

Table of Contents

Agenda	2
Draft minutes of the May 20, 2013 meeting.	
Draft minutes of the May 20, 2013 meeting.	4
Presentation of Conceptual Designs for the Public Art Transit Shelter	
Staff Memo	9
Conceptual Proposal	10
Application #13-013: Approval of the final plat for 222 North Mason Road	
Staff Report	12
Final Plat	17
Draft Ordinance	18
Application #13-020: Approval of a boundary adjustment between 353 Conway Lake Drive AND 367 Conway Lake Drive	
Staff Report	20
Boundary Adjustment Plat	24



AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, JUNE 3, 2013
7:00 PM

1. ROLL CALL

Mr. Michael Barton
Mr. Gary Eberhardt
Mr. James Faron
Mr. Ken Howard
Mr. Tim Madden
Mr. Jim Schnarr
Mr. Carl Lumley, City Attorney
Mr. Paul Langdon, AICP, Director of Community Development
Ms. Whitney Kelly, AICP, City Planner
Ms. Julie Lowery, Recording Secretary

Pursuant to Section 610.022 RSMO, the Planning and Zoning Commission could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. and/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

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

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

2. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

3. APPROVAL OF MINUTES

A. Draft minutes of the May 20, 2013 meeting.

4. PUBLIC COMMENT

An opportunity for members of the public to address the Planning and Zoning Commission regarding issues or concerns not already on the agenda for this meeting. Those wishing to speak will be asked to limit comments to three minutes and to complete a speaker card.

5. UNFINISHED BUSINESS

A. Presentation of Conceptual Designs for the Public Art Transit Shelter

Artist/Presntor: Christopher Fennell
5104 Clairmont Ave. S.
Birmingham, Al 35222

6. NEW BUSINESS

A. Application #13-013: Approval of the final plat for 222 North Mason Road

Applicant/Agent: Chris Vatterott
The Enclave Bellerive, LLC
332 Wythe House Court
Creve Coeur, MO 63141

B. Application #13-020: Approval of a boundary adjustment between 353 Conway Lake Drive AND 367 Conway Lake Drive

Applicants/ David and Catherine Hogan
Property Owners: 353 Conway Lake Drive
Creve Coeur, MO 63141

Representative: Thomas Prost
Poehlman & Prost, Inc.
P.O. Box 8340
St. Louis, MO 63132

7. WORK AGENDA

A. Comprehensive Plan -- Review of "For the Love of Creve Coeur" workshop and implications for the Plan update process.

8. OTHER BUSINESS

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

9. ADJOURNMENT

Posted: _____
Paul Langdon
Planning Director



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, MAY 20, 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, May 20, 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*
 Mr. Gary Eberhardt
 Mr. James Faron
 Mr. Ken Howard
 Mr. Jim Schnarr

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 April 1, 2013

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

4. PUBLIC COMMENT

None

5. UNFINISHED BUSINESS

A. 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 Development. REQUEST TO TABLE

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

Mr. Langdon, Director Community Development, explained to the Commission that the applicant went before the Board of Adjustment on May 16, 2013 and the variance to approve the above ground parking garage was passed and the variance to allow the longer setback from Olive Boulevard was passed, however the variance for the building side setback and buffer was denied and the variance for the sky exposure plane was denied. Mr. Langdon stated the results from the Board of Adjustment make the project not buildable, as proposed. Mr. Langdon said the applicant has several options that range from simply dropping the project to large scale rezoning of the area, which the City would have to undertake, because the applicant does not have standing to request that type of rezoning. There are also text amendment approaches and redesign of the project, but the applicant is not sure what approach they want to take at this point. Mr. Langdon explained staff would talk more with Mr. Braswell (the applicant) and look at the different options, and decide the best way to move forward.

Mr. Faron motioned to table 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 development indefinitely, Mr. Howard seconded the motion with the resultant vote as follows:

Mr. Faron – aye

Mr. Howard – aye

Mr. Schnarr – aye

Chair - aye

Mr. Eberhardt – aye

6. NEW BUSINESS

None

7. WORK AGENDA

A. Comprehensive Plan Update – East and West Olive Corridor, the Commerce Center, and the Central Business District Plan Elements.

Chairman Madden started by asking the public if they wished to speak first.

