



AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
FEBRUARY 21, 2023
6:00 PM

CALL TO ORDER

ROLL CALL

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

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

ACCEPTANCE OF THE AGENDA

APPROVAL OF MINUTES

1. February 6, 2023 Planning and Zoning Commission Draft Meeting Minutes

PUBLIC COMMENT

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

UNFINISHED BUSINESS

NEW BUSINESS

1. PUBLIC HEARING Application #23-003 A Conditional Use Permit for a 17,000 Square Foot General Freight Trucking Location, J.A. Freight, Located at 10750 Baur Boulevard

Lisa Magee, of J. A. Freight, has submitted an application for a Conditional Use Permit for General Freight Trucking, Local use, (NAICS 484110) located at 10750 Baur Blvd in the "LI" Light Industrial zoning district. The proposed use would occupy a 17,000 square foot space in an existing 77,968 square foot building with 5 employees at busiest shift. Hours of operation are 6:00 AM to 5:00 PM Monday-



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Friday. No exterior alterations are proposed. Under Section 405.380, Table A of the Zoning Code, NAICS 484110 requires the issuance of a conditional use permit in the "LI" zoning district subject to the recommendation of the Planning and Zoning Commission and approval of the City Council.

WORK AGENDA

1. 39 North Master Plan and Planned Zoning Districts Work Session

DEPARTMENT REPORTS

ADJOURNMENT

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

Posted by: _____

Date/Time posted: _____

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



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CALL TO ORDER

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

ROLL CALL

**Ms. Julie LaBonte (Chair)
Ms. Muriel Hall (arrived at 6:28 pm)
Mr. Larry Potashnick – absent
Ms. Marjorie Richter
Mr. AJ Wang
Ms. Rhonda O'Brien
Mr. Thomas Buelter**

The following staff were also present:

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

ACCEPTANCE OF THE AGENDA

Mr. Wang made a motion to approve. Ms. Richter seconded. All in favor.

APPROVAL OF MINUTES

1. January 17, 2023 Planning and Zoning Commission Draft Meeting Minutes

Mr. Wang made a motion to approve the January 17th, 2023 meeting minutes. Ms. Richter seconded. All in favor.

PUBLIC COMMENT

None.

UNFINISHED BUSINESS

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

Those speaking to the request were sworn in.



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Mr. Justin Lurk, 5200 Buffington Rd, Atlanta, GA, thanked the commission for their time and stated that he will be focusing on the landscaping, elevations, and traffic, as these were the main concerns from the last meeting.

Mr. Joe Vavrina, 1391 Corporate Dr, McHenry, IL 60050, stated that the bamboo noted on the original landscaping plan has been replaced with non-invasive ornamental grasses and eleven additional evergreen shrubs have been added for additional screening from Olive Blvd.

Mr. Lurk presented the new proposed elevations of the building and noted that the back of the building now appears to be the front from Olive Blvd.

Mr. Lurk stated that the parapets have been raised two feet to screen the rooftop mechanical units.

Mr. Lurk stated that panel board has been added to sections of the building with colors complimentary to the rest of the complex.

Mr. Lurk stated that additional windows have also been incorporated in the design.

Mr. Dan Shane, HR Green, 16020 Swingley Ridge Rd., Chesterfield, MO 63017, stated that the Chesterfield, Ellisville, and Des Peres stores traffic patterns have been studied in the AM, Noon, PM, and Saturdays per the suggestion of the commission.

Mr. Green presented a rendering of the vehicular queuing analysis study for the AM, noon, PM, and Saturdays. He explained that the three stores have very similar traffic patterns and that the studies show Creve Coeur traffic would be comparable. He explained that there may be a 10% variance in the numbers presented.

Mr. Green stated how the proposed changes will improve traffic queuing over peak times.

Mr. Green stated that traffic concerns to the north of Olive Blvd will likely not change as the queues are not backing up to that distance.

Mr. Green stated that with signal operations at the west-bound left turn, there will be a dedicated left turn lane into the site. He explained that traffic backing up into through traffic will not be for the Chick-Fil-A site.



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Ms. LaBonte asked if a "no right on red" sign could be added for those turning east. Mr. Green stated that MODOT may not approve of this and that typically "no right on red" signs are only added when there are sight distance concerns.

Mr. Bethany Moore, City Planner, presented a review of the three areas of concern from the previous meeting as well as an overview of the Design Guidelines.

Ms. Moore stated that the proposed building is mostly brick with the addition of wood-look siding. She stated that the new proposed materials and colors are consistent with the existing shopping center.

Ms. Moore stated that the back of house elevation faces Olive Blvd. She explained that staff is satisfied with the proposed changes to the roof height and design elements that face Olive Blvd.

Ms. Moore stated that staff is satisfied with the proposed landscaping changes, including the removal of invasive species and addition of evergreen screening between the stacking lanes and Olive Blvd.

Ms. Muriel Hall arrived at 6:28 PM.

Ms. Moore stated that all staff concerns regarding traffic have been met, all conditional use permit criteria have been met, and the City's traffic consultant and MODOT have given approval.

Mr. Steve Raskin, 1017 Fashion Square, stated that he lives on the north side of the development and has concerns traffic will worsen and divert through his neighborhood.

Mr. Raskin stated that he has concerns with the intersection at Tempo and Olive as it is today, and that the intersection may worsen with this proposed development.

Ms. LaBonte closed the public hearing.

Mr. Lumley offered the exhibits to the record.



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Mr. Wang made a motion to recommend approval of the conditional use permit with associated site development plan to the City Council subject to the conditions outlined in the staff report and draft ordinance. Ms. O'Brien seconded. All in favor.

RESULT: APPROVED

MOVER: Wang

SECONDER: O'Brien

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

2. Application #22-040: Text Amendments to Various Sections of the Zoning Ordinance (Chapter 405) to Provide Regulations for Recreational Marijuana Related Uses.

Mr. Jason Jaggi, Director of Community Development, reviewed the concerns of the commission from the previous meeting.

Mr. Jaggi stated that the four different facility types that are subject to amendment under the current use table have not changed since the previous meeting.

Mr. Jaggi stated that staff has amended the draft ordinance to increase the required distance of separation to 1,000 feet from schools and added daycare and places of worship.

Mr. Jaggi clarified the State's method of measurement and stated that a minor revision has been added to the draft ordinance to refer to strip malls.

Mr. Jaggi stated that an existing dispensary in the City has expressed interest in adding a drive-thru.

Mr. Jaggi stated that drive-thrus will be subject to a conditional use

permit. Ms. O'Brien appreciated the changes added to the ordinance.

Ms. Richter stated that she opposes changing the allowable distance to 1,000 feet now, as it was also allowed under the original medical marijuana ordinance. Ms. O'Brien disagreed, as she believes recreational use is different than medical.



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Mr. Jaggi clarified that a liquor license is measured differently than recreational or medical marijuana. He also explained that if they are within 300ft, they have the ability to seek approval through City Council.

Ms. LaBonte asked if the two existing dispensaries meet the proposed requirements. Mr. Jaggi stated that they do.

Mr. Wang made a motion to recommend approval of the text amendment to City Council as outlined in the draft ordinance. Ms. O'Brien seconded. Ms. Hall, Ms. O'Brien, Mr. Buelter, Mr. Wang, and Ms. LaBonte voted aye. Ms. Richter against.

RESULT: APPROVED

MOVER: Wang

SECONDER: O'Brien

AYES: AJ Wang, Julie LaBonte, Thomas Buelter, Rhonda O'Brien, Murial Hall

NAYS: Marjorie Richter

NEW BUSINESS

1. Application #23-002: Approval of a Site Development Plan for Revised Exterior Materials for a 20-unit Apartment Building at 10809-10819 Olive Boulevard

Mr. Adam Bulla, 1917 Rutger St., St. Louis, MO 63104, stated that he would like to discuss changes to an approved site development plan that is currently under construction.

Mr. Bulla stated that the colors were selected based on the surrounding neighborhood.

Mr. Bulla presented a rendering of the elevations and stated that the colors selected by the designer were based on the surrounding neighborhood buildings.

Mr. Bulla stated that windows on the side of the building were changed from the original approval to minimize energy loss, and make the office at the southeast corner more usable. He also stated that the visual impact will be minimal as the windows are mostly blocked from view by the tree line.



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Mr. Bulla stated that the architect omitted the Juliette balcony railings from the drawings by mistake.

Mr. Bulla presented photos of the proposed brick in comparison to other buildings with similar brick colors in the City.

Mr. Bulla stated that there are many other buildings in the City with similar color schemes.

Ms. LaBonte asked why the change was made after the original approval. Mr. Willard stated that the architect and designer were not in communication regarding the color change. He also stated that they believe the new color scheme fits better with the colors in the existing area.

Ms. O'Brien had concerns that the proposed change does not correlate with the buildings in the area. Mr. Bulla stated that the goal was not to match the existing buildings.

Ms. LaBonte had concerns that the original approval correlated well with the existing buildings and the proposed color does not.

Mr. Leonard Adewunmi, 1917 Rutger St., St. Louis, MO 63104, stated that they hope to bring a newer design to the neighborhood.

Mr. Wang asked why the applicant did not come back to the commission for approval before starting to put up the new material. Mr. Adewunmi stated that he believed that the approval required a certain percentage of brick to siding materials, but did not realize that the colors used were a part of the approval.

Mr. Wang asked for clarification of the importance of the memo from the design group. Mr. Adewunmi stated that this explains how the designer came to the color choice.

Ms. O'Brien had concerns that the memo does not take into consideration the surrounding buildings.

Mr. Buelter asked how much brick is currently installed, if it has all been purchased, and if it is on site. Mr. Bulla stated that 25% is currently up, and all of the brick has been purchased for the project.



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Mr. Buelter questioned why the designer is not present for the meeting.

Mr. Buelter did not know and asked if there is an option to remove the white color on the brick.

Mr. Adewunmi asked why the commission would prefer the red brick. Ms. O'Brien stated that the photos presented are very spread out in the City and are not near the project.

Mr. Wang stated that the commission is not against painted brick, but the materials used do not match what was previously approved.

Ms. Richter asked if samples were provided at the original approval. Mr. Jason Jaggi, Director of Community Development, confirmed that they were.

Mr. Jaggi stated that a stop work order has been issued for the project given the exterior materials do not match the approval.

Mr. Jaggi stated that the original approval was received in 2020. He explained that the project was re-approved in 2021, as approvals are valid for 1 year.

Mr. Jaggi presented the materials of the original approval in comparison to the requested changes.

Mr. Jaggi stated that the storefront windows have also been reduced on the west elevation.

Mr. Jaggi stated that staff has concerns that the proposed changes do not meet the City's design guidelines.

Mr. Wang asked if the stop work order initiated the application to the planning and zoning commission. Mr. Jaggi confirmed that it did.

Mr. Steve Hutkin, 10829 Olive Blvd, stated that his building sits directly behind the proposed new building and the material changes are of significant concern.

Mr. Hutkin stated that he met with the architect on several occasions with concerns regarding the development and expressed his concerns with the design before the original approval was granted.



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Mr. Hutkin asked the commission to deny the request and thanked the commission for their time.

Ms. LaBonte asked if there was any debate about the exterior materials or color before the original approval. Mr. Jaggi stated that he believed it was discussed, but this new color scheme was not a consideration at that time. Ms. Hall stated that there was a lot of debate about this project at the original approval due to the location.

Mr. Mark Perkins, City Administrator, stated that he would be very concerned about the message conveyed to the community if these changes are approved. He encouraged the commission not to approve the application unless there is a very compelling reason to do so.

Mr. Wang made a motion to approve the revision to the site development plan as submitted subject to the conditions outlined in the prior commission approval. Ms. O'Brien seconded. All against.

