

Table of Contents

Agenda	4
Council Minutes dated May 23, 2011	
Council Minutes dated 05 23 11	9
Resolution No. 964 - A Resolution Authorizing The Execution Of A Cooperation Agreement Between The City Of Creve Coeur And St. Louis County, Missouri To Authorize The County To Administer A Residential Energy Efficiency Loan Program In The City Of Creve Coeur.	
Resolution 964	18
Agreement 061311	19
Staff report 061311	23
SAVES program flyer	24
CATF meeting summary 052411	25
For Information Only.	
Report, Bills Payable, 6-9-11	28
Bill No. 5303 - An Ordinance to Adopt the International Property Maintenance Code, 2009 Edition. First Reading	
Staff Report to the City Administrator	57
Bill No. 5303 Ordinance to Adopt 2009 IPMC.	62
Apartment Community Summary (Exhibit A)	70
Apt. Re-Occupancy Fee Comparison (Exhibit B)	71
Projected Revenue and Expenditures (Exhibit C).	72
Inspection Checklist (Exhibit D).	73
Certificate of Occupancy (Exhibit E)	74
Memo to CA (Kings Landing)	75
Kings Landing Letter (Exhibit F).	77
Memo to CA (SLAR)	79
Exhibit F SLAR Letter	80
Bill No. 5304 - An Ordinance to Revise The Miscellaneous Fees Portion Of the Community Development And Public Works Fee Schedule (Appendix B to Title IV). First Reading	
Bill No. 5304 Revised Fee Schedule	82
Exhibit 3 - Appendix B Revised Fee Schedule	83
Bill No. 5311 - An Ordinance Repealing Ordinance Number 1921 And Approving A New Conditional Use Permit For An Automotive Dealership Pursuant To Section 405.360(C) Of The City Of Creve Coeur's Code Of Ordinances For The Lou Fusz Fiat Located Within The "GC" General Commercial Business District At 900 N. Lindbergh Boulevard. Final Reading and Passage	
Bill No. 5311	85
Exhibit 1: Recommended Elevations and Landscape Plan	89
Memo to Council	91
Staff Report from May 16, 2011 P&Z Meeting	92
Staff Report from May 2, 2011 P&Z Meeting	95

Applicant's Elevations received April 14, 2011	99
Staff Report from the April 4, 2011 P&Z Meeting	101
Original Applicant Submittal dated 03-21-2011	112
Ordinance #1921	114
Public Hearing Transcript from the meeting of April 4, 2011.	120
Excerpt from May 16, 2011 P&Z Meeting Minutes	160
Excerpt from May 2, 2011 P&Z Meeting Minutes	162
Excerpt from April 4, 2011 P&Z Meeting Minutes	164
P&Z Commission Chair Letter.	166
Bill No. 5312 - An Ordinance Amending The Adopted 2010-2011 General Fund Budget Of The City Of Creve Coeur By Authorizing Additional Appropriations And Unappropriations From Operating Departments. Final Reading and Passage	
Bill No. 5312	167
Memo, FY 11 Budget Adj w/attachment, 5-19-11.	170
Bill No. 5313 - An Ordinance Amending The Adopted 2010-2011 General Fund Budget Of The City Of Creve Coeur By Authorizing Additional Appropriations And Unappropriations From Operating Departments. First Reading	
Bill No. 5313	175
Memo, FY 2011 Budget Adjustment, 6-9-11	178
Spreadsheet, Budget Adjustment Detail 6-9-11.	180
Bill No. 5314 - An Ordinance Adopting The Annual Budget For The City Of Creve Coeur For The Fiscal Year 2012 Commencing July 1, 2011 And Appropriating Funds Pursuant Thereto. First Reading	
Bill No. 5314	184
Memo, Budget Adjustments to Proposed FY 2012 Budget, 6-8-11	185
Proposed and Revised Budget Detail.	187
Bill No. 5315 - An Ordinance Approving A New Conditional Use Permit For An Automated Teller Machine Pursuant To Section 405.360(C) Of The City Of Creve Coeur's Code Of Ordinances For The First Community Credit Union Located Within The "GC" General Commercial Zoning District At 10950 Olive Boulevard. First Reading	
Bill No 5315.	189
Staff Report form June 6, 2011 P&Z Meeting.	192
Revised Landscape Plan dated June 1, 2011.	195
Staff Report from May 16, 2011 P&Z Meeting	196
Landscape Plan dated February 3, 2011	208
Photo 1 of an example ATM Structure	209
Photo 2 of an example ATM Structure	210
Photo 3 of an example ATM Structure	211
May 16, 2011 Public Hearing Transcript	212
Excerpt of Minutes from May 16, 2011 P&Z Meeting	244
Excerpt of Minutes from June 6, 2011 P&Z Meeting	247
P&Z Commission Chair Letter.	250

Bill No. 5316 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri, Reestablishing And Making Public Previously Established Methods Of Disclosing Potential Conflicts Of Interest And Substantial Interests Pursuant To Section 105.485 Of The Revised Statutes Of Missouri. First Reading

Bill No. 5316	251
Resolution No. 965 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A Contract With Missouri Petroleum For Asphalt Pavement Surface Treatments Related To The Street Repair Program For The 2011 Fiscal Year For \$111,557.16.	
Resolution No 965	254
2011 Micro-Surfacing Project - Exhibit A	255
2011 Micro-Surfacing Project - Recommendation.	264
Resolution No. 966 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of An Agreement With Lou Fusz Ford For The Purchase Of A 2012 Ford F-550 Diesel Powered Dump Truck For An Amount Of \$50,739.00.	
Resolution 966	267
Recommendation Ford F-550 Purchase 6-13-11.	268
F-550 Quote 6-13-11	269
Resolution No. 967 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of An Agreement With Don Brown Chevrolet For The Purchase Of A 2012 Chevrolet 2500 Extended Cab Pickup Truck For An Amount Of \$26,645.00.	
Resolution 967	273
Recommendation - Chevy 2500 Extended Cab Truck Purchase 6-13-11.	274
Post Retirement Health Benefits	
memo - retiree health 06-08-11.	275
post retirement health insurance projections	276
Personnel Policy Sec. 15.3 - Retiree Health Insurance.	277



**AGENDA
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, June 13, 2011
7:00 PM**

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

COMMENTS FROM THE GENERAL PUBLIC

PUBLIC HEARING

The City Council will Hold a Public Hearing on the Proposed FY 2012 City Budget.

ACCEPTANCE OF AGENDA

ANNOUNCEMENTS

The City Council meets the 2nd and 4th Monday of each month

6:00 p.m. – 7:00 p.m. – Work Session

7:00 p.m. – Regular Meeting of the City Council

1. CONSENT AGENDA

a. Council Minutes dated May 23, 2011

b. Resolution No. 964 - A Resolution Authorizing The Execution Of A Cooperation Agreement Between The City Of Creve Coeur And St. Louis County, Missouri To Authorize The County To Administer A Residential Energy Efficiency Loan Program In The City Of Creve Coeur.

Summary: The St. Louis County SAVES Program has been created by the County to provide low interest loans to residents throughout the County in order to make energy upgrades to their homes. In order to ensure that loans made by the County to residents in incorporated areas are valid exercises of the County's authority, the County will only make loans to residents in municipalities that have entered into a cooperation agreement with the County.



CITY OF CREVE COEUR – AGENDA
CITY COUNCIL MEETING
Monday, June 13, 2011
7:00 PM

BILLS PAYABLE REPORT

For Information Only.

Summary: A report of bills payable dated June 9, 2011 in the amount of \$250,255.69 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

2. Bill No. 5303 - An Ordinance to Adopt the International Property Maintenance Code, 2009 Edition. First Reading

Summary: The building division is proposing the implementation of an apartment re-occupancy program. St. Louis County and other municipalities have had residential re-occupancy programs for years and have adopted the International Property Maintenance Code to establish minimum requirements and standards for maintaining existing residential dwelling units in a code-compliant manner. City Council discussed the proposed program on March 28, 2011 and deferred the matter to June 13, 2011.

3. Bill No. 5304 - An Ordinance to Revise The Miscellaneous Fees Portion Of the Community Development And Public Works Fee Schedule (Appendix B to Title IV). First Reading

Summary: This revision is needed to address fees specific to the apartment re-occupancy program. Deferred from the City Council meeting of March 28, 2011.

4. Bill No. 5311 - An Ordinance Repealing Ordinance Number 1921 And Approving A New Conditional Use Permit For An Automotive Dealership Pursuant To Section 405.360(C) Of The City Of Creve Coeur's Code Of Ordinances For The Lou Fusz Fiat Located Within The "GC" General Commercial Business District At 900 N. Lindbergh Boulevard. Final Reading and Passage

Summary: Stephen Hollander, of S.J. Hollander Architect, on behalf of Lou Fusz Properties LLC, has submitted a request to amend Conditional Use Permit Ordinance #1921 to allow alteration to the existing structure for a new franchise, Lou Fusz Fiat, at 900 N. Lindbergh Boulevard. The property was formerly a Saturn Dealership, and is located north of Olive Boulevard and east of N. Lindbergh Boulevard. The property is currently zoned "GC" General Commercial District. Planning and Zoning Commission recommended approval at its May 16, 2011 meeting.



CITY OF CREVE COEUR – AGENDA
CITY COUNCIL MEETING
Monday, June 13, 2011
7:00 PM

5. **Bill No. 5312 - An Ordinance Amending The Adopted 2010-2011 General Fund Budget Of The City Of Creve Coeur By Authorizing Additional Appropriations And Unappropriations From Operating Departments. Final Reading and Passage**
Summary: An ordinance to amend the FY 2010-2011 budget.

NEW BUSINESS

6. **Bill No. 5313 - An Ordinance Amending The Adopted 2010-2011 General Fund Budget Of The City Of Creve Coeur By Authorizing Additional Appropriations And Unappropriations From Operating Departments. First Reading**
Summary: Fiscal Year 2011 budget adjustment No. 5 for appropriations and unappropriations from operating departments.
7. **Bill No. 5314 - An Ordinance Adopting The Annual Budget For The City Of Creve Coeur For The Fiscal Year 2012 Commencing July 1, 2011 And Appropriating Funds Pursuant Thereto. First Reading**
Summary: An ordinance adopting the annual budget for the City of Creve Coeur for FY 2012. <http://www.creve-coeur.org/index.aspx?nid=525>
8. **Bill No. 5315 - An Ordinance Approving A New Conditional Use Permit For An Automated Teller Machine Pursuant To Section 405.360(C) Of The City Of Creve Coeur's Code Of Ordinances For The First Community Credit Union Located Within The "GC" General Commercial Zoning District At 10950 Olive Boulevard. First Reading**
Summary: Rick Strutman, on behalf of First Community Credit Union, is requesting a conditional use permit for updating and relocating the automated teller machine (ATM) to a new location, and site development plan approval for landscape and site improvements to the property located at 10950 Olive Boulevard. Section 405.360(C)(4), drive-in sales of goods or services including any freestanding drive-in banking facilities in the "GC", General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits. Planning and Zoning recommended approval at the June 6, 2011.



CITY OF CREVE COEUR – AGENDA
CITY COUNCIL MEETING
Monday, June 13, 2011
7:00 PM

9. Bill No. 5316 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri, Reestablishing And Making Public Previously Established Methods Of Disclosing Potential Conflicts Of Interest And Substantial Interests Pursuant To Section 105.485 Of The Revised Statutes Of Missouri. First Reading

Summary: The City has previously established methods of disclosing potential conflicts of interest and substantial interest pursuant to Section 105.485 of the Revised Statutes of Missouri and codified such methods at Section 130.090 of the Code of Ordinances. The Statutes requires the City to reestablish such matters by September 15, 2011.

10. Resolution No. 965 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A Contract With Missouri Petroleum For Asphalt Pavement Surface Treatments Related To The Street Repair Program For The 2011 Fiscal Year For \$111,557.16.

Summary: Bids for the 2011 Micro-Surfacing Project have been reviewed, and City staff recommends award of the project to Missouri Petroleum.

11. Resolution No. 966 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of An Agreement With Lou Fusz Ford For The Purchase Of A 2012 Ford F-550 Diesel Powered Dump Truck For An Amount Of \$50,739.00.

Summary: This truck is being purchased to replace the truck that was lost by a fire in late winter.

12. Resolution No. 967 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of An Agreement With Don Brown Chevrolet For The Purchase Of A 2012 Chevrolet 2500 Extended Cab Pickup Truck For An Amount Of \$26,645.00.

Summary: Purchase of this truck is to replace a 1999 Chevy 2500 pickup that was sent to auction last fall.

BUSINESS FROM THE MAYOR and CITY COUNCIL



CITY OF CREVE COEUR – AGENDA
CITY COUNCIL MEETING
Monday, June 13, 2011
7:00 PM

BUSINESS FROM CITY ADMINISTRATOR

13. Post Retirement Health Benefits

Summary: Staff will review the projected post retirement health benefit costs with the City Council, as requested at the May 23 Council meeting.

14. Transportation Development District Updates

Summary: Staff will provide updates on the Olive TDD and the Olive/Graeser TDD.

15. July 25 City Council Meeting

Summary: The City Council has typically cancelled the second meeting in July.

Pursuant to Section 610.022 RSMo., the City Council 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: _____ posted 6/9/2011

Deborah Ryan, MRCC
City Clerk



**MINUTES
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, May 23, 2011
7:30 PM**

CALL MEETING TO ORDER

A regular meeting of the City Council of the City of Creve Coeur was called to order by Mayor Dielmann at the Creve Coeur Government Center, 300 North New Ballas Road on Monday, May 23, 2011.

PLEDGE OF ALLEGIANCE

Mayor Dielmann led the Pledge of Allegiance.

INVOCATION

Mayor Dielmann said the invocation.

ROLL CALL

The following members were in attendance:

Harold Dielmann	Mayor
Mrs. Kistner	Council Member Ward I
Mr. Kreuter	Council Member Ward I
Mr. Wang	Council Member Ward II
Mrs. Nealey	Council Member Ward II
Mrs. D'Alfonso	Council Member Ward III
Mr. Hoffman	Council Member Ward III
Mr. Saunders	Council Member Ward IV
Mrs. Rhoades	Council Member Ward IV

COMMENTS FROM THE GENERAL PUBLIC

Tony Kardis resident of 678 Graeser asked if the City is planning to assist Joplin in their clean up and recovery efforts after the tornado.

Mayor Dielmann stated the City has, in the past couple of months, helped those affected in St. Louis County with this year's storms.

Mark Perkins stated the City does have a crew that is still working in Maryland Heights continuing to do leaf and limb pick up.

Council Member Kistner stated because of the relationship between St. Johns Hospital in Creve Coeur and the hospital that was hit in Joplin. St. Johns has been very active in the recovery efforts and residents could contact them to see how they can help.

Mark Perkins stated the City will be in contact with the Missouri Municipal League and they generally coordinate efforts between cities.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 23, 2011
7:30 PM

ACCEPTANCE OF AGENDA

Council Member Kreuter moved, seconded by Council Member Kistner to accept the agenda as presented, with the vote upon such motion being as follows, to-wit:

Council Member Kistner – Aye
Council Member Hoffman – Aye
Council Member Saunders – Aye
Council Member Nealey – Aye
Council Member Rhoades – Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

ANNOUNCEMENTS

The City Council meets the 2nd and 4th Monday of each month
6:00 p.m. – 7:00 p.m. – Work Session
7:00 p.m. – Regular Meeting of the City Council

FUTURE PUBLIC HEARINGS

Monday, June 13, 2011 - 7:00 p.m. - The City Council will Hold a Public Hearing on the Proposed FY 2012 City Budget.

1. CONSENT AGENDA

Council Member Rhoades moved, seconded by Council Member Hoffman to approve the consent agenda as presented.

a. Council Minutes dated May 9, 2011

b. Destruction of Old records and reports.

Mayor Dielmann called the question to approve the consent agenda as presented, with the vote upon such motion being as follows, to-wit:

Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member D'Alfonso – Aye
Council Member Rhoades – Aye
Council Member Nealey – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 23, 2011
7:30 PM

The vote on the motion being 8 ayes and 0 nays, motion carried.

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated May 18, 2011 in the amount of \$200,843.68 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

2. Bill No. 5309 - An Ordinance Authorizing The City Administrator To Enter Into An Agreement Between The City Of Creve Coeur And The Monarch Fire Protection District To Provide Residential Building Code Enforcement For The Fire District. Final Reading and Passage

City Clerk read Bill No. 5309 for the final time.

Council Member Kistner moved, seconded by Council Member Hoffman to approve Bill No. 5309, with the vote upon such motion being as follows, to-wit:

Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member D'Alfonso – Aye
Council Member Rhoades – Aye
Council Member Nealey – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5309 becomes Ordinance No. 5192.

3. Bill No. 5310 - An Ordinance Amending The Personnel Policy And Procedures Manual Regarding Miscellaneous Sections Of The Manual And Making Other Technical Corrections Thereto. Final Reading and Passage

City Clerk read Bill No. 5193 for the final time.

Council Member Wang moved, seconded by Council Member Hoffman to approve Bill No. 5310.

Lynn Berry resident of 626 Graeser Road read and submitted a statement for the record.
(Exhibit A)

Mark Perkins stated staff has previously extensively discussed moving to PTO system and probably still has a staff report regarding this issue to share with Council. Mark Perkins stated



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 23, 2011
7:30 PM

we currently do cap our sick leave that can be accrued by our employees and have no sick leave pay out. Staff felt that we do not have an abuse problem with sick leave and there are some employee groups that can be likely to have a higher incidence of usage. When the City assisted in creating the West Central Dispatch Center they did go to a PTO system. There are positives and negatives of both systems. With regard to retiree health care, the City did terminate this benefit for new hires effective 2001. Anyone hired after that date can receive retiree health coverage but they must pay one hundred percent of that premium for the coverage. This benefit is largely enjoyed by retired police officers as they can retire at age 55. When any employee reaches Medicare eligibility they are not eligible for the health insurance any longer. Most of our civilian employees retire at age 65 so there is limited exposure and there was concern back then due to the rising health care costs. The City terminated longevity pay for new hire effective a few years ago and the thinking was to use the cost savings on merit based pay. Many employees still enjoy this benefit but it has been frozen as of a couple of years ago.

Council Member Hoffman asked if there is a time frame when this benefit would expire for retiree health care.

Mark Perkins stated we are only talking about employees hired before 2001 and we have some employees that have left the police department and have retired and have taken other jobs and those jobs have health insurance. The City amended their policy a few years ago that when an individual is covered under another insurance program they cannot continue to stay on the City's insurance.

Council Member Rhoades stated it would be helpful to see the staff memo that was created for the PTO and asked what does staff see as the downside to that.

Jaysen Christensen stated staff couldn't find any city in the State of Missouri that had provided this benefit but there was a city down in Texas that did PTO and they had mixed results. They have found that employees were afraid to use their time when they were sick and would come in to work. Jaysen stated as Mr. Perkins previously stated staff found that we didn't have an issue with abuse and have on average the use of two to two and a half days of sick time annually per employee. Typically if you go to a PTO system you have to increase the number of days and that ends up costing the City. There is also the issue of maintaining benefits and staying competitive.

Council Member D'Alfonso stated since she has come into this position she has been really impressed by how quickly staff handles issues. As an organization one of the things we have to do is take care of staff and she was happy with a majority of the items in the personnel policy. In regards to health benefits for employees hired prior to 2001, ethically if there is something that we have offered an employee and then they retire, we can't change that.

Council Member Nealey stated it would be helpful to see that prior report on PTO.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 23, 2011
7:30 PM

Mayor Dielmann called the question for the approval of Bill No. 5310, with the vote upon such motion being as follows, to-wit:

Council Member Kistner – Aye
Council Member Hoffman – Aye
Council Member Saunders – Aye
Council Member Nealey – Aye
Council Member Rhoades – Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5310 becomes Ordinance No. 5193.

NEW BUSINESS

4. Bill No. 5311 - An Ordinance Repealing Ordinance Number 1921 And Approving A New Conditional Use Permit For An Automotive Dealership Pursuant To Section 504.360(C) Of The City Of Creve Coeur's Code Of Ordinances For The Lou Fusz Fiat Located Within The "GC" General Commercial Business District At 900 N. Lindbergh Boulevard. First Reading

City Clerk read Bill No. 5311 for the first time.

Paul Langdon, Community Development Director made a presentation on this application.

Steve Hollander representative for the Lou Fusz Network was present to answer questions of the Council.

David Caldwell resident of 257 Caldwell Court stated for the record, this application doesn't have anything to do with signage, as signage would be considered separately and there are certain things that could be done without any approval by Planning and Zoning or by the Council. If Lou Fusz wanted to have a Master Sign Plan, which they don't have now, they would have to bring that forward under a separate application. Mr. Caldwell stated his question is, that this application, not considering signage, doesn't require anything in terms of a use permit and are there any limitations on signage. This application doesn't either limit the applicant or grant them anything different than the signage as it is in the existing ordinance and how does that relate to the overall architecture.

Paul Langdon stated the ordinance doesn't grant or remove any right for signage which is covered by the existing sign code. The property does have frontage on Old Olive and Olive as well as Lindbergh. The question of the architecture being signage is interesting and was part of



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 23, 2011
7:30 PM

the discussion at Planning and Zoning. As far as we know the red block is a style and not a trademark and is no different than the front elevation of a CVS or a Walgreens. What would be covered is any text as well as the Fiat logo. There is a ground monument sign already and as a preexisting sign the applicant can face change that and it doesn't matter if it meets the sign code or not.

5. Bill No. 5312 - An Ordinance Amending The Adopted 2010-2011 General Fund Budget Of The City Of Creve Coeur By Authorizing Additional Appropriations And Unappropriations From Operating Departments. First Reading

City Clerk read Bill No. 5312 for the first time.

6. Resolution No. 963 - Resolution Authorizing The Execution Of An Agreement For Professional Services To Conduct An Annual Audit And Assist The City In The Preparation Of Its Comprehensive Annual Financial Report.

City Clerk read Resolution No. 963. Mark Perkins discussed the professional selection process.

Council Member Kistner moved, seconded by Council Member Kreuter to approve Resolution No. 963, with the vote upon such motion being as follows, to-wit:

Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member D'Alfonso – Aye
Council Member Rhoades – Aye
Council Member Nealey – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

7. Acceptance of Donation - Lines Grant from USTA

Council Member Kistner moved, seconded by Council Member Rhoades to accept the donation from USTA to paint lines but only on one court in each of the three parks, with the vote upon such motion being as follows, to-wit:

Council Member Kistner – Aye
Council Member Hoffman – Aye
Council Member Saunders – Aye
Council Member Nealey – Aye
Council Member Rhoades – Aye



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 23, 2011
7:30 PM

Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

BUSINESS FROM THE MAYOR and CITY COUNCIL

8. Boards and Commission Nominations

Council Member D'Alfonso stated we have a couple of vacancies on Planning and Zoning and she has had several requests to submit a recommendation for appointment. Council Member D'Alfonso stated she would personally like to see someone appointed for P & Z that has an engineering background but she doesn't know everyone else's qualifications. The perception from citizens is that it is who you know not what you know to be appointed to a Committee. As humans we tend to lean to one candidate or another if we know one of the candidates. Council Member D'Alfonso suggested as the Council is going through the nominating process the resumes should be anonymous so that it does not sway the decision of a Council or Nominating Committee Member one way or another and we are truly looking at their qualifications and not their names.

Council Member Kistner stated over the years it has been very difficult to get people interested at all in serving on a board or committee. In the past qualifications have been a critical discussion point and matching people up with their interest and expertise has been the recommendation. Council Member Kistner stated she sees the theoretical benefit to removing names from resumes but on the other side it might be the reason that a person is interviewed because we may have learned something from talking or knowing that person.

Council Member D'Alfonso stated but the perception of the residents is that it is who you know and we have an opportunity to make some changes with the process.

Council Member Saunders stated he is understanding and sympathetic to the suggestion and the perception of the citizens but over the years it has been very difficult to get volunteers for these committees. In terms of the notion of anonymizing applicants not sure that we actually might want less anonymity and it would be ideal if we could interview every candidate but not certain if that is even logistically possible. Council Member Saunders stated if he was trying to fill vacant positions he would be out talking to the people that he knows to fill the positions and think that they would be good on that specific committee. It is natural to gravitate to familiarity.

Council Member Hoffman stated he has been involved for many years in the Nominating Committee process and over the years he has noticed the small group that makes up the Nominating Committee. The Committee is set out in the Charter and it is only three people: Chair of the Committee, President of the Council and the Mayor. It might be helpful to expand the process of the Nominating Committee to include interviews.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 23, 2011
7:30 PM

Council Member D'Alfonso stated this is just an idea to begin discussion of the process and because of the way it is being perceived right now. If we are having such a tough time filling vacancies we need to look at why and this might be one of the reasons.

Council Member Nealey stated she agrees that there is a problem and the perception but doesn't agree that anonymity is the solution but that isn't to say that there isn't something else out there to solve part of the problem. Council Member Nealey suggested before the next formal Nominating Committee meeting the Council work on some sort of alternative method.

Council Member Hoffman stated the makeup of the Nominating Committee is in the City Charter and that would require a big change.

Council Member Kreuter stated it is interesting the history of this issue because the process used to be just a mayoral appointment with consent of the Council. One year when Sue Baum would not make appointments the Council changed the Charter so that she and two other people would be making the recommendations and that is how we got to the process in which we have today.

Council Member Kistner suggested interviews of candidates for the Planning and Zoning Commission as that is a critical appointment.

Council Member Hoffman stated the Planning and Zoning Commission is the only committee that does not choose its own chairman which is set out by the Charter. There is already a precedent that it is different than all of the other committees.

Council Member Rhoades stated term limits force the introduction of new faces. Giving people the opportunity to participate and submit names is certainly helpful in getting more inclusion within City government. It is good to raise awareness on what we should be practicing which is an effort to be as inclusive as possible. There have been many improvements with the Nominating process over the years and it has evolved.

Council Member D'Alfonso stated she would feel better if the process included something like interviewing because she would then feel like everyone was getting a fair chance. Council Member D'Alfonso stated if she is going to be asked to vote aye or nay then she wanted to know that due process has been done.

Council Member Nealey asked the City Attorney if the Nominating Committee wanted to do interviews would that require a change to the Charter.

Carl Lumley stated no.

Council Member Wang asked what other meetings the City Attorney attends.

Carl Lumley stated Planning and Zoning as well as Board of Adjustment.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 23, 2011
7:30 PM

BUSINESS FROM CITY ADMINISTRATOR

Council Member Hoffman moved, seconded by Council Member Kistner to adjourn Executive Session at 8:49 p.m. with the vote upon such motion being as follows, to-wit:

Council Member Kistner – Aye
Council Member Hoffman – Aye
Council Member D’Alfonso – Aye
Council Member Wang – Aye
Council Member Rhoades – Aye
Council Member Saunders – Aye
Council Member Nealey – Aye
Council Member Kreuter – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

Council Member Wang moved, seconded by Council Member Kistner to adjourn at 9:35 p.m., with the vote upon such motion being as follows, to-wit:

Council Member Kreuter – Aye
Council Member Nealey – Aye
Council Member D’Alfonso – Aye
Council Member Wang – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye
Council Member Rhoades – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

Deborah Ryan
City Clerk

Harold Dielmann
Mayor

RESOLUTION NO. 964

A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT BETWEEN THE CITY OF CREVE COEUR AND ST. LOUIS COUNTY, MISSOURI TO AUTHORIZE THE COUNTY TO ADMINISTER A RESIDENTIAL ENERGY EFFICIENCY LOAN PROGRAM IN THE CITY OF CREVE COEUR.

WHEREAS, the County has developed a program to provide low interest rate loans to residential property owners to make energy efficiency improvements (the "Program"); and

WHEREAS, the implementation of the Program in the Creve Coeur will serve the public purposes of energy conservation and economic development by stimulating residents to undertake residential energy efficiency improvements; and

WHEREAS, the Climate Action Task Force has reviewed the Program and unanimously recommends that the City Council authorize the City to enter into the cooperation agreement with the County; and

WHEREAS, the provisions of Sections 70.210 to 70.320, RSMo., empower political subdivisions to contract with each other for a common service and Section 2.180 of the St. Louis County Charter provides that the County Council may by ordinance authorize contracts between the County and an incorporated area for a common service; and

WHEREAS, the County desires to make the Program available throughout the County and to have the incorporated cities, towns and villages located in the County assist in the marketing the Program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, AS FOLLOWS:

SECTION 1: The City Administrator is hereby authorized to execute an agreement between St. Louis County, Missouri and the City of Creve Coeur to authorize the County to administer a residential energy efficiency loan program within the City of Creve Coeur and to cooperate with the County in marketing the program to Creve Coeur residents as set forth in the agreement (Attachment A).

SECTION 2: This resolution shall become effective upon its passage.

Adopted this 13th day of June 2011.

Harold Dielmann, Mayor

ATTEST:

Deborah Ryan, City Clerk

**RESIDENTIAL ENERGY EFFICIENCY LOAN PROGRAM
COOPERATION AGREEMENT**

This **RESIDENTIAL ENERGY EFFICIENCY LOAN PROGRAM COOPERATION AGREEMENT** (this “Agreement”) is entered into this ____ day of _____, 2011, by and among **ST. LOUIS COUNTY, MISSOURI** (the “County”) and all incorporated cities, towns and villages located in the County that have joined this Agreement (collectively, the “Municipalities” and each, a “Municipality”).

RECITALS

WHEREAS, the County has developed a program to provide low interest rate loans to residential property owners to make energy efficiency improvements (the “Program”); and

WHEREAS, the implementation of the Program throughout the County will serve the public purposes of energy conservation and economic development by stimulating the County’s residents to undertake residential energy efficiency improvements; and

WHEREAS, the provisions of Sections 70.210 to 70.320, RSMo., empower political subdivisions to contract with each other for a common service and Section 2.180 of the County Charter provides that the County Council may by ordinance authorize contracts between the County and an incorporated area for a common service; and

WHEREAS, the County desires to make the Program available throughout the County and to have the incorporated cities, towns and villages located in the County assist in the marketing the Program.

AGREEMENT

NOW, THEREFORE, for and in consideration of the above recitals, the County and the Municipalities do hereby agree as follows:

1. The County shall have sole administrative control over the Program and may make any changes to underwriting criteria, eligible projects and other aspects of the Program as it may determine are desirable from time to time.

2. The Program shall be offered, without geographic restrictions or allocations, to residential property owners in unincorporated areas of the County and in the Municipalities that have approved this Agreement. By approval of this Agreement, each Municipality is consenting to the County offering the Program within the Municipality.

3. The County intends to make low interest loans under the Program to eligible residential property owners in the priority in which applications are received, subject to underwriting criteria, loan documentation and other administrative requirements of the Program.

4. The Municipalities shall cooperate in the marketing of the Program by:

(a) Posting an informational flyer provided by the County’s Director of Energy Sustainability (the “Sustainability Director”) at the meeting place of the governing body of the

Municipality and/or other public areas operated by the City (i.e., recreation centers, libraries, etc.), which the Municipality determines will be beneficial to the effective marketing of the Program;

(b) If the Municipality maintains a newsletter, including a communication from the Sustainability Director describing the Program;

(c) If the Municipality maintains a website, including a link to the Program website from the Municipality's website; and

(d) If the Municipality owns or operates an electric utility, cooperating in good faith with the Sustainability Director to obtain any utility usage information that the Sustainability Director deems beneficial to the marketing or monitoring of the Program.

5. A Municipality may withdraw from this Agreement by providing 30 days written notice to the Sustainability Director. Any such withdrawal will not affect prior loans made under the Program to residential property owners in the Municipality.

6. Neither the Municipality nor any of its officers, employees or agents will bring any claim against the County, its officers, employees or agents related to the Program.

7. This Agreement will remain in effect so long as the Program has funds to continue operating. The County and Municipalities acknowledge that, as of the date first written above, and unless additional funding is identified, the Program is anticipated to make loans over a three-year period.

[Remainder of Page Intentionally Left Blank.]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their respective names by their duly authorized signatories.

ST. LOUIS COUNTY, MISSOURI

By: _____
County Executive

[SEAL]

ATTEST:

By: _____
Administrative Director

Approved as to legal form:

County Counselor

Approved:

Accounting Officer

[Residential Energy Efficiency Loan Program Cooperation Agreement]

Agreed to this _____ day of _____, 20____.

MUNICIPALITY: _____

By: _____

Name: _____

Title: _____

[SEAL]

ATTEST:

By: _____

Name: _____

Title: _____

[Residential Energy Efficiency Loan Program Cooperation Agreement]



INTEROFFICE MEMORANDUM

Date: June 13, 2011

To: City Administrator and Department Heads
From: Jaysen Christensen, Assistant to the City Administrator
Subject: St. Louis County SAVES Program

The St. Louis County SAVES Program has been created by the County to provide low interest loans (3.5% APR) to residents throughout the County in order to make energy upgrades to their homes (see attached flyer "Introducing St. Louis County SAVES" for additional information about the program).

In order to ensure that loans made by the County to residents in incorporated areas are valid exercises of the County's authority (and accordingly, that the County can collect on these loans), the County will only make loans to residents in municipalities that have entered into a cooperation agreement with the County (agreement attached).

By entering into the cooperation agreement, Creve Coeur would be responsible to help market the program to its residents by posting an informational flyer (provided by the County) at the Government Center and Dielmann Complex and by providing information about the program in the City newsletter and posting a link to the program on the City's website. The County would maintain the authority and responsibility for administering the program.

The City's Climate Action Task Force reviewed the program at its meeting on May 24, 2011 and unanimously recommended that the City Council authorize that the City enter into the cooperation agreement with the County in order to make the program available to Creve Coeur residents (CATF meeting summary attached).

Attachments:

- Resolution to authorize entering into a cooperation agreement with St. Louis County
- Cooperation Agreement
- Flyer – "Introducing St. Louis County SAVES"
- May 24, 2011 meeting summary of Climate Action Task Force

Introducing



Residential Energy Efficiency LOAN Program

Low interest loans available to St. Louis County homeowners for upgrades that improve comfort and reduce energy costs in their homes.

Residential Energy Efficiency Loans	
Residential Energy Efficiency Loans	Unsecured, personal loan
Eligible properties	Owner-occupied, single-family homes
Individual eligibility requirements	FICO score ≥ 660 ; Debt-to-income ratio $< 45\%$
Loan amounts	\$2,500 to \$15,000
Loan term	Flexible up to 10 years
Loan rates	Fixed APR not to exceed 3.5%
Eligible improvements	Energy-saving improvements pre-qualified by the County's program, such as air sealing, insulation and high efficiency HVAC and water heating equipment.

Anticipated program launch on May 20, 2011

Questions?

Anne Klein
Director of Energy Sustainability
(314) 615-7017
aklein@stlouisco.com



Meeting Summary
Climate Action Task Force
Government Center
Meeting Room 2
May 24, 2011
4:30 p.m.

In attendance: Climate Action Task Force Members: John May (chair), Kathleen Engel (vice chair), Sabine McDowell, Sue Baseley, Fran Cantor, Jahn Epstein, and Judy Sherman.

Absent: David Downs, Ken Howard, Jill Schupp, and Council Liaison, Beth Kistner.

Staff present: Assistant to the City Administrator, Jaysen Christensen.

John May called the meeting to order at 4:35 PM.

Approval of Meeting Summary

The meeting summary for the CATF meeting of February 16, 2011 was reviewed, and a misspelling of Fran Cantor's name under the Planning Department discussion heading was corrected. **Action:** Kathleen Engel moved to approve the February 16, 2011 meeting summary as amended. Sabine McDowell seconded the motion. The motion carried unanimously.

Task Force Vacancies

Fran Cantor and Sue Baseley expressed interest in being reappointed to the Task Force when their current terms expire on June 30, 2011. John May stated that Jill Schupp has also expressed interest in continuing after her current term expires on June 30, 2011. Dr. May stated that David Downs' term will expire; however, David is no longer participating on the Task Force and has not expressed interest in being reappointed. Dr. May stated that a nominating committee would soon be scheduled by Mayor Dielmann and the City Council President and that he and/or Ms. Engel would be attending and would plan to recommend Ms. Baseley, Ms. Cantor, and Ms. Schupp for reappointment.

Election of Chair and Vice Chair

Dr. May stated that City Committees including the CATF are required to elect a chair and a vice chair each year. A unanimous consensus was expressed by Task Force members to nominate Kathleen Engel (currently CATF Vice Chair) to Chair. **Action:** Fran Cantor moved to elect Kathleen Engel to CATF Chair effective July 1, 2011. Judy Sherman seconded the motion. The motion carried unanimously. **Action:** Judy Sherman moved to elect Sue Baseley to CATF Vice Chair effective July 1, 2011. Jahn Epstein seconded the motion. The motion carried unanimously.

Green Power Community Challenge

John May provided an overview of the Green Power Community (GPC) Challenge, which was presented to the CATF by Rick Hunter of Microgrid Energy and Cindy Bambini of 3 Degrees on May 18, 2011. The GPC Challenge is sponsored by the EPA

as a way to encourage communities to use renewable energy. Participating in the challenge would require the City to purchase renewable energy credits (RECs) to offset its energy use and then committing to a GPC Challenge campaign in the community to offset 3% of Creve Coeur's total power usage. Locally in St. Louis, the GPC Challenge is being promoted by Ameren Pure Power which sales RECs to support its Missouri wind farms. Microgrid Energy and 3 Degrees have been contracted by Ameren to help promote and administer the GPC Challenge and Pure Power. Microgrid Energy is a local company that specializes in renewable energy and energy efficiency including solar panels, which is also an eligible renewable energy source under the program.

The City of Clayton was the first city in Missouri to become a GPC. Creve Coeur has been approached by Microgrid Energy and 3 Degrees about being the second such community. The City Administrator suggested that the CATF first review the GPC proposal and make a recommendation to the City Council.

Dr. May stated that purchasing RECs was included as part of his draft of Phase II of the Climate Action Plan.

Judy Sherman asked if by purchasing Pure Power RECs customers would just be donating money to Ameren for wind farms that would be built anyway. Dr. May stated that in some parts of the country, wind power and other renewable energy sources have reached or are becoming close to reaching grid parity meaning that the energy from renewable sources costs about the same as energy from other sources such as coal; however, wind power in Missouri is still more expensive than coal. Thus, he saw the program as a way of supporting the development of an industry that will be critical in meeting the CATF's long term goals.

It was discussed that Rick Hunter had stated that if Creve Coeur reached its GPC target of 3%, the cost to the City for purchasing Pure Power RECs (approximately \$4,000 per year) would be offset by an increase in utility taxes from the RECs purchased by other Ameren customers in Creve Coeur (RECs are subject to the utility tax). Dr. May stated that Mr. Hunter had indicated that meeting the GPC target would actually bring in approximately \$8,000 in additional annual utility tax revenues to the City and therefore net about \$4,000 per year (\$8,000 of additional tax revenues minus \$4,000 of cost to the City). Dr. May stated that Mr. Hunter also stated that the City is already half way to reaching the 3% target without initiating the GPC Challenge as some customers such as Monsanto are already buying Pure Power RECs; therefore, the City should already be receiving approximately \$4,000 per year in additional utility tax revenues due to RECs being purchased. Dr. May stated that achieving the 3% target would offset the City's cost but not result in a net positive gain of \$4,000 to the City.

Ms. Engel stated that she believes that a GPC Challenge in Creve Coeur would have a positive effect on educating the community about reducing carbon emissions and with the help of Ameren and 3 Degrees, could be accomplished with a relatively small amount of City staff and CATF resources.

Sabine McDowell stated that she believes that it would be more effective for the City to use the money required to purchase RECs to do its own marketing.

Action: Fran Cantor moved to recommend to the City Council that it authorize the purchase of RECs to become a Green Power Community and initiate the GPC Challenge to the community. Kathleen Engel seconded the motion. The motion carried 4 to 2. Ayes: Baseley, Cantor, Engel, Epstein. Nays: McDowell, Sherman.

St. Louis County SAVES

Kathleen Engel provided an overview of the St. Louis County SAVES program, which provides low interest loans (3.5% fixed APR) to County residents to make energy efficiency upgrades to their homes. Unlike the PACE program, which would have put a creditor lien on the borrower's home and would have required an energy audit to ensure that the improvements would generate enough energy savings to offset the loan payments, the SAVES program is an unsecured personal loan and does not require an energy audit. This means that the loans will only be made to residents with good credit (FICO score of at least 660).

Dr. May stated that the County requires municipalities to first sign an agreement authorizing it to administer the program to the municipality's residents and to help educate residents about the program by distributing information through available means such as the City's website and monthly newsletter.

Staff liaison, Jaysen Christensen, stated that the CATF was asked to consider the program and make a recommendation to the City Council. The Council is scheduled to consider the St. Louis County SAVES agreement at its next meeting (June 13, 2011).

Action: Kathleen Engel moved to recommend that the City Council authorize an agreement to allow Creve Coeur residents to participate in the St. Louis County SAVES program. Judy Sherman seconded the motion. The motion carried unanimously.

The meeting adjourned at 5:50 PM.

Submitted by:

Jaysen Christensen,
Assistant to the City Administrator

Next meeting:
Wednesday, June 15, 2011 @ 4:30 p.m.
Government Center, Meeting Room 2



City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, Missouri 63141
(314) 432-6000
www.creve-coeur.org

DATE: June 9, 2011
TO: Mark Perkins, City Administrator
FROM: Daniel Smith, Director of Finance
SUBJECT: Bills Payable

For your information and transmittal to the City Council, is a list of bills payable dated June 9, 2011 in the amount of \$250,255.69.



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

NO DEPARTMENT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00188	182		051811	18-May-11	ACREE, ANDREW	SEWER LATERAL REPAIR REIMB	02-00-00-1901	2,640.00
01323	0		034949700	17-May-11	INDOX SERVICES	COPIES-DRAWINGS, PLANS 12536 OLIVE	01-00-00-4722	72.41
00188	181		052311	23-May-11	MELNICK, JEFFREY	SEWER LATERAL REPAIR REIMB	02-00-00-1901	2,152.00
00188	183		060111	01-Jun-11	SCODARY, DANIEL	SEWER LATERAL REPAIR REIMB	02-00-00-1901	2,463.20
01342	0		3398	02-May-11	ST LOUIS COUNTY DEPARTMENT OF JUSTICE SERVICE	INMATE HOUSING	01-00-00-2410	210.00
Sum of Invoices								7,537.61



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

LEGISLATIVE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00335	0		138455	05-May-11	ARCH ENGRAVING	PLAQUE	01-11-12-7306	50.00
00019	0		76918	02-Jun-11	CURTIS, HEINZ, GARRETT & O'KEEFE	LEGAL FEES-CITY ATTY MAY 2011	01-11-12-6201	8,809.00
00303	1		21001871	26-May-11	MISSOURI LAWYERS MEDIA	NOTICE OF FY 12 CITY BUDGET	01-11-13-6260	187.92
00535	0	P001213	STLINV000003679	31-May-11	OFFICE FURNITURE RESOURCES	6 EA FIRE RATED, 4 DRAWER FILE	01-11-13-9504	2,400.00
00535	0	P001213	STLINV000003679	31-May-11	OFFICE FURNITURE RESOURCES	SHIPPING AND HANDLING	01-11-13-9504	600.00
Sum of Invoices								12,046.92



**CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING**

6/9/2011

Administration

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00034	0		051211	12-May-11	CHRISTENSEN, JAYSEN	REIMB FOR IN-TOWN MEETINGS	01-12-11-6264	42.75
01447	0	P001161	17895	27-May-11	DIVERSIFIED PRINTING INC	PRINTING OF JUNE-JULY NEWSLETTER	01-12-11-6203	1,369.90
Sum of Invoices								1,412.65



**CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING**

6/9/2011

IT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00007	0		271-229613	11-May-11	BATTERIES PLUS - 270	BATTERY FOR PLANNING DIV PC	01-12-51-6213	128.79
00073	0		XKN6943	17-May-11	CDW-G	WALL MOUNT-FINANCE SEC MONITOR	01-12-51-6213	66.19
00278	0		F58458880101	14-May-11	GLOBAL	UPDGRADE FOR APPSERVER	01-12-51-6213	29.00
00278	0		F5848880103	14-May-11	GLOBAL	ITEMS FOR POLICE DEPT PCs	01-12-51-6213	125.25
00278	0		F59489740101	25-May-11	GLOBAL	USB ETHERNET ADAPTERS	01-12-51-6213	112.00
01484	0		237336-0	25-May-11	OFFICE SOURCE, INC.	5 EA REPLACEMENT MICE	01-12-51-6213	43.35
00050	0		INV0016611	11-May-11	REJIS	CHARTER FIBER PREP,CUTOVR,TEST	01-12-51-6213	352.75
00050	0		INV0016688	15-May-11	REJIS	PIX FIREWALL MAINT	01-12-51-6213	21.24
00050	0		INV0016579	30-Apr-11	REJIS	PIX FIREWALL MAINT-APRIL 11	01-12-51-6213	21.24
01169	0		108630106	24-May-11	STAPLES ADVANTAGE	IMAGING DRUM-SGTS OFFICE	01-12-51-6213	146.16
00070	1		I110520260	20-May-11	TECH ELECTRONICS	WORK DONE FOR AUTO ATTENDANT	01-12-51-6213	1,000.00
00070	1		I110520260	20-May-11	TECH ELECTRONICS	REFURBISHED PHONE-FRONT DESK	01-12-51-6213	312.28
00070	1		I110510142	10-May-11	TECH ELECTRONICS	CREDIT MEMO	01-12-51-6213	(297.25)
00070	1		I110510143	10-May-11	TECH ELECTRONICS	CREDIT MEMO	01-12-51-6213	(184.50)
00070	1		I110527389	27-May-11	TECH ELECTRONICS	LABOR-ICE,SNACK BAR CONNECTION	01-12-51-6213	250.00
Sum of Invoices								2,126.50



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

Finance

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00016	0		051211	12-May-11	COLLECTOR OF REVENUE	SALES TAX REPORT-MAY 2011	01-13-11-6202	20.00
00021	0		060111	01-Jun-11	GOEWERT, LINDA	MILEAGE REIMB-MAY 2011	01-13-11-7307	16.73
Sum of Invoices								36.73



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

MUNICIPAL COURT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00050	0		INV0016687	15-May-11	REJIS	FEES FOR MAY 2011	01-13-14-6202	2,175.56
00779	0	P001098	INV00005796	31-Mar-11	AMERICAN TRAFFIC SOLUTIONS, INC.	PHOTO ENFORCEMENT FEES-MAR 201	01-13-14-6248	45,360.00
00045	1		1	20-May-11	OFFICE DEPOT	KEYBOARD TRAY	01-13-14-7304	121.49
<i>Sum of Invoices</i>								<u>47,657.05</u>



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

INTERDEPARTMENTAL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00335	0		138624	16-May-11	ARCH ENGRAVING	PLAQUE	01-13-15-6272	110.00
00577	0		051711	17-May-11	CREVE COEUR SQUIRES	C/C DAYS BANQUET	01-13-15-6272	987.00
00045	1		564007891001	11-May-11	OFFICE DEPOT	MONITOR RISERS	01-13-15-7312	39.08
01484	0		236481-0	14-May-11	OFFICE SOURCE, INC.	CALCULATOR	01-13-15-7312	54.06
01484	0		237742-0	28-May-11	OFFICE SOURCE, INC.	TONER-MUNI COURT	01-13-15-7312	130.79
00118	0		13855	26-May-11	OLD STYLE BODY COMPANY	CAR 2411 DAMAGE REPAIR	01-13-15-6220	627.60
00077	0		4391644	19-May-11	QUILL	TONER-BLDG DIVISION	01-13-15-7312	272.67
00050	0		INV0016579	30-Apr-11	REJIS	NETWORK ACCESS FEE-APRIL 2011	01-13-15-6213	183.00
00050	0		INV0016689	18-May-11	REJIS	CHARTER FIBER MIN INSTALL FEE	01-13-15-6253	250.00
00050	0	P001210	INV0016688...	15-May-11	REJIS	1 CHARTER FIBER CONNECTION	01-13-15-6253	809.00
00050	0	P001210	INV0016688...	15-May-11	REJIS	1 CHARTER ROUTER MAINT. & SUPP	01-13-15-6253	46.00
01169	0		108630291	24-May-11	STAPLES ADVANTAGE	KEYBOARD AND MOUSE	01-13-15-7312	61.93
01169	0		108629874	24-May-11	STAPLES ADVANTAGE	MONITOR RISERS,COPY HOLDER	01-13-15-7312	54.69
01169	0		108612184	23-May-11	STAPLES ADVANTAGE	DESK CALENDAR	01-13-15-7312	3.83
01169	0		108612025	23-May-11	STAPLES ADVANTAGE	VARIOUS OFFICE SUPPLIES	01-13-15-7312	119.17
01169	0		108445208	11-May-11	STAPLES ADVANTAGE	DOOR STOPS, 3-TIER DESK SHELF	01-13-15-7312	27.33
Sum of Invoices								3,776.15



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

ICE ARENA

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00382	0		500652966-1	20-May-11	ASCAP	MUSIC LICENSING	06-14-31-6262	310.67
00015	1		452760421	18-May-11	CINTAS CORP. #452	CLEANING SUPPLIES (051811)	06-14-31-7301	1.92
00015	1		452763491	25-May-11	CINTAS CORP. #452	CLEANING SUPPLIES (052511)	06-14-31-7301	1.92
00015	1		452760421	18-May-11	CINTAS CORP. #452	UNIFORMS (051811)	06-14-31-7308	5.01
00015	1		452763491	25-May-11	CINTAS CORP. #452	UNIFORMS (052511)	06-14-31-7308	10.86
00080	0		5545-107-5	06-Jun-11	DIERBERGS	CLEANING SUPPLIES	06-14-31-7301	45.01
00080	0		3814-110-05	28-May-11	DIERBERGS	BIRTHDAY CAKE	06-14-31-7304	20.99
01401	0	P001202	7036901	24-May-11	FREDERIC ROOFING	REPLACE VALLEY ON ROOF-LEAKING	06-14-31-6212	1,378.00
00081	1		9540997567	18-May-11	GRAINGER	BALLAST FOR RINK LIGHTING	06-14-31-6212	23.73
00082	0		0478628	24-May-11	METROLIFT PROPANE	PROPANE FOR OLYMPIA	06-14-31-7307	145.22
00164	0		016016	13-May-11	NEW SYSTEM CARPET & BUILDING CARE	PAPER PRODUCTS/CLEANING SUPPLIES	06-14-31-7301	351.85
00116	0		0984	19-May-11	SAM'S CLUB	FIRST AID SUPPLIES	06-14-31-6271	42.59
Sum of Invoices								2,337.77



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

GOLF MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00647	0		336232	16-May-11	ANGO KERNAN RENTALS & SALES	ROTO TILLER FOR PLANTERS	06-14-32-6266	32.99
00066	1		000192325	12-May-11	FROESEL OIL	REG.UNLEADED & #2 DYED DIESEL	06-14-32-7307	1,411.54
00081	1		9527947080	04-May-11	GRAINGER	MARKING PAINT	06-14-32-7301	9.36
00117	0		2182986	23-May-11	HOME DEPOT	FLOWERS FOR LANDSCAPE BED	06-14-32-7303	227.20
00117	0		3189720	12-May-11	HOME DEPOT	PERENNIAL FLOWERS LANDSCAPING	06-14-32-7303	380.64
00599	0		351804	09-May-11	N.G. HEIMOS GREENHOUSES INC.	ANNUAL FLOWERS FOR LANDSCAPE	06-14-32-7303	177.60
00116	0		5319	23-May-11	SAM'S CLUB	HYDRAULIC OIL	06-14-32-6211	74.56
00116	0		5319	23-May-11	SAM'S CLUB	TOILET TISSUE	06-14-32-6212	18.88
00116	0		5319	23-May-11	SAM'S CLUB	BATTERIES	06-14-32-6212	10.98
00116	0		5319	23-May-11	SAM'S CLUB	FERTILIZER	06-14-32-7303	19.43
00116	0		5319	23-May-11	SAM'S CLUB	HERBICIDE	06-14-32-7303	50.94
Sum of Invoices								2,414.12



