



To: City of St. Louis Planning Commission

From: Don Roe, Director

Subject: Submittal of Resolution for Recommendation of Zoning District Map Amendment By Petition (Rezoning) – City Block 9115 (8975 & 8979 Riverview Drive) “MSD”

Date: August 28, 2015

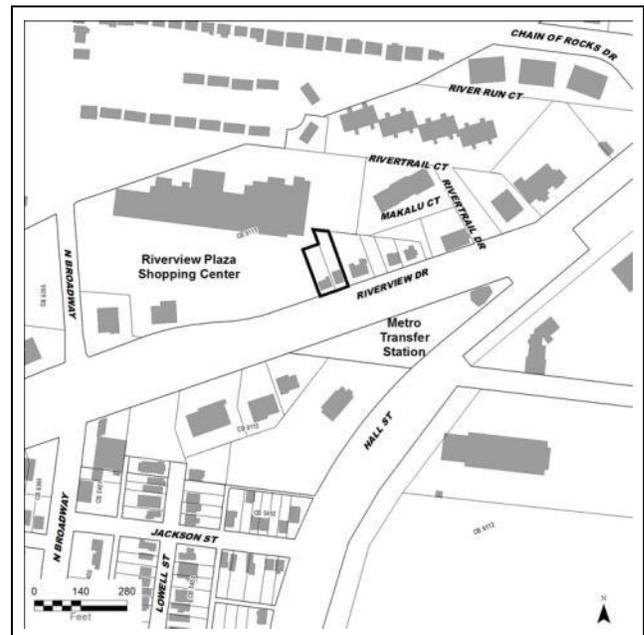
Summary

Submittal: Proposed amendment of Zoning District Map by petition for Planning Commission review and recommendation.

Site: The about 0.35 acre Rezoning Area consists of two parcels with houses located on Riverview Dr. next to the Riverview Shopping Center in the Baden Neighborhood. The Metro Transfer Station at Riverview & Hall St. is located across the street.

Proposal: The amendment proposes changing the zoning from dual zoned “A” Single-Family Dwelling District & ‘F’ Neighborhood Commercial District to ‘F’ District only.

Land Use: The proposed rezoning to “F” District allows MSD to consolidate the Area with its four parcels to the east (8983, 9001, 9003 & 9007 Riverview) and construct a utility pump station.



Petitioner: Mr. David Ahlemeyer of Jabobs Engineering, represents the petitioner Ms. Patricia Pride of the Metropolitan St. Louis Sewer District (MSD) who wishes to rezone the two parcels to the ‘F’ Neighborhood Commercial District to bring the zoning into conformance with its future use as a pump station, and avoid a dual zoned parcel which would not allow the proposed project.

Support Letters: Alderwoman Dione Flowers (2nd Ward) submitted a letter of support for the rezoning.

Recommended Action

That the Planning Commission finds the petition for proposed Zoning District Map amendment for two (2) parcels at 8975 & 8979 Riverview Dr. in City Block 9115 to be in conformity with the City’s Strategic Land Use Plan’s Neighborhood Commercial Area (NCA) with the proposed pump station serving commercial and residential areas of the neighborhood, and **recommends to approve** to the City’s Board of Aldermen.

1.0 Background

The 0.35 acre Rezoning Area consists of two (2) parcels at 8975 & 8979 Riverview Dr. in the Baden Neighborhood, each with a one-story single-family house (circa 1950). Both parcels owned by the Petitioner (MSD) are dual zoned “A” Single-Family Dwelling District and “F” Neighborhood Commercial District. The four MSD-owned parcels to the east at 8983, 9001, 9003 & 9007 Riverview Dr. (two-story single-family houses circa 1890) are zoned “F” Neighborhood Commercial District. (See Exhibit ‘A’)

MSD plans demolition of the houses and construction of a new pump station (utility station in Zoning Code) on the consolidated parcel that includes the Rezoning Area and four adjacent parcels to the east, which are already zoned “F” District. Consolidation of the six parcels without rezoning would result in a larger parcel that continues the dual zoning (“A” & “F”). The proposed rezoning is to “F” Neighborhood Commercial District only. The Rezoning Petition is attached as Exhibit ‘B’.

The site grading and fencing plan locates proposed structures including the pump station building on the consolidated site (see Exhibit ‘B’). MSD plans in-house landscape design that includes a bio retention area to handle on-site groundwater and significant landscaping to screen the pump station building.