Ms. Judy Campbell, 314 Lyonnais Dr, spoke to address neighborhood integrity concerns relating to rezoning proposals. Ms. Campbell pointed out residents along Ladue, Mosley, Graeser, Mason, Nottingham, and other areas are worried about home developers submitting rezoning proposals for higher population density units. Ms. Campbell also said some residents are worried about property in close proximity to their homes being purchased by commercial developers. Ms. Campbell suggested the fee schedule for proposed rezoning in residential neighborhoods be increased. Ms. Campbell would like to see the Comprehensive Plan update benefit the residents of Creve Coeur.

Mr. Langdon, Director Community Development, used an illustration of the zoning map to show the Commission what areas were being discussed, East Olive corridor, West Olive corridor, and the Central Business District. Mr. Langdon explained that the Central Business

District is the middle of the city and the area at Olive and North New Ballas; East Olive corridor is where the residential comes up to Olive at Mosley and continues over to the east edge of the city. Mr. Langdon pointed out a separate element called Commerce Center and showed the area on the illustration, but he thinks there will be a connection between how East Olive is going and how we expect the Commerce Center area to go.

Mr. Langdon stated he has tried to figure out how the section on the East Olive corridor came to fruition. Mr. Langdon said there are a number of criteria in the current Comprehensive Plan that are difficult to work with and are not well defined. Mr. Langdon said they have spoken with people who were involved with the focus group at the last Comprehensive Plan update and talked to residents who were involved at the time to understand things like the “green line” park, which is a phrase used in the plan, which has been highly debated in the East Olive area. Mr. Langdon said it is not that people do not want to do the landscape, but it is how much landscape in front of a commercial business constitutes a “green line” park feel. There is a notion that the area should be largely residential style or scale buildings in this “green line” park and there are other goals that say the area should embrace high quality well-designed commercial redevelopment, and often those two things do not go together. Mr. Langdon said he understands the desire to preserve a certain character on East Olive that is not West Olive, they are very different, but the Comprehensive Plan needs to be rethought to a large degree in terms of how the character is described and get rid of vague generalities. Mr. Langdon stated doing that will make the Commission’s job much easier. Mr. Langdon suggests eliminating residential altogether on East Olive, and to be careful of discouraging commercial along East Olive; personally Mr. Langdon thinks if redevelopment is managed correctly and terms are defined better than they were, then the city should continue to embrace redevelopment on Olive Boulevard. Mr. Eberhardt asked if that tenet applies to the entire East Olive corridor from Lindbergh to I-270 or are there some pockets that should remain residential. Mr. Langdon said he thinks it becomes difficult when residential and commercial are mixing and that a braver stance should be made than in 2002, so while some areas might best remain residential because the lots are oriented to the side street, the Comprehensive Plan should more strongly advocate one position or the other. Mr. Faron stated he thought the number of homes on Olive was minimal, and Mr. Langdon said the total of houses “in-play,” whether occupied as a residence or a business, is around 10, plus or minus. Chair Madden asked how many were residences and Mr. Langdon said 3 or 4. Mr. Howard pointed out the stark contrast from West Olive to East Olive and thinks the city needs to redefine the vision.

Mr. Eberhardt asked for clarification on East Olive key properties, and Mr. Langdon showed an illustration pointing out East Olive 1, East Olive 2, and East Olive 3. Mr. Howard asked if the approach was best served by identifying changes parcel-by-parcel. Mr. Langdon agreed.

Mr. Langdon said he thinks there should be a corridor plan for the west side if there is going to be one for the east side.

Mr. Langdon questioned the goals stating what should the City ensure related to stormwater, utilities, etc. and said that none of those things can be ensured by the City. Mr. Langdon said they should be changed in the plan to say we should be aggressive or work as cooperatively as we can, but the Comprehensive Plan should not say we should ensure anything that falls under the jurisdiction of another agency.

Ms. Margie Jaffe, 12173 Winrock Drive, wanted to know if the residential lots on the east side of Olive are shallower than on the west side. Mr. Langdon replied that some are. Also, Ms. Jaffe wanted to know if Planning and Zoning determines what the front building lines are because she would like to see them pushed back. Mr. Langdon said the Zoning Code has setback requirements. Mr. Langdon stated the corridor plan gives an opportunity to layout how sites ought to be developed to achieve balance, and once you have that you can amend the zoning, through the Zoning Code.

