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AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, MAY 16, 2011
7:00 PM

1. ROLL CALL

Mr. Michael Barton
Mr. Gary Eberhardt
Mr. Barry Glantz
Ms. Cynthia Kramer
Mr. Tim Madden
Mr. Jim Schnarr
Mr. Carl Lumley, City Attorney
Mr. Paul Langdon, AICP, Director of Community Development
Ms. Whitney Kelly, AICP, City Planner
Ms. Julie Lowery, Recording Secretary

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 confidential or privileged communications with the City Attorneys as provided under Section 610.021(1)RSMO or other matters as permitted by Chapter 610.

Reports, documents, plans, and related materials are available for examination at the Creve Coeur Government Center, 300 North New Ballas Road, prior to the meeting.

Special disabled service may be arranged by contacting the Office of the City Administrator in advance.

2. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

3. APPROVAL OF MINUTES

A. Draft minutes from May 2, 2011, Planning and Zoning Commission meeting.

4. 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 provide their name and address for the public record.

5. **UNFINISHED BUSINESS**

- A. Application #11-004: Amendment to the conditional use permit for Lou Fusz Fiat, 900 N. Lindbergh Boulevard, to allow exterior building and landscape modifications.**

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

6. **NEW BUSINESS**

- A. Application #11-009: Conditional use permit and site development plan approval for new automated teller machine and landscape improvements for the First Community Credit Union, located at 10950 Olive Boulevard.**

Applicant/Agent: Rick Strutman
First Community Credit Union
17151 Chesterfield Airport Road
Chesterfield, MO 63005

- B. Application #11-010: Conditional use permit and site development plan approval to allow expansion and reconfiguration of the existing automobile gas and wash facility, located at 10559 Old Olive Street Road -- POSTPONED TO JUNE 6, 2011 --**

Applicant/Agent: Michael Goldman
Waterway Gas & Wash
727 Goddard Ave
Chesterfield, MO 63005

- C. Application #11-011: Minor site development plan amendment for Mill Crossing Condominiums, located at 13036 Olive Boulevard.**

Applicant/Agent: Mill Crossing Condominium Association
c/o James Honeywell, Trustee
1163 Mill Crossing Drive, Unit 101
Creve Coeur, MO 63141

7. **WORK AGENDA**

8. **OTHER BUSINESS**

- A. Planning Division Report**
B. City Attorney Report

9. **ADJOURNMENT**



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, MAY 2, 2011
7:00 P.M.**

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, May 2, 2011, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: *Mr. Timothy Madden, Chair*
 Dr. Michael Barton - ABSENT
 Mr. Gary Eberhardt
 Mr. Barry Glantz
 Ms. Cynthia Kramer
 Mr. Jim Schnarr – ABSENT
 One vacancy

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

2. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

The agenda was accepted as written.

3. APPROVAL OF MINUTES

Draft Minutes of April 4, 2010

Mr. Eberhardt moved approval of the draft minutes as written. Mr. Glantz seconded the motion which carried unanimously.

4. PUBLIC COMMENT

None.

5. UNFINISHED BUSINESS

Application #11-004, Amendment to the conditional use permit for Lou Fusz Fiat, 900 N. Lindbergh Boulevard, to allow exterior building and landscape modifications.

Applicant/Agent: Stephan Hollander, for Lou Fusz Fiat
S.J. Hollander Architect, PC
519 First Capitol Drive
St. Charles, MO 63301

A presentation was made by the applicant highlighting the additional landscaping in front of the water detention basin, the retaining wall, and the landscaping in the parking lot to the east. The presentation also highlighted the building architecture.

Comments and questions from Commission members. Ms. Kramer asked how the plants and grass do in the area that is not currently irrigated. The applicant stated that there is only grass in that area and it is still alive. Mr. Eberhardt commented that Fiat is a new brand to the area, and asked if there was a way to make the building more distinctive and more in line with the Comprehensive Plan while still providing unique to the Fiat brand. Mr. Glantz commented that he did not have an issue with the building design, but his concern is that the site is visible from various different areas and, therefore, it needs to meet the sign regulations. Mr. Madden commented that if the Commission agrees to the building design that he would like to see an irrigation system throughout the entire landscape. He further stated that the interior might be described as “world class” by the operator, but that is not the concern of the Commission.

There being no further comments, the motion was made by Mr. Eberhardt to recommend approval of an amendment to the conditional use permit Ordinance 1921 to allow the new Fiat dealership architecture and associated landscape plan presented to the Planning Commission on May 2, 2011, and discussed in the staff report in application 11-004 dated May 2, 2011 with the amendment that all of the green space and landscaped areas, as specified in the original conditional use permit, be subject to an irrigation system. Mr. Glantz seconded the motion with the resultant vote as follows:

Mr. Glantz – aye
Chair - aye

Ms. Kramer – aye

Mr. Eberhardt – aye

6. NEW BUSINESS

Application #11-008, minor site plan approval for a courtyard fence at 309 South Spoeede Road that varies in height from 10 feet 9 inches at the northwest corner to 14 feet 9 inches at the southwest corner of the building, where six feet is the maximum allowed by Section 405.640, Fences, of the Zoning Code.

Applicant/Agent: Susan Bower
Mitchell Wall Architecture & Design
2 The Pines Court
Saint Louis, MO 63141

Property Owner: Susan A. Cejka
10406 Ladue Road
Saint Louis, MO 63141

A presentation was made by the applicant detailing the layout of the fence.

Comments and questions from Commission members.

There being no further comments, Mr. Eberhardt motioned to approve the site plan and elevation for the courtyard fence at 309 South Spode Road submitted with application 11-008, as presented to the Planning and Zoning Commission on April 19, 2011 and as represented May 2, 2011 with no further conditions. Mr. Glantz seconded the motion with the resultant vote as follows:

Mr. Glantz – aye
Chair - aye

Ms. Kramer – aye

Mr. Eberhardt – aye

7. WORK AGENDA

None

8. OTHER BUSINESS

A. Planning Division Report

Mr. Langdon reported that tonight's items, the Fiat dealership, will go to the City Council at their next meeting, if at all possible, which is next Monday, May 9, 2011. The decision on the fence at 309 South Spode is the Planning Commissions discretion, and they can proceed through Building permit to get it built. Mr. Langdon advised that at the next meeting there will be an application reviewed from the credit union at Graeser and Olive, which is looking to alter their ATM structure and location on the site, as well as restore the landscape that has been cleaned out over the last several years. Due to the change to the ATM, that affects their conditional use permit, so there will be a Public Hearing at the next meeting. Mr. Langdon announced Mr. Saunders resignation, as he was elected to the City Council. Also, Mr. Langdon welcomed Ms. Julie Lowery as the new Recording Secretary and Administrative Assistant for the Planning Division.

B. City Attorney Report

None

9. ADJOURNMENT

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 7:43 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



city of CREVE COEUR

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

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

FOR THE MEETING OF: May 16, 2011

LOCATION: 900 N. Lindbergh Boulevard

REQUEST:

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

ADDITIONAL INFORMATION:

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

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

Key Issues:

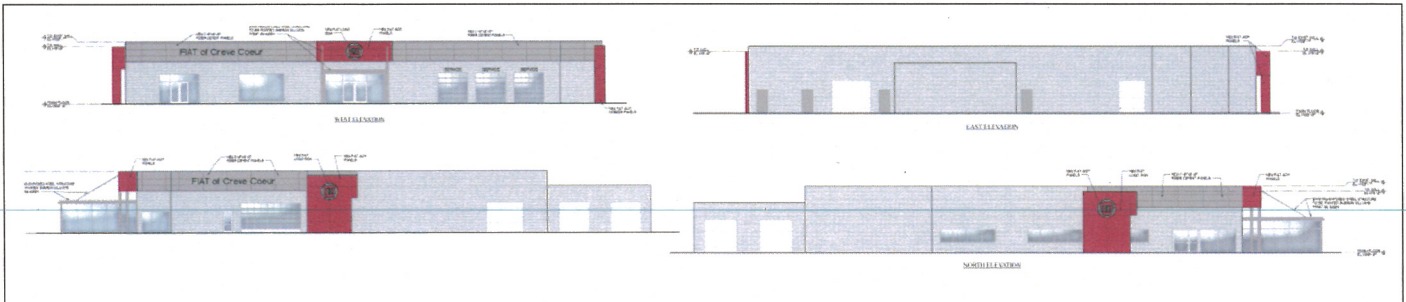
- Does the request still meet the criteria for a conditional use permit?
- Does the request further the goals and/or implement the Comprehensive Plan?

Comp. Plan References

- Commerce Center Action Area
- Design Guidelines

Zoning Code References

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



REPORT PREPARED BY:

Whitney Kelly
Whitney Kelly, AICP, City Planner

5/13/2011

Date

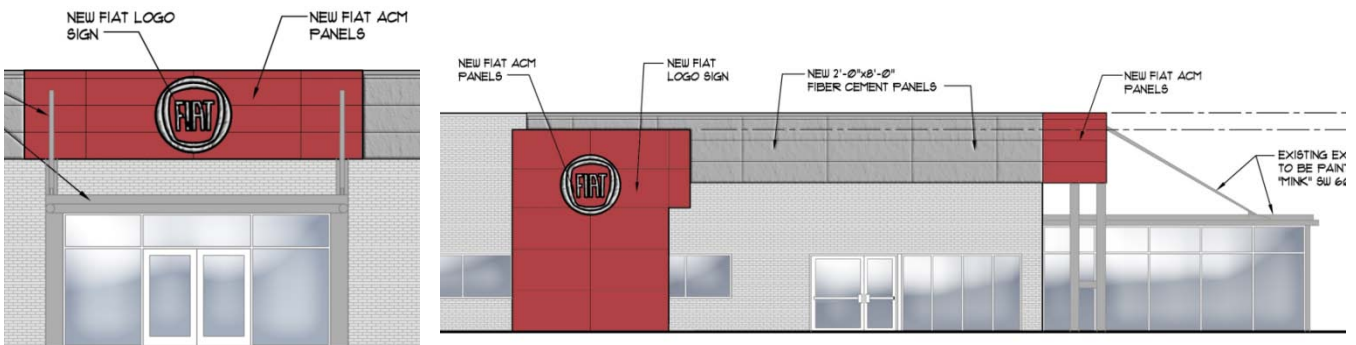
ATTACHMENTS: Applicant's revised elevation drawings, received May 10, 2011
Previous staff reports dated May 2, 2011 and March 31, 2011
Draft ordinance

PROJECT UPDATE AND DISCUSSION

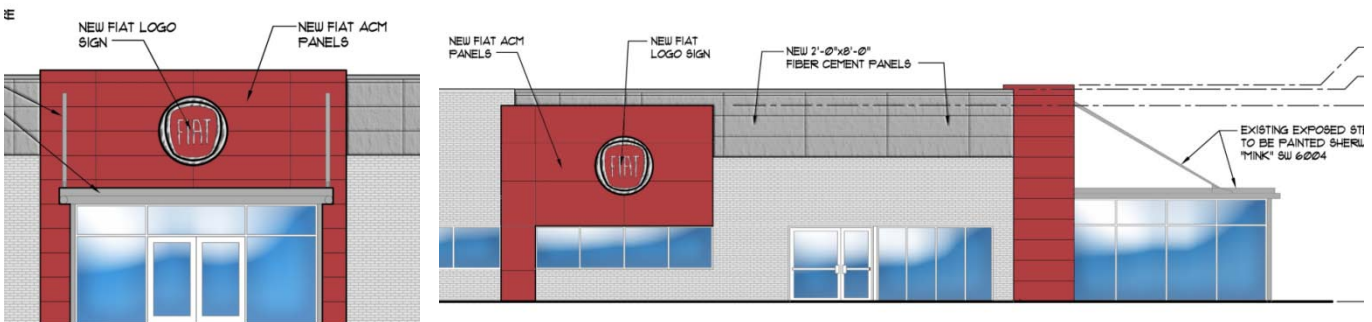
On Thursday, May 5th, the applicant notified Staff that Fiat did not approve of the previous drawings reviewed and approved by the Planning and Zoning Commission, and that he would be submitting new elevation drawings for review. Instead of proceeding with the prior drawings to City Council and potentially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

