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AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, AUGUST 20, 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 meeting on August 6, 2012.

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**

A. #12-022: PUBLIC HEARING CONTINUED

An application for the subdivision and conditional use permit of an assisted living facility for Spectrum Retirement Communities for the property located at 693 Decker Lane.

Applicant/Agent: Michael Longfellow
Spectrum Retirement LLC
200 Spruce Street, Suite 200
Denver CO, 80230

Applicants Representative: Paul Boyer, P.E.
Civil Engineering Design Consultants, Inc.
11402 Gravois Rd., Suite 100
St. Louis, MO 63126

B. #12-001: An application to consider a text amendment for comprehensive revisions to Article VIII Sign Regulations of the Zoning Ordinances.

Applicant/Agent: Paul Langdon, AICP
Director of Community Development
City of Creve Coeur
300 N. New Ballas
Creve Coeur, MO 63141

6. **NEW BUSINESS**

None

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, AUGUST 6, 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, August 6, 2012, 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. Gary Eberhardt, Vice-Chair*
 Dr. Michael Barton
 Mr. James Faron
 Ms. Cynthia Kramer
 Mr. Jim Schnarr

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

2. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

The Agenda was accepted as written.

3. APPROVAL OF MINUTES

Draft Minutes of July 16, 2012

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

4. PUBLIC COMMENT

None

5. UNFINISHED BUSINESS

A. #12-018: Application for approval of a master sign plan for the Saul Mirowitz and B’Nai Amoona Campus at 324 S. Mason Road.

Applicant: Patty Bloom
 Director of Admissions and Marketing
 Saul Mirowitz Jewish Community School

Mr. Michael Rubin, Board President of Saul Mirowitz Jewish Community School, stated Ms. Bloom, Mr. Bluestone, and himself have worked with staff to come to an agreeable solution. Ms. Bloom showed the Commission the new design for the signage and stated the feedback she received from Ms. Kelly, City Planner, was that it was in compliance with the Sign Code. Mr. Rubin also stated B’Nai Amoona has worked cooperatively and are in agreement that the signage is acceptable.

Ms. Kelly stated Saul Mirowitz will not pursue the light-pole banners, therefore the existing ground signs for B’Nai Amoona, a new wall sign for the school, and the two parking directional signs do meet the intent of the Master Sign Plan.

Mr. Schnarr asked if the stone sign at B’Nai will stay in place, and while Mr. Rubin could not speak for B’Nai Amoona, he believed it would remain. Ms. Bloom showed illustrations of what signs will remain and which ones will be replaced. Ms. Kelly, just to clarify, pointed out on the map where the existing signs will stay and where new signs will be placed.

Ms. Kramer motioned to approve the Master Signage Plan for the B’Nai Amoona/Saul Mirowitz Campus, submitted with Application #12-018, subject to the conditions contained in the draft ordinances attached to the staff report for the meeting of August 6, 2012. Mr. Faron seconded the motion, with the resultant vote as follows:

Dr. Barton – aye

Mr. Faron – aye

Ms. Kramer – aye

Mr. Schnarr – aye

Vice-Chair Eberhardt - aye

6. **NEW BUSINESS**

A. **PUBLIC HEARING**

Application #12-019: Application for subdivision and rezoning from “C” Single-Family Residential to “GC” General Commercial and site development plan for the development of a Goddard School for Early Childhood Development at 11224 Olive Boulevard.

Applicant/Agent: Andrew Brown
Brownstone Properties, LLC
635 Trade Center Boulevard
Chesterfield, MO 63005

Mr. Brown explained to the Commission that the Masonic Temple site, where this application was first proposed, did not work out and that is why they are pursuing the site at Olive Boulevard and Mosley Road. Mr. Brown briefed the Commission again on whom and what Goddard School is and what they are seeking from the request, which is a rezoning and a site development plan. Mr. Brown also provided a visual model with pictures and material samples of what is to be used in the site development.

Ms. Kelly explained staff does find this to be an appropriate use for the location. Ms. Kelly also explained there would be the teardown of a home at 11224 Olive Boulevard as well as the home at 842 Mosley, and as indicated by Mr. Brown, the new building is a traditional school house design. The new district boundary will split the property into two districts: “GC” General Commercial and “C” Single-family residential. Staff finds the development meets with the Comprehensive Plan’s design guidelines, however as discussed in the staff report, the

entry element on the front of the home was commercial in nature and did not fit with the overall design, but have discussed with the applicant and they have agreed and submitted a rendering that moves in the direction of the guidelines. Ms. Kelly stated all the Zoning Code requirements are being met in their proposal. Mr. Eberhardt asked if landscaping was an issue and Ms. Kelly replied staff found the landscaping to be well designed, however it is focused at the back of the building. Staff includes a condition that 20% of the plantings be relocated to the front of the property. Mr. Eberhardt also wanted to know what staff's recommendation on the trash enclosure included. Ms. Kelly stated all accessory buildings and structures must maintain the same architectural standard as the main building and have also included that as a condition. Mr. Faron asked about the sidewalk and if it will be pulled back to be in compliance with the pedestrian plan, and Ms. Kelly confirmed. Mr. Faron also asked if the new entrance would be made of stone, and Mr. Brown said it was proposed as stone and they are willing to work further with City Staff to be compliant with the design guidelines.

Mr. David Caldwell, 257 Brooktrail Court, supports the project, but believes the area needs more rezoning as a whole, not lot by lot. Mr. Caldwell thinks this issue should be addressed in the Comprehensive Plan. Mr. Caldwell also asked about vehicle access and cross access. Mr. Langdon explained the school has security concerns, traffic concerns, and the neighboring property owners will not grant access, so it is not feasible.

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

Mr. Faron motioned approval of the boundary adjustment of 11224 Olive Boulevard, 842 Mosley Road and 834 Mosley Road into two lots as discussed in the staff report on Application #12-019, dated August 6, 2012, subject to the condition that a final drawing be prepared for signature and recording. Mr. Schnarr seconded the motion with resultant vote as follows:

Dr. Barton – aye	Mr. Faron – aye	Ms. Kramer – aye
Mr. Schnarr – aye	Vice-Chair Eberhardt - aye	

Mr. Faron motioned approval of the draft rezoning ordinance and site development plan approval attached to the staff report on application #12-019, dated August 6, 2012, subject to the contained therein. Ms. Kramer seconded the motion with resultant vote as follows:

Dr. Barton – aye	Mr. Faron – aye	Ms. Kramer – aye
Mr. Schnarr – aye	Vice-Chair Eberhardt - aye	

B. PUBLIC HEARING

Application #12-021: Application for a new conditional use permit for China King Restaurant located at 12784 Olive Boulevard within the Schnucks Bellerive Plaza Shopping Center.

Applicant: Xiao Bin Chen
China King
12784 Olive Boulevard
Creve Coeur, MO 63141

Applicant's Representative: Ned Amos

Cardinal Plumbing and Construction
10452 Willowdale Drive
Saint Louis, MO 63146

Mr. Ned Amos, Cardinal Plumbing and Construction, 10452 Willowdale Drive, Saint Louis, representing Xiao Bin Chen, owner of China King, stated they were wanting to open a restaurant in the Bellerive Shopping Plaza, at the north end. The restaurant is 32 seats, will be open seven days a week, and is in compliance with all the building requirements.

Ms. Kelly explained to the Commission there will be no exterior renovations, only interior, and there are no parking issues.

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

Mr. Faron motioned the approval of Application #12-021 for a Conditional Use Permit for an eating and drinking establishment located at 12784 Olive Boulevard, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of August 6, 2012. Ms. Kramer seconded the motion with the resultant vote as follows:

Dr. Barton – aye

Mr. Faron – aye

Ms. Kramer – aye

Mr. Schnarr – aye

Vice-Chair Eberhardt - aye

C. PUBLIC HEARING

Application #12-022: Application for the subdivision and conditional use permit of an assisted living facility for the Spectrum Retirement Communities for the property located at 693 Decker Lane.

Applicant: Spectrum Retirement LLC
200 Spruce Street, Suite 200
Denver, CO 80230

Applicant's Representative: Paul Boyer
Civil Engineering Design Consultants, Inc.
11402 Gravois Road, Suite 100
Saint Louis, MO 63126

Mr. Paul Boyer, 11402 Gravois Road, Suite 100, on behalf of Spectrum Retirement, presented the Commission with the site plan of the property. Mr. Boyer stated the building was proposed for 90 assisted living units, 45 parking spaces, and it meets all zoning requirements for the lot as well as site coverage requirements. He acknowledged that there were some coordination issues with the adjacent condominium development. In particular, they had to maintain the emergency access to their parking garage and they would be sharing an underground detention basin. Spectrum will pursue a storm water basin maintenance agreement. Mr. Boyer stated they are in compliance with the overall intended use for the facility.

Mr. Mike Longfellow, 200 Spruce Street, Denver, Colorado, spoke to the Commission about who Spectrum Retirement is and what they do. Mr. Longfellow explained Spectrum is not only a developer but they are also operators. They have 1,200 employees, 8 in development

and the rest are operators. Spectrum is a private company with good funding and allows no subsidized housing. Excluding two properties that Spectrum now has in lease, they are 95% occupied. Mr. Longfellow said it was a good time for senior housing to be developed and Saint Louis is a community Spectrum feels very strong about. Mr. Longfellow also stated the community would be strictly assisted living and memory care; there is no independent living. The two most important things the facility provides to tenants is dining and activities. Mr. Langdon asked Mr. Longfellow to explain more about the residents and assisted living versus memory care and skilled nursing care. Mr. Longfellow explained memory care is the same thing as assisted living except there is more focus on those with dementia. The Memory Care unit would be on the second floor and is a more secured area of the building, but it is not skilled nursing.

Mr. Schnarr asked if the specific numbering of 45 parking spaces was due to the number of units being proposed and splitting that number in half. Mr. Longfellow responded yes and the number of spaces is ample without over parking or having empty spaces.

Mr. Faron asked if there was any other level of care beyond the memory care. Mr. Longfellow replied “no.” He explained that the first floor is primarily common area, second floor is all memory care, and third and fourth floors are all assisted living units.

Mr. Schnarr asked if there was opportunity for additional parking on Sundays when there tends to be more visitors as opposed to other days of the week. Mr. Longfellow explained parking is typically not an issue, but in the past and with other facilities they have asked neighbors if they can use their lots for those days (i.e. Mother’s Day and Christmas holidays). Mr. Longfellow also explained they have a community van and a community car, and that is one way they eliminate traffic into and out of the facility.

Dr. Barton asked if the residents come and go as they please, and Mr. Longfellow responded they can, however they are heavily monitored. The residents are not on a lockdown, but the staff is aware of where their residents are.

Mr. Faron asked if Spectrum has spoken with Summit Lofts or Plaza Motors about buffer areas. Mr. Longfellow stated they had not, but will do so.

Ms. Kelly, City Planner, presented on the application and showed a picture of the views from the street. Ms. Kelly pointed out a couple things Staff found. First, the landscaping on Studt needed to be augmented along the center area to meet design guidelines for pedestrian scale, and, second, the building setbacks are over 15 feet which is beyond the Zoning Code requirement for at least 50% of the building front. She concluded by saying those items are required by corresponding conditions in the staff report.

Mr. Eberhardt asked how many employees would be on-site, to which Mr. Longfellow stated 22 staff at maximum and that is at shift change.

Mr. Tom Prince, 630 Emerson Road, Suite 201, spoke to the Commission and asked them to not approve this application at this time. Mr. Prince is a resident of Summit Lofts and would like the opportunity to discuss with Spectrum their plans on buffering the area by Summit Lofts swimming pool, which is a large concern of theirs. Mr. Prince also spoke on underground drainage, light protection from the garage, sound and safety.

Mr. Carl Bolm, 630 Emerson, also addressed the Commission about the same concerns Mr. Prince has and stated, with proper planning, he believes something can be worked out.

Ms. Lynn Berry, 626 Graeser Road, wanted to know about outside agency people coming to do therapy with residents and how they would address the parking. Mr. Longfellow answered most all of the ADLs are taken care of by in-house caregivers. And in response to the neighbors at Summit Lofts, Mr. Longfellow stated he felt their meeting went well and Spectrum is willing to work with Summit Lofts and the City to get the proper buffer where it is needed.

Mr. David Caldwell, 257 Brooktrail Court, was questioning the setbacks on Decker and why Staff is asking for more landscape on less area.

Mr. Marvin Gelber, 12 Sackston Woods, expressed his concern for the parking proposed stating he does not believe it is enough.

Mr. Langdon addressed the Commission in regards to a potential notification issue the City has with the current mailing addresses. Mr. Langdon believes Summit Lofts did not receive enough notice, in terms of the address list not going to occupied units. Mr. Langdon also addressed the parking concerns brought up and stated if the Commission wants Staff to examine the parking more than what they have, it can be done. In regards to the storm drainage, Mr. Langdon states all the issues are not known. Mr. Langdon pointed out that upon original receipt of the applicant's materials, Staff did address issues with the design, but since then it looks like Spectrum has made some changes to the original design to address those concerns. Mr. Langdon did point out that fixing the parking garage was not the applicant's responsibility as the garage is owned by the residents of Summit Lofts and West Village. Addressing the lighting, Mr. Langdon stated the Zoning Code does have an operational standard that no light be spilled from one property to another beyond 1 foot candle. In regards to the security concerns, Mr. Langdon reiterated the applicant's willingness to install privacy fences and buffers as needed. Finally, regarding the setback concerns, Section 405.240 allows the Planning Commission to adjust front setbacks for consistent right of way. If the Planning Commission wishes to approve the plan submitted, then Mr. Langdon strongly suggests the Commission add a condition to the approval to state they are specifically allowing the front setback in consideration of consistent right of way.

Mr. Eberhardt tried to close the Public Hearing, but Mr. Lumley, City Attorney, recommended it be left open. Mr. Lumley also stated it is apparent there was a deficiency in the public notice, so deferring the hearing to another date to better comply with those requirements was a good idea.

The Commission addressed some more questions in regards to the fence for the pool barrier and Mr. Langdon stated the Commission should engage the applicant if they do not feel Spectrum's plan is sufficient. There was also discussion around residents having their own vehicles, and while it is not prohibited, Mr. Longfellow stated it is discouraged.

Mr. Eberhardt stated he favored postponement of this hearing due to Mr. Lumley's comments and Dr. Barton made a motion to table this application. Mr. Faron seconded the motion which carried unanimously.

7. WORK AGENDA

A. Discussion of SIC to NAICS use coding for residential districts.

The City's summer intern, Vianey Beltran, presented on changes and additions made from the SIC to the NAICS coding for residential districts. Ms. Beltran also provided examples and explained the key to the zoning table. There was discussion about some specific examples.

8. OTHEREBUSINESS

A. Planning Division Report

Mr. Langdon reported Saul Mirowitz, Goddard School, and China King will all be moved to City Council on August 13th, 2012. Mr. Langdon also stated the Sign Code will be brought back to the Commission on the August 20th meeting, as well as Asbury Auto. Mr. Langdon also informed the Commission Mercy and BJC Master Sign Plans and St. Timothy's will be attending and presenting at the September 4th meeting, along with a form-based code discussion.

Mr. Langdon pointed out there were issues with mailing addresses when public notices are being sent out and the fix will be in place shortly when the new GIS system is up and running.

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 9:10 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



city of CREVE COEUR

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APPLICATION TO PLANNING AND ZONING COMMISSION

#12-001 TEXT AMENDMENT FOR COMPREHENSIVE REVISIONS TO ARTICLE VIII SIGN REGULATIONS OF THE ZONING ORDINANCES

FOR THE MEETING OF: August 20, 2012

LOCATION: City-wide

REQUEST:

An application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted for various amendments to the Article VIII, Sign Regulations, intended to simplify several regulations and definitions, eliminate certain provisions that appear to be inconsistent with the purposes of the Sign Code and address content-related issues highlighted by a recent Circuit Court decision.

ADDITIONAL INFORMATION:

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.

Key Issues:

- Does this request further the goals and/or implement the Comprehensive Plan?
- Is this a reasonable exercise of zoning authority?
- Any neighborhood impacts?

Comp. Plan References

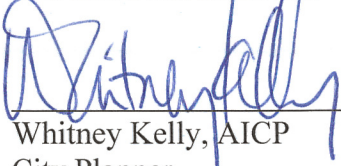
- Design Guidelines

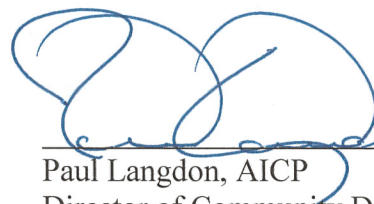
Zoning Code References

- Article VIII Sign Regulations

APPLICANT: Paul Langdon, AICP
Director of Community Development
City of Creve Coeur

REPORT PREPARED BY:


Whitney Kelly, AICP
City Planner
8/17/2012
Date


Paul Langdon, AICP
Director of Community Development
8/17/12
Date

ATTACHMENTS: Revised draft Definition of Terms and Sign Regulations

SUMMARY

Staff reviewed the sign regulations with the Planning and Zoning Commission during several work sessions to develop a comprehensive revision to Article VIII Sign Regulations, of the City's Code of Ordinances, to facilitate the permitting process, and reduce or eliminate points of confusion, as well as comply with recent court ruling regarding the content neutrality of the sign regulations based on those discussions. A public hearing of the resulting draft was held on July 16th to consider comments and recommendations from the public, most of which related to the proposed changes regarding real estate signs.

As we have been discussing with the Commission members, a recent 8th Circuit Court of Appeals confirmed that the regulation of content of signs is a violation of the constitutional right to free speech. The St. Louis Association of Realtors also submitted a letter indicating that State legislation that requires cities to allow for real estate signage. Therefore, in order to proceed with simplifying the sign regulations, Staff has revised the draft ordinance to maintain the existing regulations for real estate signs, with the understanding that the "Substitutability" clause under the General Provisions allows the sign to be used for other purposes. Below is the relevant section:

SECTION 405.930: GENERAL PROVISIONS

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.

The questions before the Commission is: are you comfortable with allowing separate signs for real estate purposes, or does this allow too much signage and, therefore, wish to have all tenant and property information incorporated under one sign as originally proposed?

If the real estate sign provision remains, one of the other proposed changes is unnecessary. Specifically, the proposed allowance for smaller properties with 150 lineal feet of frontage to receive a ground sign can be removed, and thus only properties of 300 lineal feet or more would qualify for a low monument. All other proposed changes remain as the prior draft, including the graduated sign size with site area and the separation requirement of a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street signs, to prevent signs from competing with or conflicting with each other and potentially creating a hazardous traffic situation. Included is a provision that the Zoning Administrator may authorize a reduction of this separation requirement by up to 25 lineal feet to allow for site related conditions (such as driveways, etc.) that may hinder the placement of such a sign at the required distance. Legally pre-existing signs would not be subject to this requirement.

The existing regulations also allow a ground sign on Lindbergh Boulevard properties with a minimum of 200 feet of frontage. Therefore, this provision has been added back into the draft changes. Therefore, the proposed changes for low monument signs, reads as follows:

Signs in Non-Residential Districts

Low Monument Signs

- (1) A project or development with a site area of at least 30,000 sq. ft. and with at least two hundred (200) feet of lot frontage along Lindbergh Boulevard, shall be permitted a single low monument sign that contains not more than thirty (30) square feet of sign area per face with not more than two (2) faces, that is not more than six (6) feet in total height, that is set back at least ten (10) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street. The Zoning Administrator may authorize a variance from the separation requirement of up to 25 lineal feet.
- (2) A project or development with a site area of at least 30,000 sq. ft. but less than three and one-half (3.5) acres, and with at least three hundred (300) feet of lot frontage on a street or non-interstate highway other than Lindbergh Boulevard, shall be permitted a single low monument sign that contains not more than thirty (30) square feet of sign area per face with not more than two (2) faces, that is not more than six (6) feet in total height, that is set back at least ten (10) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street. The Zoning Administrator may authorize a variance from the separation requirement of up to 25 lineal feet.
- (3) A project or development with a site area of at least three and one half (3.5) acres but less than five (5) acres shall be permitted a single low monument sign that contains not more than thirty-five (35) square feet of sign area per face with not more than two (2) faces, that is not more than eight (8) feet in total height, that is set back at least ten (10) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street. The Zoning Administrator may authorize a variance from the separation requirement of up to 25 lineal feet.
- (4) A project or development with a site area of more than five (5) acres shall, by site development plan approval in accordance with Section 405.1080, be permitted a single low monument sign that contains not more than forty (40) square feet of sign area per sign face, with not more than two (2) sign faces, that is not more than twelve (12) feet in height, that is setback at least fifteen (15) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street. The Zoning Administrator may authorize a variance from the separation requirement of up to 25 lineal feet.
- (5) A landscaped area located around the base of the ground graphic equal to two and one-half (2.5) square feet for each square foot of ground graphic area allowed is required for all low monument signs.

Other changes

An additional change to the allowable window signs includes the type of sign graphics allowed. The prior definition limited window signs to die-cut vinyl, screen printing and/or gilding applied to or etched into the inside surface of the storefront glazing or composed of artistically rendered skeletal neon. The revised definition of window signs simplifies the term for all window graphic to the following to reduce the number of performance standards within the definition:

SIGN, WINDOW SIGN: A sign placed on the surface or within three (3) feet of the inside of a window or other transparent surface and is visible from the exterior of the window or surface.

As a result of the simplified definition, Staff have included language under Section 405.950 for window signage for the type of signage allowed as die-cut vinyl, screen printing and/or gilding applied to or etched into the inside surface of the storefront glazing or composed of artistically rendered skeletal neon, and clarify that writing or painting directly onto the surface of the glass is prohibited, as follows:

2. Temporary or incidental 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. Appropriate types of signage include die-cut vinyl, screen printing and/or gilding applied to or etched into the inside surface of the storefront glazing or composed of artistically rendered skeletal or product. Graphics painted directly onto the glass surface are prohibited.

Signs in Residential Districts

Most of the discussion has focused on signs in the commercial areas. However, there are a couple of changes regarding signs in residential districts that should be noted.

Residentially-zoned properties that have direct access on a numerically designated state highway and have been approved for commercial uses are currently allowed signage of at least 12 sq. ft. and up to 16 sq. ft. depending on how far back the building sits from the road. To be consistent with the non-residential properties, however, the increase in the sign area with larger setbacks has also been eliminated under this provision, as follows:

- 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, counting all faces, 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 for traffic efficiency and safety.~~ 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.

Further, institutions in residential district can currently have a temporary sign for up to 6 months of the year but, due to the length of time and that these institutions are in residential districts, residents have complained that they are up too long. Therefore, Staff is again proposing a standard similar to the non-residential standards in that banners would be allowed for 30 days per permit and 3 permits per year. This allows for the spring and fall enrollment periods, plus one special event. The wording would change as follows:

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 manually-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. Temporary signs.~~
2. Institutional uses in residential district may 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 two (3) times per year for up to thirty (30) days each period. A separate sign permit shall be required for each event.

CONCLUSION

Attached is a clean version of the draft regulations with all of the proposed changes incorporated for ease of reading. If the Commission Members are comfortable with all of the changes as proposed, Staff will prepare a draft ordinance for the meeting of September 4, 2012 for recommendation to City Council. If the Commission Members would like Staff to consider additional specific changes to the regulations, please provide direction for those changes. Staff has provided a copy of the draft regulations to the Creve Coeur/Olivette Chamber of Commerce for review.

ACTION AND MOTION

Since no recommendation is sought at this time, Staff requests that the Commission continue the discussion to the September 4th meeting. The following is an example motion:

“I move to continue Application #12-001 to the meeting of September 4, 2012, for staff to prepare a draft ordinance that include the changes to the Article VIII Sign Regulations as proposed.”

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.

SECTION 405.120: DEFINITION OF TERMS

SIGN: Any device, material, fixture, placard or structure, or part thereof, composed of lettered, numbered, symbolic and/or pictorial matter that is placed or located outside of, or on the exterior of, or in the windows or other transparent surfaces of, any building for display of a message, announcement, notice, direction, information or name.

SIGN, ALTER (AS APPLIED TO A SIGN): A physical change in a sign or sign supports or an addition to a sign or sign supports. The term "*alter*" includes renovation, modification, rehabilitation or restoration, but does not include changing the copy on a legal changeable-copy sign.

SIGN, BANNER: Any sign of lightweight fabric or other non-rigid material that is mounted to a pole or a building by any means at one (1) or more edges. Flags are not banners.

SIGN, BILLBOARD: An off-premises sign, any part of the contents of which is visible from any point of the traveled ways of the interstate or primary systems.

SIGN, BULLETIN BOARD SIGN: A sign, attached to a building or freestanding, which contains changeable-copy information such as announcements of events or activities.

SIGN, CANOPY SIGN: Any sign that is a part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.

SIGN, CHANGEABLE COPY SIGN: A sign on which message copy is changed manually or automatically through the utilization of attachable or integrally automated letters, numbers, symbols and other similar characters of changeable pictorial panels.

SIGN, CONSTRUCTION SIGN: A temporary sign erected on the premises on which construction is taking place, during the period of such construction.

SIGN, DIRECTIONAL SIGN: A sign which is designed and erected for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed including entrance and exit signs.

SIGN, FACE: The area or display surface used for the message of a sign.

SIGN, FLASHING SIGN: A sign which contains an intermittent flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Also, any sign in which any part of the light source varies in intensity and/or hue and flashes or appears to flash or turn on and off; or a sign in which a message constantly flashes or turns on and off or alternates with other copy by means of rotating or otherwise moving portions of the sign.

SIGN, FREESTANDING SIGN: Any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure including, without limitation, a low monument sign.

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. 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.

SIGN, HEIGHT: The vertical distance measured from the elevation of the adjacent grade at the point closest to the sign to the highest point of the sign.

SIGN, INCIDENTAL SIGN: A sign which is too small to be legible from a position off the premises.

SIGN, LOW MONUMENT SIGN: A freestanding sign not more than six (6) feet high which is located adjacent to a road right-of-way.

SIGN, MARQUEE SIGN: Any sign attached to in any manner, or made a part of, a marquee and which may include changeable copy.

SIGN, MOVING SIGN: Any sign or part of a sign which changes physical position by any movement or rotation.

SIGN, NON-CONFORMING SIGN: Any sign that was lawfully erected but no longer conforms to the requirements of this Chapter.

SIGN, OFF-PREMISES SIGN: Any sign containing content as directed at least in part by someone other than the owner of the property or occupant of a building on the property where the sign is displayed.

SIGN, ON-PREMISES PERMANENT SIGN: A sign containing content as directed solely by the owner of the property or occupant of a building on the property where the sign is displayed.

SIGN, PERMANENT SIGNS: All signs which are not temporary signs.

SIGN, PERMIT: A document certifying that the plans for the proposed sign comply with all applicable City ordinances and requirements.

SIGN, PORTABLE SIGN: Any sign not permanently attached to the ground or other permanent structure, which is designed to be transported including, but not limited to, signs designed to be transported by means of wheels, signs converted to A- or T-frames, menu and sandwich board signs and balloons used as signs.

SIGN, PROJECTING SIGN: Any sign affixed to a building or wall in such a manner that its leading edge extends more than fourteen (14) inches beyond the surface of such building or wall but not including a sign suspended from a canopy and mounted perpendicular to a wall.

SIGN, ROOF SIGN: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure and/or extending wholly or partially above the highest portion of the roof.

SIGN, SNIPE SIGN: A sign of any type affixed to a utility pole, tree, fence, or similar structure and any temporary freestanding sign illegally placed or installed on public or private property.

SIGN, TEMPORARY SIGN: A sign which is not illuminated and is not permanently installed or affixed to any sign, structure or building.

SIGN, UNSIGHTLY OR UNKEMPT SIGN: A sign that is clearly in disrepair, is missing part of its copy, has letters or other copy that are broken, missing or so faded that they are difficult to read from the street, is not securely affixed to either the ground or some other supporting structure, contains rust or peeling or flaking paint or has damage to its face which is clearly visible from the street.

SIGN, WALL SIGN: Any sign attached parallel to, but within fourteen (14) inches of, a wall, painted on the wall surface of or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one (1) sign face.

SIGN, WINDOW SIGN: A sign placed on the surface or within three (3) feet of the inside of a window or other transparent surface and is visible from the exterior of the window or surface.

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.

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 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.

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 except 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 legible from a public right-of-way that imitate, blend or conflict with or that otherwise may be confused with traffic signals and signs, that are not directional signs required by the City or other traffic authority for traffic efficiency and safety. 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 and/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, that are not directional signs required by the City or other traffic authority for traffic efficiency and safety.

4. Signs that falsely advertise that an activity, business, product or service is sold or conducted on the premises upon which the sign is located and thereby misdirect traffic. 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. This provision does not permit appendages or modifications to a vehicle for advertising purposes. Exempted from this Section are vehicular signs affixed to vehicles when said vehicles park temporarily and only to make immediate deliveries or pickups.

a. Any vehicle displaying permitted vehicular signs owned by or operated on behalf of a business operating within the City limits shall park said vehicle at the business location 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 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-style 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. Unsightly or unkempt or damaged signs.

11. Roof signs.

12. Projecting signs, except those permitted by [Section 405.950\(4\)\(g\)](#) or [Section \(Downtown Area\)](#) 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 [Section 405.930\(D\)\(8\)](#) above; manually-changeable bulletin board signs as allowed by [Section 405.940\(E\)](#); marquee signs; signs defined in [Section 405.930\(E\)\(1\)](#) (governmental and official signs); illuminated signs as allowed by [Section 405.930\(F\)\(2\)](#); and signs in [Section 405.950\(5\)](#) (gasoline price signs).

15. Permanent or temporary window signs above the finished floor level of the second (2nd) story including lettering painted or applied to glass and temporary displays as defined in [Section 405.950\(3\)\(b\)](#) located above the ground floor.

16. Back-lit awnings and lighted canopies.

17. Portable signs except as allowed by Section 405.950(F)(4).
18. Inflatable signs, tethered balloons, banners, pennants, flags, wind-driven spinners, or streamers, except as otherwise provided in Section 405.950 (3)(b) *Temporary displays and signs*.
19. Individuals dressed in costume intended to attract attention as human signs to a business for advertising purposes in violation of Chapter 610.
20. Signs extending over a roadway.
21. Off-premises signs 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, including on private property as required by the City or other traffic authority.
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 individually and not exceeding 6 square feet in the aggregate, 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.
4. Incidental signs.

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.
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 bulb 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.

6. *Architectural Consistency.* Sign installations shall be consistent with, and not conceal, the architectural detail of a building.

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 two (2) 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 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, County, or City 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.

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 for traffic efficiency and safety 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. 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, except that if the lot is on the market for sale or lease, then it shall be permitted one (1) additional sign of six (6) square feet per sign face and a maximum of two (2) sign faces. 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, counting all faces, shall be consistent with that of other lots in residentially zoned areas and shall not exceed twelve (12) square feet. 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. *On-premises permanent attached signs.* 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 manually-changeable copy or may be an on-premises permanent sign.

2. *Temporary signs.* Institutional uses in residential district may 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 three (3) times per year for up to thirty (30) days each period. A separate sign permit shall be required for each event.

3. *Low monument signs.* An institutional use in a residential district occupying a site of at least thirty thousand (30,000) square feet may also be permitted a single, low monument sign, which can include a manually-changeable 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 lot frontage on a street or highway other than Lindbergh Boulevard; or
- b. The site has at least two hundred (200) feet of lot frontage on Lindbergh Boulevard.

4. *Campus low monument sign.* An institutional use in a residential district 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 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.

5. *Parking direction signs.* One (1) freestanding parking direction sign, which may be internally illuminated subject to [Section 405.930\(F\)](#) shall be required for every one hundred fifty (150) parking spaces with not more than two (2) sign faces, provided the sign shall not exceed fifteen (15) square feet in gross sign area per face, the sign height shall 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 for enhanced traffic directional purposes may contain the name and/or logo of the institution in addition to messages providing directional information. The Zoning Director may allow fewer signs for good cause.

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 signs may be allowed with the owner's permission in addition to the permitted signage allowed on an 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. The number of such temporary signs on a lot shall not exceed the total number of candidates and propositions on the election ballot.

G. *On-Site Construction Signs.* When property is under construction, pursuant to an issued building permit, an additional sign not to exceed twenty-four (24) square feet in gross sign area and not to exceed six (6) 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.

SECTION 405.950: SIGNS IN NON-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 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. All signs permitted by this Section shall require the issuance of a sign permit, except for allowed temporary, incidental and portable signs.

B. *On-premises permanent attached signs.*

1. *In-line or mid-block uses.* Each individual use located at ground floor level with its own entrance at street level may have one (1) attached sign, affixed or painted on a wall, canopy, or awning, with a total gross sign area of one (1) square foot per linear foot of the use's front façade or twenty (20) square feet, whichever is greater, up to a maximum of fifty (50) square feet in area. The sign shall be located on the front façade which shall also be the same façade as the main entrance. If the sign consists of a boxed display, the negative space must be dark and opaque, or clear and show the surface of the building façade.

2. *Corner units, single uses on corner lots, or out-lot buildings within a shopping center.* Each individual use located at ground floor level with its own entrance at street level may have one (1) attached sign, affixed or painted on a wall, canopy or awning with a total gross sign area of one (1) square foot per linear foot of the use's front façade or twenty (20) square feet, whichever is greater, up to a maximum of fifty (50) square feet in area. The sign shall be located on the front façade which shall also be the same façade as the main entrance. One (1) additional attached sign may be permitted, subject to the same size limitations, where the building faces two or more public streets and is the closest building thereto. If the sign consists of a boxed display, the negative space must be dark and opaque, or clear and show the surface of the building façade.

3. *Rear entrances.* 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 should maintain uniformity in location, height and general design.

C. *Low monument signs.*

1. A project or development with a site area of at least 30,000 sq. ft. and with at least two hundred (200) feet of lot frontage along Lindbergh Boulevard, shall be permitted a single low monument sign that contains not more than thirty (30) square feet of sign area per face with not more than two (2) faces, that is not more than six (6) feet in total height, that is set back at least ten (10) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street. The Zoning Administrator may authorize a variance from the separation requirement of up to

25 lineal feet.

2. A project or development with a site area of at least 30,000 sq. ft. but less than three and one-half (3.5) acres, and with at least three hundred (300) feet of lot frontage on a street or non-interstate highway, shall be permitted a single low monument sign that contains not more than thirty (30) square feet of sign area per face with not more than two (2) faces, that is not more than six (6) feet in total height, that is set back at least ten (10) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street. The Zoning Administrator may authorize a variance from the separation requirement of up to 25 lineal feet.
3. A project or development with a site area of at least three and one half (3.5) acres but less than five (5) acres shall be permitted a single low monument sign that contains not more than thirty-five (35) square feet of sign area per face with not more than two (2) faces, that is not more than eight (8) feet in total height, that is set back at least ten (10) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street. The Zoning Administrator may authorize a variance from the separation requirement of up to 25 lineal feet.
4. A project or development with a site area of more than five (5) acres shall, by site development plan approval in accordance with Section 405.1080, be permitted a single low monument sign that contains not more than forty (40) square feet of sign area per sign face, with not more than two (2) sign faces, that is not more than twelve (12) feet in height, that is setback at least fifteen (15) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street. The Zoning Administrator may authorize a variance from the separation requirement of up to 25 lineal feet.
5. A landscaped area located around the base of the ground graphic equal to two and one-half (2.5) square feet for each square foot of ground graphic area allowed is required for all low monument signs.

D. *Attached signs for multi-floor office buildings.* Each freestanding, single or multi-tenant office building of three or more floors of leasable space may have one (1) attached sign affixed parallel to the building, with a sign area of up to fifty (50) square feet for a three (3) story building, with an additional ten (10) square feet of sign area allowed for each additional floor over three (3), up to a maximum of one hundred and fifty (150) square feet. If the sign consists of a boxed display, the negative space must be dark and opaque, or clear and show the surface of the building façade.

E, *Address Signs.* For fire protection and traffic safety and efficiency, 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

F. *Multi-tenant real estate information signs.* Pursuant to RsMO Section 67.317, 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, located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street (The Zoning Administrator may authorize a variance from the separation requirement of up to 25 lineal feet), 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 ($\frac{1}{4}$) 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.

G. 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:

1. *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. Appropriate types of signage include die-cut vinyl, screen printing and/or gilding applied to or etched into the inside surface of the storefront glazing or composed of artistically rendered skeletal or product. Graphics painted directly onto the glass surface are prohibited.
2. *Temporary displays and signs.* Temporary displays such as banners or posters shall be permitted for ground floor retail sales and service uses. 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 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, and shall be no more than 18 feet above the ground elevation.
3. *Other Temporary signs.* Within forty-five (45) days prior to and ten (10) days after any election held within Creve Coeur, temporary 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 twelve (12) square feet. The number of such temporary signs on a lot shall not exceed the total number of candidates and propositions on the election ballot.

4. *Temporary real estate signs on single-tenant/occupant properties.* Pursuant to RsMO Section 67.317, 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.
5. *Portable signs.* In all commercial districts, one (1) portable sandwich board sign limited to six (6) square feet and no more than four (4) feet in height shall be allowed per business address, without a permit, provided that such sign is no more than four (4) feet from the front door entrance, the sign does not obstruct pedestrian movement, and the sign does not obstruct or otherwise pose a hazard to motor vehicle traffic. Such signs must be stored inside between dusk and dawn.
6. *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.

H. *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.

1. *Parking and other direction signs.* One (1) freestanding parking direction sign per direction, which may be internally illuminated, shall be required for each driveway, provided the sign shall not exceed three (3) square feet in gross sign area per face, the sign height shall 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, for enhanced traffic directional purposes it may contain the name, address and/or logo of the business in addition to messages providing directional information. Other directional signs shall be installed as may be required by the City.
2. *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](#).

3. *On-site construction signs.* When the property is under construction pursuant to an issued building permit, an additional sign, 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 completion of a project and not later than 10 days after issuance of occupancy permit.
4. *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.

I. *Automobile service stations.*

1. 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.
2. 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\(5\)\(e\)](#).
3. *Wall signs.*
 - a. 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.
 - b. In instances where the 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. Further, 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 for traffic safety and efficiency. The gross sign area of such signs shall not exceed twelve (12) square feet. One additional 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.

4. *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. Any business logo, inclusive of striping or other symbols, appearing on this canopy sign shall count as part of the gross sign area allowable for said sign.
5. *Pump signs.* Signs shall be posted 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.
6. *Gasoline price signs.* For purposes of traffic efficiency and safety, one (1) gasoline price 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.

J. *Master signage plans*— 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). However, in keeping with the intent to allow flexibility in the design of planned developments and large campus development of contiguous multi-acre areas, not separated by major highways or public right-of-ways (i.e. Olive Boulevard), the following options may be available for signs accessory to uses in non-residential properties of campus developments of three (3) or more multiple buildings with a minimum of ten (10) acres and residentially-zoned institutions (schools and places of worship with a minimum tract area of twenty (20) acres) subject to:

1. As an alternative to what would otherwise be allowed, 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. In addition, the geographic limits of the area to be covered by the Comprehensive Plan of signage must be shown.

2. Any application submitted pursuant to Subsection (6)(a) 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.
3. 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 reviewed based on the following criteria
 - a. Proposed signs are consistent with the purpose of this ordinance;
 - b. Proposed signs are compatible with the theme, visual quality, and overall character of the surrounding area.
 - c. Proposed signs are 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.

K. *Existing signs not conforming to common signage plan.* If any common signage plan has been approved under previously effective ordinances for a property on which existing signs were located, with a schedule for bringing into conformance, within three (3) years, all signs not conforming to the proposed plan or to the requirements of this Chapter in effect on the date of submission, such schedule shall be met notwithstanding elimination of the common signage plan ordinance.

L. *Billboards.*

1. *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.
2. *Lighting and landscaping of billboards.* All lighting and landscaping of billboards shall comply with the following:
 - a. 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;

- b. 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;
 - c. 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;
 - d. No billboard shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal;
 - e. The maximum average lighting intensity level for such sign shall be twenty (20) foot-candles.
3. *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.
4. *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.
5. *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.

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 wherever 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.

SECTIONS 405.980--405.990: RESERVED



city of CREVE COEUR

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APPLICATION TO PLANNING AND ZONING COMMISSION

#12-001 TEXT AMENDMENT FOR COMPREHENSIVE REVISIONS TO ARTICLE VIII SIGN REGULATIONS OF THE ZONING ORDINANCES

FOR THE MEETING OF: July 16, 2012

LOCATION: City-wide

REQUEST:

An application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted for various amendments to the Article VIII, Sign Regulations, intended to simplify several regulations and definitions, eliminate certain provisions that appear to be inconsistent with the purposes of the Sign Code and address content-related issues highlighted by a recent Circuit Court decision.

