



**AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
DECEMBER 5, 2022
6:00 PM**

CALL TO ORDER

ROLL CALL

Ms. Julie LaBonte (Chair)
Ms. Muriel Hall
Mr. Larry Potashnick
Ms. Marjorie Richter
Mr. AJ Wang
Ms. Rhonda O'Brien
Mr. Thomas Buelter

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, Director of Community Development
Ms. Bethany L. Moore, City Planner
Ms. Megan Waller, Administrative Supervisor/Recording Secretary

ACCEPTANCE OF THE AGENDA

APPROVAL OF MINUTES

- 1. November 21, 2022 Planning and Zoning Commission Draft Meeting Minutes**

PUBLIC COMMENT

An opportunity for members of the public to address the Planning and Zoning Commission regarding issues or concerns not already on the agenda for this meeting. Those wishing to speak will be asked to limit comments to three minutes and to complete a speaker card.

UNFINISHED BUSINESS

- 1. PUBLIC HEARING #22-031: A Conditional Use Permit with Associated Site Development Plan for A New Chick Fil A Restaurant with Drive Through Services Located at 12398 Olive Boulevard**
Summary: Request to continue to the December 19th, 2022 meeting to allow the applicant additional time to address staff comments.
- 2. PUBLIC HEARING #22-027: Conditional Use Permit for A 9,044 Square Foot Mexican Barrel House Restaurant Located at 1085 North Mason Road**



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Summary: Stewart MacGregor, of OSM, Inc., on behalf of Floroz Properties, LLC, has submitted an application for a Conditional Use Permit with associated site development plan for The Mexican Barrel House restaurant located at 1085 North Mason Road in the "GC" General Commercial zoning district. The restaurant would be located in the former Houlihan's restaurant building with revised exterior elevations, landscaping, and a new outdoor patio area. The building is 9,044 Square feet with 220 indoor seats and 84 outdoor seats. Continued from the November 21, 2022 meeting.

NEW BUSINESS

1. PUBLIC HEARING #22-035: Conditional Use Permit for A 11,200 Square Foot Foss Swim School With Associated Minor Site Plan Located Within Bellerive Plaza at 12760 Olive Boulevard

Graham Robb, of Foss Swim School, LLC, has submitted an application for a Conditional Use Permit with associated minor site development plan for a new 11,200 square foot swimming school facility located in an existing tenant space within Bellerive Plaza at 12760 Olive Boulevard in the "GC" General Commercial zoning district. The project would include the construction of the new 68,000 gallon purpose built swimming pool and exterior tenant space remodel.

WORK AGENDA

DEPARTMENT REPORTS

ADJOURNMENT

Pursuant to Section 610.022 RSMo., the Planning and Zoning Commission could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. And/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

Posted by: _____



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Date/Time posted: _____

If you need special accommodations to attend a meeting, services may be arranged by contacting the Office of the City Administrator in advance.



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CALL TO ORDER

The meeting was called to order at 6:00 PM.

ROLL CALL

**Ms. Julie LaBonte (Chair)
Ms. Muriel Hall
Mr. Larry Potashnick
Ms. Marjorie Richter
Mr. AJ Wang (Vice Chair)
Ms. Rhonda O'Brien
Mr. Thomas Buelter**

The following staff were also present:

**Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, Director of Community Development
Ms. Bethany L. Moore, City Planner
Ms. Megan Waller, Administrative Supervisor/Recording Secretary**

ACCEPTANCE OF THE AGENDA

Mr. Wang made a motion to accept the agenda. Mr. Potashnick seconded. All in favor.

APPROVAL OF MINUTES

**1. November 7, 2022 Planning and Zoning Commission Draft Meeting
Minutes**

Mr. Wang made a motion to accept the November 7, 2022 meeting minutes.
Mr. Potashnick seconded. All in favor.

PUBLIC COMMENT

None

UNFINISHED BUSINESS

None

NEW BUSINESS



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1. PUBLIC HEARING #22-031: A Conditional Use Permit with Associated Site Development Plan for A New Chick Fil A Restaurant with Drive Through Services Located at 12398 Olive Boulevard

Mr. Potashnick made a motion to continue the hearing to the December 5th, 2022 meeting. Mr. Wang Second. All in favor.

RESULT: Passed

MOVER: Larry Potashnick

SECONDER: AJ Wang

AYES: AJ Wang, Muriel Hall, Julie LaBonte, Thomas Buelter, Rhonda O'Brien, Marjorie Richter, Larry Potashnick

NAYS: None

2. PUBLIC HEARING #22-032: Amended Conditional Use Permit with Associated Site Development Plan for a New Residence Hall on the Chaminade College Preparatory School Campus Located at 425 South Lindbergh Boulevard

Those speaking to the request were sworn in.

Mr. Ed Griesedieck, 5 Indian Creek Ln., St. Louis, MO, attorney representing Chaminade College Preparatory School stated that the existing Canning Hall is dilapidated and needs to be re-built.

Mr. Griesedieck stated that the school had been waiting to receive funds and that are now readily available.

Mr. Griesedieck stated that the applicant hopes to build the new residence before demolishing the existing structure.

Mr. Griesedieck stated that the proposed building will not increase traffic or noise. Mr. Griesedieck stated that there will be no increase in student capacity.

Mr. Griesedieck stated that the new residence will be located mid-campus in the currently existing field space.

Mr. Griesedieck stated that the request is to amend the existing conditional use permit



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and approve the proposed site improvement plan.

Mr. Griesedieck stated that the proposed residence is three levels, and the existing residence is two levels. He explained that the extra space will be used to allow larger bedrooms, bathrooms, and common areas.

Mr. Griesedieck stated that two ADA accessible parking spaces will be added to the existing parking lot.

Mr. Griesedieck stated that the proposed materials are consistent with those used on the Skip center. The new residence hall will have matching brick, stone, and window treatments.

Mr. Griesedieck stated that the entrances of the facility are centrally focused toward the interior of the campus with key code access and video surveillance for safety.

Mr. Griesedieck stated that eight interior trees will be lost but mature tree lines will remain to provide a buffer to the south. He also stated that ten large trees and approximately 70 additional plantings will be added to the campus.

Mr. Griesedieck stated that the proposed landscaping will be consistent with the current landscaping throughout the campus with irrigation.

Mr. Griesedieck stated that the existing structure houses the HVAC equipment for the chapel and that this will be relocated.

Mr. Griesedieck stated that 6ft sidewalks are proposed, all MSD standards are met, and no lighting or signage changes are proposed.

Mr. Buelter had concerns about losing a baseball field to build the new residence hall. Mr. Griesedieck stated that this has been an open field as there is another baseball field on the campus.

Ms. O'Brien asked about the tennis court being used for overflow parking. Mr. Griesedieck stated that there was an old tennis court that has been striped and is used infrequently for overflow parking.

Mr. Buelter asked if the larger scale building will have a higher electrical load. Mr.



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Griesedieck was unsure of the difference but stated the new building will be more energy efficient.

Ms. LaBonte asked if the proposed location is closer to the residence to the south. Mr. Griesedieck stated that it is 241ft away.

Mr. Jason Jaggi, Director of Community Development, stated that the request is to amend the existing conditional use permit as well as repeal ordinance 5684 for the Beal Basketball area, and approve the site development plan.

Mr. Jaggi stated that the draft ordinance allows 78 student capacity and suggested updating the ordinance to reflect the change to allow a maximum of 82 students.

Mr. Jaggi stated that the property is zoned A-Single Family Residential with a 50ft buffer requirement and 40.6 ft maximum height of the building.

Mr. Jaggi stated that the exterior will be an all-brick material with a cast stone base and accents. He stated that this fits well with the campus and staff has no concerns.

Ms. LaBonte suggested adding a condition that the existing residence hall must be demolished, and the landscape restored within one year of final occupancy of the new residence hall.

Mr. Potashnick asked if staff is satisfied with the landscape plan and the removal of eight mature trees. Mr. Jaggi stated that the trees will be replaced, and approval of a final landscape plan is required.

Mr. Carl Lumley, City Attorney, offered the exhibits to the record.

Mr. Potashnick moved to recommend approval as outlined in the draft ordinance with the adjustment that the capacity will allow 82 students and to add that demolition of the existing structure and restoration of the landscape must be complete within one year of final occupancy.

RESULT: Passed

MOVER: Larry Potashnick

SECONDER: AJ Wang

AYES: AJ Wang, Muriel Hall, Julie LaBonte, Thomas Buelter, Rhonda O'Brien, Marjorie Richter, Larry Potashnick

NAYS: None



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**3. PUBLIC HEARING #22-027: Conditional Use Permit for A 9,044 Square
Foot Mexican Barrel House Restaurant Located at 1085 North Mason Road**

Those speaking to the request were sworn in.

Mr. Stewart MacGregor, 2190 S Mason Rd #202, St. Louis, MO 63131, stated that the applicant would like to make improvements to the former Houlihan's building and open a new Mexican Barrel House restaurant.

Mr. MacGregor stated that the applicant would like to increase the size of the outdoor patio section, reface the exterior, and redo the interior of the building.

Mr. MacGregor stated that the owner would prefer not to reduce their seating capacity due to the available parking spaces. He explained that the owner is currently working with neighboring property owners to get a cross parking agreement.

Ms. Bethany Moore, City Planner, stated that the proposed conditional use permit application is for a Mexican Barrel House restaurant at the former Houlihan's location.

Ms. Moore stated that the applicant is asking for 220 indoor seats and 84 outdoor seats. She explained that there is not enough parking on site to accommodate the requested capacity and that staff suggests lowering the indoor seat count.

Ms. Moore stated that the project includes an exterior remodel and patio expansion of 700sqft.

Ms. Moore stated that the property does have pre-existing non-conformities and is currently over the allowable site coverage. She explained that the patio enlargement is not counted in the site coverage calculation.

Ms. Moore stated that the current lighting fixtures are recommended for replacement as they do not meet the current zoning code.

Ms. Moore stated that the existing pole sign does not meet the current zoning code and staff recommends repainting.

Ms. Moore stated that maintenance free siding is proposed for the exterior of the



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building but staff has concerns about the proposed very dark color of the materials. She explained that the design guidelines suggest that color choices should blend with others in the area.

Ms. Moore stated that the patio elevation will not be enclosed but may have a decorative canvas on top.

Ms. Moore stated that all equipment will be screened appropriately.

Ms. Moore stated that the proposed landscaping will meet the required number of street trees and shrubs will be added to help shield headlight glare from the adjacent properties.

Ms. Moore stated that new trees and landscaping will be added to the base of the new patio and the parking lot islands. She also stated that new trees and landscaping will be added to the front of the building.

Ms. Moore stated that there are 103 existing parking spaces, and 110 spaces are required for the proposed 220 indoor seats. She stated that staff recommends lowering the number of indoor seats to 198 in order to comply with existing parking.

Ms. O'Brien asked to see examples of other buildings and colors used in the area.

Mr. Potashnick stated that he would like for staff to approve the color choices.

Ms. LaBonte asked where the stone will be located on the building and the height. Mr. MacGregor stated that it will be wainscoting located below the windows.

Ms. Hall asked if the applicant could return with alternate color selections. Mr. Lumley stated that the applicant could work with staff on alternate color choices to be presented to the commission at the next meeting.

Ms. LaBonte stated that continuing the item could allow the board to see alternate color choices and time for the applicant to establish a cross parking agreement to allow for the 220-seating capacity.

Mr. Buelter asked the proposed hours of operation. Mr. Alfredo Florez, 1085 N Mason



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Rd., Creve Coeur, MO, stated that the hours of operation would be 8:00AM to 10:00PM.

Mr. Buelter had concerns regarding noise if there will be music on the patio.

Mr. Buelter asked if there will be a meat smoker at the facility. Mr. MacGregor stated that this will be built to meet building and health codes and that the enclosure will match the building colors and materials.

Mr. Potashnick made a motion to continue the public hearing to the December 5th meeting. Mr. Wang seconded. All in favor.

RESULT: Passed

MOVER: Larry Potashnick

SECONDER: AJ Wang

AYES: AJ Wang, Muriel Hall, Julie LaBonte, Thomas Buelter, Rhonda O'Brien, Marjorie Richter, Larry Potashnick

NAYS: None

WORK AGENDA

None

DEPARTMENT REPORTS

Mr. Jaggi stated that the Chick Fil A application may be ready for the December 5th meeting but is unsure due to the Thanksgiving holiday.

Mr. Jaggi stated that a conditional use permit for a Foss swim school is also on the agenda for the December 5th meeting.

ADJOURNMENT

Mr. Potashnick made a motion to adjourn. Mr. Wang. All in favor.

The meeting adjourned at 7:01 PM.



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Submitted By:

Recording Secretary

Chair



APPLICATION TO PLANNING AND ZONING COMMISSION
#22-027: CONDITIONAL USE PERMIT FOR A 9,044 SQUARE FOOT
MEXICAN BARREL HOUSE RESTAURANT LOCATED AT 1085 NORTH
MASON ROAD

FOR THE MEETING OF: Monday, December 5, 2022

LOCATION: 1085 North Mason Road, zoned GC-General Commercial District

REQUEST: Stewart MacGregor, of OSM, Inc., on behalf of Floroz Properties, LLC, has submitted an application for a Conditional Use Permit with associated site development plan for The Mexican Barrel House restaurant located at 1085 North Mason Road in the "GC" General Commercial zoning district. The restaurant would be located in the former Houlihan's restaurant building with revised exterior elevations, landscaping, and a new outdoor patio area. The building is 9,044 Square feet with 220 indoor seats and 84 outdoor seats. This request was continued from the November 21, 2022 meeting of the Planning and Zoning Commission. Please refer to the previous staff report for additional project details.

ADDITIONAL INFORMATION:

Under Section 405.210, Table A of the Zoning Code, Full-Service Restaurants (NAICS 722511) require the issuance of a conditional use permit subject to the recommendation of the Planning and Zoning Commission and approval of the City Council.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?
- Does the request follow the Design Guidelines?

Creve Coeur 2030 Plan References

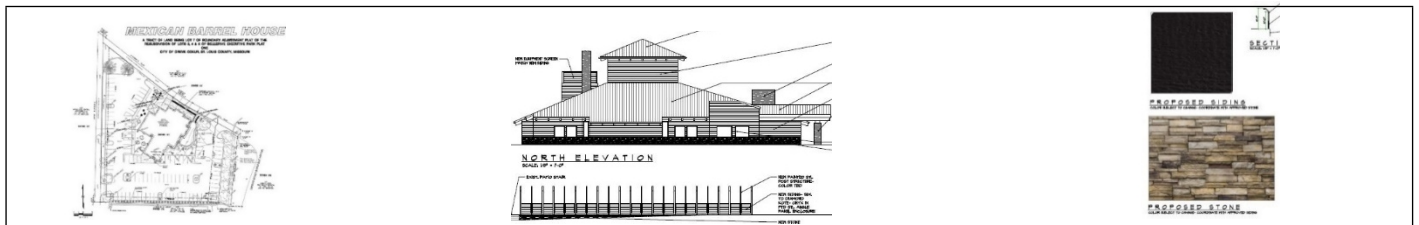
- Mixed Use District
- Design Guidelines

Zoning Code References

- Section 405.360: GC-General Commercial District
- Section 405.470: Conditional Uses
- Section 1080: Site Concept, Site Development and Minor Site Plan Approval

APPLICANT: Alfredo Flores
Floroz Properties, LLC
1085 N. Mason Road
Creve Coeur, MO 63141

APPLICANT'S REPRESENTATIVE: Stewart MacGregor
OSM, Inc
2190 S. Mason Road, Suite 202
St, Louis, MO 63131



REPORT PREPARED BY: Bethany L. Moore, City Planner

DATE: 11/17/2022

ATTACHMENTS: Applicant's Materials received November 14, 2022
Draft Ordinance

PROPOSAL

This proposal was continued from the November 21, 2022 Planning and Zoning Commission in order to provide the applicant with more time to submit additional information for the parking concerns and alternative colors for the siding. The applicant has provided more information concerning how the 7 parking spaces lacking on site for the proposed 220 indoor seats will be addressed as well as provided two alternative siding colors for the Commission's review. Please refer to the previous staff report for additional information about the proposal.

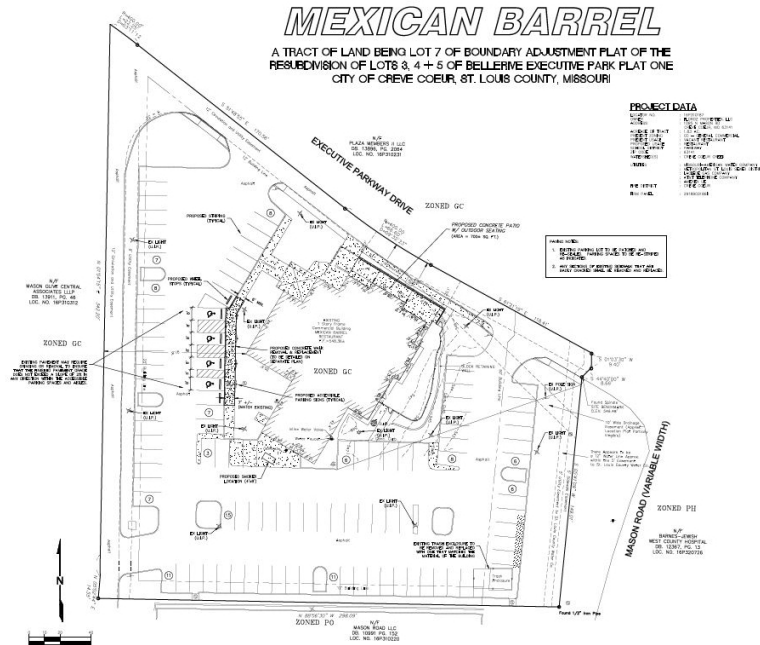


Figure 1: Proposed Site Plan



Figure 2: Proposed alternative siding colors, in “Bedrock” on the left and “Smoke Ash” on the right, with proposed water table stone.

Building Materials

The City's Design Guidelines recommend that materials should have good architectural character, be durable, and be selected for their compatibility with adjoining buildings and properties. The design of the existing building will not change, however, new exterior materials are proposed to update the appearance. The proposal for the exterior façade renovation includes reutilizing the existing standing seam metal roof in good condition along with the introduction of new Diamond Kote wood siding and new stone veneer water table of Versetta Stone in the color "Plum Creek." The original "Onyx" color of the siding was determined to be too dark to effectively blend in with the surrounding building colors and materials. The Planning and Zoning Commission requested alternative siding colors be submitted for review. The applicant has submitted two alternatives; "Bedrock" and "Smokey Ash." Figure 2 shows the proposed siding color choices against the proposed stone material. Staff believes either option would be an acceptable color choice for the building.

Parking

The existing parking lot for the former Houlihan's restaurant has a total of 103 parking spaces. Per Section 405.820, calculating the required parking for this restaurant use requires 1 parking space per 250 square feet of floor space and 1 parking space per 3 indoor seats. The outdoor seating is no longer considered for required parking spaces per Ordinances 5806 and 5807 passed in October 2022. The total required parking for this use with 9,044 square feet of floor space and 220 indoor seats is 110 parking spaces. The site is 7 parking spaces short of the required for the proposed seat capacity. Staff recommended reducing the seating capacity to 198 in order to be compliant with the required parking spaces. The applicant has stated that they are working towards a parking agreement with the adjacent property owner to make up for the 7 spaces. The agreement is not finalized and the applicant has stated that if they are unable to reach an agreement with the adjacent property owner then they will comply with the seating reduction recommended by staff. A condition of approval has been added to reflect this parking agreement/seating reduction and require a new floor plan reflecting the reduced seating if an agreement cannot be reached.

CONCLUSION AND RECOMMENDED CONDITIONS OF APPROVAL

Staff finds that the proposal meets with the Comprehensive Plan, Design Guidelines, and Zoning Regulations, apart from the parking requirements to be addressed through a parking agreement or seating reduction. The Commission should discuss the lighter siding colors. After discussion with the applicant, if the Planning and Zoning Commission finds that the Application is in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council with any changes discussed and made by separate actions.

The following are the recommended conditions of approval for this proposal.

1. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the Elevations received November 14, 2022, except as amended below, as bound together and submitted in conjunction with Application #22-027 by OSM INC, and colors as approved by the City, except as modified below.
2. A Final Landscape Plan shall be submitted with the Building Permit application in substantial conformance with the Landscape Plan received November 14, 2022, as bound together and submitted in conjunction with Application #22-027 by OSM INC.
3. The hours of operation shall be Monday-Thursday 7 AM to 10 PM, Friday-Saturday 7AM to 12AM, and Sunday 9AM to 7PM. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.
4. Indoor seating capacity shall be limited to 198 seats, demonstrated by submission of revised floor plan, in order to comply with the required parking spaces per capacity and building square

footage unless a parking agreement with adjacent property owner can be reached to account for the 7 spaces needed per Section 405.800(E). In which case the proposed 220 indoor seats would be allowed with the submission of the parking agreement documents submitted for review by the City Attorney and recorded with St. Louis County.

5. All landscaping shall be maintained per the approved Landscape Plan and any vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
6. All Existing non-compliant lighting shall be replaced with lighting in compliance with Sections 405.680 and 405.810 of the Zoning Ordinance.
7. The accessible parking spaces and signage shall be in compliance with Section 405.840.
8. Any ground or roof mounted mechanical equipment installed for the site shall be properly screened with approved materials.
9. The Site Development Plans shall be amended to show all new sidewalks to be 6 feet wide or 8 feet wide if used as a curb stop.
10. Existing non-conforming pole sign to be refaced and reused shall be repainted and maintained in good repair.
11. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
12. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
13. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
14. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
15. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

ACTION AND MOTION

The following is an example of an appropriate motion for this application:

“I move to recommend approval of a Conditional Use Permit with Minor Site Development Plan for a Mexican Barrel House restaurant at 1085 North Mason Road, subject to the conditions discussed in the Staff Report and Draft Ordinance for the meeting of December 5, 2022”
(conditions may be added, eliminated, or modified by preceding motion).

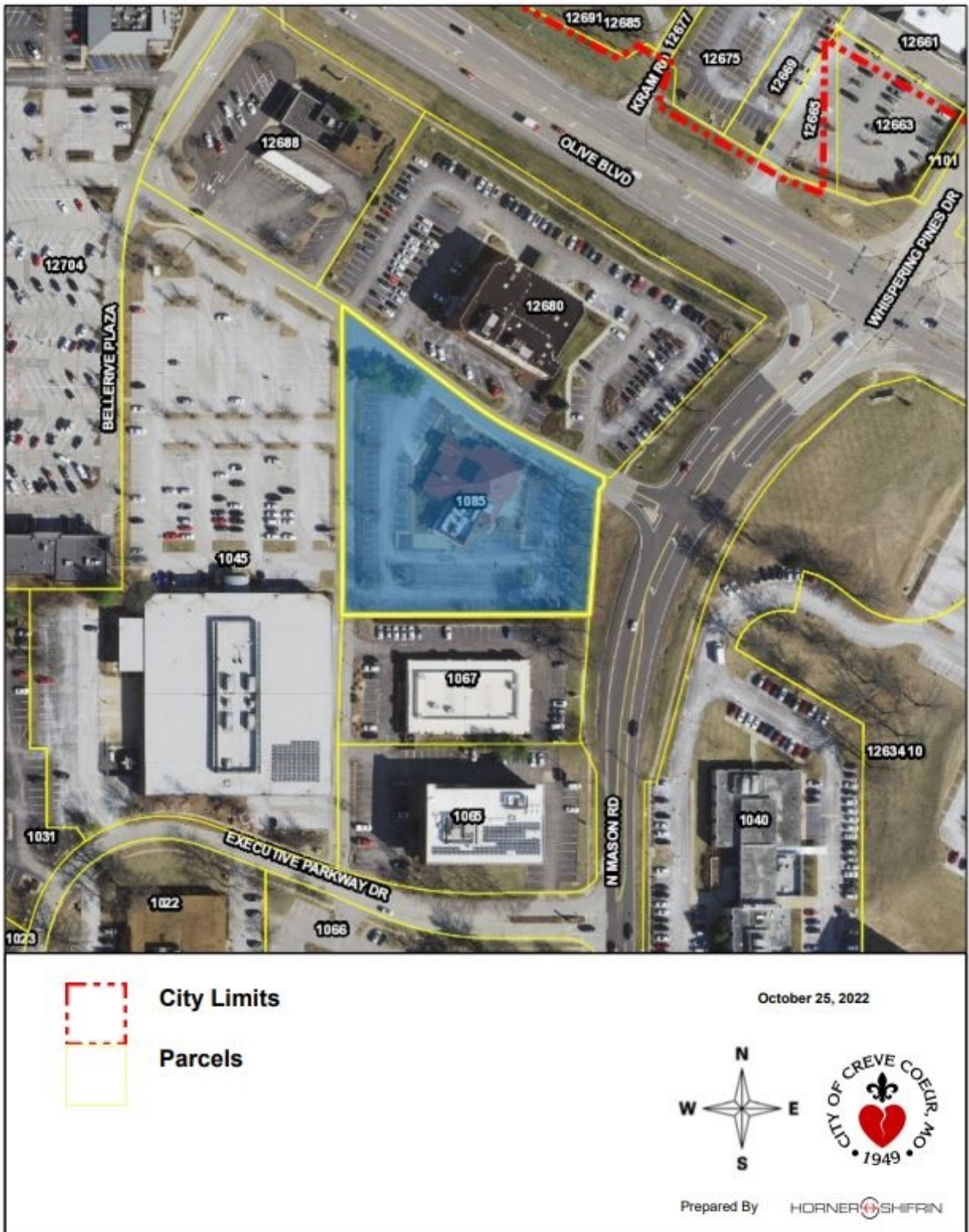
APPENDIX 1: COMPREHENSIVE PLAN

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL MAP



BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE
PERMIT FOR A 9,044 SQUARE FOOT MEXICAN BARREL HOUSE RESTURANT
LOCATED AT 1085 NORTH MASON ROAD**

WHEREAS, under Section 405.360(C), all eating and drinking places in the “GC”, General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Stewart MacGregor, of OSM INC., submitted an application for a new conditional use permit for a new restaurant in an existing 9,044 square foot restaurant building, Mexican Barrel House, with 198 indoor seats and 84 outdoor seats, at 1085 North Mason Road; and,

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, November 21, 2022 and Monday, December 5, 2022, beginning at 6:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and,

WHEREAS, notice of publication for said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a ____ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on December 5, 2022; and,

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.
3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.
4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

BILL NO. _____

ORDINANCE NO. _____

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, St. Louis County, Missouri, as follows:

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a restaurant located at 1085 North Mason Road, in the “GC” General Commercial zoning district, whose legal description is as follows:

LOT 7 OF THE BOUNDARY ADJUSTMENT PLAT OF THE RESUBDIVISION OF LOTS 3, 4, AND 5 OF BELLERIVE EXECUTIVE PARK PLAT 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 168, PAGE 80 OF THE SAINT LOUIS COUNTY RECORDS.

