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To Increase The Limitation Of Restaurants From Twenty-Five
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**AGENDA
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, January 28, 2013
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 ORDINANCE READINGS

- a. Bill No. 5410 - An Ordinance Amending Sections 355.100 And 385.070 Of The Creve Coeur Code Of Ordinances Regarding Motor Vehicle License Plates. Final Reading**

Summary: The Police Department is requesting an edit to the existing Ordinance #355.100; which would include the authority to issue citations for parking on private property open to the public.

2. CONSENT AGENDA

- a. Council Minutes dated January 14, 2013**
- b. Resolution No. 1037 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A Contract With The Greenwood Group For Mowing Services In City Parks For The 2013 Growing Season, For The Sum Of \$32,452.00.**
Summary: Approval of this contract is requested for turf mowing services in City Parks.
- c. Resolution No. 1038 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A Contract With Outdoor Solutions For Grounds Maintenance Services For The**



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Interstate 270/Olive Boulevard Interchange For The Sum Of \$31,080.50 For The 2013 Growing Season.

Summary: Approval of this contract for Olive/I-270 Grounds Maintenance will allow the city to continue to outsource these services for the 2013 growing season.

- d. Resolution No. 1039 - A Resolution Authorizing the City of Creve Coeur to Purchase Three (3) 2013 Police Dodge Charger Package Vehicles from Landmark Dodge for an Amount Not to Exceed \$68,314.71.**

Summary: The Police Department is requesting the purchase of Three (3) Dodge Chargers under state contract #C113046002 from Landmark Dodge, at \$22,771.57 each for a total of \$68,314.71.

- e. Resolution No. 1040 - A Resolution Authorizing The City Of Creve Coeur To Purchase One (1) 2013 Ford Police Interceptor Utility AWD From Joe Machens Ford For A Cost Not To Exceed \$25,566.00.**

Summary: The Police Department is requesting the purchase of one (1) Ford Interceptor from Joe Machens Ford, the Ford Interceptor under contract #C113046003, at \$25,537.00.

- f. Bill No. 5410 - An Ordinance Amending Sections 355.100 And 385.070 Of The Creve Coeur Code Of Ordinances Regarding Motor Vehicle License Plates. Final Passage**

Summary: The Police Department is requesting an edit to the existing Ordinance #355.100; which would include the authority to issue citations for parking on private property open to the public.

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated January 23, 2013 in the amount of \$130,784.65 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

- 3. Bill No. 5411 - An Ordinance To Authorize A Residential Designed Development (RDD) With Accompanying Preliminary Subdivision Plat And Site Development Plan For The Proposed Villas At Mosley Subdivision, On Four Acres Of Land Located South Of Olive Boulevard And East Of Mosley Road. Final Reading and Passage**



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Summary: William Levinson, of Benton Homebuilders, has submitted an application for the preliminary plat approval for the subdivision of four acres that is part of 842, 834, and 828 Mosley Road, zoned “C” Single Family Residential District. In accordance with Sections 405.270, 405.450(C), and 405.1080 of the Zoning Ordinance, the applicant has submitted a Site Development Plan and Preliminary Plat to the Department of Planning for the Villas at Mosley subdivision, including 10 lots on the 4 acres, with residential designed development (RDD). On December 17, 2012, Planning and Zoning Commission voted 3 to 3 on this application.

NEW BUSINESS

- 4. Bill No. 5412 - An Ordinance Amending Section 405.470 Conditional Uses, Of Article VI Standards For Permitted, Accessory And Conditional Uses Of The Zoning Ordinance Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri To Increase The Limitation Of Restaurants From Twenty-Five Percent (25%) To Forty Percent (40%) Of Retail Or Office Building On Sites Of Less Than Two Acres In The “CB” Core Business, “PO” Planned Office, “PC” Planned Community, And “LI” Light Industrial Districts. First Reading**

Summary: An application by Adrian Glass, of the Post Sports Bar & Grill was submitted for a conditional use permit and text amendment, for a 5,214 square-foot, eating and drinking establishment in the former Growlers Pub space at 763 Old Ballas Road, where the square footage represents 32% of the Old Ballas Place Shopping Center. Section 405.470(14) prohibits restaurants located within a retail or office building to collectively occupy more than twenty-five (25%) of the building square footage. Planning and Zoning Commission recommended approval January 22, 2013.

- 5. Bill No. 5413 - An Ordinance Repealing Conditional Use Permit Ordinance 1479 And Authorizing The Issuance Of A New Conditional Use Permit For A 5,214 Square-Foot Eating And Drinking Establishment Located At 763 Old Ballas Road Within The Old Ballas Place Building. First Reading**

Summary: An application was submitted by Adrian Glass, of the Post Sports Bar & Grill for a conditional use permit for a 5,214 square-foot,



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eating and drinking establishment with 93 indoor seat and 36 seasonal outdoor seats, at 763 Old Ballas Road, located at the southwest corner of Olive Boulevard and Old Ballas Road. Section 405.370(C), all eating and drinking places in the “CB”, Core Business zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits. A separate application was submitted by Adrian Glass, of the Post Sports Bar & Grill to allow more than 25% of a building as restaurant in the “CB” Core Business District. Planning and Zoning Commission recommended approval January 22, 2013.

6. Bill No. 5414 - An Ordinance Amending Section 405.820, Article VII Off-Street Parking And Loading Regulations Of The Zoning Ordinance Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri To Allow For A Fifteen Percent (15%) Reduction In The Total Number Of Parking Spaces Required For Shopping Centers. First Reading

Summary: An application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted to allow for a fifteen percent (15%) in the required number of parking spaces for shopping centers. Two of the City’s largest shopping centers, West Oak Shopping Center and Bellerive Plaza Shopping Center, received variances in the required parking based upon evidence that these centers require less parking than the sum of the uses. Planning and Zoning Commission recommended approval January 22, 2013.

7. Resolution No. 1041 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The City Administrator To Execute The Necessary Documents For Forwarding The Project Proposal Application And Later Execute An Agreement For A Grant-In-Aid From The Municipal Parks Grant Commission.

Summary: The City of Creve Coeur recognizes a need for improvements to the existing Dielmann Recreation Complex not addressed in previous parks planning documents and would like to submit a grant proposal application for a needs assessment project to the Municipal Parks Grant Commission for consideration.

BUSINESS FROM THE MAYOR and CITY COUNCIL

BUSINESS FROM CITY ADMINISTRATOR



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8. Deer Mitigation

Summary: Staff will report on the deer mitigation program for the season that recently ended.

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 1/24/13
Deborah Ryan, MRCC
City Clerk



**MINUTES
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, January 14, 2013
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 Glantz at the Creve Coeur Government Center, 300 N New Ballas Road on Monday, January 14, 2013.

PLEDGE OF ALLEGIANCE

Mayor Glantz led the Pledge of Allegiance.

INVOCATION

Mayor Glantz gave the invocation and requested a moment of silence in recognition of the death of Pat Dielmann.

ROLL CALL

Mayor Glantz	Mayor
Mr. Kreuter	Council Member Ward I
Ms. Kistner	Council Member Ward I
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)

None

ACCEPTANCE OF AGENDA

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

Council Member Kistner – Aye
Council Member Nealey – Aye
Council Member Saunders – Aye
Council Member Hoffman – 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 8 ayes and 0 nays, motion carried.

ANNOUNCEMENTS

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

Withdrawal Letter dated January 7, 2013 regarding Bill No. 5404 from Delmar Gardens.

1. CONSENT AGENDA

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

a. Council Minutes dated December 10, 2012

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

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

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

BILLS PAYABLE REPORT, FOR INFORMATION ONLY

For Information Only

Summary: A report of bills paid dated December 21, 2012 in the amount of \$1,129,776.13 has been provided for Council review. No vote is required.

For Information Only

Summary: A report of bills payable dated January 9, 2013 in the amount of \$245,577.95 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS



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2. Bill No. 5405 - An Ordinance Adding Section 210.205 To The Code Of Ordinances Regarding Disturbance Of Funeral And Burial Services. Final Reading and Passage

City Clerk read Bill No. 5405 for the final time.

Council Member Rhoades moved, seconded by Council Member Wang to approve Bill No. 5405, with the vote upon such motion being as follows, to-wit:

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

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5405 becomes Ordinance No. 5290.

3. Bill No. 5406 - An Ordinance Accepting Dedication Of Warson Downs Road As A Public Street. Final Reading and Passage

City Clerk read Bill No. 5406 for the final time.

Council Member Kistner moved, seconded by Council Member Hoffman to approve Bill No. 5406, 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 Hoffman – Aye
Council Member Saunders – Aye
Council Member Nealey – Aye
Council Member Kistner – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5406 becomes Ordinance No. 5291.

4. Bill No. 5409 - An Ordinance Amending the Adopted 2012-2013 General Fund, Enterprise Fund and Capital Fund Budgets of the City of Creve Coeur by Authorizing Additional Appropriations and



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Unappropriations form Operating Departments. Final Reading and Passage

City Clerk read Bill No. 5409 for the final time.

Council Member Hoffman moved, seconded by Council Member Rhoades to approve Bill No. 5409.

Mark Perkins stated there are a couple of proposed changes by staff relative to the budget amendment as follows:

1. **Amend the Finance Department Budget** - Staff is proposing filling the staff position of accountant in the Finance Department. Filling this position would require an increase in appropriation of \$24,000 for 2013. This increase is partially offset by a decrease in part time salary of \$7,000.
2. **Tappmeyer House Painting** – The Tappmeyer House is badly in need of painting. The maintenance of the property is the responsibility of the City. Staff proposes appropriating \$20,000 for the painting and other work. This money will be offset by reducing the budget for replacing the bridge at the golf course by \$20,000. It appears less work on the bridge is needed at this time.
3. **Police Department adjustments** – It appears that the cost of the patrol cars budgeted for purchase in FY2013 will be \$18,500 less than anticipated. As a result, this money is being unappropriated. Approximately \$10,000 of this money is needed to supplement other areas of Police Patrol due to unanticipated expenditures. One of the areas includes the Standard Fitness Program being developed by the police department.

Council Member Rhoades stated she realizes that the Tappmeyer House is now the property of the City but it has a pretty involved history in the past and asked if the Tappmeyer Foundation is still operating?

Mark Perkins stated yes.

Council Member Rhoades asked how we distinguish who is paying for what.

Mark Perkins stated the Foundation is still attempting to raise money but he doesn't know what the status of their budget is and he doesn't believe there are sufficient funds to cover the cost of the painting. They have received some donations but believe those were earmarked for specific items and furnishings.

Jaysen Christensen stated he has been in discussion with the Tappmeyer Foundation and they do not have enough unrestricted funds to cover this expense. The Foundation feels that since this house belongs to the City then the City should cover the expense of the painting. The house is in severe need of painting and the issue driving the timing on this is the Historic



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Preservation Committee is planning a tour on May 11 of various historic buildings that will begin and end at the Tappmeyer House.

Carol Levin of the Historic Preservation Committee showed pictures of the areas of the house that require repair and painting.

Council Member Kistner stated given the location it serves as somewhat of a centerpiece of Millennium Park and is part of the visible appeal of the park. Council Member Kistner asked with the pictures that were shown, would this be just a simple paint job.

Mark Perkins stated repairs were included with the estimates for painting.

Council Member Rhoades stated she would be interested at a future meeting discussing the overlap of the Tappmeyer Foundation and the Historic Preservation and supports the effort to improve the property.

David Caldwell resident of 257 Brooktrail Court stated the City should be adequately compensated for the accounting services of the WCDC and should go out for bid. Mr. Caldwell stated he hoped that if the City is going to add more man power to the accounting department that the City could implement a true project accounting system.

Mark Perkins stated the City committed to the WCDC to take over the accounting function last July and estimated the time it would take to complete that function on an annual basis. Staff has been monitoring that and will review in June and see what the actual cost is.

Council Member Rhoades moved, seconded by Council Member Saunders to substitute Bill No. 5409, with the vote upon such motion being as follows, to-wit:

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

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

Council Member Rhoades moved, seconded by Council Member D'Alfonso to approve substitute Bill No. 5409, with the vote upon such motion being as follows, to-wit:

Council Member Hoffman – Aye
Council Member Saunders – Aye



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

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5409 becomes Ordinance No. 5292.

NEW BUSINESS

5. Bill No. 5410 - An Ordinance Amending Sections 355.100 And 385.070 Of The Creve Coeur Code Of Ordinances Regarding Motor Vehicle License Plates. First Reading

City Clerk read Bill No. 5410 for the first time.

6. Bill No. 5411 - An Ordinance To Authorize A Residential Designed Development (RDD) With Accompanying Preliminary Subdivision Plat And Site Development Plan For The Proposed Villas At Mosley Subdivision, On Four Acres Of Land Located South Of Olive Boulevard And East Of Mosley Road. First Reading

Mayor Glantz disclosed that the applicant has been a client of his architectural firm and recused himself from the dais. Council President Hoffman chaired this portion of the meeting.

City Clerk read Bill No. 5411 for the first time.

Rowdy Montgomery of Cadre Development, William Levison of Benton Homes and Paul Langdon, Community Development Director all made presentations regarding this application.

Council Member Kistner asked how much landscaping will be done around the storm water basin since it was compared to Enclave.

Paul Langdon stated the landscape plan is only similar to a portion of Enclave because of its smaller scale.

Council Member Kistner stated there appear to be breaks in the fence on the east side of the proposed development.

Paul Langdon stated there should be a continuous fence on the east and south of the property as that was the condition from P & Z.

Council Member Kistner asked about the impact on Wardon Meadows due to the grading.



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Paul Langdon stated after the cross sections in the typography were developed, staff and the developer found that the properties in Wardon and the proposed development are the same elevation. The previous proposal pushed the road down much faster and then flattened it out. What the previous proposal for this property didn't allow for was the minimum slope. Once the previous developer reengineered the street and the site they discovered they couldn't afford to develop it as previously approved. In this proposal, the developer has already worked out the slope.

Council Member Nealey submitted several e-mails Council Members have received over the past few weeks regarding this issue both in support and opposition of this application. (Exhibit A)

The following residents spoke in support of Bill No. 5411:

- Al Leving – 11315 Mosley Forest Drive
- Barry Spiegelglass – 12323 Boothbay Court
- Ted Ruzicka – 607 Fairways Circle
- Marty Satz – 408 Foxbrook

The following residents spoke in opposition of Bill No. 5411:

- James Anderson – 615 Fairways Circle
- Arnold – Spirtas – 11205 Tureen Drive
- Ellen Lawrence – 501 N Mosley Road
- David Caldwell – 257 Brooktrail Court
- Carole Levin – 10 Mosley Acres
- Robert Rodermaker – 723 Fairways Circle

Council Member Rhoades complimented Mr. Langdon on his always thorough report which compared this project to the mostly recently approved project for the same site. Council Member Rhoades requested for the next meeting packet if the minutes of the prior approval could be reviewed and would compare more to what is currently being proposed. Council Member Rhoades stated the storm water is such a key component and asked if the engineer could address the issue.

Tim Meyer of Volz Engineering stated the engineering for the detention basin has not been finalized. Storm water runoff is a big concern for every project. MSD has new regulations that govern three elements of detention as of 2007. This project will be required to meet standards for flooding, channel protection and water quality and MSD will hold the project to those standards.

Carl Lumley stated there are some corrections that need to be made to Bill No. 5411. Section 2 needs to reflect the correct plan date and conditions 3, 4 and 5 should be deleted from the section.



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Council Member Rhoades moved, seconded by Council Member D'Alfonso to amend Bill No. 5411 with the suggested changes and deletions, 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 Hoffman – Aye
Council Member Saunders – Aye
Council Member Nealey – Aye
Council Member Kistner – Aye

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

7. Resolution No. 1035 - A Resolution Approving A Building Plan And Site/ Grading Improvement Plans For The Northwest Corner Of The Building Located At 11733 Olive Boulevard.

Mayor Glantz returned to the dais.

City Clerk read Resolution No. 1035.

Carl Lumley recommended the following language change in Section 1, Item 4: The property owner shall grant an easement to Ameren Missouri for undergrounding of electric utilities, fifteen feet wide, adjacent to the north and east property lines except that the last fifteen feet adjacent to the utility substation shall be twenty-five feet wide.

Council Member Rhoades moved, seconded by Council Member Saunders to amend the language in Section 1, Item 4, 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 Hoffman – Aye
Council Member Saunders – Aye
Council Member Nealey – Aye
Council Member Kistner – abstain

The vote on the motion being 7 ayes, 1 abstention and 0 nays, motion carried.

Council Member Rhoades moved, seconded by Council Member Hoffman to approve Resolution No. 1035 as amended, with the vote upon such motion being as follows, to-wit:

Council Member Hoffman – Aye



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Council Member Saunders – Aye
Council Member Nealey – Aye
Council Member Kistner – 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.

8. Resolution No. 1036 - A Resolution Authorizing The City Administrator Of The City Of Creve Coeur To Enter Into An Agreement With E-Z-Go For The 36-Month Lease Of Thirty-Two (32) 2013 TXT 48 Electric Golf Carts In The Amount Of \$43,645.

City Clerk read Resolution No. 1036.

Council Member Rhoades moved, seconded by Council Member Saunders to approve Resolution No. 1036, 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 Hoffman – Aye
Council Member Saunders – Aye
Council Member Nealey – Aye
Council Member Kistner – Aye

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

APPOINTMENTS

9. Olive Graeser TDD Board Appointment

Mark Perkins stated three Olive/Graeser TDD Board Member's terms have expired as of December 2012. Mark Perkins stated he has corresponded with both Steve Heitz and Stacy Manolakas who both indicated their desire to continue serving. They are eligible for reappointment for three year terms. The other position is held by David Hutkin and he indicated that he is unable to continue to serve. At this point that position would be vacant until filled by the City Council.

Council Member Rhoades asked if a process is in place for seeking a replacement.

Mark Perkins stated there is not. The Board of Directors is not scheduled to meet anytime soon, but certainly over the coming months that would be something to think about and could be done at any time.



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Council Member Hoffman moved, seconded by Council Member Kistner to appoint Steve Heitz and Stacy Manolakas each to a three year term to the Olive Graeser TDD Board of Directors, 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 Kistner- 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.

BUSINESS FROM THE MAYOR and CITY COUNCIL

BUSINESS FROM CITY ADMINISTRATOR

10. Non-Profit Organization Formation

Mark Perkins stated there is a detailed staff memo included in the packet that outlines all of the steps of forming a non-profit organization. Should the City of Creve Coeur decide to move forward with forming a non-profit organization to provide a venue to solicit private donations, it may be beneficial to form a volunteer committee to do so. If the purpose is to develop an organization benefitting the Creve Coeur community, citizens should be invested in developing the mission and scope from the beginning. Based on Clayton's timetable the process could take approximately one year to complete if participants stay on task. Clayton city staff estimate their total investment in staff support and direct support to CCF to be approximately \$55,000 annually.

Things to consider:

- Start-up funds will be necessary to pay for marketing collaterals, postage, insurance and attorney and audit fees, if applicable.
- Any successful non-profit requires a commitment of ongoing human resources – regardless of whether it is supported entirely through the efforts of volunteers or paid staff.
- Developing a vibrant and active board of directors is critical in representing the interests of the community and identifying funding sources/prospects.
- If the city elects to do a similar model as Clayton, the city will need to investigate whether or not it will reallocate staff or hire additional staff to provide development expertise and a variety of administrative support.

Council Member Kreuter asked how much money is raised annually.

Mark Perkins stated they have raised in excess of a million dollars over the past couple of years. Clayton indicated that a few of those donations were very generous and were restrictive on what projects they could be used on.



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Council Member D'Alfonso stated even though she requested this to be on the agenda, it was David Caldwell who brought this possibility to the Council's attention. Council Member D'Alfonso stated the next step would be to recruit very active volunteer members and develop a Board to go forward.

Mark Perkins stated that would be a step as well as the City deciding what the City's commitment will be and making it.

Council Member Rhoades stated this is a great idea and worth exploring further. Council Member Rhoades stated she would be interested to know to what degree and how their city committees overlap with their foundation branches.

Council Member D'Alfonso asked besides Clayton, were there any other cities that have similar foundations.

Mark Perkins stated there is one out in St. Charles County but this one is the newest and most similar to Creve Coeur.

Council Member Saunders stated he is supportive of exploring this further mostly from the experience on the Arts Commission. Council Member Saunders stated he feels the next step, from the staff report, would be to create a small task force of individuals.

Mark Perkins stated the task force is a good suggestion and the Council could give some consideration to it. Staff will continue to contact other municipalities to gather more information.

Council Member Rhoades asked how long will the Tappmeyer Foundation exist as an entity.

Mark Perkins stated the City entered into a sort of operating agreement with the Foundation a few years ago and now they have a little bit of a role beyond what the Foundation was originally intended to do, which was to raise money.

Council Member Rhoades stated the goal here is not to suck up more staff time.

Mark Perkins stated that is the thing, this would be an investment and Council will have to weigh it out on what the actual commitment will be and what would be a reasonable expectation of what donations would be brought in. This will require a lot of work and effort on behalf of the citizen volunteers developing those relationships. Staff isn't going to be out there asking for donations.

Council Member Rhoades stated similar to the Creve Coeur Days Board, a private organization but with cooperation with the City.

Mark Perkins stated correct and if a task force was formed for this that is what they could be doing is going out to get a feel for what is out there.

Mayor Glantz stated one of the keys to success for this would be the Board of Directors and their involvement whereas staff would provide a supportive role.

11. Resident Newsletter

Mark Perkins stated over the last several years it has been discussed whether to keep the newsletter two color or go to four color. Having four color is more eye catching and could



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capture more interest of the residents. There has always been a substantial cost difference and have been reluctant to do that in the past. Since bidding out from last year the cost difference has shrunk substantially and would only increase the annually cost by about \$2,000 for just the printing portion. Mark Perkins asked if this is something the Council would like to see. The City would also be offering the option to opt out of receiving a paper copy of the newsletter and those residents could receive it electronically, which could result in some savings over time.

Council Member Hoffman stated the opt out version would be greatly used and would save more with printing and mailing.

Council Member Saunders stated the concern, as outlined in the memo, is how to capture someone who has recently moved into the City. Council Member Saunders stated without a great deal of additional work, does staff feel they can capture new residents through Ameren with new electrical service hook ups.

Mark Perkins stated yes, and if the City goes to a reoccupancy program for single family houses then that could also be utilized.

Council agreed Mr. Perkins should direct staff to proceed with four color.

* - Council Member Kistner left the Council Chambers at 9:47 p.m.

12. Community Workshop / Sponsorships

Mark Perkins stated he and several members of the City Council attended a seminar lead by Peter Kageyama at the Missouri Municipal League conference in September. Mr. Kageyama provides a half-day (or evening) workshop to essentially help communities tap into their creative and entrepreneurial capacities, and could build upon our citizens' connection to Creve Coeur. We would tentatively plan to hold the workshop on either a weekday evening or a Saturday morning, preferably in May 2013. Mark Perkins stated considering the cost of approximately \$8,000, he would propose that the city seek corporate sponsorships to offset one-half of the cost. The city's share of \$4,000 can be covered by our strategic planning budget of \$20,000. We anticipate our expenses to Shockey and Associates to be \$15,000. If the Council would like to pursue this community workshop concept, then Council approval of soliciting certain businesses for contributions in excess of \$1,000 is requested pursuant to the city's solicitation policy. These businesses will also be solicited for the city's parks sponsorship program, which was recently approved by the City Council:

BRDG Park/Wexford

Cejka Search

CSI Leasing

Drury Hotels

Enterprise Bank

HBE Corporation

Isle of Capri



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Mercy Hospital
Monsanto
Plaza Motors

Council Member D'Alfonso asked if we are having some issues with engaging our residents now, who is going to be responsible for going out and getting 150 residents to attend this workshop.

Council Member Saunders stated the notion is giving those already involved in the City some tools, resources and thoughts to motivate them to do more for the City and helping them to think more outside of the box.

Council Member Rhoades stated she missed the first meeting with the consultant and made the second one and had a lukewarm feeling about the process. Given that there has been such contrast in glowing recommendations from those that have heard the speaker directly and the potential to get partial sponsorship she is willing to try it.

Council Member Hoffman moved, seconded by Council Member Saunders to solicit for the program up for a minimum of \$4,000 up to the full \$8,000, with the vote upon such motion being as follows, to-wit:

Council Member Nealey – Aye
Council Member Saunders – Aye
Council Member Hoffman – 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.

Mark Perkins suggested the motion be amended to include solicitation for park programs as well as the workshop.

Council Member Rhoades moved, seconded by Council Member Saunders to solicit businesses to assess their interest in funding the park programs as mentioned as a second initiative, with the vote upon such motion being as follows, to-wit:

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



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Council Member Saunders – Aye

Council Member Hoffman – Aye

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

Council Member Hoffman moved, seconded by Council Member Nealey to adjourn at 10:01 p.m., with the vote upon such motion being as follows, to-wit:

Council Member Rhoades – Aye

Council Member D'Alfonso – Aye

Council Member Wang – Aye

Council Member Kreuter – 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.

Submitted by:

Deborah Ryan
City Clerk

Barry Glantz
Mayor

RESOLUTION NO. 1037

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE GREENWOOD GROUP FOR MOWING SERVICES IN CITY PARKS FOR THE 2013 GROWING SEASON, FOR THE SUM OF \$32,452.00.

WHEREAS, the City of Creve Coeur strives to promote a beautiful and safe place to live, work, and drive, and

WHEREAS, the City has dedicated funding for parks mowing services, and

WHEREAS, such grounds maintenance will have a positive impact on residents and visitors, and

WHEREAS, these services have been competitively bid per the requirements outlined in the City of Creve Coeur Code of Ordinances, and

WHEREAS, The Greenwood Group submitted the lowest and best proposal, which provides for a one-year contract term.

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

Section 1. The Contract between The Greenwood Group and the City attached hereto as Exhibit A is hereby approved and the execution is hereby authorized. The Contract, in the amount of **\$32,452.00**, as executed shall be in substantially the form of Exhibit A, with such changes therein as shall be approved by the officers of the City executing same, consistent with the provisions and intent of this Resolution and necessary, desirable, convenient, or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the Contract.

Adopted this 28^h day of January, 2013.

Barry Glantz
Mayor

Attest:

Deborah Ryan, MPCC
City Clerk

EXHIBIT A

CITY-CONTRACTOR AGREEMENT

This is an Agreement made and entered into the ____ day of _____, 2013, by and between the City of Creve Coeur, Missouri (hereinafter called the "City") and The Greenwood Group, LLC with offices in New Melle, MO 63365 (hereinafter called the "Contractor") for the project identified as **2013 Parks Maintenance Services** (hereinafter called the "Project" or the "Work").

WITNESSETH:

The Contractor and the City for the consideration set forth herein agree as follows:

ARTICLE I

The Contract Documents

The Contract Documents which comprise the entire agreement between the City and the Contractor consist of the following:

- 1) This City-Contractor Agreement
- 2) General Conditions of City-Contractor Agreement
- 3) Job Special Provisions
- 4) Non-Collusion Affidavit
- 5) Construction Plans, Specifications, and Details
- 6) Construction Schedule
- 7) All Addenda and all Modifications issued after execution of this Contract
- 8) The Saint Louis County Standard Specifications for Highway Construction, dated January 1, 1997, including all supplemental revisions and updates through January 1, 2011, referred to herein as the "Standard Specifications" and applicable to the Work of this Contract by reference;
- 9) The latest version of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD).

The documents listed above, together with this Agreement, form the Contract and are all as fully a part of the Contract as if attached to this Agreement or repeated herein. All definitions set forth in the General Conditions of City-Contractor Agreement are applicable to this Agreement.

ARTICLE II
Scope of Work

The Contractor, acting as an independent contractor, shall do everything required by the Contract Documents. The Contractor represents and warrants that he has special skills which qualify him to perform the Work in accordance with the Contract and that he is free to perform all such Work and is not a party to any other agreement, written or oral, the performance of which would prevent or interfere with the performance, in whole or in part, of the Work.

ARTICLE III
Period of the Agreement and Time of Completion

- (a) All time limits stated in the Contract Documents are of the essence.
- (b) The Work to be performed under the Contract shall commence in March, 2013, and shall terminate in November 2013.
- (c) During the summer month the contractor should assume that most areas will be cut on a two week schedule. It is the contractor's responsibility to contact the city each week to get the approved mowing schedule for that week.

ARTICLE IV
The Contract Sum and Payments

Based upon Applications for Payment submitted by the Contractor on or before the twentieth day of the month for work performed, in accordance with the General Conditions and the Itemized Bid Form, the City shall pay the Contractor for the performance of the Work the sum of \$ 32,452.00 (the "Contract Sum") as follows:

- (1) Monthly pay periods. On or about the twentieth day of each month, one-hundred percent (100%) of the portion of the Contract Sum properly allocable to labor, materials, and equipment incorporated into the Work, and one-hundred percent (100%) of the portion of the Contract Sum properly allocable to materials and equipment suitably stored at the site to be incorporated into the Work, through the period ending up to the twentieth of the preceding month, less the aggregate of all previous progress payments;
- (2) Final payment. Upon completion of the Work and final acceptance by the City, a sum sufficient to increase the total payments to one-hundred percent (100%) of the

Contract Sum, amended as necessary according to adjustments to the work made in compliance with Article VII of this Agreement, shall constitute the final payment.

ARTICLE V

Performance of the Work

(a) Within seven (7) calendar days after being awarded the Contract, the Contractor shall prepare and submit for the City's approval:

- (1) a Construction Schedule for the Work which shall indicate the proposed sequence and dates for starting and completing the various aspects of the Work on a site-by-site basis, and
- (2) a Traffic Control Plan indicating the location of all proposed signage, detours, and lane closures throughout the project which adequately address the traffic control plan at each location of the proposed Work. All traffic control shall be according to the standards of the Manual on Uniform Traffic Control Devices (MUTCD) developed by the Federal Highway Administration.

The Notice To Proceed shall be issued within ten (10) working days of the award, however no work will commence until the Contractor's Construction Schedule and Traffic Control Plan are submitted and approved by the City. The Contractor shall be required to substantially finish portions of the work as designated by the Director of Public Works prior to continuation of further work remaining on the project. This may include backfilling, paving, sodding, or cleanup as designated by the Director of Public Works.

(b) Completion of the Work in accordance with the time limits set forth in the Construction Schedule is an essential condition of the Contract. If the Contractor fails to complete the Work in accordance with the Construction Schedule, unless the delay is excusable under the provisions of Article VI hereof, the Contractor shall pay the City as liquidated damages, and not as a penalty, the sum of two hundred and fifty dollars (\$250.00) for each calendar day the Contractor fails to comply with the Construction Schedule. The total amount so payable to the City as liquidated damages may be deducted from any sums due or to become due to the Contractor from the City.

(c) After Commencement of the Work, and until final completion of the Work, the Contractor shall report to the City, at such intervals as the City may reasonably direct, the actual progress of the work compared to the Construction Schedule. If the Contractor falls behind the

Construction Schedule for any reason, he shall promptly take, and cause his Subcontractors to take, such action as is necessary to remedy the delay, and shall submit promptly to the City for approval a supplementary schedule or progress chart demonstrating the manner in which the delay will be remedied; provided, however, that if the delay is excusable under Article VI hereof, the Contractor will not be required to take, or cause his Subcontractors to take, any action which would increase the overall cost of the Work (whether through overtime premium pay or otherwise), unless the City shall have agreed in writing to reimburse the Contractor for such increase in cost. Any increase in cost incurred in remedying a delay which is not excusable under Article VI hereof shall be borne by the Contractor.

ARTICLE VI

Delays Beyond Contractor's Control

(a) If the Contractor fails to complete the Work in accordance with the Construction Schedule solely as a result of the act or neglect of the City, or by strikes, lockouts, fire, or other similar causes beyond the Contractor's control, the Contractor shall not be required to pay liquidated damages to the City pursuant to paragraph (b) of Article V hereof, provided the Contractor uses his best efforts to remedy the delay in the manner specified in paragraph (c) of Article V hereof. If, as a result of any such cause beyond the Contractor's control, the delay in completion of the Work in accordance with the Construction Schedule is so great that it cannot be remedied in the aforesaid manner, or if the backlog of Work is so great that it cannot be remedied without incurring additional cost which the City does not authorize, then the time of completion and the Construction Schedule shall be extended pursuant to a Change Order for the minimum period of delay occasioned by such cause. The period of delay and extension shall be determined by the City.

(b) Notwithstanding the foregoing paragraph (a), no extension of time shall be granted for any delay the cause of which occurs more than seven (7) days before claim therefore is made in writing by the Contractor to the City, and no extension of time shall be granted if the Contractor could have avoided the need for such extension by the exercise of reasonable care and foresight, as determined by the Director of Public Works. In the case of a continuing cause of delay, only one claim is necessary.

(c) Weather may constitute a cause for granting an extension of time, as determined and approved by the Director of Public Works.

(d) In the event a delay is caused by the City, the Contractor's sole remedy shall consist of his rights under this Article VI.

ARTICLE VII

Changes in the Work

(a) The City may make changes within the general scope of the contract by altering, adding to, or deducting from the Work, the Contract Sum being adjusted accordingly. All such changes in the Work shall be executed under the conditions of the Contract. No extra work or change shall be made except pursuant to a Change Order from the City in accordance with the General Conditions. Any claim for an increase in the Contract Sum resulting from any such change in the Work shall be made by the Contractor in accordance with the General Conditions.

(b) If the requested change would result in a delay in the Construction Schedule, the provisions of Article V, paragraph (c), and Article VI hereof shall apply. If the requested change would result in a decrease in the time required to perform the Work, the completion date and the Construction Schedule shall be adjusted by agreement between the parties to reflect such decrease.

(c) Any adjustment in the Contract Sum for duly authorized extra work or change in the Work shall be determined based on the unit prices previously specified, to the extent such unit prices are applicable. To the extent such unit prices are not applicable, the adjustment in the Contract Sum shall, at the option of the City, be determined by an acceptable lump sum properly itemized and supported by sufficient substantiating data to permit evaluation, by an acceptable cost-plus-percentage fee, or by a fixed fee.

ARTICLE VIII

Termination by City or Contractor

(a) If the Contractor is adjudged a bankrupt; or if the Contractor makes a general assignment for the benefit of creditors; or if a receiver is appointed on account of the Contractor's insolvency; or if the Contractor persistently or repeatedly fails, except in cases for which extension of time is provided, to make progress in accordance with the Construction Schedule; or if the Contractor fails to make prompt payment to Subcontractors or for material or labor, or persistently disregards laws, ordinances or the instructions of the City, or otherwise breaches any provision of the Contract, the City may, without prejudice to any other right or remedy, by giving written notice to the Contractor and his surety, terminate the Contract, take possession of the Work and of all materials and equipment thereon, and finish the Work by whatever method the City may deem expedient. In such case, the Contractor shall not be entitled to receive any further payment until the work is finished. If the unpaid balance of the

Contract Sum shall exceed the expenses of finishing the Work, including additional architectural, managerial, and administrative expenses, such excess shall be paid to the Contractor. If such expenses shall exceed the unpaid balance of the Contract Sum, the Contractor shall pay the difference to the City promptly upon demand.

In the event of termination pursuant to this paragraph, the Contractor, upon the request of the City, shall promptly:

- (i) assign to the City in the manner and to the extent directed by the City all right, title, and interest of the Contractor under any subcontracts, purchase orders, and construction equipment leases to which the Contractor is a party and which relate to the Work or to construction equipment required therefore, and
- (ii) make available to the City, to the extent directed by the City, all construction equipment owned by the Contractor and employed in connection with the Work.

(b) Performance of the Work hereunder may be terminated by the City by giving three (3) days prior written notice to the Contractor if the City, in its sole discretion, decides to discontinue or suspend the Work. In the event of such termination, as opposed to termination pursuant to paragraph (a) of this Article VIII, the Contract Sum shall be reduced in an equitable manner by agreement between the parties or by arbitration.

ARTICLE IX

Contractor's Liability Insurance

The Contractor shall purchase and maintain, in full force and effect, the following insurance coverage with an insurance carrier acceptable to the City:

The policy shall be endorsed to cover the contractual liability of the Contractor under the General Conditions.

The Contractor and his Subcontractors shall procure and maintain during the life of this agreement insurance of the types and minimum amounts as follows:

- (a) Workers' Compensation in full compliance with statutory requirements of Federal and State of Missouri law and Employers' Liability coverage in the amount of \$1,000,000.
- (b) Comprehensive General Liability and Bodily Injury
 - Including Death: \$1,000,000 each person
 - \$1,000,000 each occurrence
 - Property Damage: \$1,000,000 each occurrence
 - \$1,000,000 aggregate

(c) Comprehensive Automobile Liability, Bodily Injury

Including Death: \$1,000,000 each person
\$1,000,000 each occurrence

Property Damage: \$1,000,000 each accident

(d) Owner's Protective Bodily Injury

Including Death: \$1,000,000 each person
\$1,000,000 each occurrence

Property Damage: \$1,000,000 each occurrence
\$1,000,000 aggregate

The Owner's Protective policy shall name the City as the Insured. Certificates evidencing such insurance shall be furnished the City prior to Contractor commencing the work on this project. The certificates must state **"The City of Creve Coeur is an additional insured."** The certificate must provide for thirty (30) days advance notice to the City as certificate holder of any change or cancellation, and any necessary policy endorsements must be provided.

ARTICLE X

Equal Opportunity and Non-Discrimination

The Contractor, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the basis of race, color, religion, sex, national origin, or disability in the selection and retention of subcontractors. The Contractor will comply with Title VI of the Civil Rights Act of 1964, as the same has been or may be amended from time to time. In all solicitation, either by competitive bidding or negotiations made by the contractor for work to be performed under a subcontract, including procurement of materials or equipment, each potential subcontractor or supplier shall be notified of the Contractor's obligations under this contract and the regulations relative to nondiscrimination on the ground of race, color religion, sex, national origin, or disability.

The Contractor will take action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, national origin, or disability. Such action shall include, but not be limited to, the employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The Contractor agrees to post notices pertaining to the foregoing in conspicuous places available to employees and applicants for employment.

The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor; state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or disability.

The Contractor will comply with all provisions of federal, state, and local codes, ordinances, and regulations governing the regulation of Equal Employment Opportunity and Non-Discrimination.

In the event that any or all of the provision(s) of the foregoing paragraphs conflict with federal, state, or other local laws, ordinances, or regulations, then the requirements of such federal, state, or local laws, ordinances, or regulations shall prevail. Compliance with the foregoing provisions shall not relieve the Contractor from adherence to any and all additional requirements regarding equal employment or non-discrimination set forth in such federal, state, or other local laws, ordinances, or regulations.

ARTICLE XI

Conflicts of Interest

The parties agree to abide by all applicable federal, state, and local laws, ordinances, and regulations relating to conflicts of interest.

ARTICLE XII

The Work

The Contractor shall furnish all labor, materials, tools, and equipment, and shall perform all tasks necessary to complete the Work, as specified in the Contract Documents. The Scope of Work generally includes mowing of turf areas in public parks within the City of Creve Coeur and provides for items as more specifically described in the Technical Specifications.

All work shall be done to the complete satisfaction of the Director of Public Works for the City of Creve Coeur.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

CITY OF CREVE COEUR

By _____
Mark C. Perkins, City Administrator

(SEAL) By _____
James H. Heines, Director of Public Works

Attest: _____
City Clerk

Date: _____

By: _____
"Contractor"

Printed Name

Title

Attest: _____

Date: _____



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: January 18, 2013
TO: Mark Perkins, City Administrator
FROM: Jim Heines, Director of Public Works
SUBJECT: Recommendation of Award
2013 Parks, Right-of-Way, and Grounds Maintenance Services

City Staff bid the above referenced services in February 2011 as a two-year contract with a one-year extension option. The contracts were awarded to **Outdoor Solutions** to mow the city Right-of-Ways and Olive/270 Grounds Maintenance Services and **Turfgrass Professionals** for Parks Mowing during the 2011 and 2012 mowing seasons.

Over the winter, city staff contacted both companies to pursue the one-year extension option. **Outdoor Solutions** accepted the proposal and agreed to extend the contract through the 2013 mowing season. However, **Turfgrass Professionals** declined to extend the contract for Park Mowing stating that they were eliminating their commercial contracts and focusing on the residential market.

City staff immediately began seeking proposals for the final year of mowing services in the city parks in preparation for the upcoming mowing season. Staff requested proposals from our current ROW and Grounds Maintenance contractor and bidders #2 and #3 from the 2011 bid. Results of the proposals are listed below and a detailed bid tab is attached for your convenience.

<u>Company</u>	<u>2013 Total Cost</u>
The Greenwood Group	\$32,452
Loyet Landscape	\$33,260
Outdoor Solutions	\$52,574

Recommendation of Award

After reviewing the proposals for the Park Mowing services, **The Greenwood Group** who has worked for the city before is the lowest and best bidder to take the place of Turfgrass Professionals during this extension year. City staff plans to bid all three services at the end of these contracts for the 2014, 2015, and 2016 mowing seasons.

Parks Maintenance Services. Services required under this project include the mowing of turf areas in the City's parks. *City staff recommends the award of the contract for **Parks Maintenance Services** to **The Greenwood Group** for \$32,452.00.*

Right-of-Way Maintenance Services. Services involved with the Right-of-Way Maintenance Services (Part 2, above) include mowing of various turf areas along City streets. *City staff recommends the award of the contract for **Right-of-Way Maintenance Services to Outdoor Solutions** for the bid price of \$12,604.79. Since this contract is below the \$20,000 threshold, it will be submitted to the City Administrator for approval and signature.*

Grounds Maintenance Services. The Grounds Maintenance Services (Part 3, above) include mowing, trimming, and related services to maintain the landscaped areas at the intersection of Olive Boulevard and Interstate 270. *City staff recommends the award of the contract for **Grounds Maintenance Services to Outdoor Solutions** for the bid price of \$31,080.50.*

CITY OF CREVE COEUR, MISSOURI
DEPARTMENT OF PUBLIC WORKS



2013 PARKS MOWING SUMMARY

ITEM	DESCRIPTION	Quantity	A.		B.		C.	
			The Greenwood Group		Loyet Landscape		Outdoor Solutions	
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1.	Mowing - Beirne Park	24	\$100	\$ 2,400.00	\$105	\$ 2,520.00	\$175	\$ 4,200.00
2.	Mowing - Conway Park	24	\$410	\$ 9,840.00	\$400	\$ 9,600.00	\$580	\$ 13,920.00
3.	Mowing - Fountain Park	24	\$22	\$ 528.00	\$55	\$ 1,320.00	\$30	\$ 720.00
4.	Mowing - Lake School Park	24	\$66	\$ 1,584.00	\$80	\$ 1,920.00	\$145	\$ 3,480.00
5.	Mowing - Laverne Collins Park	24	\$66	\$ 1,584.00	\$70	\$ 1,680.00	\$41	\$ 984.00
6.	Mowing - Malcolm Terrace Park	24	\$150	\$ 3,600.00	\$55	\$ 1,320.00	\$500	\$ 12,000.00
7.	Mowing - Millennium Park	24	\$254	\$ 6,096.00	\$285	\$ 6,840.00	\$500	\$ 12,000.00
8.	Mowing - Athletic Fields & Dog Park	31	\$220	\$ 6,820.00	\$260	\$ 8,060.00	\$170	\$ 5,270.00
	TOTALS	>	\$ 32,452.00		\$ 33,260.00		\$ 52,574.00	

RESOLUTION NO. 1038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE EXECUTION OF A CONTRACT WITH OUTDOOR SOLUTIONS FOR GROUNDS MAINTENANCE SERVICES FOR THE INTERSTATE 270/OLIVE BOULEVARD INTERCHANGE FOR THE 2011 AND 2012 GROWING SEASONS, FOR THE SUM OF \$31,080.50 FOR THE 2013 GROWING SEASON.

WHEREAS, the City of Creve Coeur strives to promote a beautiful and safe place to live, work, and drive, and

WHEREAS, the City has dedicated funding for maintenance of the landscaped areas at the intersection of Interstate 270 and Olive Boulevard, and

WHEREAS, such grounds maintenance will have a positive impact on residents and visitors, and

WHEREAS, these services have been competitively bid per the requirements outlined in the City of Creve Coeur Code of Ordinances, and

WHEREAS, Outdoor Solutions submitted the lowest and best bid, which provides for a two-year term and grants the City the option to extend for another (third) year, with the itemized prices to increase based on specified CPI changes subject to a maximum increase of 5% per year,

WHEREAS, The city and the contractor are agreeing to take advantage of the third year option as stated in the original contract

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

Section 1. The Contract between Outdoor Solutions and the City attached hereto as Exhibit A is hereby approved and the execution is hereby authorized. The Contract, in the amount of **\$31,080.50**, as executed shall be in substantially the form of Exhibit A, with such changes therein as shall be approved by the officers of the City executing same, consistent with the provisions and intent of this Resolution and necessary, desirable, convenient, or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the Contract.

Adopted this 28^h day of January, 2013.

Barry Glantz
Mayor

Attest:

Deborah Ryan, MPCC
City Clerk

EXHIBIT A

CITY-CONTRACTOR AGREEMENT

This is an Agreement made and entered into the ____ day of _____, 2013, by and between the City of Creve Coeur, Missouri (hereinafter called the "City") and Outdoor Solutions with offices at 1400 Shawnee Court, Arnold, MO 63010 (hereinafter called the "Contractor") for the project identified as a one year extension of the **2011-2012 Grounds Maintenance Services** (hereinafter called the "Project" or the "Work").

WITNESSETH:

The Contractor and the City for the consideration set forth herein agree as follows:

ARTICLE I

The Contract Documents

The Contract Documents which comprise the entire agreement between the City and the Contractor consist of the following:

- 1) This City-Contractor Agreement
- 2) General Conditions of City-Contractor Agreement
- 3) Job Special Provisions
- 4) Non-Collusion Affidavit
- 5) Construction Plans, Specifications, and Details
- 6) Construction Schedule
- 7) All Addenda and all Modifications issued after execution of this Contract
- 8) The Saint Louis County Standard Specifications for Highway Construction, dated January 1, 1997, including all supplemental revisions and updates through January 1, 2011, referred to herein as the "Standard Specifications" and applicable to the Work of this Contract by reference;
- 9) The latest version of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD).

The documents listed above, together with this Agreement, form the Contract and are all as fully a part of the Contract as if attached to this Agreement or repeated herein. All definitions set forth in the General Conditions of City-Contractor Agreement are applicable to this Agreement.

ARTICLE II

Scope of Work

The Contractor, acting as an independent contractor, shall do everything required by the Contract Documents. The Contractor represents and warrants that he has special skills which qualify him to perform the Work in accordance with the Contract and that he is free to perform all such Work and is not a party to any other agreement, written or oral, the performance of which would prevent or interfere with the performance, in whole or in part, of the Work.

ARTICLE III

Period of the Agreement and Time of Completion

- (a) All time limits stated in the Contract Documents are of the essence.
- (b) The Work to be performed under the Contract shall commence in March, 2013, and shall terminate in November 2013.
- (c) During the summer month the contractor should assume that most areas will be cut on a two week schedule. It is the contractor's responsibility to contact the city each week to get the approved mowing schedule for that week.

ARTICLE IV

The Contract Sum and Payments

Based upon Applications for Payment submitted by the Contractor on or before the twentieth day of the month for work performed, in accordance with the General Conditions and the Itemized Bid Form, the City shall pay the Contractor for the performance of the Work the sum of \$ 31,080.50 (the "Contract Sum") as follows:

- (1) Monthly pay periods. On or about the twentieth day of each month, one-hundred percent (100%) of the portion of the Contract Sum properly allocable to labor, materials, and equipment incorporated into the Work, and one-hundred percent (100%) of the portion of the Contract Sum properly allocable to materials and equipment suitably stored at the site to be incorporated into the Work, through the period ending up to the twentieth of the preceding month, less the aggregate of all previous progress payments;
- (2) Final payment. Upon completion of the Work and final acceptance by the City, a sum sufficient to increase the total payments to one-hundred percent (100%) of the

Contract Sum, amended as necessary according to adjustments to the work made in compliance with Article VII of this Agreement, shall constitute the final payment.

- (3) The city and the contractor are agreeing to take advantage of the 3rd year contract option as provided for in the **2011-2012 Grounds Maintenance Services** contract documents.

ARTICLE V

Performance of the Work

(a) Within seven (7) calendar days after being awarded the Contract, the Contractor shall prepare and submit for the City's approval:

- (1) a Construction Schedule for the Work which shall indicate the proposed sequence and dates for starting and completing the various aspects of the Work on a site-by-site basis, and
- (2) a Traffic Control Plan indicating the location of all proposed signage, detours, and lane closures throughout the project which adequately address the traffic control plan at each location of the proposed Work. All traffic control shall be according to the standards of the Manual on Uniform Traffic Control Devices (MUTCD) developed by the Federal Highway Administration.

The Notice To Proceed shall be issued within ten (10) working days of the award, however no work will commence until the Contractor's Construction Schedule and Traffic Control Plan are submitted and approved by the City. The Contractor shall be required to substantially finish portions of the work as designated by the Director of Public Works prior to continuation of further work remaining on the project. This may include backfilling, paving, sodding, or cleanup as designated by the Director of Public Works.

(b) Completion of the Work in accordance with the time limits set forth in the Construction Schedule is an essential condition of the Contract. If the Contractor fails to complete the Work in accordance with the Construction Schedule, unless the delay is excusable under the provisions of Article VI hereof, the Contractor shall pay the City as liquidated damages, and not as a penalty, the sum of two hundred and fifty dollars (\$250.00) for each calendar day the Contractor fails to comply with the Construction Schedule. The total amount so payable to the City as liquidated damages may be deducted from any sums due or to become due to the Contractor from the City.

(c) After Commencement of the Work, and until final completion of the Work, the Contractor shall report to the City, at such intervals as the City may reasonably direct, the actual

progress of the work compared to the Construction Schedule. If the Contractor falls behind the Construction Schedule for any reason, he shall promptly take, and cause his Subcontractors to take, such action as is necessary to remedy the delay, and shall submit promptly to the City for approval a supplementary schedule or progress chart demonstrating the manner in which the delay will be remedied; provided, however, that if the delay is excusable under Article VI hereof, the Contractor will not be required to take, or cause his Subcontractors to take, any action which would increase the overall cost of the Work (whether through overtime premium pay or otherwise), unless the City shall have agreed in writing to reimburse the Contractor for such increase in cost. Any increase in cost incurred in remedying a delay which is not excusable under Article VI hereof shall be borne by the Contractor.

ARTICLE VI

Delays Beyond Contractor's Control

(a) If the Contractor fails to complete the Work in accordance with the Construction Schedule solely as a result of the act or neglect of the City, or by strikes, lockouts, fire, or other similar causes beyond the Contractor's control, the Contractor shall not be required to pay liquidated damages to the City pursuant to paragraph (b) of Article V hereof, provided the Contractor uses his best efforts to remedy the delay in the manner specified in paragraph (c) of Article V hereof. If, as a result of any such cause beyond the Contractor's control, the delay in completion of the Work in accordance with the Construction Schedule is so great that it cannot be remedied in the aforesaid manner, or if the backlog of Work is so great that it cannot be remedied without incurring additional cost which the City does not authorize, then the time of completion and the Construction Schedule shall be extended pursuant to a Change Order for the minimum period of delay occasioned by such cause. The period of delay and extension shall be determined by the City.

(b) Notwithstanding the foregoing paragraph (a), no extension of time shall be granted for any delay the cause of which occurs more than seven (7) days before claim therefore is made in writing by the Contractor to the City, and no extension of time shall be granted if the Contractor could have avoided the need for such extension by the exercise of reasonable care and foresight, as determined by the Director of Public Works. In the case of a continuing cause of delay, only one claim is necessary.

(c) Weather may constitute a cause for granting an extension of time, as determined and approved by the Director of Public Works.

(d) In the event a delay is caused by the City, the Contractor's sole remedy shall consist of his rights under this Article VI.

ARTICLE VII

Changes in the Work

(a) The City may make changes within the general scope of the contract by altering, adding to, or deducting from the Work, the Contract Sum being adjusted accordingly. All such changes in the Work shall be executed under the conditions of the Contract. No extra work or change shall be made except pursuant to a Change Order from the City in accordance with the General Conditions. Any claim for an increase in the Contract Sum resulting from any such change in the Work shall be made by the Contractor in accordance with the General Conditions.

(b) If the requested change would result in a delay in the Construction Schedule, the provisions of Article V, paragraph (c), and Article VI hereof shall apply. If the requested change would result in a decrease in the time required to perform the Work, the completion date and the Construction Schedule shall be adjusted by agreement between the parties to reflect such decrease.

(c) Any adjustment in the Contract Sum for duly authorized extra work or change in the Work shall be determined based on the unit prices previously specified, to the extent such unit prices are applicable. To the extent such unit prices are not applicable, the adjustment in the Contract Sum shall, at the option of the City, be determined by an acceptable lump sum properly itemized and supported by sufficient substantiating data to permit evaluation, by an acceptable cost-plus-percentage fee, or by a fixed fee.

ARTICLE VIII

Termination by City or Contractor

(a) If the Contractor is adjudged a bankrupt; or if the Contractor makes a general assignment for the benefit of creditors; or if a receiver is appointed on account of the Contractor's insolvency; or if the Contractor persistently or repeatedly fails, except in cases for which extension of time is provided, to make progress in accordance with the Construction Schedule; or if the Contractor fails to make prompt payment to Subcontractors or for material or labor, or persistently disregards laws, ordinances or the instructions of the City, or otherwise breaches any provision of the Contract, the City may, without prejudice to any other right or remedy, by giving written notice to the Contractor and his surety, terminate the Contract, take

possession of the Work and of all materials and equipment thereon, and finish the Work by whatever method the City may deem expedient. In such case, the Contractor shall not be entitled to receive any further payment until the work is finished. If the unpaid balance of the Contract Sum shall exceed the expenses of finishing the Work, including additional architectural, managerial, and administrative expenses, such excess shall be paid to the Contractor. If such expenses shall exceed the unpaid balance of the Contract Sum, the Contractor shall pay the difference to the City promptly upon demand.

In the event of termination pursuant to this paragraph, the Contractor, upon the request of the City, shall promptly:

- (i) assign to the City in the manner and to the extent directed by the City all right, title, and interest of the Contractor under any subcontracts, purchase orders, and construction equipment leases to which the Contractor is a party and which relate to the Work or to construction equipment required therefore, and
- (ii) make available to the City, to the extent directed by the City, all construction equipment owned by the Contractor and employed in connection with the Work.

(b) Performance of the Work hereunder may be terminated by the City by giving three (3) days prior written notice to the Contractor if the City, in its sole discretion, decides to discontinue or suspend the Work. In the event of such termination, as opposed to termination pursuant to paragraph (a) of this Article VIII, the Contract Sum shall be reduced in an equitable manner by agreement between the parties or by arbitration.

ARTICLE IX

Contractor's Liability Insurance

The Contractor shall purchase and maintain, in full force and effect, the following insurance coverage with an insurance carrier acceptable to the City:

The policy shall be endorsed to cover the contractual liability of the Contractor under the General Conditions.

The Contractor and his Subcontractors shall procure and maintain during the life of this agreement insurance of the types and minimum amounts as follows:

- (a) Workers' Compensation in full compliance with statutory requirements of Federal and State of Missouri law and Employers' Liability coverage in the amount of \$1,000,000.
- (b) Comprehensive General Liability and Bodily Injury
Including Death: \$1,000,000 each person

	\$1,000,000 each occurrence
Property Damage:	\$1,000,000 each occurrence
	\$1,000,000 aggregate
(c) Comprehensive Automobile Liability, Bodily Injury	
Including Death:	\$1,000,000 each person
	\$1,000,000 each occurrence
Property Damage:	\$1,000,000 each accident
(d) Owner's Protective Bodily Injury	
Including Death:	\$1,000,000 each person
	\$1,000,000 each occurrence
Property Damage:	\$1,000,000 each occurrence
	\$1,000,000 aggregate

The Owner's Protective policy shall name the City as the Insured. Certificates evidencing such insurance shall be furnished the City prior to Contractor commencing the work on this project. The certificates must state **"The City of Creve Coeur is an additional insured."** The certificate must provide for thirty (30) days advance notice to the City as certificate holder of any change or cancellation, and any necessary policy endorsements must be provided.

ARTICLE X

Equal Opportunity and Non-Discrimination

The Contractor, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the basis of race, color, religion, sex, national origin, or disability in the selection and retention of subcontractors. The Contractor will comply with Title VI of the Civil Rights Act of 1964, as the same has been or may be amended from time to time. In all solicitation, either by competitive bidding or negotiations made by the contractor for work to be performed under a subcontract, including procurement of materials or equipment, each potential subcontractor or supplier shall be notified of the Contractor's obligations under this contract and the regulations relative to nondiscrimination on the ground of race, color religion, sex, national origin, or disability.

The Contractor will take action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, national origin, or disability. Such action shall include, but not be limited to, the employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship.

The Contractor agrees to post notices pertaining to the foregoing in conspicuous places available to employees and applicants for employment.

The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor; state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or disability.

The Contractor will comply with all provisions of federal, state, and local codes, ordinances, and regulations governing the regulation of Equal Employment Opportunity and Non-Discrimination.

In the event that any or all of the provision(s) of the foregoing paragraphs conflict with federal, state, or other local laws, ordinances, or regulations, then the requirements of such federal, state, or local laws, ordinances, or regulations shall prevail. Compliance with the foregoing provisions shall not relieve the Contractor from adherence to any and all additional requirements regarding equal employment or non-discrimination set forth in such federal, state, or other local laws, ordinances, or regulations.

ARTICLE XI

Conflicts of Interest

The parties agree to abide by all applicable federal, state, and local laws, ordinances, and regulations relating to conflicts of interest.

ARTICLE XII

The Work

The Contractor shall furnish all labor, materials, tools, and equipment, and shall perform all tasks necessary to complete the Work, as specified in the Contract Documents. The Scope of Work generally includes mowing, litter removal, weeding, pest control, fertilization, and other landscape-management services at the intersection of Interstate 270 and Olive Boulevard within the City of Creve Coeur and provides for items as more specifically described in the Technical Specifications.

All work shall be done to the complete satisfaction of the Director of Public Works for the City of Creve Coeur.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

CITY OF CREVE COEUR

By _____
Mark C. Perkins, City Administrator

(SEAL)

By _____
James H. Heines, Director of Public Works

Attest: _____
City Clerk

Date: _____

By: _____
"Contractor"

Printed Name

Title

Attest: _____

Date: _____



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: January 18, 2013
TO: Mark Perkins, City Administrator
FROM: Jim Heines, Director of Public Works
SUBJECT: Recommendation of Award
2013 Parks, Right-of-Way, and Grounds Maintenance Services

City Staff bid the above referenced services in February 2011 as a two-year contract with a one-year extension option. The contracts were awarded to **Outdoor Solutions** to mow the city Right-of-Ways and Olive/270 Grounds Maintenance Services and **Turfgrass Professionals** for Parks Mowing during the 2011 and 2012 mowing seasons.

Over the winter, city staff contacted both companies to pursue the one-year extension option. **Outdoor Solutions** accepted the proposal and agreed to extend the contract through the 2013 mowing season. However, **Turfgrass Professionals** declined to extend the contract for Park Mowing stating that they were eliminating their commercial contracts and focusing on the residential market.

City staff immediately began seeking proposals for the final year of mowing services in the city parks in preparation for the upcoming mowing season. Staff requested proposals from our current ROW and Grounds Maintenance contractor and bidders #2 and #3 from the 2011 bid. Results of the proposals are listed below and a detailed bid tab is attached for your convenience.

<u>Company</u>	<u>2013 Total Cost</u>
The Greenwood Group	\$32,452
Loyet Landscape	\$33,260
Outdoor Solutions	\$52,574

Recommendation of Award

After reviewing the proposals for the Park Mowing services, **The Greenwood Group** who has worked for the city before is the lowest and best bidder to take the place of Turfgrass Professionals during this extension year. City staff plans to bid all three services at the end of these contracts for the 2014, 2015, and 2016 mowing seasons.

Parks Maintenance Services. Services required under this project include the mowing of turf areas in the City's parks. *City staff recommends the award of the contract for **Parks Maintenance Services** to **The Greenwood Group** for \$32,452.00.*

Right-of-Way Maintenance Services. Services involved with the Right-of-Way Maintenance Services (Part 2, above) include mowing of various turf areas along City streets. *City staff recommends the award of the contract for **Right-of-Way Maintenance Services to Outdoor Solutions** for the bid price of \$12,604.79. Since this contract is below the \$20,000 threshold, it will be submitted to the City Administrator for approval and signature.*

Grounds Maintenance Services. The Grounds Maintenance Services (Part 3, above) include mowing, trimming, and related services to maintain the landscaped areas at the intersection of Olive Boulevard and Interstate 270. *City staff recommends the award of the contract for **Grounds Maintenance Services to Outdoor Solutions** for the bid price of \$31,080.50.*

RESOLUTION NO. 1039

**A RESOLUTION AUTHORIZING THE CITY OF CREVE COEUR TO PURCHASE
THREE (3) 2013 POLICE DODGE CHARGER PACKAGE VEHICLES FROM
LANDMARK DODGE FOR A COST NOT TO EXCEED \$68,314.71.**

WHEREAS, in the interest of public safety, the police department requires reliable police vehicles to effectively patrol the City; and

WHEREAS, such police vehicles will be replaced when they are determined to have surpassed their life expectancy, or reached their maximum trade-in value as a reliable police unit; and

WHEREAS, the police department is requesting funds totaling \$68,314.71 payable to Landmark Dodge for the purchase of Three (3) 2013 Dodge Charger Police Package Vehicles at \$22,771.57 per unit; in accordance with Missouri State Fleet contract #C113046002: to be purchased from the Police department's Patrol budget, and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
CREVE COEUR THAT:**

Section 1: The City of Creve Coeur is hereby authorized to enter into an agreement with Landmark Dodge to provide Three (3) 2013 model year Dodge Charger Police Package vehicles for the police department at a cost of \$68,314.71.

Section 2: Be it further resolved that this Resolution shall become effective upon adoption by the City Council.

Adopted this 28th day of January 2013

Barry Glantz
Mayor

Attest:

Deborah Ryan
City Clerk

Marked Fleet Vehicles
Creve Coeur Police Dept.

