

# ZONING ORDINANCE CHANGE PETITION REVIEW REPORT

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**Petition Number:** Z15-05

**Petitioner:** Ms. Jeannie M. Aumiller,  
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Ellington Homes by Mc Bride, LLC  
16091 Swingley Ridge  
Suite 300  
Chesterfield, MO 630175  
314-336-0209

**Agent:** None

**Project Name:** Arbors at Churchill

**Location:** 265 Churchill Ln.

**Petition Date:** 2/19/15

**Review Date:** 3/10/15

**Requested Action:** Zoning District Change from County R-2 to PSD.

**Code Section:** Zoning Ordinance  
Articles, XIIA and XXIII

**Existing Land Use/Zoning:** Single Family / County R-1

**Surrounding Land Use/Zoning:** North – Single Family / County R-2  
South – Single Family / R-2  
East – Single Family / County R-2  
West – Single Family / County R-1

## Proposal Description:

Ellington Homes by McBride is proposing to change the zoning district classification of this approximately 3.5 acre site from County R-2 to PSD. A 6 lot detached single family subdivision with vehicular access via the extension of the street stub of Churchill Ln. is proposed.

The site is generally rectangular in shape. It abuts Downing Square subdivision on the south for a distance of approximately 267 feet in which. The stub end of Churchill Ln. is in the approximate center of the Downing Square adjacency. This is the only roadway access to the site. The property abuts the Claymont subdivision along the west, and north sides for distances of 533.23' and 336.33' respectively. The site abuts Claymont

Cove subdivision to the east for a distance of 453.97' on the east.

The high point of the site is along the west side near the southwest corner with an elevation of 666'. The lowest point of the site is in the flow line of Grand Glaize creek at the north side of the site with an elevation of 620'. The site is traversed along the northeast corner by Grand Glaize Creek, but otherwise there are no defined natural drainage ways on the site. Runoff sheet flows in a generally northeastwardly direction into Grand Glaize Creek from about  $\frac{3}{4}$  of the site. The balance of the site flows southeastwardly into the adjoining Claymont Cove Subdivision, but this water also enters Grand Glaize Creek. Grand Glaize creek flows southeastwardly from this area through Kehrs Mill View Subdivision and the Ballwin Municipal Golf Course. After passing under Holloway Rd. Baxter Rd. and Manchester Rd. the creek continues southeastwardly through Manchester and a portion of unincorporated St. Louis County until it enters the Meramec River in the eastern part of Valley Park.

### **Plan Designation:**

The Comprehensive Community Plan recommends low density residential development for this site. This is defined as single family development with a density of no more than 3.5 units per acre. **This would yield a theoretical maximum density of about 12 lots.** The plan goes on to say that the overall density of an infill low density site should not exceed 125% of the average density of the surrounding residential development, so the neighborhood context is considered critical to guiding the determination of the appropriate density for a PSD site. The surrounding properties are zoned exclusively for single family residential uses with the County R-2 and Ballwin R-2 single family districts both being adjacent to this site.

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## **Planning and Plan Review Considerations**

This review report covers the issues of the Planned Single Family Dwelling Development District (PSD) regulations. This petition has been submitted in conjunction with an accompanying subdivision petition (SUB 15 - 03). Please reference the associated review report for a fuller understanding of the issues of the subdivision proposal.

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## **Zoning Review**

The main issue of any rezoning change petition is the question of the appropriateness of the new classification. Are the allowed uses in the new district acceptable within the area proposed for the change, are they consistent with the historic evolution of land uses in area, are they compatible with surrounding areas and are they consistent with the guidelines of Ballwin's comprehensive plan? There are several points that relate to these determinations:

**1. WILL THIS CHANGE CREATE AN ISOLATED LAND USE THAT IS ARBITRARILY ASSIGNED AND UNRELATED TO THE ADJACENT DISTRICTS AND DEVELOPMENT PATTERNS?** This typically involves the following issues:

*(1.) Is this the granting of a zoning classification which allows development that is inconsistent with surrounding development patterns?* **The petitioner has proposed to develop this site in a manner that is similar to the development pattern of the adjoining subdivisions developed in the 1960's, and 1980's. The densities and lot sizes are very similar. In fact, the proposed lots all meet the minimum dimensional requirements of the Ballwin R-2 zoning district. The petitioner has however, requested PSD zoning which has a much smaller (15') front yard setback than do either of the R-2 districts. The petitioner proposes to have a 20' front yard setback. The reason provided for the smaller front yards is to minimize grading and allow larger rear yards for the proposed lots. PSD imposes no minimum lot size, although the submitted plan shows lots that are of an area and width that are in keeping with what is permitted in the Ballwin R-2 district. I believe that there is evidence that this development is proposed in a manner that, although not 100% congruent with all surrounding subdivisions, is substantially consistent with the density and development patterns in the immediately surrounding neighborhoods.**

*(2.) The granting of a zoning classification which gives an economic advantage to a property owner that is not enjoyed by the owners of similar surrounding properties might suggest that a rezoning is inappropriate.* **The density, as measured on a lot yield per acre basis, and the nature of the development requested in this petition are very similar to those of the adjoining Claymont, Claymont Cove and Downing Square subdivisions. One might contend that the PSD was chosen over either of the R-2 districts for economic reasons in that smaller front yards are permitted and larger rear yards are more marketable. From the perspective of the total number of lots being developed on this parcel, however, there does not appear to be an economic advantage being gained from this rezoning petition.**

*(3.) The granting of a zoning classification for a property that is inconsistent with the surrounding land use pattern might be appropriate if the site has a unique character or physical / environmental situation that makes its development in a manner that is consistent with the surrounding land use pattern impossible.* **The petitioner has put forth the argument that the steep topography of the site constitutes a unique environmental circumstance that supports the PSD zoning which allows smaller front yard setbacks with the placement of the houses closer to the road. This in turn allows the preservation of more of the large trees along the west and east property lines and minimizes grading. I believe that there is some merit to this position. Requiring the 40' front yards mandated by the Ballwin R-2 district, or to a lesser degree the 25' front yards mandated by the existing County R-2 zoning, would have moved the grading cut line closer to the west property line and the fill line closer to the east property line. Both actions would have removed the large trees that are being preserved in these areas. Even with this zoning change, the requested density and lot sizes are consistent with the density and lot sizes in**

the Ballwin R-2 district. This is the zoning in the adjoining Downing Square subdivision which is probably the most applicable subdivision with which to compare Arbors at Churchill since all access to Arbors will be through Downing Square.

This subsection is primarily intended to address physical environmental issues like creeks and slopes and there are both engineering and economics based analyses. It has not been conclusively established that the site cannot physically be developed under the current zoning, but there are environmental tradeoffs that are not advantageous to the final product and the City as a whole. Every parcel of land that is developed has some kind of issue that has to be overcome to allow development. It is the nature of development. I believe that the slope and grading necessitated by the existing zoning offers a reasonable basis to consider the zoning appropriate if not necessary and not purely an economic advantage.

*(4) The granting of a zoning classification that is inconsistent with the surrounding development patterns may be appropriate if it is recommended or allowed by the comprehensive plan. The density proposed for this site, as well as the proposed zoning district classification, appears to be consistent with the density and zoning recommendations of the comprehensive plan. The low density residential classification discussed on page 8:5 clearly identifies PSD zoning as appropriate zoning for this area, furthermore, the lot sizes are consistent with Ballwin R-2 zoning.*

**2. IS THERE A JUSTIFICATION FOR THE ZONING DISTRICT CHANGE?** Normally, the only justifications for a change in zoning are (1) an error in the original zoning designation, (2) the occurrence of a change in the general land use pattern of a neighborhood that makes the existing zoning inappropriate, (3) the existence of a significant natural physical characteristic of a site that prohibits the uses allowed in the existing district or (4) the adoption of a community plan that recommends a different land use such that a zoning district change is warranted.

