

Sponsor: Mark Hollander

AN ORDINANCE REZONING TO ST. CHARLES CITY ZONING DISTRICT R-3A (MULTIPLE-FAMILY RESIDENTIAL DISTRICT) FROM ST. CHARLES CITY ZONING DISTRICT C-2 (GENERAL BUSINESS DISTRICT) AN APPROXIMATE 15,325 SQUARE FEET OF LAND LOCATED AT 611, 615 AND 619 BOONE’S LICK ROAD.

Whereas, an application for rezoning property was received from the owner of this land; and

Whereas, the Planning and Zoning Commission of the City of Saint Charles, Missouri, considered this application and made a recommendation to the City Council; and

Whereas, the Council of the City of Saint Charles, Missouri, held a Public Hearing on this proposed zoning; and

Whereas, citizens were provided an opportunity to speak on this proposed zoning at the Public Hearing.

Now, Therefore, Be It Ordained by the Council of the City of Saint Charles, Missouri, as Follows:

SECTION 1. Chapter 400 of the Code of Ordinances of the City of Saint Charles, Missouri, is hereby amended by making the following change in the District Zoning map which is on file in the Office of the City Clerk:

An approximate 15,325 square feet of land located at 611, 615 and 619 Boone’s Lick Road is rezoned from St. Charles City Zoning District C-2 (General Business District) to St. Charles City Zoning District R-3A (Multiple-Family Residential District). The parcel of land is more particularly described in the attached Exhibit A and incorporated by this reference.

SECTION 2. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

April 2, 2024
Date Passed

Vince F. Ratchford
Vince Ratchford, Presiding Officer

4-3-24
Date Approved



Daniel J. Borgmeyer
Daniel J. Borgmeyer, Mayor

Approved as to Form:
Michael P. Cullen
Michael P. Cullen, City Attorney

Attest:
Kimberly Adams
City Clerk

LAND DESCRIPTION

A tract of land being of all of Lots 2, 3 and 4 of "Finck Subdivision", a subdivision according to the plat thereof recorded in Plat Book 4 Page 156 of the St. Charles County Records, within Lot 30 of Boons Survey of the St. Charles Commons, Township 46 North, Range 5 East of the Fifth Principal Meridian, City of St. Charles, St. Charles County, Missouri and being more particularly described as follows:

Beginning at the Southeast corner of Lot 2 of said "Finck Subdivision", said point being on the Northeast line of Lot 1B of "Resubdivision of Lot 1, Common Ground A and B of "Cinema Tract P.U.D.", a subdivision according to the plat thereof recorded in Plat Book 37, Pages 338-339 of said Records; thence along the said Northeast line of Lot 1B, the following courses and distances, North 66 degrees 01 minutes 03 seconds West 23.91 feet; and North 66 degrees 03 minutes 56 seconds West 125.73 feet to a point on the Southeast line of Lot 5 of said "Finck Subdivision"; thence along the said Southeast line of Lot 5 of "Finck Subdivision", North 22 degrees 13 minutes 36 seconds East 102.99 feet to a point on the Southwest right-of-way line of Boones Lick Road, variable width; thence along the said Southwest right-of-way line of Boones Lick Road, South 65 degrees 34 minutes 21 seconds East 150.00 feet to a point on the Northwest line of Lot 1 of said "Finck Subdivision"; thence along the said Northwest line of Lot 1 of "Finck Subdivision", South 22 degrees 24 minutes 11 seconds West 101.71 feet to the Point of Beginning, containing 15,324 square feet.

RCA FORM (OFFICE USE ONLY)

Bill # 13801

MEETING/DATE: 3/19/2024

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): 2

Sponsor(s): Mark Hollander

Description:

Case No. Z-2024-03. (TMRE Holdings LLC) An application to rezone approximately 15,325 square feet of land located at 611, 615 and 619 Boones Lick Road from C-2 General Business District to R-3A Multiple-Family Residential District for a proposed 6-unit Townhome Development. The subject property is located in Ward 2.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

The City has received an application from the property owner of 611, 615 and 619 Boones Lick Road to rezone these properties from C-2 General Business District to R-3A Multiple-Family Residential District with the intent of redeveloping into a six (6) unit townhome development. This proposal is compatible with existing surrounding land uses and the proximity to an Activity Center, as identified in the Comprehensive Plan. Accompanying this application is a Preliminary Plat (SUB-2023-05, detailed in a separate RCA) outlining the proposed consolidation and redevelopment of the three (3) lots. If the rezoning request is approved by City Council, the applicant will then proceed with a Site Plan and elevations, per City Code. During the Site Plan review, staff will address concerns raised by the P&Z Commission regarding vehicle access (driveways).