WORKSHEET FOR 2013 DODGE CHARGER			
Option	Keep Standard	Credit	Added Cost
V-8 type, 5.7 liter gasoline engine with heavy duty cooling system and engine oil cooler (see below)	NO		
Rear wheel drive	yes		
3.06 to 1 rear axle ratio	yes		
Five-speed automatic with overdrive transmission, heavy duty for police operation, column shifter and external oil cooler	yes		
Heavy duty power rack and pinion steering with oil cooler	yes		
Tilt steering wheel	yes		
Heavy duty fade resistant four wheel disc anti-lock disc brakes with power booster	yes		
Heavy duty four wheel independent suspension	yes		
Five (5) Firestone tires, P225/60R18 Firehawk GT Pursuit "W" speed rates (includes spare)	yes		
Five (5) 18" x 7.5" steel wheels with manufacturer's optional 18" full wheel covers (includes spare)	yes		
220 ampere alternator	yes		
Heavy duty 800 c.c.a. minimum battery	yes		
Speed control	yes		
Air conditioning system with integral heater and defroster	yes		
Electric rear window defroster	yes		
Power deck lid release, ignition controlled	yes		
Police type certified 0-160 mph speedometer	yes		
AM/FM stereo	yes		
Radio noise suppression package	yes		
Driver and front passenger air bags, driver and passenger side curtain air bags and driver and front passenger seat mounted thorax air bags	yes		
Power windows and door locks, rear power window operable from rear seat and driver's seat, rear window lockout switch controllable from driver's position	yes		
Rear inside door locks and handles fully operable (see below)	NO		
Heavy-duty front bucket seats reinforced for increased support and covered with heavy-duty cloth fabric. No center console. Power-adjusting driver seat	yes		
Heavy-duty cloth bench rear seat (see below)	NO		
Full carpeting both front and rear	yes		
Carpeted front and rear floor mats	yes		
Front license bracket	yes		
Spotlight provision, left hand with 6" halogen spotlight	yes		
Factory dome/map lamp delete	yes		
Auxiliary dome lamp wired and switched independently	yes		
Power heated outside rearview mirrors	yes		
Single Key Locking System	yes		
Keyless entry system	yes		
Standard production solid color exterior and standard interior trim	yes		
Additional Options- Credits and Additional Charges			
5.7 liter V8 engine delete and replace with 3.6 liter V6 engine		\$891.43	
Dealer Prep			\$350.00
Additional Key Fobs (4 additional)			\$89.00
Fleet keyed alike - frequency 3			\$125.00
Deactivate rear doors and windows			\$25.00
Vinyl bench rear seat			\$110.00
			\$699.00
Standard outlined cost	\$22,964.00		
Total of options deleted for credit	\$891.43		
Total of options added at cost	\$699.00		
Grand Total per car	\$22,771.57		



STATE OF MISSOURI
OFFICE OF ADMINISTRATION
DIVISION OF PURCHASING AND MATERIALS MANAGEMENT

NOTIFICATION OF STATEWIDE CONTRACT

October 5, 2012

CONTRACT TITLE: Patrol Vehicles: Current Model Year

CURRENT CONTRACT PERIOD: October 4, 2012 through End of Model Year

BUYER INFORMATION: Tammy Michel
(573) 751-3114
Tammy.Michel@oa.mo.gov

RENEWAL INFORMATION	NO RENEWAL OPTION AVAILABLE
----------------------------	------------------------------------

ALL PURCHASES MADE UNDER THIS CONTRACT MUST BE FOR **PUBLIC USE ONLY**.
PURCHASES FOR PERSONAL USE BY PUBLIC EMPLOYEES OR OFFICIALS ARE PROHIBITED.

THE USE OF THIS CONTRACT IS **MANDATORY** FOR ALL STATE AGENCIES.
Local Purchase Authority shall not be used to purchase supplies/services included
in this contract unless specifically allowed by the contract terms.

The entire contract document may be viewed and printed from the Division of Purchasing & Materials Management's
Awarded Bid & Contract Document Search located on the Internet at <http://www.oa.mo.gov/purch>.

~ Instructions for use of the contract, specifications, requirements, and pricing are attached ~.

CONTRACT NUMBER	VENDOR NUMBER	VENDOR INFORMATION	MBE/WBE	COOP PROCUREMENT
C113046001	4313370020 1	Don Brown Chevrolet, Inc. and Ally Contact: David Helterbrand 2244 South Kingshighway St. Louis, MO 63110 Phone: (314) 772-1400 Fax: (314) 772-5015 Email: dave@donbrownchevrolet.com	No	Yes
C113046002	4316465700 1	Landmark Dodge Contact: Larry Wilson 1900 S. Noland Rd. Independence, MO 64055 Phone: (816) 651-6767 Fax: (816) 833-0948 Email: landmarkdodge1@yahoo.com	No	Yes

CONTRACT NUMBER	VENDOR NUMBER	VENDOR INFORMATION	MBE/ WBE	COOP PROCUREMENT
C113046003	4309186700 0	Joe Machens Ford Contact: Kelly Sells 1911 West Worley Columbia, MO 65203 Phone: (573) 445-4411 Fax: (573) 445-8164 Email: ksells@machens.com	No	Yes

STATEWIDE CONTRACT HISTORY

The following summarizes actions related to this Notification of Statewide Contract since its initial issuance. Any and all revisions have been incorporated into the attached document.

Contract Period	Issue Date	Summary of Changes
10/14/12 – End of Current Model Year	10/05/12	Initial issuance of new statewide contract

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

GENERAL INFORMATION

C113046001, C113046002, and C113046003 are established for the purchase of current model year police package sedans. These are law enforcement vehicles and their purchase must be intended for law enforcement use. Specific information on warranty, ordering and delivery terms follows. Vehicle specifications and prices, including options, are included herein.

BRAND AND MODEL

C113046001:	Brand: Chevrolet	Model: Caprice 9C1 Police Package Sedan
	Brand: Chevrolet	Model: Chevrolet Impala 9C1 Police Package Four Door Sedan
	Brand: Chevrolet	Model: Tahoe PPV Police Package Sport Utility
C113046002:	Brand: Dodge	Model: Charger Police Sedan
C113046003:	Brand: Ford	Model: Police Interceptor Sedan
	Brand: Ford	Model: Police Interceptor Utility

WARRANTY

The Standard Factory Warranty shall apply to all vehicles. A properly executed warranty must be delivered with the vehicle. The warranty shall not become effective until the unit is placed in service. If special forms must be filed with the contractor, the State of Missouri will comply with this request.

The warranty shall commence upon delivery and acceptance of the equipment/supplies by the State of Missouri.

ORDERING

The agency shall issue its own PGQ (Quick Price Agreement) order on an as needed basis. The contractor must not ship until they are in receipt of a hard copy PGQ order.

The commodity service code to use for line items 001, 006, 010, 018, and 024 in SAM II will be 07006. The commodity service code to use for line item 008 will be 07048.

DELIVERY

Must be made between the hours of 8:00 AM and 12:00 Noon or 1:00 PM and 4:00 PM, Monday through Friday, holidays excepted.

In the event the contractor fails to deliver the vehicle by the stated ARO time, the State of Missouri reserves the right to find the same or similar vehicle from another source, and to charge the contractor the difference for the substitution. The State of Missouri reserves the right to exercise this clause on a case-by-case basis, and to consider the degree of contractor responsibility in the delay.

PATROL CARS – CURRENT MODEL YEAR
(Statewide)

Contract Number: C113046001

Contractor: Don Brown Chevrolet Inc. & Ally

Line Item 001

Commodity Service Code: 07006

MAKE/MODEL: 2013 Chevrolet Caprice 9C1 Police Package Sedan

PRICE: \$26,488.00

EQUIPMENT INCLUDED IN PRICE

- 6.0 liter V8 gasoline engine with heavy duty cooling system and auxiliary engine oil cooler
- Rear wheel drive
- Six (6) Speed heavy duty transmission for police operation. Floor mounted shift lever without console
- 2.92 to 1 Rear Axle Ratio, Limited Slip
- Heavy-duty power rack and pinion steering with auxiliary oil cooler
- Heavy-duty fade resistant four wheel anti-lock disc brakes with power booster
- Heavy-duty 4 wheel independent front and rear suspension equipped with heavy-duty front and rear stabilizer bars
- Tilt and telescoping steering wheel
- Five (5) Goodyear P235/50R18 BSW tires "W" speed rated, (includes full size spare)
- Five (5) 18" x 8" heavy-duty steel wheels (includes full size spare)
- Full wheel covers
- 170 ampere alternator
- 700 c.c.a heavy-duty battery
- 600 c.c.a heavy-duty auxiliary battery located in trunk. Must include isolator to prevent main battery rundown
- Cruise control factory installed
- Factory installed air conditioning with integral heater and defroster
- Electric rear window defroster
- Speedometer, Police type, 0-160 MPH, certified for accuracy
- AM/FM Radio
- AM and Police radio noise suppression package
- Power windows and door locks. Rear power windows operable from rear seat and driver's seat. Rear window lockout switch controllable from the driver's position
- Rear inside door locks and handles fully operable
- Single key system for ignition, door, and deck lid with two (2) keyless entry key fobs. Each vehicle keyed differently
- Deck lid key lock cylinder. Driver side front door lock cylinder
- Automatic Deck Lid Release: electric to unlock the deck lid from driver's position inside vehicle, ignition powered
- Outside Rearview mirrors power-heated
- Heavy-duty front bucket seats reinforced for increased support and covered with heavy duty cloth fabric. No center console. Power adjusting driver seat with manual fore-aft movement
- Heavy-duty cloth fabric rear bench seat
- Driver and front passenger air bags, side curtain air bags for driver and passenger only, front seat back mounted thorax air bags
- Full color keyed carpeting
- Front and rear carpeted mats
- Front license bracket
- Left (driver side) factory spotlight provision with 6" halogen spotlight installed
- Factory installed overhead high intensity auxiliary dome lamp wired and switched independently from standard dome lamp
- Dome and courtesy lamps will not operate when doors are opened. Lamps controlled by IP switch only
- Grill lamp and siren speaker wiring
- Horn/siren wiring circuit
- Standard production solid color exterior and standard interior trim

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

AVAILABLE OPTIONS

Line Item 002– \$ 166.00

6.0 liter V8 gasoline engine, delete, and replace with 3.6 liter V6 gasoline engine. Also deletes, external engine oil cooler.

Line Items 003 - \$212.50 (credit)

Auxiliary equipment battery, delete.

Line Item 004 - \$63.75

Head curtain roof rail mounted airbags, combined front and rear passenger.

Line Item 005 - \$127.50

6 Keys with integrated remote entry

DELIVERY: 150 days after receipt of order – Subject to delays.

The following line items will apply to co-operative procurement and state agency orders.

Line Item 031 - \$565.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Contract Number: 113046001

Contractor: Don Brown Chevrolet Inc. & Ally

Line Item 006

Commodity Service Code: 07006

MAKE/MODEL: 2013 Chevrolet Impala 9C1-9C3 Police Package Four Door Sedan PRICE: \$20,175.00

EQUIPMENT INCLUDED IN PRICE

- V-6, 3.6 Liter Gasoline Engine with Heavy-Duty Cooling system and auxiliary engine oil cooler
- Front wheel drive
- Six speed automatic transmission, heavy-duty for police operation. Column shifter and external oil cooler
- Heavy-duty power rack and pinion steering with oil cooler
- Tilt steering wheel
- Heavy-duty fade resistant four wheel anti-lock disc brakes with power booster
- Four wheel heavy-duty independent suspension with heavy-duty front and rear stabilizer bars
- Four (4) P235/55R17 BSW “W” speed rated tires
- Four (4) 17” heavy-duty steel wheels
- Manufacturers option full wheel covers
- Compact spare tire/wheel
- 170 ampere alternator
- Heavy-duty battery for police use
- Police type 0-140 mph speedometer certified for accuracy
- Cruise control
- Automatic deck lid release
- Driver and passenger front air bag, side curtain air bags driver and passenger, driver and front passenger seat mounted thorax air bags
- AM/FM Stereo
- AM and Police Radio Noise Suppression Package
- Power windows and door locks, rear window operable from rear seat and driver’s seat, rear window lockout switch controllable from driver’s position
- Rear inside door locks and handles fully operable
- Single key locking system with two (2) keyless entry key fobs. Each vehicle keyed differently
- Deck lid and driver door lock cylinders
- Protective body side moldings
- Air conditioning with integral heater and defroster
- Electric rear window defroster
- Reinforced heavy-duty front bucket seats with heavy-duty cloth fabric. No center console. Power adjusting driver and passenger seat
- Heavy-duty cloth fabric rear bench seat
- Full carpeting, both front and rear
- Front and rear carpeted mats
- Front license bracket
- Spotlight provision; left hand with 6” halogen spotlight
- Courtesy lamp disable, lamps controlled by IP switch
- Auxiliary dome lamp
- Grill lamp, siren speaker wiring provision
- Power heated outside rear view mirrors
- Standard production solid color exterior and standard interior trim
- Horn/siren wiring circuit

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

AVAILABLE OPTIONS

Line Item 007 - \$252.00 - Delete

Detective Street Appearance Package. Includes spotlight and spotlight provision delete (9C3 Option)

DELIVERY: Approximately 80 days after receipt of order.

The following line items will apply to co-operative procurement and state agency orders.

Line Items 032- \$565.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Contract Number: C113046001

Contractor: Don Brown Chevrolet Inc. & Ally

Line Item 008

Commodity Service Code: 07048

MAKE/MODEL: 2013 Chevrolet Tahoe 2-Wheel Drive Police Package PPV

PRICE: \$25,793.00

EQUIPMENT INCLUDED IN PRICE

- V-8 type, 5.3 liter gasoline engine with heavy-duty cooling system and engine oil cooler
- Rear wheel drive
- Six speed automatic transmission, heavy-duty for police operation, column mounted gear shift lever and auxiliary oil cooler
- 3.08 to 1 Rear Axle Ratio
- Heavy-duty power rack and pinion steering with auxiliary oil cooler
- Tilt steering wheel
- Heavy-duty fade resistant four wheel anti-lock disc brakes with power assist
- Heavy-duty front and rear suspension equipped with heavy-duty front and rear stabilizer bars
- Five tires, P265/60R17 BSW, "V" speed rated (includes spare)
- Five 17" x 7.5" heavy-duty steel wheels (includes spare)
- Metal bolt-on chrome center caps
- 160 ampere alternator
- Heavy-duty battery for police use
- Police type speedometer, 0-140 MPH, certified
- Driver and front passenger air bags, driver and passenger side curtain air bags, driver and front passenger seat mounted thorax air bags
- AM/FM stereo
- AM and police radio noise suppression package
- Power windows with rear window lockout switch
- Power door locks
- Rear inside door locks and handles fully operable
- Driver front door and lift gate lock cylinder
- Single key locking system for each vehicle with two keyless entry key fobs. Each vehicle keyed differently.
- Cruise control
- Front and rear air conditioning with integral heater and defroster
- Electric rear window defroster
- Heavy-duty high back front bucket seats reinforced with increased support and covered with heavy-duty cloth fabric. No center console. Power driver and front passenger seats.
- Heavy-duty vinyl bench rear seat
- Full color keyed carpeting
- Front and rear floor mats
- Protective body side moldings
- Deep tinted glass, all windows except windshield and front door windows which shall be a light tinted glass
- Outside heated and power adjustable mirrors
- Front license bracket
- Spotlight provision, left hand with 6" halogen spotlight
- High intensity auxiliary dome lamp
- Horn and siren wiring circuit
- Standard production solid color exterior and standard interior trim
- Grill lamp and siren speaker wiring

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

AVAILABLE OPTIONS

Line Item 009 - \$63.00

Keyless Entry Transmitters, package of six (6) transmitters.
Option Code AMF

DELIVERY: Approximately 80 days after receipt of order.

The following line items will apply to co-operative procurement and state agency orders.

Line Items 033 - \$565.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Contract Number: C113046002

Contractor: Landmark Dodge

Line Item 010

Commodity Service Code: 07006

MAKE/MODEL: 2013 Dodge Charger Police Pursuit

PRICE: \$22,964.00

EQUIPMENT INCLUDED IN PRICE

- | | |
|--|--|
| <ul style="list-style-type: none">- V-8 type, 5.7 liter gasoline engine with heavy-duty cooling system and engine oil cooler- Rear wheel drive- 3.06 to 1 Rear Axle Ratio- Five speed automatic with overdrive transmission, heavy-duty for police operation, column shifter, and external oil cooler- Heavy-duty power rack and pinion steering with oil cooler- Tilt steering wheel- Heavy-duty fade resistant four wheel disc anti-lock disc brakes with power booster- Heavy-duty four wheel independent suspension- Five (5) Goodyear tires, P225/60R18 BSW, "W" speed rated (includes spare)- Five 18" x 7.5" steel wheels with manufacturers optional 18" full wheel covers (includes spare)- 220 ampere alternator- Heavy-duty 800 c.c.a. minimum battery- Speed Control- Air conditioning system with integral heater and defroster- Electric rear window defroster- Power deck lid release, ignition powered- Power type certified 0-160 mph speedometer | <ul style="list-style-type: none">- AM/FM stereo- Radio Noise Suppression Package- Driver and front passenger air bags, driver and passenger side curtain air bags and driver and front passenger seat mounted thorax air bags- Power windows and door locks, rear power window operable from rear seat and driver's seat, rear window lockout switch controllable from driver's position- Rear inside door locks and handles fully operable- Heavy-duty front bucket seats reinforced for increased support and covered with heavy-duty cloth fabric. No center console. Power-adjusting driver seat- Heavy-duty cloth bench rear seat- Full carpeting both front and rear- Carpeted front and rear floor mats- Front license bracket- Spotlight provision, left hand with 6" halogen spotlight- Factory dome/map lamp delete- Auxiliary Dome Lamp wired and switched independently- Power heated outside rear view mirrors- Single key locking system- Keyless entry system- Standard Production Solid Color Exterior and Standard Interior Trim |
|--|--|

AVAILABLE OPTIONS

Line Item 011 – \$891.43 (credit)

5.7 liter V8 engine delete and replace with 3.6 liter V6 engine (credit).

Line Item 012 - \$142.00 (credit)

Full size spare tire/wheel, delete, and replace with spare tire/wheel

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

Line Item 013 – No Charge

Police equipment mounting bracket located between front seats

Line Item 014 - \$441.00

Detective street appearance package. Includes spotlight and spotlight provision delete

Line Item 015 - \$134.00

Left (driver side) factory spotlight provision with 6” LED spotlight installed in lieu of a halogen spotlight

Line Item 016 - \$352.00

Connectivity Group, includes UConnect voice command with Bluetooth and auto-dimming rear view mirror with microphone

Line Item 017 - \$89.00

Additional Key FOBS. Four (4) additional FOBS

DELIVERY: Approximately 60-120 days after receipt of order.

The following line items will apply to co-operative procurement and state agency orders.

Line Item 034 - \$350.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Line Item 037 - \$0.60 per mile

Total round trip per mile to deliver cooperative procurement and other state agencies vehicles if requested.

Contract Number: C113046003

Contractor: Joe Machens Ford

Line Item 018

Commodity Service Code: 07006

MAKE/MODEL: 2013 Ford Police Interceptor Sedan

PRICE: \$25,784.00

EQUIPMENT INCLUDED IN PRICE

- | | |
|---|--|
| - V-6 type, 3.5 liter turbo-charged (EcoBoost) gasoline engine with heavy-duty cooling system and engine oil cooler | - Speed Control |
| - 148 mph top speed calibration | - Air conditioning system with integral heater and defroster |
| - All wheel drive | - Electric rear window defroster |
| - Six speed automatic heavy-duty police calibration, column mounted gear selector and external oil cooler | - AM/FM Stereo Radio |
| - Heavy-duty electric power assist steering | - Power adjustable brake and accelerator pedals |
| - Tilt steering wheel | - AM and police radio noise suppression package |
| - Heavy-duty fade resistant four wheel anti-lock disc brakes with power booster | - Rear inside door locks and handles fully operable |
| - Independent front and rear suspension. Front and rear stabilizer bars | - Automatic Deck Lid Release, ignition controlled |
| - Five (5) tires, 245/55R18 BSW, “W” speed rated (includes spare) | - Deck lid and driver door key lock cylinder |
| - Five (5) 18” x 8” heavy-duty steel wheel (includes spare) | - Single key locking system |
| - 18” Full Wheel Covers | - Heavy-duty front bucket seats without console, designed for police usage and covered with heavy-duty cloth fabric. 6-way power adjusting driver seat |
| - 220 ampere heavy duty alternator | - Heavy-duty cloth bench rear seat |
| - 750 c.c.a. minimum battery | - Driver and front passenger air bags, driver and passenger side curtain air bags, and driver and front passenger seat mounted thorax air bags |
| - Police type speedometer certified for accuracy | - Full carpeting both front and rear |
| | - Carpeted floor mats |
| | - Front license bracket |

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

- Spotlight provision, left hand with 6" unity halogen spotlight
- Police power pigtail harness
- Pre-wiring for grill lamp, siren, and speaker
- Courtesy lamps disabled when any door is opened
- Power windows and door locks, rear power windows operable from rear seat and driver's seat, rear window lockout switch controllable from driver's position
- Overhead high intensity auxiliary dome lamp wired and switched independently from dome lamp
- Standard Production Solid Color Exterior and Standard Interior Trim
- L.H and R.H power adjusting outside rearview mirrors

AVAILABLE OPTIONS

Line Item 019 – \$2,745.00 (credit)

Turbo-charged 3.5 liter V6 engine delete and replace with normally aspirated 3.5 liter V6 (TiVCT) gasoline engine

Line Item 020 - \$3,745.00 (credit)

All wheel drive delete and replace with standard front wheel drive. Requires normally aspirated 3.5 liter V6 engine

Line Item 021 - \$496.00

Includes reverse sensing Ford Sync

Line Item 022 - \$101.00

Headlamp housing prep package. Does not include LED installed lights. Option Code 13P

Line Item 023 - \$110.00

Left (driver side) factory spotlight provision with 6" LED spotlight installed in lieu of halogen spotlight

DELIVERY: Approximately 90-120 days after receipt of order.

The following line items will apply to co-operative procurement and state agency orders.

Line Item 035 - \$600.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Line Item 037 - \$0.47 per mile

Total round trip per mile to deliver cooperative procurement and other state agencies vehicles if requested.

Contract Number: C113046003

Contractor: Joe Machens Ford

Line Item 024

Commodity Service Code: 07006

MAKE/MODEL: 2013 Ford Police Interceptor Utility AWD

PRICE: \$24,925.00

EQUIPMENT INCLUDED IN PRICE

- V-6 type, 3.7 liter normally aspirated gasoline engine with heavy-duty cooling system and engine oil cooler
- All wheel drive
- Six speed automatic heavy-duty police calibration, column mounted gear selector and auxiliary oil cooler
- Heavy-duty fade resistant four wheel disc anti-lock disc brakes with power booster
- Heavy-duty electric power assist steering
- Tilt steering wheel
- Independent front and rear suspension. Front and rear stabilizer bars
- Five (5) tires, 245/55R18 BSW, "W" speed rated (includes spare)
- Five (5) 18" x 8" heavy-duty steel wheel (includes spare)
- 18" Full Wheel Covers
- 220 ampere heavy-duty alternator

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

- 750 c.c.a. minimum battery
- Police type speedometer certified for accuracy
- Speed Control
- Air conditioning system with integral heater and defroster
- Electric rear window defroster
- AM/FM Stereo Radio
- Power adjustable brake and accelerator pedals
- AM and police radio noise suppression package
- Power windows and door locks, rear power window operable from rear seat and driver's seat, rear window lockout switch controllable from driver's position
- Rear inside door locks and handles fully operable
- Lift gate key lock cylinder and driver door key lock cylinder
- Single key locking system
- Heavy-duty front bucket seats without center console, designed for police usage and covered with heavy-duty cloth fabric. 6-way power adjusting driver seat
- Privacy glass for second and third row
- Heavy-duty cloth bench rear seat
- Driver and front passenger air bags, driver and passenger side curtain air bags and driver and front passenger seat mounted thorax air bags
- Full carpeting first and second row
- Carpeted floor mats
- Front license bracket
- Spotlight provision, left hand with 6" halogen spotlight
- Police power pigtail harness
- Pre-wiring for grill lamp, siren and speaker
- Courtesy lamps disabled when any door is opened
- Overhead high intensity auxiliary dome lamp
- Standard production solid color exterior and standard interior trim
- Left hand and right hand power adjusting outside rearview mirrors

AVAILABLE OPTIONS

Line Item 025– \$ 1,001.00 (credit)

All wheel drive delete and replace with standard front wheel drive

Line Item 028 - \$242.00

Ford Sync

Line Item 029 - \$103.00

Headlamp housing prep package. Does not include LED installed lights.

Line Item 030 – \$251.00

Left (driver side) factory spotlight provision with 6" LED spotlight installed in lieu of halogen spotlight.

Line Item 026 - \$500.00

Auxiliary air conditioning

Line Item 027 - \$41.00

Red/White dome lamp in cargo area

DELIVERY: Approximately 90 to 120 days after receipt of order.

The following line items will apply to co-operative procurement and state agency orders.

Line Item 036 - \$600.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Line Item 037 - \$0.40 per mile

Total round trip per mile to deliver cooperative procurement and other state agencies vehicles if requested.

**PATROL CARS- CURRENT MODEL YEAR
(STATEWIDE CONTRACT)**

State of Missouri
Office of Administration
Division of Purchasing and Materials Management
Contract Performance Report

Please take a moment to let us know how this contract award has measured up to your expectations. If reporting on more than one contractor or product, please make copies as needed. This office will use the information to improve products and services available to state agency users. **Comments should include those of the product's end user.**

Contract No.: _____ **Contractor:** _____

Describe Product Purchased (include Item No's., if available): _____

Rating Scale: 5 = Excellent, 4 = Good, 3 = Average, 2 = Poor, 1 = Fails to meet expectations

Product Rating	Rate 1-5, 5 best
Product meets your needs	
Product meets contract specifications	
Pricing	

Contractor Rating	Rate 1-5, 5 best
Timeliness of delivery	
Responsiveness to inquiries	
Employee courtesy	
Problem resolution	
Recall notices handled effectively	

Comments: _____

Prepared by: _____ Title: _____ Agency: _____

Date: _____ Phone: _____ Email: _____

Address: _____

Please detach or photocopy this form & return by FAX to 573/526-9816, or mail to:

Office of Administration
Division of Purchasing and Materials Management
301 West High Street, RM 630
PO Box 809
Jefferson City, Missouri 65102
You may also e-mail form to the buyer as an attachment at
tammy.michel@oa.mo.gov



State of Missouri
Office of Administration
State Fleet Management Program
Post Office Box 809, Jefferson City, MO 65102
573/751-4534
FAX 573/751-7819

Agency Tracking # (Optional)	
Date Received SFM Use Only	
Tracking Number SFM Use Only	

VEHICLE PREAPPROVAL FORM (Page 1)

Department/Division	Agency Contact Name
SAM II Order #	Agency Contact Fax

SECTION A

Expansion/Replacement	☐ Expansion ☐ Replacement (Complete Section D for Expansion Requests)	Purchase Price \$
Purchase From:	☐ State Contract ☐ Surplus ☐ MSHP	Purchase Option (check all that apply) ☐ Purchase ☐ Lease-Purchase ☐ Credits (Section 37.452 RSMo)
Vehicle Requested ☐ New ☐ Used (Check One)		
VEHICLE DATA	VEHICLE TO BE REPLACED	REQUESTED VEHICLE
Year		
Make		
Model		
VIN		N/A
License Number		N/A
Inventory Number		N/A
Current Odometer		(leave blank for new vehicles)
Annual Miles Driven	Prior FY Actual	Estimated
Vehicle Category	Pick One	Pick One
Vehicle Subcategory	Pick One	Pick One
Check all that apply	☐ 4WD ☐ Police Equipped	☐ 4WD ☐ Police Equipped
Primary Assignment	☐ Individual ☐ Function ☐ Pool	☐ Individual ☐ Function ☐ Pool
Assignment Name		
Vehicle Purpose	☐ Employee Transportation ☐ Client Transportation ☐ Task Specific (describe below) ☐ Special Purpose (describe below)	☐ Employee Transportation ☐ Client Transportation ☐ Task Specific (describe below) ☐ Special Purpose (describe below)
Reason for Replacement	☐ Routine (Over 120,000 miles) ☐ Other (Complete Section E)	Actual Disposal Date/Miles (SFM use only)
Estimated Disposal Date		

SECTION B: SIGNATURES

Agency Head or Designee Date: _____	State Fleet Manager Date: _____ ☐ Approved ☐ Denied
---	---



State of Missouri
Office of Administration
State Fleet Management Program
Post Office Box 809, Jefferson City, MO 65102
573/751-4534
FAX 573/751-7819

Agency Tracking # (Optional)	
Date Received SFM Use Only	
Tracking Number SFM Use Only	

VEHICLE PREAPPROVAL FORM (Page 2)

SECTION C: ADDITIONAL JUSTIFICATION FOR CERTAIN VEHICLE TYPES

This section must be completed if a SUV, four wheel drive vehicle, full size sedan or a police equipped vehicle is requested for individuals other than POST certified officers.

Special Requirements: Check all that apply and then describe in detail in the space provided below.

- ☐ Regularly driven off road or on unimproved roads
- ☐ Equipment/Tool Storage
- ☐ Passenger Occupancy
- ☐ Utility Features
- ☐ Other

Please describe the specific need here. Include justification describing why a lower cost; more fuel-efficient vehicle is not sufficient to meet agency needs.

SECTION D: ADDITIONAL JUSTIFICATION FOR EXPANSION VEHICLES

This section must be completed for expansion vehicle requests.

Reason for Expansion: Check all that apply and then describe in detail in the space provided below:

- ☐ New Statutory Requirements
- ☐ Fleet Increase Approved by General Assembly
- ☐ Program Changes
- ☐ Other

Describe the need to expand the fleet here.

SECTION E: REASON FOR REPLACEMENT

If "Other" was selected as the reason for replacement on page one please provide additional information below.

ADDITIONAL INFORMATION (optional)



State of Missouri
Office of Administration
State Fleet Management Program
Post Office Box 809, Jefferson City, MO 65102
573/751-4534
FAX 573/751-7819

VEHICLE PREAPPROVAL FORM

INSTRUCTIONS & INFORMATION

All new or used vehicle purchases must be approved in accordance with Executive Order 05-02 and the State Vehicle Policy (SP-4) which also requires vehicles under 10,000 GVWR (Gross Vehicle Weight Rating) to be pre-approved by the State Fleet Manager). The State Vehicle Policy may be viewed at <http://www.oa.mo.gov/gs/fm/index.htm>. This includes vehicles purchased directly from other state agencies or State Surplus Property. State Surplus Property requires a signed pre-approval form prior to selling a used vehicle to a state agency.

STEP-BY-STEP INSTRUCTIONS TO COMPLETE THE PREAPPROVAL FORM

Complete Section A with information on the vehicle to be purchased and the vehicle to be replaced (if applicable).
Complete Section C if the request is to request purchase an SUV, four wheel drive pickup, full size sedan or a police equipped vehicle to be operated by individuals other than POST certified law enforcement officers.
Complete Section D if you are requesting an expansion to the size of your fleet.
Obtain signature of agency head or designee in Section B.
Agencies are not required to submit page two of this form if Sections C-E are not required.
Submit the signed form to the State Fleet Management Program. Address and fax numbers are displayed at the top of this page.
Interagency Mail: Room 760, Harry S. Truman State Office Building
The signed preapproval form will be faxed back to the contact indicated on the top of page one.

SAM II FINANCIAL PURCHASE ORDER INFORMATION

Agencies must use one of the following commodity codes when processing a PGQ or PDQ document:

07006 – Automobiles & Station Wagons
07007 – Autos, Station Wagons, Vans, Trucks, Alternative Fuel
07048 – Trucks (One Ton and Less Capacity)
07092 – Vans

Agencies do not have to enter a SAM II purchase order prior to submission of the preapproval form. If the purchase order number is indicated on the preapproval form, it will be approved in SAM II after the State Fleet Manager approves the preapproval form. If the purchase order number is not provided, agencies must contact the State Fleet Manager with the SAM II purchase order number and the SFM Tracking Number from the top of the preapproval form and indicate that the purchase order is ready for approval.

VEHICLE CREDIT INFORMATION

If your agency would like to purchase a vehicle with vehicle credit funds, please submit the Vehicle Credit Request Form with the Vehicle Preapproval Form. Your request to purchase a vehicle with credit funds must be approved before a purchase order can be fully processed. All vehicle credit purchases must be made in accordance with the signed interagency spending delegation agreement and Vehicle Credit Procedures. Procedures and the request form can be found at: <http://www.oa.mo.gov/gs/fm/ssp.htm>.

QUESTIONS: Contact Cynthia Dixon, State Fleet Manager at 573/751-4534.



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

DATE: January 28th, 2013

TO: Mark Perkins, City Administrator, and Dan Smith, Director of Finance

FROM: Chief Glenn Eidman

SUBJECT: Vehicle Replacement

The police department has been on a schedule of replacing the current fleet of 14 marked vehicles every two years. The police department replaced 5 Ford Crown Victoria's with 5 Dodge Chargers. In an effort to maximize the effectiveness, along with being fiscally responsible, I have been working to streamline the fleet, making the vehicles that we have more efficient and effective.

The reason for replacing the vehicles every two years rather than three is based on resale value, as well as maintenance costs. The maintenance and repair costs are significantly higher after the second year, and the resale value drops significantly after 70,000 miles. We had been spending about \$1000 in repairs for every 10,000 miles driven for the Ford Crown Victoria's until they reach the 70,000 mile range. Once the vehicles reach 70,000 mile range, the maintenance is often more costly, as well as substantially affecting our trade-in value because of higher mileage at the time of sale. The PD has not had the Dodge Chargers long enough to evaluate the cost averaging. Included with this memo, is a cost analysis of what has been spent to date for gas, repairs, and tires for the fleet.

Several years ago, the Police department tried a **three** year replacement cycle, which proved to be expensive because of major repairs, down time on vehicles during the repairs, a significant reduction in resale returns, as well as a loss of administrative time conveying vehicles to various repair shops for repairs.

The Dodge Charger has been on the market for several years and has provided a sound police vehicle. Several changes have been made on the Dodge Charger to make it "user friendly", specifically the improvement of driver visibility in the rear has been improved, more safety features added (six driver airbags), improvement of the driver's seat to make it more comfortable, and the realignment of the windshield and rear view mirrors for improved visibility as well. The Dodge chargers being purchased will be replaced after two years of use with approximately 70,000+ miles.

The Police department has always had a need for four -wheel drive utility vehicles for inclement weather; however the availability of Police packages that were "Pursuit rated Police Packages" were non-existent. This past year, Ford has introduced the Police Interceptor Utility Package, which is a four-wheel drive vehicle that is pursuit rated. The Police department would like to add another four-wheel drive vehicle in our fleet which would provide the PD with four (4) of these type vehicles for inclement weather and would also be useful in any type of natural disaster. The four-wheel drive utility vehicle will be kept for a minimum of four years before being replaced.

The following Police vehicles are available on a State Contract for purchase:

2013 Chevrolet Caprice 9C1 Police Package Sedan	\$26,488.00
2013 Chevrolet Impala 9C1-9C3 Police Package	\$20,175.00
2013 Dodge Charger Police Pursuit	\$22,964.00
2013 Ford Police Interceptor	\$25,784.00

It's the intention of the Police department to replace 4 of our current vehicles in the fleet that are currently two years old this fiscal year. This purchase was planned and approved by the City Council and City Administrator in the current 2012/2013 budget.

Replace Car	Vehicle Yr./ Make	Division	Mileage at trade-in	Changeover To:
2404 Sell	2011 Crown Vic	Patrol	72,000	2013 Dodge Charger
2406 Sell	2011 Crown Vic	Patrol	70,000	2013 Dodge Charger
2407 Sell	2011 Crown Vic	Patrol	72,000	2013 Dodge Charger
2410 Sell	2011 Crown Vic	Patrol	73,000	2013 Ford Interceptor

The Police department has sought competitive pricing and sent out our request for purchase letters as well as taking the opportunity to purchase on the State Contract.

- In the Patrol Division account # 01-21-22-9502, the PD budgeted **\$138,000** for the purchase of six (6) Dodge Chargers, at \$23,000 each. The Police is requesting the purchase of three (3) Dodge Chargers, at \$22,771.57 for a total of \$68,314.71 and one (1) Ford Interceptors at \$25,537.00 for a total purchase price of \$93,880.71 for all four (4) vehicles.
- In the Patrol Division account #01-21-22-9502, the PD purchased of One (1) Ford Police Interceptor Utility AWD, at \$25,537.00 in September of 2012 to replace an aging Ford F-250 four-wheel drive truck.
- The sale of the old patrol cars should average between **\$6000- \$8000** a piece showing a return of **\$32,000**.

The Police department is requesting the purchase of Three (3) Dodge Chargers under state contract #C113046002 from Landmark Dodge, and one (1) Ford Interceptor from Joe Machens Ford, the Ford Interceptor contract #C113046003. The entire purchase consists of one (1) Ford Interceptor at \$25,537.00, three (3) Dodge Chargers at \$22,771.57 for a total collectively of \$93,880.71. The vehicle quote is attached as well outlining our purchase and order for the Three (3) Dodge Chargers, and one Ford Interceptor. Delivery for the four vehicles should be sometime in March of 2013.

Chief Glenn Eidman

RESOLUTION NO. 1040

**A RESOLUTION AUTHORIZING THE CITY OF CREVE COEUR TO PURCHASE
ONE (1) 2013 FORD POLICE INTERCEPTOR UTILITY AWD FROM JOE MACHENS
FORD FOR A COST NOT TO EXCEED \$25,566.00.**

WHEREAS, in the interest of public safety, the police department requires reliable police vehicles to effectively patrol the City; and

WHEREAS, such police vehicles will be replaced when they are determined to have surpassed their life expectancy, or reached their maximum trade-in value as a reliable police unit; and

WHEREAS, the police department is requesting funds totaling \$25,566.00 payable to Joe Machens Ford for the purchase of One (1) 2013 Ford Police Interceptor Utility AWD vehicle at \$25,566.00 per unit; in accordance with Missouri State Fleet contract #C113046003: to be purchased from the Police department's Patrol budget, and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
CREVE COEUR THAT:**

Section 1: The City of Creve Coeur is hereby authorized to enter into an agreement with Joe Machens Ford to provide One (1) 2013 Ford Police Interceptor Utility AWD vehicle for the police department at a cost of \$25,566.00

Section 2: Be it further resolved that this Resolution shall become effective upon adoption by the City Council.

Adopted this 28th day of January 2013

Barry Glantz
Mayor

Attest:

Deborah Ryan
City Clerk

Marked Fleet Vehicles

Creve Coeur Police Dept.

WORKSHEET FOR 2013 FORD POLICE INTERCEPTOR UTILITY			
Option	Keep Standard	Credit	Added Cost
V-6 type, 3.7 liter normally aspired gasoline engine with heavy-duty cooling system and engine oil cooler	yes		
All wheel drive	yes		
Six speed automatic heavy duty police calibration, column mounted gear selector and auxiliary oil cooler	yes		
Heavy-duty fade resistant four wheel disc anti-lock disc brakes with power booster	yes		
Heavy-duty electric power assist steering	yes		
Tilt steering wheel	yes		
Independent front and rear suspension. Front & rear stabilizer bars	yes		
Five (5) tires, 245/55R18 BSW, "W" speed rated (includes spare)	yes		
Five (5) 18"x8" heavy-duty steel wheel (includes spare)	yes		
18" full wheel covers	yes		
220 ampere heavy-duty alternator	yes		
750 c.c.a. minimum battery	yes		
Police type speedometer certified for accuracy	yes		
Speed control	yes		
Air conditioning system with integral heater and defroster	yes		
Electric rear window defroster	yes		
AM/FM stereo radio	yes		
Power adjustable brake and accelerator pedals	yes		
AM and police radio noise suppression package	yes		
Power windows and door locks, rear power window operable from rear seat and driver's seat, rear window lockout switch controllable from driver's position	yes		
Rear inside door locks and handles fully operable	yes		
Lift gate key lock cylinder and driver door key lock cylinder	yes		
Single key locking system	yes		
Heavy-duty front bucket seats without center console designed for police usage and covered with heavy-duty cloth fabric. 6-way power adjusting driver seat	yes		
Privacy glass for second and third row	yes		
Heavy-duty cloth bench rear seat	yes		
Driver and front passenger air bags, driver and passenger side curtain air bags and driver and front passenger seat mounted thorax air bags	yes		
Full carpeting first and second row	yes		
Carpeted floor mats	yes		
Front license bracket	yes		
Spotlight provision, left hand with 6" halogen spotlight	yes		
Police power pigtail harness	yes		
Pre-wiring for grill lamp, siren and speaker	yes		
Courtesy lamps disabled when any door is opened	yes		
Overhead high intensity auxiliary dome lamp	yes		
Standard production solid color exterior and standard interior trim	yes		
Left hand and right hand power adjusting outside rearview mirrors	yes		
Additional Options- Credits and Additional Charges			
Line Item 027 - Red/White dome lamp in cargo area			\$41.00
Dealer Prep			\$600.00
			\$641.00
Standard outlined cost	\$24,925.00		
Total of options deleted for credit	\$0.00		
Total of options added at cost	\$641.00		
Grand Total per car	\$25,566.00		

AN ORDINANCE AMENDING SECTIONS 355.100 AND 385.070 OF THE CREVE COEUR CODE OF ORDINANCES REGARDING MOTOR VEHICLE LICENSE PLATES.

WHEREAS, the City Council has determined it to be in the best interests of the citizens of the City of Creve Coeur to update Sections 355.100 and 385.070 of the Code of Ordinances of the City of Creve Coeur, regarding motor vehicle license plates; and

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

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

SECTION 1. Section 355.100 is revised to read as follows:

SECTION 355.100: PARKING WITHOUT LICENSE PLATE, SAFETY INSPECTION CERTIFICATE

No person shall park upon any street or upon any public property or private property open to public use any motor vehicle not bearing or displaying a current license plate specifically issued for such motor vehicle and a current safety inspection sticker, except as may be authorized by law or regulation of any duly authorized governmental agency issuing such license plates. (R.O. 2008 §16-345; Ord. No. 977 §1(13.12), 1-5-81).

SECTION 2. Section 385.070 is revised to read as follows:

SECTION 385.070: UNAUTHORIZED PLATES, TAGS, STICKERS, SIGNS

No person shall operate a motor vehicle or trailer, or park it upon any public property or private property open to public use, on which there is displayed on the front or rear thereof any other plate, tag or placard bearing any number except the plate furnished by the Director of Revenue or other plate as may be authorized by law or regulation of any other duly authorized governmental agency issuing such license plates, nor shall there be displayed on any motor vehicle or trailer a placard, sign or tag bearing the words "license lost", "license applied for" or words of similar import as a substitute for such number plates

BILL NO. 5410

ORDINANCE No. _____

SECTION 3. This ordinance shall take effect in accordance with the provisions of section 3.11(g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2013.

ROBERT HOFFMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

DATE: 12/28/12

TO: Mark Perkins, City Administrator

FROM: Glenn Eidman, Chief of Police

SUBJECT: Parking Without License Plate, Safety Inspection Certificate Ordinance 355.100

On Thursday December 13, 2012 Officer Schultz DSN 857 requested information regarding the authority of the Police department to issue officers to write parking tickets to motor vehicles parked on private parking lots with expired license plates. Officer Schultz stated that other officers were issuing these citations and he was not sure if it was within the power of officers in regards to a specific ordinance number.

Officer Schultz and Vaclavik researched the City's current parking ordinances and were unable to find one that validates a written citation. We were able to find Section 355.100 which states the following:

SECTION 355.100: PARKING WITHOUT LICENSE PLATE, SAFETY INSPECTION CERTIFICATE

No person shall park upon any street or upon any public property any motor vehicle not bearing or displaying a current license plate specifically issued for such motor vehicle and a current safety inspection sticker, except as may be authorized by law or regulation of any duly authorized governmental agency issuing such license plates. (R.O. 2008 §16-345; Ord. No. 977 §1(13.12), 1-5-81)

This ordinance does not authorize the Police department to issue a citation on private property that is open to public use. City Ordinance 385.060 & 385.070 mentions license plates in other forms but did not cover the exact issue at hand.

The Police department is requesting an edit to the existing Ordinance #355.100; which would include the authority to issue citations for parking on private property open to the public in its current version that would be in violation of the City Ordinance.

With this amendment to the ordinances it would enable officers to issue a parking citation for vehicles that are parked (with expired license plates and/or no current inspection sticker) on private parking lots open to the public. This would include all of the parking lots belonging to private business in the City.

Recommended Revisions:

SECTION 1. Section 355.100 is revised to read as follows:

SECTION 355.100: PARKING WITHOUT LICENSE PLATE, SAFETY INSPECTION CERTIFICATE

No person shall park upon any street or upon any public property or private property open to public use any motor vehicle not bearing or displaying a current license plate specifically issued for such motor vehicle and a current safety inspection sticker, except as may be authorized by law or regulation of any duly authorized governmental agency issuing such license plates. (R.O. 2008 §16-345; Ord. No. 977 §1(13.12), 1-5-81).

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SECTION 385.070: UNAUTHORIZED PLATES, TAGS, STICKERS, SIGNS

No person shall operate a motor vehicle or trailer, or park it upon any public property or private property open to public use, on which there is displayed on the front or rear thereof any other plate, tag or placard bearing any number except the plate furnished by the Director of Revenue or other plate as may be authorized by law or regulation of any other duly authorized governmental agency issuing such license plates, nor shall there be displayed on any motor vehicle or trailer a placard, sign or tag bearing the words "license lost", "license applied for" or words of similar import as a substitute for such number plates

Chief Glenn Eidman



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

DATE: January 23, 2013

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 January 24, 2013 in the amount of \$130,784.65.



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

NO DEPT - NO DIV

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01887	0		010913	09-Jan-13	BANDWIDTH.COM, INC	REFUND BUSINESS LIC FEE-NOT OWED	01-00-00-4402	40.00
00080	0		43851855	15-Jan-13	DIERBERGS	PRISONER MEALS	01-00-00-2410	23.90
00066	0		213390	07-Jan-13	FROESEL OIL	7700 GAL UNLEADED GASOLINE	01-00-00-1651	22,015.92
01895	0		010813	08-Jan-13	GOODRICH, MARY	SEWER LATERAL REPAIR REIMB	02-00-00-1901	3,048.00
01890	0		011613	16-Jan-13	METLIFE	REFUND 2013 BUS LIC FEE-MOVED	01-00-00-4402	90.00
01889	0		011113	11-Jan-13	NAIL SPA	REFUND O/P 2013 BUSINESS LIC	01-00-00-4402	40.00
01449	0		011513	15-Jan-13	SEVERIN INVESTMENTS	REFUND O/P 2013 BUSINESS LIC	01-00-00-4402	40.00
01342	0		44945	08-Jan-13	ST LOUIS COUNTY DEPARTMENT OF JUSTICE SERVICE	ST LOUIS CNTY MUNI HOUSNG FEES	01-00-00-2410	210.00
00776	0		7914	01-Nov-12	VNA COMMUNITY SERVICES	FLU SHOT-EMPLOYEE REIMB CITY	01-00-00-4729	22.00
01894	0		010813	08-Jan-13	VOIGT, PAUL	SEWER LATERAL REPAIR REIMB	02-00-00-1901	1,767.20
Sum of Invoices								27,297.02



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

LEGISLATIVE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00577	0		010813	08-Jan-13	CREVE COEUR SQUIRES	CITY OFFICIALS-SQUIRES HOLIDAY	01-11-12-6264	200.00
00019	0		89839	03-Jan-13	CURTIS, HEINZ, GARRETT & O'KEEFE	LEGAL FEES-CITY ATTY DEC 2012	01-11-12-6201	5,295.00
00080	0		18769801-35-41229	29-Dec-12	DIERBERGS	FLOWERS-SYMPATHY, DIELMANN	01-11-12-7306	58.99
00045	0		6.37777E+11	25-Dec-12	OFFICE DEPOT	STAFF NAME SIGNS	01-11-12-7304	197.91
01893	0	P001585	CREVECOEUR1	16-Jan-13	SHOCKEY CONSULTING SERVICES, LLC	CONSULTING SVCS-STRATEGIC PLAN	01-11-12-6203	8,113.02
Sum of Invoices								13,864.92



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

Administration

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01120	0		123112	31-Dec-12	ASI	FLEX SPENDING ADMIN FEES-DEC12	01-12-11-6203	177.80
01447	0	P001473	18959	02-Jan-13	DIVERSIFIED PRINTING INC	PRINT JANUARY 2013 NEWSLETTER	01-12-11-6203	1,035.00
00400	0	P001558	4033	30-Nov-12	DONALD DANFORTH PLANT SCIENCE CENTER	CITY'S SHARE-STUDY FOR XYZ COR	01-12-11-6203	4,000.00
01694	0	P001437	16903	02-Jan-13	ILLUSTRATED MAN	CREVE COEUR VIDEO SERIES, 5-MI	01-12-11-6203	2,922.68
01694	0	P001437	16903	02-Jan-13	ILLUSTRATED MAN	CREVE COEUR VIDEO-PO OVERAGE	01-12-11-6203	524.98
00189	0		011313	13-Jan-13	MIRIKITANI & ASSOCIATES	CUSTOMER SERVICE TRAINING	01-12-11-6203	1,000.00
01896	0		187763891	02-Jan-13	MISSOURI LABOR LAW POSTER SERVICE	LABOR LAW POSTINGS	01-12-11-7304	213.75
01262	0	P001456	27480	08-Jan-13	SPECIALTY MAILING	HANDLING/MAILING JAN 2013 NEWS	01-12-11-6203	225.26
00052	0		40448402 1/13	29-Dec-12	ST LOUIS POST-DISPATCH	NEWSPAPER SUBSCRIPTION	01-12-11-6262	38.00
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-12-11-6253	52.08
Sum of Invoices								10,189.55



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

IT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
00029	0		109388	10-Jan-13	BUSCOMM	SOFTWARE MAINTENANCE	01-12-51-6213	<u>5,638.63</u>	
							Sum of Invoices		5,638.63



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

FINANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
00041	0	P001475	11513	15-Jan-13	MUNI FINANCIAL	SERVICES RENDERED 1/10/13	01-13-15-6202	227.50	
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-13-11-6253	<u>52.08</u>	
							Sum of Invoices		279.58



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

MUNICIPAL COURT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00050	0		INV0026279	15-Dec-12	REJIS	SUBSCRIPTION FEES-DEC 2012	01-13-14-6202	2,243.56
00050	0		INV0026791	15-Jan-13	REJIS	SUBSCRIPTION FEES-JAN 2013	01-13-14-6202	<u>2,258.06</u>
Sum of Invoices								4,501.62



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

INTERDEPARTMENTAL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00622	0		141024	04-Jan-13	ALL STAR DISTRIBUTING, INC.	EMP OF YEAR ENGRAVE NAME PLATE	01-13-15-6272	15.00
00051	0		20.21366	04-Jan-13	BCA, INC.	INSURANCE DEDUCTABLE	01-13-15-6220	500.00
00014	0	P001494	0215132 1/13	06-Jan-13	CHARTER COMMUNICATIONS	CABLE TV SVC-CITY HALL	01-13-15-6255	83.35
00014	0	P001494	0215116 1/13.	06-Jan-13	CHARTER COMMUNICATIONS	CABLE TV SVC-GARAGE	01-13-15-6255	67.47
00045	0		638072670001	26-Dec-12	OFFICE DEPOT	ELECTRIC STAPLER/STAPLES	01-13-15-7312	54.40
00045	0		638057481001	02-Jan-13	OFFICE DEPOT	CREDIT MEMO-MDSE RETURN	01-13-15-7312	-57.05
00046	0		1552601	02-Jan-13	OFFICE ESSENTIALS	LABELS, WRIST REST	01-13-15-7312	59.99
00046	0		1608791	11-Jan-13	OFFICE ESSENTIALS	25 CASES 8.5 x 11 PAPER	01-13-15-7312	807.50
01169	0		3189698230	02-Jan-13	STAPLES ADVANTAGE	INJET CARTRIDGES-GARAGE	01-13-15-7312	63.56
01169	0		3188917827	29-Dec-12	STAPLES ADVANTAGE	THERMAL PAPER ROLLS	01-13-15-7312	48.54
Sum of Invoices								1,642.76



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

ICE ARENA

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-5626197	15-Jan-13	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (011513)	06-14-31-7301	0.88
01550	0		452-5600021	08-Jan-13	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (010813)	06-14-31-7301	0.88
01550	0		452-5626197	15-Jan-13	ARAMARK UNIFORM SERVICES	UNIFORMS (011513)	06-14-31-7308	3.96
01550	0		452-5600021	08-Jan-13	ARAMARK UNIFORM SERVICES	UNIFORMS (010813)	06-14-31-7308	3.96
00081	0		9031918056	04-Jan-13	GRAINGER	RESTROOM HAND DRYER REPLACEMEN	06-14-31-6212	519.35
00039	0		811580	02-Jan-13	INDUSTRIAL SOAP	CLEANER AND SOAP	06-14-31-7301	252.76
00082	0		0660381	09-Jan-13	METROLIFT PROPANE	PROPANE FOR OLYMPIA	06-14-31-7307	175.89
01777	0		114358W	27-Dec-12	STARBEAM SUPPLY CO.	LIGHTING FOR DIELMANN COMPLEX	06-14-31-6212	320.40
01048	0		2851440790 EF 1/1	01-Jan-13	VERIZON WIRELESS	CELL PHONE-JAN 2013	06-14-31-6253	52.08
Sum of Invoices								1,330.16



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

GOLF MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00066	0		000213338	07-Jan-13	FROESEL OIL	REGULAR AND DIESEL FUEL	06-14-32-7307	1,398.50
00175	0		882419-00	07-Jan-13	MTI DISTRIBUTING, INC.	VALVE COVER GASKET GREENS MOWE	06-14-32-6211	15.97
00970	0		138-441278	09-Jan-13	O'REILLY AUTO PARTS	AIR, HYDRAULIC & OIL FILTERS	06-14-32-6211	117.47
00970	0		1388-440524	02-Jan-13	O'REILLY AUTO PARTS	FUEL, OIL & HYDRAULIC FILTERS	06-14-32-6211	288.53
00970	0		1388-441823	14-Jan-13	O'REILLY AUTO PARTS	OIL, FILTER, ANTIFREEZE KUBOTA	06-14-32-6211	47.79
00116	0		6850	07-Jan-13	SAM'S CLUB	MOTOR OIL & HYDRAULIC OIL	06-14-32-6211	162.10
Sum of Invoices								2,030.36



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

PRO SHOP

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
00224	0		3065	01-Jan-13	METROPOLITAN AMATEUR GOLF ASSOCIATION	YEARLY MEMBERSHIP MAGA	06-14-33-6262	150.00	
							Sum of Invoices		150.00



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

SNACK BAR

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-5626197	15-Jan-13	ARAMARK UNIFORM SERVICES	WIPING TOWELS (011513)	06-14-34-7301	3.58
01550	0		452-5600021	08-Jan-13	ARAMARK UNIFORM SERVICES	WIPING TOWELS (010813)	06-14-34-7301	3.58
01072	0		609877	04-Jan-13	C.R. FRANK POPCORN AND SUPPLY CO.	SNACKS FOR RESALE	06-14-34-8319	32.05
01471	0		89322	07-Jan-13	RL MUELLER NATIONAL DIST., INC.	SNACKS FOR RESALE	06-14-34-8319	320.84
01471	0		89322	07-Jan-13	RL MUELLER NATIONAL DIST., INC.	MISCELLANEOUS SUPPLIES	06-14-34-8321	45.17
Sum of Invoices								405.22



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

BUILDING MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00090	0		2013-143	04-Jan-13	AMERICAN WATER TREATMENT	WATER TREATMENT SVC JAN-MAR 13	01-16-11-6212	494.44
01550	0		452-5626196	15-Jan-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (1/15/13)	01-16-11-7308	7.92
01550	0		452-5600020	08-Jan-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (1/8/13)	01-16-11-7308	7.92
01825	0		33848	31-Dec-12	ASCHINGER ELECTRIC CO.	SYSTE	01-16-11-6211	145.50
00164	0		031030	15-Jan-13	NEW SYSTEM CARPET & BUILDING CARE LTD.	MAINTENANCE SUPPLIES	01-16-11-6212	1,593.93
01779	0		03020513	01-Jan-13	ST LOUIS COUNTY TREASURER	ELEVATOR INSPECTION	01-16-11-6211	180.00
00492	0		143474	26-Nov-12	TOMASOVIC GREENHOUSE & NURSERY INC	POINSETTIAS	01-16-11-6212	294.75
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-16-11-6253	32.36
00054	0		01950992	03-Jan-13	WALTER KNOLL FLORIST	ATRIUM FLORAL MAINT-FEB 2013	01-16-11-6212	80.00
Sum of Invoices								2,836.82



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

POLICE-ADMIN

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01068	0		098600	04-Jan-13	DNT	QTRLY MAINT ON RECORD COPIER	01-21-11-6213	153.04
00094	0		158696	08-Jan-13	FIRESTONE	CAR 2425 3000 MILE SERVICE	01-21-11-6210	22.99
00094	0		158723	09-Jan-13	FIRESTONE	CAR 2412 3000 MILE SERVICE	01-21-11-6210	22.99
00094	0		158735	09-Jan-13	FIRESTONE	CAR 2402 3000 MILE SERVICE	01-21-11-6210	22.99
00053	0		41174	03-Jan-13	MERCY CORPORATE HEALTH	2ND DOSE HEP B FOR BAEZ	01-21-11-6271	68.00
00053	0		42255	03-Jan-13	MERCY CORPORATE HEALTH	HEP A & B VAC FOR GLEESON	01-21-11-6271	143.00
00092	0	P001454	44744	02-Jan-13	ST LOUIS COUNTY	C.A.R.E. SERVICES-JANUARY 2013	01-21-11-6202	23.91
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-21-11-6253	84.44
00965	0		INV0000000456490	28-Sep-12	VIP DISTRIBUTING COMPANY	WINDOW TINTNG FOR 2013 IMPALA	01-21-11-6210	175.00
Sum of Invoices								716.36



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

POLICE-INVESTIGATIONS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
00094	0		158664	07-Jan-13	FIRESTONE	CAR 2426 3000 MILE SERVICE	01-21-21-6210	22.99	
00094	0		158648	07-Jan-13	FIRESTONE	CAR 2423 REPLACE BATTERY	01-21-21-6210	106.67	
01228	0		1432814-20121231	31-Dec-12	LEXISNEXIS	DECEMBER USER FEES	01-21-21-6202	180.25	
00298	0		0107466-IN	11-Jan-13	SIRCHIE	ITEMS FOR EVIDENCE	01-21-21-7304	111.46	
00273	0		T1312017	03-Jan-13	ST LOUIS UNIVERSITY	TOXICOLOGY LAB SERVICES	01-21-21-6202	300.00	
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-21-21-6253	<u>194.16</u>	
							Sum of Invoices		915.53



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

POLICE-PATROL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01007	0		041798	11-Jan-13	CONSUMER GLASS	CAR 2405 REPAIR WINDSHIELD	01-21-22-6210	72.00
00096	0		135419	14-Jan-13	EVS	VARIOUS EMERGENCY LT REPAIRS	01-21-22-6210	205.00
00094	0		158717	09-Jan-13	FIRESTONE	CAR 2403 REAR BRAKES/3000 SVS.	01-21-22-6210	345.96
00094	0		158954	15-Jan-13	FIRESTONE	CAR 2409 BRAKES, TIRES, 3000	01-21-22-6210	1,297.36
00094	0		158995	16-Jan-13	FIRESTONE	CAR 2410 3000 ML, FUEL FILTER	01-21-22-6210	257.36
00094	0		158612	07-Jan-13	FIRESTONE	CAR 2408 3000 MILE SERVICE	01-21-22-6210	22.99
00094	0		158749	09-Jan-13	FIRESTONE	CAR 2407 3000 MILE SERVICE	01-21-22-6210	22.99
00094	0		158795	11-Jan-13	FIRESTONE	CAR 2405 3000 MILE SVS/INSTALL	01-21-22-6210	55.12
00094	0		158682	08-Jan-13	FIRESTONE	CAR 2416 3000 MILE SVS.	01-21-22-6210	22.99
00094	0		157499	05-Dec-12	FIRESTONE	CAR 2404 REPLACE BULB	01-21-22-6210	35.80
00117	0		4053017	01-Dec-12	HOME DEPOT	ITEMS FOR RANGE REPAIRS	01-21-22-7313	19.74
00125	0		283409-02	04-Jan-13	LEON UNIFORM	UNIFORM ITEMS FOR RES OFFICER	01-21-22-5107	14.95
00125	0		285552	09-Jan-13	LEON UNIFORM	UNIF ITEMS FOR RES OFCR FEDDER	01-21-22-5107	101.93
00125	0		283409-03	09-Jan-13	LEON UNIFORM	UNIF ITEMS FOR RES OFCR FEDDER	01-21-22-5107	54.90
00125	0		0283409-01	21-Dec-12	LEON UNIFORM	UNIF ITEMS FOR RES OFCR FEDDER	01-21-22-5107	44.90
00098	0		2495	06-Jan-13	McCLAIN RADAR SERVICE	SERV CALL/INSPECT SPEED TRALR	01-21-22-6210	75.00
00118	0		14410	11-Jan-13	OLD STYLE BODY COMPANY	CAR 2407 REPAIR SEAT FRAME	01-21-22-6210	120.00
00309	0		11757	09-Jan-13	ST LOUIS AREA MAPS, INC.	(20) 2013 STREET DIRECTORIES	01-21-22-7304	249.00
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-21-22-6253	369.11
00178	0		203219	08-Jan-13	WARNER COMMUNICATIONS CORP.	TEST WT FOR STATIC PROBLEM	01-21-22-6211	50.00
00237	0		3076517	09-Jan-13	WORLD WIDE TECHNOLOGY	(1) MOBILE PRINTER CRADLE	01-21-22-6211	228.95
Sum of Invoices								3,666.05



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

PUBLIC WORKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-31-11-6253	<u>168.88</u>	
							Sum of Invoices		168.88



**CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING**

1/23/2013

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00131	0		9906409552	31-Dec-12	AIRGAS	WELDING GAS/TANKS	01-31-41-7307	51.82
01550	0		452-5600017	08-Jan-13	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (1/8/13)	01-31-41-6212	8.91
01550	0		452-5521279	18-Dec-12	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (12/18/12)	01-31-41-6212	8.91
01550	0		452-5626194	15-Jan-13	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (1/15/13)	01-31-41-6212	8.91
01550	0		452-5600017	08-Jan-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (1/8/13)	01-31-41-7308	38.42
01550	0		452-5521279	18-Dec-12	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (12/18/12)	01-31-41-7308	174.84
01550	0		452-5626194	15-Jan-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (1/15/13)	01-31-41-7308	43.09
00010	0		920172	11-Jan-13	BRANNEKY HARDWARE	ITEMS FOR TAR POT	01-31-41-6211	10.78
00010	0		919119	13-Dec-12	BRANNEKY HARDWARE	SHOP SUPPLIES	01-31-41-7304	53.91
00010	0		920212	10-Jan-13	BRANNEKY HARDWARE	KITCHEN SUPPLIES AT SHOP	01-31-41-7304	31.78
00010	0		919934	04-Jan-13	BRANNEKY HARDWARE	CRACK SEAL MATERIALS	01-31-41-7305	37.97
01888	0		217987	04-Jan-13	BREWER MACHINE AND GEAR CO.	SALT SPREADER BEARINGS	01-31-41-7310	151.84
00013	0		1763-202156	13-Nov-12	CARQUEST AUTO PARTS	WINDSHIELD WASHER FLUID	01-31-41-6210	117.60
00013	0		1763-204792	15-Jan-13	CARQUEST AUTO PARTS	PART FOR TRK 103	01-31-41-6210	46.72
00013	0		1763-204754	14-Jan-13	CARQUEST AUTO PARTS	OIL FILTERS, FLUIDS	01-31-41-6210	27.30
00013	0		1763-204487	08-Jan-13	CARQUEST AUTO PARTS	CREDIT MEMO-DEFECTIVE MDSE	01-31-41-6210	-217.09
00013	0		1763-204488	08-Jan-13	CARQUEST AUTO PARTS	2 EA BATTERY CHARGERS	01-31-41-6210	578.98
00013	0		1763-204267	03-Jan-13	CARQUEST AUTO PARTS	BELT FOR TRK 200	01-31-41-6210	28.34
00013	0		1763-204272	03-Jan-13	CARQUEST AUTO PARTS	DRIVEALIGN PULLEY TRK 200	01-31-41-6210	20.80
00099	0		1291265	31-Dec-12	CEEKAY SUPPLY	WELDING GAS/TANKS	01-31-41-7307	64.08
01187	0		959855	12-Dec-28	CHEMSEARCH	PENETRATING OIL	01-31-41-7301	178.41
00394	0		11-3314	05-Jan-13	CHUCK'S BOOTS	WORK BOOTS FOR STREETS	01-31-41-7308	599.99
00394	0		11-3352	12-Jan-13	CHUCK'S BOOTS	WORK BOOTS/CARHARTS	01-31-41-7308	459.97
00235	0	P001515	ACBL3258-1213-24	19-Dec-12	CITY OF CHESTERFIELD	PURCHASE OF 513.19 TONS SALT	01-31-41-7310	21,497.53
00141	0		120258	18-Dec-12	ELECTRO BATTERY	BATTERIES FOR TRK 309	01-31-41-6210	231.91
00141	0		120259	18-Dec-12	ELECTRO BATTERY	CREDIT MEMO-JUNK RETURNS	01-31-41-6210	-21.00
00141	0		120737	07-Jan-13	ELECTRO BATTERY	BATTERY FOR TRK 204	01-31-41-6210	183.74
00141	0		120738	07-Jan-13	ELECTRO BATTERY	CREDIT MEMO-JUNK RETURNS	01-31-41-6210	-42.00
00127	0		01 1083106	14-Dec-12	ERB EQUIPMENT COMPANY	FILTERS FOR BACKHOE & LOADER	01-31-41-6211	130.42
00081	0		9029179711	31-Dec-12	GRAINGER	LIGHTING DISCONNECTS FOR SHOP	01-31-41-6212	26.05



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
00081	0		9029179729	31-Dec-12	GRAINGER	SCREWDRIVER BIT SET	01-31-41-7302	7.16
01636	0		0347-000152542	31-Dec-12	JOHNNY ON THE SPOT	RENTAL UNITS-LEAF SITES-DEC 12	01-31-41-6266	164.23
01070	0	P001566	2012-TC1704	11-Jan-13	KIRKWOOD FENCE INC	INSTALL CHAIN LINK FENCE AT GA	01-31-41-6212	3,735.00
00156	0		54365	08-Jan-13	L & C TRUCK REPAIR, INC.	ENGINE REPAIR-TRK 310	01-31-41-6210	1,762.00
00348	0		66128	07-Jan-13	EQUIPMENT, INC.	PLOW PARTS-TRKS 311,312,313	01-31-41-7310	470.00
00047	0		P97827	14-Jan-13	PAT KELLY EQUIPMENT	OIL FOR AIR COMPRESSOR	01-31-41-6211	29.99
00047	0		R28030	14-Jan-13	PAT KELLY EQUIPMENT	RENTAL COMPRESSOR HOSE	01-31-41-6266	499.70
01892	0		I0120777	04-Jan-13	PAVING MAINTENANCE SUPPLY, INC.	SWITCHES FOR TAR POT	01-31-41-6211	40.00
00110	0		313548	15-Jan-13	RICMAR INDUSTRIES	RAIN-X	01-31-41-6210	60.73
00692	0		521344	10-Jan-13	ST LOUIS SAFETY, INC.	GLOVES/SAFETY GLASSES	01-31-41-7308	86.77
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-31-41-6253	122.18
01869	0	P001573	61321	16-Jan-13	VIKING-CIVES MIDWEST, INC.	10' SKID MOUNT MATERIAL SPREAD	01-31-41-9503	11,668.00
00311	0		1601525	04-Jan-13	WEBER CHEVROLET	BATTERY TRAY FOR TRK 204	01-31-41-6210	24.83
00311	0		1601678	07-Jan-13	WEBER CHEVROLET	BATTERY SUPPORT FOR TRK 204	01-31-41-6210	11.03
Sum of Invoices								43,214.55



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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HEALTH & WELFARE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-31-42-6253	<u>32.36</u>	
							Sum of Invoices		32.36



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

PARKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00275	0		21550-24002 1/13	14-Jan-13	AMERENUE	ANNUAL RENTAL-SAND VOLLEYBALL	01-31-43-6212	10.00
01550	0		452-5600017	08-Jan-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (1/8/13)	01-31-43-7308	38.41
01550	0		452-5521279	18-Dec-12	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (12/18/12)	01-31-43-7308	174.84
01550	0		452-5626194	15-Jan-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (1/15/13)	01-31-43-7308	43.09
00010	0		920273	14-Jan-13	BRANNEKY HARDWARE	WIRE FOR TYING TREES	01-31-43-6212	57.42
00960	0		83918949	08-Jan-13	BUCHHEIT, INC.	STAKES FOR TREES	01-31-43-6212	116.10
01582	0	P001547	MO-12090	13-Dec-12	CHILDREN'S SPECIALTIES, INC.	PARK FURNITURE, TRASH RECEPTAC	01-31-43-9503	4,999.70
00394	0		11-3352	12-Jan-13	CHUCK'S BOOTS	WORK BOOTS	01-31-43-7308	240.00
00117	0		9263413	15-Jan-13	HOME DEPOT	SINK-LADIES RSTRM BEIRNE PARK	01-31-43-6212	34.20
00110	0		313548	15-Jan-13	RICMAR INDUSTRIES	RAIN-X	01-31-43-6210	60.73
00692	0		521344	10-Jan-13	ST LOUIS SAFETY, INC.	GLOVES/SAFETY GLASSES	01-31-43-7308	86.76
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-31-43-6253	37.74
Sum of Invoices								5,898.99



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

COMMUNITY DEVELOPMENT - PLANNING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00369	0		067665-12114	28-Dec-12	AMERICAN PLANNING ASSOCIATION	SUBSCRIPTION FEE-THE COMMISSIO	01-32-11-6262	150.00
00369	0		114272-12114	28-Dec-12	AMERICAN PLANNING ASSOCIATION	APA/AICP/MOAPA DUES-P. LANGDON	01-32-11-6262	560.00
00369	0		125688-12114	28-Dec-12	AMERICAN PLANNING ASSOCIATION	APA/AICP/MOAPA DUES-W. KELLY	01-32-11-6262	360.00
00303	0		P-20379166	28-Dec-12	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE-P&Z	01-32-11-6260	40.60
00303	0		P-20379172	28-Dec-12	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE-P&Z	01-32-11-6260	45.24
00303	0		P-20379228	28-Dec-12	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE-P&Z	01-32-11-6260	39.44
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-32-11-6253	159.46
Sum of Invoices								1,354.74



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
00316	0		010913	09-Jan-13	METROPOLITAN FIRE MARSHALS ASSOCIATION	ANNUAL DUES-S. UNSER	01-32-61-6262	25.00
01435	0		010813	08-Jan-13	MOSEIA	SEMINAR FEE-S. BOLLS 1/9/13	01-32-61-6261	125.00
01169	0		3188640937	22-Dec-12	STAPLES ADVANTAGE	CHAIR FOR INSPECTOR BURKE	01-32-61-9504	299.99
01048	0		2851440790 GF	01-Jan-13	VERIZON WIRELESS	CELL PHONES-JANUARY 2013	01-32-61-6253	200.56
Sum of Invoices								650.55



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/23/2013

CAPITAL IMPROVEMENTS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
01880	0	P001576	E-28212	31-Dec-12	FDH ENGINEERING, INC.	ENERGY AUDIT-PAY #1	02-61-71-9501-13101	<u>4,000.00</u>	4,000.00
Sum of Invoices									
GRAND TOTAL OF ALL INVOICES									130,784.65

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE TO AUTHORIZE A RESIDENTIAL DESIGNED
DEVELOPMENT (RDD) WITH ACCOMPANYING PRELIMINARY SUBDIVISION
PLAT AND SITE DEVELOPMENT PLAN FOR THE PROPOSED VILLAS AT
MOSLEY SUBDIVISION, ON 4 ACRES OF LAND LOCATED SOUTH OF OLIVE
BOULEVARD AND EAST OF MOSLEY ROAD.**

WHEREAS, William Levinson, of Benton Homebuilders, has submitted an application for the preliminary plat approval for the subdivision of four acres that is part of 842, 834, and 828 Mosley Road, zoned "C" Single Family Residential District, and

WHEREAS, in accordance with Sections 405.270, 405.450(C), and 405.1080 of the Zoning Ordinance, the applicant has submitted a Site Development Plan and Preliminary Plat to the Department of Planning for the Villas at Mosley subdivision, including 10 lots on the 4 acres, with residential designed development (RDD), and

WHEREAS, On November 19 and December 17, 2012, the Planning and Zoning Commission reviewed the RDD request and accompanying Preliminary Plat and by 3-3 vote, absent a majority vote, this a procedural denial thereof on the condition that the property be developed in accordance with the Site Development Plan/Preliminary Plat, received December 5, 2012, by the Department of Planning or as further revised as required by the City of Creve Coeur and on other conditions, and

WHEREAS, all persons who presented themselves and desiring to be heard 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 City 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 Residential Designed Development proposal, as submitted on December 5, 2012, is consistent with good planning practice, consistent with good site landscape planning, is not detrimental to the existing and permitted uses in the surrounding area, is deemed desirable to provide the purpose of Section 405.450 of the Zoning Code and is in accordance with the criteria of Section 405.450(C)(1-3) of the Zoning Code regarding minimum project area, gross acreage, yards, and site and building coverage.