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

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



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



STATUS OF THE USE

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

SUMMARY AND ACTION

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

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

MOTION

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

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

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

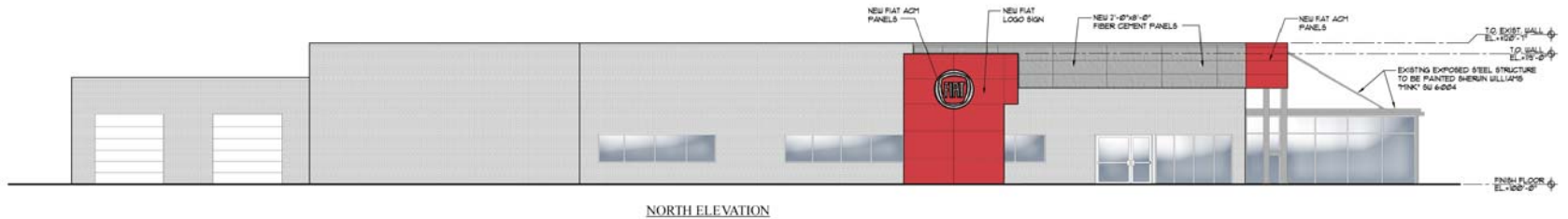
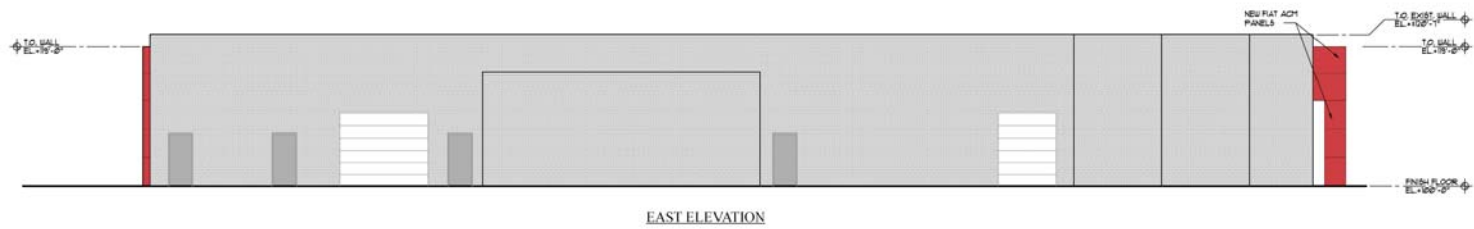
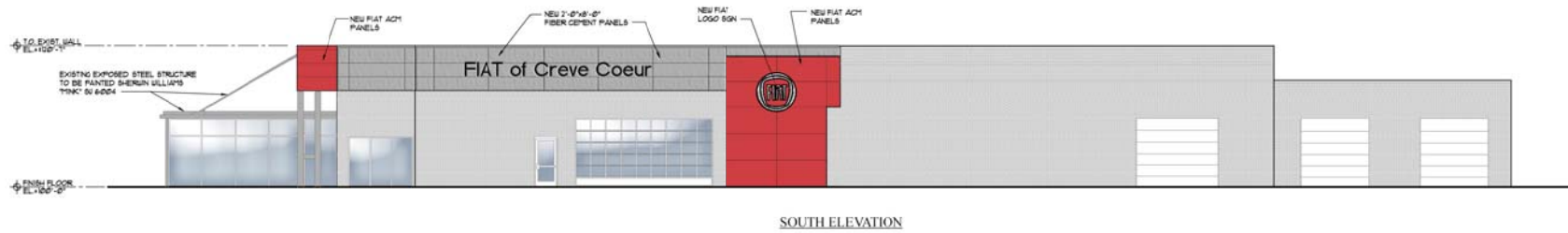
“I move to recommend approval of an amendment to Conditional Use Permit Ordinance #1921, to allow the new Fiat Dealership architecture presented to the Planning and Zoning Commission on May 16, 2011, and the associated landscape plan presented and discussed in the staff reports on Application #11-004,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

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

APPENDIX 2: ZONING CODE

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



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2011 ARCHITECT, P.C.

Lou Fusz FIAT

900 N. Lindbergh Creve Coeur, MO 63141



S.J. Hollander Architect P.C.

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

BILL NO. _____

ORDINANCE NO. _____

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

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

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

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 4, 2011, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(3); and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a _____, recommended approval of the improvements, subject to the conditions contained herein, at its meeting on Monday, May 16, 2011; and

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

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

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

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

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

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

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

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

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

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

- 6.
7. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
8. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the automotive dealership permitted by this ordinance.
9. The hours of operation shall not exceed 7:00 A.M. to 6:30 P.M. Monday, Wednesday, and Friday; 7:00 A.M. to 6:30 P.M. Tuesday and Thursday; and 9:00 A.M. to 6:00 P.M. on Saturday.
10. The use of outdoor speakers for the amplification of music or spoken word shall be prohibited.
11. Parking of automobiles shall be limited to one automobile per designated parking space.
12. The storage or repair of collision damaged or inoperable vehicles shall not occur on the subject property.
13. The number of new automobiles and/or certified automobiles with a manufacturer's warranty shall not, at any time, be less than eighty percent (80%) of the total number of automobiles available for purchase on site.
14. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
15. A copy of all herein conditions shall be furnished by the owner or petitioner to the operator(s) and managers, including successive operator(s), owner(s) and manager(s) who shall forward to the Zoning Administrator an acknowledgement that he or she has read and understood all conditions and agrees to comply therewith.
16. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without 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.
17. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 2 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

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

BILL NO. _____

ORDINANCE NO. _____

ADOPTED THIS ____ DAY OF _____, 2011.

TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2011.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
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**APPLICATION TO PLANNING AND ZONING COMMISSION
#11-004 AMENDMENT TO THE CONDITIONAL USE PERMIT
FOR EXTERIOR BUILDING IMPROVEMENTS FOR THE LOU FUSZ FIAT**

FOR THE MEETING OF: May 2, 2011

LOCATION: 900 N. Lindbergh Boulevard

REQUEST:

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

ADDITIONAL INFORMATION:

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

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

Key Issues:

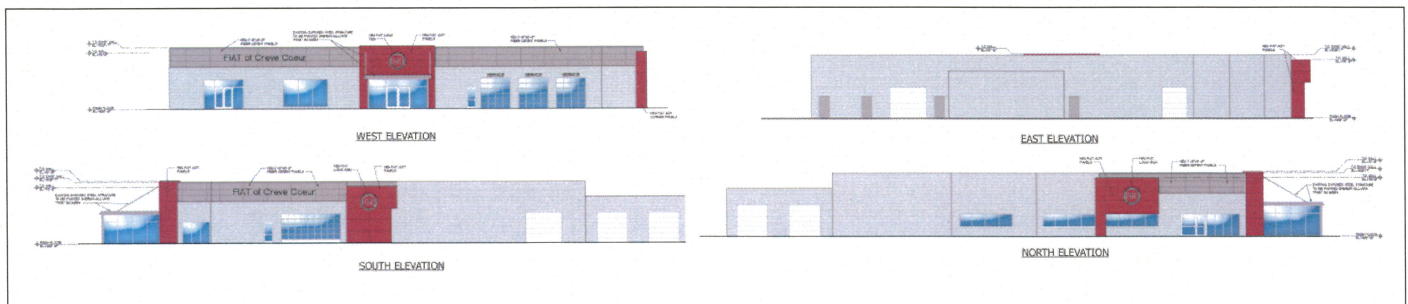
- Does the request still meet the criteria for a conditional use permit?
- Does the request further the goals and/or implement the Comprehensive Plan?

Comp. Plan References

- Commerce Center Action Area
- Design Guidelines

Zoning Code References

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



REPORT PREPARED BY:

Whitney Kelly
Whitney Kelly, AICP, City Planner

4/29/2011
Date

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

PROJECT UPDATE AND DISCUSSION

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

Architectural Modifications

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

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



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



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

Landscape Modifications

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

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

SUMMARY AND ACTION

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

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

MOTION

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

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

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

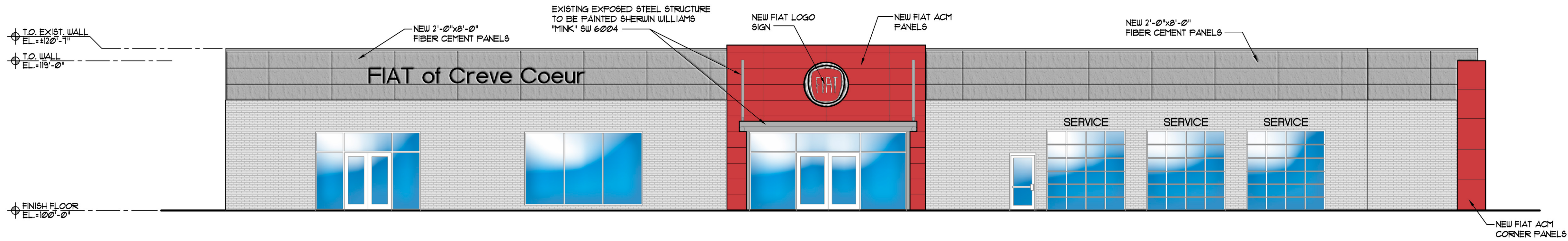
“I move to recommend approval of an amendment to Conditional Use Permit Ordinance #1921, to allow the new Fiat Dealership architecture and associated landscape plan presented to the Planning Commission on May 2nd, 2011, and discussed in the staff report on Application #11-004, dated May 2nd, 2011.”

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

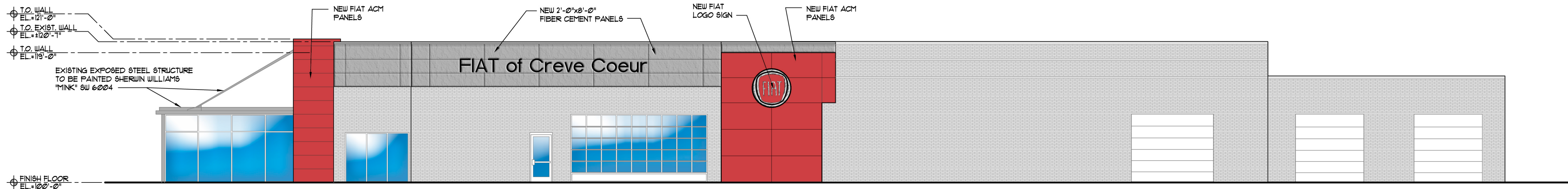
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

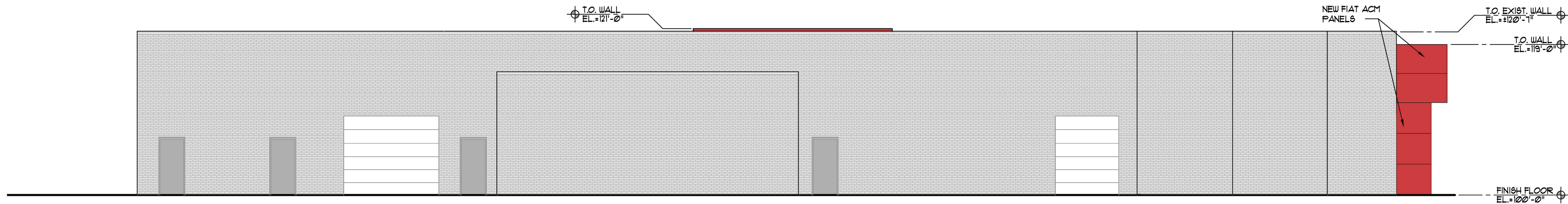
Included and attached by reference. See body of report for specific excerpts.



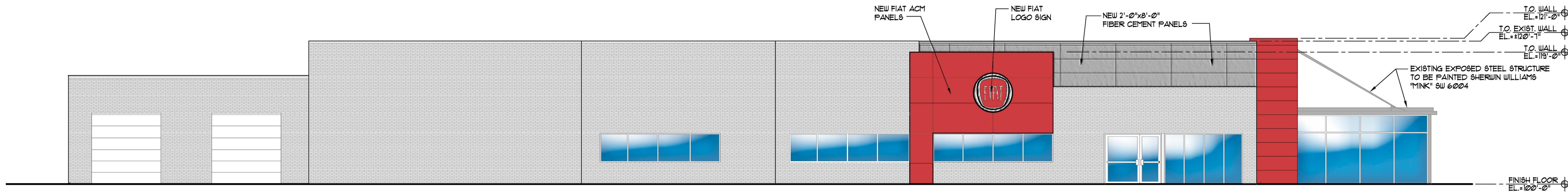
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

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2011 ARCHITECT, P.C.

