



DATE: April 26, 2022

TO: Steve Ehlmann, County Executive  
Joann Leykam, Director of Administration

CC: Rory O'Sullivan, Acting County Counselor  
Donna Vogt, County Council

FROM: Michael Hurlbert, Director of Community Development

RE: Item for May 9, 2022 County Council Meeting

The Community Development Department is submitting the following item for the May 9, 2022 County Council Agenda.

**BILL FOR INTRODUCTION:**

Planning and Zoning Commission recommends **Approval:**

**REZONING REQUEST - DYER ROAD**

Application No:	RZ22-06
Property Owner:	Thomas J. McMenamy and Julie A. McMenamy
Applicant:	Charlestowne Crossing, LLC - Contract Purchaser
Current Zoning:	A, Agricultural District, with Floodway Fringe Overlay District
Requested Zoning:	R1D, Single Family Residential District (10,000 square foot minimum lot size), with Floodway Fringe Overlay District, and R1A, Single Family Residential District (1-acre minimum lot size), with Floodway Fringe Overlay District
2030 Master Plan:	Whites Branch Planning District (agricultural and residential, one dwelling unit per gross acre)
Parcel Size:	59.655 acres
Location:	On the on the west side of Dyer Road, approximately 750 feet north of Riverdale Park Drive, adjacent to the City of St. Paul
County Council District:	1
Account No.:	284760A000

**EXHIBIT B**  
AMENDING THE ZONING DISTRICT MAP  
OF SAINT CHARLES COUNTY MISSOURI

# Application RZ22-06

**REZONING REQUEST - DYER ROAD**

Application No: RZ22-06  
Property Owner: Thomas J. McMenemy and Julie A. McMenemy  
Applicant: Charlestowne Crossing, LLC - Contract Purchaser  
Current Zoning: A, Agricultural District, with Floodway Fringe Overlay District  
Requested Zoning: R1D, Single Family Residential District (10,000 square foot minimum lot size), with Floodway Fringe Overlay District, and R1A, Single Family Residential District (1-acre minimum lot size), with Floodway Fringe Overlay District  
2030 Master Plan: Whites Branch Planning District (agricultural and residential, one dwelling unit per gross acre)  
Parcel Size: 59.655 acres  
Location: On the on the west side of Dyer Road, approximately 750 feet north of Riverdale Park Drive, adjacent to the City of St. Paul  
County Council District: 1  
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Planning and Zoning Division

201 North Second St. - Room 420  
St. Charles, MO 63301  
P 636-949-7335 | 1-800-822-4012  
F 636-949-1815 | Planning@sccmo.org  
www.sccmo.org

April 26, 2022

This communication summarizes the following bill to be introduced at the May 9, 2022 County Council meeting:

**REZONING REQUEST - DYER ROAD**

Application No: RZ22-06  
Property Owner: Thomas J. McMenemy and Julie A. McMenemy  
Applicant: Charlestowne Crossing, LLC - Contract Purchaser  
Current Zoning: A, Agricultural District, with Floodway Fringe Overlay District  
Requested Zoning: R1D, Single Family Residential District (10,000 square foot minimum lot size), and R1A, Single Family Residential District (1-acre minimum lot size), with Floodway Fringe Overlay District  
2030 Master Plan: Whites Branch Planning District (agricultural and residential, one dwelling unit per gross acre)  
Parcel Size: 59.655 acres  
Location: On the on the west side of Dyer Road, approximately 750 feet north of Riverdale Park Drive, adjacent to the City of St. Paul  
County Council District: 1  
Account No.: 284760A000

Approval of this bill would amend the St. Charles County Zoning Map for a 59.90-acre tract of land from on the west side of Dyer Road, and adjoining Riverdale Subdivision in the City of St. Paul, from A, Agricultural District, with Floodway Fringe Overlay District to R1D, Single Family Residential District (41.749 acres), and R1A, Single Family Residential District (17.906 acres), with Floodway Fringe Overlay District. The applicant intends to construct a single-family residential subdivision with 102 lots.

