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**AGENDA
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, November 14, 2011
7:00 PM**

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

COMMENTS FROM THE GENERAL PUBLIC

(Citizens are asked to limit comments to three minutes and to complete a speaker card)

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 October 24, 2011

b. Amendment on page 5 of the October 10, 2011 Council Minutes

Summary: Requested by Council Member Nealey

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated November 9, 2011 in the amount of \$591,561.91 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

2. Bill No. 5346 - An Ordinance Amending The Official Zoning Map Of The City Of Creve Coeur To Rezone Land From "C" Single-Family Residential District To "GC" General Commercial, Authorizing The Installation Of One (1) Fire Hydrant, And Approving The Site Development Plan For The Property Addressed As 11122 Olive Boulevard. Final Reading and Passage

Summary: An application was made by Andrew Brown, of Brownstone Properties, LLC to rezone 11122 Olive Boulevard (formerly the Rose Hill



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Masonic Temple) from “C” Single Family Residential District to “GC” General Commercial District, for the use as a Goddard School for Early Childhood Development. On October 17, 2011 the Planning and Zoning Commission recommended approval.

- 3. Bill No. 5347 - An Ordinance For The Holding Of A General Election In The City Of Creve Coeur, Missouri On The 3rd Day Of April, 2012, For The Election Of One Mayor From The City At Large For A Full Three-Year Term, One Council Member From The First Ward For A Full Two-Year Term, One Council Member From The Second Ward For A Full Two-Year Term, One Council Member From The Third Ward For A Full Two-Year Term, And One Council Member From The Fourth Ward For A Full Two-Year Term, For The Conduct Of Said Election By The Board Of Election Commissioners Of St. Louis County, Missouri, And For Other Matters Relating And Pertaining To Such Election. Final Reading and Passage**

Summary: This Ordinance provides for the holding of a General Election in the City of Creve Coeur on the 3rd April, 2012, for the Election of the Mayor and Council Members from Ward I, II, III, and IV and sets the filing dates beginning at 8 a.m. on Tuesday, December 13, 2011 through Tuesday, January 17, 2012 at 5 p.m.

- 4. Resolution No. 969 - A Resolution Authorizing The City To Become An Environmental Protection Agency (EPA) Green Power Partner And To Initiate An EPA Green Power Community (GPC) Challenge In The City Of Creve Coeur. Eligible to be removed from table.**

Summary: The City is considering whether or not to pursue becoming an EPA Green Power Partner by purchasing wind power Renewable Energy Credits to offset 10% of its electric use and to initiate an EPA Green Power Community Challenge to encourage businesses and residents to support renewable energy. Tabled at the June 27, 2011 Council Meeting.

NEW BUSINESS

- 5. Bill No. 5348 - An Ordinance repealing Ordinance Numbers 1074, 1594, And 1694, and authorizing the issuance of a new conditional use permit for operation Of A Valvoline Instant Oil Change Service Station located at 11333 Olive Boulevard. First Reading**

Summary: Jason Coil, Area Manager for Valvoline Instant Oil Change, submitted a request to amend Ordinance #1694 to allow for hours of



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operation on Sunday from 9:00 a.m. to 5:00 p.m. P&Z Commission recommended Sunday hours of operation from 10:00 a.m. to 5:00 p.m., among other changes to the Conditional Use Permit. The original conditional use permit ordinance #1074, was approved by the City Council on September 10, 1984, and amended on July 26, 1993 (ordinance #1594) and on March 13, 1995 (ordinance #1694), to allow for an automobile service station.

6. Bill No. 5349 - An Ordinance Amending The Adopted 2011-2012 General Fund And Capital Fund Budgets Of The City Of Creve Coeur By Authorizing Additional Appropriations And Unappropriations From Operating Departments. First Reading

Summary: An ordinance to amend the adopted 2011-2012 General and Capital Funds for the City of Creve Coeur.

7. Resolution No. 984 - A Resolution Authorizing The Execution Of An Agreement Between The City Of Creve Coeur And Delta Dental Of Missouri Renewing The City's Dental Insurance Plan Beginning January 1, 2012 And Ending December 31, 2013.

Summary: The City employees' group dental insurance plan will expire January 1, 2012. A 2.9% rate increase with a 24-month rate hold has been negotiated to continue the current plan.

8. Resolution No. 985 - A Resolution Authorizing The Execution Of An Agreement With Lincoln Financial Group To Provide Group Life, Accidental Death And Dismemberment, And Long Term Disability Insurance For City Employees.

Summary: The City's employee life, AD&D, and long-term disability insurance will expire on January 1, 2012. A pass on rate increases and a 24-month rate hold have been negotiated with the City's current carrier, Lincoln Financial Group.

BUSINESS FROM THE MAYOR and CITY COUNCIL

9. Trustee Communications

Summary: Requested by Council Member D'Alfonso

BUSINESS FROM CITY ADMINISTRATOR

10. First Quarter FY 2012 Financial Analyses



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Summary: First Quarter 2012 Results for the two major operating funds- the General Fund and the Municipal Enterprise Fund.

11. WCDC First Quarterly Financials

Summary: Staff will review the quarterly financials for the West Central Dispatch Center.

12. Government Center Sidewalk Improvements

Summary: City staff proposes sidewalk improvements at the Creve Coeur Government Center to provide a handicapped-accessible route from the north parking lot to the building's front entrances.

13. Domestic Chickens

Summary: A survey was conducted to solicit resident input on whether or not backyard chickens should be allowed in the City. Staff has collected information on how neighboring cities regulate domestic chickens. Chickens were allowed to be kept by residents within the city until a revision was made to the city's code of ordinances in 2009.

14. Deer Ordinance Update

Summary: Staff will provide an update on implementation of the ordinance to date.

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 11/10/11
Deborah Ryan, MRCC
City Clerk



**MINUTES
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, October 24, 2011
7:00 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 N New Ballas Road on Monday, October 24, 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:

Mr. Kreuter	Council Member Ward I
Mrs. Kistner	Council Member Ward I (arrived at start of unfinished business)
Mrs. Nealey	Council Member Ward II
Mr. Wang	Council Member Ward II
Mr. Hoffman	Council Member Ward III
Mrs. D'Alfonso	Council Member Ward III
Mr. Saunders	Council Member Ward IV
Mrs. Rhoades	Council Member Ward IV

COMMENTS FROM THE GENERAL PUBLIC

(Citizens are asked to limit comments to three minutes and to complete a speaker card)

No one requested to speak during Comments from the General Public.

ACCEPTANCE OF AGENDA

Council Member Wang moved, seconded by Council Member Kreuter to accept the agenda as presented.

Council Member Rhoades requested to combine Item 7 with Item 4 but wants to make sure that anyone wants to speak or have discussion regarding solid waste will have the opportunity.

Council Member Wang moved, seconded by Council Member Kreuter to accept the agenda as amended by combining Items 7 and 4, with the vote upon such motion being as follows, to-wit:

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



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Council Member Kreuter – Aye

The vote on the motion being 7 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

1. CONSENT ORDINANCE READINGS

- a. Bill No. 5344 - An Ordinance Amending Section 210.015 Of The Code Of Ordinances Regarding Domestic Violence. Final Reading**

The City Clerk read Bill No. 5344 for the final time.

2. CONSENT AGENDA

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

- a. Council minutes dated October 10, 2011**

- b. Resolution No. 983 - Approval Of Distribution Of Domestic Violence Funds For The Year 2012**

- c. Bill No. 5344 - An Ordinance Amending Section 210.015 Of The Code Of Ordinances Regarding Domestic Violence. Final Passage**

Council Member D'Alfonso requested removal of Item a – Council Minutes dated October 10, 2011.

Council Member Rhoades moved, seconded by Council Member Wang to approve Items b and c of the consent agenda, 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

The vote on the motion being 7 ayes and 0 nays, motion carried. Bill No. 5344 becomes Ordinance No. 5227.

Council Member D'Alfonso read and submitted a correction to the October 10, 2011 Council Minutes under Bill No. 5345 (Exhibit A).

Council Member Rhoades moved, seconded by Council Member Saunders to approve Item a as amended, with the vote upon such motion being as follows, to-wit:



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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 7 ayes and 0 nays, motion carried.

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated October 19, 2011 in the amount of \$508,154.26 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

- 3. Bill No. 5343 - An Ordinance To Amend Chapter 405, The Zoning Ordinance, Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri, By Adding Motor Vehicle Dealers, New And Used, And Used Only, As A Conditional Use In "LI" Light Industrial Zoning District, And Establishing Conditions For Such Use. Final Reading and Passage**

City Clerk read Bill No. 5343 for the final time.

Council Member Kistner moved, seconded by Council Member Wang to approve Bill No. 5343.

David Caldwell resident of 257 Brooktrail Court and LI District property owner stated he visited the area after the subject of the Warson Village Apartments was brought up at the last meeting and confirmed there are no service bays or dock doors currently facing the apartments. In fact, the apartments have their garages facing the LI District which puts the bad side of those apartments to the district which is detracting from the LI District rather than the other way around. Also the propose ordinance indicates that the service doors will not face residential areas, which doesn't exist but if they don't face them then how will having service bay doors open harm or hurt anyone. That is a totally unnecessary clause in the proposed ordinance. If the doors are open who is it going to offend, the eighteen wheelers driving by? Mr. Caldwell stated Item 12c is totally unnecessary and could cause future harm on the property owners in that district and it can't be enforced. Mr. Caldwell stated he could not find a single dumpster in the LI District that meets Item 12d regarding the trash enclosure. In fact, half of the trash dumpsters are not located on the back half of the properties because of the way the buildings are arranged and the property owners want to provide quick access to the trash haulers. Mr. Caldwell stated Items 12 c and d should be removed as it sets an unfortunate precedent for the current and future property owners in the LI District.

Paul Langdon stated in fact our annexation plan on file with the Boundary Commissions does indicate future expansion to the north in the area of Warson Woods and Page Ave. The issue of whether or not



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this is an “unfair requirement on this particular use”, Mr. Langdon stated he will stand by his opinion that it is not. And if the Commission and Council agree that a condition that will exist on site is not acceptable then this is the time to address it. Just because we can’t fix every use in the LI District that may in fact create the same problem doesn’t mean we shouldn’t fix it now where we can. If the Council doesn’t believe that the proposed loading bays will be a problem then the Council can certainly take out that condition. The Commission believed that keeping the activities within those bays inside and behind the doors was appropriate.

Council Member Rhoades asked if the applicant would like to make additional points.

Peter Newton with Hilliker Corporation stated he would rather not have to build a masonry dumpster enclosure because of the cost but for this specific application’s use it is fine.

Council Member Langdon stated if other property in the district redevelops then the City would expect trash enclosures. The LI District is so static that we haven’t seen new construction in some time or even a significant change. As such that is why we are putting on the requirement now.

Peter Newton stated the requirements are fine with the proposed use.

Council Member Rhoades stated solid brick can be very costly and asked if there is any flexibility on that material requirement.

Paul Langdon stated there are any number of ways to enclose a dumpster and the Commission’s goal was to get the best possible result in terms of the best quality of enclosure once it is completed. Certainly all types of fencing have been used in the past and sometimes the way it is located against the building makes it impossible to see from the public right of way. Paul Langdon stated if Council is looking for a step back position we could simply look at the dumpster location and if it is out of the public right of way then leave any screening up to the property owner. Paul Langdon stated he would be comfortable with that but feels it is a departure from where the Commission was heading. But Council has the final say.

Council Member Rhoades stated she will defer to the other Council Members since she was absent at the last meeting but she would be inclined to be a little more lenient.

Council Member Saunders stated in a light industrial region it wouldn’t be unreasonable to allow for more industrial materials than solid brick.

Mayor Dielmann stated he doesn’t think the city requires solid brick anywhere else.

Council Member Nealey stated we do.

Council Member Saunders stated he would be in favor being more lenient.

Council Member Kistner asked if masonry includes cinder block and asked if that would meet the requirements.

Mayor Dielmann asked if we allow exposed cinder block in the city.



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Paul Langdon stated technically yes, there is no prohibition on cinder block in the design guidelines. Wherever there is an unfinished, smooth faced block it has to be filled in with plaster.

David Caldwell stated it isn't only the material but the location requirement. Not too long ago the dance studio was approved and it almost physically impossible to put the dumpster on the back half of that property and that is true for most of the properties in the LI District. They do not have a back or a drive way to the back where there could be access to a dumpster. Most all of the dumpsters are visible from the street and in the right of way. This is a light industrial district and the Council is accustomed to thinking in terms of nice, tidy, tree lined residential areas and this is not what we have here. Mr. Langdon stated earlier that this could open up to any redevelopment or any minor site change in the industrial district. This is not the type of thing that is congruent with light industrial district. This just does not make any sense all this business about the material but also the location doesn't make any sense. You cannot do a redevelopment of most of these properties under these conditions. You would have to tear down the building to be able to put a drive to the back of the site.

Council Member Nealey asked what about changing the language so that it would accommodate a solid enclosure outside of the public right of way. Sort of a combination of the dialing back on the material but also giving some flexibility in terms of location but making clear that the point is to be out of the public view.

Paul Langdon stated if you are saying solid and to put a finer point on it, you mean opaque.

Council Member Nealey stated yes.

Paul Langdon suggested using the word opaque only because a chain link fence with slats is solid but it still has gaps in it.

Council Member Rhoades asked if Council Member Nealey could provide the wording that she is suggesting.

Council Member Nealey stated as far as Item 12a, "with in an opaque enclosure, at a location out of the public right of way."

Council Member Rhoades asked doesn't that just mean out of the street? Council Member Rhoades suggested out of view or screen from view of the public.

Council Member Nealey stated yes, out of view of the public right of way and asked if that makes sense.

Carl Lumley asked if we are talking about the opaque enclosure accomplishing the screening from view or the enclosure itself not to be viewed from the right of way.

Council Member Nealey stated the idea is to screen and the goal here is to screen the trash.

Carl Lumley stated so if it is fully screened then we don't need to qualify and it is just fully screened.

Council Member Nealey stated yes, fully screened with an opaque surround.



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Paul Langdon stated he would suggest fully screened from view from the public right of way.

Council Member Hoffman stated yes that would work.

Council Member Nealey stated and it can be accomplished in any way.

Mayor Dielmann stated it could be with wood or anything.

Council Member Nealey stated yes.

Council Member Hoffman stated yes, that is the wording.

Council Member Nealey moved, seconded by Council Member Rhoades to amend condition 12D to read, "*Trash disposal and storage*. All used tires and parts, trash and similar objects shall be stored and fully screened from view of the public right of way", 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.

Council Member Kistner moved, Council Member Rhoades to approve Bill No. 5343 as amended, 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. 5343 becomes Ordinance No. 5228.



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4. Bill No. 5345 - An Ordinance Authorizing The Execution Of An Amendment To The City's Residential Solid Waste Collection Services Agreement. Final Reading and Passage

Council Member Nealey recused herself from the discussion and stepped down from the dais.

City Clerk read Bill No. 5345 for the final time.

Council Member Kistner moved, seconded by Council Member Wang to approve Bill No. 5345.

Mark Perkins stated we did have some additional information that was included in the packet including some recent bid results from some cities over the last few years as well as the results of other cities and what they have done with regards to renewals. In addition to that, there was some discussion at the last meeting regarding what haulers might be interested in bidding on the contract. Mr. Perkins stated since the last meeting, late last week he spoke with Tony Lamanta of Allied about the term extension. As the ordinance is proposed we are talking about a three year extension with some reductions in the City's cost for trash in regards to the condominiums. Mr. Perkins spoke with Allied about the possibility of going from a three year extension to a two year extension and Allied was agreeable with that as long as we maintained their economic proposal. Previously it was the desire of the City to obtain a two year extension as opposed to a three year extension because that would dovetail better with regard to the City maintaining flexibility with whether it might want to retain rear yard or consider going curb side going back to what the commitment was with the sales tax implementation of maintaining no fees for at least three years. It doesn't mean that the City will implement fees within three years after that time frame but the expectation would be that the City wouldn't revisit the idea of fees for trash for at least three years. So we are a year into that. The hope was for the extension to be for two years. Allied had countered with three years and their economic proposal was attractive from the City's stand point. Mark Perkins stated he would like to summarize briefly why staff is recommending the Council accept the extension. First of all, from what staff can see, there is not yet a consensus on the Council whether or not we are planning to stay with rear yard long term or move to curb side long term, whereby the residents would have an option of obtaining rear yard for an additional fee. Mark Perkins stated he questions whether or not we would want to subject our residents to two major changes in a very short amount of time. One major change, being a change in hauler with rear yard service and another major change possibly coming in a couple years down the road if we then switch to curb side. Mark Perkins stated that is something we really need to keep in mind. The second reason staff is suggesting the Council accept the extension is that we have good service right now - perfect, no but very good, absolutely. If anyone has been in a city with poor service they know it is a nightmare for residents, Council and everyone. In the 2008 survey, 98% of our residents indicated that regarding our trash service they were very satisfied or satisfied. That means we only have 5% that were dissatisfied or very dissatisfied. The evidence that we have seen from a complaint stand point over the last three years, we have actually seen fewer complaints so we don't think service has gotten worse and feel that it has actually stayed the same. Mark Perkins stated service is an important issue to keep in mind. Thirdly, staff has negotiated what is almost a 10% overall cost reduction and our rates are very competitive to other area municipalities from the research that staff has done. While haulers have gained efficiency through automation, at the same time we have seen retail fuel prices increase considerably. The City bid the original contract out in March of 2007 and today fuel prices in the Midwest are 35% higher than during that time. We don't know



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what the bids would be if we waited and bid this out in March of 2012. Mark Perkins stated if we accept the contract extension we will save \$80,000 in 2012, the current fiscal year. That alone amounts to a 6.5% annual savings. If we looked at a three year horizon with a new hauler we would have to have at least a 2% savings per year for those three years just to get those back to the savings that we would have in the current fiscal year.

Council Member D'Alfonso asked if Mr. Perkins said 2%.

Mark Perkins stated it is 6.5% of the total cost because we would have eight months of savings, about \$80,000. So 6.5% on an annual basis but if we took that out over three years it would be 2% per year.

Fran Cantor Chair of the REB Committee along with Kathleen Engel, Chair of the CATF stated she has been through a trash contract three times with the City. Staff always provides excellent information to the committees so they can make an informed decision. Ms. Cantor stated the two sure things in life are death and taxes but the other sure thing in life is when you get a group of people together they are going to have trash and we are going to have to deal with it. What hasn't been included in the immediate \$80,000 reduction in cost is that staff time is very valuable and having staff spend more time on researching this is taking time away from other important issues that need to be dealt with. The REB voted unanimously to endorse the extension. Since Allied has so many new trucks there are fewer emissions and they are more fuel efficient. By 2015 we will still be paying \$12,000 less than we are paying on the current contract now. This is a good deal for us.

Robert Kent resident of 13084 Fern Trails Lane stated one of the things that occurs to him is how many rear yard pickups the City really has. Following Ms. D'Alfonso's remarks it would be nice to know how many the City really has even if we decided to pay for them by the City. It would seem to be reasonable to get competitive bids for curb side only and then supplement with paying for the rear yard pick up it might turn out to be less than the approach for paying for the current contract because you don't know what the competitive bid will be. Second thing is that it seems to him that Council persons Kreuter, Wang, Kistner and the Mayor all were involved in Creve Coeur Cares which solicited funds from Allied Waste to pay for the postage for Creve Coeur Cares and in view of that is it appropriate for them to be voting on the Allied contract extension. That is the question or should they recuse themselves.

Lynn Berry resident of 626 Graeser Road stated she wanted to thank the Council for taking the time to actually discuss these issues instead of automatically voting. Thanks to the staff for taking the time to call some of the waste haulers within the area to discuss rear yard pick up which is one of the concerns of rebidding our waste contract. It was clear from those talks that each of the four haulers contacted would be willing to bid on a contract in Creve Coeur including rear yard. It is also clear now that each of the bidders knows what Allied Waste is willing to charge for their services and the other haulers, if given the chance, could now come up with a bid that is competitive or even lower than Allied for the services provided. So we should allow that normal bidding process to go forward in hopes of a better outcome in the long run for the citizens. It is also clear that Allied is providing a reduction in fees for part of its services as a lure for the City to sign an extended contract and there is also a guaranteed 3% per year exponential increase for the service it would take effect first on July 1, 2012. So we are already going to have a 3% increase negating that 6% or whatever it was. One of the reasons for signing a long term contract, to her, it to have guaranteed fees that stay the same throughout the contract. The guaranteed



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increase provided here with no economic basis associated with it, that doesn't make good business sense giving the volatility of the current economy. Ms. Berry urged the Council to let the normal competitive bidding process go forward and that the bids come back to the Council for their own analysis and not just leave it up to the staff and if you are able to choose a better contract for the City in the long run with the best services for the citizens. (Exhibit A)

Stan Edelstein resident of 12321 Woodline Drive and Chair of the Finance Committee for the record and he is a holdover from Creve Coeur Cares submitted for the record the mailer that arrived as his home about a year ago today and the hand outs that were available at the polling places. (Exhibit B) None of that information indicates that there would be continued rear yard service. At the time the City got the quarter cent sales tax approval it was based upon Ordinance 5148 which the third Whereas states, "if approved additional sales tax revenues are projected to allow the City to defer new fees on trash for at least three years". Mr. Edelstein stated he doesn't see in there the word, it is a significant word, shall. It says "projected to allow Council to consider the fact". Mr. Edelstein stated he noticed the terrific work the City did and Jaysen Christensen did researching other communities, Mark Perkin's presentation was very clear cut and one of them indicated rather than \$20.20 per household fee if there was no longer rear yard service the fee would be rather than \$20.20 would be \$14.62 or an annual savings of \$336,139.20. A considerable amount for the City and better than one and a half percent of the annual budget. Having looked at that figure it came to his attention, just very recently, that our actuary for the pension fund has incorporated more up to date mortality tables which will cost \$2,100,000 in the value of different pension fund. That is a onetime shot but that is something that is going to have to be taken up by City funds. We also are going from 68% approximately accrued actuarial liabilities to 62% and find all those facts interesting and wanted to call the attention to the Council to consider.

Council Member Rhoades stated she gathers Mr. Edelstein is advocating switching from rear yard to curb side pickup to save money on the contract.

Stan Edelstein stated to save money, to have a level playing field for all our residents rather than have some getting Cadillac service and others having to take their trash to curb side. Everybody has curbside service for recycling and an extra two minutes will do the trash per household.

Council Member Rhoades stated she actually doesn't disagree with that point but is unclear with what Mr. Edelstein is suggesting on the actual agenda item tonight. Council Member Rhoades asked if Mr. Edelstein is suggesting Council should not accept the extension and staff should rebid for new services in 2012.

Stan Edelstein stated he is not suggesting that except for the fact having read the old 2007 contract indicated that there could be an extension of the contract on the same terms that are in the current contract. Mr. Edelstein stated the City Attorney would have to comment as to whether or not we are in untenable position rewriting the contract without going out for bids.

Council Member Rhoades asked so Mr. Edelstein is suggesting Council revise the terms of service in 2012.



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Stan Edelstein stated he is suggesting that the Council consider all of the possibilities and as usual come up with the best conclusion.

Laura Bryant resident of 12738 Hezel Lane stated she is passing along copies of the August 23, 2010 Council minutes when she was still on Council. There has been a lot of discussion about the level of service, customer service and satisfaction all of which are important. Fairness, transparency and accountability are also important and she wanted to draw the Council's attention to a couple of comments made by her that are still relevant, "very concerned about disappointing people not too long from now about this trash issue. This is not directly tied to the trash issue; it is very indirectly tied for a very short amount of time. It is not fair to sell or market that way in this community." Laura Bryant stated at that point she didn't know what she knows now, which is that a couple of elected officials strong armed the City vendor, Allied Waste to underwrite the cost of the postage. Laura Bryant stated if she didn't think it was fair then she definitely doesn't think it was fair in hindsight. That is the issue that is hanging over everyone's head. The second thing that she would like to point out is that she has attempted to compile all of these documents and they are on her website and if there is anything that is not right or incomplete please let her know because she would like for it to be a community resource for people to draw their own conclusion. Laura Bryant stated she is a little confused about the explanation of the reduction of service fees at the individual condo complexes. Laura Bryant submitted for the record a memo dated October 29, 2010 from the Trustees to the residents, "if Proposition C is not approved by the voters on November 2nd, the condominium association will be forced to increase their 2011 budget from \$4,100 to \$28,000 for twice a week trash service. This increase would require us to increase our condo fees or cut service" and asked if this was based upon an e-mail that was provided to the trustees and if this was part of the marketing campaign for the tax, which was completely wrong then one, we need to address it and two, someone needs to go back to these condo trustees and explain to them suddenly this additional fee has gone away unless she is misunderstanding the current situation. (Exhibit C)

Mark Perkins stated the fee that was going to be in place last year, prior to the vote was about \$10.00 per single family and was about \$6.00 for each condo. If there were 50 condos then that would be an increase of \$300 per month.

Laura Bryant asked and that was based upon what?

Mark Perkins stated that was based on what our costs were determined to be per condo.

Laura Bryant stated which has now changed drastically based upon this proposal.

Mark Perkins stated that is correct, it has gone down.

Laura Bryant stated that is what she thought and based upon what she has just heard it was inaccurate and misleading and even more so considering the funding.

Council member Rhoades stated she missed the prior meeting but did listen to the audio of this section and one little side note if you ever listen to the audio of the Council meeting it is very easy to hear Mr. Perkins and staff but a lot of Council members lean back in their chairs and the audio is not captured and reminded Council to be more clear when they speak. Regarding this issue, she had really struggled with



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this entire proposal and thinks that the timing is very unfortunate in many ways because the big elephant in the room is the fact that the Creve Coeur Cares Committee had requested funding from the vendor. In her opinion, the whole reason that required scrutiny and disclosure and full legal disclosure was because it potentially jeopardizes our relationship with our vendors. Council Member Rhoades stated she has respect for our current vendor Allied Waste and doesn't picture in any way that they concocted a scheme. When this occurs with a vendor this puts the Council in a difficult position to clarify the relationship and to insure that there is no risk of appearance of any type of collusion or any impropriety. Council Member Rhoades stated her big concern is to make sure, going forward that we clear up this cloud of controversy and try to make sure that whatever we do with our trash service going forward we get off on the right foot. Council Member Rhoades stated she has no grudge with Allied Waste whatsoever and as she mentioned she uses Allied Waste at a vacation property and they have excellent service. At the same time there are a lot of ways to look at the information that has been given. Originally when this came up in the Council packet she was getting the impression that it was suggested that there would not be a lot of interest with other companies bidding rear yard and that was becoming an obsolete practice and it was going to be difficult getting competitive bids. More recently we have learned that in fact there are two, three, four companies interesting in providing a competitive bid. No matter how much we love and appreciate any current vendor we do have some obligation to set aside any warm and fuzzy feelings and just deal with facts on a business basis. That is one of her concerns. Another concern is looking at the discount offer with the current extension is a very appealing offer, on the other hand it appears that we have been overpaying for three or four years. Whenever there is a wonderfully remarkable savings that drops out of the sky you have to take a good hard look at what you have been paying all along. Don't know if there are some other extenuating circumstances that changed the fee structure. Council Member Rhoades stated she is just playing the devil's advocate and saying there is another perspective here. The Elected Officials owe it to the citizens and the public to try and achieve the best service at the best price. That is clearly what our obligation is. That being said this is not an easy task to undertake in large part because unfortunately not only do we have the funding from the Creve Coeur Cares Committee we also have the promise, alluded to or whatever about to what degree there was a promise that service wouldn't change. Council Member Rhoades stated she has been on the Council since 2003 and people have kicked around the inequality of the trash service which is very dysfunctional situation for the entire time she has been on Council. Unfortunately our contract expires in 2012 but our promise dated back from 2010 was a three year promise so that unfortunately, as Mr. Perkins pointed out, made sloppy overlap. If there is room to even consider this extension she would absolutely not consider anything further than a two year period to try to line up the dates for when we can consider a major overhaul in a significant way. Council Member Rhoades stated those are a lot of her thoughts on the topic and would be interested in what other Council Members had to say.

Council Member Kistner stated Creve Coeur Cares Committee is not the elephant in the room but more like the red herring in the room. It was the Council, not a citizens committee that made the commitment about not introducing new trash fees for three years. The mailer that went out did nothing more than very simply and accurately describes the Council's commitment. Council Member Kistner stated for the record she was a member of Creve Coeur Cares and didn't hear for the first time about a contribution to fund the mailer until well after the election. It was not part of any discussion the committee had in creating the mailer and her entire intention was to provide accurate information to the public about what



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would be the impact of a tax increase. There may be some for political reasons that try to turn into more of a cause but it really was pretty simple. When it comes down to it, it was the Council's commitment, nothing to do with Creve Coeur Cares at the root of why we are talking about this right now. Having said that, if the Council is going to stick to its own commitment the only thing that makes financial sense right now is to take the two year extension because it brings with it an immediate reduction in our monthly costs. Again if we are going to stick to that commitment then we aren't really in a position to take advantage of a rebidding in one years' time anyway. Council Member Kistner stated this makes the most sense to her and it is why everyone is saying how well thought out this has been by our staff and she agrees with their reasoning. Council Member Kistner stated she will support the two year and not the three year extension.

Council Member Hoffman stated he will go on record to support the two year extension and that is the most reasonable proposal on the table.

Council Member Saunders stated he has given this a lot of thought since the last meeting and thinks that this is one of the most important decisions that Council will probably make. There are few other services that we provide in the City that every single resident in the City uses every week and depends on it. That can be something that goes along smoothly that they don't have to think about or it can be an absolute disaster. It is really important to get this right and thinks that Council Member Rhoades stated that there are two components to this. It isn't just getting the best price but it is also getting reliable and the best service. The best price is easy to take care of by bid and take the lowest number. That really doesn't help us to get to the best service. We either stick with the service that we have, which is a known quantity or we take our chances. It isn't as simple as having bids and we take the lowest number and that is what we go with and the experience that is shown in the staff memos from other cities suggests that isn't something that just happens and eight out of the eleven have renegotiated instead of going out to bid to continue with their same hauler. We really have to think about service. Council Member Saunders stated he and Council Member D'Alfonso have a unique perspective on this issue since neither of them was on the Council the last time discussion of trash service has come up. Council Member Saunders stated from the audience perspective, regardless of what the wording was, there was a perception of a promise made to the residents that they would have the same level and quality of service for at least three years or from this date forward for two years. It is reasonable at that time to make a consideration again to whether we move to curb side pickup but there is a commitment to continue for two more years and the only way to guarantee a good service and what seems to be a decent price because it is a \$10,000 savings per month would be to go with an extension which has been proposed currently with Allied Waste. As to the issue of other companies deciding that they would be willing to bid and isn't sure how much detail has been discussed. If we are talking about a five year contract, and it doesn't sound like we are, ready to change the level of service there would be several companies that would be willing to bid. But since we are only talking about a two year contract to decide what we are going to do it might be a different picture. Not sure if a new company would be willing to put in the infrastructure for only a two year period of time. Council Member Saunders stated it seems to him to give the Council the most flexibility and to give the continual promise of the same level of service for an additional two years at a price that seems reasonable without the headaches of dealing with a new hauler. Council Member Saunders stated he feels Council should go with the same hauler for the next two years.



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Council Member Wang stated Council Member Saunders made some excellent points and he is willing to go with a two year extension.

Council Member Kreuter stated if it were his money he would extend the contract for two years.

Council Member D'Alfonso stated she agrees with Council Member Saunders' remarks and feels like it is unfortunate that the Creve Coeur Cares Committee requested the money from the vendor, that was unfortunate but she doesn't think that there was any ill malice or inattention but thinks it was just a stupid mistake and having a majority of that committee made up of Council Members or elected officials should be a lesson to all of us. If you have a committee and you are the one proposing the ordinance and going to be voting on the ordinance and you form a committee and a majority of the members are elected officials, that might not be the best move in the future for perception. Council Member D'Alfonso stated when she ran her campaign for this seat she knew where all of the money came from for her mailers and if you are on a committee you should know what your finances are on that committee and to not know that is treating it lackadaisically. If you look at this on a business basis, considering that she feels there was a promise to continue service for two years without fees, the best thing for the residents of the City would be to continue the extension for the two years. Looking at the numbers from the other cities that we would be able to get a bid that we would be able that would affect the rate now. It is sad that, that is where we are at and those discussions weren't had before the sales tax was voted on. We have currently been put in an enviable position and that is too bad because she would have like to have gone out to bid and really discuss if we want to continue rear yard service. As far as the inequality of the rear yard service discussion goes, every single person in Creve Coeur is entitled to rear yard service. If citizens choose to use it or not that is a choice. There is no inequality.

Council Member Rhoades stated she did reach out to Mr. Poger of IESI and read and submitted their e-mail messages for the record. (Exhibit D) We have to be careful jumping to conclusions and assuming we wouldn't get a better bid and those are dangerous assumptions. If you carry that kind of logic to a very significant degree then you can pretty well trample the whole principle of competitive bidding altogether by perpetually extending contracts. Council Member Rhoades stated she is aware that Council Member D'Alfonso and Saunders were not at last year's discussion regarding rear yard service but the problem is that it is less than 50% and don't know the exact number that don't use. The problem is that we are paying a premium for a service that is not being utilized for whatever reason. That is just a bad way to manage resources. Grappling with that conflict has been what the problem has been for years.

Council Member D'Alfonso stated she does understand that and agrees with it but doesn't like the word inequality being used because it makes it seem like some are being treated more fairly than others and that is where the issue is. As far as the message from IESI, we are not just looking for the best price but also looking for the best service and getting the best service is not switching over and over again. To switch now for two years and then switch again for potentially in another two years that needs to be taken into consideration.

David Caldwell resident of 257 Brooktrail Court stated he would like to weigh in on this equality issue of equal representation and agrees with Council Member D'Alfonso. Less than half of the people in this



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City use the golf course but everyone has the opportunity to use it but everyone pays for the golf course. It isn't a matter of pitting one Ward against another Ward or one citizen against another citizen. If Creve Coeur feels that offering rear yard trash pickup to those who can use it is worth the money then we should offer it. Trash haulers have a very good idea of how many are going to use this service when they put their bids together. They are not charging us for everyone to use the service because they know that not everyone uses the service. They know exactly how many people will use it and that is the number that they use when they construct their bid, they are not stupid. Mr. Caldwell stated he would like to see the contract rebid but understands what most of the Council are saying. If this is a business venture like some have alluded to, so let's put the wheels in motion to do the bid and begin doing some things proactively to make sure that bid is done correctly to make sure that the level of service is correct for Creve Coeur.

David Poger representative of IESI stated at Georgetown Law we call this field research. This is what you do in a free market capitalist society that we claim to be. In the private sector if we come upon a problem that we are losing money and not efficient we make a left turn or we go out of business. Mr. Poger stated he can't speak for his colleagues at Allied, but we conduct surveys, we conduct ride alongs with our drivers, and we have about a 50 point check up plan on our service because we have to. It's called competition. Mr. Poger stated he is so sorry this Council has been placed in such a difficult situation by, in what we call in politics, there is no coincidence a very hot button political issue. If most of the people would just take the time to read the MEC filing it is really black and white what happened. Having said that, IESI is prepared, and can't speak for any other bidder, and has come to the City and met with Mr. Perkins, Mayor Dielmann, Mr. Heines and Mr. Christensen with a variety of options we are willing to bid. Two years, all rear yard, all curb side, hybrid. We have the capability to do that. We can do a proforma and work with municipalities and cities all over the world. IESI wants to help you and work with you. We want to help the citizens and provide them the best service at the best price, period. We don't play games with tax increases; we don't play games with electing people here and there, which is the citizen's responsibility. If you really want to do what is in the best interest of your constituents, because trust me I have done it both sides of the aisle, you are going to be getting phone calls if I ask them to call you are not. Mr. Poger stated he doesn't like taxes and he lives in Kirkwood and they get taxed out the ying yang. If it is for something that is worthwhile and you know about it ahead of time, he could agree with it. But not when you play political shenanigans.

Council Member Saunders stated based on the information that you have, currently in Des Peres trash cost residents as add on rear yard a total of \$30.00 per month and in Frontenac it was close to \$36.00 for rear yard and we are talking about something close to \$21.00 per month is what is on the table here. Is there something about Creve Coeur that would be uniquely less expensive for IESI to bid here or are you just charging these other cities more?

David Poger stated yeah we are just charging these other cities out the ying yang, no really look; we have redone our bidding process internally over and over again. The proformas that we do now in 2011 compared to 2007 where we weren't even in this market compared to the Frontenac bid when he was just at lunch with Bob Shelton and mentioned it was a crazy bid now. That is why you go out to bid. Just because he is sitting here saying they are ready to bid doesn't mean they are going to win. That is what the public gets to see. They get to see everything because it is in the public domain.



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Council Member Hoffman stated if you would have listened to the tape he only talked about the political side of this issue. Secondly how would anyone handle the turnover of just the containers? The cost of the containers for just at two year bid would just be immense.

David Poger stated he would have to defer to your esteemed colleague Council Member Saunders because he didn't come here to talk shop like that, but can tell you that IESI can do it. We just need the chance to sit down and talk with the City staff and Council because that is what we do. We learn what a city is because each city is different. You need to, in the public domain get the best picture you can get for your citizens.

Council Member Saunders stated he would like to make one more response to Council Member Rhoades with her previous comments about being able to talk ourselves out of ever going into the bidding process. Council Member Saunders stated he agrees with that because at some point we are going to have to go out to bid to make sure we are in the right range of what we are able to get. Council Member Saunders stated he did go back and get all of the minutes of 2006 and 2007 regarding the bidding process for trash and built into that bid request was the notion that after a five year period of time we would have the option to extend for another five years. Council Member Saunders stated he didn't see any of the Council Members indicate that it was a crazy notion and we really should be allowing ourselves the opportunity to go for another five years. Built into the process was the option of staying with the same hauler for 10 years. We have only been in this contract for five years and we are only talking about adding two more and it is still less than what was originally built into the bid process.

Josh Robbins resident of 13011 Ambois asked is the City obligated to go with the lowest bid and if not what is the harm to putting it out to bid.

Mark Perkins stated first of all we would forfeit the savings for the next eight months is what we will lose by going out to bid. The second thing is the point that was heard from the dais is that we haven't made a decision if we are going to rear yard long term or curb side long term. Do we want to subject our residents to a two year period of time, potentially of rear yard with a new hauler? Not many haulers do a lot of rear yard service. Do we want to do that and then potentially switch to curb side service? That is a lot to put our residents through. Mark Perkins stated what he is saying is let's look at service first and cost second because trash is such an important contract for the City. We really need to look at it like that. Cost is important but service in this community is more important than costs. Again, we have good service now, perfect no, very good absolutely with the cost reduction, etc. The two year extension makes sense as opposed to the three and that is what he would have brought the Council initially if Allied would have agreed to that. They are willing to extend for two years and he suggests the Council proceed with two years.

Fran Cantor stated in 2002 we did an experiment with the containers but we stayed with the bags. Then in 2007 we did an experiment and gave out 100 totes and people who had never recycled before began to recycle. There are many who still won't recycle because they can't handle the totes. The demographics in Creve Coeur are such that we have a lot of people that even a short driveway is difficult and we are not a young community and asked Council keep that in mind.



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Council Member Rhoades stated we are not debating rear yard or curb side, that is not the issue at hand.

Robert Kent stated it is state law that the City has to provide recycle services and by having curb side for recycle and rear yard pickup for trash you are in effect authorizing 40 or 50% not to recycle because if they won't carry out their trash 600 feet do you really expect them to carry out the recycle bin. You are really authorizing with this system a conundrum. You have one service for one thing and you have another service for another thing and you are in effect authorizing those people with rear yard service only to put their recycle materials in their trash container. Mr. Kent stated he doesn't see how you can avoid facing that.

Council Member Rhoades moved, seconded by Council Member Kistner to amend to a two year extension eliminating the three year extension and to strongly word the contract to require a bid after the two years in 2014.

Mark Perkins stated essentially what this amendment is that the City would forgo the option for a further extension.

Council Member Rhoades stated an additional extension beyond the two years. This is an unfortunate compromise with the political fallout and the promises made by the tax and that really tied the hands of the Council significantly. This will also clear the air and we have to get to a bidding process sooner rather than later to minimize any sense of impropriety with our vendors going forward.

Council Member Kreuter stated he likes most of the changes but doesn't like the deletion of the option of a future extension. That is a tool for the City to use to their benefit in the future and he wouldn't be in favor of deleting that.

Council Member Rhoades stated when she drafted this with the City Attorney the understanding was that this language strongly encourages by stating a new bidding process will occur. But of course we can't effectively control what any future Council does. It would take a significant active step by any future Council to reverse this. Council Member Rhoades stated she felt it important to lay out the ground work to seek competitive bids.

Council Member Kreuter stated it makes it impossible to do it because it isn't a policy statement this is a contract with Allied and we would be giving up a tool in our toolbox for future use.

Council Member D'Alfonso stated this amendment would make her feel much better about agreeing to the two year extension because she feels there needs to be a bidding process and soon.

Council Member Rhoades stated her first preference would be to rebid in 2012.

Council Member Kreuter stated that would be his preference also but we don't know that the world is going to be like in two years. There might be some set of circumstances where we do want to extend the option.



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David Poger of IESI stated there are some lawyers on the Council and he want to law school and the first thing that is taught in contracts is that any contract has an out. In the public domain especially because it is a public contract, most are thirty day outs.

Mark Perkins stated the question wasn't about getting out of the contract, it was about getting back in it necessary.

Council Member Kreuter stated if we deem it to be beneficial would like to keep that right to an extension available.

Council Member Hoffman asked if the option was totally the City's.

Council Member Kreuter stated correct.

Mayor Dielmann asked if we want to vote on the amendment.

Council Member Kistner asked Council Member Kreuter if this fails now will he propose an alternative amendment.

Council Member Kreuter stated yes.

Laura Bryant resident of 12738 Hezel Lane stated she respects and understands the comments about making a lot of changes and the Council is correct that there has been a spoken and unspoken message to the community that we are going to continue as is for the next two years. However, Council Member Rhoades' suggestion that we definitely put this out to bid in two years no matter what, the reason she has that in there is because we no longer necessarily believe what we believed five years ago. Council Member Saunders talked about five years with another five years worth of extensions and at that time what we were told, what we believed and what the research showed was the number of competitors was dwindling and we may not even end up with any competitors. What we know today is that maybe there are more options out there. In an effort to get through this cycle but not to look like we just keep giving extensions to vendors who secretly contribute to campaigns that is the compromise and should be taken seriously.

Council member Kistner stated that is an excellent point because we don't know that the situation is going to be in two years and to Council Member Kreuter's point, today maybe there are other options and two years from now we don't know what happens and maybe we are back with one option left. We either have an ordinance that requires us to go out to bid in a virtual monopoly situation or we have that tool that Mr. Kreuter was speaking eloquently for in our tool box that says we can see the landscape and it does not look good for us and we are going to exercise this. It puts it in the hands not only the Council but more importantly it leaves that tool for our staff who everyone agrees has done a very good job currently and in the past in evaluating our options. It keeps it for them to do the same kind of diligence to say we are going to bid now and recommend that we bid now and for all of these reasons because we have all these choice or recommend that we don't bid now because this particular year would be a bad year. Council Member Kistner stated she would rather trust the judgment of staff than take that out for some sort of political cover.



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Council Member Krueter stated it would be presumptuous to say that we are more intelligent than Council will be in two years looking at the situation in two years.

Council Member Hoffman asked if we do this two year amendment and two year extension will that preclude the other three years that we negotiated five years ago.

Mark Perkins stated no it would not and we did bid the contract in 2007 and this is the first extension under this contract. That contract has a provision for a five year extension. So what we are now talking about is amending to a two year extension with a three year option. That is the sole option of the City and in total that would be up to five years. But at a two year mark the City would have to make that decision, go to bid or extend for the remaining three.

Council Member Hoffman asked but we would not be removing the extra three years.

Council Member Kistner stated under Council Member Rhoades' motion we would.

Mayor Dielmann called the question for the amendment, with the vote upon such motion being as follows, to-wit:

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

The vote on the motion being 2 ayes and 5 nays, motion failed.

Council Member Kistner moved, seconded by Council Member Hoffman to amend to change the three year extension to a two year extension and in Section 2 change from three year period to a two year period ending June 30, 2014 and then the sentence, "the city shall have the option of extending the contract for an additional three years to June 30, 2017 on these same terms and conditions, should the city elected to exercise this option shall give written notice to Allied Waste no later than May 1, 2014".

Council Member D'Alfonso asked does that mean in two years there is no impetus on this Council to rebid this process.

Council Member Kistner stated there would be.

Council Member D'Alfonso stated where does it say that?

Council Member Hoffman stated it just isn't mandatory.

Council Member D'Alfonso stated so it isn't mandatory and we are just going to assume that is what they are going to do.



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Council Member Kistner stated our staff is going to do the same due diligence that they just did and report back to the Council at that time.

Mark Perkins stated after that process the contract review will come back to Council for a vote if that is the question. It will require Council action to extend any contract.

Council Member Saunders stated he would like to be very clear that his intent is to go out to bid in two years if he is still sitting on Council.

Council Member Kreuter stated that second option creates a ceiling for the Council as far as the rebid. It would be a good situation.

Council Member D'Alfonso asked who will be term limited in the next two years.

Council Member Kistner stated she will not be at the dais.

Council Member Hoffman stated if the economic conditions are similar to the present he will vote to go to bid.

Council Member Wang stated he will rebid if the economic conditions are similar.

Council Member Kreuter stated it is a meaningless promise but sure if the situation is the same then sure we can rebid and tell you what you want to hear.

Council Member D'Alfonso stated it isn't what she wants to hear it is what the community wants to hear.

Council Member Kreuter stated the community wants to hear, it is silly because if the conditions are the same and they will not be, he will vote to bid it out.

Council Member D'Alfonso stated what is silly is how this whole Creve Coeur Cares tax thing went down the way that it did. That is what is silly and that it wasn't more thought out.

Council Member Kistner asked can we vote.

Mayor called the vote on the amendment, 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 Rhoades - Abstain
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye

The vote on the motion being 6 ayes and 0 nays, with one abstention, motion carried.

Council Member Kistner moved, seconded by Council Member Hoffman to approve Bill No. 5345 as amended, with the vote upon such motion being as follows, to-wit:



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

The vote on the motion being 6 ayes and 0 nays, with one abstention, motion carried. Bill No. 5345 becomes Ordinance No. 5229.

Council member Nealy returned to the dais.

NEW BUSINESS

5. Bill No. 5346 - An Ordinance Amending The Official Zoning Map Of The City Of Creve Coeur To Rezone Land From “C” Single-Family Residential District To “GC” General Commercial, Authorizing The Installation Of One (1) Fire Hydrant, And Approving The Site Development Plan For The Property Addressed As 11122 Olive Boulevard. First Reading

City Clerk read Bill No. 5346 for the first time.

Paul Langdon made a presentation regarding this application. Paul Langdon stated the existing buffer meets the dimension requirements and is a mix of tree cover, most of which is either mature evergreen or low growing deciduous. Staff pointed out to the Commission that the deciduous cover would drop its leaves for roughly six months of the year. At which point it provides almost no headlight coverage. The mature trees don’t screen headlights. So in accordance with the Zoning Code a screen of an average height of thirty –six inches is to be created either with a low wall or a hedge along those parking areas and it would be located at essentially what is open space now. It wouldn’t require the removal of any mature trees or impede the flow of stormwater.

Council Member Kistner asked if the correct height would be thirty inches.

Paul Langdon stated yes, the Zoning Code indicates it has to be at least eighteen as a bare minimum and an average of thirty-six. In order to give the applicant a specific number, for example a wall, where would they start? Staff suggested that thirty inches was the correct place to start and that put you up higher than most headlights that would be parking in the lot and create a good starting point. Obviously if the Council feels that it is too high or too low they have a range of uses to go from.

Council Member Kistner stated thirty inches is high enough.

Paul Langdon stated for most cars it would be above headlight level but it could be certainly increased.

Council Member Kistner asked about SUV’s headlights.

Paul Langdon stated SUV’s would be over that.



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Mayor Dielmann asked if the school would be open at night.

Paul Langdon stated the school is not open at night but in the winter they would be open before the sun comes up and would close after the sun goes down. Winter is when we are most concerned about that buffer not working.

Mayor Dielmann stated okay.

Paul Langdon stated another issue that staff identified was the front yard. This was the proposal presented by the applicant. Recall that the pedestrian plan that was adopted by the City at the same time as the last Comprehensive Plan, more or less, directed us to seek a sidewalk corridor. The recommended corridor along primary streets is fifteen feet wide and includes a detached sidewalk with landscape space on either side that can be used for various functions. Recall also that this area as been identified by the Comp Plan should be handled as a green line park. We have wrestled over what that means before and certain we will continue to wrestle over it but at a minimum it is about an experience. It is about that feeling of an effective landscape, a year round landscape and one that has not only the value of maybe insulating you from the flow of traffic on the street but also gives you something to look at and enjoy as you walk down the sidewalk. We don't have that day but what we do have is a five foot sidewalk attached to the curb. As one of the Planning Commissioners attested, who lives in the area, indicated it is not comfortable walking down that sidewalk when traffic is coming at you at 45 mph. That is not that posted speed limit but that is the reality. So the Commission felt that this approach whether it is the minimum of three feet or the maximum of whatever the space allows was better than no separation at all. It is also true that none of the other properties on this frontage have that. They all have the same sidewalk. But as we have been discussing, the future of all of these houses is in doubt. The pressure is always there and the pressure has been there to convert those properties to commercial use. There has already been one application across the road which, but for hard economic times would have seen three of the surrounding houses removed. It will happen eventually and when it happens, now is the time to send the message that this is what the City wants. We keep talking about whether Olive Blvd really a walkable street or not. Of course it isn't, but we both give up and stop trying or we stake the ground here. Staff added into the ordinance that the fifteen foot pedestrian corridor would be observed subject to approval.

Council Member D'Alfonso asked who would pay for the sidewalk.

Paul Langdon stated the applicant.

Council Member Hoffman asked if there is meant to be two-way traffic in front of the doors of the building or is the traffic meant to loop around the building so children wouldn't have to walk in the flow of traffic.

Paul Langdon stated this isn't like a regular school where there is a set time for classes to begin. The children will be arriving at staggered times. Parents dropping off would pull in and park at either the front or rear entrance to drop off children. So there shouldn't be children walking in the parking lot in the flow of traffic.



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Council Member Kreuter stated this property is contiguous to Olive and asked how many are currently Zoned C?

Paul Langdon stated he couldn't be certain how many are zoned C at the moment.

Council Member Kreuter asked what problems would the Planning Department have if we zoned everything C located east of Olive to Lindbergh to GC.

Paul Langdon stated under a zoning situation the applicant is required to bring forward a site development plan. By not allowing the City the opportunity to review a site development plan it could possibly establish the use without the opportunity to review the impact that a use might have on the area.

Council Member Saunders stated in the notion with a rezoning comes a site plan and a higher level of discussion as Mr. Caldwell's discussion indicates. Council Member Saunders stated he thinks this is a great use of the property and is enthusiastic about the development and does not want to do anything to slow the approval process. The notion that this would be a permitted use in C residential but for the lot size of three acre and we could make by text amendment or specific language as suggested if we didn't want to make it all C residential with three acre we could say one and one-half acre abutting Olive, etc. What about the notion of the sense that there is a limited change to the property being proposed right now that is a great use for the property going that route such that if someone does down the road come along with something else that they want to do we can have that more detailed discussion in a rezoning to GC.

Paul Langdon stated this gets us down the road with this application and in his mind that is essentially unnecessary delay. It is basically a zoning band aid. If the Council has a concern with the general commercial district, it is already in front of the Council. Why wait until the next application. If we know these properties are headed in this direction then C zoning is not appropriate for these properties any longer then this is the time. If the Council feels that GC is not appropriate for these properties then that should be the decision. Whether it affects this applicant or the next, the Council can't keep kicking that can down the road. Council has what they need to do the right thing with any of these properties whether it is this one or any of them in the line to protect the houses from the south. The GC District was created for this type of situation, the Council has a lot of design flexibility to maximize or optimize the outcome and he doesn't see where trying to come up with a custom district or some custom amendment that happens to sneak this one in gets us anywhere other than delaying the hard discussion.

David Caldwell resident of 257 Brooktrail Court stated the City has talked about Master Planning for the Downtown District because we don't want that to be a piecemeal evolution. Mr. Caldwell stated he feels it is more important to do Master Planning for the houses along Olive. Perhaps GC is the answer but perhaps that needs to be modified to a special zoning which may eliminate some uses or provide the incentives to have more creative development along Olive. So therefore, Mr. Caldwell stated, he is not suggesting kicking the can down the road but rather right now coming up with the answer that we want these houses along Olive and doing it as soon as possible. Whether it is GC or whether it is something else. Mr. Caldwell stated he is only suggesting the text amendment for this particular property to allow the number of months to look at the Comprehensive Plan and coming up with an answer for all of the



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properties along Olive and not doing it incrementally. The real danger is that this business can't survive financially and then we will be in the same boat as we were with Parc Provance.

Mayor Dielmann stated the Planning Commission has a letter from the Council asking them to look at Olive Blvd for complete rezoning.

Paul Langdon stated complete Comprehensive Plan review which could lead to rezoning.

Laura Bryant resident of 1273 Hezel Lane stated after being on the Planning and Zoning Commission for four years, traditionally the approach was to wait for an applicant to come forward and use that as leverage to get as many thoughtful design considerations as possible and that doesn't always work perfectly. Ms. Bryant stated she served the Planning Commission with a person named Mary Ellen May and she was the Chair and became a City Council Member. The one thing that she was remembered for was that she championed a more pedestrian-friendly city of Creve Coeur and in fact she single-handedly brought in a design consultant by the name of Dan Berden and together they literally and completely changed the way that the City looked at their streets and sidewalks. When people would argue that no one walks there then she would astutely point out that when a sidewalk is installed then people will walk there. That has been shown over and over again. Ms. Bryant would like to advocate that point of view and if there is a way to put in a sidewalk that is more pedestrian friendly she encourages that result.

Ed Griesedieck, Attorney for the applicant, stated he represents Brown Stone Properties and hopes to build a Goddard School for childhood development. This is a national operation. Mr. Griesedieck was present and available to answer any questions.

Council Member Kistner asked the calculation of the increase in green space over what is currently?

Mr. Greisedieck stated the impervious now is 63% and it will be 58% when finished, so it is 5% below the requirement.

6. Bill No. 5347 - An Ordinance For The Holding Of A General Election In The City Of Creve Coeur, Missouri On The 3rd Day Of April, 2012, For The Election Of One Mayor From The City At Large For A Full Three-Year Term, One Council Member From The First Ward For A Full Two-Year Term, One Council Member From The Second Ward For A Full Two-Year Term, One Council Member From The Third Ward For A Full Two-Year Term, And One Council Member From The Fourth Ward For A Full Two-Year Term, For The Conduct Of Said Election By The Board Of Election Commissioners Of St. Louis County, Missouri, And For Other Matters Relating And Pertaining To Such Election. First Reading

City Clerk read Bill No. 5347 for the first time.

Carl Lumley stated he wanted to call to the Council's attention, acceptance to the nomination forms which were slightly revised and placed on the dais tonight.

Council Member Kistner asked if the changes results from a state requirement.



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Carl Lumley stated that was correct.

BUSINESS FROM THE MAYOR and CITY COUNCIL

7. Competitive Bids for Trash Service

Item was included with Item 4 of the agenda.

BUSINESS FROM CITY ADMINISTRATOR

8. 2011 Triennial Citizen Survey Review

Mark Perkins stated included in the packet is the latest draft of the citizen survey which our consultant, Dr. Ken Warren, is getting ready to do. Mark Perkins stated he did receive a comment from Council Member Rhoades.

Council Member Rhoades stated because the trash topic was front and center it is imperative to move forward on exploring options and helping to educate the community and so she composed a question for which she would be interested to see the responses.

Mark Perkins stated a similar question was asked in 2005, essentially setting up that providing rear yard trash is more costly than curb side trash there are also environmental benefits to curb side pickup versus rear yard. But knowing this information, which of the following would you prefer. Council Member Rhoades suggested a couple of options we could provide for the survey that are not too dissimilar that we did a few years ago in polling residents to find out if they prefer curb side trash service with toters provided at no fee city wide or by rear yard with customers paying about \$15 a month. Or if residents would prefer to continue rear yard service at no fee even if it meant that the other service levels may need to be reduced to cover the costs. Staff has not vetted the question with our consultant. Trying to find out if people want curbside with rear yard fee or rear yard knowing that there will be a cost might mean service reduction in other areas.

Council Member Rhoades stated her motive was after seeing the question from 2005 almost directly followed the recent discussions regarding the issue. Council Member Rhoades stated she was trying to capture the same sentiment and having a similar question we would have something to correlate it to from the previous survey question.

Mark Perkins stated it is a good question to ask and thought it was an interesting response we received in 2005.

Council Member Rhoades stated the response basically was, there were three choices and if you combine one and two, which asked if citizens preferred curb side or would they pay a fee for rear yard. It was 68% were affirmative to one of those two choices and they sort of overlapped. People aren't going to object if someone else pays for rear yard.

Mark Perkins stated the third choice was 31% would prefer rear yard trash to no fee even if it required a voter approved tax to support it. Mark Perkins stated we probably wouldn't ask that this time because we just approved a sales tax. The expectation is that the City would find a way, maybe even the expense of other services to fund it.



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Council Member Kistner stated she doesn't understand the suggestion why we would ask if citizen would prefer to keep rear yard even if it means reducing other services. We could say that literally about every single service we have. It is a very leading question because it suggests a predetermination that keeping or reducing services is all dependent upon the lynch pin of rear yard trash and not any other service or combination of cuts and or additions.

Council Member Rhoades stated that is only one option.

Council Member Kistner stated she perfectly understands it and it is only one option.

Council Member Rhoades stated if the question is compared to the 2005 question then it makes more sense.

Council Member D'Alfonso stated she agrees with Council Member Kistner's comments and this question is leading.

Council Member Kistner stated she would like to hear what people feel about the rear yard trash services and then make a judgment based on hearing how strongly people feel about it. Once we start talking about cutting services then everything is on the table for the discussion of elimination and then we just aren't talking about services.

Mark Perkins stated we have two questions regarding rear yard currently and will ask citizens where they place their trash and will ask if they were aware the rear yard was available at no charge to all single family homes.

Council Member Nealey stated it strikes her that what we want to get at is the emphasis or priority that people will place on rear yard pick up and that a poll maker will have ways to ask that question and get at the information we are looking for as in ranking type of questions.

Mark Perkins stated Dr. Warren can help us with that and we have had similar discussions on other issues and one way to do it would to rank order of services.

Council Member Nealey stated once we put in specific services then it gets complicated but a more general question structure would be beneficial.

Council Member Kistner stated she would be more in favor of providing some sort of basic statement as to the cost of trash service, as it is today and the percentage of budget and how much of that is for the inclusion of rear yard and given that information how important is this service to citizens.

Laura Bryant resident of 12738 Hezel Lane stated she does not understand the statements made previously between City Administrator and Council Member Kistner. Ms. Bryant stated she understood the City Administrator to say that if we got to a point we might have to make a decision about services versus something else and asked if that type of question be on the questionnaire.

Mark Perkins stated what we had talked about and what Council Member Rhoades had suggested was for citizens to choose one or the other. They would need to choose that the City would choose rear yard



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knowing that it is more expensive and less environmentally friendly or would citizen prefer curb service and rear yard would be an additional \$15.00 fee.

Council Member Bryant stated thank you.

Mark Perkins stated he believe he is hearing that Council wants to know how important rear yard service is to citizens in some fashion and staff will speak with the consultant and see what he suggests.

Council Member Rhoades stated we just spent an hour hashing over the trash contract and the fact that we have a three year promise and then we want to take another look and we cut the contract back to two years to coincide with the tax time frame. Council Member Rhoades stated so not to take advantage of this opportunity of the survey and use it as a tool to find out as much information as we can is a lost opportunity. Council Member Rhoades stated she doesn't want to heavy -hand any question but would like to correlate a question from the 2005 survey to have a comparison then it will be meaningful.

Mark Perkins stated we will speak with the consultant and see if we can come up with something.

Council Member Rhoades stated some of the question are so plain vanilla and give us no input. If we ask noncontroversial questions we are going to get useless information.

Mark Perkins stated we will discuss with the consultant and see what he suggests. There is one other issue with the survey and that is regarding question 21, which came from the REB Committee, which asks, "do you think Creve Coeur should enact an ordinance that requires all businesses and residential property to provide recycling service knowing that this cost could be passed onto the tenants by the landlords". Mark Perkins stated this is a question that he had some reservations with and doesn't know from the staff liaison if they spent a whole lot of time talking about it and Council Member Rhoades questioned it as well. Mark Perkins stated he would like to be cautious about the types of questions we ask as questions can send messages. We haven't even talked about this issue and not sure that there is a lot of value in that question and was interested in Council's response.

Council Member Kreuter stated there is a big assumption in that question.

Council Member Saunders stated there is a big assumption in that question.

Mark Perkins stated it does and we will strike the question.

Council Member Hoffman moved, seconded by Council Members Wang to adjourn at 9:46 p.m., with the vote upon such motion being as follows, to-wit:

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



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The vote on the motion being 7 ayes and 0 nays, motion carried.

Deborah Ryan
City Clerk

Harold Dielmann
Mayor

From: Tara Nealey [TNealey@Polsinelli.com]
Sent: Tuesday, November 01, 2011 2:41 PM
To: Ryan, Deborah
Cc: Perkins, Mark C.; Christensen, Jaysen
Subject: Addendum to 10-10-11 Council minutes

Hi Debbie - In advance of the next council meeting I'd like to propose an addendum to the October 10, 2011 council meeting minutes.

At page 5 of the minutes, second to last paragraph, the minutes read that I stated, "If an adjoining neighbor is against a hunt then they just have to say no and a hunt will not happen in their area."

I'd like to propose an addendum to clarify what I meant by that statement. More precisely, in recognition of the bow hunting ordinance language which allows multiple adjoining properties to be combined to form the minimum one-acre area required for a hunt, a clearer statement of what I meant is as follows: If any neighbor who owns adjoining property that would be needed to form the minimum one-acre area, were to say no, then a hunt would not happen in that area.

Could you please place that proposed change on the November 14 agenda for council approval?

Thanks,

Tara

Tara A. Nealey, Ph.D.