Lou Fusz FIAT

900 N. Lindbergh Creve Coeur, MO 63141

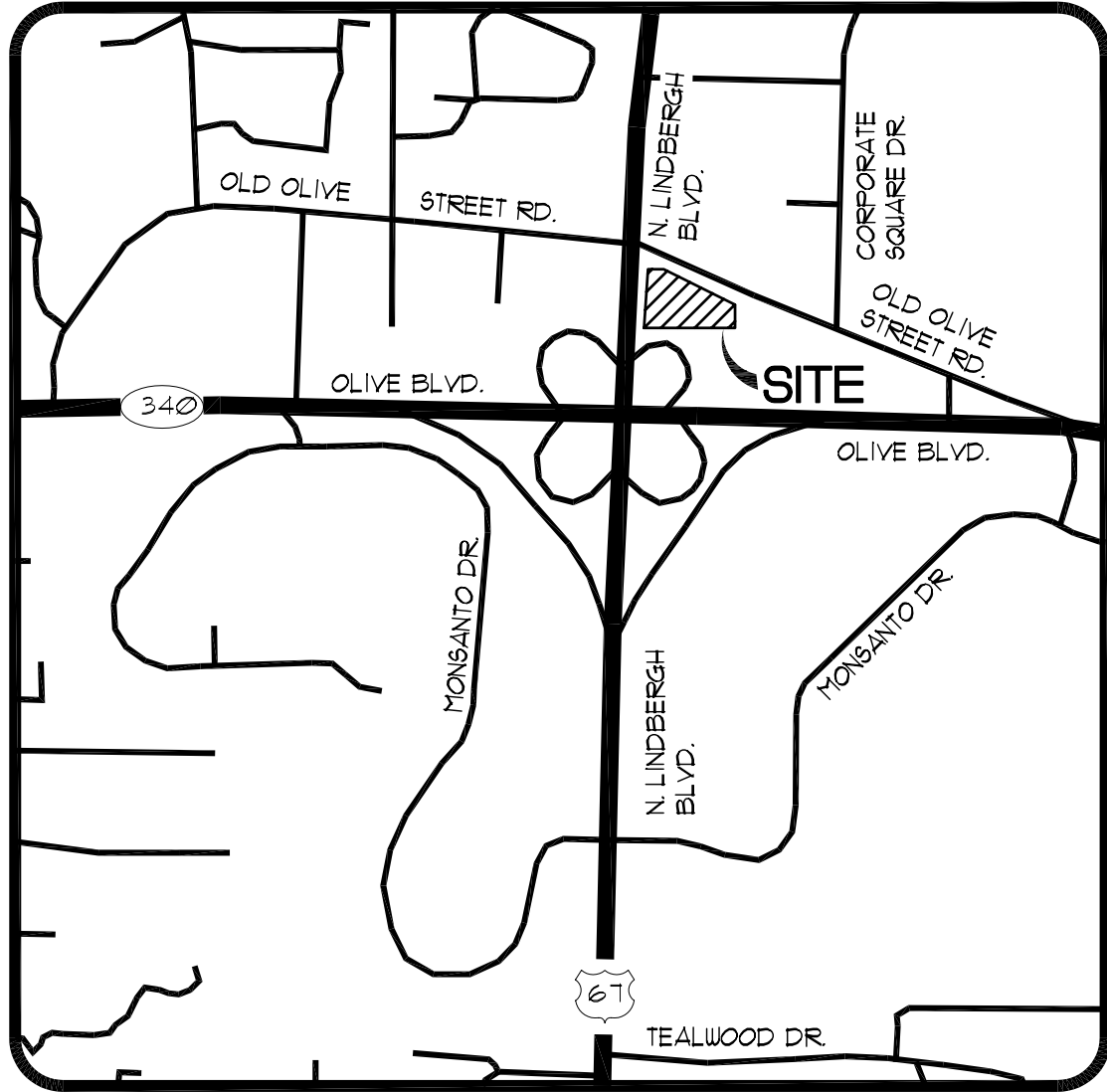


S.J. Hollander Architect P.C.

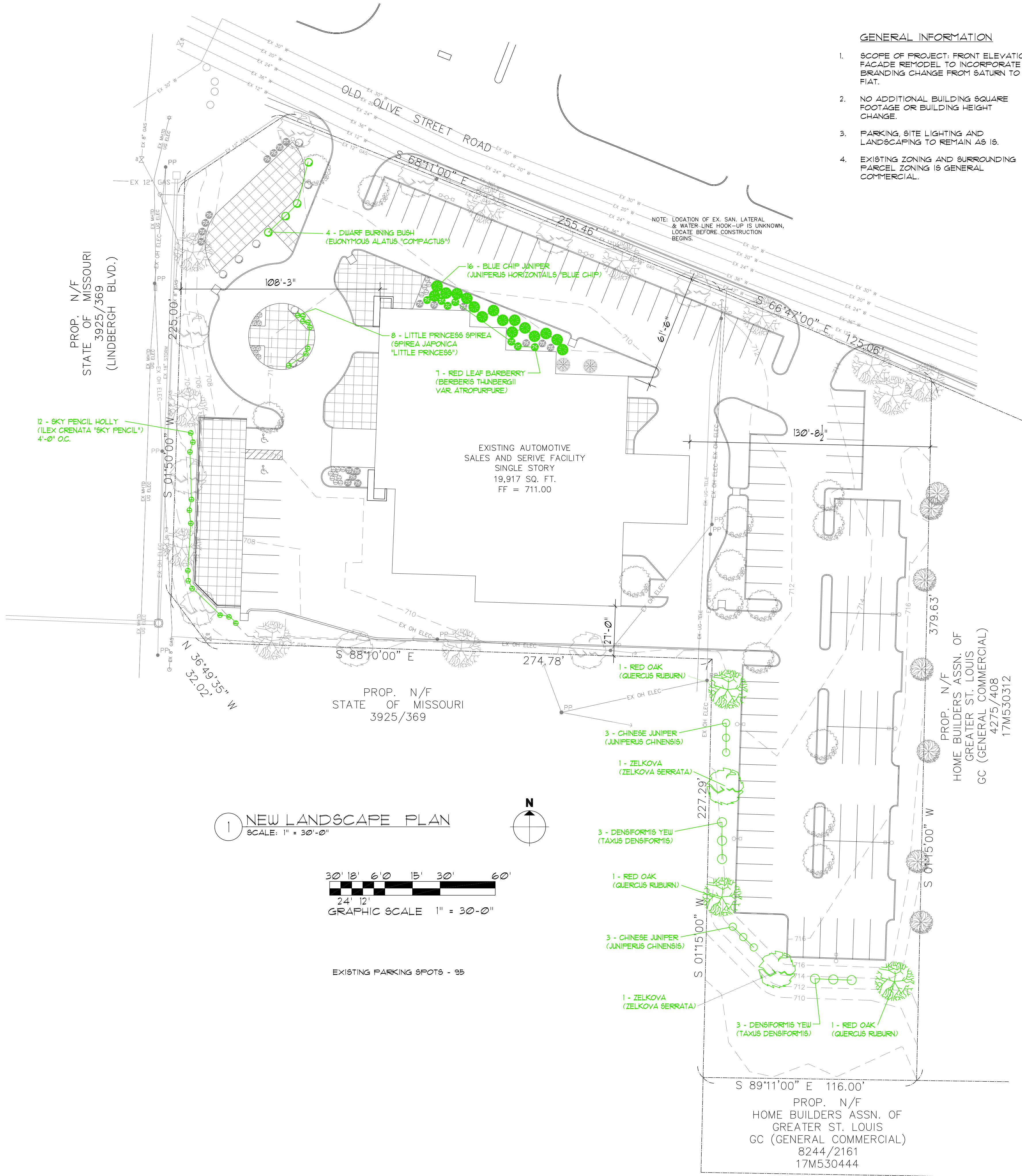
Stephen J. Hollander, AIA
519 First Capitol Drive
St. Charles, Missouri 63301
Phone (636) 947-4140 Fax (636) 947-7195

LEGAL DESCRIPTION: A parcel of ground in Section 1, Township 45 North, Range 5 East, St. Louis County, Missouri: said parcel being more particularly described as follows: BEGINNING at the point of intersection of the southern line of Olive Street Road, 60 feet wide, with the eastern line of property described in deed to Comfort Printing & Stationery Co., recorded in Book 5164, Page 443, St. Louis County Recorder's Office: thence S 1°15' W 200.00 feet along the eastern line of said Comfort property, to the northern line of property described in deed to the State of Missouri, recorded in Book 3925, Page 369, St. Louis County Recorder's Office: thence in a generally westwardly and northwardly direction along the northern and eastern line of said State of Missouri property, the following courses and distances: N 88°10' W 274.78 feet, N 36°49' 35" W 32.02 feet, N 1°50' E 225.00 feet and N 56°31'50" E 64.53 feet, to the southern line of said Olive Street Road: thence S 68°11' E 255.46 feet along the southern line of said Olive Street Road, to the point of beginning, and containing 72,595 Square Feet, or 1.6665 Acres.

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



2 LOCATION MAP
SCALE: N.T.S.



GENERAL INFORMATION

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

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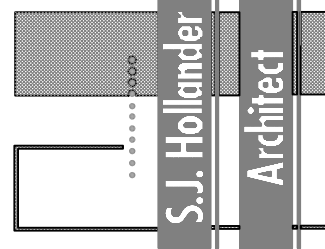
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Building Exterior Remodel for:
Lou Fusz Fiat
900 N. Lindbergh
Creve Coeur, MO 63141

PROJECT NO.
210047

REVISIONS		
NO.	DATE	ITEM

S.J. Hollander Architect P.C.



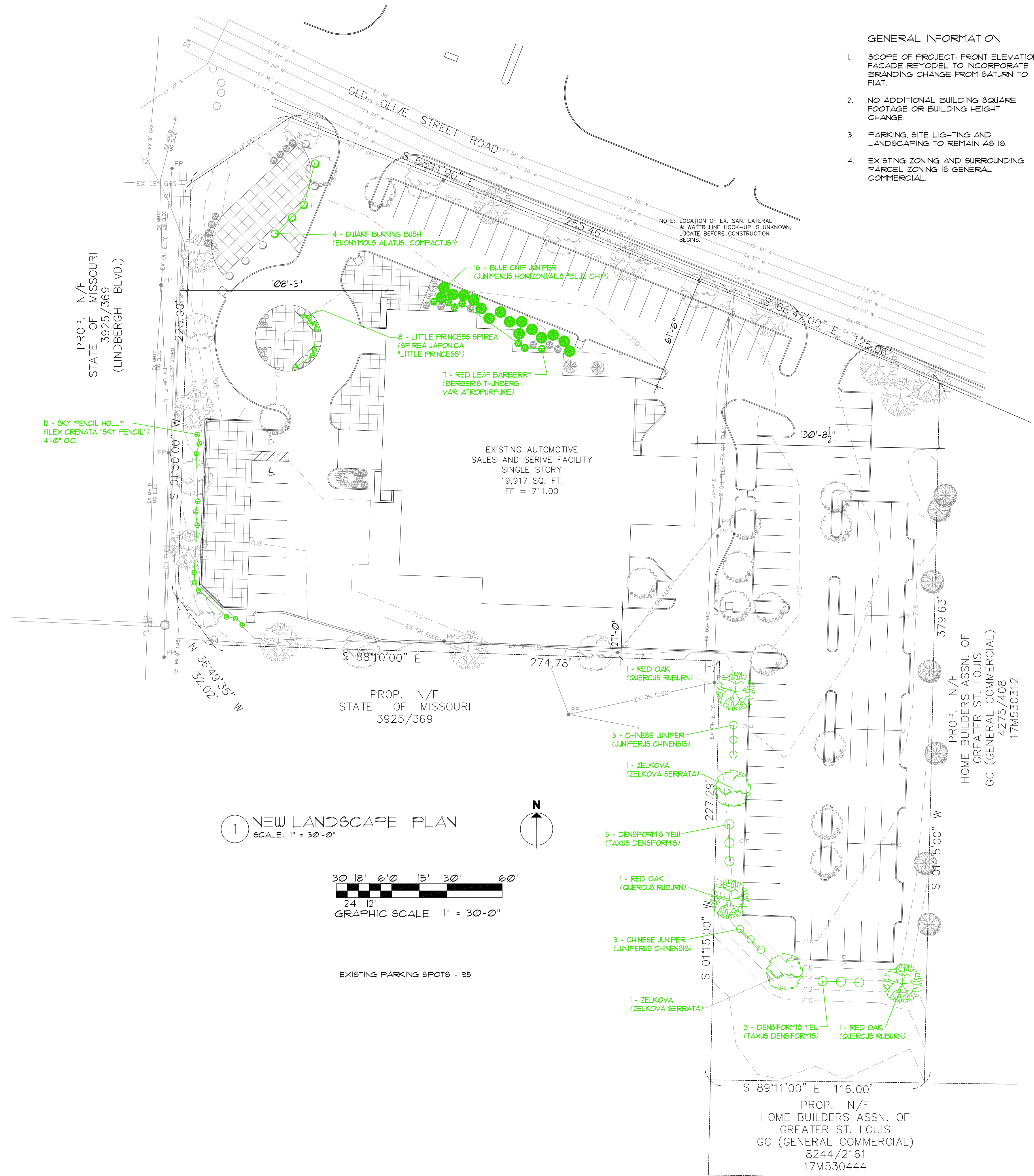
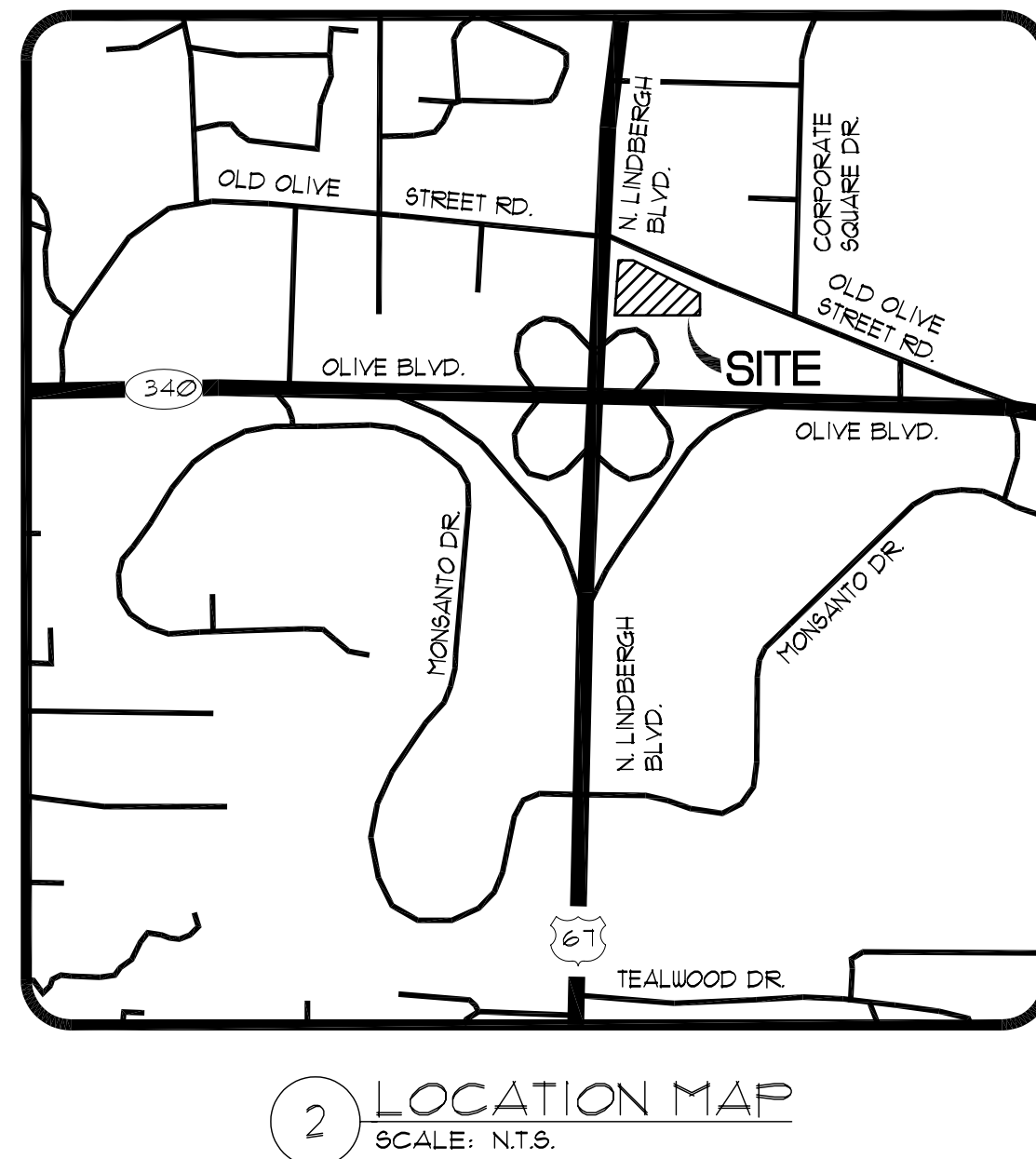
DATE
February 24, 2011