The Planning and Zoning Commission held a public hearing on this item at their February 26, 2024 meeting where there were no speakers from the public. The Commission voted to forward the application to the City Council with a favorable recommendation (5 in favor, 0 opposed, 1 abstention).

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: N/A

Project #: N/A

RCA prepared by: LAB Dept. Dir. [Signature] Finance Dir. [Signature] Dir. of Admin. [Signature]

CASE # (assigned by Staff): _____



DEPARTMENT OF COMMUNITY DEVELOPMENT

200 North Second Street, Suite 303
Saint Charles, MO 63301
636-949-3227
FAX 636-949-3557

REZONING APPLICATION

ADDRESS OF PROPERTY TO BE REZONED: 611, 615, & 619 Boones Lick Rd.
St Charles, MO. 63301

APPLICANT:

TMRE Holdings LLC
(Name)

219 Main St, St Peters, MO. 63376
(Address)

(636) 614-4888 steve@tm-re.com
(Phone & Email Address)

PROPERTY OWNER:

TMRE Holdings LLC
(Name)

219 Main St, St Peters, MO. 63376
(Address)

(636) 614-4888 steve@tm-re.com
(Phone & Email Address)

**LEGAL DESCRIPTION OF THE PROPERTY MUST BE ATTACHED – DIGITAL FORMAT
PREFERRED**

EXISTING ZONING DISTRICT: C-2 **REQUESTED ZONING DISTRICT:** R-3A

REASON FOR REZONING REQUEST: Requesting a change in zoning from a C-2 to a R-3A to
combine the three (3) lots into one (1) lot, and construct a six (6) unit multi-family residence.

I (We) hereby authorize the City of Saint Charles, Missouri to post a notice or sign of the proposed rezoning on the above described property. I (We), the undersigned, as legal owner(s) of the above described property, file this petition for a zoning district change. If the undersigned is not the legal owner, attached is an affidavit of the legal owner(s) authorizing the zoning district change. To the best of my knowledge, the above statements and the statements contained in all of the attached exhibits transmitted herewith are true.

Signature of the applicant:  Date: 01/29/2024

Signature of the property owner:  Date: 01/29/2024

NOTE: APPLICANTS ARE REQUIRED TO ATTEND THE PUBLIC HEARINGS.

Application fee: \$300.00



AGENDA ITEMS #17 & 18

**STAFF REPORT
CASE NO. Z-2022-03 & SUB-2023-05
611, 615 & 619 BOONES LICK ROAD**

**FEBRUARY 26, 2024
BY LARA BERRY**

APPLICANT/OWNER: TMRE Holdings LLC
219 Main Street
St. Peters, Missouri 63376

ADDRESS/LOCATION: 611, 615 & 619 Boone's Lick Road
Ward 2

COMBINED LOT SIZE: Approximately 15,300 square feet

EXISTING ZONING: C-2 General Business District

REQUESTED ZONING: R-3A Multiple-Family Residential District

SURROUNDING ZONING:

Direction	Zoning	Use
North	R-1E/EHP	Cemetery
South	C-2	Commercial/Retail
East	C-2	Commercial/Office
West	C-3 and PD-C	Commercial/Office

SUMMARY OF REQUEST

The applicant has submitted two (2) applications for 611, 615 and 619 Boones Lick Road:

1. A request to rezone from C-2 General Business District to R-3A Multiple-Family Residential District; and,
2. A Preliminary Plat for the proposed lot consolidation and redevelopment into a 6-unit townhome development.

REZONING REQUEST

The City has received an application from the property owner of 611, 615 and 619 Boones Lick Road to rezone these properties from C-2 General Business District to R-3A Multiple-Family Residential District with the intent of redeveloping into a six (6) unit townhome development. The subject properties were developed in the 1950s as single-family residences; however, the dwelling on 611 Boone's Lick Road was demolished in 2012 and was never rebuilt. Per City Records and research, these properties have always been single-family residences and are considered legal non-conforming land uses per Section 400.760. Figure 1 (page 2) shows the current zoning of this area

as well as the existing land uses.

