



City of Olivette  
Planning and Community Development Department  
1140 Dielman Road  
Olivette, MO 63132  
(314) 993-0252 (Office)  
www.olivettemo.com

DEPARTMENT MEMORANDUM

**DATE:** MAY 19, 2022  
**TO:** PLANNING AND COMMUNITY DESIGN COMMISSION  
**FROM:** CARLOS TREJO, AICP  
DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT  
**RE:** 9600 ASHMONT DRIVE  
SITE PLAN, COMMUNITY DESIGN, AND CONCEPT STORMWATER  
MANAGEMENT PLAN REVIEW

**PETITIONER**  
Ryan Weber  
Weber Enterprises

**PROPERTY OWNER**  
Weber Enterprises

STAFF SUMMARY

**PETITION HISTORY:** This item was first introduced to the Commission on March 17, 2022. Following concerns regarding the compliance with the Olivette Residential Redevelopment and Design Guidelines, action on the petition was deferred. On the April 7<sup>th</sup> Commission meeting, the Petitioner requested deferment as new building plans were being prepared.

- 1. **DESCRIPTION:** Petition for a new single-family home.
- 2. **SUBDIVISION.** No information from the subdivision association has been provided.
- 3. **ZONING:** While the lot is a legal lot of record, the lot is subject to the Variation of Lot Size Standard (§400.240) to conform with the SR District.

*Why?* The deficiency is with both the lot width and depth. Given the narrow lot width and shallow lot depth, the review and approval of a new single-family home is subject to Site Plan Review.

**Zoning front yard.** Th property is a corner lot, with street frontage on both the north and east side of the property grounds. As a corner lot, there are two street sides (defined as front yards)-the north and on the west.

*How is the side and rear yard setbacks established on a corner lot?* The determination of rear and side yards are based on the lots dimensions and have nothing to do with the building design (such as where the front door of house is located).

**Rear yard.** By definition, the rear yard is the portion of the lot directly opposite of the street with the least width (§400.020). Thus, this lot has 114.6 feet of street frontage on the east side and 142.5 feet of street frontage on the north side. Therefore, per §400.020, the west side of the lot is defined as the “rear yard” and the south side of the lot is the side yard.

**Backyard.** While not defined by the Zoning Ordinance, the proposed backyard, as designed, is the south side of the property. Under the zoning ordinance, the south side of the property is considered the “side yard” for setback purposes.

- 4. **SITE PLAN REVIEW:** In accordance with Article XI *Site Plan Review*, of Chapter 400 Zoning Regulations, the site plan review procedure is intended to ensure the adequate review and consideration of potential impacts of proposed development upon surrounding uses and activities. Given that the depth of this lot is less than the ideal SR District lot depth (142.5 ft vs. 150 ft), staff is obligated to consider the impacts of redevelopment within the subject lot and adjacent properties.

**Rear yard setback.** The design proposed by the Petitioner situates the house to have a front door facing north (the secondary front yard), and places the rear exit of the home one the south, the zoning defined side yard. By this design, the defined rear yard then serves as a side yard with no exit other than windows.

**Why would this be an issue?** A concern in the original petition, the 3-car garage version proposed in March created a shallow backyard (within the defined side yard setback (south)). The revised petition plans increase

the backyard depth from 13.76 feet to 24.86 feet. This is consistent with traditional rear yard setbacks. Staff finds that the revision addresses the Site Plan Review criteria, in considering the impact of the house placement with the adjacent neighbor to the south.

**Stormwater.** There are no adjacent storm-sewer area inlets downstream to utilize near the property grounds. There is one on the north along the street, but its elevation is higher. While onsite detention is provided along the southwest corner of the property, it would benefit to shift the detention and detention daylight further north towards the north front yard.

**5. COMMUNITY DESIGN REVIEW:**

- Massing. It is the opinion of staff that the proposed residence complies with the design guidance illustrated under Page 17 of the Olivette Residential Redevelopment and Design Guidelines.
- Roofs. It is the opinion of staff that the proposed residence complies with the design guidance illustrated under Page 18 of the Olivette Residential Redevelopment and Design Guidelines.
- Garages. It is the opinion of staff that the proposed residence complies with the design guidance illustrated under Page 19 of the Olivette Residential Redevelopment and Design Guidelines.
- Elevation articulation. It is the opinion of staff that the proposed residence complies with the design guidance illustrated under Page 20 of the Olivette Residential Redevelopment and Design Guidelines.
- Materials. It is the opinion of staff that the proposed residence complies with the design guidance illustrated under Page 21 of the Olivette Residential Redevelopment and Design Guidelines.
- Site grading and foundation. The top of foundation (664.17) for this house is 2.7-ft higher than the current top of foundation (662). The house is lower than the property to the west at 666.34 and above the 658.5 to the south. Staff has no concerns regarding the proposed top of foundation.
- Stormwater management. This section is further reviewed below.
- Tree Preservation. There are no visible staff concerns.