ADDITIONAL INFORMATION:

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.

Key Issues:

- Does this request further the goals and/or implement the Comprehensive Plan?
- Is this a reasonable exercise of zoning authority?
- Any neighborhood impacts?

Comp. Plan References

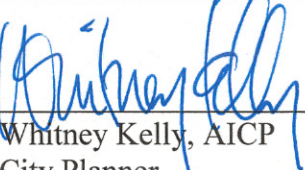
- Design Guidelines

Zoning Code References

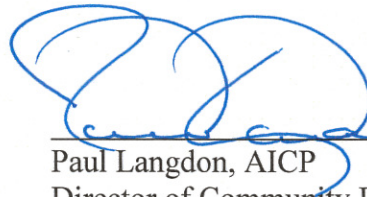
- Article VIII, Sign Regulations

APPLICANT: Paul Langdon, AICP
Director of Community Development
City of Creve Coeur

REPORT PREPARED BY:


Whitney Kelly, AICP
City Planner


Date


Paul Langdon, AICP
Director of Community Development


Date

ATTACHMENTS: Draft redlined changes to the Zoning Code Definition and Article VIII of the Sign Regulations
Letter from Hutkin Development Company, dated July 12, 2012.
Letter from Creve Coeur/Olivette Chamber of Commerce, dated July 13, 2012.

INTRODUCTION

Staff has been reviewing the sign regulations with the Planning and Zoning Commission during several work sessions, and have developed a comprehensive revision to Article VIII Sign Regulations, of the City's Code of Ordinances, to facilitate the permitting process, and reduce or eliminate points of confusion, as well as comply with recent court ruling regarding the content neutrality of the sign regulations based on those discussions. The public hearing scheduled for Monday, July 16th, is to allow for public comment on the proposed changes and obtain suggested recommendations for revisions to the draft. Staff has presented the proposed changes to members of the Creve Coeur/Olivette Chamber of Commerce, and have individual conversations with members of the business community (see attached letters).

DISCUSSION

Definitions

As previously discussed, many of the current definitions for signs within the City's Code relate to content. The attached redlined draft shows changes to these definitions to render them content neutral. The most substantive definitional change that was discussed during the prior work sessions was the change to Gross Sign Area. Currently, the City's definition of gross sign area allows for increased square footage in the case of individual letter signs. Due to revisions for content neutrality, the "individual letter" would be changed to "individual symbol". The Commission members agreed with Staff that this created too much confusion about what could be constructed as an individual "symbol" and that it leads to more signage than was intended. Thus the proposed revisions under consideration will eliminate this provision as follows:

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 symbol 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.

In order to promote the individual "letter" concept, and to limit the very bright white background of boxed signs, a design requirement has been added to each sign type within the appropriate section of the code (see below) such that the background or "negative space" must be opaque or simply the building façade (in the case of channel letters), in order to reduce the amount of glare emanating from the sign and increase readability.

General Provisions

Proposed changes within Section 405.930, General Provisions, are again largely due to the content and to streamline the wording. A new provision added is under *G. Miscellaneous Requirements*:

6. Architectural Consistency. Sign installations shall be consistent with, and not conceal, the architectural detail of a building.

This was added to ensure that the architectural detail of buildings was not hidden behind a sign. For example, one of the options for the AMC Theater signage for the new in-theater dining included covering a large portion of the façade with a hanging sign (see picture below):



Since projects are reviewed against the City's Comprehensive Plan and Design Guidelines that both favor quality architectural detail, the placement of the signs over these details would be contrary to those goals.

Signs in Residential Districts

Most of the changes in this section are, again, streamlining the wording and removing content-based standards. The only substantive change would be for the On-site Construction Signs. Currently, the Code allows for 12 square feet of sign area. Since these signs are used for whole subdivision projects, as well as individual houses, and they typically must contain a lot of information, Staff is proposing to increase this to 24 square feet, not to exceed 6 feet in height, similar to other real estate advertising for large sites. To wit:

Section 405.940: SIGNS IN RESIDENTIAL DISTRICTS

- G. *On-Site Construction Signs.* When property is under construction, pursuant to an issued building permit, an additional sign not to exceed twenty-four (~~12~~ 24) square feet in gross sign area and not to exceed six (~~4~~ 6) 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.

Signs in Non-Residential Districts

Wall signs

As discussed in the prior work sessions, the proposed changes for wall signs include eliminating the allowance based on the distance from the road to simply a one to one ratio based on the lineal foot of the tenant space with a minimum of 20 square feet and a maximum of 50 square feet.

Each use is allowed one wall sign, while end uses or buildings that directly abut two or more public streets may apply for a second wall sign:

Ground floor wall signs:

1. *In-line or mid-block uses.* Each individual use located at ground floor level with its own entrance at street level may have one (1) attached sign, affixed or painted on a wall, canopy, or awning, with a total gross sign area of one (1) square foot per linear foot of the use's front façade or twenty (20) square feet, whichever is greater, up to a maximum of fifty (50) square feet in area. The sign shall be located on the front façade which shall also be the same façade as the main entrance. If the sign consists of a boxed display, the negative space must be dark and opaque, or clear and colorless and show the surface of the building façade behind it.
2. *Corner units, single uses on corner lots, or out-lot buildings within a shopping center.* Each individual use located at ground floor level with its own entrance at street level may have one (1) attached sign, affixed or painted on a wall, canopy or awning with a total gross sign area of one (1) square foot per linear foot of the use's front façade or twenty (20) square feet, whichever is greater, up to a maximum of fifty (50) square feet in area. The sign shall be located on the front façade which shall also be the same façade as the main entrance. One (1) additional attached sign may be permitted, subject to the same size limitations, where the building faces two or more public streets and it is the closest building thereto. If the sign consists of a boxed display, the negative space must be dark and opaque, or clear and colorless and show the surface of the building façade behind it.
3. *Rear entrances.* 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.

Office building signs,

In addition to ground floor tenant signs, office building signs will be limited to buildings with three or more floors, as not to overwhelm the façade of the building with signage:

Attached signs for multi-floor office buildings.

- (1) Each freestanding, single or multi-tenant office building of three or more floors of leasable space may have one (1) attached sign affixed parallel to the building, with a sign area of up to fifty (50) square feet for a three (3) story building, with an additional ten (10) square feet of sign area allowed for each additional floor over three (3), up to a maximum of one hundred and fifty (150) square feet.

Low Monument Signs

Due to a recent Missouri 8th Circuit Court decision on the City of St. Louis Sign Code, differentiating sign regulations based on content, including real estate signs, is unconstitutional. 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. Thus, the multi-tenant real estate signs that are permitted as a ground sign could be used for any message, including commercial

advertising. 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.

In prior discussions with the Planning and Zoning Commission, the members expressed interest in allowing for more properties to have a ground sign, but to limit them to only one sign. All real estate information would have to be contained within the allowable square footage of the ground sign, within the 20% allowed for window signs, and/or permitted as a permanent wall sign for the available tenant space (limited to ground floor tenants only). Therefore, the proposed changes include allowing for more properties to receive a ground sign, provided that there is a minimum of 150 lineal feet of frontage, and that any ground sign is a minimum of 150 feet from any other signs on the same side of the street. This represents a decrease from the minimum of 300 lineal feet on a street or highway other than Lindbergh Boulevard, and 200 lineal feet of frontage along Lindbergh Boulevard, currently allowed. The currently permitted multi-tenant real estate signs would therefore become legally pre-existing, non-conforming signs.

The requirement that all signs should have a minimum of 150 feet between signs is to allow for at least three to four seconds of detection time between signs, without the signs competing with or conflicting with each other and potentially creating a hazardous traffic situation. At average vehicle speeds of less than 40 miles per hour, a distance between signs of approximately 150 feet is recommended by the American Planning Association. If the Commission members wish to allow for some deviation to account for site conditions (such as entry drives and landscaping requirements, and proximity of neighboring property signs), Staff could include a flexible buffer of approximately 15-25 feet may be granted at staff's discretion. Those properties that do not have the minimum of 150 lineal feet of frontage will have to incorporate the real estate information into the allowable wall signs or window signage.



Image showing how legally permitted signs can begin to create visual clutter when separated by distances less than 150 feet.

Due to the increase in the number of properties that would thus qualify for a ground sign, the allowable square footage of the low monument sign face has been scaled for varying sizes of property, as follows:

Low monument signs.

- (1) A project or development with at least one hundred and fifty (150) linear feet of lot frontage on a street or highway may be permitted a single low monument sign

that contains not more than twelve (12) square feet of sign area per face with not more than two (2) faces, that is not more than four (4) feet in total height, that is set back at least ten (10) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any ground sign on other property on the same side of the street.

- (2) A project or development with a site area of at least 30,000 sq. ft. but less than three and one-half (3.5) acres, and with at least three hundred (300) feet of lot frontage on a street or highway, shall be permitted a single low monument sign that contains not more than thirty (30) square feet of sign area per face with not more than two (2) faces, that is not more than six (6) feet in total height, that is set back at least ten (10) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street.
- (3) A project or development with a site area of at least three and one half (3.5) acres but less than five (5) acres shall be permitted a single low monument sign that contains not more than thirty-five (35) square feet of sign area per face with not more than two (2) faces, that is not more than eight (8) feet in total height, that is set back at least ten (10) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street.
- (4) A project or development with a site area of more than five (5) acres shall, by site development plan approval in accordance with Section 405.1080, be permitted a single low monument sign that contains not more than forty (40) square feet of sign area per sign face, with not more than two (2) sign faces, that is not more than twelve (12) feet in height, that is setback at least fifteen (15) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street.
- (5) A landscaped area located around the base of the ground graphic equal to two and one-half (2.5) square feet for each square foot of ground graphic area allowed is required for all low monument signs.

The last provision was included to require a minimum amount of landscaping, so that the sign is appropriately designed within the entire site, and not as a separate element, as well as to soften the amount of hard surface on the site.

Street Address Numbers

Staff research into efficient sign design for user comfort and emergency services, revealed that new mapping via the internet and mobile devices allowed more people to look for the street addresses first, and then once located, look to the building for the specific tenant identification. Therefore, Staff has indicated that each building shall have address numerals that are not included as tenant signage.

Temporary Signs for Elections

The allowable signage during the election period was decreased from 24 square feet to 12 square feet, per individual candidate or proposition, so as not to overwhelm a site with too much signage when multiple propositions are on a ballot (see below). For example, should an election ballot have 8 propositions, a site would be entitled to 8 12-square foot signs.

Section 405.950: SIGNS IN NON-RESIDENTIAL DISTRICTS

2. Temporary or incidental signs

c. *Other 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 twelve (12) square feet. The number of such temporary signs on a lot shall not exceed the total number of candidates and propositions on the election ballot. Not more than one (1) temporary sign per individual candidate and/or proposition on the election ballot shall be permitted per lot.

Portable signs

Currently portable "sandwich board" signs are prohibited. However, Staff are proposing that this be an allowed sign in commercial districts, as follows:

d. *Portable signs.* In all commercial districts, one (1) portable sandwich board sign limited to six (6) square feet and no more than four (4) feet in height shall be allowed per business address, without a permit, provided no part of such sign is more than four (4) feet from the building front near the main entrance, the sign does not obstruct pedestrian movement, and the sign does not obstruct or otherwise pose a hazard to motor vehicle traffic. Such signs must be stored inside when not open for business.

Common Signage Plans and Master Signage Plans

Staff and Members of the Planning and Zoning Commission were in agreement that the common signage plan provision provided too much discretion in the program to allow for a 20% bonus. Further, as the signs are protected by registered trademarks and free speech, the provisions of creating a fixed design program for the tenants has become unenforceable. Therefore, Staff has deleted this provision of the Code. Instead, all large scale projects and campuses should seek approval for a sign package that is unique to the project and site development plan, through the ground monument sign revisions proposed above, or through the Master Sign Plan process.

Note that the Master Sign Plan regulations were also modified to establish a minimum 10 acre site area and minimum building count (three) more befitting planned development and "campus" settings. This prevents over-use of the program which would, in turn, be contrary to the purposes of the sign code. Earlier discussions with the Commission contemplated a 15 acre site but staff research found that this would not address the larger commercial sites that are currently struggling with sign issues or who might be looking to replace an existing Common Sign Plan because those signs that were approved under the Common Sign Plan are proposed to become non-conforming. Any physical changes to a non-conforming sign would then require compliance with the new regulations.

Light Pole Banners

Again, due to the changes in the regulations regarding content, light pole artwork could contain any commercial message, and not limited to only seasonal decoration. The definition of Light Pole Signs would change as follows:

SIGN, LIGHT POLE ARTWORK SIGN: A sign consisting of a banner fabricated from a durable fabric with a design applied through silkscreening or similar application method affixed to a light pole; the content of such signs shall be civic or seasonal in nature. Such

~~signs shall not include commercial advertising, business slogans or logos or the names of individual businesses, groups, organizations, shopping centers or office parks.~~

The Planning Commission members and Staff believed that this would lead to an explosion in the number of commercial signs while the use of such non-commercial seasonal decorations is best handled in the public right-of-way by the City only, or as regulated through a Master Sign Plan. Thus this provision of signage in the non-residential districts has been deleted.

Billboards

The City's ability to regulate billboards is highly influenced by State regulations and the Code has been modified to reflect the most recent actions by the State Legislature that have been signed into law by the Governor.

CONCLUSION

The majority of the proposed changes are discrete and, to date, have not created many concerns. Indeed, many properties will actually be entitled to more signs under these amendments than are currently allowed. Larger properties might see a decrease, but the primary effect of the changes is to simplify regulations where possible and scale the sign area allowances to the circumstances.

Nonetheless, it is clear from the comments received from the business community, and from the prior discussions with the Planning Commission, there are still some significant questions to be answered before the staff are prepared to request a recommendation from the Planning Commission. Specifically:

- Does the Commission wish to separate the question of real estate signs (all low monument signs, in effect) from the other modifications? This will allow the majority of the content-based regulations to be corrected, while providing time to resolve the most difficult issue. However, it also will require a new process to make whatever future amendments are decided on, and that portion of the Sign Regulations will be knowingly out of agreement with the current legal opinion.
- Subject to the prior question, does the Commission prefer the current proposal for low monument signs or do they prefer reducing the size and/or quantity of low monument signs in favor of re-introducing some form of temporary commercial sign that could be used for real estate information? Temporary signs allow more flexibility, but the difficulty with enforcement led to their deletion just a few years ago.
- Does the Commission wish to include the administrative discretion in the separation of low monument signs? If so, is 25 feet a reasonable adjustment before the value of the separation is obviated? Is 25 feet too little? Should the underlying requirement be changed or deleted?
- Does the Commission believe the revised standards for the Master Sign Plan appropriately limit its use while still providing an opportunity to the right developments? In other words, should it be revised back to a larger site area, thus confining it to only the largest campuses (CityPlace, the hospitals, Monsanto), or should it be flexible enough to work for the largest retail centers too (Bellerive Center, Pavilion, Westgate, West Oak)?

ACTION AND MOTION

Staff request that the Planning Commission vote to continue this item to the next Planning Commission meeting to allow for modifications to the draft ordinance as indicated by the current discussions and responses to the preceding questions. The following is an example motion:

- “I move to continue Application #12-001 to the meeting of August 6th, 2012, to allow the staff to incorporate the comments of the Planning Commission and the public as appropriate.”

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.

SIGN: Any device, ~~material, fixture, placard or structure, or part thereof, composed of lettered, numbered, symbolic and/or pictorial matter that is placed or located when in use outside of or on the exterior of or in the windows or other transparent surfaces of any building for display of a message, announcement, notice, direction, information or name that uses any color, form, graphic illumination, symbol or writing to advertise, announce the purpose of or identify the purpose of a person or entity or to communicate information of any kind to the public, but not including a church steeple or other religious symbol affixed to a church structure.~~

SIGN, ALTER (AS APPLIED TO A SIGN): A physical change in a sign or sign supports or an addition to a sign or sign supports. The term "alter" includes renovation, modification, rehabilitation or restoration, but does not include changing the copy on a ~~bulletin board sign, marquee sign or other~~ legal changeable ~~copy~~ sign.

SIGN, BANNER: Any sign of lightweight fabric or other non-rigid material that is mounted to a pole or a building by a frame at one (1) or more edges. ~~National flags, State or municipal flags or the official flag of any institution or business shall~~ Flags are ~~not be considered~~ banners.

SIGN, BILLBOARD ~~OR OUTDOOR ADVERTISING:~~ ~~An off-premises outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing designed, intended or used to advertise or inform, any part of the advertising or information contents of which is visible from any point of the traveled ways of the interstate or primary systems.~~

SIGN, BULLETIN BOARD SIGN, ~~INSTITUTIONAL:~~ A sign attached to a building or freestanding which ~~identifies a place of worship or school and which contains the name of the institution and~~ changeable ~~copy~~ information such ~~as the names of individuals connected with the institution, general~~ announcements of events or activities ~~occurring at the institution or similar messages.~~

SIGN, CANOPY SIGN: Any sign that is a part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.

SIGN, CHANGEABLE COPY SIGN: A sign on which message copy is changed manually or automatically through the utilization of attachable or integrally automated letters, numbers, symbols and other similar characters of changeable pictorial panels, ~~but not including an institutional bulletin board sign, gasoline station price sign or marquee sign.~~

SIGN, COMMERCIAL MESSAGE: ~~Any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity, but not including a sign offering a residential dwelling for sale, lease or rent.~~

SIGN, CONSTRUCTION SIGN: A temporary sign erected on the premises on which construction is taking place, during the period of such construction, ~~indicating the names of the architects, engineers, landscape architects, contractors or similar artisans and the owners,~~

~~financial supporters, sponsors and similar individuals or firms having a role or interest with respect to the structure or project.~~

SIGN, DIRECTIONAL SIGN: A sign which is designed and erected ~~solely~~ for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed including entrance and exit signs.

~~*SIGN, DIRECTORY SIGN:* A sign listing the name and/or use and/or location of the various businesses or activities conducted within a building or group of buildings.~~

SIGN, FACE: The area or display surface used for the message of a sign.

SIGN, FLASHING SIGN: A sign which contains an intermittent flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Also, any sign in which any part of the light source varies in intensity and/or hue and flashes or appears to flash or turn on and off; or a sign in which a message constantly flashes or turns on and off or alternates with other copy by means of rotating or otherwise moving portions of the sign.

SIGN, FREESTANDING SIGN: Any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure including, without limitation, a low monument sign.

~~*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 symbol 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.

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SIGN, HEIGHT: The vertical distance measured from the elevation of the centerline of the adjacent right-of-way at the point closest to the sign to the highest point of the sign.

SIGN, INCIDENTAL SIGN: A sign which is too small to be generally informational and has a purpose secondary to the use of the premises on which it is located, such as "credit cards accepted here", "loading only", "telephone" or similar information. No sign with a commercial message legible from a position off the premises ~~shall be considered incidental.~~

~~*SIGN, LIGHT POLE ARTWORK SIGN:* A sign consisting of a banner fabricated from a durable fabric with a design applied through silkscreening or similar application method affixed to a light~~

~~pole, the content of such signs shall be civic or seasonal in nature. Such signs shall not include commercial advertising, business slogans or logos or the names of individual businesses, groups, organizations, shopping centers or office parks.~~

SIGN, LOW MONUMENT SIGN: A freestanding sign not more than six (6) feet high which is located adjacent to a road right-of-way.

SIGN, MARQUEE SIGN: Any sign attached to in any manner or made a part of a marquee and which may include changeable copy.

SIGN, MOVING SIGN: Any sign or part of a sign which changes physical position by any movement or rotation, ~~but not including rotating panels which are integrated within an outdoor general advertising device.~~

~~*SIGN, NAME PLATE:* A non illuminated sign identifying only the name and occupation or profession of the occupant of the premises on which the sign is located.~~

SIGN, NON-CONFORMING SIGN: Any sign that was lawfully erected but no longer conforms to the requirements of this Chapter.

SIGN, OFF-PREMISES SIGN: Any sign containing content as directed at least in part by someone other than the owner of the property or occupant of a building on, ~~except a billboard as defined herein, which advertises or identifies a property, business or address, other than the~~ property, ~~business or address~~ where the sign is displayed.

SIGN, ON-PREMISES PERMANENT SIGN: A sign containing content as directed solely by the owner of the property or occupant of a building on the property where the sign is displayed. pertaining only to the premises on which the sign is located, and containing any of the following information:

- ~~1. The name of the owner, occupant, management, business or building;~~
- ~~2. The address;~~
- ~~3. The type of business, profession, service or activity;~~
- ~~4. The type or types of products offered; and~~
- ~~5. Other similar information.~~

~~*SIGN, PAPER SIGN:* A sign normally for temporary use made of paper, cardboard or similar material.~~

~~*SIGN, PARKING DIRECTION SIGN:* A sign indicating the entrance or exit to a parking lot.~~

~~*SIGN, PARKING REGULATION SIGN:* A sign stating the regulations for use of a parking lot.~~

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SIGN, PERMANENT SIGNS: All signs which are not temporary signs.

SIGN, PERMIT: A document certifying that the plans for the proposed sign comply with all applicable City ordinances and requirements.

SIGN, PORTABLE SIGN: Any sign not permanently attached to the ground or other permanent structure, which is designed to be transported including, but not limited to, signs designed to be transported by means of wheels, signs converted to A- or T-frames, menu and sandwich board signs and ~~hot air~~ balloons used as signs.

SIGN, PROJECTING SIGN: Any sign affixed to a building or wall in such a manner that its leading edge extends more than fourteen (14) inches beyond the surface of such building or wall but not including a sign suspended from a canopy and mounted perpendicular to a wall.

~~*SIGN, REAL ESTATE SIGN:* Any sign pertaining to the sale, lease or rental of real estate.~~

~~*SIGN, RESIDENTIAL SIGN:* A sign not exceeding six (6) square feet per sign face and not having more than two (2) sign faces, which is located in a residential zoning district and that contains no commercial message other than advertising the premises for sale, lease or rent.~~

SIGN, ROOF SIGN: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure and or extending wholly or partially vertically above the highest portion of the roof.

SIGN, SNIPE SIGN: A ~~temporary~~ sign ~~or poster~~ affixed to a utility pole, tree, fence, or similar structure~~ete.~~

~~*SIGN, TEMPORARY PROMOTIONAL DISPLAY:* A temporary sign or signs displayed so as to attract attention to the sale of merchandise or services or a change in policy or in the status of a business.~~

SIGN, TEMPORARY SIGN: A sign which is not illuminated and is not permanently installed or affixed to any sign, structure or building.

SIGN, UNSIGHTLY OR UNKEMPT SIGN: A sign that is clearly in disrepair, is missing part of its copy, has letters or other copy that are broken, missing or so faded that they are difficult to read from the street, is not securely affixed to either the ground or some other supporting structure, ~~contains an illegible message~~, contains rust or peeling or flaking paint or has damage to its face which is clearly visible from the street.

SIGN, WALL SIGN: Any sign attached parallel to, but within fourteen (14) inches of, a wall, painted on the wall surface of or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one (1) sign face.

SIGN, WINDOW SIGN: A sign ~~made of die-cut vinyl, screen printing and/or gilding applied to or etched into the inside surface of the storefront glazing or composed of artistically rendered skeletal neon depicting the tenant's identity or product graphics~~ placed on the surface or within three (3) feet of the inside of a window or other transparent surface and is visible from the exterior of the window or surface.

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 ~~except 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 ~~legible~~visible from a public right-of-way that imitate, blend or conflict with or that ~~otherwise~~ may be confused with traffic signals and signs, that are not directional signs required by the City or other traffic authority for traffic efficiency and safety. 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 ~~and~~/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, that are not directional signs required by the City or other traffic authority for traffic efficiency and safety.-

4. Signs that ~~falsely~~ advertise ~~that~~ an activity, business, product or service ~~is no longer~~ sold or conducted on the premises upon which the sign is located and thereby misdirect traffic. 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 temporarily and only ~~to~~ make immediate deliveries or pickups.

a. Any vehicle displaying permitted vehicular signs owned by or operated on behalf of a ~~and representing a~~ business operating within the City limits shall park said vehicle at the business location 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-style 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. ~~Unightly or unkempt~~ or damaged signs.

11. Roof signs.

12. Projecting signs, except those permitted by [Section 405.950\(4\)\(g\)](#) or [Section \(Downtown Area\)](#) 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; ~~manually-changeable~~ bulletin board signs ~~as allowed by Section XXXXX~~ [Section 405.940\(E\)](#); 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 except as allowed by Section XXXX405.950(F)(4) that are not hand-carried or free-standing.

18. Inflatable signs ~~and~~, tethered balloons, banners, pennants, flags, wind-driven spinners, or streamers, except as otherwise provided in Section 405.950 (3)(b) Temporary promotional displays and signs.

19. Individuals dressed in costume intended to attract attention as human signs to a business for advertising purposes in violation of Chapter 610.

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, including on private property as required by the City or other traffic authority.

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 individually and not exceeding square feet in the aggregate, 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.

4. Incidental signs.

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 bulb~~bs~~ 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.

6. Architectural Consistency. Sign installations shall be consistent with, and not conceal, the architectural detail of a building.

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 two ~~four~~ (42) 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, or City 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 for traffic efficiency and safety 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, except that if the lot is on the market for sale or lease, then it shall be permitted one (1) additional sign 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, counting all faces, 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 for traffic efficiency and safety. 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^[CL1].*

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 manually-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 in a residential district occupying a site of at least thirty thousand (30,000) square feet may also be permitted a single, low monument sign, which can include a manually-changeable-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 lot frontage on a street or highway other than Lindbergh Boulevard; or
- b. The site has at least two hundred (200) feet of lot frontage on Lindbergh Boulevard.

3. *Campus low monument sign.* An institutional use in a residential district 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 ~~required~~permitted for every one hundred fifty (150) parking spaces with not more than two (2) sign faces, provided the sign ~~shall~~does not exceed fifteen (15) square feet in gross sign area per face, the sign height ~~shall~~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 for enhanced traffic directional purposes may contain the name and/or logo of the institution in addition to messages providing directional information. The Zoning Director may allow fewer signs for good cause.

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. ~~The number of such~~ Not more than one (1) temporary signs ~~on a lot shall not exceed the total number of per individual~~ candidates and/or propositions ~~on the election ballot shall be permitted per lot~~ [CL2].

G. *On-Site Construction Signs.* When property is under construction, pursuant to an issued building permit, an additional sign ~~Only one (1) such sign per entire development denoting the owner, architect, engineer, consultant, developer, lender and/or contractor,~~ not to exceed ~~twelve~~ twenty-four (24) square feet in gross sign area and not to exceed ~~ten-six (106)~~ 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

A. General Limitations 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. All signs permitted by this Section shall require the issuance of a sign permit, except for allowed temporary, incidental and portable signs.

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.~~

B.2. On-premises permanent signs Ground Floor Wall 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.

1. In-line or mid-block uses. Each individual use located at ground floor level with its own entrance at street level may have one (1) attached sign, affixed or painted on a wall, canopy, or awning, with a total gross sign area of one (1) square foot per linear foot of the use's front façade or twenty (20) square feet, whichever is greater, up to a maximum of fifty (50) square feet in area. The sign shall be located on the front façade which shall also be the same façade as the main entrance. ~~– If the sign consists of a boxed display, the~~ that negative space must be dark and opaque, or clear and colorless and show have the visible surface of the building façade behind it shown. ~~No sign may violate the architecture of the building to which it is attached.~~
2. Corner units, single uses on corner lots, or out-lot buildings within a shopping center. Each individual use located at ground floor level with its own entrance at street level may have one (1) attached sign, affixed or painted on a wall, canopy or awning with a total gross sign area of one (1) square foot per linear foot of the use's building frontage façade or twenty (20) square feet, whichever is greater, up to a maximum of fifty (50) square feet in area. The sign shall be located on the front façade which shall also be to be placed on the same façade as the main entrance. One (1) additional attached sign may be permitted, subject to the same size limitations regulations above, where the building faces abuts two or more public streets and it is the closest building thereto. If the sign consists of a boxed display, the at negative space must be dark and opaque, or clear and colorless and show have the visible surface of the building façade behind it shown. ~~No sign may violate the architecture of the building to which it is attached.~~
3. Rear entrances. 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 should shall maintain uniformity in location, height and general design and shall be compatible in color.

C. Low monument signs. ~~A landscaped area located around the base of the ground graphic equal to two and one-half (2.5) square feet for each square foot of ground graphic are allowed is required for all low monument signs.~~

1. A project or development with at least one hundred and fifty (150) linear feet of lot frontage on a street or highway may be permitted a single low monument sign that contains not more than of twelve (12) square feet square feet of sign area per face with not more than two (2) faces, that is not more than four (4) feet in total height, and that is set back at least ten (10) feet from the right-of-way, and that is located. ~~Location of the ground sign must be a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street.~~
2. A project or development with of at least 30,000 sq. ft. of site area but less than to three and one-half (3.5) acres, and with where the site has at least three hundred (300) feet of lot frontage on a street or highway, shall may be permitted a single low monument sign that provided such

sign contains not more than thirty (30) square feet of sign area per face with not more than two (2) faces, that is not more than six (6) feet in total height, and that is set back at least ten (10) feet from the right-of-way, and that is located. Location of the ground sign must be a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street.

3. A project or development with at least of three and one half (3.5) acres but less than five (5) acres shall may be permitted a single low monument sign that provided such sign contains not more than thirty-five (35) square feet of sign area per face with not more than two (2) faces, that is not more than eight (8) feet in total height, that is and set back at least ten (10) feet from the right-of-way, and that is located. Location of the ground sign must be a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street.

4. A project or development with more than of over five (5) acres shall may, by site development plan approval in accordance with Section 405.1080, be permitted a single low monument sign that provided such sign contains not more than forty (40) square feet of sign area per sign face, with not more than two (2) sign faces, that is not more than twelve (12) feet in height, that and is setback at least fifteen (15) feet from the right-of-way, and that is located. Location of the ground sign must be a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street.

(5.) A landscaped area located around the base of the ground graphic equal to two and one-half (2.5) square feet for each square foot of ground graphic area allowed is requireds for all low monument signs.

D. Wall signs for multi-floor office buildings. Each freestanding, single or multi-tenant office building of three or more floors of leasable space may have one (1) attached sign affixed parallel to the building, with a sign area of up to fifty (50) square feet for a three (3) story building, with an additional ten (10) square feet of sign area allowed for each additional floor over three (3), up to a maximum of one hundred and fifty (150) square feet. If the sign consists of a boxed display, the that negative space must be dark and opaque, or clear and show the have the visible surface of the building façade shown.

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.~~

~~fE.(2)~~ Address Signs

~~For fire protection and traffic safety and efficiency, E~~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	<u>over-250</u>	<u>10</u>
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~~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 (1/4) 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.~~

F.23. *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:

a1. *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.

2b. Temporary ~~promotional~~ displays and signs. Temporary ~~promotional~~ displays ~~such as including only~~ banners ~~or~~, 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, and shall be limited to the first floor elevation of a building, with no more than 18 feet above the ground elevation.

e3. Other 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 twelve ~~twenty-four~~ (24) square feet. The number of such temporary signs on a lot shall not exceed the total number of candidates and propositions on the election ballot. ~~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.~~

4. Portable signs. In all commercial districts, one (1) portable sandwich board signs limited to six (6) square feet and no more than four (4) feet in height shall be allowed per business address, without a permit, provided no part of such signs is more than four (4) feet from the building front near the main entrance, the sign does not obstruct pedestrian movement, and the sign does not obstruct or otherwise pose a hazard to motor vehicle traffic. Such signs must be stored inside between dusk and dawn when not open for business, and are brought each night.

e5. 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.~~

G4. *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.

a1. *Parking ~~and other~~ direction signs.* One (1) freestanding parking direction sign per direction, which may be internally illuminated, ~~shall~~ may be ~~required~~ permitted for each driveway, provided the sign ~~shall~~ does not exceed three (3) square feet in gross sign area per face, the sign height ~~shall~~ 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, for enhanced traffic directional purposes it may contain the name, address and/or logo of the business in addition to messages providing directional information. the sign may ~~shall only~~ contain the address of the business or institution on the premises. Other directional signs shall be installed as may be required by the City.

~~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.~~

b2d. *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.

e3e. *On-site construction signs.* Only When the property is under construction pursuant to an issued building permit, an additional 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, upon receipt of a building permit and shall be removed ten (10) days after completion after completion of a project and not later than 10 days after issuance of occupancy permit. the receipt of an occupancy permit for a building or development. The sign may indicate the owner, architect, engineer, consultant, developer, lender and/or contractor and other such information.

~~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.~~

d4g. *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.

5H. *Automobile service stations.*

a1. 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.

b2. 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).

e3. *Wall signs.*

(1a) 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.~~

(2b) 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. Further, 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~~ for traffic safety and efficiency. 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 One additional 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.

d4. *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. Any business logo, inclusive of striping or other symbols, ~~may appearing~~ on this canopy sign shall count as part of the gross sign area allowable for said sign.

e5. *Pump signs.* Signs shall be ~~posted~~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.

f6. *Gasoline price signs.* For purposes of traffic efficiency and safety, No more than one (1) gasoline price 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.~~

I6. *Master signage plans--"CB" Core Business District, "GC" General Commercial, "PH" Planned Hospital District, "HE" Higher Education District* properties of campus style developments of multiple buildings with a minimum of ten (10) acres 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, "GC" General Commercial, "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 large campuses developments of multi-acre areas, not separated by designated arterial or numerical highway (e.g. Olive Boulevard), the following options may be available for ~~applicable to~~ signs accessory to uses in the "CB" Core Business

| District, ["GC" General Commercial](#), "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):

a1. As an alternative ~~to what would otherwise be allowed~~, signs may be permitted in accordance with a Comprehensive Master 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 Master 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.~~

b2e. 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.

e3d. 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 reviewed based on the following criteria

- a. Proposed signs are consistent with the purpose of this ordinance;
- b. Proposed signs ~~are compatible~~are compatible with the theme, visual quality, and overall character of the surrounding area.
- c. Proposed signs are 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.~~

J7h. Existing signs not conforming to common signage plan. If any ~~new or amended~~ common signage plan has been approved under previously effective ordinances is filed for a property on which existing signs ~~were~~are located, ~~withit 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, such schedule shall be met notwithstanding elimination of the common signage plan ordinance.

~~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.~~

8K. Billboards.

a1. 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, relocated, or reset. The City expressly prohibits the resetting of qualifying signs pursuant to Section 226.541 RSMo.

b2. Lighting and landscaping of billboards. All lighting and landscaping of billboards shall comply with the following:

(1a) 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;

([2b](#)) 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;

([3c](#)) 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;

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

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

[3e](#). *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.

[d4](#). *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.

[5e](#). *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~~wherever 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

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, JULY 16, 2012

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chair

Dr. Michael Barton

Mr. Gary Eberhardt, Vice Chair

Mr. James Faron

Ms. Cynthia Kramer

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

McLaughlin Court Reporting Services, Inc.

Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR

4772 Gatesbury Drive

St. Louis, MO 63128

(314)487-2259

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CHAIRMAN MADDEN: Like to call to order the

2 Planning Zoning Commission Meeting for the City of Creve
3 Coeur, Missouri for Monday July 16th, 2012.

4 We'll start with roll call.

5 Dr. Michael Barton?

6 MR. BARTON: Present.

7 CHAIRMAN MADDEN: Mr. Gary Eberhardt?

8 MR. EBERHARDT: Present.

9 CHAIRMAN MADDEN: Mr. James Faron?

10 MR. FARON: Present.

11 CHAIRMAN MADDEN: I don't see Mr. Howard or
12 Ms. Kramer.

13 Mr. Jim Schnarr?

14 MR. SCHNARR: Present.

15 CHAIRMAN MADDEN: Carl Lumley, our City
16 Attorney?

17 MR. LUMLEY: Present.

18 CHAIRMAN MADDEN: Paul Langdon, our Director of
19 Community Development?

20 MR. LANGDON: Present.

21 CHAIRMAN MADDEN: Whitney Kelly, our City
22 Planner?

23 MS. KELLY: Present.

24 CHAIRMAN MADDEN: And Julie Lowery, our
25 Recording Secretary?

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1 MS. LOWERY: Present.

2 CHAIRMAN MADDEN: Public Hearing Application

3 No. 12-001: Comprehensive Sign Code Revisions.

4 Anybody that's going to be involved in this
5 tonight, if they could come up here at this end and get
6 sworn in, save us some time instead of doing it
7 individually, so if you're going to come up and talk.

8 (Speakers were sworn in by the court reporter.)

9 CHAIRMAN MADDEN: Paul, are you going to handle
10 this?

11 MR. LANGDON: Yeah.

12 CHAIRMAN MADDEN: Okay.

13 MR. LANGDON: Good evening, Mr. Chairman,
14 Members of the Commission.

15 My name is Paul Langdon, Director of Community
16 Development for the City, and in that role acting as
17 Planning Director as well.

18 As you know, we've been working on amendment to
19 the sign regulations for some time now, witness the case
20 number is the first one listed for 2012.

21 The effort so far has involved a lot of
22 discussion. We've met with you on more than one occasion,
23 and we've met with Economic Development Commission; we've
24 met with the Chamber of Commerce; we've talked with
25 several property owners and property managers along the

3

1 way.

2 And tonight is really the next in a series of
3 meetings, but the first one under the guise of a public

4 hearing. And, obviously, all the comments we receive
5 tonight are part of the record, and we certainly welcome
6 any input that can be offered to us tonight.

7 I want to make clear for everybody's benefit,
8 we're not looking for a recommendation from P&Z tonight.
9 In fact, I strongly discourage that you move in that
10 direction. I think we'll hear testimony from a variety of
11 perspectives and it might very well change the direction
12 that we have.

13 (Ms. Kramer is now present.)

14 So tonight is about listening mostly, and then
15 from here we'll move forward with the lessons that we
16 learn.

17 Going to switch to the hand-held microphone here
18 just because I'll be moving back and forth.

19 Want to make clear that -- that tonight we're
20 beginning an effort to -- to formally simplify the
21 ordinance; to make it a little more readable; to take out
22 some of the areas that were never very clear.

23 My predecessors expressed the same concerns. I
24 quickly had the same concerns when I took the job in 2006,
25 and it's just time to -- to make it right, so that we're

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1 not interpreting the Code almost every time we try to
2 advise somebody on what signs are allowed and what are
3 not.

4 Also, and this was the latest issue and maybe

5 the most problematic is the notice of content neutral.
6 Not because our Code is so rife with it and unworkable
7 because of it, but because it goes to the very core of
8 some of the signs that we're talking about, and I'm quite
9 certain will be the main subject of discussion tonight.

10 It is not an effort to dramatically affect what
11 is allowed or not allowed in terms of sign area. I
12 realize that where some of these things come together, we
13 have created that effect. That's not where we started
14 out.

15 In fact, some signs are new that were not
16 allowed before. Other signs actually get bigger than they
17 were allowed to be before. So there is sort of the
18 balance of terms of how much is allowed and where it's
19 allowed.

20 Also, this is not an effort to curtail any form
21 of expression. This is just the opposite. This is about
22 saying we no longer regulate expression at all unless it
23 crosses the line into obscenity or otherwise offensive
24 material. But aside from that, it doesn't matter if it's
25 advertising, if it's a political speech, if it's a

5
1 personal view or if it's real estate information. It's
2 all the same now. That's -- that's the objective.

3 Whether or not we can get there 100 percent is
4 yet to be seen, but that's certainly what we're trying to
5 achieve.

6 And last, as I said, we're not done. We're
7 going to have to -- to look at this some more. The
8 numbers are all beginning points of discussion; how big
9 the sign is; how small the sign is; how high a sign is;
10 how many signs there are, they're all numbers and they can
11 be adjusted up or down as we move forward.

12 The real issues are the velocity in terms of
13 where a sign is going to be; when we allow certain signs
14 and don't allow certain signs, and getting in tune with
15 what the marketplace needs or expects in terms of signage.

16 So I want to -- to avoid, if at all possible,
17 too much discussion on specific numbers because the
18 numbers don't mean anything if we haven't already agreed
19 that the sign is in the right place for the right reasons.

20 Some of the cases around town that I want to
21 just sort of point out here that led to some of this, and
22 I should not go any further without saying, while we're
23 using certain properties as examples in this discussion,
24 all of these signs, at least to the best of my knowledge,
25 are legal. These property owners and business owners have

6

1 done what they need to do in order to survive in the
2 marketplace, and this is not intended to be a vilification
3 of any one business or any one property. They're simply
4 examples, and they're a place that we start the
5 discussion.

6 The City is not trying to make any enemies here.

7 We're trying to work cooperatively, and I hope everyone
8 understands if they see their sign on the screen, it's not
9 singling them out, it's just an example of what is in
10 existence.