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

SECTION 1: A residential designed development permit is hereby granted for the Villas at Mosley Subdivision, approximately 4 acres of land located south of Olive Boulevard and east of Mosley Road and legally described as follows:

A tract of land being Lot 3 and part of Lots 1 and 2 of "Kraemer Acres", a Subdivision according to the plat thereof recorded in Plat Book 87, Page 20 of the St. Louis County Records and part of U.S. Survey 1962 and Fractional Section 2, Township 45 North, Range 5 East, in the City of Creve Coeur, St. Louis County, Missouri, being more particularly described as follows:

Beginning at a point on the Southeastern right-of-way line of Olive Street Road, 90 feet wide, at its intersection with the Western line of Lot 1 of "Wir-Don Meadows" a Subdivision, according to the plat thereof recorded in Plat Book 69, Page 21 of the St.

Louis County Records, thence Southwardly, along the Western line of said Lot 1 and the Western line of Lots 2 through 10 of said Wir-Don Meadows, South 25 degrees 41 minutes 00 seconds East 362.25 feet to a point; thence South 02 degrees 06 minutes 00 seconds West 117.70 feet to a point; thence South 18 degrees 08 minutes 30 seconds East 127.13 feet to a point; thence South 00 degrees 58 minutes 00 seconds West 152.83 feet to the Southeastern corner of property conveyed to Daniel T. and Diane R. Sims by deed recorded in Deed Book 12704, Page 2165, of the St. Louis County Records; thence Westwardly, along the Southern line thereof, North 89 degrees 02 minutes 00 seconds West 439.93 feet to its intersection with the Eastern right-of-way line of Mosley Road, variable width; thence Northwardly, along the Eastern right-of-way line thereof, North 10 degrees 14 minutes 00 seconds East 165.30 feet to a point; thence Northwesterly, continuing along the Eastern right-of-way line of said Mosley Road, North 29 degrees 52 minutes 00 seconds West 89.62 feet to a point; thence North 86 degrees 28 minutes 00 seconds East 5.58 feet to the most Southern corner of said Lot 3 of Kraemer Acres, as aforementioned; thence Northwesterly, continuing along the Eastern right-of-way line of said Mosley Road, North 29 degrees 52 minutes 00 seconds West 85.44 feet to the most Western corner of said Lot 3; thence Northeasterly, along the Northwestern line of said Lot 3, North 59 degrees 14 minutes 00 seconds East 205.64 feet to its intersection with the Southwestern line of said Lot 2 of Kraemer Acres, as aforementioned; thence Northwesterly, along the Southwestern line of said Lot 2; North 25 degrees 41 minutes 00 seconds West 186.05 feet to its intersection with the Southeastern right-of-way line of Olive Street Road, as aforementioned; thence Northeasterly, along the Southeastern right-of-way line thereof, North 59 degrees 17 minutes 00 seconds East 5.400 acres, more or less.

Excepting therefrom the following:

A tract of land being part of Lots 1, 2 and 3 of "Kraemer Acres", a subdivision according to the plat thereof recorded in Plat Book 87 page 20 of the St. Louis County Records, in U.S. Survey 1962, Township 45 North - Range 5 East, City of Creve Coeur, St. Louis County, Missouri and being more particularly described as:

Beginning at the intersection of the Southeast right-of-way line of Olive Street Road, 90 feet wide, and the West line of Lot 1 of "Wir-Don Meadows", a subdivision according to the plat thereof recorded in Plat Book 69 page 21 of the St. Louis County Records; thence Southwardly along said West line of Lot 1 and the West line of Lots 2 and 3 of said "Wir-Don Meadows" South 25 degrees 41 minutes 00 seconds East 222.98 feet to a point; thence South 59 degrees 14 minutes 00 seconds West 442.97 feet to a point in the East line of Mosley Road, variable width; thence Northwardly along said East line of Mosley Road, variable width, North 29 degrees 52 minutes 00 seconds West 37.00 feet to the Westernmost corner of aforesaid Lot 3 of "Kraemer Acres"; thence Northeastwardly along the Northwest line of said Lot 3 North 59 degrees 14 minutes 00 seconds East 205.64 feet to a point in the West line of aforesaid Lot 2 of "Kraemer Acres"; thence Northwardly along said West line of Lot 2 North 25 degrees 41 minutes 00 seconds West 186.05 feet to a point in the aforesaid Southeast right-of-way line of Olive Street Road; thence Northeastwardly along said Southeast right-of-way line North 59 degrees 17 minutes 00 seconds East 240.02 feet to the point of beginning and containing 1.398 acres according to a survey by Volz Incorporated.

The above-described property contains 4.002 acres according to calculations by Volz Incorporated on September 21, 2012.

SECTION 2: The Villas at Mosley RDD shall conform to the Site Development Plan/Preliminary Plat and Landscape Plan, received January 8, 2013, by the Department of Planning or as further revised as required and approved by the City of Creve Coeur, and are further subject to the following conditions:

1. Individual homes shall not be constructed with more than 10% vinyl siding on all elevations. Other forms of siding, such as "Hardi-plank" may be permissible with the Zoning Administrator's approval.
2. The Final Subdivision Plat shall be revised to indicate that approaches to intersections shall have a grade not exceeding three percent (3%) for a distance of not less than one hundred fifty (150) feet measured from the centerline of the intersecting street as required by Section 410.240.F.5.
3. Prior to issuance of any building permits, the applicant shall prepare and record the final subdivision plat as approved by the City Council and indentures requiring public access, maintenance, insurance, funding, maintenance of the stormwater basin, and common ground area , as approved by the City Attorney.

SECTION 3: As set forth in Section 405.1080 of the Zoning Ordinance of the City of Creve Coeur, Site Development Plans approved by the City of Creve Coeur shall be valid for a period of up to one (1) year from the date it is approved. After one year, a Site Development Plan will no longer be valid unless an extension is granted. The City of Creve Coeur may grant one, one (1) year extension prior to the expiration of the Site Development Plan upon written request of the applicant submitted to the City at least 180 days prior to the expiration date and granted prior to the expiration date.

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

ADOPTED THIS _____ DAY OF _____, 2013

ROBERT HOFFMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 201e

BARRY GLANTZ
MAYOR

ATTEST:

BILL NO. 5411

ORDINANCE NO. _____

DEBORAH RYAN, MRCC
CITY CLERK



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

MEMO TO CITY ADMINISTRATOR AND CITY COUNCIL

Meeting Date: January 28, 2013

Subject: RDD Approval for Villas at Mosley Subdivision

Memo Prepared by: Paul Langdon, AICP, Community Development Director 

Attachments: Minutes excerpts from the City Council meetings of October 22, 2007, April 14, 2008 and April 28, 2008.
Ordinance #5035
Artist's rendering of the proposed subdivision entry monument.

PRIOR APPROVAL OF MOSLEY MANOR SUBDIVISION

During the meeting of January 14, 2013, the City Council reviewed the Villas at Mosley subdivision that requires Residential Design Development (RDD) approval to allow the proposed reduced lot sizes in the "C" Single-family District. During the course of the meeting, requests were made to provide the minutes of the prior subdivision approval (Mosley Manor) on the same plot of land. Those minutes are attached, along with the final ordinance (Ordinance #5035). The Council should note that the first, 13-lot proposal, which was reviewed for the first time on October 22, 2007, was ultimately withdrawn as the applicant had returned to the Planning Commission with a revised, 12-lot layout, one of which fronted Olive Boulevard. That proposal was ultimately reviewed and approved by the City Council on April 28th, 2008, with 11 lots on the proposed cul-de-sac that resembles the current Villas at Mosley proposal.

DESIGN REQUIREMENTS

The Council also raised several concerns regarding the architectural quality of the houses, including the visual impact of the garages and the appearance of the houses from Mosley Road. Staff have discussed with the applicant a number of potential design conditions that could be placed on the RDD approval and have mutual agreement on the following:

- Front facades shall be entirely of brick and/or stone and shall return down both sides a minimum of six feet (6') with a maximum deviation of three feet (3') in either direction for design and aesthetic continuity, subject to Zoning Administrator approval.
- Chimneys shall be constructed of brick or stone masonry.
- All front entries shall be covered to a minimum depth of five feet (5') and provide a minimum of thirty square feet (30 sq.ft.) of covered standing area.
- Only single-width doors may be used on front-facing garages.
- Front-facing garage doors shall be located a maximum of eight feet (8') forward of the principle (largest) front façade of the house.
- All side walls shall have at least two windows, excluding entry doors.
- All driveways shall be finished in decorative pavers, stamped and colored concrete, or exposed aggregate.

These features are seen mostly in high value residences with high levels of "curb appeal." Staff suggest that changes are certainly possible but should be discussed with the applicant and the staff.

Staff have also reviewed the ability of the builder to provide side entry garages. The principle obstacle to providing side entries is the amount of vehicle turning room available in front of the house. The applicant

believes that a limited number of lots would be able to accommodate such a design due to the limited lot widths. One strategy that could be used to encourage side entry garages, if that is the preference of the Council, is to allow a shorter side setback on the garage side (staff suggest five feet), but then require the “normal” nine-foot setback on the abutting neighbor’s sideyard. This preserves most of the house to house separation (minimum 14 feet), while creating greater flexibility in the designs of the houses being made available. It can lead to difficult choices for the house-buyer and builder when a lot gets pinched on both sides, but the applicant has indicated that two, nine-foot setbacks was a situation they were already prepared to work with. If the Council wishes to consider this option, staff recommend adding a condition of approval similar to the following:

- The side setback adjacent to a side-entry garage may be reduced from nine feet (9’) to five-feet (5’) as long as the resulting distance to the next house is no less than fourteen feet (14’).

ENTRY MONUMENT

Another concern raised by the Council pertained to the lack of an entry feature at the entrance to the subdivision. The applicant has developed a wall feature that uses similar materials to the houses, is appropriate in scale for the subdivision and the adjacent Mosley Road but represents a more robust feature than is typically seen in the city’s smaller lot subdivisions. An artist’s rendering of the monument has been provided by the applicant and is attached to this memo. If the Council is satisfied with this design, staff suggest adding the following condition:

- The subdivision entry monument shall be in substantial conformance with the illustration attached to the Staff Memorandum submitted for the City Council meeting of January 28, 2013, subject to the issuance of a sign permit in accordance with Article VIII, Sign Regulations, of the Zoning Ordinance.

STORMWATER MANAGEMENT

Lastly, members of the City Council asked the staff to look into any means available to the City that would hold the developer/applicant financially responsible for any repairs or redesign of the stormwater management system should the approved design prove to be insufficient or responsible for off-site erosion. Staff find that there are several concerns with this approach:

- The developer must provide escrows to the City and the Metropolitan St. Louis Sewer District (MSD) for all parts of the stormwater management system. Generally, the escrows go to the City for the above-ground “private” improvements (typically the basin), while separate escrows go to MSD for the underground piping that is ultimately dedicated to MSD as a public improvement. None of these escrows are returned to the developer until the system is fully completed and operating according to the design parameters approved by MSD.
- There has not been a subdivision built in the city since the adoption of the current MSD regulations, and those regulations require a much larger amount of stormwater retention with a longer time for release. The design expectation is that the finished development will not allow a greater flow of water off of the property than exists today. Given the largely green state of the property today and the fully contained drainage area created by the natural topography (the adjacent properties are all higher), the finished system should not create any new issues for the downstream properties.
- The process of issuing permits and returning escrows is set out in various laws and it is legally problematic to apply a unique standard to one development where no clear and present hazard has been identified. The movement of water, no matter how little, causes some erosion and it is impossible to guarantee that there will no erosion either before or after a given project is built. The current regulations and design standards go much farther toward protecting downstream areas than prior regulations, so staff believe that it is most prudent to rely on those regulations and not attempt to develop a unique approach to the stormwater management in this project.

Staff members will be available to answer any questions regarding these changes during the meeting.

**MINUTES
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N. NEW BALLAS ROAD
OCTOBER 22, 2007
7:00 P.M.**

CALL MEETING TO ORDER

A regular meeting of the City Council of the City of Creve Coeur was called to order by Mayor Harold L. Dielmann at the Creve Coeur Government Center, 300 North New Ballas Road on Monday, October 8, 2007 at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

INVOCATION

The Invocation was given by Mayor Dielmann.

ROLL CALL

The following members were in attendance:

Mr. Dielmann	Mayor
Mrs. Kistner	Council Member Ward I
Mr. Kreuter	Council Member Ward I
Mr. Wang	Council Member Ward II
Mrs. Schupp	Council Member Ward II
Mr. Kassander	Council Member Ward III
Mr. Haddenhorst	Council Member Ward III
Ms. Bryant	Council Member Ward IV
Mrs. Rhoades	Council Member Ward IV

COMMENTS FROM THE GENERAL PUBLIC

David Caldwell resident of 257 Brooktrail Court read and presented to the Council a statement of opposition to the Graeser Project. (*attached Exhibit A*)

David Henschel resident of 5 Chiltan Lane read and presented to the Council a statement of opposition to the Graeser Project. Mr. Henschel also asked Council Members to sponsor/consider several items as listed in his statement. (*attached Exhibit B*).

PUBLIC HEARINGS

To consider the issuance of a Conditional Use Permit for an eating and drinking establishment for Starbucks located at 12520A Olive Boulevard, south of Olive Boulevard, west of Questover Lane, and zoned "GC" General Commercial District.

To consider the issuance of a Conditional Use Permit for a miscellaneous health center for Davita Home Dialysis Center located at 450 N. Lindbergh Boulevard, east of Lindbergh Boulevard, south of Beaver Drive, and zoned "GC" General Commercial District.

Council Member Kreuter – Aye
Council Member Bryant – Aye
Council Member Kassander - Aye
Council Member Haddenhorst - Aye

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

(D) Bill No. 5109 - An Ordinance to authorize a Residential Designed Development (RDD) with accompanying Preliminary Subdivision Plat for the proposed Mosley Manor subdivision, described as a tract of land being lots 1, 2 and 3 of "Kraemer Acres" and part of U.S. Survey 1962 and Fractional Section 2, Township 45 North, Range 5 East, City of Creve Coeur, St. Louis County, Missouri.

Bill No. 5109 was read for the first time by the City Clerk.

Council Member Wang excused himself from the discussion and voting as he has had previous dealings with the applicant and poses a conflict of interest.

Paul Langdon stated this is an item that has spent a lot of time before the Planning and Zoning Commission. There are existing houses along Mosley Road and a house that exists on Olive and has been zoned commercial for some time. All of these homes are under single ownership at this time and the applicant is under contract with the owner to purchase all of the land together. It is their proposal to convert this ground to a subdivision with several house and currently all of the property is zoned "C" and the uses as they exist are legal and conformant. The request before the Council is to approve the subdivision as an RDD, the intent of the applicant is to keep the property located on Olive Boulevard as green space. The remaining area would be developed into a series of lots. What the applicant has attempted to do is to balance the yield on the property with the preservation of green space and tree cover and to meet the green space recommendations of the comprehensive plan. This is a note worthy project. What is more controversial are the lots and are a distinct departcher from the "C" zoning. The RDD allows for that departcher; however, it is not clear in the zoning code how far that departcher can go. The applicant is using the RDD to get to some protection of an amenity that exists in the city or can be enhanced through the project. In this case the green space exists and this would enhance it with some additional planting and/or garden space. As this come to the Council from the Planning and Zoning Commission this project does not have a direct connection with the Olive Boulevard sidewalk. Mr. Langdon stated at the Planning and Zoning Commission meeting the applicant/developer stated that he is willing to dedicate the green space to the City for a small park.

Council Member Kassander asked if there would be a liability issue if the sidewalk was connected to Olive Boulevard?

Carl Lumley stated the issue wasn't the sidewalk on the right of way the issue was creating that whole property as an accessible park like atmosphere with a walking trail that connected to the right of way sidewalk.

Paul Langdon stated the larger question before the Planning and Zoning Commission or the reason why the site was initially denied was that the lots departed so far from the "C" zoning district that they felt it was far enough that warranted a rezoning which they are not comfortable with. Before the Council tonight is a revised plan which was reviewed by the Planning and Zoning Commission which only four (4) of the Commissioners reviewed the plan. Under the

zoning code requirements subdivision that is an RDD, is a plat and is a Site Development Plan. The Plat and the RDD are subject to a simple majority of those present. In the case of the Site Development Plan by the zoning code it requires four affirmative votes of the Planning and Zoning Commissioners. The issue still remains if the lots of the proposed development go beyond what is desired out of an RDD. The proposal is comparable to the subdivision to the east it is not comparable to the subdivision to the south. There were some concerns about the rear set backs going below what is required by the zoning. Applicant has restored those set backs to 30 foot in all cases. The side set backs are comparable to the subdivision to the east with a 10.5 foot minimum. Height of the proposed houses is a concern by the Commission and surrounding residents. Applicant is prepared to deed restrict the property to single family homes and Planning and Zoning has approved the deed restrictions.

Council Member Kassander asked if the City currently has any zoning area of a front yard set back of 15 feet?

Paul Langdon stated there maybe some with 15 foot set backs in preexisting developments but nothing in the way of a modern subdivision. Staff had the same concern and ideally staff would like to see an average size car put in the driveway without hanging onto the sidewalk, in this case they had that but shortened it to have a larger rear yard. The proposed street is a cul de sac and there will not be through traffic in this development.

Council Member Kassander asked what is the average lot size?

Paul Langdon stated the average lot size is 11,000 sq ft.

Council Member Schupp stated she is concerned with the preservation of existing trees. Currently there is 26% coverage of green space and tree mass. On the report provided to the Council it states that any development proposed as an RDD shall provide for conservation of existing trees and tree masses on the site. The percentage of tree mass preservation during development shall exceed the minimum standards of the subdivision regulations which are 25% of the existing trees. Council Member Schupp asked Paul Langdon because the developer is proposing to exceed the percentage by one percent does staff feel that, that was the intent of the statement in the use of the RDD?

Paul Langdon stated what is acceptable is up to the Council and the Commission. The hurdle here is 25% and the developer has exceeded that.

Council Member Haddenhorst moved, seconded by Council Member Kistner to extend the meeting until 11:30 p.m., with the vote upon such motion being as follows, to-wit:

Council Member Schupp – Aye
Council Member Kistner – Aye
Council Member Wang – Aye
Council Member Rhoades – Aye
Council Member Kreuter – Aye
Council Member Bryant – Aye
Council Member Kassander – Aye
Council Member Haddenhorst – Aye

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

Steven Kling representative for CS Properties stated this 5.4 acre tract of land is difficult to develop residentially. The proposed development will eliminate 3 curb cuts on Mosley. Average lot size is 11,600 sq ft, home size will be between 2,500 and 3,500 sq ft and cost between \$800,000 to \$1 million. Developer is wanting to donate the green space as a park area which is included in the proposal.

Council Member Bryant stated she had a brief conversation with the developer and asked what the tract would look like with straight "C" zoning?

Steve Shapiro stated it would be 13 lots instead of 14 lots and lots 11 – 13 would be zoned commercial because no one wants to live on Olive.

Karen Webster presented the Council with 14 petitions in opposition of the development signed by homeowners within 185 feet of the proposed development and read and presented a statement of opposition (*attached Exhibit I*). Currently, the surrounding property owners are working with Mr. Shapiro to come to an agreement.

Brandon Gray resident of 12933 Fernway stated he is in support of the proposed Mosley Development.

Rick Darrow resident of 812 Mosley Road read and presented a letter of opposition (*attached Exhibit J*).

Sandy Shapiro stated Mr. Shapiro, developer for the proposed Mosley project is a good developer and is interested in the surrounding property owners.

Susan Murphy stated she is opposed to the proposed development and stated the RDD is a good development tool but it is misused. Currently Planning and Zoning is considering a text amendment to clarify the true meaning of an RDD. Mr. Shapiro is offering the Council a work in progress and the plan has not been reviewed in detail. Asked the Council to use caution when reviewing this project.

Mary Hayes stated she is opposed to the proposed development because it is too dense.

Bob Clark resident of 827 Renee Lane stated the plat that has been submitted there is a substantial error on it. The adjoining properties have recently been surveyed and the lines shown are shown off by 20 feet. The lots are displaced 10 feet off north to south and 20 feet off west to east. With this information it also means that the tree census is off.

Council Member Kistner asked Paul Langdon to look into if the property line and the plan align.

Steven Kling responded to some of the comments. In regards to the height of the homes, Mr. Kling stated he understands the concerns but the topography of the land is the topography unless the developer dug down considerably that won't change. Also, an RDD is a density design tool, these are tools that came out in the 70's and are present in every municipality. It is a clustering and is the same number of lots in a smaller area. If a developer is going to cluster you are going to have smaller lots. Concept is to create, creativity and develop more interesting developments and that was the attempt of the developer with this proposal.

Steve Shapiro stated whether he decides to go with straight "C" zoning or and RDD it is not going to change the elevation or grading of the property. Mr. Shapiro stated he plans to apply

for a variance. A tree survey was completed today by Boles Engineering and they are indicating that there are 168, 8" caliper trees. We are proposing to save 26% of the tree mass and over 1/3 of the 8" caliper tree count is being saved.

Council Member Schupp entered the following e-mails into the record (*attached Exhibit J*):

Approval of Plan

Steven Schrier
Judy Chervitz
Kim Hughes
Ronald Grubbs

Opposition of Plan

Lynne Hazelip
Diana Sprich
Jim Baechle
Robert and Wilma Rademaker

Council Member Kassander moved, seconded by Council Member Rhoades to extend the meeting 10 minutes, with the vote upon such motion being as follows, to-wit:

Council Member Schupp – Aye
Council Member Kistner – Aye
Council Member Wang – Aye
Council Member Rhoades – Aye
Council Member Kreuter – Aye
Council Member Bryant – Aye
Council Member Kassander - Aye
Council Member Haddenhorst - Aye

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

(E) Resolution No. 760 – A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Mayor To Execute An Agreement With Fry And Associates, Inc. For The Purchase And Installation Of The Required Equipment And The Construction Of A Playground Addition At Millennium Park For An Amount Not To Exceed \$97,461.60.

Resolution No. 760 was read by the City Clerk.

Council Member Kassander moved, seconded by Council Member Rhoades to approve Resolution No. 760, with the vote upon such motion being as follows, to-wit:

Council Member Haddenhorst – Aye
Council Member Kassander – Aye
Council Member Bryant – Aye
Council Member Kreuter – Aye
Council Member Rhoades – Aye
Council Member Wang – Aye
Council Member Kistner - Aye
Council Member Schupp - Aye

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

(F) Resolution No. 761 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Mayor To Execute An Agreement With Woods Construction Services Inc. For The Purchase And Installation Of The Required Equipment And The

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3. **Tabled Bill No. 5109 – An Ordinance to authorize a Residential Designed Development (RDD) with accompanying Preliminary Subdivision Plat for the proposed Mosley Manor subdivision, described a tract of land being Lots 1, 2 and 3 of “Kraemer Acres” and part of U.S. Survey 1962 and Fractional Section 2, Township 45 North, Range 5 East, City of Creve Coeur, St. Louis County, Missouri. P & Z Application 07-011 Final Reading and Passage.**

Council Member Kassander moved, seconded by Council Member Kistner to remove Bill No. 5109 from the table, with the vote upon such motion being as follows, to-wit:

Council Member Kistner - Aye
Council Member Wang - Aye
Council Member Kreuter - Aye
Council Member Kassander - Aye
Council Member Haddenhorst - Aye

The vote on the motion being 5 ayes and 0 nays, motion carried.

Council Member Kistner moved, seconded by Council Member Kreuter to accept the withdrawal of Bill No. 5109, P & Z application 07-011 by the applicant, with the vote upon such motion being as follows, to-wit:

Council Member Haddenhorst - Aye
Council Member Kassander - Aye
Council Member Kreuter - Aye
Council Member Wang - Aye
Council Member Kistner - Aye

The vote on the motion being 5 ayes and 0 nays, motion carried.

4. **Bill No. 5133 - To Consider Authorizing the Issuance of a Conditional Use Permit for a Freestanding Drive-In Facility for Fifth Third Bank located at 11100 Olive Boulevard, south of Olive Boulevard, west of Mary Meadows Lane, and zoned “GC” General Commercial District. P & Z Application 06-012 Final Reading and Passage**

Council Member Kistner moved, seconded by Council Member Kassander to defer Bill No. 5133, with the vote upon such motion being as follows, to-wit:

Council Member Kistner - Aye
Council Member Wang - Aye
Council Member Kreuter - Aye
Council Member Kassander - Aye
Council Member Haddenhorst - Aye

The vote on the motion being 5 ayes and 0 nays, motion carried.

5. **Request for a Twelve-Month (12) Extension to the Site Development Plan for the CityPlace North Development, located at the northeast corner of Olive Boulevard and CityPlace Drive.**

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Mayor Dielmann stated that will only be about ½ mile to a mile in a subdivision (Mosley and Spoede).

Council Member Kassander asked what types of electrical requirements will be needed to power these access points? If there is a user out in the park with a laptop will that customer need to purchase a card from you to use the service?

Mr. O'Neal stated they are powered over the Ethernet and they have agreements with Ameren and Network 1 provides a kit for in-home users that don't come equipped with wireless, so no cards will need to be purchased.

Carl Lumley stated before the final reading staff will be working with the company to actually fill in the implementation schedule. They didn't know what to put in until they found out how quickly the City was going to act on this.

Mark Perkins thanked Carl Lumley for all of his hard work on coordinating with other municipalities regarding this project.

Carl Lumley thanked Council Member Kassander for all of his assistance on certain items in the lease.

* Council Member Haddenhorst arrived in the Council Chambers at 8:14 p.m.

3. **Bill No. 5143 – An Ordinance to Authorize a Residential Designed Development (RDD) with accompanying Preliminary Subdivision Plat and Site Development Plan for the proposed Mosley Manor Subdivision, on 5.4 Acres of land Located south of Olive Blvd and east of Mosley Road. P & Z Application 07-039 Final Reading and Passage**

Clerk read Bill No. 5143 for the final time.

Council Member Kistner moved, seconded by Council Member Schupp to approve Bill No. 5143.

Council Member Wang recused himself from the discussion.

Carl Lumley stated with a Council Member recusing on a potential conflict of interest the Mayor is eligible to vote in their place.

Craig Shapiro resident of 676C Coeur de Royal reviewed the history of the application and the various changes that they have made over time. Discussed what the plan could have been with a straight C zoning versus the RDD plan that they have. Also reviewed the exterior materials of the building that will be on Lot 12 along with the landscaping plans for that lot.

Mark Perkins stated a change had been discussed involving moving the home located on Olive Blvd further west and asked if the plans that the Council currently has reflect the change?

Craig Shapiro stated no because the plans that Council current has are site plans.

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Bob Clark resident of 827 Renee Lane he is speaking on behalf of the adjoining subdivision and indicated that Mr. Shapiro has done a great job of working with the residents and getting away from a plan that concerned them and they approve the project.

Council Member Kassander asked if he was a trustee allowed to speak on behalf of the residents?

Bob Clark stated his wife is a trustee but she was unable to attend this evening because she is at a school board meeting and the neighbors asked for him to come and speak on their behalf.

Council Member Kistner commended Mr. Shapiro and his partners for working together to come to an agreeable plan.

Council Member Bryant echoed Council Member Kistner's comments and stated that if every project worked together like this then the Council meetings would be much shorter.

Council Member Schupp stated the difference between the straight C zoning and what is before the council is the large residential looking building on Olive Blvd as opposed to the three lots. But calling it a home or house is misleading because it will never be a home or a house. Ten of the proposed houses are located on lots that meet the 75% requirement of the C zoning at 15,000 sq ft so the question is, is straight C zoning a possibility with the one big structure?

Craig Shapiro stated sure it is doable but the issue at hand is that the adjoining neighbors won't like it. With the RDD we were allowed to get a large lot area for the large home that will front Olive Blvd and provide additional green space. With straight C it is more economical for the developer and eliminates additional curb cuts on Olive.

Tim Meyer of Bolz Engineering stated the answer to the question is if the developer goes with straight C zoning then the court gets pushed much closer to the rear yards of the adjoining property owners. Grading will have to take place very close to the property line and we have indicated to the adjoining property owners an undisturbed eight (8) foot buffer.

Council Member Schupp asked where does the new road come out in relation to the driveway, directly west on Mosley from this proposed development that belongs to the Shaws?

Tim Meyer stated the street and the driveway are off set and the street has been moved up from the original plan.

Council Member Schupp asked about the retaining wall?

Tim Meyer stated in most parts the wall will be between 4 and 5 foot tall and on top of the wall there will be a 5 foot high wooden fence in attempt to buffer the headlights from cars driving on the court. As the wall continues south, towards the detention basin, it goes from an up wall to a down wall.

Council Member Schupp asked who's responsibility will it be to care for the retaining wall and fence?

Craig Shapiro indicated it will be the subdivision committee's responsibility.

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Council Member Schupp stated the sidewalk on the east side of Mosley is much needed but the question is that the sidewalk is just going to end. It seems on the plan that there is no room for a sidewalk and is anything ever going to happen to attach the current sidewalk to an additional sidewalks?

Mark Perkins stated there are not plans to do that but certainly if the property on the corner were to come in for a project that would give us an opportunity to extend the sidewalk up to Olive. Going south there are no plans.

Mayor Dielmann asked wouldn't it be beneficial to put money in escrow for a sidewalk?

Mark Perkins stated rather than escrow we could require a contribution to be used in another part of the City.

Mike Gartenberg of 10330 Old Olive Street stated a possible suggestion would be that the subdivision indentures include some language that requires the subdivision to fulfill that requirement should the City require that in the future.

Council Member Kistner stated she would prefer that this not be in the indentures because that when the time comes to execute a plan there would be 11 angry residents saying that they didn't have any idea.

Council Member Schupp asked what types of siding will be used?

Mark Perkins stated only vinyl is restricted.

Council Member Bryant stated she is in agreement with not having the sidewalk requirement in the indentures. If there is concern with the neighbor to the east with the proximity of the building is there any reason why the building couldn't be flipped on that lot?

Craig Shapiro stated the problem is the entrance would be very close to the entrance to the adjoining subdivision.

Council Member Schupp asked if staff has received the tree preservation plan?

Carl Lumley stated it is a condition of the ordinance.

Council Member Rhoades proposed an amendment to the ordinance in Section 1, item 1 to place the funds in escrow and remove installing a sidewalk.

Carl Lumley asked if Council would like for this is a directive or an option for the City?

Council Member Bryant stated recently there has been confusion on how to tap and allocate properly these long standing escrow accounts for sidewalks.

Mark Perkins stated as long as the City has the funds to adequately construct the sidewalks.

Carl Lumley suggested the language, "the applicant shall contribute to the City's sidewalk fund the cost of dedicating a 10 foot wide strip of right-of way along the entirety along Mosley Road frontage of the property and installation within this area of a 5 foot wide sidewalk as per the City of Creve Coeur requirements."

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Council Member Bryant stated as an example a few years ago when her subdivision was built and in St. Louis County but there were these fairly new subdivision that built sidewalks that went nowhere. But then growth/development began along these areas and all of the sidewalks eventually connected. We may be inclined to say today that, that sidewalk goes nowhere but bringing the responsibility to the people after they purchased these homes, that is not fair. This should be figured out now.

Council Member Haddenhorst stated he concurs with Council Member Bryant and in terms of money being dedicated for sidewalks, who knows where, as opposed to having it escrowed or built it today which is what he is in favor of.

Council Member Kassander stated it is a mistake not to build it now and keeping track of the money and building it later is an issue.

Mark Perkins stated staff would prefer to build it now.

Mayor Dielmann called for the vote on the approval of Bill No. 5143, with the vote upon such motion being as follows, to-wit:

Council Member Schupp – Aye
Council Member Kistner – Aye
Council Member Rhoades – Aye
Council Member Kreuter – Aye
Council Member Bryant – Aye
Council Member Kassander – Aye
Council Member Haddenhorst – Aye
Mayor Dielmann – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5143 becomes Ordinance No. 5035.

APPOINTMENTS

13. Appointment of Third (3rd) Member of Nominating Committee for Power Outage Task Force Chairperson.

Council Member Kistner moved, seconded by Council Member Bryant to Nominate Council Member Schupp for the Power Outage Task Force Chairperson Nominating Committee, with the vote upon such motion being as follows, to-wit:

Council Member Haddenhorst – Aye
Council Member Kassander – Aye
Council Member Bryant – Aye
Council Member Kreuter – Aye
Council Member Rhoades – Aye
Council Member Wang – Aye
Council Member Kistner – Aye
Council Member Schupp – Aye

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

14. Election of President of the City Council

AN ORDINANCE TO AUTHORIZE A RESIDENTIAL DESIGNED DEVELOPMENT (RDD) WITH ACCOMPANYING PRELIMINARY SUBDIVISION PLAT AND SITE DEVELOPMENT PLAN FOR THE PROPOSED MOSLEY MANOR SUBDIVISION, ON 5.4 ACRES OF LAND LOCATED SOUTH OF OLIVE BOULEVARD AND EAST OF MOSLEY ROAD.

WHEREAS, C.S. Properties, L.L.C., has submitted an application for a residential designed development (RDD) on 5.4 acres of land located south of Olive Boulevard and east of Mosley Road, currently addressed as 828, 834, 842 N. Mosley Road & 11224 Olive Boulevard, zoned "C" Single Family Residential District, and

WHEREAS, in accordance with Sections 26-32, 26-50.3, and 26-115 of the Zoning Ordinance, the applicant has submitted a Site Development Plan and Preliminary Plat to the Department of Planning for the Mosley Manor subdivision, including 12 lots on the 5.4 acre tract, and

WHEREAS, On March 17, 2008, the Planning and Zoning Commission reviewed the RDD request and accompanying Preliminary Plat and by 4-0 vote recommended approval thereof on the condition that the property be developed in accordance with the Site Development Plan/Preliminary Plat, received March 11, 2008, by the Department of Planning or as further revised as required by the City of Creve Coeur and on other conditions, and

WHEREAS, all persons who presented themselves and desiring to be heard 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 City 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 Residential Designed Development proposal, as submitted on March 11, 2008, is consistent with good planning practice, consistent with good site landscape planning, is not detrimental to the existing and permitted uses in the surrounding area, is deemed desirable to provide the purpose of Section 26-50.3 of the Zoning Code and is in accordance with the criteria of Section 26-50.3(a)(1-4) of the Zoning Code regarding minimum project area, gross acreage, yards, and site and building coverage.

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

SECTION 1: A residential designed development permit is hereby granted for the Mosley Manor Subdivision, approximately 5.4 acres of land located south of Olive Boulevard and east of Mosley Road and legally described as follows: A tract of land being lots 1, 2, and 3 of "Kraemer Acres" and part of U.S. survey 1962 and Fractional Section 2, Township 45 North, Range 5 East, City of Creve Coeur, St. Louis County, Missouri. The Site Development Plan and Preliminary Plat are also approved. As per Sections 26-30, 26-50.3 and 26-115 of the Zoning Ordinance, the approvals of said residential designed development request, Site Development and Preliminary Plat are subject to the property being developed in accordance to the Site Development Plan/Preliminary Plat, received March 11, 2008, by the Department of Planning or as further revised as required and approved by the City of Creve Coeur, and are further subject to the following conditions:

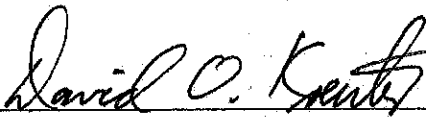
1. The applicant shall dedicate a 10-foot wide strip of right-of-way along the entirety of the Mosley Road frontage of the property. Within this area, the applicant shall install a five (5) foot wide sidewalk, as per City of Creve Coeur requirements.
2. The applicant shall submit a Final Subdivision Plat for review and approval by the City of Creve Coeur as directed by section 22A-15 of the Subdivision Ordinance.

3. The applicant shall submit Subdivision Improvement Plans for review and approval by the City of Creve Coeur as directed by section 22A-14 of the Subdivision Ordinance. Such plans shall include elevation views and detail specs for all proposed fencing and walls.
4. The applicant shall protect no less than 28.5% of the natural tree cover area and provide a plan for such on a Tree Preservation Plan for review and approval by the City of Creve Coeur with the submission of Subdivision Improvement Plans, as directed by Section 22A-32 of the Subdivision Ordinance.
5. The applicant shall not disturb an 8-foot wide band of vegetation along the east and south boundaries of the property, as indicated on the plans received by the Department of Planning on March 11, 2008.
6. The applicant shall provide copies of the Subdivision Indentures and the Deed Restriction for the eight foot buffer strip to the City Attorney for review, approval and recording prior to issuance of occupancy permits.
7. The applicant shall submit a Final Landscape Plan with submission of the Subdivision Improvement Plans for review and approval by the City of Creve Coeur, as per Section 26-62 of the Zoning Ordinance. The plan shall include street trees and necessary buffers, including evergreen tree planting of a minimum 12' height spaced evenly within the eight foot buffer strip located along the southern and eastern boundaries or as directed by the City of Creve Coeur.
8. Individual homes shall not be constructed with more than 10% vinyl siding.
9. The elevations drawings for Lot 12 shall be clearly labeled as such.
10. General Notes #7, #8, and #9 on the plan reviewed by the Planning and Zoning Commission are not approved at this time.
11. All plans, drawings and subsequent permit applications shall be in conformance with the City of Creve Coeur Code of Ordinances, except as modified by the conditions approved by City Council in reference to project number 07-039.

SECTION 2: As set forth in Section 26-115 of the Zoning Ordinance of the City of Creve Coeur, Site Development Plans approved by the City of Creve Coeur shall be valid for a period of up to one (1) year from the date it is approved. After one year, a Site Development Plan will no longer be valid unless an extension is granted. The City of Creve Coeur may grant one, one (1) year extension prior to the expiration of the Site Development Plan upon written request of the applicant submitted to the City at least 180 days prior to the expiration date and granted prior to the expiration date.

SECTION 3: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

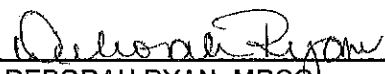
ADOPTED THIS 28 DAY OF April, 2008


DAVID KREUTER
PRESIDENT OF CITY COUNCIL

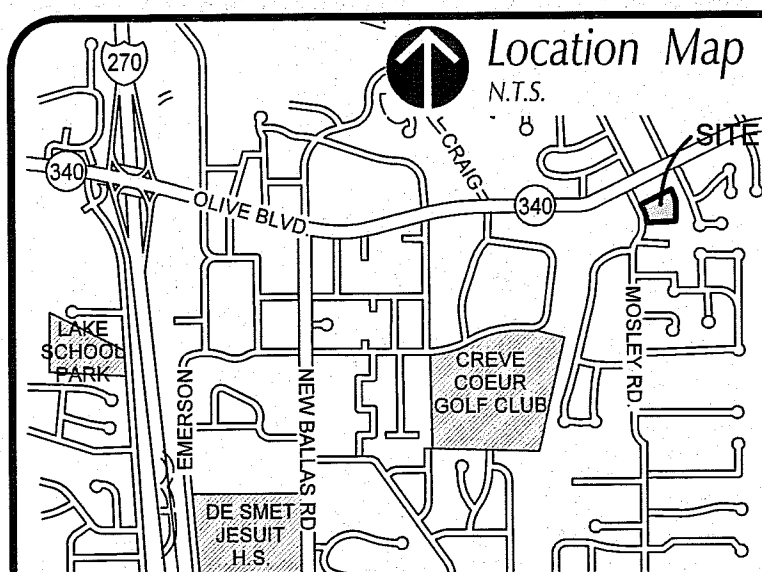
APPROVED THIS 28 DAY OF April, 2008


HAROLD DIELMANN
MAYOR

ATTEST:


DEBORAH RYAN, MRCC
CITY CLERK





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

Typical Lot

30' REAR YARD SOUTH LOTS	22.5' REAR YARD NORTH LOTS
10,500 sf MINIMUM INDIVIDUALLY	11,760 SF +/- AVG FOR ALL 10 LOTS
9' SIDE YARD	9' SIDE YARD
20' BUILDING LINE	60' MINIMUM
50' ROW	5' SIDEWALK (typ.)
28' P.V.M.T.	

TOTAL SITE AREA	4.0 ACRES = (174,327 SF)
AVERAGE LOT SIZE	11,760 SF
AVERAGE LOT IMPERVIOUS AREA	5,000 SF
AVERAGE LOT COVERAGE	5,000 SF 43% MAXIMUM LOT COVERAGE
TOTAL SITE COVERAGE	11,760 SF
AVERAGE LOT IMPERVIOUS AREA	5,000 SF X 10 LOTS = 50,000 SF
PAVEMENT & WALK IMPERVIOUS AREA	19,587 SF
TOTAL IMPERVIOUS AREA	69,587 SF
TOTAL SITE COVERAGE	69,587 SF 40 % TOTAL SITE COVERAGE
	174,327 SF

PROPERTY DESCRIPTION - 4 ACRE TRACT

A TRACT OF LAND BEING LOT 3 AND PART OF LOTS 1 AND 2 OF "KRAEMER ACRES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 87, PAGE 20 OF THE ST. LOUIS COUNTY RECORDS AND PART OF U.S. SURVEY 1962 AND FRACTIONAL SECTION 2, TOWNSHIP 45 NORTH, RANGE 5 EAST, IN THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

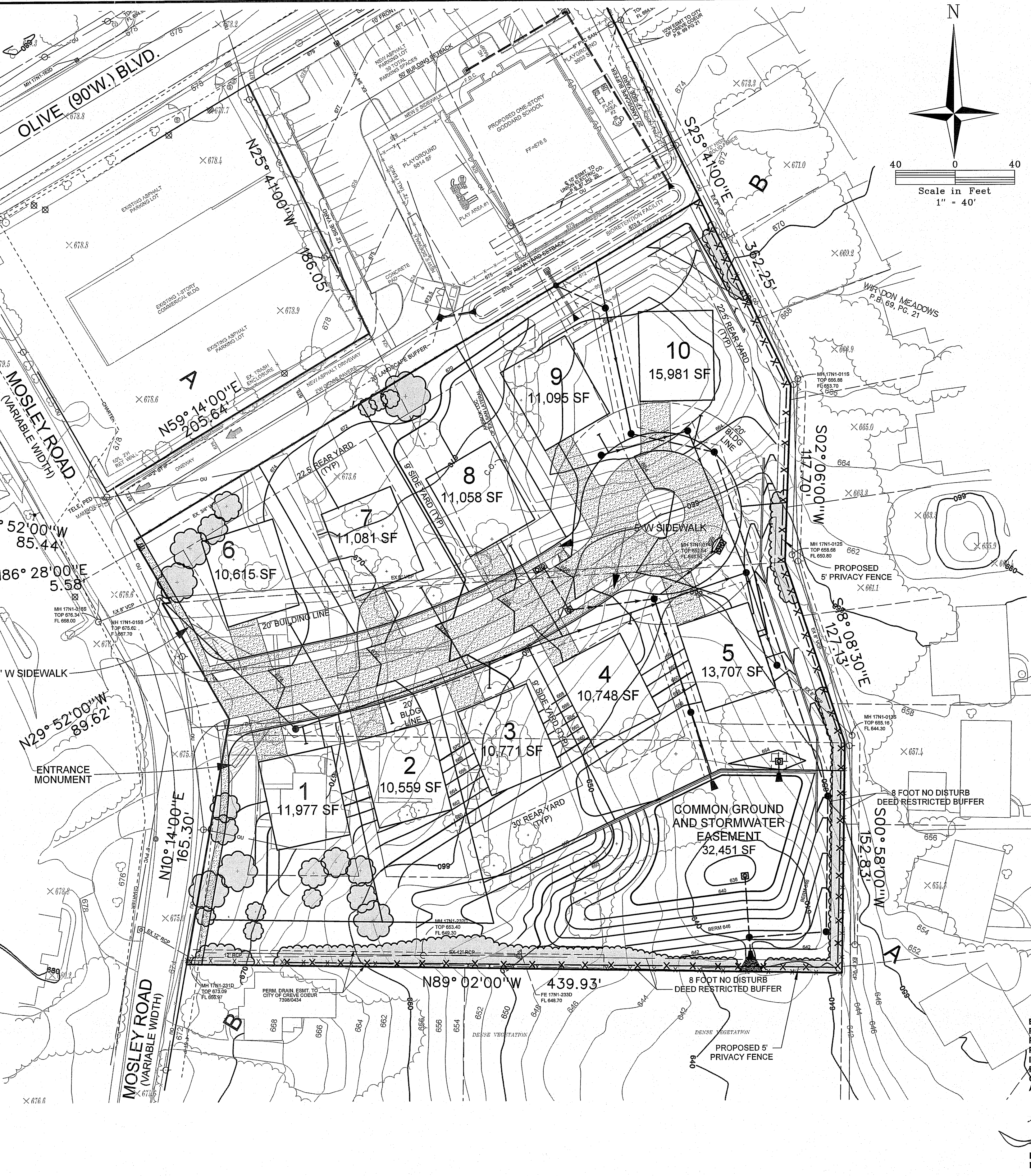
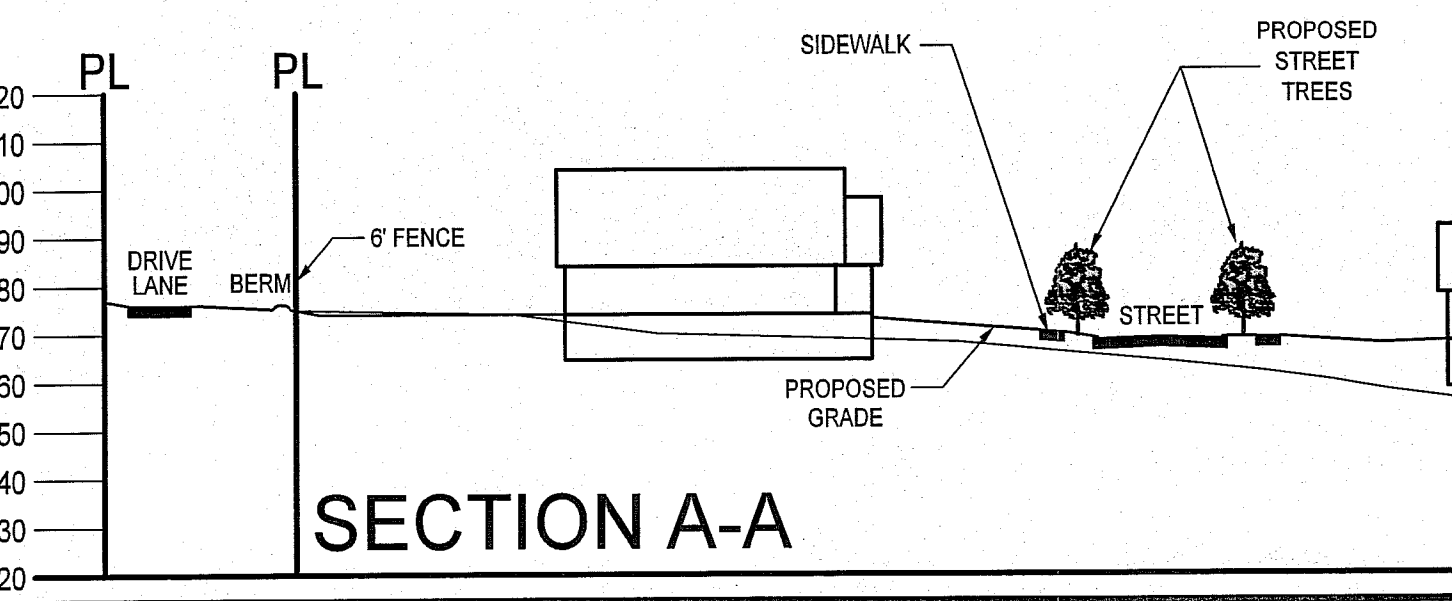
BEGINNING AT A POINT ON THE SOUTHEASTERN RIGHT-OF-WAY LINE OF OLIVE STREET ROAD, 90 FEET WIDE, AT ITS INTERSECTION WITH THE WESTERN LINE OF LOT 1 OF "WIR-DON MEADOWS", A SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 69, PAGE 21 OF THE ST. LOUIS COUNTY RECORDS, THENCE SOUTHWARDLY, ALONG THE WESTERN LINE OF SAID LOT 1 AND THE WESTERN LINE OF LOTS 2 THROUGH 10 OF SAID WIR-DON MEADOWS, SOUTH 25 DEGREES 41 MINUTES 00 SECONDS EAST 362.25 FEET TO A POINT; THENCE SOUTH 02 DEGREES 06 MINUTES 00 SECONDS WEST 117.70 FEET TO A POINT; THENCE SOUTH 18 DEGREES 08 MINUTES 30 SECONDS EAST 127.13 FEET TO A POINT; THENCE SOUTH 00 DEGREES 58 MINUTES 00 SECONDS WEST 152.83 FEET TO THE SOUTHEASTERN CORNER OF PROPERTY CONVEYED TO DANIEL T. AND DIANE R. SIMS BY DEED RECORDED IN DEED BOOK 12704, PAGE 2168, OF THE ST. LOUIS COUNTY RECORDS; THENCE WESTWARDLY, ALONG THE SOUTHERN LINE THEREOF, NORTH 89 DEGREES 02 MINUTES 00 SECONDS WEST 439.93 FEET TO ITS INTERSECTION WITH THE EASTERN RIGHT-OF-WAY LINE OF MOSLEY ROAD, VARIABLE WIDTH; THENCE NORTHWARDLY, ALONG THE EASTERN RIGHT-OF-WAY LINE OF SAID MOSLEY ROAD, NORTH 10 DEGREES 14 MINUTES 00 SECONDS WEST 165.30 FEET TO A POINT; THENCE NORTHWESTERLY, CONTINUING ALONG THE EASTERN RIGHT-OF-WAY LINE OF SAID MOSLEY ROAD, NORTH 29 DEGREES 52 MINUTES 00 SECONDS WEST 89.62 FEET TO A POINT; THENCE NORTH 86 DEGREES 28 MINUTES 00 SECONDS EAST 5.58 FEET TO THE MOST SOUTHERN CORNER OF SAID LOT 3 OF KRAEMER ACRES, AS AFOREMENTIONED; THENCE NORTHWESTERLY, ALONG THE SOUTHWESTERN LINE OF SAID LOT 2; NORTH 25 DEGREES 41 MINUTES 00 SECONDS WEST 166.06 FEET TO A POINT IN THE AFORESAID SOUTHEASTERN RIGHT-OF-WAY LINE OF OLIVE STREET ROAD, AS AFOREMENTIONED; THENCE NORTHEASTERLY, ALONG THE SOUTHEASTERN RIGHT-OF-WAY LINE THEREOF, NORTH 59 DEGREES 17 MINUTES 00 SECONDS EAST 5.400 ACRES, MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING:

A TRACT OF LAND BEING PART OF LOTS 1, 2 AND 3 OF "KRAEMER ACRES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 87 PAGE 20 OF THE ST. LOUIS COUNTY RECORDS, IN U.S. SURVEY 1962, TOWNSHIP 45 NORTH - RANGE 5 EAST, CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEAST RIGHT-OF-WAY LINE OF OLIVE STREET ROAD, 90 FEET WIDE, AND THE WEST LINE OF LOT 1 OF "WIR-DON MEADOWS", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 69 PAGE 21 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTHWARDLY ALONG SAID WEST LINE OF LOT 1 AND THE WEST LINE OF LOTS 2 AND 3 OF SAID "WIR-DON MEADOWS" SOUTH 25 DEGREES 41 MINUTES 00 SECONDS EAST 222.98 FEET TO A POINT; THENCE SOUTH 59 DEGREES 14 MINUTES 00 SECONDS WEST 442.97 FEET TO A POINT IN THE EAST LINE OF MOSLEY ROAD, VARIABLE WIDTH; THENCE NORTHWARDLY ALONG SAID EAST LINE OF MOSLEY ROAD, VARIABLE WIDTH, NORTH 29 DEGREES 52 MINUTES 00 SECONDS WEST 37.00 FEET TO THE WESTERNMOST CORNER OF AFORESAID LOT 3 OF "KRAEMER ACRES"; THENCE NORTHEASTWARDLY ALONG THE NORTHWEST LINE OF SAID LOT 3 NORTH 59 DEGREES 14 MINUTES 00 SECONDS EAST 205.64 FEET TO A POINT IN THE WEST LINE OF AFORESAID LOT 2 OF "KRAEMER ACRES"; THENCE NORTHWARDLY ALONG SAID WEST LINE OF LOT 2 NORTH 25 DEGREES 41 MINUTES 00 SECONDS WEST 166.06 FEET TO A POINT IN THE AFORESAID SOUTHEASTERN RIGHT-OF-WAY LINE OF OLIVE STREET ROAD; THENCE NORTHEASTWARDLY ALONG SAID SOUTHEASTERN RIGHT-OF-WAY LINE NORTH 59 DEGREES 17 MINUTES 00 SECONDS EAST 240.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.388 ACRES ACCORDING TO A SURVEY BY VOLZ INCORPORATED.

THE ABOVE-DESCRIBED PROPERTY CONTAINS 4.002 ACRES ACCORDING TO CALCULATIONS BY VOLZ INCORPORATED ON SEPTEMBER 21, 2012.