Section 2: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the Elevations received November 14, 2022 and November 29, 2022, with colors approved by the City, except as amended below, as bound together and submitted in conjunction with Application #22-027 by OSM INC, except as modified below.
2. A Final Landscape Plan shall be submitted with the Building Permit application in substantial conformance with the Landscape Plan received November 14, 2022, as bound together and submitted in conjunction with Application #22-027 by OSM INC.
3. The hours of operation shall be Monday-Thursday 7 AM to 10 PM, Friday-Saturday 7AM to 12AM, and Sunday 9AM to 7PM. Additional business hours may be permitted with the Zoning Administrator’s approval including, but not limited to, the catering of special events.
4. Indoor seating capacity shall be limited to 198 seats, demonstrated by submission of a revised floor plan, in order to comply with the required parking spaces per capacity and building square footage unless a parking agreement with adjacent property owner can be reached to account for the 7 spaces needed per Section 405.800(E). In which case the proposed 220 indoor seats would be allowed with the submission of the parking agreement documents submitted for review by the City Attorney and recorded with St. Louis County.
5. All landscaping shall be maintained per the approved Landscape Plan and any vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
6. All Existing non-compliant lighting shall be replaced with lighting in compliance with Sections 405.680 and 405.810 of the Zoning Ordinance.
7. The accessible parking spaces and signage shall be in compliance with Section 405.840.
8. Any ground or roof mounted mechanical equipment installed for the site shall be properly screened with approved materials.
9. The Site Development Plans shall be amended to show all new sidewalks to be 6 feet wide or 8 feet wide if used as a curb stop.
10. Existing non-conforming pole sign to be refaced and reused shall be repainted and maintained in good repair.
11. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

BILL NO. _____

ORDINANCE NO. _____

12. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
13. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
14. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
15. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 3: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 2 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 4: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2023.

JOSEPH MARTINICH
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2023.

BILL NO. _____

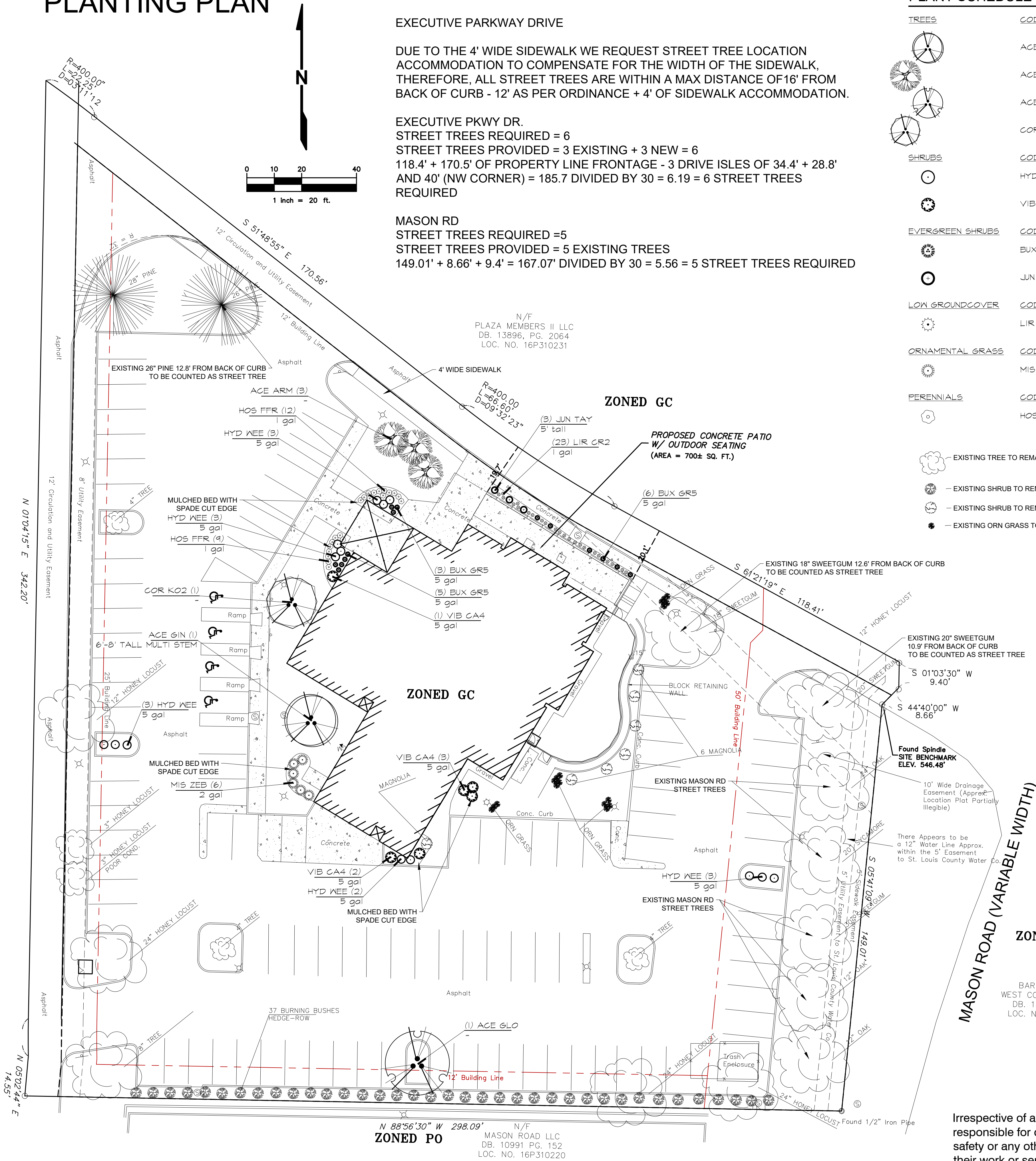
ORDINANCE NO. _____

DR. ROBERT
HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK

PLANTING PLAN



STREET TREES

EXECUTIVE PARKWAY DRIVE

DUE TO THE 4' WIDE SIDEWALK WE REQUEST STREET TREE LOCATION ACCOMMODATION TO COMPENSATE FOR THE WIDTH OF THE SIDEWALK. THEREFORE, ALL STREET TREES ARE WITHIN A MAX DISTANCE OF 16' FROM BACK OF CURB - 12' AS PER ORDINANCE + 4' OF SIDEWALK ACCOMMODATION.

EXECUTIVE PKWY DR.
STREET TREES REQUIRED = 6
STREET TREES PROVIDED = 3 EXISTING + 3 NEW = 6
118.4' + 170.5' OF PROPERTY LINE FRONTAGE - 3 DRIVE ISLES OF 34.4' + 28.8' AND 40' (NW CORNER) = 185.7 DIVIDED BY 30 = 6.19 = 6 STREET TREES REQUIRED

MASON RD
STREET TREES REQUIRED =5
STREET TREES PROVIDED = 5 EXISTING TREES
149.01' + 8.66' + 9.4' = 167.07' DIVIDED BY 30 = 5.56 = 5 STREET TREES REQUIRED

PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	CONT	GAL	QTY
	ACE 6IN	Acer ginnala / Amur Maple	6'-8' TALL MULTI STEM		1
	ACE ARM	Acer rubrum 'Armstrong' / Armstrong Red Maple	-	3' cal	3
	ACE 6LO	Acer rubrum 'October Glory' TM / October Glory Maple SPECIMEN QUALITY	-	2' cal.	1
	COR KO2	Cornus kousa / Kousa Dogwood	-	2.5 cal.	1
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT		
	HYD WEE	Hydrangea quercifolia 'Pee Wee' / Oakleaf Hydrangea	5 gal		14
	VIB CA4	Viburnum dilatatum 'Cardinal Candy' / Cardinal Candy Viburnum	5 gal		6
EVERGREEN SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT		
	BUX GR5	Buxus x 'Green Mountain' / Boxwood	5 gal		14
	JUN TAY	Juniperus virginiana 'Taylor' / Taylor Eastern Redcedar	5' tall		3
LOW GROUND COVER	CODE	BOTANICAL / COMMON NAME	CONT		
	LIR CR2	Liriope spicata / Creeping Lilyturf do not substitute with any varieties of Liriope Muscari.	1 gal		23
ORNAMENTAL GRASS	CODE	BOTANICAL / COMMON NAME	CONT		
	MIS ZEB	Miscanthus sinensis 'Zebrainus' / Zebra Eulalia Grass	2 gal		6
PERENNIALS	CODE	BOTANICAL / COMMON NAME	CONT		
	HOS FFR	Hosta x 'First Frost' / First Frost Hosta	1 gal		21

- EXISTING TREE TO REMAIN TYPICAL
- EXISTING SHRUB TO REMAIN TYPICAL
- EXISTING SHRUB TO REMAIN TYPICAL
- EXISTING ORN GRASS TO REMAIN TYPICAL

NOTES -

ALL DISTURBED LANDSCAPE AREAS OUTSIDE OF MULCHED BEDS TO BE SODDED

MECHANICAL IN GROUND IRRIGATION SYSTEM TO BE PROVIDED FOR ALL LANDSCAPED AREAS INCLUDING TURF AND PARKING LOT ISLANDS

ALL SUBSTITUTIONS NEED TO BE APPROVED BY LANDSCAPE ARCHITECT IN WRITING PRIOR TO INSTALLATION.

NO TREES ON THIS PLAN ARE TO BE STAKED

CONTRACTOR RESPONSIBLE FOR LOCATING ALL UTILITIES. CONTRACTOR SHALL BE LIABLE FOR ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER SITE FEATURES CAUSED BY ANY MEANS OF THE LANDSCAPE CONTRACTOR OR LANDSCAPE SUBCONTRACTORS.

SEE PAGE L2 FOR LANDSCAPE DETAILS AND SPECIFICATIONS

PROJECT DATA

LOCATOR NO.	: 16P310187
OWNER	: FLOROZ PROPERTIES, LLC
ADDRESS	: 1085 N MASON RD CREVE COEUR, MO 63141
ACREAGE OF TRACT	: 1.83 AC.
PRESENT ZONING	: GC - GENERAL COMMERCIAL
PRESENT USAGE	: VACANT RESTAURANT
PROPOSED USAGE	: RESTAURANT
SCHOOL DISTRICT	: PARKWAY
ZIP CODE	: 63141
WATERSHED(S)	: CREVE COEUR CREEK
UTILITIES	: MISSOURI-AMERICAN WATER COMPANY : METROPOLITAN ST. LOUIS SEWER DISTRICT : LACLEDE GAS COMPANY : AT&T TELEPHONE COMPANY : AMEREN UE : CREVE COEUR
FIRE DISTRICT	
FIRM PANEL	: 29189C0186K

ZONED PH

N/F
BARNES-JEWISH
WEST COUNTY HOSPITAL
DB. 12367, PG. 13
LOC. NO. 16P320726

PRELIM
SET

THE MEXICAN BARREL HOUSE

RESTAURANT RENOVATION

1085 N. MASON ROAD
CREVE COEUR, MO 63141

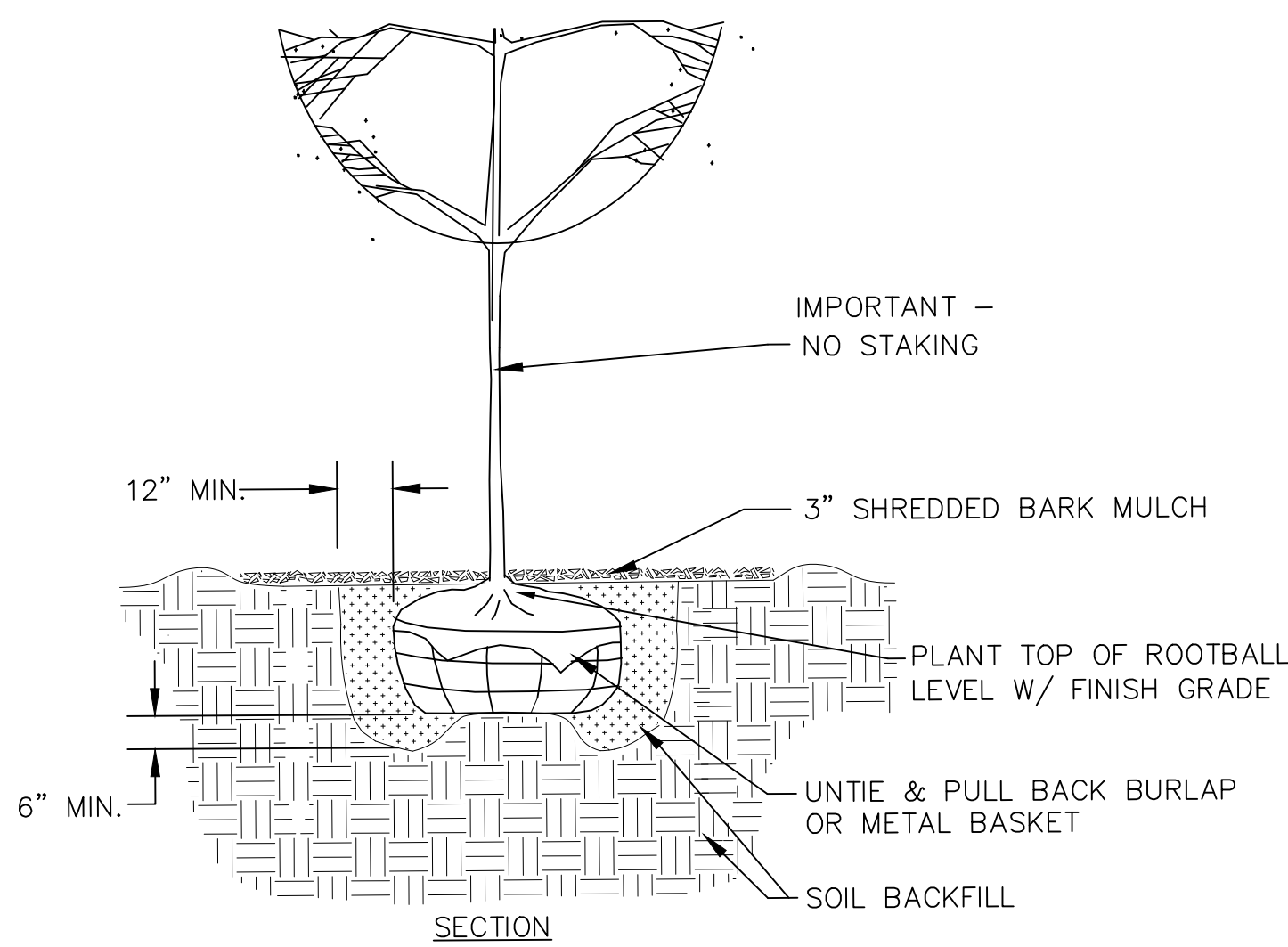


PROJECT NUMBER	2156
DATE	11/11/22
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REVISION	

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PAGE 1 OF 2

PLANTING DETAILS

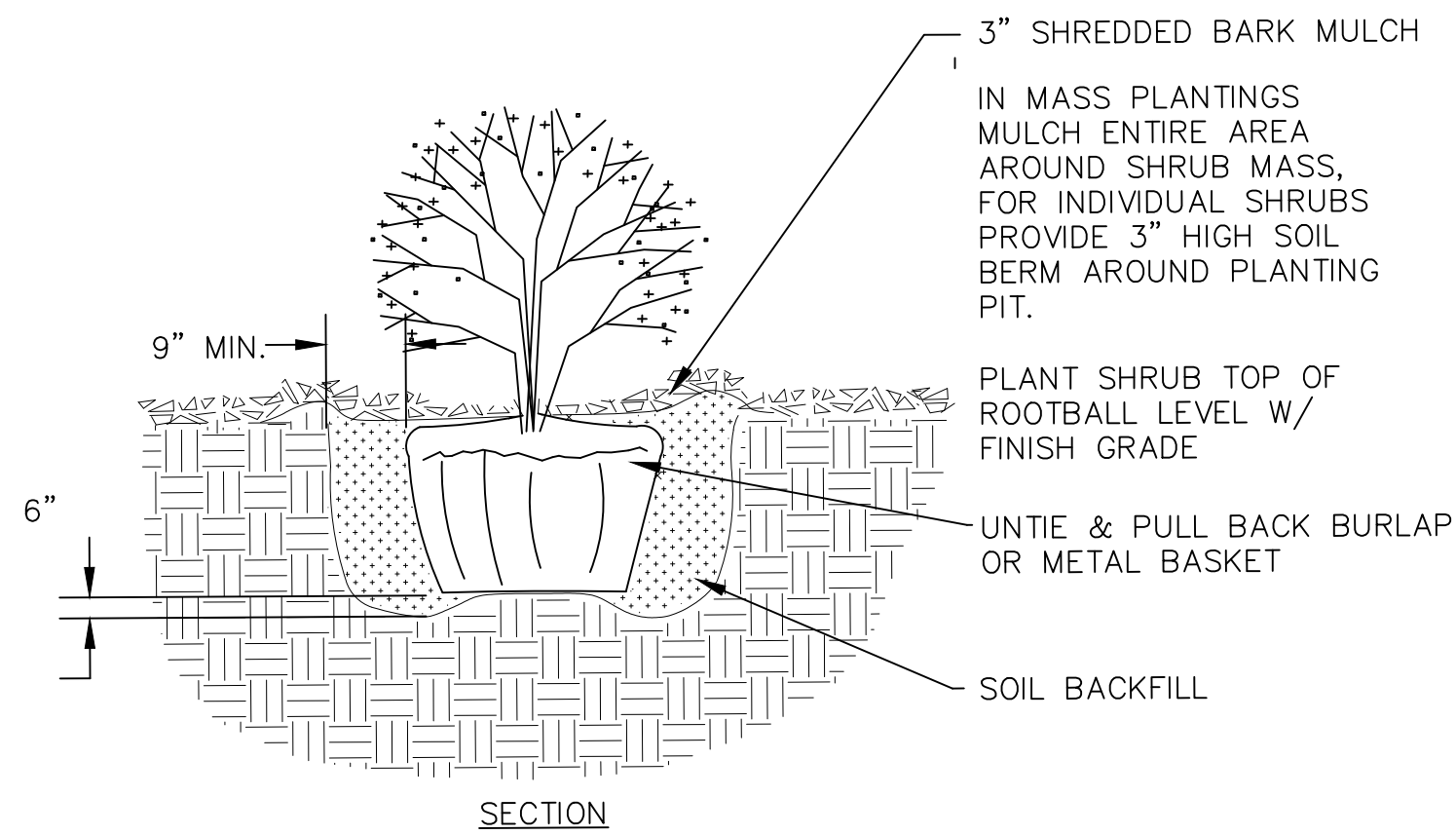


NOTES:

1. DO NOT ALLOW AIR POCKETS TO FORM WHEN BACKFILLING.
2. DO NOT DISTURB ROOT BALL WHEN PLANTING OR STAKING.
3. WATER THOROUGHLY FOLLOWING PLANTING.

TREE PLANTING

N.T.S.

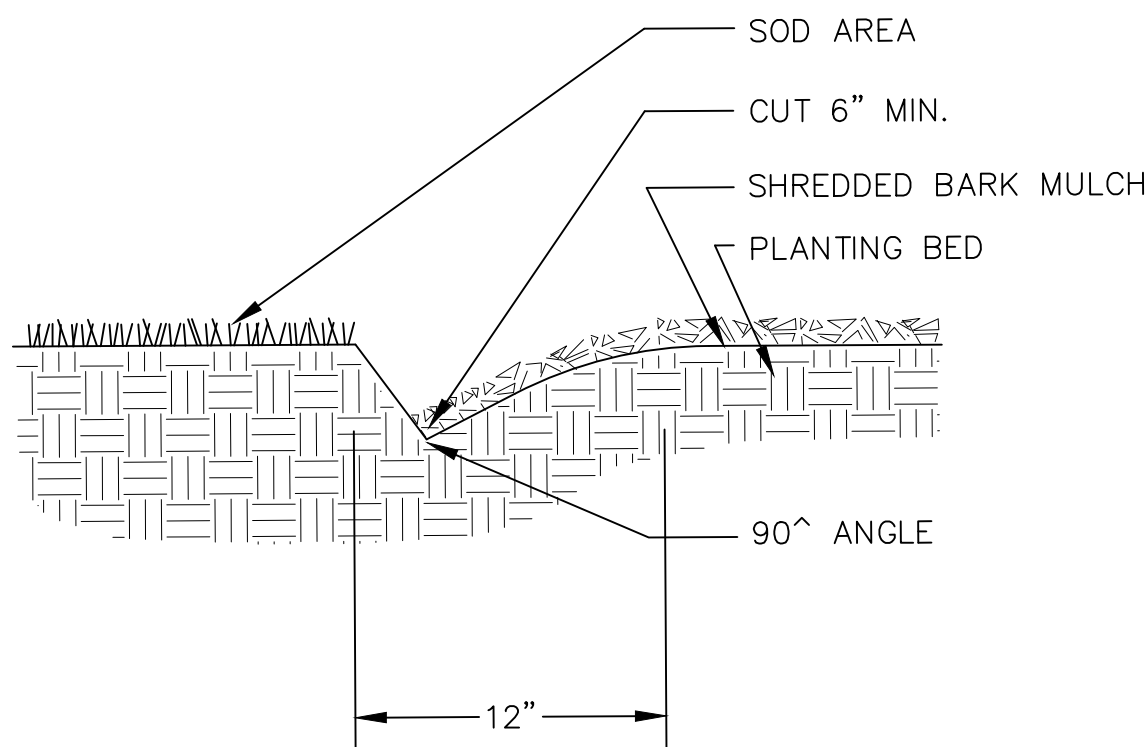


NOTES:

1. DO NOT ALLOW AIR POCKETS TO FORM WHEN BACKFILLING.
2. DO NOT DISTURB ROOT BALL WHEN PLANTING OR STAKING.
3. WATER THOROUGHLY FOLLOWING PLANTING.

SHRUB PLANTING

N.T.S.



SPADE CUT EDGE

N.T.S.

LANDSCAPE PLANTING SPECIFICATIONS

PART 1 - GENERAL

1.1 DESCRIPTION

The WORK under this Section includes providing all labor, materials, tools, and equipment necessary to furnish and install all trees, shrubs, perennials, ornamental grasses and groundcovers called for in the Planting Plan.

PART 2 - PRODUCTS

2.1 PLANTS

- A. Plants shall be nursery-grown unless otherwise specifically permitted in each instance.American Association of Nurserymen Standard ASA Z 60.1 shall apply.
- B. Upon completion of the WORK and prior to the final acceptance invoices or written statements from the suppliers showing the name of materials received or shipped, shall be presented to the OWNERS REPRESENTATIVE for a final check as to conformance to these Specifications.
- C. Plant material shall conform to state and federal laws relating to inspection for diseases and insect infestation, and shall conform to the American Standard for Nursery Stock.
- D. Plants shall have normal, well-developed branches and be densely foliated when in leaf. Plants shall be vigorous and free from defects, disease, insect pests, eggs or larvae, sun-scaled, injuries and abrasions of the bark. Plants shall have well-developed root systems.
- E. Plants shall be container grown or burlap balled. Freshly dug plants, heeled in plants or plants from cold storage shall not be accepted. Trees that have their leader cut, or are so damaged that cutting is necessary, shall not be accepted.

2.2 SUBSTITUTIONS

- A. Substitutions will be permitted only with prior written approval of the landscape architect

2.3 BALLED AND BURLAPPED PLANTS

- A. Balled and burlapped plants shall be contained in firm natural balls of earth, of sufficient diameter and depth to include all fibrous and feeding roots. Plants in which the ball has bee broken or cracked, either before or during planting operations, will not be accepted.
- B. Balled and burlapped plants which cannot be planted immediately upon delivery shall be set on the ground and shall be well protected with soil, wet peat moss, wet sawdust, or wet ground bark.
- C. Roots or balls of plants shall be protected from sun and drying winds.
- D. Bundles of plants shall be opened and the plants separated before the roots are covered. Care shall be taken to prevent air pockets among the roots. During plating operations, bare roots shall be covered with canvas, hay, or other approved material.

2.4 PLANTING SOIL

- A. Planting soil shall be composed of a mixture of one part topsoil and one part rotted manure or peat.

2.5 FERTILIZER

- A. Fertilizer shall be a standard commercial grade of organic or inorganic fertilizer containing the following percentage of total nitrogen, available phosphoric acid and water soluble potash: 14-14-14, furnished in standard unopened containers with weight, name of plant nutrients, and manufacturer's guaranteed statement of analysis clearly marked in accordance with state and federal laws.

2.6 MULCH

- A. Mulch shall be ground hardwood, free from weed seeds, tannin, or other compounds detrimental to plant life. Mulch shall have a size range of one-fourth to one-inch, with a maximum of 50% passing a one-half-inch screen.

PART 3 - EXECUTION

3.1 PLANTING SEASONS

- A. All planting shall be performed between March 1st and May 30th or between September 1st and November 15th, unless otherwise authorized in writing by the OWNERS REPRESENTATIVE.

3.2 INSPECTION OF PLANT MATERIAL

- A. Plants shall be subject to inspection by the owners representative and approval upon delivery as to size, quality, species, and variety. Approval shall not impair the right of inspection and rejection upon delivery at the site or during the progress of the WORK, for reasons of size, condition of ball or roots, diseases, insects, latent defects, or injuries. Plants that meet the measurements specified, but do not possess a normal balance between height and spread, shall be rejected. Rejected plants shall be removed from the site immediately.

