reasonably well with the surrounding neighborhood.**

Conclusion: I believe that one could draw the conclusion that this development proposal is not consistent with the recommendations of the comprehensive plan, but it makes some sense given the nature of this parcel and the adjoining land uses.

The issue of topography is not addressed at all in the preliminary plat submittal. This is critical to understanding the impact grading will have on the new lots and the adjoining wooded area as well as the associated issues of stormwater runoff and preservation of natural features. In order to understand how these new lots will be developed information on the topography, both now and post development is needed.

The petition review report for the accompanying zoning petition (Z14-01) has comments relative to this development and the implications of the 2007 Comprehensive Community Plan. Those review comments are not repeated here, but the issues discussed there are salient to the review as well.

Engineering Concerns:

1. A land disturbance (grading) permit is required prior to any grading, mining, filling or clearing work if over 10,000 square feet are disturbed. That much disturbance is expected for each house. This is issued commensurate with the issuance of a subdivision plan. A grading plan that shows topographic changes and a siltation barrier has been provided, but it does not provide any information on the quantities of material removed, relocated or brought onto the site. The origin/destination of any material transported to or from the site may also be provided. So too must the means of transportation, routes followed and size of the anticipated loads. Documentation of permission from other jurisdictions may be required if size and/or quantity of materials being transported are judged to present a damage potential to roadways or a nuisance or hazard to the

traveling public.

3. Since over an acre of land will probably be disturbed with this development, a DNR Land Disturbance Permit will be required for this development to be authorized. **This too depends upon the submission of a grading plan.**

4. Private and public roadways must be maintained in a clean, safe and passable condition at all times during construction and development. Failure of the developer to do so may lead to the establishment of a stop work situation until the problem is completely and permanently corrected. Escrow funds may be used to effectuate any needed cleanup and/or a lien may be placed upon the property to secure repayment of cleanup costs incurred by Ballwin. Additionally, if such problems are recurrent, a manned wash-down location may be required. Any stop work orders will remain in effect until developer demonstrates that the wash down is in place and operational on a permanent basis.

Procedural Concerns:

The Westglen Village Development was originally approved via St. Louis County Ordinance 6541 in 1972. This ordinance approved a Planned Environmental Unit development in an R-3 single family zoned area. Among other things, the PEU allows variations in minimum lot dimensions and area and density adjustments as long as the overall density permitted by the underlying zoning is not exceeded. The Westglen Village Apartments constitute a part of the larger development approved by County ordinance 6541. Following the annexation of this neighborhood into Ballwin in 1989 Ballwin rezoned the apartment portion of the PEU to R-4 Planned Multiple Dwelling District. That rezoning, which occurred via Ballwin ordinance 2168 on 6/10/91 essentially replaced the PEU approval with an approved R-4 site plan. Since no formal plan was adopted as a part of that ordinance, the most recently approved development plan approved for the apartments by the county, which is dated March 28, 1988, became the R-4 site development plan for the Westglen Village Apartments. This plan does not show the two lots being requested as a part of the this petition, so the petitioner must also submit a petition to amend the official site development plan for the apartments to allow the two lots to be created and the land they occupy to be removed from the apartment site and be established as a new subdivision.

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