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AGENDA

PLANNING AND ZONING COMMISSION MEETING

CITY OF CREVE COEUR, MISSOURI

MONDAY, DECEMBER 19, 2011

7:30 PM

1. ROLL CALL

Mr. Michael Barton
Mr. Gary Eberhardt
Mr. James Faron
Mr. Ken Howard
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 November 7, 2011 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 limit comments to three minutes and to complete a speaker card.

5. UNFINISHED BUSINESS
None

6. NEW BUSINESS
None

7. WORK AGENDA

A. Discussion of form-based code for the central business district.
Paul Langdon, Director of Community Development

B. Memo Regarding revisions to Article VIII Sign Regulations
Whitney Kelly, City Planner

C. Approval of 2012 meeting schedule
Paul Langdon, Director of Community Development

8. OTHER BUSINESS

A. Planning Division Report
Priority projects for the Metropolitan St. Louis Sewer District Capital Improvement Plan

B. City Attorney Report

9. ADJOURNMENT

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

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

MEMBERS PRESENT: ***Mr. Timothy Madden, Chair***
Mr. Gary Eberhardt
Mr. James Faron
Mr. Jim Schnarr
Mr. Ken Howard
Ms. Cynthia Kramer

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

2. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

The Agenda was accepted as written.

3. APPROVAL OF MINUTES

Draft Minutes of October 17, 2011
Mr. Eberhardt moved approval of the draft minutes with correction to two paragraphs for Application #11-027. Mr. Faron seconded the motion which carried unanimously.

4. PUBLIC COMMENT

None

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

A. Application #11-028: Request to amend a conditional use permit to allow for Sunday hours of operation for the Valvoline Instant Oil Change at 11333 Olive Boulevard. Staff recommends repealing Ordinances numbers 1074, 1594, and 1694 and replace with a new conditional permit.

Applicant/Agent: Jason Coil
Area Manager
Valvoline Instant Oil Change
3499 Blaser Parkway
Lexington, KY 40509

Start of Public Hearing

Applicant's Presentation:
Ms. Kelly, City Planner, presented on behalf of Mr. Coil's request to amend the conditional use permit to include Sunday hours of operation from 9am to 5pm. Staff is asking Valvoline for new/additional landscaping for landscaping that has been removed, which can be approved at staff level if the commission agrees. Staff has also suggested the bay doors be closed to eliminate noise for the residential neighbors.

Mr. Jason Coil, Area Manager, Valvoline Instant Oil Change, 1510 Chambers Road, Dellwood, MO 63136 approached the podium to take questions from the Commission.

Comments or questions from Commission members:
Mr. Eberhardt would like to know why staff recommends closing of the bay doors when service is being provided, especially in the summer with the building not being air conditioned. Ms. Kelly replied that Valvoline also performs tire rotations with drills and guns and trying to stay compliant with other recent requests, like the Light Industrial District ("LI" District).

Mr. Schnarr stated that Valvoline, by the city's definition, is a service station and he believes it to not be a service station. Ms. Kelly replied they do not just change oil and fluid out of vehicles, they do perform tire rotations and changes.

Mr. Faron asked if Mr. Coil had an idea for the new landscaping plans and Mr. Coil stated that he did not, but they would meet any terms the Commission and Council set for Valvoline. Mr. Faron asked if he was aware of what the 1993 plan looked like and Mr. Coil replied he had seen that plan. Mr. Coil reiterated that if the plan was to go back to the 1993 plan, they would, they are more than willing to meet the standard the Commission and Council set forth. Ms. Kelly stated the 1993 plan is not what they are requesting due to the utility line, but what staff is asking for is a similar number of plantings that can be dispersed throughout the area and would like it to match the neighbors. Mr. Coil would like to ask the plantings not interfere with the low laying sign, to make sure the sign is still visible from the road. Mr. Coil also mentioned that the building was un-air conditioned and having the bay doors closed could be a hazard to the employees in the summer.

Comments and questions from the audience:
Ms. Suzanne Harris, 143 Nassau Circle, spoke in opposition of this request. Ms. Harris lives directly behind the Valvoline. Ms. Harris does not think the noise from the tools and

the noise of the employees/customers talking is not conducive to family life. Ms. Harris did not believe the bay doors being closed was an option though, because of the extreme temperatures this area can face during spring/summer/fall months. However there is a back door that remains open and noise comes from there as well. Ms. Harris stated she has always thought the City of Creve Coeur has been receptive to the neighbor's plight of those neighbors who back up to the city, with the "good neighbor" policy. Ms. Harris also stated the noise travels straight down the hill with nothing there to block it. Ms. Harris also said she can understand working hours on Saturday as it is a "working" day, but that she did not feel like it was appropriate noise to be hearing on a Sunday.

Mr. Coil addressed Valvoline's reasons for wanting to have Sunday hours. Mr. Coil said, the economy is tough and it is hard on business's and hard on employment by increasing the Sunday hours more employees can work and the revenue will be increased per month, which is taxable to the city. Addressing the noise reduction, Mr. Coil said the door downstairs can be closed at all times, as a mandatory condition. Also, on the sides of the building there are two (2) 4 foot fences that go down, if needed or requested, Valvoline would increase the fences to 8 foot privacy fences. Chairman Madden stated he would be in favor of increasing the height of the fencing.

Mr. Eberhardt asked if city staff would consider a higher fencing and some plantings next to the fence to help absorb the sound. Mr. Coil stated that at the back of the property where the building ends, there is a 20-30 foot clearance of grass and a row of trees. Mr. Eberhardt said he does not think that trees are going to stop noise, maybe a hedge or some kind of buffer would be better. Mr. Coil understands what Mr. Eberhardt is saying, but that the Valvoline building sits much higher than the level of the residential neighbors.

Mr. Langdon shared a couple of observations on trying to mitigate sound, stating vegetation does a poor job of mitigating sound. While vegetation gives the impression of absorbing sound, it does not, and wood fences also have limited effect to absorb sounds. Mr. Langdon stated a solid barrier with a dead space in it to effectively attenuate noise. Mr. Langdon said while increasing the fence and planting might help a little, it is not going to help that much. Mr. Schnarr asked if cedar wouldn't absorb sound, and Mr. Langdon replied it would not. Mr. Eberhardt asked if the primary problem was the noise coming from the lower door or the bay doors. Ms. Harris said the bay doors were giving out more noise than the lower back door. Mr. Faron asked if a sound wall was an option and Mr. Coil said it would be something he would have to look into because it would be a large expense.

Mr. Madden then questioned the hours proposed, which are 9am-5pm, and suggested a later opening time of 10am-5pm, for the sake of the neighbors. Ms. Harris replied anything would make it better. Mr. Faron asked if the space could be conditioned, and Mr. Coil said he can set rules to dictate how much time can be spent on that end of the building and regulate when employees take breaks, so there are not more than one person on a break at a time. Ms. Harris stated that an 8 foot fence would help. Mr. Schnarr asked if a fence made of PVC would be better than would and Mr. Coil responded that they would rather use vinyl than wood.

Chairman Madden stated the conditions discussed which would be to open at 10am, put in 8 foot vinyl fence, landscape work with staff and tell employees to take breaks over by dumpster.

Mr. Coil brought up his concern about being made to keep the bay doors closed because in the summertime the heat is too unbearable to do that. Ms. Harris and Chairman Madden both agreed that is not feasible.

Mr. Langdon pointed out to the commission that they have the ability to approve fences over 6 feet in height and wanted to make sure the commission was clear about the extent of the fence, because an 8 foot fence is a big fence and how far it should run in terms of length of the property. Chairman Madden clarified that the fence would run from the dumpster to the building and on the other end of the building to the end of the parking lot. Discussion on the height of the fence continued, finally settling on 6 feet for the height.

Chairman Madden, once again stated the conditions discussed, which would be to open at 10am, put up a 6 foot vinyl fence from the door all the way to the end of the property, employees will take their breaks by the dumpster corral, the landscaping plan to be worked with the City of Creve Coeur staff, keep the bottom downstairs back door closed, and no requirement on the bay doors staying closed.

Mr. David Caldwell, 257 Brooktrail Court, thinks it is a double standard to allow Valvoline to keep their bay doors open, when in the "LI" District the conditions were the bay doors had to remain closed. Ms. Kramer replied she recalls the issue with the bay doors in the "LI" District being different than the applicant's request. Mr. Langdon spoke up as the City Council liaison, stating at the council meeting when the used car sales discussion took place that questions were raised asking specifically what level of service could be done. Mr. Langdon stated Mr. Caldwell is correct that in the Council's mind where ultimately the ordinance will be accepted or declined, it was the kind of service should be screened with closed doors. Mr. Langdon also pointed out in the draft ordinance it states the bay doors remain closed to try and be consistent with previous requests, i.e. "LI" District, but if the Commission wants to back away from that condition, it is the commission's right to do so.

Mr. Eberhardt suggested that the doors remain closed unless it reaches a certain temperature, and Mr. Coil responded he would rather alter his business and not do tire rotations/changes on Sunday than have to have an employee outside with a temperature gauge to see if the doors are required to be opened or closed.

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

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

Mr. Howard pointed out that this applicant has had many landscaping violations, and he would like to table this application to have a clearer understanding, due to the substantial changes to the draft ordinance.

No further comments and questions from the audience or the Commission.

There being no further comments, the motion was made by Mr. Eberhardt to recommend approval of the Conditional Use Permit for Valvoline Instant Oil Change submitted with

Application #11-028, subject to the conditions contained in the draft ordinance attached to the staff report dated November 4, 2011.

Chairman Madden made a motion to amend the motion with Sunday hours are 10:00 am to 5 pm, a six-foot high solid vinyl fence shall be installed along the rear edge of the paved areas, from the building to the dumpster corral on the west and from the building to the edge of the pavement on the east, service bay doors shall be closed while impact wrenches are being used on Sundays, the lower level door shall remain closed at all times, and employee outdoor breaks on the premises shall be taken individually on the west side of the building. Ms. Kramer seconded the motion with the resultant vote as follows:

Mr. Faron – aye	Mr. Eberhardt – aye	Chair – aye
Mr. Schnarr – aye	Ms. Kramer – aye	Mr. Howard – aye

Then the motion was made to approve the Conditional Use Permit for Valvoline Instant Oil Change submitted with Application #11-028, subject to the conditions as amended, with the resultant vote as follows:

Mr. Faron – aye	Mr. Eberhardt – aye	Chair – aye
Mr. Schnarr – aye	Ms. Kramer – aye	Mr. Howard – nay

B. Application #11-029: Request for review and approval, per Chapter 89 of Missouri Revised Statutes, of the replacement of sidewalks at the Government Center to be compliant with current ADA standards.

Applicant/Agent: Matt Wohlberg
City Engineer, Public Works

Mr. Wohlberg presented on a proposal to add a handicapped-accessible sidewalk to the Creve Coeur Government Center to provide an accessible path from the north parking lot to the front door of the building. This project would be funded through a Community Development Block Grant. The City staff seeks the Commission's approval to proceed with the construction of the current proposal for improvements to the Creve Coeur Government Center. According to Section 89 of Missouri state law, the City must obtain the approval of such development of public property from the Planning and Zoning Commission prior to the commencement of work. Award of the contract for the sidewalk improvements at the Creve Coeur Government Center will be brought before the City Council for their review.

No comments or questions from Commission members.

No comments and questions from the audience.

There being no further comments, the motion was made by Mr. Faron to approve the improvements to the Creve Coeur Government Center as currently proposed and as required by Section 89 of Missouri state law. Mr. Eberhardt seconded the motion with the resultant vote as follows:

Mr. Faron – aye	Mr. Eberhardt – aye	Chair – aye
Mr. Schnarr – aye	Ms. Kramer – aye	Mr. Howard – aye

7. WORK AGENDA

None

8. OTHER BUSINESS

A. Planning Division Report

Mr. Langdon stated there are no items for the next scheduled meeting; however he may work agenda items.

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 8:15 p.m.

_____

Timothy Madden, Chair

_____

Julie Lowery, Recording Secretary

city of CREVE COEUR

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(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
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STAFF MEMORANDUM TO THE PLANNING AND ZONING COMMISSION

Meeting Date: December 19, 2011

Subject: Zoning for the Core Business District (CBD)

Location: Area bounded by Olive Boulevard, Old Ballas Road, and North New Ballas Road.

Requested Action: Work session discussion only.

Prepared by:

Paul Langdon, AICP
Director of Community Development

12/16/2011
Date

BACKGROUND

On January 18, 2011, the Planning and Zoning Commission directed staff to proceed with the creation of a complete draft Form-Based Code for the central business district. Although development of the draft has taken more time than anticipated, staff have developed a more detailed understanding of form-based codes and how the standards work together. The development of the draft Form-Based Code (FBC) has also moved forward the efforts to integrate the North American Industry Classification System (NAICS) in lieu of the Standard Industrial Classification (SIC) manual, and consideration of additional issues in the Sign Code update that is just beginning. These two efforts will be discussed with the Planning Commission as separate amendments concurrent with the FBC development, but the discussions will inevitably overlap. This particular discussion will focus on two critical elements of the FBC; the Regulating Plan for Building Envelope Standards (BES) and the BES for the major arterial locations, both of which are attached hereto.

DISCUSSION

THE REGULATING PLAN (SEE ATTACHED DRAFT PLAN)

As a reminder, form-based codes are primarily focused on the streetscape and instilling as much character in the built environment as possible without relying upon massive buildings and equally over-whelming parking lots. What these codes do not focus on is the rear portions of development. There are privacy and open air considerations, but the bulk of the regulations go to the streetscape and the scale of the buildings.