11 First example in the top left, GC's, very
12 popular restaurant. Took advantage of the sign code in
13 terms of a number of opportunities. And what they ended
14 up with is a fairly large amount of sign area on the
15 building. It's on two sides, and one of the interesting
16 things about our sign code, if you read it a certain way,
17 get into one of those interpretations, they could have
18 even put signs on the back side of the building that face
19 the houses. But, obviously, that wasn't in their
20 interests and they didn't pursue it.

21 Where this really gets interesting is the other
22 end of the same center, and some of these signs are so
23 small that they have no value, even though they're
24 actually much further away from the street than this
25 business, and that was an equity issue that some of those

7

1 tenants had expressed to us, and we were not oblivious to
2 when we saw the end result.

3 Other issues, buildings like this one, large
4 building, lots of presence physically, no presence in
5 terms of a sign or communication of any kind.

6 In the grand scheme of urban design and
7 identification, the sign can be a big part of what a

8 building is. It becomes what a building is known for.

9 But because of the way the Common Sign Plan,
10 we'll come back to this later, is written and because of
11 some short-sightedness at the time, the only identifier
12 for this building ended up being its address, which isn't
13 so bad except that the addresses are so small and in a
14 location as to be almost unusable as an identification.

15 This sign on this building; it's on the end
16 wall; it's visible from the street, and because it was
17 visible from the street became justification for another
18 sign.

19 We have these in several places around town.
20 They don't actually face the street, they're just visible
21 from the street.

22 Well, that's where you can get into some really
23 hyperbolic examples of where signs can go. Just because
24 it's visible, doesn't make it the right place, not only
25 for the usefulness of the public, and, therefore, the

8

1 usefulness of the business that needs the sign, but also
2 from a traffic management and from an urban design
3 consideration.

4 The last picture down here, you know, this is
5 the beginning of a collection of signs that is the kind of
6 thing that sign ordinances were created to follow.

7 The notion of visual clutter, and this isn't the
8 only example, but here we have, there's a sign here,

9 there's a sign here and there's a sign here. Throw into
10 it the other items in the landscape, the utility poles and
11 the traffic signs and the traffic signals, it starts to
12 become a pretty complicated place.

13 What you can't see, it's cut off out of the
14 picture, is even a van with essentially a sign on the side
15 of it, you know, and it is a view that is blanketed by
16 signs.

17 In places this is okay, and in places this is
18 just what we have to live with in a more urban setting.

19 But maybe it isn't always the right thing.
20 Maybe it isn't appropriate in every setting. And so we
21 wanted to -- to start looking at ways to manage that and
22 not just say, well, that's the way it is.

23 The other issue, which isn't really visible from
24 the ground level, but as the Zoning Administrator, you
25 become acutely aware of, and as the managers of these

9

1 properties are acutely aware of, the City attempted, many
2 years ago, to bring in a way for large properties to
3 manage their signs. To do it in a way so that it's
4 coordinated and it presented a -- an esthetic appearance
5 that was attractive and effective as a commercial message.

6 But in doing that, the City also said for that
7 -- in exchange for that obligation, we will allow more
8 sign; we'll allow you to increase that, and that was the
9 Common Sign Plan.

10 And in recognition of the fact that it was
11 fairly flexible, that it was perhaps a little more
12 difficult to manage, it was only allowed on certain
13 properties.

14 Well, then another system was brought in called
15 the Master Sign Plan. Very similar in that allowed custom
16 signs, subject to esthetic obligations or commitments on
17 the part of the property owner and size commitments, but
18 now, instead of being a staff approval, it was required to
19 go through Planning Commission and City Council, so much
20 higher level of oversight, and -- and the end result was
21 actually something that was an ordinance rather than just
22 a letter of approval from staff.

23 Again, limited in terms of certain properties
24 within the City. But what you end up having is a property
25 that's zoned Core Business, Core Business, this is Planned

10

1 Community and this is General Commercial.

2 Well, you can get a Master Sign Plan for a
3 couple of these; you can get a Common Sign Plan for a
4 couple of these. We can't do anything for this one. Even
5 though they're all ostensibly the same kind of
6 development.

7 And if you go out into the site today or these
8 sites today, you'll see the net result where some of these
9 properties have new signs that are, you know,
10 communicating a bold message and others have virtually

11 nothing.

12 And it's a frustration, not only for the
13 property owner or manager, but also for us in trying to be
14 evenhanded about who gets what. While we're not trying to
15 pick favorites, but the Zoning Code has put us in the spot
16 where we don't have a choice, and we're trying to fix
17 that.

18 So want to point out one other thing, which is
19 second floor signs. Interesting problem in that the
20 Zoning Code isn't very clear about where we can do second
21 floor signs and what it means to be a second floor sign.

22 Because this building, if you go around the
23 other side, is actually becomes a first floor. We have
24 this all over Creve Coeur, as you know, Olive Road is a
25 ridge, and so the properties generally drop down away and

11

1 very often properties transition from single to
2 multistory, depending on where you are.

3 This is a close-up of those properties that I
4 showed before.

5 So one of the things we tried to look at was
6 revising the -- I'm not going to read through every word
7 of it -- but before we used to have this -- this allowance
8 for increasing the size of signs as you move away from the
9 street, but then hitting a certain maximum.

10 It occurred to us that for some of those smaller
11 tenants the real issue is that they are very narrow, and

12 the size that they're allowed at the minimum end is really
13 very small.

14 From a reaching the public right-of-way
15 perspective, we thought it was important that there be a
16 minimum, a reasonable size minimum. And that's the -- the
17 20 square feet that you start at. This was a number that
18 we reached out in conversation with you all, and then it
19 increases.

20 Well, the increase is also the issue where we
21 have that -- the one business in our examples that has the
22 maximum 125 square feet, subject to some other provisions,
23 and then you'd have some that are down here at 12 square
24 feet.

25 Now that under this proposal the maximum becomes

12

1 50. So that there becomes a point of where it simply not
2 necessary -- necessary to go any larger.

3 Now, I mentioned that -- that one business has
4 125 square feet due to some other provisions, and that is
5 the -- the two-thirds rule.

6 The City, and we're not unique in this,
7 encourages artful sign design; encourages the use of
8 channel letters where possible; discourages the older
9 style, the box, if you will, where you have a single panel
10 of plexiglass, and then lettering on top of that.

11 In order to encourage that change, you could
12 reduce your calculated area by a third if you use channel

13 letters, so the 125 square feet actually goes up by a
14 third, when you just take the other one.

15 What that does is it allows much larger signage,
16 again, go back to these examples. You know, these big Cs
17 end up being only two-thirds as far as regulated area
18 compared to if they were a solid box.

19 The problem is that in order to do that, we have
20 to start identifying well, what is eligible for that.

21 Under the old code we could say it was letters, if it's an
22 individual letter then you can take the two-thirds rule.

23 If we're going with a content neutral approach,
24 we can't really differentiate what the thing is; letters,
25 symbols, logos. It's all the same. So look at -- at

13

1 these, and we all know that that trademark look, well,
2 what in that is channel letters or what is subject to the
3 same opportunity.

4 You can build that symbol the same as these.
5 It's just a different shape.

6 Essentially, it becomes impossible to
7 differentiate who gets two-thirds and who doesn't. So the
8 approach was to simply eliminate it because we can't parse
9 it out any other way.

10 Now if you want to change the amount of sign
11 that's allowed as a result, we can certainly do that, but
12 I think what we're looking at is an obligation to -- to
13 allow any type of sign subject to the very same

14 requirements.

15 Now that does raise a question of urban design;
16 does raise a question of visibility at night and
17 readability at night, and there's a long-term maintenance
18 issue.

19 I'm sure we've all seen the white face signs
20 been up a long time, they're starting to get dirty behind;
21 they're starting to yellow and the sign is unattractive.

22 Now, we'd all like it if every business was
23 successful enough to replace their sign on a regular
24 basis, but they aren't. Sometimes the signs are up there
25 a long time, and sometimes there's nothing you can do

14

1 about it except let the sign get dirty. That's why
2 channel letters are so attractive. They tend not to have
3 that problem. They're more expensive.

4 That's where this last statement comes in in
5 saying if you are going to do the can sign or box sign or
6 whatever you want to call it, then the illuminated part of
7 the sign is still the letters; the background with the
8 negative space, if you will, is still dark and opaque. So
9 that we still have the type of build that is less
10 expensive, but simply from a design perspective, the
11 negative space is going to not light up, and that's the
12 space that would normally have a maintenance concern with.

13 It's just a matter of how it's painted. I know
14 it adds costs, but in the end, I think that it's -- it's

15 a -- a reasonable middle ground between requiring a
16 certain style of manufacturer and then trying to parse out
17 what qualifies and what doesn't.

18 Sign code currently speaks to businesses having
19 more than one frontage. We didn't want to take that away,
20 and so for corner properties or corner units, we've
21 allowed, again, the opportunity to provide another sign,
22 install another sign on that -- that second frontage,
23 subject to the same requirements as the other -- as the
24 first sign.

25 I think the key notion here is that it has to be

15

1 the closest building to the street.

2 Again, we had some very creative interpretations
3 about what constituted frontage on two streets. Where a
4 business was literally hundreds of feet away with other
5 buildings along the way in between, but because there was
6 a theoretical straight line from the front of that store
7 to the street, it qualified for more signage. Wasn't
8 really on that street; you could just see it from it.

9 So in order to try to address some of that, a --
10 a comment was put in here about it being the closest
11 building to the street.

12 If it's just to the back of the big parking lot,
13 well, that's -- excuse me -- still going to qualify.

14 And if there are other buildings in between,
15 then really this notion of a fronting the street is -- is

16 not the case, and that opportunity goes away.

17 Big change here is in the low monument signs.

18 These are the current regulations. You know, I only put
19 them there so that I can make clear how long they are and
20 the effort to try to regulate where they go.

21 What this amounts to is actually a lot of
22 properties that can't have a low monument sign, and you
23 just have to drive up and down Olive and Lindbergh and see
24 who has them and who doesn't. I guarantee you everyone
25 who qualifies for one has one and everyone who doesn't,

16

1 doesn't.

2 So the concern we had, again, was a question of
3 the appropriateness of limiting properties in this way.
4 And then also the size of the signs that are allowed. On
5 some properties the signs are too small, on other
6 properties they seem too large, and we end up with a lot
7 of complaints about how this works.

8 Shopping centers and office parks. Again, it's
9 a question of equity. These ones are allowed much larger
10 signs. Now the curious thing here that we also noticed in
11 this process, you get two sign faces at 40 square feet,
12 which would appear to add up to 80, but not in our sign
13 code, they add up to 100. That's the kind of technical
14 thing that we're also looking to -- to address.

15 These signs are much higher. Just because it
16 becomes classified as a shopping center, it suddenly gets

17 more sign than if it is not a shopping center.

18 If it's an office -- a -- a campus center, then

19 all of a sudden it doesn't get the same sign frontage.

20 Similar size property, but a different type of outcome.

21 So what we were looking at was changing the --

22 the signs to have something a little more universal.

23 Well, then came the content question.

24 And all of this, which we worked very diligently

25 on a couple of years ago, it was an effort that was

17

1 spearheaded by members of the City Council that we worked

2 hard to -- to get approval through Planning Commission,

3 and we did similar outreach at the time, and through City

4 Council. Well, this is all hinged on this idea of being a

5 real estate sign.

6 Real estate information is content. This is

7 where we appear to run afoul of lots of legal precedent,

8 but most recently legal precedent in the Eighth Circuit

9 Court of Appeals. This isn't a local court, this is the

10 Federal Eighth Circuit Court of Appeals. This is a

11 multistate effect. Eighth Circuit is the one we're in.

12 And whenever it gets that close to home, you better start

13 paying attention because the Court's from the highest

14 level down are starting to pay attention.

15 Well, if that renders all of this pointless,

16 what are we going to do for real estate signs. You have

17 to have the ability to do real estate advertising. We

18 understand that. The State requires it.

19 But on the other hand, we have all these signs
20 out there that are real estate information, so if we have
21 them out in the -- out in the field, if we can't say that
22 that has to be real estate or that has to be real estate
23 or that one or that one, they can be anything.

24 Well, when you start to imagine the amount of
25 signage and the variety that starts to take place, the

18

1 conflicts and the location that the battling for position,
2 you can see right here how they start to overlap, you
3 know, it was that scenario that led to the visual clutter
4 issues in the '50s and '60s that all these sign codes were
5 written to combat and try to maintain, you know, the open
6 higher end, for lack of a better term, appearance like
7 Olive Boulevard, City of Creve Coeur works very hard to
8 maintain.

9 So really we're faced with a conflict. Do we
10 just say, hey, every property gets two signs and that's
11 that. Doesn't matter what they say. Or do we find some
12 way to maybe open up the signs individually, but then
13 limit the total number of signs.

14 As a draft position that we worked out with
15 Planning Commission, the proposed language in the
16 ordinance takes the one sign approach.

17 These signs are all legally preexisting, no
18 one's going to take them away. By going forward, the

19 proposal is a series of tiered signs tailored to the size
20 of the property so that as the properties get bigger, the
21 signs get bigger, but only one sign.

22 And the objective there is to say, you know,
23 property owner, property manager, you're in control.
24 Here's your sign and here's the area, have a nice day.
25 From here on you manage it. You manage your tenant

19

1 information; you manage your real estate information.
2 We're no longer involved. We're not going to parse it
3 out.

4 So while on one hand it's sort of taking away a
5 sign opportunity, on the other hand, we're trying to
6 provide a freer hand to the marketplace to decide what
7 appears on the sign.

8 The other thing that I want to point out is that
9 the total sign area for the larger properties is up to
10 40 square feet, so we're trying to allow large signs on
11 large properties.

12 The other thing that I should point out is this
13 150 feet. I know -- I know that this one needs some work.

14 These pictures, I think, exemplify where that
15 comes from, where they start to cluster and there are lots
16 of reasons why that happens, I'm not saying there's bad
17 decisions here, just that's the nature of it.

18 Well, part of -- of dealing with visual clutter
19 is -- is a little bit of the old philosophy on pollution;

20 the solution to pollution is dilution, and solution to
21 visual clutter is dilution. You spread things out; you
22 create some open space; you start to reduce the effect.
23 That's where that separation requirement comes from.
24 Now, I recognize that that creates a problem if
25 the 150 feet from your neighbor's sign puts you right in

20

1 the middle of your own parking lot, and now because of
2 other circumstances out of your control really, you can't
3 have the sign that you thought you were entitled to.
4 There has to be some flexibility there, and I'm
5 certainly open to suggestions there whether, if you review
6 the staff report, we mention that, but some amount of
7 movement has to be there; some amount of administrative
8 ability to change locations.

9 But is this okay to have them 5 feet away from
10 each other if we have multiple signs. Is this okay.
11 You've got several property lines along the way and every
12 time there's a sign, I don't know.

13 I think from a -- a management of the corridor
14 and a visual perspective, I would like to see them spread
15 out, but I recognize that -- that that starts to create
16 some administrative headaches.

17 Office buildings. As I mentioned, we have a
18 strange set of rules for office buildings where some have
19 really large signs through the Master Sign Plan. City
20 Place, for example, the large signs on those towers are

21 through a Master Sign Plan versus Westpark, through a
22 Common Sign Plan, ended up with almost nothing on their
23 office buildings.

24 And where the -- the language says as you get
25 further away from the street, you can get a bigger sign.

21

1 Well, you think about the distance. What's --
2 what drives that distance. Horizontally is one thing, but
3 the other part of an office building is the height. The
4 height has a huge effect. And when you look at some
5 settings, jump ahead to Westpark here, these are not the
6 same building. This one is hundreds of feet away from
7 Olive Boulevard; this one is about 30 feet from Olive
8 Boulevard.

9 I would argue that the same size sign on either
10 one of those buildings would be appropriate. The effect
11 of the sign has more to do with the relationship to the
12 building than how far it is from the street.

13 And so the -- the proposed language would tailor
14 it to the building size rather than the distance from the
15 street. Take away the distance from the street.

16 You also have the issue of, well, to what
17 street, you know, that came up again and again as we ran
18 through the sign code, so really trying to get away from
19 that, because you can end up drawing lines all over the
20 City and justifying all kinds of things that really become
21 very difficult to administer, but really also, in my mind,

22 unfair in the marketplace, depending on how creative
23 somebody can get with their application.

24 This is a little more cut and dry. You count
25 the number of floors; you calculate the size of their

22

1 sign. No more interpretation; no more vagary, and if it's
2 a big building, it gets a big sign, and doesn't matter how
3 close you are to the street. Same design statement.

4 And then the other thing is the total sign area
5 goes from 125 to 150 for a building that's sufficiently
6 large. So we're actually increasing the size of the sign
7 for the buildings that are larger.

8 Other points to note that I want to just mention
9 briefly before I wrap up, so we can get on to public
10 comment, address numerals. We talked about how for some
11 buildings that's the only real identification that
12 building has.

13 Becomes a problem when you say the numerals
14 can't occupy more than so many square feet. When you have
15 a three digit address, those are pretty big numerals.
16 When you have a five digit address, they get a lot
17 smaller, cause they got to fit within the same box.

18 In my mind, that doesn't make sense. The issue
19 is how big are the numbers, so the code changes that.

20 Same approach, we're just saying as you get
21 further away, so you get that -- that distance issue, it's
22 one place we really maintained it, the numbers, each

23 character can get larger, so that, yes, a five digit
24 address is going to look larger on the wall.
25 Ground floor tenants in multistory buildings

23

1 still maintain their right to wall signs.
2 There are two separate issues, and I know
3 there's been some confusion about that point. We're not
4 saying that a multistory building that has ground floor
5 tenants, and we do have some and hopefully going to have
6 more in the future, that they're giving up their -- their
7 presence on the street level because now it's a multistory
8 building and they only get one sign.

9 No, the multistory part of the building gets one
10 sign. Ground floor tenants still are entitled to their --
11 their tenant signs.

12 Window signs are not changing. We've simplified
13 the wording just a little bit, but the -- the allowance,
14 the 20 percent is still as it was.

15 Banners. Still subject to the same thing.
16 They're Just generically called temporary displays. You
17 could use a banner for real estate information or
18 political information or, again, anything you want. It's
19 not about what the banner says. It's simply that you can
20 only have it up twice a year for three weeks at a time.

21 That standard's been in the code a long time,
22 and we're not touching that. We're simply narrowing,
23 defining it as a banner rather than any other kind of

24 message.

25 Election signs. We used to have different

24

1 standards depending on where they were in the City. Now
2 they're not specifically election sign. Again, content
3 neutral. They are a form of temporary sign. What
4 distinguishes them is that we say at election time you can
5 have other temporary signs equal to the number of items on
6 the ballot.

7 Those signs all 12 square feet maximum no matter
8 where you are in the City, so every property in the City
9 is entitled to the same amount of temporary speech at
10 election time. There's no change no matter where you are
11 in the City. The wording is identical. If you want to
12 say vote for Joe, you can say vote for Joe; if you want to
13 say, I don't believe in Christmas, you can say that. It's
14 up to you. We're not saying it has to be election
15 oriented in its message. Simply that that's the time of
16 the year when you can do it.

17 Last, and I mentioned this, Common Sign Plan is
18 eliminated. Frankly, it's too much discretion in the
19 hands of staff. I shouldn't be trusted that much.

20 It's hard to administer. It's very difficult
21 for the property owners, in fact, we just had this problem
22 with a property that had a long-standing Common Sign Plan
23 that the documentation, unfortunately, was very poor on.
24 We weren't really sure what they were entitled to and

25 neither was the property owner. We had to do a lot of

25

1 digging before we -- we found the information that -- that

2 answered our questions.

3 The right way to do a variance, which is really
4 what these plans are, is through an ordinance; through
5 public review; opportunity for the Planning Commission to
6 see it; an opportunity for the City Council to see, and
7 for the public to see it and to comment on whether it's
8 appropriate or not.

9 So Common Sign Plan, as the process goes away,
10 all custom sign plans go through the master sign process
11 and subject to the same requirements.

12 It doesn't mean that the existing Common Sign
13 Plans out there are now null and void. They're entitled
14 to it; they're legally preexisting; they're grandfathered,
15 if you will, and those signs can continue. It only
16 becomes an issue if they want to tear it down and do
17 something different or expand the signs or any other way
18 modify what's out there. They can be maintained, the
19 faces can be -- can be changed, you just can't change the
20 sign itself.

21 Next step, as I mentioned, I think further
22 refinement, I pointed out some things I already know I
23 want to change. I know there are things that you're going
24 to hear about tonight that we need to -- to take a look at
25 and possibly change.

1 Also to re-engage people that are speaking here
2 tonight, because we'll have their contact information and
3 we're, obviously, interested. We'll talk to the Chamber
4 again, we'll reach out to several property owners that may
5 or may not be here to speak tonight, but who have
6 indicated an interest to us. We do not want to move this
7 forward without people knowing where it's going or having
8 opportunity to -- to comment again.

9 All that stuff offline ends up in coming back
10 online with the Planning Commission, and you get to go
11 through this again. Hopefully, a lot closer to an end
12 product.

13 Once you're satisfied that we've met all the --
14 the obligations and -- and provided the right
15 opportunities, you can make a recommendation that then
16 goes to City Council.

17 Ultimately this gets adopted in a -- in an
18 ordinance and plugged into the Zoning Code.

19 I think those are all the major issues. There
20 are a hundred or more minor changes in the code where we
21 took out content-related phrases, changed the wording from
22 something that wasn't very clear to a more clear term.

23 I didn't mention those only because they -- none
24 of those changes is affected specifically where signs go;
25 how big the signs are; who's able to use them.

1 So any other questions on those, I'll be happy
2 to discuss. I have the whole ordinance in front of me,
3 but otherwise I direct it to the -- to the website to
4 review those.

5 MR. SCHNARR: Does Creve Coeur Fire Protection
6 District have requirements as to street number signs on
7 front of buildings?

8 MR. LANGDON: They do have -- have sign
9 requirements. There -- there -- I would say they -- they
10 don't reach to the level of being useful, you know, to the
11 casual passenger-by.

12 MR. SCHNARR: Okay. This is exempt from all
13 that?

14 MR. LANGDON: Yes, that's separate. This
15 actually allows more than what they would require.

16 CHAIRMAN MADDEN: Any questions?

17 I got one. You mentioned GC. You know they got
18 that on the sign, and you said if there's building between
19 them, they wouldn't get it.

20 MR. LANGDON: Yes, sir.

21 CHAIRMAN MADDEN: Now, they're, I think next --
22 in front of them is that bank.

23 MR. LANGDON: Well, yeah.

24 CHAIRMAN MADDEN: Whatever --

25 MR. LANGDON: Whatever's there.

1 MR. FARON: Enterprise.

2 CHAIRMAN MADDEN: But they're not in that
3 shopping center, so is this going to be line of sight
4 or --

5 MR. LANGDON: I'd like to tell you there's a
6 nice simple answer to that .

7 CHAIRMAN MADDEN: That's why I asked.

8 MR. LANGDON: In that case I can tell you there
9 is a real separate property there, so as we would apply it
10 to that one, I would say they are not the closest to the
11 street.

12 It's difficult to parse out. In other cases
13 we -- we have buildings in between that are not on
14 separate property, but really the intervening building is
15 the one that fronts the street, it's, you know, it's right
16 there, but how do you apply that so that it's evenhanded.
17 It's difficult.

18 CHAIRMAN MADDEN: And now the real estate, the
19 people that have a lease. You're -- let me just make sure
20 I have this right. You're saying if they have a monument
21 sign right now --

22 MR. LANGDON: Uh-huh.

23 CHAIRMAN MADDEN: -- they won't be able to put
24 up a for lease sign separately?

25 MR. LANGDON: Correct.

29

1 CHAIRMAN MADDEN: They will have to put it on
2 the monument sign?

3 MR. LANGDON: Correct, unless they already have
4 one, then it can stay there.

5 CHAIRMAN MADDEN: It can stay there.

6 Well, what if you have a monument sign like
7 right out front here, City of Creve Coeur, and they wanted
8 to lease out some space, how they going to put that on, or
9 De Smet High School, there's two in the area.

10 MR. LANGDON: Right. It's a fair question, and
11 actually we have commercial properties with the same
12 issue. They've invested in an elaborate monument sign,
13 but doesn't lend itself to any more information, and if
14 you squeeze more information on, you might have eliminated
15 the sign, but you ended up with one really hard to read
16 and unattractive sign in the process, so I agree, that --
17 that is a problem.

18 There's also this question of how do these
19 regulations dovetail with the State statute that says you
20 can't inhibit real estate advertising or unreasonably
21 inhibit.

22 Time, place and manner restrictions are still in
23 play. It's a good question. Frankly, we're taking this
24 on for the first time, and -- and I've done research in
25 other cities in terms of how they manage it.

30

1 Largely it gets handled as a form of temporary
2 sign that you -- you tie to an event, but you don't say
3 what the sign says.

4 One of the property owners that -- that has
5 engaged us prior to tonight, and I think will probably
6 speak to it tonight, in fact, you have the letter from
7 Hutkin Development Company, does, essentially, that, to
8 say if they demonstrate the event, which is there's a
9 vacancy, then attempt -- an opportunity for another sign
10 is created.

11 I'm not saying it has to have real estate
12 information on it. They can say whatever they want. But
13 they can have that additional sign at that time.

14 And, actually, the real estate signs in a
15 residential setting is -- is handled the same way already.
16 That's the draft wording. Says if the property is for
17 sale, you can have a temporary sign. Presumably you're
18 going to say "for sale" on the sign, but you don't have
19 to. It would be silly not to, obviously. But -- but
20 that's -- that's how we've handled that. We've tied the
21 sign to an event, which is not obligating any particular
22 content on the sign.

23 CHAIRMAN MADDEN: Any -- Mr. Eberhardt.

24 MR. EBERHARDT: We do that same thing, it seems
25 to me, with regard to the election signs --

31

1 MR. LANGDON: Uh-huh.

2 MR. EBERHARDT: -- in the event there's an
3 election, so I don't see why we couldn't do it with regard
4 to commercial property, a temporary sign, if there either

5 is a vacancy --

6 MR. LANGDON: Uh-huh.

7 MR. EBERHARDT: -- or it can be demonstrated in
8 some reasonable way that a vacancy will occur in two
9 months, three months, something, cause you might want to
10 advertise before the vacancy occurs.

11 MR. LANGDON: It's certainly, you know, an
12 option. I think the -- the largest reservation we have
13 comes from why we redrafted all the real estate sign --
14 multi-tenant real estate signs a few years ago. It's the
15 administration of it. Where I would like to tell you that
16 all of my staff are so on top of signs and permits and
17 who's got a vacancy and who doesn't that the signs are
18 only up when they're supposed to be up, but when I got
19 here, we had signs that had been up for years, when I know
20 for certain properties did not have a vacancy.

21 The Council observed that, and that's where the
22 effort came from to say, look, if they're going to be up
23 for years, just make them permanent. Just say, fine, you
24 always have a real estate sign. We don't care if you have
25 a vacancy or not.

32

1 In exchange the signs have to be built a little
2 better, but you never have to take it down. And now we're
3 losing that opportunity to say you can only do that for
4 real estate, as we read the requirements.

5 But, you know, at some point we have to step up

6 and be diligent about our jobs, and that may -- this may
7 be one of those times.

8 CHAIRMAN MADDEN: Anybody else?

9 Okay. I'm going to open it up to --

10 MR. EBERHARDT: One other issue.

11 CHAIRMAN MADDEN: I'm sorry.

12 MR. EBERHARDT: Paul, there's been another
13 series of questions raised in these comments that have --
14 we've seen dealing with the open house signs in the event
15 of a sale. And I guess my question is we're permitting an
16 additional sign in the event a property is for sale --

17 MR. LANGDON: Yes.

18 MR. EBERHARDT: -- is it not possible, under the
19 same theory, that if there's going to be an open house we
20 could demonstrate -- we could have an additional temporary
21 sign for three hours or five hours or something?

22 MR. LANGDON: Certainly a possibility. I think
23 in that case the administration becomes extremely
24 difficult.

25 MR. EBERHARDT: No -- no question about it.

33

1 MR. LANGDON: To the -- to the point of being
2 unwieldy, but --

3 MR. EBERHARDT: But it seems that somebody's not
4 likely to put up another sign. It seems to be --

5 MR. LANGDON: But I do want to point out that --
6 that every residential property is entitled to a -- a sign

7 at all times to make whatever comments they want to make.

8 And at the time that a property is for sale, you get

9 another sign --

10 MR. EBERHARDT: You're right.

11 MR. LANGDON: -- so you could have that one sign

12 they're always allowed, be the for sale sign --

13 MR. EBERHARDT: Good point.

14 MR. LANGDON: -- and then --

15 MR. EBERHARDT: Thank you.

16 MR. LANGDON: -- about the open house as

17 necessary.

18 MR. EBERHARDT: Good point.

19 CHAIRMAN MADDEN: Okay. I'm going to open up to

20 the public.

21 A couple things. I'll call the three people who

22 filled out speaker cards first, and then we'll go one by

23 one.

24 Some of you may have come late and don't realize

25 this is a public hearing, so if you come up and you

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1 haven't been sworn in, please let us know so we can you

2 swear you in, okay.

3 First one is Gene Rovak.

4 When you come up, please state your name and

5 address for the record, please.

6 MR. ROVAK: My name is Gene Rovack. I live at

7 766 Gascogne Drive in Creve Coeur, and I'm here

8 representing the Chamber of Commerce, so I'll go right
9 into this.

10 You have a letter that was supplied to you.
11 I'll basically read that, but, basically, annotate it as I
12 go along.

13 We can't help but appreciate the effort that's
14 gone in to try to simplify what is out there and balance
15 the constraints that you're kind of tight walking --
16 tightrope walking between, particularly distancing the
17 City from governing content, but I guess that's -- that's
18 the big nut to deal with.

19 You're going to find some of our comments are
20 going to be redundant to those things that are -- have
21 already been discussed, I apologize for that, but these
22 are things that are important to us. Some of them have
23 already been conveyed to you, so that's why you're hearing
24 me say some things that have already been said so far. So
25 please bear with me on that.

35

1 I'm going -- I'll briefly read it because it is
2 a brief letter.

3 We're writing this letter in -- in response of
4 the proposed changes by the City of Creve Coeur to -- to
5 its sign ordinance to which we understand are part in due
6 to the Eighth Circuit Court case, Neighborhood Enterprises
7 versus The City of St. Louis.

8 Creve Coeur-Olivette Chamber of Commerce

9 appreciates that the City informed us of the proposed
10 change and asked for the Chamber's input.

11 We have formed a committee and gathered input
12 from our members, which includes several prominent
13 commercial and retail property owners throughout the City.

14 Many of our members have concerns with the
15 proposed changes, and we value the opportunity to be able
16 to bring them to your attention.

17 Major areas of concern are permitting or
18 allowing the following, which would be eliminated or
19 severely curtailed under the proposed change.

20 One which has been recognized, but, again, I
21 will read, a second short-term sign for leasing and sale
22 purposes for commercial or retail properties with the
23 monument sign.

24 Because right now we're talking about
25 restricting everything to the one monument sign.

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1 And then parallel to that, short-term leasing
2 and sale signs for property owners who do not have
3 monument signs.

4 Again, they don't have anything, but they would
5 still need to advertise that fact.

6 We would like to see self-executing exceptions
7 to 150 foot spacing requirements and the 10 foot distance
8 from right-of-way requirements for hardships.

9 By self-executing, we like to see something

10 that's basically hardwired and to recognize that there are
11 geometric constraints that sometimes it's impossible to
12 comply with, and when that can be seen on the face of it,
13 it shouldn't be something that has to go to Board of
14 Adjustment.

15 I think already Paul had -- had made some
16 reference, you know, 100, 150 feet, if you're at the --
17 you're next to a large lot and it's 160 feet, and they've
18 put their sign on the corner nearest yours and you have a
19 smaller lot than that, it's kind of -- you can't get there
20 from here.

21 And in that kind of situation where the geometry
22 is really what's governing, we think that's something
23 maybe that can and should be recognized by staff and
24 shouldn't have to go to the Board of Adjustment to
25 alleviate that.

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1 The -- another reasonable relocation and
2 configuration of signage without regulatory approval.

3 We're looking at cases previously have been
4 approved or can be approved, basically, a horizontally
5 formatted sign. And, yet, under identical circumstances,
6 a vertically formatted sign would also be approved. So it
7 doesn't seem like there's anything to be gained in having
8 to apply for a permit if the owner of the building were to
9 be changing from one format to the other, if both of those
10 formats would satisfy the conditions. So seems like

11 that's something that, again, might be able to be
12 hardwired into the ordinance to make that type of change
13 without a reapplication.

14 One thing that's been covered, temporary open
15 house signs for residential properties, we'd like to see.

16 And this was touched on, and I guess this is
17 going to take some work. Larger signs for multistory
18 buildings, which sit back a considerable distance from
19 public road, and that was talked about and how they appear
20 in relationship to the size of the building.

21 But, again, there's a kind of a perceived size
22 when something is further back or something is closer up,
23 similar to how high can a building be depending on how
24 close it is, you know, in certain areas.

25 The last thing, which I don't recall hearing, I

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1 might have missed it, but two wall signs for multistory
2 building which front more than one road.

3 Again, the geometry of the situation, just
4 something that a building owner at a corner is faced with
5 the fact that if he can only allow one of those roads, one
6 of those approaches, to show what is in that building or
7 what that building offers, he's kind of -- of hamstrung
8 really that both faces, both sides should be viewed.

9 This is not an exclusive list, but it does
10 identify the scope and extent of the changes which appear
11 to be somewhat extreme measures to control content.

12 We also note that the changes may inadvertently
13 restrict a property owner's statutory rights to advertise
14 for their property for sale or lease.

15 Section 67.317 of the Revised Statutes of
16 Missouri prohibits a political subdivision from enacting
17 or enforcing an ordinance which forbids or restricts the
18 right of a property owner to display a sign on their
19 property advertising property for sale or lease. And that
20 was touched on, so it is an issue, we recognize it; we
21 understand that the City recognizes it.

22 As business professionals and entrepreneurs, the
23 Chambers' members are all acutely aware of the economic
24 decline suffered across the country, and this decline has
25 undeniably influenced our City.

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1 Without the -- without the ability to properly
2 or effectively advertise or market vacant properties,
3 Chamber members and property managers will be unable to
4 attract new tenants.

5 These proposed changes will unquestionably cause
6 the local business economy, which is so important to the
7 City's growth and development, to suffer.

8 The proposed changes would also put the City's
9 local businesses at a competitive disadvantages to
10 enjoining St. Louis County areas which will not be subject
11 to these restrictions.

12 The Chamber recognizes and sympathizes with the

13 City's concerns about preventing inappropriate, obscene or
14 offensive language or language on signage.

15 The Chamber would appreciate the opportunity to
16 explore all opportunities to address the above concerns so
17 as to protect the City while not hampering the legitimate
18 business needs of the City's retail and commercial
19 property owners.

20 And that's signed by Janet Woods, the President
21 of the Creve Coeur-Olivette Chamber of Commerce.

22 Thank you.

23 CHAIRMAN MADDEN: Thank you.

24 Celeste Rueter.

25 MS. RUETER: Good evening, Commission Members.

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1 My name is Celeste Rueter, and I am the Governmental
2 Affairs Director at the St. Louis Association of Realtors,
3 12777 Olive Boulevard.

4 On behalf of our 7,000 members, including 700
5 commercial division members, I wish to thank you for the
6 opportunity to speak this evening regarding the proposed
7 sign code revisions.

8 And I also wanted to thank the Planning
9 Department specifically for seeking input from interested
10 parties in Creve Coeur.

11 As a member of the Creve Coeur-Olivette Chamber
12 of Commerce, the Realtor Association supports the views
13 expressed in the letter submitted and just discussed by

14 Mr. Rovack.

15 And this evening I'd just like to expand briefly
16 on a couple of points that are maybe a little bit more
17 specific to the realtors.

18 Many of the issues perceived by our members,
19 both commercial and residential, could sort of just be
20 wrapped up into the idea that if the proposed changes are
21 adopted as they currently stand that they're concerned
22 they wouldn't be able to effectively perform the job that
23 they're hired to do, which is to represent property
24 owners, to market those properties, and obtain the highest
25 value that the market will bear when they're either

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1 leasing those commercial spaces or selling a residence.

2 The general consensus of our members is that a
3 limitation of for lease signage on commercial properties
4 and open house signage on residential will hinder their
5 efforts and cause properties to stay on the market longer,
6 and, therefore, drive down values of both commercial space
7 and homes in Creve Coeur. And, of course, this in turn
8 will result in fewer tax dollars being collected by the
9 City.

10 Limitation on signage -- of signage on
11 multi-floor buildings will also affect lease rates in
12 those buildings. In addition the proposed changes will
13 place property owners in Creve Coeur at a disadvantage
14 when compared to neighboring municipalities and

15 unincorporated St. Louis County, especially in areas where
16 the jurisdiction is just across the street, such as some
17 spots on Olive and other areas.

18 And then, secondly, this has been brought up a
19 couple of times already, but our association attorney has
20 reviewed the proposed changes, and certainly appreciates
21 the City's efforts to comply with the recent Eighth
22 Circuit Court ruling for a content neutrality. But he's
23 of the opinion that the changes regarding real estate
24 signs are unnecessary.

25 Real estate advertising, including signs, has

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1 special statutory status under Missouri law and, in fact,
2 cities are prohibited from enacting ordinances which
3 forbid or restrict the right of a property owner to
4 display a sign advertising a property for sale or for
5 lease.

6 So the proposal doesn't forbid real estate
7 signs, obviously, but it certainly could be argued that it
8 restricts them.

9 And due to the special status given to real
10 estate advertising, the opinion of our association is that
11 separate real estate signs could still be allowed, you
12 know, especially in the non-residential situation, without
13 necessitating that other types of second signs be allowed.

14 And I did submit a letter, both from our
15 association and from our association counsel, more fully

16 explaining that.

17 Finally, just in an effort to bring feedback
18 directly to you from real estate practitioners in your
19 City, I've submitted numerous emails from realtor members.
20 I think you mentioned those. A lot of those were
21 regarding the open house signage. And in some additional
22 discussion with Ms. Kelly, I think there maybe is some
23 remedy to that in the -- in the proposal as it's worded.

24 But you can see, just from the emotion in the
25 emails that they really -- the realtors really feel, I

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1 think their owners do too, the sellers, feel those are
2 essential in marketing a property that's for sale.

3 I did receive one additional letter this
4 afternoon from one of our commercial members, and I'd like
5 to submit that this evening as well.

6 So, once again, I just appreciate the
7 opportunity to present our concerns. I look forward to
8 working with the City to find alternatives for sign code
9 revisions, which will allow the City to comply with the
10 court ruling without impairing the ability of property
11 owners to effectively market their properties.

12 Thank you.

13 CHAIRMAN MADDEN: Thank you.

14 Tom Stern.

15 MR. STERN: Good evening. I'm Tom Stern, 233
16 Brooktrail Court. I've been a resident of Creve Coeur for

17 28 years.

18 My day job is president of Solon Gershman, Inc.
19 Commercial Real Estate. Our firm manages, leases and
20 provides maintenance for more than a dozen properties in
21 the City of Creve Coeur, which contain more than a quarter
22 of a million square feet.

23 The vast majority of -- of new tenants that we
24 work with are brought to us because of signage. It's not
25 because of newspaper advertising as it once was; it's not

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1 because of multi-list with other brokers; it's not because
2 of the internet. It's because of the real estate signs
3 that we have, and to limit those in any way would
4 certainly adversely affect both the -- the real estate
5 companies that work on them, as well as the property
6 owners.

7 Creve Coeur signage currently are among the most
8 stringent in the area. They require permanent concrete
9 foundations, framing and inspections, and to assume that
10 those -- those signs could only be up when a property has
11 a vacancy, not only would provide a administrative
12 headache for the City, but it's very costly to put up one
13 of those signs which met the approval of the -- of the
14 board just recently, and then have to take it down if
15 we're fortunate enough to fill up a property, and then put
16 it up again when we have a vacancy. So I think that would
17 pose a problem.

18 Now the fact that you're proposing to leave
19 existing real estate signs up is -- is nice, but it
20 doesn't answer the question of what do you do when the
21 property sold and a new real estate company or leasing
22 agent is brought in to handle that situation.

23 So that property, in that instance, would be at
24 a disadvantage against its competitors because it wouldn't
25 be allowed to have signage.

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1 Not all properties have monument signs to be
2 able to put a for lease sign on it. West Oak has a
3 monument sign, and it's completely full with the names of
4 tenants, so would you have to take one of the tenant's
5 names off in order to put leasing information up?

6 Paul indicated, with one of his pictures, the
7 Westgate Center, which our company manages, and is under
8 the Planned Community Zoning category. We're not allowed
9 a monument sign, but we do have currently about a 25 foot
10 vertical sign. There's no place to put a "for lease" sign
11 on that that would look appropriate. Or if you had a
12 single tenant building, such as the American Orthodontic
13 Association building that we manage. You couldn't put a
14 single sign on there without making it look rather silly.

15 I think, lastly, you should be aware that
16 property owners have in almost all instances the right to
17 approve the content of a sign.

18 It's in their lease, and I think you need to

19 give property owners a little credit for what might be on
20 their individual signs.

21 I really believe that we're dealing with a
22 problem that isn't broke and we're trying to fix it. But
23 if we need to revise and update the sign code, that's
24 fine, but to eliminate real estate signs and for lease or
25 for sale signs will adversely affect property values in

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1 the City of Creve Coeur.

2 Thank you.

3 CHAIRMAN MADDEN: Thank you.

4 Okay. That was the last of people that filled
5 out cards, so if you want to raise your hands, I'll take
6 one from each side each as we go.

7 Mr. Caldwell.

8 MR. CALDWELL: David Caldwell, 257 Brooktrail
9 Court, and I only have a couple of anecdotal stories to
10 present.

11 I did purchase a building, and I looked at the
12 sign, so I understand what Mr. Stern said, that I got my
13 original contact information from the sign. But that was
14 twelve years ago.

15 And I do not really think that the signs are as
16 effective nowadays. And I disagree with the Chamber's
17 letter that property management, quote, unable to attract
18 new tenants. I think they may have to adapt to the
19 environment and -- and -- and find other ways, but I don't

20 think that this is -- the -- I support the one monument
21 approach from the standpoint that I think that that is
22 less visually -- less visual clutter.

23 And I say that because my other anecdotal story
24 is I recently visited Santa Barbara, California.

25 Now we have so darn many grandfathered signs,

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1 that, oh, we could never even hope to achieve the pleasant
2 environment that I saw there with respect to signs.

3 I couldn't find anything because you couldn't
4 see the familiar logos that you were accustomed to blaring
5 out in big signs.

6 In fact, one place I was looking for, main
7 reason -- thinking back, the main reason that I could not
8 find it was because they, apparently, do not allow signs
9 on -- when there's a building on a corner, and the
10 building I was looking for, I was on the wrong street to
11 see the sign. They only had a sign on one -- on one
12 street. They could not -- apparently, could not have a
13 sign on the other street that they face. And I'm driving
14 back and forth down that street, and I couldn't see what I
15 was looking for.

16 But anyway, my overall reaction, even though I
17 was a little bit frustrated when I was there and I
18 couldn't see -- couldn't find things as easily, but when I
19 left I thought about, gee, it really was a more pleasant
20 environment not to have all these signs staring you in the

21 face.

22 So, I guess my bottom line is, I don't see a
23 problem with a one monument sign. Perhaps there's some
24 creative solutions like allowing an appendage to the
25 monuments, or in the cases of where appendages don't work,

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1 a temporary sign similar to those used in the residential
2 situations.

3 But I don't think you really have to have a
4 large monument sign for -- for commercial real estate
5 these days. All you need is a telephone number or a
6 website, and the potential purchaser can take it from
7 there.

8 CHAIRMAN MADDEN: Thank you.

9 Somebody on this side?

10 Yes, sir. Mr. Kling.

11 MR. KLING: I wasn't sworn in.

12 (Stephen Kling was sworn by the court reporter.)

13 MR. KLING: For the record, my name is Stephen
14 L. Kling, Jr. I'm an attorney with Jenkins & Kling, P.C,
15 offices at 150 North Meramec Avenue in Clayton, Missouri
16 63105.

17 And I have some brief procedural comments.

18 I'm legal counsel to the Chamber of Commerce,
19 and I also represent Hutkin Development Company, and I
20 just want to confirm that both of their letters, which are
21 part of your packet, will be accepted into the public

22 record here tonight.

23 And, secondly, with respect to Hutkin
24 Development Company, their letter, I think, speaks for
25 itself, but they wanted me to make sure, if there were any

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1 questions in that regard, I would be happy to answer them.

2 CHAIRMAN MADDEN: Thank you.

3 MR. KLING: Thank you.

4 CHAIRMAN MADDEN: Over here, anybody on this
5 side?

6 Okay. Sir.

7 (Mr. Ray was sworn by the court reporter.)

8 MR. RAY: I'm Tom Ray. I'm an office leasing
9 broker with CBRE, Inc., formally known as CB Richard
10 Ellis. And while I don't live in the City of Creve Coeur,
11 I have focused on this submarket since 1995, is really the
12 core of my office leasing practice.

13 I don't focus on retail, and I don't focus on
14 industrial, but I really do focus on office, so this issue
15 sort of strikes at the heart of not only my practice, but
16 also my clients' practice, and so I had a few thoughts I
17 wanted to relay to you tonight as succinctly as possibly.

18 One of the things that strikes me with regard to
19 our office buildings is that those buildings that are
20 situated on a corner are currently entitled, as I
21 understand the rules, to two building signs.

22 Over the years, not just five or seven years,

23 but even over a decade's worth of practice, that signage
24 aspect actually does confer additional value to, shall we
25 say, Building A located on a corner versus Building B,

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1 which just has one building facing -- or just one side
2 facing the road.

3 When these buildings are traded, that is a point
4 of added value and amenity that is -- that is marketed by
5 the selling broker to the purchaser.

6 So to a very real extent, when the purchaser --
7 when the ultimate purchaser buys that building, they are
8 paying for the value that comes to that sign. So to
9 remove that amenity, at this point in time, to me seems to
10 depriving them of something that they've literally paid
11 for.

12 At a minimum, this strikes me as something that
13 ought to be grandfathered in for existing buildings.

14 Beyond that point, monument signs in the place
15 of existing leasing signs or with regard to that, many
16 buildings currently lack monument signs simply because
17 they sit back in existing office parks, and while they
18 have signage to a minor side street, they don't have that
19 signage to a major road like Mason Road, as an example, in
20 which they feel that it's really worthwhile to put a
21 monument sign up, and they don't have the -- the pressure
22 from their existing tenants to do so.

23 At the same time, they're also looking at the

24 cost of that and saying, well, maybe it'd be a good thing
25 to do, but at a cost for many monument signs in excess of

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1 \$10,000, it's an expensive amenity to create if you don't
2 have to create it in the first place, or if it isn't going
3 to add real value.

4 So -- so the idea, to me, of putting in a
5 \$10,000 monument sign whose primary purpose is to replace
6 the current \$1,000 leasing sign strikes me as an undue
7 burden on an owner, which, in this current economy, and,
8 frankly, over the last ten years, has been challenged by a
9 number of headwinds in the Creve Coeur submarket, and,
10 therefore, it strikes me as an undue burden that could be
11 placed upon them with little added value.

12 The last point that I wanted to make was that
13 leasing signs serve value, both to the public and the
14 owners -- and the owners of the buildings for situations
15 beyond just reletting existing vacant space. It also
16 serves directly to market available space in the building,
17 which has not gone vacant, but could be going vacant.

18 As a leasing broker, I spend a significant
19 portion of my time talking with perspective tenants about
20 space, which is currently occupied and paying rent, but
21 that tenant has either, perhaps, not responded to the
22 ownership about what their long-term plans are for
23 renewing lease or are shopping the market, and there's an
24 ongoing negotiation going on.

25 In that case, that ownership group is looking to

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1 me, as their broker, to be marketing the space as
2 aggressive as possible, and signage is, in Creve Coeur, an
3 excellent way to do that.

4 And so to the extent that -- so the view that a
5 sign is there on a temporary basis to relet an existing
6 vacant space is really less than half the story.

7 The other probably -- perhaps, 60 or 70 percent
8 of that story is to -- is to market available space to
9 tenants as that space is going to become available, but
10 not necessarily yet vacant.

11 In the case of an existing large tenant, let's
12 say 25,000 feet, owners are looking to have those
13 discussions twelve, eighteen, perhaps twenty-four months
14 in advance. Office leases routinely take nine months to
15 get done.

16 So, starting that early, again, for an office
17 space as opposed to other types of space -- space, which I
18 don't consider myself to be an expert in, nine, twelve
19 months in advance even for a 3,000 square foot space is
20 the norm, and is certainly the norm for 10, 15 or 20,000
21 square feet.

22 So there really are two sides to be said for the
23 purpose of the existing leasing signs, and, therefore, the
24 permanency of those signs in a building has five, eight,
25 even fifteen tenants really makes sense.

1 I think one of the reasons that leasing signs
2 have lasted so long is they really do serve so many
3 different portions of the public, both tenants looking for
4 space and owners looking to advertise space.

5 Creve Coeur has done an excellent job with
6 the -- with enhancing our current monument signs to make
7 them look better over the long term, and I really would
8 recommend minimal changes, aside from what I've discussed
9 tonight.

10 Thank you so much.

11 CHAIRMAN MADDEN: Thank you.

12 Anybody else? Okay.

13 MR. LUMLEY: Mr. Chairman, I offer the following
14 exhibits into the record of this public hearing:

15 Documentation in possession of the City Clerk reflecting
16 the notice provided to the public regarding the hearing;
17 the staff report that was presented by Mr. Langdon this
18 evening; the various letters and emails that have been
19 submitted commenting on the proposed changes, including
20 those presented this evening; City's Code of Ordinances
21 and Charter, the City's Comprehensive Plan and public file
22 regarding the application and development of the proposed
23 changes.

24 CHAIRMAN MADDEN: Okay. That'll close that
25 public hearing.

(Public Hearing was closed)

oOo

1 STATE OF MISSOURI)

) SS

2 COUNTY OF ST. LOUIS)

4 I, Deborah K. McLaughlin, Registered Professional

5 Reporter, Missouri Certified Court Reporter, Illinois

6 Certified Shorthand Reporter and Kansas Certified Court

7 Reporter, do hereby certify that I reported the Planning

8 and Zoning Public Hearing stenographically and later

9 reduced to typewriting; and that this is a true and

10 accurate transcript of the public hearing.

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

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

22

23

24

25

77



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

#12-022 FOR THE SUBDIVISION AND CONDITIONAL USE PERMIT OF AN ASSISTED LIVING FACILITY FOR SPECTRUM RETIREMENT COMMUNITIES FOR THE PROPERTY LOCATED AT 693 DECKER LANE

FOR THE MEETING OF: August 20, 2012

LOCATION: 693 Decker Lane

REQUEST:

Spectrum Retirement Communities, LLC, has submitted an application for the subdivision and conditional use permit of a 43,254 square foot, 4-story, 90-unit assisted living facility, at 693 Decker Lane. The property is zoned "CB" Core Business District.

ADDITIONAL INFORMATION:

Assisted living facilities are classified as a "home for the aged, with health care incidental" by the Zoning Code which requires approval of a conditional use permit in the "CB" Core Business District.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request meet with the minimum standards of the proposed "CB" Core Business Commercial?
- Does the request with the required findings for a conditional use permit?

Comp. Plan References

- Central Business District
- Design Guidelines

Zoning Code References

- Section 405.240 Setback and Building Lines
- Section 405.370 "CB" General Core Business District
- Section 405.820, Required Off-Street Parking Spaces
- Section 405.1070, Conditional Use Permits

APPLICANTS: Spectrum Retirement LLC
200 Spruce Street, Suite 200
Denver CO, 80230

APPLICANTS REPRESENTATIVE: Paul Boyer
Civil Engineering Design
Consultants, Inc.
11402 Gravois Rd., Suite 100
St. Louis, MO 63126



REPORT PREPARED BY:

Whitney Kelly
Whitney Kelly, AICP, City Planner

8/16/2012
Date

ATTACHMENTS:

Applicant's letter dated August 13, 2012
Subdivision Plat
Draft Ordinance
Staff Report from August 6, 2012 Planning and Zoning Commission
Public Comment received August 16, 2012

PARKING DISCUSSION FOLLOW-UP

In response to the concerns raised during the public hearing on August 6th, Spectrum Retirement Communities, LLC, has submitted a letter for further information on the parking requirements of their other locations around the country. The parking summary table provided by Spectrum indicates that the average amount of parking provided at their facilities is 0.52 spaces per bed.

In addition, Staff reviewed several communities around the country for parking requirements for assisted living facilities. While not all of the Zoning Codes reviewed listed assisted living centers as a particular use, it would be categorized in the larger group of a group care home, or institutional home. Below is the list of communities reviewed:

Riverside, CA:	1 space for every 3 beds
Seattle, WA:	Assisted living facilities: 1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
Indianapolis, IN:	0.5 spaces per unit, plus 1 parking space per/6 units for visitors, plus one space per each employee on duty during peak work shift
Davis , CA:	Group care homes: two spaces if six or fewer clients, three spaces if twelve or fewer clients, and one per three beds if more than twelve clients. Rest home, sanatorium, convalescent home or hospital: one space for each three beds.
Renton, WA:	1 space per unit, plus dedicated parking spaces for facility fleet
Broomfield, CO:	0.5 spaces per unit
Carbondale, IL:	1 space per 3 beds
Clayton, MO:	Sanitarium, nursing home or institutional home. One (1) parking space for each four (4) beds.
Rock Hill, MO:	Hospitals and similar institutions. 1space for every 8 beds.

Further, the Institute of Transportation of Engineers Parking Generation Manual, 3rd edition (2004), has a parking ratio of 0.5 spaces per dwelling unit for assisted living centers. In 2007, the Pennsylvania Housing Research Center completed a study for residential development standards that included recommended parking rates. Their recommended parking rate of 1 space for every 3 residents for assisted living facilities was based on data from 12 sites in mostly suburban settings [Illinois (1), Virginia (1), California (2), New Jersey (3), and New York (5) (studies were conducted between 1988 and 2002)].

Therefore, based on these new findings that mostly require one space for every two or more beds, the prior analysis of the use, the upcoming change in classification under the NAICS, and the applicants stated requirements based on experience, staff believe the parking rate for nursing and personal care facilities at 1 space for every 2 beds should provide adequate parking on site. If the applicant finds that they require more parking in the future, they will have the option to seek approval of an off-site parking agreement with the parking garage to the south.

COORDINATION WITH SUMMIT LOFTS/WEST VILLAGE CONDOMINIUMS

The letter referenced above also states that the applicants have been meeting with the Summit Lofts board to develop an agreement to close up the garage wall, maintain a fire exit, and grade out the northwest corner of the Spectrum property for safe exiting. Further, they are working with the condominium board to design a mutually-acceptable landscape buffer, that increases privacy for the Summit Lofts pool. Since it appears that a solution is at hand, but not yet finalized, the attached draft ordinance contains the same prior requirement for coordination with the condominiums.

NOTIFICATION FOLLOW-UP

Staff sent out follow-up notification to all of the owners of the adjacent condominiums and commercial properties within 300 feet of the subject property. The addresses were taken from the St. Louis County online property owner information database – this is the most current information available. Other than a resident of Summit Lofts expressing an interest in locating at the new facility and submitting an email in support for the project, no other comments have been received. Information has remained available on the City's website (follow the "Current Planning Projects" link from the Planning Division page), in recent editions of the City newsletter and on a sign posted along the Decker Lane frontage.

ZONING DISTRICT SETBACK REQUIREMENT

At the prior meeting, Staff included a recommendation that the final site development plan reposition the building such that 50% of the building is within 15 feet of the property line. During the meeting, however, the applicant indicated that a 15-foot wide MSD easement within this area may prevent the location of the building closer to the road. It is likely that the easement will consistently affect all of the setbacks along Decker Lane. To address such situations, Section 405.240, *Setback and Building Lines*, of the Zoning Ordinance allows the Planning and Zoning Commission to increase the distance to ensure a consistent right-of-way along such a thoroughfare or if a road expansion is projected in an adopted land use plan. The section reads as follows:

SECTION 405.240: SETBACKS AND BUILDING LINES

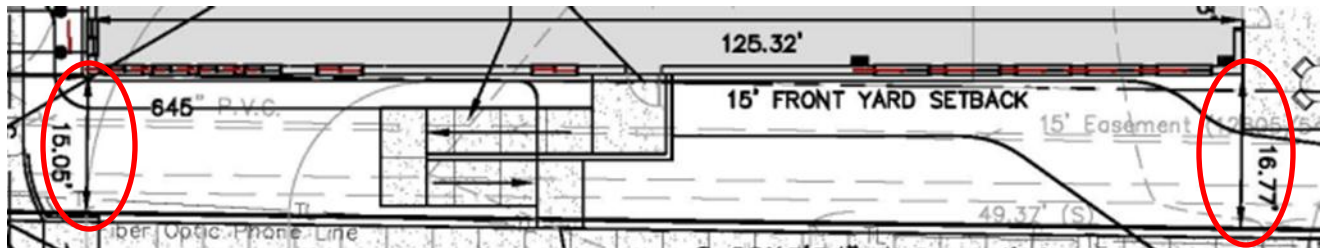
A. *Purposes.* The purposes of the setback lines provided for in this Chapter are to establish safe and clear rights-of-way and to provide adequate light, air and open space in conformity with buildings now in existence.

B. *Setback Requirements On Certain Streets And Rights-Of-Way.*

1. No building or structure shall be located further from a major street or highway in the City of Creve Coeur than provided for by the standards specified below:

b. Major collector streets (Conway, Ladue, Old Olive Street, Warson, Spode, Graeser, Mason, Mosley, Shulte, Craig, Emerson, Old Ballas and Ross Roads and Cross Creek, Decker, Trojan and Tempo Drives): Thirty (30) feet setback from the centerline of said major collector street plus the permitted setback distance established in the zoning district. The Planning and Zoning Commission may increase the distance measured from the centerline of a major collector street to ensure a consistent right-of-way along such a thoroughfare or if a road expansion is projected in an adopted land use plan.

Given that the easement runs the entire length of the street and adjacent parking garages vary in setback from 12 to 30 feet, the condition of the Ordinance has been revised to specifically approve the setback at the proposed location as shown below.



If the Commission members wish to see the building moved closer to the right-of-way, a motion to modify the condition will be needed.

SUMMARY AND RECOMMENDED CONDITIONS OF APPROVAL

Based on the discussions within the staff reports of both August 6th and 20th, the following conditions are included in the draft ordinance along with the customary CUP requirements:

- The Conditional Use Permit shall be for a 43,254 square-foot assisted living, residential care facility with a maximum of 90 resident beds at 693 Decker Lane.

- The applicant is required to submit a Site Improvement Permit application, showing all exterior improvements and landscaping, as required by Section 420.070 of the Land Disturbance Code. The permit application shall be in substantial conformance with the “Site Development Plan,” dated July 26, 2012 as bound together and submitted in conjunction with Application #12-022 by Paul Boyer, of CEDC, Civil Engineering Design Consultants and the Landscape Plan.
- The applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the “Exterior Elevations” dated July 27, 2012, as bound together and submitted in conjunction with Application #12-022 by Paul Boyer, of CEDC, Civil Engineering Design Consultants.
- The Final Landscape Plan shall be in substantial conformance with the “Planting Plan” by Landscape Technologies dated July 6, 2012, except where additional plantings shall be provided along the ground floor main dining elevation between the Decker Lane entrance and the outdoor patio, to meet with the intent of the Design Guidelines for the Zoning Administrator’s approval.
- All exterior plans shall demonstrate grading and stormwater protection of the existing parking garage for the property to the west, and shall indicate that the exiting requirements for the garage per Building Code requirements, are not impeded by the development of the assisted living facility.
- In recognition of a pre-existing Metropolitan St. Louis Sewer District (MSD) easement adjacent to the Decker Lane right-of-way, the front setback for the assisted living facility may be a maximum of 17 feet in accordance with Section 405.240, *Setback and Building Lines*, of the Zoning Ordinance.
- Off-street parking requirements shall be calculated as one parking space per every two resident beds.
- Accessory structures, including the generator and dumpster enclosure, and the supporting structure of the ground monument shall be of materials consistent with the main building.

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 are example motions for this application:

“I move to approve the site development plan and conditional use permit ordinance attached to the staff report on application #12-022, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of August 20, 2012.”
(Conditions may be added, eliminated, or modified by preceding motion).

An additional motion is needed for the subdivision of the property:

“I move to recommend approval of the final subdivision plat for Spectrum Retirement Communities as presented during the August 20, 2012, Planning and Zoning Commission Meeting date.” (Other conditions may be added, eliminated, altered, and modified by prior 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.



August 13, 2012

Mr. Paul Langdon, Community Development Director

City of Creve Coeur
300 N. New Ballas Rd.
Creve Coeur, MO 63141

Re: Spectrum Retirement Communities, 693 Decker Lane

Dear Mr. Langdon:

We appreciate the Planning & Zoning Commission's consideration of our application on August 6. Thank you for the opportunity to provide more information to the city prior to our next hearing on August 20. We understand that there are three issues of concern, which are addressed below.

1. **Parking Count:** Adequate parking is critical to the satisfaction of our residents, their families, and our team members. It is even more critical for the first impression of prospective residents who are visiting our community for the first time. As such, we are very careful in determining the appropriate amount of parking spaces that provides everyone a space while not creating empty asphalt. Please consider the attached summary of parking counts at our existing assisted living communities. We are also beginning to speak with owners of nearby parking lots and parking garages for use on the rare occasions (e.g. Mother's Day) when additional parking might be a concern.
2. **Summit Lofts Garage:** We have spoken with the Summit Lofts board about the best solution to this issue, and we are meeting with the board this evening, August 13. Attached is a sketch of the proposed solution to close up the garage wall, maintain a fire exit, and grade out the northwest corner of the Spectrum property to create a landscape buffer between the two properties.
3. **Summit Lofts Pool Privacy:** As with the garage, we have spoken with the Summit Lofts board to create a privacy fence for their pool, either by constructing a new privacy fence between their pool and our parking lot, or by modifying the east side of their existing fence to create more privacy.

Thank you for your consideration of the above items. We look forward to our next meeting with the Planning & Zoning Commission, and look forward to being a member of the Creve Coeur community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Longfellow".

Michael Longfellow, Sr. Vice President of Construction & Development

Cc: Whitney Kelly, City of Creve Coeur

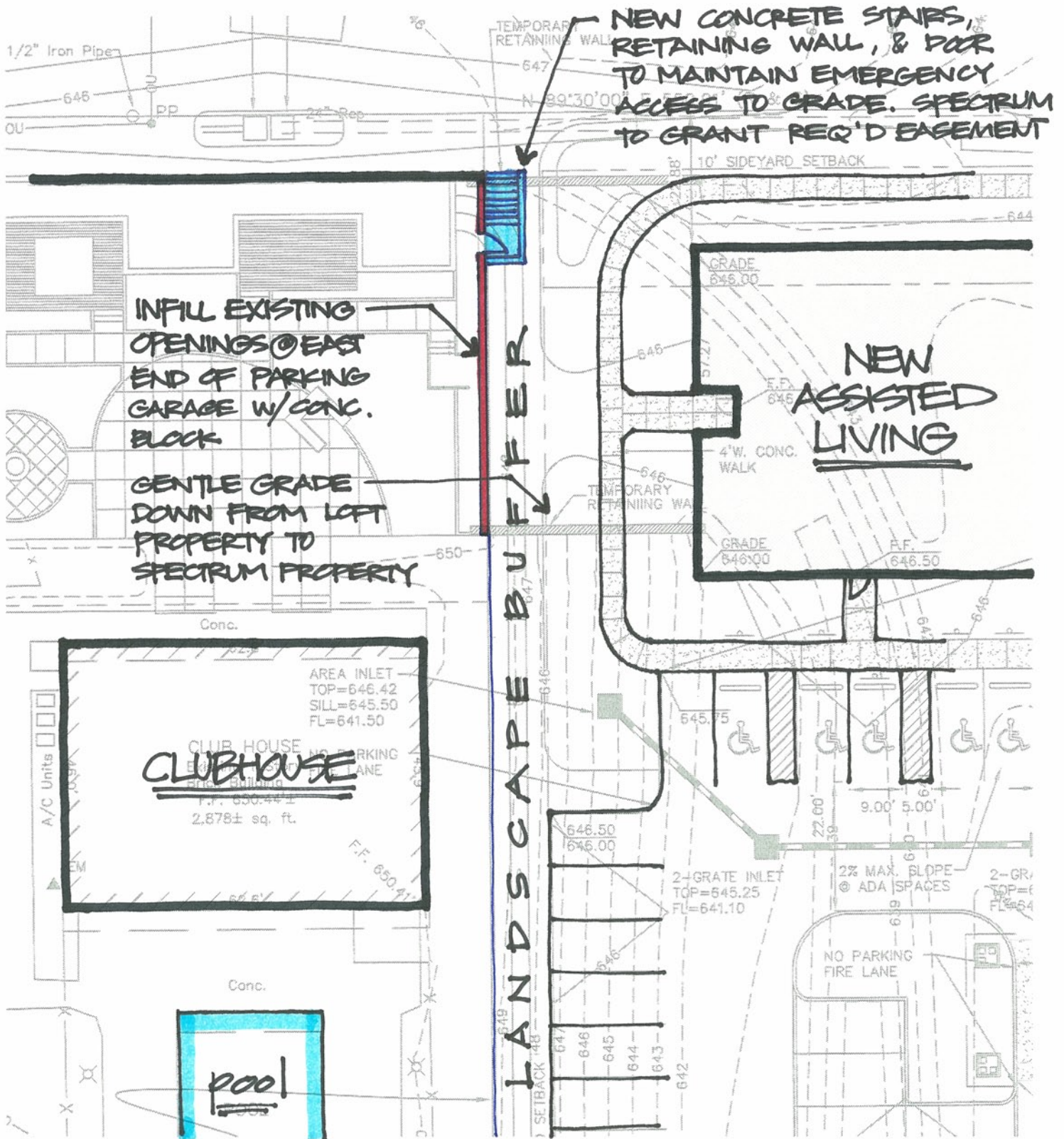
Enclosures: Parking Summary, Sketch Plan for Summit Lofts



SPECTRUM
RETIREMENT COMMUNITIES, LLC

Parking Summary at Assisted Living Communities

Property Name	Location	Property Type	Number of Beds	Parking Spaces	Ratio (spaces per bed)
Cedar Village	Salem, OR	AL w/Memory Care	75	36	0.48
Redwood Heights	Salem, OR	Assisted Living	80	37	0.46
Pheasant Point	Molalla, OR	AL w/Memory Care	57	34	0.60
Ocean Ridge	Coos Bay, OR	Assisted Living	81	33	0.41
Ocean Crest	Coos Bay, OR	AL w/Memory Care	61	25	0.41
Clearwater Springs	Vancouver, WA	Assisted Living	80	37	0.46
Lincoln Meadows	Parker, CO	Independent + Assisted	213	133	0.62
Park Meadows	Overland Park, KS	Independent + Assisted	221	96	0.43
Palos Verdes	Peoria, AZ	Independent + Assisted	144	71	0.49
Three Oaks	Cary, IL	AL w/Memory Care	94	54	0.57
Westview at Ellisville	Ellisville, MO	AL w/Memory Care	82	48	0.59
Southview	Afton, MO	AL w/Memory Care	104	68	0.65
TOTALS			1,292	672	0.52



SPECTRUM
RETIREMENT COMMUNITIES, LLC

Garage/Grading Modifications
at boundary between subject property
and Summit Lofts property

August 13, 2012

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE
PERMIT FOR A 43,254 SQUARE-FOOT, ASSISTED LIVING, HOME FOR THE
AGED, WITH HEALTH CARE INCIDENTAL, FACILITY LOCATED AT 963 DECKER
LANE IN THE "CB" CORE BUSINESS DISTRICT**

WHEREAS, under Section 405.370(C), "CB" Core Business District, assisted living facilities are classified as a "home for the aged, with health care incidental" by the Zoning Code which requires require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Spectrum Retirement Communities, LLC, for a conditional use permit of a 43,254 square foot, 4-story, 90-unit assisted living facility, at 693 Decker Lane; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, August 6, 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, the public hearing was continued on August 20, 2012, to allow for supplemental mailing of notices to adjacent property owners within 300 feet of the subject property regarding the application; and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a ____ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on August 20, 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.

BILL NO. _____

ORDINANCE NO. _____

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

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a restaurant located at 963 Decker Lane, in the "CB" Core Business zoning district, whose legal description is as follows:

All that part of Adjusted Lot A of the "Boundary Adjustment Plat of Part of Lots 7, 8, 9 and 15 of the Lake House Farm Subdivision and all of Trojan Place Addition" as recorded in Plat Book 348 Pages 58 and 59 of the St. Louis County records, described as follows:

Beginning at the northeast corner of said Adjusted Lot A, also on the West line of Decker Lane;

Thence along said West line of Decker Lane South 00 Degrees 15 Minutes 54 Seconds West a distance of 303.94 feet to the South line of said Adjusted Lot A;

Thence along said South line of said Adjusted Lot A South 89 Degrees 27 Minutes 57 Seconds West a distance of 227.09 feet to the East line of Amendment No. 1, the Summit Lofts, a Condominium as recorded in Plat Book 355 Page 141 of the St. Louis County records;

Thence along said East line of Amendment No. 1, the Summit Lofts, a Condominium North 00 Degrees 30 Minutes 00 Seconds West a distance of 304.05 feet to the North line of the aforesaid Adjusted Lot A;

Thence along said North line of Adjusted Lot A North 89 Degrees 30 Minutes 00 Seconds East a distance of 231.15 feet to the point of beginning and containing 69,647 square feet or 1.60 acres, more or less.

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 a 43,254 square-foot assisted living, residential care facility with a maximum of 90 resident beds at 693 Decker Lane.
2. The applicant is required to submit a Site Improvement Permit application, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code. The permit application shall be in substantial conformance with the "Site Development Plan," dated July 26, 2012 as bound together and submitted in conjunction with Application #12-022 by Paul Boyer, of CEDC, Civil Engineering Design Consultants.
3. The applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the "Exterior Elevations" dated July 27, 2012, as bound together and submitted in conjunction with Application #12-022 by Paul Boyer, of CEDC, Civil Engineering Design Consultants.
4. The Final Landscape Plan shall be in substantial conformance with the "Planting Plan" by Landscape Technologies dated July 6, 2012, except where additional plantings shall be provided along the ground floor main dining elevation between the Decker Lane

entrance and the outdoor patio, to meet with the intent of the Design Guidelines for the Zoning Administrator's approval.

5. All exterior plans shall demonstrate grading and stormwater protection of the existing parking garage for the property to the west, and shall indicate that the exiting requirements for the garage per Building Code requirements are not impeded by the development of the assisted living facility.
6. In recognition of a pre-existing Metropolitan St. Louis Sewer District (MSD) easement adjacent to the Decker Lane right-of-way, the front setback for the assisted living facility may be a maximum of 17 feet in accordance with Section 405.240, Setback and Building Lines, of the Zoning Ordinance.
7. Off-street parking requirements shall be calculated as one parking space per every two resident beds.
8. Accessory structures, including the generator and dumpster enclosure, and the supporting structure of the ground monument shall be of materials consistent with the main building.
9. All lighting shall be in conformance with Section 405.680, Lighting, of the Zoning Code
10. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
11. The kitchen facility 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.

BILL NO. _____

ORDINANCE NO. _____

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



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
#12-022 FOR THE SUBDIVISION AND CONDITIONAL USE PERMIT OF AN
ASSISTED LIVING FACILITY FOR SPECTRUM RETIREMENT COMMUNITIES FOR
THE PROPERTY LOCATED AT 693 DECKER LANE

FOR THE MEETING OF: August 6, 2012

LOCATION: 693 Decker Lane

REQUEST:

Spectrum Retirement Communities, LLC, has submitted an application for the subdivision and conditional use permit of a 43,254 square foot, 4-story, 90-unit assisted living facility, at 693 Decker Lane. The property is zoned "CB" Core Business District.

ADDITIONAL INFORMATION:

Assisted living facilities are classified as a "home for the aged, with health care incidental" by the Zoning Code which requires approval of a conditional use permit in the "CB" Core Business District.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request meet with the minimum standards of the proposed "CB" Core Business Commercial?
- Does the request with the required findings for a conditional use permit?

Comp. Plan References

- Central Business District
- Design Guidelines

Zoning Code References

- Section 405.370 "CB" General Core Business District
- Section 405.820, Required Off-Street Parking Spaces
- Section 405.1070, Conditional Use Permits

APPLICANTS: Spectrum Retirement LLC
200 Spruce Street, Suite 200
Denver CO, 80230

APPLICANTS REPRESENTATIVE: Paul Boyer
Civil Engineering Design
Consultants, Inc.
11402 Gravois Rd., Suite 100
St. Louis, MO 63126



REPORT PREPARED BY:

Whitney Kelly
Whitney Kelly, AICP, City Planner

8/3/2012
Date

ATTACHMENTS: Applicant's Materials Submitted July 26, 2012
Subdivision Plat
Draft Ordinance

INTRODUCTION

Spectrum Retirement Communities, LLC, has submitted an application for the subdivision of 1.6 acres in the “CB” Core Business District at 693 Decker Lane along with a conditional use permit of a 43,254 square foot, 4-story, 90-unit assisted living facility. The property is located between the Plaza Motors structured parking deck to the north and the parking deck for the office development to the south. Assisted living facilities are classified as a “home for the aged, with health care incidental” by the Zoning Code which requires approval of a conditional use permit in the “CB” Core Business District.

The subject property was originally included as the location of the third, 4-story building of Summit Lofts Condominium complex that received approval in 2004. However this phase of the project was never completed and the property has remained vacant since that time.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Plaza Motors	“CB” Core Business District	NA
South	Office	“CB” Core Business District	NA
East	Plaza Motors, and Hutkin Development Company offices	“CB” Core Business District	Decker Lane
West	Residential, Summit Lofts Condominium	“CB” Core Business District	NA

COMPREHENSIVE PLAN REVIEW

The subject property is located in the Key Property Area 1 in the Central Business District that is bounded by I-270 to the west, Old Ballas Road to the east and south, and Olive Boulevard to the north. The Comprehensive Plan encourages redevelopment that incorporates design elements including “human scale” storefronts and the majority of off-street parking located behind or beside buildings, or within strategically placed parking structures (page 87).

The site development plan shows that the building is oriented to the street with parking behind it. There are pedestrian connections throughout the site, and outdoor dining along Decker Lane. Thus the project meets with the intent of the Comprehensive Plan.

DESIGN GUIDELINES REVIEW

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

Chapter 1 for Site Layout

A. Physical Features and Site Relationships

- 3. Size, design, and orientation of buildings should be sensitive to existing terrain, existing buildings, and the surrounding area. Design outdoor spaces to be sensitive to views, climate, solar angles, and the nature of outdoor activities that could occur in conjunction with the project.*

B. Streetscape/Pedestrian Orientation

- 1. High Quality, pedestrian scale and walkable area are the objective. Site and building design should address pedestrian needs and develop creative approaches to improving pedestrian interest, access, and enjoyment*
- 2. Avoid spatial gaps and interruptions along the “streetscape” caused by parking or other non-pedestrian elements, such as building gaps, driveways and service entries. Continuous pedestrian activity is strongly encouraged.*

3. *Pedestrian open spaces, such as covered walkways, courtyards, and plazas, are encouraged, as is the development of open and attractive passageways between buildings and adjoining developments.*
4. *Plazas, courtyards, landscaping, public art and similar amenities or public assembly areas that are accessible and visible from the street are strongly encouraged.*
5. *Solid, blank walls and other “dead” or dull spaces at the street level should be avoided. Visually interesting building facades and activities should be maintained and/or established to engage pedestrian interest, such as primary entrances and display windows. Outdoor seating and dining area that face the street are encouraged.*
6. *Building frontages should provide at least one (1) public entrance from the street. Frontage design and signage locations should be coordinated with streetscape landscaping and street trees. Active building fronts with large window openings at ground level with transparent, non-reflective, minimally tinted glass are strongly encouraged.*
11. *Vehicular access is limited with no more than one (1) access per street frontage. The sharing of vehicular access between properties to minimize the number of curb cuts is encouraged.*
13. *All sidewalks should conform to the City of Creve Coeur Pedestrian Plan.*

C. Pedestrian and Vehicular Circulation

3. *Access, general circulation, separation of pedestrian and vehicular traffic, and design of parking areas should be safe and convenient, while not detracting, from the design of the building and adjacent properties. Direct access from the street and from parking areas to the principal structure should be provided.*
4. *Circulation systems should be designed to avoid conflicts between vehicular, bicycle and pedestrian traffic. Pedestrian circulation should take precedence over vehicular circulation. In order to emphasize conflict points and improve pedestrian safety and visibility, the use of textured or tinted materials for pedestrian crossings should be utilized where pedestrian circulation paths cross a vehicular route.*
5. *Pedestrian linkages between uses in commercial development should be provided and emphasized.*

The site development plan provides for a new sidewalk connecting with the existing sidewalk at the north and south property line. The design of the sidewalk along Decker Lane is 5 feet in width, and approximately 3 feet from the curb. This is consistent with the Pedestrian Plan for Decker Lane which is identified as a secondary street type. Pedestrian circulation is also provided throughout the site consistent with the Design Guidelines for Site Layout.

Chapter 2 / Building

A. General Architectural Guidelines

1. *The City of Creve Coeur strongly encourages interesting, articulated and high quality structures. Long or continuous wall planes should be avoided. Buildings should exhibit detail and elements appropriate for pedestrian view.*
2. *Defined outdoor spaces including courtyards, patios, plazas, covered walkways, arcades, colonnades, gardens, trellised area and similar activity centers, should be incorporated into the building design.*
3. *Building surfaces two(2) stories high or more or 60 feet in length should be relieved with changes of wall plane that provide strong shadow or visual interest.*

C. Design

1. *A diversity of high quality architectural design is strongly encouraged. Building design should incorporate a clear and well-articulated design concept.*
2. *Building facades that provide for a linear and repetitive streetscape appearance are strongly discouraged. Variations between the front elevations and the use of landscaping elements are strongly encouraged.*

3. *The primary building entrance that is clearly defined and provide a sense of entry. It should be oriented to the street and provide protection from the elements, such as recesses roof overhangs, projecting canopies or other similar features.*
 4. *Special attention and detail should be given to the design of buildings at street level. Design elements at street level that attract pedestrians and reinforce street activity are strongly encouraged. Varied and interesting building facades are key to creating a “pedestrian oriented” place. Streets with monotonous and unarticulated buildings, which are not conducive to pedestrian activity and make walking less appealing, are strongly discouraged.*
- D. Relationship to Neighboring Development*
1. *Architectural design should be compatible with the developing character of the neighborhood area. Design compatibility includes complementary building style, form, size, color and materials.*
- E. Materials/Colors*
1. *Materials should have good architectural character, be durable, and be selected for their compatibility with adjoining buildings and properties. Natural, traditional building materials are encouraged. A preference should be given toward “green” building materials that can be recycled. Highly reflective and/or synthetic materials are discouraged.*
- F. Building Services*
1. *Services and trash or utility areas should be positioned to minimize view and visual impact. Building equipment and utilities are to be located, designed and/or screened to minimize visual impact on public streets, surface parking lots and neighboring properties.*

Further, the Design Guidelines provide additional recommendations based on the “use” of the structure for multiple-family, attached residential developments. While the proposed use is not in the strict sense a multi-family development, the development of the building functions in much the same way. Therefore analysis of the recommendations is also included:

Chapter 3 / “Use” Specific Guidelines

D. Multiple-Family/Attached Residential Development

1. *New multiple-family residential developments are encouraged to respect the scale and character of any adjacent residential neighborhood. Attention to views, building scale and orientation, proximity to adjacent uses, location of driveways, noise, lighting, topography and landscape should be respected.*
2. *Building facades should be articulated by using color, arrangement or change in materials to emphasize the façade elements. The planes of the exterior walls may be varied in height, depth, or direction. Extremely long facades should be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering institutional appearance.*
3. *Individual dwelling units should be architecturally expressed. Such expression shall help reduce the apparent scale of the building and shall increase the feeling of individual identity of each unit.*

Overall the design of the building meets with the Design Guidelines. The applicant is utilizing tan and red brick and manufactured stone throughout the building that is similar in color to the existing Summit Loft buildings, and the darker brick on the Plaza Motors garage structure. While the main entrance of the building is located along the west elevation to provide safe arrival of vehicles at the front door, pedestrian features such as large windows at the dining area and an outdoor patio along Decker Lane are provided. The area designated for the ground floor dining is centered on the vehicular approach from Studt Lane. The applicants have made an attempt to create additional presence at this point with the use of manufactured stone.

RED BRICK
MANUF STONE

PERGOLA

Architectural drawing of a building section, showing structural details and annotations. The drawing includes a cross-section of a wall and roof assembly. Key annotations include:

- Top Annotations:**
 - MB
 - 24"-30"
 - 5 ga
 - 3" Cal.
 - 3" Cal.
 - 5 ga
- Bottom Annotations:**
 - MB
 - 24"-30"
 - 5 ga
 - 3" Cal.
 - 3" Cal.
 - 5 ga
- Structural Details:**
 - Roof structure with insulation and structural members.
 - Wall section showing various materials and layers.
 - Foundation and ground level indicated by hatching.
 - Internal structural elements like columns and beams.

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Landscape Design Guidelines:

The Design Guidelines recommendations for the landscape design are as follows:

Chapter 4 / Landscape Design

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

Staff finds that the landscaping is well designed throughout most of the site and in compliance with the Design Guidelines and the Zoning Code requirements, except as discussed above, where additional landscaping is needed to provide interest and focus to the area along with the end point of Studt Ave. A condition of approval has been included for this revision.

ZONING REVIEW

The property is zoned "CB" Core Business District. Section 405.370(C)(m) includes Residential care, homes for the aged, with health care incidental as a conditional use.

Development Regulations

Section 405.370: "CB" CORE BUSINESS DISTRICT

D. Site Concept And Site Development Plan Required. Site concept and site development plan approval by the Planning and Zoning Commission shall be required for all proposed developments within the "CB" District as provided for in Section 405.1080.

E. Dimensional Regulations. The following area and yard regulations apply in the "CB" Core Business District.

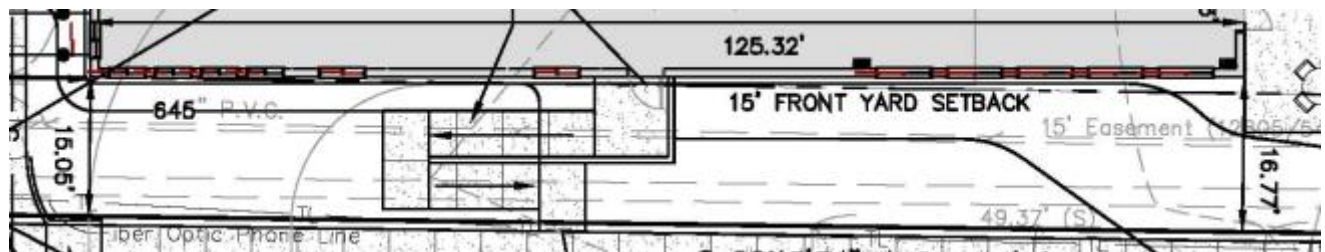
2. *Lot size requirements.*
 - a. *Minimum lot area. The permitted use of any given site or lot shall be determined by the size of the site or lot under single ownership or other common legal control as prescribed in Section 405.370(B). In no event shall any lot or site be developed or improved which has an area of less than one-half (½) acre (twenty-one thousand seven hundred eighty (21,780) square feet) in single ownership.*
 - b. *Minimum lot width. One hundred (100) feet.*
 - c. *Minimum lot depth. One hundred (100) feet.*
3. *Building bulk regulations.*
 - a. *Maximum structure height. No building or structure shall exceed four (4) stories or sixty (60) feet in height.*

- b. *Maximum site coverage.*
 - (1) The amount of gross site area covered by buildings and structures, surface parking, pavement for automobile circulation or permitted exterior business services, storage, merchandise display, repair or processing shall not exceed sixty-three percent (63%) of the site.
 - (2) The Planning and Zoning Commission may, in its discretion, allow the permitted coverage to be increased as a bonus (not to exceed the total of seventy percent (70%) site coverage) in consideration of special or outstanding landscape and site planning features as demonstrated by a site development plan submitted in accordance with Section 405.1080. The features to be considered in the granting of any bonus coverage may include, but not be limited to, the provision of:
 - (a) Special pedestrian facilities and features such as fountains, seating areas and outdoor recreation amenities;
 - (b) Objects of art or beautification; statuary or other unique visual features;
 - (c) Burial of overhead transmission lines and removal of utility poles.
- c. *Maximum floor area ratio.* Class 1 developments shall not exceed a floor area ratio (FAR) of twenty-five hundredths (.25) (one (1) square foot of gross building floor area per four (4) square feet of site area). Class 2 developments shall not exceed a floor area ratio of one (1.0) (one (1) square foot of floor area per square foot of site).
- 4. *Yard and setback requirements.*
 - a.
 - (1) *Maximum front yard.* A minimum of fifty percent (50%) of the building elevation parallel to the street right-of-way shall be located a maximum of fifteen (15) feet from the right-of-way established by the adopted site development plan for the "CB" Core Business District. In the event that the planned right-of-way is greater than the present right-of-way, the required setback shall be measured from a line located a distance equal to one-half ($\frac{1}{2}$) the width of the planned right-of-way from the centerline of the present right-of-way. The provisions of Section 405.240 shall prevail where applicable on major streets or highways. In every instance, the first ten (10) feet of the front yard setback from the right-of-way, excluding the building placement, shall be provided with and maintained with sidewalks, unless improved sidewalks exist in the abutting public right-of-way, and with landscaping including, but not limited to, deciduous street trees at regular intervals.
 - (2) *Maximum front yard for parcels fronting Olive Boulevard.* A building or structure shall be located a maximum of eighty (80) feet from established right-of-way. The provisions of Section 405.240 shall prevail if they are stricter than the requirements of this district. In every instance, the first ten (10) feet of the front yard setback from the right-of-way, excluding building placement, shall be provided with and maintained with sidewalks, unless improved sidewalks exist in the abutting public right-of-way, and with landscaping including, but not limited to, deciduous street trees at regular intervals.
 - b. *Minimum side yard.* Ten (10) feet.
 - c. *Minimum rear yard.* Ten (10) feet.
 - d. *Buffer yards.* Notwithstanding the provisions of Sections 405.370(E)(4)(b) and 405.370(E)(4)(c) above, any tract or site abutting a single-family residential zoning district shall provide a buffer yard of fifty (50) feet on all sides that abut or adjoin the single-family district. The setback for buildings exceeding three (3)

stories or forty-five (45) feet in height shall be increased to two hundred (200) feet. An additional two (2) feet of buffer yard shall be provided for every foot of building height exceeding forty-five (45) feet. The buffer area resulting from these setback requirements shall not contain any impervious surface and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission.

The site meets the minimum requirements above regarding lot dimensions and site coverage. The new lot is 1.6 acres, with proposed site coverage of 62.5%. Lot depth is 227.09 feet along the south property line and lot width is 303.94. The building is 4-stories, with the highest element at 48 feet above grade, and a F.A.R of 0.62.

However, the plans indicate that the south corner is located 15.05 feet from the property line, and the northern corner of the bump out is at 16.77 feet from the property line, which is inconsistent with the maximum setback requirement that 50% of the building must be within 15 feet from the right-of-way. Below is a detail of this section of the building, and the perspective of the building façade that provides a view of the building façade:



This section of the building is 125.32 feet of 216.93 feet (or 58%) of the width of the building. The Applicant's representative has indicated that this section can be revised to meet with the maximum setback requirement. Given this, staff recommends a condition of approval that includes that the building plans be revised to meet this requirement.

The grading of the property at the northwest property line includes accommodating the existing Summit Lofts garage egress door, and retaining wall. Originally the building on this proposed site included tying into the underground parking of the other buildings at this location. The existing door and plywood wall were allowed as a temporary measure until the second half of Summit Lofts was constructed. Obviously, that never happened. Spectrum Retirement Communities has indicated that they will coordinate with Summit Lofts to develop a solution for finishing the wall and exit door, per Building Code requirements, and the site plans indicate a retaining wall to prevent stormwater issues. A condition of approval includes that the final site development plan show that all Building Code exiting issues regarding the Summit Lofts garage are not blocked by this development..

Landscaping Review

The Zoning Code regulates landscaping through Section 405.540 *Landscaping*. As discussed above under the Design Guidelines review, the proposed landscaping is well designed throughout most of the site and meets with the minimum requirements of the Zoning Code. Plans indicate that of the 20,641 sq. ft. of parking lot and drive aisle on site, 1,236 sq. ft. of green space has been provided, where the Code requires a minimum of 589.7sq.ft. Eleven trees are provided along Decker Lane per the requirement of one street tree for every 30 feet of frontage, and 5 trees provided to meet the requirement of one tree per 100 linear feet of parking row.

Parking Requirements

The City of Creve Coeur does not have an existing assisted living facility aside from the single floor of rooms within the much larger Hallmark development on Craig Road. As such, there has never been a

need to fully investigate the parking requirements for such a use beyond a simple read of the Zoning Code text. However, staff has uncovered several concerns in the process of analyzing this application:

1. The 1987 SIC aggregates several disparate uses together under one code (Major Group 83, Social Services) that includes childcare, residential care for various groups (including assisted living for the elderly), job training facilities and conventional social service agencies.
2. Functionally, the above grouping of uses is quite varied, from unique facilities like childcare and assisted living homes, to school-like facilities and to traditional office building settings. Clearly, these uses do not all create similar parking demands.
3. Section 405.820, Required Off-Street Parking Spaces, separates childcare parking as a unique class, but then leaves all other uses under “Social Services” and applies a conventional office parking requirement (1 space per 300 square feet of floor area) even though residential care facilities do not operate in this fashion and would be incorrectly assessed an absurd amount of parking (145 spaces) relative to the true demand based upon experience. This is not a usable parking standard for assisted living facilities.
4. Under the 1987 SIC and Section 405.820 of the current Zoning Code, nursing and personal care facilities are placed in Major Group 80, Health Services, and assigned an appropriate parking demand of one space for every two resident beds.
5. The 2002 NAICS takes a more operational approach and categorizes nursing care in the same group as all other residential care and places social services in a completely different category that is primarily other offices uses.
6. If the NAICS approach is used to determine parking demand for assisted living, then the nursing and personal care facilities standard would appear to be the correct standard to use, rather than an office parking standard.
7. The effort to convert the Zoning Code from SIC use designations to NAICS designations is already begun and will correct the apparent over-sight in the Zoning Code.

With these facts and interpretations in mind, Staff believes that the current Zoning Code standards fail to recognize assisted living as a unique use and, therefore, do not contain a parking requirement for assisted living, only childcare and office-based social services. Absent a directly applicable standard, the next nearest and appropriate standard is that used for nursing care. This is borne out by the trend in the NAICS definitions, the City’s experience with the true parking demands at Hallmark, and the applicant’s experience on the many facilities they already operate.

Applying the one space per two beds standard yields a parking requirement of 45 for the proposed facility where 45 parking spaces are provided. Based on this interpretation, sufficient parking appears to be provided but a condition of approval is included that limits the number of resident beds and establishes the appropriate parking requirement. If the members of the Planning Commission are concerned that the interpretation is flawed and more parking should be provided, they should discuss off-site parking arrangements with the applicant or reducing the size of the building as there is insufficient site area to provide any more parking spaces with the current building floor area.

Photometric Plan

The applicant has submitted a photometric plan that indicates that all lighting is downcast and fully shielded, and not cast upon an adjacent property or right-of-way in compliance with Section 405.680 of the Zoning Code. Site lighting usage will be from dusk to dawn. The properties to the north and south are parking garages; therefore staff does not foresee a problem with the lighting.

Signage

The drawings show a low monument sign. All signage is approved under a separate review process and any approval of the rezoning and site development plan does not constitute approval of the signage shown on the drawings. However, the supporting structure of the sign can be reviewed with the Design Guidelines, which is of materials consistent with the main building.

Subdivision

The new 1.6 acre lot meets with all of the district requirements in the “CB” Core Business District.

SUMMARY AND RECOMMENDED CONDITIONS OF APPROVAL

Conditions discussed within the staff report which are included in the draft ordinance include:

- The Conditional Use Permit shall be for a 43,254 square-foot assisted living, residential care facility with a maximum of 90 resident beds at 693 Decker Lane.
- The applicant is required to submit a Site Improvement Permit application, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code. The permit application shall be in substantial conformance with the “Site Development Plan,” dated July 26, 2012 as bound together and submitted in conjunction with Application #12-022 by Paul Boyer, of CEDC, Civil Engineering Design Consultants, except that the plans shall be revised to indicate that 50% of the building setback is at a maximum of 15 feet from the property line along Decker Lane per zoning district regulations.
- The applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the “Exterior Elevations” dated July 27, 2012, as bound together and submitted in conjunction with Application #12-022 by Paul Boyer, of CEDC, Civil Engineering Design Consultants.
- Landscape Plan shall be revised to provide additional plantings along the ground floor main dining elevation between the Decker Lane entrance and the outdoor patio, to meet with the intent of the Design Guidelines for the Zoning Administrator’s approval.
- All exterior plans shall demonstrate grading and stormwater protection of the existing parking garage for the property to the west, and shall indicate that the exiting requirements for the garage per Building Code requirements, are not impeded by the development of the assisted living facility.
- Off-street parking requirements shall be calculated as one parking space per every two resident beds.
- Accessory structures, including the generator and dumpster enclosure, and the supporting structure of the ground monument shall be of materials consistent with the main building.

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 are example motions for this application:

“I move to approve the site development plan and conditional use permit ordinance attached to the staff report on application #12-022, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of August 6, 2012.”
(Conditions may be added, eliminated, or modified by preceding motion).

An additional motion is needed for the subdivision of the property:

“I move to recommend approval of the final subdivision plat for Spectrum Retirement Communities as presented during the August 6, 2012 Planning and Zoning Commission Meeting date.” (Other conditions may be added, eliminated, altered, and modified by prior 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 MAP



APPENDIX 4: SITE PHOTOGRAPHS	Photo Date: 07/27/2012
	Description: View of the property looking west where Studt Avenue ends at Decker Lane. Summit Lofts Condominium is in the background.
	Description: View looking northwest from across Decker Lane at the neighboring development. (Parking garage for Plaza Motors).
	Description: View looking southwest from across Decker Lane at the neighboring development. (Parking garage and office development in the background.)

	Description: View looking east from the south east corner of the subject property to the single story office development across Decker Lane.
	Description: View looking east from the northeast corner of the subject project to Plaza Motors garage parking and ground floor.
	Description: View of the temporary measures at the Summit Lofts parking garage.

 A photograph showing a view looking north along Decker Lane. On the left is a large, multi-story brick parking garage. A grassy area with some orange survey flags is in the foreground. A concrete sidewalk runs along the right side of the road. In the distance, a white delivery truck is visible on the road, and another building is partially visible on the right.	Description: View looking north from the south corner of the subject property along Decker Lane.
 A photograph showing a view looking south along Decker Lane. The road is lined with mature green trees on both sides. A concrete sidewalk is on the right. A white building is partially visible through the trees on the right. The sky is clear and blue.	Description: View looking south from the south corner of the subject property along Decker Lane.

SITE DEVELOPMENT PLAN

FOR

SPECTRUM RETIREMENT COMMUNITIES

ALL THAT PART OF ADJUSTED LOT A OF THE "BOUNDARY ADJUSTMENT PLAT OF PART OF LOTS 7, 8, 9 AND 15 OF THE LAKE HOUSE FARM SUBDIVISION AND ALL OF TROJAN PLACE ADDITION" AS RECORDED IN PLAT BOOK 348 PAGES 58 AND 59 OF THE ST. LOUIS COUNTY RECORDS CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI

LEGEND

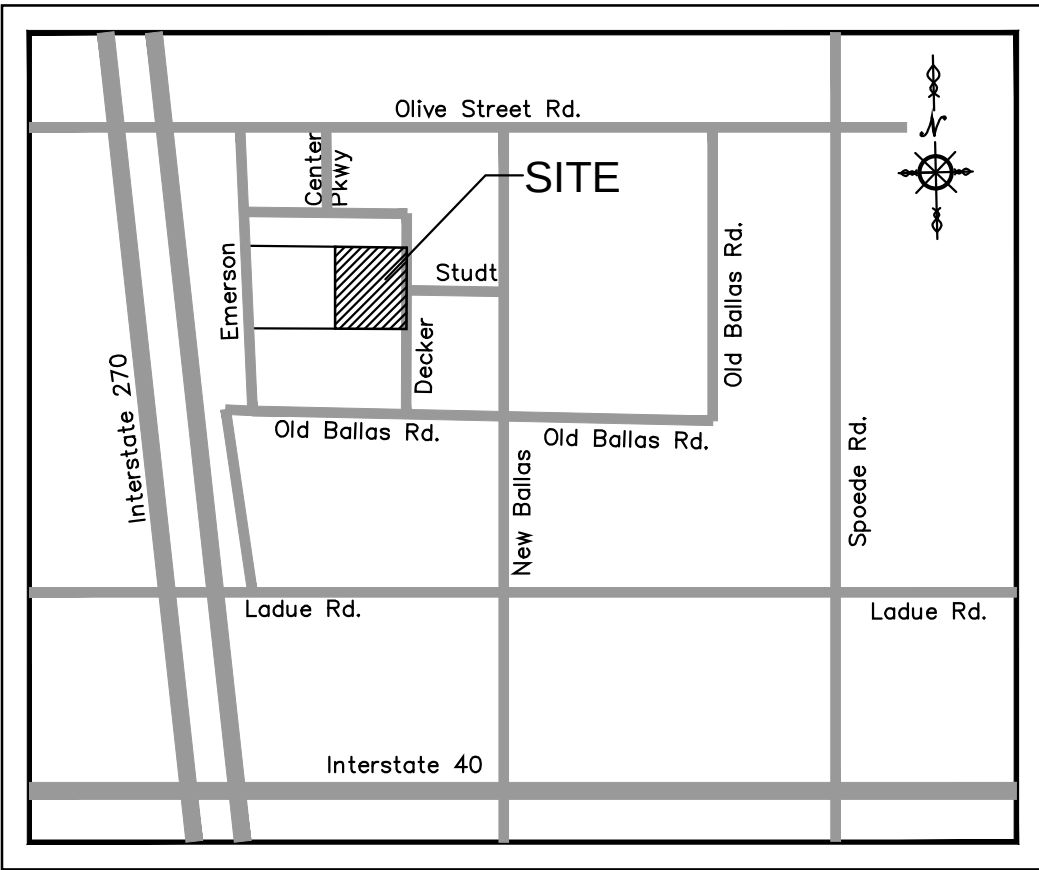
EXISTING CONTOURS	--- 433 ---
PROPOSED CONTOURS	— 433 —
EXISTING STORM SEWER	== [] ==
PROPOSED STORM SEWER	== [■] ==
EXISTING SANITARY SEWER	== [○] ==
PROPOSED SANITARY SEWER	--- [●] ---
RIGHT-OF-WAY	— — — — —
EASEMENT	- - - - -
CENTERLINE	- - - - -
EXISTING TREE	[13']
EXISTING SPOT ELEVATION	× 433.28
PROPOSED SPOT ELEVATION	433.28
SWALE	[~]
TO BE REMOVED	T.B.R.
TO BE REMOVED & RELOCATED	T.B.R. & R.
TO BE USED IN PLACE	U.I.P.
TO BE ADJUSTED	T.B.A.
BACK OF CURB	B.C.
FACE OF CURB	F.C.
WATER MAIN	— W — W —
GAS MAIN	— G — G —
UNDERGROUND TELEPHONE	— T — T —
OVERHEAD WIRE	— O.H. — O.H. —
UNDERGROUND ELECTRIC	— E — E —
FIRE HYDRANT	[FH]
POWER POLE	[PP]
WATER VALVE	[WV]
LIGHT STANDARD	[LS]

ABBREVIATIONS

N	NORTH
S	SOUTH
E	EAST
W	WEST
CONC	CONCRETE
ASPH	ASPHALT
PB	PLAT BOOK
DB	DEED BOOK
PG	PAGE
SF	SQUARE FEET
AC	ACRES
ELEV	ELEVATION
FF	FINISH FLOOR
FL	FLOWLINE
PVC	POLYVINYL CHLORIDE PIPE
RCP	REINFORCED CONCRETE PIPE
STM	STORM
SAN	SANITARY
(S)	SAVE
(R)	REMOVE
(T.B.R.)	TO BE REMOVED
(T.B.R.&R.)	TO BE REMOVED AND REPLACED

PREPARED FOR:
SPECTRUM RETIREMENT COMMUNITES, LLC
200 SPRUCE STREET, SUITE 200
DENVER, COLORADO 80230
PHONE (303) 360-8812
FAX (303) 360-8814

PREPARED BY:
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CIVIL ENGINEERING
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Suite 100
Saint Louis, Missouri 63126
314.729.1400
Fax: 314.729.1404
www.cedc.net



LOCATION MAP

NOT TO SCALE

PROPERTY DATA

OWNER	= FIFTH THIRD BANK
OWNER UNDER CONTRACT	= SPECTRUM RETIREMENT COMMUNITES, LLC
SITE ADDRESS	= 693 DECKER LANE CREVE COEUR, MO 63141
LOCATOR NUMBER	= 170331782
SITE AREA	= 1.60 ± ACRES
ZONING	= "CB" CORE BUSINESS DISTRICT
FIRE DISTRICT	= CREVE COEUR FIRE DISTRICT
SCHOOL DISTRICT	= PARKWAY SCHOOL DISTRICT
WATER SHED	= DEER CREEK
FEMA MAP	= FIRM 29189C0162 H, AUG. 2, 1995 UNSHADED ZONE X
MSD BASE MAP	= 17-0

UTILITIES / AGENCIES

ELECTRIC COMPANY	= AMERENUE - DORSETT DISTRICT 12121 DORSETT ROAD ST. LOUIS, MO 63043 PH. (314) 344-9575	WATER COMPANY	= MISSOURI AMERICAN WATER COMPANY 1050 RESEARCH BLVD. ST. LOUIS, MO 63132 PH. (314) 996-2464
PHONE COMPANY	= AT&T 402 NORTH THIRD STREET ST. CHARLES, MO 63301 PH. (636) 949-4228	CABLE TELEVISION	= CHARTER COMMUNICATIONS, INC. MAPPING & DESIGN DEPARTMENT 841 CHARTER COMMONS CHESTERFIELD, MO 63017 PH. (636) 220-2174
GAS COMPANY	= LACLEDE GAS COMPANY 720 OLIVE STREET ROOM 1408 ST. LOUIS, MO 63101 PH. (314) 342-0686	FIRE DISTRICT	= CREVE COEUR FIRE PROTECTION DISTRICT 11221 OLIVE BOULEVARD ST. LOUIS, MISSOURI 63141 PH. (314) 432-5570 FAX: (314) 432-2367 ATTN: MR. ART OESTEREICH, FIRE MARSHAL

LEGAL DESCRIPTION

All that part of Adjusted Lot A of the "Boundary Adjustment Plat of Part of Lots 7, 8, 9 and 15 of the Lake House Farm Subdivision and all of Trojan Place Addition" as recorded in Plat Book 348 Pages 58 and 59 of the St. Louis County records, described as follows:

Beginning at the northeast corner of said Adjusted Lot A, also on the West line of Decker Lane;

Thence along said West line of Decker Lane South 00 Degrees 15 Minutes 54 Seconds West a distance of 303.94 feet to the South line of said Adjusted Lot A;

Thence along said South line of said Adjusted Lot A South 89 Degrees 27 Minutes 57 Seconds West a distance of 227.09 feet to the East line of Amendment No. 1, the Summit Lofts, a Condominium as recorded in Plat Book 355 Page 141 of the St. Louis County records;

Thence along said East line of Amendment No. 1, the Summit Lofts, a Condominium North 00 Degrees 30 Minutes 00 Seconds West a distance of 304.05 feet to the North line of the aforesaid Adjusted Lot A;

Thence along said North line of Adjusted Lot A North 89 Degrees 30 Minutes 00 Seconds East a distance of 231.15 feet to the point of beginning and containing 69,647 square feet or 1.60 acres, more or less.

End of Description

BENCHMARKS

MSD BENCHMARK: 15-59-676.98' - "1" ON THE SOUTHEAST CORNER OF CONCRETE STEP, 1' EAST AND 0.4' SOUTH OF THE SOUTH SIDE OF DOOR ENTRANCE TO OFFICE OF SERVICE STATION; SOUTHWEST CORNER OLIVE STREET ROAD AND BALLAS ROAD.

SITE BENCHMARK
ELEV. - 644.28' - CROSS AT THE CENTERLINE OF DECKER LANE AT THE INTERSECTION OF THE CENTERLINE OF STUDD LANE, AS SHOWN ON SURVEY.

GENERAL NOTES

- ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE ENGINEER FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES, PRIOR TO CONSTRUCTION, TO HAVE EXISTING UTILITIES FIELD LOCATED. THE CONTRACTOR SHALL BE ON RECORD WITH THE MISSOURI ONE CALL SYSTEM. ALL PROPOSED UTILITIES SHALL BE UNDERGROUND.
- ALL ELEVATIONS ARE BASED ON BENCHMARK INFORMATION SHOWN.
- BOUNDARY AND TOPOGRAPHIC SURVEY BY MARLER SURVEYING COMPANY.
- ALL MATERIALS AND METHODS OF CONSTRUCTION TO MEET THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY DEPARTMENT OF HIGHWAYS AND TRAFFIC AND M.S.D.
- ALL GRADED AREAS SHALL BE PROTECTED FROM EROSION BY EROSION CONTROL DEVICES AND/OR SEEDING AND MULCHING AS REQUIRED BY THE CITY OF CREVE COEUR.
- GRADING CONTRACTOR SHALL INSTALL SILTATION CONTROL PRIOR TO STARTING THE GRADING. ADDITIONAL SILTATION CONTROL DEVICES SHALL BE INSTALLED AS DIRECTED BY ST. LOUIS COUNTY DEPARTMENT OF HIGHWAYS AND TRAFFIC.
- ALL FILLS AND BACKFILLS SHALL BE MADE OF SELECTED EARTH MATERIALS, FREE FROM BROKEN MASONRY, ROCK, FROZEN EARTH, RUBBISH, ORGANIC MATERIAL AND DEBRIS.
- GRADING CONTRACTOR SHALL KEEP EXISTING ROADWAYS CLEAN OF MUD AND DEBRIS AT ALL TIMES.
- PROPOSED CONTOURS SHOWN ARE FINISHED ELEVATIONS ON PAVED AREAS.
- ALL GRADING AND DRAINAGE TO BE IN CONFORMANCE WITH THE THE CITY OF CREVE COEUR, ST. LOUIS COUNTY AND M.S.D.
- SEEDING, SODDING, MULCHING AND PLANTINGS FOR ALL DISTURBED AREAS SHALL BE SPECIFIED ON THE LANDSCAPE PLAN.
- SIDEWALKS ALONG THE ACCESSIBLE ROUTE SHALL NOT HAVE A SLOPE EXCEEDING 1V:20'H. SLOPES GREATER THAN 1V:20'H MUST BE DESIGNED AS A RAMP. SIDEWALKS TO BE CONSTRUCTED TO ST. LOUIS COUNTY ADA STANDARDS.
- SIDEWALKS, CURB RAMPS, RAMPS AND ACCESSIBLE PARKING SPACES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT APPROVED "AMERICAN WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES" (ADAAG) ALONG WITH THE REQUIRED GRADES, CONSTRUCTION MATERIALS, SPECIFICATIONS AND SIGNAGE. IF ANY CONFLICT OCCURS BETWEEN THE ADA GUIDELINES AND THE INFORMATION ON THE PLANS, THE ADA GUIDELINES SHALL TAKE PRECEDENCE AND THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER PRIOR TO ANY CONSTRUCTION.
- NO GRADE SHALL EXCEED 3:1 SLOPE UNLESS APPROVED BY GEOTECHNICAL ENGINEER
- STORM WATER SHALL BE DISCHARGED AT AN ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE NATURAL DISCHARGE POINTS.
- ALL LANDSCAPED AREAS TO BE FILLED WITH A MINIMUM OF 6" OF TOPSOIL.
- ALL LANDSCAPED AREAS DISTURBED BY OFF-SITE WORK SHALL BE IMMEDIATELY SEEDED OR SODDED, AS DIRECTED BY THE CITY OF CREVE COEUR UPON COMPLETION OF WORK IN THE AREA AFFECTED.
- ADEQUATE TEMPORARY OFF-STREET PARKING FOR CONSTRUCTION EMPLOYEES SHALL BE PROVIDED. PARKING ON NON-SURFACED AREAS SHALL BE PROHIBITED IN ORDER TO ELIMINATE THE CONDITION WHEREBY MUD FROM CONSTRUCTION AND EMPLOYEES' VEHICLES IS TRACKED ONTO THE PAVEMENT CAUSING HAZARDOUS ROADWAY AND DRIVEWAY CONDITIONS.
- ALL SEWER CONSTRUCTION AND MATERIALS TO BE IN ACCORDANCE WITH THE METROPOLITAN ST. LOUIS SEWER DISTRICT STANDARD CONSTRUCTION SPECIFICATIONS FOR SEWER AND DRAINAGE FACILITIES, 2009.
- ALL ROOFTOP EQUIPMENT SHALL BE SCREENED FROM VIEW.
- MAXIMUM STRUCTURE HEIGHT PER ZONING SECTION 405.370(E):
ALLOWABLE: NO BUILDING OR STRUCTURE SHALL EXCEED FOUR (4) STORIES OR SIXTY (60) FEET IN HEIGHT.
PROPOSED: 4-STORIES, HEIGHT=48'
- MAXIMUM SITE COVERAGE PER ZONING SECTION 405.370(E):
ALLOWABLE: THE AMOUNT OF GROSS SITE AREA COVERED BY BUILDINGS AND STRUCTURES, SURFACE PARKING, PAVEMENT FOR AUTOMOBILE CIRCULATION OR PERMITTED EXTERIOR BUSINESS SERVICES, STORAGE, MERCHANDISE DISPLAY, REPAIR OR PROCESSING SHALL NOT EXCEED SIXTY-THREE PERCENT (63%) OF THE SITE.
PROPOSED: BUILDING FOOTPRINT = 0.49± AC.
SURFACE PARKING + P.W.M. FOR AUTOMOBILE CIRCULATION = 0.51± AC.
TOTAL = 1.00± AC.
EXCLUDES PEDESTRIAN WALKS, SEATING AREAS, AND GRASS-CRETE PAVERS
SITE COVERAGE % = 1.00/1.60 x 100%
= 62.50% < 63%
- FLOOR AREA RATIO
ALLOWABLE: CLASS 2 DEVELOPMENTS SHALL NOT EXCEED A FLOOR AREA RATIO OF ONE (1.0) (ONE (1) SQUARE FOOT OF FLOOR AREA PER SQUARE FOOT OF SITE).
PROPOSED: GROSS FLOOR AREA = 43,254 S.F. (GROSS LEASABLE FLOOR AREA)
TOTAL SITE AREA = 69,647 S.F.
F.A.R. = 43,254/69,647
= 0.62 < 1.0
- YARD AND SETBACK REQUIREMENTS PER ZONING SECTION 405.370(E):
MAXIMUM FRONT YARD:
A MINIMUM OF FIFTY PERCENT (50%) OF THE BUILDING ELEVATION PARALLEL TO THE STREET RIGHT-OF-WAY SHALL BE LOCATED A MAXIMUM OF FIFTEEN (15) FEET FROM THE RIGHT-OF-WAY ESTABLISHED BY THE ADOPTED SITE DEVELOPMENT PLAN FOR THE "CB" CORE BUSINESS DISTRICT.
SIDE YARD = 10 FT.
REAR YARD = 10 FT.
- SITE LIGHTING SHALL COMPLY WITH THE ORDINANCE REQUIREMENTS PER SECTION 405.680(B)(4) WHICH STATES THAT "LIGHTING SHALL NOT BE CAST UPON AN ADJACENT PROPERTY OR RIGHT-OF-WAY NOR SHALL GLARE BE EMITTED FROM AN ILLUMINANT SOURCE." FIXTURES SHALL BE DUSK-TO-DAWN FIXTURES.
- LANDSCAPING SHALL COMPLY WITH THE ORDINANCE REQUIREMENTS PER SECTION 405.540.
- PARKING REQUIREMENTS PER SECTION 405.820:
PARKING REQUIRED: NURSING AND PERSONAL CARE FACILITIES (SIC CODE 8050), ONE (1) SPACE PER TWO (2) PATIENT BEDS.
NUMBER OF UNITS = 90
SPACES REQUIRED = 90/2 = 45 SPACES
PARKING PROVIDED: 45 SPACES
- TENANT SIGNAGE IS REVIEWED UNDER A SEPARATE PERMIT PROCESS AND ANY APPROVAL OF THE PROJECT DOES NOT CONSTITUTE APPROVAL FOR ANY SIGNAGE SHOWN ON THESE DRAWINGS.

PAUL K. BOYER, P.E. E-28258
CIVIL ENGINEER
CEDC LICENSE NO.: 2003004674

11402 Gravois Road
Suite 100
Saint Louis, MO 63126
314.729.1400
314.729.1404
Fax: 314.729.1404
www.cedc.net

Site Development Plan for
SPECTRUM RETIREMENT COMMUNITIES
693 Decker Lane
Creve Coeur, Missouri

Proj. # 1193

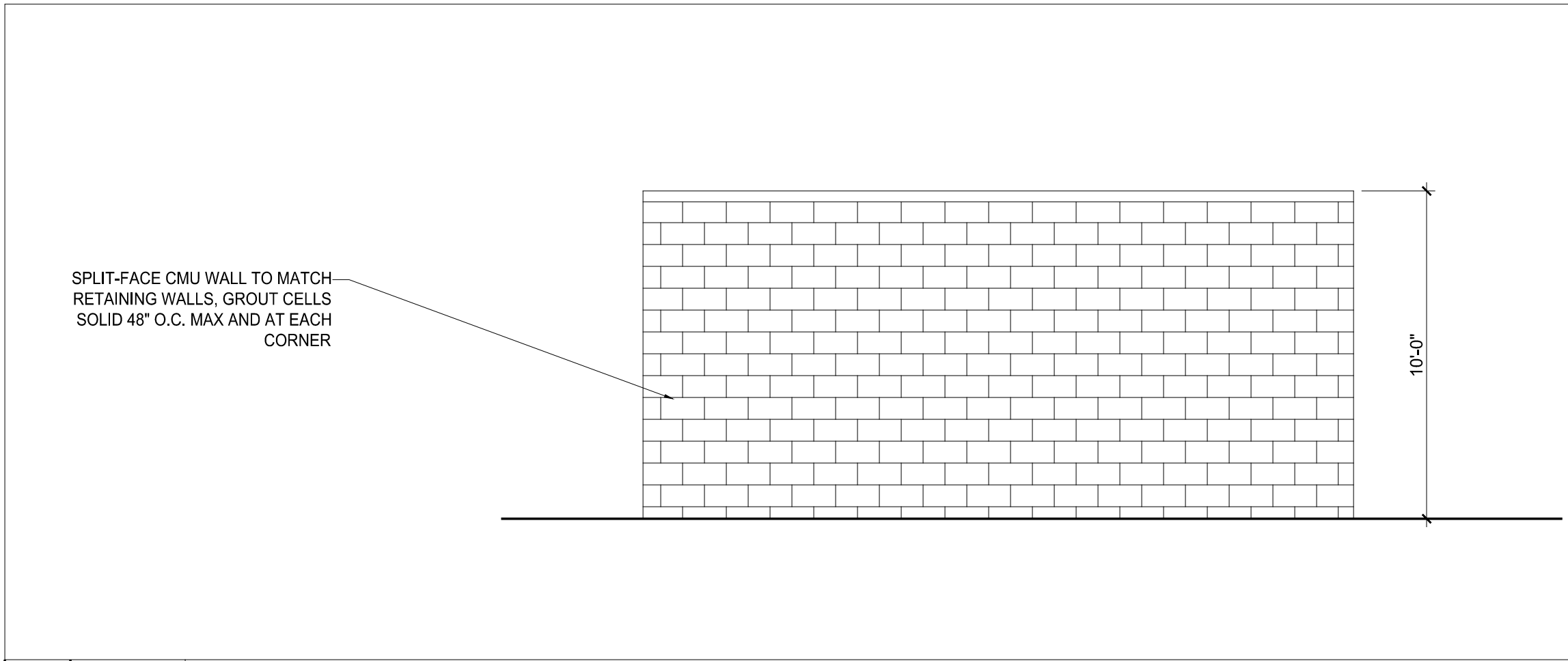
No.	Description	Date
Submittal		07/06/12
City Comments		07/26/12

TITLE SHEET

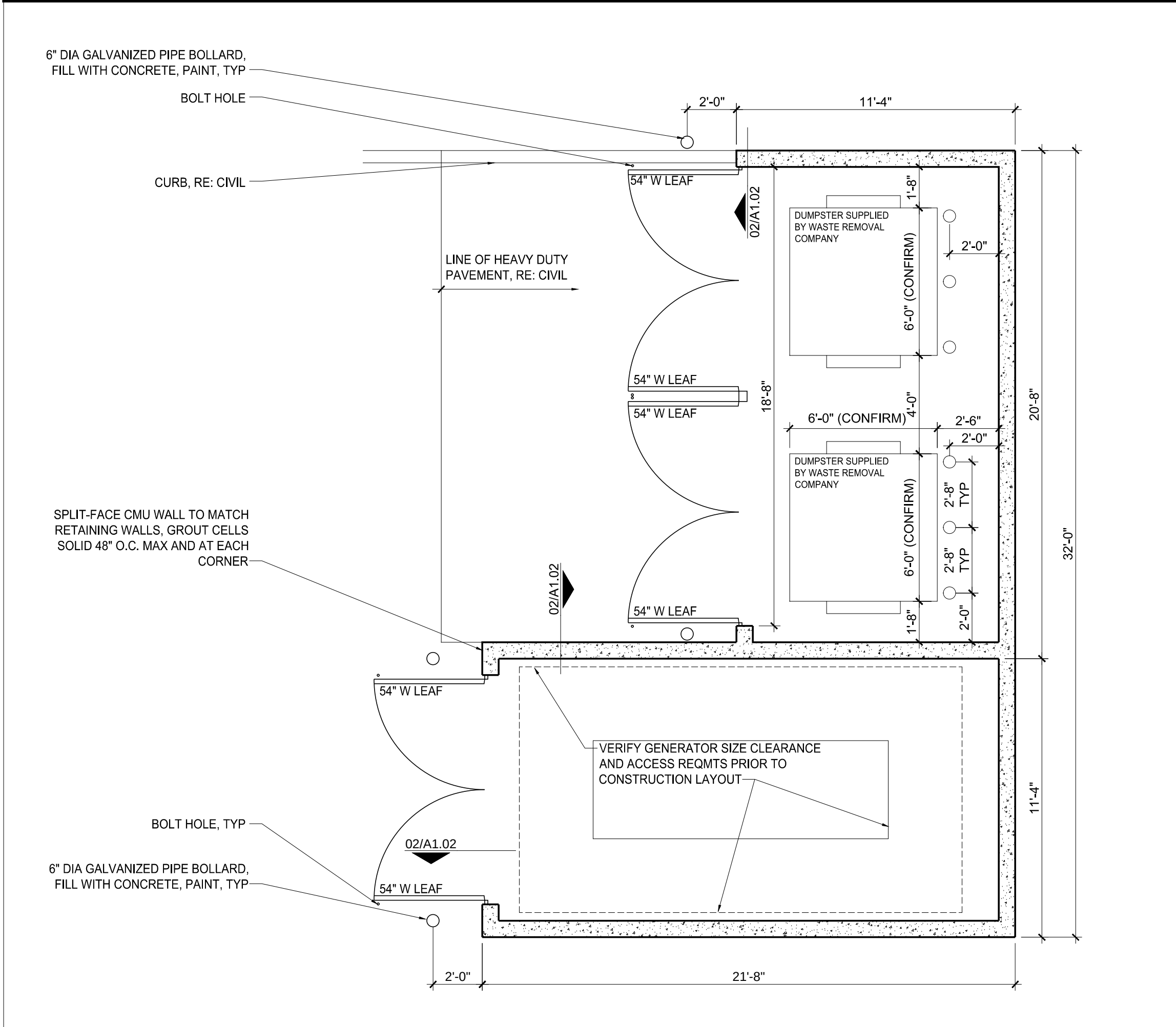
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SDP-1

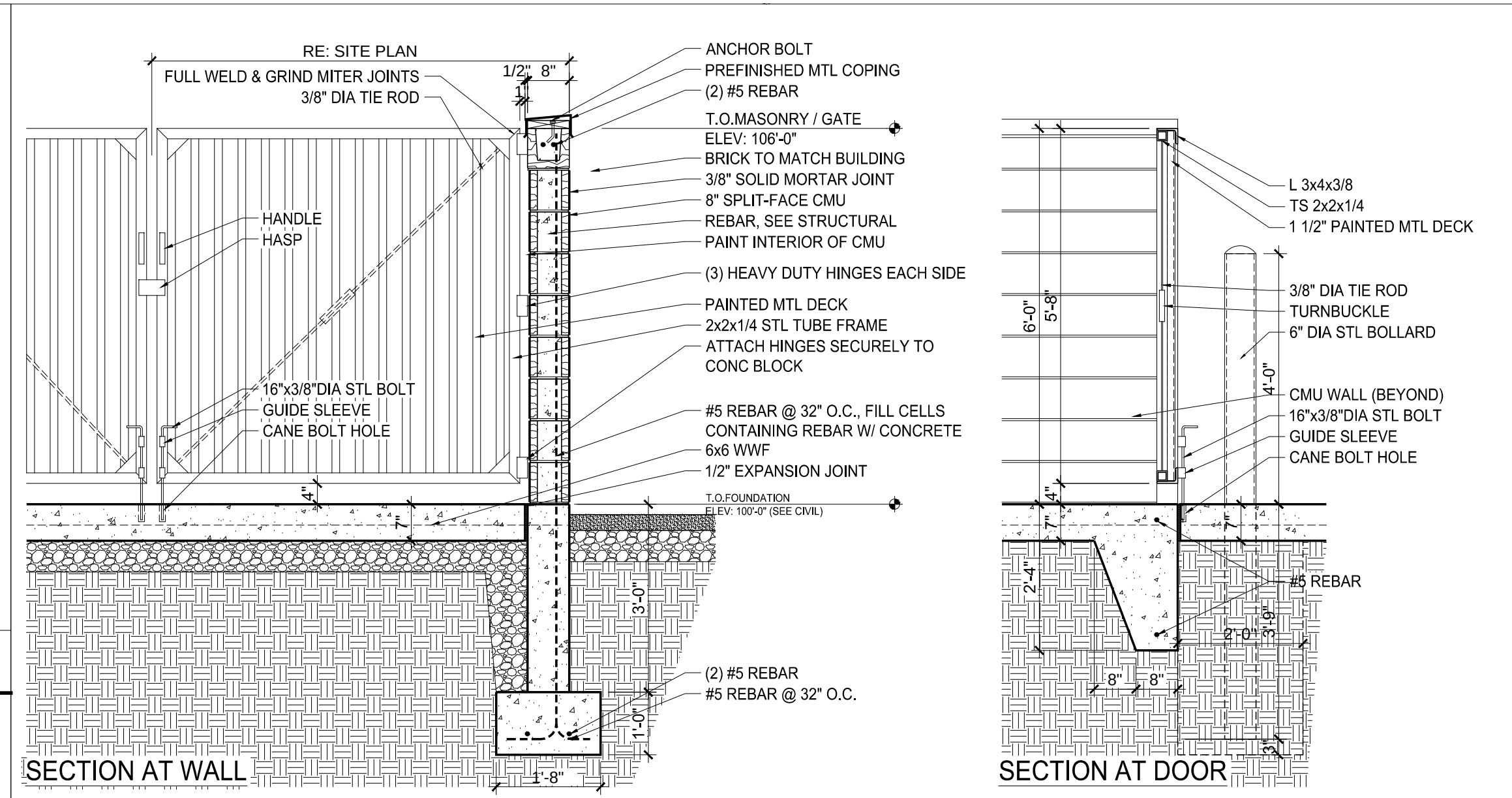
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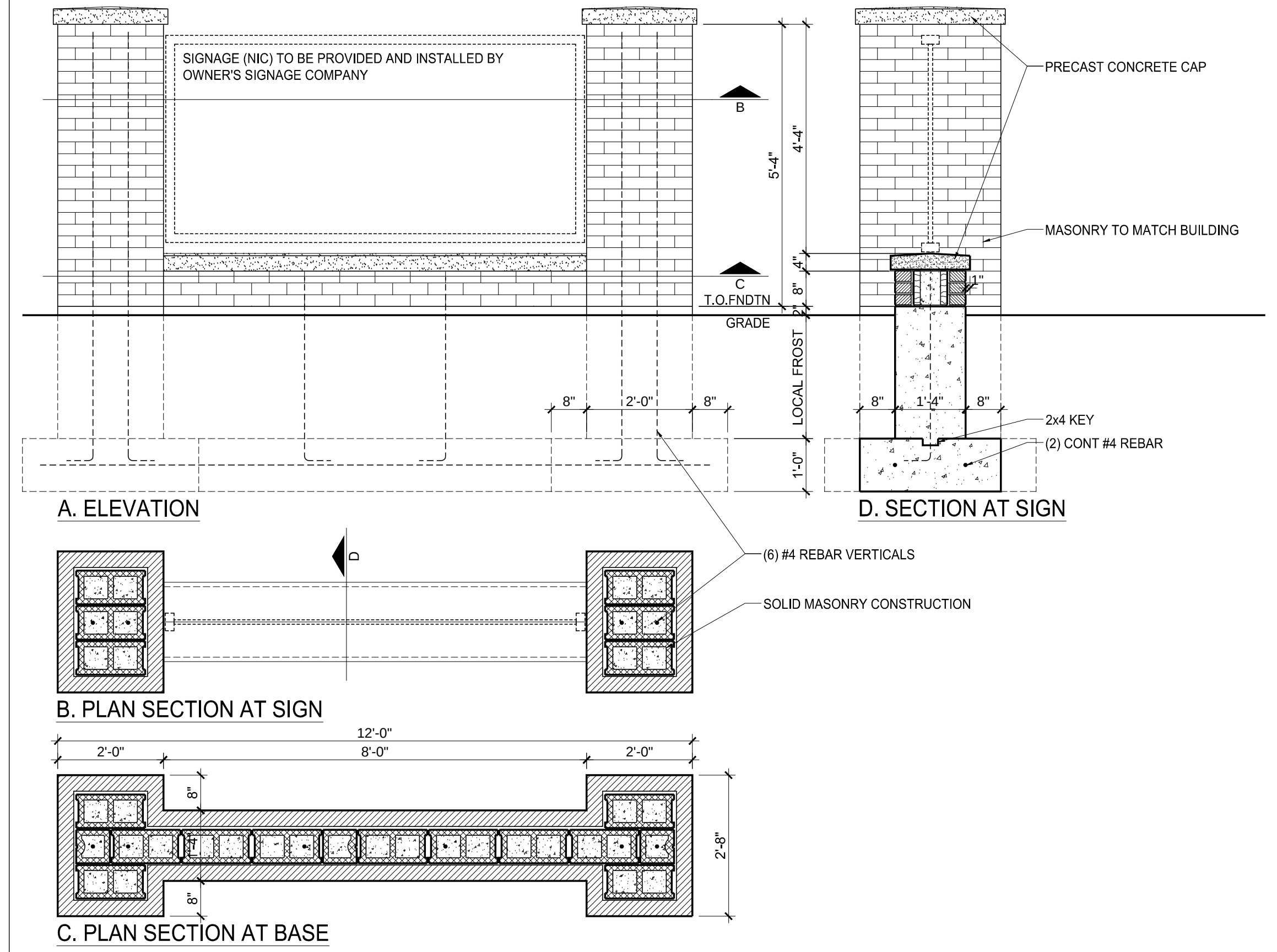
05 A1.02
1/4" DUMPSTER AND GENERATOR ELEVATION



04 A1.02
1/4" DUMPSTER AND GENERATOR ENCLOSURE PLAN



02 A1.02
1/2" ENCLOSURE DETAILS



01 A1.02
1/2" MONUMENT SIGN

TALLEST ELEMENT
47'-0"

LEVEL 4

LEVEL 3

LEVEL 2

LEVEL 1
0'-0"

Front Elevation (West)

BALCONIES
METAL ROOF
PORTE-COCHERE

TAN BRICK
RED BRICK
MANUF STONE

SCALE: 1/8"=1'-0"
0 4' 8' 16' 32'

TALLEST ELEMENT
47'-0"

LEVEL 4

LEVEL 3

LEVEL 2

LEVEL 1
0'-0"

Rear Elevation (East)

RED BRICK
MANUF STONE

PERGOLA

TAN BRICK
RED BRICK
MANUF STONE

TALLEST ELEMENT
47'-0"

LEVEL 4

LEVEL 3

LEVEL 2

LEVEL 1
0'-0"

North Elevation

SCALE: 1/16"=1'-0"
0 8' 16' 32' 64'

South Elevation

SCALE: 1/16"=1'-0"
0 8' 16' 32' 64'

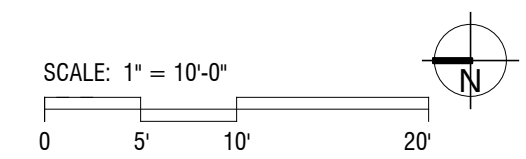


aerial from South



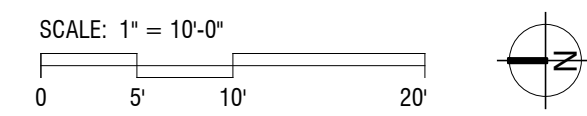
aerial from North

SCHEMATIC PERSPECTIVE RENDERINGS
Spectrum Senior Living - Creve Coeur, Missouri





ARCHITECTURE & DESIGN



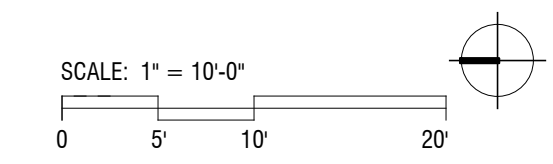
SPECTRUM
ASSISTED LIVING
COMMUNITY
Creve Coeur, Missouri

LEVEL 2
FLOOR PLAN

A3.20



ARCHITECTURE & DESIGN



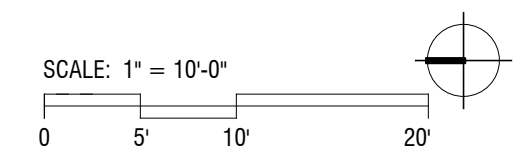
SPECTRUM
ASSISTED LIVING
COMMUNITY
Creve Coeur, Missouri

LEVEL 3
FLOOR PLAN

A3.30



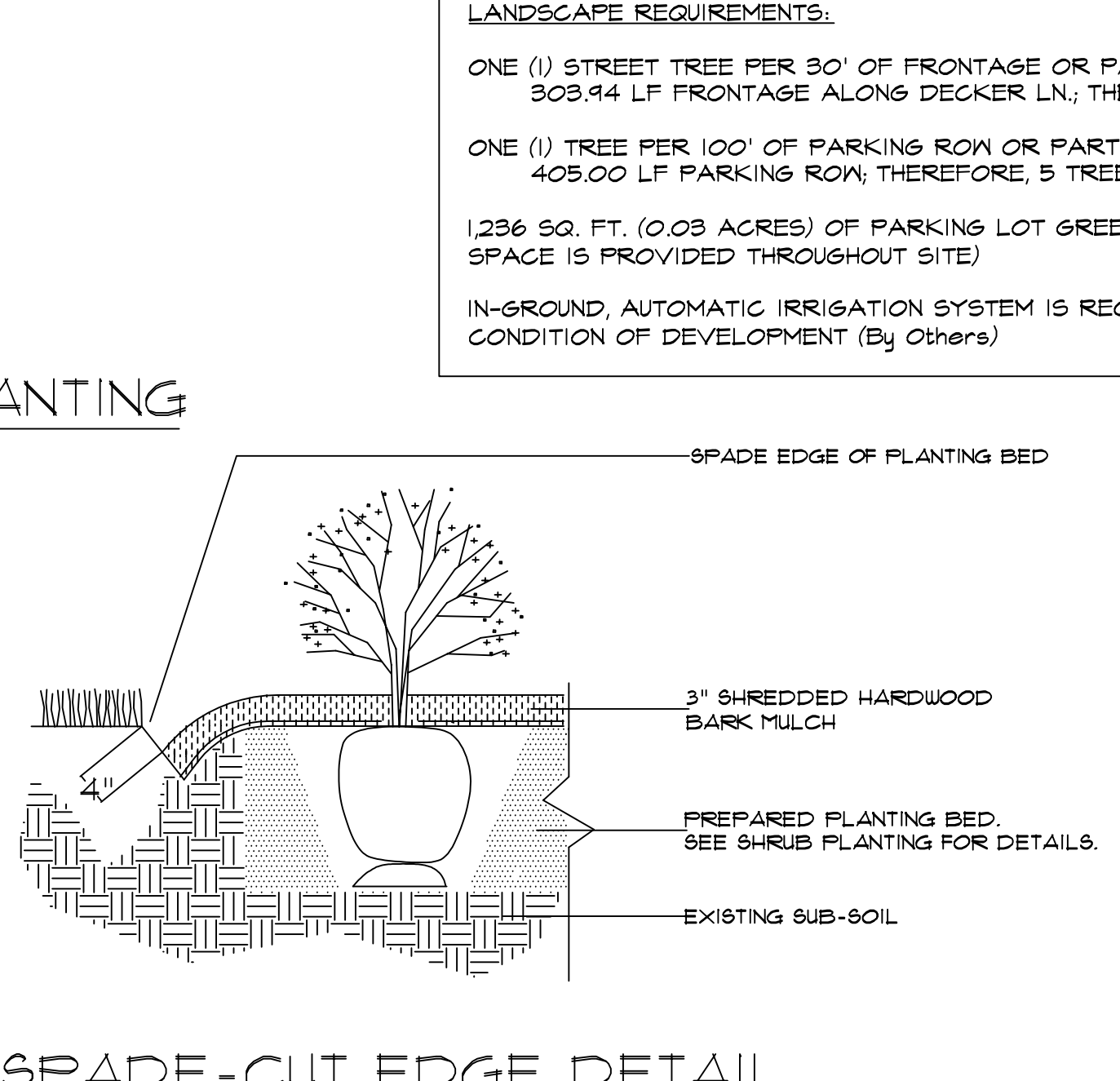
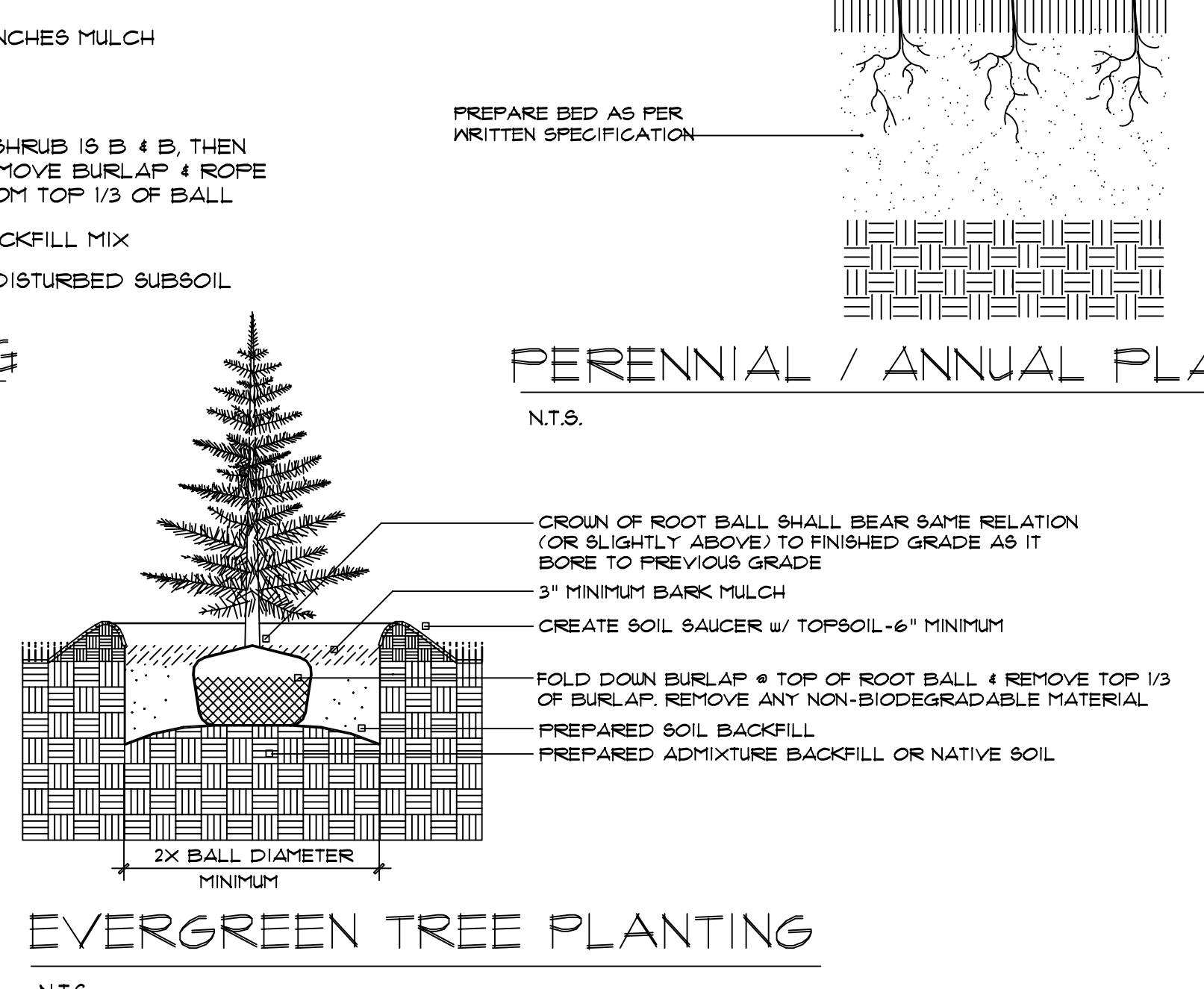
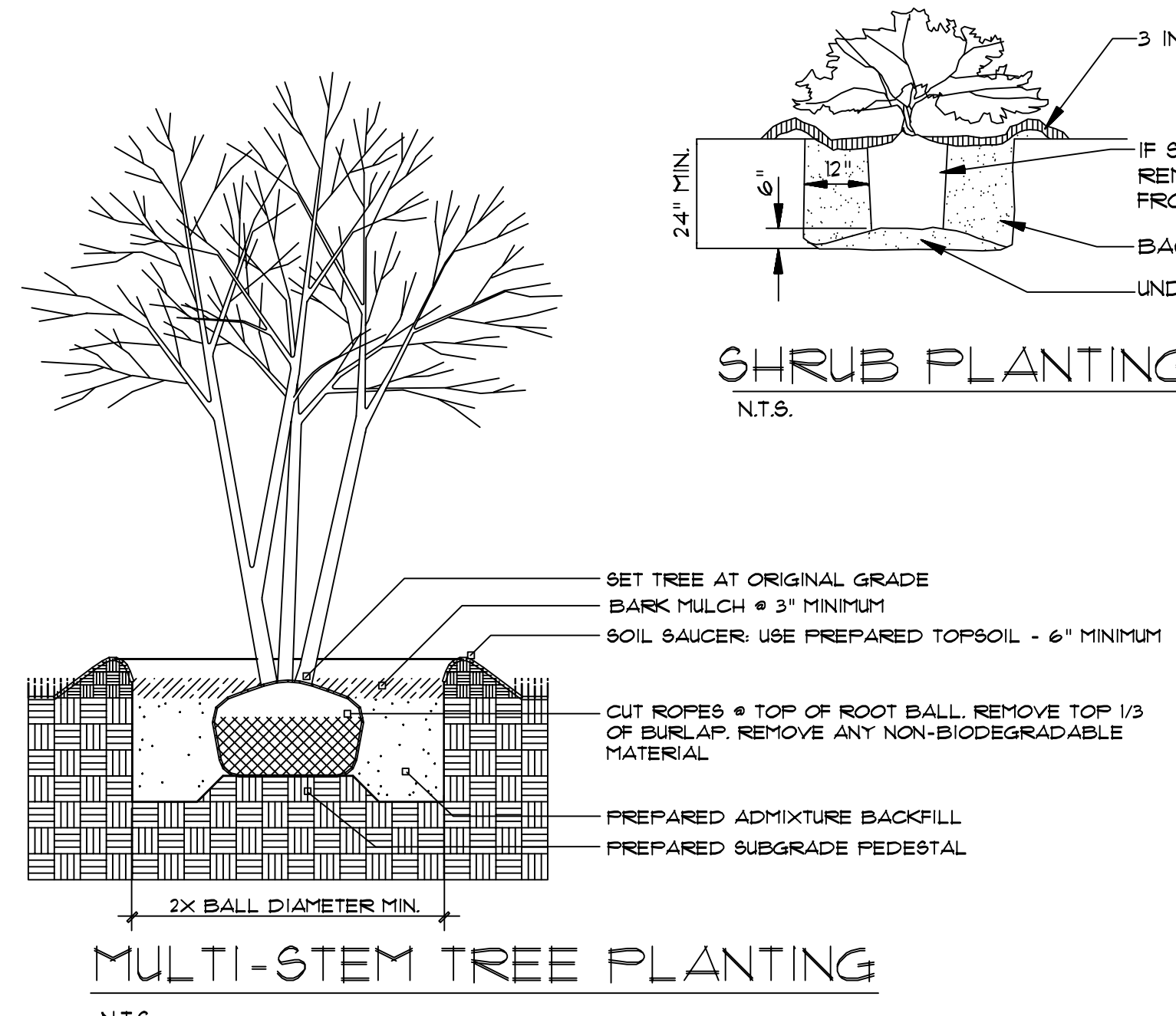
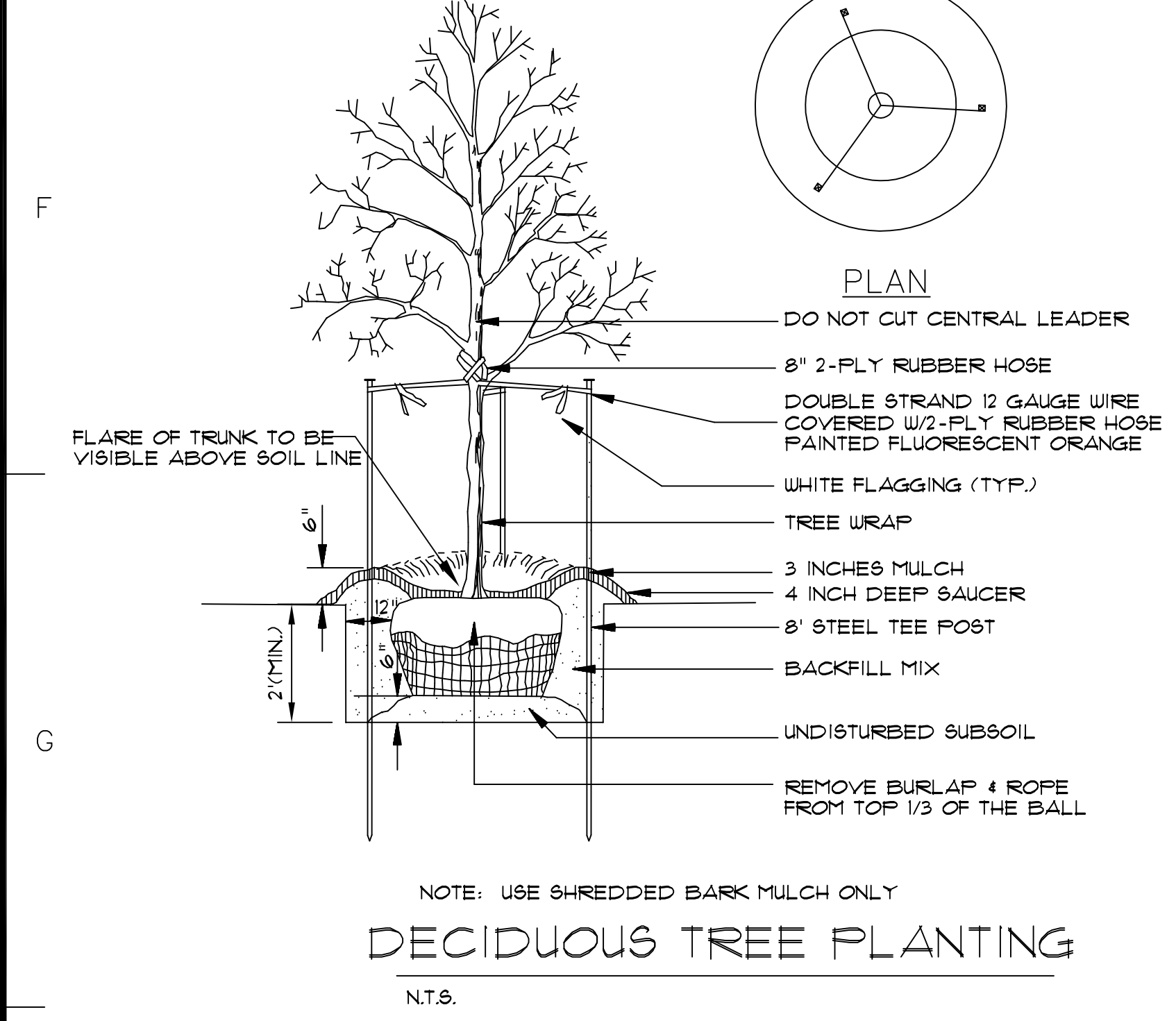
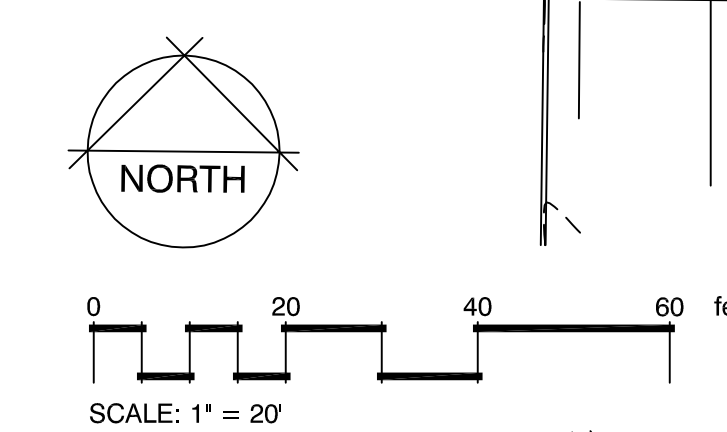
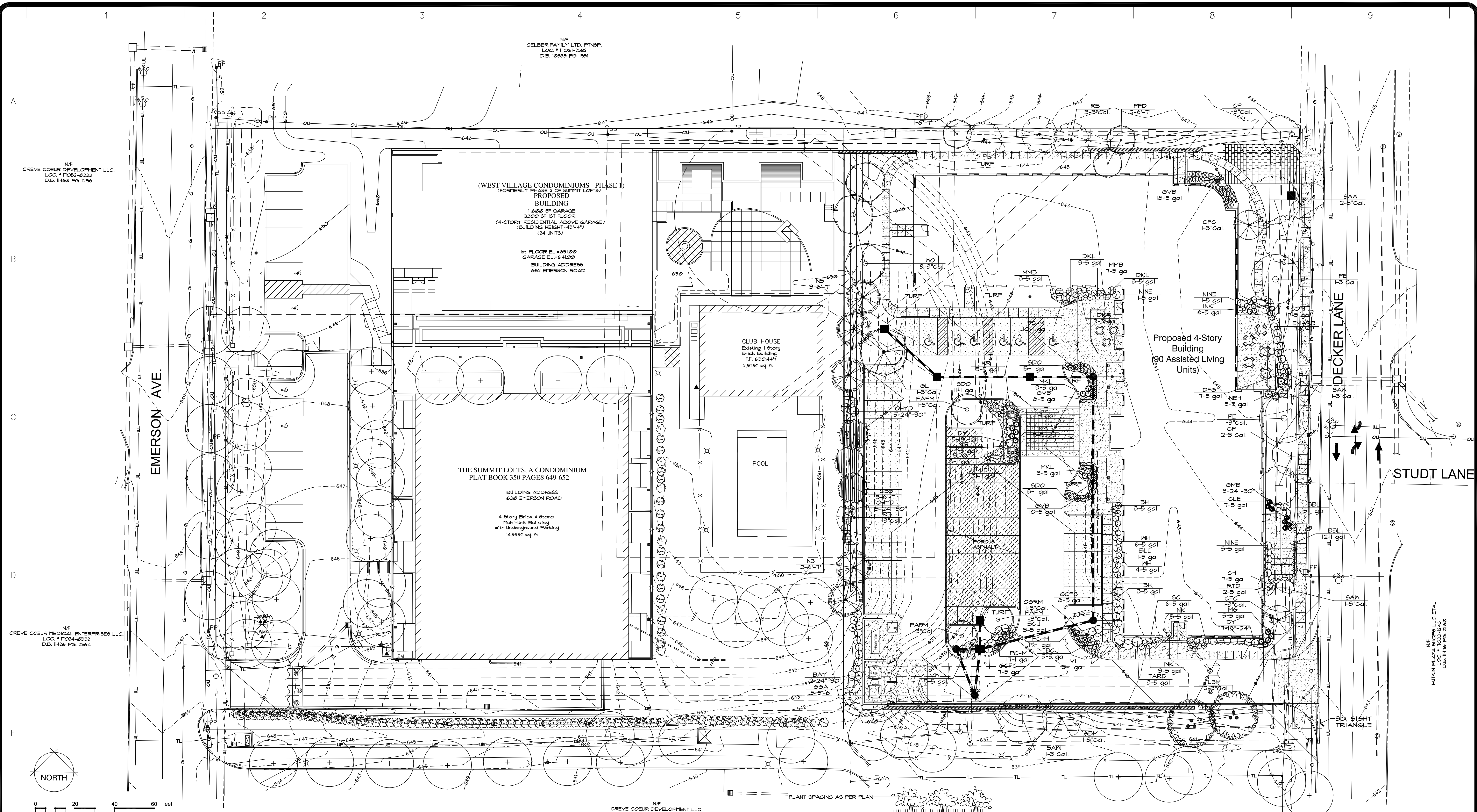
ARCHITECTURE & DESIGN



SPECTRUM
ASSISTED LIVING
COMMUNITY
Creve Coeur, Missouri

LEVEL 4
FLOOR PLAN

A3.40



LANDSCAPE REQUIREMENTS:

ONE (1) STREET TREE PER 30' OF FRONTAGE OR PART THEREOF
503.94 LF FRONTAGE ALONG DECKER LN; THEREFORE, 11 TREES REQUIRED & PROVIDED

ONE (1) TREE PER 100' OF PARKING ROW OR PART THEREOF
405.00 LF PARKING ROW; THEREFORE, 5 TREES REQUIRED & PROVIDED

1236 SQ. FT. (0.03 ACRES) OF PARKING LOT GREEN SPACE IS PROVIDED (28.75% GREEN SPACE IS PROVIDED THROUGHOUT SITE)

IN-GROUND, AUTOMATIC IRRIGATION SYSTEM IS REQUIRED AND WILL BE PROVIDED AS A CONDITION OF DEVELOPMENT (By Others)

REVISIONS	BY

landscape
TECHNOLOGIES

(636) 428-1250
67 Locust Creek Drive
St. Charles, Missouri 63304
Fax: (636) 428-4563
MO Landscape Architectural Corporation #000009192

MISSOURI
STATE
OF MISSOURI
REGISTERED
LANDSCAPE ARCHITECT
RANDALL W. MARDIS
NUMBER
133118
DATE: 7/6/12

MISSOURI LANDSCAPE ARCHITECT #000019
RANDALL W. MARDIS
DATE: 7/6/12

PLANTING PLAN FOR THE PROPOSED
Spectrum Retirement Community
693 DECKER LANE CREVE COEUR, MISSOURI 63141

DRAWN R. MARDIS
CHECKED RMM/GJB
DATE 7/6/12
SCALE 1"=20'-0"
JOB NO. 2012-143
SHEET L-1
OF TWO SHEETS

PHOTOMETRIC PLAN



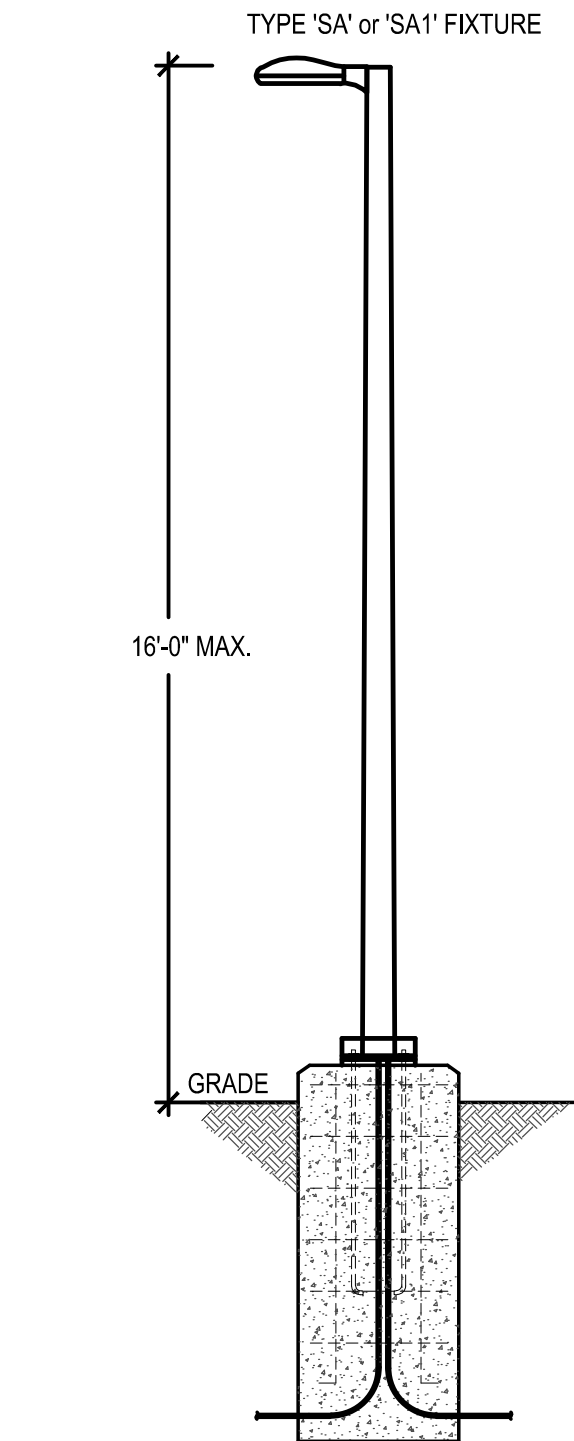
Spectrum
Retirement Communities, LLC

693 Decker Lane, Creve Coeur, MO 63141

LUMINAIRE SCHEDULE						
Label	Catalog Number	Description	Lamp	Lumens	LLF	Watts
SA	ANS100MPXXXXSL	SMALL ARCHITECTURAL AREA LUMINAIRE SPILL LIGHT ELIMINATOR	100WATT MP CLEAR ED-17	8500	1.00	100
SA1	ANS100MPXXXX4S	SMALL ARCHITECTURAL AREA LUMINAIRE TYPE IV DISTRIBUTION	100 WATT MP CLEAR ED17	8500	1.00	100
SA2	ANS100MPXXXX4S	SMALL ARCHITECTURAL AREA LUMINAIRE TYPE IV DISTRIBUTION	100 WATT MP CLEAR ED17	8500	1.00	200
SD	C6042-6080L13G	PORTFOLIO 6 IN RECESSED DOWNLIGHT WITH CLEAR TRIM	CF42DT/E/IN/827 42 WATTS 3200 LUMENS TTT	3200	1.00	45
SDL	QD9-9950LI	HALO 9" DIA DOWNLIGHT WITH SPECULAR REFLECTOR DIFFUSE LENS	85 WATTS 6000 LUMENS QL INDUCTION LIGHTING SYSTEM	6000	1.00	90
WP	PLIP-X-26/32/42-E	IMPACT WITH 42 WATT CFL LAMP WITH CLEAR GLASS AND SEMI-SPECULAR REFLECTOR	CF42DT/E/IN/827 42 WATTS 3200 LUMENS	3200	1.00	50

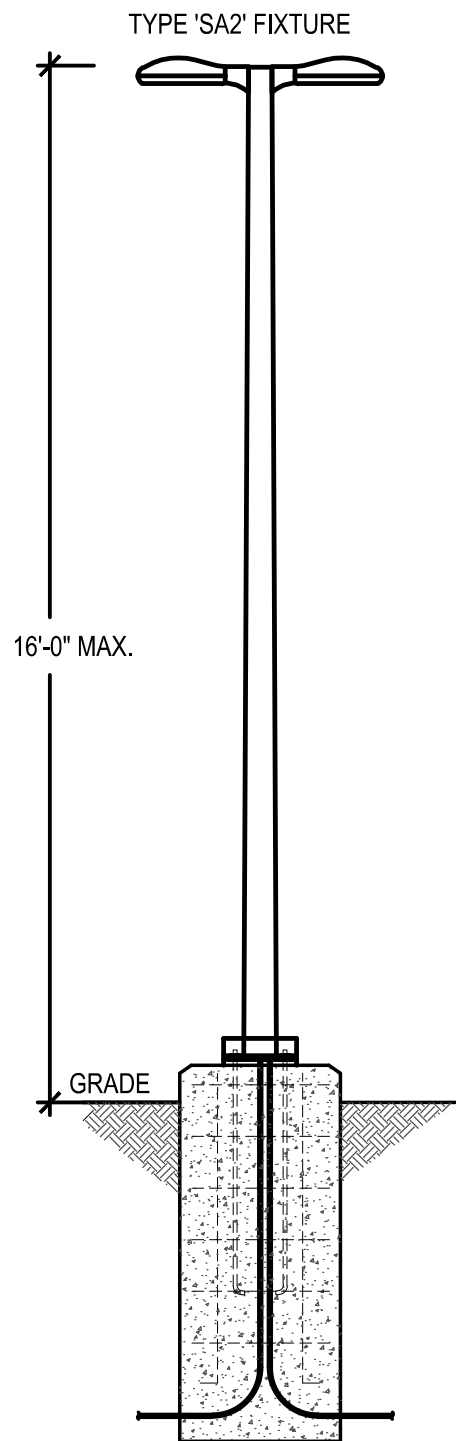
LIGHTING CALCULATION STATISTICS SUMMARY:

	AVERAGE	MAXIMUM	MINIMUM	MAX/MIN	AVG/MIN
OVERALL SITE:	0.5lc	21.4lc	0.0lc	NA	NA
PARKING/PAVED AREAS:	1.5lc	4.5lc	0.3lc	15:1	5:1



TYPE 'SA' and 'SA1'
POLE DETAIL

SCALE: NTS

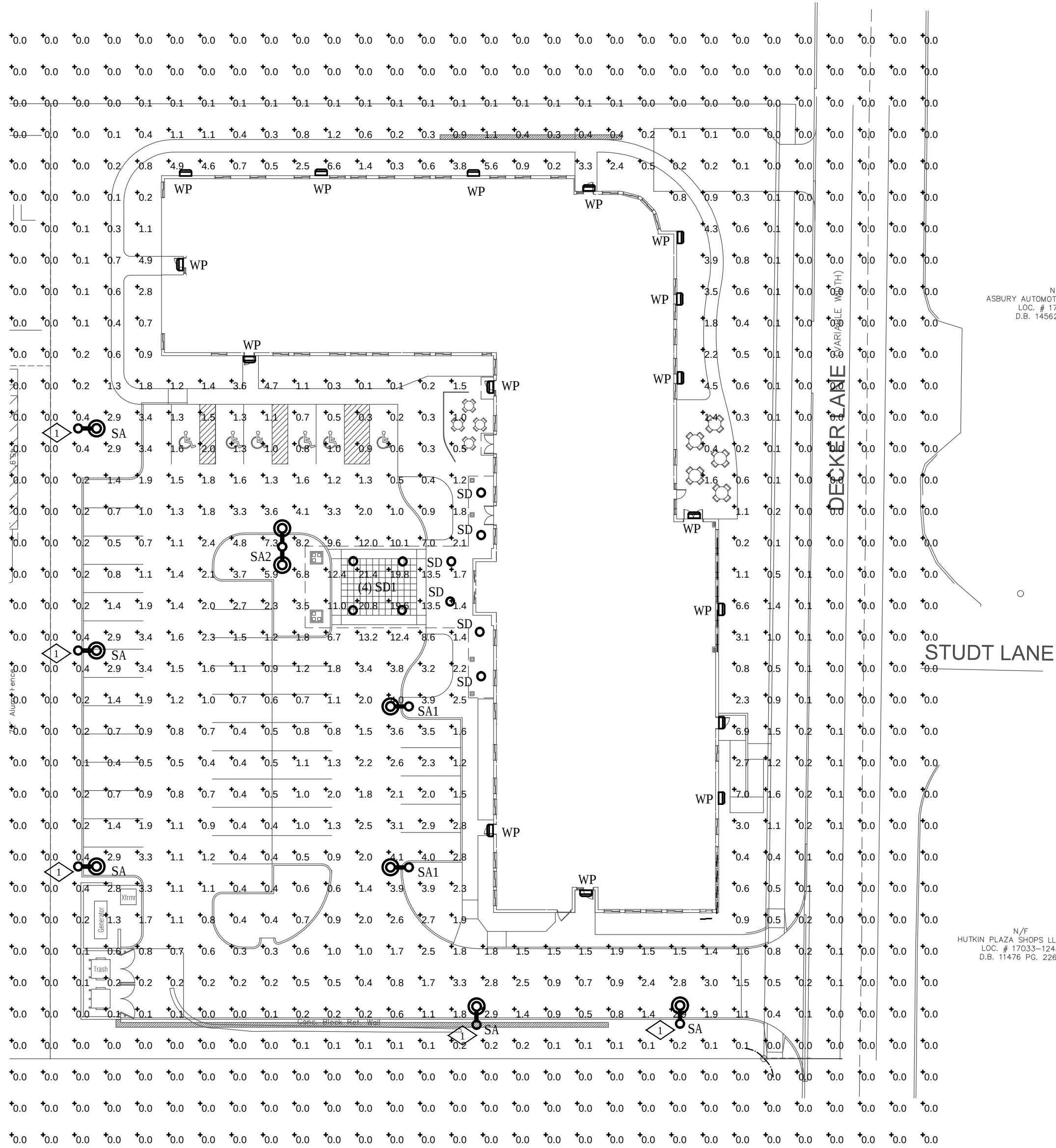


TYPE 'SA2'
POLE DETAIL

SCALE: NTS

NOTE:

- POLES MUST BE LOCATED 5 FEET FROM TIRE STOPS OR BE INSTALLED ON CONCRETE BASES 30" ABOVE THE PARKING SURFACE. ADJUST POLE HEIGHTS AS REQUIRED TO COMPLY WITH FIXTURE HEIGHT LIMITS.
- MATCH EXISTING DEVELOPMENT STANDARD POLE HEIGHTS AS REQUIRED. FIELD VERIFY PRIOR TO ANY WORK OR ORDERING OF MATERIALS AND INFORM ENGINEER OF ANY DISCREPANCY.



LIGHTING PHOTOMETRIC PLAN

SCALE: 1" = 30'-0"

PHOTOMETRY PLAN GENERAL NOTES:

- VALUES SHOWN ARE MAINTAINED HORIZONTAL ILLUMINANCE VALUES MEASURED AT GRADE.
- SITE LIGHTING DESIGN HAS BEEN COMPLETED TO PRODUCE EVEN ILLUMINATION OF PARKING AND PAVED AREAS WITH MINIMAL GLARE ONTO ADJACENT PROPERTIES.

PHOTOMETRY PLAN KEYED NOTES:

- PROVIDE HOUSE-SIDE SHIELD ON LIGHT FIXTURE TO LIMIT LIGHT PROJECTED TOWARDS PROPERTY LINE.

SITE LIGHTING DESIGN HAS BEEN COMPLETED TO CONFORM TO THE CITY OF CREVE COEUR DESIGN REVIEW GUIDELINES, CHAPTER 5, PART B. LIGHTING.

SPECTRUM RETIREMENT COMMUNITIES
LP-1 PHOTOMETRIC PLAN

REVISION BLOCK		
REV	DATE:	COMMENT:
1	7/6/12	ORIGINAL SUBMITTAL
2	7/25/12	REVISION

LIGHTING DETAILS



Spectrum
Retirement Communities, LLC

693 Decker Lane, Creve Coeur, MO 63141

PORTFOLIO™



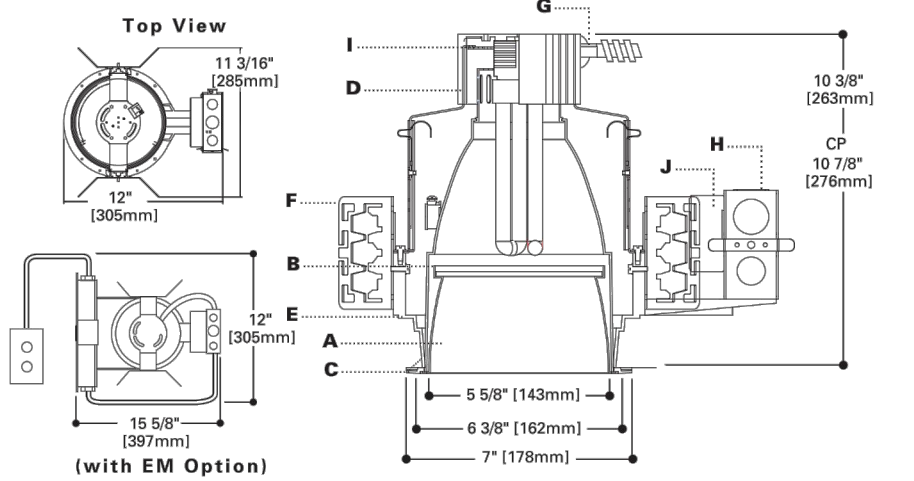
DESCRIPTION

Low brightness 6" aperture reflector for use with 26W and 32W Triple Twin Tube 4-pin lamps. The deeply regressed lens provides superb shielding in comparison to shallow lenses. Reflector trim eliminates brightness at higher angles. Choice of lens types for various aesthetics. Standard features include low iridescent finish on all reflector colors to eliminate "rainbowing". One electronic ballast operates all 26W and 32W triple lamps. Venting ensures maximum lamp life and lumen output. Adjustable socket locks lamp into optimal position and cannot be disturbed by normal maintenance. Medium beam, wide beam, lens and open wall wash reflectors are interchangeable within the same housing.

SPECIFICATION FEATURES

- A ... Reflector**
.050 thick aluminum, in a one piece spun macrofocal parabolic contour. Available in a variety of Alzak® finishes. Positive reflector mounting pulls trim tight to ceiling. Available with White or Black Baffle.
- B ... Lens**
Choice of tempered fresnel, prismatic, diffuse, or clear glass lenses or molded prismatic acrylic, opal diffuser or clear UV stabilized acrylic. Lens is fixed to lower reflector.
- C ... Trim Ring Options**
Self flanged or molded white trim ring.
- D ... Socket Cap**
One piece vented and finned die cast aluminum cap for maximum thermal performance.
- E ... Housing Mounting Frame**
One piece precision die cast aluminum 1 1/2" deep collar accommodates varying dimensions of ceiling materials.
- F ... Universal Mounting Bracket**
Accepts 1/2" EMT, C Channel, T bar fasteners, and bar hangers. Adjusts 5" vertically from above or below ceiling.
- G ... Conduit Fittings**
Die cast screw tight connectors.
- H ... Junction Box**
Listed for eight #12AWG (four in, four out) 90°C conductors feed through branch wiring. 1/2" and two 3/4" pry outs. Positioned to allow straight conduit runs. Access to junction box by removing reflector.
- I ... Socket**
4 pin Gx24q3/4 base with fatigue free stainless steel lamp spring ensures positive lamp retention.
- J ... Electronic Ballast**
Electronic ballast provides full light output and rated lamp life. Provides flicker free and noise free operation and starting. End of lamp life protection is standard.

Labels
cULus listed, standard wet label.



C6042 6081/80

26W, 32W TTT
Compact Fluorescent

6" LENSED DOWNLIGHT

Energy Data
26W Triple 4-pin
Ballast: Electronic
120V Input Watts: 29, Line Amps: 0.10
277V Input Watts: 26, Line Amps: 0.10
Power Factor: > .99, THD: <10%
Min. Starting Temp.: -10°C (15°F)
Sound Rating: A

32W Triple 4-pin
Ballast: Electronic
120V Input Watts: 36, Line Amps: 0.32
277V Input Watts: 36, Line Amps: 0.16
Power Factor: > .99, THD: <10%
Min. Starting Temp.: -10°C (15°F)
Sound Rating: A

NOTES: Accessories should be ordered separately. For additional options please consult factory. Alzak is a registered trademark of Aluminum Company of America.

DESCRIPTION

A 9" diameter open downlight utilizing the QL induction lamp. This lamp is rated for 100,000 hours of life, has color rendering equal to compact fluorescent, and no color shift throughout its life. Lamp color is 3000K. The scale of the luminaire is well suited to large architectural spaces with taller ceiling heights that would normally pose maintenance concerns.

SPECIFICATION FEATURES

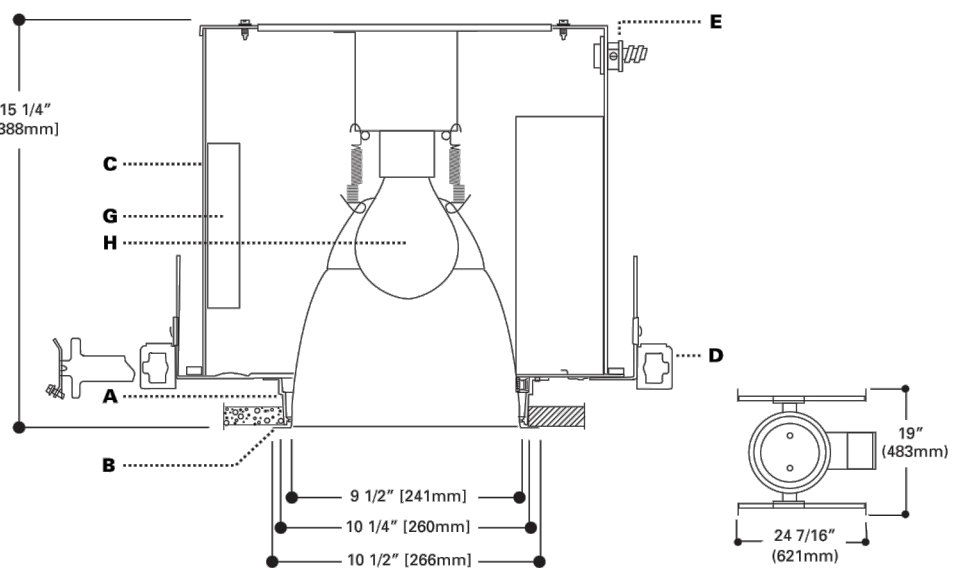
- A ... Reflector**
Spun 0.040" aluminum. Available in a variety of Alzak® finishes. Springs pull trim tight to ceiling. Reflector provides 55° cutoff optics to lamp and lamp image.
- B ... Trim Ring**
Self flanged or molded white trim ring.
- C ... Housing**
One piece die-cast 1-1/2" deep collar. Housing is painted optical matte black to eliminate stray light.
- D ... Mounting Bars**
Pre-installed telescoping mounting bars are suitable for T-bar ceilings or wood joists, 24" O.C.
- E ... Conduit Fittings**
Die-cast screw-tight connectors.
- F ... Junction Box**
U.L. listed for eight #12 (four in, four out) at 90°C pull through branch wiring. Five 1/2" and two 3/4" knockouts provided. Access to junction box through panel on side of housing.
- G ... Electronic System**
All items for operation of the induction lamp-generator and antenna can be serviced through the aperture.
- H ... Lamp**
QL induction lamp is shipped from factory with each fixture.
- Labels**
cULus listed, C.S.A. certified, standard damp label, IBEW union made.

QD9

9951/9950

85W QL
Induction lamp

9-1/2" OPEN DOWNLIGHT



ENERGY DATA
Lamp: 120V 85W QL
Input Watts: 87
Operating Current: 0.75;
Power Factor: 0.99
Sound Rating: A

Lamp: 277V 85W QL
Input Watts: 88
Operating Current: 0.40;
Power Factor: 0.9
Sound Rating: A
Min. Starting Temp.: -20°C (-4°F)

NOTES:
Alzak is a registered trademark of Aluminum Company of America.

ORDERING INFORMATION: Complete unit consists of housing, ballast and trim.

Housing	Lamp	Ballast	Trims	Finish	Options	Accessories
QD9-9-1/2" Vertical Induction Lamp	8500-11) 85W QL Lamp, 3000K (included with fixture)	1E-120V Electronic Ballast	9950-Molded Trim Ring, White	1) Low Iridescent Clear	WF-White Painted Flanged (Self Flanged Only)	H277-Step Down Transformer, 300VA Max FKS-5 Amp Field Installable Fuse Kit, 300VA Max
	8540-11) 85W QL Lamp, 4000K (included with fixture)	2E-277V Electronic Ballast	9951-Self Flanged Trim Ring, White	2) Diffuse Lens		
				3) Clear Lens		
				4) Prismatic Glass		
				5) Diffuse Glass		
				6) Clear Glass		
				7) Cognac Glass		
				8) Black Baffle (850 only)		
				9) White Baffle (850 only)		

Specifications and Dimensions subject to change without notice.

COOPER Lighting
www.cooperlighting.com

ADP10267
11/19/2009 11:41:52 AM

McGRAW-EDISON®

DESCRIPTION

The IMPACT Elite Quarter Sphere cutoff wall luminaire makes an ideal complement to site design. Rugged construction and full cutoff classified optics provide facade and security lighting for light restricted zones surrounding schools, office complexes, apartments, and recreational facilities. U.L. and cUL Listed for wet locations in down mount applications and damp locations in up mounted applications.

SPECIFICATION FEATURES

- Construction**
Two-piece die-cast aluminum housing and removable hinged door frame nests securely for precise tolerance control and repeatability. Hinged door frame inset for clean mating with housing surface and secured via two (2) captive stainless steel fasteners. Optional tamper resistant torx head fasteners (TR) offer vandal resistant access to the electrical compartment. 1/8" clear, heat and impact resistant tempered flat glass lens combined with molded silicone gasket to seal the integrated optical assembly while ensuring peak optical performance.
- Electrical**
Integral hand mount electrical components are secured and grounded within the die-cast aluminum housing for optimal heat sinking and extended component life. Minimum starting temperatures are -40°C (-40°F) for HPS and -30°C (-22°F) for MP.
- Optical**
Premium anodized 95% reflective aluminum optical assemblies provide high efficiency Type II distribution. Optional silk screened house side flat glass shield provides decreased wall brightness. All Impact Elite Wall Series luminaires classify as IESNA full cutoff in downlight applications.
- Mounting**
Gasketed and zinc plated rigid steel mounting attachment fits directly to 4" j-box or wall with the Impact Elite "Hook-N-Lock" system for fast installation and mounting in both traditional downlighting (wet location) or inverted uplighting (damp location) mounting positions. Secured via two (2) captive corrosion resistant allen head set screws concealed from view, but accessible from bottom of fixture.
- Finish**
Housing and door are protected with 5-stage premium TGIC polyester powder coat paint. Premium TGIC powder coat finishes withstand extreme climate changes while providing optimal color and gloss retention over the fixture's installed life. Standard colors include black, bronze, grey, white, dark platinum and graphite metallic. RAL and custom color matches available. Consult McGraw-Edison Architectural Colors Brochure for complete selection.

ISS

IMPACT ELITE
QUARTER SPHERE

50 - 175W

Pulse Start Metal Halide

Metal Halide

High Pressure Sodium

26 - 84W

Compact Fluorescent

FULL CUTOFF
WALL MOUNT LUMINAIRE

DARK SKY FCO
COMPLIANT

90%+ in designed applications only.

TECHNICAL DATA
UL-188 Listed, CUL Listed
25°C Maximum Ambient Temperature
External Supply Wiring 90°C Minimum
Down Mounted—Wet Location
Up Mounted—Damp Location

ENERGY DATA
High Reactance Ballast Input Watts

50W HPS HPF (66 Watts)
50W MH HPF (72 Watts)
70W HPS HPF (81 Watts)
70W MH HPF (90 Watts)
100W HPS HPF (120 Watts)
100W MH HPF (130 Watts)
150W HPS HPF (180 Watts)
150W MH HPF (186 Watts)

CWA Ballast Input Watts

175W MH HPF (210 Watts)

Electronic Ballast Input Watts

26W CF HPF (29 Watts)
32W CF HPF (36 Watts)
42W CF HPF (46 Watts)
55W CF HPF (55 Watts)

SHIPPING DATA

Approximate Net Weight:
18 lbs. (8 kgs.)

ADH100163 pc
2011-03-24 11:05:45

COOPER Lighting
www.cooperlighting.com

DESCRIPTION

ICON's gentle curves and sleek profile create a shape that is beyond common. Designed to sustain a lifetime of tough environmental conditions, ICON's precisely engineered die-cast aluminum housing utilizes an IP65 rated gasketing strategy combined with a seamless 5-stage polyester powder coat finish to seal out performance degrading contaminants. Environmental and legislative challenges continue to propagate as the public awareness of lighting in the environment expands. ICON responds to these evolving design trends by offering targeted solutions for full cutoff compliance, spill light control, and path of egress illumination, while merging the latest in high efficiency lamp technologies.

SPECIFICATION FEATURES

- Construction**
HOUSING: Heavy wall, die-cast aluminum housing maintains a nominal .125 wall thickness for precise tolerance control and repeatability in manufacturing. DOOR: Heavy wall, die-cast aluminum door maintains a nominal .125 wall thickness. Continuous silicone gasketing provides an IP65 fixture rating. Toolless entry to housing is provided via two (2) recess mounted button style latches. Captive hinging is fully concealed.
- Electrical**
ELECTRICAL TRAY: Ballast and related electrical components are mounted to a reinforced one-piece toolless release power tray. Electrical quick disconnects allow tray to be completely removed from housing providing ample hand and tool room for attachment of luminaire during installation. SOCKET: Features mogul-base socket for HID lamp sources.
- Optical**
LENS: Impact-resistant 1/8" thick tempered clear or optional frosted flat glass for concealment of lamp image. OPTICAL SYSTEMS: Choice of five (5) high efficiency segmented optical systems constructed of premium 95% reflective anodized aluminum sheet. Optical segments are rigidly mounted inside a thick gauge aluminum housing for superior protection. All segment faces are clean of rivet heads, tabs, or other means of attachment which may cause streaking in the light distribution. All reflector modules feature toolless removal, quick disconnect wiring plugs, and are toolless field rotatable in 90° increments.
- Mounting**
UPSWEEP ARM: Manufactured of heavy wall cast aluminum. Internal bolts guides provided for positioning arm to housing and pole. LINEAR ARM: Manufactured of heavy wall extruded aluminum. Arm features internal bolt guides for positioning arm to housing and pole. STRUCTURAL MOUNT: Die-cast aluminum cleat factory mounted and finished in luminaire color. Stainless steel structural rod measures 1/2" in diameter and is provided in luminaire finish or optional natural finish. Wall bracket works in conjunction with linear arm.

STREETWORKS™



Catalog #	Type
SA,SA1,SA2	
Project	Date
Comments	Date
Prepared by	

ANM

ICON MEDIUM

150 - 400W

Pulse Start Metal Halide

High Pressure Sodium

Metal Halide

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AREA LUMINAIRE

DARK SKY FCO
COMPLIANT

90%+ in designed applications only.

TECHNICAL DATA
UL-188 Listed, CUL Listed
25°C Maximum Ambient Temperature
External Supply Wiring 90°C Minimum
Down Mounted—Wet Location
Up Mounted—Damp Location

ENERGY DATA
High Reactance Ballast Input Watts

50W HPS HPF (66 Watts)
50W MH HPF (72 Watts)
70W HPS HPF (81 Watts)
70W MH HPF (90 Watts)
100W HPS HPF (120 Watts)
100W MH HPF (130 Watts)
150W HPS HPF (180 Watts)
150W MH HPF (186 Watts)

CWA Ballast Input Watts

175W MH HPF (210 Watts)

Electronic Ballast Input Watts

26W CF HPF (29 Watts)
32W CF HPF (36 Watts)
42W CF HPF (46 Watts)
55W CF HPF (55 Watts)

SHIPPING DATA

Approximate Net Weight:
53 lbs. (24.00 kgs.)

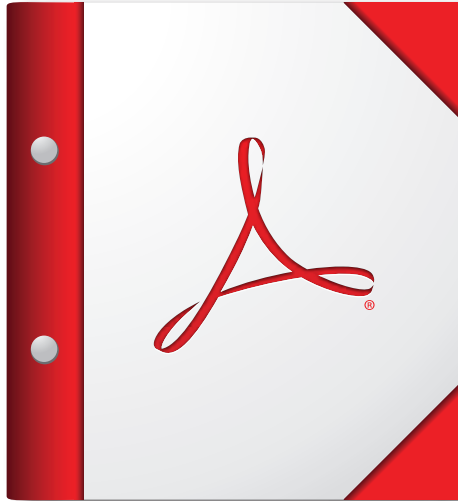
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SPECTRUM RETIREMENT COMMUNITIES

LP-2 LIGHTING DETAILS

REVISION BLOCK		
REV	DATE:	COMMENT:
1	7/6/12	ORIGINAL SUBMITTAL
2	7/25/12	REVISION



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1 PLANNING AND ZONING COMMISSION PUBLIC HEARING

2 CITY OF CREVE COEUR, MISSOURI

3 300 NORTH NEW BALLAS ROAD

4 MONDAY, AUGUST 6, 2012

5 7:00 P.M.

6
7 THOSE IN ATTENDANCE:

8 Mr. Gary Eberhardt, Chair

Dr. Michael Barton

9 Mr. James Faron

Ms. Cynthia Kramer

10 Mr. Jim Schnarr

Mr. Carl Lumley, City Attorney

11 Mr. Paul Langdon, AICP, Director of Community Development

Ms. Whitney Kelly, AICP, City Planner

12 Ms. Julie Lowery, Recording Secretary

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23 McLaughlin Court Reporting Services, Inc.

24 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR

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25 St. Louis, MO 63128

(314)487-2259

1
1 CHAIRMAN EBERHARDT: The Creve Coeur Planning &

2 Zoning Commission for Monday, August 6th will come to

3 order.

4 I'd like to begin by calling the roll.

5 Dr. Michael Barton?

6 MR. BARTON: Here.

7 CHAIRMAN EBERHARDT: James Faron?

8 MR. FARON: Present.

9 CHAIRMAN EBERHARDT: Ken Howard, absent.

10 Cynthia Kramer, absent. Tim Madden, absent.

11 Jim Schnarr?

12 MR. SCHNARR: Present.

13 CHAIRMAN EBERHARDT: Carl Lumley, our City

14 Attorney?

15 MR. LUMLEY: Present.

16 CHAIRMAN EBERHARDT: Paul Langdon, our Director

17 of Community Development?

18 MR. LANDGDON: Present.

19 CHAIRMAN EBERHARDT: Ms. Whitney Kelly, City

20 Planner?

21 MR. KELLY: Present.

22 CHAIRMAN EBERHARDT: And, Ms. Julie Lowery,

23 Recording Secretary?

24 MS. LOWERY: Present.

25 (Cynthia Kramer is now present.)

1 CHAIRMAN EBERHARDT: The next item on the agenda
2 will be our third public hearing, No. 12-022, Application
3 for the Subdivision and Conditional Use Permit of an
4 Adjusted -- an Assisted -- excuse me -- Living Facility
5 for the Spectrum Retirement Communities for the property
6 located at 693 Decker Lane.

7 Will those people that will be speaking about
8 this issue come and be sworn in, please.

9 (Speakers were sworn by the court reporter.)

10 CHAIRMAN EBERHARDT: Okay. Is Mr. Boyer here
11 for the presentation? Is he the representative for the
12 applicant?

13 Mr. Boyer. Please state your name and address
14 for the record.

15 MR. BOYER: My name is Paul Boyer. I'm with
16 Civil Engineering Design Consultants with an office at
17 11402 Gravois Road, St. Louis 63126.

18 I appreciate the opportunity to be here tonight,
19 Mr. Chairman and Members of the Commission.

20 We're here on behalf of Spectrum Retirement
21 Communities.

22 With me tonight also is Mike Longfellow. He's
23 with Spectrum. And then also the architect, Brian Van
24 Winkle and Pete Schwartz with Vessel Architecture.

25 I'll just -- I'll jump right in, and I'll turn

1 it over to Mike to talk little more detail about Spectrum.

2 Basically what we're here tonight, we are
3 requesting -- we are requesting site plan approval for,
4 see if I get this -- a four-story senior living facility.

5 There's 90 assisted living units proposed with this
6 development.

7 If you're familiar with the site, it's on the
8 west side of Decker Lane, and to the west of this
9 development is Summit Lofts and West Village Condominiums;
10 to the north it's Plaza Motor, is the parking garage for
11 Plaza Motors, and then south there's another parking
12 garage, which is affiliated with the business -- the
13 office building there.

14 Again, it's a four-story building, 90 assisted
15 living units. We have a single access proposed off of
16 Decker Lane. There's 45 parking spaces proposed for this
17 development.

18 We meet the zoning requirements for that, and we
19 are also meeting the site coverage as well.

20 There's some unique instances with this site
21 where, and staff has pointed this out, where the original
22 Summit Lofts and West Village Condominiums was intended to
23 be expanded, and they had future phases for this
24 development.

25 When that did not follow through, Spectrum came

24

1 in and they're proposing this development.

2 There's a unique circumstance where there's an

3 open access garage, if you're familiar with the site, that
4 we have begun discussions with the adjacent property
5 owner, and they are represented here tonight as well, as
6 far as coordinating our development with them.

7 Another unique feature of this development,
8 there is an underground detention basin. Originally when
9 this site was developed, it was developed for one regional
10 detention basin, which is buried 60 inch diameter pipes,
11 which run across the development, so we will have storm
12 water maintenance agreement with that.

13 Part of our petition also is -- is to plat this
14 lot. The overall tract, including the Lofts is
15 3.48 acres. We are taking 1.6 acres of that development.

16 The storm water detention does cross property
17 lines, so we will be doing an agreement with that as well.

18 We find we are in keeping with the overall --
19 the intended use for this facility.

20 At this time I can turn it over to Mike to talk
21 a little bit more about Spectrum and their developments.

22 Then, again, Brian Van Winkle is here. He can
23 talk about the facade of the building.

24 CHAIRMAN EBERHARDT: State your name and
25 address, sir.

25

1 MR. LONGFELLOW: My name is Mike Longfellow with
2 Spectrum Retirement Communities, 200 Spruce Street,
3 Denver, Colorado 8013 -- or excuse me -- 80230.

4 I am in charge of all the construction
5 development for Spectrum Retirement, and I just want to
6 give a little bit of background, as Paul said, on who we
7 are and what we do.

8 We are an owner, developer and operator of
9 senior housing, independent living, assisted living and
10 memory care.

11 I always like to point out that not only are we
12 a developer, but we're also operators, and that's really
13 what we do.

14 My team is basically here to serve the operating
15 group in our company, so we don't build these and flip
16 these. We build these and operate them. Become long-term
17 citizens and long-term neighbors in the communities that
18 we go into.

19 To drive the point home to its conclusion, I
20 guess, there are about -- we have about 1200 employees at
21 Spectrum Retirements, and eight of us are in development,
22 and the other 1192 are in operations.

23 So that's -- that's really what the company is
24 all about is -- is operating these facilities.

25 Based in Denver. We have 24 properties

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1 currently operating in ten states. Three of those are
2 here in the St. Louis area; there's one in Crestwood,
3 there is one in Ellisville that just opened, and then we
4 have one down in Washington. We also have another one

5 under construction just about ready to be completed and
6 opened in the Affton area. And on top of that, we have
7 four additional ones under construction and lots more in
8 development.

9 We're a private company. We're well-funded. We
10 have good private equity partners and good lending
11 partners with several different banks. All conventional
12 financing. No HUD. And we've, across our entire
13 portfolio, excluding the two that we now have in lease,
14 we're 95 percent occupied.

15 So in the -- in any industry, I think that's
16 good. In senior housing, that's -- that's an excellent
17 record and, certainly, I -- it's not so much what we
18 design, as our operating group deserves the credit for
19 that, but that, I think, is very important to point out to
20 know that with the funding that we have and with the
21 operational history that we have and the -- and the -- the
22 partnerships that we have with banks, our intent is to get
23 approved and get building and get opened as soon as
24 possible.

25 We have -- we have yet to leave a half-built

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1 building or half empty lot and we don't intend to.

2 So this is a very good time for senior housing
3 to be developed. The need is, frankly, off the charts,
4 both nationally and in this area.

5 St. Louis is a, in general, is a community we

6 feel very strongly about, as evidenced by our presence
7 here already. One of our two principals of our company is
8 from St. Louis originally; grew up here. And so we know
9 the area very well. Our architecture firm is based here.

10 And Creve Coeur is -- is an area that we've had
11 in our sights for a while. We feel very strongly about
12 Creve Coeur in specific and in the surrounding area.

13 In terms of what we build, Paul already talked
14 about the basics of what we're proposing. This is
15 assisted living and memory care. No independent living in
16 this. Ninety units.

17 And the only thing really that I want to point
18 out, in addition, just to give a general flavor for any of
19 you who don't know about assisted living and memory care
20 in its current state versus 20 or 30 years ago, is that
21 these are very high-end facilities; a lot of common areas;
22 very high amenities.

23 The two most important things that we provide in
24 our communities are dining and activities. Everything
25 else that we do with the units and all the nice design

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1 that our architects and engineers do, everything is
2 secondary to dining and activities.

3 And so the large dining spaces that we have, and
4 we have more than one of them in the building, and then
5 our activities programs are all supported by the multiple
6 amenities basis that we provide as well.

7 So that's the overview of Spectrum. I could --
8 I could go on for hours, but want to, I think, open it up
9 for questions at this point and with anything that you
10 have as far as the architecture and engineering, and we do
11 have the full team here, so we can, I think, answer
12 anything you have.

13 Thank you.

14 CHAIRMAN EBERHARDT: Okay. Are you going to
15 make one more presentation or do we -- are we free to ask
16 questions?

17 MR. LONGFELLOW: I think -- I think we're done.

18 CHAIRMAN EBERHARDT: Okay. Thank you.

19 First of all, any questions from the Members of
20 the Commission?

21 Mr. Langdon.

22 MR. LANDGDON: Mr. Chair, if I may jump in here.

23 I just want to ask the applicant to explain a
24 little more about the type of residents.

25 As you know, this has been advertised as an

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1 assisted living facility, and you just mentioned memory
2 care.

3 MR. LONGFELLOW: Uh-huh.

4 MR. LANDGDON: Perhaps for everyone's benefit,
5 could you explain if those are functionally the same or is
6 this more of a nursing care or -- because it does make a
7 difference.

8 MR. LONGFELLOW: Absolutely. Thank you for the
9 question.

10 The memory care is, basically, it's assisted
11 living. It's a component within our assisted living where
12 the level of care is the same level. It's not skilled
13 nursing at this point, but, basically, the care that's
14 provided by our caregivers really focuses on those with
15 dementia.

16 In this case, it would be on the second floor.
17 It is a more secured area of the building, just, you know,
18 because of any potential issues with wandering, but it is
19 not skilled nursing, and it's considered assisted living,
20 you know, as far as state license is concerned.

21 MR. LANDGDON: Thank you.

22 MR. SCHNARR: And when you come up with 45
23 spaces, you're assuming -- that's half the number of units
24 you have, correct?

25 MR. LONGFELLOW: Correct. Yes. And from our

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1 operational history, 45 spaces in this case or one for two
2 units is ample without over parking or having lots of
3 empty space.

4 We -- the numbers on parking are difficult to
5 pin down from -- from jurisdiction to jurisdiction as we
6 go around the country.

7 Typically, it's not provided for in -- in the
8 parking requirements.

9 Denver -- the City of Denver actually just
10 completely revamped its zoning code, and it's one of the
11 first cities that we've seen that addresses assisted
12 living in a very comprehensive way. And, interestingly,
13 their parking requirement ended up .5 per unit, which is
14 what we've basically argued for every place that we've
15 been that does not have parking requirements.

16 We've -- we've had to argue for more, and we've
17 actually had to argue for less. There are times where
18 cities have wanted us to have one per unit or even more
19 and sometimes it's .25. So .5 is something that we feel
20 very good about. And being under parked is a -- is a
21 serious problem for us, and especially for the adult
22 children who are coming to visit their parents, so we
23 certainly want to avoid that.

24 CHAIRMAN EBERHARDT: Thank you.

25 MR. FARON: Just a question, if I could, please.

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1 CHAIRMAN EBERHARDT: Please.

2 MR. FARON: So the -- the extremes of the care
3 would be on the second floor. Beyond the memory care,
4 there wouldn't be any other kind of level of care that
5 would go above that?

6 MR. LONGFELLOW: Correct. That's -- yeah, just
7 to get a general sense of plan. The first -- the ground
8 floor is primarily common area. There are only ten or
9 twelve units. Second floor is all memory care, and then

10 the third and fourth floor are all assisted living units.

11 MR. FARON: So that first floor services
12 activities and things of that nature, entrance. So, okay,
13 third and fourth floor just assisted living, and so second
14 floor just more security -- secure area. Okay. Thank
15 you.

16 MR. SCHNARR: What is the opportunity for
17 additional parking on Sundays, for example, when the
18 parents [sic] come. Is it going to be a problem?

19 MR. LONGFELLOW: Typically what we've done, I
20 mean, unfortunately, we would like for parking to be a
21 bigger problem because that means more visitors are coming
22 in on a daily basis.

23 There are really only two holidays out of the
24 year where we ever have any sort of issue, Christmas being
25 one, but -- and Easter can be, but really the single

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1 biggest day of the year for us is Mother's Day.

2 And -- and what we've done, typically, is we've
3 entered into an agreement or talked to a nearby shopping
4 center, sometimes schools, places that aren't necessarily
5 as busy on -- on a -- or on the holiday, and -- and then
6 shuttled over.

7 We do have, one thing I did not mention is that
8 we do have a community van and also a community car. And
9 that's one of the ways that we really try to cut down on
10 traffic into and out of the facility.

11 Really in this particular product type, the
12 traffic in and out, the parking requirements are really
13 made up almost entirely of visitors and then staff.

14 The number of trips generated is surprisingly
15 low, but the Mother's Day is the big one.

16 CHAIRMAN EBERHARDT: Dr. Barton.

17 MR. BARTON: Can you elaborate a little bit more
18 on the criteria that allows a person to meet independent
19 living versus, you know --

20 MR. LONGFELLOW: Versus assisted and memory?

21 MR. BARTON: Assisted versus skilled nursing?

22 MR. LONGFELLOW: Absolutely. The -- with
23 independent living that's really more of a lifestyle
24 choice, I mean and I'm oversimplifying a little bit, but
25 this is, I think, generally the -- the divisions.

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1 It's really a lifestyle choice where very little
2 assistance is needed. Assistance with activities of daily
3 living, we refer to them as ADLs in the industry, and
4 those activities of daily living can consist of dressing
5 assistance, eating assistance, medications, toileting,
6 bathing. And so in independent living, really what we are
7 providing are senior apartments. They typically have full
8 kitchens, even though we still do have with -- in an
9 independent living facility, we still have central dining
10 and a central commercial kitchen providing the meals for
11 them.

12 But in -- with assisted living, once that
13 threshold is crossed, we are actually providing care and
14 assistance of daily living in the community.

15 So those kinds of things that I just mentioned,
16 with medication, assistance and eating, and, you know,
17 even -- even escorting people to and from meals, that sort
18 of thing, that is what distinguishes independent living
19 from assisted living.

20 In terms of -- and then memory care would just
21 basically be a subset of that assisted living level. And,
22 again, there the care -- the assistance with ADLs is just
23 more focused on people with memory issues.

24 Skilled nursing really is when it comes down to
25 more medical -- medical care, and people who aren't --

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1 people who tend to be less ambulatory.

2 And so in terms of the medical assistance that's
3 provided, that's really the -- what divides assisted
4 living from skilled nursing is that no actual, you know,
5 skilled nursing is -- is provided at this facility.

6 MR. BARTON: And are your residents free to come
7 and go? Are they -- will we expect to see them walking
8 out on the sidewalks?

9 MR. LONGFELLOW: They -- they are free to come
10 and go with assisted living. They are -- they are heavily
11 monitored, so it's not as if we don't at any time know
12 where they are, and they're kind of just wandering in and

13 out.

14 Memory care is -- is a secured facility. And
15 memory care, I mean it's kind of a monolithic term for a
16 very un-monolithic issue, but because some -- there are
17 some people who -- who oppose kind of a wandering problem
18 or a flight risk, but at the assisted living level, we --
19 it is not lockdown; it is not a secured facility.

20 But -- but really all of the traffic in and out
21 of the building is through the front door of this, and
22 that's staffed 24 hours, and so the comings and goings of
23 our residents are -- are monitored, but not restricted.

24 MR. BARTON: Do you anticipate any need for
25 additional signage in the area to, you know, in terms of

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1 pedestrian crossing or anything in terms of cautionary
2 signage?

3 MR. LONGFELLOW: We typically don't or we
4 haven't really had to.

5 In this -- I can't really think of anything in
6 this specific situation that would -- that would warrant
7 that.

8 You know, in terms of people moving around the
9 site, we have -- we always have sidewalks and walking
10 paths around the site, so that they can -- so that they
11 can freely move around.

12 Typically, there are caregivers with them.

13 But -- but I don't see anything, you know, if we were

14 right on Olive, I think maybe we would be a little bit
15 more concerned, but this actually -- this site, we feel,
16 suits us very well in that regard.

17 CHAIRMAN EBERHARDT: Thank you.

18 MR. FARON: Mr. Chairman.

19 CHAIRMAN EBERHARDT: Anything further? I'm
20 sorry, go ahead.

21 MR. FARON: Related to that, so the patio area,
22 the dining area outside, that's going to be landscaped, I
23 guess, a bit more?

24 MR. LONGFELLOW: It will.

25 MR. FARON: At least it's not on the west side

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1 of the building in the sun --

2 MR. LONGFELLOW: Right.

3 MR. FARON: -- but so there is going to be some
4 kind of buffer there to the street and sidewalk.

5 The second question, have you been -- have you
6 discussed any additional parking overflow with the other
7 -- Plaza Motors or the -- the strip center across the
8 street, or even Summit Lofts, has that ever come up at all
9 or have they confronted doing that?

10 MR. LONGFELLOW: We haven't discussed any
11 specific agreements yet with any of the neighbors, and --
12 but that's something that we actually typically are
13 marketing in outreach folks are the ones who oftentimes
14 deal with, you know, they look around the community and

15 look at who would be available, or -- and I think all of
16 those would make sense, certainly, Plaza Motors being
17 right there --

18 MR. FARON: Sure.

19 MR. LONGFELLOW: -- would be very convenient for
20 us.

21 MR. FARON: There's a parking lot too across
22 from you that's more business hour oriented.

23 And then the last question, is there any access
24 to Summit Lofts, or are you just kind of north and east on
25 the -- the face of your building? You don't -- you can't

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1 get into Summit Lofts in terms of vehicular traffic or
2 even pedestrian traffic in any of the residence --

3 MR. LONGFELLOW: Correct, we're --

4 MR. FARON: Just on that corner basically?

5 MR. LONGFELLOW: -- just dividing it, yes.

6 MR. FARON: Thank you, Mike.

7 MR. LONGFELLOW: Okay.

8 CHAIRMAN EBERHARDT: Anyone else on the
9 Commission?

10 Mr. Langdon or Ms. Kelly, do you have comments?

11 MR. KELLY: Good evening. Whitney Kelly, City
12 Planner.

13 The applicants have asked for a subdivision and
14 a conditional use permit for a 43,425 square foot
15 four-story 90-unit assisted living facility.

16 As you're aware, this was a property was
17 originally considered as part of the Summit Lofts, however
18 that did not move forward.

19 The Comp Plan discusses various elements
20 regarding the design of the facility and that there should
21 be human scale storefronts with parking located behind or
22 beside the building and with the parking oriented towards
23 the street.

24 This would be the Decker Lane view right here.
25 This is the interior view, north elevation and the south

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1 elevation.

2 We find that it does meet with the overall
3 intent of the design guidelines, however there are a few
4 points that we need to discuss.

5 We found that Studt Avenue would have direct
6 viewpoint from right here along Decker Lane. We found
7 that the -- this area needed more focus in order to
8 fulfill the design guidelines, create a focal street view
9 along this area.

10 Due to the operational constraints by the
11 applicant, they can't really bring that forward, so we are
12 suggesting that the landscaping, in this area
13 particularly, provide some pedestrian scale for the --
14 those that would be walking along the sidewalk. There are
15 sidewalk connections throughout the building -- throughout
16 the site, and we find that that would further the intent

17 of the design guidelines, as well as meet with the
18 operational needs of the applicant.

19 The Zoning District also requires that
20 50 percent of the building setback be within 15 feet, and
21 right now they're showing this to be 15.5 at this corner
22 and 16.7 at this corner. And this area would be roughly
23 58 percent of the building width.

24 They have indicated that they can shift that
25 over a foot or two to meet with this requirement, and,

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1 therefore, we have included a condition for that for staff
2 approval.

3 Again, the existing Summit Loft garage was
4 granted temporary measures until the garage extension
5 could be completed, and that was not done.

6 Therefore, we have required that the applicant
7 provide some grading and some sort of retaining wall to
8 work within the Building Code requirements so not to
9 create any storm water or egress problems for the Summit
10 Loft development.

11 We really did look at the parking thoroughly per
12 the Code. And in 1987, the SIC Code list the uses as --
13 this use as a social service, but it left it in the same
14 category as conventional office requiring one space for
15 every 300 square feet of floor area or 145 spaces.

16 As the applicant has indicated, that is way
17 outside the bounds of their needs. So we have looked at

18 the nursing and personal care, which is calculated at one
19 space per every two resident beds.

20 As we have started the discussion of
21 transitioning over from the SIC to the NAICS, they revised
22 this category assisted living within the same category as
23 residential care, and this would fix that problem in their
24 code at that time.

25 So, therefore, we are -- we would specify to

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1 utilize nursing and personal care standard of one space
2 for every two beds.

3 This is still in excess of what the actual
4 parking needs of the applicant has indicated, as well as
5 our experience with Hallmark off of Craig Road.

6 Therefore, with 90 units, one space for every
7 two beds requires 45 spaces, and they have provided 45
8 spaces on the site.

9 If you're uncomfortable with this
10 interpretation, you should discuss further-off site
11 requirements as a condition for parking arrangements with
12 the applicant.

13 If you have any other questions.

14 CHAIRMAN EBERHARDT: Commission Members, any
15 questions?

16 Just one question, and maybe the -- the
17 applicant needs to answer.

18 How many staff people will likely be staffing

19 this -- forget about residents for the moment -- what --

20 what -- and I'm looking this -- at this from a parking

21 requirement, what is your typical staffing?

22 MR. LONGFELLOW: The -- the max staff number at

23 changeover would be approximately 22. It's -- so --

24 MR. SCHNARR: So 22 and 45 spaces is going to be

25 taken up by --

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1 MR. LONGFELLOW: Yeah, that would be the maximum

2 at one time at the shift change. Typically, like

3 overnight, it's eight at the most, but at the -- at the

4 shift change, you know, around ten o'clock in the morning

5 there would be that -- that one time where there would be

6 as many as 22 staff members.

7 CHAIRMAN EBERHARDT: So only half left during

8 the daytime hours for -- for visitors, essentially?

9 MR. LONGFELLOW: Yeah, which, again,

10 unfortunately, that's more than enough typically.

11 It's very, very rare that between visitors and

12 potential that -- that we would even come close to that

13 number.

14 MR. SCHNARR: Well, how is your living space

15 apportioned? How many are just apartments where, for

16 example, a retired couple would live and how many are this

17 full staff nursing?

18 MR. LONGFELLOW: Well, the -- with assisted

19 living, very very few residents would -- would have a car,

20 and, in fact, it's almost not -- no memory care residents

21 would have a car at all.

22 MR. SCHNARR: Right, I understand that.

23 MR. LONGFELLOW: Right.

24 MR. SCHNARR: But the assisted living, my

25 experience in this area has been primarily with Friendship

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1 out in Chesterfield, and everybody in an assisted living

2 apartment has a car. They don't drive too well, but they

3 have --

4 MR. LONGFELLOW: Right. Right.

5 MR. SCHNARR: -- they have a car.

6 MR. LONGFELLOW: Yeah.

7 CHAIRMAN EBERHARDT: They don't have licenses,

8 but they have cars.

9 MR. BARTON: Just for clarification, do you --

10 do you intend that the mean is eleven employees and at

11 shift change you have 22 parking spots being taken up, but

12 then it drops back down to eleven?

13 MR. LONGFELLOW: Yeah, correct.

14 MR. BARTON: So it's a temporary period, about a

15 half hour or so --

16 MR. LONGFELLOW: Yeah.

17 MR. BARTON: -- that 22 spots are taken up.

18 Okay.

19 CHAIRMAN EBERHARDT: Thank you.

20 MR. BOYER: If I may, not to change the subject,

21 but I want to interject one thing as far as the condition.
22 The 15 foot setback along the front of the
23 property, there's actually -- it's a -- there's a 15 foot
24 sewer easement, so our intention is to meet the City's
25 requirement, but that would be subject to MSD's review and

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1 approval.

2 There's a sanitary sewer which runs right along
3 that 15 foot, so they may ask us for a foot or slightly
4 buffers -- typically as long as we're outside the
5 easement, we're okay, but I just wanted to caveat that
6 that we're going to be subject to MSD's review.

7 CHAIRMAN EBERHARDT: Anything further,
8 Ms. Kelly?

9 MR. KELLY: No, sir.

10 CHAIRMAN EBERHARDT: Okay. We have some people
11 who -- in the audience who have given speaker cards.

12 Carl Bolm, 63 -- excuse me -- 630 Emerson. Is
13 Carl here?

14 MR. BOLM: I'll defer to be last, please.

15 CHAIRMAN EBERHARDT: Okay.

16 Tom Prince.

17 MR. PRINCE: Yes, sir.

18 CHAIRMAN EBERHARDT: If you state your name and
19 address for the record, please.

20 MR. PRINCE: I will. My name is Tom Prince. I
21 live at 630 Emerson Road, Unit No. 201.

22 I'm here speaking as a member of the board of
23 trustees of Summit Loft Property Owners Association.

24 And we're here in a neutral position this
25 evening. We are going to ask the Commission to delay any

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1 approval of any application, and for this reason. We want
2 to be good neighbors. We -- this project, we think, could
3 probably be the best project that's leftover to go in --
4 into the area.

5 When we moved into the Summit Lofts, we thought
6 we were getting four more high-end condominium units, but
7 it didn't work out that way.

8 We just found out about this project about two
9 weeks ago when I looked out my back porch, and noticed
10 some guys over there with a heavy drilling rig taking core
11 samples, about two weeks ago. I walked over to talk to
12 them, and they didn't have a clue what was going in there.

13 So we have begun to -- one of them said, yes,
14 sir, I think it's a parking lot. I believe that's what
15 it's going to be is a parking lot. Well, it was early
16 Sunday morning, they were making a lot of noise, that's
17 all I know.

18 But anyway we began to snoop around and finally
19 got wind that there was a hearing tonight of some sort.
20 So about four o'clock this afternoon I came up to find
21 out, at the direction of the board, to find out what was
22 going on. And we found out that, yes, there's a hearing

23 and there's also a vote for approval.

24 We hadn't yet met with these gentlemen. I'm
25 talking about four this afternoon, we hadn't heard one

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1 word from these guys -- and these are great guys. I'm not
2 begrudging them, but we just hadn't talked to them.

3 So we got on the phone and called them, and they
4 were kind enough to come over to our building.

5 And I'm going to show you where we live and try
6 to bring some -- some perspective to this whole project,
7 if I can.

8 And they were kind enough to come over and talk
9 with us, and we felt really good about the meeting. We
10 felt good about these guys. But there are probably, as a
11 result of that meeting, more questions that have -- that
12 are to be asked for us and answered than were, in fact,
13 answered.

14 Just to kind of give you an idea, if I can
15 figure out this high-end equipment here, this is a
16 swimming pool. I hate to wake up one morning about
17 six o'clock and have one of the memory assisted people
18 doing aerobics in our pool. And so, you know, I say that
19 kind of tongue-in-cheek, but it's a real serious problem
20 is our swimming pool. And so we've begun to have some
21 conversations, but there's been no resolution yet about
22 how do we properly buffer this area between their building
23 and our area.

24 There is some landscape. They've got a great
25 landscape plan. They showed us -- I don't know a Juniper

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1 from a come-here or sick-um, but they said they got some
2 nice Juniper and trees going in, but we want to have some
3 conversation about proper buffer for safety, the pool, for
4 site.

5 If you just step it off, their parking lot, when
6 you see it on paper like this, doesn't look like it's very
7 close, but when you get out there actually on site, their
8 parking lot is pretty darn close to our swimming pool and
9 our area there where we have folks who like to sunbathe
10 and -- and enjoy themselves in this private property that
11 they bought into when they thought right next to them was
12 going to be other condominium units and not assisted
13 living units.

14 And then we have the notion of -- of site.
15 We're going to be looking out at -- at a parking lot
16 that's right now set for 45 cars. I hope that's enough
17 parking, but, you know, what are the employees going to
18 do, take a bus? There's nothing wrong with public
19 transit, by the way, I'm all for public transit, but in
20 this case, I don't think you'll see a bus running by here.

21 And, by the way, someone mentioned that there's
22 a parking lot across the street. Well, I walk around this
23 block, you know, this is a big -- big circle, big loop
24 here in our town. And I walk around this block every day.

25 Four times is a mile. And that parking lot across the

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1 street, when business hours closes, they chain that sucker
2 up. You couldn't get a semi in there. So that parking
3 lot's not going to be accessible to anybody who wants to
4 park there.

5 And then there's another issue in that area over
6 there, and as it relates to ingress and egress, and
7 that -- Decker is a three lane road. The middle lane has
8 been taken over by Plaza Motors, and they use it as an
9 unloading dock, which is an issue for another day.

10 But they've got trucks there seven days a week
11 four o'clock in the morning unloading fancy cars. And
12 that's going to be a big issue that -- that -- that kind
13 of comes into play here now.

14 There's an issue of landscaping. I talked about
15 that already.

16 Oh, drainage, I want really to be sure and
17 mention drainage cause this is a drainage nightmare,
18 this -- this property is.

19 I just learned this afternoon, these guys were
20 telling us about it, and I appreciate them telling us
21 about it, but there's shared underground drainage between
22 our piece of ground that Summit Lofts and West Village sit
23 on. And, by the way, our board serves both Summit Lofts
24 and West Village Lofts, so we're speaking for about 45
25 property owners and voters in this fine community when we

1 get up here and address this board tonight, none of whom
2 knew anything about this until today. So, you know, you
3 think we might, as members of our board of trustees, have
4 an obligation to find out, well, how is this drainage
5 going to work, are we going to have -- you know, is it a
6 good plan, is it not a good plan. We don't know. We
7 haven't had the opportunity to talk to anybody yet.

8 And then up in -- does it show up -- up in this
9 area right up here, this is really a problem. It's --
10 this is where our underground garage makes its way into
11 the light of day, only it was intended to continue -- in
12 the original zoning and in the original plan that was
13 approved by the City, it was intended to continue as an
14 underground garage all the way through these two buildings
15 over here. But today it just kind of crops up, and it's
16 an eyesore, it's a drainage sore, you know, and to top
17 things off, at the very end of it there's a fire escape
18 door that's required by the fire code. And if we don't
19 deal with that, if that's not dealt with, and you just
20 drain this thing -- if you grade this so that everything
21 drains down towards that -- that eyesore where the fire
22 escape door is, it's going to drain right to it and be on
23 the same grade. You know, I wonder if that's going to
24 impede with the fire escape that's required to be there
25 coming out of our garage.

1 We -- we talked about that today, and we made
2 some great progress on it, and I appreciate it, but we
3 didn't get it resolved. We don't know how that's going to
4 sort itself out. Remember, we only met with them at 5:30
5 today. We made great progress in thirty minutes, but you
6 can only do so much. You can't ride a horse that fast.

7 Let's see, what else have I got.

8 Light protection. We're a residence. All the
9 buildings around us are office buildings, but we're
10 residents, we tend to want to go to sleep at night.

11 And we're concerned, although they had a great
12 answer for this, but we're concerned that the lights in
13 the parking garage are going to provide some light
14 invasion into our properties.

15 Now, they did a great job. They've got some
16 sort of lumens plan or something that shows where lights
17 are going to be blocked off, and they're not going to be
18 coming over on our property and what have you, and that
19 sounds good. We'd like -- we'd like to be able to study
20 on it just a little bit, make sure that that's -- that we
21 don't have a problem with that.

22 And I know we can't dictate things. It's a free
23 world. They're going to get the property and they can do
24 things, but we want to be good neighbors and they want to
25 be good neighbors. We just need a little bit of -- little

1 bit of time here to sort through some of these issues.

2 And there's some other things. Proper buffering
3 for site, sound and safety. You know, worry about our
4 swimming pool. I know there's a way that we can block it
5 off, but, you know, we're concerned about that cause right
6 now it's accessible. Granted, there's a lock on the gate,
7 but it's still -- still an issue that we're concerned
8 about.

9 So, having said all of that, we want to be good
10 neighbors; we want to work with these guys; we're
11 delighted to see progress in our community. We think that
12 Spectrum will do a great job, but we would ask that the
13 Commission delay approval, if you are about to take a
14 vote. I haven't had the time to even to figure out if
15 you're about to take a vote on anything. But if you are
16 about to take a vote, we would ask that you delay it for
17 some time to give us the opportunity because we, you know,
18 we're not a mile away. We're right there. These folks
19 are in our backyard. I mean they're like becoming part of
20 us, and we're becoming part of them, whether we like it or
21 not, we're going to be living together for a long time,
22 and we'd like to have the opportunity to sort through some
23 of these issues.

24 Thank you very much. I appreciate it.

25 Carl, did you have anything of value?

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1 MR. BOLM: If I may.

2 CHAIRMAN EBERHARDT: Please.

3 MR. PRINCE: Thank you very much.

4 MR. EBERHARDT: Thank you.

5 MR. BOLM: Thank you for your time and what you
6 do for our community.

7 CHAIRMAN EBERHARDT: Name and address, please.

8 MR. BOLM: Sure. Good evening. My name is Carl
9 Bolm, and I'm also on the board of directors and trustees,
10 and reside at 630 Emerson.

11 I think Tom hit on most all the points. I just
12 wanted to reiterate, but Planning & Zoning said is that we
13 were not -- when we bought into these units, there wasn't
14 going to be a parking lot there, street lights there,
15 street cars, dumpster, nothing looking out over our pool
16 area. Everything was to be underground. Underground
17 parking. No cars, no lights. Underground dumpster.

18 That did not happen, but that too is not, I
19 don't feel, our problem to then be -- suffer the
20 consequences if there are any, but I think there's a plan.

21 I too met, along with Tom, with these gentlemen.
22 I think with proper planning, some type of privacy fence
23 on the outside of our existing fence, yeah, all pools have
24 to be fenced. Tonight's a good example when we're trying
25 to get in there, the lock was not working, we couldn't get

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1 in. Many times the lock does not shut. It's got a gate
2 on the side that faces the development.

3 We have to go back to our board and to our

4 people and explain what's going on here.

5 Heavy landscaping, and I mean heavy, not five,
6 ten years from now when it finally grows up, but heavy
7 landscaping that you can't see through now and -- and
8 immediately.

9 A privacy fence that does two things; no
10 headlights and -- and -- coming in the, you know, in the
11 nighttime or the early mornings, and blocking the visual
12 of all the -- the streets would -- would definitely be a
13 welcome to this development.

14 Again, they're free to come and go. It's not a
15 lockdown facility, hence, for the fence.

16 And I might also add, it's interesting, but
17 Plaza had to put up a privacy fence between us and Plaza
18 and the parking garage because we've had that fail before
19 and they've had to do that, so that is part of what we
20 have on the north side of our building.

21 The drainage and the fire marshal, that'll also
22 be addressed through Planning & Zoning, I'm sure. That's
23 all I have.

24 Thank you.

25 CHAIRMAN EBERHARDT: Thank you.

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1 Anyone else?

2 Yes, ma'am.

3 MS. BERRY: I'm not sworn in.

4 CHAIRMAN EBERHARDT: Were you sworn in, I --

5 MS. BERRY: No, sir.

6 CHAIRMAN EBERHARDT: Well, would you then be
7 sworn in, please.

8 (Speaker was sworn in by the court reporter.)

9 MS. BERRY: My name is Lynn Berry, 626 Graeser
10 Road.

11 I hadn't planned on speaking this evening, but I
12 was just curious, if you're going to have all these people
13 doing ADLs in the morning, feeding people, are you going
14 to have an in-home therapy, agency people coming in, which
15 will need additional parking, cause you only have eleven
16 in place, you have 90 people?

17 MR. LONGFELLOW: Yeah, I can answer that.

18 MS. BERRY: That's all.

19 CHAIRMAN EBERHARDT: Thank you.

20 MR. LONGFELLOW: That -- to answer your
21 question, ma'am, that -- those ADLs are taken care of
22 by -- by caregivers in-house.

23 There are sometimes some instances where
24 individual residents will contract with -- with outside
25 agency people, but in this case, we would expect them to

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1 be -- to be cared for by the caregivers.

2 The ratios that we have, as far as the
3 caregivers per resident, that's something that we're used
4 to, that we have, and in terms of, for instance,
5 showering, bathing assistance, that sort of thing, that's

6 on a very staggered schedule.

7 And so from a staffing perspective, we feel
8 comfortable with that as far as the caregiver ratio per
9 resident.

10 In terms of responding to our potential future
11 neighbors at Summit Lofts, I felt like our conversations,
12 our meeting, went very well.

13 Our preference would be to keep moving with the
14 timeframe we have with a vote for approval this evening.
15 Understanding that the conditions that were discussed
16 this, I think -- I think with the exception of the privacy
17 fence, are covered by the conditions that are already
18 recommended by staff in terms of the resolution of the
19 issue at the northwest corner.

20 And in terms of the privacy fence, we are very
21 willing to work with Summit Lofts and with the City on --
22 on providing a privacy fence there.

23 And whatever the, you know, whatever the
24 preferred material and height would be, but we have no
25 issue with that whatsoever, so -- and understanding,

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1 again, that they would have another opportunity at City
2 Council, our preference would be to -- to keep moving, if
3 we could, and, again, that those conditions are, we feel
4 like are already provided for except for the fence.

5 CHAIRMAN EBERHARDT: Thank you.

6 Mr. Caldwell. Were you sworn in?

7 MR. CALDWELL: Yes.

8 CHAIRMAN EBERHARDT: That's good. Thank you.

9 MR. CALDWELL: I just want to speak to a minor

10 point, and that is with regard to the setback on the -- on

11 Decker.

12 If I read it -- heard it correctly, staff is

13 asking for more landscaping on -- in that area, but less

14 area to put the landscaping in.

15 And so it seems like that a little bit of a

16 conflict there. And that the -- that 15 foot, it seems to

17 be kind of a robotic adherence to the Code, and it would

18 seem to be a possibility for the tradeoff that the

19 Commission might consider to not worry so much about the

20 15 foot zero inches than being more to get the type of

21 landscaping and appearance that is desired for that visual

22 effect coming in from Studt.

23 Thank you.

24 CHAIRMAN EBERHARDT: Thank you.

25 Anyone else have a comment in the audience?

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1 Staff, any further information -- excuse me,

2 yes, sir, were you sworn in?

3 MR. GELLMAN: Marvin Gellman.

4 CHAIRMAN EBERHARDT: Were you sworn in,

5 Mr. Gellman?

6 MR. GELLMAN: No.

7 CHAIRMAN EBERHARDT: Would you now be sworn in,

8 please.

9 MR. GELLMAN: Okay.

10 (Speaker was sworn in by the court reporter.)

11 CHAIRMAN EBERHARDT: State your name and

12 address, please.

13 MR. GELLMAN: Marvin Gellman, 12 Sackston Woods,

14 Creve Coeur 63141.

15 How big is that lot? How many square foot?

16 MR. BOYER: It's 1.6 acres.

17 MR. GELLMAN: That's -- Hallmark has 200 units

18 on about 10 acres, and there's a big parking lot for 200.

19 45 is not enough for even the people living in it.

20 My mother lived at Hallmark -- on McKnight

21 Place. They had two cars and they lived there. This is

22 not enough parking. This is way too much building for not

23 2 acres even.

24 And I know the people in the apartments and the

25 original building this gentleman was talking about,

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1 they've had problems the whole life over there.

2 And I think we're opening up a big can of worms

3 with 90 people talking to the City complaining about Plaza

4 Motors.

5 Have they talked to Plaza Motors about what they

6 think? Have you talked to Plaza Motors?

7 MR. LONGFELLOW: No, sir.

8 MR. GELLMAN: What they think?

9 MR. LONGFELLOW: No, sir.

10 MR. GELLMAN: Well, it's a good idea because I

11 own the lease, the ground, and most -- most of Plaza, not

12 all of it, not the 5 acres, but there's a good idea to

13 look at Plaza Motors, cause you're -- they got a big

14 business there on -- on about 7, 8 acres, 10 acres, and

15 you got 1.78. Don't make sense. Thank you.

16 CHAIRMAN EBERHARDT: Thank you, Mr. Gellman.

17 Anyone else have any comments?

18 Any further staff or reports?

19 MR. LANDGDON: Mr. Chair, just to maybe provide

20 a little more information on some of the issues that have

21 been raised.

22 I was dismayed to hear about the potential

23 notice problem, and so we did some investigating into why

24 Summit Lofts apparently did not receive enough notice.

25 And, basically, what we have is a timing issue in terms of

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1 when our address list was last compiled and when Summit

2 Lofts began to get occupied.

3 Notices did go out to occupied -- well,

4 addresses at Summit Lofts, but either those owners have

5 not spoken up, or they have since moved and just were not

6 aware of it. So we did advertise through all the other

7 venues. There's a sign on the property. There is notice

8 on the City website. There was notice in St. Louis

9 Countian. But it does appear that not that many of the

10 current residents received the direct mailing. But we
11 did -- did use the methods that are required of us by the
12 Zoning Code.

13 Regarding the -- the parking. You know, as the
14 applicant testified, most cities, and this would be one of
15 them, doesn't have a well-exercised code on assisted
16 living parking. We're relying on observations of the use
17 of parking at Hallmark, and then, otherwise, relying on
18 a -- on a interpretation of the Zoning Code for a
19 regulation. Just because a regulation is met, doesn't
20 mean that the need is met.

21 On the other hand, regulations often
22 overestimate. Traditionally in parking, there has been a
23 severe over assumption on parking, and we've started to
24 cut that back to avoid vacant asphalt sitting there
25 collecting heat.

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1 But if you want to look into it further, if you
2 would like us to look into it further, we can do that and
3 try to get a -- a more state of the art number that is
4 independent of the applicant's testimony.

5 Regarding the storm drainage by the garage. The
6 condition that's in the draft ordinance is, I would say,
7 fairly broad because we don't know all the issues. We did
8 identify with the applicant that we thought there -- there
9 probably would be a problem based on their initial design.

10 I see they've already begun to change that

11 design to try to allow for it, but I will agree that we
12 still don't know what the final solution is relative to
13 that parking garage.

14 I do want to make it clear, however, that fixing
15 the parking garage itself is not up to the applicant.
16 That parking garage is owned by the residents of Summit
17 Lofts and West Village, and if they don't like their
18 private wall then it is their responsibility to address
19 it.

20 If they can come to terms with this applicant
21 tonight on some joint solution, then that is between those
22 property owners, but it is not the obligation of the
23 applicant to fix that parking garage. They, however,
24 cannot create an effect where they are harming that
25 property, neither as a matter of good business nor as a

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1 condition of a -- nor as a requirement of the conditional
2 use permit.

3 Regarding the light. The Zoning Code does have
4 a operational standard that no light be spilled from one
5 property to another beyond 1 foot candle. Anything less
6 than 1 foot candle is barely appreciable as light. The --
7 the glow of the city is a base somewhere between a half
8 and a quarter of a foot candle, so one is kind of the
9 cutoff line.

10 If they build a light system that does not
11 perform as well as the photometric study that they have

12 provided, then we will hold up approval of the final
13 project until we get that compliance. It is a
14 requirement. The light must be confined. If their
15 photometric plan is flawed, then we'll deal with it when
16 we get to the end of the project.

17 Obviously, that creates a significant incentive
18 for the property owner to get it right the first time.
19 They do not want to change it after it's installed.

20 Regarding security for the property. They've
21 mentioned -- the applicant has mentioned their willingness
22 to install a privacy fence. I don't see any issue with
23 that, and if the Planning Commission believes it's a good
24 addition, then you should add that as a condition of
25 approval.

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1 Regarding the use of the turn lane on Decker by
2 Plaza Motors, that is actually an approved use of the
3 street. When the parking garage was approved, that was a
4 condition or an allowance provided at the time because of
5 the property limitations that Plaza Motors faces. It was
6 felt that the turn lane on a fairly low volume street
7 represented the best alternative to a proper truck court,
8 so as odd as it is, and, frankly, not something that I'm
9 thrilled with either, it is something they are allowed to
10 do.

11 The only other issue is buffering of the pool
12 with landscape. You know, we just actually talked about

13 this with the Goddard School. When you combine a privacy
14 fence with limited land area, I'm not sure how much thick
15 landscaping really does. One, you can't get it very
16 thick, and two, the fence largely addresses the problem.

17 But, certainly, we will pursue landscape as much
18 as we can in that area if that is a concern of the
19 Commission.

20 Finally, regarding the front setback, the
21 Section 405.240 allows the Planning Commission to adjust
22 front setbacks for consistent right of way.

23 The parking garages are very close to the
24 street. The reality is we're talking about a foot or less
25 in terms of adjusting this building one way or the other,

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1 either to meet the 15 feet or to provide them the space to
2 leave the building where it is and not have to deal with
3 MSD.

4 Frankly, I defy most of us in this room to spot
5 a foot or less from any distance out in the field.

6 So if the Planning Commission wishes to approve
7 the plan, then I strongly suggest that we add that as a
8 condition to the approval to say that you are specifically
9 allowing the front setback in consideration of consistent
10 right of way.

11 That's all I have, sir.

12 CHAIRMAN EBERHARDT: Thank you, Mr. Langdon.

13 Anyone else? Mr. Gellman.

14 MR. GELLMAN: I just want to make the -- isn't
15 there a requirement for parking for employees? There's a
16 lot of employees in 98 -- I mean 90 units.

17 CHAIRMAN EBERHARDT: I think Mr. Langdon tried
18 to address that issue, Mr. Gellman.

19 MR. GELLMAN: Okay. Thank you.

20 CHAIRMAN EBERHARDT: Thank you.

21 Anyone else have comments?

22 Is there anyone that has a -- the public hearing
23 is closed.

24 MR. LUMLEY: Well, my recommendation is that you
25 leave it open.

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1 CHAIRMAN EBERHARDT: Okay.

2 MR. LUMLEY: It's apparent that we had some --
3 some degree of deficiency in our public notice, and it
4 sounds like there might be some more detailed information
5 that might come forward.

6 My suggestion is that you defer it to provide
7 better notice to comply with those requirements.

8 CHAIRMAN EBERHARDT: And to continue the public
9 hearing at another time.

10 Is there anyone who would like to comment on
11 Mr. -- yes, Cynthia.

12 MS. KRAMER: Right. So two questions.

13 For the pool issue, what's really the purview of
14 the Commission with regard to that?

15 MR. LANDGDON: When you say the pool issue what
16 exactly are you speaking to?

17 MS. KRAMER: Well, with regard to the buffering,
18 you know, making sure that someone can't get into the pool
19 and --

20 MR. LANDGDON: The conditional use permit
21 process requires the finding that the proposal will not
22 create a hazard or harm to adjacent property or to the
23 users of the proposal. So if the Commission feels like
24 there is a security and/or privacy issue here, then you
25 can certainly ask the applicant to, one, demonstrate their

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1 solution to those issues, and then, two, engage them in
2 other solutions if you don't feel like it's sufficient.

3 MS. KRAMER: And then one more question, please,
4 if I may.

5 CHAIRMAN EBERHARDT: Sure.

6 MS. KRAMER: With regard to the parking, and I
7 do want to say I'm glad to see that everyone feels very
8 well that everyone can sort of work together on these
9 issues, and it looks like there's, you know, definitely
10 moving in the right direction.

11 But I guess my question would be, particularly
12 with regard to the issues of the parking, how much is
13 actually needed, and I do understand how it -- you -- that
14 information may not be where we'd like it at this point.

15 So have there been any findings of any of the

16 other assisted living residences in the surrounding
17 community or perhaps any of the other properties that are
18 currently held by the applicant?

19 MR. LANDGDON: We have not investigated the
20 applicant's other properties. I assume their testimony is
21 honest in that regard. But the -- and that's all I'm
22 going to say on that.

23 The experience that we have in town is limited
24 to Hallmark. It's the only other assisted living
25 facility. Less than half their parking is currently

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1 built. The rest of it is so-called phantom parking. And
2 a lot of that existing parking lot goes unused most of the
3 time. So there is not a heavy demand for parking there.

4 In prior communities that I have worked, the one
5 bed -- one parking space for two beds is the common
6 standard.

7 City of Denver has adopted that standard, so I
8 think that's what we'll find is the most common, but I
9 would say our research is not exhausted.

10 MS. KRAMER: And just let the record show that I
11 was not questioning whether there was honest testimony.
12 It was merely a question just in terms of there was
13 something brought forth from the community that perhaps it
14 would be good to just sort of --

15 MR. LANDGDON: And we can look at the size of
16 those facilities and amount of parking.

17 MS. KRAMER: But I would never -- never say

18 that.

19 MR. FARON: I would second that facility we're

20 looking is just one floor is assisted living, right, the

21 Hallmark --

22 MR. LANDGDON: Yes, sir.

23 MR. FARON: -- and is probably a good soundboard

24 for that. Okay. Thank you.

25 CHAIRMAN EBERHARDT: Dr. Barton.

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1 MR. BARTON: So just the terms of clarification.

2 The -- what's your policy with regards to the --

3 your occupants, I mean assuming you would have -- how many

4 occupants would there be at peak occupation -- or

5 occupancy, how many residents?

6 MR. LONGFELLOW: We would have -- excuse me. We

7 have 90 units so.

8 MR. BARTON: And 90 units, and that's one bed

9 per unit?

10 MR. LONGFELLOW: Correct. Yes.

11 MR. BARTON: And what's your policy with respect

12 to cars? Do -- do you discourage them from having cars?

13 MR. LONGFELLOW: Yes.

14 MR. BARTON: I mean having -- I preface that

15 with, you know, having had that conversation with my

16 father, that was the hardest conversation we ever had and

17 that they --

18 MR. LONGFELLOW: Yeah.

19 MR. BARTON: Giving up that car is the hardest
20 thing to do, and it's the hardest conversation a son can
21 have with his dad is taking the keys away.

22 MR. LONGFELLOW: Right.

23 MR. BARTON: So sometimes, you know, it's
24 helpful if there is a policy at a place where you wanted
25 to move that they discourage cars, you know, dad, mom, if

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1 you want to move here, you probably need to give up the
2 car because parking is a premium, that sort of thing.

3 But then, again, it might be that that might be
4 something that they look for in where they move to is that
5 they can keep their car, knowing that it's just going to
6 be parked and they won't drive it --

7 MR. LONGFELLOW: Right.

8 MR. BARTON: -- and giving it up for the
9 long-term.

10 But can you enlighten us, and for the record, as
11 to what your policy is with parking and cars and --

12 MR. LONGFELLOW: Yes. The -- and thank you for
13 the question.

14 The -- the -- our policy, basically, is to
15 actively discourage it, but we do not outright restrict.
16 We don't prohibit the use of cars. But do we actively
17 discourage, yes.

18 And -- and -- and part of the way we do that

19 is -- is by encouraging the use of our -- of our community
20 car and our community van with activities.
21 We have a program called Medical Concierges.
22 And the idea behind that is that the -- is that with the
23 Medical Concierges, they actually help to get the
24 residents to and from, specifically, their doctors'
25 appointments.

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1 Part of the reason for that or really the focus
2 of that is that so when the adult children do visit their
3 parents, they're not spending all their time shuttling
4 them back and forth to doctors' offices, but instead they
5 actually have meaningful visiting time in the community or
6 around the community.

7 With the community van, we have a lot of
8 organized activities. We, of course, try to engage the
9 greater community of Creve Coeur and the surrounding areas
10 with community centers, schools, et cetera, and so that's
11 a -- that's a big part of what we do with operation is
12 outreach, and so we use the community van extensively in
13 that regard.

14 MR. BARTON: So being in assisted living
15 facility, I mean most of these people probably shouldn't
16 be driving --

17 MR. LONGFELLOW: Correct.

18 MR. BARTON: -- ideally.

19 MR. LONGFELLOW: Ideally, yes.

20 MR. BARTON: And your experience, you know, for
21 the record, at other properties, how many people drive,
22 what percentage of your occupants drive and what
23 percentage of them have cars that just sit?

24 MR. LONGFELLOW: You know, I don't have an exact
25 percentage that I could give you this evening.

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1 It varies, certainly a little bit by community
2 and by part of the country. But the most common problem
3 we have is -- is empty asphalt.

4 And -- and, in fact, I do have another
5 representative from Spectrum here tonight who could attest
6 to it.

7 We've actually had issues with that lately where
8 we've -- where the amount of asphalt that we have and that
9 we have to maintain than for no other reason than just to
10 have that many parking spaces is difficult at times to --
11 to swallow.

12 But we would not want to, frankly, we would not
13 want to go less or much less than .5 per unit, but we
14 would prefer not to go more on this site. Actually it
15 would -- it would prove a hardship to do so.

16 But, and I say that, our most common problem is
17 dealing with empty asphalt. We, frankly, just haven't had
18 problems with -- with under parking. And the one time
19 that we added parking, it was completely proactive, and it
20 was at an independent living, not an assisted living

21 facility cause they really are two completely different

22 products from --

23 CHAIRMAN EBERHARDT: One of the ways actively

24 discouraging use would be to charge parking.

25 Is there a charge -- an additional charge if

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1 someone has a car?

2 MR. LONGFELLOW: There is not a charge for --

3 for taking up parking spaces.

4 In the -- on the properties where we have

5 garages or where we have carports, we do charge for those

6 spaces, but, then again, that's actually not a good

7 comparison or statement because that's independent living

8 only.

9 So if we were up here proposing independent

10 living, I grant you it would be an entirely different

11 conversation, but at assisted living, it really is just --

12 has not been an issue for us.

13 MR. LUMLEY: Just to clarify the question about

14 units. So you don't have any double occupancy?

15 MR. LONGFELLOW: We do not, no. No, I mean it's

16 the number of beds and the number of units.

17 CHAIRMAN EBERHARDT: Okay.

18 MS. KRAMER: Mr. Chair.

19 CHAIRMAN EBERHARDT: Ms. Kramer.

20 MS. KRAMER: Just two more quick questions.

21 Sorry. Thank you so much.

22 So does your community transportation also take
23 the residents shopping if they need? I would imagine that
24 would probably be one of the most important things to
25 them?

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1 MR. LONGFELLOW: Yeah, it is. And that's one of
2 the most popular activities and outings is certainly
3 shopping.

4 So they would -- and that would be a big one.

5 MS. KRAMER: So you do provide that?

6 MR. LONGFELLOW: Yes, we do.

7 MS. KRAMER: Okay. And then the second question
8 is, so do you have plans to reach out to your neighbors
9 with regard to parking issues in case there's the over --
10 you know, it does become an issue --

11 MR. LONGFELLOW: We do.

12 MS. KRAMER: -- like on Mother's Day?

13 MR. LONGFELLOW: And that's something that we
14 typically do. We haven't done it yet, and honestly we
15 haven't done it -- we typically don't do it this early in
16 the process, because we don't know if we're at reality
17 yet.

18 So we don't like to start outreach in any sense
19 before we know that the project is real. But -- but that
20 is something that we've done, whether it's independent
21 living or assisted living, and we've always had success
22 because, again, with community van, the ability to

23 shuttle, we can go a little bit farther afield than across
24 the street. I mean if there's a shopping center and,
25 obviously, there are several shopping centers in

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1 relatively close proximity, that's worked very well.
2 There have been instances where we've gone a couple miles.
3 And it's been fine.

4 Again, on Mother's Day, I mean I'd like to say
5 we have 300 visitors, but we don't. We have maybe 30
6 people or 40 people instead of the dozen or so we can
7 accommodate easily on site. It's not like the shuttle's
8 speeding back and forth thirty times. I'd like to say
9 that's the case, but it's not.

10 MS. KRAMER: Thank you.

11 CHAIRMAN EBERHARDT: Any other questions from
12 Commission Members?

13 I have just a general comment, and that is to
14 say, based on the -- the information from Mr. Prince and
15 Mr. Bolm and on the information that -- and on the
16 suggestion from Mr. Lumley, for reasons of -- is one space
17 for every two units, every two beds, appropriate? Maybe,
18 but I don't think that -- I think it's been indicated that
19 the indications are that's probably okay, but we're not
20 sure and maybe that could look at -- maybe that could be
21 looked at a little more closely.

22 And, two, the site-proof fence between the --
23 the new facility and the -- and the existing apartment

24 building, I think there are site-proof fences and there
25 are site-proof fences. I think there can be different

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1 materials, different densities, different all sorts of
2 things, and I think the residents across the street have
3 a -- or across the back pool certainly ought to have an
4 opportunity to explore a little further with -- with the
5 developer.

6 And, finally, I think if -- Mr. Lumley also
7 indicated that there's some question as to whether there
8 was timely notice or adequate notice, I guess.

9 For all of those reasons, I certainly would
10 favor a postponement until the next meeting, but that's --
11 that's my opinion.

12 So does anyone have a motion to make?

13 MR. BARTON: On advice of counsel, I would move
14 to --

15 CHAIRMAN EBERHARDT: Pardon?

16 MR. BARTON: On advice of counsel, I would move
17 to suspend -- to table it until the next meeting.

18 CHAIRMAN EBERHARDT: One made the motion to
19 table, is there a second?

20 MR. BOYER: Could I interject?

21 CHAIRMAN EBERHARDT: Yes. Go ahead.

22 MR. BOYER: I'm not sure when would the next
23 Planning Commission meeting cause if it's a month it would
24 pose a hardship.

25 CHAIRMAN EBERHARDT: Two weeks.

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1 MR. LANDGDON: Two weeks.

2 CHAIRMAN EBERHARDT: Two weeks.

3 MR. FARON: I would second --

4 MR. SCHNARR: If we do table, it gives our staff
5 the opportunity to work on what I see as three major
6 problems. One is parking code. If they -- if we adopt
7 the new parking code, we're in compliance with the code.
8 There is no old code so.

9 The privacy fence issue at the pool, I have
10 mixed emotions about that.

11 And the drainage plan, you know, if it's going
12 to dump into their -- their garage, then we have to make
13 sure that doesn't happen.

14 But beyond that, if we can solve those three
15 problems, I think we're in pretty good shape.

16 MR. LANDGDON: We will do our best.

17 CHAIRMAN EBERHARDT: Question is can we solve
18 them tonight.

19 MR. SCHNARR: Well, I can.

20 CHAIRMAN EBERHARDT: Anyway, we have a motion.

21 Do we have a second?

22 MR. FARON: I would second Dr. Barton's motion.

23 CHAIRMAN EBERHARDT: We have a motion, a second.

24 Any further discussion before we vote on the
25 motion to table for two weeks until the next Planning &

1 Zoning Commission?

2 Call for a vote.

3 MR. BARTON: Just for clarification --

4 CHAIRMAN EBERHARDT: Sure.

5 MR. BARTON: -- would that be able to go to

6 Council then the following week?

7 MR. LANDGDON: Yes, sir, if -- if it receives a

8 Planning Commission recommendation on the 20th, then it

9 would, in all likelihood, it would go to the City Council

10 on the 27th.

11 CHAIRMAN EBERHARDT: All right. The motion has

12 been made and seconded to table until the next Planning &

13 Zoning meeting.

14 Mr. Schnarr?

15 MR. SCHNARR: Aye.

16 CHAIRMAN EBERHARDT: Ms. Kramer?

17 MS. KRAMER: Aye.

18 CHAIRMAN EBERHARDT: Mr. Faron?

19 MR. FARON: Aye.

20 CHAIRMAN EBERHARDT: Mr. -- Dr. Barton?

21 MR. BARTON: Aye.

22 CHAIRMAN EBERHARDT: Chair votes aye.

23 Thank you all.

24 MR. LANDGDON: Mr. Chair, just to clarify for

25 everyone's benefit, the public hearing is still open --

1 CHAIRMAN EBERHARDT: Is still open.

2 MR. LANDGDON: -- on that item.

3 We will contact St. Louis County to try to get a
4 up-to-date mailing list, or perhaps the gentlemen present
5 tonight can provide us the current list of owners in the
6 Summit Lofts and West Village, and we'll get supplemental
7 notice out to them this week.

8 CHAIRMAN EBERHARDT: Okay. The -- that closes
9 our public hearings.

10 (Public hearing was closed.)

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1 STATE OF MISSOURI)

2) SS
COUNTY OF ST. LOUIS)

3

4 I, Deborah K. McLaughlin, Registered Professional

5 Reporter, Missouri Certified Court Reporter, Illinois

6 Certified Shorthand Reporter and Kansas Certified Court

7 Reporter, do hereby certify that I reported the Planning

8 and Zoning Public Hearing stenographically and later

9 reduced to typewriting; and that this is a true and

10 accurate transcript of the public hearing.

11

12

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

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

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