3.3 PLANTING PITS

- A. Excavate circular pits with vertical sides to a diameter at least two feet greater than the rootball and no more than 2 inches greater in depth.

3.4 MULCHED LANDSCAPE BED PREPARATION

- A. All mulched landscape bed areas are to have 2 inches of planting soil thoroughly mixed with fertilizer at the rate of one pound of fertilizer per then cubic feet of planting soil. This mixture shall be applied and tilled into the top 6 inches of soil. After tilling a 2 to 3 inch layer of mulch is to be spread over entire planting bed area. All landscape bed areas to have a space cut edge and shall be protected from lawn seed contamination from adjacent lawn seeding operations if applicable. Final grades with mulch layer shall conform to grading plan. It is the contractors responsibility to remove soil before bed prep if necessary so that the final grades of the landscape beds are flush with the surrounding soil levels and allow for water flow as shown on the grading plan.

3.5 PLACEMENT AND BACKFILL FOR INDIVIDUAL TREES AND SHRUBS

- A. Before plant placement, thoroughly mix fertilizer with planting soil at the rate of one pound of fertilizer per ten cubic feet of planting soil. Backfill pit with one foot of planting soil or until original root crown soil line is flush with, or slightly above, finished grade when plant is set in pit. Place plant in center of pit in upright position. When pit has been backfilled approximately two thirds full, water thoroughly, saturating rootball and eliminating all air pockets. Complete backfill around rootball with soil mixture and bring to finish grade while flooding with water. After backfilling, apply fertilizer to surface around periphery of plant rootballs at the rate of ten pounds per 1,000 square feet.

3.6 TREE STAKING

- A. Do NOT stake any trees.

3.7 MULCHING

- A. All planting pits shall be mulched to a three inch depth in a 30-36-inch circle. Mulch shall be applied within two days after planting. Mulch shall not come in contact with the tree or shrub bark. Volcano type mulching will not be accepted.

3.8 MAINTENANCE

- A. Maintenance of all plants shall be required from the time of planting until the initial acceptance. Maintenance shall include watering, weeding, resetting plants to proper grades or upright position and removal of dead materials. No plants will be accepted unless they show a healthy growth and satisfactory foliage condition.

3.9 GUARANTEE

- A. The CONTRACTOR shall provide 100% replacement guarantee for a period of one year, beginning at the date of initial acceptance by the OWNERS REPRESENTATIVE. At the end of the guarantee period and upon written request from the CONTRACTOR, the OWNERS REPRESENTATIVE will make final inspection. The OWNERS REPRESENTATIVE will ensure the plants are healthy, showing satisfactory growth and, in general, show signs of developing into healthy, mature representatives of their species. The CONTRACTOR shall remove and replace promptly any plant material that is dead or not showing satisfactory growth.
- B. Any necessary repairs under the guarantee shall be made within thirty days after receiving notice of need, weather permitting. In the event the CONTRACTOR does not make repairs accordingly, the OWNER, without further notice, may provide materials and labor to make such repairs at the expense of the CONTRACTOR. The replacement shall be on the same variety, size and character as spected for original planting. If approved by the OWNERS REPRESENTATIVE, trees may be replanted at start of next year's planting season. In such cases, the CONTRACTOR shall remove dead trees immediately.

END OF SECTION

Design/Build Irrigation Guidelines

Landscape and turf areas are to have an automated irrigation system installed. No irrigation heads or lines are to be placed outside of the property boundary.

If existing irrigation system does not exist then A "Watersense" approved "smart" controller is to be used to conserve water use.

All areas to be water efficient drip or micro spray heads when possible. Avoid the over use of long distance spray heads or overspray onto hard surfaces.

The sprinkler system shall be designed to avoid watering hardscape areas.

Pressure regulator valves or modules shall be used on laterals that have an excess of pressure.

When activated sprinkler nozzles shall extend at least four inches above the soil line in turf areas unless otherwise requested by the owner. With tall fescue it is highly encouraged to use 6 inch pop-ups.

Separate irrigation blocks/zones should be designed and installed for turf areas and mulched bed areas

Turf areas and mulched bed areas shall be set on separate controller programs and schedules.

Low-head drainage problems shall be controlled with the appropriate irrigation check valve equipment.

Matched precipitation rate nozzles shall be used when available otherwise the precipitation rate shall be balanced with the appropriate laterals (blocks) and nozzles.

Swing joints shall be used on all rotary-type sprinklers in excess of 4 gallons per minute.

Drip emitters and bubblers shall be placed at the proper location to water the root ball

Drip emitter, microspray, microsprinklers or bubblers shall be scheduled to ensure over-watering and root rot do not occur.

Microspray/microsprinkler emitters shall be placed to accommodate the root growth of the plant. Additional emitters will be installed by others as the plant root systems extend in radius.

A Xeri-Pop™ micro-spray pop-up or similar implement should be considered on each buried drip zone to ensure ease of determining if the particular system is functional.

Filtration shall be provided as follows:

For non-potable water, adequate filtration shall be installed for all irrigation systems based on manufacture recommendations.

The contractor shall provide sufficient irrigation to all plant materials until final acceptance by the Owner.

Prior to project acceptance by the Owner, the contractor shall: Program the "Smart" controller to ensure efficient and proper irrigation.

Provide the Owner with an as-built drawing of the irrigation system.

Provide the Owner a copy of the "Smart" controller manual.

Provide the Owner with a copy of the program settings on the controller.

Prior to project acceptance by the Owner, the contractor shall be responsible for the irrigation schedule.

LAWN SODDING SPECIFICATIONS (FOR LOT 1 AND THE SMALL PORTION OF LOT 2 COVERED BY THE PLAN ON PAGE L-001 - SEE CIVIL/OTHERS ON PROJECT FOR ALL SPECIFICATIONS PERTAINING TO THE MAJORITY OF LOT 2 AS SHOWN ON PAGE L-001 BY THE HATCHED AREA)

PART 1 - GENERAL

1.1 SCOPE OF WORK

- A. Furnish all materials, tools, equipment, and labor for preparation of the sod bed, sodding the lawn areas as shown on the plans and specified herein. All landscape areas outside of paving and mulched beds are to be sodded.
- B. Workmanship: All work described to be executed in first class workmanship manner.
- C. Cleanup: Upon completion of work, Contractor to leave premises clean and ready for use.

1.2 SEASONS FOR SODDING

- A. The season for sodding shall be from April 1 to May 15 and August 15 to October 30. Only upon written instructions by the Owners Representative may planting begin earlier or continue later than the dates specified.
- B. The preparation of lawn areas to be sodded may begin as soon as the area is designated by the Owner's Representative.

PART 2 - PRODUCTS

C. 2.1 na

2.2 SODDING MATERIALS

- A. Sod:
 - a. Certified Turfgrass Sod: Certified turfgrass sod is superior sod grown from certified, high quality seed of known origin or from plantings of certified grass sprigs or stolons. It is inspected by the certification agency of the area to assure satisfactory varietal identity and purity, overall high quality and freedom from noxious weeds or excessive amounts of other crop and weedy plants at time of harvest. It may be of either one variety or composed of a mixture of two or more varieties or species. However, all seed in a mixture must be certified. The turfgrass sod must meet the area's published standards for certification.

C. Composted leafmold

PART 3 - EXECUTION

3.1 SODBED PREPARATION

- A. Repair any eroded areas and make minor grading adjustments to provide good drainage and to meet grade at all walks and paved surfaces.
- B. Spread commercial grade 10-10-10 fertilizer over all areas to be seeded/sodded at the rate of 15 lbs per 1000 s.f. (850 lbs per acre) with an approved spreader. The fertilizer shall be delivered to the site in the original unopened containers which shall bear the manufacturer's guaranteed statement of analysis. Fertilizer shall be stored in a weatherproof place in such a manner that it shall be kept dry and its effectiveness will not be impaired.
- C. Spread composted leaf mould to a depth of 1/4 inch over all areas to be seeded/sodded.
- D. Disc and harrow or otherwise cultivate all areas thoroughly in at least two directions to thoroughly mix the above fertilizer and compost into the soil to a depth of 3" (inches). Drag lawn areas with approved equipment to insure a smooth surface to all lawn areas. Surface shall be cleaned of all stones larger than one inch, and of all existing vegetation, roots, brush, wire, grade stakes, and other objects.
- E. Inspection: The Owner's Representative shall be notified upon completion of seedbed preparation to examine and approve the grading and soil preparation and condition prior to start of seeding operations.

3.2 SODDING

- A. Moisten prepared surface immediately prior to laying sod.
- B. Lay sod within 24 hours after harvesting to prevent deterioration.
- C. Lay sod to form a solid mass with tightly fitted joints. Butt ends and sides of sod; do not stretch or overlap. Stagger sod strips or pads to offset joints in adjacent courses. Avoid damage to soil or sod during installation. Tamp and roll lightly to ensure contact with soil, eliminate air pockets, and form a smooth surface. Work sifted soil or fine sand into minor cracks between pieces of sod; remove excess to avoid smothering sod and adjacent grass.
 1. Lay sod across slopes exceeding 1:3.
 2. Anchor sod with steel staples spaced as recommended by sod manufacturer but not less than two anchors per sod strip to prevent slippage.
- D. Water sodded areas immediately after installation. Saturate sod to 4 inches of soil.
- E. After sod and soil have dried. Roll sodded areas to ensure good bond between sod and soil and to remove minor depressions and irregularities.
- F. Sod shall not be placed during a drought nor on frozen ground. No dry or frozen sod shall be used.
- G. Upon completion of the above work, the surface of the sodded areas shall coincide with the finished grade, shall be flush with other seeded or turfed areas, and shall meet the established grade adjacent to any paved areas. Care should be taken in sodding to preserve the finish grade elevation, so that there will be no depressions or uneven places in the surface of the sodded turf areas.

3.4 CLEAN UP

- A. Upon completion of the work, clean ground of all debris, superfluous materials and equipment and remove them from the premises.

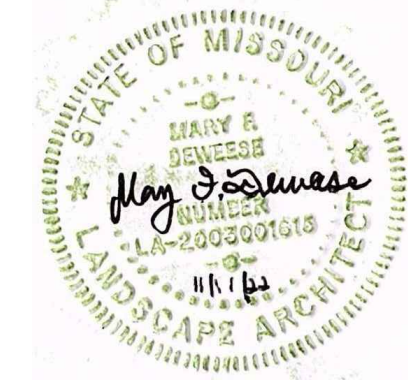
3.5 MAINTENANCE AND GUARANTEE:

- A. Protection - Protection shall begin immediately after each portion of the work is completed by the Contractor.
- B. The maintenance of the seeded and sodded turf areas shall be the Contractor's responsibility until the new seeded grass is 4" high and thick enough to receive its first mowing by the Owner and the sod has fully rooted into the prepared base soil. Contractor shall water as necessary and reseed/resod bare spots which are larger than one square foot in size. Contractor shall protect seeded and sodded areas by watering, fertilizing, removing weeds, and reseeding/sodding as necessary, for a uniform stand of established grass and until approved by the Owner's Representative.
- C. Guarantee - The Contractor shall guarantee the production of a close stand of the specified species of grass, acceptable to the Owner's Representative. All repairs and reseeding/resodding are to be done as part of the contract and at no extra cost to the Owners.

3.6 INSPECTIONS

- A. The Project Construction Manager will make inspections upon request by the owner with or without notification to the Contractor.
- B. The Contractor shall notify the Project Construction Manager for final inspection. The request shall be in written form and received at least 10 (ten) calendar days before the anticipated date of inspection.

END OF SECTION

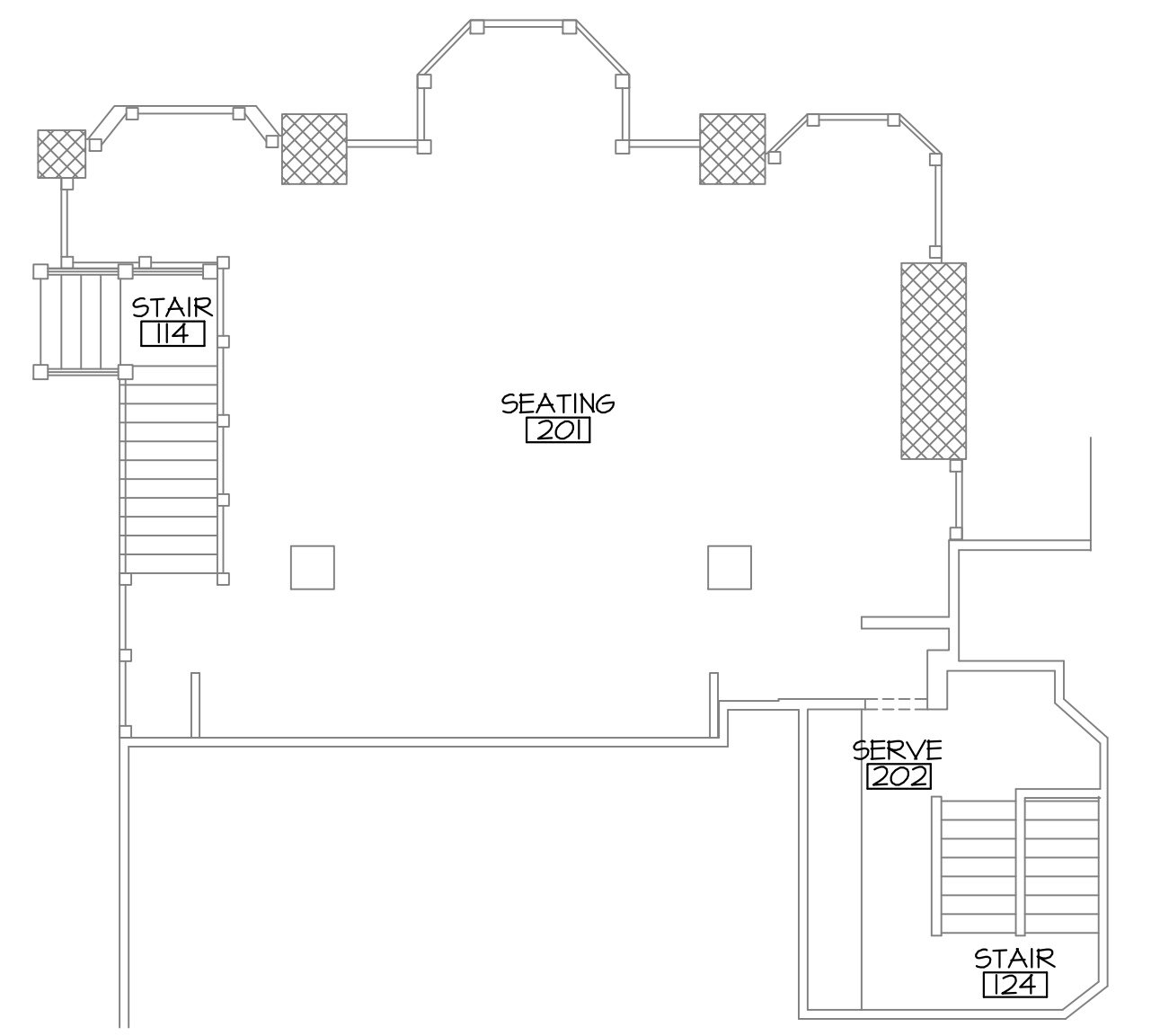
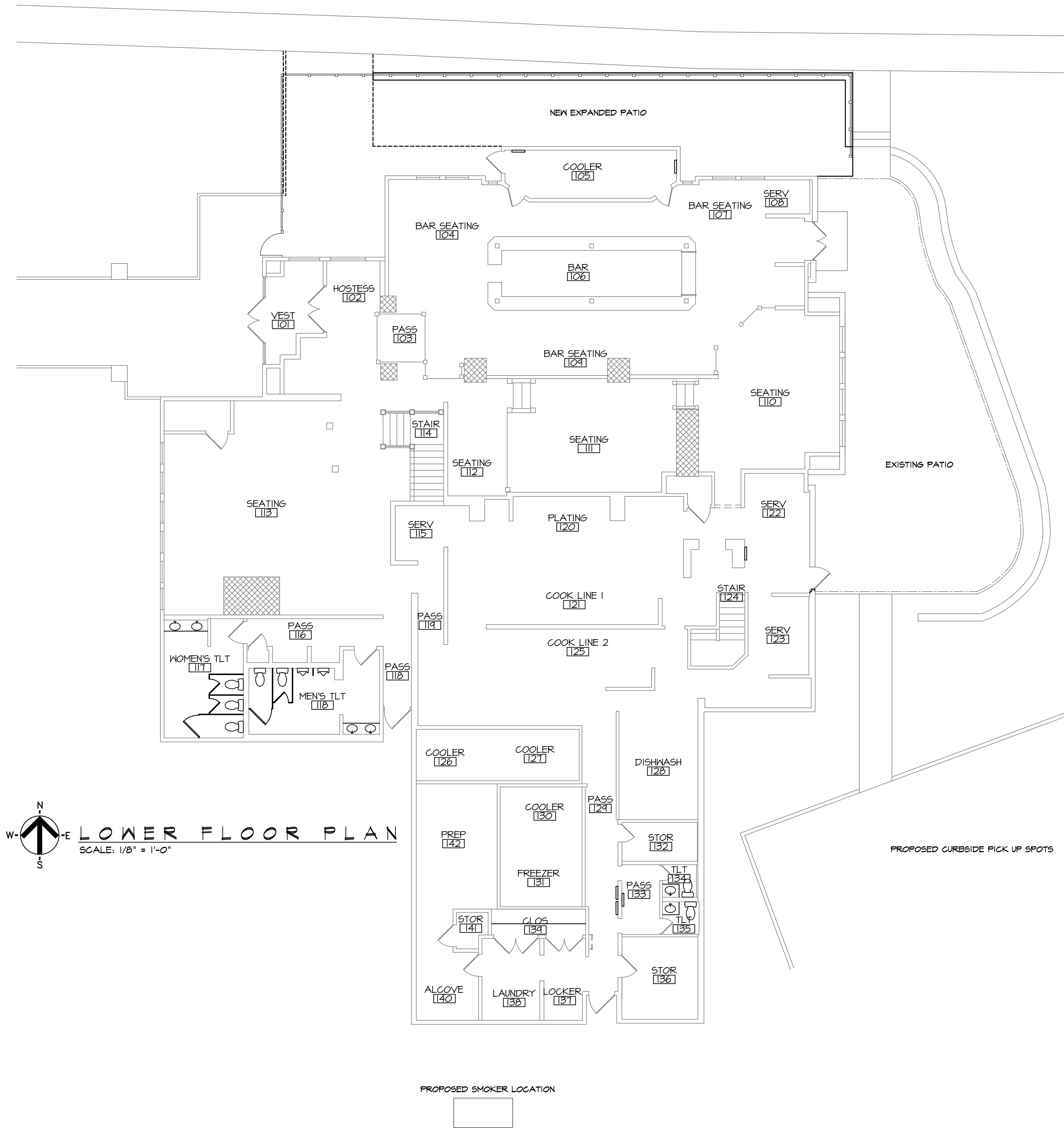


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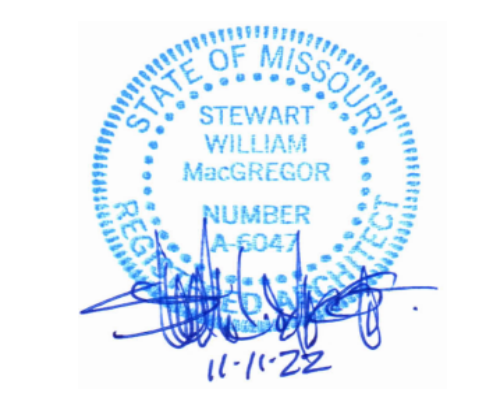
PAGE 1 OF 2

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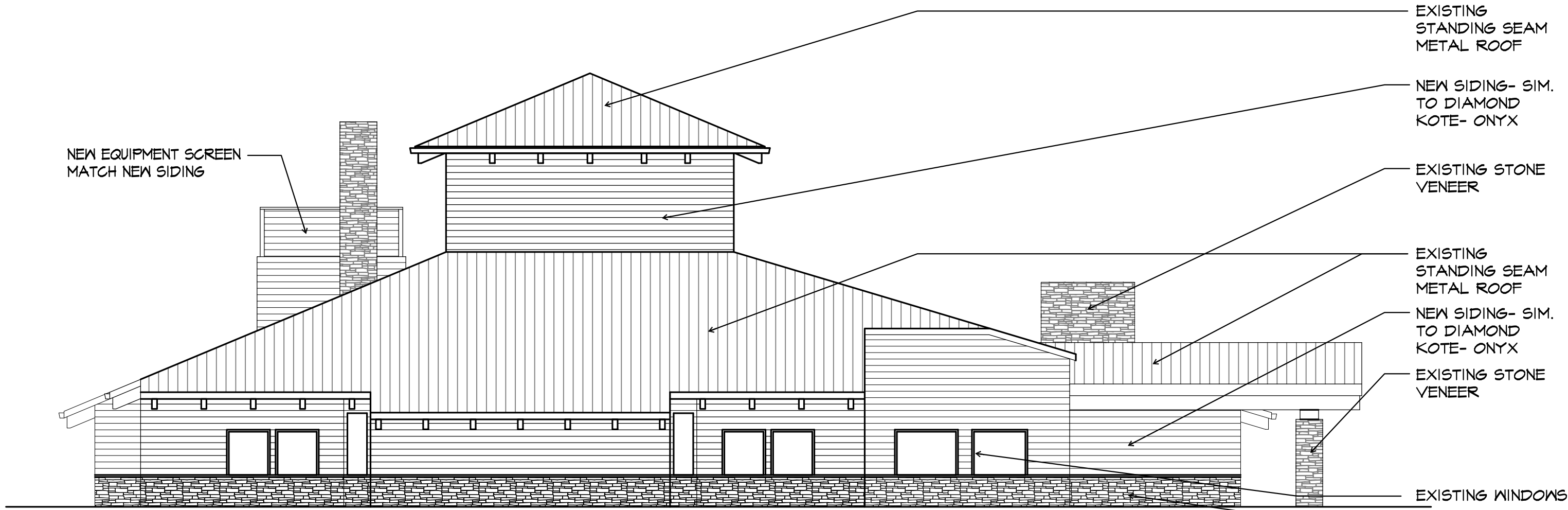


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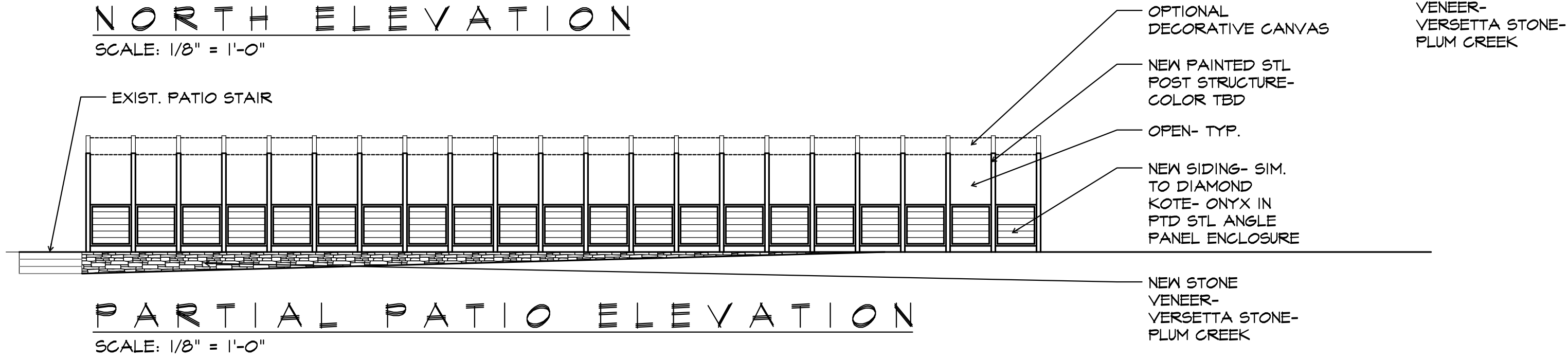
THE MEXICAN BARREL HOUSE
RESTAURANT RENOVATION
1085 N MASON ROAD
CREVE COEUR, MO 63141