RESULT: DENIED MOVER:

Wang **SECONDER:** Ms. O'Brien

AYES: None

NAYS: AJ Wang, Julie LaBonte, Thomas Buelter, Rhonda O'Brien, Marjorie Richter, Murial Hall

WORK AGENDA

None

DEPARTMENT REPORTS

1. Meeting Procedure Discussion

Mr. Jaggi and Ms. LaBonte reminded the commission of meeting procedures and the importance of speaking clearly and one at a time during public hearings as they are transcribed.

Mr. Jaggi stated that the next meeting will be Tuesday, the 21st of February with one conditional use application for a local shipping company and a work session item regarding planned developments.



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ADJOURNMENT

Mr. Wang made a motion to adjourn. Ms. O'Brien seconded. All in favor. The meeting adjourned at 7:48 PM.

Submitted by:

Recording Secretary

Chair



**APPLICATION TO PLANNING AND ZONING COMMISSION
#23-003: A CONDITIONAL USE PERMIT FOR A 17,000 SQUARE FOOT
GENERAL FREIGHT TRUCKING LOCATION, J.A. FREIGHT,
LOCATED AT 10750 BAUR BOULEVARD**

FOR THE MEETING OF: Tuesday, February 21, 2023

LOCATION: 10750 Baur Boulevard, in the LI (Light Industrial) District

REQUEST: Lisa Magee, of J. A. Freight, has submitted an application for a Conditional Use Permit for General Freight Trucking, Local use, (NAICS 484110) located at 10750 Baur Blvd in the "LI" Light Industrial zoning district. The proposed use would occupy a 17,000 square foot space in an existing 77,968 square foot building with 5 employees at busiest shift. Hours of operation are 6:00 AM to 5:00 PM Monday-Friday. No exterior alterations are proposed.

ADDITIONAL INFORMATION: Under Section 405.380, Table A of the Zoning Code, NAICS 484110 requires the issuance of a conditional use permit in the "LI" zoning district subject to the recommendation of the Planning and Zoning Commission and approval of the City Council.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Is the request consistent with the requirements for a conditional use permit?
- Does the request follow the design guidelines?

Creve Coeur 2030 Comprehensive Plan References

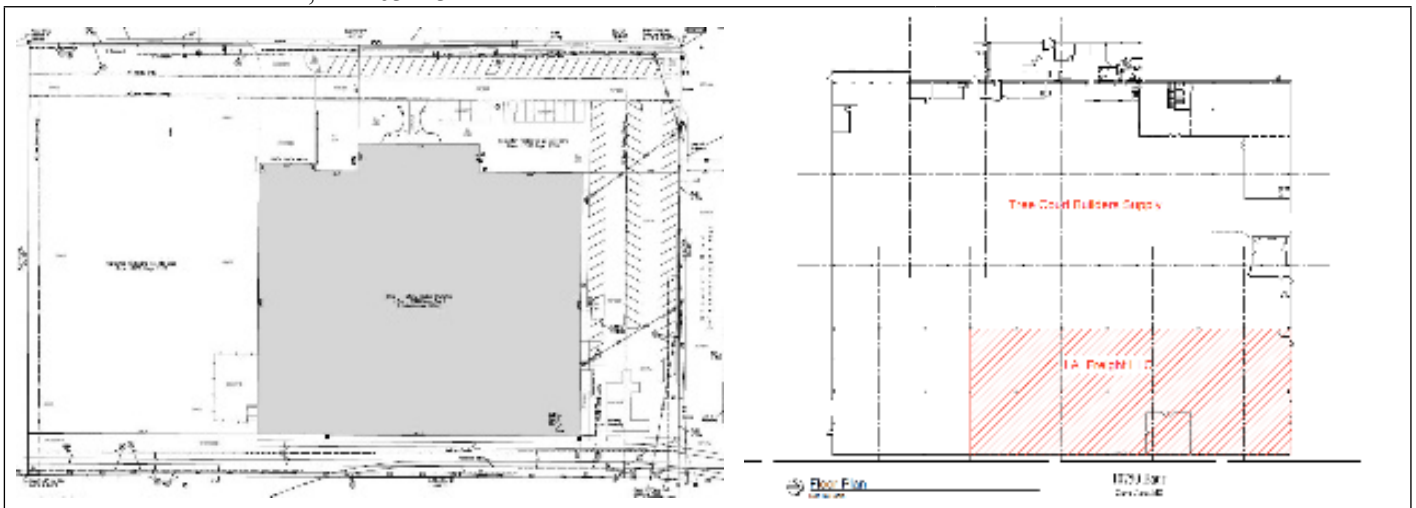
- Mixed-Use Innovation Campus District
- Design Guidelines

Zoning Code References

- Section 405.380: LI-Light Industrial District
- Section 405.470: Conditional Uses

APPLICANT: Lisa Magee
J.A. Freight
87 Grasso Plaza #242
Affton, MO 63123

APPLICANT'S REPRESENTATIVE: Ralph Magee
J.A. Freight
87 Grasso Plaza #242
Affton, MO 63123



REPORT PREPARED BY: Bethany L. Moore, City Planner
DATE: 2/13/2023
ATTACHMENTS: Applicant's Materials
Draft Ordinance

BACKGROUND AND ZONING HISTORY

The existing 77,968 sq. ft. warehouse building was built in 1961 on a site of approximately 5.66 acres. Originally developed under St. Louis County jurisdiction, the entire area was annexed into the City of Creve Coeur in 1990 and subsequently zoned LI (Light Industrial) District. The property has remained largely unchanged since that time. The property received Site Development Plan approval for a 57,000 square foot warehouse addition in 1997 but it was never built. There are no previous or existing Conditional Use Permits for this property. The majority of the building is occupied by Tree Court Builders supply with the applicant, J.A. Freight, occupying 17,000 square feet.

J.A. Freight is a transportation company and will use the warehouse to store non-hazardous materials such as cardboard boxes and material used to produce paint applicators with trucks parked on-site. The applicant will employ 5 employees and will be open 6:00 AM to 5:00 PM Monday to Friday. NAICS 484110, General Freight Trucking, Local Use is a Conditional Use in the “LI” Light Industrial district requiring approval from the City Council with approval from the Planning and Zoning Commission.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Industrial	“LI” Light Industrial	Baur Boulevard
South	Industrial	“LI” Light Industrial	N/A
East	Industrial	“LI” Light Industrial	Research Boulevard
West	Industrial	“LI” Light Industrial	N/A

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Mixed-Use Innovation Campus District (MUIC) located on the east end of Olive Boulevard. The Comprehensive Plan recommends that a variety of active, office and residential uses be allowed and encouraged with side and rear lot parking. The MUIC is intended for the development of specialized office, laboratory, institutional, and research buildings for high-tech and biotech industries, supported by vibrant, ground floor mixed-use development, multi-family housing, and other community amenities. The focus of the MUIC is to develop the SLEDP 39 North plant science and agricultural technology district. The property was developed in St. Louis Country prior to incorporation into the City of Creve Coeur and has remained largely unchanged since. Since the proposed use will only be taking up a portion of the existing building and making no exterior changes, this use is compatible in terms of the Comprehensive Plan guidelines. Therefore, the proposed use would satisfy the goals and objectives of the Comprehensive Plan as much as such a use could.

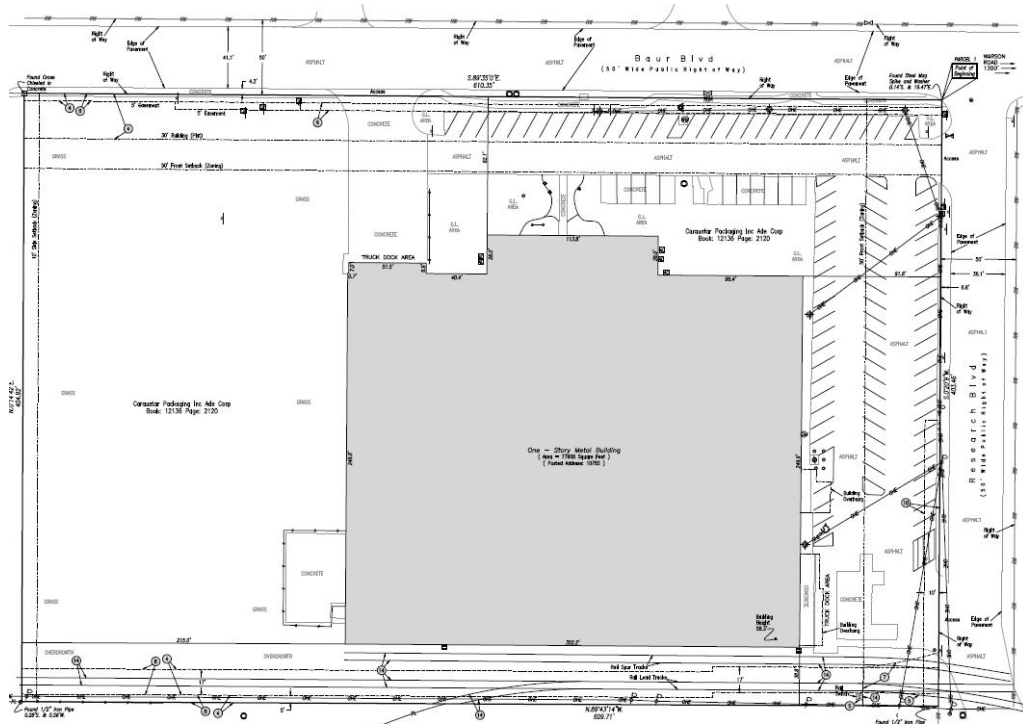


Figure 1: Site Plan.

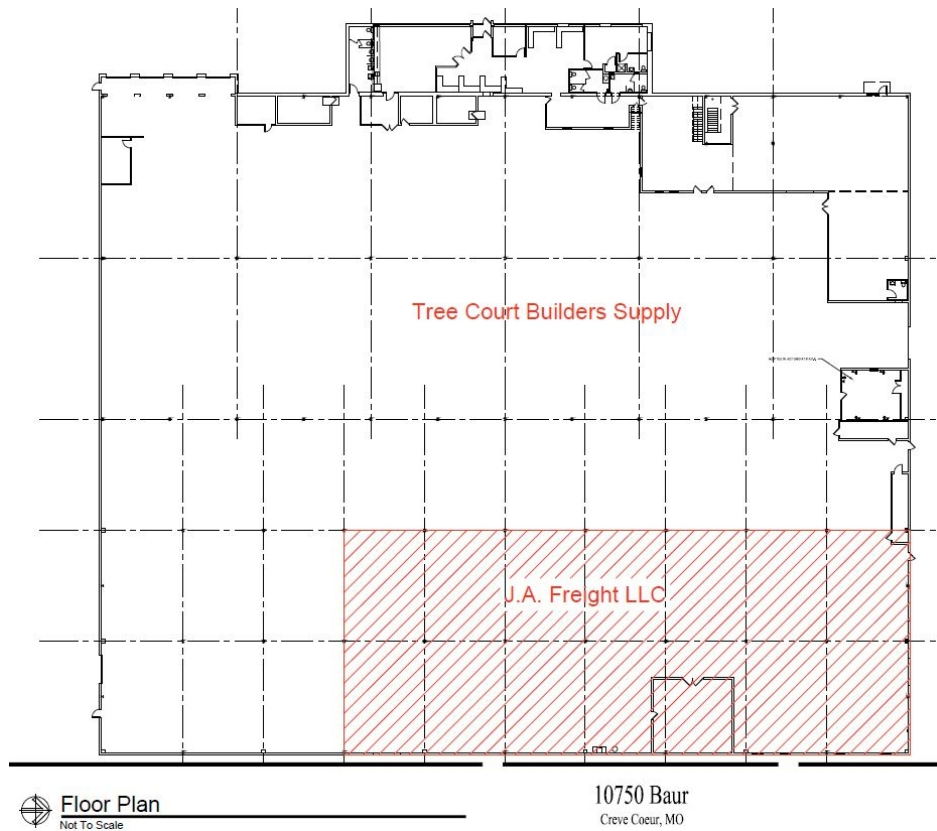


Figure 2: Proposed Floor Plan.

