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**AGENDA
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, August 26, 2013
7:30 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

FUTURE PUBLIC HEARINGS

Public Hearing - Monday, September 9, 2013 at 7:00 p.m. proposed property tax rates for 2013.

1. CONSENT AGENDA

- a. Council Minutes dated August 12, 2013**
- b. Resolution No. 1074 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Purchase Of A New Brush Bandit 1590xp Limb Chipper From K&K Supply For \$36,156.25.**
Summary: The purchase of this limb chipper will allow city staff to continue to provide limb chipping services to our residents. As part of this purchase the city plans to trade-in a 2003 Vermeer BC1800XL limb chipper.
- c. Resolution No. 1075 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of An Agreement With Don Brown Chevrolet For The Purchase Of A 2014 Diesel Powered Four Wheel Drive One-Ton Dump Truck For An Amount Of \$47,134.**



CITY OF CREVE COEUR – AGENDA
CITY COUNCIL MEETING
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Summary: The purchase of this 2014 one-ton dump truck will replace a 2002 one-ton dump truck. The Purchase is part of the approved FY2014 CIP Equipment Replacement budget.

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated August 22, 2013 in the amount of \$109,437.52 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

2. **Bill No. 5442 - An Ordinance Amending Section 405.370 "CB" Core Business District, Of The Zoning Ordinance Of The Code Of Ordinance Of The City Of Creve, Missouri To Modify The Height And Buffer Regulations As They Pertain To Adjacent Residential Development. Final Reading and Passage**

Summary: An application by David Braswell, of Covington Realty Partners, Inc. has been submitted for a text amendment limiting the special height and buffer requirements in the "CB" District to properties adjacent to single-family residential development instead of single-family residential districts. The Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the "CB" Core Business District 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. The Planning and Zoning Commission recommended approval of staff's alternative amendment on August 5, 2013.

3. **Bill No. 5443 - An Ordinance Amending Section 405.210 Table A Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri. Final Reading and Passage**

Summary: An application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted for an amendment to the Zoning Code Table A, Permitted and Conditional Uses. The Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the allowed permitted and conditional uses 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. Planning and Zoning Commission recommended approval on August 5, 2013.



CITY OF CREVE COEUR – AGENDA
CITY COUNCIL MEETING
Monday, August 26, 2013
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4. **Bill No. 5444 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri, Reestablishing And Making Public Previously Established Methods Of Disclosing Potential Conflicts Of Interest And Substantial Interests Pursuant To Section 105.485 Of The Revised Statutes Of Missouri. Final Reading and Passage**

Summary: The City has previously established methods of disclosing potential conflicts of interest and substantial interest pursuant to Section 105.485 of the Revised Statutes of Missouri and codified such methods at Section 130.090 of the Code of Ordinances. The Statutes require the City to reestablish such matters by September 15, 2013.

5. **Bill No. 5445 - An Ordinance Authorizing The Installation Of Two (2) Fire Hydrants Near The New Plaza Motors Jaguar/Land Rover Dealership Located In The City Of Creve Coeur, Missouri. Final Reading and Passage**

Summary: Request of the Creve Coeur Fire District and Missouri American Water to allow for the installation of two fire hydrants for the new Jaguar/Land Rover Dealership located on Olive Blvd.

NEW BUSINESS

6. **Bill No. 5446 - An Ordinance Authorizing The Issuance Of A New Conditional Use Permit For A 6,817 Square-Foot Religious Organization, Known As Crossroads Presbyterian Fellowship, Located At 11118 Olive Boulevard. First Reading**

Summary: Section 405.210 Table A, all religious organizations (NAICS 813110) require the issuance of a conditional use permit in all districts in the City as provided in Section 405.1070, Conditional Use Permits. An application was submitted by Daniel Song, of Crossroads Presbyterian Fellowship, for a conditional use permit and site development plan approval for a 6,817 square foot church located at 11118 Olive Boulevard in the "GC" General Commercial District. Planning and Zoning Commission unanimously approved on August 19, 2013.

7. **Bill No. 5447 - An Ordinance Repealing Conditional Use Permit Ordinances Number 1954 And 2067 And Authorizing The Issuance Of A New Conditional Use Permit For A 5,190 Square-Foot Full Service Restaurant Located At 12316 Olive Boulevard Within Westgate Center. First Reading**



CITY OF CREVE COEUR – AGENDA
CITY COUNCIL MEETING
Monday, August 26, 2013
7:30 PM

Summary: Section 405.210 Table A, all restaurants in the “PC” Planned Community zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits. An application was submitted by Andrew Kohn of Wildsmoke, to amend the prior conditional use permit (Ordinance No. 1954) to allow for outdoor smokers behind the building, in conjunction with the operation of a full service restaurant located in the tenant space addressed as 12312 Olive Boulevard, within Westgate Center. Planning and Zoning Commission unanimously approved on August 19, 2013.

8. Bill No. 5448 - An Ordinance Authorizing The Issuance Of A New Conditional Use Permit For A 2,750 Square-Foot Martial Arts Instruction Studio Located At 12392 Olive Boulevard Within Westgate Center. First Reading

Summary: Section 405.210 Table A, all sports and recreation instruction in the “PC” Planned Community zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits. An application was submitted by Christine Cole of Sacred Sword Aikikai/White Lotus Tea for a martial arts instruction studio located in the tenant space addressed as 12392 Olive Boulevard within the Westgate Centre. Planning and Zoning Commission unanimously approved on August 19, 2013.

9. Bill No. 5449 - An Ordinance Amending Ordinance Number 5296 Authorizing An Expansion To The Restaurant Space For A 758 Square-Foot Storage Room For The Restaurant Located At 763 Old Ballas Road Within The Old Ballas Place Building. First Reading

Summary: Section 405.210 Table A, all restaurants in the “CB” Core Business zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits. Ordinance No. 5296 authorized the issuance of a conditional use permit for a 5,214 square-foot restaurant with a condition that 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. An application was submitted by Adrian Glass, of the Post II Sports Bar & Grill for an amendment to their conditional use



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permit for a 758 square-foot dry goods storage addition to the building. Planning and Zoning Commission unanimously approved on August 19, 2013.

10. Bill No. 5450 - An Ordinance Amending The Adopted 2013-2014 General Fund And Capital Fund Budgets Of The City Of Creve Coeur By Authorizing Additional Appropriations And Unappropriations From Operating Departments. First Reading

Summary: An ordinance to amend the FY14 General and Capital Funds budgets.

11. Resolution No. 1076 - Authorizing The City Administrator To Execute An Agreement Extending The Term Of The Professional Services Agreement With American Traffic Solutions.

Summary: This resolution will extend the city's contract with ATS for red light enforcement for 90 days, expiring December 31, 2013, while the city continues to review proposals for a new contract.

BUSINESS FROM THE MAYOR and CITY COUNCIL

BUSINESS FROM CITY ADMINISTRATOR

12. Fourth Quarter FY 2013 Financial Analyses

Summary: The 4th quarter 2013 results for the two major operating funds - the General Fund and the Municipal Enterprise Fund.

13. Executive Session

Summary: Requested for attorney-client communications, real estate, personnel and litigation.

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 8/22/2013

Deborah Ryan, MRCC
City Clerk



**MINUTES
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, August 12, 2013
7:30 PM**

CALL MEETING TO ORDER

A regular meeting of the City Council of the City of Creve Coeur was called to order by Mayor Glantz at the Creve Coeur Government Center, 300 N New Ballas Road on Monday, August 12, 2013.

PLEDGE OF ALLEGIANCE

Mayor Glantz led the Pledge of Allegiance.

INVOCATION

Mayor Glantz gave the invocation and asked for a moment of silence to remember Mike McDowell whom recently passed away.

ROLL CALL

Mayor Glantz	Mayor
Mrs. Kramer	Council Member Ward I
Mr. Kreuter	Council Member Ward I
Mrs. Lawrence	Council Member Ward II
Mr. Wang	Council Member Ward II
Mrs. D'Alfonso	Council Member Ward III
Mr. Hoffman	Council Member Ward III
Mrs. Rhoades	Council Member Ward IV
Mr. Saunders	Council Member Ward IV

COMMENTS FROM THE GENERAL PUBLIC

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

Robert Kent resident of 13084 Fern Trails Lane read and presented a statement for the record regarding the future trash contract (Exhibit A).

Linda Rezny resident of 104 Graeser Acres stated there are 21 items on the agenda tonight, economy is up and requested the Council be selective on what developments they allow to come into the city.

Lynn Berry resident of 626 Graeser Road read and presented a statement for the record regarding conflict of interest. (Exhibit B)

Stan Edelstein resident of 12321 Woodline Drive stated he would like to see the city and residents have a choice of how often recycling is picked up as the savings could be substantial.

Council Member D'Alfonso stated the Horticultural, Environmental and Beautification Committee are trying to encourage more recycling of the city and residents. Having fewer pickups could deter residents from recycling more.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, August 12, 2013
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Brad Goss of Smith Almonson 120 S. Central representing the application on Bill No. 5432 is requesting to amend the original application from 40 FAR to 30 FAR. Staff still needs to review and make recommendations to the property owner. Hoping to have an amended ordinance by the next meeting,

Paul Langdon stated staff suggested bringing in two meetings to address all of the concerns with the new request.

ACCEPTANCE OF AGENDA

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

Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member D'Alfonso – Aye
Council Member Rhoades – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

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

ANNOUNCEMENTS

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

6:00 p.m. – 7:00 p.m. – Work Session

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

However, the regular session for Monday, August 26, 2013 will begin at 7:30 p.m. due to an extended work session with the Parks and Recreation Committee.

Future Public Hearings – Monday, September 9, 2013 – 7:00 p.m. – for setting the 2013 Property Tax Levy.

1. CONSENT ORDINANCE READINGS

- a. Bill No. 5440 - An Ordinance To Amend Chapter 135 Of The Municipal Code Of The City Of Creve Coeur, Missouri To Enact A New Section Relating To Court Costs. Final Reading**

City Clerk read Bill No. 5440 for the final time.

2. CONSENT AGENDA

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

- a. Council minutes dated July 22, 2013**



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, August 12, 2013
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- b. Bill No. 5440 - An Ordinance To Amend Chapter 135 Of The Municipal Code Of The City Of Creve Coeur, Missouri To Enact A New Section Relating To Court Costs. Final Passage**
- c. Resolution No. 1070 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Purchase Of A New 20 Cubic Yard Extreme Vac Leaf Vacuum From Key Equipment Co. For \$36,725.00.**
- d. Resolution No. 1071 - A Resolution Authorizing the City of Creve Coeur to Purchase a 2013 Nissan NV 3500 HD SV Van from West County Nissan.**

Council Member Wang requested to remove Item D from the consent agenda for discussion.

Council Member Rhoades moved, seconded by Council Member Saunders to approve Items A, B and C of the consent agenda as presented, with the vote upon such motion being as follows, to-wit:

Council Member Wang – Aye
Council Member Kreuter – Aye
Council Member D'Alfonso – Aye
Council Member Rhoades – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5440 becomes Ordinance No. 5315.

Council Member Wang stated this van is assembled in the US and some in Mexico and asked if we know if this one is assembled in US.

Chief Eidman stated the vehicle is produced by Nissan. Missouri Highway Safety used their bid process and they chose the vehicle.

Council Member Rhoades moved, seconded by Council Member Saunders to approve Item D, 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 Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye



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Council Member Saunders – Aye

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

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated August 8, 2013 in the amount of \$310,764.67 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

3. Bill No. 5432 - An Ordinance Amending Chapter 405.D.2.A Of The Zoning Code Of The City Of Creve Coeur, Missouri To Increase The Maximum Density And Increase The Maximum Floor Area Ratio That May Be Requested For Any Planned Residential Development Proposal. Final Reading and Passage

City Clerk read Bill No. 5432 for the final time.

Council Member Rhoades moved, seconded by Council Member Saunders to consider this Bill for the purpose of opening the item for discussion with the intent to defer.

The following residents spoke in opposition of the project due to traffic, density, water runoff, crime, MoDOT, demographics and school overcrowding:

- Craig Dobkin resident of 104 Pebblebrook Court
- Linda Rezny resident of 104 Graeser Road
- Kelly Mueller resident of 1010 Thoreau Court #107

Mayor Glantz stated since the request will change the numbers dramatically and asked if the application should go back to Planning and Zoning.

Paul Langdon stated to the extent that the project isn't really changing, the way the definition for FAR is written today, requires that we including parking areas. The FAR standards, the numbers, were created without considering parking area. The project that P & Z reviewed doesn't really change. To change all of the other district and FAR standards then it would start over.

Council Member Hoffman moved, seconded by Council Member D'Alfonso to defer Bill No. 5432 until September 9, 2013, with the vote upon such motion being as follows, to-wit:

Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member Saunders – Aye
Council Member Rhoades – Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye



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Council Member Kreuter – Aye

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

4. Bill No. 5433 - An Ordinance Amending Chapter 405.D Commercial Design Development Procedure (CDD) Of The Zoning Code Of The City Of Creve Coeur, Missouri To Allow The City Council To Approve Modifications To Maximum And Minimum Setbacks Within A CDD And To Document Such Approvals On The Site Concept Plan. Final Reading and Passage

City Clerk read Bill No. 5433 for the final time.

Council Member Hoffman moved, seconded by Council Member Wang to approve Bill No. 5433.

Carl Lumley stated Subparagraph C, dealing with setbacks, the change in terms of documentation would be, instead of going on the subdivision plat a modification of the standard would go on the concept plan. The other subparagraphs deal with similar zoning restrictions and Council variations and so unless we include, A – E, we would have situation where we are documenting four out of the five on subdivision plat and one on the site concept plan. Staff is comfortable with using the site concept plan and the recommendation to Council would be to make a motion to amend to include that change in all of the subparagraphs of Item 1.

Council Member Rhoades moved, seconded by Council Member Hoffman to amend all the subparagraphs in Code Section 405.450.D.1.c as previously outlined by the City Attorney, 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 Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

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

Mayor Glantz stated at the request of Ms. Berry, he will state publicly for the record and as disclosed properly in his disclosure reports, that are public and filed with the State and copies in the City Clerk's office, during his Mayoral campaign he did receive a campaign contribution from the Koman Group.

Council Member Kramer stated the same situation is true for her campaign for Ward 1.



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Garrick Hamilton of Koman Group, 6 CityPlace Drive introduced Meghan Bridgeway who is the architect for the project and Eric Morph who is the civil engineer with Koll and Associates. Both have been examining site conditions for this project as well as elevation for the Council's consideration.

The following residents spoke in favor of this application:

- Margie Jaffe resident of 12173 Windrock Drive
- Martin Jaffe resident of 12173 Windrock Drive
- Judy Pass resident of 11527 Sandhurst Drive
- Judy Wasserman resident of 272 Prince Towne Drive

The following resident spoke in opposition of this application:

- Robert Kent resident of 13084 Fern Trails Lane
- Robert Fry resident of 805 Country Manor Lane
- Milton Fry resident of Ladue Woods
- Lynn Berry resident of 626 Graeser Road

Council Member Saunders submitted for the record all of the e-mails that have been received regarding this application. (Exhibit C)

Paul Langdon stated this application is requesting setting standards for flexibility not only to the development community but also send a message about the expectations of the city. When the standards are too broadly written or too many locations the message then becomes everything is negotiable. Often times, things are not negotiable. The Planned Zoning Districts are really set up as a unique opportunity based zoning. The CDD is the same to a large degree but has been operating, as written today, since its original inception reflect those standards. The city has been very pleased and generally appreciative of the efforts the applicant has made prior to this request. Paul Langdon stated that this application should not be a referendum or a decision on whether Fresh Market is something we want in town and this has nothing to do with Fresh Market. From the applicant's perspective, this has everything to do with Fresh Market and that is their burden. The Council's burden is to do the right thing for the city, long term. Does this flexibility send the right message long term or does it not. When the site plan gets to P & Z and Council, it will face challenges, whether the Council approves this or not.

Garrick Hamilton stated The Koman Group is looking to enhance the community and their campus and not just for the highest return on the property for the location. Tonight should not be a referendum of the use, but what the applicant is asking for is the Council not to close the door on the discussion for the sake of considering a setback issue. Do not throw away the other items that would be part of the campus planning experience and opportunity.

Meghan Ridgeway, architect 720 Olive Street Rd., St. Louis 63101 stated the reason the site plan is set up with the dock on the side of the building facing the front was to resolve a design problem within the parameters given. The parking is situated as such so that a delivery truck could maneuver completely within the site.



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Eric Morph with Kohlman and Associates of 401 South 18th Street, St. Louis 63103 discussed topography and slope of the property explaining the design for the proposed site plan.

Mark Rubin of Koman Group, 6 CityPlace Drive stated the applicant is asking for the opportunity to present the site plan at Council.

Council Member Lawrence asked how far back.

Meghan Ridgeway stated the front of the building is 104 feet to the right of way for the setback.

Robert Kent resident of 13084 Fern Trails Ln suggested enclosing the entire truck dock with the building and building a platform and retaining wall along the back of the building it would allow for a loading dock.

Council Member Hoffman asked what would be the hours of operation for the loading dock.

Garrick Hamilton stated same as any other area grocer.

Council Member Hoffman asked where will the employees for Fresh Market park.

Garrick Hamilton stated the employees would be allowed access to park in the parking garage at CityPlace 6.

Council Member Saunders asked if it was possible to enclose the loading dock area.

Meghan Ridgeway stated the challenge is that there is a cardboard compactor in the same area and the height the enclosure would have to be might overshadow the rest of the market. We have introduced the idea of a trellis that mimics the ones at the front of the building.

Council Member D'Alfonso stated the reason we are asking for the set back is so that we can have the dumpsters in the front of the store? The residents are seeing this potential business as a fresh place for Creve Coeur.

Paul Langdon showed an aerial view of Olive Blvd with a line that represented an 80 foot set back from the current right of way along Olive Blvd. On the north side of Olive a majority of the buildings are beyond 80 feet and on the south side a couple of buildings are meeting or exceeding with the 80 foot setback. To characterize this area as being one thing or the other is a bit of an overstatement. It is certainly characterized by setbacks of convenience in some cases and in others a decision on the city's part trying to achieve a certain objective.

Council Member D'Alfonso asked if staff feels that this particular piece of property, because it is in the Core Business District and all of the streets surrounding it, does it make this property an exception?

Paul Langdon stated the site does present some unique challenges, the property as a whole is not unique or require an exception to the rules.



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Council Member Saunders stated just to be clear about what the implications are if approved. This only applies to a commercial development district as it relates to the central business district and does not change the set back requirements for the central business district.

Paul Langdon stated that is correct.

Council Member Saunders stated it does not actually change the set back requirements even within the CDD itself, in terms of specification; it only gives Council the opportunity to consider a proposal which does not meet that requirement.

Paul Langdon stated that is correct.

Council Member Saunders stated so if this application was to be passed by Council and we were to hear the proposal for any reasons and decide we were unhappy with the loading dock or any reason we wanted to reject it, it would give the owners of the property the right to come back and propos some other development for a different tenant that also violated those setbacks. Again, the expectations would be that the set back requirement is what the specified setback requirement is and would require Council to consciously be considering a variation from that. Council Member Saunders asked is that relatively correct.

Paul Langdon stated that is correct.

Robert Kent resident of 13084 Fern Trails Ln stated Planning and Zoning Commission denied and professional staff is saying no and feels that the applicant hasn't tried hard enough on making this work.

Mayor Glantz called the question to approve Bill No. 5433 as amended, 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 – Nay
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 7 ayes and 1 nay, motion carried.

5. Bill No. 5434 - An Ordinance To Amend Ordinance No. 3017 By Eliminating The Prior Use Restrictions For The Property Known As Shoppes At Questover, Addressed As 12528-12536 Olive Boulevard. Final Reading and Passage

City Clerk read Bill No. 5434 for the final time.



CITY OF CREVE COEUR – MINUTES
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Council Member Hoffman moved, seconded by Council Member Lawrence to approve Bill No. 5434, 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 Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Saunders – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5434 becomes Ordinance No. 5317.

6. Bill No. 5435 - An Ordinance Amending Chapter 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 Revise The Minimum Parking Requirement Of Hair, Nails And Skin Care Services. Final Reading and Passage

City Clerk read Bill No. 5435 for the final time.

Council Member Hoffman moved, seconded by Council Member Wang to approve Bill No. 5435 as presented, with the vote upon such motion being as follows, to-wit:

Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Saunders – Aye
Council Member Rhoades – Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5435 becomes Ordinance No. 5318.

7. Bill No. 5436 - An Ordinance Authorizing The Issuance Of A New Conditional Use Permit For A 2,668 Square-Foot Restaurant Located At 12536 Olive Boulevard Within The Shoppes At Questover Shopping Center. Final Reading and Passage

City Clerk read Bill No. 5436 for the final time.



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Council Member Hoffman moved, seconded by Council Member Lawrence to approve Bill No. 5436, with the vote upon such motion being as follows, to-wit:

Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – 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. 5436 becomes Ordinance No. 5319.

8. Bill No. 5437 - An Ordinance Authorizing The Installation Of One (1) Fire Hydrant For Mosley Manor Court Located 220 Feet East Of The Intersection Of Mosley Road And Mosley Manor Court In The City Of Creve Coeur, Missouri. Final Reading and Passage

City Clerk read Bill No. 5437 for the final time.

Council Member Hoffman moved, seconded by Council Member Rhoades to approve Bill No. 5437.

Carl Lumley requested the Council to substitute the version that is in the packet, which eliminates an out of date reference to an ordinance that was in the original version.

Council Member Rhoades moved, seconded by Council Member D'Alfonso to substitute to the version in the packet, 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 Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

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

Mayor Glantz called to question to approve Bill No. 5437, with the vote upon such motion being as follows, to-wit:



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Council Member Rhoades – Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5437 becomes Ordinance No. 5320.

9. Bill No. 5438 - An Ordinance Amending Title VI, Chapter 635, Section 635.060 Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri, To Reduce The Business License And Occupation Tax Rate For Electric Service To Residential Properties. Final Reading and Passage

City Clerk read Bill No. 5438 for the final time.

Council Member Hoffman moved, seconded by Council Member Wang to approve Bill No. 5438.

Mayor Glantz called the question to approve Bill No. 5438, 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 – Nay
Council Member Kramer – Nay
Council Member Lawrence – Nay
Council Member Hoffman – Aye
Council Member Saunders – Aye

The vote on the motion being 5 ayes and 3 nays, motion carried. Bill No. 5438 becomes Ordinance No. 5321.

10. Bill No. 5439 - An Ordinance Amending The 2006 Defined Contribution Plan For Employees Of The City Of Creve Coeur Hired On Or After June 1, 2006 By Increasing City Contributions Effective August 16, 2013. Final Reading and Passage

City Clerk read Bill No. 5439 for the final time.

Council Member Hoffman moved, seconded by Council Member Saunders to approve Bill No. 5439.



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Mark Perkins stated at the last meeting Council Member Lawrence asked about the long term costs impact related to an increase in the defined contribution plan. Staff has included that information in the packet to the best of their ability looking long term. It appears to be an increase of \$21,500 per year initially, resulting in a total cost of the defined contribution plan of \$167,000. Still a relatively small amount compared to what we are paying for the defined benefit plan of about \$1.2 million plus the additional \$300,000 we are planning every year for the next five years in order to pay down the unfunded liability. Over the next five years, the increase will grow to \$33,000 in fiscal year 2018. Staff feels this is important to stay competitive. For the define contribution plan to continue to be viewed as a strong retirement plan for our employees and our prospective employees we want to keep that at a competitive level.

Council Member Hoffman stated several years ago when he was on the Police Committee the city fell behind with competitiveness and lost people. This is an important step to keep all of our employees, especially our Police Officers, at a competitive rate.

Council Rhoades stated for the benefit of public comment, it is important to realize is the Police force is the largest body in this city and their retirement scenarios is different typically than office staff.

Robert Kent resident of 13084 Fern Trails Ln stated this constitutes a 15% increase and it is included in the budget. But in reviewing what other cities are doing, he would like to see employees contribute more. This far exceeds the private sector.

Mark Perkins reminded Council that the employees have the option for an increase if they contribute.

Mayor Glantz called the question to approve Bill No. 5439, with the vote upon such motion being as follows, to-wit:

Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Saunders – Aye
Council Member Rhoades – Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5439 becomes Ordinance No. 5322.

**11. Bill No. 5441 - An Ordinance Amending Title I, Chapter 130, Section 130.080
Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri,
Pertaining To Political Activities Of City Employees. Final Reading and
Passage**

City Clerk read Bill No. 5441 for the final time.



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Council Member Saunders moved, seconded by Council Member Lawrence to approve Bill No. 5441, with the vote upon such motion being as follows, to-wit:

Council Member Saunders – Aye
Council Member Hoffman - Aye
Council Member Lawrence – Aye
Council Member Kramer – 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. 5441 becomes Ordinance No. 5323.

NEW BUSINESS

12. Bill No. 5442 - An Ordinance Amending Chapter 405.370 "CB" Core Business District, Of The Zoning Ordinance Of The Code Of Ordinance Of The City Of Creve, Missouri To Modify The Height And Buffer Regulations As They Pertain To Adjacent Residential Development. First Reading

City Clerk read Bill No. 5442 for the first time.

David Braswell with Covington Realtor Partners of 135 North Meramec Ave, St Louis 63105 made a presentation of the application.

Paul Langdon made a presentation regarding this application.

Council Member Lawrence asked how many units per acre.

David Braswell stated more than 50.

Council Member Saunders asked on the east elevation where the building height was adjusted to three stories. How does that height compare to the Carriage House.

David Braswell stated approximately 37 feet. The Carriage House is a three story building at approximately 30 feet.

Council Member Lawrence asked if there were any plans for landscaping along Old Olive.

Elizabeth Link resident of 920 Guelbreth Lane, which is located in the south Carriage House condo, stated everyone is dealing with unintended consequences. Changing the zoning code will create more unintended consequences. Ms. Link stated she has been talking to residents of the Carriage House and they are concerned with loss in property values and traffic. Traffic study was completed before the



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development down the street from the old church was proposed. Concerned that this proposed development is too large for such a narrow tract of land.

Linda Rezny resident of 104 Graeser Acres stated when the development is completed there will be no natural buffer left as all of the trees will be removed and all the Carriage House residents are going to see is a side of a building.

Paul Langdon stated there were four variances sought that will address all of the issues regarding setbacks, site coverage, FAR and density. Two of the issues the Board of Adjustment say pertinent to this site no matter what and that was the set back from Olive due to the hillside and the other was the parking garage above ground. That standard was simply unattainable as half of the parking was required to be underground. The other two variances were not a case of defeating the project. The Board made it clear that there was a problem, but the problem was engrained in the zoning code and it was unacceptable as a standard in the zoning code. It was unacceptable as a standard in the zoning code and that it was a mistake that the city made and the city should undo it not by granting a variance but by correcting the zoning code. The application Council has is the direct extension of the decision of the Board of Adjustment. The project was not defeated by the Board but simply said they could not fix two of the problems and suggested a text amendment to make the corrections. Paul Langdon stated there are issues that come before the city with sites that become default space for people that don't own it. The question of the trees, open space and green space that is lost. Unfortunately, the Carriage House residents had gotten used to being in the middle of a very unsuccessful general commercial district. We have the same events going on in our residential areas where residents are putting up and taking out houses and trees are sacrificed in the process.

David Braswell stated he has met with the Ms. Schwab of Carriage House Association President and took time to walk the site with her and suggested working with the Carriage House to do plantings on both sides of the property line to assist in screening. Mr. Braswell stated Ms. Schwab welcomed the idea.

13. Bill No. 5443 - An Ordinance Amending Section 405.210 Table A Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri. First Reading

City Clerk read Bill No. 5443 for the first time.

Paul Langdon made a representation regarding this application.

14. Bill No. 5444 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri, Reestablishing And Making Public Previously Established Methods Of Disclosing Potential Conflicts Of Interest And Substantial Interests Pursuant To Section 105.485 Of The Revised Statutes Of Missouri. First Reading

City Clerk read Bill No. 5444 for the first time.



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Mark Perkins stated the city is required to reestablish its process for making disclosures regarding conflicts of interest.

Carl Lumley stated this is to bring ordinance language more in-line with statutory language that it is paralleling.

Council Member Rhoades thanked Mayor Glantz and Council Member Kramer for disclosing their contributions as was requested by a member of the public. That is a high road for the city to take. Before any relevant matter was raised, she had discussions with the City Attorney to potentially adding a provision to the code requiring this type of disclosure.

Council Member Hoffman stated we are already disclosing contributions on the Campaign Finance Forms which are filed at the State and a copy is also provided here at the City Clerk's Office.

Council Member Lawrence asked if the suggested change would provide different information than what is already provided.

Council Member Kramer stated no.

Council Member Rhoades stated she withdraws the suggestion.

15. Bill No. 5445 - An Ordinance Authorizing The Installation Of Two (2) Fire Hydrants Near The New Plaza Motors Jaguar/Land Rover Dealership Located In The City Of Creve Coeur, Missouri. First Reading

City Clerk read Bill No. 5445 for the first time.

16. Resolution No. 1072 - A Resolution Approving A Building Exterior Renovation Plan For The Creve Coeur Shopping Center Located At 11921 Olive Boulevard.

City Clerk read Resolution No. 1072.

Council Member Wang moved, seconded by Council Member Saunders to approve Resolution No. 1072.

Paul Langdon made a presentation.

Mayor Glantz called the question to approve Resolution No. 1072, 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 Kramer – Aye



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Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Saunders – Aye

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

17. Resolution No. 1073 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri, Authorizing The Execution Of A Contract With Intuition & Logic For Engineering Services Related To The Design And Permitting For The Dam, Detention Pond, And Channel Rehabilitation Project As Part Of The Stormwater Capital Improvements Program For The 2014 Fiscal Year For The Amount Of \$84,573.00.

City Clerk read Resolution No. 1073.

Council Member Saunders moved, seconded by Council member Hoffman to approve Resolution No. 1073.

Matt Wohlberg made a presentation. (Exhibit D)

Council Member Kreuter asked if there were grants of financial assistance for this project.

Matt Wohlberg stated there maybe, but grants typically take years to get and this project doesn't have years to wait. If there is any financial assistance available staff will pursue.

Mayor Glantz called the question for the approval of Resolution No. 1073, with the vote upon such motion being as follows, to-wit:

Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Saunders – 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.

Council Member Hoffman moved, seconded by Council Member Kreuter to defer all remaining items on this agenda until a future meeting, with the vote upon such motion being as follows, to-wit:

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



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Council Member Rhoades – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

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

BUSINESS FROM THE MAYOR and CITY COUNCIL

18. Farmer's Market

BUSINESS FROM CITY ADMINISTRATOR

19. Food Trucks

20. Fourth Quarter FY 2013 Financial Analyses

21. Executive Session

Council Member Hoffman moved, seconded by Council Member Kreuter to adjourn at 9:34 p.m., with the vote upon such motion being as follows, to-wit:

Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Saunders - 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.

Submitted by:

Deborah Ryan
City Clerk

Barry Glantz
Mayor

RESOLUTION NO. 1074

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE PURCHASE OF A NEW BRUSH BANDIT 1590XP LIMB CHIPPER FROM K&K SUPPLY FOR \$36,156.25

WHEREAS, the City Council of the City of Creve Coeur recognizes a need to provide quality equipment to city employees; and

WHEREAS, the City Council of the City of Creve Coeur recognizes a need to provide limb chipping service to the residents in the city; and

WHEREAS, this equipment has been competitively bid as required by the City of Creve Coeur Code of Ordinances

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

Section 1: The purchase of a new 2013 Diesel Powered Brush Bandit 1590XP limb chipper from K&K Supply for an amount of \$36,156.25.00, is hereby approved. The purchase shall be consistent with the provisions and intent of this Resolution and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the agreement.

Adopted this 26th day of August, 2013

Barry Glantz
Mayor

Attest:

Deborah Ryan, MPCC
City Clerk



K & K Supply
 535 North Highway Drive
 Fenton, MO 63026-2541
 USA
 636-349-1141 (Phone)
 636-349-1183 (Fax)
www.kandsupply.com

QUOTATION

Quote #	Quote Created	Last Updated	Salesperson
33227	August 5, 2013 07:51 AM by K & K Supply	August 7, 2013 11:07 AM by K & K Supply	Mike Harrell
CUSTOMER:		BILL TO:	SHIP TO:
City of Creve Coeur 996 Rue De La Banque Creve Coeur, MO 63141 USA 314-872-2508 (Phone) 314-989-1849 (Fax) Bill Kelly (Contact) bkelly@creve-coeur.org		City of Creve Coeur 996 Rue De La Banque Creve Coeur, MO 63141 USA 314-872-2508 (Phone) 314-989-1849 (Fax) Bill Kelly (Contact) bkelly@creve-coeur.org	City of Creve Coeur 996 Rue De La Banque Creve Coeur, MO 63141 USA 314-872-2508 (Phone) 314-989-1849 (Fax) Bill Kelly (Contact) bkelly@creve-coeur.org

MODEL 1590XP (18" DRUM STYLE) BRUSH BANDIT

Qty	Part #	Description	Base Price
1	MODEL-1590	Model 1590XP - (18" Drum Style) Brush Bandit	\$ 29750.00

STANDARD EQUIPMENT

Qty	Part #	Description	Price
1	STANDARD	Spring loaded slide box type feed system with (2) horizontal feed wheels 10 5/8" diameter x 20" wide	\$ 0.00
1	STANDARD	Top feed wheel jack mount with locking pin to raise & lock top feed wheel using tongue jack (not provided when hydraulic lift cylinder option is selected)	\$ 0.00
1	STANDARD	33 1/2" high x 64" wide tapered infeed hopper with 30" fold down infeed hopper tray, heavy-duty taillight covers, and spring lift assists	\$ 0.00
0	STANDARD	360 degree manual swivel discharge chute with 12" adjustable chip deflector	\$ 0.00
1	STANDARD	Clean out and inspection door on discharge	\$ 0.00
1	STANDARD	37" diameter x 22" wide drum with (4) 5/8" X 5 1/2" X 10" dual edge knives	\$ 0.00
1	STANDARD	30 gallon steel fuel tank with magnetic drain plug, lockable filler cap, and aluminum sight gauge	\$ 0.00
1	STANDARD	12 gallon steel hydraulic tank with magnetic drain plug, lockable filler cap, and aluminum sight gauge	\$ 0.00
1	STANDARD	3/16" x 2" x 6" rectangular tubing with a 1/4" x 3" x 6" tubular tongue	\$ 0.00
1	STANDARD	12 volt system with rubber mounted LED taillights, 6 prong replaceable coiled power cord & protected heavy-duty wiring with junction box, and LED clearance lights with reflectors.	\$ 0.00
1	STANDARD	8,000 pound capacity tongue jack with 15" of travel and foot pad	\$ 0.00
1	STANDARD	Heavy-duty taillight covers	\$ 0.00
1	STANDARD	Banded chipper belts	\$ 0.00
1	STANDARD	Safety control bar controls forward / neutral / reverse	\$ 0.00
1	STANDARD	Engine disable plug for hood locking pin-preventing engine from operating without pin in place	\$ 0.00
1	STANDARD	Wooden pusher tool with mount on infeed hopper	\$ 0.00
1	STANDARD	(2) Last chance safety pull cables	\$ 0.00
1	STANDARD	Weather resistant manual container	\$ 0.00
1	STANDARD	Safety DVD, (2) 6" wide x 9" tall Bandit operator's manuals (one paper copy and one waterproof copy tethered to machine) and (1) engine operator's manual	\$ 0.00
1	STANDARD	Spanish & English combination safety decals	\$ 0.00

1	STANDARD	Lockable aluminum toolbox		\$ 0.00
PAINT				
Qty	Part #	Description	Unit Price	Total
1	333-23662	Standard Imron Industrial Urethane Alert Orange	\$ 0.00	\$ 0.00
ENGINE				
Qty	Part #	Description	Unit Price	Total
1	990-RC0855-437	John Deere 4045HF285, 115 horsepower with over center style clutch - Tier 3	\$ 16650.00	\$ 16650.00
DRIVE SYSTEM				
Qty	Part #	Description	Unit Price	Total
1	990-101035	Drive system for engine horsepower options up to 142	\$ 0.00	\$ 0.00
BATTERY/BATTERY BOX				
Qty	Part #	Description	Unit Price	Total
1	990-100260	Lockable aluminum battery box with (1) 1,010 CCA Interstate battery	\$ 0.00	\$ 0.00
FEED SYSTEM				
Qty	Part #	Description	Unit Price	Total
1	990-1014-94	Spring loaded slide box type feed system with (2) horizontal feed wheels 10 5/8" diameter x 25" wide	\$ 1875.00	\$ 1875.00
AXLE				
Qty	Part #	Description	Unit Price	Total
1	990-1015-73	Single 10,000 pound Torflex axle with electric brakes (0 degree down trail)	\$ 0.00	\$ 0.00
TIRES/RIMS				
Qty	Part #	Description	Unit Price	Total
1	990-100406	(2) 215/75R 17.5" tires mounted on 8-bolt heavy-duty gray rims	\$ 0.00	\$ 0.00
FENDERS				
Qty	Part #	Description	Unit Price	Total
1	990-100415	Aluminum bolt on fenders (Approximately 1/8" thick)	\$ 0.00	\$ 0.00
HITCH				
Qty	Part #	Description	Unit Price	Total
1	990-100274	2 1/2" Wallace Forge pintle hitch	\$ 0.00	\$ 0.00
ADD-ON OPTIONS				
Infeed Options				
Qty	Part #	Description	Unit Price	Total
1	990-300007	Rubber infeed curtain for infeed hopper (Please specify whether last chance cables should be mounted in FRONT of or BEHIND curtains) Specified: IN Front	\$ 245.00	\$ 245.00
Tire Options				
Qty	Part #	Description	Unit Price	Total
1	990-100185	Spare tire mounted on heavy-duty gray rim (215/75R 17.5")	\$ 475.00	\$ 475.00
Deluxe Option Packages				
Qty	Part #	Description	Unit Price	Total
1	990-1011-72	Deluxe Option Package: Hand crank height adjustable discharge, 345 degree hand crank swivel discharge with manual 12" chip deflector, hydraulic lift cylinder, and Reversing Auto Feed system	\$ 2750.00	\$ 2750.00

Trailer Related Options				
Qty	Part #	Description	Unit Price	Total
1	990-100758	Telescoping tongue with single 20" adjustment	\$ 450.00	\$ 450.00
Miscellaneous Options				
Qty	Part #	Description	Unit Price	Total
1	990-100131	Pole style cone holder	\$ 105.00	\$ 105.00
SPECIAL OPTIONS				
Special Lighting and Wiring Options				
Qty	Part #	Description	Unit Price	Total
1	905-1000-39	Wig Wag LED flashing lights mounted on taillights	\$ 825.00	\$ 825.00
CUSTOMER TOTALS				

Total Unit Price:	\$ 53125.00
Customer Discount: 15.0000 %	- \$ 7968.75
Customer Net Unit Price:	\$ 45156.25
Customer Allowances / Trade-In: (VERMEER BC1800):	- \$ 9500.00
Customer Total After Allowances/Trade-In:	\$ 35656.25
Freight/Shipping:	\$ 500.00
Customer Total:	\$ 36156.25

SIGNATURE

The Buyer, whose name and address appears above, agrees to purchase from the Seller, whose name and address appears above, the above equipment at the prices stated and upon the terms and conditions of this agreement.

X

Signature

Date



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: August 14, 2013
TO: Mark C. Perkins, City Administrator,
FROM: Jim Heines, Director of Public Works
SUBJECT: FY 2014 Limb Chipper Purchase Recommendation

City Staff recently received proposals from 3 companies for the purchase of a new limb chipper. The results of the proposals is listed below:

<u>Vendor</u>	<u>Brand</u>	<u>Model</u>	<u>Price</u>	<u>Trade-in</u>	<u>Final Cost</u>
Vermeer Midwest	Vermeer	BC1800 XL	\$56,003.00	\$12,500.00	\$43,503.00
Fabic	Morbark	M15R	\$44,300.00	\$ 7,000.00	\$37,300.00
K&K Supply	Brush Bandit	1590XP	\$45,656.25	\$ 9,500.00	\$36,156.25

The low bid was a Brush Bandit from K&K Supply. The recommended chipper is diesel powered and is comparable to the size and performance of the other chippers in our fleet. This unit will replace a 2003 Vermeer BC 1800 XL which is the unit we recommend as a trade-in. Purchase price with trade-in is well under the amount budgeted for this purchase.

City staff has recommended Vermeer chippers in the past due to the quality and safety features on the machine. The Brush Bandit is a good quality machine and has the necessary safety features required by the city.

Recommendation

Public Works staff recommends purchasing a 2013 Brush Bandit 1590XP from K&K Supply for an amount of \$36,156.25. There is \$45,000 identified in the FY2014 Capital Equipment account # 02-61-71-9516 for this purchase.

RESOLUTION NO. 1075

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DON BROWN CHEVROLET FOR THE PURCHASE OF A 2014 DIESEL POWERED FOUR WHEEL DRIVE ONE-TON DUMP TRUCK FOR AN AMOUNT OF \$47,134

WHEREAS, the City Council of the City of Creve Coeur recognizes a need to provide quality equipment to city employees; and

WHEREAS, the purchase of a new truck is necessary to replace a truck that was destroyed by fire and will allow employees to provide valuable city services; and

WHEREAS, these goods have been competitively bid as required by the City of Creve Coeur Code of Ordinances; and

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

Section 1: The agreement between Don Brown Chevrolet and the City for the purchase of a 2014 diesel powered four wheel drive one-ton dump truck for \$47,134 is hereby approved. The agreement as executed shall be consistent with the provisions and intent of this Resolution and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the agreement.

Adopted this 26th day of August, 2013.

Barry Glantz
Mayor

Attest:

Deborah Ryan, MPCC
City Clerk



Knapheide Truck Equipment
10101 Mid Rivers Mall Drive
St Peters MO BranchZipCode
Phone: 636-397-4444
Fax: 636-397-2613
www.stlouis.knapheide.com

QUOTATION

Quote ID: LD00000208-1

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Account: 32425
Customer: CREVE COEUR, CITY OF
 300 N NEW BALLAS RD
 CREVE COEUR MO 63141

Contact: BILL KELLY
Phone: 314-872-2508
Fax: 314-872-2505

Quote Number: LD00000208-1
Quote Date: 8/14/2013
Quote valid until: 9/13/2013
Payment Terms: N10

Salesperson: LARRY DAVIES
Quoted By: ldavies
PO#:

Make: CHEVROLET	Model: 3500 CHASSIS CAB	Year: 2013	Single/Dual: DRW
Cab Type: REGULAR	VIN#:	Cab-to-Axle: 60.0	Wheelbase: 162.0

QTY	DESCRIPTION	AMOUNT
1	2.4 YD DUMP BODY 60 CA, FORD/GM/DODGE WITH DROP SIDES BULKHEAD HEIGHT 18 LENGTH 108 WIDTH 87 SIDE HEIGHT 12 GENERAL. • Light Duty, Contractor's Dump Body, for use on single axle, one-ton trucks. • Available in both fixed or drop side construction. • Sloped Run Boards. • Floor is 7 ga HRCQ. • Bulkhead is 10 ga., tail gate is double paneled 10 and 12ga, and sides are double paneled made of 12 ga., all High Tensile Steel. • Long sills are 7" trapezoidal style and accept scissors type hoist. • Pockets on top of sides for extension (cheater) boards. • Double acting 10 ga. tailgate with spreader chains and quick release top pins. • Tailgate release is positive locking with dump handle at left front corner of body. • Standard, LED clearance, marker and RID lights provided to meet FMVSS 108. • 100% fully solid welded construction. • Body and sides are E-Coat primed. Body is fully undercoated. HEADBOARD • One piece 10 ga. high tensile, 2 bend top rail, 2-1/4" wide with 1-1/2" return flange. • Fully boxed corner posts and full width reinforcement rib for added rigidity. • Integrated Cab Protector mounting pockets. FLOOR • Two piece 7ga. high tensile, full seam welded. • Sloped floor to side interface to reduce material adhesion on sides. SIDES • Sides are slam-style with center mounted release handle and heavy duty rotary latches. (Drop sides only) • Reinforced with a 4-1/2"x 9-1/2" formed rear corner post from top of tailgate to bottom of crossmember.	



Knapheide Truck Equipment
 10101 Mid Rivers Mall Drive
 St Peters MO Branch Zip Code
 Phone: 636-397-4444
 Fax: 636-397-2613
 www.stlouis.knapheide.com

QUOTATION

Quote ID: LD00000208-1

Page 2 of 4

QTY	DESCRIPTION	AMOUNT
	• Pockets provided front and rear for 2x6 extension (cheater) boards. • Drop sides are removable for easy service and replacement. (No cutting required.) TAILGATE AND HARDWARE • Formed two piece construction: seamless outer 12ga. Panel and single piece 10 ga. inner wall. • Top hinge member is 1-1/4" diameter quick-release mechanism for dropping gate from top. • Lower latch hardware is overhead hook type latch with 1-1/8" inch diameter pin, 3/4" thick latch. • 5/16" inch spreader chain supplied with length sufficient to support tailgate in horizontal position. TAIL GATE RELEASE SYSTEM • Mechanical, positive locking operating handle at left front by driver's door. • 3/4" diameter cross shafts (front and rear) and 1/2" diameter operating rod running longitudinally down street side. • Safety restraining ring provided at the handle. • Multiple grease points throughout system. (Grease zerks provided.) UNDERSTRUCTURE • Crossmember-less construction • Long sills are 7" trapezoidal style, full length of body, with internal anti-corrosion coating. • Rear member is 7" deep, of 10 ga. construction, full width of body	
1	CLUTCH PUMP SYSTEM	
	FOR DUMP OPERATION ONLY	
32	CITGO AW-32	
1	HOSE	
1	CAB PROTECTOR, QUARTER 21.5"H, PRIME, STRAIGHT 2-3 YRD, FORD/DODGE/GM	
1	CLEAR COAT PAINT	
150	PAINTING MATERIAL TO PAINT BODY	
1	7 WAY PLUG VEHICLE END REP/ 74185 & 18322	
1	HITCH PLATE KIT 1/2in THK FABR	
1	DIGITAL BRAKE CONTROL	
1	HITCH COMBINATION W/2in BALL	
1	MUD FLAPS 24" X 36" PRINTED SL LOUIS	
1	MUDFLAP MNT PLATE 90 DEGREE	
2	LIGHT BOX SINGLE OVAL 3X8X3 MOUNT REAR OF TRUCK NEAR TAILLIGHTS	
2	GROMMET MOUNT DIRECTIONAL LED LIGHT	



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QUOTATION

Quote ID: LD00000208-1

Page 3 of 4

QTY	DESCRIPTION		AMOUNT
2	LED HEAD AMBER 4LED SURFACE MT 12VDC 9 FLASH PATTERNS MOUNT TO SIDES OF CAB SHEILD		
2	LED HEAD CLEAR 4LED SURFACE MT 12VDC 9 FLASH PATTERNS MOUNT TO FRONT OF CAB SHEILD		
1	SWITCH		
1	ROLL RITE TARP SYSTEM SPRING SYSTEM		
Quote Total:			\$14,203.00

The following options may be added:

QTY	DESCRIPTION	PRICE EACH	AMOUNT	ADD TO QUOTE
1	3.2 YD DUMP BODY 60 CA, FORD/GM/DODGE WITH DROP SIDES BULKHEAD HEIGHT 22 LENGTH 108 WIDTH 87 SIDE HEIGHT 16 GENERAL • Light Duty, Contractor's Dump Body, for use on single axle, one-ton trucks. • Available in both fixed or drop side construction. • Sloped Run Boards. • Floor is 7 ga HRCQ. • Bulkhead is 10 ga., tail gate is double paneled 10 and 12ga, and sides are double paneled made of 12 ga., all High Tensile Steel. • Long sills are 7" trapezoidal style and accept scissors type hoist. • Pockets on top of sides for extension (cheater) boards. • Double acting 10 ga. tailgate with spreader chains and quick release top pins. • Tailgate release is positive locking with dump handle at left front corner of body. • Standard, LED clearance, marker and RID lights provided to meet FMVSS 108. • 100% fully solid welded construction. • Body and sides are E-Coat primed. Body is fully undercoated. HEADBOARD • One piece 10 ga. high tensile, 2 bend top rail, 2-1/4" wide with 1-1/2" return flange. • Fully boxed corner posts and full width reinforcement rib for added rigidity. • Integrated Cab Protector mounting pockets. FLOOR • Two piece 7ga. high tensile, full seam welded. • Sloped floor to side interface to reduce material adhesion on sides.	\$218.00	\$218.00	Yes / No



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10101 Mid Rivers Mall Drive
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Phone: 636-397-4444
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www.stlouis.knapheide.com

QUOTATION

Quote ID: LD00000208-1

Page 4 of 4

QTY	DESCRIPTION	PRICE EACH	AMOUNT	ADD TO QUOTE
	SIDES - Sides are slam-style with center mounted release handle and heavy duty rotary latches. (Drop sides only) - Reinforced with a 4-1/2"x 9-1/2" formed rear corner post from top of tailgate to bottom of crossmember. - Pockets provided front and rear for 2x6 extension (cheater) boards. - Drop sides are removable for easy service and replacement. (No cutting required.) TAILGATE AND HARDWARE - Formed two piece construction: seamless outer 12ga. Panel and single piece 10 ga. inner wall. - Top hinge member is 1-1/4" diameter quick-release mechanism for dropping gate from top. - Lower latch hardware is overhead hook type latch with 1-1/8" inch diameter pin, 3/4" thick latch. 5/16" inch spreader chain supplied with length sufficient to support tailgate in horizontal position. TAIL GATE RELEASE SYSTEM - Mechanical, positive locking operating handle at left front by driver's door. 3/4" diameter cross shafts (front and rear) and 1/2" diameter operating rod running longitudinally down street side. - Safety restraining ring provided at the handle. - Multiple grease points throughout system. (Grease zerks provided.) UNDERSTRUCTURE - Crossmember-less construction - Long sills are 7" trapezoidal style, full length of body, with internal anti-corrosion coating. - Rear member is 7" deep, of 10 ga. construction, full width of body			

Customer must fill out the information below before the order can be processed...

Accepted by:	
Date:	
P.O. number:	

- ♦ Applicable sales tax will be applied to final invoice.
- ♦ Terms are Due Upon Receipt unless prior credit arrangements are made at the time of order.
- ♦ Please note if chassis is furnished, it is as a convenience and terms are Net Due on Receipt of Chassis

Notes:

MO DOT BID

CLUTCH PUMP SYSTEM TO WORK DUMP-BED ONLY

QUOTED STANDARD DUMP SIDE, ADD FOR TALLER SIDES



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: August 15, 2013

TO: Mark C. Perkins, City Administrator

FROM: Jim Heines, Director of Public Works

SUBJECT: Recommendation to Award the Bid for a 2014 Diesel Powered One-ton Dump Truck for FY 2014

During the Public Works equipment inventory and replacement schedule presentation at the March 25, 2013 Council Work Session staff identified the projected truck and equipment replacements for the next five years. In an effort to keep our trucks and equipment in good condition while managing a reasonable budget it identified at least one two-ton truck and one leaf vacuum to be replaced each year while alternating pickup truck and one-ton truck replacements every other year along with other equipment (chippers, skid steers, etc.) on a ten year replacement cycle.

As part of the routine truck and equipment replacement City Council approved the purchase of a one-ton truck in the FY2014 CIP Equipment budget. Public Works staff has been working with Don Brown Chevrolet on the purchase of a Chevy 3500 diesel powered 4 wheel drive dump truck with a Knapheide bed through the state cooperative purchase agreement. This new one-ton truck will replace a 2002 gas powered one-ton truck currently being used as our cold patch pothole truck.

When Don Brown Chevrolet was inquiring about new truck prices from the manufacturer they were notified that the assembly lines have been closed for one-ton trucks and they will not be producing any trucks until June of 2014. The cause for this shut down is a complete retooling to reset the platform for a model change is the design of the one-ton models. This being the case the only trucks available are those that are currently on lots. Don Brown Chevrolet has searched the area and found the proposed truck chassis with a red cab. The truck dump body can be built by Knapheide to meet our needs and the cost is reflected in the attached state bid proposal from Don Brown Chevrolet.

Although the equipment replacement schedule identified this replacement one-ton to include a plow and spreader, our current one-ton snow fleet is in good condition and there is no need to add this cost to the truck purchase this year. City staff is recommending to change from a gas engine to a diesel engine for this purchase. Our experience over the past 5-6 years with diesel motors in our larger trucks has resulted in reduced repair costs as well as slightly better fuel usage and better performance.

The recommendation is to award the purchase of a 2014 Chevrolet 3500 diesel powered one-ton dump truck through the Missouri State Cooperative Purchase Program from Don Brown Chevrolet, located at 2244 South Kingshighway, St. Louis, MO 63110, TNO: 314-772-1400, with Knapheide body type in the total amount of \$47,134.

Funding for this purchase, \$48,000 was approved in the FY 2014 CIP budget in account # 02-61-71-9516 Capital Equipment.



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

DATE: August 22, 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 August 22, 2013 in the amount of \$109,437.52



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

NO DEPT - NO DIV

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00640	0		279620	09-Aug-13	BOB BARKER CO	(25) SIZE 3XL PRISONER SUITS	01-00-00-2410	47.59
00066	0		221277	31-Jul-13	FROESEL OIL	6008 GAL UNLEADED GASOLINE	01-00-00-1651	19,980.26
02030	0		081613	16-Aug-13	FRY, MILTON	SEWER LATERAL REPAIR REIMB	02-00-00-1901	1,985.60
00092	1		50554	01-Aug-13	ST LOUIS COUNTY	ST LOUIS CNTY MUNI HOUSING FEE	01-00-00-2410	600.00
Sum of Invoices								22,613.45



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

LEGISLATIVE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00195	0		P1513	19-Jun-13	ALARM 24, INC.	REPLACE CONDUIT TO PEDESTAL	01-11-13-6213	1,500.00
00019	0	P001738	94035	01-Aug-13	CURTIS, HEINZ, GARRETT & O'KEEFE	LEGAL FEES-CITY ATTY JULY 2013	01-11-12-6201	10,497.00
02031	0		27967A	30-Apr-13	DNT IMAGING	SCANNING OF FILES	01-11-13-6202	2,386.71
00293	0		080113	01-Aug-13	ST LOUIS COUNTY MUNICIPAL LEAGUE	ANNUAL DUES 13-14	01-11-12-6262	5,250.00
Sum of Invoices								19,633.71



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

Administration

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01120	0		073113	31-Jul-13	ASI	FLEX BENEFIT ADMIN FEES JULY13	01-12-11-6203	181.90
00053	0		82455	01-Aug-13	MERCY CORPORATE HEALTH	D.O.T. TESTING	01-12-11-6271	45.00
00053	0		82452	01-Aug-13	MERCY CORPORATE HEALTH	D.O.T. TESTING	01-12-11-6271	45.00
01262	0	P001695	28676	29-Jul-13	SPECIALTY MAILING	HANDLING/MAILING AUGUST NEWSLT	01-12-11-6203	225.15
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-12-11-6253	52.08
Sum of Invoices								497.05



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

IT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00050	0		INV0030479	31-Jul-13	REJIS	ASA FIREWALL REPLACEMENT	01-12-51-6213	166.00
00070	0		I130808251	08-Aug-13	TECH ELECTRONICS	AUTO-ATTENDANT CHANGES	01-12-51-6213	455.00
Sum of Invoices								621.00



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

FINANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01218	0		2012-2013	02-May-13	ASSOCIATION OF PUBLIC TREASURERS	MEMBERSHIP DUES FY 13	01-13-11-6262	145.00
01629	0		082113	30-Jun-13	GFOA OF MISSOURI	ANNUAL DUES-D. SMITH FY 13	01-13-11-6262	50.00
00016	0		081613	16-Aug-13	COLLECTOR OF REVENUE	SALES TAX REPORT-AUG 2013	01-13-11-6202	20.00
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-13-11-6253	51.97
Sum of Invoices								266.97



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

INTERDEPARTMENTAL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00447	0		548081	29-Jul-13	THE DANIEL & HENRY CO.	LIQUOR LIABILITY INS RENW FY14	01-13-15-6220	731.00
00014	0	P001719	215116	06-Aug-13	CHARTER COMMUNICATIONS	CABLE TV SERVICE AT GARAGE	01-13-15-6255	71.53
00014	0	P001719	215132	06-Aug-13	CHARTER COMMUNICATIONS	CABLE TV SERVICE ATGOVT CENTER	01-13-15-6255	86.23
01800	0		228322	31-Jul-13	PRIZE POSSESSIONS	WELLNESS PROGRAM TROPHY ENGRAV	01-13-15-6272	13.49
00045	0		669771285001	02-Aug-13	OFFICE DEPOT	FILE RAILS, LABELS	01-13-15-7312	52.53
00045	0		669771360001	02-Aug-13	OFFICE DEPOT	FILE RAILS	01-13-15-7312	12.99
00045	0		665293311001	26-Jul-13	OFFICE DEPOT	ENVELOPES, BADGE REELS	01-13-15-7312	28.08
00045	0		665293216001	26-Jul-13	OFFICE DEPOT	VARIOUS OFFICE SUPPLIES	01-13-15-7312	213.97
01169	0		3206835024	10-Aug-13	STAPLES ADVANTAGE	TONER-CHIEF'S OFFICE	01-13-15-7312	992.09
01169	0		3206142669	03-Aug-13	STAPLES ADVANTAGE	CREDIT MEMO-MDSE RETURN	01-13-15-7312	-26.09
Sum of Invoices								2,175.82



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

ICE ARENA

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00912	0		1157343	01-Jul-13	CHEM-AQUA INC.	CHEMICALS FOR COOLING TOWER	06-14-31-6211	1,030.05
00711	0		326208762	20-Jun-13	TERMINIX	PEST CONTROL SVC-JUNE 2013	06-14-31-6212	34.00
01048	0		9709131813 EF	01-Aug-13	VERIZON WIRELESS	CELL PHONE-JULY 2013	06-14-31-6253	52.08
Sum of Invoices								1,116.13



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

GOLF MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00564	0		13-3170	28-Jun-13	BOB RAEKER PLUMBING CO.	ANNUAL BACKFLOW TESTING	06-14-32-6202	165.00
00066	0		220635	17-Jul-13	FROESEL OIL	250 GAL UNLEADED GASOLINE	06-14-32-7307	848.37
00066	0		220635	17-Jul-13	FROESEL OIL	260 GAL DIESEL FUEL	06-14-32-7307	836.64
01415	0		INV0008873	02-Aug-13	GREENSPRO, INC.	FAIRWAY FERTILIZER	06-14-32-7303	740.00
01415	0		INV0008596	11-Jul-13	GREENSPRO, INC.	INSECTICIDE FOR FAIRWAYS	06-14-32-7303	548.00
01415	0		INV0008560	09-Jul-13	GREENSPRO, INC.	HERBICIDE/FUNGICIDE	06-14-32-7303	600.00
00117	0		9188341	24-Jul-13	HOME DEPOT	WASP AND INSECT SPRAY	06-14-32-6212	14.87
00117	0		9188341	24-Jul-13	HOME DEPOT	PLIERS	06-14-32-7302	19.97
00117	0		9188341	24-Jul-13	HOME DEPOT	FLOWERS	06-14-32-7303	29.76
00117	0		9188341	24-Jul-13	HOME DEPOT	CREDIT	06-14-32-7303	-3.23
00660	0	P001693	9026	02-Aug-13	KEEVEN BROTHERS, INC.	17 PALLETS, 850 SQ YARDS ZOSIA	06-14-32-6212	2,715.75
00660	0	P001693	9026	02-Aug-13	KEEVEN BROTHERS, INC.	SHIPPING	06-14-32-6212	191.25
00175	0		909342-00	24-Jun-13	MTI DISTRIBUTING, INC.	ROLLER BEARINGS, WHEEL SHAFT	06-14-32-6211	224.18
02032	0		70076	09-Jul-13	MU TURF DIAGNOSTICS	TURF DISEASE DIAGNOSIS #6 GRN	06-14-32-6202	50.00
00116	0		5210	26-Jul-13	SAM'S CLUB	VEHICLE MOTOR OIL	06-14-32-6210	26.88
00116	0		5210	26-Jul-13	SAM'S CLUB	TRASH BAGS,SUNSCREEN,SPOONS	06-14-32-6212	60.12
00173	0		IN1127772	11-Jul-13	SUPREME TURF PRODUCTS	GREENS INSECTICIDE	06-14-32-7303	225.00
00173	0		IN112846	11-Jul-13	SUPREME TURF PRODUCTS	INSECTICIDE TREATMENT FAIRWYS	06-14-32-7303	587.52
00173	0		IN113002	18-Jul-13	SUPREME TURF PRODUCTS	CALCIUM FOR GREENS	06-14-32-7303	208.00
00173	0		IN112773	11-Jul-13	SUPREME TURF PRODUCTS	STARTER FERTILIZER,WATER PENET	06-14-32-7303	475.00
00173	0		IN112851	15-Jul-13	SUPREME TURF PRODUCTS	INSECTICIDE FOR ZOYSIA	06-14-32-7303	587.52
Sum of Invoices								9,150.60



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

PRO SHOP

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00711	0		326208762	20-Jun-13	TERMINIX	PEST CONTROL SVC-JUNE 2013	06-14-33-6212	34.00
01210	0		924622627	29-Jul-13	GLOVE NATION	HATS FOR RESALE	06-14-33-8325	273.95
Sum of Invoices								307.95



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

SNACK BAR

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00084	0	P001700	3888319706	30-Jul-13	COCA-COLA	SODA FOR RESALE (8317)	06-14-34-8317	37.44
Sum of Invoices								37.44



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

BUILDING MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01644	0		96801	31-Jul-13	AA KEY & LOCK SERVICE	LOCKS/KEYS FOR ARCHIVE ROOMS	01-16-11-6212	228.00
01550	0		452-6383639	06-Aug-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (8/6/13)	01-16-11-7308	7.92
01550	0		452-6409705	13-Aug-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (8/13/13)	01-16-11-7308	7.92
01550	0		452-6357811	30-Jul-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (7/30/13)	01-16-11-7308	7.92
00010	0		931755	12-Aug-13	BRANNEKY HARDWARE	HALOGEN BULBS, LIGHT CONTROLS	01-16-11-6212	60.96
01448	0		702477	01-Aug-13	BUILDINGSTARS	CLEANING SVCS-CITY HALL	01-16-11-6212	1,420.00
01448	0		702477	01-Aug-13	BUILDINGSTARS	CLEANING SVCS-POLICE DEPT	01-16-11-6212	1,350.00
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-16-11-6253	32.36
00054	0		02017159	02-Aug-13	WALTER KNOLL FLORIST	ATRIUM FLORAL SVC-SEPT 2013	01-16-11-6212	80.00
Sum of Invoices								3,195.08



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

POLICE-ADMIN

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00640	0		279282	07-Aug-13	BOB BARKER CO	(9) BOXES OF LATEX GLOVES	01-21-11-6271	112.73
01378	0		5119	31-Jul-13	PERSONNEL EVALUATION INC.	PERSONNEL EVAL PROFILE	01-21-11-6203	20.00
00092	0	P001689	50822	06-Aug-13	ST LOUIS COUNTY	C.A.R.E. CONTRACT-AUG 2013	01-21-11-6202	23.91
00332	0	P001746	080613 PD-A	06-Aug-13	ST LOUIS COUNTY AND MUNICIPAL POLICE ACADEMY	4 COMMISSIONED OFFICER'S	01-21-11-6261	600.00
01726	0		78627	02-Aug-13	ST LOUIS COUNTY DOH	2000 NO PARKING SIGNS	01-21-11-7304	141.00
01726	0		78625	02-Aug-13	ST LOUIS COUNTY DOH	100 NO FIREARMS SIGNS	01-21-11-7304	42.00
01726	0		78626	02-Aug-13	ST LOUIS COUNTY DOH	500 WARRANT ENVELOPES	01-21-11-7304	126.00
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-21-11-6253	84.44
01048	0		9709380765	04-Aug-13	VERIZON WIRELESS	MOBILE BROADBAND CHRG-IPAD	01-21-11-6253	29.50
00178	0	P001690	204595	01-Jul-13	WARNER COMMUNICATIONS CORP.	ANNUAL STANCIL LOGGER MAINTENA	01-21-11-6213	3,275.00
Sum of Invoices								4,454.58



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

POLICE-INVESTIGATIONS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01228	0		1432814-20130731	31-Jul-13	LEXISNEXIS	8 PHONE SEARCHES/JULY FEES	01-21-21-6202	174.00
					ST LOUIS COUNTY AND MUNICIPAL			
00332	0	P001747	080613	06-Aug-13	POLICE ACADEMY	6 COMMISSIONED OFFICER'S	01-21-21-6261	900.00
00273	0		T1407013	02-Aug-13	ST LOUIS UNIVERSITY	TOXICOLOGY LAB SVCS	01-21-21-6202	325.00
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-21-21-6253	194.16
Sum of Invoices								1,593.16



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

POLICE-PATROL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00669	0		239977	01-Aug-13	APPLIED CONCEPTS-STALKER RADAR	4' RADAR ANTENNA CABLE	01-21-22-6211	82.00
00007	0		379-622293	02-Aug-13	BATTERIES PLUS - 270	(12) BULBS FOR RANGE	01-21-22-7304	63.48
01031	0		973392	06-Jul-13	DOC'S HARLEY DAVIDSON	MOTOR 2421 REPAIRS	01-21-22-6210	228.97
00234	0		392983	07-Aug-13	ED. ROEHR SAFETY PRODUCTS	CONSOLE FACEPLATE FOR 2410	01-21-22-6210	12.00
00094	0		165655	01-Aug-13	FIRESTONE	MOUNT TIRE ON RIM & BALANCE	01-21-22-6210	15.29
00094	0		165859	07-Aug-13	FIRESTONE	CAR 2417 3 NEW TIRES 3000 ML	01-21-22-6210	420.50
00094	0		165888	07-Aug-13	FIRESTONE	CAR 2409 3000 MILE SERVICE	01-21-22-6210	22.99
00094	0		166035	13-Aug-13	FIRESTONE	CAR 2403 3000 MILE SERVICE	01-21-22-6210	22.99
00125	0		299969	31-Jul-13	LEON UNIFORM	(50) H2O CF SABRA RED OC SPRAY	01-21-22-7302	650.00
00332	0	P001703	080613 PD-P	06-Aug-13	ST LOUIS COUNTY AND MUNICIPAL POLICE ACADEMY	41 COMMISSIONED OFFICER'S	01-21-22-6261	6,150.00
00266	0		249279	14-Aug-13	SUNTRUP	CAR 10 RESET TPMS LIGHT	01-21-22-6210	29.70
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-21-22-6253	363.04
Sum of Invoices								8,060.96



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

PUBLIC WORKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00045	0		4443201257467	14-Aug-13	OFFICE DEPOT	LAPTOP CASE-PW DIRECTOR	01-31-11-7304	66.99
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-31-11-6253	204.49
Sum of Invoices								271.48



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00131	0		9911751856	31-Jul-13	AIRGAS	WELDING GAS/TANKS	01-31-41-7307	53.02
00805	0		5056988	01-Aug-13	ALTEC INDUSTRIES, INC	HOSE REPAIR-BUCKET TRUCK	01-31-41-6210	266.63
01550	0		452-6409703	13-Aug-13	ARAMARK UNIFORM SERVICES	MOPS (8/13/13)	01-31-41-6212	8.91
01550	0		452-6357809	30-Jul-13	ARAMARK UNIFORM SERVICES	MOPS (7/30/13)	01-31-41-6212	8.91
01550	0		452-6383637	06-Aug-13	ARAMARK UNIFORM SERVICES	MOPS (8/6/13)	01-31-41-6212	8.91
01550	0		452-6409703	13-Aug-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (8/13/13)	01-31-41-7308	42.26
01550	0		452-6357809	30-Jul-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (7/30/13)	01-31-41-7308	42.25
01550	0		452-6383637	06-Aug-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (8/6/13)	01-31-41-7308	42.25
01980	0		626494	06-Aug-13	BLUE CHIP EXTERMINATING	PEST CONTROL SVC-AUG 2013	01-31-41-7301	52.00
00010	0		931755	12-Aug-13	BRANNEKY HARDWARE	HALOGEN BULBS, LIGHT CONTROLS	01-31-41-6212	60.97
00013	0		1763-214364	06-Aug-13	CARQUEST AUTO PARTS	OIL FILTERS FOR STOCK	01-31-41-6210	8.34
00013	0		1763-214687	13-Aug-13	CARQUEST AUTO PARTS	HEADLIGHT PLUG-TRK 310	01-31-41-6210	6.12
00013	0		1763-213718	22-Jul-13	CARQUEST AUTO PARTS	CREDIT MEMO-MDSE RETURN	01-31-41-6210	-67.75
00013	0		1763-212911	03-Jul-13	CARQUEST AUTO PARTS	BATTERY TESTER	01-31-41-6210	77.42
00013	0		1763-214450	07-Aug-13	CARQUEST AUTO PARTS	HIGH SPEED AIR CUTTER	01-31-41-6211	145.34
00013	0		1763-214378	06-Aug-13	CARQUEST AUTO PARTS	GLUE REMOVER	01-31-41-7301	16.92
00013	0		1763-214614	12-Aug-13	CARQUEST AUTO PARTS	CREDIT MEMO-MDSE RETURN	01-31-41-7302	-56.99
00011	0		29035049	13-Aug-13	CARTER-WATERS LLC	CHEMICALS-MILLENNIUM PARK	01-31-41-7301	40.00
00011	0		29033509	24-Jul-13	CARTER-WATERS LLC	DIAMOND BLADES, MASONRY BLADE	01-31-41-7302	458.77
00011	0		29035049	13-Aug-13	CARTER-WATERS LLC	TANK SPRAYER, CONCRETE BRUSH	01-31-41-7302	129.60
00099	0		1310081	31-Jul-13	CEEKAY SUPPLY	WELDING GAS/TANKS	01-31-41-7307	64.08
00843	0		981981	26-Jul-13	CHART DISTRIBUTION GROUP	BULK OIL	01-31-41-6210	778.55
00049	0		35913.	06-Aug-13	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 8/5/13	01-31-41-6207	2,684.32
00127	0		177408	07-Aug-13	ERB EQUIPMENT COMPANY	BACKHOE REPAIRS	01-31-41-6211	1,512.25
00023	0		343351	02-Aug-13	FRED WEBER	MATERIAL FOR CURB REPAIR	01-31-41-7305	236.00
00023	0		343892	06-Aug-13	FRED WEBER	ASPHALT FOR PATCHING	01-31-41-7305	118.00



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00023	0		344204	08-Aug-13	FRED WEBER	MATERIAL FOR REPAIRS-CABIN GROVE	01-31-41-7305	236.00
00023	0		343844	05-Aug-13	FRED WEBER	ASPHALT FOR PATCHING	01-31-41-7305	236.00
00023	0		344496	09-Aug-13	FRED WEBER	MATIERAL FOR POTHOLE/JOINT RPR	01-31-41-7305	177.00
00023	0		344986	12-Aug-13	FRED WEBER	ASPHALT FOR CABIN GROVE	01-31-41-7305	177.00
00023	0		341033	25-Jul-13	FRED WEBER	ASPHALT FOR REPAIRS	01-31-41-7305	236.00
00349	0		623306-001	12-Aug-13	HTE TECHNOLOGIES	PRESSURE WASHER FITTING	01-31-41-7302	25.53
01636	0		0347-000158448	31-Jul-13	JOHNNY ON THE SPOT	2 EA RENTAL UNITS	01-31-41-6266	163.00
00487	0		28469	02-Aug-13	JONES & LOCKHART WELDING	LADDER PLATFORM FOR DIESEL TANK	01-31-41-6212	380.00
00100	0		29604	05-Aug-13	MISSOURI PETROLEUM	TACK FOR STREET REPAIRS	01-31-41-7305	360.00
00042	0		I108797	30-Jul-13	MPR SUPPLY	IRRIGATION PARTS-FOUNTAIN PRK	01-31-41-6211	117.13
00042	0		I109633	12-Aug-13	MPR SUPPLY	VALVE FOR CITY HALL IRRIGATION	01-31-41-6211	73.05
00165	0		TI-0264267	26-Jul-13	NEWMAN TRAFFIC SIGNS	STREET SIGNS	01-31-41-7311	282.72
00865	0	P001726	237212.	31-Jul-13	OUTDOOR SOLUTIONS	GROUNDS MAINT OLIVE/I270-JULY	01-31-41-6212	1,690.00
00047	0		P02067	31-Jul-13	PAT KELLY EQUIPMENT	BRAKE CABLE-ASPHALT ROLLER	01-31-41-6211	164.15
00047	0	P001621	E05981	31-Jul-13	PAT KELLY EQUIPMENT	HONDA ENGINE FOR ASPHALT ROLLER	01-31-41-6211	1,220.64
00047	0	P001621	W36107	31-Jul-13	PAT KELLY EQUIPMENT	ENGINE INSTALL W/MODIFICATIONS	01-31-41-6211	619.36
00110	0		315348	29-Jul-13	RICMAR INDUSTRIES	RUST AND SALT REMOVAL CHEMICAL	01-31-41-7301	1,022.54
00437	0		073113	31-Jul-13	SAFETY PLUS FIRST AID	ITEMS FOR FIRST AID KIT	01-31-41-6271	37.90
01489	0		15001442	19-Jul-13	SUPERCO SPECIALTY PRODUCTS	2 CASES DURA-LUBE	01-31-41-6210	369.38
00270	0		46856-00	25-Jul-13	TERMINAL SUPPLY CO.	6 EA OVAL MOUNTING MODULES	01-31-41-6210	328.86
00492	0		150322	25-Jul-13	TOMASOVIC GREENHOUSE & NURSERY INC	PLANTINGS FOR BALLAS ISLANDS	01-31-41-7303	669.60
00492	0		150321	25-Jul-13	TOMASOVIC GREENHOUSE & NURSERY INC	PLANTINGS FOR OLIVE ISLANDS	01-31-41-7303	711.45
01834	0		22482A	29-Jul-13	TOTAL COMFORT	SHOP	01-31-41-6212	720.00



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00562	0		63992	29-Jul-13	TRAFFIC CONTROL COMPANY	4 EA 'ROAD CLOSED' SIGNS	01-31-41-7311	111.00
00206	0		01-43070	06-Aug-13	U.S. WIPING MATERIALS, INC.	RAGS FOR SHOP	01-31-41-6212	140.15
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-31-41-6253	48.33
01375	0	P001745	6630	23-Jul-13	WEATHER OR NOT	ANNUAL FEE 8/1/13 - 7/31/14	01-31-41-6202	4,902.00
00311	0		1643633	12-Aug-13	WEBER CHEVROLET	FRNT WHEEL DUST CAP-TRK 206	01-31-41-6210	5.33
00311	0		1640254	26-Jul-13	WEBER CHEVROLET	PWR STEERING FITTING-TRK 205	01-31-41-6210	33.08
Sum of Invoices								21,994.28



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		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-31-42-6253	32.36
Sum of Invoices								32.36



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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PARKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-6409703	13-Aug-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (8/13/13)	01-31-43-7308	42.25
01550	0		452-6357809	30-Jul-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (7/30/13)	01-31-43-7308	42.25
01550	0		452-6383637	06-Aug-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (8/6/13)	01-31-43-7308	42.25
00564	0		13-1637	02-May-13	BOB RAEKER PLUMBING CO.	CLEAN DRAIN AT TAPMEYER HOUSE	01-31-43-6212	296.00
00010	0		931123	30-Jul-13	BRANNEKY HARDWARE	PEA GRAVEL FOR CONWAY PARK	01-31-43-6212	22.45
00010	0		930997	30-Jul-13	BRANNEKY HARDWARE	PEA GRAVEL FOR CONWAY PARK	01-31-43-6212	8.98
00010	0		930949	29-Jul-13	BRANNEKY HARDWARE	FROST PROOF HYDRANT BY DOG PRK	01-31-43-6212	74.99
01591	0		01702	30-Jul-13	IMPERIAL FENCE	FENCE REPAIR-MILLENNIUM PARK	01-31-43-6212	586.00
00040	0		813499	23-Jul-13	MILBRADT	THROTTLE CABLE/CONTROL FOR SAW	01-31-43-6211	59.21
00040	0		813544	23-Jul-13	MILBRADT	PRIMER BUTTONS FOR BLOWERS	01-31-43-6211	14.88
00040	0		812389	10-Jul-13	MILBRADT	WEED EATER SPOOL/STRING	01-31-43-6211	60.28
00040	0		813995	29-Jul-13	MILBRADT	GAS BLOWER REPAIR	01-31-43-6211	6.10
00865	0	P001727	237212	31-Jul-13	OUTDOOR SOLUTIONS	R.O.W. MOWING-JULY 2013	01-31-43-6212	887.32
00173	0		IN113510	07-Aug-13	SUPREME TURF PRODUCTS	WEED KILLER	01-31-43-7301	105.60
00173	0		IN113511	07-Aug-13	SUPREME TURF PRODUCTS	WEED KILLER	01-31-43-7301	149.00
00173	0		IN113536	07-Aug-13	SUPREME TURF PRODUCTS	GRASS SEED	01-31-43-7303	725.00
00593	0	P001724	18180	27-Jul-13	THE GREENWOOD GROUP LLC	PARKS MOWING-JULY 2013	01-31-43-6212	5,086.00
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-31-43-6253	37.74
00109	0		451344	29-Jul-13	WESTPORT POOLS	CHEMICALS FOR SPLASH PAD	01-31-43-7301	88.56
Sum of Invoices								8,334.86



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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COMMUNITY DEVELOPMENT - PLANNING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00213	0		080713-1	07-Aug-13	MCLAUGHLIN COURT REPORTING SERVICES, INC	CRT RPTR FOR PUB HRGS 8/5/13	01-32-11-6202	358.00
00303	0		10362075	25-Jul-13	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE FOR BOA 8/15/13	01-32-11-6260	37.12
00303	0		10362891	26-Jul-13	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE FOR P&Z 7/30/13	01-32-11-6260	38.28
00303	0		10362888	26-Jul-13	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE FOR P&Z 8/19/13	01-32-11-6260	32.48
00303	0		10362887	26-Jul-13	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE FOR P&Z 8/19/13	01-32-11-6260	41.76
00303	0		10362883	26-Jul-13	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE FOR P&Z 8/19/13	01-32-11-6260	40.60
00303	0		10362881	26-Jul-13	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE FOR P&Z 8/19/13	01-32-11-6260	41.76
00303	0		10362870	26-Jul-13	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE FOR P&Z 8/19/13	01-32-11-6260	39.44
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-32-11-6253	149.35
Sum of Invoices								778.79



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

COMMUNITY DEVELOPMENT - BUILDING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01048	0		9709131813 GF	01-Aug-13	VERIZON WIRELESS	CELL PHONES-JULY 2013	01-32-61-6253	204.16
01048	0		9709380765	04-Aug-13	VERIZON WIRELESS	CHARGES FOR INSPECTOR TABLETS	01-32-61-6253	88.49
Sum of Invoices								292.65



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

8/22/2013

CAPITAL IMPROVEMENTS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
02011	0	P001736	108162	31-Jul-13	DUNCAN & PERRY LTD	IRRIGATION LINE REPAIRS MOSLEY	02-61-71-9510-14601	1,266.00	
00049	0		35913	06-Aug-13	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 8/4/13	02-61-71-9510-14601	296.00	
00049	0		35893	31-Jul-13	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 7/28/13	02-61-71-9510-14601	519.00	
00049	0		35893	31-Jul-13	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 7/28/13	02-61-71-9510-14602	188.00	
01357	0	P001643	FINAL PAY	16-Aug-13	KUHLMANN DESIGN GROUP INC	AMT OVER PO	02-61-71-9510-13705	1,386.00	
01357	0	P001643	FINAL PAY	16-Aug-13	KUHLMANN DESIGN GROUP INC	DESIGN SERVICES-OLIVE BLVD SID	02-61-71-9510-13705	14.00	
00303	0		10360761	23-Jul-13	MISSOURI LAWYERS MEDIA	REQ FOR BIDS-CHILTON CULVERT	02-61-71-9509-13515	340.20	
Sum of Invoices									4,009.20
GRAND TOTAL OF ALL INVOICES									109,437.52

AN ORDINANCE AMENDING SECTION 405.370 "CB" CORE BUSINESS DISTRICT, OF THE ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI TO MODIFY THE HEIGHT AND BUFFER REGULATIONS AS THEY PERTAIN TO ADJACENT RESIDENTIAL DEVELOPMENT.