Polsinelli Shughart PC

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

DATE: November 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 November 9, 2011 in the amount of \$591,561.91.



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

11/9/2011

NO DEPT - NO DIV

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00084	2		3868111007	25-Oct-11	COCA-COLA	VENDING SODA AT GARAGE	01-00-00-4739	208.08
00080	0		6785111	18-Oct-11	DIERBERGS	PRISONER MEALS, MEDS, CUPS	01-00-00-2410	34.89
00234	1		356425	26-Oct-11	ED ROEHR SAFETY PRODUCTS	GUNBOX INSTAL/WIRE CHIEF'S CAR	01-00-00-2712	162.50
01498	0		092511	20-Oct-11	MINTZ, JAN	SEWER LATERAL REPAIR REIMB	02-00-00-1901	1,881.24
00189	0		132	04-Nov-11	MIRIKITANI & ASSOCIATES	VERB, COMMUNICA & SKILL COURSE	01-00-00-2411	350.00
01378	0	P001274	97346-2	28-Oct-11	PERSONNEL EVALUATION INC.	2ND INSTALLMENT-INTERVIEWING S	01-00-00-2411	1,000.00
00065	418		090211	31-Oct-11	TAYLOR, TIMOTHY	SEWER LATERAL REPAIR REIMB	02-00-00-1901	3,176.00
00776	0		174	19-Oct-11	VNA COMMUNITY SERVICES	EMPLOYEE PAID FLU SHOTS	01-00-00-4729	88.00
							<i>Sum of Invoices</i>	<i>6,900.71</i>



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LEGISLATIVE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00019	0		80094	01-Nov-11	CURTIS, HEINZ, GARRETT & O'KEEFE	LEGAL FEES-CITY ATTY OCT 2011	01-11-12-6201	16,162.50
01000	0		101811	18-Oct-11	SULLIVAN PUBLICATIONS	CODE ON WEB MAINT JUN-DEC 11	01-11-13-6203	180.00
Sum of Invoices								16,342.50



**CITY OF CREVE COEUR
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Administration

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01120	0		103111	31-Oct-11	ASI	FLEX BENEFIT ADMIN FEE-OCT '11	01-12-11-6203	349.70
01447	0	P001270	18206	26-Oct-11	DIVERSIFIED PRINTING INC	PRINTING OF NOV '11 NEWSLETTER	01-12-11-6203	988.00
01262	0	P001267	24908	31-Oct-11	SPECIALTY MAILING	HANDLING/MAILING-NOV '11 NEWSL	01-12-11-6203	272.73
Sum of Invoices								1,610.43



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IT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00007	0		379-601739	19-Oct-11	BATTERIES PLUS - 270	BATTERIES-DETECTIVES LAPTOPS	01-12-51-6213	191.58
00139	1	P001315	XFJKNW725	17-Oct-11	DELL MARKETING L.P.	4 LATITUDE E6520 LAPTOPS	01-12-51-7331	6,876.80
00139	1	P001315	XFJJRFMN2	13-Oct-11	DELL MARKETING L.P.	6 OPTIPLEX 390 PC 3-PD, 3-REC	01-12-51-7331	5,899.20
00139	1	P001315	XFJJ58F65	13-Oct-11	DELL MARKETING L.P.	1 PRECISION T3500 PC FOR IT	01-12-51-7331	2,124.00
						REPLACEMENT PHONE-CRT		
00070	1		I111031748	31-Oct-11	TECH ELECTRONICS	ADMINISTRATOR	01-12-51-6213	256.25
00070	1		I111025468	25-Oct-11	TECH ELECTRONICS	SERVICE RE:AXXESS SYSTEM	01-12-51-6213	125.00
Sum of Invoices								15,472.83



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Finance

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00041	0	P001245	110111	01-Nov-11	ALANIZ, RONNA	PROF SVCS 9/23 TO 9/27/11	01-13-11-6202	3,152.50
00016	0		102511	25-Oct-11	COLLECTOR OF REVENUE	SALES TAX REPORT-OCTOBER 2011	01-13-11-6202	20.00
00021	0		103111	31-Oct-11	GOEWERT, LINDA	MILEAGE REIMB-OCTOBER 2011	01-13-11-7307	21.20
00072	2		XT00061458	18-Oct-11	HARRIS	W-2, 1099 FORMS	01-13-11-7304	167.50
01484	0		250379-1	27-Oct-11	OFFICE SOURCE, INC.	FIRST AID KIT SUPPLIES	01-13-11-7304	13.96
01568	1	P001331	11-0000-216	26-Oct-11	TRACKER	WEB CONFERENCING TRAINING	01-13-11-6202	400.00
01568	1	P001331	11-0000-216	26-Oct-11	TRACKER	TRACKER PORTFOLIO SET UP FEE	01-13-11-6202	595.00
01568	1	P001331	11-0000-216	26-Oct-11	TRACKER	SUBSCRIPTION FEE 11/1/11 TO 11	01-13-11-6202	2,340.00
Sum of Invoices								6,710.16



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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MUNICIPAL COURT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00779	0	P001277	INV00006745	31-Jul-11	AMERICAN TRAFFIC SOLUTIONS, INC.	CAMERA FEES-JULY 2011	01-13-14-6248	49,080.50
00779	0	P001277	INV00006987	31-Aug-11	AMERICAN TRAFFIC SOLUTIONS, INC.	CAMERA FEES-AUGUST 2011	01-13-14-6248	46,900.00
00050	0		INV0019088	15-Oct-11	REJIS	SUBSCRIPTION FEES-OCTOBER 2011	01-13-14-6202	2,253.56
Sum of Invoices								98,234.06



**CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING**

11/9/2011

INTERDEPARTMENTAL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00249	0		1073165	27-Oct-11	AMERICAN CARNIVAL MART	ITEMS FOR EMPLOYEE REC. LUNCH	01-13-15-6272	73.30
00014	1	P001272	0215116 11/10	06-Oct-11	CHARTER COMMUNICATIONS	CABLE SERVICE-GARAGE	01-13-15-6255	62.00
00080	0		4090311	03-Sep-11	DIERBERGS	SYMPATHY FLOWERS-D. MURRAY	01-13-15-6272	66.99
00080	0		4080411	04-Aug-11	DIERBERGS	SIMPATY FLOWERS-D. BARRETT	01-13-15-6272	50.00
00255	0		31.11	28-Oct-11	MISSOURI DIVISION OF EMPLOYMENT SECURITY	UNEMPLOYMENT BENEFITS	01-13-15-5244	9,719.58
00112	0		40857	26-Oct-11	MPS	BOOKMARKS FOR EMPLOYEE LUNCH	01-13-15-6272	29.00
01484	0		251318-0	03-Nov-11	OFFICE SOURCE, INC.	TONER-PD	01-13-15-7312	267.20
01484	0		250379-0	22-Oct-11	OFFICE SOURCE, INC.	VARIOUS OFFICE SUPPLIES	01-13-15-7312	260.29
01484	0		251279-0	02-Nov-11	OFFICE SOURCE, INC.	TONER-PW/COMM. DEV.	01-13-15-7312	143.01
00076	1		29718459	28-Oct-11	PEPSI BEVERAGES COMPANY	SODA FOR EMPLOYEE LOUNGES	01-13-15-7304	340.80
00077	0		7608004	25-Oct-11	QUILL	2012 CALENDARS	01-13-15-7312	121.85
00077	0		7606845	25-Oct-11	QUILL	TONER, BINDERS, PENS	01-13-15-7312	162.89
00192	0		20117512	25-Oct-11	ST LOUIS FITNESS TECHS LLC	TREADMILL REPAIR	01-13-15-6211	100.00
00192	0		20117474	29-Sep-11	ST LOUIS FITNESS TECHS LLC	ELLIPTICAL REPAIRS	01-13-15-6211	65.00
00192	0		20117473	29-Sep-11	ST LOUIS FITNESS TECHS LLC	PREVENTIVE MAINT-TREADMILL	01-13-15-6211	85.00
01169	0		110959097	28-Oct-11	STAPLES ADVANTAGE	TONER-PD	01-13-15-7312	160.27
01169	0		110980166	31-Oct-11	STAPLES ADVANTAGE	TONER-COURT & PD	01-13-15-7312	155.13
01169	0		110900092	25-Oct-11	STAPLES ADVANTAGE	2012 CALENDARS	01-13-15-7312	33.66
01169	0		110899935	25-Oct-11	STAPLES ADVANTAGE	2012 CALENDARS	01-13-15-7312	45.01
01169	0		110575307	03-Oct-11	STAPLES ADVANTAGE	VARIOUS OFFICE SUPPLIES	01-13-15-7312	169.42
01169	0		110575303	03-Oct-11	STAPLES ADVANTAGE	ENVELOPES, POST-ITS	01-13-15-7312	16.66
01169	0		110596867	05-Oct-11	STAPLES ADVANTAGE	TONER-MUNI COURT	01-13-15-7312	138.62
01169	0		110618627	06-Oct-11	STAPLES ADVANTAGE	FOLDERS FOR BUILDING DEPT.	01-13-15-7312	46.76
01169	0		110618826	06-Oct-11	STAPLES ADVANTAGE	SHEET PROTECTORS	01-13-15-7312	44.65
01169	0		110618937	06-Oct-11	STAPLES ADVANTAGE	TONER-MUNI COURT	01-13-15-7312	227.01
01169	0		110800259	19-Oct-11	STAPLES ADVANTAGE	SUPPLIES FOR P.D.	01-13-15-7312	161.78
00776	0		174	19-Oct-11	VNA COMMUNITY SERVICES	CITY PAID FLU SHOTS	01-13-15-6272	88.00
<i>Sum of Invoices</i>								12,833.88



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

11/9/2011

ICE ARENA

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-3910254	18-Oct-11	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (10/18/11)	06-14-31-7301	0.80
01550	0		452-3936736	25-Oct-11	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (102511)	06-14-31-7301	0.80
01550	0		452-3963072	01-Nov-11	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (110111)	06-14-31-7301	0.80
01550	0		452-3910254	18-Oct-11	ARAMARK UNIFORM SERVICES	UNIFORMS (10/18/11)	06-14-31-7308	3.60
01550	0		452-3936736	25-Oct-11	ARAMARK UNIFORM SERVICES	UNIFORMS (102511)	06-14-31-7308	3.60
01550	0		452-3963072	01-Nov-11	ARAMARK UNIFORM SERVICES	UNIFORMS (110111)	06-14-31-7308	3.60
00080	0		9644-174-5	29-Oct-11	DIERBERGS	BIRTHDAY CAKE	06-14-31-7304	21.99
00117	0		6013312	26-Oct-11	HOME DEPOT	SIGN BOARD	06-14-31-6212	26.97
00117	0		6406646	16-Oct-11	HOME DEPOT	MISC BUILDING SUPPLIES	06-14-31-6212	20.80
00117	0		6013312	26-Oct-11	HOME DEPOT	DRAIN CABLE	06-14-31-9503	499.00
00082	0		0500937	25-Oct-11	METROLIFT PROPANE	PROPANE FOR OLYMPIA	06-14-31-7307	224.48
00116	0		1884 11-11	20-Oct-11	SAM'S CLUB	EVENT SUPPLIES	06-14-31-7304	44.81
Sum of Invoices								851.25



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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GOLF MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00081	1		9664093896	19-Oct-11	GRAINGER	MARKING PAINT	06-14-32-7301	6.78
00081	1		9664093888	19-Oct-11	GRAINGER	FLUORESCENT LAMPS	06-14-32-7301	8.16
00117	0		2022208	20-Oct-11	HOME DEPOT	CAULK & CONCRETE EROSION CONTR	06-14-32-6212	55.94
00117	0		3021860	19-Oct-11	HOME DEPOT	LIGHT BULBS	06-14-32-6212	7.74
00117	0		3021860	19-Oct-11	HOME DEPOT	MOLE TRAP	06-14-32-6212	19.97
00117	0		3021860	19-Oct-11	HOME DEPOT	SILICONE SEALER	06-14-32-6212	12.74
00117	0		3021860	19-Oct-11	HOME DEPOT	MOLE BAIT	06-14-32-7303	9.94
00042	0		175561	24-Oct-11	MPR SUPPLY	DRAINAGE GRATE & TEE	06-14-32-9501	44.86
00042	0		175852	31-Oct-11	MPR SUPPLY	GATE VALVE & PVC ELBOW	06-14-32-9501	18.42
Sum of Invoices								184.55



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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PRO SHOP

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00222	0		921754	19-Sep-11	HORNUNG'S PRO GOLF SALES INC	TOWELS FOR RESALE	06-14-33-8327	54.09
00665	0	P001312	111616	28-Sep-11	M & M GOLF CARS	5 DS RIDING GOLF CARTS-2012	06-14-33-9503	14,475.00
00665	0	P001312	111616	28-Sep-11	M & M GOLF CARS	1 CLUB CAR-BEVERAGE CENTER CAR	06-14-33-9503	3,500.00
00665	1		143247A-IN	17-Oct-11	M&M GOLF CARS	CART REPAIR BAG HOLDER	06-14-33-6210	49.68
00734	1		16499832	12-Oct-11	TAYLORMADE	SPECIAL ORDER CLUBS	06-14-33-8323	124.13
00119	0		3954292	23-Sep-11	TITLEIST	APPAREL FOR RESALE SOCKS	06-14-33-8325	23.92
Sum of Invoices								18,226.82



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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SNACK BAR

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-3910254	18-Oct-11	ARAMARK UNIFORM SERVICES	WIPING TOWELS (10/18/11)	06-14-34-7301	2.00
01550	0		452-3936736	25-Oct-11	ARAMARK UNIFORM SERVICES	WIPING TOWELS (102511)	06-14-34-7301	2.00
01550	0		452-3963072	01-Nov-11	ARAMARK UNIFORM SERVICES	WIPING TOWELS (110111)	06-14-34-7301	2.80
00084	2	P001230	3888225724	18-Oct-11	COCA-COLA	DRINKS FOR RESALE (8317)	06-14-34-8317	383.88
01491	0	P001281	55012972	19-Oct-11	FARMER BROS. COFFEE	COFFEE, TEA, SOFT DRINKS-RESAL	06-14-34-8317	36.14
00116	0	P001226	1884 11/11	20-Oct-11	SAM'S CLUB	SANDWICHES FOR RESALE (8315)	06-14-34-8315	75.28
00116	0	P001226	1884 11/11	20-Oct-11	SAM'S CLUB	SNACKS FOR RESALE (8319)	06-14-34-8319	87.92
00086	0	P001225	110229060	22-Oct-11	SYSCO FOOD	SANDWICHES FOR RESALE (8315)	06-14-34-8315	58.80
00086	0	P001225	110200677	20-Oct-11	SYSCO FOOD	SANDWICHES FOR RESALE (8315)	06-14-34-8315	195.24
00086	0	P001225	110200677	20-Oct-11	SYSCO FOOD	MISC ITEMS (8321)	06-14-34-8321	14.58
00086	0	P001225	110200677	20-Oct-11	SYSCO FOOD	MISC ITEMS (8321)	06-14-34-8321	18.22
01121	0	P001228	26824	21-Oct-11	TJ'S PIZZA	PIZZA FOR RESALE (8315)	06-14-34-8315	72.25
Sum of Invoices								949.11



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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BUILDING MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00090	0		2011-3481	08-Oct-11	AMERICAN WATER TREATMENT	WATER TREATMENT HVAC SYSTEM	01-16-11-6212	494.44
01550	0		452-3910253	18-Oct-11	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (10/18/11)	01-16-11-7308	7.20
01550	0		452-3936735	25-Oct-11	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (10/25/11)	01-16-11-7308	7.20
01550	0		452-3963071	01-Nov-11	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (11/1/11)	01-16-11-7308	7.20
00088	0		107654	12-Oct-11	ARCHWAY LIGHTING SUPPLY, INC.	LIGHT BULBS CH MAINT	01-16-11-6212	103.50
01448	0	P001239	671846	01-Nov-11	BUILDINGSTARS	CLEANING SERVICES-NOV 2011	01-16-11-6212	1,420.00
00011	0		32006874	11-Oct-11	CARTER-WATERS LLC	OUTSIDE STAIRCASE MTRLS	01-16-11-6212	132.00
00011	0		32006923	12-Oct-11	CARTER-WATERS LLC	OUTSIDE STAIRCASE MTRLS	01-16-11-6212	30.00
00117	0		8055333	24-Oct-11	HOME DEPOT	SWITCHES MP RM	01-16-11-6212	15.98
00117	0		6023783	26-Oct-11	HOME DEPOT	SHELF MTRLS FOR FINANCE DEPT	01-16-11-6212	39.04
00117	0		8023229	24-Oct-11	HOME DEPOT	MP RM ELECTRICAL MTRLS	01-16-11-6212	132.32
00117	0		1012905	21-Oct-11	HOME DEPOT	MTRLS FOR PD	01-16-11-6212	163.44
00039	0		742021	12-Oct-11	INDUSTRIAL SOAP	GARBAGE BAGS CH MAINT	01-16-11-6212	573.20
00164	0		020364	28-Oct-11	NEW SYSTEM CARPET & BUILDING CARE LTD.	CREDIT INV #020232	01-16-11-7301	(108.80)
00164	0		020231	28-Oct-11	NEW SYSTEM CARPET & BUILDING CARE LTD.	CREDIT INV #020070	01-16-11-7301	(116.88)
00164	0		020070	17-Oct-11	NEW SYSTEM CARPET & BUILDING CARE LTD.	CH MAINT CHEMICALS/CLEANERS	01-16-11-7301	628.42
00164	0		020232	24-Oct-11	NEW SYSTEM CARPET & BUILDING CARE LTD.	CH CLEANING SUPPLIES	01-16-11-7301	112.80
00164	0		020365	27-Oct-11	NEW SYSTEM CARPET & BUILDING CARE LTD.	CH CLEANING SUPPLIES	01-16-11-7301	36.72
00116	0		8157	18-Oct-11	SAM'S CLUB	LUNCH ROOM SUPPLIES	01-16-11-6212	606.18
00968	1		67126678	21-Oct-11	SIMPLEX GRINNELL	REPAIR SPRINKLER HEAD CH	01-16-11-6212	882.86

Sum of Invoices

5,166.82



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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POLICE-ADMIN

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00080	0		8113147-1	27-Oct-11	DIERBERGS	KITCHEN SCRUBBERS FOR PD BREAK	01-21-11-7302	5.19
00234	0		356517	28-Oct-11	ED. ROEHR SAFETY PRODUCTS	EQUIP FOR CHIEF'S VEHICLE	01-21-11-6210	285.44
00285	0		10/20/11	20-Oct-11	EIDMAN, GLENN	OCT MEETING FEES FOR EIDMAN	01-21-11-6264	18.00
00680	0		10/20/11	20-Oct-11	FUNKHOUSER, WILLIAM	MONTLY MEETNG FEES FOR FBINAA	01-21-11-6264	36.00
00028	0		102011	20-Oct-11	KAYSER, DON	REIMBRS KAYSER FOR FBINAA MTG	01-21-11-6264	18.00
01542	0		12515	14-Oct-11	SOLAR CONTROL FILMS, INC.	CLEANG/FILM INSTALL PD ENTRANC	01-21-11-9501	240.00
01048	0		2645630122	18-Oct-11	VERIZON WIRELESS	MONTHLY CHARGES FOR OCTOBER	01-21-11-6253	43.01
Sum of Invoices								645.64



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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POLICE-INVESTIGATIONS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00098	0		2163	20-Oct-11	McCLAIN RADAR SERVICE	(13) RADAR & (4) LASER CERTS	01-21-21-6211	800.00
00298	0		0056363-IN	24-Oct-11	SIRCHIE	1.5"& 2" LIFTNG TAPE-TRANS	01-21-21-7304	56.48
Sum of Invoices								856.48



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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POLICE-PATROL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00227	0		27832	18-Oct-11	CAD ZONE	CRASJ ZONE UPGRADE SOFTWARE	01-21-22-7314	299.00
00080	0		8113147-1	27-Oct-11	DIERBERGS	6 BAGS CAT LITTER	01-21-22-7304	14.34
01031	0		72701	17-Oct-11	DOC'S HARLEY DAVIDSON	SERVICE ON MOTORCYCLE	01-21-22-6210	133.50
00096	0		115020	18-Oct-11	EVS	INSTALL NEW RADAR IN 2407	01-21-22-6210	45.00
00096	0		115019	18-Oct-11	EVS	INSTALL MIRROR STROBES IN 2414	01-21-22-6210	100.00
00022	1		470000019330	18-Oct-11	FEDEX KINKO'S	LAMINATING MAPS	01-21-22-7304	66.00
00094	1		143146	25-Oct-11	FIRESTONE	CAR 2417 3000 ML SVS/FRNT BRKS	01-21-22-6210	354.35
00094	1		143211	27-Oct-11	FIRESTONE	(1) TIRE TO KEEP IN SALLYPORT	01-21-22-6210	105.99
00094	1		143200	26-Oct-11	FIRESTONE	(1) TIRE FOR CAR 2405	01-21-22-6210	91.50
00094	1		140992	26-Aug-11	FIRESTONE	CAR 2417 REPLACE TRN SIG BULB	01-21-22-6210	14.99
00094	1		143212	27-Oct-11	FIRESTONE	CAR 6 3000 ML SVS;BRAKES;TIRES	01-21-22-6210	553.98
00094	1		142638	14-Oct-11	FIRESTONE	CAR 2405 REPAIRS TO A/C	01-21-22-6210	257.71
00094	1		142951	20-Oct-11	FIRESTONE	CAR 2405 3000 MILE, BRAKES, FF	01-21-22-6210	409.45
00094	1		142965	20-Oct-11	FIRESTONE	CAR 2405 FIX AUTO DOOR LOCKS	01-21-22-6210	39.00
00081	0		9672280683	27-Oct-11	GRAINGER	NEW MANOMETER FOR RANGE	01-21-22-7313	52.17
00347	1		451277	18-Oct-11	KUSTOM SIGNALS, INC.	(3) SPARKLAN FILE TRANS. KITS	01-21-22-6211	344.00
00125	0		253578	31-Oct-11	LEON UNIFORM	UNIFORM/EQUIP FOR MEDAL OF VAL	01-21-22-7308	280.85
00113	0		409215	12-Oct-11	MISSOURI VOCATIONAL ENTERPRISES	REPLACE DAMAGED LIC PLATE	01-21-22-6210	14.75
00201	0		00452077	26-Oct-11	OLD VIENNA LLC	HALLOWEEN TREATS	01-21-22-7304	70.00
00970	0		1852-280050	18-Oct-11	O'REILLY AUTO PARTS	VARIOUS VEHICLE MAINT. SUPPLIE	01-21-22-6210	108.49
00514	1	P001276	1130951	24-Oct-11	SIG SAUER, INC.	3 EA P229R, 40, SPECIAL CONFIG	01-21-22-9503	1,950.00
00202	1	P001304	210719	06-Oct-11	STALKER RADAR	SHIPPING	01-21-22-9503	17.50
00202	1	P001304	210719	06-Oct-11	STALKER RADAR	SHIPPING	01-21-22-9503	17.50
00202	1	P001304	210719	06-Oct-11	STALKER RADAR	2 DSR RADAR UNITS	01-21-22-9503	5,190.00
Sum of Invoices								10,530.07



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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PUBLIC WORKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00080	0		0379C01315	15-Oct-11	DIERBERGS	STORM WATER FIELD TRIP	01-31-11-6264	18.75
01048	1		2643627160	13-Oct-11	VERIZON WIRELESS	AIR CARD (9/14 TO 10/13/11)	01-31-11-6253	43.01
01287	0		110111	01-Nov-11	WOHLBERG, MATT	MILEAGE REIMB SEPT 2011	01-31-11-7307	158.73
01287	0		110111.	01-Nov-11	WOHLBERG, MATT	MILEAGE REIMB OCT 2011	01-31-11-7307	82.14
Sum of Invoices								302.63



**CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING**

11/9/2011

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-3963069	01-Nov-11	ARAMARK UNIFORM SERVICES	GARAGE SUPPLIES	01-31-41-6212	9.60
01550	0		452-3910251	18-Oct-11	ARAMARK UNIFORM SERVICES	SHOP SUPPLIES	01-31-41-6212	9.60
01550	0		452-3936733	25-Oct-11	ARAMARK UNIFORM SERVICES	SUPPLIES	01-31-41-6212	9.60
01550	0		452-3963069	01-Nov-11	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (11/1/11)	01-31-41-7308	37.88
01550	0		452-3910251	18-Oct-11	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (10/18/11)	01-31-41-7308	37.88
01550	0		452-3936733	25-Oct-11	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (10/25/11)	01-31-41-7308	37.88
00712	1	P001291	34204	21-Oct-11	BOBCAT	1 M7018 18" HIGH FLOW PLANER	01-31-41-9503	8,343.00
00712	1	P001291	34204	21-Oct-11	BOBCAT	1 M7018-R01-C07 12" ALL PURPOS	01-31-41-9503	1,474.00
00010	0		895632	01-Nov-11	BRANNEKY HARDWARE	BALLAS MEDIAN LIGHTS MTRLS	01-31-41-6212	96.90
00010	0		895819	02-Nov-11	BRANNEKY HARDWARE	SHOP SUPPLIES	01-31-41-7304	68.70
00010	0		895401	26-Oct-11	BRANNEKY HARDWARE	SPRAY BOTTLES	01-31-41-7305	16.14
00010	0		894905	18-Oct-11	BRANNEKY HARDWARE	LETTERS FOR LEAF VAC SIGN	01-31-41-7311	27.65
00013	1		1763-169349	31-Mar-11	CARQUEST	SPARK PLUGS	01-31-41-6210	9.08
00013	1		1763-182339	21-Oct-11	CARQUEST	ANTENNA TESTER	01-31-41-6210	6.49
00013	1		1763-182387	21-Oct-11	CARQUEST	CREDIT INV #1763-182339	01-31-41-6210	(6.49)
00013	1		1763-182254	20-Oct-11	CARQUEST	ANTIFREEZE FOR TRUCKS	01-31-41-6210	527.52
00013	1		1763-182506	25-Oct-11	CARQUEST	ANTIFREEZE TESTER	01-31-41-6210	13.08
00013	1		1763-169350	31-Mar-11	CARQUEST	CREDIT INV #1763-169349	01-31-41-6210	(9.08)
00013	1		1763-171216	27-Apr-11	CARQUEST	ADAPTORS	01-31-41-6210	21.41
00013	1		1763-173147	27-May-11	CARQUEST	CREDIT INV #1763-172698	01-31-41-6210	(263.08)
00013	1		1763-182906	01-Nov-11	CARQUEST	DIESEL VAC FILTER	01-31-41-6211	128.12
00011	0		32007191	20-Oct-11	CARTER-WATERS LLC	REBAR FOR SAFETY FENCE	01-31-41-6212	16.00
00099	0		1246848	31-Aug-11	CEEKAY SUPPLY	SHOP GAS RENTAL AUG 2011	01-31-41-7307	62.84
00141	0		106043	21-Oct-11	ELECTRO BATTERY	BATTERY LEAF VAC #510	01-31-41-6211	87.83
00023	1		222078	28-Oct-11	FRED WEBER, INC	STONE 13150 OLIVE	01-31-41-6212	513.88
00023	1		220980	25-Oct-11	FRED WEBER, INC	CURB REPAIR MASON&BALCON EST	01-31-41-7305	342.00
00117	0		4012609	18-Oct-11	HOME DEPOT	SHOP SUPPLIES	01-31-41-6212	75.84
00117	0		1012873	21-Oct-11	HOME DEPOT	GARAGE SHOP SUPPLIES	01-31-41-6212	250.07
00117	0		4012609	18-Oct-11	HOME DEPOT	MTRLS CRAIG RD MEDIAN	01-31-41-7305	95.00
00349	1		562921-001	26-Oct-11	HTE TECHNOLOGIES	MORLS REPAIR #511 LEAF VAC	01-31-41-6211	15.91



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
00240	0		134662	19-Oct-11	KEY EQUIPMENT & SUPPLY CO	LEAF VAC NOZZLE	01-31-41-6211	368.35
00240	0		134664	19-Oct-11	KEY EQUIPMENT & SUPPLY CO	LEAF VAC INTAKE NOZZLE	01-31-41-6211	590.41
00240	0		134663	19-Oct-11	KEY EQUIPMENT & SUPPLY CO	HOUSING LINER FOR LEAF VAC	01-31-41-6211	402.95
00819	0		SLS28522	18-Oct-11	KNAPHEIDE TRUCK EQ CENTER	TOOL HOLDER TRUCK #200	01-31-41-6210	43.20
00156	0		0048936	31-Oct-11	L & C TRUCK REPAIR, INC.	TRUCK #207 REPAIR	01-31-41-6210	477.48
00156	0		0048989	31-Oct-11	L & C TRUCK REPAIR, INC.	TRUCK #308 REPAIR	01-31-41-6210	344.64
00156	0		0048877	19-Oct-11	L & C TRUCK REPAIR, INC.	EMERG REPAIR TRUCK #307	01-31-41-6210	1,119.43
00156	0	P001185	48357	31-Oct-11	L & C TRUCK REPAIR, INC.	LEAF VAC MOTOR REPLACEMENT	01-31-41-9503	9,748.11
00411	0		102569	27-Oct-11	N.B. WEST CONTRACTING CO.	POTHOLE MIX	01-31-41-7305	205.00
01095	1		561281	25-Oct-11	NAPA AUTO PARTS	SOLAR BATTERY CHARGERS	01-31-41-6211	120.00
00165	1		TI-0240778	19-Oct-11	NEWMAN TRAFFIC SIGNS	FILM FOR STREET SIGNS	01-31-41-7311	76.50
01208	1		11014	19-Oct-11	POWERLINE EQUIPMENT SALES INC	REPAIR BRAKE INT'L TRUCK	01-31-41-6210	591.56
00809	0		114621	11-Oct-11	RED BUD SUPPLY, INC.	SAFETY VESTS & GLOVES	01-31-41-7308	184.43
00809	0		114856	06-Oct-11	RED BUD SUPPLY, INC.	WORK GLOVES STREETS	01-31-41-7308	61.01
00110	0		309254	11-Oct-11	RICMAR INDUSTRIES	SHOP SUPPLIES-CLEANING MTRLS	01-31-41-7301	202.40
00110	0		309255	12-Oct-11	RICMAR INDUSTRIES	MARKING PAINT STREETS	01-31-41-7305	259.55
00692	0		510369	24-Oct-11	ST LOUIS SAFETY, INC.	SAFETY GLASSES	01-31-41-7308	49.80
00270	1		81293	12-Oct-11	TERMINAL SUPPLY CO.	STROBE KIT TRUCK #106	01-31-41-6210	80.32
00270	1		81293	12-Oct-11	TERMINAL SUPPLY CO.	CONNECTORS FOR SHOP	01-31-41-6212	54.49
Sum of Invoices								27,034.88



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

11/9/2011

HEALTH & WELFARE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00105	1		0346-013925616	15-Oct-11	ALLIED WASTE	RESIDENTIAL SVC - OCT 2011	01-31-42-6214	86,443.20
00105	1		0346-013925616	15-Oct-11	ALLIED WASTE	RECYCLING SVC - OCT 2011	01-31-42-6217	25,005.60
01480	1		2110443316	15-Oct-11	IESI MO - CHAMP LANDFILL LLC	DEAD DEER REMOVAL	01-31-42-6214	16.68
Sum of Invoices								111,465.48



**CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING**

11/9/2011

PARKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-3963069	01-Nov-11	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (11/1/11)	01-31-43-7308	37.87
01550	0		452-3910251	18-Oct-11	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (10/18/11)	01-31-43-7308	37.87
01550	0		452-3936733	25-Oct-11	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (10/25/11)	01-31-43-7308	37.87
00102	0		716134	31-Oct-11	BEYERS LUMBER	HANDRAIL LAKE SCHOOL PARK	01-31-43-6212	362.84
00102	0		715846	26-Oct-11	BEYERS LUMBER	CHROME HANDRAIL LAKE SCHOOL PK	01-31-43-6212	5.99
00102	0		714781	10-Oct-11	BEYERS LUMBER	MORTAR BEIRNE PARK	01-31-43-6212	62.90
00693	1		241389	05-Oct-11	BMC ENTERPRISES, INC.	CONCRETE MTRL BEIRNE PARK	01-31-43-6212	686.60
00010	0		894997	21-Oct-11	BRANNEY HARDWARE	RAKES LEAF SEASON	01-31-43-7302	77.94
01203	0		101711	17-Oct-11	CUSTOM HOME ELEVATORS OF ST. LOUIS	TAPPMAYER HOUSE REPAIR	01-31-43-6212	90.00
00023	1		217513	11-Oct-11	FRED WEBER, INC	ASPHALT MTRL BEIRNE PARK	01-31-43-6212	90.00
00128	1		S3013984.002	01-Oct-11	FROST ELECTRIC	OUTSIDE LIGHT PARK RESTRM	01-31-43-6212	286.26
00081	1		9671749910	27-Oct-11	GRAINGER	TRASH CAN LINER RECYCLE CAN	01-31-43-6212	34.27
00081	1		9671749928	27-Oct-11	GRAINGER	PUMP MILLENIUM PARK	01-31-43-7302	108.00
00558	1		3860520	14-Oct-11	HD SUPPLY WATERWORKS LTD.	SEWER VENT BEIRNE PARK	01-31-43-6212	22.60
00509	0		40928	11-Oct-11	HEREFORD CONCRETE PRODUCTS, INC.	PARKING BLOCK BIERNE PARK	01-31-43-6212	724.54
00209	0		137712/1	14-Oct-11	KIRKWOOD MATERIAL SUPPLY	SEED/FERTILIZER BEIRNE PARK	01-31-43-7303	101.50
00818	0		E74626	19-Oct-11	NU WAY CONCRETE FORMS	MASONRY SAW LAKE SCHOOL PK	01-31-43-6211	94.95
00809	0		114621	11-Oct-11	RED BUD SUPPLY, INC.	SAFETY VESTS & GLOVES	01-31-43-7308	184.42
00110	0		309303	14-Oct-11	RICMAR INDUSTRIES	SOAP, CLEANERS FOR PARKS	01-31-43-7301	268.79
00547	0		222992	13-Oct-11	ST LOUIS BACKFLOW SERVICES	REPAIR LEAK DRINKING FOUNTN	01-31-43-6212	700.00
00547	0		222993	13-Oct-11	ST LOUIS BACKFLOW SERVICES	REPAIR WATER LINE LAKE SCHOOL	01-31-43-6212	1,110.00
00692	0		510369	24-Oct-11	ST LOUIS SAFETY, INC.	SAFETY GLASSES	01-31-43-7308	49.80
00070	1		I111025007	25-Oct-11	TECH ELECTRONICS	UL CERTIFICATE TAPPMAYER H	01-31-43-6212	190.00

Sum of Invoices

5,365.01



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

11/9/2011

COMMUNITY DEVELOPMENT - PLANNING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00413	1		D-31067	11-Oct-11	FASTSIGNS	FULL COLOR C/C CITY MAP	01-32-11-7304	150.00
01344	0		110111	01-Nov-11	KELLY, WHITNEY	MILEAGE REIMB-OCTOBER 2011	01-32-11-7307	17.09
00213	0		102011-1	21-Oct-11	MCLAUGHLIN COURT REPORTING SERVICES	CRT REPORTER BOA 10/20/11	01-32-11-6202	75.00
00213	0		101911-1	17-Oct-11	MCLAUGHLIN COURT REPORTING SERVICES	CRT REPORTER P&Z MTG 10/17/11	01-32-11-6202	239.00
00303	1		21050744	21-Oct-11	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE P&Z	01-32-11-6260	33.64
Sum of Invoices								514.73



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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COMMUNITY DEVELOPMENT - BUILDING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00009	0		110711	07-Nov-11	BOLLS, SCOTT	RAIN GEAR	01-32-61-7302	16.16
00058	0		103111	31-Oct-11	BURKE, PATRICK	MILEAGE REIMB OCT 2011	01-32-61-7307	187.59
00055	0		110111	01-Nov-11	HOLMES, BRAD	MILEAGE REIMB-OCTOBER 2011	01-32-61-7307	52.73
00152	1		102611	26-Oct-11	INTERNATIONAL CODE COUNCIL	ICC CERT.-S. UNSER	01-32-61-6261	50.00
00159	3		110711	07-Nov-11	MABOI	MABOI RENEWALS	01-32-61-6262	175.00
00112	0		40831	19-Oct-11	MPS	200 EA OCCUPANCY PERMIT	01-32-61-7304	72.00
00112	0		40831	19-Oct-11	MPS	100 EA AUTHORIZED BLDG PERMIT	01-32-61-7304	41.00
00112	0		40831	19-Oct-11	MPS	200 EA AUTHORIZED, RESID.	01-32-61-7304	139.00
00112	0		40831	19-Oct-11	MPS	200 EA AUTHORIZED BLDG PERMIT	01-32-61-7304	139.00
00112	0		40832	13-Oct-11	MPS	1000 INSPECTION REQUESTS	01-32-61-7304	314.00
00112	0		40832	13-Oct-11	MPS	100 FIELD CORR NOTICE 1	01-32-61-7304	44.00
00112	0		40832	13-Oct-11	MPS	100 FIELD CORR NOTICE 2	01-32-61-7304	44.00
00044	1	265992316-118	09-Oct-11	09-Oct-11	NEXTEL	CELL PHONES 9/6 - 10/5/11	01-32-61-6253	303.12
00032	0		110111	01-Nov-11	UNSER, STEVE	MILEAGE REIMB-OCTOBER 2011	01-32-61-7307	64.38
00057	0		103111	31-Oct-11	WOODS, DENNIS	MILEAGE REIMB-OCTOBER 2011	01-32-61-7307	250.86
Sum of Invoices								1,892.84



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

11/9/2011

CAPITAL IMPROVEMENTS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
01360	0	P001238	2011	14-Oct-11	FORD ASPHALT COMPANY INC	FY12 ASPHALT PAVEMENT RESURFAC	02-61-71-9510-12601	93,637.48	
01360	0	P001238	2011	14-Oct-11	FORD ASPHALT COMPANY INC	CHANGE ORDER TO INCREASE AMOUN	02-61-71-9510-12601	111,654.97	
01360	0	P001238	PAY '11	26-Oct-11	FORD ASPHALT COMPANY INC	CHANGE ORDER #2 TO INCREASE AM	02-61-71-9510-12601	1,187.90	
01360	0	P001238	PAY '11	26-Oct-11	FORD ASPHALT COMPANY INC	CHANGE ORDER TO INCREASE AMOUN	02-61-71-9510-12601	40,179.18	
00092	1		31394	04-Oct-11	ST LOUIS COUNTY	CONCRETE TESTING	02-61-71-9510-12602	99.00	
00269	1	P001289	15111069	10-Oct-11	TERRACON	PAVEMENT TESTING SVCS THRU 10/	02-61-71-9510-12601	2,712.50	
Sum of Invoices									249,471.03
GRAND TOTAL OF ALL INVOICES									591,561.91

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
CREVE COEUR TO REZONE LAND FROM “C” SINGLE-FAMILY
RESIDENTIAL DISTRICT TO “GC”, GENERAL COMMERCIAL,
AUTHORIZING THE INSTALLATION OF ONE (1) FIRE HYDRANT, AND
APPROVING THE SITE DEVELOPMENT PLAN FOR THE PROPERTY
ADDRESSED AS 11122 OLIVE BOULEVARD.**

WHEREAS, an application was made by Andrew Brown, of Brownstone Properties, LLC to rezone 11122 Olive Boulevard (formerly the Rose Hill Masonic Temple) from “C” Single Family Residential District to “GC” General Commercial District, for the use as a Goddard School for Early Childhood Development; and

WHEREAS, in accordance with Section 405.1080 of the Zoning Ordinance, the applicant has submitted a site development plan for the subject property, addressed as 11122 Olive Boulevard, to the Division of Planning; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, October 17, 2011, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application; and

WHEREAS, notice of 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 otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of 6 ayes and 0 nays, recommended approval of the rezoning, subject to conditions, at its meeting on October 17, 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 being fully informed finds that rezoning the property 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 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 Official Zoning Map of the City of Creve Coeur shall be amended to rezone the property addressed as 11122 Olive Boulevard from “C” Single Family Residential District to “GC” General Commercial District, subject to the conditions stated herein, which property is more specifically described as follows:

A tract of land in U.S. Survey 1962, Township 45 North - Range 5 East, St. Louis County, Missouri and being more particularly described as:

Beginning at a point in the Northwest line of Lot 35 of “Wir-Don Meadows”, a subdivision according to the plat thereof recorded in Plat Book 69 page 21 of the St. Louis County

records, being the Easternmost corner of property described in deed to The Rossana M. Molina Revocable Living Trust, recorded in Book 12842 page 2439 of the St. Louis County records; thence Northwestwardly along the Northeast line of said Molina property North 30 degrees 45 minutes 00 seconds West 311.48 feet to a point in the Southeast line of Olive Boulevard, as widened by instrument recorded in Book 5554 page 372 of the St. Louis County records; thence Northeastwardly along said Southeast line of Olive Boulevard, as widened, North 59 degrees 10 minutes 11 seconds East 220.48 feet and along a curve to the right whose radius point bears South 31 degrees 51 minutes 44 seconds East 1389.11 feet from the last mentioned point, a distance of 24.95 feet to its intersection with the West line of property described in Parcel 2 of deed to 11100 Olive, LLC recorded in Book 18684 page 1218 of the St. Louis County records; thence Southwardly along the West line of said 11100 Olive, LLC property South 23 degrees 51 minutes 00 seconds East 164.28 feet and South 7 degrees 45 minutes 00 seconds East 161.88 feet to a point in the Northwest line of Lot 34 of aforesaid "Wir-Don Meadows"; thence Southwestwardly along the Northwest line of Lots 34 and 35 of said "Wir-Don Meadows" South 59 degrees 16 minutes 01 second West 162.43 feet to the point of beginning and containing 1.544 acres according to a survey by Volz Incorporated during August, 2011.

Section 2: As required by Section 405.1080 of the Zoning Ordinance, the approval of said rezoning request is subject to the property being developed in accordance with the site development plan, as further revised as required and approved by the City of Creve Coeur, and subject to the following additional conditions:

1. The development of the site shall be in substantial conformance with: the Site Development Plan, prepared by Volz, Inc., and revised October 7, 2011; the Planting Plan, prepared by Landscape Technologies, Inc. and dated October 12, 2011; the Elevations, prepared by David W. Dial Architects, P.C., and issued September 28, 2011; and the Photometrix drawing, prepared by David W. Dial, P.C., and issued October 7, 2011, (collectively referred to as "The Site Development Plans") except as follows:
 - a. The Site Development Plans shall be revised to include a sidewalk that meets with the recommendations of the City of Creve Coeur Pedestrian Plan, unless otherwise directed by the Missouri Department of Transportation (MoDOT).
 - b. The Site Development Plans shall be revised to meet with the intent of the "green line" park along the Olive Boulevard frontage identified by the City of Creve Coeur Comprehensive Plan and Design Guidelines, subject to the review and approval of the Director of Community Development.
 - c. The Site Development Plans shall be revised to include a low wall or hedge along the south edge of the rear parking lot, subject to the review and approval of the Director of Community Development. The wall height or height of the hedge at planting shall be no less than thirty inches (30") above the adjacent grade.
 - d. The Site Development Plans shall be revised to indicate that the trash enclosures shall be of materials consistent with the existing buildings.
 - e. The Site Development Plans shall be revised to include permanent curbs along all parking areas and travel lanes.
2. The applicant shall submit site improvement plans in conformance with The Site Development Plans, as amended, to the Division of Planning for review and approval prior to issuance of a building permit.
3. The applicant shall provide a final landscape plan with the site improvement plan to the Division of Planning for review and approval in conformance with Section 405.540 of the

Zoning Ordinance. The final landscape plan shall also be in substantial conformance with The Site Development Plans, as amended.

4. An underground irrigation system shall be installed and maintained to serve new landscaped areas identified on The Site Development Plans.
5. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
6. The applicant shall submit final building plans to the Building Department for review and approval, as required by Title V of the Municipal Code. The final building plans shall be in substantial conformance with The Site Development Plans, as amended.
7. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
8. The applicant shall provide written acceptance by the Missouri Department of Transportation of the proposed Olive Boulevard access and any modifications to Olive Boulevard prior to the issuance of any building permits for the project.
9. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved pursuant to Section 405.1080 of the Zoning Code.

Section 3: The Missouri American Water Company shall, in accordance with the terms of franchise contract, Ordinance No. 165, between the City of Creve Coeur and the Missouri American Water Company, install one (1) public fire hydrant in the City of Creve Coeur at the following location, to-wit:

One (1) new public fire hydrant approximately 500 feet east of Renee Lane on the south side of Olive Boulevard.

Section 4: All of said work for the new fire hydrant shall be done under the supervision of the City Council or its proper representative, and for the purpose of this ordinance, the Missouri American Water Company is hereby given permission to make all necessary excavations for the proper execution of said work.

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

ADOPTED THIS ____ DAY OF _____, 2011.

TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2011.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
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
#11-027 FOR REZONING FROM "C" SINGLE-FAMILY RESIDENTIAL TO "GC"
GENERAL COMMERCIAL AND SITE DEVELOPMENT PLAN APPROVAL FOR
THE PROPERTY LOCATED AT 11122 OLIVE BOULEVARD**

FOR THE MEETING OF: October 17, 2011

LOCATION: 11122 Olive Boulevard

REQUEST:

Andrew Brown, of Brownstone Properties, LLC has submitted a request to rezone 11122 Olive Boulevard (formerly the Rose Hill Masonic Temple) from "C" Single Family Residential District to "GC" General Commercial District, for the use as a Goddard School for Early Childhood Development. The 1.5 acre property is located on the south side of Olive Boulevard, between Renee Lane and Mary Meadows Lane. The property borders an existing General Commercial District to the east.

ADDITIONAL INFORMATION:

Section 405.360 "GC" General Commercial District requires a minimum area of five acres only if not expanding an existing "GC" District, and the property to the east is already zoned "GC" General Commercial. Child Day Care Services and elementary schools are permitted uses within the "GC" District, while a conditional use in all residential districts that requires a minimum of three acres (Section 405.470 Conditional Uses).

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request meet with the minimum standards of the proposed "GC" General Commercial?

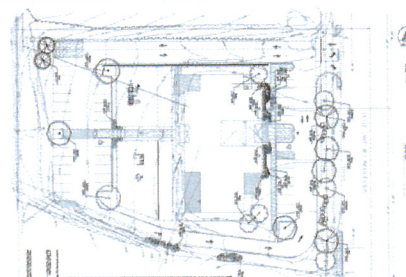
Comp. Plan References

- Residential Preservation and Economic Development
- East Olive Corridor Action Area

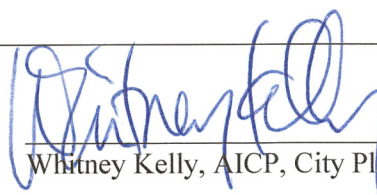
Zoning Code References

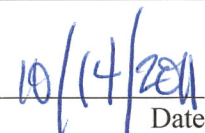
- Section 405.360 "GC" General Core Business District
- Section 405.1060 Zoning Changes and Text Amendments

APPLICANTS: Andrew Brown
Brownstone Properties, LLC
635 Trade Center Boulevard
Chesterfield, MO 63005



REPORT PREPARED BY:


Whitney Kelly, AICP, City Planner


Date

ATTACHMENTS:

Applicant's Materials for October 17, 2011 P&Z Meeting
Draft Ordinance
Public Comment received by October 14, 2011

INTRODUCTION

Andrew Brown, of Brownstone Properties, LLC has submitted a request to rezone 11122 Olive Boulevard (formerly the Rose Hill Masonic Temple) from “C” Single Family Residential District to “GC” General Commercial District, for the use as a Goddard School for Early Childhood Development. The 1.5 acre property is located on the south side of Olive Boulevard, between Renee Lane and Mary Meadows Lane. The property borders an existing General Commercial district to the east. Section 405.360 “GC” General Commercial District requires a minimum area of five acres, but this proposal is expanding an existing “GC” District, so the five acre minimum requirement does not apply. Child Day Care Services are permitted uses within the “GC” District, while a conditional use in all residential districts that requires a minimum of three acres (Section 405.470 Conditional Uses). The stated purpose of the “GC” district is:

The "GC" General Commercial District is intended to accommodate by site development plan approval (see Section 405.1080) convenience retail shopping and services and offices which are freestanding or part of small scale planned commercial developments and which are compatible in scale and intensity of use with adjacent residential uses.

The applicant will be renovating the existing building to include a new addition on the front right corner and two additions at the back of the property, for a total of 9,952 square-feet. Other improvements include removing the eastern access drive from Olive Boulevard and replacing it with a sidewalk to match the existing sidewalk, creating a front drop-off area and new main entrance, and removing a portion of the existing back parking lot for playground areas.

DEVELOPMENT HISTORY

Rose Hill Masonic Temple received approval for the existing structure and site development plan in 1957 from Creve Coeur’s Board of Alderman as a Special Use Permit and was built in 1963. The architectural style of the existing building is international style that was popular at the time, and institutional in nature. The property is zoned “C” Single Family Residential. The structure and site has remained largely untouched since the original approvals.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Commercial uses of residential structures	“C” Single Family Residential District	Olive Boulevard
South	Residential	“C” Single Family Residential District	NA
East	Commercial, Vacant	“GC” General Commercial	NA
West	Commercial use of residential structures	“C” Single Family Residential	NA

COMPREHENSIVE PLAN REVIEW

The subject property is located in the East Olive Corridor of the Comprehensive Plan that envisions an area of small businesses with a residential neighborhood character with substantial green spaces and landscaping for a “green line” park that gives the impression of driving or walking through a park along Olive Boulevard (page 51).

The Residential Preservation and Economic Development Section discusses:

1. *Preserve and protect single-family residential areas from intrusions of non-residential uses. Limit commercial and non-single family uses to Olive Boulevard. Limit retail uses to a size*

and scale designed to provide goods and services to the Creve Coeur market rather than to a regional market.

3. *Maintain this area with a residential character, even when homes are converted or replaced by business uses. New development or redevelopment should be compatible with the low-density residential character of the corridor, as discussed below. (page 52)*

Further, the Comprehensive Plan provides recommendations of key properties along the East Olive Corridor. The subject property is located in the East Olive Corridor Key Property Area 2, which recommends that as redevelopment and new investment occurs, the area will be encouraged to remain commercial, with uses limited to neighborhood-oriented commercial. Redevelopment should be designed to protect and be compatible with adjacent residential areas, as provided for in the *Residential Preservation and Economic Development* recommendations for the East Olive Corridor. (Page 57)

The proposed “GC” District is intended to provide services appropriate for this location. With this particular project, the applicant is proposing to renovate the existing building for a Goddard School for Early Childhood Development, which meets with the intent of the Comprehensive Plan as a neighborhood-oriented business.

DESIGN GUIDELINES REVIEW

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

Chapter 1 for Site Layout

B. Streetscape/Pedestrian Orientation

1. *High Quality, pedestrian scale and walkable area are the objective. Site and building design should address pedestrian needs and develop creative approaches to improving pedestrian interest, access, and enjoyment*
2. *Avoid spatial gaps and interruptions along the “streetscape” caused by parking or other non-pedestrian elements, such as building gaps, driveways and service entries. Continuous pedestrian activity is strongly encouraged.*
9. *At intersections, crosswalks, and main building entries, a change in sidewalk color, texture or material should emphasize the location. Paint striping to accentuate these areas is strongly discouraged.*
11. *Vehicular access is limited with no more than one (1) access per street frontage. The sharing of vehicular access between properties to minimize the number of curb cuts is encouraged.*
13. *All sidewalks should conform to the City of Creve Coeur Pedestrian Plan.*

C. Pedestrian and Vehicular Circulation

4. *Circulation systems should be designed to avoid conflicts between vehicular, bicycle and pedestrian traffic. Pedestrian circulation should take precedence over vehicular circulation. In order to emphasize conflict points and improve pedestrian safety and visibility, the use of textured or tinted materials for pedestrian crossings should be utilized where pedestrian circulation paths cross a vehicular route.*
5. *Pedestrian linkages between uses in commercial development should be provided and emphasized.*

Chapter 2 / Building

C. Design

1. *A diversity of high quality architectural design is strongly encouraged. Building design should incorporate a clear and well articulated design concept.*
3. *The primary building entrance that is clearly defined and provide a sense of entry. It should be oriented to the street and provide protection from the elements, such as recesses, roof overhangs, projecting canopies or other similar features.*

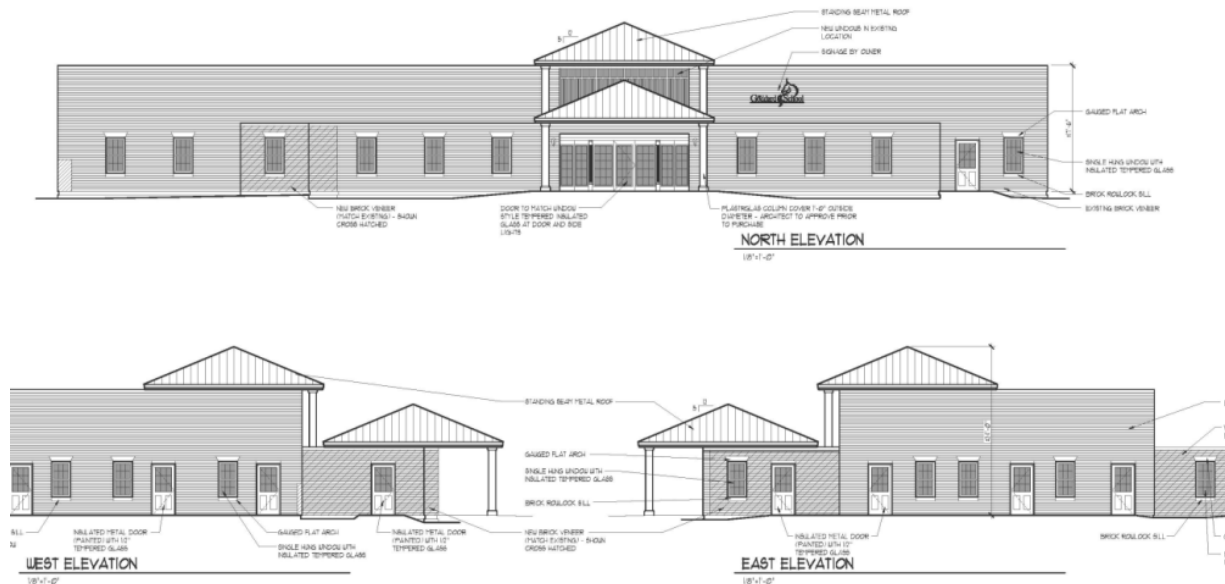
6. Buildings that are stylized in an attempt to use the building itself as advertising is strongly discouraged, particularly where the proposed architecture is the result of a “corporate” or franchise style. The building should not be designed as a sign and should not be flood lit at night.

F. Building Services

1. Services and trash or utility areas should be positioned to minimize view and visual impact. Building equipment and utilities are to be located, designed, and/or screen to minimize visual impact on public streets, surface parking lots and neighboring properties.

Structure:

The applicant is proposing to use the existing structure, and will add a new addition to the front and rear of the building in a brick veneer that will match the existing brick, as well as create a new entry, satisfying the Design Guideline recommendations for building design, by working with, rather than attempting to mask the original design style of the building. A close up of the north, east, and west elevations are below:



The Design Guidelines provide further recommendations regarding the “use” of the building:

Chapter 3 / “Use” Specific Guidelines

E. Accessory Buildings and Facilities

1. Accessory buildings or facilities such as ATM’s, trash enclosures, storage and utility buildings are to be designed to directly relate in material, character and detail to the primary building(s) on the site.

The submitted site development plan indicates that the trash enclosure will be made of decorative block with rough edging. However, no elevations were included. Staff recommends that a condition of approval include revising the drawing to provide an elevation of the trash enclosure, with the materials matching the existing brick façade, for approval by the Director of Community Development.

Landscape:

The Design Guidelines also provides recommendations on the landscape design:

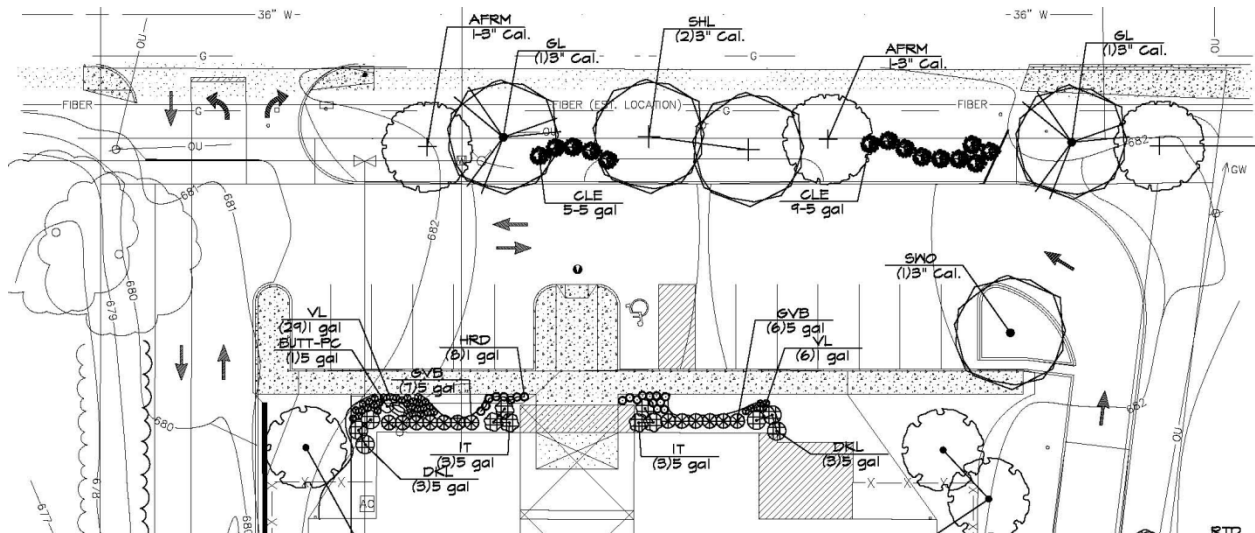
Chapter 4 / Landscape Design

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.*

As mentioned earlier, the Comprehensive Plan calls for a “green line” park along Olive Boulevard. Below is a close up of the proposed landscaping for the front of the building and along Olive Boulevard:



The proposed front yard design includes only minimal planting and single row of bushes to fill in the gaps between the trees. Further, while the number of street trees provided meets with the City’s requirement for street trees, they are “bunched up for a more natural look”, as opposed to the required linear spacing of 1 tree for every 30 feet, per the discussion for Zoning Code review below. 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. However, it is Staff opinion that by only minimally meeting with the Code requirements, the design falls short of the lush “green line” park setting called for in the Comprehensive Plan and Design Guidelines along Olive Boulevard. Overall, the design lacks a year round depth, variation in height, an overall organizing theme, and a mix of vegetation and hardscape. The area is small and therefore it is important to get the most out of the design. Staff requires that the Commission members provide direction on the level of landscape design that they believe would better satisfy the Comprehensive Plan and Design Guidelines. However, in order to facilitate the project moving forward, Staff has included a condition that landscaping shall be revised, based the discussion with the

Commission, and ultimately the City Council, for review and approval by the Director of Community Development, similar to other recent approvals.

PEDESTRIAN PLAN REVIEW

The Pedestrian Plan provides various service and design expectations for a complete pedestrian system in the city. The subject property has an existing five-foot wide sidewalk that abuts the curb. The drawings indicate maintaining the existing sidewalks and infilling the eastern access drive that is to be removed, per MoDOT direction, with a sidewalk that is consistent with the existing sidewalk. The Pedestrian Plan identifies Olive Boulevard as a primary street with a recommended sidewalk corridor width of 15 feet, with the street trees between the street and the sidewalk (page A-17). Section 405.730 *Sidewalks* of the Zoning Regulations (discussed further below) requires a minimum of a three-foot wide greenspace or landscape area, and a six-foot wide sidewalk for non-residential districts. Given the reasonable assumption that the properties to the west will eventually seek rezoning, and the properties to the east redevelop, they would be able to match the new sidewalk for this property thereby upgrading the block-face over time. Therefore, Staff recommends that the Landscape Plan and Site Development Plan be revised to include the recommended sidewalk corridor of 15 feet and a condition is included in the draft ordinance subject to final design approval by both MoDOT and the Director of Community Development.

ZONING REVIEW

Appropriate Expansion of the "GC" District

Section 405.1060: Zoning Changes and Text Amendments requires that all rezoning of property to "GC" General Commercial shall be accompanied by a site concept or site development plan and the action of the Planning and Zoning Commission approving, disapproving or conditionally approving the site concept or site development plan shall accompany its recommendation to the City Council regarding the rezoning. Further, Section 405.1060.E provides for the standards for rezoning a property:

Zoning regulations should be changed if the public welfare is not served by the zoning or if the public interest served by the zoning is greatly outweighed by the detriment to private interests. In making this determination, the City should consider the adaptability of the subject property to its zoned use and the effect of zoning on property value in assessing private detriment. The character of the neighborhood, the zoning and uses of nearby property, and the detrimental effect that a change in zoning would have on other property in the area are relevant to the determination of public benefit.

Regarding the character of the neighborhood, Olive Boulevard has long been the commercial corridor within the City of Creve Coeur. In fact, this property and all of its neighbors to the east, west and north are all used commercially. So all of the residents to the south have long been adjacent to commercial uses, and this application does not change that arrangement. It is true that this proposal will change the zoning from residential to commercial, however as with any property that has frontage along Olive Boulevard, commercial development pressure will continue to occur. The Code has recognized the potential for conversion of residences along Olive Boulevard to office and retail service uses. Specifically:

Section 405.450.E: Commercial Uses Of Single-Family Residential Structures. The Planning and Zoning Commission may authorize by site development plan approval in accordance with Section 405.1080 the use and conversion of existing single-family residential structures located within the "A", "B", "C", "D" and "AR" residential districts to office or certain prescribed retail service uses, provided said structures front on and have direct access available from a numerically designated State highway (Lindbergh Boulevard--140; Olive Boulevard--340)...