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

PRO SHOP

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00114	14		050311	03-May-11	AT&T	ADVERTISEMENT YELLOW PAGES	06-14-33-6260	85.00
00678	0		5415	02-May-11	CRESCENT SYSTEMS	POS ANNUAL SUPPORT	06-14-33-6213	1,891.00
<i>Sum of Invoices</i>								<i>1,891.00</i>



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

SNACK BAR

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00015	1		452760421	18-May-11	CINTAS CORP. #452	WIPING TOWELS (051811)	06-14-34-7301	10.13
00015	1		452763491	25-May-11	CINTAS CORP. #452	WIPING TOWELS (052511)	06-14-34-7301	10.13
00084	2	P001142	3808290009	17-May-11	COCA-COLA	DRINKS FOR RESALE (8317)	06-14-34-8317	567.35
01304	0	P001152	0120424	13-May-11	LANDSHIRE, INC.	SANDWICHES FOR RESALE (8315)	06-14-34-8315	69.19
00116	0		0984	19-May-11	SAM'S CLUB	FOOD FOR RESALE (8315)	06-14-34-8315	137.15
00116	0		0984	19-May-11	SAM'S CLUB	SNACKS FOR RESALE (8319)	06-14-34-8319	33.66
<i>Sum of Invoices</i>								<u>827.61</u>

827.61



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

BUILDING MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01448	0	P001162	664518	01-Jun-11	BUILDINGSTARS	CLEANING SERVICE	01-16-11-6212	425.00
01448	0	P001162	664518	01-Jun-11	BUILDINGSTARS	CLEANING SERVICE CHARGES FOR 6	01-16-11-6212	995.00
00015	1		452760438	18-May-11	CINTAS CORP. #452	UNIFORM RENTAL (5/18/11)	01-16-11-7308	10.20
00015	1		452763489	25-May-11	CINTAS CORP. #452	UNIFORM RENTAL (5/25/11)	01-16-11-7308	10.00
00015	1		452766581	01-Jun-11	CINTAS CORP. #452	UNIFORM RENTAL (6/1/11)	01-16-11-7308	10.00
00117	0		1011248	24-May-11	HOME DEPOT	MATERIAL TO REBUILD PD SHED	01-16-11-6212	602.42
<i>Sum of Invoices</i>								<u>2,052.62</u>



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

POLICE-ADMIN

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00007	0		270-235589	18-Mar-11	BATTERIES PLUS - 270	4 UPS BATTERIES	01-21-11-6211	106.80
00640	0		170380	16-May-11	BOB BARKER CO	(1) BOX LATEX GLOVES	01-21-11-6271	8.42
00080	0		2595184	16-May-11	DIERBERGS	(1) PACK CABLE TIES	01-21-11-7302	2.48
00080	0		2595184	16-May-11	DIERBERGS	PRISONER MEALS	01-21-11-7309	23.16
01068	1		070012	20-May-11	DNT	CHIEF'S OFF-QUARTLY COP MAINT	01-21-11-6213	89.00
00002	0		2871440178-0093	18-May-11	HAHN, LISA	MAILING OF 2 APPLICANT TESTS	01-21-11-6203	5.65
00002	0		2871440178-0095	20-May-11	HAHN, LISA	SHPNG FOR APPLICANT FORCASTER	01-21-11-6203	5.65
00148	0		C25443A	20-May-11	I/O SOLUTIONS	SCORING OF APPLICANT TESTS	01-21-11-6203	30.00
00125	0		239054	16-May-11	LEON UNIFORM	80 PD SGT CHEV	01-21-11-7308	100.00
00050	0		INV0016688	15-May-11	REJIS	LIVE SCAN CONNECTION	01-21-11-6202	50.00
00050	0		INV0016688	15-May-11	REJIS	IMDS ORACLE DB MAINT.	01-21-11-6202	21.00
00050	0	P001026	INV0016688.	15-May-11	REJIS	MONTHLY USER FEE	01-21-11-6202	4,030.39
00050	0		INV0016579	30-Apr-11	REJIS	IMDS WORKSTATION MAINT. APR 11	01-21-11-6202	21.00
00050	0		INV0016579	30-Apr-11	REJIS	LIVESCAN CONNECTION-APRIL 11	01-21-11-6202	50.00
00050	0	P001026	INV0016579.	30-Apr-11	REJIS	MONTHLY SUBSCRIPTION FEE-APR 1	01-21-11-6202	4,030.39
00050	0	P001027	INV0016688..	15-May-11	REJIS	GLOBAL SOFTWARE SVCS	01-21-11-6213	1,102.50
00050	0	P001027	INV0016579..	30-Apr-11	REJIS	GLOBAL SOFTWARE SVCS-APR 11	01-21-11-6213	1,102.50
00092	2		75203	25-May-11	ST LOUIS COUNTY DEPT. OF HEALTH	2500 SECURITY AWARENESS NOTICE	01-21-11-7304	98.00
00092	2		75139	04-May-11	ST LOUIS COUNTY DEPT. OF HEALTH	250 VEHICLE TOW WARNINGS	01-21-11-7304	41.00
01048	0		2574875450	18-May-11	VERIZON WIRELESS	MONTHLY EMERG AIR CARD CHARGE	01-21-11-6253	43.01
Sum of Invoices								10,960.95



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

POLICE-INVESTIGATIONS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00273	1		T1105014	27-May-11	ST LOUIS UNIVERSITY	CHRGES FOR TOXICOLOGY LAB SVC	01-21-21-6202	150.00
00050	0		INV0016688	15-May-11	REJIS	IMDS ORACLE DB MAINT	01-21-21-6202	10.50
00050	0		INV0016579	30-Apr-11	REJIS	IMDS WORKSTATION MAINT. APR 11	01-21-21-6202	10.50
Sum of Invoices								171.00



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

POLICE-PATROL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00295	1	P001197	1393132	13-May-11	CARDIAC SCIENCE CORP.	4 EA 9730-002 POWERHEARD G3	01-21-22-6271	296.00
00295	1	P001197	1393132	13-May-11	CARDIAC SCIENCE CORP.	5 EA 9131-001 POWERHEARD G3 A	01-21-22-6271	160.00
00295	1	P001197	1393132	13-May-11	CARDIAC SCIENCE CORP.	FREIGHT	01-21-22-6271	17.55
00295	1	P001197	1393132	13-May-11	CARDIAC SCIENCE CORP.	4 EA 9146-102 POWERHEARD G3	01-21-22-6271	980.00
00095	1	P001205	211184	18-May-11	DOBBS TIRE & AUTO	TIRE TAX	01-21-22-6210	5.00
00095	1	P001205	211184	18-May-11	DOBBS TIRE & AUTO	4 732605500 GOODYEAR EAGLE RS	01-21-22-6210	456.00
00095	1	P001205	211184	18-May-11	DOBBS TIRE & AUTO	4 EA TIRE TAX	01-21-22-6210	2.00
00095	1	P001205	211184	18-May-11	DOBBS TIRE & AUTO	10 EA 0732002500 GOODYEAR EA	01-21-22-6210	1,029.60
00234	1		348055	24-May-11	ED ROEHR SAFETY PRODUCTS	CHARGE GUARD FOR CAR 6	01-21-22-6210	90.00
00096	0		114871	16-May-11	EVS	REMOVE & REINSTALL LIGHTS	01-21-22-6210	270.00
00094	1		137513	29-May-11	FIRESTONE	CAR 2406 INSTALL NEW TIRE LR	01-21-22-6210	20.81
00094	1		137085	17-May-11	FIRESTONE	2405 3000 ML SVS + FR BRAKES	01-21-22-6210	92.99
00094	1		137498	28-May-11	FIRESTONE	CAR 2403 3000 MILE SVS + TIRE	01-21-22-6210	38.81
00094	1		137322	28-May-11	FIRESTONE	CAR 2405 DIAGNOSTIC, BELT, HOS	01-21-22-6210	573.79
00094	1		137359	25-May-11	FIRESTONE	CAR 2404 3000 MILE SERVICE	01-21-22-6210	17.99
00094	1		137399	26-May-11	FIRESTONE	CAR 2407 3000 MILE SERVICE	01-21-22-6210	17.99
00347	1		442041	19-May-11	KUSTOM SIGNALS, INC.	RECOVER FILES ON CORRUPT HD	01-21-22-6211	172.00
00125	0		241982	16-May-11	LEON UNIFORM	DUTY BADGE AND NAMEPLATE	01-21-22-7308	50.85
00040	0		758580	19-May-11	MILBRADT	REPAIR TIRE ON GENERATOR	01-21-22-6210	7.20
00970	0		1852-258579	18-May-11	O'REILLY AUTO PARTS	MOTOR OIL, BRAKE FLUID, ETC.	01-21-22-6210	36.13
00050	0		INV0016688	15-May-11	REJIS	14 EA VERIZON DATA LINES	01-21-22-6253	714.00
00050	0		INV0016579	30-Apr-11	REJIS	14 VERIZON DATA LINES-APRIL 11	01-21-22-6253	714.00
Sum of Invoices								



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5,762.71



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

PUBLIC WORKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00423	0		642722 6/11	16-May-11	AMERICAN PUBLIC WORKS ASSOCIATION	MEMBERSHIP DUES-J. HEINES	01-31-11-6262	145.00
00437	0		051711	17-May-11	SHELLY'S SAFETY PLUS FIRST AID	FIRST AID KIT ITEMS	01-31-11-7304	37.53
01048	1		2572880950	13-May-11	VERIZON WIRELESS	AIR CARD 4/14 - 5/13/11	01-31-11-6253	43.01
01287	0		060211	02-Jun-11	WOHLBERG, MATT	MILEAGE REIMB-MAY 2011	01-31-11-7307	20.91
01287	0		060211	02-Jun-11	WOHLBERG, MATT	MILEAGE REIMB-APRIL 2011	01-31-11-7307	81.60
<i>Sum of Invoices</i>								



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

328.05



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00114	15		3143178753 6/11	19-May-11	AT&T	IRRIGATION SENSOR-ST. MONICAS	01-31-41-6253	42.92
00114	15		3149891849 6/11	19-May-11	AT&T	IRRIGATION SENSOR-OLIVE/I270	01-31-41-6253	98.24
00712	2		K34892	25-May-11	BOBCAT OF ST. LOUIS	FILTER KIT-BOBCAT,TEETH-MILLER	01-31-41-6211	657.60
00010	0		886077	31-May-11	BRANNEKY HARDWARE	THERMOMETER, EPOXY	01-31-41-6212	18.97
00010	0		885850	26-May-11	BRANNEKY HARDWARE	PARTS FOR OLIVE ST. LIGHTS	01-31-41-6251	34.48
00010	0		885842	26-May-11	BRANNEKY HARDWARE	ITEMS OF OLIVE ST. LIGHTS	01-31-41-6251	136.96
00010	0		885849	26-May-11	BRANNEKY HARDWARE	CREDIT MEMO-MDSE RETURNED	01-31-41-6251	(18.49)
00010	0		886201	31-May-11	BRANNEKY HARDWARE	KITCHEN ITEMS FOR GARAGE	01-31-41-7304	7.58
00010	0		885378	19-May-11	BRANNEKY HARDWARE	PARTS FOR WARNING SIGNS	01-31-41-7311	23.71
00013	0		1763-173131	27-May-11	CARQUEST	TIRE SEALER	01-31-41-6210	12.79
00013	0		1763-173126	27-May-11	CARQUEST	TIRE SEALER	01-31-41-6210	33.28
00013	0		1763-172698	19-May-11	CARQUEST	CALIPERS FOR TRUCK #206	01-31-41-6210	263.08
00013	0		1763-173058	26-May-11	CARQUEST	CREDIT MEMO-MDSE RETURN	01-31-41-6210	(158.00)
00013	0		1763-172779	20-May-11	CARQUEST	BRAKE CALIPERS-TRUCK #206	01-31-41-6210	298.74
00013	0		1763-172762	20-May-11	CARQUEST	CALIPER BOLTS FOR TRUCK #206	01-31-41-6210	7.68
00013	0		1763-172206	12-May-11	CARQUEST	CREDIT MEMO-MDSE RETURN	01-31-41-6210	(96.59)
00013	0		1763-172101	11-May-11	CARQUEST	BATTERY CABLES, CLEANER	01-31-41-6210	49.70
00013	0		1763-172405	16-May-11	CARQUEST	WASHER FLUID PUMP-TRUCK #310	01-31-41-6210	16.08
00099	0		3375756	25-Apr-11	CEEKAY SUPPLY	FRAME SHADE, TIP CLEANER	01-31-41-6212	12.13
00099	0		3375756	25-Apr-11	CEEKAY SUPPLY	WELDING GAS/TANKS	01-31-41-7307	82.63
00015	1		452763494	25-May-11	CINTAS CORP. #452	SAFETY MATS (5/25/11)	01-31-41-6212	36.46
00015	1		452760442	18-May-11	CINTAS CORP. #452	SAFETY MATS (5/18/11)	01-31-41-6212	36.46
00015	1		452763494	25-May-11	CINTAS CORP. #452	CLEANING SUPPLIES (5/25/11)	01-31-41-7301	18.53
00015	1		452760442	18-May-11	CINTAS CORP. #452	CLEANING SUPPLIES (5/18/11)	01-31-41-7301	18.53
00015	1		452760443	18-May-11	CINTAS CORP. #452	UNIFORM RENTAL (5/18/11)	01-31-41-7308	54.57
00015	1		452763495	25-May-11	CINTAS CORP. #452	UNIFORM RENTAL (5/25/11)	01-31-41-7308	62.55
00015	1		452754242	04-May-11	CINTAS CORP. #452	UNIFORM RENTAL (5/4/11)	01-31-41-7308	56.50
00015	1		452760444	18-May-11	CINTAS CORP. #452	SWEATSHIRT FOR NEW EMPLOYEE	01-31-41-7308	44.94
00205	1		SVI005676	20-May-11	CK POWER PRODUCTS. CORP.	SHOP GENERATOR EMERG. REPAIR	01-31-41-6211	1,125.72
01132	0		R13949	25-May-11	CMW EQUIPMENT	RENTAL OF ASPHALT ROLLER	01-31-41-6266	175.00



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01511	0		59655	25-May-11	CROFT TRAILER	TIEDOWNS FOR TILT TRAILER	01-31-41-6211	59.80
01466	0		140029320	23-May-11	CROSS MIDWEST TIRE	TIRES FOR TRKS #205 AND 103	01-31-41-6210	586.58
01466	0		140029197	13-May-11	CROSS MIDWEST TIRE	REPAIR TIRE ON CHIPPER	01-31-41-6211	374.79
00095	1		213842	23-May-11	DOBBS TIRE & AUTO	TIRE PATCH-TRUCK #106	01-31-41-6210	24.95
01388	0		213842	23-May-11	DOBBS TIRE AND AUTO CENTERS	FLAT REPAIR & REBALANCE	01-31-41-6210	24.95
00023	1		177815	26-May-11	FRED WEBER, INC	STONE FOR HICKORY GLEN CT.	01-31-41-7305	37.68
01401	0	P001075	6960501	05-Nov-10	FREDERIC ROOFING	REPAIR ROOF AT GARAGE	01-31-41-6212	2,983.00
00081	1		9542111027	19-May-11	GRAINGER	COUPLER FOR WATER TANK	01-31-41-6211	16.83
01292	0	P001177	029465401	26-May-11	HOLT ELECTRICAL SUPPLIES	LIGHTING RETROFIT KITS-OLIVE B	01-31-41-6251	2,691.90
00117	0		1061632	24-May-11	HOME DEPOT	CHISEL KIT, HAMMERS	01-31-41-7302	86.48
00789	0		342826	16-May-11	K&K SUPPLY	GAS POWERED POWER WASHER	01-31-41-6212	495.00
00789	0		344187	31-May-11	K&K SUPPLY	LATEX GLOVES	01-31-41-7308	84.00
00156	0		0047614	31-May-11	L & C TRUCK REPAIR, INC.	WINDOW REPAIR-TRUCK #305	01-31-41-6210	181.79
00156	0		0046851	21-Mar-11	L & C TRUCK REPAIR, INC.	EMER. REPAIRS ON TRUCK #308	01-31-41-6210	1,287.85
00156	0		0047372	11-May-11	L & C TRUCK REPAIR, INC.	REPAIR PTO ON TRUCK 315	01-31-41-6210	820.09
00103	0		437675	01-Jun-11	MIDWESTERN PEST CONTROL	PEST CONTROL SERVICE	01-31-41-7301	47.50
01305	0		SPM100-033011	17-May-11	MISSOURI-LTAP	REGISTRATION-M. FISCHER	01-31-41-6261	25.00
01305	0		SPM100-033011	17-May-11	MISSOURI-LTAP	REGISTRATION-J. CANDELA	01-31-41-6261	25.00
01305	0		SPM100-033011	17-May-11	MISSOURI-LTAP	REGISTRATION-D. FISCHER	01-31-41-6261	25.00
01305	0		SPM100-033011	17-May-11	MISSOURI-LTAP	REGISTRATION-L. DERHAKE	01-31-41-6261	25.00
01095	1		521686	23-May-11	NAPA AUTO PARTS	TIRE REPAIR ITEMS	01-31-41-6210	23.71
01095	1		521590	23-May-11	NAPA AUTO PARTS	SLEDGE HAMMER FOR SHOP	01-31-41-7302	41.49
00970	0		1388-367021	26-May-11	O'REILLY AUTO PARTS	TOUCH UP PAINT	01-31-41-6210	6.69
00970	0		1388-367021	26-May-11	O'REILLY AUTO PARTS	SMALL TOOLS	01-31-41-7302	25.28
00865	0	P001181	225259.	05-May-11	OUTDOOR SOLUTIONS	GROUNDS MAINT-APRIL 2011	01-31-41-6212	840.00
00865	0	P001181	225334	05-May-11	OUTDOOR SOLUTIONS	ROUND #1 FERTILIZATION APPLICA	01-31-41-6212	290.00
00047	0		W33046	19-May-11	PAT KELLY EQUIPMENT	ESTIMATE TO REPAIR POWER WASHR	01-31-41-6212	77.44
00809	0		111633	24-May-11	RED BUD SUPPLY, INC.	DRINK POWDER FOR STREET CREWS	01-31-41-7308	177.95
00809	0		111335	17-May-11	RED BUD SUPPLY, INC.	SAFETY VESTS	01-31-41-7308	209.14
00437	0		051611	16-May-11	SHELLY'S SAFETY PLUS FIRST AID	FIRST AID KIT SUPPLIES	01-31-41-6271	81.75
00692	0		505803	04-May-11	ST LOUIS SAFETY, INC.	SAFETY GLASSES, GLOVES	01-31-41-7308	188.30



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01512	0		194075	11-May-11	TIRE SHREDDERS UNLIMITED	HAULED USED TIRES FROM SHOP	01-31-41-6210	57.00
00562	0		840	10-May-11	TRAFFIC CONTROL COMPANY	POST SLEEVE/COVERS	01-31-41-7311	110.00
00092	14		051311	13-May-11	TREASURER, ST. LOUIS COUNTY	VEHICLE REPAIRS-APRIL 2011	01-31-41-6210	460.50
00241	0	P001187	29830,32128	13-May-11	TREELAND NURSERY	R.O.W. TREES	01-31-41-6212	3,572.00
00104	0		P27699	17-May-11	VERMEER	BATTERY, PULLEY, BELT-CHIPPER	01-31-41-6211	649.24
00109	0		442995	18-May-11	WESTPORT POOLS	CHEMICALS	01-31-41-7301	32.52
<i>Sum of Invoices</i>								<u>19,898.95</u>



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

HEALTH & WELFARE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00105	1	P001157	0346-013596773	15-May-11	ALLIED WASTE	RESIDENTAL SERVICE-MAY 2011	01-31-42-6214	83,131.20
00105	1	P001158	0346-013596773	15-May-11	ALLIED WASTE	RECYCLING SERVICE-MAY 2011	01-31-42-6217	24,067.20
01480	1		2110263454	15-May-11	IESI MO - CHAMP LANDFILL LLC	LANDFILL FEE FOR DEBRIS REMOVL	01-31-42-6214	189.26
Sum of Invoices								107,387.66



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

PARKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01514	0		48	28-Apr-11	ALLIANCE SALES LLC	EMERG. SINK REPAIR-MILL PARK	01-31-43-6212	902.86
01314	0		25414	24-May-11	AMERICAN HERITAGE	FLAGS FOR LAVERNE COLLINS PARK	01-31-43-6212	141.00
00102	0		704526	20-May-11	BEYERS LUMBER	PRE-MIX CONCRETE-MILL PK BENCH	01-31-43-6212	209.58
00010	0		886077	31-May-11	BRANNEKY HARDWARE	INSECT FOGGER	01-31-43-7301	23.96
00015	1		452763494	25-May-11	CINTAS CORP. #452	CLEANING SUPPLIES (5/25/11)	01-31-43-7301	18.53
00015	1		452760442	18-May-11	CINTAS CORP. #452	CLEANING SUPPLIES (5/18/11)	01-31-43-7301	18.53
00015	1		452760443	18-May-11	CINTAS CORP. #452	UNIFORM RENTAL (5/18/11)	01-31-43-7308	54.56
00015	1		452763495	25-May-11	CINTAS CORP. #452	UNIFORM RENTAL (5/25/11)	01-31-43-7308	62.54
00015	1		452754242	04-May-11	CINTAS CORP. #452	UNIFORM RENTAL (5/4/11)	01-31-43-7308	56.50
00789	0		344187	31-May-11	K&K SUPPLY	LATEX GLOVES	01-31-43-7308	84.00
00209	0		125878/1	01-May-11	KIRKWOOD MATERIAL SUPPLY	COMPOST FOR WEST OLIVE MEDIANS	01-31-43-7303	18.95
00103	0		437675	01-Jun-11	MIDWESTERN PEST CONTROL	PEST CONTROL SERVICE	01-31-43-7301	47.50
00040	0		759162	24-May-11	MILBRADT	REPAIR CHAIN SAW	01-31-43-6211	40.00
00040	0		757579	11-May-11	MILBRADT	OIL CAP ASSEMBLY, SPARK PLUGS	01-31-43-6211	71.43
00040	0		758395	17-May-11	MILBRADT	STARTER MOTOR	01-31-43-6211	129.51
00040	0		759165	24-May-11	MILBRADT	CHAIN SAW PARTS	01-31-43-6211	351.70
00042	0		1133463	16-May-11	MPR SUPPLY	VALVES FOR SPRINKLER SYSTEM	01-31-43-6211	128.24
00865	0	P001182	225259	05-May-11	OUTDOOR SOLUTIONS	ROW MOWING SVC-APRIL 2011	01-31-43-6212	945.49
00809	0		111335	17-May-11	RED BUD SUPPLY, INC.	SAFETY VESTS	01-31-43-7308	209.14
01387	0		10633	27-May-11	REESE RECREATION	PLAYGROUND PARTS-MILL PARK	01-31-43-6212	126.00
00110	0		307880	20-May-11	RICMAR INDUSTRIES	PAPER PRODUCTS-PARKS RESTROOMS	01-31-43-6212	244.66
00173	0		IN094250	20-May-11	SUPREME TURF PRODUCTS	CHEMICALS FOR MULCH BEDS	01-31-43-7301	688.00
00173	0		IN094292	23-May-11	SUPREME TURF PRODUCTS	WEED KILLER	01-31-43-7301	170.00
00109	0		442995	18-May-11	WESTPORT POOLS	2 EA 200 SQFT FILTER CARTRIDGE	01-31-43-6212	741.02
00109	0		442995	18-May-11	WESTPORT POOLS	CHEMICALS	01-31-43-7301	32.52
Sum of Invoices								5,516.22



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

COMMUNITY DEVELOPMENT - PLANNING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01515	0		051911	19-May-11	LOWERY, JULIE	MILEAGE REIMB-MAY 2011	01-32-11-7307	11.22
00213	0		051811-1	18-May-11	MCLAUGHLIN COURT REPORTING SERVICES	COURT REPORTER-P&Z MTG 5/16/11	01-32-11-6202	195.00
00303	1		21003433	02-Jun-11	MISSOURI LAWYERS MEDIA	PUBLIC HEARING NOTICE-P&Z	01-32-11-6260	33.64
00303	1		21003820	03-Jun-11	MISSOURI LAWYERS MEDIA	PUBLIC HEARING NOTICE-P&Z	01-32-11-6260	41.76
00437	0		051711	17-May-11	SHELLY'S SAFETY PLUS FIRST AID	FIRST AID KIT ITEMS	01-32-11-7304	37.54
Sum of Invoices								



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

319.16



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

COMMUNITY DEVELOPMENT - BUILDING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00009	0		060811	08-Jun-11	BOLLS, SCOTT	REIMB-ICC CERTIFICATION EXAM	01-32-61-6261	160.00
00009	0		060711	07-Jun-11	BOLLS, SCOTT	REIMB FOR FLASHLIGHT	01-32-61-7302	36.44
00009	0		060211	02-Jun-11	BOLLS, SCOTT	MILEAGE REIMB-JUNE 2011	01-32-61-7307	583.44
00058	0		060211	02-Jun-11	BURKE, PATRICK	MILEAGE REIMB-MAY 2011	01-32-61-7307	234.60
00152	3		052311	23-May-11	INTERNATIONAL CODE COUNCIL	2009 IRC STUDY GUIDES	01-32-61-6261	82.50
00159	3		052311	23-May-11	MABOI	SEMINAR REG-D. MULLEN, 7/27/11	01-32-61-6261	35.00
00044	1	265992316-113	09-May-11	09-May-11	NEXTEL	CELL PHONES 4/6 - 5/5/11	01-32-61-6253	280.37
00437	0		051711	17-May-11	SHELLY'S SAFETY PLUS FIRST AID	FIRST AID KIT ITEMS	01-32-61-7304	37.53
00032	0		060311	03-Jun-11	UNSER, STEVE	MILEAGE REIMB-MAY 2011	01-32-61-7307	70.89
00057	0		053111	31-May-11	WOODS, DENNIS	MILEAGE REIMB-MAY 2011	01-32-61-7307	284.07
Sum of Invoices								1,804.84



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

6/9/2011

CAPITAL IMPROVEMENTS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00049	3		34870	12-May-11	EMPLOYMENT SOLUTIONS GROUP	TEMP PERSONNEL W/E 5/8/11	02-61-71-9510-11606	1,080.00
00049	3		34878	19-May-11	EMPLOYMENT SOLUTIONS GROUP	TEMP PERSONNEL W/E5/15/11	02-61-71-9510-11606	972.00
00049	3		34886	26-May-11	EMPLOYMENT SOLUTIONS GROUP	TEMP PERSONNEL W/E 5/22/11	02-61-71-9510-11606	1,080.00
00049	3		34896	02-Jun-11	EMPLOYMENT SOLUTIONS GROUP	TEMP PERSONNEL W/E 5/29/11	02-61-71-9510-11606	1,080.00
00023	1		173617	10-May-11	FRED WEBER, INC	ASPHALT FOR MICRO-PREP	02-61-71-9510-11606	300.00
00023	1		174241	12-May-11	FRED WEBER, INC	ASPHALT FOR MICRO-PREP	02-61-71-9510-11606	250.00
00023	1		175365	17-May-11	FRED WEBER, INC	ASPHALT FOR MICRO-PREP	02-61-71-9510-11606	354.00
00023	1		176776	20-May-11	FRED WEBER, INC	ASPHALT FOR MICRO-PREP	02-61-71-9510-11606	250.00
00023	1		177502	24-May-11	FRED WEBER, INC	ASPHALT FOR MICRO-PREP	02-61-71-9510-11606	250.00
00023	1		178081	27-May-11	FRED WEBER, INC	ASPHALT FOR MICRO-PREP	02-61-71-9510-11606	150.00
00023	1		178605	31-May-11	FRED WEBER, INC	ASPHALT FOR MICRO-PREP	02-61-71-9510-11606	350.00
00023	1		177280	23-May-11	FRED WEBER, INC	ASPHALT FOR MICRO-PREP	02-61-71-9510-11606	300.00
00606	0	P001086	PAY #7	12-May-11	HORNER & SHIFRIN INC	PAY #7, EMERSON RD CONCEPT PLAN	02-61-71-9510-11603	7,181.42
00303	1		21002766	31-May-11	MISSOURI LAWYERS MEDIA	REQ FOR BIDS-MICRO SURFACING	02-61-71-9510-11606	392.00
<i>Sum of Invoices</i>								

GRAND TOTAL OF ALL INVOICES



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

13,989.42

250,255.69

CITY OF CREVE COEUR
Department of Community Development
BUILDING DIVISION

STAFF REPORT

TO: Mark Perkins, City Administrator
Paul Langdon, Director of Community Development

FROM: Steve Unser, Chief Building Official
Brad Holmes, Senior Plans Examiner

DATE: June 8, 2011

RE: Proposed Apartment Re-Occupancy Program.

Attachments:

Bill No. 5303 – Proposed Ordinance to Adopt the International Property Maintenance Code
Bill No. 5304 – Proposed Ordinance to Revise the Fee Schedule
Exhibit 3 – Proposed Revised Appendix B Fee Schedule
Exhibit A – Apartment Community Summary
Exhibit B - Proposed Fee Schedule Comparison
Exhibit C – Projected Revenue and Expenditures
Exhibit D - Apartment Inspection Checklist
Exhibit E - Certificate of Occupancy

The apartment buildings within the City of Creve Coeur have reached an age and condition where it is becoming necessary for the city's building division to expand one of its primary responsibilities (which is, to ensure the public's safety, health and welfare) to include the city's apartment residents.

The City has recently been made aware of two separate incidents, at two different apartment complexes, where portions of stairways have failed and residents were injured. Upon further investigation, it appears that the exterior elements of many Creve Coeur apartment complexes are not being maintained in a manner consistent with Creve Coeur standards. It stands to reason that the interior elements of apartment dwelling units are also aging and are likely to be

in need of preventive maintenance. An additional level of oversight, in the form of an apartment re-occupancy program, would be an effective means to (1) maintain surrounding property values as well as (2) promote life safety.

Cities such as Maryland Heights, Ballwin, Kirkwood, University City, Richmond Heights, Webster Groves, Clayton, Olivette, Brentwood and St. Louis County (Chesterfield, Wildwood) have all recognized the need for similar programs in their jurisdictions. Presently, the city has no authority to inspect an apartment's interior electrical, mechanical or plumbing systems. An apartment re-occupancy inspection program will help to ensure that the city's apartment buildings will be maintained (internally and externally) so as to be in compliance with the city's residential exterior maintenance code and the 2009 International Property Maintenance Code.

St. Louis County and other municipalities have adopted the 2009 International Property Maintenance Code to establish minimum requirements and standards for existing apartment dwelling units and premises. [See Bill No. 5303.](#)

Background:

Creve Coeur has approximately 2,456 apartment units that range in age from 43 years old to 3 years old. 50% of all city apartments are 30 years old or older. 87% of all city apartments are 20 years old or older. Apartments are inherently exposed to a more demanding level of use than that of a single family residence due to the higher rate of turnover. [See Exhibit A.](#)

From November of 2004 through July of 2008, the city issued building permits to renovate 192 apartments at the Town and Four (now Edgewater Court) apartment complex. These apartments were originally constructed in 1967. Because building permits were required to renovate these apartment units, the city had the opportunity and authority to inspect the interior of these units and require that corrections be made in conjunction with the renovation work. Some of the violations city inspectors found included lack of combustion air for gas-fired furnaces, failed connections in furnace and water heater vents, exposed wiring in electrical panels, unprotected penetrations through fire-rated walls and floors, holes in attic draftstopping between dwelling units, loose stair treads, missing handrails on interior stairs and deteriorating balconies and

decks. These violations may not have been corrected had it not been for the city's involvement.

This experience with the renovated Town and Four apartment units is reason to believe that apartment units within other city apartment complexes have similar interior violations. An apartment re-occupancy program would ensure these violations are corrected before another family moves in. [See Exhibits D and E.](#)

In general, property maintenance is vital to an area's reputation, appearance and retained property values. Once an area starts to decline, due to poor building maintenance, it is very difficult to reverse that trend and correct the market responses to those problems. This is indeed one instance where the axiom of "an ounce of prevention is worth a pound of cure" is applicable.

Creve Coeur presently has exterior maintenance codes that apply to exterior conditions of both residential and commercial buildings and properties. The city currently performs re-occupancy inspections of commercial spaces. Staff is experiencing an increasing demand to enforce both of these exterior maintenance code requirements through an increased level of nuisance complaints including, but not limited to, apartment communities. Responding to these complaints is time consuming and without a means of cost recovery short of municipal court fines. Residential re-occupancy programs are designed to address exterior nuisance issues, maintain surrounding property values and correct interior violations by utilizing a consistent, efficient, standardized program that has a method of recovering code enforcement costs. The proposed fee schedule is in line with surrounding communities. [See Bill No. 5304, Exhibits 3, B and C.](#)

Summary:

There is an evident public service need for an apartment re-occupancy program. The resulting impact on the City will be that residents' safety has been ensured, high property values have been maintained and the number of nuisance complaints reduced.

There will be a need for a part-time office clerk to assist with computer tracking, written notifications, inspection scheduling and billing for this

program. It may also be necessary to hire a code enforcement officer to handle the approximately 380-400 annual complaints received by the building division that relate to the city's nuisance, sign, zoning and residential / nonresidential exterior maintenance codes. This will allow the city's building inspectors (who assumed these 'complaint' duties when the code enforcement officer's position was eliminated during 6/2009) to make the apartment re-occupancy inspections in addition to their daily building inspections. The learning curve for apartment re-occupancy inspections is relatively low and the city's building inspectors can easily be trained to be consistent during the course of these inspections.

During the course of their March 16, 2011 meeting, the Building Code Board of Appeals reviewed and recommended approval of the proposed apartment re-occupancy program.

On 3/31/2011 and again on 5/10/2011, building division staff members met with apartment managers to hear their concerns regarding this proposed program. Some of the feedback the city received is noted below.

- The effective date of the program should be delayed from 7/1/2011 to 1/1/2012. The managers stated all of their fiscal years begin on January 1 and this delay would allow them to properly budget for this program.
- The apartment managers felt staff had underestimated the % turnover of their apartment units and the expected number of occupancy inspections required. Staff adjusted those numbers in **Exhibit A** to more accurately reflect the projected scope of the program.
- Apartment managers felt that the original duration of 30 days for a certificate of occupancy was not long enough since many of their renters sign short-term leases for less than 1 year. A certificate of occupancy is now proposed to be valid for a minimum of 1 year per **Section 113.6** of proposed **Bill No. 5303**.
- The Inspection Checklist (**Exhibit D**) that city inspectors will use to evaluate apartment units and their surrounding premises was discussed at length. Photos of typical violations were shown and how to correct these violations within certain time frames were evaluated.
- When permits (electrical, plumbing, building) are required (and when they are not) for correcting certain violations was clarified.

The building division will be prepared to begin enforcement of the apartment re-occupancy program on January 1, 2012.

An Ordinance adopting and enacting new Article IX, PROPERTY MAINTENANCE CODE, of Chapter 500 of the City Code of Ordinances of the City of Creve Coeur.

WHEREAS, the city regulates construction practices and standards by means of technical codes to protect the health, safety and welfare of its citizens, and

WHEREAS, such codes must be updated from time to time, and

WHEREAS, at least one copy of the 2009 International Property Maintenance Code, which is hereby to be adopted by reference, have been filed with the City Clerk's office and made available for public use, inspection and examination for a period of at least 90 days prior to adoption of this ordinance pursuant to Section 67.280 RSMo and notice thereof has been publicly posted, and

WHEREAS, a copy of this ordinance has been available for public inspection in the City Clerk's office and it has been read two times by the City Council as required by the City's Charter prior to adoption.

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

SECTION 1: ARTICLE IX, PROPERTY MAINTENANCE CODE, of Chapter 500 of the City Code of Ordinances is hereby enacted to be known as "THE PROPERTY MAINTENANCE CODE". Said ARTICLE to read as follows:

ARTICLE IX. PROPERTY MAINTENANCE CODE

SECTION 500.910 ADOPTED: A certain document, three (3) copies of which are on file in the office of the City Clerk; such copies being marked and designated as the "INTERNATIONAL PROPERTY MAINTENANCE CODE, 2009 EDITION", as published by the International Code Council, Inc., is hereby adopted as the Property Maintenance Code of the City of Creve Coeur, Missouri, for the control of property, building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2009 EDITION, are hereby referred to, adopted and made a part thereof, as if fully set out in this Article, with the additions, insertions, deletions, and changes, prescribed in this Article.

SECTION 500.920 JURISDICTIONAL TITLES: Throughout the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2009 EDITION, wherever the terms "name of jurisdiction" or "local jurisdiction" appear, it shall be deemed to mean "City of Creve Coeur, Missouri". Likewise, wherever the terms "department of building inspection" or "department of property maintenance inspection" appear, it shall be deemed to mean "Creve Coeur Building Division". Wherever the term "code" appears, it shall mean the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2009 EDITION.

SECTION 500.930. AMENDMENTS TO CHAPTER 1 INTERNATIONAL PROPERTY MAINTENANCE CODE:

– CHAPTER 1 – Scope and Administration :

Chapter 1 of the International Property Maintenance Code, 2009 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth

below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

101.1 Title. These regulations shall be known as the Property Maintenance Code for the City of Creve Coeur, Missouri, hereinafter referred to as “this code”.

101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and premises in addition to the provisions of the codes that were in effect when the existing residential and nonresidential structures and premises were built. Where differences occur between the provisions of this code and the provisions of the building, mechanical, electrical and plumbing codes that were in effect when the existing residential and nonresidential structures and premises were built, the provisions of the codes that were in effect shall apply. The provisions of this code shall constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

Exception: Detached single-family dwellings or owner-occupied dwelling units are not subject to the provisions of this code.

102.3 Application of other codes. The Building, Mechanical, Electrical, Plumbing, Fuel Gas and Zoning Codes referenced in this code and listed in Chapter 8 of this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes, the provisions of this code shall apply. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Zoning Code, Building Codes, Mechanical Code, Electrical Code, Plumbing Code and Fuel Gas Code as adopted by the City of Creve Coeur.

103.5 Fees. The fees for making inspections, working overtime, issuing certificates of occupancy, penalties and other administrative enforcement activities performed by the building division shall be paid in accordance with the fees established in Appendix B, Community Development and Public Works Fee Schedule, of the City Code of Ordinances.

103.5.1 Building Code Board of Appeals filing fee. A filing fee of \$150.00 shall be paid upon the submittal of the written appeal in order for a quorum of the Building Code Board of Appeals to be notified to convene for the purpose of hearing an appeal of a decision of the building official as set forth in Section 111. The filing fee shall be refunded to the applicant if the Board reverses the decision of the building official.

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any requirements thereof, shall be guilty of an ordinance violation, punishable by a fine of not more than \$500, or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

109.2 Temporary safeguards. When, in the opinion of the code official, there is eminent danger due to an unsafe condition, the code official may cause the necessary work to be done in an effort to render such structure temporarily safe, whether or not legal procedure described herein has been instituted. Neither the city or the code official or any other city employee shall be deemed to have guaranteed such security or safety or have any liability related to actions or omissions hereunder.

109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the city on approval from the code official. The city attorney shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for purpose

of recovering such costs and may cause a special tax lien to be placed against the property for such purposes.

111.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there is and shall remain a Building Code Board of Appeals. The board shall adopt rules of procedure for conducting its business.

111.2 Limitations on authority. Any person shall have a right to appeal a decision of the code official to the Building Code Board of Appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction shall be allowed to be used. The board shall have no authority to waive requirements of this code.

111.3 Time limitation and filing procedure. All appeals shall be filed in writing with the code official. A written appeal may not be filed more than thirty days after the affected individuals are notified of the code official's decision.

111.3.1 Filing fee. An application for appeal shall not be filed without full payment of the filing fee as set forth in Section 103.5.1. Said filing fee shall be refunded to the applicant if the Board reverses the decision of the code official.

111.4 Membership of board. The Building Code Board of Appeals shall consist of five regular members, who shall be residents of the City of Creve Coeur, appointed pursuant to Section 4.4(i) of the City Charter for three-year staggered terms. To the extent possible, based on applications submitted to the City, members of the Building Code Board of Appeals should be representative of the following professions or disciplines: registered architects, builder or superintendent of building construction with ten years of experience, structural engineer, code enforcement professional, mechanical engineer, electrical engineer, civil engineer, fire protection engineer, mechanical contractor, electrical contractor, plumbing contractor, fire protection contractor, or other disciplines associated with the building trades or design professions.

111.4.2 Chair. The Chair of the Building Code Board of Appeals shall be elected annually by the Board of Appeals.

111.4.3 Secretary. The City Administrator shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the city administrator.

111.4.4 Compensation of members. Members of the Building Code Board of Appeals shall not be compensated for service but shall be reimbursed for actual expenses pursuant to established City policy.

111.4.5 Code of Ethics for members. All members shall be subject to the city's Code of Ethics.

111.5 Notice of meeting. The Building Code Board of Appeals shall meet upon notice from the chair, within 5 calendar days of the filing of a written appeal with the code official, or at stated periodic meetings.

111.6 Open hearing. All hearings before the Building Code Board of Appeals shall be open to the public. Proper public notice shall be given. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given the opportunity to be heard.

111.6.1 Procedure. The Board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require

compliance with strict rules of evidence but shall mandate that only relevant information be received.

111.7 Quorum. Three members of the Building Code Board of Appeals shall constitute a quorum for the purpose of hearing appeals.

111.9 Board decision. The Building Code Board of Appeals shall only reverse or modify the decision of the code official by a majority vote of the quorum present and voting. Otherwise, the decision shall be deemed to be upheld.

111.9.1 Notification of decision. The secretary of the board shall notify the appellant and the building official of the decision in writing.

111.9.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

111.10 Court review: Any aggrieved person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision of the Building Code Board of Appeals in the office of the City Administrator.

112.4 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as set forth in Section 106.4.

SECTION 113

CERTIFICATE OF OCCUPANCY

113.1 Use and occupancy. It shall be unlawful for any person, owner or agent thereof to re-occupy or re-use, or to permit any person to re-occupy or re-use any existing building, structure, tenant space or dwelling unit for any purpose, including the movement of any furniture, equipment or other personal property into said building, structure, tenant space or dwelling unit, until the code official has issued a certificate of occupancy therefor as provided herein.

Exceptions: Detached single-family dwellings, owner-occupied dwelling units and sleeping rooms within hotels, motels or dormitories may be re-occupied or re-used without the issuance of a certificate of occupancy.

113.2 Application. Upon written request from the owner or prospective tenant of an existing building, structure, tenant space or dwelling unit, the code official shall issue a certificate of occupancy, provided that there are not violations of this code or orders of the code official pending which are found to exist upon an inspection of the building, structure, tenant space or dwelling unit, and it has been established after inspection and investigation that the proposed occupancy is also in conformance with the Zoning Ordinance of Creve Coeur, Missouri. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the city.

113.3 Certificate issued. After the code official inspects the existing building, structure, tenant space or dwelling unit and finds no violations of the provisions of this code or other city laws, the code official shall issue a certificate of occupancy that contains the following:

1. The date of issuance.
2. The address of the building, structure, tenant space or dwelling unit.
3. The name and address of the owner.
4. Type of use.
5. Description of occupancy.

6. Name of the code official.

113.4 Required certificate of occupancy. Failure of the owner or tenant of a building, structure, tenant space or dwelling unit to obtain a certificate of occupancy as required by Section 113.1 shall be deemed a violation of this code and shall subject said owner or penalties as set forth in Section 106.4 and/or fees as set forth in Section 103.5.

113.5 Suspension of the certificate of occupancy for buildings, structures and tenant spaces. Any certificate of occupancy shall become invalid if the occupation of the building, structure or tenant space or dwelling unit is not commenced within three months or if said occupation is terminated.

113.6 Suspension of the certificate of occupancy for dwelling units. Any certificate of occupancy for a dwelling unit shall become invalid after one (1) year of the date of issuance or after said occupation is terminated, whichever is longer.

113.6 113.7 Revocation of the certificate of occupancy. The certificate of occupancy shall always be subject to this code and other laws enforced by the code official. Non-compliance with the regulations of this code and other laws enforced by the code official shall be deemed a violation subject to the penalties set forth herein, and, in addition, the code official shall be empowered to revoke the certificate of occupancy issued for the building, structure, tenant space or dwelling unit in question, until such time as the violations are corrected and the building, structure, tenant space or dwelling unit is in compliance with this code and the Zoning Ordinance of Creve Coeur, Missouri. The issuance of a certificate of occupancy shall not relieve the owner or tenant from compliance with all regulations of this code and other applicable regulations.

SECTION 500.940 AMENDMENTS TO CHAPTER 2 INTERNATIONAL PROPERTY MAINTENANCE CODE:

– CHAPTER 2 – Definitions:

Chapter 2 of the International Property Maintenance Code, 2009 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the City of Creve Coeur Building Code, St. Louis County Mechanical Code, St. Louis County Electrical Code, St. Louis County Plumbing Code and City of Creve Coeur Zoning Ordinance, such terms shall have the meanings ascribed to them as in those codes.

SECTION 500.950 AMENDMENTS TO CHAPTER 3 INTERNATIONAL PROPERTY MAINTENANCE CODE:

– CHAPTER 3 – General Requirements:

Chapter 3 of the International Property Maintenance Code, 2009 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set forth below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

302.4 Weeds. Insert: “seven (7) inches”.

304.14 Insect screens. Insert: “April 15 to November 15”.

**SECTION 500.960 AMENDMENTS TO CHAPTER 4 INTERNATIONAL PROPERTY
MAINTENANCE CODE:**

– CHAPTER 4 – Light, Ventilation and Occupancy Limitations:

Chapter 4 of the International Property Maintenance Code, 2009 Edition, is adopted without modification.

**SECTION 500.970 AMENDMENTS TO CHAPTER 5 INTERNATIONAL PROPERTY
MAINTENANCE CODE:**

– CHAPTER 5 – Plumbing Facilities and Fixture Requirements:

Chapter 5 of the International Property Maintenance Code, 2009 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

504.1 General. Add: "Accordion type plastic or other flexible materials are not allowed on any drains or traps".

505.3 Supply. Add: "Supply lines to the hot and cold water valves at the sink shall be metal or metal braid composition. Plastic is not permitted".

**SECTION 500.980 AMENDMENTS TO CHAPTER 6 INTERNATIONAL PROPERTY
MAINTENANCE CODE:**

– CHAPTER 6 – Mechanical and Electrical Requirements:

Chapter 6 of the International Property Maintenance Code, 2009 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

602.3 Heat supply. Insert: "October 1 to May 15".

602.4 Occupiable work spaces. Insert: "October 1 to May 15."

605.2 Receptacles. Every habitable space in a dwelling unit shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. All receptacles in a bathroom shall be GFCI protected. All receptacles intended to serve the kitchen countertop shall be GFCI protected. All receptacles installed outdoors shall be GFCI protected.

**SECTION 500.990 AMENDMENTS TO CHAPTER 7 INTERNATIONAL PROPERTY
MAINTENANCE CODE:**

– CHAPTER 7 – Fire Safety Requirements:

Chapter 7 of the International Property Maintenance Code, 2009 Edition, is adopted without modification.

**SECTION 500.1000 AMENDMENTS TO CHAPTER 8 INTERNATIONAL PROPERTY
MAINTENANCE CODE:**

– CHAPTER 8 – Referenced Standards:

Chapter 8 of the International Property Maintenance Code, 2009 Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

ICC – International Code Council

5203 Leesburg Pike, Suite 600
Falls Church, VA 22041

<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
Delete: IMC-09	International Mechanical Code	
Add: Mechanical Code	St. Louis County Mechanical Code	No changes made.
Delete: IPC-09		
Add: Plumbing Code	St. Louis County Plumbing Code	No changes made.
Delete: IZC-09		
Add: Zoning Code	City of Creve Coeur Zoning Code	No changes made.

NFPA – National Fire Protection Association

1 Batterymarch Park
Quincy, MA 02269

<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
Delete: 70-08	National Electrical Code	
Add: Electrical Code	St. Louis County Electrical Code	No changes made.

SECTION 2: SAVING CLAUSE: Nothing in this ordinance or in the Property Maintenance Code hereby adopted, shall be construed to affect any suit or proceeding currently pending in any court as of the effective date hereof, or any rights previously acquired or liability previously incurred, or any cause or causes of action existing under any ordinance hereby repealed, as cited herein.

SECTION 3: SEVERABILITY: If any section, subsection, provision, sentence, clause, or phrase of this ordinance or of the ICC International Property Maintenance Code, 2009 Edition, is, for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said code, and the City of Creve Coeur City Council hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein.

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

Adopted by the City Council this ____ day of _____, 2011.

A. James Wang
PRESIDENT OF THE CITY COUNCIL

Approved this ____ day of _____, 2011.