ZONING REVIEW

As the proposed use is utilizing an existing space within a multi-tenant building, and will not be making any changes to the exterior of the building or site, the primary zoning issues would be parking.

Parking:

There are no previous or existing Conditional Use Permits for this address and the existing use, Tree Court Builders Supply has been operation for a few years at this location. The proposed use, J.A. Freight is classified as NAICS 484110 General Freight Trucking, Local Use. Per Section 405.820(E)(2), the parking requirements are one (1) parking space per four hundred (400) square feet of floor area. As J.A. Freight is filling a 17,000 square foot tenant space inside the roughly 78,000 square foot building, the required number of parking spaces for this use is 43. Per Section 405.820(F)(2), the existing use, Tree Court Builders Supply, requires four (4) parking spaces per 1,000 square feet of floor area for the roughly 61,000 square foot space. The required number of parking spaces for this use is 244. This parking requirement is listed for building material and garden equipment and supplies dealers and also requires one (1) parking space per 1,000 square feet of outdoor display area, which is not present for this use. Staff has determined that the parking required for this use is more appropriate for larger home and garden stores such as a Lowes or Home Depot, instead of the smaller existing use. Similar uses have existed without the required 244 parking spaces for years in this location without issue. Staff has determined that the parking requirements for wholesale trade, warehousing and storage is a better fit than the building material and garden equipment and supplies dealers. Section 405.820(F)(6), Wholesale trade, warehousing and storage, requires one (1) parking space per 2,500 square feet of building size for buildings over 40,001 square feet. The required parking for the existing use using this calculation is 25 parking spaces. The total parking spaces required for both uses is 68 where 105 parking spaces exist on site. The parking lot is in poor condition with cracking, uneven pavement and barely visible striping. A condition of approval has been added for the parking lot to be re-sealed and re-striped.

Landscaping:

Currently, there are no street trees on the lot and limited landscaping around the building. The only landscaping plan that the City has on record for this address is from a 1997 Site Development Plan approval for a 56,000 square foot warehouse addition that was never built. The landscaping plan shows street trees along both Baur Boulevard and Research Boulevard but does not appear to show the sidewalk along Baur Boulevard that is there today. The existing depth of green space between the parking lot and the curbs does not appear large enough to support the amount of street trees required per Section 410.300 for new residential subdivisions or along street frontage of any land development. Due to the existing conditions, staff is adding a condition that the applicant work with staff on a final landscaping plan to add four street trees along Baur Boulevard in the areas that will accommodate them.

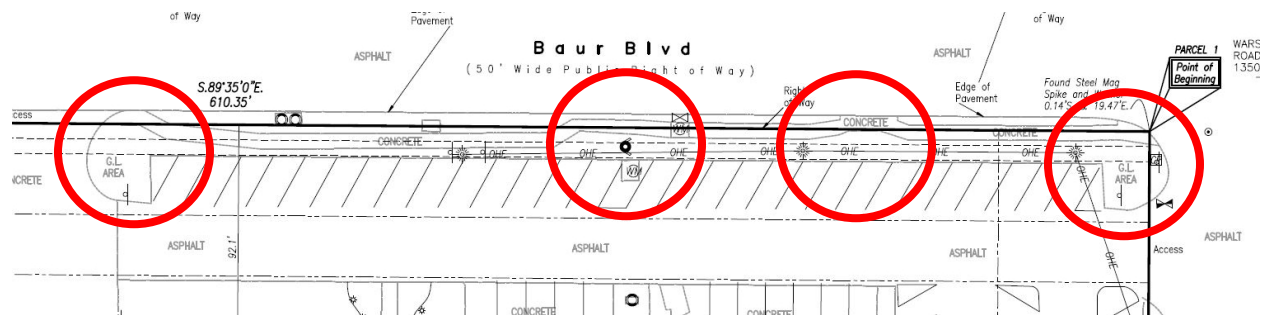


Figure 3: Proposed Street Tree Locations.

RECOMMENDATION

Based on the above analysis, the request for a conditional use permit meets the requirements of the Zoning Ordinances and goals of the Comprehensive Plan with a change to the parking required for the existing use. If approved by the Planning and Zoning Commission, Staff recommends the following conditions below which are included in the draft ordinance:

1. The Conditional Use Permit shall be for the operation of a 17,000 square foot general freight trucking with warehouse space located at 10750 Baur Boulevard.
2. The hours of operation shall be: 6:00 a.m. to 5:00 p.m. Monday through Friday.
3. Additional business hours may be permitted with the Zoning Administrator's approval, including but not limited to, the hosting of special events.
4. The parking lot shall be repaired, re-sealed and re-stripped to address the various maintenance and appearance issues on site.
5. The applicant shall work with staff on the submission of a final landscaping plan to add four street trees along Baur Boulevard.
6. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
7. Any mechanical equipment installed for the site shall be properly screened with approved materials.
8. Any future enlargement, extension, expansion or exterior 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 exterior alteration may be issued.
9. 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.
10. 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.

MOTION

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

"I move to recommend approval of the conditional use permit for J.A. Freight according to the draft ordinance attached to the staff report on Application #23-003, for the meeting of February 21, 2023." (Conditions in the draft ordinance may be added, eliminated, or modified by preceding motion)

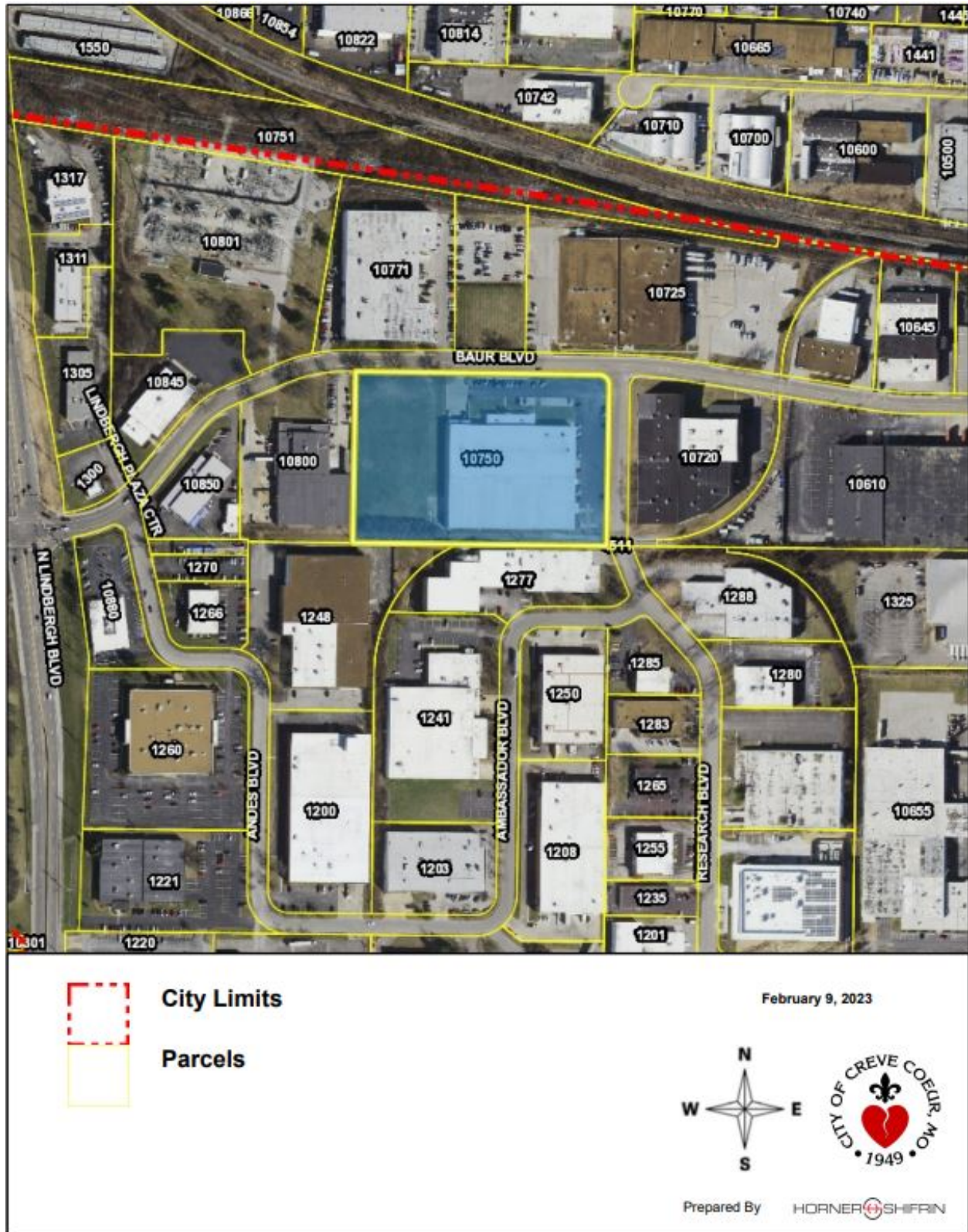
APPENDIX 1: COMPREHENSIVE PLAN

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:2/14/23
	Description: Subject Property
	Description: Existing landscaping around building entrance
	Description: Parking lot existing conditions

		Description: Existing sidewalk along Baur Boulevard
		Description: Existing sidewalk along Baur Boulevard

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A 17,000 SQUARE-FOOT GENERAL FREIGHT TRUCKING LOCATION, FOR J.A. FREIGHT, LOCATED AT 10750 BAUR BOULEVARD

WHEREAS, under Section 405.380(C), general freight trucking, local, uses in the “LI”, Light Industrial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Lisa Magee, of J.A. Freight, submitted an application for a conditional use permit for a 17,000 square foot general freight trucking, local, location at 10750 Baur Boulevard; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Tuesday, February 21, 2023, beginning at 6:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a ____ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on February 21, 2023; and

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

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

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

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

BILL NO. _____

ORDINANCE NO. _____

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a general freight trucking, local, business located at 10750 Baur Boulevard in the "LI" Light Industrial zoning district, whose legal description is as follows:

PARCEL 1:

A tract of land in Section 4 of "LINDBERGH-WARSON INDUSTRIAL CENTER", recorded in Plat Book 76 at Page 13 of the St. Louis County, Missouri Records, Section 36, Township 46 North, Range 5 East, City of Creve Coeur, St. Louis County, Missouri, described as follows: Beginning at a rebar at the Northeast corner of said Section 4 of "Lindbergh-Warson Industrial Center"; thence along the East line of said Section 4, South 00 degrees 20 minutes 09 seconds West a distance of 403.46 feet to the East-West centerline of Section 36, also being the South line of said Section 4 of "Lindbergh-Warson Industrial Center", an iron pipe found as a witness corner bears South 89 degrees 43 minutes 14 seconds East, a distance of 5.00 feet; thence along the said East-West centerline of Section 36, North 89 degrees 43 minutes 14 seconds West a distance of 609.71 feet to an iron pipe at the Southwest corner of Packaging Corporation as described in Book 7140 at Page 1822 of the St. Louis County, Missouri Records; thence along the West line of said Packaging Corporation, North 00 degrees 14 minutes 42 seconds East a distance of 404.92 feet to an iron pipe on the South line of Baur Boulevard (50 feet wide); thence along the South line of said Baur Boulevard (50 feet wide), South 89 degrees 35 minutes 00 seconds East a distance of 610.35 feet to the point of beginning, according to Boundary Survey made by Bock & Clark National Surveyors Network dated May 24, 1996, being Project No. 96632.