Compare this list of allowable uses to the stated purpose of the "GC" District:

Section 405.360: "GC" General Commercial District

- A. *Purpose And Intent. The "GC" General Commercial District is intended to accommodate by site development plan approval (see Section 405.1080) convenience retail shopping and services and offices which are freestanding or part of small scale planned commercial developments and which are compatible in scale and intensity of use with adjacent residential uses.*

The only difference between the two is the range of uses; in all cases they are to be small scale and compatible with adjacent residences. What impacts might results from a broader range of uses could likely be managed through the site development plan process.

With the specific use of a child day care service and elementary school; the rezoning changes the use from a conditional use within the "C" Single Family Residential District to a permitted use in the "GC" District. The required site development plan approval provides the opportunity to address and/or mitigate any impacts of the use in a manner comparable with the conditional use process.

Development Regulations

A "GC" General Commercial District requires a minimum of five acres the following:

Section 405.360: "GC" GENERAL COMMERCIAL DISTRICT

D. *Site Development Plan Required. Site development plan approval by the Planning and Zoning Commission shall be required for all proposed developments within the "GC" District as provided for in Section 405.1080.*

E. *Dimensional Regulations. The following area and yard regulations apply in the "GC" General Commercial District.*

1. *Minimum district size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned "GC" General Commercial District when it is contiguous to an existing "GC" District.*
2. *Lot size requirements.*
 - a. *Minimum lot area. One-half (½) acre (twenty-one thousand seven hundred eighty (21,780) square feet).*
 - b. *Minimum lot width. Seventy-five (75) feet.*
 - c. *Minimum lot depth. One hundred fifty (150) feet.*
3. *Building bulk regulations.*
 - a. *Maximum structure height. No building or structure shall exceed three (3) stories or forty-five (45) feet.*
 - b. *Maximum site coverage. Sixty-three percent (63%). The Planning and Zoning Commission may, in its discretion, allow the permitted coverage to be increased as a bonus by an additional factor (not to exceed a total of seventy percent (70%) site coverage) in consideration of special or outstanding landscape and site planning features as demonstrated by a site development plan submitted in accordance with Section 405.1080. The features to be considered in the granting of any bonus coverage may include, but not be limited to, the provisions of:*
 - (1) *Special pedestrian facilities and features such as gardens, fountains, seating areas and outdoor recreation amenities;*
 - (2) *Objects of art or beautification; statuary or other unique visual features;*
 - (3) *Burial of overhead transmission lines and removal of utility poles.*

- c. *Maximum floor area ratio. Four-tenths (0.4).*
- 4. *Yard and setback requirements.*
 - a. *Minimum front yard. No building or structure shall be located closer than ten (10) feet from a public right-of-way. In the event that parking is to be located in front of a building or structure, said building or structure shall be set back a minimum of fifty (50) feet from the right-of-way. The provisions of Section 405.240 shall prevail where applicable on major streets and highways. In every instance, the first ten (10) feet of the front yard setback from the right-of-way shall be provided with and maintained with sidewalks, unless improved sidewalks exist in the abutting public right-of-way, and with landscaping including, but not limited to, deciduous street trees at regular intervals.*
 - b. *Minimum side yard. Twelve (12) feet.*
 - c. *Minimum rear yard. Twenty (20) feet.*
 - d. *Buffer yards. Notwithstanding the provisions of Sections 405.360(E)(4)(b) and 405.360(E)(4)(c) above, 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 meets the minimum requirements above regarding lot dimensions and site coverage (proposed coverage is 58.4%). However, the applicant is proposing to utilize the existing drive on the west side that is approximately 12 feet from the property line, which is technically non-conforming with regard to the buffer yard requirements of 20 feet that abut a single family district. Indeed, the property to the west is zoned "C" Single Family Residential, but, as discussed earlier, it has been converted to a commercial use, and so the proposed new use will not create impacts on someone's home. Relocating the drive is not possible as MoDOT required the closing of the east entrance from Olive Boulevard. The widening of this drive to accommodate the two-way flow will not be within the buffer area and, thus, not increasing the non-conformity. Since it is reasonable to assume that the properties to the west will also seek rezoning in the future, given the nature of the existing uses, it is likely that the non-conformity will be eliminated.

Landscaping Review

The Zoning Code regulates landscaping through Section 405.540 *Landscaping*. As discussed earlier, the proposed front yard landscape plan minimally meets the Landscaping requirements for the number of street trees along Olive Boulevard and appears to fall short of the goals of the Comprehensive Plan and Design Guidelines. (Please see prior discussion.)

The existing vegetation on site provides adequate buffering along the south and west, and a portion of the east property lines. However, there are holes within the existing landscaping along the west property line that will need filling in. The additional planting included along the east property line, is also very limited with little screening value. While visiting the site, Staff noticed several dead trees and vegetation that need to be removed that could affect the function of the buffer as it relates to the opaque screening requirement. Further, the level of traffic on site will be increasing significantly over the current use and therefore Staff recommends that a condition of approval include removal and replacement of any dead trees and inclusion of a low fence and/or a hedge to block the headlights along the reconfigured parking

row at the south end of the property. Another condition of approval includes adding a permanent curb along all landscaped area, in conformance with Section 405.540(11).

Sidewalks

As discussed above, the Pedestrian Plan recommends a minimum sidewalk corridor width of 15 feet with street trees between Olive Boulevard and the sidewalk for primary commercial corridors. Section 405.730 requires a minimum three-foot landscaped area with a six-foot wide sidewalk, as stated below:

SECTION 405.730: SIDEWALKS

The following standards shall apply to all internal sidewalks in non-residential developments within the City of Creve Coeur:

- 1. Sidewalks shall be safe, clearly defined and direct:*
 - a. Sidewalks shall be buffered from the street, vehicular traffic and parking areas by a minimum three (3) foot greenspace or landscape area.*
 - b. All non-residential developments requiring site concept plan and/or site development plan approval must provide safe, clearly defined and direct access between buildings and from the principal building's entrance to the public sidewalk.*
 - c. Sidewalks shall be designed to avoid conflicts between vehicular, bicycle and pedestrian traffic. Pedestrian circulation and the placement of sidewalks shall take precedence over vehicular circulation. In order to emphasize conflict points and improve pedestrian safety and visibility, the use of textured or tinted materials for pedestrian crossings shall be utilized where pedestrian circulation paths cross a vehicular route as determined by the Planning and Zoning Commission.*
 - d. The Planning and Zoning Commission, as part of the site development plan or site concept plan approval, shall require internal sidewalks to be extended to property lines or to areas anticipated for future development, redevelopment or expansion.*
- 2. The minimum width of internal sidewalks in non-residential developments shall be at least six (6) feet or eight (8) feet if used as a curb stop.*

Therefore Staff recommends that the Landscape Plan and Site Development Plan be revised to include the recommended 15-foot wide sidewalk corridor of the Pedestrian Plan, as discussed above.

Parking Requirements

Section 405.820 Required Off Street Parking Spaces provides the calculation for the minimum parking below:

SECTION 405.820: REQUIRED OFF-STREET PARKING SPACES

- 11. Social services (SIC Code 83).*
 - a. Child day care facilities (SIC Code 8350). One and one-half (1.5) spaces per staff person required for the licensed capacity of the facility. In addition, day care facilities shall provide safe drop-off areas near the main entrance to the facility.*

The applicant has indicated a total staff of 21 persons thus requiring a total of 32 spaces. The total parking spaces proposed are 41 (including 2 handicapped spaces), thus, creating a surplus of 9 spaces available on site.

Signage

The drawings show a sign for the Goddard School that appears to be in general compliance with Section 405.950 Sign in Non-Residential Districts. However, all signage is approved under a separate review process and any approval of the rezoning and site development plan does not constitute approval of the signage shown on the drawings.

SUMMARY AND RECOMMENDED CONDITIONS OF APPROVAL

Staff recommends that the following conditions be included in any approval of the rezoning of 11122 Olive Boulevard

- The Landscape Plan shall be revised to include a side walk that meets with the recommendations of the City of Creve Coeur Pedestrian Plan.
- The Landscape Plan shall be revised to meet with the intent of the “green line” park of the City of Creve Coeur Comprehensive Plan and Design Guidelines, as well as include a low wall or hedge along the south edge of the rear parking lot, for the Director of Community Development and MoDOT approval per the direction of the City Council.
- The applicant shall provide an elevation of the trash enclosure and indicate materials that are consistent with the building.
- The applicant shall revise the Landscape Plan and Site Development Plan to include an adequate permanent curb for all areas that can be encroached upon by a motor vehicle in conformance with Section 405.540(11).

ACTION

If the Planning and Zoning Commission finds the attached draft rezoning ordinance and site development plan approval with to the stated conditions, to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it must vote on a recommendation to the City Council. Any changes to the draft ordinances should be discussed and made by separate actions.

The applicant will also be placing a new fire hydrant along the Olive Boulevard and the attached ordinance includes approval of the new hydrant per Ordinance #165.

MOTION

The following is an example motion for this application:

“I move to approve the rezoning and site development plan ordinance attached to the staff report on application #11-027, subject to the conditions contained in the draft ordinance attached to the staff report dated October 14, 2011” (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL MAP



Legend

-  City Limit
-  Property Lines
-  11122 Olive Boulevard, formerly Rose Hill Masonic Lodge



APPENDIX 4: SITE PHOTOGRAPHS	Photo Date:
 A photograph showing a long, single-story brick building with a flat roof. An American flag flies on a tall pole to the left. The building has a central entrance and a sign above it that reads "New Hill BAKING SUPPLY". The foreground is a grassy lawn with some small shrubs.	Description: View of the existing building from the west entrance.
 A photograph of the same brick building from a different angle. This view shows a large, open bay door or entrance. The sign "New Hill BAKING SUPPLY" is visible above the entrance. A paved parking area is in the foreground.	Description: View of the existing building from the eastern entrance that will be removed.
 A photograph showing the rear entrance of the brick building. Two cars are parked in the asphalt parking lot in the foreground. The building has a sign above the entrance. The sky is blue with some clouds.	Description: View of the rear entrance from the south east corner of the parking lot.

 A photograph showing a paved asphalt drive curving to the left. To the right of the drive is a grassy area with some dry patches. In the background, there are trees and a brick building on the right side.	Description: View of the existing drive along the west property line looking north that the applicant is proposing to widen to the east (right side) to allow for two way traffic.
 A photograph of a parking lot area with a dark asphalt surface in the foreground. Behind it is a dense line of green bushes and trees. A few cars are parked further back in the lot.	Description: View of the commercial parking for the residentially zoned commercial uses to the west, and the landscaping that needs to be filled in.
 A photograph showing a brick building with a white roof and a small porch, partially obscured by trees and bushes. The building is situated behind a parking lot area.	Description: Another view looking northwest, from the parking lot, of the residential structure to the west that has been converted to a commercial use.

	Description: View looking southwest from the parking lot onto the roof line of the residence to the south and the existing landscaping.
	Description: View looking south from the existing rear parking lot onto the roof of the house to the south.
	Description: View looking northeast toward the commercial development across Olive Boulevard looking northeast.



Description: View looking northwest towards the residential structures across Olive Boulevard that have been converted to a commercial use.

SECTION 405.360: "GC" GENERAL COMMERCIAL DISTRICT

E. Dimensional Regulations. The following area and yard regulations apply in the "GC" General Commercial District.

1. Minimum district size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned "GC" General Commercial District when it is contiguous to an existing "GC" District.

2. Lot size requirements.

a. Minimum lot area. One-half (½) acre (twenty-one thousand seven hundred eighty (21,780) square feet).

b. Minimum lot width. Seventy-five (75) feet.

c. Minimum lot depth. One hundred fifty (150) feet.

3. Building bulk regulations.

a. Maximum structure height. No building or structure shall exceed three (3) stories or forty-five (45) feet.

b. Maximum site coverage. Sixty-three percent (63%). The Planning and Zoning Commission may, in its discretion, allow the permitted coverage to be increased as a bonus by an additional factor (not to exceed a total of seventy percent (70%) site coverage) in consideration of special or outstanding landscape and site planning features as demonstrated by a site development plan submitted in accordance with Section 405.1080. The features to be considered in the granting of any bonus coverage may include, but not be limited to, the provisions of:

(1) Special pedestrian facilities and features such as gardens, fountains, seating areas and outdoor recreation amenities;

(2) Objects of art or beautification; statuary or other unique visual features;

(3) Burial of overhead transmission lines and removal of utility poles.

c. Maximum floor area ratio. Four-tenths (0.4).

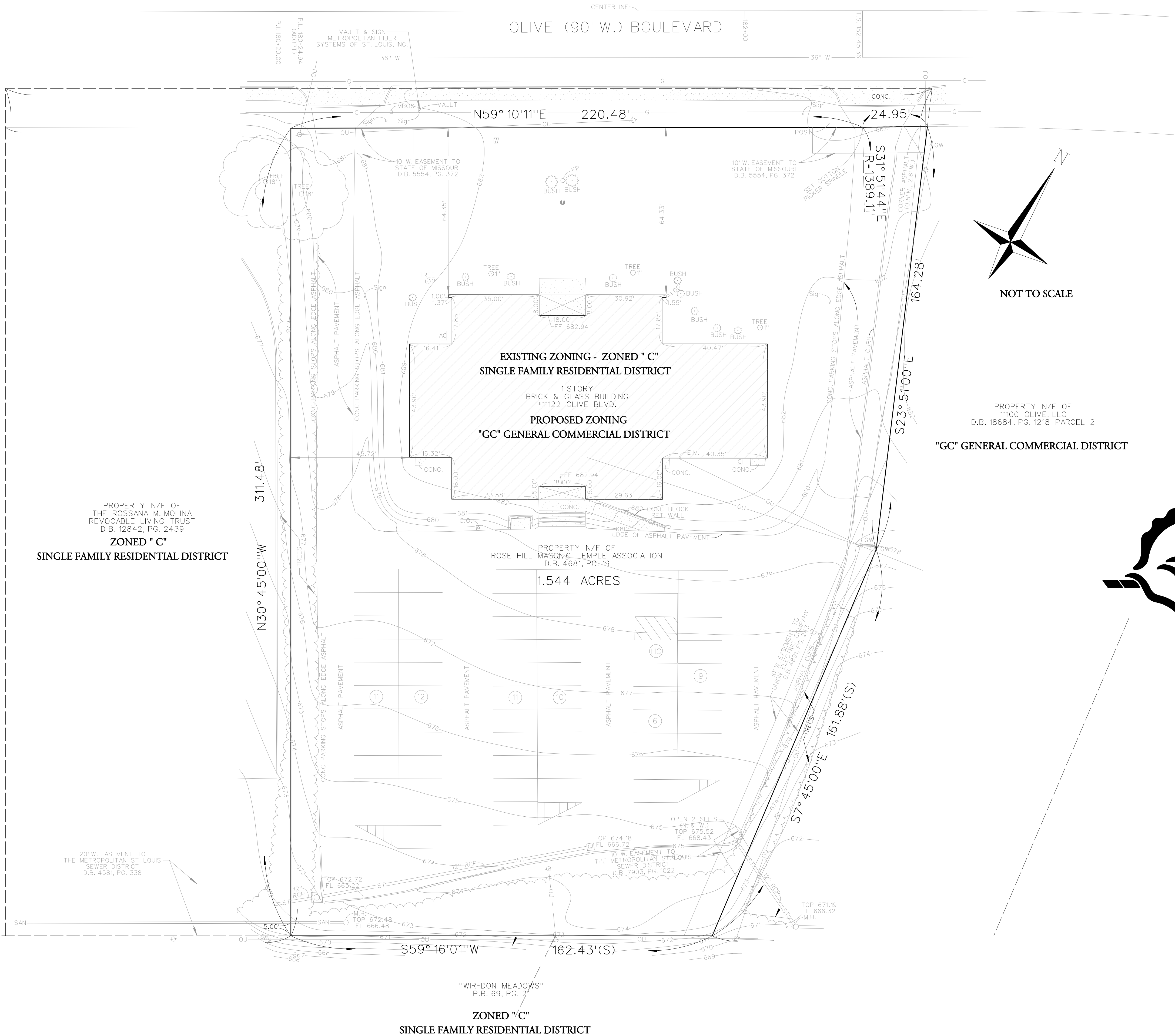
4. Yard and setback requirements.

a. Minimum front yard. No building or structure shall be located closer than ten (10) feet from a public right-of-way. In the event that parking is to be located in front of a building or structure, said building or structure shall be set back a minimum of fifty (50) feet from the right-of-way. The provisions of Section 405.240 shall prevail where applicable on major streets and highways. In every instance, the first ten (10) feet of the front yard setback from the right-of-way shall be provided with and maintained with sidewalks, unless improved sidewalks exist in the abutting public right-of-way, and with landscaping including, but not limited to, deciduous street trees at regular intervals.

b. Minimum side yard. Twelve (12) feet.

c. Minimum rear yard. Twenty (20) feet.

d. Buffer yards. Notwithstanding the provisions of Sections 405.360(E)(4)(b) and 405.360(E)(4)(c) above, 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.



BROWNSTONE
PROPERTIES, LLC
635 TRADE CENTER
BLVD. CHESTERFIELD,
MO 63005

ENGINEERS
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONST. MANAGEMENT

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1112 Olive Boulevard
Creve Coeur, MO 63141

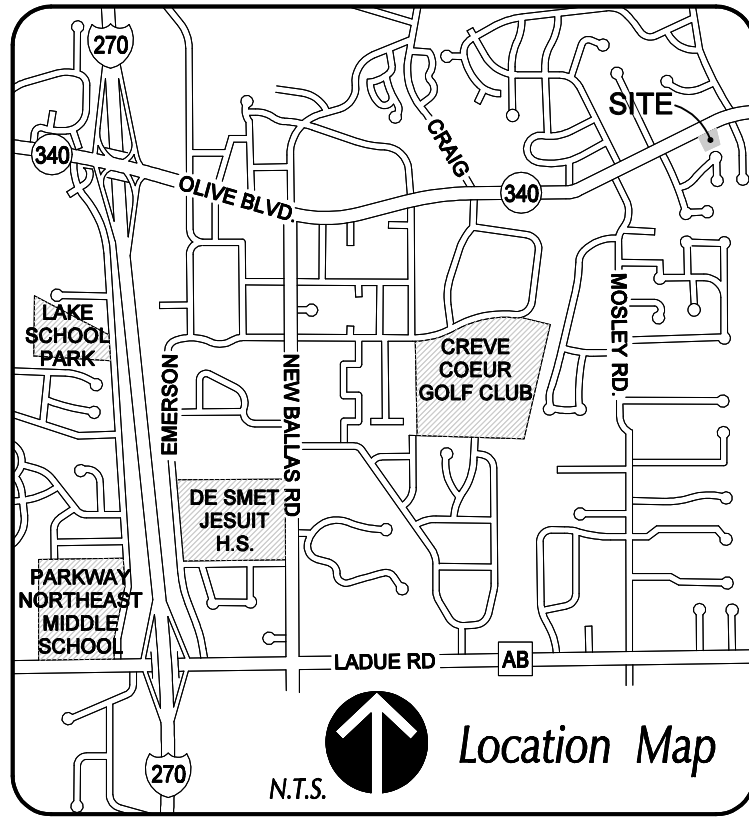
THE
Goddard School
FOR EARLY CHILDHOOD DEVELOPMENT

ZONING EXHIBIT

10764-0

10-07-2011

1



SYMBOL	DESCRIPTION
---	BUILDING LINE
---	EXISTING SANITARY SEWER
---	PROPOSED SANITARY SEWER
---	EXISTING STORM SEWER
---	PROPOSED STORM SEWER
---	EXISTING CONTOUR
---	PROPOSED CONTOUR
---	EXISTING TREE LINE
---	PROPOSED TREE LINE
---	TREES TO REMAIN

PROJECT NOTES:

Locator Numbers and Addresses: 17n 54 0013 - 11122 Olive Boulevard

Owner of Record: Ross Hill Masonic Temple Association
11122 Olive Boulevard
St. Louis, MO 63141

Prepared By: Volz Incorporated
10849 Indian Head Ind'l. Blvd.
St. Louis, Missouri 63132

Prepared For: Brownstone Properties, LLC
635 Trade Center Blvd.
Chesterfield, MO 63005

Area of Site: 67,234 s.f. = 1.544 Acres

Existing Zoning: C - Single Family Residential District

Proposed Zoning: GC - General Commercial

Proposed Uses: School - Early Childhood Development

Stormwater Management Calculations:

Total Acres:	1.544 Acres
Existing Impervious:	+/- 57.31% = 2.71 PI
Proposed Impervious:	+/- 58.36% = 2.73 PI
Differential Runoff:	1.544 Acres (2.73 - 2.71) = 0.03 cfs

Water Quality (WQv): Site Disturbance = 40,584 s.f. = 0.93 Ac (Less than 1 Ac)

Channel Protection (Cpv): Property = 1.544 Ac (Less than 5 Ac)

Flood Protection (Op): Diff. Runoff = 0.03 cfs (Less than 2cfs)

Thus, no Stormwater Management Improvements are required.

Parking Calculations: 1.5 spaces per staff persons X 21 staff = 32 spaces Required
Total parking spaces proposed = 41 spaces (2 Handicap Spaces)

Site Coverage: 63% Max. Impervious Allowed
Area of Site: 1.544 Acres = 67,234 s.f.
Impervious Area: 39,808 s.f.
Green Space: 27,426 s.f.

Floor Area Ratio: 27,999 s.f. / 67,234 s.f. = 41.64% Green Space Proposed
10,034 s.f. / 67,234 s.f. = 14.92% FAR (40% Allowed)

Tree Preservation: All Existing Trees to Remain (No tree clearing proposed)

Benchmark: St. Louis Co. Benchmark 13-197, "U" on the end of the north curb at the north entrance to Fairways Subdivision; 27' west of the centerline of Mosley Road and 12' north of the centerline of Fairways Circle. Elevation = 673.77' (NGVD '29)

GENERAL NOTES:

- Sanitary sewer connection shall be approved by Metropolitan St. Louis Sewer District.
- Stormwater Management Improvements shall be designed pursuant to the City of Creve Coeur standards and Metropolitan St. Louis Sewer District requirements and discharge at an adequate natural discharge point. Sinkholes are not adequate natural discharge points.
- The location of storm and sanitary sewer improvements are approximate only. Actual locations shall be determined by field conditions and shall be indicated on the Improvement Plans.
- Grading and drainage shall be per city of Creve Coeur standards and Metropolitan St. Louis Sewer District requirements.
- Landscaping will be provided as required by city of Creve Coeur.
- Slope shall not exceed 3 (horizontal) : to 1 (vertical), unless supported by geotechnical report and approved by the city of Creve Coeur standards.
- Setbacks and buffers for GC zoning per City Code of Ordinances.
- Site Coverage for GC zoning is 63% maximum excluding sidewalks and playgrounds.
- The proposed light standards shall be in compliance to the city of Creve Coeur's Lighting Code.
- The underground utilities shown herein were plotted from available information and do not necessarily reflect the actual existence, nonexistence, size, type, number or location of these or other utilities. The general contractor shall be responsible for verifying the actual location of all underground utilities shown or not shown and shall be located in excavation or construction of improvements in the field prior to any grading. These provisions shall in no way absolve any party from complying with the Underground Facility Safety and Damage Prevention Act, Chapter 319, RSMO.

THIS SITE IS IN THE FOLLOWING DISTRICTS:

Metropolitan St. Louis Sewer District
Creve Coeur Fire Protection District
Parkway School District
Creve Coeur Creek Watershed

THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS:

Ameren UE
Laclede Gas Company
Missouri American Water Company
Charter Communications (cable TV)
AT&T Telephone Company

By order of Brownstone Properties, L.L.C., we have prepared a Preliminary Plat, the results of which are currently represented on this drawing, which is a Preliminary Plat - NOT FOR CONSTRUCTION - and was prepared for the sole limited purpose of providing a concept for the proposed development of the tract and is intended only for the preliminary use of governmental reviewing authorities for the purpose of obtaining approval of a concept and is subject to such recommendations or revisions as may be deemed necessary or appropriate in furtherance of such purposes.

In preparation of this plan, no grading balances have been done and this concept plan is subject to that which a more detailed evaluation may indicate. Soils and subsurface information have not been taken into account. Boundary lines shown are per Boundary and Topographic Survey prepared by Volz, Inc. Intersection site distance has not been examined. The capacity and availability of utilities are taken from available information without verification. The undersigned disclaims responsibility for the accuracy of the aforesaid matters and/or diligence that would be necessary to address all other issues of development.

Daniel R Koziatek, P.E.
Professional Engineer
PE-200401718

Richard G. Norvell, P.L.S.
Prof. Land Surveyor
MO P.L.S. #200500077

LOT 36

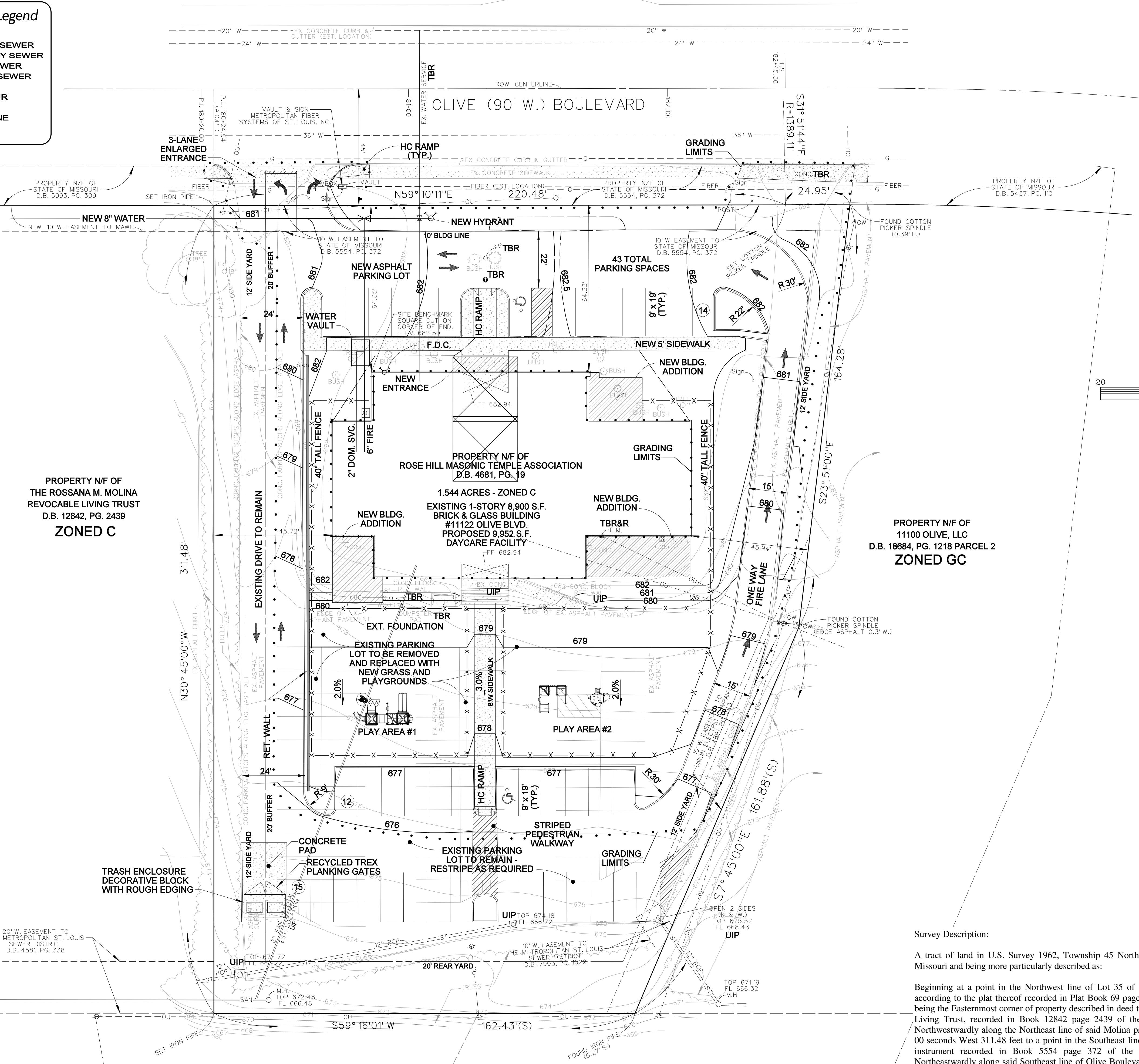
LOT 35

PROPERTY N/F OF
LARRY M. MAURER &
PAULINE M. MAURER, TRUSTEES
D.B. 16550, PG. 2044
ZONED C

"WIR-DON MEADOWS"
P.B. 69, PG. 21

LOT 34

PROPERTY N/F OF
KENNETH W. ROHAN, TRUSTEE, ETAL.
D.B. 11838, PG. 2176
ZONED C



Survey Description:

A tract of land in U.S. Survey 1962, Township 45 North - Range 5 East, St. Louis County, Missouri and being more particularly described as:

Beginning at a point in the Northwest line of Lot 35 of "Wir-Don Meadows", a subdivision according to the plat thereof recorded in Plat Book 69 page 21 of the St. Louis County records, being the Easternmost corner of property described in deed to The Rossana M. Molina Revocable Living Trust, recorded in Book 12842 page 2439 of the St. Louis County records; thence Northwestwardly along the Northeast line of said Molina property North 30 degrees 45 minutes 00 seconds West 311.48 feet to a point in the Southeast line of Olive Boulevard, as widened by instrument recorded in Book 5554 page 372 of the St. Louis County records; thence Northeastwardly along said Southeast line of Olive Boulevard, as widened, North 59 degrees 10 minutes 11 seconds East 220.48 feet and along a curve to the right whose radius point bears South 31 degrees 51 minutes 44 seconds East 1389.11 feet from the last mentioned point, a distance of 24.95 feet to its intersection with the West line of property described in Parcel 2 of deed to 11100 Olive, LLC recorded in Book 18684 page 1218 of the St. Louis County records; thence Southwardly along the West line of said 11100 Olive, LLC property South 23 degrees 51 minutes 00 seconds East 164.28 feet and South 7 degrees 45 minutes 00 seconds East 161.88 feet to a point in the Northwest line of Lot 34 of aforesaid "Wir-Don Meadows"; thence Southwestwardly along the Northwest line of Lots 34 and 35 of said "Wir-Don Meadows" South 59 degrees 16 minutes 01 second West 162.43 feet to the point of beginning and containing 1.544 acres according to a survey by Volz Incorporated during August, 2011.

SITE DEVELOPMENT PLAN/
PRELIMINARY PLAT

10764-0

REVISIONS

10-07-2011

1

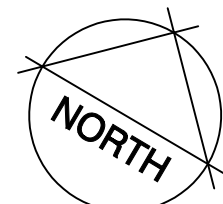
BROWNSTONE
PROPERTIES, LLC
635 TRADE CENTER
BLVD
CHESTERFIELD,
MO 63005

ENGINEERS
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONST. MANAGEMENT
10849 Indian Head Ind'l. Blvd.
St. Louis, Missouri 63132
314.880.1240 Fax
www.volzinc.com

VOLZ
Incorporated

1112 Olive Boulevard
Creve Coeur, MO 63141

THE **Goddard School**
FOR EARLY CHILDHOOD DEVELOPMENT



0 20 40 60 feet
SCALE: 1" = 20'

A Development of:
AJ BROWN CONSTRUCTION, INC.
635 Trade Center Boulevard
Chesterfield, MO 63005
636-537-3636

LANDSCAPE GUIDELINE SPECS:

GENERAL:

- All natural vegetation shall be maintained where it does not interfere with construction or the permanent plan of operation. Every effort possible shall be made to protect existing structures or vegetation from damage due to equipment usage. Contractor shall at all times protect all materials and work against injury to public.
- The landscape contractor shall be responsible for any coordination with other site related work being performed by other contractors. Refer to architectural drawings for further coordination of work to be done.
- Underground facilities, structures and utilities must be considered approximate only. There may be others not presently known or shown. It shall be the landscape contractor's responsibility to determine or verify the existence of and exact location of the above (Call 1-800-DIG-RTIE).
- Plant material are to be planted in the same relationship to grade as was grown in nursery conditions. All planting beds shall be cultivated to 6" depth minimum and graded smooth immediately before planting of plants. Plant groundcover to within 12" of trunk of trees or shrubs planted within the area.
- It shall be the landscape contractor's responsibility to:
 - Verify all existing and proposed features shown on the drawings prior to commencement of work.
 - Report all discrepancies found with regard to existing conditions or proposed design to the landscape architect immediately for a decision.
 - Stake the locations of all proposed plant material and obtain the approval of the owner's representative or landscape architect prior to installation.
- Items shown on this drawing take precedence over the material list. It shall be the landscape contractor's responsibility to verify all quantities and conditions prior to implementation of this plan. No substitutions of types or size of plant materials will be accepted without written approval from the landscape architect.
- Provide single-stem trees unless otherwise noted in plant schedule.
- All plant material shall comply with the recommendations and requirements of ANSI Z601 "American Standards for Nursery Stock".
- It shall be the contractor's responsibility to provide for inspection of the plant material by the Landscape Architect prior to acceptance. Plants not conforming exactly to the plant list will not be accepted and shall be replaced at the landscape contractor's expense.
- All bids are to have unit prices listed. The Owner has the option to delete any portion of the contract prior to signing the contract or beginning work. This will be a unit price contract.
- All plant material to be transplanted shall be transplanted according to guidelines set by AAN standards. Transplanted material will not be guaranteed by the landscape contractor.

INSURANCE:

- The landscape contractor shall submit certificates of insurance for workman's compensation and general liability.

MULCH:

- All mulch to be shredded oak bark mulch at 3" depth (after compaction) unless otherwise noted. Mulch shall be clean and free of all foreign materials, including weeds, mold, deleterious materials, etc.
- No plastic sheeting or filter fabric shall be placed beneath shredded bark mulch beds. Mypati fabric shall be used beneath all gravel mulch beds.
- Edge all beds with spade-cut edge unless otherwise noted.

MAINTENANCE:

- Landscape Contractor shall provide a separate proposal to maintain all plants, shrubs, groundcover, perennials and annuals for a period of 12 months after acceptance.
- Contractor shall ensure that only competent and trained personnel shall provide such services and that such services be provided in a timely manner.

TOPSOIL:

- Topsoil mix for all proposed landscape plantings shall be five (5) parts well-drained screened organic topsoil to one (1) part Canadian sphagnum peat moss as per planting details. Ratio-till topsoil mix to a depth of 6" minimum and grade smooth.
- Provide a soil analysis, as requested, made by an independent soil-testing agency outlining the % of organic matter, inorganic matter, deleterious material, pH and mineral content.
- Any foreign topsoil used shall be free of roots, stumps, weeds, brush, stones (larger than 1"), litter or any other extraneous or toxic material.
- Landscape contractor to apply pre-emergent herbicide to all planting beds upon completion of planting operations and before application of shredded bark mulch.

MISC. MATERIAL:

- Provide stakes and deadmen of sound, new hardwood, free of knots and defects.
- Tree wrap tape shall be 4" minimum, designed to prevent borer damage and winter freezing. Additionally, only 3-ply tying material shall be used.

TURF:

- All disturbed lawn areas to be seeded with a mixture of Turf-Type Fescue (300# per acre) and bluegrass (18# per acre). Lawn areas shall be unconditionally warranted for a period of 90 days from date of final acceptance. Bare areas more than one square foot per any 50 square feet shall be replaced.
- Landscape contractor shall offer an alternate price for sod in lieu of seed. Sod shall be cut at a uniform thickness of 3/4". No broken pieces, irregular pieces or torn pieces will be accepted. All points carrying concentrated water loads and all slopes of 15% or greater shall be sodded.
- All sod shall be placed a maximum of 24 hours after harvesting.
- Recondition existing lawn areas damaged by Contractor's operations including equipment/material storage and movement of vehicles.

WARRANTY:

- All plant material (excluding ground cover, perennials and annuals) are to be warranted for a period of 12 months after installation at 100% of the installed price.
- Any plant material found to be defective shall be removed and replaced within 30 days of notification or in growth season determined to be best for that plant.
- Only one replacement per tree or shrub shall be required at the end of the warranty period, unless loss is due to failure to comply with warranty.
- Lawn establishment period will be in effect once the lawn has been mowed three times. Plant establishment period shall commence on the date of acceptance and 100% completion.

PLANT SCHEDULE

TREES	QTY	COMMON NAME / BOTANICAL NAME	SIZE
GL	2	Greenspire Littleleaf Linden / <i>Tilia cordata</i> 'Greenspire'	3" Cal.
SAW	1	Sawtooth Oak / <i>Quercus acutissima</i>	3" Cal.
SNO	2	Swamp White Oak / <i>Quercus bicolor</i>	3" Cal.
AFRM	3	'Autumn Flame' Maple / <i>Acer rubrum</i> 'Autumn Flame'	3" Cal.
RSM	1	'Red Sunset' Maple / <i>Acer rubrum</i> 'Frankford'	3" Cal.
SHL	2	'Skyline' Locust / <i>Gleditsia triacanthos</i> 'Skyline'	3" Cal.
EVERGREEN TREES	QTY	COMMON NAME / BOTANICAL NAME	SIZE
NS	2	Norway Spruce / <i>Picea abies</i>	6'-7'
FLOWERING TREES	QTY	COMMON NAME / BOTANICAL NAME	SIZE
RB	3	Redbud / <i>Cercis canadensis</i>	2" Cal.
SHRUBS	QTY	COMMON NAME / BOTANICAL NAME	SIZE
RTD	4	Bailey's Red-bellied Dogwood / <i>Cornus sericea</i> 'Cardinal'	5 gal
NINE	13	Diabolo Purple Ninebark / <i>Physocarpus opulifolius</i> 'Diabolo' TM	5 gal
DKL	6	Dwarf Korean Lilac / <i>Syringa meyeri</i> 'Palibin'	5 gal
GVB	13	Green Velvet Boxwood / <i>Buxus</i> 'Green Velvet'	5 gal
IT	6	Little Henry Sneezeweed / <i>Itea virginica</i> 'Little Henry'	5 gal
BUTT-PC	1	Peacock Butterflybush / <i>Buddleia davidii</i> 'Peacock'	5 gal
TAUY	10	Tauton Yew / <i>Taxus x media</i> 'Tautoni'	5 gal
CLE	14	'Hummingbird' Summersweet / <i>Clethra alnifolia</i> 'Hummingbird'	5 gal
ANNUALS/PERENNIALS	QTY	COMMON NAME / BOTANICAL NAME	SIZE
HRD	19	Happy Returns Daylily / <i>Hemerocallis</i> hybrid 'Happy Returns'	1 gal
VL	35	Variegated Lily Turf / <i>Liriope muscari</i> 'Variegata'	1 gal

LANDSCAPE REQUIREMENTS:

ONE (1) STREET TREE PER 30' OF FRONTAGE
201.75 LF FRONTAGE; THEREFORE, 7 TREES REQUIRED & PROVIDED

ONE (1) TREE PER 100' OF PARKING ROW
144.00 LF PARKING ROW; EXISTING TREES TO BE RETAINED & MEET REQUIREMENTS

425 SQ. FT. OF INTERIOR PARKING GREEN SPACE IS REQUIRED & PROVIDED (41.67% GREEN SPACE IS PROVIDED THROUGHOUT SITE)

IN-GROUND, AUTOMATIC IRRIGATION SYSTEM IS REQUIRED AND WILL BE PROVIDED AS A CONDITION OF DEVELOPMENT (By Others)

PLANT SPACINGS AS PER PLAN

2" MULCH INSTALLED BEFORE PLANTING

PREPARE BED AS PER WRITTEN SPECIFICATION

PERENNIAL / ANNUAL PLANTING

N.T.S.

SPADE EDGE OF PLANTING BED

3" SHREDDED HARDWOOD BARK MULCH

PREPARED PLANTING BED. SEE SHRUB PLANTING FOR DETAILS.

EXISTING SUB-SOIL

SPADE-CUT EDGE DETAIL

N.T.S.

EVERGREEN TREE PLANTING

N.T.S.

3" INCHES MULCH

IF SHRUB IS B & B, THEN REMOVE BURLAP & ROPE FROM TOP 1/3 OF BALL

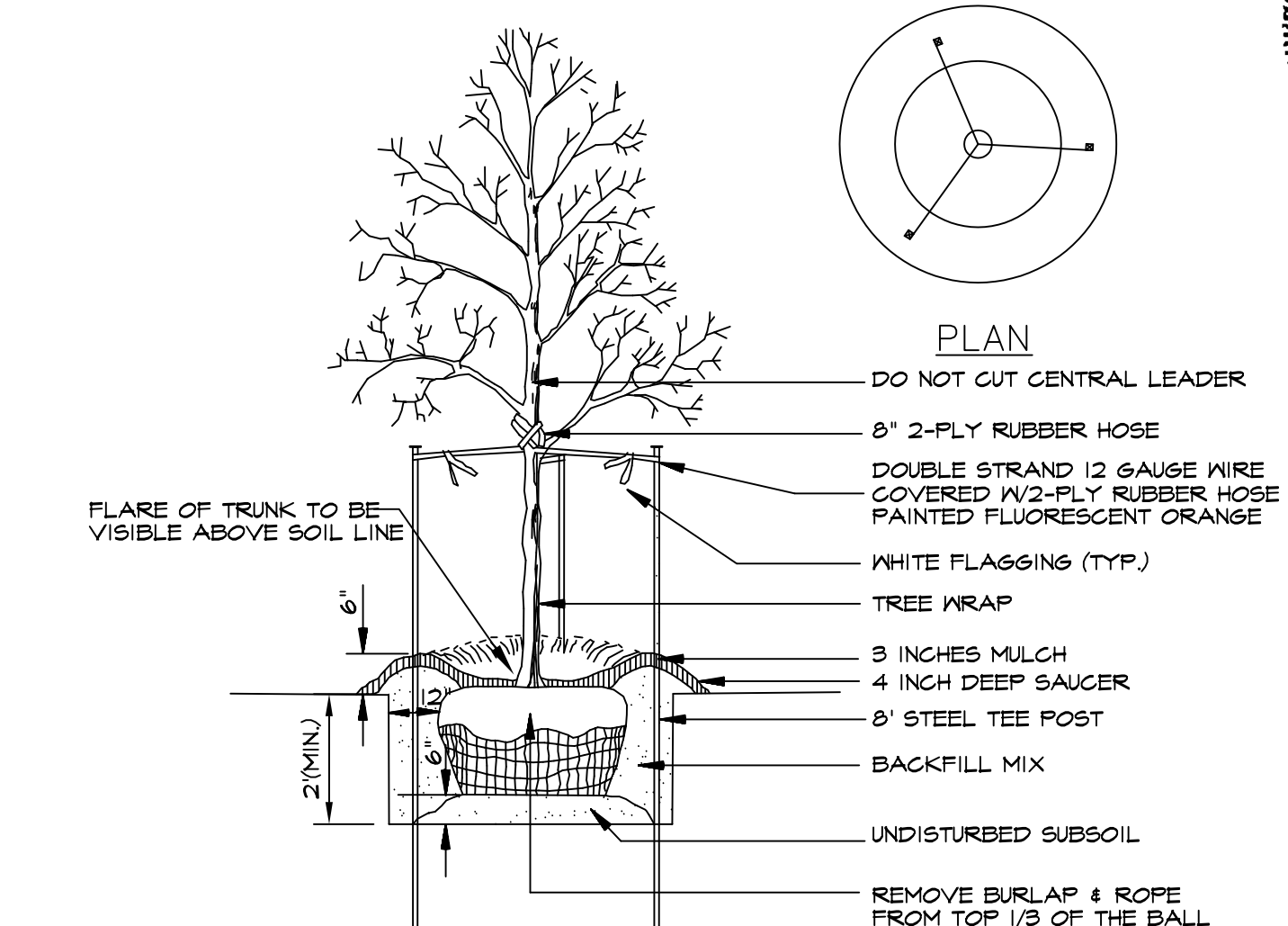
BACKFILL MIX

UNDISTURBED SUBSOIL

NOTE: USE SHREDDED BARK MULCH ONLY

SHRUB PLANTING

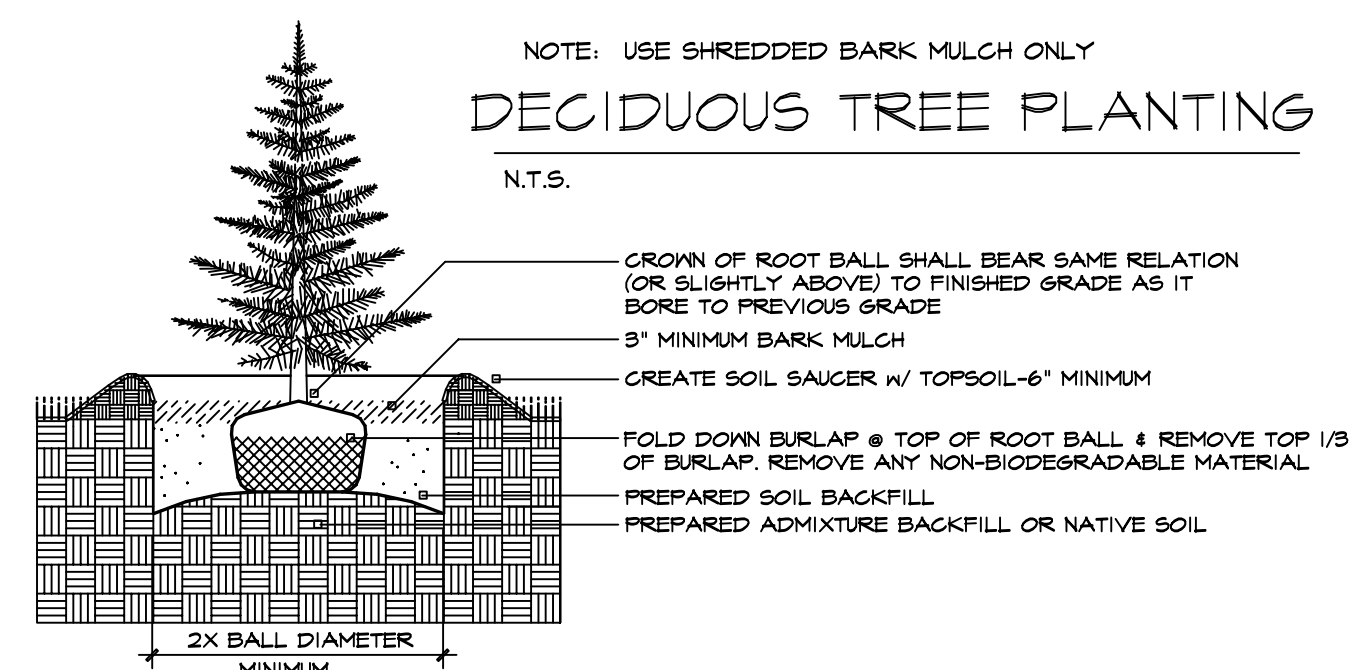
N.T.S.



NOTE: USE SHREDDED BARK MULCH ONLY

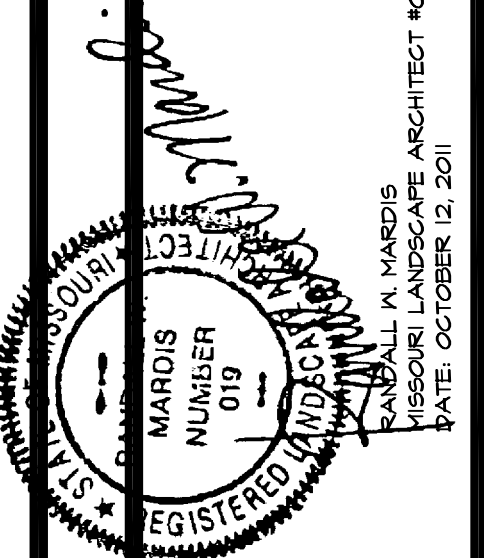
DECIDUOUS TREE PLANTING

N.T.S.



REVISIONS BY

landscape TECHNOLOGIES
JACQUES CREVE DRIVE #204
ST. LOUIS, MO 63114
TEL: (636) 423-1950
FAX: (636) 423-1950
MISSOURI LANDSCAPE ARCHITECT #000019
MO Landscape Architectural Corporation #200800122



PLANTING PLAN FOR THE PROPOSED
Goddard School
1112 OLIVE BLVD. CREVE COEUR, MISSOURI 63141

DRAWN
R. HARDS
CHECKED
RHM
DATE
10/12/11
SCALE
1"=20'-0"
JOB NO.
2011-151
SHEET

L-1
OF ONE SHEET

General Contractor:
A.J. Brown, Inc.
Construction Services
635 Trade Center Boulevard
Chesterfield, Missouri 63005
Structural Engineer:



Quality That Lasts A Lifetime

Proposed New Facility for..

1122 Olive Blvd.
Creve Coeur, Missouri

ISSUE DATES:
CITY SUBMITTAL: 09-28-11

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DAVID WILLIAM DIAL - LICENSE NUMBER A-7331
DAVID W. DIAL ARCHITECTS, P.C.
ARCHITECTURAL CORPORATION #2000149091

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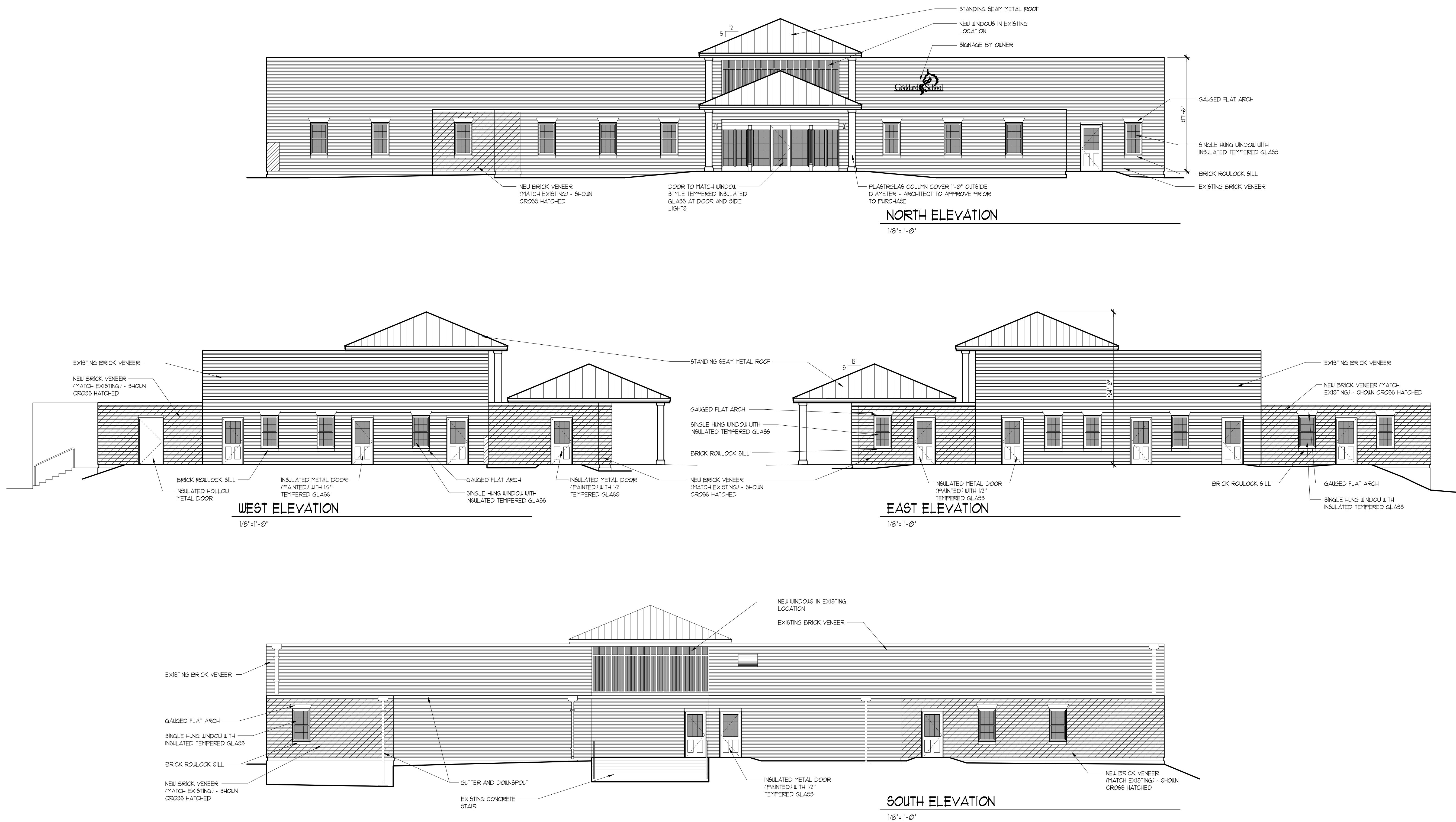


DAVID W. DIAL ARCHITECTS, P.C.
14368 Manchester Road
Suite 300
Manchester, Missouri 63011
Phone (636) 230-0400
Fax (636) 230-0401
www.dialarchitects.com

SHEET NUMBER:

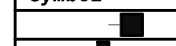
ELEVATIONS

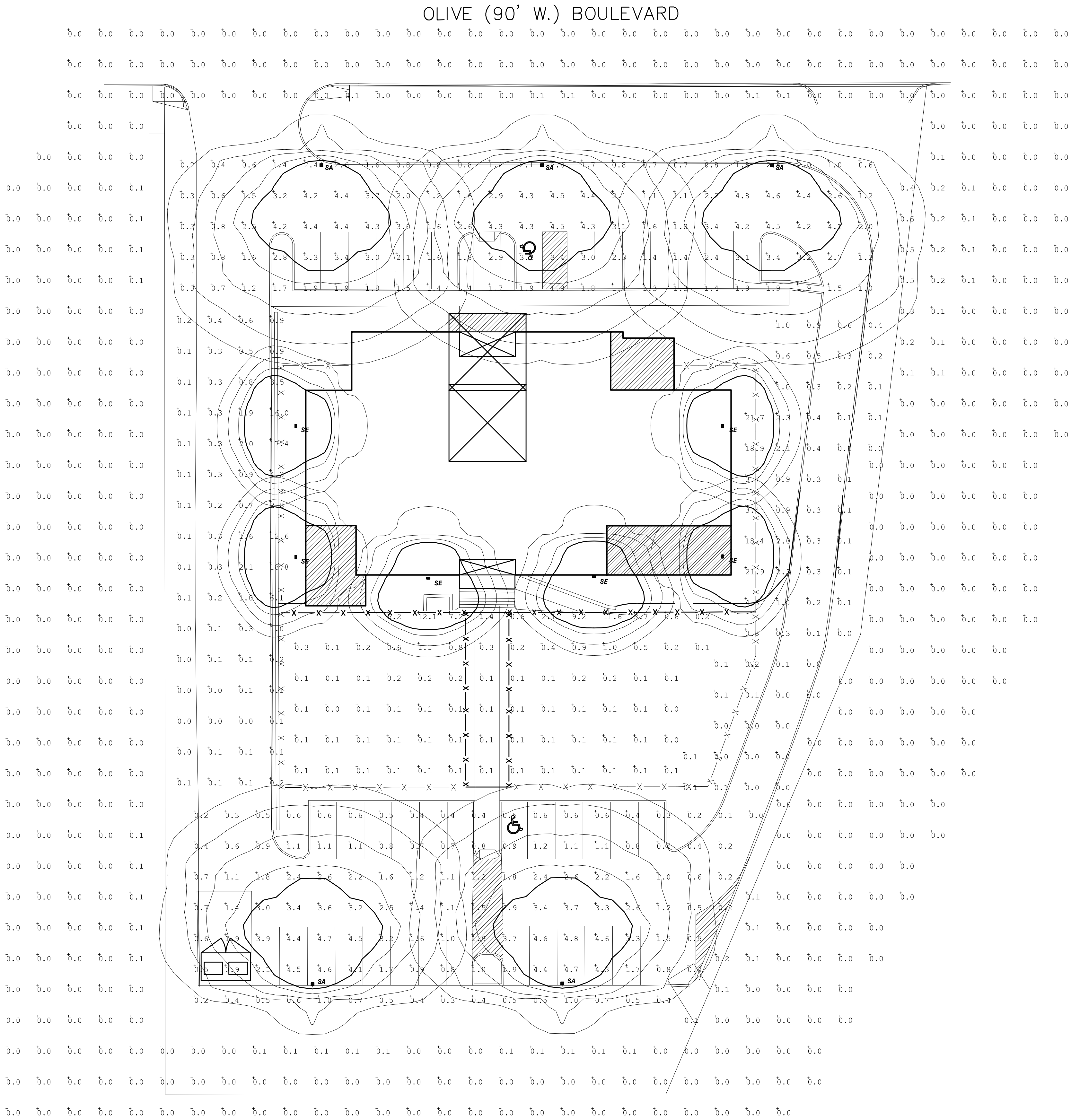
PROJECT NUMBER: 11220 DATE: 09-28-11



CALCULATIONS BASED ON A 20'-0" MOUNTING HEIGHT

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
DRIVEWAY	Illuminance	Fc	1.60	18.8	0.0	N.A.	N.A.
DRIVEWAY 2	Illuminance	Fc	1.75	21.9	0.0	N.A.	N.A.
PARKING AREA ONE	Illuminance	Fc	2.24	4.8	0.2	11.20	24.00
PARKING AREA TWO	Illuminance	Fc	1.53	4.8	0.0	N.A.	N.A.
PLAYAREA	Illuminance	Fc	0.86	12.1	0.0	N.A.	N.A.
SPILL LIGHT	Illuminance	Fc	0.01	0.5	0.0	N.A.	N.A.

Luminaire Schedule		Arrangement		Total Lamp Lumens	LLF	Description
Symbol	Qty	Label				
	5	SA	SINGLE	22000	0.790	MPTR-SL-250
	6	SE	SINGLE	14000	0.790	MHP-W-175



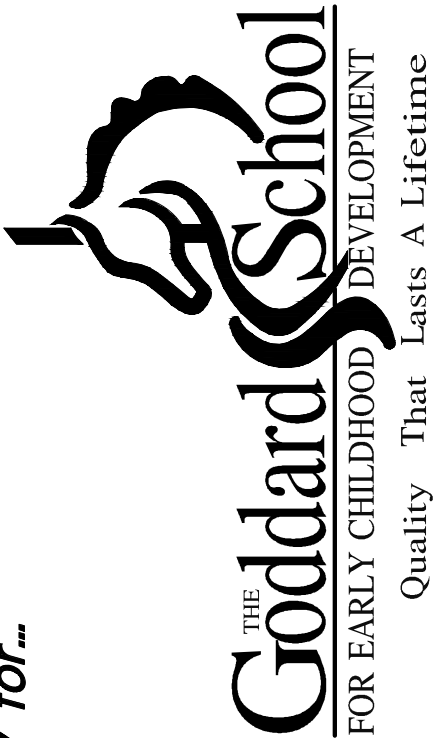
PARKING PHOTOMETRIX PLAN

1"=20'

General Contractor:

A.J. Brown, Inc.
Construction Services
635 Trade Center Boulevard
Chesterfield, Missouri 63005

Structural Engineer:



FOR EARLY CHILDHOOD DEVELOPMENT

Quality That Lasts A Lifetime

Proposed New Facility for..

1122 Olive Blvd.
Creve Coeur, Missouri

ISSUE DATES:

CITY SUBMITTAL:

10-07-11

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STATE OF MISSOURI REGISTERED ARCHITECT:
DAVID WILLIAM DIAL - LICENSE NUMBER A-7331
DAVID W. DIAL ARCHITECTS, P.C.
ARCHITECTURAL CORPORATION #2000149091



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14368 Manchester Road
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Manchester, Missouri 63011
Phone (636) 230-0400
Fax (636) 230-0401
www.dialarchitects.com

SHEET NUMBER:

PHOTOMETRIX

PROJECT NUMBER: 11220

DATE: 10-07-11

DESCRIPTION

The Lumark Tribute Pole/Fixture Combo features all you need for easy selection and installation for poles and fixtures. Including the quality, die-cast Tribute area luminaire and 8" arm complete with lamp, square straight steel pole and necessary anchorage. Available in single or dual fixture combinations.

The Tribute/Pole Combo is ideal for parking areas, access roadways and other general off street area/site lighting applications.

Catalog #	Type
Project	
Comments	Date
Prepared by	

SPECIFICATION FEATURES

Construction

Rugged one-piece die-cast aluminum housing and door frame finished in dark bronze polyester powder paint. One-piece silicone gasket protects the optical chamber from performance degrading contaminants. One (1) stainless spring latch and two (2) stainless steel hinges allow toolless opening and removal of door frame. U.L. Listed and CSA certified for wet locations.

Reflector

Hydroformed anodized aluminum reflector offered in an adjustable Type II/III or a Type IV distribution. Optical modules are field rotatable in 90° increments and offered standard with medium or mogul-base lampholders.

Electrical

Ballast and related electrical componentry are hard mounted to die-cast housing for optimal heat transfer and operating efficiency.

Mounting

Extruded 8" aluminum arm features internal bolt guides for easy positioning of fixture during installation to pole.

Finish

Housing and arm finished in a 5 stage premium TGIC bronze polyester powder coat paint.

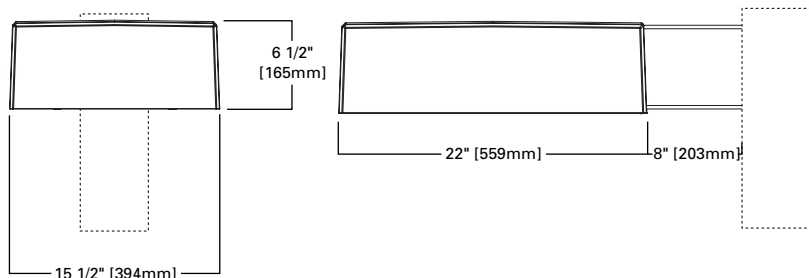
Pole

Shaft is one piece construction ASTM A500 grade "B" steel, shot blasted and finished in dark bronze polyester powder coat. Anchor base is fabricated from ASTM grade steel. ASTM A366 steel full base cover is provided to enclose base plate and anchor bolts. Anchor bolts are per ASTM A576 with (2) nuts, (2) flat washers, and (1) lock washer. Hardware and threaded portion of bolt are hot dip galvanized. 3" hook for 3/4" bolt. 4" hook for 1" bolt.