Given this shift in focus from the private lot to the public street, the Euclid-style zoning map is replaced with a "Regulating Plan" that lays out development patterns as seen from the street. In other words, the information on the map follows preferred street layouts and largely ignores specific side and rear property lines. The only connection to the side and rear property lines is the routing of proposed streets and the general location for changes in BES.

Key points on the draft Regulating Plan for inspection and comment are:

- The three-level hierarchy of BESs.
  The North New Ballas Road and Olive Boulevard frontages are provided the most development intensive BES that allows the tallest buildings (up to five stories plus an attic story) and brings the buildings out over the sidewalk in a colonnade architectural style. The Commission should take note of the proposed extension of this BES down the existing Hamm Road in anticipation of a larger scale redevelopment of the southwest quadrant of Old Ballas Road and Olive Boulevard. As a large development location, there is a significant opportunity to dramatically shift the character of this area from one dominated by car-oriented design to one that is pedestrian-oriented and human-scaled. In other words, this corner and the one at North New Ballas are the locations to create a bold statement while accommodating the scale of development that is essential to the economic survival of the area.

  The majority of the internal streets are assigned a more modest level of development that can be thought of as the classic small downtown development style. The buildings are limited to two to four stories, the upper floors cannot come out over the sidewalk, and smaller gaps are allowed between buildings. In between these is a limited-in-size but more flexible BES that only borders on the Old Ballas Village condominiums. These buildings can still be up to four stories, but must maintain a more residential character including front porches and garden spaces along the street. This is intended to help bridge the character of the existing condominiums with the existing and anticipated commercial development.

  The Commission is asked to consider this arrangement of building types and provide direction to the staff regarding potential changes. Comments regarding the number and nature of the different building envelopes are also requested at this time.

- Street grid.
  The perimeter streets and Studt Road are well established and continue to provide the principal framework of the district. Under the FBC, however, Will Avenue and Hamm Road are significantly upgraded to become true streets. Indeed, neither right-of-way even exists south of Studt Road today, and the plan is only providing a conceptual alignment along existing property lines. It is important to establish as much of a street grid as possible in order to maximize street parking and avoid over-loaded intersections. Whether or not these are the optimal street alignments is a fair question for the Commission to debate.

THE BUILDING ENVELOPE STANDARDS

- Guiding Principles
  This section of the FBC is probably the most difficult to compose as it involves several very detailed architectural and bulk standards that have to work on their own and together. Further, they involve a lot of terms that the City has not generally used in the past. To help City officials and the general public understand what these regulations are intended to accomplish,

the section starts with a detailed listing of the guiding principles. These principles generally reflect the goals of the Comprehensive Plan for this area and support the Downtown Design Guidelines passed in 2006. If the members of the Commission have any questions or concerns regarding these principles, the discussion on the 19th would be an ideal time to raise them.

- Colonnade Shops BES
  The first of the BES sections to be presented to the Planning and Zoning Commission is the one with the greatest potential impact, both positive and negative. Staff are suggesting that the Colonnade Shops BES be located primarily along the arterials: areas that are the most likely to redevelop within this planning area. As such, whatever form the future developments take, they will be highly visible and directly connected to the highest existing traffic areas.

  A review of the BES will be provided to the Commission at the meeting on December 19th, but critical items for the members to begin thinking about are:
  - The height of the buildings, including parking garages
  - The requirement for a colonnaded building form
  - The use of street walls to help screen parking areas and "fill in" gaps between buildings
  - The inclusion of 15% contiguous open space to help open up buildings, especially as they get higher
  - The absence of side setbacks
  - The mixture of uses possible within the building or between buildings on the same block.

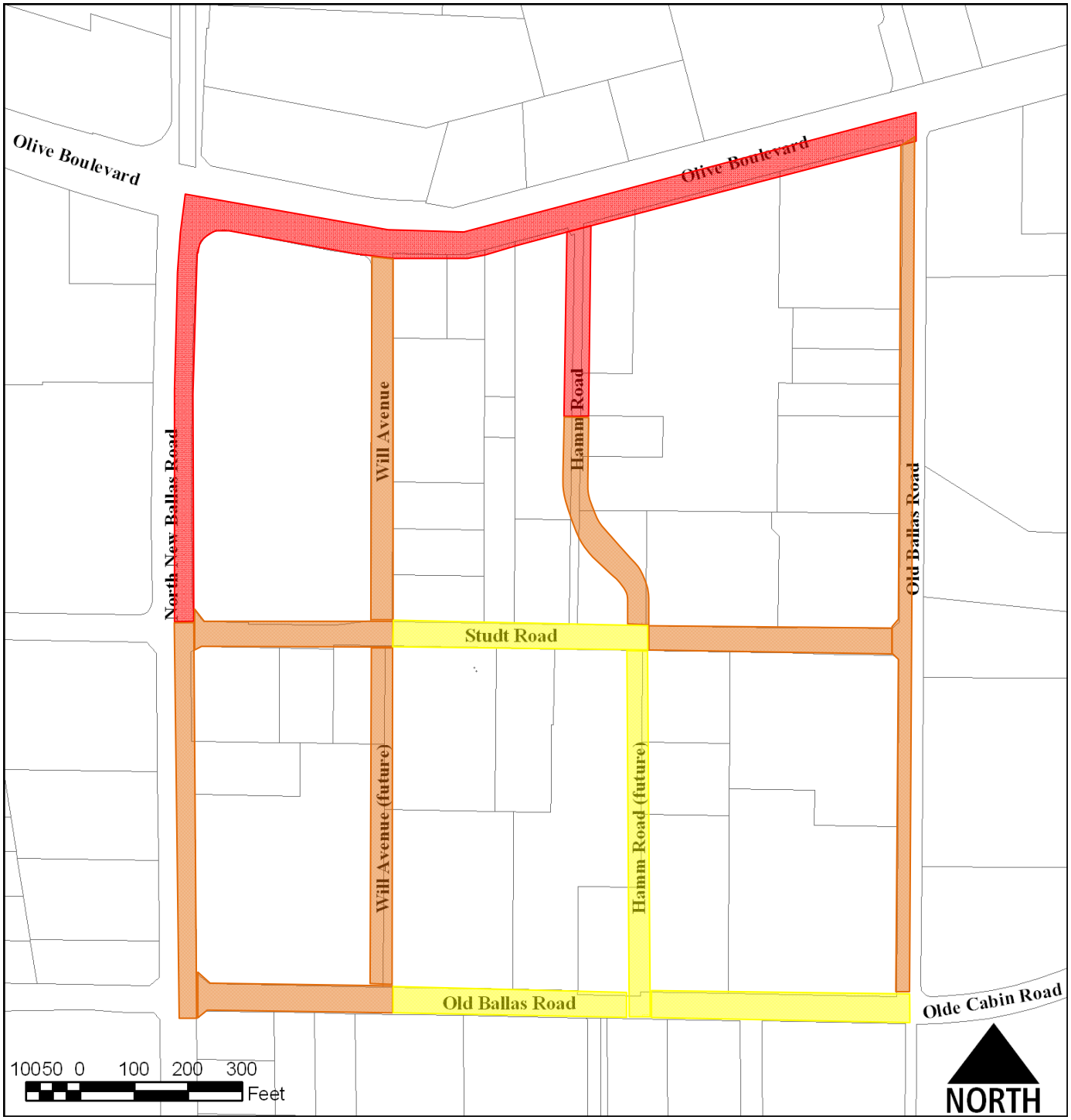
There are other standards that are more typical, but the interplay of all of these standards is critical to creating the type of development encouraged by the Comprehensive Plan. The Commission members are encouraged to read the standards in detail, imagine how they might shape a development, and compare those thoughts to existing development. If that comparison is not favorable, the discussion on the 19th is the appropriate time to identify concerns and propose changes.

CONCLUSION

As stated early on in this process, the members of the Planning Commission should continue developing their thoughts and perspectives on the city center by examining some key elements in places that are appealing and those that are not. Examples would be building heights and widths, sidewalk widths, road widths (lanes), quantity of windows and presence of alleys and other features like parks and public art. As the Commission refines the vision for this area, the staff will continue to develop the succeeding sections of the FBC.

SECTION 450-400 C, BUILDING ENVELOPE STANDARDS

Regulating Plan: Building Envelope Standards



Using this plan

The Form-Based Code (FBC) is primarily concerned with the relationship between private development and the public right-of-way (ROW). The different colors on this map reference the character of development adjacent to the given portion of ROW. The names shown in the legend correspond with a particular building envelope standard described in Section 405.400.C.

Note that this map is not intended to describe any street ROW standards beyond a representative alignment. Please refer to Section 405.400.D for detailed ROW information.

Legend

- Colonnade Shopfront Frontage
- Local Frontage
- Transitional Frontage
- Property Lines (as of 2007)

SECTION 405.400.C BUILDING ENVELOPE STANDARDS

405.400.C.1. Introduction

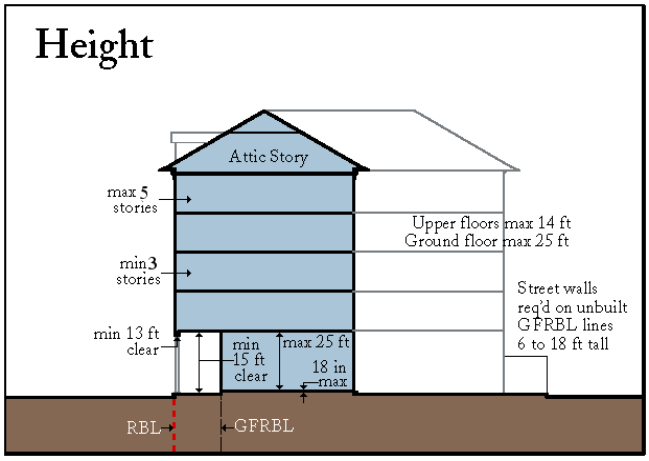
The REGULATING PLAN identifies the BUILDING ENVELOPE STANDARDS (BES) for all building sites within the Station Area. The goal of the BES is the creation of a healthy and vital public realm through good STREETSPACE. Deviations from the BES can be approved only through a Special Exception Process as provided in Chapter VI (Administration) of this *Code*. The BES sets the basic parameters governing building construction, including the building envelope (in three dimensions) and certain required and/or permitted elements, such as COLONNADES, STOOPS, balconies, porches, and STREET WALLS.

405.400.C.2. General Guiding Principles

Although no particular design motif is required by the FBC, it is essential that the relationship of the buildings to the streets be carefully crafted and nurtured regardless of other design details and regulations that vary with the building types. The following are the minimum expectations for any project unless otherwise accepted by the Planning and Zoning Commission due to extraordinary circumstances:

a. **Buildings are aligned and close to the street.**
   Buildings form the space of the street but should balance variety with consistency.
b. **The street is a coherent space, with consistent building forms on both sides.**
   The relationship between buildings extends across the STREET-SPACE as well. Street coherence is key to defining a clear public space and STREET-SPACE identity.
c. **Buildings oversee the STREET-SPACE with active fronts.**
   Windows and gathering places provide oversight of the STREET-SPACE that contributes to vital and safe public spaces.
d. **Public spaces are physically defined by buildings, walls, or fences.**
   Land should be clearly public or private—in public view and generally open to all (the STREET SPACE) or private and protected.
e. **Buildings are designed for towns and cities.**
   Rather than being simply pushed closer together, as in many suburban developments, buildings must be designed for the true town center or urban setting. Views are directed to the STREET-SPACE and interior gardens/court-yards, not into neighboring lots.
f. **Vehicle storage/parking, (other than on-street parking), garbage and mechanical equipment are kept away from the STREET-SPACE.**
   Allowing these elements to severely interrupt or compete for attention within the STREET SPACE harms coherence and breaks down the definition of the public spaces.

405.400.C.3 Arterial Frontages



405.400.C.3.a. Arterial Frontage Height Regulations

(1) Generally.

(a) The height of the principle building is measured in stories.

(b) Each principle building shall be at least three (3) stories in height, but no more than five (5) stories, excluding an attic story that may also be present.

(2) Parking Structure Height

The highest point of the upper deck on a parking garage shall not be higher than the finished floor elevation of the principal building served by the parking structure.

(3) Ground Story Height

(a) The GROUND STORY finished floor elevation shall be equal to, or greater than, the adjacent exterior sidewalk elevation up to a maximum finished floor elevation of eighteen inches (18") above the sidewalk elevation.

(b) The GROUND STORY shall have at least fifteen feet (15') of clear interior height (floor to ceiling) contiguous to the GFRBL frontage for at least one-half (½) of its area.

(c) The maximum STORY HEIGHT for the GROUND STORY is twenty-five feet (25').

(4) Upper Story Height

(a) The maximum floor-to-floor (or floor to roof structure for attics) STORY HEIGHT for STORIES other than the GROUND STORY, is fourteen feet (14").

(b) At least eighty percent (80%) of each upper STORY shall have an interior clear height (floor to ceiling) of at least nine (9) feet.

(5) Mezzanines

Mezzanines having a floor area greater than one-half (½) of the floor area of the STORY in which the mezzanine is situated shall be counted as a full STORY.