SHEET TITLE
Site Plan

SHEET NO.

C1.0

A tract of land in the North 1/2 of Section 1, Township 45 North, Range 5 East, St. Louis County, Missouri, and described as follows: Beginning at a point in the southern line of Old Olive Street Road, being the northwest corner of property conveyed to George M. Schaeffer and wife, by deed recorded in Book 525 Page 520 of the St. Louis County Records; thence along the west line of Schaeffer's property, South 1 degree 15 minutes West 421.28 feet to a point thence South 83 degrees 11 minutes East 116.00 feet to a point thence North 1 degree 15 minutes East, 379.63 feet, more or less, to a point in the southern line of Old Olive Street Road; thence along the southern line of said road, North 66 degrees 41 minutes West, 125.06 feet, more or less, to the point of beginning.



- ## GENERAL INFORMATION
1. SCOPE OF PROJECT: FRONT ELEVATION FAÇADE REMODEL TO INCORPORATE BRANDING CHANGE FROM SATURN TO FIAT.
 2. NO ADDITIONAL BUILDING SQUARE FOOTAGE OR BUILDING HEIGHT CHANGE.
 3. PARKING, SITE LIGHTING AND LANDSCAPING TO REMAIN AS IS.
 4. EXISTING ZONING AND SURROUNDING PARCEL ZONING IS GENERAL COMMERCIAL.

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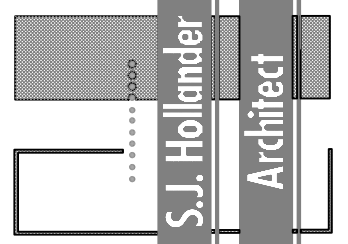
Lou Fusz Fiat
900 N. Lindbergh
Creve Coeur, MO 63141

PROJECT NO.
210047

[illegible]

S.J. Hollander Architect P.C.

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



DATE
February 24, 2011

SHEET TITLE

Site
Plan

SHEET NO.

C1.0



city of CREVE COEUR

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

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

FOR THE MEETING OF: April 4, 2011

LOCATION: 900 N. Lindbergh Boulevard

REQUEST:

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

ADDITIONAL INFORMATION:

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

Key Issues:

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

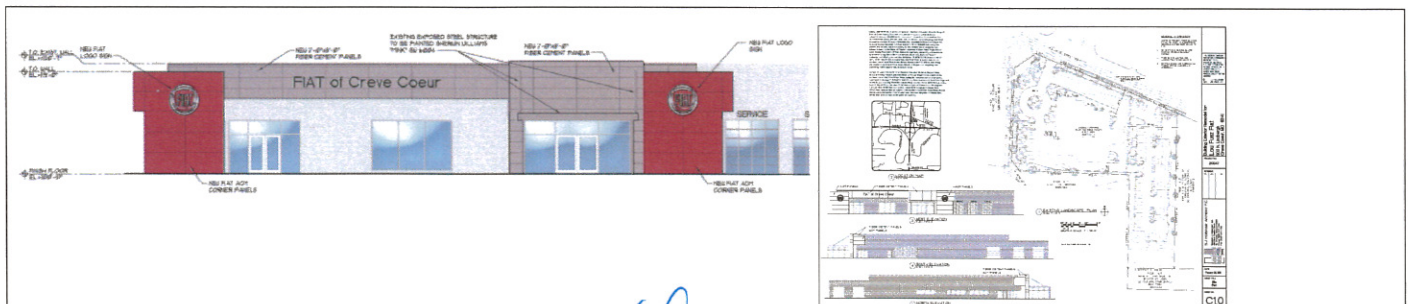
Comp. Plan References

- Commerce Center Action Area
- Design Guidelines

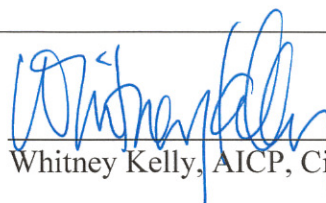
Zoning Code References

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

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



REPORT PREPARED BY:


Whitney Kelly, AICP, City Planner


Date

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

INTRODUCTION

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

BACKGROUND AND EXISTING CONDITIONS

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

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

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

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

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

COMPREHENSIVE PLAN REVIEW

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

DESIGN GUIDELINES REVIEW

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

Chapter 2 / Buildings

C. Design

- 1. A diversity of high quality architectural design is strongly encouraged. Building design should incorporate a clear and well articulated design concept.*
- 6. Buildings that are stylized in an attempt to use the building itself as advertising are strongly discouraged, particularly where the proposed architecture is the result of a "corporate" or franchise style.*
- 8. All elevations should receive equal design consideration as the primary elevation. Rear and side facades should be designed with similar architectural detailing and materials to be compatible with the principal facades of the buildings, All elevations of the building are to be submitted for review.*

D. Relationship to Neighboring Development

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

E. Materials/Colors

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

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

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

Chapter 4 / Landscape Design

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

Chapter 5 / Miscellaneous

H. Retaining Walls

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

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

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

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

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

LANDSCAPE REVIEW

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

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

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

ZONING REVIEW

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

Section 405.1070(E)(4) Standards for Conditional Use Permits states that the City Council shall not approve a conditional use unless it finds that unless it meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom. While the applicant is utilizing a current conditional use permit and the prior development property continues to meet the bulk standards of the “GC” district, neither the site nor the proposed changes meet with the intent of the original approved plans for the Conditional Use Permit, nor with the goals and objectives of the Comprehensive Plan.

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

SIGN CODE VIOLATIONS

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

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

PROPERTY MAINTENANCE

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

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

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

SUMMARY

To summarize, the following issues need to be resolved:

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

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

ACTION

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

MOTION

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

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

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

APPENDIX 2: ZONING CODE

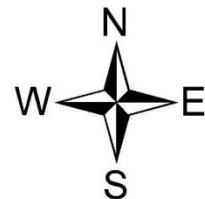
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL MAP



Legend

-  Property Lines
-  900. N. Lindbergh Boulevard



APPENDIX 4: SITE PHOTOGRAPHS Application #11-004	Photo Date: 02/28/2011
	Description: View looking east from the Lindbergh and Olive Boulevards interchange. Notice the lack of landscaping and screening of the retaining walls along Lindbergh and Olive Boulevards.
	Description: View looking south from Old Olive Street Road.
	Description: View looking north from Olive Boulevard, just east of the Lindbergh interchange. Notice the lack of landscaping along Olive Boulevard.



Description: View of improperly enclosed dumpster on site.



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



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

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

BILL NUMBER 1983

ORDINANCE NUMBER 1921

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

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

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

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

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

WHEREAS, ALL PARTIES DESIRING TO BE HEARD, EITHER FOR OR
AGAINST SAID APPLICATION, WERE GIVEN AN OPPORTUNITY TO BE HEARD AND A
COPY OF THE PROPOSED ORDINANCE HAS BEEN MADE AVAILABLE FOR PUBLIC
INSPECTION PRIOR TO ITS CONSIDERATION BY THE COUNCIL; AND THIS BILL
HAVING BEEN READ BY TITLE IN OPEN MEETING THREE TIMES BEFORE FINAL
PASSAGE BY THE CITY COUNCIL, AND

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

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

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

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

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

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

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

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

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

11. ANY FUTURE ENLARGEMENT OR ALTERATION IN THE USE OF THE STRUCTURE OR SITE MUST BE APPROVED BY THE CITY COUNCIL UPON RECEIPT OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION AS AN AMENDMENT TO THE CONDITIONAL USE PERMIT BEFORE A BUILDING PERMIT FOR THE ENLARGEMENT OR ALTERATION MAY BE ISSUED.

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

13. FAILURE TO COMPLY WITH ANY ONE OR ALL OF THE CONDITIONS OF THIS PERMIT SHALL BE ADEQUATE CAUSE FOR THE REVOCATION OF SAID PERMIT BY THE CITY COUNCIL, PROVIDED, HOWEVER, NO PERMIT SHALL BE REVOKED WITHOUT REASONABLE NOTICE TO THE OWNER OF THE INTENTION OF THE CITY COUNCIL TO REVOKE AND REASONABLE TIME GRANTED TO THE OWNER TO CORRECT ANY SUCH BREACH OF CONDITION, EXCEPT FOR REPEATED BREACHES.

14. NO CONDITIONAL USE PERMIT GRANTED BY THE CITY COUNCIL SHALL BE VALID FOR A PERIOD LONGER THAN ONE YEAR FROM THE DATE IT GRANTS THE CONDITIONAL USE PERMIT, UNLESS WITHIN SUCH PERIOD: (1) A BUILDING PERMIT IS OBTAINED AND CONSTRUCTION IS BEGUN; OR (2) IF A BUILDING PERMIT IS NOT REQUIRED, AN OCCUPANCY PERMIT IS OBTAINED AND THE USE OF THE BUILDING COMMENCED. THE CITY COUNCIL MAY GRANT EXTENSIONS NOT EXCEEDING ONE HUNDRED AND EIGHTY (180) DAYS EACH, UPON WRITTEN APPLICATION FILED AND GRANTED PRIOR TO THE EXPIRATION OF THE CONDITIONAL USE PERMIT PERIOD.