PROJECT NUMBER	2156
DATE	4-2-22
DRAWN BY	JVF
CHECKED BY	SWM
REVISION	



NORTH ELEVATION
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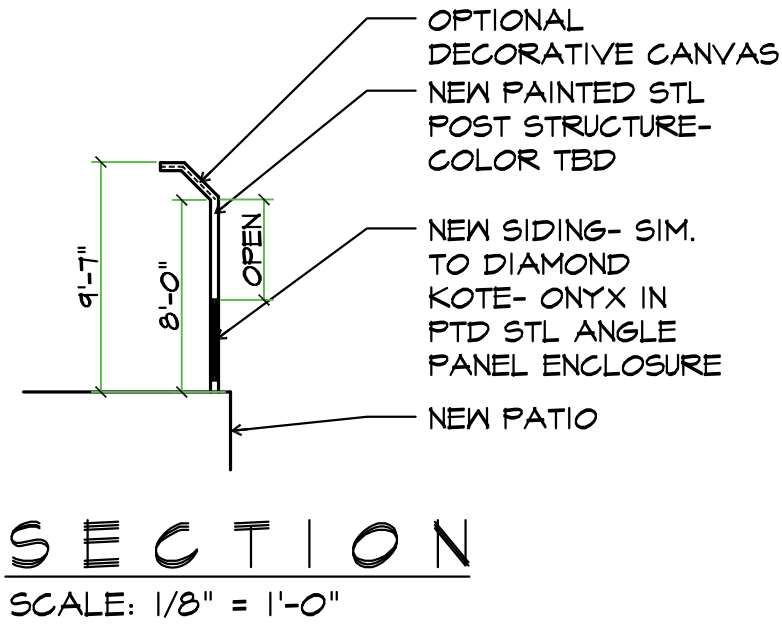
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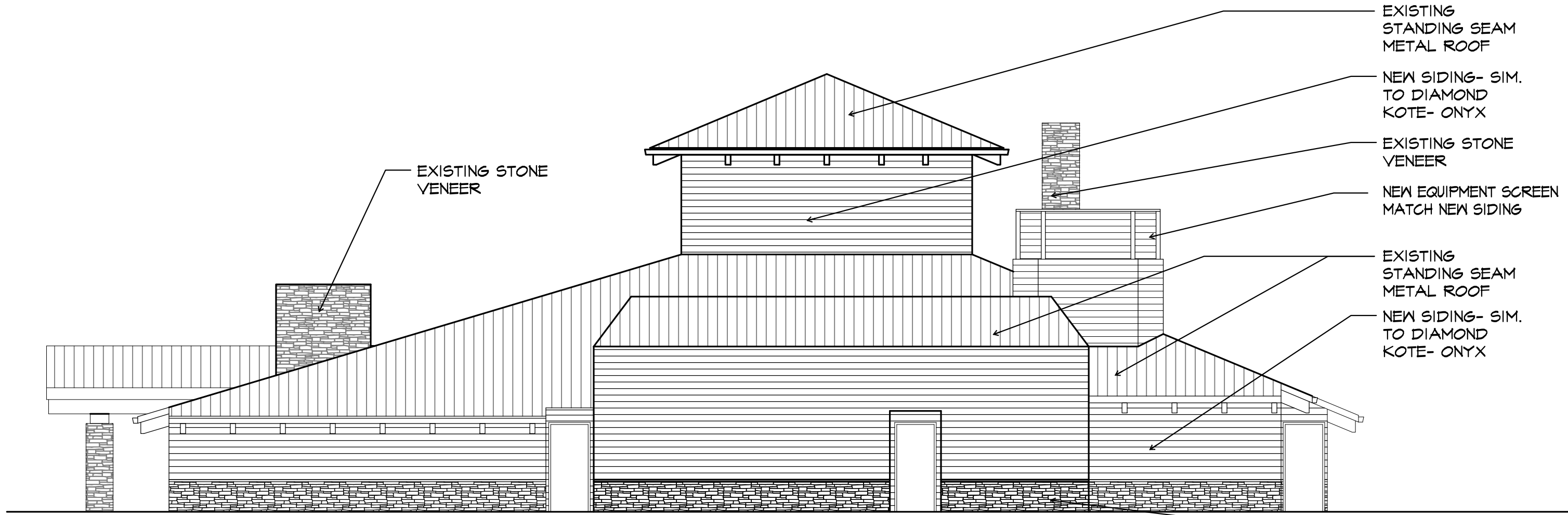
PROPOSED SIDING
COLOR SUBJECT TO CHANGE- COORDINATE WITH APPROVED STONE



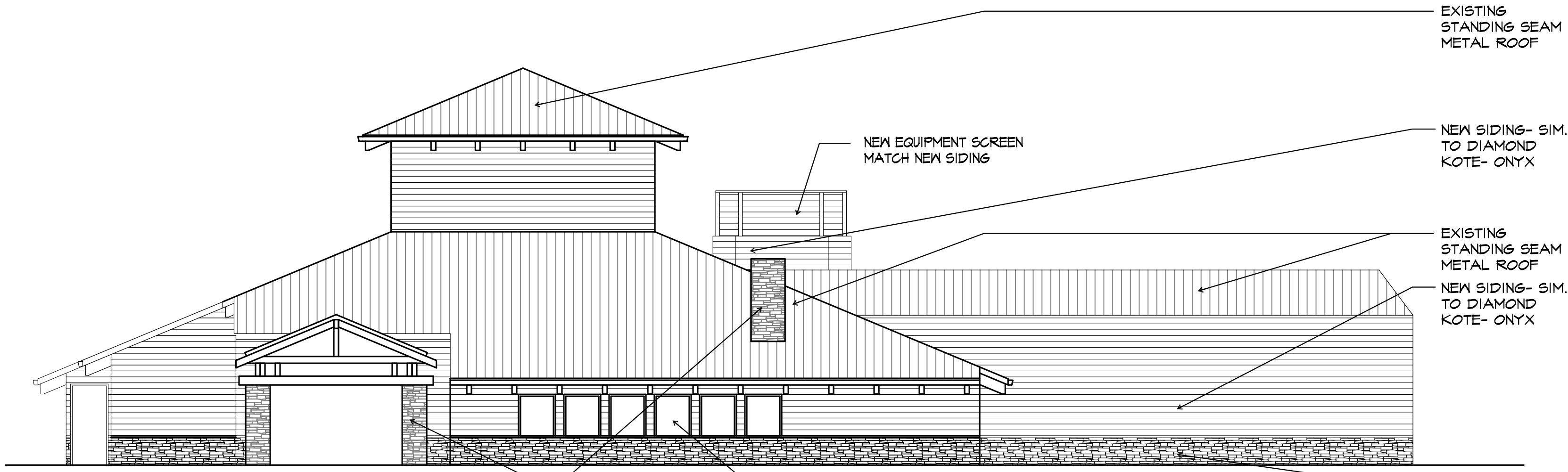
PROPOSED STONE
COLOR SUBJECT TO CHANGE- COORDINATE WITH APPROVED SIDING



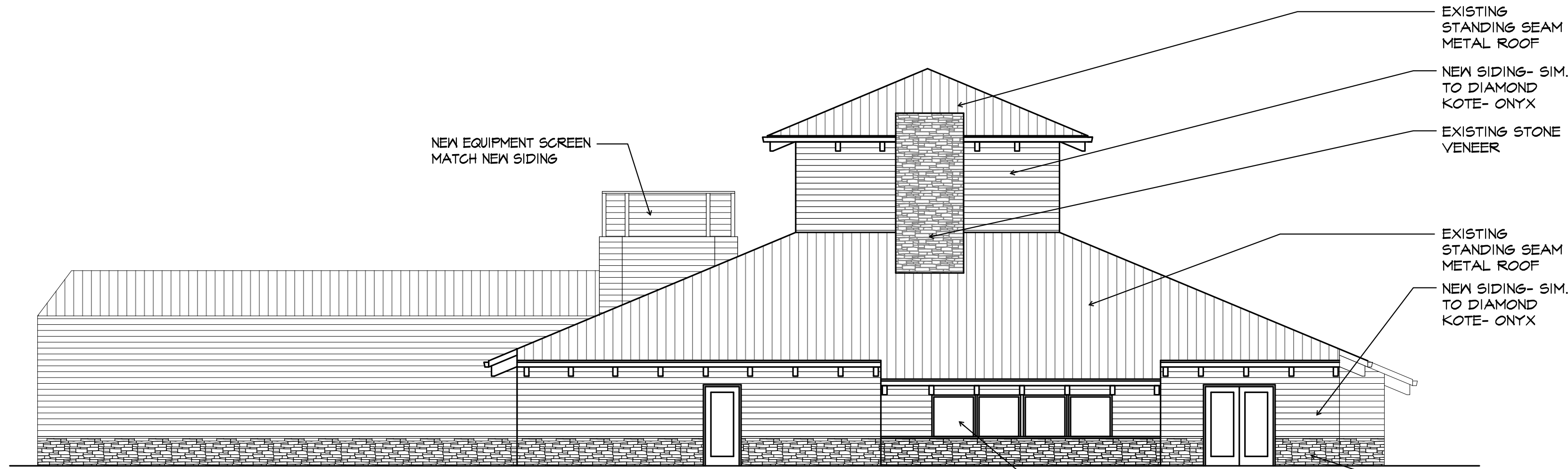
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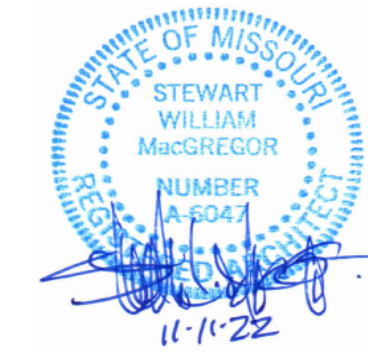
SOUTH ELEVATION
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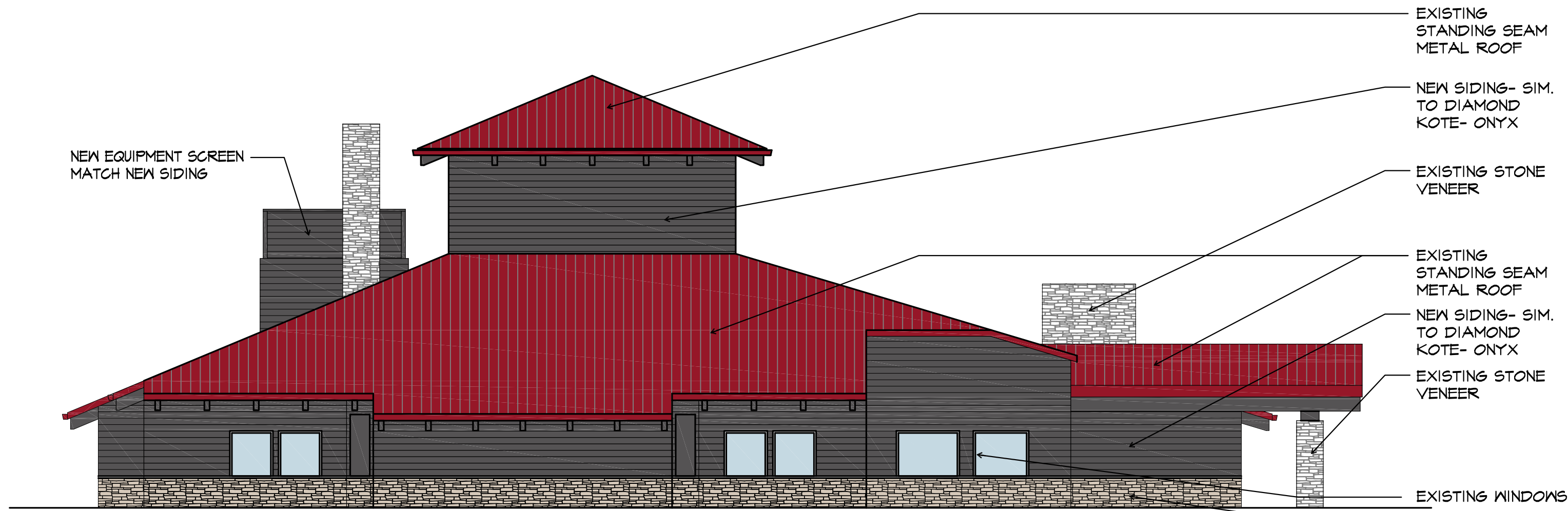
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SCALE: 1/8" = 1'-0"



EAST ELEVATION
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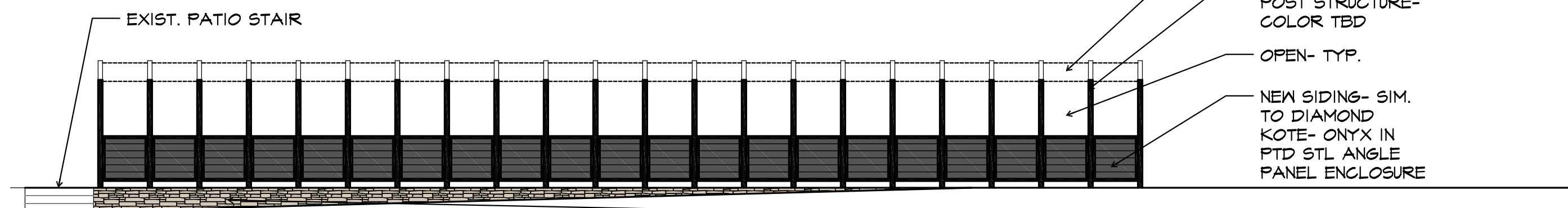


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DATE	9-2-22
DRAWN BY	SNM
CHECKED BY	SNM
REVISION	9-29-22
	11-11-22



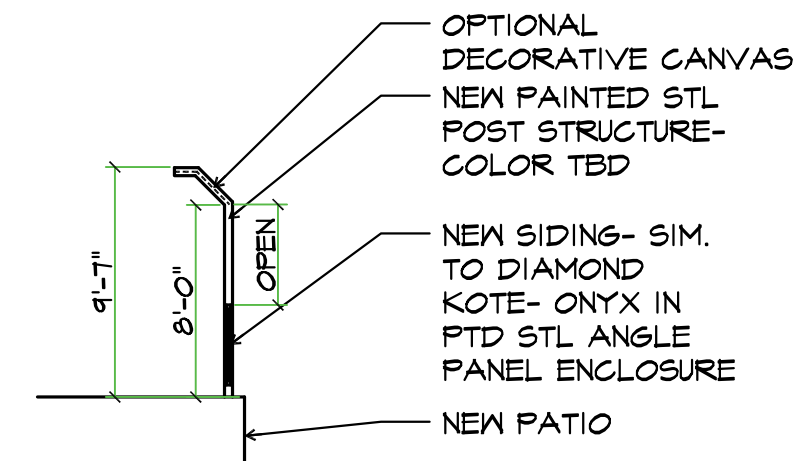
NORTH ELEVATION

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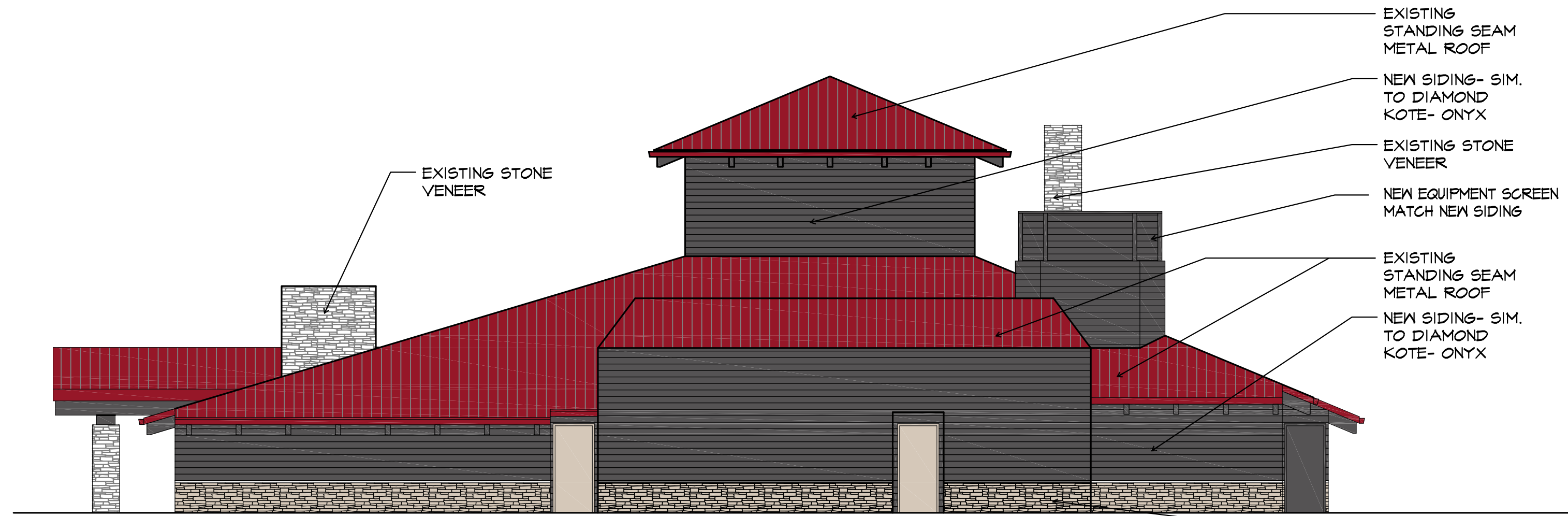
PARTIAL PATIO ELEVATION

SCALE: 1/8" = 1'-0"



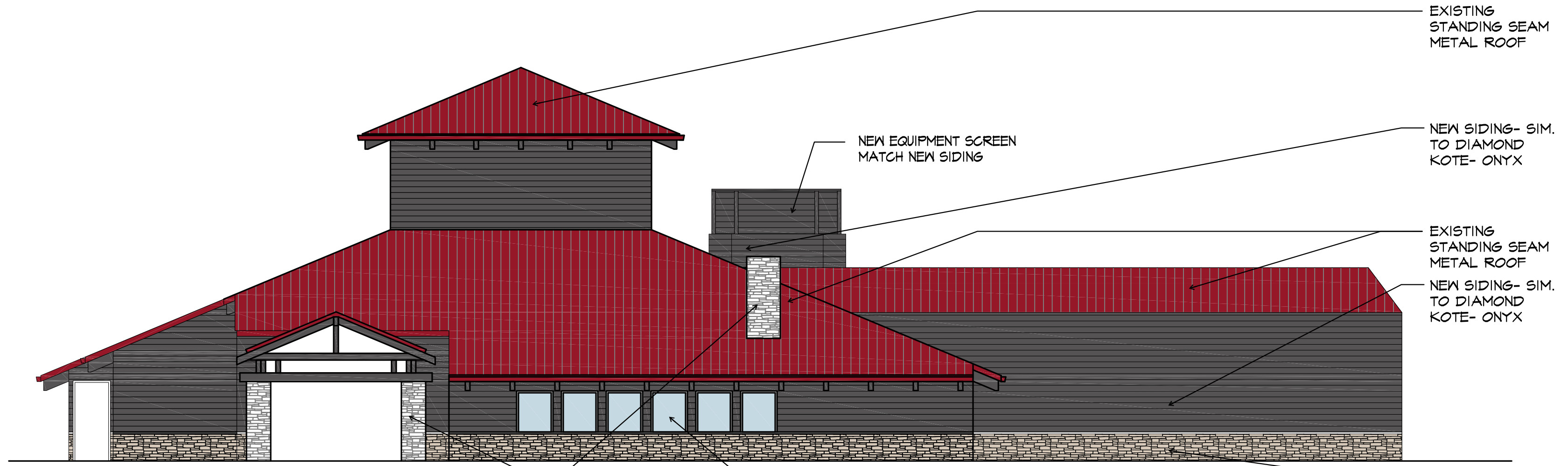
SECTION

SCALE: 1/8" = 1'-0"



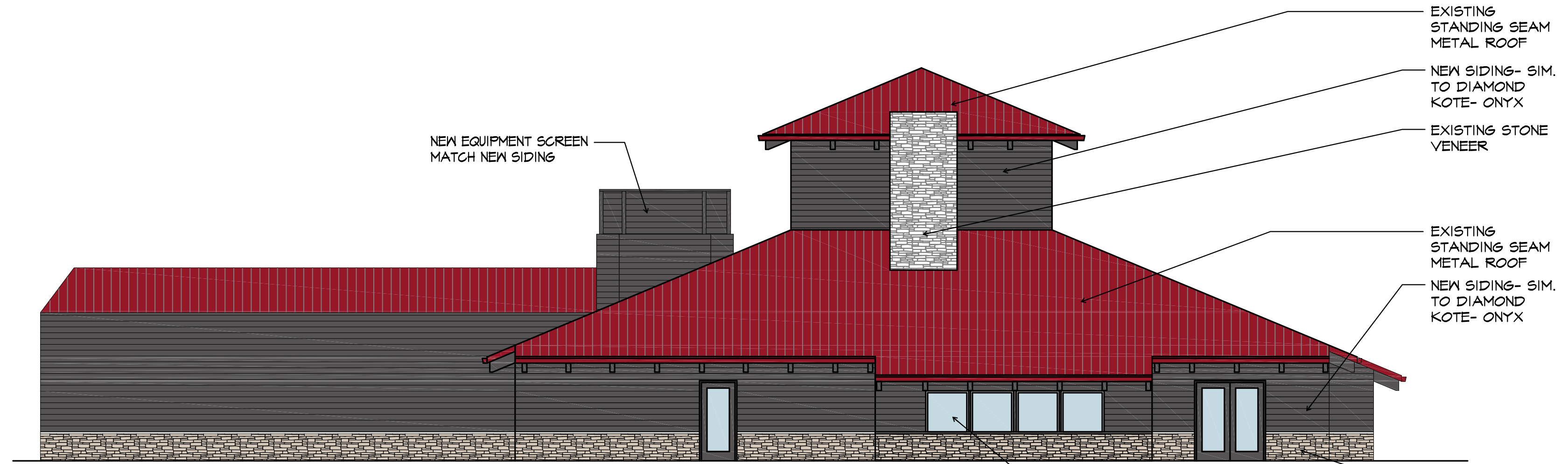
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



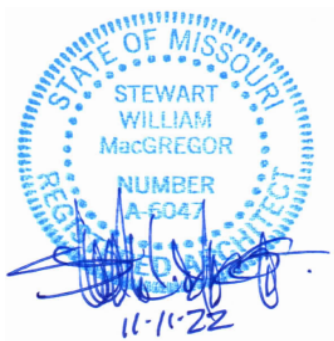
WEST ELEVATION

SCALE: 1/8" = 1'-0"



EAST ELEVATION

SCALE: 1/8" = 1'-0"



PROJECT NUMBER	2156
DATE	9-2-22
DRAWN BY	SNM
CHECKED BY	SNM
REVISION	



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141

(314) 432-6000 • Fax (314) 872-2539

APPLICATION TO PLANNING AND ZONING COMMISSION #22-027: CONDITIONAL USE PERMIT FOR A 9,044 SQUARE FOOT MEXICAN BARREL HOUSE RESTAURANT LOCATED AT 1085 NORTH MASON ROAD

FOR THE MEETING OF: Monday, November 21, 2022

LOCATION: 1085 North Mason Road, zoned GC-General Commercial District

REQUEST: Stewart MacGregor, of OSM, Inc., on behalf of Floroz Properties, LLC, has submitted an application for a Conditional Use Permit with associated site development plan for The Mexican Barrel House restaurant located at 1085 North Mason Road in the "GC" General Commercial zoning district. The restaurant would be located in the former Houlihan's restaurant building with revised exterior elevations, landscaping, and a new outdoor patio area. The building is 9,044 Square feet with 220 indoor seats and 84 outdoor seats.

ADDITIONAL INFORMATION:

Under Section 405.210, Table A of the Zoning Code, Full-Service Restaurants (NAICS 722511) require the issuance of a conditional use permit subject to the recommendation of the Planning and Zoning Commission and approval of the City Council.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?
- Does the request follow the Design Guidelines?

Creve Coeur 2030 Plan References

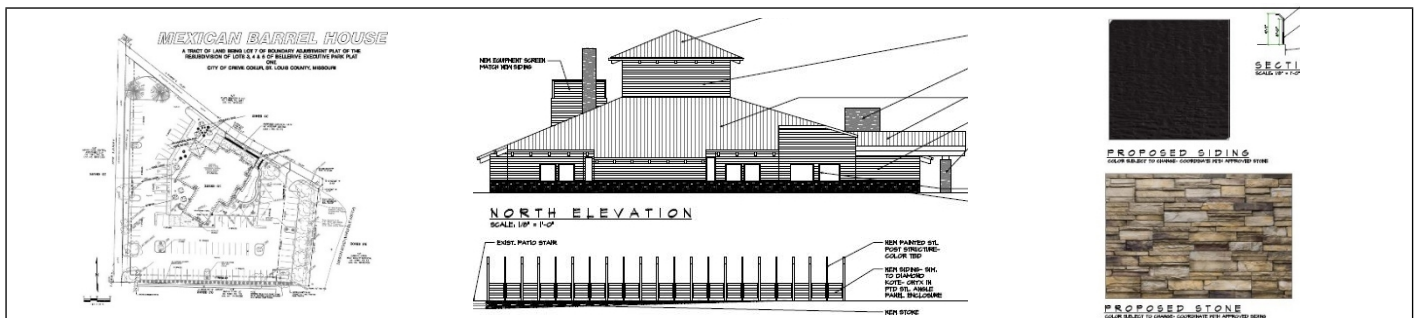
- Mixed Use District
- Design Guidelines

Zoning Code References

- Section 405.360: GC-General Commercial District
- Section 405.470: Conditional Uses
- Section 1080: Site Concept, Site Development and Minor Site Plan Approval

APPLICANT: Alfredo Flores
Floroz Properties, LLC
1085 N. Mason Road
Creve Coeur, MO 63141

APPLICANT'S REPRESENTATIVE: Stewart MacGregor
OSM, Inc
2190 S. Mason Road, Suite 202
St, Louis, MO 63131



REPORT PREPARED BY: Bethany L. Moore, City Planner
DATE: 11/17/2022
ATTACHMENTS: Applicant's Materials received November 14, 2022
Draft Ordinance

PROPOSAL

The applicant is proposing to renovate the former Houlihan's Restaurant for a new Mexican Barrel House restaurant. The new restaurant will offer traditional Mexican food along with Mexican BBQ food. The applicant intends to reuse as much of the existing building as possible and extend the existing patio. The exterior of the building will be updated to correct some deteriorated areas and give the new restaurant an updated appearance while leaving the existing building massing intact. The Mexican Barrel House intends to be primarily a sit-down restaurant with 220 indoor seats and 84 outdoor seats with curbside pickup on the Southeast portion of the parking lot, away from the main entrance. Additional landscaping around the new patio and existing entrance is planned. The site has pre-existing legal nonconformities with the site coverage per Section 405.610. The existing parcel including the building and parking lot has a site coverage of 89.1% when 63% site coverage is allowed in the GC zoning district under the current zoning code. The applicant proposes to install a new 700 square foot deck extension which is exempt from site coverage calculations per Section 405.360. The existing restaurant building is 9,044 square and plans to have 15 employees at its busiest shift. The hours of operation will be Monday-Thursday 7 AM to 10 PM, Friday-Saturday 7AM to 12AM, and Sunday 9AM to 7PM. The former Houlihan's Restaurant building has been vacant for several years and the site is need of repairs. The applicant's proposal plans to correct the areas in need of repair and create a new sit-down restaurant in Creve Coeur.