A. James Wang, Council President
Acting for Mayor During Temporary Absence
Pursuant to Section 3.4 of the City Charter.

ATTEST:

Deborah Ryan, MRCC
CITY CLERK

Creve Coeur Apartment Complexes

Exhibit A

Apartment Complex	Total # Units	Turnover Rate (%) / year	Contact Information	Age of Complex (year built)	Approximate # of re-occupancy inspections/year
Waterford Downs	208	61	11502 Craig Court Creve Coeur, MO 63146-5230 1-866-421-2577 Amy	1988	126
Heather Ridge	186	54	1007 E. Rue De La Banque Creve Coeur, MO 63141-5175 569-0062	1980	100
Village Park	144	20	11614 Old Ballas Road Creve Coeur, MO 63141 1-866-487-7059 Julie	1977	29
Camden Cross Creek	591	57	807 Cross Creek Drive Creve Coeur, MO 63141 314-878-4000	1975	337
Camden Cove West	276	61	12400 Lighthouse Way Creve Coeur, MO 63141 314-878-3000	1988	168
Kings Landing	152	74	618 N. New Ballas Road Creve Coeur, MO 63141 314-579-0200 Carla	2007	112
Warson Village	162	50	1000 Darwick Court Creve Coeur, MO 63132-2910 1-866-559-1103 Mandy	1969	81
Camden Westchase	160	63	10871 Chase Park Lane Creve Coeur, MO 63141 314-432-3700	1986	100
Edgewater Court	359	57	1003 Mariners Point Court Creve Coeur, MO 63141 1-888-880-9517 Tracy	1967	205
Hallmark	218	15	1 New Ballas Place Creve Coeur, MO 63146 314-432-5200	2001	33
TOTAL	2,456	53	-	-	1,291

Apartment Unit Inspection Cost **Exhibit B**

(includes initial inspection, one re-inspection and the Certificate of Occupancy)

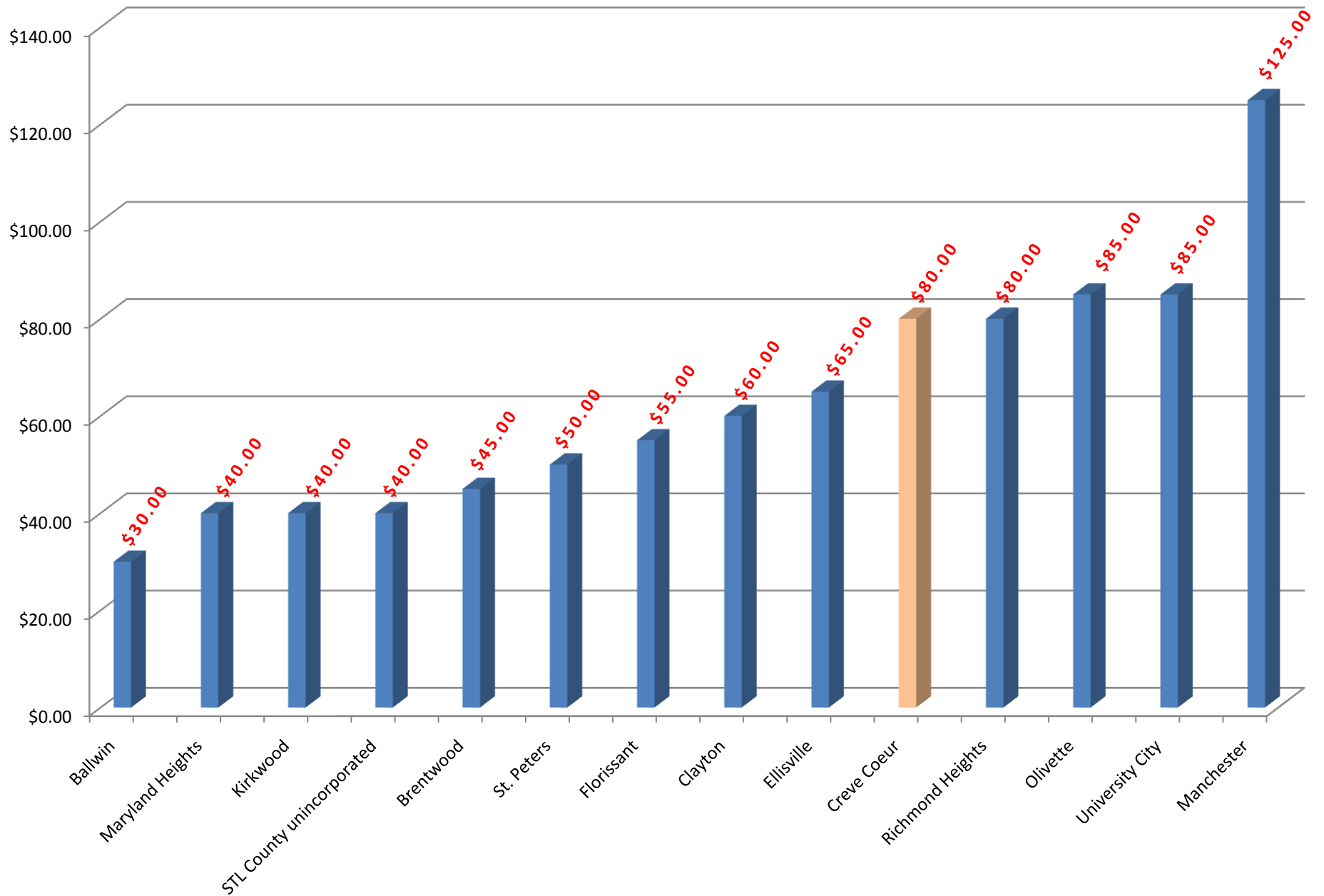


EXHIBIT C

PROJECTED REVENUE AND EXPENDITURE

(Based upon an average of 1,291 apartment units inspected per year)

Revenue Projections

\$80.00 inspection fee x 1,291 units inspected^{*} = 103,280

PLUS penalty revenue from landlords who allow occupancy before inspection.

PLUS additional permit fees for mechanical or remodeling projects proceeding without permits discovered during occupancy inspections.

PLUS reinspection fees (\$40) if more than 2 inspections are required.

There will be a \$100.00 penalty fee assessed for allowing occupancy before inspection (these inspections take more time to perform, violations are more difficult to correct and there is an increased potential for court action)

^{*} Assume 53% turnover of apartment units per year.

Projected Expenditures: \$12,000 = Part-time Office Assistant

\$80,134 = Inspection Costs^{*}

\$92,134 = Total^{**}

- Inspection Costs are based on 1,291 initial inspections plus 646 re-inspections being made per year x 1 man-hour per inspection x \$41.37 per inspection man-hour (includes wages, benefits, social security, etc.) OR 1,937 man-hours x \$41.37 = \$80,134. These costs may be absorbed by present staff if a full-time code enforcement officer is not hired.

^{**} Total projected expenditures do not include other administrative and overhead costs.

City of Creve Coeur (Exhibit D)

Apartment Re-Occupancy Inspection Checklist



Check the box next to each item that was inspected and found to be in compliance or noncompliance with the 2009 International Property Maintenance Code, as adopted by the City of Creve Coeur. Questions about this report can be directed to the Creve Coeur Building Division at **314-872-2500**.

	Y E S	N O		Y E S	N O		Y E S	N O
Premises / Site: Walkways, stairways, parking lot, fences, swimming pool/barrier, refuse and debris, trash enclosures, retaining walls, storm water drainage, erosion, derelict vehicles.	p	p	Sanitation : Toilets operational, hot water, food preparation facilities, odors, clothes dryer vented to exterior	p	p	Street Address : Street signs intact, unit address visible, numbers minimum 4 inches in height, contrasts with background, missing numbers.	p	p
Interior Envelope : Attic access, draftstopping and/or fire partitions in attic, continuity and integrity of fire resistance rated walls/ceilings, fire sprinkler system.	p	p	Kitchen : Exhaust fan filter, GFCI receptacle, disposal wiring, plumbing under sink, faucets, dishwasher works.	p	p	Floor coverings : Worn carpet/tile, uneven surfaces, trip hazards, thresholds	p	p
Exterior Envelope : Peeling paint, siding, roof covering, guttering, trim, exterior doors, tuck-pointing, caulk, balcony/deck condition, foundation watertight.	p	p	Smoke Detectors : Operational, battery back-up, proper location, expired	p	p	Bathroom : Bathing facilities, exhaust fan, tempered glass by tub, plumbing, privacy, fixtures work.	p	p
Garage / Carport : Fire resistance rated floor/ceiling assemblies, storage areas, lighting, doors, floor surface, fire sprinklers.	p	p	Water Heater : T&P valve, venting, seismic restraint, leakage, gas shut off valve, dielectric unions, discharge tube, floor drain/pan	p	p	Interior Stairway : Structurally sound, guardrails, handrails, treads tight, headroom, lighting	p	p
Windows : Broken glass, screens, window balances, locks, leaks, seals, bedroom windows fully open.	p	p	Furnace/AC : Operational, thermostat, filter, clearance to combustibles, venting, floor drain/pan, proper shut-offs, combustion air.	p	p	Infestation : Evidence of rodents or insects, mold visible	p	p
Interior Surfaces : Holes in walls, paint, trim attached, interior doors, door hardware, closet doors, ceilings, double keyed deadbolts not permitted.	p	p	Electrical : Grounded outlets, service entry cable, panel box cover, cover plates, proper operation of switches, breakers labeled, no extension cords	p	p	Fireplaces : Hearth extension, shut off valve, clearance to combustibles, firebox condition, damper operates.	p	p

Please correct the following violation(s) noted above and below within thirty (30) days of the inspection date and schedule a re-inspection to verify compliance. A Certificate of Occupancy will not be issued until violations within the dwelling unit and exterior violations relating to the life safety of the occupants have been corrected. A separate violation notice may be issued for exterior violations that will take more than thirty (30) days to correct.

Occupancy of this unit is **APPROVED / DISAPPROVED / CONDITIONAL APPROVAL** on this date. Re-inspection Required **YES / NO**.

Inspector Signature _____ Phone # _____ Date _____

Re-inspection Approval _____ Date _____

EXHIBIT E



City of Creve Coeur *Certificate Of Occupancy*

This apartment dwelling unit has been inspected and found to be in substantial compliance with the 2009 International Property Maintenance Code as adopted by Ordinance No. _____.

Address _____.

This certificate is non-transferable and is applicable only to the address of the apartment dwelling unit that appears on this document. A re- inspection and new certificate of occupancy is required after one (1) year of the date of issuance OR after the occupation of this apartment dwelling unit is terminated, whichever is longer. This certificate is not to be used for any other purpose and does not convey any other rights, warranties or guarantees to the occupant. Use of this property for any other purpose other than as a residential dwelling unit is a violation of the Creve Coeur Zoning Code.



Inspector Certification _____ Date _____

**Any questions or concerns about this document should be directed to the Creve Coeur Building
Division at 314-872-2500**

**CITY OF CREVE COEUR
BUILDING DIVISION**

MEMORANDUM

TO: Mark Perkins, City Administrator

CC: Paul Langdon, Director of Community Development

FROM: Steve Unser, Chief Building Official

DATE: June 8, 2011

RE: Response to Carla Powell's (Regional Property Manager for King's Landing Apartments) May 16, 2011 Letter (Exhibit F).

Ms. Powell is requesting that King's Landing Apartments be exempted from the proposed Apartment Re-Occupancy Program until 2017 for reasons stated in her letter.

The building division is proposing that the 2009 International Property Maintenance Code be adopted to provide minimum requirements and standards for the maintenance of premises, HVAC equipment, sanitation equipment, electrical service, life safety equipment and fire safety features that serve existing apartments and other buildings.

This code has no 'age of building' exemption or 'younger building' exception. It regulates all existing buildings regardless of their construction date. Per the building code, once a building under construction has been given its final mechanical, electrical, plumbing and building inspection approvals (and been issued its certificate of occupancy) it becomes an existing building.

Listed below are common violations the building division has found in apartment buildings of any age:

- Burnt-out bulbs in exit signs and emergency egress lights.
- Depleted batteries that provide emergency power to illuminate exit signs and emergency egress lights during a power outage.
- Fire door assemblies that serve exit stairways do not close and latch properly OR have been propped open.
- Holes have been cut through fire barriers in attics that prevent the spread of fire and smoke from one dwelling unit to another.
- Illegal storage occurs in exit stairways that provide safe egress for the building's occupants.

- Fire door assemblies that separate dwelling units from the exit access corridor no longer close and latch properly.
- Smoke detectors within dwelling units are not functioning properly.
- Ground-fault circuit interrupters (GFCIs) serving electrical receptacles in bathrooms or near kitchen sinks are no longer operable.

If it is decided that an Apartment Re-Occupancy Program should be implemented, all ten (10) apartment complexes within the City of Creve Coeur should be equally and consistently regulated by the 2009 International Property Maintenance Code.

EXHIBIT F

c: Paul L
Steve W



RECEIVED
MAY 20 2011
BUILDING DEPT.

RECEIVED
MAY 19 2011

CITY OF CREVE COEUR

May 16, 2011

City of Creve Coeur
300 N. New Ballas Rd.
Creve Coeur, MO 63141

To: Councilwoman Tara Nealey, Ward 2
Councilman James Wang, Ward 2

RE: Proposed Apartment Re-occupancy Permit Program

Attachments: Exhibit A – 2011 Inspection of Sprinkler System
Exhibit B – Authorized Elevator Contract
Exhibit C – 2011 Elevator Inspection

My name is Carla Powell and I am the Regional Property Manager for Kings Landing Apartments. I would like to request that Kings Landing Apartments be exempted from the proposed Apartment Re-occupancy Permit Program until the property is at minimum 10 years of age in 2017.

Kings Landing is the newest property in Creve Coeur, at just 4 years of age. The concerns outlined in the proposal seem to be focused on maintenance issues that are prevalent in older properties. We do not have these issues at Kings Landing. There are no gas appliances. All apartments have hard wired smoke detectors, GFCI's, and sprinkler systems that are monitored by an outside company. The sprinkler system is inspected annually. The most recent inspection took place in February 2011, with no deficiencies cited. I have enclosed a copy of that inspection (Exhibit A).

Our property has a contract with Authorized Elevator (Exhibit B), to inspect our elevators monthly to ensure that they are in proper working order, and safe for residents. This far exceeds the requirement of an annual inspection required by the State of Missouri. Our four elevators were inspected in March 2011, with no deficiencies cited (Exhibit C).

Kings Landing was built to today's construction standards, and each unit was signed off on by the City of Creve Coeur just 4 years ago. I believe it is unfair to compare a 4 year old property to a 40 year old property.

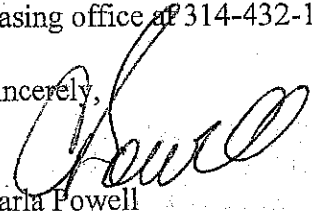
Due to our flexible lease terms, and relationships with corporate companies in the area, our property has averaged 112 move ins per year for the last three years. The average turnover rate for most apartment communities in Creve Coeur is between 70-80% annually. I believe the amount of inspections will be close to double what the city proposal anticipates. Eliminating inspections at Kings Landing for the first few years of the program should help the city keep up with the pace of the inspections at the older properties.

I, along with other property managers, met with Mark Perkins & Steve Unser on April 1, 2011 and May 10, 2011 to address some of our concerns. Mr. Unser expressed a concern that waiving the permit requirement for only Kings Landing would provide us with an unfair advantage over the other Creve Coeur communities. Being that my monthly rents are \$400-\$800 more, per month, than the other Creve Coeur communities, I don't believe waiving the permit requirement allows Kings Landing an unfair advantage.

I would like to, again, extend the offer for all Council members to stop by Kings Landing to view our property. We are very proud of our property and our ability to maintain it to the highest standards that the City of Creve Coeur desires.

If you have any questions or concern, please feel free to contact me at the Kings Landing leasing office at 314-432-1030.

Sincerely,



Carla Powell

Regional Property Manager
Kings Landing Apartments/MLP Management
cpowell@mlpllc.com

cc: Beth Kistner, Councilwoman Ward 1
David Kreuter, Councilman Ward 1
Charlotte D'Alfonso, Councilwoman Ward 3
Robert Hoffman, Councilman Ward 3
Scott Saunders, Councilman Ward 4
Jeanne Rhoades, Councilwoman Ward 4
Mark Perkins, City Administrator

**CITY OF CREVE COEUR
BUILDING DIVISION**

MEMORANDUM

TO: Mark Perkins, City Administrator

CC: Paul Langdon, Director of Community Development

FROM: Steve Unser, Chief Building Official

DATE: June 8, 2011

RE: Response to Celeste Reuter's (Governmental Affairs Director for the St. Louis Association of Realtors) March 25, 2011 Letter (Exhibit G).

For reasons stated in her letter, Ms. Reuter is requesting that a deadline (date) for expanding the proposed re-occupancy program to include detached single-family dwellings, townhomes and multi-story condominiums be inserted into Bill No. 5303.

As proposed, Bill No. 5303 would exempt these type dwelling units from being inspected by the city prior to them being occupied by new owners or new renters.

The building division is proposing this exemption because:

- There is a more immediate need to regulate the re-occupancy of apartment dwelling units for the reasons described in the June 8, 2011 Memo to the City Administrator.
- Additional staff would be needed to handle the additional inspection and administrative work load that would result from expanding the re-occupancy program.

Due to the city's aging housing stock and the witnessing of similar violations by city staff when responding to complaints from neighbors, expanding the apartment re-occupancy program to include detached single-family units, townhomes and multi-story condominiums would seem to be the next logical step.



ST. LOUIS ASSOCIATION OF REALTORS®

12777 Olive Blvd., St. Louis, MO 63141-6210
314/576-0033 Education Department 314/275-7888
FAX 314/576-7143
www.stlREALTORS.com

March 25, 2011

Mr. Steve Unser
Building Division Manager
City of Creve Coeur
300 North New Ballas Rd
Creve Coeur, MO 63141

Dear Steve,

Thank you for sending the packet related to the proposed Apartment Re-occupancy Inspection Program. On behalf of the nearly 7500 members of the St. Louis Association of REALTORS®, I would like to express my sincere appreciation for your willingness to discuss this program with us and for the opportunity to share some comments based on the position of our Association. After reviewing the materials and the proposed ordinance, our Association has the following comments:

The St. Louis Association of REALTORS® supports the efforts of the City to improve public safety and welfare, increase code compliance, and preserve housing values through proper maintenance initiated by re-occupancy inspections. However, we believe that this program should be implemented for all residential property, not just for apartment complexes. While apartments may suffer increased wear and tear as a result of more frequent turnover, not all building code updates are dependent on wear and tear. Most single family homes in the 30-60 year old range will have some of the compliance issues mentioned in the staff memo simply because the codes have been changed in the years since the homes were built.

Additionally, the St. Louis Association of REALTORS® strives to protect the private property rights of all owners and tenants. While we don't believe this to be the City's intention, singling out apartment complexes creates a separate class of property owners and residents with respect to inspection requirements.

We understand that the logistics of instituting a program such as this can be daunting. Therefore, we would propose and strongly encourage a timeframe whereby the



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program would be expanded to all residential property, similar to what was implemented in unincorporated St. Louis County in 2005-2007. St. Louis County began requiring re-occupancy permits for rental properties on October 1, 2005, and this requirement was expanded to all residential properties on July 1, 2007. The Association asks that a similar timeframe be incorporated into the ordinance in Creve Coeur.

According to the research I shared with you earlier this year, approximately 200-300 single family homes and condos are sold within the City of Creve Coeur each year, depending on how well the market is performing. This number gives an estimate of the additional number of inspections that would need to be performed in a given year in order to expand the program to all residential property.

Once again, I appreciate the opportunity to share with you the position of the St. Louis Association of REALTORS® and I look forward to continuing to work with you on this program. I encourage you to share this letter with the Mayor, Council Members and City Staff who are involved in this process. If there are any questions or concerns, please don't hesitate to contact me at 314-590-2307 or crueter@stlrealtors.com. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Rueter', with a stylized flourish at the end.

Celeste Rueter, MD
Governmental Affairs Director

BILL NO. 5304

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX B, COMMUNITY DEVELOPMENT AND PUBLIC WORKS FEE SCHEDULE, TO TITLE IV OF THE CITY CODE OF ORDINANCES AND ENACTING A REVISED APPENDIX B TO TITLE IV, COMMUNITY DEVELOPMENT AND PUBLIC WORKS FEE SCHEDULE.

WHEREAS, the city has previously adopted a schedule of fees for building permits and inspections, other permit fees and inspections and other code enforcement charges, and

WHEREAS, surveys of St. Louis County Department of Public Works and other St. Louis County municipalities and an internal Staff review of costs indicate that revision of this Schedule of Fees is warranted and appropriate, and

WHEREAS, the Department of Community Development of the City of Creve Coeur and the Building Code Board of Appeals of the City of Creve Coeur have recommended that the Schedule of Fees outlined in Appendix B to Title IV of the Municipal Code be revised as outlined in this ordinance, and

WHEREAS, a copy of this ordinance has been made available for public inspection prior to its adoption by City Council and this bill having been read by title in open meeting two times before final passage,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AS FOLLOWS:

SECTION 1. Appendix B to Title IV of the Code of Ordinances of the City of Creve Coeur, Missouri, entitled as "Community Development and Public Works Fee Schedule", is hereby amended so as to revise the existing provisions noted in the attached Appendix B therefore.

SECTION 2. Be it further ordained this Ordinance shall become effective on September 1, 2011.

ADOPTED BY THE CITY COUNCIL THIS ____ DAY OF _____, 2011.

President
City Council

APPROVED THIS ____ DAY OF _____, 2011.

Harold L. Dielmann
Mayor

Attest:

Deborah Ryan, City Clerk

Exhibit 3
(Proposed changes are noted in red)

**APPENDIX B TO TITLE IV.
COMMUNITY DEVELOPMENT AND PUBLIC WORKS
FEE SCHEDULE**

Cross Reference—Licenses, permits and miscellaneous business regulations, ch.605

Schedule of Fees
For
Community Development and Public Works

City of Creve Coeur, Missouri
300 N. New Ballas Rd.
Creve Coeur, Missouri 63141

MISCELLANEOUS FEES

1. Fence permit fee.....\$15.00
Plus a minimum of two (2) inspections, each \$5.00
2. Certificate of occupancy **for a commercial building, tenant space or new home.**
Temporary...\$65.00
Permanent ...\$65.00
3. **Certificate of occupancy for an apartment dwelling unit.....\$80.00**
The certificate of occupancy fee shall be doubled when an apartment dwelling unit is found to be occupied without a certificate of occupancy and, in addition, a penalty of up to one hundred dollars (\$100.00) may be levied against the apartment complex owner who has previously allowed occupancy without a certificate of occupancy.

NO OTHER CHANGES TO APPENDIX B ARE PROPOSED.

**AN ORDINANCE REPEALING ORDINANCE NUMBER 1921 AND APPROVING A NEW
CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE DEALERSHIP PURSUANT TO
SECTION 405.360(C) OF THE CITY OF CREVE COEUR'S CODE OF ORDINANCES FOR
THE LOU FUSZ FIAT LOCATED WITHIN THE "GC" GENERAL COMMERCIAL BUSINESS
DISTRICT AT 900 N. LINDBERGH BOULEVARD**

WHEREAS, application was made by Stephen Hollander, of SJ Hollander Architect, on behalf of Lou Fusz Automotive, to amend the conditional use permit for building and landscape improvements to the existing building located at 900 N. Lindbergh Boulevard, in the "GC" General Commercial District; and

WHEREAS, under Section 405.360(C)(6)(a), motor vehicle dealers (new or new and used) in the "GC", commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 4, 2011, beginning at 7:00 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)(3); 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 5-0 vote, recommended approval of the improvements, subject to the conditions contained herein, at its meeting on Monday, May 16, 2011; 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.

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

Section 1: Ordinance 1921 authorizing a conditional use permit located at 900 N. Lindbergh Boulevard is hereby repealed.

Section 2: A Conditional Use Permit is authorized for an Automotive Dealership pursuant to Section 405.360(C) in the "GC" General Commercial zoning district whose legal description is as follows:

A parcel of ground in Section 1, township 45 North, Range 5 East, St. Louis County Missouri; said parcel being more particularly described as follows: Beginning at the point of intersection of the southern line of Olive Street Road, 60 feet wide, with the eastern line of property described in deed to Comfort Printing & stationary Co., recorded in Book 5164, Page 443, St. Louis County Record's Office; thence S 1°15' W 200.00 feet along the eastern line of said Comfort property, to the northern line of property described in deed to the State of Missouri, recorded in Book 3925, Page 369, St. Louis County Record's Office; thence in a generally westwardly and northwardly direction along the northern and eastern line of said State of Missouri property, the following courses and distances: N 88°10' W 274.78 feet, N 36°49'35" W 32.02 feet, N 1°50' E 225.00 feet and N 56°31'50" E 64.53 feet, to the southern line of said Olive Street Road, to the point of beginning, and containing 72,595 Square Feet, or 1.6665 acres.

A tract of land in the North 1/2 of Section 1, Township 45 North, Range 5 East, St. Louis County, Missouri, and described as follows: Beginning at a point in the southern line of Old Olive Street Road, being the northwest corner of property conveyed to George M. Schaeffer and wife, by deed recorded in Book 525, Page 520 of the St. Louis County Records; thence along the west line of Schaeffer's property, South 1 degree 15 minutes West 427.29 feet to a point; thence South 89 degrees 11 minutes East 116.00 feet to a point; thence North 1 degree 15 minutes East, 379.63 feet, more or less, to a point in the southern line of old Olive Street Road; thence along the southern line of said road, North 66 degrees 47 minutes West, 125.06 feet, more or less, to a point of beginning

SECTION 3: The issuance of this conditional use permit and the operation and maintenance of said facilities provided for by this ordinance shall be subject to all ordinances, rules and regulations of the City of Creve Coeur and the following conditions:

1. The Conditional Use Permit is for the operation of an automobile sales facility for use by Lou Fusz Automotive Network, for the Fiat franchise and/or additional users as approved by the City of Creve Coeur.
2. The site shall be developed and maintained in conformance with the building elevations prepared by SJ Hollander Architects last dated May 10, 2011 and the Landscape Plan dated April 28, 2011 (attached as Exhibit 1).
3. An underground irrigation system shall be installed and maintained to serve all green and landscaped areas identified on the Landscape Plan dated, April 28, 2011.
4. 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. The applicant shall submit a sign application for approval of all signs.

6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
7. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the automotive dealership permitted by this ordinance.
8. The hours of operation shall not exceed 7:00 A.M. to 9:30 P.M. Monday, Wednesday, and Friday; 7:00 A.M. to 6:30 P.M. Tuesday, Thursday, and Saturday.
9. The use of outdoor speakers for the amplification of music or spoken word shall be prohibited.
10. Parking of automobiles shall be limited to one automobile per designated parking space.
11. The storage or repair of collision damaged or inoperable vehicles shall not occur on the subject property.
12. The number of new automobiles and/or certified automobiles with a manufacturer's warranty shall not, at any time, be less than sixty percent (60%) of the total number of automobiles available for purchase on site.
13. 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.
14. A copy of all herein conditions shall be furnished by the owner or petitioner to the operator(s) and managers, including successive operator(s), owner(s) and manager(s) who shall forward to the Zoning Administrator an acknowledgement that he or she has read and understood all conditions and agrees to comply therewith.
15. 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.
16. 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 4: 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.

BILL NO. 5311

ORDINANCE NO. _____

Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2011.

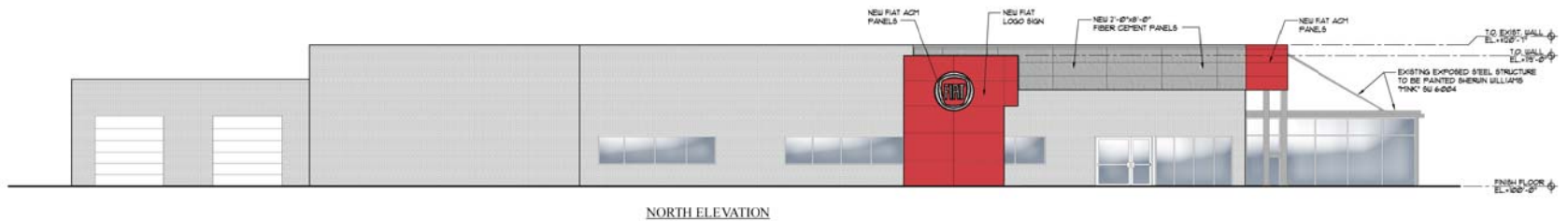
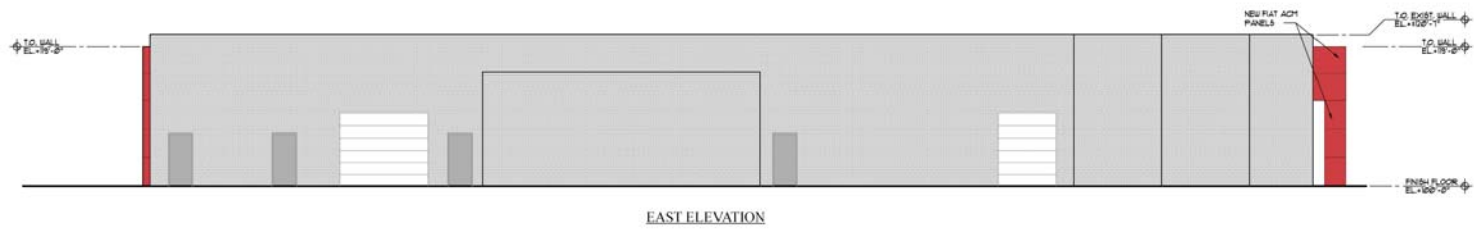
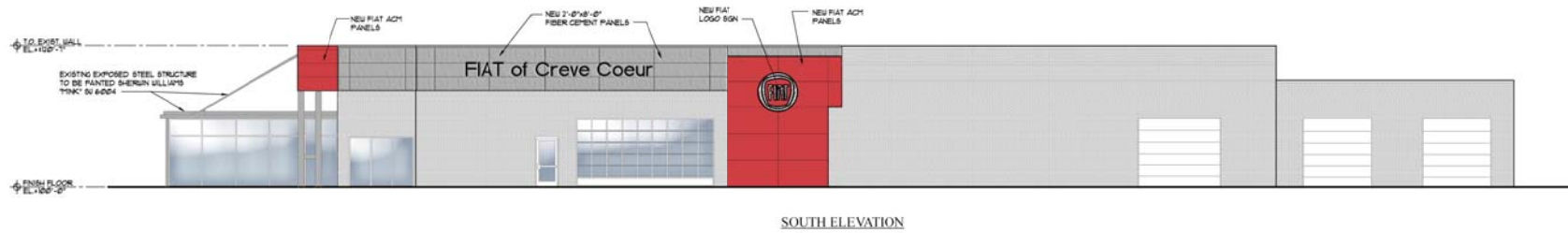
TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2011.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK



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2011 ARCHITECT, P.C.

Lou Fusz FIAT

900 N. Lindbergh Creve Coeur, MO 63141



S.J. Hollander Architect P.C.

Stephen J. Hollander, AIA
230 First Capital Drive
St. Charles, Missouri 63301
Phone (636) 947-4440 Fax (636) 947-7195



city of CREVE COEUR

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www.creve-coeur.org

Meeting Date: May 23, 2011

To: Honorable Mayor and City Council Members
Mark Perkins, City Administrator

From: Paul Langdon, AICP, Director of Community Development

Subject: P&Z Application #11-004; Lou Fusz Fiat CUP and SDP
900 N. Lindbergh Boulevard

PLANNING AND ZONING COMMISSION ACTION AND DRAFT ORDINANCE

On May 16, 2011, the Planning and Zoning Commission voted 5-0 to recommend approval of an amendment to Conditional Use Permit Ordinance #1921 to allow the new Fiat dealership architecture presented to the Planning Commission on May 16, 2011, and associated landscape plan presented to the Planning Commission on May 2, 2011, as discussed in the staff reports, with the amendment that all of the green space and landscaped areas, as specified in the original conditional use permit, be subject to an irrigation system.

The draft ordinance that was included with the revised elevations presented before the Planning and Zoning Commission on May 16th, has since been revised at the request of the property owners. The prior draft only revised references to the new drawings, incorporated newer City procedural regulations, and eliminated redundant regulations for signs and ordinance validity. No changes to bulk standards, hours of operation or activities were made.

However, the applicant is now requesting that condition #3 of the original ordinance (#1921) regarding the hours of operation be revised to 7:00 A.M. to 9:30 P.M. Monday, Wednesday, and Friday and 7:00 A.M. to 6:30 P.M. Tuesday, Thursday, and Saturday (current condition #8). Further the applicant is asking that the original condition # 9 (current condition #12) be revised from 80% to the current industry standard of not less than 60% of new automobiles and/or certified automobiles available on site.

If there are any remaining questions, the Planning Division staff are available to provide clarification.



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**APPLICATION TO PLANNING AND ZONING COMMISSION
#11-004 AMENDMENT TO THE CONDITIONAL USE PERMIT
FOR EXTERIOR BUILDING IMPROVEMENTS FOR THE LOU FUSZ FIAT**

FOR THE MEETING OF: May 16, 2011

LOCATION: 900 N. Lindbergh Boulevard

REQUEST:

Stephen Hollander, of S.J. Hollander Architect, on behalf of Lou Fusz Properties LLC, has submitted a request to amend Conditional Use Permit Ordinance #1921 to allow alteration to the existing structure for a new franchise, Lou Fusz Fiat, at 900 N. Lindbergh Boulevard. The property was formerly a Saturn Dealership, and is located north of Olive Boulevard and east of N. Lindbergh Boulevard. The property is currently zoned "GC" General Commercial District.

ADDITIONAL INFORMATION:

Lou Fusz Automotive Network received a conditional use permit for an automobile sales facility to be located in 900 N. Lindberg Blvd (Ordinance #1921) in 1998. Automotive dealers including motor vehicle dealers (new or new and used) are permitted with conditions in the "GC" District

Key Issues:

- Does the request still meet the criteria for a conditional use permit?
- Does the request further the goals and/or implement the Comprehensive Plan?

Comp. Plan References

- Commerce Center Action Area
- Design Guidelines

Zoning Code References

- Section 405.360: "GC" General Commercial District
- Section 405.470: Conditional Uses

APPLICANTS: Stephen Hollander, AIA
S. J. Hollander Architect, PC
519 First Capitol Drive
St. Charles, MO 63301



REPORT PREPARED BY:

Whitney Kelly, AICP, City Planner

5/13/2011
Date

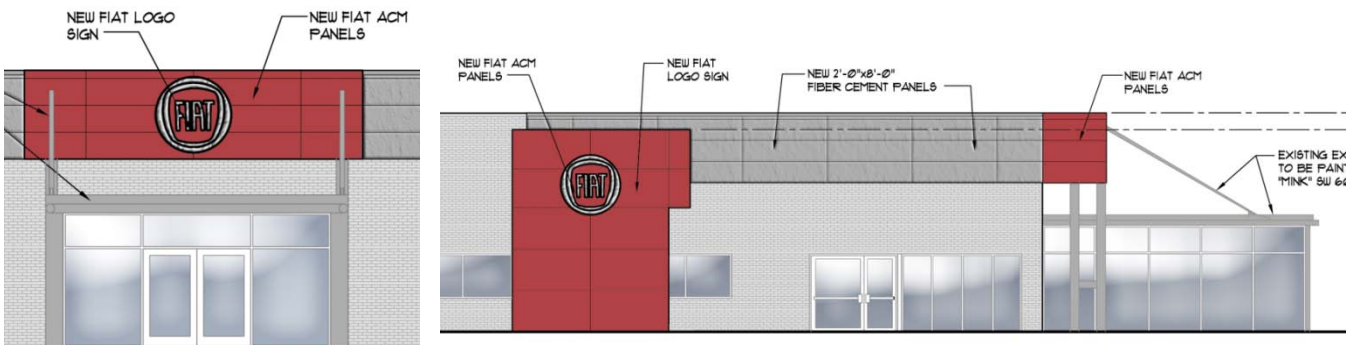
ATTACHMENTS: Applicant's revised elevation drawings, received May 10, 2011
Previous staff reports dated May 2, 2011 and March 31, 2011
Draft ordinance

PROJECT UPDATE AND DISCUSSION

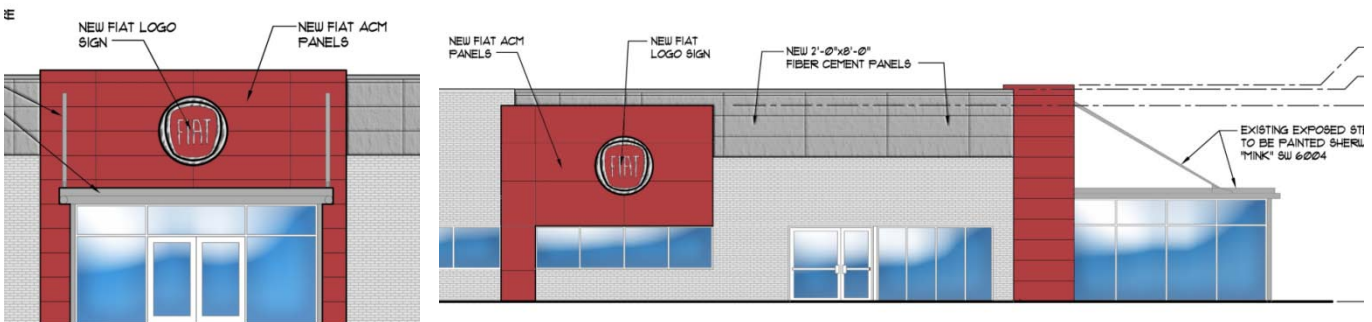
On Thursday, May 5th, the applicant notified Staff that Fiat did not approve of the previous drawings reviewed and approved by the Planning and Zoning Commission, and that he would be submitting new elevation drawings for review. Instead of proceeding with the prior drawings to City Council and potentially having it referred back to the Planning and Zoning Commission, the applicant elected to seek a recommendation on the new drawings. The primary changes involve removing the red ACM surrounding the customer vehicle delivery door on the west elevation, leaving only the red strip at the top, and covering the windows on the north elevations, to have the red panel conform to the standard corporate design.

Below are close-ups of the details of the delivery door on the west elevation and the corporate structure on the north elevation, along with those reviewed at the May 2nd Planning and Zoning Commission meeting for comparison. In the staff opinion, these changes do not provide meaningful changes to the exterior of the building, therefore the prior analysis of the design stands; please refer to the prior staff reports for review. The applicant is not proposing any changes to the previously recommended landscape plan.

Revised details of the west and north elevations submitted May 10, 2011



Details of the west and north elevations reviewed at the May 2, 2011 Meeting.



STATUS OF THE USE

Lou Fusz is currently operating, and may continue to operate, the Fiat Dealership under the prior approved conditional use permit. The only part of discussion with this application is the revision to the landscape plan and modifications to the building.

SUMMARY AND ACTION

If the Commission wishes to seek further changes to the building, staff request that the members provide guidance to the applicant, and then allow them the opportunity to revise their drawings appropriately.

If the members of the Commission wish to proceed to a recommendation on the current drawings, a draft ordinance is attached to include conditions outlined at the prior meeting and references to the current elevations.

MOTION

If the Commission wishes to continue the application to allow the applicant time to further revise their proposal, the following would be an appropriate motion:

“I move to continue Application #11-004, to the meeting of June 6, 2011, to allow the applicant time to address the concerns of the members of the Planning Commission and work with staff for further revisions that meet with the Comprehensive Plan and the Design Guidelines.”

If the Commission wishes to vote on a recommendation to the City Council based on the current proposal, the following would be an appropriate motion:

“I move to recommend approval of an amendment to Conditional Use Permit Ordinance #1921, to allow the new Fiat Dealership architecture presented to the Planning and Zoning Commission on May 16, 2011, and the associated landscape plan presented and discussed in the staff reports on Application #11-004, dated May 2nd, 2011.” (Conditions may be added, eliminated, or modified by preceding motion)

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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.



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**APPLICATION TO PLANNING AND ZONING COMMISSION
#11-004 AMENDMENT TO THE CONDITIONAL USE PERMIT
FOR EXTERIOR BUILDING IMPROVEMENTS FOR THE LOU FUSZ FIAT**

FOR THE MEETING OF: May 2, 2011

LOCATION: 900 N. Lindbergh Boulevard

REQUEST:

Stephan Hollander, of S.J. Hollander Architect, on behalf of Lou Fusz Properties LLC, has submitted a request to amend Conditional Use Permit Ordinance #1921 to allow alteration to the existing structure for a new franchise, Lou Fusz Fiat, at 900 N. Lindbergh Boulevard. The property was formerly a Saturn Dealership, and is located north of Olive Boulevard and east of N. Lindbergh Boulevard. The property is currently zoned "GC" General Commercial District.

ADDITIONAL INFORMATION:

Lou Fusz Automotive Network received a conditional use permit for an automobile sales facility to be located in 900 N. Lindberg Blvd (Ordinance #1921) in 1998. Automotive dealers including motor vehicle dealers (new or new and used) are permitted with conditions in the "GC" District

APPLICANTS: Stephan Hollander, AIA
S. J. Hollander Architect, PC
519 First Capitol Drive
St. Charles, MO 63301

Key Issues:

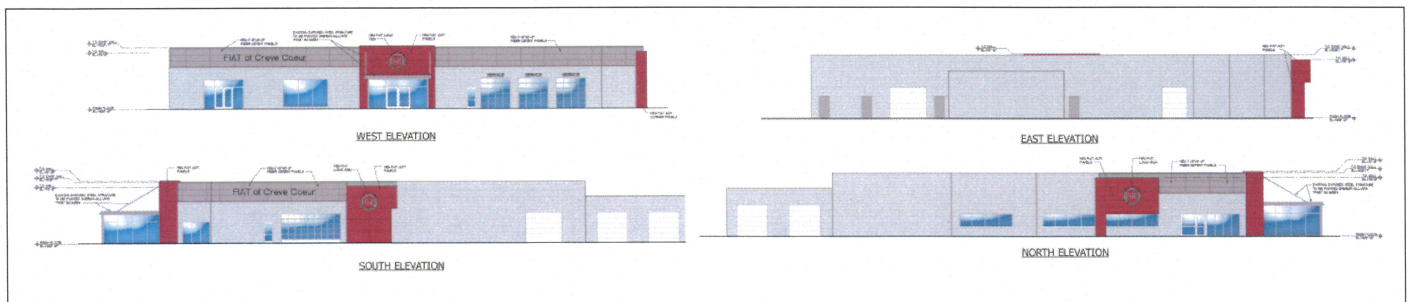
- Does the request still meet the criteria for a conditional use permit?
- Does the request further the goals and/or implement the Comprehensive Plan?

Comp. Plan References

- Commerce Center Action Area
- Design Guidelines

Zoning Code References

- Section 405.360: "GC" General Commercial District
- Section 405.470: Conditional Uses



REPORT PREPARED BY:

Whitney Kelly
Whitney Kelly, AICP, City Planner

4/29/2011
Date

ATTACHMENTS: Applicant's Revised Elevation Drawings received, April 14, 2011 and Landscape Plan, received April 28, 2011
Previous Staff Report dated March 31, 2011

PROJECT UPDATE AND DISCUSSION

The applicant has submitted revised elevation drawings and a landscape plan in response to the direction received from the April 4th Planning and Zoning Commission meeting. The primary changes involve surrounding the customer vehicle delivery door with the red cladding and carrying the fiber-cement board around to the sides of the building where it terminates in more red cladding. The landscape plan has also been modified to include planting around the southeast parking lot, and along the wall facing Lindbergh Boulevard, as well as replacing the remainder of plants lost from the original plan.

Architectural Modifications

While the focus on the delivery door is a positive change and the only typical use of the red cladding is on the south wall, the changes do not really represent a creative use of materials. In staff opinion, such simplistic use of gray fiber-cement panels on a gray masonry wall is not an effective use of funds or materials; simply taking the prior concept and tweaking the quantities does not advance the design quality to a higher level. It is true that the existing building architecture offers few opportunities for an effective architectural design study. In such instances, there are two better alternatives to simply hanging product branding on the exterior:

1. Accentuate the structure with clean, complimentary accents; more of an international style. In the examples at right and below, three small, commercial buildings illustrate some basic techniques of creating visual interest without the use of meaningless decoration; the lower right example is even an old automobile dealership. All make use of strong geometric forms that are also intrinsic to the structure and function of the building, not just added to the façade. All provide cover from the sun and rain at the entrances and all make high use of the land available. It is important to note that the international style should not be synonymous with “stripped down” or generic. When well used, the style also has visual impact.



2. Use the basic structure as a canvas for a bold, expressive re-facing; more of a post-modernist approach. In this case, and for something truly effective, staff would encourage the Commission to consider relaxing the exposed brick requirement. The Commission should also note that this approach would require an extensive amount of custom work as illustrated by the examples at right and below. Effective use of postmodernism requires the designer to consider the geographic, cultural and historical context of the building and then integrate icons or symbols of that context into the structure. Unlike the international style, the designer is free to explore design elements whose only purpose is an inferred meaning rather than an operational function.



The purpose of these illustrations is not to provide the applicant with a prescriptive solution, but instead to point out that visual interest can be accomplished in many ways and with varying degrees of investment without relying on simplistic corporate decoration. To that end, staff views the changes proposed as essentially the same as what was presented at the prior meeting, just stretched around to the south and north facades, with little change to the corporate architecture. Therefore, the analysis of the design in the previous report stands. Please refer to the staff report dated March 31st for discussion of the Design Guidelines and the Comprehensive Plan, and provide further direction of the use and scale of the corporate architecture/signage for the building.

Landscape Modifications

The landscape plan was revised to include additional planting around the southeast parking area, backfill the plants lost from the previously approved plan, and add plants along the high retaining wall facing Lindbergh Boulevard. These changes bring the plan into substantial conformance with the existing plan, the Comprehensive Plan and the Zoning Code. It should be acknowledged that there are some unplanted areas in the northeast portion of the site adjacent to

the building and in the parking lot. While the current proposal does not create any impacts that would necessitate additional plants in these areas, staff suggest that doing so would further improve the property.

SUMMARY AND ACTION

The improvements to the landscape plan are generally acceptable although further, minor changes are desirable. The building elevations have been changed, although it is difficult to say that they are anything more than more of the same approach. As with the prior submittal, resolving the architectural issues could result in significant changes to the proposal, so a draft approval ordinance is not attached.

If the Commission wishes to seek further changes to the building, staff request that the members provide guidance to the applicant, citing the above examples, and then allow them the opportunity to revise their drawings appropriately. If the members of the Commission wish to proceed to a recommendation on the current drawings, a draft ordinance will be provided to the City Council that amends the current conditional use permit by stipulating to the current proposal.

MOTION

If the Commission wishes to continue the application to allow the applicant time to further revise their proposal, the following would be an appropriate motion:

“I move to continue Application #11-004, to the meeting of May 16th, 2011, to allow the applicant time to address the concerns of the members of the Planning Commission and work with staff for further revisions that meet with the Comprehensive Plan and the Design Guidelines.”

If the Commission wishes to vote on a recommendation to the City Council based on the current proposal, the following would be an appropriate motion:

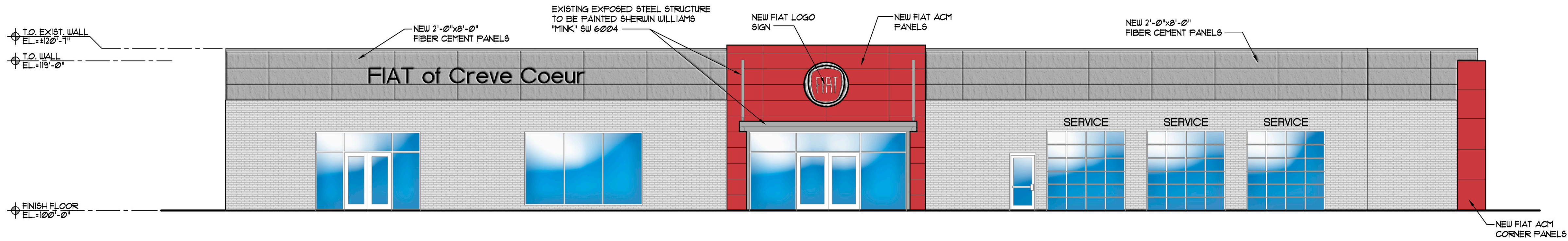
“I move to recommend approval of an amendment to Conditional Use Permit Ordinance #1921, to allow the new Fiat Dealership architecture and associated landscape plan presented to the Planning Commission on May 2nd, 2011, and discussed in the staff report on Application #11-004, dated May 2nd, 2011.”

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

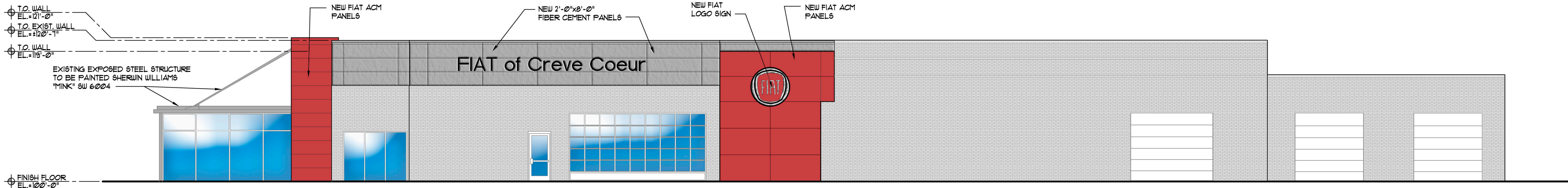
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

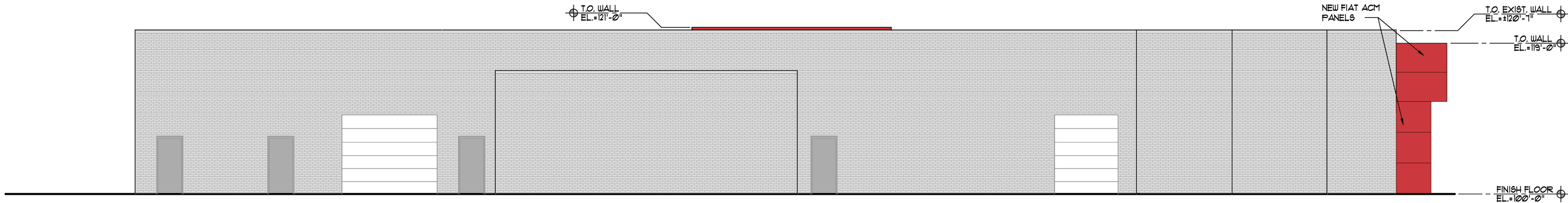
Included and attached by reference. See body of report for specific excerpts.



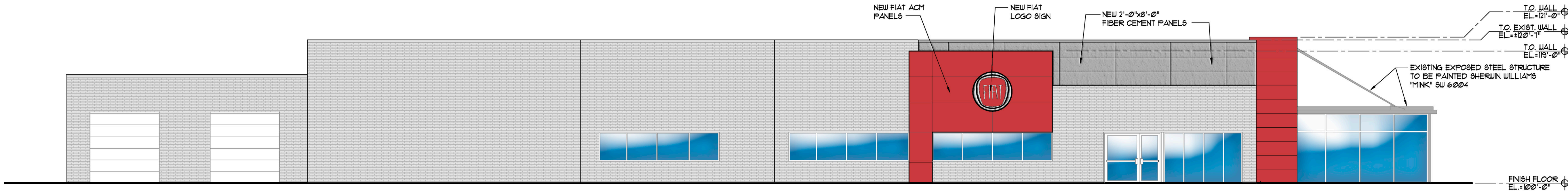
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

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Lou Fusz FIAT

900 N. Lindbergh Creve Coeur, MO 63141



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APPLICATION TO PLANNING AND ZONING COMMISSION #11-004 AMENDMENT TO THE CONDITIONAL USE PERMIT FOR EXTERIOR BUILDING IMPROVEMENTS FOR THE LOU FUSZ FIAT

FOR THE MEETING OF: April 4, 2011

LOCATION: 900 N. Lindbergh Boulevard

REQUEST:

Stephan Hollander, of S.J. Hollander Architect, on behalf of Lou Fusz Properties LLC, has submitted a request to amend Conditional Use Permit Ordinance #1921 to allow alteration to the existing structure for a new franchise, Lou Fusz Fiat, at 900 N. Lindbergh Boulevard. The property was formerly a Saturn Dealership, and is located north of Olive Boulevard and east of N. Lindbergh Boulevard. The property is currently zoned "GC" General Commercial District.

ADDITIONAL INFORMATION:

Lou Fusz Automotive Network received a conditional use permit for an automobile sales facility to be located in 900 N. Lindberg Blvd (Ordinance #1921) in 1998. Automotive dealers including motor vehicle dealers (new or new and used) are permitted with conditions in the "GC" District

Key Issues:

- Does the request still meet the criteria for a conditional use permit?
- Does the request further the goals and/or implement the Comprehensive Plan?

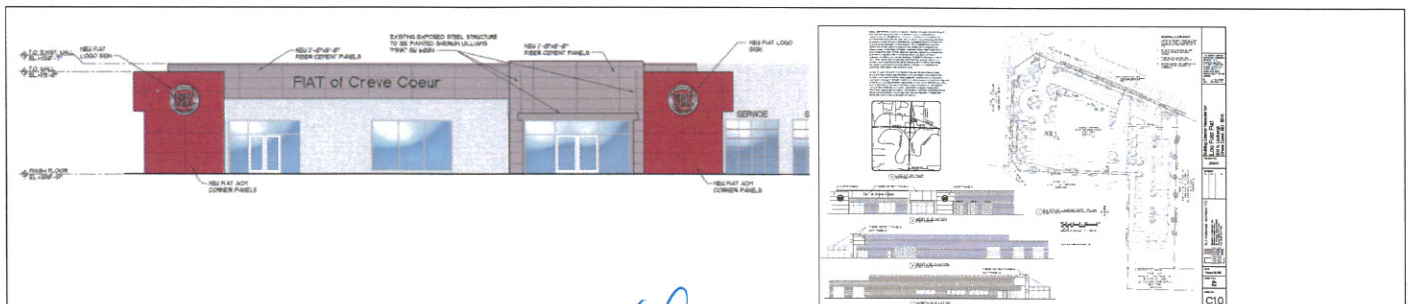
Comp. Plan References

- Commerce Center Action Area
- Design Guidelines

Zoning Code References

- Section 405.360: "GC" General Commercial District
- Section 405.470: Conditional Uses

APPLICANTS: Stephan Hollander, AIA
S. J. Hollander Architect, PC
519 First Capitol Drive
St. Charles, MO 63301



REPORT PREPARED BY:

Whitney Kelly
Whitney Kelly, AICP, City Planner

3/22/2011
Date

ATTACHMENTS: Applicant's Application Materials Received March 22, 2011
Ordinance #1921

INTRODUCTION

Stephan Hollander, of S.J. Hollander Architect, on behalf of Lou Fusz Properties LLC, has submitted a request to amend the conditional use permit for building alterations to the existing structure for a new franchise, Lou Fusz Fiat Dealership, at 900 N. Lindbergh Boulevard. The property was formerly used as the Lou Fusz Saturn Dealership, and is located north of Olive Boulevard and east of N. Lindbergh Boulevard. The property is currently zoned “GC” General Commercial District and automotive dealers including motor vehicle dealers (new or new and used) are permitted with conditions by the City Council. Building alterations include only a west façade remodel for Fiat branding with large scale use of “Alpolic”, architectural metal panels, in the Fiat “corporate” red color and grey fiber concrete panels. The applicant is not proposing any other building additions, changes in the square footage, parking lot lighting, nor landscaping.