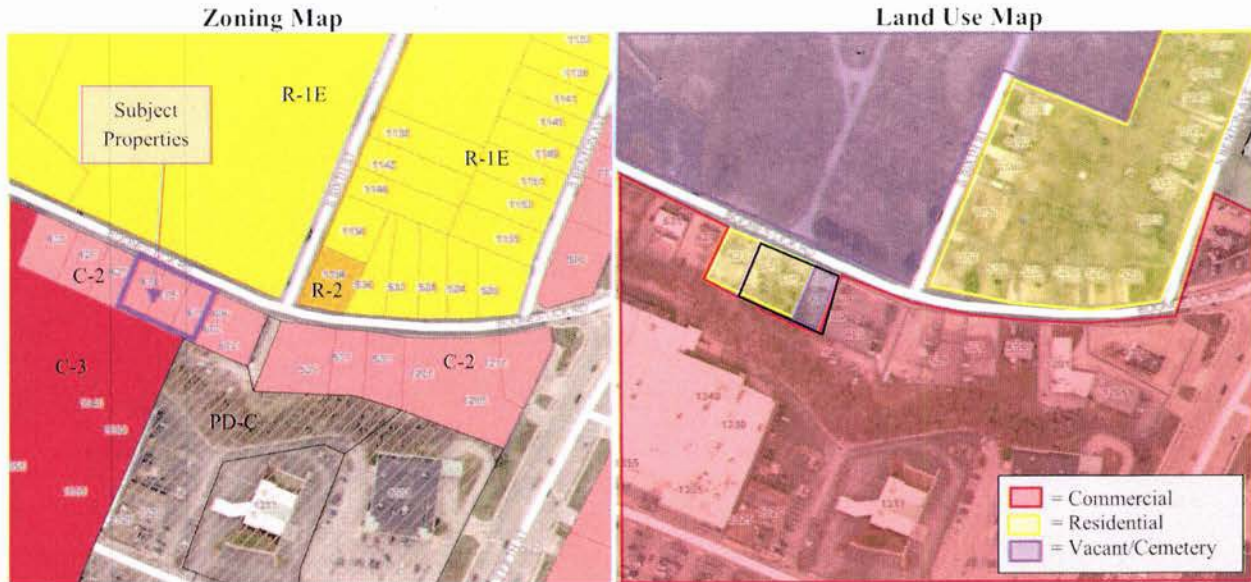


Figure 1: Zoning Map and Existing Land Uses.

Area Land Uses

Figure 1 identifies area zoning (left) and a separate map showing existing land use (right). The commercial zoning (including the subject properties) is shown along the south side of Boones Lick Road and east of S Benton Avenue, with residential zoning on the other side (north) of Boones Lick Rd. While there are two properties to the west of the subject tracts that are used for commercial purpose, the majority of commercially used properties are nearest S 5th Street, south side of Boones Lick Road and Mark Twain Plaza.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The St. Charles Comprehensive Plan adopted in 2002 and updated in 2012 recommends that land use decisions be based on a project's location and compatibility with surrounding development. This revision to the Comprehensive Plan was approved by the City Council, and was written under the direction of residents, elected officials, and City staff. The Comprehensive Plan identifies 15 activity centers in the city, locations characterized by elevated levels of development, density and activity. The activity centers are the most prominent, visible and intensely developed locations in the city, and the activity centers should be surrounded by land uses that gradually decrease in levels of activity, traffic and density. Proposed new development should be judged based upon its distance from the nearest activity center, its compatibility with what surrounds it, and whether the level of development it will generate contributes to a gradual decline in density or acts counter to that goal.

While these properties are located adjacent Activity Center #7 (I-70/5th Street), as discussed in the report, the uses surrounding the subject property are generally mixed with both residential and commercial uses/zonings. Although this proposal would introduce a land use not found in the area, it is compatible with existing surrounding land uses and the proximity to an Activity Center. This proposed zoning change will provide a density transition between a lower-density use (R-1E) to a higher-density commercial use (C-3 and C-2). The Department of Community Development

considers the proposal to be in general conformance with the Updated 2012 Comprehensive Plan and consistent with area land uses.