PARCEL 2:

Appurtenant easement to place and use as a means of ingress and egress for railroad cars and equipment to and from Parcel 1 herein, a spur track as established by General Warranty Deed recorded June 20, 1956 in Book 3623 at Page 435 of the St. Louis County Records to be located upon the following described property:

A parcel of land in Fractional Section 36, Township 46 North, Range 5 East, and now shown as a portion of Section 1 and 50 feet reserved for roadway (private) adjoining said Section 1 on the West of Lindbergh-Warson Industrial Center, according to plat thereof recorded June 20, 1956 in Plat Book 76 at Page 13 of the St. Louis County Recorder's Office, being more particularly described as follows: Beginning at a point in the East and West center line of said Section 36, distant North 89 degrees 35 minutes West 1207.94 feet from its intersection with the West line of Warson Road, 40 feet wide; thence North 0 degrees 25 minutes East 25.50 feet to the North line of a proposed rail easement, 18.5 feet wide; thence Northwest along the North and Northeast line of said easement along a curve to the right, having a radius of 277.94 feet to a point in the West line of a proposed 50 foot reserved strip; thence South 0 degrees 25 minutes West along the West line of said proposed strip to a point in the East and West center line of said Section 36; thence South 89 degrees 35 minutes East along said East and West center line 122.76 feet to the point of beginning.

The lands surveyed, shown, and described hereon are the same lands as those described in the Stewart Title Company Title Commitment, File No. 01109-9997, bearing an effective date of April 29, 2013 at 8:00 A.M.

BILL NO. _____

ORDINANCE NO. _____

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 a 17,000 square foot general freight trucking with warehouse space located at 10750 Baur Boulevard.
2. The hours of operation shall be: 6:00 a.m. to 5:00 p.m. Monday through Friday.
3. Additional business hours may be permitted with the Zoning Administrator's approval, including but not limited to, the hosting of special events.
4. The parking lot shall be repaired, re-sealed and re-stripped to address the various maintenance and appearance issues on site.
5. The applicant shall work with staff on the submission of a final landscaping plan to add four street trees along Baur Boulevard.
6. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
7. Any mechanical equipment installed for the site shall be properly screened with approved materials.
8. Any future enlargement, extension, expansion or exterior 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 exterior alteration may be issued.
9. 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.
10. 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.

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

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

ADOPTED THIS ____ DAY OF _____, 2023.

BILL NO. _____

ORDINANCE NO. _____

JOSEPH MARTINICH
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2023.

DR. ROBERT
HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK



NOTICE OF PUBLIC HEARING

**APPLICATION TO PLANNING AND ZONING COMMISSION
#23-003: A CONDITIONAL USE PERMIT FOR A 17,000 SQUARE FOOT
GENERAL FREIGHT TRUCKING LOCATION, J.A. FREIGHT, LOCATED
AT 10750 BAUR BOULEVARD**

FOR THE MEETING OF: Tuesday, February 21, 2023, 6:00 PM

LOCATION: 10750 Baur Boulevard (see attached map). Zoned LI-Light Industrial District.

REQUEST: Lisa Magee, of J. A. Freight, has submitted an application for a Conditional Use Permit for General Freight Trucking, Local use, (NAICS 484110) located at 10750 Baur Blvd in the "LI" Light Industrial zoning district. The proposed use would occupy a 17,000 square foot space in an existing 77,968 square foot building with 5 employees at busiest shift. Hours of operation are 6:00 AM to 5:00 PM Monday-Friday. No exterior alterations are proposed. Under Section 405.380, Table A of the Zoning Code, NAICS 484110 requires the issuance of a conditional use permit in the "LI" zoning district subject to the recommendation of the Planning and Zoning Commission and approval of the City Council.

ADDITIONAL INFORMATION: Planning and Zoning Commission meetings are held in person in the Council Chambers of the Creve Coeur Government Center located at 300 N. New Ballas Road. We encourage you to attend if you have any questions or wish to make a statement. In addition, you can submit written or e-mailed comments to Planning staff in advance of the meeting. Additional information regarding this proposal is available at the Government Center, Planning Division offices or on the City's website at www.crevecoeurmo.gov/447/Current-Planning-Projects. You may also call (314) 872-2501 or e-mail blmoore@crevecoeurmo.gov.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Is the request consistent with the requirements for a conditional use permit?
- Does the request follow the design guidelines?

Creve Coeur 2030 Comprehensive Plan References

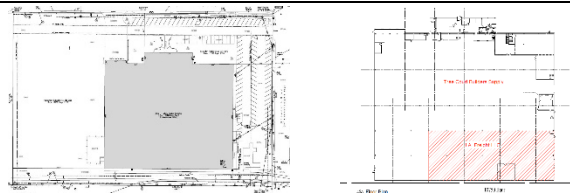
- Mixed-Use Innovation Campus District
- Design Guidelines

Zoning Code References

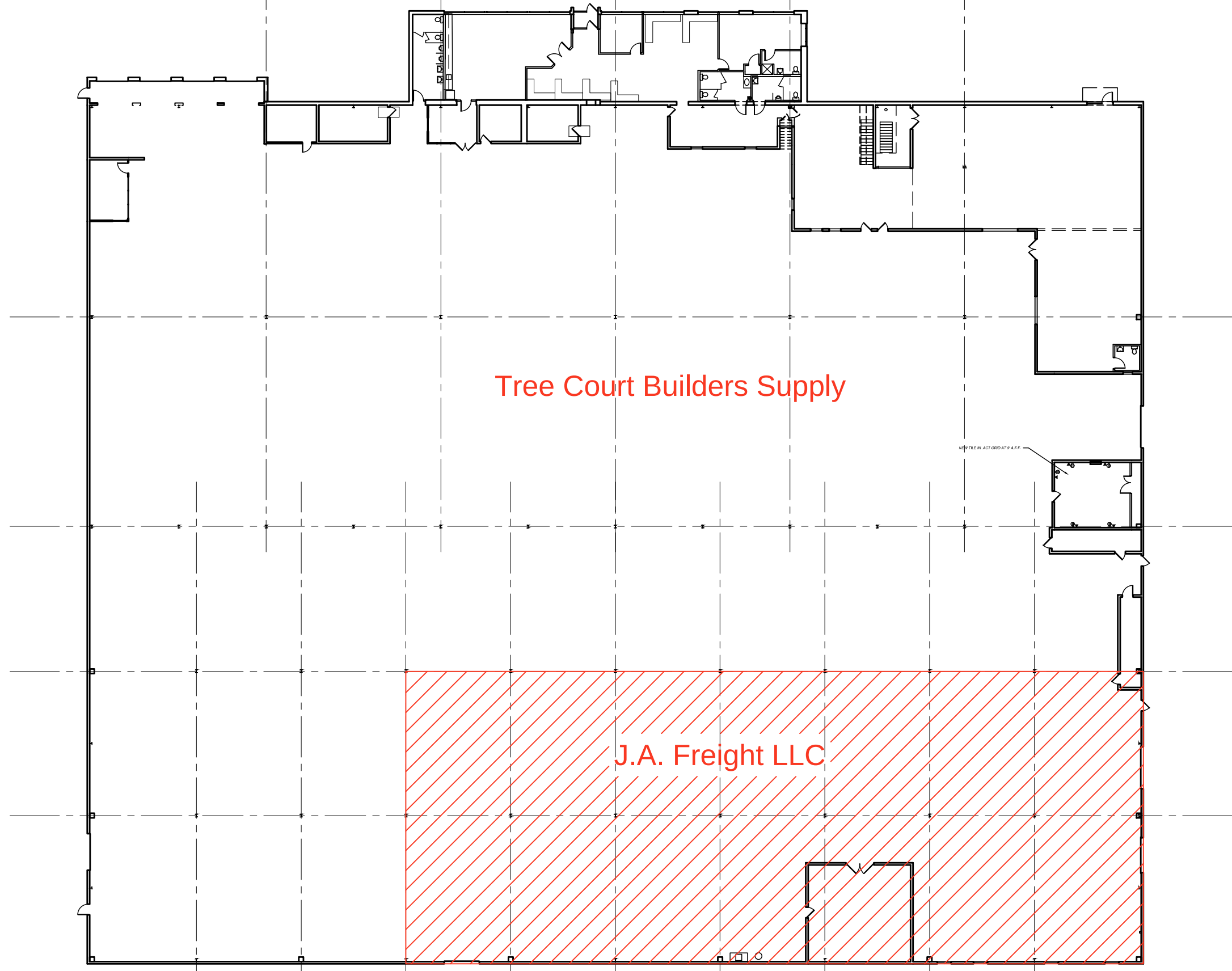
- Section 405.380: LI-Light Industrial District
- Section 405.470: Conditional Uses

**APPLICANT/
OWNER:** Lisa Magee
J.A. Freight
87 Grasso Plaza #242
Affton, MO 63123

**APPLICANT'S
REPRESENTATIVE:** Ralph Magee
J.A. Freight
87 Grasso Plaza #242
Affton, MO 63123



STAFF CONTACT: Bethany L. Moore, City Planner
CC: Heather Silverman and Mark Manlin-Ward 1



Floor Plan
Not To Scale

10750 Baur
Creve Coeur, MO

Date Issued: 1-11-23
1
2020.184

Vicinity Map



Utility Notes

- UN1** The location of Utilities shown hereon are from observed evidence of above ground appurtenances. The surveyor was not provided with surface markings or underground plans to determine the location of any subterranean uses.
- UN2** From observed above ground appurtenances only as shown hereon, electric, gas, storm drainage and water lines and/or service is available for the subject property within utility easements near and along the property's perimeter.
- UN3** Before digging in this area, call the Missouri One Call System at 1-800-DIG-RITE for field locations (request for ground markings) of underground utility lines.

Zoning Notes

- ZN1** Zoning information was obtained through Zoning Report 7201300267:007, dated June 17, 2013 from Bock and Clark Zoning.
- ZN2** At the time of the ALTA Survey, the subject property was zoned L1.
- ZN3** At the time of the ALTA Survey, the maximum allowable height of structures was: 60'. The maximum measured height was 58.3'.
- ZN4** At the time of the ALTA Survey, the minimum allowable front setback was: 50'. The minimum measured front setback was 92.1'.
- ZN5** At the time of the ALTA Survey, the minimum allowable side setback was: 10'. The minimum measured side setback was 215.0'.
- ZN6** At the time of the ALTA Survey, there was no required minimum rear setback. The minimum measured rear setback was 38.8'.
- ZN7** At the time of the ALTA Survey, the minimum allowable lot area was: 21780 square feet. The minimum measured lot area was 246568 square feet.
- ZN8** At the time of the ALTA Survey, the minimum required parking was: 156 parking spaces. At the time of the ALTA Survey, striped parking was as follows: 104 parking spaces. As stated in the above-referenced Zoning Report: " Per Community Development Director, Paul Langdon, 'the property was initially developed prior to annexation in to the City of Creve Coeur, and there may be site related, legally pre-existing non-conformities on the property.' "
- ZN9** The user of this survey is advised that the Zoning information presented hereon is not a zoning report, nor a substitute for (1) the City of Creve Coeur Missouri Zoning Code and (2) consultation with City Officials as necessary for interpretive clarification.