WHEREAS, an application by David Braswell, of Covington Realty Partners, Inc. has been submitted for a text amendment limiting the special height and buffer requirements in the "CB" District to properties adjacent to single-family residential development instead of single-family residential districts; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the "CB" Core Business District 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 Monday August 5, 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 4-0 recommended approval of the subject amendments at its meeting on Monday, August 5, 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 405.370.E.3. Building Bulk Regulations, paragraph "a. Maximum structure height" is hereby repealed and a new paragraph "a. Maximum structure height" is enacted in lieu thereof, as follows:

E. *Dimensional Regulations.*

3. *Building bulk regulations.*

a. *Maximum structure height.* On lots that are smaller than three (3) acres, no building or structure shall exceed four (4) stories or sixty (60) feet in height. Developments on lots of three (3) or more acres shall have no height limitations, provided that buildings

exceeding six (6) stories or ninety (90) feet in height receive a conditional use permit in accordance with Section 405.1070. In addition, non-residential development adjacent to any single-family residential zoning district shall meet a sky exposure plane requirement. The sky exposure plane will be measured from a line located forty-five (45) feet above grade and one hundred (100) feet from the property line on the non-residential site and will have a slope of thirty degrees (30°) rising towards the center of the site. No portion of the building or structure shall penetrate this sky exposure plane.

SECTION 2: Section 405.370.E.4. Yard and setback requirements, paragraph “d. Buffer yards” is hereby repealed and a new paragraph “d. Buffer yards” is enacted in lieu thereof, as follows:

4. *Yard and setback requirements.*
 - d. *Buffer yards.* Notwithstanding the provisions of Sections 405.370(E)(4)(b) and 405.370(E)(4)(c) above, any non-residential development abutting a single-family residential zoning district shall provide a buffer yard of fifty (50) feet on all sides that abut or adjoin the single-family district. The setback for non-residential buildings exceeding three (3) stories or forty-five (45) feet in height shall be increased to two hundred (200) feet. An additional two (2) feet of buffer yard shall be provided for every foot of building height exceeding forty-five (45) feet. The buffer area resulting from these setback requirements shall not contain any impervious surface and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission.

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

ADOPTED THIS ____ DAY OF _____, 2013.

SCOTT SAUNDERS
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
#13-023 FOR A TEXT AMENDMENT TO SECTION 405.370 "CB" CORE
BUSINESS DISTRICT REGULATIONS TO CHANGE THE PROTECTION FROM
A SINGLE FAMILY "DISTRICT" TO A SINGLE FAMILY "DEVELOPMENT"
WHEN ADJACENT TO THE "CB" CORE BUSINESS DISTRICT
FOR THE PLANNING AND ZONING COMMISSION MEETING OF: Monday,
July 15, 2013 at 7:00 P.M.

LOCATION: "CB" Core Business District

REQUEST: David Braswell, of Covington Realty Partners, LLC, has submitted a request to amend Section 405.370(E)(3)(a) and Section 405.370(E)(4)(d) of the "CB" Core Business District regulations of the Zoning Code to revise certain protections for adjacent single family residential "districts" to single family residential "development." Where Section 405.370(E)(3)(a) Maximum Structure Height states that a property adjacent to any single-family residential zoning district shall meet a sky exposure plane, Section 405.370(E)(4)(d) Buffer yards states that any tract or site abutting a single-family residential zoning district shall provide a buffer yard of fifty (50) feet on all sides that abut or adjoin the single-family district. The amendment will change the word "district" to "development".

ADDITIONAL INFORMATION: The proposed changes would allow the applicant to pursue approval of the rezoning and conditional use permit for a multi-family residential development at 10360 Old Olive Street Road, known as "The Vanguard at Creve Coeur."

Key Issues:

- Is this a reasonable exercise of zoning authority?
- Does the request further or implement the goals of the Comprehensive Plan?
- Does this create adverse impacts for single-family subdivisions?

Comp. Plan References

- Design Guidelines
- Residential Preservation

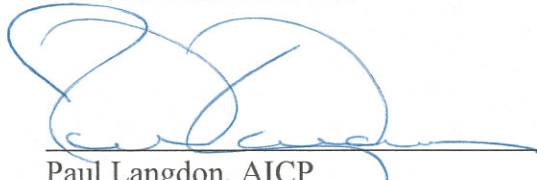
Zoning Code References

- Section 405.370: "CB" Core Business District

APPLICANT: David Braswell
Covington Realty Partners
135 N. Meramec Ave, Suite 500
St. Louis, MO 63105

PROPERTY OWNER: Dr. Kent Branson
Pavilion Office Park, LLC.
11630 Studt Avenue
Creve Coeur, MO 63141

REPORT PREPARED BY:


Paul Langdon, AICP
Director of Community Development
8/2/2013
Date

ATTACHMENTS: Draft Ordinance
Public Comments
Staff Report, dated February 16, 1999.

BACKGROUND – ZONING HISTORY

The proposed text amendment is the latest in a long line of changes to the City's Zoning Code concerning the regulation of commercial zoning when it is adjacent to residential zoning. Today's "CB" Core Business district was originally conceived as the major business district for the city, although it has always accommodated residential in various forms. Known as the "O" Central Core Business District when adopted in 1976, the bulk standards allowed large buildings with a floor area ratio of 2.5 and no height limitation. The standards also provided for a 50-foot landscaped buffer when a development was adjacent to a "residence district." Although it is not specified in the regulations exactly which districts were meant by "residence district," it appears to imply the single family ("A," "B" and "C") and two-family ("D") districts since they did not allow for any commercial uses. The "P" Planned Multi-family District, on the other hand, did allow commercial development as well, so it seems unlikely that a buffer would have been applied to a district that would have had the same internal juxtaposition of commercial to residential.

In 1983, the Zoning Code was largely re-written with most of the districts getting new names and substantially different regulations. The "O" District became the "CB" Core Business District and, although the bulk regulations allowed the same size buildings, the setback and buffer requirements were modified substantially. For buildings of four stories, the setback from the building to an adjacent single family detached zoning district ("A," "B" and "C") was increased to 200 feet, and for buildings of five or six stories, the same setback was 500 feet. Buildings higher than six stories were subject only to a conditional use permit and no particular setback was specified. At the same time, a 50-foot buffer was required adjacent to any single or multi-family residential district ("A," "B," "C," "AR" (formerly "D"), and "MR" (formerly "P")). These requirements were unchanged in the 1994 update, although the maximum building FAR was dropped from 2.5 to 2.

The next substantial revision of the Zoning Code took place in 1997, at which time the buffer and setback regulations were changed to the same ones that exist today. Specifically, the setbacks for increasing building heights adjacent to any "single-family residential zoning district" ("A," "B," "C," "D" and "AR") were limited by the "sky exposure plane" and the 50-foot buffer yard was required only beside the single-family districts, not the "MR" Multi-family Residential district. Buildings over three stories or 45 feet were also required to be setback 200 feet from an adjacent single-family district ("A," "B," "C," "D" and "AR").

There have been many discrete amendments to the Zoning Code since 1997, but no complete re-writes of the code. Germaine to this application, one of those amendments took place in 1999 when the City undertook to eliminate the MR district and place all existing MR developments in some other, existing zoning district. As shown in the attached report dated February 16, 1999, the staff undertook an exhaustive study of the developments that were zoned MR at the time and attempted to predict the possible impacts or spillover effects of rezoning those properties. The creation of non-conformities in the form of setback and buffer encroachments on adjacent commercial properties was noted and, in the instance of Carriage House, the impacts were significant enough to warrant a recommendation from the staff that the rezoning be from MR to GC, not AR, since the adjacent property was zoned GC and subject to longer, unworkable setbacks if the Carriage House was zoned AR.

This recommendation passed through the Planning Commission, but the City Council was concerned about insufficient separation between buildings. If both lots had been zoned GC, the commercial property would have to observe a 12-foot setback that could include parking, whereas a 20-foot landscape buffer was required. Carriage House was zoned AR and the

adjacent property was zoned GC. There was no discussion of the impacts if the adjacent property were zoned CB.

Since that time, the newly AR-zoned properties have stayed largely unchanged, as have the properties around them, with one exception: the church property west of Carriage House became vacant and has been unchanged since then. The applicant proposes to demolish the buildings and construct an apartment complex on the site but is reliant upon the property being zoned CB, which would be an expansion of the district covering the Pavilion Shopping Center. However, this would place a CB district adjacent to the Carriage House AR district and then brings with it the sky exposure plane, 50-foot buffer and 200-foot setback requirements. These make development of the lot impossible since the lot is less than 200 feet wide. In response, they propose to amend the CB district so that the extra requirements would apply only when the adjacent development was actually single-family in nature, not just zoned that way. As a result, the presence of the AR district would have no regulatory impact on the adjacent development. This is equivalent to the effect of the regulations between 1997 and 1999 when MR districts did not compel the larger setbacks or buffers.

COMPREHENSIVE PLAN ANALYSIS

Preservation of the residential areas in town is a recurring theme in the Zoning Code:

Community Image and Identity

4. Maintain the City's strong low-density residential image and character. (p.23)
5. Ensure that non-residential development is compatible with adjacent residential development. (p.23)

There is also an entire section, "Residential Neighborhoods," that is committed to goals that ultimately serve to protect the single-family residential neighborhoods south of Olive Boulevard. It must be noted that it does not include any areas north of Olive, including the lot being pursued by the applicant. Since these areas south of Olive Boulevard actually are developed with single-family houses, the proposed change would not impact them and, therefore, would not violate the Comprehensive Plan goals.

The question then is whether or not the existing AR-zoned, multi-family complexes are likely to be impacted if this amendment is approved and, if there is an impact, does it rise to the level of violating the goals of the Comprehensive Plan? Currently, there are no CB districts next to AR, except on Old Olive Boulevard (the applicant's site). However, it is conceivable that Westgate Center and Bellerive Shopping Center could be rezoned in the future to facilitate redevelopment, and they are adjacent to existing AR districts with multi-family development (Cove at Westgate and Town and Four, respectively). In the case of the former, Cross Creek Drive separates the two, so a direct conflict is unlikely there. At Bellerive Shopping Center, it could be possible for the side of a CB redevelopment to be close to approximately 10 apartment units that are currently less than 50 feet from the shared property line. Carriage House, on the other hand, is no less than 75 feet from their west property line that is shared with the applicant's property. Although a rezoning to CB seems less likely along their east side, the Carriage House buildings are only 15 feet from their east property line. If an office building were then located at the minimum 10-foot side setback, there would only be 25 feet between buildings and this would appear to violate the basic goals of protecting residential development from non-residential uses and is, in fact, the concern that the City Council had in 1999.

Having identified that a potential risk exists, it must be pointed out that the applicant is proposing a residential structure (apartments). It is difficult to conclude that one apartment structure is universally incompatible with another apartment building. Staff suggest that any issues that do arise from a given application can be resolved through the site development plan approval process. If the Planning Commission believes that the simple concern with the application is the potential for a non-residential structure to be placed too close to a residential structure, then a potential remedy would be to amend the request to replace the generic terms of "development" and "any tract or site" with "any non-residential development" instead of the proposed language that, if adopted, would still allow development close to the AR-zoned multi-family projects. This targets the specific concern, while allowing that a commercial zoning district (CB) can actually be developed with a residential use like that proposed by the applicant. On the other hand, it still makes it difficult to place a CB-zoned commercial project near one of these AR properties, but the current arrangement of zoning district already provides GC zoning on the adjacent property and this could serve as the transition area from AR to CB.

If adopted as suggested above, the relevant sections of the Zoning Code would be amended as follows:

3. *Building bulk regulations.*
 - a. *Maximum structure height.* No building or structure shall exceed four (4) stories or sixty (60) feet in height. Developments on lots of three (3) or more acres shall have no height limitations, provided that buildings exceeding six (6) stories or ninety (90) feet in height receive a conditional use permit in accordance with Section 405.1070. In addition, ~~properties~~ non-residential development adjacent to any single-family residential zoning district shall meet a sky exposure plane requirement. The sky exposure plane will be measured from a line located forty-five (45) feet above grade and one hundred (100) feet from the property line on the non-residential site and will have a slope of thirty degrees (30°) rising towards the center of the site. No portion of the building or structure shall penetrate this sky exposure plane.
4. *Yard and setback requirements.*
 - d. *Buffer yards.* Notwithstanding the provisions of Sections 405.370(E)(4)(b) and 405.370(E)(4)(c) above, any ~~tract or site~~ non-residential development abutting a single-family residential zoning district shall provide a buffer yard of fifty (50) feet on all sides that abut or adjoin the single-family district. The setback for non-residential buildings exceeding three (3) stories or forty-five (45) feet in height shall be increased to two hundred (200) feet. An additional two (2) feet of buffer yard shall be provided for every foot of building height exceeding forty-five (45) feet. The buffer area resulting from these setback requirements shall not contain any impervious surface and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission.

ZONING ANALYSIS

In all of the discussions over this issue, the intent has always been to most effectively implement the Comprehensive Plan through the protection of people's residences. This is a proper application of zoning regulations. How much protection is provided and to which particular forms of residences has been the question, and the Comprehensive Plan does not provide specific guidelines for anything other than the detached single-family districts south of Olive Boulevard. The Staff believe that the proposed amendment attempts to adjust the regulations to implement the Comprehensive Plan in the simplest terms but, upon investigation of past actions, find that it may be too heavy a hand. At the risk of narrowing the regulations to too fine of an issue, an alternative approach is proposed by the Staff that would effectively protect the AR-zoned properties from the most intense development, but still allow large multi-family projects that

require CB zoning, and leave unchanged the ability to use GC zoning for less intense commercial projects without the demanding setbacks and buffers. This appears to be a reasonably simple approach that allows a reasonable market demand with a lesser risk of unintended consequences. Further, the proposal still recognizes the goals of the Comprehensive Plan by protecting these pre-existing residential developments from commercial projects and does not contradict the existing land use patterns that show an overall intensification of use around the nodes of CB zoning.

Staff recommends one other minor clarification in the buffer regulations regardless of the other specific amendments. The regulations establish that certain sites must meet a 50-foot buffer and then the next sentence discusses a larger setback as a result of building heights over three stories. Although the overall construction of the bulk regulations suggests that setback increase is for buildings over three feet and adjacent to a single-family residential district, it is not clear and could cause confusion. The draft ordinance, therefore, contains qualifiers that make it clear that the 200-foot setback applies only when the building is over three stories and adjacent to a single-family residential development.

CONCLUSION

In 1999, the City took actions to increase the over-sight of new multi-family projects, most notably by forcing them into a townhouse style development in an AR zoning district, or a more intense high-rise style in a CB district. Those that were already built would have to be accommodated through some less-than-perfect rezoning. In most instances, the AR zoning was satisfactory (though not perfect) but, in the case of the Carriage House condominiums, a conflict was identified and a concern was raised. However, the circumstances at the time suggested that proceeding with the AR rezoning anyway would only increase the adjacent setback from 12 feet to 25 feet along the shared side property lines and that was more in keeping with the goals of the City. What was not anticipated was the much greater impact of the rezoning in the event that the adjacent property was ever up-zoned from GC to CB. That is the current situation and both the applicant's proposal and the staff alternative would make the applicant's project viable. The staff alternative, however, would be more closely tailored to the specific conflict in the current zoning.

ACTION AND EXAMPLE MOTION

The attached draft ordinance is based upon the applicant's request and will require a vote by the Planning Commission prior to being forwarded to the City Council for approval or denial. However, if the members of the Commission believe the alternative approach suggested by the Staff is preferable, then there should be a preceding motion that substitutes the alternative language. Such a motion would be similar to the following:

"I move to substitute the alternative language suggested by staff in their report on Application #13-023, dated August 5, 2013, into the attached draft ordinance revising the building height and buffer requirements in the CB Core Business zoning district."

An example motion calling for the final vote is:

"I move to approve the (amended) draft ordinance revising the building height and buffer requirements in the CB Core Business zoning district attached to the staff report on Application #13-023, dated August 5, 2013."

AN ORDINANCE AMENDING CHAPTER 405.370 "CB" CORE BUSINESS DISTRICT, OF THE ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI TO MODIFY THE HEIGHT AND BUFFER REGULATIONS AS THEY PERTAIN TO ADJACENT RESIDENTIAL DEVELOPMENT.

WHEREAS, an application by David Braswell, of Covington Realty Partners, Inc. has been submitted for a text amendment limiting the special height and buffer requirements in the "CB" District to properties adjacent to single-family residential development instead of single-family residential districts; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the "CB" Core Business District 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 Monday August 5, 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 Monday July 15, 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 405.370.E.3. Building Bulk Regulations, paragraph “a. Maximum structure height” is hereby repealed and a new paragraph “a. Maximum structure height” is enacted in lieu thereof, as follows:

E. *Dimensional Regulations.*

3. *Building Bulk Regulations*

- a. *Maximum structure height.* No building or structure shall exceed four (4) stories or sixty (60) feet in height. Developments on lots of three (3) or more acres shall have no height limitations, provided that buildings exceeding six (6) stories or ninety (90) feet in height receive a conditional use permit in accordance with Section 405.1070. In addition, properties adjacent to any single-family residential development shall meet a sky exposure plane requirement. The sky exposure plane will be measured from a line located forty-five (45) feet above grade and one hundred (100) feet from the property line on the non-residential site and will have a slope of thirty degrees (30°) rising towards the center of the site. No portion of the building or structure shall penetrate this sky exposure plane.

SECTION 2: Section 405.370.E.4. Yard and setback requirements, paragraph “d. Buffer yards” is hereby repealed and a new paragraph “d. Buffer yards” is enacted in lieu thereof, as follows:

4. *Yard and setback requirements.*

- d. *Buffer yards.* Notwithstanding the provisions of Sections 405.370(E)(4)(b) and 405.370(E)(4)(c) above, any tract or site abutting a single-family residential development shall provide a buffer yard of fifty (50) feet on all sides that abut or adjoin the single-family development. The setback for buildings abutting a single-family residential development and exceeding three (3) stories or forty-five (45) feet in height shall be increased to two hundred (200) feet. An additional two (2) feet of buffer yard shall be provided for every foot of building height exceeding forty-five (45) feet. The buffer area resulting from these setback requirements shall not contain any impervious surface and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission.

BILL NO. _____

ORDINANCE NO. _____

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

ADOPTED THIS ____ DAY OF _____, 2013.

SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

From: [Langdon, Paul](#)
To: [Kelly, Whitney](#)
Subject: FW:
Date: Friday, August 02, 2013 4:59:48 PM

From: Elizabeth Link [mailto:lizli25@hotmail.com]
Sent: Friday, July 12, 2013 5:53 PM
To: Langdon, Paul
Subject:

Mr. Langdon,

I am very interested in the proposed changes to the Core Business District regulations. There was information about it in the City Newsletter, but it was not clear if other protections would be put in place for residents of 'apartments, condominiums or other non-single-family buildings'. I have a concern that the property values and quality of life for myself and other people who are long-time residents on Guelbreth Lane would be adversely affected by development that had no regulations regarding set-back, or landscape buffer, or variable height limits. I notice that the item under 'Planning & Zoning Update' indicated that the 'protections in place for houses' would not be affected. I do not understand why residents of multifamily dwellings, or members of churches/schools should be left 'unprotected'.