BACKGROUND AND EXISTING CONDITIONS

Lou Fusz Automotive Network received a conditional use permit for an automobile sales facility to be located in 900 N. Lindberg Blvd (Ordinance #1921) in 1998. Conditions of the permit included:

- (2.) The development of the automobile sales facility shall be in accordance with the revised plans prepared by Musler Engineering Company dated Nov. 21, 1997, 1998 and approved by the Creve Coeur City Council, or as further revised and approved by the City of Creve Coeur.
- (5.) All signs for the automobile sales facility must be in conformance with the City’s Sign Ordinance.
- (7.) An underground irrigation system shall be installed and maintained to serve all green and/or landscaped area identified on the site development plan.
- (11.) Any future enlargement or alteration in the use of the structure 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 or alteration may be issued.
- (16.) The proposed building shall be, at a minimum constructed on three sides (north, south and west) with brick masonry.

The applicants are not proposing any changes to the existing landscape as a part of this project. However, the existing landscaping has deteriorated to the point that it no longer matches the approved landscape design as required by the Conditional Use Permit Ordinance #1921. Also, the proposed façade changes will create a false façade covering the existing brick masonry on the west, in violation of the condition #16 of the permit (see above). While visiting the site, Staff also noticed that many of the windows and service doors were completely covered with signage in violation of the City’s Sign Ordinance, as well as the Conditional Use Permit (#4 above).

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	Old Olive Street Road
South	Monsanto	“RO” Research Office	Olive Boulevard
East	Office	“GC” General Commercial	N/A
West	Auto Dealer and Office	“GC” General Commercial	N. Lindbergh Boulevard

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Commerce Center Action Area on the east end of the Olive Boulevard corridor which encourages improving the quality of development through enforcement of the City's Design Guidelines, and ensuring that redevelopment plans include the "green line" park; and, upgrading the architectural quality of the building stock as businesses expand or redevelop (Residential Preservation and Economic Development and Community Health and Connectivity). The subject property location is highly visible and within a significant location in the City of Creve Coeur. Satisfying these guidelines is an important expectation of the Comprehensive Plan and always a matter of review with every proposal before the City.

DESIGN GUIDELINES REVIEW

The Design Review Guidelines provide specific direction for the redevelopment of properties:

Chapter 2 / Buildings

C. Design

- 1. A diversity of high quality architectural design is strongly encouraged. Building design should incorporate a clear and well articulated design concept.*
- 6. Buildings that are stylized in an attempt to use the building itself as advertising are strongly discouraged, particularly where the proposed architecture is the result of a "corporate" or franchise style.*
- 8. 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 buildings, All elevations of the building are to be submitted for review.*

D. Relationship to Neighboring Development

- 1. Architectural design should be compatible with the developing character of the neighborhood area. Design compatibility includes complementary building style, form, size, color, and materials.*
- 2. Building color should be compatible with the neighborhood and should reinforce the visual character of the environment of the proposed buildings. The color should not be such that the building is competing for attention. Building colors should be subdued and not garish, and should not, in any way, constitute "signing" of the building or site.*
- 3. Building color should be compatible with the neighborhood and should reinforce the visual character of the environment of the proposed buildings. The color should not be such that the building is competing for attention. Building colors should be subdued and not garish, and should not, in any way, constitute "signing" of the building or site.*

E. Materials/Colors

- 1. Materials should have good architectural character, be durable, and be selected for their compatibility with adjoining building and properties. Natural, traditional building materials are encouraged. A preference should be given toward "green" building materials that can be recycled. Highly reflective and/or synthetic materials are discouraged.*
- 2. Exterior materials should be selected based on their durability and appropriateness for their intended function. Special attention should be given*

to the durability of materials used around the ground floor of the building. Preferred building materials include stone, brick, architectural precast concrete, aluminum and glass. The materials selected should require minimal maintenance. Their color should be integral to the materials and not be painted on.

- 3. Exterior insulating finishing systems (EIFS) and concrete masonry should not be the predominant building materials. EIFS should be used as a way to accentuate an architectural element and should be limited to area not subject to damage or abuse. Concrete masonry should be limited to split face or burnished units.*
- 4. Architectural consistency of colors, materials and detailing are to be provided between all building elevations. False or decorative façade treatments, where one or more unrelated materials are placed upon the building should be avoided. Large parapet walls should reflect the function behind them should not be freestanding. All elevations need not look alike; however, a sense of overall architectural continuity is strongly encouraged.*
- 5. Material or color changes should occur at a change of plane. Materials or color changes at the outside corners of structures that give the impression of "thinness" and artificiality of the material are discouraged. Inconsistent adornment and frequent changes in material should be avoided.*

Chapter 4 / Landscape Design

- 1. The City of Creve Coeur strongly encourages high quality landscaping that accentuates the building and site, softens the effects of parking area and enhances the quality of life of the City. All landscape plans should exhibit a clear design concept.*

Chapter 5 / Miscellaneous

H. Retaining Walls

- 1. Minimize the height and length of retaining walls and screen with appropriate landscaping. Retaining walls should be designed to incorporate elements of other architectural features or natural features of the project.*

The applicant is proposing to cover much of the existing brick on the west façade of the building with architectural metal panels (Alpolic-aluminum composite materials) of a red corporate color as a branding for the Fiat franchise, and with grey fiber cement panels. While the use of the fiber cement panels meet the expectation of a durable material, overall, the proposed changes do not meet with the guidelines of the Comprehensive Plan, nor the Design Guidelines of the City of Creve Coeur, to wit:

- The red would constitute branding of the building to act as advertising in the Fiat franchise style,
- Not all elevations are treated equally,
- The use of the Alpolic and fiber cement panels would cover the existing brick façade creating a false or decorative façade treatment,
- And, the use of materials that give the impression of thinness at corners and lack of change of material at a change of the plane of the building.

Further these changes do not meet with the intention of the original Conditional Use Permit of requiring that at a minimum the south, west, and north façade consist of brick masonry.

Therefore, staff recommends that the Commission members provide direction to the applicant regarding the level of redesign, and allow time for the applicant to incorporate your suggestions before any recommendation can be made to the City Council.

LANDSCAPE REVIEW

As stated above, the applicants are not proposing any changes to the existing landscape. However, the current condition of the site:

- Does not meet with the landscape plan approved by City Council as a condition of the original Conditional Use Permit.
- Does not provide screening of the retaining wall at the south west corner,
- Does not meet with the “green-like” park objectives of the Comprehensive Plan,
- Does not provide for a high quality design that accentuates the building and site,
- Does not softens the effects of parking area, and
- Does not enhance the quality of life of the City.

Staff recommends that the applicant submit a revised landscape design for further Planning and Zoning Commission review that meets with the goals and objectives of the Comprehensive Plan.

ZONING REVIEW

The subject property is located in the “GC” General Commercial District (Section 405.360) where the City Council may authorize automotive dealers (new or new and used) by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary. The Fiat Dealership is locating in an existing facility with a prior approved conditional use permit for an automotive dealership, where all of the requirements for such use, as provided in Section 405.470: *Conditional Uses* were deemed to have been met under the expectations and Comprehensive Plan as they existed in 1998. These factors have changed, especially as they relate to the adoption of the new Comprehensive Plan in 2002.

Section 405.1070(E)(4) Standards for Conditional Use Permits states that the City Council shall not approve a conditional use unless it finds that unless it 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. While the applicant is utilizing a current conditional use permit and the prior development property continues to meet the bulk standards of the “GC” district, neither the site nor the proposed changes meet with the intent of the original approved plans for the Conditional Use Permit, nor with the goals and objectives of the Comprehensive Plan.

Staff recommends that the Commission members provide direction regarding the redesign of the site modifications to meet with the goals and objectives of the Comprehensive Plan.

SIGN CODE VIOLATIONS

While visiting the site, Staff noticed several Sign Code violations that included illegal banners, and windows and doors completely covered with signage. Staff request that all illegal signage be removed prior to any Commission action. Staff also request a condition include that no additional signage for the property be allowed other than the name and logo of the dealership,

similar to that shown in drawings, and as otherwise allowed by the Sign Regulations for the City of Creve Coeur.

PROPERTY MAINTENANCE

While visiting the property, Staff has found the following property maintenance problems:

- Unsecured dumpster enclosure
- Inoperable vehicles and trailers stored on site
- Apparent leak in water service
- Landscaping not properly maintained

Staff recommends that direction include addressing all property maintenance issues prior to further review of the application and recommendation to City Council to amend the Conditional Use Permit.

SUMMARY

To summarize, the following issues need to be resolved:

- Submitting a landscape plan that furthers the goals and objectives of the Comprehensive Plan and the conditions listed in Ordinance #1921
- Limiting the generic corporate architecture
- Limiting façade treatments that are not designed equally on all sides of the building, and coverage of the existing brick with branding architectural treatments
- Screening dumpster locations
- Repairing apparent leak from water shut off.
- Eliminating violations of the City's Sign Regulations.

Given that resolving some of these issues could result in significant changes to the proposal, it is not possible to draft an effective approval ordinance. It is recommended that the Planning Commission provide guidance to the applicant on the above issues, and allow them the opportunity to revise their drawings appropriately. After the project is revised, a draft ordinance can be created that accurately reflects what is proposed and what is expected by the Commission.

ACTION

Although staff recommends that the Planning and Zoning Commission not take any action on a recommendation for this item at this time, a motion is required. (see below)

MOTION

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

“I move to continue Application #11-004 to the meeting of April 19, 2011, to allow the applicant time to address the concerns of the members of the Planning Commission and staff.”

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

APPENDIX 2: ZONING CODE

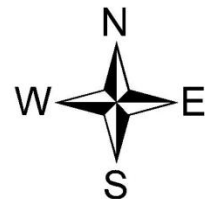
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL MAP



Legend

-  Property Lines
-  900. N. Lindbergh Boulevard



APPENDIX 4: SITE PHOTOGRAPHS
Application #11-004

Photo Date: 02/28/2011



Description: View looking east from the Lindbergh and Olive Boulevards interchange. Notice the lack of landscaping and screening of the retaining walls along Lindbergh and Olive Boulevards.



Description: View looking south from Old Olive Street Road.



Description: View looking north from Olive Boulevard, just east of the Lindbergh interchange. Notice the lack of landscaping along Olive Boulevard.



Description: View of improperly enclosed dumpster on site.



Description: Example of illegal banner, window and door signs throughout the property.

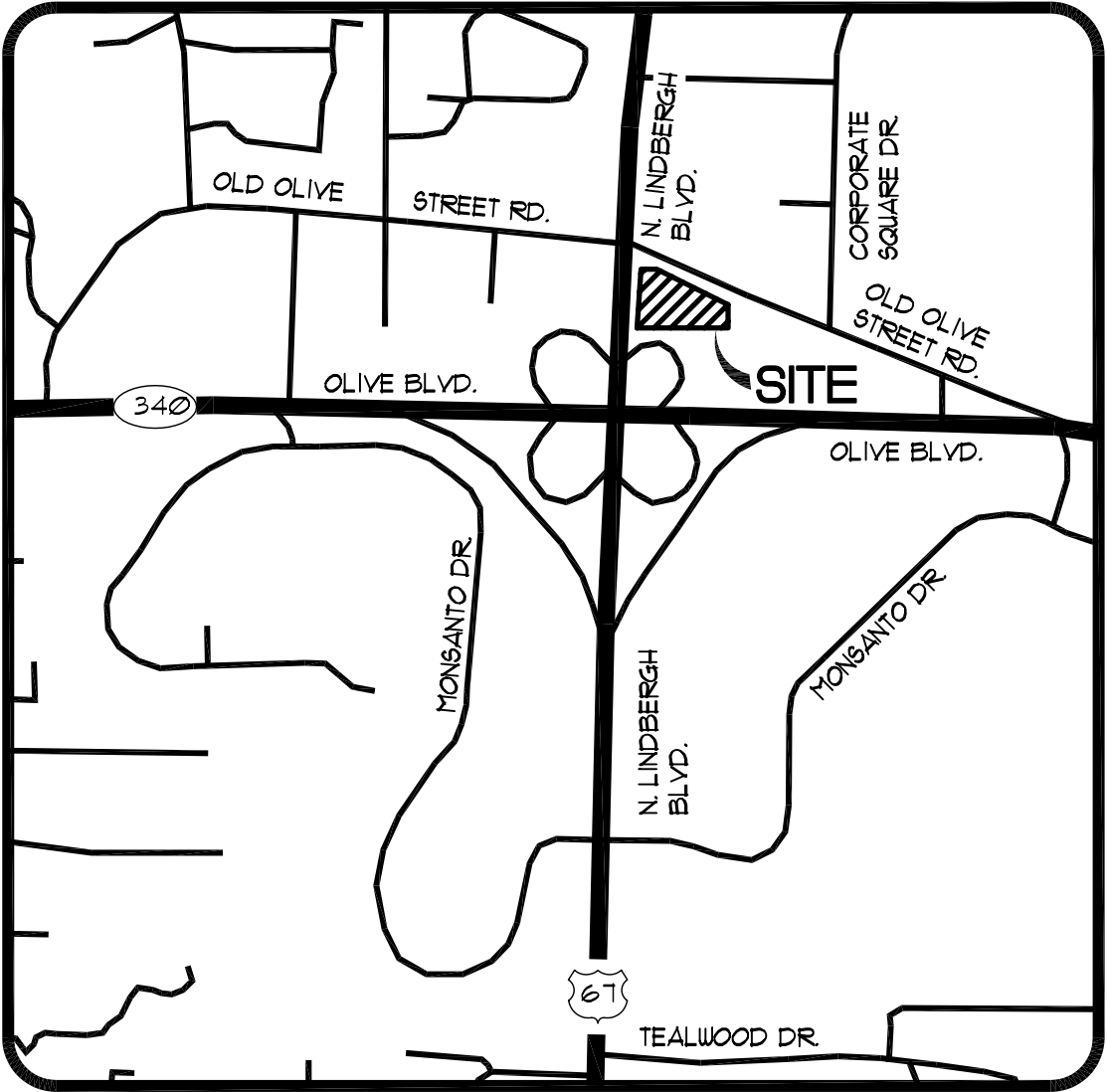


Description: View of the west façade from the southwest corner of the property.

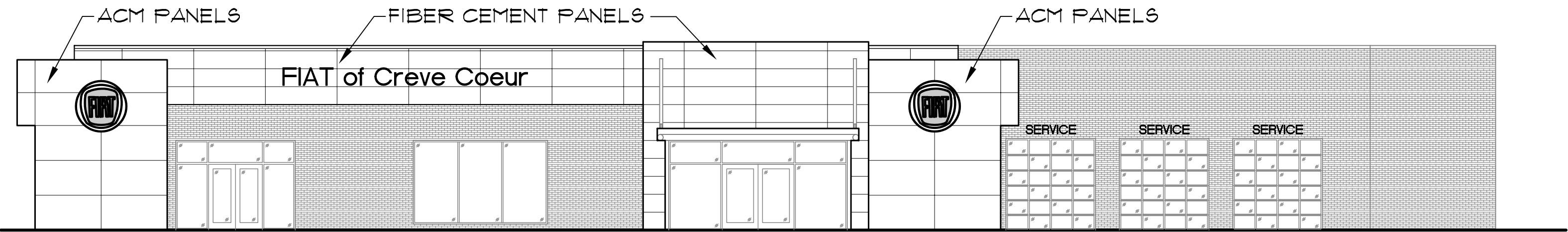
	Description: View of more illegal window signage, and remnants of the prior landscaping not maintained.
	Description: Apparent evidence of leak from water shut-off that needs repairing.

LEGAL DESCRIPTION: A parcel of ground in Section 1, Township 45 North, Range 5 East, St. Louis County, Missouri; said parcel being more particularly described as follows: BEGINNING at the point of intersection of the southern line of Olive Street Road, 60 feet wide, with the eastern line of property described in deed to Comfort Printing & Stationery Co., recorded in Book 5164, Page 443, St. Louis County Recorder's Office; thence S 1°15' W 200.00 feet along the eastern line of said Comfort property, to the northern line of property described in deed to the State of Missouri, recorded in Book 3925, Page 369, St. Louis County Recorder's Office; thence in a generally westwardly and northwardly direction along the northern and eastern line of said State of Missouri property, the following courses and distances: N 88°10' W 214.18 feet, N 36°49' 35" W 32.02 feet, N 1°50' E 225.00 feet and N 56°31'50" E 64.53 feet, to the southern line of said Olive Street Road; thence S 68°11' E 255.46 feet along the southern line of said Olive Street Road, to the point of beginning, and containing 12,595 Square Feet, or 16665 Acres.

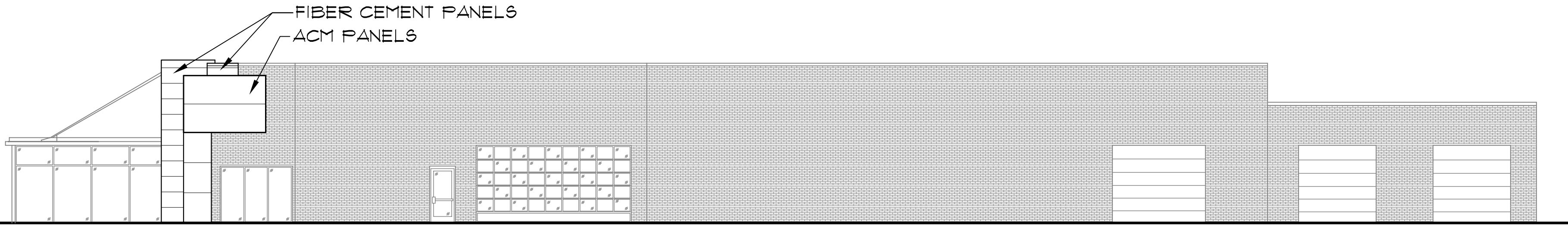
A tract of land in the North 1/2 of Section 1, Township 45 North, Range 5 East, St. Louis County, Missouri, and described as follows: Beginning at a point in the southern line of Old Olive Street Road, being the northwest corner of property conveyed to George M. Schaeffer and wife, by deed recorded in Book 525 Page 520 of the St. Louis County Records; thence along the west line of Schaeffer's property, South 1 degree 15 minutes West 421.23 feet to a point; thence South 89 degrees 11 minutes East 116.00 feet to a point; thence North 1 degree 15 minutes East, 379.63 feet, more or less, to a point in the southern line of Old Olive Street Road; thence along the southern line of said road, North 66 degrees 47 minutes West, 125.06 feet, more or less, to the point of beginning.



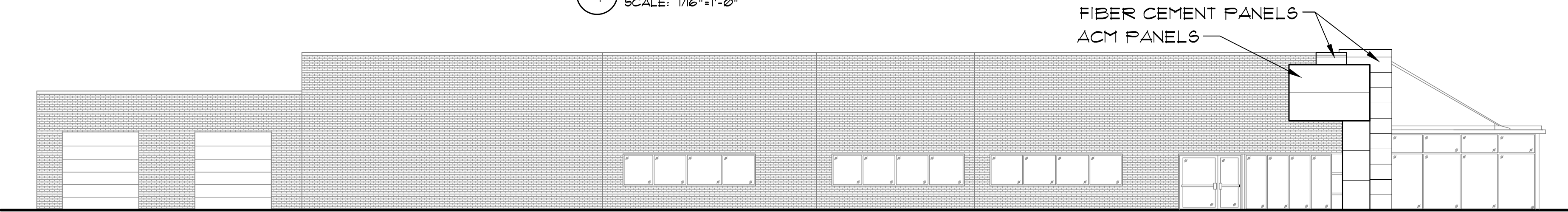
2 LOCATION MAP
SCALE: N.T.S.



3 WEST ELEVATION
SCALE: 1/16"=1'-0"

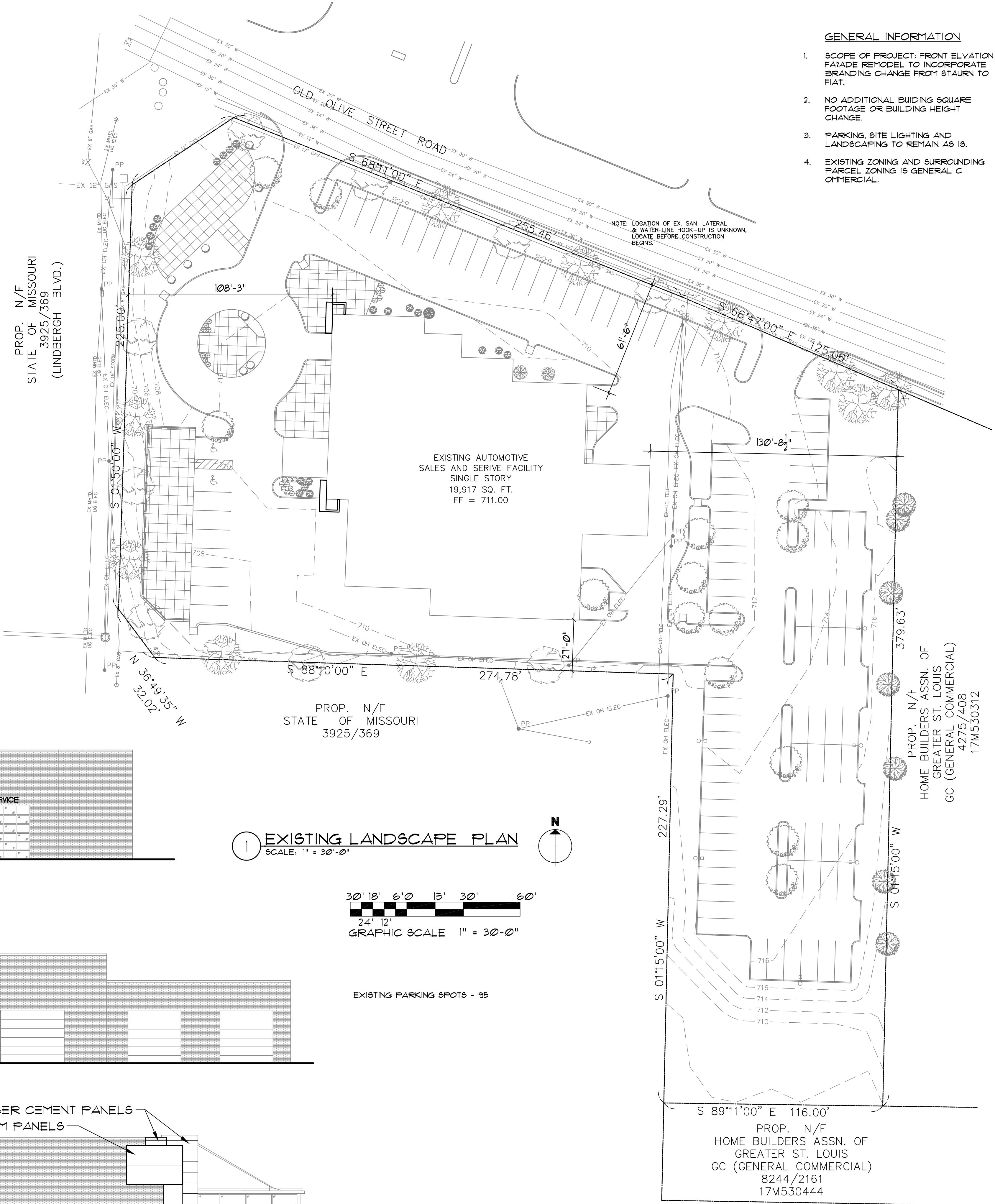


4 SOUTH ELEVATION
SCALE: 1/16"=1'-0"

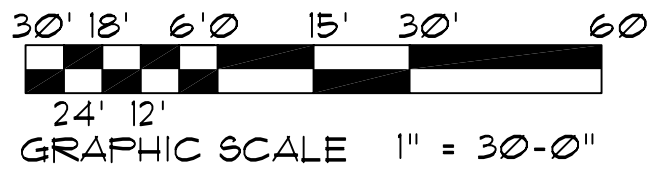


5 NORTH ELEVATION
SCALE: 1/16"=1'-0"

PROP. N/F
STATE OF MISSOURI
3925/369
(LINDBERGH BLVD.)



1 EXISTING LANDSCAPE PLAN
SCALE: 1" = 30'-0"



EXISTING PARKING SPOTS - 95

GENERAL INFORMATION

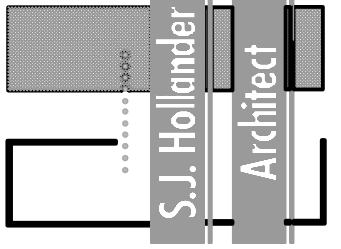
- SCOPE OF PROJECT: FRONT ELEVATION FAIADE REMODEL TO INCORPORATE BRANDING CHANGE FROM STAUERN TO FIAT.
- NO ADDITIONAL BUILDING SQUARE FOOTAGE OR BUILDING HEIGHT CHANGE.
- PARKING, SITE LIGHTING AND LANDSCAPING TO REMAIN AS IS.
- EXISTING ZONING AND SURROUNDING PARCEL ZONING IS GENERAL C COMMERCIAL.

Building Exterior Remodel for:
Lou Fusz Fiat
900 N. Lindbergh
Creve Coeur, MO 63141

PROJECT NO.
210047

REVISIONS	NO.	DATE	ITEM

S.J. Hollander Architect P.C.



DATE
February 24, 2011

SHEET TITLE
Site Plan

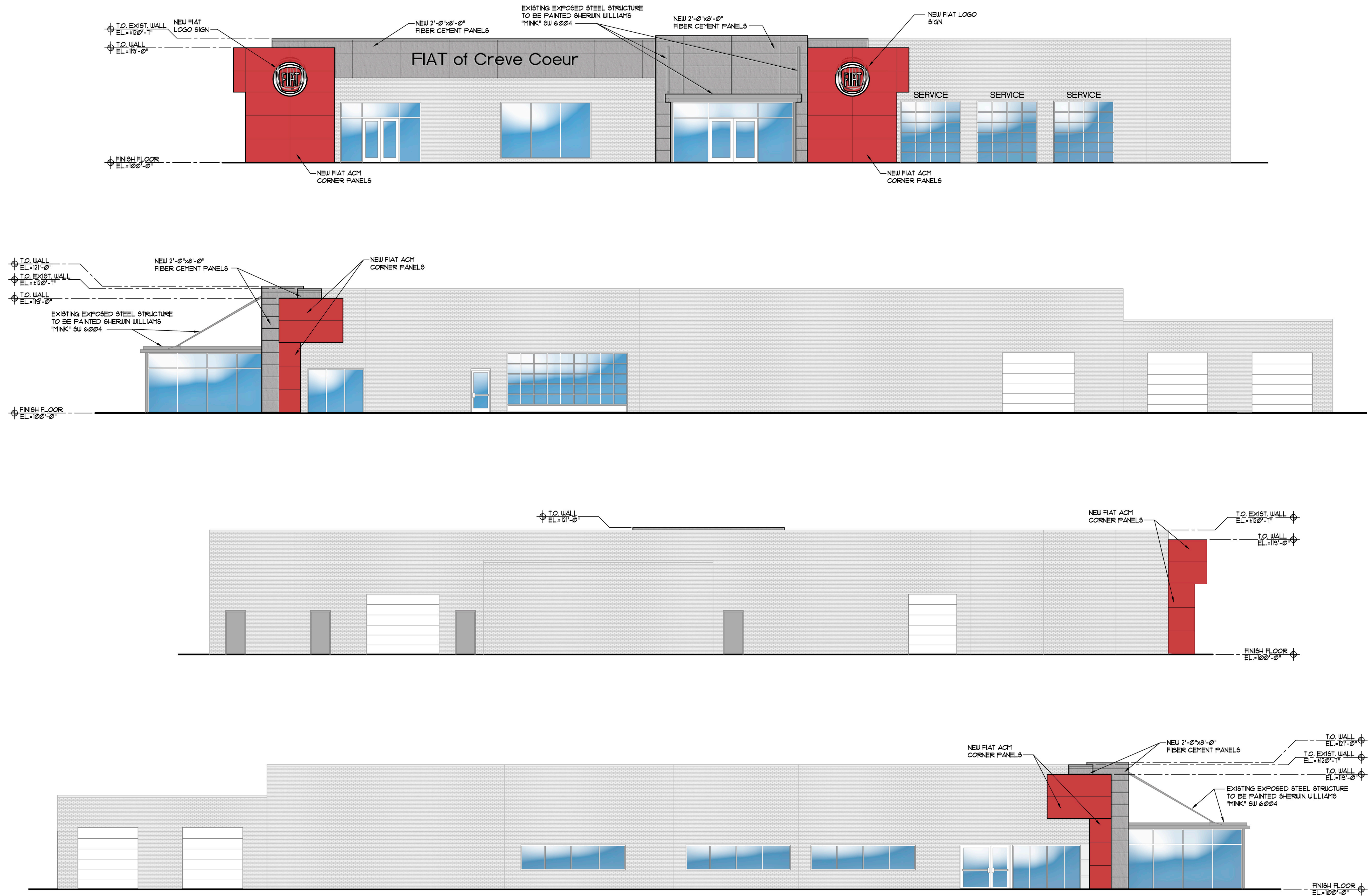
SHEET NO.

C1.0

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Fax (636) 947-7195

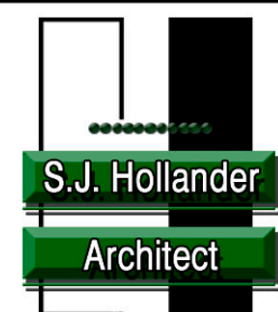


Lou Fusz FIAT

900 N. Lindbergh Creve Coeur, MO 63141

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S.J. Hollander Architect P.C.

Stephen J. Hollander, AIA
519 First Capitol Drive
St. Charles, Missouri 63301
Phone (636) 947-4140 Fax (636) 947-7195

BILL NUMBER 1983

ORDINANCE NUMBER 1921

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A
CONDITIONAL USE PERMIT FOR AN AUTOMOBILE SALES
FACILITY TO BE LOCATED AT 900 N. LINDBERGH BOULE-
VARD IN THE "GC" GENERAL COMMERCIAL DISTRICT,
SUBJECT TO CONDITIONS SET FORTH HEREIN.

WHEREAS, APPLICATION WAS MADE BY LOU FUSZ AUTOMOTIVE NETWORK
FOR A CONDITIONAL USE PERMIT TO OPERATE AN AUTOMOBILE SALES FACILITY
TO BE LOCATED AT 900 N. LINDBERGH BOULEVARD, IN THE "GC" GENERAL
COMMERCIAL DISTRICT, AND

WHEREAS, THE PLANNING AND ZONING COMMISSION RECOMMENDED
APPROVAL OF SAID APPLICATION, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE CITY COUNCIL ON
MONDAY, FEBRUARY 9, 1998 AT 7:30 P.M. OR IMMEDIATELY FOLLOWING THE
CLOSE OF THE PREVIOUS PUBLIC HEARING, ON SAID APPLICATION FOR THE
CONDITIONAL USE PERMIT AS PROVIDED BY ARTICLE VIII, SECTION 26-114 OF
ORDINANCE NO. 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD
BEEN PREVIOUSLY PUBLISHED ON JANUARY 22, 1998 IN THE ST. LOUIS
COUNTIAN AND ON FEBRUARY 2, 1998 IN THE WEST COUNTY JOURNAL,
NEWSPAPERS OF GENERAL CIRCULATION IN THE CITY OF CREVE COEUR, 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 THREE TIMES BEFORE FINAL
PASSAGE BY THE CITY COUNCIL, AND

WHEREAS, THE CITY COUNCIL BEING FULLY INFORMED FINDS THAT
THE GRANTING OF THE APPLICATION WOULD BE IN HARMONY WITH AND BEAR A
SUBSTANTIAL RELATION TO THE PUBLIC WELFARE, HEALTH, SAFETY, COMFORT
AND CONVENIENCE OF THE CITIZENS OF THE CITY OF CREVE COEUR AND IN THE
PUBLIC INTEREST AND IN CONFORMANCE WITH GOOD ZONING PRACTICE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1: THE CITY COUNCIL HEREBY DETERMINES AND FINDS THAT THE ISSUANCE OF A CONDITIONAL USE PERMIT BY THE CITY ADMINISTRATOR AS REQUESTED BY LOU FUSZ AUTOMOTIVE NETWORK IN ITS APPLICATION FOR A CONDITIONAL USE PERMIT ON THE HEREINAFTER DESCRIBED PROPERTY WILL CONFORM AND COMPLY WITH THE REQUIRED STANDARDS FOR CONDITIONAL USE PERMITS AS SET FORTH IN SECTION 26-114.5 OF ORDINANCE NUMBER 1044 AND THEREFORE A CONDITIONAL USE PERMIT IS HEREBY AUTHORIZED FOR THE OPERATION OF AN AUTOMOBILE SALES FACILITY ON THE FOLLOWING DESCRIBED PROPERTY IN THE "GC" GENERAL COMMERCIAL DISTRICT:

A PARCEL OF GROUND IN SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERN LINE OF OLIVE STREET ROAD, 60 FEET WIDE, WITH THE EASTERN LINE OF PROPERTY DESCRIBED IN DEED TO COMFORT PRINTING & STATIONERY CO., RECORDED IN BOOK 5164, PAGE 443, ST. LOUIS COUNTY RECORDER'S OFFICE; THENCE SOUTH 1 DEGREE 15 MINUTES WEST 200.00 FEET ALONG THE EASTERN LINE OF SAID COMFORT PROPERTY, TO THE NORTHERN LINE OF PROPERTY DESCRIBED IN DEED TO THE STATE OF MISSOURI, RECORDED IN BOOK 3925, PAGE 369, ST. LOUIS COUNTY RECORDER'S OFFICE; THENCE IN A GENERALLY WESTWARDLY AND NORTHWARDLY DIRECTION ALONG THE NORTHERN AND EASTERN LINE OF SAID STATE OF MISSOURI PROPERTY, THE FOLLOWING COURSES AND DISTANCES: NORTH 88 DEGREES 10 MINUTES WEST 274.78 FEET, NORTH 36 DEGREES 49 MINUTES 35 SECONDS WEST 32.02 FEET, NORTH 1 DEGREE 50 MINUTES EAST 225.00 FEET AND NORTH 56 DEGREES 31 MINUTES 50 SECONDS EAST 64.53 FEET, TO THE SOUTHERN LINE OF SAID OLIVE STREET ROAD; THENCE SOUTH 68 DEGREES 11 MINUTES EAST 255.46 FEET ALONG THE SOUTHERN LINE OF SAID OLIVE STREET ROAD, TO THE POINT OF BEGINNING, AND CONTAINING 72,595 SQUARE FEET, OF 1.6665 ACRES, AND

A TRACT OF LAND IN THE NORTH 1/2 OF SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTHERN LINE OF OLD OLIVE STREET ROAD, BEING THE NORTHWEST CORNER OF PROPERTY CONVEYED TO GEORGE M. SCHAEFFER AND WIFE, BY DEED RECORDED IN BOOK 525 PAGE 520 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG THE WEST LINE OF SCHAEFFER'S PROPERTY, SOUTH 1 DEGREE 15 MINUTES WEST 427.29 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 11 MINUTES EAST 116.00 FEET TO A POINT; THENCE NORTH 1 DEGREE 15 MINUTES EAST, 379.63 FEET, MORE OR LESS, TO A POINT IN THE SOUTHERN LINE OF OLD OLIVE STREET ROAD; THENCE ALONG THE SOUTHERN LINE OF SAID ROAD, NORTH 66 DEGREES 47 MINUTES WEST, 125.06 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SECTION 2: THE ISSUANCE OF THIS CONDITIONAL USE PERMIT AND THE OPERATION AND MAINTENANCE OF SAID FACILITIES PROVIDED FOR BY THIS ORDINANCE SHALL BE SUBJECT TO ALL ORDINANCES, RULES AND REGULATIONS OF THE CITY OF CREVE COEUR AND THE FOLLOWING CONDITIONS:

1. THE CONDITIONAL USE PERMIT IS FOR THE OPERATION OF AN AUTOMOBILE SALES FACILITY FOR USE BY LOU FUSZ AUTOMOTIVE NETWORK AND/OR ADDITIONAL USERS AS APPROVED BY THE CITY OF CREVE COEUR.
2. THE DEVELOPMENT OF THE AUTOMOBILE SALES FACILITY SHALL BE IN ACCORDANCE WITH THE REVISED PLANS PREPARED BY MUSLER ENGINEERING COMPANY DATED NOV. 21, 1997, 1998 AND APPROVED BY THE CREVE COEUR CITY COUNCIL OR AS FURTHER REVISED AND APPROVED BY THE CITY OF CREVE COEUR.
3. THE HOURS OF OPERATION SHALL NOT EXCEED 7:00 A.M. TO 9:30 P.M. MONDAY, WEDNESDAY, AND FRIDAY; 7:00 A.M. TO 6:30 P.M. TUESDAY AND THURSDAY; AND 9:00 A.M. TO 6:00 P.M. ON SATURDAY.
4. THE STORAGE OR REPAIR OF DAMAGED OR INOPERABLE VEHICLES SHALL NOT OCCUR ON THE SUBJECT PROPERTY.
5. ALL SIGNS FOR THE AUTOMOBILE SALES FACILITY MUST BE IN CONFORMANCE WITH THE CITY'S SIGN ORDINANCE.
6. NO PENNANTS, FRINGE, LIGHTS, PIN WHEELS OR OTHER SIMILAR DEVICES FOR ATTRACTING ATTENTION MAY BE DISPLAYED AT ANY TIME IN CONNECTION WITH THE OPERATION OF THIS BUSINESS.
7. AN UNDERGROUND IRRIGATION SYSTEM SHALL BE INSTALLED AND MAINTAINED TO SERVE ALL GREEN AND/OR LANDSCAPED AREAS IDENTIFIED ON THE SITE DEVELOPMENT PLAN.
8. THE USE OF OUTDOOR SPEAKERS FOR THE AMPLIFICATION OF MUSIC OR SPOKEN WORD SHALL BE PROHIBITED.
9. THE NUMBER OF NEW AUTOMOBILES AND/OR CERTIFIED AUTOMOBILES WITH A MANUFACTURER'S WARRANTY SHALL NOT, AT ANY TIME, BE LESS THAN EIGHTY PERCENT (80%) OF THE TOTAL NUMBER OF AUTOMOBILES AVAILABLE FOR PURCHASE ON SITE.

10. A COPY OF ALL HEREIN ATTACHED CONDITIONS SHALL BE FURNISHED BY THE OWNER OR PETITIONER TO THE OPERATOR(S) OR MANAGER(S), INCLUDING SUCCESSIVE OPERATOR(S), OWNER(S) OR MANAGER(S) WHO SHALL FORWARD TO THE ZONING ADMINISTRATOR AN ACKNOWLEDGEMENT THAT HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

11. ANY FUTURE ENLARGEMENT OR ALTERATION IN THE USE OF THE STRUCTURE 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 OR ALTERATION MAY BE ISSUED.

12. ALL CONDITIONS CONTAINED WITHIN THIS PERMIT SHALL BE POSTED UPON THE PROPERTY IN SUCH A MANNER THAT IT IS VISIBLE TO THE PUBLIC AND TO THE OPERATION OF SAID FACILITY.

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 REASONABLE NOTICE TO THE OWNER OF THE INTENTION OF THE CITY COUNCIL TO REVOKE AND REASONABLE TIME GRANTED TO THE OWNER TO CORRECT ANY SUCH BREACH OF CONDITION, EXCEPT FOR REPEATED BREACHES.

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 NOT EXCEEDING ONE HUNDRED AND EIGHTY (180) DAYS EACH, UPON WRITTEN APPLICATION FILED AND GRANTED PRIOR TO THE EXPIRATION OF THE CONDITIONAL USE PERMIT PERIOD.

15. PARKING OF AUTOMOBILES SHALL BE LIMITED TO ONE AUTOMOBILE PER DESIGNATED PARKING SPACE.

16. THE PROPOSED BUILDING SHALL BE, AT A MINIMUM, CONSTRUCTED ON THREE SIDES (NORTH, SOUTH AND WEST) WITH BRICK MASONRY.

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.

SECTION 4: THIS ORDINANCE SHALL BECOME EFFECTIVE AT THE
EXPIRATION OF FIFTEEN (15) DAYS AFTER ADOPTION BY THE CITY COUNCIL AND
THE SIGNING THEREOF BY THE MAYOR.

ADOPTED BY CITY COUNCIL THIS 23 DAY OF February, 1998.


DAVID KREUTER
CITY COUNCIL PRESIDENT

APPROVED THIS 23 DAY OF February, 1998.


ANNETTE KOLYS MANDEL
MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

105/220

PZ 040411.txt
1 PLANNING AND ZONING COMMISSION PUBLIC HEARING
2 CITY OF CREVE COEUR, MISSOURI
3 300 NORTH NEW BALLAS ROAD
4 MONDAY, APRIL 4, 2011
5 7:00 P.M.
6
7 THOSE IN ATTENDANCE:
8 Mr. Tim Madden, Chair
9 Dr. Michael Barton
10 Mr. Gary Eberhardt, Vice Chair
11 Mr. Barry Glantz
12 Ms. Cynthia Kramer
13 Mr. Jim Schnarr
14 Mr. Carl Lumley, City Attorney
15 Mr. Paul Langdon, AICP, Director of Community Development
16 Ms. Whitney Kelly, AICP, City Planner
17
18
19
20
21
22
23 McLaughlin Court Reporting Services, Inc.
24 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
25 4772 Gatesbury Drive
St. Louis, MO 63128
(314)487-2259

1 CHAIRMAN MADDEN: Like to call to order the 1
2 Planning Zoning Commission meeting for the City of Creve
3 Coeur, Missouri for Monday April 4th, 2011.
4 And we'll start with roll call.
5 Dr. Michael Barton?
6 DR. BARTON: Present.
Page 1

7 CHAIRMAN MADDEN: Mr. Gary Eberhardt?
8 MR. EBERHARDT: Present.
9 CHAIRMAN MADDEN: Mr. Barry Glantz?
10 MR. GLANTZ: Present.
11 CHAIRMAN MADDEN: Ms. Cynthia Kramer, I believe
12 she's on her way.
13 Dr. Saunders won't be here tonight.
14 Mr. Jim Schnarr?
15 MR. SCHNARR: Here.
16 CHAIRMAN MADDEN: Mr. Carl Lumley, our City
17 Attorney?
18 MR. LUMLEY: Present.
19 CHAIRMAN MADDEN: Paul Langdon, our Director of
20 Community Development?
21 MR. LANGDON: Present.
22 CHAIRMAN MADDEN: Ms. Whitney Kelly, our City
23 Planner?
24 MS. KELLY: Present.
25 CHAIRMAN MADDEN: New Business. A public

1 hearing on Application No. 11-004 for the Lou Fusz Fiat²
2 dealer.
3 Are you Mr. Hollander?
4 MR. HOLLANDER: I am.
5 CHAIRMAN MADDEN: Mr. Hollander, you need to be
6 sworn in.
7 (Stephen Hollander was sworn by the court
8 reporter.)
9 CHAIRMAN MADDEN: Mr. Hollander, can you state
10 your name and address, please, just for the record.
11 MR. HOLLANDER: My name is Stephen Hollander,

12 519 First Capitol Drive in St. Charles, Missouri.

13 And for the record, the notes have my name as
14 S-T-E-P-H-A-N. It's S-T-E-P-H-E-N, so if you're looking
15 for that, just so it's officially correct.

16 CHAIRMAN MADDEN: Thank you.

17 Go ahead. Oh, I'm sorry.

18 MR. HOLLANDER: All right. We're here this
19 evening on behalf of the Lou Fusz Automotive Network, and
20 they are requesting permission to change, primarily, the
21 facade of the existing -- or what was the Saturn Creve
22 Coeur facility, and change it to Fiat of Creve Coeur.

23 This will be the -- the only Fiat dealership in
24 the St. Louis area at this point in time. And I guess,
25 depending on how -- how the success of the car goes, there

1 will be additional dealerships, but at this point in time³
2 this is the only Fiat dealership proposed for the
3 St. Louis area, so hopefully lots of customers and traffic
4 will be heading this way.

5 On the site there really is no proposed change.
6 The additions or the increases don't affect the site. We
7 are attempting to de-Saturn-ize the building.

8 If you've been by there, it has the -- there are
9 two big canopies, big steel canopies that one overhangs
10 the existing entrance vestibule, and it protrudes out as
11 an overhang above that.

12 That steel framework is all being removed as is
13 the vestibule. So the structure will have a -- will be
14 back to the flat building facade that's there.

15 The other steel canopy is not being removed. It
16 has usable space or vehicle delivery area underneath it,
17 and we are attempting to hide it, for lack of better

18 words, with this fiber cement panel; build a frame around
19 it and keep the structure there, but more or less try to
20 de-Saturn-ize it, and take that out.

21 The other elements that they are adding on the
22 corners of the -- of the existing facade, they're adding
23 two red architectural metal panels. I think there's a
24 little bit of confusion, and maybe not on your all's part,
25 but I'd like to explain what that material is.

1 This is the face material. There was some 4
2 reference in the report about it being thin. This is only
3 the face material, and the color, they only send it to me
4 that way. It's a composite panel. Behind it -- roughly,
5 it's, oh, half inch, five-eighths of an inch thick. It's
6 got a rubberized honeycomb core, and then another sheet of
7 metal, roughly the same thickness, on the back side.

8 So it's not a thin piece of flimsy metal that's
9 being attached to the -- to the -- to the facility.

10 You've got a lot of this material throughout
11 your community, and it holds up well and is used very --
12 very well.

13 There was some concern raised about the amount
14 of brick that we were covering up, and for the record,
15 we -- we took off the percentages of brick and the
16 existing brick on the west side. We are asking -- asking
17 to cover up 18.8 percent of the existing masonry. And
18 both on the south and north side, we are covering up
19 2.5 percent on both of those. And then on the east side,
20 the existing masonry is not being touched.

21 Overall, we're asking for a change to cover
22 roughly 5.6 percent of the -- of the existing masonry that

23 is on the -- that is on the building.

24 I'll touch a little bit on the landscaping. We
25 had the existing landscape plan, and then last week

1 Whitney was able to find the previously approved plan, and⁵
2 it identified some areas that we were short of, you know,
3 since it was done in '98, so, you know, some things die;
4 some things go away, and we -- I do have a revised plan
5 for you to add back in the landscaping that is missing
6 from the previously approved plan. I sent that to Whitney
7 earlier today, and I can pass this out for your -- it's
8 a -- the new green is the green that is being reinstalled.
9 It's the same plants and materials that were approved
10 before.

11 As you can see, the -- the predominant area that
12 was lacking was there on the south side of the facility,
13 and we're adding back in the seven Redleaf Barberry and
14 sixteen Blue Chip Juniper that either died or missing.

15 Back in the center island area there there are
16 eight little Princess Spirea that are missing, and then
17 along the front pad there there is a Dwarf Burning Bush
18 that will be replaced and put back in.

19 And that, I believe, brings us up to the -- in
20 the planting areas that are there, you know, that back up
21 to what was approved back in 1998.

22 CHAIRMAN MADDEN: Any questions up here?

23 MR. GLANTZ: Yeah.

24 CHAIRMAN MADDEN: Mr. Glantz.

25 MR. GLANTZ: Steve, any signage, other than

1 what's shown on this, proposed for the windows or anything⁶
2 like that?

3 MR. HOLLANDER: Well, they -- they do have
4 windows -- they had window signage up. We talked about
5 that. They took some of that down. I just drove by, and
6 I think there's still some on the, what side is that, on
7 the north side -- no, the south side, and it's, you know,
8 there's a garage door that still has some signage that's
9 showing up in there.

10 MR. GLANTZ: When I last checked there was
11 pretty big banner, I believe on the south.

12 MR. HOLLANDER: Yeah, there is still a banner.
13 There's one that says Fiat and there's one that says
14 preowned, and I talked to them. I will readdress that
15 issue and have them, you know, get back into conformity
16 with that. I know they took -- they had those same buy
17 here -- pay here, buy here signs that were in the windows
18 at the dealership, and those are gone, but they still do
19 have the one on the -- on the south side in that garage
20 door.

21 MR. GLANTZ: Cause in all fairness, I think, for
22 consistency purposes, we addressed that with another
23 dealership in Creve Coeur fairly recently, and I think we
24 need to hold to the same standards here.

25 MR. HOLLANDER: Yeah, I don't have a concern

1 with that. 7

2 What is, essentially, going to be requested, and
3 I understand that's a different permit, is what you see on
4 here will be the signage requested at that point in time.
5 And I will have a discussion, and they can vehemently
6 forgot some other signs, and get that taken care of.

7 MR. SCHNARR: What is the anticipated schedule

8 to be in the Fiat business?

9 MR. HOLLANDER: Well, the -- there is a Fiat up
10 there, and they are -- they can take delivery of Fiats at
11 any time.

12 I think they actually had a Fiat grand opening
13 there a while back with a Fiat car.

14 But they are -- they are ready to rock and roll
15 and go and get that.

16 Fiat is, obviously, waiting till -- there is
17 some interior renovations that are going on right now, and
18 then get this exterior approved, and get going, so,
19 hopefully, by this summer the facility would be completed
20 and it would be fully stocked with Fiats and some of the
21 used cars.

22 CHAIRMAN MADDEN: Mr. Eberhardt.

23 MR. EBERHARDT: I also noticed when I drove by
24 there this evening that there's a, apparently, temporary
25 monument sign in the front that has autotrader.com, big

1 letters. What's that all about?

2 MR. HOLLANDER: Well, I think that is covering
3 the original Saturn sign there.

4 When Saturn went out, they converted to
5 primarily a used-car facility, and I believe that was just
6 a signage, and I can -- right now it is -- it's covering
7 up the Saturn, and we can have that taken down, but
8 there's also not a, you know, Saturn dealership there
9 either.

10 I would -- and I don't have information on that,
11 but I would suggest that they're going to request that the
12 Fiat -- Fiat monument sign be placed there in lieu of that
13 as part of the sign package.

14 I mean it's -- I don't have a problem suggesting
15 to them that they take the Auto Trader sign off.
16 Obviously, it's most going to -- it's likely going to say
17 Saturn underneath it, and there's not a Saturn dealership
18 there, so.

19 MR. EBERHARDT: With respect to the prior
20 conditional use permit, which required that the building
21 be all masonry, and we're now adding 18, almost 19 percent
22 of at least the frontal part of this on the west side of
23 metal panels, which don't seem to me to be either in line
24 with the past approval or with regard to the current
25 Comprehensive Plan in Creve Coeur.

9
1 Do you know from the staff report their concerns
2 about making these buildings comply with corporate logo
3 kinds of appearance as opposed to making it look like a
4 building that's in conformity with the requirements as
5 opposed to being a commercial enterprise with logo or
6 identification with the corporate requirements of
7 whoever's in there?

