DATE: November 22, 2019

TO: Steve Ehlimann, 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 Approval:

REZONING REQUEST - OAK VIEW FARMS DRIVE

Application No: RZ19-14
Property Owner: Hyman H. Kaye Revocable Trust
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: Recommends rural residential (3-acre minimum lot size)
Parcel Size: 84.20 acres
Location: On the west side of Busdieker Drive, approximately 300 feet south of Foristell Road; near the City of New Melle
Council District: 2
Account No.: 608880A000
### Application RZ19-14

#### Rezoning Request - Oak View Farms Drive

<table>
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#### Contents:

- Synopsis
- Staff Recommendation
- Photo(s) of Site
- Aerial Photo
- Surrounding Zoning Map
- Future Land Use Map
- Topography Map
- 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 22, 2019

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

REZONING REQUEST - OAK VIEW FARMS DRIVE

Application No: RZ19-14
Property Owner: Hyman H. Kaye Revocable Trust
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: Recommends rural residential (3-acre minimum lot size)
Parcel Size: 84.20 acres
Location: On the west side of Busdieker Drive, approximately 300 feet south of Foristell Road; near the City of New Melle
Council District: 2
Account No.: 608880A000

The rezoning request is for a parcel of 84.20 acres in size. This acreage includes the parcel of 83.20 acres located on the west side of Busdieker Lane 300 feet south of Foristell Road and the 300 foot portion of Busdieker Lane leading from the property to Foristell Road. The applicant requesting this rezoning has also submitted a preliminary plat for a subdivision consisting of 22 lots with a minimum lot size of 3 acres. With the proposed purchase of a portion of Busdieker Lane, the applicant will be required to improve the access to the property and will be required to have St. Charles County Highway Department approval for ingress and egress from Busdieker Lane onto Foristell Road. Similar lot sizes of 3 acres are found in the Auburn Meadows subdivision located directly to the west and north of this property. The land use plan for this area does recommend residential land use with 3-acre minimum lot size. This minimum lot size recommendation will be able to support the required individual sewer systems proposed in the subdivision plat. Public Water Supply District #2 will provide the water services for the proposed subdivision.

The Planning and Zoning Commission held a public hearing on this rezoning application on November 20, 2019, and received the following public input:

Speakers: 1 Support 5 Opposed 0 Concerns
Letters on file: 0 Support 4 Opposed 0 Concerns

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

4 Approval 2 Denial 0 Abstentions

Recommendation:

The Planning & Zoning Commission recommends approval of this rezoning request. The Planning and Zoning Division concurs with this recommendation, and finds the proposed zoning to be consistent with the 2030 Land Use Plan.

Sincerely,

Robert Myers, AICP
Director of Planning & Zoning

cc: Steve Ehlmann, County Executive
    Joann Leykam, Director of Administration
    John Watson, County Counselor
STAFF RECOMMENDATION

To: County Planning & Zoning Commission
Application No.: RZ19-14

Prepared by: Ellie Marr, CFM
Date: November 12, 2019

BACKGROUND

Owners: Kaye Hyman H. Revocable Trust
Applicant: Bax Engineering Co, Inc.

Requested Actions: A zoning map amendment to rezone 84.20 acres from A, Agricultural District (5-acre minimum lot size) to RR, Residential District (3-acre minimum lot size)

Location: On the west side of Busdieker Lane, approximately 300 feet south of Foristell Road, near the City of New Melle.

Current Zoning: A, Agricultural District
Current Land Use: Agricultural

Adjacent Land Use and Zoning:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>A, Agricultural District</td>
<td>Single Family Residences</td>
</tr>
<tr>
<td>South</td>
<td>A, Agricultural District</td>
<td>Agricultural</td>
</tr>
<tr>
<td>East</td>
<td>A, Agricultural District</td>
<td>Agricultural</td>
</tr>
<tr>
<td>West</td>
<td>A, Agricultural District</td>
<td>Single Family Residences and Agricultural</td>
</tr>
</tbody>
</table>

2030 Master Plan: Recommends Rural Residential land use

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

Utilities: Water – Individual Well – Public Water Supply #2 service area
Sewer – Private wastewater systems

Zoning History: This property was zoned A, Agricultural District in 1959 with the inception of zoning.

REZONING ANALYSIS

The rezoning request is for a parcel of 84.20 acres in size. This acreage includes the parcel of 83.20 acres located on the west side of Busdieker Lane 300 feet south of Foristell Road and the 300 foot portion of Busdieker Lane leading from the property to Foristell Road. The applicant requesting this rezoning has also submitted a preliminary plat for a subdivision consisting of 25 lots with a minimum lot size of 3 acres. With the proposed purchase of a portion of Busdieker Lane, the applicant will be required to improve the access to the property and will be required to have St. Charles County Highway Department approval for ingress and egress from Busdieker Lane onto Foristell Road.
Similar lot sizes of 3 acres are found in the Auburn Meadows subdivision located directly to the west and north of this property. The land use plan for this area does recommend residential land use with 3 acre minimum lot size. This minimum lot size recommendation will be able to support the required individual sewer systems proposed in the subdivision plat. Public Water Supply District #2 will provide the water services for the proposed subdivision.

RECOMMENDATION:
The Planning and Zoning Division recommends that this zoning request from A, Agricultural District (5-acre minimum lot size), to RR, Residential District, (3-acre minimum lot size) be approved. In recommending approval to the RR zoning district, staff finds the proposed zoning to be consistent with the 2030 Land Use Plan.