(1.) No evidence has been presented to show that there was an error in the establishment of the original zoning pattern in this neighborhood. **The County R-2 zoning classification dates to a time before this land was in Ballwin in the 1960's when the Claymont subdivision was built and St Louis County was establishing the zoning patterns in the west county area. No evidence has been submitted that there was an error in this zoning plan. The continued existence of this general land use pattern in this area for this long period of time without many petitions to change to dramatically different zoning pattern supports the argument that there is no fundamental error in the present zoning.**

(2.) There has been virtually no change in the general land use patterns of the properties near this petition since the existing zoning was set and the nearby subdivisions were built in the 1960's and 1980's, but in recent years Ballwin has granted PSD zoning changes to several similarly situated parcels. The McKelvey Homes' Enclave at Lucerne and the Benton Homes Sunset Grove are appropriate comparisons to this project. They are similarly sized subdivisions on similarly sized parcels surrounded by similar land uses. **I believe that a fairly persuasive argument**

can be made that Ballwin has historically granted zoning district changes that allow the development of these smaller parcels in a manner that employs somewhat different lots sizes and building setbacks but maintains the overall character and density of the development in the surrounding neighborhoods. A change to zoning that allows a similar character of development does not, therefore, appear to be an unreasonable, inappropriate or unjustified request.

(3.) As stated above in section 1 (3), the petitioner has presented evidence supporting an argument that there is a significant natural slope feature of this site that makes it undevelopable with its current zoning, or forces a character that is not in keeping with surrounding developments.

(4.) The 2007 plan recommends low density residential development for this site. This corresponds to a density of no more than 3.5 units per acre. The plan also contains language that would allow a maximum density of 125% of that on the surrounding properties in conjunction with an infill development. The proposed 6 lot Arbors at Churchill subdivision has lot sizes that vary from 12,585 to 14,494. The average lot size of 13,223 square feet is well in excess of the 12,500 square foot minimum of the Ballwin R-2 district. This is, however, less than the 15,000 square foot minimum of the County R-2 district which is the zoning of the site and the predominant zoning classification in the subdivisions surrounding this site. A density of 125% of that allowed in the County R-2, as permitted by the comprehensive community plan would yield an average lot size of 12,000 square feet, which is smaller than what is proposed in this development. **The proposed density of this development appears to be well below the maximum allowed in the plan and consistent with the densities of the existing adjoining subdivisions.**

### **3. IS THE CHANGE CONSISTENT WITH BALLWIN'S COMPREHENSIVE PLAN?**

As described in section 2(4) above, the land use and the density proposed by this petition appears to be in compliance with the density recommendations of the Comprehensive Community Plan of 2007, discussed on pages 8:5, 8:14.

### **4. IS THE NEW ZONING IN KEEPING WITH THE CONTEXT OF THE NEIGHBORHOOD?**

As stated in 2(4) above, the proposed development is very similar to that of the adjoining subdivisions. It is a single family detached development. I believe that a sound argument can be made that this zoning change is in keeping with the context of the neighborhood. **Context is more than density; it includes issues of neighborhood character as well. Density (units / acre), lot size, roadway frontage, building setback lines, house size and architecture are all part of context. Some of these issues will be addressed more completely in the accompanying PSD analysis, but the issues of density, frontage, setback and lot size are significant here because they are fundamental to context and are something that is controlled by the selection of a zoning district. Other than a minimum floor area and compliance with the building code Ballwin does not strictly regulate house size or architecture.**