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

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

SECTION 3: THE CITY ADMINISTRATOR OF THE CITY OF CREVE
COEUR IS HEREBY AUTHORIZED AND DIRECTED TO ISSUE A CONDITIONAL USE
PERMIT IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE, SAID
PERMIT TO EXPRESSLY PROVIDE FOR THE CONDITIONS AND STIPULATIONS
HEREINABOVE SET OUT IN SECTION 2 OF THIS ORDINANCE.

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

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


DAVID KREUTER
CITY COUNCIL PRESIDENT

APPROVED THIS 23 DAY OF February, 1998.


ANNETTE KOLYS MANDEL
MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

105/220

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

1 CHAIRMAN MADDEN: Like to call to order the 1
2 Planning Zoning Commission meeting for the City of Creve
3 Coeur, Missouri for Monday April 4th, 2011.
4 And we'll start with roll call.
5 Dr. Michael Barton?
6 DR. BARTON: Present.
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7 CHAIRMAN MADDEN: Mr. Gary Eberhardt?
8 MR. EBERHARDT: Present.
9 CHAIRMAN MADDEN: Mr. Barry Glantz?
10 MR. GLANTZ: Present.
11 CHAIRMAN MADDEN: Ms. Cynthia Kramer, I believe
12 she's on her way.
13 Dr. Saunders won't be here tonight.
14 Mr. Jim Schnarr?
15 MR. SCHNARR: Here.
16 CHAIRMAN MADDEN: Mr. Carl Lumley, our City
17 Attorney?
18 MR. LUMLEY: Present.
19 CHAIRMAN MADDEN: Paul Langdon, our Director of
20 Community Development?
21 MR. LANGDON: Present.
22 CHAIRMAN MADDEN: Ms. Whitney Kelly, our City
23 Planner?
24 MS. KELLY: Present.
25 CHAIRMAN MADDEN: New Business. A public

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

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

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

16 CHAIRMAN MADDEN: Thank you.

17 Go ahead. Oh, I'm sorry.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 CHAIRMAN MADDEN: Any questions up here?

23 MR. GLANTZ: Yeah.

24 CHAIRMAN MADDEN: Mr. Glantz.

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

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

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

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

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

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

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

1 with that. 7

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

7 MR. SCHNARR: What is the anticipated schedule

8 to be in the Fiat business?

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

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

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

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

22 CHAIRMAN MADDEN: Mr. Eberhardt.

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

1 letters. What's that all about? 8

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

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

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

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

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

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

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

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

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

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

19 And, you know, I -- that is the request of where
 20 we're at, and -- and we are changing it. It's -- we're,
 21 obviously, well under not even changing half the -- half
 22 the elevation, and where that division of what is allotted
 23 is all in the eyes of the beholder.
 24 It doesn't meet the masonry requirement, I'll
 25 give you that.

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

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

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

24 MR. SCHNARR: Point's well taken.
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25 CVS, everybody has a standard format, and it'd

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

3 CHAIRMAN MADDEN: Dr. Barton.

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

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

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

10 DR. BARTON: Uh-huh.

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

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

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

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

1 one other one in the center?¹²

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

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

7 DR. BARTON: Okay.

8 CHAIRMAN MADDEN: Does everybody else
9 understand?

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

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

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

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

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

24 MR. LANGDON: It's certainly possible.

25 MR. HOLLANDER: Yeah, that remodel was primarily

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

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

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

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

10 CHAIRMAN MADDEN: Okay.

11 MR. LANGDON: -- bring some of this discussion.

12 CHAIRMAN MADDEN: You want do that now then?

13 MR. LANGDON: If you're ready.

14 CHAIRMAN MADDEN: Okay. Yes.

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

16 MR. LANGDON: Mr. Chairman, members of the

17 Commission, my name's Paul Langdon, Director of Community

18 Development for the City of Creve Coeur.

19 Get microphone going here.

20 Okay. Here tonight, as you know, is the

21 northeast quadrant of Olive Boulevard and Lindbergh

22 Boulevard, and I know you all know that.

23 The reason I want to draw your attention to the

24 aerial view is two-fold.

25 First off, you know the two busiest streets, not

1 including Interstate 270, in the City are around this ¹⁴

2 project. And also this area here is the MoDOT

3 right-of-way. It's all grass. It's completely open. And

4 we'll be coming back to that in a few minutes.

5 Just for your frame of reference, that's the

6 Nissan dealer; that's the Mazda dealer; Lou Fusz Subaru

7 is here; the body shop is here.

8 This is the site plan initially submitted along

9 with black and whites of the elevations. The red areas

10 that we've been talking about are here and here.

11 The flat front -- this is the west front of the

12 building that will be the focus of attention.

13 As we've already talked about, the landscape and

14 the site plan were initially based primarily on what was

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

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

25 This is the plan that was submitted to you

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

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

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

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

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

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

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

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

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

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

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

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

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

17

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

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

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

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

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

18

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21
1 one.

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

3 Yes.

4 (Cynthia Kramer is now present.)

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

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

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

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

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

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

25 CHAIRMAN MADDEN: Are you looking more for trees

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

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

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

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

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

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

1 window signage. 23

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

3 MR. SCHNARR: 20 percent, right?

4 So the question comes back to who enforces it?

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

6 40 percent, then they are in violation of their

7 conditional use.

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

9 MR. GLANTZ: Well --

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

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

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

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

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

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

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

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

18 window signs.

19 CHAIRMAN MADDEN: And that's it?

20 MR. LANGDON: That's it.

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

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

23 there are things, there are design elements on this

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

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

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

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

4 Mr. Glantz --

5 MR. GLANTZ: Well --

6 MR. EBERHARDT: -- the design elements.

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

8 MR. EBERHARDT: Oh.

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

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

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

19 MR. GLANTZ: Right.

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

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

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

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

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

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

13 CHAIRMAN MADDEN: Mr. Eberhardt.

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

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

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

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

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

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

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

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

13 Dr. Barton.

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

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

18 Comprehensive Plan as presented.

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

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

1 generate recognition from city to city. 27

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

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

11 MR. HOLLANDER: And --

12 MR. GLANTZ: Go ahead.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 MR. LANGDON: I can address that.

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

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

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

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

13 They, obviously believe that it's a visible

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

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

25 CHAIRMAN MADDEN: Yeah.

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

3 CHAIRMAN MADDEN: Mr. Eberhardt.

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

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

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

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

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

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

20 been a pretty revolutionary change is Wal-Mart.

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

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

33

1 gray front Wal-Mart stores.

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

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

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

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

24 MR. LANGDON: Well --

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

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

6 So I mean --

7 DR. BARTON: Well, we keep trying.

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

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

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

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

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

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

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

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

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

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

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

23 The Comprehensive Plan is not a specific
24 ordinance.

25 MR. LANGDON: And I understand.

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

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

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

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

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

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

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

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

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

8 CHAIRMAN MADDEN: Barry.

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

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

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

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

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

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

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

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

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

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

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

21 everybody.

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

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

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

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

6 I mean --

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

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

16 CHAIRMAN MADDEN: Cynthia.

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

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

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

2 MS. KRAMER: Well, but --

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

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

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

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

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

3 DR. BARTON: Well, I guess --

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

6 or changes.

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

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

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

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

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

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

25 MR. HOLLANDER: I understand.

42

1 CHAIRMAN MADDEN: Yeah.

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

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

8 CHAIRMAN MADDEN: All right. Well --

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

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

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

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

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

21 CHAIRMAN MADDEN: Well --

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

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

25 CHAIRMAN MADDEN: May be less. May have some

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1 plan that won't cost you as much.

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

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

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

17 monument sign.

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

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

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

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

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

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

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

12 Is it an ordinance or is it not?

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

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

17 MR. SCHNARR: Fair enough.

18 CHAIRMAN MADDEN: Do we fine them or --

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

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

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

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

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

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

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

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

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

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

21 MR. EBERHARDT: Motion in order?

22 I move --

23 MR. LUMLEY: Close the hearing.

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

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

2 until the next meeting?

3 CHAIRMAN MADDEN: Can we do that?

4 MR. LUMLEY: I would think you could --

5 CHAIRMAN MADDEN: Does anybody else want to
6 testify in the audience? Okay.

7 So before I close the hearing, don't you have to
8 submit --

9 MR. LUMLEY: Well, Mr. Chairman, I offer the
10 following exhibits into the record of this public hearing:
11 Documentation in possession of the City reflecting notice
12 that was provided to the public regarding the hearing; the
13 staff reports of April 4th, 2011; the revised landscape
14 plan submitted this evening by the Applicant;
15 Mr. Langdon's power-point presentation; the City's Code of
16 Ordinances and Charter, the City's Comprehensive Plan and
17 the public file regarding this application.

18 CHAIRMAN MADDEN: Now the hearing's officially
19 closed.

20 (The hearing was closed at 8:11 p.m.)
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1 STATE OF MISSOURI)
2) SS
3 COUNTY OF ST. LOUIS)
4

5 I, Deborah K. McLaughlin, Registered Professional
6 Reporter, Missouri Certified Court Reporter, Illinois
7 Certified Shorthand Reporter and Kansas Certified Court

8 Reporter, do hereby certify that I reported the Planning
9 and Zoning Public Hearing stenographically and later
10 reduced to typewriting; and that this is a true and
11 accurate transcript of the public hearing.

12

13

14 _____, RPR, MO-CCR, IL-CSR, KS-CCR

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

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city of CREVE COEUR

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**APPLICATION TO PLANNING AND ZONING COMMISSION
#11-009 FOR A CONDITIONAL USE PERMIT AND SITE DEVELOPMENT
PLAN FOR NEW AUTOMATED TELLER MACHINE AND LANDSCAPE
IMPROVEMENTS FOR THE FIRST COMMUNITY CREDIT UNION**

FOR THE MEETING OF: May 16, 2011

LOCATION: 10950 Olive Boulevard

REQUEST:

Mr. Rick Strutman, on behalf of First Community Credit Union, has submitted a request for a conditional use permit for updating and relocating the automated teller machine (ATM) to a new location, and site development plan approval for landscape and site improvements. The subject property is located on the southeast corner of Olive Boulevard and Graeser Road and is currently zoned "GC" General Commercial.

ADDITIONAL INFORMATION:

The City of Creve Coeur's Zoning Ordinance requires a conditional use permit for drive-in sales of goods or services including freestanding drive-in banking facilities [Section 405.470 (8) *Conditional Use*].

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the landscape design provide for a "green line" park?

Comp. Plan References

- East Olive Corridor
- Design Guidelines

Zoning Code References

- Section 405.360: "GC" General Commercial District
- Section 405.470: Conditional Uses
- Section 405.540: Landscaping

APPLICANT: Rick Strutman
First Community Credit Union
17151 Chesterfield Airport Road
Chesterfield, MO 63005



REPORT PREPARED BY:

Whitney Kelly, AICP, City Planner

5/13/2011
Date

ATTACHMENTS: Applicant's Landscaped Plan, last revised Feb. 3, 2011 and photos of an example ATM facility being proposed.
Draft Ordinance

INTRODUCTION

First Community Credit Union is proposing to update and relocate the existing automated teller machine (ATM) to a new location to bring it up to current ADA Code recommendations. The applicant is also proposing new landscaping, site improvements that address property maintenance issues, and the reduction of site coverage to meet the sixty-three percent (63%) coverage standard per Section 405.360(E)(3). No changes to the building are being made with this application. The property is currently zoned “GC” General Commercial District and drive-in sales of goods or services including any freestanding drive-in banking facilities are permitted with conditions by the City Council.

BACKGROUND AND EXISTING CONDITIONS

The subject property was originally developed in 1970. The property received approval of a site development plan and landscape plan in 1993 for the ATM at its current location from the Planning and Zoning Commission. In June of 2010, staff notified the applicant of property maintenance complaints and that the landscaping had been allowed to deteriorate beyond conformance with the prior approved landscape plan. Since then, staff has been working with the applicant on submitting a landscape plan to either match the prior approved plan or to submit a new design. While developing a new landscape design for this site, First Community Credit Union, also decided to replace the existing ATM and relocate it to a new location on site, thus requiring a conditional use permit. The ATM facility will be of similar style as those presented in the photographs as part of the applicant’s materials. The project will address the property maintenance issues that include properly enclosing the dumpster, and replacing non-conforming light fixtures, and improving the site coverage. Current conditions include site coverage of 70.4%.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Commercial	“GC” General Commercial	Olive Boulevard
South	Residential	“C” Single Family Residential	NA
East	Residential	“C” Single Family Residential	N/A
West	Commercial	“GC” General Commercial	Graeser Road

COMPREHENSIVE PLAN REVIEW

The subject property is located in the East Olive Corridor planning area of the Comprehensive Plan. The Comprehensive Plan outlines a vision of small businesses with a residential neighborhood character, substantial green spaces and landscaping, and with a goal of a “green line” park giving the impression of driving or walking through a park along Olive Boulevard. The Neighborhood Preservation and Economic Development element also advocates for greenspaces that buffer adjacent residences from the business along Olive. Boulevard.