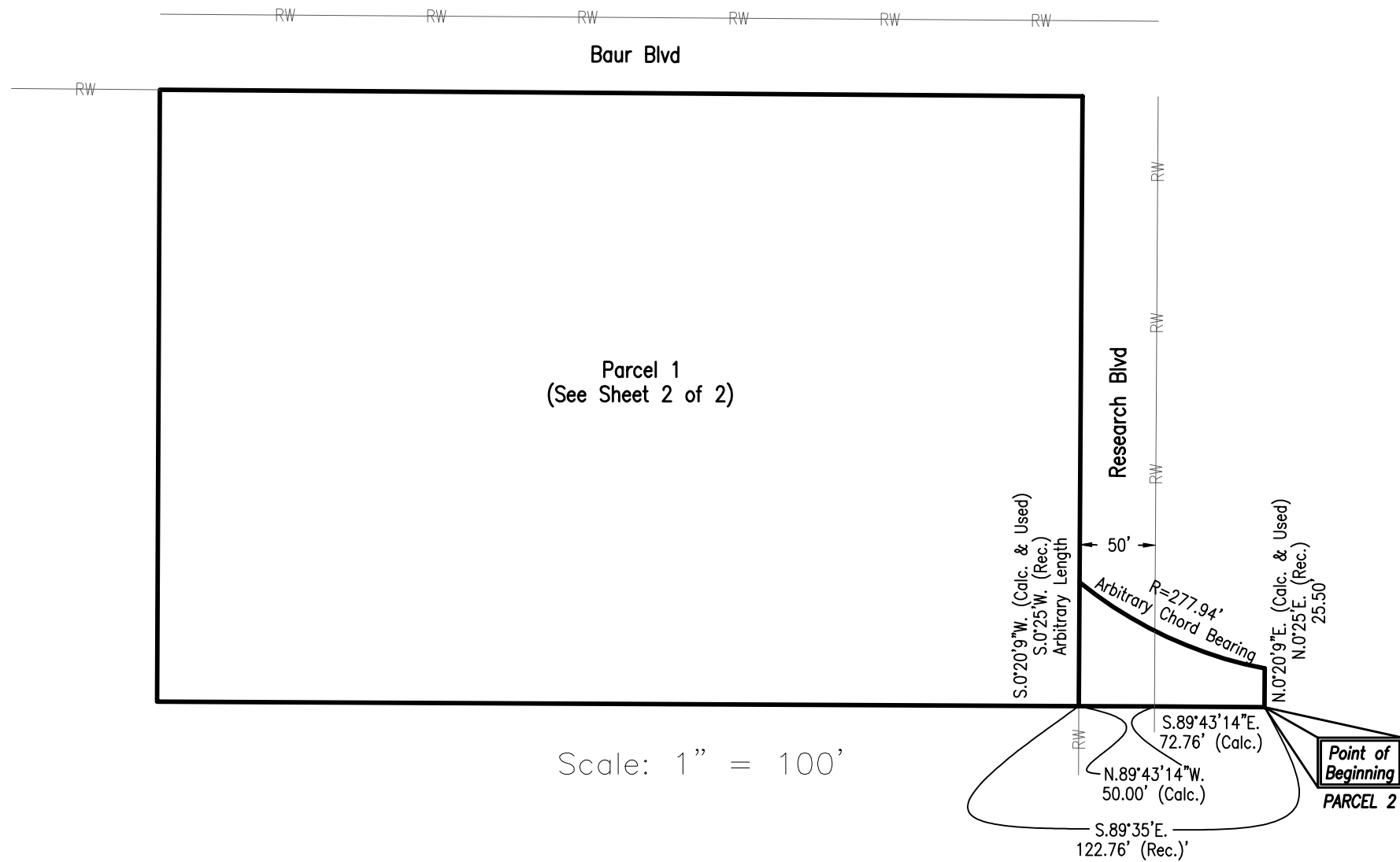
FLOOD NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE(S) C OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 29189C0167H, WHICH BEARS AN EFFECTIVE DATE OF AUGUST 2, 1995 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA, BY CONTACT DATED APRIL 30, 2013 TO THE NATIONAL FLOOD INSURANCE PROGRAM <http://www.fema.gov/>. WE HAVE LEARNED THIS COMMUNITY DOES CURRENTLY PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

Items Corresponding to Schedule B

- 4** Building setback lines, easements and restrictions, obligations of assessments and rights and power of trustees as shown on the recorded plat of Lindbergh-Warson Industrial Center, recorded June 20, 1956 in Plat Book 76 at Page 13. This item does affect the subject property, and is plotted and shown hereon.
- Surveyor's Affidavit, recorded November 19, 1956 in Book 3680 at Page 523. This item does affect the subject property, and is plotted and shown hereon.
- 5** Rights of any and all parties using the railroad lead tracks running East and West across subject property which tracks lies North and outside of the 17 feet wide easement as shown on the recorded plat. This item does affect the subject property, and is plotted and shown hereon.
- 6** Agreement Relative to Property of Industrial Properties, Inc., in the County of St. Louis, State of Missouri, known as Lindbergh-Warson Industrial Center, recorded June 20, 1956 in Book 3623 at Page 424. This item does affect the subject property, but cannot be plotted as it is blanket in nature.
- Agreement to Amend the Protective Agreement Relative to Property Commonly Referred to as Lindbergh-Warson Industrial Center, recorded July 24, 1970 in Book 6467 at Page 1100. This item does affect the subject property, but cannot be plotted as it is blanket in nature.
- Protective Agreement Relative to Property Described herein in the County of St. Louis, Missouri known as Lindbergh-Warson Industrial Center, recorded November 25, 1980 in Book 7295 at Page 359. This item does affect the subject property, but cannot be plotted as it is blanket in nature.
- 7** Reservation of Railroad Spur Track Easement as disclosed by Warranty Deed, recorded June 20, 1956 in Book 3623 at Page 435. This item does affect the subject property, and is plotted and shown hereon.
- 8** Easement granted to Union Electric Company, recorded February 7, 1957 in Book 3730 at Page 175, and as shown on the recorded plat. This item does affect the subject property, and is plotted and shown hereon.
- 9** Easement granted to Southwestern Bell Telephone Company, recorded March 12, 1957 in Book 3738 at Page 390. This item does affect the subject property, and is plotted and shown hereon.
- 10** Easement granted to Union Electric Company, recorded November 7, 1957 in Book 3836 at Page 357, and as shown on the recorded plat. This item does affect the subject property, and is plotted and shown hereon.
- 11** Restrictions and reservations of mineral rights as disclosed by General Warranty Deed, recorded March 12, 1979 in Book 7140 at Page 1822. This item does affect the subject property, but cannot be plotted as it is blanket in nature.
- 14** Railroad rights-of-way, switch tracks, spur tracks and all other railroad easements, if any, over the subject property. This item does affect the subject property, and is plotted and shown hereon.

Parcel 2 Detail



Miscellaneous Notes

- MN1** Some features on this plat may be shown out of scale for clarity.
- MN2** Dimensions on this plat are expressed in feet and decimal parts thereof unless otherwise noted. Bearings are referred to an assumed meridian and are used to denote angles only. Monuments were found at points where indicated.
- MN3** The basis of bearings for this survey is S.89°35'0"E., which is the assumed bearing of the S. line of Baur Blvd, as shown hereon.
- MN4** At the time of the ALTA survey, the subject property accessed the public right of way via driveways on Baur Blvd and Research Blvd, as shown hereon.
- MN5** At the time of the ALTA Survey there was no evidence of cemeteries or burial grounds on site.
- MN6** At the time of the ALTA Survey, striped parking was as follows: 103-Regular Spaces. 1-Handicap Spaces. 104-Total Spaces.
- MN7** At the time of the ALTA Survey there were no division or party walls designated by the client with respect to adjoining properties.
- MN8** At the time of the ALTA Survey, the distance to the nearest intersecting street was 1350' to Warson Road, as shown hereon.
- MN9** At the time of the ALTA Survey there was no observable evidence of earth moving work, building construction, or building additions within recent months.
- MN10** At the time of the ALTA Survey there were no known changes in street right-of-way lines, either completed or proposed and available from the controlling jurisdiction.
- MN11** At the time of the ALTA Survey there was no observable evidence of site use as a solid waste dump, sump or sanitary landfill.
- MN12** At the time of the ALTA Survey, the surveyor was not provided with information to make wetland determinations.

Significant Observations

- A** At the time of the ALTA Survey, no significant observations were made.

As-Surveyed Description

A tract of land in Section 4 of "LINDERBERGH-WARSON INDUSTRIAL CENTER", recorded in Plat Book 76 at Page 13 of the St. Louis County, Missouri Records, Section 36, Township 46 North, Range 5 East, City of Creve Coeur, St. Louis County, Missouri, described as follows:

BEGINNING AT A POINT being the Northeast corner of said Section 4 of "Lindbergh-Warson Industrial Center", said POINT OF BEGINNING referenced by a Steel Mag Spike and Washer Found 0.14'S. & 19.47'E. thereof;

COURSE 1: THENCE S.0°20'9"W. A DISTANCE OF 403.46' TO A POINT REFERENCED BY A 1/2" IRON PIPE FOUND 5.11'S. & 7.55'E. THEREOF, SAID POINT BEING ON THE S. LINE OF SAID SECTION 4;

COURSE 2: THENCE N.89°43'14"W. A DISTANCE OF 609.71' ALONG THE S. LINE OF SAID SECTION 4 TO A POINT REFERENCED BY A 1/2" IRON PIPE FOUND 0.28'S. & 0.56'W. THEREOF;

COURSE 3: THENCE N.0°14'42"E. A DISTANCE OF 404.92' TO A CROSS CHISELED IN CONCRETE AT THE S. LINE OF BAUR BLVD, 50' WIDE;

COURSE 4: THENCE S.89°35'0"E. A DISTANCE OF 610.35' ALONG THE S. LINE OF BAUR BLVD TO A POINT;

SAID POINT BEING THE POINT OF BEGINNING.

CONTAINING 5.6604-ACRES, OR 246568-SQUARE FEET, MORE-OR-LESS.

Being the same lands as those described in the Stewart Title Company Title Commitment, File No. 01109-9997, bearing an effective date of April 29, 2013 at 8:00 A.M.

This description was prepared to reflect Surveyor's measurements and monuments.

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Record Description

PARCEL 1:

A tract of land in Section 4 of "LINDERBERGH-WARSON INDUSTRIAL CENTER", recorded in Plat Book 76 at Page 13 of the St. Louis County, Missouri Records, Section 36, Township 46 North, Range 5 East, City of Creve Coeur, St. Louis County, Missouri, described as follows: Beginning at a rebar at the Northeast corner of said Section 4 of "Lindbergh-Warson Industrial Center"; thence along the East line of said Section 4, South 00 degrees 20 minutes 09 seconds West a distance of 403.46 feet to the East-West centerline of Section 36, also being the South line of said Section 4 of "Lindbergh-Warson Industrial Center"; an iron pipe found as a witness corner bears South 89 degrees 43 minutes 14 seconds East, a distance of 5.00 feet; thence along the said East-West centerline of Section 36, North 89 degrees 43 minutes 14 seconds West a distance of 609.71 feet to an iron pipe at the Southwest corner of Packaging Corporation as described in Book 7140 at Page 1822 of the St. Louis County, Missouri Records; thence along the West line of said Packaging Corporation, North 00 degrees 14 minutes 42 seconds East a distance of 404.92 feet to an iron pipe on the South line of Baur Boulevard (50 feet wide); thence along the South line of said Baur Boulevard (50 feet wide), South 89 degrees 35 minutes 00 seconds East a distance of 610.35 feet to the point of beginning, according to Boundary Survey made by Bock & Clark National Surveyors Network dated May 24, 1996, being Project No. 96632.