PROJECT NOTES:	
LOCATOR NUMBERS AND ADDRESSES:	17N 51 0654 - 842 N. MOSLEY ROAD 17N 51 0289 - 834 N. MOSLEY ROAD 17N 51 0182 - 828 N. MOSLEY ROAD
OWNER OF RECORD:	DANIEL T. & DIANE R. SIMS 12564 CLARK MANOR CIRCLE, ST. LOUIS, MISSOURI 63141
PREPARED BY:	VOLZ INCORPORATED 10849 INDIAN HEAD IND'L BLVD. ST. LOUIS, MISSOURI 63132
PREPARED FOR:	BENTON HOMEBUILDERS 1000 EXECUTIVE PARKWAY, SUITE 106, ST. LOUIS, MO 63141
AREA OF SITE:	4.0 ACRES
EXISTING ZONING:	C - SINGLE FAMILY RESIDENTIAL DISTRICT
PROPOSED ZONING:	C - RDD (RESIDENTIAL DESIGN DEVELOPMENT PROCEDURE)
PROPOSED USES:	RESIDENTIAL
DENSITY CALCULATIONS:	AREA OF SITE: 174,314 S.F. R.O.W.: 24,263 S.F. NET AREA: 150,051 S.F.
	150,051 S.F. (NET AREA) 10 LOTS (10 LOTS PROPOSED) 15,000 S.F.
STORMWATER MANAGEMENT CALCULATIONS:	TOTAL ACRES: 4.0 ACRES EXISTING IMPERVIOUS: +/- 14% = 1.87 PI PROPOSED IMPERVIOUS: +/- 35% = 2.28 PI DIFFERENTIAL RUNOFF: 4.0 ACRES (2.28 - 1.87) = 1.64 CFS
	WATER QUALITY (WQV): SITE DISTURBANCE = 3.5 ACRES REQUIRED DUE TO MORE THAN 1.0 ACRE CHANNEL PROT. (CPV): SITE LESS THAN 5 ACRES - NOT REQUIRED FLOOD PROTECTION (GP): DIFFERENTIAL RUNOFF OF 1.64 CFS IS LESS THAN 2.0 CFS - NOT REQUIRED
PARKING CALCULATIONS:	2 SPACES PER LOT AT 10 LOTS = 20 SPACES
GREEN SPACE:	AREA OF SITE: 4.0 ACRES = 174,314 S.F. IMPERVIOUS AREA: 1.40 ACRES = 60,984 S.F. GREEN SPACE: 2.60 ACRES = 113,330 S.F.
	113,330 S.F. 174,314 S.F. = 65% GREEN SPACE
AVERAGE UNIT SIZE:	2500 S.F. TO 3500 S.F.
AVERAGE LOT SIZE:	117,600 S.F. / 10 LOTS = 11,760 S.F.
TREE PRESERVATION:	EX. TREES MASS 0.696 ACRES = 25,973 S.F. 25,973 S.F. X 0.25 = 6,493 S.F. REQUIRED TO REMAIN PROPOSED TREE MASS TO REMAIN = 8,349 S.F. (32%) INDIVIDUAL 8" TREES EXISTING = 83 TREES 83 X 0.25 = 21 TREES ARE REQUIRED TO REMAIN PROPOSED INDIVIDUAL TREES TO REMAIN = 21 TREES
BENCHMARK:	ST. LOUIS COUNTY BENCHMARK 13-197, "LY" ON SIDEWALK AT THE NORTHWESTERN CORNER OF A ONE STORY BRICK BUILDING 70' EAST OF MOSLEY ROAD AND 100' SOUTH OF OLIVE STREET ROAD. ELEVATION = 679.36" (NGVD '29)

GENERAL NOTES:

- SANITARY SEWER CONNECTIONS SHALL BE AS APPROVED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT.
- STORMWATER MANAGEMENT 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) : 1 (VERTICAL), UNLESS SUPPORTED BY GEOTECHNICAL REPORT AND APPROVED BY THE CITY OF CREVE COEUR STANDARDS.
- SETBACKS FOR RDD REQUIREMENTS TAKE PRECEDENCE OVER "SPECIAL USE" SETBACK REQUIREMENTS.
- 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.

DISTRICTS:

METROPOLITAN ST. LOUIS SEWER DISTRICT
CREVE COEUR FIRE PROTECTION DISTRICT
PARKWAY SCHOOL DISTRICT
CREVE COEUR CREEK WATERSHED

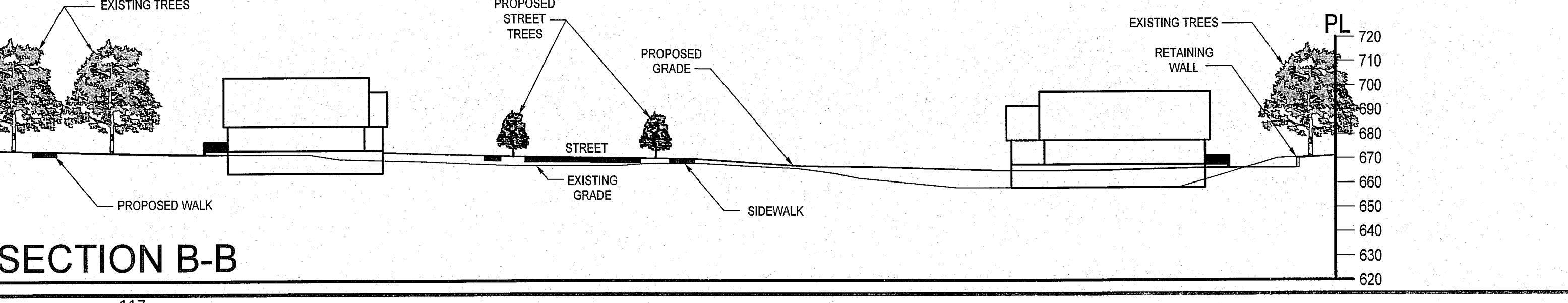
UTILITY SERVICE AREAS:

AMEREN UE
LACLEDE GAS COMPANY
MISSOURI AMERICAN WATER COMPANY
CHARTER COMMUNICATIONS (CABLE TV)
AT&T TELEPHONE COMPANY

BY ORDER OF BENTON HOMEBUILDERS, 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 COMMENTS, RECOMMENDATIONS OR REVISIONS AS MAY BE DEEMED NECESSARY OR APPROPRIATE IN FURTHERANCE OF SUCH PURPOSES.

TIMOTHY J. MEYER
PROFESSIONAL ENGINEER
PE-24665
ERIC J. KIRBY, P.L.S.
Professional Land Surveyor
MO P.L.S. #2005000074

SECTION B-B



Benton Homebuilders
1000 Executive Parkway
Suite 106
St. Louis, MO 63141
314-336-5555

ENGINEERS
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONST. MANAGEMENT

VOLZ
INCORPORATED
10849 Indian Head Trct, Blvd.
St. Louis, MO 63132
314-426-6212 Main
314-890-1250 Fax
www.volzinc.com

VILLAS AT MOSLEY

SITE DEVELOPMENT PLAN/
PRELIMINARY PLAT
10-15-2012 CITY COMMENTS
12-12-2012 REVISED
11166-0
1
REVISIONS



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 #12-033 FOR APPROVAL FOR THE PRELIMINARY PLAT FOR VILLAS AT MOSLEY WITH RESIDENTIAL DESIGN DEVELOPMENT DESIGNATION

FOR THE MEETING OF: December 17, 2012

LOCATION: 842, 834 and 828 Mosley Road

REQUEST: William Levinson, of Benton Homebuilders, has submitted an application for the preliminary plat approval for the subdivision of four acres that is part of 842, 834, and 828 Mosley Road. The proposal includes the development of ten single family homes with a "RDD" Residential Design Development designation.

ADDITIONAL INFORMATION: Residential Design Development designation allows for greater flexibility in the size and configuration of lots without altering the allowable residential density. The properties are zoned "C" Single Family Residential. The applicants have revised the Site Development Plan to increase the lot size to a minimum of 10,559 sq. ft. and an average lot size of 11,760 sq. ft.

APPLICANTS: William Levinson
Benton Homebuilders
1000 Executive Parkway, Suite 106
Saint Louis, MO 63141

OWNER: Benton Homebuilders
1000 Executive Parkway,
Suite 106
Saint Louis, MO 63141

Key Issues:

- Do the lots substantially meet all land development standards of this Chapter and those of any other applicable City regulations?

Subdivision Code References

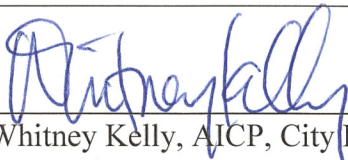
- Chapter 410: Subdivision and Development of Land

Zoning Code References

- Section 405.270: "C" Single Family Residential
- Section 405.450.C: Residential Designed Development Procedure



REPORT PREPARED BY:

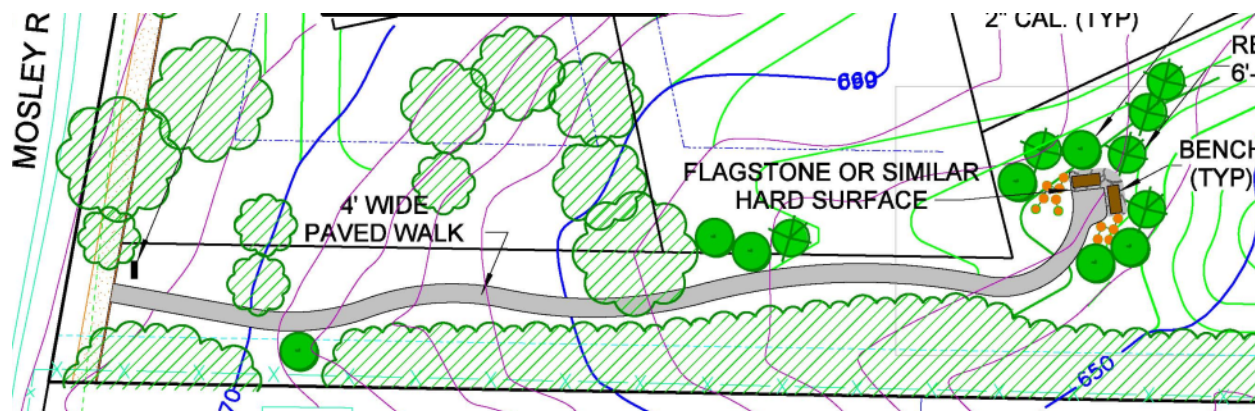

Whitney Kelly, AICP, City Planner


Date

ATTACHMENTS: Draft Ordinance
Applicant's revised Materials received December 5, 2012
Public Comment received by December 14, 2012
November 19, 2012 Staff Report

UPDATED INFORMATION

The applicant has submitted a site development plan revising the lot layouts with 20 foot front yards, nine-foot side yards, and 22.5-foot rear yards, while maintaining 10 lots. The lot sizes have been increased to a lot minimum of 10,559 with an average lot size of 11,760 square feet. The Landscape Plan has been revised to include street trees along the new cul-de-sac road. The common ground has been increased to 32,451 sq. ft.(or 0.74 acre) to include a walking path and reading garden area next to the landscaped, stormwater basin as a public benefit.



LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Retail strip center and Future Goddard School	"GC" General Commercial	NA
South	Single-family detached residences	"C" Single-family Residential	N/A
East	Single-family detached residences	"C" Single-family Residential	N/A
West	Office building and single-family detached residences	"CB" Core Business and "B" Single-family Residential	Mosley Rd.

DEVELOPMENT STATISTICS & COMPARISON CHART

The following are statistics for subdivisions that are adjacent to the proposed Mosley Manor subdivision:

	Villas at Mosley	Fairways (zoned "B")	Wir-Don Meadows	Generic "C" Zoning District
Acres	4 ac.	18 ac. (approx.)	18 ac. (approx.)	varies
Area of proposed ROW	24,263 sq. ft.	0	0	NA
Net area	150,051sq. ft.			
No. of Units	10 d.u.	29 d.u.	41 d.u.	varies
Units / Acre (excluding ROW)	2.9	1.6 (approx.)	2.3 (approx.)	2.9
Lot Size (sq.ft.)	10,559 (min.) 11,760 average	20,000+	12,000+.	15,000 (min.)
Common Ground / Open	0.74 ac.	0	0	varies

Space				
Lot Frontage	60 ft. (min.)	120 ft. (min.)	50 ft. (min.) (excluding cul-de-sac lots; non-conforming)	75 ft. (min.)
Front Yard Setback	20 ft.	45 ft.	40 ft. (non-conforming)	45 ft.
Side Yard Setback	9 ft.	15 ft.	12 ft.	12 ft.
Rear Yard Setback	22.5 ft. (min.)	30 ft.	30 ft.	30 ft.
Yr. Platted	N/A	1958	1955	N/A

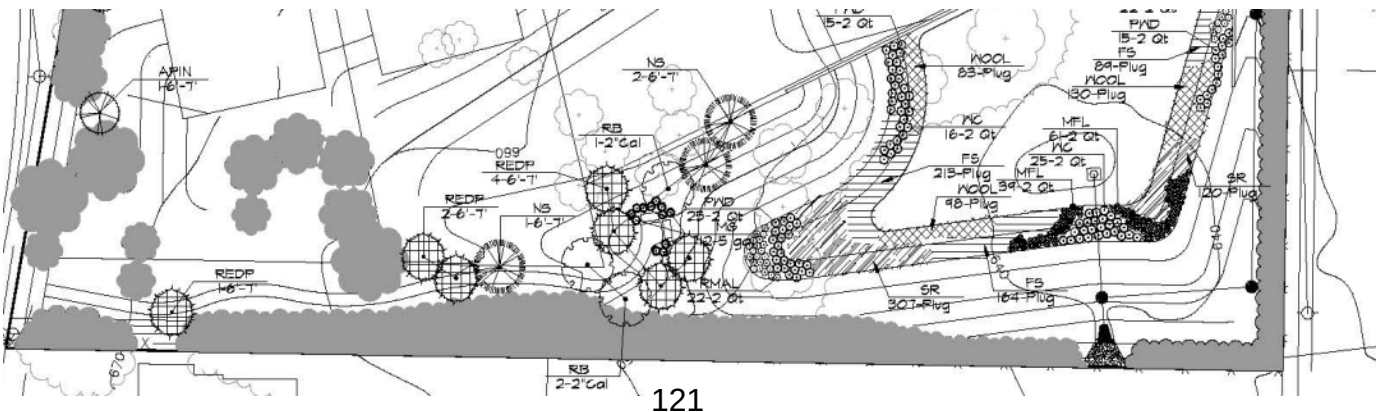
COMPREHENSIVE PLAN ANALYSIS

Goals and Strategies

Per the discussion in the Staff Report for November 19 P&Z Commission Meeting, the Comprehensive Plan includes recommendations to maintain the City's strong low-density residential image and character, and protect residential areas from encroachment of non-residential uses. This project would result in the development of several acres that are largely greenspace today and, are adjacent to an existing commercial district. If constructed, this project would clearly define the residential area along Mosley Road. It is common practice in land use planning to separate low-density residential development from commercial development with institutional land uses or medium to higher density residential uses with smaller lots. While the gross density will not be increased, the lot clustering allowed within an RDD overlay offers smaller lots. As such, this proposal represents a transitional land use that may not be the same as what is around it, but is an asset to those developments by effectively separating them from the commercial corridor.

Residential Neighborhoods

As identified in the Development Statistics and Comparison Chart above, the proposed lots in the plan range from 10,559 square feet to 15,981 square feet. The common ground area is 32,451 square feet (increased from 27,429 square feet). According to the Comprehensive Plan, the property should be developed with individual lots not smaller than 75% of the district regulations (11,250 square feet), and the remaining property set aside as open space. However seven of the 10 lots have a square footage of less than the recommended allowance. Given the shape of the property and the required size of the stormwater detention area, it may be economically difficult to follow the Comprehensive Plan because it will significantly reduce the yield. The applicants have proposed a new public benefit by creating a natural walking path along the south subdivision boundary that goes to the landscaped stormwater area and that will be open to the general public. This area creates an approximately 30-foot wide buffer at the southwest corner and 135-foot greenspace at the southeast corner, between the proposed development and those to the south. Below is a close-up of the landscape plan for the southern boundary:



In walking the site, there is evidence that the proposed location of the stormwater basin was once a pond and that the current water patterns flow to this area. The rehabilitation of this natural feature along with the proposed trail would provide a unique natural area for the surrounding community. However, Staff is aware that the neighbors directly to the south do not wish to have the walking path so close to their homes, and have suggested that the walking path extends from the new cul-de-sac between the homes instead. However, this would limit the public benefit of the feature. Further, the drawings indicate that the path would not meet with the American's with Disability Act (ADA) due to the slope of the grade, and any project approved by the City has to comply with access requirements.

Again, as stated in the prior discussion, the key question is whether or not the proposal serves as a valuable point of transition between the larger lot subdivisions and the commercial development along Olive Boulevard that is appropriate in its context and whether or not this makes it "compatible" with the residences around it.

The neighbors have also asked that the developer provide a wooden, sight proof fence along the southern boundary that would further separate the new development from the surrounding properties. A conditional to this effect has been added to the draft ordinance. The applicant has indicated on the drawings that a fence is existing, but as shown in the attached photos, it is open wire and virtually nonexistent.

ZONING ANALYSIS

The applicant has requested building setback requirements different from the "C" District regulations, and lot coverage and FAR requirements be applied over the entire development, rather than on individual lots. The maximum lot coverage will be 43%, with total site coverage for the development of 40%. This is permitted through the RDD procedure, as approved by the City Council and set out on the Preliminary Subdivision Plat.

The proposed subdivision is generally in keeping with the prior history and council actions on these properties. While Staff has questioned the reasoning for the "RDD" designation, the common area and stormwater facility does provide for a large amount of greenspace and greater public amenity to the surrounding community. The proposed path might add an amenity for the greater public, but creates a concern for the neighbors to the south. If the Commission believes that public space is needed to better justify the RDD, they should consider either allowing the path, or directing the applicant to amend the plan with the path in a different location or provide greenspace in place of a residential lot. In Staff's opinion, accepting the transition between the commercial development to the north and the lower residential density to the south as a sufficient public benefit, or the conversion of one lot to green space are the preferred outcomes. Staff doubts that any path location can meet ADA requirements.

ACTION

If the Planning and Zoning Commission finds that the proposed development meets with the requirements of the RDD and finds that the Preliminary Plat draft ordinance and site development plan are in substantial conformance with the purposes and regulations of the Comprehensive Plan, Zoning Code, and Subdivision Code, it may vote on a recommendation to the City Council.

Staff recommends that conditions of approval include the following, and are incorporated in the draft ordinance:

- A condition shall be included that individual homes shall not be constructed with more than 10% vinyl siding on all elevations. Other forms of siding, such as “Hardi-plank,” may be permissible with the Zoning Administrator’s approval.
- The Final Subdivision Plat shall be revised to indicate that approaches to intersections shall have a grade not exceeding three percent (3%) for a distance of not less than one hundred fifty (150) feet measured from the centerline of the intersecting street as required by Section 410.240.F.5.
- The applicant shall provide a six-foot high wooden fence along the southern and eastern boundaries of the development.
- The development of the trail shall be built to the recommended guidelines by the Americans with Disabilities Act and remain open to the public.
- Prior to issuance of any building permits, the applicant shall prepare and record the final subdivision plat as approved by the City Council and indentures requiring public access, maintenance, insurance, funding, maintenance of the stormwater basin, and common ground area, as approved by the City Attorney, as required by Section 410.310.

If not, the Commission Members should provide specific direction to the applicant regarding revisions needed and continue the item until the next meeting. Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

The following are examples of motions for this application:

- 1) “I move to recommend approval of the Preliminary Plat for the Villas at Mosley subdivision submitted with Application #12-033, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of December 17, 2012” (conditions may be added, eliminated, altered, and modified).
- 2) “I move to recommend approval of the Residential Designed Development for the Villas at Mosley subdivision submitted with Application #12-033, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of December 17, 2012” (conditions may be added, eliminated, altered, and modified).
- 3) “I move to recommend approval of the Site Development Plan for the Villas at Mosley subdivision submitted with Application #12-033, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of December 17, 2012” (conditions may be added, eliminated, altered, and modified).

APPENDIX 1: COMPREHENSIVE PLAN

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

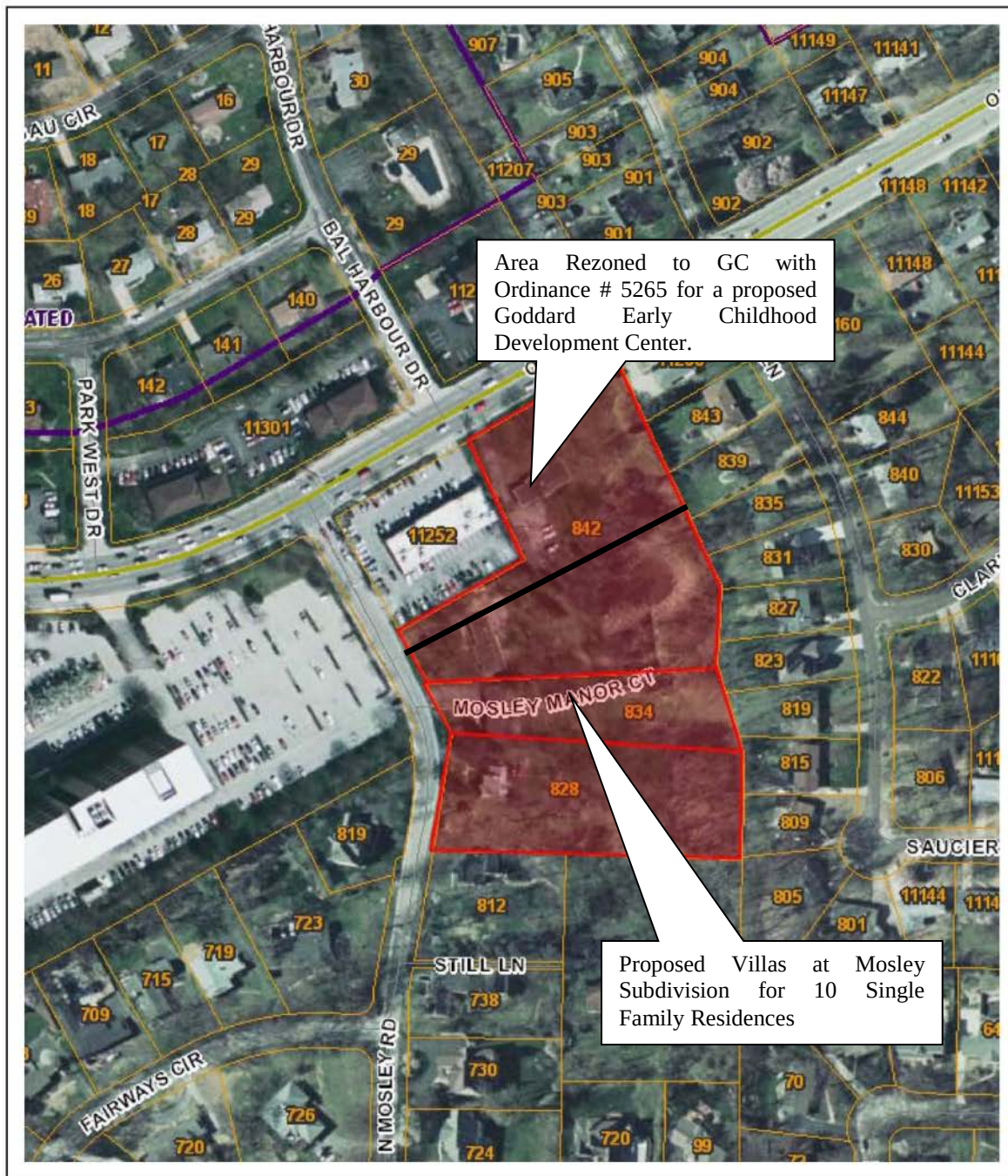
APPENDIX 2: ZONING CODE (CHAPTER 405 OF THE CREVE COEUR MUNICIPAL CODE)

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

APPENDIX 3: CREVE COEUR SUBDIVISION AND LAND DEVELOPMENT REGULATIONS (CHAPTER 410 OF THE CREVE COEUR MUNICIPAL CODE)

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

APPENDIX 4: AERIAL MAP



St. Louis County Property Viewer



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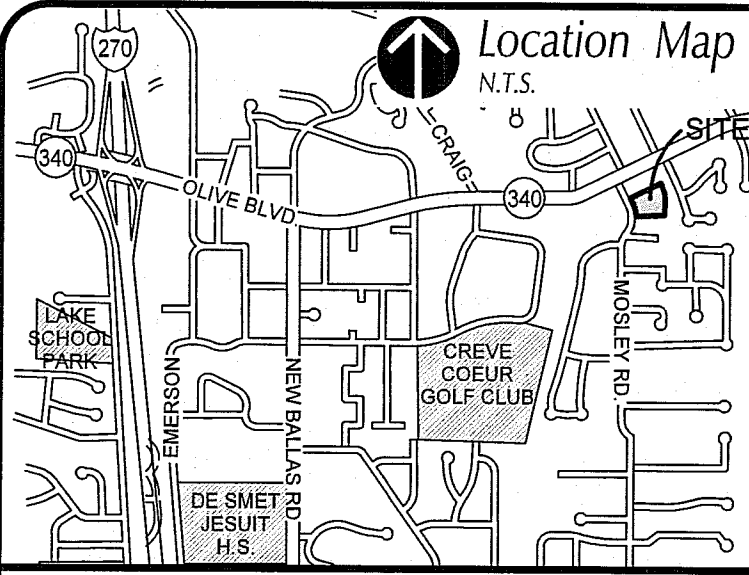
APPENDIX 4: SITE PHOTOGRAPHS	Photo Date: 12/15/2012
	Description: Picture of the existing fence along the southwest corner of the lot.
	Description: View of the area of the proposed location of the storm water that the current runoff flows and is naturally wet. The neighbor believes that it was once a pond, prior to the current development.
	Description: View of the property looking east at the house at 834 Mosley where the new road would be generally located.



Description: View area designated for the trail next to the residence at 812 Mosley Road.



Description: View of the existing basin that is located at the northeastern corner of the property.



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

Typical Lot		
9' SIDE YARD	10,500 sf MINIMUM INDIVIDUALLY	22.5' REAR YARD (TYPICAL)
9' SIDE YARD	11,760 SF +/- AVG FOR ALL 10 LOTS	9' SIDE YARD
20' BUILDING LINE		60' MINIMUM
50' ROW		5' SIDEWALK (typ.)
28' P.V.M.T.		

TOTAL SITE AREA	4.0 ACRES - (174,327 SF)
AVERAGE LOT SIZE	11,760 SF
AVERAGE LOT IMPERVIOUS AREA	5,000 SF
AVERAGE LOT COVERAGE	5,000 SF 43% MAXIMUM LOT COVERAGE
TOTAL SITE COVERAGE	
AVERAGE LOT IMPERVIOUS AREA	5,000 SF x 10 LOTS = 50,000 SF
PAVEMENT & WALK IMPERVIOUS AREA	19,587 SF
TOTAL IMPERVIOUS AREA	69,587 SF
TOTAL SITE COVERAGE	69,587 SF 40 % TOTAL SITE COVERAGE

PROPERTY DESCRIPTION - 4 ACRE TRACT

A TRACT OF LAND BEING LOT 3 AND PART OF LOTS 1 AND 2 OF "KRAEMER ACRES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 87, PAGE 20 OF THE ST. LOUIS COUNTY RECORDS AND PART OF U.S. SURVEY 1962 AND FRACTIONAL SECTION 2, TOWNSHIP 45 NORTH, RANGE 5 EAST, IN THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERN RIGHT-OF-WAY LINE OF OLIVE STREET ROAD, 90 FEET WIDE, AT ITS INTERSECTION WITH THE WESTERN LINE OF LOT 1 OF "WIR-DON MEADOWS" A SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 89, PAGE 21 OF THE ST. LOUIS COUNTY RECORDS, THENCE SOUTHWARDLY, ALONG THE WESTERN LINE OF SAID LOT 1 AND THE WESTERN LINE OF LOTS 2 THROUGH 10 OF SAID WIR-DON MEADOWS, SOUTH 25 DEGREES 41 MINUTES 00 SECONDS EAST 382.25 FEET TO A POINT; THENCE SOUTH 02 DEGREES 06 MINUTES 00 SECONDS WEST 117.70 FEET TO A POINT; THENCE SOUTH 18 DEGREES 08 MINUTES 30 SECONDS EAST 127.13 FEET TO A POINT; THENCE SOUTH 00 DEGREES 58 MINUTES 00 SECONDS WEST 152.83 FEET TO THE SOUTHEASTERN CORNER OF PROPERTY CONVEYED TO DANIEL T. AND DIANE R. SIMS BY DEED RECORDED IN DEED BOOK 12704, PAGE 2165, OF THE ST. LOUIS COUNTY RECORDS; THENCE WESTWARDLY, ALONG THE SOUTHERN LINE THEREOF, NORTH 89 DEGREES 02 MINUTES 00 SECONDS WEST 439.93 FEET TO ITS INTERSECTION WITH THE EASTERN RIGHT-OF-WAY LINE OF MOSLEY ROAD, VARIABLE WIDTH; THENCE NORTHWARDLY, ALONG THE EASTERN RIGHT-OF-WAY LINE THEREOF, NORTH 10 DEGREES 14 MINUTES 00 SECONDS EAST 165.30 FEET TO A POINT; THENCE NORTHWESTERLY, CONTINUING ALONG THE EASTERN RIGHT-OF-WAY LINE OF SAID MOSLEY ROAD, NORTH 29 DEGREES 52 MINUTES 00 SECONDS WEST 89.62 FEET TO A POINT; THENCE NORTH 86 DEGREES 28 MINUTES 00 SECONDS EAST 5.58 FEET TO THE MOST SOUTHERN CORNER OF SAID LOT 3 OF KRAEMER ACRES, AS AFOREMENTIONED; THENCE NORTHWESTERLY, CONTINUING ALONG THE EASTERN RIGHT-OF-WAY LINE OF SAID MOSLEY ROAD, NORTH 29 DEGREES 52 MINUTES 00 SECONDS WEST 186.05 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERN LINE OF SAID LOT 3; THENCE NORTHEASTERLY, ALONG THE NORTHWESTERN LINE OF SAID LOT 3, NORTH 59 DEGREES 14 MINUTES 00 SECONDS EAST 205.64 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERN LINE OF SAID LOT 2 OF KRAEMER ACRES, AS AFOREMENTIONED; THENCE NORTHWESTERLY, ALONG THE SOUTHWESTERN LINE OF SAID LOT 2, NORTH 25 DEGREES 41 MINUTES 00 SECONDS WEST 186.05 FEET TO ITS INTERSECTION WITH THE SOUTHEASTERN RIGHT-OF-WAY LINE OF OLIVE STREET ROAD, AS AFOREMENTIONED; THENCE NORTHEASTERLY, ALONG THE SOUTHEASTERN RIGHT-OF-WAY LINE THEREOF, NORTH 59 DEGREES 17 MINUTES 00 SECONDS EAST 5.400 ACRES, MORE OR LESS.

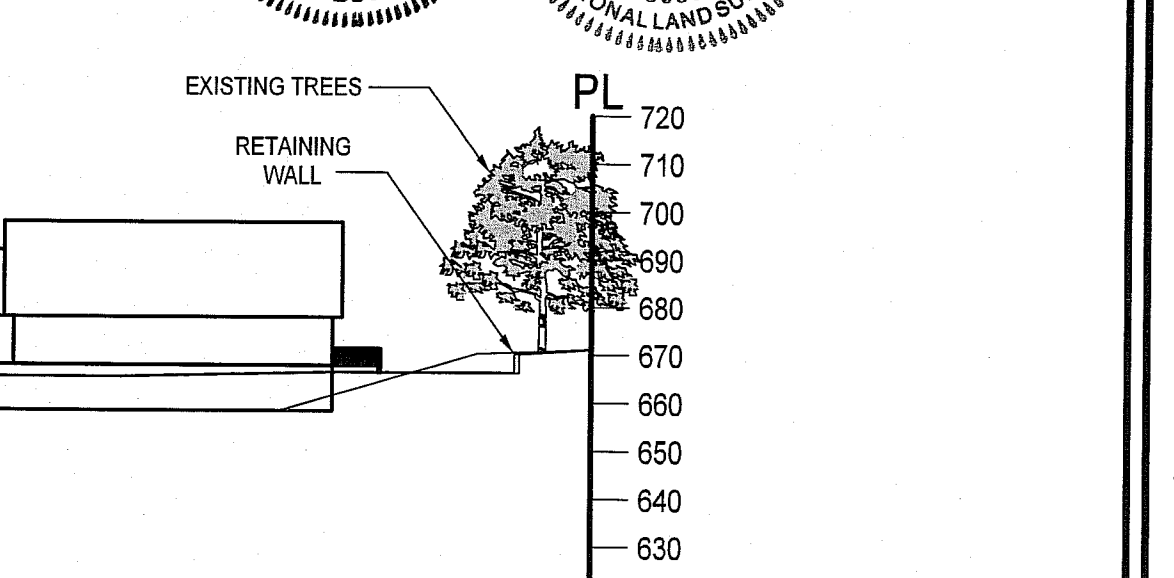
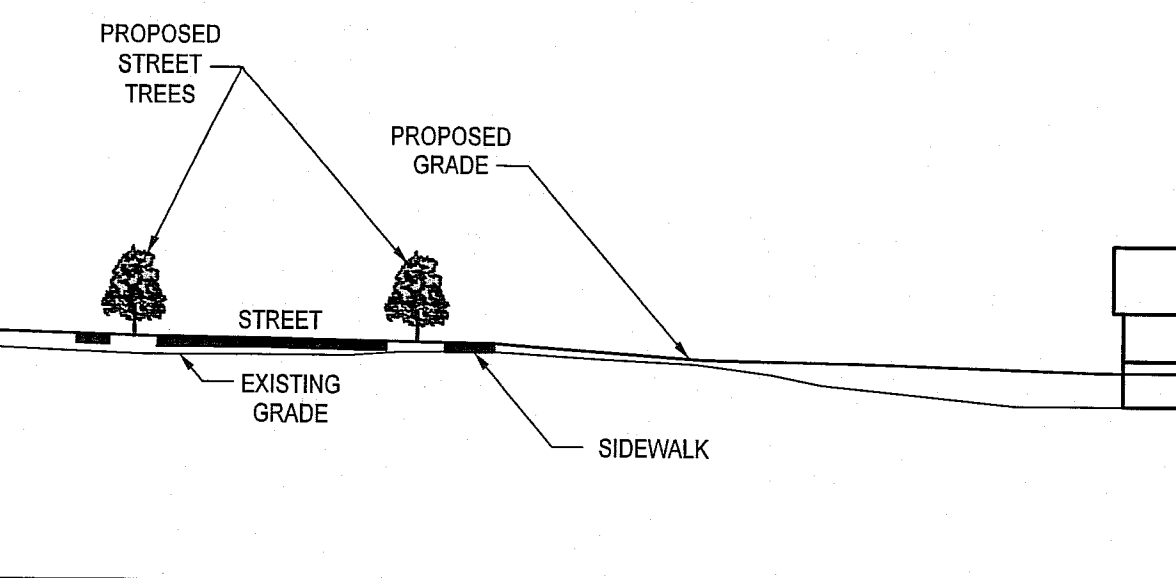
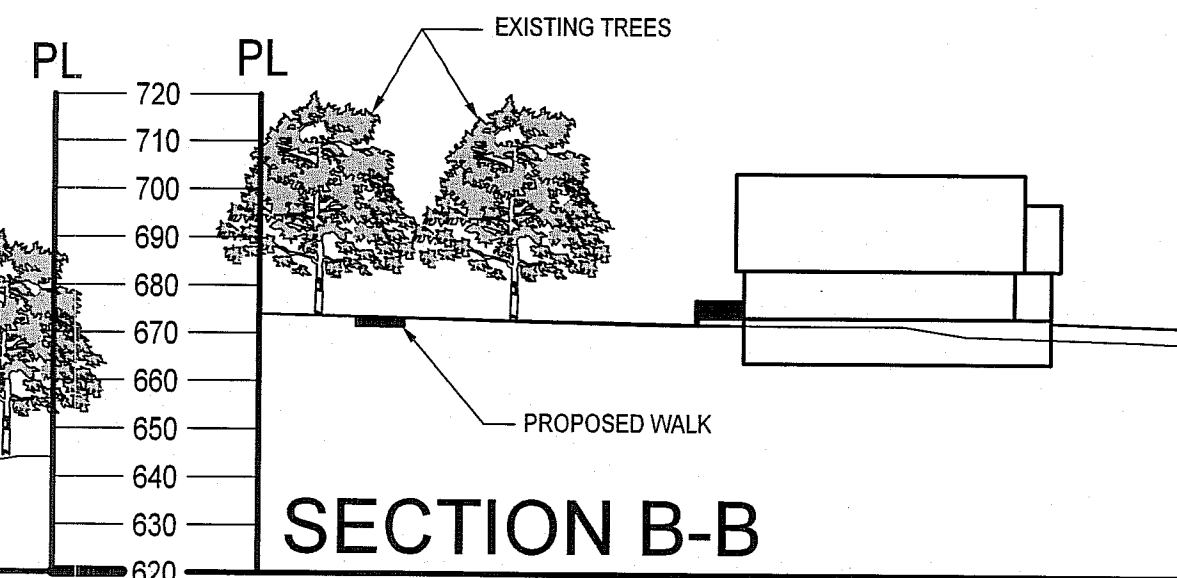
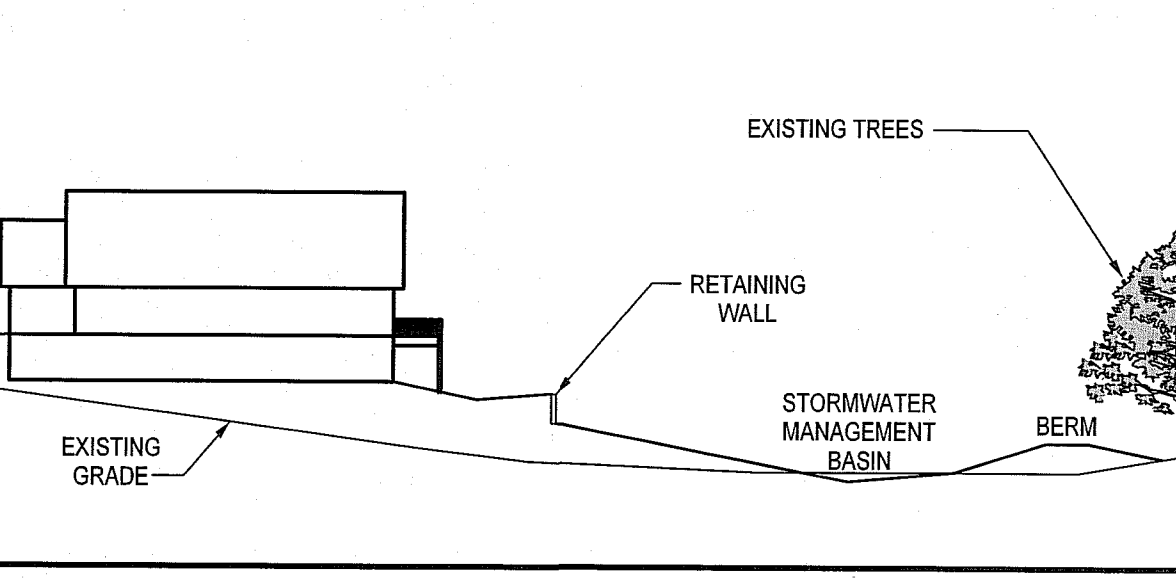
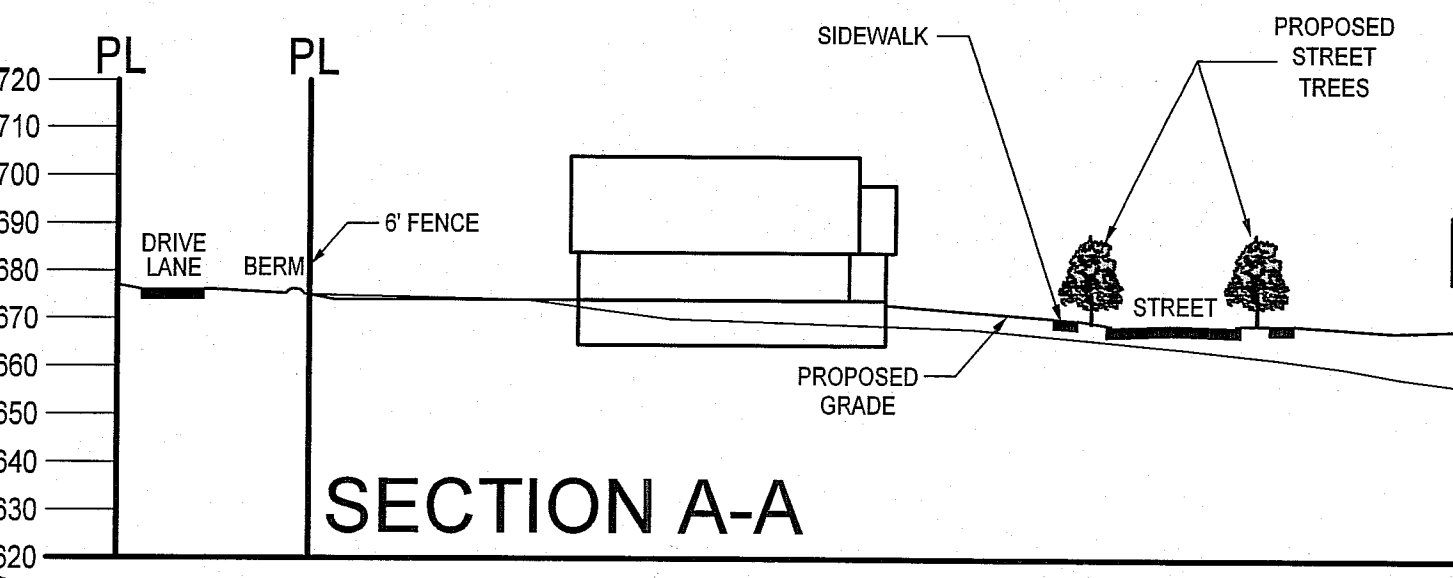
EXCEPTING THEREFROM THE FOLLOWING:

A TRACT OF LAND BEING PART OF LOTS 1, 2 AND 3 OF "KRAEMER ACRES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 87 PAGE 20 OF THE ST. LOUIS COUNTY RECORDS, IN U.S. SURVEY 1962, TOWNSHIP 45 NORTH - RANGE 5 EAST, CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEAST RIGHT-OF-WAY LINE OF OLIVE STREET ROAD, 90 FEET WIDE, AND THE WEST LINE OF LOT 1 OF "WIR-DON MEADOWS", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 89 PAGE 21 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTHWARDLY ALONG SAID WEST LINE OF LOT 1 AND THE WEST LINE OF LOTS 2 AND 3 OF SAID "WIR-DON MEADOWS" SOUTH 25 DEGREES 41 MINUTES 00 SECONDS EAST 222.98 FEET TO A POINT; THENCE SOUTH 59 DEGREES 14 MINUTES 00 SECONDS WEST 442.97 FEET TO A POINT ON THE EAST LINE OF MOSLEY ROAD, VARIABLE WIDTH; THENCE NORTHWARDLY ALONG SAID EAST LINE OF MOSLEY ROAD, VARIABLE WIDTH, NORTH 29 DEGREES 52 MINUTES 00 SECONDS WEST 37.00 FEET TO THE WESTERNMOST CORNER OF AFORESAID LOT 3 OF "KRAEMER ACRES"; THENCE NORTHEASTWARDLY ALONG THE NORTHWEST LINE OF SAID LOT 3 NORTH 59 DEGREES 14 MINUTES 00 SECONDS EAST 205.64 FEET TO A POINT IN THE WEST LINE OF AFORESAID LOT 2 OF "KRAEMER ACRES"; THENCE NORTHWARDLY ALONG SAID WEST LINE OF LOT 2 NORTH 25 DEGREES 41 MINUTES 00 SECONDS WEST 186.05 FEET TO A POINT IN THE AFORESAID SOUTHEAST RIGHT-OF-WAY LINE OF OLIVE STREET ROAD; THENCE NORTHEASTWARDLY ALONG SAID SOUTHEAST RIGHT-OF-WAY LINE NORTH 59 DEGREES 17 MINUTES 00 SECONDS EAST 240.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.398 ACRES ACCORDING TO A SURVEY BY VOLZ INCORPORATED.

THE ABOVE-DESCRIBED PROPERTY CONTAINS 4.002 ACRES ACCORDING TO CALCULATIONS BY VOLZ INCORPORATED ON SEPTEMBER 21, 2012.

MOSLEY READING GARDEN
PUBLIC WELCOME
(TRAIL NOT ADA COMPLIANT)



PROJECT NOTES:	
LOCATOR NUMBERS AND ADDRESSES:	17N 51 0654 - 842 N. MOSLEY ROAD 17N 51 0269 - 834 N. MOSLEY ROAD 17N 51 0182 - 828 N. MOSLEY ROAD
OWNER OF RECORD:	DANIEL T. & DIANE R. SIMS 12654 CLARK MANOR CIRCLE, ST. LOUIS, MISSOURI 63141
PREPARED BY:	VOLZ INCORPORATED 10849 INDIAN HEAD IND'L BLVD. ST. LOUIS, MISSOURI 63132
PREPARED FOR:	BENTON HOMEBUILDERS 1000 EXECUTIVE PARKWAY, SUITE 106, ST. LOUIS, MO 63141
AREA OF SITE:	4.0 ACRES
EXISTING ZONING:	C - SINGLE FAMILY RESIDENTIAL DISTRICT
PROPOSED ZONING:	C - RDD (RESIDENTIAL DESIGN DEVELOPMENT PROCEDURE)
PROPOSED USES:	RESIDENTIAL
DENSITY CALCULATIONS:	AREA OF SITE: 174,314 S.F. R.O.W.: 24,263 S.F. NET AREA: 150,051 S.F.
	150,051 S.F. (NET AREA) 10 LOTS (10 LOTS PROPOSED) 15,000 S.F.
STORMWATER MANAGEMENT CALCULATIONS:	TOTAL ACRES: 4.0 ACRES EXISTING IMPERVIOUS: +/- 14% = 1.87 PI PROPOSED IMPERVIOUS: +/- 35% = 2.28 PI DIFFERENTIAL RUNOFF: 4.0 ACRES (2.28 - 1.87) = 1.64 CFS
	WATER QUALITY (WQV): SITE DISTURBANCE = 3.5 ACRES REQUIRED DUE TO MORE THAN 1.0 ACRE CHANNEL PROT. (CPV): SITE LESS THAN 5 ACRES - NOT REQUIRED FLOOD PROTECTION (OP): DIFFERENTIAL RUNOFF OF 1.64 CFS IS LESS THAN 2.0 CFS - NOT REQUIRED
PARKING CALCULATIONS:	2 SPACES PER LOT AT 10 LOTS = 20 SPACES
GREEN SPACE:	AREA OF SITE: 4.0 ACRES = 174,314 S.F. IMPERVIOUS AREA: 1.40 ACRES = 60,984 S.F. GREEN SPACE: 2.60 ACRES = 113,330 S.F.
	113,330 S.F. 174,314 S.F. = 65% GREEN SPACE
AVERAGE UNIT SIZE:	2500 S.F. TO 3500 S.F.
AVERAGE LOT SIZE:	117,600 S.F. / 10 LOTS = 11,760 S.F.
TREE PRESERVATION:	EX. TREES MASS 0.596 ACRES = 25,973 S.F. 25,973 S.F. X 0.25 = 6,493 S.F. REQUIRED TO REMAIN PROPOSED TREE MASS TO REMAIN = 8,349 S.F. (32%) INDIVIDUAL 8" TREES EXISTING = 83 TREES 83 X 0.25 = 21 TREES ARE REQUIRED TO REMAIN PROPOSED INDIVIDUAL TREES TO REMAIN = 21 TREES
BENCHMARK:	ST. LOUIS COUNTY BENCHMARK 13-197, "L" ON SIDEWALK AT THE NORTHWESTERN CORNER OF A ONE STORY BRICK BUILDING 70' EAST OF MOSLEY ROAD AND 100' SOUTH OF OLIVE STREET ROAD. ELEVATION = 679.36' (NGVD '29)

GENERAL NOTES:

- SANITARY SEWER CONNECTIONS SHALL BE AS APPROVED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT.
- STORMWATER MANAGEMENT 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) : 1 (VERTICAL), UNLESS SUPPORTED BY GEOTECHNICAL REPORT AND APPROVED BY THE CITY OF CREVE COEUR STANDARDS.
- SETBACKS FOR RDD REQUIREMENTS TAKE PRECEDENCE OVER "SPECIAL USE" SETBACK REQUIREMENTS.
- 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 EXAVATION 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.

DISTRICTS:	UTILITY SERVICE AREAS:
METROPOLITAN ST. LOUIS SEWER DISTRICT	AMEREN USE
CREVE COEUR FIRE PROTECTION DISTRICT	LACLEDE GAS COMPANY
PARKWAY SCHOOL DISTRICT	MISSOURI AMERICAN WATER COMPANY
CREVE COEUR CREEK WATERSHED	CHARTER COMMUNICATIONS (CABLE TV)
	AT&T TELEPHONE COMPANY

BY ORDER OF BENTON HOMEBUILDERS, 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 COMMENTS, RECOMMENDATIONS OR REVISIONS AS MAY BE DEEMED NECESSARY OR APPROPRIATE IN FURTHERANCE OF SUCH PURPOSES.

Timothy J. Meyer
PROFESSIONAL ENGINEER
PE-24665

Eric J. Kirby
PROFESSIONAL LAND SURVEYOR
P.L.S. #200500074

ENGINEERS
LAND PLANNING
LAND SURVEYING
CONSULTING
MANAGEMENT

VOLZ
Incorporated

10849 INDIAN HEAD BLVD.
ST. LOUIS, MISSOURI 63132
314.426.6212 Main
314.890.1260 Fax
WWW.VOLZINC.COM

Benton Homebuilders
1000 Executive Parkway
Suite 106
St. Louis, MO 63141
314-336-5555

SITE DEVELOPMENT PLAN/
PRELIMINARY PLAT

11166-0

10-15-2012

REVISIONS

1



NORTH

0

30

60

90

feet

SCALE: 1" = 30'

REVISIONS BY	
11/30/12	RMM

landscape
TECHNOLOGIES

411 South Central Expressway
St. Charles, Missouri 63304
Tel: (636) 422-1453
Fax: (636) 422-1453
MO Landscape Architectural Corporation #2008009762

STATE OF MISSOURI
JAN 11 2013
REGISTERED
LANDSCAPE ARCHITECT
NUMBER 018
DATE 11/30/12

RANDALL W. HARDS
MISSOURI LANDSCAPE ARCHITECT #000018
DATE 11/30/12

PLANTING PLAN FOR THE PROPOSED

Villas at Mosley

CREVE COEUR, MISSOURI

DRAWN R. HARDS
CHECKED RMM
DATE 10/17/12
SCALE 1"=30'-0"
JOB NO. 2012-164
SHEET L-1

OF TWO SHEETS

1	2	3	4	5	6	7	8	9
---	---	---	---	---	---	---	---	---

A

- B

C

- D

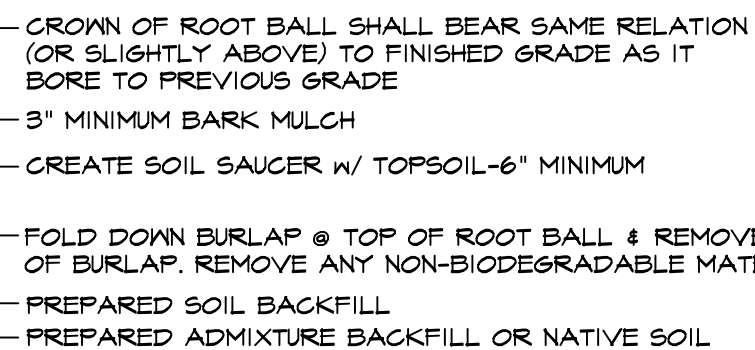
E

- F

G

EVERGREEN TREE PLANTING

- N.T.S



EROSION CONTROL BLANKET (Where applicable):

- MISC. MATERIAL:

- TURF:

- PLUG PLANTING NOTES:

- WARRANTY:

-
- PLAN**
- SEE PLANTING PLAN FOR SPACING
- STAGGER ROWS AS SHOWN
- SPACING "D"
- | SPACING "D" | ROW |
|-------------|------|
| 30" | 26 |
| 24" | 20.8 |
| 18" | 15.6 |
| 15" | 13" |
| 12" | 10.4 |
| 10" | 8.66 |
| 8" | 6.93 |
- SEE PLANTING PLAN FOR SPACING
- ROTO-TILL BED TO DEPTH PER NOTES
- SET AT ORIGINAL PLANTING DEPTH
- 2" DEEP MULCH - KEEP MULCH AWAY FROM CROWN OF PLANT
- PLANTING SOIL MIX
- SUBGRADE

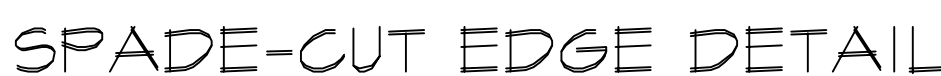
N.T.S.



N.T.S

OF PLANTS
PER SQ. FT.

N.T.S

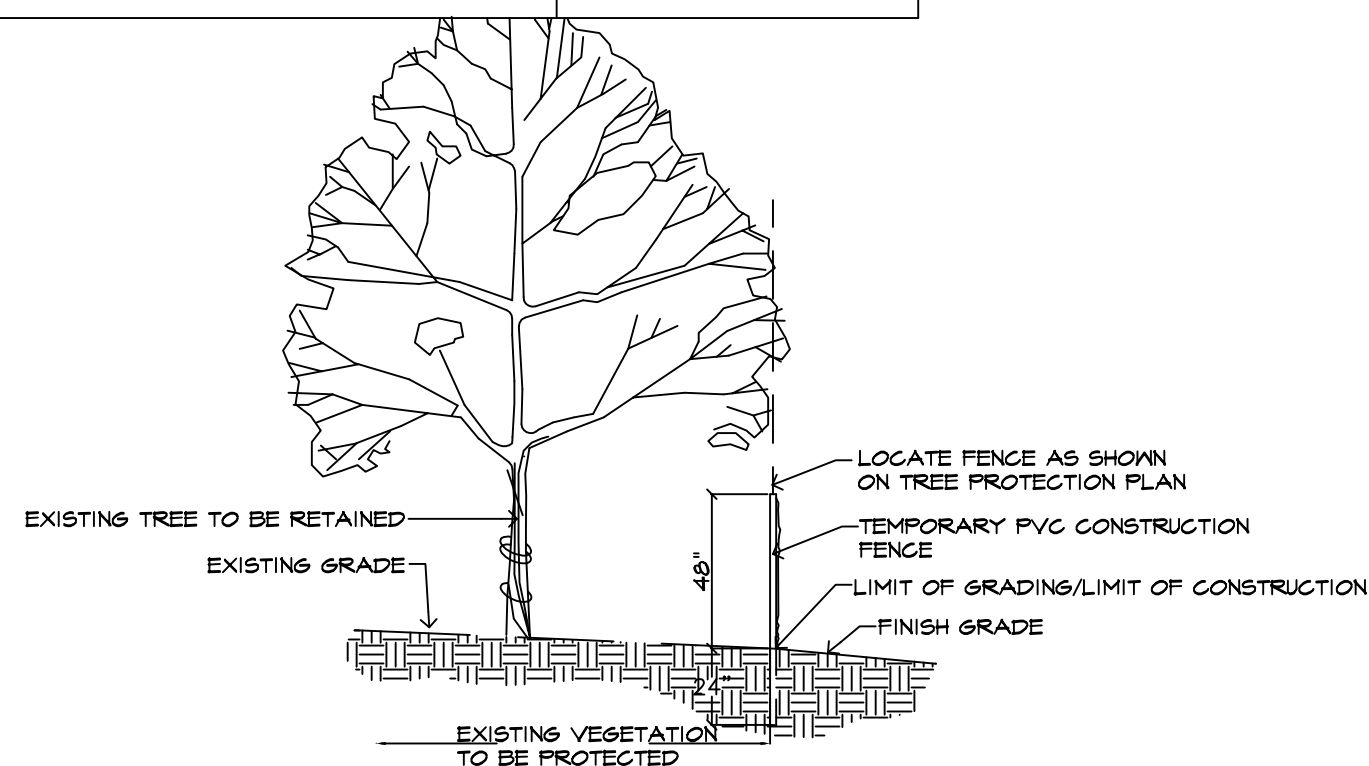


NTS

PLANT SPACINGS AS PER PLAN

2" MULCH INSTALLED BEFORE PLANTING

PREPARE BED AS PER WRITTEN SPECIFICATION



N.T.S.



- NOTE: USE SHREDDED BARK MULCH ONLY

N.T.S.

landscape
TECHNOLOGIES

(636) 429-1250
Fax: (636) 429-4569
PO. Box 1000009 St. Charles, Missouri 63304

61 Jacobs Creek Drive
St. Charles, Missouri 63304
Fax: (636) 429-4569
PO. Box 1000009 St. Charles, Missouri 63304

REGISTERED LANDSCAPE ARCHITECT
NUMBER 019
DATE 11/01/12

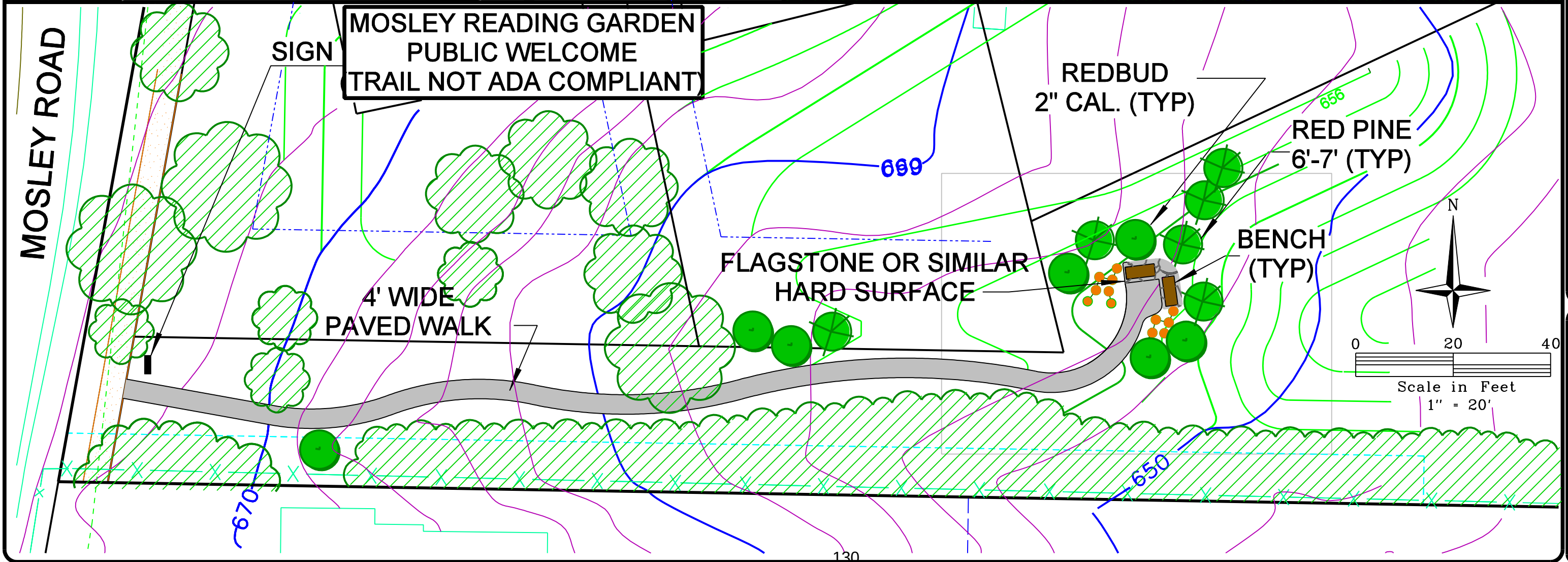
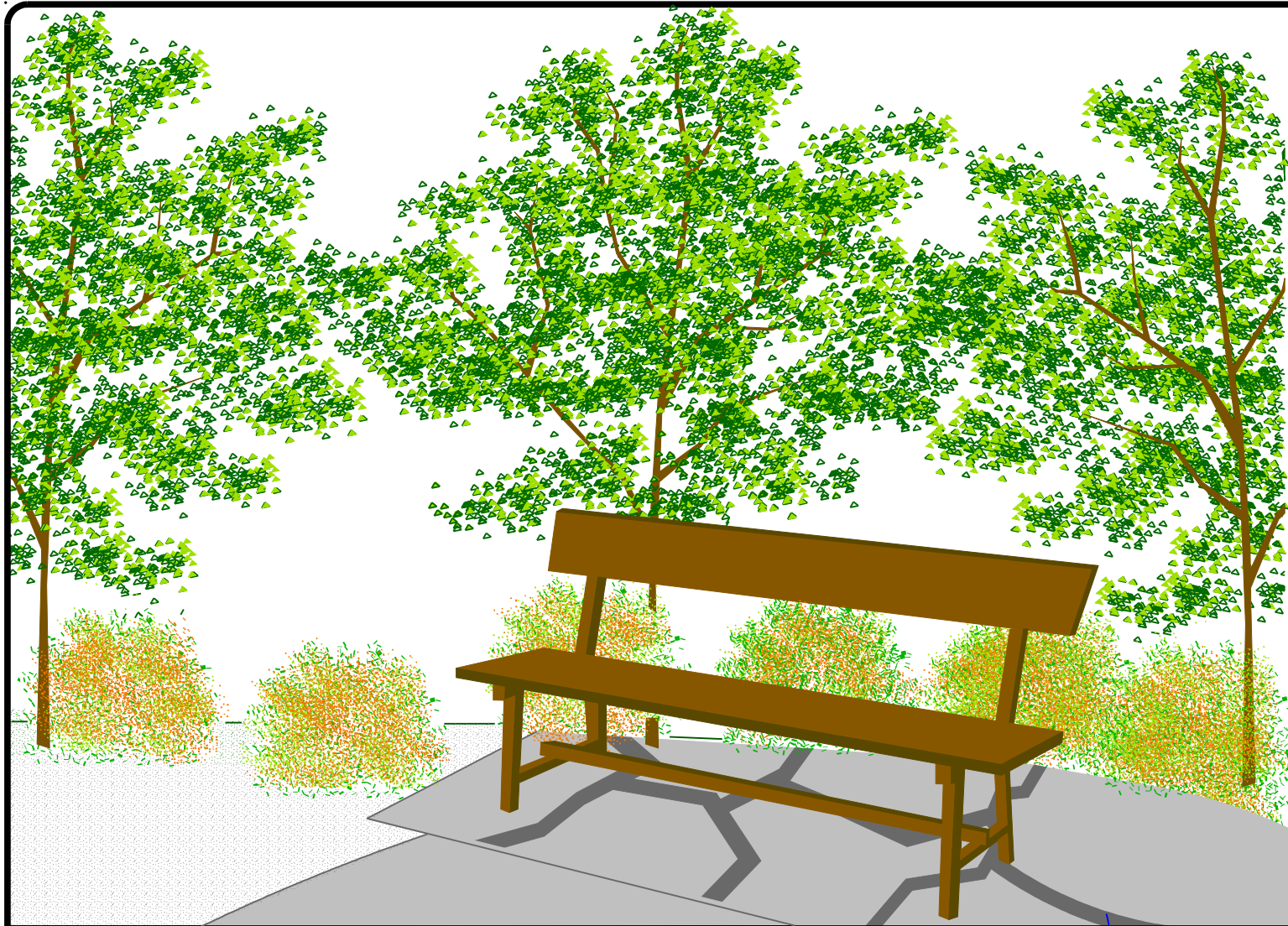
RANDALL N. WARD/IS
MISSOURI LANDSCAPE ARCHITECT 0000019
DATE 11/01/12

PLANTING PLAN FOR THE PROPOSED Villas at Mosley CREVE COEUR, MISSOURI

DRAWN R. MARDIS
CHECKED RAM
DATE 10/17/12
SCALE N.A.
JOB No. 2012-164
SHEET

L-2

OF TWO SHEETS



Benton Homebuilders
1000 Executive Parkway
Suite 106
St. Louis, MO 63141
314-336-5555

VOLZ
INCORPORATED
ENGINEERS
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONSTRUCTION MANAGEMENT
10849 Indian Head Trcl. Blvd.
St. Louis, Missouri 63132
314-880-1250 FAX
www.volzinc.com

VILLAS AT MOSLEY

READING GARDEN

11166-0

REVISIONS
10-15-2012
2

From: [Currencyex](#)
To: [Kelly. Whitney](#)
Subject: Benton Homebuilders
Date: Friday, December 14, 2012 4:53:11 PM

To whom it may concern,

I am writing this letter of support for the Benton Homebuilders proposal off Mosley Road. I have lived in Creve Coeur for over 30 years and would very much like to stay in Creve Coeur. I am a 66 year old single father who has raised my daughter in this community. She will likely raise a family here as well. I currently live off Mosley and at some point will be looking to downsize and simplify my lifestyle.