**6. CONCEPT STORMWATER MANAGEMENT PLAN:**

- As noted above, the detention pit and daylight should be shift further north to allow for the excess stormwater release to permeate and slow in velocity.
- Sump pump discharge. The location of the sump pump is illustrated in the building plans at the northwest corner of the house (by the street side). The discharge point is illustrated in the Site Plan Improvements. Staff has no concerns regarding location and placement.

**ATTACHMENTS:**

- Staff Report (dated 2022 05-19)
- Staff Report (dated 2022 03-17)
- Petition Application
- Project Report

**STAFF RECOMMENDATION:**

Staff finds the petition application to be compliant with the City's Zoning regulations, addresses Site Plan Review issues regarding the impact of the new home footprint on the south yard area, and adheres to the Olivette Residential Redevelopment and Design Guidelines.

**MOTION:**

Should the Commission consider action on the petition, the following motion is recommended:

Motion to approve the Petition for:

- Site Plan, Community Design, and Concept Stormwater Management Plan Review

for a new single-family home at 9600 Ashmont Drive as presented in the Memorandum from the Department of Planning and Community Development dated May 19, 2022, subject to any staff conditions noted therein.

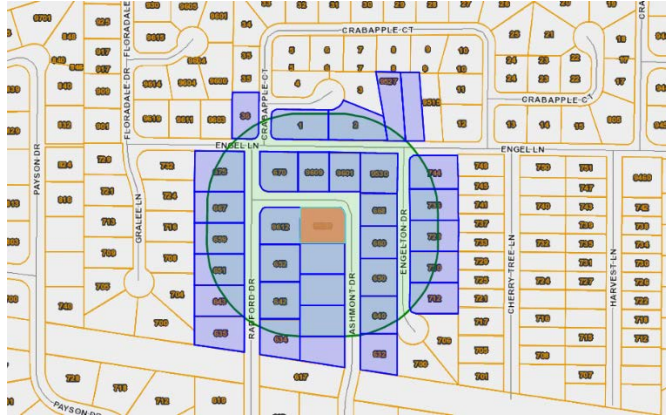
**RECOMMENDED CONDITIONS FOR APPROVAL:**

Should the Commission consider approving the petition as submitted, the following conditions are recommended as part of any action:

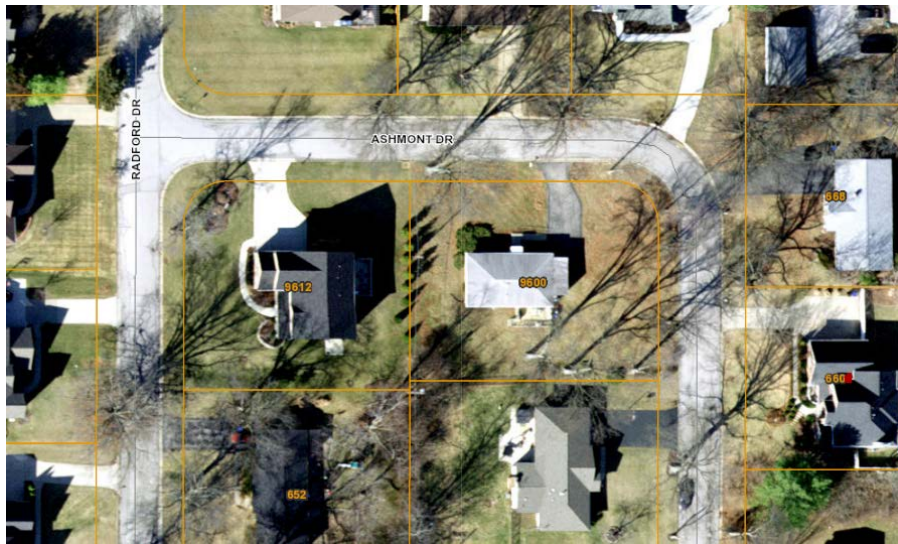
1. The detention pit and daylight be shifted further north to allow for the excess stormwater release to permeate and slow in velocity.