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Appurtenant easement to place and use as a means of ingress and egress for railroad cars and equipment to and from Parcel 1 herein, a spur track as established by General Warranty Deed recorded June 20, 1956 in Book 3623 at Page 435 of the St. Louis County Records to be located upon the following described property:

A parcel of land in Fractional Section 36, Township 46 North, Range 5 East, and now shown as a portion of Section 1 and 50 feet reserved for roadway (private) adjoining said Section 1 on the West of Lindbergh-Warson Industrial Center, according to plat thereof recorded June 20, 1956 in Plat Book 76 at Page 13 of the St. Louis County Recorders Office, being more particularly described as follows: Beginning at a point in the East and West center line of said Section 36, distant North 89 degrees 35 minutes West 1207.94 feet from its intersection with the West line of Warson Road, 40 feet wide; thence North 0 degrees 25 minutes East 25.50 feet to the North line of a proposed rail easement, 18.5 feet wide; thence Northwest along the North and Northeast line of said easement along a curve to the right, having a radius of 277.94 feet to a point in the West line of a proposed 50 foot reserved strip; thence South 0 degrees 25 minutes West along the West line of said proposed strip to a point in the East and West center line of said Section 36; thence South 89 degrees 35 minutes East along said East and West center line 122.76 feet to the point of beginning.

The lands surveyed, shown, and described hereon are the same lands as those described in the Stewart Title Company Title Commitment, File No. 01109-9997, bearing an effective date of April 29, 2013 at 8:00 A.M.

ALTA/ACSM Land Title Survey

Caraustar 14

B&C Project No. 201300863, 010
St. Louis Carton
222

10750 Baur Blvd., St. Louis, MO 63132

Based upon Title Commitment File No. 01109-9997
of Stewart Title Company
bearing an effective date of April 29, 2013 at 8:00 A.M.

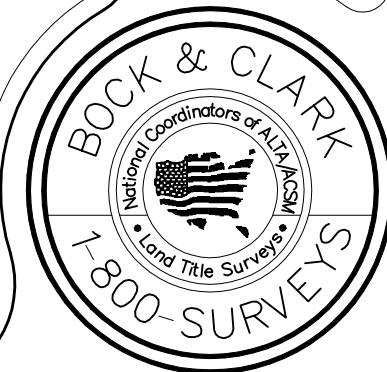
Surveyor's Certification

To: Credit Suisse AG, Cayman Island Branch, as Administrative Agent and Collateral Agent for the Secured Parties; Wells Fargo Bank, National Association; Caraustar Industries, Inc.; CARAUSTAR CUSTOM PACKAGING GROUP, INC.; Stewart Title Guaranty Company, and Bock & Clark Corporation.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6b, 7a, 7b1, 7c, 8, 9, 11a, 13, 14, 16, 17, 18 of Table A thereof. The field work was completed on May 20, 2013.

Zachary Winters
Registration No.: 2006016646
In the State of Missouri
Fieldwork Completed: May 20, 2013
Date of Last Revision: August 21, 2013
Date Printed: August 21, 2013
Network Project No.: 201300863-010

Survey Performed By:
Civen, Inc.
528 South Joplin Avenue
Joplin, MO 64801
Phone: (877) 982-4836
Fax: (877) 992-4836
Email: zach.winters@civen.com



Sheet 1 of 2

Bock & Clark's National Surveyors Network
National Coordinators of ALTA/ACSM Land Title Surveys
537 North Cleveland-Massillon Road Akron, Ohio 44333
Phone: (800) Surveys, Fax: (330) 666-3608 www.1800surveys.com

N 0°14'42"E
404.92'

Caraustar Packaging Inc Ade Corp
Book: 12136 Page: 2120

One - Story Metal Building
(Area = 77968 Square Feet)
(Posted Address: 10750)

Caraustar Packaging Inc Ade Corp
Book: 12136 Page: 2120

Research Blvd
(50' Wide Public Right of Way)

Jpb Investments
Book: 08705 Page: 0146

Sports Tec Bowling Llc
Book: 12602 Page: 1142

Legend of Symbols & Abbreviations

Monument As Noted	N.	North
Chiseled Cross	S.	South
Bollard or Gate Post	E.	East
Power Pole	W.	West
Guy Wire	.	Degrees
Electrical Pedestal	..	Feet or Minutes
Electrical Transformer	..	Inches or Seconds
Air Conditioner	V.O.	Vacation Ordinance
Light Standard	Calc.	Calculated
Yard Light	Rec.	Record
Sign	Inst.	Instrument
Handicap Parking	No.	Number
Fire Hydrant	G.L.	Grass & Landscape
Water Meter	R/W	Right of Way
Water Valve	Qtr.	Quarter
Pet Waste Container	Sec.	Section
Irrigation Control	T.	Township
Grate Inlet	R.	Range
Storm Vault	B.	Book
Gas Meter	P.	Page
Gas Valve		
Manhole		
Clean Out		
Communications Vault		
Communications Pedestal		
Television Accessory		
Traffic Box		

Scale: 1" = 30'

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Bock & Clark, Corp.

ALTA/ACSM Land Title Survey

Caraustar 14

B&C Project No. 201300863, 010
St. Louis Carton
222
10750 Baur Blvd., St. Louis, MO 63132

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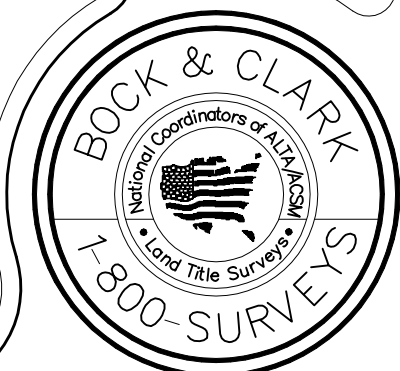
Survey Performed By:
Civen, Inc.
528 South Joplin Avenue
Joplin, MO 64801
Phone: (877) 982-4836
Fax: (877) 992-4836
Email: zach.winters@civen.com



Sheet 2 of 2

Bock & Clark's National Surveyors Network
National Coordinators of ALTA/ACSM Land Title Surveys

537 North Cleveland-Massillon Road Akron, Ohio 44333
Phone: (800) Surveys, Fax: (330) 666-3608 www.1800surveys.com



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J.A. Freight LLC

Date 1/16/2023

87 Grasso Plaza Shopping Cnt #242

St Louis, MO. 63123

Description of Business use

We are looking to move into the address at 10750 Baur Blvd, the Building is operated by 10750 Baur Holdings LLC. We will be parking a few trucks on the lot and operating a warehouse company that we are currently in start up mode. We look to fill the 17,000 square foot space with Nonhazardous materials consisting of cardboard boxes and material used to produce paint applicators. We will operate on the hours of 6 am to 430 Pm.

J.A. Freight LLC

Owners

Lisa M Magee

Adam C Kobler



city
of

CREVE COEUR

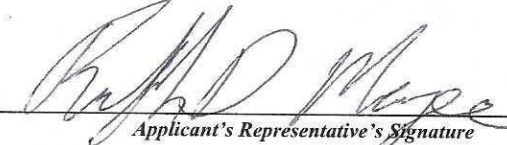
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PLANNING DIVISION

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

<i>Applicant:</i>	<i>Applicant's Representative (if applicable):</i>
Lisa M Magee <i>Name</i>	Ralph D Magee <i>Name</i>
J.A. Freight LLC. <i>Company (If Applicable)</i>	J.A. Freight LLC. <i>Company (If Applicable)</i>
87 Grasso Plaza #242 <i>Address</i>	87 Grasso plaza #242 <i>Address</i>
Affton Mo 63123 <i>Address</i>	Affton MO 63123 <i>Address</i>
Telephone # 3145207430 <i>Telephone #</i>	Telephone # 3146168576 <i>Telephone #</i>
Fax # <i>Fax #</i>	Fax # <i>Fax #</i>
Email: office@jafreightllc.com <i>Email:</i>	Email: rmagee@jafreightllc.com <i>Email:</i>
 <i>Applicant's Signature</i>	 <i>Applicant's Representative's Signature</i>

<i>Property Information:</i>	<i>Owner's Acknowledgement (if different from applicant):</i>
10750 Baur Blvd. <i>Address</i>	Tim Schellhardt <i>Name</i>
Creve Coeur, Mo. 63132 <i>Address</i>	10750 Baur Holdings LLC <i>Company (If Applicable)</i>
Development Name (if any) <i>Development Name (if any)</i>	10750 Baur Blvd. <i>Address</i>
Current Zoning <i>Current Zoning</i>	Creve Coeur Mo. <i>Address</i>
Prior CUP Approvals (if known) <i>Prior CUP Approvals (if known)</i>	Telephone # 314-568-3300 <i>Telephone #</i>
	Fax # <i>Fax #</i>
	Email: t.schellhardt@treecourt.com <i>Email:</i>
	 <i>Owner's Signature</i>

Description of Requested Use (attach additional sheets as needed)

General Description of Business: we operate a transportation company and will be using the warehouse to cross dock and warehouse goods for companies

Gross Floor Area – Existing and Proposed: 17,000

Number of Seats (for restaurant only): _____

Number of Employees at the busiest shift: 5

Hours of Operation: 6 am - 5 pm

Current or Most Recent Use of the Property: _____

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

Rationale

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

Submittal Checklist

2-Copies

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

Preferred Public Hearing Date: Monday, January 16 or January 23 rd, 2023.

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

Office Use Only

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

Received By: _____

Date: _____

Revised: 7/22



MEMORANDUM TO PLANNING AND ZONING COMMISSION

Meeting Date: February 21, 2023

Subject: **Work Session—Planned Development District Zoning Amendments and 39 North Comprehensive Plan Updates**

Memo Prepared by: Jason W. Jaggi, AICP, Director of Community Development

Attachments: Zoning Ordinance Section 405.390 Planned Zoning Districts
Creve Coeur 2030 Comprehensive Plan—Mixed-Use Innovation Campus District
Section (hyperlink within body of memo)
39 North Master Plan (hyperlink within body of memo)

Last year, Bayer sold the 95-acre west campus to a new ownership entity, Fireside Capital. The new owner has approached the City with an ambitious plan to redevelop the property into a mixed-use, master planned development. The development contemplates a wide variety of uses including commercial (retail and restaurants), multi-family and attached single family residential, senior living, and open space.

As discussed at the Joint Work Session on January 23, 2023, the 39 North Master Plan, a component of the City's comprehensive plan, and the Planned Development ordinance are in need of review and updates. While the proposed development is the driving force for this review, staff feels that the Planned Development ordinance would benefit from updates, regardless of the status of this development. With respect to the 39 North Master Plan, the sale of the Bayer West campus represents a significant change in the district, where the sale and redevelopment of this site was not contemplated at the time the plan was developed. A review and update to the 39 North Master Plan is recommended in light of these recent changes.

The purpose of this Work Session is to provide a high-level review to understand the function of the Planned Development ordinance and how it fits within the Zoning Code. Staff will highlight areas of the ordinance that are suggested for further review and amendments.

The second component of the Work Session will be to review the 39 North Master Plan to understand the framework of the plan and the future development recommendations to support the innovation district model. Staff will present land use goals for the Bayer West campus for initial review and discussion.

This memo will serve as a primer for the discussion with staff presenting more detailed information at the meeting.

Planned Development District Ordinance Overview

Section 405.390 of the Zoning Ordinance outlines the procedure for Planned Zoning Districts. This rezoning option is available to facilitate innovative, high-quality development that implements the goals of the comprehensive plan and other land use objectives in exchange for flexibility from the specific requirements of the zoning ordinance. The planned development ordinance is a useful option for larger, complex developments where strict adherence to the zoning code is not possible, but that could result in a desirable development. Approval for planned developments involves rezoning to the Planned District with approval of a site-specific development plan and ordinance that can regulate nearly all aspects of the development including uses, parking, building heights, setbacks, signage, etc.

Planned developments are classified into two types: Planned Residential Development (PRD) and Planned Commercial Development (PCD). PRD's allow all forms of residential as well as small service commercial intended to serve the immediate area. The minimum site size is 5.0 acres and applications are subject to several standards for development including density, setbacks, buffers, and open space. The Vue apartments on Old Olive is a recent project that was approved under the PRD procedure.

PCD's allow a mixture of commercial, office, miscellaneous service activities and multi-family residential uses. The minimum site size is 3.5 acres with several standards that the applicant must demonstrate compliance. The HBE hotel project was a recent application under the PCD procedure; however, that project did not receive approval by the City Council.