My understanding is that Benton Homebuilders is proposing 10 detached villa homes on lots that average 11,250 sq. ft., with common maintenance. I am in favor of replacing the existing rental homes with a well maintained community. I would love to see beautiful homes, with common maintenance that will appeal to “empty nesters” like me. I believe there are others in similar situations, who want to stay in Creve Coeur but find limited options.

Please vote in favor of this project.

Sincerely,

Al Leving
11315 Mosley Forest Dr.
Creve Coeur, MO 63141

From: [Frank Sprich](#)
To: [Kelly Whitney](#)
Subject: Mosley/ Leveinson development
Date: Saturday, December 08, 2012 3:53:18 PM

To Whom It May Concern,

We are opposed to the density proposed for the Levinson/Benton Homebuilders development. The proposal is not in character with the surrounding neighborhood homes which are on larger lots. Building small homes on less than quarter acre lots will only add to traffic congestion and city services. Most of us moved into this neighborhood because of the zoning that was in place. It gives peace of mind that our property values will remain high.

The Goddard school should have never been allowed to access Mosley Road, which is a neighborhood street, not commercial access like Olive. The Mosley to Olive stoplight is timed so that very few cars can access Olive, and it is virtually impossible to get onto Olive during rush hours and lunch hours as the intersection gets blocked by east/west traveling cars. Please reconsider for the sake and property values of the residents.

Thank you,

Diana & Frank Sprich
417 N Mosley Rd

From: [Carol M. Alexander](#)
To: [Kelly Whitney](#)
Subject: Villas on Mosley
Date: Thursday, December 13, 2012 5:19:04 PM

To Whom It May Concern:

We are in favor of the Benton Homebuilders proposal off Mosley Road. Creve Coeur would benefit from beautifully appointed homes in a common maintenance community. Many baby boomers will be looking to downsize and would like to stay in Creve Coeur. We want nice curb appeal, great interior features, and a maintenance free lifestyle. I see no detriment to the existing residents or the surrounding area.

Please vote in favor of this project, and give Creve Coeur residents a housing option that will allow us to stay in the City we love.

Carol and Hank Alexander
345 N. Mosley Rd.
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

APPLICATION TO PLANNING AND ZONING COMMISSION #12-033 FOR APPROVAL FOR THE PRELIMINARY PLAT FOR VILLAS AT MOSLEY WITH RESIDENTIAL DESIGN DEVELOPMENT DESIGNATION

FOR THE MEETING OF: November 19, 2012

LOCATION: 842, 834 and 828 Mosley Road

REQUEST: William Levinson, of Benton Homebuilders has submitted an application for the preliminary plat approval for the subdivision of four acres that is part of 842, 834, and 828 Mosley Road. The proposal includes the development of ten single family homes with a "RDD" Residential Design Development designation.

ADDITIONAL INFORMATION: Residential Design Development designation allows for greater flexibility in the size and configuration of lots without altering the allowable residential density. The properties are zoned "C" Single Family Residential.

Key Issues:

- Do the lots substantially meet all land development standards of this Chapter and those of any other applicable City regulations?

Subdivision Code References

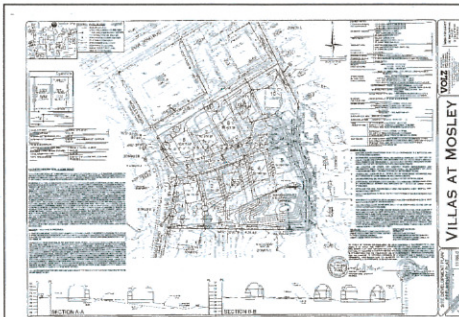
- Chapter 410: Subdivision and Development of Land

Zoning Code References

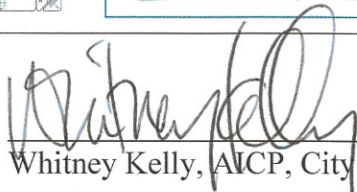
- Section 405.270: "C" Single Family Residential
- Section 405.450.C: Residential Designed Development Procedure

APPLICANTS: William Levinson
Benton Homebuilders
1000 Executive Parkway, Suite 106
Saint Louis, MO 63141

OWNER: Benton Homebuilders
1000 Executive Parkway,
Suite 106
Saint Louis, MO 63141



REPORT PREPARED BY:


Whitney Kelly, AICP, City Planner


Date 11/16/2012

ATTACHMENTS: Draft Ordinance
Applicant's Materials submitted October 19, 2012 and revised Site Development Plan received November 16, 2012

BACKGROUND

In April 2008, the City Council authorized a residential designed development (RDD) for the preliminary subdivision plat for the prior proposed subdivision of the 5.4 acres (Ordinance 5035). The RDD allowed for the development of 12 single family homes. The 12th lot was located along Olive Boulevard east of the Mosley Square Shopping Center. That project was ultimately abandoned and the approval lapsed.

On August 28, 2012, the City Council approved of the rezoning of 1.4 acres along Olive Boulevard to "GC" General Commercial for the development of the Goddard School for Early Childhood Development Center. This rezoning also repealed the prior RDD designation for the 5.4 acres with the remaining four acres zoned "C" Single Family Residential. The three lots have been developed with single-family houses that front Mosley Road and are under common ownership. Although there are some new houses in the area (so-called "teardowns"), the majority were built in the 1950s and 1960s. Lot sizes generally conform to the respective districts and none of the adjacent subdivisions are under an RDD overlay.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Retail strip center and Fire District Admin. Bldg.	"GC" General Commercial and "CB" Core Business	Olive Blvd. (partial)
South	Single-family detached residences	"C" Single-family Residential	N/A
East	Single-family detached residences	"C" Single-family Residential	N/A
West	Office building and single-family detached residences	"CB" Core Business and "B" Single-family Residential	Mosley Rd.

DEVELOPMENT STATISTICS & COMPARISON CHART

The following are statistics for subdivisions that are adjacent to the proposed Mosley Manor subdivision:

	Villas at Mosley	Fairways (zoned "B")	Wir-Don Meadows	Generic "C" Zoning District
Acres	4 ac.	18 ac. (approx.)	18 ac. (approx.)	varies
Area of proposed ROW	24,263 sq. ft.	0	0	NA
Net area	150,051 sq. ft.			
No. of Units	10 d.u.	29 d.u.	41 d.u.	varies
Units / Acre (excluding ROW)	2.9	1.6 (approx.)	2.3 (approx.)	2.9
Lot Size (sq.ft.)	10,000 (min.) 11,250 average	20,000+	12,000+.	15,000 (min.)
Common Ground / Open Space	0.63 ac.	0	0	varies
Lot Frontage	60 ft. (min.)	120 ft. (min.)	50 ft. (min.) (excluding cul-de-sac lots; non-conforming)	75 ft. (min.)
Front Yard	15 ft.	45 ft.	40 ft. (non-conforming)	45 ft.

Setback				
Side Yard Setback	5 ft.	15 ft.	12 ft.	12 ft.
Rear Yard Setback	30 ft. (min.)	30 ft.	30 ft.	30 ft.
Yr. Platted	N/A	1958	1955	N/A

COMPREHENSIVE PLAN ANALYSIS

Goals and Strategies

Under the overall Goals and Strategies of the Comprehensive Plan, the section titled “Community Image and Identity” states:

4. *Maintain the City’s strong low-density residential image and character (p. 23).*

Given that the application represents no increase in density over the existing zoning of the property, the proposal appears to be meeting this goal. In addition, the section titled Residential Preservation and Economic Development states:

4. *Protect residential areas from encroachment of non-residential uses (p.21).*

This project would result in the development of several acres that are largely greenspace, are adjacent to an existing commercial corner plaza and which already contain one commercial building, and the future Goddard School along Olive Boulevard. If constructed, this project would clearly define the residential area along Mosley, rather than leaving the area available for a future effort to expand the commercial corner. It is common practice in land use planning to separate low-density residential development from commercial development with institutional land uses or medium to high density residential with smaller lots. While the density will not be increased, the lot clustering allowed within an RDD overlay offers smaller lots. As such, this proposal may represent a transitional land use that may not be the same as what is around it, but is an asset to those developments by effectively separating them from each other.

Transportation Improvements

This subdivision benefits from direct access off one of the key north-south collectors: Mosley Road. As such, there is no concern for providing additional north-south connections to adjacent subdivisions. In fact, the section titled “Transportation Improvements” states:

- *Explore opportunities to connect residential streets, where appropriate, to collectors in order to improve traffic flow on major arterials such as Olive and Lindbergh Boulevards (p.29).*

The proposal will relocate the two existing drive-way entrances on Mosley, into a single subdivision entrance where traffic will be directed to the existing collector street which has a traffic signal at Olive Boulevard and at Ladue Road. Any other connections to the east or south are impractical given the size of the development and the pre-existing subdivisions.

Residential Neighborhoods

The section titled “Residential Preservation and Economic Development,” within the chapter on Residential Neighborhoods, contains the following goals:

3. *When lots are consolidated and re-subdivided for residential uses, the gross density permitted by existing zoning should not be exceeded. However, smaller individual lots could be considered, provided that they are no smaller than 75% of the area required under zoning. The remaining land should be preserved as open space, either as a buffer to surrounding areas or as part of a greenway system or stream corridor that connects to adjacent greenways or pedestrian facilities (p.44).*
6. *Require that new development or redevelopment be compatible with the character of the surrounding neighborhood with regard to lot frontage, building setbacks, building lines, building scale, and lot coverage (p.45).*

As identified in the Development Statistics and Comparison chart above, the proposed lots in the plan range from 10,192 square feet to 17,735 square feet. The common ground and stormwater easement area is 27,429 square feet. 75% of the lot standard for "C" Single Family Residential zoning district would be 11,250 square feet. The average of the lot sizes proposed is 11,250 square feet. However five of the 10 lots have a square footage of less than the recommended allowance. According to the Comprehensive Plan, the property should be developed with individual lots not smaller than 11,250 square feet, and the remaining property set aside as open space. Given the shape of the property and the required size of the stormwater detention area, it may be economically difficult to follow the Comprehensive Plan because it will significantly reduce the yield.

With regard to goal #6, the proposed project has some similarities to the surrounding subdivisions, with the specific exceptions of minimum lot size and front and side building setbacks. The key question, as stated earlier, is whether or not the proposal serves as a valuable point of transition between the larger lot subdivisions and the commercial development along Olive Boulevard that is appropriate in its context and whether or not this makes it "compatible" with the residences around it.

ZONING ANALYSIS

The applicant has proposed utilizing the existing "C" Single-Family Residential District with a Residential Designed Development (RDD) procedure. This procedure effectively creates an overlay wherein the City Council, on the recommendation of the Planning and Zoning Commission, may modify the lot and density standards, subject to certain provisions.

In determining conformance with the RDD, the critical questions for this project are fulfillment of the purpose of the RDD and tree preservation. With regard to the former, the Zoning Code states:

SECTION 405.450: PERMITTED USES

C. *Residential Designed Development Procedure. The purpose of this Section is to provide a permissive, voluntary and alternate zoning procedure in the "A", "B", "C" and "D" single-family residential and "AR" attached residential zoning districts in order to permit greater flexibility in the size and configuration of lots without altering the allowable residential density in these districts and to provide thereby for desirable and proper common open space, tree cover, recreation areas, parks or scenic vistas and the preservation of the natural beauty of the City.*

1. *Variation in number, size of lots. The City Council may by ordinance grant a residential designed development permit upon recommendation of the Planning and Zoning Commission, when it finds that the residential designed development proposal is*

consistent with good planning practice, consistent with good site landscape planning, is not detrimental to the existing and permitted uses in the surrounding area, is deemed desirable to promote the purposes of this Section and is in accordance with the following criteria.

- a. *Minimum project area. No residential designed development permit shall be granted for any area of less than four (4) acres.*
 - b. *Gross acreage. The lot sizes within the subdivision may vary from those required by the regulations for the single-family residential zoning district within which the site is located. The maximum number of lots that may be approved shall be computed by including only common area and lot acreage in gross acreage and dividing the gross acreage by the minimum lot area requirements of the district.*
 - c. *Yards. The minimum front yard and side yard requirements for each lot as set out in the regulations for the single-family residential zoning district within which the site is located may be reduced by the City Council and, if so reduced, shall be set out on the preliminary subdivision plan to be submitted in accordance with Chapter 410, Subdivision and Development of Land.*
 - d. *Site and building coverages. The maximum site and building coverage requirements for each lot, as set out in the regulations for the single-family residential zoning district within which the site is located, may be increased by the City Council and, if so increased, shall be set out on the preliminary subdivision plan to be submitted in accordance with Chapter 410, Subdivision and Development of Land.*
2. *Common areas. As part of the residential designed development plan, common land for open space of recreational use shall be reserved for common use by all the owners of the residential lots and the subdivision and such common land may be included in the total gross acreage used for determining the number of lots permitted under the minimum lot size provisions of the residential zoning district within which it is located, subject to the following standards and conditions: ...*
 4. *Tree conservation. Any development proposed as a residential designed development shall provide for the conservation of existing trees and existing tree masses on the site. The percentage of trees and tree masses preserved during development shall exceed the minimum standards of the subdivision regulations (shall exceed twenty-five percent (25%) of the existing trees and twenty-five percent (25%) of the existing tree mass areas).*

It is a mistake to read the provisions for flexibility in lot size and configuration without also realizing that the trade-off for this flexibility is the protection and/or provision of some natural quality of the site and City that is worth preserving. In other words, this process is not simply a way to avoid seeking variances before the Board of Adjustment. The maintenance and protection of the stormwater facilities does not seem to qualify as a natural quality of the site, as it is being relocated from the northeast corner to the southeast corner and is required to allow for the development. The development does not offer the protection, nor provision of a natural resource worth preserving although the common ground does create a comparably large greenspace.

The applicant has requested building setback requirements different from the "C" District regulations, and lot coverage and FAR requirements be applied over the entire development, rather than on individual lots. The average lot will have coverage of 44%, with total site coverage for the development of 40%. This is permitted through the RDD procedure, as

approved by the City Council and set out on the Preliminary Subdivision Plat. If approved, a condition should be put in place to require that all other standards not specifically approved by the City Council should be in conformance with the Section 405.270, "C" Single-Family Residential District of the Zoning Code.

The property has approximately 0.7 acres of tree cover and, if approved, 68% of this mass will be eliminated. The minimum standard is 25% preserved. Therefore at 32% preservation, the applicant exceeds the minimum standards, although it should be noted that allowing the flexibility to reduce the lot sizes has not yielded any great measure of additional tree cover.

ARCHITECTURE AND DESIGN

The proposed homes consist of ranch and 2-story models ranging from 2,500 square feet to 3,500 square feet in size, including lower level finish. The example front elevation submitted is largely stone with wood accents and show rooflines with multiple peaks and will be covered with asphalt shingle. Elevations for all types of the homes were not included in the application and the side and rear elevations were not provided.



Staff recommends a condition that individual homes shall not be constructed with more than 10% vinyl siding on all elevations. Other forms of siding, such as "Hardi-plank" would be permissible. Garage entrances are shown on the plan as front-entry.

DEVELOPMENT CHARACTERISTICS

- *Traffic*
A traffic study was not submitted by the applicant. With the proposed 10 homes, it appears the development will generate an amount of traffic that is appropriate for the size of the tract and it is not expected to change or to have an adverse impact on traffic flow. The current proposal will eliminate two driveway entrances on Mosley Road.
- *Sidewalks*
As required by code, five-foot wide sidewalks are provided along both sides of the street. Construction of a minimum five-foot wide sidewalk along Mosley Road was required with the previous plan and that condition is carried over with the current submittal.

- *Landscaping and Amenities*

The applicant is providing an eight-foot wide undisturbed buffer along the eastern and southern boundaries of the property in addition to the stormwater detention basin at the southeast corner. The proposed landscaping is limited to the boundary of the development. There are sections of this buffer where no trees currently exist, and the applicant has proposed adding trees to fill in these areas. The applicant is not proposing adding any street trees along the proposed cul-de-sac for the subdivision. Staff recommends that a condition of approval include adding a minimum of one street tree for every 30 lineal feet or part thereof of street frontage, as required in Section 410.300 of the Subdivision and Development of Land

The site development plan and preliminary plat indicates a subdivision entrance sign at the southern entrance area. Signs for residential developments are permitted by site development plan approval per Section 405.940 Signs in Residential districts, as follows:

SECTION 405.940: SIGNS IN RESIDENTIAL DISTRICTS

B. Residential Development Signs. Permanent signs designating a subdivision, neighborhood or multi-family development for traffic efficiency and safety shall be approved by the Planning and Zoning Commission through the site development plan approval process as defined in [Section 405.1080](#). Such signs shall be limited to twelve (12) square feet per sign face with a maximum of two (2) sign faces.

- *Tree Coverage*

The Tree Preservation Plan submitted indicates that the property has approximately 0.7 acres of tree cover and, if approved, 68% of this mass will be eliminated. The minimum standard is 25% preserved. Therefore at 32% preservation, the applicant exceeds the minimum standards, although it should be noted that allowing the flexibility to reduce the lot sizes has not yielded any great measure of additional tree cover.

- *Site Grading*

A large part of the existing land will be disturbed with some significant "cut and fill" effort. Most of the significant grading will be undertaken for the proposed detention pond and roadway locations. The applicant has indicated that the street platform is to be 3% maximum for a minimum distance of 60 feet before continuing at a steeper grade. Section 410.240.F.5 requires that approaches to intersections shall have a grade not exceeding three percent (3%) for a distance of not less than 150 feet measured from the centerline of the intersecting street, so the final subdivision improvements drawings will have to be corrected accordingly.

- *Stormwater Control*

The applicant proposes to construct a detention area at the southeast portion of the property. The detention area will collect water from the proposed homes and the street and be metered-out into the stormwater system. With the size and a complete redevelopment of the site, the Missouri Department of Natural Resources will review it for a State Grading Permit which would include the runoff and the water quality, followed by a review by MSD who would not issue approval without the State's prior approval.

SUMMARY AND ACTION

The proposed subdivision is generally in keeping with the prior history and council actions on these properties. While Staff has questioned the reasoning for the "RDD" designation, the common area and stormwater facility does provide for a large amount of greenspace. If the Planning and Zoning Commission finds that the proposed development meets with the requirements of the RDD and finds that the Preliminary Plat draft ordinance and site development plan are in substantial conformance with the purposes and regulations of the Comprehensive Plan, Zoning Code, and Subdivision Code, it may vote on a recommendation to the City Council. Staff recommended conditions of approval discussed above, and included in the draft ordinance, are:

- A condition shall be included that individual homes shall not be constructed with more than 10% vinyl siding on all elevations. Other forms of siding, such as "Hardi-plank" may be permissible with the Zoning Administrator's approval.
- The Landscape Plan shall be revised to include adding a minimum of one street tree for every 30 lineal feet or part thereof of street frontage, as required in Section 410.300 of the Subdivision and Development of Land.
- The Final Subdivision Plat shall be revised to indicate that approaches to intersections shall have a grade not exceeding three percent (3%) for a distance of not less than one hundred fifty (150) feet measured from the centerline of the intersecting street as required by Section 410.240.F.5.

If not, the Commission Members should provide specific direction to the applicant regarding revisions needed and continue the item until the next meeting.

Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

The following are examples of motions for this application:

- 1) "I move to recommend approval of the Preliminary Plat for the Villas at Mosley subdivision submitted with Application #12-033, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of November 19, 2012" (conditions may be added, eliminated, altered, and modified).
- 2) "I move to recommend approval of the Residential Designed Development for the Villas at Mosley subdivision submitted with Application #12-033, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of November 19, 2012" (conditions may be added, eliminated, altered, and modified).
- 3) "I move to recommend approval of the Site Development Plan for the Villas at Mosley subdivision submitted with Application #12-033, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of November 19, 2012" (conditions may be added, eliminated, altered, and modified).

APPENDIX 1: COMPREHENSIVE PLAN

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

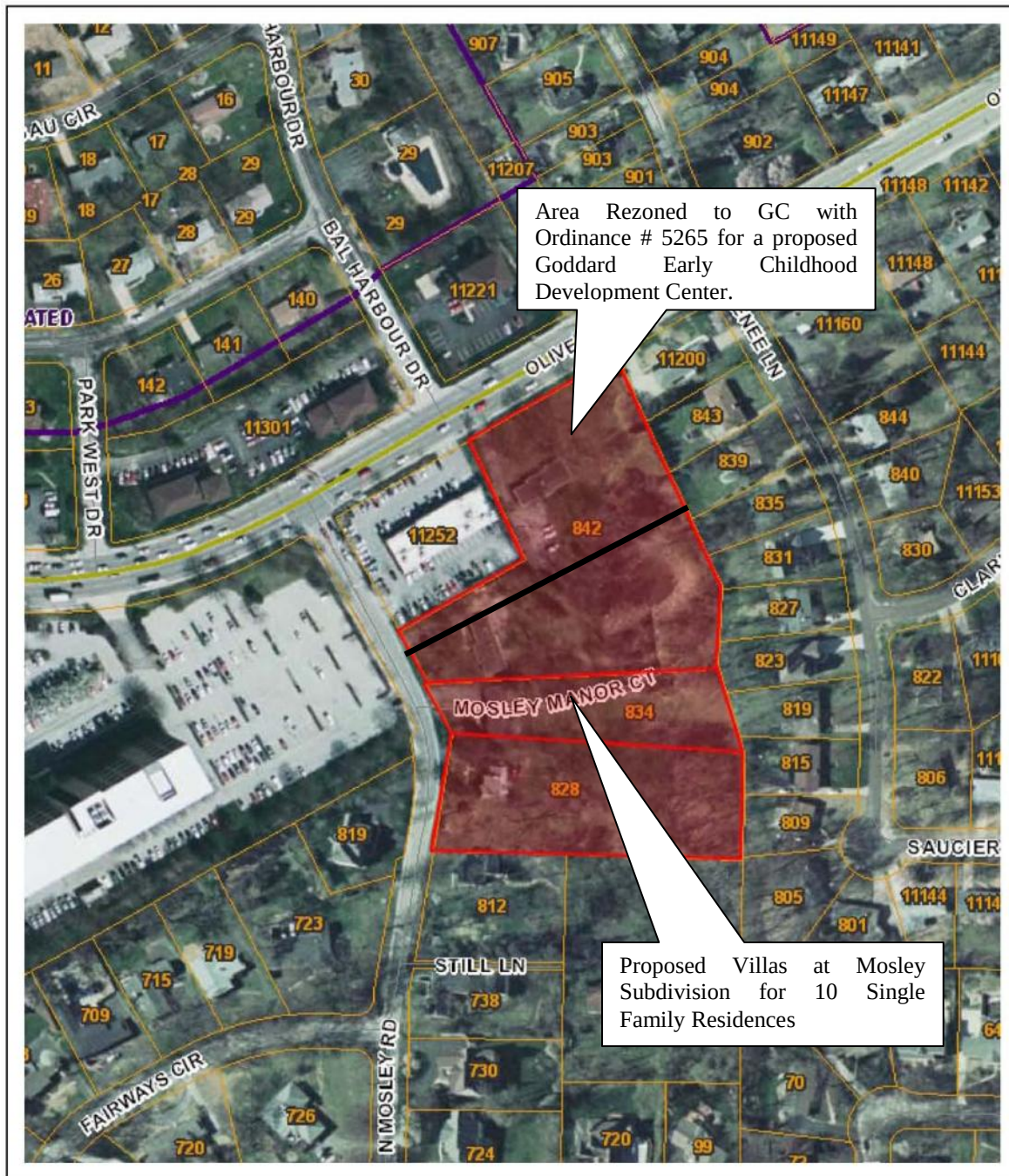
APPENDIX 2: ZONING CODE (CHAPTER 405 OF THE CREVE COEUR MUNICIPAL CODE)

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

**APPENDIX 3: CREVE COEUR SUBDIVISION AND LAND DEVELOPMENT REGULATIONS
(CHAPTER 410 OF THE CREVE COEUR MUNICIPAL CODE)**

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

APPENDIX 4: AERIAL MAP

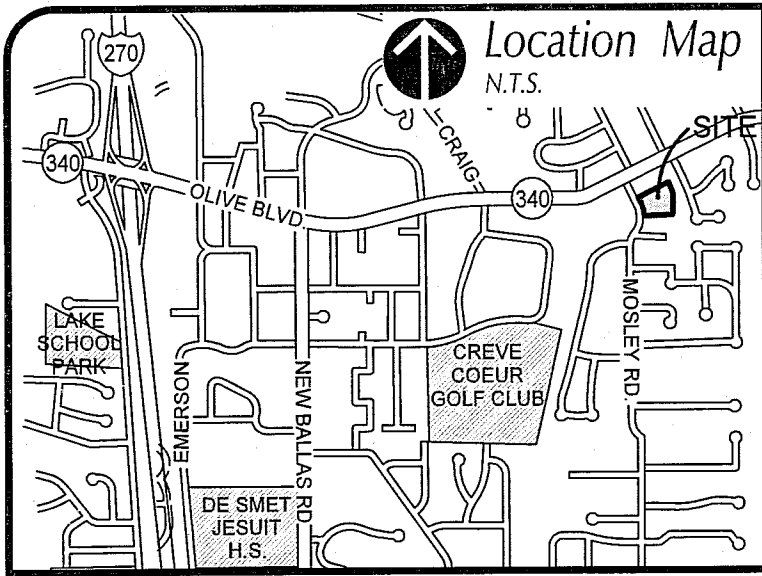


St. Louis County Property Viewer

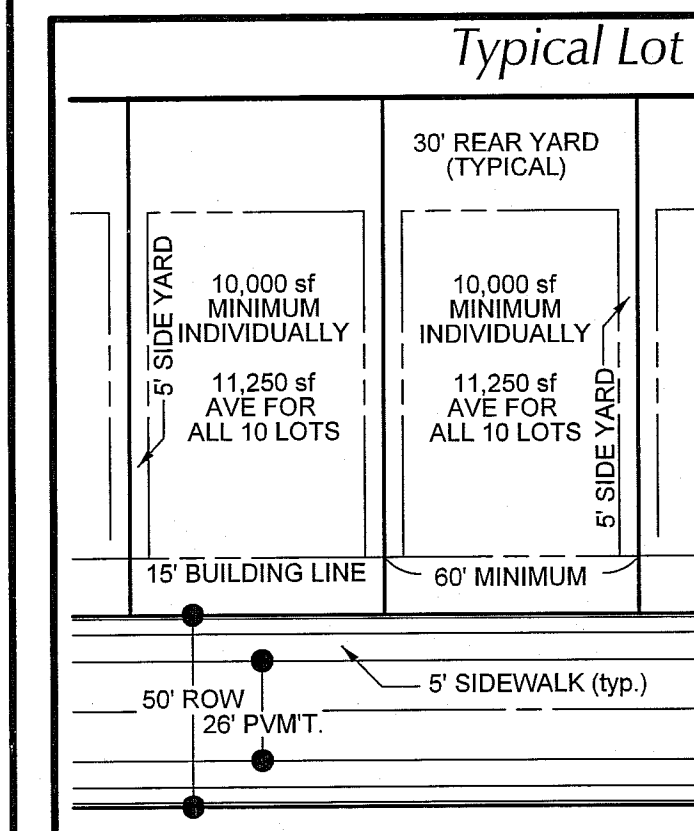


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APPENDIX 4: SITE PHOTOGRAPHS	Photo Date: 11/07/2012
	Description: View looking east from across Mosley Road at the existing home at 842 Mosley Road.
	Description: View looking east from across Mosley Road at the existing home at 834 Mosley Road.
	Description: View looking southeast from across Mosley Road at the existing home at 828 Mosley Road.



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



TOTAL SITE AREA	4.0 ACRES = (174,327 SF)
AVERAGE LOT SIZE	11,250 SF
AVERAGE LOT IMPERVIOUS AREA	5,000 SF
AVERAGE LOT COVERAGE	5,000 SF 44% AVERAGE LOT COVERAGE
TOTAL SITE COVERAGE	11,250 SF
AVERAGE LOT IMPERVIOUS AREA	5,000 SF x 10 LOTS = 50,000 SF
PAVEMENT & WALK IMPERVIOUS AREA	19,587 SF
TOTAL IMPERVIOUS AREA	69,587 SF
TOTAL SITE COVERAGE	69,587 SF 40 % TOTAL SITE COVERAGE
	174,327 SF

PROPERTY DESCRIPTION - 4 ACRE TRACT

A TRACT OF LAND BEING LOT 3 AND PART OF LOTS 1 AND 2 OF "KRAEMER ACRES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 87, PAGE 20 OF THE ST. LOUIS COUNTY RECORDS AND PART OF U.S. SURVEY 1982 AND FRACTIONAL SECTION 2, TOWNSHIP 45 NORTH, RANGE 5 EAST, IN THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

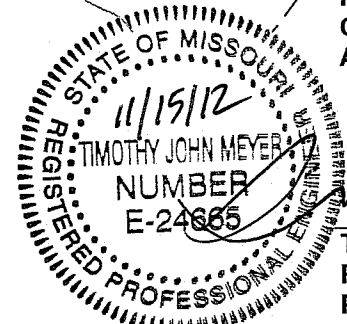
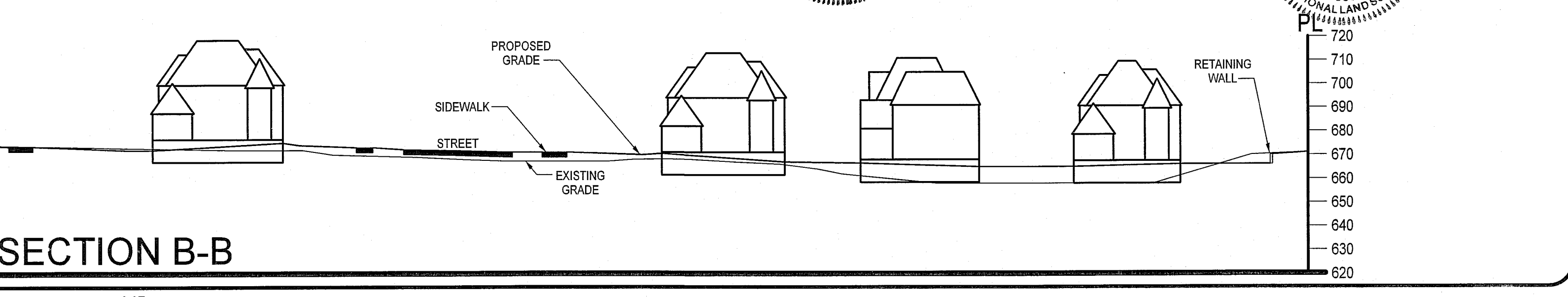
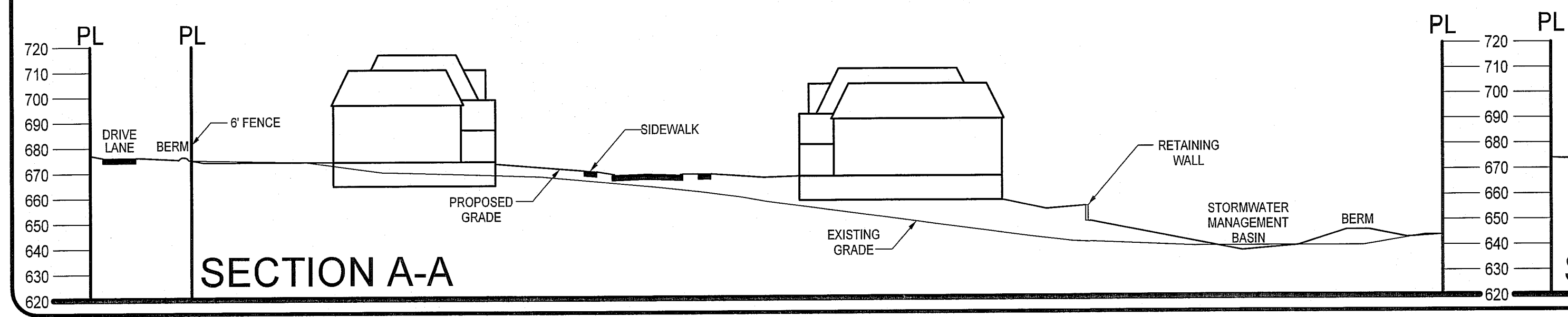
BEGINNING AT A POINT ON THE SOUTHEASTERN RIGHT-OF-WAY LINE OF OLIVE STREET ROAD, 90 FEET WIDE, AT ITS INTERSECTION WITH THE WESTERN LINE OF LOT 1 OF "WIR-DON MEADOWS", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 89, PAGE 21 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTHWARDLY, ALONG THE WESTERN LINE OF SAID LOT 1 AND THE WESTERN LINE OF LOTS 2 THROUGH 10 OF SAID WIR-DON MEADOWS, SOUTH 25 DEGREES 41 MINUTES 00 SECONDS EAST 352.25 FEET TO A POINT; THENCE SOUTH 02 DEGREES 08 MINUTES 00 SECONDS WEST 117.70 FEET TO A POINT; THENCE SOUTH 18 DEGREES 08 MINUTES 30 SECONDS EAST 127.43 FEET TO A POINT; THENCE SOUTH 09 DEGREES 58 MINUTES 00 SECONDS WEST 152.83 FEET TO THE SOUTHEASTERN CORNER OF PROPERTY CONVEYED TO DANIEL T. AND DIANE R. SIMS BY DEED RECORDED IN DEED BOOK 12704, PAGE 2165, OF THE ST. LOUIS COUNTY RECORDS; THENCE WESTWARDLY, ALONG THE SOUTHERN LINE THEREOF, NORTH 89 DEGREES 02 MINUTES 00 SECONDS WEST 439.93 FEET TO ITS INTERSECTION WITH THE EASTERN RIGHT-OF-WAY LINE OF MOSLEY ROAD, VARIABLE WIDTH; THENCE NORTHWARDLY, ALONG THE EASTERN RIGHT-OF-WAY LINE THEREOF, NORTH 10 DEGREES 14 MINUTES 00 SECONDS EAST 165.30 FEET TO A POINT; THENCE NORTHWESTERLY, CONTINUING ALONG THE EASTERN RIGHT-OF-WAY LINE OF SAID MOSLEY ROAD, NORTH 29 DEGREES 52 MINUTES 00 SECONDS WEST 85.44 FEET TO THE MOST WESTERN CORNER OF SAID LOT 3; THENCE NORTHEASTERLY, ALONG THE NORTHWESTERN LINE OF SAID LOT 3, NORTH 59 DEGREES 14 MINUTES 00 SECONDS EAST 205.64 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERN LINE OF SAID LOT 2 OF KRAEMER ACRES, AS AFOREMENTIONED; THENCE NORTHWESTERLY, ALONG THE SOUTHWESTERN LINE OF SAID LOT 2, NORTH 25 DEGREES 41 MINUTES 00 SECONDS WEST 186.05 FEET TO ITS INTERSECTION WITH THE SOUTHEASTERN RIGHT-OF-WAY LINE OF OLIVE STREET ROAD, AS AFOREMENTIONED; THENCE NORTHEASTERLY, ALONG THE SOUTHEASTERN RIGHT-OF-WAY LINE THEREOF, NORTH 59 DEGREES 17 MINUTES 00 SECONDS EAST 5.400 ACRES, MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING:

A TRACT OF LAND BEING PART OF LOTS 1, 2 AND 3 OF "KRAEMER ACRES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 87, PAGE 20 OF THE ST. LOUIS COUNTY RECORDS, IN U.S. SURVEY 1982, TOWNSHIP 45 NORTH - RANGE 5 EAST, CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEAST RIGHT-OF-WAY LINE OF OLIVE STREET ROAD, 90 FEET WIDE, AND THE WEST LINE OF LOT 1 OF "WIR-DON MEADOWS", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 89, PAGE 21 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTHWARDLY ALONG SAID WEST LINE OF LOT 1 AND THE WEST LINE OF LOTS 2 AND 3 OF SAID "WIR-DON MEADOWS" SOUTH 25 DEGREES 41 MINUTES 00 SECONDS EAST 222.98 FEET TO A POINT; THENCE SOUTH 59 DEGREES 14 MINUTES 00 SECONDS WEST 142.97 FEET TO A POINT; THENCE NORTH 10 DEGREES 14 MINUTES 00 SECONDS EAST 165.30 FEET TO THE EAST LINE OF MOSLEY ROAD, VARIABLE WIDTH; THENCE NORTHWARDLY ALONG SAID EAST LINE OF MOSLEY ROAD, NORTH 29 DEGREES 52 MINUTES 00 SECONDS WEST 37.00 FEET TO THE WESTERNMOST CORNER OF AFORESAID LOT 3 OF "KRAEMER ACRES"; THENCE NORTHEASTERLY ALONG THE NORTHWEST LINE OF SAID LOT 3 NORTH 59 DEGREES 14 MINUTES 00 SECONDS EAST 205.64 FEET TO A POINT IN THE WEST LINE OF AFORESAID LOT 2 OF "KRAEMER ACRES"; THENCE NORTHWARDLY ALONG SAID WEST LINE OF LOT 2 NORTH 25 DEGREES 41 MINUTES 00 SECONDS WEST 186.05 FEET TO A POINT IN THE AFORESAID SOUTHEAST RIGHT-OF-WAY LINE OF OLIVE STREET ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTHEAST RIGHT-OF-WAY LINE NORTH 59 DEGREES 17 MINUTES 00 SECONDS EAST 240.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.398 ACRES ACCORDING TO A SURVEY BY VOLZ INCORPORATED.

THE ABOVE-DESCRIBED PROPERTY CONTAINS 4.002 ACRES ACCORDING TO CALCULATIONS BY VOLZ INCORPORATED ON SEPTEMBER 21, 2012.



BY ORDER OF BENTON HOMEBUILDERS, 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 COMMENTS, RECOMMENDATIONS OR REVISIONS AS MAY BE DEEMED NECESSARY OR APPROPRIATE IN FURTHERANCE OF SUCH PURPOSES.

TIMOTHY J. MEYER
PROFESSIONAL ENGINEER
PE-24865

PROJECT NOTES:	
LOCATOR NUMBERS AND ADDRESSES:	17N 51 0654 - 842 N. MOSLEY ROAD 17N 51 0269 - 834 N. MOSLEY ROAD 17N 51 0182 - 828 N. MOSLEY ROAD
OWNER OF RECORD:	DANIEL T. & DIANE R. SIMS 12554 CLARK MANOR CIRCLE, ST. LOUIS, MISSOURI 63141
PREPARED BY:	VOLZ INCORPORATED 10849 INDIAN HEAD IND'L BLVD. ST. LOUIS, MISSOURI 63132
PREPARED FOR:	BENTON HOMEBUILDERS 1000 EXECUTIVE PARKWAY, SUITE 106, ST. LOUIS, MO 63141
AREA OF SITE:	4.0 ACRES
EXISTING ZONING:	C - SINGLE FAMILY RESIDENTIAL DISTRICT
PROPOSED ZONING:	C - RDD (RESIDENTIAL DESIGN DEVELOPMENT PROCEDURE)
PROPOSED USES:	RESIDENTIAL
DENSITY CALCULATIONS:	AREA OF SITE: 174,314 S.F. R.O.W.: 24,263 S.F. NET AREA: 150,051 S.F.
	150,051 S.F. (NET AREA) 10 LOTS (10 LOTS PROPOSED) 15,000 S.F.
STORMWATER MANAGEMENT CALCULATIONS:	TOTAL ACRES: 4.0 ACRES EXISTING IMPERVIOUS: +/- 14% = 1.87 PI PROPOSED IMPERVIOUS: +/- 35% = 2.28 PI DIFFERENTIAL RUNOFF: 4.0 ACRES (2.28 - 1.87) = 1.64 CFS
	WATER QUALITY (WQV): SITE DISTURBANCE = 3.5 ACRES REQUIRED DUE TO MORE THAN 1.0 ACRE CHANNEL PROT. (CPV): SITE LESS THAN 5 ACRES - NOT REQUIRED FLOOD PROTECTION (QP): DIFFERENTIAL RUNOFF OF 1.64 CFS IS LESS THAN 2.0 CFS - NOT REQUIRED
PARKING CALCULATIONS:	2 SPACES PER LOT AT 10 LOTS = 20 SPACES
GREEN SPACE:	AREA OF SITE: 4.0 ACRES = 174,314 S.F. IMPERVIOUS AREA: 1.40 ACRES = 60,984 S.F. GREEN SPACE: 2.60 ACRES = 113,330 S.F.
	113,330 S.F. 174,314 S.F. = 65% GREEN SPACE
AVERAGE UNIT SIZE:	2500 S.F. TO 3500 S.F.
AVERAGE LOT SIZE:	121,818 S.F. / 10 LOTS = 12,182 S.F.
TREE PRESERVATION:	EX. TREES MASS 0.596 ACRES = 25,973 S.F. 25,973 S.F. X 0.25 = 6,493 S.F. REQUIRED TO REMAIN PROPOSED TREE MASS TO REMAIN = 8,349 S.F. (32%) INDIVIDUAL 8" TREES EXISTING = 83 TREES 83 X 0.25 = 21 TREES ARE REQUIRED TO REMAIN PROPOSED INDIVIDUAL TREES TO REMAIN = 21 TREES
BENCHMARK:	ST. LOUIS COUNTY BENCHMARK 13-197, "L" ON SIDEWALK AT THE NORTHWESTERN CORNER OF A ONE STORY BRICK BUILDING 70' EAST OF MOSLEY ROAD AND 100' SOUTH OF OLIVE STREET ROAD. ELEVATION = 679.36' (NGVD '29)

- GENERAL NOTES:
- SANITARY SEWER CONNECTIONS SHALL BE AS APPROVED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT.
 - STORMWATER MANAGEMENT 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) : 1 (VERTICAL), UNLESS SUPPORTED BY GEOTECHNICAL REPORT AND APPROVED BY THE CITY OF CREVE COEUR STANDARDS.
 - SETBACKS FOR RDD REQUIREMENTS TAKE PRECEDENCE OVER "SPECIAL USE" SETBACK REQUIREMENTS.
 - DECK CONSTRUCTION TO BE ALLOWED 7 FOOT BEYOND STANDARD SETBACK FOR DECKS.
 - NEW STREET PLATFORM TO BE 3% MAXIMUM FOR A MINIMUM DISTANCE OF 60 FEET BEFORE CONTINUING AT STEEPER GRADE.
 - 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.
- DISTRICTS:
METROPOLITAN ST. LOUIS SEWER DISTRICT
CREVE COEUR FIRE PROTECTION DISTRICT
PARKWAY SCHOOL DISTRICT
CREVE COEUR CREEK WATERSHED
- UTILITY SERVICE AREAS:
AMEREN UE
LACLEDE GAS COMPANY
MISSOURI AMERICAN WATER COMPANY
CHARTER COMMUNICATIONS (CABLE TV)
AT&T TELEPHONE COMPANY

ENGINEERS
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONST. MANAGEMENT

VOLZ
INCORPORATED

10849 Indian Head Ind'l. Blvd.
St. Louis, MO 63132
314.426.6212 Main
314.890.1250 Fax
www.volzinc.com

Benton Homebuilders
1000 Executive Parkway
Suite 106
St. Louis, MO 63141
314-336-5555

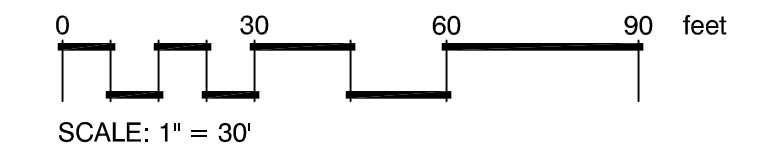
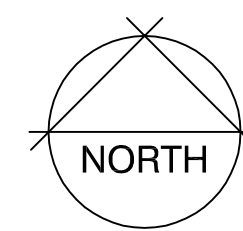
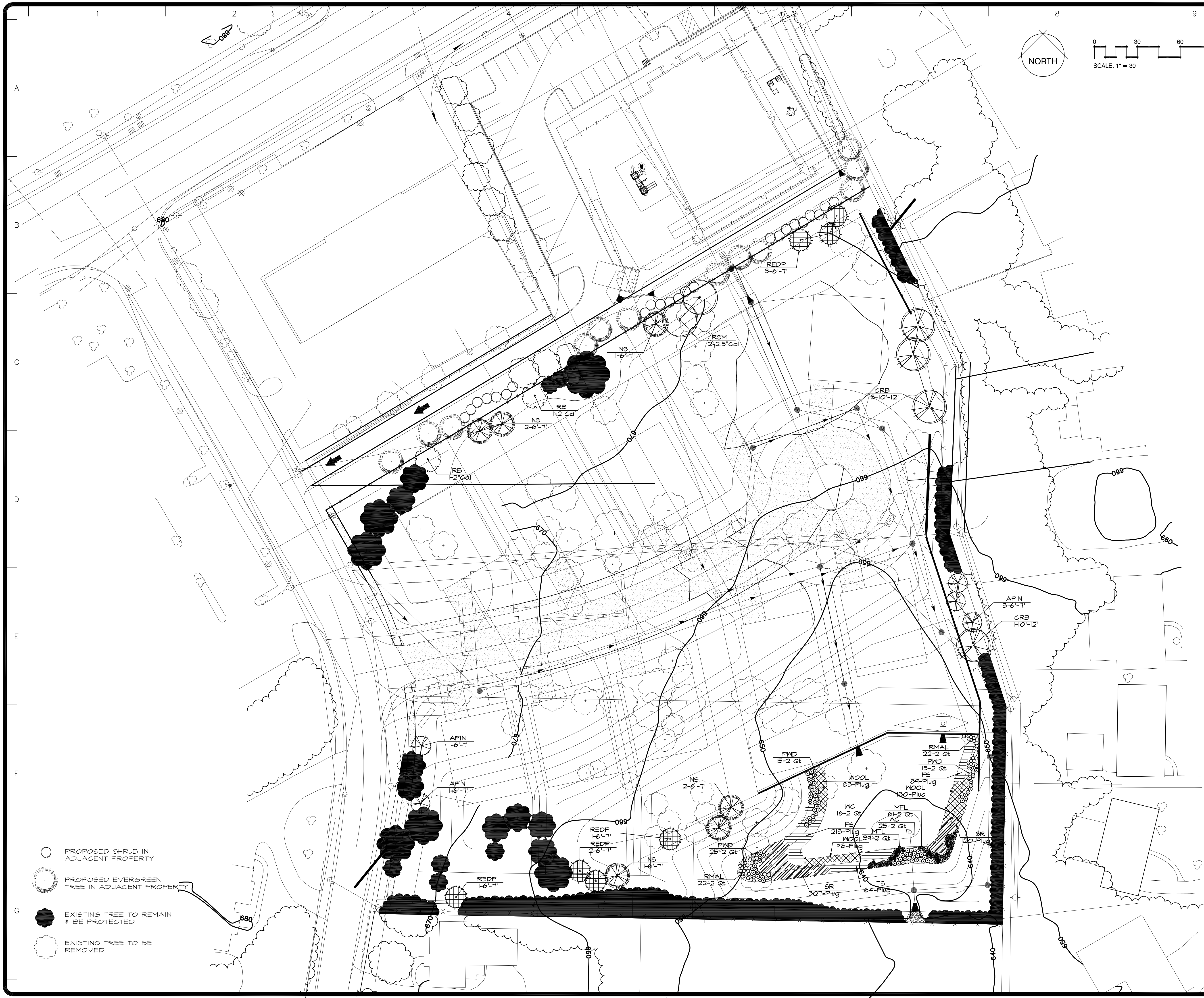
SITE DEVELOPMENT PLAN/
PRELIMINARY PLAT

10-15-2012

REVISIONS

1

11166-0



- PROPOSED SHRUB IN ADJACENT PROPERTY
- ⊙ PROPOSED EVERGREEN TREE IN ADJACENT PROPERTY
- EXISTING TREE TO REMAIN & BE PROTECTED
- EXISTING TREE TO BE REMOVED

REVISIONS BY	

landscape
TECHNOLOGIES

(636) 428-1250
67 Jacobs Creek Drive
St. Louis, MO 63114
NO Landscape Architectural Corporation, LLC 020300182

STATE OF MISSOURI
REGISTERED LANDSCAPE ARCHITECT

RANDALL W. MARDIS
NUMBER 019

DATE 10/17/12

PLANTING PLAN FOR THE PROPOSED
Villas at Moseley
CREVE COEUR, MISSOURI

DRAWN
R. MARDIS

CHECKED
R.M.

DATE
10/17/12

SCALE
1"=30'-0"

JOB No.
2012-164

SHEET
L-1

OF TWO SHEETS

LANDSCAPE GUIDELINE SPECS:

GENERAL:

- 1.) 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.
- 2.) 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.
- 3.) 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-RIE).
- 4.) 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.
- 5.) It shall be the landscape contractor's responsibility to:
 - A.) Verify all existing and proposed features shown on the drawings prior to commencement of work.
 - B.) Report all discrepancies found with regard to existing conditions or proposed design to the landscape architect immediately for a decision.
 - C.) Stake the locations of all proposed plant material and obtain the approval of the owner's representative or landscape architect prior to installation.
- 6.) 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.
- 7.) Provide single-stem trees unless otherwise noted in plant schedule.
- 8.) All plant material shall comply with the recommendations and requirements of ANSI Z60.1 "American Standards for Nursery Stock".
- 9.) 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.
- 10.) 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.
- 11.) 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:

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

MULCH:

- 1.) 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.
- 2.) No plastic sheeting or filter fabric shall be placed beneath shredded bark mulch beds. Mirafi fabric shall be used beneath all gravel mulch beds.
- 3.) Edge all beds with spade-cut edge unless otherwise noted.

MAINTENANCE:

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

SIGHT TRIANGLES:

- 1.) No landscape material or other obstructions shall be placed or be maintained within the sight distance area so as not to impeded the vision between a height of thirty inches (30") and ten feet (10') above the adjacent street or paving surfaces.
- 2.) The triangle adjacent to street intersections shall be formed by measuring from the point of intersection of the front and side lot lines a distance of 40' minimum along said front and side lot lines and connecting the points so established to form the sight triangle area.
- 3.) Sight triangles at the intersection of a public street and a private access way (except for single family residences) shall also be formed as outlined in Note #2 above by measuring from the point of intersection of the street frontage curbs and the entrance curb lines a distance of 25' and connecting the points so established to form the sight triangle area.

TOPSOIL:

- 1.) 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. Roto-till topsoil mix to a depth of 6" minimum and grade smooth.
- 2.) 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.
- 3.) Any foreign topsoil used shall be free of roots, stumps, weeds, brush, stones (larger than 1"), litter or any other extraneous or toxic material.
- 4.) 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:

- 1.) Provide stakes and deadmen of sound, new hardwood, free of knotholes and defects.
- 2.) 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:

- 1.) 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.
- 2.) 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. Any points carrying concentrated water loads and all slopes of 15% or greater shall be sodded.
- 4.) All sod shall be placed a maximum of 24 hours after harvesting.
- 5.) Recondition existing lawn areas damaged by Contractor's operations including equipment/material storage and movement of vehicles.
- 6.) Sod Contractor to ensure sod is placed below sidewalk and all paved area elevations to allow for proper drainage.

EROSION CONTROL BLANKET (Where applicable):

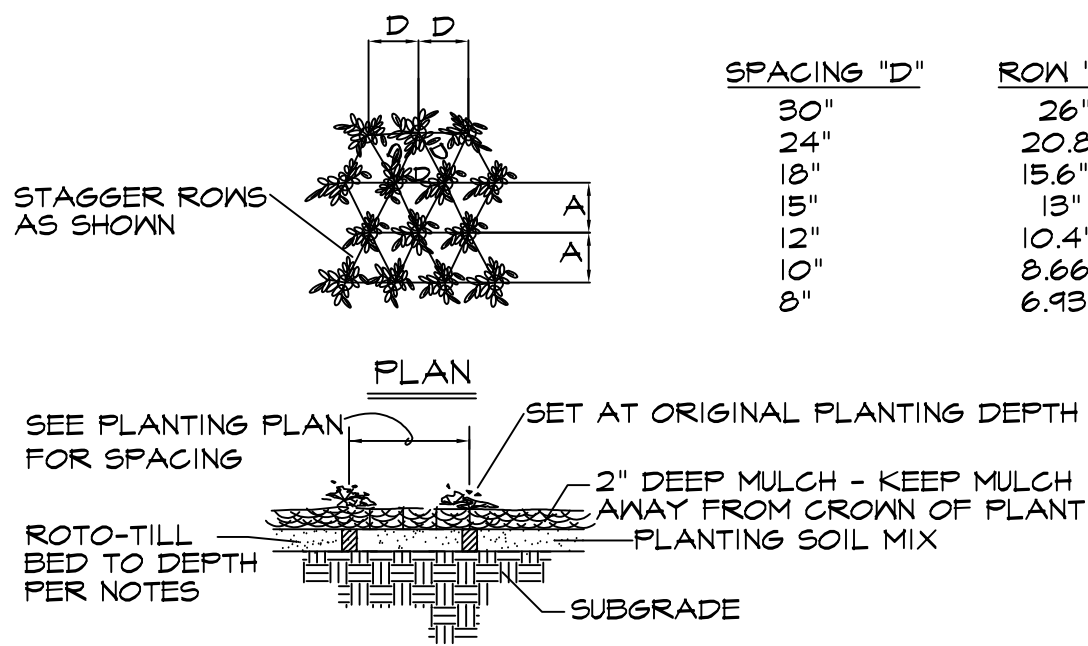
- 1.) All seeded areas shall receive an erosion control blanket which shall consist of loose straw mat and anchor pins as manufactured by: North American Green, D5 T5 or approved equal. Install per manufacturer's recommendations.

PLUG PLANTING NOTES:

- 1.) All plugs to be 4-1/2" deep X 2" diameter minimum.
- 2.) Plugs are to be planted in a hole dug with a trowel, spade or planting bar such that the hole is of a minimum diameter and depth to accommodate the plug and its roots, without damage.
- 3.) Plugs shall be spaced in a triangulated layout approximately 24" on center.
- 4.) Plugs shall be planted through erosion control blanket where appropriate.
- 5.) Obtain plugs from a reputable nursery.
- 6.) Water plugs upon completion of planting so that soil is moist but not saturated.
- 6.) If planting is delayed more than six hours after delivery, store plugs in the shade, protect from weather and mechanical damage and keep them moist and cool. All plugs shall be planted within 24 hours after delivery.

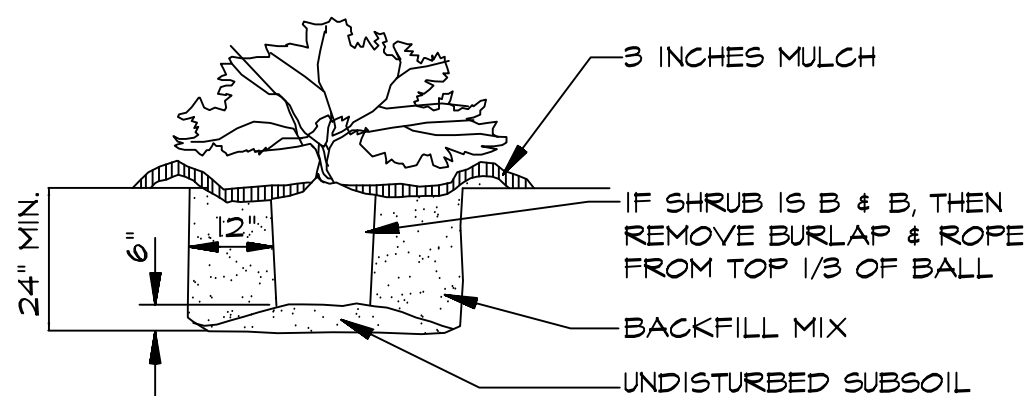
WARRANTY:

- 1.) 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.
- 2.) 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.
- 3.) 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.
- 4.) 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.



FORB/GRASS PLANTING DETAIL

N.T.S.

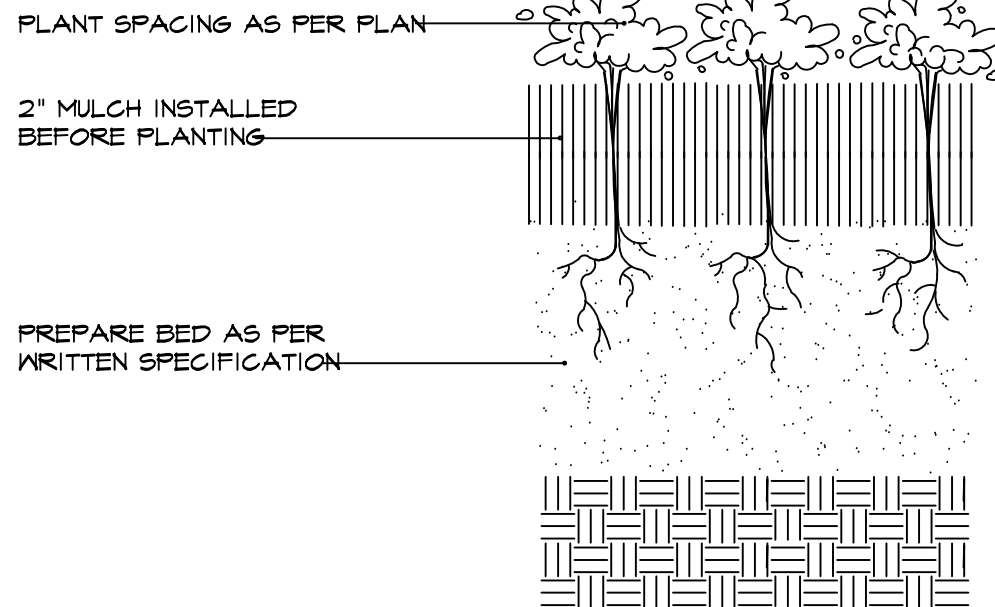


SHRUB PLANTING

N.T.S.

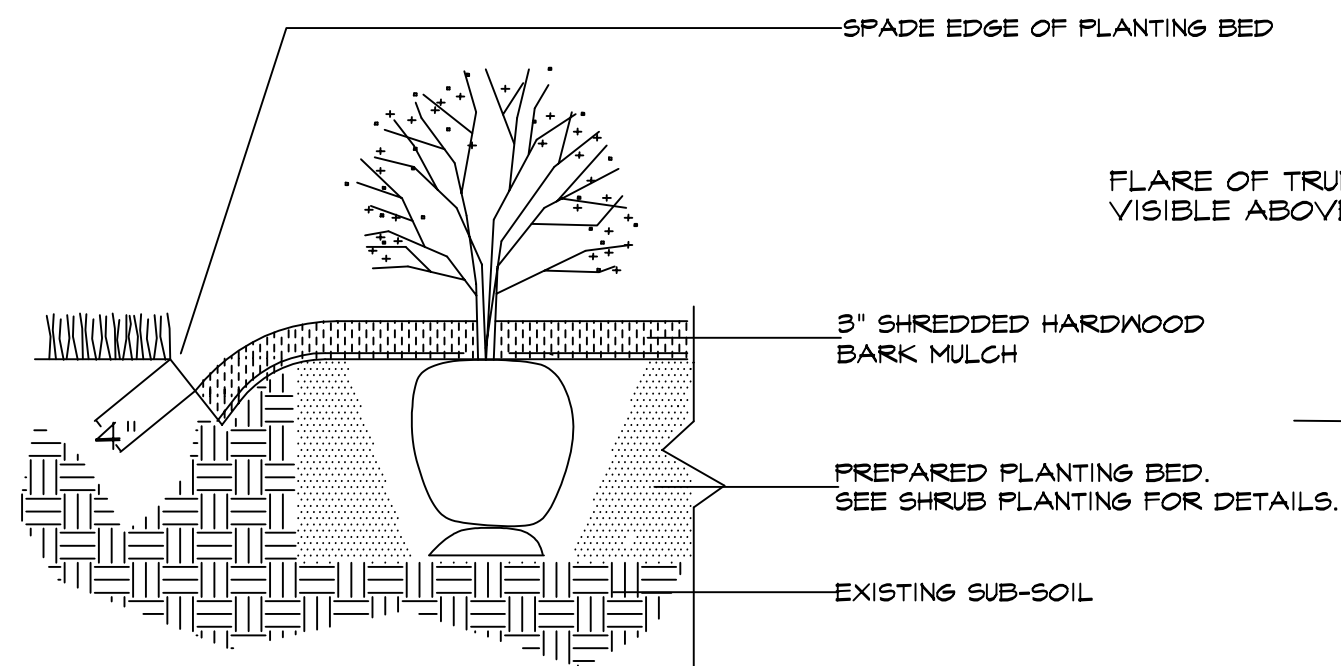
PLANT SCHEDULE

TREES	QTY	COMMON NAME / BOTANICAL NAME	SIZE
CRB	4	Heritage River Birch / Betula nigra 'Cully'	10'-12'
RSM	2	Red Sunset' Maple / Acer rubrum 'Franksred'	2.5" Cal
EVERGREEN TREES			
APIN	5	Austrian Pine / Pinus nigra	6'-7'
NS	6	Norway Spruce / Picea abies	6'-7'
REDP	7	Red Pine / Pinus resinosa	6'-7'
FLOWERING TREES			
RB	2	Redbud / Cercis canadensis	2" Cal
FORBS			
MFL	100	Monkeyflower / Mimulus ringens	2 Qt
PWD	55	Pickering Weed / Pontederia cordata	2 Qt
RMAL	44	Rose Mallow / Hibiscus lasiocarpus	2 Qt
WC	41	Wild Canna / Thalia dealbata	2 Qt
NATIVE GRASSES			
	1,005 sf	Fringed Sedge / Carex crinita	Plug @ 18" oc
	924 sf	Soft Rush / Juncus effusus	Plug @ 18" oc
	671 sf	Wool Grass / Scirpus cyperinus	Plug @ 18" oc



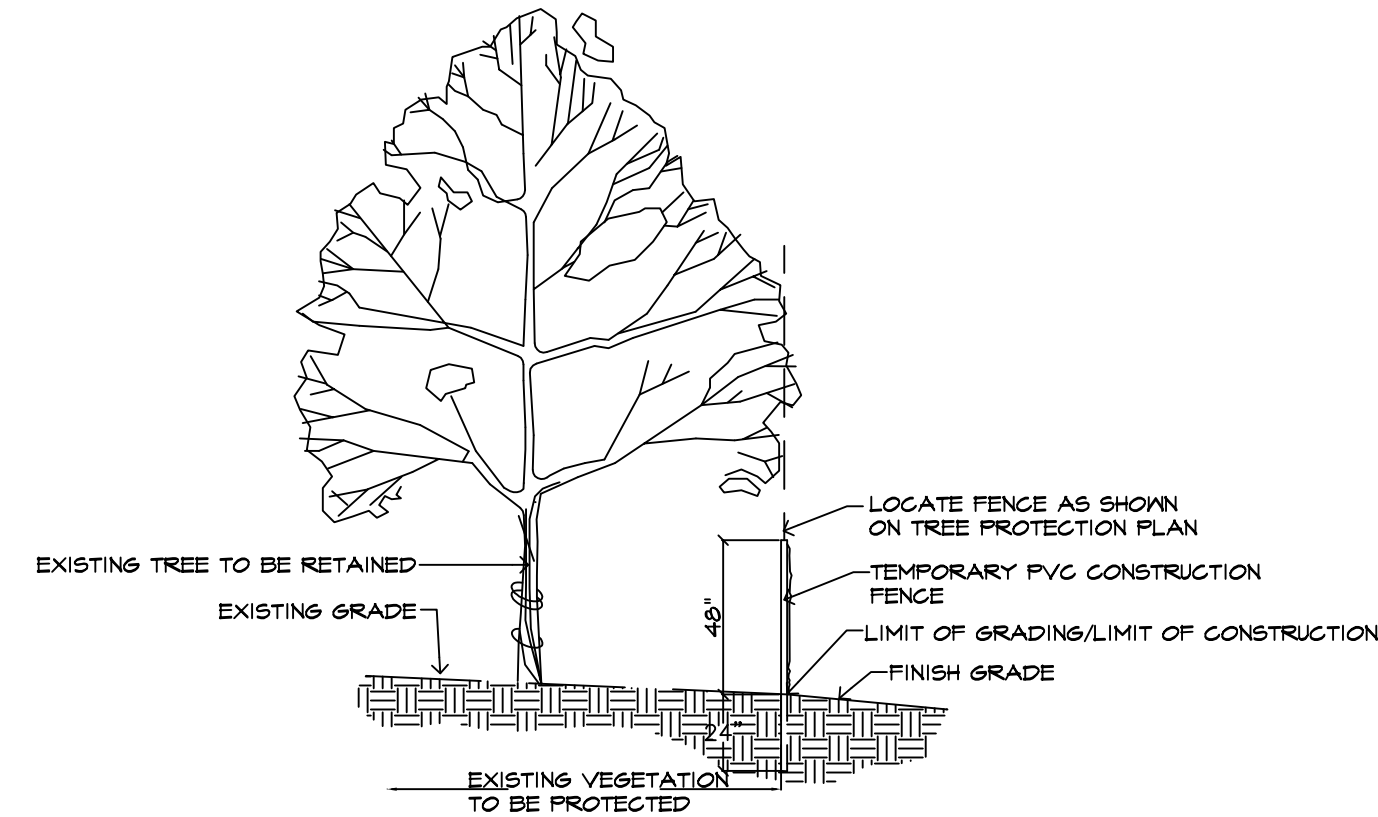
PERENNIAL / ANNUAL PLANTING

N.T.S.