8 And I guess it seems to me, this is going to
9 stick out like a sore thumb.

10 The other Fusz buildings all around here, the
11 Fusz Nissan building to the -- to the west; the Fusz
12 Mazda, I think it is, dealership across the street, all
13 seem to have the gray-colored brick. I don't see any
14 brightly colored panels anyplace in the area.

15 And it seems to me that that particular
16 situation is not in keeping with our Comprehensive Plan.

17 MR. HOLLANDER: Well, the Nissan dealership has
18 the same metal panel, but it is in a -- it is in a gray.

10

1 And, I don't know if Barry will share the
2 same -- same thing or attitude, but sometimes you can
3 change materials and you can change size and you can
4 change color, and they can all be masonry, but -- and I,
5 you know, there's a -- there's a new Walgreens going up,
6 and it meets your masonry requirements, and I don't mean
7 to pick on it, but it's got the same corporate footprint
8 as all of them, and, yet, as an architect, when I go down
9 the street that building is screaming pay attention to me,
10 you know, that there isn't anything harmonious about the
11 design. It screams look at me. I've got five different
12 materials on it, and it screams look at me.

13 And this is a stand-alone site. This isn't, you
14 know, I've got Olive Street on one side; I've got
15 Lindbergh on one side. I really don't have any neighbors
16 that -- and to be -- this is pretty subtle, and for the
17 most part, it is -- it's set back quite a ways on the
18 hill, and when you're driving by at 65 or, I guess the
19 speed limit on Lindbergh is less than that, I think this
20 is a fairly subtle change.

21 That's my humble opinion. And I don't mean to
22 pick on a building that is under construction, but, you
23 know, that's --

128

25 CVS, everybody has a standard format, and it'd

1 be -- the ACM panels were painted red paint, would that¹¹
2 make any difference? They would still be red panels.

3 CHAIRMAN MADDEN: Dr. Barton.

4 DR. BARTON: The canopies that you're moving, I
5 mean I have a picture of what it did look like.

6 Can you tell me which ones you're --

7 MR. HOLLANDER: Yeah, if you look, I think in
8 your report, you -- that they have a good picture of it.
9 If you look on the -- it's page 10 of the report.

10 DR. BARTON: Uh-huh.

11 MR. HOLLANDER: In there you see the two
12 canopies. The one that -- this sign has been removed. It
13 says Lou Fusz on it. That canopy that has Lou Fusz, that
14 is the one that has a glass storefront underneath and is
15 staying. The one to the left-hand side in that picture,
16 which only has a 7 foot canopy -- or a 7 foot vestibule
17 under it and it overhangs -- let me bring mine up -- this
18 is the canopy that's hanging, and there's a 7 foot
19 vestibule here, and then this has that cantilever up,
20 roughly 12 feet.

21 DR. BARTON: Is that the one farthest to the
22 north?

23 MR. HOLLANDER: That would be the one farthest
24 to the north.

25 DR. BARTON: And then -- and then there's only

1 one other one in the center?¹²

2 MR. HOLLANDER: Well, there's this one here
3 on -- there's this one here. This -- the one right here

4 that comes out and covers that area right here, that's the
5 one being removed. This here is actually part of the
6 building, which is this structure right here.

7 DR. BARTON: Okay.

8 CHAIRMAN MADDEN: Does everybody else
9 understand?

10 DR. BARTON: And is there -- do you know the
11 history by which the other facade covering was approved,
12 are you familiar with that, how that across the street at
13 Nissan dealer was there?

14 MR. LANGDON: At the Nissan dealer, no, I do
15 not.

16 MR. HOLLANDER: That was -- and I happened to be
17 the architect on that project also.

18 That was probably done, going to say six, maybe
19 it's been eight years ago, and we went through this same
20 process, and brought it before the Planning & Zoning
21 Board.

22 DR. BARTON: So that would have been before the
23 revision of Comprehensive Plan?

24 MR. LANGDON: It's certainly possible.

25 MR. HOLLANDER: Yeah, that remodel was primarily

13
1 all of -- well, ACM, Lucabaum (phonetic) is the tradename
2 for it.

3 CHAIRMAN MADDEN: Paul, I've got a question for
4 you.

5 Have you gone over this pretty long list of
6 items that need to be resolved before we can do anything;
7 have you gone over it with Mr. Hollander or --

8 MR. LANGDON: Ms. Kelly has, yes, and I've got a
9 presentation that I can do that might help --

10 CHAIRMAN MADDEN: Okay.
11 MR. LANGDON: -- bring some of this discussion.
12 CHAIRMAN MADDEN: You want do that now then?
13 MR. LANGDON: If you're ready.
14 CHAIRMAN MADDEN: Okay. Yes.
15 (Paul Langdon was sworn by the court reporter.)
16 MR. LANGDON: Mr. Chairman, members of the
17 Commission, my name's Paul Langdon, Director of Community
18 Development for the City of Creve Coeur.
19 Get microphone going here.
20 Okay. Here tonight, as you know, is the
21 northeast quadrant of Olive Boulevard and Lindbergh
22 Boulevard, and I know you all know that.
23 The reason I want to draw your attention to the
24 aerial view is two-fold.
25 First off, you know the two busiest streets, not
1 including Interstate 270, in the City are around this 14
2 project. And also this area here is the MoDOT
3 right-of-way. It's all grass. It's completely open. And
4 we'll be coming back to that in a few minutes.
5 Just for your frame of reference, that's the
6 Nissan dealer; that's the Mazda dealer; Lou Fusz Subaru
7 is here; the body shop is here.
8 This is the site plan initially submitted along
9 with black and whites of the elevations. The red areas
10 that we've been talking about are here and here.
11 The flat front -- this is the west front of the
12 building that will be the focus of attention.
13 As we've already talked about, the landscape and
14 the site plan were initially based primarily on what was

15 originally approved. However, when we get into some of
16 the details, we notice that there are things missing.
17 This is on the original. This is what was missing. This
18 is on the original. It's completely missing. This area
19 back here was completely redesigned because an addition
20 was put on the building.

21 There were some other things that were done to
22 offset the trees here, which are not on the original plan,
23 and the reconfiguration of the trees here with that
24 actually reducing the number.

25 This is the plan that was submitted to you

1 tonight by the Applicant, the change in green, it's, 15
2 essentially, establishing the shrubs along the north side
3 of the building, as was mentioned by the Applicant, and
4 preparing some of the lost material from these areas and
5 display areas.

6 I think the -- that the primary concern, when it
7 comes to the landscape, is not so much have they come back
8 to what was originally approved, but has it -- is it
9 identified in the staff report. Since that time there has
10 been a change. The Comprehensive Plan change, and with
11 that came a set of design guidelines that the City abides
12 by.

13 That Comprehensive Plan says that for this
14 particular property and the dealerships across the road,
15 should there be a change or a reinvestment in those
16 properties, the landscape should be improved. And that's
17 the specific goal of the Comprehensive Plan. Not just
18 repaired, but improved.

19 And I think that's where we have a particular
20 concern, especially as it relates to the wall area along

21 the corner of the property. And, in fairness, obviously,
22 the leaves are off the trees here, so it's particularly
23 exposed. But remember the leaves are off the trees for
24 many months of the year. We don't just design for summer.

25 And so, in our opinion, the staff opinion,

1 something more needs to go on here. We also understand¹⁶
2 this is a retail location. We're not asking that the
3 applicant install a row of Norwood spruces, which will
4 probably hide the entire site.

5 But something can be done; low growing,
6 reasonable and scale, you know, you've got about a 10 foot
7 height here before you would clip the top of that wall.

8 That's enough to put in something to provide
9 some seasonal color and seasonal green-age.

10 You can see from the drawing, there's lots of
11 width there to plant. You also have low areas of water,
12 generally a problem.

13 The other area of concern is that area along the
14 loop and the cloverleaf that we talked about. This is
15 that south parking lot right here. As you can see, it's
16 completely exposed. No landscape covers that parking lot.

17 Draw your attention to that, which is a cargo
18 van, which has been used as mobile signage more than once
19 in the past. We worked with the Applicant to address that
20 problem, which they have removed, but it's a repeat
21 occurrence.

22 Basically what I see here, given the use and
23 given the nature of the use, in general, not just this
24 particular dealership, is an attractive nuisance. It's
25 such an easy place to advertise, they can't resist. And

1 that's the approach to a site that we have always
2 discovered, and will continue to discover, including in
3 this case.

4 If the landscape needs to be improved and
5 there's something to be done that makes it more in
6 conformance with the design plan and designing, this area,
7 I think, is essential.

8 The Applicant hasn't made any proposal to fill
9 in this area. As you can see, there's a lot of green
10 space. There's a lot of opportunity, and in my mind a lot
11 of --

12 Talk about the elevations. The elevations are,
13 in the words right off of the staff report -- or off the
14 Applicant's site plan, Brandan. Fiat Brandan. As has
15 already been discussed that's not really in keeping with
16 the design guideline in the Comprehensive Plan. They have
17 stripped off the primary front elements, which added
18 something distinctive to it. It may have been a Saturn
19 element at the time, but, essentially, it's rendered the
20 building even more --

21 To really address that, Fiat then recommends
22 these red corners. The problem with that is that the red
23 corners are coming up all over the country. It doesn't
24 take a lot of work to find other dealerships that look
25 exactly the same. This really is corporate architecture.

1 This really is the very point of the design guidelines
2 we're trying to stop.

3 We're not saying that we should make this
4 building boring. That's not the point of distinctive
5 architecture. That's not the point of the Walgreens.

11 This one is, in fact, masonry and uses a red
12 awning with a logo. This one is a -- is a panel. And
13 then this one is masonry with, I'm not sure what that
14 material is, but a hard material, and sort of a shallow
15 awning.

16 So it's not that Fiat requires it. It's what
17 Fiat has asked for because they're trying to establish
18 that corporate look.

19 Creve Coeur, like other cities, doesn't
20 necessarily have to follow the corporate look, and we
21 would suggest that there can be something done here.

22 The building, obviously, is not one of historic
23 character or anything unique in some manner that we can't
24 touch it. They're already altering it. Why not do
25 something a little more creative with it.

1 To summarize, I think the east parking lot needs²⁰
2 some attention. That's that long parking lot that runs
3 down towards the interchange.

4 The Lindbergh frontage needs some attention, and
5 the vehicle display areas, I think could be better, again,
6 they're meant to draw attention, and that's fine.

7 Frankly, as someone who appreciates the value of
8 a well-designed car, I don't mind it being visible from
9 the street. Others would disagree.

10 But why not make that area something more
11 distinctive than a couple of Boxwoods placed every 6 or
12 8 feet. That, frankly, is just the minimum to get over
13 some kind of expectation. Why not make it interesting.

14 But I think for the Applicant's sake, I'm going
15 to stop here and ask that the Commission provide
16 direction, because, as we indicated in our staff report,

17 conditional use permit is tied to a plan. We believe the
18 plan requires some significant changes, and unless we get
19 the direction on the Commission whether to stick with this
20 plan or seek changes, we can't propose draft ordinance, so
21 to keep this moving forward to the next meeting and
22 hopefully resolution.

23 I'm looking to the Commission for direction on
24 the landscape only.

25 CHAIRMAN MADDEN: Okay. Let's take it one by

21
1 one.

2 East parking lot. What's your feelings on that?

3 Yes.

4 (Cynthia Kramer is now present.)

5 MR. EBERHARDT: Well, my feeling is that Paul
6 has summarized what, seems to me, to be very important
7 from a landscaping point. Talk about the east parking
8 lot. And that area needs some landscape improvement, not
9 only to dress it up or to make it look nice and in
10 conformity with our current new Comprehensive Plan, but
11 also, I guess, to discourage parking of mobile signage
12 there.

13 CHAIRMAN MADDEN: So what is that -- excuse me.
14 What is that parked there that's illegal? Is it a truck
15 or --

16 MR. LANGDON: It's a box van, delivery van,
17 whatever you want to call it, with signs on the side.

18 CHAIRMAN MADDEN: I'm sorry. Go ahead.

19 MR. EBERHARDT: So I certainly would concur
20 that, from my perspective at least, that something much
21 more substantial in terms of overall landscaping designs,

22 including all of the areas that are mentioned there, as
 23 opposed to merely replacing the minimal planning that was
 24 required under the old conditional use permit.

25 CHAIRMAN MADDEN: Are you looking more for trees

1 or -- having come back from Ireland, I've never seen so²²
 2 many hedges in my life. They grow them like 15 feet high
 3 and they prune them and they look perfect. I mean these
 4 are at people's homes.

5 MR. HOLLANDER: Can we go back to the picture, I
 6 guess, that shows the right-of-way picture there? I think
 7 that's -- that's the parking lot we're talking about.

8 MR. GLANTZ: Ask a question while we're doing
 9 this.

10 See, and to me the landscaping is secondary. I
 11 think this is a -- what I'm concerned about is a signage
 12 issue, and I'm curious if signage is part of this
 13 application, or if it's something that we address
 14 afterwards, because there's a lot of things -- I actually
 15 happen to think this is an attractive building what you've
 16 done, but at the same time I think we have a real issue
 17 with signage, whether it's specific signage or implied
 18 signage or signage, you know, with banners and stuff that
 19 they're doing in the window. And perhaps that's part of
 20 the landscaping because you're using vehicles for signage
 21 as well.

22 And to me, the signage, real or implied, is the
 23 issue, and I don't mean to -- to diminish the landscaping,
 24 but there's a lot of issues that we have to consider here.

25 MR. SCHNARR: Well, I think we've covered the

1 window signage. 23

2 MR. HOLLANDER: Yeah, I -- you know --

3 MR. SCHNARR: 20 percent, right?

4 So the question comes back to who enforces it?

5 So if it's 20 percent, it's 20 percent. If make it

6 40 percent, then they are in violation of their

7 conditional use.

8 Who is the enforcer of that? It's not our job.

9 MR. GLANTZ: Well --

10 CHAIRMAN MADDEN: First of all, just to get an

11 answer to your first question, would they come back for

12 signage or is that all part of this one thing?

13 MR. LANGDON: To date, the indication is the

14 signage would simply follow the site code, so there are no

15 special approval being sought here, so that would be one

16 wall sign facing Lindbergh. This would be the ground sign

17 that's already there, and then the 20 percent allowance on

18 window signs.

19 CHAIRMAN MADDEN: And that's it?

20 MR. LANGDON: That's it.

21 CHAIRMAN MADDEN: And you -- you drove by there.

22 MR. GLANTZ: There's a whole lot of signage, and

23 there are things, there are design elements on this

24 building that I think we, as a Commission, need to

25 address. Is it -- and I think it's in the staff report as

1 well, that there are design elements on the building that²⁴
2 is considered signage or -- or not.

3 MR. EBERHARDT: I don't know what you mean,

4 Mr. Glantz --

5 MR. GLANTZ: Well --

6 MR. EBERHARDT: -- the design elements.

7 MR. GLANTZ: The -- the red panels.

8 MR. EBERHARDT: Oh.

9 MR. GLANTZ: Now, and I'll take the other side
10 of the argument, Gary.

11 I actually think it's an attractive building,
12 and while I think it does, you know, the red panels,
13 obviously, grab attention, I think it's a clean look, and
14 it's an attractive building, but we need to make sure that
15 we address that because we could have that issue in other
16 places as well.

17 MR. LANGDON: This is the issue with corporate
18 architecture.

19 MR. GLANTZ: Right.

20 MR. LANGDON: It's using the design of the
21 building as large calling card.

22 Other cities that have it start to get that
23 theme, and then it's like McDonald's, you know, they
24 pioneered the concept to its greatest degree. Every town
25 had a McDonald's that looked like every other McDonald's

1 that you see, and that's actually where it came from. 25

2 Actually, cities are saying, well, we don't want
3 a McDonald's that looks like every other city. That's how
4 you define place by having something distinctive and
5 visual places everywhere else.

6 So in my opinion, I think it's very much a
7 question of regulating, and has an issue of signage.
8 That's why the regulation is there.

9 MR. SCHNARR: But in its purest form, if you
10 look at the red panel, a flat logo sign is indicated on --
11 Now there's no question that that's a sign. Beyond that,
12 does the red symbolize a sign? I don't know.

13 CHAIRMAN MADDEN: Mr. Eberhardt.

14 MR. EBERHARDT: Well, it seems to me that the
15 concept of corporate logo is something that we have tried
16 hard in the past, since I've been on the Commission, at
17 least, to recommend that we diminish it as much as
18 possible.

19 We're not saying, I don't think, that it can't
20 have some sort of corporate recognition, but it seems to
21 me that the entire west facade with the combination of the
22 red panels and the gray covering panels of the brick have
23 completely changed the character of the building.

24 Maybe for better; maybe for worse, but from my
25 perspective, it seems to me that is too much of the

1 corporate logo. Maybe there's some way to do that other²⁶
2 than bright red panels and gray fiber paneling or concrete
3 paneling over the top.

4 And I guess I would like to see the Applicant
5 come back with some diminished corporate architecture.

6 CHAIRMAN MADDEN: My opinion, as long as we're
7 all throwing them out, I would prefer the awning aspect
8 like in that picture.

9 MR. LANGDON: That particular example is Austin,
10 Texas. Fiat Austin is behind those people.

11 CHAIRMAN MADDEN: As long as we're throwing out
12 ideas.

13 Dr. Barton.

14 DR. BARTON: Yes, I'm just real uncomfortable
15 designing this building for them.

16 I -- I -- but I am comfortable saying that I
17 don't think it conforms with the goals of our

18 Comprehensive Plan as presented.

19 I am comfortable saying that I don't think the
20 landscape is robust enough to really sell the exception to
21 the Comprehensive Plan.

22 And I am comfortable saying that I would like to
23 see the building be unique and not stereotypical of all
24 their other buildings, so as to try to circumvent their
25 motivation to try to standardize their building to

1 generate recognition from city to city.

27

2 I mean there was that classic example of Apple
3 trying to do that, and they were certainly going to do it
4 until somebody stood up and said, no, we don't want the
5 big apple, we want something subtle. And unless you say
6 no, there is a tendency to want to do it.

7 I am comfortable saying all those things. I am
8 uncomfortable saying have it look like this because I
9 think the burden is on the architect to come back and give
10 us something else that he feels might be what we want.

11 MR. HOLLANDER: And --

12 MR. GLANTZ: Go ahead.

13 MR. HOLLANDER: And if I may, and I appreciate
14 that, you know, I'm not familiar with these particular
15 things.

16 It could quite simply be the owner chose not to
17 do anything. And I believe, being the devil's advocate,
18 I'll throw this out, we could simply do nothing on that
19 building and come in and put the signage up, and then you
20 would have the same gray brick kind of flat monotone-ish
21 building that's there now.

22 I would tend to agree, although this is
23 corporate architecture, I think it's an improvement and an

24 enhancement to the building, as opposed to the building
25 that is currently there that is a rather blah building,

1 even though I did it in 1998, it's a rather blah building. ²⁸

2 DR. BARTON: Well, then I would --

3 MR. HOLLANDER: And, you know, that person there
4 in the lower portion, all he did was put up a sign. All
5 he really did was change and put the logo up, and maybe
6 that's all he was willing to do and Fiat said that's
7 great.

8 The Fusz Organization is wanting to step up and
9 try to enhance the -- it does enhance the visibility of
10 the building, but I think it also improves the building.

11 That building is fairly nondescript. It has the
12 two big Saturn hunks of iron, they -- what used to be
13 commonly referred to as the Saturn golden arches, and
14 those are being taken down and are concealed.

15 And I agree with you, it was, you know, the
16 McDonalds-ization of architecture, and that's kind of
17 taken over everywhere. I mean, and I'm sure Barry can
18 drive down the street and we can both name a building
19 without knowing who -- without seeing the signage.

20 And, unfortunately, or, fortunately, that is a
21 trend, so, you know, I don't have a concern. I understand
22 the concerns with the landscaping, and we can add some in
23 front of -- that actually is a -- our storm-water
24 detention basin, and we can add landscaping along
25 Lindbergh to try to enhance that.

1 I don't know the distance that will -- that ²⁹
2 we're away on that parking lot, whether you're going to

3 ever see anything. We could put some, you know, blue
 4 spruce or some sort of evergreen back in there that has
 5 some height, but from the distance and even in the -- even
 6 in the picture he had, you couldn't even see the tops of
 7 cars. So I don't know, you know -- there -- I mean you
 8 can see the fronts of them, but if I put shrubbery there,
 9 are you going to see them? I mean we'll -- we can put
 10 some evergreens of some sort in there, but you're not --
 11 because I can't plant in that right-of-way. I -- we've
 12 accidentally done that before and MoDOT has politely come
 13 and removed them, and said, no, we don't want to maintain
 14 your shrubbery. We want to be able to bring our big old
 15 lawn tractors in there; we just want to cut grass.

16 So, you know, we're willing to enhance that
 17 area, and add some landscaping in there, and in front of
 18 the storm-water detention facade, but I really think, you
 19 know, despite the corporateness of it, I think it's -- it
 20 is an improvement to the building.

21 DR. BARTON: Well, I would counter with saying
 22 that if you choose that -- well, the only other option is
 23 to do nothing and leave it a blank, then you may be
 24 injuring yourself. I mean you have the opportunity, I
 25 mean, obviously, as the architect, you're trying to draw

1 attention to the building's uniqueness, and I would like³⁰
 2 to think there are multiple ways to make it unique without
 3 having to use their cookie-cutter pattern.

4 MR. HOLLANDER: Well, I understand your concern,
 5 but you are one of the several balls we're juggling in
 6 trying to make everybody happy. You know, I've been doing
 7 work for the Fusz's for almost 25 years now, and their
 8 main impetuous is selling cars. And, you know, and Fiat

9 has, they're the new upcoming brand, and they have their
10 images too.

11 So, you know, I don't know where to go. I mean
12 I'll be happy to take it back and say, here, what else
13 would you like to suggest. But, quite frankly, you could
14 say we're going to do nothing, we're just going to apply
15 for a sign package and go. And I think that could be a
16 missed opportunity, cause I don't have any control in
17 that. He says don't do -- don't do anything, I don't do
18 anything.

19 MR. LANGDON: I can address that.

20 Removal of those steel canopies would be a
21 significant change to the elevation that was approved by
22 the Planning Commission. City Council considered that a
23 violation of the existing CP. Still would not issue
24 certificate of occupancy if that's the only measure we're
25 willing to take, so some change is required.

1 It can either be created or it can be this 31
2 fateless approach, which is all or nothing, but as I'm
3 showing you, there are examples in other cities where it's
4 not an all or nothing approach. They're taking something
5 and made it into a more interesting location.

6 I can tell you at least one of those buildings
7 is new. It's not simply here's an existing building, put
8 sign. So that was the choice that was made. Make it that
9 way.

10 But I also point out here, if this was not a
11 visible location, then why would they put a sign there;
12 why would they park the truck?

13 They, obviously believe that it's a visible

14 location. If this landscape, half of it were on this side
15 of the parking lot, would you be able to see it? No, so I
16 do believe you can effect some effective screening.

17 It's not to say hedge is the only thing that
18 works. It's not to say it has to be 100 percent. What's
19 necessary here is creativity. Some knowledge of what you
20 can work with and what you can accomplish because 15 feet
21 of space here and at least 30 feet, if not 50 feet of
22 space here on their property, not in the right-of-way,
23 that's more than enough space to accomplish some breaking
24 up of the view, which clearly is an open view.

25 CHAIRMAN MADDEN: Yeah.

1 MR. HOLLANDER: I have no argument, we can add³²
2 landscaping in there so.

3 CHAIRMAN MADDEN: Mr. Eberhardt.

4 MR. EBERHARDT: I agree with Dr. Barton in
5 respect to landscaping as well.

6 I don't think we can tell you what we want, but
7 I think we can tell you we don't like what you got, and we
8 want you to come back with something that we think will
9 make the area look much nicer.

10 I sort of take umbrage at you saying, well, we
11 can stick a few trees here and there and evergreens.

12 I think, from my perspective, I'm looking at
13 something that will dress the place up, and that will not
14 be an attempt to stick a couple of trees here, there and
15 couple bushes here and there.

16 I just get the impression that that's not very
17 important in your scheme of things.

18 Secondly, from the viewpoint of corporate
19 architecture, it seems to me that an example of what has

20 been a pretty revolutionary change is Wal-Mart.

21 I've seen their gray standard Super Wal-Marts
22 all over the country, and then I see several cities that
23 have said, not here. You're not going to do that to us.

24 And we've seen some fairly very nice-looking
25 beautiful architecture. Completely different than the old

33

1 gray front Wal-Mart stores.

2 It's become a corporate symbol of a sort, but
3 it's been a much more attractive corporate symbol, and
4 it's not been done with signage or with red signs or with
5 bright colors. It's been done, I think, at least the
6 one's that I have seen, with various brick treatments and
7 architectural features on the building, as opposed to
8 slapping up some metal over the front of.

9 It seems to me there's a way to improve that
10 building in a way that would be much more in concert with
11 our Comprehensive Plan as it exists now. And I think we
12 need to see something different with regard to
13 landscaping, and I think we need to see something
14 different with regard to signage.

15 And I'm not ready to vote on approval of this
16 myself until I see something further with regard to those
17 three areas.

18 CHAIRMAN MADDEN: Speaking on the corporate
19 thing, wasn't it CVS, I think, their guy flew in here
20 twice and he kept saying you got to pick one of these
21 corporates, and that was our only option, and Paul or
22 somebody found in other cities what they were doing, and
23 he finally, you know, made changes that we liked, so.

24 MR. LANGDON: Well --

25 MR. HOLLANDER: And I -- I don't disagree, but

1 the CVS building is still a CVS proto. It still screams³⁴
2 CVS. It still screams Walgreens. I mean it may be a
3 material change, but it's not a building change. The
4 design of the building hasn't significantly changed except
5 for maybe the tower on top.

6 So I mean --

7 DR. BARTON: Well, we keep trying.

8 MR. HOLLANDER: But you keep trying. And my --
9 the setting that you have there, except for the -- except
10 for the one, those are urban settings. I know where the
11 one in Austin is, and -- and it's downtown, it's in an
12 urban setting. They don't have a building of -- a
13 stand-alone with a parking lot. Their buildings -- their
14 cars are in a parking garage behind the building.

15 So it's a different application, you know, the
16 ones with the awning.

17 You know, if I recall where that building is,
18 cause I used to live in Austin for twelve years, you know,
19 it's got residences above it, so it's a totally different
20 application.

21 The one is a suburban, and maybe a new building,
22 but it's a typical suburban car dealership and with a new
23 sign put on it.

24 So I mean we're willing to work with you. I
25 just -- I look at the building, and I think it's -- I

1 think it's an improvement, and if the word "corporate"³⁵
2 wasn't -- if it was a stand-alone building, I don't think
3 because it's a corporate image that that should downgrade
4 it.

5 I think the building stands on its own. I think
6 it's a good looking, it's an attractive, and it's an
7 improvement to the building that's there, and because
8 it's, you know, there's something wrong with it being
9 corporate, I think -- I don't know.

10 MR. LANGDON: Mr. Chairman, if I may, I think
11 the issue is not what any one of us thinks about corporate
12 architecture.

13 The issue is that conditional use permit, one of
14 the requirements is does the application meet the goals of
15 the Comprehensive Plan. The Comprehensive Plan includes a
16 design guidelines, one of which clearly states the
17 corporate architecture should be discouraged where
18 possible.

19 That's the plan upon which we base the
20 ordinance.

21 MR. SCHNARR: But it doesn't say it's illegal.
22 It says it should be discouraged.

23 The Comprehensive Plan is not a specific
24 ordinance.

25 MR. LANGDON: And I understand.

1 MR. SCHNARR: Now, because of the setting, this³⁶
2 thing is isolated, this site, I certainly appreciate the
3 need for the landscaping. And in terms of what the
4 building looks like, what are the neighbors; car dealers,
5 office buildings, big Monsanto park. To say that it must
6 fit in with the neighbors, you have to go a long way to
7 find a neighbor.

8 I don't have a big problem with the building,
9 but the landscaping certainly needs to be improved.

10 MR. LANGDON: I'm not saying it has to fit in
11 with the neighbors. I'm saying creativity comes in many
12 forms.

13 Overly simplistic, you're saying this is the
14 only approach. You're using the color red. What can you
15 not accomplish on a building that is still
16 attention-getting, at least it's not --

17 And, potentially, remember that this is the
18 first. If this is a corporate standard, do not believe
19 that it will start gearing up to where in St. Louis until
20 eventually we have a half dozen Fiat dealers that all look
21 like this one.

22 You have the opportunity to set a unique
23 standard here. The Comprehensive Plan says we should at
24 least try.

25 I think that's the message we're looking for.

1 If the Commission agrees with us or not. If you do not,³⁷
2 then we'll bring back an ordinance that adheres to this
3 plan.

4 If you do, then we'll work with the Applicants
5 to come up with something to get the noticeability they
6 want; the identity that they need because of the brand,
7 but is at least distinctive in Creve Coeur.

8 CHAIRMAN MADDEN: Barry.

9 MR. GLANTZ: On one hand, I appreciate the fact
10 that we're trying to improve the property.

11 And I actually think it's -- it's a fairly
12 attractive building. It also happens to be a very, very
13 prominent site in the City, deceptively prominent, and I
14 think because of that, the architecture, whether it's as
15 designed or as revised, can have a very, very strong

16 impact on the signage and the message of the signage
17 that's given.

18 And I'm sensing from everybody up here that
19 there's some discomfort that there's more signage on the
20 building as designed than first meets the eye.

21 And the point why I changed also from the
22 landscaping to the signage, because I don't want us to,
23 although maybe we can, cause we've done it before, but I
24 don't want us to compromise landscaping for design, you
25 know, we shouldn't design these buildings and then try to

1 cover them up with blue -- blue spruce trees. 38

2 So we have to -- we have to find a comfort level
3 with all the items that are mentioned here.

4 Of course, you know, and this is just my
5 opinion, there's going to be some corporate architecture
6 that ends up on here, that's the nature of the beast.

7 The question is is this, I think what I'm
8 hearing, is this the only option that's available to us or
9 are there other options that may be more -- that may be
10 palatable to the Fusz Organization that the City could be
11 more receptive to, in addition to putting the landscaping
12 back to the way it's supposed to be when it was originally
13 approved, and even enhancing that.

14 And I think there's opportunities. I hate to
15 see somebody say, well, the City's too difficult to deal
16 with, so we'll just leave it as it is. I hate to see
17 that. I don't think that's a win/win situation.

18 But I do think there are opportunities for a
19 win/win here where the City could be happier, and you're
20 improving the property and it's an enhancement for

21 everybody.

22 CHAIRMAN MADDEN: So I think, basically, what
23 we're saying is --

24 MR. HOLLANDER: I'll take your concerns and
25 comments back. I'm not real -- real convinced that

1 there's going to be any significant movement on either ³⁹
2 party based on economics and other things.

3 And but I will take the comment back to the
4 owner and the Fiat, and -- and see what their suggestions
5 are.

6 I mean --

7 MR. SCHNARR: But even if everybody was in love
8 with the building, there would still be a problem with
9 landscaping.

10 MR. HOLLANDER: Yeah, we do not have an issue
11 with adding landscaping. Up until recently, you know,
12 until this evening, I wasn't aware that this parking lot
13 was an issue. It wasn't addressed in '98, obviously, you
14 know, if the landscaping, and you had a change in
15 ordinance and enhancement, and we can do that, so.

16 CHAIRMAN MADDEN: Cynthia.

17 MS. KRAMER: I'm sorry, I just didn't catch when
18 Mr. Glantz had asked if there were any other alternatives,
19 I didn't hear if, in fact, cause I do understand with
20 corporate architecture there can be variety of different
21 things to sort of look at while maintaining the integrity
22 of a brand.

23 And I guess I would think that particularly with
24 Fiat, it's -- it's so important, it's, you know, quite a
25 luxury piece.

1 MR. HOLLANDER: No, it's a low-end car.

2 MS. KRAMER: Well, but --

3 MR. HOLLANDER: It's a low-entry level car, so.

4 MS. KRAMER: But it resonates in people's mind
5 in a different manner, it's Italian, so in actuality
6 there's an opportunity to make it a win by providing
7 something that looks not only good that would draw
8 customers, but would also maintain the integrity of the
9 City. So I guess I'm a little bit confused because I
10 didn't hear you say yes or no there was, in fact, other
11 options or --

12 MR. HOLLANDER: There have been no other options
13 presented to me. That they have a design guideline
14 booklet, and that is what has been approved and whether
15 there are other options, they have not been presented to
16 me. Essentially, we're given a guideline book, and we
17 work through that, seek their approval, and now we're here
18 to seek yours.

19 If I go back to them and say, hey, you know,
20 they don't like it, I don't know what -- what they'll say,
21 you know, they -- they may have something else. I mean,
22 as Jim said earlier, I mean when we come in and they put a
23 red brick on there, well, what's -- it's masonry, still a
24 red brick, you know, and it's still on the corners that,
25 and I don't want to pick on Walgreens, but all it is is a

41
1 change of material, and we're meeting masonry requirement,
2 but, you know, we're still screaming on the corners.

3 DR. BARTON: Well, I guess --

4 MR. HOLLANDER: So, you know, I know my owner,
5 that there will not be any significant building additions

6 or changes.

7 You know we're not going to do a big addition;
8 we're not going to tear off the front and do all that,
9 there's just not that kind of economics in this program
10 so.

11 CHAIRMAN MADDEN: I'm not sure we're looking for
12 a whole new front. I think we're just looking for a
13 couple more ideas that they may have.

14 MR. HOLLANDER: I'm not sure what those ideas
15 are.

16 CHAIRMAN MADDEN: Well, they must have them --
17 well, I shouldn't say must.

18 MR. HOLLANDER: Yeah, I can share with you that
19 they don't. I mean from what we've been through their
20 design process, I mean that their elements are, you know,
21 on the corners, and then the fiber cement siding as a sign
22 band as opposed to nephus (phonetic) band.

23 CHAIRMAN MADDEN: Well, we've been told the same
24 thing by --

25 MR. HOLLANDER: I understand.

42

1 CHAIRMAN MADDEN: Yeah.

2 MR. HOLLANDER: And I'll bring it back to them,
3 and I'll be happy to ask, but, honestly, I don't think
4 that's a bad looking building whether it be corporate
5 architecture or not.

6 And, like I said, I know the one in Austin cause
7 I know the building, it's a downtown site.

8 CHAIRMAN MADDEN: All right. Well --

9 MR. SCHNARR: The rendering picture would not
10 make you happy either because that's all --

11 MR. HOLLANDER: Well, and Hendrick is a big name
Page 35

12 in Dallas. I'm going to guess that's a big Dallas dealer,
13 and he's out in the middle of the suburbs, and all he did
14 was put the Fiat badge on it and they wanted him and they
15 said okay.

16 MR. LANGDON: Actually that's a North Carolina
17 dealership.

18 The point is not that one of these is the
19 solution for the site. The point is Fiat does not require
20 one solution.

21 CHAIRMAN MADDEN: Well --

22 DR. BARTON: All you can do is ask and -- and --

23 MR. HOLLANDER: All I can do is ask and we shall
24 see, but go back.

25 CHAIRMAN MADDEN: May be less. May have some

43

1 plan that won't cost you as much.

2 MR. LANGDON: The awnings would be a lot
3 cheaper.

4 MR. HOLLANDER: Well, there really aren't a lot
5 of windows to do that too so.

6 MR. GLANTZ: Well, to that point, and this is
7 another thing is should we design these buildings and then
8 they cheapen them, and I've talked about this with Paul.
9 Car dealers do it, you know, those big gaudy banners and
10 signs everywhere. There's so much visibility here, and I
11 like the fact that they want -- they want to reinvest in
12 the community. I hate when people cheapen building by
13 putting these banners and signs everywhere there's a
14 square inch to do so. They've done it in the parking lot.
15 They've done it with banners on the south side. They've
16 done it with that Auto Trader banner over the entry

17 monument sign.

18 Some way or another we're going to have to get
19 the building when they come in and balance the
20 reinvestment with our ordinances, especially the signage.

21 MR. HOLLANDER: I don't disagree with you.

22 MR. SCHNARR: But the signage plan is submitted
23 and approved, then how are they allowed to get away with
24 the big banners and all the rest of that nonsense? This
25 is the \$64 question I've been asking for months.

44

1 MR. LANGDON: They have been sent code
2 enforcement notice. They've chosen to ignore most of it.

3 As the Applicant has mentioned tonight, they've
4 taken off some of the signs, not all of them.

5 We're in the process now, we're reviewing the
6 building, and hope that they would take down the rest. If
7 they don't, then we'll send them a summons and they can --

8 MR. SCHNARR: How about out here on Olive and
9 Ballas and head toward Ladue when the speed limit is 30, I
10 chose to ignore the 30, do I have that choice? I don't
11 think so.

12 Is it an ordinance or is it not?

13 MR. LANGDON: You can choose to drive any speed
14 you wish. If you get caught, then you'll get a ticket.

15 And you can choose to ignore any zoning
16 regulation you wish. You get caught then we have to --

17 MR. SCHNARR: Fair enough.

18 CHAIRMAN MADDEN: Do we fine them or --

19 MR. LANGDON: Initially we ask for compliance.
20 We give them opportunity to do so, if they don't, then
21 it's to municipal court. Municipal court judge imposes
22 whatever penalty they see fit.

23 MR. GLANTZ: And I don't mean to be picking on
24 this Applicant.

25 Last week we had it with the car wash site. We

1 have banks all over the place that soap their windows, and⁴⁵
2 do that.

3 MR. SCHNARR: Well, this -- you're exactly on
4 point, and yet nothing is done when they come in and ask
5 for a new --

6 CHAIRMAN MADDEN: No, I think it was about this
7 time last year where we had somebody that finally was
8 enforcing, cause I know several of the banks no longer
9 have all the --

10 MR. SCHNARR: I know that our inspectors, when
11 they get bored, will drive through the subdivision and say
12 you got a loose board.

13 CHAIRMAN MADDEN: Well, I think if we did
14 enforce it, then buildings would look better, but have you
15 also gone over about the dumpsters and the water leaks and
16 everything with them?

17 MR. LANGDON: All those were identified in the
18 letter.

19 CHAIRMAN MADDEN: Okay. Well -- yes,
20 Mr. Eberhardt.

21 MR. EBERHARDT: Motion in order?

22 I move --

23 MR. LUMLEY: Close the hearing.

24 CHAIRMAN MADDEN: Well, before we close the
25 hearing, don't you have to submit --

1 MR. HOLLANDER: Don't you just want to table it⁴⁶

2 until the next meeting?

3 CHAIRMAN MADDEN: Can we do that?

4 MR. LUMLEY: I would think you could --

5 CHAIRMAN MADDEN: Does anybody else want to
6 testify in the audience? Okay.

7 So before I close the hearing, don't you have to
8 submit --

9 MR. LUMLEY: Well, Mr. Chairman, I offer the
10 following exhibits into the record of this public hearing:
11 Documentation in possession of the City reflecting notice
12 that was provided to the public regarding the hearing; the
13 staff reports of April 4th, 2011; the revised landscape
14 plan submitted this evening by the Applicant;
15 Mr. Langdon's power-point presentation; the City's Code of
16 Ordinances and Charter, the City's Comprehensive Plan and
17 the public file regarding this application.

18 CHAIRMAN MADDEN: Now the hearing's officially
19 closed.

20 (The hearing was closed at 8:11 p.m.)

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1 STATE OF MISSOURI)

2) SS

3 COUNTY OF ST. LOUIS)

4

5 I, Deborah K. McLaughlin, Registered Professional
6 Reporter, Missouri Certified Court Reporter, Illinois
7 Certified Shorthand Reporter and Kansas Certified Court

8 Reporter, do hereby certify that I reported the Planning
9 and Zoning Public Hearing stenographically and later
10 reduced to typewriting; and that this is a true and
11 accurate transcript of the public hearing.

12

13

14 _____, RPR, MO-CCR, IL-CSR, KS-CCR

15 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR

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**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, MAY 16, 2011
7:00 P.M.**

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, May 16, 2011, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: *Mr. Timothy Madden, Chair*
 Dr. Michael Barton
 Mr. Gary Eberhardt
 Mr. Barry Glantz
 Ms. Cynthia Kramer
 Mr. Jim Schnarr – ABSENT
 One vacancy

OTHERS PRESENT: *Mr. Carl Lumley, City Attorney*
 Mr. Paul Langdon, Director of Community Development
 Ms. Whitney Kelly, City Planner
 Ms. Julie Lowery, Recording Secretary

2. UNFINISHED BUSINESS

Application #11-004, Amendment to the conditional use permit for Lou Fusz Fiat, 900 N. Lindbergh Boulevard, to allow exterior building and landscape modifications.

Applicant/Agent: Stephan Hollander, for Lou Fusz Fiat
 S.J. Hollander Architect, PC
 519 First Capitol Drive
 St. Charles, MO 63301

Fiat had not approved the previous drawings reviewed and approved by the Planning and Zoning Commission, so instead of going to City Council and being referred back to Planning and Zoning, a presentation was made by the applicant highlighting the changes to the building architecture.

Comments and questions from Commission members. Mr. Eberhardt pointed out the red coloring on the building was smaller and covered less square footage. Mr. Hollander stated that was true. Mr. Glantz asked to see a before-and-after of the building which was displayed by Mr. Hollander and shown on the overhead projector by Ms. Kelly.

Comments and questions from the audience. Mr. Jan Ericson asked the location of the building.

There being no further comments, the motion was made by Mr. Eberhardt to recommend approval of an amendment to the conditional use permit Ordinance #1921 to allow the new Fiat dealership architecture presented to the Planning Commission on May 16, 2011, and the associated landscape plan presented and discussed in the staff reports on Application #11-004, dated May 2, 2011, as the conditions were described in the prior approval. Ms. Kramer seconded the motion with the resultant vote as follows:

Mr. Glantz – aye

Ms. Kramer – aye

Mr. Eberhardt – aye

Dr. Barton – aye

Chair – aye

3. ADJOURNMENT

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 8:27 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



DRAFT

**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, MAY 2, 2011
7:00 P.M.**

DRAFT

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, May 2, 2011, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: *Mr. Timothy Madden, Chair*
 Dr. Michael Barton - ABSENT
 Mr. Gary Eberhardt
 Mr. Barry Glantz
 Ms. Cynthia Kramer
 Mr. Jim Schnarr – ABSENT
 One vacancy

OTHERS PRESENT: *Mr. Carl Lumley, City Attorney*
 Mr. Paul Langdon, Director of Community Development
 Ms. Whitney Kelly, City Planner
 Ms. Julie Lowery, Recording Secretary

2. UNFINISHED BUSINESS

Application #11-004, amendment to the conditional use permit for Lou Fusz Fiat, 900 N. Lindbergh Boulevard, to allow exterior building and landscape modifications.

Applicant/Agent: Stephan Hollander, for Lou Fusz Fiat
 S.J. Hollander Architect, PC
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A presentation was made by the applicant highlighting the additional landscaping in front of the water detention basin, the retaining wall, and the landscaping in the parking lot to the east. The presentation also highlighted the building architecture.

Comments and questions from Commission members. Ms. Kramer asked how the plants and grass do in the area that is not currently irrigated. The applicant stated that there is only grass in that area and it is still alive. Mr. Eberhardt commented that Fiat is a new brand to the area, and asked if there was a way to make the building more distinctive and more in line with the Comprehensive Plan while still providing unique to the Fiat brand. Mr. Glantz commented that he did not have an issue with the building design, but his

concern is that the site is visible from various different areas and, therefore, it needs to meet the sign regulations. Mr. Madden commented that if the Commission agrees to the building design that he would like to see an irrigation system throughout the entire landscape. He further stated that the interior might be described as “world class” by the operator, but that is not the concern of the Commission.

There being no further comments, the motion was made by Mr. Eberhardt to recommend approval of an amendment to the conditional use permit Ordinance 1921 to allow the new Fiat dealership architecture and associated landscape plan presented to the Planning Commission on May 2, 2011, and discussed in the staff report in application 11-004 dated May 2, 2011 with the amendment that all of the green space and landscaped areas, as specified in the original conditional use permit, be subject to an irrigation system. Mr. Glantz seconded the motion with the resultant vote as follows:

Mr. Glantz – aye
Chair - aye

Ms. Kramer – aye

Mr. Eberhardt – aye

3. **ADJOURNMENT**

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 7:43 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, APRIL 4, 2011
7:00 P.M.**

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, April 4, 2011, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: *Mr. Timothy Madden, Chair*
 Dr. Michael Barton
 Mr. Gary Eberhardt
 Mr. Barry Glantz
 Ms. Cynthia Kramer
 Mr. Jim Schnarr

OTHERS PRESENT: *Mr. Carl Lumley, City Attorney*
 Mr. Paul Langdon, Director of Community Development
 Ms. Whitney Kelly, City Planner

5. NEW BUSINESS

A. Application #11-004 – PUBLIC HEARING

Request to amend the Conditional Use Permit for an automotive dealership at 900 N. Lindbergh Boulevard to allow exterior building improvements for Lou Fusz Fiat.

A presentation was made by applicant.

A presentation was made by Paul Langdon, Zoning Administrator, regarding the application.

Comments and questions from Commission members.

There being no further comments, the City Attorney presented exhibits for the record and the public hearing was closed.

(This ends the Public Hearing; see verbatim transcript for further information)

Mr. Eberhardt moved to continue Application #11-004 to the meeting of April 19, 2011, to allow the applicant time to address the concerns of the members of the Planning Commission and staff to include, without limitation: an improved and revised landscape plan, evidence of compliance with the City's Sign Code, and modifications to the corporate architecture presented during the public hearing. Dr. Barton seconded the motion with the resultant vote as follows:

Mr. Glantz – aye
Mr. Barton – aye

Ms. Kramer – aye
Mr. Eberhardt - aye

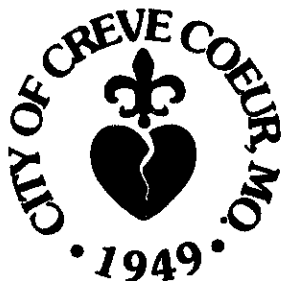
Mr. Schnarr – aye
Chair - aye

9. ADJOURNMENT

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 8:11 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



city
of

CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

May 19, 2011

Mr. Steve Hollander
S.J. Hollander Architect, PC
519 First Capitol Drive
St. Charles, MO 63301

Re: Conditional Use Permit #11-004

Mr. Hollander:

The Planning and Zoning Commission, at its meeting of May 16, 2011, reviewed your request on behalf of Lou Fusz Fiat, for approval of an amendment to the conditional use permit to allow exterior building and landscape modifications.

By unanimous vote, the P&Z Commission recommends approval of an amendment to Conditional Use Permit Ordinance #1921, to allow the new Fiat Dealership architecture presented to the Planning Commission on May 16, 2011, and the associated landscape plan recommended for approval on May 2, 2011, with all of the conditions as recommended on May 2, 2011.

Sincerely,

CITY OF CREVE COEUR

Timothy Madden, Chairman
Planning & Zoning Commission

TM:jl

Cc: M.C. Perkins, City Administrator
J. Heines, Director of Public Works
G. Eidman, Chief of Police
S. Unser, Chief Building Official

BILL NO. 5312

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ADOPTED 2010-2011 GENERAL FUND
BUDGET OF THE CITY OF CREVE COEUR BY AUTHORIZING ADDITIONAL APPROPRIATIONS
AND UNAPPROPRIATIONS FROM OPERATING DEPARTMENTS

WHEREAS, REVENUES WERE ESTIMATED AND APPROPRIATIONS WERE AUTHORIZED IN THE ANNUAL CITY BUDGET ADOPTED ON JUNE 28, 2010 BY ORDINANCE NO. 5137, AMENDED BY ORDINANCE NO. 5151 ON SEPTEMBER 27, 2010, AMENDED AMENDED BY ORDINANCE NO. 5168 ON DECEMBER 13, 2010 AND AMENDED BY ORDINANCE NO. 5179 ON MARCH 14TH, 2011,

WHEREAS, IT IS IN THE INTEREST OF THE CITY OF CREVE COEUR TO AUTHORIZE ADDITIONAL APPROPRIATIONS TO PAY FOR UNBUDGETED AND UNANTICIPATED EXPENDITURES AND TO UNAPPROPRIATE ITEMS BUDGETED BUT NOT COMPLETED IN VARIOUS CATEGORIES AS PROVIDED IN THE CITY CHARTER AND THE CITY CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR AS FOLLOWS:

SECTION 1. THAT THE ANNUAL OPERATING BUDGET FOR THE GENERAL ,ENTERPRISE, AND CAPITAL FUNDS FOR THE 2010-2011 FISCAL YEARS AS ADOPTED, IS HEREBY AMENDED BY AUTHORIZING ADDITIONAL APPROPRIATIONS IN THE AMOUNT OF \$148,172 IN THE FOLLOWING DEPARTMENTS:

GENERAL FUND	
CITY CLERK	\$ 4,000
ADMINISTRATION	1,600
MIS	1,900
COURT	4,500
INTERDEPARTMENTAL	5,725
COMMUNITY SERVICES	1,022
MAINTENANCE	5,800
POLICE - ADMINISTRATION	78,200
POLICE - PATROL	14,800
STREETS	4,000
PARKS	6,000
PLANNING	12,400
BUILDING INSPECTIONS	150
TOTAL ADDITIONAL APPROPRIATIONS-GENERAL FUND	<u>\$ 140,097</u>
ENTERPRISE FUND	
PROSHOP	\$ 575
TOTAL ADDITIONAL APPROPRIATIONS-ENTERPRISE FUND	<u>\$ 575</u>
CAPITAL FUND	
STREET SIDEWALK MAINTENANCE	\$ 7,500
TOTAL ADDITIONAL APPROPRIATIONS-CAPITAL FUND	<u>\$ 7,500</u>
TOTAL ALL ADDITIONAL APPROPRIATIONS	<u><u>\$ 148,172</u></u>

BILL NO. 5312

ORDINANCE NO. _____

SECTION 2. THAT THE ANNUAL OPERATING BUDGET FOR THE GENERAL ,ENTERPRISE, AND CAPITAL FUNDS FOR THE 2010-2011 FISCAL YEARS AS ADOPTED, IS HEREBY AMENDED BY AUTHORIZING ADDITIONAL UNAPPROPRIATIONS IN THE AMOUNT OF \$977,450 IN THE FOLLOWING DEPARTMENTS:

GENERAL FUND

MAINTENANCE	\$	5,000
POLICE - PATROL		95,000
STREETS		25,000
PLANNING		10,500
TOTAL ADDITIONAL UNAPPROPRIATIONS-GENERAL FUND	\$	135,500

ENTERPRISE FUND

GOLF COURSE MAINTENANCE	\$	35,450
GOLF COURSE PROSHOP		3,500
FOOD SERVICE		3,000
TOTAL ADDITIONAL UNAPPROPRIATIONS-ENTERPRISE FUND	\$	41,950

CAPITAL FUND

CONWAY PARK IMPROVEMENTS	\$	20,000
CONWAY ROAD IMPROVEMENTS		725,000
GRAESER/OLIVE TDD IMPROVEMENTS		55,000
TOTAL ADDITIONAL UNAPPROPRIATIONS-CAPITAL FUND	\$	800,000

SECTION 3. THE ANNUAL GENERAL FUND OPERATING BUDGET FOR FISCAL YEAR 2010-2011 AS ADOPTED, IS HEREBY AMENDED BY THE FOLLOWING INCREASES OR (DECREASES) IN BUDGETED REVENUES:

ACCOUNT	AMOUNT
ELECTRIC	\$ 65,000
NATURAL GAS	(45,000)
WATER	32,000
RETAIL SALES TAX	112,500
TOTAL GENERAL FUND REVENUES	\$ 164,500

SECTION 4. THE ANNUAL ENTERPRISE FUND OPERATING BUDGET FOR FISCAL YEAR 2010-2011 AS ADOPTED, IS HEREBY AMENDED BY THE FOLLOWING INCREASES OR (DECREASES) IN BUDGETED REVENUES

ACCOUNT	AMOUNT
GREENS FEES	\$ (60,000)
CART RENTALS	(12,000)
TOTAL ENTERPRISE FUND REVENUES	\$ (72,000)

SECTION 5. THE ANNUAL RETIREMENT FUND BUDGET FOR FISCAL YEAR 2010-2011 AS ADOPTED IS HEREBY AMENDED BY THE FOLLOWING INCREASES OR (DECREASES) IN BUDGETED REVENUES:

ACCOUNT	AMOUNT
GAIN/LOSS ON INVESTMENTS	\$ 2,100,000
TOTAL RETIREMENT FUND REVENUES	\$ 2,100,000

BILL NO. 5312

ORDINANCE NO. _____

SECTION 6. THIS ORDINANCE SHALL BECOME EFFECTIVE PURSUANT TO PROVISIONS OF SECTION 3.11(G) OF THE CHARTER.