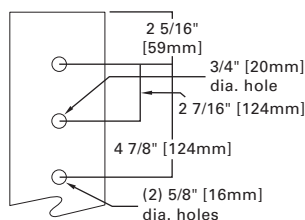
LAMP TYPE	WATTAGE
Pulse Start Metal Halide (MP)	150, 250, 320, 400W
High Pressure Sodium (HP)	150, 250, 400W

DIMENSIONS

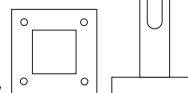


DRILLING PATTERNS

TYPE "M"



Base View



TECHNICAL DATA (Fixture)

U.L. Wet Location Listed
CSA Certified
EISA Compliant (E)

ENERGY DATA

Hi-Reactance Ballast Input Watts

150W HPS HPF (190 Watts)
150W MP HPF (185 Watts)

CWA Ballast Input Watts

250W MP HPF (283 Watts) (E)
250W HPS HPF (295 Watts)
320W MP HPF (365 Watts) (E)
400W MP HPF (452 Watts) (E)
400W HPS HPF (465 Watts)

EPA

Effective Projected Area: (Sq. Ft.)
Single: 1.62
Dual: 3.24

SHIPPING DATA

Approximate Net Weight:
39 lbs. (17.73 kg.)



PFT TRIBUTE AND POLE COMBO

150 - 400 W
High Pressure Sodium
Pulse Start Metal Halide

15' - 30'
Square Straight
Steel Pole

**POLE AND FIXTURE
COMBO**

ORDERING INFORMATION

PFT TRIBUTE AND POLE COMBO

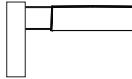
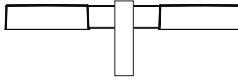
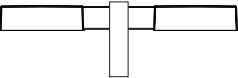
Sample Number: PFT1153H159N/AB

Series PFT=Tribute Pole Combo	Number of Fixtures 1=1 2=2	Lamp Wattage 15=150W 25=250W 32=320W 40=400W	Distribution 23=Type II/III 4F=Type IV Formed	Lamp Type ¹ P= Pulse Start Metal Halide H= High Pressure Sodium	Pole Height 15=15' 20=20' 25=25' 30=30'	Zone 9=90 MPH Wind Zone 0=100 MPH Wind Zone	Options ² N/AB=No Anchor Bolts (Used when ordered separately)

Notes: 1 8 inch arm and pole adapter included with fixture. Lamp Included with all PFT configurations.

2 N/AB models available by specifying N/AB (IE: PFT11523P15N/AB).

* Note: Supplied with Multi-Tap ballast 120/208/240/277 (wired 277V) with square straight steel shaft, anchor bolts, template, base cover and hardware.

Lamp Source/Number of Fixtures	Pole Height	Wattage	Distribution	80 MPH	90 MPH ¹	100 MPH ¹
HIGH PRESSURE SODIUM (HPS)						
Single Fixture 	15' Pole	150W HPS	Type II/III Type IV	PFT11523H15 ² PFT1154FH15 ²	PFT11523H15 ² PFT1154FH15 ²	PFT11523H15 ² PFT1154FH15 ²
	20' Pole	250W HPS	Type II/III Type IV	PFT12523H20 ² PFT1254FH20 ²	PFT12523H20 ² PFT1254FH20 ²	PFT12523H20 ² PFT1254FH20 ²
		400W HPS	Type II/III Type IV	PFT14023H20 ² PFT1404FH20 ²	PFT14023H20 ² PFT1404FH20 ²	PFT14023H20 ² PFT1404FH20 ²
	25' Pole	250W HPS	Type II/III Type IV	PFT12523H25 ² PFT1254FH25 ²	PFT12523H25 ² PFT1254FH25 ²	PFT12523H25 ² PFT1254FH25 ²
		400W HPS	Type II/III Type IV	PFT14023H25 ² PFT1404FH25 ²	PFT14023H25 ² PFT1404FH25 ²	PFT14023H25 ² PFT1404FH25 ²
	30' Pole	250W HPS	Type II/III Type IV	PFT12523H30 ³ PFT1254FH30 ³	PFT12523H30 ³ PFT1254FH30 ³	PFT12523H300 ³ PFT1254FH300 ³
		400W HPS	Type II/III Type IV	PFT14023H30 ³ PFT1404FH30 ³	PFT14023H30 ³ PFT1404FH30 ³	PFT14023H300 ⁴ PFT1404FH300 ⁴
Dual Fixture 	15' Pole	150W HPS	Type II/III Type IV	PFT21523H15 ² PFT2154FH15 ²	PFT21523H15 ² PFT2154FH15 ²	PFT21523H15 ² PFT2154FH15 ²
	20' Pole	250W HPS	Type II/III Type IV	PFT22523H20 ² PFT2254FH20 ²	PFT22523H20 ² PFT2254FH20 ²	PFT22523H20 ² PFT2254FH20 ²
		400W HPS	Type II/III Type IV	PFT24023H20 ² PFT2404FH20 ²	PFT24023H20 ² PFT2404FH20 ²	PFT24023H20 ² PFT2404FH20 ²
	25' Pole	250W HPS	Type II/III Type IV	PFT22523H25 ² PFT2254FH25 ²	PFT22523H25 ² PFT2254FH25 ²	PFT22523H250 ³ PFT2254FH250 ³
		400W HPS	Type II/III Type IV	PFT24023H25 ² PFT2404FH25 ²	PFT24023H25 ² PFT2404FH25 ²	PFT24023H250 ³ PFT2404FH250 ³
	30' Pole	250W HPS	Type II/III Type IV	PFT22523H30 ³ PFT2254FH30 ³	PFT22523H309 ⁴ PFT2254FH309 ⁴	PFT22523H300 ⁵ PFT2254FH300 ⁵
		400W HPS	Type II/III Type IV	PFT24023H30 ³ PFT2404FH30 ³	PFT24023H309 ⁴ PFT2404FH309 ⁴	PFT24023H300 ⁵ PFT2404FH300 ⁵
PULSE START METAL HALIDE (PSMH)						
Single Fixture 	15' Pole	150W PSMH	Type II/III Type IV	PFT11523P15 ² PFT1154FP15 ²	PFT11523P15 ² PFT1154FP15 ²	PFT11523P15 ² PFT1154FP15 ²
	20' Pole	250W PSMH	Type II/III Type IV	PFT12523P20 ² PFT1254FP20 ²	PFT12523P20 ² PFT1254FP20 ²	PFT12523P20 ² PFT1254FP20 ²
		320W PSMH	Type II/III Type IV	PFT13223P20 ² PFT1324FP20 ²	PFT13223P20 ² PFT1324FP20 ²	PFT13223P20 ² PFT1324FP20 ²
		400W PSMH	Type II/III Type IV	PFT14023P20 ² PFT1404FP20 ²	PFT14023P20 ² PFT1404FP20 ²	PFT14023P20 ² PFT1404FP20 ²
	25' Pole	250W PSMH	Type II/III Type IV	PFT12523P25 ² PFT1254FP25 ²	PFT12523P25 ² PFT1254FP25 ²	PFT12523P25 ² PFT1254FP25 ²
		320W PSMH	Type II/III Type IV	PFT13223P25 ² PFT1324FP25 ²	PFT13223P25 ² PFT1324FP25 ²	PFT13223P25 ² PFT1324FP25 ²
		400W PSMH	Type II/III Type IV	PFT14023P25 ² PFT1404FP25 ²	PFT14023P25 ² PFT1404FP25 ²	PFT14023P25 ² PFT1404FP25 ²
	30' Pole	250W PSMH	Type II/III Type IV	PFT12523P30 ³ PFT1254FP30 ³	PFT12523P30 ³ PFT1254FP30 ³	PFT12523P300 ⁴ PFT1254FP300 ⁴
		320W PSMH	Type II/III Type IV	PFT13223P30 ³ PFT1324FP30 ³	PFT13223P30 ³ PFT1324FP30 ³	PFT13223P300 ⁴ PFT1324FP300 ⁴
		400W PSMH	Type II/III Type IV	PFT14023P30 ³ PFT1404FP30 ³	PFT14023P30 ³ PFT1404FP30 ³	PFT14023P300 ⁴ PFT1404FP300 ⁴
Dual Fixture 	15' Pole	150W PSMH	Type II/III Type IV	PFT21523P15 ² PFT2154FP15 ²	PFT21523P15 ² PFT2154FP15 ²	PFT21523P15 ² PFT2154FP15 ²
	20' Pole	250W PSMH	Type II/III Type IV	PFT22523P20 ² PFT2254FP20 ²	PFT22523P20 ² PFT2254FP20 ²	PFT22523P20 ² PFT2254FP20 ²
		320W PSMH	Type II/III Type IV	PFT23223P20 ² PFT2324FP20 ²	PFT23223P20 ² PFT2324FP20 ²	PFT23223P20 ² PFT2324FP20 ²
		400W PSMH	Type II/III Type IV	PFT24023P20 ² PFT2404FP20 ²	PFT24023P20 ² PFT2404FP20 ²	PFT24023P20 ² PFT2404FP20 ²
	25' Pole	250W PSMH	Type II/III Type IV	PFT22523P25 ² PFT2254FP25 ²	PFT22523P25 ² PFT2254FP25 ²	PFT22523P250 ³ PFT2254FP250 ³
		320W PSMH	Type II/III Type IV	PFT23223P25 ² PFT2324FP25 ²	PFT23223P25 ² PFT2324FP25 ²	PFT23223P250 ³ PFT2324FP250 ³
		400W PSMH	Type II/III Type IV	PFT24023P25 ² PFT2404FP25 ²	PFT24023P25 ² PFT2404FP25 ²	PFT24023P250 ³ PFT2404FP250 ³
	30' Pole	250W PSMH	Type II/III Type IV	PFT22523P30 ³ PFT2254FP30 ³	PFT22523P309 ⁴ PFT2254FP309 ⁴	PFT22523P300 ⁵ PFT2254FP300 ⁵
		320W PSMH	Type II/III Type IV	PFT23223P30 ³ PFT2324FP30 ³	PFT23223P309 ⁴ PFT2324FP309 ⁴	PFT23223P300 ⁵ PFT2324FP300 ⁵
		400W PSMH	Type II/III Type IV	PFT24023P30 ³ PFT2404FP30 ³	PFT24023P309 ⁴ PFT2404FP309 ⁴	PFT24023P300 ⁵ PFT2404FP300 ⁵
Refer to In Stock Guide for availability.						
NOTES: 1, 6 or 9 are noted where needed to designate a heavier gauge pole.						

Refer to In Stock Guide for availability.

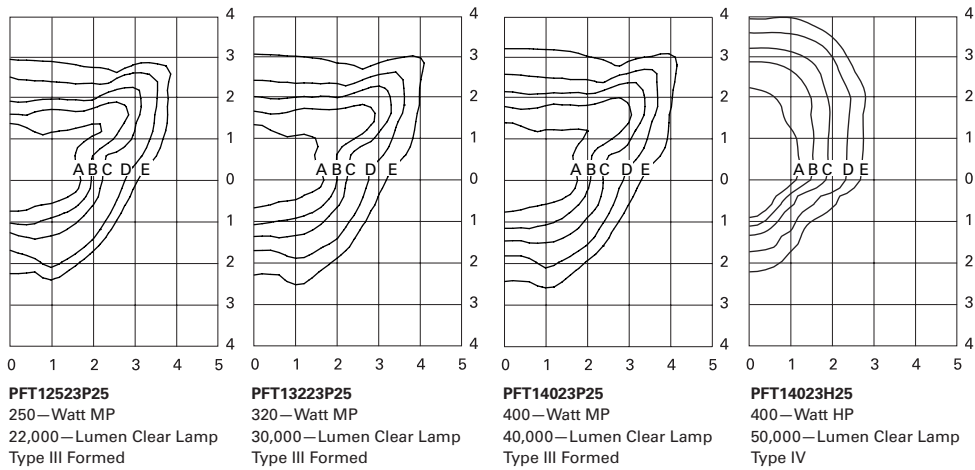
NOTES: 1 0 or 9 are noted where needed to designate a heavier gauge pole.

2 Supplied with 4A Square Straight Steel shaft (SSS), anchor bolts (AB1), template (TMP1) Hardware and base cover. 15' combo SSS4A15SFM4, 20' combo SSS4A20SFM4 and 25' combo SSS4A25SFM4.

3 Supplied with 5A Square Straight Steel shaft (SSS), anchor bolts (AB1), template (TMP1) Hardware and base cover. 25' combo SSS5A25SFM4 and 30' combo SSS5A30SFM4.

4 Supplied with 5M Square Straight Steel shaft (SSS), anchor bolts (AB1), template (TMP1) Hardware and base cover. 30' combo SSS5M30SFM4.

5 Supplied with 6M Square Straight Steel shaft (SSS), anchor bolts (AB3), template (TMP2) Hardware and base cover. 30' combo SSS6M30SFM4.



Footcandle Table

Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	2.00	1.00	0.50	0.20	0.10
30'	1.38	1.69	0.34	0.13	0.06

DESCRIPTION

The IMPACT Elite Quarter Sphere cutoff wall luminaire makes an ideal complement to site design. Rugged construction and full cutoff classified optics provide facade and security lighting for light restricted zones surrounding schools, office complexes, apartments, and recreational facilities. U.L. and cUL Listed for wet locations in down mount applications and damp locations in up mounted applications.

SPECIFICATION FEATURES

Construction

Two-piece die-cast aluminum housing and removable hinged door frame nests securely for precise tolerance control and repeatability. Hinged door frame inset for clean mating with housing surface and secured via two [2] captive stainless steel fasteners. Optional tamper resistant torx head fasteners [TR] offer vandal resistant access to the electrical compartment. 1/8" clear, heat and impact resistant tempered flat glass lens combined with molded silicone gasket to seal the integrated optical assembly while ensuring peak optical performance.

Electrical

Integral hard mount electrical components are secured and grounded within the die-cast aluminum housing for optimal heat sinking and extended component life. Minimum starting temperatures are -40°C (-40°F) for

HPS and -30°C (-22°F) for MP. Compact fluorescent luminaires feature electronic universal 120-277V high efficiency 50/60Hz ballast with -18°C (-0°F) minimum starting temperature. Available in 50-175W HID or 26-84W CF. Emergency power pack available for 26-64W CF.

Optical

Premium anodized 95% reflective aluminum optical assemblies provide high efficiency Type II distribution. Optional silk screened house side flat glass shield provides decreased wall brightness. All Impact Elite Wall Series luminaires classify as IESNA full cutoff in downlight applications.

Mounting

Gasketed and zinc plated rigid steel mounting attachment fits directly to 4" j-box or wall with the Impact Elite "Hook-N-Lock" system for fast

installation and mounting in both traditional downlighting [wet location] or inverted uplighting [damp location] mounting positions. Secured via two [2] captive corrosion resistant allen head set screws concealed from view, but accessible from bottom of fixture.

Finish

Housing and door are protected with 5-stage premium TGIC polyester powder coat paint. Premium TGIC powder coat finishes withstand extreme climate changes while providing optimal color and gloss retention over the fixture's installed life. Standard colors include black, bronze, grey, white, dark platinum and graphite metallic. RAL and custom color matches available. Consult McGraw-Edison Architectural Colors Brochure for complete selection.



ISS IMPACT ELITE QUARTER SPHERE

50 - 175W
Pulse Start Metal Halide
Metal Halide
High Pressure Sodium
26 - 84W
Compact Fluorescent

**FULL CUTOFF
WALL MOUNT LUMINAIRE**

**DARK SKY
COMPLIANT** **FCO**
Full Cutoff

NOTE: In downlight applications only.

TECHNICAL DATA

UL1598 Listed, CUL Listed
25°C Maximum Ambient Temperature
External Supply Wiring 90°C Minimum
Down Mounted—Wet Location
Up Mounted—Damp Location

ENERGY DATA

High Reactance Ballast Input Watts

50W HPS HPF (66 Watts)
50W MH HPF (72 Watts)
70W HPS HPF (91 Watts)
70W MH HPF (90 Watts)
100W HPS HPF (130 Watts)
100W MH HPF (129 Watts)
150W HPS HPF (190 Watts)
150W MH HPF (185 Watts)

CWA Ballast Input Watts

175W MH HPF (210 Watts)

Electronic Ballast Input Watts

26W CF HPF (29 Watts)
32W CF HPF (36 Watts)
42W CF HPF (46 Watts)
52W CF HPF (55 Watts)

SHIPPING DATA

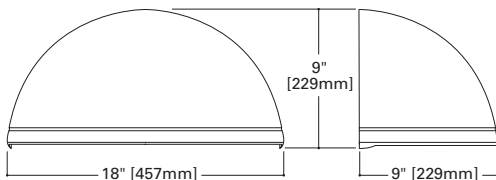
Approximate Net Weight:

18 lbs. (8 kgs.)

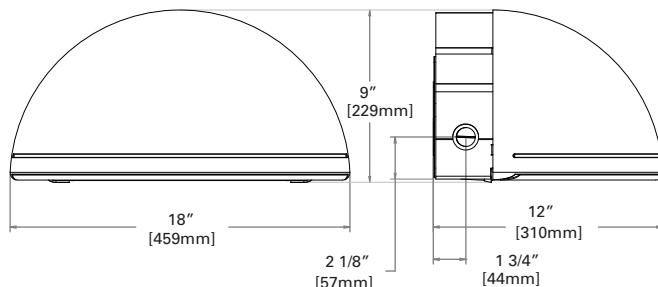


ADH100163 pc
2011-03-24 11:05:45

STANDARD DIMENSIONS

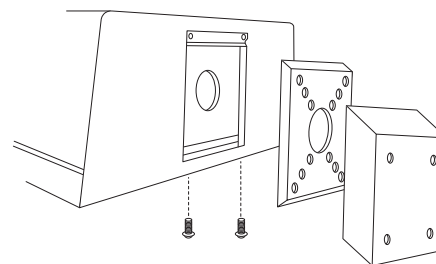


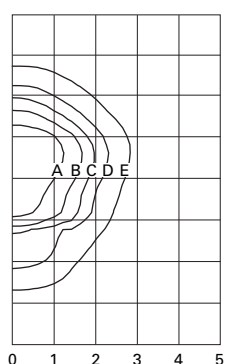
DIMENSIONS WITH BACK BOX



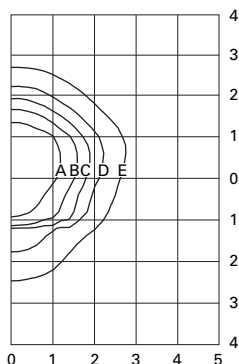
HOOK-N-LOCK MOUNTING

(Mounting attachment included. J-Box not included.)

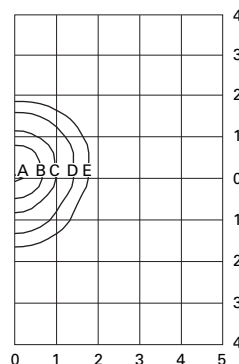


PHOTOMETRICS (Complete IES files available at www.cooperlighting.com)

ISS-150-MP-XX-2S
150—Watt MP
14,000—Lumen Clear Lamp



ISS-150-HPS-XX-2S
150—Watt HP
16,000—Lumen Clear Lamp



ISS-42-CF-XX-2S
42—Watt CF
3,200—Lumen Lamp

Footcandle Table

Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
150-MP / 150-HPS					
10'	7.20	2.88	1.44	0.72	0.29
12'	5.00	2.00	1.00	0.50	0.20
14'	3.65	1.46	0.73	0.37	0.07
42-CF					
18'	2.46	1.23	0.62	0.25	0.12
20'	2.00	1.00	0.50	0.20	0.10
25'	1.28	0.64	0.32	0.13	0.06

ORDERING INFORMATION

Sample Number: ISS-150-MP-120-2S-BZ

Product Family ISS=Impact Elite Small Quarter Sphere	Lamp Wattage ¹ MP 50=50W ² 70=70W ² 100=100W 150=150W HPS 50=50W ² 70=70W ² 100=100W 150=150W MH 175=175W ¹ CF 26=(1) 26W 32=(1) 32W 42=(1) 42W 52=(2) 26W 64=(2) 32W 84=(2) 42W	Lamp Type MP =Pulse Start Metal Halide HPS =High Pressure Sodium MH =Metal Halide ¹ CF =Compact Fluorescent Voltage ³ 120=120V 208=208V 240=240V 277=277V 347=347V 480=480V DT =Dual-Tap ⁴ MT =Multi-Tap ⁴ TT =Triple-Tap ⁴ E1 =Electronic (120-277V) ⁵	Distribution 2S =Type II Segmented Colors [add as suffix] AP =Grey BZ =Bronze BK =Black DP =Dark Platinum GM =Graphite Metallic WH =White	Options F =Single Fuse, Specify Voltage (120, 277, or 347V) ⁶ FF =Double Fuse, Specify Voltage (208, 240 or 277V) ⁶ P =Button Photocontrol (120, 208, 240 or 277V) ⁶ L =Lamp Included TR =Tamper Resistant Fasteners HS =House Side Shield Glass ⁵ PL =Polycarbonate Lens ^{5, 7} Q =Quartz Restrike (1) T4 Lamp ⁸ EM =Emergency Quartz Restrike (1) T4 Lamp with Time Delay Relay ⁸ EM/SC =Emergency Separate Circuit (1) T4 Lamp ^{8, 9} QMR =Quartz Restrike (1) MR16 Lamp ^{8, 10} EMMR =Emergency Quartz Restrike (1) MR16 Lamp with Time Delay Relay ^{10, 11} EM/SC/MR =Emergency Separate Circuit (1) MR16 Lamp ^{9, 11, 12} 2EM/SC/MR =Emergency Separate Circuit (1) MR16 Lamps ^{9, 11, 12} EM/SC/12V =Emergency Separate Circuit 12V Low Voltage (1) MR16 Lamp ^{9, 13} EMI40-XXX =Emergency Cold Temperature (UL924 Listed) Power Pack -18°C/0°F, (1) CF Lamp ¹⁴ CFEM-XXX =Emergency CF Power Pack (UL924 Listed) (1) CF Lamp. 0°C/32°F ¹⁵ 2EM140-XXX =Emergency Cold Temperature power pack (UL924 listed), -18°C/0°F, (2) CF Lamps with Back Box matching housing finish ^{14, 16} 2CFEM-XXX =Emergency CF power pack (UL924 listed) 0°C/32°F, (2) CF Lamps, with Back Box matching housing finish ^{15, 17}	Accessories ¹⁸ MA1256-XX =Thruway back box - Impact Elite Quarter Sphere	

Notes:

- HID lamps are medium base. 175W MH is available for non-U.S. markets only.
- Not available with 480V.
- Products also available in non-US voltages and 50HZ for international markets. Consult your Cooper Representative for availability and ordering information.
- Dual-tap ballast is 120/277V wired 277V. Multi-tap is 120/208/240/277V wired 277V. Triple-tap ballast is 120/277/347V wired 347V.
- Available with CF Option only. In cold temperatures, compact fluorescent lamps produce lower illumination levels.
- Must specify voltage.
- Down lighting position only.
- (1) 120V Lamp, 100W maximum quartz lamp. Utility power may need to cycle to allow HID lamp to cool in warm climates. Not available with CF Option. Lamp supplied by others.
- Leads out of the back of the unit to auxiliary power.
- Not available with CF lamps.
- (1) or (2) 120V Lamps. GU10 base, 50W maximum each. Lamps supplied by others.
- Not Available with 52, 64, 84 CF wattages.
- (1) or (2) 12V bi-pin lamp, socket GU5.3 base, 35W maximum. Power supplied by low voltage DC source (supplied by others). Lamps supplied by others.
- Specify 120 or 277V, (-18°C) minimum temperature.
- Specify 120 or 277V, (0°C) minimum temperature.
- Not available in 84CF configuration.
- Available in 52CF only.
- Order separately. Replace "XX" with color designation.

From: [Jerry Brooks](#)
To: [Kelly Whitney](#)
Subject: Request for Rezoning of 11122 Olive Boulevard from "C" Single-Family Residential to "GC" General Commercial
Date: Tuesday, October 04, 2011 12:51:04 PM

Ms. Kelly,

I would like to state that I am in favor of the rezoning of 11122 Olive for use as a Goddard School development. As parents of a one year old daughter, my wife and I spent a considerable amount of time researching daycare options. We are interested in the location of the proposed Goddard School because it is within the Ladue School District boundaries. The daycare our daughter currently goes to does not have any children she would be continuing to kindergarten with. We feel that an Early Childhood School in our school district would improve the likelihood that our daughter will begin kindergarten with children from her daycare.

Thank you,

Jerry Brooks
150 Executive Estates Dr.
Creve Coeur, MO 63141



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

October 19, 2011

Mr. Andrew Brown
Brownstone Properties
635 Trade Center Boulevard
Chesterfield, MO 63005

Re: Application #11-027: Rezoning from "C" Single Family Residential to "GC" General Commercial
11122 Olive Boulevard

Mr. Brown:

The Planning and Zoning Commission, at its meeting of October 17, 2011, reviewed your request for rezoning from "C" Single-Family Residential to "GC" General Commercial and Site Development Plan approval for the property located at 11122 Olive Boulevard for use as a Goddard School for Early Childhood Development.

By unanimous vote, the Planning Commission recommends approval of the rezoning and site development plan, subject to the conditions contained in the draft ordinance (see attached).

If you have any questions, please contact the Planning Division staff (872-2501) as soon as possible.

Sincerely,

CITY OF CREVE COEUR

Timothy Madden, Chairman
Planning & Zoning Commission

TM:jl

Cc: Ed Griesedieck, Herzog Crebs, Attorney at Law
M.C. Perkins, City Administrator
J. Heines, Director of Public Works
G. Eidman, Chief of Police
S. Unser, Chief Building Official

1 PZ 101711.txt
2 PLANNING AND ZONING COMMISSION PUBLIC HEARING
3 CITY OF CREVE COEUR, MISSOURI
4 300 NORTH NEW BALLAS ROAD
5 MONDAY, OCTOBER 17, 2011
6 7:00 P.M.
7 THOSE IN ATTENDANCE:
8 Mr. Tim Madden, Chair
9 Dr. Michael Barton
10 Mr. Gary Eberhardt, Vice Chair
11 Mr. James Faron
12 Mr. Ken Howard
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 Ms. Julie Lowery, Recording Secretary
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: I'd like to call to order the¹
2 Planning Zoning Commission meeting for the City of Creve
3 Coeur, Missouri for Monday October 17, 2011.

4 We'll start with roll call.

5 Dr. Barton?

6 MR. BARTON: Present.
Page 1

7 CHAIRMAN MADDEN: Mr. Eberhardt?
8 MR. EBERHARDT: Present.
9 CHAIRMAN MADDEN: Mr. Faron?
10 MR. FARON: Present.
11 CHAIRMAN MADDEN: Mr. Howard?
12 MR. HOWARD: Present.
13 CHAIRMAN MADDEN: I don't think Cynthia Kramer's
14 going to be here.
15 Mr. Schnarr?
16 MR. SCHNARR: Present.
17 CHAIRMAN MADDEN: Mr. Lumley, our City Attorney?
18 MR. LUMLEY: Present.
19 CHAIRMAN MADDEN: Mr. Langdon, our Director of
20 Community Development?
21 MR. LANGDON: Present.
22 CHAIRMAN MADDEN: Ms. Kelly, our City Planner?
23 MS. KELLY: Present.
24 CHAIRMAN MADDEN: And Ms. Lowery, our Recording
25 Secretary?

2

1 MR. LOWERY: Present.
2 CHAIRMAN MADDEN: New business.
3 Public Hearing Application No. 11-027 For
4 Rezoning From "C" Single-Family Residential to GC, General
5 Commercial and Site Development Plan approval for the
6 property located 11122 Olive Boulevard for use as a
7 Goddard School for Early Childhood Development.
8 Andrew Brown is here.
9 MR. BROWN: Yes, I'm here, but Ed Griesedieck
10 will be presenting.
11 CHAIRMAN MADDEN: Okay.

12 And could you state your name and address,
13 please.

14 MR. GRIESEDIECK: Sure.

15 MR. EBERHARDT: Sworn in.

16 CHAIRMAN MADDEN: Oh, I'm sorry, yes.

17 Anybody else think they might be speaking, and
18 they all get sworn in here together if you want.

19 Mr. Griesedieck, you need to be sworn in.

20 MR. GRIESEDIECK: Yes.

21 (Speakers were sworn by the court reporter.)

22 CHAIRMAN MADDEN: Okay. State your name and
23 address, please.

24 MR. GRIESEDIECK: For the record, my name's Ed
25 Griesedieck. I'm an attorney. I have offices at 100

1 North Broadway downtown in St. Louis. 3

2 I represent the Petitioner in this matter. It's
3 Brownstone Properties.

4 As an overview, as and I think you're all aware,
5 our goal is to develop and operate a Goddard School for
6 Early Childhood Development.

7 Goddard is a national organization with over 400
8 schools in the country, and there's twelve of them in the
9 St. Louis area.

10 They are, in essence, although they have a long
11 mission statement, they're a child care -- or child
12 daycare with an educational component. They address the
13 market, if you will, from infant to about five-years-old.
14 So that's -- that's what they do.

15 The parcel itself, I've got an overview, you've
16 got one in your packet, it's about 1.544 acres. We're the
17 owner under contract of the property. Its technical

23 station, various other commercial uses as you head east
24 along Olive to the south of the site.

25 Let's see, work off of this one. Excuse me. To

1 the south of the site is a residential neighborhood that's⁵
2 accessed off of Renee. There's a heavy landscape buffer
3 to the south. There's also a heavy landscape buffer to
4 the east of the site.

5 Looking at the proposal, what we would propose
6 to do are significant improvements to both the exterior
7 and the interior of the building. It has -- what we're
8 proposing is unique and distinct architecture for the
9 size -- or for the site and for its use. This is what it
10 looks like now, obviously.

11 And then we would propose making -- punching
12 windows in the front, working on the roofline, adding in
13 some roof to add some just dynamics and aesthetics to the
14 site itself.

15 we would take the attractive -- or the -- the
16 existing building, we think tremendously improve it, by
17 both doing interior improvements and the exterior.

18 we would have additional plantings. We've got a
19 planting -- a landscape plan filed with you. Additional
20 plantings per plan. They all meet or exceed the City's
21 standards. The street view will be dramatically improved
22 as will the surrounding site.

23 we also show a green area along Olive. Got
24 olive to the -- to the north, and that's a five-lane
25 olive. There's parking in the front and then there would

1 be landscaping there, and then this is the west. This is⁶
2 the east of the site.

3 we would have green space along Olive with
4 various trees and plantings. We would add the windows,
5 which I showed on the rendering, which add some
6 architectural interest to the site.

7 The building itself is slightly increased in
8 size, but, essentially, stays similar in size. It's
9 9900 square feet, just shy of 10,000 square feet. It
10 would be, it's not required to be, but it's our practice
11 to fully sprinkle the buildings, so we would have interior
12 sprinkling for the building.

13 The parking along the site would be to the rear
14 and to the front. Your City standards require 32 parking
15 spaces. We provide 41, plus the two handicap space, so we
16 exceed the parking requirements of the City.

17 The hours of operation are 6:30 a.m. to 6 p.m.,
18 Monday through Friday. There are no Friday -- no Saturday
19 hours, no Sunday hours, no nighttime hours, so it's
20 daytime only.

21 Fencing. We would propose essentially no
22 change. We have very heavy landscaping, which we showed
23 along the west of the property.

24 There's a -- I think there's a break in the
25 landscaping in one area where some -- some work was being

1 done by a utility worker. We'd be filling that in. But⁷
2 there's a very heavy buffer between us and the commercial
3 use, which is zoned residential to the west of our
4 property.

5 We would not propose a fence because we think it
6 would break up the otherwise attractive landscaping
7 buffer, but we'd be filling in any holes, both to the west

8 and to the south of the site.

9 Lighting. There's no change. Again, there's
10 lighting on the site presently, except the lighting that's
11 there now is not shielded. And so we would be doing,
12 according to your ordinances, we'd be shielding all the
13 lighting that presently exists on the site. And we also
14 provide wall packs on the building, both for aesthetic and
15 safety reasons. So we'd be having some lighting on the
16 building. It would have no off-fall of light, but it's
17 more of an aesthetic safety issue. But we wouldn't be
18 changing the perimetral lighting, except to make it
19 conform with your code in that it would be shield.

20 Landscaping. No trees were removed as result of
21 the development. Instead we're adding to the trees on the
22 site. We're adding to the landscaping and the green area.
23 Street trees are grouped in various areas with other lower
24 plantings along the front, so you'd have a group of trees,
25 group of trees and then some mixture of plants, as opposed

1 to just having an orderly 30-foot on center, we just 8
2 thought that was more attractive, and that was more of a
3 -- of a taste issue from us from our point of view. The
4 new landscaping areas would be sprinkled.

5 Storm water. Again, there's no appreciable
6 change in the site as it presently exist from an
7 impervious point of view, so no storm water management
8 improvements are required at this time.

9 Trash receptacle is in the rear of the site. As
10 required, it will be built of consistent materials of the
11 building itself.

12 Sidewalks. There is an existing 5-foot sidewalk
13 that runs all the way along Olive on both sides. It's

14 immediately adjacent to the road.

15 In the staff's comments there is a request that
16 we move the sidewalk back and have a 3-foot green space
17 next to Olive, and then a -- and then knock out the 5-foot
18 sidewalk and put in a 6-foot sidewalk.

19 Frankly, we would like to ask that the sidewalk
20 be -- stay right where it is. It's a 5-foot sidewalk.
21 It's in perfectly fine shape. To move it back 3 feet off
22 of Olive will provide about a 3-foot area that you can't
23 really do much with. You can't landscape it. As soon as
24 there's snow and they throw salt down, the salt and slush
25 will get thrown on the grass. You can't really grow

1 anything on it, and we would prefer to leave it where it⁹
2 is if we could.

3 It also lines up with the sidewalk, both to the
4 west and to the east, and all the way along Olive.

5 So that's -- that's one comment that we'd have;
6 we prefer to do that as opposed to knocking out a
7 perfectly good sidewalk and building another one.

8 Let's see. The signage would all be per City
9 Code. The fire department, when we talked to them, they
10 require, and the building has full access going around the
11 parcel -- or going around the parcel. We maintain that
12 and we've received their verbal approval for that. But
13 that leads into the traffic comments.

14 The -- the building previously, just refer to
15 this, had both a west access and an east access, and one
16 of the problems with the east access is it's immediately
17 adjacent to their west access. So you've got the two
18 access points right next to each other, and the City, I

19 think properly, is trying to limit the number of curb cuts
20 on Olive.

21 And so what we did was, and this was approved by
22 the fire department, is we closed that access point. So
23 we show that we would close that access point and instead
24 of having one lane in, we would have three lanes.

25 So we've added lanes towards our building. We

1 have not extended towards the west. We've only extended¹⁰
2 towards the east.

3 You would have two lanes going out; one to the
4 right, one to the left and then one in. And as I pointed
5 out, Olive in that area is five lanes, so there's two
6 lanes in either direction with a left turn lane.

7 We think this works much better. It's much
8 safer with the development to the east, even though that's
9 presently unoccupied, and it allows for a full access
10 going all the way around the property.

11 So that's the -- the traffic plan that we've --
12 we've shown on that. MoDOT has reviewed that. They're
13 excited about that. They're very excited about us closing
14 the east access to the property.

15 The entranceway would be a 39-foot single
16 three-lane entrance. We would close the entrance to the
17 east of the property, and then add, as I indicated, one in
18 and two out, going from -- going from the parcel.

19 Our use itself is -- has no impact, essentially,
20 on Olive at this area. We are not a school. And schools
21 have hard start times and hard stop times. In other
22 words, all the children have to be there at eight o'clock,
23 so between 7:40 and eight o'clock, you've got an influx of
24 cars. That's not what we do.

25 It's -- it's a daycare facility, and what we

1 found in the 400-some-odd facilities that we operate 11
2 throughout the -- throughout the country, that we have
3 about a three-hour period of time between 6:30 and 9:30
4 when the people are -- when the children are dropped off,
5 and then you have about a three-hour pick up time when the
6 children are picked up between about three and six.

7 So you've got a soft start and a soft ending.
8 we don't have the end -- the crush of cars that you would
9 have with a school. Daycare just operates differently.

10 So we don't anticipate any significant impact on
11 olive at that area.

12 And as I indicated, again, we have about a
13 three-hour window, 6:30 to 9:30 in the morning and three
14 to six at night.

15 Safety. The safety of the site, the safety of
16 the surrounding public is improved by this, by us closing
17 the two access points.

18 In conclusion, we think this is a very -- it's a
19 wonderful low-intensity use for the site. It's consistent
20 with the master plan for the area. It brings in a quality
21 national business into Creve Coeur. It's a tremendous
22 aesthetic improvement for the building.

23 We request your recommendation for approval for
24 the rezoning from "C" to "GC". And I'd be happy to
25 respond to any questions you might have.

1 I'm here with Andrew Brown from Brownstone 12
2 Properties; Dan Koziatsek from Volz Engineering; Jason
3 Brunk from Goddard Schools.

4 Are there any questions?

5 CHAIRMAN MADDEN: Yeah, I got some questions.

6 I thought I read, maybe you covered this and I
7 missed it, that in the back you were going to take out
8 part of the parking are for playground?

9 MR. GRIESEDIECK: Yes, sir, the existing parking
10 goes pretty much up to the building, up to where the pen
11 line is, and what we do is we take out that parking, and
12 we take out the parking there, and we put in two play
13 areas, two playgrounds.

14 These playgrounds are fenced in. They're only
15 accessible from the building, and so you'd have one here,
16 one here. And I've got, if you'd like to see them, the
17 type of play materials that we would put into those
18 playground areas, but that creates play areas for there
19 where we don't need the additional parking.

20 CHAIRMAN MADDEN: Also, the number of children,
21 I mean what's -- what do you think the average --

22 MR. GRIESEDIECK: It would be -- we anticipate
23 that there's going to be, I think, 150 children. Yeah,
24 150 children, and it's -- and it's from infant to
25 five-years-old.

13
1 Yes, sir?

2 MR. EBERHARDT: I believe you indicated that the
3 staff recommended a sidewalk extension, a moving of the
4 existing 5-foot sidewalk and the addition of 6 feet.

5 I read the staff report to say that they
6 recommended a 15-foot sidewalk corridor.

7 MR. GRIESEDIECK: Okay. I think -- it's
8 they -- they request within the front 15 foot a 6-foot
9 wide sidewalk with landscaping, is the way I understood

10 it, not a 15-foot wide sidewalk.

11 MR. EBERHARDT: Okay. I didn't catch that, but
12 in your estimation then that includes a green space
13 with -- between the sidewalk?

14 MR. GRIESEDIECK: Yeah.

15 MR. EBERHARDT: Within the sidewalk?

16 MR. GRIESEDIECK: You -- from the street
17 pavement. You have to have a minimum of a 3-foot --

18 MR. EBERHARDT: Yes.

19 MR. GRIESEDIECK: -- area, which, to our
20 experience, have not been productive, because they --
21 because when you -- particularly when they're throwing
22 salt and water down, they get wet with that and it's very
23 difficult to grow anything on them.

24 MR. EBERHARDT: But I still don't understand.

25 The sidewalk itself is to be a split sidewalk?

1 MR. GRIESEDIECK: No, the sidewalk is what's¹⁴
2 there now is what we're proposing.

3 MR. EBERHARDT: No, no, the proposing from
4 staff, I'm saying.

5 MR. GRIESEDIECK: From staff, it's my
6 understanding, they want us to back -- take that sidewalk
7 out and put in a 3-foot green space --

8 CHAIRMAN MADDEN: From the street.

9 MR. GRIESEDIECK: -- and then put a 5-foot
10 sidewalk.

11 CHAIRMAN MADDEN: 6 foot.

12 MR. BARTON: Minimum 3 foot -- 6 foot.

13 MR. GRIESEDIECK: Or 6 foot -- I'm sorry --
14 6-foot sidewalk.

15 MR. EBERHARDT: Okay.
16 MS. KELLY: Whitney Kelly, City Planner.
17 The pedestrian plan calls for a 15-foot street
18 corridor, which you can see the graphic here. So it's a
19 minimum of 3 feet. We can have it larger. Then 6 of
20 landscape with the trees in between the street and the
21 sidewalk, then a 6-foot wide sidewalk, and then you'd have
22 additional landscaping on the side, but the minimum width
23 of all of that would be 15 feet.
24 MR. EBERHARDT: Thank you.
25 MR. GRIESEDIECK: So that I understand, so you'd

15
1 have it -- the sidewalk was 3 feet off of Olive --
2 MS. KELLY: Right.
3 MR. GRIESEDIECK: -- which is --
4 MR. BARTON: Minimum.
5 MR. GRIESEDIECK: You would have to have the
6 seven --
7 MS. KELLY: Or more. 3 or 4 feet.
8 MR. GRIESEDIECK: Right.
9 MS. KELLY: Yes.
10 MR. GRIESEDIECK: Okay, 3 or 4 feet. You'd have
11 to have the seven trees within that 3 or 4-foot area?
12 MS. KELLY: Uh-huh.
13 MR. GRIESEDIECK: Okay.
14 MS. KELLY: That is dependent -- we have
15 included as a condition of the ordinance that that would
16 be approved by MoDOT.
17 The important thing to note though is even if
18 MoDOT doesn't want the street trees on this side, there
19 should be enough landscaping on the opposite side to
20 provide those street trees. But there is a value with

21 providing -- with moving the sidewalk over just from the
22 perception of safety with children walking along the Olive
23 Boulevard.

24 MR. EBERHARDT: Thank you.

25 MR. FARON: Can I ask you a question in regard

16
1 to that?

2 I had some concern about what the reason for not
3 doing that. The green line, I see as a positive precedent
4 for the rest of the properties west of there, which could
5 go the same route, and is 3 feet the minimum? Could it
6 come back more to allow some planting in a larger space,
7 and allow that sidewalk to come back?

8 I live on Graeser, and some of these sidewalks
9 are right up on the street.

10 MR. GRIESEDIECK: Right.

11 MR. FARON: It's very uncomfortable. Children,
12 are, you know, going to be around that school. And if
13 it's done in that manner, I'm sure it will be continuing
14 as the City has kind of addressed already to get other
15 property owners and other development to follow that maybe
16 down toward the shopping center towards Mosley.

17 MR. GRIESEDIECK: If you -- if you look at
18 Ballas, if you look at Ballas Road, and you walk outside,
19 the sidewalk is right next to Ballas Road.

20 That's exactly what you got here; is that you
21 got the sidewalk immediately adjacent to the road.

22 If you look at the -- on Olive, you got the
23 sidewalk is immediately adjacent to both to our west and
24 to our east, the sidewalk is right on Olive.

25 The children here are from infant to

17
1 five-years-old. They're not going to be walking along
2 olive. They're not going to be walking along there.
3 with the setback that we're able to have,
4 you're -- you're dealing with sort of a fixed amount of
5 space, which is about 25 feet soaking wet. And the
6 further you push the sidewalk back, I think from an
7 aesthetic point of view, you're -- you're putting the
8 strip of cement somewhere in that 25-foot area, and -- and
9 our suggestion would be that it's better to put it near
10 the street, and then give us a bigger buffer for the area
11 to put the landscaping. And so put all the landscaping
12 together as opposed to running the cement ribbon, if you
13 will, through the middle of the 25 feet, and then -- and
14 then guessing where you want to put the trees.

15 I mean it's not a -- it's not a -- for us, it's
16 not a life or death issue. It's --

17 MR. BARTON: Right.

18 MR. GRIESEDIECK: -- we've got a -- we're trying
19 to run a business. We've got a perfectly good 5-foot wide
20 sidewalk. I think it works better from an aesthetic point
21 of view to have the sidewalk next to the street because,
22 frankly, not many people use it, and to push it back in
23 the middle of the 25-foot apron, breaks up the landscaping
24 area. And we think we'll get more effect with it.

25 MR. FARON: Just say people probably don't use

18
1 it because it's right up on the road.

2 MR. GRIESEDIECK: Right. I agree with you.

3 MR. FARON: As an architect, I love to see that
4 buffer created to set a precedent where people will maybe
5 use the street a little bit more.

6 And I do see people running out there on
7 occasion. I know the children aren't probably going to go
8 out there.

9 But once you do something, I'm sure that is
10 going to be continued down the street, and that is kind of
11 considered, hopefully, like a green line district that we
12 could tie shopping centers together through that.

13 MR. GRIESEDIECK: Right. And we -- the whole
14 reason I brought it up is it was something that staff has
15 asked for.

16 It's -- our preference is to not ruin a
17 perfectly good 5-foot wide sidewalk. And we think from an
18 aesthetic point of view, we would get more bang for your
19 buck by doing the landscaping in -- in a -- in a
20 contiguous manner as opposed to breaking it up with the
21 sidewalk.

22 MR. FARON: You're saying you'd get more
23 landscape by doing that, probably --

24 MR. GRIESEDIECK: Right.

25 MR. FARON: -- you could buffer that better?

19
1 MR. GRIESEDIECK: Right.

2 MR. FARON: And is this, the -- the -- I guess
3 what you lose, is it in parking at all or are you still
4 going to have the same --

5 MR. GRIESEDIECK: No.

6 MR. FARON: Okay.

7 MR. GRIESEDIECK: The parking's -- we exceed the
8 City's standards on parking, and, frankly, it's in our
9 best interest to make our building as attractive as we can
10 humanly make it look.

11 And this is not a, frankly, it's not a money
12 issue. We want the building to look nice. We think it
13 looks better with a bigger landscape buffer than by having
14 the sidewalk through the middle, and reasonable minds can
15 differ.

16 MR. BARTON: Am I -- I'm sorry -- am I correct
17 in the wording though that the sidewalk does not have to
18 bifurcate that area; the sidewalk could come all the way
19 back to the front edge of your parking lot, isn't that
20 correct?

21 MR. GRIESEDIECK: Has to be within the 15 feet,
22 doesn't it?

23 MS. KELLY: It just recommends -- the pedestrian
24 plan does just recommend the 15 feet, so if they wanted to
25 make this landscaping larger and move the sidewalk up to

20
1 the access drive, that could be a possibility.

2 MR. BARTON: Right. Right. So -- so if -- so
3 that would satisfy the aesthetic argument; it wouldn't
4 satisfy you're ripping up the --

5 MR. GRIESEDIECK: Right. It's -- and the amount
6 of distance we're talking about here is, again, it's from
7 the parking area -- in order for you to park, one of the
8 things we wanted to do is -- is have the landscape -- or
9 have the cars park next to the building, so that the
10 children aren't -- and the people aren't walking across
11 the driveway.

12 And so you want the -- you want the parking
13 spaces in front of the building. So this is going to be
14 the drive area here. You need as much space as you need
15 under your ordinances to have -- to allow the cars to
16 back up, so you just have from here to here, and this is

17 the amount we're playing with.

18 MR. BARTON: So, and the argument being the
19 sidewalk could be on the back edge of that instead of the
20 front edge, and then you'd have a bunch of tree space.

21 MR. GRIESEDIECK: Sure, you could -- you could,
22 I guess, you'd have the sidewalk running along Olive, and
23 then it would bounce back here --

24 MR. BARTON: Right.

25 MR. GRIESEDIECK: -- and maybe move, and then

21
1 again it bounces back up there.

2 MR. BARTON: Right. Well, and I think our
3 colleague makes the best argument though. Is that it sets
4 a precedent. I mean we are trying to move that sidewalk
5 back all along Olive, and if we lose here, then we have no
6 leverage with the next developer, the next developer, the
7 next developer, and so the trend starts.

8 And that -- that's our interest, in terms of
9 getting it back --

10 MR. GRIESEDIECK: Uh-huh.

11 MR. BARTON: Any time -- any leverage we can use
12 to get it off the street, I hope you'll be sympathetic,
13 we're going to try to apply it.

14 MR. GRIESEDIECK: Sure.

15 MR. FARON: Those other properties have a much
16 bigger green space than you, I believe. You know, the
17 properties going west on that side -- south side of Olive,
18 so they have, you know, if you set a precedent, they have
19 a lot of room to work with.

20 I hate to have them be right up on the street
21 maybe like you are because they tend to have a bit more

22 green space in front. You're a little bit closer up to
23 the road.

24 And just, as a parent, my children, right up
25 there on the street, I'd love to have them back off the

22

1 road. It's just --

2 MR. GRIESEDIECK: Uh-huh.

3 MR. FARON: -- a concern as a resident and --

4 MR. GRIESEDIECK: Sure.

5 MR. FARON: -- probably speaking for other
6 people who worry about some of the traffic up there, and
7 it's an opportunity to change the way it is.

8 MR. GRIESEDIECK: Right.

9 MR. FARON: And sorry you're at the front of the
10 line for that, but --

11 MR. GRIESEDIECK: We're not thrilled either.
12 But it is one of the things that was brought up by staff
13 and wanted to talk about it.

14 It's something that we're asking for, we have a
15 different point of view, but, again, it is what it is.

16 MR. FARON: Uh-huh.

17 CHAIRMAN MADDEN: Any other questions?

18 Is there anybody in the audience?

19 Have to be sworn in too.

20 MR. GRIESEDIECK: Thank you for your time.

21 (Mr. Henry Klaus was sworn by the court
22 reporter.)

23 MR. KLAUS: Henry Klaus, 626 Graeser Road.

24 My wife and I walk this quite a bit. And to the
25 west of that property, there's three houses that are

23

1 single-family residences, and that -- I don't know if

2 anybody's familiar with that, but that property drops off
3 precipitously at the sidewalk.

4 So anybody -- anybody developing west of there
5 is going to have to fill in a lot of -- a lot of filth in
6 order to move their sidewalk, if you have these people
7 move their sidewalk back 3 feet for -- for their sidewalk
8 to be put in there.

9 It just -- it just wouldn't work, because you're
10 going to have misaligned sidewalks all along Olive.
11 You're going to have people walking on Olive, and then all
12 of a sudden have to jog off of Olive to -- for a block to
13 go around a building and then back down to Olive again.

14 So if you keep it straight along Olive from Mary
15 Meadows to Mosley, it's a lot -- it would be a lot more
16 aesthetic than trying -- cause if you seen the properties
17 to the west of there on the south side, you would
18 understand that you could never put a sidewalk with a
19 buffer of 3 feet from Olive and move the sidewalk over
20 cause it does drop off.

21 Those three houses -- there's three houses that
22 sit below Olive on that -- to the west of that property.

23 CHAIRMAN MADDEN: Is there anybody else in the
24 audience? Okay.

25 Mr. Eberhardt.

1 MR. EBERHARDT: Ms. Kelly, I have a question²⁴
2 about the maintenance of the existing buffers to the south
3 and to the west.

4 we -- several of us have driven the property,
5 and those are very thick buffers.

6 MS. KELLY: Uh-huh.

7 MR. EBERHARDT: But there is no requirement, and
8 probably not necessary to have a requirement, to sprinkle
9 those areas because they're so well developed.

10 I understand from the applicant that they will
11 be sprinkling the new landscaping, but not the old
12 landscaping.

13 MS. KELLY: Yes, sir.

14 MR. EBERHARDT: But I'm wondering whether there
15 should be a requirement, even though those trees seem to
16 be dense on both sides, that there be a maintenance of
17 those dense areas.

18 They're not proposing a fence, and I have no
19 idea whether those trees will die in five years or
20 whatever. But it seemed to me that for the benefit of
21 those homes lying to the south, particularly, that that
22 buffer, although it looks great now, it's a little rough,
23 I think, but, nevertheless, it's thick, be maintained as a
24 part of this obligation.

25 Is there any --

25
1 MS. KELLY: We have included a condition in the
2 draft ordinance that would require that any dead trees be
3 replaced and removed per the plan.

4 We have not indicated that that existing buffer
5 would need to be sprinkled, just because it is a
6 well-established buffer. It's just --

7 MR. EBERHARDT: But maintained.

8 MS. KELLY: But it would need to be maintained.

9 MR. EBERHARDT: Is that included in the -- in
10 the requirements now?

11 MS. KELLY: Yes.

12 MR. SCHNARR: I think the trees that are on the
Page 21

13 west side there have been there since '62.

14 MR. EBERHARDT: Well, all I can tell you is in
15 the --

16 MR. FARON: That's as old as I am, man.

17 MR. EBERHARDT: In a place we have in Colorado,
18 the pine needles have struck and all the trees are gone,
19 so I don't know what could happen five years from now.

20 MR. FARON: I will maybe add that the cars are
21 right at the residences behind there. They're right at
22 headlight level. And I would hope that the tenant can
23 definitely keep that -- and you said you'd fill the
24 pockets and take care of that. But it is right at roof
25 level or window level. It'd be a concern in the back. I

1 know there's parking that's going to be pushed back a ²⁶
2 little bit beyond the playground, so just a concern there,
3 but I know you've addressed it and --

4 MS. KELLY: Well, that is part of the issue that
5 we've raised with the landscaping is that this -- the Code
6 does require that it include a fence and site development
7 approval.

8 while the existing landscape does provide
9 somewhat of a buffer over time, some of that could change,
10 and we would like to see right in front of the parking
11 lot, right here, a low wall or a hedge to provide
12 additional headlight screening per the Code requirements.

13 we have also requested that the landscape plan
14 be revised, per your discretion, to meet the green line
15 park and the pedestrian plan requirements, but we can
16 certainly work with the staff if you feel comfortable with
17 that so that we keep the rezoning process moving forward.

18 However, we also could bring that back to you if
19 you prefer.

20 I would like to mention that they are asking for
21 rezoning of the property from C-single family residential
22 to GC, so we need to be clear that should the Goddard
23 School not move forward, for some reason, that it would
24 open up the use to any potential use within the GC
25 district, and that we need to feel comfortable with that.

1 Now, the -- as we've discussed, the properties²⁷
2 to the east are currently GC, and the properties to the
3 west are being used as a commercial use in a residential
4 setting.

5 with the change of this property, it will be
6 creating a non-conforming in that because the properties
7 to the west are single-family residential, it requires a
8 buffer of 20 feet. They're utilizing the existing
9 driveway that's approximately 12 feet.

10 However, because we feel that the commercial
11 uses to the west are likely to change in the future, that
12 would eliminate, at that point, that non-conformity.

13 MODOT did require the closure of this access
14 point, so moving the drive over beyond the 20 feet is just
15 not possible.

16 They are utilizing the existing structure, which
17 is very institutional in nature, and not a lot of other
18 uses could possibly go with it if not this one.

19 So we do feel that the use is appropriate as a
20 neighborhood setting.

21 MR. FARON: So the drive is cutting back toward
22 the building?

23 MS. KELLY: Yes, the increase is actually

24 cutting back towards the building, so they would not be
25 increasing in the non-conformity on the residential side.

1 MR. FARON: And it's being retained by a 28
2 VERSA-LOK wall and fencing? I was going to ask that
3 earlier. If there -- is there a fence similar to the
4 fence around the playground that's going to be above that
5 VERSA-LOK wall or that retaining wall, it seems like?

6 MS. KELLY: Now, I would also like to point out
7 that the pedestrian plan was completed after the east side
8 of Ballas Road was constructed, the sidewalks on Ballas
9 was constructed.

10 The part on the west side, they have moved it
11 back away from the -- the street when it was possible and
12 when there was enough right-of-way to do so.

13 CHAIRMAN MADDEN: Whitney?

14 MS. KELLY: Yes.

15 CHAIRMAN MADDEN: I drove by it and drove around
16 it, but I didn't look at the -- to the west. Does it
17 really drop off that much, are you familiar with that or
18 not?

19 MS. KELLY: I didn't think -- it dropped off
20 some, but I don't know the grading. I have some
21 photographs.

22 MR. SCHNARR: Well, those houses sit way down.

23 CHAIRMAN MADDEN: Yeah, the houses do, yeah.

24 MS. KELLY: I didn't take a lot of pictures of
25 the houses next door, but you can kind of see from here

1 that there is kind of a drop in grade from here to the 29
2 house next door.

3 This is a view from the parking lot with that
4 hole that we discussed looking down into the back parking
5 area of the commercial uses of the residential structures
6 to the west.

7 I would roughly estimate about 3 feet drop,
8 4 feet to the parking structure over there.

9 CHAIRMAN MADDEN: Okay. So if we -- to me, I
10 think it's neater if I'm walking along Olive Street Road
11 where I go back into the trees, come out, whatever, my
12 question is -- maybe the architects or somebody that's an
13 engineer, or maybe Paul, can -- if we move them back and
14 we -- so naturally we're going to move the next people
15 back on the west --

16 MR. LANGDON: Uh-huh.

17 CHAIRMAN MADDEN: -- is that hard to do, to put
18 a sidewalk in where it drops?

19 MR. LANGDON: No. Essentially, if you look at
20 the Ballas sidewalk.

21 CHAIRMAN MADDEN: Uh-huh.

22 MR. LANGDON: Excuse me. And actually the
23 Emerson Road sidewalk that traverses the De Smet Campus,
24 in various places the grade goes up and down, and they
25 simply pick the middle line, they run the sidewalk

1 through. 30

2 Now, you have to remember even under the
3 '88 guidelines, you can have a slope in a sidewalk, so
4 while it can't be steep, you can ride that sidewalk along
5 the grade.

6 And the other thing to remember, we're talking
7 about extremely valuable Olive Street frontage, so any
8 redevelopment that occurs on these sites is not going to

9 come with, you know, the inability to add some dirt to the
10 site and bring them up.

11 Lastly, I would point to the CVS site where they
12 also dropped away quite a bit from the street, and yet
13 we're still able to make the sidewalk work through
14 incorporation of retaining walls.

15 You know, that particular landscape, I think, is
16 effective to not outrageously expensive, in the realm of
17 commercial landscapes, and it was effective in getting the
18 sidewalk back.

19 Now, at the moment, it looks like it's way back
20 because that's the preexisting curb line. If the widening
21 ever occurs through there, we'll bump it back one lane,
22 but you'll still have the full detachment from the curb
23 that the pedestrian plan calls for, so I think it's
24 definitely possible.

25 CHAIRMAN MADDEN: Well, my feeling is that we

1 should take a stand here and move it back so it happens --³¹
2 we don't have to, you know, the next people say you didn't
3 make us move back, and, frankly, they're lucky they don't
4 have to build a retaining wall to put the sidewalk in.

5 MR. GRIESEDIECK: Mr. Chairman, as I tried to
6 indicate earlier, it was something we were -- we wanted to
7 talk to you about.

8 If it's a huge deal, which it appears to be,
9 we'll put it somewhere within the 15 feet, and we'll work
10 with staff and find a place to put it. We don't want that
11 to be a --

12 CHAIRMAN MADDEN: Kill it.

13 MR. GRIESEDIECK: -- determinative issue for us.

14 CHAIRMAN MADDEN: Okay. Okay. Great.

15 MR. GRIESEDIECK: All right.

16 CHAIRMAN MADDEN: Mr. Eberhardt.

17 MR. EBERHARDT: First of all, I'd like to say, I
18 think this is a wonderful use for the property, and the
19 design of the building and the things that are going to be
20 done to it takes away the, what looks to me, like to be a
21 block stark building with no landscaping. I think it's a
22 wonderful use and a wonderful application.

23 MR. GRIESEDIECK: Thank you.

24 MR. EBERHARDT: My only concern is the
25 landscaping of this whole thing.

1 I certainly agree with my fellow members about³²
2 the 15-foot green space corridor, and I think that ought
3 to be part of it, and I think that's clear.

4 I'm still not clear though about the landscaping
5 in the front. I realize that it still has to be subject
6 to further approval. But what I saw in the staff report
7 and in the requirement seems to be a conflict with one --
8 talking about the front landscaping now along Olive, and
9 here's what I'm referring to.

10 In -- In Chapter 4, Landscape Design, on page 13
11 of our materials, Item No. 8 says, "Landscaped areas shall
12 be maximized and balanced throughout the site. Tree shrub
13 planting shall be grouped together to create strong accent
14 points with the site plan."

15 But then I see the staff report that says, "The
16 proposed front yard design includes only minimal planting
17 and single row of bushes to fill in the gaps.

18 while the number of street trees provided meets
19 the City's requirement for street trees, they are bunched

20 for a more natural look, as opposed to required lineal
21 spacing of one tree for every 30 feet per the discussion
22 for the Zoning Code review below."

23 So it seems to me we're talking about do we
24 stretch them out; do we bunch them, and I don't know that
25 that's for us to decide, but I didn't see a consistency in

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1 those two requirements.

2 MS. KELLY: What we're trying to do is get an
3 idea from you of what you want to see as a green-lined
4 park.

5 The Code does require the street trees along in
6 a linear fashion, and if we can't get them in front of
7 the -- such as like in the sidewalk corridor, and if we
8 can't get them in front of the sidewalk, then we can also
9 add them to the back.

10 But there is an additional level per the Code --
11 Comprehensive Plan -- I'm sorry -- that is calling for a
12 lush landscaping than just the street trees that mimics
13 like a green-lined park.

14 And we find that the current landscaping in this
15 area is lacking to meet that recommendation, and so we're
16 seeking --

17 MR. EBERHARDT: There's nothing at the moment in
18 front, is that right?

19 MS. KELLY: Yeah. So we're seeking your
20 direction on proceeding with that.

21 MR. FARON: Can I comment on that? I think
22 their idea is -- is definitely warranted. Instead of kind
23 of a harsh manner of design like the building, as you
24 said, a little bit boxy and international style, I think

25 you're trying to approach a more organic open up space, I

1 think that's what you addressed and you -- you still hit³⁴
 2 the requirement. It just wouldn't be so regimented and it
 3 would be kind of spread around.

4 You're not talking about reducing any of the
 5 requirement, just kind of making it a bit more like a
 6 park, or like you're saying, Whitney? Okay, I see.

7 MR. SCHNARR: We're not trying to build a blind
 8 here.

9 MR. GRIESEDIECK: Right.

10 MR. SCHNARR: And I agree with your groupings.
 11 Looks a lot more natural.

12 MR. GRIESEDIECK: Yeah, I just don't -- I just
 13 don't like the every 30 foot you have these exact same
 14 tree, I just think that looks nicer but.

15 MR. FARON: Sure, if the requirement's being
 16 met, yeah, that's exactly what --

17 CHAIRMAN MADDEN: I guess you got our idea then.

18 MR. HOWARD: Whitney, is this an issue that can
 19 be addressed by additional planting as opposed to a bare
 20 minimum of trees, is what --

21 MS. KELLY: Yes --

22 MR. HOWARD: -- you're looking for --

23 MS. KELLY: It's an additional. Just more.
 24 while they meet the minimum for the street trees, we're
 25 seeking -- or what the Comprehensive Plan asks for and

1 recommends, a more lush environment, as well, that³⁵
 2 provides year-round variations and color, variation in
 3 height, that kind of thing.