The proposed landscaping maintains the suburban and open greenspace character advocated in the Comprehensive plan, and will allow this property to blend in with surrounding neighborhood south and east of Olive Boulevard.

DESIGN GUIDELINES REVIEW

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

Chapter 4 / Landscape Design

1. *The City of Creve Coeur strongly encourages high quality landscaping that accentuates the building and site, softens the effects of parking area and enhances the quality of life of the City. All landscape plans should exhibit a clear design concept.*
2. *There should be a consistency of landscape design throughout a development. Different landscape themes may be used to heighten the distinction between spaces, and to strengthen a sense of movement and space, but such themes should be internally consistent*
3. *The design of a landscape plan should aid and direct vehicular and pedestrian circulation and encourage pedestrian interaction.*
6. *Parking areas, traffic-ways and parking structures are to be enhanced with landscaped spaces containing trees, tree groupings, and shrubbery or other landscape enhancements, including berms.*
8. *Landscaped areas are to be maximized and balanced throughout the site. Tree and shrub plantings should be grouped together to create strong accent points with the site plan.*
9. *Landscape plans should incorporate all site elements, such as outdoor lighting, signage, trash receptacles and fencing.*
10. *The scale and nature of landscape materials are to be appropriate to the site and/or the structure. Large-scale landscaping generally should complement large-scale buildings. Landscaping of sites on major streets should include large-scale trees.*

Chapter 5 / Miscellaneous

F. Screening (Fences and Walls)

2. *The design of fencing, sound walls, trash enclosures, and similar site elements is to be compatible with the architecture of the main buildings and should use similar materials.*
6. *All exterior trash and storage area, service yards, loading docks and ramps, wood service poles, electric and gas meters, irrigation back flow prevention devices, and transformers are to be screened from view in a manner that is compatible with the building and site design. Screening materials should be the same as the primary building materials. The location of such services should be sited with limited visibility to pedestrians and/or adjacent property.*

The proposed landscape plan is an improvement to the existing site and will lower site coverage from 70.4% to 63%, through the removal of 24 parking spaces. The plan includes a mix of trees and the deletion of the 12 parking spaces along Olive Boulevard at the northwest corner that allows the entire frontage to provide the kind of substantial landscape in the context of the “green line park” concept advocated by the Comprehensive Plan and the Design Guidelines.

The new landscape plan also provides adequate plantings around the building to soften the building and the parking area. Whether or not the overall design provides for the lushness in character to meet with the “green line” park objective is up to the Commission Members to

decide. Given prior experience regarding the maintenance of the landscaping at this site, Staff recommends that a condition includes strict conformance with the plant quantity and quality, and all shrubs and hedges have a minimum height of twenty-four inches at any time to ensure the intended effect of the landscape design is maintained.

The proposed trash enclosure elevation indicates solid vinyl panels of a color to be selected by the architect. This would be inconsistent with the design guidelines outlined above that advocates for the use of natural materials, such as wood or masonry, and that are similar in architectural style as the building. However, the existing building is cream colored painted brick and this does not follow the design guidelines either. As an alternative, staff suggest that the use of unpainted brick and/or wood or wood-grain textured PVC for the enclosure would allow it to recede into the landscape thereby diminishing its impact on the appearance of the site. The attached draft ordinance contains a condition to this effect.

ZONING REVIEW

The subject property is located in the "GC" General Commercial District (Section 405.360) where the City Council may authorize drive-in sales of goods or services including any freestanding drive-in banking facilities by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary. The maximum site coverage permitted under the "GC" District is 63%, with bonus coverage not to exceed a total of 70% in consideration of special or outstanding landscape and site planning features. The applicant is proposing to decrease the existing coverage to 63% to meet the requirement.

Yard Regulations Review:

The subject property abuts residential properties to the east and south. Section 405.360(E)(4)(d), under Yard Regulations, requires that:

"...any tract or site abutting or adjoining a single-family residential zoning district shall provide a buffer yard of twenty (20) feet on all sides that abut the single-family district. The minimum required buffer yard shall be increased in five (5) foot increments, up to a maximum of forty (40) feet, for each acre of the subject property over two (2) acres in area. All acreage shall be rounded up to the next whole number for buffer yard calculation purposes. The buffer yard shall not contain any impervious surface and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission."

The site is 2.63 acres, and is legally pre-existing non-conforming with the buffer areas at approximately 22 feet, except at the area that jags to the east property line near the trash enclosure. Again Staff recommends removal of this hard surface to provide further landscaping to screen the masonry/fence around the dumpster.

Standard for Conditional Use Permits Review:

Article IV Standards for Permitted, Accessory and Conditional Uses, Section 405.470

Conditional Uses states:

8. *Drive-in sales of goods or services including freestanding drive-in banking facilities (conditional use in the "PC", "GC" and "CB" districts).*

- a. *Shall provide space for at least three (3) cars per drive-up window or station.*
- b. *Shall provide landscaping to screen the view of drive-up waiting spaces from surrounding properties.*
- c. *Drive-up window access, waiting spaces and egress shall not interfere with site circulation or be hazardous to motorists entering, exiting or passing by the site.*

The proposed landscaping at the new ATM location should provide adequate screening of the headlights from the surrounding properties.

Landscape Review:

As stated above, the landscape plan approved by the Planning and Zoning Commission in 1993 has since deteriorated beyond conformance and Staff has been working with the applicant in bringing the landscape, along with other property maintenance issues, into compliance.

Staff reviewed the landscape plan to include:

1. *Coordinated landscaping at the main entrance along Olive Boulevard on both sides of the entrance that further the goal of creating a significant, proper entryway to the site.*

The applicant is proposing adding additional plantings to fill in the existing landscaping and match both sides of the entrance drive.

2. *Section 405.540 (F)(1) requires street trees shall be deciduous hardwood trees, not less than three (3) inch caliper sixe providing clear headroom of at least six (6) feet, and at a minimum of one tree for every 30 lineal feet or part thereof of street frontage and such street trees shall be located on the subject property at least 2 feet 6 inches, but not more than 12 feet from the back of the curb, unless additional setback is necessary.*
3. *Section 405.540 (F) (2) requires that when off-street parking or loading areas are located adjacent to a residential district or to any lot upon which there is a dwelling as a permitted use, there shall be provided along the lot line a continuous opaque screen to a height adequate to prevent the direct light from automobile headlights being cast on adjacent residential units but with a minimum height of four (4) feet and not more than eight (8) feet except that the height of such opaque screen shall not exceed three and one-half (3½) feet within fifteen (15) feet of a public right-of-way. The opaque screen may consist of a wall, fence, landscaped earth berm, planted vegetation or existing vegetation or any combination thereof which maintains a completely opaque screen. The opaque portion of the screen must be opaque in all seasons of the year.*

The applicant is not proposing to change the parking area along the south property line, except for the removal of three parking spaces at the entrance to add greenspace, and to fill in with three evergreen trees. The property already has a wood fence to screen this area from the property to the south..

4. *Section 405.540(F)(3) further requires a minimum of 10 square feet of interior landscaped area shall be provided within the parking lot for each 350 square feet of paved area within this parking lot including parking spaces and driving aisles. The*

landscaping shall be in 1 or more areas so as to minimize and reduce the apparent size of parking areas.

The applicant is proposing to add an additional 1,416 square feet of interior landscaped area. The parking area is total of 64,841 sq. ft.; requiring 1,853 sq. ft. of interior landscaping. With the additional interior landscaping proposed the total interior landscaped area is 2, 709 sq. ft.

5. *Section 405.540(F)(7) No landscaped hedge shall be less than two (2) feet in height and two (2) feet in spread at time of installation; however, no hedge or wall or berm shall exceed three (3) feet in height within ten (10) feet of any driveway opening. The individual plants used in the development of such a hedge shall be placed so as to be not more than thirty (30) inches on center.*

Given prior experience regarding maintenance with this property, Staff recommends that a condition include that all hedges and shrubs have a minimum height of not less than two feet in height at any time, even after planting.

6. *Section 405.540(F)(10) All landscaping shall be permanently maintained in good condition with at least the same quality and quantity of landscaping as initially approved. In order to present a healthy, neat and orderly appearance, all landscaped areas including interior parking lot islands and grass areas shall be provided with adequate irrigation for the maintenance of grass, shrubs, ground covering and other landscaping. An underground irrigation system shall be installed, operated and maintained to meet the intent of this Section. Such systems shall be required for all new developments and redevelopments projects. For sites proposing additions and/or expansions, an underground irrigation system shall be installed, operated and maintained to meet the intent of this Section, where physically practical and reasonable, as determined by the Planning and Zoning Commission.*

Staff recommends that a condition require the installation of an underground irrigation system to be installed, operated and maintained to meet with the intent of this Section.

7. *Section 405.540(F)(12) A perimeter landscaped buffer strip shall be provided and maintained at a width of not less than five (5) feet between a parking lot and the property line of abutting property. Other, more restrictive standards for yards or buffering shall govern where required by this Chapter.*

The site plan submitted shows that the area of the new dumpster enclosure has the existing curb jag out to the east property line. Staff recommends that this area be revised to remove the hard surface, create the proper buffer area required per the Zoning Code, and provide further landscaping to screen the masonry/fence around the dumpster (see above).

8. *Foundation plantings should be designed to function with the aesthetic of the building.*

The applicant is proposing to fill in existing foundation planting and enhance the current landscaping to meet this requirement.

9. *The garbage dumpster must be properly enclosed per Building Code standards. Such enclosures also require approval of the Planning and Zoning Commission as part of the site plan, and must be in similar architectural style of the main building.*

The applicant is proposing solid vinyl panels of a color to be selected by the architect. As stated earlier, Staff recommends that a condition include revising the drawings to provide landscaping for additional screening of the trash enclosure along with the sight proof fence or masonry wall. Materials should be of natural wood or masonry to match the existing architecture, instead of the proposed vinyl panels.

Parking Requirements Review:

The prior discussed removal of the parking spaces should not have any impact on the required parking for the credit union and the tenant. (The Creve Coeur/Olivette Chamber of Commerce is a tenant and shares the conference room. The square footage of leased space is not provided.) Section 405.820(G), Required Off-Street Parking Spaces calculates the spaces for Financial Institutions at 4 parking spaces per 1,000 square feet of gross floor area for buildings under 15,000 sq. feet of gross leasable floor area, and member organizations at 1 space per 200 sq. ft. of floor area (i.e. 5 spaces per 1,000 sq. ft.). The total floor area indicated for the building is 13,129 sq. ft. Even if basing the parking calculation for the entire building on membership organizations, the total number of parking spaces required is 66 spaces. With the proposed removal of the 24 spaces, there remains a total of 86, plus 4 handicapped spaces on site, leaving a surplus of parking available.