ADOPTED THIS _____ DAY OF _____ 2011.

TARA NEELEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS _____ DAY OF _____ 2011.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK



MEMORANDUM

DATE: May 19, 2011

TO: Mark Perkins, City Administrator

FROM: Daniel Smith, Director of Finance *DNS*

SUBJECT: Fiscal Year 2011 Budget Adjustment

During the fiscal year it becomes necessary to adjust the adopted budget. Since the last budget adjustment in March 2011 a number of events have occurred that require an adjustment to the fiscal year budget adopted on June 28, 2010. Some of the more significant adjustments include:

1. Holiday Pay, Police Administration – Increase \$7,800
Due to the elimination of dispatch positions additional holiday pay was distributed.
2. WCDC, Police Administration – Increase by \$70,400
In order to build the required reserve WCDC assessed a full 6 months of payments for their service based on the budgeted amount. This additional amount would allow quicker reimbursement of the \$92,000 initially contributed for Capital purchases which actually was funded through a grant. Staff had estimated 2011 expenditures based on the beginning date of March 1, 2011 which resulted in 4 months of actual expense.
3. Salaries, Police Patrol – Decrease \$45,000
Reductions due to vacancies in patrol and transfer of patrol commander to Administration to fill vacancy created by retirement.
4. Health Insurance, Police Patrol – Decrease \$25,000
Reductions due to vacancies in patrol and transfer of patrol commander to Administration to fill vacancy created by retirement.
5. Gasoline, Police Patrol – Decrease \$25,000
Gasoline cost overestimated in 2011 budget.
6. Salaries, Streets – Decrease by \$22,500
Vacancies and replacements in the street division have reduced salaries.
7. Salaries, Planning Division – Increase \$12,400
Beginning wage for new planner higher than anticipated in 2011 budget. Also final pay to retiree higher than anticipated.

8. Electric Service, Revenue – Increase \$65,000
Higher revenues than anticipated due to higher rates and increased consumption.
9. Gas Service, Revenue – Decrease \$45,000
Decrease due to reduced usage and lower natural gas cost by suppliers.
10. Water, Revenue – Increase \$32,000
Increase due to higher rates and more consumption.
11. Retail Sales Tax, Revenue – Increase \$112,500
Sales tax performing better than anticipated during 2011.
12. Greens Fees, Revenue – Decrease \$60,000
Revenues for 2011 were overestimated and usage decreased due to unusually hot weather in early FY 2011.
13. Cart Rentals, Revenue – Decrease \$12,000
Revenues for 2011 were overestimated and usage decreased due to unusually hot weather in early FY 2011.
14. Gain/Loss on Investments, Pension Plan Revenue – Increase \$2,100,000
Pension plan performing much better than anticipated. This is primarily as a result of the gains in the stock market exceeding 25%. In May, so far, the market is trending downward.

I would be please to respond to any questions.

**FOURTH BUDGET ADJUSTMENTS
2011**

ACCOUNT	ACCOUNT NUMBER	DESCRIPTION	DEPT AMOUNT TOTAL	
GENERAL FUND REVENUES				
Electric	01-00-00-4201	Increase in revenues due to rate increase and increased summer usage	65000	
Natural Gas	01-00-00-4202	Decreased revenues due to reduction in gas purchase price from supplier	-45000	
Water	01-00-00-4203	Increase due to warm weather and increased rates	32000	
Sales Tax Retail	01-00-00-4301	Sales tax performing better than anticipated	112500	
TOTAL REVENUE ADJUSTMENTS				
	TOTAL		164,500	
GENERAL FUND EXPENDITURES				
Professional Services(Legislative)	01-11-13-6203	Code updates more costly than anticipated	4000	4000
Dues memberships and Subscriptions(Administration)	01-12-11-6262	Dues to Performance measurement more expensive than anticipated	1600	1600
Office Equipment Maintenance(MIS)	01-12-51-6213	Office Equipment Maintenance more than anticipated due to Fishnet recommendations	1900	1900
Office Equipment(Court)	01-13-14-9504	Unanticipated purchases including new Court Collection procedure	4500	4500
Health Insurance (Interdepartmental)	01-13-15-5230	Increased expenditures due to retirement and Cobra	4000	
Office Equipment (Interdepartmental)	01-13-15-9504	Unanticipated office equipment expenditure	1725	5725
Temp Employees(Community Services)	01-14-11-5102	Temp Employee cost higher than anticipated due to staffing changes	750	
Vacation Pay(Community Services)	01-14-11-5104	Vacation pay not anticipated	272	1022
Salaries(Maintenance)	01-16-11-5101	Maintenance pay higher than anticipated due to severance agreement	4100	
Overtime(Maintenance)	01-16-11-5103	Overtime higher than anticipated due to reduction in staffing	1700	
Equipment Maintenance(Maintenance)	01-16-11-6211	Less Maintenance then anticipated	-5000	800
Holiday Pay(Police Admin)	01-21-11-5106	Holiday pay higher than anticipated due to resignations	7800	
WCDC (Police Admin)	01-21-11-6227	2nd quarter WCDC payment. Some credit will be received since WCDC not in operation 2 full quarters.	70400	78200
Salaries(Patrol)	01-21-22-5101	Patrol salaries reduced due to vacancies	-45000	
Overtime(Patrol)	01-21-22-5103	Increased due to vacancies	10600	
Vacation Pay(Patrol)	01-21-22-5104	Higher than anticipated due to resignations	2200	
Holiday pay(Patrol)	01-21-22-5106	Higher than anticipated due to resignations	2000	
Health Insurance(Patrol)	01-21-22-5230	Decreased due to vacancies	-25000	
Gasoline(Patrol)	01-21-22-7307	Over estimated in Budget	-25000	-80200
Salaries(Streets)	01-31-41-5101	Further reduction in salaries due to vacancies	-22500	
Health Insurance(Streets)	01-31-41-5230	Reduction due to vacancies	-2500	
Snow Removal(Streets)	01-31-41-7310	More snow removal costs than anticipated	4000	-21000
Overtime(Parks)	01-31-43-5103	More overtime than anticipated	6000	6000
Salaries(Planning)	01-32-11-5101	Salaries more than anticipated due to higher salary for planner than budgeted and final payout for retiree	12400	
Salaries(Planning)	01-32-11-5102	Lower PT salaries than anticipated	-4000	
Health Insurance(Planning)	01-32-11-5230	Lower Health Insurance cost than anticipated	-6500	1900
Office Equipment(Building Inspection)	01-32-61-9504	Unanticipated purchase of Chair	150	150
TOTAL EXPENDITURE ADJUSTMENTS			4597	4597
ACCOUNT	ACCOUNT NUMBER	DESCRIPTION	AMOUNT	

Green Fees	06-00-00-4500	ENTERPRISE FUND-REVENUES	
Cart Rentals	06-00-00-4501	Revenues were overestimated and hot weather in summer of 2010 reduced rounds	-60000
		Revenues were overestimated and hot weather in summer of 2010 reduced rounds	-12000
TOTAL REVENUE ADJUSTMENTS			-72000
		ENTERPRISE FUND-REVENUES-CONTINUED	
TOTAL ENTERPRISE FUND REVENUE ADJUSTMENTS			0
Salaries- Perm Employees(Maintenance)	06-14-32-5101	Fulltime position filled with PT	-24000
Health Insurance(Maintenance)	06-14-32-5230	Fulltime position filled with PT	-5500
Longevity(Maintenance)	06-14-32-5105	Fulltime position filled with PT	-2700
Equipment Maintenance(Maintenance)	06-14-32-6211	Less maintenance than anticipated	-1500
Building and Grounds(Maintenance)	06-14-32-6212	Less maintenance than anticipated	-1750
Salaries- Temp Employees(Pro Shop)	06-14-33-5102	Less Temps needed than anticipated	-3500
Pension Contribution(Pro shop)	06-14-33-5241	Higher contribution than estimated	575
Salaries- Temp Employees(Food Service)	06-14-34-5102	Less Temps needed than budgeted	-3000
		ENTERPRISE FUND-EXPENDITURES	-41375
TOTAL ENTERPRISE FUND EXPENDITURE ADJUSTMENTS			0
		CAPITAL FUND REVENUES	
TOTAL CAPITAL FUND REVENUE ADJUSTMENTS			0
		CAPITAL FUND EXPENDITURES	
Street Sidewalk Maintenance	02-61-71-9510-11601	More sidewalk work than anticipated	7500
Conway Park Improvements	02-61-71-9506-11304	Project will be finished in 2012	-20000
Conway Road Improvements	02-61-71-9510-11608	Project will be done in 2012	-725000
Graeser/ Olive TDD Contribution	02-61-71-9510-11609	1st Contribution will be in 2012	-55000
TOTAL CAPITAL FUND EXPENDITURE ADJUSTMENTS			0
		PENSION FUND REVENUES	-792500
Gain(loss) on Investments	03-00-00-4709	Pension performed much better than assumed	2100000
TOTAL PENSION FUND REVENUE ADJUSTMENTS			2100000
		PENSION FUND EXPENDITURES	
TOTAL PENSION FUND EXPENDITURE ADJUSTMENTS			0
		EXPENDITURE SUMMARY	
GENERAL FUND ADDITIONAL APPROPRIATIONS			140097
GENERAL FUND UNAPPROPRIATIONS			135500

NET INCREASE/DECREASE IN GENERAL FUND APPROPRIATIONS	4597
ENTERPRISE FUND ADDITIONAL APPROPRIATIONS	575
ENTERPRISE FUND UNAPPROPRIATIONS	41950
NET INCREASE/DECREASE IN ENTERPRISE FUND APPROPRIATIONS	-41375
CAPITAL FUND ADDITIONAL APPROPRIATIONS	7500
CAPITAL FUND UNAPPROPRIATIONS	800000
NET INCREASE/DECREASE IN CAPITAL FUND APPROPRIATIONS	-792500
PENSION FUND ADDITIONAL APPROPRIATIONS	0
PENSION FUND UNAPPROPRIATIONS	0
NET INCREASE/DECREASE IN PENSION FUND APPROPRIATIONS	0
TOTAL ADDITIONAL APPROPRIATIONS ALL FUNDS	148172
TOTAL UNAPPROPRIATIONS ALL FUNDS	977450
TOTAL TRANSFERS ALL FUNDS	-829278

REVENUE SUMMARY

GENERAL FUND ADDITIONAL REVENUES	209500
GENERAL FUND REDUCTION IN REVENUES	45000
NET INCREASE/DECREASE IN GENERAL FUND BUDGET REVENUES	164500
ENTERPRISE FUND ADDITIONAL REVENUES	0
ENTERPRISE FUND REDUCTION IN REVENUES	72000
NET INCREASE/DECREASE IN ENTERPRISE FUND BUDGET REVENUES	-72000
CAPITAL FUND ADDITIONAL REVENUES	0
CAPITAL FUND REDUCTION IN REVENUES	0
NET INCREASE/DECREASE IN CAPITAL FUND BUDGET REVENUES	0
PENSION FUND ADDITIONAL REVENUES	2100000
PENSION FUND REDUCTION IN REVENUES	0
NET INCREASE/DECREASE IN PENSION FUND BUDGET REVENUES	2100000
TOTAL ADDITIONAL REVENUES ALL FUNDS	2309500
TOTAL REDUCTION IN REVENUES ALL FUNDS	117000
	2192500

BILL NO. 5313

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ADOPTED 2010-2011 GENERAL FUND
BUDGET OF THE CITY OF CREVE COEUR BY AUTHORIZING ADDITIONAL APPROPRIATIONS
AND UNAPPROPRIATIONS FROM OPERATING DEPARTMENTS

WHEREAS, REVENUES WERE ESTIMATED AND APPROPRIATIONS WERE AUTHORIZED IN THE ANNUAL CITY BUDGET ADOPTED ON JUNE 28, 2010 BY ORDINANCE NO. 5137, AMENDED BY ORDINANCE NO. 5151 ON SEPTEMBER 27, 2010, AMENDED AMENDED BY ORDINANCE NO. 5168 ON DECEMBER 13, 2010 AND AMENDED BY ORDINANCE NO. 5179 ON MARCH 14TH, 2011, AND AMENDED BY BILL NO. 5312 CONSIDERED FOR PASSAGE AT THE JUNE 13, 2011 MEETING.

WHEREAS, IT IS IN THE INTEREST OF THE CITY OF CREVE COEUR TO AUTHORIZE ADDITIONAL APPROPRIATIONS TO PAY FOR UNBUDGETED AND UNANTICIPATED EXPENDITURES AND TO UNAPPROPRIATE ITEMS BUDGETED BUT NOT COMPLETED IN VARIOUS CATEGORIES AS PROVIDED IN THE CITY CHARTER AND THE CITY CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR AS FOLLOWS:

SECTION 1. THAT THE ANNUAL OPERATING BUDGET FOR THE GENERAL ,ENTERPRISE, AND CAPITAL FUNDS FOR THE 2010-2011 FISCAL YEARS AS ADOPTED, IS HEREBY AMENDED BY AUTHORIZING ADDITIONAL APPROPRIATIONS IN THE AMOUNT OF \$40,622 IN THE FOLLOWING DEPARTMENTS:

GENERAL FUND	
CITY COUNCIL	\$ 200
CITY CLERK	300
ADMINISTRATION	3,994
MIS	1,818
COMMUNITY SERVICES	450
POLICE - INVESTIGATIONS	710
POLICE - -PATROL	5,600
PUBLIC WORKS - ADMIN	5,425
STREETS	4,100
PARKS	5,200
BUILDING INSPECTIONS	1,200
TOTAL ADDITIONAL APPROPRIATIONS-GENERAL FUND	<u>\$ 28,997</u>
ENTERPRISE FUND	
PROSHOP	\$ 835
TOTAL ADDITIONAL APPROPRIATIONS-ENTERPRISE FUND	<u>\$ 835</u>
CAPITAL FUND	
LAVERNE COLLINS PARK	\$ 10,790
TOTAL ADDITIONAL APPROPRIATIONS-CAPITAL FUND	<u>\$ 10,790</u>
TOTAL ALL ADDITIONAL APPROPRIATIONS	<u><u>\$ 40,622</u></u>

BILL NO. 5313

ORDINANCE NO. _____

SECTION 2. THAT THE ANNUAL OPERATING BUDGET FOR THE GENERAL ,ENTERPRISE, AND CAPITAL FUNDS FOR THE 2010-2011 FISCAL YEARS AS ADOPTED, IS HEREBY AMENDED BY AUTHORIZING ADDITIONAL UNAPPROPRIATIONS IN THE AMOUNT OF \$841,575 IN THE FOLLOWING DEPARTMENTS:

GENERAL FUND

CITY COUNCIL	\$	20,000
CITY CLERK		3,000
ADMINISTRATION		8,940
MIS		5,000
FINANCE		1,200
INTERDEPARTMENTAL		5,000
MAINTENANCE OF MUNICIPAL PROPERTY		7,500
POLICE - ADMINISTRATION		10,000
POLICE - INVESTIGATIONS		6,000
POLICE - PATROL		8,000
PUBLIC WORKS - ADMIN		6,500
STREETS		51,200
PARKS		12,000
PLANNING		15,000
BUILDING		5,000
TOTAL ADDITIONAL UNAPPROPRIATIONS-GENERAL FUND	\$	164,340

ENTERPRISE FUND

ICE ARENA	\$	11,400
GOLF COURSE MAINTENANCE		835
GOLF COURSE PROSHOP		8,000
FOOD SERVICE		2,000
TOTAL ADDITIONAL UNAPPROPRIATIONS-ENTERPRISE FUND	\$	22,235

CAPITAL FUND

GOVERNMENT CENTER BOILER REPLACEMENT	\$	200,000
DAUTEL ROAD REALIGNMENT		200,000
NEW BALLAS ROAD SIDEWALK		250,000
CAPITAL EQUIPMENT		5,000
TOTAL ADDITIONAL UNAPPROPRIATIONS-CAPITAL FUND	\$	655,000

SECTION 3. THE ANNUAL ENTERPRISE FUND OPERATING BUDGET FOR FISCAL YEAR 2010-2011 AS ADOPTED, IS HEREBY AMENDED BY THE FOLLOWING INCREASES OR (DECREASES) IN BUDGETED REVENUES

ACCOUNT	AMOUNT
GREENS FEES	\$ (25,000)
CART RENTALS	(8,000)
BEER	(4,000)
SANDWICHES AND HOTDOGS	1,000
COFFEE, TEA, SOFT DRINKS	(5,000)
SNACKS	(2,500)
TOTAL ENTERPRISE FUND REVENUES	\$ (43,500)

BILL NO. 5313

ORDINANCE NO. _____

SECTION 4. THE ANNUAL CAPITAL FUND BUDGET FOR FISCAL YEAR 2010-2011 AS ADOPTED IS HEREBY AMENDED BY THE FOLLOWING INCREASES OR (DECREASES) IN BUDGETED REVENUES:

ACCOUNT	AMOUNT
SALES TAX	\$ 107,000
REIMBURSEMENTS	<u>(500,000)</u>
TOTAL RETIREMENT FUND REVENUES	\$ (393,000)

SECTION 5. THIS ORDINANCE SHALL BECOME EFFECTIVE PURSUANT TO PROVISIONS OF SECTION 3.11(G) OF THE CHARTER.

ADOPTED THIS _____ DAY OF _____ 2011.

TARA NEELEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS _____ DAY OF _____ 2011.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK



MEMORANDUM

DATE: 6/9/2011
TO: Mark Perkins, City Administrator
FROM: Daniel Smith, Director of Finance
SUBJECT: Fiscal Year 2011 Budget Adjustment Number 5

During the fiscal year it becomes necessary to adjust the adopted budget. Since the last budget adjustment in May, 2011 a number of events have occurred that require an adjustment to the fiscal year budget adopted on June 28, 2010. Some of the more significant adjustments include:

1. Legal Services (City Council) – Reduce by \$20,000
Less legal services used in 2011
2. Professional Services (Admin) – Reduce by \$6,000
Less professional services than anticipated
3. Salaries Temp (Police Admin) – Reduce by \$8,000
Less part-time help needed
4. Overtime (Investigation) – Reduce by \$6,000
Less overtime needed than anticipated
5. Overtime – (Public Works Admin) – Reduce by \$6,500
Less overtime needed than anticipated
6. Workers Compensation (Streets) – Reduce by \$9,900
Workers compensation rate lower than anticipated
7. Technical & Professional Services (Streets) – Reduce by \$20,000
Less professional services than anticipated
8. Water & Sewer (Parks) – Reduce by \$12,000
More charged to streets than anticipated
9. Planning & Design (Planning) – Reduce by \$15,000
The planning work budgeted for 2011 will not be done
10. Equipment Maintenance (Ice Arena) – Reduce by \$10,000
Maintenance costs reduced in 2011
11. Government Center Boiler Project (Capital Fund) – Reduce by \$200,000
Project will not be done in 2011 was re-budgeted in 2012
12. Dantel Road Realignment (Capital Fund) – Reduce by \$200,000
Project will be moved to 2012
13. New Ballas Road Sidewalk (Capital Fund) – Reduce by \$250,000
Project will not be completed in 2011. Will be re-budgeted in future years

FY12 Budget Adjustment

In addition, revenues in the Enterprise and Capital Funds were adjusted. In the Enterprise Fund golf course and snack bar revenues were reduced due to decreased usage. Capital Fund revenues were adjusted by increasing anticipated sales tax and decreasing reimbursements as a result of the Conway road project being delayed until 2012.

I would be please to respond to any questions.

**FIFTH BUDGET ADJUSTMENTS
2011**

ACCOUNT	ACCOUNT NUMBER	DESCRIPTION	DEPT AMOUNT TOTAL	
GENERAL FUND REVENUES				
TOTAL REVENUE ADJUSTMENTS				
	TOTAL		0	
GENERAL FUND EXPENDITURES				
Salaries(City Council)	01-11-12-5101	Partial salaries for out going Council Members	200	
Legal and accounting Services(Council)	01-11-12-6201	Less legal expense than anticipated	-20000	-19800
Salaries(City Clerk)	01-11-13-5101	Slightly higher raise than anticipated	300	
Health Insurance(City Clerk)	01-11-13-5230	Less Insurance cost than anticipated	-3000	-2700
Provision for Salary adjustment(Administration)	01-12-11-5109	Less salaries than anticipated	-2940	
Health Insurance(Administration)	01-12-11-5230	Higher health cost than anticipated	2200	
Pension(Administration)	01-12-11-5241	Higher Pension cost than estimated	1794	
Professional Services(Administration)	01-12-11-6203	Less money spent on Professional services than anticipated	-6000	-4946
Salaries(MIS)	01-12-51-5101	Slightly higher salaries than anticipated	318	
Health Insurance(MIS)	01-12-51-5230	Change in Coverage	-5000	
Office Equipment Maintenance(MIS)	01-12-51-6213	Higher Maintenance cost due to Fishnet study	1500	-3182
Pension(Finance)	01-13-11-5241	Less Pension payments than anticipated	-1200	-1200
Health Insurance Dedictible Reimbursement(Interdepartme	01-13-15-5246	Less Reimbursements than anticipated	-5000	-5000
Pension(Community Services)	01-14-11-5241	Pension slightly higher than anticipated	450	450
Maintenance(Equipment Maintenance)	01-16-11-6211	Less Maintenance than anticipated	-5000	
Maintenance(Building and Grounds)	01-16-11-6212	Less Maintenance than anticipated	-2500	-7500
Salaries-Temp(Police Admin)	01-21-11-5102	Reduced Part-time help this year	-8000	
Pension(Police Admin)	01-21-11-5241	Reduced Pension Cost	-2000	-10000
Salaries(Investigation)	01-21-21-5101	Salaries slightly higher than anticipated	50	
Overtime(Investigation)	01-21-21-5103	Overtime less than anticipated	-6000	
Longevity(Investigation)	01-21-21-5105	Longevity higher than anticipated	660	-5290
Salaries(Patrol)	01-21-22-5101	Less salaries due to vacancies	-5000	
Longevity(Patrol)	01-21-22-5105	Less longevity due to retirements and reassignments	-3000	
Pension(Patrol)	01-21-22-5241	Higher Pension than anticipated	5600	-2400
Salaries(PW Admin)	01-31-11-5101	Salaries more than anticipated.	625	
Overtime(PW Admin)	01-31-11-5103	Less Overtime than anticipated	-6500	
Health Insurance(PW Admin)	01-31-11-5230	Higher Health Insurance cost than anticipated	3400	
Pension(PW Admin)	01-31-11-5241	Pension cost higher than anticipated	1400	-1075
Salaries(Streets)	01-31-41-5101	Vacancies	-5000	
Salaries-Temps(Streets)	01-31-41-5102	Increased use of Temps due to vacancies	4100	
Longevity(Streets)	01-31-41-5105	Saving due to vacancies	-3800	
Worker's Compensation(Streets)	01-31-41-5243	WC rate lower than anticipated	-9900	
Technical and Professional services(Streets)	01-31-41-6202	Less than anticipated	-20000	
Equipment Maintenance(Streets)	01-31-41-6211	Less than anticipated	-5000	
Building and Grounds Maint.(Streets)	01-31-41-6212	Less than anticipated	-7500	-47100
Social Security(Parks)	01-31-43-5240	More than anticipated	1200	
Pension(Parks)	01-31-43-5241	Pension cost higher than anticipated	4000	

Water and Sewer(Parks)	01-31-43-6254	More water cost charged to Streets	-12000	-6800
Planning and Design(Planning)	01-32-11-6204	No Design work done in 2011	-15,000	-15,000
Health Insurance(Building Inspection)	01-32-61-5230	Higher Insurance cost than projected	1200	
Pension(Building Inspection)	01-32-61-5241	Less Pension cost than anticipated	-5000	-3800
TOTAL EXPENDITURE ADJUSTMENTS			-135343	-135343
ACCOUNT	ACCOUNT NUMBER	DESCRIPTION	AMOUNT	
ENTERPRISE FUND-REVENUES				
Green Fees	06-00-00-4500	Revenue estimates were too high and revenues are less than anticipated	-25000	
Cart Rentals	06-00-00-4501	Revenue estimates were too high and revenues are less than anticipated	-8000	
Beer	06-00-00-4504	Revenue estimates were too high and revenues are less than anticipated	-4000	
Sandwiches and Hot dogs	06-00-00-4505	Revenue estimates were too high and revenues are less than anticipated	1000	
Coffee, Tea, Soft Drinks	06-00-00-4507	Revenue estimates were too high and revenues are less than anticipated	-5000	
Snacks	06-00-00-4508	Revenue estimates were too high and revenues are less than anticipated	-2500	
TOTAL REVENUE ADJUSTMENTS			-43500	
ENTERPRISE FUND-REVENUES-CONTINUED				
TOTAL ENTERPRISE FUND REVENUE ADJUSTMENTS				0
Worker's Comp(Ice Arena)	06-14-31-5243	Rate lower than anticipated	-1400	
Equipment Maintenance(Ice Arena)	06-14-31-6211	Lower than anticipated	-10000	
Pension Contribution(Golf Maintenance)	06-14-32-5241	Less than anticipated	-835	
Pension Contribution(Pro Shop)	06-14-33-5241	More than anticipated-budgeted to wrong account	835	
Technical and Personal services(Pro Shop)	06-14-33-6202	Less services than anticipated	-3000	
Salaries-Temp Employees(Food Service)	06-14-34-5102	Less Temps needed than anticipated	-5000	
Soft Drinks	06-14-34-8317	Less expenses than anticipated	-1000	
Beer	06-14-34-8316	Less expenses than anticipated	-1000	
ENTERPRISE FUND-EXPENDITURES			-21400	
TOTAL ENTERPRISE FUND EXPENDITURE ADJUSTMENTS				0
CAPITAL FUND REVENUES				
Sales Tax	02-00-00-4301	More sales tax than anticipated	107000	
Reimbursements	02-00-00-4730	Conway Rd not funded until next year	-500000	
TOTAL CAPITAL FUND REVENUE ADJUSTMENTS			-393000	
CAPITAL FUND EXPENDITURES				
Government Center Boiler Replacement	02-61-71-9501-11110	Will be done in 2012	-200000	
Dautel Road realignment	02-61-71-9510-11604	Project will be finished in 2012	-200000	/
Laverne Collins Park	02-61-71-9506-11315	Expenditure encumbered in 2010 but paid in 2011	10790	
Stormwater Master Plan	02-61-71-9509-11522	Project will not be done in 2011	-40000	
New Ballas sidewalk Phase 2	02-61-71-9510-11602	Project will not be done in 2011	-250000	
Capital Equipment	02-61-71-9516	Less Capital purchased than anticipated	-5000	
TOTAL CAPITAL FUND EXPENDITURE ADJUSTMENTS				0

	PENSION FUND REVENUES	-684210
TOTAL PENSION FUND REVENUE ADJUSTMENTS		0
	PENSION FUND EXPENDITURES	
TOTAL PENSION FUND EXPENDITURE ADJUSTMENTS		0

EXPENDITURE SUMMARY

GENERAL FUND ADDITIONAL APPROPRIATIONS	28997
GENERAL FUND UNAPPROPRIATIONS	164340
NET INCREASE/DECREASE IN GENERAL FUND APPROPRIATIONS	-135343
ENTERPRISE FUND ADDITIONAL APPROPRIATIONS	835
ENTERPRISE FUND UNAPPROPRIATIONS	22235
NET INCREASE/DECREASE IN ENTERPRISE FUND APPROPRIATIONS	-21400
CAPITAL FUND ADDITIONAL APPROPRIATIONS	10790
CAPITAL FUND UNAPPROPRIATIONS	695000
NET INCREASE/DECREASE IN CAPITAL FUND APPROPRIATIONS	-684210
PENSION FUND ADDITIONAL APPROPRIATIONS	0
PENSION FUND UNAPPROPRIATIONS	0
NET INCREASE/DECREASE IN PENSION FUND APPROPRIATIONS	0
TOTAL ADDITIONAL APPROPRIATIONS ALL FUNDS	40622
TOTAL UNAPPROPRIATIONS ALL FUNDS	881575
TOTAL TRANSFERS ALL FUNDS	-840953

REVENUE SUMMARY

GENERAL FUND ADDITIONAL REVENUES	0
GENERAL FUND REDUCTION IN REVENUES	0
NET INCREASE/DECREASE IN GENERAL FUND BUDGET REVENUES	0
ENTERPRISE FUND ADDITIONAL REVENUES	0
ENTERPRISE FUND REDUCTION IN REVENUES	43500
NET INCREASE/DECREASE IN ENTERPRISE FUND BUDGET REVENUES	-43500
CAPITAL FUND ADDITIONAL REVENUES	107000
CAPITAL FUND REDUCTION IN REVENUES	500000
NET INCREASE/DECREASE IN CAPITAL FUND BUDGET REVENUES	-393000
PENSION FUND ADDITIONAL REVENUES	0
PENSION FUND REDUCTION IN REVENUES	0
NET INCREASE/DECREASE IN PENSION FUND BUDGET REVENUES	0

TOTAL ADDITIONAL REVENUES ALL FUNDS
TOTAL REDUCTION IN REVENUES ALL FUNDS

107000
543500
-436500

BILL NO. 5314

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING THE ANNUAL BUDGET OF THE CITY OF CREVE COEUR
FOR THE FISCAL YEAR 2012 COMMENCING JULY 1, 2011 AND
APPROPRIATING FUNDS PURSUANT THERETO**

WHEREAS, THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2011 HAS BEEN PROPOSED IN ACCORDANCE WITH STATE LAWS AND THE CITY CHARTER, AND

WHEREAS, THE FINANCE COMMITTEE REVIEWED AND RECOMMENDED APPROVAL OF THE PROPOSED BUDGET ON MAY 18, 2011, AND

WHEREAS, A COPY OF THE PROPOSED BUDGET HAS BEEN AVAILABLE FOR PUBLIC INSPECTION AT THE CREVE COEUR GOVERNMENT CENTER AND A PUBLIC HEARING ON THE BUDGET WAS CONDUCTED ON JUNE 13, 2011, AT WHICH TIME ALL PERSONS WERE GIVEN AN OPPORTUNITY TO BE HEARD IN ACCORDANCE WITH CITY CHARTER REQUIREMENTS AND A NOTICE OF THE PUBLIC HEARING AND A GENERAL SUMMARY OF THE PROPOSED BUDGET WERE PUBLISHED IN THE ST. LOUIS COUNTIAN ON MAY 26, 2011, AND

WHEREAS, A COPY OF THIS ORDINANCE HAS BEEN MADE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS ADOPTION AND THIS BILL WAS READ BY TITLE IN AN OPEN MEETING TWO TIMES BEFORE FINAL PASSAGE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AS FOLLOWS:

SECTION 1: THE ANNUAL BUDGET FOR THE CITY OF CREVE COEUR, MISSOURI FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2011, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS IF FULLY SET FORTH HEREIN, IS HEREBY ADOPTED.

SECTION 2: THIS ORDINANCE SHALL BECOME EFFECTIVE PURSUANT TO THE PROVISIONS OF SECTION 3.11(G) OF THE CHARTER.

PASSED THIS 27TH DAY OF JUNE, 2011

TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS 27TH DAY OF JUNE, 2011

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK



MEMORANDUM

DATE: June 8, 2011

TO: Mark Perkins, City Administrator

FROM: Daniel Smith, Director of Finance

SUBJECT: Budget Adjustments to Proposed FY 2012 Budget

The proposed FY 2012 budget was previously submitted in April for consideration by the City Council. Since that time certain events have occurred that necessitate a budget adjustment. The adjustments are as follows:

1. Reduction in health insurance costs.
The proposed 2012 budget was based on an estimated increase of 10% in health insurance premiums. The actual premium will only increase by 7.5% for 2012.
2. Change in salary for Communications Specialist.
The salary for the Communications Specialist was increased based on the assessment of current candidates. There is some savings in benefits because the new employee will not be eligible for the retirement plan until FY 2013.
3. Increase in WDCD Budget.
Based on the 2012 WDCD budget the City of Creve Coeur's cost for dispatch service has increased by \$7,316 from \$420,000 to \$427,316.
4. Increase in Storm Water Budget.
Based on the revised storm water plan the Capital Fund budget was increased by \$16,000.
5. Dautel Road Realignment.
This payment was budgeted in 2011 but will not be made until 2012.

As a result of these changes the budget is proposed to be amended as follows:

General Fund

Expenditure	Original Proposed 2012 Budget	Amended Proposed 2012 Budget	Difference
Salary & Wages	6,688,999	6,701,381	12,382
Benefits & Welfare	3,236,004	3,210,890	(25,114)
Contractual Services	4,215,197	4,222,513	7,316
Commodities	553,671	553,671	0
Capital	303,024	303,024	0
Total	14,996,895	14,991,479	(5416)

Municipal Enterprise Fund

Expenditure	Original Proposed 2012 Budget	Amended Proposed 2012 Budget	Difference
Salary & Wages	405,620	405,620	0
Benefits & Welfare	148,070	147,037	(1,033)
Contractual Services	256,894	256,894	0
Commodities	44,325	44,325	0
Retail Operation	58,500	58,500	0
Debt Interest Payment	56,550	56,550	0
Capital	45,242	45,242	0
Total	1,015,201	1,014,168	(1,033)

Capital Improvement Fund

Expenditure	Original Proposed 2012 Budget	Amended Proposed 2012 Budget	Difference
Storm Water Master Plan	40,000	56,000	16,000
Dautel Road Realignment	0	0	200,000
Total	40,000	56,000	16,000

In addition, due to a problem with the benefit spreadsheet link with the sewer lateral budget, an adjustment is required. The adjustment would reduce the proposed budget from \$115,800 to \$113,892.

Staff is requesting adoption of the proposed FY 2012 budget with the outlined changes above. I would be pleased to respond to any questions.

Revised
Budget

CITY OF CREVE COEUR
SUMMARY OF ESTIMATED REVENUES AND EXPENDITURES - ALL FUNDS
AND PROJECTED FUND BALANCE
FOR THE FISCAL YEAR ENDING JUNE 30, 2012

	PROJECTED JUNE 30, 2011 FUND BALANCE	REVENUES	TRANSFERS FROM OTHER FUNDS	UTILIZATION OF FUND BALANCE	TOTAL REVENUE	ESTIMATED EXPENDITURES	TRANSFERS TO OTHER FUNDS	SURPLUS/ DEFICIT	PROJECTED JUNE 30, 2012 FUND BALANCE
General Fund	\$ 11,242,379	\$ 15,909,457	\$ 138,537	\$ 0	\$ 16,047,994	\$ 14,991,479	\$ 540,000	\$ 516,515	\$ 11,758,893
Capital Improvement Fund	1,695,900	3,646,570	400,000	987,249	5,033,819	5,033,819	0	0	708,651
City Employees Retirement Fund	17,114,166	2,465,992	0	0	2,465,992	1,492,323	0	973,669	18,087,835
Municipal Enterprise Fund	25,665	953,700	140,000	2,455	1,096,155	957,618	138,537	0	23,210
Sewer Lateral Fund	331,288	135,000	0	0	135,000	113,892	0	21,108	352,396
TIF Fund	28,642	0	0	0	0	28,642	0	0	0
TOTAL - ALL FUNDS	\$ 30,438,040	\$ 23,110,719	\$ 678,537	\$ 989,704	\$ 24,778,960	\$ 22,617,773	\$ 678,537	\$ 1,511,292	\$ 30,930,986

Proposed
Budget



CITY OF CREVE COEUR
SUMMARY OF ESTIMATED REVENUES AND EXPENDITURES - ALL FUNDS
AND PROJECTED FUND BALANCE
FOR THE FISCAL YEAR ENDING JUNE 30, 2012

	PROJECTED JUNE 30, 2011 FUND BALANCE	REVENUES	TRANSFERS FROM OTHER FUNDS	UTILIZATION OF FUND BALANCE	TOTAL REVENUE	ESTIMATED EXPENDITURES	TRANSFERS TO OTHER FUNDS	SURPLUS/ DEFICIT	PROJECTED JUNE 30, 2012 FUND BALANCE
General Fund	\$ 11,242,379	\$ 15,909,457	\$ 138,537	\$ 0	\$ 16,047,994	\$ 14,996,895	\$ 540,000	\$ 511,099	\$ 11,753,477
Capital Improvement Fund	1,695,900	3,646,570	400,000	771,249	4,817,819	4,817,819	0	0	924,651
City Employees Retirement Fund	17,114,166	2,465,992	0	0	2,465,992	1,492,323	0	973,669	18,087,835
Municipal Enterprise Fund	25,665	953,700	140,000	3,488	1,097,188	958,651	138,537	0	22,177
Sewer Lateral Fund	331,288	135,000	0	0	135,000	115,800	0	19,200	350,488
TIF Fund	28,642	0	0	0	0	28,642	0	0	0
TOTAL - ALL FUNDS	\$ 30,438,040	\$ 23,110,719	\$ 678,537	\$ 774,737	\$ 24,563,993	\$ 22,410,130	\$ 678,537	\$ 1,503,968	\$ 31,138,629

AN ORDINANCE APPROVING A NEW CONDITIONAL USE PERMIT FOR AN AUTOMATED TELLER MACHINE PURSUANT TO SECTION 405.360(C) OF THE CITY OF CREVE COEUR'S CODE OF ORDINANCES FOR THE FIRST COMMUNITY CREDIT UNION LOCATED WITHIN THE "GC" GENERAL COMMERCIAL ZONING DISTRICT AT 10950 OLIVE BOULEVARD

WHEREAS, application was made by Rick Strutman, on behalf of First Community Credit Union, requesting a conditional use permit for updating and relocating the automated teller machine (ATM) to a new location, and site development plan approval for landscape and site improvements to the property located at 10950 Olive Boulevard located in the "GC" General Commercial district; and

WHEREAS, under Section 405.360(C)(4), drive-in sales of goods or services including any freestanding drive-in banking facilities 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, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, May 16, 2011, beginning at 7:00 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)(3); 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 4-1 vote, recommended approval of the improvements, subject to the conditions contained herein, at its meeting on June 6, 2011; 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.

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 for an automated teller machine pursuant to Section 405.360(C) in the "GC" General Commercial zoning district addressed as 10950 Olive Boulevard and whose legal description is as follows:

Parcel 1:

A tract of land being part of the Northeast one-quarter of Section 2, Township 45 North, Range 5 East, St. Louis County, Missouri and being more particularly described as follows: Beginning at a point on the East line of Graeser Road, 40 feet wide; said point being 10.00 feet South of the prolonged South line of Olive Boulevard, 90 feet wide. as widened, by Deed recorded in Deed Book 5744 page 278; thence North 52 degrees 57 minutes East, a distance of 11.84 feet to a point said point being 10.00 feet East of the prolonged East line of said Graeser Road. 40.00 feet wide; thence South 73 degrees 20 minutes East and along the said South line of Olive Boulevard, 90.00 feet wide, a distance or 427.40 feet to a point on the West line of Olive Crest First Addition, as per plat thereof recorded in Plat Book 13 page 52 of the St. Louis County Records; thence South 0 degrees 02 minutes West and along the West line of said Subdivision, a distance or 224.97 feet to a point; thence North 89 degrees 14 minutes West, a distance of 414.32 feet to a point in the East line of Graeser Road 40.00 feet wide; thence North 0 degrees 46 minutes West and along the said East line of Graeser Road, a distance of 334.90 feet to the point of beginning. Excepting Therefrom that part conveyed to the City of Creve Coeur, according to instrument recorded in Book 7464 page 215 and further excepting therefrom that part conveyed to State of Missouri, acting by and through the Missouri Highways and Transportation Commission by instrument recorded in Book 19038, Page 258.

Parcel 2:

EASEMENT for sanitary and storm sewer drainage, created by instruments recorded in Book 6771 pages 1163 thru 1164 of the St. Louis County Records, over the following described property: A tract of land being part of the Northeast one-quarter of Section 2, Township 45 North, Range 5 East, St. Louis County, Missouri, and being more particularly described as follows: commencing at the Southeast corner of the above described tract, thence South 0 degrees 02 minutes West, a distance or 200 feet, more or less, to the existing public sewer, being also the Northeast Corner or property conveyed to John A. Hezel by deed recorded in Book 1670 page 565 of the St. Louis County Records, thence North 89 degrees 14 minutes West a distance of 15 feet; thence North 0 degrees 02 minutes East, a distance of 200.00 feet, more or less, to the Southerly line of the above described tract; thence South 89 degrees 14 minutes East to the point or beginning.

SECTION 2: The issuance of this conditional use permit and the operation and maintenance of said facilities provided for by this ordinance shall be subject to all ordinances, rules and regulations of the City of Creve Coeur and the following conditions:

1. Landscaping shall be permanently maintained in strict conformance and in good condition with at least the same quality and quantity of landscaping as shown in the drawings last revised on June 1, 2011.
2. An underground irrigation system shall be installed and maintained to serve all vegetated areas identified on the Landscape Plan dated June 1, 2011.
3. 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.
4. All hedges and shrubs shall have a minimum height of not less than two feet in height at any time.

5. The trash enclosure shall be of sealed, unpainted wood and/or brick and/or wood-grain finished PVC material that is complimentary to the principal building. At no time shall any of the structure be painted.
6. All exterior lighting will be replaced with fixtures that are fully shielded and downcast in compliance with the City of Creve Coeur's Code of Ordinances.
7. A photometric plan shall be submitted prior to the issuance of permits, showing that lighting will not cast upon an adjacent property or right-of-way.
8. Stormwater facilities shall be clean, free of debris and in proper working order as required by the Metropolitan Sewer District
9. The applicant shall submit a sign application for approval of any new signs.
10. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
11. 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.
12. 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 _____, 2011.

TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2011.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

**APPLICATION TO PLANNING AND ZONING COMMISSION
#11-009 FOR A CONDITIONAL USE PERMIT AND SITE DEVELOPMENT
PLAN FOR NEW AUTOMATED TELLER MACHINE AND LANDSCAPE
IMPROVEMENTS FOR THE FIRST COMMUNITY CREDIT UNION**

FOR THE MEETING OF: June 6, 2011

LOCATION: 10950 Olive Boulevard

REQUEST:

Mr. Rick Strutman, on behalf of First Community Credit Union, has submitted a request for a conditional use permit for updating and relocating the automated teller machine (ATM) to a new location, and site development plan approval for landscape and site improvements. The subject property is located on the southeast corner of Olive Boulevard and Graeser Road and is currently zoned "GC" General Commercial.

ADDITIONAL INFORMATION:

The City of Creve Coeur's Zoning Ordinance requires a conditional use permit for drive-in sales of goods or services including freestanding drive-in banking facilities [Section 405.470 (8) *Conditional Use*].

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the landscape design provide for a "green line" park?

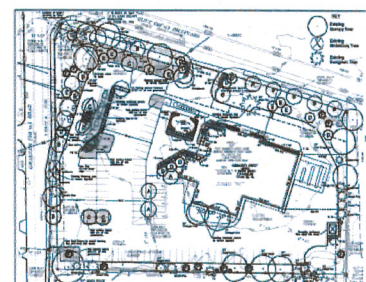
Comp. Plan References

- East Olive Corridor
- Design Guidelines

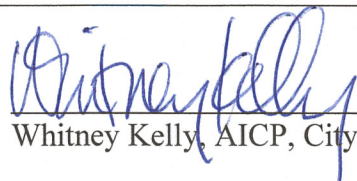
Zoning Code References

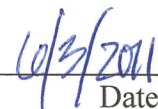
- Section 405.360: "GC" General Commercial District
- Section 405.470: Conditional Uses
- Section 405.540: Landscaping

APPLICANT: Rick Strutman
First Community Credit Union
17151 Chesterfield Airport Road
Chesterfield, MO 63005



REPORT PREPARED BY:


Whitney Kelly, AICP, City Planner


Date

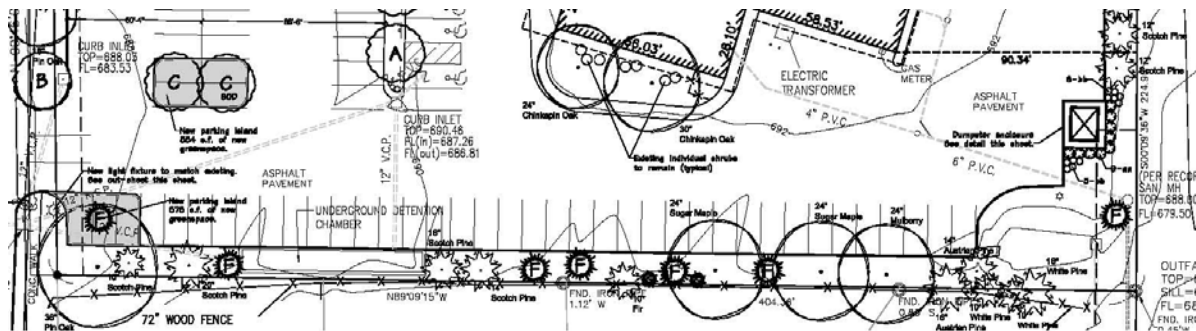
ATTACHMENTS: Applicant's Landscaped Plan, last revised June 1, 2011
Previous staff report dated May 16, 2011
Draft Ordinance

PROJECT UPDATE AND DISCUSSION

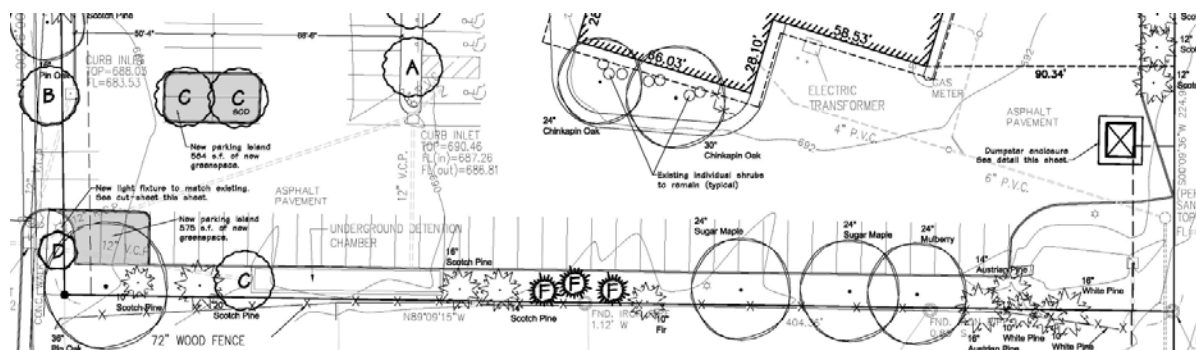
Buffer:

Bob Rosenthal, Landscape Architect with Loomis Associates, on behalf of First Community Credit Union, submitted a revised Landscape Plan based on comments at the May 16th meeting, as well as a meeting with the adjacent residents on May 31st. The changes to the landscape plan include, at the neighbors request, replacing two of the understory trees with evergreen trees, adding four more evergreen trees, and spacing them along the south property line. Comparison details of the Landscape Plan are provided below. Also shown is landscaping around the new proposed trash enclosure, as discussed during the previous Planning and Zoning Commission meeting.

Detail of the revised Landscape Plan submitted June 1, 2011 showing the south property line.



Detail of the Landscape Plan reviewed at the May 16, 2011 meeting showing the south property line.



Lighting:

The applicant has also included, on the revised drawings, details of new exterior lighting fixtures that are down cast and fully shielded in accordance with the City's Code of Ordinances. Staff recommends that a condition of approval include replacement of all of the exterior lighting on site with fixtures that are fully shielded and downcast to bring the property in conformance with the Code. Further, a condition is recommended to include a photometric study insuring lighting will not cast upon the adjacent property or right-of-way.

SUMMARY AND DRAFT ORDINANCE

The draft conditional use permit offered by Staff recommends that the approval of the ATM location and site development plan reflect the conditions discussed at the May 16th Planning and Zoning Commission Meeting, and those recommended above regarding the lighting:

- Landscaping shall be permanently maintained in strict conformance and in good condition with at least the same quality and quantity of landscaping as shown in the drawings last revised on June 1, 2011.
- An underground irrigation system shall be installed and maintained to serve all vegetated areas identified on the Landscape Plan dated June 1, 2011.
- 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.
- All hedges and shrubs shall have a minimum height of not less than two feet in height at any time.
- The trash enclosure shall be of sealed, unpainted wood and/or brick and/or wood-grain finished PVC material that is complimentary to the principal building. At no time shall any of the structure be painted.
- All exterior lighting will be replaced with fixtures that are fully shielded and downcast in compliance with the City of Creve Coeur's Code of Ordinances.
- A photometric plan shall be submitted prior to the issuance of permits, showing that lighting will not cast upon an adjacent property or right-of-way.
- Stormwater facilities shall be clean, free of debris and in proper working order as required by the Metropolitan Sewer District
- The applicant shall submit a sign application for approval of any new signs.
- All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

ACTION

If the Planning and Zoning Commission finds the associated draft conditional use permit ordinance to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council. Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

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

"I move to recommend approval of the Conditional Use Permit for the ATM and site development plan submitted with Application #11-009, subject to the conditions contained in the draft ordinance attached to the staff report dated June 6, 2011" (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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.



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

**APPLICATION TO PLANNING AND ZONING COMMISSION
#11-009 FOR A CONDITIONAL USE PERMIT AND SITE DEVELOPMENT
PLAN FOR NEW AUTOMATED TELLER MACHINE AND LANDSCAPE
IMPROVEMENTS FOR THE FIRST COMMUNITY CREDIT UNION**

FOR THE MEETING OF: May 16, 2011

LOCATION: 10950 Olive Boulevard

REQUEST:

Mr. Rick Strutman, on behalf of First Community Credit Union, has submitted a request for a conditional use permit for updating and relocating the automated teller machine (ATM) to a new location, and site development plan approval for landscape and site improvements. The subject property is located on the southeast corner of Olive Boulevard and Graeser Road and is currently zoned "GC" General Commercial.

ADDITIONAL INFORMATION:

The City of Creve Coeur's Zoning Ordinance requires a conditional use permit for drive-in sales of goods or services including freestanding drive-in banking facilities [Section 405.470 (8) *Conditional Use*].

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the landscape design provide for a "green line" park?

Comp. Plan References

- East Olive Corridor
- Design Guidelines

Zoning Code References

- Section 405.360: "GC" General Commercial District
- Section 405.470: Conditional Uses
- Section 405.540: Landscaping

APPLICANT: Rick Strutman
First Community Credit Union
17151 Chesterfield Airport Road
Chesterfield, MO 63005



REPORT PREPARED BY:

Whitney Kelly, AICP, City Planner

5/13/2011
Date

ATTACHMENTS: Applicant's Landscaped Plan, last revised Feb. 3, 2011 and photos of an example ATM facility being proposed.
Draft Ordinance

INTRODUCTION

First Community Credit Union is proposing to update and relocate the existing automated teller machine (ATM) to a new location to bring it up to current ADA Code recommendations. The applicant is also proposing new landscaping, site improvements that address property maintenance issues, and the reduction of site coverage to meet the sixty-three percent (63%) coverage standard per Section 405.360(E)(3). No changes to the building are being made with this application. The property is currently zoned “GC” General Commercial District and drive-in sales of goods or services including any freestanding drive-in banking facilities are permitted with conditions by the City Council.