**Lot frontage (width) and size are both elements of density. As discussed earlier in this report, the proposed lots are all sized within the parameters of the Ballwin R-2 district which is what Downing Square, the subdivision through which all traffic**

accessing this development will pass, is zoned. The density is therefore consistent with the context of the neighborhood most impacted by this proposed subdivision. The issue of setback is where the PSD zoning departs from the R-2 zoning districts. Ballwin R-2 zoning requires a 40' front yard and County R-2 zoning requires a 25' front yard. The front yard requested in the accompanying subdivision petition is 20'. The yards are deep enough to permit the larger front yard setbacks, but the developer wants to save the mature trees along the east and west property lines, provide deeper rear yards and limit pervious surfaces to minimize storm water runoff. The question to be resolved revolves around whether the shallower front yards in the Arbors at Churchill constitute a sufficient departure from the context of the surrounding subdivisions to recommend against the zoning request. Ballwin has not historically seen this as being a problem.

**5. WILL THE REZONING ADVERSELY AFFECT THE VALUE OF SURROUNDING PROPERTIES?** This issue is typically central to most zoning change debates. Depending on one's perspective, convincing arguments can sometimes be made for both sides of the question. **Lacking a certified appraiser's study of the impact of the proposed subdivision on the values of nearby existing housing, the decision probably has to be made on the basis of what impact similar developments have historically had on adjoining properties.** I am unaware of any similar development in Ballwin that has had a significant negative impact on surrounding property values. I therefore cannot cite any empirical evidence to support a position that this zoning change will have any substantial negative impact on surrounding property values. Similar densities and development patterns have existed in the surrounding neighborhoods for years without obvious detriment to the values of surrounding properties. Similarly, developments with smaller front yards than nearby development have not appeared to negatively impact the values of adjoining or nearby larger setback neighborhoods. I site Dickens Trace, David Harrison Farms and now the Enclave a Lucerne subdivisions as developments with 20'-25' front yards not having negatively impacted values of houses in the adjacent subdivisions with 40' front yards as examples to support this position.

**6. ARE THERE ADEQUATE SITES, ELSEWHERE IN THE CITY, FOR THE PROPOSED USE IN DISTRICTS WHERE THE USE IS ALREADY ALLOWED?** There are few similarly situated developable sites for any kind of residential development remaining in Ballwin that have the necessary zoning already in place. Most new development is proposed for sites such as this one that are being redeveloped because they are underutilized for the potential of the market.

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## PSD Regulations

A PSD petition is a two step process. The first step involves the submittal of a preliminary development plan as a part of the zoning change petition. Upon approval by ordinance, the property is rezoned to PSD and the developer has 12 months to submit a fully engineered development plan for consideration as the final plan. If the final plan is approved, the project goes forward. If a final plan is not approved within the required

time frame, the Board of Aldermen may hold a hearing to change the zoning back to the previous classification. In the case of a single family fee-simple ownership plan such as that proposed in this petition, a subdivision petition will also have to be approved.

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### **Section 1. Purpose:**

The purpose of the PSD is to permit greater flexibility in the design of residential developments. This development proposal closely mimics the Ballwin R-2 district in terms of average lot size, lot frontage, and overall density of development. The only real difference is that it does not match the minimum front yard setback of that district. The petitioner wants to utilize a 20' front yard setback as is permitted in the PSD district. The houses can be pushed back to create 40' deep front yards, but as mentioned earlier in this review report, this the excessive grading brought about by the slope limitations of the site, the desire to save the large mature trees around the perimeter of the site and the marketing demand for bigger rear yards mitigate against the deeper front yards. It should also be noted that the smaller front yards will result in shorter driveways and less impervious surface generating less runoff that has to be detained and treated. **It seems that the PSD's flexibility is being utilized in this development to maintain a standard lot yield while minimizing the negative impacts of the conventional zoning regulations.**

### **Section 3. Use regulations:**

Single family attached dwellings are an allowed use in the PSD district.