PRELIMINARY PLAT ANALYSIS

The applicant has also submitted a request for a Preliminary Plat review for a proposed consolidation of the three (3) subject lots into one (1) lot to allow for the construction of a new six-unit townhome development. Based on the proposed zoning, the plat is compliant with the density regulations of 18 dwelling units per acre. Each unit is proposed to be two-story and two parking spaces per unit (with a one-car garage and one-car parking space driveway that connects to Boones Lick Rd.), which complies with code. As currently submitted, the proposal is compliant with the Subdivision and Zoning Ordinance for the City of St. Charles.

While elevations are not necessarily required for the review of a Preliminary Plat (or Rezoning), included with this report is an artist rendering of the proposed structure with a written development plan. If the rezoning is approved by City Council, the applicant will then proceed with a Site Plan and elevations, per City Code.

STAFF RECOMMENDATION

Z-2024-03

After review of the rezoning request, the City's Zoning Ordinance, the Comprehensive Plan and area development patterns, staff believes the requested rezoning is appropriate and is compatible with the surrounding area. The Department of Community Development recommends that the rezoning request be forwarded to the City Council with a **favorable** recommendation.

SUB-2023-05

After review of the request against the City's Zoning Ordinance, Subdivision Ordinance and meets minimum City Standards. The Department of Community Development recommends that the Preliminary Plat request be forwarded to the City Council with a **favorable** recommendation with the following condition:

1. Application Z-2024-03 is approved by City Council. Failure of this rezoning application to be approved by City Council will render this Preliminary Plat null and void.

Recommended Motion:

Z-2024-03: Motion to forward a recommendation of approval to the City Council for the request to rezone three tracts of land known as 611, 615 and 619 Boones Lick Road from C-2 General Business District to R-3A Multiple-Family Residential District.

SUB-2023-05: Motion to forward a recommendation of approval to the City Council for the Preliminary Plat for 611, 615 and 619 Boones Lick Road, with the recommended condition.

611 – 619 Boones Lick Rd. - Artist Renderings of Proposed Project



Front and both sides to be a decorative brick in light to medium tan.



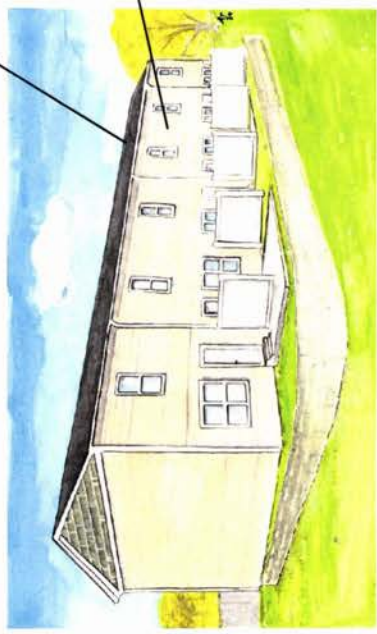
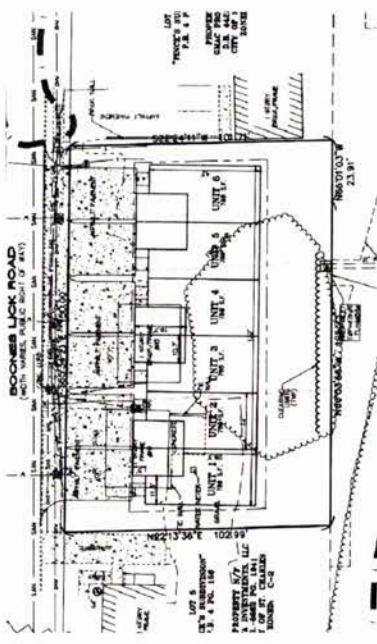
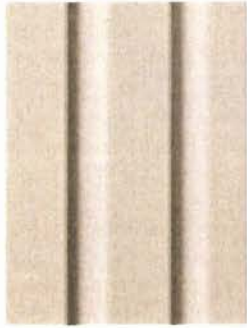
Gables (front & sides) to be faux cedar shake vinyl siding in a dark tan / brown.



Roof to be architectural asphalt shingle in a brown color.



Rear side to be vinyl Dutch lap siding in a light tan.



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