Parcels of land to the west, north, and east is used as cultivated farmland except for a series of three-acre and five-acre residential parcels along the west side of Dyer Road. To the south, the subject parcel adjoins Riverdale Subdivision in the City of St. Paul with lots ranging in size from 0.19 to 0.49 acres. In accordance with the attached concept plan, the intent is to develop a single-family residential subdivision with one-acre lots along the northern and western borders. The applicant’s attorney proposed at the April 20<sup>th</sup> public hearing to voluntarily deed restrict the parcel to no more than 102 lots and with one-acre zoning along the northern and western property boundaries.

In terms of utilities, this parcel is presently located adjacent to but just outside the boundaries of both water of public sewer service areas. However, the City of St. Paul has submitted a letter to the County indicating that the City would extend public water to serve the proposed subdivision. Also, a sanitary sewer line terminates on the southern property line which leads to an MBR (membrane bioreactor) plant within common ground of the adjoining Riverdale Subdivision.

St. Charles County’s 2030 Master Plan designates the subject 60-acre parcel within the Whites Branch Planning District which the Future Land Use Plan depicts as future agricultural land uses; however, residential development within this Planning District could be considered provided that such development has appropriate urban services, is designed and arranged in a manner that clusters development providing open space (not including developments consisting of 3-acre parcels), and development densities do not exceed one dwelling unit per gross acre.” The proposed development would have an overall gross density of about 1.7 dwellings per acre.

The Planning and Zoning Commission held a public hearing on April 20, 2022 and received the following input:

Speakers: 2 Support 1 Opposed 1 Concerns  
Letters on file: 0 Support 13 Opposed 0 Concerns  
Agency Letters on file: 1 (letter regarding water service from the City of St. Paul)

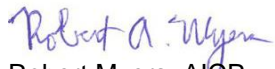
Having conducted the public hearing, the Planning & Zoning Commission voted as follows:

9 Approval 0 Denial 0 Abstentions

**Recommendation:**

The Planning and Zoning Commission recommends that the County Council approve this rezoning request.  
County staff concurs with this recommendation.

Sincerely,



Robert Myers, AICP  
Director of Planning & Zoning

cc: Steve Ehlmann, County Executive  
Joann Leykam, Director of Administration  
Rory O'Sullivan, Acting County Counselor

**STAFF RECOMMENDATION**

**To:** County Planning & Zoning Commission

**Prepared by:** Robert Myers, AICP

**Application No.:** RZ22-06

**Date:** April 14, 2022

**BACKGROUND:**

Property Owner: Thomas J. McMenemy and Julie A. McMenemy  
Applicant: Charlestowne Crossing, LLC, contract purchaser  
Requested Action: Amend the Zoning Map from A, Agricultural District (5-acre minimum lot size) with Floodway Fringe Overlay District to:  
(1) R1A, Single-Family Residential District (one acre minimum lot size) with Floodway Fringe Overlay District; and  
(2) R1D, Single Family Residential District (10,000 square foot minimum lot size)

Rezoning area: 59.655 acres  
Location: West side of Dyer Road, approximately 750 feet north of Riverdale Park Drive; adjacent to the City of St. Paul  
Current Land Use: Agricultural (cultivation)  
Adjacent Land Use and Zoning:

Direction	Zoning	Land Use
North	A, Agricultural District	Single Family Residences and cultivated farm field
South	Residential District; (City of St. Paul)	Single-Family Residential (Riverdale Subdivision)
East	A, Agricultural District	Single Family Residence and Agricultural (cultivation)
West	A, Agricultural with Floodway Fringe Overlay District	Single Family Residence and Agricultural (cultivation)

2030 Master Plan: Whites Branch Planning District (agricultural land uses except where sanitary sewer service should become available in which case one dwelling per acre)

Public Services: County Council District 1 – Joe Cronin  
School District – Fort Zumwalt School District  
Fire District – O’Fallon Fire Protection District

Utilities: Water – City of St. Paul  
Sewer – Duckett Creek Sanitary Sewer District (MBR plant)

Parcel Account No.: 284760A000

This Zoning Map amendment request pertains to a 60-acre parcel located on the west side of Dyer Road and adjoining Riverdale Subdivision in the City of St. Paul. The applicant, Charlestowne Crossing, LLC, proposes to rezone the northern and western borders of the parcel to R1A, Single Family Residential District (minimum one acre lot size), and the remainder of the parcel to R1D, Single Family Residential District (minimum 10,000 square foot lot size).