BACKGROUND AND EXISTING CONDITIONS

The subject property was originally developed in 1970. The property received approval of a site development plan and landscape plan in 1993 for the ATM at its current location from the Planning and Zoning Commission. In June of 2010, staff notified the applicant of property maintenance complaints and that the landscaping had been allowed to deteriorate beyond conformance with the prior approved landscape plan. Since then, staff has been working with the applicant on submitting a landscape plan to either match the prior approved plan or to submit a new design. While developing a new landscape design for this site, First Community Credit Union, also decided to replace the existing ATM and relocate it to a new location on site, thus requiring a conditional use permit. The ATM facility will be of similar style as those presented in the photographs as part of the applicant’s materials. The project will address the property maintenance issues that include properly enclosing the dumpster, and replacing non-conforming light fixtures, and improving the site coverage. Current conditions include site coverage of 70.4%.

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	Olive Boulevard
South	Residential	“C” Single Family Residential	NA
East	Residential	“C” Single Family Residential	N/A
West	Commercial	“GC” General Commercial	Graeser Road

COMPREHENSIVE PLAN REVIEW

The subject property is located in the East Olive Corridor planning area of the Comprehensive Plan. The Comprehensive Plan outlines a vision of small businesses with a residential neighborhood character, substantial green spaces and landscaping, and with a goal of a “green line” park giving the impression of driving or walking through a park along Olive Boulevard. The Neighborhood Preservation and Economic Development element also advocates for greenspaces that buffer adjacent residences from the business along Olive. Boulevard.

The proposed landscaping maintains the suburban and open greenspace character advocated in the Comprehensive plan, and will allow this property to blend in with surrounding neighborhood south and east of Olive Boulevard.

DESIGN GUIDELINES REVIEW

The Design Review Guidelines provide specific direction for the redevelopment of properties:

Chapter 4 / Landscape Design

1. *The City of Creve Coeur strongly encourages high quality landscaping that accentuates the building and site, softens the effects of parking area and enhances the quality of life of the City. All landscape plans should exhibit a clear design concept.*
2. *There should be a consistency of landscape design throughout a development. Different landscape themes may be used to heighten the distinction between spaces, and to strengthen a sense of movement and space, but such themes should be internally consistent*
3. *The design of a landscape plan should aid and direct vehicular and pedestrian circulation and encourage pedestrian interaction.*
6. *Parking areas, traffic-ways and parking structures are to be enhanced with landscaped spaces containing trees, tree groupings, and shrubbery or other landscape enhancements, including berms.*
8. *Landscaped areas are to be maximized and balanced throughout the site. Tree and shrub plantings should be grouped together to create strong accent points with the site plan.*
9. *Landscape plans should incorporate all site elements, such as outdoor lighting, signage, trash receptacles and fencing.*
10. *The scale and nature of landscape materials are to be appropriate to the site and/or the structure. Large-scale landscaping generally should complement large-scale buildings. Landscaping of sites on major streets should include large-scale trees.*

Chapter 5 / Miscellaneous

F. Screening (Fences and Walls)

2. *The design of fencing, sound walls, trash enclosures, and similar site elements is to be compatible with the architecture of the main buildings and should use similar materials.*
6. *All exterior trash and storage area, service yards, loading docks and ramps, wood service poles, electric and gas meters, irrigation back flow prevention devices, and transformers are to be screened from view in a manner that is compatible with the building and site design. Screening materials should be the same as the primary building materials. The location of such services should be sited with limited visibility to pedestrians and/or adjacent property.*

The proposed landscape plan is an improvement to the existing site and will lower site coverage from 70.4% to 63%, through the removal of 24 parking spaces. The plan includes a mix of trees and the deletion of the 12 parking spaces along Olive Boulevard at the northwest corner that allows the entire frontage to provide the kind of substantial landscape in the context of the “green line park” concept advocated by the Comprehensive Plan and the Design Guidelines.

The new landscape plan also provides adequate plantings around the building to soften the building and the parking area. Whether or not the overall design provides for the lushness in character to meet with the “green line” park objective is up to the Commission Members to

decide. Given prior experience regarding the maintenance of the landscaping at this site, Staff recommends that a condition includes strict conformance with the plant quantity and quality, and all shrubs and hedges have a minimum height of twenty-four inches at any time to ensure the intended effect of the landscape design is maintained.

The proposed trash enclosure elevation indicates solid vinyl panels of a color to be selected by the architect. This would be inconsistent with the design guidelines outlined above that advocates for the use of natural materials, such as wood or masonry, and that are similar in architectural style as the building. However, the existing building is cream colored painted brick and this does not follow the design guidelines either. As an alternative, staff suggest that the use of unpainted brick and/or wood or wood-grain textured PVC for the enclosure would allow it to recede into the landscape thereby diminishing its impact on the appearance of the site. The attached draft ordinance contains a condition to this effect.

ZONING REVIEW

The subject property is located in the "GC" General Commercial District (Section 405.360) where the City Council may authorize drive-in sales of goods or services including any freestanding drive-in banking facilities by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary. The maximum site coverage permitted under the "GC" District is 63%, with bonus coverage not to exceed a total of 70% in consideration of special or outstanding landscape and site planning features. The applicant is proposing to decrease the existing coverage to 63% to meet the requirement.

Yard Regulations Review:

The subject property abuts residential properties to the east and south. Section 405.360(E)(4)(d), under Yard Regulations, requires that:

"...any tract or site abutting or adjoining a single-family residential zoning district shall provide a buffer yard of twenty (20) feet on all sides that abut the single-family district. The minimum required buffer yard shall be increased in five (5) foot increments, up to a maximum of forty (40) feet, for each acre of the subject property over two (2) acres in area. All acreage shall be rounded up to the next whole number for buffer yard calculation purposes. The buffer yard shall not contain any impervious surface and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission."

The site is 2.63 acres, and is legally pre-existing non-conforming with the buffer areas at approximately 22 feet, except at the area that jags to the east property line near the trash enclosure. Again Staff recommends removal of this hard surface to provide further landscaping to screen the masonry/fence around the dumpster.

Standard for Conditional Use Permits Review:

Article IV Standards for Permitted, Accessory and Conditional Uses, Section 405.470

Conditional Uses states:

8. *Drive-in sales of goods or services including freestanding drive-in banking facilities (conditional use in the "PC", "GC" and "CB" districts).*

- a. *Shall provide space for at least three (3) cars per drive-up window or station.*
- b. *Shall provide landscaping to screen the view of drive-up waiting spaces from surrounding properties.*
- c. *Drive-up window access, waiting spaces and egress shall not interfere with site circulation or be hazardous to motorists entering, exiting or passing by the site.*

The proposed landscaping at the new ATM location should provide adequate screening of the headlights from the surrounding properties.

Landscape Review:

As stated above, the landscape plan approved by the Planning and Zoning Commission in 1993 has since deteriorated beyond conformance and Staff has been working with the applicant in bringing the landscape, along with other property maintenance issues, into compliance.

Staff reviewed the landscape plan to include:

1. *Coordinated landscaping at the main entrance along Olive Boulevard on both sides of the entrance that further the goal of creating a significant, proper entryway to the site.*

The applicant is proposing adding additional plantings to fill in the existing landscaping and match both sides of the entrance drive.

2. *Section 405.540 (F)(1) requires street trees shall be deciduous hardwood trees, not less than three (3) inch caliper sixe providing clear headroom of at least six (6) feet, and at a minimum of one tree for every 30 lineal feet or part thereof of street frontage and such street trees shall be located on the subject property at least 2 feet 6 inches, but not more than 12 feet from the back of the curb, unless additional setback is necessary.*
3. *Section 405.540 (F) (2) requires that when off-street parking or loading areas are located adjacent to a residential district or to any lot upon which there is a dwelling as a permitted use, there shall be provided along the lot line a continuous opaque screen to a height adequate to prevent the direct light from automobile headlights being cast on adjacent residential units but with a minimum height of four (4) feet and not more than eight (8) feet except that the height of such opaque screen shall not exceed three and one-half (3½) feet within fifteen (15) feet of a public right-of-way. The opaque screen may consist of a wall, fence, landscaped earth berm, planted vegetation or existing vegetation or any combination thereof which maintains a completely opaque screen. The opaque portion of the screen must be opaque in all seasons of the year.*

The applicant is not proposing to change the parking area along the south property line, except for the removal of three parking spaces at the entrance to add greenspace, and to fill in with three evergreen trees. The property already has a wood fence to screen this area from the property to the south..

4. *Section 405.540(F)(3) further requires a minimum of 10 square feet of interior landscaped area shall be provided within the parking lot for each 350 square feet of paved area within this parking lot including parking spaces and driving aisles. The*

landscaping shall be in 1 or more areas so as to minimize and reduce the apparent size of parking areas.

The applicant is proposing to add an additional 1,416 square feet of interior landscaped area. The parking area is total of 64,841 sq. ft.; requiring 1,853 sq. ft. of interior landscaping. With the additional interior landscaping proposed the total interior landscaped area is 2, 709 sq. ft.

5. *Section 405.540(F)(7) No landscaped hedge shall be less than two (2) feet in height and two (2) feet in spread at time of installation; however, no hedge or wall or berm shall exceed three (3) feet in height within ten (10) feet of any driveway opening. The individual plants used in the development of such a hedge shall be placed so as to be not more than thirty (30) inches on center.*

Given prior experience regarding maintenance with this property, Staff recommends that a condition include that all hedges and shrubs have a minimum height of not less than two feet in height at any time, even after planting.

6. *Section 405.540(F)(10) All landscaping shall be permanently maintained in good condition with at least the same quality and quantity of landscaping as initially approved. In order to present a healthy, neat and orderly appearance, all landscaped areas including interior parking lot islands and grass areas shall be provided with adequate irrigation for the maintenance of grass, shrubs, ground covering and other landscaping. An underground irrigation system shall be installed, operated and maintained to meet the intent of this Section. Such systems shall be required for all new developments and redevelopments projects. For sites proposing additions and/or expansions, an underground irrigation system shall be installed, operated and maintained to meet the intent of this Section, where physically practical and reasonable, as determined by the Planning and Zoning Commission.*

Staff recommends that a condition require the installation of an underground irrigation system to be installed, operated and maintained to meet with the intent of this Section.

7. *Section 405.540(F)(12) A perimeter landscaped buffer strip shall be provided and maintained at a width of not less than five (5) feet between a parking lot and the property line of abutting property. Other, more restrictive standards for yards or buffering shall govern where required by this Chapter.*

The site plan submitted shows that the area of the new dumpster enclosure has the existing curb jag out to the east property line. Staff recommends that this area be revised to remove the hard surface, create the proper buffer area required per the Zoning Code, and provide further landscaping to screen the masonry/fence around the dumpster (see above).

8. *Foundation plantings should be designed to function with the aesthetic of the building.*

The applicant is proposing to fill in existing foundation planting and enhance the current landscaping to meet this requirement.

9. *The garbage dumpster must be properly enclosed per Building Code standards. Such enclosures also require approval of the Planning and Zoning Commission as part of the site plan, and must be in similar architectural style of the main building.*

The applicant is proposing solid vinyl panels of a color to be selected by the architect. As stated earlier, Staff recommends that a condition include revising the drawings to provide landscaping for additional screening of the trash enclosure along with the sight proof fence or masonry wall. Materials should be of natural wood or masonry to match the existing architecture, instead of the proposed vinyl panels.

Parking Requirements Review:

The prior discussed removal of the parking spaces should not have any impact on the required parking for the credit union and the tenant. (The Creve Coeur/Olivette Chamber of Commerce is a tenant and shares the conference room. The square footage of leased space is not provided.) Section 405.820(G), Required Off-Street Parking Spaces calculates the spaces for Financial Institutions at 4 parking spaces per 1,000 square feet of gross floor area for buildings under 15,000 sq. feet of gross leasable floor area, and member organizations at 1 space per 200 sq. ft. of floor area (i.e. 5 spaces per 1,000 sq. ft.). The total floor area indicated for the building is 13,129 sq. ft. Even if basing the parking calculation for the entire building on membership organizations, the total number of parking spaces required is 66 spaces. With the proposed removal of the 24 spaces, there remains a total of 86, plus 4 handicapped spaces on site, leaving a surplus of parking available.

SUMMARY

The draft conditional use permit offered by Staff recommends that the approval of the ATM location and site development plan include the following conditions:

- Landscaping shall be permanently maintained in strict conformance and in good condition with at least the same quality and quantity of landscaping as shown in the drawings last revised on February 3, 2011.
- An underground irrigation system shall be installed and maintained to serve all green and landscaped areas identified on the Landscape Plan dated, February 3, 2011.
- 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.
- All hedges and shrubs shall have a minimum height of not less than two feet in height at any time.
- The applicant shall submit revised drawings showing the removal of the hard surface area that encroaches into the buffer area on the east property line, and provide additional landscaping for screening of the trash enclosure.
- The trash enclosure shall be of natural wood or masonry material that is consistent with the principal building (without requiring it to be painted a similar color to the main building).
- Stormwater facilities shall be clean, free of debris and in proper working order as required by the Metropolitan Sewer District
- The applicant shall submit a sign application for approval of all signage.
- All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

ACTION

If the Planning and Zoning Commission finds the associated draft conditional use permit ordinance to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council. Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

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

“I move to recommend approval of the Conditional Use Permit for the ATM and site development plan submitted with Application #11-009, subject to the conditions contained in the draft ordinance attached to the staff report dated May 13, 2011” (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

APPENDIX 2: ZONING CODE

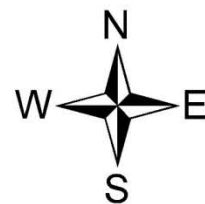
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL MAP



Legend

-  City Limit
-  Property Lines
-  10950 Olive Boulevard



APPENDIX 4: SITE PHOTOGRAPHS Application #11-009	Photo Date: 08/26/2010
	Description: View of the property looking east from Graeser Road. Notice the lack of landscaping and expansive parking area.
	Description: View from the southwest corner looking north at the existing ATM structure and landscaped island where the new location of the ATM is being proposed.
	Description: View of the existing ATM and access drive.

	Description: View of the prior landscaped area that has since been filled in with concrete.
	Description: View of the north façade of the building looking east. Notice the poorly maintained remnants of the prior landscaping.
	Description: View looking south along the east property line. Note the unenclosed dumpster.

	Description: View of improperly stored water line at the south west corner of the building.
	Description: View of the west façade of the building looking north east. Note the lack of properly maintained landscaping.
	Description: View along the south property line looking east.







CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, MAY 16, 2011

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chair

Dr. Michael Barton

Mr. Gary Eberhardt, Vice Chair

Mr. Barry Glantz

Ms. Cynthia Kramer

Mr. Carl Lumley, City Attorney

Mr. Paul Langdon, AICP, Director of Community Development

Ms. Whitney Kelly, AICP, City Planner

Ms. Julie Lowery, Recording Secretary

McLaughlin Court Reporting Services, Inc.

Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
4772 Gatesbury Drive
St. Louis, MO 63128
(314)487-2259

CHAIRMAN MADDEN: Good evening.

I'd like to call to order the Planning Zoning
Commission Meeting for the City of Creve Coeur, Missouri
for Monday, May 16th, 2011.

We'll start with roll call.

Dr. Barton?

7 MR. BARTON: Yes.
8 CHAIRMAN MADDEN: Mr. Gary Eberhardt?
9 MR. EBERHARDT: Present.
10 CHAIRMAN MADDEN: Mr. Barry Glantz?
11 MR. GLANTZ: Present.
12 CHAIRMAN MADDEN: Ms. Cynthia Kramer?
13 MS. KRAMER: Present.
14 CHAIRMAN MADDEN: Mr. Jim Schnarr will not be
15 here tonight.
16 Mr. Carl Lumley, our City Attorney?
17 MR. LUMLEY: Present.
18 CHAIRMAN MADDEN: Paul Langdon, our Director of
19 Community Development?
20 MR. LANGDON: Present.
21 CHAIRMAN MADDEN: Ms. Whitney Kelly, our City
22 Planner?
23 MS. KELLY: Present.
24 CHAIRMAN MADDEN: And Julie Lowery, our
25 Recording Secretary.

2

1 MS. LOWERY: Present.
2 CHAIRMAN MADDEN: Conditional use permit for
3 First Community Credit Union.
4 (Whitney Kelly was sworn by the court reporter.)
5 MS. KELLY: Good evening. I'm Whitney Kelly,
6 City Planner.
7 Rick Strutman, on behalf of First Community
8 Credit Union, submitted an application for conditional use
9 permit to update the existing automated teller machine
10 located nearby.
11 And with that, they are proposing a new

11-009.FCCU.Public Hearing transcript.5-16-2011.txt
12 landscape site improvement, property maintenance issues
13 and a reduction in site coverage to meet the 63 percent
14 coverage per Section 405.360 of the General Commercial
15 District.

16 The current ATM is located here, and they will
17 be moving it approximately here. The new facility will be
18 in similar appearance to other ATM facilities that they
19 have.

20 The current conditions include a site coverage
21 of 70.4 percent, and they will be removing the parking
22 spaces along the Olive Boulevard here, and several spaces
23 within the existing parking lot to create islands to meet
24 this -- the coverage requirement.

25 No other changes are being proposed to the

1 building. 3

2 Staff is recommending a number of conditions,
3 including that all shrubs and hedges maintain a height of
4 at least 24 inches at time of planting, as well as any
5 time after that.

6 That underground irrigation be included as part
7 of a condition, and that the trash enclosure here be of
8 masonry or brick or wood fence, natural wood fence, or
9 PBC -- PCV fencing that is similar in style of wooden
10 fence, and that the green space be included to wrap around
11 the back of the parking -- I mean back of the trash
12 enclosure here to make this area more in conformity with
13 the buffer yard requirement, and to provide landscaping
14 around the enclosure for further screening of the
15 accessory use structure.

16 We received two emails, which are included on
17 your desk for you. A number of higher -- I was not here

18 at the time, but a number of issues that were discussed as
19 part of those emails had to do with a prior project that
20 never went through.

21 Mr. Langdon can provide some more history on
22 that.

23 And if you have any other questions.

24 The applicant could not be here tonight, but Bob
25 Rosenthal, who's the landscape architecture is here to

1 provide any other questions.

4

2 CHAIRMAN MADDEN: Any questions?

3 I know we have a couple people in the audience
4 that have signed cards, and I'll take them in the order I
5 got them.

6 Stuart Macaskill, 7 Winfield Pointe Lane.

7 Mr. Macaskill, will you please state your name
8 and address for the record.

9 MR. MACASKILL: Yes, sir.

10 CHAIRMAN MADDEN: You have to be sworn in first.
11 I'm sorry.

12 (Stuart Macaskill was sworn by the court
13 reporter.)

14 MR. MACASKILL: Good evening. My name is Stuart
15 Macaskill, and I live on 7 Winfield Pointe Lane. And 7
16 Winfield Pointe Lane, thanks for leaving this up, is right
17 here, right on this back fence. And I do have another
18 neighbor here and he lives kind of back here.

19 And I guess this is -- I'm looking at this plan,
20 and I -- and I note that we're going to provide some
21 buffer screening to the -- to the south and -- and there's
22 very little screening, from our perspective, immediately

11-009.FCCU.Public Hearing transcript.5-16-2011.txt
23 behind the First Credit Union parking lot.

24 Now, there is existing large canopy deciduous
25 trees there, but there's a huge space in between where

1 that canopy is and my sightline from my yard. All right.⁵
2 I can see right underneath the current trees that are
3 there.

4 And I would hope that we could negotiate with
5 the landscape architect a little bit of in-between or some
6 other kind of screening that I could kind of fill up this
7 void in between me and this screening that is about six
8 months long because in the winter that's pretty barren,
9 right, I can see right through that commercial property.

10 It's almost to the point that not only do I see
11 the building, but some of the light pollution from the
12 building, albeit it's to code, I think, we can still see
13 that.

14 So we're just asking for a negotiation with the
15 landscape architect and First Community to see if we can
16 plant something that would make the four homeowners that
17 abut that property and parking lot to make us a little
18 more happy than currently is the plan that I see.

19 To be honest with you, maybe the landscape
20 architect can help me understand the plan. It doesn't
21 appear like there's a whole bunch of new, maybe this F
22 three trees is new, but I can't really tell from the plan
23 what is existing versus what is going to go into the plan.
24 So maybe he could help me out by starting to explain that.

25 CHAIRMAN MADDEN: Okay.

1 MR. MACASKILL: Appreciate it. Thanks.⁶

2 CHAIRMAN MADDEN: Why don't I have Mr. Jarrett
Page 5

3 come up first because I have a feeling he's speaking about
4 the same thing, and we'll bring you up Mr. Jarrett.

5 (Richard Jarrett was sworn by the court
6 reporter.)

7 CHAIRMAN MADDEN: Please state your name and
8 address.

9 RICHARD JARRETT: Richard Jarrett, 8 Winfield
10 Pointe Lane.

11 Kind of echo the same concerns as Stuart has.

12 The savings credit union has been a good
13 neighbor, and we don't have any real issues with them.

14 It's just that major landscaping is something
15 that comes about only so often, sometimes twenty years
16 apart, so we like to examine this opportunity while
17 they're going through all of this work to perhaps plan for
18 the future and make sure that we have enough screening
19 there, so that in the future that our property values
20 don't go down.

21 We got a nice neighborhood there. It's a fairly
22 expensive neighborhood, and really don't want -- you know,
23 I don't look at businesses as a major detractor, but
24 someone else may. So as we're taking this opportunity to
25 go over this landscaping, we just want them to examine the

7
1 possibility that some more screening in the back.

2 CHAIRMAN MADDEN: Thank you.

3 (Bob Rosenthal was sworn by the court reporter.)

4 MR. ROSENTHAL: My name is Bob Rosenthal. I'm
5 with Loomis Associates as a landscape architect and
6 planner. You need the address as well? It's 707 Spirit
7 40 Park Drive in Chesterfield, Missouri.

8 I'm here. Mr. Strutman is with First Community
9 Credit Union sends his apologies. He was called out of
10 town on business. I was going to be here anyway to
11 represent the plan, and spoke with him this afternoon over
12 some of these concerns, and we were able to talk through
13 some. I'm here representing him.

14 I can speak for him to a certain point, but, you
15 know, there's a certain point where I may have to confer
16 with him on -- on issues.

17 To address the questions on the trees on this
18 end. Basically, what we have is here are two existing
19 Scotch Pines, this symbol and this symbol. Then we have
20 three new evergreen trees, which is, I believe it's, yeah,
21 Norway spruce. Then we have another existing, I believe
22 that's a white pine. There are three canopy trees, this
23 is a sugar maple, this is a sugar maple, this is a
24 mulberry, and then there are, I believe, five more pines,
25 a -- have to zoom in here -- a 16-foot Austrian Pine,

1 14-foot Austrian Pine -- sorry, those are Calabridge 8
2 (phonetic) -- 16-inch Calabridge Austrian Pine, 14-inch,
3 10-inch White Pine, 10-inch White Pine and 16-inch White
4 Pine, so that's what's existing as of now.

5 In our discussions and reviews with the City
6 the -- that -- that was -- the existing buffer yard was
7 through -- correct me if I'm wrong -- the 1993 plan --

8 MS. KELLY: Uh-huh.

9 MR. ROSENTHAL: -- is that correct?

10 And First Community was offering to fill in
11 where a few trees had died there, these three trees here,
12 and then concentrate the rest of their landscape work on
13 the rest of the site.

14 CHAIRMAN MADDEN: Any questions?

15 Mr. Glantz.

16 MR. GLANTZ: You know one of the biggest issues
17 we face as a City is when residential properties abut
18 commercial properties, which inevitably they do in a
19 number of different spots in our City.

20 And I know -- and what I'm hearing is I don't
21 think anybody's complaining about the -- the buffer
22 distance.

23 Landscaping should be a relatively easy, I would
24 think, and relatively inexpensive way to make, it sounds
25 like make the neighbors happy, and a relatively

1 inexpensive solution for the Credit Union to make the 9
2 neighbors happy.

3 And it seems in that regard, since they're --
4 since they seem to be improving the property, it seems to
5 be the logical time to -- to increase some of that
6 landscaping to make sure that the buffer area, while it's
7 not being increased, does provide that -- that separation
8 that the neighbors are looking for.

9 MR. ROSENTHAL: Let me respond to one point.

10 I believe one issue with that, and we can talk
11 about here, and I want to say that First Community Credit
12 Union is interested in being a good neighbor, and they're
13 interested in working with that as they, you know, see
14 this as an opportunity to move their ATM and improve their
15 landscape and everything else.

16 I believe the issue there is with the three
17 existing canopy trees, and the possibility of planting
18 anything within that space.

19 They -- they take up a large canopy in the
20 health and vitality, anything planted underneath them
21 would be difficult.

22 In removing the trees, it would remove a buffer,
23 and I guess one other concern is that there is an 8-foot
24 site-proof fence that runs the length of that property, so
25 anything planted, you know, within these guidelines of an

1 8-foot spruce and such isn't going to provide immediate¹⁰
2 impact.

3 We're kind of looking at this window of from
4 8 feet to the base of the branches of the existing canopy
5 trees.

6 So that's -- that's the window that they're
7 speaking of, and it's a difficult thing to screen
8 immediately.

9 MR. GLANTZ: I think as long the effort is made.

10 We saw that on another project, I think at Ladue
11 Court at Ladue Road near Lindbergh when the applicant came
12 in and immediately provided some additional landscaping,
13 certainly -- certainly helps, and I would think it would
14 only enhance both sides of the property.

15 CHAIRMAN MADDEN: What's the difference roughly
16 between the top of the fence and the lower of the canopy?

17 MR. ROSENTHAL: I'm trying to think if I brought
18 any photos with me that would cover that, I don't believe
19 I do.

20 Are there any photos in this packet that cover
21 that area?

22 CHAIRMAN MADDEN: Just roughly, I mean.

23 MR. ROSENTHAL: Yeah, I believe those canopy
24 trees are branched up -- actually the neighbors may know
Page 9

25 better than I would what that gap is.

1 MR. MACASKILL: If I was guessing, fellas and¹¹
2 ladies, there might be 6 to 8 feet where I can see up
3 through, and it's -- and it's a visual, right, because
4 it's not all covered. I think your fence, your site
5 fence, is not 8 feet, it's -- I think it's 6 feet, okay.
6 I'm up on a berm so that helps me, that's good, all right,
7 but off in this -- where you're trying to provide the new
8 trees, the Norway Spruce, we had a tree damaged from
9 something that blew down, and I -- that needed some help,
10 and that's a good plan there.

11 CHAIRMAN MADDEN: So you're -- you guys are
12 mainly interested in where the three canopy trees are to
13 try to put something in there to block the --

14 MR. MACASKILL: You know, I'm definitely
15 probably the most affected along the length of the parking
16 lot. I know that we're hurting right here because we have
17 a underground wash, kind of catch basin here, and there's
18 not a lot of depth, right, I mean what depth that we had
19 is for shortened by maybe that. I'm not sure.

20 But is there any way that we could think about
21 like Giant Arborvitae going up underneath where I'm not
22 canopied out?

23 MR. ROSENTHAL: Yeah, and that would be the tree
24 I would suggest because, you know, we only have, I
25 believe, 10 feet, possibly 12 feet in that buffer, and the

1 width of even a pine over time is going -- is going to¹²
2 have to be trimmed back from the parking space.

3 MR. MACASKILL: Yeah.

4 MR. ROSENTHAL: So, yeah, so I believe
5 Arborvitae would be the right choice. I guess what height
6 to plant them at would become the issue, and -- and, you
7 know, you know, the growth rate is going to be a bit slow,
8 so we're kind of --

9 MR. MACASKILL: You know, we're negotiable as
10 far as like I could understand that a 10-foot high
11 Arborvitae might be a hundred bucks apiece. You go in
12 there at 6-foot high, and let it grow for a year, I could
13 deal with a year and a half coverage. We're not asking
14 for a solution to be done next week, but just thought in
15 helping us kind of screen where we're not screened in.
16 I'm only screened while those leaves are up, so appreciate
17 that I can see right through those three canopy trees, so
18 we're a little more sensitive perhaps than some of my
19 neighbors, but that would help a bunch.

20 MR. ROSENTHAL: Sure. So if we can, again, just
21 off the top of my head here, if First Community were to
22 agree to, you know, 6 to 8-foot Arborvitae along the fence
23 space at, you know, I'm trying to approximate looking at
24 that plan. The parking spaces are 9 feet. Approximately
25 twelve Arborvitae in there would be spaced at about 8 to

1 10 feet apart, possibly maybe 12 feet apart, I think my¹³
2 client would be certainly receptive to do something like
3 that.

4 CHAIRMAN MADDEN: Okay. This would be my
5 suggestion.

6 Why don't we split the difference between the 6
7 and 10 feet and go with 8, minimum of 8, and let's do them
8 every 10 feet across, and see if that'll work.

9 MR. MACASKILL: You know, I'm not that familiar
Page 11

10 with the fill-in, right, protective screen that a single
11 plant will grow to. I know what I did in my own yard,
12 cause I tried to do that on my side of the fence, and
13 you're right, it's not the most inspiring thing to look
14 out there and see those things just not growing fast
15 enough for me to help.

16 MR. ROSENTHAL: Right. Right.

17 MR. MACASKILL: You all got a little more
18 sunlight maybe on that side just because, albeit, you
19 probably southern light exposed as well, but I'm trying to
20 do the same thing in my yard.

21 And I just don't know what the spacing of this
22 plan, you saying every 10 feet apart, if that's the right
23 number or not, but I would love to be able to contact you
24 in the future and ask what you all think about --

25 MR. ROSENTHAL: Yeah, I would say that the

1 approximate -- a good solution to something like this is¹⁴
2 that -- is that we -- my client could agree to place some
3 Arborvitae at discretion of the neighbors; agree to a
4 number. I don't know if that's acceptable to the Board,
5 but agree to a certain number of, possibly ten, Arborvitae
6 to be planted in there, and then at the time of planting
7 or at the time of staking the plants, have a meeting with
8 the neighbors so that we -- they could be placed in the
9 areas where they will grow to meet their needs.

10 MR. LUMLEY: Well, I think you could make
11 subject to staff approval of the final plan. They could
12 have that meeting and staff could review the plan and
13 agree to it, but if you agree on the number, I think --

14 MR. MACASKILL: I'd rather us, if you don't

11-009.FCCU.Public Hearing transcript.5-16-2011.txt
15 mind, not agree to a number because I have two neighbors
16 not here, and I'm speaking for them right now, and I am
17 the trustee of the neighborhood, and I would be wary of
18 saying ten if the right number applies. All right. But I
19 would definitely think that they would be very interested
20 in talking about Arborvitae Pine and number and coverage
21 to help them out, cause I have not been in their backyard
22 to look at what their issues might be versus my personal
23 issues behind my house.
24 MR. LANGDON: Mr. Macaskill, I do need you to
25 step up to the microphone.

15
1 MR. MACASKILL: Sorry.
2 MR. LANGDON: We're recording the meeting.
3 Thank you.
4 MR. MACASKILL: I would -- I would hedge on
5 saying that we have the number described before you
6 tonight.
7 CHAIRMAN MADDEN: Okay.
8 Paul, will you be okay if we just have them meet
9 and then they come back with the neighbors and the --
10 whatever it is -- First Community Credit Union?
11 MR. LANGDON: Yeah, I think, definitely, I mean
12 that's kind of, you know, over the fence kind of issue.
13 Another possibility that I would point out is,
14 you know, there we have a surplus in parking on the site
15 relative to the Zoning Code requirements, and there isn't
16 much room here in that buffer, not only because it's not
17 very wide, but because the fence kind of wanders around on
18 their property line, and then you've got some pretty
19 concentrated root mass in here.
20 The other thing that could happen is some of

21 these parking stalls could be taken out and create, you
22 know, this sort of a thing at key locations along the way.

23 Makes for a better shaded parking lot in the
24 first place; it gets the tree out to where it can have its
25 own place to grow, and we could still potentially use one

1 large large tree, you know, evergreen, to -- to accomplish¹⁶
2 some of the screening that the neighbors are looking for.

3 MR. ROSENTHAL: I believe the issue with that,
4 and it could be worked with, the issue with that is the
5 storm water detention basin, which is here, I believe that
6 the majority of the storm water run-off follows that curve
7 down to that basin, so putting any obstruction there would
8 cause -- might cause an issue to storm water.

9 MR. LANGDON: We've used curb breaks along the
10 prevailing line in order to allow water to follow.

11 MR. ROSENTHAL: Okay.

12 MR. LANGDON: That's one possibility.

13 MR. LUMLEY: I mean this does have to go to City
14 Council for approval, so for P&Z purposes you could say
15 that you're recommending approval on the condition that
16 there be, you know, improvement on the screen in this area
17 along the lines of, you know, with favorable staff
18 recommendation at the time presented to Council --

19 CHAIRMAN MADDEN: Okay.

20 MR. LUMLEY: -- along those lines. Doesn't have
21 to be all that definitive at the moment as long as you
22 make the point that significant change there.

23 CHAIRMAN MADDEN: Okay.

24 MR. LUMLEY: And they could meet, you know,
25 before the City Council has, hopefully, it's all sorted

17
1 out by then, and everybody come forward say, here's the
2 final plan actually lined out.

3 CHAIRMAN MADDEN: Okay. Is everybody okay with
4 that?

5 MR. EBERHARDT: One of the staff requirements or
6 proposals is that there be an irrigation system installed
7 and maintained. Is there one now?

8 MR. ROSENTHAL: There is not, no, there is not.

9 MR. EBERHARDT: And -- and I don't know, I can't
10 tell from the staff report, where would we have to have
11 the irrigation system to maintain, not just along this one
12 area, but, apparently, as I see, next to the building a
13 lot of the shrubs have died off, they're very sketchy.

14 MR. ROSENTHAL: Yes.

15 MR. EBERHARDT: Would there be a requirement to
16 have an irrigation system over a broader area?

17 MR. ROSENTHAL: Yes, and the intention that was
18 agreed to with staff was that all the areas we are
19 landscaping on this plan would -- would receive an
20 irrigation system.

21 MR. EBERHARDT: Including those that were
22 previously approved?

23 MR. ROSENTHAL: Yes. I believe limited areas
24 that where plants are established and we wouldn't be going
25 in with any new planting, you know, such as that back

18
1 buffer yard above this detention chamber here and back in
2 the corner in the, you know, in these -- in these
3 detention basins that are part of -- those would not
4 receive irrigation, but areas at the front of the building
5 definitely; areas of the new ATM and these new islands and

6 such would receive irrigation.

7 Again, First Community Credit Union is seeing
8 this as an opportunity to really improve their site, so
9 they're looking to really, you know, get some pop in their
10 landscape, so their intention is to irrigate, you know,
11 everything out front there.

12 MR. EBERHARDT: Thank you.

13 CHAIRMAN MADDEN: Well, if you're going to put
14 in new trees, I mean in the beginning, don't they need
15 water? I mean wouldn't it be better to irrigate all along
16 there too? Seems like that might be part of the problem
17 why some of these things died.

18 MR. ROSENTHAL: You talking about these things
19 along this back --

20 CHAIRMAN MADDEN: Yeah.

21 MR. ROSENTHAL: -- buffer area? Yeah, I believe
22 irrigation could be planned. There are only those three
23 trees in that back area. Those are the only new trees.
24 Everything else -- well, I guess there's some tree as
25 well. Everything else along here is existing.

1 CHAIRMAN MADDEN: But you're talking about 19
2 putting, aren't you, new trees in on the right, the far
3 right so?

4 MR. ROSENTHAL: Yes. Along here you talking?

5 CHAIRMAN MADDEN: No, no, the bottom right
6 there, underneath the canopy trees?

7 MR. ROSENTHAL: Oh, in here?

8 CHAIRMAN MADDEN: Yeah.

9 MR. ROSENTHAL: Yes.

10 CHAIRMAN MADDEN: So wouldn't that be best to

11-009.FCCU.Public Hearing transcript.5-16-2011.txt
11 irrigate it? I mean you got brand new plantings going

12 in --

13 MR. ROSENTHAL: Um --

14 CHAIRMAN MADDEN: In fact, I think running an
15 irrigation line along that whole back area.

16 MR. ROSENTHAL: Just running it along the curb?

17 CHAIRMAN MADDEN: Yeah, that whole area.

18 MR. ROSENTHAL: I believe that would be
19 something.

20 CHAIRMAN MADDEN: Okay. Thank you.

21 Anybody else in the audience?

22 MR. LANGDON: Mr. Chairman, I'm not in the
23 audience.

24 CHAIRMAN MADDEN: Pardon me?

25 MR. LANGDON: Before you close the hearing. One

20
1 item that I --

2 (Paul Langdon was sworn by the court reporter.)

3 MR. LANGDON: One item that I wanted to bring up
4 during the hearing, because really just came to our
5 attention today, frankly, is that, and we've identified
6 sort of the maintenance issue with the applicant, and
7 they're agreeable, that this corner, the southwest corner,
8 is a pole with no light attached to it, and that needs to
9 be repaired, but simply escaped our notice before that
10 there's a light back here and a light in the center,
11 another light back here at the detention basin, which are
12 floodlights. They're aimed toward the building, which is
13 appropriate, not towards the property line, but they're
14 just industrial grade flood lamps.

15 And then also on the property up in the corners
16 up here, and I believe there's one up front of the back is

Page 17

17 sort of a globe fixture, so what we have is a series of
18 light standards with no real consistent pattern.

19 While the globes were initially approved back in
20 the '80s, but the major revamping of the site at that
21 time, they actually don't meet the requirements of the
22 Zoning Code because they're completely unshielded. They
23 are a glass globe, but they are preexisting.

24 Since we have one fixture that definitely needs
25 to be replaced, we have two other fixtures which, I don't

1 think are really the appropriate choice in the landscape,²¹
2 and then we have these old ones, which don't meet the
3 Code. I guess my request -- proposal to the applicant,
4 request of you all would be an additional condition that a
5 set of light standards be approved meeting the
6 requirements of the Zoning Code for the entire site.

7 CHAIRMAN MADDEN: Is there anybody there at
8 night? I mean they're not open at night, are they?

9 MR. ROSENTHAL: I spoke with Rick Strutman about
10 the lighting issue today. He said that the two lights in
11 the back were security lights for employees that were
12 parking back there in winter months and going to their
13 cars. That was the intention of that, and they intended
14 to maintain that, that the back side of their lot was not
15 well lit, and their employees had requested light.

16 So as far as the space, they have extra space
17 that I believe they're leasing. May be speaking out of
18 turn here, I'm not sure exactly their agreement, but I
19 don't know if, you know, their operations are during the
20 day, I don't know if there's anything in the lease space
21 that that would be a nighttime use.

22 CHAIRMAN MADDEN: Okay. Anybody else?
23 Mr. Glantz.
24 MR. GLANTZ: There's another issue I wanted to
25 touch upon, and I'll try and find it.

1 I think it's on page 80 of our -- I'm not the²²
2 most tech-savvy guy.

3 What exactly is the ATM going to look like?
4 There looks like there's -- trying to get to page 80,
5 sorry. Page 80 has three pictures of ATM, none of which
6 match, and one of them which has some pretty extensive
7 signage, so what exactly, you know, I thought this
8 application started with the ATM machine or relocating the
9 ATM machine, and we haven't talked about the ATM. But I
10 really don't like what I'm seeing in these pictures.

11 MR. ROSENTHAL: I can't exactly speak for the
12 signage guy. If Mr. Strutman were here, he could speak to
13 this a lot better than I could.

14 I believe the ATM that they were planning to
15 install in the new location is what's shown here and here.

16 He, I believe, and, again, I apologize, but I'm
17 speaking for him, I believe this picture was to show the
18 height and the -- I'm sorry, leave that up. This was a
19 picture of the ATM itself, and this picture -- these
20 pictures were of what the canopy would look like; side
21 view and front view.

22 MR. GLANTZ: Is that the color they're going to
23 use?

24 MR. ROSENTHAL: Yes. That is their standard
25 signature color, and they use that on all signage and

1 canopy, everything, and it's also on our -- on the²³

2 building on the side.

3 MR. GLANTZ: So we'll get this nice new
4 landscaping and create a wonderful buffer for the
5 neighbors and we'll have this ATM.

6 MS. KRAMER: I'm sorry, can I ask --

7 CHAIRMAN MADDEN: Cynthia.

8 MS. KRAMER: I just have two questions. Thank
9 you.

10 So, first, with regard to the signage, so the
11 ATM would actually then go out to the Olive side, the --

12 MS. KELLY: Whitney Kelly again.

13 The applicant has submitted a sign application
14 for this. We have not reviewed it because it requires CUP
15 first.

16 A condition that is drafted in the Ordinance
17 states that it would have to get a design permit. Right
18 now we're looking at this sign would be similar, however,
19 our Code doesn't allow it, so we'd have to discuss with
20 them.

21 We would be looking more at something -- we
22 would recommend more something in this line here.

23 We're still looking at how we reviewed all of
24 the other ATM signage prior to this to see how it
25 conforms.

1 Traditionally, on some of the other ATM machines²⁴
2 if it was under two square feet it was an exempted sign,
3 so that we haven't issued a permit for that. Others had a
4 little larger, and we're still looking at that prior to
5 issuing a permit.

6 MS. KRAMER: Thank you, I appreciate that.

7 And the second question I had was with regard,
8 can you just go back to the lighting issue because I -- I
9 didn't hear, and maybe I just missed it, so my apologies.

10 I think there was an issue of directional
11 lighting, and I think I didn't really hear on how you
12 prevent that from actually affecting the residents.

13 I mean I do understand the security for the
14 workers, but I'm wondering about the residents.

15 MR. ROSENTHAL: Again, this is an issue that
16 came up today, so I'm not exactly as familiar with it as
17 Paul.

18 The issue, as I understand it, is that the two
19 lights, I believe one is here and one is here, those two
20 lights are the directional floodlights, and the City staff
21 recommendation written into would be that that would have
22 to conform.

23 Am I saying that right?

24 MR. LANGDON: Yeah, essentially, we'd be looking
25 to make all the fixtures match; the ones that are out on

1 the landscape. And, two, that they'd be designed to 25
2 shield it appropriately so that they weren't causing
3 off-site glare.

4 That the issue with these two at the back are
5 that they're so bright and that the building is,
6 basically, bright is the light is reflecting back off.
7 And then you have lights that are shielded on the back of
8 the building, and they are aimed directly down, but,
9 again, there's this very strong, you know, Quartz-style
10 lighting that lights up the concrete pads back here,
11 which, again, creates a glare effect.

12 So it's a question of not only changing the

13 shield so that it has the kind of esthetic value that it
14 coordinates with the site, which we would expect anyway,
15 but also probably that the wattage be turned down so that
16 it can still be safe without lighting it up like an
17 airport.

18 MS. KRAMER: And so for clarification,
19 Mr. Strutman is in agreement with all of this?

20 MR. LANGDON: He's not aware of it as far as --
21 other than perhaps what has been discussed today.

22 MS. KRAMER: Okay.

23 MR. LANGDON: There -- there's, just to give you
24 the quick background, there was a complaint filed some
25 time ago about these lights on the back.

1 We pursued it with -- with the Credit Union. 26
2 They did add the shields; they turned the lights down.
3 That appeared to resolve the issue. We didn't
4 hear further complaints, so, apparently, the issue was
5 resolved.

6 We heard today that perhaps it's not. When we
7 went back out and tried to figure out, well, where's the
8 problem still coming from, that's when we identified these
9 other lights that made really, from a functional
10 perspective, of being an issue of being too bright, more
11 than they need, but within the -- the purview of the
12 Commission, there's also the overall esthetic of that
13 system, any new light -- parking lot lighting system is to
14 be reviewed and approved by the Planning Commission.

15 So if we're looking at a set of new lights, you
16 can weigh in on this issue, not only how bright they are,
17 which way they aim, but also how they look.

18 CHAIRMAN MADDEN: Mr. Eberhardt.

19 MR. EBERHARDT: While we're on lighting, I
20 notice that the ATM canopy also has lights underneath of
21 it, obviously, for night people using the ATM at night.

22 How will those -- those are going to be fairly
23 high. Isn't that going to be an additional light problem
24 for the neighbors?

25 MR. ROSENTHAL: As far as I understand, those

1 lights are down lights, such as what's above you right ²⁷
2 now; that they are -- that they are can lights that shine
3 down on the ATM.

4 As far as the specific design, I apologize, I
5 can't speak to that --

6 MR. EBERHARDT: Oh, I understand.

7 MR. ROSENTHAL: -- tonight.

8 MR. EBERHARDT: It does appear on the
9 photographs that we're given though that the lights appear
10 to have a large glass globe hanging down, whether they're
11 spotlights down below, I don't know, I can't tell, but
12 just wondering if that ought to be a part of the fix as
13 well.

14 MR. LANGDON: Those would not be allowed under
15 Zoning Code Regulations that require full shielding, so
16 they would be obliged, under current regulations, to use
17 something more like what's over your head, a recessed
18 bulb, than this type of globe fixtures.

19 MR. ROSENTHAL: And I believe that was -- the
20 agreement was that the ATM would have to follow this
21 signage standard and guideline, you know, as
22 Ms. Kelly --

23 MR. EBERHARDT: Not talking about signage. I'm
Page 23

24 talking about lighting.

25 MR. ROSENTHAL: Right. Yeah, that would be part

28

1 of --

2 MR. LANGDON: Sure, they must meet all the
3 requirements of the Zoning Codes, as well as any
4 additional use.

5 I think do sort of show the difference, if you
6 look at the canopy over the Phillip 66 station at Ballas
7 and Olive, most gas station canopies have that hanging
8 glass lens, and it does create a distinct off-site glare.

9 If you look at that canopy, the lights are up
10 inside of it, and while it's still very bright and there
11 is reflected light, you don't have that -- that direct
12 light shining out at the street like you normally would.

13 MR. EBERHARDT: I see.

14 CHAIRMAN MADDEN: Dr. Barton.

15 MR. BARTON: It's a shame the applicant couldn't
16 be here.

17 Page 90 there's a view looking down towards the
18 dumpster along a row of trees, and then there's a fence
19 line behind the dumpster.

20 Is that the fence that separates us from --
21 separates the back from the back neighbors?

22 MR. ROSENTHAL: It's viewing to the south past
23 the dumpster, and you see the fence --

24 MR. BARTON: Uh-huh.

25 MR. ROSENTHAL: -- yes, that would be the fence.

29

1 MR. BARTON: Well, hopefully, your discussions
2 are with the applicant and the neighbors would kind of

3 come up with creative solutions to try to maybe help them
4 plant trees on their side or some sort of -- I'm kind of,
5 you know, obviously, you're the expert, and it seems kind
6 of unlikely that trees are going to grow well at the base
7 of that fence on the north side of the fence, so,
8 hopefully, there'll be some solution.

9 Obviously, we are on a fine line here. We don't
10 want to be so ominous with our requirements that decide --
11 I mean we -- we run that fine line with every applicant.

12 MR. ROSENTHAL: Yeah.

13 MR. BARTON: In terms of trying to encourage
14 development of properties and getting them to invest in
15 their properties, but not make it so ominous that they're
16 not -- you know, that makes it, you know, that they're not
17 able to. So there will be some creative discussions that
18 there will be volunteer solutions to it the -- with
19 encouragement from us.

20 MR. ROSENTHAL: Yeah.

21 MR. BARTON: The other thing is the dumpster's
22 been addressed in terms of screening that?

23 MR. ROSENTHAL: Yeah, on -- on this drawing
24 there's an enclosure here that shows what type of
25 enclosure. Written in the Ordinance that that would need

30
1 to be a wood-stained kind of PVC enclosure.

2 I talked to Mr. Strutman about that today. He's
3 aware of that, and was understanding that that's what the
4 design would be.

5 And then as part of what Ms. Kelly mentioned
6 earlier, there would be additional landscaping that they
7 have agreed to. It's not shown on this plan; that this
8 curb would come out to here, and that the landscaping

9 would come around, yes, so there would be fence screening
10 of the dumpster as well as landscape screening.

11 CHAIRMAN MADDEN: Mr. Glantz.

12 MR. GLANTZ: You know, Mr. Langdon's suggestion
13 of taking some of those parking spaces in the rear and
14 putting some landscape islands would add some depth to
15 that -- to the landscaping buffer between the Credit Union
16 and the subdivisions, and that might be a --

17 MR. BARTON: Right.

18 MR. GLANTZ: And I agree 100 percent with what
19 you're saying. There's a fine line here between, you
20 know, we appreciate the Credit Union trying to be a good
21 corporate neighbor and do the right thing. We don't want
22 to have too big of a hammer, and yet at the same time
23 there's the opportunity to -- to improve the -- the
24 appearance of not only the Credit Union, but that buffer
25 area again between the Credit Union and the neighborhood.

1 And I think it sounds like everybody's pretty³¹
2 sensitive to that.

3 MR. ROSENTHAL: Yeah.

4 MR. GLANTZ: And so we could have a win/win --
5 win situation here.

6 MR. ROSENTHAL: And I would like to note that I
7 believe that would be a good solution as well. Again, you
8 know, I apologize he's not here to speak for himself.

9 Some of these islands that you see where they
10 were taken out was an effort to get into a 63 percent
11 coverage from the 70 percent that they were at. So the
12 purpose of some of these islands was simply that; to -- to
13 get more green space to meet the coverage. So if some of

11-009.FCCU.Public Hearing transcript.5-16-2011.txt
14 these -- you know, the only intention of these three here
15 was we chose a space at the end for additional green space
16 to get to that requirement. So if these were moved, if
17 this island was reduced two parking spaces, and that green
18 space was moved here, I believe we could come up with a
19 solution where they have the same amount of green space
20 they're having to add, let's put in a better location of
21 the site to where -- to where the screen is, but --

22 CHAIRMAN MADDEN: Mr. Langdon.

23 MR. LANGDON: And I don't want to negotiate this
24 now, I think it's best done later and come back to you,
25 but this here actually represents a much safer condition

1 from the traffic safety perspective cause cars northbound³²
2 on Graeser turn the corner, if you've got a car backing up
3 from these spots, you have a definite risk.

4 This creates an opportunity for a car to stop
5 without colliding with anyone.

6 This island here, I would say maybe next only to
7 this landscape with something that I was very pleased to
8 see in that if you look at the site right now, this entire
9 area, and there is a photograph in the packet, is all hard
10 scape, you know, the trees have been lost out of all of
11 this area and this expanse is quite wide.

12 This starts to introduce something of a little
13 more human scale and a little bit more of a green esthetic
14 that we're looking for, and which the Comprehensive Plan
15 says we should look for.

16 So to lose those, in my mind, is really not a
17 good thing.

18 Given that we have a parking surplus, and that
19 all banks and credit unions tell us that the business is

20 shifting to the ATM and to the drive-through islands as
21 quickly as possible, that there's very little parking that
22 goes on at these facilities anymore. I don't see why we
23 need to maintain a heavy surplus of parking at the expense
24 of appropriate landscaping for the site.

25 So that would be my perspective as we try to

33

1 address that issue.

2 CHAIRMAN MADDEN: I totally agree. I went
3 through there the other day and it was hardly anybody in
4 the parking lot, so.

5 Mr. Caldwell.

6 (David Caldwell was sworn by the court
7 reporter.)

8 MR. CALDWELL: My name is David Caldwell, 257
9 Brooktrail Court.

10 Mr. Langdon brought up this little extra green
11 space at the southwest corner. There's a little bit of a
12 counterpoint to that, Paul, because when you're leaving
13 the -- that parking lot, and I've done that thousands
14 of -- hundreds of thousands of times, there's a little bit
15 of a visual issue of being able to see the cars coming
16 north on -- on Graeser there, and adding -- depending on
17 the height and what -- what's done, if it was just grass
18 it wouldn't be a problem, probably an improvement, but you
19 could create a little bit of a problem there with -- with
20 cars that were leaving the parking lot, particularly at
21 night, not being able to see somebody coming north on
22 Graeser.