Ms. Linda Rezny, 104 Graeser Acres, told the Commission to look at Kirkwood, and how Kirkwood kept houses on Lindbergh and did not allow commercial uses to take them over. Ms. Rezny stated she believed that in the East Olive corridor there was plenty of stores and offices, and that there is a surplus of these places that are empty. Ms. Rezny also thinks the east side has an older housing stock and residents are older.

Ms. Judy Wasserman, 272 Prince Towne Drive, asked if the City was considering annexing Orchard Lakes. Mr. Langdon replied the City has not been approached.

Mr. Langdon explained Commerce Center is located at the far east end of the City. It includes Monsanto, Danforth, Wexford, Helix, a General Commercial District along Lindbergh, Planned Office District and the “LI” District. Mr. Langdon said the City, along with the property owners of the plant science facilities and St. Louis County are trying to figure out if there is an identity for this area that is unique because, functionally, it is unique. Danforth is world re-known, one of a kind, in the plant science industry. There is a need to meet the demand for the people working in this area. Mr. Faron asked what property was directly to the west; Mr. Langdon said the Missouri American Water Company and CK Power. Mr. Faron asked if there was a way to connect that area with the plant science area. Chair Madden asked if the people come to work long-term or just a couple of years, and Mr. Langdon said most are long-term.

Lastly, Mr. Langdon discussed the Central Business District, which is east of the interchange including the area around North New Ballas and Olive, the Creve Coeur Office Park and the Creve Coeur Golf Course. Mr. Langdon pointed out that what the Comprehensive Plan said in 2002 has almost all been done for this area.

Mr. Langdon stated the next steps they will be looking to engage the public further in different settings.

B. Form-Based Code Discussion: Urban Design incentives

Mr. Langdon discussed with the Commission a draft of the Urban Design Regulating Plan and the draft for Urban Design Incentives. Mr. Langdon asked the Commission to let him know if they see a different way to incentivize the public amenities or if they see something they do not think will work.

8. OTHER BUSINESS

A. Planning Division Report

Mr. Langdon reported at the next meeting the Commission will be continuing the Comprehensive Plan and Downtown discussions based upon Commission comments.

B. City Attorney Report

None

9. ADJOURNMENT

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 8:56 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



city of CREVE COEUR

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

MEMO TO PLANNING AND ZONING COMMISSION

Meeting Date: June 3, 2013

Subject: Public Art Transit Shelter Presentation

Request: Presentation of New Conceptual Design by Chris Fennell

Memo Prepared by: Whitney Kelly, AICP
City Planner

Attached: Christopher Fennell Revised Proposal “Window Tree Installation”

In November of 2010, the City issued a Call to Arts/Request for Qualifications for the fulfillment of the development approval agreement for the St. Luke’s Urgent Care and CVS Pharmacy that required the installation of a transit shelter. The shelter is to have a value as public art in addition to providing shelter to passengers as they wait. The design team of Marc Fornes & Volkan Alkanoglu and Chris Fennell were selected as the top two candidates from the selection process. Both candidates presented their original conceptual design during the Planning and Zoning Commission worksession on June 20, 2011, and the design team of Marc Fornes & Volkan Alkanoglu was selected as the top design.

However, after delays regarding the recording of easements, and after contract negotiation with the design team broke down, Chris Fennell was asked to develop a new concept for the site. Mr. Fennell will be presenting his new concept of a “Window Tree Installation”. Staff has received initial comments from Metro who suggested that the shelter should be flipped to allow waiting passengers a clear view of approaching buses and that it must comply with ADA access. Staff has also reviewed the proposed design with the Creve Coeur Arts Commission, who liked the new concept and was supportive of moving forward.

Please feel free to ask the Artist questions regarding the design, such as how it will be made, maintenance, liabilities, and overall concept. If the Commission Members accept the new design, Staff requests that the motion be made to approve the new concept, and proceed with a contract for final design and construction.