Sincerely yours,
Elizabeth Link

Elizabeth Link
Lizli25@hotmail.com
314-853-1129

~~~~~

**From:** [Patricia Murphy](#)  
**To:** [Kelly Whitney](#)  
**Cc:** [Kathleen McClure](#)  
**Subject:** July 15th Public Hearing #13-023  
**Date:** Monday, July 01, 2013 10:33:15 AM

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I am a long-time owner at Carriage House Manor Condos and object to Dr. Kent Branson's petition for re-zoning of the property adjacent to our garage building.

In addition to the proposed development being too close to our property; too high; and too many units it will also complicate traffic because:

- \* there are already 23 driveways/exits-entrances on/off Old Olive Street Road;

- \* drivers exiting Lindbergh Blvd coming from the north already use Old Olive St. Rd. like it were an access road for an interstate -- speeding well above the limit which is a hazard.

Also, I believe Dr. Branson, while aiming for the high-end market doesn't realize that many of the employees at Monsanto and Danforth Center are international employees and often share apartments/condos -- 2 to a bedroom.

This means one of Dr. Branson's proposed 3-bedroom units could, conceivable house SIX people creating even more traffic.

QUESTION: How many times can Dr. Branson bring this issue up?

Thank you,  
Patricia Murphy  
942 Guelbreth Ln., unit 204  
314-997-3385



**CITY OF CREVE COEUR - MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
MONDAY, JULY 15, 2013  
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, July 15, 2013, 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. James Faron**  
                                 **Mr. Charles Pullium**  
                                 **Mr. Gene Rovak**

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. REQUEST TO POSTPONE TO AUGUST 5, 2013**

**Application #13-023: A request to amend Section 405.370(E)(3)(a) and 405.370(E)(4)(d) of the “CB” Core Business District regulations of the Zoning Code to revise certain protections for adjacent single family residential “districts” to single family residential “development”.**

Applicant/Agent: David Braswell  
Covington Realty Partners  
135 N. Meramec Ave, Suite 500  
St. Louis, MO 63105

Mr. Langdon referred to application #13-003 and said this is the text amendment portion of the application and explained it deals with buffers and setbacks that were set in place in 1999. Ms. Leslie Des Roches, 942 N. Spoede Road, stated she is concerned with this text amendment and is not in favor of this project. Ms. Des Roches does not believe that condominiums should not be in the same classification as churches, schools, and apartment buildings. Ms. Des Roches said that schools and churches are tax exempt and that an apartment building is basically taxed as business, and she said living in a condo she is living in “single-family units” and are taxed as such.

Mr. Faron motioned to postpone Application #13-023 to August 5, 2013. Mr. Rovak seconded the motion with the resultant vote as follows:

Mr. Rovak – aye  
Dr. Barton – aye

Mr. Pullium – aye  
Chair – aye

Mr. Faron – 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 9:42 p.m.

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*Timothy Madden, Chair*

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*Julie Lowery, Recording Secretary*

DATE: FEBRUARY 16, 1999

TO: PLANNING AND ZONING COMMISSION

FROM: CARLOS TREJO, CITY PLANNER

SUBJECT: REVISED STAFF REPORT FOR REZONING FROM MR,  
MULTIFAMILY RESIDENTIAL DISTRICT TO AR, ATTACHED  
SINGLE FAMILY RESIDENTIAL DISTRICT

LOCATION: CARRIAGE HOUSE  
THE COVE AT WESTGATE  
TOWN AND FOUR VILLAGE & SOMERTON CONDOMINIUMS  
MILL CROSSING

ZONING: MR, MULTIFAMILY RESIDENTIAL DISTRICT

OWNER/  
REPRESENTATIVE: CITY OF CREVE COEUR

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A priority last year of the City Council and Planning and Zoning Commission was to consider controlling the development of multifamily residential developments within the City. In November 1998, the City adopted Ordinance No. 1957 and 1958, which addressed multifamily developments in the AR, Attached Single Family Residential District and the CB, Core Business District. Ordinance No. 1957 permits multifamily dwellings, up to 20 units per acre, in the AR district as a conditional use. Ordinance No. 1958 permits multifamily dwelling projects exceeding 20 units per acre as a conditional use. Multifamily dwellings up to 20 units per acre are allowed as a permitted use. Currently, the MR, Multifamily Residential District, PC, Planned Community District, CB, Core Business District and MX, Mixed Use District permit multifamily residential developments by right. Staff is seeking to eliminate the MR, Multifamily Residential District and rezone the properties currently zoned MR to AR, Attached Single Family Residential. By eliminating the MR, Multifamily Residential District and with the recently approved provisions for the AR and CB districts, the Planning and Zoning Commission, City Council and residents of the City of Creve Coeur are effectively given more control in guiding the development, design and location of multifamily dwellings.

#### **ORDINANCES NO. 1957 AND 1958**

Effective November 23, 1998, Ordinances 1957 and 1958 amended the AR and the CB zoning districts to allow multifamily residential dwellings as a Conditional Use. Ordinance 1957 was

titled as *An Ordinance Adopting and Enacting Amended AR, Attached Residential District (Sec. 26-34) Regulations in Article 3 of the Zoning Ordinance; adding provisions to the Conditional Use Section (26-52) in Article 4; Modifying provisions in the General Provisions Section (Sec. 26-80) in Article 9; and Modifying Definitions of Terms (Sec. 26-11) in Article 2*, and Ordinance 1958 was titled as *An Ordinance Adopting and Enacting Amended CB, Core Business District (Sec. 26-43) Regulations in Article 3 of the Zoning Ordinance; Adding Provisions to the Conditional Use Section (Sec. 26-52) in Article 4; and Modifying Provisions in the Parking Section (26-93) in Article 9*. Limiting multifamily development as a Conditional Use, multifamily residential development may be allowed by the City Council based on the development meeting additional standards specified in the Zoning Code and any other reasonable conditions which may be established by the City Council in its review and approval of the proposed use.

## **THE ZONING DISTRICTS**

There are currently five (5) zoning districts that allow multifamily residential developments. The MR, PC, CB and MX zoning districts allow for the development of multifamily residential developments by right and the AR and CB zoning districts allow for the development of multifamily residential developments by conditional use. (See Table 1) The following section of this report includes a description of each district and the development restrictions for multifamily residential developments. Additional development standards for multifamily residential developments under a conditional use for the AR and CB zoning district are also included.

### **MR, Multifamily Residential District**

The MR, Multifamily Residential District is intended to provide for the development, protection and conservation of multifamily residential dwellings built for rental occupancy or condominium ownership of individual dwelling units within the multifamily buildings. A multifamily building is defined as a building arranged, intended or designed for residence by more than two (2) families, with the principal access to each dwelling unit by means of an interior lobby or a common enclosed stairway and/or elevator.

The MR district allows for up to 20 units per acre. There is no minimum lot size requirement so long as the district area is no less than five acres. Maximum site coverage is set at 63%. A multifamily building is limited to a maximum of four (4) stories or fifty (50) feet. Additional buffer spacing is required over basic setback distances when abutting single family zoning districts.

### **AR, Attached Single Family Residential District**

The AR, Attached Single-Family Residential District is intended to provide for the development, protection and conservation of attached single-family dwellings either on deeded lots or condominium ownership. Attached single-family dwelling units must be in the form of duplexes or townhouses. Multifamily dwellings are permitted in the AR zoning district only as a conditional use.



The AR district allows for a sliding scale for permitted density, which ranges from four (4) to six (6) units per acre, based on the size of the site. For conditional uses (multi-family dwellings) the AR districts allows conditional uses to maintain a density not to exceed a floor area ratio of 0.4, with the average dwelling unit having a size of 900 square feet. This would permit approximately 19 units per acre for multi-family dwellings. A minimum lot size is required for each individual duplex or townhouse, but multifamily dwellings must be located on a lot of at least five (5) acres. Dwelling unit sizes are restricted, depending on the type of development. Maximum site coverage is limited to 50 to 60%, pending on the type of development. Structures are limited to three (3) stories or 35 feet. The buffer yard requirement is reduced in the AR district to 10 ft to 50 feet, pending on the size of the development.

The AR district includes additional design standards intended to guarantee adequate sunlight, open space and privacy for the occupants of detached single-family dwellings and attached single-family dwellings such as townhouses or duplexes. To prevent streetscapes from being dominated by garage doors and/or protruding garages, additional district regulations include:

1. Garage doors shall be faced to the side of rear yards of the site for a minimum of twenty-five percent (25%) of units proposed for the development. The portion of the garage facing the front of street shall have windows or other architectural details that mimic the features of the living portion of the structure.
2. Street facing garage doors must be recessed, by at least four (4) feet, behind either the front façade of the living area portion of the dwelling unit or a covered porch (measuring at least six (6) feet by eight (8) feet).
3. Front-loaded garage doors shall not comprise more than forty percent (40%) of the lot frontage and shall not exceed a total of 20 lineal feet at any time.

In order to qualify for consideration as a conditional use, additional development standards are required for multifamily dwellings. These development standards for multifamily dwellings include the following:

- (a) Shall be located in lots of at least five (5) acres.
- (b) The minimum dwelling unit size shall not be less than 900 sq. ft. per unit.
- (c) At a minimum, 50% of the required vehicular parking shall be provided underground or with a basement garage.
- (d) *Private usable space.* Private usable open space shall be provided in accordance with the standards for all multi-family residential buildings or development described in Section 26-80.
- (e) *Visual Environment Enhancement.* In the Site Development Plan for any building or structure or any tract or tracts in the AR District, there shall be set aside a sum of money equal to no less than two percent (2%) of the proposed total construction cost, which sum shall be used for the erection, construction or installation of special extraordinary walks, patios, fountains, pools, statuary, landscaping and other applicable objects of art or beautification upon such tract or tracts. There shall be specified on such Site Development Plan an itemized cost estimate of such items, including the manner in which the sum of money is to be used for this visual environment enhancement.

### **CB, Core Business District**

The CB, Core Business District is intended to guide and control private development and redevelopment of the major business districts in coordination with related public improvements and services. Specifically, the CB district is intended to:

- (a) Relate the development of retail, office and multifamily residential uses servicing both a citywide and subregional service area to an adopted development plan for the major business areas, including land use, phasing and public improvement elements.
- (b) Encourage site consolidation and an orderly, phased pattern of development.
- (c) Accommodate the use of existing residential structures for offices in the interim period between their present occupancy and ultimate redevelopment.
- (d) Induce and ensure high quality future development through the use of Site Development Plan approval procedures which provide for the specific consideration of access, parking, drainage, landscaping and design factors.

Multifamily dwellings are permitted in the CB district as a permitted use and through a conditional use. The CB district permits up to 20 units per acre by right and allows an excess of 20 units per acre as a conditional use.

The provision to allow multifamily residential developments as a permitted use in the CB district encourages mix land and building uses. For developments consisting primarily of a residential use only, the CB district, through a conditional use, requires a minimum site area of three (3) acres. There are strict dwelling unit size requirements, with a site average of no less than 900 square feet and a minimum dwelling unit size of 750 square feet. Maximum site coverage is limited to 63%. There are no height restrictions placed in the CB district, however, any building in excess of six (6) stories or 90 feet requires an additional conditional use. The buffer yard requirement is equal to that of the MR district.

In order to qualify for consideration of a conditional use, additional development standards are required for multifamily dwellings. These development standards for multifamily dwellings include the following:

- (a) Shall be located on sites of at least three (3) acres.
- (b) The average dwelling unit size shall not be less than 900 sq. ft. per unit and no unit shall be less than 750 sq. ft.
- (c) At a minimum, fifty percent (50%) of the required vehicular parking shall be provided underground or within a basement garage.

### **MX, Mixed Use District**

The MX, Mixed Use District is intended to encourage the redevelopment of under-developed areas of the City which are designed as mixed use by one of the City's land use plans. More specifically, the MX district is intended to:

- (a) Relate the development of retail, office and multi-family residential uses servicing both a citywide and sub-regional service area to an adopted development plan for the area, including land use phasing and public improvement elements.
- (b) Encourage site consolidation and an orderly, phased pattern of development and redevelopment.
- (c) Induce and ensure high quality future development through the use of Site Development Plan approval procedures which provide for the specific consideration of access, parking, drainage, landscaping and design factors.

The MX district permits multifamily developments as a permitted use by right on sites of 3.0 acres or more. The density may not exceed 20 units per acre. There are no limitations set on the size of a dwelling unit. Maximum site coverage permitted is 63%. The floor area ratio is determined by the size of the site, ranging from a minimum of .35 to a maximum of 1.0 on sites in excess of nine (9) acres. The height restriction ranges from 3 stories or 45 feet, however for sites in excess of six (6) acres, a maximum of five stories or seventy-five (75) feet is allowed. The buffer yard requirements are half of the requirement for the MR district.

### PC, Planned Community District

The PC, Planned Community District is intended to provide for the development of large areas to consist of a mixture of residential, office employment and retail service uses, which together compromise a community or neighborhood. The PC district allows for single family detached residences, duplexes and multifamily buildings, and commercial uses. PC developments are large-scale developments consisting of 40 acres or more. There application in this report will be limited to definition only, since PC developments are rare and comprise their own identity.

### DISTRICT COMPARISON CHART

| District                     | MR            | AR Duplex      | AR Townhouse    | AR Cond. Use | CB Cond. Use  | MX             |
|------------------------------|---------------|----------------|-----------------|--------------|---------------|----------------|
| Min. District Size           | 5 acres       | 5 acres        | 5 acres         | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                |               | 4,000 sf./unit | 2,000 sf./unit  |              | 3 acres       | 3 acres        |
| Min. Width                   |               | 40 ft.         | 20 ft.          |              | 100 ft.       | 100 ft.        |
| Max. Height                  | 4 st./50 ft.  | 3 st./ 35 ft.  | 3 st./ 35 ft.   | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        | none          | none           | none            | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 20 units      | 4 to 6 units   | 4 to 6 units    | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | 50%           | 50%            | 60%             | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |               | 30%            | 40%             |              |               |                |
| Min. Private Open Space      | 20% of site   | 1,000 sf./unit | 600 sf./unit    | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 30 ft/50 ft.  | 20 ft.         | 20 ft.          | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | 20 ft.        | 10 ft.         | None to 7.5 ft. | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 20 ft.        | 30 ft.         | 20 ft.          | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | 50 ft./75 ft. | none           | None.           | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | none          | 1,400 sf.      | 1,200 sf.       | 900 sf.      | Avg. 900 sf., | none           |

\* In the CB district, any structure exceeding a height of 6 stories or 90 feet requires a Conditional Use.

\*\* In the MX district, any site in excess of six (6) acres will be eligible for 5 stories or 75 feet based on meeting sky plane exposure requirement.

## **Analysis**

Developers and property owners will still have a variety of zoning district permitting multifamily developments. (See attached Table 1: District Comparison Chart) With the proposed elimination of the MR, the AR, CB and MX district will provide for density equal to the MR district. The most significant difference will be in the fashion multifamily residential developments will be designed. The size of the units are limited to no less than 900 square feet in the AR and CB districts. Additional effort in parking design and coordination of open space will be necessary from the developer. The setback standards are increase for multifamily dwellings. The buffer yard requirement from neighboring single family districts is reduced. For the CB district, which is located in a more nonresidential setting, the site coverage, height, setback and buffer requirements are reduced. The MX district remains identical to the MR district in height and setbacks and is less restrictive in site coverage and buffering.

## **THE PROPERTIES EFFECTED**

There are four (4) properties currently zoned MR, Multifamily Residential District that are proposed to be rezoned to AR, Attached Single Family Residential. Three of the four properties are fully developed; the fourth property has a submitted application for development. The properties developed are the Carriage House off of Old Olive Road, the Cove at Westgate off of Tempo Drive and Town and Four Village and Somerton Condominiums off of Olive Boulevard. The property proposed for development is the Mill Crossing Site on the far west end of the City on Olive Boulevard. Due to complications in retrieving a complete legal description, the Town and Four Village and Somerton Condominiums will not be proposed for immediate rezoning at this meeting. The following section of this report includes a description of each of the other three (3) properties.

### **Carriage House**

The Carriage House is located south of Old Olive Street Road off a private road extension of Guelbreth Lane, between the Creve Coeur Pavilion Development to the west and Lindbergh Boulevard to the east. The site comprises approximately 2.8 acres on three (3) parcels. A total of 64 condominium units are located on the site in two (2) separate buildings.

The first building, located on the north end of the site, by Old Olive Street Road, is a three (3) story slab on grade structure. The building contains 40 units, originally proposed as rentals. This includes 28, one (1) bedroom units, and 12, two (2) bedroom units. A 40 car, single line, detached garage structure and 40 surface parking stalls service the building. The second building, located on the south end of the parcel, along Olive Boulevard, is a three (3) story building with a basement. There are 24 units in the building. This includes 4, one (1) bedroom units and 20, two (2) bedroom units. 24 underground parking spaces and 24 surface parking stalls service the building.

Both buildings are designed with a single entry. One enters the main entrance into a common corridor and accesses all the units on the respective floor. There are no two (2) story units. Each building appears to be serviced by an elevator to access units on the upper floors.

### Site History

In March of 1978, the site was zoned F-1, Commercial District. The Planning and Zoning Commission approved to rezone the 2.8 acres to "P", Multi-family District to allow for an 80 unit apartment complex built in two phases. Phase One was approved for a 40 unit, building on June of 1978. In May 1980, the Plan Commission approved Phase 2, the south building along Olive Boulevard with only 24 units at the applicant's request.

### Neighboring Zoning and Land Use

The site is surrounded by the GC, General Commercial District Zoning. (See attached Exhibit A and A.1) To the north, across Old Olive Street Road, there is an auto agency. West of the subject area, there are two (2) parcels, a church then a low rise office building, and then followed by the Creve Coeur Pavilion Development currently under construction. East of the site, there is one existing residential structure and an office located within a converted single family home, and a four (4) unit condominium building. South of the subject area, across the Olive and Lindbergh Boulevards interchange lies the Solutia Campus complex.

### Site Conformance

Based on the plans stamped as Defendants Exhibit date April 26, 1998, total site coverage is equal to 67%. There is a small central parcel between both buildings that contain a common activity center with a pool.

| <b>District</b>              | <b>Carriage House</b> | <b>MR</b>     | <b>AR Cond. Use</b> | <b>CB</b>     | <b>MX</b>      |
|------------------------------|-----------------------|---------------|---------------------|---------------|----------------|
| Min. District Size           | <b>2.8 acres</b>      | 5 acres       | 5 acres             | 5 acres       | 5 acres        |
| Min. Lot Size                | <b>2.8 acres</b>      |               |                     | 3 acres       | 3 acres        |
| Min. Width                   | 190 ft.               |               |                     | 100 ft.       | 100 ft.        |
| Max. Height                  | <b>Not known</b>      | 4 st./50 ft.  | 3 st./ 35 ft        | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                       | none          | 0.4                 | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | <b>23 units</b>       | 20 units      | 19 units            | 20 units      | 20 units       |
| Max. Site Coverage           | <b>67%</b>            | 50%           | 50%                 | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                       |               |                     |               |                |
| Min. Private Open Space      | Not known             | 20% of site   | 20% of site         | 20% of site   | 20% of site    |
| Front Yard Setback           | 94 ft.                | 30 ft/50 ft.  | 50 ft.              | 15 f.         | 30 ft.         |
| Side Yard Setback            | 80 ft.                | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 22 ft.                | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Buffer                       | Na                    | 50 ft./75 ft. | 25/50 ft/           | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | <b>Not known</b>      | none          | 900 sf.             | Avg. 900 sf., | none           |

The Carriage house development is already nonconforming to the MR district. The minimum area for a MR district is five (5) acres, this site only totals 2.8 acres. There are a total of 23 units per acre on the site; the MR district permits only a maximum of only 20 units per acre. The total site coverage, at 67%, exceeds the permitted 50% site coverage permitted in the MR district.

### Compliance with the AR District

The Carriage House Development is currently nonconforming with the MR district under three (3) categories: district size, density and site coverage. These three (3) site nonconformities will remain under the AR district. If and when the properties are redeveloped, a Site Development Plan submitted would have to conform to the AR district requirements.

### Spillover Effects

With the AR rezoning, this site will have spillover effects on the adjacent east and west parcels. The property is surrounded by GC commercial zoning. Since the GC district will abut the AR district (classified as a "single family" district), the required side yard setback of 12 feet will now become a buffer yard offset of 20 feet. To the east, the neighboring use is residential. This residential use is nonconforming with the GC district. If the property is ever developed to a commercial use, the buffer yard requirement will increase from 12 to 20 feet, reducing the total buildable area of that lot as well. Note that this site is also nonconforming with the lot width requirements of the GC district, thus reduces the buildable area on this site while increasing the burden of building on the site. To the west, the same offset will be replaced by a buffer yard requirement. The residential structure utilized as office space appears to encroach within the 20 feet. The parking area appears to be in compliance.

## TABLE A.1 THE CARRIAGE HOUSE

**Location:**

South of Old Olive off a private road extension of Guelbreth Lane

**Site conditions:**

Site: 2.8 acres  
Units: 64  
Buildings: 2

**Zoning:**

North GC  
East GC  
South RO  
West GC

**Land uses:**

North small offices  
East residential  
South Solutia Campus  
West: small offices

**District and site comparisons:**

| District                     | Carriage House | MR            | AR Cond. Use | CB            | MX             |
|------------------------------|----------------|---------------|--------------|---------------|----------------|
| Min. District Size           | 2.8 acres      | 5 acres       | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                | 2.8 acres      |               |              | 3 acres       | 3 acres        |
| Min. Width                   | 190 ft.        |               |              | 100 ft.       | 100 ft.        |
| Max. Height                  | Not known      | 4 st./50 ft.  | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                | none          | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 23 units       | 20 units      | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | 67%            | 50%           | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                |               |              |               |                |
| Min. Private Open Space      | Not known      | 20% of site   | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 94 ft.         | 30 ft/50 ft.  | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | 80 ft.         | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 22 ft.         | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | Na             | 50 ft./75 ft. | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | Not known      | none          | 900 sf.      | Avg. 900 sf., | none           |

**Noncompliances:** (\*-indicates already noncompliance with existing MR zoning)

District size\*  
Site density\*  
Site coverage\*

**Neighboring effects:**

12 foot offset requirements replaced by 20 foot buffer yard requirements on east and west properties

### **The Cove at Westgate**

The Cove at Westgate is located along Lighthouse Way, which is west of Tempo Drive, approximately 800 feet south of Olive Boulevard. The site comprises approximately 22.58 acres on one (1) parcel. A total of 276 units are located on the site, 124 single bedroom units and 152 two-bedroom units. The site density is 12.2 units per acre. The units are three (3) story walkups, with some units entered at a 1/2 level above grade. The buildings are located to the center of the parcel surrounding three (3) storm-water detention lakes. Access to the development is via a single curb cut onto Tempo Drive. Surfaced parking encircles the buildings, making a complete loop around the site. The site is approved as a condominium plat, but currently is under single ownership.

### Site History

A site concept plan and rezoning was submitted on September 1, 1987, to the Planning and Zoning Commission. The site concept plan called for a 216 unit multi-family development and a 120,000 square foot office building on a 22.58 acre site. The petitioner proposed to rezone the property from 'A', Single Family Residential District to a 'CB', Core Business District to allow for the mixture of uses. The density of the development was 11.7 units per acre and a *far* of 0.66 for the office building complex. This site was located in an area designated for a residential development only, with a density of eight (8) units per acre in the West Olive Development Plan.

After several deferrals by the Planning and Zoning Commission, a revised proposal was submitted on June 29, 1988. This time only residential use was requested. A 276 unit multi-family complex was proposed. The petitioner still proposed to rezone the site from the 'A' zoning district to the 'CB' zoning district. The density of the site increased to the current 12.2 units per acre. After several discussions with the Planning and Zoning Commission, the applicant amended the zoning request from 'A', Single Family Residential District to 'MR', Multifamily Residential District. The applicant insisted that the 'CB' zoning request was only because the units proposed did not contain elevator units as described in the MR district. The Planning and Zoning Commission approved the site concept plan and rezoning on August 16, 1988.

On July 31, 1989, a Final Site Development Plan was submitted to the Planning and Zoning Commission. The plan was approved on August 21, 1989. On October 20, 1990, the owner submitted a Condominium Plat of the project and was approved on December 18, 1990. At the time of submittal, no change in rental policy was proposed.

### Neighboring Zoning and Land Use

The site has a wide range of zoning and uses bordering its boundaries (See attached Exhibit B and B.1). North of the site is zoned 'A', Single Family Residential District and a small pocket of MX, Mixed Use District. Land uses include a single family home, special use permit residences (single family residences used for limited commercial use) and a funeral home. To the east is a PC, Planned Community District. This composes the planned Westgate Complex. Westgate includes a wide mixture of multi-family development, commercial office space and retail shopping. The areas south and west of the property are zoned 'B' Single Family Residential District in a Residential Design Development. The land uses are primarily detached single



family residences on 1/2 acre lots. To the northwest of the site is a small pocket of attached single family residences in the AR, Attached Single Family Residential District.

### Site Conformance

Based on the site plans submitted, total site coverage is equal to 29%.

| <b>District</b>              | <b>The Cove at Westgate</b> | <b>MR</b>     | <b>AR Cond. Use</b> | <b>CB</b>     | <b>MX</b>      |
|------------------------------|-----------------------------|---------------|---------------------|---------------|----------------|
| Min. District Size           | 22.58 acres                 | 5 acres       | 5 acres             | 5 acres       | 5 acres        |
| Min. Lot Size                | 22.58 acres                 |               |                     | 3 acres       | 3 acres        |
| Min. Width                   | 980 ft.                     |               |                     | 100 ft.       | 100 ft.        |
| Max. Height                  | 3 st.                       | 4 st./50 ft.  | 3 st./ 35 ft        | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                             | none          | 0.4                 | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 12.2 units                  | 20 units      | 19 units            | 20 units      | 20 units       |
| Max. Site Coverage           | 29%                         | 50%           | 50%                 | 63%/70%       | 63%/70%        |
| Max. Building Coverage       | 8.3%                        |               |                     |               |                |
| Min. Private Open Space      | Not known                   | 20% of site   | 20% of site         | 20% of site   | 20% of site    |
| Front Yard Setback           | 120 ft.                     | 30 ft/50 ft.  | 50 ft.              | 15 f.         | 30 ft.         |
| Side Yard Setback            | 120 ft.                     | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 90 ft.                      | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Buffer                       | 90 ft.                      | 50 ft./75 ft. | 25/50 ft/           | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | Not known                   | none          | 900 sf.             | Avg. 900 sf., | none           |

The Cove at Westgate is in complete conformance with the present MR zoning district.

### Compliance with the AR District

The Cove at Westgate appears to meet all the district requirements set forth in the AR zoning district. The design of The Cove at Westgate, in terms of parking, does not meet the conditional use standards specified (50% parking underground). Parking for the Cove at Westgate is primarily above ground. If the Cove at Westgate is ever redeveloped, the design will have to be in compliance with the AR district standards. If a new building is ever proposed at Westgate, the new building will have to meet the underground parking requirements.

### Spillover Effects

With the AR zoning, rezoning of the site will have spillover effects. To the north, there is a property zoned MX. With the single family designation and the size of this parcel, a 35 foot buffer yard will be necessary. Currently, the site conforms to this requirement.

There have been several discussions in rezoning the residential properties on the north end of the Cove at Westgate to MX zoning. If this does proceed, a minimum 20 foot buffer yard requirement will be necessary if these properties are redeveloped. However, the rear yard setback for these properties is currently 25 feet. Only parcels totaling two (2) acres or more will be burdened with an increased buffer yard requirement.

To the south and west there will be no spillover effects. These properties already contain single family zoning. To the east is a City street that would eliminate any buffer yard restrictions to the eastern properties.

## TABLE B.1 THE COVE AT WESTGATE

**Location:**

Along Lighthouse Way, which is off Tempo Drive, approximately 800 feet south of Olive Boulevard

**Site conditions:**

Site: 22.58 acres  
Units: 276  
Buildings: 8

**Zoning:**

North 'A' Single Family and MX  
East PC  
South 'B' Single Family and RDD  
West 'B' Single Family and AR

**Land uses:**

North residential, special use permits residences and funeral home  
East mixed use campus of multifamily, commercial and office  
South single family residential  
West: single family residential and attached single family residential

**District and site comparisons:**

| District                     | The Cover at Westgate | MR            | AR Cond. Use | CB            | MX             |
|------------------------------|-----------------------|---------------|--------------|---------------|----------------|
| Min. District Size           | 22.58 acres           | 5 acres       | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                | 22.58 acres           |               |              | 3 acres       | 3 acres        |
| Min. Width                   | 980 ft.               |               |              | 100 ft.       | 100 ft.        |
| Max. Height                  | 3 st.                 | 4 st./50 ft.  | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                       | none          | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 12.2 units            | 20 units      | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | 29%                   | 50%           | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       | 8.3%                  |               |              |               |                |
| Min. Private Open Space      | Not known             | 20% of site   | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 120 ft.               | 30 ft/50 ft.  | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | 120 ft.               | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 90 ft.                | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | 90 ft.                | 50 ft./75 ft. | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | Not known             | none          | 900 sf.      | Avg. 900 sf., | none           |

**Noncompliances:**

Parking design

**Neighboring effects:**

For commercial properties to the north, parcels two (2) acres or more, the 25 foot offset requirement will be replaced by a minimum buffer yard requirement ranging from 20 to 40.

### **Town and Four Villages and Somerfor Condominiums**

Town and Four Villages and Somerfor Condominiums are located on the south side of Olive Boulevard, off a private road extension of Parkway Drive. Parkway Drive lies west of Fern Ridge Parkway and east of Fee Fee Road.

Town and Four Villages consist of 502 rental units in five (5) separate plats totaling 31.43 acres. The first plat, Town and Four Villages is located on the northwest corner of the site and consist of 16 buildings. The second plat, Town and Four Villages Phase Two is located on the southwest corner of the site and consist of 12 buildings. The third plat, Town and Four Villages Section 1, Phase III, is located on the northeast corner of the site and consist of 9 buildings. The fourth plat, Town and Four Villages Section 2, Phase III, lies on the east side of the site, just south of Section 1 and consist of 8 buildings. The fifth plat is located on the southeast corner of the site and consists of a clubhouse, pool and open area.

Somerfor Condominiums is located south of Town and Four Villages. Access to the site is through the Town and Four complex. Somerfor is part of the Somerton Subdivision Development. The Somerton Subdivision development was a 126 unit subdivision. A total of 105 units were single family units and 21 units were part of the Somerfor Condominiums. Somerfor Condominiums consisted of three (3) buildings built in an attached building, townhouse design.

### Site History

Town and Four Villages was built between 1968 and 1974, under St. Louis Country jurisdiction. Sumerfor Condominiums were built between 1979 and 1984.

### Neighboring Zoning and Land Use

There is a mixture of zoning districts surrounding both sites (See attached Exhibit C and C.1). To the east, there is the Bellerive Shopping Center under the GC district. To the southeast of the site, bordering the community center is an office building in the PO, Planned Office District. The office building access Office Parkway. South and west of the site are single family lots under the 'D', Single Family Residence District zoning. To the northwest, is a strip of GC zoning that is divided off by a stub 'paper street' extension of Gallagher. There are no plans to extend the stub street. North of the site is Olive Boulevard and the St. Louis County boundary limits. The area north is predominately under commercial use.

### Site Conformance

Town and Four and Somerfor developments are already nonconforming to the MR district.

| <b>District</b>              | <b>Town and Four Villages</b> | <b>Somerfor Condominium</b> | <b>MR</b>     | <b>AR Cond. Use</b> | <b>CB</b>     | <b>MX</b>      |
|------------------------------|-------------------------------|-----------------------------|---------------|---------------------|---------------|----------------|
| Min. District Size           | 31.4 acres                    | 1.73 acres                  | 5 acres       | 5 acres             | 5 acres       | 5 acres        |
| Min. Lot Size                | 31.4 acres                    | 1.73 acres                  |               |                     | 3 acres       | 3 acres        |
| Min. Width                   | 943 ft.                       | 412 ft.                     |               |                     | 100 ft.       | 100 ft.        |
| Max. Height                  | <b>Not known</b>              | Not Known                   | 4 st./50 ft.  | 3 st./ 35 ft        | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                               | none                        | none          | 0.4                 | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 16 units                      | 12 units                    | 20 units      | 19 units            | 20 units      | 20 units       |
| Max. Site Coverage           | <b>Not known</b>              | Not Known                   | 50%           | 50%                 | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                               |                             |               |                     |               |                |
| Min. Private Open Space      | Not known                     | Not Known                   | 20% of site   | 20% of site         | 20% of site   | 20% of site    |
| Front Yard Setback           | 30 ft.                        | <b>21 ft.</b>               | 30 ft/50 ft.  | 50 ft.              | 15 f.         | 30 ft.         |
| Side Yard Setback            | Est. 20 ft.                   | 20 ft.                      | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | <b>15 ft.</b>                 | <b>15 ft.</b>               | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Buffer                       | <b>10 ft</b>                  | <b>15 ft.</b>               | 50 ft./75 ft. | 25/50 ft/           | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | <b>Not known</b>              | none                        | none          | 900 sf.             | Avg. 900 sf., | none           |

Visually, both appear to have site coverage of well over 50%. The access drives and building locations are too close to neighboring lot lines. Somerfor is too close to the Maison Ladue Road, but this is an internal street to the development. As MR developments, both Town and Four and Somerfor have no buffer yards, as is required along single family zoned districts.

#### Compliance with the AR District

Town and Four Villages and Somerfor Condominiums would not be in compliance with the proposed AR rezoning for the same reasons they are in noncompliance with the MR regulations. Currently, it appears that both sites will have excess site coverage and setbacks nonconformities. Both do not comply with some of the zoning setbacks and visually, are in noncompliance with the existing MR district over site coverage. Rezoning to AR will continue the grandfathering of these existing site nonconformities. It is the future or possible redevelopment of these sites in which AR district regulations will take effect.

#### Spillover Effects

With the AR zoning, rezoning of the site will have spillover effects. The commercial properties to the east will be affected. At the Bellerive Shopping Center, the access drives and rear parking areas will become nonconforming due to the required buffer yard. If the property is ever redeveloped, a 40 foot buffer will be necessary along Town and Four, since it will be under a single family designation. This would only be placed into effect if the Bellerive Shopping Center were redeveloped. Continued use and maintenance of this access and parking area will be allowed to continue.

To the west and south there would be no spillover effects. These properties are already under single family zoning.

## TABLE C.1 TOWN AND FOUR VILLAGES AND SOMERFOR CONDOMINIUMS

**Location:**

South side of Olive Boulevard, between Fee Fee Road and Fern Ridge Parkway.

**Site conditions:**

Town and Four Somerfor

|            |            |            |
|------------|------------|------------|
| Site:      | 31.4 acres | 1.73 acres |
| Units:     | 502        | 21         |
| Buildings: | 45         | 3          |

**Zoning:**

|       |                                      |
|-------|--------------------------------------|
| North | Commercial under St. Louis County    |
| East  | GC and PO                            |
| South | 'D' Single Family Residential        |
| West  | GC and 'D' Single Family Residential |

**Land uses:**

|       |                                          |
|-------|------------------------------------------|
| North | commercial                               |
| East  | commercial and office                    |
| South | single family residential                |
| West: | commercial and single family residential |

**District and site comparisons:**

| District                     | Town and Four Villages | Somerfor Condominium | MR            | AR Cond. Use | CB            | MX             |
|------------------------------|------------------------|----------------------|---------------|--------------|---------------|----------------|
| Min. District Size           | 31.4 acres             | 1.73 acres           | 5 acres       | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                | 31.4 acres             | 1.73 acres           |               |              | 3 acres       | 3 acres        |
| Min. Width                   | 943 ft.                | 412 ft.              |               |              | 100 ft.       | 100 ft.        |
| Max. Height                  | <b>Not known</b>       | Not Known            | 4 st./50 ft.  | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                        | none                 | none          | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 16 units               | 12 units             | 20 units      | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | <b>Not known</b>       | Not Known            | 50%           | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                        |                      |               |              |               |                |
| Min. Private Open Space      | Not known              | Not Known            | 20% of site   | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 30 ft.                 | <b>21 ft.</b>        | 30 ft/50 ft.  | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | Est. 20 ft.            | 20 ft.               | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | <b>15 ft.</b>          | <b>15 ft.</b>        | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | <b>10 ft</b>           | <b>15 ft.</b>        | 50 ft./75 ft. | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | <b>Not known</b>       | none                 | none          | 900 sf.      | Avg. 900 sf., | none           |

**Noncompliances:**

Site Coverage  
Building Location  
Buffer yards  
Site design

**Neighboring effects:**

Commercial properties to the east will have buffer yard requirements rather than general offsets.  
Currently, parking and paved areas encroach.

### **Mill Crossing**

Mill Crossing is a proposed development located on the south side of Olive Boulevard, just west of the Holy Cross Lutheran Church and the Greengate Subdivision. The site comprises approximately 12.017 acres on several parcels. A total of 166 units are proposed in six (6) buildings. The buildings are three (3) story exterior brick, wood frame structures. Building 'A' will be slightly below 35 feet in height, and buildings 'B-F' are slightly over 36 feet in height. Each building will have underground parking and an adjacent surface parking. There would be a clubhouse and pool on site in the center of the development and surface parking throughout the site.

### Site History

The site is currently vacant land. On July 24, 1992, St. Louis County conditionally rezoned the property to allow a Planned Unit proposal submitted by then owner of the property, International Development, Inc. International Development, Inc., submitted a 166 unit, multifamily development consisting of nine (9) buildings. On November of 1995, the City of Creve Coeur annexed the parcel and zoned the parcel MR, Multifamily Residential District.

On October 23, 1996, the current applicant submitted a revised Site Concept Plan for a 180 unit, multifamily development in seven (7) buildings. Said plan showed the development ringed around the property boundaries. On December 2, 1996, revised plans were submitted reducing the number of units from 180 to 166 units in eight (8) buildings. On February 10, 1997, a revised set of plans were submitted reducing the total number of buildings from eight (8) to seven (7), and shifting the buildings located along the east lot line to the center of the site. On March 10, 1997, a revised site plan was submitted reducing the total amount of buildings from seven (7) to six (6). The Planning and Zoning Commission approved the revised Site Concept Plan on March 17, 1997.

A Site Development Plan was submitted on April 30, 1997, and approved with conditions by the Planning and Zoning Commission on May 19, 1997. The Site Development Plan expired one (1) year later and another Site Development Plan has been submitted for the Planning and Zoning Commission's consideration.

### Neighboring Land Use and Zoning

Existing land uses around the property are primarily residential. Holy Cross Lutheran Church and the Greengate Subdivision are located to the east. Olive Boulevard is located to the north with a condominium development across the street under St. Louis County jurisdiction. There is a large estate style, single family home to the west of the site on approximately 10 acres. To the south is open farmland and floodplain along an unnamed tributary leading to Creve Coeur Creek. This area has received Preliminary Plat approval for a 112 unit, single family subdivision to be referred to as Bellerive Farm Estates Subdivision. The City's corporate limits extend west, east and south of the property. Properties to the north, across Olive Boulevard, are part of unincorporated St. Louis County.

### Site Conformance

Based on the Site Development Plans submitted for the proposal, total site coverage for the site is 38%.

| <b>District</b>              | <b>Mill Crossing</b> | <b>MR</b>     | <b>AR Cond. Use</b> | <b>CB</b>     | <b>MX</b>      |
|------------------------------|----------------------|---------------|---------------------|---------------|----------------|
| Min. District Size           | 12.01 acres          | 5 acres       | 5 acres             | 5 acres       | 5 acres        |
| Min. Lot Size                | 12.01 acres          |               |                     | 3 acres       | 3 acres        |
| Min. Width                   | 349 ft.              |               |                     | 100 ft.       | 100 ft.        |
| Max. Height                  | 3 st./37 feet        | 4 st./50 ft.  | 3 st./ 35 ft        | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        | Not known            | none          | 0.4                 | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 14 units             | 20 units      | 19 units            | 20 units      | 20 units       |
| Max. Site Coverage           | 38%                  | 50%           | 50%                 | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                      |               |                     |               |                |
| Min. Private Open Space      | Not known            | 20% of site   | 20% of site         | 20% of site   | 20% of site    |
| Front Yard Setback           | 30 ft.               | 30 ft/50 ft.  | 50 ft.              | 15 f.         | 30 ft.         |
| Side Yard Setback            | 52 ft.               | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 353 ft.              | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Buffer                       | 52 ft. and 75 ft.    | 50 ft./75 ft. | 25/50 ft/           | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | Not known            | none          | 900 sf.             | Avg. 900 sf., | none           |

The proposed Mill Crossing Development would be in conformance with the existing MR zoning district as it is currently zoned.

### Compliance with the AR, Attached Single Family Residential District

The Mill Crossing Development will not be in compliance with the AR district setback requirements from the access street along Olive Boulevard. This is because the front yard setback will be increased from 30 feet to 50 feet. The remaining regulations and requirements will be met, including the conditional use standards of parking and open space.

### Spillover Effects

Since single family residential surrounds the area of the proposed development, there will be no spill over effects to neighboring parcels.

## TABLE D.1 PROPOSED MILL CROSSING DEVELOPMENT

**Location:**

South side of Olive Boulevard, west of Holy Cross Lutheran Church and Greengate Subdivision.

**Site conditions:**

Site: 12.01 acres  
Units: 166  
Buildings: 6

**Zoning:**

North Multifamily under St. Louis County Jurisdiction  
East 'D' Single Family Residential  
South 'D' Single Family Residential  
West 'D' Single Family Residential

**Land uses:**

North multifamily and attached single family  
East church and single family residential  
South proposed single family residential development  
West: single family residence

**District and site comparisons:**

| District                     | Mill Crossing     | MR            | AR Cond. Use | CB            | MX             |
|------------------------------|-------------------|---------------|--------------|---------------|----------------|
| Min. District Size           | 12.01 acres       | 5 acres       | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                | 12.01 acres       |               |              | 3 acres       | 3 acres        |
| Min. Width                   | 349 ft.           |               |              | 100 ft.       | 100 ft.        |
| Max. Height                  | 3 st./37 feet     | 4 st./50 ft.  | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        | Not known         | none          | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 14 units          | 20 units      | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | 38%               | 50%           | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                   |               |              |               |                |
| Min. Private Open Space      | Not known         | 20% of site   | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 30 ft.            | 30 ft/50 ft.  | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | 52 ft.            | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 353 ft.           | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | 52 ft. and 75 ft. | 50 ft./75 ft. | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | Not known         | none          | 900 sf.      | Avg. 900 sf., | none           |

**Noncompliances:**

Building along access road will be encroach within increased setback requirements.

**Neighboring effects:**

None.



## **NONCONFORMITIES**

Under Section 26-23.2, any existing use, which was a permitted use prior to adoption of the proposed rezoning, may continue as if it were a conditional use. The developments or buildings within the development that have been created nonconforming will now fall under Section 26-70 Nonconformities.

Section 26-70 is intended to declare nonconformities to be incompatible with the permitted uses in each district; to permit nonconformities to continue until they are removed; and to prohibit nonconformities from being extended, expanded, enlarged or increase in intensity. Said section addresses the issues of nonconformance with structures, uses, setback lines and site related nonconformities. With the exception of uses and setback nonconformities, each of the developments will be subject to the following:

- (a) Authority to continue. Any nonconforming structure, use or site related nonconformity may be continued, so long as it remains lawful, and
- (b) Repair, alterations. Any structure described in paragraph (a) above may be maintained, repaired or remodeled; provided, however, that no such maintenance, repair or remodeling shall either create any additional nonconformity or increase the degree of existing nonconformity of all or any part of such structure, and
- (c) Damage, decay, destruction. In the event that any nonconforming structure, use or site related nonconformity is damage by fire, explosion, act of God, or public enemy, such structure may be restored or replaced, provided that such restoration or replacement does not exceed the same dimensions and volume as existed before such destruction or damage. The restoration or replacement shall be commenced within twelve (12) months or the date of destruction or damage and shall be completed within 18 months of the commencement of restoration or replacement, unless extended by the City Council.

## **CONCLUSION**

A priority last year of the City Council and Planning and Zoning Commission was to control the development of multifamily residential developments. Currently, the MR, Multifamily Residential District, PC, Planned Community District, CB, Core Business District and MX, Mixed Use District permit multifamily residential developments by right. Staff is seeking to eliminate the MR, Multifamily Residential District and rezone the properties currently zoned MR to AR, Attached Single Family Residential. This will effect four (4) properties in the City of Creve Coeur:

- 1. The Carriage House off of Old Olive Road
- 2. The Cove at Westgate off of Tempo Drive
- 3. Town and Four Village off of Olive Boulevard (to be considered at a future meeting)
- 4. The proposed Mill Crossing Site on the far west end of the City on Olive Boulevard

The proposed rezoning will create some site related nonconformities. These sites will be permitted to continue as if they were under a conditional use. The developments or buildings within the development that have been created nonconforming will now fall under Section 26-70 Nonconformities. By eliminating the MR, Multifamily Residential District and with the recently approved provisions for the AR and CB districts, the Planning and Zoning Commission, City

Council and residents of the City of Creve Coeur are effectively given more control in guiding the development, design and location of multifamily dwellings.

After initial review by the Planning and Zoning Commission, staff re-evaluated the proposed rezoning of each of these sites to AR, Attached Single Family Residential District. Staff was instructed to re-evaluate each site independently and review not just internal effects, but to consider spillover effects to neighboring properties.

After review and discussion, staff recommends the following:

1. The Carriage House

Since the site is nonconforming with the existing and proposed rezoning, staff recommends that this site **revert back to commercial zoning under the GC, General Commercial District**. This would keep the zoning consistent with neighboring properties and have no negative spillover effects to the properties to the east and west as under AR zoning.

2. The Cove at Westgate

Staff recommends that this site **be rezoned to AR, Attached Single Family Residential** as proposed. The site will maintain conformity with the AR district and future additions of buildings or redevelopment will meet the goals for multifamily development design. There will be spillover effects north of the site, if these sites are ever rezoned as commercial. Other neighboring residential zoning will constrict many of these sites to the north, anyway.

3. Town and Four Villages and Somerfor Condominiums

Staff recommends that this site **be rezoned to AR** as is proposed. The site will maintain the existing nonconformities within the MR district. There will be spill over effects to the commercial properties to the east. No changes will be required and the commercial properties will still be allowed to maintain use of the nonconforming paved areas. No formal action shall be taken by the Planning and Zoning Commission at this time.

4. Proposed Mill Crossing Development

Staff recommends that this site **be rezoned to AR** as is proposed. The development, as proposed, will have one building nonconforming with the increased front yard setback requirements. This item can still be addressed prior to Site Development Plan approval if the developer wishes to. Otherwise, this rezoning will have no effect to development as it is proposed. There would be no negative spillover effects.

## **ACTION**

Action on this matter should be in the form of a recommendation to the City Council for approval, approval with modifications, or denial. The amendment would require a Public Hearing before the City Council. A Public Hearing may be scheduled for March 22, 1999.

1 CHAIRMAN MADDEN: Okay. That'll move us to C,  
2 another public hearing, Application No. 13-023: Approval  
3 of a text amendment to Section 405.370, Core Business  
4 District regulations to change the increased -- increased  
5 height and buffer requirements from a single family  
6 "district" to a single family "development" when adjacent  
7 to the Core Business District.

8 And -- go ahead.

9 MR. LUMLEY: I would recommend that the  
10 Commission also reopen the public hearing on the related  
11 boundary adjustment rezoning and conditional use permit,  
12 so the public can comment to the full extent of the  
13 project.

14 CHAIRMAN MADDEN: Okay. And we're going to do  
15 that --

16 MR. LUMLEY: They can do it all at the same  
17 time.

18 CHAIRMAN MADDEN: Okay. Anybody that might be  
19 making a comment, question or whatever, please come  
20 forward and be sworn in.

21 VOICE IN AUDIENCE: Is this regarding Vanguard?

22 CHAIRMAN MADDEN: Yes.

23 MS. KELLY: Yes.

24 VOICE IN AUDIENCE: Yeah. One at a time?

25 CHAIRMAN MADDEN: No, no, just come all the way

1 up and get sworn in all at once. Looks like we got a  
2 couple more yet.

3 (The speakers were sworn in by the court  
4 reporter.)

5 MR. BRASWELL: Good evening. I'm David Braswell  
6 with Covington Realty Partners. Our address is 135 North  
7 Meramec, St. Louis, Missouri 63105.

8 I'm here tonight, and I'll start with the  
9 proposed text amendment for the site.

10 I'm talking about the site located between Olive  
11 and Old Olive Boulevard. This being Olive. This being  
12 Old Olive. And the site is this long piece of ground that  
13 runs between the -- the two roads.

14 What I'm -- what's proposed by the text  
15 amendment is to address Section 405.370(E)3(a), which  
16 deals with the maximum structure height within the Core  
17 Business District. And Section 405.370(E)4(d), which  
18 addresses buffer yards.

19 The maximum height, and what -- and what the  
20 text amendment proposes is changing -- I'll deal with the  
21 -- the bulk height first, which is Section 405.370(E)3(a).

22 And what we're proposing in this paragraph is to  
23 eliminate the word "district" and substitute the word  
24 "development".

25 Years ago, and I believe it was 1999, the City

1 arbitrarily decided to change any multi-family zoning to  
2 another category.

3           Particularly that addressed the condominiums to  
4 the east of our site, which are now -- at that time were  
5 classified as single-family.

6           Meaning if, under today's environment, they  
7 could not be built to that density at that location, but  
8 that is the way they're classified currently.

9           This particular site, when adjacent to a  
10 Single-Family District, employs a sky plain angle, which  
11 virtually disallows the construction what I proposed in a  
12 four-story -- now three and four-story building adjacent  
13 to the Single-Family District.

14           By -- by changing the word "district" to  
15 "development", this alleviates that -- that requirement.

16           Likewise, in the Core Business District, the  
17 other Section 405.307(E) (4) (d) addresses buffer zones.  
18 And, basically, the condition that would exist adjacent to  
19 a Single-Family District is a buffer zone of 200 feet from  
20 my property line, which is this property line.

21           The site's 192 feet wide, so, in essence, it  
22 makes the site un-developable.

23           Again, changing the word in that paragraph from  
24 "development district" to "development" reduces -- or  
25 changes that buffer requirement.

1           Again, the buffer requirement would be from the  
2 east property line 200 feet, this -- this property line is  
3 literally 192 feet in width to the site.

4           Any questions so far?

5           CHAIRMAN MADDEN: No.

6           MR. BRASWELL: All right. Based on prior  
7 comments from the City and the neighbors, I have made some  
8 changes to the proposed plan as presented earlier.

9           Primarily, I re -- reconfigured the -- the plan  
10 to move the parking structure you see here to the west,  
11 where before, the exposure of the parking was facing the  
12 condominiums. Now this -- the parking structure itself  
13 faces the opposite direction. And the buildings, at one  
14 time, surrounded that garage have been moved to the other  
15 to screen the garage.

16           So I've slid this first building, called  
17 Building No. 1, to the north, I believe, 25 feet from the  
18 property line, whereas, before I think it was -- met the  
19 setback of 11.

20           And, basically, building three-story building  
21 now this elevation, but at this point, this building then  
22 pops up to -- to four levels.

23           This can be seen on the proposed elevations  
24 where now this is the only portion of the parking  
25 structure that's visible. I've screened it with this --

1 this three-story element, that continues on down to the  
2 southern end of the property.

3 The building on the north is being pushed back  
4 further and being retained as a four-story building.

5 In addition, I'm purchasing this right-of-way  
6 from Highway Department, from MoDOT, this parcel right  
7 here, which has allowed me to actually move this building  
8 10 feet closer to the imaginary line, if you will, of  
9 MoDOT. It's now within 5 feet instead of, I think,  
10 15 feet.

11 The entry to the property is off of Old Olive  
12 here, with parking in front of the building on the north,  
13 and the majority of the parking -- actually all -- all the  
14 parking requirement can be satisfied within the structure  
15 on the site.

16 There are two courtyards. One in the southern  
17 building, which will have a swimming pool, and the outdoor  
18 features, barbecue, et cetera. This is a private  
19 courtyard with just a water feature to the -- in the  
20 northern part.

21 There are -- I have prepared a -- a landscaping  
22 plan, which I've -- preliminary plan, which I've submitted  
23 to staff.

24 In addition, we have the courtyard plans. This  
25 is the southern courtyard with the swimming pool. This is

1 the northern courtyard -- excuse me -- with the water  
2 feature, and then a small section of the entry to the  
3 leasing center, which would be on the west side of the  
4 building in the northern building.

5 One additional amenity, this is what we call a  
6 rooftop deck, which is on top of the garage that runs  
7 across from side to side of the garage on the southern  
8 end.

9 Are there any questions?

10 CHAIRMAN MADDEN: Carl?

11 MR. LUMLEY: The -- part of the circulation  
12 proposal would include the ability to go out to Pavilion,  
13 correct?

14 MR. BRASWELL: Yes.

15 MR. LUMLEY: And so a couple questions related  
16 to that.

17 First, are you developing easement document --

18 MR. BRASWELL: Yes.

19 MR. LUMLEY: -- that would --

20 MR. BRASWELL: Yeah, the -- the seller owns this  
21 office.

22 MR. LUMLEY: Right.

23 MR. BRASWELL: And we have cross easement  
24 documentations prepared across both our properties.

25 MR. LUMLEY: Okay. And --



1 MR. BRASWELL: For parking as well.

2 MR. LUMLEY: And what's the maintenance plan?  
3 Is each property responsible for their own?

4 MR. BRASWELL: Yes.

5 MR. LUMLEY: Okay. And then, secondly, and --  
6 and we'll need to incorporate that as a condition of  
7 approval to see it, but I'm glad you're working on it.

8 MR. BRASWELL: Right.

9 MR. LUMLEY: And then regard to Pavilion Drive,  
10 I understand that that's a private street. Is that --

11 MR. BRASWELL: Not to my knowledge.

12 MR. LANGDON: We'll have to verify that with  
13 Public Works.

14 MR. LUMLEY: Okay. Well, the reason I'm asking  
15 is one of the indications is that there's a nonstandard  
16 stop sign, which caused me to wonder why we would have a  
17 nonstandard stop sign on a public street.

18 So I'd just like to sort that out and make sure  
19 if it's not a public street --

20 MR. BRASWELL: Yeah.

21 MR. LUMLEY: -- that you have the rights of use  
22 that you're intending.

23 MR. BRASWELL: Yeah, I'm not so sure what you  
24 mean by nonstandard stop sign.

25 MR. LUMLEY: It was reflected in the traffic

1 study that confusion was created because it was a stop  
2 sign that you can't recognize from the back is a stop  
3 sign.

4 MR. BRASWELL: Okay.

5 MR. LUMLEY: And it just caused me to ask the  
6 question.

7 I don't purport to know the answer, but --

8 MR. BRASWELL: I understand.

9 MR. LUMLEY: Just like to make sure that the  
10 intended traffic can go that way.

11 Thank you.

12 CHAIRMAN MADDEN: You're welcome.

13 Any other questions?

14 Are you done?

15 MR. BRASWELL: Unless you have other questions.

16 CHAIRMAN MADDEN: All right. Not at this time.

17 Are you guys doing anything or should I go to  
18 the --

19 MR. LANGDON: You can take the public comment if  
20 you like.

21 CHAIRMAN MADDEN: Okay. I'll call you as I've  
22 got them up here.

23 Louis Meyers.

24 MR. MEYERS: Yes.

25 CHAIRMAN MADDEN: Okay. You all have three

1 minutes, so your clock will be over there, just so you  
2 know, okay.

3 MR. MEYERS: I'm Louis Meyers. I live at 1032  
4 King Henry Court, the east side of King Henry Court. I've  
5 been a resident of that unit for over 28 years; probably  
6 longer than anyone else on the street.

7 And I'm concerned about vandalism and noise,  
8 some children playing.

9 Currently they're renovating the tie wall, and  
10 they're going to ruin a lot of barrier vegetation there  
11 that keeps a lot of people from trespassing on those tie  
12 walls and terraces.

13 Now, in the past, residents, neighbors'  
14 children, have played on there. They've disposed of drug  
15 paraphernalia by tossing it from their rear decks into the  
16 bushes on the tie wall area, and they've also -- they run  
17 up and down and throw things at the building. That's  
18 happened in the past.

19 Now there's going to be children in this new  
20 apartment development. They'll probably be playing in the  
21 parking lot, and if they can access that tie wall, they'll  
22 be playing on this terraces also.

23 And they'll be a problem, like I said, with  
24 noise and vandalism.

25 That's my past history and experience.

1 CHAIRMAN MADDEN: Okay.

2 MR. MEYERS: That's it.

3 CHAIRMAN MADDEN: Thank you very much.

4 Linda Rozny.

5 MS. ROZNY: Linda Rozny, 104 Graeser Acres.

6 Can I have a couple of questions first?

7 Mr. Braswell said that the seller of the  
8 property. Is the property being sold? Going to be sold?  
9 Who owns the property?

10 MR. BRASWELL: We have it under contract.

11 MS. ROZNY: You have it under contract.

12 CHAIRMAN MADDEN: Okay.

13 MS. ROZNY: And nobody knows whether Pavilion is  
14 public or private?

15 CHAIRMAN MADDEN: We're going to have to check  
16 that out.

17 MS. ROZNY: Okay. So can I start now?

18 CHAIRMAN MADDEN: Yeah.

19 MS. ROZNY: Okay. The changes in definition are  
20 changes that are going to or proposed to be made after  
21 people already purchased their places in Carriage House,  
22 and they purchased this under other definitions, shall we  
23 say.

24 The site is still developable -- developable at  
25 20 per acre, and moving the -- the building over 25 feet

1 in the back gives more space for the residents in Carriage  
2 House to enjoy the space that's hidden behind their  
3 garage, but further down it's still at 10 feet.

4 And I will read as much as I can out of this,  
5 and when I run out of time, I will turn it in to your  
6 record.

7 Every person in the Carriage House is a Creve  
8 Coeur resident. There are 64 residences with even more  
9 persons impacted.

10 This threatens the enjoyment of their property.  
11 This threatens loss of monetary value of each condo  
12 resident in which each Creve Coeur resident has invested  
13 their own money. It threatens their privacy with four  
14 stories of strangers staring down at them.

15 Summit Lofts got screening of their pool, as  
16 they objected to a new building behind them looking down  
17 on them. What does Carriage House get? It's the loss of  
18 the greenery and the many mature trees. All the trees on  
19 the project will be cut down to be replaced by young  
20 trees, and the lack of space will prevent trees from  
21 reaching the size of current trees, even if you waited the  
22 decades for that to happen.

23 Creve Coeur changed from encouraging  
24 multi-family to discouraging, but that didn't change the  
25 Carriage House community.

1 Carriage House was developed and stayed  
2 condominiums no matter what zoning designation Creve Coeur  
3 chose to call it. The residents called it home.

4 When each person bought their condo, there was a  
5 church next door zoned Residential. More recently it has  
6 been zoned General Commercial. GC will only allow 20  
7 units per acre, which is similar to what Carriage House  
8 condos are, but nobody bought expecting to be next door to  
9 48.3 units per acre and a four-story building looming over  
10 their home.

11 On their -- on the other side there was and  
12 still are two single-family lots. Carriage House is not  
13 surrounded by Commercial.

14 The developer is buying part of the  
15 right-of-way, not to use, but to provide himself with a  
16 loophole. The site was too small to be called Core  
17 Business, so he took unusable acreage from the State  
18 right-of-way and some land from the owner's other lot to  
19 fill the quota.

20 There's a lot more to say on this, but I'm  
21 skipping that part right now.

22 David Braswell helped Creve Coeur develop the  
23 successful Kings Landing, but that was in an area with  
24 no immediate residences for neighbors. If he wants to --

25 CHAIRMAN MADDEN: Okay, Mrs. Rozny.

1 MS. ROZNY: -- replicate that, he should do more  
2 appropriate area or more appropriate development here.

3 CHAIRMAN MADDEN: Thank you.

4 MS. ROZNY: Thank you.

5 CHAIRMAN MADDEN: Kathleen McClure.

6 MS. MCCLURE: Yes, hi.

7 I'm Kathleen McClure. I live in Carriage House  
8 Condominiums. I spoke --

9 CHAIRMAN MADDEN: Could you state your actual  
10 address, please.

11 MS. MCCLURE: 942 Guelbreth Lane, I'm Unit  
12 No. 311.

13 CHAIRMAN MADDEN: Okay. Thank you.

14 MS. MCCLURE: You're welcome.

15 I have never been involved in something like  
16 this, up until two meetings prior to this I did speak, so  
17 I've already stated my objection to this piece of  
18 property. I don't want to reiterate that.

19 I want to say that I was hesitant to come here  
20 the first time because I felt that -- that this was not  
21 going to do any good; all I was going to be granted was  
22 lip service, and nothing would be done about it.

23 That the big business and the people with the  
24 money would win; that nobody really cared.

25 But when you voted last time and voted -- two

1 people voted that -- or I mean not two people, but you  
2 voted against two things and for two things. And the two  
3 things that you voted against was that he could not have  
4 the building as high or as dense as close to our property.

5           So I felt I had a major win there. I was so  
6 surprised. I thought, gosh, everybody told me it wasn't  
7 going to do any good, and it did. I went around to this  
8 group and complimented everybody on listening to me and  
9 really caring about what I said. I was on a high for two  
10 days.

11           I was telling all my friends, you were wrong,  
12 these people did listen. And then what happens now, he's  
13 going to come in the back door. This is the way I  
14 describe it. To come around the back door now, he wants  
15 to rezone it. And I just think that that's very unfair.  
16 I don't understand that.

17           What happens is like there was somebody in my  
18 building that was here before, and now he won't come back,  
19 because he said you don't listen anyway, nobody cares, so  
20 he doesn't want to come back.

21           And I think that's what happens; people give up,  
22 because they think that nobody's going to listen to them,  
23 and I'm very disappointed in that.

24           I know Mr. Braswell came to my building one time  
25 when this first started, and then my objections were only



1 to the -- the traffic. Now I've got a lot more objections  
2 because I've learned more about this building. But at  
3 that time he was very nice, however, in our conversation  
4 he was saying that he works in Clayton, he lives in  
5 Wildwood, and I said, you know, that's a long distance to  
6 go in traffic time, in that area it's a lot of heavy  
7 traffic. He says, yes, he does that so he can get away  
8 from people. So he does that to get away from people so  
9 he can live in quiet, and he puts 174 units next door to  
10 us. I think that's terrible. I think it's like they're  
11 putting a like -- it's like a 12 -- size 12 shoe they're  
12 going to put in a -- no, a 12 size foot into a 6 foot  
13 shoe.

14 I mean this is not the property for this. I  
15 agree this East Corridor needs to be built up. I'm  
16 definitely in favor of that, but this is not the piece of  
17 property -- this is not what should be put here for a lot  
18 of reasons that's already been stated.

19 And I also state we have a bunch of signatures  
20 from both of our buildings, and people -- just because  
21 they're not all here does not mean they want this.  
22 Everybody we've talked to, they do not want, in both of  
23 our buildings.

24 So that's all I have to say right now.

25 CHAIRMAN MADDEN: Thank you.

1 Elizabeth Link.

2 MS. LINK: Hello. I'm Elizabeth Link. I reside  
3 at 920 Guelbreth Lane, Unit 106.

4 And Kathleen McClure and I, yesterday afternoon,  
5 collected 25 signatures, people who were not in favor of  
6 the project as it's proposed.

7 They are concerned about traffic and traffic and  
8 traffic. They're concerned about the loss of privacy.  
9 They're concerned about the increased density. This will  
10 double the density from where we are.

11 Carriage House has been there for 32 years  
12 through all versions of the zoning that the City of Creve  
13 Coeur has done.

14 And the citizens have enjoyed their residence.  
15 I don't want to sound like someone who's talking about,  
16 well, never in my backyard and totally against everything.

17 Recognize that this property is valuable; needs  
18 to be developed. But this is going to be a four-story  
19 building in our front yard. That's not even going to be  
20 in our backyard.

21 We're concerned about the loss of property  
22 values. If we have people who are wanting to leave to  
23 relocate, how is this going to affect their property  
24 values, their resale?

25 People are very concerned about that. And I

1 think that the government of City of Creve Coeur should be  
2 as concerned about the property values of citizens who've  
3 lived here for 30 years as they are about development and  
4 consider the scale of this development.

5           And when the traffic study was done, I don't  
6 suppose that the proposed development at Terra West, where  
7 the old Hamilton Church is, was considered in it.

8           I think there needs to be more done about  
9 investigating the impact of this size development.

10           I mean, seriously, what about the streets? I  
11 mean no one seems to know whether Pavilion is a public  
12 street or not. And that is very busy at certain times of  
13 the day.

14           If these residents are all going to be young,  
15 suburban professionals, they're going to be going to work.  
16 That's going to impact peak traffic times. That's going  
17 to impact wear and tear on the street at the other areas.  
18 Not all business people are in favor of this.

19           Woo, I'm getting out of breath. The -- I've had  
20 several business people mention that their customers are  
21 concerned about -- would be concerned about the traffic  
22 density, traffic flow. That the -- one of our residents  
23 has a business over in the -- across Old Olive, and he  
24 says it's going to affect it that much, but I see my time  
25 is up, and I thank you for your attention.

1 CHAIRMAN MADDEN: Thank you.

2 Barb Lehman.

3 MS. LEHMAN: My name is Barbara Lehman. I live  
4 at 1050 King Henry Court.

5 I'll be very brief. I'm concerned about the  
6 intrusive quality of the building, the height of the  
7 building right behind us.

8 We're already losing our space, natural space,  
9 with the loss of our retaining wall there, and I'm  
10 concerned also especially about traffic.

11 I mean I came upon a -- like a three-car  
12 accident right at Old Olive and Olive. We have no  
13 left-turn signal there. It's almost impossible to get out  
14 onto Olive at a time when Monsanto is sending traffic out  
15 onto the street.

16 And I just think it's too much for that amount  
17 of space.

18 CHAIRMAN MADDEN: Okay. Thank you very much.  
19 Scott Link.

20 MR. LINK: Good evening. My name's Scott Link.  
21 I live at 25 Ladue Estates, Creve Coeur 63141.

22 Basically, I'm going to end up by going in the  
23 same sentiments in traffic.

24 This is 174 units. So you're looking at a  
25 minimum of 174 cars, all the way up to 340.

1           As I understand it, there are two and three  
2 bedroom apartments that are going to be in this place.

3           I was looking through, I think these are -- this  
4 is the proposal or the minutes, and there was a statement  
5 in there about additional traffic study, and I have not  
6 had a chance to go digging for that to go find that, but I  
7 was wondering when this was brought up, was the other  
8 development brought into consideration as well when they  
9 were doing that analysis?

10           There's only four intersections there off of Old  
11 Olive on that stretch, and that's where all these cars  
12 have to fit through in the morning and in the evening.

13           And if I understand, the Danforth Plant Center  
14 is in support of this. They're saying, hey, we've got  
15 people moving here; we've got jobs that we're adding, so  
16 those are folks who may be buzzing back home for lunch, so  
17 that's quite a bit more traffic.

18           Thank you for your time.

19           CHAIRMAN MADDEN: Thank you.

20           That's all I have cards for, but is there  
21 anybody else that got sworn in that wants to talk?

22           MS. MCCLURE: Can I ask question?

23           CHAIRMAN MADDEN: All right. Just wait.

24           Is there anybody else that hasn't been up here?

25           Okay. You can come up and ask your question.

1 State your name and address again, cause we're  
2 taping everything.

3 MS. MCCLURE: My name is Kathleen McClure. And  
4 I live 942 Guelbreth Lane, Unit 311.

5 I just want to know how many units he's going to  
6 have now. It was 174 before. Has that changed?

7 CHAIRMAN MADDEN: Okay. He'll be up to answer  
8 most of the questions in a minute.

9 Paul, do you guys want to go -- okay.

10 MR. LANGDON: Yes, sir. One second.

11 VOICE IN AUDIENCE: I would like to add  
12 something, if I may.

13 CHAIRMAN MADDEN: No, we'll -- we got a lot to  
14 do tonight.

15 VOICE IN AUDIENCE: Okay. All right.

16 CHAIRMAN MADDEN: And you had three minutes per  
17 person.

18 MS. ROZNY: Just want to know what I do with my  
19 page I didn't read yet.

20 CHAIRMAN MADDEN: You can turn it in right over  
21 there.

22 MS. ROZNY: Okay.

23 CHAIRMAN MADDEN: And the petition, you can turn  
24 it in over there too, please.

25 Thank you.

1 MR. LANGDON: Mr. Chair, Members of the  
2 Commission, Paul Langdon, Director of Community  
3 Development for the City.

4 First thing I want to do is clarify something  
5 that's become evident from some of the comments.

6 There are two apartment projects currently  
7 before the City. One is the one we're discussing tonight,  
8 which is located here. Whoops. Right there. This is --  
9 my little thing is dying here. This is Carriage House  
10 here. The other one is proposed for the Hamilton Church  
11 property here. This area here is the Briar Cliff  
12 Subdivision.

13 So there have been comments made about things  
14 happening behind Briar Cliff. Well, that would be this  
15 project. That is not the subject of tonight's  
16 application.

17 This project is also seeking a rezoning, but to  
18 Planned Residential Development, not Core Business, which  
19 is what's being sought on the project tonight.

20 So there's really two very similar projects in a  
21 lot of ways, but very different in terms of the zoning.

22 There are two applications, two different  
23 requests and a different set of issues related to the --  
24 the rezonings themselves.

25 It doesn't mean that the comments don't have

1 value in terms of concerns about traffic and noise and  
2 what have you, but specific site issues that have been  
3 raised are really being raised about the other project.

4           So I just wanted to clarify that before we go  
5 any further.

6           Let me switch the places.

7           That gives us a view of the site. You can see  
8 on this image a little closer view of the subject  
9 property.

10           This is where the apartment complex is proposed.  
11 This is the existing office building and their parking  
12 lot. Carriage House Condominiums. Guelbreth Lane that  
13 runs to the north up here. And then the Pavilion Shopping  
14 Center. This is Pavilion Drive here.

15           It is my understanding that Pavilion Drive is on  
16 private property. That there is an easement over it  
17 allowing access for anybody who wishes to use it, but that  
18 it's under the ownership of, in this case, Altus  
19 Properties.

20           A nonstandard stop sign is the one that's  
21 located right there. And what that is is, essentially, a  
22 decorative pole that has a -- a square flag, if you will,  
23 steel panel, and it has a stop symbol stuck on it. That's  
24 visible only to traffic that's heading south, so that they  
25 stop here, and then traffic heading east stops here, so



1 that inbound traffic does not have to stop.

2 That's a nonstandard layout. It's also a  
3 nonstandard sign. You could not do that if this was a  
4 public street.

5 However, the development was put in about 25  
6 years ago now, and it is possible that an exception was  
7 made at the time. I'll double check our sources, but  
8 that's my understanding, that it is privately owned, but  
9 with full access to the public.

10 It is true that this office building here, whose  
11 owner is selling the property to tonight's applicant,  
12 already has access right there, actually, to -- to that  
13 roadway. So they already do have some -- some degree of  
14 use, not only to use the traffic signal, but also to go up  
15 to -- to Old Olive.

16 One of the other things that's been mentioned  
17 are the loss of trees. These are down here at the south  
18 end of this site. Up right in front of the old house, you  
19 have a couple of very nice specimens. You can see the  
20 shadows there.

21 Certainly, the City laments the loss of healthy,  
22 mature trees at any time. We have tree preservation  
23 ordinance. We generally try to protect them as much as we  
24 can.

25 We do recognize also that sometimes trees have

1 to go. That's why we have a landscape ordinance, so that  
2 we do look at the landscape and we do try to verify that a  
3 site, when it's completed, will still have value, even if  
4 it isn't the same value it had before. So we're mindful  
5 of that issue.

6 I believe that -- that one of the significant  
7 changes that has come with the -- the new site plan is  
8 that it has created more room to install trees on that  
9 site. I'll put it up more visible, hopefully, keep  
10 everybody on the same direction. So that's north up, just  
11 like we were looking at on the aerial.

12 So Pavilion is over here. Carriage House is  
13 over here. One of the concerns that was raised before  
14 that at 10 feet, which was the initial submittal for the  
15 site, there really isn't room to install a tree that can  
16 compete with a four-story wall.

17 The building's going to win, especially since  
18 all it would get is morning sun and after that it would be  
19 in the shade all day.

20 That was an issue that was identified by the  
21 residents, and we identified as well with the applicant.  
22 Which was a big part of the change they made, which was to  
23 add another 5 feet here and then another 10 feet over  
24 here.

25 At that point we can actually get trees to grow,

1 and we've got enough room there, enough air movement there  
2 that they'll grow. Combine that with dropping the wall  
3 down to three stories, this one, I think that the chances  
4 of the trees having some value is much higher.

5           The site is dependent on the right-of-way here.  
6 Let me just say that any property owner has the  
7 opportunity to purchase ground, to look for opportunities,  
8 to accomplish something that they envision as a reasonable  
9 property and a successful project.

10           You had a boundary adjustment in front of you  
11 just a short time ago where a resident wanted to put on an  
12 addition. To do the addition, they needed another lot.  
13 They bought another house. They tore down the house for  
14 no other reason than to put an addition on their house.

15           This is in a residential setting, single-family  
16 home. That's perfectly acceptable. It is not  
17 unacceptable for a commercial property owner to do the  
18 same thing. We see it all the time.

19           I, in no way, infer anything negativity about  
20 this property owner pursuing excess right-of-way, which is  
21 currently an un-mowed hillside for MoDOT, so that they can  
22 maintain it, create a landscape asset for the City, and in  
23 so doing, create the lot size that they need to meet the  
24 zoning requirements.

25           That is the purpose of the requirement; that the

1 lot is large enough that you can accomplish something  
2 positive out of the development, not simply cram it full  
3 of building.

4 I will admit that this is fairly crammed full of  
5 building. Absolutely. But what it is down here is a  
6 landscape that has public value to everybody. Everyone  
7 passing on Olive Boulevard gets to see that.

8 The Comprehensive Plan expects the so-called  
9 green line park along Olive Boulevard. That's what allows  
10 us to get to that standard today or with this project,  
11 whereas, today what we have is an un-mowed hillside  
12 because MoDOT mows twice a year.

13 In a wet year like this, you have, basically, a  
14 mess. So I think that that's a significant improvement  
15 for this -- this project gives to the City, and at the  
16 same time it gives the developer the land area he needs to  
17 meet a minimum standard. So I think that's something  
18 worth remembering.

19 As far as the -- the area on Old Olive, I won't  
20 go into a lot of detail there because I did last time. I  
21 think that, you know, this photograph of the existing  
22 church says a lot. We have vacant buildings. We have a  