The updates that will be presented by staff involve the following main components:

- Eliminating the prohibition of a commercial planned development if more than 50 percent of the adjacent land uses are single family residential. Instead, a qualification of a planned development application would be the base zoning district. For example, the existing base zoning district would need to be commercial to qualify for a commercial planned development. Buffering requirements from adjacent residential uses already exist within the ordinance.
- Adding a third type of planned development—Mixed-Use Planned Development. The PCD and PRD types do not directly allow for full mixed-use projects that would include a significant residential component and other forms of residential development in addition to or in place of multi-family.
- For multi-phased projects on larger sites, introducing a site concept plan requirement that serves as the basis for approval of the rezoning to the planned district. Currently, the ordinance requires a fully developed site development plan to be prepared and submitted with the rezoning request. A site concept plan is a higher-level site plan that provides the essential information for a proposed large-scale development. This information includes in a general form: minimum setbacks, location and maximum height of all buildings on the site, parking areas, buffers, open space, access points, pedestrian circulation and land uses. A more detailed site development plan would still be required for review and approval by P&Z and City Council prior to construction of each phase as shown on the site concept plan. It is important to note that each site development plan must be consistent with the approved site concept plan.

Attached is the Planned Development Ordinance, Section 405.390 of the Zoning Ordinance for further review prior to the Work Session.

Comprehensive Plan Update—39 North District

As previously discussed, there is a need to update the City's comprehensive plan to establish general land use goals of the Bayer West campus with respect to its role within the 39 North District.

This site is located within the boundaries of the 39 North planning area and is identified as such in the comprehensive plan and the 39 North Master Plan. However, neither plan contemplated the redevelopment of a portion of the Bayer campus and; therefore, future land use goals have not been established. This property represents a significant portion of the overall 500+ acre 39 North District. Staff would envision a targeted update to the comprehensive plan/39 North Master Plan to provide general goals and objectives for this site prior to reviewing any proposal for redevelopment.

The topics that could be included in such an update are as follows:

- **Transportation and Connectivity**—specifically improved connectivity within the site and to the north side of Olive; impacts to existing transportation modes.
- **Public Greenways and Open Space**—expansion of the planned 39N Greenway into this area; passive and active public open spaces.
- **Future Land Uses**—Supporting retail—shifting/expanding the retail service district envisioned on Old Olive to south of Olive. This could serve as a new focal point for the district with supporting amenities and residential opportunities. AgTech Office Uses—support and encourage office, lab, research facilities to support expansion and growth of the employment base.
- **Buffering**: Maintain appropriate levels of buffering to adjacent single family residential areas. Focus density to middle, north and east sides of site.
- **General Development Guidance**: provide general recommendations on ways to achieve high-quality development such as exterior building materials, landscaping, district signage, etc.

The [comprehensive plan](#) (Pages 96-99) and the [39 North Master Plan](#) can be viewed on the City's website.

Next Steps

After this Work Session, staff would hold another work session to present an outline of the recommended amendments. From there a formal public hearing would be scheduled at the Planning and Zoning Commission to consider the amendments to the comprehensive plan and planned development ordinance. Attached is a draft timeline for the Commission's review.

Section 405.390. Planned Zoning Districts. [R.O. 2008 §26-46.1 — 26-46.13; Ord. No. 5057 §2, 9-4-2008; Ord. No. 5134 §§1 — 3, 4-26-2010; Ord. No. 5165 §7, 12-13-2010; Ord. No. 5243 §4, 2-13-2012; Ord. No. 5300 §§16 — 17, 4-22-2013]

- A. *Definitions Of Terms.* Unless a contrary intention clearly appears, the following words and phrases shall have the meanings given in the following clauses for the purposes of this Section. Where a conflict arises between these definitions and those contained in Section 405.120, Definitions, the wording in this Section shall prevail only to the extent needed to interpret and enforce the regulations of this Section. Further, words and phrases which are not defined by this Section nor Section 405.120, Definitions, shall be given their usual meaning except where the context clearly indicates a different or specific meaning.

PLANNED ZONING DISTRICT — A designed grouping of varied and compatible land uses, such as housing, recreation, commercial centers and industrial parks, all within one (1) contained development or subdivision.

PREDOMINATELY NON-RESIDENTIAL — A descriptive phrase that applies to areas in which less than fifty percent (50%) of the adjoining land area (excluding streets) within five hundred (500) feet is developed as single-family residences, either detached or attached (the latter includes only stand-alone development of four (4) attached units or less).

PREDOMINATELY RESIDENTIAL OR INSTITUTIONAL — A descriptive phrase that applies to areas in which fifty percent (50%) or more of the adjoining land area (excluding streets) within five hundred (500) feet is developed as either:

1. Residential uses, or
2. Institutional uses consisting of non-profit or quasi-public uses, such as a religious institution, library, public or private school, hospital or government-owned or government-operated structure or land used for public purposes.

UTILITIES — All lines and facilities related to the provision, distribution, collection, transmission or disposal of water, storm and sanitary sewage, oil, gas, power, information, video, telecommunication and telephone.

- B. *Purpose.* The purpose of the Planned Zoning District is to allow innovative design, solve problems on difficult sites, meet market niches, encourage housing in different price ranges, promote well designed developments and encourage infill and redevelopment within the existing urban area. Through the flexibility of the Planned Zoning District, the City seeks to achieve the following objectives:

1. Fulfillment of the goals and objectives of the Comprehensive Plan;
2. Creation of a more desirable environment than would be possible through application of conventional City land use regulations;
3. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development including aesthetic amenities;

4. Combination and coordination of architectural styles, building forms and building relationships;
 5. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, preferably by means of natural erosion control and stormwater control best management practices;
 6. Use of design, landscape or architectural features consistent with the City's design guidelines; and
 7. Mutually desired elimination of obsolete or deteriorated structures or incompatible uses through redevelopment.
- C. *Eligibility.* A development proposal shall be eligible for consideration under the planned zoning district process if the Zoning Administrator finds that it cannot be approved under any other Zoning District and that the applicant has provided credible evidence that the proposal is an appropriate implementation of the Comprehensive Plan due to the fulfillment of the purpose of this Section, the substantial incorporation of the design criteria for each the applicable district type identified in this Section 405.390 and the provision of a substantial tangible public benefit(s) to the City including, but not limited to, the following:
1. Provision of public or quasi-public parking facilities;
 2. Provision of on-street and off-street pedestrian facilities linking surrounding business, office and residential uses;
 3. Consolidation and/or elimination of overhead utility wires;
 4. Inclusion of landscaped gardens, plazas or parks available for public use;
 5. Provision of alternative street connections or the dedication of land for additional street right-of-way;
 6. Fountains, statuary, public art;
 7. Architectural distinction and significance that would make the building(s) noteworthy;
 8. Extensive use of high quality building materials that would add to the assessed valuation of the structures.

It should be noted that the benefits listed may not necessarily satisfy the public benefit requirement as final discretion falls on the City Council, upon receipt of a recommendation of the Planning and Zoning Commission, in determining the level of benefit derived.

D. *Relationship Of Planned Districts To Zoning Map.*

1. *A mapped district.* The planned zoning district designation shall not be attached to existing zoning districts as an overlay. The planned zoning districts, as detailed in this Section, are separate zoning districts and applied to

a specific parcel or parcels of land following a public hearing and all other requirements of Section 405.1060 Zoning Changes and Text Amendments.

2. *Types of planned zoning districts.*

- a. *Planned residential development (PRD).* A "planned residential development" shall mean a development on a plot of land, containing a limited mixture of uses and building types, which may include single-family houses, clustered housing, multi-family dwellings, open space and small service commercial (boutique style business uses) that complement the area. Although no particular combination of the aforementioned uses is predetermined, all applications for PRD zoning must contain a clear statement and placement of the specific uses within the district with the NAICS Designation from Table A. Note that no use which is listed as a conditional use in the Creve Coeur zoning ordinance shall be considered approved for a PRD unless it is expressly listed in the application and approved. Subsequent requests for additional conditional uses shall be treated as amendments to the zoning district and subject to all of the original approval criteria. The minimum gross area (includes floodplain areas) required for PRD is five (5.0) acres, composed of one (1) parcel or two (2) or more contiguous parcels of land.

Design criteria.

- (1) Adjoining areas should be predominately residential or institutional.
- (2) Housing densities may not exceed six (6) units per acre for new single-family residential nor thirty (30) units per acre for new multi-family residential. For the purpose of calculating density, acreage shall not include areas located in a 100-year floodplain. **[Ord. No. 5333 §1, 9-9-2013]**
- (3) Includes dwelling units (all types) subject to height and development and performance standards substantially similar to surrounding residential development. 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 thirty-five (35) feet above the property line and will have a slope of thirty degrees (30°) rising towards the center of the site.
- (4) The floor area ratio (FAR) shall not exceed six-tenths (0.6). However, where a proposed district includes pre-existing buildings that are found to otherwise satisfy the overall purpose and intent of this Chapter, the FAR may be waived so long as the building coverage does not exceed thirty-three percent (33%) of the site area and the sky exposure plane requirement is met. **[Ord. No. 5333 §2, 9-9-2013]**

- (5) Any tract or site abutting or adjoining a single-family residential development shall provide a buffer yard of twenty-five (25) feet on all sides that abut the single-family development. 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) No new residential building may be located closer than twenty (20) feet to any required buffer yard.
 - (7) No new commercial building may be located closer than forty (40) feet to any required buffer yard.
 - (8) Balances increased structure densities for the subject property with more cohesive and organized open space.
 - (9) Improves on, or provides for, efficient circulation patterns, access controls and screening of parking facilities.
 - (10) Provides adequate public facilities including streets, bicycle and pedestrian facilities, fire protection, water, storm water control, sanitary sewer and parks and recreation facilities.
 - (11) Utilizes high-quality architectural design, placement, relationship and orientation of structures.
 - (12) Places all utilities serving new projects underground, to the extent feasible, except where specific allowances and design considerations are provided elsewhere in this Section. **[Ord. No. 5381 §1, 7-14-2014]**
 - (13) Provides effective landscaping or screening in or around the separate developments within the PRD.
 - (14) Provides for vehicular mobility in a manner that does not compromise pedestrian safety and mobility.
 - (15) Functionality and aesthetically integrates all proposed storm water collection basins with the surrounding development through undergrounding or extraordinary design of above ground facilities that is visually commensurate with the surrounding development.
- b. *Planned commercial development (PCD)*. A "planned commercial development" shall mean a development on a plot of land containing a mixture of commercial, office, miscellaneous service activities and multi-family dwellings when acceptable to the area. The purpose of a PCD is to provide sites for the development of commercial retail and office uses in a manner which is attractive for such uses and compatible with surrounding neighborhoods. The PCD will also encourage the efficient use of land and resources, offer a mix of amenities for the populace of the

area and promote greater efficiency in public and utility services. Although no particular combination of the aforementioned uses is predetermined, all applications for PCD zoning must contain a clear statement and placement of the specific uses within the district, with the NAICS Designation from Table A. Note that no use which is listed as a conditional use in the Creve Coeur zoning ordinance shall be considered approved for a PCD unless it is expressly listed in the application and approved. Subsequent requests for additional conditional uses shall be treated as amendments to the zoning district and subject to all of the original approval criteria. The minimum gross area (includes floodplain areas) required for PCD is three and one-half (3.5) acres, composed of one (1) parcel or two (2) or more contiguous parcels of land. In addition, a PCD may not be requested for properties described by the Central Business District land use plan.

Design criteria.