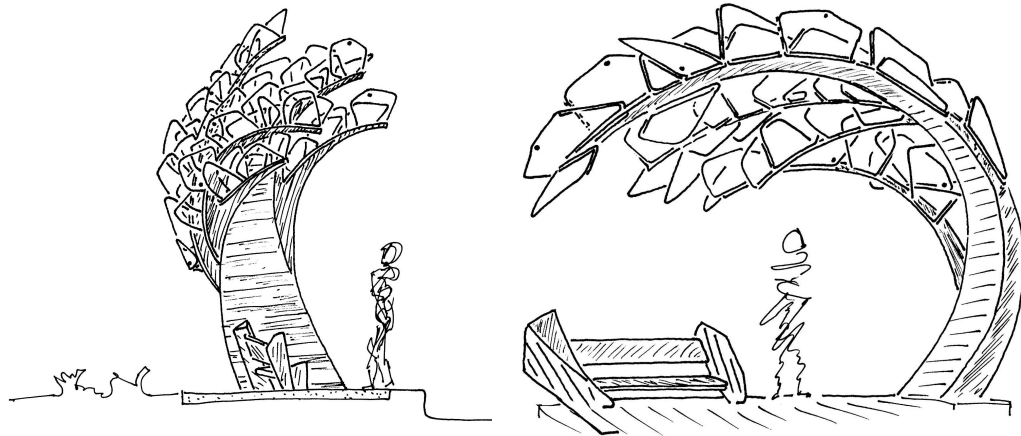
An example motion is:

“I move to approve the new design by Chris Fennell for the “Window Tree Installation” as presented on June 3, 2013, and ask Staff to enter into final contract negotiation for final design and construction.” (Conditions may be added by preceding motion).



Christopher Fennell
sculptor

Window Tree Installation



Christopher proposes to build a bus stop shelter in the shape of a tree out of planks with leaves made of car windows.

The bus stop shelter sits upon a road that used to be made of planks, so therefore why not build the trunk of the tree out of planks that start as a wide deck and progress up the tree, circling over the viewer, narrowing as if a road in forced perspective. Then fill out the canopy in leaves made of car windows.

The tree will rise up on the left of the bus stop shelter giving the patrons shelter from the spray of oncoming cars, it will rise over them, leaving enough room for a wheelchair. The trunk divides into two branches with a piece of plexi in between to act as a small roof for those standing next to the tree. On drier days the patrons can sit a bench on the far right side of the platform and gaze up into the 40 car windows that make up the canopy.

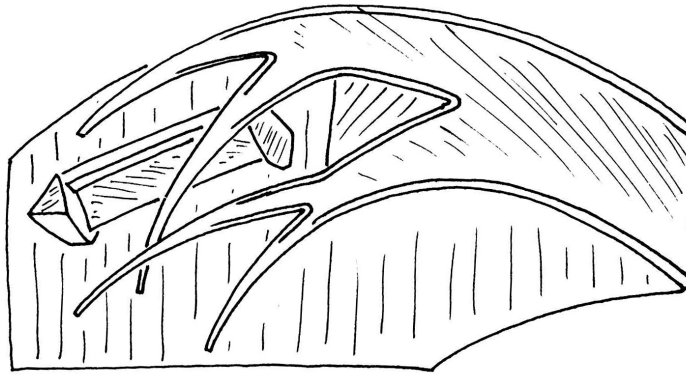
Each window will be rimmed in a thin channel of steel such that the edge of the window is protected from hail and stones. The base of the shelter will be a concrete pad that has a surface that resembles wood. It will be cast against wood planks leaving their impression in the pads surface. This pad will be even with the grade so that it can be easily cleaned. The tree itself is constructed of steel plates painted black and has an inside surface of tapering grey wood planks. The bench is made of the same materials grey wood on welded black steel.

The canopy will have four LED lights that illuminate the canopy and shelter at night.



Christopher Fennell
sculptor

Window Tree Budget



Top View
Structure only.

Budget

40 used car windows	\$2,000
Steel	\$2,240
Concrete	\$4,000
Paint	\$500
Structural Engineering Drawings	\$2,000
Consumables/ Fastners	\$860
Overhead	\$2,000
Labor to build and Install Sculpture	\$10,000
Transportation	\$1,200
Insurance	\$200
Artist Fee	\$2,000
Total	\$27,000

Time line

Structural Engineering Drawings	1 month
Gathering Windows	2 weeks
Time to build sculpture	2 months
Installation time	2 weeks
Total	4 months



city of CREVE COEUR

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APPLICATION TO PLANNING AND ZONING COMMISSION #13-013 APPROVAL OF THE FINAL PLAT FOR Lot A, 222 N. MASON ROAD

FOR THE MEETING OF: June 3, 2013

LOCATION: 222 N. Mason Road

REQUEST: Chris Vatterott, on behalf of The Enclave at Bellerive, LLC, has submitted an application for approval of the final plat for 222 N. Mason Road. The proposal involves the creation of a new residential lot just north of the Enclave Bellerive subdivision at the northeast corner of Mason and Ladue Roads.