2. **FINAL STORMWATER SITE IMPROVEMENT PLAN.** At the time of application for a building permit, the Petitioner shall submit a final Stormwater Site Improvement Plan for review. Final site improvements to include construction specifications for Stormwater detention and grading plan. Fees shall be paid for required inspections by the City's Stormwater Consultant. Cost per inspection is \$250. Additional inspections shall be conducted by staff.
3. **LIMITATION OF TOP OF FOUNDATION.** The top of foundation elevation be limited to no more than 664.17. Staff shall be provided an opportunity to require additional grading changes to the site, including adjusting the proposed top of foundation and location of detention areas, as necessary to control/limit Stormwater runoff on the site and to adjacent properties. Any revised changes in the field to provide revised plans while building permits are active.
4. **FINAL PLAN SUBMISSION.** Building Permit Plans shall be in compliance with the Commission reviewed plans consisting of:
  - architectural plans provided by L.R. Spraul Design, LLC with a plan date of 1/19/2022 illustrating a two car side-entry garage, and
  - site improvement plans provided by THD Design Group, Inc., with a plan date of May 2, 2022subject to any required modifications noted herein.
5. **VERIFICATION OF SETBACKS.** Verification of the proposed building setbacks, the location of the footing forms, and an estimation of the overall residential building height based on the elevation of the footing forms are to be provided by a registered surveyor of the State of Missouri to the Building Division before the pouring of the building footings.
6. **LIMIT EXPOSED FOUNDATION.** Any exposed portions of the foundation wall along both sides of Ashmont Drive and the west and south building elevations in which the foundation wall exceeds a height of one foot (1') above the approve finished grade shall have an exterior finish cover equal to that of the overall exterior elevation finish. Building plans submitted at the time of building permit application are to be reflective of this condition.

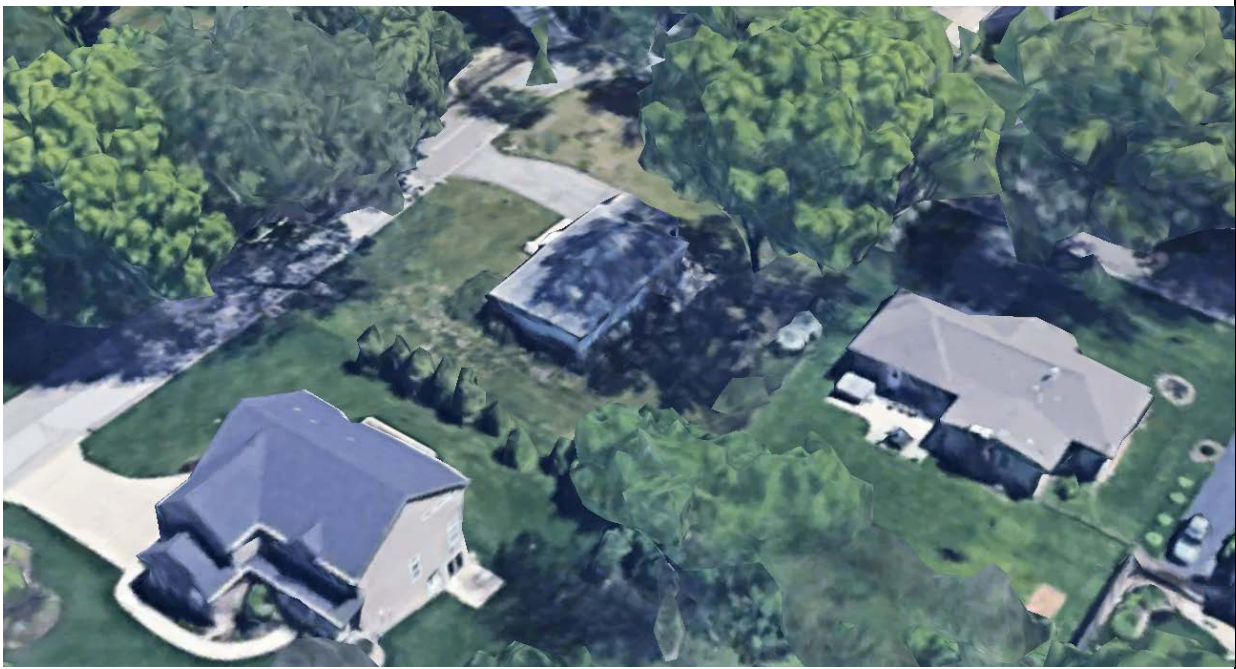
LOCATION MAP



AERIAL VIEW



SUBDIVISION IMPROVEMENT PLAN







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Planning and Community Development Department
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DEPARTMENT MEMORANDUM