### **Section 4. Height Regulations:**

The maximum structure height allowed in a PSD development is 35 feet. No architectural elevations have been submitted, but few new houses built in Ballwin are taller than the 35' maximum height allowed in this district. This ordinance limitation is reviewed at the time of building permit issuance. Bullet point 7 of the Compatibility Standards for Infill, Tear-down & Redevelopment sites on page 8:18 of the 2007 plan recommends that building heights transition to existing nearby buildings. Structure heights should not exceed those of adjoining structures by more than one story at the setback line and heights above that should setback at a rate of one foot vertically for one foot horizontally. The submitted architectural elevations suggest that the proposed houses will be consistent with this recommendation of the plan.

### **Section 5. Area Regulations:**

(1). A 15' minimum internal front yard is required by the PSD district regulations. As stated earlier in this report, the petitioner has proposed a 20' front yard. This exceeds the minimum requirements of the PSD district.

(2). Per this subsection, no building can be built within 20' of an existing building on an adjacent lot or tract outside of the development. The submitted plan appears to comply with this requirement.

(3). No building can be built within 10' of a rear or side lot line of an adjacent undeveloped tract: There are no undeveloped adjacent tracts so this provision does not apply to this petition.

(4). This subsection requires a 20' minimum building setback to any single family district line. Since this PSD development will be an island of PSD zoning in this single family neighborhood, this means that a 20' setback is required around the entire perimeter of this site. All of the proposed houses appear to be compliant with this requirement.

(5). This subsection prohibits the construction of any building that is not shown on a PSD plan approved by the Board of Aldermen. This is really a final site plan and building permit issue. These requirements will be addressed at that time.

### **Section 6. Parcel Size:**

The minimum parcel size that can be considered for PSD zoning is one (1) acre. This parcel exceeds this requirement.

### **Section 7. Parking:**

(1) This subsection requires two parking spaces per dwelling unit. The submitted development plan indicates three car garages and 3 driveway parking spaces for each house. This exceeds the parking requirements of the ordinance.

(2) - (4) These subsections deal with group parking facilities and do not appear to apply to this development proposal.

(5) This subsection requires the parking areas (driveways) and streets to be paved. **The submitted plans indicate pavement areas, but no information has been provided about the proposed pavements. The subdivision regulations establish minimum design characteristics for city streets that will have to be met in this development. This will be a final engineered subdivision improvement plan review item as well.**

(6) This subsection addresses parking space requirements. The information provided meets the minimum requirements cited.

(7) This subsection addresses parking lots, so it does not apply to this petition.

(8) This section addresses the drainage of parking facilities and other impervious surfaces. It appears as though proper drainage is proposed. **This will be reviewed through the subdivision site plan review process and by MSD.**

(9) This section requires parking to be provided within 200 feet of the residential structures. The proposed parking is in compliance with this subsection.



## **Section 8. Streets and Traffic Circulation:**

The proposed internal roadway will serve less than 100 dwelling units so it is required to be a 26' wide pavement section within a 50' wide right of way. This proposal appears to meet this minimum requirement.

## **Section 9. Perimeters:**

(1) Per this subsection's definition of a PSD perimeter, the entire perimeter of this 3.5 acre parcel is a perimeter.

(2) This subsection requires a 60' structure setback along any perimeter of the site abutting commercial or multiple family uses. This subsection does not apply.

(3) This subsection addresses the 60' buffer for subsection 2 above and does not apply to this petition.

## **Section 10. Internal Buffers:**

This section requires PSD building spacings to be the mean of such spacings allowed in the adjoining residential districts. The County R-2 district adjoins most of this site. The building spacing requirement in the County R-2 districts is 16' (8' side yard). The Ballwin R-2 district has a minimum building spacing of 20' (10' side yard). The proposed side yard in the Arbors at Churchill subdivision is 10', so the submitted petition exceeds the minimum requirements of the PSD district and is consistent with the side yard setbacks in the adjoining subdivisions.

## **Section 11. Open Space:**

Subsection 1 of this section defines the terms open space and usable open space for the purpose of the PSD. Both definitions apply to this petition.