23 Then a couple of other questions, and this may
24 or may not be relevant, but I may as well mention it.

25 They used to have a shed -- utility shed there.

1 I was -- I don't know if that's allowed or not. I think ³⁴
2 it's been removed, but I think that should be a condition
3 that's not put back.

4 Also, they had at the time, I don't know if it
5 still exists or not either, they had parked cars back
6 there, which were cars that were repossessed, and those
7 would be out there at all times. And, I don't know, that
8 might affect the parking requirements, but it might also
9 be a draw to perhaps, you know, people that having
10 ulterior motives trying to look at those cars or stealing
11 those cars. So I don't know if that's -- if that falls
12 under any City regulation or not, but just something to
13 mention to think about.

14 I think those are my points.

15 CHAIRMAN MADDEN: Thank you.

16 Is there anybody else?

17 Mr. Eberhardt.

18 MR. EBERHARDT: I guess I'm concerned that
19 enough questions have been raised about changes that need
20 to be made to this application in terms of lighting, in
21 terms of additional landscaping, in terms of potentially
22 reducing even further the number of parking spaces, that I
23 can't envision us passing a recommendation along that have
24 so many variables to it that would make it sensible.

25 I would prefer, personally, I think, to see this

1 come back to us with some further definition. ³⁵

2 CHAIRMAN MADDEN: I totally agree. I think once
3 we close --

4 MR. BARTON: Is that a motion?

5 CHAIRMAN MADDEN: Well, I think once we close
6 this, somebody make a motion that we'll continue this
7 until the next meeting.

8 If everybody's agreeable to that.

9 MR. BARTON: Do we close the hearing or do we
10 continue the hearing?

11 CHAIRMAN MADDEN: We'll close the hearing, and
12 then we can do that.

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13         So if there's nobody else, I'm going to close
14     it.
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15 MR. LUMLEY: I offer my exhibits. Are you ready
16 for that?

17 CHAIRMAN MADDEN: Yes.

18 MR. LUMLEY: Offer the following exhibits into
19 the record: The public hearing documentation in
20 possession of the City Clerk reflecting the notice that's
21 been provided of the hearing; materials that have been
22 presented by staff this evening; the emails received from
23 Richard Jarrett; the City Code of Ordinances and the
24 Charter, the Comprehensive Plan and the City's file
25 regarding application.

1 CHAIRMAN MADDEN: Okay. And we officially close 36
2 the meeting.

3 (The public hearing ended at 7:57 p.m.)

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1 STATE OF MISSOURI }
2 COUNTY OF ST. LOUIS } SS

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I, Deborah K. McLaughlin, Registered Professional
Reporter, Missouri Certified Court Reporter, Illinois
Certified Shorthand Reporter and Kansas Certified Court
Reporter, do hereby certify that I reported the Planning
and Zoning Public Hearing stenographically and later
reduced to typewriting; and that this is a true and
accurate transcript of the public hearing.

_____, RPR, MO-CCR, IL-CSR, KS-CCR
Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR

11-009.FCCU.Public Hearing transcript.5-16-2011.txt

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**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, MAY 16, 2011
7:00 P.M.**

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, May 16, 2011, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: *Mr. Timothy Madden, Chair*
 Dr. Michael Barton
 Mr. Gary Eberhardt
 Mr. Barry Glantz
 Ms. Cynthia Kramer
 Mr. Jim Schnarr – ABSENT
 One vacancy

OTHERS PRESENT: *Mr. Carl Lumley, City Attorney*
 Mr. Paul Langdon, Director of Community Development
 Ms. Whitney Kelly, City Planner
 Ms. Julie Lowery, Recording Secretary

2. NEW BUSINESS

Start of Public Hearing

A. Application #11-009: Conditional use permit and site development plan approval for new automated teller machine and landscape improvements for the First Community Credit Union, located at 10950 Olive Boulevard.

Applicant/Agent: Rick Strutman
 First Community Credit Union
 17151 Chesterfield Airport Road
 Chesterfield, MO 63005

After being sworn in, a presentation was made by Ms. Whitney Kelly, City Planner, on updating and relocating the existing automated teller machine. The applicant is also proposing new landscaping and site improvements that address property maintenance issues, and the reduction of site coverage to meet the sixty three percent (63%) coverage standard. The project will also address the property maintenance issues, that include properly enclosing the dumpster, and replacing non-conforming light fixtures. The proposed landscaping plan is an improvement to the existing site and will lower site coverage through the removal of 24 parking spaces.

Comments and questions from the audience. Mr. Stuart MacAskill, of 7 Winfield Pointe Lane, Creve Coeur, MO 63141 was sworn in. Mr. MacAskill explained his concern for the lack of screening on the parking lot to block the site line from the rear of his house. Mr. MacAskill can see the building and parking lights from his home and was hopeful some negotiations could be made to better the situation. Mr. MacAskill's suggestion was to fill-up the space with some more landscaping.

Mr. Richard Jarrett, of 8 Winfield Pointe Lane, Creve Coeur, MO 63141 was sworn in. Mr. Jarrett has some of the same concerns as his neighbor Mr. MacAskill. Mr. Jarrett sees the opportunity First Community Credit Union has to better their landscape, which does not come along that often, and would like for First Community Credit Union to examine their plans to include more screening for their residential neighbors.

Mr. Bob Rosenthal, with Loomis Associates Landscapes, Architects, and Planners, of 707 Spirit Forty Park Drive, Chesterfield, Missouri, was sworn in. Mr. Rosenthal gave a presentation on the existing landscape, and what First Community Credit Union has proposed or discussed as new landscape to add.

Comments and questions from Commission members. Mr. Glantz stated that it would be relatively easy and inexpensive to update the landscaping to keep residential neighbors happy. Mr. Madden suggested the residential neighbors that are affected meet with First Community Credit Union to come to some agreement and terms. Mr. Langdon was sworn in and pointed out the surplus of parking that First Community Credit Union has, and what else could be done with landscaping and buffering for the residential neighbors. Mr. Eberhardt asked if there was an irrigation system already in place and would like to see that all the landscaped areas receive irrigation, even landscape not included in this proposal. Mr. Glantz pointed out the automated teller machine do not meet signage guidelines. Ms. Kelly discussed the sign code regulations and the proposed changes to the ATM. Mr. Eberhardt commented that enough concerns had been made in regards to the plans that perhaps this application should be revised and re-presented at the next scheduled meeting.

There being no further comments, the City Attorney, Mr. Lumley, presented the exhibits for the record and the public hearing was closed.

(This ends the Public Hearing; see verbatim transcript for further information)

Dr. Barton motioned to continue this application to the next scheduled meeting. Mr. Eberhardt seconded the motion with the resultant vote as follows:

Mr. Glantz – aye
Dr. Barton – aye

Ms. Kramer – aye
Chair – aye

Mr. Eberhardt – aye

3. ADJOURNMENT

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 8:27 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, JUNE 6, 2011
7:00 P.M.**

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, June 6, 2011, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: *Mr. Timothy Madden, Chair*
 Dr. Michael Barton - ABSENT
 Mr. Gary Eberhardt
 Mr. Barry Glantz
 Ms. Cynthia Kramer
 Mr. Jim Schnarr
 One vacancy

OTHERS PRESENT: *Mr. Carl Lumley, City Attorney*
 Mr. Paul Langdon, Director of Community Development
 Ms. Whitney Kelly, City Planner
 Ms. Julie Lowery, Recording Secretary

2. UNFINISHED BUSINESS

Application #11-009: Conditional use permit and site development plan approval for new automated teller machine and landscape improvements for the First Community Credit Union.

Applicant/Agent: Rick Strutman
First Community Credit Union
17151 Chesterfield Airport Road
Chesterfield, MO 63005

Mr. Bob Rosenthal, with Loomis Associates Landscapes, Architects, and Planners, 707 Spirit Forty Park Drive, Chesterfield, Missouri, on behalf of Mr. Rick Strutman, of First Community Credit Union, has submitted a request for a conditional use permit for updating and relocating the automated teller machine (ATM) to a new location, and site development plan approval for landscape and site improvements.

Mr. Rosenthal and Mr. Strutman met with the residential neighbors and went over there plans for the new landscape, and came to an agreement to add four new evergreen trees to the south property line, also move some of the existing evergreen trees and spread them across the property line.

Comments and questions from Commission members. Mr. Madden wanted to know if they intended on transplanting evergreen trees and Mr. Rosenthal replied, no they would not be transplanted, they are on the proposed plan, and existing trees will remain where they are or be moved to allow for more coverage for the residential neighbors.

Mr. Madden wanted to know about the ATM signage and plan changes. Ms. Whitney Kelly presented pictures of examples of the structure and stated at this time the signage is not an issue and will be on a whole different permit. Ms. Kramer had a question in regards to lighting and if the fixtures were being changed, and if the entire ATM structure will be torn down and replaced. Mr. Rosenthal responded that yes the entire ATM structure would be replaced and the lighting issues have been addressed and will be fixed. Mr. Glantz expressed concern about what the ATM structure is going to look like. Mr. Strutman stated that the canopy on the ATM is a trademark for all First Community Credit Unions for the last fifteen years. Ms. Kramer and Mr. Glantz expressed their thanks to Mr. Strutman and Mr. Rosenthal, but again stressed concern on what the structure will ultimately look like. Mr. Eberhardt then addressed the trash enclosure on the bank site, and Mr. Rosenthal stated that the trash receptacle will be enclosed as asked in the staff report.

Comments and questions from the audience. Mr. David Caldwell is concerned about making a left and seeing south on Greaser. Mr. Caldwell also expressed concern with the appearance of the ATM and corporate architecture of the structure. Mr. Henry Klaus expressed concern about a honeysuckle bush that obstructs the view coming out of the First Community Credit Union parking lot. Mr. Langdon stated that looking at the plan, the resident who resides where the honeysuckle is growing, cannot be made to cut it, it is within the ordinances of the city.

Stacy Manolakas, of 7 Winfield Pointe Lane, Creve Coeur, MO, did not feel that First Community Credit Union was not very flexible with their plan and would still like to see more screening. Mr. Rosenthal states that First Community has complied and done everything that the neighbors have asked. They want to continue to be a good neighbor and are going above and beyond to meet neighbor's needs and wants.

There being no further comments, the motion was made by Mr. Eberhardt to recommend approval of the Conditional Use Permit for the ATM and site development plan submitted with Application #11-009, subject to the conditions contained in the draft ordinance attached to the staff report dated June 6, 2011. Mr. Schnarr seconded the motion with the resultant vote as follows:

Mr. Glantz – aye
Mr. Schnarr – aye

Ms. Kramer – nay
Chair – aye

Mr. Eberhardt – aye

3. ADJOURNMENT

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 8:20 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



city
of

CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

June 9, 2011

Mr. Rick Strutman
First Community Credit Union
17151 Chesterfield Airport Road
Chesterfield, MO 63005

Re: Conditional Use Permit #11-009 -- ATM Relocation and Site Development Plan
10950 Olive Boulevard

Mr. Strutman:

The Planning and Zoning Commission, at its meeting of June 6, 2011, reviewed your request on behalf of First Community Credit Union, for approval of the conditional use permit and site development plan for new automated teller machine and landscape improvements for the First Community Credit Union at the referenced location.

By majority vote (4 ayes and 1 nay), the P&Z Commission recommends approval of the draft conditional use permit for the ATM and the site development plan, dated June 1, 2011, submitted for Application #11-009, subject to the conditions contained in the draft ordinance attached to the staff report dated June 6, 2011.

Sincerely,

Timothy Madden, Chairman
Planning & Zoning Commission

TM:jl

Cc: M.C. Perkins, City Administrator
J. Heines, Director of Public Works
G. Eidman, Chief of Police
S. Unser, Chief Building Official

BILL NO. 5316

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, REESTABLISHING AND MAKING PUBLIC PREVIOUSLY ESTABLISHED METHODS OF DISCLOSING POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS PURSUANT TO SECTION 105.485 OF THE REVISED STATUTES OF MISSOURI.

WHEREAS, the City has previously established methods of disclosing potential conflicts of interest and substantial interests pursuant to Section 105.485 of the Revised Statutes of Missouri and codified such methods at Section 130.090 of the Code of Ordinances; and

WHEREAS, Section 105.485.4 requires the City to reestablish such matters by September 15, 2011;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AS FOLLOWS:

SECTION 1. The City hereby reestablishes and makes public the provisions of Section 130.090 of the Code of Ordinances, a copy of which is attached hereto and incorporated herein as **EXHIBIT A**.

SECTION 2. The City Clerk shall send a certified copy of this Ordinance to the Missouri Ethics Commission within 10 days of its adoption.

SECTION 3. This Ordinance shall take effect as provided in Section 3.11(g) the City Charter.

ADOPTED THIS ____ DAY OF _____, 2011.

TARA NEALY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2011.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK

EXHIBIT A

SECTION 130.090: DISCLOSURE REPORTS

A. *Generally.* The Mayor and each member of the City Council, the Planning and Zoning Commission and the Board of Adjustment, the City Administrator, the Finance Director and any candidate for elected office of the City shall disclose the following information if any such transactions were engaged in during the previous calendar year:

1. For such person and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars (\$500.00), if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision; and

2. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars (\$500.00), if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.

3. The City Administrator and the Finance Director also shall disclose for the previous calendar year the following information:

a. The name and address of each of the employers of such person from whom income of one thousand dollars (\$1,000.00) or more was received during the year covered by the statement;

b. The name and address of each sole proprietorship that he/she owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he/she was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent (10%) or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent (2%) or more of any class of outstanding stock, limited partnership units or other equity interests;

c. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

B. *Filing Of Reports.* The reports, in the form as prescribed by the Missouri State Ethics Commission, shall be filed with the City Clerk and with the Missouri State Ethics Commission. The reports shall be available for public inspection and copying during normal business hours. Pursuant to Subsection (4) of Section 105.485, RSMo., these reports are to be filed in lieu of reports otherwise required by the Statute.

C. *When Filed.* The financial interest statements shall be filed at the following times, but no person is required to file more than one (1) financial interest statement in any calendar year:

1. Each person appointed to office or employed shall file the statement within thirty (30) days of such appointment or employment.

2. Each candidate for elective office shall file a financial interest statement no later than the forty-fifth (45th) day after the last day for filing for the election at which he/she seeks nomination or election and the statement shall be for the twelve (12) months prior to the closing date, except that in the event an individual does not become a candidate until later than the forty-fifth (45th) day after the last day for filing for the election, the statement shall be filed within ten (10) days of becoming a candidate.

3. Every other person required to file a financial interest statement shall file the statement annually not later than May first (1st) and the statement shall cover the calendar year ending the immediately preceding December thirty-first (31st); provided that any member of the City Council, the Planning and Zoning Commission and the Board of Adjustment or the Mayor may supplement the financial interest statement to report additional interests acquired after December thirty-first (31st) of the covered year until the date of filing of the financial interest statement. (R.O. 2008 §2-170.1; Ord. No. 1603 §§1--3, 8-23-93; Ord. No. 1664 §§1--3, 9-12-94; Ord. No. 1734 §§1--3, 8-28-95; Ord. No. 2145 §1, 8-27-01; Ord. No. 2230 §§1--3, 8-11-03; Ord. No. 3040 §1, 2-14-05; Res. 748, 8-13-07; Res 871, 8-19-09).

RESOLUTION NO. 965

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE EXECUTION OF A CONTRACT WITH MISSOURI PETROLEUM FOR ASPHALT PAVEMENT SURFACE TREATMENTS RELATED TO THE STREET REPAIR PROGRAM FOR THE 2011 FISCAL YEAR FOR \$111,557.16.

WHEREAS, it is necessary to preserve the condition of good pavement in order to maintain the quality of life expected by the community

WHEREAS, the City provides safe public rights of way for its commercial and residential communities

WHEREAS, this project and/or these improvements have been competitively bid per the requirements, as outlined in the City of Creve Coeur Code of Ordinances

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, AS FOLLOWS:

Section 1. The Contract between **Missouri Petroleum** and the City attached hereto as Exhibit A is hereby approved and the execution is hereby authorized. The Contract as executed shall be in substantially the form of Exhibit A, with such changes therein as shall be approved by the officers of the City executing same, consistent with the provisions and intent of this Resolution and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the Contract.

Adopted this 13th day of June, 2011.

Harold L. Dielmann
Mayor

Attest:

Deborah Ryan, MRCC
City Clerk



"EXHIBIT A"

CITY-CONTRACTOR AGREEMENT

This is an Agreement made and entered into the ____ day of _____, 2011, by and between the City of Creve Coeur, Missouri (hereinafter called the "City") and **Missouri Petroleum** with offices at 1620 Woodson Road, St. Louis, MO 63114 (hereinafter called the "Contractor"). The project is identified as the **2011 Micro-Surfacing Project** (hereinafter called the "Work" or the "Project").

WITNESSETH:

The Contractor and the City for the consideration set forth herein agree as follows:

ARTICLE I

The Contract Documents

The Contract Documents which comprise the entire agreement between the City and the Contractor consist of the following:

- 1) This City-Contractor Agreement
- 2) General Conditions of City-Contractor Agreement
- 3) Job Special Provisions
- 4) State Wage Determination
- 5) Non-Collusion Affidavit
- 6) Performance Payment Bond
- 7) Construction Plans, Specifications, and Details

- 8) Construction Schedule
- 9) All Addenda and all Modifications issued after execution of this Contract
- 10) The Saint Louis County Standard Specifications for Highway Construction, dated January 1, 1997, including all supplemental revisions and updates through March 1, 2011, referred to herein as the "Standard Specifications" and applicable to the Work of this Contract by reference;
- 11) The latest version of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD)

The documents listed above, together with this Agreement, form the Contract and are all as fully a part of the Contract as if attached to this Agreement or repeated herein. All definitions set forth in the General Conditions of City-Contractor Agreement are applicable to this Agreement.

ARTICLE II

Scope of Work

The Contractor, acting as an independent contractor, shall do everything required by the Contract Documents. The Contractor represents and warrants that he has special skills which qualify him to perform the Work in accordance with the Contract and that he is free to perform all such Work and is not a party to any other agreement, written or oral, the performance of which would prevent or interfere with the performance, in whole or in part, of the Work.

ARTICLE III

Time of Completion

All time limits stated in the Contract Documents are of the essence. The Work to be performed under the Contract shall commence within **Ten (10)** days of the date of the written notice to proceed from the City to the Contractor and shall be substantially completed **by June 30, 2011**, unless specified otherwise in writing by the City.

ARTICLE IV

The Contract Sum and Payments

Based upon Applications for Payment submitted by the Contractor on or before the twentieth day of the month for work performed, in accordance with the General Conditions and the Itemized Bid Form, the City shall pay the Contractor for the performance of the Work the sum of **\$ 111,557.16** (the "Contract Sum") as follows:

- (1) On or about the tenth day of each following month, ninety percent (90%) of the portion of the Contract Sum properly allocable to labor, materials, and equipment incorporated into the Work, and ninety percent (90%) of the portion of the Contract Sum properly allocable to materials and equipment suitably stored at the site to be incorporated into the Work, through the period ending up to the twentieth of the preceding month, less the aggregate of all previous progress payments;
- (2) Upon completion of the Work, a sum sufficient to increase the total payments to ninety percent (90%) of the Contract Sum, amended as necessary according to adjustments to the work made in compliance with Article VII of this Agreement; and
- (3) Final payment within sixty (60) days after the Work is fully completed and accepted by the City and the Contract fully performed.

ARTICLE V

Performance of the Work

(a) Within seven (7) calendar days after being awarded the Contract, the Contractor shall prepare and submit for the City's approval:

- (1) a Construction Schedule for the Work in a bar chart format which Construction Schedule shall indicate the dates for starting and completing the various stages of construction on a street by street basis, and
- (2) a Traffic Control Plan indicating the location of all proposed signage, detours, and road closures throughout the project which adequately address the traffic control plan of the proposed work. All traffic control shall be according to the standards of the Manual on Uniform Traffic Control Devices (MUTCD) developed by the Federal Highway Administration.

The Notice To Proceed shall be issued within ten (10) working days of the award, however no work will commence until the Contractor's Construction Schedule and Traffic Control Plan are submitted and approved by the City. The Contractor shall be required to substantially finish portions of the work as designated by the Director of Public Works prior to continuation of further work remaining on the project. This may include backfilling, paving, sodding, or cleanup as designated by the Director of Public Works.

(b) Completion of the Work in accordance with the time limits set forth in the Construction Schedule is an essential condition of the Contract. If the Contractor fails to complete the Work in accordance with the Construction Schedule, unless the delay is excusable under the provisions of Article VI hereof, the Contractor shall pay the City as liquidated

damages, and not as a penalty, the sum of two hundred and fifty dollars (\$250.00) for each calendar day the Contractor fails to comply with the Construction Schedule. The total amount so payable to the City as liquidated damages may be deducted from any sums due or to become due to the Contractor from the City.

(c) After Commencement of the Work, and until final completion of the Work, the Contractor shall report to the City, at such intervals as the City may reasonably direct, the actual progress of the work compared to the Construction Schedule. If the Contractor falls behind the Construction Schedule for any reason, he shall promptly take, and cause his Subcontractors to take, such action as is necessary to remedy the delay, and shall submit promptly to the City for approval a supplementary schedule or progress chart demonstrating the manner in which the delay will be remedied; provided, however, that if the delay is excusable under Article VI hereof, the Contractor will not be required to take, or cause his Subcontractors to take, any action which would increase the overall cost of the Work (whether through overtime premium pay or otherwise), unless the City shall have agreed in writing to reimburse the Contractor for such increase in cost. Any increase in cost incurred in remedying a delay which is not excusable under Article VI hereof shall be borne by the Contractor.

ARTICLE VI

Delays Beyond Contractor's Control

(a) If the Contractor fails to complete the Work in accordance with the Construction Schedule solely as a result of the act or neglect of the City, or by strikes, lockouts, fire or other similar causes beyond the Contractor's control, the Contractor shall not be required to pay liquidated damages to the City pursuant to paragraph (b) of Article V hereof, provided the Contractor uses his best efforts to remedy the delay in the manner specified in paragraph (c) of Article V hereof. If, as a result of any such cause beyond the Contractor's control, the delay in completion of the Work in accordance with the Construction Schedule is so great that it cannot be remedied in the aforesaid manner, or if the backlog of Work is so great that it cannot be remedied without incurring additional cost which the City does not authorize, then the time of completion and the Construction Schedule shall be extended pursuant to a Change Order for the minimum period of delay occasioned by such cause. The period of delay and extension shall be determined by the City.

(b) Notwithstanding the foregoing paragraph (a), no extension of time shall be granted for any delay the cause of which occurs more than seven (7) days before claim therefore is made in writing by the Contractor to the City, and no extension of time shall be granted if the

Contractor could have avoided the need for such extension by the exercise of reasonable care and foresight, as determined by the Director of Public Works. In the case of a continuing cause of delay, only one claim is necessary.

(c) Weather shall not constitute a cause for granting an extension of time.

(d) In the event a delay is caused by the City, the Contractor's sole remedy shall consist of his rights under this Article VI.

ARTICLE VII

Changes in the Work

(a) The City may make changes within the general scope of the contract by altering, adding to, or deducting from the Work, the Contract Sum being adjusted accordingly. All such changes in the Work shall be executed under the conditions of the Contract. No extra work or change shall be made except pursuant to a Change Order from the City in accordance with the General Conditions. Any claim for an increase in the Contract Sum resulting from any such change in the Work shall be made by the Contractor in accordance with the General conditions.

(b) If the requested change would result in a delay in the Construction Schedule, the provisions of Article V, paragraph (c), and Article VI hereof shall apply. If the requested change would result in a decrease in the time required to perform the Work, the completion date and the Construction Schedule shall be adjusted by agreement between the parties to reflect such decrease.

(c) Any adjustment in the Contract Sum for duly authorized extra work or change in the Work shall be determined based on the unit prices previously specified, to the extent such unit prices are applicable. To the extent such unit prices are not applicable, the adjustment in the Contract Sum shall, at the option of the City, be determined by an acceptable lump sum properly itemized and supported by sufficient substantiating data to permit evaluation, by an acceptable cost-plus-percentage fee, or by a fixed fee.

ARTICLE VIII

Termination by City or Contractor

(a) If the Contractor is adjudged a bankrupt; or if the Contractor makes a general assignment for the benefit of creditors; or if a receiver is appointed on account of the Contractor's insolvency; or if the Contractor persistently or repeatedly fails, except in cases for which extension of time is provided, to make progress in accordance with the Construction Schedule; or if the Contractor fails to make prompt payment to Subcontractors or for material or

labor, or persistently disregards laws, ordinances or the instructions of the City, or otherwise breaches any provision of the Contract, the City may, without prejudice to any other right or remedy, by giving written notice to the Contractor and his surety, terminate the Contract, take possession of the Work and of all materials and equipment thereon, and finish the Work by whatever method the City may deem expedient. In such case, the Contractor shall not be entitled to receive any further payment until the work is finished. If the unpaid balance of the Contract Sum shall exceed the expenses of finishing the Work, including additional architectural, managerial, and administrative expenses, such excess shall be paid to the Contractor. If such expenses shall exceed the unpaid balance of the Contract Sum, the Contractor shall pay the difference to the City promptly upon demand.

In the event of termination pursuant to this paragraph, the Contractor, upon the request of the City, shall promptly:

- (i) assign to the City in the manner and to the extent directed by the City all right, title, and interest of the Contractor under any subcontracts, purchase orders, and construction equipment leases to which the Contractor is a party and which relate to the Work or to construction equipment required therefore, and
- (ii) make available to the City, to the extent directed by the City, all construction equipment owned by the Contractor and employed in connection with the Work.

(b) Performance of the Work hereunder may be terminated by the City by giving three (3) days prior written notice to the Contractor if the City, in its sole discretion, decides to discontinue or suspend construction. In the event of such termination, as opposed to termination pursuant to paragraph (a) of this Article VIII, the Contract Sum shall be reduced in an equitable manner by agreement between the parties or by arbitration.

ARTICLE IX

Contractor's Liability Insurance

The Contractor shall purchase and maintain in full force and effect the following insurance coverage with an insurance carrier acceptable to the City:

The policy shall be endorsed to cover the contractual liability of the Contractor under the General Conditions.

The Contractor and his Subcontractors shall procure and maintain during the life of this agreement insurance of the types and minimum amounts as follows:

(a) Workers' Compensation in full compliance with statutory requirements of Federal and State of Missouri law and Employers' Liability coverage in the amount of \$1,000,000.

(b) Comprehensive General Liability and Bodily Injury

Including Death: \$1,000,000 each person

\$1,000,000 each occurrence

Property Damage: \$1,000,000 each occurrence

\$1,000,000 aggregate

(c) Comprehensive Automobile Liability, Bodily Injury

Including Death: \$1,000,000 each person

\$1,000,000 each occurrence

Property Damage: \$1,000,000 each accident

(d) Owner's Protective Bodily Injury

Including Death: \$1,000,000 each person

\$1,000,000 each occurrence

Property Damage: \$1,000,000 each occurrence

\$1,000,000 aggregate

The Owner's Protective policy shall name the City as the Insured. Certificates evidencing such insurance shall be furnished the City prior to Contractor commencing the work on this project. The certificates must state **"The City of Creve Coeur is an additional primary insured."** The certificate must provide for thirty (30) days advance notice to the City as certificate holder of any change or cancellation, and any necessary policy endorsements must be provided.

ARTICLE X

Equal Opportunity and Non-Discrimination

The Contractor, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the basis of race, color, religion, sex, national origin, or disability in the selection and retention of subcontractors. The Contractor will comply with Title VI of the Civil Rights Act of 1964, as the same has been or may be amended from time to time. In all solicitation, either by competitive bidding or negotiations made by the contractor for work to be performed under a subcontract, including procurement of materials or equipment, each potential subcontractor or supplier shall be notified of the Contractor's obligations under this contract and the regulations relative to nondiscrimination on the ground of race, color religion, sex, national origin, or disability.

The Contractor will take action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, national origin, or disability. Such action shall include, but not be limited to, the employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The Contractor agrees to post notices pertaining to the foregoing in conspicuous places available to employees and applicants for employment.

The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor; state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or disability.

The Contractor will comply with all provisions of federal, state, and local codes, ordinances, and regulations governing the regulation of Equal Employment Opportunity and Non-Discrimination.

In the event that any or all of the provision(s) of the foregoing paragraphs conflict with federal, state, or other local laws, ordinances, or regulations, then the requirements of such federal, state, or local laws, ordinances, or regulations shall prevail. Compliance with the foregoing provisions shall not relieve the Contractor from adherence to any and all additional requirements regarding equal employment or non-discrimination set forth in such federal, state, or other local laws, ordinances, or regulations.

ARTICLE XI

Conflicts of Interest

The parties agree to abide by all applicable federal, state, and local laws, ordinances, and regulations relating to conflicts of interest.

ARTICLE XII

The Work

The Contractor shall furnish all labor, materials, and equipment necessary to complete all activities within the project limits, as specified in the Contract Documents. The Scope of Work generally includes the application of an asphaltic surface sealant to selected residential and commercial roadways within the City. The Scope of Work provides for items as more specifically described in the attached Technical Specifications.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

CITY OF CREVE COEUR

By _____
Mark C. Perkins, City Administrator

By _____
James H. Heines, Director of Public Works

(SEAL)

Attest: _____
City Clerk

DATE: _____

By _____
"Contractor"

Printed Name

Title

Attest: _____

DATE: _____



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: June 6, 2011
TO: Jim Heines, Director of Public Works
FROM: Matt Wohlberg, P.E., City Engineer
SUBJECT: Recommendation of Award
2011 Micro-Surfacing Project

Project Discussion

The City developed the subject project as part of its annual pavement maintenance program. City crews have been working throughout the spring to prepare streets for the proposed micro-surface application, and their repairs have made the micro-surface application a viable repair alternative for these roadways. The streets involved in the subject project are the following:

<u>Residential Streets</u>	<u>Area (Sq. Yards)</u>
Countryside Place	3,779
Lawrence Drive	2,524
Oak Park Court	928
Oak Park Drive	6,154
Spoede Acres Drive	1,652
Spoede View Court	1,025
Suffield Place	1,825
Sundown Square	491
Sunswept Drive	4,863
Residential Total	23,241

<u>Office Park Streets</u>	<u>Area (Sq. Yards)</u>
Criag Road (south of Olive)	6,508
Office Parkway	4,282
Olde Cabin Road	4,575
Office Park Total	15,365

The project roadways have been classified as either “residential” or “office park” according to the nature of the street. While the application of the material will be the same for all streets, the classification indicates when the work will be performed: applications to “residential” streets will occur during the day, and work on “office park” streets will be at night. The most recent micro-surface project in the office park area was successfully performed at night and caused only minor delays for the businesses there.

The subject project will apply a seal-coat application onto streets with relatively good pavement. This treatment will help extend the life of the pavement. It is expected that the micro-surface application will be completed within one (1) day for each residential street and within a few nights for the office park streets.

The intent is to issue the notice to proceed for this project as soon as possible so to complete the work by July 1, 2011.

Project Financing

This project will be completed using capital improvement funds. Funding is available in the FY2011 budget in account #02-61-71-9510-11606.

Advertisement

The City advertised the subject property for competitive bidding in the *Countian* on May 18, May 24, May 26, and May 29, 2011. Bids were publicly opened on Thursday, June 2, 2011. The invitation for bids was also posted on the City's website.

Bid Results

A total of two (2) bids were received for the work: from Micro Surfacing, Inc. and Missouri Petroleum. These two companies are typically the only firms that perform the specified surface treatment services in this area. The bid results are as follows:

- | | |
|--------------------------|---------------|
| 1. Missouri Petroleum | \$ 111,557.16 |
| 2. Micro Surfacing, Inc. | \$ 118,570.76 |

A copy of the bid results is attached. No inconsistencies were found in the bids.

Recommendation

The recommendation is to award the subject project to Missouri Petroleum due to their low bid for the work and their past performance with similar work in Creve Coeur. As an example, Missouri Petroleum successfully completed the 2010 Micro-Surface Project in August and September 2010. The expectation is that this good relationship will be continued with the successful completion of the subject project.

The recommendation is to award the 2011 Micro-Surfacing Project to the firm listed below for a total price of \$111,557.16:

Missouri Petroleum
1620 Woodson Road
St. Louis, MO 63114
(314) 991-2180 Ext. 223

Attachments: Bid Tabulation



Itemized Bid Results

Project: 2011 Micro-Surfacing Project

Location: Selected Locations throughout Creve Coeur, Missouri

Sealed Bids Publicly Opened and Read
10:00 am, Thursday, June 2, 2011

Item No.	Quantity	Item with Unit bid price Written in Words	MICRO-SURFACING, INC				MISSOURI PETROLEUM			
			Unit Price		Amount		Unit Price		Amount	
			Dollars	Cents	Dollars	Cents	Dollars	Cents	Dollars	Cents
410000A	23441	MICRO-SURFACING - RESIDENTIAL at ----- Per Square Yard	\$	2 .96	\$	69,385 .36	\$	2 .86	\$	67,041 .26
410001A	15565	MICRO-SURFACING - OFFICE PARK at ----- Per Square Yard	\$	3 .16	\$	49,185 .40	\$	2 .86	\$	44,515 .90
BID TOTALS:			\$118,570 .76				\$111,557 .16			

RESOLUTION NO. 966

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LOU FUSZ FORD FOR THE PURCHASE OF A 2012 FORD F-550 DIESEL POWERED DUMP TRUCK FOR AN AMOUNT OF \$50,739.00.

WHEREAS, the City Council of the City of Creve Coeur recognizes a need to provide quality equipment to city employees; and

WHEREAS, the purchase of a new truck is necessary to replace a truck that was destroyed by fire and will allow employees to provide valuable city services; and

WHEREAS, these goods have been competitively bid as required by the City of Creve Coeur Code of Ordinances; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, AS FOLLOWS:

Section 1: The agreement between Lou Fusz Ford and the City is hereby approved. The agreement as executed shall be consistent with the provisions and intent of this Resolution and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the agreement.

Adopted this 13th day of June, 2011.

Harold L. Dielmann
Mayor

Attest:

Deborah Ryan, MRCC
City Clerk



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: June 9, 2011

TO: Mark C. Perkins, City Administrator

FROM: Jim Heines, Director of Public Works

SUBJECT: Recommendation to Award the Bid for a 2012 F-550 Diesel Powered Dump Truck for FY 2011

During this past winter one of the city's one-ton snow plow trucks (Ford F-350) experienced a fire which damaged the truck beyond repair. Although this 2008 truck cost \$44,353.80 when purchased, the insurance company settlement was for actual cash value (\$29,510.00).

Public Works staff has evaluated our needs and determined that the three remaining one-ton snow plow trucks will serve the needs of our snow removal program. This being said we are recommending filling another gap in our fleet with this proposed truck purchase. We are recommending adding an F-550 Crew Cab (4-door Heavy Duty One-Ton) to our work force. The F-550 is an intermediate truck with capabilities between a one-ton and a two-ton. The F-550 is a much stouter truck having a heavier payload than a one-ton (F-550 GVRW 17,500 vs. F-350 GVRW 11,500), but it is short to the ground with drop sides, like a one-ton which makes it easier to work from. In addition, being a 4-door crew cab, it will carry up to six workers to a job site. A problem we frequently experience on larger projects is to get the enough workers to a job site requires several extra trucks just for transportation. Another benefit of this vehicle is that it is diesel powered which has a lower maintenance cost, burns less fuel and releases cleaner exhaust to the environment.

Public Works staff plans to use this truck to deliver supplies/materials and workers to and from pavement and sidewalk repairs projects as well as park improvement projects. It has the capabilities to carry twice the payload of a one-ton truck as well as 5-6 workers to a project site.

The recommendation is to award the purchase of a 2012 Ford F-550 Diesel Powered Dump Truck to Lou Fusz Ford for a cost of \$50,739.

Mr. Andy Eldridge
Lou Fusz Ford
#2 Caprice Dr.
Chesterfield, MO 63005

Funding for this purchase is available through the Insurance settlement, and the remaining amount is in CIP account # 02-61-71-9516. This truck meets the city's purchasing policy requirements by being selected for purchase through the Missouri Department of Transportation Cooperative Bid Program.



MODOT Bid #3-08091HD

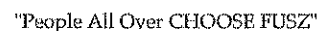
Lou Fusz Ford

2012 Ford F-550	Base Price	\$33,504
	Crew Cab	\$3,200
	Cab Steps	\$370
	Limited Slip	\$390
	Electric Brake Controller	\$230

Knapheide Truck Equipment

9-foot Dump Body	\$6,340
Hydraulics	\$3,871
Strobes & Light Bar	\$1,386
Tool Box	\$484
Receiver Hitch	\$450
Tarp	\$428
Tie-down Rings	\$86

TOTAL: \$50,739.00 (6/6/11)



QUOTE# W5G12

Ship to
Karl Berger
City of Creve Coeur
300 N. New Ballas Rd
Creve Coeur, MO 63141
314-223-0145

MoDot Contract 3-080919HD

1. Please sign and fax back with P.O. Number to order
2. FOB Cheterfield
3. Add \$1.50 per mile for delivery to your place of business.

Total \$ 37,694.00

Date _____



Knapheide Truck Equipment
 10101 Mid Rivers Mall Drive
 St Peters MO 63376
 Phone: 636-397-4444
 Fax: 636-397-2613
www.knapheidestlouis.com

QUOTATION

Quote ID: 91070

Page 1 of 2

Customer: CREVE COEUR, CITY OF
 300 N NEW BALLAS RD
 CREVE COEUR MO 63141

Quote Number: 91070
 Quote Date: 5/19/2011
 Quote valid until: 6/18/2011

Contact: KARL BERGER
 Phone: 314-872-2508
 Fax: 314-872-2505

Salesperson: DAVE LEVIN

<i>Make:</i>	<i>Model:</i>	<i>Year:</i>	<i>Single/Dual:</i>
<i>Cab Type:</i>	<i>Wheelbase:</i>	<i>Cab-to-Axle:</i>	<i>VIN:</i>

QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
1	DUMP BED	4D- 9' DUMP BODY 3.6 YD WITH CAB SHIELD HYDRAULIC OPERATED HOIST OPERATING CONTROLS MOUNTED IN CAB	\$6,340.00	\$6,340.00
1	HYDRAULICS	4E- HYDRAULIC CLUTCH PUMP, CABLE CONTROLS-FORD DIESEL ENGINE TO OPERATE DUMP BED ONLY	\$3,871.00	\$3,871.00
1	KNAP TBU3018A	TOOL BOX ASSY TBU3018A BLACK Overall Length- ---- 30.12" Overall Height- ---- 18.25" Overall Depth- ---- 18.00" Toolbox Painted- ---- Black Box Construction- ---- 14 Ga. 2-sided galvanneal continuous Door hinge - All stainless STEEL continuous hinges with 1/8" pin provides corrosion protection and pry-proof security. Door Latch, Paddle Handle Rotary Latch Door Construction - - 20 Ga. two-sided galvanneal double panel with hat section reinforcement. Door Seals- ---- Automotive type continuous hollow neoprene installed on door frame. FRAME MOUNTED ON STREET SIDE	\$357.00	\$357.00
1	BUYE 1701010	TOOL BOX BRACKET MOUNTING KIT	\$127.00	\$127.00
1	REAR HITCH	4-Q 2 1/2" RECEIVER TUBE HITCH W/2" ADAPTER Y WAY WIRE PLUG	\$450.00	\$450.00
1	ECCO 9021AA	1-AMBER LED FLASHER IN EACH FRONT HEADLAMPS ON/OFF SWITCH MOUNTED IN CAB	\$302.00	\$302.00
2	BUYE LB383	LIGHT BOX SINGLE OVAL 3X8X3	\$58.00	\$116.00
2	ECCO 3860A	AMBER LED FLASHERS MOUNTED IN OVAL LIGHT BOXES AT REAR OF BED	\$161.00	\$322.00
1	ECCO 3335	SAFETY DIRECTOR 35' CABLE 12V LED AMBER LIGHT 8 FLASH PATTERNS IN CAB CONTROL MOUNTED ON TOP OF CAB SHIELD ABOVE HAND CRANK TARP 12V LED	\$646.00	\$646.00
1	BUYE DTR7012	TARP ROLLER KIT DUMP 7ft X 12ft TARP MANUAL ROPE PULL OUT WITH HAND CRANK RETURN MOUNTED ON CAB SHIELD	\$364.00	\$364.00
1	BUYE DTB102	TARP BAR	\$64.00	\$64.00
2	BUYE B40	2-D-RING 5/8 dia 3in X 3in MOUNTED IN DUMP BED 12" BACK OF BULKHEAD AND 10" ABOVE FLOOR	\$43.00	\$86.00



Knapheide Truck Equipment
 10101 Mid Rivers Mall Drive
 St Peters MO 63376
 Phone: 636-397-4444
 Fax: 636-397-2613
www.knapheidestlouis.com

QUOTATION

Quote ID: 91070

Page 2 of 2

QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
		INSTALL ONE ON EACH SIDE		
Quote Total:				\$13,045.00

The following options may be added:

QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT

Customer must fill out the information below before the order can be processed...

Accepted by:	
Date:	
P.O. number:	

- ♦ Labor and installation is included in all pricing.
- ♦ Terms are Due Upon Receipt unless prior credit arrangements are made at the time of order.
- ♦ Quote does NOT include Sales Tax

Notes:

MODOT BID 3-08091HD PLUS UP GRADES

RESOLUTION NO. 967

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DON BROWN CHEVROLET FOR THE PURCHASE OF A 2012 CHEVROLET 2500 EXTENDED CAB PICKUP TRUCK FOR AN AMOUNT OF \$26,645.00.

WHEREAS, the City Council of the City of Creve Coeur recognizes a need to provide quality equipment to city employees; and

WHEREAS, the purchase of a new truck is necessary to allow employees to provide valuable city services; and

WHEREAS, these goods have been competitively bid as required by the City of Creve Coeur Code of Ordinances; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, AS FOLLOWS:

Section 1: The agreement between **Don Brown Chevrolet** and the City is hereby approved. The agreement as executed shall be consistent with the provisions and intent of this Resolution and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the agreement.

Adopted this 13th day of June, 2011.

Harold L. Dielmann
Mayor

Attest:

Deborah Ryan, MRCC
City Clerk



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: June 8, 2011
TO: Mark. Perkins, City Administrator
FROM: Jim Heines, Director of Public Works
SUBJECT: Purchase of a 2012 3/4-ton Extended Cab Pickup Truck

Public Works staff has obtained pricing for the purchase of a 2011 ¾-ton extended cab pickup truck through the Missouri Department of Transportation (MoDOT) cooperative purchase program. This item was competitively bid by MoDOT as required by City of Creve Coeur Ordinance.

The state bid identifies Don Brown Chevrolet as a qualified vendor for the purchase of this truck. The FY 2011 CIP Equipment Purchase Fund identifies \$51,000.00 in account # 02-61-71-9516 for the purchase of two 2011 crew cab pickup trucks. Since we are using some of this funding to subsidize the cost to replace the one-ton truck that was destroyed by fire this past winter, we are recommending to purchase only one extended cab pickup truck for FY 2011. The purchase of this truck replaces a 1999 Chevy 2500 pickup that was sent to auction last fall.

Staff has been working with Don Brown Chevrolet to obtain a proposal for a 2012 truck. The deadline to order a 2011 truck was June 1, 2011 so we are forced to order a 2012. The Dealer has committed to honoring the State Bid price for a 2011 truck plus whatever percentage increase from the manufacturer. The price for a 2011 truck is \$26,145.00. The dealer anticipates a \$400-\$500 dollar increase to accommodate the new year model price increase, so the recommendation reflects the anticipated 2012 price for the truck. We hope to have a confirmed proposal for this purchase by Monday, June 13, 2011.

The recommendation is to award this purchase of a Chevrolet 2500 extended cab pickup truck for an amount of \$26,645.00 to:

**Don Brown Chevrolet
2244 Kingshighway
St. Louis MO 63110,
TNO: 314-772-1400**

Funding for this purchase is available in the approved FY 2011 CIP account # 02-61-71-9516.



**CITY OF CREVE
COEUR**

June 8, 2011

To: Mayor and City Council

Re: Retiree Health Insurance

Employees hired prior to July 1, 2001 are eligible for post-retirement health insurance at the same rate of premium as active employees. Upon Medicare eligibility, health coverage under the city's plan ends.

Due to concerns over rising costs of health insurance, this benefit was terminated for employees hired after July 1, 2001. Retirees hired after this date may continue on the city's plan, but are required to pay the full monthly premium.

In follow up to discussion at the May 23 City Council meeting, I have attached the most recent analysis of the city's projected post retirement benefit payouts. This report is completed periodically by our actuary, Buck Consultants. The analysis was last completed in 2008, and will be completed again this year.

Sincerely,

Mark Perkins
City Administrator

C: Dan Smith, Director of Finance

POSTRETIREMENT WELFARE BENEFIT PLAN OF THE
CITY OF CREVE COEUR

Cashflows – Expected Benefit Payouts
Current Active and Retired Population

<u>Year</u>	<u>Expected Post Retirement Medical Payouts</u>	<u>Year</u>	<u>Expected Post Retirement Medical Payouts</u>	<u>Year</u>	<u>Expected Post Retirement Medical Payouts</u>
2008	\$ 87,853	2037	\$ 55,198	2066	\$ -
2009	\$ 92,401	2038	\$ 42,507	2067	\$ -
2010	\$ 109,552	2039	\$ 37,881	2068	\$ -
2011	\$ 123,658	2040	\$ 21,887	2069	\$ -
2012	\$ 125,811	2041	\$ 22,679	2070	\$ -
2013	\$ 110,766	2042	\$ 22,088	2071	\$ -
2014	\$ 125,303	2043	\$ 19,452	2072	\$ -
2015	\$ 98,073	2044	\$ 14,685	2073	\$ -
2016	\$ 117,726	2045	\$ 17,007	2074	\$ -
2017	\$ 105,005	2046	\$ 12,801	2075	\$ -
2018	\$ 105,431	2047	\$ 6,329	2076	\$ -
2019	\$ 87,924	2048	\$ 2,241	2077	\$ -
2020	\$ 85,839	2049	\$ 2,482	2078	\$ -
2021	\$ 91,959	2050	\$ 380	2079	\$ -
2022	\$ 104,567	2051	\$ 121	2080	\$ -
2023	\$ 109,622	2052	\$ 100	2081	\$ -
2024	\$ 124,606	2053	\$ 29	2082	\$ -
2025	\$ 143,096	2054	\$ -	2083	\$ -
2026	\$ 129,322	2055	\$ -	2084	\$ -
2027	\$ 97,561	2056	\$ -	2085	\$ -
2028	\$ 91,591	2057	\$ -	2086	\$ -
2029	\$ 98,131	2058	\$ -	2087	\$ -
2030	\$ 85,923	2059	\$ -	2088	\$ -
2031	\$ 103,573	2060	\$ -	2089	\$ -
2032	\$ 76,806	2061	\$ -	2090	\$ -
2033	\$ 72,039	2062	\$ -	2091	\$ -
2034	\$ 58,401	2063	\$ -	2092	\$ -
2035	\$ 46,534	2064	\$ -	2093	\$ -
2036	\$ 49,453	2065	\$ -	2094	\$ -
				2095	\$ -

15.3 HEALTH INSURANCE COVERAGE UPON RETIREMENT

Whenever an employee meets the retirement conditions for his City retirement system, the employee may elect to retire and receive earned benefits under the applicable retirement system.

In addition the City makes available health insurance to a retired employee and qualified dependent(s) as follows:

A. FOR THE REGULAR, FULL-TIME EMPLOYEE WHO WORKS UNTIL
NORMAL OR UNREDUCED EARLY RETIREMENT DATE:

1. Employee Hired Before July 1, 2001:

The City will pay the same percentage of the employee and dependent health insurance premium as it is paying for an active employee until the retired employee becomes ineligible for this insurance, due to eligibility for Medicare coverage. This is a qualifying event under the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). At the time the employee becomes ineligible for group coverage, the employee's dependents, who had City group coverage on the day before the qualifying event, shall be eligible to continue City group coverage under the provisions of COBRA.

2. Employee Hired On or After July 1, 2001:

The retired employee may purchase individual or family health coverage through the City's group policy, provided: (1) the City's health insurance carrier makes such coverage available; and (2) the employee timely pays the total actual monthly cost of the coverage to the City.

The coverage may continue until the retired employee becomes ineligible for this insurance, due to eligibility for Medicare coverage.

Alternatively, the retired employee may continue individual or family health insurance under the provisions of the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA).

Regardless of the option chosen, when the retiree becomes eligible for Medicare, coverage for the retiree and then-covered dependents will end. This is a qualifying event for the retiree's dependents as defined under the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). At the time the retired employee becomes ineligible for group coverage, dependents, who had City group coverage on the day before the qualifying event, shall be eligible to continue City group coverage under the provisions of COBRA.

A. FOR A REGULAR, FULL-TIME EMPLOYEE, WHO SHALL WORK UNTIL
EARLY RETIREMENT:

1. Employee Hired before July 1, 2001

This is a qualifying event under the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). The early-retired employee and/or eligible dependents, who had City group coverage on the day before the qualifying event, may continue as group participants under the provisions of COBRA. Once the maximum period of coverage provided under COBRA expires, participation in the City's group health insurance will end and they may not re-enroll at a later date.

Alternatively, an early-retired employee may purchase individual health insurance through the City's group policy, provided: (1) the City's health insurance carrier makes such coverage available; and (2) the employee timely pays the total actual monthly cost of the coverage to the City, until he has reached normal retirement age or becomes ineligible for this insurance due to eligibility for Medicare coverage.

Once the early retired employee reaches normal retirement date, the City will pay the premium for individual insurance for the early-retired employee at the same percentage for an active employee until the early-retired employee becomes ineligible for group coverage due to eligibility for Medicare coverage.

2. Employee Hired On or After July 1, 2001:

This is a qualifying event under the federal Consolidated Omnibus Reconciliation Act of 1986 (COBRA). The early-retired employee and dependents, who had City group coverage on the day before the qualifying event, may continue as group participants under the provisions of COBRA. An early-retired employee may purchase his individual or family health insurance through the City's group policy provided: (1) the City's health insurance carrier makes such coverage available; and (2) the early-retired employee timely pays the total actual monthly cost of the coverage to the City.

The coverage may continue until the retired employee becomes ineligible for this insurance, due to eligibility for Medicare coverage.

B. ONE TIME RE-ENROLLMENT OPTION

At the time a retired employee subject to Sections A or B above becomes ineligible for group coverage, dependents who had City group coverage on the day before the qualifying event shall be eligible to continue City group coverage under the provisions of COBRA. A retired employee who drops group coverage with the City while otherwise eligible may re-enroll for such coverage provided the following conditions are met: (1) the retired employee dropped group coverage with the City because of enrollment for other group coverage, (2) the retired employee ceases to be covered under the other group coverage, and (3)

the retired employee re-enrolls for group coverage with the City within 31 days of the date the other group coverage ends and before becoming eligible for Medicare. The opportunity to re-enroll is limited to one time per lifetime. Upon successful re-enrollment, the retired employee becomes subject to the appropriate provisions of Sections A and B above.

D. MEDICARE

When a retired employee subject to Sections A or B above becomes eligible for Medicare coverage, group coverage will terminate. The retired employee's continuously covered dependents shall be eligible to continue group health insurance coverage with the City's group health insurer at the dependent's expense under the provisions of COBRA. Thereafter, once eligible dependents cease continuous participation in the City's group health insurance plan, they may not re-enroll at a later date.