SUMMARY

The draft conditional use permit offered by Staff recommends that the approval of the ATM location and site development plan include the following conditions:

- Landscaping shall be permanently maintained in strict conformance and in good condition with at least the same quality and quantity of landscaping as shown in the drawings last revised on February 3, 2011.
- An underground irrigation system shall be installed and maintained to serve all green and landscaped areas identified on the Landscape Plan dated, February 3, 2011.
- Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
- All hedges and shrubs shall have a minimum height of not less than two feet in height at any time.
- The applicant shall submit revised drawings showing the removal of the hard surface area that encroaches into the buffer area on the east property line, and provide additional landscaping for screening of the trash enclosure.
- The trash enclosure shall be of natural wood or masonry material that is consistent with the principal building (without requiring it to be painted a similar color to the main building).
- Stormwater facilities shall be clean, free of debris and in proper working order as required by the Metropolitan Sewer District
- The applicant shall submit a sign application for approval of all signage.
- All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

ACTION

If the Planning and Zoning Commission finds the associated draft conditional use permit ordinance to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council. Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

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

“I move to recommend approval of the Conditional Use Permit for the ATM and site development plan submitted with Application #11-009, subject to the conditions contained in the draft ordinance attached to the staff report dated May 13, 2011” (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

APPENDIX 2: ZONING CODE

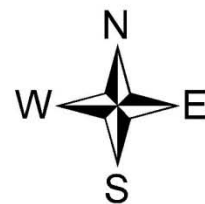
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL MAP



Legend

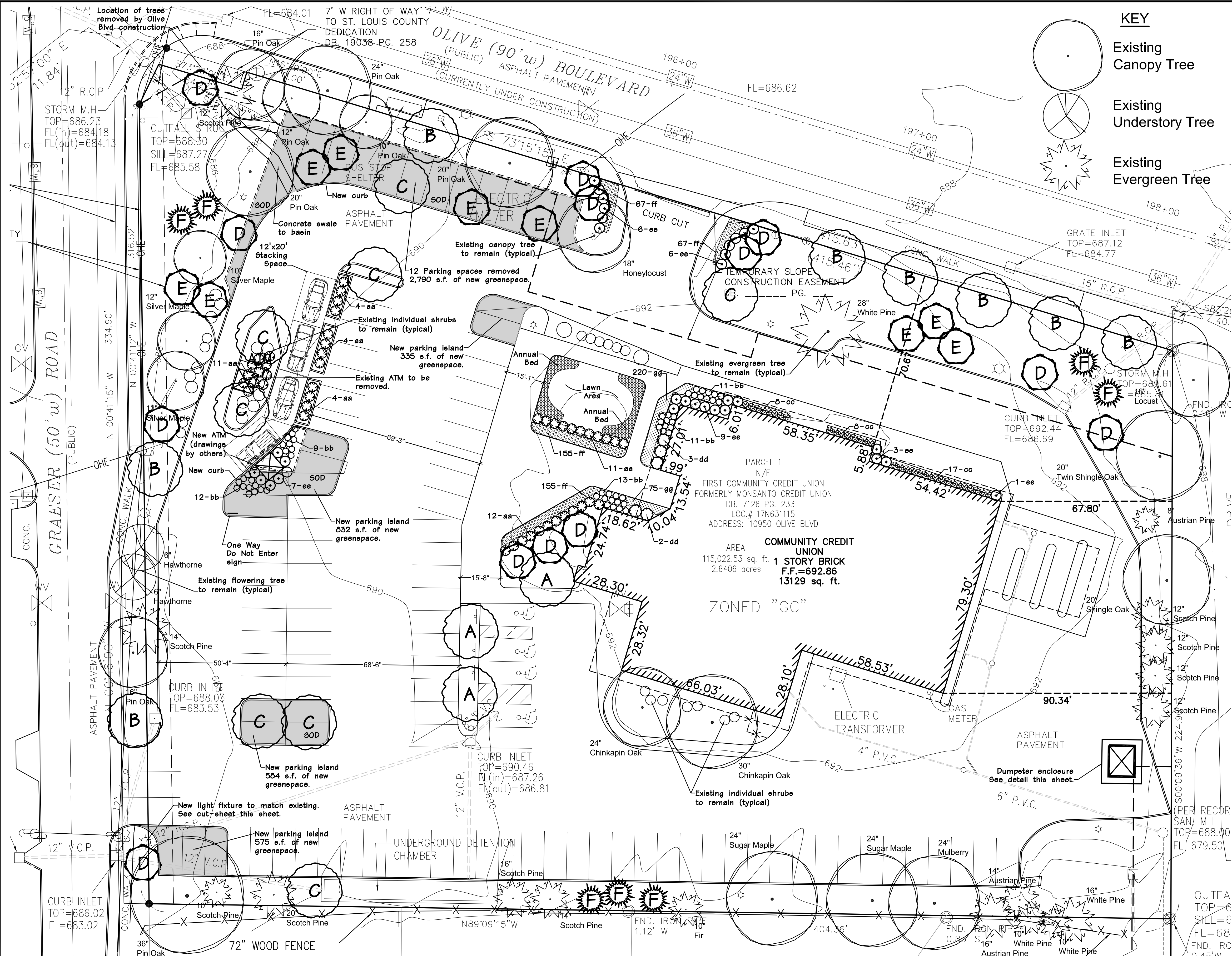
-  City Limit
-  Property Lines
-  10950 Olive Boulevard



APPENDIX 4: SITE PHOTOGRAPHS Application #11-009	Photo Date: 08/26/2010
	Description: View of the property looking east from Graeser Road. Notice the lack of landscaping and expansive parking area.
	Description: View from the southwest corner looking north at the existing ATM structure and landscaped island where the new location of the ATM is being proposed.
	Description: View of the existing ATM and access drive.

	Description: View of the prior landscaped area that has since been filled in with concrete.
	Description: View of the north façade of the building looking east. Notice the poorly maintained remnants of the prior landscaping.
	Description: View looking south along the east property line. Note the unenclosed dumpster.

	Description: View of improperly stored water line at the south west corner of the building.
	Description: View of the west façade of the building looking north east. Note the lack of properly maintained landscaping.
	Description: View along the south property line looking east.



NRG®-600
Nitetorch® I



ORDERING INFORMATION

BASES - Must order an enclosure for complete luminaires. Two parts to make complete assembly.

Catalog Number	Mounting	Finish	Wattage	Voltage	Ballast Type	Weight
NRG-651	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-671	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-681	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-691	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-701	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-711	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-721	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-731	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-741	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-751	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-761	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-771	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-781	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-791	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-801	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-811	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-821	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-831	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-841	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-851	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-861	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-871	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-881	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-891	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-901	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)

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ENCLOSURE NUMBER	Mounting	Finish	Wattage	Voltage	Ballast Type	Weight
NRG-651	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-671	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-681	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-691	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-701	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-711	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-721	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-731	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-741	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-751	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-761	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-771	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-781	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-791	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-801	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-811	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-821	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-831	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-841	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-851	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-861	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-871	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-881	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-891	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)
NRG-901	Post Top	Black	120W	120V	NPF Reactor	6 (2.2)

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ENCLOSURES - Must order a base assembly for complete luminaires. Two parts to make complete assembly.

5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
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BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A NEW CONDITIONAL USE PERMIT FOR AN AUTOMATED TELLER MACHINE PURSUANT TO SECTION 405.360(C) OF THE CITY OF CREVE COEUR'S CODE OF ORDINANCES FOR THE FIRST COMMUNITY CREDIT UNION LOCATED WITHIN THE "GC" GENERAL COMMERCIAL BUSINESS DISTRICT AT 10950 OLIVE BOULEVARD

WHEREAS, application was made by Rick Strutman, on behalf of First Community Credit Union, requesting a conditional use permit for updating and relocating the automated teller machine (ATM) to a new location, and site development plan approval for landscape and site improvements to the property located at 10950 Olive Boulevard located in the "GC" General Commercial District; and

WHEREAS, under Section 405.360(C)(4), drive-in sales of goods or services including any freestanding drive-in banking facilities in the "GC", commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, May 16, 2011, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(3); and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a ____ vote, recommended approval of the improvements, subject to the conditions contained herein, at its meeting on May 16, 2011; and

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

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

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

BILL NO. _____

ORDINANCE NO. _____

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

Section 1: A Conditional Use Permit is authorized for an automated teller machine pursuant to Section 405.360(C) in the "GC" General Commercial zoning district whose legal description is as follows:

Parcel 1:

A tract of land being part of the Northeast one-quarter of Section 2, Township 45 North, Range 5 East, St. Louis County, Missouri and being more particularly described as follows: Beginning at a point on the East line of Graeser Road, 40 feet wide; said point being 10.00 feet South of the prolonged South line of Olive Boulevard, 90 feet wide. as widened, by Deed recorded in Deed Book 5744 page 278; thence North 52 degrees 57 minutes East, a distance of 11.84 feet to a point said point being 10.00 feet East of the prolonged East line of said Graeser Road. 40.00 feet wide; thence South 73 degrees 20 minutes East and along the said South line of Olive Boulevard, 90.00 feet wide, a distance or 427.40 feet to a point on the West line of Olive Crest First Addition, as per plat thereof recorded in Plat Book 13 page 52 of the St. Louis County Records; thence South 0 degrees 02 minutes West and along the West line of said Subdivision, a distance or 224.97 feet to a point; thence North 89 degrees 14 minutes West, a distance of 414.32 feet to a point in the East line of Graeser Road 40.00 feet wide; thence North 0 degrees 46 minutes West and along the said East line of Graeser Road, a distance of 334.90 feet to the point of beginning. Excepting Therefrom that part conveyed to the City of Creve Coeur, according to instrument recorded in Book 7464 page 215 and further excepting therefrom that part conveyed to State of Missouri, acting by and through the Missouri Highways and Transportation Commission by instrument recorded in Book 19038, Page 258.

Parcel 2:

EASEMENT for sanitary and storm sewer drainage, created by instruments recorded in Book 6771 pages 1163 thru 1164 of the St. Louis County Records, over the following described property: A tract of land being part of the Northeast one-quarter of Section 2, Township 45 North, Range 5 East, St. Louis County, Missouri, and being more particularly described as follows: commencing at the Southeast corner of the above described tract, thence South 0 degrees 02 minutes West, a distance or 200 feet, more or less, to the existing public sewer, being also the Northeast Corner or property conveyed to John A. Hezel by deed recorded in Book 1670 page 565 of the St. Louis County Records, thence North 89 degrees 14 minutes West a distance of 15 feet; thence North 0 degrees 02 minutes East, a distance of 200.00 feet, more or less, to the Southerly line of the above described tract; thence South 89 degrees 14 minutes East to the point or beginning.

SECTION 2: The issuance of this conditional use permit and the operation and maintenance of said facilities provided for by this ordinance shall be subject to all ordinances, rules and regulations of the City of Creve Coeur and the following conditions:

1. Landscaping shall be permanently maintained in strict conformance and in good condition with at least the same quality and quantity of landscaping as shown in the drawings last revised on February 3, 2011.
2. An underground irrigation system shall be installed and maintained to serve all green and landscaped areas identified on the Landscape Plan dated, February 3, 2011.
3. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
4. All hedges and shrubs shall have a minimum height of not less than two feet in height at any time.

BILL NO. _____

ORDINANCE NO. _____

5. The applicant shall submit revised drawings showing the removal of the hard surface area that encroaches into the buffer area on the east property line, and provide additional landscaping for screening of the trash enclosure.
6. The trash enclosure shall be of unpainted wood and/or brick and/or wood-grain finished PVC material that is consistent with the principal building (without requiring it to be painted a similar color to the main building).
7. Stormwater facilities shall be clean, free of debris and in proper working order as required by the Metropolitan Sewer District
8. The applicant shall submit a sign application for approval of all signage.
9. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
10. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
11. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

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

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

ADOPTED THIS ____ DAY OF _____, 2011.

TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2011.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK



city of CREVE COEUR

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

APPLICATION TO PLANNING AND ZONING COMMISSION #11-011 MINOR SITE DEVELOPMENT PLAN AMENDMENT FOR MILL CROSSING CONDOMINIUMS

FOR THE MEETING OF: May 16, 2011

LOCATION: 1163 Mill Crossing Drive (south of Olive Boulevard
between Fernview Drive and the west city limits)

REQUEST: James Honeywell, Trustee for the Mill Crossing Condominium Association, has submitted a request for minor site development plan approval to allow revisions to the landscaped buffer previously approved with the existing site development plan. The subject property is located on Mill Crossing Drive, south of Olive Boulevard and west of Fernview Drive (see attached map). The property is currently zoned "AR" Attached Single Family Residential.

ADDITIONAL INFORMATION: The City of Creve Coeur's Zoning Ordinance Section 405.1080 (G) *Review Procedure, Site Concept And Site Development Plans* states that if city staff not any "substantive changes," as defined in Section 405.120, between the final plans and the approved site development plan, the plans will be referred back to the Planning and Zoning Commission and, if required, the City Council for review and approval of the changes prior to issuance of any construction permits by the City staff.

Key Issues:

- Does the request still meet the buffer requirement?
- Does the request further the goals and/or implement the Comprehensive Plan?

Comp. Plan References

- Residential Neighborhoods
- West Olive Corridor – Residential Preservation & Economic Development

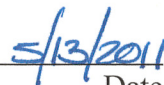
Zoning Code References

- Section 405.290.F.4.d, "AR" Attached Single-family Residential District, Buffer yards for conditional uses
- Section 405.1080: Site Concept, Site Development and Minor Site Development Plans

APPLICANTS: Mill Crossing Condominium Association
c/o James Honeywell, Trustee
1163 Mill Crossing Drive, Unit 101
Creve Coeur, MO 63141

REPORT PREPARED BY:


Paul Langdon, AICP
Director of Community Development


Date

ATTACHMENTS: Applicant's Landscape Plan, last revised April 22, 2011
Email correspondence from Greengate Subdivision trustee Robert Kent.
Email correspondence from applicant.

BACKGROUND AND APPLICATION SUMMARY

The 166-unit Mill Crossing Condominium project began prior to annexation into Creve Coeur in 1995, but was conceptually approved on March 17, 1997. The Site Development Plan approval followed on May 19, 1997. In February, 2002, and July, 2004, the Planning and Zoning Commission approved minor site development plan amendments that allowed two of the buildings to shift position by several feet. During these reviews, the landscape plans were also subject to further review and modification.