ADDITIONAL INFORMATION: The preliminary plat for 222 N. Mason Road was approved in November 5, 2012. Review and approval of final subdivision plats is a ministerial act; if the drawings are largely the same as the preliminary plat that was already approved, and it is technically accurate, it must be approved by the Planning Commission and City Council.

Key Issues:

- Does the lot substantially meet all land development standards of this Chapter and those of any other applicable City regulations?

Subdivision Code References

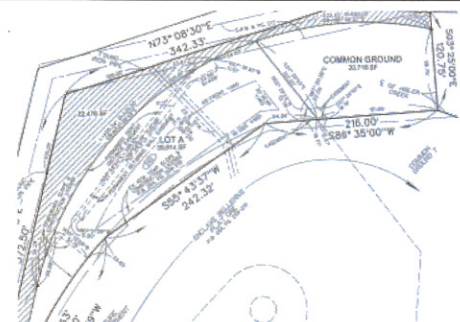
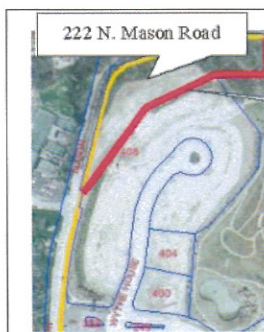
- Chapter 410: Subdivision and Development of Land

Zoning Code References

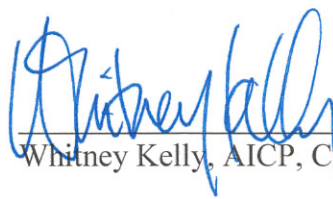
- Section 405.260: "B" Single Family Residential

APPLICANTS: Chris Vatterott
The Enclave Bellerive, LLC
332 Wythe House Court
Creve Coeur, MO 63141

OWNER: The Enclave Bellerive, LLC
332 Wythe House Court
Creve Coeur, MO 63141



REPORT PREPARED BY:


Whitney Kelly, AICP, City Planner



Date

ATTACHMENTS: Applicant's Final Plat submitted May 30, 2013
Draft Ordinance

SUBDIVISION AND ZONING HISTORY

The Planning and Zoning Commission recommended approval of the Enclave at Bellerive preliminary subdivision plat on January 3, 2005. The City Council subsequently approved the development of Enclave at Bellerive on January 24, 2005, when the property was rezoned from “A” to “B” Single-Family Residential with an “RDD” Residential Design Development preliminary plat. A site development plan was also approved at that time for fifty-five houses. Ordinance No. 3037, that allowed for the rezoning, includes the following condition:

1. The applicant or public jurisdiction shall acquire right-of-way from the property, addressed as 338 N. Mason Road, for the placement of Mason Road as shown on the plan. To the extent the applicant acquires excess property beyond that needed for right-of-way, such excess property shall be incorporated into the development as additional open space and common ground. To the extent any such excess property is acquired by a public jurisdiction, the City would encourage that public entity to leave the space as undeveloped open space.

The applicant received approval of the preliminary plat on November 5, 2012, to create a new lot (Lot A, addressed as 222 N. Mason Road) on the land that was designated for the reconfiguration of Mason Road but is no longer needed by St. Louis County. The lot will be for the development of a single-family residence for sale. 338 N. Mason Road is the property immediately adjacent to the proposed Lot A, and was to be acquired for the use as a maintenance shed for the common ground which has not occurred and that lot is not part of this application.

The Final Plat is substantially the same as the preliminary plat and, since final plat review is largely a ministerial act, it should be approved by the Planning Commission and City Council.

RECOMMENDATION AND CONDITIONS OF APPROVAL

Should the Planning and Zoning Commission recommend approval of the proposed final plat, staff recommend the following condition be added:

1. The applicant shall provide two paper copies and one electronic copy of the recorded plat to the City of Creve Coeur.

ACTION

Action on this item will be in the form of a motion to recommend approval as presented, approval with additional conditions, to meet all technical requirements. The following are examples of motions for this application:

“I move to recommend approval of the final subdivision plat for Enclave Bellerive Plat Seven with the condition listed in the staff memo, dated May 30, 2013.” (Other conditions may be added, eliminated, altered, and modified by prior motion).