23 empty parking lot. We have a series of other buildings  
24 that I would say are not making the best use of the  
25 property. They've been around. They're doing fine. But

1 let's be honest about where Old Olive has gone in the last  
2 several years.

3 This picture looking down Old Olive. Compare  
4 that to Olive Boulevard. Compare that to even Ladue.

5 This is not a street that is thriving; that is  
6 not becoming the street that the City envisioned in 2002  
7 when the Comprehensive Plan was rewritten entirely. And  
8 said for this area that we should encourage large scale  
9 redevelopment for this area, well-designed, coordinated  
10 redevelopment.

11 That's what the applicant is attempting to  
12 accomplish here. Exactly what the Comprehensive Plan said  
13 we should embrace.

14 Now, it is a profound change, but ask yourself  
15 what we're changing from. General Commercial, which is  
16 not garnered much favor in the marketplace, has led to  
17 this. This is not the streetscape that is conducive  
18 either to business moving in, to residents moving in, or  
19 to the property values for anybody. This is not the  
20 streetscape that helps out Carriage House. This is not  
21 the streetscape that helps out Kohn's Deli.

22 If we can invigorate this area, if we can bring  
23 business back to this area, if we can bring residents into  
24 this area, those are all positives in the long run. It is  
25 a change and it can be a traumatic change. Absolutely.

1           Now some of the finer issues we may still have a  
2 problem with. We may still want to talk to the applicant  
3 about certain aspects of the building, certain aspects of  
4 the landscape, certainly aspects of the traffic. We have  
5 a question outstanding on Pavilion Drive. I think we need  
6 to get that clarified 100 percent certain before we move  
7 forward with the site plan.

8           But before we get that far, we still have to  
9 deal with the question of the rezoning and the text  
10 amendment that comes with it.

11           If we are going to continue to use General  
12 Commercial as the prevailing zoning district, let's  
13 remember, all of this is zoned General Commercial except  
14 for the Pavilion and the Carriage House. Everything else  
15 is General Commercial.

16           If you look up on the map to your -- to your  
17 left, all that red is all the General Commercial area;  
18 that pink area is Pavilion, Core Business, and then you  
19 can't really see it from here, but the little slot there  
20 for -- for Carriage House. It's all General Commercial.

21           It hasn't been attractive in the marketplace.  
22 General Commercial in the City has generally led to inline  
23 retail, strip malls. In fact, we have one on this street.  
24 There's one right across the road, more or less. Right  
25 there. Willowbrook Shopping Center to be generous.

1           That owner has been in recently. Has met with  
2 me personally to talk about some way to reinvigorate this  
3 site, because their rents are falling, they're having  
4 trouble keeping tenants. It's not succeeding.

5           When they heard that there was potential influx  
6 of residents, people living here and here, they saw this  
7 as an opportunity to attract new business. You can't  
8 attract new business with what's there now.

9           And so they're looking at a facelift similar to  
10 one you'll look at, an application after this one, to try  
11 and give it a little more identity in the marketplace.

12           One of the reasons they decided to pursue that  
13 now was based on the interest, just the interest that  
14 these two apartment projects have shown, because there's  
15 people right there. If there's people right there,  
16 they're looking for services; they're looking for food.  
17 Those are the things that inline retail can provide very  
18 readily. But they can't attract the tenants as long as it  
19 looks the way it does.

20           But my point being that it's the change. It's  
21 the change that sparks more things, better things, not  
22 necessarily redevelopment, sometimes just reinvestment.  
23 That would be a start. That would get us going in the  
24 right direction as opposed to failing, which is where  
25 we're going now.

1           General Commercial is not getting us that  
2 change. Pavilion, big change. Core Business zoning.  
3 Core Business is an intense zoning district. It allows a  
4 lot.

5           This site is exploring the limits of what that  
6 allows. But without it, I don't think that we generate  
7 the level of investment and the level of new residents in  
8 this area that leads to these spinoff benefits that we're  
9 all hoping for.

10           Now, I went through, in the staff report, a  
11 fairly long description of -- of how the zoning got to  
12 where it is; how the City ended up changing its mind on a  
13 variety of occasions about how to handle buffers and how  
14 to handle setbacks between Commercial and Residential.

15           Finally, in '97, they settled on saying  
16 single-family will have larger buffers and larger setbacks  
17 when adjacent -- or Commercial will have larger setbacks  
18 and buffers when adjacent to Single-Family Residential.

19           Two years later they changed it again and moved  
20 it to just Single-Family Districts, and then they got rid  
21 of the Multi-Family Zoning District altogether.

22           Carriage house was Multi-Family. All of the  
23 apartment complex in the City were Multi-Family. MR was  
24 the name of the district, Multiple Residence.

25           They were advised at the time by staff that that



1 would cause problems for this site and the one on the  
2 other side, which, unfortunately, can't really see. It's  
3 over on this side of Carriage House.

4 So much so that it would make redevelopment  
5 extremely difficult on those sites, and the recommendation  
6 at the time was that Carriage House should be rezoned to  
7 General Commercial.

8 Wildly nonconforming, but it's wildly  
9 nonconforming with AR as well. It isn't what the district  
10 purports to be. It isn't Single-Family and it isn't  
11 Commercial. It's Multi-Family, but that district was  
12 going away, and so they had to pick one.

13 But the concern was expressed at the time that  
14 that would not leave enough buffer. That would only leave  
15 12 feet of -- of space along this property line to  
16 development.

17 And the Council -- the Commission agreed with  
18 the staff. The Council disagreed and said, no, we need to  
19 provide some green space, so if we leave them at A -- or  
20 if we make them to AR, and assuming everything else stays  
21 GC, that will at least get them 20, 25, 30, depending on  
22 how large the lot is.

23 If they are at 3 acres, it's 30, or slightly  
24 over. If it's right at 3 acres, it's 25. If it's right  
25 at 2 acres, then -- or less, then it's 20 feet. So we

1     went from 12 to 20.

2             Well, if this stays GC, which it's done since  
3     that time, 15 years, I don't think we can expect a lot of  
4     big changes to happen in this area.

5             There is GC Zoning down on Olive, which is  
6     underutilized. There's GC Zoning out on Lindbergh, that's  
7     underutilized. There's more -- there's a ton of GC just  
8     on the street that's underutilized. So why this lot would  
9     suddenly change to something much better and more  
10    productive and more positive for Carriage House under GC,  
11    I don't know. I think we're looking for something more.  
12    Well, something more, by extension, is Core Business.

13            So then we created this problem where the lot  
14    becomes un-developable.

15            Now, I understand that having a Core Business  
16    District right beside a residential property, whether it's  
17    multi-family or single-family, potentially is problematic.

18            If you didn't move into a downtown area, a true  
19    downtown, you might not expect to have an eight-story or a  
20    six-story office building right next door when you moved  
21    in with a church next door. That is -- would be a huge  
22    jump, and that was the issue that the City Council was  
23    raising in 1999.

24            If the Commission believes that simply changing  
25    it so that this property and any other multi-family

1 projects that are zoned Single-Family are no longer  
2 separated with these larger buffers, the alternative is,  
3 that I've supplied in the staff report, is to simply say  
4 that if it's commercial development, then you have to  
5 provide the larger buffers and the larger setbacks. If  
6 it's residential, then you can drop those requirements.

7 Now, that, obviously, makes this project  
8 possible, and this project is what you're hearing from a  
9 lot of residents as being one that they don't like.

10 I would suggest that if we don't do it, if we  
11 don't do something similar, we're going to have more of  
12 what we've had for a good long time, because there's  
13 simply too many other alternatives in the marketplace for  
14 something that's similar to this.

15 The amendment that's shown in the draft  
16 ordinance that's attached to the staff report has the  
17 wording that's proposed by the applicant. It's changed  
18 from the word "district" to the word "development".

19 If you want to go in the direction, this  
20 alternate direction that I provided in the staff report,  
21 you would need to amend the draft ordinance before then  
22 making a recommendation to City Council.

23 I'm not telling you you should make that  
24 recommendation tonight. I think you should think in terms  
25 of the text amendment first though, and if you are

1 delaying the text amendment, then you are also delaying  
2 the rest of the project.

3           You can pass the text amendment without passing  
4 the project, or at least vote on a recommendation. So  
5 that what you're saying is, yes, we want to encourage  
6 something to happen here, something more intensive than  
7 General Commercial, but we still want to resolve issues  
8 with this specific project.

9           So you should feel free to, and I would  
10 encourage you to vote on them separately.

11           How you move forward with them tonight is really  
12 up to you and your level of comfort.

13           I don't want to repeat myself with things that  
14 I've said before, so I'll stop there. If you have  
15 questions for me, I'd be happy to answer them and, of  
16 course, if there are any issues that the public has  
17 raised, that you'd like me to address, I can do that as  
18 well.

19           CHAIRMAN MADDEN: Any questions?

20           MR. ROVAK: Well, this is probably premature,  
21 particularly if we separate this and do the text  
22 amendment.

23           So I guess the question then, this might be for  
24 Mr. Langdon, so that when a development does come forward  
25 as a development, one thing I didn't see in all these

1 plans and some elevations that I think site --  
2 particularly with the concerns that people had in terms of  
3 overlook and how close they were to a larger building, I  
4 would very much like to, I say, expect to see site  
5 sections as part of what we're going to see when this  
6 really becomes an application for development.

7 I think without that we'd be flying blind.  
8 Sections in both directions, and if there's a step-down or  
9 a change, then, you know, maybe one or two or three  
10 sections even oriented the same direction, and then one in  
11 the opposite, so we can really look at the effect on  
12 adjacent property and the probable appearance.

13 But, again, that may be premature, but that's  
14 something I would expect -- I see this little -- this mini  
15 one, and I didn't -- wasn't sure where --

16 MR. LANGDON: It doesn't include Carriage House,  
17 so --

18 MR. ROVAK: Uh-huh.

19 MR. LANGDON: -- we'll see that those are done.

20 MR. ROVAK: Right.

21 MR. LANGDON: And just so we're clear, there --  
22 there actually is a firm proposal in front of you.

23 You know, when you said when this becomes  
24 project -- it already is, so we're amending, as we go.

25 MR. ROVAK: Okay.

1           MR. PULLIAM: Just want to make sure I  
2 understand. The proposed development will abut within  
3 10 feet the existing Carriage House property line that  
4 we're talking about?

5           MR. LANGDON: For a portion, yes.

6           MR. PULLIAM: For a portion of it?

7           MR. LANGDON: Uh-huh.

8           MR. PULLIAM: But it is coming up against, not  
9 the residential units themselves, but it is coming up  
10 against what -- a parking lot, and looks to be part of it  
11 is covered parking, is -- is that right?

12          MR. LANGDON: That is correct.

13          MR. PULLIAM: Okay. Now another separate  
14 question that -- that I had.

15                We had -- you referenced another development,  
16 proposed development, across the street, the other church  
17 property.

18          MR. LANGDON: Yes.

19          MR. PULLIAM: There was some discussion -- some  
20 discussion about that development about whether the  
21 density --

22          MR. LANGDON: Uh-huh.

23          MR. PULLIAM: -- going above 20. And in that  
24 instance, it was going above 20, so it said it could  
25 approach 26, and there was a discussion at 26 --

1 MR. LANGDON: Uh-huh.

2 MR. PULLIAM: -- being the density per -- per  
3 acre.

4 And here we are close to doubling that, I  
5 suppose. You -- you also began by stating that -- that --  
6 well, yes, we're talking about two different types of  
7 property, so if you could just speak to why the density is  
8 important to be around 20 or 26 there --

9 MR. LANGDON: Uh-huh.

10 MR. PULLIAM: -- but different here. Why --  
11 what the distinction is.

12 MR. LANGDON: Sure. The -- there's a couple of  
13 key points, I guess.

14 The aerial doesn't really go far enough, but  
15 this property up here is Hamilton Church.

16 This hillside here is fairly steep, and as the  
17 Briar Cliff residents, who are on the other side of that  
18 hill that curves here, can tell you, it's fairly steep.  
19 That's why they have these retaining walls.

20 It would be extremely difficult to develop, but  
21 it's still part of the property, so in that case, you  
22 inherently have a lot of green space. So, you know, green  
23 space, your density numbers starts to go down.

24 If you look at the type of building they're  
25 actually wanting to build, it's almost identical in

1 general form to that. It is an enclosed courtyard model.  
2 It is four stories high. There's almost no difference.

3           You look at the unit count, the unit counts are  
4 very similar. The difference is the other property has a  
5 large piece that it can't use, and in that case, they're  
6 also looking to make use of the commercial success of the  
7 area of Pavilion by putting Commercial on the front of the  
8 project.

9           So, again, you're shifting use from one thing to  
10 another, pushes down your density calculation, but, in  
11 fact, the total development, and if you look at intensity,  
12 the amount of traffic, height of the buildings, FAR,  
13 they're still very high.

14           MR. PULLIAM: And that's what I notice, if I  
15 recall, the building -- it seems like the buildings are  
16 similar.

17           MR. LANGDON: Yes, very. They're appealing to  
18 the same -- same market range. They're -- they're both  
19 trying to hit the same sort of target market, a range of  
20 professionals that may be coming in from, not only out of  
21 state, but out of country.

22           Also people that are early in their professional  
23 careers and may have kids and are concerned about the  
24 school district they're in, at least for the first few  
25 years, and then they would move on to a single-family



1 house, if they're staying in the area longterm.

2 MR. PULLIAM: Thank you.

3 CHAIRMAN MADDEN: I got a couple questions  
4 because everybody mention, you know, there's only one way  
5 in, one way out.

6 The road that we don't know who owns it or  
7 whatever --

8 MR. LANGDON: Uh-huh.

9 CHAIRMAN MADDEN: -- coming down, you know,  
10 cause I've been to that movie theater several times, but I  
11 go west on Olive. If you want to go east, is there a  
12 left-turn signal there?

13 MR. LANGDON: Want to go east. Yes, there is.

14 CHAIRMAN MADDEN: Okay. So you could come out  
15 that way or you can go up to Old Olive and come down --

16 MR. LANGDON: Through the interchange.

17 CHAIRMAN MADDEN: -- through that interchange.  
18 Is that the one where they're saying there's no left-turn  
19 signal?

20 MR. LANGDON: Let me switch here. Okay.

21 All right. If you are coming out to the north,  
22 so you come up onto Old Olive, and you come this way, you  
23 can only go south.

24 CHAIRMAN MADDEN: Right.

25 MR. LANGDON: Once you're going south, you can

1 then go through -- get my facts right here -- go through  
2 this loop, so that you're then heading east on Olive.

3 If you want to go west on Olive, you would come  
4 out and go this way.

5 CHAIRMAN MADDEN: Okay.

6 MR. LANGDON: There is a full signal there.

7 CHAIRMAN MADDEN: But if you came out the last  
8 one you pointed at, Old Olive where it runs into Olive,  
9 right there --

10 MR. LANGDON: Uh-huh.

11 CHAIRMAN MADDEN: -- is there a turn signal  
12 there?

13 MR. LANGDON: Yes.

14 CHAIRMAN MADDEN: Okay. So --

15 VOICE IN AUDIENCE: No, there's no left-turn  
16 signal at -- from Old Olive to Olive. I come out there  
17 every day.

18 MR. LANGDON: There's not the green arrow  
19 protect the light? There is a -- there is a -- a traffic  
20 signal there at least.

21 VOICE IN AUDIENCE: There is a traffic light  
22 there, but there is no left-turn signal.

23 CHAIRMAN MADDEN: Well, that's okay, because now  
24 we discovered there's three modes of getting in and out of  
25 anywhere along there, right?

1 MR. LANGDON: Correct.

2 CHAIRMAN MADDEN: Okay. That's -- cause  
3 everybody kept saying one, so I counted three right off  
4 the bat. And then you can go out Willowbrook down to --  
5 is it Schuetz or Schulte or whatever?

6 MR. LANGDON: Uh-huh. Schuetz.

7 CHAIRMAN MADDEN: Okay. So I just -- so there's  
8 definitely three easy ones, and then a possible fourth  
9 one. Okay.

10 And I agree with you, I used to drive through  
11 there years ago all the time, and since we started this,  
12 I've driven through there twice, and about the only  
13 changes is a few of the trees have died and a few of them  
14 have gotten taller. But there is sort of a --

15 MR. LANGDON: Well, the -- the -- I think for me  
16 one of the biggest concerns is this building here went  
17 empty several months ago and it's still empty.

18 That's one of the most visible office building  
19 locations in the city, and yet they're still not able to  
20 attract a tenant.

21 That tells me there's something inherently wrong  
22 maybe with the property, but also maybe with the site, the  
23 location.

24 CHAIRMAN MADDEN: Okay. And I thought of  
25 another thing too.

1           When he's buying the land from MoDOT down to  
2 Olive there --

3           MR. LANGDON: Yeah.

4           CHAIRMAN MADDEN: -- is he going further west  
5 than what his property line would be for the apartments,  
6 so he's buying that whole area --

7           MR. LANGDON: Correct.

8           CHAIRMAN MADDEN: -- so it even enhances  
9 what's -- the condominiums that are there now, right?

10          MR. LANGDON: Yeah. I'll switch again.

11          If you look on the aerial here, the area he's  
12 purchasing is -- is all down here. So what you end up  
13 with is a more uniformed frontage as compared to Pavilion.  
14 So that this all becomes maintained green space that then  
15 this property also benefits from.

16          And, frankly, that was part of our discussions  
17 in encouraging a truer integration of -- of the office  
18 building site and their site. Simply sharing a driveway  
19 isn't really integrating the uses. This way the storm  
20 water detention, the landscape, the parking and access all  
21 become part of -- of a single project.

22          CHAIRMAN MADDEN: Mr. Pulliam.

23          MR. PULLIAM: The staff has recommended, not the  
24 language proposed by the applicant, but alternative  
25 language.

1           Could you speak to that for a moment?

2           MR. LANGDON: Sure. I -- I -- my initial read  
3 of the past codes was that -- that the -- the City had  
4 really taken a really cavalier approach to how we handle  
5 the multi-family projects, and when we went through this  
6 getting rid of the MR Zoning District.

7           When I read the actual transcript of the hearing  
8 in front of the City Council, I was wrong.

9           Council members did raise a concern that -- that  
10 making them all GC would allow such short setbacks that it  
11 would not provide enough space between whatever happened  
12 to this site and the Carriage House. I mean that was the  
13 specific discussion, how much space would go right here.

14          So that's when I started thinking perhaps we  
15 need to look at a different way to word it where it isn't  
16 completely abandoning those extra setbacks and -- and  
17 buffers, it's a -- a partial abandonment, if you will, so  
18 that if it's a commercial project, then we're still  
19 looking at things as they are today, status quo.

20          If it's residential, to the extent that  
21 residential is a more agreeable use, besides residential,  
22 which is what Carriage House is, then we're looking at --  
23 at the shorter setbacks again.

24          But that said, that's where I turn to the  
25 applicant and said I wouldn't take that as an opportunity

1 to just say great, I can be 10 or 12 feet off the property  
2 line.

3           You need to try to do something to try and open  
4 this up a bit, and that's where they -- the stepping --  
5 effort to step the building came in, where it goes from  
6 10 feet there to 15, stays 15, then it drops back to --  
7 the parking garage is actually back here -- and then it  
8 comes up to 25 right there.

9           And, actually, let me just -- I just -- one  
10 question that did come up that I did want to answer.

11           There were -- I think it's a good question about  
12 did the traffic study that was supplied by this applicant  
13 include the prior -- or the other apartment complex. No,  
14 because it was done before we even had a project on the  
15 other site.

16           CHAIRMAN MADDEN: Okay. And nobody ever  
17 believes our traffic surveys anyway, so, yeah, we go and  
18 get a second one, and it's the exact same thing almost  
19 every time so.

20           MR. LANGDON: Uh-huh.

21           CHAIRMAN MADDEN: Any other questions?

22           Okay. That'll close our public hearing then.

23           MR. LUMLEY: So offer the following exhibits  
24 into the record of the public hearing: Documentation in  
25 possession of the City Clerk reflecting the public notice;

1 the staff's report; documents offered by the speakers,  
2 including the petition; the City's Code of Ordinances and  
3 Charter; the City's Comprehensive Plan and the public file  
4 regarding this application.

5  
6 (The Public Hearing was ended.)  
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STATE OF MISSOURI     )  
                                      ) SS  
COUNTY OF ST. LOUIS   )

I, Deborah K. McLaughlin, Registered Professional Reporter, Missouri Certified Court Reporter, Illinois Certified Shorthand Reporter and Kansas Certified Court Reporter, do hereby certify that I reported the Planning and Zoning public hearings stenographically and later reduced to typewriting; and that this is a true and accurate transcript of the public hearings.

---

Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR





**CITY OF CREVE COEUR - MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
MONDAY, AUGUST 5, 2013  
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, August 5, 2013, 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. Ken Howard**  
                                 **Mr. Charles Pullium**  
                                 **Mr. Gene Rovak**

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. PUBLIC HEARING**

**Application #13-023: Approval of a text amendment to Section 405.370 “CB” Core Business District regulations to change the increased height and buffer requirements from a single family “district” to a single family “development” when adjacent to the “CB” Core Business District.**

**Mr. Lumley recommended the Commission to reopen the Public Hearing on the related boundary adjustment rezoning and conditional use permit, so the public can comment to the full extent of the project. Chair Madden reopened the previous Public Hearing.**

Applicant/Agent: David Braswell  
Covington Realty Partners  
135 N. Meramec Ave, Suite 500  
St. Louis, MO 63105

Property Owner: Dr. Kent Branson  
Pavilion Office Park, LLC  
11630 Studt Avenue  
Creve Coeur, MO 63141

Mr. David Braswell, 135 N. Meramec Ave, Covington Realty Partners, explained he was seeking a text amendment to eliminate the word “District” and substitute the word “Development” in the building height and bufferyard regulations. Mr. Braswell explained

some history of the zoning. Mr. Braswell also explained the buffer requirement change, stating the buffer requirement is 200 feet currently and the site is 192 feet wide, so it makes the site undevelopable; changing the word from “District” to “Development” changes the buffer requirement. Mr. Braswell showed an illustration of the site and showed the buffer requirement would be from the east property line. Based on prior comments from the City and neighboring residents, Mr. Braswell made changes to the proposed plan, including moving the parking structure to the west, moving building 1 to the west (25 feet from the property line, before it was 11 feet), and making the building 3 stories for portions of the east elevation (pictures were shown). In addition, Mr. Braswell said he was purchasing the right-of-way from MoDOT, which is what enabled him to move the building further from Carriage House. Mr. Braswell showed the entry to the property was off of Old Olive, that all parking requirements are satisfied, and showed the 2 courtyards with barbeque amenities and water features, and the landscape plan.

Mr. Lumley asked if there was an easement document being developed? Mr. Braswell said there was, as well as for the parking. Mr. Lumley asked what the maintenance plan was; was each property was responsible for itself? Mr. Braswell said yes they were. Lastly, Mr. Lumley understood Pavilion to be a private street, and Mr. Braswell said not to his knowledge, and Mr. Langdon said he believed it was but that he would verify. Mr. Lumley said if it is not private there is a non-standard stop sign on a public street and he would like that to be sorted out.

Mr. Louis Meyers, 1032 King Henry Court, spoke in opposition of the project. Mr. Meyers is concerned about children playing, noise, and vandalism.

Ms. Linda Rezny, 104 Graeser Acres, spoke in opposition of the project. Ms. Rezny read and submitted a letter for the record stating all her reasons for opposing the project.

Ms. Kathleen McClure, 942 Guelbreth Lane, Unit 311, spoke in opposition of the project.

Ms. Elizabeth Link, 920 Guelbreth Lane, Unit 106, spoke in opposition of the project. Ms. Link said she is concerned with loss of property value and concerned with the impact of development on the street. Ms. Link also submitted 25 signatures of her neighbors not in favor of the project.

Ms. Barb Lehman, 1050 King Henry Court, spoke in opposition of the project. Ms. Lehman said the building will be intrusive and she is concerned about traffic on Old Olive.

Mr. Scott Link, 25 Ladue Estates, asked if the traffic study included the proposal on the Hamilton Church site.

Mr. Langdon clarified a few things, first Mr. Langdon pointed out the 2 different projects on the map. Mr. Langdon also showed and explained the access of the roads. Mr. Langdon said it was his understanding that Pavilion Drive is private property and there is an easement over it allowing access for anybody who wishes to use it, but Altus Properties owns it.

Mr. Langdon showed a picture of the current conditions on Old Olive and pointed out the number of vacant properties and empty parking lots. Mr. Langdon said Willowbrook

Shopping Center is seeking a site development plan to make their building look better, partially because of the apartment project proposals.

Mr. Langdon explained some zoning history and said if the area stays “GC” General Commercial, the city should not expect many changes to the area.

Mr. Rovak asked to see site sections in both directions from the applicant. Mr. Langdon said those will be done.

There being no further comments, City Attorney, Mr. Carl Lumley, presented the exhibits for the record and the public hearing was closed.

**(This ends the Public Hearing; see verbatim transcript for further information)**

Chair Madden asked for clarification for what they were voting on, and that it was just the text amendment, not the site development plan. Mr. Lumley said there are two separate items for the same applicant on the agenda.

Mr. Pullium motioned to substitute the alternative language suggested by staff in their report on Application #13-023, dated August 5, 2013, into the attached draft ordinance revising the building height and buffer requirements in the “CB” Core Business zoning district. Mr. Howard seconded the motion with the resultant vote as follows:

Mr. Howard - aye  
Chair – aye

Mr. Rovak – aye

Mr. Pullium – aye

Mr. Howard motioned to approve the amended draft ordinance revising the building height and buffer requirements in the “CB” Core Business zoning district attached to the staff report on Application #13-023, dated August 5, 2013. Mr. Rovak seconded the motion with the resultant vote as follows:

Mr. Pullium – aye  
Chair - aye

Mr. Rovak – aye

Mr. Howard – aye

### 3. **ADJOURNMENT**

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 9:30 p.m.

---

***Timothy Madden, Chair***

---

***Julie Lowery, Recording Secretary***



*city of* **CREVE COEUR**

300 North New Ballas Road • Creve Coeur, Missouri 63141  
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966  
[www.creve-coeur.org](http://www.creve-coeur.org)

August 8, 2013

David Braswell  
Covington Realty Partners  
135 N. Meramec Ave, Suite 500  
St. Louis, MO 63105

Re: Application #13-023: Text amendment to Section 405.370 "CB" Core Business District  
Modifications to Building Height and Bufferyard Regulations

Mr. Braswell:

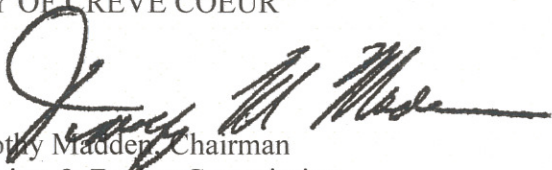
The Planning and Zoning Commission, at its meeting of August 5, 2013, reviewed a text amendment to Section 405.370 "CB" Core Business District regulations to change the increased height and buffer requirements from a single family "district" to a single family "development" when adjacent to the "CB" Core Business District.

By unanimous vote, the Planning Commission approved a motion to modify your request wherein the existing regulations shall be applied to non-residential projects only. The word "district" was not replaced with "development" in the way initially proposed. By a subsequent unanimous vote, the Planning Commission recommends approval of the modified text amendment, which will be before the City Council on Monday, August 12, 2013. A copy of the recommended draft ordinance is attached hereto.

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

Sincerely,

CITY OF CREVE COEUR

  
Timothy Madden, Chairman  
Planning & Zoning Commission

TM:jl

Cc: M.C. Perkins, City Administrator  
J. Heines, Director of Public Works  
G. Eidman, Chief of Police  
S. Unser, Chief Building Official

**AN ORDINANCE AMENDING SECTION 405.210 TABLE A OF THE CODE OF ORDINANCES OF  
THE CITY OF CREVE COEUR, MISSOURI**

**WHEREAS**, an application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted for an amendment to the Zoning Code Table A, Permitted and Conditional Uses; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the allowed permitted and conditional uses 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 Monday, August 5, 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 4-0 recommended approval of the subject amendments at its meeting on August 5, 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:** The following individual line items in Section 405.210 Table A Permitted and Conditional Uses shall be amended as follows, while all other parts of Table A shall remain unchanged:

**Chapter 405, Table A, Permitted and Conditional Uses**

P=Permitted Use; C=Conditional Use Permit Required

| Use Code | 2012 NAICS Title                                  | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |    |    |    |
|----------|---------------------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
|          |                                                   | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 522390   | Other Activities Related to Credit Intermediation | -                | - | - | - | -  | -  | -  | P  | -  | -  | P  | P  | P  | -  |
| 541490   | Other Specialized Design Services                 |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541511   | Custom Computer Programming Services              |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541711   | Research and Development in Biotechnology         |                  |   |   |   |    |    |    | P  | P  |    |    |    |    | P  |

|                 |                                                                                                                                                         |   |   |   |   |          |   |          |   |   |           |           |           |           |           |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|----------|---|----------|---|---|-----------|-----------|-----------|-----------|-----------|
| 541712          | Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)                                                         |   |   |   |   |          |   |          | P | P |           |           |           |           | <u>P</u>  |
| 713110          | Amusement and Theme Parks                                                                                                                               |   |   |   |   |          |   | <u>P</u> |   |   |           | C         | C         | C         |           |
| 812199          | Other Personal Care Services (except escort services, massage parlors, steam baths, tattoo parlors, <u>permanent makeup salons</u> , and Turkish baths) |   |   |   |   |          |   |          |   |   | <u>CP</u> | <u>CP</u> | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| 812990          | All Other Personal Services                                                                                                                             |   |   |   |   |          |   |          |   |   | C         | C         | C         | C         | <u>PC</u> |
| 814110          | Private Households-Single Family Residential                                                                                                            | P | P | P | P | <u>P</u> | P |          |   |   |           |           |           | <u>C</u>  |           |
| <u>CC814111</u> | <u>Attached Single-Family Residential (townhouses or duplexes)</u>                                                                                      |   |   |   |   | <u>P</u> |   |          |   |   |           |           |           |           |           |
| <u>CC814120</u> | <u>Low Density Multi-Family Residential (6 units per acre)</u>                                                                                          |   |   |   |   | <u>C</u> |   |          |   |   |           |           |           |           |           |
| <u>CC814130</u> | <u>Medium Density Multi-Family Residential (20 units per acre)</u>                                                                                      |   |   |   |   |          |   |          |   |   |           |           |           | <u>P</u>  |           |
| <u>CC814140</u> | <u>High Density Multi-Family Residential (more than 20 units per acre)</u>                                                                              |   |   |   |   |          |   |          |   |   |           |           |           | <u>C</u>  |           |
| <u>922140</u>   | <u>Correctional Institutions</u>                                                                                                                        | - | - | - | - | -        | - | -        | - | - | -         | -         | -         | -         | <u>P</u>  |
| <u>922150</u>   | <u>Parole Offices and Probation Offices</u>                                                                                                             | - | - | - | - | -        | - | -        | - | - | -         | -         | <u>P</u>  | -         | -         |

**SECTION 2:** This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
SCOTT SAUNDERS  
PRESIDENT OF CITY COUNCIL

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  
#13-021 FOR TEXT AMENDMENTS TO SECTION 405.210 TABLE  
A, PERMITTED AND CONDITIONAL USES OF THE ZONING CODE  
TO CLARIFY CERTAIN RESIDENTIAL USES, AND OTHER  
HOUSEKEEPING AMENDMENTS**

**FOR THE MEETING OF:** Monday, August 5, 2013

**LOCATION:** City-wide

**REQUEST:** On April 22, 2013, the City converted the Zoning Code list of permitted and conditional uses to the North American Industry Classification System (NAICS) (Ordinance #5300). During this process, changes to some uses were made that were never intended. Staff finds it necessary to correct these errors and to further clarify other uses within the table such as the density levels of residential uses, as a matter of housekeeping amendments to Table A: Permitted and Conditional Uses.

**ADDITIONAL INFORMATION:** The public notification included revising the definition of a dwelling to prohibit a new form of multi-family housing called apodments, which is becoming popular in the Seattle/Portland area. However, at this time Staff does not see this as a zoning issue, and therefore this text amendment does not address changing the definition of dwelling.

**Key Issues:**

- Is this a reasonable exercise of zoning authority?
- Is this consistent with the purposes of the Zoning Code
- Is this consistent with the purposes of the Comprehensive Plan

**Comp. Plan References**

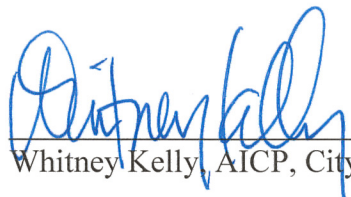
- NA

**Zoning Code References**

- Section 405.210:  
Regulation of Uses,  
Table A, Permitted and  
Conditional Uses

**APPLICANT:** Paul Langdon, AICP  
Director of Community Development  
City of Creve Coeur  
300 N. New Ballas  
Creve Coeur, MO 63141

**REPORT PREPARED BY:**

  
Whitney Kelly, AICP, City Planner

8/2/2013

**ATTACHMENTS:** Draft Ordinance  
Section 405.210 Table A, Permitted and Conditional Uses

## DISCUSSION

*NAICS #522320 Other Activities Related to Credit Intermediation.* Examples of businesses within this category include check cashing services, money order issuance services, and payday lending services. This use was included as a permitted use in the PO, PC, GC, and CB Districts. Staff is suggesting that it be stricken from the table altogether:

|          |                                                   | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |    |    |    |
|----------|---------------------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
| Use Code | 2012 NAICS Title                                  | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 522390   | Other Activities Related to Credit Intermediation | -                | - | - | - | -  | -  | -  | P  | -  | -  | P  | P  | P  | -  |

*NAICS #541490 Other Specialized Design Services* is comprised of establishments primarily engaged in providing professional design services (except architectural, landscape architecture, engineering, interior, industrial, graphic, and computer system design). Illustrative Examples include: costume design services (except independent theatrical costume designers), jewelry design services, fashion design services, float design services, shoe design services, fur design services, textile design services. These uses are permitted in the PO, PC, CB, and LI District, but were mistakenly left out of the GC District. Staff suggests allowing them as a permitted use in the GC District:

|          |                                      | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |          |    |    |
|----------|--------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----------|----|----|
| Use Code | 2012 NAICS Title                     | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC       | CB | LI |
| 541490   | Other Specialized Design Services    |                  |   |   |   |    |    |    | P  |    |    | P  | <u>P</u> | P  | P  |
| 541511   | Custom Computer Programming Services |                  |   |   |   |    |    |    | P  |    |    | P  | <u>P</u> | P  | P  |

*NAICS #541511 Custom Computer Programming Services* is comprised of establishments primarily engaged in writing, modifying, testing, and supporting software to meet the needs of a particular customer, and is listed as a permitted use in the PO, PC, CB, and LI District, but not allowed in the GC District. This is within the same category Computer Systems Design Services, Computer Facilities Management Services and Other Computer Related Services, which are all permitted in the GC District. Therefore, Staff is recommending allowing it as a permitted use in the GC District:

|          |                                      | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |          |    |    |
|----------|--------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----------|----|----|
| Use Code | 2012 NAICS Title                     | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC       | CB | LI |
| 541511   | Custom Computer Programming Services |                  |   |   |   |    |    |    | P  |    |    | P  | <u>P</u> | P  | P  |

*NAICS #541711 Research and Development in Biotechnology and #541712 Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)* uses were mistakenly left out of the LI District, where such research and development is occurring in Helix Center. Therefore Staff recommends allowing as a permitted use in the LI District:



|          |                                                                                                 | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |    |    |          |
|----------|-------------------------------------------------------------------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----------|
| Use Code | 2012 NAICS Title                                                                                | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI       |
| 541711   | Research and Development in Biotechnology                                                       |                  |   |   |   |    |    |    | P  | P  |    |    |    |    | <u>P</u> |
| 541712   | Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology) |                  |   |   |   |    |    |    | P  | P  |    |    |    |    | <u>P</u> |

NAICS #622210 *Psychiatric and Substance Abuse Hospitals* is comprised of establishments known and licensed as psychiatric and substance abuse hospitals primarily engaged in providing diagnostic, medical treatment, and monitoring services for inpatients who suffer from mental illness or substance abuse disorders. The treatment often requires an extended stay in the hospital. This use was listed as a permitted use in the LI District. However, the LI District does not lend itself to long-term residential facilities, and therefore should be removed as an allowed use in the district:

|          |                                           | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |    |    |    |
|----------|-------------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
| Use Code | 2012 NAICS Title                          | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 622210   | Psychiatric and Substance Abuse Hospitals |                  |   |   |   |    |    | P  |    |    |    |    |    |    | P  |

NAICS #713110 *Amusement and Theme Parks* was listed as a permitted use in the PH District, and should be removed:

|          |                           | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |    |    |    |
|----------|---------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
| Use Code | 2012 NAICS Title          | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 713110   | Amusement and Theme Parks |                  |   |   |   |    |    | P  |    |    |    | C  | C  | C  |    |

NAICS #812199 *Other Personal Care Services (except escort services, massage parlors, steam baths, tattoo parlors and Turkish baths)* included such uses as day spas, depilatory or electrolysis (i.e., hair removal) salons, saunas, ear piercing services, hair replacement (except by offices of physicians) or weaving, services, tanning salons, and permanent makeup salons. Staff recommends that this category be revised from conditional to permitted uses in the MX, PC, GC, CB, and LI District, with the exception of permanent makeup salons which could be similar to tattoo parlors, to be included with the listed exceptions as not allowed in the City:

|          |                                                                                                                                                         | ZONING DISTRICTS |   |   |   |    |    |    |    |    |           |           |           |           |           |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|---|---|---|----|----|----|----|----|-----------|-----------|-----------|-----------|-----------|
| Use Code | 2012 NAICS Title                                                                                                                                        | A                | B | C | D | AR | HE | PH | PO | RO | MX        | PC        | GC        | CB        | LI        |
| 812199   | Other Personal Care Services (except escort services, massage parlors, steam baths, tattoo parlors, <u>permanent makeup salons</u> , and Turkish baths) |                  |   |   |   |    |    |    |    |    | <u>CP</u> | <u>CP</u> | <u>CP</u> | <u>CP</u> | <u>CP</u> |

NAICS # 812990 All Other Personal Services category includes such uses as astrology services, bail bonding or bondsperson services, shoeshine services, coin-operated personal services machine, concession operators, social escort services, consumer buying services, personal fitness trainer, personal organizer services, personal shopping services, wedding chapels (except churches) wedding planning services, and dating services. It is currently listed as a conditional use in the MX, PC, GC, and CB District, and as a permitted use in the LI District. Given the wide range of uses within this category, and that the potential impacts can vary significantly, staff recommends that it be listed as a conditional use in all commercial district, thus changing from a permitted to a conditional use in the LI District:

| Use Code | 2012 NAICS Title            | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |    |    |                |
|----------|-----------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----------------|
|          |                             | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI             |
| 812990   | All Other Personal Services |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | <del>P</del> C |

NAICS #814110 Private Households. Staff recognized that this NAICS designation did not adequately provide for the various types of residential developments allowed. Further, as a residential dwelling is not a business category, the NAICS does not have an appropriate number for such structures. Therefore, Staff is requesting to add specific designations for each of the types of housing permitted. NO change in the allowed densities are proposed. As with other uses that do not have a corresponding NAICS number, "CC" is included before each proposed number to make it a unique identifier as a City of Creve Coeur designation only:

| Use Code        | 2012 NAICS Title                                                           | ZONING DISTRICTS |   |   |   |              |    |    |    |    |    |    |    |              |    |
|-----------------|----------------------------------------------------------------------------|------------------|---|---|---|--------------|----|----|----|----|----|----|----|--------------|----|
|                 |                                                                            | A                | B | C | D | AR           | HE | PH | PO | RO | MX | PC | GC | CB           | LI |
| 814110          | Private Households-Single Family Residential                               | P                | P | P | P | <del>P</del> | P  |    |    |    |    |    |    | <del>C</del> |    |
| <u>CC814111</u> | <u>Attached Single-Family Residential (townhouses or duplexes)</u>         |                  |   |   |   | <del>P</del> |    |    |    |    |    |    |    |              |    |
| <u>CC814120</u> | <u>Low Density Multi-Family Residential (6 units per acre)</u>             |                  |   |   |   | <del>C</del> |    |    |    |    |    |    |    |              |    |
| <u>CC814130</u> | <u>Medium Density Multi-Family Residential (20 units per acre max.)</u>    |                  |   |   |   |              |    |    |    |    |    |    |    | <del>P</del> |    |
| <u>CC814140</u> | <u>High Density Multi-Family Residential (more than 20 units per acre)</u> |                  |   |   |   |              |    |    |    |    |    |    |    | <del>C</del> |    |

NAICS #922140 Correctional Institutions and #922150 Parole Offices and Probations Offices Correctional Institutions was listed as a permitted use in the LI District and Parole Offices and Probation Offices were listed as a permitted use in the GC District in error, and Staff Recommends that they be removed from the table:

| Use Code | 2012 NAICS Title                     | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |    |    |    |
|----------|--------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
|          |                                      | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 922140   | Correctional Institutions            | -                | - | - | - | -  | -  | -  | -  | -  | -  | -  | -  | -  | P  |
| 922150   | Parole Offices and Probation Offices | -                | - | - | - | -  | -  | -  | -  | -  | -  | -  | P  | -  | -  |

### ACTION AND MOTION

If the Planning and Zoning Commission is satisfied that the amendments accomplish the original purposes for the conversion to the NAICS process, and that subsequent concerns have been heard and addressed, then Staff request that they provide a recommendation to the City Council on the text amendments. Action 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 August 5, 2013, staff report on Application #13-021 for the housekeeping amendments to Table A: Permitted and Conditional uses.” (Conditions may be added, eliminated, or modified by preceding motion).

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### 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: NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS); ALL EDITIONS

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

# Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

| Use Code      | 2012 NAICS Title                                                     | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |    |    |    |
|---------------|----------------------------------------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
|               |                                                                      | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 221121        | Electric Bulk Power Transmission and Control                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 221122        | Electric Power Distribution                                          | C                | C | C | C | C  | C  | C  | C  | C  | C  | C  | C  | C  | C  |
| 221310        | Water Supply and Irrigation Systems                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 221320        | Sewage Treatment Facilities                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 236115        | New Single-Family Housing Construction (except For-Sale Builders)    |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 236116        | New Multifamily Housing Construction (except For-Sale Builders)      |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 236117        | New Housing For-Sale Builders                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 236118        | Residential Remodelers                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 236210        | Industrial Building Construction                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 236220        | Commercial and Institutional Building Construction                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 237110        | Water and Sewer Line and Related Structures Construction             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 237120        | Oil and Gas Pipeline and Related Structures Construction             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 237130        | Power and Communication Line and Related Structures Construction     |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 237210        | Land Subdivision                                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 237310        | Highway, Street, and Bridge Construction (Management Office Only)    |                  |   |   |   |    |    |    |    |    |    |    |    | P  | P  |
| 238150        | Glass and Glazing Contractors                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 238210        | Electrical Contractors and Other Wiring Installation Contractors     |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 238220        | Plumbing, Heating, and Air-Conditioning Contractors                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| <b>238310</b> | Drywall and Insulation Contractors                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 238320        | Painting and Wall Covering Contractors                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 238330        | Flooring Contractors                                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 238340        | Tile and Terrazzo Contractors                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 238350        | Finish Carpentry Contractors                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 238390        | Other Building Finishing Contractors                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 238990        | All Other Specialty Trade Contractors                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 311351        | Chocolate and Confectionery Manufacturing from Cacao Beans           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 311352        | Confectionery Manufacturing from Purchased Chocolate                 |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 311340        | Nonchocolate Confectionery Manufacturing                             |                  |   |   |   |    |    |    |    |    | P  | P  | P  |    | P  |
| 311811        | Retail Bakeries                                                      |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 311812        | Commercial Bakeries                                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 311813        | Frozen Cakes, Pies, and Other Pastries Manufacturing                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 311821        | Cookie and Cracker Manufacturing                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>311824</b> | Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 311830        | Tortilla Manufacturing                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 311911        | Roasted Nuts and Peanut Butter Manufacturing                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 311919        | Other Snack Food Manufacturing                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 311920        | Coffee and Tea Manufacturing                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |

# Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

| Use Code | 2012 NAICS Title                                                | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |    |    |    |
|----------|-----------------------------------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
|          |                                                                 | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 311942   | Spice and Extract Manufacturing                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 312111   | Soft Drink Manufacturing                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 312112   | Bottled Water Manufacturing                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 312113   | Ice Manufacturing                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 312120   | Breweries                                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 312130   | Wineries                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 312140   | Distilleries                                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 313220   | Narrow Fabric Mills and Schiffli Machine Embroidery             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 313310   | Textile and Fabric Finishing Mills                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 313320   | Fabric Coating Mills                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 314120   | Curtain and Linen Mills                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 314910   | Textile Bag and Canvas Mills                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 314999   | All Other Miscellaneous Textile Product Mills                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 315210   | Cut and Sew Apparel Contractors                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 315220   | Men's and Boys' Cut and Sew Apparel Manufacturing               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 315240   | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 315280   | Other Cut and Sew Apparel Manufacturing                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 315990   | Apparel Accessories and Other Apparel Manufacturing             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 316210   | Footwear Manufacturing                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 316992   | Women's Handbag and Purse Manufacturing                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 316998   | All Other Leather Good and Allied Product Manufacturing         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 321113   | Sawmills                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    |    |
| 321114   | Wood Preservation                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    |    |
| 321211   | Hardwood Veneer and Plywood Manufacturing                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321212   | Softwood Veneer and Plywood Manufacturing                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321213   | Engineered Wood Member (except Truss) Manufacturing             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321214   | Truss Manufacturing                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321219   | Reconstituted Wood Product Manufacturing                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321911   | Wood Window and Door Manufacturing                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321912   | Cut Stock, Resawing Lumber, and Planing                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321918   | Other Millwork (including Flooring)                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321920   | Wood Container and Pallet Manufacturing                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321991   | Manufactured Home (Mobile Home) Manufacturing                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321992   | Prefabricated Wood Building Manufacturing                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 321999   | All Other Miscellaneous Wood Product Manufacturing              |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 322211   | Corrugated and Solid Fiber Box Manufacturing                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 322212   | Folding Paperboard Box Manufacturing                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 322219   | Other Paperboard Container Manufacturing                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |

# Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

| Use Code | 2012 NAICS Title                                                            | ZONING DISTRICTS |   |   |   |    |    |    |    |    |    |    |    |    |    |
|----------|-----------------------------------------------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
|          |                                                                             | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 322220   | Paper Bag and Coated and Treated Paper Manufacturing                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 322230   | Stationery Product Manufacturing                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 322291   | Sanitary Paper Product Manufacturing                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 322299   | All Other Converted Paper Product Manufacturing                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 323111   | Commercial Printing (except Screen and Books)                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 323113   | Commercial Screen Printing                                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 323117   | Books Printing                                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 323120   | Support Activities for Printing                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 325220   | Artificial and Synthetic Fibers and Filaments Manufacturing                 |                  |   |   |   |    |    |    |    | C  |    |    |    |    | C  |
| 325411   | Medicinal and Botanical Manufacturing                                       |                  |   |   |   |    |    |    |    | C  |    |    |    |    | C  |
| 325412   | Pharmaceutical Preparation Manufacturing                                    |                  |   |   |   |    |    |    |    | C  |    |    |    |    | C  |
| 325413   | In-Vitro Diagnostic Substance Manufacturing                                 |                  |   |   |   |    |    |    |    | C  |    |    |    |    | C  |
| 325414   | Biological Product (except Diagnostic) Manufacturing                        |                  |   |   |   |    |    |    |    | C  |    |    |    |    | C  |
| 325991   | Custom Compounding of Purchased Resins                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 325992   | Photographic Film, Paper, Plate, and Chemical Manufacturing                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 325998   | All Other Miscellaneous Chemical Product and Preparation Manufacturing      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326111   | Plastics Bag and Pouch Manufacturing                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 326112   | Plastics Packaging Film and Sheet (including Laminated) Manufacturing       |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 326113   | Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326121   | Unlaminated Plastics Profile Shape Manufacturing                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326122   | Plastics Pipe and Pipe Fitting Manufacturing                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326130   | Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326140   | Polystyrene Foam Product Manufacturing                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326150   | Urethane and Other Foam Product (except Polystyrene) Manufacturing          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326160   | Plastics Bottle Manufacturing                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326191   | Plastics Plumbing Fixture Manufacturing                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326199   | All Other Plastics Product Manufacturing                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326212   | Tire Retreading                                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 326291   | Rubber Product Manufacturing for Mechanical Use                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 326299   | All Other Rubber Product Manufacturing                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 327110   | Pottery, Ceramics, and Plumbing Fixture Manufacturing                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 327211   | Flat Glass Manufacturing                                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 327212   | Other Pressed and Blown Glass and Glassware Manufacturing                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 327213   | Glass Container Manufacturing                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 327215   | Glass Product Manufacturing Made of Purchased Glass                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |

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|          |                                                                                                | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 332114   | Custom Roll Forming                                                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332117   | Powder Metallurgy Part Manufacturing                                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332215   | Metal Kitchen Cookware, Utensil, Cutlery, and Flatware (except Precious) Manufacturing         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332216   | Saw Blade and Handtool Manufacturing                                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332311   | Prefabricated Metal Building and Component Manufacturing                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332312   | Fabricated Structural Metal Manufacturing                                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332313   | Plate Work Manufacturing                                                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332321   | Metal Window and Door Manufacturing                                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332322   | Sheet Metal Work Manufacturing                                                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332323   | Ornamental and Architectural Metal Work Manufacturing                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332410   | Power Boiler and Heat Exchanger Manufacturing                                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332420   | Metal Tank (Heavy Gauge) Manufacturing                                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332431   | Metal Can Manufacturing                                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332439   | Other Metal Container Manufacturing                                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332510   | Hardware Manufacturing                                                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332613   | Spring Manufacturing                                                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332618   | Other Fabricated Wire Product Manufacturing                                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332710   | Machine Shops                                                                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332721   | Precision Turned Product Manufacturing                                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332722   | Bolt, Nut, Screw, Rivet, and Washer Manufacturing                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332812   | Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332813   | Electroplating, Plating, Polishing, Anodizing, and Coloring                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332911   | Industrial Valve Manufacturing                                                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332912   | Fluid Power Valve and Hose Fitting Manufacturing                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 332913   | Plumbing Fixture Fitting and Trim Manufacturing                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332919   | Other Metal Valve and Pipe Fitting Manufacturing                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332991   | Ball and Roller Bearing Manufacturing                                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332992   | Small Arms Ammunition Manufacturing                                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 332993   | Ammunition (except Small Arms) Manufacturing                                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 332994   | Small Arms, Ordnance, and Ordnance Accessories Manufacturing                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 332996   | Fabricated Pipe and Pipe Fitting Manufacturing                                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 332999   | All Other Miscellaneous Fabricated Metal Product Manufacturing                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 333111   | Farm Machinery and Equipment Manufacturing                                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |

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| 333112   | Lawn and Garden Tractor and Home Lawn and Garden Equipment Manufacturing                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 333120   | Construction Machinery Manufacturing                                                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333131   | Mining Machinery and Equipment Manufacturing                                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333132   | Oil and Gas Field Machinery and Equipment Manufacturing                                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333241   | Food Product Machinery Manufacturing                                                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333242   | Semiconductor Machinery Manufacturing                                                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333243   | Sawmill, Woodworking, and Paper Machinery Manufacturing                                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333244   | Printing Machinery and Equipment Manufacturing                                                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333249   | Other Industrial Machinery Manufacturing                                                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333314   | Optical Instrument and Lens Manufacturing                                                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333316   | Photographic and Photocopying Equipment Manufacturing                                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333318   | Other Commercial and Service Industry Machinery Manufacturing                                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333413   | Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333414   | Heating Equipment (except Warm Air Furnaces) Manufacturing                                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333415   | Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333511   | Industrial Mold Manufacturing                                                                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 333514   | Special Die and Tool, Die Set, Jig, and Fixture Manufacturing                                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333515   | Cutting Tool and Machine Tool Accessory Manufacturing                                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333517   | Machine Tool Manufacturing                                                                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333519   | Rolling Mill and Other Metalworking Machinery Manufacturing                                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333611   | Turbine and Turbine Generator Set Units Manufacturing                                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333612   | Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing                                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333613   | Mechanical Power Transmission Equipment Manufacturing                                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333618   | Other Engine Equipment Manufacturing                                                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333911   | Pump and Pumping Equipment Manufacturing                                                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333912   | Air and Gas Compressor Manufacturing                                                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 333913   | Measuring and Dispensing Pump Manufacturing                                                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333921   | Elevator and Moving Stairway Manufacturing                                                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333922   | Conveyor and Conveying Equipment Manufacturing                                                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |



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| 333923        | Overhead Traveling Crane, Hoist, and Monorail System Manufacturing                                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333924        | Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333991        | Power-Driven Handtool Manufacturing                                                                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 333992        | Welding and Soldering Equipment Manufacturing                                                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333993        | Packaging Machinery Manufacturing                                                                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333994        | Industrial Process Furnace and Oven Manufacturing                                                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333995        | Fluid Power Cylinder and Actuator Manufacturing                                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333996        | Fluid Power Pump and Motor Manufacturing                                                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333997        | Scale and Balance Manufacturing                                                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 333999        | All Other Miscellaneous General Purpose Machinery Manufacturing                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 334111        | Electronic Computer Manufacturing                                                                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334112        | Computer Storage Device Manufacturing                                                                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>334118</b> | Computer Terminal and Other Computer Peripheral Equipment Manufacturing                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334210        | Telephone Apparatus Manufacturing                                                                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334220        | Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334290        | Other Communications Equipment Manufacturing                                                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334310        | Audio and Video Equipment Manufacturing                                                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334412        | Bare Printed Circuit Board Manufacturing                                                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334413        | Semiconductor and Related Device Manufacturing                                                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>334416</b> | Capacitor, Resistor, Coil, Transformer, and Other Inductor Manufacturing                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334417        | Electronic Connector Manufacturing                                                                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334418        | Printed Circuit Assembly (Electronic Assembly) Manufacturing                                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>334419</b> | Other Electronic Component Manufacturing                                                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334510        | Electromedical and Electrotherapeutic Apparatus Manufacturing                                                          |                  |   |   |   |    |    | C  |    |    |    |    |    |    | P  |
| 334511        | Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334512        | Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334513        | Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334514        | Totalizing Fluid Meter and Counting Device Manufacturing                                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |

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| 334515        | Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334516        | Analytical Laboratory Instrument Manufacturing                                        |                  |   |   |   |    |    | C  |    |    |    |    |    |    | P  |
| 334517        | Irradiation Apparatus Manufacturing                                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>334519</b> | Other Measuring and Controlling Device Manufacturing                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 334613        | Blank Magnetic and Optical Recording Media Manufacturing                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>334614</b> | Software and Other Prerecorded Compact Disc, Tape, and Record Reproducing             |                  |   |   |   |    |    |    |    |    |    | P  | P  | P  | P  |
| 335110        | Electric Lamp Bulb and Part Manufacturing                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335121        | Residential Electric Lighting Fixture Manufacturing                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335122        | Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing     |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335129        | Other Lighting Equipment Manufacturing                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>335210</b> | Small Electrical Appliance Manufacturing                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335221        | Household Cooking Appliance Manufacturing                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335222        | Household Refrigerator and Home Freezer Manufacturing                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335224        | Household Laundry Equipment Manufacturing                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335228        | Other Major Household Appliance Manufacturing                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335311        | Power, Distribution, and Specialty Transformer Manufacturing                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335312        | Motor and Generator Manufacturing                                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335313        | Switchgear and Switchboard Apparatus Manufacturing                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335314        | Relay and Industrial Control Manufacturing                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335911        | Storage Battery Manufacturing                                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335912        | Primary Battery Manufacturing                                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335932        | Noncurrent-Carrying Wiring Device Manufacturing                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335991        | Carbon and Graphite Product Manufacturing                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 335999        | All Other Miscellaneous Electrical Equipment and Component Manufacturing              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 336111        | Automobile Manufacturing                                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336112        | Light Truck and Utility Vehicle Manufacturing                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336120        | Heavy Duty Truck Manufacturing                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336211        | Motor Vehicle Body Manufacturing                                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336212        | Truck Trailer Manufacturing                                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336213        | Motor Home Manufacturing                                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336214        | Travel Trailer and Camper Manufacturing                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| <b>336310</b> | Motor Vehicle Gasoline Engine and Engine Parts Manufacturing                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |

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|          |                                                                                          | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 336320   | Motor Vehicle Electrical and Electronic Equipment Manufacturing                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 336330   | Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing           |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336340   | Motor Vehicle Brake System Manufacturing                                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336350   | Motor Vehicle Transmission and Power Train Parts Manufacturing                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336360   | Motor Vehicle Seating and Interior Trim Manufacturing                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 336390   | Other Motor Vehicle Parts Manufacturing                                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336411   | Aircraft Manufacturing                                                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336412   | Aircraft Engine and Engine Parts Manufacturing                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336413   | Other Aircraft Parts and Auxiliary Equipment Manufacturing                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 336414   | Guided Missile and Space Vehicle Manufacturing                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336415   | Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336419   | Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing       |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336510   | Railroad Rolling Stock Manufacturing                                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336611   | Ship Building and Repairing                                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    |    |
| 336612   | Boat Building                                                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336991   | Motorcycle, Bicycle, and Parts Manufacturing                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336992   | Military Armored Vehicle, Tank, and Tank Component Manufacturing                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 336999   | All Other Transportation Equipment Manufacturing                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337110   | Wood Kitchen Cabinet and Countertop Manufacturing                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337121   | Upholstered Household Furniture Manufacturing                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337122   | Nonupholstered Wood Household Furniture Manufacturing                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337124   | Metal Household Furniture Manufacturing                                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337125   | Household Furniture (except Wood and Metal) Manufacturing                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337127   | Institutional Furniture Manufacturing                                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337211   | Wood Office Furniture Manufacturing                                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337212   | Custom Architectural Woodwork and Millwork Manufacturing                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337214   | Office Furniture (except Wood) Manufacturing                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337215   | Showcase, Partition, Shelving, and Locker Manufacturing                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337910   | Mattress Manufacturing                                                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 337920   | Blind and Shade Manufacturing                                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |

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|               |                                                                              | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 339112        | Surgical and Medical Instrument Manufacturing                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 339113        | Surgical Appliance and Supplies Manufacturing                                |                  |   |   |   |    |    | C  |    |    |    | C  | C  |    | P  |
| 339114        | Dental Equipment and Supplies Manufacturing                                  |                  |   |   |   |    |    | C  |    |    |    |    |    |    | P  |
| 339115        | Ophthalmic Goods Manufacturing                                               |                  |   |   |   |    |    | C  |    |    |    |    |    |    | P  |
| 339116        | Dental Laboratories                                                          |                  |   |   |   |    |    | P  |    |    |    |    | C  | C  | P  |
| <b>339910</b> | Jewelry and Silverware Manufacturing                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 339920        | Sporting and Athletic Goods Manufacturing                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>339930</b> | Doll, Toy, and Game Manufacturing                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>339940</b> | Office Supplies (except Paper) Manufacturing                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 339950        | Sign Manufacturing                                                           |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | C  |
| 339991        | Gasket, Packing, and Sealing Device Manufacturing                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 339992        | Musical Instrument Manufacturing                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 339993        | Fastener, Button, Needle, and Pin Manufacturing                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 339994        | Broom, Brush, and Mop Manufacturing                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 339995        | Burial Casket Manufacturing                                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 339999        | All Other Miscellaneous Manufacturing                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 423110        | Automobile and Other Motor Vehicle Merchant Wholesalers                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 423120        | Motor Vehicle Supplies and New Parts Merchant Wholesalers                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423130        | Tire and Tube Merchant Wholesalers                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 423140        | Motor Vehicle Parts (Used) Merchant Wholesalers                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 423210        | Furniture Merchant Wholesalers                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423220        | Home Furnishing Merchant Wholesalers                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423310        | Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423320        | Brick, Stone, and Related Construction Material Merchant Wholesalers         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423330        | Roofing, Siding, and Insulation Material Merchant Wholesalers                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423390        | Other Construction Material Merchant Wholesalers                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423410        | Photographic Equipment and Supplies Merchant Wholesalers                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423420        | Office Equipment Merchant Wholesalers                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423430        | Computer and Computer Peripheral Equipment and Software Merchant Wholesalers |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423440        | Other Commercial Equipment Merchant Wholesalers                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423450        | Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423460        | Ophthalmic Goods Merchant Wholesalers                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |

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|               |                                                                                                 | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 423490        | Other Professional Equipment and Supplies Merchant Wholesalers                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423510        | Metal Service Centers and Other Metal Merchant Wholesalers                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423520        | Coal and Other Mineral and Ore Merchant Wholesalers                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    |    |