Surrounding land uses include **1)** the houses and large multiple-family buildings (east of the Rezoning Area), **2)** a Metro Transfer Station across the street from the residential buildings (south-east of the Rezoning Area), **3)** commercial and industrial buildings along Hall St. and Riverview toward the flood wall at Maline Creek, **4)** the Riverview Plaza Shopping Center (north & west of the Rezoning Area), and **5)** commercial uses including auto-related businesses along Riverview Dr. toward N. Broadway (west of the Rezoning Area).

“F” Neighborhood Commercial District zoning is located along both-sides of Riverview Dr. with the apartment buildings further north having “C” Multiple-Family Dwelling District zoning and industrial buildings east of Hall St. having “K” Unrestrictive District zoning. (see Exhibit ‘A’).

Zoning Administrator, Mary Hart Burton, recommends in the attached Exhibit ‘C’ “that the subject parcels in City Block 9115 (8975 & 8979 Riverview Dr.) be rezoned to the “F” Neighborhood Commercial District only.” “The request is based on the Petitioner’s desire to bring the zoning of these parcels of land into conformance with their intended future use. The Petitioner proposes to consolidate these two parcels with four adjacent parcels immediately east (8983, 9001, 9003 & 9007 Riverview) that are currently zoned “F” Neighborhood Commercial District, in order to construct a new utility station to serve this area. “Consolidation of all parcels as currently zoned, would result in a larger parcel that would be dual zoned, both “A” Single-Family Dwelling District and F” Neighborhood Commercial District, but consolidation of parcels of parcels zoned differently is not permitted. Therefore the petitioner requests to rezone the parcels to the “F” Neighborhood Commercial District only. This would allow for the proposal to be in compliance with the provisions of the Zoning Code.” “Given that the proposed rezoning would allow for the improvement to a public utility, thereby benefiting the public welfare; that by rezoning subject property would bring it into conformity with the Zoning Code; and that good zoning practices work toward the elimination of improper zoning designations, there is a basis established that a less restrictive zoning classification would be appropriate and would enhance the general welfare of the City.”

Alderwoman Dionne Flowers (2nd Ward) letter of support for the rezoning is attached as Exhibit ‘D’.

Photographs of the Rezoning Area and vicinity are included in Exhibit ‘E’.

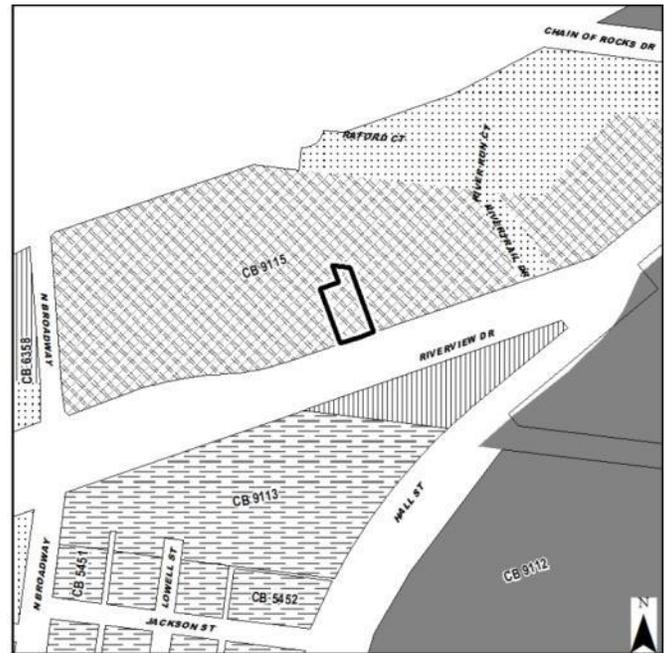
2.0 Comments

PDA Staff has reviewed the proposed “Petition for Zoning Amendment” for rezoning 8975 & 8979 Riverview Dr. in City Block 9115 of the Baden Neighborhood.

The City’s Strategic Land Use Plan (SLUP) designates the Area as a Neighborhood Commercial Area (NCA)

“Areas where development of new and rehabilitation of existing commercial uses that primarily serve the adjacent neighborhoods should be encouraged. These areas include commercial streets at relatively major intersections and along significant roadways where commercial uses serve multiple neighborhoods or where the development of new commercial uses serving the adjacent neighborhoods is intended.”

Staff finds the petition for the proposed Zoning District Map amendment for two parcels in City Block 9115 is in conformity with the SLUP’s Neighborhood Commercial Area with the proposed pump station serving nearby commercial and residential areas of the neighborhood. Staff recommends **approving the petition to change the zoning to “F” Neighborhood Commercial District** as being in conformity with the SLUP.