Parcels of land to the west, north, and east are primarily large, cultivated farm parcels except for a series of adjoining three-acre and five-acre residential parcels along the west side of Dyer Road. To the south, the subject parcel adjoins Riverdale Subdivision in the City of St. Paul with lots ranging in size from 0.19 to 0.49 acres and was approved by the City as a Planned Unit Development.

In accordance with the attached concept plan, the intent is to develop a single-family residential subdivision with one-acre lots along the northern and western borders. According to the applicant:

“The entire parcel subject to this application is legally described on Exhibit A. However, the property for which R1-A zoning is requested which is described on the attached Exhibit B shall be subjected to a restriction limiting the minimum lot size to no less than one acre (43,560 sq. ft.) and the property for which R1-D zoning is requested which is described on Exhibit C shall be subjected to a restriction limiting the number of lots in this property to no more than 86 lots with a minimum lot size of 11,500 square feet. The proposed form of restriction is attached as Exhibit D. The projected density will be low density of less than 2 units per acre.”

In terms of utilities, this parcel is presently located adjacent to but just outside the boundaries of both water of public sewer service areas. However, the City of St. Paul has submitted a letter to the County indicating that they would extend public water to serve the proposed subdivision. Also, a sanitary sewer line terminates on the southern property line which leads to an MBR (membrane bioreactor) plant within common ground of the adjoining Riverdale Subdivision. MBR plants use a membrane to filter solid materials which results in a clarified and disinfected effluent. County staff understands that Duckett Creek Sanitary Sewer District is in the process of expanding the capacity of this MBR plant sufficiently to serve this subdivision.

## **Analysis**

St. Charles County's 2030 Master Plan designates the subject 60-acre parcel within the Whites Branch Planning District, consisting of approximately 7,600 acres north of St. Paul, west of Highway 79, and south of the Cuivre River. Within the White Branch Planning District, the Future Land Use Plan depicts a general agricultural future land use for the area given its limited roads and no plans for construction of a traditional, gravity-fed sewage treatment plant. However:

“Residential development within this planning district could be considered provided that such development has appropriate urban services, is designed and arranged in a manner that clusters development providing open space (not including developments consisting of 3-acre parcels), and development densities do not exceed one dwelling unit per gross acre.” (Page 8.6 of the 2030 Master Plan)

Presumably, the above-referenced provision for one dwelling unit per gross acre was included within the County's 2030 Master Plan to reflect the land use policies of the adjoining City of St. Paul which allows one-acre (R1B) residential lots and three-acre (R1A) residential lots depending in part on the availability of sanitary sewer service.

In terms of the Master Plan, the requested zoning and concept plan contemplates a single-family residential subdivision which would have urban services (water and sewer), would arrange one-acre parcels along the western and northern borders, have parcels within the subdivision's interior ranging from 11,250 to 46,946 square feet, and have an overall gross density of about 1.7 dwellings per acre. Although the proposed gross density exceeds the one dwelling per gross acre recommendation of the Master Plan, based on the limited capacity of this MBR plant, this subdivision would define the northern limits of urban development within the Whites Branch Planning District.

Lot sizes in the proposed R1D area would be compatible with lot sizes in Riverdale Subdivision.

### **RECOMMENDATION**

**County staff recommends that the Planning and Zoning Commission recommend that the County Council approve the requested zoning map amendment.**



**Dyer Road, approximately 750 feet north of Riverdale Park Drive**



**MBR sewage plant located within the adjoining Riverdale Subdivision**