| 423610        | Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>423620</b> | Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423690        | Other Electronic Parts and Equipment Merchant Wholesalers                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423710        | Hardware Merchant Wholesalers                                                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| <b>423720</b> | Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423730        | Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423740        | Refrigeration Equipment and Supplies Merchant Wholesalers                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423810        | Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423820        | Farm and Garden Machinery and Equipment Merchant Wholesalers                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423830        | Industrial Machinery and Equipment Merchant Wholesalers                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423840        | Industrial Supplies Merchant Wholesalers                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423850        | Service Establishment Equipment and Supplies Merchant Wholesalers                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423860        | Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423910        | Sporting and Recreational Goods and Supplies Merchant Wholesalers                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423920        | Toy and Hobby Goods and Supplies Merchant Wholesalers                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423930        | Recyclable Material Merchant Wholesalers                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423940        | Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 423990        | Other Miscellaneous Durable Goods Merchant Wholesalers                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424110        | Printing and Writing Paper Merchant Wholesalers                                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424120        | Stationery and Office Supplies Merchant Wholesalers                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424130        | Industrial and Personal Service Paper Merchant Wholesalers                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |

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|          |                                                                                 | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 424210   | Drugs and Druggists' Sundries Merchant Wholesalers                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424310   | Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424320   | Men's and Boys' Clothing and Furnishings Merchant Wholesalers                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424330   | Women's, Children's, and Infants' Clothing and Accessories Merchant Wholesalers |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424340   | Footwear Merchant Wholesalers                                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424410   | General Line Grocery Merchant Wholesalers                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424420   | Packaged Frozen Food Merchant Wholesalers                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424430   | Dairy Product (except Dried or Canned) Merchant Wholesalers                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424440   | Poultry and Poultry Product Merchant Wholesalers                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424450   | Confectionery Merchant Wholesalers                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424460   | Fish and Seafood Merchant Wholesalers                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424470   | Meat and Meat Product Merchant Wholesalers                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424480   | Fresh Fruit and Vegetable Merchant Wholesalers                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424490   | Other Grocery and Related Products Merchant Wholesalers                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424510   | Grain and Field Bean Merchant Wholesalers                                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424520   | Livestock Merchant Wholesalers                                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424610   | Plastics Materials and Basic Forms and Shapes Merchant Wholesalers              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424690   | Other Chemical and Allied Products Merchant Wholesalers                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 424810   | Beer and Ale Merchant Wholesalers                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424820   | Wine and Distilled Alcoholic Beverage Merchant Wholesalers                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424910   | Farm Supplies Merchant Wholesalers                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424920   | Book, Periodical, and Newspaper Merchant Wholesalers                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424930   | Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424940   | Tobacco and Tobacco Product Merchant Wholesalers                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424950   | Paint, Varnish, and Supplies Merchant Wholesalers                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 424990   | Other Miscellaneous Nondurable Goods Merchant Wholesalers                       |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 425110   | Business to Business Electronic Markets                                         |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 425120   | Wholesale Trade Agents and Brokers                                              |                  |   |   |   |    |    |    | P  |    |    |    | P  | P  | P  |
| 441110   | New Car Dealers                                                                 |                  |   |   |   |    |    |    |    |    |    |    | C  | C  | C  |
| 441120   | Used Car Dealers                                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 441210   | Recreational Vehicle Dealers                                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 441222   | Boat Dealers                                                                    |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |

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|               |                                                                                                 | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| <b>441228</b> | Motorcycle, ATV, and All Other Motor Vehicle Dealers                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 441310        | Automotive Parts and Accessories Stores                                                         |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | C  |
| 441320        | Tire Dealers                                                                                    |                  |   |   |   |    |    |    |    |    |    |    | C  |    | C  |
| CC442100      | All Drive-In and Drive-Through Services (excluding Food Services)                               |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | C  |
| 442110        | Furniture Stores                                                                                |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 442210        | Floor Covering Stores                                                                           |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 442291        | Window Treatment Stores                                                                         |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 442299        | All Other Home Furnishings Stores                                                               |                  |   |   |   |    |    |    |    |    | C  | C  | P  | P  | P  |
| 443141        | Household Appliance Stores                                                                      |                  |   |   |   |    |    |    |    |    | C  | C  | P  | P  | P  |
| <b>443142</b> | Electronics Stores                                                                              |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 444110        | Home Centers                                                                                    |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | P  |
| 444120        | Paint and Wallpaper Stores                                                                      |                  |   |   |   |    |    |    |    |    | C  | P  | P  | P  | P  |
| 444130        | Hardware Stores                                                                                 |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 444190        | Other Building Material Dealers                                                                 |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | P  |
| 444210        | Outdoor Power Equipment Stores                                                                  |                  |   |   |   |    |    |    |    |    | C  | C  | C  | P  | P  |
| 444220        | Nursery, Garden Center, and Farm Supply Stores                                                  |                  |   |   |   |    |    |    |    |    | C  |    |    | C  | P  |
| 445110        | Supermarkets and Other Grocery (except Convenience) Stores                                      |                  |   |   |   |    |    |    |    |    | C  | P  | P  | P  | P  |
| 445120        | Convenience Stores                                                                              |                  |   |   |   |    |    |    | C  |    | C  | C  | C  | C  | C  |
| 445210        | Meat Markets                                                                                    |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 445220        | Fish and Seafood Markets                                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 445230        | Fruit and Vegetable Markets                                                                     |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 445291        | Baked Goods Stores                                                                              |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 445292        | Confectionery and Nut Stores                                                                    |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 445299        | All Other Specialty Food Stores                                                                 |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 445310        | Beer, Wine, and Liquor Stores                                                                   |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 446110        | Pharmacies and Drug Stores                                                                      |                  |   |   |   |    |    | P  | P  |    | P  | P  | P  | P  | P  |
| 446120        | Cosmetics, Beauty Supplies, and Perfume Stores                                                  |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 446130        | Optical Goods Stores                                                                            |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 446191        | Food (Health) Supplement Stores                                                                 |                  |   |   |   |    |    | P  |    |    | P  | P  | P  | P  | P  |
| 446199        | All Other Health and Personal Care Stores                                                       |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 447110        | Gasoline Stations with Convenience Stores                                                       |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | C  |
| 447190        | Other Gasoline Stations                                                                         |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |
| 448110        | Men's Clothing Stores                                                                           |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 448120        | Women's Clothing Stores                                                                         |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 448130        | Children's and Infants' Clothing Stores                                                         |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 448140        | Family Clothing Stores                                                                          |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 448150        | Clothing Accessories Stores                                                                     |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 448190        | Other Clothing Stores                                                                           |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 448210        | Shoe Stores                                                                                     |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 448310        | Jewelry Stores                                                                                  |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 448320        | Luggage and Leather Goods Stores                                                                |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 451110        | Sporting Goods Stores (except those exclusively engaged in the sale of firearms and ammunition) |                  |   |   |   |    |    |    |    |    | C  | C  | P  | P  | P  |
| 451120        | Hobby, Toy, and Game Stores                                                                     |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 451130        | Sewing, Needlework, and Piece Goods Stores                                                      |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |

# Chapter 405, Table A, Permitted and Conditional Uses

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|          |                                                                                                                                | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 451140   | Musical Instrument and Supplies Stores                                                                                         |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 451211   | Book Stores                                                                                                                    |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 451212   | News Dealers and Newsstands                                                                                                    |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 452111   | Department Stores (except Discount Department Stores)                                                                          |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | P  |
| 452112   | Discount Department Stores                                                                                                     |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | P  |
| 452910   | Warehouse Clubs and Supercenters                                                                                               |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | P  |
| 452990   | All Other General Merchandise Stores                                                                                           |                  |   |   |   |    |    |    | C  |    | C  | C  | C  | C  | P  |
| 453110   | Florists                                                                                                                       |                  |   |   |   |    |    | P  |    |    | P  | P  | P  | P  | P  |
| 453210   | Office Supplies and Stationery Stores                                                                                          |                  |   |   |   |    |    | P  | P  |    | P  | P  | P  | P  | P  |
| 453220   | Gift, Novelty, and Souvenir Stores                                                                                             |                  |   |   |   |    |    | P  |    |    | P  | P  | P  | P  | P  |
| 453310   | Used Merchandise Stores (No building materials, outside sales, exchange or drop-off of used goods).                            |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 453910   | Pet and Pet Supplies Stores                                                                                                    |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 453920   | Art Dealers                                                                                                                    |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 453930   | Manufactured (Mobile) Home Dealers                                                                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 453991   | Tobacco Stores                                                                                                                 |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 453998   | All Other Miscellaneous Store Retailers (except auction houses, pool and hot tub sales/supplies and cemetery memorial dealers) |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 454111   | Electronic Shopping                                                                                                            |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 454112   | Electronic Auctions                                                                                                            |                  |   |   |   |    |    |    |    |    |    |    |    | P  | P  |
| 454113   | Mail-Order Houses                                                                                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 454210   | Vending Machine Operators                                                                                                      |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 454310   | Fuel Dealers                                                                                                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 454390   | Other Direct Selling Establishments                                                                                            |                  |   |   |   |    |    |    |    |    | P  | P  | P  |    |    |
| 481112   | Scheduled Freight Air Transportation                                                                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 481219   | Other Nonscheduled Air Transportation                                                                                          |                  |   |   |   |    |    |    |    |    | P  |    |    | P  |    |
| 484110   | General Freight Trucking, Local                                                                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 484121   | General Freight Trucking, Long-Distance, Truckload                                                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 484122   | General Freight Trucking, Long-Distance, Less Than Truckload                                                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 484210   | Used Household and Office Goods Moving                                                                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 484220   | Specialized Freight (except Used Goods) Trucking, Local                                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 484230   | Specialized Freight (except Used Goods) Trucking, Long-Distance                                                                |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 485111   | Mixed Mode Transit Systems                                                                                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 485112   | Commuter Rail Systems                                                                                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 485113   | Bus and Other Motor Vehicle Transit Systems                                                                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 485119   | Other Urban Transit Systems                                                                                                    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 485210   | Interurban and Rural Bus Transportation                                                                                        |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  |    |
| 485310   | Taxi Service                                                                                                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 485320   | Limousine Service                                                                                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 485410   | School and Employee Bus Transportation                                                                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 485510   | Charter Bus Industry                                                                                                           |                  |   |   |   |    |    |    |    |    |    | C  |    |    | C  |
| 485991   | Special Needs Transportation                                                                                                   |                  |   |   |   |    |    |    |    |    |    | C  |    |    | C  |



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|          |                                                                                               | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 485999   | All Other Transit and Ground Passenger Transportation                                         |                  |   |   |   |    |    |    |    |    |    | C  |    |    | C  |
| 486110   | Pipeline Transportation of Crude Oil                                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 486210   | Pipeline Transportation of Natural Gas                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 486910   | Pipeline Transportation of Refined Petroleum Products                                         |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 486990   | All Other Pipeline Transportation                                                             |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 488190   | Other Support Activities for Air Transportation                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 488410   | Motor Vehicle Towing                                                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 488490   | Other Support Activities for Road Transportation                                              |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 488510   | Freight Transportation Arrangement                                                            |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 488991   | Packing and Crating                                                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 488999   | All Other Support Activities for Transportation                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 491110   | Postal Service                                                                                |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 492110   | Couriers and Express Delivery Services                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 492210   | Local Messengers and Local Delivery                                                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 493110   | General Warehousing and Storage                                                               |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 493120   | Refrigerated Warehousing and Storage                                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 493130   | Farm Product Warehousing and Storage                                                          |                  |   |   |   |    |    |    |    |    |    |    |    |    |    |
| 493190   | Other Warehousing and Storage                                                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    |    |
| 511110   | Newspaper Publishers                                                                          |                  |   |   |   |    |    |    | P  |    | P  | P  |    | P  | P  |
| 511120   | Periodical Publishers                                                                         |                  |   |   |   |    |    |    | P  | P  | P  | P  |    | P  | P  |
| 511130   | Book Publishers                                                                               |                  |   |   |   |    |    |    | P  |    | P  | P  |    | P  | P  |
| 511140   | Directory and Mailing List Publishers                                                         |                  |   |   |   |    |    |    | P  |    | P  | P  |    | P  | P  |
| 511191   | Greeting Card Publishers                                                                      |                  |   |   |   |    |    |    | P  |    | P  | P  |    | P  | P  |
| 511199   | All Other Publishers                                                                          |                  |   |   |   |    |    |    | P  |    | P  | P  |    | P  | P  |
| 511210   | Software Publishers                                                                           |                  |   |   |   |    |    |    | P  | P  | P  | P  | P  | P  | P  |
| 512110   | Motion Picture and Video Production                                                           |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | P  |
| 512120   | Motion Picture and Video Distribution                                                         |                  |   |   |   |    |    |    |    |    |    | P  | P  | P  | P  |
| 512131   | Motion Picture Theaters (except Drive-Ins)                                                    |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  |    |
| 512191   | Teleproduction and Other Postproduction Services                                              |                  |   |   |   |    |    |    |    |    |    |    | P  | P  |    |
| 512199   | Other Motion Picture and Video Industries                                                     |                  |   |   |   |    |    |    |    |    |    |    | P  | P  |    |
| 512210   | Record Production                                                                             |                  |   |   |   |    |    |    | P  | P  |    |    | P  | P  | P  |
| 512220   | Integrated Record Production/Distribution                                                     |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 512230   | Music Publishers                                                                              |                  |   |   |   |    |    |    | P  | P  |    |    | P  | P  | P  |
| 512240   | Sound Recording Studios                                                                       |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | P  |
| 512290   | Other Sound Recording Industries                                                              |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | P  |
| 515111   | Radio Networks                                                                                |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | C  |
| 515112   | Radio Stations                                                                                |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | C  |
| 515120   | Television Broadcasting                                                                       |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | C  |
| 515210   | Cable and Other Subscription Programming                                                      |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | C  |
| 517110   | Wired Telecommunications Carriers                                                             |                  |   |   |   |    |    |    | C  | C  |    | C  |    | C  | C  |
| 517210   | Wireless Telecommunications Carriers incl. Freestanding Antenna Facilities (except Satellite) | C                | C | C | C | C  | C  | C  | C  | C  | C  | C  | C  | C  | C  |
| 517410   | Satellite Telecommunications                                                                  |                  |   |   |   |    |    |    | C  | C  |    |    | C  |    | C  |
| 517911   | Telecommunications Resellers                                                                  |                  |   |   |   |    |    |    | C  |    |    | P  |    | P  | P  |
| 517919   | All Other Telecommunications                                                                  |                  |   |   |   |    |    |    | C  |    |    |    | C  |    | C  |

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|          |                                                                          | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| CC517929 | Roof-Mounted Communication Equipment                                     | C                |   |   |   |    | C  | C  | C  | C  | C  | C  | C  | C  | C  |
| 518210   | Data Processing, Hosting, and Related Services                           |                  |   |   |   |    |    |    | P  | P  |    | P  |    | P  | P  |
| 519110   | News Syndicates                                                          |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 519120   | Libraries and Archives                                                   |                  |   |   |   |    | P  |    | P  | P  | P  | P  | P  | P  | P  |
| 519130   | Internet Publishing and Broadcasting and Web Search Portals              |                  |   |   |   |    |    |    | P  | P  | P  | P  | P  | P  | P  |
| 519190   | All Other Information Services                                           |                  |   |   |   |    |    |    | P  | P  |    | P  |    | P  | P  |
| 521110   | Monetary Authorities-Central Bank                                        |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 522110   | Commercial Banking                                                       |                  |   |   |   |    | C  |    | C  |    | C  | C  | C  | C  | C  |
| 522120   | Savings Institutions                                                     |                  |   |   |   |    | C  |    | C  |    | C  | C  | C  | C  | C  |
| 522130   | Credit Unions                                                            |                  |   |   |   |    | C  |    | C  |    | C  | C  | C  | C  | C  |
| 522190   | Other Depository Credit Intermediation                                   |                  |   |   |   |    |    |    | C  |    |    | C  |    | C  | C  |
| 522210   | Credit Card Issuing                                                      |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  |    |
| 522220   | Sales Financing                                                          |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 522291   | Consumer Lending                                                         |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 522292   | Real Estate Credit                                                       |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 522293   | International Trade Financing                                            |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 522294   | Secondary Market Financing                                               |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 522298   | All Other Nondepository Credit Intermediation (incl. Pawnshops)          |                  |   |   |   |    |    |    |    |    |    |    |    |    |    |
| 522310   | Mortgage and Nonmortgage Loan Brokers                                    |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  |    |
| 522320   | Financial Transactions Processing, Reserve, and Clearinghouse Activities |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 522390   | Other Activities Related to Credit Intermediation                        |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 523110   | Investment Banking and Securities Dealing                                |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 523120   | Securities Brokerage                                                     |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  |    |
| 523130   | Commodity Contracts Dealing                                              |                  |   |   |   |    |    |    | P  |    | P  |    | P  | P  |    |
| 523140   | Commodity Contracts Brokerage                                            |                  |   |   |   |    |    |    | P  |    | P  |    | P  | P  |    |
| 523210   | Securities and Commodity Exchanges                                       |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  |    |
| 523910   | Miscellaneous Intermediation                                             |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  |    |
| 523920   | Portfolio Management                                                     |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  |    |
| 523930   | Investment Advice                                                        |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  |    |
| 523991   | Trust, Fiduciary, and Custody Activities                                 |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 523999   | Miscellaneous Financial Investment Activities                            |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 524113   | Direct Life Insurance Carriers                                           |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 524114   | Direct Health and Medical Insurance Carriers                             |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 524126   | Direct Property and Casualty Insurance Carriers                          |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 524127   | Direct Title Insurance Carriers                                          |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 524128   | Other Direct Insurance (except Life, Health, and Medical) Carriers       |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 524130   | Reinsurance Carriers                                                     |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 524210   | Insurance Agencies and Brokerages                                        |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  |    |
| 524291   | Claims Adjusting                                                         |                  |   |   |   |    |    |    | C  |    | C  | C  | C  | C  | C  |
| 524292   | Third Party Administration of Insurance and Pension Funds                |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 524298   | All Other Insurance Related Activities                                   |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 525110   | Pension Funds                                                            |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |

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|          |                                                                               | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 525120   | Health and Welfare Funds                                                      |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 525190   | Other Insurance Funds                                                         |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 525910   | Open-End Investment Funds                                                     |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 525920   | Trusts, Estates, and Agency Accounts                                          |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 525990   | Other Financial Vehicles                                                      |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 531110   | Lessors of Residential Buildings and Dwellings                                |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 531120   | Lessors of Nonresidential Buildings (except Miniwarehouses)                   |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 531190   | Lessors of Other Real Estate Property                                         |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 531210   | Offices of Real Estate Agents and Brokers                                     |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  |    |
| 531311   | Residential Property Managers                                                 |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 531312   | Nonresidential Property Managers                                              |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 531320   | Offices of Real Estate Appraisers                                             |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 531390   | Other Activities Related to Real Estate                                       |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 532111   | Passenger Car Rental                                                          |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  |    |
| 532112   | Passenger Car Leasing                                                         |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  |    |
| 532120   | Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing      |                  |   |   |   |    |    |    |    |    |    |    | C  | C  | C  |
| 532210   | Consumer Electronics and Appliances Rental                                    |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | C  |
| 532220   | Formal Wear and Costume Rental                                                |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 532230   | Video Tape and Disc Rental                                                    |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 532291   | Home Health Equipment Rental                                                  |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 532292   | Recreational Goods Rental                                                     |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 532299   | All Other Consumer Goods Rental                                               |                  |   |   |   |    |    |    |    |    | C  | C  | C  |    | C  |
| 532310   | General Rental Centers                                                        |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | C  |
| 532411   | Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing   |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 532412   | Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 532420   | Office Machinery and Equipment Rental and Leasing                             |                  |   |   |   |    |    |    |    |    | P  |    | P  | P  | P  |
| 532490   | Other Commercial and Industrial Machinery and Equipment Rental and Leasing    |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 533110   | Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)          |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  |    |
| 541110   | Offices of Lawyers                                                            |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541120   | Offices of Notaries                                                           |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541191   | Title Abstract and Settlement Offices                                         |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 541199   | All Other Legal Services                                                      |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 541211   | Offices of Certified Public Accountants                                       |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541213   | Tax Preparation Services                                                      |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541214   | Payroll Services                                                              |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541219   | Other Accounting Services                                                     |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541310   | Architectural Services                                                        |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541320   | Landscape Architectural Services                                              |                  |   |   |   |    |    |    |    |    |    | P  | P  | P  | P  |
| 541330   | Engineering Services                                                          |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541340   | Drafting Services                                                             |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541350   | Building Inspection Services                                                  |                  |   |   |   |    |    |    | P  |    |    | P  | P  |    | P  |

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|          |                                                                                                 | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 541360   | Geophysical Surveying and Mapping Services                                                      |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541370   | Surveying and Mapping (except Geophysical) Services                                             |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541380   | Testing Laboratories                                                                            |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  | P  |
| 541410   | Interior Design Services                                                                        |                  |   |   |   |    |    |    | P  |    |    |    | P  | P  | P  |
| 541420   | Industrial Design Services                                                                      |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541430   | Graphic Design Services                                                                         |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541490   | Other Specialized Design Services                                                               |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541511   | Custom Computer Programming Services                                                            |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541512   | Computer Systems Design Services                                                                |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541513   | Computer Facilities Management Services                                                         |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  | P  |
| 541519   | Other Computer Related Services                                                                 |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541611   | Administrative Management and General Management Consulting Services                            |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 541612   | Human Resources Consulting Services                                                             |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 541613   | Marketing Consulting Services                                                                   |                  |   |   |   |    |    | P  | P  |    |    | P  | P  | P  | P  |
| 541614   | Process, Physical Distribution, and Logistics Consulting Services                               |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 541618   | Other Management Consulting Services                                                            |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541620   | Environmental Consulting Services                                                               |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  | P  |
| 541690   | Other Scientific and Technical Consulting Services                                              |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  | P  |
| 541711   | Research and Development in Biotechnology                                                       |                  |   |   |   |    |    |    | P  | P  |    |    |    |    | P  |
| 541712   | Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology) |                  |   |   |   |    |    |    | P  | P  |    |    |    |    | P  |
| 541720   | Research and Development in the Social Sciences and Humanities                                  |                  |   |   |   |    |    |    | P  | P  |    |    |    | P  |    |
| 541810   | Advertising Agencies                                                                            |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541820   | Public Relations Agencies                                                                       |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541830   | Media Buying Agencies                                                                           |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541840   | Media Representatives                                                                           |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541850   | Outdoor Advertising                                                                             |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541860   | Direct Mail Advertising                                                                         |                  |   |   |   |    |    |    | P  |    |    |    | P  | P  | P  |
| 541870   | Advertising Material Distribution Services                                                      |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541890   | Other Services Related to Advertising                                                           |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541910   | Marketing Research and Public Opinion Polling                                                   |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 541921   | Photography Studios, Portrait                                                                   |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 541922   | Commercial Photography                                                                          |                  |   |   |   |    |    |    |    |    |    | P  | P  | P  | P  |
| 541930   | Translation and Interpretation Services                                                         |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 541940   | Veterinary Services                                                                             |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 541990   | All Other Professional, Scientific, and Technical Services                                      |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 551111   | Offices of Bank Holding Companies                                                               |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 551112   | Offices of Other Holding Companies                                                              |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 551114   | Corporate, Subsidiary, and Regional Managing Offices                                            |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  | P  |
| CC561100 | Business Enterprise Center (as defined in Chapter 405.120, Definition of Terms)                 |                  |   |   |   |    |    |    |    |    |    |    |    | P  |    |

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|          |                                                       | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 561110   | Office Administrative Services                        |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 561210   | Facilities Support Services                           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 561311   | Employment Placement Agencies                         |                  |   |   |   |    |    |    | P  |    |    | C  | C  | C  | P  |
| 561312   | Executive Search Services                             |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 561320   | Temporary Help Services                               |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 561330   | Professional Employer Organizations                   |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | C  |
| 561410   | Document Preparation Services                         |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  | P  |
| 561421   | Telephone Answering Services                          |                  |   |   |   |    |    |    | C  |    |    | C  |    | C  | P  |
| 561422   | Telemarketing Bureaus and Other Contact Centers       |                  |   |   |   |    |    |    | C  |    |    | C  |    | C  | C  |
| 561431   | Private Mail Centers                                  |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | C  |
| 561439   | Other Business Service Centers (including Copy Shops) |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 561440   | Collection Agencies                                   |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 561450   | Credit Bureaus                                        |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 561491   | Repossession Services                                 |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 561492   | Court Reporting and Stenotype Services                |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 561499   | All Other Business Support Services                   |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 561510   | Travel Agencies                                       |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 561520   | Tour Operators                                        |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 561591   | Convention and Visitors Bureaus                       |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 561599   | All Other Travel Arrangement and Reservation Services |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 561611   | Investigation Services                                |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 561612   | Security Guards and Patrol Services                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 561613   | Armored Car Services                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 561621   | Security Systems Services (except Locksmiths)         |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | P  |
| 561622   | Locksmiths                                            |                  |   |   |   |    |    |    |    |    | P  | P  | P  | P  | P  |
| 561710   | Exterminating and Pest Control Services               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 561730   | Landscaping Services                                  |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 561740   | Carpet and Upholstery Cleaning Services               |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 561790   | Other Services to Buildings and Dwellings             |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 561910   | Packaging and Labeling Services                       |                  |   |   |   |    |    |    |    |    | C  | C  | C  |    | P  |
| 561920   | Convention and Trade Show Organizers                  |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 561990   | All Other Support Services                            |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | P  |
| 562998   | All Other Miscellaneous Waste Management Services     |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 611110   | Elementary and Secondary Schools                      | C                | C | C | C | C  | P  |    |    |    |    |    |    |    |    |
| 611210   | Junior Colleges                                       |                  |   |   |   |    | P  |    | C  |    | C  | C  | C  | C  | C  |
| 611310   | Colleges, Universities, and Professional Schools      |                  |   |   |   |    | P  | P  | C  | C  | C  | C  | C  | C  | C  |
| 611410   | Business and Secretarial Schools                      |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | C  |
| 611420   | Computer Training                                     |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | C  |
| 611430   | Professional and Management Development Training      |                  |   |   |   |    |    |    | C  |    |    | C  | C  | C  | C  |
| 611511   | Cosmetology and Barber Schools                        |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |
| 611513   | Apprenticeship Training                               |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 611519   | Other Technical and Trade Schools                     |                  |   |   |   |    |    |    | C  |    |    |    |    | C  | C  |
| 611610   | Fine Arts Schools                                     |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | P  |
| 611620   | Sports and Recreation Instruction                     |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | P  |
| 611630   | Language Schools                                      |                  |   |   |   |    |    |    | P  |    |    |    |    | P  | P  |

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|          |                                                                                                                      | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 611691   | Exam Preparation and Tutoring                                                                                        |                  |   |   |   |    |    | P  |    | P  | P  | P  | P  | P  | P  |
| 611692   | Automobile Driving Schools                                                                                           |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  |    |
| 611699   | All Other Miscellaneous Schools and Instruction                                                                      |                  |   |   |   |    |    | P  |    |    | P  | P  | P  | P  |    |
| 611710   | Educational Support Services                                                                                         |                  |   |   |   |    |    | P  |    |    | P  | P  | P  | P  |    |
| 621111   | Offices of Physicians (except Mental Health Specialists)                                                             |                  |   |   |   |    | P  | P  |    | P  | P  | P  | P  | P  |    |
| 621112   | Offices of Physicians, Mental Health Specialists                                                                     |                  |   |   |   |    | P  | P  |    | P  | P  | P  | P  | P  |    |
| 621210   | Offices of Dentists                                                                                                  |                  |   |   |   |    | P  | P  |    | P  | P  | P  | P  | P  |    |
| 621310   | Offices of Chiropractors                                                                                             |                  |   |   |   |    | P  | P  |    | P  | P  | P  | P  | P  |    |
| 621320   | Offices of Optometrists                                                                                              |                  |   |   |   |    | P  | P  |    | P  | P  | P  | P  | P  |    |
| 621330   | Offices of Mental Health Practitioners (except Physicians)                                                           |                  |   |   |   |    | P  | P  |    | P  | P  | P  | P  | P  |    |
| 621340   | Offices of Physical, Occupational and Speech Therapists, and Audiologists                                            |                  |   |   |   |    | P  | P  |    | P  | P  | P  | P  | P  |    |
| 621391   | Offices of Podiatrists                                                                                               |                  |   |   |   |    | P  | P  |    | P  | P  | P  | P  | P  |    |
| 621399   | Offices of All Other Miscellaneous Health Practitioners                                                              |                  |   |   |   |    | P  | P  |    | P  | P  | P  | P  | P  |    |
| 621410   | Family Planning Centers                                                                                              |                  |   |   |   |    | P  | C  |    |    | C  | C  | C  | C  |    |
| 621420   | Outpatient Mental Health and Substance Abuse Centers                                                                 |                  |   |   |   |    | P  |    |    |    |    | C  |    |    |    |
| 621491   | HMO Medical Centers                                                                                                  |                  |   |   |   |    | P  | P  |    |    | P  | P  | P  | P  |    |
| 621492   | Kidney Dialysis Centers                                                                                              |                  |   |   |   |    | P  | P  |    |    | P  | P  | P  | P  |    |
| 621493   | Freestanding Ambulatory Surgical and Emergency Centers                                                               |                  |   |   |   |    | P  | P  |    |    | P  | P  | P  | P  |    |
| 621498   | All Other Outpatient Care Centers                                                                                    |                  |   |   |   |    | P  |    |    |    |    | C  |    | P  |    |
| 621511   | Medical Laboratories                                                                                                 |                  |   |   |   |    | P  |    |    |    |    | C  | P  | P  |    |
| 621512   | Diagnostic Imaging Centers                                                                                           |                  |   |   |   |    | P  |    |    |    |    | C  | P  | P  |    |
| 621610   | Home Health Care Services                                                                                            |                  |   |   |   |    | P  |    |    |    | P  | P  | P  | P  |    |
| 621910   | Ambulance Services                                                                                                   |                  |   |   |   |    |    |    |    |    |    | C  |    | P  |    |
| 621991   | Blood and Organ Banks                                                                                                |                  |   |   |   |    | P  |    |    |    |    |    |    | P  |    |
| 621999   | All Other Miscellaneous Ambulatory Health Care Services                                                              |                  |   |   |   |    | P  |    |    |    |    | C  | C  |    |    |
| 622110   | General Medical and Surgical Hospitals                                                                               |                  |   |   |   |    | P  |    |    |    |    |    |    |    |    |
| 622210   | Psychiatric and Substance Abuse Hospitals                                                                            |                  |   |   |   |    | P  |    |    |    |    |    |    | P  |    |
| 622310   | Specialty (except Psychiatric and Substance Abuse) Hospitals                                                         |                  |   |   |   |    | P  |    |    |    |    |    |    |    |    |
| 623110   | Nursing Care Facilities (Skilled Nursing Facilities)                                                                 |                  |   |   |   |    | C  | C  |    |    |    | C  | C  | C  |    |
| 623210   | Residential Intellectual and Developmental Disability Facilities (Subject to 405.450.B)                              | P                | P | P | P | P  | C  | C  |    |    |    | P  |    |    |    |
| 623220   | Residential Mental Health and Substance Abuse Facilities                                                             |                  |   |   |   |    |    | P  |    |    |    | C  |    |    |    |
| 623311   | Continuing Care Retirement Communities                                                                               |                  |   |   |   |    | C  | C  |    |    |    | C  | C  | C  |    |
| 623312   | Assisted Living Facilities for the Elderly                                                                           |                  |   |   |   |    | C  | C  |    |    |    | C  | C  | C  |    |
| 623990   | Other Residential Care Facilities (Subject to 405.450.B), excluding boot/disciplinary camps and halfway group homes. | P                | P | P | P | P  | C  | C  |    |    |    | C  | C  | C  |    |
| 624110   | Child and Youth Services                                                                                             |                  |   |   |   |    |    | P  |    |    |    |    |    | P  | P  |
| 624120   | Services for the Elderly and Persons with Disabilities                                                               |                  |   |   |   |    | C  | P  | C  |    |    | P  | P  | P  |    |

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|----------|-----------------------------------------------------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
|          |                                                                                   | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 624190   | Other Individual and Family Services                                              |                  |   |   |   |    |    | P  | P  |    |    | P  | P  | P  | P  |
| 624210   | Community Food Services                                                           |                  |   |   |   |    |    |    |    |    |    | C  | C  |    | P  |
| 624221   | Temporary Shelters                                                                |                  |   |   |   |    |    | C  |    |    |    | C  | C  |    | C  |
| 624229   | Other Community Housing Services                                                  |                  |   |   |   |    |    |    |    |    |    | C  | C  |    | P  |
| 624230   | Emergency and Other Relief Services                                               |                  |   |   |   |    |    |    |    |    |    | C  | C  |    | C  |
| 624310   | Vocational Rehabilitation Services                                                |                  |   |   |   |    |    |    |    |    |    |    | P  |    | C  |
| 624410   | Child Day Care Services                                                           | C                | C | C | C | C  | C  | C  | C  | C  | C  | C  | C  | C  | C  |
| 711110   | Theater Companies and Dinner Theaters                                             |                  |   |   |   |    |    |    | C  | C  | C  | C  | C  | C  | C  |
| 711120   | Dance Companies                                                                   |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |
| 711130   | Musical Groups and Artists                                                        |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |
| 711190   | Other Performing Arts Companies                                                   |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |
| 711211   | Sports Teams and Clubs                                                            |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |
| 711212   | Racetracks                                                                        |                  |   |   |   |    |    |    |    |    |    |    |    |    | C  |
| 711219   | Other Spectator Sports                                                            |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |
| 711310   | Promoters of Performing Arts, Sports, and Similar Events with Facilities          |                  |   |   |   |    |    | C  |    |    |    | C  | C  | C  | C  |
| 711320   | Promoters of Performing Arts, Sports, and Similar Events without Facilities       |                  |   |   |   |    |    | P  |    |    |    | P  | P  | P  |    |
| 711410   | Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures |                  |   |   |   |    |    | P  |    |    |    | P  | P  | P  | P  |
| 711510   | Independent Artists, Writers, and Performers                                      |                  |   |   |   |    |    | C  |    |    |    | C  | C  | C  |    |
| 721110   | Museums                                                                           |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  |    |
| 721210   | Historical Sites                                                                  | C                | C | C | C | C  | C  | C  | C  | C  | C  | C  | C  | C  |    |
| 721230   | Zoos and Botanical Gardens                                                        |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  |    |
| 721290   | Nature Parks and Other Similar Institutions                                       | C                | C | C | C | C  |    |    |    |    |    | C  | C  | C  |    |
| 721310   | Amusement and Theme Parks                                                         |                  |   |   |   |    |    | P  |    |    |    | C  | C  | C  |    |
| 721320   | Amusement Arcades                                                                 |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  |    |
| 721390   | Other Gambling Industries                                                         |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |
| 721910   | Golf Courses and Country Clubs                                                    | C                | C | C | C | C  |    |    |    |    |    |    |    |    |    |
| 721940   | Fitness and Recreational Sports Centers                                           | C                | C | C | C | C  |    |    | C  | C  |    | P  | P  | P  | P  |
| 721950   | Bowling Centers                                                                   |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  |    |
| 721990   | All Other Amusement and Recreation Industries (except gun and shooting clubs)     | C                | C | C | C | C  |    |    |    |    |    | C  | C  | C  | P  |
| 721110   | Hotels (except Casino Hotels) and Motels                                          |                  |   |   |   |    | C  |    | C  |    |    | C  | C  | C  |    |
| CC721130 | Sexually-Oriented Businesses (subject to Article VIII-A of Chapter 405)           |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 721191   | Bed-and-Breakfast Inns                                                            | C                | C | C | C | C  |    |    |    |    |    |    |    |    |    |
| 721310   | Rooming and Boarding Houses                                                       |                  |   |   |   |    | C  | C  |    |    |    |    |    |    |    |
| 722310   | Food Service Contractors                                                          |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |
| 722320   | Caterers                                                                          |                  |   |   |   |    |    |    |    |    |    | C  | C  | C  | C  |
| 722330   | Mobile Food Services                                                              |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | C  |
| 722410   | Drinking Places (Alcoholic Beverages)                                             |                  |   |   |   |    |    |    |    |    | C  | C  | C  | C  | C  |
| 722511   | Full-Service Restaurants                                                          |                  |   |   |   |    |    |    | C  |    | C  | C  | C  | C  | C  |
| 722513   | Limited-Service Restaurants                                                       |                  |   |   |   |    |    |    | C  |    | C  | C  | C  | C  | C  |
| 722514   | Cafeterias, Grill Buffets, and Buffets                                            |                  |   |   |   |    | C  |    | C  |    | C  | C  | C  | C  | C  |
| 722515   | Snack and Nonalcoholic Beverage Bars                                              |                  |   |   |   |    |    |    | C  | C  | C  | C  | C  | C  | C  |
| 811111   | General Automotive Repair                                                         |                  |   |   |   |    |    |    |    |    |    |    | C  |    | C  |
| 811112   | Automotive Exhaust System Repair                                                  |                  |   |   |   |    |    |    |    |    |    |    | C  |    | C  |
| 811113   | Automotive Transmission Repair                                                    |                  |   |   |   |    |    |    |    |    |    |    | C  |    | C  |
| 811118   | Other Automotive Mechanical and Electrical Repair and Maintenance                 |                  |   |   |   |    |    |    |    |    |    |    | C  |    | C  |

# Chapter 405, Table A, Permitted and Conditional Uses

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| Use Code | 2012 NAICS Title                                                                                                                                                                                        | ZONING DISTRICTS |   |   |   |    |    |    |    |    |           |           |           |           |           |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|---|---|---|----|----|----|----|----|-----------|-----------|-----------|-----------|-----------|
|          |                                                                                                                                                                                                         | A                | B | C | D | AR | HE | PH | PO | RO | MX        | PC        | GC        | CB        | LI        |
| 811121   | Automotive Body, Paint, and Interior Repair and Maintenance                                                                                                                                             |                  |   |   |   |    |    |    |    |    |           |           |           |           | C         |
| 811122   | Automotive Glass Replacement Shops                                                                                                                                                                      |                  |   |   |   |    |    |    |    |    |           |           | C         |           | C         |
| 811191   | Automotive Oil Change and Lubrication Shops                                                                                                                                                             |                  |   |   |   |    |    |    |    |    |           |           | C         | C         | C         |
| 811192   | Car Washes                                                                                                                                                                                              |                  |   |   |   |    |    |    |    |    |           |           | C         |           | C         |
| 811198   | All Other Automotive Repair and Maintenance                                                                                                                                                             |                  |   |   |   |    |    |    |    |    |           |           | C         |           | C         |
| 811211   | Consumer Electronics Repair and Maintenance                                                                                                                                                             |                  |   |   |   |    |    |    |    |    | C         | C         | C         |           | C         |
| 811212   | Computer and Office Machine Repair and Maintenance                                                                                                                                                      |                  |   |   |   |    |    |    | P  |    | P         | P         | P         | P         | P         |
| 811213   | Communication Equipment Repair and Maintenance                                                                                                                                                          |                  |   |   |   |    |    |    |    |    |           |           |           |           | P         |
| 811219   | Other Electronic and Precision Equipment Repair and Maintenance                                                                                                                                         |                  |   |   |   |    |    |    |    |    |           |           | P         |           | P         |
| 811310   | Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance                                                                                             |                  |   |   |   |    |    |    |    |    |           |           |           |           | P         |
| 811411   | Home and Garden Equipment Repair and Maintenance                                                                                                                                                        |                  |   |   |   |    |    |    |    |    |           |           |           |           | P         |
| 811412   | Appliance Repair and Maintenance                                                                                                                                                                        |                  |   |   |   |    |    |    |    |    |           |           | P         |           | P         |
| 811420   | Reupholstery and Furniture Repair                                                                                                                                                                       |                  |   |   |   |    |    |    |    |    |           |           | C         |           | P         |
| 811430   | Footwear and Leather Goods Repair                                                                                                                                                                       |                  |   |   |   |    |    |    |    |    | P         | P         | P         | P         | P         |
| 811490   | Other Personal and Household Goods Repair and Maintenance                                                                                                                                               |                  |   |   |   |    |    |    |    |    |           |           |           |           | C         |
| 812111   | Barber Shops                                                                                                                                                                                            |                  |   |   |   |    |    |    |    |    | P         | P         | P         | P         | P         |
| 812112   | Beauty Salons                                                                                                                                                                                           |                  |   |   |   |    |    |    |    |    | P         | P         | P         | P         | C         |
| 812113   | Nail Salons                                                                                                                                                                                             |                  |   |   |   |    |    |    |    |    | P         | P         | P         | P         | C         |
| 812191   | Diet and Weight Reducing Centers                                                                                                                                                                        |                  |   |   |   |    |    |    |    |    | C         | C         | P         | P         | C         |
| 812199   | Other Personal Care Services (except escort services, massage parlors, steam baths, tattoo parlors, <u>permanent makeup salons</u> , and Turkish baths)                                                 |                  |   |   |   |    |    |    |    |    | <u>CP</u> | <u>CP</u> | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| 812210   | Funeral Homes and Funeral Services                                                                                                                                                                      | C                |   |   |   |    | C  |    |    |    | C         | C         | C         | C         |           |
| 812220   | Cemeteries not associated with a place of worship and all Crematories                                                                                                                                   | C                |   |   |   |    | C  |    |    |    |           | C         |           |           |           |
| 812320   | Drycleaning and Laundry Services (except Coin-Operated) provided that facility (1) Meets all fire code regulations, and (2) Has a valid permit from the St. Louis County Air Pollution Control Program. |                  |   |   |   |    |    |    |    |    | P         | P         | P         | P         |           |
| 812331   | Linen Supply                                                                                                                                                                                            |                  |   |   |   |    |    |    |    |    |           |           |           |           | P         |
| 812332   | Industrial Launderers                                                                                                                                                                                   |                  |   |   |   |    |    |    |    |    |           |           |           |           | P         |
| 812910   | Pet Care (except Veterinary) including only Pet Spas (as defined in Section 405.120) Services                                                                                                           |                  |   |   |   |    |    |    |    |    | P         | P         | P         |           | P         |
| 812921   | Photofinishing Laboratories (except One-Hour)                                                                                                                                                           |                  |   |   |   |    |    |    |    |    |           |           |           |           | P         |
| 812922   | One-Hour Photofinishing                                                                                                                                                                                 |                  |   |   |   |    |    |    |    |    | P         | P         | P         | P         |           |
| 812930   | Parking Lots and Garages                                                                                                                                                                                |                  |   |   |   |    |    |    |    |    |           |           | C         | C         | P         |
| 812990   | All Other Personal Services                                                                                                                                                                             |                  |   |   |   |    |    |    |    |    | C         | C         | C         | C         | <u>PC</u> |



# Chapter 405, Table A, Permitted and Conditional Uses

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|----------|-------------------------------------------------------------------------------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
|          |                                                                                                             | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 813110   | Religious Organizations, Incl. Retreat Houses                                                               | C                | C | C | C | C  | C  | C  | C  | C  | C  | C  | C  | C  | C  |
| 813211   | Grantmaking Foundations                                                                                     |                  |   |   |   |    |    |    | P  |    | P  | P  | P  | P  | P  |
| 813212   | Voluntary Health Organizations                                                                              |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 813219   | Other Grantmaking and Giving Services                                                                       |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 813311   | Human Rights Organizations                                                                                  |                  |   |   |   |    |    |    | P  |    |    | P  |    | P  | P  |
| 813312   | Environment, Conservation and Wildlife Organizations                                                        | C                | C | C | C | C  |    |    | P  |    |    | P  |    | P  | P  |
| 813319   | Other Social Advocacy Organizations                                                                         | C                | C | C | C | C  |    |    | P  |    |    | P  | P  | P  | P  |
| 813410   | Civic and Social Organizations                                                                              | C                | C | C | C | C  |    |    | P  |    |    | P  |    | P  | C  |
| 813910   | Business Associations                                                                                       | C                | C | C | C | C  |    |    | P  |    |    | P  |    | P  | P  |
| 813920   | Professional Organizations                                                                                  |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | C  |
| 813930   | Labor Unions and Similar Labor Organizations                                                                |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | C  |
| 813940   | Political Organizations                                                                                     |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 813990   | Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)             | C                | C | C | C | C  |    |    | P  |    |    | P  | P  | P  | P  |
| 814110   | Private Households-Single Family Residential                                                                | P                | P | P | P | P  | P  |    |    |    |    |    |    | C  |    |
| CC814111 | Attached Single-Family Residential (townhouses or duplexes)                                                 |                  |   |   |   | P  |    |    |    |    |    |    |    |    |    |
| CC814120 | Low Density Multi-Family Residential (6 units per acre)                                                     |                  |   |   |   | C  |    |    |    |    |    |    |    |    |    |
| CC814130 | Medium Density Multi-Family Residential (20 units per acre)                                                 |                  |   |   |   |    |    |    |    |    |    |    |    | P  |    |
| CC814140 | High Density Multi-Family Residential (more than 20 units per acre)                                         |                  |   |   |   |    |    |    |    |    |    |    |    | C  |    |
| 921110   | Executive Offices                                                                                           |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  | C  |
| 921120   | Legislative Bodies                                                                                          |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  |    |
| 921130   | Public Finance Activities                                                                                   |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 921140   | Executive and Legislative Offices, Combined                                                                 |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  | P  |
| 921190   | Other General Government Support                                                                            |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  | P  |
| 922110   | Courts                                                                                                      |                  |   |   |   |    |    |    | P  |    |    |    | P  | P  | P  |
| 922120   | Police Protection                                                                                           |                  |   |   |   |    | P  | P  | P  | P  |    | P  | P  | P  | P  |
| 922130   | Legal Counsel and Prosecution                                                                               |                  |   |   |   |    |    |    | P  | P  |    | P  | P  | P  |    |
| 922140   | Correctional Institutions                                                                                   |                  |   |   |   |    |    |    |    |    |    |    |    |    | P  |
| 922150   | Parole Offices and Probation Offices                                                                        |                  |   |   |   |    |    |    |    |    |    |    | P  |    |    |
| 922160   | Fire Protection                                                                                             |                  |   |   |   |    | P  |    | P  | P  |    | P  | P  | P  |    |
| 922190   | Other Justice, Public Order, and Safety Activities                                                          |                  |   |   |   |    |    | C  | C  | C  |    | C  | C  | C  | P  |
| 923110   | Administration of Education Programs                                                                        |                  |   |   |   |    |    | P  | P  |    |    | P  | P  | P  | P  |
| 923120   | Administration of Public Health Programs                                                                    |                  |   |   |   |    |    | P  | P  |    |    | P  | P  | P  |    |
| 923130   | Administration of Human Resource Programs (except Education, Public Health, and Veterans' Affairs Programs) |                  |   |   |   |    |    | P  | P  |    |    | P  | P  | P  |    |
| 923140   | Administration of Veterans' Affairs                                                                         |                  |   |   |   |    |    | P  | P  |    |    | P  | P  | P  |    |
| 924110   | Administration of Air and Water Resource and Solid Waste Management Programs                                |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 924120   | Administration of Conservation Programs                                                                     |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 925110   | Administration of Housing Programs                                                                          |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |

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|----------|-------------------------------------------------------------------------------------|------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|
|          |                                                                                     | A                | B | C | D | AR | HE | PH | PO | RO | MX | PC | GC | CB | LI |
| 925120   | Administration of Urban Planning and Community and Rural Development                |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 926110   | Administration of General Economic Programs                                         |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 926120   | Regulation and Administration of Transportation Programs                            |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 926130   | Regulation and Administration of Communications, Electric, Gas, and Other Utilities |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 926140   | Regulation of Agricultural Marketing and Commodities                                |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  |    |
| 926150   | Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors           |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 927110   | Space Research and Technology                                                       |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 928110   | National Security                                                                   |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |
| 928120   | International Affairs                                                               |                  |   |   |   |    |    |    | P  |    |    | P  | P  | P  | P  |

1 CHAIRMAN MADDEN: Okay. That'll move us to  
2 public hearing, another one, Application No. 13-021:  
3 Approval of text amendment to Section 405.210 Table A, is  
4 permitted and conditional uses of the Zoning Code to  
5 clarify certain residential uses and other housekeeping  
6 amendments.

7 Paul.

8 Oh, anybody that might be commenting on this,  
9 please come up and get sworn in. Got a feeling it's just  
10 you. I'll wait for a minute.

11 (Mr. Langdon was sworn in by the court  
12 reporter.)

13 MR. LANGDON: Good evening, Mr. Chair, Members  
14 of the Commission. I'm Paul Langdon, Director of  
15 Community Development for the City of Creve Coeur.

16 This was a request that we brought to you. It's  
17 a follow-up to the major amendment we made to the Zoning  
18 Code earlier this year where we converted from the 1987  
19 Use Codes, the SIC, to the new 2012 NAICS, North American  
20 Industry Classification System.

21 As we warned you at the time, there would be  
22 mistakes. We had over 800 uses to categorize. We made  
23 our best effort to try and cover them all correctly, but  
24 we found a few that we did not.

25 We also found one thing that we just didn't

1 perceive at the time was that housing, as an industry, as  
2 far as NAICS is concerned, is really the homebuilding  
3 industry, or housing as a family that employs servants.  
4 It's not a development standard, if you will. There is an  
5 industry of half-acre housing.

6           The problem that we ran into is, while we can  
7 define some of these things through bulk standards in the  
8 different districts, we don't really have a good way to  
9 define multi-family housing 20 acres or less, or 20 units  
10 per acre or less, and so on, so we had to create really  
11 new categories of use, because we used to handle those  
12 things under the use list under the old standard.

13           So you'll see several categories there that --  
14 that have the CC prefix to let you know that it's -- it's  
15 unique to our list of uses, not found in the normal NAICS.

16           Otherwise, these are uses that either we already  
17 have in town and realize we needed to correct the codes to  
18 reflect that, or they're requests that we got from uses  
19 that wish to come to town, and we really couldn't see any  
20 reason why they weren't included on the list when we went  
21 back and looked at the old code, in fact, they would have  
22 been allowed.

23           So, again, we're not looking to do any major  
24 changes to what is or is not permitted in the city or  
25 allowed as a conditional use. It's mostly documenting

1 things that already exist or for things we used to have in  
2 the city and don't see any reason not to continue.

3 That's all I have. If you have any questions  
4 for me.

5 CHAIRMAN MADDEN: Any questions?

6 Is there anybody in the audience has a comment  
7 or question?

8 Please come forward. State your name and  
9 address.

10 THE COURT REPORTER: Wait, she wasn't sworn in.

11 MS. ROZNY: Linda Rozny, 104 --

12 CHAIRMAN MADDEN: Oh, wait. Wait. I'm sorry,  
13 we have to swear you in.

14 MS. ROZNY: Okay.

15 (Speaker sworn in by the court reporter.)

16 MS. ROZNY: Okay. Linda Rozny, 104 Graeser  
17 Acres.

18 Having been involved with the definition of -- I  
19 don't even remember what it was -- but it made Mr. Clue  
20 (phonetic) not to be a important person because he didn't  
21 live in Creve Coeur.

22 What was -- what was that, Paul, what was that  
23 definition?

24 MR. LANGDON: It was definition of district.

25 MS. ROZNY: Yes. Okay. So -- so -- so the

1 definition of a district made somebody not, who was on the  
2 border of Creve Coeur, not get the protections that were  