2.1 Public Input

The Housing, Urban Development and Zoning (HUDZ) Committee of the Board of Aldermen will conduct a public hearing as part of the Board of Aldermen legislative process.

2.2 Previous Commission Action

At the December 2006 meeting, the Planning Commission recommended to approve PDA-199-06-SUD, the North Broadway Vicinity Commercial Area Special Use District (SUD) for a large portion of the North Riverfront including the Rezoning Area. At the September 2007 meeting, the Commission recommended to approve PDA-171-07-REZ, the petition by Riverview Plaza shopping center (8907-8951 Riverview Dr.) located north and west of the Rezoning Area from dual “A” & “F” Districts to “F” District only.

2.3 Requested Action

Section 26.92.010 of the City of St. Louis Revised Code requires that any amendment or change in the boundaries or regulations of the Zoning Code shall be initiated by motion of the Planning Commission or by the filing of a petition with the Zoning Administrator by the owner or owners of the property within the district.

City of St. Louis Ordinance # 64687, Section 8, Sub-Paragraph 1 states that the Planning Commission shall be the official planning agency for the City. It shall also be the zoning commission for the City and perform all functions required by applicable state law to be performed by a municipal zoning commission.

City of St. Louis Ordinance #64687, Section 8, Sub-Paragraph 4 states that the Planning Commission shall recommend changes in the zoning ordinances and zoning district maps to the Board of Aldermen. No ordinance changing the zoning ordinances and zoning district maps shall be adopted over the negative recommendation of the Planning Commission, unless approved by a majority vote of all members of the Board of Aldermen.