Subsection 2 of this section requires that a minimum of 15% of the site must be dedicated to open space as defined in Subsection 1 of this section. According to the area computations on the cover sheet of the drawings set, the development will be approximately 31% open space.

Subsection 2 also requires that one area meeting the definition of useable open space must be provided. A useable open space area meeting the dimensional requirements of the ordinance is shown on the submitted drawings. **No information is provided about the slope of the useable open space.**

Subsection 3 addresses the distribution of useable open space areas around a development. Since this small development only requires one such space, this section does not apply.

Subsection 4 of this section requires that at least 70% of the land dedicated for open space shall have an overall slope of no more than 8%. A notation on the cover sheet indicates that 70% of the land area required to be open space will meet the 8%

slope requirement.

Subsection 5 does not apply to this development because no recreational structures are proposed.

Subsection 6 does not apply to this submittal because it addresses buffer zones and no buffer zones are required for this development.

## **Section 12. Environmental Design:**

Subsection 1 requires the submittal of a general landscaping plan. **The submitted plan shows existing mature trees that will be retained in the new subdivision, and new street trees to be planted in the right of way. Such plans have historically included common ground landscaping as well.**

Subsection 2 addresses FEMA designated floodplains. This section does not appear to apply to this petition as no part of the site is within a designated flood zone.

Subsection 3 requires the submission of a grading plan that, as much as possible, maintains the site's native characteristics. **The submitted plan shows the proposed grading and identifies all significant trees on the site. Those which will be saved have been identified. No information has been provided about their condition, so I am assuming that they are healthy and worthy of preservation. Unfortunately, several of the notable trees on the site are in the proposed right-of-way, stormwater areas or within the building pad areas and cannot be preserved. As mentioned earlier in this report, this tree preservation is partly due to the utilization of the PSD zoning and the smaller front yards that that zoning permits. I recommend that appropriate no-grade zones protected by a fence throughout construction be established around the clusters of preserved trees to preserve the root zones of this vegetation. The no-grade zones will only apply to the subdivision grading and will not be a restrictive covenant on the lots or the subsequent owners. This should, however, be made a permanent tree preservation easement that is clearly called out on the record plat for the trees within the common ground with the trustees being responsible for perpetual preservation and maintenance.**

Subsection 4 discusses the stabilization of hillsides and limits slopes to a maximum of 3:1. **The hillsides created by the grading to establish the detention facilities approximate this steepness. No special mention is made of slope protection, but they will be treated in accordance with MSD's requirements for such facilities.**

## **Section 13. Site Plan Approval:**

Subsection (2) B 1 of this section requires the submittal of an application form. This has been submitted.

Subsection (2) B 2 of this section requires the submittal of a statement of planning objectives to be achieved by PSD Zoning. **No such document has been**

**provided, but Ballwin has had extensive experience with McBride which has a strong track record demonstrating its ability to build such a development.**

Subsection (2) B 3 requires that the petitioner provide a variety of quantitative data regarding the proposed development. This data appears to have been shown on the submitted plans.

Subsection (2) C 1 of this section requires that the preliminary site development plan be submitted with 2' topographic contours and that it clearly show, among other things, vegetation cover and trees in excess of an 8" caliper. This information appears to have been provided.

Subsection (2) C 2 of this section requires that the overall preliminary site development plan be submitted. This requirement has been met.

Subsection (2) C 3 of this section requires that the floor area and height of each building is to be provided. **Typical building footprints have been shown on each lot and elevations of the proposed houses have been provided. No information on floor area. Height information is also missing, but the elevations provide an understanding of the nature and scale of the planned houses. These things go to community character which is a fundamental issue for determining the appropriateness of the proposed zoning.**

Subsection (2) C 4 of this section requires the size and number of all proposed dwellings to be provided. **The number of dwellings is shown but as mentioned earlier in this report no detailed floor area information has been provided.**

Subsection (2) C 5 of this section requires that all useable open space areas are to be shown on the plan. This information has been provided.

