DATE: November 22, 2019

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

CC: John Watson, County Counselor
    Donna Vogt, County Council

FROM: Michael Hurlbert, Director of Community Development

RE: Item for December 16, 2019 County Council Meeting

The Community Development Department is submitting the following item for the December 16, 2019 County Council Agenda.

BILL FOR INTRODUCTION:

1) Planning and Zoning Commission recommends Denial:

PRELIMINARY PLAT FOR THE HYMAN KAYE TRACT - OAK VIEW FARMS DR

Application No: PRE19-15
Property Owner: Hyman H. Kaye Revocable Trust
Engineer/Surveyor: Bax Engineering Company
Existing Zoning: A, Agricultural District (5-acre minimum lot size)
Requested Zoning: RR, Single-Family Residential District (3-acre minimum lot size)
2030 Master Plan: Rural Residential (1 acre or greater per dwelling)
Proposed lots: 25
Parcel Size: 84.20 acres
Location: On the west side of Busdieker Drive, approximately 300 feet south of Foristell Road; northwest of the City of New Melle
Council District: 2
Account No.: 608880A000
EXHIBIT A
APPROVING THE PRELIMINARY PLAT FOR THE HYMAN KAYE TRACT

Application PRE19-15

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CONTENTS:

➢ Synopsis
➢ Staff Recommendation
➢ Photo(s) of Site
➢ Aerial Photo
➢ Surrounding Zoning Map
➢ Future Land Use Map
➢ Topography Map
➢ Preliminary Plat
➢ Letters received
   ♦ Opposition – Elaine Sweeten
   ♦ Opposition – Karen Wilson
   ♦ Opposition – Linda Aldridge and Gary Whalen
   ♦ Opposition – Nancy Aberasturi
➢ Planning and Zoning Commission minutes from November 20, 2019 meeting
November 21, 2019

This memorandum summarizes the following bill to be introduced at the December 16, 2019 County Council meeting:

**PRELIMINARY PLAT FOR THE HYMAN KAYE TRACT - OAK VIEW FARMS DR**

<table>
<thead>
<tr>
<th>Application No.</th>
<th>PRE19-15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner:</td>
<td>Hyman H. Kaye Revocable Trust</td>
</tr>
<tr>
<td>Engineer/Surveyor:</td>
<td>Bax Engineering Company</td>
</tr>
<tr>
<td>Existing Zoning:</td>
<td>A, Agricultural District (5-acre minimum lot size)</td>
</tr>
<tr>
<td>Requested Zoning:</td>
<td>RR, Single-Family Residential District (3-acre minimum lot size)</td>
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<tr>
<td>2030 Master Plan:</td>
<td>Rural Residential (1 acre or greater per dwelling)</td>
</tr>
<tr>
<td>Proposed lots:</td>
<td>25</td>
</tr>
<tr>
<td>Parcel Size:</td>
<td>84.20 acres</td>
</tr>
<tr>
<td>Location:</td>
<td>On the west side of Busdieker Drive, approximately 300 feet south of Foristell Road; northwest of the City of New Melle</td>
</tr>
<tr>
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<td>2</td>
</tr>
<tr>
<td>Account No.:</td>
<td>608880A000</td>
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Approval of this bill would approve a Preliminary Plat for the Hyman Kaye Tract. The developer proposes that this 83.20-acre tract be subdivided in twenty-five (25) single-family residential lots with a minimum lot size of three (3) acres. Twenty (20) of the lots would front on a proposed cul-de-sac street. The remaining 5 lots would front directly upon Busdieker Drive, a substandard private road which would be fully upgraded to the County’s private road standards.

Because the proposed lots would be three acres or greater in area, the County’s subdivision design standards do not require detention basins as the differential stormwater runoff generally does not warrant requiring such an improvement.