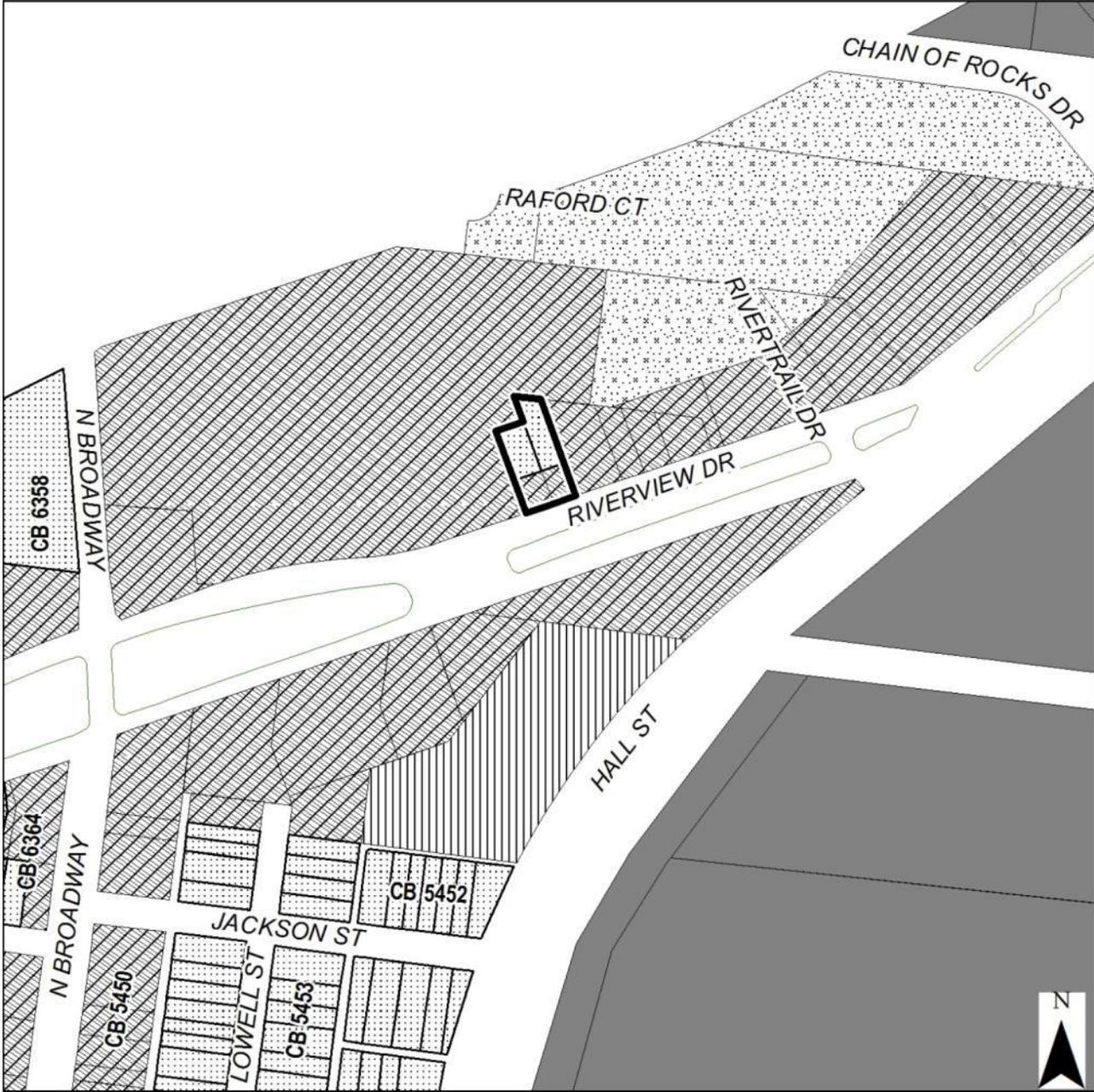
Requested Recommendation

That the Planning Commission finds the petition for zoning amendment for two parcels at 8975 & 8979 Riverview Dr. in City Block 9115 is in conformity with the Strategic Land Use Plan's Neighborhood Commercial Area with the proposed pump station serving nearby commercial and residential areas of the neighborhood, and therefore **recommends to approve the petition to change zoning** to the Board of Aldermen of the City of St. Louis.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ST. LOUIS PLANNING COMMISSION AS FOLLOWS:

1. The Petition for the Amendment of the Zoning District Map (to 'F' Neighborhood Commercial District) for two parcels (known as 8975 & 8979 Riverview Dr. in City Block 9115) is in conformity with the City's Strategic Land Use Plan's Neighborhood Commercial Area.
2. The Petition for the Amendment of the Zoning District Map (to 'F' Neighborhood Commercial District) for two parcels (known as 8975 & 8979 Riverview Dr. in City Block 9115) is recommended for approval.
3. The Director of the Planning and Urban Design Agency of the City of St. Louis is hereby directed to notify the Board of Aldermen of the City of St. Louis of this recommendation.

EXHIBIT A DISTRICT MAP



Current Zoning District

- | | | | |
|--|-------------------------------------|--|-------------------------------|
| | A Single-Family Dwelling District | | G Local Commercial District |
| | B Two-Family Dwelling District | | H Area Commercial District |
| | C Multiple-Family Dwelling District | | I Central Business District |
| | D Multiple-Family Dwelling District | | J Industrial District |
| | E Multiple-Family Dwelling District | | K Unrestricted District |
| | F Neighborhood Commercial District | | L Jefferson Memorial District |

Rezoning Area

Rezoning Petition
from "A" & "F" to "F"

PDA-093-15-REZ



Exhibit B



PETITION FOR ZONING AMENDMENT (REZONING)

CITY OF ST. LOUIS

Petitioner's Name Metropolitan St. Louis Sewer District
Contact Name (If above is a firm/an organization) David Ahlemeyer (Jacobs)
Address 501 North Broadway St Louis MO 63102
Phone 314-335-4286 Fax 314-335-5141 Email david.ahlemeyer@jacobs.com

A complete Legal Description of Property to be Rezoned is required, use additional sheets if necessary (you may also attach any plans, conceptual drawings or proposals which you feel may aid in the evaluation of this request). Attached

Address(es) including street number(s) / name(s) of Property(s) to be Rezoned _____
8975 and 8979 Riverview Drive

City Block No. 9115 Parcel No. 350 and 340

Requested Zone/FBD Change From FA To F
(list specific zoning district or FBD Zone) (list specific zoning district or FBD Zone)

The following can be listed or mapped on additional sheets:

- Present Use of Property(s) Residential
- Intended Use of Property(s) Utility Station
- Grounds for Petition Consolidation Plat
- Are you the owner of the property described? Yes
- If not, what is your legal interest in the property? -
- The owner(s)-of-record of the petitioned property according to the City of St. Louis Assessor's Records is(are) known as Metropolitan St. Louis Sewer District

If you are **NOT** the owner(s)- of- record of the petitioned property you are **REQUIRED** to submit the Affidavit on Page 4, for each of the owner(s)- of- record of the petitioned property and it **MUST** be notarized.