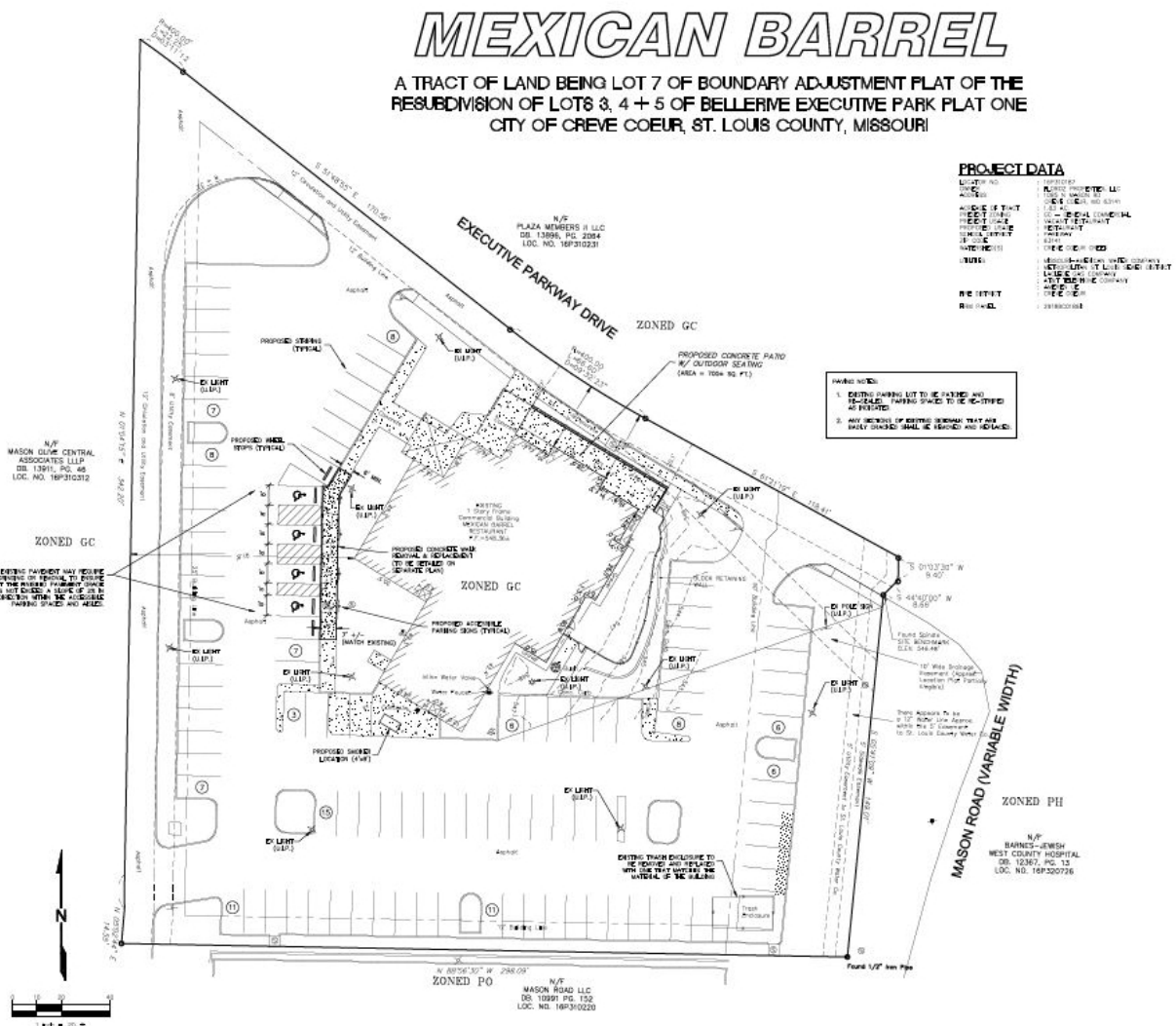


Figure 1: Proposed Site Plan

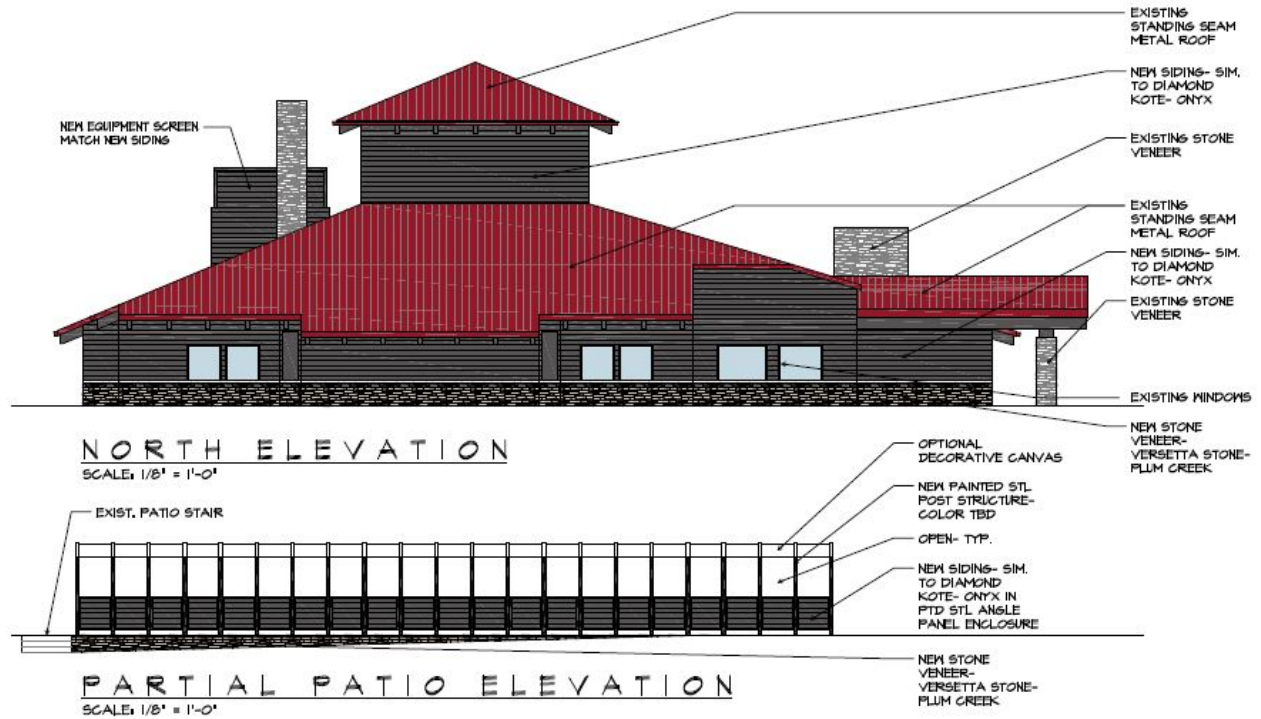


Figure 2: North Elevation and New Patio Elevation

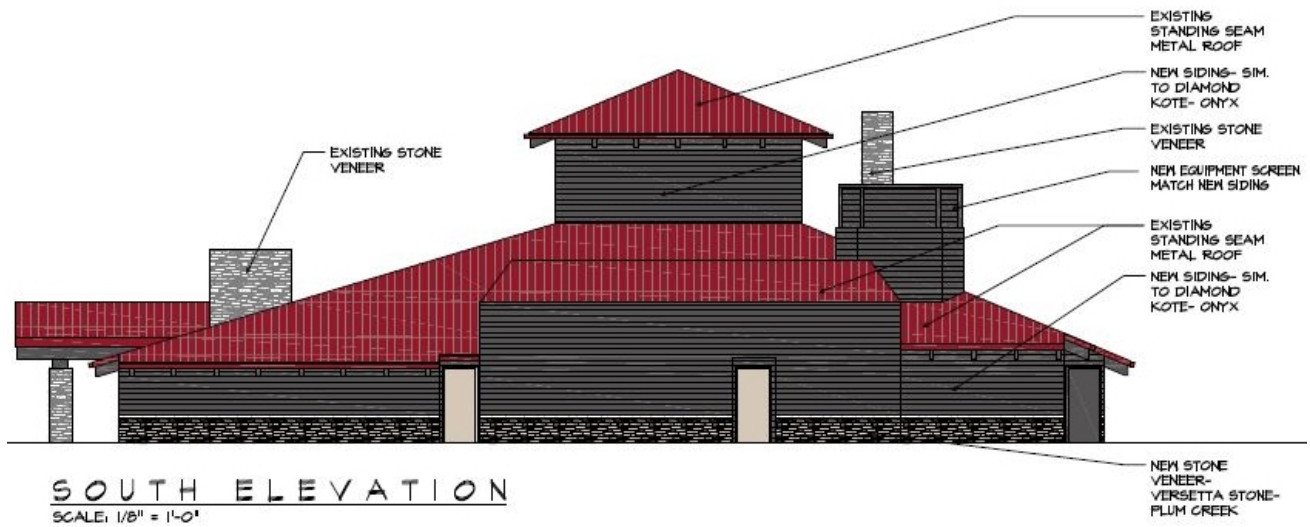


Figure 4: South Elevation

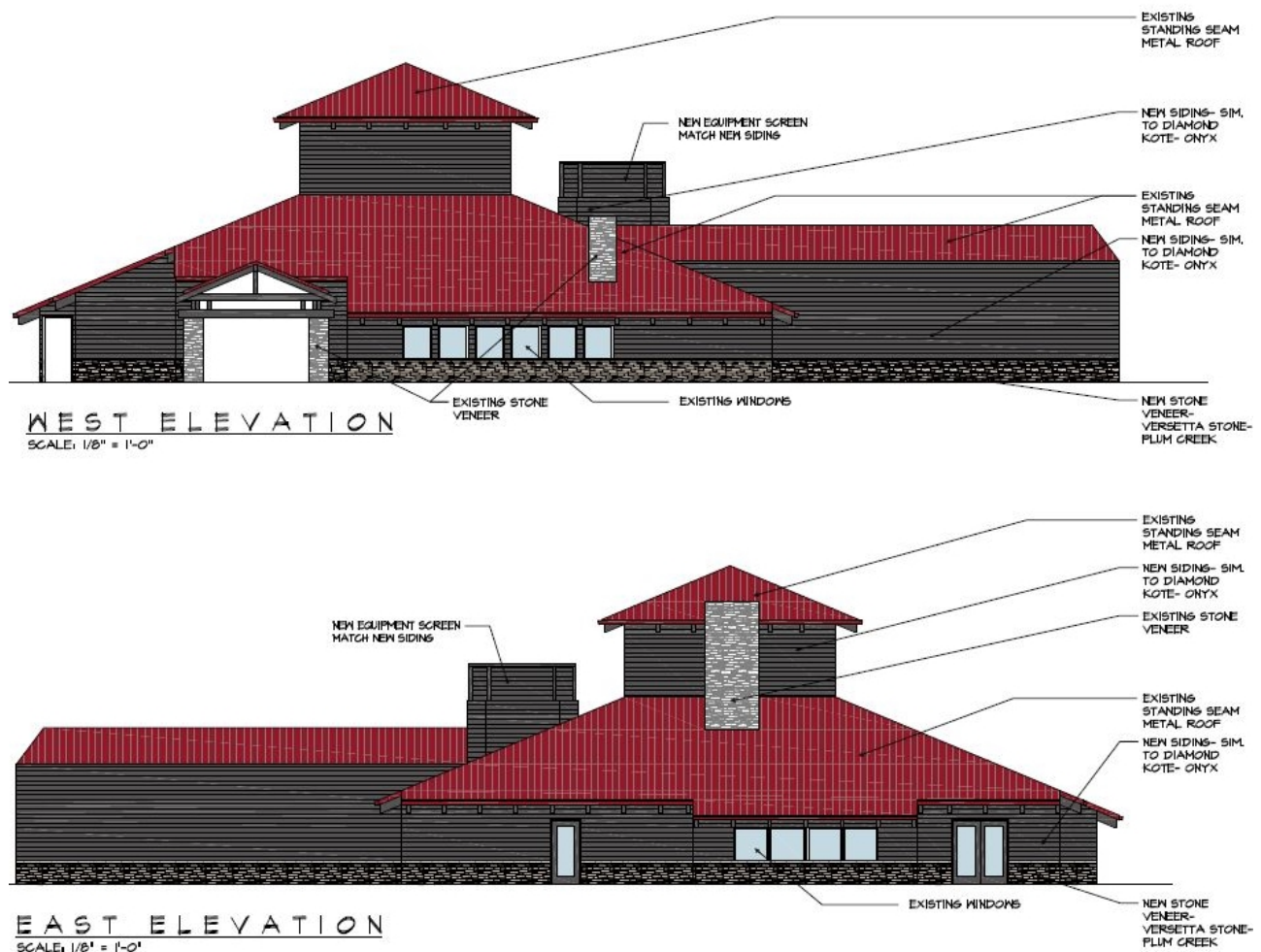


Figure 4: West and East Elevations

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Commercial	GC-General Commercial District	N/A
South	Commercial	PO-Planned Office District	N/A
East	Institution	PH-Planned Hospital District	N. Mason Road
West	Commercial	GC-General Commercial District	N/A

COMPREHENSIVE PLAN REVIEW

The subject property is included in the Mixed-Use (MU) District Place Type of the *Creve Coeur 2030* Comprehensive Plan. The Mixed-Use District supports the development of a variety of medium-density commercial, retail, office, dining, community services, and multi-family residential on large development sites with centralized parking lots. These land uses are supported through primarily vehicular access with

improved walkability; pedestrian connections within developments, to neighboring commercial properties, and to adjacent neighborhoods: and beautifully landscaped streets. The plan recommends that redevelopments along West Olive and in large commercial properties in the Mixed-Use District emphasize shared parking lots, landscape treatments, public site amenities such as outdoor dining, and pedestrian connectivity through the sites and to the primary streets, including Olive Boulevard.

Mexican Barrel House is re-using an existing building and site with minor changes in order to accommodate a new restaurant. They applicant will be expanding the existing patio to allow for more outdoor dining and repairing existing sidewalks and putting in new sidewalks where needed in order to offer better pedestrian connectivity throughout the site. The existing on-site parking is not being expanded and appears large enough to handle the required amount of parking for the use with a minor reduction in the proposed amount of indoor seating. Overall, the project complies with the goals of the Comprehensive Plan.

Design Guidelines Review

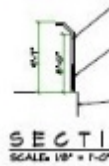
The Design Guidelines call for Defined outdoor spaces including courtyards, patios, plazas, covered walkways, arcades, colonnades, gardens, trellised areas and similar activity centers, to be incorporated into the building designs (p.7). Trash or utility areas should be positioned to minimize view and visual impact. Building equipment and utilities are to be located, designed and/or screened to minimize visual impact on public streets, surface parking lots and neighboring properties (p.10). Outdoor seating areas should be compatible and of an attractive design that is integrated with the main building's architecture (p.11). The applicant is seeking to renovate and re-use an existing building on a developed site and is limited by what is existing. The proposed alterations to the building's exterior will provide for a more modern updated building design than the current façade and will also provide much needed updates to a site that has been out of use for several years. The updates to the parking lot and sidewalks are all in line with the design guidelines for commercial sites. The trash enclosure is located adjacent to the street which is not a preferred location; however, this is an existing condition, and the applicant will be constructing a new enclosure. The extension of the existing patio will also add a positive pedestrian amenity to the existing site that is compliant with the design guidelines and the comprehensive plan.



PROPOSED SIDING
COLOR SUBJECT TO CHANGE- COORDINATE WITH APPROVED STONE



PROPOSED STONE
COLOR SUBJECT TO CHANGE- COORDINATE WITH APPROVED SIDING



Building Materials

The City's Design Guidelines recommend that materials should have good architectural character, be durable, and be selected for their compatibility with adjoining buildings and properties. Natural, traditional building materials are encouraged. Highly reflective and/or synthetic materials are discouraged. All elevations should receive equal design consideration as the primary elevation. Rear and side facades should be designed with similar architectural detailing and materials to be compatible with the principal facades of the building. The design of the existing building will not change; however, new exterior materials are proposed to update the appearance. The proposed materials for the exterior façade renovation include reutilizing the existing standing seam metal roof in good condition along with the introduction of new Diamond Kote wood siding in the color "Onyx" and new stone veneer water table of Versetta Stone in the color "Plum Creek." The siding is very dark which does not appear to fit in with the surrounding commercial buildings. The applicant will present material samples for review. Staff would prefer a lighter color that would blend in more with the surrounding area. The Commission should review the proposed color of the siding to determine if it meets the recommendations of the Design Guidelines.

Landscaping

The landscaping for the site has been neglected and left in bad condition since the closure of the Houlihan's restaurant. Dead trees have already been cut down and the stumps will be completely removed to make room for new trees and landscaping around the main entrance. The existing street trees along Mason Road meet the requirement for the site and no new street trees are required. The applicant shows landscaping around the base of the new patio in order to soften its impact to the adjoining access road, new trees, shrubs and additional landscaping along the main entrance façade and additional landscaping throughout the site to give the site a more inviting atmosphere. Shrubs have been placed along the border with the adjoining property to the south in order to block headlight glare and trees have been placed in every landscaping island.

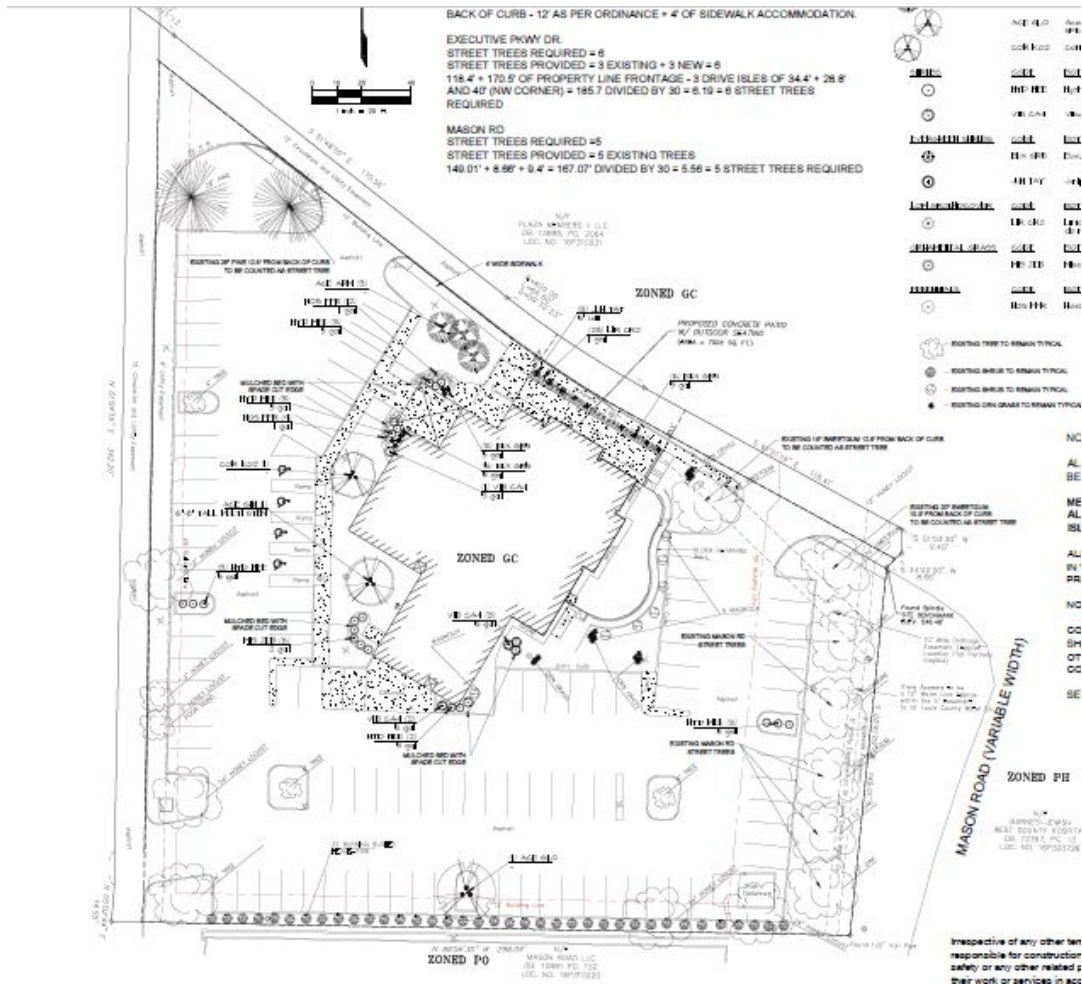


Figure 5: Landscape Plan

Lighting

No new lighting is proposed for this location. Existing lighting on site needs repair and is non-compliant with Section 405.680. The applicant proposes to repair and re-use the existing building and site lighting. The existing lighting is not downcast or shielded and does spill light onto adjoining properties as shown in the submitted photometric plan. Staff recommends that the non-compliant light fixtures be replaced with downcast and shielded lighting that will not spill light onto adjoining properties. A condition of approval has been added to reflect that any new lighting meet the requirements for lighting in Section 405.680 and when the existing non-compliant lighting needs to be replaced that it be replaced with compliant utilities.

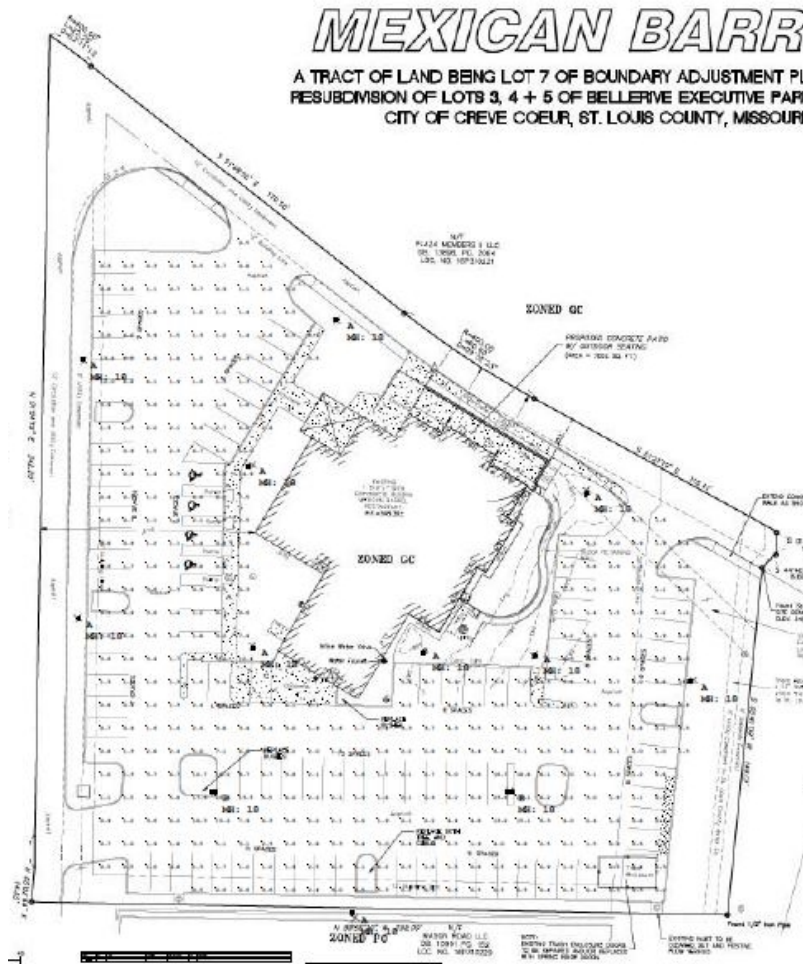


Figure 6: Applicant's Photometric Plan

Sidewalks

Section 405.730 requires a clear and safe pedestrian access between the building's main entrance and the public sidewalk and designed to avoid conflict. All sidewalks shall be a minimum of 6 feet or 8 feet in width if used as a curb stop. The new sidewalk is shown on the plans as 4 feet wide, but the applicant has confirmed that all new sidewalks will comply with the requirements for Section 405.730 and a condition of approval has been added to reflect this. The applicant has noted that existing sidewalks in bad repair will be replaced.

Parking

The existing parking lot for the former Houlihan's restaurant has a total of 103 parking spaces. Per Section 405.820, calculating the required parking for this restaurant use requires 1 parking space per 250 square feet of floor space and 1 parking space per 3 indoor seats. The outdoor seating is no longer considered for required parking spaces per Ordinances 5806 and 5807 passed in October 2022. The total required parking for this use with 9,044 square feet of floor space and 220 indoor seats is 110 parking spaces. The site is 7 parking spaces short of the required for the proposed seat capacity. Staff recommends reducing the seating capacity to 198 in order to be complaint with the required parking spaces. A condition of approval has been added to reflect this seating reduction.

Signage

There is an existing pole sign located at the Mason Road entrance that is pre-existing and non-conforming to the current zoning code. The applicant plans to reface the existing sign and reuse it. Section 405.930(C) allows for existing non-conforming signs to be reused if they are not structurally altered. A sign reface is not considered to structurally alter a pole sign as it only pertains to the signage area and not the structure of the pole sign. The pole sign structure will need to be repainted and maintained in good condition. A condition of approval has been added to reflect this requirement.

CONCLUSION AND RECOMMENDED CONDITIONS OF APPROVAL

Staff finds that the proposal meets with the Comprehensive Plan, Design Guidelines, as well as with the Zoning Regulations, with the exception on the discussion of the color of the siding. Should the Commission require a lighter color, a condition will need to be added. After discussion with the applicant, if the Planning and Zoning Commission finds that the Application is in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council with any changes discussed and made by separate actions.

The following are the recommended conditions of approval for this proposal.

1. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the Elevations received November 14, 2022, as bound together and submitted in conjunction with Application #22-027 by OSM INC, except as modified below.
2. A Final Landscape Plan shall be submitted with the Building Permit application in substantial conformance with the Landscape Plan received November 14, 2022, as bound together and submitted in conjunction with Application #22-027 by OSM INC.
3. Indoor seating capacity shall be limited to 198 seats in order to comply with the required parking spaces per capacity and building square footage.
4. All landscaping shall be maintained per the approved Landscape Plan and any vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
5. All new lighting shall comply with applicable Code requirements. All existing non-compliant lighting shall be replaced with lighting in compliance with Sections 405.680 and 405.810 of the Zoning Ordinance
6. The accessible parking spaces and signage shall comply with Section 405.840.
7. Any ground or roof mounted mechanical equipment installed for the site shall be properly screened with approved materials.
8. The Site Development Plans shall be amended to show all new sidewalks to be 6 feet wide or 8 feet wide if used as a curb stop.
9. Existing con-conforming pole sign shall be refaced and shall be repainted and maintained in good repair if it is to remain in use.
10. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
11. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
12. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.

13. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
14. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

ACTION AND MOTION

The following is an example of an appropriate motion for this application:

“I move to recommend approval of a Conditional Use Permit with Minor Site Development Plan for a Mexican Barrel House restaurant at 1085 North Mason Road, subject to the conditions discussed in the Staff Report and Draft Ordinance for the meeting of November 21, 2022”
(conditions may be added, eliminated, or modified by preceding motion).

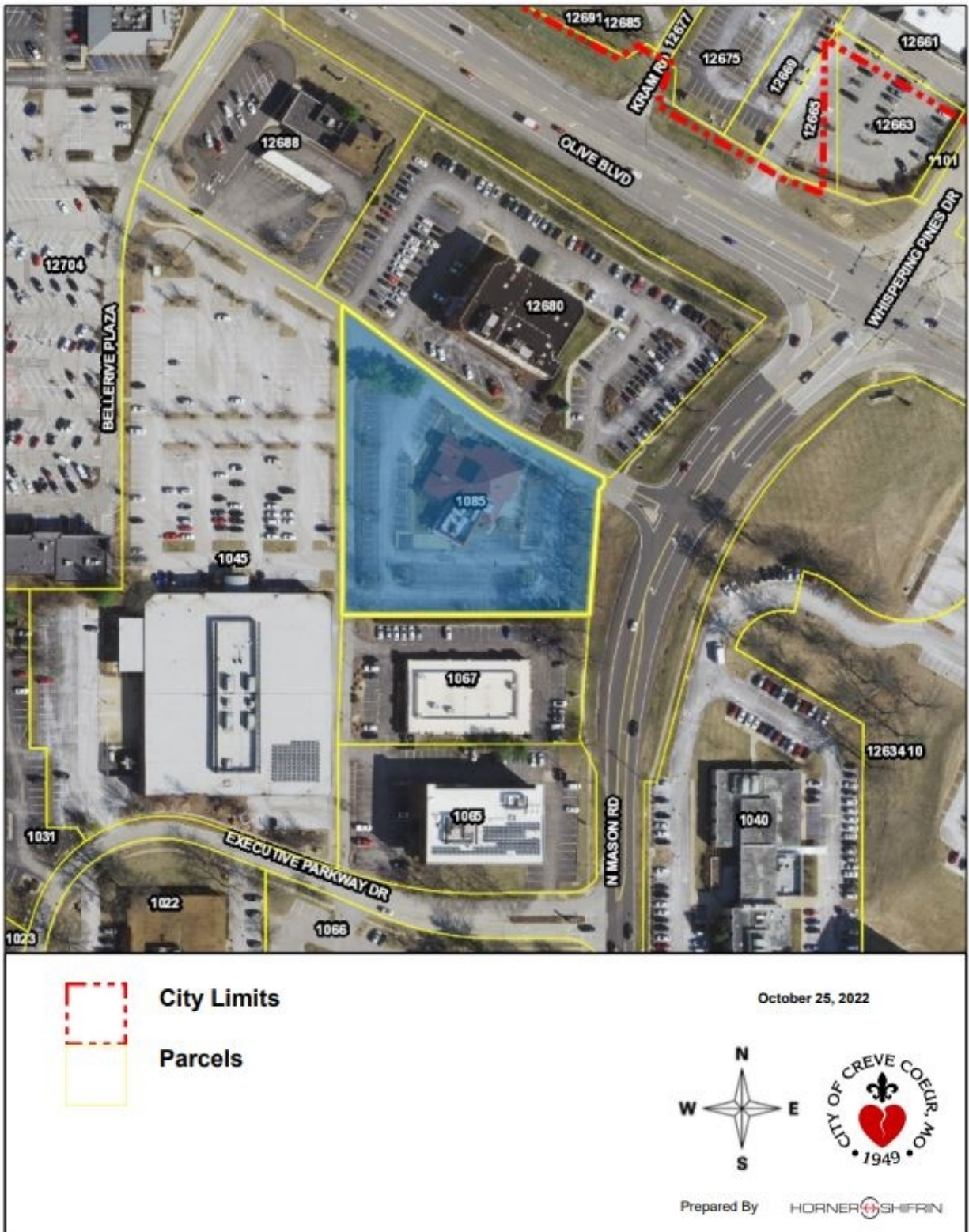
APPENDIX 1: COMPREHENSIVE PLAN

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL MAP



APPENDIX 4: SITE PHOTOGRAPHS



Description: Existing non-compliant pole sign proposed to be refaced and reused.



Description: Existing trash enclosure proposed to be replaced.

		Description: Existing non-compliant lighting to be repaired and re-used.
		Description: Existing non-compliant building lighting to be repaired and re-used.



APPLICATION TO PLANNING AND ZONING COMMISSION
#22-035: CONDITIONAL USE PERMIT FOR A 11,200 SQUARE FOOT FOSS
SWIM SCHOOL WITH ASSOCIATED MINOR SITE PLAN LOCATED WITHIN
BELLERIVE PLAZA AT 12760 OLIVE BOULEVARD

FOR THE MEETING OF: Monday, December 5, 2022

LOCATION: 12760 Olive Boulevard, zoned GC-General Commercial District

REQUEST: Graham Robb, of Foss Swim School, LLC, has submitted an application for a Conditional Use Permit with associated minor site development plan for a new 11,200 square foot swimming school facility located in an existing tenant space within Bellerive Plaza at 12760 Olive Boulevard in the "GC" General Commercial zoning district. The project would include the construction of the new 68,000 gallon purpose built swimming pool and exterior tenant space remodel.

ADDITIONAL INFORMATION:

Under Section 405.250, Table A of the Zoning Code, Sports and Recreation Instruction (NAICS 611620) requires the issuance of a conditional use permit in the "GC" zoning district subject to the recommendation of the Planning and Zoning Commission and approval of the City Council.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?
- Does the request follow the Design Guidelines?

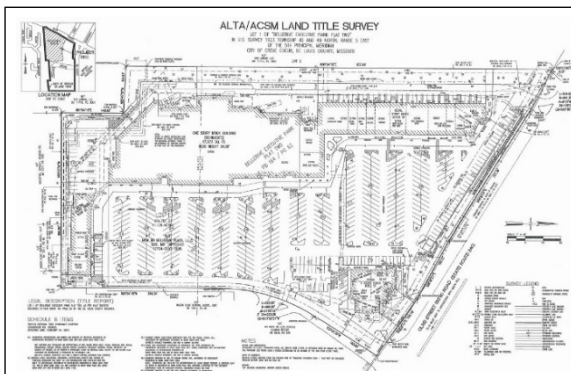
Creve Coeur 2030 Plan References

- Mixed Use District
- Design Guidelines

Zoning Code References

- Section 405.360: GC-General Commercial District
- Section 405.470: Conditional Uses
- Section 1080: Site Concept, Site Development and Minor Site Plan Approval

APPLICANT: Graham Robb
Foss Swim School, LLC
6545 Flying Cloud Drive, Suite 201
Eden Prairie, MN 55344



REPORT PREPARED BY: Bethany L. Moore, City Planner
DATE: 11/30/2022
ATTACHMENTS: Applicant's Materials received November 4, 2022
Draft Ordinance

The applicant is proposing to build a Foss Swim School in a new tenant space that was previously used as part of the Schnucks grocery store within Bellerive Plaza. The Schnucks has been downsized and the additional space has been converted to additional commercial tenant space. Foss Swim School will install a new 68,000-gallon swimming pool with individual changing stalls and bathrooms, private showers, climate-controlled viewing area and gift shop. Foss will offer private, learn-to-swim programs for 6 months old and beyond. The lessons are primary taught once a week in a group of 3-6 children for 30 minutes. They will also offer 2 and 4 week camps providing longer lessons and swimming program events such as fun meets, family fun swims and skill clinics. Proposed hours of operation will be from 9:00 AM to 8:00 PM Monday, Tuesday and Thursday, 3:30 PM to 8:00 PM Wednesday and Friday, and 8:00 AM to 5:00 PM Saturday and Sunday. Foss plans to employ approximately 30 employees with 14 employees on site at busiest shift.





Figure 2: Proposed Elevation of New Tenant Space



Figure 4: Existing Elevation of Former Schnucks Space



Figure 4: Proposed Demolition of Existing Store Front



Figure 5: Proposed Floor Plan

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Commercial	Unincorporated St. Louis County	Olive Boulevard
South	Commercial	PO-Planned Office District	N/A
East	Commercial	GC-General Commercial District	Bellerive Plaza
West	Multi-Family Residential	AR-Attached Single-Family Residential	Mariners Point Drive

COMPREHENSIVE PLAN REVIEW

Creve Coeur 2030 Plan

The *Creve Coeur 2030 Plan* includes the overall goal for Placemaking & Community Identity by creating mixed-use, walkable districts (p. 45), and the long-term Economic Growth & Community Services goal of providing community services, amenities, and experiences necessary to leverage and capture the changing consumer preferences for more lifestyle centers (p. 47). The subject property is located within the West Olive Corridor Mixed-use District (MU) Place type that has a vision to create a visually distinctive and regionally recognized commercial corridor that improves walkable and bikeable access to retail and service businesses for the “day-to-day” use of Creve Coeur’s residents and workers. The MU Place type supports the development of a variety of medium-density commercial, retail, office, institutional, dining, community services, and multi-family residential within a suburban context. These land uses are supported primarily through vehicular access with improved walkability, pedestrian connections to adjacent neighborhoods, and beautifully landscaped street frontages. (p. 82). The applicant is a new tenant space in an existing space that was downsized within a retail building in Bellerive Plaza. No new buildings are proposed. Therefore, the use within the Plaza is consistent with the Comprehensive Plan as much as this proposal can be.

Design Guidelines Review

The Design Guidelines encourage primary building entrances to be clearly defined and provide a sense of entry. It should be oriented to the street and provide protection from the elements, such as recesses, roof overhangs, projecting canopies or other similar features (p.8). A variety in building size and massing is encouraged if architectural and spatial consistency can be maintained through the use of proportion, height, materials and design theme (p.8). Multiple buildings on the same site are to be designed to create a cohesive visual relationship between the buildings (p.9). Materials should have good architectural character, be durable, and be selected for their compatibility with adjoining buildings and properties (p.9).

The proposal is occupying a remodeled existing tenant space created when the Schnucks occupying the space downsized. The front façade of the space is proposed to be remodeled in order to reflect a new primary entrance for the new space and to remove elements that tied the space to the Schnucks use. Currently, the design elements of the space reflect the primary design elements of the remaining Schnucks space. The applicant is proposing to



remove those elements and create a new façade that integrates into the overall design scheme of the center while creating a clear sense of entry for the new Foss Swim School. The existing gable-front element will be removed and replaced with a raised parapet element that will be more in line with the overall design of the shopping complex. EIFS to match the existing EIFS on the building in a similar color scheme will be used for the new façade in conformance with the previously approved remodel for the center.

Parking

The existing shared parking lot for the Bellerive Plaza shopping center has 527 parking spaces on site available for all uses. Per Section 405.820(H)(7)(a) the proposed swim school use requires 1 parking space per 200 square feet of floor area. The new retail space is 11,238 square feet which requires 56 parking spaces for the use. All of the required parking for each use minus the 15% reduction for shopping centers means that 437 parking spaces are required for this site. When the 437 parking spots required are subtracted from the 527 parking spots on site, there are 90 parking spaces left over in surplus. The parking lot is in good condition and the on-site parking meets the Zoning Code requirements.

Tenant	Use	Size (sq. ft.)	Parking Regulations	# of spaces
12704 – Crazy Bowls and Wraps	Restaurant (Approx. 36 indoor seats and 10 outdoor seat)	2,615	1/3 estimated seats, + 1/8 outdoor seats, + 1/250 sq. ft..	25
12710 – Timothy’s Restaurant	Restaurant (72 indoor seats and 22 enclosed patio seats)	3,049	1/3 seats in C.U.P. + 1/250 sq. ft..	45
12714 – Merle Norman	General Retail	1,215	4/1000 sq. ft.	5
12716 – Blust’s Jewelry	Jewelry Store	1,290	4/1000 sq. ft.	5
12730 – EarthWise Pet Supply	Pet and Pet Supplies Stores	1,500	4/1000 sq. ft.	6
12734 – H&R Block	Tax Preparation Services	1,500	4/1000 sq. ft.	6
12740 – Firestone Tire	General Automotive Repair	4,230	1/300 sq. ft + 1/service bay	21
12756 – Schnucks	Super Markets and Other Grocery (Except Convenience) Stores	45,254	4/1000 sq. ft	181
12760-Foss Swim School	Swim School	11,238	1/200 sq. ft.	56
12766 – Dave and Tony’s	Restaurant (Approx. 64 indoor seats)	3,154	1/3 estimated seats + 1/250 sq. ft.	35
12772 – Yarncom	General Retail	2,950	4/1000 sq. ft	12
12778 – Fantastic Finds	Used Merchandise Store	4,877	4/1000 sq. ft.	20
12784 – China King	Restaurant < 16 seats	1,400	4/1000 sq. ft.	6
12786 – Nail Spa	Services – Nail Salon	1,470	4/1000 sq. ft.	6
12788 – Elite Physical Therapy	Offices of Physical, Occupational and Speech Therapists and Audiologists	3,780	4/1000 sq. ft.	16
12794 –Hair Saloon for Men	Barber Shop	2,450	4/1000 sq. ft	10
12798 – That Painting Spot	General Retail	2,491	4/1000 sq. ft.	10

12802 – Miss Kelly’s Gym	Fitness and Recreational Sports Centers	3,816	1/150 sq. ft.	26
12806 – Gateway Coffee	Restaurant < 16 seats	1,400	4/1000 sq. ft.	6
12808 – Jimmy John’s	Restaurant < 16 seats	1,730	4/1000 sq. ft.	7
12810 – Silky’s	Restaurant < 16 seats	1,435	4/1000 sq. ft.	6
12812 – Edward Jones	Investment Advice	960	4/1000 sq. ft.	4
Sub-total:				514
Minus 15% Reduction				77
Total # of Parking Spaces Required:				437
Total Available On-site:				527
Excess Parking:				90

CONCLUSION AND RECOMMENDED CONDITIONS OF APPROVAL

Staff finds that the proposal meets with the Comprehensive Plan, Design Guidelines, as well as with the Zoning Regulations. After discussion with the applicant, if the Planning and Zoning Commission finds that the Application is in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council with any changes discussed and made by separate actions.

The following are the recommended conditions of approval for this proposal.

1. The Conditional Use Permit shall be for the operation of an approximately 11,200 square foot Sports and Recreation establishment, NAICS 611620, at 12760 Olive Boulevard, within Bellerive Plaza.
2. Hours of operation shall be 9:00 AM to 8:00 PM Monday, Tuesday and Thursday, 3:30 PM to 8:00 PM Wednesday and Friday, and 8:00 AM to 5:00 PM Saturday and Sunday. Additional business hours may be permitted with the Zoning Administrator’s approval.
3. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code and require permit approval.
4. A building permit in substantial conformance with the submitted plans for the exterior remodel as part of Application #22-035 shall be submitted for review.
5. Any future enlargement, extension, expansion, or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
6. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
7. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained, and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original

applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.

8. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

ACTION AND MOTION

The following is an example of an appropriate motion for this application:

“I move to recommend approval of a Conditional Use Permit with Minor Site Development Plan for a Foss Swim School establishment within the Bellerive Plaza shopping center at 12760 Olive Boulevard, subject to the conditions discussed in the Staff Report and Draft Ordinance for the meeting of December 5, 2022” (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 4: SITE PHOTOGRAPHS



Description: Existing store front exterior remodel in the same colors and materials proposed for the Foss Swim School exterior remodel.



Description: The flagship store in the shopping center that downsized to create the new separate tenant space at 12760 Olive Boulevard.



Description: Existing parking lot conditions. Compliant lighting and striping in good condition.



Description: Location of the proposed Foss Swim School to be remodeled to match existing design and color scheme of surrounding shopping center.



Description: Existing shopping center.

city
of**CREVE COEUR**

PLANNING DIVISION

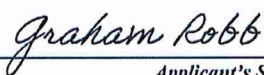
File # _____

300 North New Ballas Road, Creve Coeur, Missouri 63141

Tel. (314) 872-2501 • Fax (314) 872-2505

PLANNING AND ZONING COMMISSION AGENDA APPLICATION
CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

<i>Applicant:</i>	<i>Applicant's Representative (if applicable):</i>
Graham Robb	Same
<i>Name</i>	<i>Name</i>
Foss Swim School, LLC	Same
<i>Company (If Applicable)</i>	<i>Company (If Applicable)</i>
6545 Flying Cloud Drive Suite 201	Same
<i>Address</i>	<i>Address</i>
Eden Prairie, MN 55344	Same
<i>Address</i>	<i>Address</i>
Telephone # (952) 935-8969	Telephone # (612) 227-0634
<i>Telephone #</i>	<i>Telephone #</i>
Fax # _____	Fax # _____
<i>Fax #</i>	<i>Fax #</i>
Email: grobb@fossswimschool.com	Email: same
<i>Email</i>	<i>Email</i>
	
<i>Applicant's Signature</i>	<i>Applicant's Representative's Signature</i>

<i>Property Information:</i>	<i>Owner's Acknowledgement (if different from applicant):</i>
Foss Swim School	USR-Desco Bellerive Plaza, LLC
<i>Address</i>	<i>Name</i>
12778-12782 Olive Blvd.	The Desco Group
<i>Address</i>	<i>Company (If Applicable)</i>
Creve Coeur, MO 63141	25 N. Brentwood Blvd.
<i>Development Name (if any)</i>	<i>Address</i>
Bellerive Plaza	Clayton, MO 63105
<i>Current Zoning</i>	<i>Address</i>
Prior CUP Approvals (if known)	Telephone # 314-994-4050
	<i>Telephone #</i>
	Fax # 314-994-4050
	<i>Fax #</i>
	Email: mpearl@descogroup.com
	<i>Email</i>
	DocuSigned by:
	
	2DABB8C8B285460...
	<i>Owner's Signature</i>

Description of Requested Use (attach additional sheets as needed)

General Description of Business: Foss Swim School is a private learn-to-swim program teaching individuals starting at 6 months old to swim in purpose-built swim school facilities.

Please see attached document for details

Gross Floor Area – Existing and Proposed: 11,238

Number of Seats (for restaurant only): N/A

Number of Employees at the busiest shift: 18

Hours of Operation: Please see attached document

Current or Most Recent Use of the Property: Schnucks Grocery

Will the applicant apply for a liquor license: Yes ☐ No ☒

Rationale

Please describe in detail, on an attached sheet, the reasons why you believe the request for a conditional use permit should be approved and what steps are being taken to lessen any impacts on surrounding residences and businesses. An explanation of the building and landscape designs (if changes are proposed) should also be included.

Submittal Checklist

☒ Rationale	☒ Building elevations for new construction
☒ Site plan	☒ Photographs of existing structures
☒ Access and parking plan; (may be shown on site plan)	☐ Materials samples
☒ Landscape plan	☒ Legal Description in Word format
☒ Floor plan	☒ Fees: \$250 (non-refundable)
☒ Electronic copies of all materials	☐ \$2000 (refundable deposit)
	☐ Other items as requested by staff

Preferred Public Hearing Date: Monday, December 5, 2022.

****See Planning & Zoning Commission schedule and confirm available meeting dates with Planning Division staff****

Office Use Only

☐ All Sections Complete
☐ All Documents, incl. e-Copies
☐ Fees Paid

Received By: _____

Date: _____

Revised: 7/22



City of Creve Coeur
Planning and Division
Attn: Jason Jaggi
300 North Ballas Road
Creve Coeur, MO 63141

Dear Mr. Jaggi,

Thank you for your time and consideration of our proposed Foss Swim School ("Foss") project in Bellerive Plaza. This location will be the 5th location in St. Louis and is an extension of our development plans in the area. We are excited to start the review process and work thru the details to make this project one of the finest swim schools in America.

In addition to the plans provided, please find below some details on the nature of the operations and parking requirements. Additionally, I have attached our real estate brochure that speaks to our history, program and real estate requirements.

1. **Building/Development:** Foss will occupy the approx. 11,200 sq. feet that was recently released by Schnucks in connection with their store remodel. The facility will include a 68,000-gallon purpose-built swimming pool, individual changing stalls and bathrooms, private showers, on-deck showers, climate-controlled viewing area and a swim shop. The purpose-built swim school will incorporate details and lessons learned over the last 29 years, providing children and their family members a warm, inviting, and safe environment to swim.
2. **Detailed Description of Business:** Foss is a private learn-to-swim program teaching individuals starting at six months old to swim in purpose-built swim school facilities. Our lessons are primarily taught once a week in a group of 3-6 children for 30 minutes. We also offer 2-week and 4-week camps where lessons happen more regularly and some of the upper-level programs provide for longer lesson times and larger ratios.

In addition to our learn-to-swim program, we offer More Swimming programs for our customers. These activities include fun meets, family fun swims and skill clinics. These programs are offered to our customers only and are run on the weekends to support further involvement in the program.

Our approach is to make swimming easier. This proven approach is backed by decades of success, effectively trained staff who make learning fun and a love of swimming and teaching kids in our hearts. It all adds up to lasting results and investment in kids and adults.

We offer everything you expect of a modern swim school: thoroughly trained teachers, warm water, private changing areas, and purpose-built pools for learning.

We also offer a unique FOSS experience you can't get anywhere else.

- A school approach. We teach in quarters, place students in classes of similar age and ability, our teachers stay with classes for the full quarter, and we work towards graduation as a strong swimmer – not just passing levels.
- The Swim Path™ curriculum. Our unique program personalizes a path to create the best experience for your student quarter by quarter as they master key skills from day one to graduation. Learn more.
- Great teachers and people. We hand-pick teachers and staff who are outgoing, love working with kids, and who are driven to help others succeed by delivering progress and fun the FOSS way.

- 3. Hours of Operations:** Here is our initial schedule subject to change based on demand for the lesson program. These hours are subject to change based on demand for our classes in Brentwood.

Shift Times:

- Morning - 9:00am-12:00pm
- Afternoon - 12:00pm-3:30pm
- Evening - 3:30pm-8:00pm

Days and Times:

- Monday, Tuesday and Thursday: 9:00am-8:00pm
- Wednesday and Friday: 3:30pm-8:00pm
- Saturday and Sunday: 8:00am-5:00pm

Shift	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Morning	Lessons	Lessons	Lessons	No Lessons	Lessons	No Lessons	Lessons
Afternoon	Lessons	Lessons	Lessons	No Lessons	Lessons	No Lessons	Lessons
Evening	No Lessons	Lessons	Lessons	Lessons	Lessons	Lessons	No Lessons

- 4. Number of Employees:** Foss will employ approx. 30 employees. This will include one full-time School Director, one full-time Office Manager and one/two full-time Shift Managers. The remaining employees will be casual employees and work 5-30 hours per week. During the busiest shifts of operation, there will be approx. 14 employees in the facility. As demand for the lesson program increases, we will add employees and expand shifts.

5. **Scheduling:** Foss lessons are typically 30 minutes and start at the top of the hour and the quarter hour. This provides flexibility for our customers to use the showers, bathrooms, changing rooms and maximizes our use of the parking field.
6. **Parking Requirements:** Here is a quick rundown of the parking requirements for our swim school:
 - a. Staff – 14 employees
 - b. Patrons –
 - i. Students in the Pool – 30 students
 - ii. Students Waiting for Next Class – 12 students
 - iii. Students from Previous Class – 12 students
 - iv. Total – 54 Students (One vehicle per 1.4 students which represents the avg. per family)
 - c. Total Parking Stalls Needed – 52 parking stalls.

Rationale

Foss is a purpose-driven business, providing a life skill for our customers, contributing to the overall well-being of the community. Additionally, we firmly believe Foss enhances the properties and is an excellent co-tenant, driving traffic to the center on a weekly basis.

Our professionally designed, purpose-built facilities bring a modern, updated look to the center. We use high-end finishes and professional sign vendors to make sure that the exterior façade not only blends with our neighbors, but also creates a clean, welcoming entrance.

Historically across markets, we have had minimal negative impact on parking. We ensure that the locations we build have adequate parking to support our families' needs, and our lesson schedules minimize overlap.

Additionally, we have found that our swim schools are a great benefit to our neighboring businesses. We typically have between 1,000-1,500 individual swims every week, making our schools destination stops for families, who likely patronize other businesses in the process.

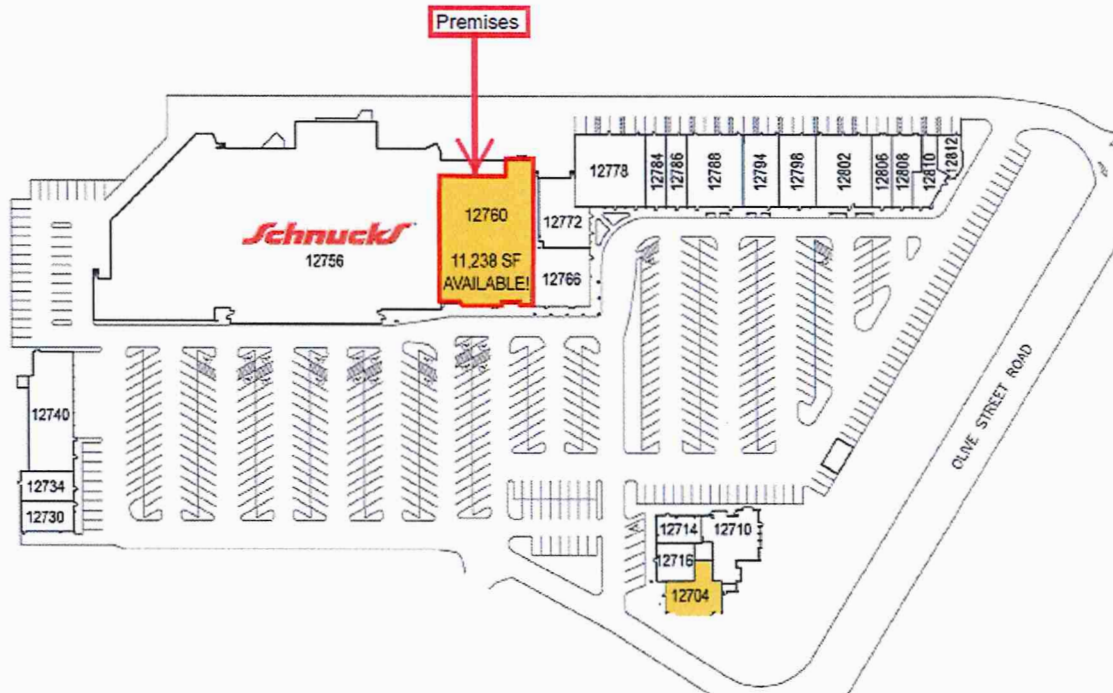
Operationally, we use the very best air handling units available to supply clean, fresh air in the "pool room", and separate climate controls for the "dry side" areas. Our pool filtration systems are top of the line and produce only about 10% of the amount of wastewater as standard sand filters, dumping only to the sanitary sewer, never to the storm water system.