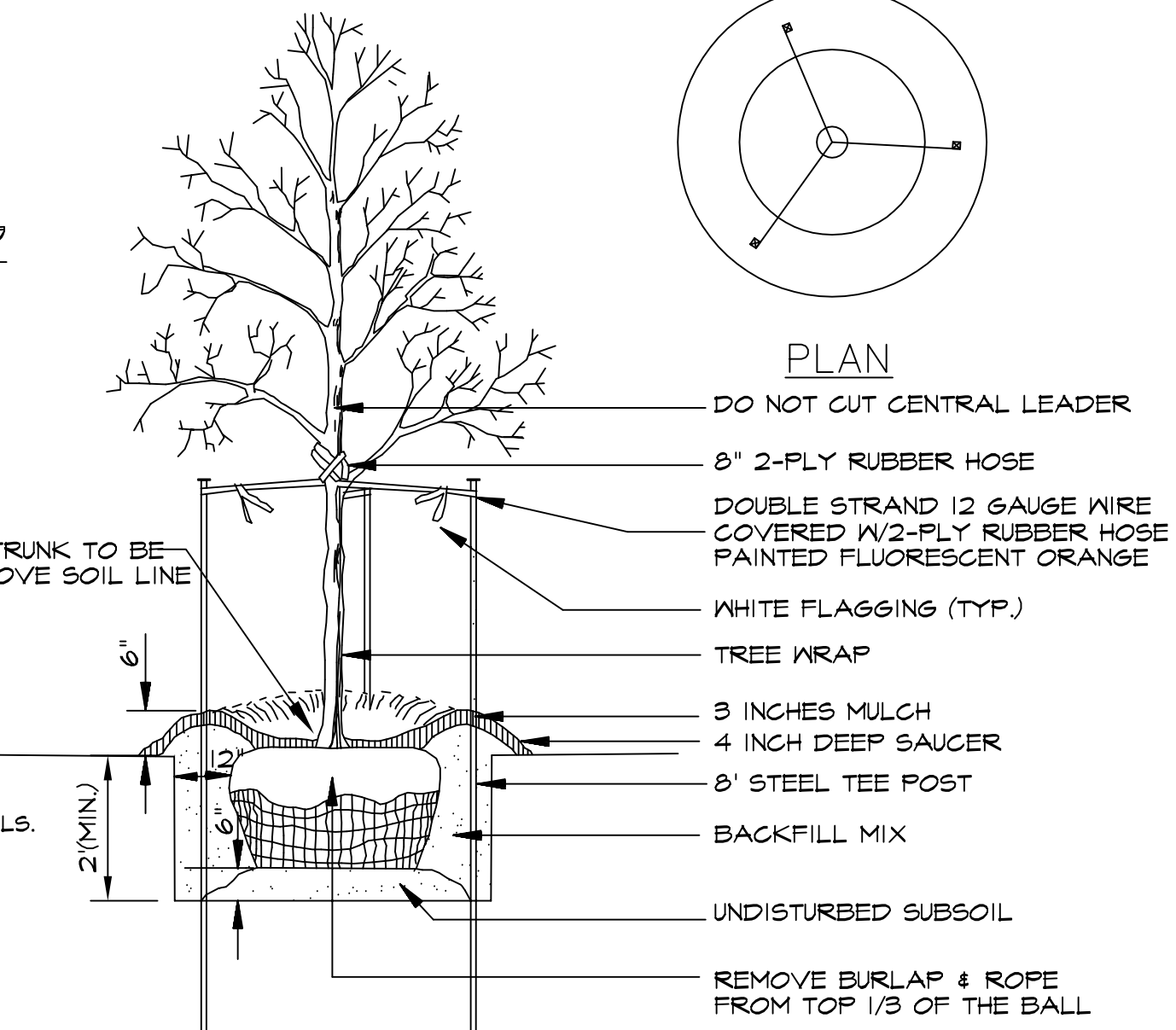
SPADE-CUT EDGE DETAIL

N.T.S.



TREE PROTECTION DETAIL

N.T.S.



NOTE: USE SHREDDED BARK MULCH ONLY

DECIDUOUS TREE PLANTING

N.T.S.

REVISIONS	BY

landscape TECHNOLOGIES
671 Jacobs Creek Drive
St. Louis, MO 63114
(636) 428-1250
Fax: (636) 428-1254
MO Landscape Architectural Corporation 1202000182

STATE OF MISSOURI
RANDALL W. MOSELEY
NUMBER 019
REGISTERED LANDSCAPE ARCHITECT
DATE: 10/17/12

PLANTING PLAN FOR THE PROPOSED
Villas at Moseley
CREVE COEUR, MISSOURI

DRAWN
R. MARDIS
CHECKED
RHM
DATE
10/11/12
SCALE
N.A.
JOB No.
2012-164
SHEET

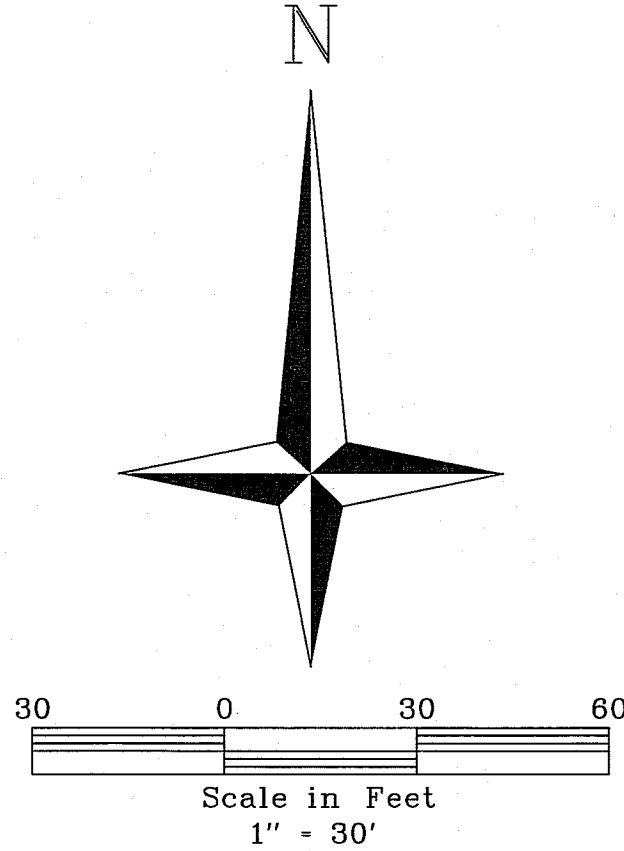
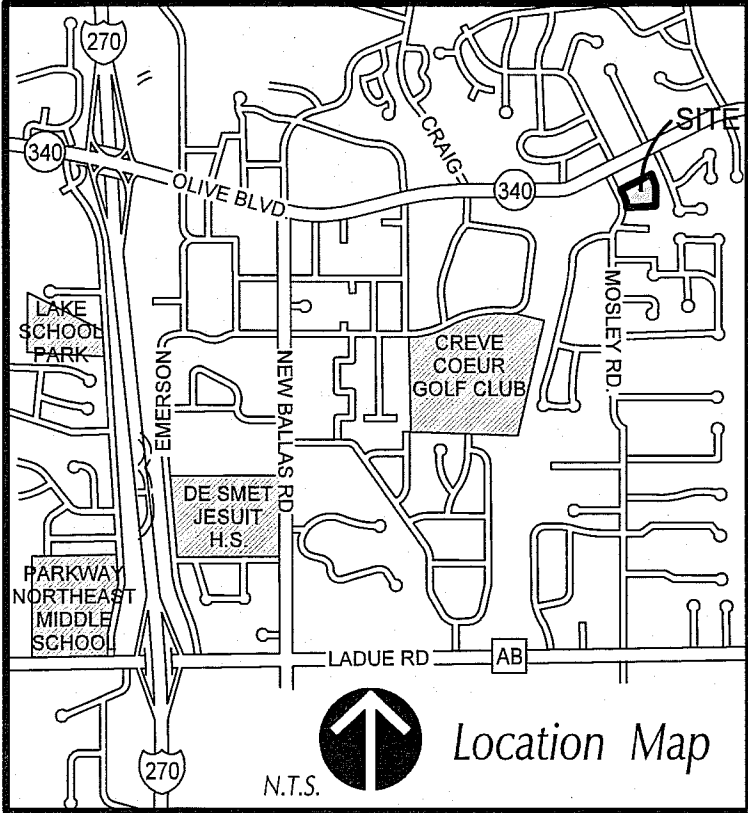
L-2

OF TWO SHEETS

TREE CENSUS - APPROXIMATE COUNT ON 10/03/2012

NOTE: ALL TREES 8" AND LARGER WERE TABULATED. LOW LYING VEGETATION AND BRUSH (EX - HONEYSUCKLE) EXIST THROUGHOUT THE PROPERTY AND ARE NOT INCLUDED IN THE COUNT.

TREE CENSUS			LEGEND	REQUIRED TO SAVE	SAVED	LEGEND
EXISTING TREE MASS:	0.596 ACRES	25,973 SF		25% = 6,493 SF	8,349 SF	
INDIVIDUAL TREES: 8" DIA. OR MORE	83 TREES			25% = 21 TREES	21 TREES	



ENGINEERS
LAND PLANNING
LAND SURVEYING
CONSULTING
CONST. MANAGEMENT

VOLZ
Incorporated

10649 Indian Market Trl., Suite 100
St. Louis, Missouri 63132
314.426.6212 Fax
314.890.1250
www.volzinc.com

TREE CENSUS
TREE PRESERVATION PLAN

10/15/2012

1

Benton Homebuilders
1000 Executive Parkway
Suite 106
St. Louis, MO 63141
314-336-5555

VILLAS AT MOSLEY



Langdon. Paul

From: yvonne darrow [ydarrow@gmail.com]
Sent: Sunday, December 16, 2012 10:37 PM
To: Langdon. Paul
Subject: Fwd: Villas at Mosley

Mr. Langdon and Commission Members,

We have every intention of being at the meeting Monday, Dec. 17, 2012 at 7:00 pm but we have a 6 pm appointment in Clayton. If we are not in attendance when this issue is called, please read this into the meeting minutes.

We are well acquainted with the proposal (Villas at Mosley) for 10 detached homes on the 3 lots between our property and the Mosley Square Shopping Center. We have the following concerns:

1. Density

The proposal for 10 homes is stretching the limits (lot sizes and setbacks) for a RDD Project. We believe 8 homes would be more acceptable.

2. Privacy Fence

Per staff recommendation a sight-proof fence on the southern and eastern borders is essential to the existing homeowners and the new owners of the villa homes. We prefer a natural material (i.e. cedar) instead of synthetic as the former will blend in with the significant vegetation on both boundary lines.

3. Relocation of Path

We are avid walkers of this area and enjoy the various areas offered by Creve Coeur. The current proposed path is located less than 20 feet from the northern edge of our house and passes just outside our dining room, family room and master bedroom. The noise from the conversations of the foot traffic by daily exercisers such as walkers from businesses such as the HBE building, as well as other businesses in the area will be quite disturbing. There is also the noise from the many barking dogs. We also believe that this path and area could be very attractive for underage drinking as well as a gathering place away from public and police view. The security of this area is of great concern.

However, with some creativity, this path could go down the proposed street and then a short path developed to the public area. Better yet, eliminate this public area and convert it to green space.

Sincerely,

Richard and

812 N. Mosley

Yvonne Darrow

Rd.



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, DECEMBER 17, 2012
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, December 17, 2012, 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. Tim Madden, Chair*
 Dr. Michael Barton
 Mr. Gary Eberhardt
 Mr. James Faron
 Mr. Ken Howard
 Ms. Cynthia Kramer

OTHERS PRESENT: *Mr. Carl Lumley, City Attorney*
 Mr. Paul Langdon, Director of Community Development
 Ms. Whitney Kelly, AICP, City Planner
 Ms. Julie Lowery, Recording Secretary

2. UNFINISHED BUSINESS

A. Application #12-033: A request for approval of the preliminary plat for 10 single family homes on four acres for the Villas at Mosley Subdivision with Residential Design Development (RDD) Designation

Applicant: William Levinson
 Benton Homebuilders
 1000 Executive Parkway, Suite 106
 Saint Louis, MO 63141

Mr. William Levinson, 42 Ladue Estates Drive, explained the concept of the project. Mr. Levinson explained the changes made to the application since the last Planning and Zoning meeting, stating the lot sizes, side-yard setbacks, and common ground size had all been made larger. Mr. Levinson also stated what public benefit he thought the project brought to Creve Coeur, including: a new housing option for residents wanting to downsize but remain in Creve Coeur; extensive common ground, including a reading garden; and a defined edge to the residential area along Mosley Road. Mr. Levinson believes the site is a good transition from commercial to residential. Mr. Levinson also addressed the concerns of the density issue, brought up by residents, stating fewer lots would not improve the view from Mosley Road since many of the lots would not be visible regardless of the total number. Mr. Levinson said the previous applicant received approval for 11 lots and that his proposal is for 10 lots, which is less dense than what was previously approved.

Mr. Rowdy Montgomery, Cadre Development, 10560 Old Olive Street Road, explained the property's history, as the representative of the land owner The Simms. Mr. Montgomery also represented the Simms with the Goddard School project. The Simms support the project because it seems achievable and they believe it is a sustainable use.

Mr. Richard Darrow, 812 N. Mosley Road, spoke neutrally about the project, however, he asked if the number of lots could be reduced to eight, if the privacy fencing could be cedar or something natural looking, and he expressed concerns with noises for the proposed walking pathway.

Ms. Ellen Lawrence, 501 N Mosley Road, spoke in opposition of the project and also submitted a signed and notarized petition for the record. Ms. Lawrence did state she believes the project does not fit the character of the neighborhood.

Mr. Mitch Waks, 429 N Mosley Road, spoke in opposition of the project and believes the proposal is too dense for the neighborhood.

Mr. Richard Meyer, 11210 Still Lane, spoke in opposition of the project. Mr. Meyer pointed out the previously approved project was for a larger parcel of land and the proposed project is too dense for the neighborhood. However, Mr. Meyer stated if the project is approved, he would like to see a site-proof fence installed. While Mr. Meyer believes RDD is a good concept for the city, he believes it is being stretched for this site.

Mr. David Caldwell, 257 Brooktrail Court, wanted to know since the previously approved project, if the lots sizes and common ground got bigger, what got smaller. Mr. Tim Meyer, Volz, Inc., stated the lots got bigger because common ground access was eliminated off the cul-de-sac. Mr. Tim Meyer does not believe the common ground area got bigger. Mr. Paul Langdon, Director of Community Development, City of Creve Coeur, stated there was some shifting of the common ground so the area along the south edge became common ground when it was previously private lots, and some of the larger lots lost ground to the small lots, but there was still the same amount of common ground.

Mr. Langdon addressed a couple of items, first the notion of a public amenity. Mr. Langdon stated that there is a requirement in the zoning code that states that, in a RDD, you must have a reason for doing it and the reasoning must go to a larger purpose/public purpose. Mr. Langdon also addressed how a development can be a transition and how this proposal does represent one between the large residential lots to the south and the general commercial development to the north. Mr. Langdon gave some background and explained some scenarios.

Chairman Madden suggested taking the pathway out, adding more landscaping along Mosley Road, and installing a natural looking fence.

Dr. Barton asked about the forward facing garages and how it applies to this project and, also, if there was a creative way to not have so many forward facing garages. Mr. Langdon stated the design guidelines encourage rear or side facing garages, however, design guidelines are just guidelines there is no formal design review for residences in the city.

Chairman Madden asked if the Commission can tell them what material to use for the garages, and Mr. Langdon replied that the Commission could, but it can get overly prescriptive and then the garage door is driving the design of the house.

Mr. Eberhardt stated he does not believe the Commission should be telling builders what type of home to build. Mr. Eberhardt also said, in his opinion, if it is nine or 10 lots, it does not make a difference, the homes are fine quality. Mr. Eberhardt would like to see the pathway eliminated but to leave the greenspace as it still provides public benefit.

Mr. Faron asked if a reduction in homes was an option and to explain some similar developments in the city to compare. Mr. Langdon compared this situation to the Winfield Pointe subdivision.

Ms. Kramer asked Mr. Levinson to elaborate on the high quality standards. Mr. Levinson replied the designs are preliminary, but they are 2500-3500 square foot homes with brick exteriors, and prices ranging from a low of \$600,000 to mid \$700,000.

Chairman Madden asked about the fence type and Mr. Levinson asked the neighbors if they would want a fence or not if the path was eliminated. Mr. Darrow replied, yes they want a fence, as opposed to seeing other houses. Mr. Richard Meyer agreed. Mr. Levinson stated the homes on the lots will not be any closer than what exists but they will comply with the neighbors request for fencing. The Commission, staff and Mr. Levinson had several more minutes of discussion around the fence with the general conclusion that wood fencing would be installed along the south and west edges of the subdivision.

Ms. Kramer asked if there would be something around the basin to prevent any accidents from happening. Mr. Levinson replied the basin would not retain water more than a couple of days and that it would be built to MSD requirements, whatever they end up being.

The Commission and residents had more discussion around the fencing issue.

Mr. Scott McKenna, 805 Renee Lane, stated he was not opposed to the project; however, he is concerned about the basin and drainage issues. Mr. McKenna stated his backyard is a “gully” where the water runs to and sits. Chairman Madden replied that MSD has to approve the plans.

The Commission members discussed what they like and dislike about the project. In discussion, Mr. Levinson was asked if fewer homes would work. Mr. Levinson responded the project does not work for less than 10 homes. Mr. Langdon asked the Commission to be clear about the number of homes and greenspace area in their motion.

There being no more discussion, Mr. Eberhardt motioned to recommend approval of the Preliminary Plat for the Villas at Mosley subdivision submitted with Application #12-033, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of December 17, 2012, with the following additional conditions: 1) that the setbacks on the south side be moved to 30 feet on the rear setback, 2) that a wooden fence be constructed along the southern and eastern boundaries at such locations approved by the Director of Community Development and residents, and 3) that the walkway and garden be

deleted and the greenspace remains. Mr. Faron seconded the motion with the resultant vote as follows:

Mr. Faron - aye

Dr. Barton – nay

Mr. Howard - nay

Mr. Eberhardt – aye

Chair – aye

Ms. Kramer – nay

Mr. Langdon explained the applicant will go before City Council on January 14, 2013, and that the denial vote from Planning and Zoning does not affect the voting rules for the Council.

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 9:05 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, NOVEMBER 19, 2012
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 19, 2012, 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. Tim Madden, Chair**
 Mr. Gary Eberhardt
 Mr. James Faron
 Mr. Ken Howard
 Ms. Cynthia Kramer

OTHERS PRESENT: **Mr. Carl Lumley, City Attorney**
 Mr. Paul Langdon, Director of Community Development
 Ms. Whitney Kelly, AICP, City Planner
 Ms. Julie Lowery, Recording Secretary

2. NEW BUSINESS

A. Application #12-033: Approval for the preliminary plan for 10 single family homes on four acres for the Villas at Mosley Subdivision with Residential Design Development (RDD) Designation.

Applicant: William Levinson
 Benton Homebuilders
 1000 Executive Parkway, Suite 106
 Saint Louis, MO 63141

Mr. Tim Meyer, Volz, Inc. explained to the Commission the previously approved project (2008) for 11 lots and stated the new proposal is for 10 lots. Mr. Meyer pointed out the elements from the previously approved plan that were important to the residents/neighbors, which include, an 8-foot no disturb buffer (east and south side of the property) and a 5-foot high privacy fence at the end of cul-de-sac. Mr. Meyer said the lots will consist of standard single family homes (2,500-3,500 square feet), ranging from \$600k-\$750k, with at-grade lots and walk-out lots. Mr. Meyer stated detention plans have been submitted to MSD and will meet all standards MSD requires. Mr. Meyer said there are 3 items/conditions that need to be incorporated, per staff review, and Benton Homes agrees to all the conditions.

Mr. Eberhardt asked about the site grading and the staff report points out the large portion of land that will have significant cut and fill, and asked if that was because of the walk-outs. Mr.

Meyer stated there is not much cut; it is almost all fill material because the property falls so much from North to South.

Ms. Kramer inquired about drainage issues, and Mr. Meyer stated the water will drain to the detention basin to the southeast, and currently, the existing pond that was there drained to the southeast as well. It is Mr. Meyer's belief the drainage did not affect the properties to the east, but he will look into it. Ms. Kramer also wanted to know about the view and visibility into neighbor's homes from the proposed homes and if there were plans to add more buffering. Mr. Meyer showed the buffering along the line that is already in place. Ms. Kramer stated she was talking more along the lines of a visibility barrier.

Mr. William Levinson, 42 Ladue Estates, Benton Home Builders, explained the homes will be primarily ranch homes with finished lower levels and possibly a 1-½ story plan, but there were no plans for two-story homes. Ms. Kramer expressed concern for the homes with higher elevation and the neighbors' houses in Wiron Meadows being seen. Mr. Meyer disagreed and said the homes are not going to be sitting above the homes to the east; the grade is about the same. Mr. Levinson stated the site is only being filled to meet street elevation requirements. Mr. Faron asked if the honeysuckle could be replaced with more trees, for a better buffer/barrier. Chairman Madden asked Mr. Langdon what the landscape requirements from the previously approved project were, and Mr. Langdon responded it was a tree line on the east side. Mr. Langdon pointed out the subdivision code requires preservation of a certain percentage of existing trees and if the east side is cleared out then a tree preservation problem arises. Mr. Langdon said some of the existing trees have to remain, but there is room to accomplish more plantings.

Mr. Langdon, in follow-up to the grading discussion, stated in going from east to west, the proposed houses are within a couple of feet of the existing houses to the east and the yard elevations are almost the same.

Mr. David Caldwell, 257 Brooktrail Court, asked if there was a policy on honeysuckle. Chairman Madden responded the Beautification Committee has requested that it no longer be planted.

Ms. Kramer asked Mr. Langdon to clarify that if there were any unintended consequences with regard to drainage, how would that be remedied? Mr. Langdon responded the problem would be identified and the builder would be required to fix it before moving forward.

Ms. Ellen Lawrence, 501 N Mosley Road, spoke in opposition to the project. Ms. Lawrence stated that Mosley Road has always been large single family homes and she does not believe this project fits in this area. Ms. Lawrence stated she does not have an issue with the existing homes being torn down and new homes being built, but she would like to see it considerably less dense: instead of 10 homes, maybe four homes.

Mr. Langdon asked the applicant to describe the changes (lot bulk standards, setbacks, lot coverage, and lot size) and what the RDD accomplishes. Mr. Meyer explained the lot sizes, setbacks, site coverage, and lot coverage. Mr. Langdon explained what the RDD allows and lets someone do.

Mr. Scott McKenna, 805 Renee Lane, stated he was not aware of any neighbors that were in favor of this project the first time around and he believes there are a lot of drainage issues. Mr. McKenna also said he has never been contacted about the current proposed project.

Mr. Levinson explained the project that was previously approved and how they used that as a starting point as well as keeping in mind what was important to the neighbors.

Mr. Faron asked for examples of RDD in the city. Mr. Langdon gave some examples and said it is generally used where there is difficult ground to build on.

Ms. Kramer asked Mr. Levinson if he had made any effort to contact the neighbors in the Wirdon Subdivision. Mr. Levinson responded that they had only contact Mr. Richard Meyer to the south and not the subdivision to the east. Mr. Kramer stated that she thought they should do that before the project moves forward.

Mr. Faron motioned to continue Application #12-033 to the next meeting of December 3, 2012. Ms. Kramer seconded the motion with the resultant vote as follows:

Mr. Faron – aye

Ms. Kramer – aye

Mr. Howard – aye

Mr. Eberhardt – aye

Chair - aye

3. **ADJOURNMENT**

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 10:36 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary

AN ORDINANCE AMENDING SECTION 405.470 CONDITIONAL USES, OF ARTICLE VI STANDARDS FOR PERMITTED, ACCESSORY AND CONDITIONAL USES OF THE ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI TO INCREASE THE LIMITATION OF RESTAURANTS FROM TWENTY-FIVE PERCENT (25%) TO FORTY PERCENT (40%) OF RETAIL OR OFFICE BUILDING ON SITES OF LESS THAN TWO ACRES IN THE "CB" CORE BUSINESS, "PO" PLANNED OFFICE, "PC" PLANNED COMMUNITY, AND "LI" LIGHT INDUSTRIAL DISTRICTS.

WHEREAS, an application by Adrian Glass, of the Post Sports Bar & Grill was submitted for a conditional use permit and text amendment, for a 5,214 square-foot, eating and drinking establishment in the former Growlers Pub space at 763 Old Ballas Road, where the square footage represents 32% of the Old Ballas Place Shopping Center; and,

WHEREAS, Section 405.470(14) prohibits restaurants located within a retail or office building to collectively occupy more than twenty-five (25%) of the building square footage; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to such restriction of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on Tuesday, January 22, 2013, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of 5-0 recommended approval of the subject amendments at its meeting on Tuesday, January 22, 2013; and,

WHEREAS, notice of said public hearing had previously been 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, all persons who presented themselves at said meeting and desiring to be heard 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 City Council; and the Bill was 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 amending the City Code of Ordinances 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.

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

SECTION 1: Section 405.470 Conditional Uses of the Zoning Ordinance, of the City of Creve Coeur's Code of Ordinances shall be amended as follows:

SECTION 405.470: CONDITIONAL USES

14. Eating and drinking establishments. Shall be located on sites of not less than two (2) acres with the following exceptions:
 - a. The acreage requirement does not apply to properties within the "GC" District;
 - b. The acreage requirement does not apply to restaurants in the "CB", "PO", "PC" and "LI" Districts that are located within a retail or office building; provided that such restaurants do not collectively occupy more than forty percent (40%) of the building square footage; and
 - c. In the "MX" District restaurants cannot be located on sites that adjoin or abut property within an "A", "B", "C" or "D" Single-Family Residential District or that adjoin or abut property within an "AR" Attached Single-Family Residential District used for attached single-family dwellings including town homes or duplexes but excluding multi-family dwellings.

SECTION 2: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2013.

ROBERT HOFFMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
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

#12-043 TEXT AMENDMENT TO ELIMINATE THE REGULATION RESTRICTING RESTAURANTS TO 25% OF RETAIL AND OFFICE BUILDINGS ON SITES OF LESS THAN TWO ACRES

FOR THE MEETING OF: January 22, 2013

LOCATION: "CB" Core Business District, "PO" Planned Office District, "PC" Planned Community District, and "LI" Light Industrial District

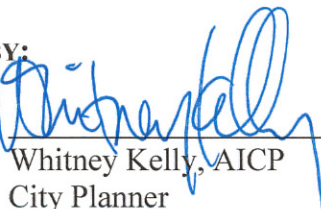
REQUEST: Adrian Glass, of the Post Sports Bar and Grill, has proposed a text amendment that eliminates the regulation restricting restaurants to 25% of retail and office buildings on sites of less than two acres in the "CB" Core Business District, in order to locate in the former Growlers Pub space at 763 Old Ballas Rd. Staff further recommends eliminating the provision in the CB, PO, PC and LI districts as well.

ADDITIONAL INFORMATION:

Section 405.470(14) of the Zoning Code states that restaurants in the "CB", "PO", "PC" and "LI" District shall not be located on sites of less than two acres unless they collectively occupy less than twenty-five percent (25%) of the building square footage. This effectively limits them to 25% of the floor area in several small retail centers in the city.

APPLICANT: Adrian Glass
The Post Sports Bar and Grill
7372 Manchester Rd.
Maplewood, MO

REPORT PREPARED BY:


Whitney Kelly, AICP
City Planner

Key Issues:

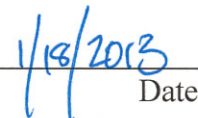
- Does this request further the goals and/or implement the Comprehensive Plan?
- Is this a reasonable exercise of zoning authority?

Comp. Plan References

- Central Business District Action Area

Zoning Code References

- Section 405.470 Conditional Uses
- 405.610 Non-Conformities


Date

ATTACHMENTS: Draft Ordinance
Applicant's Request submitted November 26, 2012

INTRODUCTION

Adrian Glass submitted an application for a conditional use permit to use the 5,214 square-foot former Growlers Pub space at 763 Old Ballas Road. This space represents 32% of the building square footage on a site that is less than two acres in area. Growlers Pub operated under a pre-existing, nonconforming conditional use permit from 1991 (refer to discussion for the CUP with application #12-042 for further information). Section 405.610(C)(8) of Non-Conforming Uses states that in the event that the non-conforming use of any building or premises is discontinued for a period of one year, regardless of any reservations of an intent not to abandon or resume such use, any subsequent use or occupancy of such structure shall comply with provisions of this Chapter including those of the zoning district in which the structure is located. Growlers Pub vacated the space approximately 2 years ago, so any prior pre-existing rights are no longer attached to this property. The property is located in the “CB” Core Business District.

In 2004, City Council approved a text amendment restricting eating and drinking places to 25% of the building square footage within retail or office building for the “CB” Core Business District, “PO” Planned Office District, “PC” Planned Community District, “LI” Light Industrial District, and “MX” Mixed-Use District on sites of less than two acres. The limitations of restaurants were not included in the “GC” General Commercial District.

In May 2012, the Planning and Zoning Commission, reviewed and recommended approval of a request to eliminate the provision in the “MX” Mixed Use District. The City Council subsequently elected to increase the restriction from 25% to 40%, instead of eliminating restriction altogether.

Note that the applicant has only requested an amendment to the “CB” Core Business District. If approved, however, only the “PO,” “PC” and “LI” districts would still have the restriction. This difference in regulation would not appear to have a rational basis since restaurants within small shopping centers do not have a significant presence in those districts, so staff requests that the application be amended to include all of the remaining districts still subject to the 25% limit. Further, the following discussion revolves around issues that are equally applicable to all affected districts, regardless of the specific subject of the amendment.

DISCUSSION

Comprehensive Plan Review:

The “CB” Core Business District, and “PO” Planned Office District falls under the East Olive Corridor, West Olive Corridor, Commerce Center and Central Business District Action Areas of the Comprehensive Plan. The Comprehensive Plan doesn’t provide much direction regarding the specific mix of uses other than to indicate that within the Central Business District Action area, recommendations for Residential Preservation and Economic Development include:

- Mix of Uses - It is desirable that the Central Business District include a mix of uses, including, retail, entertainment, cultural activities, office, residential, and civic uses, but the mix of these uses will be determined based on the market analysis. (p. 81)

By increasing the allowable square footage of restaurants within the building, they could limit the other uses within the same building/shopping center. However, the mix of uses is to be market driven (per the above Comprehensive Plan goal) and Staff is seeing market interest for more restaurants in some areas of the City. Given that there is no such restriction in the “GC” General Commercial District, and Staff is unaware of any problems as a result, it is not

anticipated that the market push would be so great that it would eliminate all other uses. However, if the Commission is uncomfortable with completely eliminating such restriction in the effort to maintain a mix of uses, then Staff recommends revising the request to increasing the allowable mix from 25% to 40% to match the recent change in the "MX" District.

Zoning Regulations:

Currently the Code reads as follows:

SECTION 405.470: CONDITIONAL USES

14. Eating and drinking establishments. Shall be located on sites of not less than two (2) acres with the following exceptions:

- a. The acreage requirement does not apply to properties within the "GC" District;
- b. The acreage requirement does not apply to restaurants in the "CB", "PO", "PC" and "LI" Districts that are located within a retail or office building, provided that such restaurants do not collectively occupy more than twenty-five percent (25%) of the building square footage; and
- c. In the "MX" District restaurants cannot be located on sites that adjoin or abut property within an "A", "B", "C" or "D" Single-Family Residential District or that adjoin or abut property within an "AR" Attached Single-Family Residential District used for attached single-family dwellings including town homes or duplexes but excluding multi-family dwellings.

Any intent of the districts and character of the developments are established through the quality of the site planning and quality of the architecture reviewed under the site development plan process. The coming and going of individual tenants within the development will not significantly affect those characteristics. For those uses that could create an impact, they are further reviewed through the conditional use permit process, which looks at specific uses in relation to the site. All restaurants in the City require a conditional use permit with Planning and Zoning Commission's review and City Council approval, where site related issues, including parking, are examined. There is no reason to believe that increasing the allowable square footage for a restaurant would be out of character for the district as long as the purposes of the district are maintained in the design, rather than the design being tailored to one use (restaurant).

CONCLUSION AND ACTION

The character of development is established through the site development plan review process, where all aspects of the development are examined to ensure that any development meets with the intent of the Comprehensive Plan, Design Guidelines, and the district regulations of Zoning Code, including site coverage and landscaping, are met. The quality of the site development plan and architecture establishes the character of the development. Which individual tenants within a building come and go would not likely alter this character. For those uses that are already known to have potential impact; the City reviews those on an individual basis through the conditional use permit process that specifically looks at the site characteristics, vis-à-vis the use. Thus, in Staff's opinion, the limit of the 25% seems unnecessary, when all other site related conditions are examined under a separate process.

Therefore, Staff recommends the following text amendment:

SECTION 405.470: CONDITIONAL USES

14. Eating and drinking establishments. Shall be located on sites of not less than two (2) acres with the following exceptions:
- a. The acreage requirement does not apply to properties within the "GC" District;
 - b. The acreage requirement does not apply to restaurants in the "CB", "PO", "PC" and "LI" Districts that are located within a retail or office building; ~~provided that such restaurants do not collectively occupy more than twenty-five percent (25%) of the building square footage;~~ and
 - c. In the "MX" District restaurants cannot be located on sites that adjoin or abut property within an "A", "B", "C" or "D" Single-Family Residential District or that adjoin or abut property within an "AR" Attached Single-Family Residential District used for attached single-family dwellings including town homes or duplexes but excluding multi-family dwellings.

MOTION

If the Planning Commission has chosen to accept the draft ordinance as written, the following would be a suitable motion for this application:

"I move to recommend approval of Application #12-043, for a text amendment to eliminate the limit of eating and drinking places to 25% of the total building square-footage located on sites of under two acres, in all affected districts, as described in the staff report dated January 22, 2013."

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.

AN ORDINANCE AMENDING CHAPTER 405.470 CONDITIONAL USES, OF ARTICLE VI STANDARDS FOR PERMITTED, ACCESSORY AND CONDTIONAL USES OF THE ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI TO ELIMINATE THE LIMITATION OF RESTAURANTS TO TWENTY-FIVE PERCENT (25%) OF RETAIL OR OFFICE BUILDING IN THE "CB" CORE BUSINESS, "PO" PLANNED OFFICE, "PC" PLANNED COMMUNITY, AND "LI" LIGHT INDUSTRIAL DISTRICTS.

WHEREAS, an application by Adrian Glass, of the Post Sports Bar & Grill for a conditional use permit for a 5,214 square-foot, eating and drinking in the former Growlers Pub space at 763 Old Ballas Road, where the square footage represents 32% of the Old Ballas Place Shopping Center; and,

WHEREAS, Section 405.470(14) prohibits restaurants located within a retail or office building to collectively occupy more than twenty-five (25%) of the building square footage ; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to such restriction of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on Tuesday, January 22, 2013, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of _____ recommended approval of the subject amendments at its meeting on Tuesday, January 22, 2013; and,

WHEREAS, notice of said public hearing had previously been 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, all persons who presented themselves at said meeting and desiring to be heard 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 City Council; and the Bill was 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 amending the City Code of Ordinances 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.

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

SECTION 1: Section 405.470 Conditional Uses of the Zoning Ordinance, of the City of Creve Coeur's Code of Ordinances shall be amended as follows:

SECTION 405.470: CONDITIONAL USES

BILL NO. _____

ORDINANCE NO. _____

14. Eating and drinking establishments. Shall be located on sites of not less than two (2) acres with the following exceptions:
- a. The acreage requirement does not apply to properties within the "GC" District;
 - b. The acreage requirement does not apply to restaurants in the "CB", "PO", "PC" and "LI" Districts that are located within a retail or office building; ~~provided that such restaurants do not collectively occupy more than twenty-five percent (25%) of the building square footage;~~ and
 - c. In the "MX" District restaurants cannot be located on sites that adjoin or abut property within an "A", "B", "C" or "D" Single-Family Residential District or that adjoin or abut property within an "AR" Attached Single-Family Residential District used for attached single-family dwellings including town homes or duplexes but excluding multi-family dwellings.

SECTION 2: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2013.

ROBERT HOFFMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

Rationale – Text Amendment

Description of Request:

We are looking to open a restaurant (**The Post Sports Bar & Grill**) at 763 Old Ballas Pl. This is where Growlers had previously operated. We are a full service restaurant & bar serving a wide variety of food. We would like to use the entire 5,214 square feet of space as a restaurant. This is the amount of space Growlers used. This comprises roughly 32% of the total building square footage. Therefore we are hoping to get a text amendment from the City Council which would allow us to utilize the entire 5,214 square feet as a restaurant. The additional 7% of space (over the 25%) is paramount for kitchen and storage space. We currently operate a store in Maplewood and have roughly 5,550 square feet, so we know how to best utilize this amount of space for our operations. As the entire 5,214 square feet of space was previously being used by Growlers without any known issues, we wouldn't foresee any issues with the neighboring commercial community.

Affected Section(s) of the Zoning or Subdivision Code:

CB (Core Business District)

Proposed Ordinance Language:

Eliminating the limit of eating and drinking establishments to twenty-five percent (25%) of building square footage in "CB" Core Business District.



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

January 23, 2013

Mr. Adrian Glass
The Post Sports Bar and Grill
7372 Manchester Road
Maplewood, MO 63143

Re: Record of Planning Commission Decision on Application #12-043

Mr. Glass:

The Planning and Zoning Commission, at its meeting of January 22, 2013, reviewed your request to eliminate the regulation restricting restaurants to 25% of the gross floor area in retail and office buildings on sites of less than two acres.

By unanimous vote, the Planning Commission voted to amend the request by increasing the maximum percentage to 40%, rather than eliminate it altogether. The Commission then voted unanimously to recommend approval of Application #12-043, as amended. The first reading of the draft ordinance by the City Council is scheduled for Monday, January 28th, 2013. You or a representative should plan to be in attendance to speak for the request.

If you have any questions, please contact the Planning Division staff (872-2501) as soon as possible. Note that significant changes to the draft ordinance may require that the matter be returned to the Planning and Zoning Commission prior to City Council approval.

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

Excerpts of Public Hearign TranscriptsPZ 012213.txt
PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

TUESDAY, JANUARY 22, 2013

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chairman

Mr. Michael Barton

Mr. James Faron

Ms. Cynthia Kramer

Mr. James Schnarr

Mr. Carl Lumley, City Attorney

Mr. Paul Langdon, Director of Community Development

Ms. Whitney Kelly, City Planner

Ms. Julie Lowery, Recording Secretary

McLaughlin Court Reporting Services, Inc.

Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR

4772 Gatesbury Drive

St. Louis, MO 63128

(314)487-2259

CHAIRMAN MADDEN: Okay. And that'll move us to

our second public hearing, Application No. 12-043:

Approval of a text amendment to eliminate the regulation

restricting restaurants to 25 percent of the retail and

office -- office buildings on sites of less than 2 acres.

Page 1

6 We all have to be sworn in again for this?

7 Okay.

8 MR. LUMLEY: Maybe before you start, I'd suggest
9 a motion to incorporate the record of the prior hearing
10 into this, so folks don't feel like they have to repeat
11 themselves.

12 CHAIRMAN MADDEN: Okay. Does anyone want to
13 make that motion?

14 MS. KRAMER: Move to incorporate this into the
15 previous hearing.

16 MR. FARON: Second.

17 CHAIRMAN MADDEN: All in favor?

18 (All said Aye.)

19 CHAIRMAN MADDEN: Okay. You guys got to get
20 sworn in again.

21 MR. LUMLEY: But nobody has to repeat
22 themselves.

23 (Speakers were sworn by the court reporter.)

24 MS. KELLY: I'll go first.

25 CHAIRMAN MADDEN: Okay.

1 MS. KELLY: Whitney Kelly, City Planner, on ¹⁶
2 behalf of the City of Creve Coeur.

3 Again, the text amendment came out of the
4 previous application for the CUP for the former Growlers
5 space.

6 Much of this discussion is similar to the
7 discussion that we had with the MX District.

8 The character of the building and the character
9 of the site is established through site development plan
10 review and architectural review.

Excerpts of Public Hearign TranscriptsPZ 012213.txt
11 Changing out the number of restaurants within
12 that space would not alter the site.
13 This -- the current site for this application,
14 while it would affect all of the CD District, the Planned
15 Office and the LI District would have to be changed, but
16 this site, the character's already been established.
17 There is plenty of parking available on the site, and,
18 therefore, we see no reason why we should limit
19 restaurants to 25 percent of the building's square
20 footage.
21 CHAIRMAN MADDEN: Any questions for Whitney?
22 Is there anybody in the audience that has a
23 question for Whitney or a comment? No. Okay.
24 That'll end -- formally end the public hearing.
25 (The public hearing was ended.)

17

30

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 Hearings 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
Page 3

Excerpts of Public Hearign TranscriptsPZ 012213.txt

15 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR

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Excerpts of Public Hearing Transcripts PZ 012213.txt
PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

TUESDAY, JANUARY 22, 2013

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chairman

Mr. Michael Barton

Mr. James Faron

Ms. Cynthia Kramer

Mr. James Schnarr

Mr. Carl Lumley, City Attorney

Mr. Paul Langdon, Director of Community Development

Ms. Whitney Kelly, City Planner

Ms. Julie Lowery, Recording Secretary

McLaughlin Court Reporting Services, Inc.

Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR

4772 Gatesbury Drive

St. Louis, MO 63128

(314)487-2259

CHAIRMAN MADDEN: I'd like to call to order the¹

Planning Zoning Commission Meeting for the City of Creve

Coeur, Missouri for Tuesday January 22nd, 2013.

We'll start with roll call.

I don't see Dr. Barton.

Mr. Eberhardt said he wouldn't be here.

Page 1

Excerpts of Public Hearing Transcripts PZ 012213.txt

7 Mr. James Faron?
8 MR. FARON: Present.
9 CHAIRMAN MADDEN: I don't see Mr. Howard.
10 Ms. Cynthia Kramer?
11 MS. KRAMER: Present.
12 CHAIRMAN MADDEN: Mr. Jim Schnarr?
13 MR. SCHNARR: Present.
14 CHAIRMAN MADDEN: Carl Lumley, our City
15 Attorney?
16 MR. LUMLEY: Present.
17 CHAIRMAN MADDEN: Paul Langdon, our Director of
18 Community Development?
19 MR. LANGDON: Present.
20 CHAIRMAN MADDEN: Whitney Kelly, our City
21 Planner?
22 MS. KELLY: Present.
23 CHAIRMAN MADDEN: And, Judy Lowery, our
24 Recording Secretary?
25 MS. LOWERY: Present.

1 CHAIRMAN MADDEN: So No. 6. It's a public 2
2 hearing. Application No. 12-042: Approval of a new
3 conditional use permit for the Post II Sports Bar and
4 Grill at 763 Old Ballas Road in the Core Business Zoning
5 District.
6 Anybody that might be speaking on this, please
7 come up here and be sworn in, please, will you please,
8 right over here in front of this table if you -- any
9 chance you might speak, it'll save us a lot of time.
10 (Speakers were sworn by the court reporter.)
11 CHAIRMAN MADDEN: Adrian Glass, are you going to

Excerpts of Public Hearing Transcripts PZ 012213.txt
12 be handling this or --

13 MR. GLASS: I will be speaking during a portion
14 of this.

15 CHAIRMAN MADDEN: Okay.

16 MR. GLASS: Bill will lead off, however.

17 CHAIRMAN MADDEN: Okay. Could you, for the
18 record, state your name -- state your name and address,
19 please.

20 MR. BIERMANN: Sure. Bill Biermann, 1795
21 Clarkson Road, Suite 190, Chesterfield 63017.

22 And I'm here this evening on behalf of the
23 landlord on the subject at 763 Old Ballas Road.

24 And I would just like to let the Commission know
25 that, obviously, we are -- we are very excited to have the

1 potential of a new tenant that we believe will bring a ³
2 much needed service to the area that we believe is
3 lacking, and we're excited to get -- get them in there and
4 work with them.

5 And if you have any questions, I'll be glad to
6 answer them for you.

7 Thank you.

8 CHAIRMAN MADDEN: Thank you.

9 MR. GLASS: Hello, my name is Adrian Glass.

10 I'm with the Post Sports Bar and Grill. And
11 currently we're located 7372 Manchester Road in Maplewood.

12 I'd like to start off by actually reading a
13 letter on behalf of Jeannine Beck. She's the Director of
14 the Chamber of Commerce in Maplewood.

15 "Dear Commissioners: Next week the Post Sports
16 Bar and Grill will be awarded the 2012 Maplewood Business
17 of the Year.

18 Their nomination was supported by fellow
19 business owners, elected officials and citizens, and is
20 indicative of the great respect the Post has earned from
21 our community.

22 This is only the latest honor to be bestowed
23 upon the Post. They're a regular winner in the Bearing
24 Readers Choice and Best of Awards Around Town.

25 The level of success the Post Sports Bar and

1 Grill experience is uncommon considering how many
2 restaurants fail within the first year.

3 The credit for their success lies in outstanding
4 ownership team that has vision and a meticulously thought
5 out business plan.

6 More importantly, they've remained focused on
7 the basics; creative menu, outstanding food and
8 exceptional customer service. There's no doubt that the
9 Post has been an asset to the City of Maplewood.

10 The Post draws visitors from all over St. Louis,
11 who otherwise wouldn't have rediscovered Maplewood's
12 transformation over the last decade.

13 They've also been a generous and involved
14 corporate citizen from adopting a family over the holidays
15 to coaching various youth sports leagues in Maplewood.

16 Perhaps less important, yet still worthy of
17 mentioning, is that the owners of the Post Sports Bar and
18 Grill are every bit as professional, genuine and sincere
19 as they appear. The Chamber has worked primarily with
20 Adrian Glass and Bill Cipriani, both of whom are highly
21 respected in our community.

22 We're fortunate that they chose Maplewood to

4

Excerpts of Public Hearing Transcripts PZ 012213.txt
23 open their doors for their first location, and have no
24 doubt that Creve Coeur will experience the same benefit in
25 adding the Post Sports Bar and Grill to the business

1 community. 5

2 The Post is a local sports bar. We opened back
3 in 2009 when we opened the New York Times, the Washington
4 Post and the Fancy Sports Business Journal, all dubbed us
5 the -- the nation's very first fantasy sports bar, so
6 that's something that we're very proud of.

7 As Jeannine eluded to, in four short years we
8 have racked up a lot of awards. In 2009 we were voted
9 Best Sports Bar by Metromix and Fox 2 News. In 2010 we
10 received the same accolades from Riverfront Times, as well
11 as Sauce -- or St. Louis Magazine. In 2011, Sauce
12 Magazine and The Riverfront Times, again, awarded us Best
13 Sports Bar in St. Louis. And then in 2012 St. Louis
14 Magazine, Sauce Magazine, The Brentwood-Maplewood Patch
15 awarded us with the best sports bar in St. Louis. And
16 we're very proud, actually, CNN voted us the top 101
17 sports bars in the nation in 2012.

18 We serve a full menu, everything from
19 appetizers, soups, salads, burgers, chicken sandwiches,
20 wraps to homemade pizzas, baked wings. Cheese steaks are
21 really our specialty.

22 And we strive to offer the combination of the
23 excitement of attending the game in person with the
24 comfort of watching the game at home, and that's something
25 that we really pride ourselves on, and think that -- that

1 we do a good job of. 6

2 A portion of our mission statement, again, as --
Page 5

3 as Jeannine mentioned, kind of revolved around giving back
4 to the community. I mean we currently do so via multiple
5 donation practices, as well as time commitments.

6 We understand that the City of Creve Coeur
7 currently has an ordinance in place that stipulates that
8 no restaurant should exceed 25 percent of a total building
9 square footage, and we're asking for a variance from that.

10 We really think this Growlers space is the
11 perfect space for us to operate. Used to be an existing
12 restaurant, the exact same size. We're not asking to, you
13 know, to double the footprint or anything like that.

14 And based on our business model, as well as our
15 product offerings, we really can't economically run a
16 viable business in a smaller space than -- than that, so
17 that's why we're asking for the variance.

18 And we really do believe that the Creve Coeur
19 community would do us well; that we'd operate well in this
20 community, and that we also fit the need for a sports bar
21 here in Creve Coeur.

22 So we very much thank you for your time and your
23 consideration in this matter.

24 CHAIRMAN MADDEN: Any questions?

25 MR. SCHNARR: What percentage of the building

1 are you going to operate in? 7

2 MR. GLASS: I believe roughly 31 percent.

3 MR. SCHNARR: Okay.

4 MR. GLASS: Yeah.

5 CHAIRMAN MADDEN: Yeah.

6 MR. FARON: You're going to occupy the same
7 space, right?

8 MR. GLASS: It'll be the exact same space, yes.

9 MR. FARON: And -- and the, I'll say the cold
10 climate, you're going to take the patio and use that as a
11 brewing -- I mean how are you going to do --

12 MR. GLASS: No, not brewing, no, we'll have
13 similar to what Growlers had, the -- the awning that
14 would -- that would fold down.

15 MR. FARON: The heat lamps --

16 MR. GLASS: Exactly.

17 MR. FARON: -- and things like that?

18 MR. GLASS: Exactly.

19 MR. FARON: I think I read something there.

20 And --

21 MR. GLASS: So it will be utilized as exterior
22 seating, but in the winter, we'll be able to -- to
23 still --

24 MR. FARON: Block the wind --

25 MR. GLASS: Exactly, operate in that area.

1 MR. FARON: And your hours are going to be
2 roughly the same as theirs?

3 MR. GLASS: Hours will be the same as Maplewood,
4 so that's eleven o'clock to midnight Sunday through
5 Tuesday, and then eleven o'clock a.m. until one o'clock in
6 the morning Wednesday through Saturday. And we're open
7 lunch all the way on, we don't close the doors.

8 MR. FARON: And there's going to be an
9 additional fire exit to the parking, is that correct?

10 MR. GLASS: Correct, yeah.

11 MR. FARON: And -- and looking at the plans, was
12 there a door to the mechanical room, I guess I just
13 glanced at it quickly, I -- just curious? I --

14 MR. GLASS: Mike, would you like to answer that?

15 MR. FARON: It's probably not a big issue but,

16 unless it's not going to be there.

17 CHAIRMAN MADDEN: Do you have it?

18 MS. KELLY: Yeah, I have it.

19 CHAIRMAN MADDEN: Okay. Whitney's got it.

20 MR. GLASS: Thank you, Whitney.

21 MS. KELLY: This is a -- the door that's already

22 existing for the door, but no mechanic -- no door in the

23 mechanical.

24 MR. FARON: How will you access that?

25 MR. GLASS: No, that's -- there should be a door

1 there. There should actually be two doors there, one from⁹

2 the office and --

3 MR. FARON: Okay.

4 MR. GLASS: -- so one from the office here and

5 one from the restroom.

6 VOICE IN THE AUDIENCE: Yeah, mechanical space.

7 MR. GLASS: Yeah, I don't know why this plan

8 does not have a doorway there.

9 MR. FARON: Well, I'm sure it will be resolved

10 for permit and --

11 MR. GLASS: Yeah.

12 MR. FARON: -- I just -- not a big deal.

13 MR. GLASS: Good question though.

14 MR. FARON: Yeah. No problem. Thank you for

15 your time --

16 MR. GLASS: You're welcome.

17 MR. FARON: -- in answering my questions.

18 CHAIRMAN MADDEN: Any other questions?

19 Is there anybody in the audience that has a
20 question or comment?
21 Okay. That'll end the official public --
22 I'm sorry, Whitney, I didn't know you were going
23 to --
24 MS. KELLY: Whitney Kelly on behalf of the City
25 of Creve Coeur.

1 Again, this is a new conditional use permit. ¹⁰ We
2 are asking for repeal of the prior ordinance.

3 As was stated, Growlers assumed a previous CUP
4 that limited the restaurant square footage to 2500 square
5 feet.

6 Back in 1996, they started construction without
7 building permits to expand the space in -- for -- in the
8 kitchen back area.

9 However, at the time the CUP was never updated.
10 The space does represent approximately 32 percent of the
11 building square footage.

12 In 2004 the Code was revised to limit
13 restaurants on sites of less than 2 acres to 25 percent of
14 the building square footage.

15 So in addition to the CUP the next item for
16 discussion will be an amendment to that ordinance to allow
17 for a text amendment to allow for greater percentage of
18 restaurant space within those buildings.

19 However, while the Applicant has said that they
20 could not utilize this space without that text amendment,
21 we have included a condition that says that for some
22 reason they do not get that text amendment, the restaurant
23 could still work at 4,000 square feet, which is --
24 represents 25 percent of the building square footage.

4 You have any other questions?

6 CHAIRMAN MADDEN: Go ahead, Mr. Faron.

11 MS. KELLY: Oh, no, this would be cornered
12 off --

14 MS. KELLY: -- the difference between the 4,000
15 square feet and the current space, this would be cornered
16 off and used as storage for all of the tenants. So it
17 would approximately be right around in here and since --

19 MS. KELLY: -- it has its own exterior it would
20 be utilized as storage.

23 MS. KELLY: No.

24 MR. FARON: -- by chance? Okay.

1 address that. 12

2 MR. FARON: You don't have to come up, I
3 guess -- yeah, I mean you can just verbally -- quickly.

4 CHAIRMAN MADDEN: You need to come up.
5 MR. FARON: It is being recorded. Sorry.
6 MR. BIERMANN: All right.
7 MR. FARON: It's my fault.
8 MR. BIERMANN: I would point out that, first
9 off, we've been trying to lease this space for almost two
10 years, so if that tells you anything.
11 And then also, I believe if you do cut off that
12 back portion and separate it, I believe, and I -- if it's
13 not correct, it's not intentional, I think that -- I
14 believe there's no windows back there, it's just that
15 door. And -- yeah, okay, there's definitely no window, so
16 it might not be very viable.
17 MR. FARON: That's -- that's kind of leading
18 that, you know, what options do you have other than
19 storage, but that's fine.
20 CHAIRMAN MADDEN: Cynthia.
21 MS. KRAMER: I wanted to actually ask Mr. Glass
22 a question. Could --
23 MR. GLASS: Yes.
24 MS. KRAMER: Thank you so much for everything.
25 Could you just please explain, you had mentioned

1 because of your business model and the way that you 13
2 operate, you would need the full amount of space. Could
3 you just, for the record, tell us why?
4 MR. GLASS: Yeah, current -- well, the current
5 model that we operate in Maplewood, we use around the same
6 square footage. A good portion of that is storage, based
7 on the number of seats that we want, and then broken out
8 the ratio of kitchen space that we need in order to -- or
9 in order to offer the menu items that we currently offer.

10 We can't take any space away from the kitchen,
11 and thereby, you know, we'd have to eliminate restaurant
12 seating area, and that's not something I would feel
13 comfortable doing, being that I haven't ventured into that
14 realm yet.

15 MS. KRAMER: Sure.

16 MR. GLASS: We have a business model that's
17 proven successful so far, so I'd like to -- to stick with
18 that.

19 MS. KRAMER: And then could you just, so we have
20 a full understanding of how the restaurant operates in
21 Maplewood, so people come in and they hang out and they're
22 watching the sports games and everything, so your turnover
23 and kind of how many people you expect to get, it's
24 probably -- are the numbers of seating -- so that's an
25 important piece of it for you?

1 MR. GLASS: Yes. Yes. Because we operate at ¹⁴
2 max capacity, I'd say in Maplewood anyways, roughly 50 to
3 60 times a year, and that's really where -- where we're
4 able to start getting above the break even point is on
5 those -- those max capacity days, so if we shrunk that max
6 capacity down, it would be much more difficult for us
7 to -- to operate as a profitable entity.

8 MS. KRAMER: I've heard restaurants usually
9 operate on pretty small margin.

10 MR. GLASS: Yeah.

11 MS. KRAMER: Thank you.

12 MR. GLASS: You're welcome.

13 CHAIRMAN MADDEN: Anything else, Whitney?

14 Anything for Whitney?

15 Okay. Thank you.
16 That'll formally end the public hearing.
17 (The public hearing was ended.)
18
19
20
21
22
23
24
25

30

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 Hearings 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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Excerpts of Public Hearing Transcripts PZ 012213.txt

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**AN ORDINANCE REPEALING CONDITIONAL USE PERMIT ORDINANCE 1479
AND AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR
A 5,214 SQUARE-FOOT EATING AND DRINKING ESTABLISHMENT LOCATED AT
763 OLD BALLAS ROAD WITHIN THE OLD BALLAS PLACE BUILDING.**

WHEREAS, under Section 405.370(C), all eating and drinking places in the “CB”, Core Business zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Adrian Glass, of the Post Sports Bar & Grill for a conditional use permit for a 5,214 square-foot, eating and drinking establishment with 93 indoor seat and 36 seasonal outdoor seats, at 763 Old Ballas Road, located at the southwest corner of Olive Boulevard and Old Ballas Road; and

WHEREAS, a separate application was submitted by Adrian Glass, of the Post Sports Bar & Grill to allow more than 25% of a building as restaurant in the “CB” Core Business District; and,

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Tuesday, January 22, 2013, 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 publication for said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a 5-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on January 22, 2013; and

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

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

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

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

Section 1: Ordinance Number 1479 is hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a restaurant located at 763 Old Ballas Road, located at the southwest corner of Olive Boulevard and Old Ballas Road, in the "CB" Core Business zoning district, whose legal description is as follows:

A track of land in the East fractional $\frac{1}{2}$ section 3 Township 45 N. Range five E. and described as beginning at the intersection of the South line of all of Street Road 60 feet wide with the west line of old Ballas Road 40 feet wide thence along the south line of all of Street Rd., South $74 - \frac{1}{4}$ degrees West to its intersection with the east line of property conveyed to August Elgasser by deed recorded in book 59 page 308 of the St. Louis County records thence along the east line of said property so conveyed South $0^{\circ} 02$ minutes east 261.90 feet to the north line of property conveyed to Creve Coeur mutual Telephone Company by deed recorded in book 1092 page 58 of said County records thence along said North line South $89^{\circ} 52$ minutes east 226.98 feet to a point in the West line of Old Ballas Road thence along the west line of said road North $0^{\circ} 04$ minutes east 326.43 feet to the beginning. Excepting therefrom that part condemned by state of Missouri in clause number 265592 of the Circuit Court of St. Louis County Missouri and excepting that part conveyed to the city of Creve Coeur by instrument recorded in book 6893 page 2224.

Section 3: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The conditional use permit shall be for the operation of 5,214 square-foot eating and drinking establishment at 763 Old Ballas Road, subject to the approval of a text amendment to allow for such use above 25% of the total building square footage.
2. Maximum seating permitted is limited to 93 seats for indoor dining, and 36 seats for outdoor seasonal dining.
3. Hours of operation shall not exceed 11:00 am to 1:30 am, seven (7) days per week. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, the catering of special events.
4. There shall be no outdoor storage or placement of any materials or equipment.
5. Employee parking, delivery and company vehicles shall be parked rear parking area behind the building line or as far from the public right-of-way as possible.
6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code
7. The restaurant shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
8. Any mechanical equipment installed for the site shall be properly screened with approved materials.
9. 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.
10. 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.

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

Section 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 3 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 _____, 2013.

ROBERT HOFFMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
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 THE PLANNING AND ZONING COMMISSION
#12-042 FOR A NEW CONDITIONAL USE PERMIT FOR THE POST II
SPORTS BAR AND GRILL AT 763 OLD BALLAS ROAD**

FOR THE MEETING OF: January 22, 2013

LOCATION: 763 Old Ballas Road

REQUEST:

Adrian Glass, of the Post Sports Bar & Grill, has submitted a request for a conditional use permit for a 5,214 square foot eating and drinking establishment, at 763 Old Ballas Road in the space formerly occupied by Growlers Pub. The restaurant will have 93 indoor seats and 36 outdoor seats.

ADDITIONAL INFORMATION:

The property is zoned "CB" Core Business District. Approval of the CUP for the requested square footage is dependent upon approval of a separate application by Adrian Glass to allow more than 25% of a building as restaurant. The property is zoned "CB" Core Business District. All eating and drinking places are permitted by conditional use permit in the "CB" Core Business District [Section 405.370(C)(1)(g)].

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?

Comp. Plan References

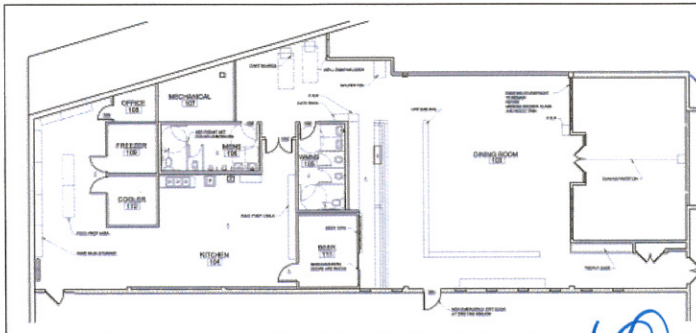
- Health and Connectivity Goals
- Design Guidelines: Streetscape/Pedestrian Orientation

Zoning Code References

- Section 405.370 "CB" Core Business District
- Section 405.470 Conditional Uses
- 405.610 Non-Conformities
- Section 405.820 Required Off-Street Parking Spaces

APPLICANT: Adrian Glass
The Post Sports Bar and Grill
7372 Manchester Rd.
Maplewood, MO

PROPERTY OWNER: B. Michael Margiotta
Old Ballas Place Investors, LLC
1045 South Mills Rd, Suite 1
Town & Country, MO 63017



REPORT PREPARED BY:

[Handwritten signature]

01/18/2013

Date

ATTACHMENTS: Applicant's Letter/Rational submitted on November 7, 2012
Applicant's Materials submitted November 26, 2012
Draft Ordinance
Ordinance Number 1479
Public Comment received by January 17, 2013

PROPOSAL AND ZONING HISTORY

The applicant proposes to utilize the space that was formerly occupied by Growlers Pub. The original CUP (Ordinance #1479) for this space was issued in 1991 for what was the Creve Coeur Inn. The original CUP allowed a 2,500 square-foot restaurant, and only references seating for the outdoor, seasonal area with a maximum of 24 seats. However, in 1996, the restaurant was expanded to the current square footage of 5,214 sq. ft. with work begun without obtaining a building permit, or revising the conditional use permit. It is unclear why the conditional use permit was never revised. Growlers Pub assumed the CUP after this point, and was issued an occupancy permit, but the CUP was still not amended to reflect the increased area. In 2004, the Zoning Code was changed to limit eating and drinking establishments to 25% of the building square footage. Thus Growlers Pub became non-conforming with respect to its CUP and the Zoning Code since the restaurant space represents 32% of the retail building square footage.