3 written in Creve Coeur, and this was a big part of the  
4 Walgreens fight because they wanted to give us 5 feet for  
5 a buffer when he should have gotten 25 feet, but he wasn't  
6 there.

7           So definitions can be very important. Not  
8 having read any of this, am also concerned that this has  
9 something to do with dwellings and districts, and the part  
10 that's going to be done in the next part has to do with  
11 changing wording from -- from development to district, and  
12 this changes the whole -- what everything means.

13           Wondering if this has any implication on what's  
14 going to happen with Vanguard, and if it may have any  
15 implications on anything else; that definitions can be  
16 really important. That's all.

17           CHAIRMAN MADDEN: Thank you.

18           MR. LANGDON: It does not affect any of the  
19 working definitions. It just creates a category where the  
20 different densities of housing that we have now.

21           CHAIRMAN MADDEN: Okay.

22           Anybody else?

23           Okay. That'll close our public hearing on that  
24 one.

25           Carl.

1           MR. LUMLEY: Offer the following exhibits into  
2 the record of the hearing: Documentation in possession of  
3 the City Clerk reflecting notice provided to the public;  
4 the staff's report; City Code of Ordinances and Charter;  
5 City's Comprehensive Plan and the public file regarding  
6 the application.

7           CHAIRMAN MADDEN: Thank you.

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9                   (The Public Hearing was ended.)

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**CITY OF CREVE COEUR - MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
MONDAY, AUGUST 5, 2013  
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, August 5, 2013, 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. Ken Howard***  
                                  ***Mr. Charles Pullium***  
                                  ***Mr. Gene Rovak***

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. PUBLIC HEARING**

**Application #13-021: Approval of text amendment to Section 405.210 Table A, Permitted and Conditional Uses, of the Zoning Code to clarify certain residential uses and other housekeeping amendments.**

Applicant/Agent: Paul Langdon, AICP  
                                  Director of Community Development  
                                  City of Creve Coeur

Mr. Paul Langdon, Director of Community Development, City of Creve Coeur, explained that, at the time the SIC codes were being converted to NAICS codes, there were changes to some uses that were never intended to change. Mr. Langdon stated staff finds it necessary to make these changes to clarify other uses with the table such as the density levels of residential uses.

Ms. Linda Rezny, 104 Graeser Acres, expressed concerns with these changes having to do with applications waiting to be heard. Mr. Langdon said these changes do not affect any of the working definitions; it only creates a category where the different density's of housing we have now.

There being no further comments, City Attorney, Mr. Carl Lumley, presented the exhibits for the record and the public hearing was closed.

**(This ends the Public Hearing; see verbatim transcript for further information)**



Mr. Pullium motioned to recommend approval of the draft text amendment ordinance attached to the August 5, 2013, staff report on Application #13-021 for the housekeeping amendments to Table A: Permitted and Conditional Uses. Mr. Howard seconded the motion with the resultant vote as follows:

Mr. Pullium – aye  
Chair - aye

Mr. Rovak – aye

Mr. Howard – aye

### 3. **ADJOURNMENT**

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 9:30 p.m.

---

*Timothy Madden, Chair*

---

*Julie Lowery, Recording Secretary*



# city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141  
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966  
[www.creve-coeur.org](http://www.creve-coeur.org)

August 8, 2013

Mayor Barry Glantz  
City Council Members  
City of Creve Coeur  
300 N New Ballas Road  
Creve Coeur, MO 63141

Re: Application #13-021: Table A: Permitted and Conditional Uses  
Clarify certain residential uses and other housekeeping amendments

Honorable Mayor and City Council Members:

The Planning and Zoning Commission, at its meeting of August 5, 2013, reviewed a text amendment to Section 405.210 Table A, Permitted and Conditional Uses, of the Zoning Code to clarify certain residential uses and other housekeeping amendments.

By unanimous vote, the Planning Commission recommends approval of the text amendment, which will be before the City Council on Monday, August 12, 2013.

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

Sincerely,

CITY OF CREVE COEUR

Timothy Madden, Chairman  
Planning & Zoning Commission

TM:jl

Cc: M.C. Perkins, City Administrator  
J. Heines, Director of Public Works  
G. Eidman, Chief of Police  
S. Unser, Chief Building Official

BILL NO. 5444

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, REESTABLISHING AND MAKING PUBLIC PREVIOUSLY ESTABLISHED METHODS OF DISCLOSING POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS PURSUANT TO SECTION 105.485 OF THE REVISED STATUTES OF MISSOURI.**

**WHEREAS**, the City has previously established methods of disclosing potential conflicts of interest and substantial interests pursuant to Section 105.485 of the Revised Statutes of Missouri and codified such methods at Section 130.090 of the Code of Ordinances; and

**WHEREAS**, Section 105.485.4 requires the City to reestablish such matters by September 15, 2013;

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

**SECTION 1.** The City hereby reestablishes and makes public the provisions of Section 130.090 of the Code of Ordinances, a copy of which is attached hereto and incorporated herein as **EXHIBIT A**.

**SECTION 2.** The City Clerk shall send a certified copy of this Ordinance to the Missouri Ethics Commission within 10 days of its adoption.

**SECTION 3.** This Ordinance shall take effect as provided in Section 3.11(g) the City Charter.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
SCOTT SAUNDERS  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
BARRY GLANTZ  
MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH RYAN, MPCC  
CITY CLERK

## EXHIBIT A

### SECTION 130.090: PERSONAL FINANCIAL DISCLOSURE REPORTS

A. *Generally.* The Mayor and each member of the City Council, the Planning and Zoning Commission and the Board of Adjustment, the City Administrator, the Finance Director and any candidate for elected office of the City shall disclose the following information if any such transactions were engaged in during the previous calendar year:

1. For such person and all persons within the first degree of consanguinity or affinity of such person (including spouse, parents and dependent children), the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars (\$500.00), if any, that such person had with the City, other than compensation received as an employee or payment of any tax, fee or penalty due to the City, and other than transfers for no consideration to the City; and

2. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars (\$500.00), if any, that any business entity in which such person had a substantial interest, had with the City, other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility service to the City, and other than transfers for no consideration to the City.

B. *City Administrator and Finance Director, Additional Requirements.* The City Administrator and the Finance Director also shall disclose for the previous calendar year the following information for them, their spouse and dependent children:

1. The name and address of each of the employers of such person from whom income of one thousand dollars (\$1,000.00) or more was received during the year covered by the statement;

2. The name and address of each sole proprietorship that such person owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which such person was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent (10%) or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent (2%) or more of any class of outstanding stock, limited partnership units or other equity interests;

3. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

C. *Exception.* Notwithstanding the foregoing, said person, if they do not know and their spouse will not divulge any information required to be reported by this section concerning the financial interest of their spouse, shall state on their financial interest statement that they has disclosed that information known to them and that their spouse has refused or failed to provide other information upon their bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of their spouse; and provided further if the spouse of any person required to file a financial interest statement is required by section 105.483 RSMo. or this code section to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed.

D. *Filing Of Reports.* The reports, in the form as prescribed by the Missouri State Ethics Commission, shall be filed with the City Clerk and with the Missouri State Ethics Commission. The reports shall be available for public inspection and copying during normal business hours. Pursuant to Subsection (4) of Section 105.485, RSMo., these reports are to be filed in lieu of reports otherwise required by the Statute.

E. *When Filed.* The financial interest statements shall be filed at the following times, but no person is required to file more than one (1) financial interest statement in any calendar year:

1. Each person appointed to office or employed shall file the statement within thirty (30) days of such appointment or employment.

2. Each candidate for elective office shall file a financial interest statement no later than the forty-fifth (45th) day after the last day for filing for the election at which he/she seeks nomination or election and the statement shall be for the twelve (12) months prior to the closing date, except that in the event an individual does not become a candidate until later than the forty-fifth (45th) day after the last day for filing for the election, the statement shall be filed within ten (10) days of becoming a candidate.

3. Every other person required to file a financial interest statement shall file the statement annually not later than May first (1st) and the statement shall cover the calendar year ending the immediately preceding December thirty-first (31st); provided that person may supplement the financial interest statement to report additional interests acquired after December thirty-first (31st) of the covered year until the date of filing of the financial interest statement.

BILL No 5445

ORDINANCE No. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE INSTALLATION OF TWO (2) FIRE HYDRANTS NEAR THE NEW PLAZA MOTORS JAGUAR/LAND ROVER DEALERSHIP LOCATED IN THE CITY OF CREVE COEUR, MISSOURI.**

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

**SECTION 1:** As requested by the Creve Coeur Fire Protection District, Missouri American Water Company, in accordance with its duties pursuant to its certificate of convenience and necessity, shall install two (2) public fire hydrants in the City of Creve Coeur at the following locations:

One new public fire hydrant at the southeast corner of Olive Boulevard and Ham Road.

One new public fire hydrant at the curb cut located near the northeast corner of the proposed building for the new Plaza Motors Jaguar/Land Rover dealership.

**SECTION 2:** Such fire hydrants shall meet the specifications of the Creve Coeur Fire Protection District and any applicable requirements of the Missouri Department of Transportation. All of said work shall be done under the supervision of the City, and for the purpose of this ordinance, Missouri American Water Company is hereby given permission to make all necessary excavations for the proper execution of said work.

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

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013

\_\_\_\_\_  
SCOTT SAUNDERS  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013

\_\_\_\_\_  
BARRY GLANTZ  
MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH RYAN  
CITY CLERK



## Creve Coeur FIRE PROTECTION DISTRICT

Administrative Center • 11221 Olive Boulevard • St. Louis, Missouri 63141-7652  
Office (314) 432-5570 • Fax (314) 432-2367

August 2, 2013

Ms. Debbie Ryan  
City Of Creve Coeur  
300 N. New Ballas Road  
Creve Coeur, MO 63141

Re: Fire hydrant ordinance for Plaza Motors Jaguar/Land Rover.

Dear Ms. Ryan:

Please prepare an ordinance authorizing the Missouri American Water Company to install the following new fire hydrants:

- One (1) – new public fire hydrant shall be installed on the southeast corner of Olive Boulevard and Ham Road.
- One (1) – new public fire hydrant shall be installed at the curb cut located on the northeast corner on the proposed building.

The fire flow requirements for these fire hydrants will be 1500 gpm with a 20 psi residual pressure.

Please forward copies of the ordinance to Missouri American Water Company and the Creve Coeur Fire Protection District. If you need additional information, please contact me at 314-432-5570, fax – 314-432-2367 or email – [aoestereich@ccfire.org](mailto:aoestereich@ccfire.org).

Yours in Fire Safety:

A handwritten signature in black ink, appearing to read "Arthur K. Oestereich".

Arthur K. Oestereich  
Fire Marshal

Cc: Susan Moynihan – Missouri American Water Company  
Jim Whisler – Grimes Consulting

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A 6,817 SQUARE-FOOT RELIGIOUS ORGANIZATION, KNOWN AS CROSSROADS PRESBYTERIAN FELLOWSHIP, LOCATED AT 11118 OLIVE BOULEVARD.**

**WHEREAS**, under Section 405.210 Table A, all religious organizations (NAICS 813110) require the issuance of a conditional use permit in all districts in the City as provided in Section 405.1070, Conditional Use Permits; and

**WHEREAS**, an application was submitted by Daniel Song, of Crossroads Presbyterian Fellowship, for a conditional use permit and site development plan approval for a 6,817 square foot church located at 11118 Olive Boulevard in the "GC" General Commercial District; and

**WHEREAS**, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, August 19, 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 August 19, 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:** A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a church located at 11118 Olive Boulevard, in the "GC" General Commercial zoning district, whose legal description is as follows:



Situated in the County of St. Louis, State of Missouri to wit:

A track of land situated in US Survey 1962 and partly in Section 2, Township 45 North, Range 5 East and described as follows: Beginning at a point in the Southeast line of Olive Street at the Northwest corner of property conveyed to Garrett H. Lamb and wife by deed recorded in Book 3354 Page 35 of the St. Louis County Records; thence along the Southeast line of Olive Street Road, North 59 degrees 15 minutes East 93.10 feet and North 67 degrees 07 minutes East 7.57 feet to a point; thence South 23 degrees 51 minutes East 204.57 feet to a point; thence South 7 degrees 45 minutes East 132.88 feet to the Northeast corner of Lot 34 of Wir-Don Meadows, a subdivision the plat of which is recorded in Plat Book 69 Page 21 of the St. Louis County Records; thence along the Northern line of said Lot 34, South 59 degrees 15 minutes West 108.64 feet to a corner of property so conveyed to Lamb and wife as aforesaid; thence along Lamb's Western line North 7 degrees 45 minutes West 161.77 feet and North 23 degrees 51 minutes West 179.07 feet to the point of beginning, excepting therefrom that part conveyed to the State of Missouri by deed recorded in Book 5437 Page 110 of the St. Louis County Records.

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

1. The conditional use permit shall be for the operation of 6,817 square foot square-foot, religious organization at 11118 Olive Boulevard with a maximum of 184 seats.
2. The site shall be developed and maintained in conformance with the "Site Development Plan for Crossroads Presbyterian Fellowship" and "Landscape Plan for Crossroads Presbyterian Fellowship" prepared by Clinton Enyeart, last dated August 14, 2013.
3. Prior to issuance of any building permits related to the approved plan, the property owner shall record the following easements in a form approved by the City Attorney:
  - a. A cross-access easement to the adjacent properties to the east and west allowing access over the north half of the shared property boundaries.
  - b. A sidewalk and pedestrian easement within an area adjacent to the northern property line, to match with the already recorded access easement on the adjacent property at 11100 Olive Boulevard to allow for pedestrian access and placement of a six-foot wide sidewalk.
4. The applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the North and East Building Elevations for Crossroads Presbyterian Fellowship last dated July 19, 2013 as bound together and submitted in conjunction with Application #13-031.
5. The applicant is required to submit a Site Improvement Permit application, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code. The permit application shall be in substantial conformance with the "Landscape Plan for Crossroads Presbyterian Fellowship" last dated August 14, 2013 as bound together and submitted in conjunction with Application #13-031, except per the conditions below.
6. The Applicant shall underground the service utilities on site within a 30 month timeframe from the date of approval of this ordinance.
7. All landscaping shall be maintained per the approved Landscape Plan and any vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
8. All lighting shall be in conformance with Section 405.680, Lighting, of the Zoning Code.
9. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

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

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

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
SCOTT SAUNDERS  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
BARRY GLANTZ  
MAYOR

BILL NO. 5446

ORDINANCE NO. \_\_\_\_\_

ATTEST:

---

DEBORAH RYAN, MPCC  
CITY CLERK



**APPLICATION TO PLANNING AND ZONING COMMISSION  
#13-031 FOR A CONDITIONAL USE PERMIT FOR  
CROSSROADS PRESBYTERIAN FELLOWSHIP  
AT 11118 OLIVE BOULEVARD**

**FOR THE MEETING OF:** Monday, August 19, 2013

**LOCATION:** 11118 Olive Boulevard, south side of Olive Boulevard, west of Mary Meadows Lane. The property is zoned "GC" General Commercial District.

**REQUEST:** An application has been submitted for a conditional use permit and site development plan for the exterior modifications to the existing building and site, for a 6,817 square foot church. Site improvements include new landscaping, and parking lot lighting.

**ADDITIONAL INFORMATION:** Religious organizations (NAICS 813110) require a conditional use permit in all of the zoning districts. The original building was built in 1980, as a commercial building with pre-existing non-conforming site coverage. Aside from a seasonal temporary use, the building has remained vacant for approximately 10 years.

**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**

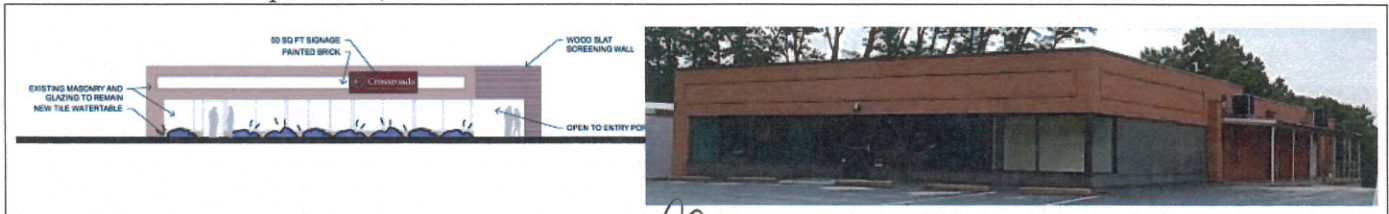
- East Olive Corridor Action Area
- Design Guidelines

**Zoning Code References**

- Section 405.210: Regulation of Uses Table A Permitted and Conditional Uses
- Section 405.360: "GC" General Commercial
- Section 405.820 Required Off-Street Parking Spaces

**APPLICANT:** Daniel Song  
Crossroads Presbyterian Fellowship  
2640 Oakview Terrace  
Maplewood, MO 63143

**APPLICANT'S REPRESENTATIVE:** Clinton Enyeart  
8240 Swarthmore St.  
Saint Louis, MO 63130



**REPORT PREPARED BY:**

*Whitney Kelly*  
Whitney Kelly, AICP

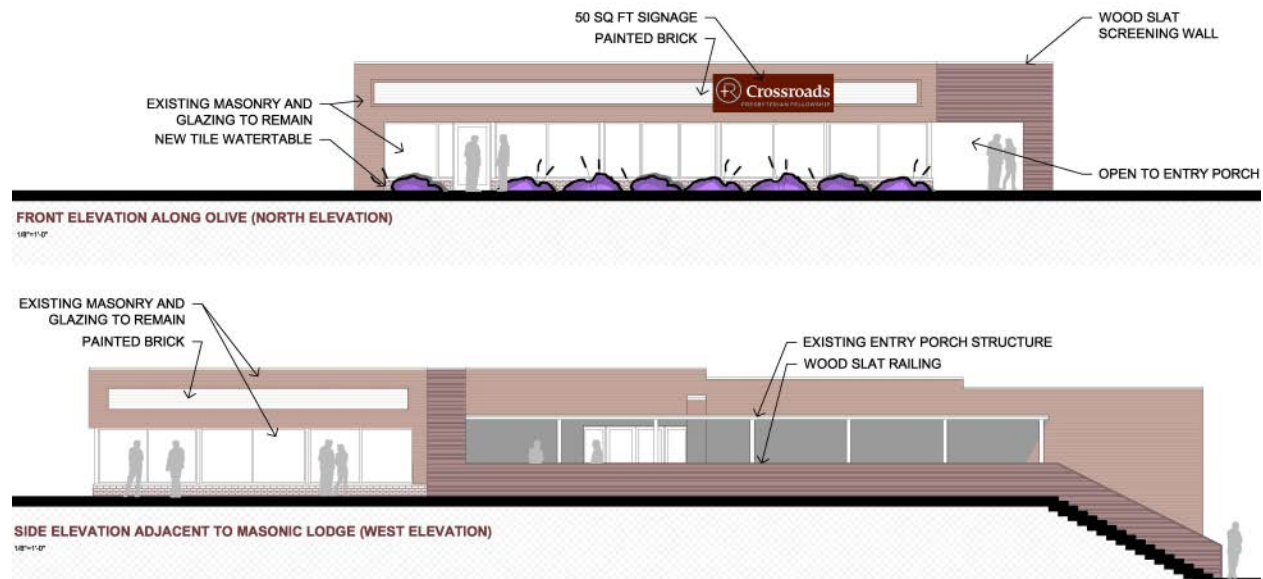
8/16/2013  
Date

**ATTACHMENTS:** Applicant's Materials submitted July 19 and revised August 14, 2013  
Draft Ordinance

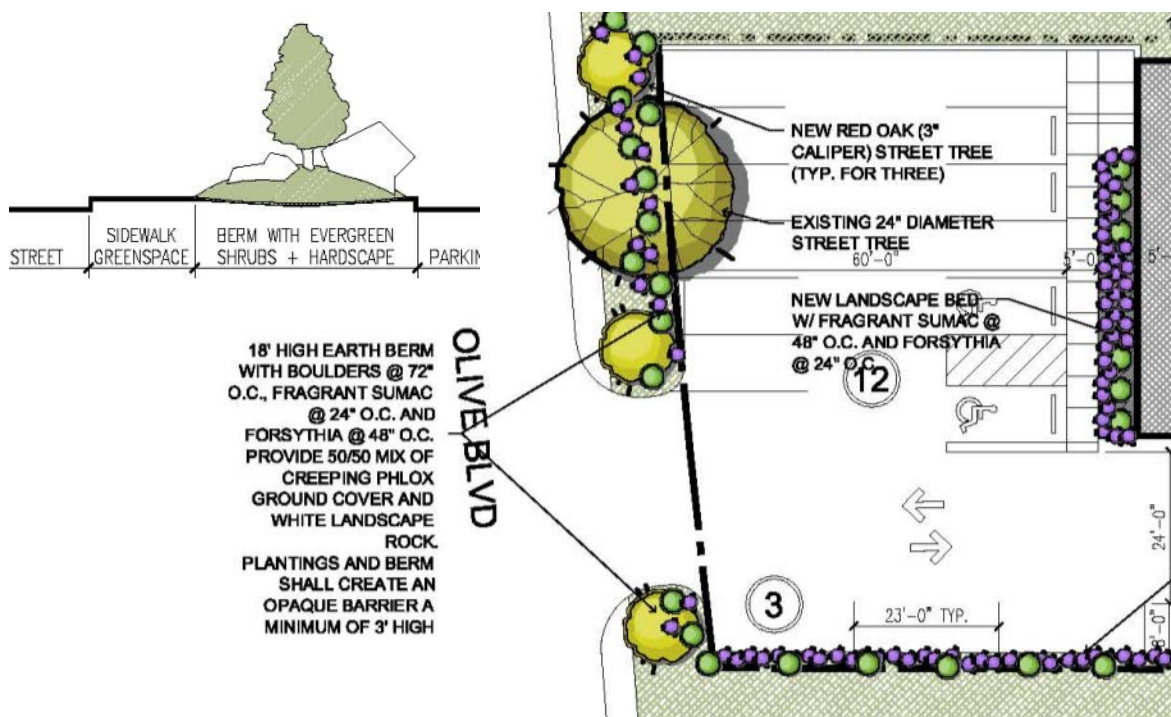


## PROPOSAL

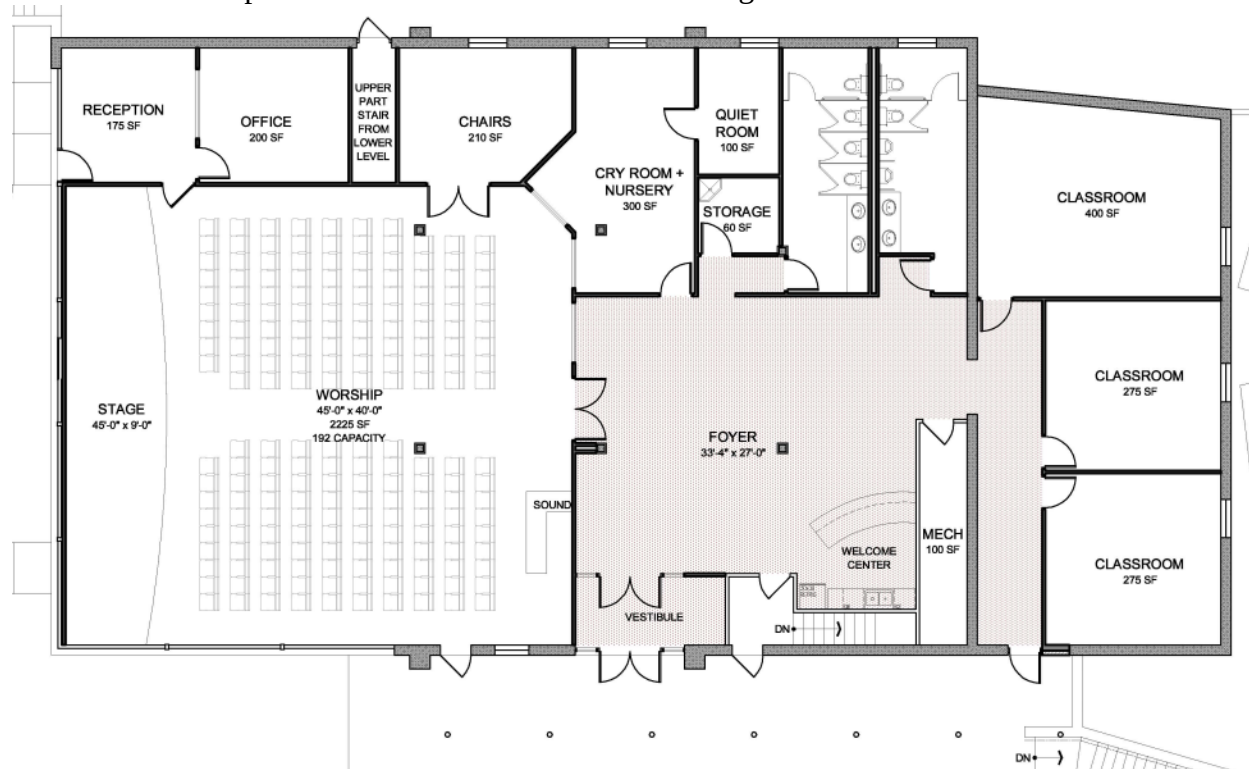
The Applicant is proposing to renovate the existing building by providing a new wood slat screening around the side canopy entrance of the building and a new tile water table below the windows along the north elevation, per the drawings below:



The applicant will also provide new landscaping along Olive Boulevard to meet with the intent of a “green line” park and provide an opaque screen along Olive Boulevard to screen the headlights, creating new islands in the rear parking, and new vinyl privacy fence along the rear property line. Below is a close up of the proposed landscaping for the front of the building:



Below is a close up of the interior remodel of the building:



## LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

| DIRECTION | USE                | ZONED                       | SEPARATED BY    |
|-----------|--------------------|-----------------------------|-----------------|
| North     | Mobile Gas Station | GC District                 | Olive Boulevard |
| South     | Residential        | C Single Family Residential | NA              |
| East      | Complete Music     | GC District                 | NA              |
| West      | Masonic Lodge      | GC District                 | NA              |

## COMPREHENSIVE PLAN REVIEW

The subject site is located within the East Olive Corridor Action Area within the key property area two of the Comprehensive Plan that recommends that as redevelopment and new investment occurs, the area will be encouraged to remain commercial, with uses limited to neighborhood-oriented commercial. Redevelopment should be designed to protect and be compatible with the adjacent residential area. The church is located between the renovated Complete Music building and the institutional use of the Masonic Temple. Religious uses are low-intensity and neighborhood in character, which is consistent with the adjacent institutional and commercial uses and the recommendations of the Comprehensive Plan.

## DESIGN GUIDELINES

The Applicant is providing significant new landscaping throughout the site and along Olive Boulevard that includes new street trees and hardscape that will meet with the intent of the “green line” recommended by the Comprehensive Plan and Design Guidelines and provide screening of the headlights along Olive Boulevard. New landscape islands are adding 620 square feet of new greenspace to the site.

Exterior improvements include a new wood-slatted screening along the existing canopy on the north and east elevations is an improvement to the building, and screens the existing mechanical equipment from view, consistent with the following Design Guidelines:

### *Chapter 2 / Buildings*

#### *E. Materials/Colors*

- 1. Materials should have good architectural character, be durable, and be selected for their compatibility with adjoining building and properties. Natural, traditional building materials are encouraged. A preference should be given toward “green” building materials that can be recycled. Highly reflective and/or synthetic materials are discouraged.*
- 2. Exterior materials should be selected based on their durability and appropriateness for their intended function. Special attention should be given to the durability of materials used around the ground floor of the building. Preferred building materials include stone, brick, architectural precast concrete, aluminum and glass. The materials selected should require minimal maintenance. Their color should be integral to the materials and not be painted on.*

The Applicant has indicated painting over the brick within the sign band, where the Design Guidelines recommend maintaining natural materials. The Applicant has indicated that this was done in an effort to tie in the painted brick of the adjacent property to the east with this building and the brick building to the west, and highlight the brick architectural detail on the building. Ultimately it is up to the Planning and Zoning Commission Members if they find that this is an appropriate accent for the building. If the Commission members wish to allow for the painted brick, Staff recommends that the color be consistent with the light grey of the adjacent building. A condition of approval for the color will need to be included in the draft ordinance.

One concern relates to the follow design guideline:

### *Chapter5 / Miscellaneous*

#### *C. Utilities*

- 1. All on-site utilities (electric, telephone, cable TV) shall be installed underground. Surface transformer switching pads shall be located and screened to be unobtrusive.*

Currently, there is an above-ground utility line servicing the building. Therefore, Staff also recommends a condition of approval requiring the undergrounding of the utilities on site per the Design Guidelines above.

## PEDESTRIAN PLAN REVIEW

The Pedestrian Plan provides various service and design expectations for a complete pedestrian system in the city. The Pedestrian Plan identifies Olive Boulevard as a primary street with a

recommended sidewalk corridor width of 15 feet, with the street trees between the street and the sidewalk (page A-17). The subject property has an existing five-foot wide sidewalk that abuts the curb. Since the Applicants are proposing to utilize the site as is, a new sidewalk is not currently proposed. The front parking lot directly abuts the north property line, that is approximately 10 feet from the sidewalk and there is no cross-access to the adjacent properties. As was discussed with the site development plan for the adjacent property, Complete Music, a sidewalk easement should be recorded now in the event that any future redevelopment allows for moving the sidewalk further away from Olive Boulevard and for providing cross-access to the adjacent properties. The draft ordinance, therefore includes similar easement requirements as 11100 Olive Boulevard:

- Prior to issuance of any building permits related to the approved plan, the property owner shall record the following easements in a form approved by the City Attorney:
  1. A cross-access easement to the adjacent properties to the east and west allowing access over the north half of the shared property boundary.
  2. A sidewalk and pedestrian easement within an area adjacent to the northern property line, to match with the already recorded access easement of the adjacent property at 11100 Olive Boulevard to allow for pedestrian access and placement of a six-foot wide sidewalk.

## **ZONING REVIEW**

Churches are permitted with conditions in all zoning districts within the city. As the applicant is utilizing the existing building with only cosmetic changes, zoning review is limited to the parking lot improvements:

### *Parking*

Parking regulations for places of worship and other places of public assembly are discussed under Section 405.820(B)(3) Required Off-Street Parking Spaces for one space for each four seats. The proposed floor space indicates 192 seats, thus requiring 48 spaces, where the site plan indicates 46 spaces are provided. Staff therefore has included a condition that maximum seating will be limited to 184 seats.

### *Landscaping*

The site has pre-existing non-conforming site coverage. As indicated in the attached site survey, the existing parking lot along the west property line extends over the property line onto the adjacent property. The Applicant is proposing to remove some of the asphalt to provide for a greenspace buffer between the properties, in addition to providing new landscape islands in the rear parking lot, that is consistent with the requirements of Section 405.540(F)(3) which requires a minimum of 10 square feet of interior landscaped for each 350 square feet of paved area within the parking lot and aisles. Of the 20,500 sq. ft. of paved area, 585.7 square feet of landscaped islands are required, with 620 square-feet proposed. Thus the applicant is decreasing the degree of the nonconforming nature of the property from 90.9% to 88.4% site coverage. However, the landscape plan did not indicate that an underground irrigation system will be installed, so a condition of approval includes such per Section 405.540(F)(10) that states:

*“All landscaping shall be permanently maintained in good condition with at least the same quality and quantity of landscaping as initially approved. In order to present a healthy, neat and orderly appearance, all landscaped areas including interior parking lot islands and grass areas shall be provided with adequate irrigation for the maintenance of*



*grass, shrubs, ground covering and other landscaping. An underground irrigation system shall be installed, operated and maintained to meet the intent of this Section. Such systems shall be required for all new developments and redevelopments projects. For sites proposing additions and/or expansions, an underground irrigation system shall be installed, operated and maintained to meet the intent of this Section, where physically practical and reasonable, as determined by the Planning and Zoning Commission.”*

#### **Lighting**

The Applicant will be adding two new parking lot lights in the rear parking lot, one new fixture in the front parking lot along the north property line, and replacing all of the existing building lighting. All fixtures are downcast and fully shielded, and should meet with the illumination requirements below, as well as with Section 405.680 where lighting shall not be cast upon an adjacent property or right-of-way nor shall glare be emitted from an illuminant source:

#### **SECTION 405.810: DESIGN AND MAINTENANCE STANDARDS**

4. *Lighting. Any off-street parking or loading area used between 6:00 P.M. and 6:00 A.M. shall contain a system of lighting to provide an adequate standard of at least one (1) foot-candle of illumination over the area of the parking area to be used. All lighting shall be arranged to deflect, shade and focus lights away from adjacent properties, shall be designed so as not to create more than one (1) foot-candle of illumination at any property boundary abutting a residential zoning district and shall comply with all provisions of Section 405.680. Any land use which utilizes an off-street parking or loading area between 6:00 P.M. and 6:00 A.M. an average of less than four (4) days per month may be exempted from this requirement by the Planning and Zoning Commission.*

#### **RECOMMENDATION**

Based on the above analysis, the request for a conditional use permit can meet all of the applicable requirements of the Comprehensive Plan and the Zoning Ordinance with the conditions identified by staff. Conditions listed below stipulate these modifications but are otherwise, customary conditions that are consistent with prior approvals for a church which are included in the draft ordinance:

- The conditional use permit shall be for the operation of 6,817 square foot square-foot, religious organization at 11118 Olive Boulevard with a maximum of 184 seats.
- The site shall be developed and maintained in conformance with the “Site Development Plan for Crossroads Presbyterian Fellowship” and “Landscape Plan for Crossroads Presbyterian Fellowship” prepared by Clinton Enyeart, last dated August 14, 2013.
- Prior to issuance of any building permits related to the approved plan, the property owner shall record the following easements in a form approved by the City Attorney:
  - A cross-access easement to the adjacent properties to the east and west allowing access over the north half of the shared property boundary.
  - A sidewalk and pedestrian easement within an area adjacent to the northern property line, to match with the already recorded access easement of the adjacent property at 11100 Olive Boulevard to allow for pedestrian access and placement of a six-foot wide sidewalk.
- The applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the

North and East Building Elevations for Crossroads Presbyterian Fellowship last dated July 19, 2013 as bound together and submitted in conjunction with Application #13-031.

- The applicant is required to submit a Site Improvement Permit application, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code. The permit application shall be in substantial conformance with the “Landscape Plan for Crossroads Presbyterian Fellowship” last dated August 14, 2013 as bound together and submitted in conjunction with Application #13-031, except per the conditions below.
- The Applicant shall underground the customer service utilities on site.
- All landscaping shall be maintained per the approved Landscape Plan and any vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards. An underground irrigation system shall be installed to meet with the requirements of Section 405.540(F)(10) of the Zoning Code.
- All lighting shall be in conformance with Section 405.680, Lighting, of the Zoning Code.
- All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
- Any mechanical equipment installed for the site shall be properly screened with approved materials.
- 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.

#### **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 #13-031 for a Conditional Use Permit for Crossroads Presbyterian Fellowship located at 11118 Olive Boulevard, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of August 19 2013” (conditions may be added, eliminated, or modified by preceding motion).

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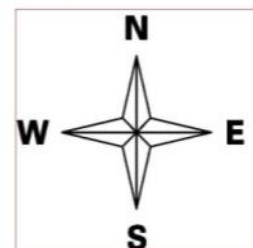
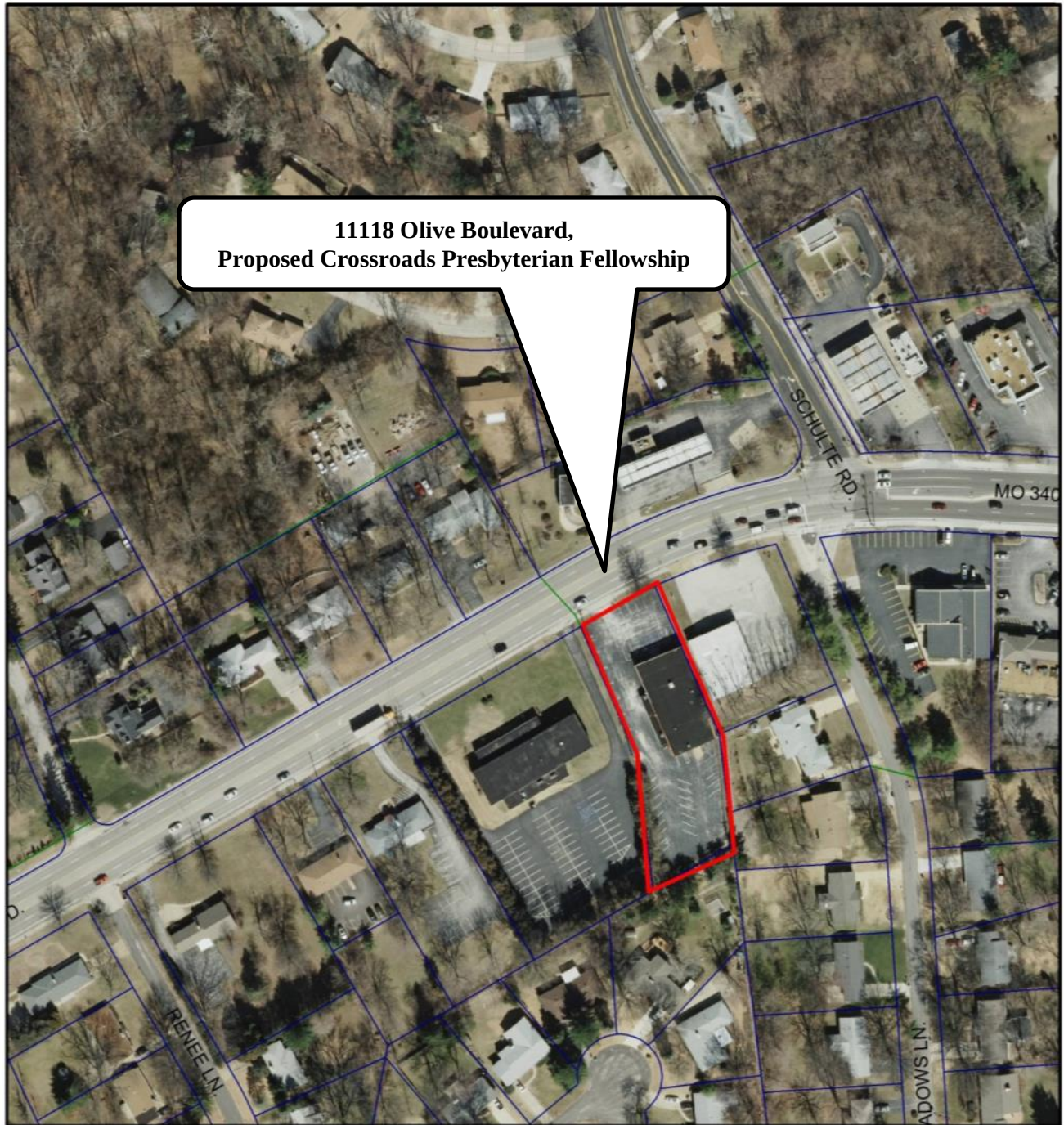
#### **APPENDIX 1: COMPREHENSIVE PLAN**

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.

**Aerial Photo**





| APPENDIX 4: SITE PHOTOGRAPHS                                                         | Photo Date: 08/13/2013                                                                                                   |
|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
|    | <p>Description: View of the existing building looking southeast from Olive Boulevard.</p>                                |
|   | <p>Description: View of the west elevation looking north from the rear parking lot at the existing canopy structure.</p> |
|  | <p>Description: View of the rear of the building looking north from the rear parking lot.</p>                            |



Description: View looking south along the east property line. Note the grade change between the subject property and the adjacent property to the east.



Description: View of the adjacent property to the west, the Rose Hill Masonic Temple.



Description: View of the commercial development across Olive Boulevard.





city of **CREVE COEUR**  
PLANNING DIVISION

300 North New Ballas Road Creve Coeur, Missouri 63141  
Tel. (314) 872-2501 • Fax (314) 872-2505

**PLANNING AND ZONING COMMISSION AGENDA APPLICATION**  
**CONDITIONAL USE PERMIT**

PLEASE COMPLETE FRONT AND BACK PAGES

| <b>Applicant:</b>                                                                                            | <b>Applicant's Representative (if applicable):</b>                                                                             |
|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <u>Daniel Song</u><br>Name                                                                                   | <u>CLINTON ENYEART</u><br>Name                                                                                                 |
| <u>Crossroads Presbyterian Fellowship</u><br>Company (If Applicable)                                         | <u>ST LOUIS DESIGN ALLIANCE</u><br>Company (If Applicable)                                                                     |
| <u>2640 Oakview Terr</u><br>Address                                                                          | <u>8240 SWARTHMORE CT</u><br>Address                                                                                           |
| <u>Maplewood, MO 63143</u><br>Address                                                                        | <u>ST LOUIS, MO 63130</u><br>Address                                                                                           |
| Telephone # <u>314-644-0030</u>                                                                              | Telephone # <u>314-863-1313</u>                                                                                                |
| Fax # _____                                                                                                  | Fax # <u>-</u>                                                                                                                 |
| Email: <u>daniel@crossroadspres.com</u>                                                                      | Email: <u>clintonenyeart@gmail.com</u>                                                                                         |
| <br>Applicant's Signature | <br>Applicant's Representative's Signature |

| <b>Property Information:</b>                | <b>Owner's Acknowledgement (if different from applicant):</b> |
|---------------------------------------------|---------------------------------------------------------------|
| <u>11118 Olive Blvd</u><br>Address          | _____<br>Name                                                 |
| <u>Creve Coeur, MO 63141</u><br>Address     | _____<br>Company (If Applicable)                              |
| _____<br>Development Name (if any)          | _____<br>Address                                              |
| <u>General Commercial</u><br>Current Zoning | _____<br>Address                                              |
| _____<br>Prior CUP Approvals (if known)     | _____<br>Telephone #                                          |
| _____                                       | _____<br>Fax #                                                |
| _____                                       | _____<br>Email:                                               |
|                                             | _____<br>Owner's Signature                                    |

**Description of Requested Use (attach additional sheets as needed)**

General Description of Business: Please see attached sheet.

Gross Floor Area – Existing and Proposed: 6817 sf

Number of Seats (for restaurant only): \_\_\_\_\_

Number of Employees at the busiest shift: Four

Hours of Operation: Sunday, 9am-11am; Mon-Fri, 9am-5pm

Current or Most Recent Use of the Property: Home decorator's outlet

Will the applicant apply for a liquor license: Yes \_\_\_\_\_ No X

**Rationale**

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

**Submittal Checklist**

- |                                                                                          |                                                                              |
|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Rationale                                            | <input checked="" type="checkbox"/> Building elevations for new construction |
| <input checked="" type="checkbox"/> Site plan                                            | <input checked="" type="checkbox"/> Photographs of existing structures       |
| <input checked="" type="checkbox"/> Access and parking plan; (may be shown on site plan) | <input checked="" type="checkbox"/> Materials samples                        |
| <input checked="" type="checkbox"/> Landscape plan                                       | <input checked="" type="checkbox"/> Fees: \$250 (non-refundable)             |
| <input checked="" type="checkbox"/> Floor plan                                           | <input checked="" type="checkbox"/> \$2000 (refundable deposit)              |
| <input checked="" type="checkbox"/> Electronic copies of all materials                   | <input checked="" type="checkbox"/> Other items as requested by staff        |

Preferred Public Hearing Date: Monday, August 19, 2013.

**\*\*See attached schedule and confirm available meeting dates with Planning Division staff\*\***

**Office Use Only**

\_\_\_\_ All Sections Complete

\_\_\_\_ All Documents, incl. e-Copies

\_\_\_\_ Fees Paid

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

**Paul Langdon, AICP, Planning Director**

**Whitney Kelly, AICP, City Planner**

**Julie Lowery, Administrative Assistant (872-2501)**

**Revised: 11/11**

**General Description of Business:**

Crossroads Presbyterian Fellowship is a local church (affiliated with the Presbyterian Church in America) that is committed to share the good news of Jesus. This is done by the faithful preaching of the Scriptures and by meeting the spiritual, physical, and emotional needs of our surrounding community.

In 2003, Crossroads planted its first site in Maplewood, and since its inception, we have made concerted efforts to benefit the city. One example is our partnership with the Richmond Heights/Maplewood school district to begin Joe's Place as featured in the St. Louis Post Dispatch ([http://www.stltoday.com/suburban-journals/metro/education/joe-s-place-a-place-for-the-displaced/article\\_16a1566a-b8bb-50da-ab80-e4998b161c6c.html](http://www.stltoday.com/suburban-journals/metro/education/joe-s-place-a-place-for-the-displaced/article_16a1566a-b8bb-50da-ab80-e4998b161c6c.html)). Joe's Place offers homeless teenage boys a caring home environment which has enabled them to graduate from high school and create positive futures for themselves.

In 2009, Crossroads established a second worship site in Creve Coeur with the goal of demonstrating God's care for all people just as we have done in Maplewood. Worship space, however, has been difficult to come by. We first worshipped at the AMC 12 and are currently worshipping in the Olivette Community Center.

Since 2009, we have grown in number and diversity. We have approximately 100 members comprised of 30 children, 20 college students from WashU, and 50 adults. Of the 100 members, 65% are Asian-American, 30% Caucasian, and 5% other. We have had the privilege of coming alongside the surrounding community through coaching sports leagues, volunteering at Spoele Elementary School, and providing assistance for families in need in the Ladue School District.



**Rationale:**

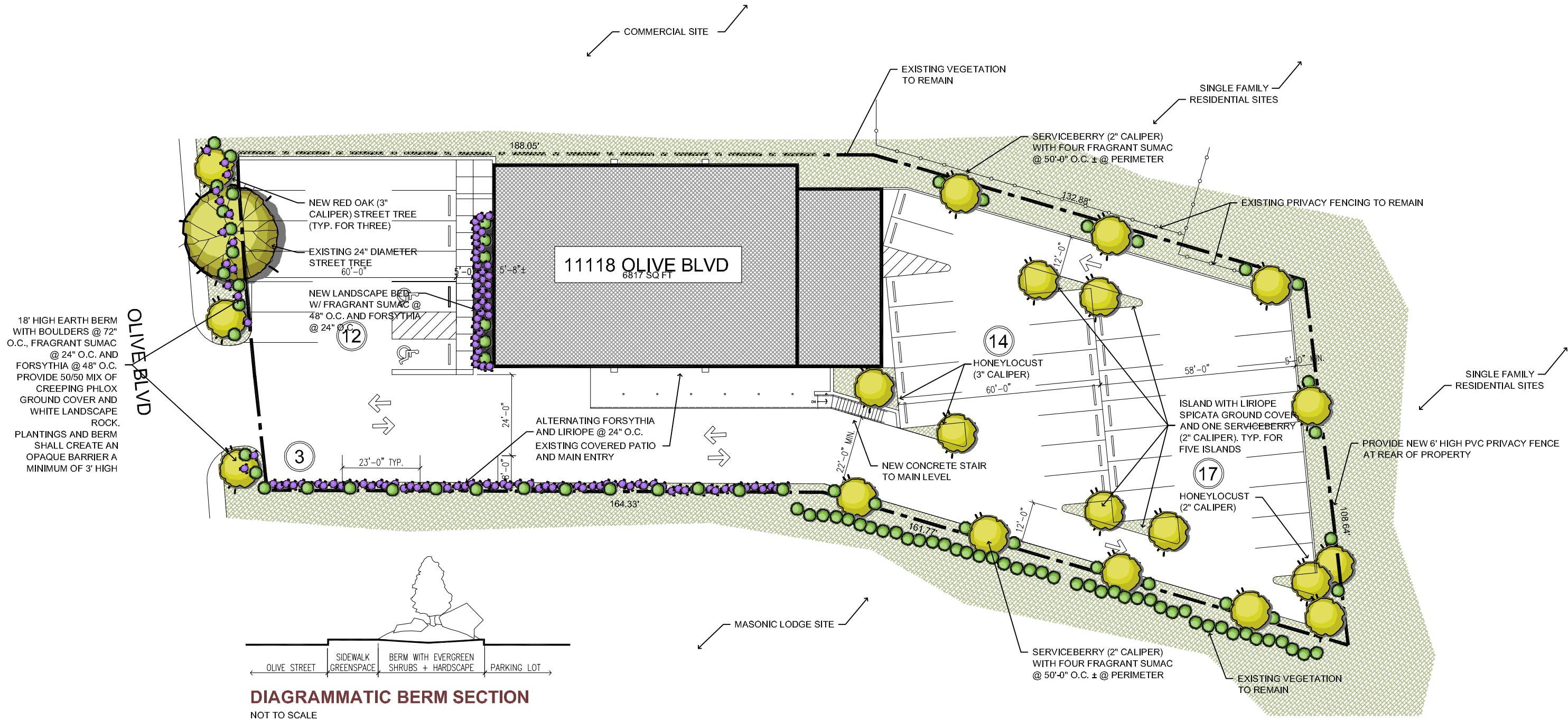
As a church that has now been in the Creve Coeur/Olivette community for the past four years, we have been committed to seeing every facet of life flourish, i.e. schools, neighborhoods, businesses, families, and much more. The approval of a conditional use permit would allow us to establish a permanent presence in the city of Creve Coeur and communicate that we are committed to seeing the city flourish.

Renting from the AMC 12 movie theatre and the Olivette Community Center for the past four years has prevented us from reaching the full potential of our mission as a church. We desire to have a consistent, visible presence in the area which could serve as a connecting point for both our members and the community as a whole. This would clearly be of great benefit to Crossroads, but we believe the approval of a conditional use permit would also serve to benefit the city of Creve Coeur in the following ways:

- Beautify and bring back to life a building that has been vacant for about eight years, which also increases security on the site.
- Promote the surrounding businesses that our members would frequent.
- Encourage existing members to continue to move into the city of Creve Coeur which has already been happening in the past year.
- Lessen the impact of the surrounding residences by erecting visual barriers.

Further, as we commit ourselves to revive and restore a building that has been vacant for so long, our plans include the following changes to the building and landscape design:

- Much of the building exterior is in good shape, with quality, long-lasting materials. Most of the existing façade will be maintained.
- The west façade will be opened up to uncover existing glazing that's been obscured by unsightly panels, and a new decorative railing will be installed to separate the building entry from the existing drive lane. This railing will extend vertically to create a screen for mechanical equipment.
- A new earth berm with plantings will line Olive Blvd., providing a visual buffer for the existing parking lot.
- Fencing will be added at the rear of the property to shield residential properties from parking lot activities.
- New fully shielded site lighting will be added to increase security and safety.
- Landscaped islands and buffer strips will be installed to break up the current monotonous expanse of asphalt.



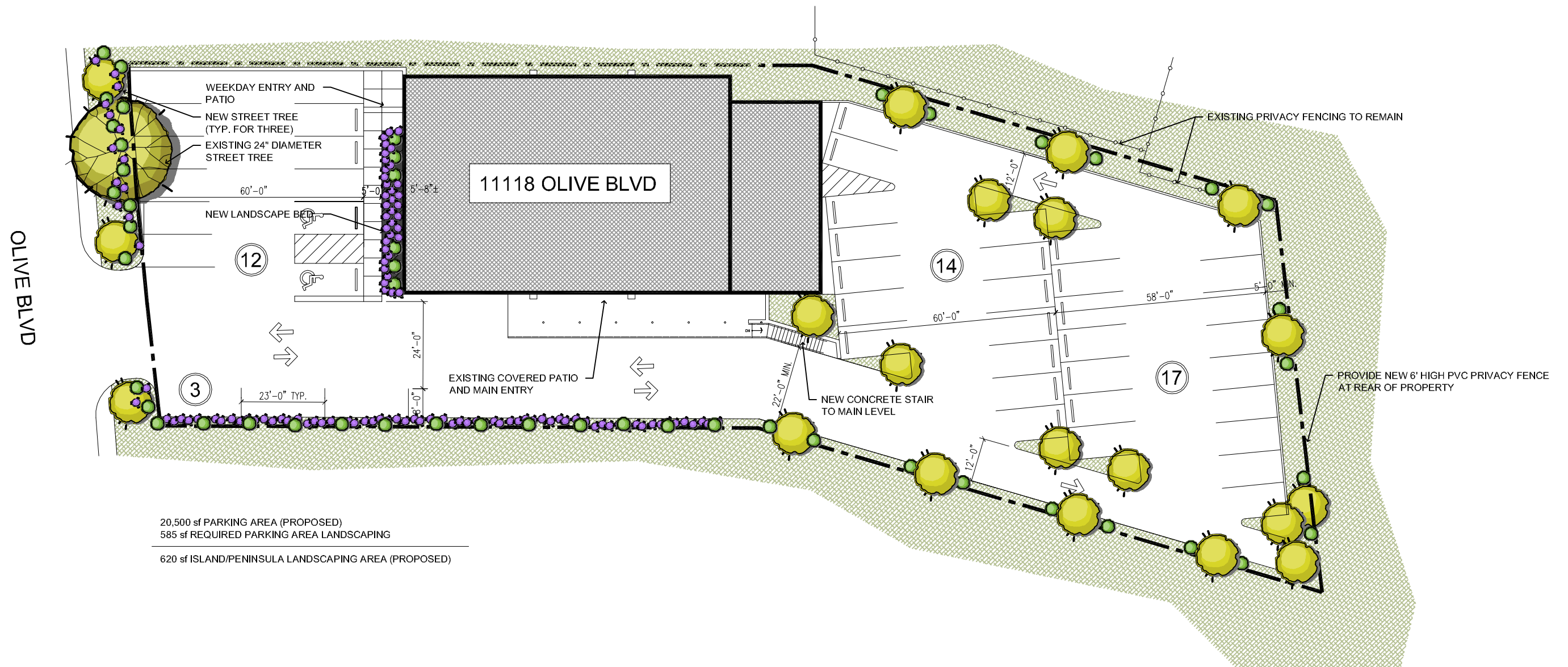
CONCEPTUAL LANDSCAPING PLAN  
1"=30'-0"



# CROSSROADS PRESBYTERIAN FELLOWSHIP

POTENTIAL NEW CREVE COEUR WORSHIP SITE - 11118 OLIVE BLVD, CREVE COEUR, MO





## CONCEPTUAL SITE PLAN

1"=30'-0"



# CROSSROADS PRESBYTERIAN FELLOWSHIP

POTENTIAL NEW CREVE COEUR WORSHIP SITE - 11118 OLIVE BLVD, CREVE COEUR, MO

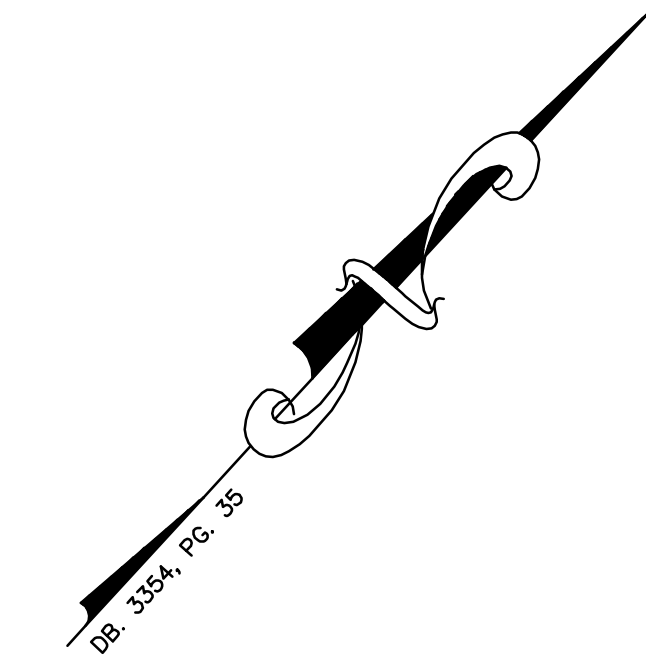
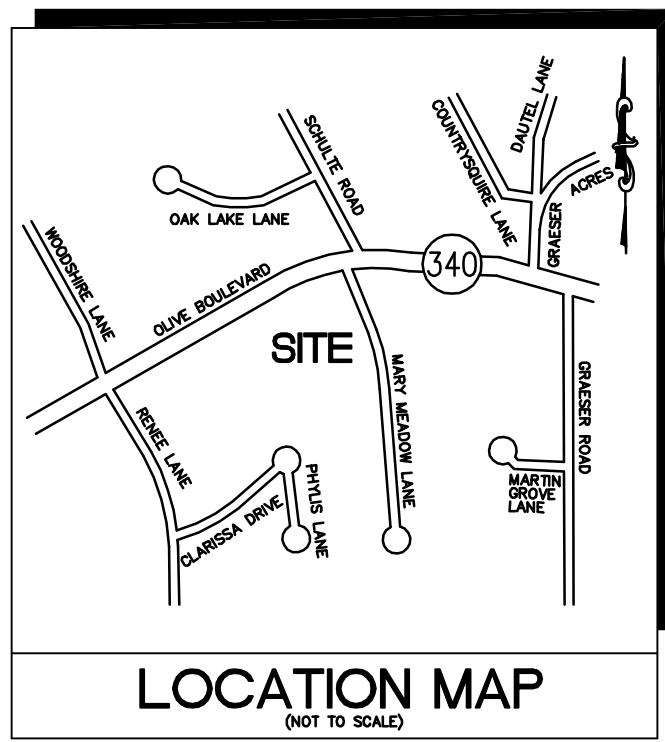
1

2013.08.14



"ALTA/ACSM LAND TITLE SURVEY"

A TRACT OF LAND BEING PART OF U.S. SURVEY 1962 AND ALSO PART OF SECTION 2  
TOWNSHIP 45 NORTH, RANGE 5 EAST OF THE 5TH PRINCIPAL MERIDIAN  
CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI



GRAPHIC SCALE  
( IN FEET )  
1 inch = 20 ft

NOTES:

(1) Stock and Associates Consulting Engineers, Inc. used exclusively Investors Old Republic Title Company, File No. 0909562 with an effective date of October 2, 2009 at 8:00 a.m. for research of vesting title, easements and encumbrances. No further research was performed by Stock and Associates Consulting Engineers, Inc.

(2) Title to the estate or interest in the land described or referred to in the above commitment and covered herein is FEE SIMPLE, and title to there is at the effective date thereof vested in:

Fifth Third Bank

(3) Title Commitment File No. 0909562 Special Exceptions:

- (a) Items No. 5 Subject to Easement(s) to The Metropolitan St. Louis Sewer District recorded in Book 5861 Page 59 and Book 7913 page 573, "SHOWN"
- (b) Item No. 6 - Subject to Easement granted to Union Electric Company as recorded in Book 5735 Page 304 of the St. Louis County Records, "SHOWN"
- (c) Item No. 7 Subject to Easements granted to the City of Creve Coeur recorded in Plat Book 67 page 28, "SHOWN"

(4) Subject property lies within Flood Zone "X" (areas determined to be outside the 500-year floodplain) per the National Flood Insurance Program, Flood Insurance Rate Map for St. Louis County and Incorporated Areas per Map No. 29189C0116 H with an effective date of August 2, 1995

(5) Present Zoning: "General Commercial District", City of Creve Coeur

Yard and Setback Requirements:

(a) Minimum Front Yard: No building or structure shall be located closer than ten feet (10') from a public right-of-way. In the event that parking is to be located in front of a building or structure, said building or structure shall be set back a minimum of fifty feet (50') from the right-of-way. The provisions of Section 22a-2b shall prevail where applicable on major streets and highways. In every instance, the first ten feet (10') of the front yard setback from the right of way shall be provided with and maintained with sidewalks, unless approved sidewalks exist in the abutting public right-of-way, and with landscaping including, but not limited to, deciduous street trees at regular intervals.

(b) Minimum Side Yard: Twelve Feet (12')

(c) Minimum Rear Yard: Twenty Feet (20')

(d) Buffer Yard: Notwithstanding the provisions of Paragraphs 42.5(d)(3) above, any tract or site abutting or adjoining a single family residential zoning district shall provide a buffer yard of twenty feet (20') on all sides that abut the single family district. The minimum required buffer yard shall be increased in five (5') ft. increments up to a maximum of forty feet (40'), for each acre of the subject property over two (2) acres in area. All acreage shall be rounded up to the next whole number for buffer yard calculation purposes. The buffer yard shall not contain any impervious surface, and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission.

(6) Subject property has 72 regular parking spaces and 2 handicap parking spaces. Total number of parking spaces = 74.

(7) Underground utilities and facilities have been located from survey and record information, and their location and size should be considered as approximate only.

(8) There is no observable evidence of earth moving work, building construction or building additions within recent months.

(9) There is no changes in street right-of-way lines, either completed or proposed, and available from the controlling jurisdictions.

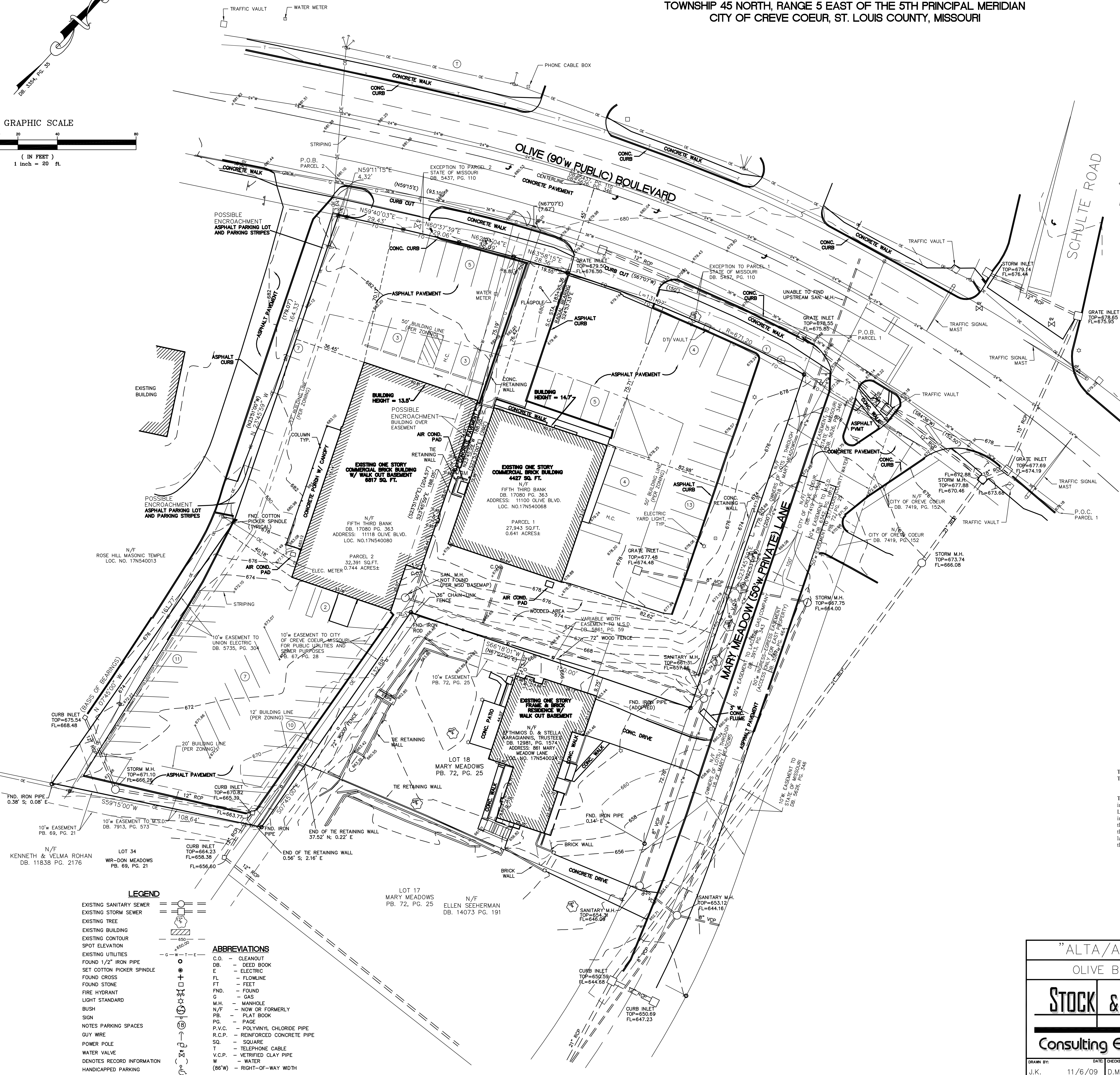
(10) There is no observable evidence of recent street or sidewalk construction or repairs.

(11) There is no observable evidence of site use as a solid waste dump, sump, or sanitary landfill.

(12) ( ) denotes record information.

(13) Basis of bearings: Bearing of North 7 degrees 45 minutes 00 seconds West along Southwestern line of subject property adopted from Deed Book 3354 Page 35.

(14) Square footage of buildings was calculated from outside dimensions approximately five feet (5') above grade for the first floor only.



LEGAL DESCRIPTION

Parcel 1: A tract of land in US Survey 1962, Township 45 North, Range 5 East, in St. Louis County, Missouri and described as follows:

Beginning at a point in the South line of Olive Street Road, 60 feet wide distant 152.50 feet, South 84 degrees 36 minutes West from an old stone set at the Northeast corner of property conveyed to John F. Krenner by deed recorded in Book 380 Page 116 as said property is shown on survey in survey Record Book 10 Page 286; thence South 67 degrees 07 minutes West along the South line of Olive Street Road, 150 feet to a point; thence South 22 degrees 53 minutes East 200 feet to a point; thence North 67 degrees 07 minutes East 150 feet to a point; thence North 22 degrees 53 minutes West 200 feet to the point of beginning. Excepting therefrom that part conveyed to the State of Missouri for the widening of Olive Street Road by deed recorded in Book 5437 Page 110.

Parcel 2: A tract of land situated in US Survey 1962 and partly in Section 2, Township 45 North, Range 5 East and described as follows:

Beginning at a point in the Southeast line of Olive Street at the Northwest corner of property conveyed to Garrett H. Lamb and wife by deed recorded in Book 3354 Page 35 of the St. Louis County Records; thence along the Southeast line of Olive Street Road, North 59 degrees 15 minutes East 93.10 feet and North 67 degrees 07 minutes East 7.57 feet to a point; thence South 23 degrees 51 minutes East 204.57 feet to a point; thence South 7 degrees 45 minutes East 132.88 feet to the Northeast corner of Lot 34 of Win-Don Meadows, a subdivision the plat of which is recorded in Plat Book 69 Page 21 of the St. Louis County Records; thence along the Northern line of said Lot 34, South 59 degrees 15 minutes West 108.64 feet to a corner of property so conveyed to Lamb and wife as aforesaid; thence along Lamb's Western line North 7 degrees 45 minutes West 161.77 feet and North 23 degrees 51 minutes West 179.07 feet to the point of beginning, being part of a larger parcel of land shown on a survey thereof executed by the Elbert Surveying Company during the month of November, 1953. Excepting therefrom that part of captioned property conveyed to the State of Missouri by deed recorded in Book 5437 Page 110 of the St. Louis County Records.

SURVEYOR'S CERTIFICATION

To: Fifth Third Bank (St. Louis), a Michigan banking corporation and Old Republic Title Company.

This is to certify that this map or plat and the survey on which it was based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys", jointly established and adopted by ALTA and NSPS in 2005, and include items 1-6, 7(a), 7(b), 7(c), 8-10, 11(b), and 13 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Missouri, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.  
LC NO. 222-D

By: Daniel Ehlmann, Missouri P.L.S. No. 2215

"ALTA/ACSM LAND TITLE SURVEY"

OLIVE BLVD. & MARY MEADOW LANE

**STOCK & ASSOCIATES**  
Consulting Engineers, Inc.

257 Chesterfield Business Center  
St. Louis, MO 63005  
PH: (636) 530-9100  
FAX: (636) 530-9130  
e-mail: general@stockeng.com  
Web: www.stockassoc.com

Drawn By: J.K. Date: 11/6/09  
Checked By: D.M.E. Date: 11/6/09  
Job Number: 209-4521  
Sheet: 1 of 1

DRAWING FILE: C:\Users\jehrmann\appdata\local\temp\AutoCAD\209-4521-01.dwg LAYOUT: Model PLOTTED: Aug 14, 2012 - 11:37am PLOTTED BY: Chris Eymann

PREPARED FOR:  
OLD REPUBLIC TITLE COMPANY  
C/O MR. JIM DAVIS  
9645 CLAYTON RD.  
ST. LOUIS, MO. 63124  
PHONE: 314 692-8565





EXISTING FRONT ELEVATION  
NOT TO SCALE



EXISTING INTERIOR  
NOT TO SCALE



EXISTING NORTHWEST CORNER  
NOT TO SCALE



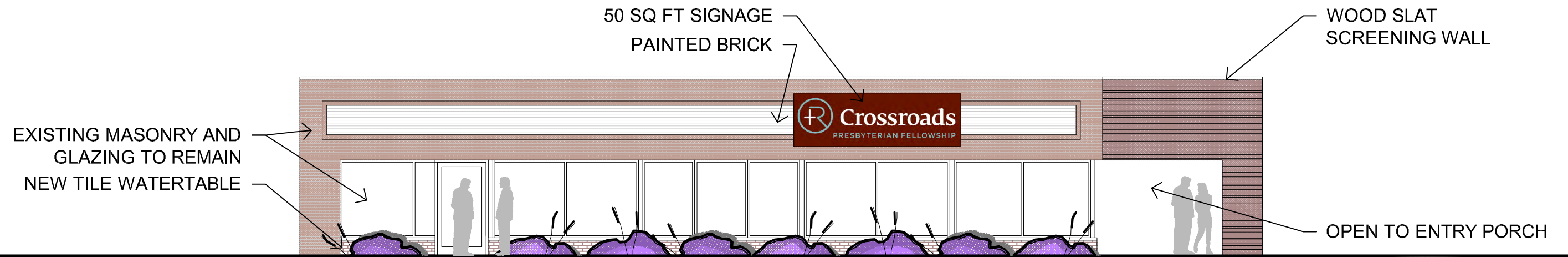
EXISTING REAR ELEVATION  
NOT TO SCALE



# CROSSROADS PRESBYTERIAN FELLOWSHIP

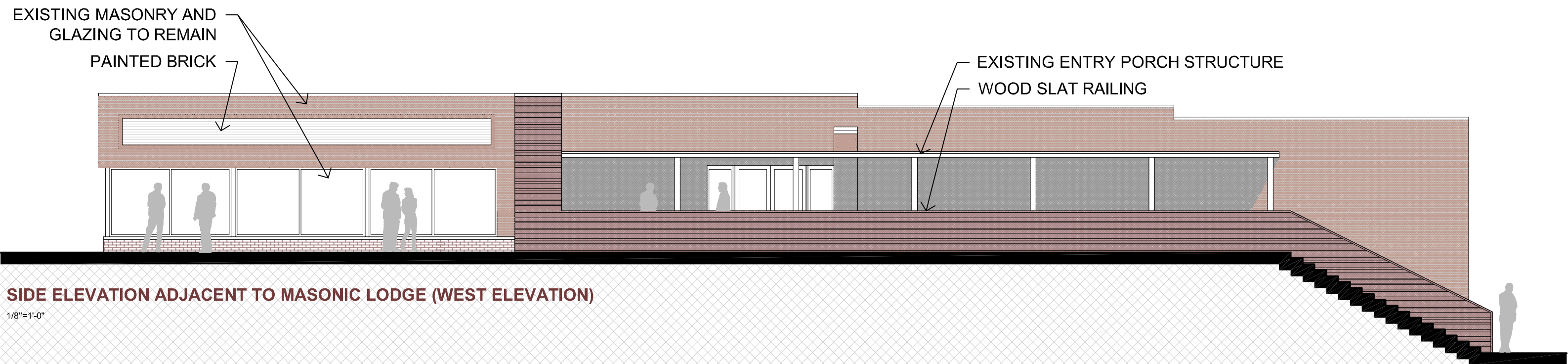
POTENTIAL NEW CREVE COEUR WORSHIP SITE - 11118 OLIVE BLVD, CREVE COEUR, MO





**FRONT ELEVATION ALONG OLIVE (NORTH ELEVATION)**

1/8"=1'-0"



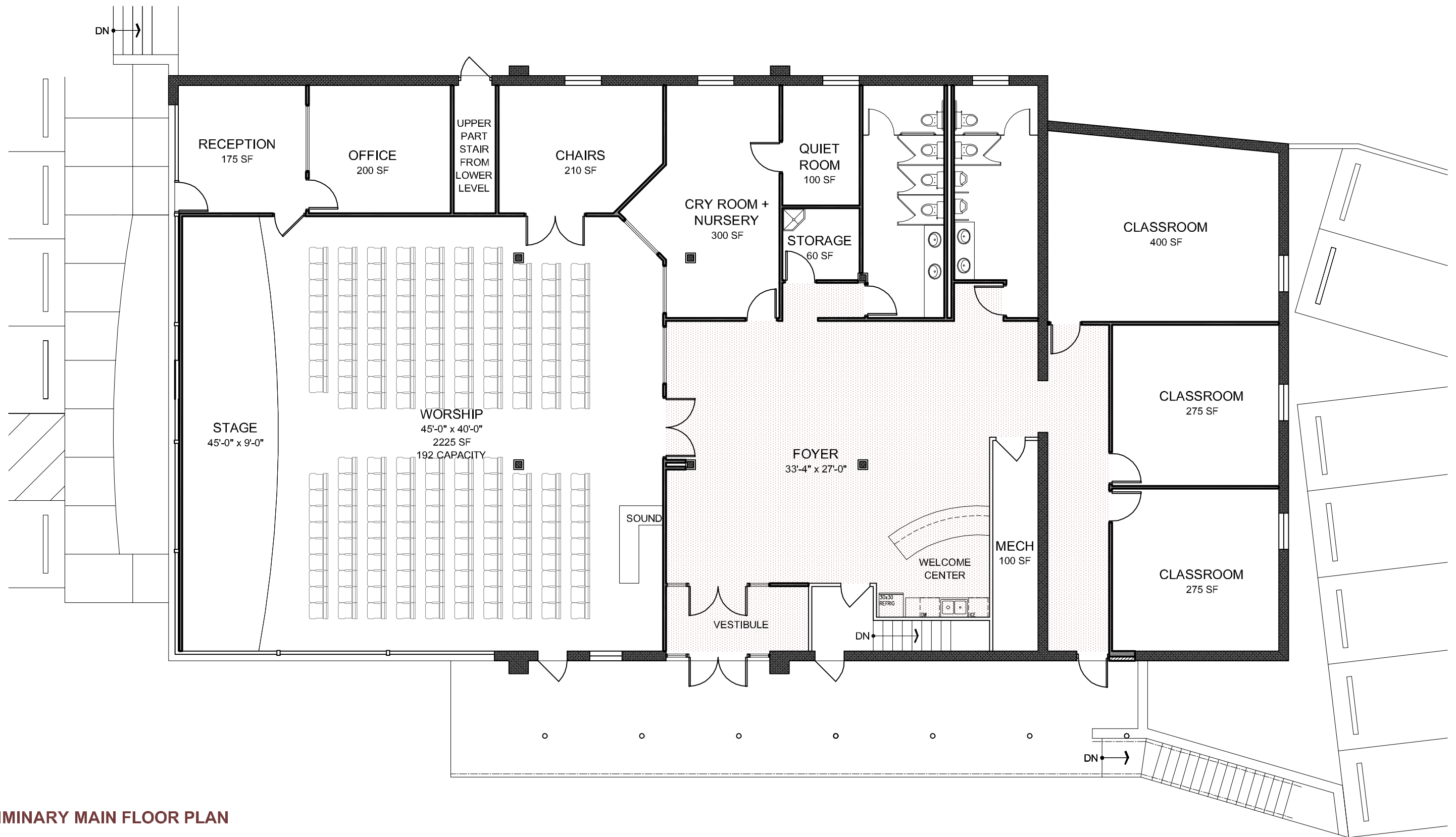
**SIDE ELEVATION ADJACENT TO MASONIC LODGE (WEST ELEVATION)**

1/8"=1'-0"



# CROSSROADS PRESBYTERIAN FELLOWSHIP

POTENTIAL NEW CREVE COEUR WORSHIP SITE - 11118 OLIVE BLVD, CREVE COEUR, MO



**PRELIMINARY MAIN FLOOR PLAN**  
1"=10'-0"



# CROSSROADS PRESBYTERIAN FELLOWSHIP

POTENTIAL NEW CREVE COEUR WORSHIP SITE - 11118 OLIVE BLVD, CREVE COEUR, MO

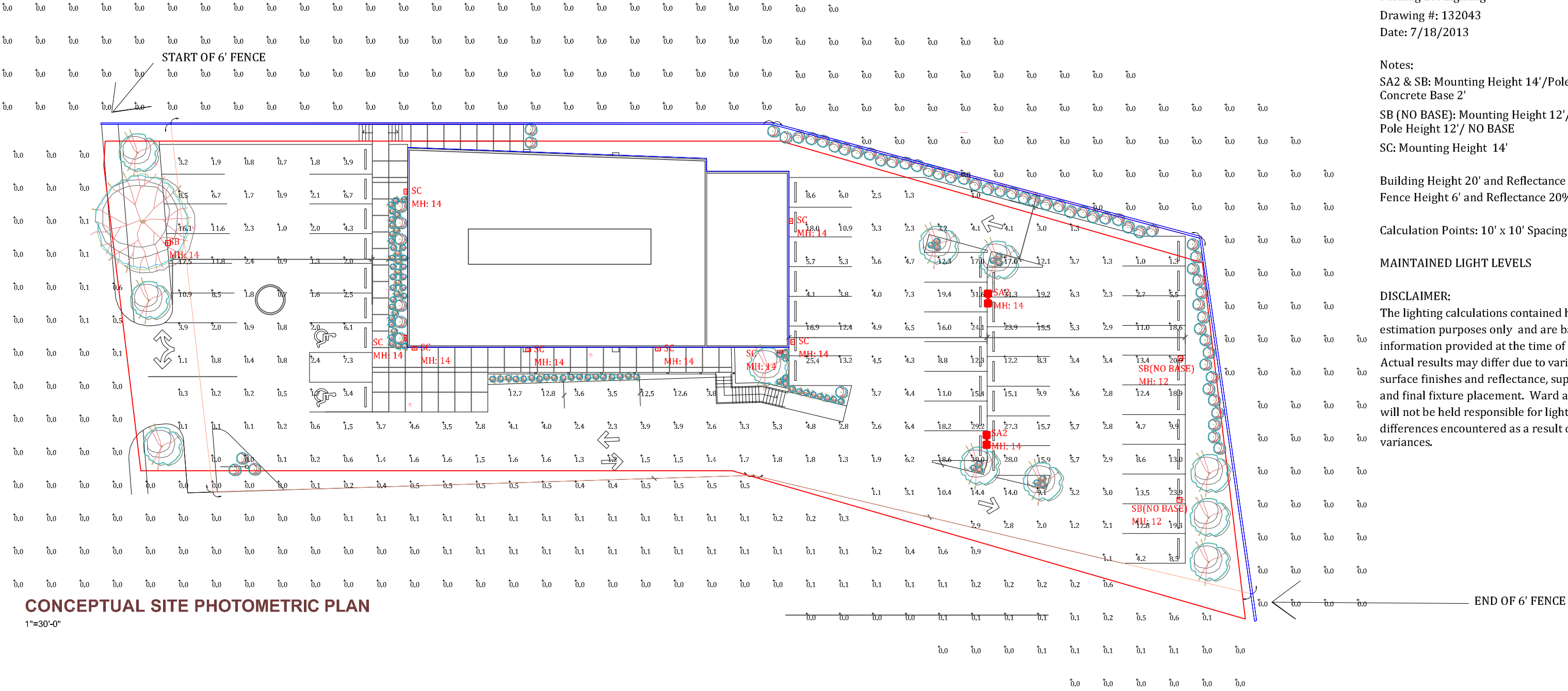
Notes:  
SA2 & SB: Mounting Height 14'/Pole Height 12'/  
Concrete Base 2'  
SB (NO BASE): Mounting Height 12'/  
Pole Height 12'/ NO BASE  
SC: Mounting Height 14'

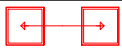
Building Height 20' and Reflectance 20%  
Fence Height 6' and Reflectance 20%

Calculation Points: 10' x 10' Spacing

MAINTAINED LIGHT LEVELS

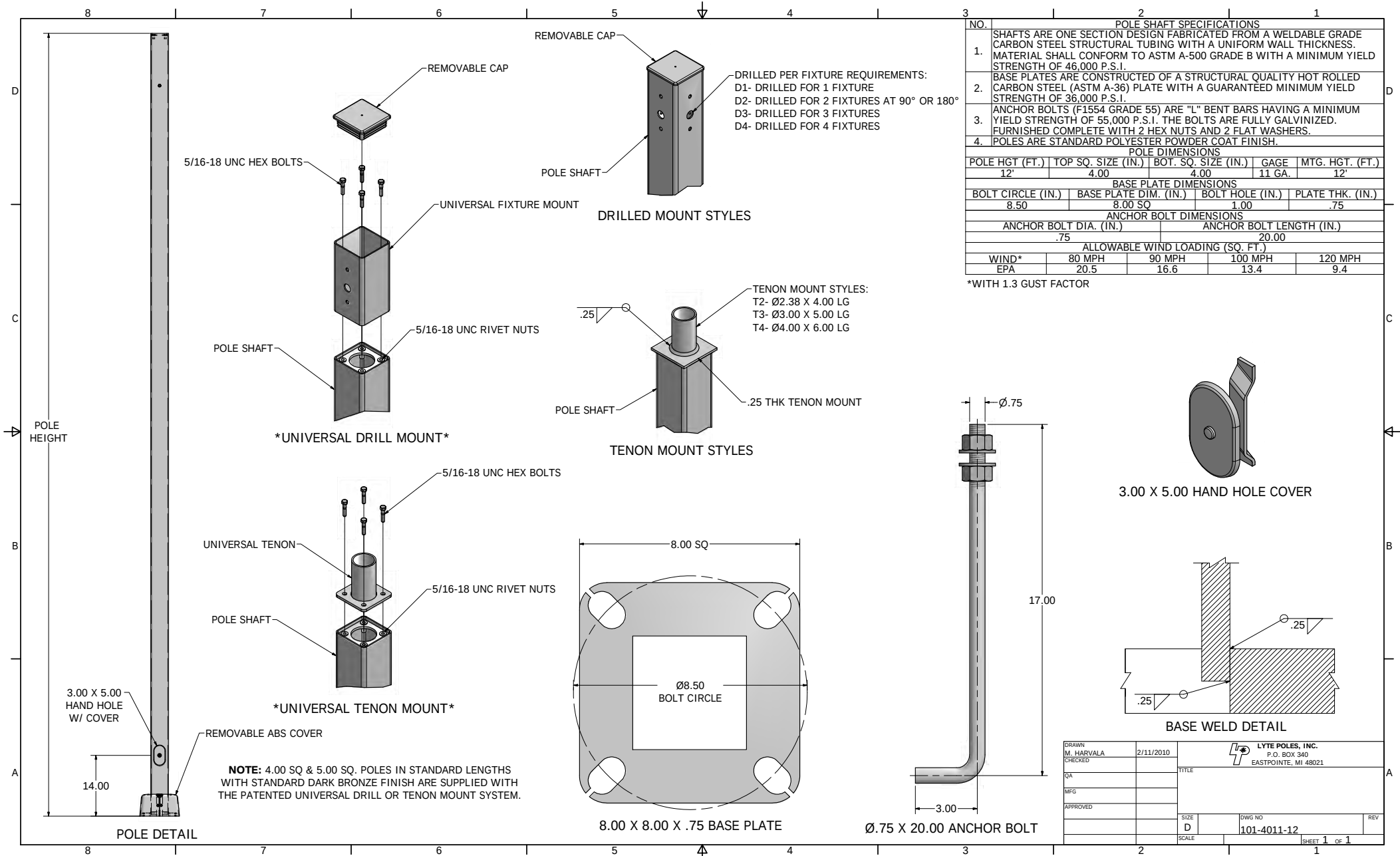
DISCLAIMER:  
The lighting calculations contained herein are for  
estimation purposes only and are based upon  
information provided at the time of calculation.  
Actual results may differ due to variances in  
surface finishes and reflectance, supply voltage,  
and final fixture placement. Ward and Burton, Inc.  
will not be held responsible for light level  
differences encountered as a result of these  
variances.



| Luminaire Schedule                                                                 |     |             |             |                   |       |                                                                 | Calculation Summary       |             |       |      |      |     |         |         |
|------------------------------------------------------------------------------------|-----|-------------|-------------|-------------------|-------|-----------------------------------------------------------------|---------------------------|-------------|-------|------|------|-----|---------|---------|
| Symbol                                                                             | Qty | Label       | Arrangement | Total Lamp Lumens | LLF   | Description                                                     | Label                     | CalcType    | Units | Avg  | Max  | Min | Avg/Min | Max/Min |
|  | 2   | SA2         | BACK-BACK   | 30000             | 0.750 | EMCO AVA-2-F-320PSMH-VOLTS-BRP/LYTE POLES 101-4011-12-D2@180-DB | Parking Lot               | Illuminance | Fc    | 6.72 | 31.6 | 0.0 | N.A.    | N.A.    |
|  | 1   | SB          | SINGLE      | 30000             | 0.750 | EMCO AVA-1-F-320PSMH-VOLTS-BRP-EHS/LYTE POLES 101-4011-12-D1-DB | SPILL LIGHT BEHIND CHURCH | Illuminance | Fc    | 0.00 | 0.0  | 0.0 | N.A.    | N.A.    |
|  | 2   | SB(NO BASE) | SINGLE      | 30000             | 0.750 | EMCO AVA-1-F-320PSMH-VOLTS-BRP-EHS/LYTE POLES 101-4011-12-D1-DB | SPILL LIGHT RESIDENTIAL   | Illuminance | Fc    | 0.00 | 0.0  | 0.0 | N.A.    | N.A.    |
|  | 8   | SC          | SINGLE      | 30000             | 0.750 | DAYBRITE WTL320PMT-FWT-LP                                       | SPILL LIGHT STREET        | Illuminance | Fc    | 0.10 | 0.9  | 0.0 | N.A.    | N.A.    |







Job:  
Type:  
Notes:

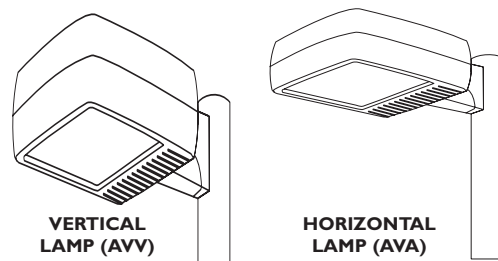
# Emco

# Avalume

Page 1 of 3

## Horizontal and Vertical Lamp

The Avalume is a rectilinear area luminaire defined by its sleek rounded profile and rugged construction. The housing is one-piece, die cast aluminum and mounts directly to a pole or wall without need of a separate support arm. The optical systems provide IES Types III, IV and V distributions. Vertical lamp luminaires feature vertical lamp position for minimized direct downlight and maximum performance. The door frame is single-piece die cast aluminum and retains an optically clear tempered flat glass lens. The luminaire is completely sealed and gasketed preventing intrusion from moisture, dust and insects. Avalume luminaires are finished with a fade and abrasion resistant TGIC powdercoat. Flat glass lens luminaires provide full cutoff performance.



| PREFIX | MOUNTING | DISTRIBUTION | WATTAGE | VOLTAGE | FINISH | OPTIONS |
|--------|----------|--------------|---------|---------|--------|---------|
|        |          |              |         |         |        |         |

Enter the order code into the appropriate box above. Note: Philips Gardco reserves the right to refuse a configuration. Not all combinations and configurations are valid. Refer to notes below for exclusions and limitations. For questions or concerns, please consult the factory.

### PREFIX

**AVA** Avalume Horizontal Lamp Luminaire  
**AVV** Avalume Vertical Lamp Luminaire

### MOUNTING

**1** Single Pole Mount  
**2** Twin Pole Mount at 180°  
**2@90** Twin Pole Mount at 90°  
**3** 3-way Pole Mount at 90°  
**3@120°** 3-way Pole Mount at 120°  
**4** 4-way Pole Mount  
**W** Wall Mount  
**WS** Wall Mount with Surface Conduit

### DISTRIBUTION

#### Horizontal Lamp Luminaires (AVA) Only

**3** IES Type III  
**F** IES Type IV Forward Throw  
**5** Type V  
**MTS** Medium Throw with Solite™ Lens (Fluorescent only.)

Type 3 reflectors ship as Type F. Removal of an insert converts the reflector to Type 3.

#### Vertical Lamp Luminaires (AVV) Only

**3V** IES Type III  
**FV** IES Type IV Forward Throw  
**5V** IES Type V

Type 3V reflectors ship as Type FV. Removal of an insert converts the reflector to Type 3V. Type 3V/FV optics are rotatable in 90° increments.

### WATTAGE

|                                       |                                 |                                          |                                         |
|---------------------------------------|---------------------------------|------------------------------------------|-----------------------------------------|
| Pulse Start MH Magnetic Ballast       | <b>100MH<sup>1</sup></b>        | <b>250PSMH</b> <sup>Ⓔ</sup>              | <b>350PSMH<sup>1</sup></b> <sup>Ⓔ</sup> |
|                                       | <b>150MH<sup>1</sup></b>        | <b>250PS90<sup>**</sup></b> <sup>Ⓔ</sup> | <b>400PSMH<sup>1</sup></b> <sup>Ⓔ</sup> |
|                                       | <b>175PSMH</b> <sup>Ⓔ</sup>     | <b>320PSMH<sup>1</sup></b> <sup>Ⓔ</sup>  |                                         |
| Standard MH Magnetic Ballast          | <b>175MH<sup>*</sup></b>        | <b>250MH<sup>*</sup></b>                 | <b>400MH<sup>1,*</sup></b>              |
| High Pressure Sodium Magnetic Ballast | <b>150HPS</b>                   | <b>250HPS</b>                            | <b>400HPS</b>                           |
| Compact Fluorescent                   | <b>(3)42TRF<sup>2,3,4</sup></b> |                                          |                                         |

\* 175MH, 250MH and 400MH not available for sale in the United States.

\*\* 250 watt Pulse Start Metal Halide with a 90% efficient magnetic ballast. Complies with California Title 20 effective 1/1/2010. Available in 120, 208, 240 or 277V only.



Wattages marked with Circle "E" meet federal energy efficiency standards applicable to 150 watt through 500 watt metal halide luminaires only.

### VOLTAGE

**120** **UNIV** (AVA only, Fluorescent only.)  
**208** Accepts 120V through 277V, 50hz to 60hz input.  
**240**  
**277**  
**347**  
**480**

1. Requires mogul base lamps.

2. Fluorescent luminaires feature electronic ballasts that accept 120V through 277V, 50hz to 60hz, input. Specify "UNIV" voltage for 120V through 277V.

3. Fluorescent available in AVA luminaires only, MTS optics only.

4. Fluorescent luminaires not available in 347V or 480V.

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**PHILIPS**



### FINISH

|            |                                                                                    |
|------------|------------------------------------------------------------------------------------|
| <b>BRP</b> | Bronze Paint                                                                       |
| <b>BLP</b> | Black Paint                                                                        |
| <b>NP</b>  | Natural Aluminum Paint                                                             |
| <b>WP</b>  | WhitePaint                                                                         |
| <b>OC</b>  | Optional Color Paint<br>Specify Optional Color or<br>RAL ex: OC-LGP or OC-RAL7024. |
| <b>SC</b>  | Special Paint<br>Specify. Must supply color chip.                                  |

### OPTIONS<sup>5</sup>

|                           |                                              |
|---------------------------|----------------------------------------------|
| <b>HS<sup>6</sup></b>     | External House Side Shield                   |
| <b>LF<sup>7</sup></b>     | In-Pole/In-Line Fusing                       |
| <b>PC<sup>8</sup></b>     | Photocontrol Receptacle<br>with Photocontrol |
| <b>PCR</b>                | Photocontrol Receptacle                      |
| <b>MF<sup>9</sup></b>     | Mast Arm Fitter                              |
| <b>PTF2</b>               | Pole Top Fitter 2.375" X 4"                  |
| <b>PTF3</b>               | Pole Top Fitter 3" - 3.5" X 6"               |
| <b>PTF4</b>               | Pole Top Fitter 3.5" - 4" X 6"               |
| <b>QS<sup>10</sup></b>    | Quartz Standby                               |
| <b>QST<sup>10</sup></b>   | Quartz Standby - Timed Delay                 |
| <b>Q924<sup>10</sup></b>  | Quartz Emergency                             |
| <b>QT924<sup>10</sup></b> | Quartz Emergency - Timed Delay               |
| <b>WG</b>                 | Wire Guard                                   |
| <b>POLY<sup>11</sup></b>  | External Polycarbonate Shield                |
| <b>TB</b>                 | Terminal Block                               |

5. Luminaires shipped complete from stock require field installation of all options.

6. Supplied standard in black only.

7. Kit includes In-Line Fuses.

8. Not available with 480V.

9. Requires 2 3/8" O.D. Mast Arm.

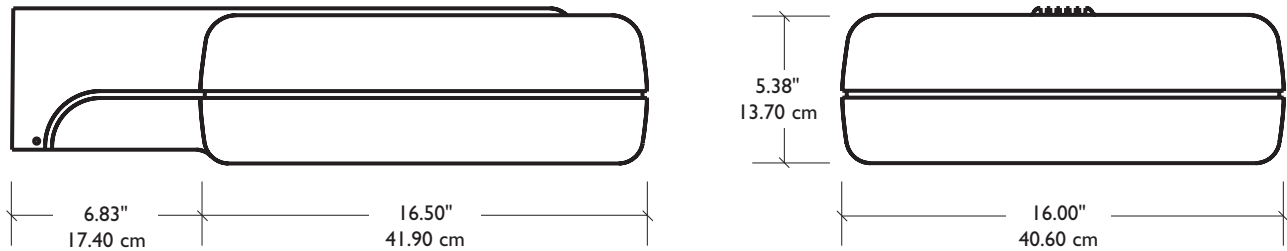
10. See QS/Q924 Table.

11. 250 watt maximum.

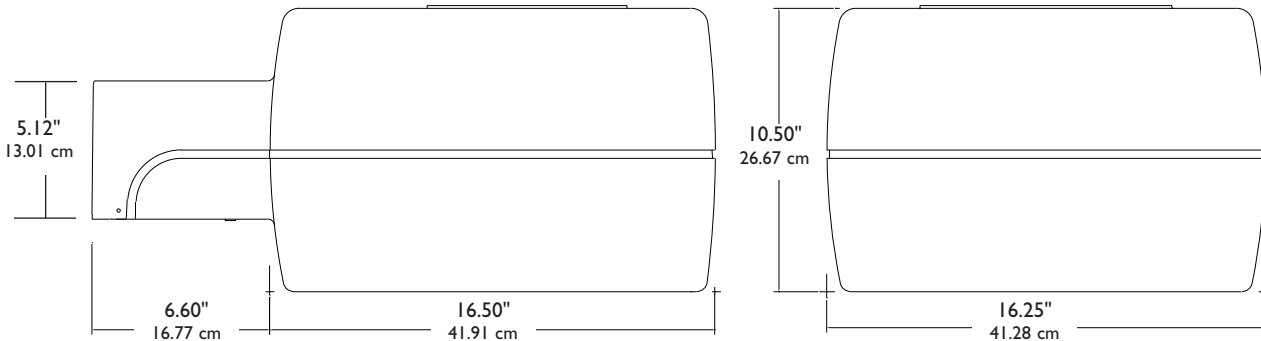
| (Note 10) QS / Q924 Table                                |                           |
|----------------------------------------------------------|---------------------------|
| HID Lamp Watts                                           | Maximum Quartz Lamp Watts |
| 175 watts or less                                        | 100 Watts                 |
| Above 175 watts up to 400 watts                          | 150 Watts                 |
| QS, QST, Q924 and QT924 options not available with 480V. |                           |

### DIMENSIONS AND EPA

#### AVALUME HORIZONTAL (AVA)



#### AVALUME VERTICAL (AVV)



| Avalume Horizontal (AVA)        | Effective Projected Area (EPA)            |                                           |                                           | Approximate Weight / Single |
|---------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|-----------------------------|
|                                 | Single                                    | Twin                                      | 3/4                                       |                             |
| Flat Lens                       | 1.1 ft <sup>2</sup><br>.10 m <sup>2</sup> | 2.2 ft <sup>2</sup><br>.20 m <sup>2</sup> | 2.7 ft <sup>2</sup><br>.25 m <sup>2</sup> | 35 lbs<br>15.9 kg           |
| With External House Side Shield | 1.2 ft <sup>2</sup><br>.11 m <sup>2</sup> | 2.2 ft <sup>2</sup><br>.20 m <sup>2</sup> | 3.2 ft <sup>2</sup><br>.30 m <sup>2</sup> |                             |

| Avalume Vertical (AVV)          | Effective Projected Area (EPA)             |                                            |                                            | Approximate Weight / Single |
|---------------------------------|--------------------------------------------|--------------------------------------------|--------------------------------------------|-----------------------------|
|                                 | Single                                     | Twin                                       | 3/4                                        |                             |
| Flat Lens                       | 1.3 ft <sup>2</sup><br>.13 m <sup>2</sup>  | 2.6 ft <sup>2</sup><br>.25 m <sup>2</sup>  | 3.23 ft <sup>2</sup><br>.31 m <sup>2</sup> | 46 lbs<br>20.9 kg           |
| With External House Side Shield | 1.54 ft <sup>2</sup><br>.15 m <sup>2</sup> | 2.82 ft <sup>2</sup><br>.27 m <sup>2</sup> | 4.36 ft <sup>2</sup><br>.41 m <sup>2</sup> |                             |

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**SPECIFICATIONS**

**GENERAL SPECIFICATIONS:** Each Avalume luminaire is a rectilinear area luminaire defined by its sleek rounded profile and rugged construction.

**HOUSING:** The housing is one-piece diecast aluminum, and mounts directly to a pole or wall without the need of a separate support arm. The low profile rounded form reduces the Avalume Horizontal Lamp E.P.A. (Effective Projected Area) of the luminaire to only 1.1 square feet (0.10 square meters), and the Avalume Vertical Lamp EPA to only 1.3 square feet (0.13 square meters)

**DOOR/LENS ASSEMBLY:** The door frame is single-piece diecast aluminum and retains an optically clear tempered flat glass lens. The diecast aluminum lens frame hinges down from the housing and is secured by a stainless steel lanyard and hinge pin. The tempered flat glass lens is mechanically secured with four (4) retainers. The electrical and optical chambers are thoroughly sealed with an extruded one-piece memory retentive extruded silicone gasket to prevent intrusion from moisture, dust, insects and other contaminants.

**OPTICAL SYSTEMS:** Avalume Horizontal Lamp luminaires feature segmented reflector systems consisting of two tiers of highly specular aluminum facets, precisely aligned to achieve specific photometric distributions. Optical systems are of the fixed position type with the lampholder positioned on the arm-side of the luminaire.

Avalume Horizontal Lamp fluorescent luminaires use a Medium Throw reflector with a Solite® glass lens (MTS).

Avalume Vertical Lamp luminaires feature spun specular Alzak® and segmented reflector system consisting of highly specular aluminum facets, precisely aligned to achieve specific photometric distributions. The Type 3V/FV optical system is rotatable in 90° increments.

The position-oriented mogul base lampholder in all luminaires is glazed porcelain with a nickel plated screw shell.

**ELECTRICAL:** All electrical components are UL recognized and factory tested. Electronic and magnetic HID ballasts are high power factor. Magnetic HID ballasts are the separate component type. Electronic and magnetic HID ballasts are capable of providing reliable lamp starting down to -20°F / -29°C. Standard fluorescent ballasts are solid state.

**FINISH:** Each standard color luminaire receives a fade and abrasion resistant electrostatically applied thermally cured triglycidal isocyanurate (TGIC) textured polyester powdercoat finish. Standard colors include Bronze (BRP), Black (BLP), White (WVP), Natural Aluminum (NP). Consult factory for specifications on custom colors.

**LABELS:** All luminaires bear U.L. or C.U.L. (where applicable) Wet Location labels.

**WARRANTY:** Emco luminaires feature a 1 year limited warranty. See Warranty Information on [www.sitelighting.com](http://www.sitelighting.com) for complete details and exclusions.

**FULL CUTOFF PERFORMANCE:** Full cutoff performance means a luminaire distribution where zero candela intensity occurs at an angle at or above 90° above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10 percent) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

**CUTOFF PERFORMANCE:** Cutoff performance means a luminaire distribution where the candela per 1000 lamp lumens does not numerically exceed 25 (2.5 percent) at an angle at or above 90° above nadir, and 100 (10 percent) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

Job:  
Type:  
Notes:

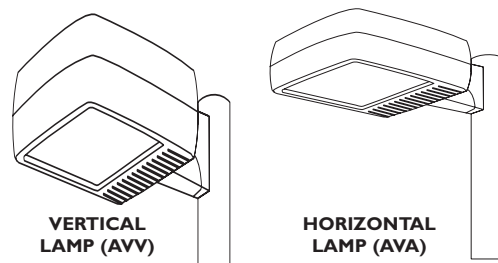
# Emco

# Avalume

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## Horizontal and Vertical Lamp

The Avalume is a rectilinear area luminaire defined by its sleek rounded profile and rugged construction. The housing is one-piece, die cast aluminum and mounts directly to a pole or wall without need of a separate support arm. The optical systems provide IES Types III, IV and V distributions. Vertical lamp luminaires feature vertical lamp position for minimized direct downlight and maximum performance. The door frame is single-piece die cast aluminum and retains an optically clear tempered flat glass lens. The luminaire is completely sealed and gasketed preventing intrusion from moisture, dust and insects. Avalume luminaires are finished with a fade and abrasion resistant TGIC powdercoat. Flat glass lens luminaires provide full cutoff performance.



| PREFIX | MOUNTING | DISTRIBUTION | WATTAGE | VOLTAGE | FINISH | OPTIONS |
|--------|----------|--------------|---------|---------|--------|---------|
|        |          |              |         |         |        |         |

Enter the order code into the appropriate box above. Note: Philips Gardco reserves the right to refuse a configuration. Not all combinations and configurations are valid. Refer to notes below for exclusions and limitations. For questions or concerns, please consult the factory.

### PREFIX

**AVA** Avalume Horizontal Lamp Luminaire  
**AVV** Avalume Vertical Lamp Luminaire

### MOUNTING

**1** Single Pole Mount  
**2** Twin Pole Mount at 180°  
**2@90** Twin Pole Mount at 90°  
**3** 3-way Pole Mount at 90°  
**3@120°** 3-way Pole Mount at 120°  
**4** 4-way Pole Mount  
**W** Wall Mount  
**WS** Wall Mount with Surface Conduit

### DISTRIBUTION

#### Horizontal Lamp Luminaires (AVA) Only

**3** IES Type III  
**F** IES Type IV Forward Throw  
**5** Type V  
**MTS** Medium Throw with Solite™ Lens (Fluorescent only.)

Type 3 reflectors ship as Type F. Removal of an insert converts the reflector to Type 3.

#### Vertical Lamp Luminaires (AVV) Only

**3V** IES Type III  
**FV** IES Type IV Forward Throw  
**5V** IES Type V

Type 3V reflectors ship as Type FV. Removal of an insert converts the reflector to Type 3V. Type 3V/FV optics are rotatable in 90° increments.

### WATTAGE

|                                       |                                                                                                 |                                                                                                                                |                                                                                    |
|---------------------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| Pulse Start MH Magnetic Ballast       | <b>100MH<sup>1</sup></b><br><b>150MH<sup>1</sup></b><br><b>175PSMH<sup>1</sup></b> <sup>E</sup> | <b>250PSMH<sup>1</sup></b> <sup>E</sup><br><b>250PS90<sup>**</sup></b> <sup>E</sup><br><b>320PSMH<sup>1</sup></b> <sup>E</sup> | <b>350PSMH<sup>1</sup></b> <sup>E</sup><br><b>400PSMH<sup>1</sup></b> <sup>E</sup> |
| Standard MH Magnetic Ballast          | <b>175MH<sup>*</sup></b>                                                                        | <b>250MH<sup>*</sup></b>                                                                                                       | <b>400MH<sup>1,*</sup></b>                                                         |
| High Pressure Sodium Magnetic Ballast | <b>150HPS</b>                                                                                   | <b>250HPS</b>                                                                                                                  | <b>400HPS</b>                                                                      |
| Compact Fluorescent                   | <b>(3)42TRF<sup>2,3,4</sup></b>                                                                 |                                                                                                                                |                                                                                    |

\* 175MH, 250MH and 400MH not available for sale in the United States.

\*\* 250 watt Pulse Start Metal Halide with a 90% efficient magnetic ballast. Complies with California Title 20 effective 1/1/2010. Available in 120, 208, 240 or 277V only.



Wattages marked with Circle "E" meet federal energy efficiency standards applicable to 150 watt through 500 watt metal halide luminaires only.

### VOLTAGE

**120** **UNIV** (AVA only, Fluorescent only.)  
**208** Accepts 120V through 277V, 50hz to 60hz input.  
**240**  
**277**  
**347**  
**480**

1. Requires mogul base lamps.

2. Fluorescent luminaires feature electronic ballasts that accept 120V through 277V, 50hz to 60hz, input. Specify "UNIV" voltage for 120V through 277V.

3. Fluorescent available in AVA luminaires only, MTS optics only.

4. Fluorescent luminaires not available in 347V or 480V.

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**PHILIPS**



### FINISH

|            |                                                                                    |
|------------|------------------------------------------------------------------------------------|
| <b>BRP</b> | Bronze Paint                                                                       |
| <b>BLP</b> | Black Paint                                                                        |
| <b>NP</b>  | Natural Aluminum Paint                                                             |
| <b>WP</b>  | WhitePaint                                                                         |
| <b>OC</b>  | Optional Color Paint<br>Specify Optional Color or<br>RAL ex: OC-LGP or OC-RAL7024. |
| <b>SC</b>  | Special Paint<br>Specify. Must supply color chip.                                  |

### OPTIONS<sup>5</sup>

|                           |                                              |
|---------------------------|----------------------------------------------|
| <b>HS<sup>6</sup></b>     | External House Side Shield                   |
| <b>LF<sup>7</sup></b>     | In-Pole/In-Line Fusing                       |
| <b>PC<sup>8</sup></b>     | Photocontrol Receptacle<br>with Photocontrol |
| <b>PCR</b>                | Photocontrol Receptacle                      |
| <b>MF<sup>9</sup></b>     | Mast Arm Fitter                              |
| <b>PTF2</b>               | Pole Top Fitter 2.375" X 4"                  |
| <b>PTF3</b>               | Pole Top Fitter 3" - 3.5" X 6"               |
| <b>PTF4</b>               | Pole Top Fitter 3.5" - 4" X 6"               |
| <b>QS<sup>10</sup></b>    | Quartz Standby                               |
| <b>QST<sup>10</sup></b>   | Quartz Standby - Timed Delay                 |
| <b>Q924<sup>10</sup></b>  | Quartz Emergency                             |
| <b>QT924<sup>10</sup></b> | Quartz Emergency - Timed Delay               |
| <b>WG</b>                 | Wire Guard                                   |
| <b>POLY<sup>11</sup></b>  | External Polycarbonate Shield                |
| <b>TB</b>                 | Terminal Block                               |

5. Luminaires shipped complete from stock require field installation of all options.

6. Supplied standard in black only.

7. Kit includes In-Line Fuses.

8. Not available with 480V.

9. Requires 2 3/8" O.D. Mast Arm.

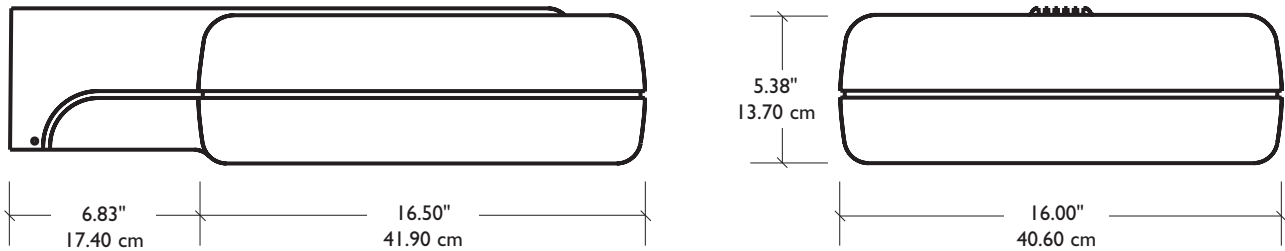
10. See QS/Q924 Table.

11. 250 watt maximum.

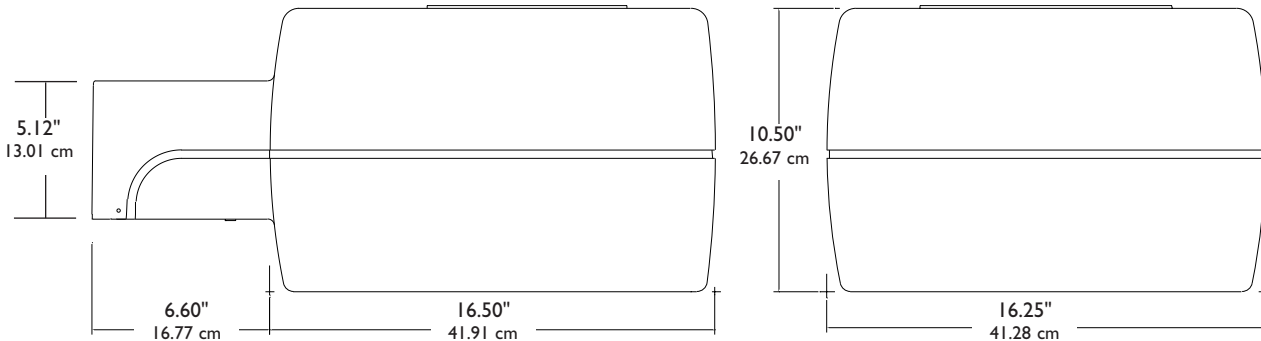
| (Note 10) QS / Q924 Table                                |                           |
|----------------------------------------------------------|---------------------------|
| HID Lamp Watts                                           | Maximum Quartz Lamp Watts |
| 175 watts or less                                        | 100 Watts                 |
| Above 175 watts up to 400 watts                          | 150 Watts                 |
| QS, QST, Q924 and QT924 options not available with 480V. |                           |

### DIMENSIONS AND EPA

#### AVALUME HORIZONTAL (AVA)



#### AVALUME VERTICAL (AVV)



| Avalume Horizontal (AVA)        | Effective Projected Area (EPA)            |                                           |                                           | Approximate Weight / Single |
|---------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|-----------------------------|
|                                 | Single                                    | Twin                                      | 3/4                                       |                             |
| Flat Lens                       | 1.1 ft <sup>2</sup><br>.10 m <sup>2</sup> | 2.2 ft <sup>2</sup><br>.20 m <sup>2</sup> | 2.7 ft <sup>2</sup><br>.25 m <sup>2</sup> | 35 lbs<br>15.9 kg           |
| With External House Side Shield | 1.2 ft <sup>2</sup><br>.11 m <sup>2</sup> | 2.2 ft <sup>2</sup><br>.20 m <sup>2</sup> | 3.2 ft <sup>2</sup><br>.30 m <sup>2</sup> |                             |

| Avalume Vertical (AVV)          | Effective Projected Area (EPA)             |                                            |                                            | Approximate Weight / Single |
|---------------------------------|--------------------------------------------|--------------------------------------------|--------------------------------------------|-----------------------------|
|                                 | Single                                     | Twin                                       | 3/4                                        |                             |
| Flat Lens                       | 1.3 ft <sup>2</sup><br>.13 m <sup>2</sup>  | 2.6 ft <sup>2</sup><br>.25 m <sup>2</sup>  | 3.23 ft <sup>2</sup><br>.31 m <sup>2</sup> | 46 lbs<br>20.9 kg           |
| With External House Side Shield | 1.54 ft <sup>2</sup><br>.15 m <sup>2</sup> | 2.82 ft <sup>2</sup><br>.27 m <sup>2</sup> | 4.36 ft <sup>2</sup><br>.41 m <sup>2</sup> |                             |

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**SPECIFICATIONS**

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**HOUSING:** The housing is one-piece diecast aluminum, and mounts directly to a pole or wall without the need of a separate support arm. The low profile rounded form reduces the Avalume Horizontal Lamp E.P.A. (Effective Projected Area) of the luminaire to only 1.1 square feet (0.10 square meters), and the Avalume Vertical Lamp EPA to only 1.3 square feet (0.13 square meters)

**DOOR/LENS ASSEMBLY:** The door frame is single-piece diecast aluminum and retains an optically clear tempered flat glass lens. The diecast aluminum lens frame hinges down from the housing and is secured by a stainless steel lanyard and hinge pin. The tempered flat glass lens is mechanically secured with four (4) retainers. The electrical and optical chambers are thoroughly sealed with an extruded one-piece memory retentive extruded silicone gasket to prevent intrusion from moisture, dust, insects and other contaminants.

**OPTICAL SYSTEMS:** Avalume Horizontal Lamp luminaires feature segmented reflector systems consisting of two tiers of highly specular aluminum facets, precisely aligned to achieve specific photometric distributions. Optical systems are of the fixed position type with the lampholder positioned on the arm-side of the luminaire.

Avalume Horizontal Lamp fluorescent luminaires use a Medium Throw reflector with a Solite® glass lens (MTS).

Avalume Vertical Lamp luminaires feature spun specular Alzak® and segmented reflector system consisting of highly specular aluminum facets, precisely aligned to achieve specific photometric distributions. The Type 3V/FV optical system is rotatable in 90° increments.

The position-oriented mogul base lampholder in all luminaires is glazed porcelain with a nickel plated screw shell.

**ELECTRICAL:** All electrical components are UL recognized and factory tested. Electronic and magnetic HID ballasts are high power factor. Magnetic HID ballasts are the separate component type. Electronic and magnetic HID ballasts are capable of providing reliable lamp starting down to -20°F / -29°C. Standard fluorescent ballasts are solid state.

**FINISH:** Each standard color luminaire receives a fade and abrasion resistant electrostatically applied thermally cured triglycidal isocyanurate (TGIC) textured polyester powdercoat finish. Standard colors include Bronze (BRP), Black (BLP), White (WVP), Natural Aluminum (NP). Consult factory for specifications on custom colors.

**LABELS:** All luminaires bear U.L. or C.U.L. (where applicable) Wet Location labels.

**WARRANTY:** Emco luminaires feature a 1 year limited warranty. See Warranty Information on [www.sitelighting.com](http://www.sitelighting.com) for complete details and exclusions.

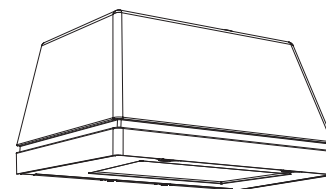
**FULL CUTOFF PERFORMANCE:** Full cutoff performance means a luminaire distribution where zero candela intensity occurs at an angle at or above 90° above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10 percent) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

**CUTOFF PERFORMANCE:** Cutoff performance means a luminaire distribution where the candela per 1000 lamp lumens does not numerically exceed 25 (2.5 percent) at an angle at or above 90° above nadir, and 100 (10 percent) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

## Wall Light

### WTL

#### Large Full Cutoff Wall Pack



#### Specifier's Reference

Project

Type

Model No.

Comments

#### application

- The WTL Large Full Cutoff Wall Light offers a sleek design and cutoff performance with a wide range of uses. It delivers the lighting needed for the exteriors of retail buildings, businesses, walkways, underpasses or entrance doors.

#### construction/finish

- Heavy duty die cast aluminum housing.
- Die cast aluminum door frame with tempered glass lens.
- Precision formed or segmented aluminum reflector.
- Silicone gasketing provides protection against moisture.
- Quick mount wall plate mounts directly to 3-1/2" octagon or 4" square outlet box for easy installation.
- Polyester powder finish for impact, corrosion and UV resistance.

#### electrical

- Certified to meet UL 1598 standards for wet location and 25°C ambient.

#### warranty

- 5 Year Limited Warranty.

### Green Choice: WTL320PMT-PSC-LP

#### WTL

##### Wattage

150 – 150  
175 – 175<sup>1</sup>  
200 – 200<sup>31</sup>  
210 – 210 (Philips Master Color CDM Elite 208-277V only)  
250 – 250  
320 – 320<sup>30,15</sup>  
350 – 350<sup>30,15</sup>  
400 – 400<sup>15</sup>  
26C – 26CFL<sup>72</sup>  
32C – 32CFL<sup>72</sup>  
42C – 42CFL<sup>72</sup>

##### Voltage

48 – 480V  
MT – 120/208 240/277  
TT – 120/277/347  
U – Universal 120-277 volts  
50 Hz or 60Hz (CFL or Electronic MH only)

##### Paint Colors

Blank – Dark Bronze Textured  
WT – White Textured  
BK – Black Textured  
AL – Silver Aluminum Textured  
NP – Gray Aluminum Textured  
GY – Industrial Gray Textured  
(Consult factory for other colors)

##### Family

WTL

##### Lamp Source

M – Metal Halide  
S – High Pressure Sodium  
P – Pulse Start Metal Halide (PSC Ballast option must also be specified)  
C – Compact Fluorescent Single Lamp  
D – Compact Fluorescent Dual Lamp

##### Optics

SC2 – Wide Distribution (Not available with CFL)  
FWT – Forward Throw

##### Options

LP – Lamp with fixture  
PSC – Pulse Start CWA  
Q – Quartz Stand-by<sup>39</sup>  
QEM – Quartz Emergency<sup>40</sup>  
QTD – Quartz Time Delay<sup>39</sup>  
B94G/E – Integral Emergency Ballast<sup>72</sup>  
B4CF1/E – Integral Cold Temp. Emergency Ballast<sup>72</sup>  
2B94G/E – Two Integral Emergency Ballast and Two Standard Ballast<sup>72</sup> (26W max.)  
2B4CF1/E – Two Integral Cold Temp. Emergency Ballast and Two Standard Ballast<sup>72</sup> (32W max.)  
PCR – Photo Control Receptacle<sup>13</sup>  
WEB – Metal Halide Electronic Ballast (175W Max.)  
MDO – Integral Motion Detector (120-277V)

#### Accessories (Order Separately)

FDF – Double Fuse Holder only  
FSF – Single Fuse Holder only  
PC-MT – Photo Control Twist Lock, Multi-volt (must have PCR Option)  
PC-48 – Photo Control Twist Lock, 480 volt (must have PCR Option)  
PCR-SC – PCR Shorting Cap  
(For additional descriptions of Wall Light accessories refer to Sheet number OA-50030.)

#### Footnotes:

<sup>1</sup>Metal Halide only.  
<sup>13</sup>Order twist lock photo control separately.  
<sup>15</sup>Requires ED-28 size lamp for Metal Halide.  
<sup>30</sup>Pulse Start Metal Halide Only.  
<sup>31</sup>Not available in standard Metal Halide.  
<sup>39</sup>Pre-wired by factory.  
<sup>40</sup>Requires 120 volt secondary power supply.  
<sup>45</sup>Use with 208, 240 and 480 volt.  
<sup>46</sup>Use with 120, 277 and 347 volt.  
<sup>72</sup>Compact fluorescent only.

#### General Notes:

Mogul base lamp for HID.  
GX24q base lamp for compact fluorescent.  
All options are factory installed.  
All accessories are field installed.  
Data subject to change without notice.

**Warning:** Refer to and follow the lamp manufacturer's warnings and instructions.

**PHILIPS**  
**Day-Brite**



## energy data

### HIGH PRESSURE SODIUM

HX BALLAST INPUT WATTS  
 150 Watt-188 Watts  
 CWA BALLAST INPUT WATTS  
 250 Watt-295 Watts  
 400 Watt-464 Watts

### METAL HALIDE

CWA BALLAST INPUT WATTS  
 250 Watt-285 Watts  
 400 Watt-485 Watts

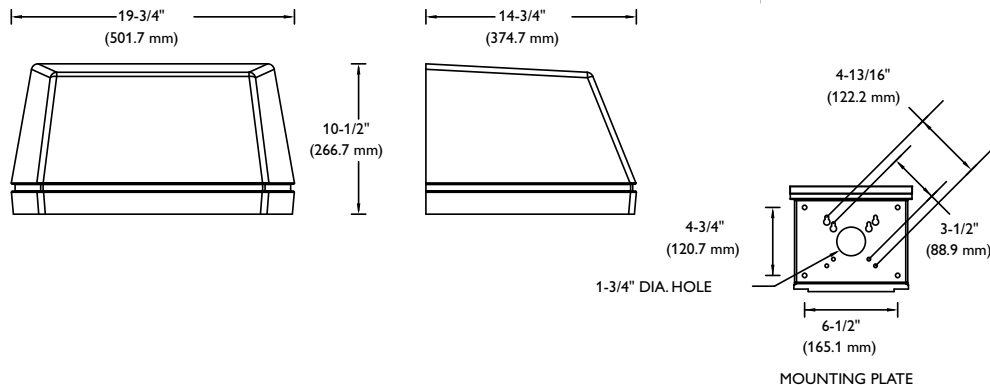
### PULSE START METAL HALIDE

CWA BALLAST INPUT WATTS  
 150 Watt-189 Watts  
 175 Watt-210 Watts  
 200 Watt-232 Watts  
 250 Watt-288 Watts  
 320 Watt-368 Watts  
 350 Watt-400 Watts  
 400 Watt-452 Watts

### COMPACT FLUORESCENT

CWA BALLAST INPUT WATTS  
 26 Watt-29 Watts  
 32 Watt-36 Watts  
 42 Watt-46 Watts  
 (2) 26 Watt-55 Watts  
 (2) 32 Watt-68 Watts  
 (2) 42 Watt-93 Watts

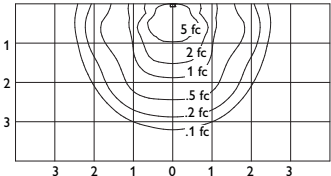
## dimensions

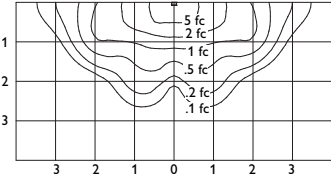


## photometry

### Light Level Multiplying Factors

| Mounting Height | Multiplier |
|-----------------|------------|
| 40'             | 0.39       |
| 35'             | 0.51       |
| 30'             | 0.69       |
| 25'             | 1.00       |
| 20'             | 1.56       |
| 15'             | 2.77       |

|                        |                          |                                                                                                                                                                  |                                   |                    |
|------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------|
| <b>Catalog No.</b>     | WTL320P-FWT              |  <p>Units shown in terms of mounting height<br/>Initial Footcandles Shown</p> | <b>Additional Test Numbers</b>    |                    |
| <b>Test No.</b>        | 29468                    |                                                                                                                                                                  | <b>Description/Catalog Number</b> | <b>Test Number</b> |
| <b>Lamp Type</b>       | Pulse Start Metal Halide |                                                                                                                                                                  | WTL150S-FWT                       | 29469              |
| <b>Wattage</b>         | 320                      |                                                                                                                                                                  | WTL250S-FWT                       | 29471P             |
| <b>Lumens</b>          | 29,700                   |                                                                                                                                                                  | WTL400S-FWT                       | 29471              |
| <b>Tilt Angle</b>      | 0°                       |                                                                                                                                                                  | WTL42CC-FWT                       | 29461              |
| <b>Mounting Height</b> | 25 Feet                  | WTL42CD-FWT                                                                                                                                                      | 29460                             |                    |
|                        |                          | WTL150M-FWT                                                                                                                                                      | 29470P                            |                    |
|                        |                          | WTL175M-FWT                                                                                                                                                      | 29470                             |                    |
|                        |                          | WTL175P-FWT                                                                                                                                                      | 29468P                            |                    |
|                        |                          | WTL200P-FWT                                                                                                                                                      | 294682                            |                    |
|                        |                          | WTL250P-FWT                                                                                                                                                      | 294683                            |                    |
|                        |                          | WTL350P-FWT                                                                                                                                                      | 294684                            |                    |
|                        |                          | WTL400P-FWT                                                                                                                                                      | 294685                            |                    |

|                        |                          |                                                                                                                                                                  |                                   |                    |
|------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------|
| <b>Catalog No.</b>     | WTL320P-SC2              |  <p>Units shown in terms of mounting height<br/>Initial Footcandles Shown</p> | <b>Additional Test Numbers</b>    |                    |
| <b>Test No.</b>        | 29376                    |                                                                                                                                                                  | <b>Description/Catalog Number</b> | <b>Test Number</b> |
| <b>Lamp Type</b>       | Pulse Start Metal Halide |                                                                                                                                                                  | WTL150S-SC2                       | 29378              |
| <b>Wattage</b>         | 320                      |                                                                                                                                                                  | WTL250S- SC2                      | 29375P             |
| <b>Lumens</b>          | 29,700                   |                                                                                                                                                                  | WTL400S- SC2                      | 29375              |
| <b>Tilt Angle</b>      | 0°                       |                                                                                                                                                                  | WTL150M- SC2                      | 29377P             |
| <b>Mounting Height</b> | 25 Feet                  | WTL175M-SC2                                                                                                                                                      | 29377                             |                    |
|                        |                          | WTL175P- SC2                                                                                                                                                     | 29376P                            |                    |