(6) Street Wall Height

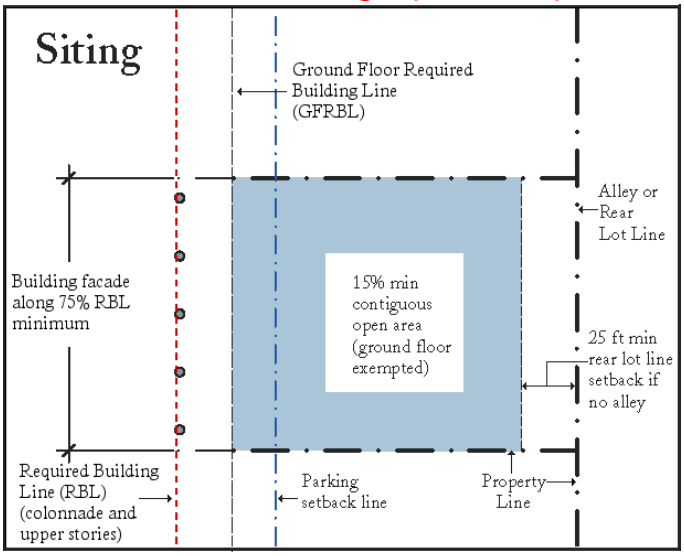
(a) A STREET WALL not less than six feet (6') in height or greater than eighteen feet (18') in height shall be required along any GFRBL frontage than is not otherwise occupied by a building, access drive or PUBLIC PLAZA on the lot.

(b) STREET WALL height shall be measured from the adjacent public sidewalk or, when not adjacent to a sidewalk, from the ground elevation once construction is complete.

(7) Other

Where an ARTERIAL FRONTAGE site is located within forty feet (40') of an existing single-family residential zoning district, the maximum EAVE or PARAPET HEIGHT shall be thirty feet (30'). This requirement supercedes the minimum STORY requirement.

405.400.C.3 Arterial Frontages (continued)



405.400.C.3.b. Arterial Frontage Siting Regulations

(1) Street Facade.

(a) On each lot the building FAÇADE shall be built to the RBL for at least seventy-five percent (75%) of its RBL and/or GFRBL length.

(b) The building FAÇADE shall be built entirely to the RBL and GFRBL when within forty feet (40') of a BLOCK CORNER.

(c) The building FAÇADE along the RBL and GFRBL may include jogs of not more than thirty-six (36") in depth except as otherwise provided to allow BAY WINDOWS (upper STORIES only).

(d) GROUND STORY unit frontage widths shall be a maximum of one hundred twenty feet (120').

(2) Buildable Area

(a) Buildings may occupy any portion of the lot behind the RBL (and GFRBL) exclusive of any setbacks required by this Code, however, FAR may not exceed 3.0.

(b) A contiguous OPEN AREA equal to at least fifteen percent (15%) of the total BUILDABLE AREA shall be preserved on every lot. Such contiguous OPEN AREA may be located anywhere behind the PARKING SETBACK LINE, either at grade or at the second or third STORY.

(c) No part of any building, except overhanging eaves, AWNINGS, or BALCONIES shall occupy the remaining lot area.

(3) Side Lot Setbacks

On a lot where a COMMON LOT LINE is shared with a single-family residential zoning district, the principal building shall be setback at least thirty feet (30') from the shared lot line.

(4) Garage and Parking

(a) GARAGE ENTRIES or driveways shall be located at least seventy-five (75) feet away from any BLOCK CORNER or another GARAGE ENTRY on the same BLOCK, unless otherwise designated on the REGULATING PLAN.

(b) GARAGE ENTRIES shall have a clear height of no greater than sixteen (16) feet nor a clear width exceeding twenty-four (24) feet.

(c) Designated GARAGE ENTRIES and ALLEYS shall be the sole means of vehicular access to a lot.

(d) GARAGE ENTRIES may be setback up to a maximum of twenty-four (24) inches behind the surrounding FAÇADE.

(e) Vehicle parking areas on private property shall be located behind the PARKING SETBACK LINE, except where parking is provided below grade.

(f) These requirements are not applicable to on-street parking.

(5) Alleys

There is no required setback from ALLEYs. On lots having no ALLEY access, there shall be a minimum setback of twenty-five (25) feet from the rear lot line.

(6) Corner Lots

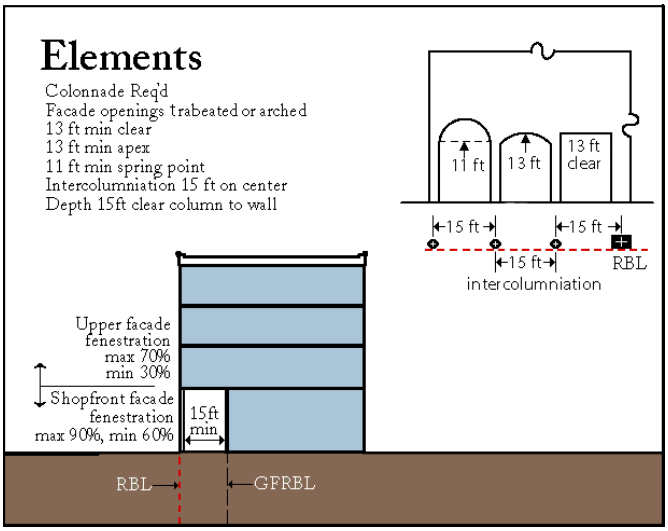
Corner lots shall satisfy the code requirements for the full RBL length unless otherwise specified in this code.

(7) Unbuilt RBL and Common Lot Treatment

(a) A STREET WALL shall be required along any RBL frontage that is not otherwise occupied by a building on the lot. The STREET WALL shall be located not more than eight (8) inches behind the RBL.

(b) PRIVACY FENCES may be constructed along that portion of a COMMON LOT LINE not otherwise occupied by a building on the lot.

405.400.C.3 Arterial Frontages (continued)



405.400.C.3.c. Arterial Frontage Building Elements Regulations

(1) Fenestration

(a) Blank lengths of wall exceeding fifteen linear feet (15') are prohibited on all RBL/GFRBLS.

(b) FENESTRATION on the GROUND STORY FACADES shall comprise at least sixty percent (60%), but not more than ninety percent (90%) of the FACADE area situated between two feet (2') and ten feet (10') above the adjacent public sidewalk on which the FAÇADE fronts.

(c) FENESTRATION on the upper STORY FACADES shall comprise at least thirty percent (30%), but no more than seventy percent (70%), of the FACADE area per STORY (measured as a percentage of the FAÇADE between floors).

(d) No window may face or direct views toward a COMMON LOT LINE within thirty feet (30') unless that view is contained within the lot (e.g. by a PRIVACY FENCE/GARDEN WALL) or, the window sill is at least 6' above the finished floor level. All COMMON LOT LINES within the Station Area are subject to the construction of building walls (with no setback) by the adjacent lot owner.

(2) Building Projections

(a) AWNINGS, BALCONIES, and STOOPS shall not project closer than five feet (5') to a COMMON LOT LINE.

(b) No part of any building, except over-hanging eaves, BALCONIES, BAY WINDOWS, and AWNINGS, as specified by the Code, shall encroach beyond the RBL.

(c) No part of any building, except shopfronts and signs, as otherwise permitted by the Code, shall encroach into the COLONNADE beyond the GFRBL.

(3) Doors/Entries

Functioning entry door(s) shall be provided along GROUND STORY FACADES at intervals not greater than sixty linear feet (60').

(4) Colonnades

Where designated on the REGULATING PLAN, COLONNADES shall:

(a) Have a minimum interior floor to ceiling clear height of fifteen feet (15') (excepting blade signs and street lighting as specified in *FBC*).

(b) Have minimum thirteen foot (13') FAÇADE opening height to beam (or to the top of the arch and minimum eleven feet (11') to the springing point).

(c) Have an intercolumniation of fifteen feet (15') on center.

(d) Have a continuous public access easement of at least six feet (6') wide running adjacent to the columns/piers.

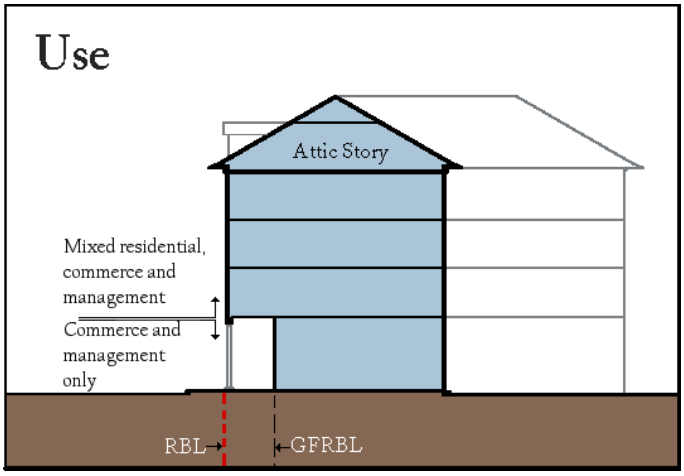
(e) Have columns/piers with no single horizontal dimension greater than twenty two inches (22") or less than ten inches (10"). This limitation shall apply between grade and eleven feet (11') in height.

(f) Have fifteen feet (15') between the RBL and the GFRBL except as otherwise specified in the REGULATING PLAN.

(5) Street Walls

A vehicle entry gate no wider than eighteen (18) feet or a pedestrian entry gate no wider than six (6) feet shall be permitted within any required STREET WALLS.

405.400.C.3 Arterial Frontages (continued)



405.400.C.3.d. Arterial Frontage Use Regulations

(1) Ground Story

The GROUND STORY shall house RETAIL TRADE, COMMERCE and MANAGEMENT uses only. See the USE MATRIX for the specific use listings.

(2) Upper Stories

The upper STORIES shall house residential, COMMERCE or MANAGEMENT uses excluding RETAIL TRADE uses except those that have direct RBL frontage and are second STORY extensions of the GROUND STORY use. See the USE MATRIX for the specific use listings.

city of CREVE COEUR

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MEMO TO PLANNING AND ZONING COMMISSION

Meeting Date: December 19, 2011

Subject: Revisions to Article VIII Sign Regulations

Memo Prepared by: Whitney Kelly, AICP
City Planner

Attached: Article VIII Sign Regulations

Staff administers all signs through the permitting process under Article VIII Sign Regulations of the City's Code of Ordinances. The wording of the current ordinance is often confusing for businesses to determine what signs are allowed, as well as for staff to offer direction on the permitted square footage of signs. An example of such, is the allowance for tenant signage in non-residential districts:

Section 405.950.2. On-premise permanent signs.

a. Individual or freestanding business or use. Each individual business or use located at ground floor level with its own entrance at street level or a second (2nd) story retail business, either of which has frontage as defined in Section 405.120, may have one (1) or more wall signs, window signs or signs affixed or painted on canopies or awnings with a total gross sign area per sign frontage not to exceed one (1) square foot per linear foot of sign frontage upon which the sign is to be located, up to a maximum of twenty-five (25) square feet in area; except that the total gross sign area per sign frontage may increase by twelve and one-half (12.5) square feet for each fifty (50) feet an individual business or use sets back from the edge of street pavement up to a maximum of one hundred twenty-five (125) square feet in area, provided said individual business or use has the required sign frontage to allow such an increase. A rear entrance to an individual or freestanding business used for delivery purposes may be identified by a sign not to exceed two (2) square feet in gross sign area. Such a sign shall be affixed directly to the rear entrance door. In locations where individual businesses or uses are grouped together in a shopping center, the on-premises permanent signs shall maintain uniformity in location, height and general design and shall be compatible in color.

Where, in Section 405.120 Definition of Terms, "sign frontage" and "gross sign area" are defined as:

SIGN, FRONTAGE: The length along the front of the ground floor of a building occupied by a separate and distinct use and the length along the side of the ground floor of a building occupied by a separate and distinct use when the side of such building faces a street; or the width of a tenant space measured along the ground floor of a building occupied by a separate and distinct use which does not face a street but faces a parking lot.

SIGN, GROSS SIGN AREA: The area within a single rectangle or circle enclosing the extreme limits of the sign, but not including structural supports which are not an integral part of the sign; except that in the case of an individual letter sign, only two-thirds (2/3) of the area of the enclosing rectangle or circle shall be counted as the gross area of the sign. Where a sign has two (2) or more faces which can be viewed from a single location, the gross area of all such faces shall be included in determining the total gross area of the sign.

Questions that frequently arise are:

- How is the gross sign area calculated when the sign is composed of various elements (when does 2/3 rule apply)? We often see signs that use a logo, with individual letters, and with a boxed in tag (an example of such a sign is below). When the individual letters make up only a portion of the sign, should the 2/3 rule be allowed if it is not just an individual letter sign?

- What is the best application for "… **separate and distinct use which does not face a street but faces a parking lot**"? In several cases a building could be located at the intersection of two streets, and have parking lots on the other two sides of the building. Should these buildings be entitled to signage on all sides of the building when the building is clearly not providing any presence to the street, or is clearly not intended to have an entrance into the business, when other in-line retail tenants are limited to one, possibly two, wall signs at the most? In many cases, the parking for a tenant on the sides or rear of the building is limited to a few parking spaces. Should this then qualify to allow for additional signage, as it is adjacent to "a parking lot"?

The second portion of Section 405.950.2(a) states "…*A rear entrance to an individual or freestanding business used for delivery purposes may be identified by a sign not to exceed two (2) square feet in gross sign area. Such a sign shall be affixed directly to the rear entrance door."* Should the rear of the building in all cases be limited to the 2 sq. ft. whether or not it faces a street, or parking?

Should the definition for sign frontage be more closely associated with the definition of building frontage?

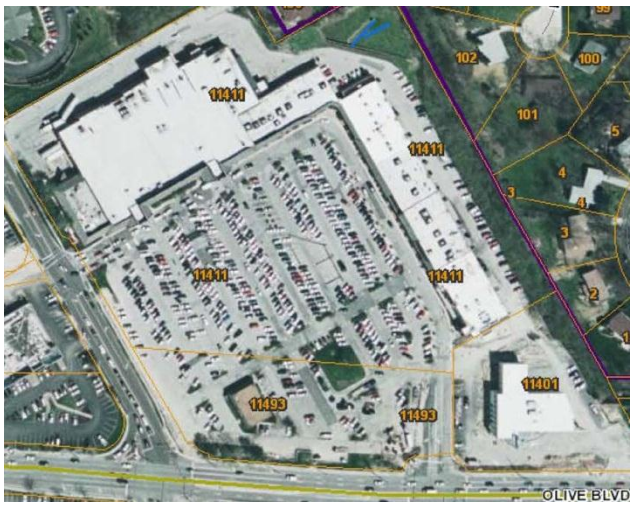
Section 405.120: Definition of Terms:

BUILDING FRONTAGE: The developed length of that portion of the building which faces a right-of-way or which faces a publicly accessible parking lot containing not less than twenty (20) parking spaces and serving the building.

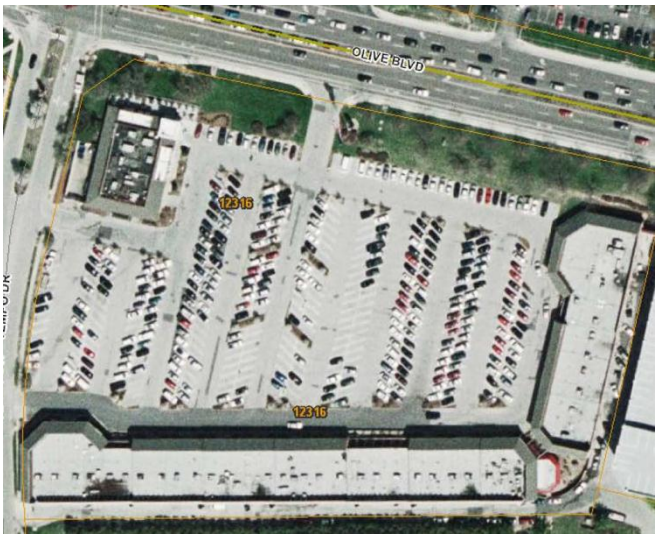
This would provide clarification on the number of parking spaces necessary to qualify for signage. Should this definition also include a requirement that signs be limited to the front entrance of the business, or in the case of adjoining a street to the side of the entrance?

- Section 405.950.2 allows for the bonus square footage based on how far the building sits back from the road. However, many shopping centers often have outlot buildings within the shopping center that block the in-line tenants from the road. Therefore, not all tenant spaces would qualify for the bonus square footage, when the neighboring tenant would qualify for the bonus signage. Below are aerial views of Bellerive Plaza, West Oak, Westgate, and Promenade Shopping Centers. Should the City's regulations allow for consistency between all tenants? Should we allow for bonus area depending on the setback, or just allow for a percentage of the wall, or percentage based on linear width of the tenant space, for allowable signage?

Bellerive Plaza



West Oak Shopping Center



Westgate Shopping Center

Promenade Shopping Center

- In additional to the confusion of the bonus allowance on the square footage of the sign, it is also not clear when a side of the building or tenant space is visible from the road, but another property lies between it and the road, if it should qualify for a sign. Such is the case of GC's within the West Oak Shopping Center, where the bank property and the lot which the Verizon building is located on is between the GC's/ West Oak space and Olive

Boulevard. Should a business be allowed a sign simply because the tenant space is visible from the road, whether or not another property blocks it from directly abutting the street?

In the case of Bellerive Plaza and West Oak, the largest tenants (Dierbergs and Schnucks) don't face a street, but face a large parking area. In the case of Dierbergs, the approximately 400 sq. ft. sign at the top building received a variance from the Board of Adjustment. Do the Commission Members want to allow bonus area depending on the setback, or just allow for a percentage of the wall for allowable signage?

Many cities include a special category for signage within in a retail shopping center. For example: Schaumberg, IL, Sign Regulations allow for up to two signs per use if on a street corner, for outlots within shopping centers an additional wall sign may be approved, provided that the total area of all wall signage shall not exceed the area allowed as determined by the number of streets the building abuts. All other business signs are limited to one wall sign, with the exception that additional signage could be approved if the tenant or use abuts two or more streets.

<u>Office Building Signs vs. Tenant Signs:</u>

Similar to the tenant signage, office building signage follows the same format for determining allowable square footage, where similar questions of how to apply the bonus allowance have come up:

Section 405.950.d. Office building signs.

(1) Each freestanding, single or multi-tenant office building may have one (1) wall sign per sign frontage. This sign shall be affixed parallel to the facade of the building with no part of this sign projecting more than fourteen (14) inches from the building surface it is attached to. No part of this sign shall extend above the roof line or parapet of a building. The gross sign area of said sign shall not exceed thirty-five (35) square feet per sign frontage; except that the total gross sign area per sign frontage may increase by twelve and one-half (12.5) square feet for every fifty (50) feet an office building sets back from the edge of street pavement, up to a maximum of one hundred twenty-five (125) square feet in area, provided said office building has the required sign frontage (one (1) square foot of gross sign area per lineal foot of sign frontage) to allow such an increase.

(2) Each freestanding single or multi-tenant office building shall have one (1) set of address numerals per building frontage.

Again, many of the same questions discussed above, often come up for office building signs. In particular, should an office building be allowed a sign, and the bonus square footage, if it is simply visible from Olive Boulevard, whether or not another property or building blocks it from the adjoining the street?

In several cases multi-floor buildings qualify for first floor tenant signs, as well as office building signs, on the same level, such as on irregular shaped buildings, where grade change allows for lower level offices. Many businesses often allow for a single tenant to become the identifier of the building (an example is Microsoft.) In the picture to the left, American Eagle Credit Union is a tenant and building owner. Therefore the office building signage was

assigned to the Credit Union, and the Lasik Plus tenant was granted a sign as the tenant associated with that space. Should there be a minimum distance, or minimum number of stories between office building signs and tenant signs?

Master Sign Plans and Common Sign Plans

In addition to all of these signs, the Sign Regulations allow for a deviation from the size requirements through the use of a common sign plan or master sign plan provisions within Section 405.950:

6. Master signage plans--"CB" Core Business District, "PH" Planned Hospital District, "HE" Higher Education District and residentially zoned institutions (schools and places of worship with a minimum tract area of twenty (20) acres). The provisions set forth in the preceding Sections 405.910, et seq., shall be applicable as stated therein to signs accessory to uses in "CB" Core Business District, "PH" Planned Hospital District and "HE" Higher Education District and signs accessory to residentially zoned institutions (schools and places of worship with a minimum tract area of twenty (20) acres). However, in keeping with the intent to allow flexibility in the design of planned developments and campuses, the following options may be applicable to signs accessory to uses in the "CB" Core Business District, "PH" Planned Hospital District and "HE" Higher Education District and signs accessory to residentially zoned institutions (schools and places of worship with a minimum tract area of twenty (20) acres):

a. As an alternative, signs may be permitted in accordance with a Comprehensive Plan of signage subject to the recommendation of the Planning and Zoning Commission and approval of the City Council following a public hearing conducted in accordance with the provisions of Sections 405.1060(D)(3) and 405.1120 of the Zoning Code. The Comprehensive Plan of signage shall show the location, size, height and extent of all proposed signs, as well as the nature of the information to be displayed on the signs. In addition, the geographic limits of the area to be covered by the Comprehensive Plan of signage must be shown.

7. Common signage plan--all non-residential districts. If the owners of two (2) or more contiguous (disregarding intervening streets and alleys) lots or the owner of a single lot with more than one (1) building (not including any accessory building) file with the Zoning Administrator for such lots a common signage plan conforming with the provisions of this Section, a twenty percent (20%) increase in the maximum total sign area shall be allowed for each included lot. This bonus shall be allocated within each lot as the owner(s) elects.

a. Provisions of common signage plan. The common signage plan shall contain the information in paragraph (1) below and shall also specify standards for consistency as required by paragraph (2) below.

(1) The common signage plan shall contain the following:

(a) An accurate plot plan of the lot, at such scale as the Zoning Administrator may reasonably require;

(b) The location of buildings, parking lots, driveways and landscaped areas on such lot;

(c) Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lot(s) included in the plan under this Chapter; and

(d) An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.

(2) The common signage plan shall specify standards for consistency among all signs on the lots affected by the plan with regard to:

(a) Lettering or graphic style;

(b) Lighting;

(c) Location of each sign on the buildings;
(d) Material; and
(e) Sign proportions.

b. Window signs on common signage plan. A common signage plan or master signage plan including window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window signs (e.g., paper affixed to window, painted, etched on glass or some other material hung inside window) and need not specify the exact dimension or nature of every window sign.

c. Limit on number of freestanding signs under common signage plan. The common signage plan, for all lots with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one (1) for each street on which the lots included in the plan have frontage and shall provide for shared or common usage of such signs. Individual tenants may be identified on freestanding signs.

- The intent of both of these provisions within the Sign Regulations is to allow flexibility in the design of planned developments and campuses, yet no acreage requirement was included for developments in non-residential districts. (The acreage requirements are included for institutions and schools in residential districts). Therefore, Staff believes that the use of master signage plans and campus settings are not defined narrowly enough. In some cases, a single building could qualify for a common sign plan, or developments that have no connection with one another, or are not contiguous with any other part of a development could obtain additional signage under a Master Sign Plan. Such is the case with the St. Luke's Urgent Care Building and McDonald's inclusion with CityPlace; these properties would not normally qualify for a ground sign. Does this allow for a fair representation of a unified campus setting, and an equitable allowance of additional signs, when other properties do not qualify? Similarly, what is to stop all large development from seeking a custom approval?
- In addition to a minimum acreage, could Common Sign Plans be more narrowly defined to include number of tenants, or to be for shopping centers only, and should a smaller percentage of the wall sign be given up in order to qualify for the 20% bonus?
- Is there enough design specification requirements provided to create a unifying theme to qualify for a common sign plan? In many cases the only common theme is that they are all channel letters with the maximum size allowed under Section 405.050.2. No specific design or font is specified that creates a theme. (An example is the different tenant signage within the West Oak Shopping Center.) Should a bonus be grated in these instances? Should the proposed monument sign utilizing the bonus allocation include greater design review, when currently none is provided?

- Should the 20% be limited to a 20% increase in the allowable ground signage, and not based on the total signage for all tenants within the shopping centers? The Dierbergs West Oak sign (the photo to the right) of was allowed under

the common sign plan, with a 20% increase of all signs applied to the ground signs. Is this too much signage?

- Both Common Sign Plans and Master Sign Plans could allow any signage even when prohibited under other regulations. Should restrictions be limited to signs generally allowable under the existing regulations? Plaza Motors received approval for its monument sign under the Master Sign Plan.
- Are Master Sign Plans really needed in addition to Common Sign Plans?

Other Sign Regulations:

Another comment that Staff has received, is that it is often difficult to locate the address of buildings, as the address gets lost in the amount of signs on the building and along Olive Boulevard. Should address numbers be regulated by the size per digit rather than total? Or should they not be regulated at all, as they don't advertise a particular commercial use and item? Most people, when searching for a business try to find the address and then look for the business name. Therefore, should ground signs be further limited, but allow for property address signs? Currently, ground signs are limited to:

Section 405.950.2. On-premises permanent signs.

b. Low monument signs. An individual building or use occupying a site of at least thirty thousand (30,000) square feet may also be permitted a single, low monument sign provided such sign contains not more than thirty (30) square feet of sign area per face with not more than two (2) faces, is not more than six (6) feet in total height above the elevation of the centerline of the adjacent right-of-way or the adjacent finish grade, is set back at least ten (10) feet from the right-of-way of said fronting street or highway, is not located within the site distance triangle described in Section 405.670 of this Chapter and the site meets one (1) of the following criteria:

(1) The site has at least three hundred (300) feet of frontage on a street or highway other than Lindbergh Boulevard;

(2) The site has at least two hundred (200) feet of frontage on Lindbergh Boulevard; or

(3) The site has at least two hundred (200) feet of frontage on a street or highway other than Lindbergh Boulevard and the sum of the total gross sign area of the site's wall signs, window signs and signs affixed and/or painted on canopies or awnings is at least twenty (20) square feet less than the maximum allowed in Subsection (2)(a) above or in Subsection (2)(d) Office Building Signs.

Other Sign Code Changes for Unique Designs

Staff is also seeking to provide additional sign regulations that allow for unique design for the proposed City Center area that are currently prohibited. These include hanging or blade signs that project from the façade of the building that is often found in downtown areas.

Additionally, portable signs are not allowed. Should sandwich boards and the display of products on the sidewalk be considered, as long as those signs are brought in at night, and enough clearance is provided to allow for a wide passage of pedestrians?

Summary

Staff will be seeking your feedback on the issues with the City's Sign Regulations addressed in this report during the Planning and Zoning Commission Meeting, as well as any other concerns and thoughts regarding signs not addressed above. A summary of the discussion items and questions are below. If there are other areas of the Sign Regulations you would like addressed, please feel free to discuss them during the work session.

1. How should the gross sign area be calculated when the sign is composed of various elements and not just an individual letter sign (when does 2/3 rule apply)?
2. What is the best application for "… separate and distinct use which does not face a street but faces a parking lot"?
3. Should the definition for sign frontage be more closely associated with the definition of building frontage? And, should this definition also include a requirement that signs be limited to the front entrance of the business, or in the case of adjoining a street to the side of the entrance?
4. Should we allow for bonus area depending on the setback, or just allow for a percentage of the wall, or percentage based on linear width of the tenant space, for allowable signage?
5. Should a business be allowed a sign simply because the tenant space is visible from the road, whether or not another property blocks it from directly abutting the street?
6. Should an office building be allowed a sign, and the bonus square footage, if it is simply visible from Olive Boulevard, whether or not another property or building blocks it from the adjoining the street?
7. Should there be a minimum distance, or a minimum number of stories between office building signs and first floor tenant signs?
8. Do Master Sign Plans allow for a fair representation of a unified campus setting, and an equitable allowance of additional signs, when other properties do not qualify?
9. Could Common Sign Plans be more narrowly defined to include number of tenants, or to be for shopping centers only, and should a smaller percentage of the wall sign be given up in order to qualify for the 20% bonus? Is there enough design specification requirements provided to create a unifying theme to qualify for a common sign plan?
10. Should the 20% be limited to a 20% increase in the allowable ground signage, and not based on the total signage for all tenants within the shopping centers?
11. Should restrictions be limited to signs generally allowable under the existing regulations?
12. Are Master Sign Plans really needed in addition to Common Sign Plans?
13. Should ground signs be further limited, but allow for property address signs?
14. Should the Code allow for unique designs for the proposed City Center area that are currently prohibited, include hanging or blade signs that project from the façade of the building that is often found in downtown areas, and sandwich board signs that are placed on the sidewalk?

ARTICLE VIII. SIGN REGULATIONS

SECTION 405.910: PURPOSE AND INTENT

These regulations encourage the effective use of signs as a means of communication, to maintain and enhance the aesthetic appearance of the City and to facilitate and improve pedestrian and vehicular traffic safety. These regulations are intended to promote the public health, safety and general welfare through a comprehensive set of reasonable standards and requirements. These regulations allow for the identification of places of commerce, the communication of public and commercial information necessary for efficient and safe traffic movement; to allow for freedom of speech subject to reasonable restrictions as to time, place and manner; to protect the public from the dangers of unsafe signs; to lessen hazardous situations, confusion and visual clutter caused by a proliferation of signs competing for the attention of pedestrian and vehicular traffic; and to enhance the attractiveness and economic well-being of the City of Creve Coeur. (R.O. 2008 §26-100; Ord. No. 1903 §1, 11-24-97)

SECTION 405.920: SIGN PERMITS

A. It shall be unlawful for any person to erect, perform major repair, alter, move, replace or otherwise change a sign requiring a sign permit in the City of Creve Coeur without first obtaining a sign permit from the Zoning Administrator or Planning and Zoning Commission as provided by this Article. An application for a sign permit shall be submitted to the Zoning Administrator and shall include and be accompanied by plans that show the size and shape of the sign, the location of the proposed sign, the setbacks from surrounding properties, the type of illumination and proposed lighting, the colors to be used in the sign, the materials used to construct and the method used to support the sign or attach it to a building. If the proposed sign is one that must be reviewed and approved by the Planning and Zoning Commission, the application shall comply with and be in accordance with the format and procedures adopted by the Planning and Zoning Commission and shall be filed with the Zoning Administrator in both paper format and electronic format in a commonly used medium such as diskette or CD-ROM and in a format that can be read by a word processing program used by the Zoning Administrator. The filing party shall certify that the electronic copy has been scanned for viruses and that it is virus-free.

B. If the proposed sign is one that may be approved by the Zoning Administrator, then, within twenty-one (21) days after the application for a sign permit has been received by the Zoning Administrator, he/she shall respond to the applicant advising said applicant whether or not the sign requested conforms with this Article. If no response is received within twenty-one (21) days, the application shall be deemed to have been approved. If the proposed sign is one that must be reviewed and approved by the Planning and Zoning Commission, then the Planning and Zoning Commission shall respond to the applicant within sixty (60) days after receipt of the application by the Zoning Administrator advising said applicant whether the sign requested has or has not been approved. If no response is received

within sixty (60) days, the application shall be deemed to have been approved. Upon denial, the applicant may appeal to the Board of Adjustment pursuant to Sections 405.1040 and 405.1110 of the zoning ordinance. The Zoning Administrator shall maintain a record of all sign permits issued, which records shall show date of application and date of issuance of permits. (R.O. 2008 §26-101; Ord. No. 1903 §1, 11-24-97; Ord. No. 5165 §7, 12-13-10)

SECTION 405.930: GENERAL PROVISIONS

A. *Scope*. The provisions of this Section shall apply to all signs in the City, unless a sign is specifically exempted by Section 405.930(E) of this Article. Every sign shall comply with all other applicable ordinances of the City. In case of a conflict between the provisions of this Section and other applicable provisions, the more restrictive shall govern. Any sign not specifically provided for herein as a permitted sign or a prohibited sign shall be designated as a permitted sign or a prohibited sign by the Zoning Administrator consistent with Section 405.910, Purpose and Intent, and the most closely applicable provisions of this Article. If said sign is designated as a permitted sign, then said sign shall be subject to all limitations and provisions stated herein for a permitted sign which is most similar to said sign.

B. *Maintenance And Safety*.

1. All signs and related structures shall be maintained in good repair, free of rust, peeling, flaking, fading, broken or cracked surfaces and broken or missing letters.

2. All signs and related structures shall be maintained in a safe and clean condition. Whenever the Zoning Administrator determines that a sign has become structurally unsafe or endangers life or property or is not being maintained in good repair, a notice shall be sent to the owner or person in charge of the sign that the sign be made safe, repaired or removed. The owner or person in charge of the sign shall have ten (10) days from receipt of such notice in which to comply.

C. *Non-Conforming Signs*.

1. No new or existing sign may be constructed, altered in structure, relocated or replaced after the effective date of this Article, unless the sign conforms to all the provisions of this Article and any required sign permit has been issued by the Zoning Administrator or unless the sign is specifically exempted from the provisions of this Article. Nothing in this Section shall relieve the owner or user of a non-conforming sign from the provisions of this Article regarding safety, maintenance and repair of signs specified in Section 405.930(B) Maintenance and Safety.

2. Any existing sign that is destroyed, deteriorated or damaged to the extent of fifty percent (50%) or more of its replacement cost, exclusive of the foundation, after the effective date of this Article, shall not be rebuilt, repaired or replaced unless in conformity with the provisions of this Chapter.

D. *Prohibited Signs*. The following types of signs are specifically prohibited in the City:

1. *Affixing of advertisements to public places.* No person shall paint, post, place, hang, suspend or affix any advertisement, card, poster, sign, banner or streamer, of any nature or for any purpose or cause the same to be done on or to any curbstone, flagstone or any other portion of any street or sidewalk or upon any tree or lamppost standing or erected on any public street or right-of-way or other public place or upon any pole erected upon any public street or right-of-way or other public place, which pole is used to carry telephone wires or cables, electric light wires or other electric conductors, or to any hydrant, bridge or other public structure within the City; provided however, that nothing contained in this Section shall apply to any official notice required by law or ordinance to be posted by public officers of the City or any other governmental agency.

2. Signs visible from a public right-of-way that imitate, blend or conflict with or that may be confused with traffic signals and signs. Such signs shall include, but not be limited to, signs that are imitations of "stop", "go", "caution", "danger" or "warning".

3. Signs that are of a size, location, movement or illumination as may be confused with or construed as a traffic control device or which might obstruct from view any traffic or street sign or signal.

4. Signs that advertise an activity, business, product or service no longer sold or conducted on the premises upon which the sign is located. Such signs shall be removed within thirty (30) days of written notification to the owner of the premises.

5. Signs on public land, except those erected at the direction of or with the permission of an appropriate public authority.

6. Vehicular signs which are not painted directly on or affixed flat against the factory surface of a vehicle or which convey information other than the corporate logo, identity, address and phone number of a business operating within the City limits. This provision does not permit appendages or modifications to a vehicle for advertising purposes. Exempted from this Section are vehicular signs affixed to vehicles that identify or advertise businesses not operating within the City limits when said vehicles park only to make immediate deliveries or pickups.

a. Any vehicle displaying permitted vehicular signs and representing a business operating within the City limits shall park said vehicle behind the front building line within a properly designated parking space. Where such parking is not available, said vehicle shall park as far from the right-of-way and in the least visible area possible.

b. Any vehicle which displays a permitted commercial vehicle sign shall not park between 2:00 A.M. and 5:00 A.M. within residential zoning districts including "A", "B", "C", "D", "AR" or in a residential development in any zoning district within the corporate limits of Creve Coeur, unless such vehicle is parked within an enclosed

garage. Governmental and public safety vehicles shall be exempt from this provision, as well as construction-related vehicles parked on property under construction.

7. Strips or strings of lights used to call attention to a use or occupancy by outlining property lines, sales area, roof lines, doors, windows, wall edges or other architectural features of a building site. Exempted from this provision are holiday lighting displayed from November first (1st) through January fifteenth (15th) and lights which are an integral architectural feature of the original design of a structure as approved by the Planning and Zoning Commission. (The use of exposed neon is governed by Section 405.930(F)(6) and (7).)

8. Moving signs including those of which all or any part of the sign moves or appears to move. This prohibition against moving signs shall extend to devices including strings of light bulbs and rotating signs, whether part of any signs or maintained as an independent feature. This prohibition does not apply to tri-vision billboards or exempted governmental and official signs. *"Tri-vision billboard"* means a sign face having a series of three-sided rotating slats arranged side by side, either horizontally or vertically, which is capable of displaying a total of three (3) separate message copies, one (1) message copy at a time.

9. Snipe signs.

10. Unkempt or damaged signs.

11. Roof signs.

12. Projecting signs, except those permitted by Section 405.950(4)(g) of this Article.

13. *Any sign structure which no longer supports a sign.* Exempted from this Section is a sign structure which is temporarily void of a sign due to a permitted alteration or repair. A sign permit or an application for a sign permit for this alteration or repair must be on file with the Department of Public Works and said alteration or repair must be completed within one (1) month of the issuance of the approved sign permit.

14. *Changeable copy signs (manual or automated).* Exempted from this provision are: tri-vision billboards as defined in Subsection (D)(7) above; bulletin board signs; marquee signs; signs defined in Section 405.930(E)(1)(a) (governmental and official signs); Section 405.930(F)(2) (illuminated signs); and signs in Section 405.950(5) (gasoline price signs).

15. Permanent or temporary window signs above the second (2nd) floor including lettering painted or applied to glass and temporary promotional displays as defined in Section 405.950(3)(b) located above the ground floor.

16. Back-lit awnings and lighted canopies.

17. Portable signs.

18. Inflatable signs and tethered balloons.

19. Signs extending over a roadway.

20. Off-premises signs, except for permitted temporary open house signs and except for billboards installed before July 1, 2009.

E. *Exempted Signs*. With the exception of Sections 405.930(B) (Maintenance and Safety), 405.930(D) (Prohibited Signs) and 405.930(G) (Miscellaneous Requirements), the provisions and regulations of this Article shall not apply to the following signs:

1. Governmental and official signs including, but not limited to, the following:

a. Public notices and official notices posted or authorized by government officials in the performance of their duties including changeable copy signs not exceeding thirty (30) square feet of sign area per face.

b. Signs for the control or direction of traffic and other authorized public purposes.

2. No parking and no trespassing signs that are no larger than one (1) square foot in gross sign area.

3. Signs not exceeding two (2) square feet in sign area including, but not limited to, the following:

a. Name plates, attached to a structure and not exceeding two (2) square feet in area, used to identify a professional service or home occupation permitted in the single-family residential zoning district in which the sign is located.

b. Residential address number located on a sign not larger than one (1) square foot in gross sign area.

c. Commercial address numerals, which are required to be prominently displayed on each building, not to exceed two (2) square feet in area. Larger address numerals may be permitted elsewhere in this Article and would be subject to the provisions and regulations of the particular Section.

F. *Illuminated Signs*. The following requirements shall apply to illuminated signs:

1. The light from any illuminated sign shall be so shaded, shielded and/or directed in such a manner that the light intensity or brightness will not be a substantial nuisance to the residents or occupants of surrounding areas.

2. No sign shall have blinking, flashing or fluttering lights or other illuminating device of variable light intensity, brightness or color. Clocks and thermometers which only indicate the time or temperature shall not be considered flashing signs, provided that the gross area of such devices is not greater than sixteen (16) square feet per face (maximum of two (2) faces), the vertical dimension of any letter or number is not greater than twenty-four (24) inches and the color or intensity of light is constant except for periodic changes in the information display, which occur not more frequently than once every fifteen (15) seconds. Beacon lights are not permitted, except by approval of a temporary permit, not to exceed five (5) days for a building opening or special event.

3. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.

4. Neither direct nor reflected light from primary light sources shall create a hazard to operators of motor vehicles on public thoroughfares.

5. No exposed reflective-type bulk or incandescent lamp which exceeds forty (40) watts shall be used on the exterior surface of any sign in such manner as to expose the face of the bulb, light or lamp to any public street or adjacent property.

6. The use of exposed neon in a window sign(s) with aggregate area larger than six (6) square feet must be reviewed and approved by the Planning and Zoning Commission prior to installation or erection of such sign(s).

7. The use of exposed neon as an illumination source for identification or an architectural feature must be reviewed and approved by the Planning and Zoning Commission prior to installation or erection of the exposed neon.

G. *Miscellaneous Requirements*. All signs shall comply with the following general requirements:

1. *Sign faces.* When a sign is allowed two (2) sign faces, the sign faces shall be parallel to one another and not more than fourteen (14) inches apart unless specifically authorized to deviate from this requirement by an applicable portion of this Article.

2. *Projections.* No sign shall project beyond a property line or into a public right-of-way, except traffic control signs as authorized pursuant to the traffic code and public information signs as approved by the City Council.

3. *Life safety code compliance.* All signs shall comply with all applicable life safety codes including the structural and fire safety provisions of the Building Code and the electrical provisions of the Electric Code of the City of Creve Coeur.

4. *Obstruction to exit ways.* No sign shall be erected, displayed or maintained so as to obstruct any fire escape, any required exit way, window or door opening used as a

means of egress or to obstruct any other means of egress required by the Building Code of the City of Creve Coeur.

5. *Obstruction of ventilation.* No sign shall be erected, displayed or maintained in a manner that interferes with any opening required for ventilation under the Building Code of the City of Creve Coeur.

H. *Flags*. Flags shall be permitted in any zoning district without a permit. Each lot or parcel of land in the City shall be limited to the display of not more than four (4) flags. Parcels of land in excess of five (5) acres in size, however, may display additional flags, provided that there are not more than four (4) flags displayed per five (5) acres of land area. Within five (5) days prior to and three (3) days following a national holiday such as Independence Day, Memorial Day or Veterans Day, there shall be no limitation on the number of U.S. flags displayed on any parcel of land within the City. Flagpoles shall not exceed twenty-five (25) feet in height in residential districts and thirty-five (35) feet in height in non-residential districts.

I. *Sign Setbacks*. All permanent signs shall be set back from property lines according to the regulations specified in this Article or as otherwise required by any other applicable City ordinance. Temporary signs shall be set back at least five (5) feet from the edge of pavement of any road and shall be located outside of the right-of-way of any State or County road.

J. *Substitutability*. Whenever a commercial sign would be permitted under this Article, a sign bearing a political or other non-commercial message may be installed in its place, provided it otherwise complies with this Article. Subject to the landowner's consent, a non-commercial message of any type may be substituted for any duly permitted or allowed commercial message or any other duly permitted or allowed non-commercial message; provided, that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Article. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted. (R.O. 2008 §§3-1; 26-102; Ord. No. 513 §49, 12-23-68; Ord. No. 1903 §1, 11-24-97; Ord. No. 5001 §1, 9-6-07; Ord. No. 5021 §1, 1-28-08)

SECTION 405.940: SIGNS IN RESIDENTIAL DISTRICTS

A. *General Limitations*. It shall be unlawful to erect, permit the erection of, display or permit the display of any sign in connection with a residential use or in a residential zoning district, unless such sign is expressly permitted by this Section, subject to all of the limitations and provisions stated herein.

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

C. *Exempt Signs In All Residential Districts*.

1. *Residential signs.* Any lot in a residentially zoned area shall be permitted one (1) sign with a maximum sign area of six (6) square feet per sign face and a maximum of two (2) sign faces. Such sign may contain any non-commercial message or advertise the premises for sale, lease or rent. No permit shall be required for such a sign provided that the sign is erected by the owner or with the owner's permission.

2. *Temporary open house signs.* In addition to a residential sign containing information advertising a premises for sale, lease or rent, each such lot or parcel shall be allowed two (2) temporary open house signs with one (1) such sign on site and the other allowed off site on private property with owner permission. Open house signs shall be limited to a maximum sign area of six (6) square feet per sign face and a maximum of two (2) sign faces and shall be permitted for up to three (3) consecutive days. A minimum of four (4) days shall transpire prior to posting any open house sign on the same lot or parcel for a second (2nd) or subsequent time. No permit shall be required for such a sign.

D. *Single-Family Lots Fronting On A Numerically Designated State Highway*. Any lot in a single-family residentially zoned area which fronts on and has direct access available from a numerically designated State highway which has received site development plan approval for an office, day care center or retail service uses, as provided by Section 405.450(E), may have a combination of one (1) low monument sign, wall signs, window signs or signs affixed or painted on canopies or awnings. Because these lots are within residential areas, the total gross sign area shall be consistent with that of other lots in residentially zoned areas and shall not exceed twelve (12) square feet, except, however, that the allowable square footage of signs may be increased by two (2) square feet for each fifty (50) feet the building is setback from the roadway pavement of the numerically designated State highway to a maximum of sixteen (16) square feet to enhance the ability of motorists to see the signs. An additional rear entrance to such a business may be identified by a sign not to exceed two (2) square feet in gross sign area. Such a sign shall be affixed directly to the rear entrance door. Permits shall be required for all signs allowed by this paragraph.

E. *Institutional Uses In Residential Districts.*

1. Institutional uses in residential districts such as schools and places of worship shall be allowed one (1) permanent sign not exceeding twelve (12) square feet in size, except, however, that any such use which has a minimum of two (2) street frontages which each exceed three hundred (300) lineal feet shall be permitted two (2) such signs. The permanent sign may be a bulletin board sign with changeable copy or may be an on-

premises permanent sign. In addition, such uses shall be permitted one (1) temporary sign not exceeding twelve (12) square feet in size, provided that the display of such sign shall be limited to a period of ninety (90) days and a minimum of ninety (90) days shall elapse prior to posting another temporary sign on the premises.

2. *Low monument signs.* An institutional use occupying a site of at least thirty thousand (30,000) square feet may also be permitted a single, low monument sign used primarily for identification or as a bulletin board sign, provided such sign contains not more than twelve (12) square feet of sign area per face with not more than two (2) faces, is not more than six (6) feet in total height above the elevation of the centerline of the adjacent right-of-way or the adjacent finish grade, is set back at least ten (10) feet from the right-of-way of said fronting street or highway, is not located within the site distance triangle described in Section 405.670 of this Chapter and the site meets one (1) of the following criteria:

a. The site has at least three hundred (300) feet of frontage on a street or highway other than Lindbergh Boulevard; or

b. The site has at least two hundred (200) feet of frontage on Lindbergh Boulevard.

3. *Campus monument sign.* An institutional use occupying a site in excess of five (5) acres may, by filing a plan with the Zoning Administrator, have a single, freestanding, on-premises permanent sign identifying the institutional campus or complex in accordance with the following standards:

a. *Maximum sign area.* Sixty (60) square feet.

b. *Maximum area per sign face.* Twenty-four (24) square feet.

c. *Maximum height.* Six (6) feet above prevailing base grade.

d. *Setback from right-of-way.* Fifteen (15) feet.

4. *Parking direction signs.* One (1) freestanding parking direction sign, which may be internally illuminated subject to Section 405.930(F) shall be permitted for every one hundred fifty (150) parking spaces with not more than two (2) sign faces, provided the sign does not exceed fifteen (15) square feet in gross sign area per face, the sign height does not exceed four (4) feet in height and no portion of the sign shall extend into the public right-of-way. The sign shall be placed within the parking lot and may contain the name and logo of the institution in addition to messages providing directional information.

F. *Temporary Signs In Residential Districts.* Within forty-five (45) days prior to and ten (10) days after any election held within Creve Coeur, temporary non-commercial signs may be allowed with the owner's permission in addition to the permitted signage allowed on any

residentially zoned lot or parcel of land in the City. Each lot or parcel of land shall be permitted one (1) or more single- or double-faced signs although no single sign face shall exceed twelve (12) square feet. Not more than one (1) temporary sign per individual candidate and/or proposition on the election ballot shall be permitted per lot.

G. *On-Site Construction Signs*. Only one (1) such sign per entire development denoting the owner, architect, engineer, consultant, developer, lender and/or contractor, not to exceed twelve (12) square feet in gross sign area and not to exceed ten (10) feet in height from top of sign to top of grade or two (2) feet in height from bottom of sign to top of grade, shall be permitted. Such a sign shall not be erected in a public right-of-way and shall be removed ten (10) days after the receipt of an occupancy permit for a building or development or ten (10) days after the completion of the work if no occupancy permit is required. (R.O. 2008 §26-103; Ord. No. 1903 §1, 11-24-97; Ord. No. 1966 §1, 11-23-98; Ord. No. 2287 §1, 6-28-04; Ord. No. 5033 §3, 3-24-08)

SECTION 405.950: SIGNS IN NON-RESIDENTIAL DISTRICTS

It shall be unlawful to erect, permit the erection of, display or permit the display of any sign in connection with any non-residential use or in a non-residential zoning district unless such sign is expressly permitted by this Section, subject to all of the limitations and provisions stated herein.

1. *Classification of signs*. Signs shall be classified as on-premises permanent signs, temporary or incidental signs and special purpose signs.

a. On-premises permanent signs as defined in Section 405.120.

b. Temporary or incidental signs as provided in this Section.

c. Special purpose signs are limited to directory signs, parking direction signs, parking regulation signs, directional signs, marquee signs, on-site construction signs and light pole artwork signs.

2. *On-premises permanent signs*.

a. *Individual or freestanding business or use.* Each individual business or use located at ground floor level with its own entrance at street level or a second (2nd) story retail business, either of which has sign frontage as defined in Section 405.120, may have one (1) or more wall signs, window signs or signs affixed or painted on canopies or awnings with a total gross sign area per sign frontage not to exceed one (1) square foot per linear foot of sign frontage upon which the sign is to be located, up to a maximum of twenty-five (25) square feet in area; except that the total gross sign area per sign frontage may increase by twelve and one-half (12.5) square feet for each fifty (50) feet an individual business or use sets back from the edge of street pavement up to a maximum of one hundred twenty-five (125) square feet in area, provided said individual business or use has the required sign frontage to

allow such an increase. A rear entrance to an individual or freestanding business used for delivery purposes may be identified by a sign not to exceed two (2) square feet in gross sign area. Such a sign shall be affixed directly to the rear entrance door. In locations where individual businesses or uses are grouped together in a shopping center, the on-premises permanent signs shall maintain uniformity in location, height and general design and shall be compatible in color.

b. *Low monument signs.* An individual building or use occupying a site of at least thirty thousand (30,000) square feet may also be permitted a single, low monument sign provided such sign contains not more than thirty (30) square feet of sign area per face with not more than two (2) faces, is not more than six (6) feet in total height above the elevation of the centerline of the adjacent right-of-way or the adjacent finish grade, is set back at least ten (10) feet from the right-of-way of said fronting street or highway, is not located within the site distance triangle described in Section 405.670 of this Chapter and the site meets one (1) of the following criteria:

(1) The site has at least three hundred (300) feet of frontage on a street or highway other than Lindbergh Boulevard;

(2) The site has at least two hundred (200) feet of frontage on Lindbergh Boulevard; or

(3) The site has at least two hundred (200) feet of frontage on a street or highway other than Lindbergh Boulevard and the sum of the total gross sign area of the site's wall signs, window signs and signs affixed and/or painted on canopies or awnings is at least twenty (20) square feet less than the maximum allowed in Subsection (2)(a) above or in Subsection (2)(d) Office Building Signs.

c. *Shopping center or office park sign.* A shopping center, office park or institutional complex occupying a site in excess of five (5) acres in size may, by site development plan approval in accordance with Section 405.1080, have a single, freestanding, on-premises permanent sign identifying the center, park or complex (individual tenants shall not be identified on this sign unless the development has received approval of a common signage plan) in accordance with the following standards:

(1) *Maximum sign area.* One hundred (100) square feet.

(2) *Maximum area per sign face.* Forty (40) square feet.

(3) *Maximum height.* Sixteen (16) feet above prevailing base grade.

(4) *Setback from right-of-way.* Fifteen (15) feet.

d. *Office building signs.*

(1) Each freestanding, single or multi-tenant office building may have one (1) wall sign per sign frontage. This sign shall be affixed parallel to the facade of the building with no part of this sign projecting more than fourteen (14) inches from the building surface it is attached to. No part of this sign shall extend above the roof line or parapet of a building. The gross sign area of said sign shall not exceed thirty-five (35) square feet per sign frontage; except that the total gross sign area per sign frontage may increase by twelve and one-half (12.5) square feet for every fifty (50) feet an office building sets back from the edge of street pavement, up to a maximum of one hundred twenty-five (125) square feet in area, provided said office building has the required sign frontage (one (1) square foot of gross sign area per lineal foot of sign frontage) to allow such an increase.

(2) Each freestanding single or multi-tenant office building shall have one (1) set of address numerals per building frontage. These numerals must be affixed flat against the facade of the building and no part of the numerals shall project above the roof or parapet line of the building. The square footage shall be determined by measuring the rectangle formed by outlining the numeral. Each numeral shall not exceed the sign limitations listed in the following table:

Height of Sign on Building (story)	Distance from R.O.W. (feet)	Allowable Square Footage per Numeral (square feet)
1	0--100	2
1	101--250	3
1	over 250	4
2	0--100	3
2	101--250	4
2	over 250	5
3	0--100	4
3	101--250	5
3	over 250	6
4	0--100	5
4	101--250	6
4	over 250	7
5	0--100	6
5	101--250	7
5	over 250	8
6	0--100	7
6	101--250	8
6	over 250	9
over 6	0--100	8
over 6	101--250	9

over 6	over 250	10

e. *Multi-tenant real estate information signs.* Each multi-tenant building or complex (where more than one (1) building is in the same development) may be permitted one (1) permanent real estate information sign, subject to the following:

(1) The gross sign area shall not exceed twenty-four (24) square feet per face with a maximum of two (2) sign faces. Decorative edge treatments shall not be included in the gross sign area.

(2) The sign shall not be more than six (6) feet in total height above the elevation of the centerline of the adjacent right-of-way or the adjacent finish grade, shall be set back at least ten (10) feet from the right-of-way of said fronting street or highway and shall not be located within the site distance triangle as defined in Section 405.120, Definitions, of this Chapter.

(3) The sign shall be permanently affixed to the ground with rot- and insect-resistant materials without use of supporting wires, cross-bracing or stanchions.

(4) The aggregate visible width of the supporting legs or monument shall be at least one-quarter (¼) of the width of the sign.

(5) The edges of the sign shall be boxed-in, framed or otherwise enclosed to eliminate visible gaps or spaces between the sign panels.

(6) The sign copy shall be applied and protected with weather-resistant materials and finishes.

(7) Any attached "riders" (e.g., available floor area) on the sign shall be incorporated within the external dimensions of the sign and are limited to one (1) rider per sign face.

(8) These provisions shall not be applicable to single-tenant or owner-occupied properties which are subject to Section 405.950(3) Temporary or incidental signs for single-tenant properties.

3. *Temporary or incidental signs*. The following signs are permitted as temporary or incidental to a given ground floor business or use and are not to be included in calculating the allowable gross sign area for on-premises permanent signs:

a. *Window signs.* The total gross sign area of all window signs as defined in Section 405.120, Definition of Terms, shall not exceed twenty percent (20%) of the area of any individual window located in the lowest eleven (11) feet of the storefront as measured from the adjacent exterior grade. For the purposes of this Section, panes of glass separated by a structural column or portion of exterior finished wall shall be considered individual windows. Further, glass located within a door, whether or not

it is used as an entrance/exit, is not an eligible location for a window sign. No window signs are allowed more than eleven (11) feet above the adjacent grade.

b. *Temporary promotional displays and signs.* Temporary promotional displays such as banners, posters, pennants, ribbons, streamers and balloons shall be permitted for ground floor retail sales and service uses to announce grand openings, special sales or events. These special promotions shall be limited to two (2) times per year for up to three (3) weeks each period. A separate sign permit shall be required for each event. These temporary promotional displays shall be constructed and lettered to a professional quality and the size of banners or posters shall not exceed the allowable square footage for on-premises permanent signs. Permitted balloons shall not exceed two (2) feet in length or width. The items shall be secured in such a manner as to minimize movement and shall be attached to the main building or structure and not be erected as freestanding elements or attached to vehicles or low monument signs.

c. *Temporary signs.* Within forty-five (45) days prior to and ten (10) days after any election held within Creve Coeur, temporary non-commercial signs may be allowed with the owner's permission in addition to the permitted signage allowed on any non-residentially zoned lot or parcel of land in the City. Each lot or parcel of land shall be permitted one (1) or more single- or double-faced sign although no single sign face shall exceed twenty-four (24) square feet. Not more than one (1) temporary sign per individual candidate and/or proposition on the election ballot shall be permitted per lot.

d. *Temporary real estate signs on single-tenant/occupant properties.* In addition to the permitted signage on any single-tenant/occupant non-residential premises, temporary real estate signs are allowed offering the premises for sale, lease or rent. Such signs shall be limited to advertising the premises on which they are located, shall be a maximum of six (6) feet tall and shall be limited to twenty-four (24) square feet per sign face with a maximum of two (2) sign faces. Temporary real estate signs shall be removed from the premises ten (10) days after the premises is sold, leased or rented. These provisions shall not apply to multi-tenant/occupancy properties and if the property is subsequently converted to multi-tenant occupancy, the requirements of Section 405.950(2)(e), Multi-tenant real estate information signs, shall be enforced on the property.

e. *Signs on converted residential structures in commercial zoning districts.* Each residential structure which has been converted to a commercial use by approval of a site development plan by the Planning and Zoning Commission may have one (1) or more wall signs, window signs or signs affixed or painted on canopies or awnings with a total gross sign area not to exceed twenty-five (25) square feet. A rear entrance to such business may be identified by a sign not to exceed two (2) square feet in gross sign area. Such a sign shall be affixed directly to the rear entrance door. All signs permitted by this Section shall require the issuance of a sign permit.

4. *Special purpose signs*. Signs authorized in this Subsection are not to be included in calculating the allowable gross sign area for on-premises permanent signs.

a. *Parking direction signs.* One (1) freestanding parking direction sign per direction, which may be internally illuminated, shall be permitted for each driveway, provided the sign does not exceed three (3) square feet in gross sign area per face, the sign height does not exceed three (3) feet and no portion of the sign shall extend into the public right-of-way. If the sign is located at a private driveway, the sign may contain the address of the business or institution on the premises.

b. *Directional signs.* Directional signs, other than parking direction signs, may be located on a project, site or development exceeding twenty (20) acres in size, provided that the total area of such signs located on any site shall not exceed twelve (12) square feet in gross sign area and no sign should be more than ten (10) feet in height or located closer than fifty (50) feet to a public or private right-of-way.

c. *Parking regulation signs.* One (1) non-illuminated parking regulation sign, not exceeding five (5) square feet in gross sign area and not exceeding ten (10) feet in sign height, shall be permitted for each commercial or public parking lot. Parking lots with more than twenty (20) parking spaces shall be permitted one (1) such sign for each twenty (20) parking spaces or fraction thereof.

d. *Marquee signs.* Marquee signs for theaters, cinemas, exhibition centers and similar public assembly uses shall be permitted only upon the specific authorization of the Planning and Zoning Commission, subject to such restrictions and conditions as the Commission may deem necessary after a site development plan is reviewed under the provisions of Section 405.1080.

e. *On-site construction signs.* Only one (1) such sign per entire development denoting the owner, architect, engineer, consultant, developer, lender and/or contractor, not to exceed thirty-two (32) square feet in gross sign area per face with a maximum of two (2) faces and not to exceed ten (10) feet in height from top of sign to top of grade or two (2) feet in height from bottom of sign to top of grade, shall be permitted. Such a sign shall be erected out of the public right-of-way and shall be removed ten (10) days after the receipt of an occupancy permit for a building or development.

f. *Light pole artwork signs.* Light pole artwork signs shall be permitted on light poles in public surface parking lots accommodating a minimum of two hundred (200) vehicles. All light poles supporting these signs must be located a minimum of fifteen (15) feet from the front curb line of the parking lot. The bottom of such sign shall not be lower than twelve (12) feet from the base of the light pole. In addition, temporary light pole artwork signs may be permitted on light poles or similar utility poles adjacent to a public street to announce special events. The gross sign area of each light pole artwork sign shall not exceed eighteen (18) square feet with a maximum of two (2) signs per light pole. No part of this sign shall project more than

three (3) feet beyond the vertical centerline of the light pole. These signs shall be attached to the light pole in such a manner so as to minimize any sign movement. Any torn, frayed or faded light pole artwork sign must be repaired, replaced, removed entirely within ten (10) days of written notification.

g. *Covered walkway signs.* A sign not to exceed two (2) square feet in gross sign area may be hung from the ceiling of a covered walkway that is attached to the front of a retail store. Such a sign shall not exceed eighteen (18) inches in drop from the bottom of the said sign to the ceiling surface of the covered walkway, nor shall the bottom of said sign be less than seven (7) feet above the sidewalk surface it is hanging over. Only one (1) covered walkway sign per business shall be allowed. Such a sign shall be hung perpendicular to the retail storefront so as to be beneficial to pedestrian traffic.

5. *Automobile service stations.*

a. Signs located on property used for automobile service stations shall be subject to the provisions and limitations set forth in this Section. Additional retail signs, unless specifically provided for herein, advertising the sale of specific products shall be prohibited.

b. No sign shall be attached to any pole, light standard or gasoline tank vent pipe. No sign shall be attached to a gasoline pump excepting those provided for in Section 405.950(5)(e).

c. *Wall signs.*

(1) Not more than one (1) wall sign shall be permitted for each automobile service station. This wall sign shall not exceed twenty-five (25) square feet in gross sign area. This sign may include the name of the firm, the business being conducted on the premises or the principal product being offered for sale on the premises or a combination of same. A business logo may appear as a part of this wall sign.

(2) In instances where the incidental washing of motor vehicles is an accessory service being offered on a property used for an automobile service station, one (1) additional wall sign shall be permitted. This wall sign shall not exceed ten (10) square feet in area. This sign may include the product being offered for sale on the premises. One (1) sign designating the entrance to and one (1) sign designating the exit from the washing area shall be affixed directly to the structure near such entrance or exit. The gross sign area of such signs shall not exceed twelve (12) square feet. Instances where a full-service car wash is part of a property used for an automobile service station, a sign advertising the variety of car wash services being offered, along with their respective costs, may be displayed. Such a sign may be erected no closer than seventy-five (75) feet from any public right-of-way. Such a sign shall not exceed ten (10) square feet in gross

sign area or eight (8) feet in height from top of sign to top of grade. Said sign shall be permanently anchored to a wall, canopy support or a freestanding pole.

d. *Service station canopy signs.* An automobile service station with a canopy shall be permitted one (1) service station canopy sign, in addition to a wall sign, per street frontage. This service station canopy sign shall not exceed thirty (30) square feet in gross sign area per street frontage. This sign shall be a flat sign permanently affixed to the vertical face of the canopy and shall not project above or below or from any side of the vertical face of the canopy. This sign shall be illuminated by internal and non-intermittent light sources. A business logo, inclusive of striping or other symbols, may appear on this canopy sign as part of the gross sign area allowable for said sign.

e. *Pump signs.* Signs shall be allowed on gasoline pumps so as to provide the required information to the public regarding "octane rating", "price" and "type of fuel". As the trade name of the business is often incorporated into the different types of fuels, said trade name and any associated symbols shall be permitted on the sides of the pumps as flat signs located no more than three (3) feet above the ground and not to exceed two (2) square feet in area per sign face (four (4) square feet in aggregate) per pump. *"Self-service"* or *"full-service"* signs shall identify each pump island on the service station property. The location of such signs shall be limited to the gasoline pump or the canopy support, not more than eight (8) feet above the ground, located at each end of the pump island. A maximum of two (2) such signs shall be allowed per pump island and each sign shall not exceed two (2) square feet in area.

f. *Gasoline price signs.* No more than one (1) gasoline sign shall be allowed per service station property street frontage. This sign must be freestanding and permanently anchored. Such a sign shall not exceed sixteen (16) square feet in sign area per face and shall not exceed six (6) feet in height from top of sign to top of grade. Illumination shall be by internal and non-intermittent light sources. This sign shall identify the actual unit price being charged for gasoline being sold. The business's name and/or logo may be displayed on this sign, provided it does not occupy more than four (4) square feet of the total sign area per face.

6. *Master signage plans--"CB" Core Business District, "PH" Planned Hospital District, "HE" Higher Education District and residentially zoned institutions (schools and places of worship with a minimum tract area of twenty (20) acres).* The provisions set forth in the preceding Sections 405.910, et seq., shall be applicable as stated therein to signs accessory to uses in "CB" Core Business District, "PH" Planned Hospital District and "HE" Higher Education District and signs accessory to residentially zoned institutions (schools and places of worship with a minimum tract area of twenty (20) acres). However, in keeping with the intent to allow flexibility in the design of planned developments and campuses, the following options may be applicable to signs accessory to uses in the "CB" Core Business District, "PH" Planned Hospital District and "HE"

Higher Education District and signs accessory to residentially zoned institutions (schools and places of worship with a minimum tract area of twenty (20) acres):

a. As an alternative, signs may be permitted in accordance with a Comprehensive Plan of signage subject to the recommendation of the Planning and Zoning Commission and approval of the City Council following a public hearing conducted in accordance with the provisions of Sections 405.1060(D)(3) and 405.1120 of the Zoning Code. The Comprehensive Plan of signage shall show the location, size, height and extent of all proposed signs, as well as the nature of the information to be displayed on the signs. In addition, the geographic limits of the area to be covered by the Comprehensive Plan of signage must be shown.

b. In addition, a plan for off-site directional signs in commercial districts which identify commercial centers and institutional campuses may be recommended by the Planning and Zoning Commission and approved by the City Council following a public hearing conducted in accordance with the provisions of Sections 405.1060(D)(3) and 405.1120 of the Zoning Code. The plan for off-site signs shall show the location, size, height and extent of all signs encompassed within the signage plan, as well as the nature of the information to be displayed on each sign. All such signs shall be located within the "CB" Core Business District, "PH" Planned Hospital District or "HE" Higher Education District. Off-site signage is not permitted in residential districts.

c. Any application submitted pursuant to Subsection (6)(a) or (b) above may be made by any property owner, owner of an easement, lessee, contract purchaser or their agent. Such application shall be accompanied by a statement setting forth the names of the record owners of the properties upon which such signs are proposed to be located and the notarized agreement of each record owner to the placement of such signs on their property. When an application requests permission to erect a sign on property owned by someone other than the applicant, then such application shall be accompanied by a written and notarized statement signed by the record owners of such properties which indicates their endorsement of the application.

d. The above-cited signage options shall be exercised in accordance with the standards for all planned developments as set forth in Section 405.1080. All proposed signs shall be in scale and harmonious with the development and shall be so located and sized as to ensure convenience to the visitor, user or occupant of the development while not adding to street clutter or otherwise detracting from the planned unit nature of the development and the purposes of architectural and urban design elements.

7. *Common signage plan--all non-residential districts.* If the owners of two (2) or more contiguous (disregarding intervening streets and alleys) lots or the owner of a single lot with more than one (1) building (not including any accessory building) file with the Zoning Administrator for such lots a common signage plan conforming with the provisions of this Section, a twenty percent (20%) increase in the maximum total sign

area shall be allowed for each included lot. This bonus shall be allocated within each lot as the owner(s) elects.

a. *Provisions of common signage plan.* The common signage plan shall contain the information in paragraph (1) below and shall also specify standards for consistency as required by paragraph (2) below.

(1) The common signage plan shall contain the following:

(a) An accurate plot plan of the lot, at such scale as the Zoning Administrator may reasonably require;

(b) The location of buildings, parking lots, driveways and landscaped areas on such lot;

(c) Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lot(s) included in the plan under this Chapter; and

(d) An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.

(2) The common signage plan shall specify standards for consistency among all signs on the lots affected by the plan with regard to:

(a) Lettering or graphic style;

(b) Lighting;

(c) Location of each sign on the buildings;

(d) Material; and

(e) Sign proportions.

b. *Window signs on common signage plan.* A common signage plan or master signage plan including window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window signs (e.g., paper affixed to window, painted, etched on glass or some other material hung inside window) and need not specify the exact dimension or nature of every window sign.

c. *Limit on number of freestanding signs under common signage plan.* The common signage plan, for all lots with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one (1) for each street on which the lots

included in the plan have frontage and shall provide for shared or common usage of such signs. Individual tenants may be identified on freestanding signs.

d. *Other provisions of common signage plans.* The common signage plan may contain such other restrictions as the owners of the lots may reasonably determine.

e. *Consent.* The common signage plan shall be signed by all owners or their authorized agents in such form as the Zoning Administrator shall require.

f. *Procedures.* A common signage plan shall be included in any site development plan or other plan required by the City for the proposed development and shall be processed simultaneously with such other plan.

g. *Amendment.* A common signage plan may be amended by filing a new common signage plan that conforms with all requirements of the ordinance then in effect.

h. *Existing signs not conforming to common signage plan.* If any new or amended common signage plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within three (3) years, all signs not conforming to the proposed amended plan or to the requirements of this Chapter in effect on the date of submission.

i. *Binding effect.* After approval of a common signage plan, no sign shall be erected, placed, painted or maintained, except in conformance with such plan and such plan may be enforced in the same way as any provision of this Chapter. In case of any conflict between the provisions of such a plan and any other provision of this Chapter, the ordinance shall control.

8. *Billboards.*

a. *Not permitted.* Billboards shall not be permitted in the City. This prohibition shall be effective as of July 1, 2009. Any billboard permitted prior to that date shall be deemed a non-conforming sign, but shall not be enlarged.

b. *Lighting and landscaping of billboards.* All lighting and landscaping of billboards shall comply with the following:

(1) Prior to issuance of a City permit for erection of a billboard, the applicant shall submit and receive approval of a landscape plan depicting the landscaping, billboard lighting and fencing around the proposed billboard to ensure that the structure will be aesthetically compatible with its surroundings and the aesthetic standards of the community and neighboring property. Said landscaping shall consist of a circular base with a minimum radius measured from the center of the sign base. Said radius shall be no less than the total height of the

sign, measured from ground grade at the sign structure base to the highest point of the total sign and structure. Such plans shall comply with the provisions of Section 405.540, shall be reviewed and approved by the Planning and Zoning Commission and shall comply with all standards in this Section;

(2) No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. No flashing, intermittent or moving light or lights will be permitted except scoreboards and other illuminated signs designating public service information, such as time, date or temperature or similar information, will be permitted;

(3) External lighting such as floodlights, thin line and gooseneck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the interstate or primary highway and the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle or otherwise interfere with a driver's operation of a motor vehicle and such lights shall be effectively shielded so as to prevent beams or rays of light from being directed onto adjacent residential property;

(4) No billboard shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal;

(5) The maximum average lighting intensity level for such sign shall be twenty (20) foot-candles.

c. *Obstruction of official highway signs.* No sign shall be located in such manner as to obstruct or otherwise physically interfere with the effectiveness or visibility of an official traffic sign, signal or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging or intersecting traffic.

d. *Annual inspection and certification.* Owners of all billboards shall be required to submit, to the Zoning Administrator, an inspection report from a Missouri licensed engineer as to the sign's structural integrity. Such certification shall be done on or before July first (1st) of each year. Failure to submit a report shall result in the immediate revocation of the sign's permit.

e. *Nuisances.* Any billboard which, because of lack of maintenance, upkeep, vandalism, accumulation of litter, refuse or debris or the deterioration of landscaping, lighting or fencing, becomes unsightly or unsafe, as determined by the Zoning Administrator, is hereby declared to be a nuisance and shall be subject to abatement by the City in the same manner all other nuisances on private property. (R.O. 2008 §26-104; Ord. No. 1903 §1, 11-24-97; Ord. No. 1919 §1, 1-26-98; Ord. No. 1977 §§1--5, 1-11-99; Ord. No. 2236 §1, 10-27-03; Ord. No. 2287 §1, 6-28-04; Ord. No. 5073 §§3--4, 1-8-09)

SECTION 405.960: ENFORCEMENT AND SIGN REMOVAL

A. *Sign Code Violations And Enforcement.* Any sign which is not in compliance with all the provisions of this Article is declared to be unlawful. The City, through the Zoning Administrator, may initiate injunction or abatement proceedings or other appropriate action in the courts against any person who violates or fails to comply with any provisions of this Article or against the erector, owner or user of an unlawful sign or the owner of property on which an unlawful sign is located to prevent, enjoin, abate or terminate the erection, use of display of an unlawful sign. Any person who violates or fails to comply with any of the provisions of this Article or the erector, owner or user of an unlawful sign or the owner of property on which an unlawful sign is located shall be subject to the penalties set forth in Section 405.1150(D) of this Chapter.

B. *Removal Of Unlawful Sign.* Any unlawful sign which has not been removed within thirty (30) days after conviction of violation or imposition of civil penalty may be removed by the City and the costs charged to the violator. If removal costs have not been paid and the sign reclaimed within thirty (30) days of its removal by the City, the City may sell or otherwise dispose of the sign and apply the proceeds toward costs of removal. Any proceeds in excess of costs shall be paid to the owner of the sign.

C. *Immediate Removal Of Unlawful Or Unsafe Signs.* Signs which the Zoning Administrator finds upon public streets, sidewalks, rights-of-way or other public property or which wheresoever located present an immediate and serious danger to the public because of their unsafe condition may be immediately removed by the Zoning Administrator without prior notice. (R.O. 2008 §26-105; Ord. No. 1903 §1, 11-24-97)

SECTION 405.970: VARIANCES

A. *Practical Difficulties Or Unnecessary Hardship.*

1. Where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of the provisions of this Article, the Board of Adjustment may vary or modify the application of specific regulations for any permitted form of signage so that the spirit of this Article shall be observed, public safety and welfare secured and substantial justice done.

2. A variance from this Article may be granted for any permitted form of signage where it is found that because of the limitations on character, size, number or dimensions of signs or the regulations controlling the erection or installation of a sign, the applicant would be subject to practical difficulties or unnecessary hardship. Unnecessary hardship is not considered the loss of possible advantage, economic loss or gain or mere inconvenience to the applicant.

B. *Procedures And Criteria.* The procedures and criteria for granting a variance from the regulations in this Article shall be as set out in Section 405.1040 of this Chapter. (R.O. 2008 §26-106; Ord. No. 1903 §1, 11-24-97)

SECTIONS 405.980--405.990: RESERVED

city of CREVE COEUR

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STAFF MEMORANDUM TO THE PLANNING AND ZONING COMMISSION

Meeting Date: December 19, 2011

Subject: Planning and Zoning Commission 2012 Schedule

Requested Action: Approve next year's schedule

Prepared by:

Paul Langdon, AICP
Director of Community Development

12/16/2011
Date

DISCUSSION

At the end of each year, the Planning and Zoning Commission is asked to review and approve a tentative schedule for the following year. In recent years, the Commission has generally scheduled to hold a complete agenda the first and third Monday of every month, except when that overlaps with a holiday, in which case, the meeting is either moved to Tuesday or cancelled. The attached draft public hearing schedule reflects this same approach for 2012 and can be approved as is.

However, as the Commission is well aware, we have cancelled several meetings lately due to a distinct slow down in the submission of special zoning and development requests. At the same time, the staff and the Commission are about to begin a public review of the Comprehensive Plan, simultaneous with the ongoing development of the form-based code, a revamping of the Sign Code, and several other smaller amendments that will move forward as time allows.

In light of these conditions, the Planning and Zoning Commission should consider a return to the split meeting schedule that was in place prior to 2004 wherein one meeting a month was for a work session and for old business only and the second meeting was for official business, including public hearings, but no work session. This allows the Commission to engage in full discussions during the work sessions without unduly delaying private applications or having to work through significant discussions after potentially long public hearings. A draft of this type of schedule is attached, titled "Meeting Schedule – Alternate." The primary drawback of this approach is it limits the number of public hearing dates available to applicants.

ACTION

Whichever schedule is preferred by the Commission, it should be accepted by a vote of the members present.

PLANNING AND ZONING

PUBLIC HEARINGS TO BE ADVERTISED

2012

PUBLIC HEARING	SEND TO THE COUNTIAN BY 11:00 A.M.	TO BE PUBLISHED
January 3 (Tuesday)	December 14	December 16
January 17 (Tuesday)	December 28	December 30
February 6	January 18	January 20
February 21 (Tuesday)	February 1	February 3
March 5	February 15	February 17
March 19	February 29	March 2
April 2	March 14	March 16
April 16	March 28	March 30
May 7	April 18	April 20
May 21	May 2	May 4
June 4	May 16	May 18
June 18	May 30	June 1
July 2	June 13	June 15
July 16	June 27	June 29
August 6	July 18	July 20
August 20	August 1	August 3
September 4 (Tuesday)	August 15	August 17
September 17	August 29	August 31
October 1	September 12	September 14
October 15	September 26	September 28
November 5	October 17	October 19
November 19	October 31	November 2
December 3	November 14	November 16
December 17	November 28	November 30

Planning & Zoning Commission
Meeting Schedule - Alternate
2012

Meeting Date	Agenda Items	Application Deadline	Publication Deadline
January 3 (Tuesday) January 17 (Tuesday)	Old Business/Work Session Public Hearing/New Business	December 19, 2011	December 30, 2011
February 6 February 21 (Tuesday)	Old Business/Work Session Public Hearing/New Business	January 23, 2012	February 3, 2012
March 5 March 19	Old Business/Work Session Public Hearing/New Business	February 20	March 2
April 2 April 16	Old Business/Work Session Public Hearing/New Business	March 19	March 30
May 7 May 21	Old Business/Work Session Public Hearing/New Business	April 23	May 4
June 4 June 18	Old Business/Work Session Public Hearing/New Business	May 21	June 1
July 2 July 16	Old Business/Work Session Public Hearing/New Business	June 18	June 29
August 6 August 20	Old Business/Work Session Public Hearing/New Business	July 23	August 3
September 4 (Tuesday) September 17	Old Business/Work Session Public Hearing/New Business	August 20	August 31
October 1 October 15	Old Business/Work Session Public Hearing/New Business	September 17	September 28
November 5 November 19	Old Business/Work Session Public Hearing/New Business	October 22	November 2
December 3 December 17	Old Business/Work Session Public Hearing/New Business	November 19	November 30

DEPARTMENT OF PUBLIC WORKS
STAFF MEMORANDUM

DATE: December 6, 2011

TO: Creve Coeur Planning and Zoning Commission

CC: Paul Langdon, Director of Community Development
Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Project Update
Storm Water Master Plan Update

The City retained the professional engineering services of Horner & Shifrin, Inc., to evaluate various storm water concerns in an effort to update the City's storm water master plan. The field investigations for this project are now complete, and the information from these investigations is currently being reviewed by Horner & Shifrin.

City staff was notified by the Metropolitan St. Louis Sewer District (MSD) in May 2011 that MSD has secured a limited amount of funding to address storm water issues in the Deer Creek watershed. The limits of the Deer Creek watershed generally extend north to Olive Boulevard and west to Interstate 270, making nearly half of Creve Coeur is within this watershed. MSD requested that the City provide a list of projects to MSD for consideration for repair using the available funds. City staff instructed Horner & Shifrin to concentrate the initial efforts for site reviews and analysis within the Deer Creek watershed so that such a list could be provided to MSD by the November 30, 2011, deadline.

Horner & Shifrin used the MSD prioritization methodology to create the following list of sites to address through the MSD Deer Creek repair funds:

1. Gabion wall failure at #8 Sunswept Drive
2. Drainage culvert repairs at Middlebrook Drive
3. Stream erosion at #11700 and #11732 Tarrytown and #11600 Lakeshore

These projects are listed in the City's order of preference for repair.

MSD will take the City's project repair list under advisement as they finalize their project list for the watershed. It should be noted that the gabion wall issue listed above is already one of MSD's planned projects to complete and that the drainage culvert project at Middlebrook Drive is currently identified as a project on the City's capital improvement plan.

Not all projects within the Deer Creek watershed qualified for MSD review. Each project was evaluated using MSD's methodology, and the projects listed above were the only public infrastructure projects of the 25 sites considered within the Deer Creek watershed that met MSD's minimum standard for consideration.