- (1) Adjoining areas must be predominantly non-residential as defined for this district and the project shall have primary access, from Olive Boulevard, Lindbergh Boulevard, North New Ballas Road or any street within the "LI" Light Industrial zoning district, and may also have secondary access to a side road or from any street within the "LI" Light Industrial zoning district. **[Ord. No. 5578, 4-9-2018]**
- (2) Proposed development 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 thirty-five (35) feet above the property line and will have a slope of thirty degrees (30°) rising towards the center of the site.
- (3) The floor area ratio (FAR) for new developments shall not exceed six-tenths (0.6). However, where a proposed district includes pre-existing buildings that are found to otherwise satisfy the overall purpose and intent of this Chapter, the FAR may be waived so long as the building coverage does not exceed forty percent (40%) of the site area and the sky exposure plane requirement is met.
- (4) Any tract or site abutting or adjoining a single-family residential development shall provide a buffer yard of thirty-five (35) feet on all sides that abut the single-family development. 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.
- (5) No new residential building may be located closer than fifteen (15) feet to any property line or any required buffer yard.
- (6) No new commercial building may be located closer than forty (40) feet to any required buffer yard.

- (7) Makes efficient use of parking and storage areas including cooperative parking facilities.
- (8) Provides for the more efficient provision of public and private utilities and facilities throughout the development area.
- (9) Provides adequate public facilities including streets, bicycle and pedestrian facilities, fire protection, water, storm water control, sanitary sewer and parks and recreation facilities.
- (10) Incorporates pocket parks, small plazas and places for public art where appropriate.
- (11) Locates buildings in appropriate relation to sidewalks or public parks and plazas.
- (12) Provides for vehicular mobility in a manner that does not compromise pedestrian safety and mobility.
- (13) Allows for on-street parking and locates surface parking to the side and rear of buildings.
- (14) Utilizes high-quality architectural design, placement, relationship and orientation of structures.
- (15) Places all utilities serving new projects underground, to the extent feasible, except where specific allowances and design considerations are provided elsewhere in this Section. **[Ord. No. 5381 §1, 7-14-2014]**
- (16) Provides effective landscape or screening in or around the separate developments within the PCD.
- (17) Functionally and aesthetically integrates all proposed storm water collection basins with the surrounding development through undergrounding or extraordinary design of above ground facilities that is visually commensurate with surrounding development.

E. *Submittal Requirements.* For a planned zoning district to be accepted for review, the application must be accompanied by a complete site development plan submitted in accordance with Section 405.1080 with the information listed below placed either on the plan or on a separate sheet accompanying the plan, unless otherwise approved by the Zoning Administrator.

- 1. All submissions to the City's Planning and Zoning Commission and City Council shall be properly sealed and signed by a licensed architect, professional engineer or land surveyor registered in the State of Missouri, as applicable, pursuant to laws and regulations established by the Missouri Board for Architects, Professional Engineers and Land Surveyors. An original seal, signature and print date shall appear on each page of one (1) original submittal set as evidence that the submitted material was prepared under the direction of

- a licensed architect, professional engineer or land surveyor. All other submissions shall be copies of the original set.
2. Title block including name of the proposed project, name, address and phone number of preparers and project applicant or owner.
 3. The location, dimensions and total area of the site.
 4. The location, height, floor area, type of construction and intended use of each proposed building or structure.
 5. Architectural elevations depicting size, shape and special design elements proposed as well as proposed exterior finish materials to be used.
 6. A plan of the entire planned zoning district shall be drawn at a scale of 1" = 20' or larger bearing a minimum of two (2) surveyed points located in conformance with the Missouri Coordinate System ("State Plane Coordinates").
 7. Two (2) cross sections at ninety degrees (90°) from each other through the proposed site and building(s).
 8. The number, location and dimensions of parking spaces, surface lot or structures and loading docks, in relation to the applicable parking regulations in Article VII, with means of ingress and egress. Layout of physically disabled parking and accessibility shall be included.
 9. The proposed traffic circulation pattern within the area of the development including the location and description of public improvements to be installed including any streets and access easements.
 10. The location and purpose of any existing or proposed dedication, easement or right-of-way (public or private) within the boundaries of the site.
 11. Location and dimensions of adjacent properties, abutting public rights-of-way and easements and utilities serving the site.
 12. Location of existing and proposed sewage treatment, stormwater runoff collection and detention and preliminary stormwater runoff calculations (amount of detention required and provided).
 13. Existing and proposed contour lines or elevations based on mean sea level datum at two (2) foot intervals and extending one hundred (100) feet beyond the property line.
 14. Site coverage data in a percentage form (a ratio of non-impervious to impervious area).
 15. Ratio of floor area to site area (FAR).
 16. Location and height of all light poles and trash enclosures including detailed sketches or cut sheets.

17. The proposed treatment of open spaces including existing and proposed landscaping.
 18. When the planned development is to be constructed in stages or units, a schedule for the development of stages or units stating the approximate beginning and completion time for each stage or unit.
 19. Copies of any restrictive covenants that are to be recorded with respect to property in the proposed planned zoning district.
 20. A narrative addressing each of the standards set forth in Section 405.390(F) Review Criteria and such additional standards, if any, as may be applicable under the specific provisions of these planned zoning district regulations. The statement shall explain specifically how the proposed planned zoning district relates to and meets each such standard.
 21. A traffic impact analysis prepared by a Missouri registered traffic engineer depicting the project's impact on vehicular and pedestrian traffic.
- F. *Review Criteria.* The Planning and Zoning Commission shall recommend to the City Council approval, approval with conditions or denial of a planned zoning district application primarily based upon satisfaction of Section 405.390(C), Eligibility and meeting the applicable design criteria in Section 405.390(D)(2), Types of Planned Zoning Districts. Supplemental to these items, every application shall also be reviewed for conformance with the standards set forth below:
1. The proposed development is in harmony with the general purpose and intent of this Chapter and is compatible with and implements the planning goals and objectives of the City including the Comprehensive Plan and CBD land use plan.
 2. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets.
 3. The internal circulation system of the proposed development encourages safe movement for vehicles and pedestrians.
 4. Existing or proposed utility services are adequate for the proposed development.
 5. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.
 6. Architecture and building materials are consistent with the character of the proposed development and compatible with areas of the City proximate thereto.
 7. Landscaping is appropriate for the scale of development and consistent with any applicable City codes, ordinances and standards.
 8. The proposed development preserves any significant architectural and

environmental features of the property.

9. Operating and delivery hours are compatible with adjacent land uses.
10. The proposed uses are compatible with the area surrounding the proposed development and will not have a material net cumulative adverse impact on the surrounding area or the City as a whole.
11. The proposed development complies with all other applicable codes and ordinances.
12. The layout of structures and spaces adequately takes into account the potential for future subdivision of the development.
13. There is a demonstrated level of the public benefit to the City derived from the proposed development, per Section 405.390(B).

G. Review Procedure For A Planned Zoning District.

1. *Finding of eligibility.* The Zoning Administrator shall make a written finding of eligibility under Section 405.390(C), Eligibility, within fifteen (15) days following submittal of a proposal by an applicant.
2. Following a positive finding of eligibility by the Zoning Administrator, an application for approval of a planned zoning district shall be reviewed and presented at a public hearing according to the procedures outlined in Section 405.1060.
3. Once approved by the City Council, the planned zoning district, including the associated site development plan, replaces all prior zoning regulations on the property and should be noted on the Zoning Map.
4. Any applicable time limitations shall be met, such as those pertaining to proposed wireless communications facilities and support structures under Section 67.5090 RSMo. et seq. and FCC Declaratory Ruling WT Docket No. 08-165, rel. 11-15-2009.¹ [**Ord. No. 5381 §1 7-14-2014; Ord. No. 5620, 12-10-2018**]

H. Conditions Of Approval.

1. The City Council shall consider the same criteria as set forth for the Planning and Zoning Commission review (Section 405.390(F), Review Criteria) and may impose such conditions and limitations including, but not limited to, those recommended by the Planning and Zoning Commission, as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the planned zoning district, upon the City as a

1. Note: Review of an application shall be completed within applicable time limitations including those pertaining to proposed wireless communications facilities and support structures under State and Federal law, which are generally: 45 days for collocation or replacement of wireless facilities or non-substantial modifications of existing facilities, 60 days for small wireless facilities on new poles, and 120 days for other (not small) wireless facilities on new poles or substantial modifications of such existing facilities. See Sections 67.5090, et seq., and 67.5110, et seq., RSMo., and 47 CFR 1.40001 and 1.6003.

whole or upon public facilities and services. These conditions may include, but are not limited to, conditions concerning use, construction, character, location, landscaping, screening, parking, maintenance, operational elements that would impact adjoining land uses and other matters relating to the purposes and objectives of these planned zoning district regulations. Such conditions shall be expressly set forth in the ordinance and depicted, as appropriate, on the associated site development plan authorizing the planned zoning district.

2. The ordinance approving a planned zoning district shall contain a legal description of the subject property to the planned zoning district, all imposed conditions of approval and the site development plan. The ordinance and the approved development plan shall be recorded by the applicant in the office of County Recorder of Deeds. The applicant must present proof to the City of such recording before any permits may be issued.
 3. Following planned zoning district approval, the development plan, rather than any other provision of this Chapter, shall govern the use, parking, loading, sign, bulk, space and yard regulations applicable to the subject property and no use or development, other than temporary uses, shall be permitted within the area of the planned zoning district pursuant to the zoning district regulations otherwise applicable to such area.
- I. *Reapplication.* In the event the City Council denies an application for planned zoning district, no application for the same or substantially similar proposal will be accepted for a period of at least one (1) year from the date of denial by the City Council, unless the City Council affirmatively waives this restriction for good cause.
 - J. *Final Building, Construction And Site Improvement Plans.* Once a planned zoning district and its included site development plan receives final approval by the City Council, further review of the final building, construction and site improvement plans by the Planning and Zoning Commission or the City Council will not be required, provided those final plans are consistent with and in substantial conformance with the approved planned zoning district and its included site development plan.
 - K. *Building Permit Issuance.* A copy of the approved planned zoning district shall be retained in the records of the Department of Community Development and all building and occupancy permits issued by the City shall conform to the provisions of the approved planned zoning district.
 - L. *Violations.* Failure to comply with any of the conditions and/or provisions of an approved planned zoning district plan shall constitute a violation of this Chapter, punishable as provided in Section 405.1150 of this Chapter. The City may seek judicial remedies to compel compliance.
 - M. *Amendments.* No amendments shall be made in the construction, development or use permitted under a planned zoning district except as follows:

1. *Minor amendments.* During build-out of the planned zoning district, the Zoning Administrator may authorize minor adjustments to the approved site development plan when such adjustments appear necessary in light of technical or engineering considerations and the project will remain in substantial conformance with the original approval.
2. *Major amendments.* If the Zoning Administrator determines that the proposed amendment will result in a major change to the site development plan (not in substantial conformance with the original approval) or any change to the list of permitted uses, the matter shall be subject to review as a new application under the provisions of these planned zoning district regulations.

February 7, 2023

Comprehensive Plan Update and Planned Development (PD) Ordinance Update Timeline

Proposed Timeline

- **February 21, 2023: P&Z Work Session.** Provide general framework for comp plan update and PD ordinance amendments for review and discussion.
- **March 6, 2023:** Second Work Session at P&Z. Follow up and continued refinement of amendments based on feedback received at first work session.
- *March 9th Deadline for April Resident Newsletter for Text Amendment and Comp Plan Update*
- **March 13, 2023:** Update on amendments to City Council (Business from CA)
- **April 17, 2023:** Public Hearing at P&Z for Comp Plan and PD Ordinance
- **May 1, 2023:** P&Z Vote on Comp Plan Amendments and Recommendation of PD Text Amendments to City Council
- **May 8, 2023:** 1st City Council Meeting Text Amendments
- **May 22, 2023:** 2nd City Council Meeting and Final Approval Text Amendments