|                        |                          | WTL200P- SC2                                                                                                                                                     | 293762                            |                    |
|                        |                          | WTL250P- SC2                                                                                                                                                     | 293763                            |                    |
|                        |                          | WTL350P- SC2                                                                                                                                                     | 293764                            |                    |
|                        |                          | WTL400P- SC2                                                                                                                                                     | 293765                            |                    |



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776 South Green Street • Tupelo, MS 38804  
 p. 800.234.1890 • f. 662.841.5501 • www.daybrite.com  
 Canadian Division  
 189 Bullock Drive • Markham, Ontario L3P 1W4  
 p. 905.294.9570 • f. 905.294.9811

Contact Factory for Additional Configurations.  
 Specifications are subject to change without notice.  
 Consult website for latest version of this spec sheet.

Some luminaires use fluorescent or high intensity discharge (HID) lamps that contain small amounts of mercury. Such lamps are labeled, "Contain Mercury" and/or the symbol "HG". Lamps that contain mercury must be disposed of in accordance with local requirements. Information regarding lamp recycling and disposal can be found at [www.lamprecycle.org](http://www.lamprecycle.org)

**From:** [Daniel Song](#)  
**To:** [Kelly Whitney](#)  
**Cc:** [Caleb King](#)  
**Subject:** Fwd: Crossroads church reference  
**Date:** Thursday, August 15, 2013 2:16:50 PM

---

Whitney, attached you will find a letter from First Church of Christ, Scientist, Creve Coeur. Looks like their email to you did not go through so they asked that I forward it on to you. Thanks!

Daniel Song  
Site Pastor of Olivette/Creve Coeur  
Crossroads Presbyterian  
314-409-2794  
[daniel@crossroadspres.com](mailto:daniel@crossroadspres.com)

Begin forwarded message:

**From:** Caleb King <[Caleb.King@principia.edu](mailto:Caleb.King@principia.edu)>  
**Subject:** RE: Crossroads church reference  
**Date:** August 15, 2013 2:05:59 PM CDT  
**To:** "wkelly@ci.creve-coeur.mo.us." <wkelly@ci.creve-coeur.mo.us.>  
**Cc:** "[daniel@crossroadspres.com](mailto:daniel@crossroadspres.com)" <[daniel@crossroadspres.com](mailto:daniel@crossroadspres.com)>

To whom it may concern,

Our church, First Church of Christ, Scientist, Creve Coeur has worked in the past year with ministers and administrators of Crossroads Presbyterian Church in determining if our church location and grounds would be suitable to rent for their services. In meeting with them, our Church Board felt they would be respectful and supportive of a harmonious atmosphere in our community.

Although our Board and membership approved their church renting our space, the Crossroads Church ultimately felt that a different building would better suit their needs.

Based on our positive interaction with them and seeing the thoughtful steps they took to ensure their church's needs were met while also respecting our church building would lead us to expect any future directions or goals on their part to be a positive experience.

Signed,  
Terry Sheets  
Board member  
First Church of Christ Scientist, Creve Coeur



**Tammy Kim**  
1557 Rathford Dr.  
Saint Louis, MO 63146

Whitney Kelly  
City Planner  
300 N. New Ballas Rd.  
Creve Coeur, MO 63141

**08/14/13**

**Subject: Zoning for Crossroads Presbyterian Fellowship**

Dear Ms. Kelly, Planning and Zoning Commission, and City Council of Creve Coeur,

I am writing this letter in support of the conditional use permit of 11118 Olive Blvd. by Crossroads Presbyterian Fellowship. I, my husband and three children have been residents of the Creve Coeur area for almost 8 years. Upon moving to Saint Louis from Chicago, we were in search for a church family. We had visited many churches in Saint Louis, and found Crossroads Presbyterian to be a place of comfort and welcome. Crossroads showed much care for me during my recent diagnosis with cancer. The church brought meals for nearly 3 months during my treatment. The church brought meals, cards, and gifts. All this care had made my very difficult health crisis bearable.

Crossroads shows this kind of care to all it's members going through all kinds of different life situations. This is the kind of care the residents of Creve Coeur can experience at Crossroads.

I strongly recommend the conditional use permit of 11118 Olive Blvd by Crossroads Presbyterian Fellowship. Please feel free to contact me with any questions. Thank you.

Sincerely,

Tammy Kim

## Leo Hsu, MD MDiv

908 Bellerive Manor Drive, 63141, MO Saint Louis  
LeoHsu7@gmail.com  
314-249-0864

Whitney Kelly  
City Planner  
300 N. New Ballas Rd.  
Creve Coeur, MO 63141

**08/14/13**

### **Subject: Zoning for Crossroads Presbyterian Fellowship**

Dear Ms. Kelly, Planning and Zoning Commission, and City Council of Creve Coeur,

I am writing this letter in support of the conditional use permit of 11118 Olive Blvd. by Crossroads Presbyterian Fellowship. Crossroads has not only been a worship community of Jesus Christ, but has made concerted efforts to benefit its neighbors. In this past month alone, Crossroads has offered its second annual Summer Art Camp for children:



Provided materials and labor to repair a roof after a widow in Creve Coeur was defrauded:



I was born and raised in Creve Coeur (attended Parkway North High School), and have moved back to the area in 1998 after college. It has been a joy to attend Crossroads, and to see its focus on loving its neighbors in Creve Coeur. With the closing of Hamilton Christian Church (established in 1895) this year, as well as Immanuel Baptist Church (founded in 1964), Creve Coeur is in need of churches such as Crossroads that will provide a place of worship, as well as a conduit for Christians to care for Creve Coeur's neighborhoods. Creve Coeur has seen not only the closing of churches, but also the closing of much needed "third spaces" such as Borders. Crossroads hopes to help serve this need by providing activities such as the Summer Art Camp (half those in attendance were children not attending Crossroads and from the community) for the flourishing of humanity in Creve Coeur.

As a long-time resident of Creve Coeur, I strongly believe that the conditional use permit of 11118 Olive Blvd by Crossroads Presbyterian Fellowship will be a great asset for the City. Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leo Hsu', with a stylized, cursive script.

Leo Hsu, MD MDiv  
Medical Director/Progress West Healthcare Center  
Medical Director/St. Charles County Ambulance District

August 19, 2013

To: Creve Coeur Zoning Commission

From: Jenilyn Swett, Creve Coeur resident

Re: Proposed Zoning Variance for Crossroads Presbyterian Fellowship

Dear neighbors on the Zoning Commission,

I am writing to you today to express my enthusiastic support of Crossroads Presbyterian Fellowship, and my earnest hope that this church will be able to establish a permanent presence in Creve Coeur.

I have been a Creve Coeur resident for the past four years, first upon relocating to St. Louis to attend Covenant Seminary (where I lived on campus while completing my degree), and after graduating in May I moved to a rented condo near the intersection of Olive & Ballas. I was very glad to be able to stay in Creve Coeur after graduating from Covenant, and have appreciated being able to continue to live in and enjoy all that this community has to offer.

I have been a member of Crossroads Presbyterian Fellowship since shortly after moving to St. Louis. I spent more than two years as an intern at the church, and am now a full-time staff member. One of the things that first impressed me about this church is its commitment to its local community – desiring in every way to benefit the locality in which it resides. Crossroads' first campus, in Maplewood, has done this in a variety of ways whether through partnering with the local school district to establish Joe's Place (a home for homeless teenage boys); cultivating art and music opportunities in the community; meeting the practical needs of local residents through a food pantry and limited assistance with rent, utilities, etc.; and through many members living in and supporting the Maplewood community. As Crossroads has established a presence in the Olivette-Creve Coeur community, we've had the opportunity to volunteer at local community events; provide Christmas gifts for families in need in the Ladue School District; and we've seen more and more Crossroads individuals and families establish themselves as residents of the Olive corridor in Creve Coeur and neighboring unincorporated areas.

As Crossroads' Office Administrator, I currently work out of our Maplewood office, where I have the privilege of seeing the ways in which the church's presence in Maplewood has many positive implications for the local community. I have no doubt that establishing a presence in Creve Coeur will have the same benefits – giving our staff and members even more opportunities to engage with local businesses, allowing us increased awareness of the happenings and needs in our neighborhood, and inviting the people of Creve Coeur to connect with us on a more regular basis as well.

Thanks to each of you for your ongoing service to our community and for your consideration of this matter. If this zoning variance is approved, I will look forward to being able to serve and better our community and my neighbors in even more ways through the presence and activities of Crossroads.

Sincerely,

Jenilyn Swett

Office Administrator and Director of Women's Ministry

Crossroads Presbyterian Fellowship



city  
of

# CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141  
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966  
[www.creve-coeur.org](http://www.creve-coeur.org)

August 21, 2013

Mr. Daniel Song  
Crossroads Presbyterian Fellowship  
2640 Oakview Terrace  
Maplewood, MO 63143

Re: Application #13-031: Conditional Use Permit for Crossroads Presbyterian Fellowship  
11118 Olive Boulevard

Mr. Song:

The Planning and Zoning Commission, at its meeting of August 19, 2013, reviewed your request for a new conditional use permit for Crossroads Presbyterian Fellowship, a church to be located at 11118 Olive Boulevard.

By unanimous vote, the Planning Commission recommends approval of the new conditional use permit for Crossroads Presbyterian Fellowship, 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, August 26<sup>th</sup>, 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  
G. Eidman, Chief of Police  
S. Unser, Chief Building Official





**CITY OF CREVE COEUR - MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
MONDAY, AUGUST 19, 2013  
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, August 19, 2013, 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. James Faron**  
                                 **Mr. Ken Howard**  
                                 **Mr. Charles Pullium**  
                                 **Mr. Gene Rovak**

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. PUBLIC HEARING**

**Application #13-031: Approval of a Conditional Use Permit for Crossroads Presbyterian Fellowship Church at 11118 Olive Boulevard.**

Applicant/Agent: Daniel Song  
Crossroads Presbyterian Fellowship  
2640 Oakview Terrace  
Maplewood, MO 63143

Applicant's            Clinton Enyeart  
Representative:    8240 Swarthmore St.  
                             Saint Louis, MO 63130

Mr. Daniel Song, 2640 Oakview Terrace, Pastor for the church, said they have 100 members, are made up of a mixture of Asian American and Caucasian ethnicities, and that they have many ages that attend. Mr. Song also shared some stories of the charitable work the members partake in.

Mr. Clinton Enyeart, 8240 Swarthmore Street, showed a drawing of the site and explained the existing conditions. Mr. Enyeart also explained what needs replacing in the interior and on the exterior of the building. Mr. Enyeart said there will be new landscape area along Olive Boulevard and other areas on the property, new stairs, and they will be enlarging the canopy

on the south entry. In the interior, Mr. Enyeart said they will be gutting the entire building and installing new bathrooms. The basement will remain intact and used as a storage area. Mr. Enyeart explained in detail the modifications that will be taking place on the exterior of the building. Mr. Enyeart asked for some clarification on the easements. He also stated that he would like to propose that the irrigation be done manually by volunteers of the church, that they would like to remove the stipulation that they have to underground their utilities and maintain the existing, and that they would like the alterations clause clarified. Lastly, Mr. Enyeart said the building has been vacant for the last 10 years.

Mr. Paul Langdon, Director Community Development, said the alterations clause is in regards to significant changes in use or expansion of the building; any simple alterations or modifications would just be subject to our building code guidelines, if applicable. In regards to the underground utilities, Mr. Langdon showed a picture of what is existing and said when a site is refurbished or redeveloped within its pre-existing condition, undergrounding is not required, however when a rehab and change of use occurs the City does expect the site to be brought up to current conditions. Mr. Langdon said he is open to modifying the undergrounding condition to allow an extended length of time to get that task completed. Mr. Faron asked what the purpose of the undergrounding utilities was, and Mr. Langdon said it was primarily a visual clutter issue and it is a requirement in the Zoning Code. In regards to the landscape, Mr. Langdon said manual systems have been allowed, on a limited basis and based upon specific site issues, in the past.

Chair Madden suggested giving the applicant two years to get the utilities underground, and Mr. Enyeart said he would have to talk to the Pastor. He said, under current estimates, undergrounding the utilities would potentially put them over budget making the project not feasible. Chair Madden also asked if two years would be long enough to get the irrigation system installed as well, Mr. Enyeart said they would really like to pursue the manual option with the caveat that if they are unable to maintain the site then they would be required to install an irrigation system. Mr. Langdon said that, given the limited amount of landscaping, it would be okay, however if the applicant does not perform maintenance properly and landscaping starts to die or become unsightly, they will be subject to violations and will be required to install the irrigation system.

Mr. Rovak asked if the cross-access easement requirement is just for the easement or is it requiring that they construct the connection. Mr. Langdon said the condition just speaks to the easement itself.

Mr. Daniel Sims, 11100 Olive Boulevard, said he wants to be a good neighbor and support this project as best he can. Mr. Sims said he does want the access.

Chair Madden clarified the applicant will be manually irrigating the landscape on the property, and they will be given 30 months to get the utilities underground.

Mr. Leo Hsu, 908 Bellerive Manor, said they are getting close on budget, so some of these requirements are making this project potentially not feasible.

Mr. Ken Rohan, 11333 Clarissa Drive, adjoins the property on the south end. Mr. Rohan spoke in favor of the project as long as the fence along their shared property line is installed. The applicant assured the Commission that it would be.

There being no further comments, City Attorney, Mr. Carl Lumley, presented the exhibits for the record and the public hearing was closed.

**(This ends the Public Hearing; see verbatim transcript for further information)**

Mr. Howard motioned to recommend approval of Application #13-031 for a Conditional Use Permit for Crossroads Presbyterian Fellowship located at 11118 Olive Boulevard, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of August 19, 2013, with further stipulation that the applicant be allowed 30 months to complete Section 2, item 6, regarding undergrounding of the utilities, and that item 8 be eliminated and replaced with them being able to manually irrigate their landscaping. Mr. Faron seconded the motion with the resultant vote as follows:

Mr. Pullium – aye  
Mr. Rovak – aye

Mr. Faron – aye  
Chair - aye

Mr. Howard – aye

### **3. ADJOURNMENT**

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 9:50 p.m.

---

*Timothy Madden, Chair*

---

*Julie Lowery, Recording Secretary*

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, AUGUST 19, 2013

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chair  
Mr. James Faron  
Mr. Ken Howard  
Mr. Charles Pullium  
Mr. Gene Rovak  
Mr. Carl Lumley, City Attorney  
Mr. Paul Langdon, AICP, Director of Community Development  
Ms. Whitney Kelly, AICP, City Planner  
Ms. Julie Lowery, Recording Secretary

PUBLIC HEARING

APPLICATION 13-031

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. That'll move us to E, Public Hearing. Application No. 13-031: Approval of a conditional use permit for Crossroads Presbyterian Fellowship Church at 11118 Olive Boulevard.

Anybody going to be involved in this, please come forward and be sworn in.

This is like church. Nobody sits in the front pew.

(Speakers were sworn in by the court reporter.)

DANIEL SONG: Good evening. It's hard to follow barbecue, but I'll try to do that.

My name is Daniel Song. I'm a pastor at Crossroads Presbyterian Fellowship at 2640 Oakview Terrace, Maplewood, Missouri 63143.

I just wanted to briefly share about Crossroads, first who we are, and then I'll hand it over to Clinton, who will go more into the specifics of the property at 11118 Olive Boulevard.

Crossroads Presbyterian Fellowship, we are comprised of about 100 members of diverse backgrounds. Ethnically, we're about 65 percent Korean -- or Asian-American and 35 -- 35 percent Caucasian. We're also diversified just age-wise. We have 30 children, 20 college students from Wash U and about 50 to 60 adults ranging from young adults, parents with children, up to our

retired folks, and many are here with us supporting us this evening. And I know that you've received some records of letters of those that are members of Crossroads, as well as residents of Creve Coeur.

One of the things in 2003, when our founding pastor, Andrew Vander Maas, who's with us and was sworn in, when he planted Crossroads in Maplewood in 2003, ten years ago, his vision was to really be a church that would really benefit the community.

And we've done that, and we've seen just the fruit of that in the past ten years in Maplewood. We began at Joe's Place working with the school district in Maplewood -- Richmond Heights, Maplewood in hosting homeless boys, so that they would be able to succeed academically and graduate. And there's been 100 percent success rate there and being able to see them graduate, and not just graduate, but also go to college and universities.

And then when we planted and began our worship site in Creve Coeur in 2009, we started in the AMC 12, and that same commitment and desire to really be of benefit to community has continued.

Since the AMC 12, we moved over to the Olivette Community Center. And since then we've really contributed to -- to the City of Olivette, as well as Creve Coeur.

We volunteered. Many of our members who have volunteered their time and energy with the parks and rec and volunteering as coaches and refs.

We've also seen many of our own members really help out with the school district, specifically at Spoeede Elementary and the Ladue High School.

We've been able to partner with Maxine Brown, who's a social worker of Ladue, and be able to really help those families who are in need. Because there's about twenty families that are sort of dedicated as homeless families, and so we have partnered with them to really see -- to meet the needs of those that are not being able -- who are not in the place to be able to be sustain -- sufficiently sustainable in -- in whatever situation that they're in.

And also, even just the past two weeks, we've really been able to see, not only hosting an art camp to be able to see the students grow in their knowledge of art and passion of art.

But just this past week, one of our member's neighbors was scammed from a roofing contractor, and so we got a bunch of our members together with some who are -- who are of expertise, and in one week, this past week, we were able to help this widow completely get rid of her old roof and put on a new one, and so that's what we're about.

We're not only a place that worships and wants to hear the good news and see the good news of the Bible spread, but we're also dedicated and committed to really see the -- to see the City of Creve Coeur really grow and we want to come alongside the City and make this place a better place than it already is.

And so with that said, I'll -- I'll invite Clinton to come up and share a little bit about our plans for the -- for the property.

CLINTON ENYEART: Good evening. My name is Clinton Enyeart. I'm a project manager at a local architecture firm here in St. Louis.

I reside at 8240 Swarthmore Court.

I have a full disclosure, I'm a member of Crossroads and a recipient of many of the blessings that being a member of that church has entailed over the last year or so.

Just to give you a quick overview of the site. That's really blurry. Probably can't see much. This is our building here, 11118 Olive. Olive Boulevard is to the top of the page, to the north. The Masonic Lodge is over here to the west. The Complete Music Wedding Store is here to the east. And then residential to the south and southeast. This is Mary Meadows. It's a private drive right now.



This is the existing building, it's a nice black and white picture. Pretty basic. Sorry about that. So I drove -- after church on Sunday, my wife and I drove by the site, and her first reaction was, that's it.

So that's kind of -- it's kind of where we're at here with this existing building. It's in a spot on Olive that it's not -- it's not very prominent, so you can kind of miss it. But it's there. It's a good building. It's got good bones, and it's good aesthetics on the outside. Just needs a little bit of a facelift on the front.

So some of these panels here have obscured the old glazing that was there. There's some plastic or FRP panels under the glazing here, which are in pretty bad shape. And then the old -- there's an old canopy on the west side with a condensing unit on the top.

So -- so, you know, it's a good building, but we're proposing to do a little bit of a facelift to it.

So turn next page here. These are existing photos of the inside, just to give you a little bit of a flavor for what's going on in there.

So what are we proposing to do. On here we're proposing a new landscape buffer along Olive in the right-of-way, which is compliant with -- pardon my chicken scratches, I got a little carried away there -- which is compliant with the Design Guidelines for -- for the Olive

Corridor.

We have a -- a landscape buffer to separate our property from the Masonic Lodge to the west. And currently the existing -- the existing pavement does extend beyond the property line, and we are going to remove the portions of our parking lot that are over the property line and provide a landscape buffer there.

About two-thirds of the parking is in the rear, got 46 total spaces, which is what we're proposing to provide.

In the back, we're adding some landscaping and some buffer and some islands in there to just help enliven the parking lot back there a little bit, and further request of staff, we've lined the parking lot, which is depressed as you go back. I think you can see that from one of the previous slides, but there's about a 10-foot drop from the north parking lot to the south parking lot. And we're proposing to line that with landscape.

On the east side and south side, we'll provide fencing. The east side has existing privacy fencing that separates the parking lot from those two neighboring uses, and then on the south side, we're proposing to provide a new one that's -- that's compatible with the existing fencing that's there. All of those residential lots are further depressed another 10 feet or so.

We're also providing a new stair, and we are enlarging that canopy on the west side to provide a safer passage for pedestrians from the parking lot on the south to the -- to the main entry.

This is the landscape plan, further details about the landscaping. I'm sure you guys have seen all that before.

So this is what we're proposing to do on the inside for the plans. Entry through on the -- on the west side. That's something we looked at for a number of reasons. Mostly it made sense with the majority of the parking being to the south to locate the -- the entry in the midpoint of the building on the west facade. And that still is prominent visual feature as you're driving along Olive.

But the main worship space in the middle, and you'll see on the staff report they recommend an occupant load of 184 for that space, and we agree with that recommendation. We just did not get the floor plans revised when we lost a few parking spaces. So that would be 184 occupant load in there.

But inside we'd basically be gutting it. Providing some education space here, and neutral, that's basically everything is new. The basement we would leave as storage for right now.

This is a view of the outside. Front elevation along Olive. So it really gets enlivened with not only the landscaping that we're doing, but also the signage. We're proposing a 50-square foot sign here at the front.

We're proposing right now to paint the accent stripe, a brick that is bounded by a row block, and that's to kind of tie it in with the building to the east of us, we would want to get that relationship going a little bit better instead of having the stark contrast, and then replacing the -- the black FRP panels at the bottom below the glazing with new ceramic tile.

On the west side, we would be opening up this original glazing that's there and taking off those pretty unsightly black panels that are there right now.

And then in an effort to both obscure HVAC equipment from view and also to provide safety, we're proposing the wood slat railing with a vertical element here.

So we've -- we've recognized the great amount of work that staff's done, especially for tonight, I think the staff report was over 200 pages. And we're thankful for the work they've done for us. They've been accommodating to us.

We have a few things that we'd like to get clarified or we'd ask for leniency on from the staff

report.

The first one is we'd like to get the legal easements clarified on the north side of the property. What's being asked for in terms of a future cross easement -- cross-access easement on the north of the building.

And that's just -- that's just -- we would like, you know, it's kind of been dictated that it would be similar to the agreement that was done to the property to the east. We just want to make sure we understand what that is in moving forward before we agree to it.

Irrigation. Currently the Zoning Code would require irrigating all the -- the landscaping, and we would like to propose that we would accomplish irrigation with the volunteer force at the church to adequately ensure that the landscaping remains viable.

The last -- or two more. The staff is recommending to route the existing power underground from the pole. The pole is currently right here. So there's overhead power all along both sides of Olive right now. There's an overhead pole -- or overhead run that has a pole right here between us and Masonic Lodge, and then from there it splits off to both properties.

We'd like -- we'd like to see if that stipulation could be removed, and we can maintain the

existing overhead service. We aren't changing the service at this point, it's all existing, we have adequate power to the building right now.

And then, you know, other neighborhood development, like Red Racks, that one keeps getting mentioned, the Masonic Lodge and the building to the east all have overhead power existing right now, and I believe several of those properties have been through zoning review and approval so far. So if possible, we'd like that to be eliminated and scratched from our requirement. But we understand.

And then the last one is we'd like the alterations clause clarified. There was a -- a clause in the -- the draft agreement that would mean that if we had to do a future alterations that we'd have to come before the -- the Commission again for a conditional use permit. We'd like that clarified.

We would understand enlarging the building or doing something along those lines, but doing interior renovations, you know, if we're adding a, you know, a ceiling in a classroom, removing a door or if we're finishing out the basement, is that something that requires -- obviously, would require building permit, but would that kick in a zoning review.

So those are -- it's kind of overview of the

building.

Oh, one last -- one last thought. The building has been vacant for ten years, so definitely needs a little TLC, and that's what we're wanting to do.

CHAIRMAN MADDEN: Okay.

CLINTON ENYEART: Thank you.

CHAIRMAN MADDEN: Do you want -- are you prepared to --

MR. LANGDON: Yeah.

CHAIRMAN MADDEN: Okay.

MR. LANGDON: Mr. Chairman, Members of the Commission, Paul Langdon, Director of Community Development for the City.

To answer the last question first, the alteration is alteration in use of the property, so if they were to start offering a childcare service, you know, on a daily basis or some other use that went beyond the typical services provided in a place of worship, then -- then that would be an issue that we would bring back, or if they were doing an actual expansion of the building, then that would be an issue we would bring back. But simple modifications to the interior or simple alterations in how they use the facility they have, as long as they're still within the basic parameters, are not something that we'd want to bring back, so --

CHAIRMAN MADDEN: Okay.

MR. LANGDON: -- that's how we've always operated.

Regarding the underground utilities, just want to give you a picture of what we're working with here.

You can see the severe drop of the site. Combination of all utilities have been built up over the years. And then a combination of things. We've got electric here, but it looks like we also have telephone and cable or something along those lines on those smaller wires.

I understand that -- that it is expensive to do where a site is redeveloped within its -- or reused, refurbished within its pre-existing condition, undergrounding is not required.

Where you're talking about really a rehab and a complete change of use, that's when we do expect the site to be brought up to current conditions.

These wires are well back from the street. As the applicant mentioned, you can see them here and you can see the pole and the overhead wires out on Olive, which probably stand out more than -- than those ones. I'm hesitant to waive the condition entirely, but I would certainly be open to the Commission modifying it to allow them a length of time to accomplish it, a year or two



years or something like that.

MR. FARON: Ask you a question, Paul. Are we talking about undergrounding just the, I'll say, pole to building?

MR. LANGDON: Yes.

MR. FARON: Not to the Olive --

MR. LANGDON: Correct.

MR. FARON: -- we would allow them to run that to the pole?

MR. LANGDON: Right.

MR. FARON: Are we stipulating that the temple does the same? Do they run off that pole also?

MR. LANGDON: They'd come off the same pole. At the time that something happens to that property, presumably, we would do that then too.

MR. FARON: But they're still in their continued use, still operating, so we wouldn't require them --

MR. LANGDON: Right.

MR. FARON: -- to do it over here.

MR. LANGDON: Yes.

MR. FARON: Is there a danger just with traffic, or is it visual clutter and a danger possibly also, or is it just --

MR. LANGDON: The purpose for the regulation?

MR. FARON: Well, purpose for, yeah,

undergrounding that? I know it seems like we have an opportunity because there's change in use --

MR. LANGDON: It's primarily a visual clutter issue, yes.

And -- and it is an actual requirement in the Code that utilities be undergrounded. So whenever we have the ability or the situation where we are breaking out of the pre-existing -- legally pre-existing nonconforming status, then we try to bring it entirely up to code and that invokes the standard.

MR. FARON: Does anyone have a ballpark figure, I'm just curious, as what we're talking about?

MR. LANGDON: I haven't heard a figure. I'm sure the applicant has looked into it though.

Regarding the landscape, we have allowed for manual irrigation systems before as opposed to automated.

It is not ideal. Again, there are situations where it is extremely expensive to bring that system in, relative to the change on the site and the ability of the applicant, we've looked at alternatives.

Again, this is one of those situations though where we're -- we're completely stepping back from the pre-existing nonconformity of the site and trying to bring it as far into compliance as possible.

I could see where you may want to modify the

condition to require it within a period of time or -- or only certain parts of the property.

But given the small amount of landscape, I'm hesitant to -- to rely on manual irrigation going forward.

MR. FARON: Could I ask a question?

Is that a permitted -- would they need a permit to even do that or --

MR. LANGDON: It is subject to -- to building permit from St. Louis County, a plumbing permit.

MR. FARON: And we would have to maybe monitor that if it was done that way in the future maybe to see if it stays in compliance or --

MR. LANGDON: Yeah, I mean we're provided a list of all permits issued by the County, so we would know if it was done, plus simple site inspection would -- would reveal that.

So those are two issues for you to ponder. You don't have to comment on right away.

The other one that I wanted to bring your attention to is the front of the building where we have the brick, well, panel, I'll just call it. There is these -- these sort of reveal lines that go around them. And their elevation, proposed elevation, they would like to paint a portion, the inset portion, you were shown the elevation earlier, show it again. So that area there is

that inside of the brick panels here.

Generally speaking, the Design Guidelines discourage painting of brick. There is a certain value to it to as far as, you know, bringing some life to the front of the building, but it is contrary to the Design Guidelines.

At this stage, I think that it's probably part of an overall package that this building needs to -- to give it some life, to bring it back, but, certainly, if the Commission has any hesitancy over that issue, then we should speak to it tonight.

CHAIRMAN MADDEN: Okay. On the electric, you said maybe giving them more time to do it because it's expensive.

MR. LANGDON: Yes.

CHAIRMAN MADDEN: What are you looking at for time?

MR. LANGDON: I would say no more than two years.

CHAIRMAN MADDEN: Okay. And the irrigation, same thing?

MR. LANGDON: I think that's reasonable.

CHAIRMAN MADDEN: Okay. Now, I -- just -- and you said it's okay if they paint the brick?

MR. LANGDON: I think it's okay. I think that

if you feel like the overall package here really benefits from it and that the building, in general, benefits from the overall package, then -- then it's fine to go ahead with it.

It can be done in a way that holds up for a longer period. It never lasts a long time, which is why we discourage it.

But you also have the benefit of -- of the brick being done the right way in the first place with the -- the -- the reveal lines showing, so that you still have some relief there, you still have some texture there. Really it's a question of are you concerned about the -- the long-term stability of the paint.

CHAIRMAN MADDEN: Go ahead.

MR. ROVAK: Well, I guess it would be outside direct Design Guidelines, but are there specifics in the Code as far as materials, like a material spec that would be used if it were to be allowed to be painted, specific types of paints that would and would not be allowed?

MR. LANGDON: No, sir.

CHAIRMAN MADDEN: Go ahead.

MR. FARON: Is it white? Is that what it would be?

MR. LANGDON: I believe it's white.

MR. FARON: What's the proposed color?

Okay. And as -- as a city, what -- what kind of grounds would we have in the future if it became dilapidated or -- I mean would we be able to site them and say, well --

MR. LANGDON: Yes.

MR. FARON: -- it needs a fresh coat --

MR. LANGDON: Uh-huh.

MR. FARON: -- to bring it back up to when you moved in or --

MR. LANGDON: Exterior Property Maintenance Code describes peeling paint as a violation, so they could be notified to bring that up to standard. Plus, also we take all details of a submitted plan to be part of the approved plan with the conditional use permit. And when you deviate from that plan, you're in violation of the CUP, so we could also site them for that.

CHAIRMAN MADDEN: And I think your other thing was easement or --

MR. FARON: Yeah, wanted to ask you about that.

MR. LANGDON: Yeah, I was going to get to that issue.

This one, in some ways little more complicated, and in some ways maybe not.

Let me get close here. Two properties of particular interest are -- are the -- the Complete Music,

who is currently finishing up renovations, and then this is the property tonight, and then this is -- is a third party, the Masonic Lodge.

You'll recall that an easement was required for Complete Music that did two things, well, two separate easements. One allowed a sidewalk to be installed further back should the opportunity present itself in the future, and it would allow free pedestrian movement across the property.

And then the other was a cross-access easement that would allow users of this property to -- to go across this one or the other way around.

In talking with the property owner here, Daniel Sims is his name, and his representative, they have also been looking at this issue with the applicant, and really there's two things going on here.

Mr. Sims has a problem and his employees have a problem making a left turn out of the site. It's the pre-existing condition. They cannot get access to the light at Mary Meadow, so a cross-access here would allow them to get further from the intersection. That makes for a much safer turning movement out of the site, and we certainly would advocate any change that makes left turns safer.

The other thing is that as the applicant stated,

the seating capacity was -- is reduced in the CUP based on the amount of parking available.

The Zoning Code allows for off-site parking of required parking, so the applicant has spoken with Mr. Sims about using some of their parking lot on Sunday mornings, and Mr. Sims is agreeable to that. But, again, that means the cross-access now goes the other way. So really have a two-way benefit of this access being created.

What we would be looking to do is -- is match the lines, right now I don't remember the specific distance, but the cross-access comes well back into the site, so that really anywhere in here becomes available for that laneway. We want to tailor it to landscape and -- and topography and where the current aisle is. I mean there's a lot of criteria, but it could be anywhere, pretty much from the front of the building to the property line.

We would do the same thing with this site, since the buildings line up very well and the property lines line up at the front.

Their site plan shows a center aisle. We certainly wouldn't want to reduce their parking even more, so I would presume that that would be the location of the lane, and that's -- that's a fairly simple administrative



task, I don't know that the Commission needs to specify that issue.

One expansion on all that is the Masonic Lodge. If it were to redevelop in the future, just as we always do, we would be looking to -- to effect some cross-access to the west. That would be an expansion of the access rights to Complete Music, so that right now it says users of this site can go there, but not anybody further west.

We don't know the future of the Masonic Lodge. There is no discussions currently about doing anything with it. Doesn't mean it doesn't come in next week, but at this point we have nothing.

We're also unsure of the specific benefit of connecting any more of the properties until we know what the Masonic Lodge is going to be, if it changes from what it is today.

So my inclination is to leave that issue alone for the time being, but I just bring it to your attention, that we are, by creating an easement that goes all the way across for this property, the same as we did for Mr. Sims, we are leaving the door open down the road to -- to hook on another property and continue this cross-access program.

CHAIRMAN MADDEN: Okay. Any questions?

Mr. Enyeart, did you want to come back up --

CLINTON ENYEART: Sure.

CHAIRMAN MADDEN: -- I just want to ask you a couple questions after what you heard.

CLINTON ENYEART: Okay.

CHAIRMAN MADDEN: If we give you two years to get the electric underground, will that work for you guys?

CLINTON ENYEART: I'd have to -- I'd have to talk to the -- to Pastor Dan, and we'd have to kind of get together on that a little bit.

Current estimates that we have in-house, and this is a -- someone in the architecture industry giving an estimate, not a general contractor, we're still waiting on that number, but our best guess was that was going to be \$15,000 to underground that, which represents roughly 5 percent of our total budget right now, so we go over a certain number, then the project is not -- no longer feasible for us.

But in terms of two years, I'd have to -- we'd have to do a quick confab on that, I guess.

CHAIRMAN MADDEN: Okay. And then my other question is the irrigation system, having it, you know, in in two years also.

CLINTON ENYEART: Yeah, that would be the same thing.

What -- what, and, again, this is, I believe we

heard this from staff, and I apologize if I'm misquoting, but I believe another church was given the ability to manual -- manually water, which Mr. Langdon spoke to earlier, but we'd -- we'd really like to pursue that if possible. And then with the caveat that if we aren't able to maintain the site in good condition, if we'd get flagged by the Property Maintenance Code, if plants keep dying, that in that -- in that instance, then we would be required to do the irrigation system. But we'd -- we'd rather have that approach to it than putting a specific timeframe that needs to be done, because if we can prove that we can maintain it ourselves manually, then we'd like to go that route.

CHAIRMAN MADDEN: Paul, does that work for you?

MR. LANGDON: I suppose given the limited amount of landscape, my primary concern is in the front. I'm willing to entertain it if the Planning Commission is.

CHAIRMAN MADDEN: Do -- are there faucets in the front or --

CLINTON ENYEART: We would be installing them, yeah, as part of the renovation to make sure that -- that we didn't have to drag a hose 300 feet around the building to water it, but it would be obscured.

CHAIRMAN MADDEN: Are you going to put them on the sides and in the back then too?

CLINTON ENYEART: Yeah, there are locations here of the -- on the east side of the building that, I don't know if it was mentioned, but this -- this was another concern of ours with the cross-access easement, there's a retaining wall here along the east property line that's about anywhere from 2 to 3 feet tall. Actually, I think it tapers down to almost nothing closer to Olive, but, so we would be able to effectively obscure a hose back here on the east side of the property that wouldn't be visible from the street.

So our concern with the cross-access easement, which is another issue, is, you know, would -- at what point would we be required to act upon that, because, as you can imagine, we're having to grade on both sides, ours and Mr. Sims' lot, demolish in part -- demolish a retaining wall, regrade the whole front, in addition to, you know, and covering the property with an easement along the whole north face of the property.

MR. ROVAK: Another question. Actually maybe it's directed towards Paul, or maybe to what you were told.

Is the cross-access easement simply that, is it just the easement or is it the required to construct a connection?

I thought the easement would just be an

easement.

MR. LANGDON: The condition just speaks to the easement itself.

MR. ROVAK: So it doesn't require you to construct that? Okay.

MR. LANGDON: It's in the interest of the property owners to build it or not, so --

MR. ROVAK: Okay.

MR. LANGDON: -- as long as the easement's in place --

MR. ROVAK: That's fine.

MR. LANGDON: -- it'd be -- and the parking lots are already, you know, this one is right to the property line, and Mr. Sims is within about 5 feet, so it's not, I don't think, a significant --

MR. ROVAK: Wouldn't be a big deal anyway.

MR. LANGDON: -- deviation from the site development plan to --

MR. ROVAK: Right. In any event, you're not being forced to construct that; you're just being forced, if you will, to allow the easement that would facilitate that at some time?

MR. LANGDON: Right.

CHAIRMAN MADDEN: Do we need Mr. Sims' permission that he'll -- with the cross-easement, cause I

see him here, that's why I'm asking?

MR. LANGDON: Yes, I know he's here.

He doesn't, because the easement does not go beyond the property line, his specific permission is not required, but I would -- it clearly requires agreement on both parties to build something.

CHAIRMAN MADDEN: Okay.

MR. LANGDON: You may want to take his comments, if he's got any to offer.

CHAIRMAN MADDEN: Would you like to come up and offer.

DAN SIMS: Sure.

CHAIRMAN MADDEN: State your name and address please.

THE COURT REPORTER: Was he sworn?

CHAIRMAN MADDEN: Oh, were you sworn in?

DAN SIMS: No, I was not.

CHAIRMAN MADDEN: Okay.

(Mr. Sims was sworn in by the court reporter.)

DAN SIMS: Dan Sims, 11100 Olive Boulevard.

And I did meet Pastor Dan last week. He stopped by, initially, to -- just to introduce himself to me, and I shared my place and some of the exciting things we were doing next door here and -- at my place.

And he -- first asked he had to get a, I guess,

didn't come up yet, but I guess he has to have a fire access on his -- he has a door on the east side, and I guess back 50 years ago they had to -- the property line is right outside his, basically, his door, so they're going, I guess, it's my understanding, he has to make a sidewalk coming up on the east side, which is, essentially, on my property.

So I'm just here tonight just to, A, just to, you know, I want to be a good neighbor and support as best I can, so we have, obviously, a lot of talking to do amongst us. We got the sidewalk, this easement. And I guess part of the big picture, yes, yes, I do want the access, and Paul -- Mr. Langdon mentioned going out.

It is a suicide turning left in there coming from Lindbergh. It's really, really hard. You just can't do it. Because people traveling east on Olive, they're just so used to going in that middle line to turn left on Schulte, it is -- it is trouble.

You don't -- any manager I have coming from the east, they just go, honestly, they go down to my old place, the old Complete Music, turn around Subway, turn around one of those streets. You just can't do it. You can do it maybe overnight, late at night or -- you can't do it during business hours though.

So -- so, anyway, yes, I want to be good

neighbor. Probably the biggest thing though, and I know he said it was 5 percent of his overall budget, I know -- I know firsthand what construction costs, and it's -- I've experienced it in the last six months, and it's a lot, and I just want to make sure, and I told Pastor this to his face, I want to make sure it's a first-class property. And I guess just let's keep that in mind, because I know -- I know I'm certainly trying to do that next door, and I think I've -- you'll see in about three or four weeks when it's all done, I've done that.

So I just want make sure it's first-class and it's nice.

But, yes, I do want that access -- access there.

CHAIRMAN MADDEN: Thank you.

MR. PULLIAM: There was -- I'm sorry. There was some -- some comment raised about the retaining wall and a difference in elevation of the grade between your property and the parking lot next door, such that it would be difficult to have that cross-access, or did I misunderstand that?

DAN SIMS: I don't want to speak for him, but it's my -- I mean, it's, as I think was indicated, the cross-access would be right -- our parking spots kind of line up with each other.

MR. PULLIAM: Do they.



DAN SIMS: So no one would lose any -- any -- any parking spaces.

MR. PULLIAM: But there's not a change in elevation going from one to another?

DAN SIMS: There is. What he's describing is on Olive, it's just a few inches, but then as you get back, you know, back toward the -- the buildings, it gets a little higher, but it's a -- it's a big step, but it's -- I mean it's probably, what, three -- Paul's got it right here.

MR. PULLIAM: Oh, okay.

CLINTON ENYEART: It would all be on our property. You would have to, basically, re-grade these higher front property, front parking lot of our lot, because his building's located -- we can't bring this site up any because of the location of the floor line relative to the drive aisles, so all of the work would then be done on our property, and we would have to construct retaining wall along -- along the eastern portion of our front facade at that point to accommodate that change.

It would be parallel to Olive at that point, and at the same height as the current retaining wall as it gets closer to the building about 3 feet.

MR. FARON: Would you have to drop your parking at all?

CLINTON ENYEART: I think we can get -- if we slope it all the way, if we do a ramp in only the middle section, we're going to lose four spots at least, but if we slope it the entire direction, then we would be able to maintain the current number, but that's -- that's a lot of costs.

CHAIRMAN MADDEN: Paul.

MR. LANGDON: The area where you would pick up the grade is right here, which is entirely on Mr. Sims' property.

When you come up, it's only about 18 inches, you know, the -- you can see, in this picture, there's the parking stripes, so the aisle is in this area here. So there is enough run there to connect these together.

CHAIRMAN MADDEN: Okay. So he's not going to lose any parking, but he's also -- do you guys generally have your worships on --

CLINTON ENYEART: Sunday morning.

CHAIRMAN MADDEN: -- Sunday morning, so he's picking up -- didn't Mr. Sims say he would let them park in his lot if he has an overflow? So I'd say it's a win/win for everybody.

Okay.

MR. FARON: Can I --

CHAIRMAN MADDEN: Go ahead.

MR. FARON: -- ask about the other easement, if you understand what -- I know you asked a question about that, and we brought that up on the other property hoping to pull that sidewalk back at some time eventually if it ever came to that.

CHAIRMAN MADDEN: No, he's talking about the one on the side.

MR. FARON: Oh, okay. Oh, I'm talking -- the easement I'm talking about up in front, which we're hoping to add to this, not that it's going to occur now. But it gives us that opportunity to do that in coordination with the adjacent site.

Would we be losing parking spaces for the applicant, Paul, if that did come to be, that sidewalk as we'd like to have it set back, and does he have enough parking in back to absorb that, I guess, if that sidewalk construction occurs, say on the first three, including --

MR. LANGDON: Well --

MR. FARON: -- the temple site too?

MR. LANGDON: -- this was the same issue we had with Mr. Sims' property. That you can't really do a new sidewalk without harming the parking, so that -- so that's why the new sidewalk isn't being required now.

What we were doing is allowing for some future situation where the parking may be going away anyway

because Olive is being widened by MoDOT, and we wanted to allow for an opportunity to move that sidewalk back.

It might be an easement that never gets used. MoDOT has no plans to widen in this location in their twenty-year planning window, so it was just to look into the future.

The -- but, yes, the assumption is if we were moving the sidewalk back with that -- that easement, it's because that whole frontage is being redone and totally changed from what it is today anyway.

MR. FARON: A possibility and an option for us, but not in the near future, would that be --

MR. LANGDON: That's correct.

MR. FARON: Thank you.

CHAIRMAN MADDEN: Okay. Didn't he also mention, Mr. Sims' mention about they need to put a sidewalk in where there's an exit on the side of the building or --

CLINTON ENYEART: We have -- we've worked through that with the Building Department, so that that second exit, that existing second exit that does come out on the east side of the property, comes out about -- right about here on the east side of the property --

CHAIRMAN MADDEN: Uh-huh.

CLINTON ENYEART: -- that is no longer necessary, so we'll be eliminating that exit.

CHAIRMAN MADDEN: Okay.

CLINTON ENYEART: We won't need that cross access there.

CHAIRMAN MADDEN: Okay. Let me get back, before we do anything here. We told you we'd let you do the manual irrigation, providing we're going to check it all the time, okay.

And then the electric, we'll waive it for two years -- up to two years.

CLINTON ENYEART: Is there -- could I make a suggestion on that?

CHAIRMAN MADDEN: Make anything you want.

CLINTON ENYEART: Okay. Well, seeing as how the existing power is overhead on the site between our building and -- and the Masonic Lodge --

CHAIRMAN MADDEN: Uh-huh.

CLINTON ENYEART: -- this power here that's existing overhead, and how there's overhead power lines running back and forth along Olive, up and down Olive, that whole stretch, if -- if we could make our undergrounding of power contingent upon this power getting undergrounded, that would seem to make sense to me.

If we're worried about aesthetics, that -- cause safety is not an issue at this point, but if we're worried about aesthetics, my concern would be all the lines along

Olive and the main line that connects the Masonic Lodge, so that's -- that's a suggestion.

MR. PULLIAM: You'd like us to add a condition that you also bury that line?

CLINTON ENYEART: That's not our line, so.

MR. FARON: But you're saying when that is buried, if it comes to be --

CLINTON ENYEART: That's correct.

MR. FARON: -- then you would bury it at the same time.

MR. ROVAK: Then that would trigger the requirement.

CLINTON ENYEART: That would seem to be -- that would seem to be fair, especially given how a lot of properties that have been before the Commission have had overhead power and have not had it undergrounded before.

So I realize we're going for a conditional permit, so we're getting reset, as Mr. Langdon said, but if -- if we could have an exemption for that that would be tied to the future undergrounding of the power lines.

MR. FARON: Who is dealing with that other power line? Is that the Masonic's property or -- the one in the middle that's closest to --

MR. LANGDON: Well, I suspect the pole is within an easement, a utility easement, so it's entirely the

property of the utility company.

In terms of when it goes underground, it looks like there's also a transformer hanging from it, so undergrounding that entire line becomes very expensive all the way back from Olive.

I think the issue with any nonconformities is that the City allows them to continue with simple maintenance and repair and even complete replacement in the event of a complete and accidental loss.

But, on the other hand, there has to be some limit placed on them or they never go away.

It is within the Design Guidelines to eliminate overhead wiring. It is within the Code to eliminate overhead wiring. When we have had any number of applicants before you with site development plans, they've had to eliminate the overhead wiring.

I don't see this as any different from any of those, other than we do understand the abilities of the applicant, and we are willing to concede an amount of time to accomplish it.

But if we don't make some progress, then we don't make any progress.

CHAIRMAN MADDEN: Right. I agree. I mean --

MR. HOWARD: I agree. I think that we've shown a lot of flexibility in some other areas.

I think the one thing -- one comment I would make is that maybe we could go two and a half years, three, recognizing the budgetary constraints of the church and its move, a new construction, maybe we could lengthen the time. It seems untenable to make this, although legally feasible, untenable to manage the contingency of putting this underground later.

So I would suggest that maybe there's some middle ground and adjusting for your budgets over the next couple of years, not having to incorporate this expense into the current project, but spreading it out over a little longer term than maybe everybody here would like, but still accomplishing our goal of undergrounding all these utilities, so my suggestion would be extending that length of time.

CHAIRMAN MADDEN: Does thirty months work for you?

MR. LANGDON: Sure.

CHAIRMAN MADDEN: Okay. Okay. Will thirty months work?

CLINTON ENYEART: I'm sorry?

CHAIRMAN MADDEN: Will thirty months work from the time you open?

CLINTON ENYEART: I think we have to say yes, don't we?



CHAIRMAN MADDEN: Or you could do what us Catholics do and have an auction.

MR. LUMLEY: Well, keep in mind, this is a recommendation stage, so the City Council will hear your views as well.

CLINTON ENYEART: Sure.

CHAIRMAN MADDEN: Okay. And we're going to put that in our motion about the thirty months, and then when you get to City Council they can fight there, right?

MR. LANGDON: They can reconsider it, yes, sir.

CHAIRMAN MADDEN: Okay.

Yes, sir.

LEO HSU: I was just going to address the burying lines.

It's Leo Hsu, 908 Bellerive Manor Drive, Creve Coeur.

THE COURT REPORTER: Was he sworn in?

LEO HSU: We are getting ready to open --

CHAIRMAN MADDEN: Hold on. Were you sworn?

LEO HSU: Yes.

CHAIRMAN MADDEN: Okay.

LEO HSU: We are getting very close on our budget. We're not a very big church, you know, 100 people.

Our construction renovations, because, you know,

we're converting it from a, you know, furniture outlet to a church, it's coming to 350 to \$500,000.

We don't have an actual, you know, clear bid on burying these lines. If it's much more than ten grand, you know, this is not going to be feasible.

Looking at the grand scheme of things, you know, we have seen two churches down Old Olive going away, you know, hope there would be some consideration of, you know, the spiritual life, you know, for the community.

But, you know, if it's 20, 30, you know, if it's getting up too much, we just simply can't do it. Thirty months won't really make a difference.

CHAIRMAN MADDEN: Okay.

MR. HOWARD: Understand. Thank you.

CHAIRMAN MADDEN: Okay. Well, everybody makes a motion, I think --

MR. LUMLEY: You want to see if there's anybody else wants to speak?

CHAIRMAN MADDEN: Is there anybody else in the audience who wants to speak?

Yes, sir. Come up, state your name and address, please.

KEN ROHAN: I'm Ken Rohan, 11133 Clarissa Drive.

I join this property on the south end. And my only reason for coming was, is there going to be a fence

across the back, and from what I understand, it said yes, is that right?

CHAIRMAN MADDEN: Yes. Yes.

KEN ROHAN: Because in the past, I've dealt with home decorators and the trash and all this stuff --

CHAIRMAN MADDEN: Yeah.

KEN ROHAN: -- coming down, and presently cars coming in there, shining the lights down into my property.

But the, like I say, the fence is the only thing I was concerned about, and as far as them going in there, I'm happy to hear them coming.

CHAIRMAN MADDEN: Thank you.

Anybody else? Mr. Langdon.

MR. LANGDON: Just one last thought on the undergrounding.

By allowing the amount of time, it gives the applicant a -- an amount of time to determine their abilities, and they still have the right, if they find that they cannot do it, to come back to the Planning Commission and ask for an amendment to the CUP allowing either more time or removing the condition entirely, but at least this provides a target and a timeframe.

CHAIRMAN MADDEN: Okay. Anybody else? Okay.

Somebody want to make -- oh, want to enter your exhibits?

MR. LUMLEY: Offer the following documents into the record of this public hearing: Documentation in possession of the City Clerk reflecting notice provided to the public, the staff's report, the City Code of Ordinances and Charter, the City's Comprehensive Plan and the public file regarding the application.

oOo

STATE OF MISSOURI       )  
                                  ) SS  
COUNTY OF ST. LOUIS    )

I, Deborah K. McLaughlin, Registered Professional Reporter, Missouri Certified Court Reporter, Illinois Certified Shorthand Reporter and Kansas Certified Court Reporter, do hereby certify that I reported the Planning and Zoning public hearings stenographically and later reduced to typewriting; and that this is a true and accurate transcript of the Public Hearing.

---

Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR

**AN ORDINANCE REPEALING CONDITIONAL USE PERMIT ORDINANCES  
NUMBER 1954 AND 2067 AND AUTHORIZING THE ISSUANCE OF A NEW  
CONDITIONAL USE PERMIT FOR A 5,190 SQUARE-FOOT FULL SERVICE  
RESTAURANT LOCATED AT 12316 OLIVE BOULEVARD WITHIN WESTGATE  
CENTER.**

**WHEREAS**, under Section 405.210 Table A, all restaurants in the "PC" Planned Community 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 Andrew Kohn of Wildsmoke, to amend the prior conditional use permit (Ordinance No. 1954) to allow for outdoor smokers behind the building, in conjunction with the operation of a full service restaurant located in the tenant space addressed as 12312 Olive Boulevard, within Westgate Center; and

**WHEREAS**, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, August 19, 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 August 19, 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:** Ordinances Number 1954 and 2067 are 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 12316 Olive Boulevard, in the "PC" Planned Commercial zoning district, within the Westgate Centre, whose legal description is as follows:

Westgate Centre

A tract of land in U.S. Survey 1923, Township 45 North, Range 5 East, St. Louis County, Missouri and being particularly described as follows:

Beginning at intersection of the Eastern Right-of-Way line of Tempo Drive and the Southern Right-of-Way line of Olive Street Road as widened. Thence along the Southern Right-of-Way line of Olive Street Road as widened North 61 degrees 12 minutes and 16 seconds East 83.02 feet to a point; thence continuing along said Southern Right-of-Way line of Olive Street Road as widened South 77 degrees 14 minutes and 50 seconds East 615.19 feet to a point; thence South 12 degrees 51 minutes 15 seconds West 388.47 feet to a point; thence South 89 degrees 50 minutes 58 seconds West 649.82 feet to a point aforementioned Eastern Right-of-Way line of Tempo Drive; thence along the Eastern Right-of-Way line of Tempo Drive around a curve to the right having a radius of 886.72 feet and arc distance of 280.92 feet to the point of tangency thereof; thence continuing along said Eastern Right-of-Way line of Tempo Drive North 12 degrees 51 minutes 15 seconds East 202.18 feet to the point of beginning, containing 7.11 acres +.

**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 5,190 square-foot, full service restaurant at 12316 Olive Boulevard, within the Westgate Centre, zoned "PC" Planned Community District.
2. Seating is limited to a maximum 150 indoor seats and 40 outdoor seats. A minimum four foot wide, unobstructed and clear pedestrian path on the existing walkways must be maintained at all times.
3. Hours of operation shall not exceed 11:00 am to 1:00 am daily. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, the catering of special events.
4. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the restaurant permitted by this ordinance.
5. There shall be no outdoor storage or placement of any materials or equipment, except for the outdoor smokers located behind the main building.
6. Employee parking, delivery and company vehicles shall be parked in the 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.
8. The restaurant shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
9. Any mechanical equipment installed for the site shall be located in the service ally or properly screened with approved materials.
10. 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.

11. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
12. 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.
13. 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.

\_\_\_\_\_  
SCOTT SAUNDERS  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
BARRY GLANTZ  
MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH RYAN, MPCC  
CITY CLERK





**APPLICATION TO PLANNING AND ZONING COMMISSION  
#13-028 FOR AN AMENDMENT TO THE CONDITIONAL USE  
PERMIT FOR WILDSMOKE RESTAURANT WITHIN  
WESTGATE CENTRE AT 12316 OLIVE BOULEVARD  
FOR THE MEETING OF: Monday, August 19, 2013, 7:00 PM**

**LOCATION:** 12316 Olive Boulevard, at the southeast corner of Olive Boulevard and Tempo Drive, within the Westgate Centre in the former Culpepper's tenant space. The property is zoned PC District

**REQUEST:** An application has been submitted to amend the prior conditional use permit to allow for outdoor meat smokers behind the building and to eliminate the prohibition of the outdoor speakers for the amplification of music in the patio area. The Applicant is not proposing any changes to the exterior of the building.

**ADDITIONAL INFORMATION:** Ordinance No. 1954, approved in 1998, authorized a 5,190 sq. ft. restaurant at the subject tenant space, but prohibited any outdoor equipment and the use of outdoor speakers for the amplification of music. Staff requests that the prior ordinance be repealed and replaced with a new ordinance.

**Key Issues:**

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?

**Comprehensive Plan References**

- West Olive Corridor Action Area
- Design Guidelines

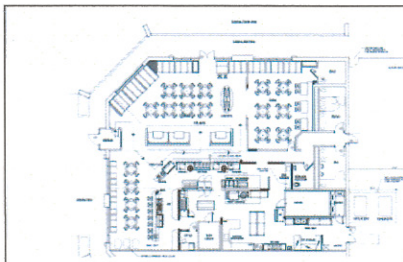
**Zoning Code References**

- Section 405.210: Regulation of Uses
- Section 405.350: "PC" Planned Community District
- Section 405.470 Conditional Uses
- Section 405.820 Required Off-Street Parking Spaces

**APPLICANT:** Andrew Kohn  
VCH LLC DBA Wildsmoke  
21 Westwood Country Club  
St. Louis, MO 63131

**PROPERTY  
OWNER:**

Solon Gershman Inc.  
7 N. Bemiston  
Clayton, MO 63105



**REPORT PREPARED BY:**

*Whitney Kelly*  
Whitney Kelly, AICP

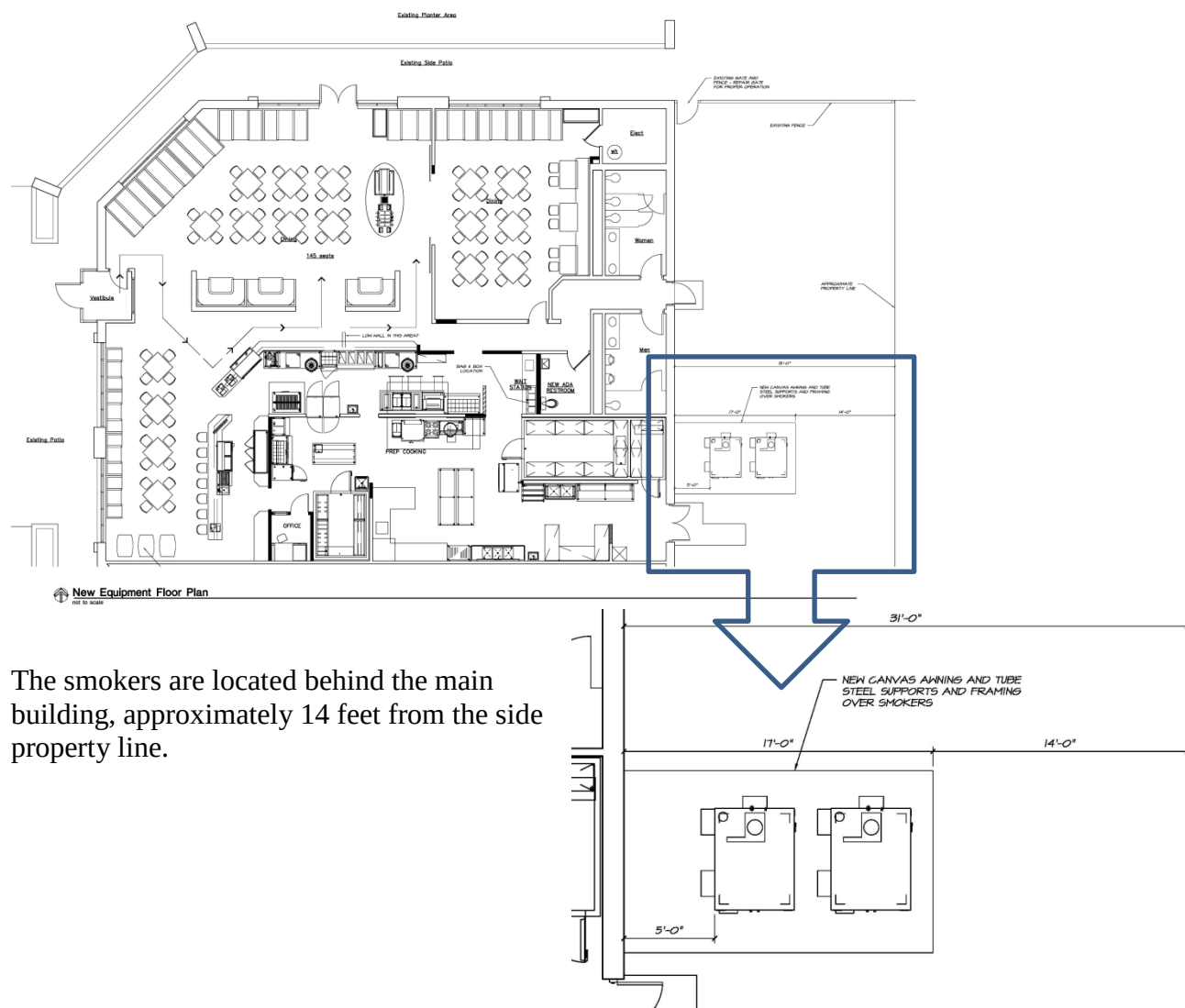
*8/16/2013*  
Date

**ATTACHMENTS:** Applicant's Materials submitted July 18, 2013  
Draft Ordinance  
Ordinance No. 1954



## PROPERTY HISTORY

The Westgate Centre Shopping Center was developed in 1979 and has pre-existing non-conformities. The Applicant is utilizing the existing CUP that was previously issued to Culpeppers Restaurant for this space. The prior conditional use permit did not include a maximum number of seats, except to indicate that the floor plan shall be filed with the Zoning Administrator. However, the Applicant has indicated that they will use the same number of seats as the prior tenant: 150 indoor seats and 40 outdoor seats. The Applicant is seeking to modify the existing CUP for the approval for two new smokers behind the building and to eliminate the prohibition of the use of outdoor speakers. No other changes to the exterior of the building or site are under consideration. Below is a close-up of the floor plan for Wildsmoke:



The smokers are located behind the main building, approximately 14 feet from the side property line.

As the prior Ordinance did not include a maximum number of seats and references out-of-date ordinances, Staff is seeking a repeal of Ordinance No. 1954 and replacement with a new ordinance.

On July 10, 2000, the City Council approved CUP Ordinance Number 2067, for Special-D Coffees & Teas for the tenant space addressed as 12324 Olive Boulevard with a maximum of 1,840 square feet and a maximum of 16 seats. That restaurant no longer exists, and the current space is being used as a chirpractor's office. Therefore, Staff is also seeking a repeal of that Ordinance.

## LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

| DIRECTION | USE                                                                   | ZONED                                                            | SEPARATED BY    |
|-----------|-----------------------------------------------------------------------|------------------------------------------------------------------|-----------------|
| North     | Retail/Office: Woodcrest Shopping Center, American Eagle Credit Union | “CB” Core Business                                               | Olive Boulevard |
| South     | Office                                                                | “PC” Planned Community District                                  | NA              |
| East      | Office                                                                | “PC” Planned Community District                                  | NA              |
| West      | Retail/Apartment                                                      | “MX” Mixed Use District/ “AR” Attached Single Family Residential | Tempo           |

## COMPREHENSIVE PLAN REVIEW

The subject site is located within the West Olive Corridor Action Area of the Comprehensive Plan. The West Olive Corridor possesses a mix of residential and commercial structures but has an overall commercial character. This applicant is utilizing an existing restaurant space within a shopping center that consist of “small retail/restaurants and specialty shops.” The addition of a new restaurant within the proposed center would be consistent with the mix of uses in the area.

## ZONING REVIEW

Restaurants are permitted with conditions in all commercial zoning districts within the city, and the applicant is leasing an existing tenant space in a development that has a mix of retail and restaurant uses. No changes to the exterior of the building or site are proposed so no site development plan review is required. The smokers are an accessory structure to the restaurant, which is governed by Section 405.460, below:

### SECTION 405.460: ACCESSORY USES AND STRUCTURES

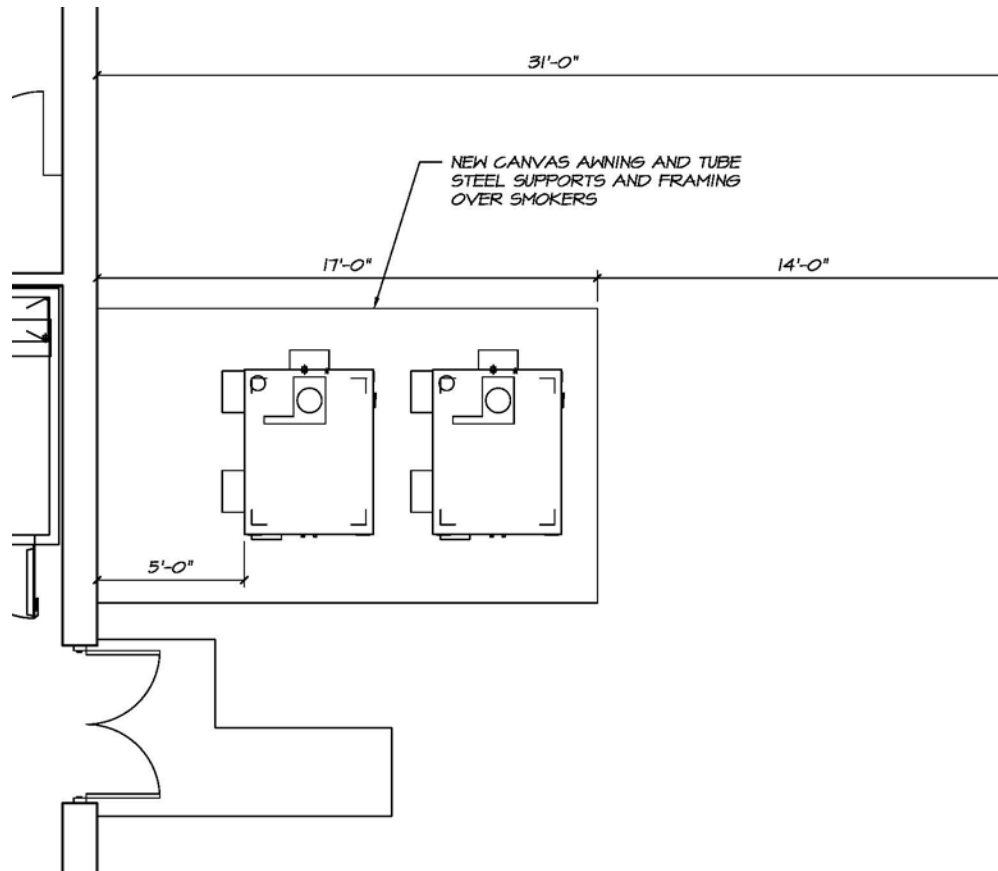
#### B. Permitted Accessory Uses And Structures.

12. Mechanical equipment or utility facilities which are specifically related to and required by a permitted use.

#### D. Location.

2. If an accessory building is detached from the principal building, it shall be located at least ten (10) feet from the principal building.
6. Accessory structures and uses shall maintain the same side yard as is required for the principal structure located on the zoning lot, except that off-street parking, fences, walls and hedges may be located in the required side yard areas.

The smokers must be located 5 feet from the main building to meet with fire district requirements. However, the applicant has included a canopy attached to the building that is 14 feet from the side property line. The side yard setback for properties in the PC District is 10 feet, therefore the smokers can be accommodated within the available space, per the close up for the area below:



The applicant has indicated that the canopy will be a canvas awning, however Building Codes require that it will need to meet structural loads, and fire safety standards. Therefore a condition of approval is included requires the Applicant to acquire a building permit for the canopy. Note that nothing requires the canopy in the first place, so it will be the applicant's option to pursue the structure or not.

Restaurants in the PC District are limited to 40% of the building square footage, per Section 405.470 Conditional Uses:

#### SECTION 405.470: CONDITIONAL USES

14. *Food services and drinking places--(NAICS 722). Shall be located on sites of not less than two (2) acres with the following exceptions:*
  - 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*

The total building square footage of the Westgate Centre in-line retail buildings is 50,963 square feet, where the existing restaurants make up 13,947 square feet, or 27%. TGI Friday's is excluded from this calculation, as it is a freestanding restaurant. As there are no other changes to the site, review of the request per the Zoning Ordinance is limited to the parking analysis.

#### *Parking*

Parking regulations for restaurants are discussed under Section 405.820(F)(5) Required Off-Street Parking Spaces:

| Tenant                                     | Use                                 | Size (sq. ft.)                                                    | Parking Regulations                                     | # of spaces |
|--------------------------------------------|-------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------|-------------|
| Wildsmoke                                  | Restaurant                          | 5,190<br>(+150 indoor seats, 40 outdoor seats)                    | 1/3 seats in C.U.P., 1/8 outdoor seats, + 1/250 sq. ft. | 75.76       |
| Jon Thomas Salon                           | Hair Salon                          | 3,450                                                             | 4/1000 sq. ft.                                          | 13.8        |
| Metro Chiropractor                         | Office                              | 1,840                                                             | 4/1000 sq. ft.                                          | 7.36        |
| Dog Spa                                    | Personal and laundry services-other | 1,160                                                             | 1/300 sq. ft.                                           | 3.87        |
| Mirrozz Gallery                            | Retail                              | 1,200                                                             | 4/1000 sq. ft.                                          | 4.8         |
| Chateau Decor                              | Retail                              | 1,200                                                             | 4/1000 sq. ft.                                          | 4.8         |
| Pagano Family Dentistry                    | Office                              | 2,330                                                             | 4/1000 sq. ft.                                          | 9.32        |
| La Bonne Bouchee                           | Cafe/Bakery                         | 6,615 (+108 indoor seats, 34 outdoor seats)                       | 1/3 seats in C.U.P., 1/8 outdoor seats, + 1/250 sq. ft. | 66.73       |
| Laurie Shoes                               | Retail                              | 1,400                                                             | 4/1000 sq. ft.                                          | 5.6         |
| Hear USA                                   | Retail                              | 1,000                                                             | 4/1000 sq. ft.                                          | 4           |
| Distinctions                               | Retail                              | 3,560                                                             | 4/1000 sq. ft.                                          | 10.24       |
| Barry Hyatt Custom Jewelers                | Retail                              | 1,200                                                             | 4/1000 sq. ft.                                          | 4.8         |
| Prudential                                 | Office                              | 1,200                                                             | 4/1000 sq. ft.                                          | 4.8         |
| House of Wong                              | Restaurant                          | 3,000<br>(+108 indoor seats)                                      | 1/3 seats in C.U.P., + 1/250 sq. ft.                    | 48          |
| Vacant                                     | Retail                              | 2,100                                                             | 4/1000 sq. ft.                                          | 8.4         |
| West Oak Cleaners                          | Laundry services                    | 2,100<br>(240 sq. ft. pick up area+1860 sq. ft. clothing storage) | 1/150sf of pick-up area +1/300 sq. ft. clothing storage | 9           |
| Vacant                                     | Retail                              | 2,475                                                             | 4/1000 sq. ft.                                          | 9.92        |
| Select Physical Therapy                    | Office                              | 2,465                                                             | 4/1000 sq. ft.                                          | 9.88        |
| Computer Problem Busters                   | Computer Repair Office              | 1,600                                                             | 4/1000 sq. ft.                                          | 6.4         |
| Ichiban Restaurant                         | Restaurant                          | 1,542<br>(+ indoor 40 seats)                                      | 1/3 seats in C.U.P., + 1/250 sq. ft.                    | 19.49       |
| Kumon Math & Reading                       | Other educational services          | 1,586                                                             | 1/300 sq. ft.                                           | 5.29        |
| Sacred Sword Aikikai*                      | Sports and recreation instruction   | 2,750                                                             | 1/200 sq. ft.                                           | 13.75       |
| TGI Friday's                               | Restaurant<br>(out lot building)    | 8,485<br>(+161 indoor seats, 75 outdoor)                          | 1/3 seats in C.U.P., 1/8 outdoor seats, + 1/250 sq. ft. | 96.99       |
| Sub-total:                                 |                                     |                                                                   |                                                         | 443         |
| Minus 15% Reduction                        |                                     |                                                                   |                                                         | 66.45       |
| <b>Total # of Parking Spaces Required:</b> |                                     |                                                                   |                                                         | <b>377</b>  |
| <b>Total Available On-site:</b>            |                                     |                                                                   |                                                         | <b>380</b>  |

\*Pending a conditional use permit request.

Note that Staff was unable to locate a CUP for LaBonne Bouchee , where it may have been operating originally as a permitted use as a bakery, and a conditional use permit was never obtained when the use was expanded into a full service restaurant. The number shown is from an on-site counting by the property manager and is included here to provide an accurate accounting of the existing conditions. Future action for a conditional use permit may be necessary. As the above table indicates 377 parking spaces are required, with 380 spaces available on site. Thus plenty of parking is provided.

#### **RECOMMENDATION**

Based on the above analysis, the request for a conditional use permit meets all of the applicable requirements of the Comprehensive Plan and the Zoning Ordinance. Conditions listed below are the usual and customary conditions for restaurants which are included in the draft ordinance:

- The conditional use permit shall be for the operation of 5,190 square-foot, full service restaurant at 12316 Olive Boulevard, within the Westgate Centre, zoned “PC” Planned Commercial District.
- Seating is limited to a maximum 150 indoor seats and 40 outdoor seats. A minimum four foot wide, unobstructed and clear pedestrian path on the existing walkways must be maintained at all times.
- Hours of operation shall not exceed 11:00 am to 1:00 am daily. Additional business hours may be permitted with the Zoning Administrator’s approval, including, but not limited to, the catering of special events.
- The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the restaurant permitted by this ordinance.
- There shall be no outdoor storage or placement of any materials or equipment, except for the outdoor smokers located behind the main building.
- Employee parking, delivery and company vehicles shall be parked in the rear parking area behind the building line or as far from the public right-of-way as possible.
- All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
- The restaurant shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.

#### **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 #13-028 for a Conditional Use Permit for Wildsmoke restaurant located at 12316 Olive Boulevard, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of August 19, 2013” (conditions may be added, eliminated, or modified by preceding motion).

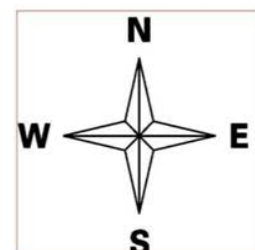
**APPENDIX 1: COMPREHENSIVE PLAN**

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: 08/13/2013                                                                                |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
|    | <p>Description: View of the tenant space looking east.</p>                                            |
|   | <p>Description: View looking north from the patio along Olive Boulevard</p>                           |
|  | <p>Description: View looking south from back corner of the building looking south along the alley</p> |





Description: View looking north from the alley, note the wall connecting the parking garage and Westgate Centre that blocks the views of the alley from Olive Boulevard



Description: View from Olive Boulevard looking south at the existing landscaping and wall blocking views of the alley.



Description: View of the tenant space looking east from the entrance into Westgate Centre.

Interior Improvements for:

## Wild Smoke

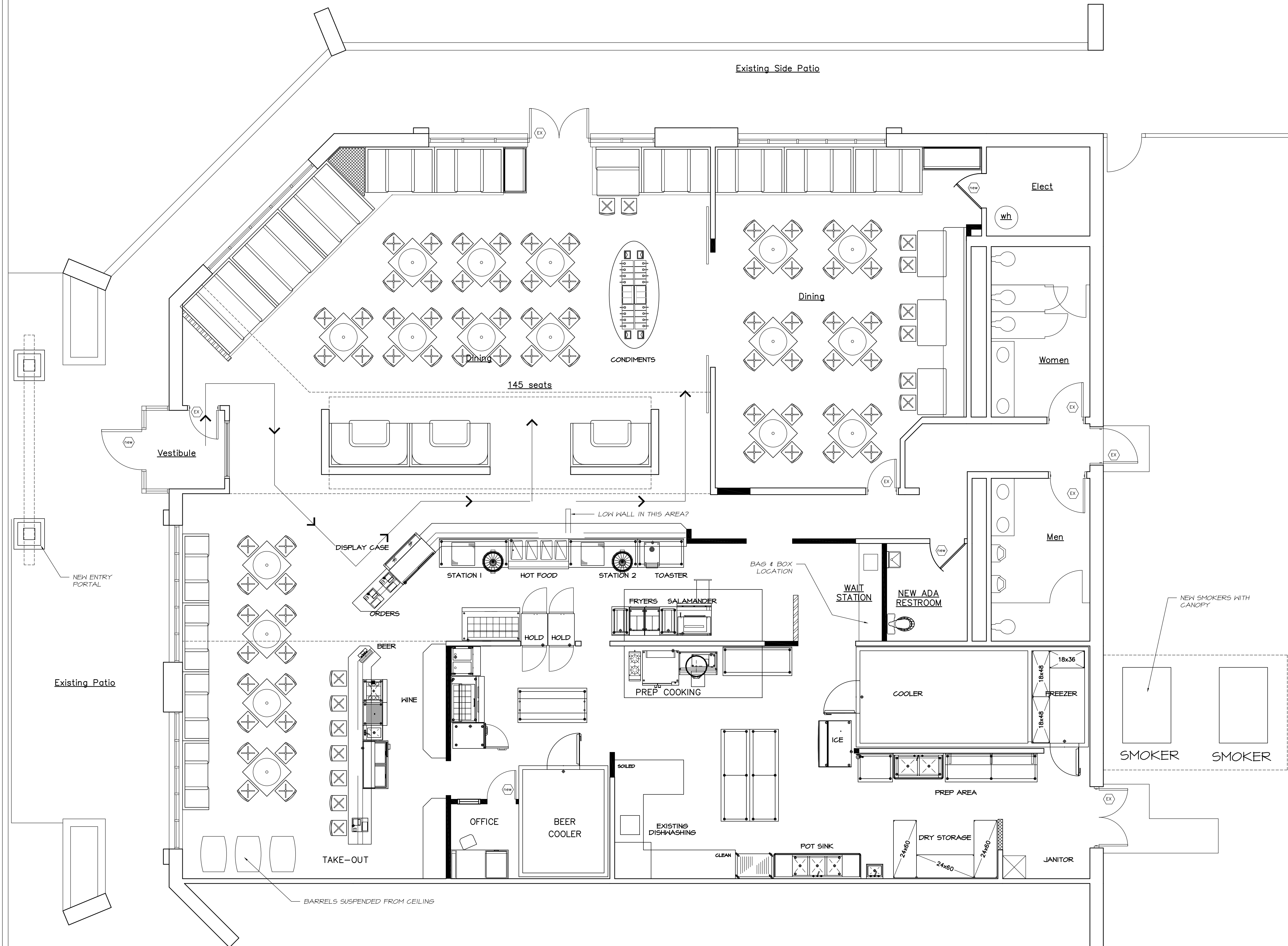
12316 Olive Boulevard  
Creve Coeur, MO 63141

7-15-13 progress print  
7-16-13 progress print  
7-16-13 For Review  
7-17-13 City of Creve Coeur Submittal

New Equipment Plan

# EQ1

Wild Smoke  
12316 Olive Boulevard  
2013.76



**New Equipment Floor Plan**  
1/4" = 1'-0"

BILL NUMBER 2015

ORDINANCE NUMBER 1954

**AN ORDINANCE TO REPEAL ORDINANCE NUMBER 824 AND AUTHORIZE THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE OPERATION OF A RESTAURANT (WITH OUTDOOR SEATING) LOCATED AT 12316 OLIVE BOULEVARD, IN THE WESTGATE CENTRE, IN THE "PC" PLANNED COMMUNITY DISTRICT.**

**WHEREAS**, the restaurant, known as Culpeppers, has been operating at 12316 Olive Boulevard under operating conditions established in Ordinance Number 824.

**WHEREAS**, application was made by Mr. Norman Leve for a Conditional Use Permit to add outdoor seating for a food service establishment, known as Culpeppers Restaurant, at 12316 Olive Boulevard in the Westgate Centre development in the "PC" Planned Community District of the City of Creve Coeur, and

**WHEREAS**, the Planning and Zoning Commission of the City of Creve Coeur recommends approval of said request, and

**WHEREAS**, a Public Hearing was held by the City Council on Monday, August 24, 1998 at 7:30 P.M. or immediately following the close of the previous Public Hearing, after having given fifteen (15) days prior public notice of the time, place, and purpose of said Public Hearing by publication in the St. Louis Countian on August 7, 1998 and in the West County Journal on August 10, 1998, newspapers of general circulation in the City of Creve Coeur and after other written notice was given all according to the provisions of law made and provided for such notices and hearings, and

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

**WHEREAS**, the City Council being fully informed finds that the granting of the application would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort, and convenience of the citizens of the City of Creve Coeur and in the public interest and in conformance with good zoning practice.

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



**SECTION 1:** Ordinance Number 824 is hereby repealed in its entirety and enacting in lieu thereof to read as follows:

1. This Conditional Use Permit shall be for the operation of an approximate 5,190 square foot food service establishment.
2. The hours of operation may be from 11:00 a.m. to 1:00 a.m. daily.
3. The floor plan for the proposed food service establishment shall be filed with the Creve Coeur Zoning Administrator, showing the type and location of all equipment, furniture, and other information which may be requested by the Building Official.
4. All signs for the food service establishment must be in conformance with the City's sign regulations, and permits must be obtained for the erection or modification of any sign on the premises. Banners, pennants, fringes, lights, pinwheels or other similar devices for attracting attention may be displayed only in conformance with the City's current sign regulations. Exposed neon signs shall only be used in conformance with the current sign regulations of the City of Creve Coeur.
5. There shall be no outdoor storage or placement of any materials or equipment used in conjunction with the food service establishment.
6. Any mechanical equipment installed for the food service establishment shall be properly screened with approved materials.
7. Any future enlargement, extension, expansion 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.
8. Seasonal outdoor seating for this restaurant shall be limited to a maximum of 40 seats (22 on the north side and 18 on the west side). The tables must be located to allow for a clear and protected pedestrian path on the existing walkways. Additional lighting under the north side overhang shall be installed and maintained.
9. The seating area must have sufficient proper signs to comply with the "No Smoking" Ordinance Number 1392 and amending Ordinance Number 1548.

10. There shall be a refuse container positioned for this food service establishment which conforms to standards set by the City for this particular site and shall include the installation of a hose bibb to service the refuse container area.

11. A copy of all herein attached conditions shall be furnished by the owner or petitioner to the operator(s) or manager(s), including successive operator(s), owner(s) or manager(s), who shall forward to the Zoning Enforcement Officer an acknowledgement that he or she has read and understood each of these conditions and agrees to comply therewith.

12. 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.

13. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation or modification of said permit by the City Council provided, however, no permit shall be revoked or modified without prior notice to the owner of the intention of the City Council to revoke or modify this permit and reasonable time granted to the owner to correct or remedy any such breach of condition, except for repeated breaches or violations.

14. No Conditional Use Permit granted by the City Council shall be valid for a period longer than one year from the date it grants the Conditional Use Permit, unless within such period: (1) a Building Permit is obtained and construction is begun; or (2) if a Building Permit is not required, an Occupancy Permit is obtained and the use of the building commenced. The City Council may grant extensions not exceeding one hundred and eighty (180) days each, upon written application filed and granted prior to the expiration of the Conditional Use Permit period.

15. The use of outdoor speakers for the amplification of music or spoken word shall be prohibited.

16. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth.

**SECTION 2:** The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 1 of this ordinance.

**SECTION 3:** This ordinance shall become effective at the expiration of fifteen (15) days after adoption by the City Council and the signing thereof by the Mayor.

Adopted by City Council this 14 day of September, 1998.

  
Judy Pass  
City Council President

Approved this 14 day of September, 1998.

  
Annette Kolis Mandel  
Mayor

Attest:

  
LaVerne Collins, CMC  
City Clerk

106/224



city  
of

# CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141  
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966  
[www.creve-coeur.org](http://www.creve-coeur.org)

August 21, 2013

Mr. Andrew Kohn  
VCH LLC dba Wildsmoke  
21 Westwood Country Club  
St. Louis, MO 63131

Re: Application #13-028: Conditional Use Permit for Wildsmoke  
12316 Olive Boulevard – Westgate Centre

Mr. Kohn:

The Planning and Zoning Commission, at its meeting of August 19, 2013, reviewed your request for a new conditional use permit for Wildsmoke, a restaurant to be located at 12316 Olive Boulevard.

By unanimous vote, the Planning Commission recommends approval of the new conditional use permit for Wildsmoke, 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, August 26<sup>th</sup>, 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  
G. Eidman, Chief of Police  
S. Unser, Chief Building Official



**CITY OF CREVE COEUR - MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
MONDAY, AUGUST 19, 2013  
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, August 19, 2013, 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. James Faron*  
                                  *Mr. Ken Howard*  
                                  *Mr. Charles Pullium*  
                                  *Mr. Gene Rovak*

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. PUBLIC HEARING**

**Application #13-028: Approval of the conditional use permit for Wildsmoke Restaurant at 12316 Olive Boulevard within Westgate Centre.**

Applicant/Agent: Andrew Kohn  
                          VCH LLC DBA Wildsmoke  
                          21 Westwood Country Club  
                          St. Louis, MO 63131

Property Owner: Solon Gershman Inc.  
                          7 N. Bemiston  
                          Clayton, MO 63105

Mr. Andy Kohn, 21 Westwood Country Club, said he was asking for approval of an alteration to the former Culpepper's location. Mr. Kohn said he would like to open a restaurant that specializes in smoked meats. Mr. Kohn said the restaurant would be fast casual, not full service, and would have a bar. Mr. Kohn explained the seating would be reduced but there would be no changes made to the exterior of the building. He also explained that they wished to locate two electric smokers in the service alley behind the restaurant, out of view from the public.



Mr. Faron asked for clarification of where the smokers would be located. Mr. Carl Uhlig, 925 Oakmoor, Uhlig Architects, said the smokers would be in the back of the building and screened from Olive Boulevard. Mr. Faron asked if the proposed spot for the smokers were where the dumpster currently exists. Mr. Kohn said it was, however they will be moving the dumpsters to the end of the alley.

Mr. Rovak asked if any of the businesses in the same plaza had any concerns. Mr. Kohn said La Bonne Bouchee did not have any concerns, actually would like to sell Mr. Kohn bread to serve with his meals.

Ms. Whitney Kelly, City Planner, said staff does not see any issues with this site and noted the draft ordinance does include the repeal of the prior ordinance for this tenant space, as well as an additional tenant business that appears to be abandoned.

There being no further comments, City Attorney, Mr. Carl Lumley, presented the exhibits for the record and the public hearing was closed.

**(This ends the Public Hearing; see verbatim transcript for further information)**

Mr. Faron motioned to recommend approval of Application #13-028 for a Conditional Use Permit for Wildsmoke restaurant located at 12316 Olive Boulevard, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of August 19, 2013. Mr. Howard seconded the motion with the resultant vote as follows:

Mr. Rovak – aye  
Mr. Pullium – aye

Mr. Howard – aye  
Chair - aye

Mr. Faron – 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 9:50 p.m.

---

***Timothy Madden, Chair***

---