Patricia Prudo 6/29/15
Signature(s) of Petitioner(s) Date Filed

Received and deemed complete by Zoning on 7/8/15.
City of St. Louis, Office of the Zoning Administrator
Room 400, City Hall, St. Louis, MO 63103

Metropolitan St Louis Sewer District

Petition for Zoning Amendment

8975 and 8979 Riverview Drive

St. Louis, MO 63137

Legal Description of 8975 Riverview Drive

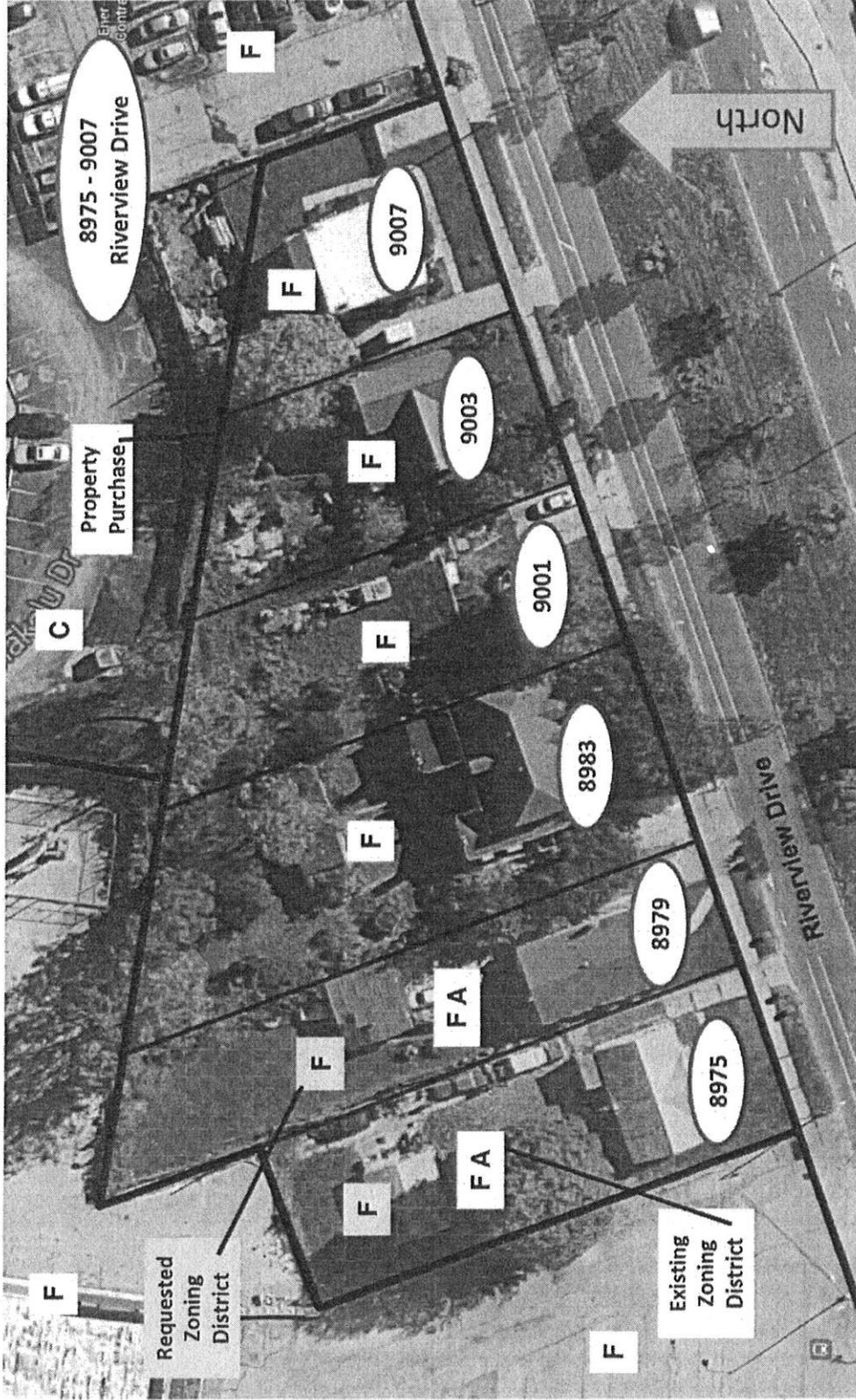
A tract of land being part of Lot 3 of Melanie Brazeau's Subdivision in U.S. Survey 3, and in Out Lot 115 of the City of St. Louis, and said tract being more particularly described as follows: Commencing at the intersection of the Easterly line of Broadway, 60 feet wide, with the Northerly line of Riverview Drive, as widened in Dedication Plat recorded in Plat Book 25 Page 9A in the Office of the Recorder of Deeds for the City of St. Louis; thence along the Northerly line of said Riverview Drive, along a curve concave to the South having a radius of 1897.67, Easterly 428.19 feet to a point of reverse curve; thence continuing along the Northerly line of said Riverview Drive, along a curve concave to the North having a radius of 706.09 feet, Easterly 159.32 feet to a point of tangency on the Northerly line of Riverview Drive, 130 feet wide; thence continuing along the Northerly line of said Riverview Drive, 130 feet wide, Easterly 150.05 feet to the true point of beginning of the tract of land herein described, and said true point being distant 314.95 feet West of the Westerly line of a parcel described in deed to Ernst W. Borgmann and wife recorded in Book 3057 Page 247 (measured along the Northerly line of said Riverview Drive); thence along a line perpendicular to said Riverview Drive, 130 feet wide, Northerly 150 feet to the Southerly line of a parcel described in deed to Riverview-Broadway Realty Co. recorded in Book 7681 page 40; thence along said Southerly line, Easterly 50 feet; thence along a line perpendicular to said Riverview Drive, 130 feet wide, Southerly 150 feet to the Northerly line of said Riverview Drive; thence along said Northerly line, Westerly 50 feet to the point of beginning, according to calculations executed by James Engineering & Surveying Co., Inc. for Order No. 197997, in January, 2008.