Subsection (2) C 6 of this section requires that a circulation system be provided. A central roadway is proposed to serve these lots in accordance with Ballwin standards for this facility. **Sidewalks are shown on both sides of the road but not around the cul-de-sac as is required by the subdivision regulations. This issue is discussed more completely in the subdivision petition review report (SUB15-03).**

Subsection (2) C 7 of this section requires the plans to show the locations, volumes and capacities of all storm water control structures. This issue is discussed in the accompanying SUB petition report.

Subsection (2) C 9 of this section requires the plans to show a general landscape plan. **Street trees and saved mature trees are the only landscaping that is proposed. Ballwin has traditionally required PSD developments to include landscaping in the common ground areas and a typical front yard landscaping plan.**

Subsection (2) C 10 requires the inclusion of information about the treatment of perimeter areas. No special treatment of perimeter areas is proposed or necessitated due to the nature of this development proposal. Ballwin rarely requires special transition

measures for single family developments abutting similar single family developments.

Subsection (2) C 11 of this section requires the submitted plan to show information about adjoining property ownership, lot sizes, structures and circulation on adjoining lands. **Some of this information has been provided but structure locations, zoning and lot sizes are missing.**

Subsection (2) D of this section states that the preliminary development plan is to provide sufficient information to "...understand the nature, scope and neighborhood impact of the proposal..." **I believe that most of the information needed by the City to properly evaluate this preliminary development plan has been provided.**

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## **Comprehensive Plan Issues:**

The Comprehensive Community Plan addresses the land use recommendation for this site most directly on the Future Land Use and Transportation Map. **This map recommends low density residential development intensity for the subject property.** Low density residential is discussed on page 8:5 and 8:14. Essentially this designation recommends a density not to exceed 3.5 single family dwelling units per acre. Lot sizes of no less than 12,000 square feet are recommended as long as they are in keeping with the surrounding neighborhood character and development patterns. This issue of lot sizes and density are discussed in the Plan Designation and Zoning Review sections earlier in this document. **From this discussion, I believe that a reasonable conclusion can be drawn that the density of the proposed development is consistent with the recommendations of the comprehensive community plan.**

Future residential land uses are discussed beginning on page 8:12 of the plan. Several major points are made in this discussion that are relevant to this petition. Ballwin continues to be a desirable place to live and own a home, but it is running out of land for new development, so the redevelopment of underutilized sites is going to be a common theme. This is directly applicable to this site as the proposal calls for the elimination of a single existing house on large parcel and its replacement with several larger houses on smaller lots. The plan also observes that infill development will be a common event in the older parts of town, but there is a potential issue with infill development proposals. The concern of the plan is that such developments be done in a manner that is "consistent with the surrounding residential neighborhood and blends harmoniously with surrounding land uses with regard to the general characteristics, density, structure height and bulk requirements." On pages 8:14 the plan recommends that all low density residential development comply with the Residential Design (page 8:16) and Compatibility Standards (page 8:18) for infill, tear down and redevelopment sites. **The issue of compatibility with the surrounding developments was discussed earlier in this report. The major issue arising from that discussion is the reduced front yard depth. The 20' requested by the petitioner is smaller than the 25' and 40' front yards that are extant in the surrounding subdivisions.**

Section 2 (Residential Design) of the Future Residential Development Guidelines of the

2007 Comprehensive Community Plan is described on pages 8:16 through 8:18 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. Architectural features may include, but are not limited to, bay windows, covered porches, balconies, dormers and cupolas. The submitted elevations all appear to meet these requirements.

2. Bullet #2 recommends that the primary façade should be parallel to the street. All single family homes, townhomes and duplexes should have street-oriented entrance and a street facing principal window. A roadway presence should also be retained through the use of front porches and architectural treatments and landscaping that defines the primary entrance. The submitted elevations all appear to meet these requirements.