***Julie Lowery, Recording Secretary***

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, AUGUST 19, 2013

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chair  
Mr. James Faron  
Mr. Ken Howard  
Mr. Charles Pullium  
Mr. Gene Rovak  
Mr. Carl Lumley, City Attorney  
Mr. Paul Langdon, AICP, Director of Community Development  
Ms. Whitney Kelly, AICP, City Planner  
Ms. Julie Lowery, Recording Secretary

PUBLIC HEARING

APPLICATION 13-028

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: Public Hearing Application  
No. 13-028: Approval of the conditional use permit for  
Wildsmoke Restaurant at 12316 Olive Boulevard within  
Westgate Centre.

Anybody that might be making a comment, come up,  
be sworn in.

(The speakers were sworn in by the court  
reporter.)

ANDY KOHN: My name is Andy Kohn, 21 Westwood  
Country Club.

I'm coming before you today excited and happy to  
ask for approval for a alteration to the special use  
permit for the former Culpepper's location.

It is my desire to open a smoked meats  
restaurant, much fast -- kind of fast casual, not full  
service. We will have a bar. And actually reduce the  
seating and not change the exterior of the building.

We're asking for a change that would allow us to  
put two smokers in the back alley made by Old Hickory, and  
as well, perhaps, have live music on the north patio.

Regard -- other changes of the special use  
permit are -- are just updating them from their current  
place, really something that the City request us to do.

That's -- I brought my architect with me, if  
there are any questions about what's going on.

CHAIRMAN MADDEN: Any questions for Mr. Kohn?

Yes, Mr. Faron.

MR. FARON: In some of the photos, exactly where would the smokers be? Is there a concrete pad to be poured there? And I'm looking at 158 and 159, the bottom photo on 158 and the top photo on 159, if you have that.

CHAIRMAN MADDEN: Could you state your name and address.

CARL UHLIG: My name is Carl Uhlig with Uhlig Architectures, 925 Oakmoor 63026.

This is -- this area right here where we're proposing the smokers, this being the existing front door, so it's in the back, sort of an alleyway that's existing. There's some dumpsters. It's basically screened from Olive.

There's an existing fence right along here that is -- will stay there to screen that whole area, including the smokers back there.

CHAIRMAN MADDEN: Any other questions?

Go ahead.

MR. FARON: So, Paul, in that one photo, I guess it's right where that dumpster is, I would assume, that's exactly where -- that double door in back there is what I seen in the plan there.

ANDY KOHN: Yes, I believe so. We would

relocate the dumpsters probably to the end of the alley.

There is an unused loading dock currently.

MR. FARON: Is that what's beyond the --

ANDY KOHN: That is correct.

MR. FARON: -- okay, what I'm seeing? Okay.

ANDY KOHN: Yeah.

MR. FARON: That screens, basically, from Olive, I would say, which is up the hill, right?

ANDY KOHN: That's correct.

MR. FARON: Okay. And back the other way, say south, is that just open along that parking garage to the back --

ANDY KOHN: It goes --

MR. FARON: -- alley?

ANDY KOHN: Yeah, it goes all the way back to the -- to the drive.

MR. FARON: So La Bonne Bouchee outdoor patio is down there to the right, I guess, it kind of opens up to that back corner of the plaza?

ANDY KOHN: Correct.

MR. FARON: Okay. They might like that smell coming down that way.

ANDY KOHN: I would venture to say that it won't be down that far.

MR. FARON: Okay.

ANDY KOHN: That's quite a distance. We're at one end, they're at the other.

MR. FARON: Right. Thank you.

CHAIRMAN MADDEN: Does staff have anything?

MS. KELLY: No, sir, we don't see any issues with this site.

I do want to note that the draft ordinance does include the repeal of the prior ordinance for this tenant space, as well as an additional tenant space that seems to have been abandoned. It's an old tea restaurant in a space that a chiropractor is using now.

CHAIRMAN MADDEN: Okay.

Is there anybody in the audience, question or comment?

MR. ROVAK: I do have one question of staff.

CHAIRMAN MADDEN: Sure.

MR. ROVAK: Just so something doesn't come back and surprise everybody like at Council.

I don't have any problem with the barbecue odor of outdoor cooking.

Has anybody -- has there been anything said by La Bonne Bouchee if they have a -- you know, are they going to -- have they expressed any problems, is that an issue for them?

ANDY KOHN: Yes, they would like to sell us

bread.

MR. ROVAK: Fair enough.

ANDY KOHN: They -- I spoke to the owner, and they were hoping that we would consider them as a supplier for their rolls.

MR. ROVAK: Okay. Thank you.

CHAIRMAN MADDEN: Anything else?

Okay. You want to enter your documents.

MR. LUMLEY: Is this the one that had the issue about a canopy?

MR. LANGDON: Yes.

MR. LUMLEY: And is that addressed in the ordinance already?

ANDY KOHN: The canopy over the smoker or the --

MR. LUMLEY: Yeah.

MS. KELLY: Yeah.

ANDY KOHN: -- structure?

We abandoned, based on a meeting with the fire marshal and the --

MR. LUMLEY: Okay.

ANDY KOHN: -- City people.

MR. LUMLEY: So we don't have to address that. Okay.

Offer the following documentation into the record of this public hearing: Documentation in

possession of the City Clerk reflecting the notice provided to the public, the staff's report, the City Code of Ordinances and Charter, the City's Comprehensive Plan, the public file regarding the application.

(This ends the Public Hearing.)

oOo

STATE OF MISSOURI     )  
                              ) SS  
COUNTY OF ST. LOUIS   )

I, Deborah K. McLaughlin, Registered Professional Reporter, Missouri Certified Court Reporter, Illinois Certified Shorthand Reporter and Kansas Certified Court Reporter, do hereby certify that I reported the Planning and Zoning public hearings stenographically and later reduced to typewriting; and that this is a true and accurate transcript of the public hearing.

---

Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR



**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE  
PERMIT FOR A 2,750 SQUARE-FOOT MARTIAL ARTS INSTRUCTION STUDIO  
LOCATED AT 12392 OLIVE BOULEVARD WITHIN WESTGATE CENTER.**

**WHEREAS**, under Section 405.210 Table A, all sports and recreation instruction in the "PC" Planned Community 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 Christine Cole of Sacred Sword Aikikai/White Lotus Tea for a martial arts instruction studio located in the tenant space addressed as 12392 Olive Boulevard within the Westgate Centre; and

**WHEREAS**, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, August 19, 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 August 19, 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:** A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a martial arts instruction studio located at 12392 Olive Boulevard, in the "PC" Planned Commercial zoning district, within the Westgate Centre, whose legal description is as follows:

## Westgate Centre

A tract of land in U.S. Survey 1923, Township 45 North, Range 5 East, St. Louis County, Missouri and being particularly described as follows:

Beginning at intersection of the Eastern Right-of-Way line of Tempo Drive and the Southern Right-of-Way line of Olive Street Road as widened. Thence along the Southern Right-of-Way line of Olive Street Road as widened North 61 degrees 12 minutes and 16 seconds East 83.02 feet to a point; thence continuing along said Southern Right-of-Way line of Olive Street Road as widened South 77 degrees 14 minutes and 50 seconds East 615.19 feet to a point; thence South 12 degrees 51 minutes 15 seconds West 388.47 feet to a point; thence South 89 degrees 50 minutes 58 seconds West 649.82 feet to a point aforementioned Eastern Right-of-Way line of Tempo Drive; thence along the Eastern Right-of-Way line of Tempo Drive around a curve to the right having a radius of 886.72 feet and arc distance of 280.92 feet to the point of tangency thereof; thence continuing along said Eastern Right-of-Way line of Tempo Drive North 12 degrees 51 minutes 15 seconds East 202.18 feet to the point of beginning, containing 7.11 acres +.

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

1. The conditional use permit shall be for the operation of 2,750 square-foot martial arts instruction studio at 12392 Olive Boulevard, within the Westgate Centre, zoned "PC" Planned Ccommunity District
2. Hours of operation shall not exceed 10:00 am to 8:00 pm daily. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, special events.
3. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the restaurant permitted by this ordinance.
4. There shall be no outdoor storage or placement of any materials or equipment.
5. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
6. Any mechanical equipment installed for the site shall be located behind the building or properly screened with approved materials.
7. 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.
8. 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.
9. 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.

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

**Section 3:** The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 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 4:** This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
SCOTT SAUNDERS  
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  
#13-027 FOR A CONDITIONAL USE PERMIT FOR A MARTIAL ARTS  
INSTRUCTION STUDIO AT 12392 OLIVE BOULEVARD, WITHIN  
WESTGATE CENTRE**

**FOR THE MEETING OF:** Monday, August 19, 2013

**LOCATION:** 12392 Olive Boulevard, at the southeast corner of Olive Boulevard and Tempo Drive, within the Westgate Centre. The property is zoned Planned Commercial District.

**REQUEST:** An application has been submitted for a conditional use permit to allow a martial arts instruction studio. Martial arts instruction (NAICS #611620 Sports and Recreation Instruction) is permitted with conditions in the PC District.

**ADDITIONAL INFORMATION:** Westgate Center was originally developed in 1979. The Applicant is locating in an existing tenant space at the end of the building along Tempo Drive. The space is 2,750 square-feet.

**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**

- West Olive Corridor Action Area

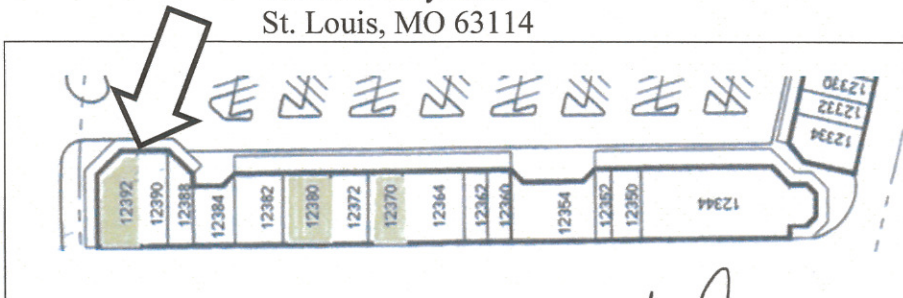
**Zoning Code References**

- Section 405.210: Regulation of Uses, Table A Permitted and Conditional Uses
- Section 405.350: "PC" Planned Community District
- Section 405.470 Conditional Uses
- Section 405.820 Required Off-Street Parking Spaces

**APPLICANT:** Christine Cole  
Sacred Sword Aikikai/White Lotus Tea  
9010 Pallardy Lane  
St. Louis, MO 63114

**PROPERTY OWNER:**

Solon Gershman Inc.  
7 N. Bemiston  
Clayton, MO 63105



**REPORT PREPARED BY:**

*Whitney Kelly*  
Whitney Kelly, AICP

8/16/2013  
Date

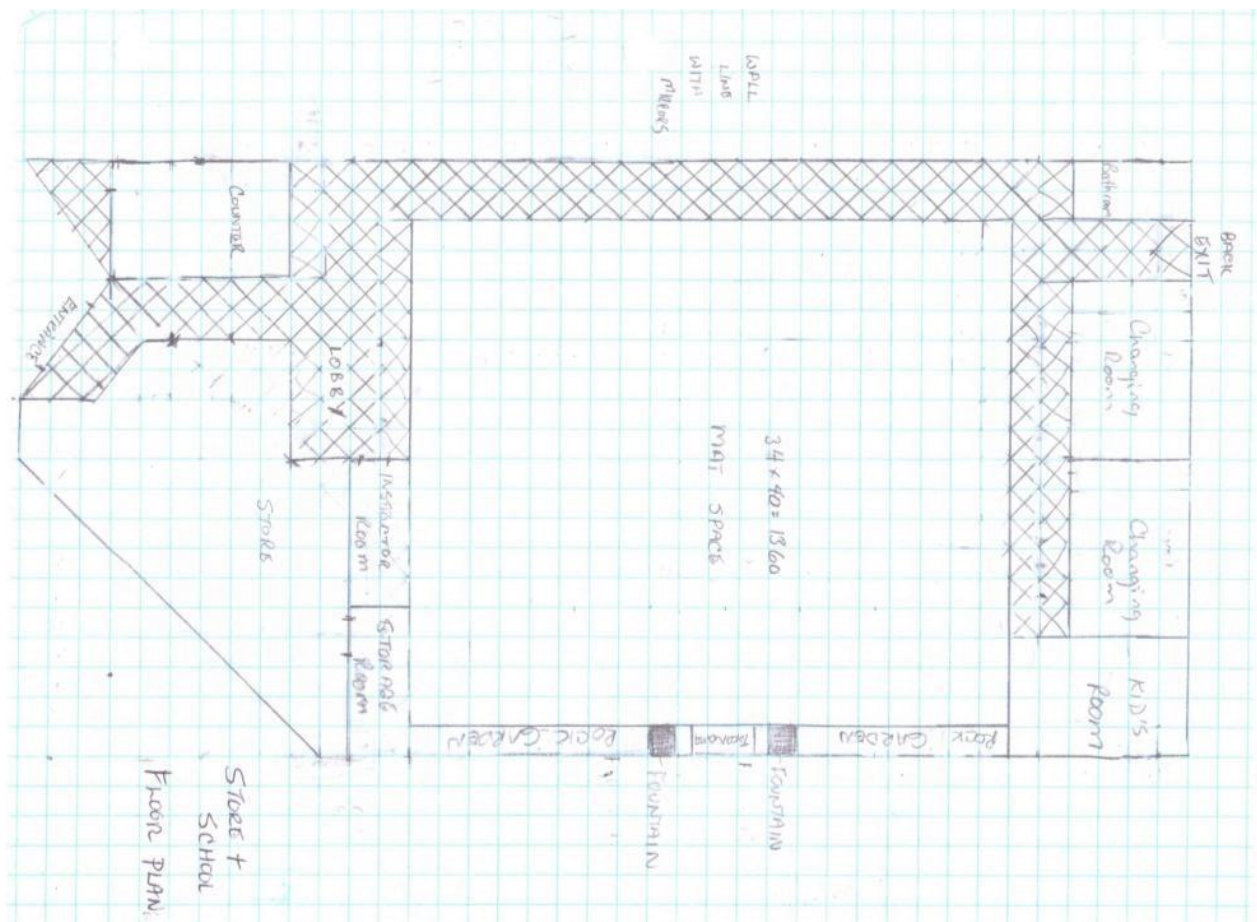
**ATTACHMENTS:** Applicant's Materials submitted July 11, 2013  
Draft Ordinance



## REQUEST

The applicant is seeking approval for the Sacred Sword Aikikai (SSA) martial arts studio for instruction in the art of Aikido. Classes will be offered six to seven days a week in hand to hand combat, sword work, self-defense workshops for women, and seminars with master instructors teaching Asian cultural studies such as Japanese tea ceremony and calligraphy. Included will be a retail area, “White Lotus Tea,” that will offer high-end teas and accessories, natural incense, oils and soaps.

The martial arts instruction will be offered in the mornings and evenings, with 10-15 students per one hour to one-and-half hour instruction. Below is a sketch of the tenant space:



## LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

| DIRECTION | USE                                                                   | ZONED                                                            | SEPARATED BY    |
|-----------|-----------------------------------------------------------------------|------------------------------------------------------------------|-----------------|
| North     | Retail/Office: Woodcrest Shopping Center, American Eagle Credit Union | “CB” Core Business                                               | Olive Boulevard |
| South     | Office                                                                | “PC” Planned Community District                                  | NA              |
| East      | Office                                                                | “PC” Planned Community District                                  | NA              |
| West      | Retail/Apartment                                                      | “MX” Mixed Use District/ “AR” Attached Single Family Residential | Tempo           |

## COMPREHENSIVE PLAN REVIEW

The subject site is located within the West Olive Corridor Action Area of the Comprehensive Plan. The West Olive Corridor possesses a mix of residential and commercial structures but has an overall commercial character. This applicant is utilizing an existing tenant space within a shopping center that consist of “small retail/restaurants and specialty shops.” The addition of a new martial arts instruction within the proposed center would be consistent with the mix of uses in the area, and offer a new neighborhood-oriented service to the area.

## ZONING REVIEW

### Parking

As the Applicant is not proposing any changes to the exterior of the building or site, zoning review is limited to an analysis of the parking available on site. Parking regulations are discussed under Section 405.820(F)(5) Required Off-Street Parking Spaces, where sports and recreation instruction requires one space for every 200 square feet of floor area:

| Tenant                      | Use                                 | Size (sq. ft.)                                                    | Parking Regulations                                           | # of spaces |
|-----------------------------|-------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------|-------------|
| Wildsmoke                   | Restaurant                          | 5,190<br>(+150 indoor seats, 40 outdoor seats)                    | 1/3 seats in C.U.P.,<br>1/8 outdoor seats, +<br>1/250 sq. ft. | 75.76       |
| Jon Thomas Salon            | Hair Salon                          | 3,450                                                             | 4/1000 sq. ft.                                                | 13.8        |
| Metro Chiropractor          | Office                              | 1,840                                                             | 4/1000 sq. ft.                                                | 7.36        |
| Dog Spa                     | Personal and laundry services-other | 1,160                                                             | 1/300 sq. ft.                                                 | 3.87        |
| Mirrozo Gallery             | Retail                              | 1,200                                                             | 4/1000 sq. ft.                                                | 4.8         |
| Chateau Decor               | Retail                              | 1,200                                                             | 4/1000 sq. ft.                                                | 4.8         |
| Pagano Family Dentistry     | Office                              | 2,330                                                             | 4/1000 sq. ft.                                                | 9.32        |
| La Bonne Bouchee            | Cafe/Bakery                         | 6,615 (+108 indoor seats, 34 outdoor seats)                       | 1/3 seats in C.U.P.,<br>1/8 outdoor seats, +<br>1/250 sq. ft. | 66.73       |
| Laurie Shoes                | Retail                              | 1,400                                                             | 4/1000 sq. ft.                                                | 5.6         |
| Hear USA                    | Retail                              | 1,000                                                             | 4/1000 sq. ft.                                                | 4           |
| Distinctions                | Retail                              | 3,560                                                             | 4/1000 sq. ft.                                                | 10.24       |
| Barry Hyatt Custom Jewelers | Retail                              | 1,200                                                             | 4/1000 sq. ft.                                                | 4.8         |
| Prudential                  | Office                              | 1,200                                                             | 4/1000 sq. ft.                                                | 4.8         |
| House of Wong               | Restaurant                          | 3,000<br>(+108 indoor seats)                                      | 1/3 seats in C.U.P., +<br>1/250 sq. ft.                       | 48          |
| Vacant                      | Retail                              | 2,100                                                             | 4/1000 sq. ft.                                                | 8.4         |
| West Oak Cleaners           | Laundry services                    | 2,100<br>(240 sq. ft. pick up area+1860 sq. ft. clothing storage) | 1/150sf of pick-up area +1/300 sq. ft. clothing storage       | 9           |
| Vacant                      | Retail                              | 2,475                                                             | 4/1000 sq. ft.                                                | 9.92        |

|                                            |                                   |                                          |                                                               |            |
|--------------------------------------------|-----------------------------------|------------------------------------------|---------------------------------------------------------------|------------|
| Select Physical Therapy                    | Office                            | 2,465                                    | 4/1000 sq. ft.                                                | 9.88       |
| Computer Problem Busters                   | Computer Repair Office            | 1,600                                    | 4/1000 sq. ft.                                                | 6.4        |
| Ichiban Restaurant                         | Restaurant                        | 1,542<br>(+ indoor 40 seats)             | 1/3 seats in C.U.P., +<br>1/250 sq. ft.                       | 19.49      |
| Kumon Math & Reading                       | Other educational services        | 1,586                                    | 1/300 sq. ft.                                                 | 5.29       |
| Sacred Sword Aikikai*                      | Sports and recreation instruction | 2,750                                    | 1/200 sq. ft.                                                 | 13.75      |
| TGI Friday's                               | Restaurant<br>(out lot building)  | 8,485<br>(+161 indoor seats, 75 outdoor) | 1/3 seats in C.U.P.,<br>1/8 outdoor seats, +<br>1/250 sq. ft. | 96.99      |
| Sub-total:                                 |                                   |                                          |                                                               | 443        |
| Minus 15% Reduction                        |                                   |                                          |                                                               | 66.45      |
| <b>Total # of Parking Spaces Required:</b> |                                   |                                          |                                                               | <b>377</b> |
| <b>Total Available On-site:</b>            |                                   |                                          |                                                               | <b>380</b> |

\*Pending a conditional use permit request.

Note that Staff was unable to locate a CUP for LaBonne Bouchee , where it may have been operating originally as a permitted use as a bakery, and a conditional use permit was never obtained when the use was expanded into a full-service restaurant. The number shown is from an on-site counting by the property manager and is included here to provide an accurate accounting of the existing conditions. Future action for a conditional use permit may be necessary. As the above table indicates, 377 parking spaces are required, with 380 spaces available on site. Thus the parking requirement is met.

## RECOMMENDATION

Based on the above analysis, the request for a conditional use permit meets all of the applicable requirements of the Comprehensive Plan and the Zoning Ordinance. Conditions listed below are the usual and customary conditions which are included in the draft ordinance:

1. The conditional use permit shall be for the operation of 2,750 square-foot martial arts instruction studio at 12392 Olive Boulevard, within the Westgate Centre, zoned "PC" Planned Commercial District
2. Hours of operation shall not exceed 10:00 am to 8:00 pm daily. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, special events.
3. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the restaurant permitted by this ordinance.
4. There shall be no outdoor storage or placement of any materials or equipment.
5. 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 #13-027 for a conditional use permit for martial arts instruction studio, located at 12392 Olive Boulevard within Westgate Centre, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of August 19, 2013” (conditions may be added, eliminated, or modified by preceding motion).

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**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: 08/13/2013



Description: View of the tenant space looking south from the parking lot.

**Business Description:**

Attached is an old brochure detailing some history and martial instruction in the art of Aikido.

Sacred Sword Aikikai (SSA) was previously located in West County Fitness before the gym closed down. We offered classes three times per week in hand to hand combat, sword work, and short staff as part of our curriculum and private instruction upon request once a week. SSA offers self-defense workshops for women, students, teachers, airlines, and law enforcement. We have also taught combat training to the military. For the most part, Aikido is an elegant martial arts that has devastating results when utilized due to the physical, mental, and spiritual training involved.

Since we plan on having our own location, we will be expanding our classes to 6 to 7 days a week and offer children classes a minimum of three times a week. Sacred Sword Aikikai also offers women's self-defense work shop, seminars with master instructors from overseas and across the U.S. along with Asian cultural studies such as Japanese tea ceremony, calligraphy, etc.

Our retail portion of the business will be White Lotus Tea (WLT) located at the front of the store. WLT specializes in high end teas from around the world along with the accessories such as tea sets and any other compliments. Other merchandise to be sold will be high end tea and natural incense, oils, and soaps along with decorative accessories.

Please let me know if you have any other questions in regards to our business.

Best regards,

Christine Cole  
[314-616-2641](tel:314-616-2641)



## **Class Times:**

|                              |            |
|------------------------------|------------|
| Monday (evenings)            | 7:30-8:30  |
| Wednesday (evenings)         | 7:00-8:00  |
| Friday (evenings by request) | 7:00-8:00  |
| Saturday (noon)              | 11:30-1:00 |

## **Membership Fees**

Membership Fees are \$75.00 per month.

If you are a member of West County Fitness or wish to be a member of West County Fitness, Aikido fees are only an additional \$53.00 a month plus current West County Fitness membership rates. Sign up for this offer is through West County Fitness only.

(Prices do not include annual association fee, seminar fees, or testing fees. Children must be at least 12 years of age or cleared to train by the Chief Instructor).

**\* Self-defense workshops are also available. Please contact Gordon Green or Christine Cole if you are interested.**



Sacred Sword Aikikai  
920 Kehrs Mill Rd.  
Ballwin, MO 63011  
Phone: (314) 681-0386  
(Located in West County Fitness)

## **Sacred Sword Aikikai**



*Crystal Clear  
Sharp and Bright  
The Sacred Sword  
Allows no opening  
For evil to roost.*

*The Art of Peace  
By Morihei Ueshiba*

## **About Us**

Sacred Sword Aikikai is headed by Chief Instructor, Gordon Green, Senior Instructor Jeff Hefley, and Senior Instructor, Christine Cole.

### **Gordon Green, Chief Instructor**

Mr. Green has been a practitioner of Aikido since 1992. He has a background in boxing, fencing, and a wide range of fighting arts. Mr. Green's desire is to train rigorously to effect his life and those around him in a positive manner.

*"Hard work and dedication are the pathways to mastery of oneself."*

### **Jeff Hefley, Senior Instructor**

Mr. Hefley has been a practitioner of Aikido for 1999. He also has a background in Karate and Gracie Jiu Jitsu. As a professional airline pilot, he has studied various martial arts all over the world.

*"I enjoy helping people of all ages find a successful path in the martial way."*

### **Christine Cole, Senior Instructor**

Ms. Cole has been a practitioner of Aikido since 1994. With a background in Muay Thai, she has taught a number of self defense workshops to schools, organizations, and businesses. Ms. Cole is a strong advocate for women's self defense.

*"In finding balance with the heart, mind, and body will one be find their true strength."*

## What is Aikido?

*Aikido is a Japanese martial art founded by Morihei Ueshiba who is typically referred to as O'Sensei, meaning "Great Teacher".*



*Literally translated, Aikido means "the way of harmonizing energy". The fundamental basis of Aikido allows an individual to blend (harmonize) with and redirect an opponent's attack (energy).*

*Classes are taught in the traditional manner involving Japanese etiquette and terminology. Curriculum consists of falling techniques, deflections, throwing techniques, and joint manipulations and locks. Atemi (strikes) are also incorporated into the curriculum.*

*Classes are taught from a co-operative stand point between the uke (the attacker) and nage (person receiving the attack). Beginner's start off with slow speed attacks and gradually work their way up to full speed, honest attacks.*

*Students learn to defend themselves from a variety of attacks such as punches, kicks, and grabs and to also learn to defend themselves against multiple attackers.*

## The Training

Beginners start off learning basic footwork, deflections, and rolling. Footwork and deflections are learned through a series of drills with a partner utilizing different types of attacks. *Ukemi*, (the art of rolling) is taught to allow a student to safely roll out of a technique and eventually be thrown at more advanced levels without injury. Etiquette and terminology is incorporated through out the training.

## Techniques

Techniques are taught in two stylized versions, classical and martial. The classical versions are taught first to help students understand motion and body mechanics. The martial training is designed for street fighting, and self-defense situations. It incorporates the use of *atemi* (strikes) to manipulate the opponent's attack. These techniques are quick, direct, and devastating.

## Progression

Every student's progression will vary. Ranks are given out when a student tests for a given rank and passes. In order to be eligible for testing, the student must complete a certain number of hours of training for the rank they are testing for. The student also must have the approval of a chief instructor in order to test. Testing fees do apply.

## Discipline

It is very important to always maintain a beginner's mind no matter the length of one's training. Proficiency in a technique can only be gained by continuous and correct repetition. Consistency in training and a strong desire to learn is the keystone to every student's training. Minimal training of at least twice a week is highly recommended.

## The Package

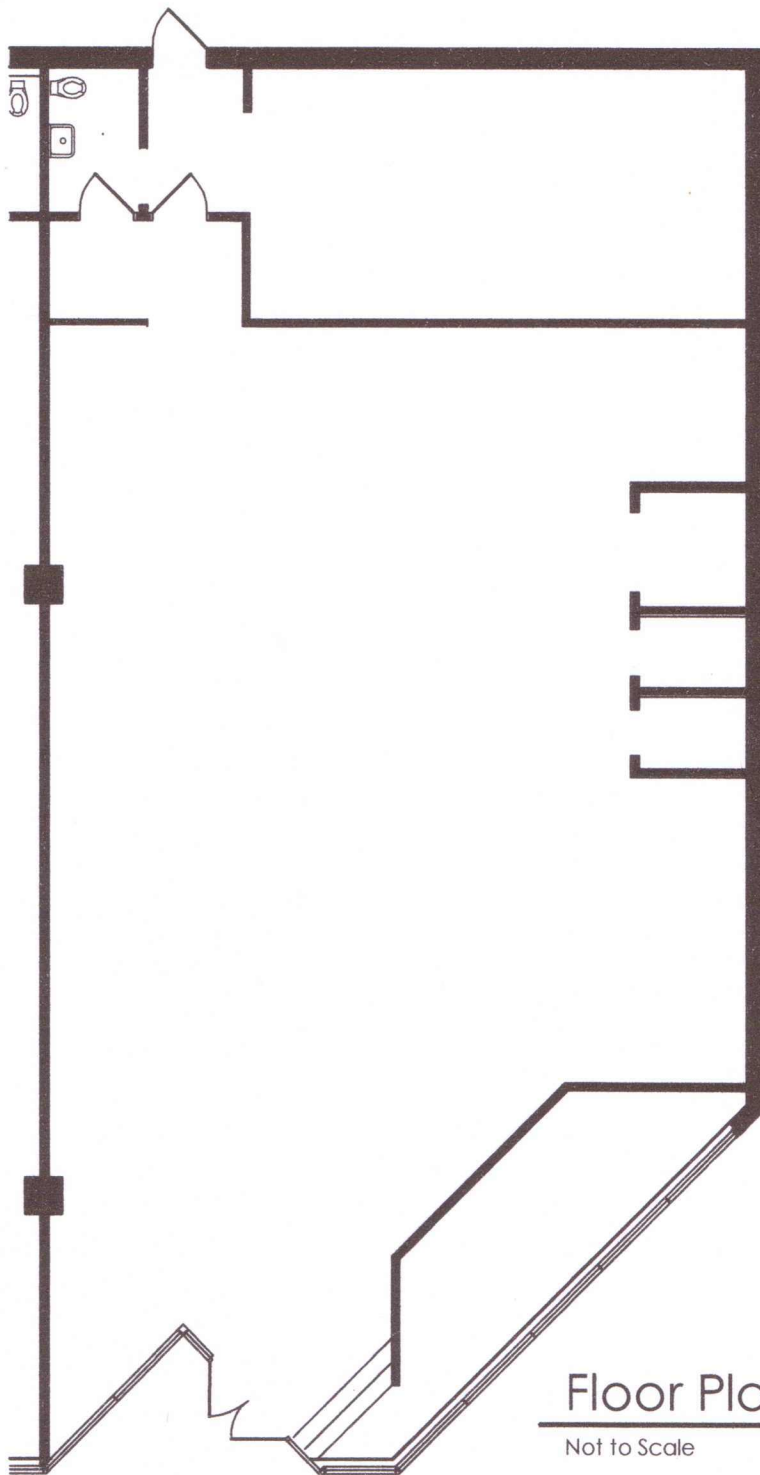
Sacred Sword Aikido membership can include full membership to West County Fitness gym. The membership package includes the following:

- 27,000 square feet work out facility
- Over 70 pieces of cardio equipment (with Broadcast Vision)
- Fully equipped circuit training room
- 1600 square feet aerobics studio
- 20 bike spinning room
- 4 indoor racquetball / walleyball / basketball courts
- 6 tons of free weights
- Full line of Flex equipment with Hammer and strength & Cybex
- 3 sets of dumbbells up to 150 lbs
- 20 x 40 rock climbing wall with 8 faces and overhangs
- Fully equipped locker rooms with steam rooms, saunas, & whirlpools
- Supervised nursery
- Tanning facility
- Pro Shop
- Personal Trainers •
- Massage Therapy •

Please see membership fees for price.

Independent personal trainers, massage therapist, and racquetball instructors are available. Prices vary.

Children must be at least 12 years of age to participate in the martial arts class. Prices do not include annual federation fees, testing fees, or seminar fees.



Current Floor Plan  
OWNER WILL TAKE  
OUT A WALLS  
LEAVING ONLY THE  
BATHROOM INTACT.

Floor Plan

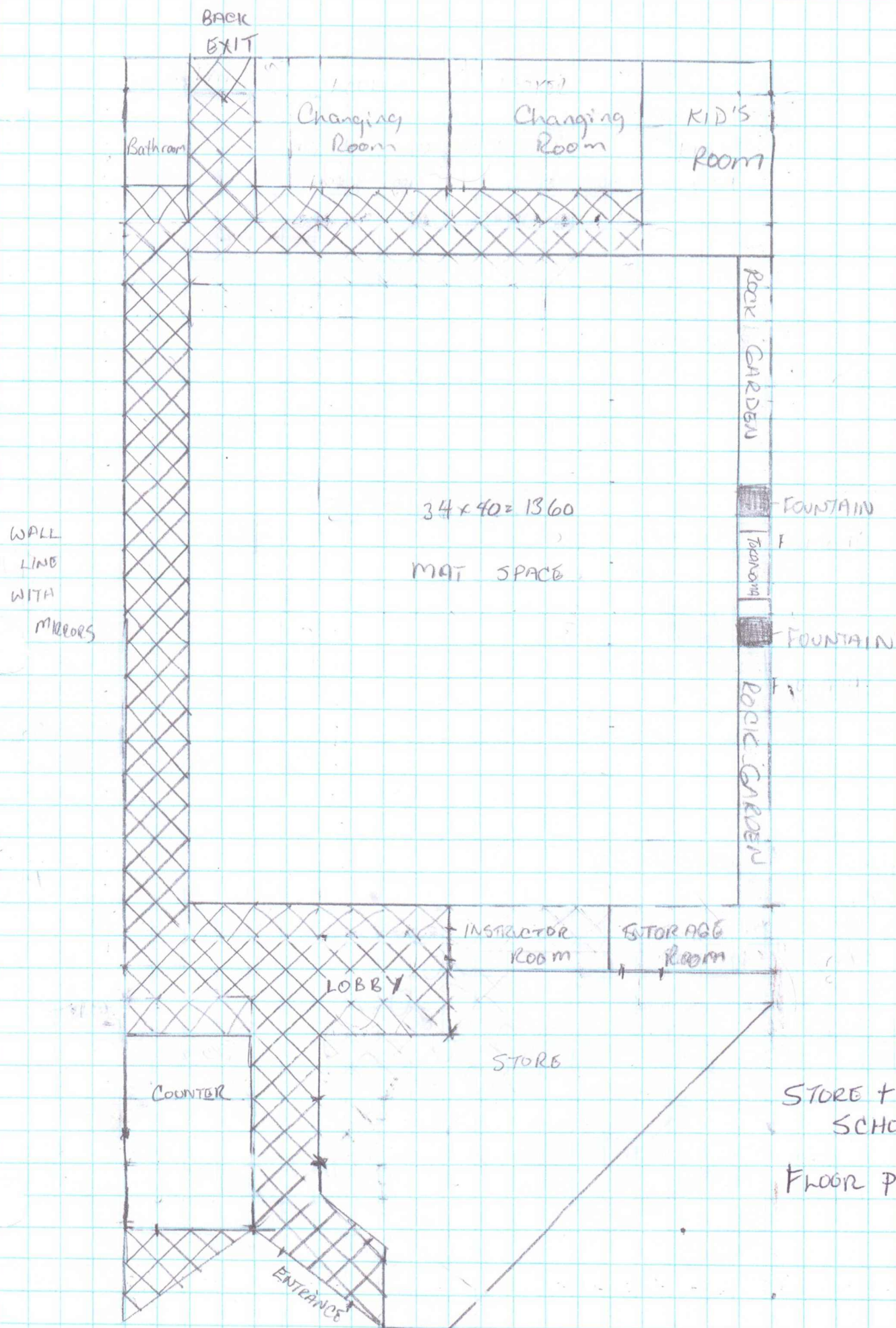
Not to Scale



12390 Olive Boulevard  
Westgate Centre  
Creve Coeur, Missouri









city  
of

# CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141  
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966  
[www.creve-coeur.org](http://www.creve-coeur.org)

August 21, 2013

Ms. Christine Cole  
Sacred Sword Aikikai/White Lotus Tea  
9010 Pallardy Lane  
St. Louis, MO 63114

Re: Application #13-027: Conditional Use Permit for Sacred Sword Aikikai/White Lotus Tea  
12392 Olive Boulevard – Westgate Centre

Ms. Cole:

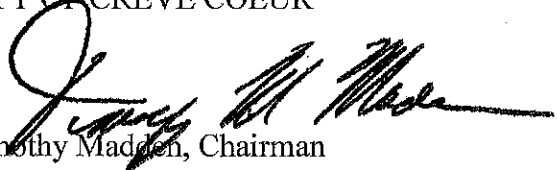
The Planning and Zoning Commission, at its meeting of August 19, 2013, reviewed your request for a new conditional use permit for Sacred Sword Aikikai/White Lotus Tea, a martial arts studio and a retail store selling high grade teas to be located at 12392 Olive Boulevard.

By unanimous vote, the Planning Commission recommends approval of the new conditional use permit for Sacred Sword Aikikai/White Lotus Tea, 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, August 26<sup>th</sup>, 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  
G. Eidman, Chief of Police  
S. Unser, Chief Building Official





**CITY OF CREVE COEUR - MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
MONDAY, AUGUST 19, 2013  
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, August 19, 2013, 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. James Faron***  
                                  ***Mr. Ken Howard***  
                                  ***Mr. Charles Pullium***  
                                  ***Mr. Gene Rovak***

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. PUBLIC HEARING**

**Application #13-027: Approval of a conditional use permit for Sacred Sword Aikikai martial arts instruction studio at 12392 Olive Boulevard, within Westgate Centre.**

Applicant/Agent: Christine Cole  
                                  Sacred Sword Aikikai/White Lotus Tea  
                                  9010 Pallardy Lane  
                                  St. Louis, MO 63114

Property Owner: Solon Gershman Inc.  
                                  7 N. Bemiston  
                                  Clayton, MO 63105

Ms. Christine Cole, 9010 Pallardy Lane, stated she is seeking approval for a martial arts studio and a retail store selling high end/high grade teas and scented oil. Ms. Cole said the retail store hours would be 10am-6pm. Ms. Cole explained the services offered and said she believes this is unique to the area and is not in direct competition with any other similar businesses in the area.

Ms. Whitney Kelly, City Planner, said that staff has nothing to add and no concerns.

There being no further comments, City Attorney, Mr. Carl Lumley, presented the exhibits for the record and the public hearing was closed.

**(This ends the Public Hearing; see verbatim transcript for further information)**

Mr. Rovak motioned to recommend approval of Application #13-027 for a conditional use permit for a martial arts instruction studio, located at 12392 Olive Boulevard within Westgate Centre, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of August 19, 2013. Mr. Howard seconded the motion with the resultant vote as follows:

Mr. Pullium - aye  
Mr. Rovak – aye

Mr. Faron – aye  
Chair - aye

Mr. Howard – aye

### **3. ADJOURNMENT**

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 9:50 p.m.

---

*Timothy Madden, Chair*

---

*Julie Lowery, Recording Secretary*

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, AUGUST 19, 2013

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chair

Mr. James Faron

Mr. Ken Howard

Mr. Charles Pullium

Mr. Gene Rovak

Mr. Carl Lumley, City Attorney

Mr. Paul Langdon, AICP, Director of Community Development

Ms. Whitney Kelly, AICP, City Planner

Ms. Julie Lowery, Recording Secretary

PUBLIC HEARING

APPLICATION 13-027

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: That'll move us to C, Public Hearing. Application No. 13-027: Approval of a conditional use permit for Sacred Sword Aikikai, I'm guessing, martial arts instruction studio at 12392 Olive Boulevard, within Westgate Centre. I'm sure I butchered the name so.

And anybody that's going to be making a comment or be involved in this, needs to come up and be sworn in.

(The speakers were sworn in by the court reporter.)

CHRISTINE COLE: My name is Christine Cole. I am a co-owner, applicant/agent for Sacred Sword Aikikai and White Lotus Tea.

We're here today to request approval for the conditional use permit for us to open up a martial arts studio along with a retail store that sells high-end, high-grade teas.

With me I have my business partner, Gordon Green, and also one of our students and one of our greatest supporters in what we do, Dr. Mova Macland (phonetic).

To begin with, as far as our rationale's concerned, we believe that both Sacred Sword Aikikai and White Lotus Tea will blend in beautifully and complement the business and residential community of not only

Westgate Centre, but also the City of Creve Coeur.

As far as building structure is concerned, there are no plans to change any of the structure of the building nor any of the pre-existing landscape.

That being said, neither of our business would be in direct competition with any of the business in the local area and offers a unique flare to the community.

Martial arts instructions will be offered on the morning -- in the mornings and evenings. The average student attendance is usually around ten to fifteen students per one one-half hour class instruction.

Our retail store hours will be from 10 to 6 p.m.

In addition to attracting new business to the area, Sacred Sword Aikikai and White Lotus Tea complements the pre-existing business community. We will be located next door to Kumon Math & Reading, in which case it works really well with both businesses because Sacred Sword Aikikai also has children's classes that not only teaches kids how to stay safe and protect themselves, but we also teach them self-discipline, focus through meditation, critical thinking and physical training.

This in turn helps children achieve better marks in school and projects they take on, as well as becoming well-rounded individuals.

The restaurant located in the centre will also

benefit from our clientele, as they offer a wide variety of food. Everybody has to eat. I personally have enjoyed the French Cuisine at La Bonne Bouchee, the Chinese and Japanese restaurants, the sushi bar is one of my favorite, and also we can't forget Fridays.

Sacred Sword Aikikai is also a huge advocate of safety in the community. We offer self-defense workshops, seminars to the community. We have taught combat training to the U.S. Army and tactical defense training for security firms.

Most recently we provided training to a parochial school in regards to live person shooter response situations.

With the exception of workshops and seminars, other programs are generally taught off-site at the client's location.

White Lotus Tea is a small retail store that generally focuses on high-end teas, oils and incense, along with its accessories.

These items complement the Asian aspect of the martial arts school and highlights the meditated and holistic value of the product, along with the simple enjoyment of taste and scent.

Workshops will also be held for teas, incense and aroma therapy, along with classes on traditional

Japanese tea ceremony.

The goal of our business is to offer unique, fun, profitable and valuable service to the City of Creve Coeur. As such, we respectfully request for our conditional use permit to be approved.

Gordon, do you have anything to add?

GORDON GREEN: No.

CHRISTINE COLE: Dr. Macland?

DR. MACKLAND: No, nothing to add, unless asked.

CHAIRMAN MADDEN: Okay. Any questions for Ms. Cole? Okay.

MR. LANGDON: Briefly.

MS. KELLY: Very briefly, I'd like to compliment the applicant on a wonderful presentation, and we have nothing further to add.

The draft ordinance is customary for the City, and we don't see any issues with this property.

CHAIRMAN MADDEN: Okay. Is there anybody in the audience wants to make a comment or ask a question? No.

So if you want to enter your official documents.

MR. LUMLEY: I'll offer the following exhibits into the record of the public hearing: Documentation in possession of the City Clerk reflecting notice provided to the public, the staff's report, the City's Code of Ordinances and Charter, the City's Comprehensive Plan and

the public file regarding the application.

CHAIRMAN MADDEN: Thank you.

(This ends the Public Hearing.)

STATE OF MISSOURI       )  
                                  ) SS  
COUNTY OF ST. LOUIS    )

I, Deborah K. McLaughlin, Registered Professional Reporter, Missouri Certified Court Reporter, Illinois Certified Shorthand Reporter and Kansas Certified Court Reporter, do hereby certify that I reported the Planning and Zoning public hearings stenographically and later reduced to typewriting; and that this is a true and accurate transcript of the Public Hearing.

---

Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR



**AN ORDINANCE AMENDING ORDINANCE NUMBER 5296 AUTHORIZING AN  
EXPANSION TO THE RESTAURANT SPACE FOR A 758 SQUARE-FOOT  
STORAGE ROOM FOR THE RESTAURANT LOCATED AT 763 OLD BALLAS  
ROAD WITHIN THE OLD BALLAS PLACE BUILDING.**

**WHEREAS**, under Section 405.210 Table A, all restaurants in the “CB” Core Business zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits;

**WHEREAS**, Ordinance No. 5296 authorized the issuance of a conditional use permit for a 5,214 square-foot restaurant with a condition that 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;

**WHEREAS**, an application was submitted by Adrian Glass, of the Post II Sports Bar & Grill for an amendment to their conditional use permit for a 758 square-foot dry goods storage addition to the building; and

**WHEREAS**, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, August 19, 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 August 19, 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.

BILL NO. 5449

ORDINANCE NO. \_\_\_\_\_

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 5296 shall be amended to include the following conditions:

1. The applicant may construct a 758 square-foot storage area at the southwest corner of the building underneath the overhang of the building.
2. The applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations and floor plans shall be in substantial conformance with the plans submitted for The Post II received July 15, 2013 as bound together and submitted in conjunction with Application #13-036.

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

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
SCOTT SAUNDERS  
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  
#13-0036 FOR AN AMENDMENT TO CONDITIONAL USE PERMIT FOR THE  
POST II SPORTS BAR AND GRILL AT 763 OLD BALLAS ROAD**

**FOR THE MEETING OF:** August 19, 2013

**LOCATION:** 763 Old Ballas Road located at the corner of Olive Boulevard and Old Ballas Road and is zoned "CB" Core Business District.

**REQUEST:** An application has been submitted to amend the conditional use permit for the operation of a restaurant at 763 Old Ballas Road, to increase the square footage of the existing restaurant to 5,972 sq. ft. with a new 758 sq. ft. storage area addition to the building. This will require the removal of 3 parking spaces from underneath the building.

**ADDITIONAL INFORMATION:** The full service restaurant at 763 Old Ballas Road received approval of the conditional use permit earlier this year February 11, 2013 (Ordinance No. 5296). Where any future enlargement, extension, expansion of the use must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission.

**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**

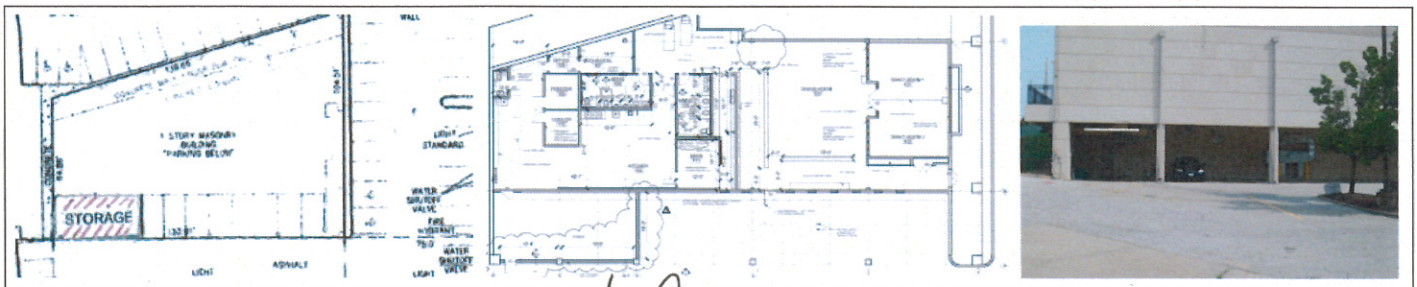
- Design Guidelines

**Zoning Code References**

- Section 405.210: Regulation of Uses
- Section 405.370 "CB" Core Business District
- Section 405.470 Conditional Uses
- Section 405.820 Required Off-Street Parking Spaces

**APPLICANT:** Adrian Glass  
The Post II Sports Bar and Grill  
763 Old Ballas Road  
Creve Coeur, MO 63141

**PROPERTY OWNER:** Old Ballas Place Investors, LLC  
1045 South Mills Rd, Suite 1  
Town & Country, MO 63017



**REPORT PREPARED BY:**

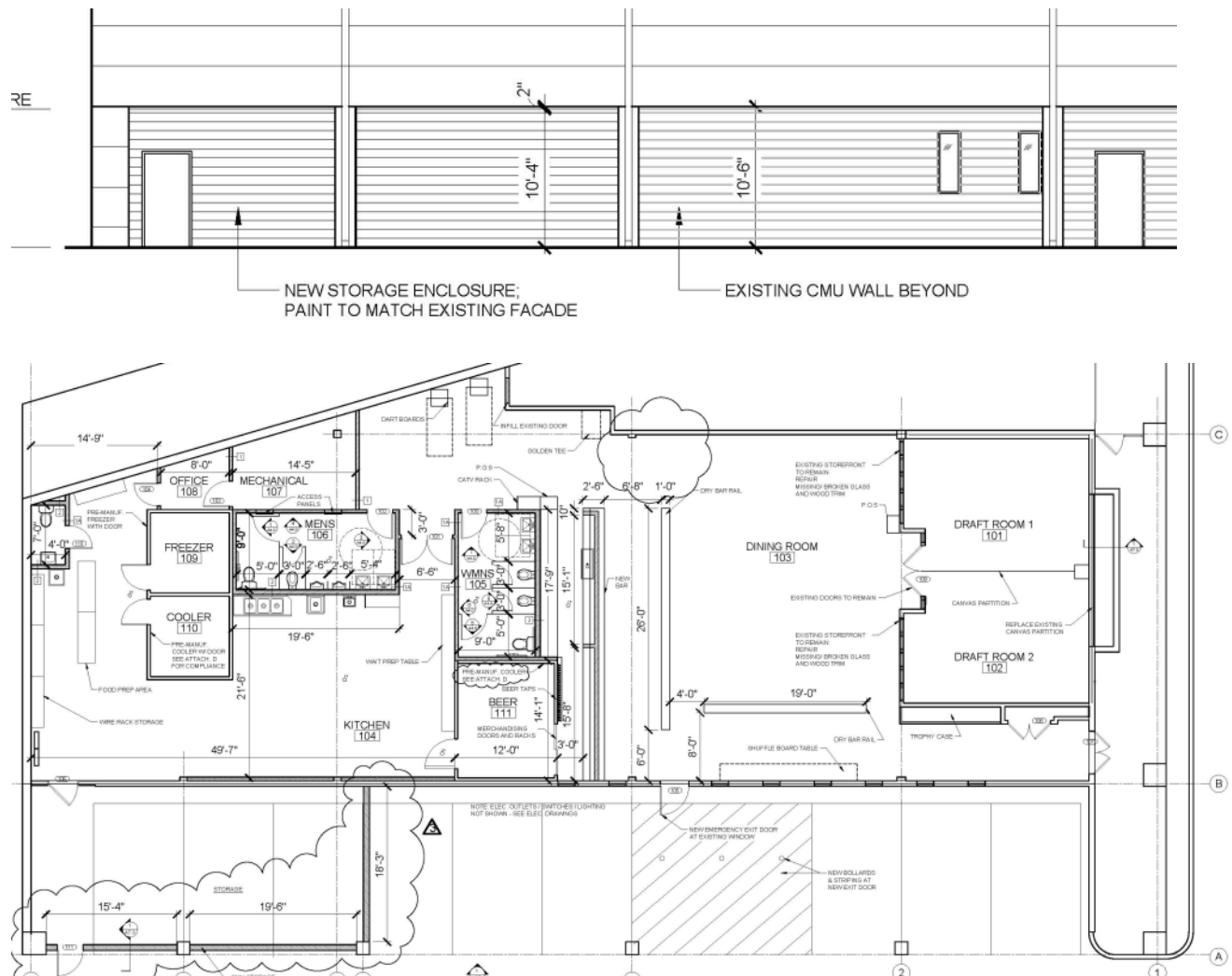
*Whitney Kelly*  
Whitney Kelly, AICP

8/14/2013  
Date

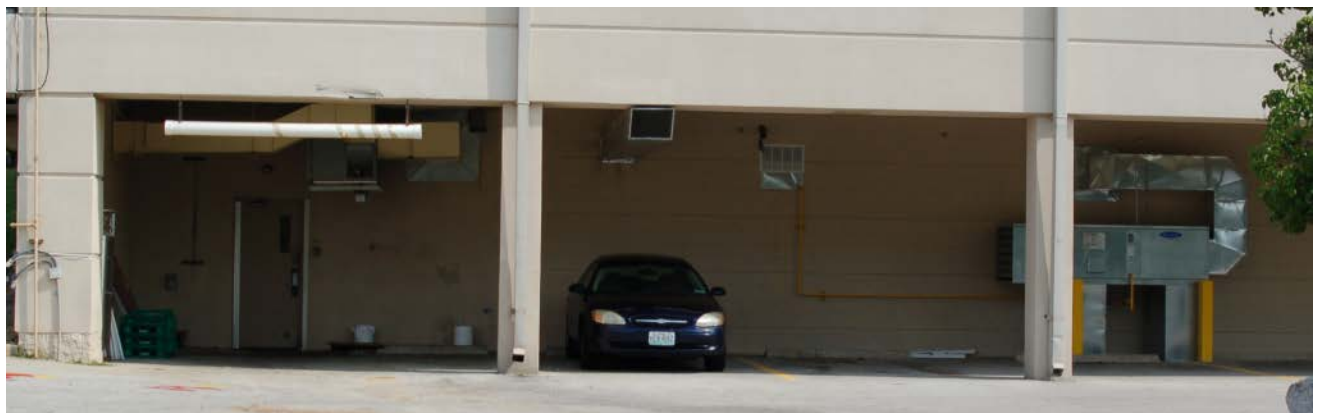
**ATTACHMENTS:** Applicant's Materials submitted July 12, 2013  
Draft Ordinance  
Ordinance Number 5296



The applicant is seeking approval of the additional space for dry goods storage at the southwest corner of the building. The new space will enclose the southwest section of the building to the second overhang support post, will not extend beyond the overhang of the building and will be built of similar CMU materials and painted to match the existing building, per the elevation and site plan below:



Below is a close-up photo of the area:



## 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<br>(under construction) | "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. As the use already exists, the only issue is the design of the storage area. The Design Guidelines states that trash enclosures and other service spaces should be constructed of durable materials and finishes which are consistent with the main restaurant building. The proposal meets with these requirements.

## ZONING REVIEW

As the use already exists, the only zoning matters to review is the size of the restaurant space to the overall percentage of the building, and the impact of removing the three parking spaces will have on the minimum on-site parking spaces 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 40% of the building square footage. The existing space represented 32% of the building square footage. The additional storage area increases the restaurant to 37% of the building square footage, thus the requirement is met.

### *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." The site plan shows that a total of 109 parking spaces are currently available, with the elimination of the three spaces, leaving a total of 106 spaces. The following table shows the parking calculations for the entire center:

| Tenant                       | Use        | Size (sq.ft.)                                 | Parking Regulations                                         | # of spaces |
|------------------------------|------------|-----------------------------------------------|-------------------------------------------------------------|-------------|
| Post II Sports Bar and Grill | Restaurant | 5,972<br>(+93 indoor seats, 36 outdoor seats) | 1 per 3 seats in C.U.P.<br>+ 1/250 sf + 1 per 8 patio seats | 61          |
| 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          |
| <b>Total Building:</b>                     |        | 16,988 | <b>Total:</b> | 110        |
| Minus 15% Reduction:                       |        |        |               | 16.5       |
| <b>Total # of Parking Spaces Required:</b> |        |        |               | <b>94</b>  |
| <b>Total Available On-site:</b>            |        |        |               | <b>106</b> |

As the table indicates a total of 94 spaces are required. The site has a regulatory surplus of twelve spaces. The loss of this parking for storage should not create an issue for the property. It is worth noting that the use of the spaces was marginal due to the location and nearby mechanical equipment.

#### **RECOMMENDATION**

Based on the above analysis, the request to amend the conditional use permit meets all of the requirements of the Comprehensive Plan and the Zoning Ordinance, subject to the conditions listed below, and are included in the draft ordinance:

- The amendment shall allow for the construction of a 758 square foot storage area at the southwest corner of the building underneath the overhang of the building.
- The applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations and floor plans shall be in substantial conformance with the plans submitted for The Post II received July 15, 2013 as bound together and submitted in conjunction with Application #13-036.

#### **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 #13-036 to amend the conditional use permit for the full service restaurant 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 August 19, 2013” (conditions may be added, eliminated, or modified by preceding motion).

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#### **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                                                                   |
|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|    | <p>View of the proposed tenant space looking west from across Old Ballas Road.</p>       |
|   | <p>View of the space looking northwest from the southeast corner of the parking lot.</p> |
|  | <p>Close-up view of the space looking north from the south property line.</p>            |



### **Rationale**

We opened The Post Sports Bar & Grill at 763 Old Ballas Rd on July 15<sup>th</sup>, 2013. We are very excited about the prospect of doing business in Creve Coeur.

In order to operate at an efficient level it is imperative that we purchase some of our products in bulk. In order to do so, we are in dire need of slightly more space for some extra dry goods storage. We would like to build a permanent storage area adjacent to our restaurant on the south side of the building. The storage space would take up 3 existing parking spots. The current parking lot has 109 parking spots and currently requires only 101 spots. The addition of the storage area would remove 3 parking spots from the lot, bringing the total amount of parking spaces down to 106. The additional storage area also increases the number of spots required by 3 (up to 104 total spots). Therefore, after the storage area is completed, the parking lot would still have 2 more spaces than code requires.

The storage area would be built out of the same material as the building itself, thereby upholding the aesthetic integrity of the building.

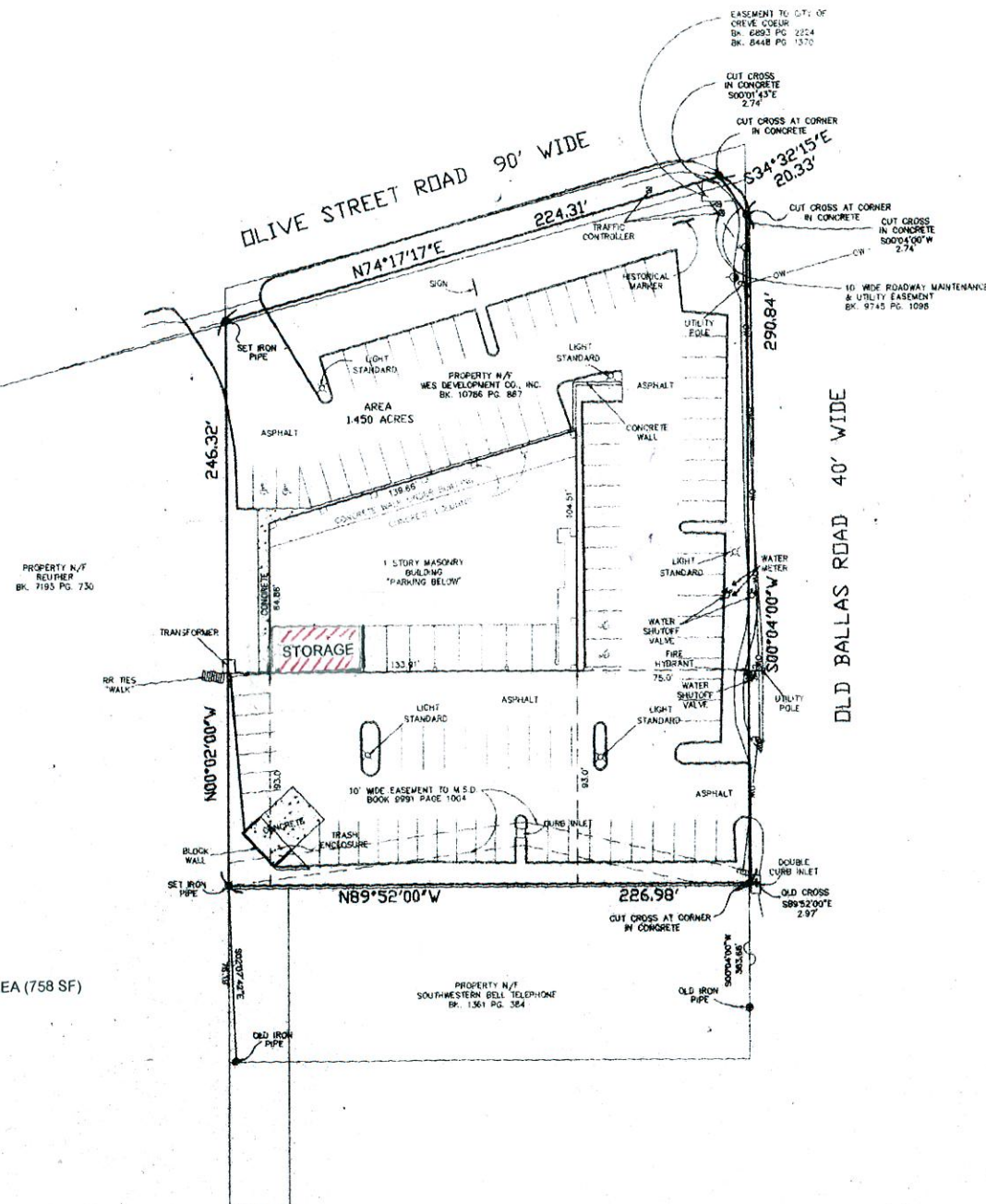
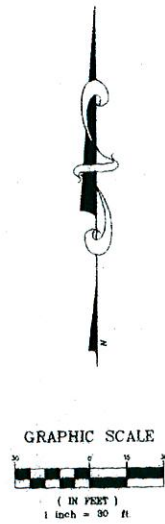
We sincerely hope you approve this CUP in order for us to achieve the economies of scale needed in regards to product ordering to remain successful at this location. Without additional storage we will consistently run out of several food and liquor products, which results in a poor business model for us as well as a poor experience for our patrons.

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](http://www.thepostsportsbar.com)  
[thepostsportsbar@gmail.com](mailto:thepostsportsbar@gmail.com)  
618-920-9419

A TRACT OF LAND BEING PART OF STUDD'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

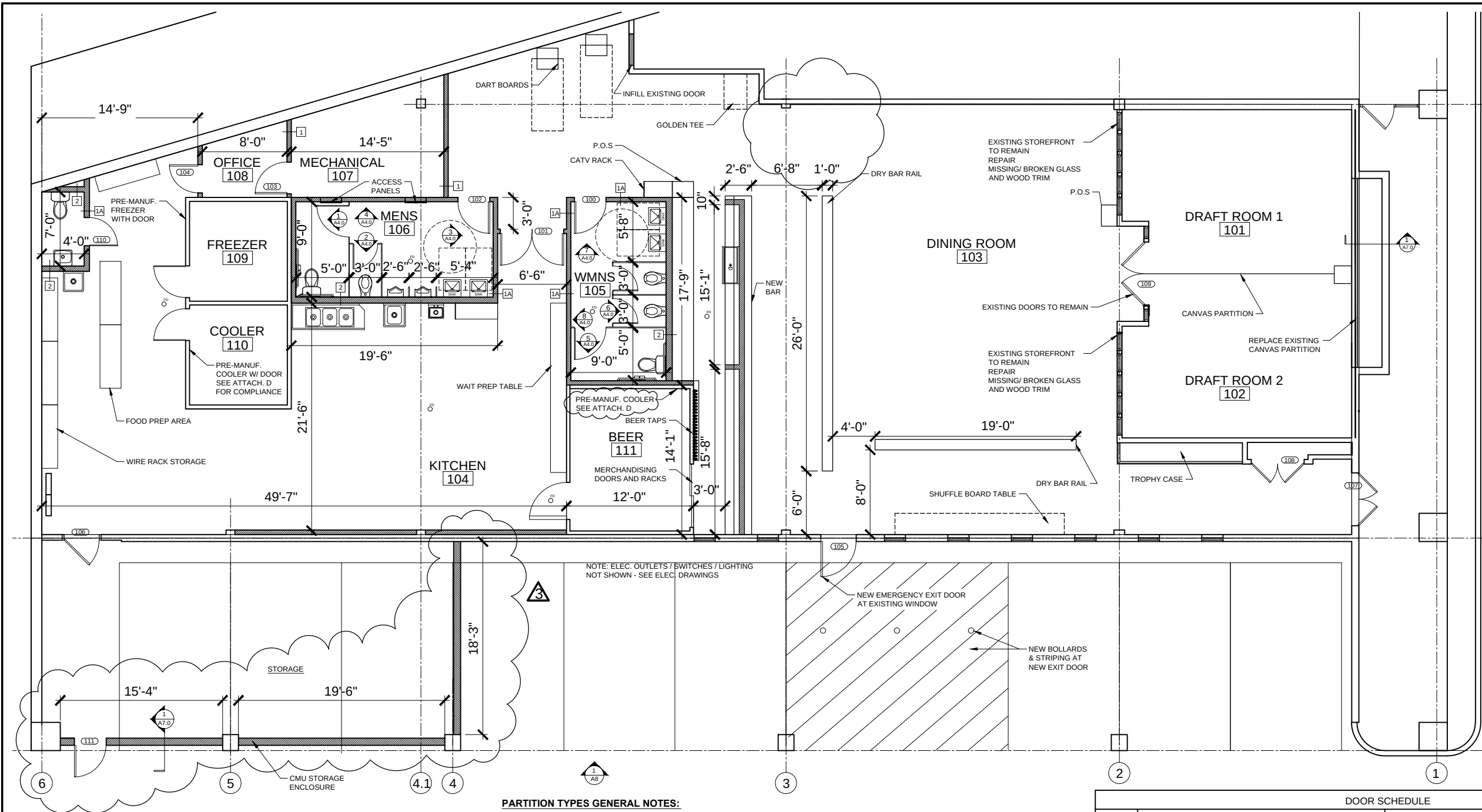


- GENERAL NOTES:
1. BASIS OF BEARINGS: THE DEED RECORDED IN BOOK 8766 PAGE 1503 OF THE ST. LOUIS COUNTY RECORDS.
  2. ALL LINES ARE PERPENDICULAR TO THE PROPERTY LINES UNLESS OTHERWISE NOTED.
  3. THIS PLAT AND THE SURVEY ON WHICH IT IS BASED IS REFERENCED TO A TITLE COMMITMENT REPORT BY COMMONWEALTH LAND TITLE INSURANCE COMPANY - FILE NO. 1185257 - ABSTRACT NO. 24474 - DATED MARCH 15, 1997 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.
    2. AN EASEMENT DISCLOSED BY AN INSTRUMENT RECORDED IN BOOK 6893 PAGE 2224 AND BOOK 8448 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. PERPETUAL ROADWAY MAINTENANCE IMPROVEMENTS AND UTILITY EASEMENT ON FAVOR OF THE CITY OF CREVE COEUR RECORDED IN BOOK 9745 PAGE 1096 (EASEMENT HAS BEEN PLOTTED AND NOTED ON THIS PLAT AT THE NORTHEAST CORNER OF THE PROPERTY.)
    4. AN EASEMENT DISCLOSED BY AN INSTRUMENT RECORDED IN BOOK 9991 PAGE 1004 IN FAVOR OF METROPOLITAN ST. LOUIS SENIOR DISTRICT (EASEMENT HAS BEEN PLOTTED AND NOTED ON THIS PLAT ALONG THE SOUTH LINE OF THE PROPERTY.)
  4. ALSO THE FOLLOWING PREPRINTED EXCEPTIONS:
    1. RIGHTS OR CLAIMS OF PARTIES OTHER THAN INSURED IN ACTUAL POSSESSION OF ANY OR ALL OF THE PROPERTY.
    2. EASEMENTS OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.
  5. CLASS OF PROPERTY - URBAN

STORAGE = NEW STORAGE AREA (758 SF)

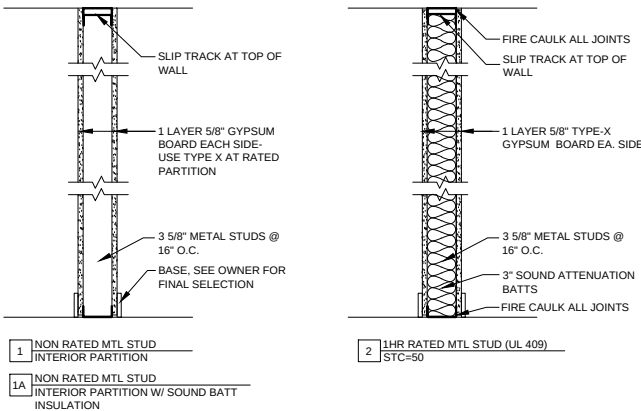
THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF AUGUST, 1997, BY ORDER OF MIDWEST PARTNERSHIP, PREPARED A BOUNDARY SURVEY AND LOCATED IMPROVEMENTS ON A TRACT OF LAND BEING PART OF "STUDD'S HOME PLACE", A SUBDIVISION ON 7152 IN PLAT BOOK 7 PAGE 38 OF THE ST. LOUIS COUNTY RECORDS AND BEING PART OF 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. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE CURRENT STANDARDS (N.E.S.-30-15.0) FOR PROPERTY BOUNDARY SURVEYS OF THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT AND MEETS THE ACCURACY REQUIREMENTS SET FORTH FOR AN URBAN PROPERTY.





- GENERAL NOTES:**
- A. MEP SYSTEMS ARE SHOWN FOR GENERAL REFERENCE ONLY. CO-ORD W/ FINAL SYSTEM DESIGN
  - B. 'ES' REFERS TO EXISTING ELECTRICAL SERVICE; 'GS' = EXISTING GAS SERVICE; 'WS' = EXISTING WATER SERVICE.
  - C. REMOVED ELECTRICAL FIXTURES TO BE CAPPED PER LOCAL ELECTRICAL CODES.
  - D. OWNER TO PROVIDE LIGHT FIXTURES. G.C. TO INSTALL PER CODE ON DESIGN BUILD BASIS
  - E. ALIGN FACES OF GYP. BD. WALLS WHERE APPLICABLE
  - F. KITCHEN DESIGN TO BE PROVIDED BY OWNER
  - G. PROVIDE ELECTRICAL CONNECTIONS FOR ALL APPLIANCES AND FIXTURES. REFER TO KITCHEN PLANS PROVIDED BY OWNER.
  - H. SMOKE DETECTORS SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR.
  - I. G.C. TO ENSURE LEVEL FLOOR.
  - J. ALL FURNITURE TO BE SUPPLIED BY OWNER.
  - K. NEW WALL LOCATIONS NOT TO INTERFERE W/ EXIST. WINDOWS.
  - L. ALL SPRINKLER WORK TO BE DONE PER CODE ON A DESIGN BUILD BASIS BY A LICENSED SPRINKLER CONTRACTOR.
  - M. ALL COOLERS AND FREEZERS ARE PRE-MANUFACTURED AND TO BE PROVIDED BY OWNER
  - N. ELECTRICAL LIGHT SWITCHES AND OUTLETS SHALL BE INSTALLED PER CODE & FINAL LAYOUT SHALL BE APPROVED BY OWNER.
  - O. PROVIDE CODE COMPLIANT VENTING FOR RESTROOMS.
  - P. PROVIDE CODE COMPLIANT VENTING FOR ALL KITCHEN APPLIANCES.
  - Q. EXISTING GREASE TRAP TO BE CLEANED AND FILLED. NEW GREASE TRAP TO BE INSTALLED PER CODE.
  - R. GREASE HOOD EXHAUST DUCT TO BE PROTECTED WITH PYROSCAT BRAND DUCT WRAP ENCLOSURE SYSTEM. SEE ATTACHMENT C.
  - S. FIRE SUPPRESSION SYSTEM TO BE INSTALLED THROUGHOUT SPACE AND TO BE MONITORED BY A CENTRAL MONITORING SYSTEM.

**1 FLOOR PLAN**  
SCALE: 3/32" = 1'-0"



**2 PARTITION TYPES**  
SCALE: 1/2" = 1'-0"

**PARTITION TYPES GENERAL NOTES:**

1. PROVIDE CONTINUOUS BEADS(3) OF ACOUSTICAL SEALANT AT TOP, SIDE, AND BOTTOM TRACKS WHERE PARTITION ABUTS EXISTING FLOORS AND WALLS.
2. USE COMMERCIALLY AVAILABLE SLEEVES FOR SMALLER PIPES THAT CAN BE USED ON WALLS OF CONSTRUCTION SUITABLE FOR ACCOMMODATING THE SLEEVE. ACOUSTICAL SEALANT MAY STILL REQUIRED TO SEAL ANY REMAINING CRACKS OR POOR FIT OF PIPES TO SLEEVE.
3. DUCTS, PIPES, AND CONDUITS SHOULD NEVER BE SUPPORTED BY OR IN RIGID CONTACT WITH THE WALL. LARGE OPENINGS SHOULD BE CLOSED TO WITHIN 1/4" TO 1-1/2" OF THE PENETRATING ELEMENT AND FINAL SEAL.
4. FIBERGLASS SOUND BATTS OR MINERAL WOOL TO 1/2" OF SURFACE AS BACKER. COVER BACKER WITH ACOUSTICAL SEALANT TO FILL VOID AND PATCH SURFACE WITH PATCHING PLASTER AS REQUIRED.
5. COVER ALL SIDES AND BACK OF WALL-MOUNTED ELECTRICAL DEVICES WITH FIBERGLASS SOUND BATTS AND PROVIDE ACOUSTICAL SEALANT AT ALL EDGES TO THOROUGHLY SEAL PENETRATIONS.
6. NO BACK TO BACK ELECTRICAL DEVICES IN WALLS WITH ELECTRICAL OUTLETS ON BOTH SIDES. MAINTAIN A MINIMUM OF 16" OF HORIZONTAL SEPARATION BETWEEN OUTLETS. THIS ALSO APPLIES TO ANY OTHER DEVICES THAT WOULD PENETRATE THE WALL SURFACE SUCH AS WALL SCONCES, EXIT LIGHTING, SWITCH BOXES, ETC.
7. PROVIDE EITHER SEISMIC WIRE BRACING OR 2X4 KICKERS @ 48" O.C. ATTACHED TO DECK ABOVE PARTITIONS

| DOOR SCHEDULE |                    |      |          |        |          |        |          |                   |        |
|---------------|--------------------|------|----------|--------|----------|--------|----------|-------------------|--------|
| NO.           | DOOR               |      |          |        | FRAME    |        | LABEL    | HARDWARE          |        |
|               | SIZE (W x H)       | TYPE | MATERIAL | FINISH | MATERIAL | FINISH | (in min) | GROUP             | NOTES  |
| 100           | 3'-0" X 7'-0"      | F    | HM       | PT     | HM       | PT     | ---      | CYLINDER          | ---    |
| 101           | 6'-0" X 7'-0" PAIR | F    | HM       | PT     | HM       | PT     | ---      | CYLINDER          | ---    |
| 102           | 3'-0" X 7'-0"      | F    | HM       | PT     | HM       | PT     | ---      | CYLINDER          | ---    |
| 103           | 3'-0" X 7'-0"      | F    | HM       | PT     | HM       | PT     | ---      | STORAGE LOCK      | ---    |
| 104           | 2'-8" X 7'-0"      | F    | HM       | PT     | HM       | PT     | ---      | PRIVACY           | ---    |
| 105           | 3'-4" X 7'-0"      | F    | HM       | PT     | HM       | PT     | ---      | CYLINDER W/ PANIC | ---    |
| 106           | 3'-4" X 7'-0"      | F    | HM       | PT     | HM       | PT     | ---      | CYLINDER W/ PANIC | EXIST. |
| 107           | 6'-0" X 7'-0"      | F    | FG       | ---    | HM       | PT     | ---      | CYLINDER          | EXIST. |
| 108           | 5'-0" X 7'-0"      | F    | HM       | PT     | HM       | PT     | ---      | STORAGE LOCK      | EXIST. |
| 109           | 6'-0" X 7'-0"      | F    | FG       | ---    | HM       | PT     | ---      | CYLINDER          | EXIST. |
| 110           | 6'-0" X 7'-0"      | F    | HM       | PT     | HM       | PT     | ---      | PRIVACY           | ---    |
| 111           | 3'-4" X 7'-0"      | F    | HM       | PT     | HM       | PT     | ---      | CYLINDER W/ PANIC | ---    |

**DOOR SCHEDULE LEGEND:**

|       |                 |
|-------|-----------------|
| HM    | HOLLOW METAL    |
| AL    | ALUMINUM        |
| WD    | WOOD            |
| PT    | PAINT           |
| ST    | STAIN           |
| SL    | CLEAR SEAL      |
| SCWD  | SOLID CORE WOOD |
| MANUF | MANUFACTURER    |
| F     | FLUSH           |
| G     | HALF GLASS      |
| V     | VISION LITE     |
| FG    | FULL GLASS      |
| N     | NARROW LITE     |

| DATE     | ISSUE           |
|----------|-----------------|
| 10/24/12 | PERMIT          |
| 02/20/13 | 1 CITY COMMENTS |
| 04/2/13  | 2 ADDENDUM      |
| 06/05/13 | 3 ADDENDUM      |
| 07/11/13 | 4 CUP APPLIC.   |

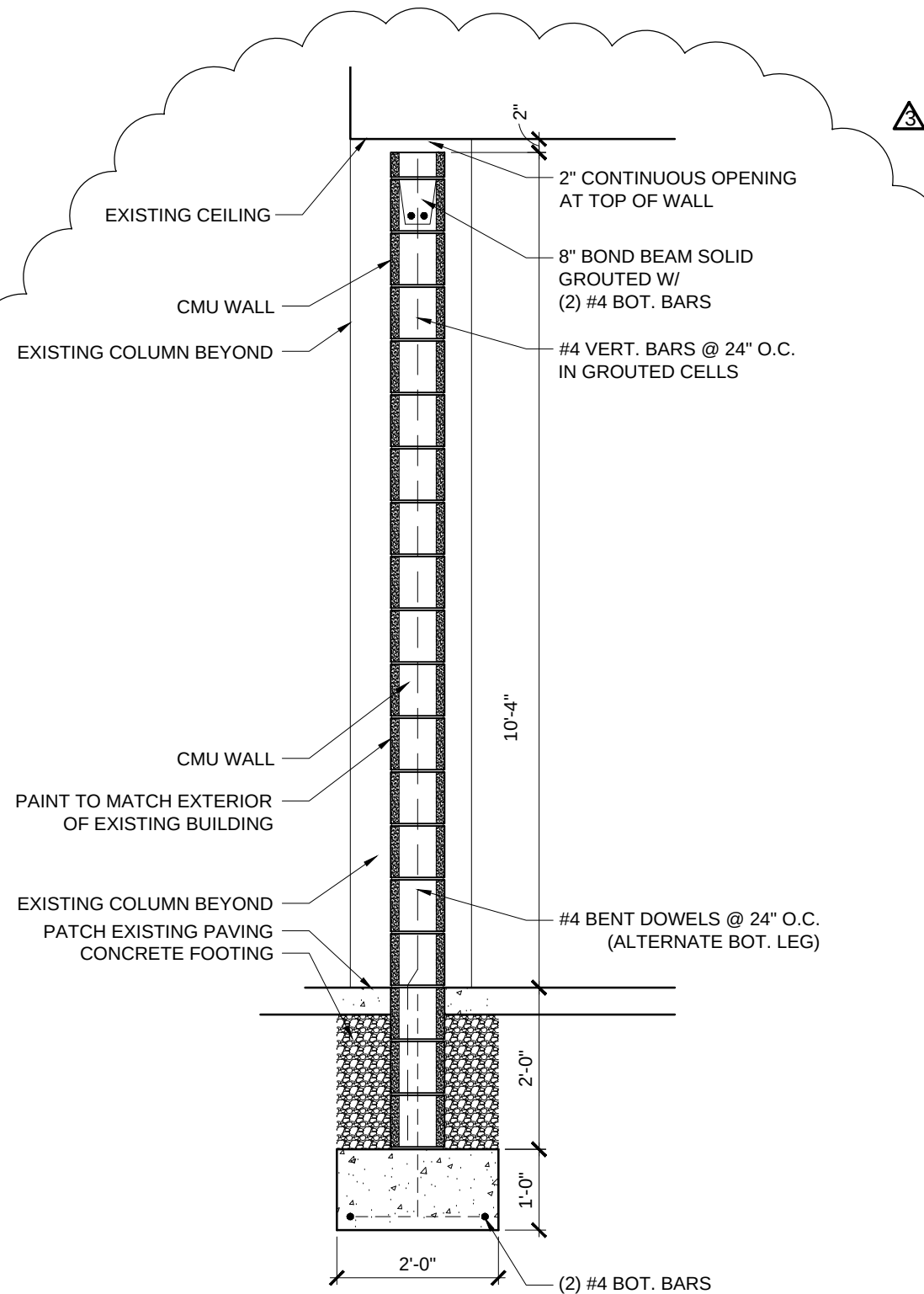
**THE POST II**  
763 OLD BALLAS ROAD  
CREVE COEUR, MO  
63141

SHEET NO.  
**A2**  
FLOOR PLANS

**KILLEEN STUDIO  
ARCHITECTS**  
3015 Salena Street  
St. Louis, MO 63118  
tel: 314.771.0883  
fax: 314.771.0154







**1** **DETAIL AT STORAGE ENCLOSURE**  
SCALE: 1/2" = 1'-0"

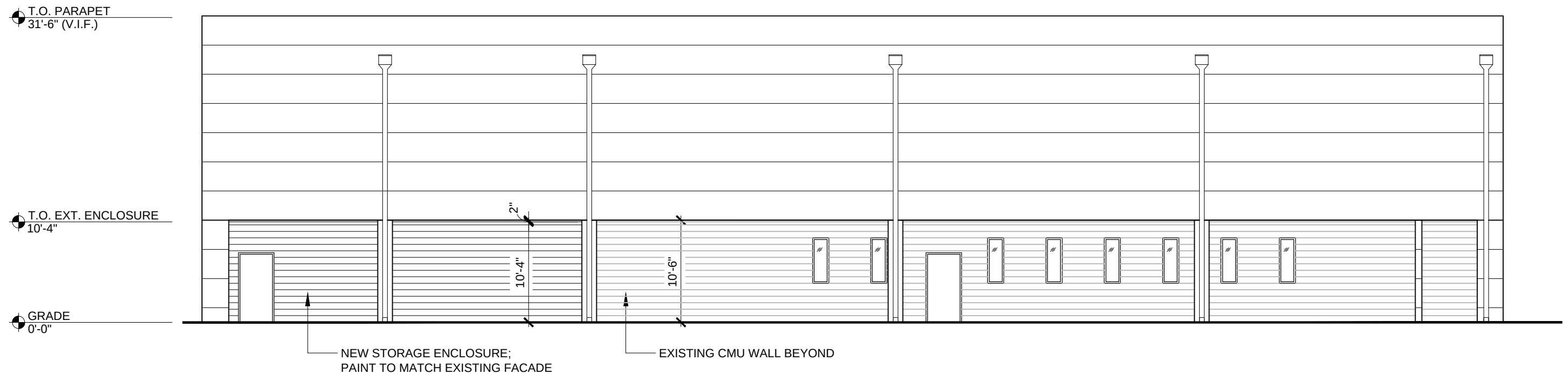
| DATE              | ISSUE         |
|-------------------|---------------|
| 10/24/12          | PERMIT        |
| 02/20/13 <b>1</b> | CITY COMMENTS |
| 04/2/13 <b>2</b>  | ADDENDUM      |
| 06/05/13 <b>3</b> | ADDENDUM      |
| 07/11/13 <b>4</b> | CUP APPLIC.   |

**THE POST II**  
763 OLD BALLAS ROAD  
CREVE COEUR, MO  
63141

SHEET NO.  
**A7**  
DETAILS

**KILLEEN STUDIO  
ARCHITECTS**  
3015 Salena Street  
St. Louis, MO 63118  
tel: 314.771.0883  
fax: 314.771.0154





1 SOUTH EXTERIOR ELEVATION  
SCALE: 3/32" = 1'-0"

| DATE       | ISSUE         |
|------------|---------------|
| 10/24/12   | PERMIT        |
| 02/20/13 1 | CITY COMMENTS |
| 04/2/13 2  | ADDENDUM      |
| 06/05/13 3 | ADDENDUM      |
| 07/11/13 4 | CUP APPLIC.   |

THE POST II  
763 OLD BALLAS ROAD  
CREVE COEUR, MO  
63141

SHEET NO.  
**A8**  
ELEVATION

KILLEEN STUDIO  
ARCHITECTS  
3015 Salena Street  
St. Louis, MO 63118  
tel: 314.771.0883  
fax: 314.771.0154



| SQ Footage & Rent Roll <u>WITH</u> Additional storage space |       |         |                |                                   |             |
|-------------------------------------------------------------|-------|---------|----------------|-----------------------------------|-------------|
|                                                             | SQ FT | % sq ft | Interior Seats | Current Parking (without storage) | 110         |
| AT&T                                                        | 6509  | 38.32%  | 93             | Current Parking (with storage)    | 107         |
| VENINGA JEWELERS                                            | 1039  | 6.12%   |                |                                   |             |
| COBBLESTONE                                                 | 983   | 5.79%   | Exterior Seats |                                   |             |
| CHOICE CABINET                                              | 932   | 5.49%   | 36             | Needed Parking                    |             |
| The Post                                                    | 5972  | 35.15%  |                | by sq ft                          | 67.952 68   |
| TOTAL COMPUTER                                              | 1553  | 9.14%   |                | by exterior seats                 | 4.5 5       |
| TOTL SQ Ft                                                  | 16988 |         |                | by interior seats                 | 31 31       |
|                                                             |       |         |                | TOTAL NEEDED                      | 103.452 104 |

| SQ Footage & Rent Roll <u>WITHOUT</u> Additional storage space |       |         |                |                   |            |
|----------------------------------------------------------------|-------|---------|----------------|-------------------|------------|
|                                                                | SQ FT | % sq ft | Interior Seats | Current Parking   | 110        |
| AT&T                                                           | 6509  | 38.32%  | 93             |                   |            |
| VENINGA JEWELERS                                               | 1039  | 6.12%   |                |                   |            |
| COBBLESTONE                                                    | 983   | 5.79%   | Exterior Seats |                   |            |
| CHOICE CABINET                                                 | 932   | 5.49%   | 36             | Needed Parking    |            |
| The Post                                                       | 5214  | 30.69%  |                | by sq ft          | 64.92 65   |
| TOTAL COMPUTER                                                 | 1553  | 9.14%   |                | by exterior seats | 4.5 5      |
| TOTL SQ Ft                                                     | 16230 |         |                | by interior seats | 31 31      |
|                                                                |       |         |                | TOTAL NEEDED      | 100.42 101 |

# OLD BALLAS SHOPPING CENTER

## St. Louis, Missouri

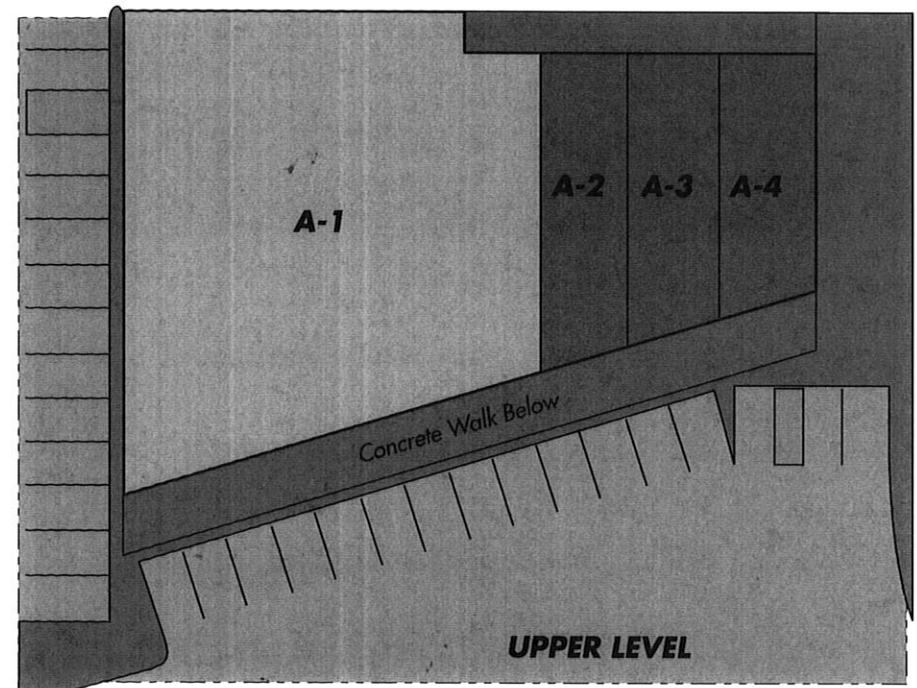
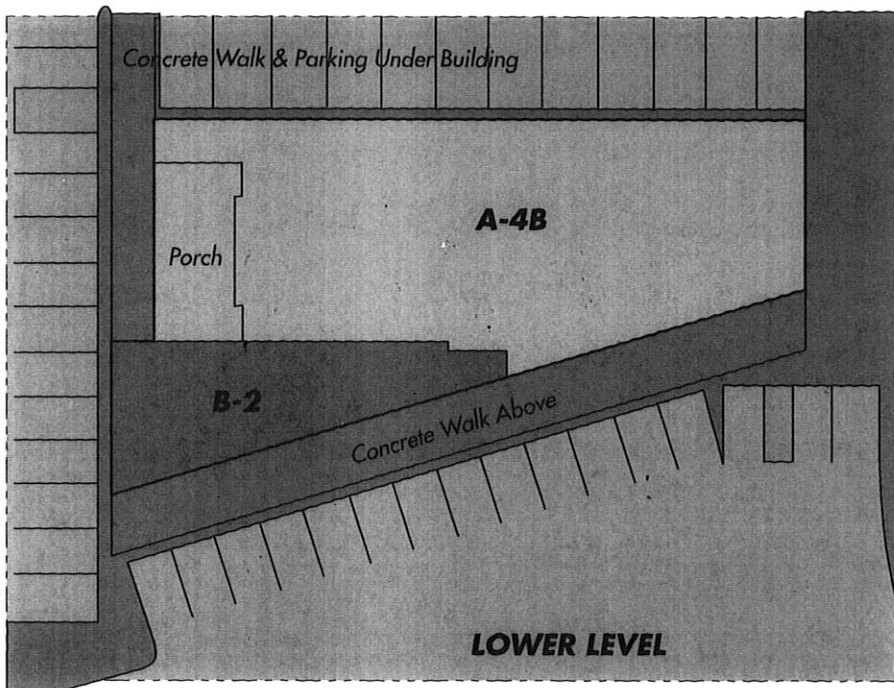
SITE SUMMARY

| UNIT | TENANT           | SQ FT |
|------|------------------|-------|
| A-1  | AT&T             | 6509  |
| A-2  | VENINGA JEWELERS | 1039  |
| A-3  | COBBLESTONE      | 983   |
| A-4  | CHOICE CABINET   | 932   |
| A-4B | The Post         | 5972  |
| B-2  | TOTAL COMPUTER   | 1553  |

TOTL SQ Ft **16988**

**PRIORITY  
PROPERTIES**

1045 South Woods Mill Rd., Suite One  
Town & Country, MO 63017  
(636) 227-3200



This site plan is presented solely for the purpose of identifying the approximate location and size of the building presently contemplated by the owner. Building sizes, site dimensions, access and parking areas, existing tenant locations and identities are subject to change without notice at the owners discretion.

Revised 11/10

**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

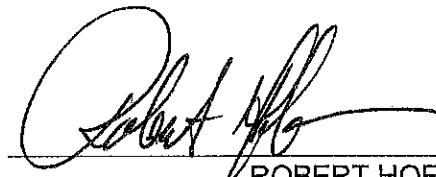
shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.

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.

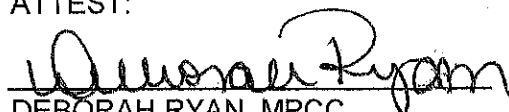
ADOPTED THIS 11th DAY OF February, 2013.

  
ROBERT HOFFMAN  
PRESIDENT OF CITY COUNCIL

APPROVED THIS 11th DAY OF February, 2013.

  
BARRY GLANTZ  
MAYOR

ATTEST:

  
DEBORAH RYAN, MPCC  
CITY CLERK



city  
of

# CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141  
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966  
[www.creve-coeur.org](http://www.creve-coeur.org)

August 21, 2013

Mr. Adrian Glass  
The Post Sports Bar and Grill  
7372 Manchester Road  
Maplewood, MO 63143

Re: Application #13-036; Conditional Use Permit for The Post II Sports Bar & Grill  
763 Old Ballas Road

Mr. Glass:

The Planning and Zoning Commission, at its meeting of August 19, 2013, reviewed your request for an amendment to the existing conditional use permit for The Post II Sports Bar and Grill, a restaurant located at 763 Old Ballas Road.

By unanimous vote, the Planning Commission recommends approval of the amendment to the existing 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, August 26<sup>th</sup>, 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  
G. Eidman, Chief of Police  
S. Unser, Chief Building Official



**CITY OF CREVE COEUR - MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
MONDAY, AUGUST 19, 2013  
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, August 19, 2013, 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. James Faron***  
                                 ***Mr. Ken Howard***  
                                 ***Mr. Charles Pullium***  
                                 ***Mr. Gene Rovak***

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. PUBLIC HEARING**

**Application #13-036: Approval of an amendment to the conditional use permit for The Post II Sports Bar and Grill at 763 Old Ballas Road for a 758 sq. ft. addition to the building.**

Applicant/Agent: Adrian Glass  
                         The Post II Sports Bar and Grill  
                         763 Old Ballas Road  
                         Creve Coeur, MO 63141

Property Owner: Old Ballas Place Investors, LLC  
                         1045 South Mills Rd, Suite 1  
                         Town & Country, MO 63017

Mr. Adrian Glass, 763 Old Ballas Road, said he is asking to amend the conditional use permit to allow for a 758 sq. ft. addition. Mr. Glass said the addition is proposed on the south side of the building in the “tuck-under” parking area and they will lose three parking spaces. Mr. Glass explained the reason for the addition is to allow for more storage space, since business has been good and they have found themselves several times running out of supplies and with additional storage space they can order more product.

Mr. Faron asked if it is an EIFS system that is currently running above the columns. Mr. Chris Nieburg, Blackline Design and Construction, the general contractor, said yes it was an EIFS system and that they will continue with that same concept for the addition.

Mr. Whitney Kelly, City Planner, said the tenant has excess parking and staff does not find any issues with this project.

There being no further comments, City Attorney, Mr. Carl Lumley, presented the exhibits for the record and the public hearing was closed.

**(This ends the Public Hearing; see verbatim transcript for further information)**

Mr. Faron motioned to recommend approval of Application #13-036 to amend the conditional use permit for the full service restaurant 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 August 19, 2013. Mr. Rovak seconded the motion with the resultant vote as follows:

Mr. Rovak – aye  
Mr. Pullium – aye

Mr. Howard – aye  
Chair - aye

Mr. Faron – 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 9:50 p.m.

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*Timothy Madden, Chair*

---

*Julie Lowery, Recording Secretary*

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, AUGUST 19, 2013

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chair

Mr. James Faron

Mr. Ken Howard

Mr. Charles Pullium

Mr. Gene Rovak

Mr. Carl Lumley, City Attorney

Mr. Paul Langdon, AICP, Director of Community Development

Ms. Whitney Kelly, AICP, City Planner

Ms. Julie Lowery, Recording Secretary

PUBLIC HEARING

APPLICATION 13-036

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: That'll move us Public Hearing, Application No. 13-036: Approval of an amendment to the conditional use permit for the Post II Sports Bar and Grill at 763 Old Ballas Road for a 758 square foot addition to the building.

Anybody that's going to be involved in this, please come up, be sworn in. I guess that's it.

(The speakers were sworn in by the court reporter.)

CHAIRMAN MADDEN: State your name and address for the record, please.

ADRIAN GLASS: Adrian Glass. I'm the owner of Post Sports Bar and Grill located at 763 Old Ballas Road.

First of all, good evening, Commission Members.

And we're simply applying for an amendment to our conditional use permit, which would allow for 758 square foot addition to our building.

That addition would be located underneath the overhang, which is located on the south side of that building.

From a spacial standpoint, it would take up three parking spaces. The three most western parking spaces underneath that overhang.

The addition would be made of a material that is 100 percent matched to the current facade and it would sit

flush against the southernmost exterior wall to that building, so it looks like it would naturally fit there. It wouldn't be jutting out or anything like that.

The reason we're requesting this, business has been good since we opened up, and we're finding it difficult to keep product in -- in-house currently. We've ran out of products several times so far in the month that we've been open, and we would like the additional space primarily for storage.

It would also allow us the ability to purchase several items in bulk, which allows us to keep our costs down and thereby keeping price points at a minimum even through inflation.

So that's -- that's what we've got. That's what our request is.

Is there any -- any questions you have for me?

CHAIRMAN MADDEN: Mr. Faron.

MR. FARON: So it's purely for storage and just --

ADRIAN GLASS: Exactly, yeah. We'd, most likely, look at adding two refrigerators out there as well as a freezer. Again, and that's to -- to keep backup on hand.

MR. FARON: Is that back door, that's coming right out of the kitchen or the prep --



ADRIAN GLASS: Correct.

MR. FARON: -- kitchen?

ADRIAN GLASS: Currently it's coming out of the prep kitchen.

MR. FARON: Can I ask, I mean staff might know, is that an eff system there now that runs above those columns, so they --

CHRIS NIEBURG: Above it.

MR. FARON: It -- it is?

CHRIS NIEBURG: Yes.

MR. FARON: And the columns are?

CHRIS NIEBURG: The columns are an efface.

MR. FARON: Are they faced in efface too? Okay.

CHAIRMAN MADDEN: Could you state your name and address, just for the record.

CHRIS NIEBURG: Chris Nieburg with the general contractor, Blackline Design and Construction.

MR. FARON: So you just match what's there existing and there'd be efface panels between those columns?

CHRIS NIEBURG: What we'd be doing is, you have got the overhang that's efface and the columns are efface. We would be enclosing with CMU behind that, and then we'd be returning the back wall to the current CMU, and we'd -- we'd strike it the exact same way, so when we're done it

would look consistent.

MR. FARON: So exterior efface with -- would you line up those joints right there on that column?

CHRIS NIEBURG: Yes.

MR. FARON: Okay. And then inside, it would just be like a CMU box?

CHRIS NIEBURG: Correct.

MR. FARON: Thank you.

CHAIRMAN MADDEN: Any other questions?

Okay. Whitney.

MS. KELLY: Whitney Kelly, City Planner on behalf of the City of Creve Coeur.

We see no issues with this site regarding this project.

They have in excess of parking and, therefore, we don't see any issues.

CHAIRMAN MADDEN: Any questions for Whitney?

Anybody in the audience? I don't think so. Nobody got sworn in. And we're losing them rapidly.

Okay. Yes.

MR. LUMLEY: Offer the following exhibits into the record of this public hearing: Documentation in possession of the City Clerk reflecting notice provided to the public, staff's report, City Code of Ordinances and Charter, City's Comprehensive Plan and the public file

regarding the application.

(This ends the Public Hearing)

oOo

STATE OF MISSOURI     )  
                                  ) SS  
COUNTY OF ST. LOUIS   )

I, Deborah K. McLaughlin, Registered Professional Reporter, Missouri Certified Court Reporter, Illinois Certified Shorthand Reporter and Kansas Certified Court Reporter, do hereby certify that I reported the Planning and Zoning public hearings stenographically and later reduced to typewriting; and that this is a true and accurate transcript of the Public Hearing.

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Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR

AN ORDINANCE AMENDING THE ADOPTED 2013-2014 GENERAL FUND AND CAPITAL FUND  
BUDGETS OF THE CITY OF CREVE COEUR BY AUTHORIZING ADDITIONAL APPROPRIATIONS  
AND UNAPPROPRIATIONS FROM OPERATING DEPARTMENTS

WHEREAS, REVENUES WERE ESTIMATED AND APPROPRIATIONS WERE AUTHORIZED IN THE ANNUAL CITY BUDGET ADOPTED ON JUNE 24, 2013 BY ORDINANCE NO. 5308.

WHEREAS, IT IS IN THE INTEREST OF THE CITY OF CREVE COEUR TO AUTHORIZE ADDITIONAL APPROPRIATIONS TO PAY FOR UNBUDGETED AND UNANTICIPATED EXPENDITURES AND TO UNAPPROPRIATE ITEMS BUDGETED BUT NOT COMPLETED IN VARIOUS CATEGORIES AS PROVIDED IN THE CITY CHARTER AND THE CITY CODE.

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

SECTION 1. THAT THE ANNUAL OPERATING BUDGET FOR THE GENERAL AND CAPITAL FUNDS FOR THE 2013-2014 FISCAL YEAR AS ADOPTED, IS HEREBY AMENDED BY AUTHORIZING ADDITIONAL APPROPRIATIONS IN THE AMOUNT OF \$203,703 IN THE FOLLOWING DEPARTMENTS:

|                                              |                   |
|----------------------------------------------|-------------------|
| GENERAL FUND                                 |                   |
| PUBLIC WORKS-STREETS                         | 78,703            |
| TOTAL ADDITIONAL APPROPRIATIONS-GENERAL FUND | \$ 78,703         |
| CAPITAL FUND                                 |                   |
| CHILTON CULVERT REHABILITATION PROJECT       | \$ 125,000        |
| TOTAL ADDITIONAL APPROPRIATIONS-CAPITAL FUND | \$ 125,000        |
| TOTAL ALL ADDITIONAL APPROPRIATIONS          | <u>\$ 203,703</u> |

SECTION 2. THAT THE ANNUAL OPERATING BUDGET FOR THE GENERAL FOR THE 2013-2014 FISCAL YEAR AS ADOPTED, IS HEREBY AMENDED BY AUTHORIZING ADDITIONAL UNAPPROPRIATIONS IN THE AMOUNT OF \$66,964.

|                                       |               |
|---------------------------------------|---------------|
| GENERAL FUND                          |               |
| PUBLIC WORKS-STREETS                  | 50,065        |
| PUBLIC WORKS PARKS                    | 16,899        |
| TOTAL UNAPPROPRIATIONS-GENERAL FUND   | \$ 66,964     |
| TOTAL ALL ADDITIONAL UNAPPROPRIATIONS | <u>66,964</u> |

SECTION 3. THIS ORDINANCE SHALL BECOME EFFECTIVE PURSUANT TO PROVISIONS OF SECTION 3.11(G) OF THE CHARTER.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2013.

\_\_\_\_\_  
SCOTT SAUNDERS  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2013.

\_\_\_\_\_  
BARRY GLANTZ  
MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH RYAN, MPCC  
CITY CLERK



# MEMORANDUM

---

DATE: August 22, 2013

TO: Mark Perkins, City Administrator

FROM: Daniel Smith, Director of Finance

SUBJECT: Budget Adjustments to FY 2014 Budget

The FY 2014 budget was approved by City Council on June 24, 2013 by Ordinance No. 5308. Since that time two situations have occurred which will require adjustments to the FY 2014 budget. These are:

1. Chilton Culvert Rehabilitation Project

The Chilton culvert project was a project that was budgeted in 2013 but, due to timing issues was not completed during that year. As a result the Capital Fund budget needs additional appropriations of \$125,000 for this project.

2. Seasonal Personnel versus Temp Services

In FY 2014 the City made the decision to procure all its part-time help for Public Works through the use of temp services instead of a mix of those services and part-time employees. As a result the temp services account in the Streets Department needs to be increased by \$78,703. In addition, the part-time (seasonal) employee accounts will be reduced a total of \$66,964 in Streets and Parks.

It should be noted that \$150,000 was already anticipated in FY 2014 for stormwater projects. However, due to a recent failure of a dam at the Dielmann Recreation Complex that \$150,000 will be used to fund a portion of the Dielmann project. Therefore no reallocation of those funds is possible. Staff will be meeting to consider adjustments to the 5-year capital plan to deal with the entire Dielmann Recreation Complex project.

I would be pleased to respond to any questions.

## RESOLUTION NO. 1076

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT EXTENDING THE TERM OF THE PROFESSIONAL SERVICES AGREEMENT WITH AMERICAN TRAFFIC SOLUTIONS.**

**WHEREAS**, the City and American Traffic Solutions, Inc. (herein "ATS") are party to that certain Professional Services Agreement dated January 26, 2007 (herein the "Services Agreement") regarding photo-traffic monitoring services, and

**WHEREAS**, City and ATS subsequently extended the term of the Services Agreement to expire September 30, 2013, and

**WHEREAS**, City and ATS desire to extend the term of the Services Agreement so that it does not expire until December 31, 2013,

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

**Section 1:** The City Administrator is hereby authorized and directed to enter into and execute an agreement with ATS extending the term of the Services Agreement to expire December 31, 2013, in the form attached hereto as Exhibit A, and the City Clerk is authorized and directed to attest thereto. The agreement as executed shall be consistent with the provisions and intent of this Resolution and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the agreement.

**Section 2:** This resolution shall become effective upon approval.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
Barry Glantz  
Mayor

Attest:

\_\_\_\_\_  
Deborah Ryan, MPCC  
City Clerk

## **AGREEMENT**

Agreement made this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between the City of Creve Coeur, Missouri (herein the “City”), and American Traffic Solutions, Inc. (herein “ATS”), to wit:

**WHEREAS**, City and ATS are party to that certain Professional Services Agreement dated January 26, 2007 (herein the “Services Agreement”) regarding photo-traffic monitoring services, and

**WHEREAS**, City and ATS subsequently extended the term of the Services Agreement to expire September 30, 2013, and

**WHEREAS**, City and ATS desire to extend the term of the Services Agreement so that it does not expire until December 31, 2013,

**NOW, THEREFORE**, in accordance with the foregoing recitals which are part of this Agreement, and in consideration of the promises herein made and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. The term of the Services Agreement is hereby extended to expire December 31, 2013.
2. The Parties and the undersigned individuals hereby warrant and represent they have all requisite authority to enter into this Agreement.
3. This Agreement may be executed in counterparts, the agreement to be effective on the date that the last signature herein below required is affixed.

WITNESSETH OUR HANDS:

City of Creve Coeur, Missouri

American Traffic Solutions, Inc.

By:\_\_\_\_\_

By:\_\_\_\_\_

Name:\_\_\_\_\_

Name:\_\_\_\_\_

Title:\_\_\_\_\_

Title:\_\_\_\_\_





# Memorandum

---

**DATE:** August 5, 2013

**TO:** Mark Perkins, City Administrator

**FROM:** Daniel Smith, Director of Finance

**SUBJECT:** Fourth Quarter FY 2013 Financial Analyses

Attached is a financial report for the 4<sup>th</sup> quarter of FY 2013. As we had previously indicated, a large surplus was anticipated. Some of the highlights are as follows:

**1. General Fund**

a. Revenues

Revenues were lower than anticipated for 2013. This was primarily due to revenues being lower than anticipated in 4 areas: property tax, sales tax, gross receipts tax and other revenues. Property tax revenues were lower due to a decrease in tax rate approved by City Council in August 2012. Sales tax was less than collected in FY2012. Building permits were higher than estimated for the year.

b. Expenditures

Expenditures for the General Fund were less than originally budgeted, as were transfers out. The only departments exceeding their original budgets were Finance, Non Departmental, Health and Welfare and Maintenance. These small budget overages were offset by significant savings in the Court, Police and Street Departments.

As indicated previously a significant surplus was generated as revenues were significantly higher than expenditures for FY2014.

**2. Municipal Enterprise Fund**

a. Revenues

Revenues for the Enterprise Fund were less than anticipated excluding transfers. Revenues were down significantly for the Golf Course due to fewer rounds played. Revenues were also down slightly for the Ice Arena and Snack Bar.

b. Expenditures

Expenses were substantially lower than budgeted in all departments in the Enterprise Fund. There were savings in part-time personnel, maintenance and some capital accounts.

Overall, the decrease in revenues was offset by an even larger saving in expenses. This resulted in a lower transfer to the Enterprise Fund than anticipated.

### 3. **Capital Fund**

#### a. Revenues

Revenues were less than budgeted for 2013. Revenues for the West Olive Lighting and Ladue sidewalk were not received until FY2014. Sales tax was also lower than anticipated.

#### b. Expenditures

Expenses were significantly less than anticipated. Both the West Olive Lighting project and the Ladue Sidewalk project were significantly under budget. Also, the bulk of the Chilton storm sewer project will be completed in FY2014. Other projects such as Tappmeyer painting were also re-budgeted in FY2014.

Overall, the city had a good financial year in 2013. The General Fund realized a significant surplus and appears to be in good financial shape for at least the next 5 years.

The performance of the Enterprise Fund regressed in 2013. Revenues decreased significantly in FY2013 and only savings in expenditures resulted in better performance than anticipated. Revenues especially at the Golf Course are a concern, although the first month of FY2014 saw revenues rebound considerably.

Due to decreased Capital expenditure cost the Capital Fund ended FY2013 in stronger financial condition than anticipated.

It should be noted that the figures for this report are preliminary for 2013. Additional expenditures will be charged to the funds as the August bills are paid due to the governmental accounting guidelines. Even with those additional expenses, I do not anticipate substantial change in the operating results. I would be pleased to respond to any questions.

**CITY OF CREVE COEUR**  
**Statement of Revenues and Expenditures**  
**As of June 30, 2013**  
**FY 2013**

UNAUDITED

|                                                         | ANNUAL<br>BUDGET  | ADJUSTED<br>BUDGET | YTD<br>ACTUAL     | YTD<br>ENCUMB  | ACTUAL AS<br>% of BUDGET | 2012<br>4th Qtr<br>Actual | 2012<br>Actual As<br>% of Budget |
|---------------------------------------------------------|-------------------|--------------------|-------------------|----------------|--------------------------|---------------------------|----------------------------------|
| <b><u>General Fund Revenues:</u></b>                    |                   |                    |                   |                |                          |                           |                                  |
| Property Taxes                                          | 693,500           | 573,500            | 553,207           |                | 96.5%                    | 624,866                   | 94.7%                            |
| Utility Taxes                                           | 5,851,000         | 5,761,000          | 5,812,012         |                | 100.9%                   | 5,817,424                 | 102.9%                           |
| Intergovernmental                                       | 6,474,000         | 6,284,000          | 6,282,587         |                | 100.0%                   | 6,334,997                 | 100.6%                           |
| Licenses and Permits                                    | 772,150           | 872,150            | 862,714           |                | 98.9%                    | 870,462                   | 122.2%                           |
| Charges for Services                                    | 83,625            | 83,625             | 86,031            |                | 102.9%                   | 85,502                    | 108.8%                           |
| Municipal Court                                         | 1,846,000         | 1,846,000          | 1,847,866         |                | 100.1%                   | 1,873,236                 | 102.1%                           |
| Other Revenues                                          | 834,745           | 834,745            | 731,388           |                | 87.6%                    | 759,661                   | 97.8%                            |
| Transfers                                               | 138,537           | 138,537            | 53,368            |                | 38.5%                    | 56,550                    | 40.8%                            |
| <b>Total Revenues</b>                                   | <b>16,693,557</b> | <b>16,393,557</b>  | <b>16,229,173</b> |                | <b>99.0%</b>             | <b>16,422,698</b>         | <b>101.7%</b>                    |
| <b><u>General Fund Expenditures:</u></b>                |                   |                    |                   |                |                          |                           |                                  |
| Legislative Services                                    | 364,585           | 337,227            | 320,231           | 306            | 95.1%                    | 309,049                   | 86.4%                            |
| Administrative Services                                 | 828,571           | 843,652            | 800,241           | 860            | 95.0%                    | 769,780                   | 97.9%                            |
| Non-Departmental                                        | 471,958           | 505,496            | 492,996           | 588            | 97.6%                    | 436,082                   | 87.8%                            |
| Maint. of Municipal Prop.                               | 297,733           | 312,130            | 302,482           | 2,770          | 97.8%                    | 301,162                   | 92.5%                            |
| Municipal Court                                         | 910,392           | 893,650            | 811,070           | 59,299         | 97.4%                    | 868,232                   | 99.0%                            |
| Finance Department                                      | 506,531           | 531,607            | 514,925           | 5,000          | 97.8%                    | 485,788                   | 97.4%                            |
| Police Department                                       | 6,610,600         | 6,508,486          | 6,384,961         | 92,561         | 99.5%                    | 6,487,476                 | 98.3%                            |
| Park Maintenance                                        | 493,508           | 496,545            | 490,871           | 2,633          | 99.4%                    | 516,596                   | 101.5%                           |
| Community Services                                      | 76,692            | 76,744             | 65,449            | 4,005          | 90.5%                    | 76,238                    | 104.9%                           |
| Public Works - Admin.                                   | 408,005           | 408,650            | 396,551           | 113            | 97.1%                    | 394,049                   | 97.1%                            |
| Street Maintenance                                      | 1,642,235         | 1,565,235          | 1,511,121         | 13,873         | 97.4%                    | 1,583,121                 | 96.2%                            |
| Health and Welfare                                      | 1,284,066         | 1,290,866          | 1,285,041         | 3,948          | 99.9%                    | 1,293,640                 | 100.4%                           |
| Community Development                                   | 1,113,865         | 1,108,912          | 1,092,098         | 225            | 98.5%                    | 1,051,973                 | 96.3%                            |
| Annual Infrastructure Maintenance                       | 0                 |                    |                   |                |                          | 0                         | 0                                |
| <b>Total Expenditures</b>                               | <b>15,008,741</b> | <b>14,879,200</b>  | <b>14,468,037</b> | <b>186,181</b> | <b>98.5%</b>             | <b>14,573,186</b>         | <b>97.5%</b>                     |
| <b>Total Operating Surplus (-Deficit)</b>               | <b>1,684,816</b>  | <b>1,514,357</b>   | <b>1,574,955</b>  |                |                          | <b>1,849,512</b>          |                                  |
| <b>Transfers To Other Funds(1)</b>                      | <b>475,000</b>    | <b>475,000</b>     | <b>430,000</b>    | <b>0</b>       |                          | <b>425,000</b>            |                                  |
| <b>Operating Revenues Over (under)<br/>Expenditures</b> | <b>1,209,816</b>  | <b>1,039,357</b>   | <b>1,144,955</b>  |                |                          | <b>1,424,512</b>          |                                  |

(1)- Actual Transfers- \$400,000 Capital Fund, \$30,000 Enterprise Fund

**CITY OF CREVE COEUR**  
**Statement of Revenues and Expenditures**  
**As of June 30, 2013**  
**FY 2013**

UNAUDITED

UNAUDITED

|                                                       | ANNUAL<br>BUDGET | ADJUSTED<br>BUDGET | YTD<br>ACTUAL  | YTD<br>ENCUMB    | ACTUAL AS<br>% of BUDGET | 2012<br>4th Qtr<br>Actual | 2012<br>Actual As<br>% of Budget |
|-------------------------------------------------------|------------------|--------------------|----------------|------------------|--------------------------|---------------------------|----------------------------------|
| <b><u>Municipal Enterprise Fund Revenues:</u></b>     |                  |                    |                |                  |                          |                           |                                  |
| Golf Course                                           | 418,725          | 398,725            | 366,167        |                  | 91.8%                    | 430,287                   | 103.9%                           |
| Food Service                                          | 53,650           | 53,650             | 49,446         |                  | 92.2%                    | 57,871                    | 105.3%                           |
| Ice Arena                                             | 533,200          | 533,200            | 530,866        |                  | 99.6%                    | 521,063                   | 103.5%                           |
| Other Revenues                                        | 1,200            | 1,200              | 4,536          |                  | 378.0%                   | 729                       | 54.0%                            |
| Transfers-In                                          | 75,000           | 75,000             | 30,000         |                  | 40.0%                    | 25,000                    | 17.9%                            |
| <b>Total Revenue</b>                                  | <b>1,081,775</b> | <b>1,061,775</b>   | <b>981,015</b> | <b>0</b>         | <b>92.4%</b>             | <b>1,034,950</b>          | <b>92.9%</b>                     |
| <b><u>Municipal Enterprise Fund Expenditures:</u></b> |                  |                    |                |                  |                          |                           |                                  |
| Golf Course                                           | 480,935          | 492,129            | 442,311        |                  | 89.9%                    | 460,324                   | 94.3%                            |
| Food Service                                          | 47,108           | 44,608             | 35,832         | 2,737            | 86.5%                    | 40,594                    | 79.4%                            |
| Ice Arena                                             | 491,925          | 486,930            | 463,094        | 224              | 95.2%                    | 456,938                   | 98.9%                            |
| Transfers                                             | 0                | 0                  |                | 0                | #DIV/0!                  | 0                         | 0.0%                             |
| <b>Total Expenditures</b>                             | <b>1,019,968</b> | <b>1,023,667</b>   | <b>941,237</b> | <b>2,961</b>     | <b>91.9%</b>             | <b>957,856</b>            | <b>95.3%</b>                     |
| <b>Total Operating Surplus (-Deficit)</b>             | <b>61,807</b>    | <b>38,108</b>      | <b>36,817</b>  | <b>0</b>         |                          | <b>77,094</b>             |                                  |
| Estimated Depreciation expense:                       |                  |                    |                |                  |                          |                           |                                  |
| Ice                                                   |                  |                    |                | 221,786          |                          |                           |                                  |
| Golf                                                  |                  |                    |                | 36,529           |                          |                           |                                  |
| Food Service                                          |                  |                    |                | 534              |                          |                           |                                  |
| Total Depreciation                                    |                  |                    |                | 258,849          |                          |                           |                                  |
| <b>Annual Debt Repayment(1)</b>                       | <b>85,169</b>    | <b>85,169</b>      | <b>85,169</b>  | <b>0</b>         | <b>100.0%</b>            | <b>81,987</b>             |                                  |
| <b>Fund Balance Adjustment</b>                        |                  |                    |                | <b>(222,032)</b> |                          |                           |                                  |
| <b>Total Net Assets, July 1</b>                       |                  |                    |                | <b>2,479,559</b> |                          |                           |                                  |
| <b>Total Net Assets, June 30</b>                      |                  |                    |                | <b>2,257,527</b> |                          |                           |                                  |

(1) Annual Debt payment reduces cash but not Total Net Assets

# SALES TAX 2003-2013