^{9 DPA}
Legal Description of 8975 Riverview Drive

Part of Lot No. 3 of Melanie Brazeau's Subdivision and in Out Lot No. 115 of the City of St. Louis, fronting 40 feet on the North line of Riverview Drive, by a depth Northwardly, between parallel lines, and at right angles to the North line of Riverview Drive, 176 feet 11-1/8 inches, more or less, on the East line and 196 feet 6-3/4 inches, more or less on the West line to the North line of said Lot No. 3, having a width thereon of 44 feet 6-3/4 inches, the Southeast corner being 124 feet 11-3/8 inches West of the intersection of the North line of Riverview Drive with the West line of property conveyed to Ernest W. Borgmann and wife, by deed recorded in Book 3057 page 247 of the St. Louis City Records; Bounded East 365 feet West of the intersection of Lot 3 with the Northline of Riverview Drive.

June 19, 2015

REZONING EXHIBIT

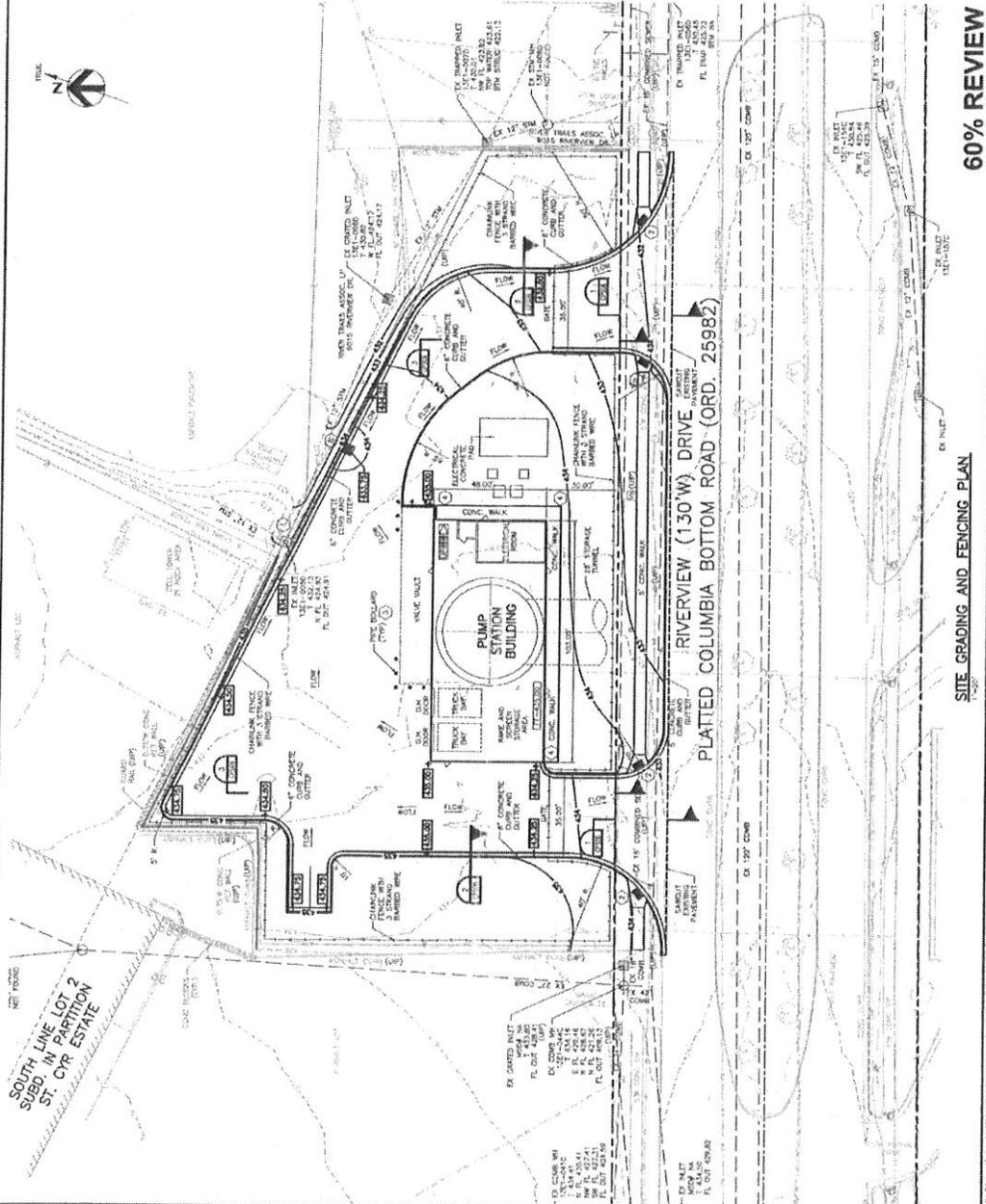


June 11, 2015



Maline Creek BP CSO 051 & 052 Local Storage Facility

JACOBSTM



- GENERAL NOTES:**
1. EXISTING ELEVATIONS AND FINISHES TO REMAIN UNLESS OTHERWISE NOTED.
 2. TOP OF CONCRETE SHALL BE FINISHED TO MATCH FINISHED FLOOR ELEVATION OF BUILDING OR CONCRETE SHALL BE FINISHED AT FLOOR FINISH.
 3. FINISH ELEVATIONS SHOWN ARE FINISH GRADES UNLESS OTHERWISE NOTED.
- SEE SHEETS:**
1. ADJUST AREA INLET (15'-0\"/>

FOR PROFESSIONAL SEAL, SIGNATURE AND EXPIRATION DATE, VISIT www.mls.state.mo.us. LICENSE NUMBER: 11006. EXPIRES: 12/31/2011. REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF MISSOURI. LICENSE NO. 11006. EXPIRES: 12/31/2011.