4 MR. HOWARD: Is this something more or less
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5 compliments what you're discussing, in terms of pushing
6 the sidewalk back, broadening that, widening that, making
7 the entire initial appearance at least within the first
8 15 feet --

9 MS. KELLY: Exactly.

10 MR. HOWARD: -- a lot prettier.

11 MS. KELLY: Right.

12 MR. HOWARD: And I guess this would go along
13 with the setback or the move of the sidewalk, in that
14 we're also setting a precedent for the adjacent or the
15 properties to the -- to the west?

16 MS. KELLY: Exactly.

17 MR. HOWARD: Is that part of the intent?

18 MS. KELLY: As well as the redevelopment of the
19 properties to the east.

20 Yeah.

21 MR. HOWARD: Okay.

22 MS. KELLY: And what we have here is example of
23 CVS where the direction of Commission and City Council was
24 to create a more lush environment, but it was -- and they
25 proceeded with the project, but allowed the applicant to

36
1 work with staff for final design approval.

2 MR. HOWARD: Is that a design that you approved
3 in your office?

4 MS. KELLY: Yes. This is the CVS final
5 landscape design where they did provide the street trees,
6 as well as a nice planting along Olive Boulevard, as well
7 as around the entire site, and that's what we're seeking
8 here.

9 MR. HOWARD: I think that's wise.

10 CHAIRMAN MADDEN: I don't want to -- I don't
 11 want to speak for Goddard or Mr. Griesedieck, but I would
 12 think they would want it to look nice, cause the first
 13 thing perspective parent is going to see when they drive
 14 in, first of all, as they say, you're making the building
 15 look a hundred times better; doesn't look like some old
 16 gymnasium anymore, and, you know, I would think you guys
 17 would want to work with the staff to make it look as good
 18 as possible, so, you know, perspective parents are driving
 19 in to meet with you people, you know, that's the first
 20 thing they're going to see.

21 MR. GRIESEDIECK: Right, and we're not CVS, just
 22 for the record, we're not CVS. What we're doing is taking
 23 a building now and putting a daycare in there to -- and
 24 we're spending a tremendous amount of money just on the
 25 aesthetics on the outside of the building to bring it up

1 to what we think is acceptable to us and for the City and ³⁷
 2 what we'd be proud to have and what you'd be proud have.

3 Landscaping is certainly a piece of that, but
 4 right now we're spending a lot of money on the building.
 5 And I think that we're going -- we will -- we will
 6 approach, I'm sure not reach the CVS standard of that, but
 7 at the same time we're probably going to enhance what it
 8 is that we've got.

9 That's not an overly expensive area to spend
 10 money on. And you're exactly right, Mr. Chairman, we need
 11 this to look very, very nice, but we need to -- and we'll
 12 work with staff going forward with that, and there's not a
 13 ton of space here, but to the extent that we can do some
 14 additional plantings and low level stuff and change of
 15 colors and so on and so forth, we're happy to do it.

16 MR. SCHNARR: Problem is that nice is relative
17 term.

18 MR. GRIESEDIECK: Right.

19 MR. SCHNARR: Some people like things lined up.
20 Personally I hate it. I like the groupings.

21 MR. GRIESEDIECK: Right.

22 MR. SCHNARR: Some people think this tin that's
23 welded together and painted red is art. I don't happen to
24 believe that's art. So it's a, you know --

25 MR. GRIESEDIECK: Right. We'll work with the

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1 staff.

2 CHAIRMAN MADDEN: Okay. Is that agreeable with
3 you, Whitney, that they just work --

4 MS. KELLY: Sure.

5 CHAIRMAN MADDEN: Okay. Just a second.

6 Mr. Langdon.

7 MR. LANGDON: I should probably be sworn in
8 actually.

9 (Paul Langdon was sworn by the court reporter.)

10 MR. LANGDON: Mr. Chairman, I think the --
11 the -- I mean we're all agreeable that something more can
12 be done. But the -- the -- I guess the critical question
13 here, and this goes to Mr. Schnarr's point, do you -- do
14 you want to be the arbiters of what's nice or do you want
15 staff to be the arbiters of what's nice? Because we can
16 set it up -- by the way, right now the draft ordinance
17 reads that you would have final approval of the landscape
18 subject to our recommendation. But we can just as easily
19 make -- make it final approval subject to Planning
20 Director. It's up to you.

21 MR. HOWARD: How did we go about the CVS
22 property?

23 MR. LANGDON: That was up to staff and myself.

24 CHAIRMAN MADDEN: That would be my
25 recommendation.

1 MR. HOWARD: I'd feel comfortable with that. 39

2 CHAIRMAN MADDEN: I don't want to speak for
3 everybody.

4 MR. HOWARD: Is that how this draft is written?

5 MR. LANGDON: No, right now Planning Commission
6 has.

7 MR. EBERHARDT: So you would change it to say
8 subject to staff?

9 MR. FARON: I would say that the documents we
10 have are fairly in line with, you know, what we feel is
11 what you presented, Paul, so I wouldn't have a problem
12 with that.

13 MR. LANGDON: Okay. One other clarification
14 then. The document refers to the low screen of that rear
15 parking lot. And I know there were a lot of comments
16 about the buffer being pretty good.

17 Couple of pictures that I want to bring to your
18 attention. That's -- that's the buffer area. It's not
19 going to look as good when the leaves start coming off all
20 of the shrub honeysuckle that constitutes the low -- the
21 low buffer right now.

22 If you look at the close-up, you can see these
23 are evergreens, but the evergreen cover starts about
24 headlight level, so if you look in the ordinance, it
25 speaks of something low. We don't want to hide what's

1 there of value. We're just talking about blocking the
2 headlights.

3 There is room between the edge of pavement and
4 these trees to effect something of a headlight screen
5 there that would be year-round rather than relying on
6 summer only.

7 MR. BARTON: To be fair, wasn't there a lot more
8 activity at night with the temple there than it's going to
9 be with the school there? And I don't see many neighbors
10 here. Many people behind. Have you gotten much comment
11 from them?

12 MR. LANGDON: Well, the issue you have is not a
13 question, frankly, of what's observable at the moment.
14 The Zoning Code requires it.

15 You cannot allow the headlights from a parking
16 lot to shine off into a residential district. It
17 requires, in fact, to take the wording, an opaque screen.

18 At this point, I wouldn't even call it, as it
19 sits today, opaque.

20 MR. BARTON: No.

21 MR. LANGDON: A fairly effective visual, but not
22 an opaque screen. That's the Zoning Code requirements,
23 that's not my interpretation so.

24 MR. FARON: Could I ask a question, Paul, about
25 that.

1 I know Walgreens, at one time, wanted to work on
2 those other properties and get involved. I know the
3 residents were a bit worried about certain things.

4 I guess my question is are we going to appease
5 them, you know, if there's other development in those

6 other vacant buildings? You know, I think there were
 7 problems in the past, and if we have, as you say, a good
 8 buffer back there, the neighborhood behind there will be
 9 more at ease for continuing other development there,
 10 because I think Walgreens, at one time, wanted to -- to
 11 locate over there in those properties so.

12 MR. LANGDON: Yes.

13 MR. FARON: So I don't know if they're over
 14 that.

15 what I'm saying is probably need to have
 16 something, you know, substantial to appease those people
 17 cause they showed some resentment before on that previous
 18 development.

19 CHAIRMAN MADDEN: So what do you recommend?

20 MR. LANGDON: Well, we have recommended language
 21 in the draft ordinance that only requires it high enough
 22 to block headlights, but, again, we don't have a design in
 23 front of us, so it would be something that you could leave
 24 up to just incorporation of the landscape plan or review
 25 and approval or it can come back to the Planning

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1 Commission.

2 But, again, we're -- we're pursuing Zoning Code
 3 requirements here so --

4 CHAIRMAN MADDEN: Sure.

5 MR. GRIESEDIECK: The thing, just so that you're
 6 aware, one, our pick up and drop off is in the front.
 7 It's not in back.

8 And so the head -- and our hours are six to six,
 9 so it's not like there's headlights -- in the winter, I
 10 guess, you know, there -- the sun might set at that point.
 11 But the pick up and drop off is in the front. It's not

12 going to affect this at all.

13 we're not moving the asphalt one iota from where
14 it presently is.

15 MR. BARTON: But they still circle around the
16 back.

17 MR. GRIESEDIECK: No. They pull in. They get
18 their child and they walk -- and they go out. So they
19 pull in and they can go straight out there.

20 So it's true that some teachers will park back
21 here, and to the extent that a teacher parks this way as
22 opposed to that way, I guess they could turn their car on
23 and the headlights will go there.

24 But I think to be fair to us, it's pretty
25 nominal relative to what's presently there. I mean it's a

1 vacant building now. But at some point we, you know, ⁴³
2 again, we're trying to spend our money where people will
3 get a bang for it.

4 And to put a fence back here, we think would be
5 a waste. And we certainly don't want to disrupt the
6 existing landscaping, which is there, to try and plant a
7 hedge in this area where there's -- where there's already
8 some pretty good growth. We think we'd probably defeat
9 some of the purpose that you've got.

10 And then you're doing all of this when the bulk
11 of the traffic is in the front of the property.

12 MR. FARON: That's two-way there in front. You
13 can go both ways, that's why --

14 MR. GRIESEDIECK: Yes, it is.

15 MS. KELLY: They have indicated a staff of about
16 27, and during the winter at 6 a.m., it is pretty dark.

17 The idea of the hedge is, this is not just about
18 Goddard, but this is opening up to any use within the GC
19 district. And we required of all GC districts when
20 abutting a residential use or residential district.

21 There is plenty of room when we were walking on
22 the site to provide such landscaping or low opaque screen
23 right up along the -- the lot -- I mean the asphalt.

24 MR. BARTON: Mr. Chairman.

25 CHAIRMAN MADDEN: Yes, Dr. Barton.

1 MR. BARTON: What -- how -- what latitude do we⁴⁴
2 have in terms of, if it is a zoning requirement, what
3 latitude do we have to allow it or not allow it? I mean
4 are we -- are we obligated to require it as part of the --

5 CHAIRMAN MADDEN: Let the record show, you got a
6 strong yes nod.

7 MR. BARTON: Well, then, you know --

8 CHAIRMAN MADDEN: Yeah, I don't think we can do
9 anything else. I mean --

10 MR. EBERHARDT: It's in there right now.

11 CHAIRMAN MADDEN: -- as Whitney says, if
12 something else goes in there that, you know --

13 MR. BARTON: Well, I didn't know if something
14 else went in there and they applied for a conditional use,
15 then do we have latitude to require them or are we --

16 MR. GRIESEDIECK: Well, it would, obviously have
17 a different use, so they're going to have to come back in
18 front of you, and you get the bite at the apple at that
19 time.

20 MS. KELLY: Unless it's a permitted use, it
21 doesn't really come before the -- the Board.

22 CHAIRMAN MADDEN: That's right, so.

23 MR. BARTON: Well, doesn't sound like we have
24 much latitude. I mean I kind of sympathize with you, but.

25 MR. GRIESEDIECK: Yeah.

1 CHAIRMAN MADDEN: Okay. Mr. Eberhardt. 45

2 MR. EBERHARDT: Don't I read in the current
3 staff recommendations in the proposed ordinance in C that
4 the site development plan shall be revised to include a
5 low wall or hedge along the south edge of the rear parking
6 lot --

7 CHAIRMAN MADDEN: Yes.

8 MR. EBERHARDT: -- subject to review and
9 approval of the Director of the Community Development? So
10 that's in there already?

11 MS. KELLY: Yes, sir.

12 MR. EBERHARDT: I thought we were suggesting we
13 needed to add something.

14 MR. LANGDON: Just want the Commission to
15 understand because the comments earlier didn't really mesh
16 with what the ordinance was saying so.

17 MR. EBERHARDT: All right. Thank you. Thank
18 you.

19 MR. FARON: I had one question about the inside
20 of the building. Those double heighted spaces, are those
21 going to be -- is there going to be a mezzanine in there?

22 MR. GRIESEDIECK: No, it's single floor.

23 MR. FARON: Single floor. Dropped --

24 MR. GRIESEDIECK: It's just architectural drop.

25 MR. FARON: Dropped ceiling or something like

1 that big time. Okay. A single. All right. Thank you. 46

2 CHAIRMAN MADDEN: Any other questions?

3 Comments?

4 Okay. Then we'll have to close the official
5 hearing.

6 MR. CALDWELL: I have --

7 CHAIRMAN MADDEN: Oh, I'm sorry. Mr. Caldwell.
8 You'll have to be sworn in.

9 (Mr. Caldwell was sworn by the court reporter.)

10 MR. CALDWELL: David Caldwell, 257 Brooktrail
11 Court.

12 while I think this will be a wonderful
13 improvement, I was going to raise the same point that
14 Ms. Kelly rose about GC is GC, and there could be lot --
15 very many things down the road if this didn't last.

16 And I haven't had the opportunity to read the
17 staff report, but my question is this was already a
18 institutional use, so we're back to the definition of
19 institutional. I guess. I guess they made a big point
20 this not a school, however, is there any possible way to
21 accommodate this use without making it a GC, and could it
22 be in any way accommodated under residential or under some
23 other district definition, we could have all of this, but
24 without making it a GC?

25 MS. KELLY: Schools and daycares are conditional

1 uses within residential districts, but they require a ⁴⁷
2 minimum of 3 acres.

3 In this instance it is 1.5 acres, and it is
4 along Olive Boulevard. They are extending the GC district
5 from the east in order to accommodate the use for this
6 site.

7 CHAIRMAN MADDEN: Okay. Mr. Eberhardt, you had
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8 your hand up? I guess not.

9 Do you want to enter your exhibits?

10 MR. LUMLEY: Offer the following exhibits into
11 the record of this public hearing: Documentation in
12 possession of the City Clerk reflecting the notice
13 provided concerning the hearing; the staff's report to the
14 Commission; the materials that have been presented by the
15 applicant this evening; the City's Code of Ordinances and
16 Charter; the City's Comprehensive Plan and public file
17 regarding the application.

18 CHAIRMAN MADDEN: Okay. That'll officially
19 close the hearing.

20 (The public hearing ended at 7:55 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, OCTOBER 17, 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, October 3, 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*
 Mr. Gary Eberhardt
 Mr. James Faron
 Mr. Jim Schnarr
 Mr. Ken Howard
 Dr. Michael Barton

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

- A. Application #11-027 for rezoning from “C” Single-Family Residential to “GC” General Commercial and Site Development Plan approval for the property located at 11122 Olive Boulevard for use as a Goddard School for Early Childhood Development.**

Applicant/Agent: Andrew Brown
Brownstone Properties, LLC
635 Trade Center Boulevard
Chesterfield, MO 63005

Applicant’s Representative:
Ed Griesedieck, III
Herzog Crebs, Attorneys At Law
100 North Broadway, 14th Floor
Saint Louis, MO 63102-2728

Start of Public Hearing

Applicant’s Presentation:
Mr. Ed Griesedieck, representing Andrew Brown, of Brownstone Properties, presented a request to rezone 11122 Olive Boulevard (formerly Rose Hill Masonic Temple) from “C” Single Family Residential District to “GC” General Commercial District, for the use as a

Goddard School for Early Childhood Development. The Goddard School is a child daycare with an educational component, addressing the market from infant to five (5) year old children. The property is located on 1.544 acres. The request and the use is consistent with the City's Comprehensive Plan for the area and the surrounding uses are either zoned commercial or they are used commercially along Olive. The building on the property is currently vacant and the use is consistent with the Comprehensive Plan. The rezoning from Single Family to General Commercial is called "neighborhood oriented commercial use". The applicant has proposed significant interior and exterior improvements, with unique and distinct architecture. Some of the exterior changes are inserting windows in the front of the building, working on the roof line, and adding some roofs to add dynamics and aesthetics. There is also a green area along Olive with proposed trees and plantings. There is parking in the front of the building as well as the back. The hours of operation are 6:30am-6:00pm, Monday through Friday.

Mr. Griesedieck stated that there is no change to lighting or the existing trees, just adding some trees and new landscape, which are proposed to be maintained by sprinkler systems. The trash receptacle will be placed in the rear of the site, as required and will be built of materials consistent with the building.

Mr. Griesedieck observed that there is an existing 5 foot sidewalk that runs all the way along Olive; on both sides it is adjacent to the road. He indicated that staff recommends that the sidewalk be moved back and have a 3 foot greenspace next to Olive and remove the 5 foot sidewalk and put in a 6 foot sidewalk. Brown Properties would like to leave the existing sidewalk in place as they feel they are already spending a significant amount of money on many other things to make the building and site more attractive.

Mr. Griesedieck further stated that the signage will be per City code. The building already has full access going around the parcel, which is going to be maintained by Brown Properties, and have received verbal approval from the fire department. The building previously had both a west access and an east access. Brown Properties would like to close the west access point and instead of having one lane in, there would be three (3) lanes in, towards the building, extending on the east side. The applicant feels that by closing the access point, safety is improved. Also, by not being a school, there are soft start and stop times, so there is not an influx of traffic, due to the children being dropped off over a three hour time span, so they do not feel there will be any significant traffic concerns on Olive.

Comments or questions from Commission members:

Chairman Madden wanted to know if there was parking being taken out for playgrounds. Mr. Griesedieck replied that they would be taking out the parking directly behind the building and put in two playgrounds which are fenced in and only accessible from the building. Chairman Madden also inquired on the number of children that will be attending on average, and Mr. Griesedieck responded around 150 children from ages, infant to 5 years old.

Mr. Eberhardt questioned what the staff report says in regards to the sidewalks, as opposed to what Mr. Griesedieck proposed. Mr. Griesedieck replied that the staff requests within the front 15 feet, a 6 foot wide sidewalk with landscaping is being recommended by staff. Mr. Eberhardt then questioned the greenspace proposal. Mr. Griesedieck then went on to explain the requirements of the City. Mr. Eberhardt asked for more explanation of what the

staff proposed for the sidewalk requirements. Ms. Kelly, City Planner, spoke to address the sidewalk questions. Ms. Kelly stated that the Pedestrian Plan called for a 15 foot street corridor, so it is a minimum of 3 feet, and then 6 foot of landscape with trees in between the street and sidewalk, but the minimum of all of that being 15 feet. There is a condition of the ordinance that would be approved by Missouri Department of Transportation (MoDOT). Ms. Kelly also pointed out, that even if MoDOT does not want the street trees on the curb side of the sidewalk, there should be enough landscaping on the opposite side to provide those street trees. Mr. Faron expressed his concern why the applicant would not want to do what staff recommended. Mr. Faron also stated that it would set a precedent going forward for other developers. Mr. Griesedieck responded that they prefer the appearance of the sidewalk adjacent to the road, that the children will not be walking along Olive, and with the limited amount of space they feel they are working with, that aesthetics will be lost if they do as staff recommends. Dr. Barton agreed with Mr. Faron's point, that it would set a negative precedent.

Comments and questions from the audience:

Mr. Henry Klaus, 626 Graeser Road, stated that he and his wife walk this stretch of property quite often and that he does not agree with the staff's recommendations regarding the sidewalk because the properties slope downward too quickly.

Mr. Eberhardt asked Ms. Kelly about the maintenance of the existing buffers. Mr. Eberhardt wanted to know if it could be required to sprinkler and maintain the current buffers, and if existing trees were to die, they would be required to replace them with new trees. Ms. Kelly replied that there is a condition in the draft ordinance that would require dead trees be replaced and removed, per the plan, but there is no requirement that the existing buffer needs to be sprinkled, only that it be maintained.

After more discussion the Commission agreed to leave it up to staff's discretion to determine specifics on the landscaping/buffers and sidewalk plans.

Mr. Caldwell, 257 Brooktrail Court, wanted to know if we could allow the use of the building for what the applicant proposed, but if the zoning could remain "C" Single Family Residential. Ms. Kelly replied that schools and daycares are conditional uses within residential districts, but they require a minimum of 3 acres and this particular building sits on a 1.544 acre, and it is on Olive Boulevard.

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)

No further comments and questions from the audience or the Commission.

There being no further comments, the motion was made by Mr. Faron to approve the rezoning and site development plan attached to the staff report on application #11-027, subject to the conditions contained in the draft ordinance attached to the staff report dated October 14, 2011, with conditions that the Planning Director will make the final say on the landscape plan and the sidewalk plan. Mr. Eberhardt seconded the motion with the resultant vote as follows:

Mr. Faron – aye
Ms. Kramer – aye

Mr. Eberhardt – aye
Dr. Barton – aye

Chair – aye
Mr. Howard - 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 8:00 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary

AN ORDINANCE FOR THE HOLDING OF A GENERAL ELECTION IN THE CITY OF CREVE COEUR, MISSOURI ON THE 3RD DAY OF APRIL, 2012, FOR THE ELECTION OF ONE MAYOR FROM THE CITY AT LARGE FOR A FULL THREE-YEAR TERM, ONE COUNCIL MEMBER FROM THE FIRST WARD FOR A FULL TWO-YEAR TERM, ONE COUNCIL MEMBER FROM THE SECOND WARD FOR A FULL TWO-YEAR TERM, ONE COUNCIL MEMBER FROM THE THIRD WARD FOR A FULL TWO-YEAR TERM, AND ONE COUNCIL MEMBER FROM THE FOURTH WARD FOR A FULL TWO-YEAR TERM, FOR THE CONDUCT OF SAID ELECTION BY THE BOARD OF ELECTION COMMISSIONERS OF ST. LOUIS COUNTY, MISSOURI, AND FOR OTHER MATTERS RELATING AND PERTAINING TO SUCH ELECTION.

WHEREAS, pursuant to the City Charter an election must be held in April 2012 to elect one mayor at large to serve a full three-year term and one council member for each of the four wards of the City, each to serve a full two-year term; and

WHEREAS, application procedures regarding such election need to be clearly established, including requirements consistent with Section 115.351 RSMo. that candidates only apply for a single position and promise to serve in such capacity if elected;

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

SECTION 1: Pursuant to applicable law, a general election shall be held in the City of Creve Coeur, Missouri on the 3rd day of April, 2012, for the election of one mayor at large one for a full three-year term, one council member from the first ward for a full two-year term, one council member from the second ward for a full two-year term, one council member from the third ward for a full two-year term, and one council member from the fourth ward for a full two-year term.

SECTION 2: The general election shall be conducted by the Board of Election Commissioners of St. Louis County, Missouri pursuant to the applicable statutes of Missouri and the regulations of said Board of Election Commissioners for the conduct of local elections.

SECTION 3: Nominating petitions and acceptances of nomination shall be filed with the City Clerk of the City of Creve Coeur after the passage and approval of this ordinance beginning at 8:00 a.m. on December 13, 2011 through January 17, 2012, at 5:00 p.m. A candidate can only file for and promise to serve in a single position. The City Clerk shall record the date and time of each filing. Names shall be placed on the ballot and election notice in order of filing for respective offices as provided in section 10.3 of the city charter. Candidates wishing to file for office shall present themselves at the reception desk in the main lobby, upper level of the Creve Coeur Government Center, 300 North New Ballas Road. Filings shall be accepted on a first-come first-served walk-in basis when the City Clerk is available at the Government Center.

SECTION 4: Notwithstanding the foregoing, in the case of candidates who deliver a declaration of candidacy to the City Clerk prior to 5:00 p.m. on the first day for filing, the City Clerk shall determine by random drawing the order in which such declarations shall be deemed to have been filed. Any such drawing shall be conducted so that each candidate may draw a number at random at the time of delivery of the declaration. The City Clerk shall record the number drawn with the candidate's

declaration of candidacy. If such drawing is conducted, the names of the candidates filing on the first day of filing for each office on each ballot shall be listed in ascending order of the numbers so drawn.

SECTION 5: Candidates filing for office shall present themselves at the reception desk in the main lobby, upper level of the Creve Coeur Government Center, 300 North New Ballas Road to sign a sworn acceptance of nomination before the City Clerk. A filing shall not be accepted without such sworn acceptance.

SECTION 6: Notice of said general election shall be published according to law in a newspaper of general circulation published in the County of St. Louis, Missouri.

SECTION 7: All candidates shall be nominated by petition and acceptance thereof as provided for in Section 10.2 of the City Charter. Nominating petitions and acceptances of nomination shall be substantially in the same form as the "nominating petition" and "acceptance of nomination" forms attached hereto as specimens of designated appropriate forms as required by Section 10.2 (a) of the City Charter.

SECTION 8: Upon the passage and approval of this ordinance, a certified copy thereof shall be promptly transmitted to the Board of Election Commissioners by the City Clerk.

SECTION 9: This ordinance shall become effective pursuant to section 3.11(g) of the City Charter.

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

TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2011.

HAROLD L. DIELMANN, MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



NOMINATING PETITION

PURSUANT TO SECTION 10.2 OF THE CHARTER OF THE CITY OF CREVE COEUR, WE, THE UNDERSIGNED PETITIONERS, BEING REGISTERED AND QUALIFIED VOTERS OF THE CITY OF CREVE COEUR AND ENTITLED TO VOTE FOR CANDIDATES FOR MAYOR, DO HEREBY NOMINATE _____ FOR THE OFFICE OF MAYOR, FOR A TERM OF THREE (3) YEARS AND RESPECTFULLY REQUEST THAT SUCH PERSON'S NAME BE INCLUDED ON THE BALLOT FOR SAID OFFICE FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 3, 2012.

NOTICE TO SIGNERS

Please sign in ink or indelible pencil

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CITY OF CREVE COEUR
ACCEPTANCE OF NOMINATION

NO. _____ Date/Time Received _____

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

I, _____ BEING DULY SWORN, STATE UPON MY OATH THAT I RESIDE AT _____, CITY OF CREVE COEUR, COUNTY OF ST. LOUIS, STATE OF MISSOURI, THAT I AM A QUALIFIED VOTER THEREIN, THAT I ACCEPT NOMINATION AND AM A CANDIDATE FOR THE ELECTION OF MAYOR FOR A FULL THREE-YEAR TERM, TO BE VOTED UPON AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, APRIL 3, 2012, THAT I SHALL HAVE RESIDED IN THE CITY OF CREVE COEUR FOR AT LEAST ONE YEAR AS OF THE DATE OF THE ELECTION AND WILL BE A RESIDENT OF THE AFORESAID CITY AT THAT TIME, THAT I WILL NOT BE IN DEFAULT TO THE CITY AS OF JANUARY 17, 2012 AT 5:00 P.M. (INCLUDING ANY ARREAGE FOR UNPAID CITY TAXES OR MUNICIPAL USER FEES), THAT I HAVE FILED ALL REQUIRED CAMPAIGN DISCLOSURE REPORTS FOR ALL PRIOR ELECTIONS AND PAID ALL FEES ASSESSED BY THE MISSOURI ETHICS COMMISSION, AND THAT I AM OTHERWISE ELIGIBLE FOR SAID OFFICE AND WILL REMAIN SO THROUGH THE ELECTION DATE (OR WILL DISCLOSE OTHERWISE).

I HEREBY REQUEST THAT MY NAME AS FOLLOWS _____ BE PRINTED UPON THE OFFICIAL BALLOT FOR ELECTION BY GENERAL ELECTION AS A CANDIDATE FOR THE OFFICE OF MAYOR FOR THE TERM INDICATED ABOVE AND STATE THAT I WILL SERVE AS SUCH OFFICER, IF ELECTED.

IN FILING FOR PUBLIC OFFICE, I SWEAR AND AFFIRM THAT I WILL UPHOLD AND DEFEND THE CONSTITUTION AND LAWS OF THE UNITED STATES, THE CONSTITUTION AND LAWS OF THE STATE OF MISSOURI AND THE CHARTER AND ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI.

DATE: _____

TIME: _____

SIGNATURE OF APPLICANT FOR
OFFICE

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



NOMINATING PETITION

PURSUANT TO SECTION 10.2 OF THE CHARTER OF THE CITY OF CREVE COEUR, WE, THE UNDERSIGNED PETITIONERS, BEING REGISTERED AND QUALIFIED VOTERS OF WARD _____, AND ENTITLED TO VOTE FOR CANDIDATES FOR COUNCIL MEMBER OF SAID WARD, DO HEREBY NOMINATE _____ FOR THE OFFICE OF COUNCIL MEMBER OF WARD _____, FOR A TERM OF TWO YEARS AND RESPECTFULLY REQUEST THAT SUCH PERSON'S NAME BE INCLUDED ON THE BALLOT FOR SAID OFFICE FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 3, 2012.

NOTICE TO SIGNERS

Please sign in ink or indelible pencil

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NOTICE TO SIGNERS

Please sign in ink or indelible pencil

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CITY OF CREVE COEUR
ACCEPTANCE OF NOMINATION

NO. _____ Date/Time Received _____

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

I, _____ BEING DULY SWORN, STATE UPON MY OATH THAT I RESIDE AT _____, CITY OF CREVE COEUR, COUNTY OF ST. LOUIS, STATE OF MISSOURI, THAT I AM A QUALIFIED VOTER THEREIN, THAT I ACCEPT NOMINATION AND AM A CANDIDATE FOR THE ELECTION OF COUNCIL MEMBER, WARD _____ FOR FULL TWO-YEAR TERM, TO BE VOTED UPON AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, APRIL 3, 2012, THAT I SHALL HAVE RESIDED IN THE CITY OF CREVE COEUR FOR AT LEAST ONE YEAR AS OF THE DATE OF THE ELECTION AND WILL BE A RESIDENT OF THE AFORESAID CITY AT THAT TIME, THAT I WILL NOT BE IN DEFAULT TO THE CITY AS OF JANUARY 17, 2012 AT 5:00 P.M. (INCLUDING ANY ARREAGE FOR UNPAID CITY TAXES OR MUNICIPAL USER FEES), THAT I HAVE FILED ALL REQUIRED CAMPAIGN DISCLOSURE REPORTS FOR ALL PRIOR ELECTIONS AND PAID ALL FEES ASSESSED BY THE MISSOURI ETHICS COMMISSION, AND THAT I AM OTHERWISE ELIGIBLE FOR SAID OFFICE AND WILL REMAIN SO THROUGH THE ELECTION DATE (OR WILL DISCLOSE OTHERWISE).

I HEREBY REQUEST THAT MY NAME AS FOLLOWS _____ BE PRINTED UPON THE OFFICIAL BALLOT FOR ELECTION BY GENERAL ELECTION AS A CANDIDATE FOR THE OFFICE OF COUNCIL MEMBER. WARD _____ FOR THE TERM INDICATED ABOVE AND STATE THAT I WILL SERVE AS SUCH OFFICER, IF ELECTED.

IN FILING FOR PUBLIC OFFICE, I SWEAR AND AFFIRM THAT I WILL UPHOLD AND DEFEND THE CONSTITUTION AND LAWS OF THE UNITED STATES, THE CONSTITUTION AND LAWS OF THE STATE OF MISSOURI AND THE CHARTER AND ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI.

DATE: _____

TIME: _____

SIGNATURE OF APPLICANT FOR
OFFICE

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK

RESOLUTION NO. 969

A RESOLUTION AUTHORIZING THE CITY TO BECOME AN ENVIRONMENTAL PROTECTION AGENCY (EPA) GREEN POWER PARTNER AND TO INITIATE AN EPA GREEN POWER COMMUNITY (GPC) CHALLENGE IN THE CITY OF CREVE COEUR.

WHEREAS, the City adopted a Climate Action Plan in April 2010 to reduce greenhouse gas (GHG) emissions in Creve Coeur by 20% by 2015 and by 50% by 2050; and

WHEREAS, the purchase of power from renewable sources and the installation of onsite renewable energy sources would help the City reduce its GHG emissions; and

WHEREAS, the GPC Challenge is an EPA-sponsored program that provides municipalities with an opportunity to become Green Power Partners by purchasing Renewable Energy Credits (RECs) or by installing onsite renewable energy sources and then challenging local businesses and residents to likewise consume energy from renewable sources; and

WHEREAS, the purchase of RECs at the Gold Leader level in Ameren Missouri's Pure Power program qualifies participants for EPA Green Power Partner status.

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

SECTION 1: It is hereby authorized that the City purchase RECs through the Ameren Missouri Pure Power program at the Gold Leader level in order to become an EPA Green Power Partner.

SECTION 2: The City hereby initiates an EPA Green Power Community Challenge to encourage local businesses, non-profit organizations, and residents of Creve Coeur to consume green power via the purchase of RECs and the installation of onsite renewable energy sources.

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

Adopted this 27th day of June 2011.

Harold Dielmann, Mayor

ATTEST:

Deborah Ryan, City Clerk



INTEROFFICE MEMORANDUM

Date: June 27, 2011

To: Mark Perkins, City Administrator
From: Jaysen Christensen, Assistant to the City Administrator
Subject: EPA Green Power Community Challenge

Background

Ameren Pure Power together with Microgrid Energy of St. Louis have approached the City staff and the Climate Action Task Force about assisting the City in becoming an EPA Green Power Community (GPC).

To become an EPA Green Power Community, the City would need to accomplish two major objectives:

First, the City would be required to offset 10% of its electricity use with renewable energy. Ameren allows its customers to purchase renewable energy indirectly from its wind farms through the purchase of renewable energy certificates (RECs), which subsidize the cost of producing wind-generated electricity. In Missouri, it costs more to generate electricity from wind than it does from traditional sources such as coal. However, unlike coal, wind power is a renewable energy source, and it does not produce greenhouse gases.

The cost for the City to purchase enough RECs to offset 10% of its electricity use and thus qualify to become a GPC would be \$330 per month (\$3,960/year). This represents the purchase of 22 blocks of PurePower per month, which would offset 10% of the 2,608 megawatts per year that power all City-owned buildings, parks, and streetlights.

Second, to become a GPC, the City would also need to conduct a GPC Challenge campaign to encourage and educate the City's businesses and residents about supporting renewable energy by purchasing RECs or by installing solar panels with the help of Microgrid Energy or another qualified company. Ameren has hired the consulting firm, 3 Degrees, to help administer the PurePower program and assist cities with the GPC Challenge by coordinating publicity events and providing marketing materials for cities to distribute. To meet the EPA's GPC requirements, Creve Coeur would be required to collectively offset 3% of its total electricity use with power from renewable sources. The GPC Challenge is expected to last no more than 12 months, and City staff time is expected to average less than 5 hours per week.

For additional information about Creve Coeur becoming a Green Power Community, please see the attached handouts: "Becoming a Green Power Community" and "PurePower proposal".

Budget Impact

The cost to purchase PurePower RECs at the level required to become an EPA Green Power Community is projected to be \$3,960 per year. The City currently spends approximately \$273,000 per year in electric utility costs to power all of its buildings, parks, and streetlights.

As noted in the presentation provided at the June 13, 2011 Council Work Session (attached), the City already receives approximately \$8,366 per year through the collection of electric utility tax receipts from PurePower RECs purchased by Creve Coeur businesses and residents. If the City is successful in becoming a GPC, it could generate an additional \$9,000 in utility tax revenues.

Total electric utility tax receipts are projected at \$2,740,000 for FY11, comprising approximately 18% of total General Fund revenues and 47% of all utility taxes receipts (including phone, gas, cable tv, and water).

Recommendation

At its meeting on May, 24, 2011, the Climate Action Task Force (CATF) reviewed the GPC program and voted 5-2 in favor of recommending that the City Council authorize the City to purchase the RECs needed to become a GPC and initiate a GPC Challenge to the community. CATF members in favor of the City becoming a GPC see this as an opportunity to reduce the City's greenhouse gas emissions and educate and encourage businesses and residents about supporting renewable energy. Those opposed to the GPC program are not comfortable with the idea of the City supporting a business and believe that the City may be better off spending its money and staff resources to develop its own marketing program for the City's climate action initiatives. The CATF meeting summary of May 24, 2011 is attached.

I would be happy to provide additional information or answer any questions you may have.

Attachments:

- Becoming a Green Power Community
- PurePower proposal
- CATF meeting summary dated May 24, 2011
- PowerPoint presentation from June 13, 2011 Council Work Session

the Questions and the Answers

Creve Coeur Green Power Community Challenge

After listening to the recording from the June 26th meeting, I summarized the Questions that I heard. This document's intent is to provide the Answers. – Cindy Bambini, 3Degrees

Topic 1 – Renewable Energy Credits (RECs), Pure Power and Microgrid Energy

1) What is a REC?

Formal Definition - Renewable Energy Certificates (RECs), also known as Green tags, Renewable Energy Credits, Renewable Electricity Certificates, or Tradable Renewable Certificates (TRCs), are tradable, non-tangible energy commodities in the United States that represent proof that 1 megawatt-hour (MWh) of electricity was generated from an eligible renewable energy resource (renewable electricity). Solar Renewable Energy Certificates (SRECs) are RECs that are specifically generated by solar energy.

These certificates can be sold and traded or bartered, and the owner of the REC can claim to have purchased renewable energy. According to the U.S. Department of Energy's Green Power Network, RECs represent the environmental attributes of the power produced from renewable energy projects and are sold separate from commodity electricity. While traditional carbon emissions trading programs promote low-carbon technologies by increasing the cost of emitting carbon, RECs can incentivize carbon-neutral renewable energy by providing a production subsidy to electricity generated from renewable sources. It is important to understand that the energy associated with a REC is sold separately and is used by another party. The consumer of a REC receives only a certificate.

In states that have a REC program, a green energy provider (such as a wind farm) is credited with one REC for every 1,000 kWh or 1 MWh of electricity it produces (for reference, an average residential customer consumes about 800 kWh in a month). A certifying agency gives each REC a unique identification number to make sure it doesn't get double-counted. The green energy is then fed into the electrical grid (by mandate), and the accompanying REC can then be sold on the open market.

For Ameren Missouri Pure Power – A Renewable Energy Credit (REC) is a financial resource, similar to a stock or bond, which represents proof that a set amount of green power was generated. When you join Pure Power, Ameren Missouri purchases RECs on your behalf – so you can offset up to 100% of your electric usage with renewable power from Missouri Wind Farms. All Pure Power RECs are Green-e certified.

2) When I purchase RECs where does the money go?

When you purchase a REC from Ameren Missouri via the Pure Power program, \$1 of the \$15 price per REC goes to Ameren Missouri to process the purchase/bill the customer. Each REC = 1000 kilowatt-hours (kWh) or 1 Megawatt hour (MWh). The remaining \$14 goes to Ameren's vendor partner in the Pure Power program, 3Degrees, who uses the funds to purchase the RECs from Missouri Wind Farms and to fund the program administrative, outreach and education efforts.

When you purchase a REC from a national REC provider, the purchase price is also split between the price of the REC and the administrative, marketing and education efforts for that company.

REC prices change based on the source of the REC purchase and the demand to purchase RECs from that facility, in that region. Like stocks, REC prices fluctuate daily.

3) Is Ameren Missouri Pure Power the only REC provider in the area? Who are their competitors?

Ameren Missouri Pure Power is the only local provider of RECs in the area. Customers of Ameren Missouri in 2006 requested the ability to purchase green power from their utility. The Pure Power program was developed in direct response to that request. RECs can also be purchased in the area from numerous national green power providers. A complete state-specific and national provider list may be found here:

http://apps3.eere.energy.gov/greenpower/buying/buying_power.shtml?state=MO

4) Why are they involved with this challenge effort?

Ameren Missouri Pure Power and Microgrid Energy are both involved in this effort for two reasons. First is to directly promote the development of new green power sources in Missouri. And second, they are funding the Challenge effort as a means to educate citizens about green power options and of course, to promote their own products as a means to achieve the Challenge goal.

Ameren Missouri Pure Power and Microgrid Energy are not asking the City to promote their Companies directly. They are asking for the ability to create conversations with Creve Coeur citizens about green power options within the Challenge framework. There is no requirement that citizens use Pure Power or Microgrid Energy's products to satisfy Challenge goals – in fact support for green power from any REC or solar provider will count and this is an option that will be presented to Creve Coeur citizen's right along with Pure Power and Microgrid's products.

Topic 2 – The City of Creve Coeur’s obligation/contribution to the Challenge effort.

1) What does the City have to purchase to initiate the Challenge?

To initiate the Challenge, the City needs to support Green Power at the level required by the EPA to become a Green Power Partner. This requirement is 10% of all electricity consumed by Creve Coeur Municipal facilities. The City can meet this obligation and initiate the Challenge via a REC purchase through the Pure Power program, another REC supplier, or the installation of onsite solar. Practically, it makes the most sense for the City to participate by purchasing RECs because this can be accomplished simply and quickly. Naturally, we’d like the RECs to be purchased via the Pure Power program so there is a guarantee that they are 100% Missouri Wind Farm RECs, thus supporting new sources of green power in our state.

The annual electrical usage for all municipal facilities in Creve Coeur for 2009 was 2,608,110 kWh. The number of RECs and the price for the 10% commitment required by the EPA via the Pure Power program are as follows:

Pure Power Level	% of Annual Demand	Blocks/Month	Cost/Month	Cost/Year
Leader Gold – EPA Green Power Partner	10%	22	\$330	\$3,960

This commitment will prevent 417,986 lbs of Carbon Dioxide, a leading greenhouse gas, from entering the atmosphere annually. This is the annual CO₂ reduction equivalent of taking 36 cars off the road for a year.

2) Does it affect the power supply for municipal buildings/City?

Not at all. A REC purchase guarantees that the associated Green Power went onto the Missouri grid. There is no way to guarantee that this particular green power, or any other power for that matter, can be delivered directly to the City municipal buildings. The power goes into the Missouri pool of electricity that we all share.

3) What does the City get from joining the program?

The anticipated benefits to the City include:

Leadership – further Creve Coeur’s status as a regional leader in sustainability.

Community Pride – citizens and businesses working together.

Media coverage – second in Missouri provides extra excitement.

Education – raises awareness and educates about clean energy.

Next Level - help leverage further action on sustainability initiatives, including Climate Action Plan

Environmental Benefits – significant reductions in GHG emissions, specific to the City's Commitment to Green Power via Pure Power as described in No. 1 above.

- 5) What is the Challenge goal and does our challenge help Ameren meet their goal for providing power from green sources?

The Challenge goal is that 3% of the electricity used by all commercial and residential citizens in the City of Creve Coeur comes from Green Power sources. 3% of the City's usage equates to 1,523 Megawatt hours (MWh) per month. This 3% includes the 10% required (22 MWh per month) by the City to initiate the Challenge/become a green power partner. The calculation of the 3%, 1523 MWh figure for Creve Coeur can be found at the end of this document.

This goal has nothing to do with Ameren Missouri's requirement to provide power from green sources. The single purpose of the Challenge goal is for the City of Creve Coeur to become the second EPA Green Power Community in the state of Missouri.

- 6) Is this effort separate from the law passed in 2008 that created the mandate for utilities to add green power to their mix? If so, how and how do I know for sure it is separate and additional?

This effort is completely separate from the law passed in 2008. REC purchases and solar onsite installations are *voluntary* efforts on the part of consumers to support green power. These voluntary efforts are parallel efforts to those imposed by the state mandate, Proposition C, which passed in 2008 and requires the 3 large utilities in Missouri to generate a portion of their electricity from green power sources.

Pure Power is Green-e certified for this exact reason. This independent audit by the non-profit Center for Resource Solutions is conducted annually on the Pure Power program strictly to provide consumer assurance that the green power generated in association with a REC purchase is separate and additional to that generated by utility mandates.

- 7) What are the risks to the City? Are we locked in? Can the price change for participation in the program? Why are taxes charged? Is there a contract?

Pure Power is a voluntary program. There are no contracts. Customers may cancel at any time without penalty. The price, \$15 per MWh purchased, is set by tariff with the Missouri Public Service Commission and cannot change for the duration of the program life without Commission approval. There is no state sales tax charged for Pure Power.

Municipal taxes are charged based by default per order of the State of Missouri. A few municipals have voted to waive the taxes in support of renewable power.

Attachment – Creve Coeur Green Power Community Challenge Calculations

EPA Green Power Community Requirements 2011

Green Power Community Purchase Requirements	
<i>Community annual Electricity Usage</i>	<i>Minimum GPC Purchase Requirements After January 1, 2011</i>
> 100,000,000 kWh	3%
10,000,001-100,000,000 kWh	5%
1,000,001 - 10,000,000 kWh	10%
≤ 1,000,000 kWh	20%

- The City of Creve Coeur's 2010 collective usage was – 608,995,528 kWh which would require a 3% Green Power purchasing level across the City to achieve EPA Green Power Community Status. (3% of consumption would equal 18,269,866 kWh or 18,270 MWh.)
- This would require an aggregate total purchase by all City located entities of 1523 Megawatt hours or blocks per month. (18,270 / 12 months = 1523 MWh / month)
- Current City of Creve Coeur Business and Residential participation = 797 MWh per month. Total needed to qualify = 726 MWh. This includes several existing Creve Coeur Businesses – Monsanto being the largest.
- By reaching a 3% green power purchasing level, the city of Creve Coeur will prevent almost 28,936,025 pounds of carbon dioxide, a leading greenhouse gas, from entering the atmosphere, each year. This is the same environmental benefit provided by taking 2,574 cars off the road each year.



BECOMING A GREEN POWER COMMUNITY

Smart communities support local renewable energy.

Supporting renewable energy – like local wind power – keeps Missouri’s air clean, strengthens the local economy, and protects natural resources for future generations.

Pure Power and Microgrid Energy are teaming up to work with local Municipalities to take a leap forward in their support for renewable energy, by providing support in pursuing the EPA’s Green Power Community Challenge

Are You Ready for a Challenge?

Leading municipalities across the nation are partnering with the EPA to become Green Power Communities (GPCs). GPCs are cities, towns, and villages in which the local government, businesses, and residents collectively buy green power in amounts that meet or exceed EPA’s Green Power Community purchase requirements. Communities that reach those required limits within 6 months are recognized as EPA Green Power Communities.

Below are the steps required to achieve that status.

Step 1: The Community takes the Lead!

In order to become an EPA GPC, the community’s local government must first agree to purchase RECs in amounts that qualify them as an EPA Green Power Partner. Locally, this is equivalent to becoming a **Pure Power Leader Gold**. See the attached proposal which estimates the cost of achieving the Gold status.

Becoming a Pure Power Leader will demonstrate leadership and a commitment to build a cleaner and stronger environment.

Step 2: Organizing a Green Power Challenge

The EPA GPC Challenge requires that a campaign be implemented which challenges businesses, residents, and non-profit organizations to support renewable energy. This challenge aims to educate and encourage businesses and residents to purchase green power by signing up for Pure Power or installing solar or wind power on their property.

The idea is that everyone sees that their participation is not only helping them achieve something they can feel good about individually, but that they are also helping their community achieve something significant and exciting.

In order to become an EPA GPC, the aggregate green power purchases of all homes, businesses, and city facilities within the city limits must equal a certain percentage (2-6%) of the city’s aggregate annual electricity use. See attached sheet detailing the requirements for your municipality.



Step 3: Launching a Community-Wide Challenge

EPA Green Power Community (GPC) Challenges typically begin with a launch event to raise awareness within the city, announce the challenge to the greater community, and receive local media recognition. This celebration should jump-start participation and recognize businesses and residents who have taken the lead in supporting renewable energy.

An EPA GPC Challenge should last no longer than 6 months. This short time frame helps create a focused effort in order to have the best chance for success.

The following are examples of different types of promotions that can be implemented:

- Marketing and Outreach – banners at City Hall, booths at community events, community presentations, store-front tabling, focused business outreach, newspaper ads, radio ads, direct mail promotions, bill inserts, email campaigns.
- Create a timeline – schedule in advance for events, advertisements, and promotions, and publicize this schedule. The goal is to define the period of time for the challenge and to have a roadmap for the events that will help keep enthusiasm, pride, and participation high for the duration of the challenge.
- Provide Resources - Make a list of Solar installers who do work in the area available to the community. Microgrid Energy will provide a special promotional opportunity as part of this partnership (see attached), but any installer can be used as part of this challenge.
- Plan a Culmination Event - Once a community's participation goals are reached, the challenge should conclude with a celebration and official designation as an EPA Green Power Community. This will be a high profile event with national media coverage.

How Will Pure Power and Microgrid Assist?

Pure Power and Microgrid Energy recognize that that city budgets and staff are stretched and that it will take outside support to assist in doing the work necessary to get the participation from the community at levels that will meet the requirements of the GPC Challenge.

With that in mind, we are offering to work with you every step of the way in designing and implementing the marketing effort, including design of print and web materials, email campaigns, events, etc. We will help cover the cost of some of the events and marketing materials.

We would be proposing to form a Challenge Planning Team that would be composed of staff from our three entities, and perhaps some community members as well. Other than the monthly meetings of this Team and the associated communications, the majority of the work can be handled by Microgrid and Pure Power staff.



Why Participate?

The GPC Challenge offers an important opportunity, and utilizing the assistance of Pure Power and Microgrid, it becomes more attainable. Some of the benefits of succeeding in the Challenge are:

1. Reduce the community's carbon footprint
2. Increase community pride by showing regional leadership
3. Engage businesses, environmental organizations, and citizens
4. Receive local media attention and exposure
5. EPA program benefits
 - Earn national recognition as an EPA Green Power Community
 - Listing on EPA's Green Power Partnership Web site
 - Eligibility for the Green Power Leadership Awards
 - Receive two street signs indicating your community's designation as a Green Power Community

Welcome to a Green Power Community

exceeding U.S. EPA
guidelines for buying
clean, renewable energy.



2005

Next Steps

Due to limited resources, Pure Power and Microgrid Energy are offering this opportunity to select Municipalities, and we are currently evaluating prospects for the first round of partnerships.

Selected municipalities will need to enroll in the EPA program at
<http://www.epa.gov/greenpower/communities/index.htm>

Pure Power and Microgrid will ask for a letter of commitment to be signed by all three parties outlining what each is agreeing to provide towards this effort.

Contacts

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March 14, 2011

Jaysen Christiansen
City of Creve Coeur

Dear Jaysen:

Introduction

Ameren Missouri is committed to environmental stewardship and expanding the use of renewable energy in the Midwest region. As part of that commitment Ameren Missouri is proud to offer **Pure Power**, a voluntary renewable energy option. **Pure Power** is an easy and cost-effective way to support the development of new renewable energy sources in Missouri, gain significant recognition within the community, and reduce The City of Creve Coeur's carbon footprint.

When a business enrolls in **Pure Power**, Ameren Missouri begins purchasing renewable energy credits (RECs) equal to your monthly chosen participation level. Purchasing Green-e certified® renewable energy credits from specific wind, and other local renewable facilities ensures that electricity from these sources is delivered to the Midwest power pool. By retiring the renewable energy credits on behalf of **Pure Power** customers, and having them Green-e Certified®, Ameren Missouri insures that the environmental benefits of the renewable energy production only accrue to **Pure Power** customers.

As a **Pure Power Leader**, The City of Creve Coeur will lead the way for others to follow by demonstrating its commitment to environmental sustainability in Missouri. You also may discover that employees, clients, and suppliers of The City of Creve Coeur are already participating in **Pure Power** or comparable renewable energy programs, making participation an opportunity to demonstrate an alignment of values with many of your constituents.

Environmental & Social Benefits

Increasing the demand for renewable energy is an easy way for The City of Creve Coeur to continue to support sustainable business practices, stimulate a growing part of the economy, and help the country increase energy independence.

Right now, RECs for **Pure Power** are sourced 100% from Missouri's fifth utility scale wind farm, Farmer's City, which is located in Atchison County, Missouri. This 146 MW wind farm produces enough electricity to power 33,000 homes, supports 150 permanent jobs in Missouri and contributes up to \$1M in tax revenue annually.

Over the life of the program, at least 75% of the renewable energy credits purchased through **Pure Power** are sourced from new, local wind generation facilities. The balance of renewable energy credits could come from other forms of renewable energy in the regional power pool, with at no time less than half of the supply coming from Missouri and Illinois.



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Commitment

The City of Creve Coeur's commitment at the **Pure Power Leader- Gold** will help **prevent 417,986 lbs of Carbon Dioxide**, a leading greenhouse gas, from entering the atmosphere each year. This is the annual CO₂ reduction equivalent of taking **36 cars** off the road **for a year**. This reduction in Carbon Dioxide and other Green House Gas Emissions not only cleans our Missouri air, but the purchase of RECs from these wind farms encourages the development of more Missouri based renewable energy sources and creates the jobs that accompany such developments. This triple bottom line impact makes **Pure Power** important for Missouri's energy future.

Program Costs

Participating in **Pure Power** is easy and flexible; The City of Creve Coeur can determine the number of **Pure Power** blocks to purchase making it easy to manage costs. Each 1,000 kWh block you elect to purchase adds an additional \$15 per month to your monthly electric bill. Several options for participation are outline on the next page. There are no capital expenditures or equipment to install, and you can cancel your participation at any time. What's more, **Pure Power** has the lowest price premium among similar utility programs offered in Missouri and Illinois.

Public Relations Benefits

Making a commitment to Missouri renewable energy by enrolling in **Pure Power** provides an exciting and compelling message that should be shared with employees, clients and the community.

Pure Power provides Recognition Benefits to all partners based on the participation level they choose and is also happy to spend time with partner company employees discussing this commitment so they are also able to communicate the message effectively. A chart detailing these benefits follows.

I look forward to discussing **Pure Power** with you.

Sincerely,

Cindy Bambini

cbambini@3degreesinc.com

Senior Ameren Partnership Manager

3Degrees

1641 Washington Avenue

St. Louis, MO 63103

314.606.5328



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Participation Options:

Terms: **Pure Power** will appear as an additional line item on your bill as long as you remain enrolled or we can make arrangements for a special bill. You may cancel your participation at anytime. The percentages quoted for participation are based at a minimum on the EPA required percentages for Green Power Partner status. For more information see: <http://www.epa.gov/grnpower/index.htm>

Sources and Locations of Renewable Energy: At least 75% wind, with up to 25% other renewables. All sources are 100% “new,” meaning the facilities began operating in 2002 or later. At least 50% of resources are generated in Missouri and Illinois and the balance from the Midwest ISO power pool. For 2010 and 2011, we are sourcing 100% Missouri Wind.

Certification: **Pure Power** renewable energy credits are Green-e Certified[®] and meet the consumer and environmental protection standards set forth by the independent, non-profit, Center for Resource Solutions.

The City of Creve Coeur

Estimated total account annual kWh: 2,608,110 kWh

Pure Power Level	% of Annual Demand	Blocks/Month	Cost/Month	Cost/Year
Leader Gold – EPA Green Power Partner	10%	22	\$330	\$3,960

Recognition Benefits:

Each Pure Power Business Leader will receive program benefits based on the participation level chosen as detailed in the following chart:



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Corporate, Government and Education Recognition Tiers and Benefits				Champion levels based on 2.1 MW turbine at 30% capacity factor		
1000 kWh = 1 MWh = 1 Renewable Energy Credit = 1 Block Pure Power	Ameren Missouri Pure Power Leader Silver <240,000 kWh/year	Ameren Missouri Pure Power Leader Gold (EPA Green Power Partner)	Ameren Missouri Pure Power Leader Platinum	Ameren Missouri Pure Power Champion 1/2 Turbine	Ameren Missouri Pure Power Champion Full Turbine	
Number of MWh Blocks or % consumption per Month	At least 1	3% to 20% of consumption*	4% to 30% of consumption*	230	460	
Cost of Participation/year	\$180+	Varies	Varies	\$41,400	\$82,800	
Annual CO2 Offset **	10 tons+	Varies	Varies	1,964 tons	3,928 tons	
Program Benefits						Frequency
Pure Power Window Clings	x	x	x	x	x	Once
Certificate of Recognition	x	x	x	x	x	Once
Recognition on Pure Power page of Ameren Web site	Name	Name & Link	Logo & Link	Logo & Link	Logo & Link	Ongoing
Recognition on Pure Power Social Media Feeds	x	x	x	x	x	Ongoing
Linked-in Pure Power Partner Group Access	x	x	x	x	x	Ongoing
Listing in Pure Power Newsletter	x	x	Article	Article	Article	Once
Business name listed in selected Pure Power Ads and Materials	x	x	x	x	x	Intermittent
Use of Pure Power Logo and Images	x	x	x	x	x	Ongoing
Invitation to Pure Power networking events	x	x	x	x	x	Quarterly
Option to participate in Pure Power Perks Program	x	x	x	x	x	Once
Pure Power images and copy for use on Web site	x	x	x	x	x	Once
Listing in Pure Power Ad recognizing many businesses		Standard listing	Standard listing	Premium listing	Premier Listing	Once
Press Release		x	x	x	x	Once
Recognition Giclee Artwork		12"x12"	24"x30"	24"x30" (2)	24"x30" (4)	Once
Thank you Ad in local newspaper exclusive to your business				x	x	Once
* Based on the EPA Green Power Partnership (GPP) graduated purchase requirements using an organization's total electricity usage. ** Each 1,000 kWh block of Pure Power represents the displacement of 1,583 lbs of CO ₂ emissions from the Midwest ISO Grid. EPA GPP graduated purchase requirements can be found online at www.epa.gov/greenpower/join/howmuch.htm.						

Sample Recognition Poster



EXPRESS SCRIPTS®



congratulations
**PURE POWER
LEADER**

EXPRESS SCRIPTS supports the generation of **216 megawatt hours** of clean, local, renewable energy through **AmerenUE's Pure Power program**. Each year Express Scripts prevents **398,304 pounds** of carbon dioxide from entering the atmosphere.

This is the environmental equivalent of preserving **41 acres of forest** storing carbon for one year or taking **39 cars** off the road each year.



Creve Coeur EPA Green Power Community Challenge

June 13, 2011



The Goal

The City of Creve Coeur
achieves the designation
of

EPA Green Power
Community (GPC.)



Congressman Carnahan helps unveil the GPC
street sign presented to the City of Clayton by
the EPA in April 2011

The EPA GPC Program

EPA Green Power Community



- EPA initiative that challenges communities to purchase clean energy in an amount that meets required targets based on electric consumption.
- Challenge intention is to motivate unified action and to reward communities that show leadership.
- EPA provides program guidelines and assistance.

In good, green company...

- River Falls, WI
- Durango, CO
- Park City, Utah
- Santa Clara, CA
- Swarthmore, PA
- Palo Alto, CA
- Sale, OR
- Bend, OR
- Corvallis, OR
- Clayton, MO....

EPA GPC Requirements - #1

City itself becomes a Green Power Partner

- Creve Coeur enrolls in the Pure Power program at Gold Leader level (EPA Green Power Partner level)
- Cost = **\$3,960 /year**
- City is already collecting additional Utility taxes on existing Pure Power enrollments –
$$7\% \times 664 \text{ MWh} \times \$15/\text{MWh} \times 12 \text{ months} = \textbf{\$8,366 / year}$$
- Additional money the City would bring in if the Challenge is successful = **\$9,000 /year** (estimated).

EPA GPC Requirements - #2

Commit to and initiate a public EPA GPC Challenge campaign.

- Mayoral Proclamation
- Or Vote of Board of Alderman
- Or Press Release

EPA GPC Requirements - #3

- Achieve Creve Coeur specific challenge target:
3% of total power consumed City-wide from green power purchases or onsite production.
- City of Creve Coeur is already 50% of the way to achieving the goal.
- Both Commercial and Residential Power

Benefits to Creve Coeur

- Leadership – further Creve Coeur’s status as a regional leader in sustainability.
- Community Pride – citizens and businesses working together.
- Media coverage – second in Missouri provides extra excitement.
- Education – raises awareness and educates about clean energy.
- Next Level - help leverage further action on sustainability initiatives, including Climate Action Plan
- Environmental Benefits – significant reductions in GHG emissions.

Creve Coeur's Challenge Partners: Ameren Missouri Pure Power & Microgrid Energy

- Develop, fund and execute challenge marketing and education campaign
- Lead and staff challenge team
- Handle administrative tasks associated with achieving challenge target
- Have fun, engage and educate community



What Counts Towards EPA GPC Target?

1. Participation in a voluntary green power REC purchase program

And/Or

2. Installation of onsite Solar Electric (PV) systems

Both commercial and residential power users.

No obligation to work with a particular solar installer or REC provider

Ameren Missouri Pure Power



- **Voluntary green power program** that gives any Ameren Missouri customer the opportunity to offset up to 100% of their electrical usage with Missouri Renewable Energy Credits (RECs)
- Each 1 MWh Missouri REC purchased via the Pure Power program is a guarantee that an equivalent amount of new, renewable energy (green power) was generated onto the Missouri grid.
- The carbon reduction associated with each MWh of green power purchased is transferred to the entity/person that purchases the REC.