Our plans don't impact the exterior landscaping or include any changes to the back of the building.

Thank you for the time and we are hopeful this information will lead to a favorable consideration for our conditional use permit at Bellerive Plaza.

BELLERIVE PLAZA

12756 Olive Blvd - Creve Coeur, MO 63141



CENTER SIZE 115,252 SF

AVAILABLE SPACE

12760	11,238 sf	12704	2,615 sf
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CURRENT RETAILERS

12710	Timothy's Restaurant	3,049 sf
12714	Merle Norman	1,215 sf
12716	Bust's Jewelry	1,290 sf
12730	EarthWise Pet Supply	1,500 sf
12734	H&R Block	1,500 sf
12740	Firestone Tire	4,230 sf
12756	Schnucks	56,747 sf
12766	DJM Restaurants	3,154 sf
12772	Yamcom	2,950 sf
12778	Fantastic Finds	4,877 sf
12784	China King	1,400 sf
12786	Nail Spa	1,470 sf
12788	Elite Physical Therapy	3,780 sf
12794	Hair Salon for Men	2,450 sf
12798	That Painting Spot	2,491 sf
12802	Miss Kelly's Gym	3,816 sf
12806	Gateway Coffee	1,400 sf
12808	Jimmy John's	1,730 sf
12810	Silky's	1,435 sf
12812	Edward Jones	960 sf

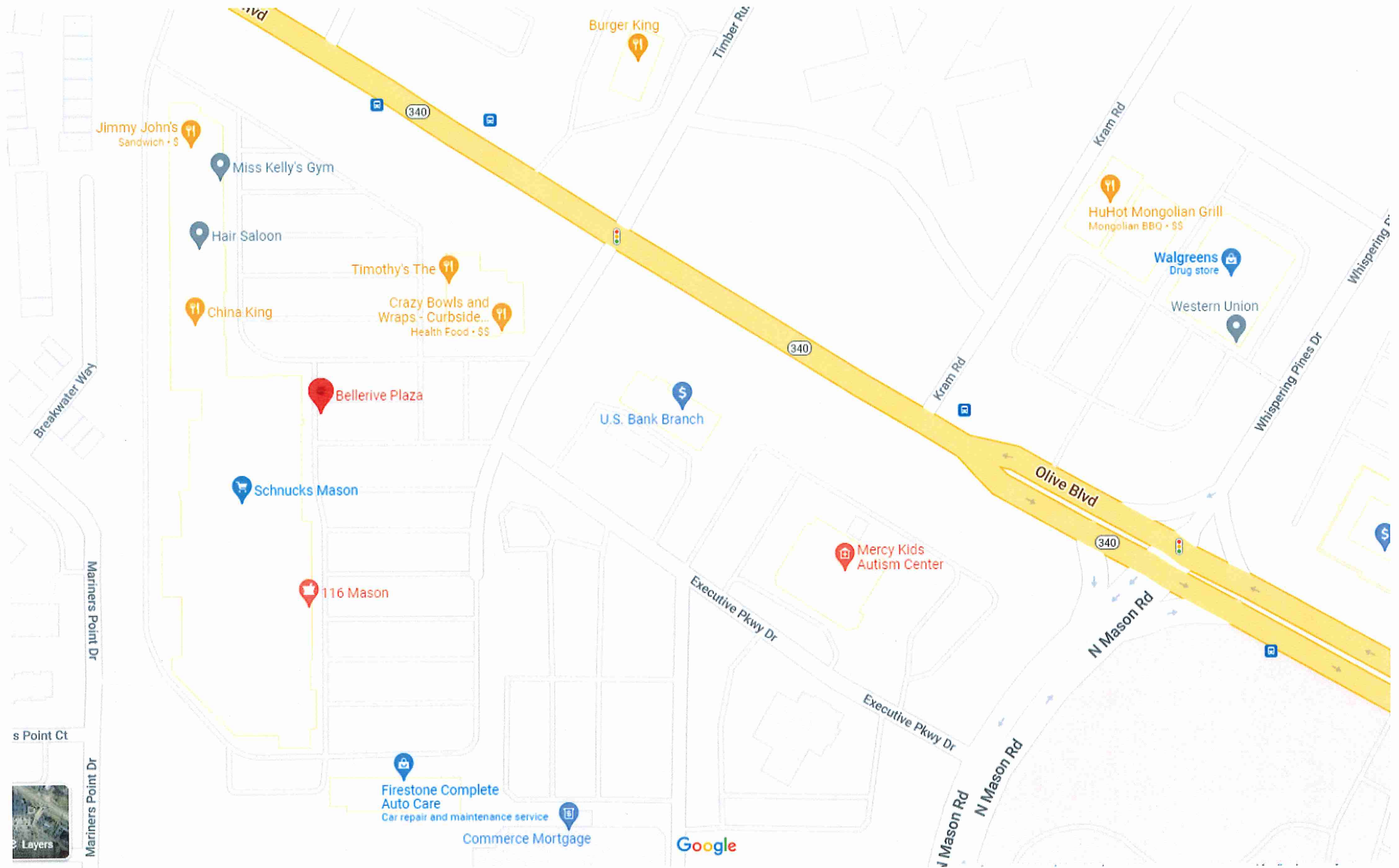
EXHIBIT B
SITE PLAN

Mark Pearl 314.994.4050 mpearl@descogroup.com

25 N Brentwood Blvd
St. Louis, MO 63105
314.994.4444
descogroup.com

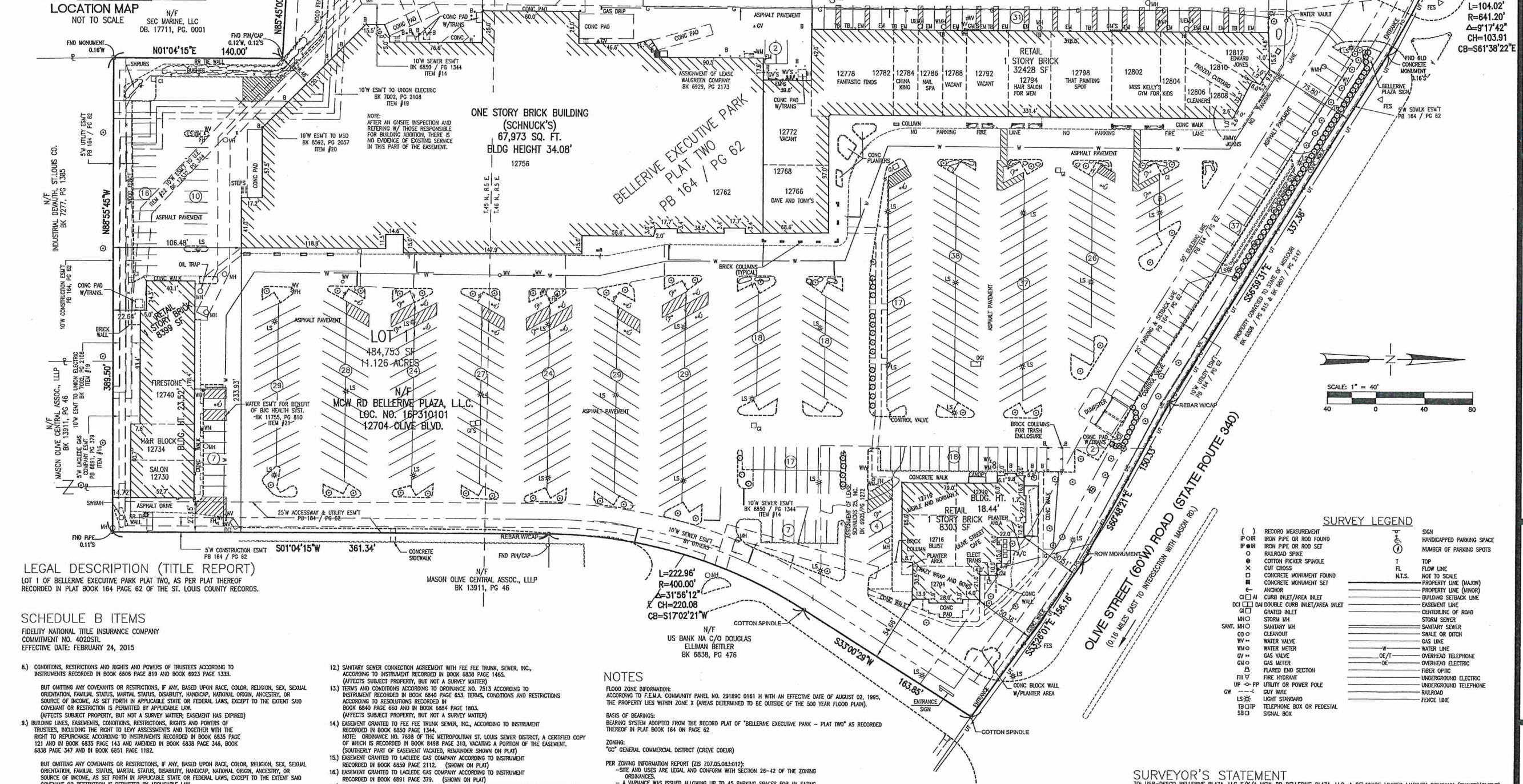
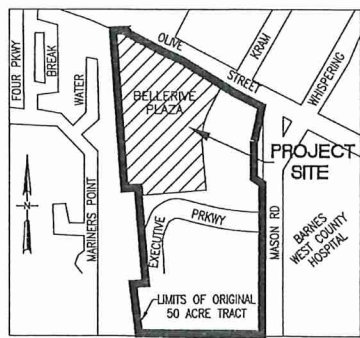
The
DESCO
Group





ALTA/ACSM LAND TITLE SURVEY

LOT 1 OF "BELLERIVE EXECUTIVE PARK PLAT TWO"
IN U.S. SURVEY 1923 TOWNSHIP 45 AND 46 NORTH, RANGE 5 EAST
OF THE 5TH PRINCIPAL MERIDIAN
CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI



LEGAL DESCRIPTION (TITLE REPORT)
LOT 1 OF BELLERIVE EXECUTIVE PARK PLAT TWO, AS PER PLAT THEREOF
RECORDED IN PLAT BOOK 164 PAGE 62 OF THE ST. LOUIS COUNTY RECORDS.

SCHEDULE B ITEMS

FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT NO. 40205TL
EFFECTIVE DATE: FEBRUARY 24, 2015

- 8.) CONDITIONS, RESTRICTIONS AND POWERS OF TRUSTEES ACCORDING TO INSTRUMENTS RECORDED IN BOOK 6806 PAGE 819 AND BOOK 6923 PAGE 1333.
- BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.
- 9.) BUILDING LINES, EASEMENTS, CONDITIONS, RESTRICTIONS, RIGHTS AND POWERS OF TRUSTEES, INCLUDING THE RIGHT TO LEVY ASSESSMENTS AND TOGETHER WITH THE RIGHT TO REPARCHURSE ACCORDING TO INSTRUMENTS RECORDED IN BOOK 6835 PAGE 121 AND IN BOOK 6835 PAGE 143 AND JUDGMENT IN BOOK 6838 PAGE 346, BOOK 6838 PAGE 347 AND IN BOOK 6851 PAGE 1182.
- BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.
- NOTE: BY INSTRUMENT RECORDED IN BOOK 6839 PAGE 2027, DESCO INVESTMENT COMPANY HAS IMPROVED THE PROPERTY DESCRIBED IN SCHEDULE A HEREOF TO LIMITED ENFORCEMENT RIGHTS OF THE ABOVE IDENTITIES.
- 10.) MAINTENANCE AGREEMENT FOR ROADWAYS ACCORDING TO INSTRUMENT RECORDED IN BOOK 6838 PAGE 348. (AFFECTS SUBJECT PROPERTY, BUT NOT A SURVEY MATTER)
- 11.) AGREEMENT WITH FEE FEE TRUNK SEWER, INC., AS TO TREATMENT AND DISPOSAL OF SANITARY SEWAGE WITH PROVISIONS FOR ASSESSMENTS, ACCORDING TO INSTRUMENT RECORDED IN BOOK 6838 PAGE 1461.
- (AFFECTS SUBJECT PROPERTY, BUT NOT A SURVEY MATTER)

- 12.) SANITARY SEWER CONNECTION AGREEMENT WITH FEE FEE TRUNK SEWER, INC., ACCORDING TO INSTRUMENT RECORDED IN BOOK 6838 PAGE 1465.
- (AFFECTS SUBJECT PROPERTY, BUT NOT A SURVEY MATTER)
- 13.) TERMS AND CONDITIONS ACCORDING TO GRANTORSHIP NO. 7513 ACCORDING TO INSTRUMENT RECORDED IN BOOK 6840 PAGE 653. TERMS, CONDITIONS AND RESTRICTIONS ACCORDING TO RESOLUTIONS RECORDED IN BOOK 6840 PAGE 650 AND IN BOOK 6884 PAGE 1803.
- (AFFECTS SUBJECT PROPERTY, BUT NOT A SURVEY MATTER)
- 14.) EASEMENT GRANTED TO FEE FEE TRUNK SEWER, INC., ACCORDING TO INSTRUMENT RECORDED IN BOOK 6850 PAGE 1344.
- NOTE: GRANTORSHIP NO. 7699 OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT, A CERTIFIED COPY OF WHICH IS RECORDED IN BOOK 6458 PAGE 310, VACATING A PORTION OF THE EASEMENT. (SOUTHERLY PART OF EASEMENT VACATED, REMAINDER SHOWN ON PLAT)
- 15.) EASEMENT GRANTED TO LACLEDE GAS COMPANY ACCORDING TO INSTRUMENT RECORDED IN BOOK 6859 PAGE 2112. (SHOWN ON PLAT)
- 16.) EASEMENT GRANTED TO LACLEDE GAS COMPANY ACCORDING TO INSTRUMENT RECORDED IN BOOK 6861 PAGE 379. (SHOWN ON PLAT)
- 17.) TERMS AND PROVISIONS OF THE DEVELOPMENT PLAT RECORDED IN PLAT BOOK 172 PAGE 98 AND PLAT BOOK 172 PAGE 98. (AFFECTS SUBJECT PROPERTY, TERMS AND PROVISIONS ON PLAT ARE EXEMPT AND NON-PLOTTABLE)
- 18.) TERMS AND PROVISIONS OF THE DEVELOPMENT PLAT RECORDED IN PLAT BOOK 181 PAGE 28. (AFFECTS SUBJECT PROPERTY, TERMS AND PROVISIONS ON PLAT ARE EXEMPT AND NON-PLOTTABLE)
- 19.) EASEMENT GRANTED TO UNION ELECTRIC COMPANY ACCORDING TO INSTRUMENT RECORDED IN BOOK 7002 PAGE 2108. (SHOWN ON PLAT)
- 20.) EASEMENT GRANTED TO METROPOLITAN ST. LOUIS SEWER DISTRICT ACCORDING TO INSTRUMENT RECORDED IN BOOK 6892 PAGE 2057. (SHOWN ON PLAT)
- 21.) EASEMENT AGREEMENT BY AND BETWEEN DESCO INVESTMENT COMPANY, L.L.C., BAC HEALTH SYSTEM AND MASON OLIVE ASSOCIATES, ACCORDING TO INSTRUMENT RECORDED IN BOOK 11755 PAGE 810. (EASEMENT TO ADD WATER LINE AND HYDRANT FOR BENEFIT OF ADJACENT PROPERTY, SHOWN ON PLAT)
- 22.) EASEMENT GRANTED TO UNION ELECTRIC COMPANY D/B/A AMEREN UE BY INSTRUMENT RECORDED IN BOOK 12332 PAGE 344. (SHOWN ON PLAT)

NOTES

FLOOD ZONE INFORMATION:
ACCORDING TO FEMA COMMUNITY PANEL NO. 23189C 0161 H WITH AN EFFECTIVE DATE OF AUGUST 02, 1995, THE PROPERTY LIES WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE OF THE 500 YEAR FLOOD PLAIN).

BASIS OF BEARINGS:
BEARING SYSTEM ADOPTED FROM THE RECORD PLAT OF "BELLERIVE EXECUTIVE PARK - PLAT TWO" AS RECORDED THEREOF IN PLAT BOOK 164 PAGE 62

ZONING:
"GC" GENERAL COMMERCIAL DISTRICT (CREVE COEUR)

PER ZONING INFORMATION REPORT (ZIS 207.05.08.012):
- SITE AND USES ARE LEGAL AND CONFORM WITH SECTION 28-42 OF THE ZONING ORDINANCES.
- A VARIANCE WAS ISSUED ALLOWING UP TO 45 PARKING SPACES FOR AN EATING AND DRINKING ESTABLISHMENT.

MINIMUM LOT SIZE: 21,780 S.F.
MAXIMUM HEIGHT: 3 STORIES OR 45 FEET

SETBACKS:
FRONT: 50 FEET
REAR: 15 FEET
SIDE: 15 FEET (ABUTTING WEST PROPERTY LINE)
12 FEET (ABUTTING EAST PROPERTY LINE)

PARKING SPACES:
503 SPACES (REGULAR)
24 SPACES (HANDICAP)
527 SPACES

CEMETERIES:
NO OBSERVABLE EVIDENCE OF ANY PRE-EXISTING CEMETERIES

SURVEY LEGEND

()	RECORD MEASUREMENT	()	SIGN
IP OR	IRON PIPE OR ROD FOUND	()	HANDICAPPED PARKING SPACE
IP OR	IRON PIPE OR ROD SET	()	NUMBER OF PARKING SPOTS
IP OR	IRON PIPE OR ROD SET	()	NOT TO SCALE
X	COTTON PICKER SPANGLE	()	PROPERTY LINE (W/ADJ)
X	CUT CROSS	()	PROPERTY LINE (W/ADJ)
X	CUT CROSS	()	BUILDING SETBACK LINE
X	CUT CROSS	()	EASEMENT LINE
X	CUT CROSS	()	CENTERLINE OF ROAD
X	CUT CROSS	()	STORM SEWER
X	CUT CROSS	()	SANITARY SEWER
X	CUT CROSS	()	SKALE OR DITCH
X	CUT CROSS	()	GAS LINE
X	CUT CROSS	()	WATER LINE
X	CUT CROSS	()	OVERHEAD TELEPHONE
X	CUT CROSS	()	OVERHEAD ELECTRIC
X	CUT CROSS	()	FIBER OPTIC
X	CUT CROSS	()	UNDERGROUND ELECTRIC
X	CUT CROSS	()	UNDERGROUND TELEPHONE
X	CUT CROSS	()	RAILROAD
X	CUT CROSS	()	FENCE LINE

SURVEYOR'S STATEMENT

TO: USER-DESIGN BELLERIVE PLAZA, L.L.C. (A/K/A MCW RD BELLERIVE PLAZA, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY (OWNER/CLIENT)
BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT FOR CERTAIN LENDERS (LENDER)
FIDELITY NATIONAL TITLE INSURANCE COMPANY (TITLE INSURANCE COMPANY)

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 2, 3, 4, 6(D), 7A, 7(B)(1), 7(C), 8, 9, 10(A), 11(B), 13, 14, 16, 17, 18, 19, 20(A), AND 21 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 24, 2015.

6-10-15
DATE
Christine M. Beasley
CHRISTINE M. BEASLEY, PLS
MISSOURI LAND SURVEYOR NO. 2002014096
EXPIRATION DATE: DECEMBER 31, 2016
RDG MO. CORPORATE LIC# 000076, EXP. 12-31-18

ALTA/ACSM LAND TITLE SURVEY
BELLERIVE PLAZA

Kuhlmann design Group, Inc.
66 Progress Parkway
St. Louis, Missouri 63043-3706
Tel: 314.434.8898 Fax: 314.434.8280
St. Louis, MO • Belleville, IL

KdG

DISCLAIMER OF RESPONSIBILITY

I hereby certify that this document is intended to be used for the purposes stated herein and is not to be used for any other purpose. I am not responsible for any errors or omissions in this document, and I am not responsible for any consequences resulting from the use of this document.



SURVEY
MISSOURI ARCHITECTURAL
CORPORATION CERTIFICATE NO. 000216
MISSOURI PROFESSIONAL ENGINEERING
CORPORATION CERTIFICATE NO. 000255
MISSOURI PROFESSIONAL LAND SURVEY
CORPORATION CERTIFICATE NO. 000076

NO.	DATE	ATTY COMMENTS
1	6/2/15	ATTY COMMENTS
2	6/9/15	ATTY COMMENTS

PROJECT NO. 150043 CONTRACT NO. 0004
DRAWN JPB CHECKED CMB
DATE: MARCH 2015

ALTA/ACSM
LAND TITLE
SURVEY
SHEET 1 OF 1
S1

SURVEY DATA:
4-3-15
SURVEY DATE: KEM, BCS
FIELD CREW: KEM, BCS
FIELD BOOK: 760D

CLIENT:
USR DESCO LLC
15500 OLD MANCHESTER RD
WILDMOOD, MO. 63040



(p) 612.216.4191
(e) info@roehrschmitt.com

RoehrSchmitt Architecture, LLC
1229 Tyler Street NE, Suite 275
Minneapolis, Minnesota 55413

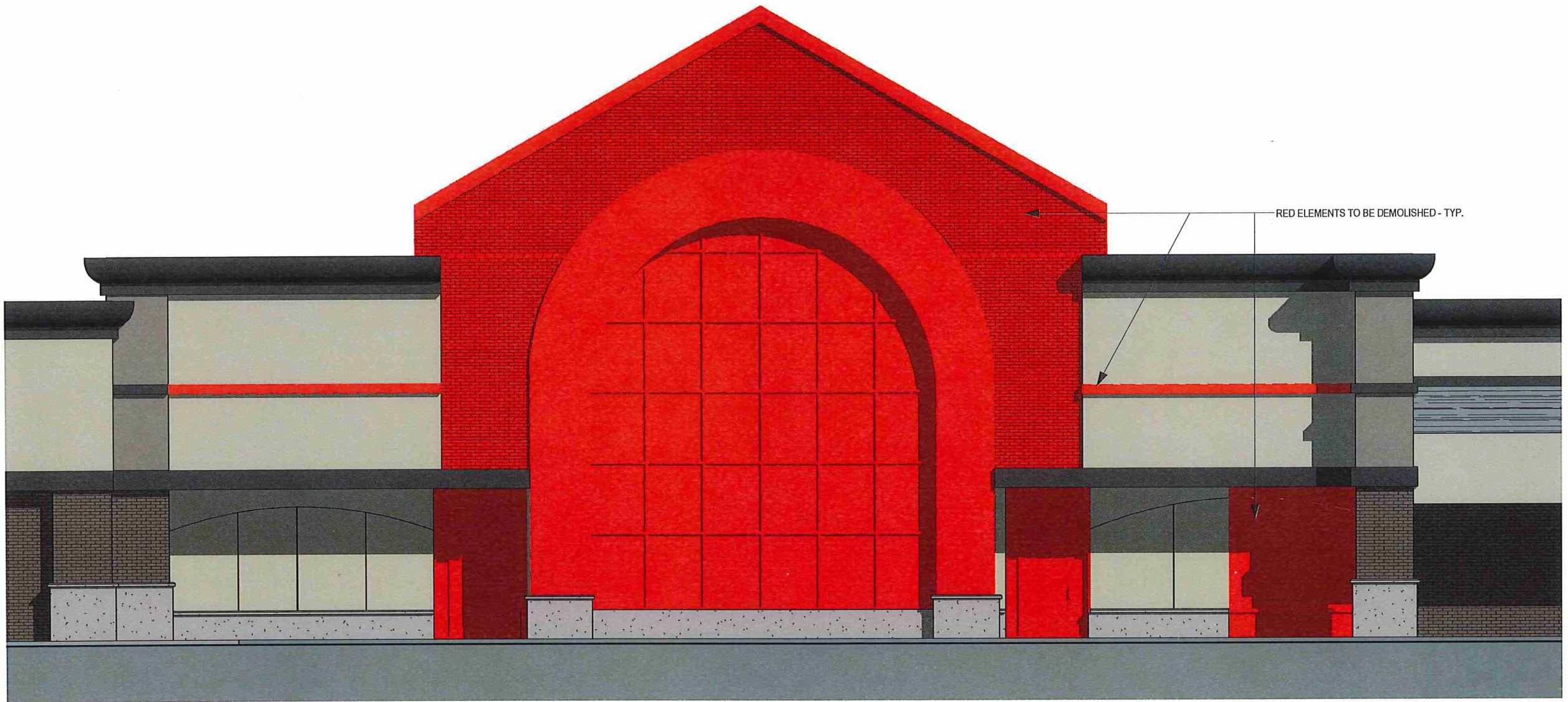
Foss Swim School

12766 Olive Blvd
Creve Coeur, MO

Exterior Elevation Option 1- REV1 - PMA

OCT. 24, 2022

A002



1 PRIMARY FACADE ELEVATION - DEMOLITION
A-1 1/8" = 1'-0"



(p) 612.216.4191
(e) info@roehrschmitt.com

RoehrSchmitt Architecture, LLC
1229 Tyler Street NE, Suite 275
Minneapolis, Minnesota 55413