PR	PROFESSIONAL REGISTERED ENGINEER
DATE:	11/11/11
DESIGNER:	CONSTRUCTION
CHECKED:	
APPROVED:	
METROPOLITAN ST. LOUIS SEWER DISTRICT	
MALINE CREEK CSO BP 051 & 052 LOCAL STORAGE FACILITY	
CITY OF ST. LOUIS, MISSOURI	
SITE GRADING AND FENCING PLAN	
PROJECT NO.:	11006
DATE:	11/11/11
SCALE:	AS SHOWN
BY:	

60% REVIEW

SITE GRADING AND FENCING PLAN

BASED UPON: 13-E-1, 13-F-2, 13-G-1, 13-H-1, 13-I-1, 13-J-1, 13-K-1, 13-L-1, 13-M-1, 13-N-1, 13-O-1, 13-P-1, 13-Q-1, 13-R-1, 13-S-1, 13-T-1, 13-U-1, 13-V-1, 13-W-1, 13-X-1, 13-Y-1, 13-Z-1

Exhibit C



RICHARD GRAY
DIRECTOR OF PUBLIC SAFETY

City of St. Louis
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF BUILDING AND INSPECTION
FRANCIS G. SLAY
MAYOR



FRANK OSWALD
BUILDING COMMISSIONER

TO: City of St. Louis Planning Commission

FROM: Mary Hart Burton, Zoning Administrator

SUBJECT: Rezoning – Baden Neighborhood - City Block 9115 (8975 and 8979 Riverview Drive)

DATE: September 2, 2015

INITIATION:

Ms. Patricia Pride of the Metropolitan Sewer District, the property owner of the above referenced parcels in city block 9115, petitioned the Zoning Administrator as provided for in Chapter 26.92 of the 1994 Revised Code of the City of St. Louis, to change the Zoning District Map of the City in the Baden Neighborhood. Specifically, the petition focused on two (2) parcels in city block 9115, known as 8975 and 8979 Riverview Drive, and currently zoned both "A" Single-Family Dwelling District and "F" Neighborhood Commercial District. The subject parcels are located in the 2nd Ward of the City of St. Louis.