Microgrid Energy



- Community Solar Program – a group purchasing plan, offering discounts and Solar loan program to residential buyers
- Potential use of Nonprofit model to install solar at area schools at no cost to the schools.
- Public Education and Awareness events on Solar Energy, in coordination with local groups

EPA Provides

- Credibility
 - Use nationally accepted guidelines for green power purchasing
- Expert Advice
 - Identify types of products to best suit community needs
 - Determine environmental benefit of options
- Recognition
 - Assistance with messages and marketing
 - Use of EPA Green Power Partner Mark
 - Eligibility for Leadership Club and Leadership awards.
- Web-based Information
 - Expert Advice

Green Power Community Sign

- Highlights a successful campaign
 - Each Community receives two 24" x 30" aluminum signs
 - Designed for outdoor display
- Other Recognition
 - Artwork for Community Banner
 - Press Release Assistance
 - Listing on EPA website

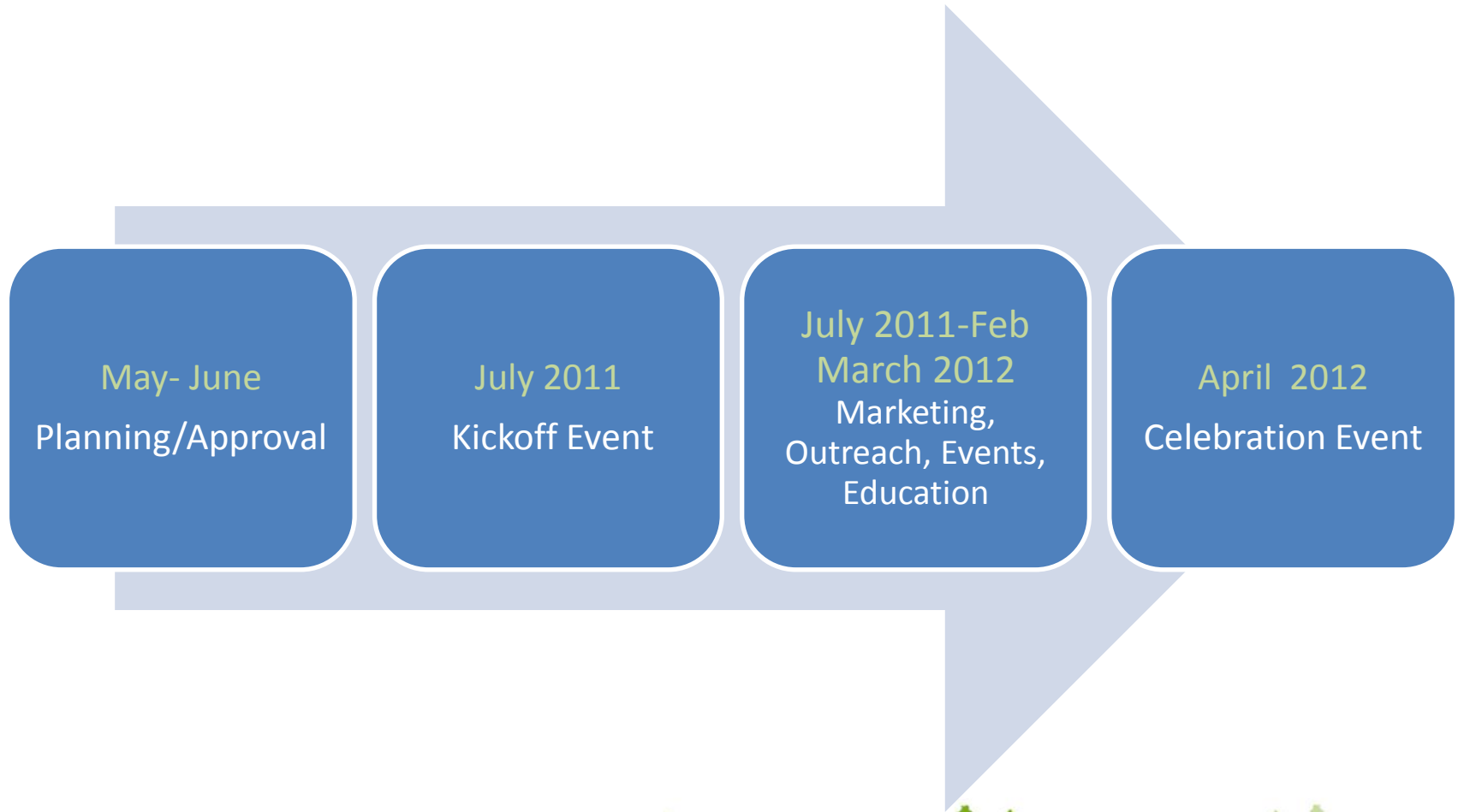


Oregon's Governor Kulongowski and EPA's Matt Clouse holding a Green Power Community sign



Event Banners: EPA can provide artwork development services to produce banners for announcement events.

Anticipated Challenge Schedule



Is this achievable?

Because of existing support for green power via the Pure Power program, Creve Coeur is already **more than half** of the way to the target 1,523 MWh monthly green power goal required for EPA GPC.

Current Creve Coeur business and residential green power purchase via Pure Power = 797 MWh per month.

Total additional needed to qualify as EPA GPC = 726 MWh per month
which equates to:

726 households supporting 1 MWh a month via Pure Power or an onsite solar installation OR

10 large businesses at 80 MWh per month or fifteen 25 kW solar arrays
(or any combination in between.)

Challenge Team Outreach Tactics

- City Communication vehicles – newsletters, bill inserts, e-news
- Events – at least 3 events (Kick-off, mid-term and celebratory when EPA GPC Status achieved)
- Integrate with Existing Community Events– Climate Action Task Force, Parks and Recreation, 5K-10K Walk/Run
- Local Groups Tie In – Chamber, Recycling and Environment Committee
- Media work - Coordinate with Patch, issue press releases
- Online presence – Website for challenge, Facebook page
- Solicit large power users directly to be lead contributors

Q & A

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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 5 to 2. Ayes: May, 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

**AN ORDINANCE REPEALING ORDINANCE NUMBERS 1074, 1594, AND 1694,
AND AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR
OPERATION OF A VALVOLINE INSTANT OIL CHANGE SERVICE STATION
LOCATED AT 11333 OLIVE BOULEVARD**

WHEREAS, under Section 405.360(C), Gasoline Service Stations in the “CB”, Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, conditional use permit ordinance #1074, was approved by the City Council on September 10, 1984, and amended on July 26, 1993 (ordinance #1594) and on March 13, 1995 (ordinance #1694), to allow for an automobile service station; and

WHEREAS, a minor site development plan was approved on February 16, 2010 for façade and signage improvements by the Planning and Zoning Commission; and

WHEREAS, an application was submitted by Jason Coil, on behalf of Valvoline Instant Oil Change, to amend Ordinance #1694 to allow for hours of operation on Sunday from 9:00 a.m. to 5:00 p.m.; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, November 7, 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)(2); and

WHEREAS, notice of 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 otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a 5 to 1 vote, recommended approval of the application, subject to the conditions contained herein, at its meeting on November 7, 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. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.

4. 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 there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

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

Section 1: Ordinance #1074, Ordinance #1594, and Ordinance #1694 are hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a automobile service station located at 11333 Olive Boulevard, in the "CB" Core Business zoning district, whose legal description is as follows:

Part of Lot 1 of the Subdivision in partition of the farm of S.S. Matson in U.S. Survey 1962, Township 45 North, Range 5 East, A diagram of which is attached to deed recorded in Book 448 Page 306 of the records of the City (former County) of St. Louis and described as:

Beginning at a point in the north line of Olive Street Road, 60 feet wide, at its intersection with west line of said Lot 1; thence along the west line of said lot 1, north 29 degrees 26 minutes west 171.83 feet to a point in the south line of lot "F" of Park West Plat No. 2, a plat of which is recorded in Plat Book 85 Page 46 of the St. Louis County records; thence along the south line of lots "F" and "E" north 89 degrees 45 minutes 40 seconds East 321.38 feet to a point; thence continuing along the south line of lot "E" and the south line of lot "D" of said subdivision, north 87 degrees 08 minutes and 40 seconds East 150.63 feet to a point in the west line of Park West Drive, 50 feet wide, a private street, shown on said plat of Park West, Plat No. 2; thence along the west line of said drive, south 2 degrees 31 minutes 20 seconds East 125 feet to a point of curve; thence southwestwardly along a curve to the right, having a radius of 25 feet, a distance of 39.27 feet to a point in the north line of Olive Street Road; thence along the north line of said road, South 87 degrees 08 minutes 40 seconds West 129.06 feet to a point and south 89 degrees 45 minutes 40 seconds West 241.00 feet to the point of beginning, excepting therefrom that part taken by the State of Missouri for road widening in cause No. 265592 of the St. Louis County records.

Section 3: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. This Conditional Use Permit shall be for the operation of an automobile service station located at 11333 Olive Boulevard.
2. The hours of operation shall be: 8:00 a.m. to 7:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturday; and 10:00 a.m. to 5:00 p.m. Sunday.
3. Additional business hours are permitted with the Zoning Administrator's approval.

4. The applicant shall submit a landscape plan for approval by the Director of Community Development that shall consist of no less than the same number of plantings as the prior Site Development Plan dated December 20, 1993, approved by Ordinance #1594.
5. Approval of the Landscape Plan shall be based on the conformance with the goals and objectives of the Comprehensive Plan and Design Guidelines.
6. The site shall be maintained in accordance with the final approved Site Development Plan, and revised landscape plan required by this ordinance.
7. An underground irrigation system shall be installed and maintained to serve new landscaped areas identified on the landscape plan.
8. 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.
9. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
10. No pennants, fringes, lights, pinwheels, or other similar devices for attracting attention may be displayed at any time in connection with the operation of the service station.
11. No additional curbcuts shall be granted in connection with the operation of said service station, other than those shown on the site plan.
12. Refuse, such as rags or other items incidental to the use of the service stations, shall be stored indoors or shall be enclosed in a sight-proof area or container, which container shall be screened from public view.
13. No auto, trailer, tool or equipment rental shall be permitted on the site.
14. Automobile servicing on the premises shall be limited to oil changes, transmission fluid changes, differential fluid changes and minor parts replacement, such as air filter, PCV valves, transmission filters, etc., and tire rotations.
15. Sales shall be limited to automobile fluids, minor automobile parts, small automotive accessories, individual prepackages snack food and soft drinks.
16. To mitigate noise levels, a six feet high solid vinyl fence shall be installed along the rear edge of the paved areas, from the building to the dumpster corral on the west and from the building to the edge of the pavement on the east. Further, service bay doors shall be closed while impact wrenches are being used on Sundays, the lower level door shall remain closed at all times, and employee outdoor breaks on the premises shall be taken individually on the west side of the building.
17. 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.
18. Any mechanical equipment installed for the site shall be properly screened with approved materials.
19. 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.
20. 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.
21. 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

BILL NO. 5348

ORDINANCE NO. _____

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.

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, MPCC
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

MEMO TO CITY ADMINISTRATOR

Meeting Date: November 14, 2011

Subject: Valvoline Instant Oil Change Conditional Use Permit

Memo Prepared by: Whitney Kelly, AICP
City Planner

The Planning and Zoning Commission voted to recommended approval of a new conditional use permit for Sunday hours of operation for the Valvoline Instant Oil Change at 11333 Olive Boulevard, with several revised and new conditions to the original draft Ordinance presented to the Commission to decrease noise levels based on discussions with the resident to the north. The conditions include:

- Sunday hours are 10:00 a.m. to 5:00 p.m., instead of the requested 9:00 a.m. to 5:00 p.m.
- A six feet high solid vinyl fence shall be installed along the rear edge of the paved areas, from the building to the dumpster corral on the west and from the building to the edge of the pavement on the east.
- Service bay doors shall be closed while impact wrenches are being used on Sundays.
- The lower level door shall remain closed at all times.
- Employee outdoor breaks on the premises shall be taken individually on the west side of the building.

It should be noted that staff has some concern regarding the enforceability of the location of employee breaks and the irregular closure of the bay doors. The Commission was aware of the difficulty to enforce such conditions, but wanted to work with both parties to come to an agreement for Sunday hours of operation.



city of CREVE COEUR

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(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
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**APPLICATION TO PLANNING AND ZONING COMMISSION
#11-028 TO REPEAL ORDINANCE NUMBERS 1074, 1594, AND 1694 AND
REPLACE WITH A NEW CONDITIONAL USE PERMIT FOR VALVOLINE
INSTANT OIL CHANGE SERVICE STATION LOCATED
AT 11333 OLIVE BOULEVARD**

FOR THE MEETING OF: November 7, 2011

LOCATION: 11333 Olive Boulevard

REQUEST:

Jason Coil, Area Manager for Valvoline Instant Oil Change, has submitted a request to amend the conditional use permit to include Sunday hours of operation from 9 AM to 5 PM. The property is located at 11333 Olive Boulevard, on the northside of Olive Boulevard, east of Craig Road and west of Park West Drive, and is currently zoned "CB" Core Business District. Current hours of operation are limited to 8:00 AM to 7:00 PM, Monday through Friday, and 8:00 AM to 6:00 PM, Saturday.

ADDITIONAL INFORMATION:

Gasoline Service Stations, which include automobile service stations, are a Conditional Use in the "CB" Core Business District. Valvoline's original Conditional Use Permit was issued in 1984 (Ordinance # 1074), amended in 1993 (Ordinance # 1594), and in 1995 (Ordinance # 1694). Staff recommends repealing all of the previous ordinances and replacing with a new ordinance.

Key Issues:

- Does the request integrate with the existing permitted use?
- Does the request further the goals and/or implement the Comprehensive Plan?

Comp. Plan References

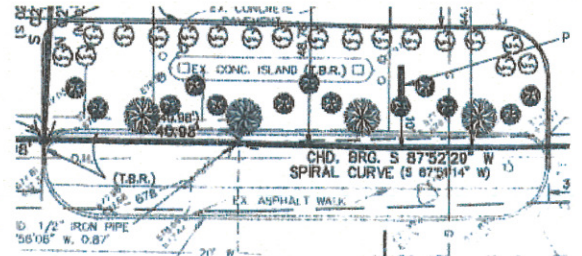
- Central Business District
- Design Guidelines: Landscaping

Zoning Code References

- Section 405.120 Definition of Terms
- Section 405.370 "CB" Core Business District
- Section 405.470 Conditional Uses

APPLICANTS: Jason Coil
Area Manager
Valvoline Instant Oil Change
3499 Blaser Parkway
Lexington, KY 40509

OWNER: Noles Peoperties
Dorsett 270, LLC
11361 Olive Blvd
Creve Coeur, MO 63141



REPORT PREPARED BY:

Whitney Kelly
Whitney Kelly, AICP, City Planner

11/4/2011

Date

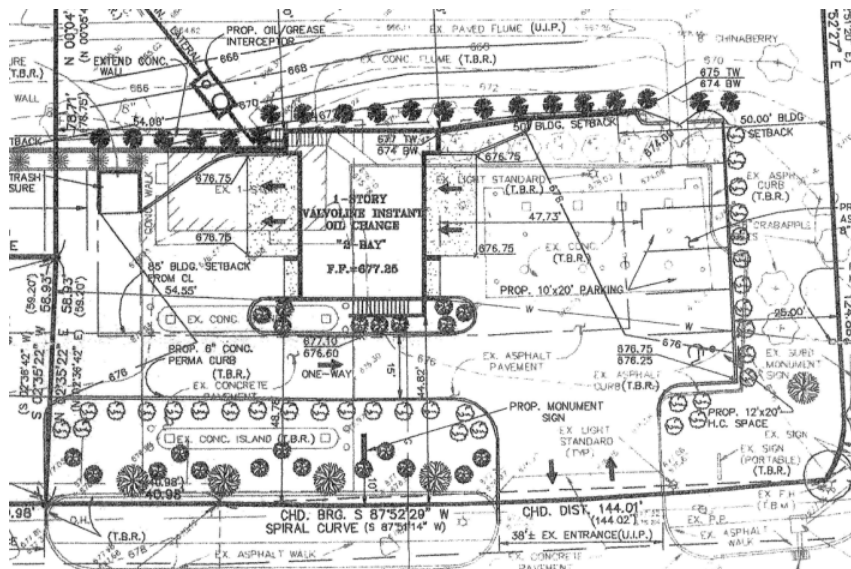
ATTACHMENTS: Draft Ordinance
Ordinance Nos. 1074, 1594, and 1694

Jason Coil, Area Manager for Valvoline Instant Oil Change, has submitted a request to amend the conditional use permit to include Sunday hours of operation from 9 AM to 5 PM. The property is located at 11333 Olive Boulevard, on the northside of Olive Boulevard, east of Craig Road and west of Park West Drive, and is currently zoned “CB” Core Business District. Current hours of operation are limited to 8:00 AM to 7:00 PM, Monday through Friday, and 8:00 AM to 6:00 PM, Saturday. No changes to the building or site are being proposed.

GASOLINE SERVICE STATION: A use primarily for supplying gasoline, oil, air and water, tires, accessories and services for motor vehicles at direct retail to the consumer including the incidental washing of motor vehicles and the making of minor repairs, but not including such major repairs as: spray painting, body, fender, clutch, transmission, differential, axle, spring and frame repairs; major overhauling of engines or radiators, requiring removal thereof or recapping or retreading of tires.

In 1984, the City Council approved a conditional use permit for a service station at 11333 Olive Boulevard that included the hours of operation of 6:00 AM to midnight, seven days per week (Ordinance #1074).

In 1993, the CUP was amended (Ordinance #1594) to allow for minor automobile servicing for oil changes, transmission fluid changes and minor parts replacement, and site development plan for the construction of the two-bay oil change facility as a Valvoline Instant Oil Change. The conditions of approval included a requirement that a final detailed landscape plan must be reviewed and approved by the Creve Coeur Planning and Zoning Commission. The hours of operation were limited to 8:00 AM to 6:00 PM, Monday through Saturday. The final Site Development Plan, including landscaping, received approval from the Planning and Zoning Commission on December 20, 1993. A detail of the site development plan landscaping is below:



In 1995, Valvoline amended the CUP (Ordinance # 1694) for additional operating hours limited to 8:00 AM to 7:00 PM Monday through Friday, and 8:00 AM to 6:00 PM Saturday. Sunday hours were requested, but not approved. Ordinance #1694 also required that a complete review of the detailed landscape plan shall be made and the landscaping shall be brought into conformance with the approved landscape plan. The approved plan was the same plan approved by Ordinance #1594.

In 2003, Valvoline Instant Oil Change, requested Sunday hours of operation from 10:00 AM to 5:00 PM, and again the site was deemed out of compliance with the approved site development plan regarding the landscaping. The request was denied at the Planning and Zoning Commission and the applicant withdrew prior to City Council review.

In February 2010, Valvoline received Planning and Zoning Commission approval for a minor Site Development for façade improvements and new signage to the building. This did not require a new ordinance and the landscape was not discussed

Given the number of ordinances that govern the site, and the potential confusion for the operator, the owner, and the City, Staff is recommending that the prior three ordinances be repealed and replaced with a new ordinance.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Residences	St. Louis Co. R-3 Residential	N/A
South	Office buildings	“CB Core Business	Olive Boulevard
East	Office buildings	“CB” Core Business	Park West Drive
West	Retail	“CB” Core Business	N/A

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Central Business District that encourages a mix of uses, including retail, residential, government, and park uses. The applicant is not proposing any changes to the use or development of the site and building, and as a retail service, the use is in keeping with the Comprehensive Plan.

Design Guidelines

The landscaping was recently removed and the site is no longer in compliance with the previous approved site development plan from 1993. Further, the previous plan no longer meets with the recommendations of the Design Guidelines. As shown above, the proposed landscaping in 1993 was very linear with straight rows of hedges. Chapter 4/Landscape Design states that 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. The building should be incorporated into the landscape design. Further, it is recommended that 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 (page 16). Therefore Staff recommends that a condition of

approval include that the applicants submit a new landscape plan that meets or exceeds the recommendations of the Design Guidelines and the Comprehensive Plan.

ZONING REVIEW

Section 405.1070 Conditional Use Permits provides the Standards for approving Conditional Use Permits which are:

- E. Standards. The City Council shall not approve a conditional use unless it finds that the application and evidence presented clearly indicate that the proposed conditional use:
 - 1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
 - 2. Will contribute to and promote the community welfare and convenience at the specific location.
 - 3. Will not cause substantial injury to the value of neighboring property.
 - 4. 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 there from.
 - 5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
 - 6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

The applicant is not proposing any changes to the building or site, and is generally in conformance with requirements for a gasoline service station, except for the landscaping. Included in the condition for the hours of operation, Staff is recommending that the Zoning Administrator shall have authority to approve additional business hours without having to amend the Conditional Use Permit, similar to other businesses within the "CB" Core Business District.

Landscaping

As discussed earlier, Valvoline has removed the landscaping along Olive Boulevard as well as along the northside of the building, and thus, the site is out of compliance with the approved landscape plan from 1993, and with the goals and recommendations of the Comprehensive Plan. Due to the utility poles along Olive Boulevard, replacing the landscape to the prior approved plan would not be an option. Also, the 1993 Landscape Plan no longer represents the design aesthetic that the City would now expect.

Section 405.540(F) Design Standards for Landscape Plan states:

- 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.

Therefore, Staff recommends that a conditional of approval include that the applicant submit a new landscape plan be submitted for Staff approval with substantially the same number of plantings as the prior approved plan, however the type and design of the materials may be altered, in order to meet or exceed the goals and objectives of the Comprehensive Plan and Design Guidelines. Also included is the requirement that an underground irrigation system be installed and maintained to serve new landscaped areas identified on the final approved landscape plan.

Noise

Section 405.550 (2) Noise of Environmental Performance Standards requirements that sound levels and impulsive type noises shall comply with the St. Louis County noise standards as established and enforced by the St. Louis County Noise Abatement Office of the Department of Community Health and Medical Care. Therefore, the draft ordinance includes a condition for approval that the service bay doors remain closed while service is underway to protect the residents to the north in the same manner as the recent requirements for similar uses in the "LI" Light Industrial District.

FORM OF THE DRAFT ORDINANCE

The draft ordinance is generally in keeping with the original ordinances with the added condition that the applicant submits a revised Landscape Plan for Staff approval. This and other conditions discussed within the staff report which are included in the draft ordinance include:

- This Conditional Use Permit shall be for the operation of an automobile service station located at 11333 Olive Boulevard.
- The hours of operation shall be: 8:00 a.m. to 7:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturday; and 9:00 a.m. to 5:00 p.m. Sunday.
- Additional business hours are permitted with the Zoning Administrator's approval.
- The applicant shall submit a landscape plan for approval by the Director of Community Development that shall consist of no less than the same number of plantings as the prior Site Development Plan dated December 20, 1993, approved by Ordinance #1594.
- Approval of the Landscape Plan shall be based on the conformance with the goals and objectives of the Comprehensive Plan and Design Guidelines.
- The site shall be maintained in accordance with the final approved Site Development Plan, and revised landscape plan required by this ordinance.
- An underground irrigation system shall be installed and maintained to serve new landscaped areas identified on the landscape plan.
- Service bay doors shall remain closed while service is underway.

ACTION

If the Planning and Zoning Commission finds the attached 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 Valvoline Instant Oil Change submitted with Application #11-028, subject to the conditions contained in the draft ordinance attached to the staff report dated November 4, 2011” (conditions may be added, eliminated, or modified by preceding motion).

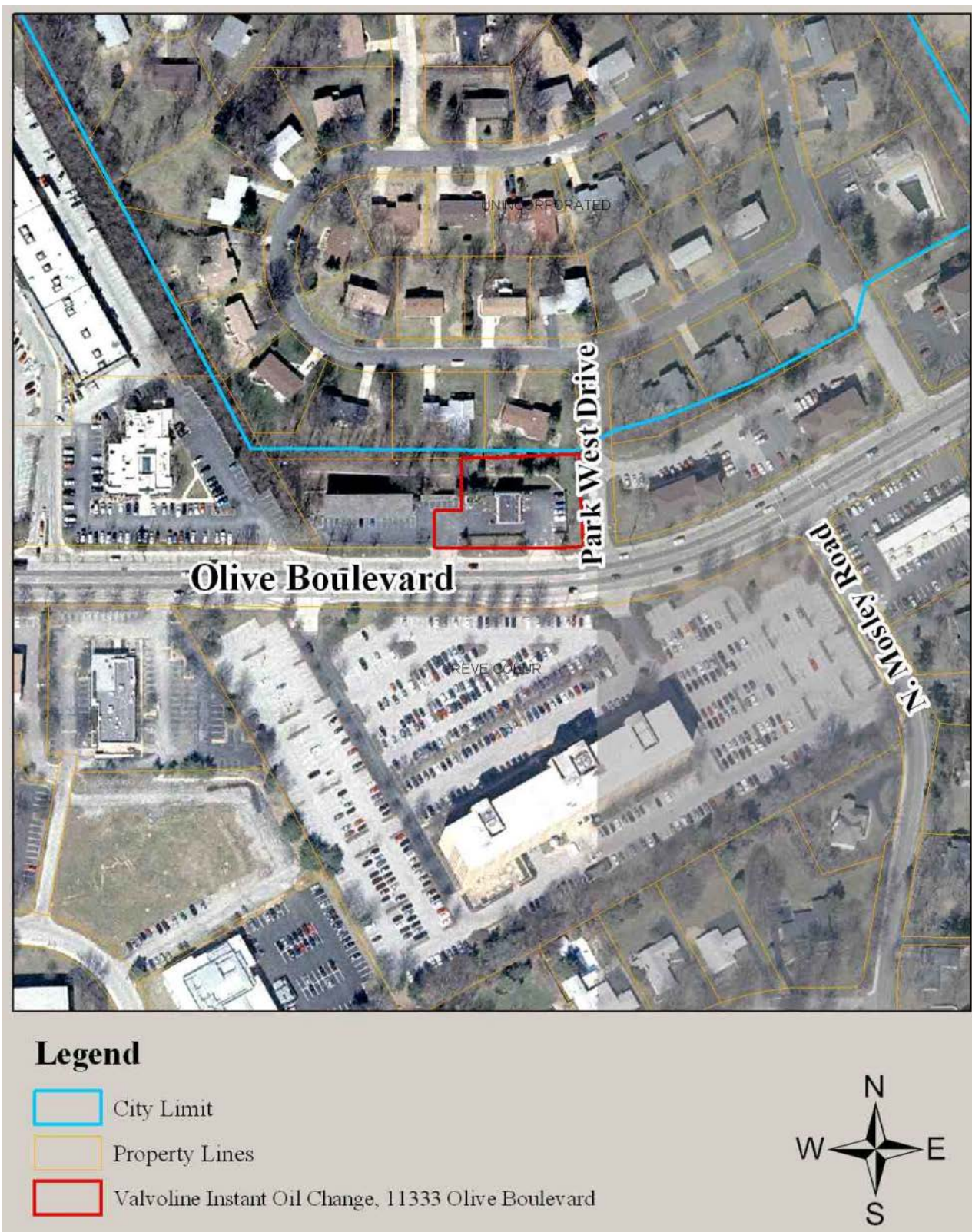
APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL MAP



APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 10/28/2011 & 11/2/2011



Description: View of the property from the west entrance looking east. Notice the lack of landscaping.



Description: View of property looking west from the sidewalk.



Description: Another view of the middle island looking east from further out at the west entrance.



Description: View of the north side of the building from the northeast corner of the property. Notice the absence of the landscaping along the building and retaining wall required by the 1993 landscape plan.

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ORDINANCE NUMBERS 1074, 1594, AND 1694,
AND AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR
OPERATION OF A VALVOLINE INSTANT OIL CHANGE SERVICE STATION
LOCATED AT 11333 OLIVE BOULEVARD**

WHEREAS, under Section 405.360(C), Gasoline Service Stations in the “CB”, Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, conditional use permit ordinance #1074, was approved by the City Council on September 10, 1984, and amended on July 26, 1993 (ordinance #1594) and on March 13, 1995 (ordinance #1694), to allow for an automobile service station; and

WHEREAS, an application was submitted by Jason Coil, on behalf of Valvoline Instant Oil Change, to amend Ordinance #1694 to allow for hours of operation on Sunday from 9:00 a.m. to 5:00 p.m.; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, November 7, 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)(2); and

WHEREAS, notice of 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 otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a _____ vote, recommended approval of the improvements, subject to the conditions contained herein, at its meeting on November 7, 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.

BILL NO. _____

ORDINANCE NO. _____

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

Section 1: Ordinance #1074, Ordinance #1594, and Ordinance #1694 is hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a automobile service station located at 11333 Olive Boulevard, in the "CB" Core Business zoning district, whose legal description is as follows:

Part of Lot 1 of the Subdivision in partition of the farm of S.S. Matson in U.S. Survey 1962, Township 45 North, Range 5 East, A diagram of which is attached to deed recorded in Book 448 Page 306 of the records of the City (former County) of St. Louis and described as:

Beginning at a point in the north line of Olive Street Road, 60 feet wide, at its intersection with west line of said Lot 1; thence along the west line of said lot 1, north 29 degrees 26 minutes west 171.83 feet to a point in the south line of lot "F" of Park West Plat No. 2, a plat of which is recorded in Plat Book 85 Page 46 of the St. Louis County records; thence along the south line of lots "F" and "E" north 89 degrees 45 minutes 40 seconds East 321.38 feet to a point; thence continuing along the south line of lot "E" and the south line of lot "D" of said subdivision, north 87 degrees 08 minutes and 40 seconds East 150.63 feet to a point in the west line of Park West Drive, 50 feet wide, a private street, shown on said plat of Park West, Plat No. 2; thence along the west line of said drive, south 2 degrees 31 minutes 20 seconds East 125 feet to a point of curve; thence southwestwardly along a curve to the right, having a radius of 25 feet, a distance of 39.27 feet to a point in the north line of Olive Street Road; thence along the north line of said road, South 87 degrees 08 minutes 40 seconds West 129.06 feet to a point and south 89 degrees 45 minutes 40 seconds West 241.00 feet to the point of beginning, excepting therefrom that part taken by the State of Missouri for road widening in cause No. 265592 of the St. Louis County records.

Section 3: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. This Conditional Use Permit shall be for the operation of an automobile service station located at 11333 Olive Boulevard.
2. The hours of operation shall be: 8:00 a.m. to 7:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturday; and 9:00 a.m. to 5:00 p.m. Sunday.
3. Additional business hours are permitted with the Zoning Administrator's approval.
4. The applicant shall submit a landscape plan for approval by the Director of Community Development that shall consist of no less than the same number of plantings as the prior Site Development Plan dated December 20, 1993, approved by Ordinance #1594.
5. Approval of the Landscape Plan shall be based on the conformance with the goals and objectives of the Comprehensive Plan and Design Guidelines.
6. The site shall be maintained in accordance with the final approved Site Development Plan, and revised landscape plan required by this ordinance.
7. An underground irrigation system shall be installed and maintained to serve new landscaped areas identified on the landscape plan.

8. 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.
9. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
10. No pennants, fringes, lights, pinwheels, or other similar devices for attracting attention may be displayed at any time in connection with the operation of the service station.
11. No additional curbcuts shall be granted in connection with the operation of said service station, other than those shown on the site plan.
12. Refuse, such as rags or other items incidental to the use of the service stations, shall be stored indoors or shall be enclosed in a sight-proof area or container, which container shall be screened from public view.
13. No auto, trailer, tool or equipment rental shall be permitted on the site.
14. Automobile servicing on the premises shall be limited to oil changes, transmission fluid changes, differential fluid changes and minor parts replacement, such as air filter, PCV valves, transmission filters, etc.
15. Sales shall be limited to automobile fluids, minor automobile parts, small automotive accessories, individual prepackages snack food and soft drinks.
16. Service bay doors shall remain closed while service is underway.
17. 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.
18. Any mechanical equipment installed for the site shall be properly screened with approved materials.
19. 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.
20. 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.
21. 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. _____

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

BILL NUMBER 1097

ORDINANCE NUMBER 1074

AN ORDINANCE REPEALING ORDINANCE NO. 760 AND GRANTING A NEW CONDITIONAL USE PERMIT TO A SERVICE STATION AT THE NORTHWEST CORNER OF PARK WEST DRIVE AND OLIVE BOULEVARD, 11345 OLIVE BOULEVARD, IN A "CB" CORE BUSINESS DISTRICT, SUBJECT TO CONDITIONS HEREIN.

WHEREAS, APPLICATION WAS MADE FOR A GENERAL CONDITIONAL USE PERMIT FOR A SERVICE STATION LOCATED AT PARK WEST DRIVE AND OLIVE BOULEVARD IN THE "CB" CORE BUSINESS DISTRICT, AND

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

WHEREAS, A PUBLIC HEARING WAS HELD BY THE BOARD OF ALDERMEN ON MONDAY, APRIL 9, 1984, AT 8:30 P.M. 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 IN THE ST. LOUIS COUNTIAN ON THE 21 AND 28 DAY OF MARCH AND APRIL 4, 1984, AND

WHEREAS, ALL PARTIES DESIRING TO BE HEARD, EITHER FOR OR AGAINST SAID APPLICATION, WERE GIVEN AN OPPORTUNITY TO BE HEARD; AND

WHEREAS, THE BOARD OF ALDERMEN BEING FULLY INFORMED FINDS THAT THE GRANTING OF THE APPLICATION WOULD BE IN HARMONY WITH THE PUBLIC HEALTH, SAFETY, COMFORT AND CONVENIENCE OF THE CITIZENS OF THE CITY OF CREVE COEUR AND IN CONFORMANCE WITH GOOD ZONING PRACTICE:

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

SECTION 1: ORDINANCE NO. 760 IS HEREBY REPEALED.

SECTION 2: A NEW CONDITIONAL USE PERMIT IS HEREBY GRANTED FOR AN AUTOMOBILE SERVICE STATION ON THE NORTHWEST COERNER OF PARK WEST DIRVE AND OLIVE BOULEVARD IN A "CB" CORE BUSINESS DISTRICT SUBJECT TO THE HEREINAFTER STATED CONDITIONS ON THE FOLLOWING DESCRIBED PROPERTY:

PART OF LOT 1 OF THE SUBDIVISION IN PARTITION OF THE FARM OF S.S. MATSON IN U.S. SURVEY 1962, TOWNSHIP 45 NORTH, RANGE 5 EAST, A DIAGRAM OF WHICH IS ATTACHED TO DEED RECORDED IN BOOK 448 PAGE 306 OF THE RECORDS OF THE CITY (FORMER COUNTY) OF ST. LOUIS AND DESCRIBED AS:

BEGINNING AT A POINT IN THE NORTH LINE OF OLIVE STREET ROAD, 60 FEET WIDE, AT ITS INTERSECTION WITH WEST LINE OF SAID LOT 1; THENCE ALONG THE WEST LINE OF SAID LOT 1, NORTH 29 DEGREES 26 MINUTES WEST 171.83 FEET TO A POINT IN THE SOUTH LINE OF LOT "F" OF PARK WEST PLAT NO. 2, A PLAT OF WHICH IS RECORDED IN PLAT BOOK 86 PAGE 46 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG THE SOUTH LINE OF LOTS "F" AND "E" NORTH 89 DEGREES 45 MINUTES 40 SECONDS EAST 321.38 FEET TO A POINT; THENCE CONTINUING ALONG THE SOUTH LINE OF LOT "E" AND THE SOUTH LINE OF LOT "D" OF SAID SUBDIVISION, NORTH 87 DEGREES 08 MINUTES 40 SECONDS EAST 150.63 FEET TO A POINT IN THE WEST LINE OF PARK WEST DRIVE, 50 FEET WIDE, A PRIVATE STREET SHOWN ON SAID PLAT OF PARK WEST, PLAT NO. 2; THENCE ALONG THE WEST LINE OF SAID DRIVE, SOUTH 2 DEGREES 31 MINUTES 20 SECONDS EAST 125 FEET TO A POINT OF CURVE; THENCE SOUTHWESTWARDLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25 FEET, A DISTANCE OF 39.27 FEET TO A POINT IN THE NORTH LINE OF OLIVE STREET ROAD; THENCE ALONG THE NORTH LINE OF SAID ROAD, SOUTH 87 DEGREES 08 MINUTES 40 SECONDS WEST 129.06 FEET TO A POINT AND SOUTH 89 DEGREES 45 MINUTES 40 SECONDS WEST 241.00 FEET TO THE BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN BY THE STATE OF MISSOURI FOR ROAD WIDENING IN CAUSE NO. 265592 OF THE ST. LOUIS COUNTY RECORDS.

SECTION 3: THE CONDITIONAL USE PERMIT GRANTED SHALL BE SUBJECT TO ALL ORDINANCES, RULES AND REGULATIONS, AND THE FOLLOWING CONDITIONS:

1. A COMPLETE REVIEW OF THE SITE PLAN SHALL BE MADE TO ASSURE THAT PRESENT CONDITIONS ARE IN CONFORMANCE THEREWITH.
2. A COMPLETE REVIEW OF THE DETAILED LANDSCAPE PLAN SHALL BE MADE AND THE LANDSCAPING SHALL BE BROUGHT INTO CONFORMANCE THEREWITH.
3. THERE SHALL BE NO ADDITIONAL SIGNS, UNLESS PRESENTLY ALLOWED UNDER THE CITY'S SIGN ORDINANCE.
4. NO PENNANTS, FRINGE, LIGHTS, PINWHEELS, OR OTHER SIMILAR DEVICES FOR ATTRACTING ATTENTION MAY BE DISPLAYED AT ANY TIME IN CONNECTION WITH THE OPERATION OF THE SERVICE STATION.

5. NO ADDITIONAL CURB CUTS SHALL BE GRANTED IN CONNECTION WITH THE OPERATION OF SAID SERVICE STATION, OTHER THAN THOSE SHOWN ON THE SITE PLAN.

6. REFUSE, SUCH AS RAGS, OR OTHER ITEMS INCIDENTAL TO THE USE OF THE SERVICE STATIONS SHALL BE STORED INDOORS OR SHALL BE ENCLOSED IN A SIGHT-PROOF AREA OR CONTAINER, WHICH CONTAINER SHALL BE SCREENED FROM PUBLIC VIEW.

7. NO AUTO, TRAILER, TOOL OR EQUIPMENT RENTAL SHALL BE PERMITTED ON THE SITE.

8. THERE SHALL BE NO AUTOMOBILE REPAIRS ON THE PREMISES.

9. SALES ARE TO BE LIMITED TO GASOLINE, OIL, SMALL AUTOMOTIVE ACCESSORIES, INDIVIDUAL PRE-PACKAGED SNACK FOODS, SMALL PERSONAL CARE ITEMS, CIGARETTES AND TOBACCO PRODUCTS, SMALL CONVENIENCE ITEMS AND NON-ALCOHOLIC BEVERAGES, EXCLUDING MILK AND LARGE CONTAINERS OF JUICE. SALES OF ITEMS EXPRESSLY PROHIBITED ARE BEER, WINE, BREAD, EGGS, MILK, FRESH MEATS, CHEESES, BUTTER, PREPARED FOODS, ICE CREAM, TV DINNERS, FROZEN PIZZAS, CANNED GOODS, LAUNDRY DETERGENT, SPICES AND CEREALS.

10. HOURS OF OPERATION SHALL BE LIMITED TO 6:00 A.M. TO MIDNIGHT SEVEN DAYS PER WEEK.

11. 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 ENFORCEMENT OFFICER AN ACKNOWLEDGEMENT THAT HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

12. ANY TRANSFER OR OWNERSHIP OR LEASE OF THE PROPERTY SHALL INCLUDE IN THE TRANSFER OR LEASE AGREEMENT A PROVISION THAT THE PURCHASER LESSEE AGREES TO BE BOUND BY THE CONDITIONS HEREIN SET FORTH AND APPROVED DEVELOPMENT PLAN FOR THE PROPERTY.

13. 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 OPERATOR OF SAID FACILITY.

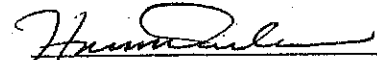
14. FAILURE TO COMPLY WITH ANY ONE OR ALL OF THE
CONDITIONS OF THIS PERMIT SHALL BE ADEQUATE CAUSE FOR THE REVOCATION
OF SAID PERMIT BY THE BOARD OF ALDERMEN, PROVIDED, HOWEVER, NO
PERMIT SHALL BE REVOKED WITHOUT REASONABLE NOTICE TO THE OWNER OF THE
INTENTION OF THE BOARD OF ALDERMEN TO REVOKE AND REASONABLE TIME
GRANTED TO THE OWNER TO CORRECT ANY SUCH BREACH OF CONDITION.

SECTION 4: THIS ORDINANCE SHALL BECOME EFFECTIVE UPON THE
EXPIRATION OF FIFTEEN (15) DAYS AFTER ADOPTION BY THE BOARD OF ALDER-
MEN AND THE SIGNING THEREOF BY THE MAYOR.

PASSED THIS 10TH DAY OF SEPTEMBER 1984.


HAROLD L. DIELMANN, MAYOR

APPROVED THIS 10TH DAY OF SEPTEMBER 1984.


HAROLD L. DIELMANN, MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

BILL NUMBER 1630

ORDINANCE NUMBER 1594

AN ORDINANCE AMENDING ORDINANCE NUMBER 1074 WHICH AUTHORIZED THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE OPERATION OF A SERVICE STATION LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF OLIVE BOULEVARD AND PARK WEST DRIVE, IN THE "CB" CORE BUSINESS DISTRICT BY DELETING CONDITIONS 8, 9, 10 AND 14 AND ENACTING IN LIEU THEREOF NEW CONDITIONS NUMBERED 8, 9, 10 AND 14 AND BY THE ADDITION OF NEW CONDITIONS NUMBERED 15 AND 16.

WHEREAS, APPLICATION WAS MADE FOR AN AMENDMENT TO THE CONDITIONAL USE PERMIT AUTHORIZED BY ORDINANCE 1074 FOR THE OPERATION OF A SERVICE STATION TO ALLOW THE PERFORMANCE OF MINOR AUTOMOBILE SERVICING ON SITE TO INCLUDE OIL CHANGES, TRANSMISSION FLUID CHANGES AND MINOR PARTS REPLACEMENT. ALSO, TO ALLOW THE DEMOLITION OF EXISTING FACILITIES ON SITE AND TO CONSTRUCT A NEW TWO BAY OIL CHANGE FACILITY. THE USE IS LOCATED ON THE NORTHWEST CORNER OF OLIVE BOULEVARD AND PARK WEST DRIVE, IN THE "CB" CORE BUSINESS DISTRICT, AND

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

WHEREAS, A PUBLIC HEARING WAS HELD BY THE CREVE COEUR CITY COUNCIL ON MONDAY, JUNE 28, 1993 AT 6:30 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 NUMBER 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD BEEN PREVIOUSLY PUBLISHED ON JUNE 9, 16, AND 23, 1993 IN THE ST. LOUIS COUNTIAN, A NEWSPAPER 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 AT SAID PUBLIC HEARING, 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 CONFORMANCE WITH GOOD ZONING PRACTICE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, THAT ORDINANCE NUMBER 1074, SECTION 2 OF THE CITY OF CREVE COEUR SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:

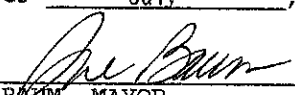
SECTION 1: ORDINANCE NUMBER 1074, SECTION 2 CONDITIONS 8, 9, 10 AND 14 ARE HEREBY REPEALED AND ENACTING IN LIEU THEREOF NEW CONDITIONS 8, 9, 10 AND 14 AND THE ADDITION OF CONDITIONS 15 AND 16 ALL TO READ AS FOLLOWS:

8. AUTOMOBILE SERVICING ON THE PREMISES SHALL BE LIMITED TO OIL CHANGES, TRANSMISSION FLUID CHANGES, DIFFERENTIAL FLUID CHANGES AND MINOR PARTS REPLACEMENT, SUCH AS AIR FILTERS, PCV VALVES, TRANSMISSION FILTERS, ETC.
9. SALES SHALL BE LIMITED TO AUTOMOBILE FLUIDS, MINOR AUTOMOBILE PARTS, SMALL AUTOMOTIVE ACCESSORIES, INDIVIDUAL PREPACKAGED SNACK FOODS AND SOFT DRINKS.
10. HOURS OF OPERATION SHALL BE LIMITED TO 8:00 A.M. TO 6:00 P.M. MONDAY THROUGH SATURDAY.
14. 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 CONDITION, EXCEPT FOR REPEATED BREACHES OR VIOLATIONS.
15. THE FINAL BUILDING PLANS FOR THE FACILITY MUST BE REVIEWED AND APPROVED BY THE CREVE COEUR PLANNING AND ZONING COMMISSION.
16. THE FINAL DETAILED LANDSCAPE PLAN MUST BE REVIEWED AND APPROVED BY THE CREVE COEUR PLANNING AND ZONING COMMISSION AND MUST INDICATE PROPOSED SCREENING AND BUFFERING OF THE ADJACENT RESIDENTIAL AREA.

SECTION 2. 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 1 OF THIS ORDINANCE.

SECTION 3. 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.

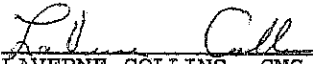
PASSED THIS 26th DAY OF July, 1993


SUE BAUM, MAYOR

APPROVED THIS 26th DAY OF July, 1993


SUE BAUM, MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

830/36

BILL NUMBER 1736

ORDINANCE NUMBER 1694

AN ORDINANCE FURTHER AMENDING ORDINANCE NUMBER 1074 AS AMENDED BY ORDINANCE NUMBER 1594 WHICH AUTHORIZED THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE OPERATION OF A SERVICE STATION LOCATED AT 11333 OLIVE BOULEVARD, IN THE "CB" CORE BUSINESS DISTRICT, BY DELETING SECTION 2 OF ORDINANCE NUMBER 1074 AS AMENDED IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A NEW SECTION 2 AS CONTAINED HEREIN.

WHEREAS, THE CITY OF CREVE COEUR RECOGNIZED THE NEED TO CONSIDER AN AMENDMENT TO THE CONDITIONAL USE PERMIT AUTHORIZED BY ORDINANCE NUMBER 1074 AND AMENDED BY ORDINANCE NUMBER 1594 TO ADDRESS THE ISSUE OF EXTENDED OPERATING HOURS, AS REQUESTED BY VALVOLINE INSTANT OIL CHANGE, MR. GEORGE STOCK, JR., REPRESENTATIVE, FOR THE FACILITY LOCATED AT 11333 OLIVE BOULEVARD, IN THE "CB" CORE BUSINESS DISTRICT, AND

WHEREAS, THE CREVE COEUR PLANNING AND ZONING COMMISSION HAS RECOMMENDED APPROVAL OF SUCH AMENDMENT, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE CREVE COEUR CITY COUNCIL ON MONDAY, JANUARY 23, 1995 AT 7:30 P.M. ON SAID AMENDMENT FOR THE CONDITIONAL USE PERMIT AS PROVIDED BY ARTICLE VIII, SECTION 26-114 OF ORDINANCE NUMBER 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD BEEN PREVIOUSLY PUBLISHED ON JANUARY 3, 10 AND 17, 1995 IN THE ST. LOUIS COUNTIAN, A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF CREVE COEUR, AND

WHEREAS, ALL PARTIES DESIRING TO BE HEARD, EITHER FOR OR AGAINST SAID AMENDMENTS, WERE GIVEN AN OPPORTUNITY TO BE HEARD, AND

WHEREAS, THE CREVE COEUR CITY COUNCIL BEING FULLY INFORMED FINDS THAT THE PROPOSED AMENDMENTS WOULD BE IN HARMONY WITH HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE OF THE CITIZENS OF THE CITY OF CREVE COEUR 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, THAT ORDINANCE NUMBER 1074 AS AMENDED BY ORDINANCE NUMBER 1594, SECTION 2 OF THE CITY OF CREVE COEUR SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:

SECTION 1: ORDINANCE NUMBER 1074, SECTION 2, AS AMENDED BY ORDINANCE NUMBER 1594 IS HEREBY REPEALED IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A NEW SECTION 2 TO READ AS FOLLOWS:

1. A COMPLETE REVIEW OF THE SITE PLAN SHALL BE MADE TO ASSURE THAT PRESENT CONDITIONS ARE IN CONFORMANCE THEREWITH.
2. A COMPLETE REVIEW OF THE DETAILED LANDSCAPE PLAN SHALL BE MADE AND THE LANDSCAPING SHALL BE BROUGHT INTO CONFORMANCE THEREWITH.
3. THERE SHALL BE NO ADDITIONAL SIGNS, UNLESS PRESENTLY ALLOWED UNDER THE CITY'S SIGN ORDINANCE.
4. NO PENNANTS, FRINGES, LIGHTS, PINWHEELS, OR OTHER SIMILAR DEVICES FOR ATTRACTING ATTENTION MAY BE DISPLAYED AT ANY TIME IN CONNECTION WITH THE OPERATION OF THE SERVICE STATION.
5. NO ADDITIONAL CURB CUTS SHALL BE GRANTED IN CONNECTION WITH THE OPERATION OF SAID SERVICE STATION, OTHER THAN THOSE SHOWN ON THE SITE PLAN.
6. REFUSE, SUCH AS RAGS OR OTHER ITEMS INCIDENTAL TO THE USE OF THE SERVICE STATIONS, SHALL BE STORED INDOORS OR SHALL BE ENCLOSED IN A SIGHT-PROOF AREA OR CONTAINER, WHICH CONTAINER SHALL BE SCREENED FROM PUBLIC VIEW.
7. NO AUTO, TRAILER, TOOL OR EQUIPMENT RENTAL SHALL BE PERMITTED ON THE SITE.
8. AUTOMOBILE SERVICING ON THE PREMISES SHALL BE LIMITED TO OIL CHANGES, TRANSMISSION FLUID CHANGES, DIFFERENTIAL FLUID CHANGES AND MINOR PARTS REPLACEMENT, SUCH AS AIR FILTER, PCV VALVES, TRANSMISSION FILTERS, ETC.
9. SALES SHALL BE LIMITED TO AUTOMOBILE FLUIDS, MINOR AUTOMOBILE PARTS, SMALL AUTOMOTIVE ACCESSORIES, INDIVIDUAL PREPACKAGED SNACK FOODS AND SOFT DRINKS.
10. HOURS OF OPERATION SHALL BE LIMITED TO 8:00 A.M. TO 7:00 P.M. MONDAY THROUGH FRIDAY, AND 8:00 A.M. TO 6:00 P.M. SATURDAY.

11. 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 ENFORCEMENT OFFICER AN ACKNOWLEDGEMENT THAT HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

12. ANY TRANSFER OR 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 CONDITIONS HEREIN SET FORTH AND THE APPROVED DEVELOPMENT PLAN FOR THE PROPERTY.

13. 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 OPERATOR OF SAID FACILITY.

14. FAILURE TO COMPLY WITH ANY ONE OR ALL OF THE CONDITIONS OF THIS PERMIT SHALL BE ADEQUATE CAUSE FOR THE REVOCATION AND/OR MODIFICATION OF SAID PERMIT BY THE CITY COUNCIL PROVIDED, HOWEVER, NO PERMIT SHALL BE REVOKED OR MODIFIED WITHOUT PRIOR NOTICE TO THE OWNER OF THE INTENTION OF THE CITY COUNCIL TO REVOKE OR MODIFY THIS PERMIT AND REASONABLE TIME GRANTED TO THE OWNER TO CORRECT OR REMEDY ANY SUCH BREACH OF CONDITION, EXCEPT FOR REPEATED BREACHES OR VIOLATIONS.

15. THE FINAL BUILDING PLANS FOR THE FACILITY MUST BE REVIEWED AND APPROVED BY THE CREVE COEUR PLANNING AND ZONING COMMISSION.

16. THE FINAL DETAILED LANDSCAPE PLAN MUST BE REVIEWED AND APPROVED BY THE CREVE COEUR PLANNING AND ZONING COMMISSION AND MUST INDICATE PROPOSED SCREENING AND BUFFERING OF THE ADJACENT RESIDENTIAL AREA.

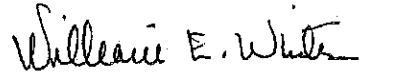
SECTION 2: THE CITY ADMINISTRATOR OF THE CITY OF CREVE COEUR IS HEREBY AUTHORIZED AND DIRECTED TO ISSUE AN AMENDED CONDITIONAL USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE, SAID PERMIT TO EXPRESSLY PROVIDE FOR THE CONDITIONS AND STIPULATIONS HEREINABOVE SET OUT IN SECTION 1 OF THIS ORDINANCE.

SECTION 3: 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 13 DAY OF March, 1995.


ROBERT PENNELL
PRESIDENT OF CITY COUNCIL

APPROVED THIS 13 DAY OF March, 1995.


WILLIAM E. WINTER
MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

112/202



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, NOVEMBER 7, 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, November 7, 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*
 Mr. Gary Eberhardt
 Mr. James Faron
 Mr. Jim Schnarr
 Mr. Ken Howard
 Ms. Cynthia Kramer

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

- A. Application #11-028: Request to amend a conditional use permit to allow for Sunday hours of operation for the Valvoline Instant Oil Change at 11333 Olive Boulevard. Staff recommends repealing Ordinances numbers 1074, 1594, and 1694 and replace with a new conditional permit.**

Applicant/Agent: Jason Coil
 Area Manager
 Valvoline Instant Oil Change
 3499 Blaser Parkway
 Lexington, KY 40509

Start of Public Hearing

Applicant's Presentation:

Ms. Kelly, City Planner, presented on behalf of Mr. Coil's request to amend the conditional use permit to include Sunday hours of operation from 9am to 5pm. Staff is asking Valvoline for new/additional landscaping for landscaping that has been removed, which can be approved at staff level if the commission agrees. Staff has also suggested the bay doors be closed to eliminate noise for the residential neighbors.

Mr. Jason Coil, Area Manager, Valvoline Instant Oil Change, 1510 Chambers Road, Dellwood, MO 63136 approached the podium to take questions from the Commission.

Comments or questions from Commission members:

Mr. Eberhardt would like to know why staff recommends closing of the bay doors when service is being provided, especially in the summer with the building not being air conditioned. Ms. Kelly replied that Valvoline also performs tire rotations with drills and guns and trying to stay compliant with other recent requests, like the Light Industrial District (“LI” District).

Mr. Schnarr stated that Valvoline, by the city’s definition, is a service station and he believes it to not be a service station. Ms. Kelly replied they do not just change oil and fluid out of vehicles, they do perform tire rotations and changes.

Mr. Faron asked if Mr. Coil had an idea for the new landscaping plans and Mr. Coil stated that he did not, but they would meet any terms the Commission and Council set for Valvoline. Mr. Faron asked if he was aware of what the 1993 plan looked like and Mr. Coil replied he had seen that plan. Mr. Coil reiterated that if the plan was to go back to the 1993 plan, they would, they are more than willing to meet the standard the Commission and Council set forth. Ms. Kelly stated the 1993 plan is not what they are requesting due to the utility line, but what staff is asking for is a similar number of plantings that can be dispersed throughout the area and would like it to match the neighbors. Mr. Coil would like to ask the plantings not interfere with the low laying sign, to make sure the sign is still visible from the road. Mr. Coil also mentioned that the building was un-air conditioned and having the bay doors closed could be a hazard to the employees in the summer.

Comments and questions from the audience:

Ms. Suzanne Harris, 143 Nassau Circle, spoke in opposition of this request. Ms. Harris lives directly behind the Valvoline. Ms. Harris does not think the noise from the tools and the noise of the employees/customers talking is not conducive to family life. Ms. Harris did not believe the bay doors being closed was an option though, because of the extreme temperatures this area can face during spring/summer/fall months. However there is a back door that remains open and noise comes from there as well. Ms. Harris stated she has always thought the City of Creve Coeur has been receptive to the neighbor’s plight of those neighbors who back up to the city, with the “good neighbor” policy. Ms. Harris also stated the noise travels straight down the hill with nothing there to block it. Ms. Harris also said she can understand working hours on Saturday as it is a “working” day, but that she did not feel like it was appropriate noise to be hearing on a Sunday.

Mr. Coil addressed Valvoline’s reasons for wanting to have Sunday hours. Mr. Coil said, the economy is tough and it is hard on business’s and hard on employment by increasing the Sunday hours more employees can work and the revenue will be increased per month, which is taxable to the city. Addressing the noise reduction, Mr. Coil said the door downstairs can be closed at all times, as a mandatory condition. Also, on the sides of the building there are two (2) 4 foot fences that go down, if needed or requested, Valvoline would increase the fences to 8 foot privacy fences. Chairman Madden stated he would be in favor of increasing the height of the fencing.

Mr. Eberhardt asked if city staff would consider a higher fencing and some plantings next to the fence to help absorb the sound. Mr. Coil stated that at the back of the property where the building ends, there is a 20-30 foot clearance of grass and a row of trees. Mr. Eberhardt said he does not think that trees are going to stop noise, maybe a hedge or some kind of buffer would be better. Mr. Coil understands what Mr. Eberhardt is saying, but that the Valvoline building sits much higher than the level of the residential neighbors.

Mr. Langdon shared a couple of observations on trying to mitigate sound, stating vegetation does a poor job of mitigating sound. While vegetation gives the impression of absorbing sound, it does not, and wood fences also have limited effect to absorb sounds. Mr. Langdon stated a solid barrier with a dead space in it to effectively attenuate noise. Mr. Langdon said while increasing the fence and planting might help a little, it is not going to help that much. Mr. Schnarr asked if cedar wouldn't absorb sound, and Mr. Langdon replied it would not. Mr. Eberhardt asked if the primary problem was the noise coming from the lower door or the bay doors. Ms. Harris said the bay doors were giving out more noise than the lower back door. Mr. Faron asked if a sound wall was an option and Mr. Coil said it would be something he would have to look into because it would be a large expense.

Mr. Madden then questioned the hours proposed, which are 9am-5pm, and suggested a later opening time of 10am-5pm, for the sake of the neighbors. Ms. Harris replied anything would make it better. Mr. Faron asked if the space could be conditioned, and Mr. Coil said he can set rules to dictate how much time can be spent on that end of the building and regulate when employees take breaks, so there are not more than one person on a break at a time. Ms. Harris stated that an 8 foot fence would help. Mr. Schnarr asked if a fence made of PVC would be better than wood and Mr. Coil responded that they would rather use vinyl than wood.

Chairman Madden stated the conditions discussed which would be to open at 10am, put in 8 foot vinyl fence, landscape work with staff and tell employees to take breaks over by dumpster.

Mr. Coil brought up his concern about being made to keep the bay doors closed because in the summertime the heat is too unbearable to do that. Ms. Harris and Chairman Madden both agreed that is not feasible.

Mr. Langdon pointed out to the commission that they have the ability to approve fences over 6 feet in height and wanted to make sure the commission was clear about the extent of the fence, because an 8 foot fence is a big fence and how far it should run in terms of length of the property. Chairman Madden clarified that the fence would run from the dumpster to the building and on the other end of the building to the end of the parking lot. Discussion on the height of the fence continued, finally settling on 6 feet for the height.

Chairman Madden, once again stated the conditions discussed, which would be to open at 10am, put up a 6 foot vinyl fence from the door all the way to the end of the property, employees will take their breaks by the dumpster corral, the landscaping plan to be worked with the City of Creve Coeur staff, keep the bottom downstairs back door closed, and no requirement on the bay doors staying closed.

Mr. David Caldwell, 257 Brooktrail Court, thinks it is a double standard to allow Valvoline to keep their bay doors open, when in the “LI” District the conditions were the bay doors had to remain closed. Ms. Kramer replied she recalls the issue with the bay doors in the “LI” District being different than the applicant’s request. Mr. Langdon spoke up as the City Council liaison, stating at the council meeting when the used car sales discussion took place that questions were raised asking specifically what level of service could be done. Mr. Langdon stated Mr. Caldwell is correct that in the Council’s mind where ultimately the ordinance will be accepted or declined, it was the kind of service should be screened with closed doors. Mr. Langdon also pointed out in the draft ordinance it states the bay doors remain closed to try and be consistent with previous requests, i.e. “LI” District, but if the Commission wants to back away from that condition, it is the commission’s right to do so.

Mr. Eberhardt suggested that the doors remain closed unless it reaches a certain temperature, and Mr. Coil responded he would rather alter his business and not do tire rotations/changes on Sunday than have to have an employee outside with a temperature gauge to see if the doors are required to be opened or closed.

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)

Mr. Howard pointed out that this applicant has had many landscaping violations, and he would like to table this application to have a clearer understanding, due to the substantial changes to the draft ordinance.

No further comments and questions from the audience or the Commission.

There being no further comments, the motion was made by Mr. Eberhardt to recommend approval of the Conditional Use Permit for Valvoline Instant Oil Change submitted with Application #11-028, subject to the conditions contained in the draft ordinance attached to the staff report dated November 4, 2011.

Chairman Madden made a motion to amend the motion with Sunday hours are 10:00 am to 5 pm, a six-foot high solid vinyl fence shall be installed along the rear edge of the paved areas, from the building to the dumpster corral on the west and from the building to the edge of the pavement on the east, service bay doors shall be closed while impact wrenches are being used on Sundays, the lower level door shall remain closed at all times, and employee outdoor breaks on the premises shall be taken individually on the west side of the building. Ms. Kramer seconded the motion with the resultant vote as follows:

Mr. Faron – aye
Mr. Schnarr – aye

Mr. Eberhardt – aye
Ms. Kramer – aye

Chair – aye
Mr. Howard – aye

Then the motion was made to approve the Conditional Use Permit for Valvoline Instant Oil Change submitted with Application #11-028, subject to the conditions as amended, with the resultant vote as follows:

Mr. Faron – aye
Mr. Schnarr – aye

Mr. Eberhardt – aye
Ms. Kramer – aye

Chair – aye
Mr. Howard – nay

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 8:15 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

November 9, 2011

Mr. Jason Coil
Valvoline Instant Oil Change
1510 Chambers Road
Dellwood, MO 63136

Re: Conditional Use Permit #11-028 – Sunday hours of operation for Valvoline Instant Oil Change
11333 Olive Boulevard

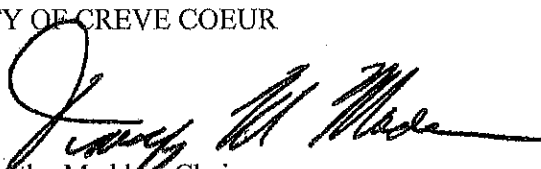
Mr. Coil:

The Planning and Zoning Commission, at its meeting of November 7, 2011, reviewed your request on behalf of Valvoline Instant Oil Change, for approval of the conditional use permit to allow for Sunday hours of operation for the Valvoline Instant Oil Change at 11333 Olive Boulevard.

By majority vote (5 ayes and 1 nay), the P&Z Commission recommends approval of your request subject to the conditions in the attached draft ordinance.

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

PZ 110711.txt
1 PLANNING AND ZONING COMMISSION PUBLIC HEARING
2 CITY OF CREVE COEUR, MISSOURI
3 300 NORTH NEW BALLAS ROAD
4 MONDAY, NOVEMBER 7, 2011
5 7:00 P.M.
6
7 THOSE IN ATTENDANCE:
8 Mr. Tim Madden, Chair
Mr. Gary Eberhardt, Vice Chair
9 Mr. James Faron
Mr. Ken Howard
10 Mr. Jim Schnarr
Mr. Carl Lumley, City Attorney
11 Mr. Paul Langdon, AICP, Director of Community Development
Ms. Whitney Kelly, AICP, City Planner
12 Ms. Julie Lowery, Recording Secretary

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22

23 McLaughlin Court Reporting Services, Inc.
24 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
4772 Gatesbury Drive
25 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 November 7th, 2011.
4 We'll start with roll call.
5 Dr. Barton won't be here tonight.
6 Mr. Eberhardt?

Page 1

7 MR. EBERHARDT: Present.
8 CHAIRMAN MADDEN: Mr. Faron?
9 MR. FARON: Present.
10 CHAIRMAN MADDEN: Mr. Howard?
11 MR. HOWARD: Present.
12 CHAIRMAN MADDEN: Ms. Kramer?
13 MS. KRAMER: Present.
14 CHAIRMAN MADDEN: Mr. Schnarr?
15 MR. SCHNARR: Present.
16 CHAIRMAN MADDEN: Mr. Lumley, our City Attorney?
17 MR. LUMLEY: Present.
18 CHAIRMAN MADDEN: Mr. Langdon, our Director of
19 Community Development?
20 MR. LANGDON: Present.
21 CHAIRMAN MADDEN: Ms. Kelly, our City Planner?
22 MS. KELLY: Present.
23 CHAIRMAN MADDEN: Ms. Lowery, our Recording
24 Secretary?
25 MS. LOWERY: Present.