A key portion of the landscape plan is the 50-foot buffer located along the east property line. Ever since the original approval of the buffer, concerns have been raised by residents of the Greengate subdivision to the east that the buffer would not provide adequate screening from the headlights of automobiles using the condominium parking lots and access drives. A number of additional trees were required in the 2004 plan amendment in response, as was a modular block wall at the north end of the buffer. Although many of the trees were planted with the construction of Building “D” at the south end of the project, the block wall was not expected to be built until construction of Building “A.” Unfortunately, the builder declared bankruptcy prior to this construction and the Condominium Association has inherited the obligation to screen the headlights away from the neighboring houses. Simultaneous with this recent series of events, the landscape maintenance contractor on the site “limbed-up” most of the evergreen trees, thereby opening up the vegetative screen along the access drive that was just beginning to mature.

Finding a repair to this last problem has resulted in the current application wherein the buffer will have to significantly augmented. The Condominium Association is proposed to install a long evergreen hedge weaving between existing trees along the side of the access drive. Given the scope of the change and the pressing need to resolve the neighbors’ concerns with light spilling off the site, staff felt the proposed plan was subject to the following:

Section 405.1080 (G)6, *Review Procedure, Site Concept And Site Development Plans.*

...The City staff will review the final plans for consistency with the approved site development plan. Should the City staff, in its judgment, note "substantive changes" as defined in Section 405.120 between the final plans and the approved site development plan, the plans will be referred back to the Planning and Zoning Commission and, if required, the City Council for review and approval of the changes prior to issuance of any construction permits by the City staff.

As a pre-existing, non-conforming use without a conditional use permit, the revised plans are subject only to Planning Commission review and possible approval. Note that this application is not seeking to eliminate the modular block wall; it is still an expected element in the landscape.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

Direction	Use	Zoning District	Separated by
North	Various office and retail	St. Louis County zoning	Olive Boulevard
South	Single-family residences	“D” Single-family Residential	N/A
East	Church	“D” Single-family Residential	N/A
West	Single-family residence (vacant)	“AR” Single-family Residential	N/A

DISCUSSION

The majority of the Mill Crossing project will remain as originally approved and that includes a number of missing or lost landscape improvements. The Condominium Association will continue to work towards resolution of those issues. At hand with this application is whether or not the proposed additional planting will sufficiently repair and augment the buffer such that the desired degree of headlight screening is achieved and the quality of the landscape is restored.

The submitted landscape plan shows the addition of 11 Norway Spruces (large evergreen coniferous trees), 12 Doublefile Viburnum (large broadleaf, generally evergreen shrubs), and 110 Seagreen Junipers (medium sized, dense evergreen shrubs); the junipers will be planted to form a hedge that parallels the access road.

If planted per plan and allowed to mature, staff believe the proposed landscape will form an effective, year-round screen that is more effective than was originally approved in 1997, 2002 and 2004. The trustees of the Greengate Subdivision have also reviewed this plan and indicated that they believe the plan will resolve their concerns, as long as access to the entire Building "A" site is blocked to vehicles. At such time as Building "A" is built, the block wall will have to be installed per the original landscape plans. This wall will extend directly from the end of the juniper hedge to form a continuous barrier.

CONDITIONS OF APPROVAL

Although all approved plans are to be installed without modification, past history with this development suggests that more precise conditions are warranted to avoid future confusion. To that end, the following conditions or approval are proposed by Planning Division staff:

1. The buffer along the east property line of the Mill Crossing development shall be repaired, modified and maintained in strict conformance with the "Landscape Development Plan for Mill Crossing Condominium Association" drawn by Scott Gamblin of Baxter Gardens on March 1, 2011, and last revised April 22, 2011.
2. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
3. All planted areas shall be irrigated with an automated system as indicated by accepted horticultural standards.
4. Under no circumstances should any part of the landscape plan approved herein or the process approving said plan be interpreted to relieve the property owner(s) of the obligation to complete all other aspects of the "Mill Crossing Landscape Plan" drawn by Hall and Halsey Associates on April 25, 1997, and last modified June 8, 1998, including the Opaque Screen of Decorative Masonary Block (minimum 4 feet high) associated with future Building "A."
5. The Opaque Screen of Decorative Masonary Block (minimum 4 feet high) associated with future Building "A" shall be extended at the time of construction, as necessary, to form a continuous barrier with the evergreen hedge.

SUMMARY AND ACTION

The revised buffer landscape appears to address the ongoing concerns of the residents to the east and is acceptable to the Condominium Association as a project they can afford to undertake. Members of the Commission should consider carefully any further comments of the Greengate Subdivision residents and discuss any further changes with the applicant, especially as those changes might affect the schedule for completion.

If the Commission finds the buffer design to be effective and in keeping with the purposes of the Comprehensive Plan and Zoning Code, they may vote on a final decision to approve the plan amendment. If the members of the Commission wish to add, subtract or modify the conditions of approval contained in the staff report, they should do so by separate motion.

MOTION

If the Commission wishes to vote on a final decision regarding the proposal, the following would be an appropriate motion:

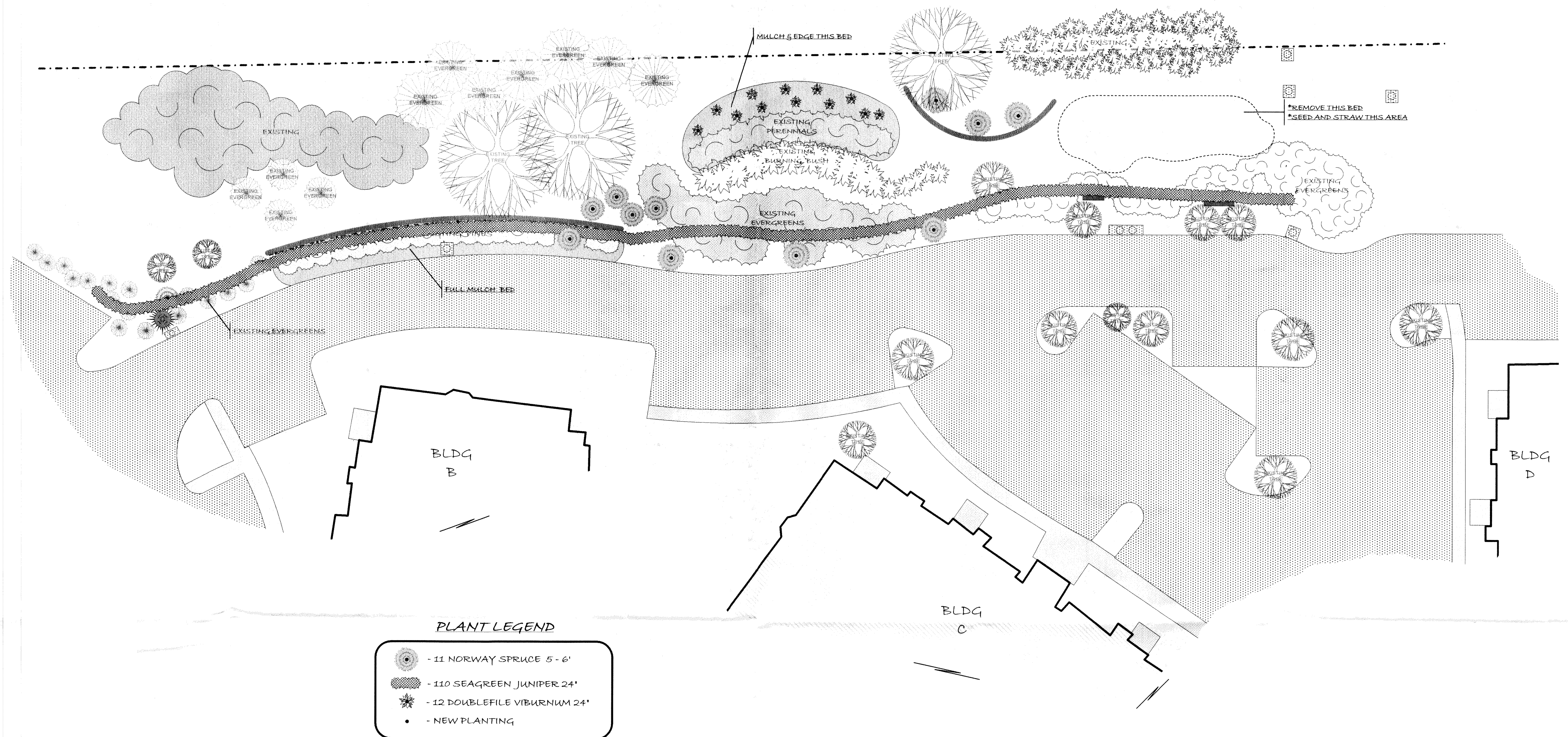
“I move to approve a minor site development plan amendment for the Mill Crossing Condominiums, subject to the conditions contained the staff report on Application #11-011, dated May 16, 2011.” (modifications should be by prior motion)

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

APPENDIX 2: ZONING CODE

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



R3

LANDSCAPE DEVELOPMENT PLAN FOR
MILL CROSSING
CONDOMINIUM ASSOCIATION
Attn: James Honeywell
1163 Mill Crossing Drive #101 - Creve Coeur, MO 63141
314-275-7732



This plan is the sole property of Baxter Gardens Of Chesterfield
All rights reserved.

DESIGNED BY: **Scott Gamblin**

SCALE: 1" = 20' 0"

ORIGINAL DATE: March 1, 2011

REVISION DATE: 03/17/11 - 03/29/11 - 04/22/11

GRAPHIC ART: MHS / HNW

From: pentapier@charter.net
To: [Kelly. Whitney](#)
Cc: [Jim Honeywell](#); [Saunders. Scott](#); [Rhoades. Jeanne](#); [George Seifried](#)
Subject: Mill Crossing Request for minor site change
Date: Saturday, May 07, 2011 12:09:12 PM

Whitney Kelly AICP
City Planner

Dear Ms. Kelly:

In your letter of May 4, 2011 you noted that Mill Crossing "Submitted a request for minor site plan approval for a landscape buffer in place of the prior approved site development plan that specified a sight proof stone fence."

The Mill Crossing Landscape Site Plan by Hall & Halsey dated April 25, 1997 required an "Opaque Screen of Decorative Masonry Block." at the automobile entrance to Building "A". I presume that this is the "Stone fence" to which you are referring as there never has been a "Stone fence" specified on this site according to all of the records and plans in my possession since 1996.

I would appreciate it if you would have forwarded to me a copy of the P & Z application by Mill Crossing as Greengate was not provided a copy and it is not yet up on the web site.

That said, at our meeting on site prior to the application submission, with Mssrs. Honeywell-Mill Crossing, Gamblin-Baxter Gardens, and Seifried-Creve Coeur, Greengate agreed to stop the installation of the Seagreen Juniper live screen at approximately the Westernmost point of the required "Opaque Screen because if, and when Building "A" is constructed that extension of plants would have to be removed to install the "Opaque Screen" wall. In the interim. Mill Crossing agreed to block off both the North and South entrances to the Building "A" construction site so that motorists would not be able to use it creating a headlight nuisance to the bedrooms of Greengate lots #10 and #11. In this way Greengate lot owners would be protected from the headlight nuisance and Mill Crossing would not incur expense for plantings that would necessarily be removed to install the "Opaque Scre" when Building "A" is constructed, if and when.

Further, it should be noted that the major purpose of this minor change is to:

1. Complete and replace the buffer landscaping that Triple Crown, Inc, (Michelson) failed to do, and
2. To install the row of Seagreen Junipers to replace the bottom three feet (3') of all the 12 year old evergreen trees that Mill Crossing's Lawn Service inexplicably cut-off to make it "Easier to mow the grass in the buffer."

Greengate Subdivision did NOT agree to the removal of the requirement to build the "Opaque Screen", if and when Building "A" is constructed. Greengate Subdivision did agree to forego the building of the "Opaque Screen" at this time consistent with the blocking of the area of the use by automobiles. This solution happily protected Greengate and saves Mill crossing money.

The above agreement is reflected in the notes and agreement submitted by Greengate Trustees on the Baxter Landscape Plan submitted to the City on April 29, 2011. (2 copies)

We have placed a call to Mr. Honeywell to re-confirm this agreement and we will be appreciative, if you will forward this email to the members of the P & Z committee.

Thank you in advance for your close attention to this matter.

R. W. Kent
Greengate Trustee
Ward IV

"

From: [Arlene/James Honeywell](#)
To: [Kelly. Whitney](#)
Cc: pentapier@charter.net
Subject: Mill Crossing Request for minor site change
Date: Saturday, May 07, 2011 9:51:16 PM

Whitney Kelly AICP
City Planner

Dear Ms Kelly:

After reading R. W. Kent's e-mail to you dated 5/7/11 I agree with his explanation of the purpose and scope of the site change.

James B. Honeywell Pres.
Mill Crossing Condominium Association