3. Bullet #3 recommends against garages dominating the design of the primary façade. Side and rear entry garages are encouraged. No garage wall should be closer to the street than any other house wall. Garage or door openings facing the street should not exceed 50% of the width of the house façade. **The architectural elevations and provided footprints do not meet any of these recommendations. All of the proposed house plans include the use of snout and roadway facing garages that project closer to the roadway than other portions or walls of the house, have the garage doors facing the roadway. The garages do not, however, exceed 50% of the front of the house. No side entry or rear entry garages are proposed.**

**There appears to be a question as to whether the proposed houses meet the overarching intent of this section as it relates to the orientation of garage doors. A substantial number of the houses in the Downing Square, Claymont and Claymont Cove subdivisions have rear and side entry garages, and those with front entry facilities do not have a protruding snout garage configuration. None of front facing garages in any of these subdivisions have garage widths that approach the percentage of the front face of the houses that are evident in the proposed houses.**

4. Bullet #4 recommends the use of durable high quality building materials and recommends the use of bright colors and highly reflective surfaces to only accent elements. **Insufficient information has been submitted to evaluate compliance with this recommendation on material quality, but the building code establishes minimum standards for construction materials. The Essen Place subdivision developed by McBride has a substantial number of houses with essentially the same color vinyl siding. The front facades appear to offer a variety of different architectural treatments, colors and textures, but the side and rear elevations that re visible form Kehrs Mill Rd. are monotonous. Four or five tones of beige do not really constitute a variety in character. I recommend that the Commission request more variability in color, texture and architectural features to this side and rear elevations to provide more variety within this new neighborhood.**

5. Bullet #5 recommends the use of quality exterior materials and the use of

architectural details and treatments to all sides of all buildings. The submitted architectural elevations provide some information about the proposed exterior architectural detailing, but no information is provided about materials.

Section 5 (Compatibility Standards for Infill, Tear Down & Redevelopment Sites) of the 2007 Comprehensive Community Plan is described on pages 8:18 – 8:19 of the plan:

1. Bullet #3 recommends that developments should have “adequate access” to the City’s existing roadway network. Due to the historical development patterns in this area, the roadway access proposed for this site is the only possibility.
2. Bullet #4 recommends the preservation of natural features such as water features, wooded areas, rock outcrops, viewsheds, etc, by utilizing appropriate site development techniques such as Low Impact Development (LID), clustering and stormwater best management practices (BMP). Traditional clustering can be difficult to make work on a small site in a low density residential area. The petitioner has attempted to use the PSD district to supplement a LID approach with less impervious surfaces through the smaller front yards. BMP’s for storm water control will be required by MSD in the storm water detention and water quality improvements. Several large trees fit the intent of this section and are being preserved.
3. Bullet #5 addresses the issue of compatibility with the surrounding natural and built environments. It discusses lot size compatibility. As discussed earlier in this document, I believe that a fairly strong argument can be made to support the lot sizes proposed, and the protection of natural features is better than has been experienced in many other similar developments.
4. Bullet #6 recommends that new lots within 50’ of existing lots should utilize a front yard setback that is within 5’ of that of the adjoining properties. All of the proposed lots in the Arbors at Churchill subdivision meet the 50’ criteria. The proposed 20’ front yard setback does not meet this recommendation. **It should be noted however that only lot 1 is directly adjacent to a 40’ setback lot (the Pylipow Trust property) in a manner that the different setbacks would be obvious. Lot 6 is substantially removed from the closest 40’ setback house and the smaller setback is masked by the curvature of the roadway.**
5. Bullet # 7 discusses the issue of building bulk and height compatibility and side/rear yard setbacks. The submitted building elevations offer an understanding of the building bulk question. Side and rear yard setbacks are essentially identical to those required in the Ballwin R-2 zoning in the Downing Square subdivision and larger than those of County R-2 zoning in the Claymont and Claymont Cove subdivisions.

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Thomas H. Aiken, AICP  
City Planner/Assistant City Administrator