1 So we'll move to new business, which will be a²
2 Public Hearing, Application No. 11-028, request to amend a
3 conditional use permit to allow for Sunday hours of
4 operation for the Valvoline Instant Oil Change at 11333
5 Olive Boulevard.

6 And would you please state your -- sorry. Yeah,
7 if anybody else is going to talk on this, if they'd come
8 up and get sworn in now, it'd be great.

9 (Speakers were sworn by the court reporter.)

10 MS. KELLY: Good evening. Whitney Kelly, City
11 Planner for the City of Creve Coeur.

12 Jason Coil, Area Manager for Valvoline Instant
13 Oil Change, has submitted a request to amend their
14 conditional use permit to allow for Sunday business hours.

15 The site is generally in conformance with the
16 existing CUP, however, since there are a number of
17 amendments to those, we are recommending that we repeal
18 and replace it with a new CUP with the hours -- with the
19 changes indicated.

20 We are asking for additional landscaping. A new
21 landscape plan for the area for those landscaping that has
22 been removed, and that can be approved internally at staff
23 level, if you're in agreement with that.

24 And we've also suggested that we include that
25 the bay doors be closed to eliminate any noise for the

1 residents behind them. 3

2 Other than that, there are no other issues and
3 the Applicant is here for any questions.

4 CHAIRMAN MADDEN: Would you please state your
5 name and address.

6 MR. COIL: My name is Jason Coil. I'm the area
7 manager for Valvoline Instant Oil Change.

8 CHAIRMAN MADDEN: And your address, please.

9 MR. COIL: My office address is 1510 Chambers
10 Road, Dellwood, Missouri, 63136.

11 CHAIRMAN MADDEN: Thank you. Is there any
12 questions?

13 Mr. Eberhardt.

14 MR. EBERHARDT: Yeah, I have a question as to
15 why the staff report requires the bay doors to be closed
16 when service is being provided.

17 My question is this. I have my oil changed at
Page 3

18 Valvoline fairly frequently. And during the summer, I
19 don't think your place is air-conditioned on the inside,
20 is it?

21 MR. COIL: No, sir.

22 MR. EBERHARDT: And -- and I know it gets
23 extremely hot in there. And I guess I'm not quite clear
24 what kind of noise emanates from this kind of a business.

25 It's -- I hear the guys yelling at each other

1 about sending a filter down in the pit, but by itself, oil⁴
2 change and fluid changes aren't very noisy, so I was just
3 curious as to why that requirement popped up.

4 MS. KELLY: Well, they also do tire rotation and
5 the guns from the -- to remove the bolts can be very loud,
6 and it's just to be in compliance with the discussions
7 that we recently had -- had with the LI District when auto
8 servicing was being proposed along with the used auto
9 sales, in that when you're abutting a residential district
10 you should, to eliminate any noise beyond the property
11 line, to keep those service bay doors closed. And they
12 are -- have residents right behind there.

13 MR. SCHNARR: But the definition of Valvoline as
14 a service station, according to the City's definition of a
15 service station, it's not a service station.

16 You look at all the things that you say a
17 service station does, all he does is change oil and put in
18 a battery.

19 MS. KELLY: They also do tire rotation.

20 MR. SCHNARR: I'm sorry?

21 MS. KELLY: They also do tire rotation.

22 MR. SCHNARR: Do you do tires?

23 MR. COIL: Yes, sir, we do tire rotation and
24 fluid exchanges on your --
25 MR. SCHNARR: Okay.

5

1 MR. COIL: -- maintenance.
2 CHAIRMAN MADDEN: Any other questions up here?
3 MR. FARON: Your new landscape, do you have a
4 idea for what the new landscaping might be; any proposals
5 for that?
6 MR. COIL: Right now, no, we don't. When this
7 was brought to my attention -- I just took over this
8 location within the last five months. When I took the
9 location over, the landscaping, as it is -- the way it is
10 right now. When it was brought to my attention, I told
11 Ms. Kelly that we could come to whatever terms needed by
12 the Council to make it right.
13 MR. LANGDON: Sir -- sir, I'm sorry, before you
14 proceed any further, would you step to the microphone --
15 MR. COIL: I'm sorry.
16 MR. LANGDON: -- so we can record your comments.
17 MR. FARON: Have you seen the 1993 plan?
18 MR. COIL: Yes. Where it had the bushes and --
19 MR. FARON: Uh-huh.
20 MR. COIL: -- all along the front, yes.
21 And as I stated before, was that if -- if the
22 requirement was to go back to this specific illustration,
23 we will do so if needed.
24 CHAIRMAN MADDEN: Are you okay with that,
25 Whitney?

6

1 MS. KELLY: Well, we aren't asking for this
2 specific illustration simply because the utilities line

3 here won't allow the trees along -- these trees, but what
4 we are asking is just a similar number of plantings that
5 could be dispersed throughout this area.

6 We kind of want it to match the neighbors. They
7 have lovely grasses and a variety of hard scape and soft
8 scape, so we would just ask for a similar number of
9 plantings, and for it to be internally approved per your
10 direction.

11 MR. COIL: And then one more thing. The only
12 thing that we would ask is, obviously, to make it fit, but
13 because of the new building signage we have up, we have a
14 very low sign on the front corner, so if we put too much
15 landscaping on the front corner, you won't see the signage
16 at all, so we'd have to be careful in the placement of the
17 plants, but other than that --

18 MR. FARON: You talking about this sign to the
19 east there?

20 MR. COIL: Yes. Right here.

21 MR. FARON: So you wouldn't possibly move that;
22 you'd just leave that there? You have some --

23 MR. COIL: Well, right now there are no bushes
24 right there at all. According to the plan, there should
25 be, but they -- those were removed to put the new signage

7
1 in that was approved last year.

2 MR. FARON: And I saw some signage on the
3 building. I assume you wouldn't want any tall landscaping
4 there, you'd keep it --

5 MR. COIL: Correct.

6 MR. FARON: -- low, but pull it back --

7 MR. COIL: But actually those have been

8 replaced. The new ones. The old ones all died, so those
9 have been replaced as it is.

10 MS. KELLY: This in the island up next to the
11 building, those have been replaced.

12 What we're really focusing on is this area right
13 here. There's a tree in this corner and one in this
14 corner, and we could certainly work on the level, moving
15 it to either side.

16 MR. FARON: Yeah, looks like it's been taken
17 out.

18 MS. KELLY: Creating a nice landscape for that
19 area.

20 CHAIRMAN MADDEN: And you'll work with them,
21 right --

22 MS. KELLY: Right.

23 CHAIRMAN MADDEN: -- as long as we approve it?
24 Okay.

25 I think we're all okay with that.

8

1 Anything else?

2 Okay. Is there anybody in the audience?

3 Ms. Susan Harris.

4 Ms. Harris, would you please state your name and
5 address, please.

6 MS. HARRIS: Yeah, Susanne Harris, 143 Nassau
7 Circle, which is directly behind Valvoline.

8 CHAIRMAN MADDEN: Okay.

9 MS. HARRIS: And I am in opposition of the
10 Sunday hours, basically, due to the noise. And it's not
11 just from the operational noise, although that is
12 significant.

13 Anybody standing outside of the building, you
Page 7

14 can hear every conversation that goes on, be it customers
15 or workers on break or workers on lunch hour; every word
16 is audible from my backyard. And sometimes the
17 conversation is rather interesting, it includes Friday
18 night stories and proposed Saturday night stories, and the
19 language is sorted, and not all the time, but -- but it
20 is, it does happen. And it's not conducive to family
21 life.

22 I don't believe that the bay doors, if the
23 building is not air-conditioned, that they could
24 conceivably keep the bay doors closed.

25 And it's not only the bay doors. There's a back

9
1 door down at the under -- the lower level that is also
2 open that you can -- can hear them yelling from the lower
3 level to the upper level during their operational hours
4 so.

5 I do know that the City of Creve Coeur has
6 always had been receptive to our plight, those of us who
7 back up to -- to the city, and with their good neighbor
8 policy, and, hopefully, that you'll consider that again
9 this evening with these operational hours.

10 The -- the noise flows right down the hill. So,
11 and there's nothing there to block it so --

12 CHAIRMAN MADDEN: Okay.

13 MS. HARRIS: -- it's -- the noise is
14 significant. And Saturdays is, you know, acceptable, it's
15 kind of a workday, it's, you know, but Sunday is a family
16 day, and I don't want to listen to that. And I don't want
17 anybody else to have to listen to it, especially the
18 children.

19 CHAIRMAN MADDEN: Thank you very much.

20 MS. HARRIS: Thank you.

21 MR. COIL: Can I add something?

22 CHAIRMAN MADDEN: Yes.

23 MR. COIL: As far as the Sunday goes, I just
24 want to kind of, in line, what we're doing is we know the
25 economy is tough right now. And it's hard on businesses;

10
1 it's hard on employment.

2 By increasing the Sunday hours, not only will we
3 be increasing hours that we can perform as far as having
4 more employees work, we're going to increase the revenue
5 per month, which is also taxable to the City, so that's
6 going to help as far as the City goes.

7 As far as the needs to help reduce the sound,
8 the door that's downstairs can be something that's
9 mandatory to keep closed. It's not something that has to
10 be open, they were just doing it to get an extra breeze,
11 which we can accommodate that.

12 Also on the side of the building, on both sides,
13 there's two 4-foot fences that go down, if needed or
14 requested, if we have to increase it to 8-foot privacy
15 fences to help with the sound, we can do that also.

16 Thank you.

17 CHAIRMAN MADDEN: Well, I would be all for you
18 increasing it to 8 feet.

19 I think that would help your problem a whole lot
20 too.

21 MS. HARRIS: Yeah, I mean I'm five four, so, you
22 know, my voice is going to go over 4-foot fence.

23 CHAIRMAN MADDEN: Mr. Eberhardt.

24 MR. EBERHARDT: I wonder if the staff, City
Page 9

25 staff would consider not only maybe higher fencing back

11
1 there, as was recommended or was suggested by the
2 Applicant, but perhaps some sort of planting next to the
3 fence to help absorb the noise as well.

4 MR. COIL: Actually, right now at the back of
5 the property from where our building is, there's about a
6 20 to 30-foot clearance of grass now. Then there's a row
7 of trees as it is now. So there's already 20, 25-foot
8 trees that are between our property and where the
9 residential starts.

10 MR. EBERHARDT: I don't think the trees are
11 going to stop the noise. I'm wondering whether a hedge or
12 some kind of a buffered --

13 MR. COIL: Sure, I understand. The problem is
14 where our property sits, we sit much higher than the
15 level -- the lower level, so those 20, 30-foot trees, at
16 ground level, is more like 10-foot when you're at the
17 property level, if that makes sense. So those trees --
18 you would -- you would have to have a 40-foot fence to be
19 at ground level from where the business is.

20 MR. EBERHARDT: Thank you.

21 MR. FARON: Can I ask --

22 MR. COIL: Sure.

23 MR. FARON: -- your fence sits right up there on
24 the --

25 MR. COIL: I'm sorry?

12
1 MR. FARON: Your fence sits right up on the
2 drive --

3 MR. COIL: Correct.

4 MR. FARON: -- and then there's a considerable
5 dropoff. The doors that grade back to those trees, and
6 then her backyard is sitting back beyond that?
7 MR. COIL: Correct.
8 MR. FARON: Is there any planting up where the
9 fence is or there's no room, correct?
10 MR. COIL: There's just a little shrubbery right
11 out -- you'd have the parking lot, which is on either
12 side, and then there's some landscaping that goes right
13 across, and then there's the 4-foot fence, and there's
14 just little shrubbery right now.
15 MR. FARON: So that 4-foot, you're agreeable to
16 go even higher, yeah.
17 MR. COIL: If need be, we can take that
18 4-foot -- see, there's the 4-foot fence right now.
19 MS. KELLY: And then the dropoff here.
20 MR. COIL: And then these trees and the
21 residential is on this side.
22 MR. FARON: What about further down east or
23 west? I know the other side of the building is a little
24 different, but if you come further this way, would that --
25 MR. COIL: Those trees go from all the way past

13
1 our business this way and all the way up to the street
2 this way.

3 MR. FARON: But something maybe up on the -- up
4 on the drive closer to the parking, you know, a little bit
5 to the east of that fence, yes.

6 MR. COIL: Oh, you mean this path this way?

7 MR. FARON: Sure, something --

8 MR. COIL: If possible, yeah, we could add more
9 shrubbery or pines, if needed.

10 CHAIRMAN MADDEN: Anything else?

11 MR. LANGDON: Mr. Chair?

12 CHAIRMAN MADDEN: Yes, sir.

13 MR. LANGDON: Couple of observations on trying
14 to mitigate sound.

15 Vegetation actually does a very poor job of
16 mitigating sound. It gives the impression of it. People
17 talk about being quieter when they're behind a line of
18 trees, but if you actually measure the sound level, it's
19 almost exactly the same.

20 It's just the sense that somehow I'm protected
21 by them, so it's quieter, when, in fact, it's not.

22 Fences, wood fences, also have a limited ability
23 to block sound, essentially, because the material's so
24 thin, the fence acts as a resonator and it just propagates
25 the sound out the other side.

1 This is an issue we dealt with with the 14
2 Walgreens down at -- at Graeser and Olive.

3 You really need a solid or a -- a -- a barrier
4 with a dead space within it to really effectively
5 attenuate noise, so while some fencing increase, some
6 planting increase might help a little, it's not going to
7 help a lot.

8 I think the -- the -- in 2003, when this same
9 request was made, this same issue came up then, and really
10 that was what it came down to.

11 You can't really block it unless you're going to
12 require a masonry wall or a berm. Something that's solid
13 like that. A berm, obviously, can't be done. Masonry
14 wall, I think, would be disproportionate to the request.

15 So then it's just, well, you either allow it or
16 you don't.

17 You can take what steps you think are necessary.
18 If you think that a fence is at least a positive step and
19 that's one you're willing to make, then you can certainly,
20 you know, make that part of your -- your recommendation
21 tonight.

22 But I just want it to be clear that you know
23 what I know, which is that simple fences and planting
24 really don't help that much.

25 MR. SCHNARR: A senior privacy fence with

15
1 alternating pickets in the front and the back does not
2 really help that much with sound?

3 MR. LANGDON: Not in reality, no.

4 Again, it has that feeling of it's on the other
5 side, so it helps. You feel quieter, but, in fact, the
6 loud noise still transmits through that fairly easily.

7 Something soft, you know -- you know, the
8 intensity of human voice, it will do a better job, but if
9 you've got a radio or if you've got people yelling or you
10 got an impact wrench running, it's not going to do much.
11 It helps, but not a lot.

12 CHAIRMAN MADDEN: Mr Eberhardt.

13 MR. EBERHARDT: Is the primary problem the noise
14 coming from the lower door or from the big bay doors? I
15 don't understand.

16 MR. LANGDON: The resident can probably speak to
17 that better than we can.

18 MS. HARRIS: It's both. Probably the least is
19 probably the door underneath. I mean that's --

20 MR. EBERHARDT: The least or the more, I'm

21 sorry?

22 MR. LANGDON: The least.

23 MS. HARRIS: The least. It's like a regular
24 door, whereas, the bay doors are huge.

25 CHAIRMAN MADDEN: Isn't it one of your

16
1 conditions that they keep the bay door shut?

2 MR. LANGDON: Right, but then that raises -- if
3 it's not an air-conditioned building, I would agree it
4 would be, you know, intolerably hot inside if it's not
5 air-conditioned and have the doors closed.

6 So to have to close the doors and they have to
7 install air-conditioning and -- that adds substantial
8 expense.

9 CHAIRMAN MADDEN: Yeah. Okay.

10 MR. FARON: How feasible is a sound wall for
11 your business?

12 MR. COIL: It's something I have to look into.
13 That's going to be a pretty large expense. Like I said,
14 as far as the landscaping, obviously, that's something we
15 planned on having to do regardless.

16 But replacing a fence out would be irrelevant,
17 but adding a barrier, as he speaks, that's -- that's major
18 construction. So that you're talking about a whole other
19 meeting with you all now to get the new permits and get
20 that kind of work going.

21 And like I said, once again, I understand when
22 it was denied before because of the sound on Sundays, but
23 we're looking at the fact that just increasing the
24 business, helping the community.

25 And our policy is we have to have so many people

17
 1 on staff, so right we're -- right off the bat, you're
 2 increasing anywhere 24 to 30 hours of employment just one
 3 day a week, which revenue wise we're looking at anywhere
 4 between 3 to \$10,000 a month, based upon that business we
 5 pick up on Sundays, just being able to keep up with our
 6 competitor down the street.

7 Also the convenience factor of there's a lot of
 8 individuals that just can't get to us during the week
 9 cause they're single parents or they got two jobs, and
 10 being open on Sundays gives those individuals an
 11 opportunity to get their oil changed without putting it
 12 off.

13 MR. SCHNARR: Also gives the residents of Creve
 14 Coeur an additional opportunity to get their oil changed.

15 MR. COIL: Absolutely.

16 CHAIRMAN MADDEN: What -- what hours are you
 17 going to be open on Sunday?

18 MR. COIL: Nine to five.

19 CHAIRMAN MADDEN: And what are your normal hours
 20 during the week?

21 MR. COIL: It's eight to seven.

22 CHAIRMAN MADDEN: Would it -- would it kill you
 23 to open at 10 a.m. on Sunday?

24 MR. COIL: No. And to be all honest, the reason
 25 why we suggested nine to five is because our most busiest

18
 1 store use nine to five hours. We have stores that go from
 2 nine to five, as little as ten to two, but it's based upon
 3 flow of traffic and business.

4 This particular location, we've been there on
 5 Sundays and do like extra painting or training where we

6 use the inside of the store, and we've had anywhere
7 between two to ten cars pull up because they assume we're
8 open just because we seen cars on the lot, so we figure
9 between the hours of ten to five give us the most
10 flexibility.

11 CHAIRMAN MADDEN: Ms. Harris, would that help
12 you somewhat if we -- if he changed it to opening at
13 10 a.m., so they aren't there so early?

14 MS. HARRIS: Yeah, it'll be an hour less --

15 CHAIRMAN MADDEN: Okay.

16 MS. HARRIS: -- noise.

17 CHAIRMAN MADDEN: Okay.

18 MS. HARRIS: I mean it's still, if you want to
19 be outside and you're listening to it all the time, you
20 know --

21 CHAIRMAN MADDEN: Understand.

22 MS. HARRIS: -- you're going to do it, you're
23 going to do it, but I would at least, even Mr. Langdon,
24 you know, said the fence doesn't help, it can't hurt.

25 MR. LANGDON: Absolutely.

1 MS. HARRIS: So I mean anything is going to make¹⁹
2 it slightly better.

3 MR. COIL: Is it all right if I ask her a
4 question?

5 MS. HARRIS: I mean part of it is people
6 standing out on the driveway there.

7 MR. LANGDON: Ma'am. Ma'am. We really --

8 CHAIRMAN MADDEN: Why don't you come up.

9 MS. HARRIS: Sorry. Yeah, I'm, you know, it's
10 an hour less, so rather than, you know, nine to five, it's

11 ten to five, you know, so the noise is still going to be
12 there. The conversation is still going to be there.

13 Hopefully, the conversation won't be assorted as
14 I've heard in the past. But I mean it's -- it's true. I
15 mean the guys are standing up there, they're telling
16 stories and I get to listen to it and --

17 MR. FARON: Is your primary concern is the
18 conversation, it seems like, beyond anything else?

19 MS. HARRIS: Well, the impact from the tire
20 changes, you know, and -- it's -- it's all of it.

21 MR. FARON: If they were to condition the space,
22 and I guess you could speak with your staff. I mean I
23 have seen people standing out there --

24 MR. COIL: That's what I was just going to ask.

25 MR. FARON: -- and they -- they -- they talk

1 over where the cars are parked, where there's no fence,²⁰
2 and no anything there, I mean it's where that open area
3 is. That's why I asked about the landscaping cause they
4 seem to loiter over there. I live --

5 MS. HARRIS: Uh-huh.

6 MR. FARON: -- fairly close, and I see them
7 there at times, and I'm sure that sound travels a bit,
8 but --

9 MR. COIL: Can I -- am I allowed to ask?

10 CHAIRMAN MADDEN: Sure.

11 MR. COIL: So I can't dictate, obviously, I
12 can't be there every single Sunday to say you guys cannot
13 stand here.

14 But if it's a matter of the conversation of
15 sound, I mean I can go in and, you know, set certain rules
16 to where they're only -- now, granted, we can't not allow

17 them because labor laws, certain breaks, smoke breaks,
18 stuff like that, so we have to let them out at some point,
19 but I can dictate how much they can be out there.

20 At the same time, we have the other end of the
21 property where there's a dumpster area, so if it means
22 putting them on the back -- front side of the store, I can
23 do that also. So I have that opportunity to move them
24 around.

25 MS. HARRIS: Yeah, cause that's where you have

1 your car washes and, you know, those are limited, so, you²¹
2 know, that's not so bad cause you know those are going to
3 end.

4 But I mean once this happens, it's forever, and
5 I've been here each time they've come and asked for Sunday
6 hours, so I've been --

7 MR. SCHNARR: Would an 8-foot privacy fence
8 help?

9 MS. HARRIS: Well, I'm not an engineer. Um, it
10 can't hurt.

11 MR. SCHNARR: Right.

12 MS. HARRIS: But I also know that once Sunday
13 hours start, you're not going to, you know, if it's still
14 just as noisy, it's not going to be repealed, so.

15 MR. SCHNARR: Right.

16 MS. HARRIS: So, um, yeah, it can't hurt.
17 Maybe, you know, if there's some sort of, you know, a more
18 solid fence, the 8 feet would definitely help just the
19 conversational. Cause some of it is you can -- I think
20 it's voice, you know, that the person, they're standing
21 higher than the fences, so that comes down. But the high

22 impact wrenches and the yelling from, you know, bay one
23 clear; bay two clear, you know, if you've been there, you
24 know.

25 CHAIRMAN MADDEN: Yeah, got a reality check.

1 MR. SCHNARR: What about solid PVC? 22

2 MR. LANGDON: It probably would work better,
3 certainly --

4 MR. SCHNARR: That's as -- that's as cheap as a
5 cedar fence, I can tell you that.

6 MR. LANGDON: Sure. And it lasts longer.

7 MR. SCHNARR: And you never have to worry about
8 maintaining it.

9 MR. COIL: Well, we were -- if we did it, we
10 were going to put a vinyl -- wouldn't be wood. We would
11 want to put vinyl fence up.

12 MR. SCHNARR: Very good.

13 MR. COIL: An 8-foot vinyl because the wood --
14 just maintenance-free, just --

15 MR. SCHNARR: Yeah, I wouldn't -- maintenance
16 headache.

17 MR. COIL: And I think it would also -- she was
18 talking about the sound is, yes, the employees, and
19 they're 4 foot, but because of our laws, we have to be so
20 far away from the building to smoke, so where they would
21 be at where these conversations are probably being heard,
22 they're not even in front of this fence in the first
23 place, so that's where I can dictate --

24 MS. HARRIS: Yes, there is no fence.

25 MR. COIL: Exactly.

1 MR. FARON: That was my concern. 23

2 MR. COIL: I can dictate where they can and
3 can't go, you know, I can limit it to where one person at
4 a time go smokes a cigarette, therefore, unless they're
5 talking to themselves, so we can dictate that.

6 CHAIRMAN MADDEN: Okay. So it seems like to me,
7 we'll have you open at 10; you'll put in the 8-foot PVC
8 fence. Is that the right way to phrase that? The 8-foot
9 fence; you going to do the -- work the landscaping out
10 with staff, and you're going to tell the guys to stay out
11 front.

12 MR. COIL: Yes, I can dictate that, yes,
13 absolutely.

14 CHAIRMAN MADDEN: Okay.

15 MR. COIL: Now, then like I said, the
16 only concern that I would have is like where you guys
17 brought the address up is, when it gets to the summertime,
18 it's going to get hot with -- I mean it's already 100, 110
19 in that building now, so keeping those doors down to the
20 concern of the impact, we're only averaging about
21 5 percent, so if you're talking ten cars on a Sunday,
22 that's not even a entire rotation a day.

23 CHAIRMAN MADDEN: Yeah, that's what I figured.

24 MS. HARRIS: You can't keep the -- you can't
25 keep the doors closed.

1 CHAIRMAN MADDEN: No.

2 MS. HARRIS: I treat workers' comp injuries, you
3 can't afford that.

4 CHAIRMAN MADDEN: Okay. Thank you, Ms. Harris.
5 Paul.

6 MR. LANGDON: As I'm sure you know, the Planning

7 Commission can approve fences over 6 feet in height, but
8 it is a -- it's only the Planning Commission that can,
9 obviously, that's what you're talking about.

10 Since it is a special approval, if you could all
11 be very clear about the extent of that fence, cause an
12 8-foot fence is a big fence, so do you want it to run the
13 full width of the parking area, just where the fence runs
14 now, full width of the lot?

15 CHAIRMAN MADDEN: Okay.

16 MR. FARON: At times it'd be -- well, I've seen
17 people standing way beyond that fence, and that's probably
18 where a lot of that sound comes from when they --

19 MR. COIL: Sure.

20 MR. FARON: -- are over in those parking spaces.

21 MR. COIL: I believe the fence stops close to,
22 I'm guessing, before -- what's your average parking space,
23 8 feet? That fence, I'm almost sure, stops before the
24 parking lot even -- where you park starts.

25 MR. FARON: Right.

1 MR. COIL: So it, in theory, could be extended²⁵
2 another 8 feet past where you would park.

3 MR. FARON: Yeah, it sits on that concrete wall
4 there, right?

5 MR. COIL: Yeah, it's attached to the concrete
6 wall, and then there's drainage that go from the parking
7 lot down there, so we would have to -- it would be
8 interesting, but we can make it work.

9 MR. FARON: I had a question.

10 Ms. Wilson [sic], is your house to the east of
11 that? Would that fence be helpful on that end of the
12 property, or are you to the west of the -- the station?

13 I'm sorry, Ms. Harris.
14 CHAIRMAN MADDEN: Would you please come up.
15 MS. HARRIS: We're straight behind.
16 MR. FARON: Straight behind.
17 That's -- tend to see where people loiter and
18 that sound is coming from over in that --
19 MS. HARRIS: Well, we're on the corner of Park
20 West, which is the side street and --
21 MR. FARON: To the east, yeah.
22 MS. HARRIS: So yes to all of it.
23 MR. FARON: Yeah, to the end of the property.
24 MS. HARRIS: We're east; we're west; we're
25 behind; we are north.

26

1 MR. FARON: I see, yeah.
2 MS. HARRIS: Yeah, that's us.
3 MR. FARON: I think if you don't continue the
4 fence, the sound is just going to -- just -- you could put
5 a tall fence there, but if people walk beyond that to the
6 edge of the property over there, what's going to --
7 MR. LANGDON: You want it to continue --
8 MR. FARON: -- mitigate more.
9 MR. LANGDON: -- to the eastern extent of the
10 parking area?
11 CHAIRMAN MADDEN: Yeah, let's decide where we
12 want to put this.
13 MR. FARON: I mean I don't know how much
14 additional feet. That's probably a couple more parking
15 spaces, so we're talking about 40 feet more.
16 MR. COIL: Now, are we talking about putting the
17 fence on the property line where the trees are or where

18 the existing fence is to the building? Cause if we're
19 talking about the property line, we're talking about
20 increasing the fence the entire list -- the entire length
21 of the property, where right now there's a 4-foot fence to
22 the building, to the parking and from the building to the
23 dumpster.

24 MR. FARON: Right, in the photo there, I was
25 thinking that they would be continuing that -- or where

1 that 8-foot increase would be where the existing fence is²⁷
2 on the east side of the building.

3 MR. COIL: I was suggesting take down the --
4 it's more like three and a half feet, cause it's the
5 old-style picket --

6 MR. FARON: Uh-huh.

7 MR. COIL: -- graveyard-looking fence, if you
8 increase from the building to the dumpster to a 6 -- I
9 guess it's a 6-foot standard with -- okay. So you're
10 talking about 6-foot, and then from here to that parking,
11 where you could extend it from here where it stops to the
12 edge of the parking lot.

13 We couldn't go any further than that because
14 there's already landscaping there, and some point you're
15 going to impede from people driving up and being able to
16 see, you know, other traffic though.

17 MR. FARON: Yeah, I would think if you just
18 increase what you have there now, how do you mitigate
19 sound going around that and where people stand and --

20 MR. COIL: Well, I think that's where, if we
21 increase the fence length here, and then just dictate the
22 fact of who can and can't be out, I mean if it's a matter
23 of the sound, it's just -- I just have to dictate on how

24 many people out at one time. Send one person out at a
25 time. They have one person at the corner. You're talking

1 couple times a day. And at the same time, if it becomes a²⁸
2 issue, I have the contacts, I can get involved, you know,
3 to take care of it.

4 CHAIRMAN MADDEN: Okay. Getting back to Paul's
5 question, so we want --

6 MR. COIL: Oh, I'm sorry.

7 CHAIRMAN MADDEN: Can you leave that up there.

8 So we're going to run the fence from the
9 dumpster to the building, and then on the other end from
10 the building to the end of the parking lot, isn't that
11 what you suggested?

12 MR. COIL: If that's what you're asking, yes.

13 Right now it's going to stop right here where
14 the parking starts.

15 To go past it, I could -- here's where it starts
16 and here's where they park.

17 MS. KELLY: So they propose going -- taking this
18 fence up to 8 feet --

19 MR. HOWARD: Can you move that little bit?

20 MS. KELLY: Oh, sorry.

21 MR. SCHNARR: There we go.

22 MR. FARON: Yeah, I was to continue that past
23 that point, definitely.

24 MR. COIL: All the way down this way past where
25 they park.

1 MR. FARON: Sure, I mean if you just increase²⁹
2 that fence, I don't, you know, with people standing out

3 there, as I've seen before, that conversation that she's
4 concerned about is generally on the edge of that parking
5 and straight down that hill, maybe those trees are doing
6 little, but if you have that opportunity to continue that
7 fence to the end of the -- the parking there.

8 CHAIRMAN MADDEN: So -- Paul.

9 MR. LANGDON: Just so you know, that door,
10 that's a standard commercial door, that's seven and a half
11 feet high, so the fence will actually be 6 inches higher
12 than door, extend from about that point where I'm
13 pointing --

14 MR. SCHNARR: I thought you were going to stop
15 at 6 feet. What happened to that?

16 MR. LANGDON: Well, 6 feet or 8 feet. I mean
17 you can approve 8 feet, but it's up to you all.

18 MR. FARON: The standard, yeah, standard, he was
19 saying 8 at one time, yeah.

20 MR. LANGDON: Right. So whichever. But still
21 you're also talking about a fence that's going to -- if it
22 goes all the way to the eastern limits of the parking,
23 that's into the front yard setback area, which, again,
24 requires you all to make a specific finding that that's
25 what you want.

1 MR. COIL: Where if we just replaced the wooden³⁰
2 fence with the standard 6-foot fence, that's something
3 that can be done at any time.

4 MR. LANGDON: Frankly, replacing that wood fence
5 with another piece of fence won't accomplish anything.

6 You can see the line of sight straight into the
7 bay. I mean you either, in my mind, from my site planning
8 perspective, you either run a tall fence, whether it's 6

9 or 8 feet, from the edge of the building to the eastern
10 limits of the parking, or don't bother because a partial
11 fence simply won't do anything, and then you're just
12 wasting your money.

13 CHAIRMAN MADDEN: Isn't that what he just --
14 isn't that what we were talking about? He was going to
15 take it all the way to the end of the parking lot.

16 MR. LANGDON: Right, I just want to make sure
17 we're clear that --

18 CHAIRMAN MADDEN: That's what we're doing.

19 MR. LANGDON: That's what we're talking about.

20 CHAIRMAN MADDEN: We're going from the door,
21 essentially, to the end of the parking lot.

22 MR. LANGDON: Right.

23 CHAIRMAN MADDEN: And which is better 6 or 8, in
24 your mind?

25 MR. LANGDON: The --

1 MS. HARRIS: I would request 8 feet.

31

2 MR. LANGDON: I think the larger it is, the
3 better chance it has of accomplishing anything.

4 MS. HARRIS: Right, especially if we have, you
5 know, an expert saying that it's marginal anyway, I mean
6 we're hoping for the best here, so let's not make it
7 6 feet. We've lived 4 feet for I don't know how many
8 years and it hasn't worked so --

9 CHAIRMAN MADDEN: Okay.

10 MS. HARRIS: -- 6 feet could conceivably not do
11 anything either, so let's not mess it up.

12 MR. HOWARD: Mr. Coil, could you explain where
13 the employees congregate.

14 MR. COIL: Would be right down in this corner
15 right down here. Because of the smoking laws that we
16 have, they have to be at least so far from the building
17 so --

18 MR. HOWARD: And is that the only spot on the
19 property where they can congregate? In other words, if
20 there's not enough space on the other side, on the west
21 side of the building?

22 MR. COIL: That's what I'm saying, on the other
23 side of the building where Lenny's is, the other business
24 there --

25 MR. HOWARD: Uh-huh.

1 MR. COIL: -- we have another probably a 12-foot³²
2 run of fence, same fence, and then there's a cemented
3 dumpster corral where I could have them take their breaks
4 and stand on the side of the dumpster corral, so that
5 could eliminate anything over here, period.

6 CHAIRMAN MADDEN: So that's better for you,
7 right, Mrs. Harris? Okay.

8 MR. COIL: Then that would also eliminate having
9 to have a custom made fence at 8 feet, which --

10 MR. HOWARD: Right.

11 MR. COIL: -- I mean you would have to have that
12 custom made, you just can't get an 8-foot fence.

13 MR. HOWARD: Well, an 8-foot fence running all
14 the way down to the end of the parking lot would -- would
15 look massive.

16 MR. COIL: I -- it would.

17 MR. HOWARD: That would -- that would be very
18 unappealing, I would think.

19 MR. COIL: I mean think about it, I'm six four,
Page 27

20 so you're talking about a fence that's a foot and a half
21 taller than me, on top of the foot and a half concrete
22 wall that's already above the driveway.

23 MR. SCHNARR: Just limit your employees to five
24 eight.

25 MR. COIL: Yeah.

33

1 CHAIRMAN MADDEN: Okay.

2 MR. COIL: It would be the white monster, yeah.

3 CHAIRMAN MADDEN: Okay. Let me try to get
4 everything together here now.

5 So now we're looking at a 6-foot fence, vinyl
6 fence, from the door all the way to the end of the
7 property. You're going to do it on the other side from
8 the -- from the edge of your building to the dumpster,
9 right?

10 MR. COIL: It's a -- yes, it's a concrete
11 dumpster corral.

12 CHAIRMAN MADDEN: And you will have your people,
13 from now on when they take their breaks, they will be
14 going out by the dumpster, so they're not near as close to
15 a home as there was before.

16 MR. COIL: Yes.

17 CHAIRMAN MADDEN: You'll also do the
18 landscaping. Get together with the City and do that.

19 MR. COIL: Yes.

20 CHAIRMAN MADDEN: Okay. What else was it?

21 And we'll change the hours from nine to five to
22 ten to five.

23 MR. COIL: Ten to five, okay.

24 MR. LUMLEY: You want the back door closed?

25 MR. COIL: The bottom downstairs, the back door,

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1 will stay shut.

2 CHAIRMAN MADDEN: Okay.

3 MR. LUMLEY: And you're going not require the
4 bays to be closed?

5 MS. KELLY: No.

6 CHAIRMAN MADDEN: No.

7 MS. KRAMER: Not going to require.

8 CHAIRMAN MADDEN: I don't want to be -- I mean
9 that -- people will be getting sick. That -- or worse so.
10 Does everybody agree with those?

11 MR. SCHNARR: Yep.

12 CHAIRMAN MADDEN: Okay.

13 Okay. Is there anybody --

14 MS. HARRIS: Supply earplugs.

15 CHAIRMAN MADDEN: You need to -- is there
16 anybody else who wants to speak on this?

17 Okay. Mr. Caldwell.

18 MR. CALDWELL: Well, I wasn't going to speak,
19 but you just have -- now you -- I said this would happen,
20 and so it's happened.

21 You have a double standard. You're all worried
22 about somebody getting sick in this building, but you put
23 the door closed requirement on the Light Industrial
24 District.

25 So this makes -- it's -- it's an unfair thing.

35

1 And I think if you're going to not have the doors closed
2 here, you need to go back and repeal that requirement on
3 the Light Industrial District.

4 I mean it's ridiculous to say you got to do it

5 in the Light Industrial District where there are no
6 houses, but you don't have to do it here where there is a
7 lady who's concerned about the noise.

8 CHAIRMAN MADDEN: Was that on the --

9 MR. SCHNARR: That's not even part of this, is
10 it?

11 CHAIRMAN MADDEN: Huh?

12 MR. SCHNARR: That's not even part of this.

13 CHAIRMAN MADDEN: Well, wasn't that -- wasn't
14 that air-conditioning?

15 MS. KRAMER: That requirement was different
16 than -- bay doors had more to do with --

17 MR. LUMLEY: We need to speak --

18 CHAIRMAN MADDEN: Yeah, speak in the --

19 MS. KRAMER: If I remember correctly, and I
20 appreciate what you're saying, so I do appreciate it.

21 My recollection was that that issue with the bay
22 door was different, and that it had to do with should
23 there be any work because that actually wasn't even for
24 auto repair.

25 MR. HOWARD: Internet sales. Is that the

36

1 internet sales, the cars --

2 MS. KRAMER: That was the cars, right.

3 MR. HOWARD: Car dealership that was --

4 MS. KRAMER: Right.

5 MR. HOWARD: -- internet only or --

6 MS. KRAMER: So -- so I just -- it seemed that
7 there was a very --

8 MR. HOWARD: By appointment.

9 MS. KRAMER: -- different discussion, but I,

10 again, appreciate what you're saying, and I think it's
11 important to be vigilant about double standards, so I
12 respectfully say that.

13 I would also like to make one other statement.

14 I just wanted to thank both Mrs. Harris and
15 Mr. Coil. I think that, you know, it is true in a
16 challenging economy, and I think that someone who, you
17 know, we find that more and more people do access things
18 over weekends, and so I really appreciate the spirit that
19 you both come in to try to work this out. And so I hope
20 that that continues past this meeting as well.

21 MR. CALDWELL: I don't see the difference that
22 you're talking about. They're working on cars, right?

23 And you're talking about, well, that they might
24 be using impact wrenches and working on these cars in the
25 Light Industrial District. Might be noise from the

1 employees yelling or -- it's the same darn thing.

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2 MS. KRAMER: No, actually that particular
3 discussion was there was not to be bodywork done in that
4 area.

5 There was a difference.

6 MR. CALDWELL: But -- but bodywork is an
7 approved use in the Light Industrial District.

8 MS. KRAMER: Okay.

9 MR. CALDWELL: And you set up a rule that you
10 can't have the doors open in the Light Industrial
11 District.

12 MR. LANGDON: Mr. Chair?

13 CHAIRMAN MADDEN: Yeah. Mr. Langdon.

14 MR. LANGDON: As liaison to the Council, let me
15 share with you the discussion that took place at the first

16 meeting on the used car sales at the Council.

17 Questions were raised specifically about what
18 level of service might be done, the same as you all
19 discussed.

20 Specific examples were cited as to, well, what
21 noise would we be trying to screen by closing the doors,
22 and impact wrenches were specifically mentioned.

23 So Mr. Caldwell is correct that in the Councils'
24 mind were ultimately the ordinance will ultimately be
25 accepted or declined, it was the same kind of service

1 that -- that they agreed with you all, should be screened³⁸
2 with closed doors.

3 The extent, we don't know. Depends on each
4 business, and whether or not a building is air-conditioned
5 or not, we don't know.

6 The particular applicant that was before you in
7 that case does have an air-conditioned building, but
8 that's not to say that they all will.

9 MR. SCHNARR: But Item No. 16 in your draft
10 ordinance says "Service bay doors shall remain closed
11 while service is underway."

12 MR. LANGDON: Correct. As Ms. Whitney said --

13 MR. SCHNARR: So this is a moot point. I don't
14 understand what we're arguing about.

15 MR. LANGDON: Well, as Ms. Whitney said, we are
16 trying to be consistent with the discussion the last time,
17 which the draft ordinance is.

18 The Applicant has said, and even the homeowner
19 beside, has said they don't believe the doors can be left
20 closed.

21 If you all want to back away from that
22 requirement, you can make that change to the draft
23 ordinance, but as Mr. Caldwell has pointed out, that would
24 be inconsistent with the discussion on the used car sales.

25 CHAIRMAN MADDEN: Mr. Coil.

1 I've been to yours, and I've been to your 39
2 competitor, and when -- and maybe it's the time of the
3 year I go, cause I don't go there all the time, they close
4 the doors when I bring my car in, both the front and the
5 back. You don't do that at all or --

6 MR. COIL: If it's below 45 degrees we will,
7 just because we do have gas heaters, but if it's not cold
8 enough to turn the heat on, we keep the doors open.

9 CHAIRMAN MADDEN: So 45 degrees the magical
10 number? Okay. Thank you.

11 MR. COIL: Give or take, yeah.

12 CHAIRMAN MADDEN: Yeah.

13 MR. EBERHARDT: I have a question.

14 CHAIRMAN MADDEN: Mr. Eberhardt.

15 MR. EBERHARDT: At the risk of making this much
16 more difficult and maybe hard to enforce, it seems to me
17 that the doors being open in that facility have to do with
18 the heat, how hot it is outside, as opposed to anything
19 else.

20 And is it possible that we could say that the
21 doors could remain open except when there's a tire change
22 going on if the temperature is exceed -- on the exterior
23 temperature exceeds -- pick a number -- 80 degrees, 90
24 degrees, something, so that it's only permitted to be open
25 when it's so hot that it would be dangerous for the people

1 inside, and perhaps it had to be closed when the noise was
2 going on with regard to tire rotation?

3 MR. COIL: Sure. I think the challenge that I
4 have is you're going to have employees stopping what
5 they're doing and helping the customers; open telecast to
6 see what the temperature is outside.

7 If it comes down to the issue, I would rather
8 have to go to my president and say, I won't do tire
9 rotation on Sunday to open up Sunday. I would alter my
10 business, if I had to, to avoid all this because that's
11 going to be -- that's going to be a big impact on the
12 store to have to stop helping the customer.

13 Well, the other issue is someone comes in and
14 specifically asks for that, I can't do that today because
15 I got to shut my doors. Kind of goes away from why we're
16 there in the first place.

17 But I mean if that's the requirement to where
18 shutting the doors, keeping the doors open, sound, fencing
19 all because of an impact gun, like I said I'm the AM I
20 can, you know, Sundays, I shouldn't have to, but if that's
21 what's going to be required to avoid this.

22 CHAIRMAN MADDEN: And you said you probably
23 don't do many tire rotations.

24 MR. COIL: The highest volume store out of 286
25 stores averages 8 percent, and that's on 1,000 -- that's

1 1,000, 1200 cars a month, so you're talking in a week, 20,
2 22 rotations between Monday and Saturday, so at best on a
3 good Sunday you're going to do two.

4 CHAIRMAN MADDEN: That would be a good Sunday.

5 MR. COIL: That's a very good Sunday.

6 CHAIRMAN MADDEN: Okay. Ms. Harris.

7 MS. HARRIS: Well, I'd had also like to mention
8 that, you know, when you're out in the yard, you're not
9 generally out in the yard listening to all this if the
10 temperature -- during the winter months. It's during the
11 spring, summer and fall that you're out in the yard. And
12 that's, obviously, when they're going to have the doors
13 open, and so, yeah, if you want to limit and -- and, you
14 know, you've already taken my fence from 8 feet to 6 feet,
15 so I don't see a problem with limiting to the no tire
16 rotations or changes on Sunday.

17 That sounds like a pretty decent compromise.

18 CHAIRMAN MADDEN: Thank you.

19 MS. HARRIS: Thank you.

20 MR. COIL: I guess the last thing I would add to
21 that, is, and like I said if it requires the fact of not
22 doing tire rotation, if that's what we got to do, that's
23 what we got to do. But at the same time, we're doing tire
24 rotation at seven o'clock on a school night, Monday
25 through Friday, so it kind of goes both ways.

1 MR. CALDWELL: It's a public meeting, you're ⁴²
2 supposed to speak into the microphone.

3 CHAIRMAN MADDEN: He was asking me what -- he
4 was asking me what -- about the doors, and I said I think
5 they're east and west, the doors that they're going to --
6 right, that go up and down that the cars come into.
7 That's what he was asking me, so --

8 MR. CALDWELL: Okay.

9 CHAIRMAN MADDEN: Well, does anybody have any
10 ideas here what we --

11 We better enter the --

12 MR. LUMLEY: I offer the following exhibits into
13 this public hearing record: Documentation in possession
14 of the City Clerk reflecting the notice that was provided
15 to the public regarding the hearing; of the staff's report
16 that's been presented this evening; the City's Code of
17 Ordinances and Charter; the City Comprehensive Plan and
18 public file regarding this application.

19 CHAIRMAN MADDEN: Okay. The meeting -- or the
20 public hearing is officially closed.

21 (The public hearing ended.)
22
23
24
25

43

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
16

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BILL NO. 5349

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ADOPTED 2011-2012 GENERAL FUND AND CAPITAL FUND
BUDGETS 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 27, 2011 BY ORDINANCE NO. 5199.

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 AND CAPITAL FUNDS FOR THE
2011-2012 FISCAL YEARS AS ADOPTED, IS HEREBY AMENDED BY AUTHORIZING ADDITIONAL APPROPRIATIONS IN THE
AMOUNT OF \$100,500 IN THE FOLLOWING DEPARTMENTS:

GENERAL FUND

INTERDEPARTMENTAL	\$	10,000
POLICE - PATROL		8,500
PUBLIC WORKS - ADMIN		1,000
COMMUNITY DEVELOPMENT-PLANNING DIVISION		1,200
TOTAL ADDITIONAL APPROPRIATIONS-GENERAL FUND	\$	<u>20,700</u>

CAPITAL FUND

LADUE SIDEWALK DESIGN	\$	29,000
SPOEDE ROAD PROJECT		50,800
TOTAL ADDITIONAL APPROPRIATIONS-CAPITAL FUND	\$	<u>79,800</u>

TOTAL ALL ADDITIONAL APPROPRIATIONS	\$	<u><u>100,500</u></u>
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SECTION 2. THAT THE ANNUAL OPERATING BUDGET FOR THE GENERAL FUND FOR THE 2011-2012 FISCAL YEARS AS ADOPTED,
IS HEREBY AMENDED BY AUTHORIZING ADDITIONAL UNAPPROPRIATIONS IN THE AMOUNT OF \$21,500 IN THE
FOLLOWING DEPARTMENT:

GENERAL FUND

POLICE INVESTIGATIONS	\$	21,500
TOTAL ADDITIONAL UNAPPROPRIATIONS-GENERAL FUND	\$	<u>21,500</u>

BILL NO. 5349

ORDINANCE NO. _____

SECTION 3. 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, MPCC
CITY CLERK



Memorandum

DATE: November 8, 2011

TO: Mark Perkins, City Administrator

FROM: Daniel Smith, Director of Finance

SUBJECT: Fiscal Year 2012 Budget Amendments

During the fiscal year it becomes necessary to adjust the adopted budget. Since July 1st a number of events have occurred that will require an adjustment to the fiscal year 2012 budget adopted on June 27, 2011. Some of the more significant adjustments are as follows:

1. Interdepartmental
Additional funds in the amount of \$10,000 need to be appropriated for unemployment compensation.
2. Police – Patrol
More officers participated in the vacation buyout than budgeted. Therefore an additional \$8,500 in appropriations is required.
3. Ladue Sidewalk Project Design
This project was not budgeted for 2012 however it needs to be done this year. Therefore an additional \$29,000 needs to be appropriated.
4. Spoeede Road Project
Project was to be completed in 2011. However due to some construction issues it was not finished until 2012. Therefore an additional \$50,800 needs to be budgeted.
5. Police – Investigations
Personnel vacancies and new assignments to the investigative unit have reduced costs. Therefore a \$21,500 unappropriation is requested.

Throughout the year it is anticipated other budget amendments will be necessary. If you have any questions I would be pleased to answer them.

RESOLUTION NO. 984

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF CREVE COEUR AND DELTA DENTAL OF MISSOURI RENEWING THE CITY'S DENTAL INSURANCE PLAN BEGINNING JANUARY 1, 2012 AND ENDING DECEMBER 31, 2013.

WHEREAS, the City's employee dental insurance plan will expire on December 31, 2011; and

WHEREAS, industry trend rate increases for dental insurance are approximately 6% to 8% year; and

WHEREAS, the City was presented with a 2.9% rate increase from its current carrier, Delta Dental of Missouri, for the plan year beginning January 1, 2012; and

WHEREAS, the City has marketed its plan in each of the past two years and has chosen to remain with Delta Dental; and

WHEREAS, the City has had a positive experience with Delta Dental; and

WHEREAS, a 24-month rate hold was negotiated with Delta Dental.

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

SECTION 1: It is hereby authorized that an agreement with Delta Dental of Missouri be executed for dental insurance beginning January 1, 2012 for a two-year period, and that the City Clerk is authorized and directed to attest thereto. 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.

<u>Cost</u>	<u>Enrolled</u>	<u>Monthly Premium</u>	<u>City Cost</u>	<u>Employee</u>
Employee only	39	\$44.31	\$29.42	\$14.89
Employee & Family	67	\$118.05	\$72.66	\$45.39
Monthly Total		\$9,637	\$6,015	
Annual Total		\$115,646	\$72,184	

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

Adopted this 14th day of November 2011.

Harold Dielmann, Mayor

ATTEST:

Deborah Ryan, City Clerk



INTEROFFICE MEMORANDUM

Date: November 14, 2011

To: Mark Perkins, City Administrator
From: Jaysen Christensen, Assistant to the City Administrator
Subject: Group Dental Insurance for 2012

Staff recommends that the City renew its employee dental insurance plan with Delta Dental effective for January 1, 2012 with a 2.9% rate increase. The rates are guaranteed for a period of 24 months with no changes to the current plan or benefit levels. No changes are proposed to the cost sharing between employees and the City (see table below). Annual cost to the City under the proposed renewal is projected to be approximately \$72,000.

The City has marketed its dental plan to other carriers in each of the past two years due to proposed double-digit rate increases from Delta Dental. Other carriers have proposed better rates, but none have been able to match Delta's benefit levels or large network of dentists. City employees therefore voted to absorb 100% of the increased cost in both the 2010 and 2011 plan years in order to keep Delta Dental. While premiums increased by 12.8% and 9.9% in 2010 and 2011 respectively, the per-employee cost to the City has not changed. In fact, total costs to the City have declined due to reductions in staff. Total costs to the City were approximately \$77,000 in 2010 and are projected at approximately \$72,000 in 2012.

The proposed 2.9% rate increase for 2012 and 0% increase for 2013 compares favorably to industry trend, which averages 6% to 8% per year. Additionally, the 2.9% rate increase is below the City's FY12 budget, which budgeted for a 5% rate increase.

The following table compares the existing and proposed rates and premium sharing between the employees and the City. Please let me know if I can provide any additional information.

	Delta - Current Rate	Delta - Proposed 1/1/2012
Total Premium (per month per employee)		
Employee Coverage	\$ 43.06	\$ 44.31
Family Coverage	\$ 114.72	\$ 118.05
Cost Sharing - Employee % Share of Premium		
Employee Coverage	33.6%	33.6%
Family Coverage	38.5%	38.5%
City Cost (per month per employee)		
Employee Coverage	\$ 28.59	\$ 29.42
Family Coverage	\$ 70.61	\$ 72.66
City Cost (per month total)	\$ 5,846	\$ 6,015
City Cost (per year total)	\$ 70,150	\$ 72,184

Attachment
- Resolution to renew contract with Delta Dental

**CITY OF CREVE COEUR
DENTAL INSURANCE ANALYSIS**

Renewal Date: January 1, 2011

	Benefit Enhancement
	Benefit Reduction

FEATURES:	Delta DentaCare4 (current plan)		United Health Care	
	Premier	Out of Network	In Network	Out of Network
Individual Deductible:	\$25	\$25	\$25	\$25
Family Deductible:	\$75	\$75	\$75	\$75
Type I - Preventive Care: (Exams, Cleanings)	100% (No Ded)	100% (No Ded)	100% (No Ded)	100% (No Ded)
Type II - Basic Procedures: (Fillings, Extractions)	80%	80%	80%	80%
Type III - Major Procedures: (Caps, Implants)	60%	60%	60%	60%
Crowns	80%	80%	60%	60%
Endodontics:	80%	80%	80%	80%
Periodontics:				
Surgical:	50%	50%	80%	80%
Non-Surgical:	80%	80%	80%	80%
Type IV - Orthodontia:	50% to \$1,500 Lifetime Max. Child Only	50% to \$1,500 Lifetime Max. Child Only	50% to \$1,500 Lifetime Max. Child Only	50% to \$1,500 Lifetime Max. Child Only
Maximum Benefit/Year:	\$1,500/Person \$3,000/Family	\$1,500/Person \$3,000/Family	\$1,500 Per Person	\$1,500 Per Person
No. of providers within 10 miles of 6314	470		203	
	Delta (Current Rate)	Delta - Option A (Proposed 1/1/2011)	UHC - Option B (Proposed 1/1/2011)	UHC - Option C (Proposed 1/1/2011)
Total Premium (monthly)				
Employee Coverage	\$ 39.18	\$ 43.06	\$ 24.15	\$ 24.15
Family Coverage	\$ 104.39	\$ 114.72	\$ 77.53	\$ 77.53
Employee % Share of Premium				
Employee Coverage	26.9%	33.5%	26.9%	17.5%
Family Coverage	32.4%	38.5%	32.4%	23.7%
Employee Cost (monthly)				
Employee Coverage	\$ 10.53	\$ 14.41	\$ 6.50	\$ 4.23
Family Coverage	\$ 33.78	\$ 44.11	\$ 25.12	\$ 18.37
City Cost (monthly per emp)				
	\$ 28.65	\$ 28.65	\$ 17.65	\$ 19.92
	\$ 70.61	\$ 70.61	\$ 52.41	\$ 59.16
City cost (total emp cov)	\$ 1,088.70	\$ 1,088.70	\$ 670.84	\$ 757.10
City Cost (total family cov)	\$ 5,083.92	\$ 5,083.92	\$ 3,773.54	\$ 4,259.19
City Cost (monthly)	\$ 6,173	\$ 6,173	\$ 4,444	\$ 5,016
City Cost (annually)	\$ 74,071	\$ 74,071	\$ 53,333	\$ 60,195

**CITY OF CREVE COEUR
DENTAL INSURANCE ANALYSIS
Renewal Date: January 1, 2012**

FEATURES:	Delta DentaCare4 (current plan)	
	Premier	Out of Network
Individual Deductible:	\$25	\$25
Family Deductible:	\$75	\$75
Type I - Preventive Care: (Exams, Cleanings)	100% (No Ded)	100% (No Ded)
Type II - Basic Procedures: (Fillings, Extractions)	80%	80%
Type III - Major Procedures: (Caps, Implants)	60%	60%
Crowns	80%	80%
Endodontics:	80%	80%
Periodontics:		
Surgical:	50%	50%
Non-Surgical:	80%	80%
Type IV - Orthodontia:	50% to \$1,500 Lifetime Max. Child Only	50% to \$1,500 Lifetime Max. Child Only
Maximum Benefit/Year:	\$1,500/Person \$3,000/Family	\$1,500/Person \$3,000/Family
No. of providers within 10 miles of 6314	470	470
	Delta - Current Rate	Delta - Proposed 1/1/2012
Total Premium (per month)		
Employee Coverage	\$ 43.06	\$ 44.31
Family Coverage	\$ 114.72	\$ 118.05
Employee % Share of Premium		
Employee Coverage	33.6%	33.6%
Family Coverage	38.5%	38.5%
Employee Cost (per month)		
Employee Coverage	\$ 14.47	\$ 14.89
Family Coverage	\$ 44.11	\$ 45.39
City Cost (per month per emp)		
Employee Coverage	\$ 28.59	\$ 29.42
Family Coverage	\$ 70.61	\$ 72.66
City Cost (per month total)	\$ 5,846	\$ 6,015
City Cost (per year total)	\$ 70,150	\$ 72,184

RESOLUTION NO. 985

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LINCOLN FINANCIAL GROUP TO PROVIDE GROUP LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT, AND LONG TERM DISABILITY INSURANCE FOR CITY EMPLOYEES.

WHEREAS, Lincoln Financial Group (LFG) currently provides basic group life, basic accidental death and dismemberment (AD&D), and long-term disability (LTD) insurance for City employees; and

WHEREAS, the City's benefits broker negotiated a pass on rate increases for all lines of coverage and a 24-month rate hold; and

WHEREAS, the City's experience with LFG has been positive.

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

SECTION 1: That it is hereby authorized to execute an agreement to contract with Lincoln Financial Group to provide basic life, AD&D, and LTD insurance for City employees effective January 1, 2012 based on the following rates guaranteed for a period of twenty-four (24) months:

	<u>Volume</u>	<u>Proposed Rate</u>	<u>Proposed Annual Premium</u>	
Basic Life	\$12,111,030	\$0.17/\$1,000 coverage	\$	24,707
Basic AD&D	\$11,901,030	\$0.03/\$1,000 coverage	\$	4,284
Long Term Disability	\$468,990	\$0.36/\$100 monthly payroll	\$	20,256
Total			\$	49,247

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

Adopted this 14th day of November, 2011.

Harold Dielmann, Mayor

ATTEST:

Deborah Ryan, City Clerk



INTEROFFICE MEMORANDUM

Date: November 14, 2011

To: Mark Perkins, City Administrator
From: Jaysen Christensen, Assistant to the City Administrator
Subject: Life, AD&D, and Long Term Disability Insurance

The City provides basic group life, accidental death & disability (AD&D), and long-term disability (LTD) insurance to all full-time employees. The City solicited proposals for all three of these lines of coverage from 12 carriers for the 2010 plan year, and Lincoln Financial Group (LFG) submitted the lowest rates and guaranteed the rates through January 1, 2012.

With the end of the current contract approaching, the City's benefits broker, CBIZ, negotiated a rate pass from LFG on all lines of coverage and a rate hold for an additional two years. The City has had good experience with LFG, and after consulting with CBIZ, staff recommends that the City renew coverage with LFG for an additional two years at current rates.

The attached resolution would authorize the City to renew its contract with Lincoln Financial Group based on the following rates:

	<u>Volume</u>	<u>Proposed Rate</u>	<u>Proposed Annual Premium</u>	
Basic Life	\$12,111,030	\$0.17/\$1,000 coverage	\$	24,707
Basic AD&D	\$11,901,030	\$0.03/\$1,000 coverage	\$	4,284
Long Term Disability	\$468,990	\$0.36/\$100 monthly payroll	\$	20,256
Total			\$	49,247

We are pleased to present a favorable renewal to the City Council.

Enclosures:

- 1) Resolution to contract with Lincoln Financial Group for basic life and AD&D
- 2) Spreadsheet comparing current and proposed rates and coverage (no changes)

**CITY OF CREVE COEUR
LIFE AND AD&D ANALYSIS
Renewal Date: January 1, 2012**

FEATURES:	LINCOLN FINANCIAL GROUP Current	LINCOLN FINANCIAL GROUP Renewal
Class One: Council Members	Flat \$30,000	Flat \$30,000
Class Two: All Others	2 x Salary to \$250,000 Maximum	2 x Salary to \$250,000 Maximum
AD&D Benefit:	Class Two Only	Class Two Only
Conversion Privilege:	Included	Included
Waiver of Premium:	Class Two Only	Class Two Only
Accelerated Death Benefit:	Included	Included
Rate Guarantee:		<u>24 Months</u>
Life Rate per \$1000:	\$0.17	\$0.17
AD&D Rate per \$100:	\$0.03	\$0.03
Total Monthly Premium:	\$2,416	\$2,416
Percentage Difference:		0%

The above outline is for illustration purposes only. It is not intended to provide specific definitions of the plan's coverage or to determine if specific claims are eligible for payment.



Memorandum

DATE: November 8, 2011

TO: Mark Perkins, City Administrator

FROM: Daniel Smith, Director of Finance

SUBJECT: First Quarter FY 2012 Financial Analyses

Attached are the 1st quarter 2012 results for the two major operating funds – the General Fund and the Municipal Enterprise Fund. The significant trends for the 1st quarter are as follows:

1. General Fund

a. Revenues

The revenues for 2012 are increased over those for the same time period in 2011. The increases are primarily in the area of:

Intergovernmental. These revenues are up by 29% primarily due to increased sales tax collections. This increase results primarily from the additional .25% sales tax approved in November 2010. Although it is impossible to separate the additional tax receipts from the total it appears an increase in the basic sales tax is also occurring.

The utility gross receipt revenues are slightly lower for 2012. Electric gross receipts are increased while water, telephone and gas revenues are down

In addition building permits are higher than in FY 2011. They have increased by almost 100% for the first quarter.

b. Expenditures

Expenditures are currently anticipated to be at or below the original FY 2012 budgeted amounts. The only departments substantially outside of the prorated amounts for the first quarter are the Municipal Court, Health & Welfare and Interdepartmental. Some of these variances result from encumbrances of large contracts. The court is for American Traffic Solutions (ATS) photo enforcement, and Health & Welfare is for trash and recycling services. In Interdepartmental over 50% of insurance premiums were paid the first quarter.

2. Enterprise Fund

a. Revenues

Revenues for FY 2012 are higher than 2011. This increase is both and the golf course and the ice arena. At the golf course green fees and cart rental are up. At the ice arena figure skating revenues are up. Overall revenues are anticipated to be at budgeted levels or slightly higher.

b. Expenditures

Expenses in the 1st quarter are lower than in FY 2011. The primary decrease is in expenses at the golf course. This reduction resulted primarily from savings by reducing one full-time position and certain one-time payments due to a retirement occurring in FY 2011. Overall, staff projects expenditures to be within FY 2012 budgeted amounts.

3. **Capital Fund**

a. Revenues

At this time staff anticipates revenues for the Capital Fund will be close to FY 2012 budget amounts.

b. Expenditures

Expenditures needed to be increased for two projects: the Spoede Road Project and Ladue Road Sidewalk Design. The Ladue Sidewalk Project will cost an additional \$29,000. The Spoede Road Project will cost \$50,800 and was originally budgeted in 2011 but will not be completed until 2012. It is hoped that savings in other projects will at least partially offset this additional expense. If not there is sufficient balance in the Capital Fund to absorb these projects.