Section 405.610(C)(8) of Non-Conforming Uses states that in the event that the non-conforming use of any building or premises is discontinued for a period of one year, regardless of any reservations of an intent not to abandon or resume such use, any subsequent use or occupancy of such structure shall comply with provisions of this Chapter including those of the zoning district in which the structure is located. Growlers Pub vacated the space approximately two years ago, so no non-conforming rights attach to the space.

The Applicant has requested use of the entire 5,214 square-foot space, and has submitted a subsequent application to eliminate the 25% limit for restaurants within retail and office buildings in the “CB” Core Business District. Maximum seating will be 93 indoor seats and 36 seasonal outdoor seats. During the off-season, the patio area will be used for brewing. An additional emergency-exit door will be located along the south façade to meet with Building Code requirements, which will eliminate one parking space under the building. No other changes to the exterior of the building or the parking lot are proposed.

Due to the inconsistencies of the original conditional use permit described above, Staff is seeking a repeal of the prior ordinance and replacement with a new conditional use permit where the approved square footage is contingent upon approval of the text amendment.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	City Place office/retail	“CB” Core Business District	Olive Boulevard
South	Office Building	“CB” Core Business District	NA
East	CVS Pharmacy	“CB” Core Business District	Old Ballas Road
West	Plaza Jaguar-Land Rover (not yet constructed)	“CB” Core Business District	NA

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Central Business District Action Area that encourages a mix of uses. The proposed use is integrated into the existing, multi-tenant facility, with no modification to the exterior of the building or site. Since there are no known concerns with the existing development, it appears that the request meets with the Goals and Objectives of the Comprehensive Plan.

ZONING REVIEW

Restaurants are permitted with conditions in all commercial zoning districts within the city, and the applicant is leasing an existing tenant space that has a mix of retail businesses. No changes to the exterior of the building or site are proposed so no site development plan review is required.

Size of Restaurants within Retail Building

Section 405.470(13) limits restaurants in the “CB” District that are located within a retail or office building, to no more than 25% of the building square footage. As discussed above, the existing space represents 32% of the building square footage. A subsequent application by the Applicant has been submitted to eliminate the restriction. The draft ordinance includes a condition that approves the 5,214 square foot subject to the text amendment. While Staff is aware that the applicant would not utilize the space without the additional square footage above the 25%, a condition has been included that, should the text amendment fail, the conditional use permit is approved for the maximum square footage allowed within the 25% regulation (4,057.5 square feet).

Parking

Parking regulations for restaurants are discussed under Section 405.820(F)(5) Required Off-Street Parking Spaces: “One (1) parking space per every three (3) seats of maximum occupancy recorded under the conditional use permit plus one (1) parking space per every two hundred fifty (250) square feet of total building floor area plus one (1) parking space per each eight (8) seats in an outdoor seating area.” Based on this regulation, the proposed business is required to provide at least 57 parking spaces. The following table shows the parking calculations for the entire center:

Tenant	Use	Size (sq.ft.)	Parking Regulations	# of spaces
Proposed Post II Sports Bar and Grill	restaurant	5,214(+93 indoor seats + 36 outdoor seats)	1 per 3 seats in C.U.P. + 1/250 sf + 1 per 8 patio seats	57
AT&T	retail	6,509	4/1000	27
Veninga Jewelers	retail	1,039	4/1000	5
Cobblestone Show Repair	retail	983	1/200	5
Choice Cabinet	retail	932	4/1000	4
Total Computer Service	retail	1,553	1/200	8
Total Building:		16,230	Total Required:	106

The site plan shows that a total of 110 parking spaces are available (not including the elimination of one space for the emergency exit requirement, leaving 109 total spaces). This indicates a regulatory surplus of three parking spaces, thus the parking requirements are met.

Form of the Ordinance

As indicated in the zoning history discussion above, the prior restaurant space was pre-existing non-conforming. Approval of a new conditional use permit to utilize the entire space requested by the Applicant requires a text amendment. Therefore, the form of the ordinance includes

repealing Ordinance #1479, and replacing with a new conditional use permit that authorizes the square footage contingent upon approval for the text amendment, as well as the maximum allowed per the current regulations.

RECOMMENDATION

Based on the above analysis, the request for a conditional use permit meets all of the requirements of the Comprehensive Plan and the Zoning Ordinance. Conditions listed below are the standard general conditions for eating and drinking establishments which are included in the draft ordinance:

1. The conditional use permit shall be for the operation of 5,214 square-foot eating and drinking establishment at 763 Old Ballas Road, subject to the approval of a text amendment to allow for such use above 25% of the total building square footage.
2. Absent any zoning code amendment allowing a larger area, the eating and drinking establishment shall be limited to a maximum of 4,057 square feet, or 25% of the total building square footage.
3. Maximum seating permitted is limited to 93 seats for indoor dining, and 36 seats for outdoor seasonal dining.
4. Hours of operation shall not exceed 11:00 am to 1:30 am, seven (7) days per week. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, the catering of special events.
5. There shall be no outdoor storage or placement of any materials or equipment.
6. Employee parking, delivery and company vehicles shall be parked rear parking area behind the building line or as far from the public right-of-way as possible.
7. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

ACTION

If the Planning and Zoning Commission finds the attached draft conditional use permit ordinance to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it should 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 Application #12-042 for a Conditional Use Permit for an eating and drinking establishment located at 763 Old Ballas Road, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of January 22, 2013" (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 PHOTO



APPENDIX 4: SITE PHOTOGRAPHS	Photo Date: 01/07/2013
	View of the proposed tenant space looking west from Old Ballas Road.
	View of the space looking northwest from the southeast corner of the parking lot.
	Close-up view of the space looking northwest from the Old Ballas Road.

Rationale

We would like to open a full service sports bar called *The Post Sports Bar & Grill* at the old Growlers location at 763 Old Ballas Rd. Being that the space used to be a successful restaurant for many years, it would seem that the location is already suitable for a restaurant. Our concept has already proven to be very successful in Maplewood. We have received the following accolades in three short years of existence:

- CNN – Top 101 Sports Bars in the USA
- STL Magazine – Reader's Choice Best Sports Bar in STL
- STL Magazine – Editor's Choice Best Sports Bar in STL
- Sauce Magazine – Reader's Choice Best Sports Bar in STL
- Sauce Magazine – Reader's Pick STL Top Sports Bar
- Riverfront Times – Best Sports Bar in STL
- Riverfront Times – Best Fantasy Sports Bar
- Metromix – Best New Bar in STL
- Fox 2 News – Best Sports Bar in STL

Moreover, we believe that our concept will mesh exceptionally well in the city of Creve Coeur, especially at that location. Based on our research as well as customer comments that we receive from that area, it appears that there is a shortage of full service sit down dining establishments in that part of Creve Coeur. Please visit our website at www.thepostsportsbar.com to get a better feel of the type of food, atmosphere, and experience that we offer! If you have any questions or concerns please do not hesitate to contact me. Thanks for your consideration and support!

Sincerely,

Adrian Glass
President
The Post Sports Bar & Grill
www.thepostsportsbar.com
thepostsportsbar@gmail.com
618-920-9419



BLACKLINE
DESIGN + CONSTRUCTION

393 N. Euclid, Suite 300, St. Louis MO 63108

ARCHITECT

☐ ☐ ☐ ☐ ☐

393 N. Euclid, Suite 300, St. Louis MO 63108

PROJECT

THE POST II INTERIOR FIT OUT
SUPPLEMENTARY INFORMATION /

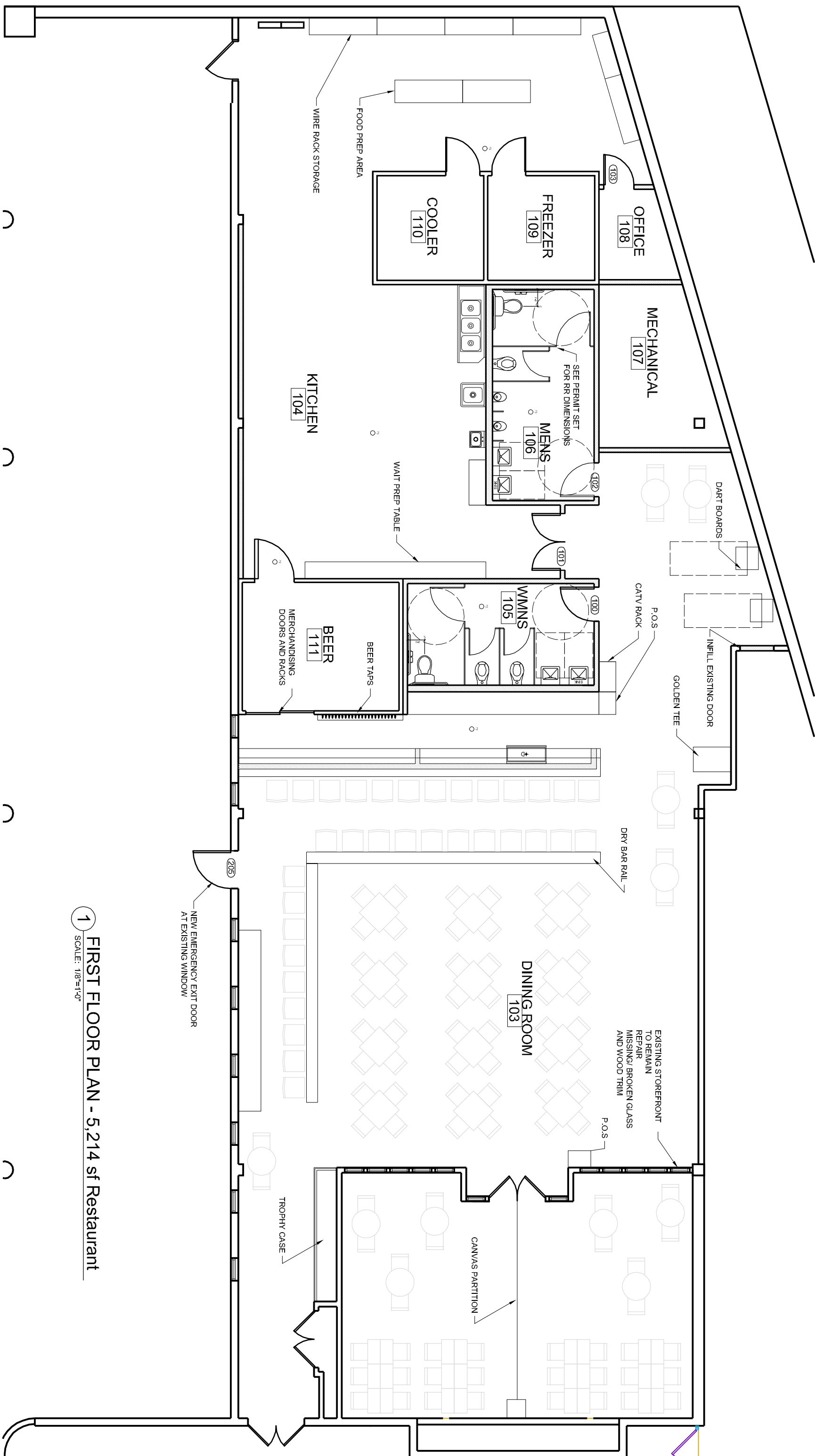
DATE

11/21/12

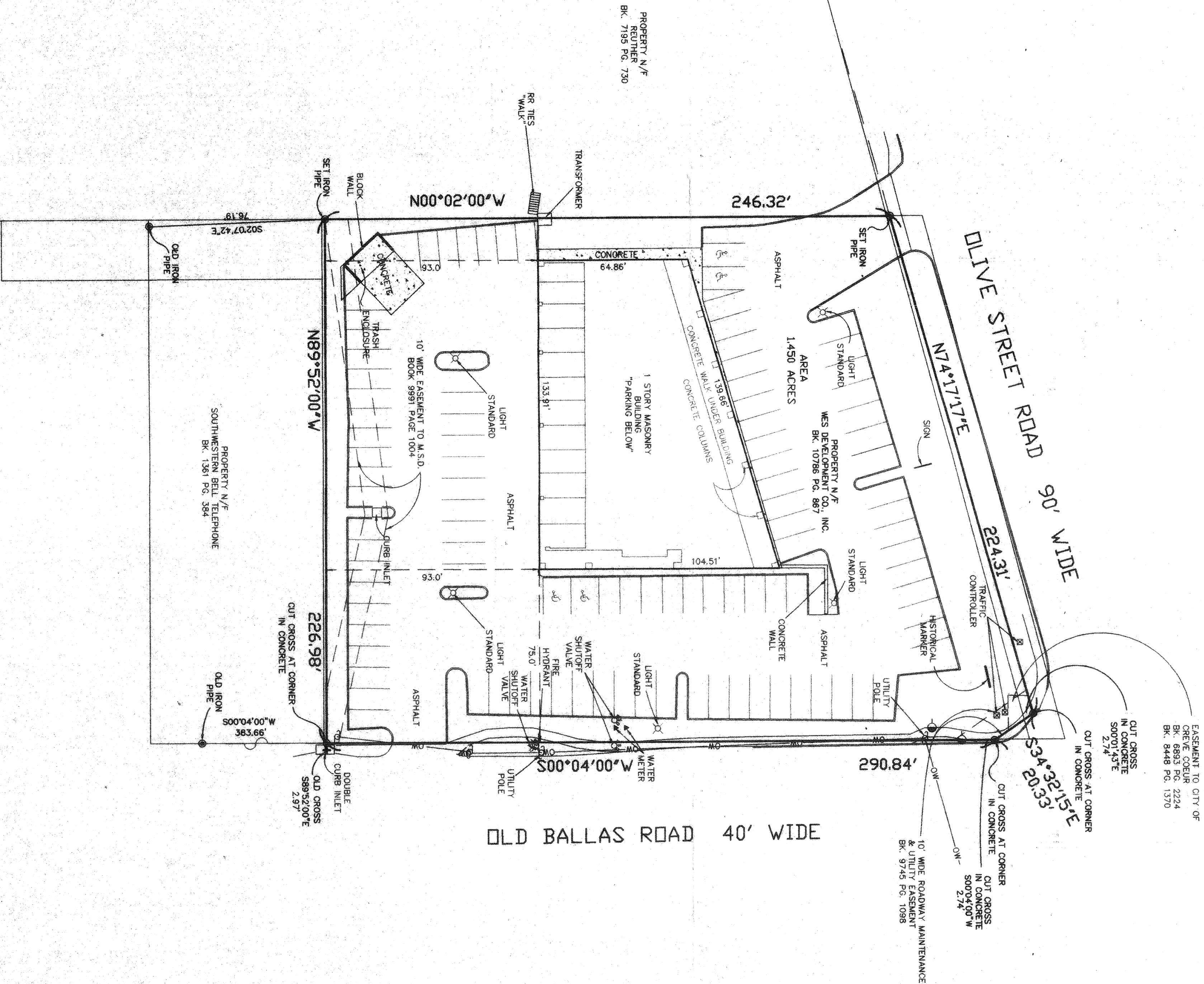
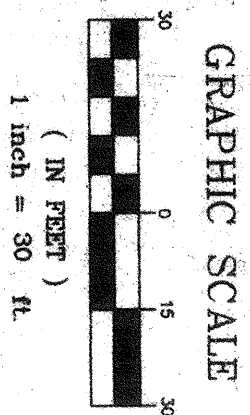
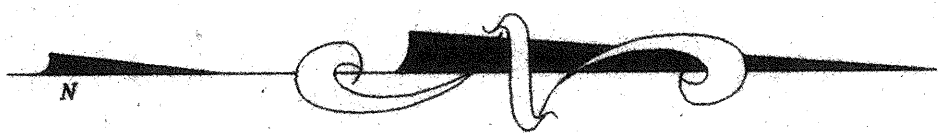
SCALE

VARIES

A 100



A TRACT OF LAND BEING PART OF STUDDT'S HOME PLACE
ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 7 PAGE 38
OF THE ST. LOUIS COUNTY RECORDS IN THE EAST HALF OF SECTION 3
TOWNSHIP 45 NORTH, RANGE 5 EAST OF THE FIFTH PRINCIPAL MERIDIAN
ST. LOUIS COUNTY, MISSOURI



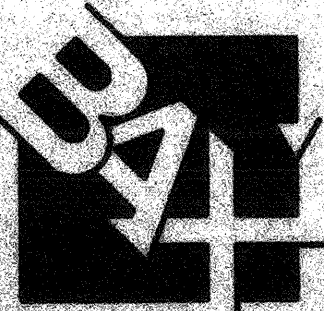
- GENERAL NOTES:
1. BASIS OF BEARINGS: THE DEED RECORDED IN BOOK 6786 PAGE 1503 OF THE ST. LOUIS COUNTY RECORDS.
 2. ALL LINES ARE PERPENDICULAR TO THE PROPERTY LINES UNLESS OTHERWISE NOTED.
 3. THIS PLAT AND THE SURVEY ON WHICH IT IS BASED IS REFERENCED TO A TITLE COMMITMENT REPORT BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, INC. DATED 10/27/97 AND IS SUBJECT TO THE FOLLOWING CONDITIONS AND EXCEPTIONS AS LISTED IN SCHEDULE B - SECTION 2 OF SAID COMMITMENT:
 1. DEFECTS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, OF RECORD OR OF FACT, ARE NOTED ON THIS PLAT.
 2. AN EASEMENT DISCLOSED BY BOOK 6893 PAGE 1370 IN FAVOR OF THE CITY OF CREVE COEUR (EASEMENT HAS BEEN PLOTTED AND NOTED ON THIS PLAT AT THE NORTHEAST CORNER OF THE PROPERTY.)
 3. AN EASEMENT DISCLOSED BY BOOK 6893 PAGE 1370 IN FAVOR OF THE CITY OF CREVE COEUR (EASEMENT HAS BEEN PLOTTED AND NOTED ON THIS PLAT AT THE NORTHEAST CORNER OF THE PROPERTY.)
 4. AN EASEMENT DISCLOSED BY BOOK 6893 PAGE 1370 IN FAVOR OF THE CITY OF CREVE COEUR (EASEMENT HAS BEEN PLOTTED AND NOTED ON THIS PLAT AT THE NORTHEAST CORNER OF THE PROPERTY.)
 5. AN EASEMENT DISCLOSED BY BOOK 6893 PAGE 1370 IN FAVOR OF THE CITY OF CREVE COEUR (EASEMENT HAS BEEN PLOTTED AND NOTED ON THIS PLAT AT THE NORTHEAST CORNER OF THE PROPERTY.)
 6. AN EASEMENT DISCLOSED BY BOOK 6893 PAGE 1370 IN FAVOR OF THE CITY OF CREVE COEUR (EASEMENT HAS BEEN PLOTTED AND NOTED ON THIS PLAT AT THE NORTHEAST CORNER OF THE PROPERTY.)
 7. AN EASEMENT DISCLOSED BY BOOK 6893 PAGE 1370 IN FAVOR OF THE CITY OF CREVE COEUR (EASEMENT HAS BEEN PLOTTED AND NOTED ON THIS PLAT AT THE NORTHEAST CORNER OF THE PROPERTY.)
 8. AN EASEMENT DISCLOSED BY BOOK 6893 PAGE 1370 IN FAVOR OF THE CITY OF CREVE COEUR (EASEMENT HAS BEEN PLOTTED AND NOTED ON THIS PLAT AT THE NORTHEAST CORNER OF THE PROPERTY.)
 4. ALSO THE FOLLOWING PREPRINTED EXCEPTIONS:
 1. RIGHTS OR CLAIMS OF PARTIES OTHER THAN INSURED IN ACTUAL POSSESSION OF THE PROPERTY.
 2. RIGHTS OR CLAIMS OF PARTIES OTHER THAN INSURED IN ACTUAL POSSESSION OF THE PROPERTY.
 3. EASEMENTS OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.
 4. CLASS OF PROPERTY - URBAN

THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF AUGUST, 1997, BY ORDER OF MIDWEST PARTNERSHIP, PREPARED A BOUNDARY SURVEY AND LOCATED IMPROVEMENTS ON A TRACT OF LAND BEING PART OF STUDDT'S HOME PLACE AND SHOWN ON THE EAST HALF OF SECTION 3, TOWNSHIP 45 NORTH, RANGE 5 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. LOUIS COUNTY, MISSOURI, AND THE RESULTS ARE SHOWN ON THIS PLAT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HEREBY CERTIFY THAT THE SURVEY AND THIS PLAT COMPLY WITH THE REQUIREMENTS OF THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT AND MEETS THE ACCURACY REQUIREMENTS SET FORTH FOR AN URBAN PROPERTY.

DANIEL R. DARRER, R. CIVIL ENGINEER
MISSOURI REGISTERED LAND SURVEYOR, U.S. #2285
BAY ENGINEERING COMPANY, INC.
DARRER, R. CIVIL ENGINEER

PREPARED FOR: WOLFF PROPERTIES
225 SOUTH MERAMEC AVENUE
SUITE 301
ST. LOUIS, MISSOURI 63105

Revisions



1002 South Grandview Drive
St. Peters, MO 65076-6445
314-428-5552
FAX 938-1718

8-08-97
90-10274
PROJECT NUMBER
1 OF 1
SHEET OF
10274.01.DWG
TAX MAP
MDC DRO
DARRER

BILL NUMBER 1509

ORDINANCE NUMBER 1479

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A RESTAURANT TO BE KNOWN AS THE CREVE COEUR INN, LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF OLIVE BOULEVARD AND OLD BALLAS ROAD, IN THE "CB" CORE BUSINESS DISTRICT, SUBJECT TO THE FOLLOWING CONDITIONS HEREIN SET FORTH.

WHEREAS, APPLICATION WAS MADE BY MR. THOMAS B. ROOF, REPRESENTATIVE OF THE OWNERS OF THE CREVE COEUR INN, FOR A CONDITIONAL USE PERMIT FOR A RESTAURANT TO BE LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF OLIVE BOULEVARD AND OLD BALLAS ROAD 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 CITY COUNCIL ON MONDAY, AUGUST 12, 1991 AT 7:30 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 ON JULY 26, AUGUST 1 AND 7, 1991 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, AND

WHEREAS, THE CITY COUNCIL 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 CITY COUNCIL OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1: A CONDITIONAL USE PERMIT IS AUTHORIZED TO BE ISSUED PURSUANT TO SECTION 3 HEREOF FOR A RESTAURANT TO BE LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF OLIVE BOULEVARD AND OLD BALLAS ROAD, IN THE "CB" CORE BUSINESS DISTRICT, SUBJECT TO THE HEREINAFTER STATED CONDITIONS ON THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND IN THE EAST FRACTIONAL 1/2 OF SECTION 3
TOWNSHIP 45 NORTH, RANGE 5 EAST AND DESCRIBED AS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF OLIVE
STREET ROAD 60 FEET WIDE, WITH THE WEST LINE OF OLD BALLAS ROAD, 40
FEET WIDE, THENCE ALONG THE SOUTH LINE OF OLIVE STREET ROAD, SOUTH
74-1/2 DEGREES WEST TO ITS INTERSECTION WITH THE EAST LINE OF
PROPERTY CONVEYED TO AUGUST ELGASSER BY DEED RECORDED IN BOOK 59
PAGE 308 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG THE EAST
LINE OF SAID PROPERTY SO CONVEYED, SOUTH 0 DEGREES 02 MINUTES EAST
261.90 FEET TO THE NORTH LINE OF PROPERTY CONVEYED TO CREVE COEUR
MUTUAL TELEPHONE COMPANY, BY DEED RECORDED IN BOOK 1092 PAGE 58 OF
SAID COUNTY RECORDS; THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES
52 MINUTES EAST 226.98 FEET TO A POINT IN THE WEST LINE OF OLD
BALLAS ROAD; THENCE ALONG THE WEST LINE OF SAID ROAD, NORTH 0
DEGREES 04 MINUTES EAST 326.43 FEET TO THE BEGINNING; EXCEPTING
THEREFROM THAT PART CONDEMNED BY STATE OF MISSOURI IN CAUSE #265592
OF THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI, AND EXCEPTING
THEREFROM THAT PART CONVEYED TO THE CITY OF CREVE COEUR BY INSTRU-
MENT RECORDED IN BOOK 6893 PAGE 2224.

TOGETHER WITH ALL IMPROVEMENTS THEREON KNOWN AS AND
NUMBERED: 11600 OLIVE.

SUBJECT TO EXISTING BUILDING LINES, EASEMENTS, CONDITIONS
AND RESTRICTIONS OF RECORD, IF ANY.

SECTION 2: THE CONDITIONAL USE PERMIT GRANTED SHALL BE
SUBJECT TO ALL ORDINANCES, RULES AND REGULATIONS, AND THE FOLLOWING
CONDITIONS:

1. THIS CONDITIONAL USE PERMIT SHALL BE FOR THE
OPERATION OF A 2,500 SQUARE FOOT RESTAURANT.

2. THE HOURS OF OPERATION SHALL BE FROM 7:00 A.M. TO
1:30 A.M. MONDAY THROUGH SATURDAY AND FROM 11:00 A.M. TO 12:00
MIDNIGHT ON SUNDAY.

3. THE FLOOR PLAN FOR THE PROPOSED RESTAURANT SHALL BE
FILED WITH THE ZONING ADMINISTRATOR SHOWING THE TYPE AND LOCATION
OF ALL EQUIPMENT, FURNITURE, SEATING CAPACITY, AND OTHER
INFORMATION WHICH MAY BE REQUESTED BY THE BUILDING OFFICIAL.

4. SIGNS FOR THE RESTAURANT MUST BE IN CONFORMANCE WITH THE CITY'S SIGN REGULATIONS AND PERMITS OBTAINED FOR THE ERECTION OR MODIFICATION OF ANY SIGN ON THE PREMISES. BANNERS, PENNANTS, FRINGE, LIGHT PINWHEELS OR OTHER SIMILAR DEVICES FOR ATTRACTING ATTENTION MAY BE DISPLAYED ONLY IN CONFORMANCE WITH THE CURRENT SIGN REGULATIONS. EXPOSED NEON SIGNS SHALL ONLY BE USED UPON REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

5. THE REFUSE CONTAINERS SHALL BE FOR THE EXCLUSIVE USE OF THIS RESTAURANT AND SHALL BE LOCATED IMMEDIATELY BEHIND THE RESTAURANT. THE REFUSE CONTAINER SHALL BE LOCATED WITHIN A SCREENED SIGHT-PROOF STORAGE AREA WITH THE INSTALLATION OF A HOSE BIBB TO SERVICE THE TRASH ENCLOSURE AREA.

6. THERE SHALL BE NO OUTDOOR STORAGE OR PLACEMENT OF ANY MATERIALS OR EQUIPMENT USED IN CONJUNCTION WITH THE RESTAURANT, INCLUDING STORAGE OF OUTDOOR TABLES, CHAIRS AND UMBRELLAS.

7. ANY MECHANICAL EQUIPMENT INSTALLED FOR THE RESTAURANT SHALL BE PROPERLY SCREENED WITH APPROVED MATERIALS.

8. DELIVERY AND COMPANY VEHICLES SHALL BE PARKED IN THE REAR PARKING AREA AND BEHIND THE BUILDING LINE.

9. ANY FUTURE ENLARGEMENT OR ALTERATION IN THE USE OF THE STRUCTURE OR SITE MUST BE APPROVED BY THE CITY COUNCIL UPON RECEIPT OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION AS AN AMENDMENT TO THE CONDITIONAL USE PERMIT BEFORE A BUILDING PERMIT FOR THE ENLARGEMENT OR ALTERATION MAY BE ISSUED.

10. SEASONAL OUTDOOR SEATING SHALL BE ALLOWED, LIMITED TO A MAXIMUM OF TWENTY-FOUR (24) SEATS.

11. THE SEATING AREA MUST HAVE PROPER SIGNS TO COMPLY WITH THE "NO SMOKING" ORDINANCE NUMBER 1392.

12. 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.

13. A DETAILED LANDSCAPE PLAN MUST BE SUBMITTED TO THE CITY OF CREVE COEUR FOR REVIEW AND APPROVAL.

14. ANY TRANSFER OF OWNERSHIP OR LEASE OF THE PROPERTY SHALL INCLUDE IN THE TRANSFER OR LEASE AGREEMENT A PROVISION THAT THE PURCHASER OR LESSEE AGREES TO BE BOUND BY THE CONDITIONS THEREIN SET FORTH AND APPROVED DEVELOPMENT PLAN FOR THE PROPERTY.

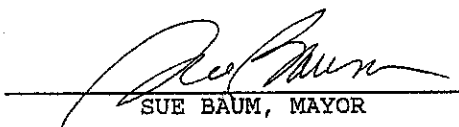
15. ALL CONDITIONS CONTAINED WITHIN THIS PERMIT SHALL BE POSTED UPON THE PROPERTY IN SUCH A MANNER THAT IT IS VISIBLE TO THE PUBLIC AND THE OPERATOR OF SAID FACILITY.

16. FAILURE TO COMPLY WITH ANY ONE OR ALL OF THE CONDITIONS OF THIS PERMIT SHALL BE ADEQUATE CAUSE FOR THE REVOCATION OF SAID PERMIT BY THE CITY COUNCIL, PROVIDED, HOWEVER, NO PERMIT SHALL BE REVOKED WITHOUT REASONABLE NOTICE TO THE OWNER OF THE INTENTION OF THE CITY COUNCIL TO REVOKE, AND REASONABLE TIME GRANTED TO THE OWNER TO CORRECT ANY SUCH BREACH OF CONDITION.

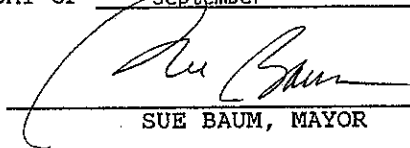
SECTION 3. THE CITY ADMINISTRATOR OF THE CITY OF CREVE COEUR IS HEREBY AUTHORIZED AND DIRECTED TO ISSUE A CONDITIONAL USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE, SAID PERMIT TO EXPRESSLY PROVIDE FOR THE CONDITIONS AND STIPULATIONS HEREINABOVE SET OUT IN SECTION 2 OF THIS ORDINANCE.

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

PASSED THIS 10th DAY OF September, 1991


SUE BAUM, MAYOR

APPROVED THIS 10th DAY OF September, 1991


SUE BAUM, MAYOR

ATTEST:


LAVERNE COLLINS, CITY CLERK

BILL NUMBER 1517

ORDINANCE NUMBER 1483 A

AN ORDINANCE AMENDING ORDINANCE NUMBER 1479 SO AS TO AMEND THE MAXIMUM NUMBER OF SEASONAL OUTDOOR SEATS ALLOWED FOR CREVE COEUR INN, LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF OLIVE BOULEVARD AND OLD BALLAS ROAD.

WHEREAS, DUE TO AN OVERSIGHT, THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR THE MAXIMUM NUMBER OF OUTDOOR SEATS ALLOWED UNDER THE CONDITIONAL USE PERMIT FOR CREVE COEUR INN WAS NOT INCORPORATED INTO THE PROVISIONS OF ORDINANCE NUMBER 1479 ADOPTED BY CITY COUNCIL ON SEPTEMBER 10, 1991.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, THAT ORDINANCE NUMBER 1479, SECTION 2 OF THE CITY OF CREVE COEUR SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:

SECTION 1: ORDINANCE NUMBER 1479, SECTION 2 CONDITION 10 IS HEREBY REPEALED AND ENACTING IN LIEU THEREOF NEW CONDITION 10 IS TO READ AS FOLLOWS:

10. SEASONAL OUTDOOR SEATING SHALL BE ALLOWED, LIMITED TO A MAXIMUM OF FORTY-EIGHT (48) SEATS.

SECTION 2: 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 12th DAY OF November, 1991

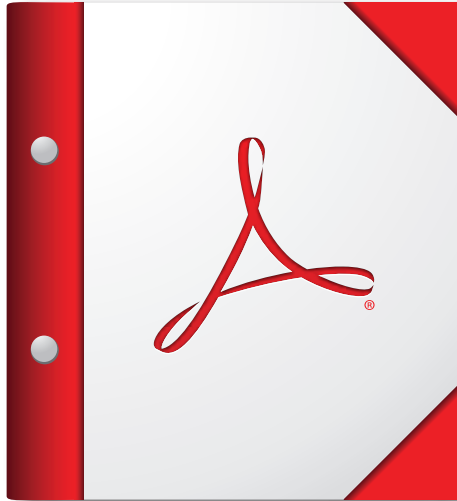

SUE BAUM, MAYOR

APPROVED THIS 12th DAY OF November, 1991


SUE BAUM, MAYOR

ATTEST:


LAVERNE COLLINS, CITY CLERK



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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

January 23, 2013

Mr. Adrian Glass
The Post Sports Bar and Grill
7372 Manchester Road
Maplewood, MO 63143

Re: Application #12-042: Approval of a new conditional use permit in the "CB" Zoning District
The Post II Sports Bar and Grill – 763 Old Ballas Road

Mr. Glass:

The Planning and Zoning Commission, at its meeting of January 22, 2013, reviewed your request for a new conditional use permit for The Post II Sports Bar and Grill, located at 763 Old Ballas Road.

By unanimous vote, the Planning Commission recommends approval of the new conditional use permit for The Post II Sports Bar and Grill, subject to the conditions contained in the draft ordinance (see attached). The first reading of the draft ordinance by the City Council is scheduled for Monday, January 28th, 2013. You or a representative should plan to be in attendance to speak for the request.

If you have any questions, please contact the Planning Division staff (872-2501) as soon as possible. Note that significant changes to the draft ordinance may require that the matter be returned to the Planning and Zoning Commission prior to City Council approval.

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

Excerpts of Public Hearing Transcripts PZ 012213.txt
PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

TUESDAY, JANUARY 22, 2013

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chairman

Mr. Michael Barton

Mr. James Faron

Ms. Cynthia Kramer

Mr. James Schnarr

Mr. Carl Lumley, City Attorney

Mr. Paul Langdon, Director of Community Development

Ms. Whitney Kelly, City Planner

Ms. Julie Lowery, Recording Secretary

McLaughlin Court Reporting Services, Inc.

Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR

4772 Gatesbury Drive

St. Louis, MO 63128

(314)487-2259

CHAIRMAN MADDEN: I'd like to call to order the¹

Planning Zoning Commission Meeting for the City of Creve

Coeur, Missouri for Tuesday January 22nd, 2013.

We'll start with roll call.

I don't see Dr. Barton.

Mr. Eberhardt said he wouldn't be here.

Page 1

Excerpts of Public Hearing Transcripts PZ 012213.txt

7 Mr. James Faron?
8 MR. FARON: Present.
9 CHAIRMAN MADDEN: I don't see Mr. Howard.
10 Ms. Cynthia Kramer?
11 MS. KRAMER: Present.
12 CHAIRMAN MADDEN: Mr. Jim Schnarr?
13 MR. SCHNARR: Present.
14 CHAIRMAN MADDEN: Carl Lumley, our City
15 Attorney?
16 MR. LUMLEY: Present.
17 CHAIRMAN MADDEN: Paul Langdon, our Director of
18 Community Development?
19 MR. LANGDON: Present.
20 CHAIRMAN MADDEN: Whitney Kelly, our City
21 Planner?
22 MS. KELLY: Present.
23 CHAIRMAN MADDEN: And, Judy Lowery, our
24 Recording Secretary?
25 MS. LOWERY: Present.

1 CHAIRMAN MADDEN: So No. 6. It's a public 2
2 hearing. Application No. 12-042: Approval of a new
3 conditional use permit for the Post II Sports Bar and
4 Grill at 763 Old Ballas Road in the Core Business Zoning
5 District.
6 Anybody that might be speaking on this, please
7 come up here and be sworn in, please, will you please,
8 right over here in front of this table if you -- any
9 chance you might speak, it'll save us a lot of time.
10 (Speakers were sworn by the court reporter.)
11 CHAIRMAN MADDEN: Adrian Glass, are you going to

Excerpts of Public Hearing Transcripts PZ 012213.txt
12 be handling this or --

13 MR. GLASS: I will be speaking during a portion
14 of this.

15 CHAIRMAN MADDEN: Okay.

16 MR. GLASS: Bill will lead off, however.

17 CHAIRMAN MADDEN: Okay. Could you, for the
18 record, state your name -- state your name and address,
19 please.

20 MR. BIERMANN: Sure. Bill Biermann, 1795
21 Clarkson Road, Suite 190, Chesterfield 63017.

22 And I'm here this evening on behalf of the
23 landlord on the subject at 763 Old Ballas Road.

24 And I would just like to let the Commission know
25 that, obviously, we are -- we are very excited to have the

1 potential of a new tenant that we believe will bring a ³
2 much needed service to the area that we believe is
3 lacking, and we're excited to get -- get them in there and
4 work with them.

5 And if you have any questions, I'll be glad to
6 answer them for you.

7 Thank you.

8 CHAIRMAN MADDEN: Thank you.

9 MR. GLASS: Hello, my name is Adrian Glass.
10 I'm with the Post Sports Bar and Grill. And
11 currently we're located 7372 Manchester Road in Maplewood.

12 I'd like to start off by actually reading a
13 letter on behalf of Jeannine Beck. She's the Director of
14 the Chamber of Commerce in Maplewood.

15 "Dear Commissioners: Next week the Post Sports
16 Bar and Grill will be awarded the 2012 Maplewood Business
17 of the Year.

18 Their nomination was supported by fellow
19 business owners, elected officials and citizens, and is
20 indicative of the great respect the Post has earned from
21 our community.

22 This is only the latest honor to be bestowed
23 upon the Post. They're a regular winner in the Bearing
24 Readers Choice and Best of Awards Around Town.

25 The level of success the Post Sports Bar and

1 Grill experience is uncommon considering how many
2 restaurants fail within the first year.

3 The credit for their success lies in outstanding
4 ownership team that has vision and a meticulously thought
5 out business plan.

6 More importantly, they've remained focused on
7 the basics; creative menu, outstanding food and
8 exceptional customer service. There's no doubt that the
9 Post has been an asset to the City of Maplewood.

10 The Post draws visitors from all over St. Louis,
11 who otherwise wouldn't have rediscovered Maplewood's
12 transformation over the last decade.

13 They've also been a generous and involved
14 corporate citizen from adopting a family over the holidays
15 to coaching various youth sports leagues in Maplewood.

16 Perhaps less important, yet still worthy of
17 mentioning, is that the owners of the Post Sports Bar and
18 Grill are every bit as professional, genuine and sincere
19 as they appear. The Chamber has worked primarily with
20 Adrian Glass and Bill Cipriani, both of whom are highly
21 respected in our community.

22 We're fortunate that they chose Maplewood to

4

Excerpts of Public Hearing Transcripts PZ 012213.txt
23 open their doors for their first location, and have no
24 doubt that Creve Coeur will experience the same benefit in
25 adding the Post Sports Bar and Grill to the business

1 community. 5

2 The Post is a local sports bar. We opened back
3 in 2009 when we opened the New York Times, the Washington
4 Post and the Fancy Sports Business Journal, all dubbed us
5 the -- the nation's very first fantasy sports bar, so
6 that's something that we're very proud of.

7 As Jeannine eluded to, in four short years we
8 have racked up a lot of awards. In 2009 we were voted
9 Best Sports Bar by Metromix and Fox 2 News. In 2010 we
10 received the same accolades from Riverfront Times, as well
11 as Sauce -- or St. Louis Magazine. In 2011, Sauce
12 Magazine and The Riverfront Times, again, awarded us Best
13 Sports Bar in St. Louis. And then in 2012 St. Louis
14 Magazine, Sauce Magazine, The Brentwood-Maplewood Patch
15 awarded us with the best sports bar in St. Louis. And
16 we're very proud, actually, CNN voted us the top 101
17 sports bars in the nation in 2012.

18 We serve a full menu, everything from
19 appetizers, soups, salads, burgers, chicken sandwiches,
20 wraps to homemade pizzas, baked wings. Cheese steaks are
21 really our specialty.

22 And we strive to offer the combination of the
23 excitement of attending the game in person with the
24 comfort of watching the game at home, and that's something
25 that we really pride ourselves on, and think that -- that

1 we do a good job of. 6

2 A portion of our mission statement, again, as --
Page 5

3 as Jeannine mentioned, kind of revolved around giving back
4 to the community. I mean we currently do so via multiple
5 donation practices, as well as time commitments.

6 We understand that the City of Creve Coeur
7 currently has an ordinance in place that stipulates that
8 no restaurant should exceed 25 percent of a total building
9 square footage, and we're asking for a variance from that.

10 We really think this Growlers space is the
11 perfect space for us to operate. Used to be an existing
12 restaurant, the exact same size. We're not asking to, you
13 know, to double the footprint or anything like that.

14 And based on our business model, as well as our
15 product offerings, we really can't economically run a
16 viable business in a smaller space than -- than that, so
17 that's why we're asking for the variance.

18 And we really do believe that the Creve Coeur
19 community would do us well; that we'd operate well in this
20 community, and that we also fit the need for a sports bar
21 here in Creve Coeur.

22 So we very much thank you for your time and your
23 consideration in this matter.

24 CHAIRMAN MADDEN: Any questions?

25 MR. SCHNARR: What percentage of the building

1 are you going to operate in? 7

2 MR. GLASS: I believe roughly 31 percent.

3 MR. SCHNARR: Okay.

4 MR. GLASS: Yeah.

5 CHAIRMAN MADDEN: Yeah.

6 MR. FARON: You're going to occupy the same
7 space, right?

8 MR. GLASS: It'll be the exact same space, yes.

9 MR. FARON: And -- and the, I'll say the cold
10 climate, you're going to take the patio and use that as a
11 brewing -- I mean how are you going to do --

12 MR. GLASS: No, not brewing, no, we'll have
13 similar to what Growlers had, the -- the awning that
14 would -- that would fold down.

15 MR. FARON: The heat lamps --

16 MR. GLASS: Exactly.

17 MR. FARON: -- and things like that?

18 MR. GLASS: Exactly.

19 MR. FARON: I think I read something there.

20 And --

21 MR. GLASS: So it will be utilized as exterior
22 seating, but in the winter, we'll be able to -- to
23 still --

24 MR. FARON: Block the wind --

25 MR. GLASS: Exactly, operate in that area.

1 MR. FARON: And your hours are going to be
2 roughly the same as theirs?

3 MR. GLASS: Hours will be the same as Maplewood,
4 so that's eleven o'clock to midnight Sunday through
5 Tuesday, and then eleven o'clock a.m. until one o'clock in
6 the morning Wednesday through Saturday. And we're open
7 lunch all the way on, we don't close the doors.

8 MR. FARON: And there's going to be an
9 additional fire exit to the parking, is that correct?

10 MR. GLASS: Correct, yeah.

11 MR. FARON: And -- and looking at the plans, was
12 there a door to the mechanical room, I guess I just
13 glanced at it quickly, I -- just curious? I --

14 MR. GLASS: Mike, would you like to answer that?

15 MR. FARON: It's probably not a big issue but,

16 unless it's not going to be there.

17 CHAIRMAN MADDEN: Do you have it?

18 MS. KELLY: Yeah, I have it.

19 CHAIRMAN MADDEN: Okay. Whitney's got it.

20 MR. GLASS: Thank you, Whitney.

21 MS. KELLY: This is a -- the door that's already

22 existing for the door, but no mechanic -- no door in the

23 mechanical.

24 MR. FARON: How will you access that?

25 MR. GLASS: No, that's -- there should be a door

1 there. There should actually be two doors there, one from⁹

2 the office and --

3 MR. FARON: Okay.

4 MR. GLASS: -- so one from the office here and

5 one from the restroom.

6 VOICE IN THE AUDIENCE: Yeah, mechanical space.

7 MR. GLASS: Yeah, I don't know why this plan

8 does not have a doorway there.

9 MR. FARON: Well, I'm sure it will be resolved

10 for permit and --

11 MR. GLASS: Yeah.

12 MR. FARON: -- I just -- not a big deal.

13 MR. GLASS: Good question though.

14 MR. FARON: Yeah. No problem. Thank you for

15 your time --

16 MR. GLASS: You're welcome.

17 MR. FARON: -- in answering my questions.

18 CHAIRMAN MADDEN: Any other questions?

19 Is there anybody in the audience that has a
20 question or comment?
21 Okay. That'll end the official public --
22 I'm sorry, Whitney, I didn't know you were going
23 to --
24 MS. KELLY: Whitney Kelly on behalf of the City
25 of Creve Coeur.

1 Again, this is a new conditional use permit. ¹⁰ We
2 are asking for repeal of the prior ordinance.

3 As was stated, Growlers assumed a previous CUP
4 that limited the restaurant square footage to 2500 square
5 feet.

6 Back in 1996, they started construction without
7 building permits to expand the space in -- for -- in the
8 kitchen back area.

9 However, at the time the CUP was never updated.
10 The space does represent approximately 32 percent of the
11 building square footage.

12 In 2004 the Code was revised to limit
13 restaurants on sites of less than 2 acres to 25 percent of
14 the building square footage.

15 So in addition to the CUP the next item for
16 discussion will be an amendment to that ordinance to allow
17 for a text amendment to allow for greater percentage of
18 restaurant space within those buildings.

19 However, while the Applicant has said that they
20 could not utilize this space without that text amendment,
21 we have included a condition that says that for some
22 reason they do not get that text amendment, the restaurant
23 could still work at 4,000 square feet, which is --
24 represents 25 percent of the building square footage.

4 CHAIRMAN MADDEN: You need to come up.
5 MR. FARON: It is being recorded. Sorry.
6 MR. BIERMANN: All right.
7 MR. FARON: It's my fault.
8 MR. BIERMANN: I would point out that, first
9 off, we've been trying to lease this space for almost two
10 years, so if that tells you anything.
11 And then also, I believe if you do cut off that
12 back portion and separate it, I believe, and I -- if it's
13 not correct, it's not intentional, I think that -- I
14 believe there's no windows back there, it's just that
15 door. And -- yeah, okay, there's definitely no window, so
16 it might not be very viable.
17 MR. FARON: That's -- that's kind of leading
18 that, you know, what options do you have other than
19 storage, but that's fine.
20 CHAIRMAN MADDEN: Cynthia.
21 MS. KRAMER: I wanted to actually ask Mr. Glass
22 a question. Could --
23 MR. GLASS: Yes.
24 MS. KRAMER: Thank you so much for everything.
25 Could you just please explain, you had mentioned

1 because of your business model and the way that you
2 operate, you would need the full amount of space. Could
3 you just, for the record, tell us why?
4 MR. GLASS: Yeah, current -- well, the current
5 model that we operate in Maplewood, we use around the same
6 square footage. A good portion of that is storage, based
7 on the number of seats that we want, and then broken out
8 the ratio of kitchen space that we need in order to -- or
9 in order to offer the menu items that we currently offer.

10 We can't take any space away from the kitchen,
11 and thereby, you know, we'd have to eliminate restaurant
12 seating area, and that's not something I would feel
13 comfortable doing, being that I haven't ventured into that
14 realm yet.

15 MS. KRAMER: Sure.

16 MR. GLASS: We have a business model that's
17 proven successful so far, so I'd like to -- to stick with
18 that.

19 MS. KRAMER: And then could you just, so we have
20 a full understanding of how the restaurant operates in
21 Maplewood, so people come in and they hang out and they're
22 watching the sports games and everything, so your turnover
23 and kind of how many people you expect to get, it's
24 probably -- are the numbers of seating -- so that's an
25 important piece of it for you?

1 MR. GLASS: Yes. Yes. Because we operate at¹⁴
2 max capacity, I'd say in Maplewood anyways, roughly 50 to
3 60 times a year, and that's really where -- where we're
4 able to start getting above the break even point is on
5 those -- those max capacity days, so if we shrunk that max
6 capacity down, it would be much more difficult for us
7 to -- to operate as a profitable entity.

8 MS. KRAMER: I've heard restaurants usually
9 operate on pretty small margin.

10 MR. GLASS: Yeah.

11 MS. KRAMER: Thank you.

12 MR. GLASS: You're welcome.

13 CHAIRMAN MADDEN: Anything else, Whitney?

14 Anything for Whitney?

15 Okay. Thank you.
16 That'll formally end the public hearing.
17 (The public hearing was ended.)
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25

30

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 Hearings 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
17
18

Excerpts of Public Hearing Transcripts PZ 012213.txt

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AN ORDINANCE AMENDING SECTION 405.820, ARTICLE VII OFF-STREET PARKING AND LOADING REGULATIONS OF THE ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI TO ALLOW FOR A FIFTEEN PERCENT REDUCTION IN THE TOTAL NUMBER OF PARKING SPACES REQUIRED FOR SHOPPING CENTERS.

WHEREAS, an application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted to allow for a fifteen percent (15%) in the required number of parking spaces for shopping centers; and,

WHEREAS, two of the City's largest shopping centers, West Oak Shopping Center and Bellerive Plaza Shopping Center, received variances in the required parking based upon evidence that these centers require less parking than the sum of the uses; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the off-street parking regulations of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on Tuesday, January 22, 2013, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of 5-0 recommended approval of the subject amendments at its meeting on Tuesday, January 22, 2013; and,

WHEREAS, notice of said public hearing had previously been 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, all persons who presented themselves at said meeting and desiring to be heard 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 City Council; and the Bill was 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 amending the City Code of Ordinances 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.

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

SECTION 1: Section 405.820 Required Off-Street Parking Spaces, of the Zoning Ordinance, of the City of Creve Coeur's Code of Ordinances shall be amended as follows:

SECTION 405.820: REQUIRED OFF-STREET PARKING SPACES

- A. Rules For Computing Parking Spaces. In computing the number of required off-street parking spaces, the following rules shall apply:

3. In the case of mixed uses (that include office and residential), the parking spaces required shall be computed separately for each use except as provided in Sections 405.800(G)(3--4) and 405.820(H)(6)(b).
- B. General Parking Requirements.
1. Shopping centers designed for restaurant, retail uses and personal service establishments shall ~~provide four (4) parking spaces per one thousand (1,000) square feet of floor area unless the proposed mix of land uses in the shopping center require a higher number, in which case the higher number shall be required,~~ provide the combined total parking spaces for each use, less a fifteen percent (15%) reduction in the total number of parking spaces required.

SECTION 2: Properties that received a variance reducing required parking spaces prior to the enactment of this Ordinance shall comply with either the requirement applicable to them prior to enactment of this Ordinance as a result of such variance or the new requirements established by this Ordinance, whichever requires less parking, but the previously approved variance shall not be applied in addition to the reduction in parking requirements established by this Ordinance.

SECTION 3: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2013.

ROBERT HOFFMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
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

#12-045 TEXT AMENDMENT TO ALLOW A 15% REDUCTION IN THE TOTAL NUMBER OF OFF-STREET PARKING SPACES REQUIRED FOR RETAIL SHOPPING CENTERS

FOR THE MEETING OF: January 22, 2013

LOCATION: All commercial districts.

REQUEST:

An application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted for a text amendment to allow retail shopping centers a 15% reduction in the total number of off-street parking spaces required, for recommendation to the Creve Coeur City Council.

ADDITIONAL INFORMATION:

Currently, Section 405.820(3) of the Required Off-Street Parking Spaces states that in the case of shopping centers, the parking spaces required shall be computed separately for each use.

Key Issues:

- Does this request further the goals and/or implement the Comprehensive Plan?
- Is this a reasonable exercise of zoning authority?

Comp. Plan References

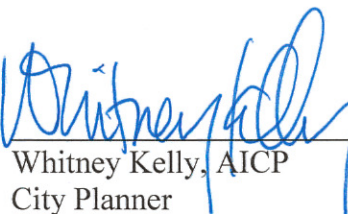
- Design Guidelines

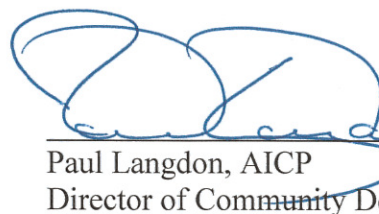
Zoning Code References

- Section 405.820:
Required Off-Street
Parking Spaces

APPLICANT: Paul Langdon, AICP
Director of Community Development
City of Creve Coeur

REPORT PREPARED BY:

 1/18/2013
Whitney Kelly, AICP
City Planner Date

 1/18/13
Paul Langdon, AICP
Director of Community Development Date

ATTACHMENTS: Draft Ordinance
Parking Study completed for Bellerive Shopping Center in 2007
Parking Study completed for West Oak Shopping Center in 2009

INTRODUCTION

The 120,000 Bellerive Plaza Shopping Center was originally developed in 1978 in St. Louis County with a parking ratio of 4.4 spaces per 1000 square feet for a total of 525 spaces. The shopping center was later annexed into the City of Creve Coeur. In 2007, Desco, the property owner of the Center, received a variance to the required parking by 45 parking spaces in anticipation of a St. Louis Bread Company location within the center at what is now the “Dave & Tony’s Premium Burgers” tenant space. Those spaces constitute approximately 8.5% of the total available. Without the variance, an additional 252 parking spaces would have been required. The Crawford Bunte Brammeier (CBB) parking study found that only 59% of the shopping center’s parking spaces were occupied during the midday peak period of a typical weekday, and that forecasted demand for the center would not exceed 74% of the current parking supply.

In October 2009, Mr. Patrick Cunningham, of Caplaco Nine, Inc., the owners of West Oak Square Shopping Plaza, received approval for a 15% reduction in the required number of parking spaces for the plaza based on the dynamics that typically exist in a shopping center whereby the center as a whole needs less parking than the sum of the individual uses. A parking study was conducted on behalf of Caplaco Nine, Inc., also by CBB, and it found that shopping centers operate at a lower parking ratio than the sum of all of the uses, and that at peak times the center only utilizes 55% of the parking spaces on site. The study found that the current mix of uses within the center had a parking supply of 5.82 spaces per 1,000 square feet of gross floor area and that similarly sized centers generally operate at a parking ratio of 4.5 to 5.0 spaces per 1000 square feet based on the total “mixed-use” blend. Requiring the maximum per individual use would have required 1,092 spaces versus the existing parking supply on site of 928 spaces. The study also looked at three similar locations in the region for comparisons. Of note: Maryland Heights, MO requires that a mixed use center of 100,000 to 400,000 square feet to have a parking ratio of 5 spaces per 1000 square feet. The multiplier then decreases to 4.5 spaces for centers of 30,000 to 100,000 square feet.

Based on this prior evidence from the variances granted, and complaints from property owners stating that the number of parking spaces required by the Zoning Code does not match with the actual number of spaces used, Staff is seeking a text amendment to allow for a 15% reduction in the number of parking spaces for shopping centers that offer a mix of retail, restaurants, and personal services.

DISCUSSION

Comprehensive Plan Review

The Comprehensive Plan does not provide much direction on the number of parking spaces. However, the Design Guidelines do include a recommendation that shopping center parking lots should avoid the appearance of a large expanse of asphalt. Parking lots should be visually and functionally segmented into several smaller lots. (Page 12). Further the Design Guidelines recommend that the design of off-street parking areas should limit vast open areas of asphalt parking spaces, especially in the front of commercial buildings...(page 19). While most of the existing shopping centers and mixed-use developments were built prior to the current code, requiring more parking than necessary only promotes large expanses of asphalt. Allowing for the reduction of required parking would further the goals and recommendations of the Comprehensive Plan to the extent that any new, modified, or redeveloped centers will be able to increase the ratio of building to parking.

Zoning Regulations

The stated purpose and intent of the Off-Street Parking and Loading Regulations are:

ARTICLE VII. OFF-STREET PARKING AND LOADING REGULATIONS

SECTION 405.790: *APPLICABILITY*

A. *Purpose And Intent.*

1. *The purpose of this Section is to ensure that an adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading spaces are provided on every site requiring site development plan approval. Such roads, pedestrian walks and off-street parking and loading facilities shall be designed as an integral part of an overall site design and shall be properly related to existing and proposed buildings and appropriate landscaping. Parking facilities shall be landscaped and screened to the extent necessary to eliminate unsightliness and monotony of large concentrations of parked cars. Parking facilities shall be designed with careful regard to orderly arrangement, topography, landscaping, ease of access and shall be developed as an integral part of an overall site design. Any above ground loading facility shall be screened from public view to the extent necessary to eliminate unsightliness. (Emphasis added).*

However, the rules for computing the number of parking spaces required are often seen as contrary to this purpose. Section 405.820.A. *Rules For Computing Parking Spaces* state that uses within mixed-use buildings are required to be computed separately for each use, and shopping centers with a mix of personal and retail services are also required to compute the required parking based on each use per the following:

SECTION 405.820: *REQUIRED OFF-STREET PARKING SPACES*

A. *Rules For Computing Parking Spaces.* In computing the number of required off-street parking spaces, the following rules shall apply:

3. In the case of mixed uses, the parking spaces required shall be computed separately for each use except as provided in Sections 405.800(G)(3--4) and 405.820(H)(6)(b).

B. *General Parking Requirements.*

1. Shopping centers designed for retail uses in SIC Codes 53, 54, 56 and 59 and personal service establishments shall provide four (4) parking spaces per one thousand (1,000) square feet of floor area unless the proposed mix of land uses in the shopping center require a higher number, in which case the higher number shall be required.

Below are the some of the parking requirements for those uses that are generally found in shopping centers, including barbershops and beauty shops, and shoe repair under personal services, which are most often cited as out of proportion with actual parking needs:

F. *Wholesale And Retail Trade (SIC codes 50-59).*

3. Furniture and home furnishings stores (including carpeting and major appliances) (SIC Code 57). Four (4) parking spaces per one thousand (1,000) square feet of gross floor area.

4. General retail establishments (general merchandise, food, apparel and accessories and miscellaneous retail stores) (SIC Codes 53, 54, 56 and 59). Four (4) parking spaces per one thousand (1,000) square feet of floor area.
5. Restaurants and bars (SIC Code 58).
 - a. One (1) parking space per every three (3) seats of maximum occupancy recorded under the conditional use permit plus one (1) parking space per every two hundred fifty (250) square feet of total building floor area plus one (1) parking space per each eight (8) seats in an outdoor seating area.
 - b. Small restaurant facilities which offer only carry-out/delivery service and/or a seating capacity of sixteen (16) or fewer persons shall provide parking spaces at the ratio required for basic retail uses; provided such small restaurant facilities shall not be freestanding or provide drive-through, drive-up or curbside service facilities.
- H. Services (SIC Codes 70--89).
 2. Personal services (SIC Code 72).
 - a. Laundry, cleaning and garment services (SIC Code 7210).
 - (1) Dry cleaning pickup establishments (SIC Code 7219). One (1) space per one hundred fifty (150) square feet of floor area for the pickup area and one (1) space per three hundred (300) square feet of floor area for clothing storage and other areas.
 - (2) All other uses. One (1) space per three hundred (300) square feet of floor area.
 - b. Barbershops, beauty shops, nail salons and tanning salons (SIC Codes 7230 and 7240). Three and one-half (3.5) spaces per barber, beautician and/or manicurist station or one (1) space per one hundred (100) square feet of floor area, whichever is greater.
 - d. All other personal service establishments. One (1) space per two hundred (200) square feet of floor area.
 3. Miscellaneous business services (advertising agencies, news agencies and television and radio broadcasting facilities) (SIC Code 73 except 737).
 - a. One (1) space per three hundred (300) square feet of floor area.
 - b. Computer services (SIC Code 737). One (1) space per two hundred (200) square feet of floor area.

While these standards may be appropriate for stand-alone locations, they fail to recognize that consumers tend to “self-regulate” when it comes to parking in shopping centers. That is, the average consumer will assess the availability of parking when arriving at a center and, if the lot is full, go to another location or wait for another opportunity. Certain shopping days (especially around Thanksgiving) may be the exception to the rule, but designing for one or two days of the year leads to sites that have undesirably large and expensive to maintain expanses of asphalt for the other 360+ days of the year. This is exactly the situation discouraged by the Design Guidelines and is not in keeping with the above-stated purposes of the parking regulations.

Although it is difficult to point to one certain standard that should be acceptable, there are the two centers (Bellerive and West Oak) that have been working with reduced parking requirements (8.5% and 15% reductions, respectively) over the past several years without any problems.

Indeed, they have been able to increase restaurant activity at both centers beyond what was previously possible, and parking problems have not arisen. To most fully meet with the design guidelines, and given past experience in the community, Staff therefore requests that the Code read as follows:

SECTION 405.820: REQUIRED OFF-STREET PARKING SPACES

- A. Rules For Computing Parking Spaces. In computing the number of required off-street parking spaces, the following rules shall apply:
 - 3. In the case of mixed uses (that include office and residential), the parking spaces required shall be computed separately for each use except as provided in Sections 405.800(G)(3--4) and 405.820(H)(6)(b).
- B. General Parking Requirements.
 - 1. Shopping centers designed for restaurant, retail uses and personal service establishments shall ~~provide four (4) parking spaces per one thousand (1,000) square feet of floor area unless the proposed mix of land uses in the shopping center require a higher number, in which case the higher number shall be required,~~ provide the combined total parking spaces for each use, less a fifteen percent (15%) reduction in the total number of parking spaces required.

Note that a qualifying phrase has been added to the computation rule for mixed use centers to help differentiate them from retail shopping centers. Truly mixed-use facilities have different influences upon their parking demands and they are not the subject of this application.

Also, to prevent a double-dipping of the reduction for the properties that have received a variance, the draft ordinance states that those properties may not take the reduction in addition to the amount of the variance granted.

ACTION AND MOTION

If the Planning and Zoning Commission is satisfied that the amendments accomplish the purpose of the Comprehensive Plan and Zoning Code as proposed, then they should make motion on the attached draft ordinance. Action on the text amendments will be in the form of approval, approval as modified, or denial. The following would be an example motion for this application:

“I move to recommend approval of the draft text amendment ordinance attached to the January 22, 2013, staff report on Application #12-045 to allow for a 15% reduction in the calculation of the number of parking spaces for shopping centers as discussed by the Planning Commission this day.” (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.

BELLERIVE PLAZA



ST. LOUIS BREAD COMPANY

The DESCO GroupSM

25 N. BRENTWOOD BLVD.

ST. LOUIS, MISSOURI 63105

314-994-4444

www.descogroup.com

RECEIVED

JAN 18 2007

PLANNING DEPT.

Bellerive Plaza, represented by The DESCO Group, comes before the Board of Adjustment seeking assistance. Over the last several years, Bellerive Plaza has experienced a growing percentage of vacancy in the retail portion of the shopping center, due to a number of reasons.

Olive Blvd has seen a tremendous amount of growth in retail development throughout the trade corridor between Lindbergh and Woodsmill Roads. The additional competition, as well as the appeal of new construction, often creates an uphill battle for existing, older centers, particularly when it comes to attracting exciting new retailers.

Other challenges facing Bellerive are its orientation to Olive, and the natural traffic flow within the center. The main stretch of retail in the plaza is not only perpendicular to the street, but is also set back from Schnucks, creating a natural flow of vehicle and foot traffic that tends to lead away from the center's smaller businesses.

The DESCO Group has been working with several prospects that we view as "Junior Anchors"; tenants that we believe would bring more consistent consumer traffic, and therefore boost the center's appeal and marketability to future businesses coming to the area.