The Planning and Zoning Commission considered this request at its November 20, 2019 meeting where the Commission received the following input:

<table>
<thead>
<tr>
<th>Speakers:</th>
<th>Support</th>
<th>Opposed</th>
<th>Concerns</th>
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<tr>
<td></td>
<td>1</td>
<td>4</td>
<td>0</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Letters on file:</th>
<th>Support</th>
<th>Opposed</th>
<th>Concerns</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0</td>
<td>4</td>
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</tbody>
</table>

Neighbors speaking against the application cited concerns about increased stormwater runoff, traffic safety posed by additional vehicles on Foristell Road, and loss of rural character.

Following public input, the Planning and Zoning Commission voted as follows and denied plat approval:

<table>
<thead>
<tr>
<th>Approval</th>
<th>Denial</th>
<th>Abstain</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>4</td>
<td>0</td>
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</tbody>
</table>
Recommendation:

The Planning and Zoning Commission voted to deny plat approval. Two Commissioners commented that the applicant’s subdivision design does not adequately address stormwater runoff concerns expressed by neighboring property owners, specifically to the south and southwest.

The Planning and Zoning Division recommends that the County Council approve this plat subject to the approval of the related bill to rezone the property from A, Agricultural District to RR, Single-Family Residential District. In recommending approval, staff finds that the proposed plat conforms with the County’s subdivision regulations (Chapter 410 of the UDO).

County Council approval of this bill would require five affirmative votes. (Section 410.060 of the UDO).

Sincerely,

[Signature]

Robert Myers, AICP
Planning and Zoning Division Director

cc: Steve Ehlmann, County Executive
    Joann Leykam, Director of Administration
    Keith Hazelwood, County Counselor
STAFF RECOMMENDATION

To: County Planning & Zoning Commission
Application No.: PRE19-15
Prepared by: Mark Price Jr, AICP, CFM
Date: November 13, 2019

BACKGROUND INFORMATION

Owner: Hyman H Kay Revocable Trust
Applicant: Bax Engineering Company
Requested Action: A preliminary plat, Hayman Kaye Tract, for twenty-five (25) lots
Location: West side of Busdieker Drive, approximately 300 feet south of Foristell Road near the City of New Melle
Current Zoning: A, Agricultural District (5-acre minimum lot size)
Current Land Use: Vacant
Adjacent Land Use and Zoning:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>A, Agricultural District</td>
<td>Single Family Homes (3+ acre lots)</td>
</tr>
<tr>
<td>South</td>
<td>A, Agricultural District</td>
<td>Single Family Home, Farm</td>
</tr>
<tr>
<td>East</td>
<td>A, Agricultural District</td>
<td>Single Family Home, Farm</td>
</tr>
<tr>
<td>West</td>
<td>A, Agricultural District</td>
<td>Single Family Homes (3+ acre lots)</td>
</tr>
</tbody>
</table>

2030 Master Plan: Recommends Rural Residential (minimum lot size 3 acres) land use

Public Services: County Council District 2 – Joe Brazil
School District – Francis Howell School District
Fire District – New Melle Fire District

Utilities: Water – Public Water District 2
Sewer – Individual Wastewater Treatment System
PRELIMINARY PLAT ANALYSIS

The property (60880A000) is 83.203 acres in size and the owner/developer is proposing twenty-five (25) individual lots with a minimum lot size of three (3) acres. 20 lots access Busdieker Drive from a cul-de-sac street. The remaining 5 lots in the subdivision will take access directly from Busdieker Drive. The applicant will be required to upgrade Busdieker Drive to the County's private road standard. The new street in the subdivision shall be constructed to the County's private road standard as well.

RECOMMENDATION:

The Planning and Zoning Division recommends that the Planning and Zoning Commission approve this plat. In recommending approval, staff finds the proposed plat to be in conformance with UDO preliminary platting requirements. Should the Commission recommend approval, it shall be conditioned upon the approval of the Rezoning request to rezone the property from A, Agricultural to RR, Rural Residential.