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AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, AUGUST 5, 2013
7:00 PM

1. ROLL CALL

Mr. Michael Barton
Mr. Gary Eberhardt
Mr. James Faron
Mr. Ken Howard
Mr. Tim Madden
Mr. Charles Pulliam
Mr. Gene Rovak
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. ANNOUNCEMENTS

A. Applications to approve a site development plan for a Fresh Market retail store at CityPlace and to approve amendments to the CityPlace master signage plan have been postponed from August 5th to August 19th, 2013.

3. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

4. APPROVAL OF MINUTES

A. Draft minutes from the meeting of July 15, 2013

5. 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.

6. UNFINISHED BUSINESS

A. Application #13-003: Request for Boundary Adjustment and Rezoning of 5.26 Acres to “CB” Core Business District, and a Conditional Use Permit for “The Vanguard of at Creve Coeur” Multi-Family Residential Development

Applicant/Agent: David Braswell
Covington Realty Partners
135 N. Meramec Ave, Suite 500
St. Louis, MO 63105

Property Owner: Dr. Kent Branson
Pavilion Office Park, LLC.
11630 Studt Avenue
Creve Coeur, MO 63141

7. NEW BUSINESS

A. Public Hearing.

Application #13-014: Approval of a conditional use permit for Dynasty Day Care located at 9974 Old Olive Street Road.

Applicant/Agent: Applicant:
Jonathan Parker
Dynasty Day Care
P.O. Box 1934
Maryland Heights, MO 63043

Property Owner: Gil Bashani
9974 Old Olive Street Road
Creve Coeur, MO 63141

B. Public Hearing.

Application #13-021: Approval of text amendment to Section 405.210 Table A, Permitted and Conditional Uses, of the Zoning Code to clarify certain residential uses and other housekeeping amendments.

Applicant/Agent: Paul Langdon, AICP
Director of Community Development
City of Creve Coeur

C. Public Hearing.

Application #13-023: Approval of a text amendment to Section 405.370 "CB" Core Business District regulations to change the increased height and buffer requirements from a single

family "district" to a single family "development" when adjacent to the "CB" Core Business District.

Applicant/Agent: David Braswell
Covington Realty Partners
135 N. Meramec Ave, Suite 500
St. Louis, MO 63105

Property Owner: Dr. Kent Branson
Pavilion Office Park, LLC.
11630 Studt Avenue
Creve Coeur, MO 63141

D. Application #13-025: Approval of a minor site development plan for exterior building improvements for the Creve Coeur Shopping Center located at 11921 Olive Boulevard.

Applicant/Agent: Thomas L. Milford
Drury Development Corporation
721 Emerson Road, Suite 200
Creve Coeur, MO 63141

Property Owner: 11921 Olive LLC
721 Emerson Road, Suite 200
Creve Coeur, MO 63141

8. WORK AGENDA

9. OTHER BUSINESS

A. Planning Division Report

B. City Attorney Report

10. ADJOURNMENT

Posted: _____
Whitney Kelly
City Planner



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, JULY 15, 2013
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, July 15, 2013, 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. Tim Madden, Chair*
 Dr. Michael Barton
 Mr. James Faron
 Mr. Charles Pullium
 Mr. Gene Rovak

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

2. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

The Agenda was accepted as written.

3. APPROVAL OF MINUTES

Draft Minutes of June 3, 2013

Mr. Rovak moved approval of the draft minutes, which carried unanimously.

4. PUBLIC COMMENT

None

5. UNFINISHED BUSINESS

A. REQUEST TO REMOVE FROM TABLE FOR AUGUST 5, 2013

Application #13-003: Approval of the rezoning of 5.26 acres to “CB” Core Business District, and a Conditional Use Permit for “The Vanguard at Creve Coeur” Multi-Family Residential Developments.

Applicant/Agent: David Braswell
Covington Realty Partners
135 N. Meramec Ave, Suite 500
St. Louis, MO 63105

Property Owner: Dr. Kent Branson
Pavilion Office Park, LLC
11630 Studt Avenue
Creve Coeur, MO 63141

Dr. Barton motioned to remove the application from the table for the August 5, 2013 meeting. Mr. Faron seconded the motion.

Mr. Langdon explained the applicant has put together a revised concept for the project, after the Board of Adjustment granted two of the four variances. Mr. Langdon stated the applicant has applied for a text amendment through the Commission and it was not ready for this evenings meeting, but they will be presenting the project in addition to the text amendment on the 5th, which will allow the Commission to view the application in its totality.

There being no further discussion, the resultant vote of the motion is as follows:

Dr. Barton – aye	Mr. Faron – aye	Mr. Pullium – aye
Mr. Rovak – aye	Chair - aye	

6. **NEW BUSINESS**

A. **REQUEST TO POSTPONE TO AUGUST 5, 2013**

Application #13-021: A request for text amendments to Section 405.210 Table A, Permitted and Conditional Uses of the Zoning Code to clarify certain residential uses, and correct errors made during the NAICS adoption, as well as to revise the definition of a dwelling.

Applicant/Agent: Paul Langdon
Director of Community Development

Mr. Faron motioned to postpone Application #13-021 to August 5, 2013. Dr. Barton seconded the motion with the resultant vote as follows:

Dr. Barton – aye	Mr. Faron – aye	Mr. Pullium – aye
Mr. Rovak – aye	Chair - aye	

B. **REQUEST TO POSTPONE TO AUGUST 5, 2013**

Application #13-023: A request to amend Section 405.370(E)(3)(a) and 405.370(E)(4)(d) of the “CB” Core Business District regulations of the Zoning Code to revise certain protections for adjacent single family residential “districts” to single family residential “development”.

Applicant/Agent: David Braswell
Covington Realty Partners
135 N. Meramec Ave, Suite 500
St. Louis, MO 63105

Mr. Langdon referred to application #13-003 and said this is the text amendment portion of the application and explained it deals with buffers and setbacks that were set in place in 1999.

Ms. Leslie Des Roches, 942 N. Spoede Road, stated she is concerned with this text amendment and is not in favor of this project. Ms. Des Roches does not believe that condominiums should not be in the same classification as churches, schools, and apartment buildings. Ms. Des Roches said that schools and churches are tax exempt and that an apartment building is basically taxed as business, and she said living in a condo she is living in “single-family units” and are taxed as such.

Mr. Faron motioned to postpone Application #13-023 to August 5, 2013. Mr. Rovak seconded the motion with the resultant vote as follows:

Mr. Rovak – aye
Dr. Barton – aye

Mr. Pullium – aye
Chair – aye

Mr. Faron – aye

C. PUBLIC HEARING

Application #13-016: Rezoning of 12528-12536 Olive Boulevard, Shoppes at Questover, to modify the prior “GC” General Commercial Zoning Regulations.

Applicant/Agent: Daniel Burke
Armstrong Teasdale LLP
7700 Forsyth Blvd., Suite 1800
St. Louis, MO 63105

Property Owner: Altus Properties, LLC
1610 Des Peres Road, Suite 320
St. Louis, MO 63131

Mr. John Diehl, Armstrong Teasdale, 7700 Forsyth Boulevard, explained the request is to modify the prior “GC” General Commercial Zoning Regulations. Mr. Diehl stated the applicant is seeking to remove additional restrictions placed on this property in order to enable a separate application for a Jet’s Pizza restaurant, as well as to allow the property owner to pursue new uses for the vacant tenant spaces. Mr. Diehl explained back in 2004, the City approved an application that included restrictions regarding certain uses, which included limiting restaurants to 25% of the buildings square footage and prohibited amusement and recreation services, which at the time included physical fitness facilities, yoga instruction, judo, martial arts instruction, bridge club, dance studios, and other forms of sports recreation. Mr. Diehl said because the ordinance restricts specific uses changing those uses within the deed restriction requires amending the ordinance that was previously passed. Mr. Diehl stated the applicant feels the restrictions interfere with the potential uses that could go in the center and the restriction is not consistent with other “GC” areas in Creve Coeur. Mr. Diehl said there is a favorable recommendation from staff. Also, Mr. Diehl said the applicant is agreeable to restricting future restaurant use to no more than 40% and to allow some of the recreational uses described earlier.

Mr. Faron asked if the worries from the past, in regards to auto center applications, is still prohibited. Mr. Diehl stated that was correct.

Mr. Steven Kling Jr., Jenkins & Kling P.C., 150 N. Meramec Avenue, representing the trustees of the Questover Place, Manors of Questover, and Questover Crossing subdivisions, first gave a little history of the area and showed an illustration. In the illustration, Mr. Kling

pointed out what is considered the West Corridor and explained the history of the zoning and why it was rezoned with restrictions. Mr. Kling showed on the illustration how the property adjoined to residential, hence the deed restrictions that preserve prior zoning of the “MX” district protections. Mr. Kling pointed out the draft ordinance proposes to remove the restriction from the ordinance and leave it to the subdivision and the developer to work the restrictions out, however Mr. Kling says just removing the ordinance does not change the restriction of record against the property and as currently written the subdivisions are not a party to that restriction, so they cannot amend it without being substituted and the city agrees.

Ms. Kelly clarified the writing of the ordinance and stated that Staff wants this property to be zoned the same as every other “GC” General Commercial District. Ms. Kelly said that Staff does recommend approval of this application.

Mr. Pullium asked for clarification of what the Commission is reviewing because the neighborhood and applicant have already agreed to terms and conditions. Mr. Langdon said all parties are in agreement of where this application needs to be in the end, it is the wording in the ordinance that needs some changing.

Mr. Lumley, City Attorney, said the deed restriction is between the City and the property owner, so there would have to be some form of authorization in the ordinance for some representative of the City to sign a new form of that deed restriction. Mr. Lumley stated his recollection of the history of this was if it was strictly in a deed restriction the City is not a party to it. Mr. Lumley also said that he recalls the property owner did not want to leave the subdivision to have a say-so, which left them out of being a party to the restrictions, and the subdivision did not want to just leave it to the contractual rights of a restriction, that is why they asked for it in the ordinance.

Me. Diehl said they would like to amend the ordinance to provide authorization for the City’s consent to substitute the deed restriction, which will be executed between the parties, to place upon the properties and make that a condition of the actual rezoning.

Mr. Rovak motioned to recommend approval of the rezoning at 12528-12536 Olive Boulevard, Shoppes at Questover, to modify the prior “GC” agreement, subject to the condition that the ordinance embodies the requirement of a future agreement between the property owner and the representative of the subdivisions that would except the changes described in detailed. Dr. Barton seconded the motion with the resultant vote as follows:

Dr. Barton – aye
Mr. Rovak – aye

Mr. Faron – aye
Chair - aye

Mr. Pullium – aye

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

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

D. PUBLIC HEARING

Application #13-022: Text amendment to Section 405.820 Required Off-Street Parking for hair, nails, and skin care services to four spaces per 1,000 sq. ft. of floor area.

Applicant/Agent: Daniel Burke
Armstrong Teasdale LLP
7700 Forsyth Blvd., Suite 1800
St. Louis, MO 63105

Property Owner: Altus Properties, LLC
1610 Des Peres Road, Suite 320
St. Louis, MO 63131

Mr. John Diehl, Armstrong Teasdale, 7700 Forsyth Boulevard, explained the request is to reduce the parking requirements, because the current parking requirements lead to excess pavement and asphalt. Mr. Diehl stated the curb requirements are out of line with other retail service type uses.

Mr. Steven Kling Jr., Jenkins & Kling P.C., 150 N. Meramec Avenue, representing the trustees of the Questover Place, Manors of Questover, and Questover Crossing subdivisions, stated for the record the information provided by Mr. Diehl is accurate.

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

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

Mr. Faron motioned to recommend approval of Application #13-022 for the text amendment to the off-street parking requirement for hair, nail, and skin care services as described in the staff report for the meeting of July 15, 2013. Dr. Barton seconded the motion with the resultant vote as follows:

Mr. Rovak – aye
Dr. Barton – aye

Mr. Pullium – aye
Chair – aye

Mr. Faron – aye

E. PUBLIC HEARING

Application #13-009: Approval of a Conditional Use Permit for Jet's Pizza Restaurant located at 12536 Olive Boulevard, Suite D, within the Shoppes at Questover Shopping Center.

Applicant/Agent: Michael Serra
Creveco Pizza LLC dba Jet's Pizza
19694 Westchester Drive
Clinton Twp, MI 48038

Property Owner: Altus Properties, LLC
1610 Des Peres Road, Suite 320
St. Louis, MO 63131

Mr. John Diehl, Armstrong Teasdale, 7700 Forsyth Boulevard, explained the request is to operate a restaurant, which will have dine-in, delivery, and take-out services. Mr. Diehl explained it will have 40 indoor seats and 16 outdoor seats and it will be the second location

for Jet's Pizza in Creve Coeur. Mr. Diehl said the applicant is agreeable to the conditions contained in the staff report.

Mr. Faron asked if there were concerns about smell and noise from the applicant.

Mr. Steven Kling Jr., Jenkins & Kling P.C., 150 N. Meramec Avenue, representing the trustees of the Questover Place, Manors of Questover, and Questover Crossing subdivisions, said on June 4, 2013 there was an email sent to all the trustees and outlined the proposal. Mr. Kling said they sent a second email out to all the trustees asking for final objections and there were none.

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

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

Dr. Barton motioned to recommend approval of Application #13-009 for a Conditional Use Permit for Jet's Pizza restaurant located at 12536 Olive Boulevard Suite D, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of July 15, 2013. Mr. Faron seconded the motion with the resultant vote as follows:

Dr. Barton – aye
Mr. Rovak – aye

Mr. Faron – aye
Chair – aye

Mr. Pullium – aye

F. PUBLIC HEARING

Application #13-017: A request for a text amendment to the Commercial Design Development procedure to allow the City Council the discretion to modify maximum and minimum front building setbacks and document the approval on the site concept plan.

Applicant/Agent: Garrick R. Hamilton
The Koman Group, L.L.C.
6 CityPlace Drive, Suite 430
Creve Coeur, MO 63141

Mr. Mark Rubin, The Koman Group, 6 CityPlace, explained he is seeking approval of a text amendment to empower the Commission and City Council with planning tools when considering a Commercial Design District. Mr. Rubin said they are not asking for an exception, just for the ability to present a site plan at the next Planning and Zoning meeting. Mr. Rubin also shared the project would be to develop and construct a new Fresh Market grocery store. Mr. Rubin said Fresh Market is a luxury grocery store that rivals Whole Foods and that they are new to the St. Louis market. In addition to Creve Coeur proposed location, Fresh Market has also announced plans for another location in Clayton, MO. Mr. Rubin clarified the requested setbacks are 104 feet from the future right-of-way on Olive Boulevard or 110 feet to the curb, as the staff report has those numbers at 127 feet. Mr. Rubin also stated on CityPlace Drive they are proposing 87 feet from the CityPlace right-of-way or 95 feet to the curb, as opposed to the 110 feet in staff's report. Mr. Rubin stated he believes the project would generate foot traffic from CityPlace, not Olive Boulevard. Mr. Rubin said pushing the building back only helps the orientation and connectivity in relation to the CityPlace campus. In addition, Mr. Rubin said the site plan contemplates creating continuity between the Fresh

Market site with CityPlace retail, directly to the west of the proposed site, as well as CityPlace office buildings. Mr. Rubin said the corridor along Olive Boulevard is a thorough mixture of building setbacks, ranging from hundreds of feet to ten feet. Mr. Rubin showed an illustration of buildings and how they vary in setbacks along Olive Boulevard from Craig Road to Ballas Road. Mr. Rubin said they would like to enhance density where it is appropriate; however staff is not in favor of the proposed design because of traffic flow problems, parking issues, and access issues. Finally, Mr. Rubin said the tenant is not willing to accept orientation that pushes the building forward; they have other stores where this concept was implemented and those stores under perform.

Mr. Gary Feder, Husch Blackwell LLP, 190 Carondelet Plaza, commented that even though much of the site plan was discussed, the measure before the Commission is extremely narrow, it is a text amendment and strictly procedural.

Mr. Pullium asked if it is a narrow change, how it consistent with current is zoning? Mr. Feder replied it does not apply to the underlying CB zoning, it only relates to the CDD procedure.

Mr. Faron asked if any other CDD district in Creve Coeur would be susceptible to this change going forward, although there are no other CDD districts at this time. Mr. Feder said it is true, if there was another CDD, but CityPlace is the only one at this time.

There was some discussion around the Fresh Market site that is proposed in Clayton, and Mr. Faron stated that site was more conducive to what Creve Coeur was trying to achieve with the Comprehensive Plan and Downtown Plan, and that seems to be more in line with a pedestrian oriented direction that Creve Coeur is seeking. Mr. Feder disagrees with the staff's conclusions and feels they mostly deal with the "CB" district and there is a lot of discussion on impact of the "CB" or "GC" properties.

Mr. Rovak asked the applicant if a precedent is being set by approving this application. Mr. Feder replied if the Commission were to recommend approval, the 80 foot setback is still part of the "CB" district it does not change. Dr. Barton asked to hear the input from staff in regards to setbacks.

Mr. Langdon, Director of Community Development, stated this application brings an interesting situation. Mr. Langdon said he always encourages the Commission and City Council to look at text amendments in the broadest terms, however this is the only CDD in town, and they are asking for an amendment that affects only one standard which exists in one district, which is maximum setback. Mr. Langdon also pointed out there has never been a decision on a text amendment based solely on one project or tenant and their one desire for a site. Mr. Langdon addressed the examples Koman provided of setbacks along Olive Boulevard and said the majority are 80 feet or less and believes that 80 feet should stay the standard. Mr. Langdon said the City's perspective is that if the project were so unique in some way or the property was so unusual there would be alternatives, but there just is not.

Mr. Pullium asked what the effect of denying the request would have, and Mr. Langdon replied it still moves to City Council.

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

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

Mr. Faron motioned to recommend approval of the draft text amendment ordinance attached to the July 15, 2013, staff report on Application #13-017 to amend Section 405.450.D., paragraph “1.c” to allow an increase in a maximum setback under a Commercial Design Development Procedure and require documentation on the site concept plan as discussed by the Planning Commission this day. Dr. Barton seconded the motion with the resultant vote as follows:

Mr. Pullium – aye
Dr. Barton – nay

Mr. Rovak – nay
Chair – aye

Mr. Faron – nay

Mr. Faron motioned to recommend approval of the draft text amendment ordinance attached to July 15, 2013 staff report on Application #13-017 to amend Section 405.450.D., paragraph “1.c”, to allow and require documentation on the concept plan as discussed by the Planning Commission this day. Mr. Pullium seconded the motion with the resultant vote as follows:

Dr. Barton – aye
Mr. Rovak – aye

Mr. Faron – aye
Chair – aye

Mr. Pullium – aye

Mr. Langdon clarified a text amendment requires four affirmative votes for a positive recommendation and this application only received two, so it is a negative recommendation moving to City Council on July 22, 2013.

G. PUBLIC HEARING

Application #13-024: Text Amendments to the Planned Residential Development (PRD) District Regulations to allow for an increase in density and floor area ratios (FAR).

Applicant/Agent: Joe Nicpon
Terra West Apartments, Inc.
5091 Baumgartner Road
St. Louis, MO 63129

Mr. Brad Goss, SmithAmundsen, 120 S. Central Avenue, representing Terra West LLC, explained he is seeking the text amendment to proceed with a mixed used project, using Planned Residential zoning on a 7 acre tract of ground. Mr. Goss said the property is presently the site of the Hamilton Christian Church. Mr. Goss said he has no site plan to present as this is just for the text amendment. Mr. Goss showed an illustration of the site and explained the zoning surrounding the property, which is a mixture of residential and commercial. Mr. Goss explained the proposal would be 161 luxury apartments, ranging in rent from \$1,200-\$1,800, including one, two, and three bedroom options, and also have a commercial component of 4,000-8,000 square feet that would support the project (i.e. coffee shop, yogurt establishment, or Edward Jones). Mr. Goss said the target market is people who have significant disposable income, yet do not want to own a home. Mr. Goss said they anticipate people coming to the city who are interested in the life sciences industry, working with Monsanto, and eventually leaving at some point. Mr. Goss also stated he did not think

the apartment would be family oriented or for people with families. Mr. Goss showed pictures of the site from all street angles and directional views, as well as showing a preliminary site plan and elevations. Mr. Goss said the text amendment includes an increase to the floor area ratio from .4 to .6.

Dr. Barton asked why this location, why not where the city center would be? Mr. Goss stated this is one of the only larger sites left in Creve Coeur and it is in the perfect setting with the mixture of residential and commercial. Mr. Goss also said it serves as a catalyst for the Old Olive Corridor.

Mr. Faron asked what is the FAR on the project. Mr. Goss said they would not be seeking .6 and the project is still conceptual, things can be changed. Mr. Faron also asked if the applicant was willing to work with MSD in regards to run-off. Mr. Goss said yes and explained MSD has changed their regulations and have a zero run-off rule. Mr. Goss added that conceptually MSD has approved the underground storm water detention. Mr. Faron wanted to know if a traffic study would be completed, to which Mr. Goss said there would. Lastly, Mr. Faron wanted to know if there would be any buffering changes, and Mr. Goss said they would not be touching the Briarcliff retaining wall.

Ms. Kelly Mueller, 1010 Thoreau Court, spoke in opposition of the project. Ms. Mueller also submitted a letter to the Mayor and Council. Ms. Mueller is concerned with doubling the units per acre.

Ms. Linda Rezny, 104 Graeser Acres, spoke in opposition of the project. Ms. Rezny does not believe the changes coincide with the current residents. Ms. Rezny said she thinks this is spot zoning.

Mr. Ollie Fischer, 953 N. Spoede Road, spoke in opposition of the project. Mr. Fischer asked the Commission to not allow profit over quality of life.

Ms. Leslie Des Roches, 942 N. Spoede Road, wanted to know how high the buildings that are being proposed?

Mr. Langdon explained there has been too much talk about a site that does not exist yet, and the issue being considered is a text amendment to the Planned Residential District and to floor area ratio. Mr. Langdon explained zoning districts and what Planned Residential Zoning is.

Mr. Langdon addressed a couple of items that were discussed, one being the school district. Mr. Langdon said he has talked to the Ladue School District and they are not concerned about overloading schools, at this point. Mr. Langdon also said he has spoken with Danforth, Helix Center, and Monsanto they know people who are looking for rental housing at a higher level in this area and would like to see these projects move forward. Lastly, Mr. Langdon said single-family status, saying that when you put a number of units together (typically more than 4) it is considered multi-family housing.

Mr. Pullium wanted to know if the commercial aspect of the proposal is already allowed. Mr. Langdon said the front 200 feet of this property is zoned General Commercial and the rest is zoned County R-3, which is county zoning that was not changed when this area was annexed into the city.

Mr. Goss addressed some concerns stating they are not doubling the units per acre and they do not want to use the maximum density proposed. Also, MSD has zero tolerance for run-off and that will not be an issue. Mr. Goss said the project fits the city because of the context of the site. Mr. Goss said with 7 acres of land you can do creative planning and it fits into a larger area with plant science. Lastly, Mr. Goss explained there is not a final design for this building and it would be 45-50 feet and four-stories high and may not even be visible from Briarcliff.

Mr. Pullium asked about the height of the building and Mr. Langdon said it is 24 feet at its peak and cross sections will be drawn as a requirement to evaluate height of building versus the slope and effect on adjacent housing.

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

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

Mr. Faron motioned to recommend approval of the draft text amendment ordinance attached to the July 15, 2013, staff report on Application #13-024 to increase the maximum allowable density from 20 to 40 units per acre and FAR from 0.4 to .06 within a PRD, Sections 405.390.D.2.a(2) and 405.390.D.2.a(4) of the Zoning Code, as discussed by the Planning Commission this day. Dr. Barton seconded the motion with the resultant vote as follows:

Dr. Barton said he supports the project and just because you approve something does not mean it is allowed or a specific project has been passed. Dr. Barton gave Enclave at Bellerive as an example and also the Thompson property on Ladue.

Dr. Barton – aye
Mr. Pullium – aye

Mr. Faron – aye
Chair - aye

Mr. Rovak – aye

7. WORK AGENDA

None

8. OTHER BUSINESS

A. Planning Division Report

Mr. Langdon said the meeting on August 5, 2013 the Vanguard project will be back, NAICS updates, Fresh Market should be back in some form, CityPlace/Koman seeking a Master Sign Plan for the CityPlace campus, and a conditional use permit for Dynasty Daycare will all be presented.

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 9:42 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



city of CREVE COEUR

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www.creve-coeur.org

**APPLICATION TO PLANNING AND ZONING COMMISSION
#13-003 FOR BOUNDARY ADJUSTMENT AND REZONING OF 5.26 ACRES
TO "CB" CORE BUSINESS DISTRICT, AND A CONDITIONAL USE PERMIT
FOR "THE VANGUARD OF AT CREVE COEUR" MULTI-FAMILY
RESIDENTIAL DEVELOPMENT**

FOR THE MEETING OF: August 5, 2013

LOCATION: 10360 And 10420 Old Olive Street Road

REQUEST: Approval for the boundary adjustment between 10360 and 10420 Old Olive Street Road, rezoning of the 5.26 acres from "GC" General Commercial District to "CB" Core Business District, and for a Conditional Use Permit for the development of a 174 unit multi-family residential community located on the eastern parcel at 10360 Old Olive Street Road. The proposed density is 48.33 units per acre. The existing office building at 10420 Old Olive Street Road will remain.

ADDITIONAL INFORMATION: The City of Creve Coeur's Zoning Ordinance Section 405.370(C)(n) states that multi-family dwellings for owner or rental occupancy of more than twenty (20) dwelling units per net acre requires a conditional use permit. City Council makes the final decision on all rezoning and conditional use permits. The "GC" General Commercial District does not permit residential uses. The Carriage House Condominium property to the east is zoned "AR" Attached Single Family Residential. Two variances for above-ground parking and the setback from Olive Boulevard were granted by the Board of Adjustment on May 16, 2013.

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 District?
- Does the site development plan follow the Design Guidelines?

Comp. Plan References

- Commerce Center Action Area
- Design Guidelines
- Pedestrian Plan

Zoning Code References

- Section 405.290: "AR" Attached Single-Family Residential District
- Section 405.360: "GC" General Commercial
- Section 405.370: "CB" Core Business District
- Section 405.470: Conditional Uses
- Section 405.1040: Board of Adjustment
- Section 405.1060: Zoning Changes And Text Amendments

APPLICANT: David Braswell
Covington Realty Partners
135 N. Meramec Ave, Suite 500
St. Louis, MO 63105

PROPERTY OWNER: Dr. Kent Branson
Pavilion Office Park, LLC.
11630 Studt Avenue
Creve Coeur, MO 63141



REPORT PREPARED BY:

Paul Langdon, Community Development Director

8/2/2013
Date

ATTACHMENTS: Applicant's Materials submitted July 11, 2013
Public comment received

DEVELOPMENT HISTORY

The property located at 10360 Old Olive Street Road is 2.73 acres and was originally developed in 1964 as a church and pastoral residence. The lot width is 192.79 feet along Old Olive Street Road. It was subsequently zoned "GC" General Commercial. The church and home have been vacant for approximately seven years. The property located at 10420 Old Olive Street Road is 1.93 acres and was originally built in 1980 as a three-story office building. Currently zoned "GC," the property has non-conforming site coverage of 71%. The applicant will also be purchasing 0.6 acres of excess Olive Boulevard right-of-way from MoDOT to adjoin with 10360 Old Olive Street Road. Total project area is 5.26 acres

The Carriage House Condominiums, located on the 2.8 acre property directly to the east, were developed in 1981 under the "P" Multi-Family District designation. The Phase I building is a three-story, 40-unit residence, and the Phase II building is a three-story, 24 unit residence. Initial approval of the development permitted 40 units for each building. The property was rezoned to "MR" and then to "AR" Attached Single Family Residential District in 1999, and was nonconforming in district size, site density, and site coverage for both "MR" and "AR" designations, which required a minimum district size of five acres and maximum density per acre of 20 units. The density for the site is 23 units per net acre. At the time of the rezoning to "AR," discussion included the impact on any future redevelopment of the property located at 10360 Old Olive Street Road and to the east of the Carriage House, due to the required buffer necessary with the single family designation. For the "GC" District, the minimum buffer yard would be 25 feet.

REVISED PROJECT PROPOSAL

The applicant is seeking to rezone the properties of 10360 and 10420 Old Olive Street Road from "GC" General Commercial to "CB" Core Business District in order to allow for a multi-family development with 48.33 units per acre through the conditional use permit process. Included in the request is a boundary adjustment to adjust the property boundaries between the two lots, to transfer ownership of the access from Old Olive Street Road to the apartment complex, and the inclusion of additional right-of-way from MoDOT. This will create 3.6 acres for the multi-family residence site (Parcel 1) with proposed site coverage of 61%. The existing office building will have a site area of 1.66 acres and the non-conforming site coverage will be decreased from 71% to 69%. However, the adjusted Parcel 2 lot width will be decreased from 126.72 feet along Old Olive Street Road to 76.64 feet, with a cross-access easement for the parking and entrance from Old Olive Street Road.

Below is a close up of the project area:

Figure 1: Existing Lot Configuration

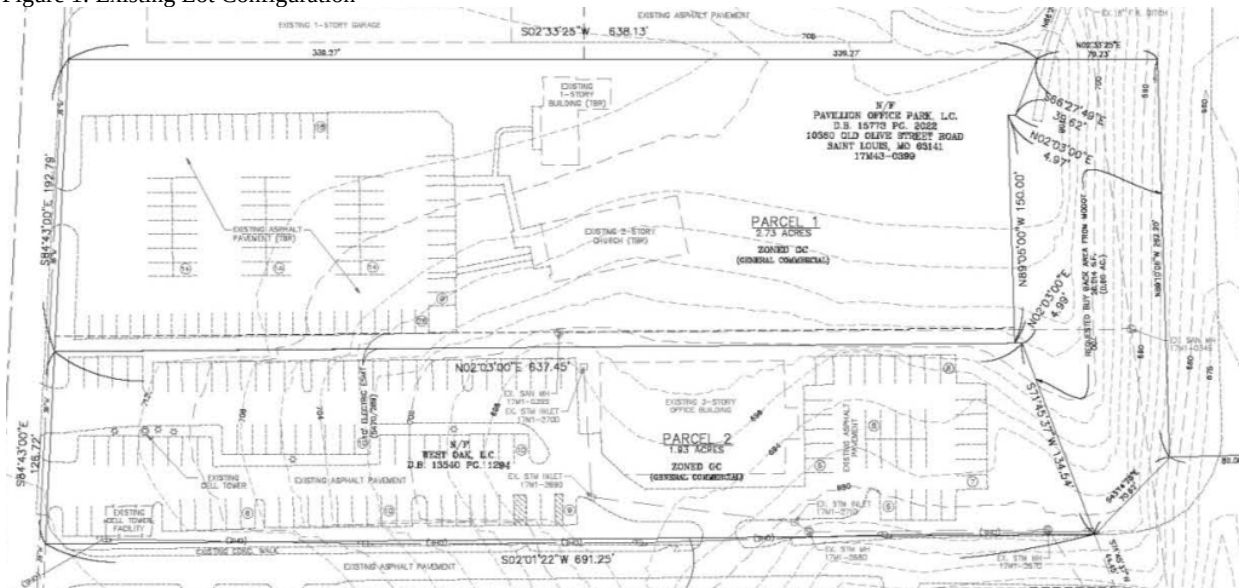
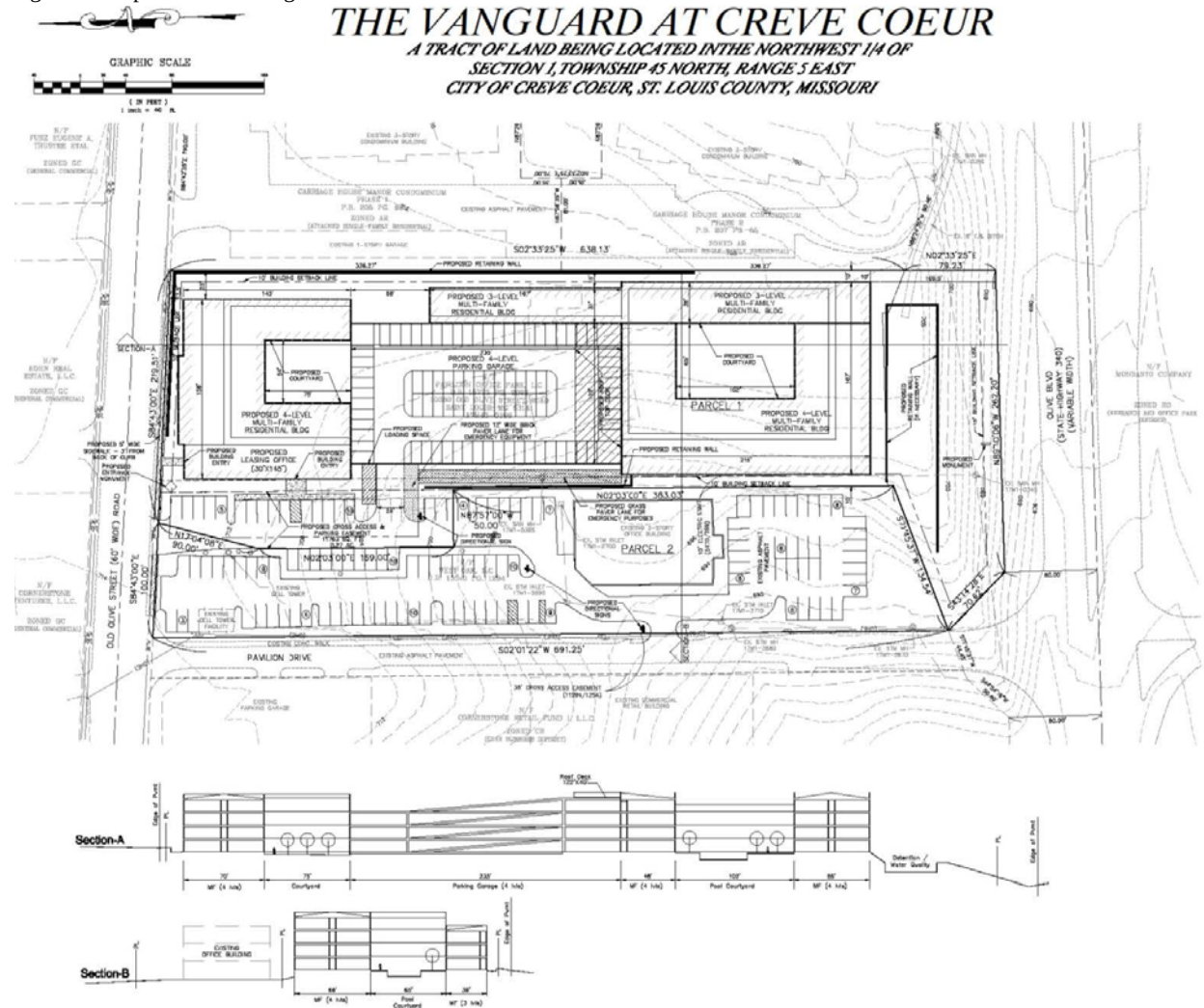


Figure 2: Proposed Lot Configuration



Parcel 1 Multi-Family Residential Development proposal

The development on Parcel 1 includes two main residential buildings with a total of 174 units, situated north and south on the property with the above ground parking structure between them. The Design Guidelines and Zoning Code require for a multi-family residential development (conditional use in the "CB" Core Business district) that a minimum of 50% of the required vehicular parking be provided underground or within a basement garage [Section 405.470(34)(c) multi-family dwellings]. The City of Creve Coeur's Board of Adjustment granted a variance from this requirement, as well as the maximum 80-foot setback requirement along Olive Boulevard on May 16, 2013.

The Board of Adjustment did not approve, however, variances to allow the building within the required setback and sky exposure plane that result from the project being adjacent to the single family residential zoning district (Carriage House). The Board agreed that it seemed odd to apply these regulations to this situation when the Carriage House condominiums are not actually a single-family development, but they felt the problem should be corrected through a text amendment, rather than a site specific variance. As a result, the applicant has applied for the text amendments that will remove the special setback and buffer requirements when the abutting development is not actually single-family residences. This report is, obviously, based on an assumption that the text amendments will be approved since the project would not be moving forward if they are not approved.

The applicant also recognized that the Carriage House residents raised significant concerns with the presentation of the Vanguard east wall to their west sides. The Planning Commission also requested, at the meeting on March 18, that the applicant investigate ways to improve the east façade. In response to these concerns, the building forms have been modified so that a majority of the structure steps down to three stories along the east property line. The parking garage has also been moved westward so that very little of it is visible from the Carriage House property. Finally, most of the building has been shifted west in varying amounts so that the east side setback has changed from a constant 10 feet, to three portions with 10, 15 and 25-foot setbacks moving from south to north. The composition of materials and forms remains largely the same.

Below are the illustrations of the revised development on Parcel 1:

Figure 3: East Elevation



Figure 4: West Elevation

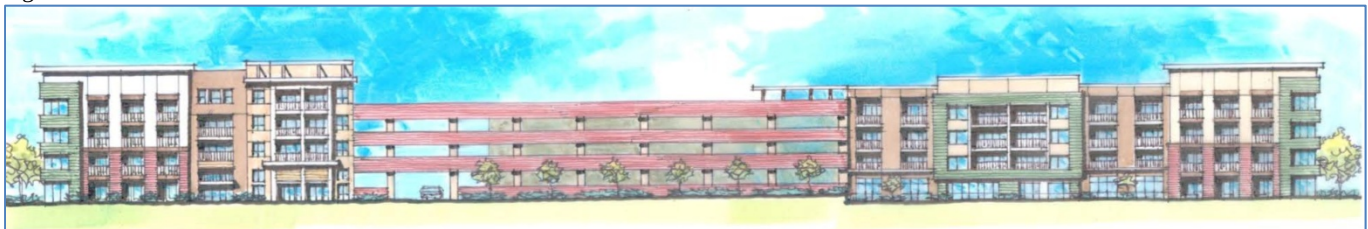


Figure 5: South & North Elevations

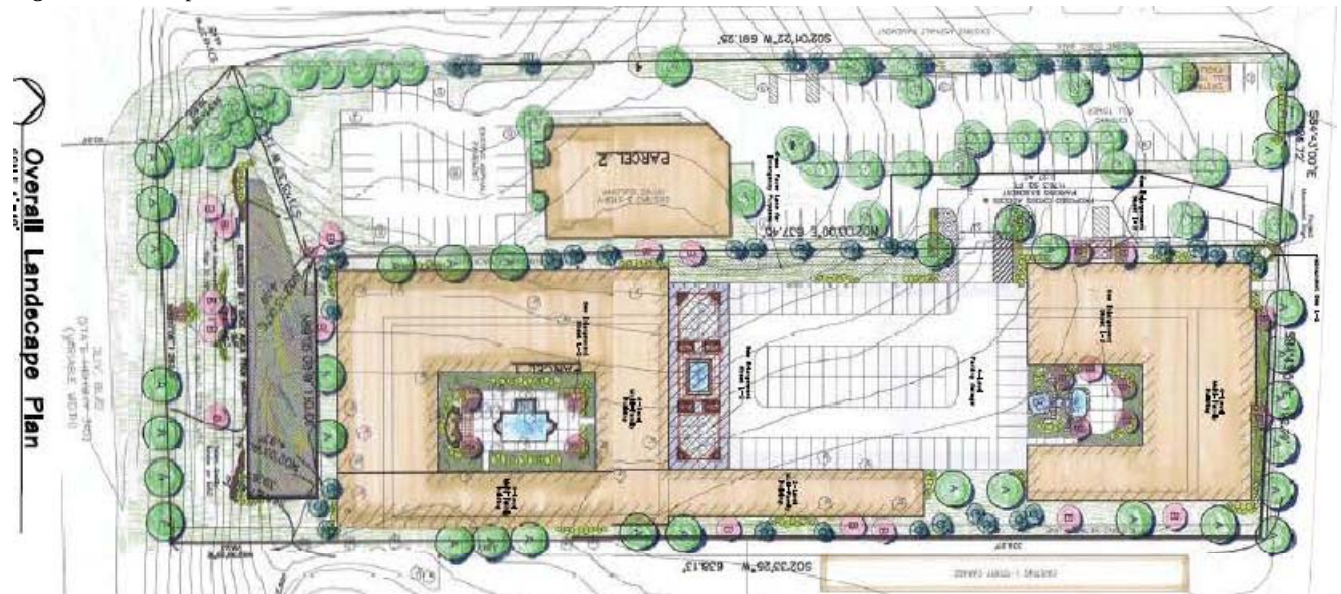


NORTH ELEVATION



SOUTH ELEVATION

Figure 6: Landscape Plan



LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office; Retail	“GC” Core Business District	Old Olive Street Road
South	Monsanto	“RO” Research and Office Park District	Olive Boulevard
East	Multi-Family Residential	“AR” Attached Single Family Residential District	NA
West	Retail, Commercial-Creve Coeur Pavilion	“CB” Core Business District	Pavilion Lane

COMPREHENSIVE PLAN REVIEW

As identified in the prior report, it is the Staff opinion that the proposal represents the kind of large-scale, coordinated development that will bring new investment and a new approach to this declining area that is in keeping with the Comprehensive Plan. To the extent that the new configuration also provide more separation and more tree planting along the east boundary to reduce the impact on the Carriage House condominiums, the project also improves on its compatibility with the adjacent residences; another key goal of the Comprehensive Plan.

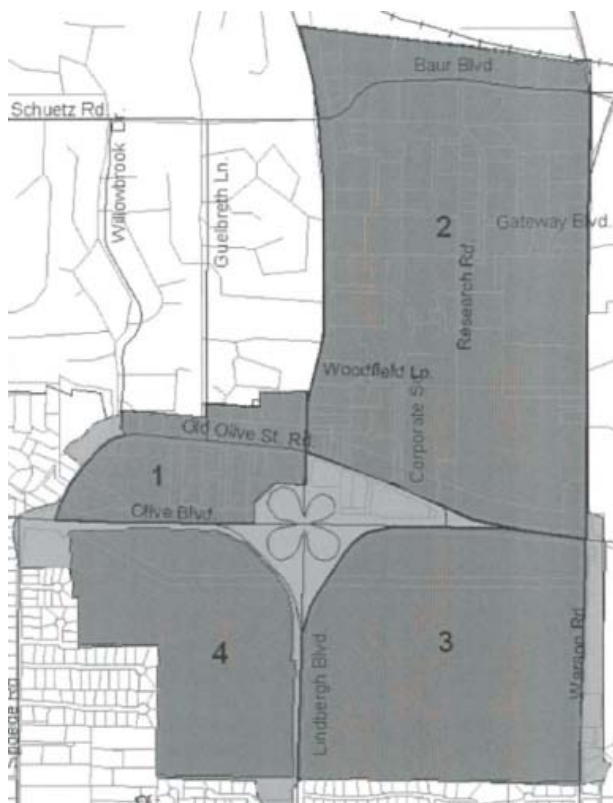


Figure 6: Comprehensive Plan excerpt of the map of the Commerce Center area, with the Key areas designated

The subject property is located in the Commerce Center Action Area of the Comprehensive Plan within the northwest quadrant of Olive Boulevard and Lindbergh Boulevard. The Comprehensive Plan does not provide much direction for this area but characterizes it as a series of underutilized older buildings on irregular lots. The vision for the Commerce Center includes capitalizing on the life science and bio-technical industries where retail shops, restaurants, and personal service business, particularly those providing services to the business and workers in the area, will be encouraged to develop in a small-scale, pedestrian-friendly environment within business parks (page 70).

The Residential Preservation and Economic Development Section states:

3. Encourage the redevelopment of the area between Olive Boulevard and Old Olive west of Lindbergh Boulevard with uses that will serve and complement business park users and their employees. Improve the quality of this development through enforcement of the City's Design Guidelines, and ensure that redevelopment plans include the "green line" park.

4. Upgrade the architectural quality of the building stock as businesses expand or redevelop.

For some locations, the Comprehensive Plan provides specific recommendations for key properties. In the subject area, identified as Commerce Center 1 area, the Comprehensive Plan indicates that previous land use plans identified the desire for strategic land assemblages to ensure orderly and coordinated development, and the possible need for an area plan (Page 75). It further describes the area as: “Old Olive Street, once the major arterial roadway for the area, now takes on a different role by linking the area to the north to Olive and Lindbergh. Older development flanks both sides of the street and may experience redevelopment pressures in the future...” (Page 75). Although there is a lack of specific development recommendations for this area, the overall theme is one of redevelopment with quality projects and providing services to the adjacent research facilities.

A review of this property and many of those around it show that it has been languishing since the Comprehensive Plan was written. The Parcel 1 property has remained vacant, and the church down the street at 10545 Old Olive Street Road is closing after their Easter Service at the end of the month. The aging Willowbrook retail center has not seen any visual improvements in years and the current business climate is not moving toward more small scale retail development. Complicating matters, the lack of connectivity across Lindbergh Boulevard does not lend itself to further retail redevelopment along Old Olive Street Road.

Indeed, the Comprehensive Plan recommendation to align new projects and services with the nearby, and growing, research facilities and Olive Boulevard commercial corridor still appears to be the best path. To this end, the inclusion of new residential units in the area would offer a complementary use to the businesses, particularly in the nearby life-science industries, where many of the employees prefer to live within walking or biking distance from work, and/or within a walking distance to the existing retail and commercial developments. The localized increase in population would also, presumably, increase the customer base for the existing commercial and retail developments and could spur on further redevelopment efforts. So, whether looking only at the change to the subject property or the potential off-site benefits it could bring, providing new quality residential units in this area appears to meet with the intent of the Comprehensive Plan.

DESIGN GUIDELINES REVIEW

The revised structure has a greater articulation of elevations and variety in the roof-line that is recommended by the Design Guidelines. All sides of the building have equal merit, and the landscape along Olive Boulevard has been revised to include the required street trees and a mix of ornamental trees and shrubs on the hillside to more closely address the “green-line park” objective for Olive Boulevard. Currently, MoDOT does not recommend the installation of sidewalks along Olive Boulevard in this location since there are no pedestrian facilities on the Olive Boulevard bridge over Lindbergh Boulevard. It is their preference that all pedestrians move only to the west via Old Olive Street Road. Appropriately, the applicant is proposing street trees along Old Olive Street Road and a new, detached sidewalk is still included. Finally, the surface parking lot shared with the adjacent office building includes extensive interior landscaping and planted breaks in the rows of parking stalls.

ZONING REVIEW

Issues Update

The prior report discussed the merits of rezoning this property to CB, regardless of the particular project proposed. The staff continue to support this rezoning, especially if the Planning Commission and City Council choose to adopt the alternate text amendment allowing only residential development to utilize the typical CB bulk regulations but requiring non-residential development to continue observing the sky exposure plane and the extended buffers abutting the Carriage House condominiums.

As summarized above, the prior report also called out several departures from the current CB regulations, two of which were obviated by variances granted by the Board of Adjustment (the setback from Olive Boulevard and the above-ground parking garage). The other two (the maximum building height and the

setback from Carriage House) will be addressed if one of the two forms of amendment currently before the Planning Commission is approved (see Staff report on Application #13-023).

Conditional Use Permit

Because the project includes more than 20 dwelling units per acre, it does require issuance of a conditional use permit. Section 405.470, Conditional Uses, prescribes the following conditions for any approval:

31. *Multi-family dwellings (conditional use in the "CB" district).*
 - a. *Shall be located on sites of at least three (3) acres.*
 - b. *The average dwelling unit size shall not be less than nine hundred (900) square feet per unit and no unit shall be less than seven hundred fifty (750) square feet.*
 - c. *At a minimum, fifty percent (50%) of the required vehicular parking shall be provided underground or within a basement garage.*

The proposed site, with the approval of the requested boundary adjustment, will be over three acres. The buildings are based upon satisfaction of the minimum unit size requirements, and the variance granted on May 16th removes the underground parking garage requirement.

With these conditions addressed, staff draws the following conclusions with regard to the minimum standards for approval of a conditional use permit:

1. "Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs."
 - Although some issues, such as screening, are subject to the discretion of the Planning Commission and City Council, staff believe all applicable standards have been reasonably met, save for any specific modifications that might be requested by the Commission or Council.
2. "Will contribute to and promote the community welfare and convenience at the specific location."
 - If it is generally agreed that the demand for premium rental housing is increasing in the community with the growth of the high-tech and plant sciences sectors, then the provision of more choices for such housing does promote community welfare and convenience. To the extent that this level of investment in this neighborhood might help improve the overall economic conditions in the area, the project has additional benefits to the community welfare.
3. "Will not cause substantial injury to the value of neighboring property."
 - Determination of value is very difficult when the proposal is for a type of development that is entirely new to an area. Such is the case with this proposal. Nonetheless, the "Commerce Center" area is one that is intended to be dynamic and dominated by commercial development. Carriage House owners are concerned that this project will harm their property values, but if the property were developed as a three-story commercial building the way the current zoning allows by right, staff argue that their values will be harmed even more. Further, the proposed project is built to a higher architectural standard than the condominiums and, compared to vacant property or low-rise commercial, it seems reasonably debatable that the proposal might be the best alternative for the values of this site and those around it.
4. "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 there from."

- As discussed above, the proposal does appear to meet the provisions of the Comprehensive Plan and the Zoning Code regulations.
5. “Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.”
 - The project will be subject to all standards of the Metropolitan St. Louis Sewer District (MSD) and the City’s Land Disturbance Code and there is nothing inherent in the design that appears to pose a concern with erosion control or stormwater detention.
 6. “Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.”
 - The project, in and of itself, will not impose a burden on the surrounding users or community facilities, and the submitted traffic study concludes that the increase in neighborhood traffic will not reduce conditions to an unacceptable level. City Staff, including Police Traffic Safety officers, are concerned that excessive use of the Pavilion driveway abutting the west property line will create delays at the south end of that driveway. Given that residential populations do not typically show the kind of traffic surges that commercial properties do, and given that there are more efficient routes that are readily ascertainable (using Old Olive to Olive or Lindbergh), it is likely that the long-term traffic impact on the driveway will be acceptable. However, there will probably be a “learning period” where new residents explore the different routes and periods of delay and congestion are possible.

To the extent that the project will create more traffic on Old Olive Street Road, it will also increase the difficulty of making left turns or exiting the other properties. However, there is a continuous center left-turn lane on the street today to help with those turns and the current volumes on Old Olive Street Road are far below the design capacity of the street. MoDOT staff reviewed the site plan and did not identify any issues as they pertain to their rights-of-way. Nonetheless, if the members of the Planning Commission believe that this issue needs to be more fully examined, they should continue the discussion to a subsequent meeting to allow the City’s traffic consultant and MoDOT staff to further evaluate the project and the applicant’s traffic study.

BOUNDARY ADJUSTMENT

The proposal does include a boundary adjustment between the two lots although it is not shown on its own drawing. The effect of the adjustment is to increase the area of the apartments’ lot to at least three acres, while maintaining frontage on Old Olive Street Road for the office building. In the end, the sharing of access and parking across the property lines effectively obscures the distinctions between the properties, and the boundary adjustment should be viewed as a single project. It is typical in commercial developments, where there is a substantial sharing of facilities, for the property lines to largely follow economic priorities rather than a simple, conventional lotting pattern. The site development drawing appears to meet the technical requirements for a boundary adjustment so the adjustment can be approved subject to the condition that a final boundary adjustment plat be prepared for signature prior to recording.

CONCLUSION AND SUGGESTED ACTION

The proposal represents a substantial change for this site that challenges the current zoning arrangement and raises questions about the outcomes intended by the Comprehensive Plan. If built, the project will result in a four-story residential development, at a greater density than previously built in the area, between a three story office building and two, three-story condominium developments; a pattern that is clearly more “Core Business” in nature than “General Commercial.” The revised design appears to meet the design guidelines and the landscape regulations are met. However, there might still be concerns with

the traffic management and the entire project remains contingent upon the passage of the text amendment in Application #13-023.

If the members of the Planning Commission believe that either of these issues warrant further consideration, then the item should be continued to a subsequent meeting. If, however, the Commission Members find that the project meets with the intent of the Comprehensive Plan, that the rezoning of the properties to "CB" District is an appropriate implementation of the Comprehensive Plan goals and provides opportunity for appropriate redevelopment, and that the proposed project and site plan meet all of the standards for approval of the requested conditional use permit, then a recommendation to the City Council on the attached draft ordinance is in order. The rezoning and conditional use permit, along with the associated site development plan, are accommodated in one ordinance and can be disposed in one vote.

Action on the boundary adjustment constitutes a final decision by the Commission and, therefore, requires its own motion and vote. It should be pointed out that action on the boundary adjustment, as a matter of process, should be prior to acting on the project itself. If the members of the Commission are not comfortable acting on the project, the boundary adjustment should not be approved at this time either.

EXAMPLE MOTIONS

The following is an example motion for the boundary adjustment portion of this application:

"I move to approve the boundary adjustment between 10360 and 10420 Old Olive Street Road as discussed in the staff report on Application #13-003 for the meeting of August 20, 2012, subject to the condition that a final boundary adjustment drawing be prepared for signature prior to recording.." (Other conditions may be added, eliminated, altered, and modified by prior motion).

The following is an example motion for the rezoning, conditional use permit and site development plan portions of this application:

"I move to approve the rezoning, conditional use permit and site development plan for the development of the Vanguard Apartments at 10360 and 10420 Old Olive Street Road as discussed in the staff report on application #13-003, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of August 5, 2013." (Conditions may be added, eliminated, or modified by preceding motion).

If the Planning and Zoning Commission believes that a recommendation should be held until a subsequent meeting, the following is an example motion for a continuance:

"I move to continue application #13-003 for the four-story, 174 unit residential development at 10360 Old Olive Street Road, referred to as The Vanguard at Creve Coeur project, to September 3, 2013, to allow for further examination of the issues identified by the Planning Commission in our deliberations on August 5, 2013."

Note that the Commission may substitute a different meeting date as they deem necessary.

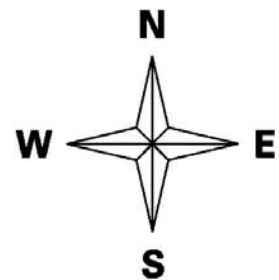
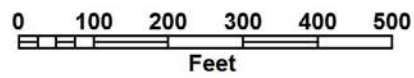
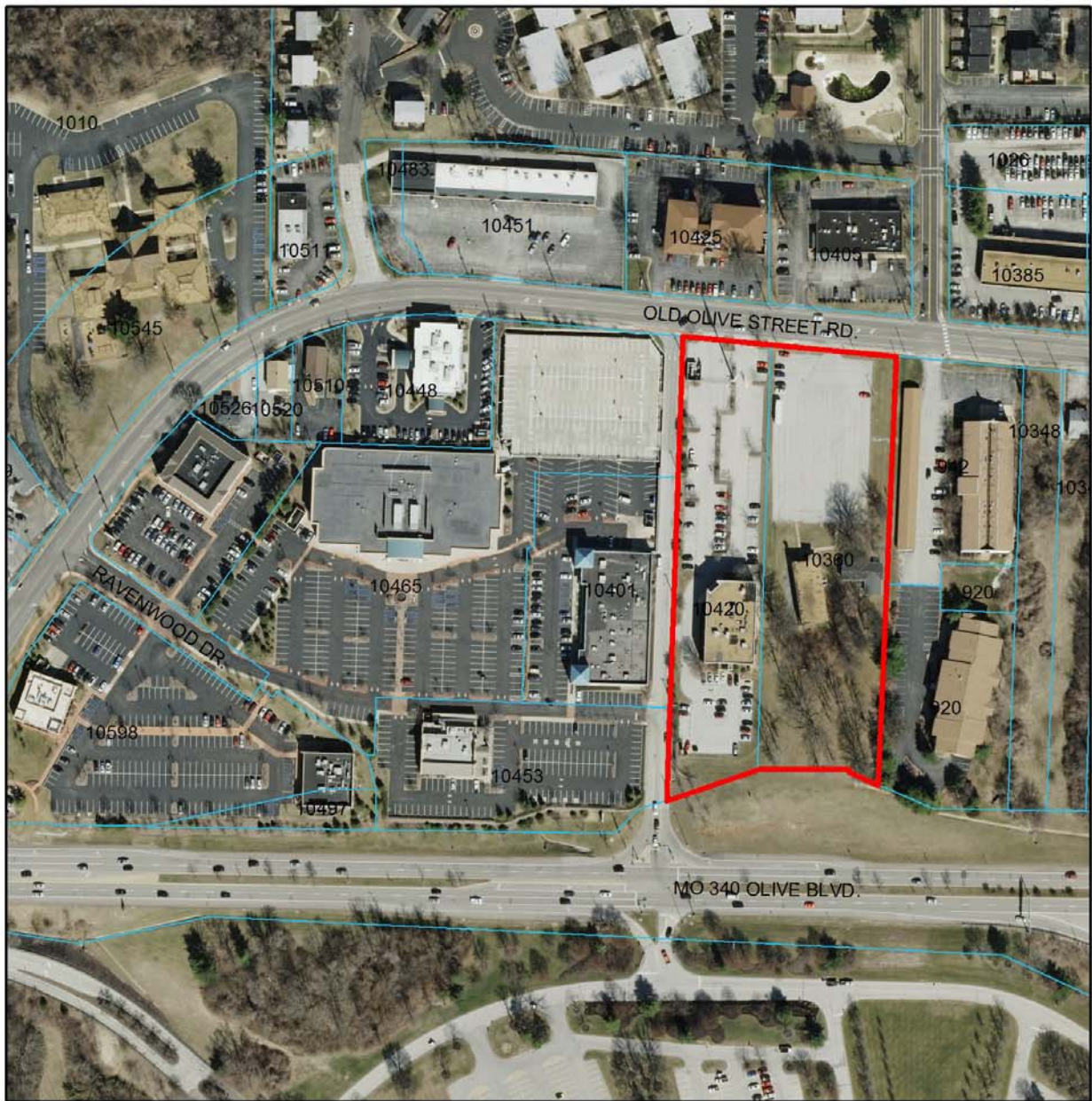
APPENDIX 1: COMPREHENSIVE PLAN

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: March 7, 2013
	Description: View of the existing buildings on the subject properties from the northeast corner of 10360 Old Olive Street Road.
	Description: View of the existing vacant church looking northeast from the south parking lot of 10420 Old Olive Street Road.
	Description: View of the Carriage House Condominiums from the northeast corner of the subject property boundary.

	Description: View of the Carriage House Condominium south building from the south parking lot of 10420 Old Olive Street Road.
	Description: View looking northeast at the commercial development across Old Olive Street Road.
	Description: View of the existing office structure that will remain on 10420 Old Olive Street Road.

	Description: View of the existing office development looking northwest across Old Olive Street Road.
	Description: View looking west along Old Olive Street Road from the northeast corner of the subject properties.
	Description: View looking east along Old Olive Street Road from the northwest corner of the subject properties, Lou Fusz Service Center on the left and the Carriage House Condominium north buildings on the right.

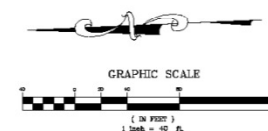
The Vanguard at Creve Coeur

Creve Coeur, Missouri

A map of the project area showing the intersection of Highway 101 and Highway 102. The project location is highlighted in a shaded area. The map includes labels for 'HIGHWAY 101', 'HIGHWAY 102', and 'PROJECT AREA'.



EXISTING	LEGEND	PROPOSED
— S&T — A 500	CONTOURS SPOT ELEVATIONS CENTER LINE BUILDINGS, ETC. TREE LINE FENCE	(+142) — S&T — — FENCE —
	SILTATION CONTROL FENCE	
	STORM SENSORS	
	GRATED INLET	
	DOUBLE CURB INLET	
	STORM MANHOLE	
	SANITARY MANHOLE	
	FLARED CURB INLET	
	CLEANOUT	
	LATERAL CONNECTION	
	UTILITY OR POWER POLE	
	FIRE HYDRANT	
	TEST HOLE	
	FLAG	
	GAS MAIN & SIZE	
	WATER MAIN & SIZE	
	TELEPHONE	
	ELECTRIC (G) UNDERGROUND	
	ELECTRIC (CO) OVERHEAD	
	TO BE REMOVED TO BE REMOVED & RELOCATED/REPLACED	TO BE REMOVED TO BE REMOVED & RELOCATED/REPLACED
TC	TOP OF CURB	TC
	SMUDGE	
	LIGHT STANDARDS	
	STREET SIGN	
	PARKING STALLS	
	YARD LIGHT	



THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF JANUARY 2013, AT THE REQUEST OF CONINGTON DEVELOPMENT, LLC, PREPARED A SITE CONCEPT PLAN OF THE VANGUARD AT CREVE COEUR, A TRACT OF LAND IN THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST, CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI. THIS PLAN IS NOT A SURVEY AND DOES NOT MEET THE "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" (10 CSR 30-2 AND 4 CSR 30-18 EFFECTIVE DATE DECEMBER 30, 1994).

MSD Base Map 17M
MSD P #
Highway & Traffic #

SUBID	REMARKS/DATE
1	2-15-13 REV. PER CITY/CLIENT COMMENTS
2	3-8-13 REV. PER CITY/CLIENT COMMENTS

Covington Development, LLC
135 North Meramec Avenue, Suite 500
St. Louis, Missouri 63105
Ph. 314-727-2424
Fax 314-727-2434

THE STERLING CO.
ENGINEERS & SURVEYORS
5055 New Baumgardner Road
St. Louis, Missouri 63129
Ph 314-487-0440 Fax 314-487-8644

*The Vanguard
at Creve Coeur*
CREVE COEUR, MISSOURI

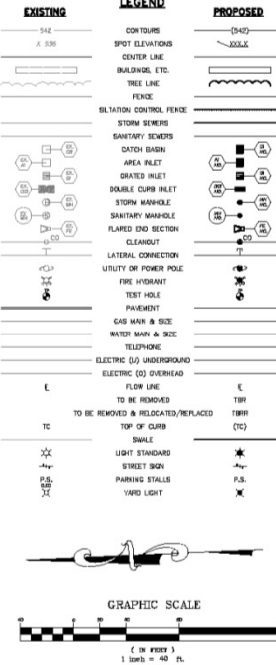
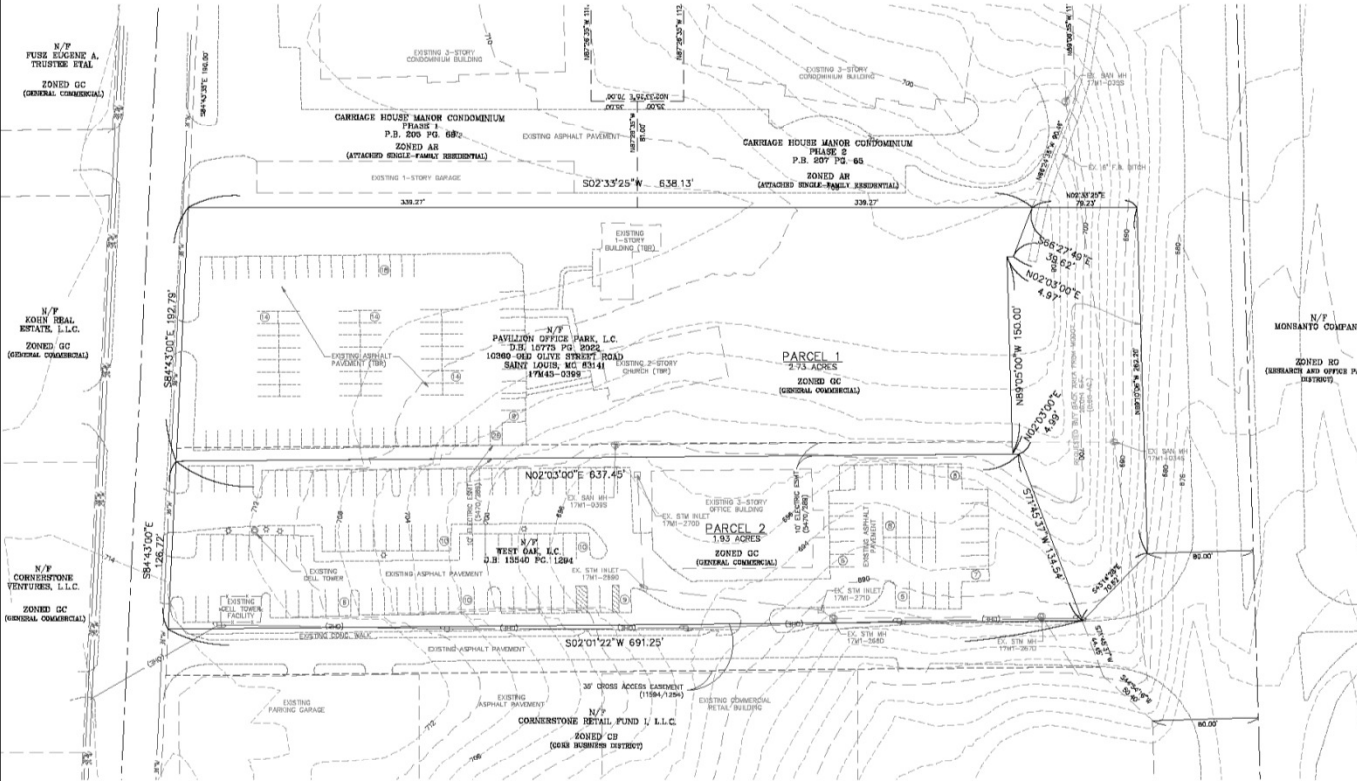
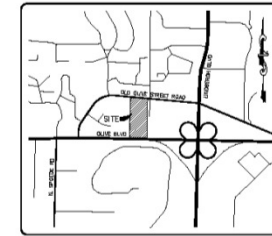
Date: 3/8/2013
Rodney Arnold
License No. PE-2002016

Job Number	
12-09-241	
Date	
1/18/2013	
Designed:	Sheet
Drawn:	1.
Checked:	PP

EXISTING CONDITIONS

THE VANGUARD AT CREVE COEUR

A TRACT OF LAND BEING LOCATED IN THE NORTHWEST 1/4 OF
SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST
CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI



EXISTING PROJECT DATA - PARCEL 1

1. GROSS AREA: 3.73 ACRES
2. EXISTING ZONING: GC - GENERAL COMMERCIAL
3. SITE COVERAGE: TOTAL BUILDINGS AND PAVEMENT: 0.99 ACRES = 26%
TOTAL GREEN SPACE OF PARCEL: 1.74 ACRES = 54%

EXISTING PROJECT DATA - PARCEL 2

1. GROSS AREA: 1.93 ACRES
2. EXISTING ZONING: GC - GENERAL COMMERCIAL
3. SITE COVERAGE: TOTAL BUILDINGS AND PAVEMENT: 1.37 ACRES = 71%
TOTAL GREEN SPACE OF PARCEL: 0.56 ACRES = 29%

EXISTING PROJECT DATA - MODOT BUY BACK

1. GROSS AREA: 0.40 ACRES
3. SITE COVERAGE: TOTAL BUILDINGS AND PAVEMENT: 0.01 ACRES = 2%
TOTAL GREEN SPACE OF PARCEL: 0.39 ACRES = 98%

FLOOD NOTE:

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF ST. LOUIS COUNTY, MISSOURI, AND INCORPORATED AREAS (COMMUNITY PANEL NUMBER 891802AS 2 DATED AUGUST 23, 2000), THIS PROPERTY DOES NOT LIE WITHIN AREAS OF 500-YEAR FLOOD.

SURVEYOR CERTIFICATION:

THIS IS TO CERTIFY THAT I HAVE, DURING THE MONTH OF JANUARY 2013, AT THE REQUEST OF CONINGTON DEVELOPMENT, LLC, PREPARED A SITE CONCEPT PLAN OF "THE VANGUARD AT CREVE COEUR", A TRACT OF LAND IN THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST, CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI. THIS PLAN IS NOT A SURVEY AND DOES NOT MEET THE "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" (CS 30-2 AND 4 CS 30-16 EFFECTIVE DATE SEPTEMBER 30, 1993).

THE STERLING COMPANY
REG. NO. 115 - #233M
GEORGE J. GOMEZ - VICE PRESIDENT

MSD Base Map 17M
MSD P # 8
Highway & Traffic #

EXISTING CONDITIONS

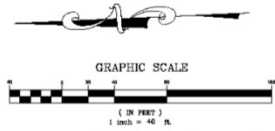
NO.	DATE	BY	THE CITY/CLIENT COMMENTS
1.	2-28-13	REV.	PREPARED FOR CITY/CLIENT COMMENTS
2.	3-13-13	REV.	PREPARED FOR CITY/CLIENT COMMENTS
3.	7-23-13	REV.	PREPARED FOR CITY/CLIENT COMMENTS

Conington Development, LLC
135 North Main Street, Suite 500
St. Louis, Missouri 63105
Ph: 314-427-2440 Fax: 314-427-2454
Corporate Certificate of Authority #001548

THE STERLING
ENGINEERS & SURVEYORS
5000 New Baltimore Road
St. Louis, Missouri 63112
Ph: 314-427-2440 Fax: 314-427-2454
Corporate Certificate of Authority #001548

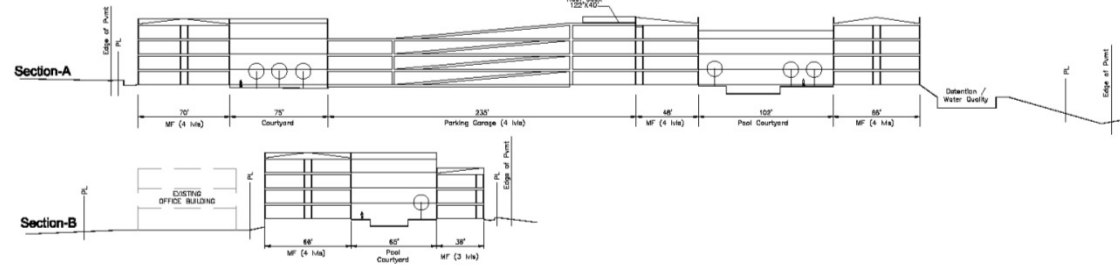
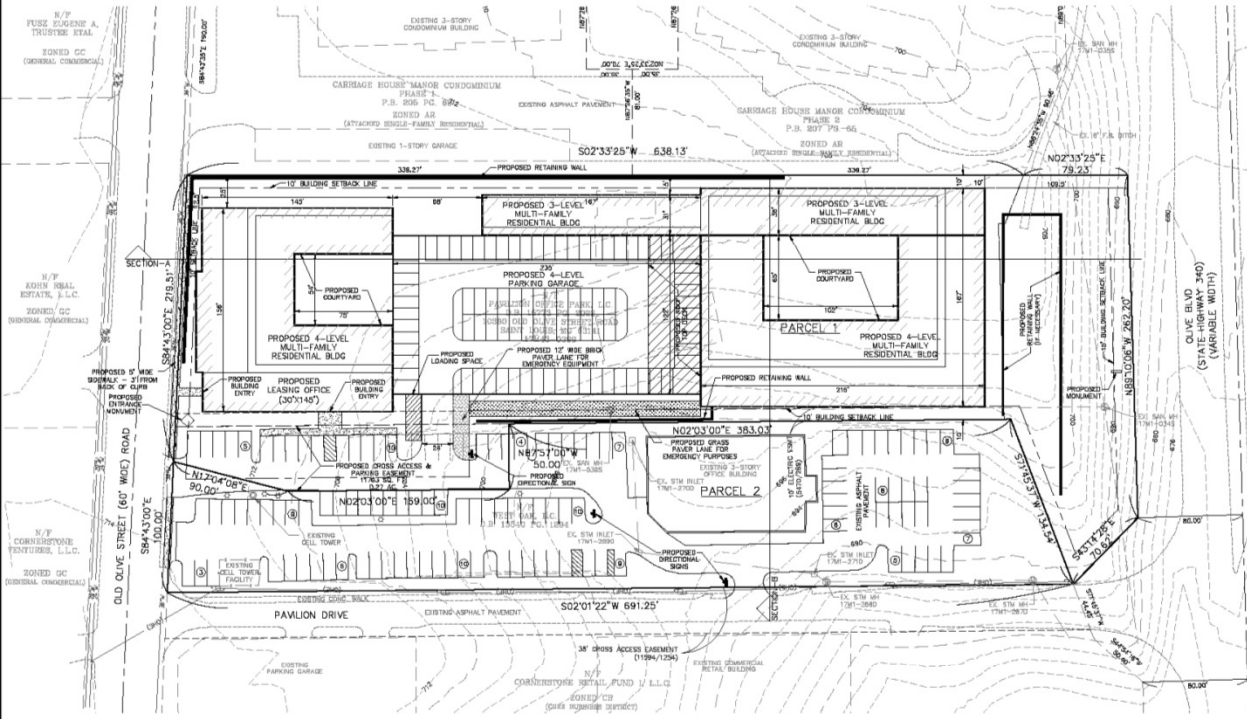
The Vanguard
at Creve Coeur
CREVE COEUR, MISSOURI
SITE CONCEPT PLAN
EXISTING CONDITIONS

Date: 7/19/2013	Revised: 12-09-241
License No. PE-0002010612	1/18/2013
Drawn: 1.1	1.1
Checked: PRE	



THE VANGUARD AT CREVE COEUR

A TRACT OF LAND BEING LOCATED IN THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI



- GENERAL NOTES:**
- THIS SITE IS IN THE FOLLOWING DISTRICTS: MID RIVER DISTRICT; CREVE COEUR FIRE PROTECTION DISTRICT; LAUREL SCHOOL DISTRICT
 - THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS: MISSOURI AMERICAN WATER DISTRICT; METRO GAS COMPANY
 - SANITARY SEWER CONNECTIONS SHALL BE AS APPROVED BY MWD.
 - STORM WATER SYSTEMS SHALL BE DESIGNED PURSUANT TO THE REQUIREMENTS OF CITY OF CREVE COEUR AND SHALL DISCHARGE AT AN ADEQUATE NATURAL DISCHARGE POINT.
 - THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL LOCATIONS TO BE DETERMINED BY FIELD CONDITIONS AND SHALL BE LOCATED ON THE IMPROVEMENT PLANS. ALL SEWERS SHALL BE A MINIMUM OF 12" FROM THE BUILDING, EXCEPT AS SHOWN ON THE PLANS.
 - GRADING SHALL BE PER CITY OF CREVE COEUR STANDARDS.
 - LIGHTING OF DRIVES AND PARKING AREAS SHALL BE PER CITY OF CREVE COEUR STANDARDS.
 - ALL SIDEWALKS SHALL BE 4' WIDE MINIMUM AND COMPLY WITH CITY OF CREVE COEUR ADA STANDARDS.
 - THIS PLAN IS NOT FOR RECORD.
 - NO KNOWN WETLANDS ARE ON THE SUBJECT PROPERTY.
 - NO GRADED SLOPES SHALL EXCEED 3 FEET (horizontal) TO 1 FOOT (vertical).
 - ALL NEW UTILITIES SHALL BE LOCATED UNDERGROUND.

- OVERALL PROJECT DATA**
- GROSS AREA OF OVERALL PROJECT: 5.36 ACRES
 - EXISTING ZONING: C-2 - COMMERCIAL BUSINESS; PROPOSED ZONING: C-2 - COMMERCIAL BUSINESS; SETBACKS: 50' - 10' FEET
 - LAND USE: EXISTING OFFICE & PROPOSED MULTI-FAMILY RESIDENTIAL
 - CURRENT OWNERS: PARCEL 1: PARKVIEW OFFICE PARK, L.C.; PARCEL 2: C/O KENT BRANSON; P.O. BOX 68; ARMOCK, MO 63010
 - SITE ADDRESS: PARCEL 1: 11800 S.W. 11TH STREET ROAD, CREVE COEUR, MO 63141; PARCEL 2: 11800 S.W. 11TH STREET ROAD, CREVE COEUR, MO 63141
 - GROSS FLOOR AREA: PARCEL 1: 118,000 S.F.; EXISTING - PARCEL 2: 27,108 S.F.; OFFICES LEASABLE AREA 25,000 S.F.
 - F.A.R. REQUIRED: ≤ 1.25
 - F.A.R. PROPOSED: 5.122 ACRES (TOTAL GROSS BLDG S.F.) = 0.97
 - SITE COVERAGE: TOTAL BUILDINGS AND PAVEMENT: 3.20 ACRES = 60% TOTAL GREEN SPACE OF PARCELS: 1.86 ACRES = 35%

- MULTI-FAMILY (PARCEL 1) PROJECT DATA**
- GROSS AREA OF PARCEL 1: 3.86 ACRES (72,88 S.F.)
 - PROPOSED ZONING: C-2 (WITH CONDITIONAL USE PERMIT FOR DENSITY AND F.A.R.)
 - DWELLING UNITS PROPOSED: 174 (41% 2BD S.F. EACH); 88 - 1 BEDROOM, 1 BATH UNITS (796 S.F.); 82 - 2 BEDROOM, 2 BATH UNITS (1,086 S.F.); 18 - 3 BEDROOM, 2 BATH UNITS (1,320 S.F.)
 - F.A.R. REQUIRED: ≤ 1.25
 - F.A.R. PROPOSED: 18,600 S.F. (GROSS BLDG S.F.) = 1.25
 - SITE COVERAGE: TOTAL BUILDINGS AND PAVEMENT: 2.23 ACRES = 58% TOTAL GREEN SPACE OF PARCELS: 1.36 ACRES = 35%
 - PRIVATE USABLE OPEN SPACE: OPEN SPACE PROVIDED: 1.38 ACRES OR 30% OPEN SPACE REQUIRED: 20% OF ACREAGE (1.80 ACRES) 0.72 ACRES
 - PARKING: SPACES PROVIDED: 212 SPACES (INCLUDES 4 HANDICAP SPACES); SPACES REQUIRED: 187 80 UNITS @ 0.87 SPACES/UNIT; 150 SPACES 2ND 80 UNITS @ 0.75 SPACES/UNIT; 88 SPACES OVER 100 UNITS @ 0.8 SPACES/UNIT; TOTAL 298 SPACES
 - MAXIMUM BUILDING HEIGHT: NONE (PARCEL OVER 2 ACRES)

- OFFICE BUILDING (PARCEL 2) PROJECT DATA**
- GROSS AREA OF PARCEL 2: 1.86 ACRES (72,88 S.F.)
 - PROPOSED ZONING: C-2
 - LAND USE: EXISTING 27,108 S.F. OFFICE BUILDING
 - F.A.R. REQUIRED: ≤ 1.50
 - F.A.R. PROPOSED: 27,108 S.F. (GROSS BLDG S.F.) = 0.36
 - SITE COVERAGE: TOTAL BUILDINGS AND PAVEMENT: 1.15 ACRES = 69% TOTAL GREEN SPACE OF PARCELS: 0.81 ACRES = 31%
 - PARKING: SPACES PROVIDED: 116 SPACES (INCLUDES 4 HANDICAP SPACES); SPACES REQUIRED: 3.3 SPACES/1000 SF GROSS LEASABLE AREA = 63 SPACES
 - MAXIMUM BUILDING HEIGHT: 4 STORIES OR 60 FEET

DATE	DESCRIPTION
1-18-2013	PRELIMINARY COMMENTS
1-18-2013	REVISED COMMENTS
1-18-2013	REVISED COMMENTS
1-18-2013	REVISED COMMENTS
1-18-2013	REVISED COMMENTS

Covington Development, LLC
132 New Market Street
St. Louis, Missouri 63105
Ph: 314-727-2424
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STERLING CO.
ENGINEERS & SURVEYORS
152 East Main Street
St. Louis, Missouri 63102
Ph: 314-241-8444
www.sterling-eng-survey.com
Corporate Certificate of Authority #011548

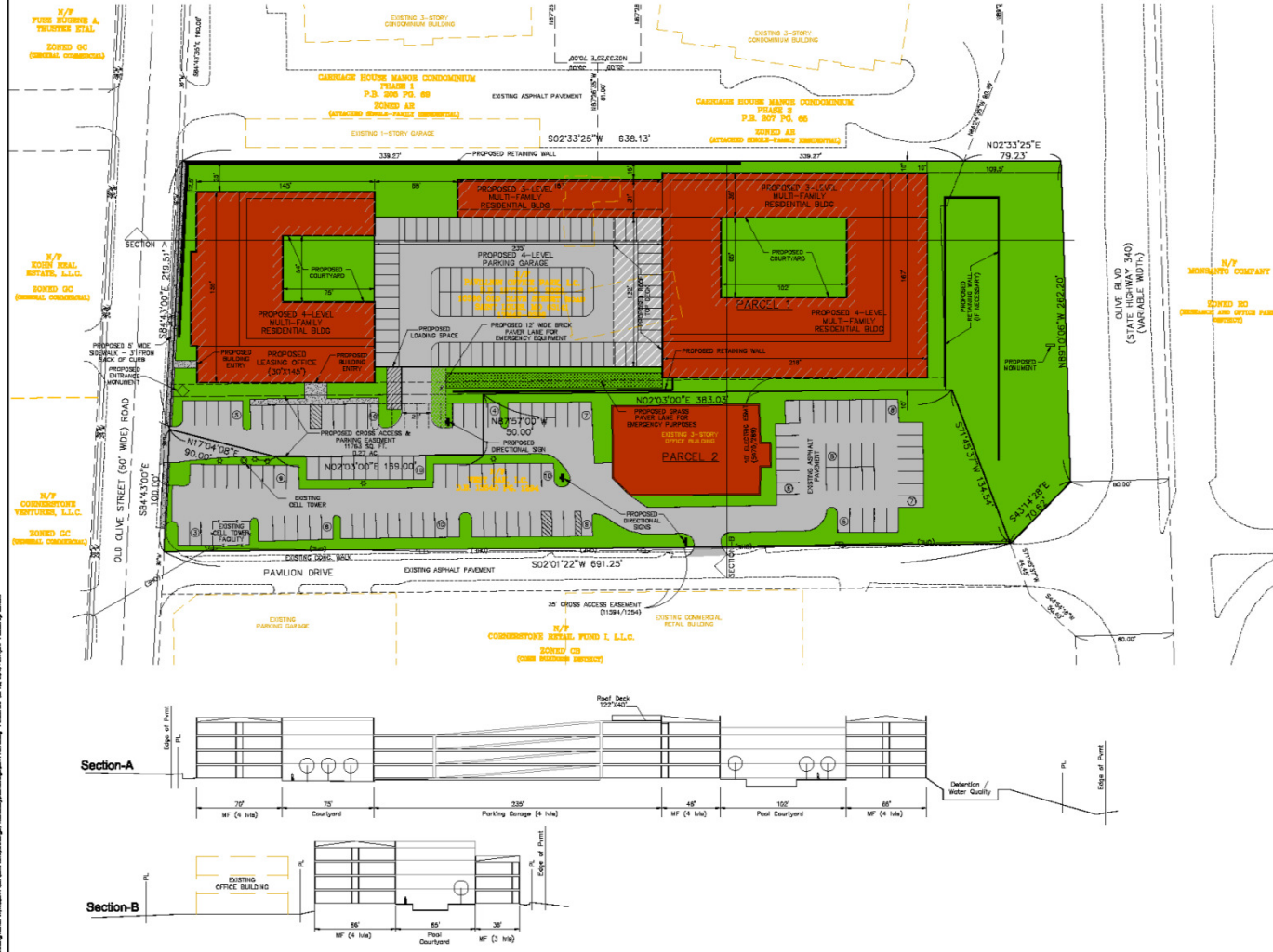
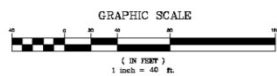
The Vanguard at Creve Coeur
CREVE COEUR, MISSOURI
SITE CONCEPT PLAN
SITE IMPROVEMENTS

Date: 2/18/2013
Drawn by: Rodney Arnold
License No.: PE 0020016912
Civil Engineer

Job Number: 12-09-241
Date: 1/18/2013
Designed: 2.1
Drawn: 2.1
Checked: PRE

MSD Base Map 17M
MSD P #
Highway & Traffic #

*A TRACT OF LAND BEING LOCATED IN THE NORTHWEST 1/4 OF
SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST
CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI*



GENERAL NOTES:

1. THIS SITE IS IN THE FOLLOWING DISTRICTS
BAYVIEW
CREEK COULVE FIRE PROTECTION DISTRICT
LAKE SUPERIOR
2. THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS
CITY OF MINNEAPOLIS
MINNEAPOLIS WARDEN WARD DISTRICT
MINNEAPOLIS CITY COUNCIL DISTRICT 1
MINNEAPOLIS CITY COUNCIL DISTRICT 1
3. SATELLITE SERVICE CONNECTIONS SHALL BE AS APPROVED BY MUEL.
4. STORMWATER SYSTEMS SHALL BE DESIGNED PURSUANT TO THE REQUIREMENTS OF THE CITY OF MINNEAPOLIS AND SHALL DISCHARGE AT AN ADEQUATE NATURAL DISCHARGE POINT.
5. THE LOCATION OF STORM AND SATELLITE SERVICE IMPROVEMENTS ARE SHOWN ON THE ACTUAL SITE PLAN. THEY SHALL BE SETBACK BY FIELD CORROG AND SHALL BE INDICATED ON THE IMPROVEMENT PLAN. ALL SENECA SHALL BE LOCATED 5' FROM THE PROPERTY LINE AND 10' FROM THE PLACEMENT OF GRASSING SHALL BE PER CITY OF CREVE COEUR STANDARDS.
7. LIGHTING OF DRIVEWAYS AND PARKING AREAS SHALL BE PER CITY OF CREVE COEUR STANDARDS.
8. ALL BUILDINGS SHALL BE 4" MINIMUM MINIMUM AND COMPLY WITH CITY OF CREVE COEUR STANDARDS.
9. NO SHOWERS, MICHIGAN ARE IN THE SUBJECT PROPERTY.
10. NO GRASSED SLOPES SHALL EXCEED 3 FEET (HORIZONTAL) TO 1 FOOT (VERTICAL).
11. ALL NEW UTILITIES SHALL BE LOCATED UNDERGROUND.

OVERALL PROJECT DATA

1. GROSS AREA OF OVERALL PROJECT: 5.56 ACRES
2. ZONING: CURRENT: B-1000 COMMERCIAL DISTRICT
PROPOSED: B-1000 COMMERCIAL DISTRICT
SETBACKS: FRONT - 15 FEET
SIDE - 10 FEET
3. LAND USED: EXISTING OFFICE & PROPOSED MULTI-FAMILY RESIDENTIAL
4. CURRENT OWNERS: PARCEL 1:
1.00 ACRES
EAST OFFICE PARK, L C
P.O. BOX 98
MOUNTAIN VIEW, MO 63070
PARCEL 2:
1.00 ACRES
WEST END C OR CENT BRANSON
P.O. BOX 38
ARMOH, MO 63010
5. SITE ADDRESS: 10000
10000
ONE EIGHT DULME STREET ROAD
CHICAGO, ILLINOIS, MO 63041
6. GROSS FLOOR AREA: PARCELS - PARCEL 1: 185,000 S.F.
PARCEL 2: 27,100 S.F.
TOTAL GROSS FLOOR AREA: 212,100 S.F.
OFFICE LEASING AREA: 33,000 S.F.
7. F.A.R. REQUIRED: c. 1.25
8. F.A.R. PROVIDED: 3.103 ACRES (223,116 GROSS S.F.) = 0.87
3.30 ACRES
9. SITE COVERAGE: TOTAL BUILDINGS AND PAVEMENT: 3.30 ACRES = 60%
TOTAL GROSS FLOOR AREA: 1.08 ACRES = 17%

MULTI-FAMILY (PARCEL 1) PROJECT DATA

1. GROSS AREA OF PARCEL 1: 3.80 ACRES (336,876 SF.)
2. PROPOSED ZONING: C-1 (WITH CONDITIONAL USE PERMIT FOR DENSITY AND F.A.R.)
3. DWELLING UNITS PROVIDED: 174 (14.0 GRI/SQ. FT. EACH)
4. PARKING: 180 SPACES (1.25 SPACES/UNIT)
5. 60 - 2 BEDROOM 3 BATH UNITS (7,000 SF.)
6. 16 - 2 BEDROOM 2 BATH UNITS (2,250 SF.)
7. F.A.R. REQUIRED: 1.125
8. F.A.R. PROPOSED:
180,000 SF. (FORMER BLDG.) ÷ 1.125
160,000 SF.
9. SITE COVERAGE: TOTAL BUILDINGS AND PAVEMENT: 2.53 ACRES = 62%
TOTAL SITE SPACE OF PERMIT: 1.38 ACRES = 38%
10. PRIVATE USE/OPEN SPACE:
OPEN SPACE PROVIDED: 1.38 ACRES OR MORE
TOTAL OPEN SPACE REQUIRED: 2.00 ACRES (1.38 ACRES), 0.72 ACRES
11. PARKING:
324 SPACES (INCLUDES 10 HANDICAP SPACES)
SPACES PROVIDED: 180 SD UNITS (1.25 SPACES/UNIT) 180 SPACES
AND 100 VISITING (1.25 SPACES/UNIT) 125 SPACES
OVER 100 UNITS (1.25 SPACES/UNIT) 111 SPACES
TOTAL 295 SPACES
12. MAJOR/IN BUILDING USES: NONE (PARCEL D-3 ACRES)

OFFICE BUILDING (PARCEL 2) PROJECT DATA

1. GROSS AREA OF PARCEL ≥ 1.06 ACRES (72,100 S.F.)
2. PROPOSED ZONING: C9
3. LAND USE: EXISTING 27,150 S.F. OFFICE BUILDING
4. F.A.R. REQUIRED: ≤ 1.00
5. F.A.R. PROVIDED:
 $27,150 \text{ S.F. (GROSS 30,000 S.F.)} = 0.38$
72,100 S.F.
6. SITE COVERAGE: TOTAL BUILDINGS AND PAVEMENT: 1.15 ACRES = 68%
TOTAL GREEN SPACE OF PARCEL: 0.81 ACRES = 31%
7. PARKING:
SPACES PROVIDED: 110 SPACES (INCLUDES 4 HANDICAP SPACES)
SPACES REQUIRED: 3.3 SPACES/1000 SF GROSS LEASABLE AREA
= 63 SPACES
8. MAXIMUM BUILDING HEIGHT: 4 STORIES OR 60 FEET

MSD Base Map 17M
MSD P #
Highway & Traffic #

ISSUE	REMARKS/DATE
1	2-18-13 REV. PER CITY/CLIENT COMMENTS
2	3-8-13 REV. PER CITY/CLIENT COMMENTS
3	7-10-13 REV. PER CITY/CLIENT COMMENTS

Covington Development, LLC
135 North Meramec Avenue, Suite 500
St. Louis, Missouri 63106
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Fax 314-727-2434

THE STERLING CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63129
Ph 314-487-0440 Fax 314-487-8944
www.sterling-eng-sur.com
Corporate Certificate of Authority #001348

*The Vanguard
at Creve Coeur*

THE

Date: 7/10/2013
Rodney Arnold
License No. PE-2002016612

Job Number 12-09-241	
Date 1/18/2013	
Designed:	Sheet 2.1
Drawn:	
Checked:	



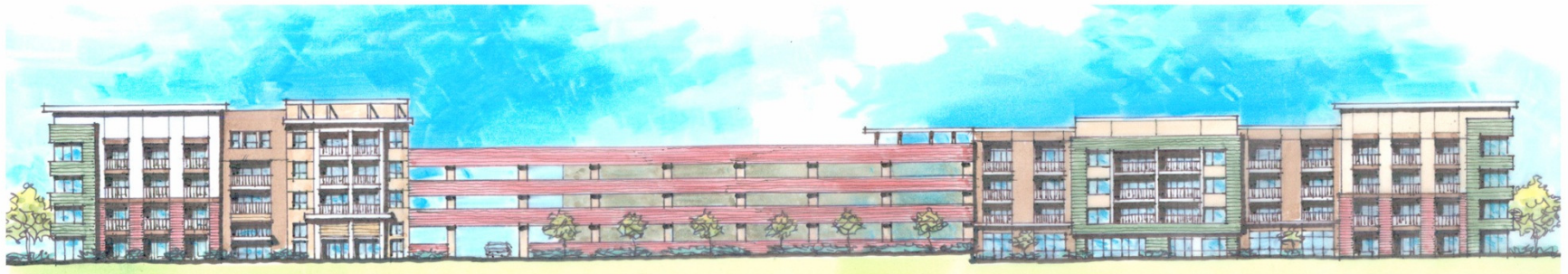
EAST ELEVATION



NORTH ELEVATION

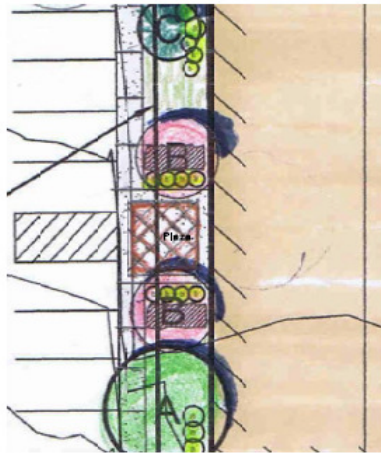


SOUTH ELEVATION

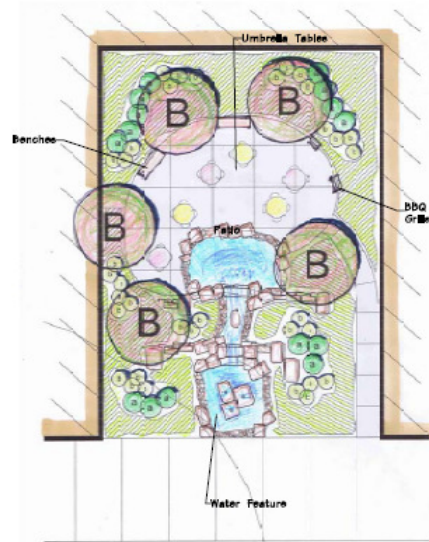


WEST ELEVATION

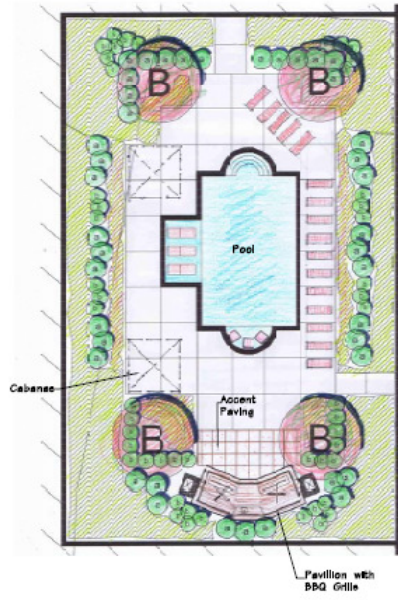
VANGUARD AT CREVE COUER



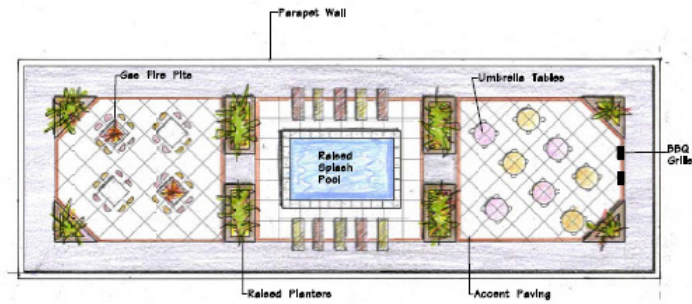
Club House Entrance
SCALE 1"=10'



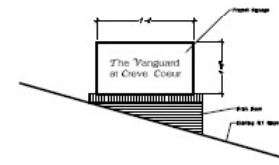
North Courtyard Plan
SCALE 1"=10'



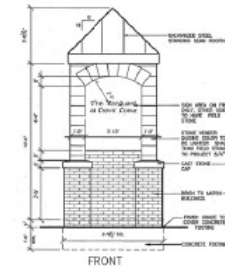
South Courtyard Plan
SCALE 1"=10'



Roof Top Deck
SCALE 1"=10'



1 Project Sign at Olive Blvd
SCALE 1/4"=1'-0"



2 Monument at Old Olive
SCALE 3/4"=1'-0"



07/9/2013
Douglas A. Delaney, Landscape Architect L.A.S. 14481
Covington Development, LLC

The Vanguard at Creve Coeur
Creve Coeur, Mo.
Covington Development, LLC

Revisions		
Date	Description	No.

Drawn: RAD
Checked: DAD

Long Landscape Architecture, LLC
7620 West Bruno Ave.
St. Louis, MO. 63117
(314) 546-4856
ldlong@aol.com

Sheet Title: Courtyard Landscape
Plan/Signage

Sheet No: L-2

Date: 7/5/2013
Job #: 123.003

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
CREVE COEUR TO REZONE LAND FROM GC (GENERAL COMMERCIAL)
DISTRICT TO CB (CORE BUSINESS) AND APPROVING A CONDITIONAL
USE PERMIT FOR A MULTI-FAMILY DEVELOPMENT EXCEEDING 20
DWELLING UNITS PER ACRE ON THE PROPERTY ADDRESSED AS 10360
AND 10420 OLD OLIVE STREET ROAD.**

WHEREAS, an application was made by David Braswell, of Covington Realty Partners to rezone 10360 and 10420 Old Olive Street Road from GC (General Commercial) CB (Core Business) zoning district, and to approve a conditional use permit for a multi-family development exceeding 20 dwelling units per acre for an apartment complex known as the The Vanguard at Creve Coeur; and

WHEREAS, in accordance with Section 405.1080 of the Zoning Ordinance, the applicant has submitted a site development plan for the subject properties, addressed as 10360 and 10420 Old Olive Street Road, to the Division of Planning; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 1st, 2013, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application; and

WHEREAS, notice of 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 otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, the City of Creve Coeur Board of Adjustment granted variances on May 16, 2013 allowing all of the parking above ground and the setback from Olive Boulevard to exceed 80 feet; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a _____ vote, recommended approval of the rezoning and conditional use permit, subject to conditions, at its meeting on August 5, 2013; 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 being fully informed finds that rezoning the property would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and in the public interest and in good zoning practice; 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.

BILL NO. _____

ORDINANCE NO. _____

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

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

Section 1: The Official Zoning Map of the City of Creve Coeur shall be amended to rezone the property addressed as 10360 and 10420 Old Olive Street Road from GC (General Commercial) CB (Core Business) zoning district, subject to the conditions stated herein, which property is more specifically described as follows:

Parcel 1

A TRACT OF LAND IN THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST, CITY OF CREVE COEUR, ST. LOUIS COUNTY MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF PHASE 1 OF CARRIAGE HOUSE MANOR CONCOMINIUM AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 205 PAGE 69 OF THE ST. LOUIS COUNTY RECORDS, SAID POINT ALSO BEING ON THE SOUTH LINE OF OLD OLIVE STREET (60' WIDE) ROAD; THENCE DEPARTING THE SOUTH LINE OF OLD OLIVE STREET ROAD, WITH THE WEST LINE OF SAID PHASE 1 OF CARRIAGE HOUSE MANOR AND ITS DIRECT PROLONGATION, SOUTH 02°33'25" WEST 717.36 FEET TO A POINT; THENCE NORTH 89°10'06" WEST 262.20 FEET TO A POINT; THENCE NORTH 43°14'28" WEST 70.62 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO WEST OAK, LLC RECORDED IN DEED BOOK 13540 PAGE 1294 OF THE ST. LOUIS COUNTY RECORDS; THENCE WITH THE SOUTH LINE OF WEST OAK, LLC TRACT, NORTH 71°45'37" EAST 134.54 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE WITH THE EAST LINE OF SAID WEST OAK, LLC TRACT, NORTH 02°03'00" EAST 383.03 FEET TO A POINT; THENCE DEPARTING SAID EAST LINE, NORTH 87°57'00" WEST 50.00 FEET TO A POINT; THENCE NORTH 02°03'00" EAST 169.00 FEET TO A POINT; THENCE NORTH 17°04'08" EAST 90.00 FEET TO A POINT ON THE AFORESAID SOUTH LINE OF OLD OLIVE ROAD; THENCE WITH THE SAID SOUTH LINE BEING 30 FEET SOUTH OF AND PARALLEL TO THE CENTERLINE THEREOF, SOUTH 84°43'00" EAST 219.51 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.60 ACRES, AS CALCULATED FROM AVAILABLE RECORD INFORMATION AND SUBJECT TO A BOUNDARY SURVEY.

Parcel 2

A TRACT OF LAND IN THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST, CITY OF CREVE COEUR, ST. LOUIS COUNTY MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF PHASE 1 OF CARRIAGE HOUSE MANOR CONCOMINIUM AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 205 PAGE 69 OF THE ST. LOUIS COUNTY RECORDS, SAID POINT ALSO BEING ON THE SOUTH LINE OF OLD OLIVE STREET (60' WIDE) ROAD;

BILL NO. _____

ORDINANCE NO. _____

THENCE WITH THE SAID SOUTH LINE BEING 30 FEET SOUTH OF AND PARALLEL TO THE CENTERLINE THEREOF, NORTH 84°43'00" WEST 219.51 FEET TO THE ACTUAL POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE DEPARTING SOUTH LINE OF OLD OLIVE STREET ROAD, SOUTH 17°04'08" WEST 90.00 FEET TO A POINT; THENCE SOUTH 02°03'00" WEST 169.00 FEET TO A POINT; THENCE SOUTH 87°57'00" EAST 50.00 FEET TO A POINT; THENCE SOUTH 02°03'00" WEST 383.03 FEET TO A POINT; THENCE SOUTH 71°45'37" WEST 134.54 FEET TO A POINT ON THE EAST LINE OF LOT 3 OF PAVILION NO. 1 AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 350 PAGE 195 OF THE ST. LOUIS COUNTY RECORDS; THENCE WITH THE EAST LINE OF SAID LOT 3 AND ITS DIRECT PROLONGATION, NORTH 02°01'22" EAST 691.25 FEET TO A POINT ON THE SOUTH LINE OF AFORESAID OLD OLIVE STREET ROAD; THENCE WITH THE SAID SOUTH LINE BEING 30 FEET SOUTH OF AND PARALLEL TO THE CENTERLINE THEREOF, SOUTH 84°43'00" EAST 100.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.66 ACRES, AS CALCULATED FROM AVAILABLE RECORD INFORMATION AND SUBJECT TO A BOUNDARY SURVEY.

Section 2: A Conditional Use Permit is authorized to be issued for the property described in Section 1 hereof and pursuant to Section 4 hereof for the construction and operation of a multi-family residential complex with a gross density of 48.33 units per acre and no more than 174 individual apartments.

Section 3: As required by Section 405.1080 of the Zoning Ordinance, the approval of said rezoning request and conditional use permit are subject to the property being developed in accordance with the site development plan, as further revised as required and approved by the City of Creve Coeur, and subject to the following additional conditions:

1. 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 Concept Plan/Site Improvements," dated January 18, 2013 and last revised on July 10, 2013, and the "Concept Landscape Plan" dated July 5, 2013 as bound together and submitted in conjunction with Application #13-003 by David Braswell, of Covington Realty Partners.
2. The applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations, courtyard landscapes, roof top deck and the club house entrance shall be in substantial conformance with the elevation drawings titled "The Vanguard at Creve Coeur," received July 11, 2013, and Courtyard Landscape Plans/Signage," dated July 5, 2013, as bound together and submitted in conjunction with Application #13-003 by David Braswell, of Covington Realty Partners.
3. Any trash enclosures located outside of the principle buildings and parking garage shall be constructed of materials that are consistent with the building and composed in a similar fashion.
4. The existing buildings at 10360 Old Olive Street Road shall be demolished within one year of the approval of the rezoning, or prior to the issuance of any building permit, whichever ever comes first.
5. An underground irrigation system shall be installed and maintained to serve all new landscaped areas.
6. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.

BILL NO. _____

ORDINANCE NO. _____

7. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
8. The applicant shall provide written proof of ownership of any former Olive Boulevard right-of-way acquired from the Missouri Department of Transportation (MoDOT) prior to issuance of any building permits for the project approved herein.
9. The applicant shall provide written acceptance by MoDOT of the proposed Old Olive Street Road access and any modifications to the roadway prior to the issuance of any building permits for the project approved herein.
10. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved pursuant to Section 405.1080 of the Zoning Code.

Section 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

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

ADOPTED THIS ____ DAY OF _____, 2013.

SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2012.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



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PLANT SCIENCE CENTER

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MAR 28 2013
PLANNING DEPT.

March 26, 2013

Mr. Paul Langdon
Community Development Director
Creve Coeur City Hall
300 North Ballas Road
Creve Coeur, MO 63141

SAM J. FIORELLO
Chief Operating Officer and
Senior Vice President
sjfiorello@danforthcenter.org

975 North Warson Road
St. Louis, Missouri 63132

p 314.587.1011
f 314.587.1111

RE: The Proposed Vanguard at Creve Coeur apartment community
10360 Old Olive Street Road, Creve Coeur, MO 63141

Dear Mr. Langdon:

It has come to our attention that there is a proposed luxury residential community located at 10360 Old Olive Street Road before the city of Creve Coeur Planning and Zoning commission. The Danforth Center would like to go on the record as strongly supporting this proposed development. We feel that The Vanguard at Creve Coeur will provide our scientists a convenient housing option. In addition we believe this development will continue to add to the high standard of livability in the immediate area. We respectfully request your consideration of our position in your process of approving this community.

Sincerely,



Sam J. Fiorello

March 28, 2013

City of Creve Coeur
Paul Langdon, AICP
Director of Community Development
300 N. New Ballas Road
Creve Coeur, MO 63141

Dear Mr. Langdon,

Thank you for allowing me to submit the concerns regarding Application #13-003 for developing **The Vanguard at Creve Coeur Multi-Family Residential Development** on behalf of the neighboring property, 10448 Old Olive Street Road, due to my being out of town for the rescheduled Planning and Zoning Meeting, April 1st.

Major concerns are as follows:

1. The traffic is currently heavy on Old Olive Street Road. As our parking lot reaches full capacity on a daily basis with surgical patients from our surgery center, we are very concerned about the increase in traffic.
2. We currently worry about our patient's safety if they are crossing the street. There is a bus stop in front of our property (on the curve) as well as speeding cars entering Old Olive from Olive Blvd. traveling north on Old Olive.
3. Pavillion Street is currently considered an access road, which is indeed a very highly trafficked area due to the restaurants and theater in the shopping center. The street is extremely narrow and there is a lot of confusion regarding the two way stop with on-coming traffic coming from Olive Blvd.
4. Our main concern is overall traffic flow, congestion and access to entrances.

I personally work at this location and I witness daily traffic activities, near misses with car accidents, congestion and a very poorly engineered traffic control for the area. Since the restriping of Old Olive from Olive Blvd., there is a huge traffic issue. Every morning I witness cars that used to have a turn lane, are now stopped to turn into Fitness Edge or Waterway Car Wash and other cars use the turn lane into the shopping center to go around the turning cars. It is a traffic nightmare.

In summary, there is a huge concern with our owners that this proposal includes high density housing with the number of the units proposed. We understand some consist of one, two and three bedroom units which could create a large population of people and traffic.

Sincerely,

ReGina Simo
Owner of 10448 Old Olive Street Road
FRK Properties
Tel. 314.308.7681
regina@anaturallyou.com

Cc: Dr. Frank Simo, Richard Armbruster and Janet Armbruster

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, MARCH 18, 2013

7:00 P.M.

TRANSCRIPTION FROM TAPE RECORDING OF PUBLIC COMMENTS

CONCERNING APPLICATION 13-003

THOSE IN ATTENDANCE:

Mr. James Faron

Ms. Cynthia Kramer

Mr. James Schnarr

Mr. Lee Curtis, City Attorney

Mr. Paul Langdon, Director of Community Development

Ms. Whitney Kelly, 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

1 MR. LANGDON: Yeah, it'll be recorded, so
2 we'll --

3 MR. SCHNARR: Yeah.

4 MR. LANGDON: -- we'll have the recording.
5 Won't be -- there's no minutes because the meeting
6 doesn't --

7 MR. SCHNARR: There's not --

8 MR. RICHARD ARMBRUSTER: Be recorded for the
9 next meeting?

10 MR. LANGDON: We can -- we can transcribe the
11 comments and provide them, yes.

12 MR. RICHARD ARMBRUSTER: For the next meeting?

13 MR. LANGDON: Yes.

14 MR. SCHNARR: Right.

15 MR. LANGDON: So now would be a good time, if
16 you like to.

17 MR. RICHARD ARMBRUSTER: I represent FRK
18 Properties --

19 MR. LANGDON: We need you at the microphone so
20 we can record you.

21 MR. RICHARD ARMBRUSTER: Sorry.

22 I represent FRK Properties. We're at 10448 Old
23 Olive Street Road.

24 MR. CURTIS: You need to state your name and
25 address.

1 MR. RICHARD ARMBRUSTER: Richard Ambrewster,
2 10448 Old Olive Street Road, Creve Coeur, Missouri.

3 My statement is this. Due to the nature of the
4 traffic flow to and from our facility at 10448 Old Olive
5 Street Road, and if anybody has got the -- the package
6 that shows the overlay of the -- of the property in
7 question, 10360 and 10420, we're basically two blocks
8 away.

9 MR. CURTIS: You're talking about the
10 Application 13-003 --

11 MR. RICHARD ARMBRUSTER: That is correct. That
12 is correct.

13 MR. CURTIS: -- the 5.26 acres --

14 MR. RICHARD ARMBRUSTER: That is correct.

15 MR. CURTIS: -- rezoning.

16 MR. RICHARD ARMBRUSTER: We have a medical
17 building. We have outpatient facilities on the first
18 floor. It's a two-story structure. And we have a
19 physician's office and a spa location on the second floor.
20 We have maxed out on our parking for that parcel of land.

21 If you know the way Old Olive Street Road flows,
22 there's a hard right before you get to the property as you
23 would head north on Old Olive Street Road.

24 I think I got the same thing. There you go.
25 That is my building.

1 As our patients come around this building, it's
2 almost like a blind curve to the right. They don't know
3 where it's at, perhaps, they're using GPS, they're using
4 visual recognition, by the time they get to this, they
5 realize, ooh, I got to make my right here into this
6 parking.

7 If this parking is full, and we're gladly full
8 most of the time, where do they go. Well, they hesitate
9 and they may have to park somewhere over here or find
10 parking someplace else.

11 My concern is this proposal is on this street --
12 Regina, what's the name of that street?

13 REGINA (IN AUDIENCE): Pavilion.

14 MR. RICHARD ARMBRUSTER: -- Pavilion. Pavilion
15 is an issue for me as a -- as a business owner in Creve
16 Coeur in -- in several regards.

17 Is the -- the path north is an issue; the path
18 coming south now becomes an issue with regards to how the
19 traffic flow is going to come in and out of this new
20 proposed complex.

21 There's a stop sign right here, which is
22 actually a chaos of confusion, if you've ever been there,
23 about are you going to go straight, are you going to go
24 right, are you going to go -- where are you going to go.
25 It's only two lanes.

1 So my -- in summary, the congestion and the
2 traffic flow that may harm my viability as a business is
3 at question.

4 So if this piece of property is to be developed,
5 I believe that traffic flow has got to be looked at
6 insofar as it affects the commercial enterprises around
7 that parcel.

8 Coming north, it's a blind curve. They bypass
9 it, but if traffic is coming out of that parcel because
10 they live there and they're going to work at a particular
11 time or coming home at a particular time, I have a
12 secondary concern about the safety.

13 So, one, I'm concerned about traffic, traffic
14 flow as it pertains to my business, and secondarily, I
15 think you got to consider the safety.

16 That's a blind curve. You got a lot -- how
17 many -- 174 multi-family units. Has -- has -- has someone
18 considered the traffic flow? I think it has to be looked
19 at.

20 People may be harmed and my commercial business
21 may be impaired, so.

22 MR. LANGDON: Thank you.

23 Just so you understand, they can't really engage
24 since we can't open the meeting, so we have your comments,
25 we'll transcribe them, and we'll provide them to the

1 Commission for the next --

2 MR. RICHARD ARMBRUSTER: They will provided for
3 the next meeting? Okay.

4 MR. LANGDON: Yes, sir.

5 MR. RICHARD ARMBRUSTER: Regina, before I leave
6 the podium -- Okay.

7 Well, thank you very much.

8 MR. CURTIS: Thank you.

9 MS. KATHLEEN McCLUE: Where do I -- oh.

10 My name's Kathleen McClure. And he's talking
11 about how it might adversely affect a business. I am a
12 property owner there. I'm a resident. I live at a
13 condominium at 942 Guelbreth Lane.

14 And like he said, if you were over there and saw
15 how the traffic flow goes over there, I think you'd have a
16 better idea of it.

17 He's talking about Pavilion. Pavilion is really
18 an access road. It doesn't even have a line in the middle
19 of the road. If you want to call it a two-lane road, it's
20 a very narrow road. Like I said, there's no line. I
21 called here, and they said that they call it an access
22 road, not a regular road.

23 And also on that road, they have all the traffic
24 from the theater and all those restaurants are flowing
25 into that road also, besides the normal people that just

1 use it to cut over from -- from Olive to Old Olive.

2 Where we are at 942 Guelbreth, when -- they've
3 recently, not too long ago, readjusted that road out
4 there, Old Olive. So now when you pull out of our -- our
5 complex, when you pull out on Guelbreth there and you make
6 a -- want to make a left onto Old Olive, the people that
7 are coming from Olive up Old Olive toward Lindbergh, they
8 want to make a left on Guelbreth, so they're sitting there
9 to make their left, and we're sitting there in our parking
10 lot trying to make a left to get onto Old Olive, and those
11 people have the right-of-way before we do. All the people
12 making a left-hand turn have the right-of-way, so they're
13 waiting for all the people to clear coming from Olive
14 going down Old Olive so they can make their left.

15 In the meantime, we have to wait for all those
16 people to make their left-hand turn, before we can --
17 besides the ones that are going straight before we can
18 ever get out on Old Olive to make a left-hand turn.

19 MR. CURTIS: Can you point out on the map where
20 your -- where Guelbreth is.

21 MS. KATHLEEN McCLUE: I think we're right here.

22 MR. LANGDON: That's correct.

23 MS. KATHLEEN McCLUE: I think there, yes.

24 And our garages, see, that would be -- our
25 building's to the right of this, the garages are here, and

1 that building you're proposing is going to back up to our
2 garages. And what I understand is that you are trying to
3 change that. Right now you have something in place where
4 they'd have to be a certain distance from our property
5 line, but they tell me you want to change some ordinance
6 or something so that that building can come closer to our
7 property.

8 Now, I don't really know how that's going to
9 affect us. I don't know why the original thing was
10 proposed anyway, they had a certain distance, but,
11 evidently, this company wants to change it.

12 So I don't know how that's going to affect us.
13 But traffic wise, it's already a mess over there.

14 And like the man who's -- is having this -- this
15 developer and the owner, came to my building. He offered
16 to -- he's very nice. His name is David. He came to my
17 building. He offered to. He showed me the plans and he
18 talked to me. And he was telling me, I said, so how's it
19 going to help us in any way. He says, well, you'll have
20 more neighbors. I said, look at, you moved out on Wild
21 Creek Road, you told me, to deal with the traffic, just so
22 you can get away from all the extra people.

23 You know, for them to put that there, he's got
24 two-bedroom units, he's got three-bedroom units, plus one.

25 Those two-bedroom and three-bedroom units aren't

1 going to have one and two people in them. They're going
2 to have multiple people in those units, plus the visitors
3 that come to that building, plus the 174 units alone.
4 That's a lot of people to put on that when you only have
5 one little access road there emptying out all the people
6 from that -- that show and that shopping center where all
7 the restaurants are, as well as us trying to get down and
8 out to go onto Old Olive.

9 So I'm very adverse to it. I don't -- I
10 don't -- I don't think it's a good idea to put that there
11 at all.

12 MR. CURTIS: Thank you.

13 MR. LANGDON: Thank you.

14 MR. CURTIS: Thank you.

15 MS. KATHLEEN McCLUE: Please keep my comments
16 also for the next meeting.

17 MR. LANGDON: Yes, ma'am.

18 MR. ROBERT WEDEPOHL: I'm Robert Wedepohl, and I
19 own a condo same place she does, and --

20 MR. LANGDON: Need you to give the address, sir.

21 MR. ROBERT WEDEPOHL: 9 -- 942 Guelbreth.

22 MR. LANGDON: Thank you.

23 MR. ROBERT WEDEPOHL: And we have -- I bought --
24 I bought my place.

25 Then now you put that place against me. I'm --

1 like now, we do have trouble getting out of there now, but
2 it's going to be a mess if they have all these cars coming
3 in and out and cars coming out, cause the road, you know,
4 everybody comes -- everybody comes down Olive Street or
5 they get off and you make shortcut through Old Olive
6 Street right now. Cause that's -- instead -- they
7 can't -- that's only way they can go when -- if they're
8 going south, they can only go -- make a right turn on Old
9 Olive Street by our place. Right now.

10 But then you're going to put more people in that
11 area. I don't think that's right. And I don't think
12 that's right for -- because we got so much rental property
13 the other way, north of us, that I don't know why you need
14 more rental property to start with.

15 And that's a big (inaudible) as far as I'm
16 concerned.

17 MR. CURTIS: Could you repeat your last name
18 again.

19 MR. ROBERT WEDEPOHL: Wedepohl, W-E-D-E-P-O-H-L.

20 MR. CURTIS: I'm glad I asked.

21 MR. ROBERT WEDEPOHL: I know. German.

22 So I believe the same way she does, and I just
23 want my voice heard. That's all. Okay.

24 MR. CURTIS: Thank you.

25 MR. LANGDON: All right. Hearing none others,

1 then we'll wrap it up for tonight.

2 Again, my apologies. We will have the comments
3 that have been made available to P&Z and be made part of
4 the next meeting's packet, so be online when that packet
5 is posted.

6 Thank you very much.

7 (This ends the recording.)

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STATE OF MISSOURI)

) SS

COUNTY OF ST. LOUIS)

I, Deborah K. McLaughlin, Registered Professional Reporter, Missouri Certified Court Reporter, Illinois Certified Shorthand Reporter and Kansas Certified Court Reporter, do hereby certify that I transcribed, from the recording, the comments of the public at the Planning and Zoning Public Hearing; and that this is a true and accurate reproduction of the recording.

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

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



city of CREVE COEUR

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www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION
#13-003 REZONING OF 5.26 ACRES TO "CB" CORE BUSINESS
DISTRICT, AND A CONDITIONAL USE PERMIT FOR "THE VANGUARD OF
AT CREVE COEUR" MULTI-FAMILY RESIDENTIAL DEVELOPMENT

FOR THE MEETING OF: March 18, 2013

LOCATION: 10360 And 10420 Old Olive Street Road

REQUEST: Approval for the rezoning of 5.26 acres from "GC" General Commercial District to "CB" Core Business District, and for a Conditional Use Permit for the development of a 174 unit multi-family residential community located on the eastern parcel at 10360 Old Olive Street Road. The proposed density is 48.33 units per acre. The existing office building at 10420 Old Olive Street Road will remain.

ADDITIONAL INFORMATION: The City of Creve Coeur's Zoning Ordinance Section 405.370(C)(n) states that multi-family dwellings for owner or rental occupancy of more than twenty (20) dwelling units per net acre requires a conditional use permit. City Council makes the final decision on all rezoning and conditional use permits. The "GC" General Commercial District does not permit residential uses. The Carriage House Condominium property to the east is zoned "AR" Attached Single Family Residential. The designation of this property as single family residential prompts the need for several variances from the Board of Adjustment, scheduled to hear the request on April 18, 2013.

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 District?
- Does the site development plan follow the Design Guidelines?

Comp. Plan References

- Commerce Center Action Area
- Design Guidelines
- Pedestrian Plan

Zoning Code References

- Section 405.290: "AR" Attached Single-Family Residential District
- Section 405.360: "GC" General Commercial
- Section 405.370: "CB" Core Business District
- Section 405.470: Conditional Uses
- Section 405.1040: Board of Adjustment
- Section 405.1060: Zoning Changes And Text Amendments

APPLICANT: David Braswell
Covington Realty Partners
135 N. Meramec Ave, Suite 500
St. Louis, MO 63105

PROPERTY OWNER: Dr. Kent Branson
Pavilion Office Park, LLC.
11630 Studt Avenue
Creve Coeur, MO 63141



REPORT PREPARED BY:

Whitney Kelly, AICP, City Planner

3/15/2013
Date

ATTACHMENTS: Applicant's Materials submitted March 8, 2013

DEVELOPMENT HISTORY

The property located at 10360 Old Olive Street Road is 2.73 acres and was originally developed in 1964 as a church and residence. The lot width is 192.79 feet along Old Olive Street Road. It was subsequently zoned "GC" General Commercial. The church and home have been vacant for approximately seven years. The property located at 10420 Old Olive Street Road is 1.93 acres and was originally built in 1980 as a three-story office building. Currently zoned "GC," the property has non-conforming site coverage of 71%. The applicant will also be purchasing 0.6 acres of excess Olive Boulevard right-of-way from MoDOT to adjoin with 10360 Old Olive Street Road. Total project area is 5.26 acres

The Carriage House Condominiums, located on the 2.8 acre property directly to the east, were developed in 1981 under the "P" Multi-Family District designation. The Phase I building is a three-story, 40-unit residence, and the Phase II building is a three-story, 24 unit residence. Initial approval of the development permitted 40 units for each building. The property was rezoned to "MR" and then to "AR" Attached Single Family Residential District in 1999, and was nonconforming in district size, site density, and site coverage for both "MR" and "AR" designations, which required a minimum district size of five acres and maximum density per acre of 20 units. The density for the site is 23 units per net acre. At the time of the rezoning to "AR," discussion included the impact on any future redevelopment of the property located at 10360 Old Olive Street Road and to the east of the Carriage House, due to the required buffer necessary with the single family designation. For the "GC" District, the minimum buffer yard would be 25 feet.

PROPOSED PROJECT

The applicant is seeking to rezone the properties of 10360 and 10420 Old Olive Street Road from "GC" General Commercial to "CB" Core Business District in order to allow for a multi-family development with 48.33 units per acre through the conditional use permit process. Included in the request is a boundary adjustment to adjust the property boundaries between the two lots, to transfer ownership of the access from Old Olive Street Road to the apartment complex, and the inclusion of additional right-of-way from MoDOT. This will create 3.6 acres for the multi-family residence site (Parcel 1) with proposed site coverage of 61%. The existing office building will have a site area of 1.66 acres and the non-conforming site coverage will be decreased from 71% to 69%. However, the adjusted Parcel 2 lot width will be decreased from 126.72 feet along Old Olive Street Road to 76.64 feet, with a cross-access easement for the parking and entrance from Old Olive Street Road.

Below is a close up of the project area:

Figure 1: Existing Lot Configuration

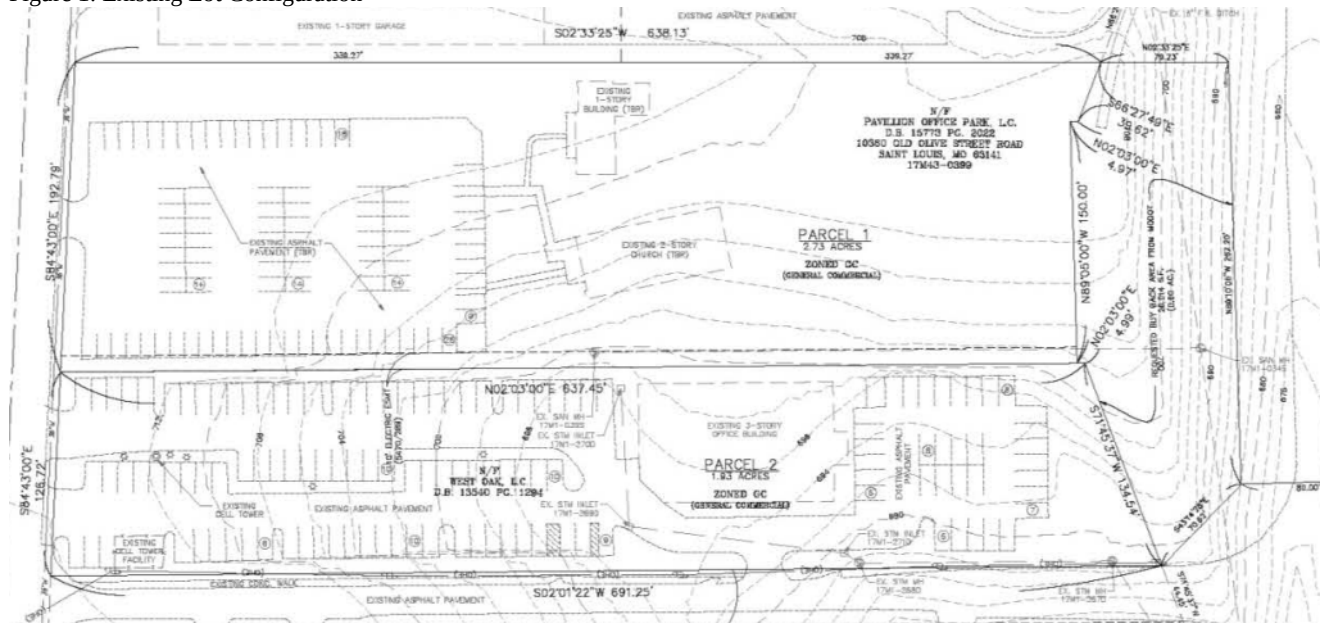
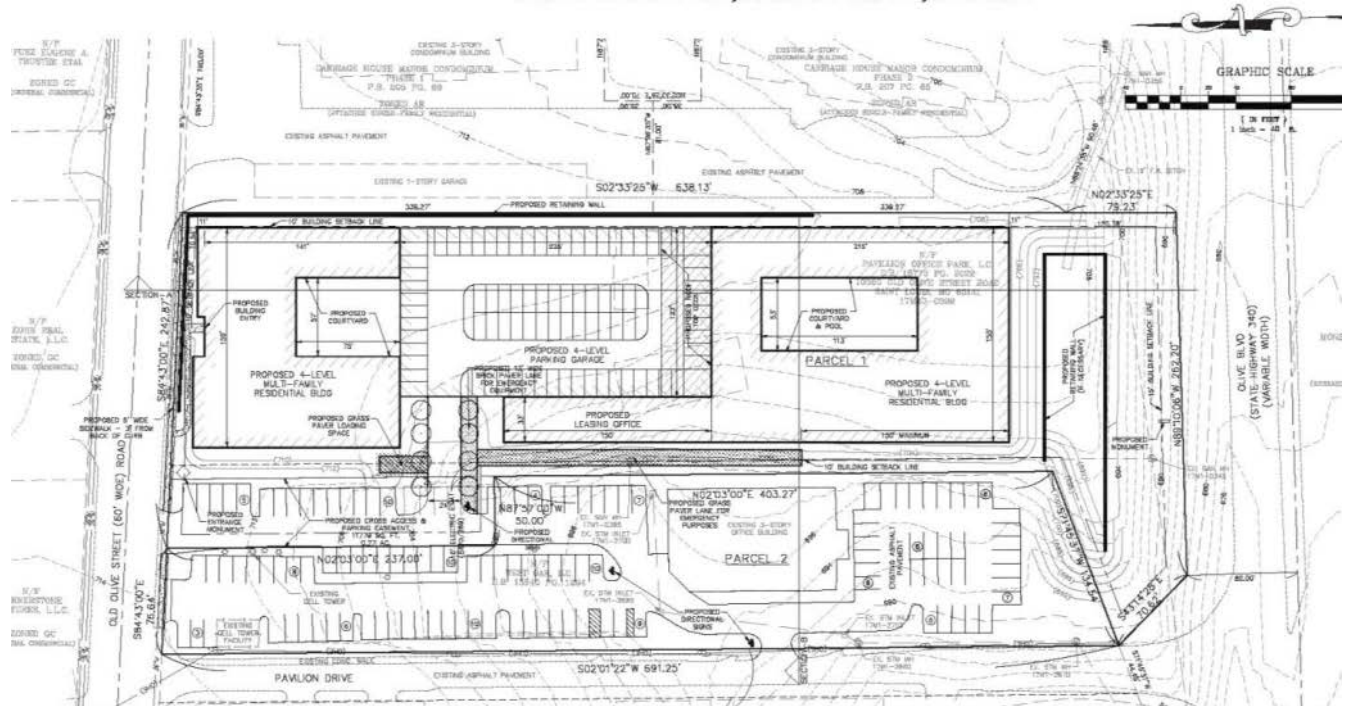


Figure 2: Proposed Lot Configuration



Parcel 1 Multi-Family Residential Development proposal

The development on Parcel 1 includes two main residential buildings with a total of 174 units, situated north and south on the property with the above ground parking structure between them. The Design Guidelines and Zoning Code require, for a multi-family residential development (conditional use in the "CB" Core Business district), that a minimum of 50% of the required vehicular parking be provided underground or within a basement garage [Section 405.470(34)(c) multi-family dwellings]. The applicant currently has an application before the City of Creve Coeur's Board of Adjustment for a variance from this requirement, as well as setback requirements along Olive Boulevard, and the buffer yard requirement from the "AR" District. See discussion below for further information.

Below are the proposed elevations for the development on Parcel 1:



Figure 3: West Elevation

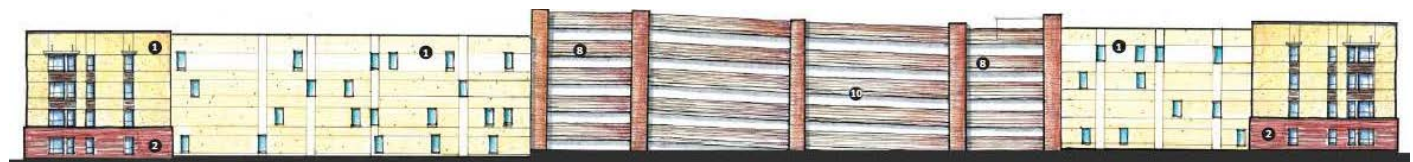


Figure 4: East Elevation



Figure 5: South & North Elevations



Figure 6: Landscape Plan

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office; Retail	“GC” Core Business District	Old Olive Street Road
South	Monsanto	“RO” Research and Office Park District	Olive Boulevard
East	Multi-Family Residential	“AR” Attached Single Family Residential District	NA
West	Retail, Commercial-Creve Coeur Pavilion	“CB” Core Business District	Pavilion Lane

COMPREHENSIVE PLAN REVIEW

The subject property is located in the Commerce Center Action Area of the Comprehensive Plan within the northwest quadrant of Olive Boulevard and Lindbergh Boulevard. The Comprehensive Plan does not provide much direction for this area but characterizes it as a series of underutilized older buildings on irregular lots. The vision for the Commerce Center includes capitalizing on the life science and bio-technical industries where retail shops, restaurants, and personal service business, particularly those providing services to the business and workers in the area, will be encouraged to develop in a small-scale, pedestrian-friendly environment within business parks (page 70).

The Residential Preservation and Economic Development Section state:

3. *Encourage the redevelopment of the area between Olive Boulevard and Old Olive west of Lindbergh Boulevard with uses that will serve and complement business park users and their employees. Improve the quality of this development through enforcement of the City's Design Guidelines, and ensure that redevelopment plans include the "green line" park.*
4. *Upgrade the architectural quality of the building stock as businesses expand or redevelop.*

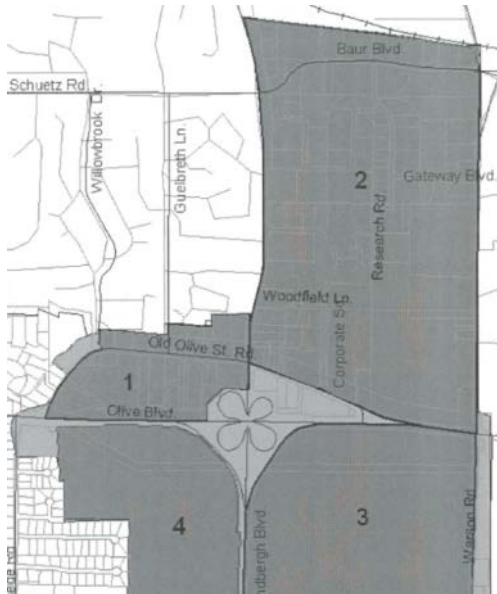


Figure 7: Comprehensive Plan excerpt of the map of the Commerce Center area, with the Key areas designated

For some locations, the Comprehensive Plan provides specific recommendations for key properties. In the subject area, identified as Commerce Center 1 area, the Comprehensive Plan indicates that previous land use plans identified the desire for strategic land assemblages to ensure orderly and coordinated development, and the possible need for an area plan (Page 75). It further describes the area as: "Old Olive Street, once the major arterial roadway for the area, now takes on a different role by linking the area to the north to Olive and Lindbergh. Older development flanks both sides of the street and may experience redevelopment pressures in the future..." (Page 75). Although there is a lack of specific development recommendations for this area, the overall theme is one of redevelopment with quality projects and providing services to the adjacent research facilities.

A review of this property and many of those around it show that it has been languishing since the Comprehensive Plan was written. The Parcel 1 property has remained vacant, and

the church down the street at 10545 Old Olive Street Road is closing after their Easter Service at the end of the month. The aging Willowbrook retail center has not seen any visual improvements in years and the current business climate is not moving toward more small scale retail development. Complicating matters, the lack of connectivity across Lindbergh Boulevard does not lend itself to further retail redevelopment along Old Olive Street Road.

Indeed, the Comprehensive Plan recommendation to align new projects and services with the nearby, and growing, research facilities and Olive Boulevard commercial corridor still appears to be the best path. To this end, the inclusion of new residential units in the area would offer a complementary use to the businesses, particularly in the nearby life-science industries, where many of the employees prefer to live within walking or biking distance from work, and/or within a walking distance to the existing retail and commercial developments. The localized increase in population would also, presumably, increase the customer base for the existing commercial and retail developments and could spur on further redevelopment efforts. So, whether looking only at the change to the subject property or the potential off-site benefits it could bring, providing new quality residential units in this area appears to meet with the intent of the Comprehensive Plan.

DESIGN GUIDELINES REVIEW

The Design Review Guidelines provide specific direction for the redevelopment of properties including the recommendations for high quality, pedestrian scale and walkable areas, and avoid spatial gaps and interruptions along the "streetscape" caused by parking or other non-pedestrian elements, such as building gaps, driveways, and service entries. Further the Design Guidelines provide specific recommendations for Multi-Family/Attached Residential Developments that encourage developments to respect the scale and character of any residential neighborhood. And building facades should be articulated by using color, arrangement or change in materials to emphasize the façade elements, with individual dwelling units architecturally expressed. The project includes a new separated sidewalk with a three foot landscaped

buffer, as recommended by in the Pedestrian Plan to create a more pedestrian friendly atmosphere. Overall, the project meets with all of the Design Guidelines recommendations. However, Staff recommends that specific discussion on issues such as the equal treatment of all façades and fulfillment of the “green line park” along Olive Boulevard should be postponed until the Commission has addressed larger issues related to the appropriateness of the development for this site and the expansion of the “CB” District (see below). Also, the viability of the entire project is dependent upon the decisions of the Board of Adjustment in April (see below).

ZONING REVIEW

Appropriate Expansion of the “CB” District

The “CB” district is the only viable option for these two properties because residential uses are not permitted in the existing “GC” district, offices are not allowed in the “AR” Attached Single-family Residential district, and the “CB” district is the only zoning district that would allow, through the conditional use permit process, for the proposed density of 48.33 units per acre, on a site of 3.6 acres.

As with any rezoning, it is important to remember that, should the project never get built, the rezoning will remain and the Commission should be satisfied that all of the uses in the proposed district (“CB” District in this case) are a better option for the subject property. For guidance on this broad question of whether or not any rezoning should be considered, Section 405.1060.E provides the following:

Zoning regulations should be changed if the public welfare is not served by the zoning or if the public interest served by the zoning is greatly outweighed by the detriment to private interests. In making this determination, the City should consider the adaptability of the subject property to its zoned use and the effect of zoning on property value in assessing private detriment. The character of the neighborhood, the zoning and uses of nearby property, and the detrimental effect that a change in zoning would have on other property in the area are relevant to the determination of public benefit.

As indicated above, the area along Old Olive Street Road, west of Lindbergh Boulevard, has been languishing with older commercial developments and very little sustained investment in the existing development or redevelopment. What little has occurred, has been in the form of a few office buildings and a new car showroom (Lou Fusz Subaru), all of which are as easily accomplished under the “CB” district as the “GC” district. In other words, the “GC” district zoning has not served any unique development interest. Further, the small scale development that is the primary focus of the “GC” district has not performed well in this area; it has not had any special benefit to property values and it will never see the volume of traffic that supports the retail development on Olive Boulevard. The area, especially the south side of Old Olive Street Road, is largely removed from residential areas to the north, and if it were to become the “Commerce Center” as it is referred to in the Comprehensive Plan, it will not have detrimental effects on other properties in the area any differently than the other, highly successful, Core Business districts in the City.

Assuming the Planning Commission believes there may be sufficient public or private interests that could be served by the proposed rezoning and the associated project, and regardless of the applicant’s pragmatic interest in the “CB” district, the Commission must also believe that the proposal furthers the purpose of the district. The stated purpose of the “CB” District is:

SECTION 405.370: “CB” CORE BUSINESS DISTRICT

- A. *Purpose And Intent. The “CB” Core Business District is intended by site concept and site development plan approval (see Section 405.1080) to guide and control private development and redevelopment of the major business districts of the City of Creve Coeur in coordination with related public improvements and services. Specifically, the district is intended to:*

1. *Relate the development of retail, office and multi-family residential uses servicing both a City-wide and subregional service area to an adopted development plan for the major business areas including land use, phasing and public improvement elements.*

Although the project has only a minor benefit to public improvements (the reduction in the excess right-of-way on Olive Boulevard), it does expand the multi-family residential presence in an area that wants for more customers and new development. Thus the proposed redevelopment of the site would appear to meet with the overall purpose of the district for the area.

Dimensional Issues

The project area is adjacent to the Pavilion Shopping Center which is zoned "CB" Core Business, so there is no minimum district size issues and both parcels meet the minimum lot area requirement. There are, however, conflicts with a number of other dimensional regulations, as outlined below:

SECTION 405.370: "CB" CORE BUSINESS DISTRICT

- E. *Dimensional Regulations. The following area and yard regulations apply in the "CB" Core Business District.*
 2. *Lot size requirements.*
 - b. *Minimum lot width. One hundred (100) feet.*

As indicated above, the applicant is proposing a boundary adjustment between the two properties, reducing the minimum lot width of Parcel 2 from 126.72 to 76.64 feet. Prior to any boundary adjustment this would need to be revised to meet with the above district requirement. However, since this would not impact the overall development, Staff does see this as a critical issue. Any condition of approval will require this change.

SECTION 405.370: "CB" CORE BUSINESS DISTRICT

- E. *Dimensional Regulations. The following area and yard regulations apply in the "CB" Core Business District.*
 3. *Building bulk regulations.*
 - a. *Maximum structure height. No building or structure shall exceed four (4) stories or sixty (60) feet in height. Developments on lots of three (3) or more acres shall have no height limitations, provided that buildings exceeding six (6) stories or ninety (90) feet in height receive a conditional use permit in accordance with Section 405.1070. In addition, properties adjacent to any single-family residential zoning district shall meet a sky exposure plane requirement. The sky exposure plane will be measured from a line located forty-five (45) feet above grade and one hundred (100) feet from the property line on the non-residential site and will have a slope of thirty degrees (30°) rising towards the center of the site. No portion of the building or structure shall penetrate this sky exposure plane.*

The applicant has provided the graphic below to demonstrate the conflict between the requirements of the sky exposure plane and the proposed building:

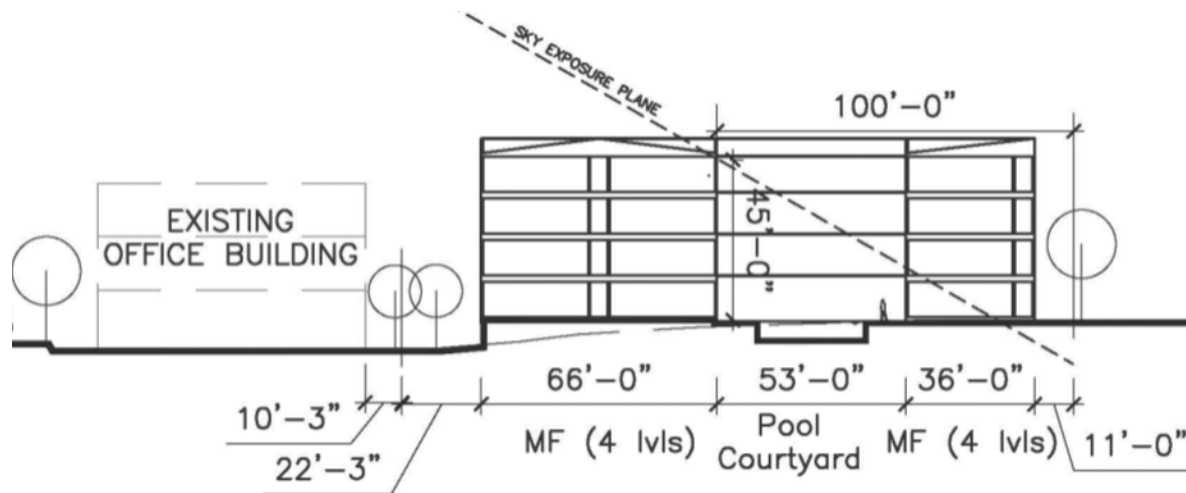


Figure 8: Sky Exposure Plane

The portions of the building above the dashed line labeled “Sky Exposure Plane” are not permissible under this regulation. A variance will be required to build in that area.

SECTION 405.370: "CB" CORE BUSINESS DISTRICT

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

4. *Yard and setback requirements.*

- a. (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.

The applicant is negotiating the purchase of a 120-foot wide strip of additional green space along Olive Boulevard from MoDOT in order to increase the greenspace on the site and provide an area for stormwater detention. However, a condition of the sale of the property is that no structure, nor access, will be allowed within the purchase area. Therefore, the proposed building cannot be located within 80 feet from the reconfigured Olive Boulevard right-of-way, thus raising another question before the Board of Adjustment.

SECTION 405.370: "CB" CORE BUSINESS DISTRICT

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

4. *Yard and setback requirements.*

- 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 proposed side setback is 11 feet, where the typical minimum allowed is 10 feet, but the preceding calls for a 200-foot buffer yard because the building is over three stories and adjacent to an “AR” Attached Single Family Residential District. Even if the building were three stories, it would still not meet the 50-foot buffer yard requirement. It is interesting to note that the requirements for the sky exposure plane and buffer yard would be inconsistent with the recommendations of the Comprehensive Plan and Design Guidelines to avoid spatial gaps and interruptions along the “streetscape”. These are also issues to be before the Board of Adjustment.

Conditional Use Permit

The prerequisites for the conditional use process, as applied to this use, are as follows:

SECTION 405.470: CONDITIONAL USES

34. *Multi-family dwellings (conditional use in the "CB" district).*
- a. *Shall be located on sites of at least three (3) acres.*
 - b. *The average dwelling unit size shall not be less than nine hundred (900) square feet per unit and no unit shall be less than seven hundred fifty (750) square feet.*
 - c. *At a minimum, fifty percent (50%) of the required vehicular parking shall be provided underground or within a basement garage.*

The applicant is proposing to structure the parking above ground between the residential buildings, thus providing an effective screening of the structure along Old Olive Street Road and Olive Boulevard, in keeping with the intent of the Design Guidelines and the above requirements, which is to limit the appearance of such structure. However, the Board of Adjustment will need to grant a variance to allow all of the parking to be above ground. The applicant has indicated that decreasing the height of the development to three floors is cost prohibitive due to the requirement of a structured garage. Further, undergrounding 50% of the parking effectively prohibits any residential development. The developers of the Kings Landing project received a variance based on this same reasoning.

Assistance to the Board of Adjustment

As indicated above, the applicant is pursuing several variances with the Board of Adjustment. In deliberating on the merits of the variances, the Board must contemplate the following findings:

SECTION 405.1110: VARIANCES AND APPEALS

- D. *Criteria For Variances, Generally. The Board of Adjustment shall not grant a variance as authorized herein unless it shall, in each case, make specific written findings of fact directly based upon the particular evidence presented to it that support all of the following conclusions:*
1. *The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district;*
 2. *The variance requested is because of a unique hardship not created by the applicant or owner of the property;*
 3. *The granting of the variance shall not adversely affect adjacent property owners or residents;*
 4. *The strict application of the provisions of this Chapter from which a variance is requested will cause severe practical difficulty or extreme hardship for the property owner represented in the application;*
 5. *The variance desired will not adversely affect the public health, safety, order, convenience or general welfare of the community; and*

6. *Granting the variance desired will not violate the general spirit and intent of this Chapter.*

While there is no suggestion here that the Planning Commission should attempt to dictate findings to the Board of Adjustment, it will be difficult for the Board to assess adverse impacts upon the public health, safety, order, convenience or general welfare of the community and determine what the general spirit and intent of the Zoning Ordinance is given the above discussion that raises questions regarding the best way for this property to fulfill the goals of the Comprehensive Plan and fulfill the purposes of the “CB” zoning district. Indeed, absent a need for a variance, it is typically the Planning and Zoning Commission’s purview to determine the appropriateness of the project with the Comprehensive Plan and with Zoning District regulations, as well as the compatibility with the surrounding area. On the other hand, when so many variances are needed, one must question if this project is simply not right for this location.

It is the hope of the staff that by agreeing or disagreeing with the analysis in this report, the Planning and Zoning Commission will generate comments that might assist the Board of Adjustment in its review.

SUMMARY AND RECOMMENDATION

The proposal represents a substantial change for this site that challenges the current zoning arrangement and raises questions about the outcomes intended by the Comprehensive Plan. If built, the project will result in a four-story residential development, at a greater density than previously built in the area, between a three story office building and two, three-story condominium developments; a pattern that is clearly more “Core Business” in nature than “General Commercial.” For the most part, the design considerations regarding the architecture and landscaping are met. However, a full review has not been completed at this time due to the significant issues pending before the Board of Adjustment. As suggested above, staff is seeking direction from the Commission to assist the Board in its review. Specific questions are:

- Does the project meet with the intent of the Comprehensive Plan, or does the lack of direction within the Plan raise too many questions to reach a justifiable conclusion?
- Did the City’s prior action of rezoning the adjacent property to “AR” Attached Single Family Residential create burdens on the adjoining properties that conflict with the Comprehensive Plan?
- Would the proposed residential development offer an acceptable density for the area, or does the Commission wish to see a lower level of development with a maximum of three floors, more in keeping with the existing “GC” District regulations? Does this include residential or only commercial development?

SUGGESTED ACTION

After receiving all testimony and discussing matters at hand, staff request that the Planning and Zoning Commission provide specific direction on the proposal. If the Commission Members find that the proposal is not in keeping with the Comprehensive Plan and are not comfortable with the proposed density that the “CB” District would allow, then they should vote to make a recommendation at the meeting.

If the Commission Members find that the project meets with the intent of the Comprehensive Plan and that the rezoning of the properties to “CB” District provides for the opportunity for further redevelopment, then Staff requests that the Commission vote to continue the matter to a subsequent date following the decision of the Board of Adjustment, in order to incorporate the Board’s decision and prepare the appropriate draft ordinances. The Board of Adjustment is scheduled to review the variance requests at its meeting on Thursday, April 18th. The next Planning and Zoning Commission meeting following will be May 6th.

If the Planning and Zoning Commission agrees that a recommendation should be held until a subsequent meeting, the following is an example motion for a continuance:

“I move to continue application #13-003, the rezoning of 10360-10420 Old Olive Street Road to “CB” Core Business District and the Conditional Use Permit for the four-story, 174 unit residential development at 10360 Old Olive Street Road, referred to as The Vanguard Creve Coeur project, to May 6, 2013, to allow for Staff to prepare the draft ordinances.”

Note that the Commission may substitute a different meeting date as they deem necessary.

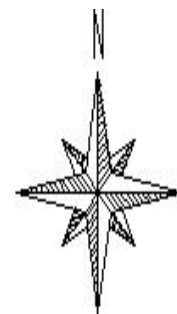
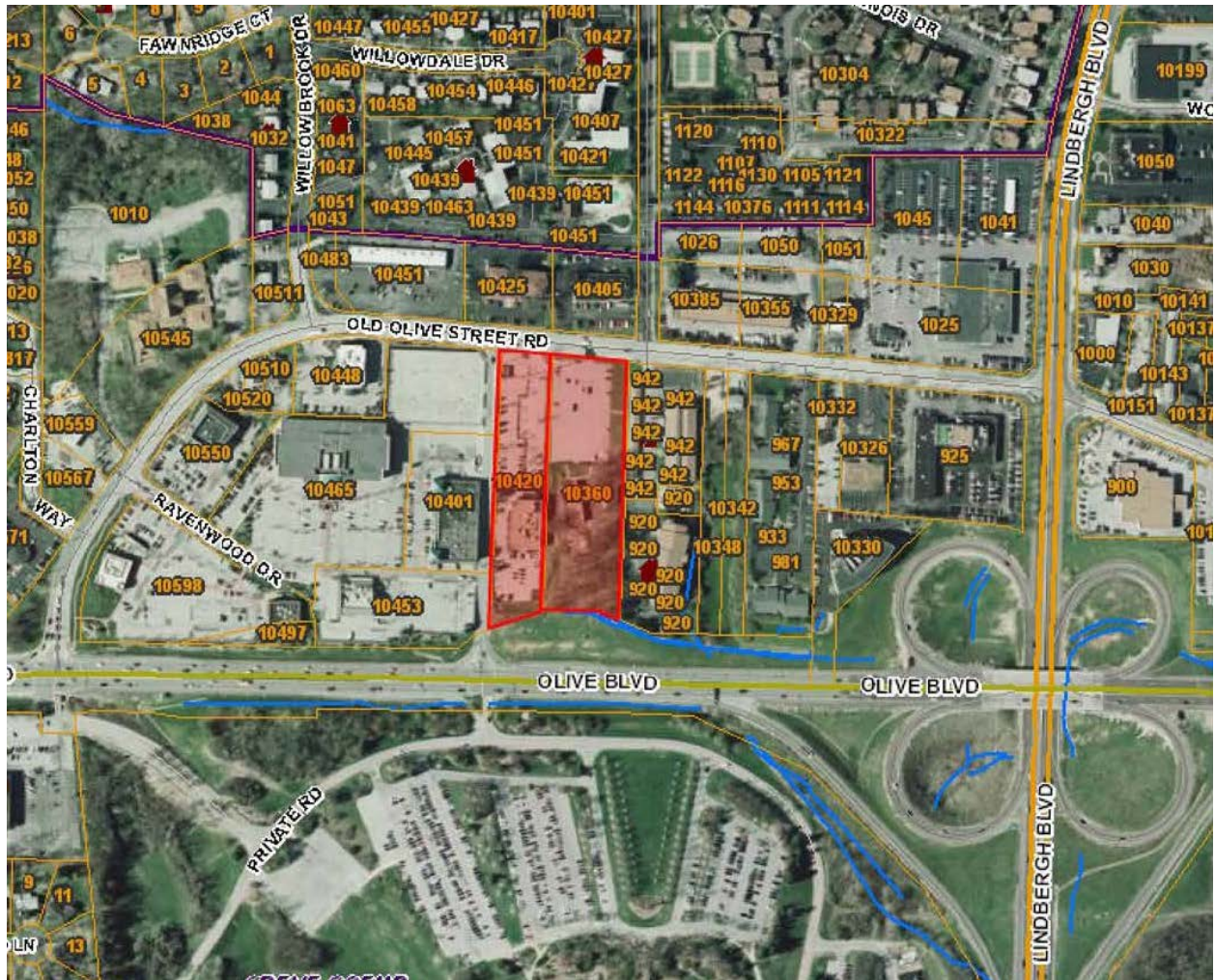
APPENDIX 1: COMPREHENSIVE PLAN

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:
	Description: View of the existing buildings on the subject properties from the northeast corner of 10360 Old Olive Street Road.
	Description: View of the existing vacant church looking northeast from the south parking lot of 10420 Old Olive Street Road.
	Description: View of the Carriage House Condominiums from the northeast corner of the subject property boundary.

	Description: View of the Carriage House Condominium south building from the south parking lot of 10420 Old Olive Street Road.
	Description: View looking northeast at the commercial development across Old Olive Street Road.
	Description: View of the existing office structure that will remain on 10420 Old Olive Street Road.

	Description: View of the existing office development looking northwest across Old Olive Street Road.
	Description: View looking west along Old Olive Street Road from the northeast corner of the subject properties.
	Description: View looking east along Old Olive Street Road from the northwest corner of the subject properties, Lou Fusz Service Center on the left and the Carriage House Condominium north buildings on the right.

PZ 040113.txt
1 PLANNING AND ZONING COMMISSION PUBLIC HEARING
2 CITY OF CREVE COEUR, MISSOURI
3 300 NORTH NEW BALLAS ROAD
4 MONDAY, APRIL 1, 2013
5 7:00 P.M.
6 PUBLIC HEARING
7 APPLICATION 13-003
8
9 THOSE IN ATTENDANCE:
10 Chairman Timothy Madden
11 Mr. Michael Barton
12 Mr. Gary Eberhardt
13 Mr. James Faron
14 Mr. Ken Howard
15 Mr. James Schnarr
16 Mr. Carl Lumley, City Attorney
17 Mr. Paul Langdon, Director of Community Development
18 Ms. Whitney Kelly, City Planner
19 Ms. Julie Lowery, Recording Secretary
20
21
22 McLaughlin Court Reporting Services, Inc.
23 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
24 4772 Gatesbury Drive
25 St. Louis, MO 63128
(314)487-2259

1 CHAIRMAN MADDEN: Good evening. I'd like to¹
2 call together the Planning Zoning Commission Meeting for
3 the City of Creve Coeur, Missouri for Monday, April 1st,
4 2013.

5 We'll start with roll call.

6 Dr. Michael Barton?

Page 1

7 MR. BARTON: Present.
8 CHAIRMAN MADDEN: Mr. Gary Eberhardt?
9 MR. EBERHARDT: Present.
10 CHAIRMAN MADDEN: Mr. James Faron?
11 MR. FARON: Present.
12 CHAIRMAN MADDEN: Mr. Ken Howard?
13 MR. HOWARD: Present.
14 CHAIRMAN MADDEN: I know Ms. Cynthia Kramer will
15 not be here tonight.
16 Mr. Jim Schnarr?
17 MR. SCHNARR: Present.
18 CHAIRMAN MADDEN: Mr. Carl Lumley, our City
19 Attorney?
20 MR. LUMLEY: Present.
21 CHAIRMAN MADDEN: Mr. Paul Langdon, our Director
22 of Community Development?
23 MR. LANGDON: Present.
24 CHAIRMAN MADDEN: Whitney Kelly, Our City
25 Planner?

2

1 MS. KELLY: Present.
2 CHAIRMAN MADDEN: And, Ms. Julie Lowery, our
3 Recording Secretary?
4 MS. LOWERY: Present.
5 CHAIRMAN MADDEN: That'll move us to B, Public
6 Hearing for Application No. 13-003: Approval for the
7 rezoning of 5.26 acres to Core Business District and a
8 conditional use permit for The Vanguard at Creve Coeur, a
9 multi-family residential development.
10 MR. EBERHARDT: Swear in public hearing?
11 CHAIRMAN MADDEN: Yeah.

12 And anybody that may be commenting on this, if
13 you'd come up right now and be sworn in, so we don't have
14 to do it one by one. So if you are going to come up and
15 comment, please come up now and be sworn in.

16 (Speakers were sworn by the court reporter.)

17 CHAIRMAN MADDEN: Would you please state your
18 name and address for the record.

19 MR. BRASWELL: My name is David Braswell with
20 Covington Realty Properties. Offices at 135 North
21 Meramec, St. Louis, Missouri 63105.

22 I'm here tonight to, hopefully, get your support
23 in a project called The Vanguard at Creve Coeur.

24 VOICE IN THE AUDIENCE: Pardon me, can he speak
25 a little louder, please.

1 CHAIRMAN MADDEN: There you go. That might help³
2 having it little closer.

3 MR. BRASWELL: Is that better?

4 CHAIRMAN MADDEN: Yes.

5 MR. BRASWELL: Thank you.

6 The property is located at 10360 Old Olive
7 Street Road and 10420 Olive Street Road.

8 Could we have the site on the overhead?

9 All right. Again, the -- let me orient you on
10 this site plan.

11 This is Old Olive Street Road, and Olive
12 Boulevard would be at the bottom of the page.

13 The site, 10360 Old Olive Street Road, is this
14 long narrow site that runs from Old Olive to Olive
15 Boulevard, and at the same time, 10420 is this narrow site
16 that runs from Olive -- Old Olive to Olive Boulevard.

17 Both sites are being proposed to be rezoned from
Page 3

18 General Business to Core Business.

19 The reason for that, in working with
20 Mr. Langdon, this entire area, the retail center to the
21 west, is also Core Business. Many of the properties
22 surrounding it are Core Business.

23 The concept here was not to leave a property,
24 which is a three-story office building here, owned by
25 Dr. Branson, who is the seller of this site, to leave this

1 as a General Business District with -- with a Core
2 Business on either side.

3 What we're doing is we're asking for both
4 parcels to be changed and zoned Core Business. That would
5 be contiguous to this, thereby, this entire area would
6 then be a Core Business District. Okay.

7 What we're proposing, again, this is the --
8 let's call it the eastern site, Parcel One; the office,
9 Parcel Two.

10 Entire parcel is made up of 5.6 acres, and what
11 we're proposing on the eastern parcel is 174 multifamily
12 apartments for rent with a parking structure in the
13 center, which is grade plus three, and you see that in
14 the -- the section down below.

15 What -- and, by the way, this section is
16 basically cut right down the center of here, so what you
17 see is a building on the north, the courtyard here, the
18 parking structure here, another courtyard in this
19 building.

20 The building generally wraps on each side the
21 parking structure, so that from -- from this -- this side
22 you basically see parking units, a break where you enter

23 the garage and more units.

24 In addition to this parcel and this parcel, I am
25 in the throes of acquiring approximately .5 acres from

1 MoDOT. The current highway right-of-way jogs up -- up 5
2 this hill, almost to this point and then goes back down.

3 I'm trying to buy approximately 120 feet from,
4 what would be now the new right-of-way up to the existing
5 boundary on the south side of this property.

6 The -- again, I mentioned that the whole site is
7 5.6 acres. This parcel is 3.6 acres, leaving the office
8 parcel of 1.6 acres. Again, the existing current zoning's
9 Core Business -- General Business. We're requesting Core
10 Business with a conditional use permit.

11 The conditional use permit is required to get
12 the density I'm asking for, and it only occurs -- which is
13 above 20 units to the acre, which is only allowable under
14 the Core Business conditional use permit.

15 The FAR on this site is the acreage multiplied
16 by 1.25. It's approximately 196,000 square feet.

17 We -- as I understand it, I'm sure that you have
18 the -- I assume they have the staff report, or we meet the
19 site coverage as indicated in the ordinance.

20 There are several issues that I will request a
21 variance are -- on, and that meeting at that ward is set
22 for two weeks from -- no --

23 MR. LANGDON: On Thursday. Two weeks from
24 Thursday.

25 MR. BRASWELL: Two weeks from Thursday. Thank

1 you. 6

2 They are -- when I'm -- I'm adjacent to, on my
Page 5

3 eastern border, a multifamily condominium community.

4 The way it's stated in the ordinance, when I'm
5 adjacent to a designation, this is designated AR under the
6 zoning ordinance, I must have a buffer of 200 feet from
7 that AR District. My site from this corner to this corner
8 is 192 feet. That would be a variance request.

9 The other -- one other item is that I must be no
10 further away from a right-of-way on this property line
11 than 80 feet.

12 As I told you, I'm buying 120 feet of that from
13 MoDOT, with the stipulation that I can't build on it
14 because of the -- of the existing approximately three to
15 one slope.

16 It's impossible to achieve that maximum setback
17 of 80 feet when I'm buying 120 feet, and I can't move the
18 building close enough to get it within 80 feet without
19 constructing it on the parcel I would be buying from them.

20 And, again, the restriction on that parcel is I
21 cannot build on it. I can landscape it. I'm planning a
22 detention basin, but I can't build a building on it.

23 What's the third point?

24 MR. LANGDON: The requirement for the parking
25 garage being underground versus above ground.

1 MR. BRASWELL: Which was the first point. Yes.⁷

2 Under the CB District, there's a requirement
3 that I believe 50 percent of the parking for multifamily
4 must be beneath the building. What I'm proposing is a
5 parking structure that starts on grade and goes
6 vertically. Just -- and that, again, is my third request
7 before the Board of Adjustments.

8 There will be a combination of one-bedroom,
9 two-bedroom and three-bedroom units. The ordinance
10 requires that the average units -- average unit size is no
11 smaller than 900 square feet. Our units -- our average is
12 larger than that. It also requires that no unit can be
13 smaller than 750 feet.

14 We will have approximately 30 percent
15 one-bedroom units; about 60 percent two-bedroom units, and
16 it will be a smattering of some threes. All two-bedrooms
17 are two baths; all three bedrooms are two baths.

18 The market study we did was very pleasing in
19 that the rents will start for one-bedroom, approximately
20 750 square feet, close to \$1,200 a month. That number
21 will, for a three-bedroom, will be probably just over
22 \$2,000 a month.

23 These are planned as high-end luxury units,
24 9-foot ceilings, wood flooring, granite countertops, on
25 and on and on.

8

1 Are there any questions, please?

2 CHAIRMAN MADDEN: Any questions?

3 Mr. Faron.

4 MR. FARON: Is -- is the possible fourth
5 variance the sky exposure plane, is that --

6 MR. BRASWELL: Yes. Thank you.

7 The sky exposure plane which, basically,
8 indicates that you move in to the property 100 feet, go
9 45 feet in the air and project from that point a 30-degree
10 angle.

11 It would basically -- I could basically build a
12 building, maybe the length of this property, about that
13 wide, with that sky angle plane of a 30-degree angle.

14 That's the fourth requirement -- request of Board of
15 Adjustment.

16 CHAIRMAN MADDEN: Do one of you want to go next
17 or --

18 MR. LANGDON: Yeah.

19 CHAIRMAN MADDEN: Okay.

20 MR. LANGDON: If you're ready.

21 CHAIRMAN MADDEN: Pardon me?

22 MR. LANGDON: If you're ready for me.

23 CHAIRMAN MADDEN: Yeah, we are.

24 MR. BARTON: I was just going to get some
25 clarification --

1 CHAIRMAN MADDEN: Oh, I'm sorry. Dr. Barton. ⁹

2 MR. BARTON: -- real quick, and I don't know how
3 much it affects things. I was just trying to get
4 understanding.

5 Is there an exchange of ownership or does --

6 MR. BRASWELL: Yes.

7 MR. BARTON: -- Dr. Branson still maintaining
8 the ownership of his property?

9 MR. BRASWELL: Dr. Branson still maintaining the
10 office parcel, and I will be purchasing approximately
11 3 acres from him.

12 MR. BARTON: And then -- and then there's cross
13 access easements --

14 MR. BRASWELL: Yes.

15 MR. BARTON: -- I guess?

16 MR. BRASWELL: Yes, sir.

17 CHAIRMAN MADDEN: Mr. Eberhardt.

18 MR. EBERHARDT: On your eastern boundary, you

19 say that abuts a Residential Development, AR?

20 MR. BRASWELL: Yeah, this is -- this is
21 designated as an AR Residential District condominium.

22 MR. EBERHARDT: And what kind of a buffer or
23 screening is there between your apartments and those?

24 MR. BRASWELL: Currently nothing. There's a --
25 see this long rectangle here --

1 MR. EBERHARDT: Uh-huh. 10

2 MR. BRASWELL: -- that's a one level multicar
3 car garage, but there's nothing else. There's not a
4 screen or a fence or anything.

5 This -- this sort of acts as one, but there's --
6 basically, that's a parking lot here. Garage here.

7 MR. EBERHARDT: And what is the closest
8 residential unit to your building on --

9 MR. BRASWELL: It would be -- this actually is
10 the edge of the parking lot, so there's a building right
11 here, and it does not show up on -- on here.

12 Building No. 1, the northern building and the
13 southern building, and there's the long parking garage,
14 and there's the entry off of Old Olive. And the property
15 line then is right there.

16 MR. EBERHARDT: Thank you.

17 CHAIRMAN MADDEN: Are -- are you going to put
18 something on your property line between -- like either a
19 fence or landscape or something between you and their --

20 MR. BRASWELL: Well, yeah, between the setback
21 there would be landscaping here, and we submitted a
22 landscaping plan.

23 CHAIRMAN MADDEN: Okay.

24 MR. BRASWELL: But there's no other visual
Page 9

25 barrier other than landscaping.

11

1 CHAIRMAN MADDEN: Okay.

2 MR. EBERHARDT: And is that side a blank wall or
3 does it have windows or --

4 MR. BRASWELL: No, there are -- there are
5 windows on -- on these -- this side and this side, and
6 then this is the -- this is the parking structure.

7 MR. EBERHARDT: Right.

8 MR. BRASWELL: Which, typically, what I've done
9 in the past on those, you know, they have a -- what I call
10 a spandrel, which -- is concrete, but I'm actually just
11 finishing one in University City near 170 and Delmar and
12 -- thank you -- and what we've done there is you can take
13 this spandrel, which is this, and you can do a number of
14 things with it.

15 What we did on the current one is put a form
16 liner in the concrete form, which looks like stone. You
17 can do brick, about -- about whatever your imagination
18 can think of to make those look more than just a blank
19 concrete panel.

20 This -- this is the proposed elevation from the
21 office building site. And, as you can see, this is the
22 garage and the units, and then this is just a blowup of
23 that piece right there.

24 I got a better one. It's -- the -- and the east
25 elevation is -- you'll see the expanse of the garage and,

12

1 again, these spandrels, again, this is a grade plus three
2 levels here, and then units on each end similar to the
3 other, but, again, there's -- there's not sufficient depth

4 on the property to wrap both sides of the garage.

5 The other -- just -- just for reference, this
6 was the landscape plan we submitted for the entire site.

7 And one other thing I might mention is that on
8 this landscaping plan, you've got -- I mentioned you have
9 this courtyard here and a courtyard here, one of which
10 we've got a pool and another just a water feature.

11 In addition to that, on the upper level of the
12 garage is what we would refer to as a rooftop garden,
13 which is, you know, place for sunbathing, we'd have up
14 there what they'd call a splash pool, you know 20-inch
15 deep body of water, and just a place for people to hang
16 out, sunbathe, and typically there would be barbecue
17 grills up there as well. Similar in both of these
18 courtyards.

19 One thing I might mention, the property is
20 elevatored, but -- but what's unique about this sort of
21 garage structure, people can actually drive -- if they
22 live on the second floor, they can drive up to the second
23 floor, and you enter at four points off of that garage to
24 go into the corridor on the level in which you're living.

25 So people sort of self-distribute to where

1 they're at. They generally just don't use the elevators.¹³

2 This first floor along here would house our
3 leasing office and the work-out room and all the amenities
4 that would be available for the residents.

5 CHAIRMAN MADDEN: Okay. Thank you.

6 MR. BRASWELL: Any more questions?

7 CHAIRMAN MADDEN: Not right at this moment, I
8 don't think.

9 Why don't we hear from Paul, and then I'll let

10 the people in the audience comment.

11 MR. LANGDON: Feel like I'm sitting in your
12 laps.

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

15 My name's Paul Langdon. I'm the Director of
16 Community Development for the City of Creve Coeur.

17 The applicant has given you a thorough
18 walk-through of the site and the project itself.

19 As he's identified, there are a number of issues
20 related to the zoning as it sits today.

21 The basic expansion of the Core Business
22 District is not unusual. It is a continuation of the
23 basic form, which is fairly intensive development.

24 We call it the Pavilion Shopping Center. Has a
25 number of retail units, it has office over retail in the

1 northwest corner. It has the theater, and it does have a¹⁴
2 parking deck, albeit a rarely used parking deck.

3 The drive that runs down beside it, Pavilion
4 Drive, was never intended to be a public street. It is
5 not today a public street.

6 It was intended to be an access for traffic
7 leaving en masse from the theater. That's where it
8 originated. The theater is right here. That's Pavilion
9 Drive. That's the parking deck, you have restaurants and
10 retail, restaurant, restaurant, restaurant, mixed office
11 and restaurant back here and retail.

12 The -- the driveway is really only built to
13 driveway standards in terms of width. The turning radius
14 here, if any of you have tried to negotiate it at a busy

15 time, is not very good, and certainly that's something
16 we're mindful of as we move forward.

17 Also you have some newer office located here at
18 the corner and you have comments received last time from
19 the owners of that building that have concerns. You also
20 have the Carriage House, which has been referred to. You
21 received comments last time on that, and I think you'll
22 get comments tonight from residents there.

23 These are all factors that we're aware of.

24 I think one of the things that you also need to
25 be aware of, and I don't want to presume on the Board of

15
1 Adjustment here, but it does help with the general
2 understanding of how we got here and some of the issues,
3 that not only will the Board of Adjustment will be looking
4 at, but I think that you all need to look at as well, and
5 that is the zoning history of this area.

6 It has been commercially zoned along Olive
7 Street Road since the City incorporated. This is part of
8 the original incorporation area. At the time there was no
9 Olive Boulevard, this is where Olive went. And this was
10 always seen as an area coming off of Lindbergh for
11 commercial development.

12 When Carriage House came along, the project, as
13 a concept, the City did not have a Multifamily District
14 that could handle it. It was proposed actually originally
15 over here close to Lindbergh or over here where there's
16 currently an office building.

17 At the time they developed the Multifamily, it
18 was called Planned Multifamily Development, the P
19 District. And it allowed for higher density, which
20 Carriage House is. It allowed for shorter setbacks and

21 less green space. Basically, it was a compression of the
22 what was conventional garden apartments at the time. This
23 was the early 1980s.

24 The two sites failed, but ultimately Carriage
25 House came out of that zoning. Ultimately, the City

1 decided that that P District was not very workable, so¹⁶
2 they reworked it into what became the MF or Multifamily
3 District.

4 In addition, there was the AR, Attached Single
5 Family, which is sort of townhouses, and then there are
6 all this Single-Family Detached Districts.

7 Carriage House was zoned Multifamily. That's
8 important because going forward you had a multifamily
9 parcel surrounded by commercial development or commercial
10 zoning.

11 And commercial zoning popped up over the years.
12 You had the development take place here at Pavilion, which
13 initially stage you see, but then went to Core Business.
14 Had all this development along the north side, the
15 expansion of Lou Fusz with the Subaru dealer.

16 You have the office building here right at the
17 interchange ramp, the other dealership and some various
18 offices and a -- and a school right here, a private
19 school. So you saw a variety of different development.

20 In the late 1990s, the City, 1997, the City
21 adopted a new zoning code. It was a complete rewrite. A
22 lot of new standards were brought in.

23 One of those was anything in the Core Business
24 District had to provide this 200-foot buffer if it was
25 adjacent to Single-Family Residential.

17

1 Remember at the time that there was still
2 Multifamily Residential. There was a clear break there
3 when you were beside Single-Family, you had big buffers.
4 If you were beside Multifamily, no buffer.

5 In this case you had multifamily development,
6 and so there was no presumption that they were creating
7 some sort of a -- a buffer zone around that particular
8 development or any like it, frankly.

9 Just a couple years after that zoning code was
10 adopted, there was a move in the City to get rid of all
11 Multifamily zoning. There would be no more Multifamily
12 zoning as a designation. Any properties that were zoned
13 Multifamily would be zoned something else.

14 In that effort, this along with all the other
15 apartment complexes, were evaluated for what was the best
16 district, because, as you know, that's not a townhouse.
17 That is not attached Single-Family development, but it's
18 also not a business either, it's where people live.

19 So they decided at the time that the best use or
20 the best district would be AR, even though it isn't AR, it
21 doesn't meet any of the standards of AR, at least AR was a
22 Residential District that allowed somewhat higher density,
23 and that's about as far as -- as this project went along
24 with it.

25 The problem though is that now you brought along

18

1 a whole bunch of protection standards for a style of
2 development that were never intended to go with this style
3 of development. But that's the way it went, and that's
4 what we have today, AR zoning on a multifamily project.

5 Several years go by, the General Commercial

6 zoning stays in that area. Nothing happens.

7 Comprehensive Plan is written in 2002. There's
8 specific wording in there that the City should envision
9 this as a Commerce Center. That's the name given to this
10 district of the City. There's wording in there that says
11 the City should be prepared and should encourage
12 large-scale redevelopment, sophisticated redevelopment
13 with high design -- design standards and should, in fact,
14 it goes as far as encouraging a green-tape approach,
15 meaning minimum restrictions; make it happen. Even with
16 that, nothing happened.

17 The Pavilion really was it. And that was the
18 only thing that -- that was taking place. Lou Fusz did
19 the Subaru dealer, which, compared to the other portions
20 of the complex, again, that's it right here, compared to
21 the repair center and the size of the Nissan and Mazda
22 dealers, it's much, much smaller. It simply wasn't taking
23 place.

24 The only other project was this one, which is
25 three stories and actually fits within the General

1 Commercial zoning, but the owner of that building will¹⁹
2 tell you that if he could have done more, he would have
3 done more. Because he had access and because he had
4 location, he knew that he could make the project work, but
5 he didn't have the zoning, and he didn't have a big enough
6 piece of land to qualify for a stand-alone Core Business
7 District.

8 He would have, in effect, been spot zoning had
9 he done that, which is curious, because when they zoned
10 this Carriage House project -- sorry -- this Carriage

11 House project to AR, they effectively spot zoned a piece
12 of property. It doesn't fit in. It's surrounded by
13 Commercial. It doesn't fit the district it's in. It was
14 a zoning of convenience.

15 We move ahead another several years, and this
16 project comes along. They're looking at a set of new
17 circumstances. The market has changed. The expansion of
18 the plant science region, if you will, with Monsanto, this
19 is -- you can see a little bit of it here, of course,
20 Monsanto's, you know, over to the west, and you have the
21 Danforth Plant Science Center and Bridge Park and now
22 the -- the Healing Center, which is owned by St. Louis
23 County, all starting to form a district. They're starting
24 to grow.

25 Part of that market study that the applicant

1 referred to looked at the growing number of people working²⁰
2 in that area that had need for this style of housing.

3 You have in your packets, and it was on the dais
4 today, letters from Danforth Plant Science Center, as well
5 as Bridge Park and Wexford encouraging the project because
6 a lot of the people that work in those centers are looking
7 for this style of housing.

8 They're coming here from out of country; they're
9 coming here from other parts of the country, they may or
10 may not stay here. They are used to a different style of
11 living in many cases and they don't want to commute.

12 Remember that back when some of this zoning was
13 done, and even at the -- in 2002, we weren't looking at
14 nearly as much interest in people living close to where
15 they work. Commuting was a part of what Creve Coeur was
16 and still is to a large degree, but it's on -- the

17 commuting is on the decrease and people wanting to live
18 close to work is on the increase.

19 And the Plant Science Center has, as a region,
20 has really seen a push amongst the people living -- or
21 working there to -- to have more housing choices nearby.

22 So that's kind of led to the genesis of this
23 project and -- and the Applicant's interest in it. It
24 really raises a lot of questions for us though.

25 Regardless of the architecture, regardless of

1 the materials, the details of the landscape plan, I think²¹
2 we first have to address this question of is this the
3 right direction for this area.

4 The Board of Adjustment has very specific issues
5 to look at, and their discussion will be focused on those
6 issues. But one of the questions they have to answer is
7 if the variances are granted and the project is built,
8 will it be a detriment to this property, to the properties
9 around it, or the City in general.

10 That's a big question, because in some ways this
11 follows with the pattern of development that's been
12 anticipated in the Comp Plan, but it's very much not in
13 following with the zoning that's in the area.

14 We haven't seen a project like this in the City
15 before except for Kings Landing. Kings Landing -- well,
16 and I take that back. Summit Lofts is very similar,
17 although not as big. It's that -- that sort of dense
18 urban model, very short setbacks, it's really, you know,
19 the buildings go right to the edges and everything is
20 focused inside. The rents are very high.

21 And I can report that the tenancy in those

22 projects is also very high. They are functionally full
23 all the time now. So there is market interest.

24 The question for you all, I think, as the
25 Planning Commission, and this really starts to preempt

1 some of the Comprehensive Plan discussions that we'll get²²
2 into later this year, is where is this area headed. Is
3 this an area that's headed for this style of development,
4 or is this an area that should be pressured to stay below
5 three stories and stay within that General Commercial
6 limitation.

7 What you see out there today, although dated, is
8 effectively what General Commercial allows. It's fairly
9 dispersed. Fairly low. Fairly low intensity.

10 Core Business, as you know, is City Place, it's
11 North New Ballas. It's the area that runs across the
12 interchange and over to Westgate. You know, that's Core
13 Business zoning. West Park on the far side of the City,
14 that's also Core Business zoning. It is a different
15 character. It is more urban in style. It is more dense.

16 Where I think you can be of the most service to
17 this process at this time is to look into that issue and
18 speak to it, so that we can then help the Board of
19 Adjustment as they deliberate on this question of harm.
20 Is there a harm or is this actually a good thing for the
21 area.

22 There's no question that's a dramatic change for
23 the properties around it. Property to the west is a part
24 of the project, so one presumes they're in favor. We
25 haven't heard from the projects to the north. Carriage

1 House residents, some of them, at least, are opposed to²³

2 the project. This is a dramatic change for them. It's a
3 parking lot beside them today. You know, this is all
4 parking lot right here.

5 This is one small building, and you got a house
6 right there, the manse, I suppose it was, for the church.
7 And the rest of it's all landscape. Now you'll have a
8 building that fills almost that entire space. That's
9 dramatic change.

10 But is that the dramatic change that the Comp
11 Plan was seeking.

12 And I suppose that's the first question I really
13 have for you. What do you think? Because we will take
14 these comments forward to the Board of Adjustment.

15 I'm not looking for you to recommend the project
16 tonight. In fact, I encourage you not to. I'm not
17 looking for you to say that you would approve the project,
18 but the first question, is this the right kind of project.
19 We've seen this before. It's a great project, it's in the
20 wrong place. Is that the case here or is this the right
21 project to lead the way to a different future than the
22 last 20 years we've seen in this area?

23 CHAIRMAN MADDEN: Mr. Eberhardt.

24 MR. EBERHARDT: What's the approximate
25 employment at the Danforth Science Center of people who

1 might be utilizing these kind of apartments, do you have²⁴
2 any feel for that?

3 MR. LANGDON: I don't know that I can answer
4 specifically to Danforth. I believe it's in the 200
5 employees range. I believe Wexford is similar. Helix
6 just started, so there's very little there. Monsanto's,

7 you know, is essentially 24-hour operation, but I think
8 their peak on campus employment at any one time is about
9 3,000.

10 Those areas are growing. Recall there's two
11 more phases to the Wexford project, both of which are
12 larger than Phase I. And then Helix is, I believe, about
13 115,000 square feet, only 20 percent or so is full right
14 now.

15 MR. EBERHARDT: Thank you.

16 CHAIRMAN MADDEN: Mr. Faron.

17 MR. FARON: In regards to the Comp Plan, it
18 seems like this project is very favorable to a lot of
19 things in the Comp Plan, as I've read the staff's report
20 and delved a little deeper into that.

21 It seems like we've attempted to lay out options
22 for this site in this area before, and it hasn't taken
23 off. I don't know if we want to continue to do that.

24 There also seems to be support from the
25 companies in the vicinity. I know we have some -- some

25
1 push back from some businesses in the vicinity, but some
2 of the larger companies, the biotech companies definitely
3 make a good point in allowing some residential options for
4 their workers and people that are in that area not to have
5 to drive somewhere to -- to lunch, do lunch, or just exist
6 and live in that vicinity.

7 It seems like in the past there's been a
8 convoluted direction to where this Carriage House building
9 exists now as its zoning is in place.

10 In taking into consideration some of the
11 comments that were made before, the previous meeting, is
12 there a possibility of softening Pavilion somehow to

13 appease the people that were against the -- or stating
14 that there could be some traffic problems, you know,
15 adjusting that? I know one of the traffic reports stated
16 that the stop sign is not of a typical nature. Maybe
17 that's something to start with. Widening it slightly.

18 Is there an option to put a light up at
19 Guelbreth and across from Carriage House? I know that's a
20 nightmare to come in and out of for some of the residents
21 there.

22 Things of that nature. I mean I think there's a
23 lot of options here to try to make this project work.

24 I know the Applicant said that dropping it a
25 story might make it unrealistic, but would that change the

1 zoning? I thought you had said that in the report that²⁶
2 that possibly would eliminate some of the variances that
3 he might have to apply for.

4 MR. LANGDON: Only one.

5 MR. FARON: Only one. The sky plan or the --

6 MR. LANGDON: Yes, the sky plan.

7 MR. FARON: Yeah. So I mean I don't want to go
8 on and on, so I've read this extensively, the staff
9 report, and there's other things I can mention, but I'll
10 -- I'll throw it back to the Commission, see if anyone
11 else has additional comments. But I think we can do some
12 things here to make it move forward on this, not to
13 approve it now, but to definitely look at it a little
14 closer. Maybe we do our own independent traffic study. I
15 think the study was done by the Applicant.

16 We had a similar conflict with Delmar Gardens
17 so, at any rate.

18 Anyone else?

19 MR. HOWARD: I have a couple comments.

20 It seems like the access to this property from
21 Pavilion is the wrong direction. That seems like the
22 wrong street to use.

23 Old Olive is built sufficiently wide to handle
24 this kind of traffic flow. Pavilion just absolutely is
25 not.

1 Has the fire department looked at this -- 27

2 MR. LANGDON: Yes.

3 MR. HOWARD: -- as far as access from both
4 sides?

5 MR. LANGDON: Yeah, I mean fire
6 department's comments -- let me bring up the site plan --
7 keep north up.

8 Right now recall that the primary access is
9 intended to be here off of Old Olive. There is access
10 today right here. It goes into the office building in
11 this parking lot and then it connects through to this --
12 the big parking lot that's here.

13 Obviously, you can see that would still be a way
14 through.

15 The fire department sees this as the primary
16 access and would not want to use this. They did look at
17 being able to negotiate a truck through here, oops,
18 through here to this point where they could then extend a
19 ladder to fight a fire in the south end of the building.

20 Concern being that once you got a truck in here,
21 if you got a truck in here, it would be extremely
22 difficult to get out, especially if there are cars parked
23 there. It -- you couldn't get a ladder truck is what it

24 comes down to.

25 So they have considerable concerns about getting

1 into that property. What they would do, and what the 28
2 Applicant has agreed to work with Demon (phonetic), access
3 is from Old Olive. They come to here and then using a
4 series of the, they call them grass pavers or turf
5 blocks --

6 MR. BARTON: Uh-huh.

7 MR. LANGDON: -- which they've approved in a
8 variety of locations before, a truck can drive down there,
9 only one time use, hopefully if -- hopefully never be
10 used. And again can then reach a point here, where then
11 extend a ladder and fight a fire in the south end.

12 It's, again, not ideal, but at least it
13 does allow them access. They are satisfied with that. We
14 met directly with the fire marshal and with the -- the
15 ladder truck captain, who felt that that was acceptable.

16 And then on the other side, they would access
17 using Carriage House parking lot.

18 MR. HOWARD: Okay. So that would eliminate
19 those trees that we see on this landscape plan?

20 MR. LANGDON: No. No. They work around the
21 trees. They're not worried about that. That's why they
22 keep a chainsaw on the truck.

23 MR. HOWARD: And then isn't this -- if we
24 move this concept, now this is four stories, I think we're
25 looking at three in the form base code Downtown District.

1 This would be -- 29

2 MR. LANGDON: Three up -- three up to six.

3 MR. HOWARD: So this would be the kind of
4 development that we'd like to see --

5 MR. LANGDON: Yes.

6 MR. HOWARD: -- in that area --

7 MR. LANGDON: Uh-huh.

8 MR. HOWARD: -- certainly.

9 MR. LANGDON: Yeah. And to the extent it's
10 relevant to Kings Landing, and Kings Landing is, at least
11 for the last several years, extremely successful, we would
12 encourage more.

13 CHAIRMAN MADDEN: You done?

14 MR. HOWARD: Yes, I am.

15 CHAIRMAN MADDEN: Okay. You know, Creve Coeur's
16 got something really going there, I think, at the corner
17 of Warson and Olive Street --

18 MR. LANGDON: Uh-huh.

19 CHAIRMAN MADDEN: -- and we got this letter here
20 saying that, you know, this is what these people are
21 looking for.

22 I just got back from Italy. You hardly see any
23 houses in Italy. The people live right near where they
24 work.

25 MR. LANGDON: Uh-huh.

1 CHAIRMAN MADDEN: They either take a scooter,³⁰
2 public bus or they walk.

3 And, you know, we're bringing a number of these
4 people in, I think, from other countries, to me this fits
5 right in.

6 Now I also agree with what Mr. Faron said, we've
7 got to make this maybe a little bit more palatable for the
8 neighbors to the east.

9 But this is, to me, a chance for Creve Coeur to
10 really make that Plant and Science Center and everything
11 else that's located over there, maybe really take off, and
12 make it easier for them to recruit world-class people, and
13 the better people we get in there, you know, and then you
14 got Monsanto right across the street, I'm sure there's a
15 number of their people --

16 MR. LANGDON: Yes.

17 CHAIRMAN MADDEN: -- that are single or they,
18 you know, maybe have -- they're married with no kids or
19 just young kids would love to live there.

20 I think this is perfect for this situation.

21 MR. LANGDON: It's important to note this
22 property south side of Old Olive -- or Olive -- Old Olive
23 Street Road is in the Ladue School District, and so we do
24 expect that there will be families living in the building.

25 CHAIRMAN MADDEN: And -- and as far as the

1 traffic, and I'm sure we're going to do an independent ³¹
2 one, well, as long as I've been on here, we can have the
3 two traffic studies will come out exactly the same, and
4 we'll still have people sitting out there in the audience
5 saying they don't know what they're doing, so I mean, and
6 usually when we get done with these projects the traffic
7 people were right, you know, so.

8 MR. LANGDON: I can add to that.

9 The -- we did ask the police department to set a
10 counter out for a week, and get some idea of the amount of
11 traffic on the street. It's a little north of 8,000 cars
12 a day. For a road this size, that's, you know, certainly
13 normal, it could handle substantially more than that.

14 There are no significant crash statistics anywhere along
15 Old Olive until you get down to the intersection with
16 Olive Boulevard, which is a whole different situation
17 because you have cars running the red light going east or
18 west that leads to crashes there.

19 But Old Olive, in general, is not a safety
20 concern today. You know, it's always a question about how
21 much traffic an apartment complex generates.

22 In general, with any residential you see a -- a
23 dispersal of the traffic. They don't all leave at the
24 same time; they don't all come home at the same time.

25 Offices and factories are the worst for that.

1 Schools are another bad one for really creating that focus³²
2 of traffic.

3 But 174 units is going to generate a fair bit.
4 Their traffic study believes that that can be
5 accommodated. Mostly if the traffic stays to Old Olive.
6 It really didn't get into the question of -- of Pavilion
7 and whether we'd have a lot of traffic cutting through
8 here. I think they made some assumptions that were very
9 low. And I think, yes, we would use the City's traffic
10 engineer to verify any of those conclusions.

11 CHAIRMAN MADDEN: Thank you.

12 Okay, Mr. Faron.

13 MR. FARON: If I could go back and mention, on
14 the Kings Landing, was the only variance the parking
15 related to these --

16 MR. LANGDON: That -- yes.

17 MR. FARON: -- four? It was just the parking?
18 The other were in some way, shape or form avoided and
19 addressed at that project?

20 MR. LANGDON: Yes, cause it's surrounded by Core
21 Business zoning, there were only the 10 foot setbacks
22 required --

23 MR. FARON: Okay.

24 MR. LANGDON: -- all the way around so.

25 MR. FARON: And I -- it seems like a project

1 like this, and you can chime in with what your perspective³³
2 on it would be, with the Commercial, the GC above there,
3 and the church that is now for sale --

4 MR. LANGDON: Yes.

5 MR. FARON: -- a project like this could infuse
6 and interject possible regrowth and development there.

7 I mean if we have the flyover coming from the
8 biotech corridor over there, and a lot of people living
9 there, I think business owners love to have that, people
10 living and working within their vicinity.

11 I mean that strip of shops up there have been
12 struggling for a long time. I would think they would love
13 to -- I'm not saying that addresses all the issues, but
14 the depressed area that -- up that -- up on Old Olive
15 there would probably benefit from additional people living
16 in the neighborhood, and it seems like you have stated
17 that in the past so and in our staff report so.

18 CHAIRMAN MADDEN: Paul, before we get too deep,
19 why don't we go to the public comment --

20 MR. LANGDON: Sure.

21 CHAIRMAN MADDEN: -- if that's okay.

22 How many people, by a show of hands, are going
23 to speak tonight from the audience?

24 Three. Okay. I'm going to regret this, but

25 I'll waive the three-minute clock if there's only three of

34

1 you, but I may reinstate it quickly.

2 So the only -- no, you're not on this one.

3 Ma'am, why don't you come forward first. Yes.

4 And when you get up there, could you please
5 state your name and address, please.

6 MS. KRAM: Joan Kram.

7 CHAIRMAN MADDEN: You can pull that microphone
8 down so you don't have to stand on your --

9 MS. KRAM: Better?

10 CHAIRMAN MADDEN: There you go. Great.

11 MS. KRAM: Joan Kram, and I live at 920
12 Guelbreth, which would be like almost next door to this
13 new project they're planning on.

14 I am here representing Carriage House, the one
15 with the porches, the second one on the lot.

16 CHAIRMAN MADDEN: Uh-huh.

17 MS. KRAM: And I am here, as I say, representing
18 them. We are not in favor of this, mainly, as you said,
19 because of the traffic.

20 It's -- first of all, we weren't told if it was
21 going to be apartments or condos. Nobody has -- well, no
22 one has even come and spoken to our president or any of
23 our neighbors in our building to even give them an idea of
24 something to think about.

25 I'd like to know just how this is going to

35

1 affect our property at 920. I don't know what they're
2 going to do as far as -- I don't know what we're going to
3 do or they're going to do or whatever as far as parking,
4 and et cetera, et cetera.

5 I'd like to know if, indeed, this project is
6 passed, when it will start being built and how long it
7 will take to be built.

8 Frankly, and I'm sorry, I think it's
9 Mr. Madden --

10 CHAIRMAN MADDEN: Yes.

11 MS. KRAM: -- I don't agree with you. I don't
12 think it's going to be of any benefit to us whatsoever,
13 and, again, we're getting back to traffic and so forth.

14 And I don't want people to think I don't like
15 kids, cause I love kids, I've got great grandchildren. So
16 please don't feel that I am against that, but it's just
17 going to be -- it's not going to be of any benefit to
18 them. And when we see kids, even now, when they come over
19 to visit grandma and grandpa, and if they're playing in
20 the yard -- in -- we have no yard, so it's our parking
21 lot. And then we're going to have more going on with this
22 new project.

23 I don't know what they're intending -- how many
24 children they're intending to allow, or if anybody with
25 children is interested.

1 But, as I say, I do want to know when this is³⁶
2 projected for; when they are intending to start building
3 if it is passed and how long it will take.

4 CHAIRMAN MADDEN: Okay. When we get done with
5 all three of you, then we'll ask him to come up and answer
6 your questions, okay.

7 MS. KRAM: Pardon me, I'm sorry?

8 CHAIRMAN MADDEN: After the three of you
9 speak --

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10 MS. KRAM: Oh, yeah.
11 CHAIRMAN MADDEN: -- we'll ask him to come up to
12 answer the questions, okay.
13 MS. KRAM: Okay. Fine. Thank you.
14 CHAIRMAN MADDEN: Thank you very much.
15 Mr. Kent. Were you sworn in?
16 MR. KENT: No, I don't believe.
17 CHAIRMAN MADDEN: Okay. Well, then we need to
18 swear you in, please.
19 (Mr Kent was sworn by the court reporter.)
20 MR. KENT: Robert Kent, 13084 Ferntrails Lane.
21 I just wanted to comment, it's not on the map,
22 but just across on the other side of Old Olive Bowl is
23 LaVerne Collins Park. And it's within walking distance.
24 And LaVerne Collins Park has been underutilized, to say
25 the least.

1 And so, perhaps, if we get this development,
2 it'll be attractive to the people in the development,
3 particularly if they have children, which was just
4 mentioned. And in addition we can perhaps justify having
5 put that park where it was.

6 Thank you very much.
7 CHAIRMAN MADDEN: Thank you.
8 Mr. Caldwell. Were you sworn in? I didn't
9 know.

10 MR. CALDWELL: Yes.
11 CHAIRMAN MADDEN: Okay.
12 MR. CALDWELL: David Caldwell, 257 Brooktrail
13 Court.

14 I thank the Chairman for waiving the
15 three-minute rule, but I'll do the best that I can.

16 I would like to maybe ask Mr. Langdon to weigh
17 in on this, but as I look at this project, it can be
18 approved as General Commercial, so he's asking for Core
19 Business, but technically it can't be approved as Core
20 Business either because of all the variances that are
21 required.

22 It can't really be approved as a straight Core
23 Business project. Many variances are needed to make it a
24 Core Business eligible.

25 So my question to Mr. Langdon, why wouldn't this

1 be a Planned Residential District, in which case there ³⁸
2 would be a different set of rules that would apply, and we
3 would talk about the public benefits and so forth, and we
4 would also characterize the project going forward by
5 making Core Business it can be anything that -- if this
6 project failed, as it is proposed, then it's Core
7 Business, it could be anything that is Core Business from
8 now on.

9 So my question -- one of my questions is why
10 wouldn't this be approached as a Planned Residential
11 District?

12 Now, I think Mr. Eberhardt raised the issue
13 about the employment in the area. And I would say that at
14 174 units, this is a drop in the ocean as -- in terms of
15 addressing the housing of the people in the area. I
16 worked at Monsanto, and I know about that.

17 So but if there is a general community interest
18 to provide housing there, then it would equally be
19 possible to use the same zoning that applies to the
20 Carriage House, and make -- put in housing of a similar

21 scale to the Carriage House on that property, and you
22 could provide housing there.

23 There's no reason that -- more -- no more of a
24 reason to extend the Core Business zoning from the west,
25 as there is to extend attached residential or other

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1 residential zoning from the east.

2 So I -- I think that there's -- there are other
3 common sense approaches to this project other than
4 squeezing in the ultimate maximum unbelievable density
5 that is proposed requiring all these variances, and still
6 achieve the purposes of the -- of the -- the Comprehensive
7 Plan.

8 And, lastly, I think -- I haven't seen the
9 traffic studies, I don't know what extent they have been
10 done, but not only the -- the residential -- the residents
11 there, but also some of the businesses have raised that
12 issue so that shouldn't be finalized.

13 There may be people who disagree with it, but
14 that's no reason not to do a full and complete traffic
15 study.

16 So I would encourage continued study, as
17 Mr. Langdon has recommended, on this site.

18 The area does need improvement, and I think it
19 should start with some commitment from the City.

20 Mr. Kent brings up the park. There really isn't
21 adequate sidewalks to take people to that park. You'd
22 have to be walking through parking lots to get there.

23 So, and there are a lot of things that -- the
24 flyover is eons away, if ever, so that shouldn't even be
25 considered in terms of justifying this project.

1 The City needs to make a lot of commitments to
2 improve the infrastructure in the area. And this project
3 is not -- not doing any of that, whereas a Planned
4 Residential District would maybe make some contributions
5 there.

6 So I think we need to apply a lot of common
7 sense and not get mired down in some of the zoning
8 history.

9 CHAIRMAN MADDEN: Thank you.

10 Is there anybody else? Okay.

11 Paul, would you like to answer those comments?

12 MR. LANGDON: Just answer them from here.

13 The -- the key issue with the Planned
14 Residential is that one of the requirements to rezone to
15 Planned Residential District is that the surrounding
16 properties be predominantly residential.

17 In this case only Carriage House is residential.
18 The rest of it's all commercial. So it doesn't meet the
19 base requirement.

20 In addition, there are buffer standards within
21 Planned Residential as well, which, again, go to Single
22 Family Zoning, which AR technically is, even though
23 Carriage House is not. So we did look at Planned
24 Residential zoning, and it doesn't fit any better than
25 Core Business.

1 Also it has a maximum density of 20 units per
2 acre, which matches the maximum density under AR, as well
3 as the maximum density without a conditional use permit in
4 Core Business.

5 So at I believe 43 units per acre for this

6 development, again Planned Residential doesn't work.

7 So we did look at it. It doesn't work.

8 ALR -- extending AR would not allow either this
9 project or Carriage House. The Carriage House project
10 doesn't meet the minimum acre size; doesn't meet the
11 minimum lot size; doesn't meet the density limit; it
12 doesn't meet the site coverage limit.

13 So even -- that's Carriage House. That's not
14 the proposed project. So the AR doesn't work either.

15 Definitely discussed the issue with the
16 Applicant that -- that we always try to consider, which is
17 what could subsequent land uses be should the project
18 fail, but the zoning remains.

19 And, again, we really come back to that same
20 question. Is this area headed for the Core Business style
21 of development, whether that's high density residential or
22 office buildings or high density retail, or is it really
23 destined to stay General Commercial, which is what it is
24 today.

25 CHAIRMAN MADDEN: All right. Thank you.

1 Mr. Braswell, could you come back up and let us⁴²
2 know if -- how long this will take to build and when you
3 propose to start. I know it depends on variances and
4 other things.

5 MR. BRASWELL: Based on your approving it
6 tonight you mean?

7 CHAIRMAN MADDEN: Yeah.

8 MR. BRASWELL: I'll just give you the timeline
9 for the -- for the -- when we would -- if we could start
10 from a construction standpoint.

11 We -- we plan approximately 18 months from the
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12 time we would get building permits and start construction.

13 There was one other question too. I mean --

14 seems to me there was. Is there --

15 CHAIRMAN MADDEN: How it affects her property --
16 their property.

17 MR. BRASWELL: From construction standpoint, we
18 wouldn't be on them at all. I mean we can't do that.

19 CHAIRMAN MADDEN: Okay. Thank you.

20 MR. CALDWELL: Mr. Madden, can I have one more
21 comment?

22 CHAIRMAN MADDEN: Sure. Do I need the clock?

23 MR. CALDWELL: No.

24 This reminded me when they question about how it
25 would affect their property. And I think this pertains to

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1 the sky plane thing. I think this would have a severe
2 impact on the Carriage House in terms of the sunlight in
3 the afternoon. So I think that would -- we'd need to have
4 a -- maybe an explanation from a expert on that to -- to
5 tell the people how it would affect them.

6 CHAIRMAN MADDEN: Thank you, Mr. Caldwell.

7 And that will close the public hearing.

8 MR. LUMLEY: After I do my exhibits.

9 CHAIRMAN MADDEN: After you do your exhibits.

10 MR. LUMLEY: Thank you.

11 I offer the following exhibits into the record
12 of this public hearing: Documentation in possession of
13 the City Clerk reflecting the notice that was provided to
14 the public concerning the hearing; the staff's report
15 regarding the application; the City's Code of Ordinances
16 and Charter; the City's Comprehensive Plan and the public

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17 file regarding this application.

18

19 (This ends the public hearing)

20

21

22

23

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1 STATE OF MISSOURI)

2) SS

3 COUNTY OF ST. LOUIS)

4

5 I, Deborah K. McLaughlin, Registered Professional
6 Reporter, Missouri Certified Court Reporter, Illinois
7 Certified Shorthand Reporter and Kansas Certified Court
8 Reporter, do hereby certify that I reported the Planning
9 and Zoning Public Hearing stenographically and later
10 reduced to typewriting; and that this is a true and
11 accurate transcript of the public hearing.

12

13

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

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

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March 18, 2013

Mr. David Braswell
Covington Development, LLC
135 North Meramec Avenue, Suite 500
St. Louis, Missouri 63105

RE: Traffic Impact Study
Proposed High End Apartments
Creve Coeur, Missouri
CBB Job No. 010-13

Dear Mr. Braswell:

As requested, CBB has prepared a traffic study pertaining to the proposed apartments located near the intersection of Old Olive Street Road and Pavillion Drive in Creve Coeur. The project consists of constructing apartments on a track two lots east of Pavillion Drive. The lot is bordered on the north by Old Olive Street Road and to the south by Olive Boulevard. Currently, a vacant church is located on the lot with access to Old Olive Street Road only. The proposed apartment building consists of 174 apartments will share access with the neighboring lot adjacent to Pavillion Drive occupied by an existing office space via the existing eastern entrance on Old Olive Street Road and the entrance on Pavillion Drive.

Existing Roadway Conditions

Old Olive Street Road is east-west roadway consisting of three lanes (one in each direction and a two way left turn lane) with no posted speed limit. The speed limit is assumed to be 35 miles per hour (mph). This section of Old Olive Street Road terminates as a right-in/right-out access on North Lindbergh Boulevard (US 67) approximately 0.2 miles to the east. West of Pavillion Drive, Old Olive Street Road turns south and intersects with Olive Boulevard at a signalized intersection 0.4 miles to the west.

The intersection of Old Olive Street Road and Pavillion Drive is free flowing east-west with northbound Pavillion Drive stop controlled. The northern leg is a commercial entrance.

Pavillion Drive is two lane north-south roadway connecting Old Olive Street Road with Olive Boulevard. Pavillion Drive has four commercial entrances; two directly serving a parking lot, the office building to the east and Ravenwood Drive which serves the commercial development to the west. No speed limit is posted on Pavillion Drive, but it is assumed to be 35 mph or less.

The intersection of Ravenwood Drive and Pavillion Drive is stop controlled from the east and south with the northbound movement free flowing up the hill. All approaches consist of two lanes, however the northbound approach has a painted median serving as the left turn approach median for the southbound left turn lane at Olive Boulevard intersection to the south.

Olive Boulevard and Pavillion Drive is a signalized intersection with Monsanto's commercial entrance as the southern leg. The southbound through movement is restricted by an island on the commercial entrance. Eastbound Olive Boulevard has dual through lanes, a separate left turn lane and separate right turn lane. Westbound Olive Boulevard has dual through lanes with a separate right turn lane. No westbound left turn movement is allowed at this intersection.

Olive Boulevard is a major east-west thoroughfare with a posted speed limit of 40 mph. This section of Olive Boulevard consists of two through lanes in each direction with either a median or two-way left turn lane. Olive Boulevard is grade separated at North Lindbergh Boulevard (US 67) with an interchange approximately 0.25 miles to the east.

An aerial of the location and existing conditions is shown in **Exhibit 1**.

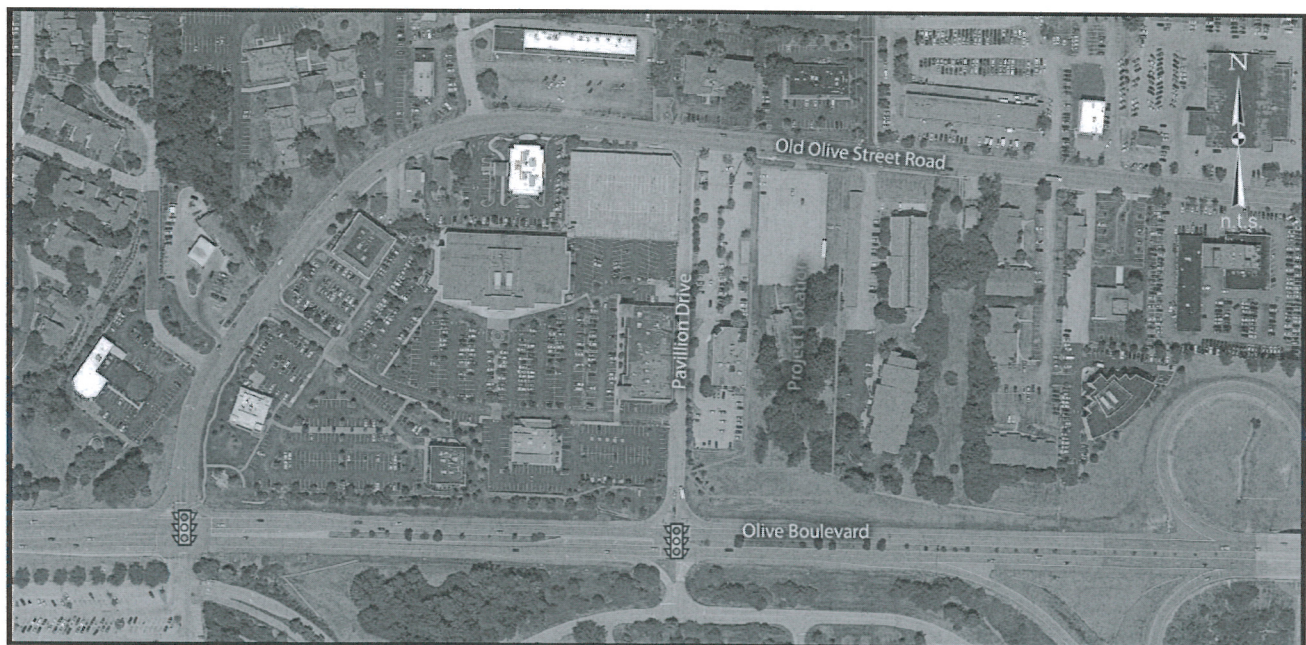


Exhibit 1 - Location and Existing Condition

Existing Traffic Conditions

In order to quantify existing traffic volumes within the study area, manual turning movement counts were performed at both Olive Boulevard & Pavillion and Old Olive Street Road & Pavillion on a typical weekday in February 2012 during the morning (7:00 to 9:00 a.m.) and afternoon (4:00 to 6:00 p.m.) peak periods. Based on these counts, two peak hours were chosen for analysis: the weekday a.m. (8:00-9:00 a.m.) and p.m. (5:00-6:00 p.m.) peak hours. As well, 15 minute spot counts



were performed during these same peak periods at the intersections of *Ravenwood Drive with Pavillion Drive*, *the office building entrance on Pavillion Drive* and *the two office building entrances on Old Olive Street Road*. The existing traffic volumes are summarized in **Exhibit 2**.

Existing Operating Conditions

The existing operating conditions were evaluated using Synchro 7, which is based upon the methodologies outlined in the "Highway Capacity Manual" (HCM) published in 2000 by the Transportation Research Board. This manual, which is used universally by highway and traffic engineers to measure roadway capacity, established six levels of traffic service: Level A ("Free Flow") to Level F ("Fully Saturated"). Levels of service are measures of traffic flow that consider such factors as speed and delay time, traffic interruptions, safety, driving comfort, and convenience. Level C, which is normally used for highway design, represents a roadway with volumes ranging from 70% to 80% of its capacity.

The thresholds that define LOS are based upon the type of traffic control used at an intersection; i.e., whether it is signalized or unsignalized. For signalized and all-way stop intersections, the average control delay per vehicle is estimated for each movement and aggregated for each approach and the intersection as a whole. At intersections with partial (side-street) stop control, the delay for each minor movement is determined instead of for the intersection as a whole since motorists on the main road are not required to stop.

LOS is directly related to control delay. At signalized intersections, the LOS criteria differ from that at unsignalized intersections primarily because different transportation facilities create different driver expectations. The expectation is that a signalized intersection is designed to carry higher traffic volumes and, consequently, may experience greater delay than an unsignalized intersection. Furthermore, motorists are guaranteed service at regular intervals as the signal cycles. **Table 1** summarizes the LOS thresholds used in the analysis.

Synchro 7 results of the capacity analyses for existing conditions of *Olive Boulevard & Pavillion Drive*, *Pavillion Drive & Ravenwood Drive*, *Old Olive Street Road & Pavillion Drive* and *Old Olive Street Road & the eastern office building commercial entrance* are summarized in **Table 2**. As can be seen, there is considerable delay for both the north and south bound approaches at Olive Boulevard and Pavillion Drive during the am and pm peak hours.

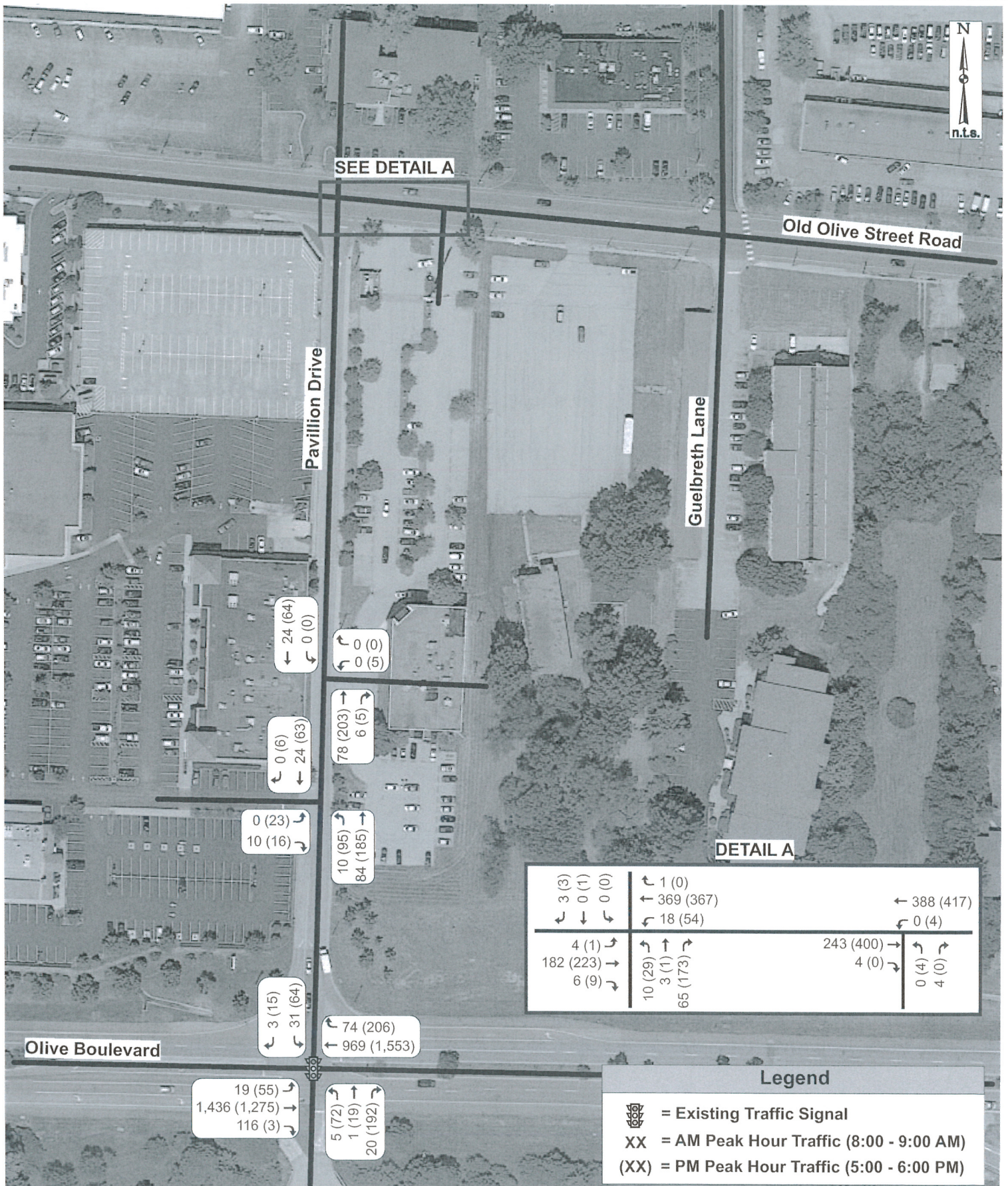


Exhibit 2: Existing Traffic 2013

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Traffic and Transportation Engineers

Table 1 Level of Service Thresholds		
Level of Service (LOS)	Control Delay per Vehicle (sec/veh)	
	Signalized Intersections	Unsignalized Intersections
A	≤ 10	0-10
B	$> 10-20$	$> 10-15$
C	$> 20-35$	$> 15-25$
D	$> 35-55$	$> 25-35$
E	$> 55-80$	$> 35-50$
F	> 80	> 50

Table 2 Existing Operating Conditions The Vanguard at Creve Coeur		
Intersection/Approach	AM Peak Hour	PM Peak Hour
<i>Olive Blvd & Pavillion Drive – Signalized</i>		
Northbound Approach	C (32.8)	E(63.3)
Southbound Approach	E (58.0)	E(60.6)
Eastbound Approach	A (2.9)	A(3.8)
Westbound Approach	A (4.8)	B(15.9)
Overall Intersection	A (4.6)	B(15.6)
<i>Pavillion Drive & Ravenwood Lane – Unsignalized</i>		
Southbound Approach	A(9.1)	B(12.5)
Eastbound Approach	A(8.4)	B(11.0)
<i>Pavillion Drive & Existing Office Building Entrance – Unsignalized</i>		
Westbound Approach	A(8.9)	A(7.9)
<i>Old Olive Street Road & Pavillion Drive – Unsignalized</i>		
Northbound Approach	B(10.3)	B(12.2)
Southbound Approach	B(10.6)	B(13.5)
Westbound Left	A(7.7)	A(7.9)
<i>Old Olive Street Road & Existing Office Building Eastern Entrance – Unsignalized</i>		
Northbound Approach	A(9.7)	B(12.0)
Westbound Left	A(7.8)	A(8.2)

X (XX.X) - Level of Service (Average vehicular delay in seconds per vehicle)

Trip Generation Characteristics of the Proposed Development

As a primary step in this analysis, a forecast was prepared to estimate the amount of traffic that the proposed development would generate during the peak hours. The number of trips in and out of the site was calculated based on the 9th edition of the Institute of Transportation Engineers' Trip Generation publication. As described above, the proposed development consists of 174 unit apartment building. As summarized in **Table 3**, the proposed development would be expected to generate a total of approximately 95 and 115 passenger car trips during the a.m. and p.m. weekday peak hours, respectively.

From analysis of the existing traffic counts, it is estimated that 70% of the trips will utilize the western entrance on Pavillion Drive with the remaining 30% of the trips utilizing the existing entrance on Old Olive Street Road. Additionally, it is estimated that 100% of the traffic utilizing the western entrance on Pavillion Drive will utilize the intersection of Olive Boulevard and Pavillion Drive with 45% being eastbound traffic and 55% being westbound traffic on Olive Boulevard. From the 15 minute spot counts of the entrance to the existing apartments to the east of the project site on Old Olive Street Road, it is anticipated that 30% of the trips will be eastbound traffic while the remaining 70% will be westbound trips. The anticipated directional distribution of the site generated traffic of the passenger vehicle traffic is summarized in **Exhibit 3**.

Table 3 Anticipated Trip Generation The Vanguard at Creve Coeur									
<i>Trips</i>	<i>Weekday</i>			<i>AM Peak</i>			<i>PM Peak</i>		
<i>174 Apts.</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>
<i>Rounded</i>	1160	580	580	95	20	75	115	75	40
<i>To North Drive</i>				20%			20%		
<i>to/from east</i>			30%	5	15		15	10	
<i>to/from west</i>			70%	2	5		5	3	
				3	10		10	7	
				80%			80%		
<i>To West Drive</i>				20	60		60	35	
<i>to/from north</i>			0%	0	0		0	0	
<i>to/from south</i>			100%	20	60		60	35	

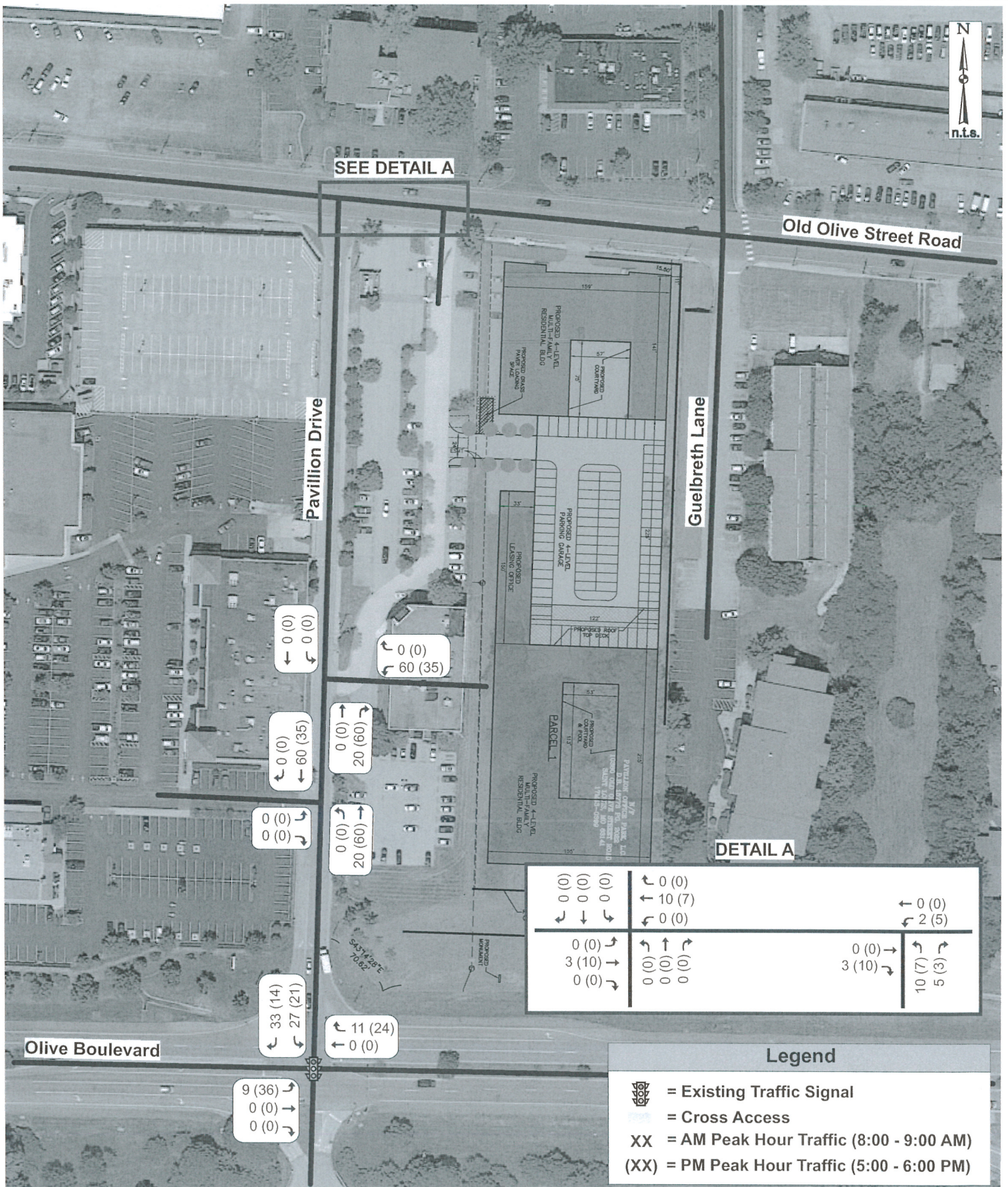


Exhibit 3: Site-Generated Traffic Volumes

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Forecasted Construction-Year (2014) with Build Condition

It is our understanding that the construction of the project is likely to be complete in 2014. In order to account for traffic growth through 2014, one year of background growth was included along the roadways in the study area at a historical rate of 0.5% annually and the Site Generated Traffic along with the assumed directional distribution was added to achieve the 2014 Build Traffic shown in **Exhibit 4**.

Using the increased volumes, Synchro 7 was utilized to analyze the 2014 conditions with and without construction of the proposed apartments. The results of these analyses are summarized in **Table 4**.

Table 4 2014 Build Operating Conditions The Vanguard at Creve Coeur		
<i>Intersection/Approach</i>	<i>AM Peak Hour</i>	<i>PM Peak Hour</i>
<i>Olive Blvd & Pavillion Drive – Signalized</i>		
Northbound Approach	C(34.7)	F(91.3)
Southbound Approach	D(42.9)	E(63.3)
Eastbound Approach	A(3.3)	A(5.0)
Westbound Approach	A(5.5)	B(19.0)
Overall Intersection	A(5.8)	C(20.8)
<i>Pavillion Drive & Ravenwood Lane – Unsignalized</i>		
Southbound Approach	A(9.6)	B(13.8)
Eastbound Approach	A(8.4)	B(11.6)
<i>Pavillion Drive & Existing Office Building Entrance – Unsignalized</i>		
Westbound Approach	A(9.5)	B(10.8)
<i>Old Olive Street Road & Pavillion Drive – Unsignalized</i>		
Northbound Approach	B(10.5)	B(12.5)
Southbound Approach	B(10.7)	B(13.7)
Westbound Left	A(7.7)	A(7.9)
<i>Old Olive Street Road & Existing Office Building Eastern Entrance – Unsignalized</i>		
Northbound Approach	B(10.9)	B(11.8)
Westbound Left	A(7.8)	A(8.3)

X (XX.X) - Level of Service (Average vehicular delay in seconds per vehicle)

According to the Synchro 7 results, the poor LOS and delay for the both the north and south bound approaches of Pavillion with Olive Boulevard continue to be poor with the addition of the site



generated traffic. This analysis assumes no changes in the signal timing at Olive Boulevard and Pavillion Drive which gives preference to the east-west movements on Olive Boulevard.

Comparing the approach levels of service for no build and build, it was noted that the build LOS is actually better. This is due to a high number of low delay movements (right-turns) added to the southbound approach which reduces the approach average delay.

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Forecasted Design-Year (2034) Conditions

In order to account for traffic growth through 2034, twenty-years of background growth was included along the roadways in the study area at the previously mentioned 0.5% historical annual growth rate with and without the construction of the proposed apartments, see **Exhibit 5**. The capacity analyses were repeated using the design-year forecasted traffic volumes to evaluate the long-term impact of the proposed improvements and assess their adequacy over time. The results of these analyses are summarized in **Table 5**.

Table 5 2034 No Build Operating Conditions The Vanguard at Creve Coeur		
<i>Intersection/Approach</i>	<i>AM Peak Hour</i>	<i>PM Peak Hour</i>
<i>Olive Blvd & Pavillion Drive – Signalized</i>		
Northbound Approach	C(34.9)	F(93.8)
Southbound Approach	E(56.7)	E(62.0)
Eastbound Approach	A(3.4)	A(4.8)
Westbound Approach	A(6.3)	C(20.7)
Overall Intersection	A(5.6)	C(21.6)
<i>Pavillion Drive & Ravenwood Lane – Unsignalized</i>		
Southbound Approach	A(9.3)	B(13.3)
Eastbound Approach	A(8.4)	B(11.6)
<i>Pavillion Drive & Existing Office Building Entrance – Unsignalized</i>		
Westbound Approach	A(9.0)	B(10.5)
<i>Old Olive Street Road & Pavillion Drive – Unsignalized</i>		
Northbound Approach	B(10.8)	B(13.4)
Southbound Approach	B(11.0)	B(14.5)
Westbound Left	A(7.7)	A(8.0)
<i>Old Olive Street Road & Existing Office Building Eastern Entrance – Unsignalized</i>		
Northbound Approach	A(9.9)	B(12.5)
Westbound Left	A(7.9)	A(8.4)

X (XX.X) - Level of Service (Average vehicular delay in seconds per vehicle)

Table 6 2034 Build Operating Conditions The Vanguard at Creve Coeur		
<i>Intersection/Approach</i>	<i>AM Peak Hour</i>	<i>PM Peak Hour</i>
<i>Olive Blvd & Pavillion Drive – Signalized</i>		
Northbound Approach	C(34.9)	F(154.5)
Southbound Approach	D(44.2)	E(67.6)
Eastbound Approach	A(3.6)	A(5.6)
Westbound Approach	A(6.6)	C(24.3)
Overall Intersection	A(6.4)	C(28.9)
<i>Pavillion Drive & Ravenwood Lane – Unsignalized</i>		
Southbound Approach	A(9.7)	C(14.8)
Eastbound Approach	A(8.4)	B(12.1)
<i>Pavillion Drive & Existing Office Building Entrance – Unsignalized</i>		
Westbound Approach	A(9.7)	B(11.1)
<i>Old Olive Street Road & Pavillion Drive – Unsignalized</i>		
Northbound Approach	B(10.9)	B(13.6)
Southbound Approach	B(11.0)	B(14.7)
Westbound Left	A(7.8)	A(8.0)
<i>Old Olive Street Road & Existing Office Building Eastern Entrance – Unsignalized</i>		
Northbound Approach	B(11.0)	B(12.2)
Westbound Left	A(7.9)	A(8.4)

X (XX.X) - Level of Service (Average vehicular delay in seconds per vehicle)

Again, the poor LOS and delay for the both the north and south bound approaches continue with the historical background growth of 0.5%. As well, the LOS and delay for the southbound approach is exaggerated with the addition of the site generated traffic. This analysis assumes no changes in the signal timing at Olive Boulevard and Pavillion Drive which gives preference to the east-west movements on Olive Boulevard.

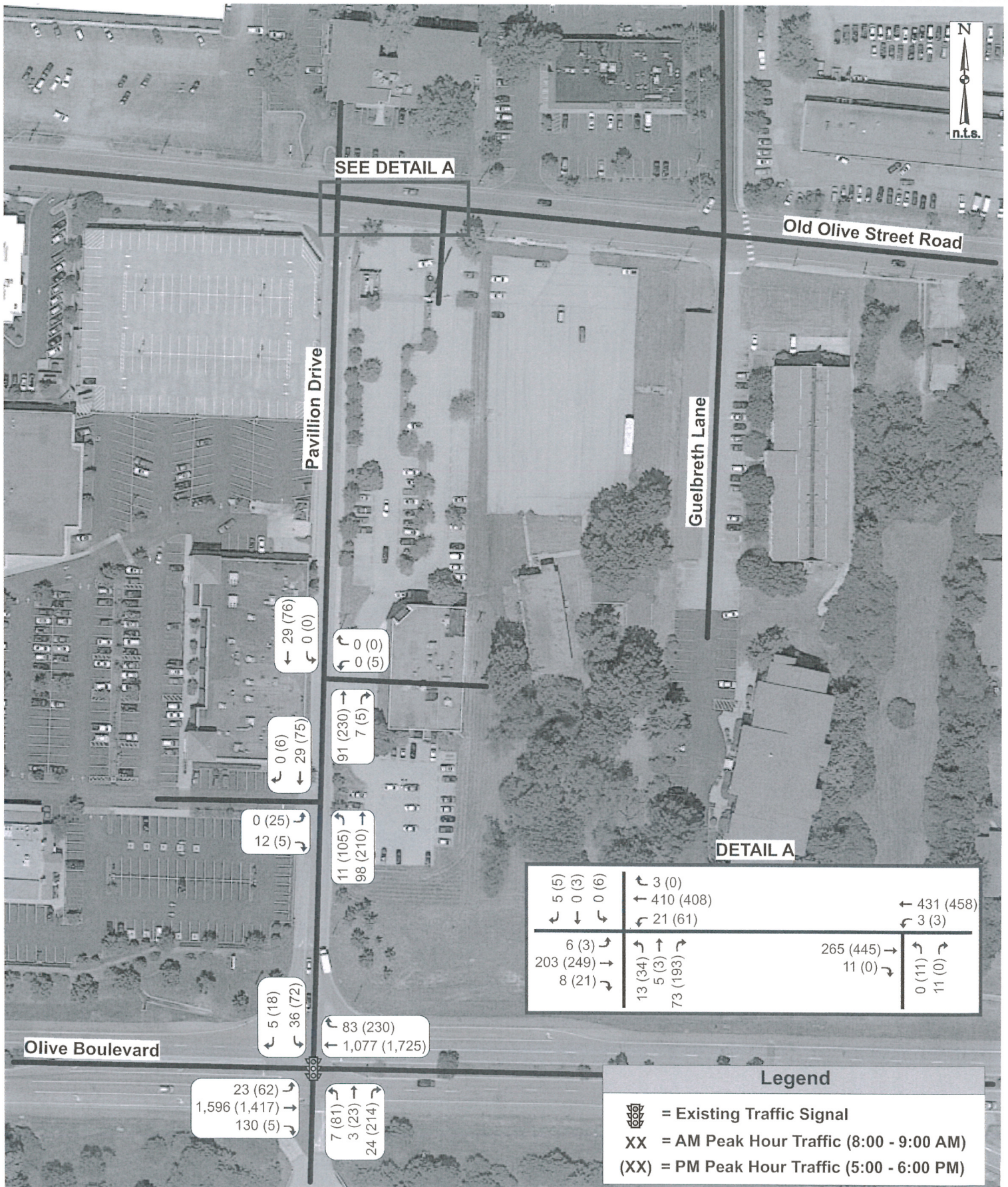


Exhibit 5: 2034 No-Build Traffic

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Traffic and Transportation Engineers

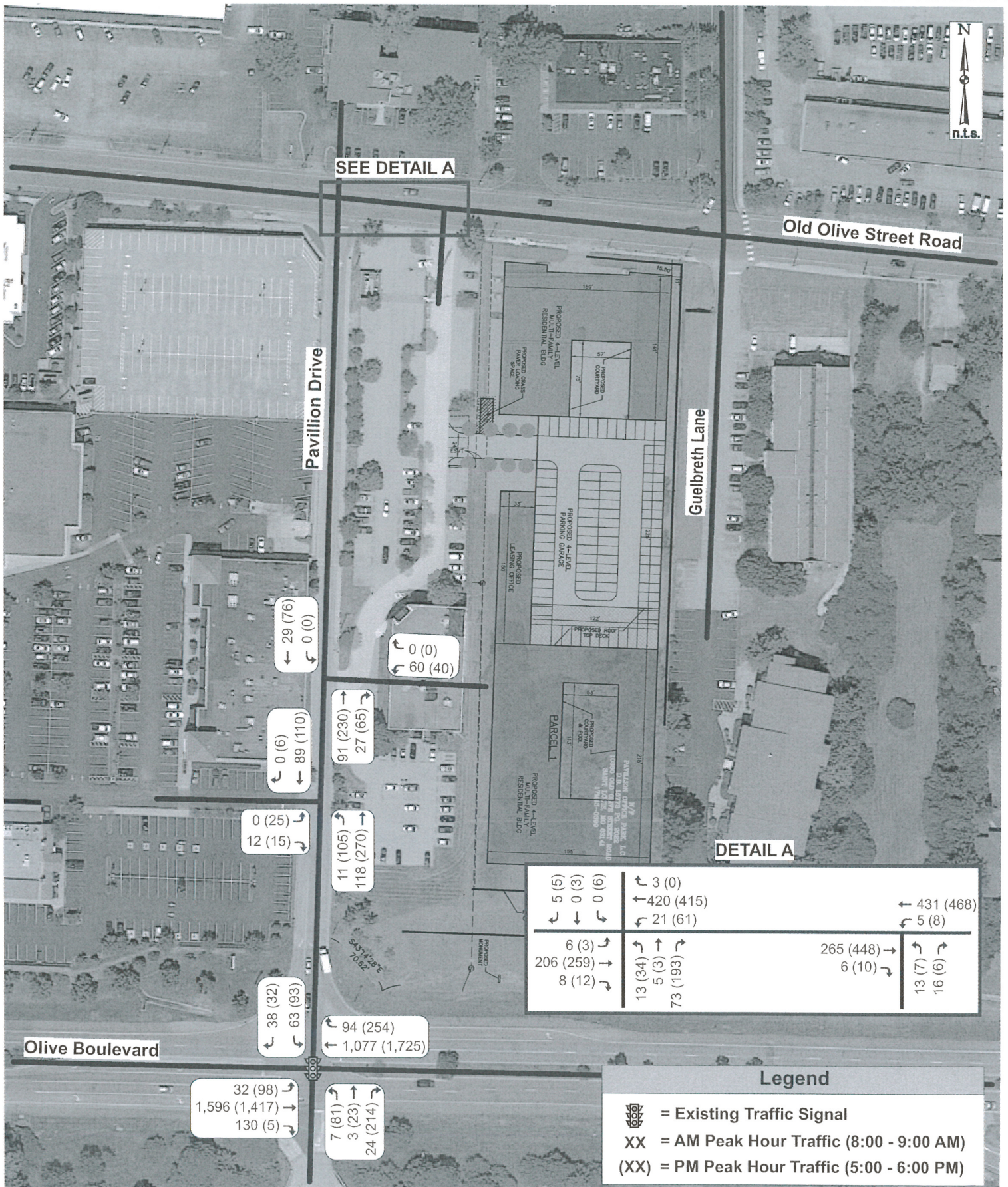


Exhibit 6: 2034 Build Traffic Volumes - Proposed Apartments

Job# 010-13
03/18/13

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Traffic and Transportation Engineers

Observed Sight Distance

The sight distance at the intersections of *Olive Boulevard & Pavillion Drive*, *Pavillion Drive & Ravenwood Drive*, *Old Olive Street Road & Pavillion Drive* and *Old Olive Street Road & the eastern office building commercial entrance* were observed in the field, while no field measurements of sight distance was performed, however the following areas may be of concern;

- The existing building in the northwest quadrant of Pavillion Drive and Ravenwood Drive may block the sight distance to the north for an eastbound vehicle at this intersection; and
- Trees and vegetation on the east side of Pavillion Drive, both north and south of the existing office building entrance, could block the sight distance of a westbound vehicle exiting this driveway. We recommend that the vegetation be trimmed back and maintained to provide a clear view between 3 and 10 feet above the adjacent pavement elevation. This “window” will allow safe visibility for traffic flow.

Findings and Conclusions

Based upon the preceding discussion, the following may be concluded regarding the traffic impacts of the proposed improvements.

1. The proposed development has little impact to Pavillion Drive & Ravenwood Drive, Pavillion Drive & the existing office entrance, Pavillion Drive & Old Olive Street Road and will result in acceptable delay and LOS at these intersections.
2. The LOS and delay of the north and south bound legs are poor in the existing condition, 2014 Build, 2034 No-Build and 2034 Build conditions. This is attributed to the existing signal timing giving preference to the east-west movements on Olive Boulevard. The volume to capacity (v/c) ratio for these conditions are less than 0.9 which indicates that construction of additional lanes is not necessary to improve the LOS and delay of the intersection. If approved by the Missouri Department of Transportation, the signals could be retimed so that the LOS greater than D and v/c ratio less than 0.9 could be attained for each movement.
3. The sight distance obstructions noted above should be addressed to the most practical extent as possible.
4. The southbound stop sign at Pavillion Drive and Ravenwood Drive does not meet the Manual of Uniform Traffic Control Devices (MUTCD) standards. The sign is square in shape with a small octagon stop sign painted for which can only be viewed by the southbound traffic. It was noted during the data collection that this seemed to cause confusion to the northbound traffic as to who has the right-of-way at the intersection. It is recommended that a typical octagonal stop sign be installed whose shape could be observed from the rear by northbound traffic and help better define the right-of-way through the intersection.



Mr. David Braswell
March 18, 2013
Page 16 of 16

In summary, our analysis indicates that there is no need for physical improvements to the road system beyond the trimming of vegetation and potential for signal retiming at Pavilion and Olive.

We trust that you will find this report useful in evaluating the traffic impacts associated with the proposed apartments located near the intersection of Old Olive Street Road and Pavillion Drive in Creve Coeur, Missouri. Please contact our St. Louis office should you have any questions or comments concerning this material.

Sincerely,

A handwritten signature in cursive script that reads "Lee Cannon". The signature is written in dark ink and is positioned below the word "Sincerely,".

Lee Cannon, P.E., PTOE
Senior Traffic Engineer
LCannon@CBBTraffic.com



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 #13-014 FOR A CONDITIONAL USE PERMIT FOR A DYNASTY DAY CARE AT 9974 OLD OLIVE STREET ROAD

FOR THE MEETING OF: Monday, August 5, 2013

LOCATION: 9974 Old Olive Street Road, in the "GC" General Commercial Zoning District.

REQUEST: An application has been submitted for a conditional use permit for a 4,500 square-foot, child day care service and site development plan approval for exterior modifications to the building and an outdoor play ground area along Olive Boulevard. Child Day Care Services (NAICS 624410) are permitted with conditions within the GC District. The applicant will provide a service for up to 20 children, ranging from 18 months to 5 years of age, with up to two employees.

ADDITIONAL INFORMATION: The building was originally built as a two story office building, with basement storage, in 1964 on 0.16 acres at the intersection of Old Olive Street Road and Olive Boulevard. The exterior finish of the building includes lava rock that was popular at the time of the development. The site has largely remained the same since that time, except for a substantial reduction in the front yard for additional right-of-way along Old Olive Street Road.

Key Issues:

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

Comp. Plan References

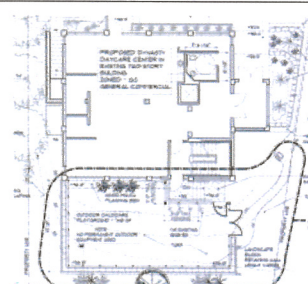
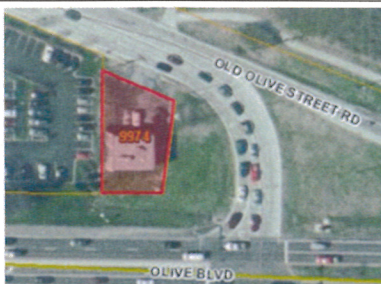
- Commerce Center Action Area
- Design Guidelines

Zoning Code References

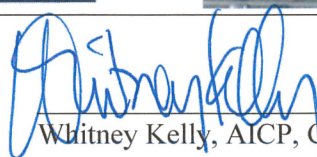
- Section 405.210: Regulation of Uses
- Section 405.470 Conditional Uses
- Section 405.540 Landscaping
- Article VII Off-Street Parking and Loading Regulations

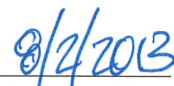
APPLICANT: Jonathan Parker
Dynasty Day Care
PO Box 1934
Maryland Heights, MO 63043

PROPERTY OWNER: Gil Bashani
9974 Old Olive Street Road
Creve Coeur, MO 63141



REPORT PREPARED BY:


Whitney Kelly, AICP, City Planner

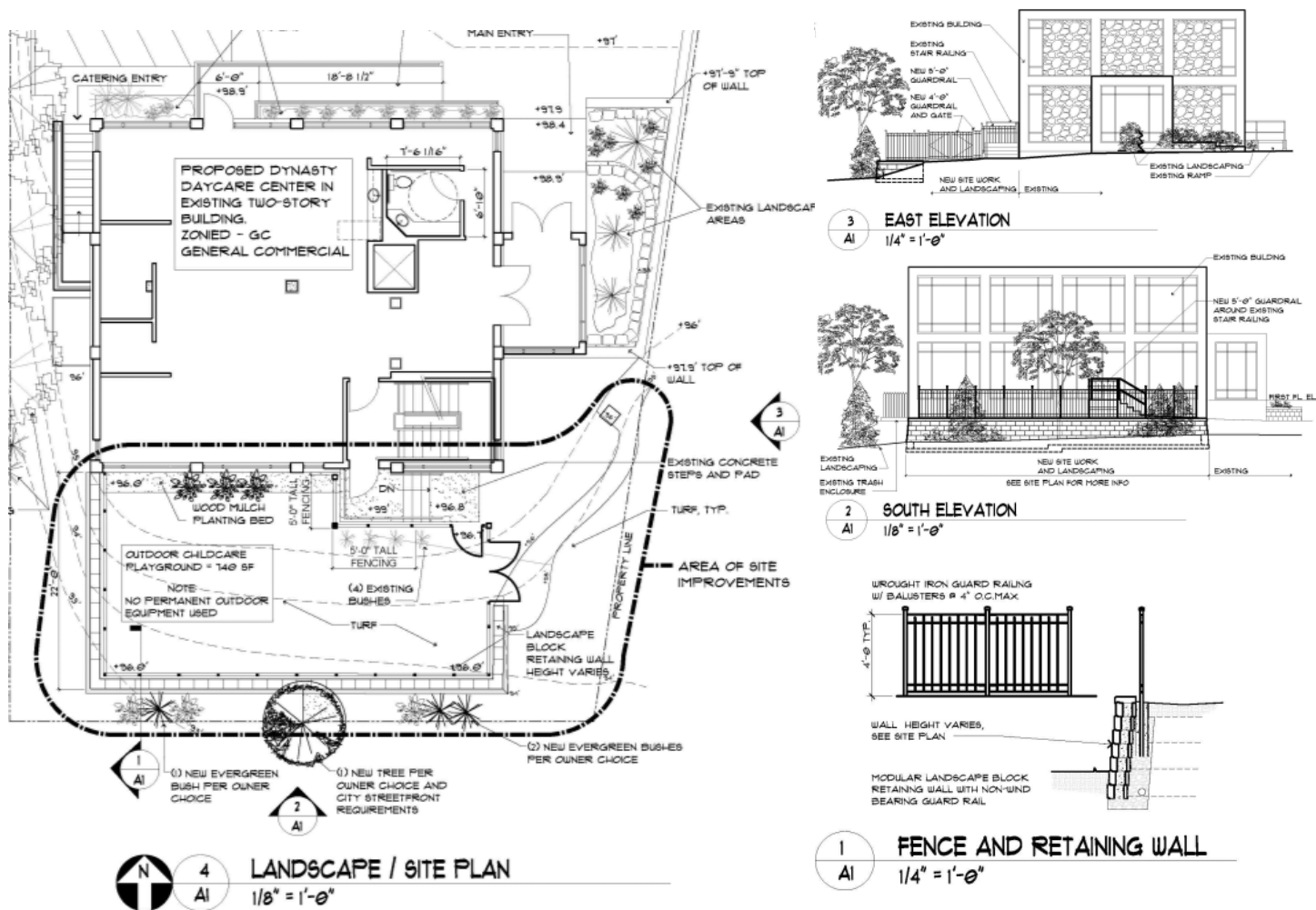

8/2/2013
Date

ATTACHMENTS:

Applicant's Application Materials submitted May 17, 2013
Applicant's Landscape/Site Plan submitted July 22, 2013

PROPOSAL

Child day care services in the residential districts, "HE", "PO" and "RO" districts are required to have a minimum of three acres and passenger loading and unloading facilities are required to preclude any back-up movements to enter or exit the site [per Section 405.470(27)]. Child day care services in the GC District however, do not have such preconditions. The applicant is proposing to utilize the existing structure and site largely as is. Modifications to the exterior include painting the entire building a white color, and leveling and enclosing the south lawn area that fronts Olive Boulevard, for a playground. Below is a close up of the area:



The applicant contends that the parking traffic is closely and effectively managed through the use of appointment-only scheduling for the arrival and pickup of children in the morning and afternoon. Parents will have their pre-arranged window of time to drop-off and pick-up their children daily, with five appointments every 30 minutes. The site plan submitted by the applicant indicated a total of nine parking spaces. It should also be noted that, in the applicants site plan, three of the pre-existing parking spaces encroach into the MoDOT right-of-way.

The playground area on the south side of the building, along Olive Boulevard, will be enclosed with a four-foot high wrought iron fence, atop of a landscape block retaining wall, with minimal landscaping along Olive Boulevard and within the playground area. No permanent outdoor equipment will be used in the playground area.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Missouri American Water/ Danforth Plant Science Center	“GC” General Commercial/ “RO” Research and Office Park District	Old Olive Street Road
South	Monsanto	“RO” Research and Office Park District	Olive Boulevard
East	NA	“RO” Research and Office Park District	Old Olive Street Road
West	Office: CSI Leasing	“GC” General Commercial	NA

COMPREHENSIVE PLAN REVIEW

The subject property is located in the Commerce Center Action Area of the Comprehensive Plan that envisions light industrial, office, scientific research facilities, and supporting retail, restaurant, and lodging uses that calls for improving the quality of development through enforcement of the City’s Design Guidelines, and ensuring that redevelopment plans include the “green line” park, and upgrading the architectural quality of the building stock as businesses expand or redevelop (page 70). The use in itself could be considered providing a service to the employees of the adjacent research facilities. However, Staff has some concerns regarding the appropriateness of this specific building, as discussed further below, and the current landscape plan does not meet with the intent of a green line park.

DESIGN GUIDELINES REVIEW

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

Chapter 2 / Buildings

- D. *Relationship to Neighboring Development*
- 3. *Building color should be compatible with the neighborhood and should reinforce the visual character of the environment for the proposed buildings. The color should not be such at the building is competing for attention. Building colors should be subdued and not garish, and should not, in any way, constitute “signing” of the building or site.*
- E. *Materials/Color*
- 2. *Exterior materials should be selected based on their durability and appropriateness for their intended function. Special attention should be given to the durability of materials used around the ground floor of the building. Preferred building materials include stone, brick, architectural precast concrete, aluminum and glass. The materials selected should require minimal maintenance. Their color should be integral to the material and to be painted on.*

The applicant has indicated painting the building white to update the exterior of the building. While the existing structure consists of “lava” rock that is no longer popular, painting the entire building white could only highlight the boxiness of the building, and would be inconsistent with the surrounding buildings. Further, the porousness of the rock material would not age well, and painting over a natural material would be inconsistent with the Design Guidelines.

Chapter 5 / Miscellaneous

F. Screening (Fences and Walls)

1. *All new sound walls, masonry walls, or fences are to be designed to minimize visual monotony through changes in plane, height, material, texture or significant landscape massing*
2. *The design of fencing, sound walls, trash enclosures, and similar site elements is to be compatible with the architecture of the main buildings and should use similar materials.*
5. *In highly visible public areas where fencing is needed, decorative fencing is encouraged.*

H. Screening (Fences and Walls)

1. *All new sound walls, masonry walls, or fences are to be designed to minimize visual monotony through changes in plane, height, material, texture or significant landscape massing*
2. *The design of fencing, sound walls, trash enclosures, and similar site elements is to be compatible with the architecture of the main buildings and should use similar materials.*
5. *In highly visible public areas where fencing is needed, decorative fencing is encouraged.*

The overall height of the fence should provide minimal impact; however, a color was not indicated. Staff recommends that approval include a condition that the fence be a black wrought iron fence or similar design. The applicant has proposed minimal landscaping that Staff suggests does not meet with the intent of a “green line” park, nor effectively screens the retaining wall and fence along Olive Boulevard. The plan shows no additional landscaping along the north and east property lines, along Old Olive Street Road. Staff recommends that the Commission members provide direction on the level of landscaping needed that meets with the intent of the Comprehensive Plan and Design Guidelines for a green line park throughout the site.

ZONING REVIEW

As the applicant is utilizing the existing structure, site review is limited to the landscaping and parking provided on site.

Landscaping Review

The Zoning Code regulates landscaping through Section 405.540 *Landscaping*. As discussed earlier, the proposed landscaping falls short of the goals of the Comprehensive Plan and Design Guidelines. (Please see prior discussion.) Further,

SECTION 405.540: LANDSCAPING

F. Design Standards For Landscape Plans.

1. *Street trees shall be clearly delineated on the final landscape plan. The street trees shall be deciduous hardwood trees, not less than three (3) inch caliper size providing clear headroom of at least six (6) feet. The street trees may include existing trees, new trees or a combination thereof, provided that there is one (1) street tree for every thirty (30) lineal feet or part thereof of street frontage and such street trees shall be located on the subject property at least two (2) feet six (6) inches but not more than twelve (12) feet from the back of the curb, unless additional setback is necessary to accommodate planned road widening, overhead utility lines or some other condition identified by the Director of Planning. The Department of Public Works shall maintain a list of recommended street trees as well as undesirable trees. The Public Works Director or his/her designee may approve street trees not included in the list of recommended trees if the proposed tree is a deciduous hardwood, is disease resistant, is salt tolerant and has a clear trunk height of at least seven (7) feet six (6) inches or as directed by the Director of Public Works.*

10. *All landscaping shall be permanently maintained in good condition with at least the same quality and quantity of landscaping as initially approved. In order to present a healthy, neat and orderly appearance, all landscaped areas including interior parking lot islands and grass areas shall be provided with adequate irrigation for the maintenance of grass, shrubs, ground covering and other landscaping. An underground irrigation system shall be installed, operated and maintained to meet the intent of this Section. Such systems shall be required for all new developments and redevelopments projects. For sites proposing additions and/or expansions, an underground irrigation system shall be installed, operated and maintained to meet the intent of this Section, where physically practical and reasonable, as determined by the Planning and Zoning Commission.*
11. *All landscaped areas in parking areas or adjacent to parking or loading areas, or that can be encroached upon by a motor vehicle, shall be provided with an adequate, permanent curb as approved by the Director of Public Works to restrict the destruction of the landscaped areas by vehicles. Adequate scuppers, curb breaks and/or weep holes shall be provided through the curbing to permit drainage. Alternative low-impact stormwater techniques such as pervious pavers with the use of wheel stops may be approved by the Director of Public Works.*

Article VII. Off-Street Parking and Loading Regulations

SECTION 405.810: DESIGN AND MAINTENANCE STANDARDS

5. *Screening and landscaping.*
 - a. *All parking and loading areas shall be landscaped and provide screening in accordance with all applicable requirements of Section 405.540, Landscaping.*
 - b. *All parking adjoining a residential use or public right-of-way, except for those associated with single-family and two-family residences, shall be screened from view by an earth berm, a solid wall, decorative fence, evergreen planting of equivalent visual density or other effective means. Such fence or berm and associated landscaping shall be a minimum of eighteen (18) inches in height and an average of three (3) feet in height at the time of planting. ...*

The existing trees shown on the site plan are all located off-site. The applicant is showing only the placement of one new tree along the south property line next to the playground enclosure. No additional trees are shown along Old Olive Street Road, nor is additional landscaping provided along the east property line to shield headlights and to screen the playground area. Further, the level of traffic on site will be increasing significantly over the current use, most significantly in the mornings and in the evenings where headlights will be used during the winter months. Therefore Staff recommends that the landscape plan should be revised to include appropriate screening of the parking lot with an evergreen hedge to meet with the requirements of the Zoning Code.

Parking Requirements

Section 405.820 Required Off-Street Parking Spaces provides the calculation for the minimum parking below:

SECTION 405.820: REQUIRED OFF-STREET PARKING SPACES

11. *Social assistance (NAICS 6244).*
 - a. *Child day care services (NAICS 62441). One and one-half (1.5) spaces per staff person required for the licensed capacity of the facility. In addition, day care facilities shall provide safe drop-off areas near the main entrance to the facility.*

The applicant has indicated a total staff of two persons thus requiring three spaces where eight are currently available on site as shown in the aerial photo below on the right. While the site meets with the zoning code requirements for minimum parking, it does not meet with the typical safe practice for day care facilities, where sidewalks are located in front of the parking, so that children are not walking behind a car to get into the building. Further, the turning radius for angled parking spaces on the east portion of the parking lot would create a hazard for cars entering the site. As indicated earlier, three of the spaces are within MoDOT right-of-way. While it is highly unlikely, if MoDOT decides that at some point remove those spaces, this would create a problem for the applicant, as this would decrease the number of spaces to five. As indicated before, the applicant schedules the drop off of children at five appointments every thirty minutes, with two employees during the busiest times, thus creating a potential conflict in traffic entering and exiting the site. Therefore, Staff recommends that the parking lot be restriped to line up along the building, to meet with the intent of the off street parking requirements of providing a safe drop-off area near the main entrance; however the Applicant has indicated that he did not think that do so would provide enough parking necessary for his purposes.



Fences

The approval of the conditional use permit and site development plan will also approve the fence for the playground enclosure along Olive Boulevard, per Section 405.640, Fences, where no fence shall be located within the front yard setback or along street right-of-way, within the area equivalent to the front yard setback of the applicable zoning district, unless specifically approved by site development plan approval in accordance with Section 405.1080. Given the highly visible location along Olive Boulevard, Staff believes this necessitates the installation of a significant landscape package to minimize the visual impact of the fence. The members of the Planning and Zoning Commission are asked to provide specific guidance on this issue or continue this application so that additional P&Z reviews can take place.

Property Maintenance

While visiting the site, Staff noticed several broken curbs along the parking lot, storage of building debris, and trash bins not properly enclosed. Therefore, a condition of approval includes adding a permanent curb along all landscaped areas, in conformance with Section 405.540(11), along with addressing any other property maintenance violations prior to issuance of a final Certificate of Occupancy.

SUMMARY AND RECOMMENDED CONDITIONS OF APPROVAL

Due to the significant revisions necessary to the Landscape Plan to meet with the intent of a “green line” park, Staff recommends continuing the application until Tuesday, September 3rd, so that such changes can be made for P&Z review.

If the Commission members feel that all concerns have been adequately addressed and the Applicant and Staff has been given enough direction to review a revised landscape plan without further P&Z review, they should vote on a recommendation to the City Council per the conditions discussed in the staff report listed below:

- The condition use permit shall be for the operation of a 4,500 sq. ft. child day care facility located at 9974 Old Olive Street Road.
- 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 “Landscape Plan” received, July 22, 2013 with the following exceptions below.
- The Landscape Plan shall be revised to meet with the intent of the “green line” park of the City of Creve Coeur Comprehensive Plan and Design Guidelines, and Zonign Code Requirments, including providing an irrigation system throughout the site, for the Director of Community Development and MoDOT approval per the direction of the City Council.
- The applicant shall revise the Landscape Plan and Site Development Plan to include an adequate permanent curb for all areas that can be encroached upon by a motor vehicle in conformance with Section 405.540(11).
- The applicant shall restripe the parking lot to line up against the building to meet with the intent of providing a safe drop-off area near the main entrance.
- The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code.
- The owner of the property shall address all outstanding property maintenance violations to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy.
- All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

Any conditions added, eliminated, or modified should be discussed and made by separate actions. A draft ordinance will be created for City Council based on the discussion and final action of the Commission members

MOTION

The following is an example motion for advancing this application to City Council:

“I move to recommend approval of the conditional use permit for a child day care center located at 9974 Old Olive Street Road, subject to the conditions contained in the staff report dated August 2, 2013” (conditions may be added, eliminated, or modified by preceding motion).

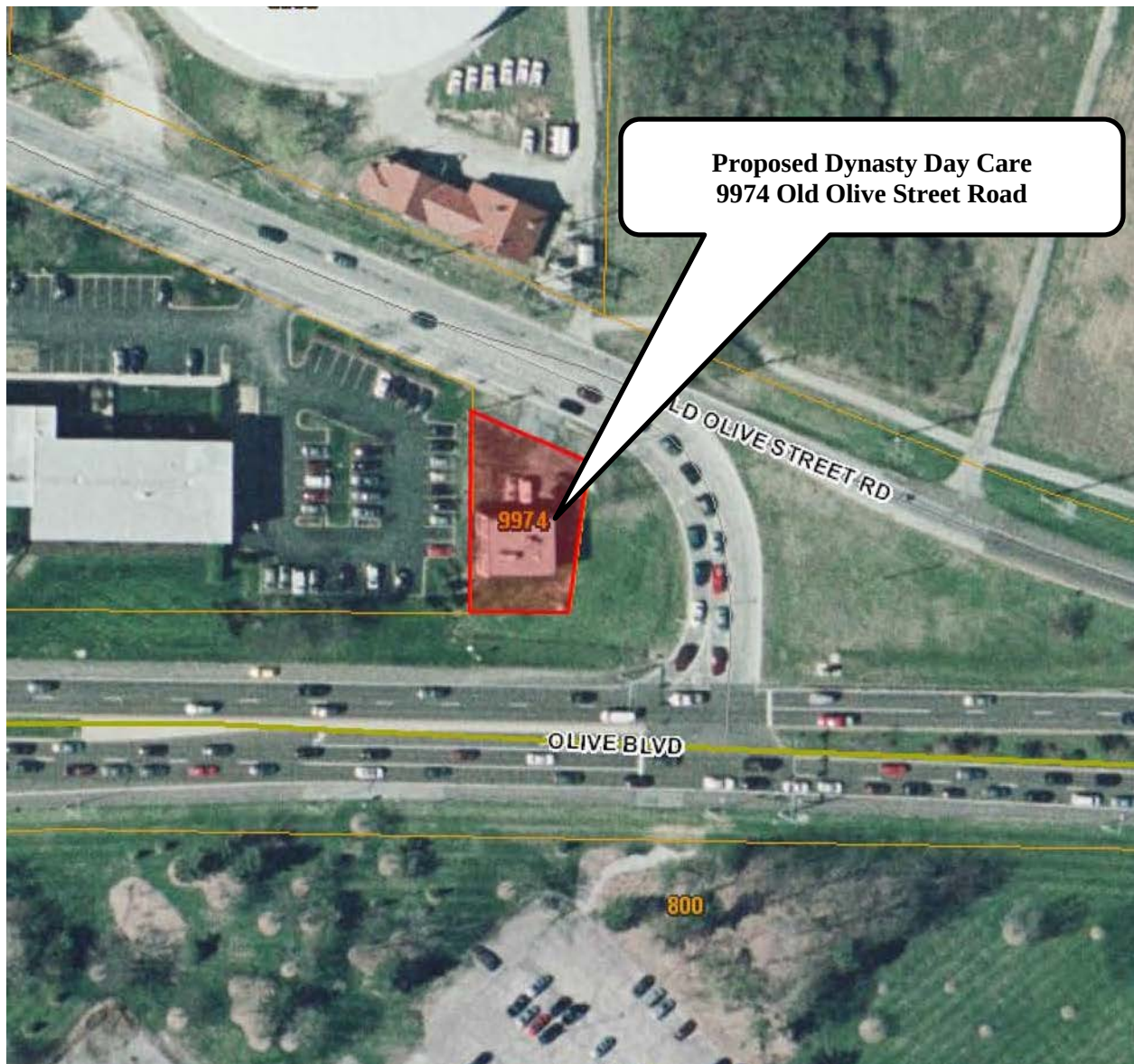
APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL MAP



APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 08/01/2013



Description: View of the building looking southwest from Old Olive Street Road.



Description: View looking west from the median at Old Olive Street Road.



Description: View looking northwest from Olive Boulevard.

	Description: View looking south from Olive Boulevard of the surrounding property.
	Description: View looking west from Old Olive Street Road to the surrounding property north of the subject property.
	Description: View looking west from the northwest corner of the subject property to the adjacent property. Note the extensive landscaping provided.



Description: View of a broken curb within the parking lot that will need to be repaired.



Description: View of the building debris stored onsite.



Description: View of additional curbs within the parking lot that will need to be repaired.



city
of

CREVE COEUR

PLANNING DIVISION

300 North New Ballas Road Creve Coeur, Missouri 63141
Tel. (314) 872-2501 • Fax (314) 872-2505

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:	Applicant's Representative (if applicable):
<u>JONATHAN PARKER</u> Name	<u>N/A</u> Name
<u>DYNASTY DAY CARE</u> Company (If Applicable)	 Company (If Applicable)
<u>PO Box 1934</u> Address	 Address
<u>MARYLAND HTS, MO 63093</u> Address	 Address
<u>Telephone # 314-299-4260</u>	<u>Telephone #</u>
<u>Fax # 314-292-4799</u>	<u>Fax #</u>
<u>Email: JJPARKER@DYNASTYDAYCARE.COM</u>	<u>Email:</u>
<u>[Signature]</u> Applicant's Signature	 Applicant's Representative's Signature

Property Information:	Owner's Acknowledgement (if different from applicant):
<u>9974 OLD OLIVE STREET ROAD</u> Address	 Name
<u>CREVE COEUR, MO 63141</u> Address	 Company (If Applicable)
 Development Name (if any)	 Address
<u>GENERAL COMM'L DISTRICT</u> Current Zoning	 Address
<u>ADVANCE MORTGAGE</u> Prior CUP Approvals (if known)	<u>Telephone #</u>
<u>CHURCH (NON-PROFIT)</u>	<u>Fax #</u>
<u>DESIGN GALLERY</u>	<u>Email:</u>
	 Owner's Signature

Description of Requested Use (attach additional sheets as needed)

General Description of Business: CHILD CARE CENTER PROVIDING
DAY CARE SERVICES FOR PARENTS OF PRE-SCHOOL CHILDREN.

Gross Floor Area – Existing and Proposed: 4,507 SF
Number of Seats (for restaurant only): N/A
Number of Employees at the busiest shift: 2
Hours of Operation: 6 AM - 6 PM
Current or Most Recent Use of the Property: OFFICE
Will the applicant apply for a liquor license: Yes _____ No X

Rationale

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

Submittal Checklist

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

Preferred Public Hearing Date: Monday, _____, 2013.

****See attached schedule and confirm available meeting dates with Planning Division staff****

Office Use Only	
☐ All Sections Complete	Received By: _____
☐ All Documents, incl. e-Copies	_____
☐ Fees Paid	Date: _____

Paul Langdon, AICP, Planning Director
Whitney Kelly, AICP, City Planner
Julie Lowery, Administrative Assistant (872-2501)

Revised: 11/11



**Conditional Use Permit
City of Creve Coeur
RATIONALE
May 14, 2013**

**Jonathan Parker
Manager
Dynasty Day Care
9974 Old Olive Street Rd
Creve Coeur, MO 63141
Tel: 314-299-4260
Fax: 314-292-4799
Email: jjparker@dynastydaycare.com**

CONFIDENTIAL

No offering is made or intended by this document. Any offering of interests in Dynasty Day Care will be made only in compliance with Federal and State securities laws.

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RATIONALE - Executive Summary

Dynasty Day Care provides child day care services for parents of children (18mo-5yo) at competitive costs and higher quality instruction with expert attention and safer service.

Dynasty Day Care is uniquely qualified to succeed due to the following reasons:

- **Services:** Our services are exemplary because of our expert attention to detail including safer security measures, client rebates, nutritious snacks, low child/staff ratio, convenient location (nr major roads), etc.
- **Human Resources:** Our management team has unique and extensive experience in the industry including our Director with over 16 years of experience in the SLPS system including 7 years as an Administrator.
- **Location:** Our location allows us to better serve customers because of our location near major roads and its easy on/off access (i.e. Olive Blvd off Lindbergh Blvd SR67).
- **Operational Systems:** We have developed systems that enable us to provide high quality services at a lower cost. These systems include electronic keycard access and personal I.D. passes for greater security and accountability of staff and children especially during drop-off and pickup.
- **Staff:** We employ trained full-time child care providers with extensive child care experience assisted by pediatric youth volunteers for additional child care attention.

Rationale (synopsis) -

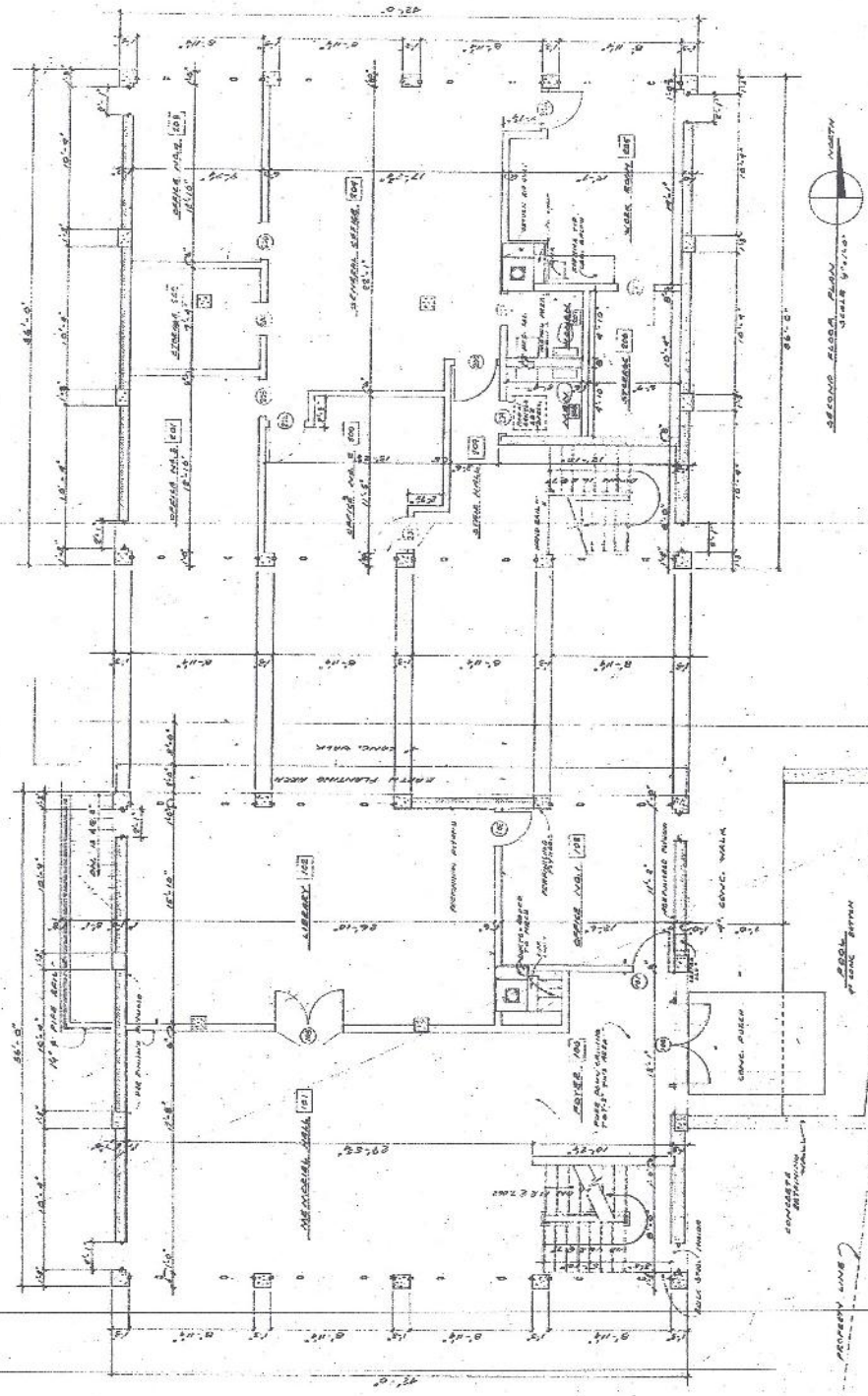
The presence of our operation will enhance the local business community by fully occupying a familiar building structure that yields minimal impact to the surrounding commercial environment through the use of self-contained and secure play areas for the children under our direct care and supervision. In addition, parking traffic is closely and effectively managed through the use of appointment-only scheduling for the arrival and pickup of children in the morning and afternoon. Parents will have their own pre-arranged window of time to drop-off and pick-up their children daily.



R. L. FISCHER & ASSOCIATES
3027 CLAYTON ROAD, SUITE 27, NEW YORK, N.Y. 10023
ARCHITECTS
PLANNERS
INTERIORS
ENGINEERS
LANDSCAPE ARCHITECTS
DATE: 12/15/65
BY: RLF

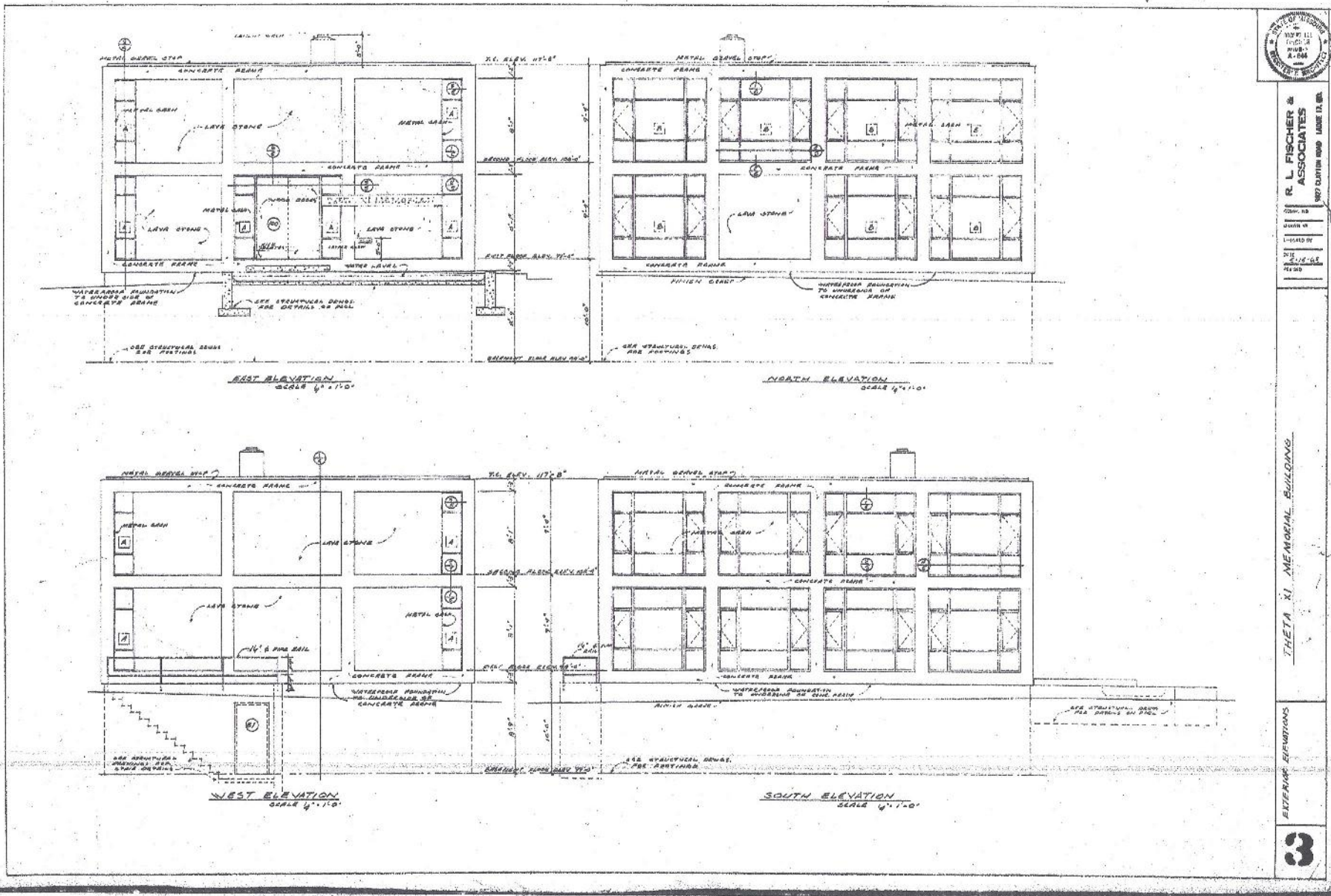
THETA XI MEMORIAL BUILDING

12
FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"



FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"

SECOND FLOOR PLAN
SCALE 1/8" = 1'-0"



R. L. FISCHER & ASSOCIATES
 1827 CLAYTON ROAD, LAKE IL. 60
 CHICAGO, ILL.
 1-1-64
 1-1-64
 1-1-64

THETA XI MEMORIAL BUILDING

EXTERNAL ELEVATIONS

3



9974

A photograph of a modern, two-story building with a light-colored facade. The building features large, dark-framed windows on both levels. A section of the ground floor wall is decorated with a stone or mosaic pattern. A concrete ramp with white metal railings leads up to the entrance area. A coiled black cable or hose is visible on the ground near the ramp. The number '9974' is mounted on the upper left corner of the building's facade.



9974

9974



3340
314/775-775
DOCTOR

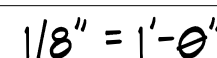
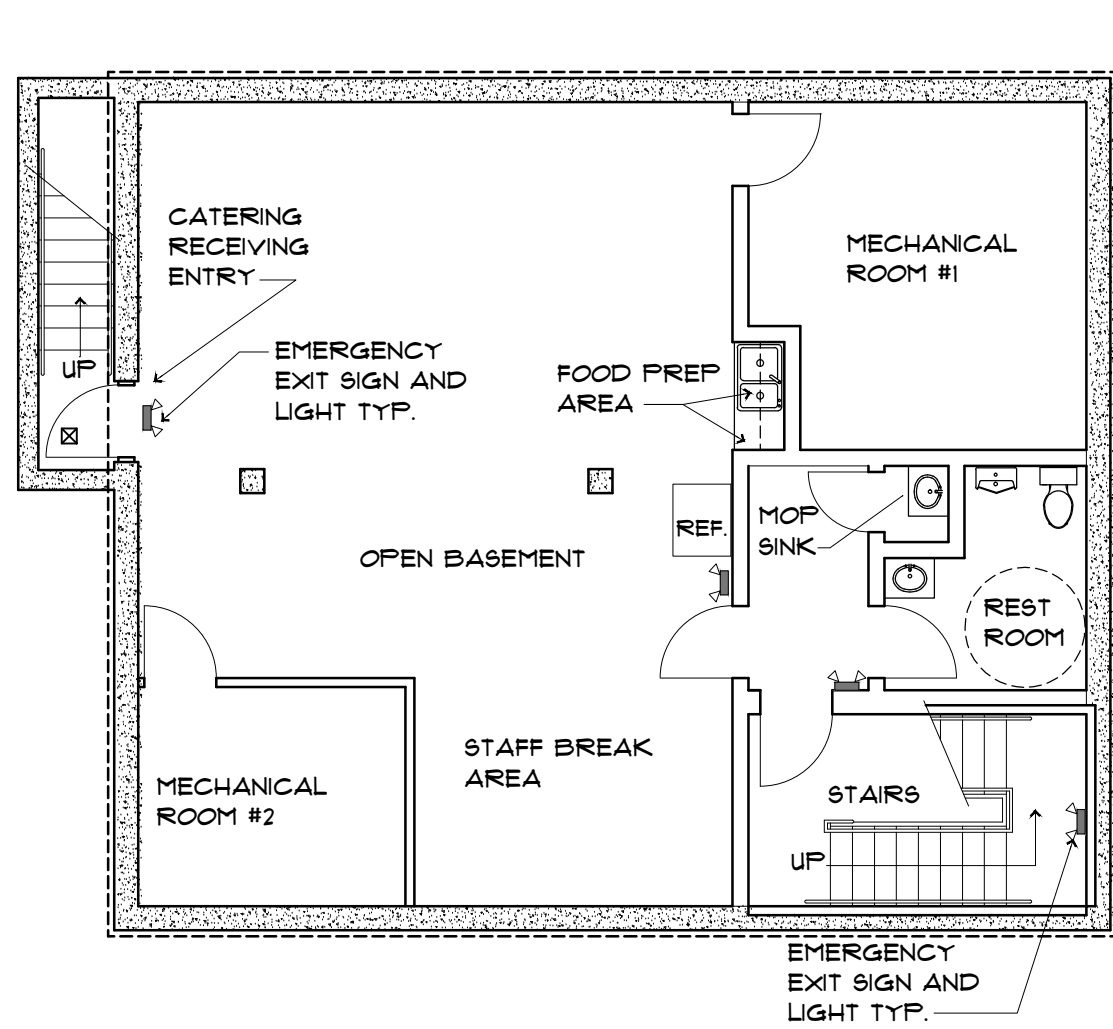
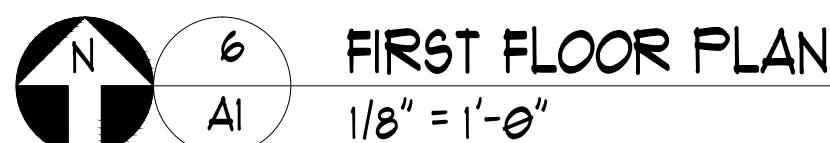
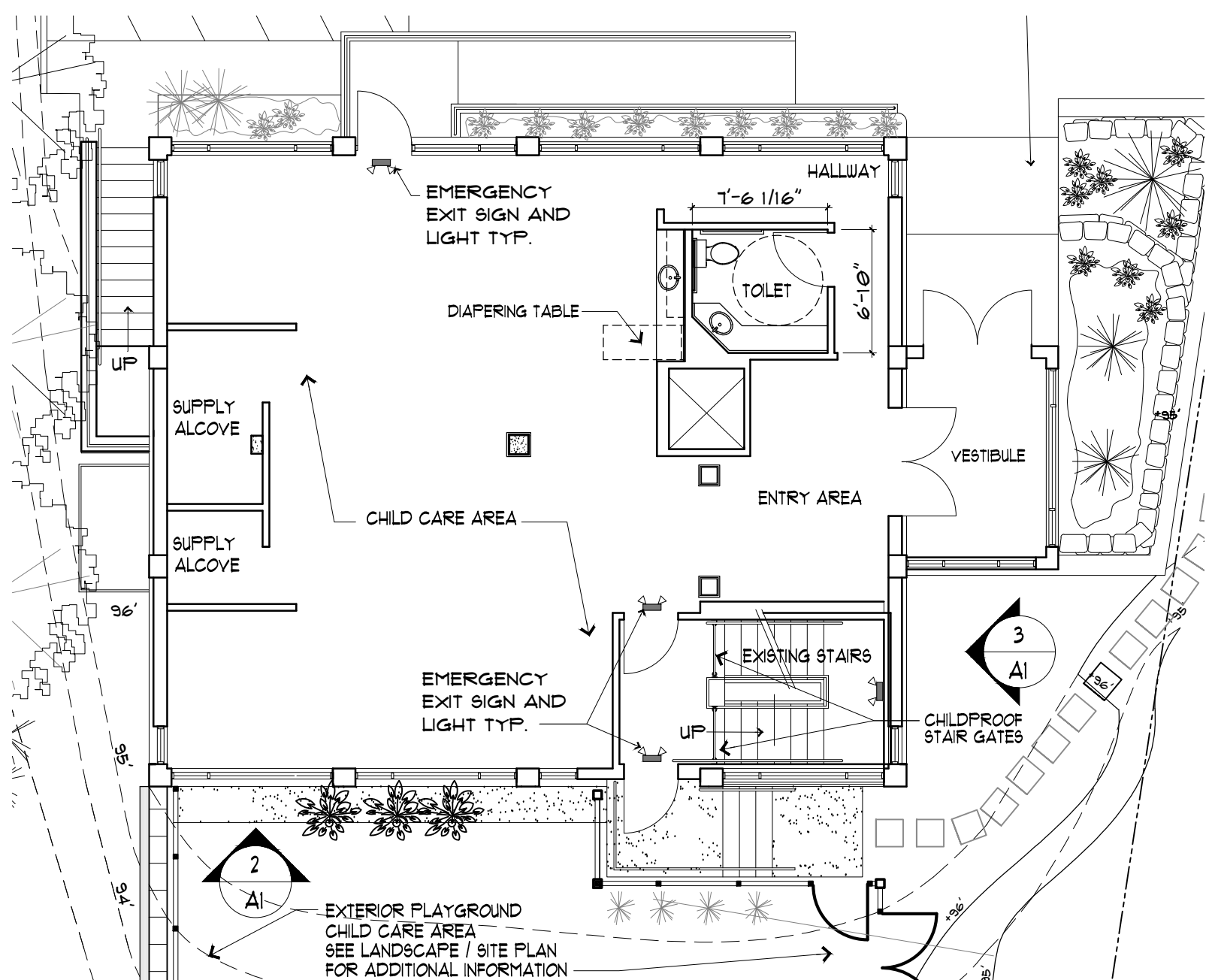
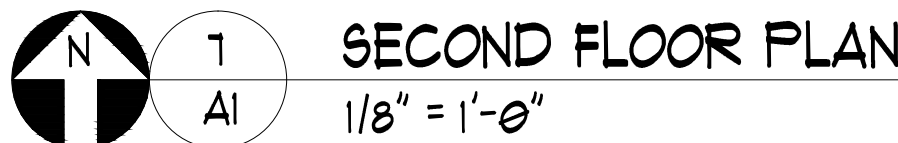
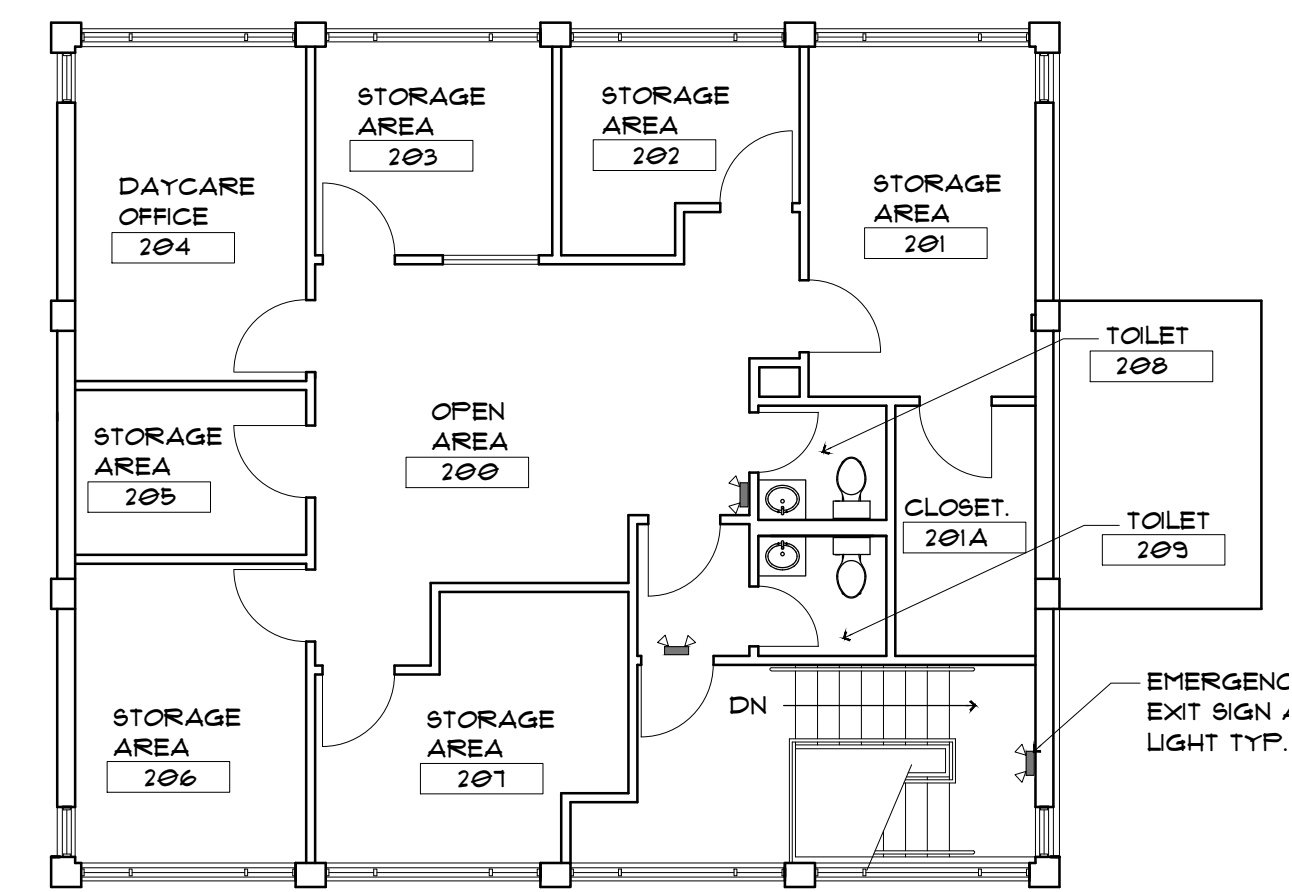
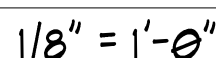
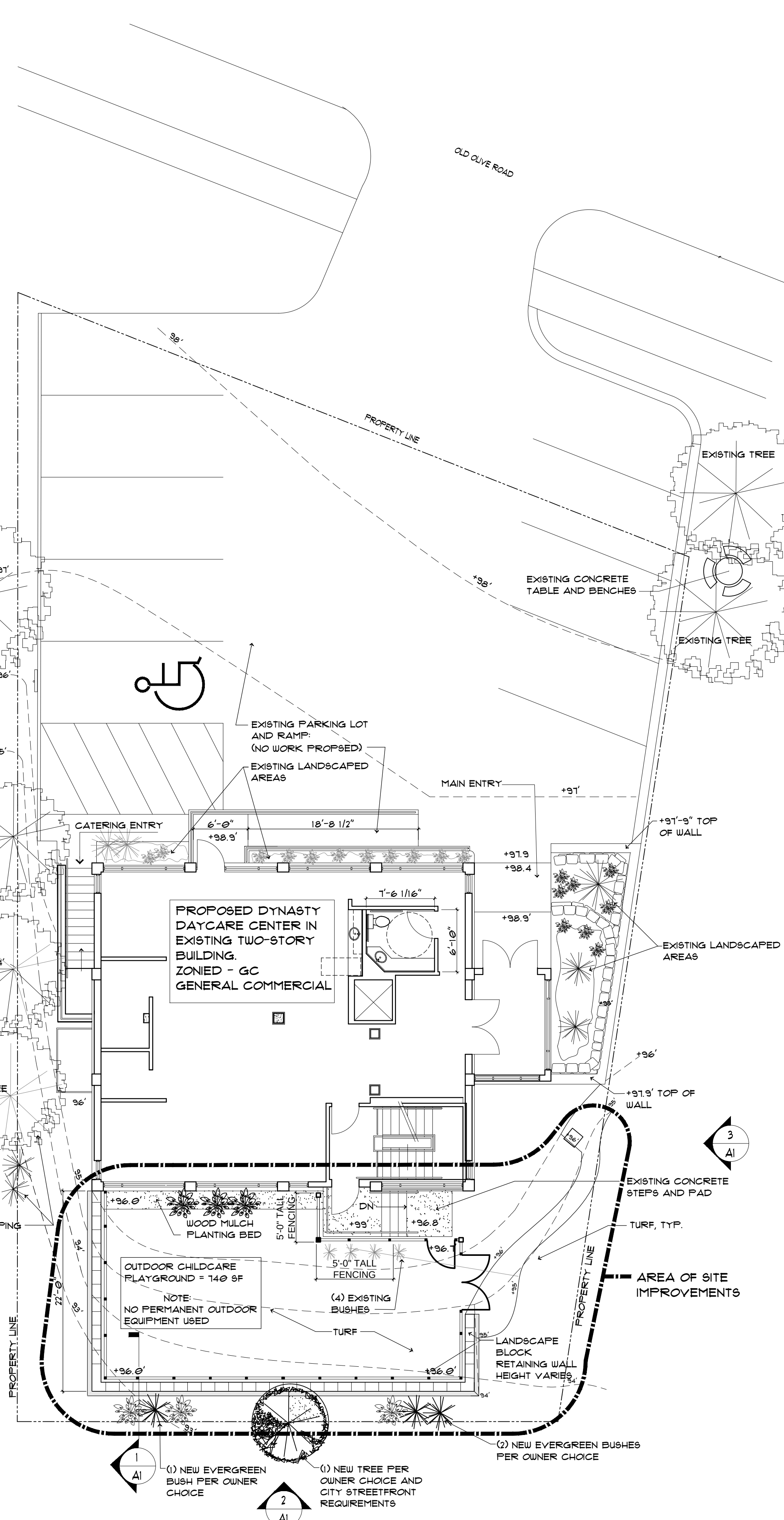
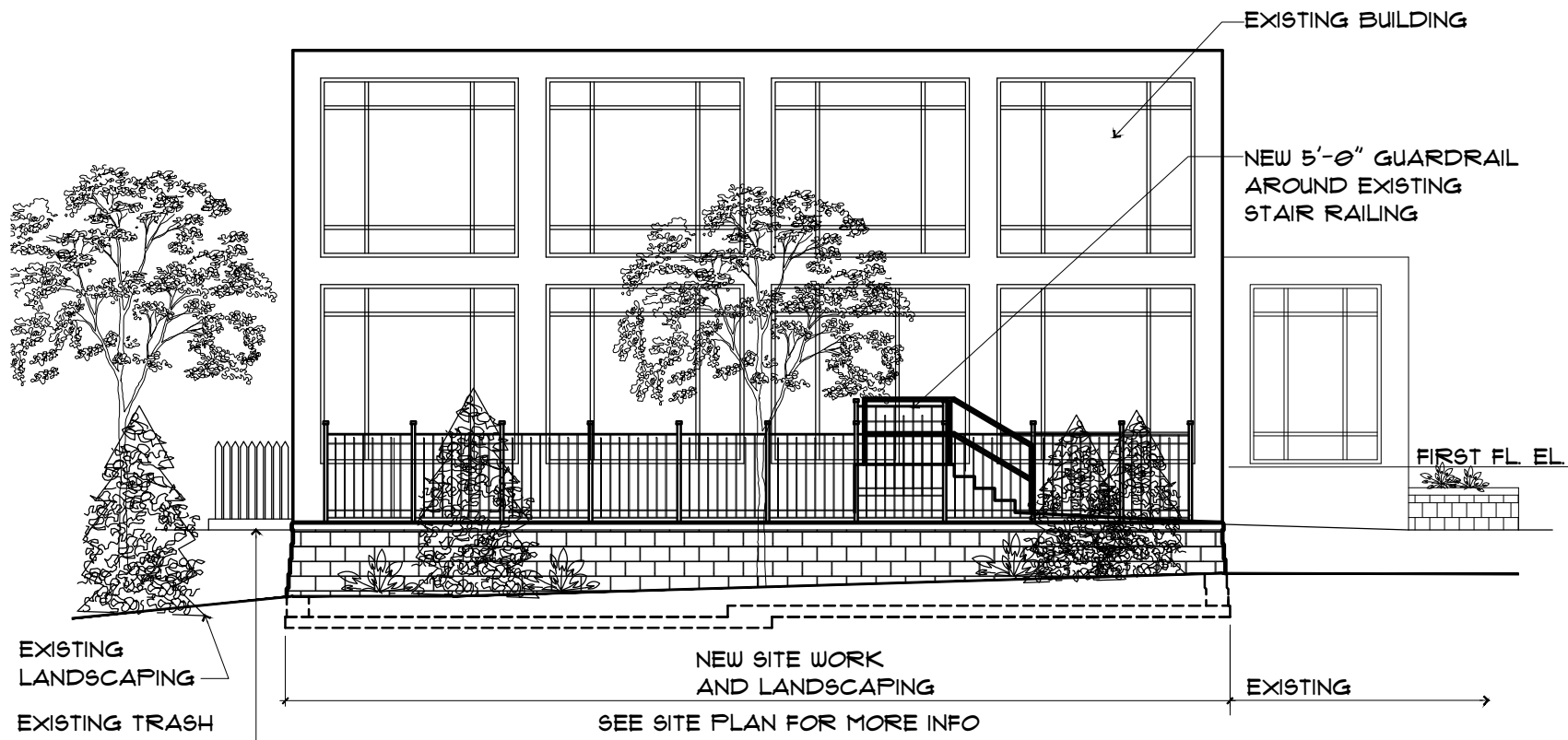
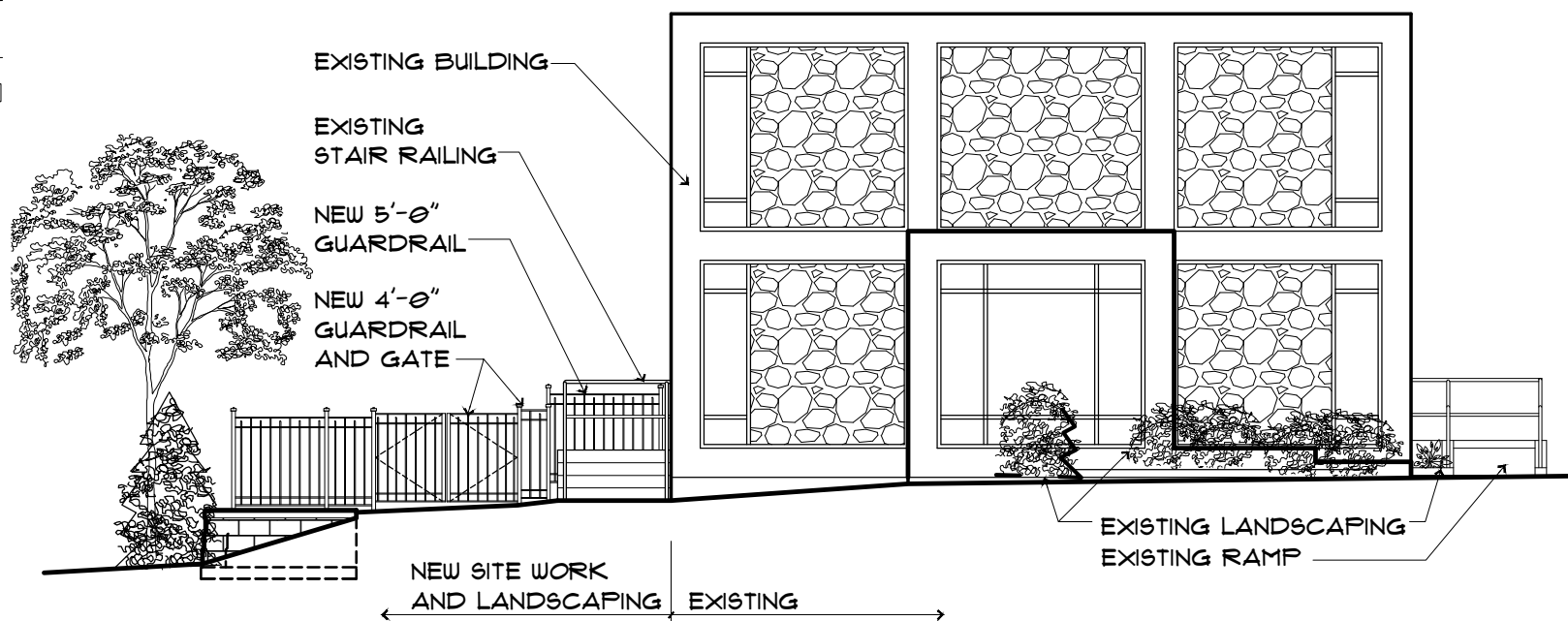
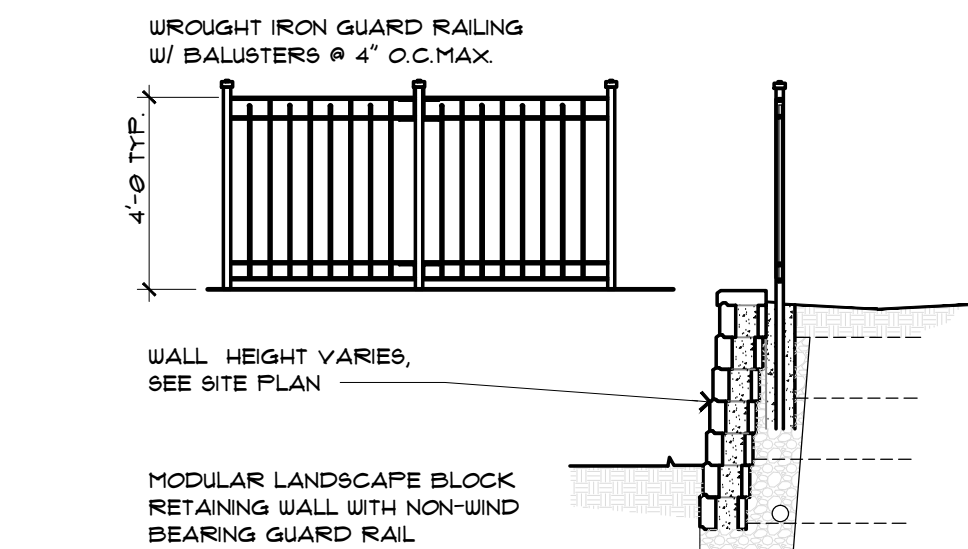


$$1/4'' = 1' - \theta''$$
$$1/8'' = 1' - \theta''$$
$$1/4'' = 1' - \theta''$$

Project:
Dynasty Day Care
9974 Old Olive St. Rd.
Creve Couer, MO 63141

volding **architecture**
325 North Kirkwood Road - Suite 330
St. Louis, Missouri 63122
314.909.7280

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A1





city of CREVE COEUR

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**APPLICATION TO PLANNING AND ZONING COMMISSION
#13-021 FOR TEXT AMENDMENTS TO SECTION 405.210 TABLE
A, PERMITTED AND CONDITIONAL USES OF THE ZONING CODE
TO CLARIFY CERTAIN RESIDENTIAL USES, AND OTHER
HOUSEKEEPING AMENDMENTS**

FOR THE MEETING OF: Monday, August 5, 2013

LOCATION: City-wide

REQUEST: On April 22, 2013, the City converted the Zoning Code list of permitted and conditional uses to the North American Industry Classification System (NAICS) (Ordinance #5300). During this process, changes to some uses were made that were never intended. Staff finds it necessary to correct these errors and to further clarify other uses within the table such as the density levels of residential uses, as a matter of housekeeping amendments to Table A: Permitted and Conditional Uses.

ADDITIONAL INFORMATION: The public notification included revising the definition of a dwelling to prohibit a new form of multi-family housing called apodments, which is becoming popular in the Seattle/Portland area. However, at this time Staff does not see this as a zoning issue, and therefore this text amendment does not address changing the definition of dwelling.

Key Issues:

- Is this a reasonable exercise of zoning authority?
- Is this consistent with the purposes of the Zoning Code
- Is this consistent with the purposes of the Comprehensive Plan

Comp. Plan References

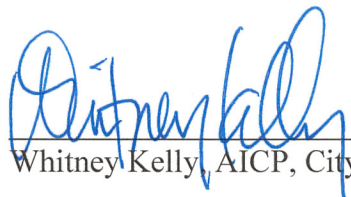
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Zoning Code References

- Section 405.210:
Regulation of Uses,
Table A, Permitted and
Conditional Uses

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

REPORT PREPARED BY:


Whitney Kelly, AICP, City Planner

8/2/2013

ATTACHMENTS: Draft Ordinance
Section 405.210 Table A, Permitted and Conditional Uses

DISCUSSION

NAICS #522320 Other Activities Related to Credit Intermediation. Examples of businesses within this category include check cashing services, money order issuance services, and payday lending services. This use was included as a permitted use in the PO, PC, GC, and CB Districts. Staff is suggesting that it be stricken from the table altogether:

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
522390	Other Activities Related to Credit Intermediation	-	-	-	-	-	-	-	P	-	-	P	P	P	-

NAICS #541490 Other Specialized Design Services is comprised of establishments primarily engaged in providing professional design services (except architectural, landscape architecture, engineering, interior, industrial, graphic, and computer system design). Illustrative Examples include: costume design services (except independent theatrical costume designers), jewelry design services, fashion design services, float design services, shoe design services, fur design services, textile design services. These uses are permitted in the PO, PC, CB, and LI District, but were mistakenly left out of the GC District. Staff suggests allowing them as a permitted use in the GC District:

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
541490	Other Specialized Design Services								P			P	<u>P</u>	P	P
541511	Custom Computer Programming Services								P			P	<u>P</u>	P	P

NAICS #541511 Custom Computer Programming Services is comprised of establishments primarily engaged in writing, modifying, testing, and supporting software to meet the needs of a particular customer, and is listed as a permitted use in the PO, PC, CB, and LI District, but not allowed in the GC District. This is within the same category Computer Systems Design Services, Computer Facilities Management Services and Other Computer Related Services, which are all permitted in the GC District. Therefore, Staff is recommending allowing it as a permitted use in the GC District:

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
541511	Custom Computer Programming Services								P			P	<u>P</u>	P	P

NAICS #541711 Research and Development in Biotechnology and #541712 Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology) uses were mistakenly left out of the LI District, where such research and development is occurring in Helix Center. Therefore Staff recommends allowing as a permitted use in the LI District:

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
541711	Research and Development in Biotechnology								P	P					<u>P</u>
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)								P	P					<u>P</u>

NAICS #622210 *Psychiatric and Substance Abuse Hospitals* is comprised of establishments known and licensed as psychiatric and substance abuse hospitals primarily engaged in providing diagnostic, medical treatment, and monitoring services for inpatients who suffer from mental illness or substance abuse disorders. The treatment often requires an extended stay in the hospital. This use was listed as a permitted use in the LI District. However, the LI District does not lend itself to long-term residential facilities, and therefore should be removed as an allowed use in the district:

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
622210	Psychiatric and Substance Abuse Hospitals							P							P

NAICS #713110 *Amusement and Theme Parks* was listed as a permitted use in the PH District, and should be removed:

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
713110	Amusement and Theme Parks							P				C	C	C	

NAICS #812199 *Other Personal Care Services (except escort services, massage parlors, steam baths, tattoo parlors and Turkish baths)* included such uses as day spas, depilatory or electrolysis (i.e., hair removal) salons, saunas, ear piercing services, hair replacement (except by offices of physicians) or weaving, services, tanning salons, and permanent makeup salons. Staff recommends that this category be revised from conditional to permitted uses in the MX, PC, GC, CB, and LI District, with the exception of permanent makeup salons which could be similar to tattoo parlors, to be included with the listed exceptions as not allowed in the City:

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
812199	Other Personal Care Services (except escort services, massage parlors, steam baths, tattoo parlors, <u>permanent makeup salons</u> , and Turkish baths)										<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>

NAICS # 812990 All Other Personal Services category includes such uses as astrology services, bail bonding or bondsperson services, shoeshine services, coin-operated personal services machine, concession operators, social escort services, consumer buying services, personal fitness trainer, personal organizer services, personal shopping services, wedding chapels (except churches) wedding planning services, and dating services. It is currently listed as a conditional use in the MX, PC, GC, and CB District, and as a permitted use in the LI District. Given the wide range of uses within this category, and that the potential impacts can vary significantly, staff recommends that it be listed as a conditional use in all commercial district, thus changing from a permitted to a conditional use in the LI District:

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
812990	All Other Personal Services										C	C	C	C	P C

NAICS #814110 Private Households. Staff recognized that this NAICS designation did not adequately provide for the various types of residential developments allowed. Further, as a residential dwelling is not a business category, the NAICS does not have an appropriate number for such structures. Therefore, Staff is requesting to add specific designations for each of the types of housing permitted. NO change in the allowed densities are proposed. As with other uses that do not have a corresponding NAICS number, "CC" is included before each proposed number to make it a unique identifier as a City of Creve Coeur designation only:

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
814110	Private Households-Single Family Residential	P	P	P	P	P	P							C	
<u>CC814111</u>	<u>Attached Single-Family Residential (townhouses or duplexes)</u>					P									
<u>CC814120</u>	<u>Low Density Multi-Family Residential (6 units per acre)</u>					C									
<u>CC814130</u>	<u>Medium Density Multi-Family Residential (20 units per acre max.)</u>													P	
<u>CC814140</u>	<u>High Density Multi-Family Residential (more than 20 units per acre)</u>													C	

NAICS #922140 Correctional Institutions and #922150 Parole Offices and Probations Offices Correctional Institutions was listed as a permitted use in the LI District and Parole Offices and Probation Offices were listed as a permitted use in the GC District in error, and Staff Recommends that they be removed from the table:

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
922140	Correctional Institutions	-	-	-	-	-	-	-	-	-	-	-	-	-	P
922150	Parole Offices and Probation Offices	-	-	-	-	-	-	-	-	-	-	-	P	-	-

ACTION AND MOTION

If the Planning and Zoning Commission is satisfied that the amendments accomplish the original purposes for the conversion to the NAICS process, and that subsequent concerns have been heard and addressed, then Staff request that they provide a recommendation to the City Council on the text amendments. Action will be in the form of approval, approval as modified, or denial. The following would be an example motion for this application:

“I move to recommend approval of the draft text amendment ordinance attached to the August 5, 2013, staff report on Application #13-021 for the housekeeping amendments to Table A: Permitted and Conditional uses.” (Conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS); ALL EDITIONS

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

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 405.210 TABLE A OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI

WHEREAS, an application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted for an amendment to the Zoning Code Table A, Permitted and Conditional Uses; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the allowed permitted and conditional uses of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on Monday, August 5, 2013, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of _____ recommended approval of the subject amendments at its meeting on _____, 2013; and,

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

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

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

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

SECTION 1: The following individual line items in Section 405.210 Table A Permitted and Conditional Uses shall be amended as follows, while all other parts of Table A shall remain unchanged:

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
522390	Other Activities Related to Credit Intermediation	-	-	-	-	-	-	-	P	-	-	P	P	P	-
541490	Other Specialized Design Services								P			P	P	P	P

BILL NO. _____

ORDINANCE NO. _____

541511	Custom Computer Programming Services								P			P	<u>P</u>	P	P
541711	Research and Development in Biotechnology								P	P					<u>P</u>
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)								P	P					<u>P</u>
713110	Amusement and Theme Parks							<u>P</u>				C	C	C	
812199	Other Personal Care Services (except escort services, massage parlors, steam baths, tattoo parlors, permanent makeup salons, and Turkish baths)										<u>GP</u>	<u>G</u> <u>P</u>	<u>GP</u>	<u>GP</u>	<u>GP</u>
812990	All Other Personal Services										C	C	C	C	<u>PC</u>
814110	Private Households-Single Family Residential	P	P	P	P	<u>P</u>	P							C	
<u>CC814111</u>	<u>Attached Single-Family Residential (townhouses or duplexes)</u>					<u>P</u>									
<u>CC814120</u>	<u>Low Density Multi-Family Residential (6 units per acre)</u>					<u>C</u>									
<u>CC814130</u>	<u>Medium Density Multi-Family Residential (20 units per acre)</u>													<u>P</u>	
<u>CC814140</u>	<u>High Density Multi-Family Residential (more than 20 units per acre)</u>													<u>C</u>	
922140	Correctional Institutions	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>
922150	Parole Offices and Probation Offices	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-	-

SECTION 2: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2013.

SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

BILL NO. _____

ORDINANCE NO. _____

THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
221121	Electric Bulk Power Transmission and Control														C
221122	Electric Power Distribution	C	C	C	C	C	C	C	C	C	C	C	C	C	C
221310	Water Supply and Irrigation Systems														C
221320	Sewage Treatment Facilities														C
236115	New Single-Family Housing Construction (except For-Sale Builders)														C
236116	New Multifamily Housing Construction (except For-Sale Builders)														C
236117	New Housing For-Sale Builders														C
236118	Residential Remodelers														C
236210	Industrial Building Construction														C
236220	Commercial and Institutional Building Construction														C
237110	Water and Sewer Line and Related Structures Construction														C
237120	Oil and Gas Pipeline and Related Structures Construction														C
237130	Power and Communication Line and Related Structures Construction														C
237210	Land Subdivision														C
237310	Highway, Street, and Bridge Construction (Management Office Only)													P	P
238150	Glass and Glazing Contractors														C
238210	Electrical Contractors and Other Wiring Installation Contractors														C
238220	Plumbing, Heating, and Air-Conditioning Contractors														C
238310	Drywall and Insulation Contractors														C
238320	Painting and Wall Covering Contractors														C
238330	Flooring Contractors														C
238340	Tile and Terrazzo Contractors														C
238350	Finish Carpentry Contractors														C
238390	Other Building Finishing Contractors														C
238990	All Other Specialty Trade Contractors														C
311351	Chocolate and Confectionery Manufacturing from Cacao Beans														P
311352	Confectionery Manufacturing from Purchased Chocolate										P	P	P	P	P
311340	Nonchocolate Confectionery Manufacturing										P	P	P		P
311811	Retail Bakeries										P	P	P	P	P
311812	Commercial Bakeries														P
311813	Frozen Cakes, Pies, and Other Pastries Manufacturing														P
311821	Cookie and Cracker Manufacturing														P
311824	Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour														C
311830	Tortilla Manufacturing														C
311911	Roasted Nuts and Peanut Butter Manufacturing														P
311919	Other Snack Food Manufacturing														P
311920	Coffee and Tea Manufacturing														P

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
311942	Spice and Extract Manufacturing														C
312111	Soft Drink Manufacturing														P
312112	Bottled Water Manufacturing														P
312113	Ice Manufacturing														C
312120	Breweries														C
312130	Wineries														C
312140	Distilleries														C
313220	Narrow Fabric Mills and Schiffli Machine Embroidery														P
313310	Textile and Fabric Finishing Mills														P
313320	Fabric Coating Mills														P
314120	Curtain and Linen Mills														P
314910	Textile Bag and Canvas Mills														P
314999	All Other Miscellaneous Textile Product Mills														C
315210	Cut and Sew Apparel Contractors														P
315220	Men's and Boys' Cut and Sew Apparel Manufacturing														P
315240	Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing														P
315280	Other Cut and Sew Apparel Manufacturing														P
315990	Apparel Accessories and Other Apparel Manufacturing														P
316210	Footwear Manufacturing														P
316992	Women's Handbag and Purse Manufacturing														P
316998	All Other Leather Good and Allied Product Manufacturing														P
321113	Sawmills														
321114	Wood Preservation														
321211	Hardwood Veneer and Plywood Manufacturing														C
321212	Softwood Veneer and Plywood Manufacturing														C
321213	Engineered Wood Member (except Truss) Manufacturing														C
321214	Truss Manufacturing														C
321219	Reconstituted Wood Product Manufacturing														C
321911	Wood Window and Door Manufacturing														C
321912	Cut Stock, Resawing Lumber, and Planing														C
321918	Other Millwork (including Flooring)														C
321920	Wood Container and Pallet Manufacturing														C
321991	Manufactured Home (Mobile Home) Manufacturing														C
321992	Prefabricated Wood Building Manufacturing														C
321999	All Other Miscellaneous Wood Product Manufacturing														C
322211	Corrugated and Solid Fiber Box Manufacturing														C
322212	Folding Paperboard Box Manufacturing														P
322219	Other Paperboard Container Manufacturing														P

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
322220	Paper Bag and Coated and Treated Paper Manufacturing														C
322230	Stationery Product Manufacturing														C
322291	Sanitary Paper Product Manufacturing														C
322299	All Other Converted Paper Product Manufacturing														C
323111	Commercial Printing (except Screen and Books)														P
323113	Commercial Screen Printing														P
323117	Books Printing														P
323120	Support Activities for Printing														P
325220	Artificial and Synthetic Fibers and Filaments Manufacturing									C					C
325411	Medicinal and Botanical Manufacturing									C					C
325412	Pharmaceutical Preparation Manufacturing									C					C
325413	In-Vitro Diagnostic Substance Manufacturing									C					C
325414	Biological Product (except Diagnostic) Manufacturing									C					C
325991	Custom Compounding of Purchased Resins														P
325992	Photographic Film, Paper, Plate, and Chemical Manufacturing														P
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing														P
326111	Plastics Bag and Pouch Manufacturing														C
326112	Plastics Packaging Film and Sheet (including Laminated) Manufacturing														C
326113	Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing														P
326121	Unlaminated Plastics Profile Shape Manufacturing														P
326122	Plastics Pipe and Pipe Fitting Manufacturing														P
326130	Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing														P
326140	Polystyrene Foam Product Manufacturing														P
326150	Urethane and Other Foam Product (except Polystyrene) Manufacturing														P
326160	Plastics Bottle Manufacturing														P
326191	Plastics Plumbing Fixture Manufacturing														P
326199	All Other Plastics Product Manufacturing														P
326212	Tire Retreading														C
326291	Rubber Product Manufacturing for Mechanical Use														P
326299	All Other Rubber Product Manufacturing														P
327110	Pottery, Ceramics, and Plumbing Fixture Manufacturing														P
327211	Flat Glass Manufacturing														P
327212	Other Pressed and Blown Glass and Glassware Manufacturing														P
327213	Glass Container Manufacturing														P
327215	Glass Product Manufacturing Made of Purchased Glass														P

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
332114	Custom Roll Forming														P
332117	Powder Metallurgy Part Manufacturing														P
332215	Metal Kitchen Cookware, Utensil, Cutlery, and Flatware (except Precious) Manufacturing														P
332216	Saw Blade and Handtool Manufacturing														P
332311	Prefabricated Metal Building and Component Manufacturing														P
332312	Fabricated Structural Metal Manufacturing														P
332313	Plate Work Manufacturing														P
332321	Metal Window and Door Manufacturing														P
332322	Sheet Metal Work Manufacturing														P
332323	Ornamental and Architectural Metal Work Manufacturing														P
332410	Power Boiler and Heat Exchanger Manufacturing														P
332420	Metal Tank (Heavy Gauge) Manufacturing														P
332431	Metal Can Manufacturing														P
332439	Other Metal Container Manufacturing														P
332510	Hardware Manufacturing														P
332613	Spring Manufacturing														P
332618	Other Fabricated Wire Product Manufacturing														P
332710	Machine Shops														P
332721	Precision Turned Product Manufacturing														P
332722	Bolt, Nut, Screw, Rivet, and Washer Manufacturing														P
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers														P
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring														P
332911	Industrial Valve Manufacturing														P
332912	Fluid Power Valve and Hose Fitting Manufacturing														C
332913	Plumbing Fixture Fitting and Trim Manufacturing														P
332919	Other Metal Valve and Pipe Fitting Manufacturing														P
332991	Ball and Roller Bearing Manufacturing														P
332992	Small Arms Ammunition Manufacturing														C
332993	Ammunition (except Small Arms) Manufacturing														C
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing														C
332996	Fabricated Pipe and Pipe Fitting Manufacturing														P
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing														C
333111	Farm Machinery and Equipment Manufacturing														C

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
333112	Lawn and Garden Tractor and Home Lawn and Garden Equipment Manufacturing														C
333120	Construction Machinery Manufacturing														P
333131	Mining Machinery and Equipment Manufacturing														P
333132	Oil and Gas Field Machinery and Equipment Manufacturing														P
333241	Food Product Machinery Manufacturing														P
333242	Semiconductor Machinery Manufacturing														P
333243	Sawmill, Woodworking, and Paper Machinery Manufacturing														P
333244	Printing Machinery and Equipment Manufacturing														P
333249	Other Industrial Machinery Manufacturing														P
333314	Optical Instrument and Lens Manufacturing														P
333316	Photographic and Photocopying Equipment Manufacturing														P
333318	Other Commercial and Service Industry Machinery Manufacturing														P
333413	Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing														P
333414	Heating Equipment (except Warm Air Furnaces) Manufacturing														P
333415	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing														P
333511	Industrial Mold Manufacturing														C
333514	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing														P
333515	Cutting Tool and Machine Tool Accessory Manufacturing														P
333517	Machine Tool Manufacturing														P
333519	Rolling Mill and Other Metalworking Machinery Manufacturing														P
333611	Turbine and Turbine Generator Set Units Manufacturing														P
333612	Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing														P
333613	Mechanical Power Transmission Equipment Manufacturing														P
333618	Other Engine Equipment Manufacturing														P
333911	Pump and Pumping Equipment Manufacturing														P
333912	Air and Gas Compressor Manufacturing														C
333913	Measuring and Dispensing Pump Manufacturing														P
333921	Elevator and Moving Stairway Manufacturing														P
333922	Conveyor and Conveying Equipment Manufacturing														P

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
333923	Overhead Traveling Crane, Hoist, and Monorail System Manufacturing														P
333924	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing														P
333991	Power-Driven Handtool Manufacturing														C
333992	Welding and Soldering Equipment Manufacturing														P
333993	Packaging Machinery Manufacturing														P
333994	Industrial Process Furnace and Oven Manufacturing														P
333995	Fluid Power Cylinder and Actuator Manufacturing														P
333996	Fluid Power Pump and Motor Manufacturing														P
333997	Scale and Balance Manufacturing														P
333999	All Other Miscellaneous General Purpose Machinery Manufacturing														C
334111	Electronic Computer Manufacturing														P
334112	Computer Storage Device Manufacturing														P
334118	Computer Terminal and Other Computer Peripheral Equipment Manufacturing														P
334210	Telephone Apparatus Manufacturing														P
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing														P
334290	Other Communications Equipment Manufacturing														P
334310	Audio and Video Equipment Manufacturing														P
334412	Bare Printed Circuit Board Manufacturing														P
334413	Semiconductor and Related Device Manufacturing														P
334416	Capacitor, Resistor, Coil, Transformer, and Other Inductor Manufacturing														P
334417	Electronic Connector Manufacturing														P
334418	Printed Circuit Assembly (Electronic Assembly) Manufacturing														P
334419	Other Electronic Component Manufacturing														P
334510	Electromedical and Electrotherapeutic Apparatus Manufacturing							C							P
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing														P
334512	Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use														P
334513	Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables														P
334514	Totalizing Fluid Meter and Counting Device Manufacturing														P

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
334515	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals														P
334516	Analytical Laboratory Instrument Manufacturing							C							P
334517	Irradiation Apparatus Manufacturing														P
334519	Other Measuring and Controlling Device Manufacturing														P
334613	Blank Magnetic and Optical Recording Media Manufacturing														P
334614	Software and Other Prerecorded Compact Disc, Tape, and Record Reproducing											P	P	P	P
335110	Electric Lamp Bulb and Part Manufacturing														P
335121	Residential Electric Lighting Fixture Manufacturing														P
335122	Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing														P
335129	Other Lighting Equipment Manufacturing														P
335210	Small Electrical Appliance Manufacturing														P
335221	Household Cooking Appliance Manufacturing														P
335222	Household Refrigerator and Home Freezer Manufacturing														P
335224	Household Laundry Equipment Manufacturing														P
335228	Other Major Household Appliance Manufacturing														P
335311	Power, Distribution, and Specialty Transformer Manufacturing														P
335312	Motor and Generator Manufacturing														P
335313	Switchgear and Switchboard Apparatus Manufacturing														P
335314	Relay and Industrial Control Manufacturing														P
335911	Storage Battery Manufacturing														P
335912	Primary Battery Manufacturing														P
335932	Noncurrent-Carrying Wiring Device Manufacturing														P
335991	Carbon and Graphite Product Manufacturing														P
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing														P
336111	Automobile Manufacturing														C
336112	Light Truck and Utility Vehicle Manufacturing														C
336120	Heavy Duty Truck Manufacturing														C
336211	Motor Vehicle Body Manufacturing														C
336212	Truck Trailer Manufacturing														C
336213	Motor Home Manufacturing														C
336214	Travel Trailer and Camper Manufacturing														C
336310	Motor Vehicle Gasoline Engine and Engine Parts Manufacturing														C

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing														P
336330	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing														C
336340	Motor Vehicle Brake System Manufacturing														C
336350	Motor Vehicle Transmission and Power Train Parts Manufacturing														C
336360	Motor Vehicle Seating and Interior Trim Manufacturing														P
336390	Other Motor Vehicle Parts Manufacturing														C
336411	Aircraft Manufacturing														C
336412	Aircraft Engine and Engine Parts Manufacturing														C
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing														P
336414	Guided Missile and Space Vehicle Manufacturing														C
336415	Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing														C
336419	Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing														C
336510	Railroad Rolling Stock Manufacturing														C
336611	Ship Building and Repairing														
336612	Boat Building														C
336991	Motorcycle, Bicycle, and Parts Manufacturing														C
336992	Military Armored Vehicle, Tank, and Tank Component Manufacturing														C
336999	All Other Transportation Equipment Manufacturing														C
337110	Wood Kitchen Cabinet and Countertop Manufacturing														C
337121	Upholstered Household Furniture Manufacturing														C
337122	Nonupholstered Wood Household Furniture Manufacturing														C
337124	Metal Household Furniture Manufacturing														C
337125	Household Furniture (except Wood and Metal) Manufacturing														C
337127	Institutional Furniture Manufacturing														C
337211	Wood Office Furniture Manufacturing														C
337212	Custom Architectural Woodwork and Millwork Manufacturing														C
337214	Office Furniture (except Wood) Manufacturing														C
337215	Showcase, Partition, Shelving, and Locker Manufacturing														C
337910	Mattress Manufacturing														C
337920	Blind and Shade Manufacturing														P

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
339112	Surgical and Medical Instrument Manufacturing														P
339113	Surgical Appliance and Supplies Manufacturing							C				C	C		P
339114	Dental Equipment and Supplies Manufacturing							C							P
339115	Ophthalmic Goods Manufacturing							C							P
339116	Dental Laboratories							P					C	C	P
339910	Jewelry and Silverware Manufacturing														P
339920	Sporting and Athletic Goods Manufacturing														P
339930	Doll, Toy, and Game Manufacturing														P
339940	Office Supplies (except Paper) Manufacturing														P
339950	Sign Manufacturing										C	C	C	C	C
339991	Gasket, Packing, and Sealing Device Manufacturing														P
339992	Musical Instrument Manufacturing														P
339993	Fastener, Button, Needle, and Pin Manufacturing														P
339994	Broom, Brush, and Mop Manufacturing														P
339995	Burial Casket Manufacturing														P
339999	All Other Miscellaneous Manufacturing														C
423110	Automobile and Other Motor Vehicle Merchant Wholesalers														C
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers														P
423130	Tire and Tube Merchant Wholesalers														C
423140	Motor Vehicle Parts (Used) Merchant Wholesalers														C
423210	Furniture Merchant Wholesalers														P
423220	Home Furnishing Merchant Wholesalers														P
423310	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers														P
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers														P
423330	Roofing, Siding, and Insulation Material Merchant Wholesalers														P
423390	Other Construction Material Merchant Wholesalers														P
423410	Photographic Equipment and Supplies Merchant Wholesalers														P
423420	Office Equipment Merchant Wholesalers														P
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers														P
423440	Other Commercial Equipment Merchant Wholesalers														P
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers														P
423460	Ophthalmic Goods Merchant Wholesalers														P

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
423490	Other Professional Equipment and Supplies Merchant Wholesalers														P
423510	Metal Service Centers and Other Metal Merchant Wholesalers														P
423520	Coal and Other Mineral and Ore Merchant Wholesalers														
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers														P
423620	Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers														P
423690	Other Electronic Parts and Equipment Merchant Wholesalers														P
423710	Hardware Merchant Wholesalers														P
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers														P
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers														P
423740	Refrigeration Equipment and Supplies Merchant Wholesalers														P
423810	Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers														P
423820	Farm and Garden Machinery and Equipment Merchant Wholesalers														P
423830	Industrial Machinery and Equipment Merchant Wholesalers														P
423840	Industrial Supplies Merchant Wholesalers														P
423850	Service Establishment Equipment and Supplies Merchant Wholesalers														P
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers														P
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers														P
423920	Toy and Hobby Goods and Supplies Merchant Wholesalers														P
423930	Recyclable Material Merchant Wholesalers														P
423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers														P
423990	Other Miscellaneous Durable Goods Merchant Wholesalers														P
424110	Printing and Writing Paper Merchant Wholesalers														P
424120	Stationery and Office Supplies Merchant Wholesalers														P
424130	Industrial and Personal Service Paper Merchant Wholesalers														P

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
424210	Drugs and Druggists' Sundries Merchant Wholesalers														P
424310	Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers														P
424320	Men's and Boys' Clothing and Furnishings Merchant Wholesalers														P
424330	Women's, Children's, and Infants' Clothing and Accessories Merchant Wholesalers														P
424340	Footwear Merchant Wholesalers														P
424410	General Line Grocery Merchant Wholesalers														P
424420	Packaged Frozen Food Merchant Wholesalers														P
424430	Dairy Product (except Dried or Canned) Merchant Wholesalers														P
424440	Poultry and Poultry Product Merchant Wholesalers														P
424450	Confectionery Merchant Wholesalers														P
424460	Fish and Seafood Merchant Wholesalers														P
424470	Meat and Meat Product Merchant Wholesalers														P
424480	Fresh Fruit and Vegetable Merchant Wholesalers														P
424490	Other Grocery and Related Products Merchant Wholesalers														P
424510	Grain and Field Bean Merchant Wholesalers														P
424520	Livestock Merchant Wholesalers														P
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers														P
424690	Other Chemical and Allied Products Merchant Wholesalers														C
424810	Beer and Ale Merchant Wholesalers														P
424820	Wine and Distilled Alcoholic Beverage Merchant Wholesalers														P
424910	Farm Supplies Merchant Wholesalers														P
424920	Book, Periodical, and Newspaper Merchant Wholesalers														P
424930	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers														P
424940	Tobacco and Tobacco Product Merchant Wholesalers														P
424950	Paint, Varnish, and Supplies Merchant Wholesalers														P
424990	Other Miscellaneous Nondurable Goods Merchant Wholesalers														P
425110	Business to Business Electronic Markets								P		P	P	P	P	P
425120	Wholesale Trade Agents and Brokers								P			P	P	P	P
441110	New Car Dealers											C	C	C	C
441120	Used Car Dealers														C
441210	Recreational Vehicle Dealers														C
441222	Boat Dealers											C	C	C	C

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
441228	Motorcycle, ATV, and All Other Motor Vehicle Dealers														C
441310	Automotive Parts and Accessories Stores										C	C	C	C	C
441320	Tire Dealers												C		C
CC442100	All Drive-In and Drive-Through Services (excluding Food Services)										C	C	C	C	C
442110	Furniture Stores										P	P	P	P	C
442210	Floor Covering Stores										P	P	P	P	C
442291	Window Treatment Stores										P	P	P	P	P
442299	All Other Home Furnishings Stores										C	C	P	P	P
443141	Household Appliance Stores										C	C	P	P	P
443142	Electronics Stores										P	P	P	P	P
444110	Home Centers											C	C	C	P
444120	Paint and Wallpaper Stores										C	P	P	P	P
444130	Hardware Stores										P	P	P	P	P
444190	Other Building Material Dealers											C	C	C	P
444210	Outdoor Power Equipment Stores										C	C	C	P	P
444220	Nursery, Garden Center, and Farm Supply Stores										C			C	P
445110	Supermarkets and Other Grocery (except Convenience) Stores										C	P	P	P	P
445120	Convenience Stores								C		C	C	C	C	C
445210	Meat Markets										P	P	P	P	P
445220	Fish and Seafood Markets														P
445230	Fruit and Vegetable Markets										P	P	P	P	P
445291	Baked Goods Stores										P	P	P	P	P
445292	Confectionery and Nut Stores										P	P	P	P	P
445299	All Other Specialty Food Stores										P	P	P	P	P
445310	Beer, Wine, and Liquor Stores										P	P	P	P	P
446110	Pharmacies and Drug Stores							P	P		P	P	P	P	P
446120	Cosmetics, Beauty Supplies, and Perfume Stores										P	P	P	P	P
446130	Optical Goods Stores										P	P	P	P	P
446191	Food (Health) Supplement Stores							P			P	P	P	P	P
446199	All Other Health and Personal Care Stores										P	P	P	P	P
447110	Gasoline Stations with Convenience Stores										C	C	C	C	C
447190	Other Gasoline Stations											C	C	C	C
448110	Men's Clothing Stores										P	P	P	P	C
448120	Women's Clothing Stores										P	P	P	P	C
448130	Children's and Infants' Clothing Stores										P	P	P	P	C
448140	Family Clothing Stores										P	P	P	P	C
448150	Clothing Accessories Stores										P	P	P	P	C
448190	Other Clothing Stores										P	P	P	P	P
448210	Shoe Stores										P	P	P	P	P
448310	Jewelry Stores										P	P	P	P	C
448320	Luggage and Leather Goods Stores										P	P	P	P	C
451110	Sporting Goods Stores (except those exclusively engaged in the sale of firearms and ammunition)										C	C	P	P	P
451120	Hobby, Toy, and Game Stores										P	P	P	P	P
451130	Sewing, Needlework, and Piece Goods Stores										P	P	P	P	P

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
451140	Musical Instrument and Supplies Stores										P	P	P	P	P
451211	Book Stores										P	P	P	P	P
451212	News Dealers and Newsstands								P		P	P	P	P	P
452111	Department Stores (except Discount Department Stores)										C	C	C	C	P
452112	Discount Department Stores										C	C	C	C	P
452910	Warehouse Clubs and Supercenters										C	C	C	C	P
452990	All Other General Merchandise Stores								C		C	C	C	C	P
453110	Florists							P			P	P	P	P	P
453210	Office Supplies and Stationery Stores							P	P		P	P	P	P	P
453220	Gift, Novelty, and Souvenir Stores							P			P	P	P	P	P
453310	Used Merchandise Stores (No building materials, outside sales, exchange or drop-off of used goods).										P	P	P	P	P
453910	Pet and Pet Supplies Stores										P	P	P	P	P
453920	Art Dealers										P	P	P	P	P
453930	Manufactured (Mobile) Home Dealers														C
453991	Tobacco Stores										P	P	P	P	P
453998	All Other Miscellaneous Store Retailers (except auction houses, pool and hot tub sales/supplies and cemetery memorial dealers)										P	P	P	P	P
454111	Electronic Shopping										P	P	P	P	P
454112	Electronic Auctions													P	P
454113	Mail-Order Houses														P
454210	Vending Machine Operators														P
454310	Fuel Dealers														C
454390	Other Direct Selling Establishments										P	P	P		
481112	Scheduled Freight Air Transportation														P
481219	Other Nonscheduled Air Transportation										P			P	
484110	General Freight Trucking, Local														C
484121	General Freight Trucking, Long-Distance, Truckload														C
484122	General Freight Trucking, Long-Distance, Less Than Truckload														C
484210	Used Household and Office Goods Moving														C
484220	Specialized Freight (except Used Goods) Trucking, Local														C
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance														C
485111	Mixed Mode Transit Systems														C
485112	Commuter Rail Systems														C
485113	Bus and Other Motor Vehicle Transit Systems														C
485119	Other Urban Transit Systems														P
485210	Interurban and Rural Bus Transportation											C	C	C	
485310	Taxi Service														C
485320	Limousine Service														P
485410	School and Employee Bus Transportation														C
485510	Charter Bus Industry											C			C
485991	Special Needs Transportation											C			C

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
485999	All Other Transit and Ground Passenger Transportation											C			C
486110	Pipeline Transportation of Crude Oil														C
486210	Pipeline Transportation of Natural Gas														C
486910	Pipeline Transportation of Refined Petroleum Products														C
486990	All Other Pipeline Transportation														C
488190	Other Support Activities for Air Transportation														P
488410	Motor Vehicle Towing														C
488490	Other Support Activities for Road Transportation														C
488510	Freight Transportation Arrangement														P
488991	Packing and Crating														P
488999	All Other Support Activities for Transportation														P
491110	Postal Service								P			P	P	P	P
492110	Couriers and Express Delivery Services														P
492210	Local Messengers and Local Delivery														P
493110	General Warehousing and Storage														C
493120	Refrigerated Warehousing and Storage														C
493130	Farm Product Warehousing and Storage														
493190	Other Warehousing and Storage														
511110	Newspaper Publishers								P		P	P		P	P
511120	Periodical Publishers								P	P	P	P		P	P
511130	Book Publishers								P		P	P		P	P
511140	Directory and Mailing List Publishers								P		P	P		P	P
511191	Greeting Card Publishers								P		P	P		P	P
511199	All Other Publishers								P		P	P		P	P
511210	Software Publishers								P	P	P	P	P	P	P
512110	Motion Picture and Video Production											C	C	C	P
512120	Motion Picture and Video Distribution											P	P	P	P
512131	Motion Picture Theaters (except Drive-Ins)											C	C	C	
512191	Teleproduction and Other Postproduction Services												P	P	
512199	Other Motion Picture and Video Industries												P	P	
512210	Record Production								P	P			P	P	P
512220	Integrated Record Production/Distribution														P
512230	Music Publishers								P	P			P	P	P
512240	Sound Recording Studios								C			C	C	C	P
512290	Other Sound Recording Industries								C			C	C	C	P
515111	Radio Networks								C			C	C	C	C
515112	Radio Stations								C			C	C	C	C
515120	Television Broadcasting								C			C	C	C	C
515210	Cable and Other Subscription Programming								C			C	C	C	C
517110	Wired Telecommunications Carriers								C	C		C		C	C
517210	Wireless Telecommunications Carriers incl. Freestanding Antenna Facilities (except Satellite)	C	C	C	C	C	C	C	C	C	C	C	C	C	C
517410	Satellite Telecommunications								C	C			C		C
517911	Telecommunications Resellers								C			P		P	P
517919	All Other Telecommunications								C				C		C

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
CC517929	Roof-Mounted Communication Equipment	C					C	C	C	C	C	C	C	C	C
518210	Data Processing, Hosting, and Related Services								P	P		P		P	P
519110	News Syndicates								P			P		P	P
519120	Libraries and Archives						P		P	P	P	P	P	P	P
519130	Internet Publishing and Broadcasting and Web Search Portals								P	P	P	P	P	P	P
519190	All Other Information Services								P	P		P		P	P
521110	Monetary Authorities-Central Bank								P			P		P	P
522110	Commercial Banking						C		C		C	C	C	C	C
522120	Savings Institutions						C		C		C	C	C	C	C
522130	Credit Unions						C		C		C	C	C	C	C
522190	Other Depository Credit Intermediation								C			C		C	C
522210	Credit Card Issuing								P		P	P	P	P	
522220	Sales Financing								P		P	P	P	P	P
522291	Consumer Lending								P		P	P	P	P	P
522292	Real Estate Credit								P		P	P	P	P	P
522293	International Trade Financing								P		P	P	P	P	P
522294	Secondary Market Financing								P		P	P	P	P	P
522298	All Other Nondepository Credit Intermediation (incl. Pawnshops)														
522310	Mortgage and Nonmortgage Loan Brokers								P			P		P	
522320	Financial Transactions Processing, Reserve, and Clearinghouse Activities								P			P	P	P	
522390	Other Activities Related to Credit Intermediation								P			P	P	P	
523110	Investment Banking and Securities Dealing								P			P	P	P	
523120	Securities Brokerage								P		P	P	P	P	
523130	Commodity Contracts Dealing								P		P		P	P	
523140	Commodity Contracts Brokerage								P		P		P	P	
523210	Securities and Commodity Exchanges								P		P	P	P	P	
523910	Miscellaneous Intermediation								P			P		P	
523920	Portfolio Management								P		P	P	P	P	
523930	Investment Advice								P		P	P	P	P	
523991	Trust, Fiduciary, and Custody Activities								P			P	P	P	
523999	Miscellaneous Financial Investment Activities								P			P	P	P	
524113	Direct Life Insurance Carriers								P			P	P	P	
524114	Direct Health and Medical Insurance Carriers								P			P	P	P	
524126	Direct Property and Casualty Insurance Carriers								P			P	P	P	
524127	Direct Title Insurance Carriers								P			P	P	P	
524128	Other Direct Insurance (except Life, Health, and Medical) Carriers								P			P	P	P	
524130	Reinsurance Carriers								P			P	P	P	
524210	Insurance Agencies and Brokerages								P		P	P	P	P	
524291	Claims Adjusting								C		C	C	C	C	C
524292	Third Party Administration of Insurance and Pension Funds								P			P	P	P	
524298	All Other Insurance Related Activities								P			P	P	P	
525110	Pension Funds								P			P	P	P	

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
525120	Health and Welfare Funds								P			P	P	P	
525190	Other Insurance Funds								P			P	P	P	
525910	Open-End Investment Funds								P			P	P	P	
525920	Trusts, Estates, and Agency Accounts								P			P	P	P	
525990	Other Financial Vehicles								P			P	P	P	
531110	Lessors of Residential Buildings and Dwellings								P			P	P	P	
531120	Lessors of Nonresidential Buildings (except Miniwarehouses)								P		P	P	P	P	P
531190	Lessors of Other Real Estate Property								P			P	P	P	
531210	Offices of Real Estate Agents and Brokers								P		P	P	P	P	
531311	Residential Property Managers								P			P	P	P	
531312	Nonresidential Property Managers								P			P	P	P	
531320	Offices of Real Estate Appraisers								P			P	P	P	
531390	Other Activities Related to Real Estate								P			P	P	P	
532111	Passenger Car Rental											C	C	C	
532112	Passenger Car Leasing											C	C	C	
532120	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing												C	C	C
532210	Consumer Electronics and Appliances Rental										C	C	C	C	C
532220	Formal Wear and Costume Rental										P	P	P	P	C
532230	Video Tape and Disc Rental										P	P	P	P	C
532291	Home Health Equipment Rental										P	P	P	P	C
532292	Recreational Goods Rental										P	P	P	P	P
532299	All Other Consumer Goods Rental										C	C	C		C
532310	General Rental Centers										C	C	C	C	C
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing														P
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing														C
532420	Office Machinery and Equipment Rental and Leasing										P		P	P	P
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing														P
533110	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)								P			P		P	
541110	Offices of Lawyers								P			P	P	P	P
541120	Offices of Notaries								P			P	P	P	P
541191	Title Abstract and Settlement Offices								P		P	P	P	P	P
541199	All Other Legal Services								P			P		P	P
541211	Offices of Certified Public Accountants								P			P	P	P	P
541213	Tax Preparation Services								P			P	P	P	P
541214	Payroll Services								P			P	P	P	P
541219	Other Accounting Services								P			P	P	P	P
541310	Architectural Services								P			P	P	P	P
541320	Landscape Architectural Services											P	P	P	P
541330	Engineering Services								P			P	P	P	P
541340	Drafting Services								P			P	P	P	P
541350	Building Inspection Services								P			P	P		P

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
541360	Geophysical Surveying and Mapping Services								P			P	P	P	P
541370	Surveying and Mapping (except Geophysical) Services								P			P	P	P	P
541380	Testing Laboratories								P	P		P	P	P	P
541410	Interior Design Services								P				P	P	P
541420	Industrial Design Services								P			P	P	P	P
541430	Graphic Design Services								P			P	P	P	P
541490	Other Specialized Design Services								P			P	P	P	P
541511	Custom Computer Programming Services								P			P	P	P	P
541512	Computer Systems Design Services								P			P	P	P	P
541513	Computer Facilities Management Services								P	P		P	P	P	P
541519	Other Computer Related Services								P			P	P	P	P
541611	Administrative Management and General Management Consulting Services								P			P		P	P
541612	Human Resources Consulting Services								P			P		P	P
541613	Marketing Consulting Services							P	P			P	P	P	P
541614	Process, Physical Distribution, and Logistics Consulting Services								P			P		P	P
541618	Other Management Consulting Services								P			P	P	P	P
541620	Environmental Consulting Services								P	P		P	P	P	P
541690	Other Scientific and Technical Consulting Services								P	P		P	P	P	P
541711	Research and Development in Biotechnology								P	P					P
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)								P	P					P
541720	Research and Development in the Social Sciences and Humanities								P	P				P	
541810	Advertising Agencies								P			P	P	P	P
541820	Public Relations Agencies								P			P	P	P	P
541830	Media Buying Agencies								P			P	P	P	P
541840	Media Representatives								P			P	P	P	P
541850	Outdoor Advertising								P			P	P	P	P
541860	Direct Mail Advertising								P				P	P	P
541870	Advertising Material Distribution Services								P			P	P	P	P
541890	Other Services Related to Advertising								P			P	P	P	P
541910	Marketing Research and Public Opinion Polling								P			P	P	P	P
541921	Photography Studios, Portrait										P	P	P	P	P
541922	Commercial Photography											P	P	P	P
541930	Translation and Interpretation Services								P			P		P	P
541940	Veterinary Services										P	P	P	P	P
541990	All Other Professional, Scientific, and Technical Services								P			P	P	P	P
551111	Offices of Bank Holding Companies								P		P	P	P	P	P
551112	Offices of Other Holding Companies								P		P	P	P	P	P
551114	Corporate, Subsidiary, and Regional Managing Offices								P	P		P	P	P	P
CC561100	Business Enterprise Center (as defined in Chapter 405.120, Definition of Terms)													P	

Chapter 405, Table A, Permitted and Conditional Uses

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Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
561110	Office Administrative Services								P			P	P	P	P
561210	Facilities Support Services														P
561311	Employment Placement Agencies								P			C	C	C	P
561312	Executive Search Services								P			P	P	P	P
561320	Temporary Help Services								P			P	P	P	P
561330	Professional Employer Organizations								P			P	P	P	C
561410	Document Preparation Services								P	P		P	P	P	P
561421	Telephone Answering Services								C			C		C	P
561422	Telemarketing Bureaus and Other Contact Centers								C			C		C	C
561431	Private Mail Centers										P	P	P	P	C
561439	Other Business Service Centers (including Copy Shops)								P		P	P	P	P	P
561440	Collection Agencies								P			P	P	P	P
561450	Credit Bureaus								P			P	P	P	P
561491	Repossession Services														C
561492	Court Reporting and Stenotype Services								P			P	P	P	P
561499	All Other Business Support Services								P		P	P	P	P	P
561510	Travel Agencies								P		P	P	P	P	P
561520	Tour Operators								P			P		P	P
561591	Convention and Visitors Bureaus								P			P		P	P
561599	All Other Travel Arrangement and Reservation Services								P			P	P	P	P
561611	Investigation Services										P	P	P	P	P
561612	Security Guards and Patrol Services														C
561613	Armored Car Services														C
561621	Security Systems Services (except Locksmiths)								C			C	C	C	P
561622	Locksmiths										P	P	P	P	P
561710	Exterminating and Pest Control Services														P
561730	Landscaping Services														C
561740	Carpet and Upholstery Cleaning Services														P
561790	Other Services to Buildings and Dwellings														P
561910	Packaging and Labeling Services										C	C	C		P
561920	Convention and Trade Show Organizers								P			P		P	P
561990	All Other Support Services								C			C	C	C	P
562998	All Other Miscellaneous Waste Management Services														C
611110	Elementary and Secondary Schools	C	C	C	C	C	P								
611210	Junior Colleges						P		C		C	C	C	C	C
611310	Colleges, Universities, and Professional Schools						P	P	C	C	C	C	C	C	C
611410	Business and Secretarial Schools								C			C	C	C	C
611420	Computer Training								C			C	C	C	C
611430	Professional and Management Development Training								C			C	C	C	C
611511	Cosmetology and Barber Schools											C	C	C	C
611513	Apprenticeship Training								P			P	P	P	P
611519	Other Technical and Trade Schools								C					C	C
611610	Fine Arts Schools											C	C	C	P
611620	Sports and Recreation Instruction											C	C	C	P
611630	Language Schools								P					P	P

Chapter 405, Table A, Permitted and Conditional Uses

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Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
611691	Exam Preparation and Tutoring							P		P	P	P	P	P	P
611692	Automobile Driving Schools										C	C	C	C	
611699	All Other Miscellaneous Schools and Instruction							P			P	P	P	P	
611710	Educational Support Services							P			P	P	P	P	
621111	Offices of Physicians (except Mental Health Specialists)						P	P		P	P	P	P	P	
621112	Offices of Physicians, Mental Health Specialists						P	P		P	P	P	P	P	
621210	Offices of Dentists						P	P		P	P	P	P	P	
621310	Offices of Chiropractors						P	P		P	P	P	P	P	
621320	Offices of Optometrists						P	P		P	P	P	P	P	
621330	Offices of Mental Health Practitioners (except Physicians)						P	P		P	P	P	P	P	
621340	Offices of Physical, Occupational and Speech Therapists, and Audiologists						P	P		P	P	P	P	P	
621391	Offices of Podiatrists						P	P		P	P	P	P	P	
621399	Offices of All Other Miscellaneous Health Practitioners						P	P		P	P	P	P	P	
621410	Family Planning Centers						P	C			C	C	C	C	
621420	Outpatient Mental Health and Substance Abuse Centers						P					C			
621491	HMO Medical Centers						P	P			P	P	P	P	
621492	Kidney Dialysis Centers						P	P			P	P	P	P	
621493	Freestanding Ambulatory Surgical and Emergency Centers						P	P			P	P	P	P	
621498	All Other Outpatient Care Centers						P					C		P	
621511	Medical Laboratories						P					C	P	P	
621512	Diagnostic Imaging Centers						P					C	P	P	
621610	Home Health Care Services						P				P	P	P	P	
621910	Ambulance Services											C		P	
621991	Blood and Organ Banks						P							P	
621999	All Other Miscellaneous Ambulatory Health Care Services						P					C	C		
622110	General Medical and Surgical Hospitals						P								
622210	Psychiatric and Substance Abuse Hospitals						P							P	
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals						P								
623110	Nursing Care Facilities (Skilled Nursing Facilities)						C	C				C	C	C	
623210	Residential Intellectual and Developmental Disability Facilities (Subject to 405.450.B)	P	P	P	P	P	C	C				P			
623220	Residential Mental Health and Substance Abuse Facilities							P				C			
623311	Continuing Care Retirement Communities						C	C				C	C	C	
623312	Assisted Living Facilities for the Elderly						C	C				C	C	C	
623990	Other Residential Care Facilities (Subject to 405.450.B), excluding boot/disciplinary camps and halfway group homes.	P	P	P	P	P	C	C				C	C	C	
624110	Child and Youth Services							P						P	P
624120	Services for the Elderly and Persons with Disabilities						C	P	C			P	P	P	

Chapter 405, Table A, Permitted and Conditional Uses

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Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
624190	Other Individual and Family Services							P	P			P	P	P	P
624210	Community Food Services											C	C		P
624221	Temporary Shelters							C				C	C		C
624229	Other Community Housing Services											C	C		P
624230	Emergency and Other Relief Services											C	C		C
624310	Vocational Rehabilitation Services												P		C
624410	Child Day Care Services	C	C	C	C	C	C	C	C	C	C	C	C	C	C
711110	Theater Companies and Dinner Theaters								C	C	C	C	C	C	C
711120	Dance Companies											C	C	C	C
711130	Musical Groups and Artists											C	C	C	C
711190	Other Performing Arts Companies											C	C	C	C
711211	Sports Teams and Clubs											C	C	C	C
711212	Racetracks														C
711219	Other Spectator Sports											C	C	C	C
711310	Promoters of Performing Arts, Sports, and Similar Events with Facilities							C				C	C	C	C
711320	Promoters of Performing Arts, Sports, and Similar Events without Facilities							P				P	P	P	
711410	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures							P				P	P	P	P
711510	Independent Artists, Writers, and Performers							C				C	C	C	
721110	Museums											C	C	C	
721210	Historical Sites	C	C	C	C	C	C	C	C	C	C	C	C	C	
721230	Zoos and Botanical Gardens											C	C	C	
721290	Nature Parks and Other Similar Institutions	C	C	C	C	C						C	C	C	
721310	Amusement and Theme Parks							P				C	C	C	
721320	Amusement Arcades										C	C	C	C	
721390	Other Gambling Industries											C	C	C	C
721910	Golf Courses and Country Clubs	C	C	C	C	C									
721940	Fitness and Recreational Sports Centers	C	C	C	C	C			C	C		P	P	P	P
721950	Bowling Centers											C	C	C	
721990	All Other Amusement and Recreation Industries (except gun and shooting clubs)	C	C	C	C	C						C	C	C	P
721110	Hotels (except Casino Hotels) and Motels						C		C			C	C	C	
CC721130	Sexually-Oriented Businesses (subject to Article VIII-A of Chapter 405)														P
721191	Bed-and-Breakfast Inns	C	C	C	C	C									
721310	Rooming and Boarding Houses						C	C							
722310	Food Service Contractors											C	C	C	C
722320	Caterers											C	C	C	C
722330	Mobile Food Services										C	C	C	C	C
722410	Drinking Places (Alcoholic Beverages)										C	C	C	C	C
722511	Full-Service Restaurants								C		C	C	C	C	C
722513	Limited-Service Restaurants								C		C	C	C	C	C
722514	Cafeterias, Grill Buffets, and Buffets						C		C		C	C	C	C	C
722515	Snack and Nonalcoholic Beverage Bars								C	C	C	C	C	C	C
811111	General Automotive Repair												C		C
811112	Automotive Exhaust System Repair												C		C
811113	Automotive Transmission Repair												C		C
811118	Other Automotive Mechanical and Electrical Repair and Maintenance												C		C

Chapter 405, Table A, Permitted and Conditional Uses

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		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
811121	Automotive Body, Paint, and Interior Repair and Maintenance														C
811122	Automotive Glass Replacement Shops												C		C
811191	Automotive Oil Change and Lubrication Shops												C	C	C
811192	Car Washes												C		C
811198	All Other Automotive Repair and Maintenance												C		C
811211	Consumer Electronics Repair and Maintenance										C	C	C		C
811212	Computer and Office Machine Repair and Maintenance								P		P	P	P	P	P
811213	Communication Equipment Repair and Maintenance														P
811219	Other Electronic and Precision Equipment Repair and Maintenance												P		P
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance														P
811411	Home and Garden Equipment Repair and Maintenance														P
811412	Appliance Repair and Maintenance												P		P
811420	Reupholstery and Furniture Repair												C		P
811430	Footwear and Leather Goods Repair										P	P	P	P	P
811490	Other Personal and Household Goods Repair and Maintenance														C
812111	Barber Shops										P	P	P	P	P
812112	Beauty Salons										P	P	P	P	C
812113	Nail Salons										P	P	P	P	C
812191	Diet and Weight Reducing Centers										C	C	P	P	C
812199	Other Personal Care Services (except escort services, massage parlors, steam baths, tattoo parlors, <u>permanent makeup salons</u> , and Turkish baths)										<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>
812210	Funeral Homes and Funeral Services	C					C				C	C	C	C	
812220	Cemeteries not associated with a place of worship and all Crematories	C					C					C			
812320	Drycleaning and Laundry Services (except Coin-Operated) provided that facility (1) Meets all fire code regulations, and (2) Has a valid permit from the St. Louis County Air Pollution Control Program.										P	P	P	P	
812331	Linen Supply														P
812332	Industrial Launderers														P
812910	Pet Care (except Veterinary) including only Pet Spas (as defined in Section 405.120) Services										P	P	P		P
812921	Photofinishing Laboratories (except One-Hour)														P
812922	One-Hour Photofinishing										P	P	P	P	
812930	Parking Lots and Garages												C	C	P
812990	All Other Personal Services										C	C	C	C	<u>PC</u>

Chapter 405, Table A, Permitted and Conditional Uses

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Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
813110	Religious Organizations, Incl. Retreat Houses	C	C	C	C	C	C	C	C	C	C	C	C	C	C
813211	Grantmaking Foundations								P		P	P	P	P	P
813212	Voluntary Health Organizations								P			P		P	P
813219	Other Grantmaking and Giving Services								P			P		P	P
813311	Human Rights Organizations								P			P		P	P
813312	Environment, Conservation and Wildlife Organizations	C	C	C	C	C			P			P		P	P
813319	Other Social Advocacy Organizations	C	C	C	C	C			P			P	P	P	P
813410	Civic and Social Organizations	C	C	C	C	C			P			P		P	C
813910	Business Associations	C	C	C	C	C			P			P		P	P
813920	Professional Organizations								P			P	P	P	C
813930	Labor Unions and Similar Labor Organizations								P			P	P	P	C
813940	Political Organizations								P			P	P	P	P
813990	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)	C	C	C	C	C			P			P	P	P	P
814110	Private Households-Single Family Residential	P	P	P	P	P	P							C	
CC814111	Attached Single-Family Residential (townhouses or duplexes)					P									
CC814120	Low Density Multi-Family Residential (6 units per acre)					C									
CC814130	Medium Density Multi-Family Residential (20 units per acre)													P	
CC814140	High Density Multi-Family Residential (more than 20 units per acre)													C	
921110	Executive Offices								P	P		P	P	P	C
921120	Legislative Bodies								P	P		P	P	P	
921130	Public Finance Activities								P			P	P	P	P
921140	Executive and Legislative Offices, Combined								P	P		P	P	P	P
921190	Other General Government Support								P	P		P	P	P	P
922110	Courts								P				P	P	P
922120	Police Protection						P	P	P	P		P	P	P	P
922130	Legal Counsel and Prosecution								P	P		P	P	P	
922140	Correctional Institutions														P
922150	Parole Offices and Probation Offices												P		
922160	Fire Protection						P		P	P		P	P	P	
922190	Other Justice, Public Order, and Safety Activities							C	C	C		C	C	C	P
923110	Administration of Education Programs							P	P			P	P	P	P
923120	Administration of Public Health Programs							P	P			P	P	P	
923130	Administration of Human Resource Programs (except Education, Public Health, and Veterans' Affairs Programs)							P	P			P	P	P	
923140	Administration of Veterans' Affairs							P	P			P	P	P	
924110	Administration of Air and Water Resource and Solid Waste Management Programs								P			P	P	P	
924120	Administration of Conservation Programs								P			P	P	P	
925110	Administration of Housing Programs								P			P	P	P	

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Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
925120	Administration of Urban Planning and Community and Rural Development								P			P	P	P	
926110	Administration of General Economic Programs								P			P	P	P	
926120	Regulation and Administration of Transportation Programs								P			P	P	P	
926130	Regulation and Administration of Communications, Electric, Gas, and Other Utilities								P			P	P	P	
926140	Regulation of Agricultural Marketing and Commodities								P			P	P	P	
926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors								P			P	P	P	P
927110	Space Research and Technology								P			P	P	P	P
928110	National Security								P			P	P	P	P
928120	International Affairs								P			P	P	P	P



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
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APPLICATION TO PLANNING AND ZONING COMMISSION
#13-023 FOR A TEXT AMENDMENT TO SECTION 405.370 "CB" CORE
BUSINESS DISTRICT REGULATIONS TO CHANGE THE PROTECTION FROM
A SINGLE FAMILY "DISTRICT" TO A SINGLE FAMILY "DEVELOPMENT"
WHEN ADJACENT TO THE "CB" CORE BUSINESS DISTRICT
FOR THE PLANNING AND ZONING COMMISSION MEETING OF: Monday,
July 15, 2013 at 7:00 P.M.

LOCATION: "CB" Core Business District

REQUEST: David Braswell, of Covington Realty Partners, LLC, has submitted a request to amend Section 405.370(E)(3)(a) and Section 405.370(E)(4)(d) of the "CB" Core Business District regulations of the Zoning Code to revise certain protections for adjacent single family residential "districts" to single family residential "development." Where Section 405.370(E)(3)(a) Maximum Structure Height states that a property adjacent to any single-family residential zoning district shall meet a sky exposure plane, Section 405.370(E)(4)(d) Buffer yards states that 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 amendment will change the word "district" to "development".

ADDITIONAL INFORMATION: The proposed changes would allow the applicant to pursue approval of the rezoning and conditional use permit for a multi-family residential development at 10360 Old Olive Street Road, known as "The Vanguard at Creve Coeur."

Key Issues:

- Is this a reasonable exercise of zoning authority?
- Does the request further or implement the goals of the Comprehensive Plan?
- Does this create adverse impacts for single-family subdivisions?

Comp. Plan References

- Design Guidelines
- Residential Preservation

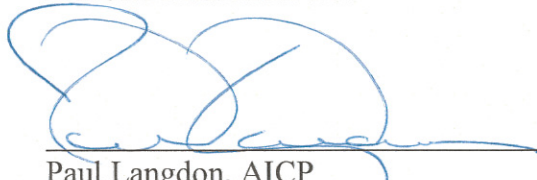
Zoning Code References

- Section 405.370: "CB" Core Business District

APPLICANT: David Braswell
Covington Realty Partners
135 N. Meramec Ave, Suite 500
St. Louis, MO 63105

PROPERTY OWNER: Dr. Kent Branson
Pavilion Office Park, LLC.
11630 Studt Avenue
Creve Coeur, MO 63141

REPORT PREPARED BY:


Paul Langdon, AICP
Director of Community Development
8/2/2013
Date

ATTACHMENTS: Draft Ordinance
Public Comments
Staff Report, dated February 16, 1999.

BACKGROUND – ZONING HISTORY

The proposed text amendment is the latest in a long line of changes to the City's Zoning Code concerning the regulation of commercial zoning when it is adjacent to residential zoning. Today's "CB" Core Business district was originally conceived as the major business district for the city, although it has always accommodated residential in various forms. Known as the "O" Central Core Business District when adopted in 1976, the bulk standards allowed large buildings with a floor area ratio of 2.5 and no height limitation. The standards also provided for a 50-foot landscaped buffer when a development was adjacent to a "residence district." Although it is not specified in the regulations exactly which districts were meant by "residence district," it appears to imply the single family ("A," "B" and "C") and two-family ("D") districts since they did not allow for any commercial uses. The "P" Planned Multi-family District, on the other hand, did allow commercial development as well, so it seems unlikely that a buffer would have been applied to a district that would have had the same internal juxtaposition of commercial to residential.

In 1983, the Zoning Code was largely re-written with most of the districts getting new names and substantially different regulations. The "O" District became the "CB" Core Business District and, although the bulk regulations allowed the same size buildings, the setback and buffer requirements were modified substantially. For buildings of four stories, the setback from the building to an adjacent single family detached zoning district ("A," "B" and "C") was increased to 200 feet, and for buildings of five or six stories, the same setback was 500 feet. Buildings higher than six stories were subject only to a conditional use permit and no particular setback was specified. At the same time, a 50-foot buffer was required adjacent to any single or multi-family residential district ("A," "B," "C," "AR" (formerly "D"), and "MR" (formerly "P")). These requirements were unchanged in the 1994 update, although the maximum building FAR was dropped from 2.5 to 2.

The next substantial revision of the Zoning Code took place in 1997, at which time the buffer and setback regulations were changed to the same ones that exist today. Specifically, the setbacks for increasing building heights adjacent to any "single-family residential zoning district" ("A," "B," "C," "D" and "AR") were limited by the "sky exposure plane" and the 50-foot buffer yard was required only beside the single-family districts, not the "MR" Multi-family Residential district. Buildings over three stories or 45 feet were also required to be setback 200 feet from an adjacent single-family district ("A," "B," "C," "D" and "AR").

There have been many discrete amendments to the Zoning Code since 1997, but no complete re-writes of the code. Germaine to this application, one of those amendments took place in 1999 when the City undertook to eliminate the MR district and place all existing MR developments in some other, existing zoning district. As shown in the attached report dated February 16, 1999, the staff undertook an exhaustive study of the developments that were zoned MR at the time and attempted to predict the possible impacts or spillover effects of rezoning those properties. The creation of non-conformities in the form of setback and buffer encroachments on adjacent commercial properties was noted and, in the instance of Carriage House, the impacts were significant enough to warrant a recommendation from the staff that the rezoning be from MR to GC, not AR, since the adjacent property was zoned GC and subject to longer, unworkable setbacks if the Carriage House was zoned AR.

This recommendation passed through the Planning Commission, but the City Council was concerned about insufficient separation between buildings. If both lots had been zoned GC, the commercial property would have to observe a 12-foot setback that could include parking, whereas a 20-foot landscape buffer was required. ~~182~~ Carriage House was zoned AR and the

adjacent property was zoned GC. There was no discussion of the impacts if the adjacent property were zoned CB.

Since that time, the newly AR-zoned properties have stayed largely unchanged, as have the properties around them, with one exception: the church property west of Carriage House became vacant and has been unchanged since then. The applicant proposes to demolish the buildings and construct an apartment complex on the site but is reliant upon the property being zoned CB, which would be an expansion of the district covering the Pavilion Shopping Center. However, this would place a CB district adjacent to the Carriage House AR district and then brings with it the sky exposure plane, 50-foot buffer and 200-foot setback requirements. These make development of the lot impossible since the lot is less than 200 feet wide. In response, they propose to amend the CB district so that the extra requirements would apply only when the adjacent development was actually single-family in nature, not just zoned that way. As a result, the presence of the AR district would have no regulatory impact on the adjacent development. This is equivalent to the effect of the regulations between 1997 and 1999 when MR districts did not compel the larger setbacks or buffers.

COMPREHENSIVE PLAN ANALYSIS

Preservation of the residential areas in town is a recurring theme in the Zoning Code:

Community Image and Identity

4. Maintain the City's strong low-density residential image and character. (p.23)
5. Ensure that non-residential development is compatible with adjacent residential development. (p.23)

There is also an entire section, "Residential Neighborhoods," that is committed to goals that ultimately serve to protect the single-family residential neighborhoods south of Olive Boulevard. It must be noted that it does not include any areas north of Olive, including the lot being pursued by the applicant. Since these areas south of Olive Boulevard actually are developed with single-family houses, the proposed change would not impact them and, therefore, would not violate the Comprehensive Plan goals.

The question then is whether or not the existing AR-zoned, multi-family complexes are likely to be impacted if this amendment is approved and, if there is an impact, does it rise to the level of violating the goals of the Comprehensive Plan? Currently, there are no CB districts next to AR, except on Old Olive Boulevard (the applicant's site). However, it is conceivable that Westgate Center and Bellerive Shopping Center could be rezoned in the future to facilitate redevelopment, and they are adjacent to existing AR districts with multi-family development (Cove at Westgate and Town and Four, respectively). In the case of the former, Cross Creek Drive separates the two, so a direct conflict is unlikely there. At Bellerive Shopping Center, it could be possible for the side of a CB redevelopment to be close to approximately 10 apartment units that are currently less than 50 feet from the shared property line. Carriage House, on the other hand, is no less than 75 feet from their west property line that is shared with the applicant's property. Although a rezoning to CB seems less likely along their east side, the Carriage House buildings are only 15 feet from their east property line. If an office building were then located at the minimum 10-foot side setback, there would only be 25 feet between buildings and this would appear to violate the basic goals of protecting residential development from non-residential uses and is, in fact, the concern that the City Council had in 1999.

Having identified that a potential risk exists, it must be pointed out that the applicant is proposing a residential structure (apartments). It is difficult to conclude that one apartment structure is universally incompatible with another apartment building. Staff suggest that any issues that do arise from a given application can be resolved through the site development plan approval process. If the Planning Commission believes that the simple concern with the application is the potential for a non-residential structure to be placed too close to a residential structure, then a potential remedy would be to amend the request to replace the generic terms of "development" and "any tract or site" with "any non-residential development" instead of the proposed language that, if adopted, would still allow development close to the AR-zoned multi-family projects. This targets the specific concern, while allowing that a commercial zoning district (CB) can actually be developed with a residential use like that proposed by the applicant. On the other hand, it still makes it difficult to place a CB-zoned commercial project near one of these AR properties, but the current arrangement of zoning district already provides GC zoning on the adjacent property and this could serve as the transition area from AR to CB.

If adopted as suggested above, the relevant sections of the Zoning Code would be amended as follows:

3. *Building bulk regulations.*
 - a. *Maximum structure height.* No building or structure shall exceed four (4) stories or sixty (60) feet in height. Developments on lots of three (3) or more acres shall have no height limitations, provided that buildings exceeding six (6) stories or ninety (90) feet in height receive a conditional use permit in accordance with Section 405.1070. In addition, ~~properties~~ non-residential development adjacent to any single-family residential zoning district shall meet a sky exposure plane requirement. The sky exposure plane will be measured from a line located forty-five (45) feet above grade and one hundred (100) feet from the property line on the non-residential site and will have a slope of thirty degrees (30°) rising towards the center of the site. No portion of the building or structure shall penetrate this sky exposure plane.
4. *Yard and setback requirements.*
 - d. *Buffer yards.* Notwithstanding the provisions of Sections 405.370(E)(4)(b) and 405.370(E)(4)(c) above, any ~~tract or site~~ non-residential development 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 non-residential 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.

ZONING ANALYSIS

In all of the discussions over this issue, the intent has always been to most effectively implement the Comprehensive Plan through the protection of people's residences. This is a proper application of zoning regulations. How much protection is provided and to which particular forms of residences has been the question, and the Comprehensive Plan does not provide specific guidelines for anything other than the detached single-family districts south of Olive Boulevard. The Staff believe that the proposed amendment attempts to adjust the regulations to implement the Comprehensive Plan in the simplest terms but, upon investigation of past actions, find that it may be too heavy a hand. At the risk of narrowing the regulations to too fine of an issue, an alternative approach is proposed by the Staff that would effectively protect the AR-zoned properties from the most intense development, but still allow large multi-family projects that

require CB zoning, and leave unchanged the ability to use GC zoning for less intense commercial projects without the demanding setbacks and buffers. This appears to be a reasonably simple approach that allows a reasonable market demand with a lesser risk of unintended consequences. Further, the proposal still recognizes the goals of the Comprehensive Plan by protecting these pre-existing residential developments from commercial projects and does not contradict the existing land use patterns that show an overall intensification of use around the nodes of CB zoning.

Staff recommends one other minor clarification in the buffer regulations regardless of the other specific amendments. The regulations establish that certain sites must meet a 50-foot buffer and then the next sentence discusses a larger setback as a result of building heights over three stories. Although the overall construction of the bulk regulations suggests that setback increase is for buildings over three feet and adjacent to a single-family residential district, it is not clear and could cause confusion. The draft ordinance, therefore, contains qualifiers that make it clear that the 200-foot setback applies only when the building is over three stories and adjacent to a single-family residential development.

CONCLUSION

In 1999, the City took actions to increase the over-sight of new multi-family projects, most notably by forcing them into a townhouse style development in an AR zoning district, or a more intense high-rise style in a CB district. Those that were already built would have to be accommodated through some less-than-perfect rezoning. In most instances, the AR zoning was satisfactory (though not perfect) but, in the case of the Carriage House condominiums, a conflict was identified and a concern was raised. However, the circumstances at the time suggested that proceeding with the AR rezoning anyway would only increase the adjacent setback from 12 feet to 25 feet along the shared side property lines and that was more in keeping with the goals of the City. What was not anticipated was the much greater impact of the rezoning in the event that the adjacent property was ever up-zoned from GC to CB. That is the current situation and both the applicant's proposal and the staff alternative would make the applicant's project viable. The staff alternative, however, would be more closely tailored to the specific conflict in the current zoning.

ACTION AND EXAMPLE MOTION

The attached draft ordinance is based upon the applicant's request and will require a vote by the Planning Commission prior to being forwarded to the City Council for approval or denial. However, if the members of the Commission believe the alternative approach suggested by the Staff is preferable, then there should be a preceding motion that substitutes the alternative language. Such a motion would be similar to the following:

"I move to substitute the alternative language suggested by staff in their report on Application #13-023, dated August 5, 2013, into the attached draft ordinance revising the building height and buffer requirements in the CB Core Business zoning district."

An example motion calling for the final vote is:

"I move to approve the (amended) draft ordinance revising the building height and buffer requirements in the CB Core Business zoning district attached to the staff report on Application #13-023, dated August 5, 2013."

AN ORDINANCE AMENDING CHAPTER 405.370 "CB" CORE BUSINESS DISTRICT, OF THE ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI TO MODIFY THE HEIGHT AND BUFFER REGULATIONS AS THEY PERTAIN TO ADJACENT RESIDENTIAL DEVELOPMENT.

WHEREAS, an application by David Braswell, of Covington Realty Partners, Inc. has been submitted for a text amendment limiting the special height and buffer requirements in the "CB" District to properties adjacent to single-family residential development instead of single-family residential districts; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the "CB" Core Business District regulations of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on Monday August 5, 2013, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of _____ recommended approval of the subject amendments at its meeting on Monday July 15, 2013; and,

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

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

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

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

SECTION 1: Section 405.370.E.3. Building Bulk Regulations, paragraph “a. Maximum structure height” is hereby repealed and a new paragraph “a. Maximum structure height” is enacted in lieu thereof, as follows:

E. *Dimensional Regulations.*

3. *Building Bulk Regulations*

- a. *Maximum structure height.* No building or structure shall exceed four (4) stories or sixty (60) feet in height. Developments on lots of three (3) or more acres shall have no height limitations, provided that buildings exceeding six (6) stories or ninety (90) feet in height receive a conditional use permit in accordance with Section 405.1070. In addition, properties adjacent to any single-family residential development shall meet a sky exposure plane requirement. The sky exposure plane will be measured from a line located forty-five (45) feet above grade and one hundred (100) feet from the property line on the non-residential site and will have a slope of thirty degrees (30°) rising towards the center of the site. No portion of the building or structure shall penetrate this sky exposure plane.

SECTION 2: Section 405.370.E.4. Yard and setback requirements, paragraph “d. Buffer yards” is hereby repealed and a new paragraph “d. Buffer yards” is enacted in lieu thereof, as follows:

4. *Yard and setback requirements.*

- 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 development shall provide a buffer yard of fifty (50) feet on all sides that abut or adjoin the single-family development. The setback for buildings abutting a single-family residential development and 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.

BILL NO. _____

ORDINANCE NO. _____

SECTION 3: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2013.

SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

From: [Langdon, Paul](#)
To: [Kelly, Whitney](#)
Subject: FW:
Date: Friday, August 02, 2013 4:59:48 PM

From: Elizabeth Link [mailto:lizli25@hotmail.com]
Sent: Friday, July 12, 2013 5:53 PM
To: Langdon, Paul
Subject:

Mr. Langdon,

I am very interested in the proposed changes to the Core Business District regulations. There was information about it in the City Newsletter, but it was not clear if other protections would be put in place for residents of 'apartments, condominiums or other non-single-family buildings'. I have a concern that the property values and quality of life for myself and other people who are long-time residents on Guelbreth Lane would be adversely affected by development that had no regulations regarding set-back, or landscape buffer, or variable height limits. I notice that the item under 'Planning & Zoning Update' indicated that the 'protections in place for houses' would not be affected. I do not understand why residents of multifamily dwellings, or members of churches/schools should be left 'unprotected'.

Sincerely yours,
Elizabeth Link

Elizabeth Link
Lizli25@hotmail.com
314-853-1129

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**From:** [Patricia Murphy](#)  
**To:** [Kelly Whitney](#)  
**Cc:** [Kathleen McClure](#)  
**Subject:** July 15th Public Hearing #13-023  
**Date:** Monday, July 01, 2013 10:33:15 AM

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I am a long-time owner at Carriage House Manor Condos and object to Dr. Kent Branson's petition for re-zoning of the property adjacent to our garage building.

In addition to the proposed development being too close to our property; too high; and too many units it will also complicate traffic because:

- \* there are already 23 driveways/exits-entrances on/off Old Olive Street Road;

- \* drivers exiting Lindbergh Blvd coming from the north already use Old Olive St. Rd. like it were an access road for an interstate -- speeding well above the limit which is a hazard.

Also, I believe Dr. Branson, while aiming for the high-end market doesn't realize that many of the employees at Monsanto and Danforth Center are international employees and often share apartments/condos -- 2 to a bedroom.

This means one of Dr. Branson's proposed 3-bedroom units could, conceivable house SIX people creating even more traffic.

QUESTION: How many times can Dr. Branson bring this issue up?

Thank you,  
Patricia Murphy  
942 Guelbreth Ln., unit 204  
314-997-3385



**CITY OF CREVE COEUR - MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
MONDAY, JULY 15, 2013  
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, July 15, 2013, 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. Tim Madden, Chair*  
                                  *Dr. Michael Barton*  
                                  *Mr. James Faron*  
                                  *Mr. Charles Pullium*  
                                  *Mr. Gene Rovak*

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

**2. NEW BUSINESS**

**A. REQUEST TO POSTPONE TO AUGUST 5, 2013**

**Application #13-023: A request to amend Section 405.370(E)(3)(a) and 405.370(E)(4)(d) of the “CB” Core Business District regulations of the Zoning Code to revise certain protections for adjacent single family residential “districts” to single family residential “development”.**

Applicant/Agent: David Braswell  
Covington Realty Partners  
135 N. Meramec Ave, Suite 500  
St. Louis, MO 63105

Mr. Langdon referred to application #13-003 and said this is the text amendment portion of the application and explained it deals with buffers and setbacks that were set in place in 1999. Ms. Leslie Des Roches, 942 N. Spoede Road, stated she is concerned with this text amendment and is not in favor of this project. Ms. Des Roches does not believe that condominiums should not be in the same classification as churches, schools, and apartment buildings. Ms. Des Roches said that schools and churches are tax exempt and that an apartment building is basically taxed as business, and she said living in a condo she is living in “single-family units” and are taxed as such.

Mr. Faron motioned to postpone Application #13-023 to August 5, 2013. Mr. Rovak seconded the motion with the resultant vote as follows:

Mr. Rovak – aye  
Dr. Barton – aye

Mr. Pullium – aye  
Chair – aye

Mr. Faron – aye

3. **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 9:42 p.m.

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*Timothy Madden, Chair*

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*Julie Lowery, Recording Secretary*



DATE: FEBRUARY 16, 1999

TO: PLANNING AND ZONING COMMISSION

FROM: CARLOS TREJO, CITY PLANNER

SUBJECT: REVISED STAFF REPORT FOR REZONING FROM MR,  
MULTIFAMILY RESIDENTIAL DISTRICT TO AR, ATTACHED  
SINGLE FAMILY RESIDENTIAL DISTRICT

LOCATION: CARRIAGE HOUSE  
THE COVE AT WESTGATE  
TOWN AND FOUR VILLAGE & SOMERTON CONDOMINIUMS  
MILL CROSSING

ZONING: MR, MULTIFAMILY RESIDENTIAL DISTRICT

OWNER/  
REPRESENTATIVE: CITY OF CREVE COEUR

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A priority last year of the City Council and Planning and Zoning Commission was to consider controlling the development of multifamily residential developments within the City. In November 1998, the City adopted Ordinance No. 1957 and 1958, which addressed multifamily developments in the AR, Attached Single Family Residential District and the CB, Core Business District. Ordinance No. 1957 permits multifamily dwellings, up to 20 units per acre, in the AR district as a conditional use. Ordinance No. 1958 permits multifamily dwelling projects exceeding 20 units per acre as a conditional use. Multifamily dwellings up to 20 units per acre are allowed as a permitted use. Currently, the MR, Multifamily Residential District, PC, Planned Community District, CB, Core Business District and MX, Mixed Use District permit multifamily residential developments by right. Staff is seeking to eliminate the MR, Multifamily Residential District and rezone the properties currently zoned MR to AR, Attached Single Family Residential. By eliminating the MR, Multifamily Residential District and with the recently approved provisions for the AR and CB districts, the Planning and Zoning Commission, City Council and residents of the City of Creve Coeur are effectively given more control in guiding the development, design and location of multifamily dwellings.

#### **ORDINANCES NO. 1957 AND 1958**

Effective November 23, 1998, Ordinances 1957 and 1958 amended the AR and the CB zoning districts to allow multifamily residential dwellings as a Conditional Use. Ordinance 1957 was

titled as *An Ordinance Adopting and Enacting Amended AR, Attached Residential District (Sec. 26-34) Regulations in Article 3 of the Zoning Ordinance; adding provisions to the Conditional Use Section (26-52) in Article 4; Modifying provisions in the General Provisions Section (Sec. 26-80) in Article 9; and Modifying Definitions of Terms (Sec. 26-11) in Article 2*, and Ordinance 1958 was titled as *An Ordinance Adopting and Enacting Amended CB, Core Business District (Sec. 26-43) Regulations in Article 3 of the Zoning Ordinance; Adding Provisions to the Conditional Use Section (Sec. 26-52) in Article 4; and Modifying Provisions in the Parking Section (26-93) in Article 9*. Limiting multifamily development as a Conditional Use, multifamily residential development may be allowed by the City Council based on the development meeting additional standards specified in the Zoning Code and any other reasonable conditions which may be established by the City Council in its review and approval of the proposed use.

## **THE ZONING DISTRICTS**

There are currently five (5) zoning districts that allow multifamily residential developments. The MR, PC, CB and MX zoning districts allow for the development of multifamily residential developments by right and the AR and CB zoning districts allow for the development of multifamily residential developments by conditional use. (See Table 1) The following section of this report includes a description of each district and the development restrictions for multifamily residential developments. Additional development standards for multifamily residential developments under a conditional use for the AR and CB zoning district are also included.

### **MR, Multifamily Residential District**

The MR, Multifamily Residential District is intended to provide for the development, protection and conservation of multifamily residential dwellings built for rental occupancy or condominium ownership of individual dwelling units within the multifamily buildings. A multifamily building is defined as a building arranged, intended or designed for residence by more than two (2) families, with the principal access to each dwelling unit by means of an interior lobby or a common enclosed stairway and/or elevator.

The MR district allows for up to 20 units per acre. There is no minimum lot size requirement so long as the district area is no less than five acres. Maximum site coverage is set at 63%. A multifamily building is limited to a maximum of four (4) stories or fifty (50) feet. Additional buffer spacing is required over basic setback distances when abutting single family zoning districts.

### **AR, Attached Single Family Residential District**

The AR, Attached Single-Family Residential District is intended to provide for the development, protection and conservation of attached single-family dwellings either on deeded lots or condominium ownership. Attached single-family dwelling units must be in the form of duplexes or townhouses. Multifamily dwellings are permitted in the AR zoning district only as a conditional use.

The AR district allows for a sliding scale for permitted density, which ranges from four (4) to six (6) units per acre, based on the size of the site. For conditional uses (multi-family dwellings) the AR districts allows conditional uses to maintain a density not to exceed a floor area ratio of 0.4, with the average dwelling unit having a size of 900 square feet. This would permit approximately 19 units per acre for multi-family dwellings. A minimum lot size is required for each individual duplex or townhouse, but multifamily dwellings must be located on a lot of at least five (5) acres. Dwelling unit sizes are restricted, depending on the type of development. Maximum site coverage is limited to 50 to 60%, pending on the type of development. Structures are limited to three (3) stories or 35 feet. The buffer yard requirement is reduced in the AR district to 10 ft to 50 feet, pending on the size of the development.

The AR district includes additional design standards intended to guarantee adequate sunlight, open space and privacy for the occupants of detached single-family dwellings and attached single-family dwellings such as townhouses or duplexes. To prevent streetscapes from being dominated by garage doors and/or protruding garages, additional district regulations include:

1. Garage doors shall be faced to the side of rear yards of the site for a minimum of twenty-five percent (25%) of units proposed for the development. The portion of the garage facing the front of street shall have windows or other architectural details that mimic the features of the living portion of the structure.
2. Street facing garage doors must be recessed, by at least four (4) feet, behind either the front façade of the living area portion of the dwelling unit or a covered porch (measuring at least six (6) feet by eight (8) feet).
3. Front-loaded garage doors shall not comprise more than forty percent (40%) of the lot frontage and shall not exceed a total of 20 lineal feet at any time.

In order to qualify for consideration as a conditional use, additional development standards are required for multifamily dwellings. These development standards for multifamily dwellings include the following:

- (a) Shall be located in lots of at least five (5) acres.
- (b) The minimum dwelling unit size shall not be less than 900 sq. ft. per unit.
- (c) At a minimum, 50% of the required vehicular parking shall be provided underground or with a basement garage.
- (d) *Private usable space.* Private usable open space shall be provided in accordance with the standards for all multi-family residential buildings or development described in Section 26-80.
- (e) *Visual Environment Enhancement.* In the Site Development Plan for any building or structure or any tract or tracts in the AR District, there shall be set aside a sum of money equal to no less than two percent (2%) of the proposed total construction cost, which sum shall be used for the erection, construction or installation of special extraordinary walks, patios, fountains, pools, statuary, landscaping and other applicable objects of art or beautification upon such tract or tracts. There shall be specified on such Site Development Plan an itemized cost estimate of such items, including the manner in which the sum of money is to be used for this visual environment enhancement.

### **CB, Core Business District**

The CB, Core Business District is intended to guide and control private development and redevelopment of the major business districts in coordination with related public improvements and services. Specifically, the CB district is intended to:

- (a) Relate the development of retail, office and multifamily residential uses servicing both a citywide and subregional service area to an adopted development plan for the major business areas, including land use, phasing and public improvement elements.
- (b) Encourage site consolidation and an orderly, phased pattern of development.
- (c) Accommodate the use of existing residential structures for offices in the interim period between their present occupancy and ultimate redevelopment.
- (d) Induce and ensure high quality future development through the use of Site Development Plan approval procedures which provide for the specific consideration of access, parking, drainage, landscaping and design factors.

Multifamily dwellings are permitted in the CB district as a permitted use and through a conditional use. The CB district permits up to 20 units per acre by right and allows an excess of 20 units per acre as a conditional use.

The provision to allow multifamily residential developments as a permitted use in the CB district encourages mix land and building uses. For developments consisting primarily of a residential use only, the CB district, through a conditional use, requires a minimum site area of three (3) acres. There are strict dwelling unit size requirements, with a site average of no less than 900 square feet and a minimum dwelling unit size of 750 square feet. Maximum site coverage is limited to 63%. There are no height restrictions placed in the CB district, however, any building in excess of six (6) stories or 90 feet requires an additional conditional use. The buffer yard requirement is equal to that of the MR district.

In order to qualify for consideration of a conditional use, additional development standards are required for multifamily dwellings. These development standards for multifamily dwellings include the following:

- (a) Shall be located on sites of at least three (3) acres.
- (b) The average dwelling unit size shall not be less than 900 sq. ft. per unit and no unit shall be less than 750 sq. ft.
- (c) At a minimum, fifty percent (50%) of the required vehicular parking shall be provided underground or within a basement garage.

### **MX, Mixed Use District**

The MX, Mixed Use District is intended to encourage the redevelopment of under-developed areas of the City which are designed as mixed use by one of the City's land use plans. More specifically, the MX district is intended to:

- (a) Relate the development of retail, office and multi-family residential uses servicing both a citywide and sub-regional service area to an adopted development plan for the area, including land use phasing and public improvement elements.
- (b) Encourage site consolidation and an orderly, phased pattern of development and redevelopment.
- (c) Induce and ensure high quality future development through the use of Site Development Plan approval procedures which provide for the specific consideration of access, parking, drainage, landscaping and design factors.

The MX district permits multifamily developments as a permitted use by right on sites of 3.0 acres or more. The density may not exceed 20 units per acre. There are no limitations set on the size of a dwelling unit. Maximum site coverage permitted is 63%. The floor area ratio is determined by the size of the site, ranging from a minimum of .35 to a maximum of 1.0 on sites in excess of nine (9) acres. The height restriction ranges from 3 stories or 45 feet, however for sites in excess of six (6) acres, a maximum of five stories or seventy-five (75) feet is allowed. The buffer yard requirements are half of the requirement for the MR district.

### PC, Planned Community District

The PC, Planned Community District is intended to provide for the development of large areas to consist of a mixture of residential, office employment and retail service uses, which together compromise a community or neighborhood. The PC district allows for single family detached residences, duplexes and multifamily buildings, and commercial uses. PC developments are large-scale developments consisting of 40 acres or more. There application in this report will be limited to definition only, since PC developments are rare and comprise their own identity.

### DISTRICT COMPARISON CHART

| District                     | MR            | AR Duplex      | AR Townhouse    | AR Cond. Use | CB Cond. Use  | MX             |
|------------------------------|---------------|----------------|-----------------|--------------|---------------|----------------|
| Min. District Size           | 5 acres       | 5 acres        | 5 acres         | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                |               | 4,000 sf./unit | 2,000 sf./unit  |              | 3 acres       | 3 acres        |
| Min. Width                   |               | 40 ft.         | 20 ft.          |              | 100 ft.       | 100 ft.        |
| Max. Height                  | 4 st./50 ft.  | 3 st./ 35 ft.  | 3 st./ 35 ft.   | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        | none          | none           | none            | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 20 units      | 4 to 6 units   | 4 to 6 units    | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | 50%           | 50%            | 60%             | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |               | 30%            | 40%             |              |               |                |
| Min. Private Open Space      | 20% of site   | 1,000 sf./unit | 600 sf./unit    | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 30 ft/50 ft.  | 20 ft.         | 20 ft.          | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | 20 ft.        | 10 ft.         | None to 7.5 ft. | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 20 ft.        | 30 ft.         | 20 ft.          | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | 50 ft./75 ft. | none           | None.           | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | none          | 1,400 sf.      | 1,200 sf.       | 900 sf.      | Avg. 900 sf., | none           |

\* In the CB district, any structure exceeding a height of 6 stories or 90 feet requires a Conditional Use.

\*\* In the MX district, any site in excess of six (6) acres will be eligible for 5 stories or 75 feet based on meeting sky plane exposure requirement.



## **Analysis**

Developers and property owners will still have a variety of zoning district permitting multifamily developments. (See attached Table 1: District Comparison Chart) With the proposed elimination of the MR, the AR, CB and MX district will provide for density equal to the MR district. The most significant difference will be in the fashion multifamily residential developments will be designed. The size of the units are limited to no less than 900 square feet in the AR and CB districts. Additional effort in parking design and coordination of open space will be necessary from the developer. The setback standards are increase for multifamily dwellings. The buffer yard requirement from neighboring single family districts is reduced. For the CB district, which is located in a more nonresidential setting, the site coverage, height, setback and buffer requirements are reduced. The MX district remains identical to the MR district in height and setbacks and is less restrictive in site coverage and buffering.

## **THE PROPERTIES EFFECTED**

There are four (4) properties currently zoned MR, Multifamily Residential District that are proposed to be rezoned to AR, Attached Single Family Residential. Three of the four properties are fully developed; the fourth property has a submitted application for development. The properties developed are the Carriage House off of Old Olive Road, the Cove at Westgate off of Tempo Drive and Town and Four Village and Somerton Condominiums off of Olive Boulevard. The property proposed for development is the Mill Crossing Site on the far west end of the City on Olive Boulevard. Due to complications in retrieving a complete legal description, the Town and Four Village and Somerton Condominiums will not be proposed for immediate rezoning at this meeting. The following section of this report includes a description of each of the other three (3) properties.

### **Carriage House**

The Carriage House is located south of Old Olive Street Road off a private road extension of Guelbreth Lane, between the Creve Coeur Pavilion Development to the west and Lindbergh Boulevard to the east. The site comprises approximately 2.8 acres on three (3) parcels. A total of 64 condominium units are located on the site in two (2) separate buildings.

The first building, located on the north end of the site, by Old Olive Street Road, is a three (3) story slab on grade structure. The building contains 40 units, originally proposed as rentals. This includes 28, one (1) bedroom units, and 12, two (2) bedroom units. A 40 car, single line, detached garage structure and 40 surface parking stalls service the building. The second building, located on the south end of the parcel, along Olive Boulevard, is a three (3) story building with a basement. There are 24 units in the building. This includes 4, one (1) bedroom units and 20, two (2) bedroom units. 24 underground parking spaces and 24 surface parking stalls service the building.

Both buildings are designed with a single entry. One enters the main entrance into a common corridor and accesses all the units on the respective floor. There are no two (2) story units. Each building appears to be serviced by an elevator to access units on the upper floors.

### Site History

In March of 1978, the site was zoned F-1, Commercial District. The Planning and Zoning Commission approved to rezone the 2.8 acres to "P", Multi-family District to allow for an 80 unit apartment complex built in two phases. Phase One was approved for a 40 unit, building on June of 1978. In May 1980, the Plan Commission approved Phase 2, the south building along Olive Boulevard with only 24 units at the applicant's request.

### Neighboring Zoning and Land Use

The site is surrounded by the GC, General Commercial District Zoning. (See attached Exhibit A and A.1) To the north, across Old Olive Street Road, there is an auto agency. West of the subject area, there are two (2) parcels, a church then a low rise office building, and then followed by the Creve Coeur Pavilion Development currently under construction. East of the site, there is one existing residential structure and an office located within a converted single family home, and a four (4) unit condominium building. South of the subject area, across the Olive and Lindbergh Boulevards interchange lies the Solutia Campus complex.

### Site Conformance

Based on the plans stamped as Defendants Exhibit date April 26, 1998, total site coverage is equal to 67%. There is a small central parcel between both buildings that contain a common activity center with a pool.

| <b>District</b>              | <b>Carriage House</b> | <b>MR</b>     | <b>AR Cond. Use</b> | <b>CB</b>     | <b>MX</b>      |
|------------------------------|-----------------------|---------------|---------------------|---------------|----------------|
| Min. District Size           | <b>2.8 acres</b>      | 5 acres       | 5 acres             | 5 acres       | 5 acres        |
| Min. Lot Size                | <b>2.8 acres</b>      |               |                     | 3 acres       | 3 acres        |
| Min. Width                   | 190 ft.               |               |                     | 100 ft.       | 100 ft.        |
| Max. Height                  | <b>Not known</b>      | 4 st./50 ft.  | 3 st./ 35 ft        | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                       | none          | 0.4                 | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | <b>23 units</b>       | 20 units      | 19 units            | 20 units      | 20 units       |
| Max. Site Coverage           | <b>67%</b>            | 50%           | 50%                 | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                       |               |                     |               |                |
| Min. Private Open Space      | Not known             | 20% of site   | 20% of site         | 20% of site   | 20% of site    |
| Front Yard Setback           | 94 ft.                | 30 ft/50 ft.  | 50 ft.              | 15 f.         | 30 ft.         |
| Side Yard Setback            | 80 ft.                | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 22 ft.                | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Buffer                       | Na                    | 50 ft./75 ft. | 25/50 ft/           | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | <b>Not known</b>      | none          | 900 sf.             | Avg. 900 sf., | none           |

The Carriage house development is already nonconforming to the MR district. The minimum area for a MR district is five (5) acres, this site only totals 2.8 acres. There are a total of 23 units per acre on the site; the MR district permits only a maximum of only 20 units per acre. The total site coverage, at 67%, exceeds the permitted 50% site coverage permitted in the MR district.

### Compliance with the AR District

The Carriage House Development is currently nonconforming with the MR district under three (3) categories: district size, density and site coverage. These three (3) site nonconformities will remain under the AR district. If and when the properties are redeveloped, a Site Development Plan submitted would have to conform to the AR district requirements.

### Spillover Effects

With the AR rezoning, this site will have spillover effects on the adjacent east and west parcels. The property is surrounded by GC commercial zoning. Since the GC district will abut the AR district (classified as a "single family" district), the required side yard setback of 12 feet will now become a buffer yard offset of 20 feet. To the east, the neighboring use is residential. This residential use is nonconforming with the GC district. If the property is ever developed to a commercial use, the buffer yard requirement will increase from 12 to 20 feet, reducing the total buildable area of that lot as well. Note that this site is also nonconforming with the lot width requirements of the GC district, thus reduces the buildable area on this site while increasing the burden of building on the site. To the west, the same offset will be replaced by a buffer yard requirement. The residential structure utilized as office space appears to encroach within the 20 feet. The parking area appears to be in compliance.

## TABLE A.1 THE CARRIAGE HOUSE

**Location:**

South of Old Olive off a private road extension of Guelbreth Lane

**Site conditions:**

Site: 2.8 acres  
Units: 64  
Buildings: 2

**Zoning:**

North GC  
East GC  
South RO  
West GC

**Land uses:**

North small offices  
East residential  
South Solutia Campus  
West: small offices

**District and site comparisons:**

| District                     | Carriage House | MR            | AR Cond. Use | CB            | MX             |
|------------------------------|----------------|---------------|--------------|---------------|----------------|
| Min. District Size           | 2.8 acres      | 5 acres       | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                | 2.8 acres      |               |              | 3 acres       | 3 acres        |
| Min. Width                   | 190 ft.        |               |              | 100 ft.       | 100 ft.        |
| Max. Height                  | Not known      | 4 st./50 ft.  | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                | none          | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 23 units       | 20 units      | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | 67%            | 50%           | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                |               |              |               |                |
| Min. Private Open Space      | Not known      | 20% of site   | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 94 ft.         | 30 ft/50 ft.  | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | 80 ft.         | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 22 ft.         | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | Na             | 50 ft./75 ft. | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | Not known      | none          | 900 sf.      | Avg. 900 sf., | none           |

**Noncompliances:** (\*-indicates already noncompliance with existing MR zoning)

District size\*  
Site density\*  
Site coverage\*

**Neighboring effects:**

12 foot offset requirements replaced by 20 foot buffer yard requirements on east and west properties

### **The Cove at Westgate**

The Cove at Westgate is located along Lighthouse Way, which is west of Tempo Drive, approximately 800 feet south of Olive Boulevard. The site comprises approximately 22.58 acres on one (1) parcel. A total of 276 units are located on the site, 124 single bedroom units and 152 two-bedroom units. The site density is 12.2 units per acre. The units are three (3) story walkups, with some units entered at a 1/2 level above grade. The buildings are located to the center of the parcel surrounding three (3) storm-water detention lakes. Access to the development is via a single curb cut onto Tempo Drive. Surfaced parking encircles the buildings, making a complete loop around the site. The site is approved as a condominium plat, but currently is under single ownership.

### Site History

A site concept plan and rezoning was submitted on September 1, 1987, to the Planning and Zoning Commission. The site concept plan called for a 216 unit multi-family development and a 120,000 square foot office building on a 22.58 acre site. The petitioner proposed to rezone the property from 'A', Single Family Residential District to a 'CB', Core Business District to allow for the mixture of uses. The density of the development was 11.7 units per acre and a *far* of 0.66 for the office building complex. This site was located in an area designated for a residential development only, with a density of eight (8) units per acre in the West Olive Development Plan.

After several deferrals by the Planning and Zoning Commission, a revised proposal was submitted on June 29, 1988. This time only residential use was requested. A 276 unit multi-family complex was proposed. The petitioner still proposed to rezone the site from the 'A' zoning district to the 'CB' zoning district. The density of the site increased to the current 12.2 units per acre. After several discussions with the Planning and Zoning Commission, the applicant amended the zoning request from 'A', Single Family Residential District to 'MR', Multifamily Residential District. The applicant insisted that the 'CB' zoning request was only because the units proposed did not contain elevator units as described in the MR district. The Planning and Zoning Commission approved the site concept plan and rezoning on August 16, 1988.

On July 31, 1989, a Final Site Development Plan was submitted to the Planning and Zoning Commission. The plan was approved on August 21, 1989. On October 20, 1990, the owner submitted a Condominium Plat of the project and was approved on December 18, 1990. At the time of submittal, no change in rental policy was proposed.

### Neighboring Zoning and Land Use

The site has a wide range of zoning and uses bordering its boundaries (See attached Exhibit B and B.1). North of the site is zoned 'A', Single Family Residential District and a small pocket of MX, Mixed Use District. Land uses include a single family home, special use permit residences (single family residences used for limited commercial use) and a funeral home. To the east is a PC, Planned Community District. This composes the planned Westgate Complex. Westgate includes a wide mixture of multi-family development, commercial office space and retail shopping. The areas south and west of the property are zoned 'B' Single Family Residential District in a Residential Design Development. The land uses are primarily detached single



family residences on 1/2 acre lots. To the northwest of the site is a small pocket of attached single family residences in the AR, Attached Single Family Residential District.

### Site Conformance

Based on the site plans submitted, total site coverage is equal to 29%.

| <b>District</b>              | <b>The Cove at Westgate</b> | <b>MR</b>     | <b>AR Cond. Use</b> | <b>CB</b>     | <b>MX</b>      |
|------------------------------|-----------------------------|---------------|---------------------|---------------|----------------|
| Min. District Size           | 22.58 acres                 | 5 acres       | 5 acres             | 5 acres       | 5 acres        |
| Min. Lot Size                | 22.58 acres                 |               |                     | 3 acres       | 3 acres        |
| Min. Width                   | 980 ft.                     |               |                     | 100 ft.       | 100 ft.        |
| Max. Height                  | 3 st.                       | 4 st./50 ft.  | 3 st./ 35 ft        | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                             | none          | 0.4                 | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 12.2 units                  | 20 units      | 19 units            | 20 units      | 20 units       |
| Max. Site Coverage           | 29%                         | 50%           | 50%                 | 63%/70%       | 63%/70%        |
| Max. Building Coverage       | 8.3%                        |               |                     |               |                |
| Min. Private Open Space      | Not known                   | 20% of site   | 20% of site         | 20% of site   | 20% of site    |
| Front Yard Setback           | 120 ft.                     | 30 ft/50 ft.  | 50 ft.              | 15 f.         | 30 ft.         |
| Side Yard Setback            | 120 ft.                     | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 90 ft.                      | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Buffer                       | 90 ft.                      | 50 ft./75 ft. | 25/50 ft/           | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | Not known                   | none          | 900 sf.             | Avg. 900 sf., | none           |

The Cove at Westgate is in complete conformance with the present MR zoning district.

### Compliance with the AR District

The Cove at Westgate appears to meet all the district requirements set forth in the AR zoning district. The design of The Cove at Westgate, in terms of parking, does not meet the conditional use standards specified (50% parking underground). Parking for the Cove at Westgate is primarily above ground. If the Cove at Westgate is ever redeveloped, the design will have to be in compliance with the AR district standards. If a new building is ever proposed at Westgate, the new building will have to meet the underground parking requirements.

### Spillover Effects

With the AR zoning, rezoning of the site will have spillover effects. To the north, there is a property zoned MX. With the single family designation and the size of this parcel, a 35 foot buffer yard will be necessary. Currently, the site conforms to this requirement.

There have been several discussions in rezoning the residential properties on the north end of the Cove at Westgate to MX zoning. If this does proceed, a minimum 20 foot buffer yard requirement will be necessary if these properties are redeveloped. However, the rear yard setback for these properties is currently 25 feet. Only parcels totaling two (2) acres or more will be burdened with an increased buffer yard requirement.

To the south and west there will be no spillover effects. These properties already contain single family zoning. To the east is a City street that would eliminate any buffer yard restrictions to the eastern properties.

## TABLE B.1 THE COVE AT WESTGATE

**Location:**

Along Lighthouse Way, which is off Tempo Drive, approximately 800 feet south of Olive Boulevard

**Site conditions:**

Site: 22.58 acres  
Units: 276  
Buildings: 8

**Zoning:**

North 'A' Single Family and MX  
East PC  
South 'B' Single Family and RDD  
West 'B' Single Family and AR

**Land uses:**

North residential, special use permits residences and funeral home  
East mixed use campus of multifamily, commercial and office  
South single family residential  
West: single family residential and attached single family residential

**District and site comparisons:**

| District                     | The Cover at Westgate | MR            | AR Cond. Use | CB            | MX             |
|------------------------------|-----------------------|---------------|--------------|---------------|----------------|
| Min. District Size           | 22.58 acres           | 5 acres       | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                | 22.58 acres           |               |              | 3 acres       | 3 acres        |
| Min. Width                   | 980 ft.               |               |              | 100 ft.       | 100 ft.        |
| Max. Height                  | 3 st.                 | 4 st./50 ft.  | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                       | none          | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 12.2 units            | 20 units      | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | 29%                   | 50%           | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       | 8.3%                  |               |              |               |                |
| Min. Private Open Space      | Not known             | 20% of site   | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 120 ft.               | 30 ft/50 ft.  | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | 120 ft.               | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 90 ft.                | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | 90 ft.                | 50 ft./75 ft. | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | Not known             | none          | 900 sf.      | Avg. 900 sf., | none           |

**Noncompliances:**

Parking design

**Neighboring effects:**

For commercial properties to the north, parcels two (2) acres or more, the 25 foot offset requirement will be replaced by a minimum buffer yard requirement ranging from 20 to 40.

### **Town and Four Villages and Somerfor Condominiums**

Town and Four Villages and Somerfor Condominiums are located on the south side of Olive Boulevard, off a private road extension of Parkway Drive. Parkway Drive lies west of Fern Ridge Parkway and east of Fee Fee Road.

Town and Four Villages consist of 502 rental units in five (5) separate plats totaling 31.43 acres. The first plat, Town and Four Villages is located on the northwest corner of the site and consist of 16 buildings. The second plat, Town and Four Villages Phase Two is located on the southwest corner of the site and consist of 12 buildings. The third plat, Town and Four Villages Section 1, Phase III, is located on the northeast corner of the site and consist of 9 buildings. The fourth plat, Town and Four Villages Section 2, Phase III, lies on the east side of the site, just south of Section 1 and consist of 8 buildings. The fifth plat is located on the southeast corner of the site and consists of a clubhouse, pool and open area.

Somerfor Condominiums is located south of Town and Four Villages. Access to the site is through the Town and Four complex. Somerfor is part of the Somerton Subdivision Development. The Somerton Subdivision development was a 126 unit subdivision. A total of 105 units were single family units and 21 units were part of the Somerfor Condominiums. Somerfor Condominiums consisted of three (3) buildings built in an attached building, townhouse design.

### Site History

Town and Four Villages was built between 1968 and 1974, under St. Louis Country jurisdiction. Sumerfor Condominiums were built between 1979 and 1984.

### Neighboring Zoning and Land Use

There is a mixture of zoning districts surrounding both sites (See attached Exhibit C and C.1). To the east, there is the Bellerive Shopping Center under the GC district. To the southeast of the site, bordering the community center is an office building in the PO, Planned Office District. The office building access Office Parkway. South and west of the site are single family lots under the 'D', Single Family Residence District zoning. To the northwest, is a strip of GC zoning that is divided off by a stub 'paper street' extension of Gallagher. There are no plans to extend the stub street. North of the site is Olive Boulevard and the St. Louis County boundary limits. The area north is predominately under commercial use.

### Site Conformance

Town and Four and Somerfor developments are already nonconforming to the MR district.

| District                     | Town and Four Villages | Somerfor Condominium | MR            | AR Cond. Use | CB            | MX             |
|------------------------------|------------------------|----------------------|---------------|--------------|---------------|----------------|
| Min. District Size           | 31.4 acres             | 1.73 acres           | 5 acres       | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                | 31.4 acres             | 1.73 acres           |               |              | 3 acres       | 3 acres        |
| Min. Width                   | 943 ft.                | 412 ft.              |               |              | 100 ft.       | 100 ft.        |
| Max. Height                  | <b>Not known</b>       | Not Known            | 4 st./50 ft.  | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                        | none                 | none          | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 16 units               | 12 units             | 20 units      | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | <b>Not known</b>       | Not Known            | 50%           | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                        |                      |               |              |               |                |
| Min. Private Open Space      | Not known              | Not Known            | 20% of site   | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 30 ft.                 | <b>21 ft.</b>        | 30 ft/50 ft.  | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | Est. 20 ft.            | 20 ft.               | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | <b>15 ft.</b>          | <b>15 ft.</b>        | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | <b>10 ft</b>           | <b>15 ft.</b>        | 50 ft./75 ft. | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | <b>Not known</b>       | none                 | none          | 900 sf.      | Avg. 900 sf., | none           |

Visually, both appear to have site coverage of well over 50%. The access drives and building locations are too close to neighboring lot lines. Somerfor is too close to the Maison Ladue Road, but this is an internal street to the development. As MR developments, both Town and Four and Somerfor have no buffer yards, as is required along single family zoned districts.

#### Compliance with the AR District

Town and Four Villages and Somerfor Condominiums would not be in compliance with the proposed AR rezoning for the same reasons they are in noncompliance with the MR regulations. Currently, it appears that both sites will have excess site coverage and setbacks nonconformities. Both do not comply with some of the zoning setbacks and visually, are in noncompliance with the existing MR district over site coverage. Rezoning to AR will continue the grandfathering of these existing site nonconformities. It is the future or possible redevelopment of these sites in which AR district regulations will take effect.

#### Spillover Effects

With the AR zoning, rezoning of the site will have spillover effects. The commercial properties to the east will be affected. At the Bellerive Shopping Center, the access drives and rear parking areas will become nonconforming due to the required buffer yard. If the property is ever redeveloped, a 40 foot buffer will be necessary along Town and Four, since it will be under a single family designation. This would only be placed into effect if the Bellerive Shopping Center were redeveloped. Continued use and maintenance of this access and parking area will be allowed to continue.

To the west and south there would be no spillover effects. These properties are already under single family zoning.

## TABLE C.1 TOWN AND FOUR VILLAGES AND SOMERFOR CONDOMINIUMS

**Location:**

South side of Olive Boulevard, between Fee Fee Road and Fern Ridge Parkway.

**Site conditions:**

Town and Four Somerfor

|            |            |            |
|------------|------------|------------|
| Site:      | 31.4 acres | 1.73 acres |
| Units:     | 502        | 21         |
| Buildings: | 45         | 3          |

**Zoning:**

|       |                                      |
|-------|--------------------------------------|
| North | Commercial under St. Louis County    |
| East  | GC and PO                            |
| South | 'D' Single Family Residential        |
| West  | GC and 'D' Single Family Residential |

**Land uses:**

|       |                                          |
|-------|------------------------------------------|
| North | commercial                               |
| East  | commercial and office                    |
| South | single family residential                |
| West: | commercial and single family residential |

**District and site comparisons:**

| District                     | Town and Four Villages | Somerfor Condominium | MR            | AR Cond. Use | CB            | MX             |
|------------------------------|------------------------|----------------------|---------------|--------------|---------------|----------------|
| Min. District Size           | 31.4 acres             | 1.73 acres           | 5 acres       | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                | 31.4 acres             | 1.73 acres           |               |              | 3 acres       | 3 acres        |
| Min. Width                   | 943 ft.                | 412 ft.              |               |              | 100 ft.       | 100 ft.        |
| Max. Height                  | <b>Not known</b>       | Not Known            | 4 st./50 ft.  | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        |                        | none                 | none          | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 16 units               | 12 units             | 20 units      | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | <b>Not known</b>       | Not Known            | 50%           | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                        |                      |               |              |               |                |
| Min. Private Open Space      | Not known              | Not Known            | 20% of site   | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 30 ft.                 | <b>21 ft.</b>        | 30 ft/50 ft.  | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | Est. 20 ft.            | 20 ft.               | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | <b>15 ft.</b>          | <b>15 ft.</b>        | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | <b>10 ft</b>           | <b>15 ft.</b>        | 50 ft./75 ft. | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | <b>Not known</b>       | none                 | none          | 900 sf.      | Avg. 900 sf., | none           |

**Noncompliances:**

Site Coverage  
Building Location  
Buffer yards  
Site design

**Neighboring effects:**

Commercial properties to the east will have buffer yard requirements rather than general offsets.  
Currently, parking and paved areas encroach.



### **Mill Crossing**

Mill Crossing is a proposed development located on the south side of Olive Boulevard, just west of the Holy Cross Lutheran Church and the Greengate Subdivision. The site comprises approximately 12.017 acres on several parcels. A total of 166 units are proposed in six (6) buildings. The buildings are three (3) story exterior brick, wood frame structures. Building 'A' will be slightly below 35 feet in height, and buildings 'B-F' are slightly over 36 feet in height. Each building will have underground parking and an adjacent surface parking. There would be a clubhouse and pool on site in the center of the development and surface parking throughout the site.

### Site History

The site is currently vacant land. On July 24, 1992, St. Louis County conditionally rezoned the property to allow a Planned Unit proposal submitted by then owner of the property, International Development, Inc. International Development, Inc., submitted a 166 unit, multifamily development consisting of nine (9) buildings. On November of 1995, the City of Creve Coeur annexed the parcel and zoned the parcel MR, Multifamily Residential District.

On October 23, 1996, the current applicant submitted a revised Site Concept Plan for a 180 unit, multifamily development in seven (7) buildings. Said plan showed the development ringed around the property boundaries. On December 2, 1996, revised plans were submitted reducing the number of units from 180 to 166 units in eight (8) buildings. On February 10, 1997, a revised set of plans were submitted reducing the total number of buildings from eight (8) to seven (7), and shifting the buildings located along the east lot line to the center of the site. On March 10, 1997, a revised site plan was submitted reducing the total amount of buildings from seven (7) to six (6). The Planning and Zoning Commission approved the revised Site Concept Plan on March 17, 1997.

A Site Development Plan was submitted on April 30, 1997, and approved with conditions by the Planning and Zoning Commission on May 19, 1997. The Site Development Plan expired one (1) year later and another Site Development Plan has been submitted for the Planning and Zoning Commission's consideration.

### Neighboring Land Use and Zoning

Existing land uses around the property are primarily residential. Holy Cross Lutheran Church and the Greengate Subdivision are located to the east. Olive Boulevard is located to the north with a condominium development across the street under St. Louis County jurisdiction. There is a large estate style, single family home to the west of the site on approximately 10 acres. To the south is open farmland and floodplain along an unnamed tributary leading to Creve Coeur Creek. This area has received Preliminary Plat approval for a 112 unit, single family subdivision to be referred to as Bellerive Farm Estates Subdivision. The City's corporate limits extend west, east and south of the property. Properties to the north, across Olive Boulevard, are part of unincorporated St. Louis County.

### Site Conformance

Based on the Site Development Plans submitted for the proposal, total site coverage for the site is 38%.

| <b>District</b>              | <b>Mill Crossing</b> | <b>MR</b>     | <b>AR Cond. Use</b> | <b>CB</b>     | <b>MX</b>      |
|------------------------------|----------------------|---------------|---------------------|---------------|----------------|
| Min. District Size           | 12.01 acres          | 5 acres       | 5 acres             | 5 acres       | 5 acres        |
| Min. Lot Size                | 12.01 acres          |               |                     | 3 acres       | 3 acres        |
| Min. Width                   | 349 ft.              |               |                     | 100 ft.       | 100 ft.        |
| Max. Height                  | 3 st./37 feet        | 4 st./50 ft.  | 3 st./ 35 ft        | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        | Not known            | none          | 0.4                 | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 14 units             | 20 units      | 19 units            | 20 units      | 20 units       |
| Max. Site Coverage           | 38%                  | 50%           | 50%                 | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                      |               |                     |               |                |
| Min. Private Open Space      | Not known            | 20% of site   | 20% of site         | 20% of site   | 20% of site    |
| Front Yard Setback           | 30 ft.               | 30 ft/50 ft.  | 50 ft.              | 15 f.         | 30 ft.         |
| Side Yard Setback            | 52 ft.               | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 353 ft.              | 20 ft.        | 50 ft.              | 10 ft.        | 25 ft.         |
| Buffer                       | 52 ft. and 75 ft.    | 50 ft./75 ft. | 25/50 ft/           | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | Not known            | none          | 900 sf.             | Avg. 900 sf., | none           |

The proposed Mill Crossing Development would be in conformance with the existing MR zoning district as it is currently zoned.

### Compliance with the AR, Attached Single Family Residential District

The Mill Crossing Development will not be in compliance with the AR district setback requirements from the access street along Olive Boulevard. This is because the front yard setback will be increased from 30 feet to 50 feet. The remaining regulations and requirements will be met, including the conditional use standards of parking and open space.

### Spillover Effects

Since single family residential surrounds the area of the proposed development, there will be no spill over effects to neighboring parcels.

## TABLE D.1 PROPOSED MILL CROSSING DEVELOPMENT

**Location:**

South side of Olive Boulevard, west of Holy Cross Lutheran Church and Greengate Subdivision.

**Site conditions:**

Site: 12.01 acres  
Units: 166  
Buildings: 6

**Zoning:**

North Multifamily under St. Louis County Jurisdiction  
East 'D' Single Family Residential  
South 'D' Single Family Residential  
West 'D' Single Family Residential

**Land uses:**

North multifamily and attached single family  
East church and single family residential  
South proposed single family residential development  
West: single family residence

**District and site comparisons:**

| District                     | Mill Crossing     | MR            | AR Cond. Use | CB            | MX             |
|------------------------------|-------------------|---------------|--------------|---------------|----------------|
| Min. District Size           | 12.01 acres       | 5 acres       | 5 acres      | 5 acres       | 5 acres        |
| Min. Lot Size                | 12.01 acres       |               |              | 3 acres       | 3 acres        |
| Min. Width                   | 349 ft.           |               |              | 100 ft.       | 100 ft.        |
| Max. Height                  | 3 st./37 feet     | 4 st./50 ft.  | 3 st./ 35 ft | None*         | 3 st./45 ft.** |
| Max. Floor Area Ratio        | Not known         | none          | 0.4          | 1.0/1.25      | 0.3/1.0        |
| Max. Density per acre        | 14 units          | 20 units      | 19 units     | 20 units      | 20 units       |
| Max. Site Coverage           | 38%               | 50%           | 50%          | 63%/70%       | 63%/70%        |
| Max. Building Coverage       |                   |               |              |               |                |
| Min. Private Open Space      | Not known         | 20% of site   | 20% of site  | 20% of site   | 20% of site    |
| Front Yard Setback           | 30 ft.            | 30 ft/50 ft.  | 50 ft.       | 15 f.         | 30 ft.         |
| Side Yard Setback            | 52 ft.            | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Rear Yard Setback            | 353 ft.           | 20 ft.        | 50 ft.       | 10 ft.        | 25 ft.         |
| Buffer                       | 52 ft. and 75 ft. | 50 ft./75 ft. | 25/50 ft/    | 50 ft.        | 20 ft./40 ft.  |
| Min Dwelling Unit Floor Area | Not known         | none          | 900 sf.      | Avg. 900 sf., | none           |

**Noncompliances:**

Building along access road will be encroach within increased setback requirements.

**Neighboring effects:**

None.

## **NONCONFORMITIES**

Under Section 26-23.2, any existing use, which was a permitted use prior to adoption of the proposed rezoning, may continue as if it were a conditional use. The developments or buildings within the development that have been created nonconforming will now fall under Section 26-70 Nonconformities.

Section 26-70 is intended to declare nonconformities to be incompatible with the permitted uses in each district; to permit nonconformities to continue until they are removed; and to prohibit nonconformities from being extended, expanded, enlarged on increase in intensity. Said section addresses the issues of nonconformance with structures, uses, setback lines and site related nonconformities. With the exception of uses and setback nonconformities, each of the developments will be subject to the following:

- (a) Authority to continue. Any nonconforming structure, use or site related nonconformity may be continued, so long as it remains lawful, and
- (b) Repair, alterations. Any structure described in paragraph (a) above may be maintained, repaired or remodeled; provided, however, that no such maintenance, repair or remodeling shall either create any additional nonconformity or increase the degree of existing nonconformity of all or any part of such structure, and
- (c) Damage, decay, destruction. In the event that any nonconforming structure, use or site related nonconformity is damage by fire, explosion, act of God, or public enemy, such structure may be restored or replaced, provided that such restoration or replacement does not exceed the same dimensions and volume as existed before such destruction or damage. The restoration or replacement shall be commenced within twelve (12) months or the date of destruction or damage and shall be completed within 18 months of the commencement of restoration or replacement, unless extended by the City Council.

## **CONCLUSION**

A priority last year of the City Council and Planning and Zoning Commission was to control the development of multifamily residential developments. Currently, the MR, Multifamily Residential District, PC, Planned Community District, CB, Core Business District and MX, Mixed Use District permit multifamily residential developments by right. Staff is seeking to eliminate the MR, Multifamily Residential District and rezone the properties currently zoned MR to AR, Attached Single Family Residential. This will effect four (4) properties in the City of Creve Coeur:

- 1. The Carriage House off of Old Olive Road
- 2. The Cove at Westgate off of Tempo Drive
- 3. Town and Four Village off of Olive Boulevard (to be considered at a future meeting)
- 4. The proposed Mill Crossing Site on the far west end of the City on Olive Boulevard

The proposed rezoning will create some site related nonconformities. These sites will be permitted to continue as if they were under a conditional use. The developments or buildings within the development that have been created nonconforming will now fall under Section 26-70 Nonconformities. By eliminating the MR, Multifamily Residential District and with the recently approved provisions for the AR and CB districts, the Planning and Zoning Commission, City

Council and residents of the City of Creve Coeur are effectively given more control in guiding the development, design and location of multifamily dwellings.

After initial review by the Planning and Zoning Commission, staff re-evaluated the proposed rezoning of each of these sites to AR, Attached Single Family Residential District. Staff was instructed to re-evaluate each site independently and review not just internal effects, but to consider spillover effects to neighboring properties.

After review and discussion, staff recommends the following:

1. The Carriage House

Since the site is nonconforming with the existing and proposed rezoning, staff recommends that this site **revert back to commercial zoning under the GC, General Commercial District**. This would keep the zoning consistent with neighboring properties and have no negative spillover effects to the properties to the east and west as under AR zoning.

2. The Cove at Westgate

Staff recommends that this site **be rezoned to AR, Attached Single Family Residential** as proposed. The site will maintain conformity with the AR district and future additions of buildings or redevelopment will meet the goals for multifamily development design. There will be spillover effects north of the site, if these sites are ever rezoned as commercial. Other neighboring residential zoning will constrict many of these sites to the north, anyway.

3. Town and Four Villages and Somerfor Condominiums

Staff recommends that this site **be rezoned to AR** as is proposed. The site will maintain the existing nonconformities within the MR district. There will be spill over effects to the commercial properties to the east. No changes will be required and the commercial properties will still be allowed to maintain use of the nonconforming paved areas. No formal action shall be taken by the Planning and Zoning Commission at this time.

4. Proposed Mill Crossing Development

Staff recommends that this site **be rezoned to AR** as is proposed. The development, as proposed, will have one building nonconforming with the increased front yard setback requirements. This item can still be addressed prior to Site Development Plan approval if the developer wishes to. Otherwise, this rezoning will have no effect to development as it is proposed. There would be no negative spillover effects.

## **ACTION**

Action on this matter should be in the form of a recommendation to the City Council for approval, approval with modifications, or denial. The amendment would require a Public Hearing before the City Council. A Public Hearing may be scheduled for March 22, 1999.





# 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 #13-025 FOR A MINOR SITE DEVELOPMENT PLAN FOR EXTERIOR BUILDING IMPROVEMENTS FOR CREVE COEUR SHOPPING CENTER

**FOR THE MEETING OF: Monday, August 5, 2013, 7:00 PM**

**LOCATION:** 11921 Olive Boulevard, located north of Olive Boulevard,  
between W. Rue de Le Banque Street and Orchard Lakes Drive.

**REQUEST:** An application has been submitted for façade improvements  
to the existing structure to update the center and to create more visibility  
and provide a new tenant signage band along the top.

**ADDITIONAL INFORMATION:** The property is zoned "CB" Core Business  
District. Section 405.370(G)(1)(a) states that any development and/or  
redevelopment plans for properties within the area bounded by the City  
limit on the north, Olive Boulevard on the south, Craig Road on the east,  
and I-270 on the west, requires Planning and Zoning Commission and City  
Council review and approval.

### Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request follow the Design Guidelines?

### Comp. Plan References

- Central Business District Action Area
- Design Guidelines

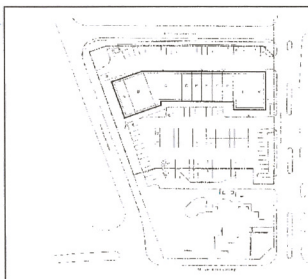
### Zoning Code References

- Section 405.370: "CB" Core Business District
- Section 405.1080: Site Concept, Site Development, and Minor Site Plan Approval

**APPLICANT:** Thomas L. Milford  
Drury Development Corporation  
721 Emerson Road, Suite 200  
Creve Coeur, MO 63141

**PROPERTY  
OWNER:**

11921 Olive LLC  
721 Emerson Road, Suite 200  
Creve Coeur, MO 63141



**REPORT PREPARED BY:**

*Whitney Kelly*  
Whitney Kelly, AICP, City Planner

*8/1/2013*

Date

**ATTACHMENTS:** Applicant's renderings received July 3, 2013 and elevations received July 23, 2013  
Draft Resolution

### ZONING HISTORY AND PROPOSAL

Creve Coeur Shopping Center, located north of Olive Boulevard between Rue de la Banque West and Orchard Lakes Drive, was approved and constructed in 1977 on a 2.2 acre site. The property was zoned “O” Office at the time of development, but the district was later renamed and redefined as the “CB” Core Business district. The center consists of a single inline retail building, currently housing 10 tenant spaces with a total of 20,374 square feet of leasable area. The overall development is legally pre-existing, with non-conforming site coverage. Below is a picture of the existing structure:



The façade improvements include converting the wood façade of the tower element and columns to a cultured stone, adding fiber cement siding to the existing canopy fascia, and adding a taller signage band above the roofline along the front façade. The east and west elevations indicate that the lower brick will remain and the upper half will have the fiber cement siding carried around. The existing CMU at the back will be painted to match. Below is the rendering submitted by the Applicant, along with all of the elevations for the proposed changes:





The applicant is not proposing any other changes to the site, or landscaping at this time.

### LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

| DIRECTION | USE                                                | ZONED                                                                          | SEPARATED BY               |
|-----------|----------------------------------------------------|--------------------------------------------------------------------------------|----------------------------|
| North     | Single-family detached and multi-family residences | Unincorporated St. Louis County C3 Residential and "CB" Core Business District | Rue de la Banque Connector |
| South     | Hotel, restaurant and auto dealership              | "CB" Core Business District                                                    | Olive Boulevard            |
| East      | Bank                                               | "CB" Core Business District                                                    | Rue de la Banque West      |
| West      | Auto dealership                                    | "CB" Core Business District                                                    | Orchard Lakes Drives       |

### COMPREHENSIVE PLAN REVIEW

The subject property is located within the Central Business District that encourages a mix of uses, including retail, residential, government, and park uses. The residential Preservation and Economic Development section states that all new development or redevelopment of non-residential uses should comply with the City of Creve Coeur Design Guidelines (p. 81). The property is within the Key Property area of Central Business District 2 that identifies the area as an entryway into the city from I-270, and its role as a defining point in Creve Coeur should be considered during improvements to existing development, as well as during any redevelopment that may occur. However, this is largely inferring a total redevelopment of the site that would offer a mixture of commercial, office uses, and higher density residential uses (p. 87). As the existing structure is to remain, and the applicant is not proposing any changes to the site, the Comprehensive Plan discussion is limited to design review.

### DESIGN GUIDELINES REVIEW

The Design Review Guidelines provide specific direction for the redevelopment of properties that includes the use of high quality architectural design and natural materials, with a well-defined primary building entrance that provides a sense of entry, and that all elevations should receive equal design consideration (p. 9). Specifically for Shopping Centers, a unified architectural design intention should be incorporated into each commercial center (p.12). Any use of exterior insulating finishing systems (EIFS) and concrete masonry should not be the predominate building material and used only as a way to accentuate an architectural element.

Overall the proposed design for the front meets with the intent of the Design Guidelines by using natural materials (the stone accents) throughout the front façade. The addition of the EIFS is limited to the sign band, where the existing structure would not allow for significant additional weight.

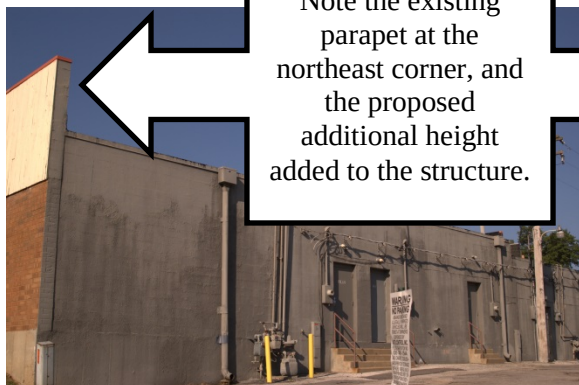


However, these elements are not carried around to the east, west and rear elevations of the building and the additional height added to the existing parapet along the south east and west elevations, would be inconsistent with the Design Guidelines where it recommends that large parapet walls should reflect the function behind them and should not be freestanding. All elevations need not look alike; however, a sense of overall architectural continuity is strongly encouraged (p. 9). Therefore staff recommends that the canopy structure wrap around to the east elevation to at least protect the door, window elements and the sidewalk for the entrance into the tenant space below without damaging the large existing trees further north:

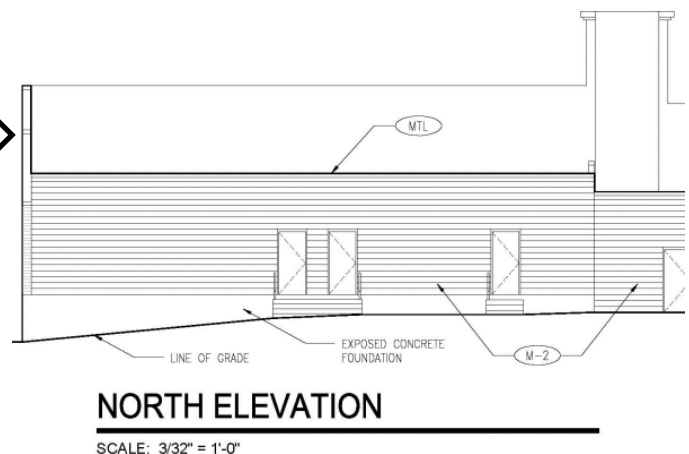


Canopy and stone columns should be carried around to the east to provide protection and consistency between the tenant entrance, and the south elevations.

Further, the additional vertical EFIS parapet ending at the corner of the north element without being carried around is inconsistent with the Design Guidelines. However, Staff recognizes that currently this detail along the entire north elevations would appear artificial. A corner element column in a stone material consistent with those along the front should be included to wrap around to the north elevation at both back ends of the parapet wall to cap off the designs and mask the verticality of the parapet to be consistent with the Design Guidelines, and consistent with other recent approvals.



Note the existing parapet at the northeast corner, and the proposed additional height added to the structure.



## ZONING REVIEW

A minor site development plan is required for a change in use of an entire site to another permitted use, or any proposed alteration that would significantly affect the exterior of a building, or redevelopment of a site that already contains a building or buildings, provided that such expansion, change or redevelopment shall not add more than five thousand (5,000) square

feet of new impermeable surface to the site. As the applicant is not proposing any changes to the site, review is limited to the design of the building. However, while visiting the site, staff did notice several broken curbs, and cracked asphalt. Therefore, a condition of approval includes that all property maintenance violations shall be addressed. Further, as with similar projects that have received approval for redevelopment, especially when the dumpsters are visible from the public right-of-way, Staff recommends that a condition of approval include properly enclosing the dumpsters in with building materials that are consistent with the development.

#### **RECOMMENDED CONDITION OF APPROVAL**

If Commission members generally support the request, staff recommends the following conditions for approval:

- 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 23, 2013, except as provided below.
- The Applicant shall revise the elevation drawings to include the canopy structure over the doors and windows along east elevations, and a corner element of stone material shall be included on both back ends of the parapet wall on the north elevations.
- The Applicant shall provide an elevation of the trash enclosure and indicate materials that are consistent with the building.
- The relocation and replacement of all signs shall require a permit per Article VIII Sign Regulations. Any non-conforming sign areas will need to be documented prior to the removal and replacement of the sign.
- The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy. Such violations include, but are not limited to damaged curbs and pavement.

#### **ACTION AND MOTION**

The motion to approve site development plans as shown in the Applicant’s materials will be in the form of approval, approval with conditions, denial or deferral. The following is an example of an appropriate motion for this application:

“I move to recommend approval of site plan and elevations for the renovation of the Creve Coeur Shopping Center building located at 11921 Olive Boulevard submitted with Application #13-025, as presented to the Planning and Zoning Commission, subject to the conditions contained in the draft resolution attached to the staff report prepared for the meeting of August 5, 2013” (conditions may be added, eliminated, or modified by preceding motion).

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#### **APPENDIX 1: COMPREHENSIVE PLAN**

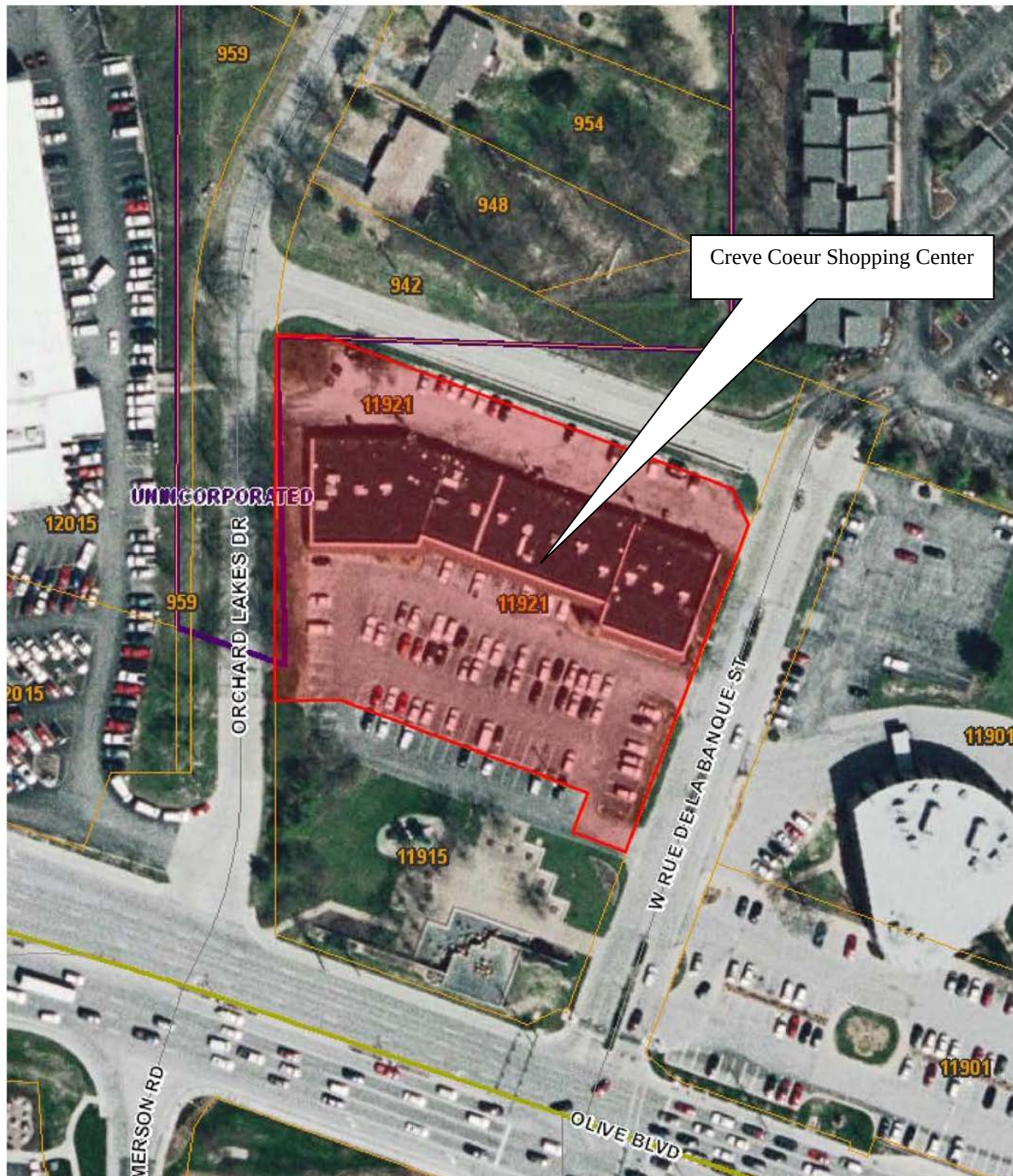
Included and attached by reference. See body of report for specific excerpts.

#### **APPENDIX 2: ZONING CODE**

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



**APPENDIX 3: AERIAL PHOTO**



| APPENDIX 4: SITE PHOTOGRAPHS                                                         | Photo Date: 08/01/2013                                                                   |
|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|    | <p>Description: View of the subject property looking northwest from Olive Boulevard.</p> |
|   | <p>Description: View of the aging canopy structure over one of the tenant spaces.</p>    |
|  | <p>Description: View of the existing tower element, showing aging.</p>                   |



|                                                                                      |                                                                                                                       |
|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
|    | <p>Description: View of the tenant side entrance on the east elevation.</p>                                           |
|   | <p>Description: View of the north elevation of the existing structure looking southwest from Rue de la Banque St.</p> |
|  | <p>Description: View of the east elevation looking north from Rue de la Banque St.</p>                                |





EXISTING



PROPOSED OPTION 7

# CREVE COEUR SHOPPING CENTER

CREVE COEUR,  
12-118  
MISSOURI  
06-20-13





EXISTING



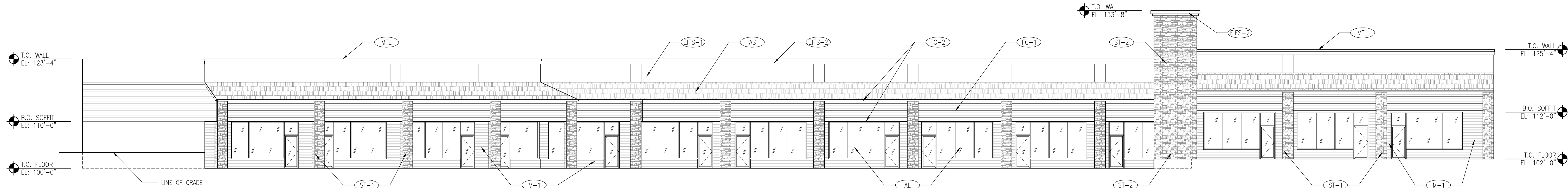
PROPOSED OPTION 5

# CREVE COEUR SHOPPING CENTER

CREVE COEUR,  
 12-118

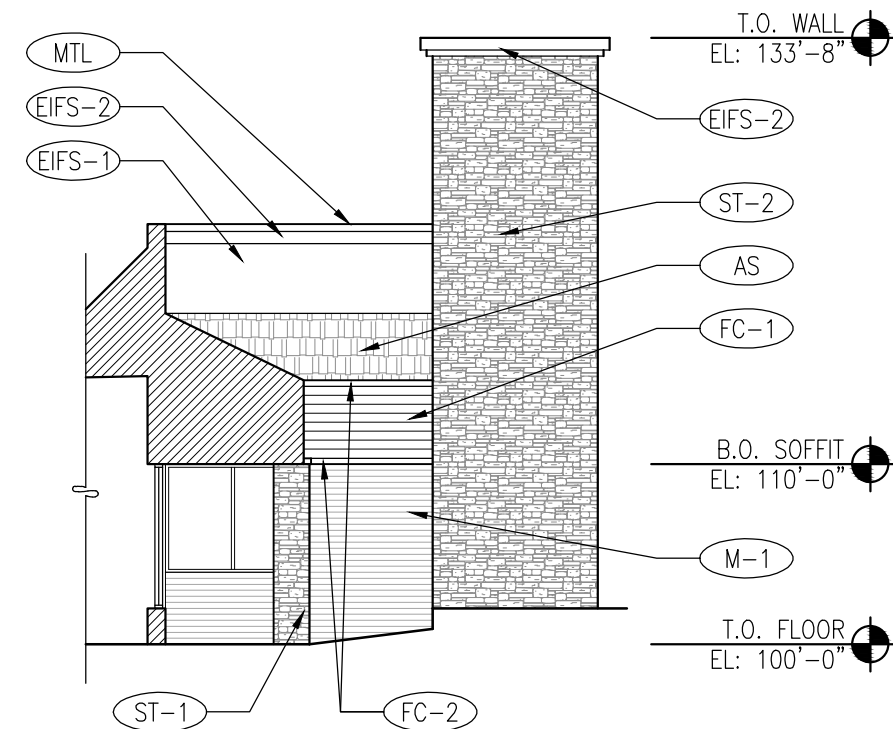
MISSOURI  
 04-24-13





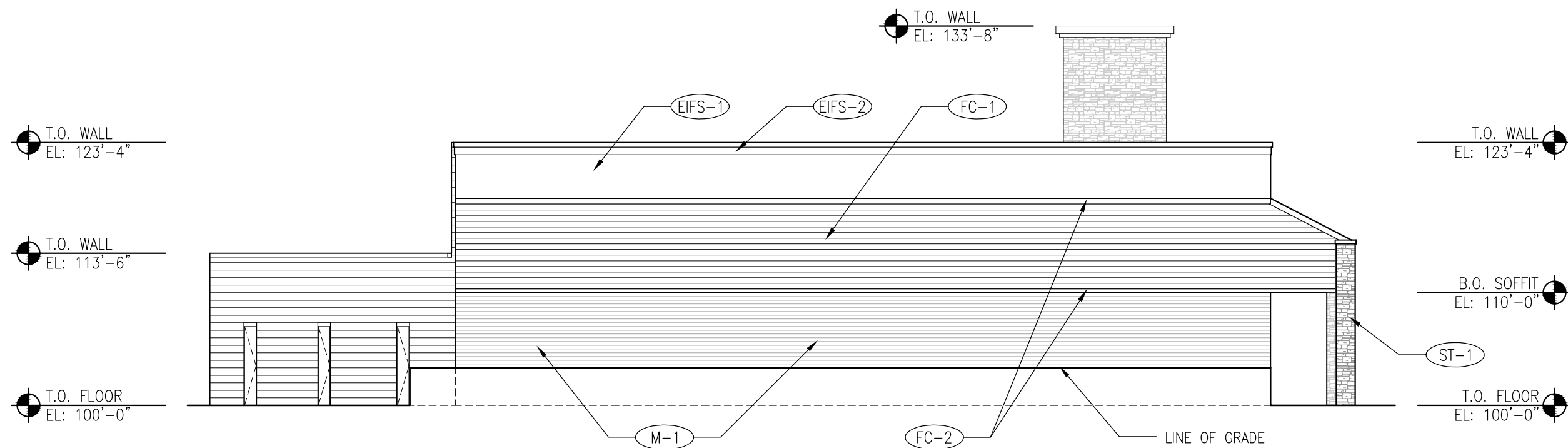
**SOUTH ELEVATION**

SCALE: 3/32" = 1'-0"



**PARTIAL WEST ELEVATION**

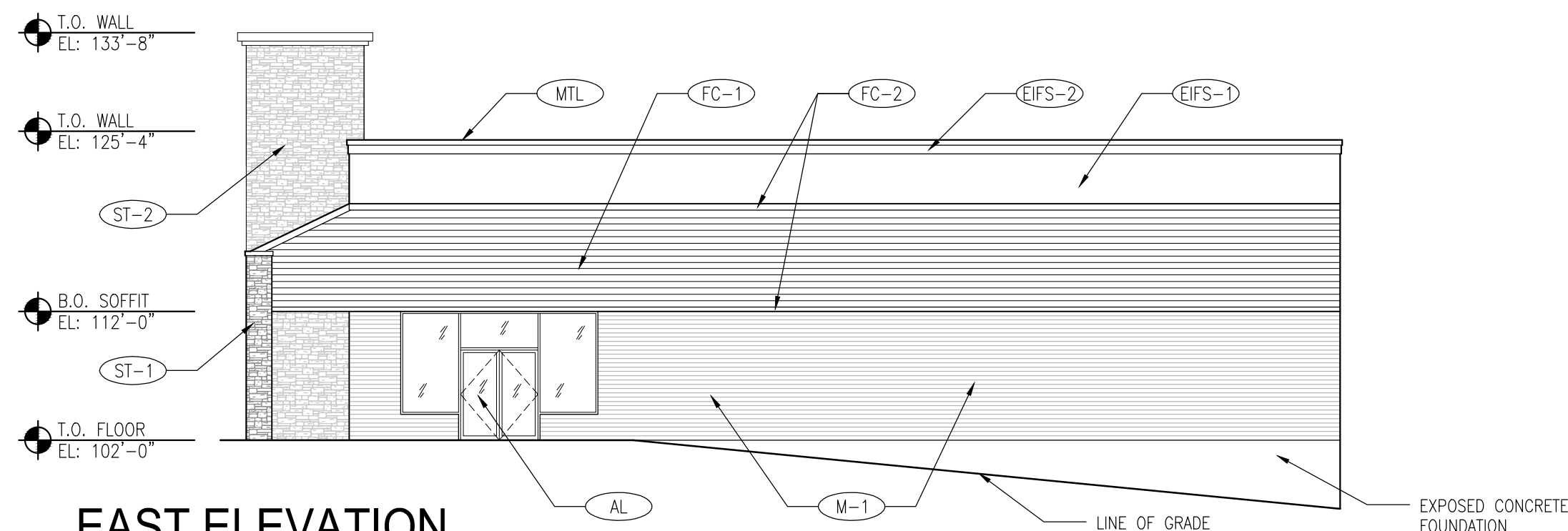
SCALE: 3/32" = 1'-0"



**WEST ELEVATION**

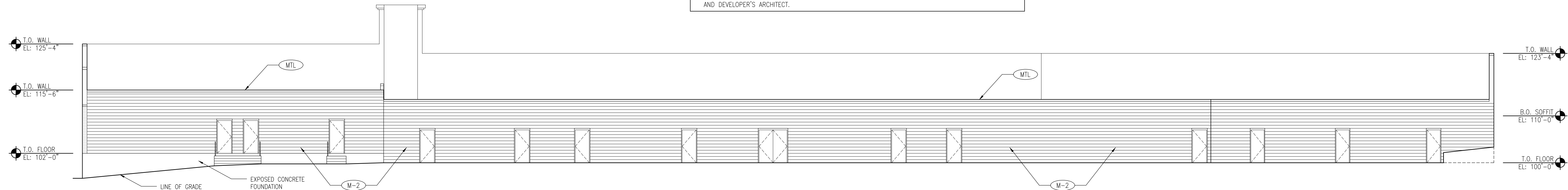
SCALE: 3/32" = 1'-0"

| EXTERIOR MATERIAL SCHEDULE                                                                                                                                                                                                                  |                                   |                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------------|
| CODE                                                                                                                                                                                                                                        | MATERIAL                          | TYPE / COLOR                                                                                |
| MTL                                                                                                                                                                                                                                         | COPING, SCUPPERS, & DOWNSPOUTS    | SHEET METAL COPING, SCUPPERS & DOWNSPOUTS; PRE-FINISHED SHEET METAL - COLOR: TO BE SELECTED |
| AL                                                                                                                                                                                                                                          | ALUMINUM                          | EXISTING STOREFRONT TO REMAIN                                                               |
| ST-1                                                                                                                                                                                                                                        | STONE                             | CULTURED STONE, COLOR: TO BE SELECTED                                                       |
| ST-2                                                                                                                                                                                                                                        | STONE                             | CULTURED STONE, COLOR: TO BE SELECTED                                                       |
| M-1                                                                                                                                                                                                                                         | UTILITY BRICK                     | EXISTING UTILITY BRICK                                                                      |
| M-2                                                                                                                                                                                                                                         | CMU                               | EXISTING CMU WALL, PAINTED - COLOR: TO BE SELECTED                                          |
| AS                                                                                                                                                                                                                                          | ASPHALT SHINGLES                  | TO BE SELECTED                                                                              |
| EIFS-1                                                                                                                                                                                                                                      | EXTERIOR INSULATION FINISH SYSTEM | FIELD - COLOR: TO BE SELECTED                                                               |
| EIFS-2                                                                                                                                                                                                                                      | EXTERIOR INSULATION FINISH SYSTEM | ACCENT - COLOR: TO BE SELECTED                                                              |
| FC-1                                                                                                                                                                                                                                        | FIBER CEMENT SIDING               | TYPE: TO BE SELECTED<br>COLOR: MATCH EIFS-1                                                 |
| FC-2                                                                                                                                                                                                                                        | FIBER CEMENT TRIM                 | TYPE: TO BE SELECTED<br>COLOR: MATCH EIFS-2                                                 |
| P-1                                                                                                                                                                                                                                         | PAINT                             | COLOR - TO BE SELECTED                                                                      |
| NOTES:<br>1. ALL MASONRY JOINTS IN CMU TO BE TOOLED CONCAVE.<br>2. ALL MASONRY JOINTS IN STONE TO BE RAKED JOINTS.<br>3. MORTAR COLORS TO MATCH ADJACENT MATERIAL. COLOR TO BE APPROVED ON MOCK-UPS BY DEVELOPER AND DEVELOPER'S ARCHITECT. |                                   |                                                                                             |



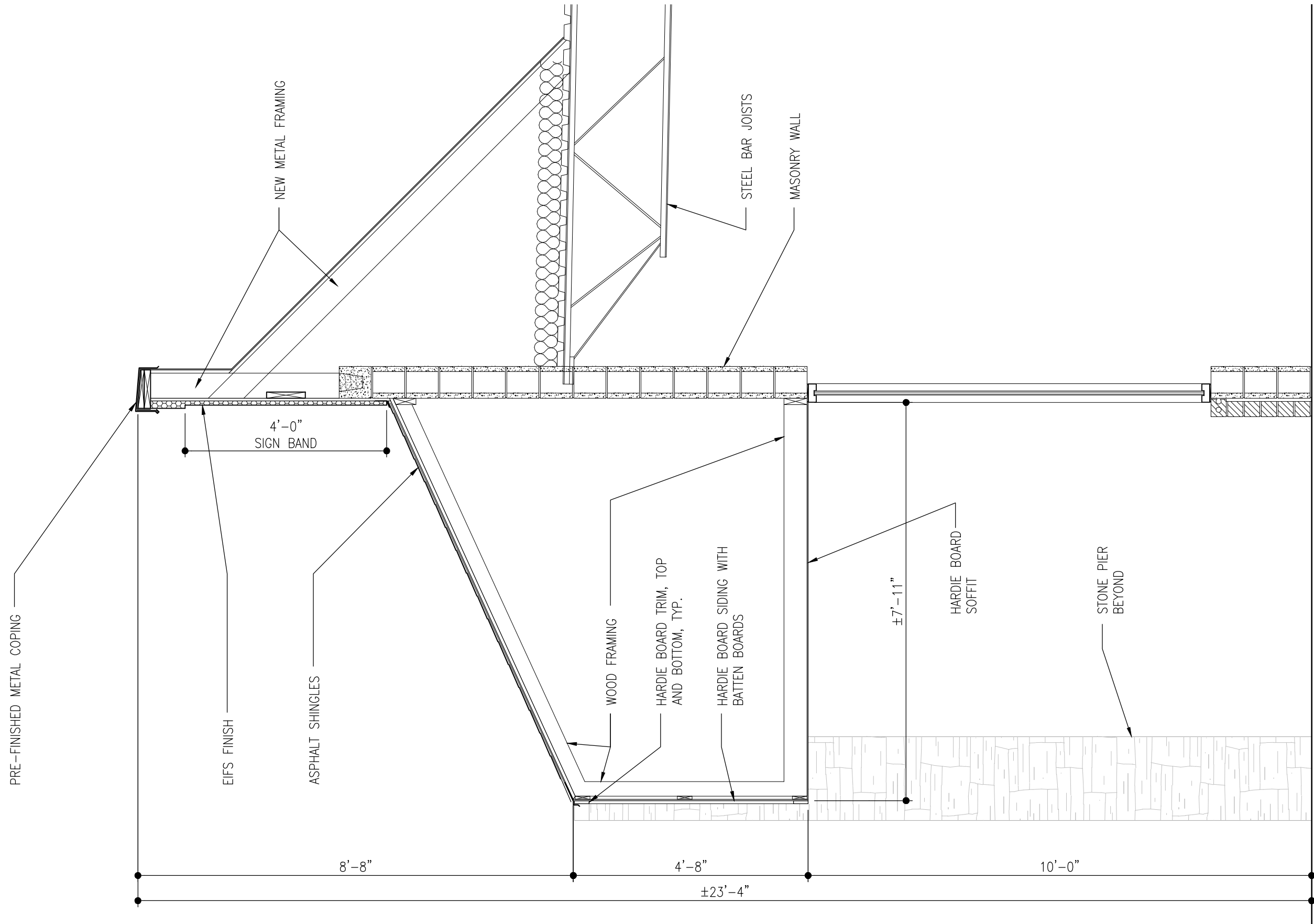
**EAST ELEVATION**

SCALE: 3/32" = 1'-0"



**NORTH ELEVATION**

SCALE: 3/32" = 1'-0"

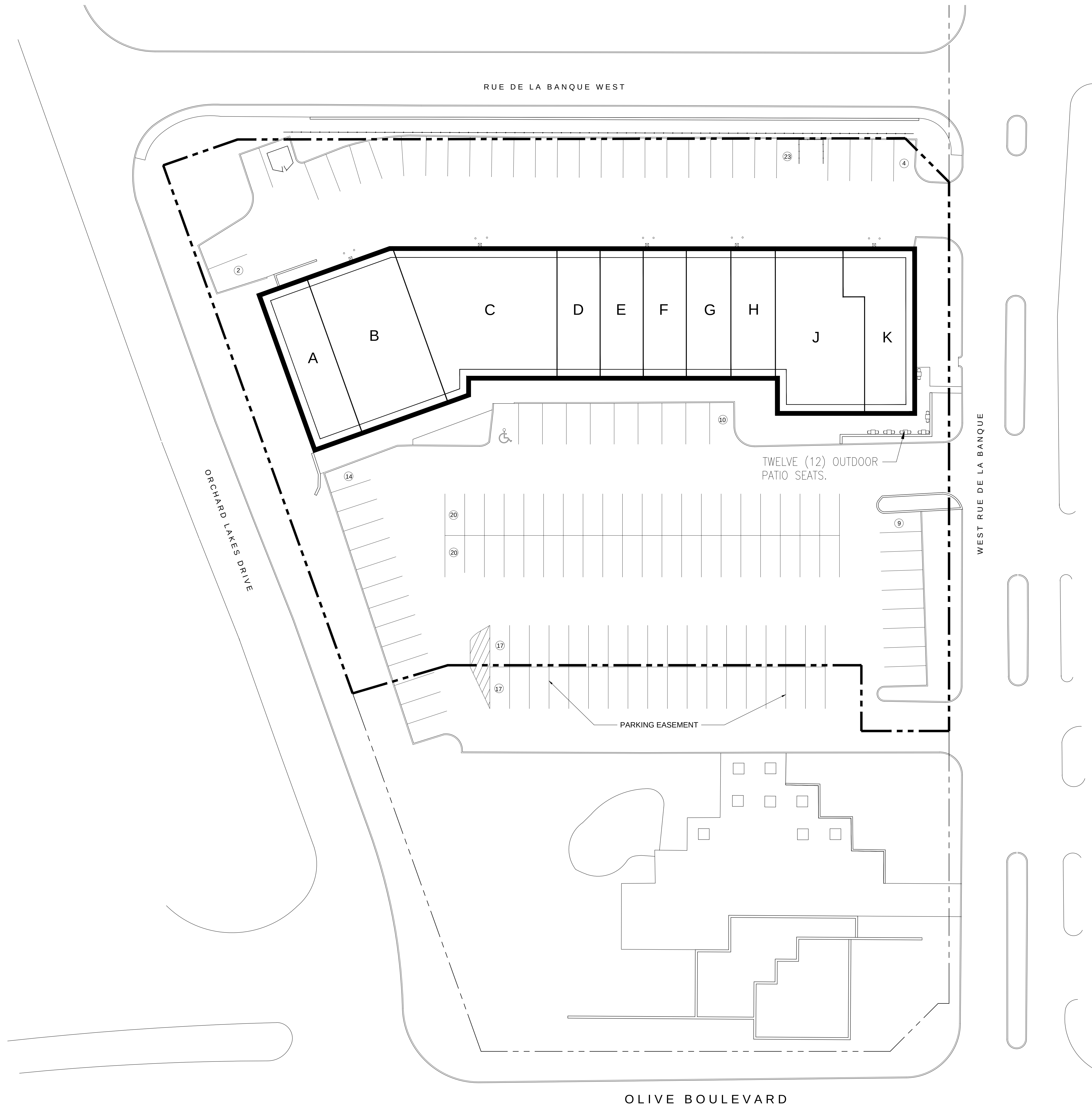


# FRONT WALL SECTION

SCALE: 1/2" = 1'-0"







| PROJECT DATA                             |                                                               |            |
|------------------------------------------|---------------------------------------------------------------|------------|
| TENANT SPACE                             |                                                               | SQ. FT.    |
| A RETAIL                                 |                                                               | 1,848 S.F. |
| PARKING REQUIRED:                        | 4.00 PS / 1,000 SF                                            | 8 P.S.     |
| B RETAIL                                 |                                                               | 3,196 S.F. |
| PARKING REQUIRED:                        | 4.00 PS / 1,000 SF                                            | 13 P.S.    |
| C RESTAURANT (80 SEATS)                  |                                                               | 4,280 S.F. |
| PARKING REQUIRED:                        | 1 P.S. / 3 SEATS + 1 P.S. / 250 S.F. + 1 P.S. / 8 PATIO SEATS | 44 P.S.    |
| D MEDICAL                                |                                                               | 1,200 S.F. |
| PARKING REQUIRED:                        | 4.00 PS / 1,000 SF                                            | 5 P.S.     |
| E RESTAURANT - CARRY OUT                 |                                                               | 1,200 S.F. |
| PARKING REQUIRED:                        | 4.00 PS / 1,000 SF                                            | 5 P.S.     |
| F RETAIL                                 |                                                               | 1,200 S.F. |
| PARKING REQUIRED:                        | 4.00 PS / 1,000 SF                                            | 5 P.S.     |
| G RETAIL                                 |                                                               | 1,240 S.F. |
| PARKING REQUIRED:                        | 4.00 PS / 1,000 SF                                            | 5 P.S.     |
| H MEDICAL                                |                                                               | 1,240 S.F. |
| PARKING REQUIRED:                        | 4.00 PS / 1,000 SF                                            | 5 P.S.     |
| J FINANCE / INSURANCE / REAL ESTATE      |                                                               | 2,920 S.F. |
| PARKING REQUIRED:                        | 4.00 PS / 1,000 SF                                            | 12 P.S.    |
| K RESTAURANT (46 SEATS / 12 PATIO SEATS) |                                                               | 2,050 S.F. |
| PARKING REQUIRED:                        | 1 P.S. / 3 SEATS + 1 P.S. / 250 S.F. + 1 P.S. / 8 PATIO SEATS | 25 P.S.    |
| TOTAL PARKING REQUIRED:                  |                                                               | 127 P.S.   |
| TOTAL PARKING PROVIDED:                  |                                                               | 136 P.S.   |



## RESOLUTION NO. \_\_\_\_\_

### **A RESOLUTION APPROVING A BUILDING EXTERIOR RENOVATION PLAN FOR THE CREVE COEUR SHOPPING CENTER LOCATED AT 11921 OLIVE BOULEVARD**

**WHEREAS**, Section 405.370 (G)(1) of the Municipal Code states that any development and/or redevelopment plans for properties within the area bounded by the City limit on the north, Olive Boulevard on the south, Craig Road on the east, and I-270 on the west, requires Planning and Zoning Commission and City Council review and approval; and

**WHEREAS**, an application was submitted by Thomas L. Milford, of Drury Development Corporation, on behalf of 11921 Olive LLC, for approval of a minor site development plan for building façade changes to update the existing shopping center; and

**WHEREAS**, the Planning and Zoning Commission reviewed and, by a \_\_\_\_\_ vote, recommended approval of the request, subject to the conditions contained herein, at its meeting on August 5, 2013; 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 resolution has been made available for public inspection prior to its consideration by the Council; and

**WHEREAS**, the City Council finds that the application and evidence presented clearly indicate that the proposed Site Development Plan, when subject to certain conditions set forth herein:

1. Complies with all other applicable provisions of this Chapter including Section 405.1080 Site Concept, Site Development, and Minor Site Plan Approval.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. 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 there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

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

**Section 1:** The Site Development Plan is approved subject to the following conditions:

1. 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 23, 2013, except as provided below.
2. The Applicant shall revise the elevation drawings to include the canopy structure over the doors and windows along east elevations, and a corner element of stone material shall be included on both back ends of the parapet wall on the north elevations.
3. The Applicant shall provide an elevation of the trash enclosure and indicate materials that are consistent with the building.

**RESOLUTION NO. \_\_\_\_\_**

4. The relocation and replacement of all signs shall require a permit per Article VIII Sign Regulations. Any non-conforming sign areas will need to be documented prior to the removal and replacement of the sign.
5. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy. Such violations include, but are not limited to damaged curbs and pavement.

**Section 2:** This resolution shall become effective upon approval.

ADOPTED THIS \_\_\_\_ DAY OF August, 2013.

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BARRY GLANTZ  
MAYOR

ATTEST:

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DEBORAH RYAN, MPCC  
CITY CLERK