DATE: MARCH 17, 2022
TO: PLANNING AND COMMUNITY DESIGN COMMISSION
FROM: CARLOS TREJO, AICP
DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT
RE: 9600 ASHMONT DRIVE
SITE PLAN, COMMUNITY DESIGN, AND CONCEPT STORMWATER
MANAGEMENT PLAN REVIEW

PETITIONER: Ryan Weber, Weber Enterprises
PROPERTY OWNER: Weber Enterprises

STAFF SUMMARY

STAFF FINDS THE PROPOSED NEW HOME DESIGN CONGRUOUS AND CONSISTENT WITH THE DESIGN PRINCIPLES OF THE GUIDELINES, HOWEVER, GIVEN THE WAY THE PETITIONER HAS ORIENTED THE HOUSE STAFF IS CONCERNED OVER THE USE OF THE DEFINED SIDE YARD AS THE BACK YARD.

- 1. DESCRIPTION: Petition for a new single-family home.
2. SUBDIVISION. No information from the subdivision association has been provided.
3. ZONING: While the lot is a legal lot of record, the lot is subject to the Variation of Lot Size Standard (§400.240) to conform with the SR District. The deficiency is with both the lot width and depth. Given the narrow lot width and shallow lot depth, the review and approval of a new single-family home is subject to Site Plan Review.
Zoning front yard. As a corner lot, the contains two street sides, or defined front yards-the north and on the west. That being said, what then defines the rear and side yards? The determination of rear and side yards are based on the lots dimensions and have nothing to do with the design (as in where the front door may be).
By definition, the rear yard is the portion of the lot directly opposite of the street with the least width (§400.020). Thus, this lot has 114.6 feet of street frontage on the east side and 142.5 feet of street frontage on the north side. By definition, the west side of the lot is defined as the rear yard and the south side of the lot is the side yard.
4. SITE PLAN REVIEW: In accordance with Article XI Site Plan Review, of Chapter 400 Zoning Regulations, the site plan review procedure is intended to ensure the adequate review and consideration of potential impacts of proposed development upon surrounding uses and activities. Given that the lot depth of this lot is less than the ideal SR District lot depth (142.5 ft vs. 150 ft), staff is obligated to consider the impacts of redevelopment within the subject lot and adjacent properties.
Rear yard setback. The design proposed by the Petitioner situates the house to have a front door facing north (the secondary front yard), and places the rear exit of the home one the south, the defined side yard. By this design, the defined rear yard then serves as a side yard with no exit other than windows.
Why would this be an issue? Given the Petitioner's design, the south side yard becomes the back yard. Given that the south side yard has a narrow setback, 13.76 feet, the back yard of this home is only 13.76 feet deep. There is a difference between a back yard and rear yard. The code defines the rear yard and in no case shall a rear yard ever be less than 20 ft. What the Petitioner's design does, by placing the back door on the south elevation, is question the spirit and intent of the Code and this is a concern that warrants SITE PLAN REVIEW. This back yard will be nearly 14-feet deep and up against a neighbor's side yard. While the true rear yard on the property, the west side, has 32 feet in depth and no direct access into the yard from the interior of the house.
Stormwater. There are no adjacent storm-sewer area inlets downstream to utilize near the property grounds. There is one on the north along the street, but its elevation is higher. While onsite detention is provided along

the southwest corner of the property, it would benefit to shift the detention and detention daylight further north towards the north front yard.

**5. COMMUNITY DESIGN REVIEW:**

- Massing. It is the opinion of staff that the proposed residence complies with the design guidance illustrated under Page 17 of the Olivette Residential Redevelopment and Design Guidelines. HOWEVER, given the home orientation, the use of the south elevation as the backyard the mass and view will overshadow the neighbor to the south and the use of their rear property given that the house is only going to be 15 ft away and deck/patio five feet.
- Roofs. It is the opinion of staff that the proposed residence complies with the design guidance illustrated under Page 18 of the Olivette Residential Redevelopment and Design Guidelines.
- Garages. It is the opinion of staff that the proposed residence complies with the design guidance illustrated under Page 19 of the Olivette Residential Redevelopment and Design Guidelines.
- Elevation articulation. It is the opinion of staff that the proposed residence complies with the design guidance illustrated under Page 20 of the Olivette Residential Redevelopment and Design Guidelines.
- Materials. It is the opinion of staff that the proposed residence complies with the design guidance illustrated under Page 21 of the Olivette Residential Redevelopment and Design Guidelines.
- Site grading and foundation. The top of foundation (664.33) for this house is 1.3-ft higher than the current top of foundation (662). The house is lower than the property to the west at 666.34 and above the 658.5 to the south. Given that the back yard of this house is only 15 feet in depth, that sets the house at least 5-feet higher. Again, this needs to be assessed as to overshadowing the property to the south.
- Stormwater management. This section is further reviewed below.
- Tree Preservation. There are no visible staff concerns.