4. **Interest Rates**

At this time it is projected interest revenues will be at or slightly higher than budgeted.

The Fiscal Year 2011 was a good year. With the approval of the .25% sales tax, staff anticipates a healthy financial picture for the General Fund for at least a few years. As always due to the subsidy of the City's Enterprise Fund a close watch needs to be kept on the need for an annual transfer.

I would be happy to answer any questions.



City of Creve Coeur
Statement of Revenues and Expenditures
FY 2012
As of September 30, 2011

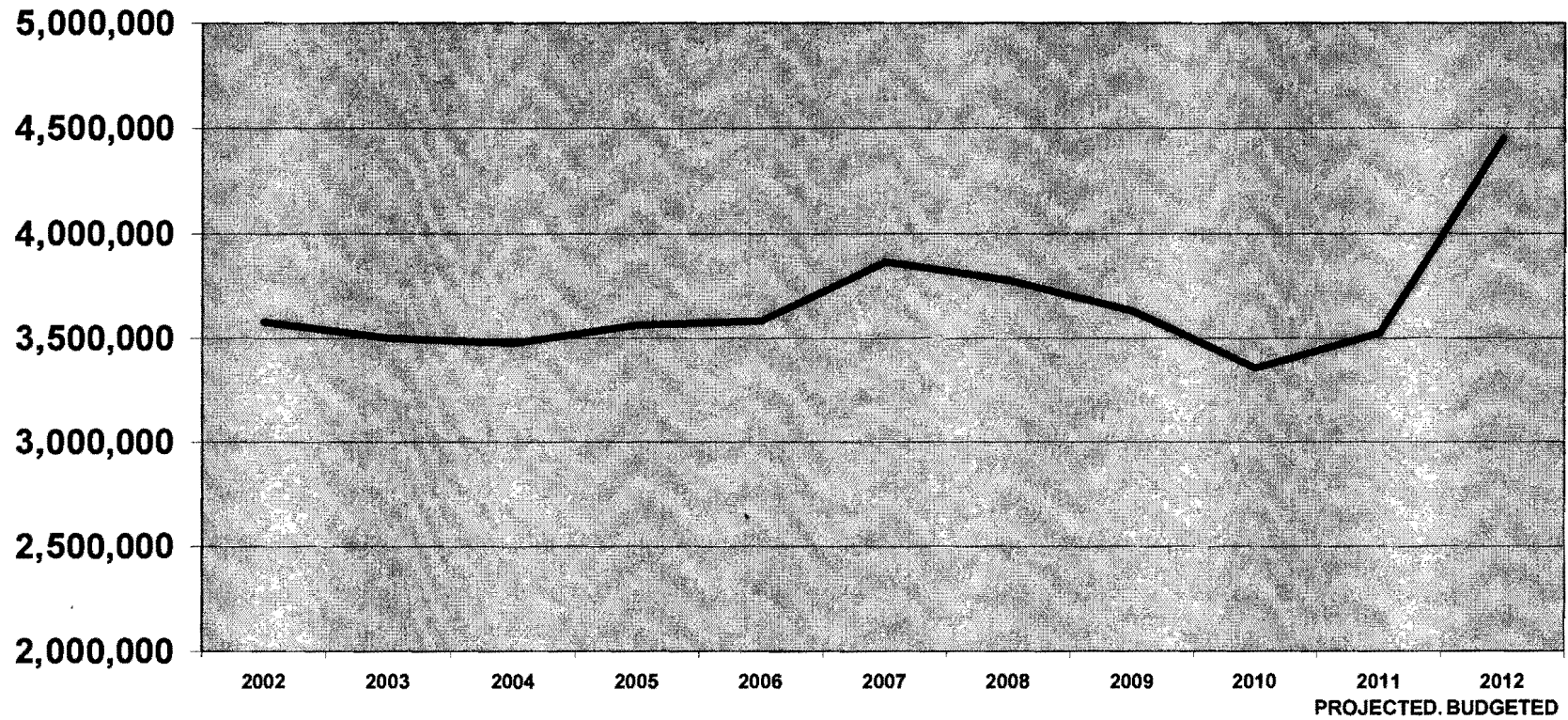
	Annual Budget	Adjusted Annual Budget	YTD Actual	YTD Encumb	Actual As % of Budget	2011 1st Qtr Actual	2011 Actual As % of Budget
<u>General Fund Revenues:</u>							
Property Taxes	687,800	687,800	2,354		0.3%	5,063	0.7%
Utility Taxes	5,675,000	5,675,000	1,731,608		30.5%	1,743,902	32.1%
Intergovernmental	6,145,000	6,145,000	1,381,552		22.5%	1,068,878	20.8%
Licenses and Permits	712,050	712,050	161,328		22.7%	120,455	20.6%
Charges for Services	78,600	78,600	21,789		27.7%	19,581	27.5%
Municipal Court	1,834,000	1,834,000	474,128		25.9%	458,022	24.5%
Other Revenues	777,007	777,007	142,196		18.3%	179,171	19.3%
Transfers	138,537	138,537			0.0%	0	0.0%
Total Revenues	16,047,994	16,047,994	3,914,955		24.4%	3,595,072	24.2%
<u>General Fund Expenditures:</u>							
Legislative Services	357,214	362,114	68,829		19.3%	65,868	18.2%
Administrative Services	786,988	727,334	164,191	20,649	23.5%	193,786	26.6%
Non-Departmental	472,902	426,157	179,182	9,159	39.8%	197,088	46.2%
Maint. of Municipal Prop.	339,529	372,495	71,323	5,187	22.5%	78,503	21.1%
Municipal Court	875,181	826,279	73,685	541,667	70.3%	72,732	8.8%
Finance Department	497,922	451,571	117,091	38,303	31.2%	118,368	26.2%
Police Department	6,609,307	6,671,072	1,476,207	89,382	23.7%	1,465,227	22.0%
Park Maintenance	470,432	473,259	118,045	19,514	29.2%	135,429	28.6%
Community Services	71,084	65,598	19,397		27.3%	15,397	23.5%
Public Works - Admin.	395,229	374,082	89,549	1,070	22.9%	82,149	22.0%
Street Maintenance	1,672,865	1,721,119	315,958	120,252	26.1%	428,721	24.9%
Health and Welfare	1,384,025	863,178	230,244	433,580	48.0%	663,965	76.9%
Community Development	1,058,801	1,045,620	235,597	9,605	23.2%	223,262	21.4%
Total Expenditures	14,991,478	14,379,877	3,159,298	1,288,368	29.7%	3,740,495	26.0
Total Operating Surplus (-Deficit)	1,056,516		(532,711)			(145,423)	
Transfers To Other Funds	540,000		0	0		0	
Operating Revenues Over (under) Expenditures	516,516		(532,711)			(145,423)	



City of Creve Coeur
Statement of Revenues and Expenditures
FY 2012
As of September 30, 2011

	Annual Budget	YTD Actual	YTD Encumb	Actual As % of Budget	2011 1st Qtr Actual	2011 Actual As % of Budget
<u>Municipal Enterprise Fund Revenues:</u>						
Golf Course	404,725	154,550		38.2%	145,416	29.9%
Food Service	54,950	18,086		32.9%	18,232	25.7%
Ice Arena	492,675	105,461		21.4%	82,334	16.4%
Other Revenues	1,350	26		0.0%	3,702	0.0%
Transfers	140,000			0		0
Total Revenue	1,093,700	278,123	0	25.4%	249,684	20.7%
<u>Municipal Enterprise Fund Expenditures:</u>						
Golf Course	506,068	119,560	23,090	28.2%	188,404	32.8%
Food Service	51,117	11,227	8,410	38.4%	21,368	34.2%
Ice Arena	456,983	98,113	62	21.5%	88,458	17.8%
Transfers	0			#DIV/0!	0	0.0%
Total Expenditures	1,014,168	228,900	31,562	25.7%	298,230	26.3%
Total Operating Surplus (-Deficit)	79,532	17,661	0		-48,546	
Annual Debt Repayment	81,987	0	0		0	0.00%
Transfers	0	0	0			
Fund Balance Adjustment	(2,455)	17,661			(48,546)	

SALES TAX 2002-2012 BUDGETED





Memorandum

DATE: November 8, 2011

TO: Mark Perkins, City Administrator

FROM: Daniel Smith, Director of Finance

SUBJECT: WCDC Quarterly Report

I have reviewed the year-to-date report for the WCDC for the period ending September 30, 2011. Based upon the first quarter results it appears the WCDC expenditures will be less than anticipated. Salaries, health insurance and pension expenses should be less than projected. Overtime appears high for the first quarter but the Director indicates that it will be substantially reduced in future quarters. With this reduction the annual overtime is projected to be only slightly higher than budgeted.

In addition, due to a future change in operations it is projected that staff can be reduced. This change will also result in reduced revenues. However, it is anticipated that due to personnel cost savings there will be a net cost savings of \$10,000. Therefore, it appears that the WCDC will perform financially better than originally anticipated for the fiscal year 2012.

I would be pleased to respond to any questions.

REPORT DATE 09/30/2011
 SYS? DATE 10/20/2011
 FILE? LD T

CITY OF WN & COUNTRY
 STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND BALANCE
 West Central Dispatch Ctr
 AS OF 09/2011

PAGE 2
 TIME 10:04:37
 USER BETTY

ACCOUNT DESCRIPTION	----- C U R R E N T M O N T H -----			----- Y E A R - T O - D A T E -----		
	BUDGET	ACTUAL	ACTUAL OVER/ UNDER BUDGET	BUDGET	ACTUAL	ACTUAL OVER/ UNDER BUDGET
EXPENDITURES						
WC-DC-100-10						
Salaries		47108.72	-47108.72	651150.00	166831.44	484318.56
WC-DC-100-15						
Overtime		4402.07	-4402.07	30000.00	19987.46	10012.54
WC-DC-100-20						
Holiday Pay				21500.00		21500.00
WC-DC-100-24						
Pension		1544.62	-1544.62	49900.00	7766.87	42133.13
WC-DC-100-25						
Employer Payroll Taxes		4655.44	-4655.44	54150.00	15750.94	38399.06
WC-DC-100-31						
Disability Insurance				3800.00		3800.00
WC-DC-100-32						
Medical Insurance		4826.84	-4826.84	88000.00	23612.77	64387.23
WC-DC-100-36						
Dental Insurance		321.06	-321.06	7500.00	1614.78	5885.22
WC-DC-100-37						
Other Employee Benefits				2550.00		2550.00
WC-DC-100-38						
Employee Recognition				300.00	45.00	255.00
TOTALS FOR Personnel Services		62858.75	-62858.75	908850.00	235609.26	673240.74
WC-DC-200-50						
Service Contracts		1503.70	-1503.70	67800.00	43108.81	24691.19
WC-DC-200-80						
Insurance				22900.00		22900.00
WC-DC-200-95						
Telephone		3587.05	-3587.05	43200.00	10188.97	33011.03
TOTALS FOR Contractual Services		5090.75	-5090.75	133900.00	53297.78	80602.22
WC-DC-300-10						
Office Supplies		214.48	-214.48	5000.00	414.83	4585.17
WC-DC-300-90						
Uniforms		387.80	-387.80	3000.00	733.75	2266.25
TOTALS FOR Materials & Supplies		602.28	-602.28	8000.00	1148.58	6851.42
WC-DC-400-30						
Dues & Memberships				200.00		200.00
WC-DC-400-40						
Subscriptions & Publictn				1000.00		1000.00
WC-DC-400-50						
Training				2650.00		2650.00
WC-DC-400-60						
Mileage				300.00		300.00
WC-DC-400-99						
Miscellaneous Expense		125.19	-125.19	1000.00	313.24	686.76
TOTALS FOR Other		125.19	-125.19	5150.00	313.24	4836.76

REPORT DATE 09/30/2011
 SYST DATE 10/20/2011
 FILE _D T

CITY OF TOWN & COUNTRY
 STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
 West Central Dispatch Ctr
 AS OF 09/2011

PAGE 3
 TIME 10:04:37
 USER BETTY

ACCOUNT DESCRIPTION	----- C U R R E N T M O N T H -----			----- Y E A R - T O - D A T E -----		
	BUDGET	ACTUAL	ACTUAL OVER/ UNDER BUDGET	BUDGET	ACTUAL	ACTUAL OVER/ UNDER BUDGET
TOTALS FOR West Central Dispatch Ctr		68676.97	-68676.97	1055900.00	290368.86	765531.14
TOTALS FOR West Central Dispatch Ctr		68676.97	-68676.97	1055900.00	290368.86	765531.14
TOTALS FOR EXPENDITURES		68676.97	-68676.97	1055900.00	290368.86	765531.14
EXCESS OF REVENUE OVER EXPENDITURES FOR West Central Dispatch Ctr		-68636.14	-68636.14	-12000.00	195689.25	207689.25
OTHER ADJUSTMENTS TO FUND BALANCE					0.00	
FUND BALANCES - JULY 1					129176.16	
FUND BALANCES - SEPTEMBER 30					324865.41	

REPORT DATE 09/30/2011
 SYST DATE 10/20/2011
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CITY OF TOWN & COUNTRY
 STATEMENT OF ACTUAL AND ESTIMATED REVENUES
 West Central Dispatch Ctr
 AS OF 09/2011

PAGE 1
 TIME 10:10.23
 USER BETTY

ACCOUNT NUMBER	DESCRIPTION	ESTIMATED REVENUE	ACTUAL MTD REVENUE	ACTUAL YTD REVENUE	UNREALIZED REVENUE	PERCENT RECEIVED
WC-DC-820-01	Base Fee	300000.00		300000.00		100.00
WC-DC-820-02	Usage Fee	743900.00		185975.00	557925.00	25.00
TOTALS FOR ACCT 820		1043900.00		485975.00	557925.00	46.55
WC-DC-830-20	Interest Income		40.83	83.11	-83.11	
TOTALS FOR ACCT 830			40.83	83.11	-83.11	
TOTALS FOR West Central Dispatch Ctr		1043900.00	40.83	486058.11	557841.89	46.56



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

DATE: October 21st, 2011

TO: Mark Perkins, City Administrator

FROM: Glenn Eidman, Chief of Police

SUBJECT: Cost Comparison for Dispatching Services:

Below listed are the expenses for the Dispatching services that the Police department would have paid out for fiscal year 2011-2012 vs. costs for fiscal year 2011-2012 for West Central Dispatch Center.

Expenses for the Q4 of FY10/11	Cost	Frequency of payment	Remaining Payments	Total
Equipment				
Console Maintenance	\$190.00	monthly	3	\$570.00
Radio Contract/ Warner	\$265.33	monthly	3	\$795.99
REJIS/Global	\$1,758.00	monthly	3	\$5,274.00
CMPA- Non-Commissioned Training	\$350.00	annual	1	\$350.00
PLS Dispatch	\$960.00	annual	1	\$960.00
St. Luke's	\$100.00	triannual	1	\$100.00
St. John's	\$100.00	triannual	1	\$100.00
				\$8,149.99
Personnel				
Salaries	\$83,357.75	quarterly	1	\$83,357.75
Benefits	\$41,636.25	quarterly	1	\$33,662.50
Longevity	Included in benefits	quarterly		
Uniforms	Included in benefits	monthly		
Overtime- based on 1/1/11- 3/31/11	\$3,750.00	quarterly	1	\$3,750.00
				\$120,770.25
		Q4 of FY10/11		\$128,920.24
Projected Expenses for FY11/12 with dispatch				
Equipment				
CIS Tower Lease	\$2,627.98			\$2,627.98
Haines Criss Cross	\$1,225.00			\$1,225.00
Console Maintenance	\$190.00	monthly	12	\$2,280.00
Radio Contract/ Warner	\$265.33	monthly	12	\$3,183.96
REJIS/Global	\$1,758.00	monthly	12	\$21,096.00
CMPA- Non-Commissioned Training	\$350.00			\$350.00
PLS Dispatch	\$960.00			\$960.00
St. Luke's	\$300.00			\$300.00
St. John's	\$300.00			\$300.00
				\$32,322.94

Personnel Costs		
Current Salaries	\$333,431.00	
Salaries*	\$334,992.00	\$333,431.00
Benefits	\$176,021.00	\$166,545.00
Overtime- avg. based on fiscal year 2010		\$15,000.00
		\$514,976.00
Total for FY11/12		\$547,298.94
*Based on current salaries plus 3.5% raise		
Consortium Cost for FY 11/12		
Membership fee	\$100,000.00	
User Fee	\$327,316.00	
Total	\$427,316.00	
Comparison of Consortium vs. Retained Dispatch		
Projected Costs for FY11/12 with dispatch	\$547,298.94	
Consortium cost	\$427,316.00	
Savings Realized	\$119,982.94	

The cost comparison considers the following factors:

- Current salaries prior to dissolving our dispatch center
- Benefits to include, social security, Medicare, Workman's comp, AD & D, Health, Dental, longevity, Holiday pay, uniform allowance, pension costs, and Life Insurance costs paid by the city.
- Equipment costs no longer paid by the city for dispatching.

Chief Glenn Eidman



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: November 7, 2011

TO: Mark Perkins, City Administrator

CC: Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Recommendation of Award
Government Center Sidewalk and Ramp Improvements

Project Discussion

The Creve Coeur Government Center currently has no outdoor, handicapped-accessible route between its northern parking lot and the building's public or employee entrances. This project proposes to create such a path with a new concrete sidewalk and to replace sections of outdated and deteriorated sidewalk adjacent to the new sidewalk.

A concept drawing that illustrates the proposed improvements is attached.

Project Financing

City staff proposes to seek funding for this project through the Community Development Block Grant (CDBG) program. The CDBG program helps finance projects to provide or improve accessibility for public facilities, and staff feels that the current proposal falls within the breadth of the CDBG program. The City currently has funding available through this program, and staff anticipates that the improvements could be implemented before the end of the year.

This project is identified in the FY2012 capital improvement fund under the account "ADA Improvements," which is in place for projects performed through the CDBG program.

Advertisement

The City advertised the Request for Proposals on the City's website and sent this RFP to those contractors who bid on the City's 2011 Concrete Pavement Replacement Program.

Bid Results

A total of four (4) bids were received for the project, as summarized below:

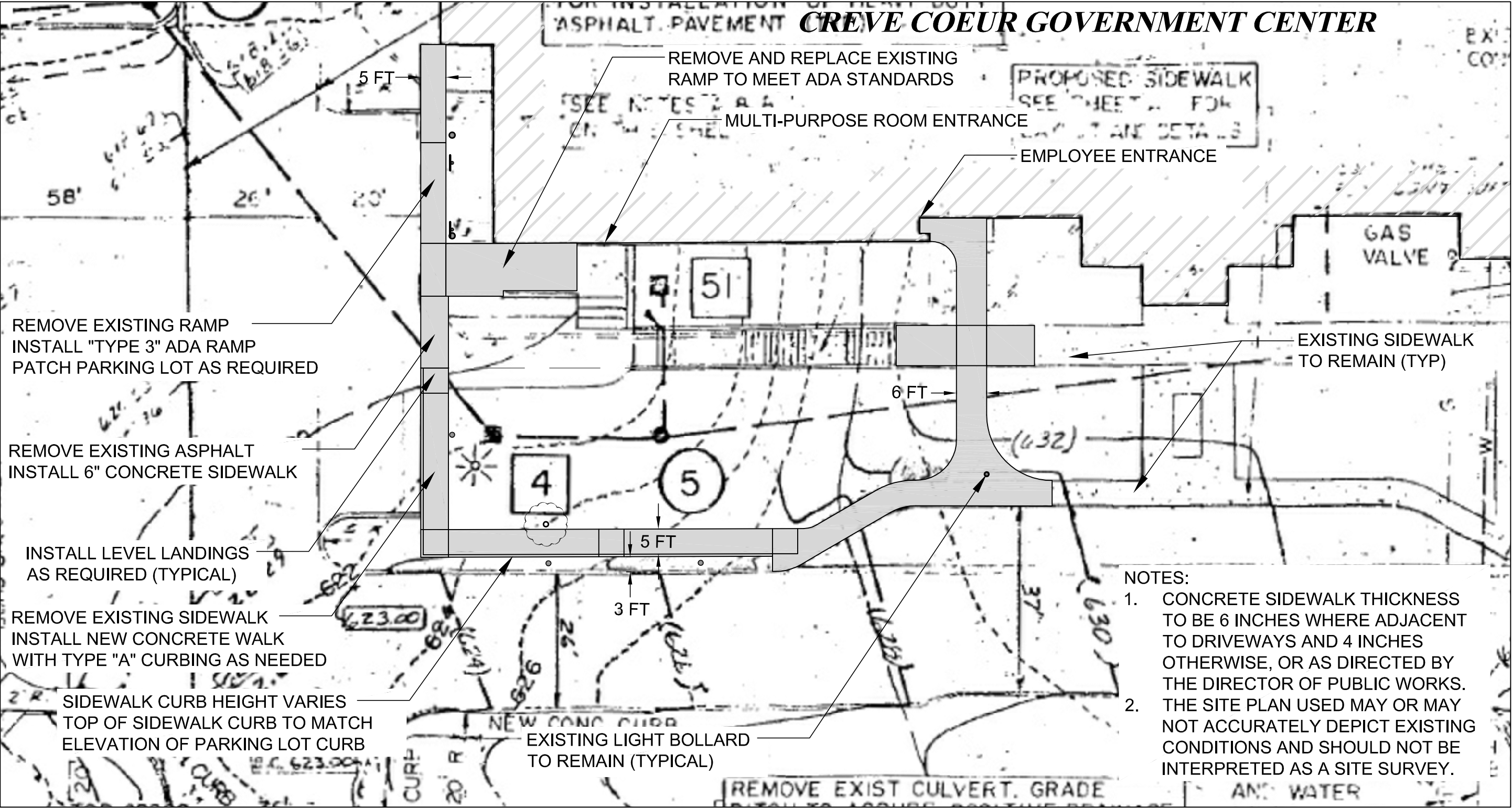
1. M&H Concrete Contractors, Inc.....	\$ 14,462.50
2. Midwest Mudjacking & Construction Co., Inc.....	\$ 17,526.00
3. Shamrock Concrete, LLC.	\$ 18,810.00
4. Spencer Contracting Company	\$ 28,780.00

No inconsistencies were found in the bids.

Recommendation

The recommendation is to award the subject project to M&H Concrete Contractors, Inc. due to their low bid for the work and their past and current performance with similar work in Creve Coeur.

Attachments: Sidewalk Concept Plan



REVISIONS			
REV.	DATE	DESCRIPTION	SHEET #

DESIGNED BY: MRW
DRAFTED BY: MRW
APPROVED BY:

PROJECT NAME:
GOVERNMENT CENTER SIDEWALK IMPROVEMENTS

DRAFT STATUS:
CONCEPT

OCTOBER 4, 2011



DRAWING TITLE:
CONSTRUCTION PLAN

DRAWING SCALE:
NOT TO SCALE

DRAWING NUMBER:
1

SHEET NUMBER:
1 OF 1



INTEROFFICE MEMORANDUM

Date: November 14, 2011

To: Mark Perkins, City Administrator
From: Jaysen Christensen, Assistant to the City Administrator
Subject: Domestic Chickens

At its August 8, 2011 meeting, the City Council discussed whether or not residents should be allowed to keep chickens. It was requested that research be done including gathering input from residents on the issue. Staff has conducted a survey of residents on the City's website and has further researched what is being done in other cities.

Resident Survey

A survey was conducted on the City's website from late August to early October to solicit feedback from residents on whether or not domestic chickens should be allowed within City limits. Following is a summary of the 122 resident responses that were received:

"How supportive are you of the City allowing chickens (hens only, not roosters) in residential areas in Creve Coeur?"

	No. of responses	Percentage
Very Opposed	37	30%
Opposed	9	7%
Neutral	9	7%
Supportive	7	6%
Very Supportive	60	49%
Total	122	100%

Reasons indicated for being opposed:

- Odors
- Disease
- Noise
- May attract predators
- Not in harmony with Creve Coeur's character

Reasons indicated for being supportive:

- Healthier eggs
- Better tasting eggs
- Good for environment
- Enjoyable family activity

All 122 responses and comments are provided in the attached spreadsheet.

Neighboring Cities

Neighboring cities that currently allow chickens include Clayton, Crestwood, Kirkwood, Maplewood, University City, and Webster Groves. The staff who were conacted in these cities could not recall any significant problems or complaints related to allowing residents to keep chickens in their cities.

The City of Richmond Heights is currently considering whether or not to allow its residents to keep chickens. The following table compares how chickens are regulated in these cities:

City	Allowed?	Permit Required?	Limit to Number of chickens	Property requirements
Clayton	Yes	No	Not addressed in code	Single family lots only. 5 foot setback on rear and side yards if coop is large enough to require building permit.
Crestwood	Yes	Yes	Up to 3	Single family lots only. If coop is large enough to require building permit, 5 foot rear yard setback and 6 to 12 foot side yard setback depending on lot size is required
Kirkwood	Yes	No	Not addressed in code	Single family lots only. 5 foot setback on rear and side yards if coop is large enough to require building permit.
Maplewood	Yes	Yes	Up to 6	Single family lots only; rear yard only; at least 5 feet from property lines
Richmond Heights	Proposed	Yes - \$25 fee	Up to 5	Single family lots only. Typical accessory structure setbacks.
University City	Yes	Yes - \$50 fee	Up to 7	Single family lots only. Typical accessory structure setbacks.
Webster Groves	Yes	Yes	Up to 8 for lots of at least 7,500 square feet with one additional chicken allowed for each additional 2,500 square feet up to a maximum of 12	Single family lots only. May not be nearer than 50 feet to any neighboring dwelling.

Code Changes to Consider

Prior to October 2009, the Creve Coeur Municipal Code did not prohibit backyard chickens; however, chickens and other fowl were added to the list of prohibited animals as part of the general revision to the Code in 2009. Section 205.020 of the new Code expressly states that it is unlawful to own, harbor, shelter, or possess chickens within the City limits.

SECTION 205.020: RESTRICTIONS ON GOATS, HOGS, SHEEP, HORSES, MULES AND CATTLE

A. It shall be unlawful to own, harbor, shelter, keep, control, manage or possess *any fowl* [SECTION 205.010 defines Fowl as “chickens, ducks, geese, peacocks, and pigeons”], goat(s), hog(s) of any description, sheep, cattle or mules within the City limits.

It does not appear that adding chickens to the list of prohibited animals was the result of any problem or complaint that the City had experienced, and the City’s code enforcement division and Police Department do not recall any significant issues related to chickens. Likewise, City staff has contacted neighboring cities that permit backyard chickens and found those cities to report no significant issues or concerns.

Should the City decide to allow chickens, it is recommended that the Council amend Section 205.020 (A) to allow “chicken hens” and that a new paragraph be added to Section 205.020 as follows:

C. Chicken hens may be kept for private, non-commercial, and non-breeding use and must be adequately confined within a yard or other place surrounded by a wire netting or other fence sufficient to prevent their escape there from. The pen shall be maintained in a clean and wholesome manner. Any manure or other discharges from the birds shall be collected so as to prevent the spread of offensive smells or disease.

Hens are limited to parcels zoned “HE” (higher education) or “A, B, C, or D” (single family residential). Hens for lots less than 7,500 square feet or with less than 5,500 square feet of unimproved land area are prohibited. Eight (8) hens are allowed for lots 7,500 square feet or greater. An additional hen is allowed for each 2,500 additional lot square footage to a maximum number of twelve (12) hens. Areas containing any shelter, chicken coop, aviary or other outbuilding, and any appurtenances thereto must either be of level grade or graded in a direction away from the property line preventing run off to adjacent property.

I would be happy to research or provide any additional information.

Attachments

- Survey responses and comments

Chicken Ordinance Survey

Start Date: 8/19/2011

End Date: 10/3/2011

How supportive are you of the City allowing chickens (hens only, not roosters) in residential areas in Creve Coeur?

Response: Do you have any comments on this issue?

Neutral	I am not opposed to a neighbor having a limited number of chickens - however, if there are no limits and it is possible to create a commercial enterprise with chickens (no matter how small), I would oppose such a proposition.	
Neutral		
Neutral		
Neutral	Confinement requirements would be crucial. There should be NO possibility of the chickens escaping into others' property or areas in which transmission of diseases (e.g., an avian flu) to other species (e.g., humans) could occur.	
Neutral		
Neutral		
Neutral	If we do allow chickens, it should be restricted to a minimum of one acre lots.	
Neutral	as long as there is an acre of land	
Neutral	If Clayton allows chickens, hasn't found any significant issues AND has nothing on the horizon to challenge this policy, then I am ok with it.	
Opposed	Unless you are running a farm for egg production, I don't believe we need chicken coops in Creve Coeur.	
Opposed		
Opposed	I wouldn't mind chickens, but really don't want to hear a rooster every morning!	
Opposed	Chicken manure and feathers are unpleasant. What predators will chickens draw to the area?	
Opposed		
Opposed	I volunteer at the Humane Society of Missouri's Longmeadow Rescue Ranch. We regularly receive chickens that have been rounded up from Tower Grove Park b/c they have escaped, been let go, or dumped--especially the roosters. I also clean the chicken coop on a regular basis and know first hand how messy chickens can be. I just don't think Creve Coeur needs back yard chicken coops. Fresh eggs can be obtained without much effort.	
Opposed		

Response: Do you have any comments on this issue?

Opposed	Doesn't seem like this maintains the high standards of the properties in our city. Honestly I'd rather see bow hunting of deer approved within city limits. We are highly overpopulated which causes damage to landscaping and gardens. This would be better than seeing chickens running around my neighbor's yard.	
Opposed	I worry about how clean the owners of the chickens will keep the pens. I know they will supposedly be forced to keep them clean and maintained but based on my experience with multiple dogs in the past, I know that this will not be done. I know that I can call authorities if there is a problem but that does not make for very nice relations with neighbors and does not work very well.	
Very Opposed	Roaming chickens on the island of Key West, FL add to the quirky nature of that area. Backyard chickens next door to me in a subdivision of Creve Coeur would just be sad and ridiculous. We live in MO. Move to a farm if you want farm animals. Have you ever smelled a chicken coop in the heat of the summer? Not pleasant.	
Very Opposed		
Very Opposed	Moved from Sullivan to Creve Coeur. This is not Sullivan, and we do not want chickens in anybody's backyard.	
Very Opposed	Dogs from adjoining yards go crazy and they create more mess!	
Very Opposed	I do not want to look out my window and see a pen or other structure that has chickens. I think the chickens if on the ground will soon have all the grass gone. If you do allow chickens I hope we have lots of rule of where they can be and how the pen or other structures can be built. I think a permit should be required and the area should be inspected just like anything else we build. Thanks for asking	
Very Opposed	I believe chickens (hens) are noisy dirty animals and should be kept/raised in controlled areas. I don't think they should be allowed in residential areas just because a "few" (many people ?????) think they are desirable. Next these people will want deer, pigs, goats, sheep, cattle, etc. to be added to the list of "enjoyable hobbies." Please quantify the number of "multiple requests by residents" to amend the code. PLEASE DO NOT CHANGE THE CURRENT MUNICIPAL CODE.	
Very Opposed	No matter how hard the chicken coop is maintained, there will be smells, water runoff, flies and noises. People can go to natural and organic food stores to buy eggs and poultry. Also, potential home buyers will look elsewhere and property values will be affected.	
Very Opposed		
Very Opposed	There is no guarantee that people would keep the pens properly.	
Very Opposed		
Very Opposed	this is not a farming community	

Response: Do you have any comments on this issue?

Very Opposed	We had someone keep chickens in Ladue pines last year until I asked the neighborhood to put an end to it. Even if they aren't rooters the chickens are noisy, the cages are messy and often smelly and attract coyotes. These will not be well regulated and will become an eyesore. I am very, very opposed
Very Opposed	I am STRONGLY OPPOSED. Chickens carry diseases, are dirty, make noise, attract predators like dogs as well as hawks, coyotes and foxes, and some people have allergies to chickens. To keep the chickens restricted to their property, the resident will be putting up fences that are an eyesore to the neighbor. There is NO plausible reason for anyone in Creve Coeur to keep chickens. Above it says: "Many people view keeping chickens as an enjoyable hobby with economic, environmental and health benefits. Home-grown eggs are believed to be generally healthier and better tasting than store-bought eggs." That is pure BULL and a phony reason for keeping chickens in Creve Coeur. There are other ways to get "fresh, healthy, home-grown eggs." If they want to keep chickens, then move out of Creve Coeur and live on a farm. Don't subject other people to their crazy desires. What if they wanted to keep alligators or lions. Would our city leaders be so stupid to accommodate them. And if other communities have laws allowing chicken-keeping, that is NO reason that Creve Coeur should make the same MISTAKE. Let the chicken-lovers move into these other communities.
Very Opposed	Outrageous to think that we are regressing to the point of again having farm animals in homes in Creve Coeur!
Very Opposed	
Very Opposed	
Very Opposed	
Very Opposed	I am surprised that the City would even consider such an issue.
Very Opposed	
Very Opposed	
Very Opposed	
Very Opposed	
Very Opposed	Farm animals such as chickens belong in a barnyard and not an upscale and respected city such as Creve Coeur. There are places this minority of the population can live that will allow this type of animal and perhaps they should consider moving. Don't soil the reputation of the city and punish the masses to accommodate a few.
Very Opposed	If I wanted to live with farm animals next to me I would have bought a house in a rural area.
Very Opposed	Bird flu and the potential noise are both very concerning.

Response: Do you have any comments on this issue?

Very Opposed	PLEASE PLEASE PLEASE do not pass this ordinance. Creve Coeur is a terrific community and we need to do all that we can to continue to preserve its appeal, appearance and "livability". We moved here 8 years ago and I can say with 100% candor that we would not have chosen Creve Coeur if the city had allowed chickens in backyards! Thank you for asking for our input and I appreciate your consideration of this feedback.
Very Opposed	
Very Opposed	
Very Opposed	My husband grew up with chickens in his backyard in East St Louis, and he can't stand being near them. When we went to an Amish grocery with a chicken pen next to it, he remained in the car. His opinion from experience is that they are both filthy and noisy. Please do not allow chickens to be raised in yards. At least our home sets on an acre of ground but I pity those who have small yards with neighbors that would have to tolerate the lice from the chickens as well as the noise.
Very Opposed	Creve Coeur is not rural Missouri, where residences are at least acres, and often miles apart. If not meticulously attended to, chickens and their droppings can be messy, smelly, and unsanitary. Their clucking can be noisy and irritating to neighbors who thought they were living in a quiet and affluent community -- not a barnyard. Who will monitor these chicken coops? Will they be inspected daily by city officials? Of course not. This is a major potential nuisance that Creve Coeur does not need. A very bad idea.
Very Opposed	
Very Opposed	Although I normally oppose restrictions, I feel that chickens could present a health hazard. Though chickens eat bugs, their dropping are breeding grounds for bacteria both stable & airborne. I would hate to have my family & pets exposed to these. I also feel that chickens would lower the value and sales potential of nearby houses. I certainly wouldn't consider buying a house if I saw farmyard animals next door.
Very Opposed	A thousand times no!!! People do not realize what they will have to deal with. It is hard to believe that odors will be effectively controlled. What will be done with the stinky manure that will have to be disposed of EVERY DAY! I cannot see how other health issues can be avoided. What proof is that that "home-grown eggs" are healthier? I'm a country-girl and know about these things. Do not underestimate the problems that will arise. Will there be permits and periodic city inspections instituted to assure hygienic conditions are maintained?
Very Opposed	The Mess is The Issue "Histoplasmosis" http://www.cdc.gov/niosh/hi97146.html
Very Opposed	
Very Opposed	

Response: Do you have any comments on this issue?

Very Opposed	Chickens are dirty and loud. They also produce too many eggs to keep people from using them "non-commercially."	
Supportive	My only concern would be that the neighbors homes wouldn't be exposed to dirt/run down areas that the chickens are kept in	
Supportive		
Supportive		
Supportive	I think some type building codes should be enforced for the "chicken coops" so they are not ugly sheds.	
Supportive		
Supportive	If people want to keep chickens and they are contained in their yard I see no problem.	
Supportive		
Very Supportive	This is a great idea! Hens in back yards typically consume insects and plants, producing eggs lower in cholesterol and with a much healthier balance of omega-3 and omega-6 fatty acids. They also contain substantially more beta carotene. In addition, chickens can serve as a form of weed control.	
Very Supportive	I would like to have chickens in my yard.	
Very Supportive	This is a great idea. I buy organic eggs to the tune of \$4.00 to \$5.00/dozen. Backyard chickens save residents money and help the environment by decreasing the amount of shipping and, therefore, gasoline used.	
Very Supportive		
Very Supportive		
Very Supportive	I think with proper care, residents should be allowed to keep chickens. No need for a rooster, just having fresh eggs from animals that you feed is a healthy, nice addition to any family. It's great for kids to learn responsibility and see where their food comes from.	
Very Supportive	Only concern is "Who, on our staff, will oversee Compliance.?"	
Very Supportive	We have always been supportive of people who want to raise chickens in Creve Coeur. If you look at photos from the 50's of residents in the city of St. Louis you will see many with coops in the backyard, right next to their home gardens.	
Very Supportive	I never have owned chickens but I really like the idea of people in my city owning them. I think it says something nice about the city in which I live.	
Very Supportive		
Very Supportive	This would be a great change for Creve Coeur! Chickens are very popular now and are good for the environment! They make the best garden fertilizer and eat most items that can be composted. Thank you for being forward thinking and keeping up with the times!	

Response: Do you have any comments on this issue?

Very Supportive	I would love to have chickens. Creve Coeur was a farming community for many generations, so the return of chickens, back yard gardens and being close to the earth, is appealing.
Very Supportive	My neice raises chickens in Olivette and the eggs are wonderful...the responsibility her children are learning is positive and the neighbors have not complained. win-win-win situation!
Very Supportive	I am a strong proponent of the proposed amendment, and will be one of the first growers in town! It might be advisable to (a) limit the number of birds per acre (not sure what is reasonable) and (b) provide some setback limits from adjacent property lines and/or adjacent home structures. Thank you for considering this amendment
Very Supportive	I am 56 years old and have lived in Creve Coeur most of my life. Creve Coeur was home to farms for yrs and years. I see only positive benefits from homeowners having chickens. They make great pets, produce scrumptious eggs and add beneficial fertilizer to plants. Enough said!
Very Supportive	
Very Supportive	i enjoy having chickens so we can kill them and have a natural food in our yard
Very Supportive	
Very Supportive	i really really really LOVE CHICKENS. Also chickens can lay eggs which are high in protein. Go Chickens :) Thanks for listening
Very Supportive	
Very Supportive	
Very Supportive	it's a great family activity. if for no other reason then approve it so that kids can have the opportunity to learn about where their food comes from. very popular in other regions of the u.s. eg:(northwest).
Very Supportive	My family and I have wanted chickens for awhile and they would be great to have. Pigs would also be great as a pet.
Very Supportive	What is a legitimate reason for a city to ban chickens? I can think of none. Eggs purchased in supermarkets are unhealthy, tasteless, and extremely high priced. I have been purchasing farm fresh eggs that are fed healthy feed for many years and would love to raise my own chickens. Allow them.
Very Supportive	What is a legitimate reason for a city to ban chickens? I can think of none. Eggs purchased in supermarkets are unhealthy, tasteless, and extremely high priced. I have been purchasing farm fresh eggs that are fed healthy feed for many years and would love to raise my own chickens. Allow them.
Very Supportive	

Response: Do you have any comments on this issue?

Very Supportive	For many people interested in the issues surrounding food safety, humanely raised and organics this is an important opportunity. I feel strongly that this ordinance to allow backyard hens in Creve Coeur would be a positive change.
Very Supportive	Chickens create few if any problems and are good for the environment.
Very Supportive	
Very Supportive	People should be free within their own property to do as they wish so long as it doesn't infringe on their neighbors. There are already ordinances with regard to noise and odor pollution. Keeping chickens is fundamentally no different than having dogs.
Very Supportive	I'm glad you are considering this!
Very Supportive	
Very Supportive	Thank you for being open-minded about native plants and gardens, as well as allowing chickens.
Very Supportive	I'm glad to hear this, although I probably would not keep any myself.
Very Supportive	This would be a step in the right direction for many reasons, as noted, but also a way for people to avoid supporting the abuses of factory farming.
Very Supportive	I don't see why people should be restricted from raising chickens, so long as it doesn't affect the health and well being of others.
Very Supportive	I agree with economic, environmental and health benefits of raising Chickens. Right now I get my eggs from a friend in Kirkwood. The problem though in Kirkwood is the wild animals getting there Hens, so we must be able to protect our investment from Raccoons and the other predators. I am very glad Creve Coeur is considering ordinance change.
Very Supportive	I feel goats should be added to this amendment as well. The benefits of goat's milk and cheese are the same as those listed above for eggs.
Very Supportive	I would love to keep them myself, but with the wildlife we have (hawks, owls, black snakes, occasional coyotes) I think it would be an expensive hobby!
Very Supportive	
Very Supportive	
Very Supportive	We have owned chickens in the past and have found them to be very worthwhile and enjoyable....the children very much enjoy them and the necessary tasks to keep them teach responsibility. We would strongly support this measure. Thank you.
Very Supportive	
Very Supportive	I think that Creve Coeur should allow residents to raise chickens in homes, not apts/condos.
Very Supportive	
Very Supportive	Time to do this-

Response: Do you have any comments on this issue?

	Keeping chickens is as natural and satisfying as a backyard vegetable garden. If kept in appropriate conditions and by responsible owners, chickens are quiet, pleasant, and productive domestic pets. Melinda Fleming, DVM
Very Supportive	
Very Supportive	
Very Supportive	It is a great idea.
Very Supportive	
Very Supportive	
Very Supportive	I am in favor of the health, economic, and environmental aspects of allowing chickens. Unsightly chicken coops would need to be disallowed.
Very Supportive	Why not -- even NYC allows chickens!
Very Supportive	
Very Supportive	
Very Supportive	We think this would be a very progressive move and keep Creve Coeur in line with our neighboring towns. Backyard eggs are extremely tasty. Maybe there need to be limits on size of the flocks and strictly enforced set backs or minimum lot sizes.
Very Supportive	This is a great opportunity for residents to raise a healthy alternative that is affordable. It also is a great chance for parents to educate their children on sustainability. My family just moved to Creve Coeur from Kirkwood and are really excited about the possibility to add fresh eggs along side our garden in the spring. Our neighbors are excited to reap the benefits of fresh eggs as well.
Very Supportive	This is exciting. I have wanted chickens for eggs for a long time, but did not want to go against an ordinance. I have bees and my neighbors love the honey. Not one sting! I think they would like me to share eggs with them too. Please amend the ordinance to allow backyard chickens.
Very Supportive	
Very Supportive	
Very Supportive	

Summary of Resident Responses

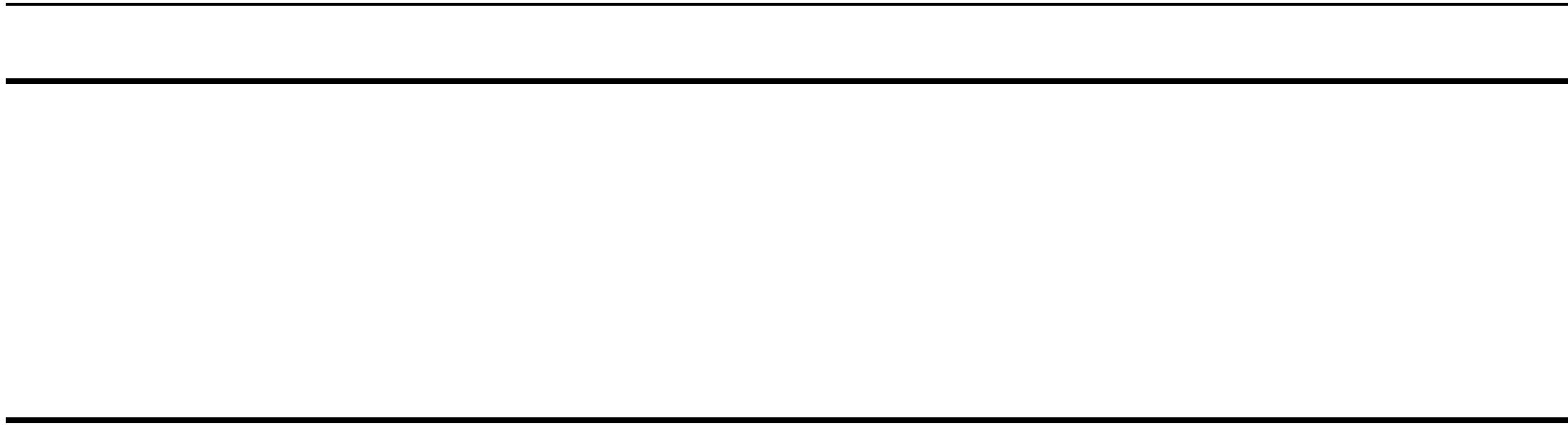
	No. of responses	Percentage
Very Opposed	37	30%
Opposed	9	7%
Neutral	9	7%
Supportive	7	6%
Very Supportive	60	49%
Total	122	100%

Response: Do you have any comments on this issue?

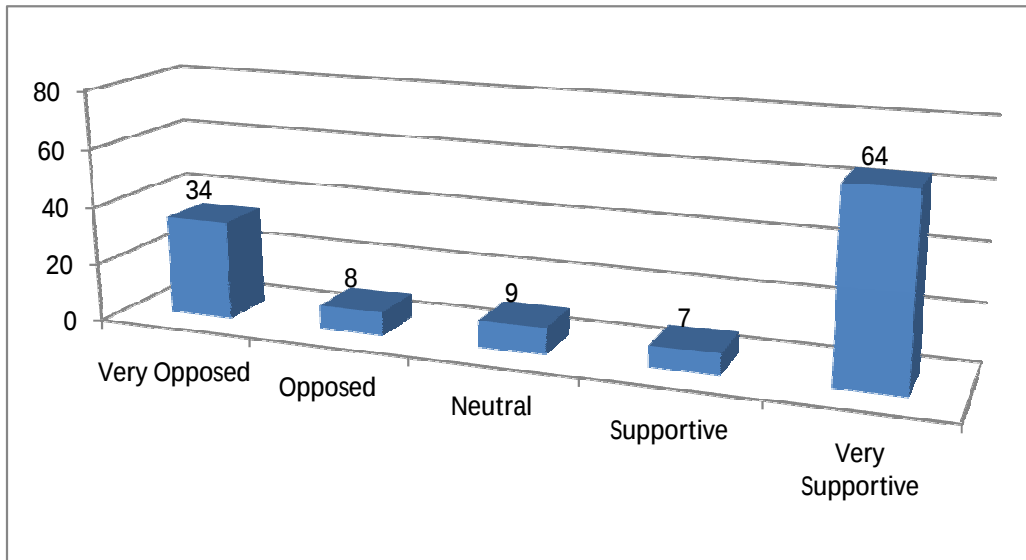
Other Responses

Very Supportive	I would LOVE to purchase eggs from a neighbor. Chickens also like to eat bugs which is a GOOD thing! Caring for animals is also good for children and families.
Very Supportive	
Very Supportive	We are moving to Creve Coeur next month. Backyard chickens are a great way for folks to be a little more self reliant, to control bugs, and to stimulate local economy.
Very Supportive	

Shaded = not a current resident



Very Opposed	34	28%
Opposed	8	7%
Neutral	9	7%
Supportive	7	6%
Very Supportive	64	52%
Total	122	100%



From: Perkins, Mark C.
Sent: Thursday, November 03, 2011 10:20 AM
To: CharolletteD'Alfonso; Hoffman, Bob
Cc: Eidman, Glenn; Christensen, Jaysen
Subject: RE: Deer

Charlotte and Bob,

the Chief, Jaysen and I met with Tammy Walsh and Patti Stolze this morning about their concerns with the ordinance and encounter with one of the deer hunters. We discussed a variety of matters regarding the ordinance in detail.

We also advised that the deer hunters are not solicitors as defined in the ordinance, so they do not need to obtain a solicitor's permit.

I informed her that the PD would email the trustees of the subdivision once a permit is issued, as you had requested, advising them of the properties receiving the permit;

A few points from the meeting for further consideration:

- Ms. Walsh requested notice be placed on the property the day and/or week of the hunt;
- Ms. Walsh would like to see more properties be notified beyond contiguous properties, citing the fact that her property is separated from another by a 30 foot common area, thus not triggering a notice requirement;
- Ms. Walsh requested that we extend the 75 foot rule (section 205.310b) for distance of discharging an archery device to include animals; (or, perhaps more appropriately, domestic animals.)

I indicated that staff would be reporting on deer hunting to council at the end of the season, and also consider any changes to the ordinance at that time, including the concerns indicated above.

Mark Perkins, ICMA-CM

City Administrator

City of Creve Coeur

300 N. New Ballas Road

Creve Coeur, MO 63141

314.872.2511

www.creve-coeur.org

From: Charlotte Dalfonso [<mailto:charlottedalfonso@yahoo.com>]
Sent: Monday, October 31, 2011 1:32 PM
To: Perkins, Mark C.
Cc: Hoffman, Bob; Eidman, Glenn; D'Alfonso, Charlotte; labtrw@aol.com
Subject: Deer

Mark,
Sunday I received a passionate phone call from Tami Walsh at 460 Twin Creek Road. I have copied you on the e-mails she and other have sent me yesterday.

In the phone call, she stated that Lou Salome from Suburban Bow Hunters approached herself and several neighbors today pressuring for signatures for permission to bowhunt on their properties. She stated that he informed her he already had her neighbors permission and just needed her signature. She told me her neighbor does not have an acre lot. She would like the city to prosecute Mr. Salome for soliciting her business without a permit. I informed her that the city does have an ordinance not allowing solicitation without a permit and that in the future if any business tries to solicit without such a permit she should call the police. She has requested that Mr. Salome not be granted a permit for not following the rules. She was also concerned because she said Mr. Salome had hunted her neighbors property years ago and the deer had traveled into her yard wounded.

Please contact Suburban Bow Hunters and make sure they are following Creve Coeur laws. Please communicate with our city attorney and find out what the steps are legally when people solicit without a permit. Please communicate with Chief Eidman and make sure all permit holders are aware of Creve Coeur's bow hunting policy.

Thank you,
Charlotte D'Alfonso

Facts about bow hunting ordinance

City Council recently responded to requests and concerns from residents about the deer population by enacting a bow hunting ordinance and a no-feed ordinance.

Effective November 1, the Creve Coeur Police Department began accepting City permit applications for hunters interested in obtaining permission to bow hunt. Based on phone calls received by City staff from residents in recent weeks, the following information addresses questions received to date.

Bow Hunting Ordinance Highlights

- Prior to any hunting activity, the person seeking permission to bow hunt must notify the Creve Coeur Police Department of his/her intent to hunt by completing the “Notification of Intent to Hunt Form” available on the City’s website.
- The home owner giving permission to hunt on their property can set the dates and times for hunting, as well as revoke their permission at any time.
- Contiguous neighbors must be notified in writing by the property owner and the property owner must be able to show the appropriate documentation of receipt of the notification of the approximate date and time period of the hunt.
- The ordinance only allows for the hunting of deer, not coyotes, or any other animals wild or domestic.
- Prior to discharging an archery device intended to be used for hunting, it is the hunter’s responsibility to permanently mark each arrow or other projectile with his or her Missouri Department of Conservation identification number.
- Prior to hunting within the city limits of Creve Coeur, every individual seeking to hunt shall provide a certificate of completion of an archery device hunter safety course as approved or provided by the Missouri Department of Conservation.

A review of the bow hunting program will be conducted after one year. City staff will compile data from the hunts and revisit the ordinance to determine if any changes or additions are necessary. Recommendations will then be forwarded to the City Council for consideration.

If you have questions about obtaining a bow hunting permit from the City of Creve Coeur, please call Judy Kobylarek at 314- 872-0946 ext. 2509 or visit www.creve-coeur.org.

Frequently Asked Questions

Question: How do I get permission to hunt?

Answer: Complete and return all required forms to the Creve Coeur Police Department. Visit www.creve-coeur.org and click on Frequently Asked to download required forms. .

Question: Is there a cost involved?

Answer: The City does not charge a fee; however, a hunting license and deer tags must be purchased through the appropriate State offices.

Question: When does bow hunting season end?

Answer: Bow hunting season ends January 15, 2012.

Question: What do I do if someone is bow hunting on my property without my permission?

Answer: Call the police.

Question: Does the city provide a list of bow hunters for residents?

Answer: The City does not endorse any bow hunter. St. Louis County bow hunting groups can be easily found by searching the internet.

Question: Will the city provide a list of interested property owners to bow hunters?

Answer: It is not the City’s policy to provide information to bow hunters about interested property owners.

Question: What if, as a contiguous property owner, I do not want bow hunting to take place on the property next door?

Answer: The Ordinance allows bow hunting to take place if there is an agreement between a qualified property owner and a bow hunter. The Ordinance requires only that the contiguous neighbor be notified of the hunt.

Question: Do I need to notify the City each time there is a hunt on my property?

Answer: The ordinance does not require that you notify the City each time a hunt will occur, only the range of dates such as November 1, 2011 through January 15, 2012.

Question: The ordinance says the hunt cannot take place closer than 150 yards from a church, school or playground. Does that mean the property line of the church, school, or playground?

Answer: Yes, it means a hunt cannot take place on a property closer than 150 yards from the property line of a church, school, or playground.

Date Forms Received	Resident	Resident Address	Qualified/Denied
10/13/11	Gay Ackerman	26 Balcon Estates	Qualified
These 3 make up one acre property 10/20/11 Dan & Brian Thornquist 245 Kingshill Drive Qualified 10/20/11 Melissa Koziak-Schake 253 Kingshill Drive Qualified 10/20/11 Kim Crawford 12259 Kingshill Drive Qualified			
10/28/11	Michael Kabbaz	11 Chamblee Lane	Qualified
10/28/11	R. A. Frost	422 Rolling View	DENIED-too close to school
10/28/11	Michael & Catherine Garner	17 Balcon Estates	DENIED-too close to school
10/31/11	Susan Cohen	12760 Oakstone Lane	Qualified
11/1/11	Delmar Gardens Property	270 & Ladue	Qualified

Hunter Name	Hunter Address	Hunter's make/model/year of automobile parked on resident's property
Suburban Bowhunters	info@suburbanbowhunters.com	2002 Acura MDX License DA9Y8H
Dan & Brian Thornquist	245 Kingshill Drive	N/A
Dan & Brian Thornquist	245 Kingshill Drive	N/A
Dan & Brian Thornquist	245 Kingshill Drive	N/A
Suburban Bowhunters	info@suburbanbowhunters.com	Depends on which hunter
Suburban Bowhunters	info@suburbanbowhunters.com	Depends on which hunter
Suburban Bowhunters	info@suburbanbowhunters.com	Depends on which hunter
Suburban Bowhunters	info@suburbanbowhunters.com	Depends on which hunter
Dan & Brian Thornquist	245 Kingshill Drive	

Hunter Phone #	Date(s) of Hunt	Completed Intent to Hunt	Completed Notification to Contiguous Neighbors	\$2,000,000 insurance
314-393-2195	10-13-11 to 1-15-12	YES	Yes, but not all returned	YES
314-392-9533	11-1-11 to 1-15-12	Yes	Yes, but not all returned	YES
630-390-6802	11-1-11 to 1-15-12	Yes	"	YES
630-390-6802	11-1-11 to 1-15-12	Yes	"	YES
314-393-2195	11-1-11 to 1-15-12	Yes	Yes, but not all returned	Yes
314-393-2195	11-1-11 to 1-15-12	Yes	Yes, but not all returned	yes
314-393-2195	11-1-11 to 1-15-12	yes	Yes, but not all returned	Yes
314-393-2195	11-1-11 to 1-15-12	Yes	Yes, but not all returned	Yes
314-392-9533	11-1-11 to 1-15-12	yes	yes, but not all returned	yes

Safety Course	State License to Archery Hunt
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YES	YES
-----	-----

YES	YES
YES	YES
YES	YES

Yes	Yes
Yes	Yes
yes	yes
yes	yes
yes	yes

Hunter's Name	Property Owner	Property Address	Date Harvested
Daniel Thornquist	Delmar Gardens	270 & Ladue	11/4/11

Date PD Notified (must be within 2 days)	Sex of Deer	Location of Harvest
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11/4/11	Male/antlered	Delmar Gardens Property
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From: mayor-council@ci.creve-coeur.mo.us on behalf of Tara Nealey [tnealey@gmail.com]
Sent: Monday, November 07, 2011 12:26 PM
To: puck
Cc: Mayor-Council; Perkins, Mark C.; Ryan, Deborah; Eidman, Glenn
Subject: [mayor-council] Tara Nealy {02}

Dear Mr. Niles,

Thank you for taking the time to express your concerns about the City's approach to managing the deer population.

I must however respectfully differ with you on a few points. Hitting a deer at highway speed is, simply put, dangerous. An October 2010 NY Times article reports that such collisions reportedly account for billions of dollars in car repair and medical costs, and hundreds of human deaths annually. State Farm Insurance estimates that deer collisions over the previous two years reached 2.3 million, up 21 percent compared to the prior five years, with many collisions going unreported.

You may rightly question how bad our problem is in Creve Coeur. Just yesterday, turning on to 270 south from Ladue Rd., my husband and I observed no fewer than 3 full grown deer carcasses along the side of the road, before the 270/40 interchange, i.e. within a stretch of about a mile and half. Assuming that each carcass is the result of a vehicle collision, and each one a separate collision, and knowing that the City is reasonably prompt in removing the dead animals, I infer that at least 3 deer/vehicle collisions occurred in Creve Couer, at highway speeds, within the last few days. And that is only what I happened to observe in one pass on one day along that small stretch of 270. Having hit a deer late at night last spring at about 65 mph in a heavy Volvo wagon, fortunately without injury to anyone in the car, and then subsequently spoken with the guys at the collision repair shop who routinely deal with the repairs needed after deer collisions, not everyone is so lucky. I have often thought about what could easily have happened if the car had been smaller or lighter or we had collided at a different angle.

In addition to increased population density, the deer are bolder. Multiple residents reported many incidents of numerous deer boldly challenging them in their driveways and yards. I was recently informed that a pet Lab in an area of Town & Country immediately adjacent to our problem area in Creve Coeur, had to be put down after a run-in with an aggressive buck in the yard. One Creve Coeur resident reported upwards of 2 dozen deer in her yard at one time, supplied photographs in support, and was, I believe, quite reasonably apprehensive about moving about freely in her yard. Another resident reported 3 adult deer suddenly bolting through the

yard where moments earlier her young children had been playing.

We worked closely with MDC to assess our deer problem. Like many suburban communities with a dearth of natural predators, we are dealing with a local population density, within a certain area of Creve Coeur, that is at best estimate approximately double the maximum density in a suburban environment that MDC targets for avoiding potentially dangerous interactions with humans. According to MDC, the suburban coyote population is simply not numerous enough and/or not aggressive enough to be holding down the population. Recognizing however that it is an estimate, I'd be interested in knowing on what basis you assert that the population estimate is "an absolute lie."

MDC was further very helpful to us in supplying information about all the options, lethal and non-lethal, available for deer population control. We reviewed the experience of Town & Country with both their lethal (contracted sharp-shooters) and non-lethal (veterinarian performed sterilization following trapping). Having consulted with MDC repeatedly, held a public forum, reviewed the options, and given it a great deal of consideration, we arrived at the conclusion we did. There is simply no ideal solution. The approach that we approved at least has the merits of being at the discretion of each property owner, known effectiveness, and low cost.

Having said all that, I, and I am sure others on the City Council, would be very interested in learning more about any contraception approach that is as inexpensive and effective as you suggest. If it is, I'd certainly wonder why MDC did not tell us about it and why Town & Country did not use it or even seriously consider it as far as I know. I will in fact follow up directly with our MDC contact, but my own quick check on it indicates that while each contraceptive dose of Gonacon is in fact relatively inexpensive, it requires trapping the does at a minimum cost of about \$500-\$1000 per, and that is effective for more like 2 years, not 5. (See, e.g., the link to a USDA page below, noting especially the very last paragraph on the page). That could explain why it was not used in T&C. In any event, on a quick check, I did not find a description of a darting program using Gonacon but would of course welcome any information you can provide on that. I believe it is our responsibility to continuously monitor new information and technology as it becomes available and be ready to improve on our approach whenever possible.

Sincerely,
Tara Nealey
CP Ward II

http://www.aphis.usda.gov/wildlife_damage/nwrc/research/reproductive_control/gonacon.shtml

On Tue, Nov 1, 2011 at 4:39 PM, puck <rniles11@earthlink.net> wrote:

I cannot believe the misinformation this community is being fed about the deer. Deer per square mile is an absolute lie. Deer are dangerous? I couldn't contain myself from laughter. Just how many fatalities or serious injuries have been created for deer running into a car ?Even those friendlier deer will flee if you take any aggressive action to them. I do not want any hunting in my common ground let alone my yard. The wildlife is a part of the value of our land. It has been forever. Where else can you go out and find coyotes, deer, owls in abundance and a wide variety of birds . Where else can I show my goddaughter's the deer. It is part of the ambience of the town we live in. .

It's not my fault the city fathers were so money hungry that they wiped out part of our green space in Ward 3 aided by our beloved mayor Dielman. To those who can care less about the deer and/or want them killed, I say move!! They were here first. They should have thought about that before moving in here.

So many cities and municipalities are going to darting with an Immuncontraception drug called Gonacon. It is 80% successful on the first shot. It last five years. It's cheap. \$7-\$12. When you take out a mother, the fawn needlessly suffers from hunger or shock. We have at least three coyotes in the Royal Gate common ground that thins out the herds of deer too. Furthermore, according to the Missouri conservation people if you wipe out the green space these deer naturally adapt and have less young. Another thing I can think of I don't want my Doberman hurt because a hunter or a policeman mistakes her for a deer. I was suspicious until I've read so many stories of pets having been killed by a shooter.

I want to respond to health concerns. My gosh do we live in a politically correct society or what? That is a bunch of hog wash. All you have to do is go up to the park located 1 mile up Ladue Road and you'll see what the geese do to the walking path. How come some people arent bitching about the geese poop? Some of people's motivation is simple, they are tired of the damage done to their flowers. Garden shops have a solution to that.

Tara it tells me you're not a nature lover, and you regarded deer as more of a nuisance. Too bad I wasn't at the meeting.

Roger Niles