PURPOSE:

The request is based on the Petitioner's desire to bring the zoning of these parcels of land into conformance with their intended future uses. The Petitioner proposes to consolidate these two parcels with the four adjacent parcels immediately east (8983, 9001, 9003 & 9007 Riverview) that are currently zoned "F" Neighborhood Commercial District, in order to construct a new utility station to serve this area. Consolidation of all parcels, as currently zoned, would result in a larger parcel that would be dual zoned, both "A" Single-Family Dwelling District and "F" Neighborhood Commercial District, but consolidation of parcels zoned differently is not permitted. Therefore the petitioner requests to rezone the parcels to the "F" Neighborhood Commercial District only. This would allow for the proposal to be in compliance with the provisions of the Zoning Code.

Given that the proposed rezoning would allow for the improvement to a public utility, thereby benefiting the public welfare; that by rezoning subject property would bring it into conformity with

the Zoning Code; and that good zoning practices work toward the elimination of improper zoning designations, there is a basis established that a less restrictive zoning classification would be appropriate and would enhance the general welfare of the City.

RECOMMENDATION:

It is the recommendation of the Zoning Administrator that the subject parcels in City Block 9115 (8975 & 8979 Riverview Drive) be rezoned to the "F" Neighborhood Commercial District only.

cc: Alderwoman Dionne Flowers, 2nd Ward
Frank Oswald, Building Commissioner

Building Safety is NO Accident

Exhibit D

Ahlemeyer, David

From: Flowers, Dionne <flowersd@stlouis-mo.gov>
Sent: Wednesday, July 01, 2015 9:12 AM
To: Ahlemeyer, David
Subject: Re: Maline Creek Local Storage Facility

Hello David. I can do that. Have you applied yet? You don't need a letter to apply. I have to handle the bill through the Board of Alderman anyway.

On Jun 30, 2015 4:38 PM, <david.ahlemeyer@jacobs.com> wrote:

Hello, this is a message sent from your stlouis-mo.gov profile.

To: Ward 02 Alderwoman Dionne Flowers

From: David Ahlemeyer david.ahlemeyer@jacobs.com

Subject: Maline Creek Local Storage Facility

Message:

Mrs. Flowers, I am the project engineer on the Maline Storage project. MSD is required to rezone two of the parcels, 8975 and 8979 Riverview Drive, for the pump station site. All the parcel must be the same zoning. drive. As part of the rezoning application MSD needs a letter from you in support of the rezoning. If you support this project could you prepare a letter of support. If you have any questions please give me a call at [314-856-3938](tel:314-856-3938). Thanks, David ahlemeyer

Exhibit E

Photos of Rezoning on CB 9115 Rezoning Area / Utility Station Site



1) Aerial View North (Rezoning Area & Vicinity)
(REZ Area – left, houses/utility station site forefront)
C.B. 9115



2) 8975 & 8979 Riverview (Rezoning Area)
(view north from Riverview Dr.)
C.B. 9115



3) 8975-9001 Riverview (REZ & east of REZ Area)
(view east of proposed utility station site)
C.B. 9115



4) 8993-9007 Riverview (houses east of REZ Area)
(view west of proposed utility station site)
C.B. 9115

Exhibit E

Photos of Rezoning on CB 9115 Buildings in Vicinity West of Rezoning Area



5) 8907-51 Riverview (west of REZ Area)
(View north of Riverview Plaza - left, REZ Area – right)
C.B. 9115



6) 8901-07 Riverview (west of REZ Area)
(View west along Riverview toward N. Broadway)
C.B. 9115



7) 8907-51 Riverview (west of REZ Area)
(View east of Riverview Plaza from N. Broadway)
C.B. 9115



8) 893462 Riverview (southwest of REZ Area)
(View south of commercial uses west of Metro)
C.B. 9115

Exhibit E

Photos of Rezoning on CB 9115 Buildings in Vicinity South & East of Rezoning Area



9) 8900 block of Riverview Drive
(REZ Area - far left, Metro Transit Center - right)
C.B. 9115



10) 8976-9020 Riverview Dr. (south of REZ Area)
(Metro Transit Center)
C. B. 9115



11) 9021 Riverview Dr. (east of REZ Area).
(apartment buildings east of utility station site)
C.B. 9115



12) Aerial View (Rezoning Area & Vicinity)
(REZ Area – far left, Metro Transit Center - bottom)
C.B. 9115