**6. CONCEPT STORMWATER MANAGEMENT PLAN:**

- As noted above, the detention pit and daylight should be shift further north to allow for the excess stormwater release to permeate and slow in velocity.
- Sump pump discharge. The location of the sump pump is illustrated in the building plans at the northwest corner of the house (by the street side). The location of the sump pump discharge is not illustrated in the site plan. We will need to know location and discharge at the time of permitting.

**ATTACHMENTS:**

- Staff Report
- Petition Application
- Project Report

**STAFF RECOMMENDATION:**

As noted, the design of the house structure is consistent with the design principles outlined in the Olivette Residential Redevelopment and Design Guidelines. However, the use of the south side yard setback as the back yard for this home is not in the City's, neighbor's, and future owner's best interest. If the south side of the property is to be used as the back yard, the building setback needs to be increase to at least 20 feet to be consistent with the spirit and intent of the Zoning Code.

The Petitioner finds that the design would be consistent with Code and the neighborhood surrounds and is prepared to discuss this issue and provide cross sections to address this issue.

**MOTION:**

Should the Commission consider action on the petition, the following motion is recommended:

Motion to approve the Petition for:

- Site Plan, Community Design, and Concept Stormwater Management Plan Review

for a new single-family home at 9600 Ashmont Drive as presented in the Memorandum from the Department of Planning and Community Development dated March 17, 2022, subject to any staff conditions noted therein.

**RECOMMENDED CONDITIONS FOR APPROVAL:**

Should the Commission consider approving the petition as submitted, the following conditions are recommended as part of any action:

1. The detention pit and daylight be shifted further north to allow for the excess stormwater release to permeate and slow in velocity.
2. For the sump pump, provide illustrate the point of discharge on site plans.
3. **FINAL STORMWATER SITE IMPROVEMENT PLAN.** At the time of application for a building permit, the Petitioner shall submit a final Stormwater Site Improvement Plan for review. Final site improvements to include construction specifications for Stormwater detention and grading plan. Fees shall be paid for required inspections by the City's Stormwater Consultant. Cost per inspection is \$250. Additional inspections shall be conducted by staff.
4. **LIMITATION OF TOP OF FOUNDATION.** The top of foundation elevation be limited to no more than 664.33. Staff shall be provided an opportunity to require additional grading changes to the site, including adjusting the proposed top of foundation and location of detention areas, as necessary to control/limit Stormwater runoff on the site and to adjacent properties. Any revised changes in the field to provide revised plans while building permits are active.
5. **FINAL PLAN SUBMISSION.** Building Permit Plans shall be in compliance with the Commission reviewed plans consisting of:
  - architectural plans provided by L.R. Spraul Design, LLC with a plan date of 1/19/2022, and
  - site improvement plans provided by THD Design Group, Inc., with a plan date of 1/20/2022subject to any required modifications noted herein.
6. **VERIFICATION OF SETBACKS.** Verification of the proposed building setbacks, the location of the footing forms, and an estimation of the overall residential building height based on the elevation of the footing forms are to be provided by a registered surveyor of the State of Missouri to the Building Division before the pouring of the building footings.
7. **LIMIT EXPOSED FOUNDATION.** Any exposed portions of the foundation wall along both sides of Ashmont Drive and the west and south building elevations in which the foundation wall exceeds a height of one foot (1') above the approve finished grade shall have an exterior finish cover equal to that of the overall exterior elevation finish. Building plans submitted at the time of building permit application are to be reflective of this condition.





### APPLICANT

All correspondence prepared by staff shall be forwarded to the Applicant. The Applicant is responsible to distribute and forward this information to any other involved parties. Petitions for new single family homes not meeting full submission requirements shall only qualify for the 30-day schedule once the submission requirements are provided on plans.