FOSS SWIM SCHOOL

12766 Olive Blvd
Creve Coeur, MO

DEMOLITION ELEVATION

A-1

1/8" = 1'-0"



1 PRIMARY FACADE ELEVATION - NEW CONSTRUCTION
A-2 1/8" = 1'-0"



ROEHR
SCHMITT
ARCHITECTURE

RoehrSchmitt Architecture, LLC
1229 Tyler Street NE, Suite 275
Minneapolis, Minnesota 55413

(p) 612.216.4191
(e) info@roehrschmitt.com

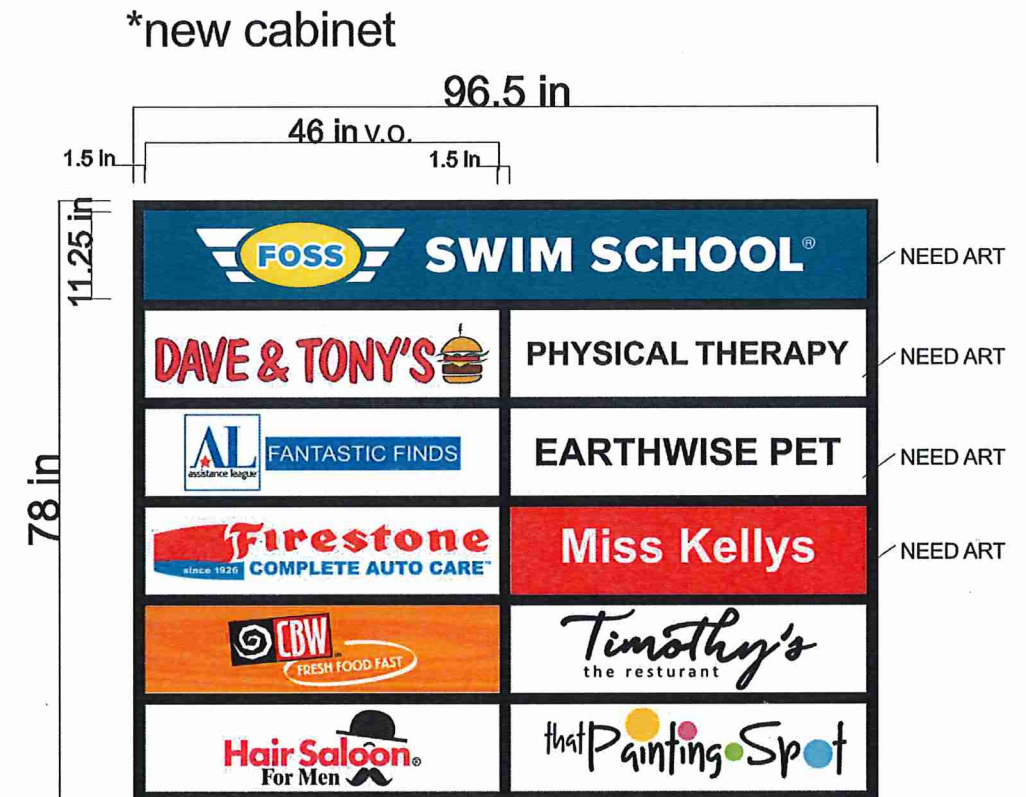
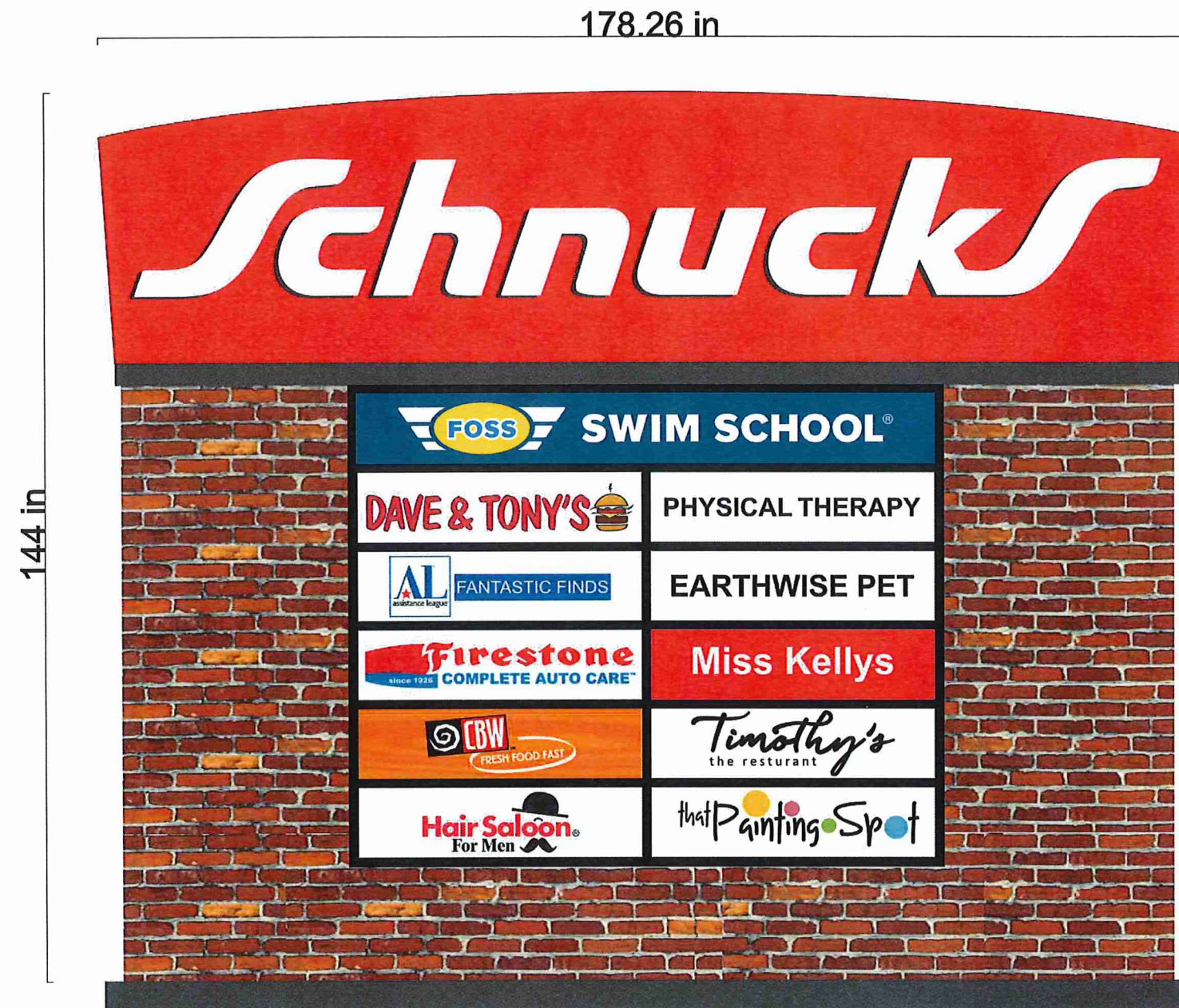
FOSS SWIM SCHOOL

12766 Olive Blvd
Creve Coeur, MO

NEW CONSTRUCTION ELEVATION

A-2

1/8" = 1'-0"



- CABINET REDESIGN
- ADD 2 ADDITIONAL TENANT PANELS
- 1.5" DIVIDER BARS



3131 WASHINGTON AVE.
ST. LOUIS, MO 63103
314-652-2486 FAX 652-9027

SCHNUCKS BELLERIVE - MON

SCALE

DATE



REVISED

DRAWING #

Property of Signcrafters, Inc. St. Louis

This drawing has been prepared for your exclusive viewing and cannot be reproduced in whole or part without written permission or right of purchase

ACCEPTANCE AUTHORIZATION

CUSTOMER APPROVAL

DATE

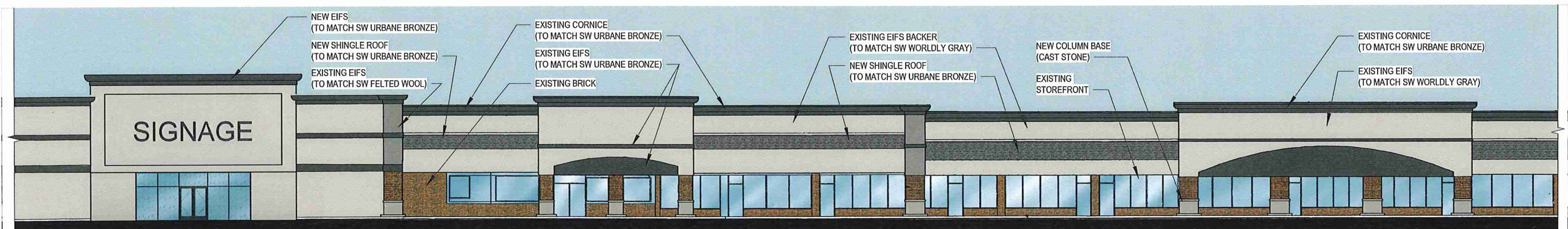
SALES REP.

DATE

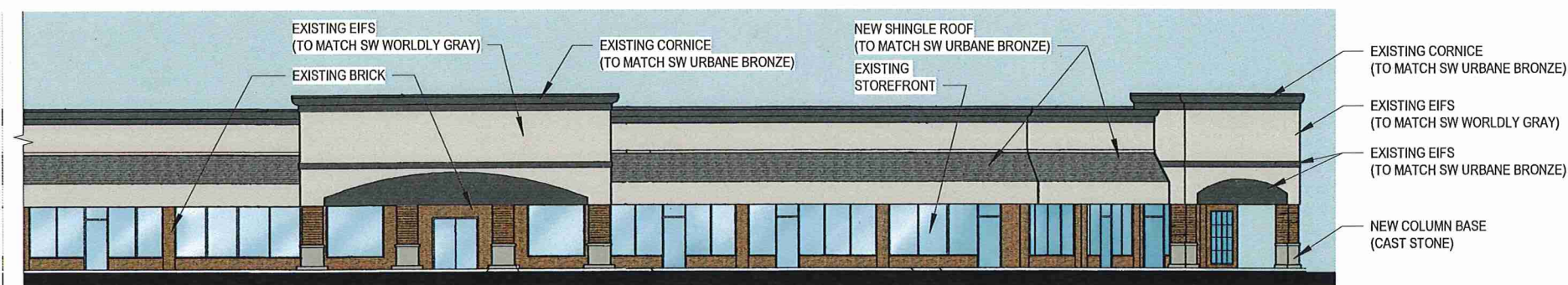
ELECTRICAL SERVICE AND CONNECTION OF SIGN TO ELECTRICAL SERVICE ARE THE RESPONSIBILITY OF THE CUSTOMER



ENLARGED FRONT ELEVATION 01 - OPTION 1



ENLARGED FRONT ELEVATION 02 - OPTION 1



ENLARGED FRONT ELEVATION 03 - OPTION 1

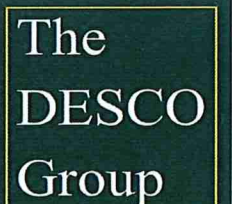
LL Previous plan submitted to city

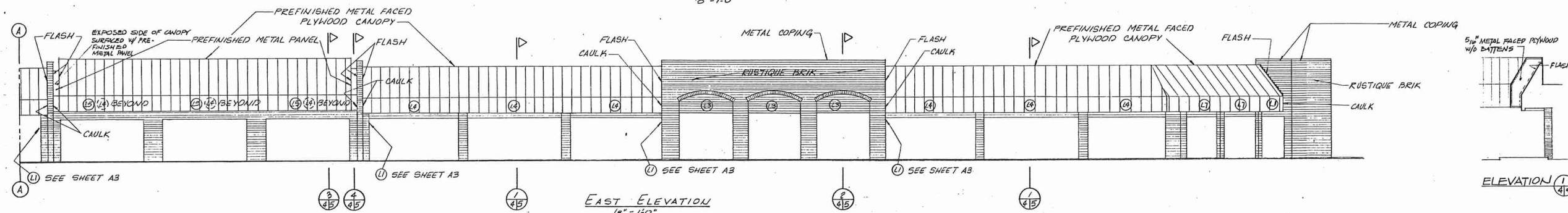
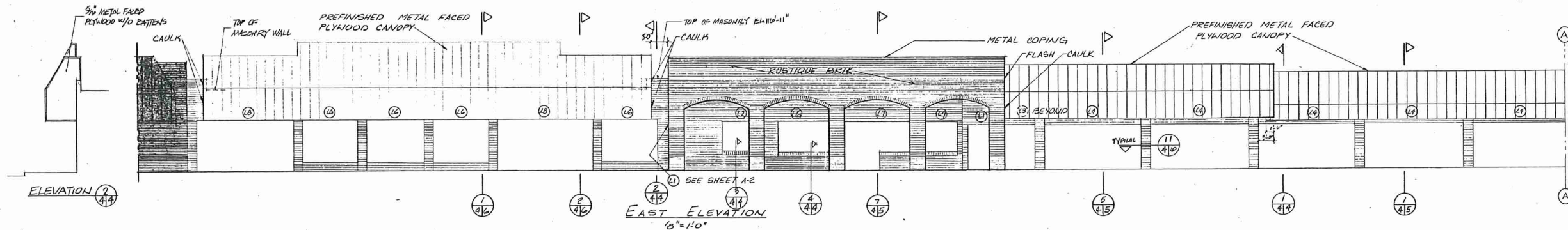


130 W. Lockwood Ave. Ste. 2, Webster Groves, MO 63119
O. 314.801.8601 www.YourIdeaArchitects.com
Certificate of Authority #2011006331

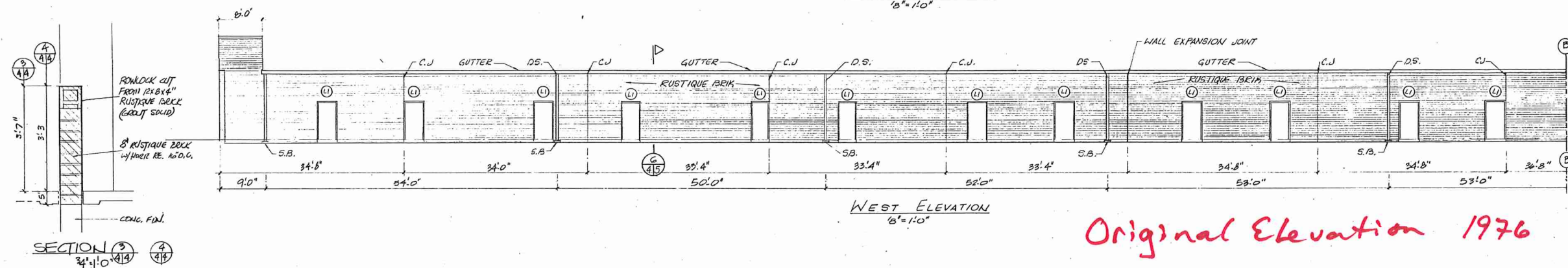
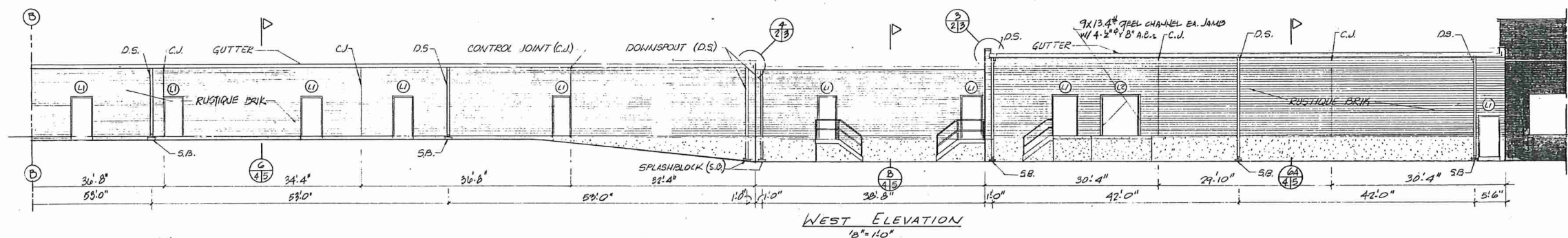
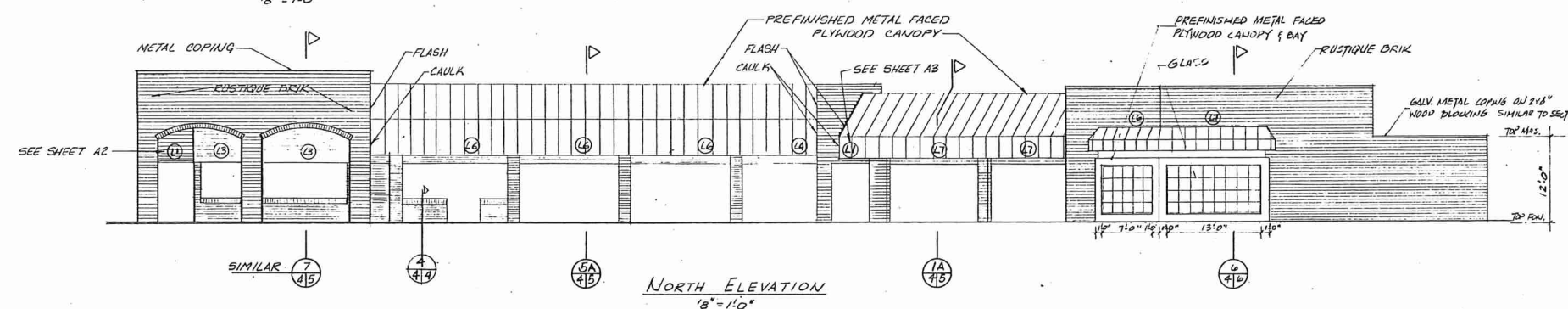
SCHNUCKS BELLERIVE PLAZA - ELEVATION STUDY OPTION#4

12756 OLIVE BOULAVARD, ST. LOUIS , MO 63141





MARK	SIZE	BEARING	REMARKS
L1	2-3 1/2 x 3 1/2 x 16 L's	6" EACH SIDE	
L2	1/8 x 10 w/ 1/4 x 7" R	" " "	
L3	1/2 x 16.5 w/ 1/4 x 7" R	" " "	
L4	1/8 x 26 w/ 1/4 x 7" R	" " "	
L5	1/8 x 4 w/ 1/4 x 11" R	" " "	
L6	1/2 x 22 w/ 1/4 x 7" R	" " "	
L7	1/2 x 4 w/ 1/4 x 7" R	" " "	
L8	1/8 x 31 w/ 1/4 x 7" R	" " "	



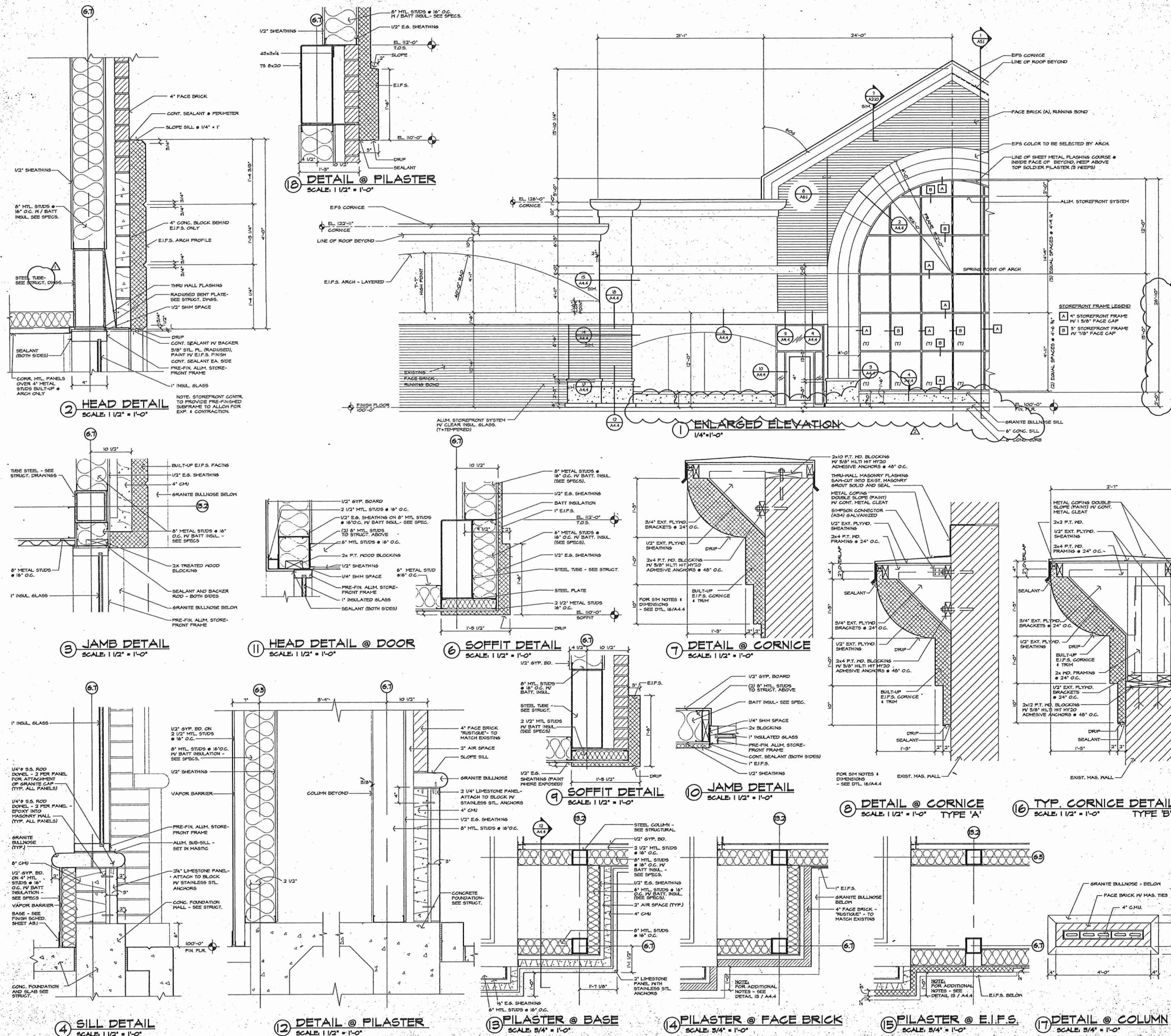
Original Elevation 1976

BELLERIVE PLAZA SHOPPING CENTER
 SAINT LOUIS COUNTY, MISSOURI 63017
 DESCO INVESTMENT COMPANY
 SAINT LOUIS COUNTY, MISSOURI 63044

Engineering Associates Inc.
 77 Maryland Plaza
 Saint Louis, Missouri 63108 (814) 361-8655

proj. no. 75218
 DATE 6-29-76
 CHECKED DATE

BUILDING ELEVATIONS
 SHEET 4 OF 7
 A-4



Schnucks
BELLERVILLE PLAZA
ADDITIONS AND ALTERATIONS
12756 OLIVE STREET ROAD CREVE COEUR, MISSOURI

Kuhlmann Design Group, Inc.
46 Progress Parkway
St. Louis, Missouri 63103-3706
Tel: (314) 431-8888

KdG

DISCLAIMER OF RESPONSIBILITY
I hereby certify that the design and construction of the project shown on these drawings was prepared by me or under my direct supervision and that I am a duly licensed professional engineer in the State of Missouri.

PROJECT NO. 990088 CONTRACT NO. 0004
DRAWN BY JCA CHECKED BY JCA
DATE 12-2-99

ENLARGED ELEVATIONS AND DETAILS
SHEET 20 OF 28
A4.4

Elev. Details
1999-
Current



Existing Facade 2022

**EXHIBIT A
LEGAL DESCRIPTION**

Lot 1 of Bellerive Executive Park Plat Two, as per plat thereof recorded in Plat Book 164 Page 62 of the St. Louis County Records.

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE
PERMIT FOR A 11,200 SQUARE-FOOT SPORTS AND RECREATION
INSTRUCTION ESTABLISHMENT, FOR FOSS SWIM SCHOOL, LOCATED AT
12760 OLIVE BOULEVARD, WITHIN THE BELLERIVE PLAZA COMPLEX**

WHEREAS, under Section 405.360(C), sports and recreation instruction businesses in the “GC”, General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Graham Robb, of Foss Swim School, LLC, submitted an application for a conditional use permit for an approximately 11,200 square foot sports and recreation instruction facility, Foss Swim School, at 12760 Olive Boulevard, within the Bellerive Plaza complex; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, December 5, 2022, beginning at 6:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

WHEREAS, notice of publication for said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a ____ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on December 5, 2022; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.
3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.
4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

BILL NO. _____

ORDINANCE NO. _____

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, St. Louis County, Missouri, as follows:

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a sports and recreation instruction facility located at 12760 Olive Boulevard, in the "GC" General Commercial zoning district, within the Bellerive Plaza complex, whose legal description is as follows:

LOT 1 OF "BELLERIVE EXECUTIVE PARK PLAT TWO" IN U.S. SURVEY 1923 TOWNSHIP 45 AND 46 NORTH, RANGE 5 EAST OF THE 5TH PRINCIPAL MERIDIAN. CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 164 PAGE 62 OF THE ST LOUIS COUNTY RECORDS.

Section 2: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The Conditional Use Permit shall be for the operation of an approximately 11,200 square foot Sports and Recreation establishment, NAICS 611620, at 12760 Olive Boulevard, within Bellerive Plaza.
2. Hours of operation shall be 9:00 AM to 8:00 PM Monday, Tuesday and Thursday, 3:30 PM to 8:00 PM Wednesday and Friday, and 8:00 AM to 5:00 PM Saturday and Sunday. Additional business hours may be permitted with the Zoning Administrator's approval.
3. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code and require permit approval.
4. A building permit in substantial conformance with the submitted plans for the exterior remodel as part of Application #22-035 shall be submitted for review.
5. Any future enlargement, extension, expansion, or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
6. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
7. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained, and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
8. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

BILL NO. _____

ORDINANCE NO. _____

Section 3: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 2 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 4: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2023.

JOSEPH MARTINICH
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2023.

DR. ROBERT
HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK