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AGENDA

PLANNING AND ZONING COMMISSION MEETING

CITY OF CREVE COEUR, MISSOURI

MONDAY, MAY 21, 2012

7:00 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 communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. and/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

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 of the May 7, 2012 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

6. NEW BUSINESS

A. Application #12-010 for Site Development Plan amendment for Bellerive Plaza Shopping Center at 12704 Olive Boulevard.

Applicant:
Desco Investment Co.
25 N. Brentwood
Clayton, MO 63105

Applicant's Representative:
Joel Kerschen
Kuhlmann Design Group
66 Progress Parkway
Maryland Heights, MO 63043

B. PUBLIC HEARING
Application #12-011 Text Amendment to eliminate the limits of eating and drinking places to no more than 25% of the building square footage in the "MX" Mixed Use District.

Applicant:
Shoppes at Westage, LLC
1133 Olivette Executive Parkway
St. Louis, MO 63132

Applicant's Representative:
Stanley J. Wallach, Esq.
The Wallach Law Firm
Three City Place Drive,
Suite 1070
Saint Louis, MO 63141

C. PUBLIC HEARING
Application #12-012 for a new conditional use permit for Deli Fresh Centsable Subs D/B/A/ Goodcents located at 623 N. New Ballas Road.

Applicant:
Brian Gambino
Deli Fresh Centsable Subs
1021 Lafayette Place
Lake St. Louis, MO 63367

Applicant's Representative:
Ted Thomas, Architect
Design Worx
7909 Big Bend Road
St. Louis, MO 63119

D. Application #12-014: Review of the 2012 Map Plan submittal to the St. Louis County Boundary Commission.
Applicant:
Paul Langdon
Community Development Director

7. WORK AGENDA

None

8. OTHER BUSINESS

A. Planning Division Report
B. City Attorney Report

9. ADJOURNMENT

Posted: _____
Whitney Kelly
City Planner

CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, MAY 7, 2012
7:00 P.M.

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, April 16, 2012, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00p.m.

MEMBERS PRESENT: ***Mr. Timothy Madden, Chair***
Mr. James Faron
Mr. Ken Howard
Mr. Jim Schnarr

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

1. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

The Agenda was accepted as written.

2. APPROVAL OF MINUTES

Draft Minutes of the April 16th, 2012 meeting.
Chair Madden moved to approve the minutes of April 16th, 2012 meeting. Mr. Faron seconded the motion which carried unanimously.

3. UNFINISHED BUSINESS

None.

4. NEW BUSINESS

None

5. PUBLIC COMMENT

None

6. WORK AGENDA

A. Zoning for the Core Business District; General Street Type.

Mr. Langdon, Director of Community Development, presented an illustration of the suggested standards for the General Street Type. Mr. Langdon pointed out the maximum height of the buildings being 4-stories. He also drew attention to the fact that due to the need to provide traffic relief to New Ballas and Olive, the proposed right-of-way consists of four full 11 feet wide lanes rather than two full ones and two seven feet wide ones for parking. The curb lanes, that will be generally available for parking, could optionally be used as through lanes during the rush hours. Mr. Langdon explored the possibility of decreasing the width of the right-of-way by using the curb lanes strictly for parking and making them narrower, and requested the input from the Commission members regarding this issue. Mr. Langdon added that Studt Road, Will Avenue, and the north-south portion of Old Ballas Road would follow this particular street type.

Mr. Faron inquired about what currently exists on Studt Road, and how wide the traffic lines are. Mr. Langdon responded that the total width of the street is 50 feet, the traffic lanes and the curb lanes are 11 and seven feet respectively. Mr. Schnarr inquired if 11 feet for parking is not too wide. Mr. Langdon responded affirmatively and added that the extra width was allowed so the lanes could be used as through lanes when needed. Examples would be: Kirkwood Road through portions of Kirkwood, Big Bend Boulevard through portions of Webster Groves, and Manchester Road in various locations in Maplewood. Mr. Langdon added that another design option would be to decrease the width of the curb lanes to 10 feet which will make the lanes feel a bit crowded and subsequently slow down traffic.

Mr. Schnarr made a comment about cars being smaller in the future. Mr. Langdon agreed and pointed out that the curb lanes will primarily be used for parking and only used for a limited time for traffic.

The Chair inquired if angled parking would be an option for 11 feet wide lanes. Mr. Langdon replied that additional width would be needed to allow for angled parking. Chair Madden commented that he likes the idea of having an option to convert the parking lanes to through lanes. Mr. Langdon concurred and recommended keeping the width of the parking lanes at 11 feet or, at the minimum, 10 feet especially for Studt Road.

Mr. Faron requested clarification on the number of parking spaces per block. Mr. Langdon responded that the typical parking spot is 22 feet long and the block length will determine the number of parking spots and the goal is to design the streets in a manner that will maximize the amount of parking. Mr. Schnarr stated that the amount of parking is critical. Mr. Langdon agreed and added that the visibility of parking would also be an important consideration in street planning.

Mr. Langdon also pointed out that the sidewalk for the proposed General Street Type is divided into private and public sections with the possibility of an easement on the public section to allow and encourage businesses to make use of the sidewalk as long as through passage is preserved. Possible uses would include outdoor cafes, benches, portable signs and street furniture.

Mr. Langdon drew attention to the length of the pedestrian crossing being 46 feet. He stated that making it longer will significantly decrease its usability and make it less pedestrian friendly.

Mr. Langdon pointed out the decreased percentage of green space along the street due to the density of the development that would be needed. Since the real estate cost is high in this particular area and there is a paucity of the existing building stock, the majority of the land will need to be allocated for commercial purposes in order to make new developments financially feasible and attract local businesses.

Mr. Langdon then reminded the Commission that conducting the traffic study revealed the need for substantial parking requirements. Mr. Schnarr asked if that need was taken into account and adequate off-street parking is planned to accommodate people that work in all these businesses. Mr. Langdon responded affirmatively and stated that new parking standards will take the fact into account. Nonetheless, any new large project will most likely require a parking garage.

Mr. Langdon mentioned that the illustrations for various street types will actually be part of the Zoning Code so firming up dimensions on the drawing is critical.

Mr. Langdon stated that the final street type, Arterials, will need to be divided into two types. One will be for North New Ballas Road and the north portion of Ham Avenue while the second will be for Olive Boulevard. This is primarily due to the City's lack of jurisdiction over Olive Boulevard and that the west side of North New Ballas is already developed and not part of this proposed rezoning area. Since Olive Boulevard is considered to be an urban highway, MODOT will require it to have seven lanes in this area. On the other hand, they were very receptive to the idea of trees, street furniture, and bike racks outside the curb as long as the sidewalk is provided. Draft arterial street standards are currently being developed.

Mr. Schnarr asked if Mr. Langdon foresees the need for four lanes in the General Street Type areas. Mr. Langdon responded that while there is no need today, he foresees one in the future. Having four full lanes will allow a lot of flexibility for the future use and preserve the right-of–way at minimal additional cost.

Mr. Howard inquired if some streets are more suited for a General Frontage layout and some for Transitional Frontage layout. Mr. Langdon answered yes, and referred back to the Regulating Plan map which displays a suggested type of frontage for various streets. Carefully considering the street type and potential future need for extra lanes is of outmost importance since changes will be difficult in the future once the redevelopment has occurred.

Mr. Faron inquired if traffic flow could be studied to determine patterns, and the reason behind designating northern part of Ham Avenue as an arterial frontage. Mr. Langdon responded that, because of the location of the Fire Station at Will Avenue, there is not enough room to plan a wide entry-type street there which leaves Ham Avenue being the only alternative. The need to provide some traffic relief for Olive Boulevard and MODOT's prior approval of the traffic light at the intersection of Olive and Ham were taken into account as well. Mr. Faron requested clarification if North New Ballas Road could change from an arterial to the general frontage between Studt Rd. and Old Ballas Road. Mr. Langdon confirmed that it could if so desired by the Commission.

Mr. Faron inquired if there will be a future discussion regarding entryways and how they tie into the district. Mr. Langdon answered that the design guidelines adopted in 2006 speak to that issue, and pointed out the importance of maintaining a unified theme throughout the district as well as carefully balancing the design demands with financial feasibility for future developers. Being mindful of the traffic requirements is also critical.

Mr. Langdon added that several property owners have expressed interest in future redevelopment but are waiting for the City to complete the Regulating Plan.

Draft arterial street standards will be available for the next meeting. After that point, the regulating plan will be completed and design guidelines may have to be evaluated for possible need of revisions.

B. Revisions to the City of Creve Coeur's Article VIII Sign Regulations of the Zoning ordinances.

Mr. Langdon, Director of Community Development, stated that while staff has been working on reviewing the sign regulations, a recent Missouri court ruling regarding the City of St. Louis Sign Code has brought up several questions regarding which the staff needs further direction from the Commission members in order to proceed with the draft changes. The main point is that signs must be content neutral. Local governments can make restrictions on speech based on its time, place, and manner, so long as the restrictions do not relate to the content of the speech. Many of Creve Coeur's definitions for various signs, and in several cases, the type of sign permitted, are based on content. Mr. Langdon directed the Commission's attention to the memo prepared by Carl Lumley, City Attorney, which contained a preliminary strikethrough of the City's Sign Regulations and Definition of Terms, identifying content that will need to be addressed with the revisions to the Code. Mr. Langdon stressed the need for careful definitions of the signs in order to eliminate confusion and create certainty as much as possible. Mr. Langdon further expanded regarding Institutional, Directional, and Light Pole Artwork Signs as being good examples of where confusion could arise. He suggested the possibility of eliminating certain signs entirely. Real estate signs could be another source of confusion. A significant concern is how the court ruling might be applied to real estate ground signs, versus low monument signs that identify businesses on the property. Based on the recent ruling, Staff believes that the multi-tenant real estate signs that are permitted as a ground sign could be used for any message, including commercial advertising. Thus those properties that have a low monument sign identifying tenants, and one for leasing information, now have two ground signs that could contain any message.

Mr. Schnarr asked if a differentiation can be made between permanent signs and temporary real estate signs. Mr. Langdon answered that it could be made but will be problematic because temporary signs are difficult to manage and enforce and easy to abuse. The staff already spends a significant amount of time managing signs.

Mr. Faron inquired if most of the time is spent explaining or enforcing the signage. Mr. Langdon responded that both occur. Mr. Faron asked if the city can just have a limit on the number of signs and leave it to the owners' discretion to decide whether they will include their real estate information on the sign. Mr. Langdon responded affirmatively and agreed that that may be a good direction to go in. Mr. Lumley interjected with a reminder and explanation of the substitutability clause included in Zoning Ordinances. He stressed that sign definitions should be focused on the size, location, illumination, motion, and time and not the content.

An example of a temporary sign during election time was brought up. Mr. Faron asked if some other municipality already has an existing Sign Ordinance that is already up-to-date and could be researched and taken as an example. Mr. Langdon responded that he is not aware of one but it could be researched. Mr. Langdon asked for Commission's preference as far as allowing more signs, fewer signs or the same number and, if the real estate signs are eliminated, what should be done with the

existing ones. One option would be to work on some kind of general permanent sign that would be scaled in correlation with the property size. The Commission agreed that this is a good direction for staff to go in. Mr. Langdon added that provisions will have to be made for properties that currently do not qualify for a ground sign, such as properties with less linear feet of frontage. These properties may be limited to only window signs, or incorporated in some way as part of the building wall signs. Lastly, current multi-tenant real estate signs could become legally pre-existing, non-conforming signs, and will be slowly phased out as they age.

Mr. Langdon revisited staff's previously made suggestion to eliminate common sign plan provisions, and revising the master sign plan provisions to include all custom sign packages. Staff will need direction on how to treat properties with existing common sign plans such as West Oak, Bellerive Plaza, Pavilion, and West Park Shopping centers. Initially, they may become pre-existing non-conforming signs, while provisions will need to be set in place in the event that a sign change is desired in the future.

Mr. Langdon pointed out that current definition of gross sign area and the 2/3 bonus create another potential for confusion and controversy. In the past, the City encouraged the channel letter style of sign. The suggestion was made to change the definition to indicate "individual symbol" vs. "individual letter." However, confusion could arise from trying to interpret what constitutes a "symbol" and when a 2/3 rule is applicable. Mr. Langdon showed examples of logos and boxed signs, and suggested the elimination of the 2/3 bonus as a possible solution. Proliferation of billboard style signs is also a potential drawback, and could be counteracted by a reduction in the sign size. Finding a good solution will require additional research.

Lastly, since the content of light pole signs could not be regulated, great potential exists for such signs to become additional commercial signage. It may be necessary to entirely eliminate these kinds of signs from the City's Sign Regulations. The Commission agreed.

7. OTHER BUSINESS

A. Planning Division Report

Mr. Langdon reported that at the next meeting there will be three items, two public hearings and a site development plan amendment. Public hearings are for a "MX" zoning district amendment and a restaurant conditional use permit.

The request for site development plan amendment is a joint project between Schnucks and Desco Investment Co. They are looking to widen the main driveway at Bellerive Plaza to allow an additional lane. The Commission will have final review authority on this project, and it is advertized despite not being a public hearing.

B. City Attorney Report

None

8. 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 8:50 p.m.

_____
Timothy Madden, Chair

_____
Alexandra Gada, Recording Secretary

city of CREVE COEUR

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

APPLICATION TO PLANNING AND ZONING COMMISSION #12-010 FOR SITE DEVELOPMENT PLAN AMENDMENT APPROVAL FOR BELLERIVE PLAZA SHOPPING CENTER AT 12704 OLIVE BOULEVARD

FOR THE MEETING OF: May 21, 2012

LOCATION: 12704 Olive Boulevard

REQUEST:
Joel Kerschen, of Kuhlmann Design Group, on behalf of Desco Investment Co., has submitted a request to amend the Bellerive Plaza site development plan to allow for the elimination of the landscape median effectively widening the main driveway to Olive Boulevard. The property is located at 12704 Olive Boulevard at the southwest corner of Olive Boulevard and Bellerive Plaza/Timber Run and is zoned "GC" General Commercial District.

ADDITIONAL INFORMATION:
In October 1999, Bellerive Plaza received site development plan and landscape approval for the entire development, that included the landscaped median for the entrance drive.

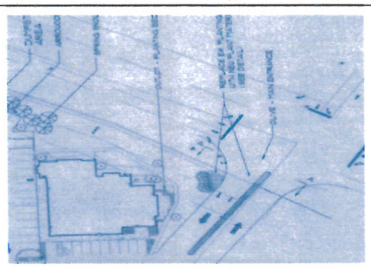
Key Issues:
- Does the project substantially conform with the previously approved Site Development Plan?

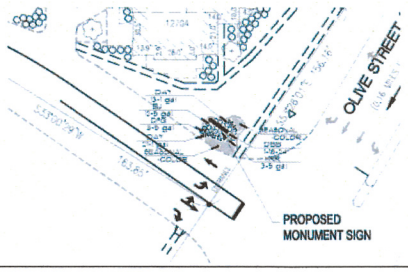
Comp. Plan References
- West Olive Corridor

Zoning Code References
- Section 405.360 "GC" General Commercial District
- Section 405.610 Non-Conformities

APPLICANTS: Desco Investment Co.
25 N. Brentwood Boulevard
Clayton, MO 63105

REPRESENTATIVE: Joel Kerschen
Kuhlmann Design Group
66 Progress Parkway
Maryland Heights, MO 63043





REPORT PREPARED BY:

Whitney Kelly, AICP, City Planner — Date: 5/18/2012

ATTACHMENTS: Applicant's Materials submitted May 8, 2012

SITE HISTORY AND PROPOSAL SUMMARY

Bellerive Plaza shopping center located south of Olive Boulevard and west of Mason Road was approved and constructed in 1980 in compliance with St. Louis County zoning regulations. The property was annexed by the City of Creve Coeur in 1996, and subsequently zoned "GC" General Commercial. The center consists of three buildings, housing approximately 24 tenant spaces, including the anchor of a Schnucks Supermarket, and totals 115,207 square feet. In October 1999, Bellerive Plaza Shopping Center received Site Development Plan and Landscape Plan approval for improvements to the main entrance along Olive Boulevard to add the median (see detail of the Landscape Plan below). The overall development is legally pre-existing, with non-conforming site coverage. In 2007, Desco received a variance to the required parking by 45 parking spaces.

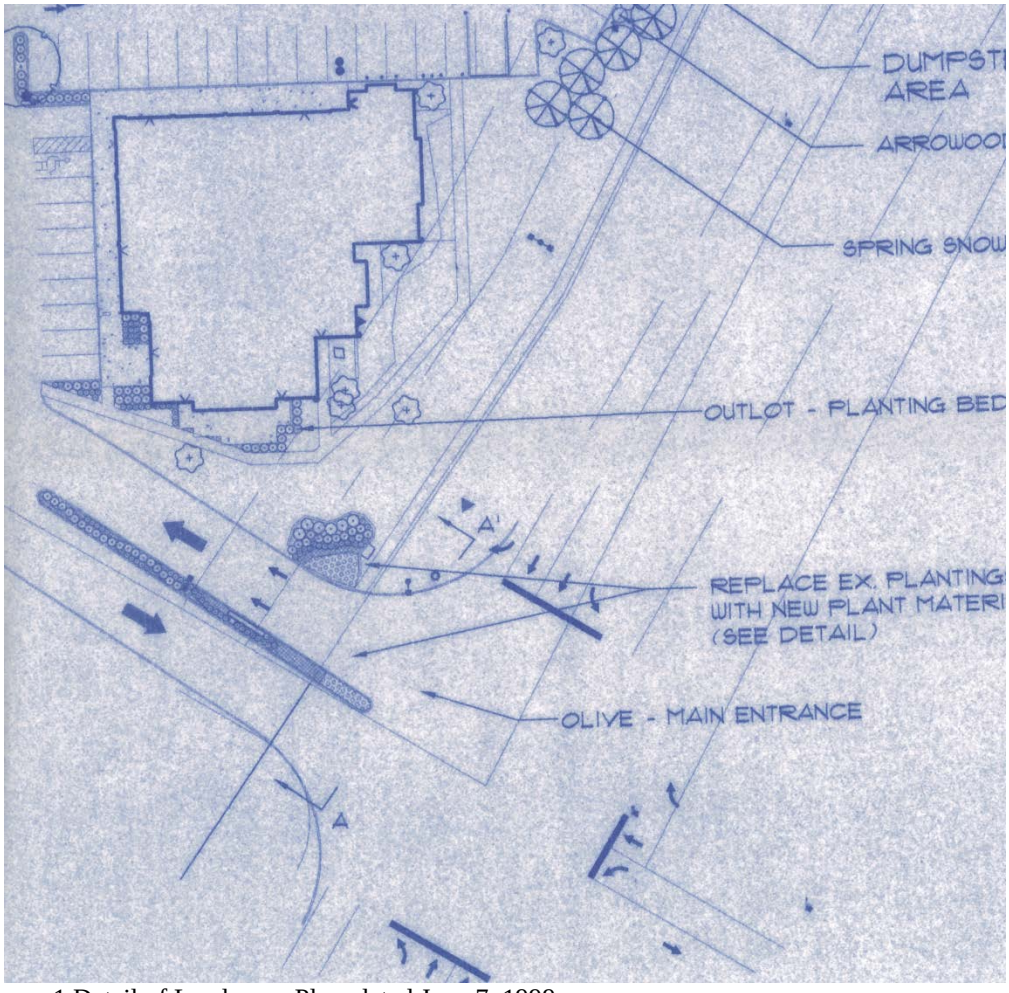


Figure 1 Detail of Landscape Plan, dated June 7, 1999

The proposed improvements project will revise the main entrance to Bellerive Plaza by eliminating the landscaped median to create an additional left turn onto westbound Olive Boulevard. The applicant has indicated that during peak times of the day, traffic exiting the property is required to wait through multiple light cycles to turn west onto Olive Boulevard. Enlarging the intersection will also require new traffic signals, per MODOT regulations.

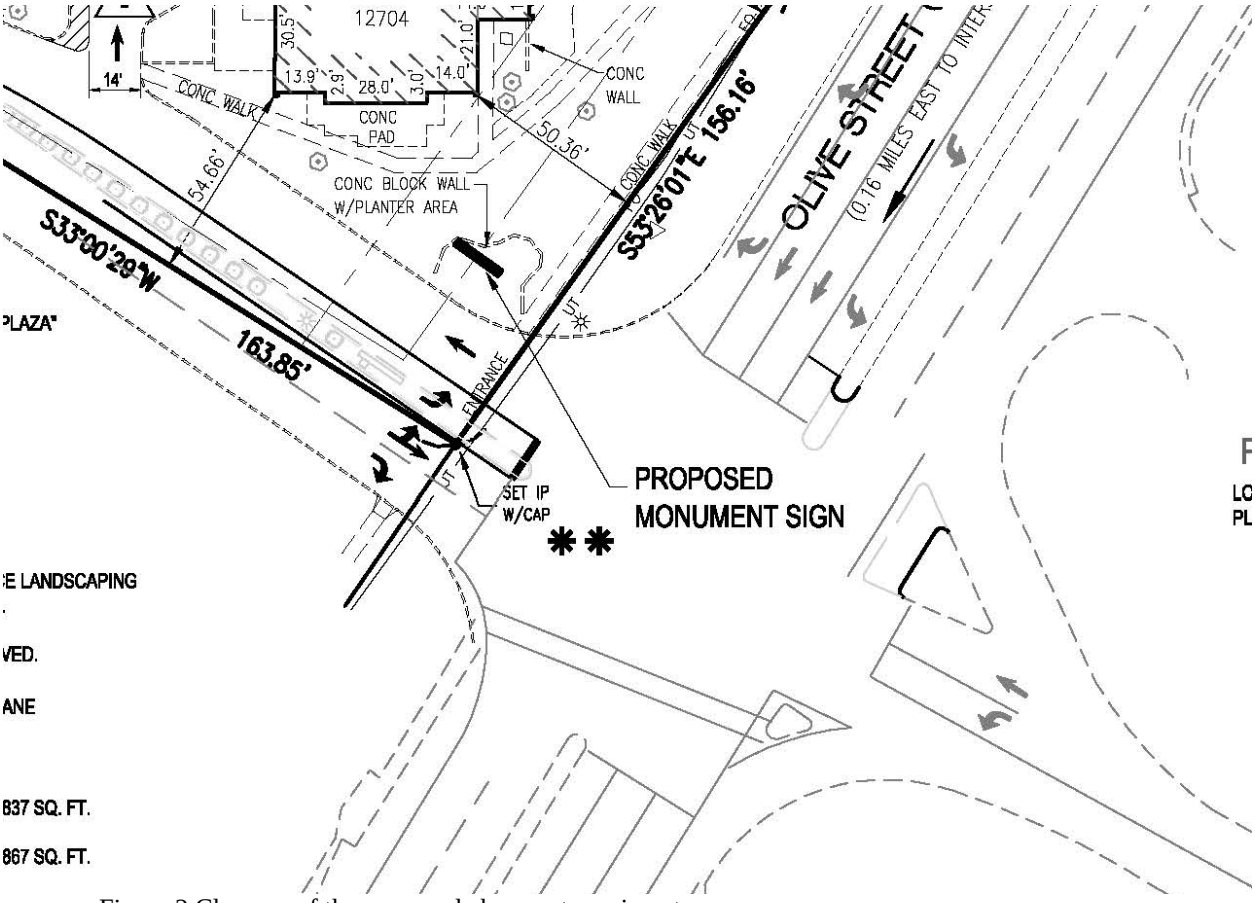


Figure 2 Close up of the proposed changes to main entrance

Due to the site related nonconformities, the removal of the landscaping requires that additional greenspace be added on a one-to-one ratio elsewhere. Therefore, several parking lot islands will be expanded to meet this requirement. Parking will be created elsewhere on site, through restriping, without creating additional coverage. No other improvements to the site, or changes to the buildings are proposed. A new shopping center sign is under Staff review through the Common Sign Plan, and will be located to just north of the main entrance.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Offices	Unincorporated St. Louis County C8 Commercial	Olive Boulevard
South	Offices	"PO" Planned Office District	N/A
East	Bank	"GC" General Commercial	N/A
West	Multi-family residences	"AR" Attached Single Family Residential District	N/A

COMPREHENSIVE PLAN REVIEW

Bellerive Plaza is located within the West Olive Corridor action area that calls for a "green line" park long Olive Boulevard as part of the Community Health and Connectivity goals for the area through additional landscaping, preservation of existing trees, and sidewalk construction (page 63). Further, Transportation and Movement goals within this area include:

3. Sidewalks or other pedestrian facilities should be requires in all new development or redevelopment. These pedestrian sidewalks and paths might be required outside of the proposed development if necessary to provide pedestrian connections to critical site destination.
6. New development/redevelopment should incorporate specific traffic calming techniques as appropriate to this area, from a list of approved techniques and designs.

Currently, the existing sidewalk ends at the entrance drive, with the median blocking the crossing, and there is no pedestrian access from the entrance drive into the shopping center. The proposed changes to the median will allow for improved traffic flow and allow for pedestrian access across the entrance. However, the loss of greenspace from the median and the lack of pedestrian connection from the existing sidewalk into the development would not meet with the goals and objectives of the Comprehensive Plan. The landscape plan provided little more than what already exists on site. The loss of the median, is not just the loss of the greenspace, but also the loss of a visual softening element to the hard surfaces in the area. Therefore, Staff recommends that a condition of approval include that the applicants submit a new landscape plan that meets with the goals and objectives of the Comprehensive Plan and Design Guidelines.

ZONING REVIEW

As the proposed project is for the main entrance of the shopping center, no improvements are proposed for the building or the site outside of increasing the parking lot islands within the center to offset the loss of greenspace. Discussion is therefore limited to the non-conformities on the site.

Site Coverage:

The proposed removal of the median represents a loss of greenspace of approximately 837 square-feet. Section 405.610 Non-Conformities states that a non-conforming use shall not be extended, expanded or enlarged or increased in intensity. As the property has pre-existing, non-conforming site coverage, the applicant is proposing to enlarge several parking lot islands of 867 square-feet in total area within the center. These islands are located further south of the main entrance (see the detail below). Therefore, a condition of approval includes maintenance of coverage to this effect.

Section 405.120 defines site coverage: The area of a non-residential site which is covered by buildings, driveways, parking lots, loading areas, but excluding landscaped and green spaces, plaza, pedestrian circulation and unpaved buffer areas. Therefore, a new sidewalk connection as proposed above will not create additional coverage.

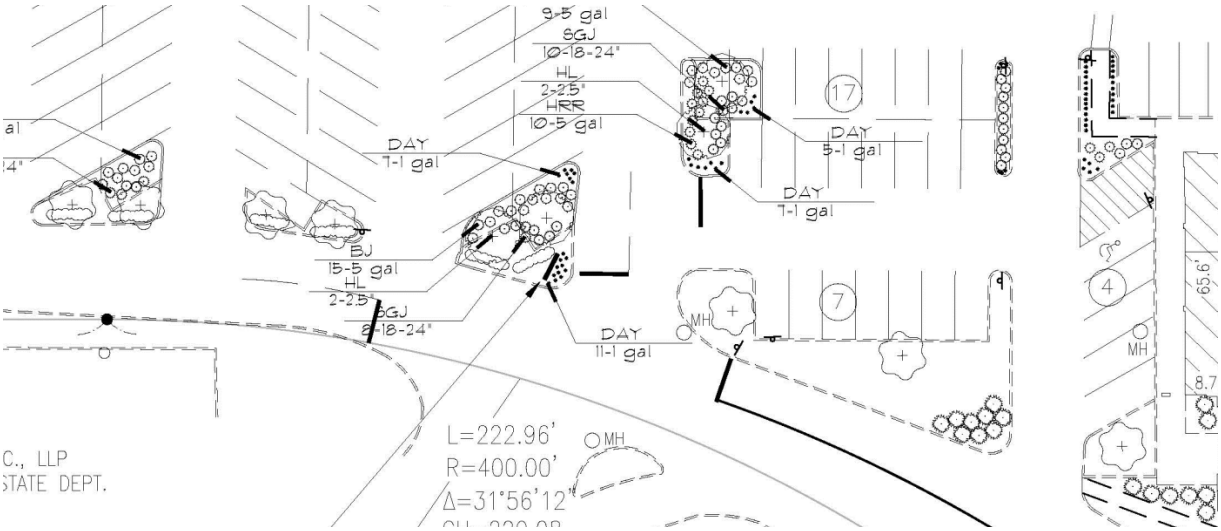


Figure 3 Detail of Landscape Plan showing the enlarged parking lot islands to replace the loss of greenspace of the median

Parking:
As discussed above, Desco received a parking variance in 2007 for 45 spaces. The increasing of the parking lot islands will require that new parking to be created elsewhere on site through striping; no additional coverage will be created. A detail of the Parking Calculations provided by the applicant is below. Overall, the restriping of the center will create a net surplus of one space.

Bellerive Plaza Parking Calculations

	# of Parking Spaces
Existing Parking Supply (based on ALTA survey and field checks)	527
Spaces Occupied by Cart Corrals and Dumpsters	(20)
Net Supply - Existing	507
Proposed Parking Addition (striping only - no new pavemen	12
Net Supply - Proposed	519
Current Parking Requirement for Bellerive Plaza (incl. 186 rest. sea	523
Additional Req. for Bread Company (99 indoor/10 outdoor seats)	35
Gross Requirement - Proposed	558
Variance Granted	(45)
Net Requirement - Proposed	513
Proposed Surplus	6
Spaces lost due to relocating entrance median landscaping	5
Remaining Surplus	1

Code Compliance Issues:
The prior approved landscape plan from 1999 included landscaping throughout the center that is largely missing. The proposed landscape plan submitted with this application only included new landscaping for the enlarged parking lot islands, and very limited planting around the proposed

location of the shopping center sign. Staff recommends that a condition of approval include a new landscape plan that meets with the goals and objectives of the Comprehensive Plan. It is anticipated that the minimum of landscaping around the new sign will be twice the square footage of the area of the sign for example.

CONCLUSION

Staff recommends approval of the proposed main entrance improvements with the following conditions:

1. The Site Development Plan shall be revised to include a sidewalk from the existing sidewalk into the first driveway within the development for pedestrian access.
2. Greenspace shall be created elsewhere on site at a minimum ratio of one-to-one as shown on the Site Development Plan submitted on May 8, 2012.
3. The applicant shall submit a new Landscape Plan for the entire Bellerive Shopping Center that meet with the goals and objectives of the Comprehensive Plan for the Zoning Administrator approval.
4. An underground irrigation system shall be installed and maintained to serve new landscaped areas identified on the landscape plan.
5. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
6. All new traffic signals and mast arms shall be black powder-coated.

MOTION

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

> "I move to approve of the site development plan for Bellerive Plaza Shopping Center subject to the conditions listed in the staff report on Application #12-010, for the meeting of May 21, 2012" (conditions may be added, eliminated, altered, and modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO

APPENDIX 4: SITE PHOTOGRAPHS	Photo Date: 04/4/2012
	Description: View of the median looking north from the first entrance into the parking lot.
	Description: Another view of the median looking north from the first entrance into the parking lot.
	Description: View looking south from the main entrance to the first entrance.

The DESCO Group℠

April 7, 2012

Whitney C. Kelly, AICP
City Planner
City of Creve Coeur
300 North New Ballas Road
Creve Coeur, MO 63141

Brokerage

Construction Management

Corporate Real Estate

Development

Property Management

RE: Application for Site Development Plan for Bellerive Plaza
12704 Olive Boulevard, Creve Coeur, MO 63141

Dear Ms. Kelly:

We hereby submit the attached package for the Staff's review of the Application for Site Development at Bellerive Plaza. It is our sincere belief that the documents provided will effectively respond to the City's concerns.

The proposed project to revise the Olive Street entrance to Bellerive Plaza will enhance the value of the adjacent properties, as well as improve the safety, access and egress for the customers and residents that frequent the businesses in this area.

Currently, during peak times of the day, traffic exiting the property is required to wait through multiple light cycles to turn west onto Olive. The dual left turn lanes onto westbound Olive will allow for more traffic to make this turn in a timelier manner than the situation that exists today.

The existing landscape plan will also be enhanced with adding new plant materials in the expanded parking lot islands. This new green space is intended to replace the old and deteriorating junipers that are part of the median that will be removed to make room for the second left turn.

Part of this package also includes a plan to prevent left turns into the parking area at the entrance closest to the Olive Blvd. entrance.

These plans are all intended to enhance the shopping center for the benefit of the residents and customers that visit Bellerive Plaza.

Strategic Real Estate Solutions

25 N. Brentwood Boulevard • St. Louis, Missouri 63105
314/994-4444 • Fax: 314/994-4450 • www.descogroup.com

We sincerely hope the City Staff and Planning and Zoning Commission will approve these plans.

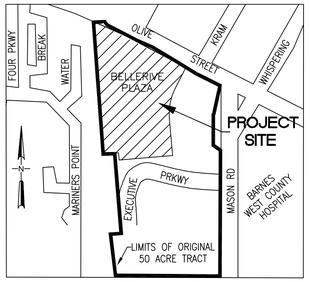
Sincerely,

Karen H Holman
Vice President, Asset Management
The DESCO Group

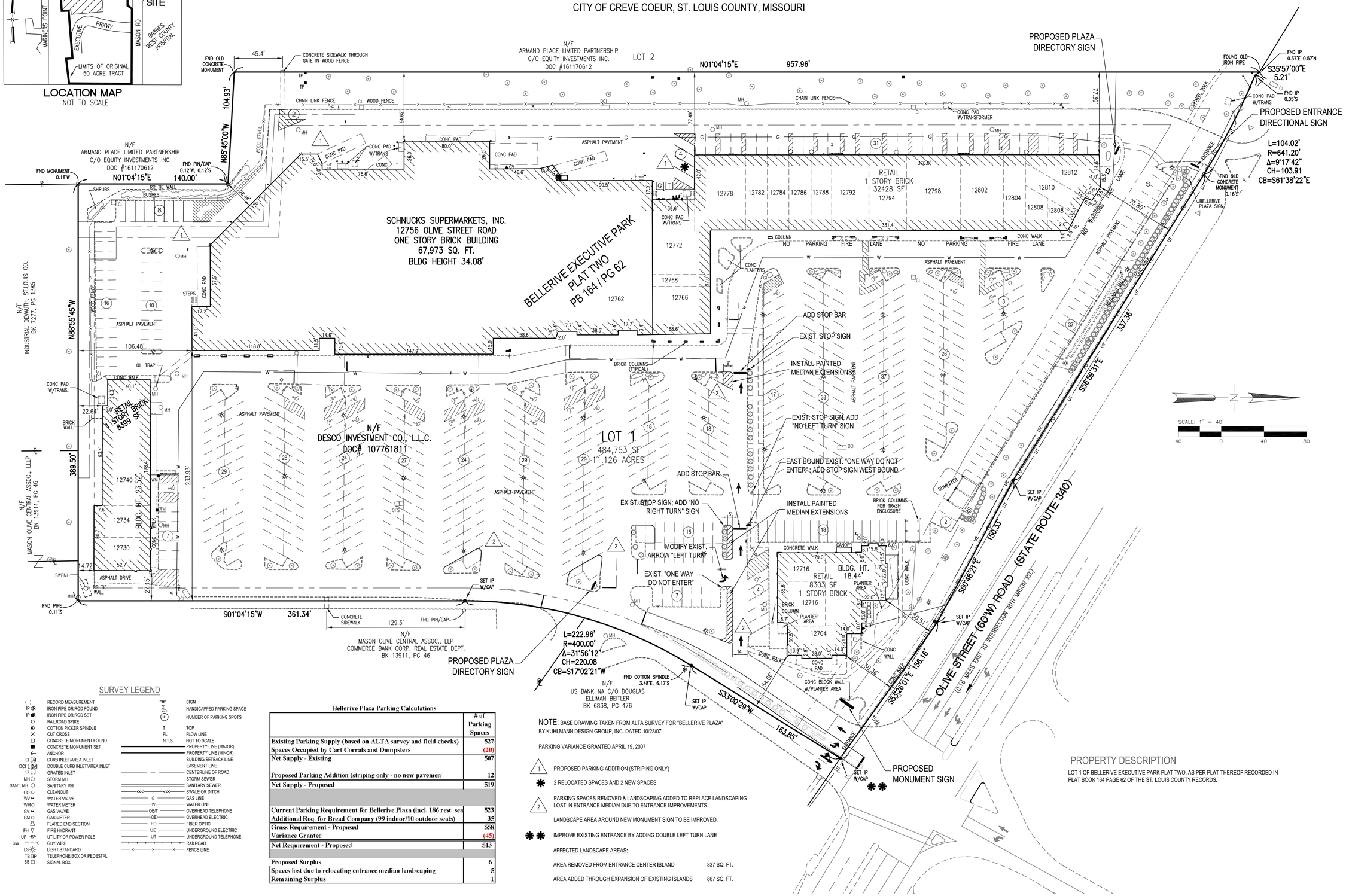
cc: Paul Langdon, Director of Community Development
Joel Kershan, Kuhlmann Design Group

SITE DEVELOPMENT PLAN

LOT 1 OF "BELLERIVE EXECUTIVE PARK PLAT TWO"
IN U.S. SURVEY 1923 TOWNSHIP 45 AND 46 NORTH, RANGE 5 EAST
OF THE 5TH PRINCIPAL MERIDIAN
CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI



LOCATION MAP
NOT TO SCALE



NOTE: BASE DRAWING TAKEN FROM ALTA SURVEY FOR "BELLERIVE PLAZA" BY KUHLMANN DESIGN GROUP, INC. DATED 10/23/07

PARKING VARIANCE GRANTED APRIL 19, 2007

1 PROPOSED PARKING ADDITION (STRIPING ONLY)

✱ 2 RELOCATED SPACES AND 2 NEW SPACES

2 PARKING SPACES REMOVED & LANDSCAPING ADDED TO REPLACE LANDSCAPING LOST IN ENTRANCE MEDIAN DUE TO ENTRANCE IMPROVEMENTS.

LANDSCAPE AREA AROUND NEW MONUMENT SIGN TO BE IMPROVED.

✱✱ IMPROVE EXISTING ENTRANCE BY ADDING DOUBLE LEFT TURN LANE

AFFECTED LANDSCAPE AREAS:

AREA REMOVED FROM ENTRANCE CENTER ISLAND	837 SQ. FT.
AREA ADDED THROUGH EXPANSION OF EXISTING ISLANDS	867 SQ. FT.

SURVEY LEGEND

( )	RECORD MEASUREMENT
IP	IRON PIPE OR ROD FOUND
IP	IRON PIPE OR ROD SET
	RAILROAD SPIKE
	COTTON PICKER SPINDLE
	CUT CROSS
	CONCRETE MONUMENT FOUND
	CONCRETE MONUMENT SET
	ANCHOR
CI	CURB INLET/AREA INLET
DCI	DOUBLE CURB INLET/AREA INLET
GI	GRATED INLET
MH	STORM MH
SANT. MH	SANITARY MH
CO	CLEANOUT
WV	WATER VALVE
WM	WATER METER
GV	GAS VALVE
GM	GAS METER
	FLARED END SECTION
FH	FIRE HYDRANT
UP	UTILITY OR POWER POLE
GW	GUY WIRE
LS	LIGHT STANDARD
TB	TELEPHONE BOX OR PEDESTAL
SB	SIGNAL BOX
	SIGN
	HANDICAPPED PARKING SPACE
	NUMBER OF PARKING SPOTS
T	TOP
FL	FLOW LINE
N.T.S.	NOT TO SCALE
	PROPERTY LINE (MAJOR)
	PROPERTY LINE (MINOR)
	BUILDING SETBACK LINE
	EASEMENT LINE
	CENTERLINE OF ROAD
	STORM SEWER
	SANITARY SEWER
	SWALE OR DITCH
G	GAS LINE
W	WATER LINE
OE/T	OVERHEAD TELEPHONE
OE	OVERHEAD ELECTRIC
FO	FIBER OPTIC
UE	UNDERGROUND ELECTRIC
UT	UNDERGROUND TELEPHONE
	RAILROAD
	FENCE LINE

Bellerive Plaza Parking Calculations

	# of Parking Spaces
Existing Parking Supply (based on ALTA survey and field checks)	527
Spaces Occupied by Cart Corrals and Dumpsters	(20)
Net Supply - Existing	507
Proposed Parking Addition (striping only - no new pavemen	12
Net Supply - Proposed	519
Current Parking Requirement for Bellerive Plaza (incl. 186 rest. sea	523
Additional Req. for Bread Company (99 indoor/10 outdoor seats)	35
Gross Requirement - Proposed	558
Variance Granted	(45)
Net Requirement - Proposed	513
Proposed Surplus	6
Spaces lost due to relocating entrance median landscaping	5
Remaining Surplus	1

PROPERTY DESCRIPTION

LOT 1 OF BELLERIVE EXECUTIVE PARK PLAT TWO, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 164 PAGE 62 OF THE ST. LOUIS COUNTY RECORDS.

SITE DEVELOPMENT PLAN
BELLERIVE PLAZA
(SHOWING PROPOSED PARKING ADDITIONS & VARIANCE INFORMATION)

CLIENT:
THE DESCO GROUP
25 NORTH BRENTWOOD BLVD.
ST. LOUIS, MISSOURI 63105
PHONE 314-994-4444
FAX 314-994-4450

Kuhlmann Design Group, Inc.
66 Progress Parkway
St. Louis, Missouri 63043-3706
Tel: (314) 434-8898
St. Louis, Missouri
Belleville, Illinois
KdG

DISCLAIMER OF RESPONSIBILITY

I hereby specify that the documents intended to be authenticated by my seal are limited to this sheet, and I hereby disclaim any responsibility for all other Drawings, Specifications, Estimates, Reports or other documents or instruments relating to or intended to be used for any part or parts of the architectural or engineering project or survey.

NO.	DATE	
1	02/08/12	ENT-SIGNS-LSCP
2	05/07/12	REV STRIPING, SIGNS

PROJECT NO. 980088	CONTRACT NO. 0009
DRAWN DGN	CHECKED PRB
DATE 10/24/07	

SITE DEVELOPMENT PLAN

SHEET 1 OF 1

DP1.1

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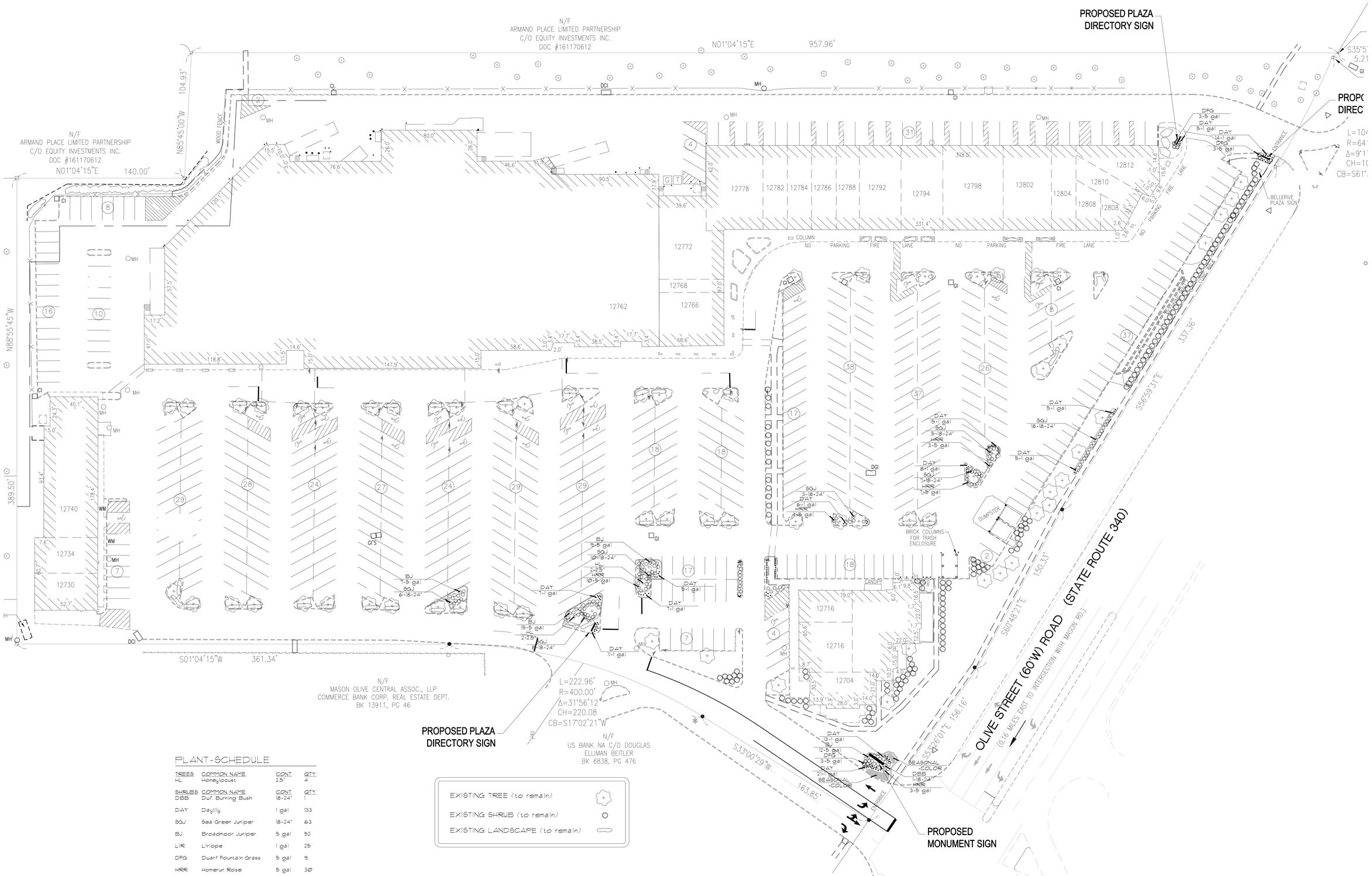

PLANT-SCHEDULE

TREES	COMMON NAME	CONT	QTY
HL	Honeylocust	2.5"	4

SHRUBS	COMMON NAME	CONT	QTY
DBB	Dwf. Burning Bush	18-24"	1
DAY	Daylily	1 gal	133
SGJ	Sea Green Juniper	18-24"	63
BJ	Broadmoor Juniper	5 gal	52
LIR	Liriope	1 gal	25
DFG	Dwarf Fountain Grass	5 gal	9
HRR	Homerun Rose	5 gal	30

Drawn by:	CJA
Scale:	1" = 10'
Date:	5-2-12
Revised:	

BAXTER FARMS and NURSERIES
3411 CREVE COEUR MILL ROAD
ST. LOUIS, MISSOURI 63146
314/542-9400

Landscape Planting Plan For:

Bellerive Plaza

Prepared For: The Desco Group

Drawing Number:

L-1

of one

city of CREVE COEUR

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

APPLICATION TO PLANNING AND ZONING COMMISSION

#12-011 TEXT AMENDMENT TO AMEND THE ZONING CODE TO ELIMINATE THE LIMITS OF EATING AND DRINKING PLACES TO NO MORE THAN 25% OF THE BUILDING SQUARE FOOTAGE IN THE "MX" MIXED USE DISTRICT

FOR THE MEETING OF: May 21, 2011

LOCATION: "MX" Mixed Use District

REQUEST:
Stanley Wallach, representing Shoppes at Westgate, LLC, has submitted a request to consider certain amendments to Section 405.340(2)(b)(3) to eliminate the current limit on eating places to no more than 25% of the approved building square footage, and to permit eating places without such limit through the conditional use permit process.

ADDITIONAL INFORMATION:
Eating and drinking establishments are permitted with conditions in all commercial districts in the City. Section 405.470(14)(c.) requires that restaurants in the "MX" District cannot be located on sites that adjoin or abut property within an "A", "B", "C" or "D" Single-Family Residential District or that adjoin or abut property within an "AR" Attached Single-Family Residential District used for attached single-family dwellings including town homes or duplexes but excluding multi-family dwellings.

Key Issues:
- Does this request further the goals and/or implement the Comprehensive Plan?
- Is this a reasonable exercise of zoning authority?

Comp. Plan References
- West Olive Corridor

Zoning Code References
- Section 405.340: "MX" Mixed Use District
- Section 405.470 Conditional Uses

APPLICANT: Shoppes at Westage, LLC
1133 Olivette Executive Parkway
St. Louis, MO 63132

APPLICANT'S REPRESENTATIVE: Stanley J. Wallach, Esq.
The Wallach Law Firm
Three City Place Drive,
Suite 1070
Saint Louis, MO 63141

REPORT PREPARED BY:

Whitney Kelly, AICP
City Planner

5/18/2012
Date

ATTACHMENTS: Draft Ordinance
Applicant's application submitted March 28, 2012

INTRODUCTION

Currently the ”MX” District is located on the southside of Olive Boulevard between Tempo Drive and Questover Lane and consists of the developments of the Shoppes at Westgate, Stipanovich-Ortmann Funeral Home, Genovese Diamonds building, and a bank. The Shoppes at Westgate is the only retail center in the district with restaurant uses. Below is an aerial photo of the district.

The owners of the Shoppes at Westgate have received interest from prospective tenants to fill the vacant space that include a sandwich shop and a donut bakery business. The available unit is 1,996 square feet. The center already has two restaurants (Imo’s Pizza and Cold Stone Creamery). Another restaurant within the vacant tenant space would increase the total square footage of eating places to 6,449 square feet, or 35% of the building footprint, which is above the current limit of 25%. Therefore the applicant is requesting that such limit be removed and the analysis of the specific use in relation to site conditions be reviewed as part of the conditional use permit process (as is already the case).

The Shoppes at Westgate is a 18,452 square foot shopping center located at 12430 Olive Boulevard that received approval for rezoning of the property from “A” Single Family Residential to “MX” Mixed Use, and site development plan approval in 2003. The project is intended to be a neighborhood commercial and specialty shop development. At the time of the approval process, there were concerns that the development of too many restaurants within the retail mixed-use development would overwhelm the site with parking. The response was the establishment of the 25% limit, and that a single restaurant could not be more than 3,500 sq. ft. in the MX District.

Specifically, restaurants in the MX District are permitted with conditions per Section 405.340(C):

Section 405.340 'MX" Mixed Use District

C. Conditional Uses. The City Council may authorize any of the following uses through the issuance of a conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such restrictions and conditions as are deemed necessary or appropriate.

2. On Class 2 properties (parcels between three (3.00) and three and ninety-nine hundredths (3.99) acres) and on Class 3 properties (parcels larger than four (4.00) acres):

a. All conditional uses permitted on Class 1 sites.

b. Eating places (all uses within SIC code 5812 except as limited below) including:

(1) Eating and drinking establishment(s) shall be located on sites of not less than two (2.0) acres;

(2) Eating and drinking establishment(s) shall be located on the ground floor of the structure;

(3) Eating and drinking establishments shall not occupy more than twenty-five percent (25%) of the approved building square footage for the building footprint and a single eating establishment shall not exceed three thousand five hundred (3,500) square feet in size;

(4) Each eating and drinking establishment shall have a minimum of sixteen (16) seats for dining; and

(5) Eating and drinking establishment(s) shall not provide drive-thru or drive-up services to patrons. "Drive-thru" and "drive-up" shall mean service to on-premises patrons who do not enter the restaurant/patio area, but rather receive service through a drive-up window and/or receive food service in their automobiles.

Further Section 405.470 Conditional Uses provides additional regulations for eating and drinking establishments for the "MX" District.

Section 405.470 Conditional Uses

14. Eating and drinking establishments. Shall be located on sites of not less than two (2) acres with the following exceptions:

c. In the "MX" District restaurants cannot be located on sites that adjoin or abut property within an "A", "B", "C" or "D" Single-Family Residential District or that adjoin or abut property within an "AR" Attached Single-Family Residential District used for attached single-family dwellings including town homes or duplexes but excluding multi-family dwellings.

The requested change would be to Section 405.340(2)(b)(3) as follows:

b. Eating places (all uses within SIC code 5812 except as limited below) including:

(3) Eating and drinking establishments shall ~~not occupy more than twenty-five percent (25%) of the approved building square footage for the building~~

> *~~footprint~~ only be allowed on sites that have adequate parking to support such establishments, and a single eating establishment shall not exceed three thousand five hundred (3,500) square feet in size;*

All other requirements would remain in place including those for the conditional use permit.

DISCUSSION

Comprehensive Plan Review:

Currently, the "MX" District is located only in the West Olive Corridor Area of the Comprehensive Plan, where commercial development is intended to form a neighborhood business district with small retail/restaurants and specialty shops with second floor offices. The district, as it exists today, provides a mix of restaurants, retail, funeral home, offices, and banking facilities. The proposed text amendment would not likely alter this mix within the district to a significant degree. The character of the district lies in the quality of the site planning and architecture that is analyzed through the site development plan process.

Zoning Regulations:

The stated purpose of the "MX" District is:

> "… to encourage the redevelopment of under-developed areas of the City which are designated as mixed use by one (1) of the City's land use plans. This redevelopment shall be accomplished through compliance with the provisions of this Section. The "MX" District is further intended to ensure high quality future development through the use of site development plan approval procedures which provide for specific consideration of access, parking, drainage, landscaping and design factors. Specifically, the district is intended to:
>
> 1. Relate the development of retail, office and multi-family residential uses servicing both a City-wide and subregional service area to an adopted development plan for the area including land use phasing and public improvement elements.
> 2. Encourage site consolidation and an orderly, phased pattern of development and redevelopment.
> 3. Induce and ensure high quality future development through the use of site development plan approval procedures which provide for the specific consideration of access, parking, drainage, landscaping and design factors."

The intent of the district and character of the development is established through the quality of the site planning and quality of the architecture reviewed under the site development plan process. The coming and going of individual tenants within the development will not significantly affect those characteristics. For those uses that could create an impact, they are further reviewed through the conditional use permit process, which looks at specific uses in relation to the site. All restaurants in the City require a conditional use permit with Planning and Zoning Commission's review and City Council approval, where site related issues, including parking, are examined. There is no reason to believe that the applicant's property, or any future expansion of the MX district, would be out of character for the district as long as the purpose of the district are maintained in the design, rather than the designed being tailored to one use (restaurant).

CONCLUSION AND ACTION

The MX District has been set up to establish the neighborhood character through the site development plan review process, where all aspects of the development are examined to ensure that any development meets with the intent of the Comprehensive Plan, Design Guidelines, and the district regulations of Zoning Code, including site coverage and landscaping, are met. The quality of the site development plan and architecture establishes the character of the development. Which individual tenants within a building come and go would not likely alter this character. For those uses that are already known to have potential impact; the City reviews those on an individual basis through the conditional use permit process that specifically looks at the site characteristics, vis-à-vis the use. Thus, in Staff's opinion the limit of the 25% seems unnecessary, when all other site related conditions are examined under a separate process.

Similarly, as parking is examined as part of the conditional use permit process, the proposed wording is redundant; therefore, Staff recommends the following text amendment:

> *b. Eating places (all uses within SIC code 5812 except as limited below) including:*
>
> *(3) A single eating and drinking establishments shall ~~not occupy more than twenty-five percent (25%) of the approved building square footage for the building footprint only be allowed on sites that have adequate parking to support such establishments, and a single eating establishment shall~~ not exceed three thousand five hundred (3,500) square feet in size;*

MOTION

If the Planning Commission has chosen to accept the draft ordinance as written, the following would be a suitable motion for this application:

"I move to recommend approval of Application #12-011, as modified to include only a text amendment to eliminate the limit of eating and drinking places to 25% of the total building square-footage, as described in the staff report dated May 18, 2012."

APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

BILL NO. _____ **ORDINANCE NO. _____**

AN ORDINANCE AMENDING CHAPTER 405, THE ZONING ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI, BY ELIMINATING THE LIMIT OF EATING AND DRINKING ESTABLISHMENTS TO TWENTY-FIVE PERCENT (25%) OF BUILDING SQUARE FOOTAGE IN "MX" MIXED USE ZONING DISTRICT

WHEREAS, All eating and drinking establishments in the MX District are permitted with conditions per Section 405.340(C); and,

WHEREAS, Stanley Wallach, representing Shoppes at Westgate, LLC, has submitted a request to consider certain amendments to Section 405.340(2)(b)(3) to eliminate the current limit on eating places to no more than 25% of the approved building square footage, and to permit eating places without such limit through the conditional use permit process; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for an amendment to the provisions of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on Monday, May 21, 2012, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of _____ recommended approval of the subject amendments at its meeting on Monday, May 21, 2012; and,

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

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the City Council; and the Bill was read by title in open meeting two times before final passage by the City Council; and,

WHEREAS, the City Council being fully informed finds that amending the City Code of Ordinances would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and in the public interest.

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

SECTION 1: Section 405.340 (C)(2)(b) shall be to amended to eliminate the limit of restaurants to 25% of the building square footage within the "MX" Mixed Use Zoning District, as follows:

Section 405.340 'MX" Mixed Use District

C. Conditional Uses. The City Council may authorize any of the following uses through the issuance of a conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the

Planning and Zoning Commission and subject to such restrictions and conditions as are deemed necessary or appropriate.

2. On Class 2 properties (parcels between three (3.00) and three and ninety-nine hundredths (3.99) acres) and on Class 3 properties (parcels larger than four (4.00) acres):
   a. All conditional uses permitted on Class 1 sites.
   b. Eating places (all uses within SIC code 5812 except as limited below) including:
      (1) Eating and drinking establishment(s) shall be located on sites of not less than two (2.0) acres;
      (2) Eating and drinking establishment(s) shall be located on the ground floor of the structure;
      (3) A single eating and drinking establishment shall not ~~occupy more than twenty-five percent (25%) of the approved building square footage for the building footprint and a single eating establishment shall not~~ exceed three thousand five hundred (3,500) square feet in size;
      (4) Each eating and drinking establishment shall have a minimum of sixteen (16) seats for dining; and
      (5) Eating and drinking establishment(s) shall not provide drive-thru or drive-up services to patrons. "Drive-thru" and "drive-up" shall mean service to on-premises patrons who do not enter the restaurant/patio area, but rather receive service through a drive-up window and/or receive food service in their automobiles.

SECTION 4: All ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

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

ADOPTED THIS ____ DAY OF _____, 2012.

_____
ROBERT HOFFMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2012.

_____
BARRY GLANTZ
MAYOR

ATTEST:

_____
DEBORAH RYAN, MRCC
CITY CLERK

File # 12-011

city of CREVE COEUR

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PLANNING AND ZONING COMMISSION AGENDA APPLICATION
TEXT AMENDMENT

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:	*Applicant's Representative (if applicable):*
Shoppes at Westgate, L.L.C *Name*	Stanley J. Wallach, Esq. *Name*
Company (If Applicable)	The Wallach Law Firm *Company (If Applicable)*
1133 Olivette Executive Parkway *Address*	Three City Place Drive, Suite 1070 *Address*
St. Louis, Missouri 63132 *Address*	St. Louis, Missouri, 63141 *Address*
Telephone #	*Telephone #* 314-997-4050
Fax #	*Fax #* 314-997-3805
Email:	*Email:* swallach@wallachlawfirm.com

Applicant's Status (Indicate one):

_____ City Official (Mayor, City Councilor, Planning Commissioner, Zoning Administrator)

X Private Party (Financial, contractual, or proprietary interest)

_____ Other Governmental Interest (Jurisdiction: _____)

The undersigned hereby requests to be placed on the Agenda for the Planning and Zoning Commission meeting at 7:00 P.M. on Monday, May 21, *20*12.

Applicant's Signature

Applicant's Representative's Signature

Date

March 28, 2012
Date

*File #*_____

Description of Request (attach additional sheets as needed):

See Attached

Affected Section(s) of the Zoning or Subdivision Code:

Zoning Code Section 405.340

Proposed Ordinance Language (attach additional sheets as needed):

See Attached

Office Use Only	
____ Proposed Ordinance Language	Received By:
____ Fees Paid	_____
____ Written Justification	Date: _____

Paul Langdon, AICP, Director of Community Development
Pat Rosenblatt, Secretary (872-2501)

Revised: 1/09

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MAR 28 2012
PLANNING DEPT.

Petition for Text Amendment
City of Creve Coeur
Zoning Code Section 405.340
Application of the Shoppes at Westgate, L.L.C.

Request

The applicant seeks to amend the MX Zoning Code provisions to eliminate the current limit on eating places to no more than twenty-five percent (25%) of the approved building square footage for the building footprint, and to permit eating places without such limit through the conditional use permit process.

Current Code Provisions

The Code currently permits eating places in the MX District as conditional uses so long as certain criteria are met, including the restriction that such establishments occupy no more than 25% of the square footage of the building footprint.

Reason for Request

The Shoppes at Westgate is a center located at 12430 Olive Boulevard. Current tenants include an Imo's pizza establishment occupying approximately 2,380 square feet, and a Cold Stone Creamery establishment occupying approximately 2,073 square feet. While neither of these establishments is of the nature of a traditional "sit down" restaurant, they each are considered eating places for purposes of the square footage calculation. The entire building footprint of the center is 18,452 square feet, so that eating places currently occupy 24% of the footprint.

There is a vacancy in the center. The owner has received interest from prospective tenants, including one that is interested in operating a sandwich shop in the space, and another that is interested in operating a donut bakery business. The available unit is 1,996 square feet. If either such use were considered an eating place and if added to the other two eating places, the total square footage of eating places in the center would be 6,449 square feet, or 35% of the building footprint, which is above the current limit of 25%.

In order to maximize the utility of properties in the MX District, and to provide the City more flexibility in considering proposed uses in the District, the Applicant seeks an amendment to the Code eliminating the 25% limit and permitting eating places through the conditional use permit process.

RECEIVED
MAR 28 2012
PLANNING DEPT.

Proposed Ordinance Language

The Applicant proposes that the City enact a text amendment, so that Section 405.340(C)(1) reads as follows (change in **bold**):

1. On **all properties within the "MX" District**:
    a. Public utility substations, distribution facilities and distribution cabinets.
    b. Roof-mounted communication equipment.
    c. Funeral services (all uses within SIC Code 726 except crematories).
    d. Communication towers.
    e. Eating Places (all uses within SIC Code 5812 except as limited below) including:
    (1) Eating and drinking establishment(s) shall be located on sites of not less than two (2.0) acres;
    (2) Eating and drinking establishments shall be located on the ground floor of the structure;
    (3) Eating and drinking establishments **shall only be allowed on sites that have adequate parking to support such establishments,** and a single eating establishment shall not exceed three thousand five hundred (3,500) square feet in size;
    (4) Each eating and drinking establishment shall have a minimum of sixteen (16) seats for dining; and
    (5) Eating and drinking establishment(s) shall not provide drive-thru or drive-up services to patrons. "*Drive-thru*" and "*drive-up*" shall mean service to on-premises patrons who do not enter the restaurant/patio area, but rather receive service through a drive-up window and/or receive food service in their automobiles.

Subsection (e) above is currently subsection (b) under Section 405.340(C)(2). If the text amendment is approved, the Applicant suggests that it would be appropriate to delete current Section 405.340(C)(2) in its entirety.

city of CREVE COEUR

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APPLICATION TO PLANNING AND ZONING COMMISSION #12-012 FOR A NEW CONDITIONAL USE PERMIT FOR DELI FRESH CENTSABLE SUBS D/B/A/ GOODCENTS LOCATED AT 623 N. NEW BALLAS ROAD

FOR THE MEETING OF: May 21, 2012

LOCATION: 623 N. New Ballas Road

REQUEST:
Ted Thomas, of Design Worx, on behalf of Brian Gambino, of Deli Fresh Centsable Subs, has submitted a request for a conditional use permit for a 1,700 square-foot eating and drinking establishment, at 623 N. New Ballas Road. Maximum seating will be 44 interior seats. The property is currently zoned "CB" Core Business District. The applicant is not proposing any changes to the exterior of the building or site.

ADDITIONAL INFORMATION:
All eating and drinking places are permitted with conditions in the "CB" Core Business District [Section 405.370(C)(1)(g)]. Section 405.470, Conditional Uses, limits restaurants in the "CB" District that are located within retail or office buildings, to no more than 25% of the building square footage.

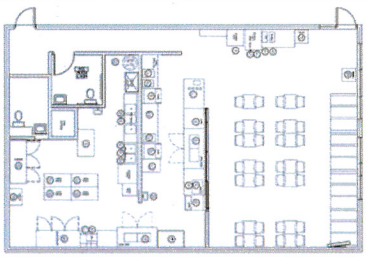
Key Issues:
- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?

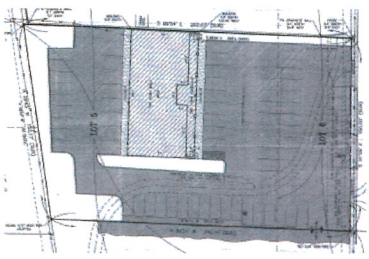
Comp. Plan References
- Health and Connectivity Goals
- Design Guidelines: Streetscape/Pedestrian Orientation

Zoning Code References
- Section 405.370 "CB" Core Business District
- Section 405.470 Conditional Uses
- Section 405.820 Required Off-Street Parking Spaces

APPLICANTS: Brian Gambino
Deli Fresh Centsable Subs
1021 Lafayette Place
Lake St. Louis, MO 63367

REPRESENTATIVE: Ted Thomas, Architect
Design Worx
7909 Big Bend Road
St. Louis, MO 63119





REPORT PREPARED BY:

Whitney Kelly, AICP, City Planner — 5/17/2012 Date

ATTACHMENTS: Applicant's Materials received March 29, 2012
Draft Ordinance
Approved Landscape Plan dated June 16, 1969

BACKGROUND AND ZONING HISTORY

The property is located at 623 N. New Ballas Road within the Ballas Building between Studt and Old Ballas Roads, and is currently zoned "CB" Core Business District. The new 1,700 square foot restaurant will be the only restaurant in the 8,914 square-foot building. The proposed maximum interior seating is 44. The other uses include a mix of offices, a Pilates studio, and a hair salon, (see parking discussion for full list). The applicant is not proposing any changes to the exterior of the building or site.

The building, originally developed in 1968 as an office building, has legally pre-existing site related non-conformities. A landscape plan for the site was approved in 1969.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Mercy Medical Clinic	"CB" Core Business	N/A
South	The Hive Restaurant	"CB" Core Business	NA
East	King's Landing Development	"CB" Core Business	N. New Ballas
West	Plaza Motors Used Car Lot	"CB" Core Business	NA

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Central Business District that encourages a mix of uses including retail, residential, government, and park uses. The proposed use will fill a vacant space in a building that was originally developed for, and still contains, a variety of uses. Therefore, the request meets with the Goals and Objectives of the Comprehensive Plan.

ZONING REVIEW

Restaurants are permitted with conditions in all commercial zoning districts within the city, and the applicant is leasing space within the Ballas Building that has a mix of office and retail. The proposal meets all the zoning requirements, however, the following items warrant specific discussion.

Use Intensity:

Section 405.470.14.b. limits restaurants to no more than 25% of the building square footage in the Core Business, Planned Office, Planned Community, and Light Industrial zoning districts. The proposed 1,700 square-foot sandwich shop will be the only restaurant within the building which will consist of 19% of total building square footage, well within the allowable requirement.

Parking:

Parking regulations for restaurants are discussed under Section 405.820(F)(5) Required Off-Street Parking Spaces: One (1) parking space per every three (3) seats of maximum occupancy recorded under the conditional use permit plus one (1) parking space per every two hundred fifty (250) square feet of total building floor area plus one (1) parking space per each eight (8) seats in an outdoor seating area. Based on the submitted floor plan, the required parking for the proposed use is a total of 22 parking spaces.

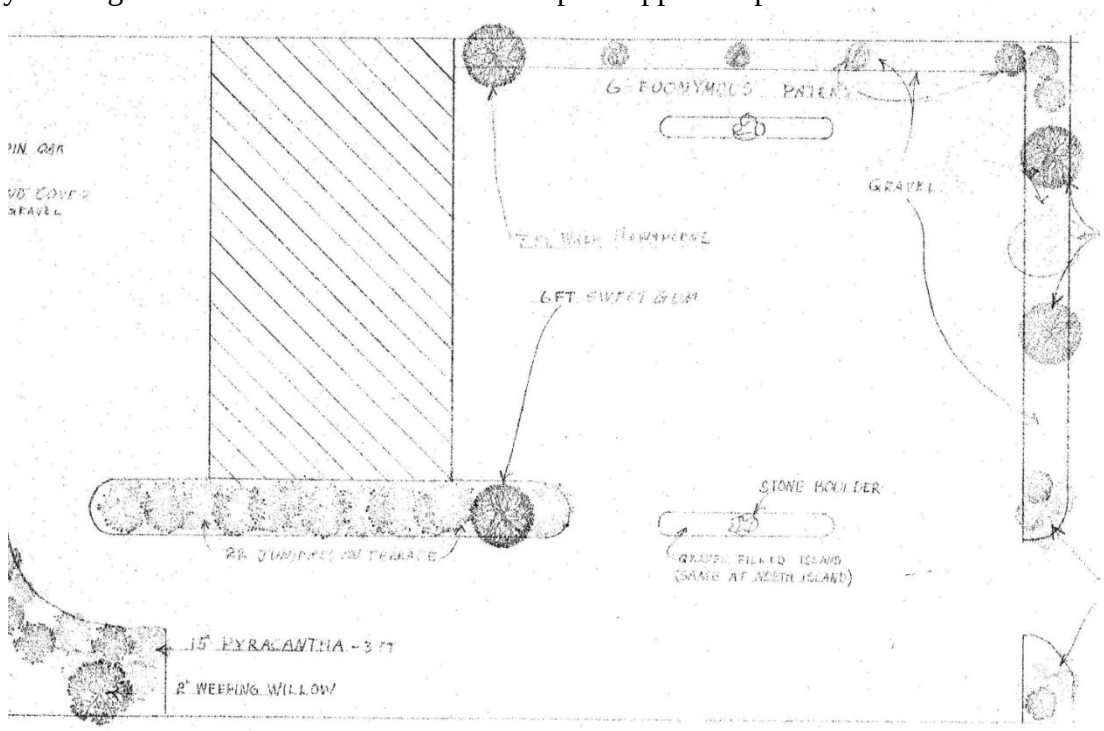
The applicant has submitted the following rent roll for the building:

	Parking Required
Salon Studio, 2592 sq. ft.	1 space/ 100 sq. ft.=26
Yelena's Fashon Fit, 538 sq. ft.	1 space /300 sq. ft.=2
Body Mind and Soul Pilates, 1504 sq. ft.	1 space/200 sq.ft.=8
Office uses are below:	4 spaces/1,000 sq. ft. leasable floor area

Dr. Harvey Liebhaber, 336 sq. ft.
JMH Investments, 336 sq. ft.
Elegant Celebrations, 390 sq. ft.
Bea Amato, 380 sq. ft.
M. Haley Design, 295 sq. ft.
Fox Locket Jewelry, 295 sq. ft.
Total Office Floor Area: 2,032 sq. ft.

Section 405.820(A)(1) allows for office development (including general offices, banks and savings and loans and together finance-related services and medical and dental offices) to calculate parking as 85% of the gross leasable floor area. Parking requirements for office uses is 4 stalls per 1,000 sq. ft. of gross leasable floor area for buildings less than 15,000 sq. ft. Thus the required total parking for the office uses is 7 spaces [(2,032x0.85)/100x4=6.92 or 7 spaces]. The total parking required for all uses including the proposed restaurant is 65 spaces. The site has a total of 69 parking spaces available.

Code Compliance Issues:
A landscape plan was approved in 1969 that includes landscaping along Ballas Road, two landscaped islands in the parking lot, and landscaping along the south building façade that largely no longer exists. Below is a detail of the prior approved plan.



Staff recommends that a condition of approval include replacing the landscaping in substantial compliance with the approved landscape plan prior to the issuance of an occupancy permit.

RECOMMENDATION

Based on the above analysis, the request for a conditional use permit meets all of the requirements of the Comprehensive Plan and Zoning Ordinances. Staff recommends approval subject to the conditions below which are included in the draft ordinance:

1. The conditional use permit shall be for the operation of 1,700 square-foot eating and drinking establishment at 623 N. New Ballas Road.
2. Maximum seating permitted is limited to 44 seats indoors.
3. Hours of operation shall be 10:00am to 9:00pm Monday through Saturday, and 11:00am to 7:00pm Sunday. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, the catering of special events.
4. Employee parking, delivery and company vehicles shall be parked behind the building or as far from the public right-of-way as possible.
5. The applicant shall replace all landscaping in substantial compliance with the approved Landscape Plan dated June 16, 1969, prior to the issuance of an occupancy permit.
6. The site shall be maintained in accordance with the existing landscape plan, except as specifically approved by the Director of Community Development.
7. Approval of the modifications to the landscape plan shall be based on the conformance with the goals and objectives of the Comprehensive Plan and Design Guidelines.
8. An underground irrigation system shall be installed and maintained to serve new landscaped areas identified on the landscape plan.
9. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
10. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

ACTION

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

MOTION

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

"I move to recommend approval of Application #12-012 for a Conditional Use Permit for a eating and drinking establishment located at 623 N. New Ballas Road, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of May 21, 2012" (conditions may be added, eliminated, or modified by preceding motion).

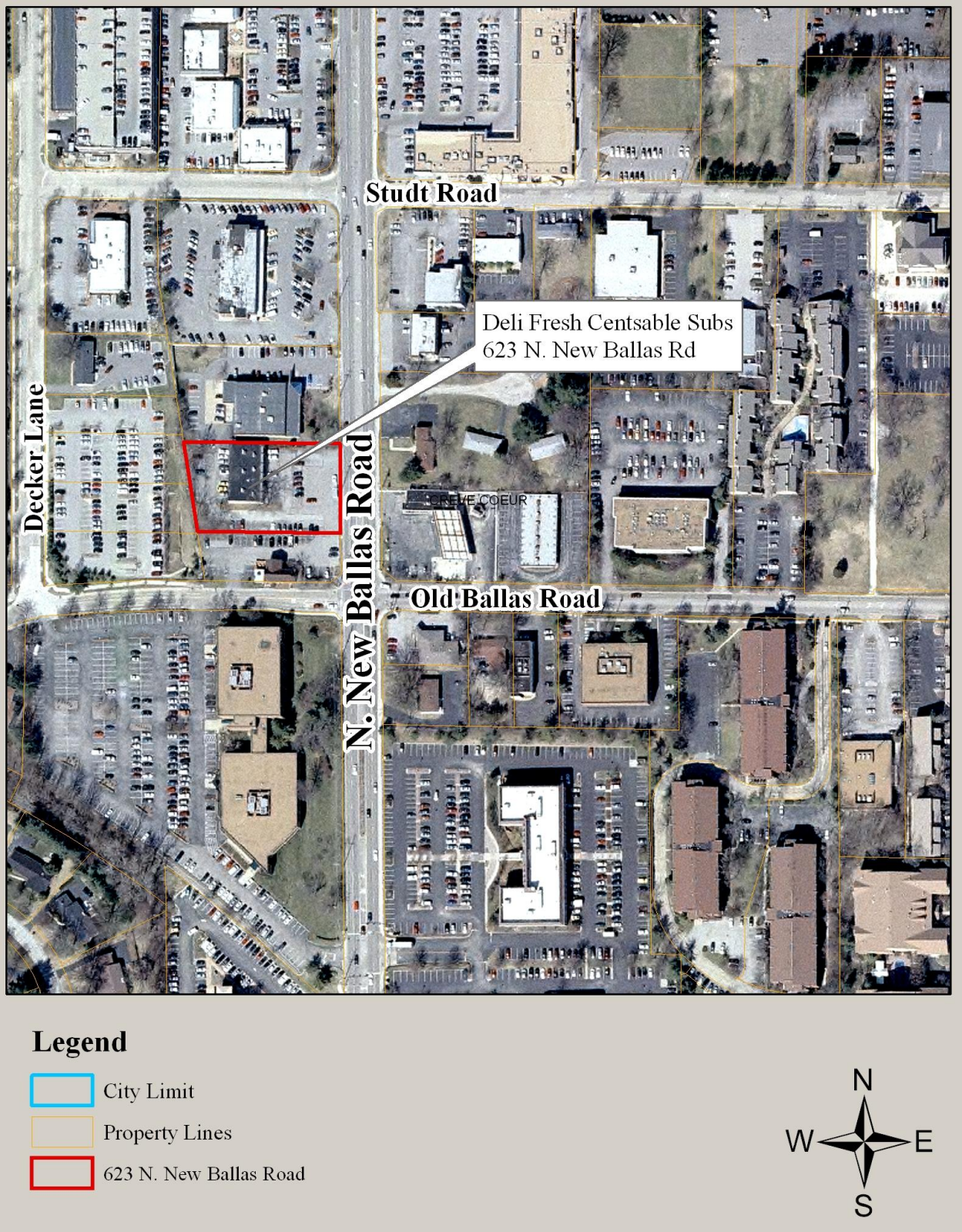
APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO



APPENDIX 4: SITE PHOTOGRAPHS	Photo Date: 06/14/2012
	Description: View of 623 N. New Ballas looking northwest from Ballas Road. Note the absence of the parking lot landscape islands.
	Description: View of the tenant space for the proposed sandwich shop looking northwest from the parking lot. Notice the lack of landscaping within the greenspace next to the building.
	Description: View looking east from the tenant space towards Kings Landing Development. Notice the lack of landscaping in the greenspace along N. New Ballas Road, and the lack of the landscaped island in the parking lot.

DeZignWorX

Consultants In association with...

Theodore Thomas
ARCHITECT
7709 Big Bend
St. Louis, Mo. 63119

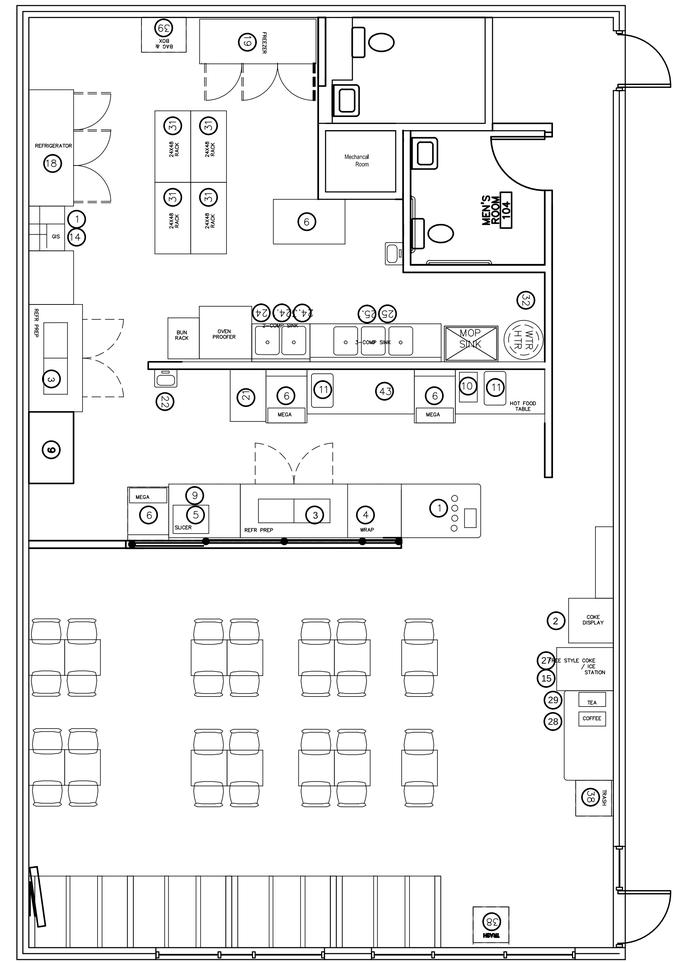
7709 Big Bend Blvd. St. Louis, Mo. 63119
314-313-0208 Fax: 314-985-0608

GOODCENTS deli fresh subs

623 North New Ballas
Creve Coeur, Mo.

KITCHEN EQUIPMENT SCHEDULE

EQUIP NO.	DESCRIPTION	MANUFACTURER	MODEL NO.	REMARKS
1	CASH REGISTER	SHARP	UP-700	ISOLATED, DEDICATED
2	COKE / SALAD DISPLAY	BEV-AIR	BZ-13	
3	PORTABLE REFRIGERATED PREP TABLE	TRUE FOOD SERVICE EQUIPMENT INC	TSSU-72-30M-B-ST	-
4	36" X 36" WORK TABLE	SSP	WT36S36-STG	HEAVY GA. (2) UNDER SHELVES
5	SLICER	HOBART FOOD EQUIP.	2612	-
6	BIG TOP SANDWICH REFRIDGERATED TABLE	VICTORY	VUR-3-BT	-
7	30" X 36" WORK TABLE	SSP	WT30S36-STG	HEAVY GA. (2) UNDER SHELVES
8	MICROWAVE OVEN	PANASONIC	RCS10MPA	-
9	30" X 48" WORK TABLE	SSP	WT30S48-STG	HEAVY GA. (2) UNDER SHELVES
10	FOOD STEAMER	ROUNDUP VARIETY STEAMER	VS-350	WATERLINE AND BACKFLOW TWISTLOCK
11	FOOD WARMER	VOLLRATH	38116	-
12	36" X 48" WORK TABLE	SSP	WT36S48-STG	HEAVY GA. (2) UNDER SHELVES
13	BREAD PROOFER	MOFFAT	E85-12HLD	WATER LINE (BACK STOP W/ 1/2" BARB. FITTING)
14	PORTABLE G.I.S. INFO STATION	INFOSOFT	-	ISOLATED, DEDICATED
15	ICE MACHINE / BIN	MANITOWAC	QY0454A/S400	-
16	BAKING OVEN	MOFFAT	E-35	4 WIRES (STRAIGHT BLADE), ELECTRICIAN TO INSTALL PWR. CORD
17	BUN RACK	METRO	RE3	
18	REACH-IN REFRIGERATOR	TRUE FOOD SERVICE EQUIPMENT INC	T-72	-
19	REACH-IN FREEZER	TRUE FOOD SERVICE EQUIPMENT INC	T-72F	STRAIGHT BLADE
20	WORK TABLE			
21	COOLER	TRUE FOOD SERVICE EQUIPMENT INC	T-19G	-
22	HAND SINK	SSP	EHS-14	REFER TO PLUMBING FIXTURE SCHEDULE
23	CERAMIC HOTPLATE	WELLS	HC-125	-
24	2 COMPARTMENT SINK	SSP	2C1620-0	GARBAGE DISPOSAL
24.1	FLEX HOSE	T&S BRASS AND BRONZE WORK	B-0133-B	-
24.3	GARBAGE DISPOSAL	EMERSON IN-SINK ERATOR	LC-50	-
25	3 COMPARTMENT SINK	SSP	3C1620-2-18	-
25.1	FAUCET	T&S BRASS AND BRONZE WORK	B-0230-LN	-
26	MENU BOARD (42" HIGH)	-	-	-
27	SODA DISPENSER	-	-	-
28	COFFEE MAKER	-	-	-
29	TEA DISPENSER	CORNELIUS	3	-
30	MOP SINK 24" x 36"	-	-	REFER TO PLUMBING FIXTURE SCHEDULE
31	STORAGE RACKS 24" X 48"	ADVANCED TABCO	-	-
32	WATER HEATER	-	50 GAL	REFER TO PLUMBING FIXTURE SCHEDULE
33	PHONE AND FAX STATION	-	-	PLASTIC LAMINATE SHELF 16" X 20"
34	BEVERAGE STATION CABINETRY	-	-	-
35	FRONT LINE CABINETRY	-	-	-
37	CHIP RACK	-	-	-
38	TRASH BIN	OLYMPIC CABINETS	-	-
39	BAG & BOX	-	-	-
40	24" X 36" WORK TABLE	SSP	WT24S48-STG	-
41	24" X 24" WORK TABLE	-	-	-
42	30" X 60" WORK TABLE	-	-	-
43	TOASTER OVEN	TURBO CHEF	HIGH h BATCH 2	
44	TEA TOWER	-		-
45	COCA-COLA FREE-STYLE CREW SERVE DISPENSER	-		-
46	COCA-COLA FREE-STYLE SELF SERVE DISPENSER	-		-
47	KDS PANEL	-		-
48	HEADSETS	-		-
T1	24" X 30" DINING TABLE	-		-
T2	36" ROUND DINING TABLE	-	-	-
T3	DINING CHAIRS	-	-	-
T4	30 X 48 DINING TABLE	-	-	-



FLOOR PLAN

SCALE: 1/4"= 1'-0"

PARKING
TOTAL SEATS FOR MR. GOODCENTS: 44
TOTAL EMPLOYEES - MAX PER SHIFT: 4

drawing	information
issue dates:	-
PRELIM DATE:	03-08-2012
REVISION:	
FINAL DWGS:	----
project:	12-007
drawn:	
file:	

SHEET NUMBER

A-101

DeZignWorX

Consultants In association with...

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St. Louis, Mo. 63119

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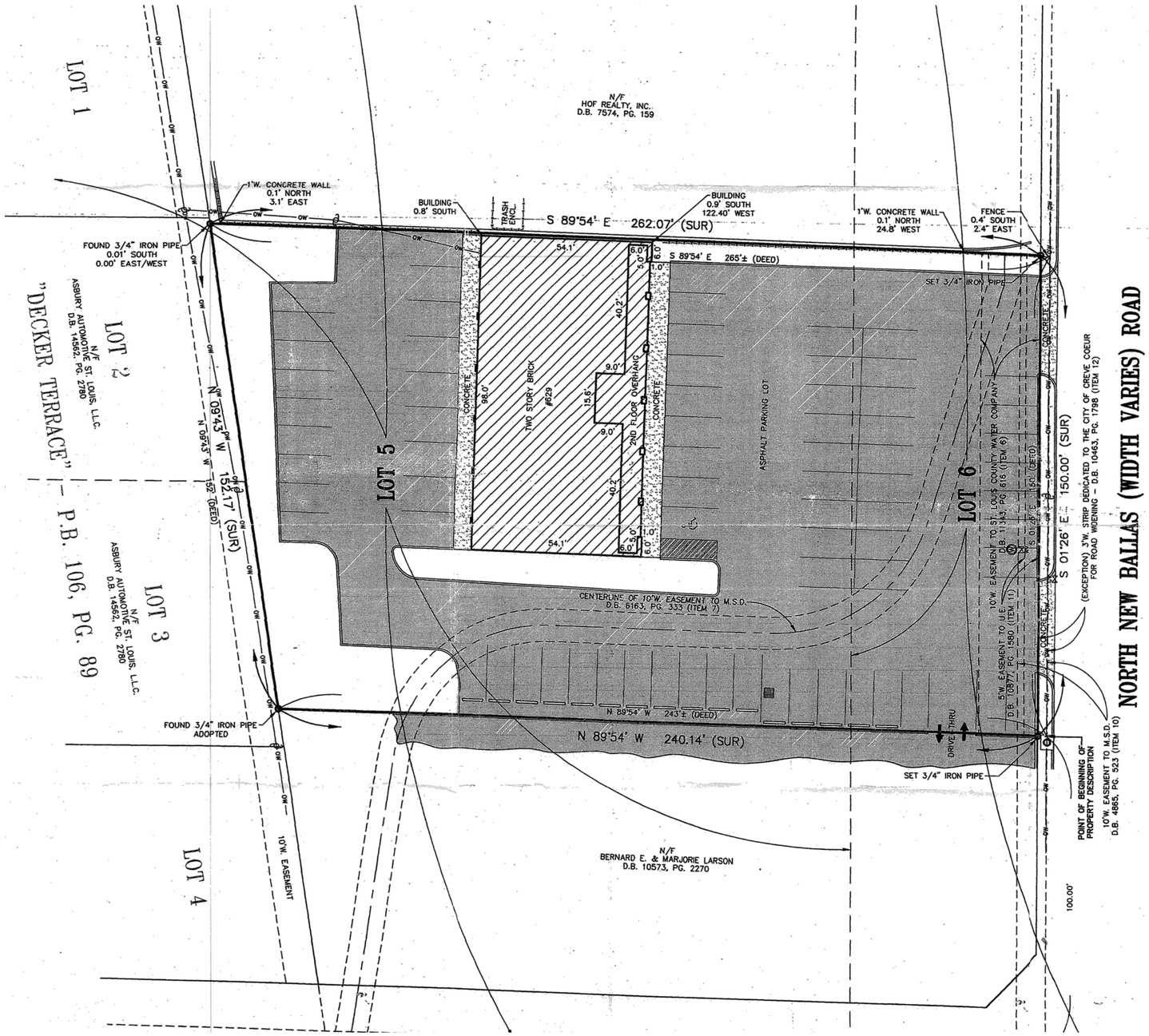
314-313-0208 Fax: 314-963-0603

Goodcents deli fresh subs

623 North New Ballas
Creve Coeur, Mo.



SITE PLAN

SCALE: N.T.S.

PARKING
TOTAL PARKING AVAILABLE: 69 SPACES
TOTAL BUILDING LEASE AREA: 8,914 S.F.
TOTAL AREA FOR MR. GOODCENTS: 1,700 S.F.
TOTAL SEATS FOR MR. GOODCENTS: 44
PARKING USED BY OTHER TENANTS: 16
PARKING AVAILABLE TO MR GOODCENTS: 53

drawing	information
Issue dates:	–
PRELIM DATE:	03-08-2012
REVISION:	
FINAL DWGS:	-----
project:	12-007
drawn:	
file:	

SHEET NUMBER

SITE

BILL NO. _____ **ORDINANCE NO. _____**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A 1,700 SQUARE-FOOT EATING AND DRIKING ESTABLISHMENT LOCATED AT 623 N. NEW BALLAS ROAD

WHEREAS, under Section 405.370(C), all eating and drinking places in the "CB", Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Ted Thomas, of Design Worx, on behalf of Brian Gambino, of Deli Fresh Centsable Subs, for a conditional use permit for a 1,700 square-foot eating and drinking establishment, at 623 N. New Ballas Road; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, May 21, 2012, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a ____vote, recommended approval of the improvements, subject to the conditions contained herein, at its meeting on May 21, 2012; and

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

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

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

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

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a restaurant located at 623 N. New Ballas Road, in the "CB" Core Business zoning district, within the "Ballas Building" whose legal description is as follows:

Part of lots 5 and 6 of Studt's Home Place, a subdivision in St. Louis County, Missouri, as per plot thereof recorded in Plat Book 7 Page 38 of the St Louis County Records, and described as follows:

Beginning at a point in the West line of New Ballas Road, 60 feet wide, as established by Order of the County Court of St. Louis County, Missouri, recorded in Book 1150, Page 56 of the St Louis County Records, that is North 1 degree 26 minutes West, 100 feet from the North line of a 20 foot wide private road on the South of said Lots 5 and 6; thence North 89 degrees 54 minutes West, 243 feet, more or less, to a point in the West line of a tract conveyed by Deed recorded in Book 2499 Page 344 of the St Louis County Records; thence along said West line, North 9 degrees 43 minutes West, 152 feet to a point; thence South 89 degrees 54 minutes East, 265 feet, more of less, to a point in the said West line of New Ballas Road; and thence along said West line, South 1 degree 26 minutes East, 150 feet to the point of beginning. EXCEPTING THEREFROM that part dedicated to the City of Creve Coeur for road purposes in Book 10463, Page 1798.