Name and Title: Ryan Weber  
 Company Name: Weber Enterprises  
 Address: 1707 Henke Rd City: O'Fallon Zip Code: 63367  
 E-mail Address: weberenterprisescolorado@gmail.com Phone Number: (314) 359-1374

As the applicant, which of the following apply:

- Developer       Contractor       Owner  
 Registered Engineer       Registered Architect       Licensed Surveyor

### REVIEW AND FEE

This petition is for which of the following? (Check the box and see corresponding fee)

| Community Design Review                               |  | Fee   | Site Plan & Community Design Review  |  | Fee                                       |
|---|--|-------|--|--|---|
| Single Family Home (SWR-\$350, CD-\$250)              |  | \$600 | Single Family Home (SWR-\$350, SPR-\$150, CDR-\$250)                         |  | \$750 <input checked="" type="checkbox"/> |
| Addition/Acc. Str. 400 sf. or less                    |  | \$150 | Addition/Acc. Str. 400 sf. or less (SPR-\$150, CDR-\$150)                    |  | \$300                                     |
| Addition/Acc. Str. excess 400 sf. less than 1,200 sf. |  | \$200 | Addition/Acc. Str. excess 400 sf. less than 1,200 sf. (SPR-\$150, CDR-\$200) |  | \$350                                     |
| Addition/Acc. Str. 1,200 or greater                   |  | \$250 | Addition/Acc. Str. 1,200 or greater (SPR-\$150, CDR-\$250)                   |  | \$400                                     |
| Amendments  |  | \$100 | Site Plan Only (including Fences, Variances)                                 |  | \$150                                     |

### PROPERTY INFORMATION

Address of Property: 9600 Ashmont Olivette MO 63123  
 St. Louis County Tax ID No. 17C410424  
 Legal Description of Property: Lot 14 of Oak Estates Addition

#### OWNERSHIP (If applicant is not the owner):

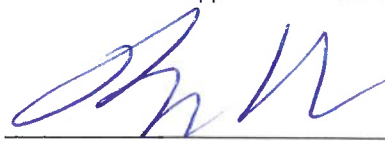
Name of Owner: Weber Enterprises / Ryan Weber  
 Mailing Address: 1707 Henke Rd City: O'Fallon MO Zip Code: 63367  
 Phone Number: (314) 359-1374 E-mail: weberenterprisescolorado@gmail.com

The petition application, three (3) sets of plans containing all the attached submission standards, PDF files of all the documents submitted, and a review fee must be submitted to the Department of Public Services thirty (30) days before a scheduled meeting.

Staff will review the Petition for compliance within 10 working days. Completed petitions shall be provided staff remarks and recommendations. The applicant will have 10 days to revise the application and submit any requested revised site plan, site section, building plans and project reports for Planning and Community Design Commission (PCDC) review. By Ordinance, the PCDC must take action on the Petition within 60 days, unless the applicant submits a written request for an extension.

An incomplete petition shall be returned to the applicant. The applicant may resubmit for the next scheduled meeting.

To insure that the applicant has read and understands the Petition and submission standards, described herein, please sign the following:

  
 Signature of applicant

1-19-21  
 Date

**RECEIVED**  
 JAN 19 2022  
 BY: \_\_\_\_\_

## **PROJECT SUMMARY**

### **9600 Ashmont Drive – NEW CONSTRUCTION**

- 1. An explanation of how the size, bulk of the new home is compatible with the prevailing mass of adjacent and surrounded detached residences***

The home at 9600 Ashmont Drive will conform to other new homes and homes that have been extensively remodeled in the general area. The roof lines of the proposed home have been aligned in a manner as to reduce the appearance of overshadowing of neighboring residences.

- 2. An explanation of how the height of the new home is compatible***

The top of foundation is very close in elevation of the street curb in front of 9600 Ashmont Drive. At this elevation it allows for a transition of the look-out with the rear yard. Many of the newly redeveloped homes in the neighborhood are of the same height and sit similarly in relationship to the existing street elevation.

- 3. An explanation of what architectural features of the new home are intended to compliment the adjacent and surrounding residence***

The purposed home at 9600 Ashmont Drive will be traditional looking and compatible to many of the existing homes. Several architectural features have been included to mimic the aesthetic appeal and allure of the existing neighborhood.

- 4. An explanation on the efforts that will be incorporated on the site development to eliminate any adverse affect on grading and storm-water drainage to adjacent and surrounding properties.***

Erosion Control will be established prior to construction and remain implemented until stabilization of the site has been completed post construction. An underground detention system has been designed for the site and will reduce the overall site runoff from the preconstruction condition.