We at The DESCO Group have determined that The St. Louis Bread Company would fit our description of a "Junior Anchor", bringing consumers, as well as additional credibility to our shopping center. We have been working with this prospect, and are close to reaching an agreement that would relocate St. Louis Bread from a center in Chesterfield.

It has been confirmed that the addition of St. Louis Bread Co. would have a negative impact on the parking situation relative to code. However we believe that the actual parking capacity would allow for this popular restaurant user. Recently, The DESCO Group commissioned a study by Crawford, Bunte, Brammeier Traffic and Transportation Engineers that will show a surplus in parking availability based on current supply and demand within the Plaza. Upon suggestion from Mike Hurlbert, we attempted to come to a shared parking agreement with our neighbor, Commerce Bank, before coming to the Board with this request. In light of the future interests of their property, Commerce politely declined, and their correspondence is attached.

Obviously, we would not be sitting before you unless we needed assistance with a variance to city codes, so the following information has been assembled to present our case.

Please find the attached:

- Application for a Hearing before the Creve Coeur Board of Adjustment
- Crawford, Bunte and Brammeier traffic study; A report on observed supply and demand of parking availability at Bellerive Plaza
- Proposed site plan with St. Louis Bread Company

*Application for a Hearing before the
Creve Coeur Board of Adjustment*

1. *Date:* 1/4/07 *Number:* _____

2. *Action Requested:* *Variance* X
Appeal _____

3. *Applicant Information: Name* Bellerive Plaza, DESCO Investment Company LLC

Address 25 N. Brentwood Blvd.

Clayton, Missouri 63105

Phone No. 314-994-4444 *Fax No.* 314-994-4450

4. *Represented by:* The DESCO Group

5. *Location of Subject Property:* SWC of the intersection of Olive & Mason (12756 Olive)

6. *Specific action to which an Appeal is being sought:* Bellerive Plaza is seeking a
variance on the parking requirements for the shopping center.

7. *Basis for Appeal of the above action:* The center would like to add St. Louis Bread Company
which, as a restaurant, requires more parking per city codes.

8. *Ordinance Number and Code Section to which a Variance is being sought:* _____

26-93.6 (e) 1 (SIC Code 58)

9. *List the particular requirements of the Ordinance which prevent the proposed
construction:*

Parking requirements for restaurant use

10. *Describe the characteristics of the subject property which prevent the proposed construction:* The shopping center has 509 parking spaces, and is slightly under-parked

currently. The property was originally developed per county requirements, prior to the
annexation by the city.

11. *List the particular hardship(s) which would result if the requirements of the Ordinance were applied to the subject property:* Over the last several year, Bellerive Plaza has

struggled to remain occupied, due in part to intense competition from the growing
number of developments along Olive. Should St. Louis Bread Company be allowed to join
the center, Bellerive Plaza's attractiveness and credibility will be improved for
prospective businesses in the future.

12. *Name the specific reduction of the minimum requirements of the Ordinance which would be necessary to permit the proposed construction:* With the addition of

St. Louis Bread Company, the center would need a variance of 40-45 spaces to be
code-compliant.

13. *By what authority does this Board have the right to hear the above-described request:*

Section 26-118 of the zoning code.

14. *Signature of Applicant:* _____

Pat Rosenblatt, Secretary (872-2501)

Date: January 16, 2007

To: Mr. Tim McCormick
The Desco Group

From: Doug Shatto

Project: Bellerive Plaza Parking Evaluation
CBB Job No. 230-06

Crawford, Bunte, Brammeier completed an evaluation of parking conditions at Bellerive Plaza Shopping Center in Creve Coeur to identify its current parking supply and demand conditions and whether the full occupancy of the center could be accommodated. Specifically, an effort was made to determine if sufficient parking is available to accommodate the addition of a St. Louis Bread Company restaurant in space that is currently vacant within Bellerive Plaza.

The following was concluded:

- The shopping center currently has an overall parking supply of 507 spaces. The proposed restaurant's primary parking field contains 86 parking spaces, while the inclusion of the adjacent parking areas would raise the parking supply to 252 spaces.
- Recent parking occupancy counts found that only 59% of the shopping center's parking spaces are occupied during the midday peak period of a typical weekday. Moreover, occupancy in the area where the Bread Company is proposed is only 55% to 63%. Consequently, there are surpluses of nearly 40 spaces in the proposed restaurant's primary parking area and almost 100 spaces within the larger parking area.
- The forecasted parking demand for the proposed St. Louis Bread Company would peak at 53 spaces on a weekday. Taking into consideration the existing and proposed uses, sufficient parking is available to meet the total forecasted demand. In fact, even if the remaining vacancies (general retail) were occupied, the forecasted demand for the shopping center would not exceed 74% of the current parking supply.

It can therefore be concluded that there is ample parking available within Bellerive Plaza to accommodate the proposed St. Louis Bread Company. Anticipated actual parking demands would be far less than is currently provided on-site.

December 6, 2006

Mr. Tim McCormick
The Desco Group
8040 Forsyth Boulevard
St. Louis, Missouri 63105

RE: Parking Evaluation
Bellerive Plaza – Creve Coeur, Missouri
CBB Job No. 230-06

Dear Mr. McCormick:

In accordance with your request, Crawford, Bunte, Brammeier has evaluated parking conditions at Bellerive Plaza in Creve Coeur, Missouri. The purpose of this evaluation was to determine if the parking supply within the shopping center is sufficient to accommodate the addition of a St. Louis Bread Company restaurant. The shopping center would not be expanded; instead, the additional restaurant would be used to help fill existing vacancies.

This analysis took into consideration the parking characteristics of the existing tenants, the forecasted characteristics of the proposed tenant and the existing parking supply within the shopping center. The study focused upon the midday peak period (11:30 a.m. to 2:30 p.m.) of a typical weekday, which represents the critical time with respect to the shopping center's parking demands as well as the proposed restaurant.

It should be acknowledged that this analysis did not include an evaluation of the shopping center's compliance with current zoning ordinances. It is our understanding that the parking requirements for this site were grandfathered for the available supply and that variances had previously been granted to reflect actual utilization. In fact, another parking study was completed in 1999, at which time the City also required circulatory and access modifications. Instead, this analysis simply focused on a comparison of the current parking supply to the anticipated demand for the proposed tenancy.

Existing Parking Supply

An inventory of the parking supply at Bellerive Plaza indicated that a total of 507 spaces are currently provided (this total includes approximately 14 stalls that are occupied by shopping cart corrals at the Schnuck's supermarket). For the purposes of this discussion, the parking fields were divided into six smaller zones (A-E & G), as shown on Exhibit 1, to isolate parking supplies and demands within specific portions of the site including those that would be most likely to serve the proposed restaurant.

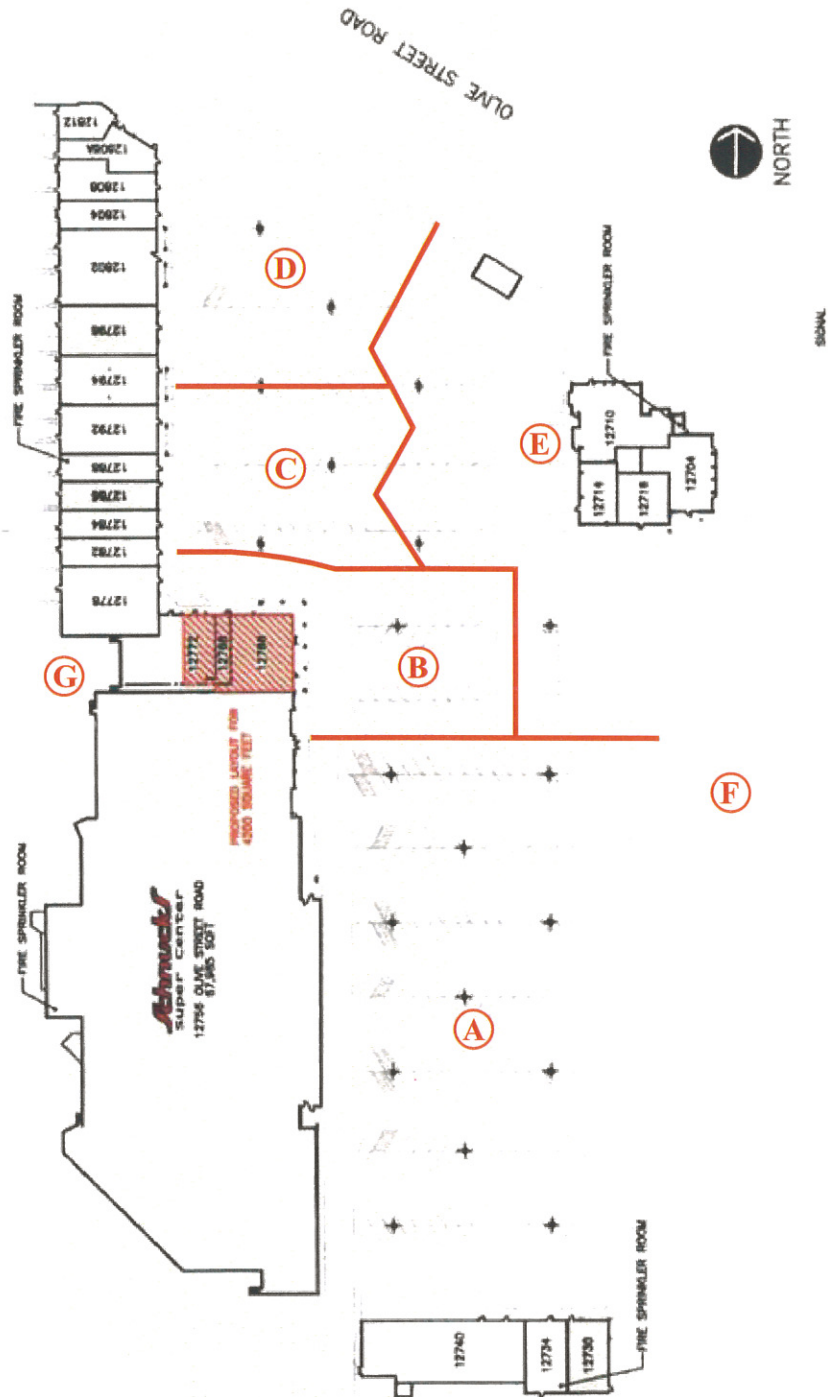


Exhibit 1: Parking Zones

Job# 230-06
12/1/06

Zones B & C represent the parking aisles that would most likely serve the proposed restaurant, though parking in Zones D & E would also be accessible to patrons and employees of the restaurant. Zone E represents the primary parking area for the outparcel on Olive Boulevard (where Bellacino's and Crazy Bowls & Wraps are located); Zone A represents the primary parking field for the supermarket and the Firestone dealership; and Zone G reflects employee parking in the rear of the shopping center. Finally, parking at the adjacent Commerce Bank Operations Center was also included in the inventory (Zone F) to reflect potential opportunities for shared parking between the adjoining properties.

The number of parking spaces in each zone was counted separately. The restaurant's primary parking field (Zones B & C) contains 86 parking spaces; inclusion of the adjacent parking areas (Zones D & E), which excludes the supermarket and employee parking, would raise the parking supply for the Bread Company site to 252 spaces. The parking supplies for each individual zone within Bellerive Plaza, as well as the adjacent Commerce Bank Operations Center, are summarized in Table 1.

Existing Parking Demand

In order to quantify existing demands, parking occupancy counts were performed on a typical weekday from 11:45 a.m. to 2:15 p.m. (parking occupancy was recorded in 15-minute intervals). It should be noted that these measurements were collected in late November, which typically represents a peak season for parking demand at shopping centers and supermarkets. Therefore, the corresponding estimates of parking demand were presumed to represent a worst-case scenario and no adjustments for seasonal fluctuations were needed.

Table 1 summarizes the number of vehicles parked in each zone. As can be seen, the peak demand occurred at 12:30 p.m. when 299 spaces were occupied (only 59% of the supply). More importantly, only 47 spaces (55%) were occupied within the Bread Company's primary parking area (Zones B & C). Including the adjacent parking areas for the adjacent retail and the outparcel (Zones B-E), which contain several other restaurants, increases the midday parking occupancy to 63% or 158 spaces.

As can be seen, the existing parking demand at Bellerive Plaza is considerably lower than the current supply of 507 parking spaces. Furthermore, the parking demand within those parking areas that would be most attractive to St. Louis Bread Company patrons is also relatively low. Based on the occupancy counts, there are surpluses of nearly 40 spaces in the proposed restaurant's primary area and almost 100 spaces within the larger parking area (excluding the supermarket and employee parking areas).

It should also be noted that over 70 spaces are typically available in the adjacent parking field for Commerce Bank Operations Center. Though it is not anticipated that cross-parking would be required, the establishment of a cross-parking easement would potentially provide additional surplus parking to accommodate extraordinary demands.

Table 1
Existing Parking Supply & Demand
Bellerive Plaza

Time	Zone							Total*
	A	B	C	D	E	F*	G	
Supply	224	36	50	75	91	220	31	507
Number of Spaces Occupied								
11:45 AM	146	18	19	35	36	141	3	257
Noon	138	22	21	44	55	145	2	282
12:15 PM	146	21	17	47	62	142	4	297
12:30 PM	138	26	21	46	65	143	3	299
12:45 PM	147	19	20	30	51	142	3	270
1:00 AM	153	24	19	26	50	142	4	276
1:15 AM	144	19	19	25	43	140	5	255
1:30 AM	145	15	20	32	30	145	4	246
1:45 AM	149	15	23	39	34	149	4	264
2:00 AM	149	15	20	33	25	152	3	245
2:15 AM	154	13	17	28	23	150	3	238

* - Commerce Bank Operations Center parking (Zone F) NOT included in totals.

Forecasted Parking Demand

The Desco Group proposes to fill approximately 4,200 s.f. of vacant space (including store fronts previously occupied by The Mizzou Connection) with a St. Louis Bread Company restaurant. In order to determine if sufficient parking is available to accommodate this change in use, we have referenced actual parking counts at another free-standing St. Louis Bread Company facility in the St. Louis area. Those previous studies indicated that a similar-sized Bread Company had a maximum peak (midday) parking demand of 53 spaces.

As previously noted, there are surpluses of nearly 40 spaces in the proposed restaurant's primary parking area and almost 100 spaces within the larger parking adjacent area. Therefore, it can be reasoned that the primary parking area (Zones B and C) would be heavily utilized during the midday peak. However, ample parking is provided within the immediate area (including Zones D and E) to meet the restaurant's demands during the 12:30 p.m. peak, when 94 parking spaces would be available. This finding suggests that the St. Louis Bread Company could be accommodated while retaining a surplus of more than 40 spaces.

Overall, the existing parking supply at Bellerive Plaza would be abundant. The anticipated demand for the St. Louis Bread Company was aggregated with the totals for the shopping center, resulting in a projected peak overall demand of 352 spaces, which represents only 69% of the total supply. Even if additional demands are calculated for the remaining vacancies (approximately 5,100 s.f.) at 4



spaces per 1,000 s.f., the forecasted peak would only be 370 spaces or 74% of the supply. Therefore, it is apparent that sufficient parking is available within Bellerive Plaza to accommodate the proposed change in use.

Finally, it should be noted that Desco is also considering the potential conversion of one restaurant in the outlot to retail space. This change in use would lower the projected overall demand for the shopping center by an estimated 10-15 spaces (from 20-30 at midday to 10-15), if not more. Furthermore, this reduction would occur within Zone E, which would be shared by the proposed Bread Company facility. In turn, this could reduce the shopping center's peak parking occupancy to only 70%.

Conclusions

As previously noted, the Desco Corporation is contemplating the addition of a St. Louis Bread Company restaurant in space that is currently vacant within Bellerive Plaza. Therefore, an effort was made to determine if sufficient parking is available to accommodate this use.

The shopping center currently has an overall parking supply of 507 spaces. The proposed restaurant's primary parking field contains 86 parking spaces, while the inclusion of the adjacent parking areas would raise the parking supply to 252 spaces.

Recent parking occupancy counts found that only 59% of the shopping center's parking spaces are occupied during the midday peak period of a typical weekday. Moreover, occupancy in the area where the Bread Company is proposed is only 55% to 63%. Consequently, there are surpluses of nearly 40 spaces in the proposed restaurant's primary parking area and almost 100 spaces within the larger parking area.

The forecasted parking demand for the proposed St. Louis Bread Company would peak at 53 spaces on a weekday. Taking into consideration the existing and proposed uses, sufficient parking is available to meet the total forecasted demand. In fact, even if the remaining vacancies (general retail) were occupied, the forecasted demand for the shopping center would not exceed 74% of the current parking supply. It can therefore be concluded that there is ample parking available within Bellerive Plaza to accommodate the proposed St. Louis Bread Company.

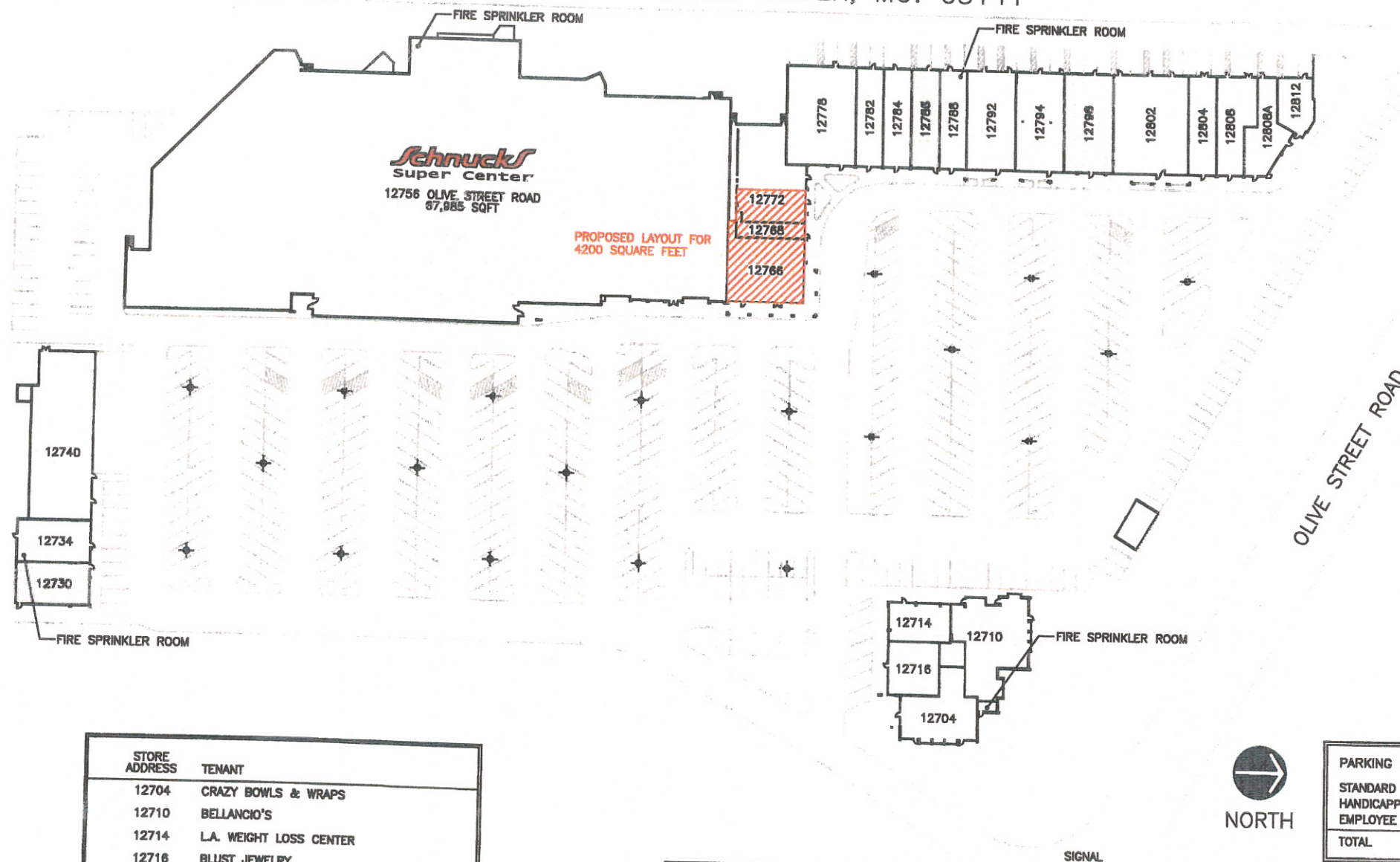
We trust that you will find this information useful in evaluating the parking needs of Bellerive Plaza. Please contact our offices should you have any questions or comments regarding this material.

Sincerely,

Douglas S. Shatto, P.E., PTOE
President

BELLERIVE PLAZA

12756 OLIVE STREET ROAD
CREVE COUER, MO. 63141



STORE ADDRESS	TENANT	
12704	CRAZY BOWLS & WRAPS	
12710	BELLANCIO'S	
12714	L.A. WEIGHT LOSS CENTER	
12716	BLUST JEWELRY	
12730	AVAILABLE	1500
12734	H & R BLOCK	
12740	FIRESTONE TIRE	
12756	SCHNUCKS	
12766	MIZZOU STORE	
12768	MERLE NORMAN	
12772	RADIO SHACK	
12778	FANTASTIC FINDS	
12782	CUSTOM CUTS	
12784	FOOT SOLUTIONS	
12786	NAIL SPA	

STORE ADDRESS	TENANT	SQ.FT.
12788	ST LOUIS CIGAR	
12792	WILD BIRD CENTER	
12794	HAIR SALOON FOR MEN	
12798	AVAILABLE	2490
12802	THE LITTLE GYM	
12804	CHENOWETH CHAPMAN CLEANERS	
12806	JIMMY JONES SANDWICH SHOP	
12808A	SILKY'S	
12812	EDWARD JONES	
		115,207

PARKING SUMMARY	
STANDARD	457
HANDICAPPED	20
EMPLOYEE	32
TOTAL	509



NORTH

SIGNAL

The DESCO Group
Strategic Real Estate Solutions

8040 Forsyth Boulevard
St. Louis, MO. 63105
314/994-4444

22163
062608

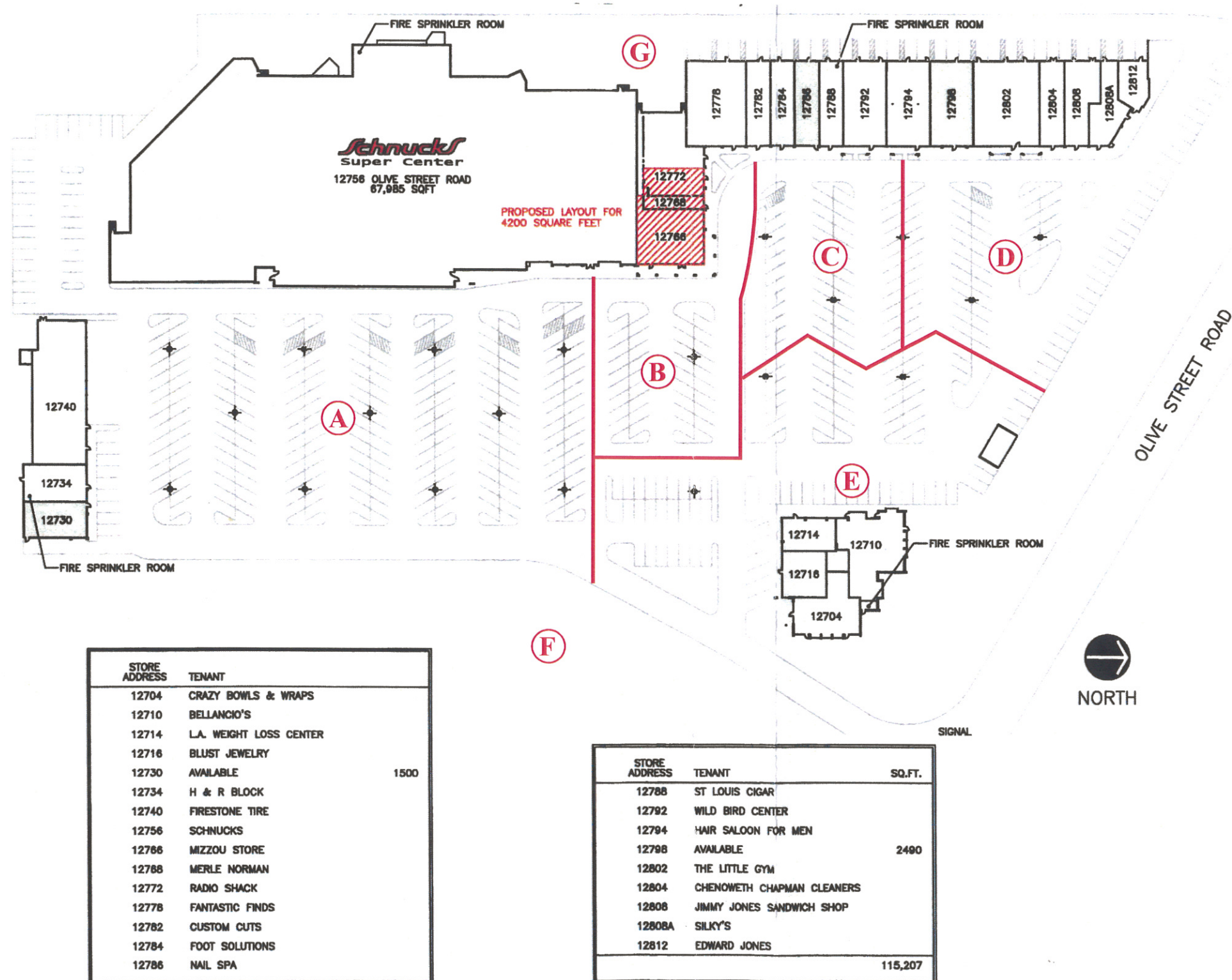


Exhibit 1: Parking Zones

September 23, 2009

Mr. Pat Cunningham
Capitol Land Company
11850 Studt Avenue
Creve Coeur, Missouri 63141

Re: Parking Study
West Oak Square
Creve Coeur, Missouri

Dear Mr. Cunningham:

At your request, the firm of Crawford, Bunte, Brammeier (CBB), has completed a parking study for the mixed use retail center known as West Oak Square Shopping Center located at the northeast corner of the intersection of Olive Boulevard and Craig Road in Creve Coeur, Missouri.

This study was initially undertaken as a result of several factors: the Olive Boulevard Transportation Development District's request for Right of Way dedication where the center lost several on-site parking spaces; by calculation, the shopping center has utilized all of the parking spaces available with the current mix of tenant uses in accordance with the City's parking requirements yet the center appeared to have excess spaces available during peak periods; and with the loss of the 48" oak tree, could parking spaces be added or relocated to areas of higher demand if required. Therefore, the study was conducted to determine the efficiency of the center and if the loss of parking from the TDD's roadway improvements created any shortage which could affect zoning compliance or the operation of the center.

All exhibits are included in the Appendix of this report.

According to the prime tenants in the center, site traffic is heaviest during the weekday near mid-day. Therefore, the parking study was initially conducted on a typical day which in this case was Tuesday, June 9, 2009. The site, illustrated in Exhibit 3, was divided into 8 zones. All spaces were counted every half hour from 10:00 a.m. through and including 7:00 p.m., see Exhibit 1.

At the time of the study, there were 924 spaces within this center. Since the time of this initial study, three additional spaces were removed by the Olive TDD and seven spaces are in the process of being added under the owner's permit number 21740. Therefore the site's parking count will increase to 928 and will be in compliance with the City's parking requirements, more specifically, Section 26-



93.1(c). This is the result of adding 27 spaces in zone 5, removing 14 spaces in zone 4, and the removal of nine spaces in zone 1. The results of these adjustments are reflected in Exhibit 2.

The parking data was then summarized and plotted into Exhibit 4 and Exhibit 5.

Exhibit 4 illustrates for lines plotting the occupancy by various zones as follows:

- Zones 1, 2 and 3 represent the main parking areas in front of Dierbergs
- Zones 4 and 5 are adjacent to Olive Street Road
- Zones 6 and 7 are behind the center
- Zone 8 is the area intended for the bank

Exhibit 5 illustrates a combination of the eight zones to represent the overall site.

A close review of these two exhibits illustrates the following:

Exhibit 4

- Zones 1, 2 and 3 are the busiest (Main Field) with peak occupancy at 12:30 p.m.
- The remaining zones have peaks at or near the same time.
- All eight zones require 506 spaces at the peak period.

The site currently contains approximately 159,574 square feet of gross floor area and with 928 spaces is in compliance with Section 26-93.1(c), which requires “In the case of mixed uses, the parking spaces required shall be computed separately for each use except as provided in Sections 26-91.7(c), 26-91.7(d) and 26-93.8(f)(2)”. A Parking Tabulation Summary is provided on the overall site plan for reference and reflects that the current tenant mix is within three spaces of that required by the City of Creve Coeur.

The center is currently comprised of the following uses:

• Retail (supermarket)	76,024 s.f.	48%
• Retail (general merchandise)	30,052 s.f.	19%
• Restaurant	19,843 s.f.	12%
• Beauty Shop	8,080 s.f.	5%
• Service	2,625 s.f.	2%
• Office (Finance)	22,950 s.f.	14%

At the time of the study, only 2,000 s.f. (1.25% of the center) was vacant. Based on this information, only 55% of the parking spaces are used during typical peak periods.



The parking supply for the West Oak Square Shopping Center is 5.82 spaces per 1000 square feet of gross floor area. By comparison and for informational purposes only, CBB checked with three other public agencies to review their parking requirements as follow:

1. Bellerive Plaza in Creve Coeur, Missouri – This 120,000 s.f. shopping center was developed in 1978 under St. Louis County codes. That site has 525 spaces for a parking ratio of 4.4 spaces per 1000 s.f. The center was granted a 20 percent reduction in their parking requirements based on the mixed uses proposed.
2. Dierbergs Edwardsville Crossing in Edwardsville, Illinois – This recent mixed use development was substantially completed two years ago and was developed utilizing a parking ratio of five spaces per 1000 s.f. of gross floor area. The City of Edwardsville has since amended their ratios to one space per 300 square feet of gross floor area.
3. Maryland Heights, Missouri – The City of Maryland Heights requires a mixed use center between 100,000 and 400,000 s.f., a parking ratio of five spaces per 1000 s.f. Their ratio decreases to 4.5 for centers 30,000 to 100,000 square feet.

In response to your inquiry, regarding whether the center could support users with higher parking requirements, we offer the following analysis. A typical restaurant has a parking requirement almost 2.4 times that of retail use. While many restaurant businesses peak in the evening, lunch time is often the busiest at this center.

Exhibit 6 (see Appendix) illustrates that West Oak Square could replace up to 20,000 square feet of mixed use retail space with 20,000 square feet of restaurant (beyond what exists today) and maintain adequate parking supply.

Based on a 20,000 square foot conversion of retail to restaurant, the required number of parking spaces would increase to 1092. A 15 percent reduction would reduce the required parking number to 928. Next, with a new parking demand for the conversion reviewed and based on the centers peak day where 506 spaces were utilized, the conversion would result in a peak need of 670 spaces which still has approximately 258 surplus spaces. This new peak parking demand is still well within the capacity of this center.

Based on Exhibit 6, it appears that West Oak Square could convert approximately 20,000 s.f. of existing retail to restaurant use which would change the parking demand during peak period to approximately 670 spaces. Therefore a 15 percent reduction from the new required number of spaces ($1092 * 85\% = 928$) would allow this center to accomplish a conversion up to 20,000 square feet.

Exhibit 7 illustrates the site as it occurs with 928 spaces.

Please review this study and contact us should there be any questions or need of any additional information.



Sincerely,

A handwritten signature in black ink, appearing to read "David B. Brammeier". The signature is fluid and cursive, with a long horizontal stroke at the end.

David B. Brammeier, P.E
CEO

Appendix

1. Exhibit 1- Parking Lot Supply as of June 9, 2009
2. Exhibit 2- Parking Lot Supply as of October 1, 2009
3. Exhibit 3- Parking Lot Zones as of June 9, 2009
4. Exhibit 4- Occupancy by Zone
5. Exhibit 5- Combined Occupancy of all Zones
6. Exhibit 6- Parking Demand Sensitivity
7. Exhibit 7- New Site Plan – 928 Spaces

Dierbergs Parking Lot Counts At West Oak

ZONE	1	2	3	4	5	6	7	8	TOTALS
SPACES	138	229	144	87	91	104	63	68	924
TIME									
10:00 AM	33	90	65	8	14	33	0	20	263
11:00 AM	41	107	75	9	10	41	1	25	309
11:30 AM	46	128	84	16	29	45	1	23	372
12:00 PM	61	137	109	13	63	47	1	25	456
12:30 PM	75	157	115	15	68	49	0	27	506
1:00 PM	59	143	114	12	47	44	0	29	448
1:30 PM	61	122	104	10	25	39	1	25	387
2:00 PM	52	127	79	16	14	37	0	26	351
3:00 PM	46	123	63	11	8	38	1	27	317
4:00 PM	40	111	61	15	10	39	0	25	301
5:00 PM	42	119	63	12	17	35	0	22	310
6:00 PM	35	113	75	13	46	34	0	5	321
7:00 PM	31	82	54	10	48	30	0	5	260

Peak

Exhibit 1- Supply at Time of Study

Crawford, Bunte, Brammeier

Completed June 9, 2009

Dierbergs Parking Lot Counts At West Oak

ZONE	1	2	3	4	5	6	7	8	TOTALS
SPACES	129	229	144	73	118	104	63	68	928
TIME									
10:00 AM	33	90	65	8	14	33	0	20	263
11:00 AM	41	107	75	9	10	41	1	25	309
11:30 AM	46	128	84	16	29	45	1	23	372
12:00 PM	61	137	109	13	63	47	1	25	456
12:30 PM	75	157	115	15	68	49	0	27	506
1:00 PM	59	143	114	12	47	44	0	29	448
1:30 PM	61	122	104	10	25	39	1	25	387
2:00 PM	52	127	79	16	14	37	0	26	351
3:00 PM	46	123	63	11	8	38	1	27	317
4:00 PM	40	111	61	15	10	39	0	25	301
5:00 PM	42	119	63	12	17	35	0	22	310
6:00 PM	35	113	75	13	46	34	0	5	321
7:00 PM	31	82	54	10	48	30	0	5	260

Peak

Exhibit 2- Supply as of October 1, 2009

Crawford, Bunte, Brammeier

Completed June 9, 2009
Updated September 15, 2009

"PARK WEST PLAT 1"
DAILY NO. 204 5-16-58

"PARK WEST PLAT 4"
P.B. 94 P.G. 1

"PARK WEST PLAT 5"
P.B. 96 P.G. 30

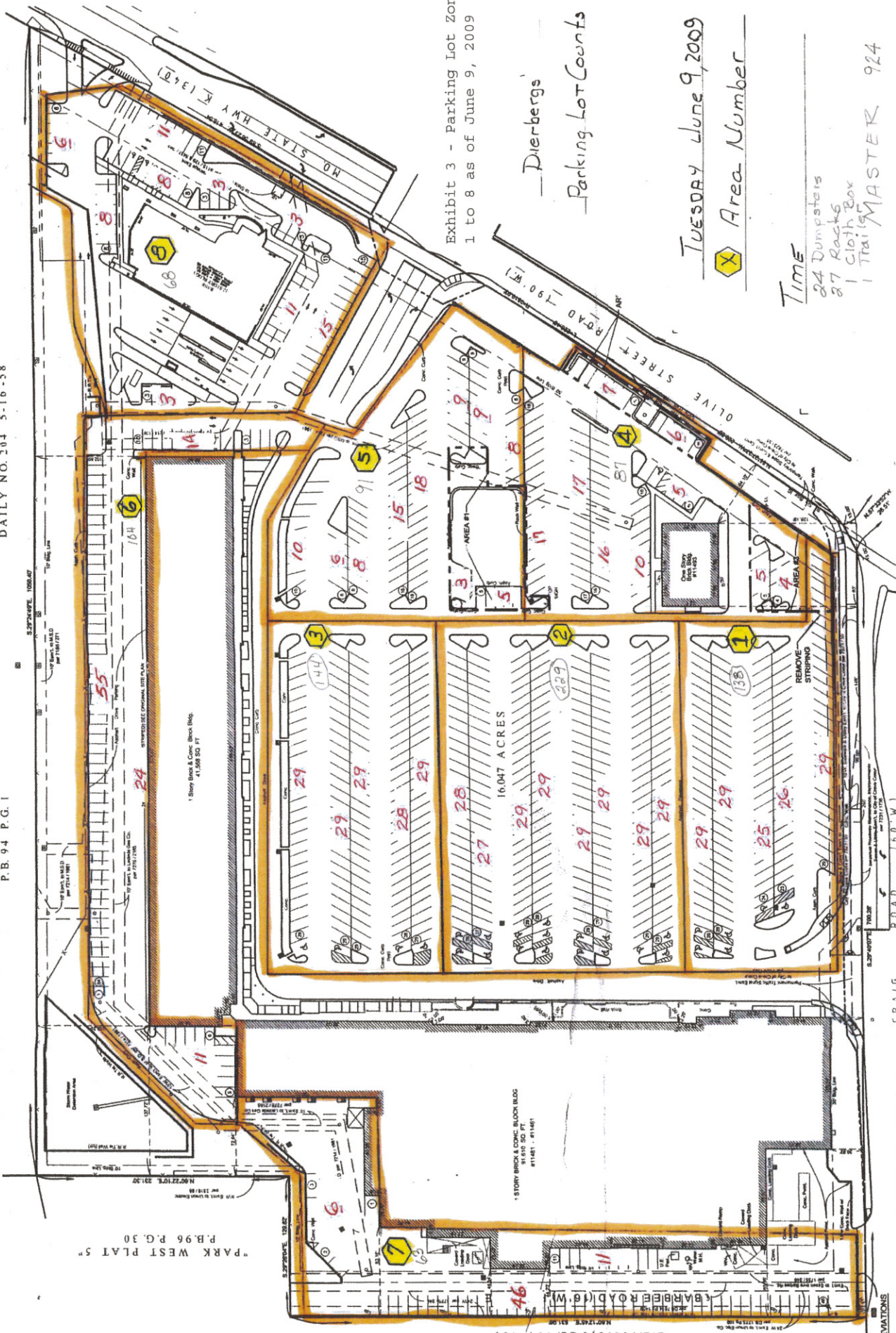


Exhibit 3 - Parking Lot Zones
1 to 8 as of June 9, 2009

Dierbergs
Parking Lot Counts

TUESDAY June 9, 2009

X Area Number

Time
24 Dumpsters
27 Racks
1 Cloth Box
1 Trailer MASTER 924

Occupancy by General Area - West Oak

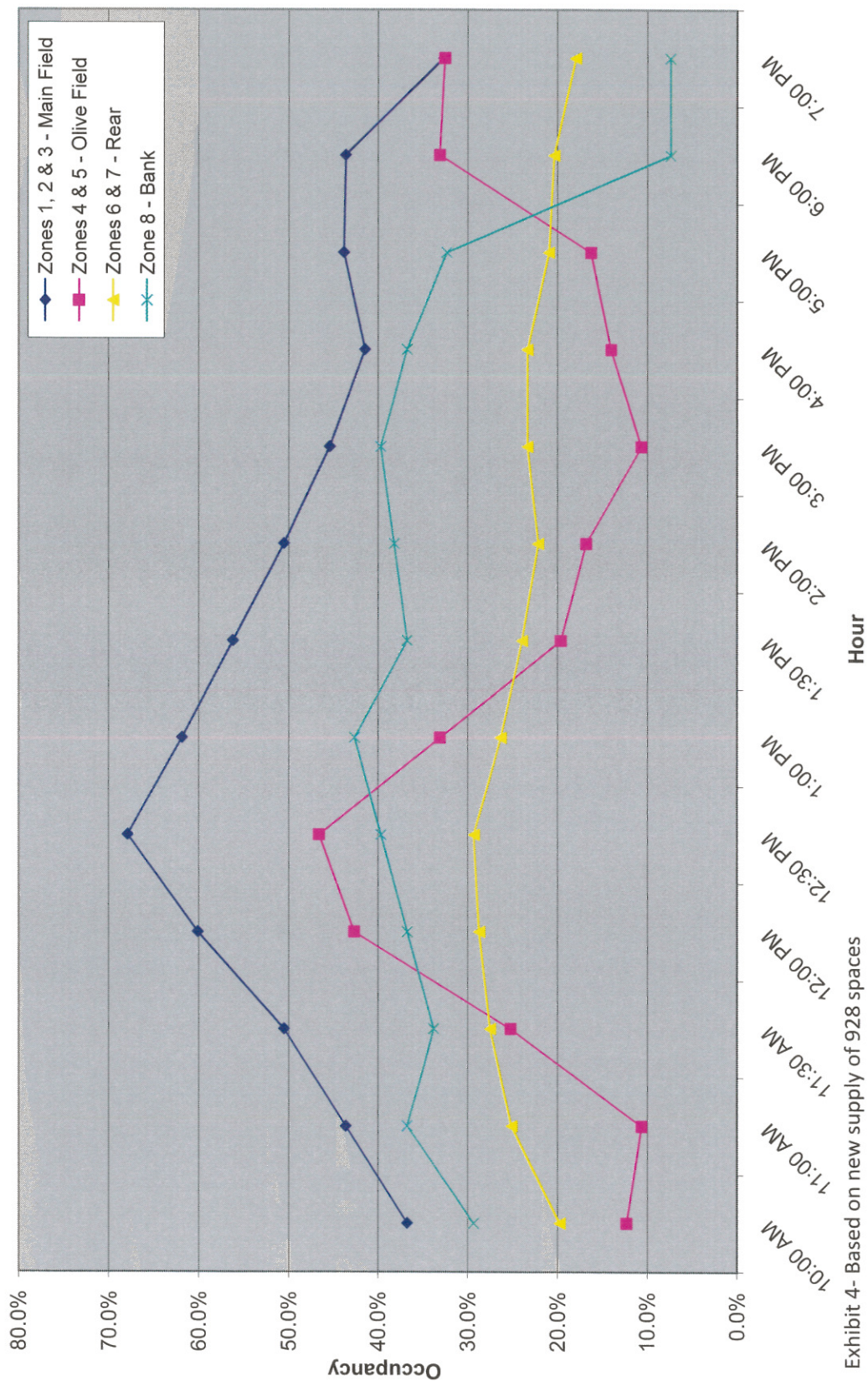


Exhibit 4- Based on new supply of 928 spaces

Site Occupancy - West Oak

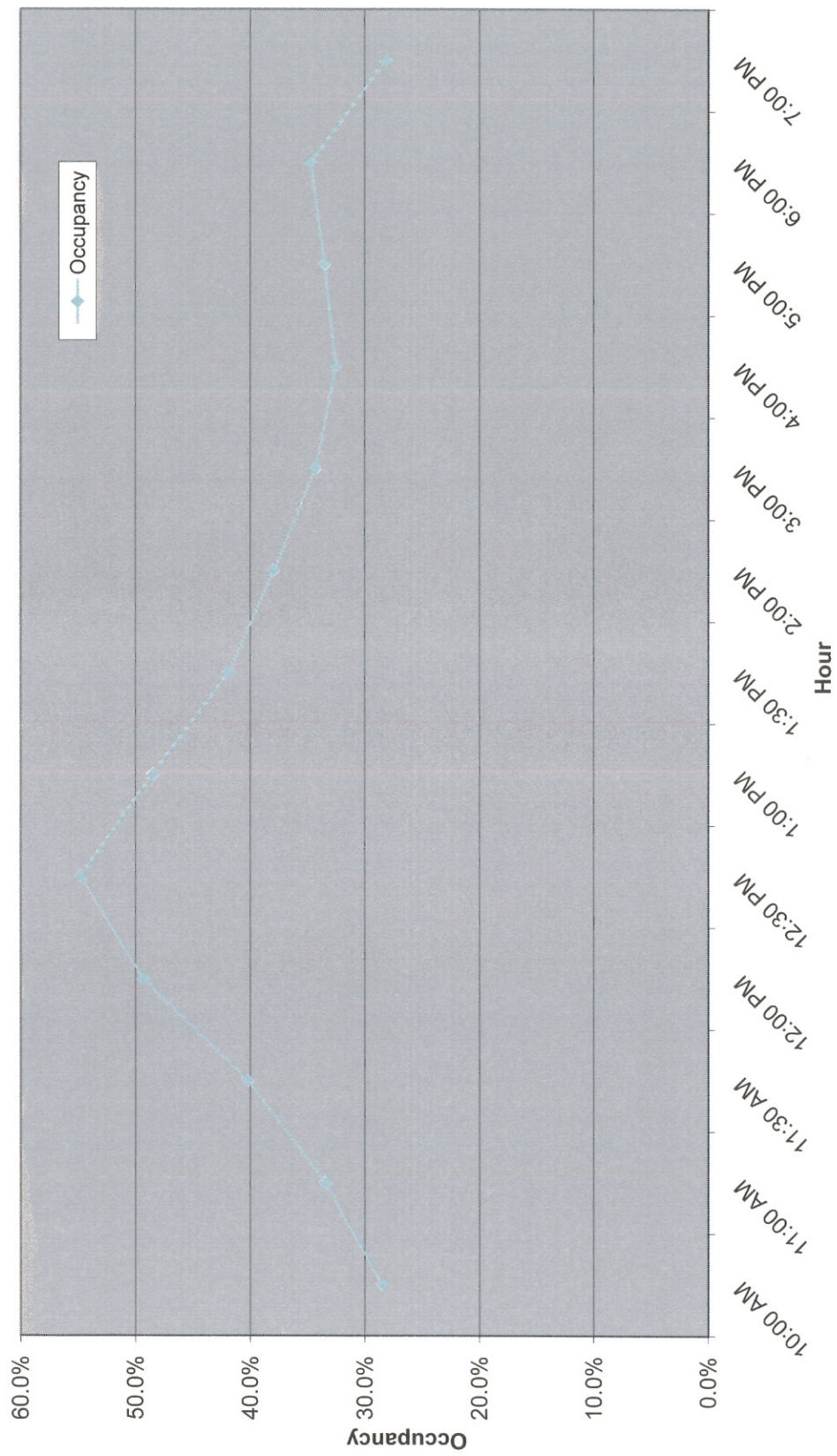


Exhibit 5- Based on new supply of 928 spaces

Exhibit 6			
Parking Demand Sensitivity			
Retail Vs. Restaurant			
Existing square feet		159,000	
Existing spaces		928 @ 5.82 Ratio	
Peak demand spaces @ 12:30 p.m.		506	
Convert 20,000 S.F. retail to 20,000 S.F. restaurant (-116)		<u>Peak</u> 506 -116	<u>Required</u> 928 -116
	4 spaces per 1000 S.F. +80	+80	+80
	1 space per 3 seats + 200	+200	+200
		New Demand 670	New Required 1092

CAPITOL LAND COMPANY 11850 Studi Avenue St. Louis, MO 63141 314-991-8900 (v) 314-991-2474 (f) SITE PLAN DIERBERGS WEST OAK		Prepared for:  Greg Michael Staley Professional Engineer (E-26996) 11428 Olive Boulevard St. Louis, MO 63141								
Designed _____	GMS	REVISIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">#</th> <th style="width: 45%;">DESCRIPTION</th> <th style="width: 10%;">DATE</th> <th style="width: 40%;">BY</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>4/20/09 GMS MSB COMMENTS - ADDED STORMWATER MANAGEMENT NOTE</td> <td></td> <td></td> </tr> </tbody> </table>	#	DESCRIPTION	DATE	BY	1	4/20/09 GMS MSB COMMENTS - ADDED STORMWATER MANAGEMENT NOTE		
#	DESCRIPTION		DATE	BY						
1	4/20/09 GMS MSB COMMENTS - ADDED STORMWATER MANAGEMENT NOTE									
Drawn _____	GMS									
Checked _____	GMS									
Date _____	9/22/2009									
Project Number										
980000-5										
Sheet Number										



RICE ASSOCIATES
Dave Ruiz



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

January 23, 2013

Honorable Mayor Glantz
City of Creve Coeur
300 N New Ballas Road
Creve Coeur, MO 63141

Re: Record of Planning Commission Decision on Application #12-045

Mayor Glantz & Members of City Council:

The Planning and Zoning Commission, at its meeting of January 22, 2013, reviewed a staff request to allow a 15% reduction in the total number of off-street parking spaces required for retail shopping centers.

By unanimous vote, the Planning Commission recommends approval of Application #12-045 to allow a 15% reduction in the total number of off-street parking spaces required for retail shopping centers. The first reading of the draft ordinance by the City Council is scheduled for Monday, January 28th, 2013.

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

Excerpts of Public Hearing TranscriptsPZ 012213.txt
PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

TUESDAY, JANUARY 22, 2013

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chairman

Mr. Michael Barton

Mr. James Faron

Ms. Cynthia Kramer

Mr. James Schnarr

Mr. Carl Lumley, City Attorney

Mr. Paul Langdon, Director of Community Development

Ms. Whitney Kelly, City Planner

Ms. Julie Lowery, Recording Secretary

McLaughlin Court Reporting Services, Inc.

Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR

4772 Gatesbury Drive

St. Louis, MO 63128

(314)487-2259

1

17

CHAIRMAN MADDEN: Okay. That'll move us to

Public Hearing C, Application No. 12-045: Approval of a

text amendment to allow a 15 percent reduction in the

total number of off-street parking spaces required for

Excerpts of Public Hearing TranscriptsPZ 012213.txt
5 retail shopping centers.

6 (Speakers were sworn by the court reporter.)

7 MR. LANGDON: Mr. Chairman, Members of the
8 Commission, Paul Langdon, Director of Community
9 Development for the City of Creve Coeur.

10 Essentially, this comes out of past history and
11 lessons learned, if you will. Working with Bellerive
12 Center and West Oaks Plaza several years ago, we soon
13 found ourselves running up against parking requirements,
14 wherein they could not bring in certain tenants, generally
15 restaurants, because they couldn't show that they had
16 enough available parking under the required parking
17 regulations of the Zoning Code.

18 Although, field observation showed that those
19 parking lots were never full. When we did some
20 comparative calculations of parking requirements for the
21 City versus other cities versus published information by
22 American Planning Association, we found that the City's
23 requirements were on the high side.

24 Mostly in that they didn't -- or allow for this
25 effect that shopping centers have where consumers tend to

18
1 self-limit.

2 When you approach a shopping center with
3 multiple tenants, you see the parking lot is full, you
4 don't want to park at the back, you come back another day.

5 It's not my observation, this is one of the
6 realities of -- of parking regulation. The ITE also
7 suggests that there is a shared parking, it's a
8 Transportation Engineers Manual, also suggest that there's
9 a shared parking dynamic, and that you can actually reduce
10 parking requirements as you get larger and have more

11 tenants, there's more of this interplay. So simply adding
12 up the requirements of each tenant to create some giant
13 number is really overstating the need.

14 Based on that and based on specific field
15 research, the Board of Adjustment granted variances to
16 Bellerive Plaza and West Oak Plaza. They refused their
17 parking requirements. The case of West Oak, which was
18 just a 15 percent reduction of the total requirement based
19 on a tenant-by-tenant addition.

20 In the case of Bellerive, it was a 45 parking
21 stall reduction, which amounted to little over 8 percent
22 of their actual requirement.

23 Since that time there's been no problems,
24 obviously, there are one or two days a year when the
25 parking lots are very full. We still have not had any

19
1 issues with people trying to park on the streets or not
2 able to find parking. Sometimes they can't find the
3 parking they want. But that's a question of having to
4 walk either around the building or from the -- the further
5 reaches of the lot.

6 So with that in mind, we've spoken with the
7 owners of a couple of other multi-tenant centers who are
8 running into the same problem. The one in the MX District
9 that's at Tempo and Olive has run into this problem, as
10 well as the Altis-owned properties, which are Questover
11 and West Park.

12 West Park has an unusual situation in that, you
13 know, they have easements that allow parking throughout
14 that entire center. That's, you know, hundreds and
15 hundreds of parking spots. So there's really no

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16 suggestion that they don't have -- they can't

17 theoretically provide enough parking.

18 But when you look at the actual lot directly in
19 front of the strip, it starts to get a little more
20 difficult because they also have the office building on
21 the south side of that lot.

22 So we would like to be able to -- to amend the
23 Code to reflect what we've already learned from these
24 other two centers; to allow a reduction of 15 percent for
25 consistency from the total tenant-by-tenant addition of

20
1 parking requirements.

2 I think there are lots of other numbers out
3 there. Different cities do different things. Some scale
4 that number depending on how big the center is; some
5 reduce it by more or less.

6 In this case, we're gravitating to the number
7 that we already know works for our two largest centers,
8 and are confident would work for the smaller ones as well.

9 That's all I have, unless there are questions
10 for me.

11 CHAIRMAN MADDEN: Sounds pretty much common
12 sense.

13 MR. LANGDON: Well, we try not to do that too
14 much.

15 CHAIRMAN MADDEN: No, no, it's got no chance.

16 MR. BARTON: Is there a -- any debate on
17 dropping it further? I mean that self-limiting -- I mean
18 trying to model something that take care -- takes care of
19 itself, I mean going forward, there's, obviously, a
20 threshold that you have to define in terms of what parking
21 spaces they have to have, but what if you didn't? What if

22 you just put the burden on the developer to have enough
23 parking spaces they felt was appropriate to do business?
24 What's the consequence of that?

25 MR. LANGDON: Well, there actually are cities

1 doing that now. They're dropping parking requirements or²¹
2 they're taking the other approach, which is to set a
3 maximum on it, so that you don't end up with vast unused
4 fields of asphalt, saying, hey, you know, this many spots
5 is plenty. After that if you don't build enough, well,
6 you're only hurting yourself, and the City shouldn't worry
7 about that.

8 That's certainly an approach we can take. It
9 would take some research on our part to -- to come to what
10 those numbers would be. Or if you wanted to press that
11 number down, you know, beyond 15 percent, 20 or 25, I'm
12 not sure what the right number would be, but we can
13 certainly look into that if that's the desire of the
14 Commission.

15 MR. SCHNARR: But the issue becomes if people
16 end up parking on the street where they don't -- where
17 they shouldn't be anyway and causing safety problems.

18 MR. LANGDON: Well, that's -- that's certainly
19 where the regulation comes from.

20 In our case, our centers, you know, front Olive
21 for the most part, but some of them do have sidestreets
22 where that could become an issue; some of them have drive
23 aisles that are large enough to appear to be able to
24 handle parking, but -- but would not be the right place
25 for that because of, you know, fire access, emergency

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1 access. So that's -- that is the risk in -- in allowing
2 plazas to, theoretically, overdevelop. They now have this
3 issue of now what to do with the cars, cause if it's the
4 day after Thanksgiving, and you've got this -- this sort
5 of tidal wave of demand, you can run into a problem.

6 And we try not to set numbers based on one day a
7 year, but you also don't want to create an obvious hazard
8 by not addressing, you know, what we know will occur.

9 That's why I say we would want to do some
10 research and --

11 MR. SCHNARR: Right.

12 MR. LANGDON: -- before we recommend anything.

13 MR. SCHNARR: To date what you have has worked.

14 MR. LANGDON: I'm sorry?

15 MR. SCHNARR: To date what you have has worked.

16 MR. LANGDON: Yes. Yeah, the numbers, in terms
17 of the minimums, are more than enough, cause they say the
18 lots are not being used ever to their entirety, so I'm
19 confident reducing it some. Going a lot further, it just
20 would take more time to be certain.

21 MR. BARTON: But it -- it may not be working if
22 you measure are we -- do we have too big of lots. Are we
23 having too much --

24 MR. LUMLEY: Right, we're not looking at it from
25 the other perspective, that's true.

1 MR. FARON: Well, it is -- it is working at like ²³
2 West Oak, we've reduced their --

3 MR. LANGDON: Uh-huh.

4 MR. FARON: -- cars at 15, and another example,
5 so it is, and I'm near that shopping center, and probably
6 could even go more at times, I mean that's, but --

7 MR. LANGDON: Yeah.

8 MR. FARON: -- can I ask, Altis here, they're
9 basically kind of agreeing with Dr. Barton's to
10 self-regulate, that's kind of their perspective here --

11 MR. LANGDON: Yes.

12 MR. FARON: -- and just -- but they do mention
13 the parking ratio system is -- they don't think it should
14 be obsolete, but then what would their proposal be then on
15 ratio? I mean if they want something that's open-ended,
16 do they feel that it should be, you know, higher
17 percentage, I guess, or are they just saying -- you know,
18 they say that they don't want, you know, to be an
19 arbitrary number, but then they, you know, I don't know if
20 you spoke to them, but they're the ones down in Questover,
21 correct?

22 MR. LANGDON: Correct.

23 MR. FARON: Okay.

24 MR. LANGDON: Yeah, I haven't spoken to them
25 since they -- they wrote that letter. It was just

1 delivered to us late this afternoon. So I'm not sure what²⁴
2 their specific counterproposal would be.

3 I think, you know, in discussing it with them
4 prior to that letter, their feeling was that -- that, you
5 know, they don't really need a number, but that if there
6 is one, it should be, you know, something clear and
7 reasonable, so, you know, leaving it at five per thousand
8 is -- is simply too many.

9 If we reduce it down to, you know, two per
10 thousand, well, that -- that would sort of be a regulation
11 without a purpose, because from business model would

So I think what they're asking for there is just that if we're going to change that multiplier, that it be something in concert with the -- the business community to determine a realistic value.

MR. FARON: And -- and we're saying -- or you're saying we've used 15 percent before on a number of occasions and that seems to be the logical number that makes sense right now?

MR. LANGDON: Yeah, I don't -- I don't want to overstate it's on two occasions --

MR. FARON: Yeah.

MR. LANGDON: -- but they're the two largest in the City so.

MR. FARON: Okay.

MR. BARTON: Mr. Chairman.

I want to be clear too. I'm not suggesting that we be overaggressive right now, 15 percent's great with me, I'm just curious and thinking that maybe we should entertain it and do some research.

MR. LANGDON: Well, I can tell you that the City of Denver is, as far as I know, the largest city that has pretty much done away with parking requirements and left it up to the market to determine.

Now, in a big city you typically have street parking allowed in most locations. So they're already assuming that, and we will assume that in the little downtown area as well.

But in the shopping centers, especially when you have residential sidestreets, it becomes little more risky to take that approach.

18 CHAIRMAN MADDEN: Yes, Mr. Faron.

19 MR. FARON: One other question related to that.

20 As we limited the MX -- or similar to MX,
21 40 percent, our previous discussion, let's say you get a
22 tenant or a -- some property owner that wants to
23 self-regulate, but just chooses not to, you know, what --
24 what is our power to stop someone from putting in a
25 ginormous parking lot, if -- if there is no limit, you

1 know, what can --

26

2 MR. LANGDON: Right.

3 MR. FARON: -- we do as a city to say, well,
4 this is overkill, and you know it or we know it, but --

5 MR. LANGDON: Site development plan. We would
6 look at the site coverage.

7 MR. FARON: Okay.

8 MR. LANGDON: Parking falls under site coverage.

9 MR. FARON: I figured we had other ways to
10 control that if they --

11 MR. LANGDON: Yeah.

12 MR. FARON: -- were out of control with their --

13 MR. LANGDON: I can tell you in the case of West
14 Oak, you know, they wanted to reallocate some of their
15 parking when they put in the landscape out front, that
16 additional landscape when Granite City came in and used up
17 a fair bit of parking to expand that space, and they ended
18 up running parking around the back, which is,
19 theoretically at least, employee parking.

20 I've been back there in the middle of the day
21 when most businesses are full staff, and I still don't see
22 very many cars, so even employees don't want to park in

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23 the back.

24 MR. FARON: Is it behind Chipotle, back there?

25 MR. LANGDON: All the way around there's

1 parking. 27

2 MR. FARON: All the way back between the --

3 Okay. Yeah, I've seen it back there too so.

4 CHAIRMAN MADDEN: Any other questions?

5 Mr. Caldwell.

6 MR. DAVID CALDWELL: David Caldwell, 257

7 Brooktrail Court.

8 I just want to ask Mr. Langdon, is there a
9 possibility of unintended consequence, that being if you
10 reduce this parking, could a shopping center just
11 substitute another building for that parking, and is there
12 any desire to limit that possibility? In other words, you
13 could still maintain the same coverage by substituting a
14 building for the parking that you no longer have.

15 MR. LANGDON: I would say that's -- that's
16 almost a certainty. That's, basically, the West Oak
17 example came out of the interest in general -- I'm
18 sorry -- Granite City, they couldn't make it all balance
19 out. So at first they got the variance to reduce the
20 parking, that allowed them to eliminate some stalls. They
21 moved some around the back, and then they expanded the
22 building.

23 There is a point though where the increasing
24 floor area drives more parking, and you still sort of max
25 out what you can fit on the site, even with the 15 percent

1 reduction. So site coverage and FAR are still ultimately 28
2 control the intensity of the development.

3 How you balance floor area versus parking is --
4 is something you deal with as you go.

5 MR. DAVID CALDWELL: So there's no desire to
6 limit that, just let FAR cover it?

7 MR. LANGDON: Right. Ultimately, you know,
8 we're -- we're -- we're saying that we're still going to
9 add up all the tenant -- tenant-by-tenant numbers and to
10 create one sum, and then bring that down. So if you add
11 more floor area that -- that grand total, if you will,
12 still goes up, and then you pull it back, so you're still
13 going to reach a point where you just can't provide the
14 parking, and then combine that with FAR and coverage, you
15 effectively cap the development intensity, which is
16 ultimately the main concern.

17 MR. SCHNARR: Does the existing regulation
18 specify size of parking space --

19 MR. LANGDON: Yes, sir.

20 MR. SCHNARR: -- because I've been some places
21 you can't even get out of your car and others you could
22 park two cars.

23 MR. LANGDON: Yeah, some cities allow a -- a
24 site plan variance, if you will, on parking stalls where
25 you can go down to a minimum size, and those are usually

1 8-by-18, those are the ones like Brentwood Square, where²⁹
2 you can only just barely open the door enough to get out.

3 In our case, we -- our minimum is 9-by-19.
4 Other cities require 10-by-20. Just depends on -- on the
5 design objective of the city. But ours are fixed at
6 9-by-19 for normal head-in parking. They have to be
7 larger if you're in parallel parking situation.

8 CHAIRMAN MADDEN: Any other questions?

9 Okay. That'll end our public hearing.

10 (The public hearing was ended.)

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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 Hearings 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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RESOLUTION NO. 1041

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS FOR FORWARDING THE PROJECT PROPOSAL APPLICATION AND LATER EXECUTE AN AGREEMENT FOR A GRANT-IN-AID FROM THE MUNICIPAL PARKS GRANT COMMISSION.

WHEREAS, the City of Creve Coeur City Council deems it necessary to improve its Parks to serve its citizens as well as those in the metropolitan area.

WHEREAS, the City Council of the City of Creve Coeur recognizes a need for improvements to the existing Dielmann Recreation Complex not addressed in previous parks needs assessments.

WHEREAS, the City Council recognizes this Municipal Parks Grant as an excellent opportunity to improve city parks for the benefit of the community.

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

1. Application shall be made under the Municipal Parks Grant of the County of St. Louis for a grant-in-aid for some the costs to create a park system Master Plan for the City of Creve Coeur.
2. That the project proposal described herein be prepared and submitted to the Municipal Parks Grant Commission.
3. The governing body hereby authorizes the City Administrator to sign and execute the necessary documents for forwarding the project proposal application and later executing an agreement for a grant-in-aid under the Municipal Parks Grant Commission.
4. If a grant is awarded, the City of Creve Coeur will enter into an agreement or contract with the Commission regarding said grant.

Adopted this 28th day of January, 2013

Barry Glantz
Mayor

Attest:

Deborah Ryan
City Clerk