Section 2: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The conditional use permit shall be for the operation of 1,700 square-foot eating and drinking establishment at 623 N. New Ballas Road.
2. Maximum seating permitted is limited to 44 seats indoors.
3. Hours of operation shall be 10:00am to 9:00pm Monday through Saturday, and 11:00am to 7:00pm Sunday. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, the catering of special events.
4. Employee parking, delivery and company vehicles shall be parked behind the building or as far from the public right-of-way as possible.
5. The applicant shall replace all landscaping in substantial compliance with the approved Landscape Plan dated June 16, 1969, prior to the issuance of an occupancy permit.
6. The site shall be maintained in accordance with the existing landscape plan, except as specifically approved by the Director of Community Development.
7. Approval of the modifications to the landscape plan shall be based on the conformance with the goals and objectives of the Comprehensive Plan and Design Guidelines.
8. An underground irrigation system shall be installed and maintained to serve new landscaped areas identified on the landscape plan.
9. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
10. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
11. The restaurant shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
12. Any mechanical equipment installed for the site shall be properly screened with approved materials.
13. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
14. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit

shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.

15. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
16. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

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

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

ADOPTED THIS ____ DAY OF _____, 2012.

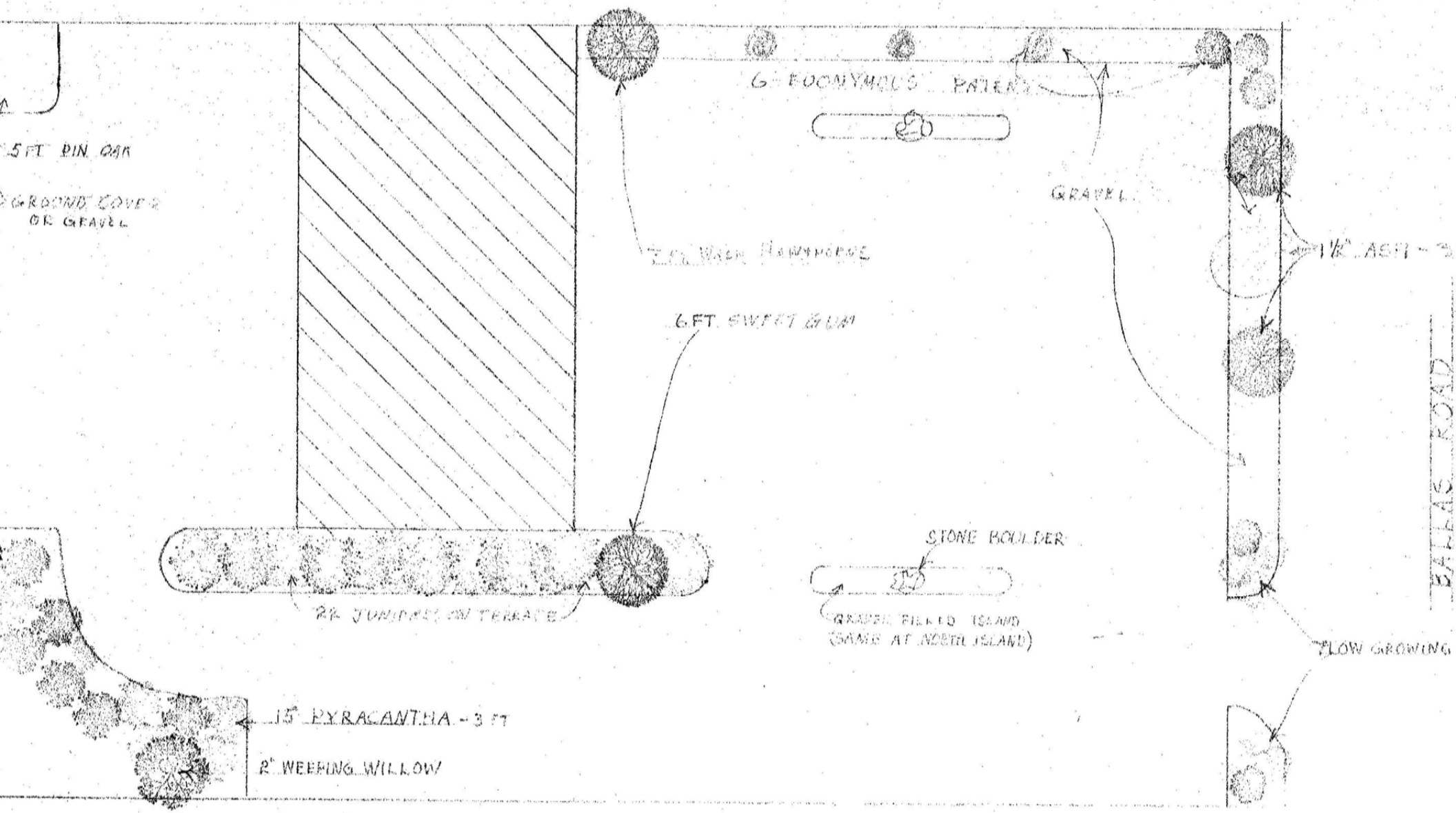
_____
ROBERT HOFFMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2012.

_____
BARRY GLANTZ
MAYOR

ATTEST:

_____
DEBORAH RYAN, MRCC
CITY CLERK


5 FT. PIN OAK
GROUND COVER OR GRAVEL
6 EUCALYPTUS PATENS
GRAVEL
1½" ASH - 3
6 FT. SWEET GUM
STONE BOULDER
GRAVEL FILLED ISLAND (SAME AT NORTH ISLAND)
LOW GROWING
15" PYRACANTHA - 3 FT
2" WEEPING WILLOW

city of CREVE COEUR

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

STAFF REPORT TO THE PLANNING AND ZONING COMMISSION

Meeting Date: May 21, 2012

Subject: Annexation Map Plan Update

Location: City-wide

Requested Action: Review and Approval.

Applicant City of Creve Coeur

Report Prepared by:

Paul Langdon, AICP
Director of Community Development

5/18/2012
Date

Attached: Draft Annexation Map.

BACKGROUND

Annexations in St. Louis County are all governed by a set of regulations promulgated by the St. Louis County Boundary Commission. Except in very limited circumstances where 100% of the affected parties are in full agreement with a proposed annexation, annexations must first be vetted through a submittal to the Boundary Commission; a process that only occurs every five years. As part of this five year review, the Boundary Commission requires a "Map Plan" to be submitted after approval at the municipal level. The Map Plan is a large area map outlining the maximum boundaries that a community **might** consider annexing within the next five years. As described in the Boundary Commission Rules, Map Plans can be later reduced in area, but cannot be expanded. Also, submitting a Map Plan does not obligate the city to actually annex any of the identified areas. It only identifies areas that **could** be considered for annexation by the municipality within the near future. However, without a Map Plan submission, no municipality can annex any property for the next five years except in those limited circumstances identified above. This year the Map Plan submission is due to the Boundary Commission by July 1, 2012.

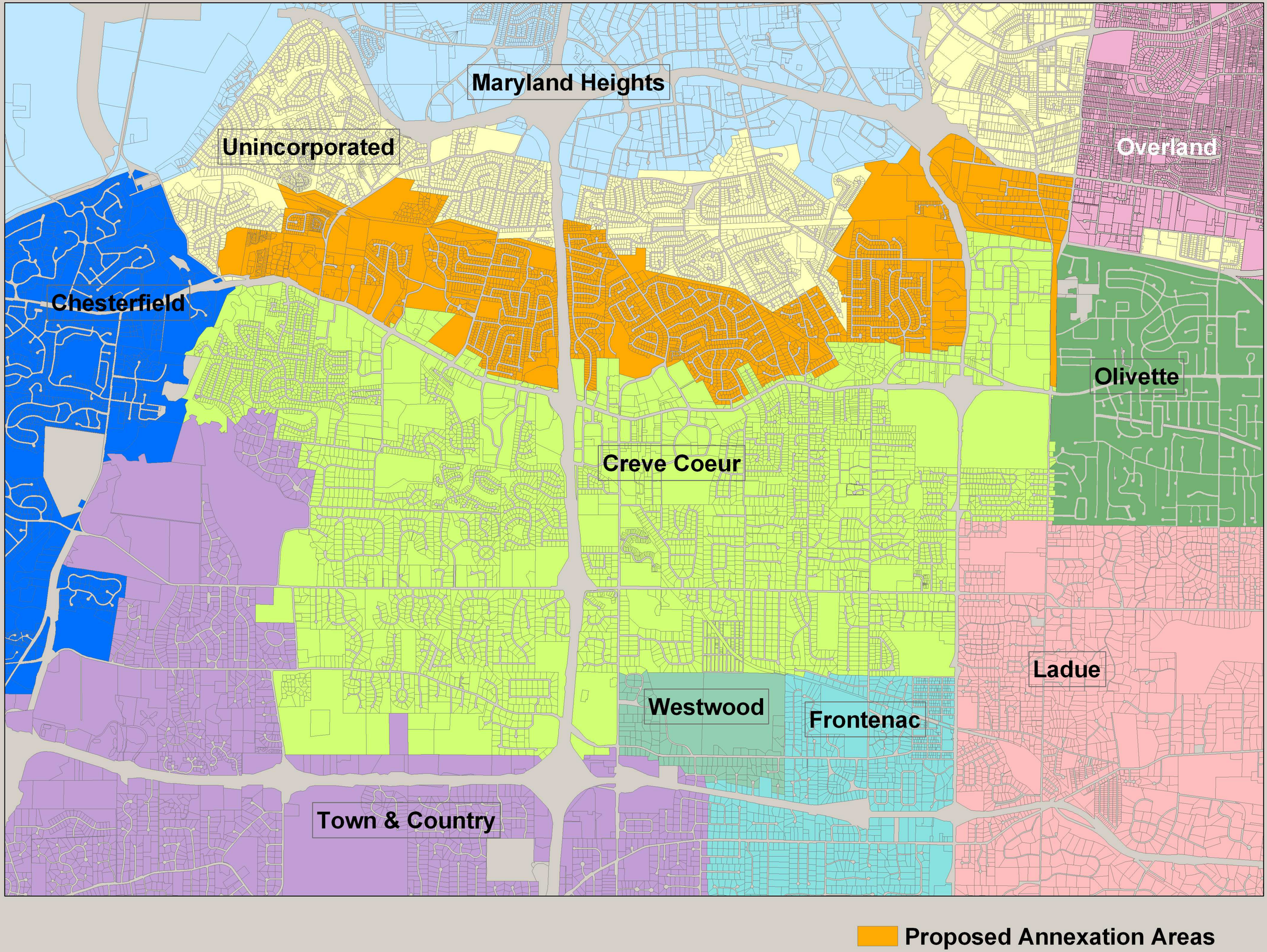
DISCUSSION

The attached draft Map Plan identifies areas north of the city limits between Creve Coeur Mill Road to the west and Warson Road to the east that are currently unincorporated St. Louis County and could be appropriate for annexation. It should be noted that the Map Plan does not propose incorporating all of the area between Creve Coeur and the City of Maryland Heights. Instead, the proposal seeks to delineate a logical boundary principally along the easement containing the St. Louis City and Missouri American water trunk lines. The primary exception to this is in the eastern portion of the city along and east of Dautel Lane forming a connection to the Jewish Community Center (JCC) and then crossing Lindbergh Boulevard to surround the current light industrial area. The JCC is a significant cultural and recreational resource in the community and expanding the light industrial area represents a significant economic development addition to the city.

The only change with this map versus the one about to expire, is that the Old Farm Subdivision has been deleted in the far western map area. In 2007, their trustees expressed opposition to being annexed by the City and the staff see no reason to include it in the 2012 revision of the Map Plan for the following reasons:

- The area does not represent a significant economic development opportunity as it is 100% residential and associated open space.
- It is not along any essential roadways already used heavily by City services and residents.
- It is not situated between the existing corporate limits and another anticipated annexation area.
- It is sufficiently isolated that it does not represent a potential harm to the existing City if it were redeveloped.

All of the other indicated areas do touch on one or more the above-criteria. The members of the Planning Commission are asked to consider the map and suggest any changes they feel may be appropriate. If the Commission is satisfied with the map, a recommendation to the City Council needs to be voted on. The City Council is tentatively scheduled to review the map at their meeting on May 29, 2012, pending the Commission's recommendation.


Maryland Heights
Unincorporated
Overland
Chesterfield
Olivette
Creve Coeur
Ladue
Westwood
Frontenac
Town & Country
Proposed Annexation Areas