APPENDIX 1: COMPREHENSIVE PLAN

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

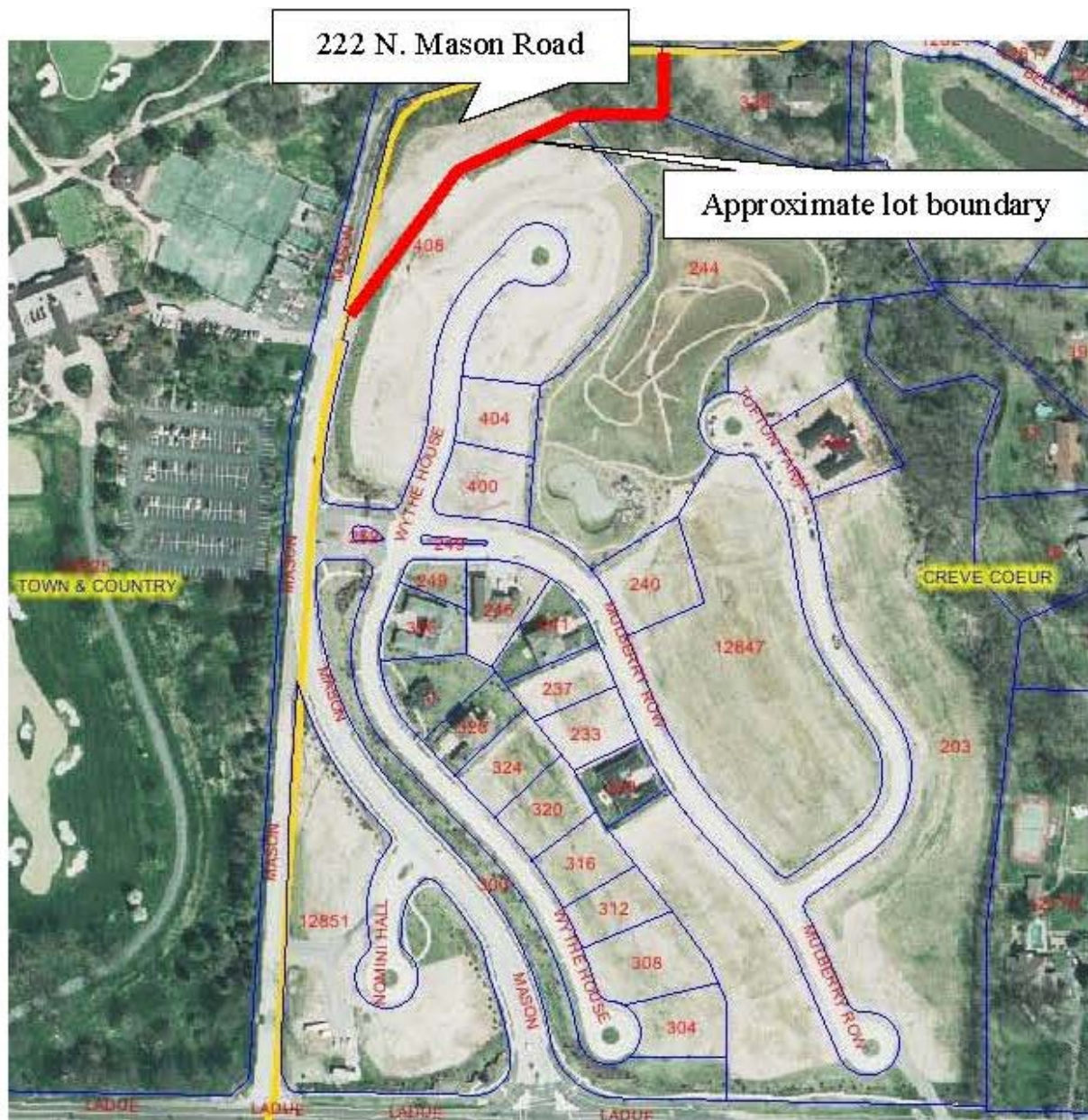
APPENDIX 2: ZONING CODE (CHAPTER 405 OF THE CREVE COEUR MUNICIPAL CODE)

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

**APPENDIX 3: CREVE COEUR SUBDIVISION AND LAND DEVELOPMENT REGULATIONS
(CHAPTER 410 OF THE CREVE COEUR MUNICIPAL CODE)**

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

APPENDIX 4: AERIAL MAP



Note that map only shows individual lots that have been recorded with St. Louis County Recorder of Deeds.

Legend

Lot Lines

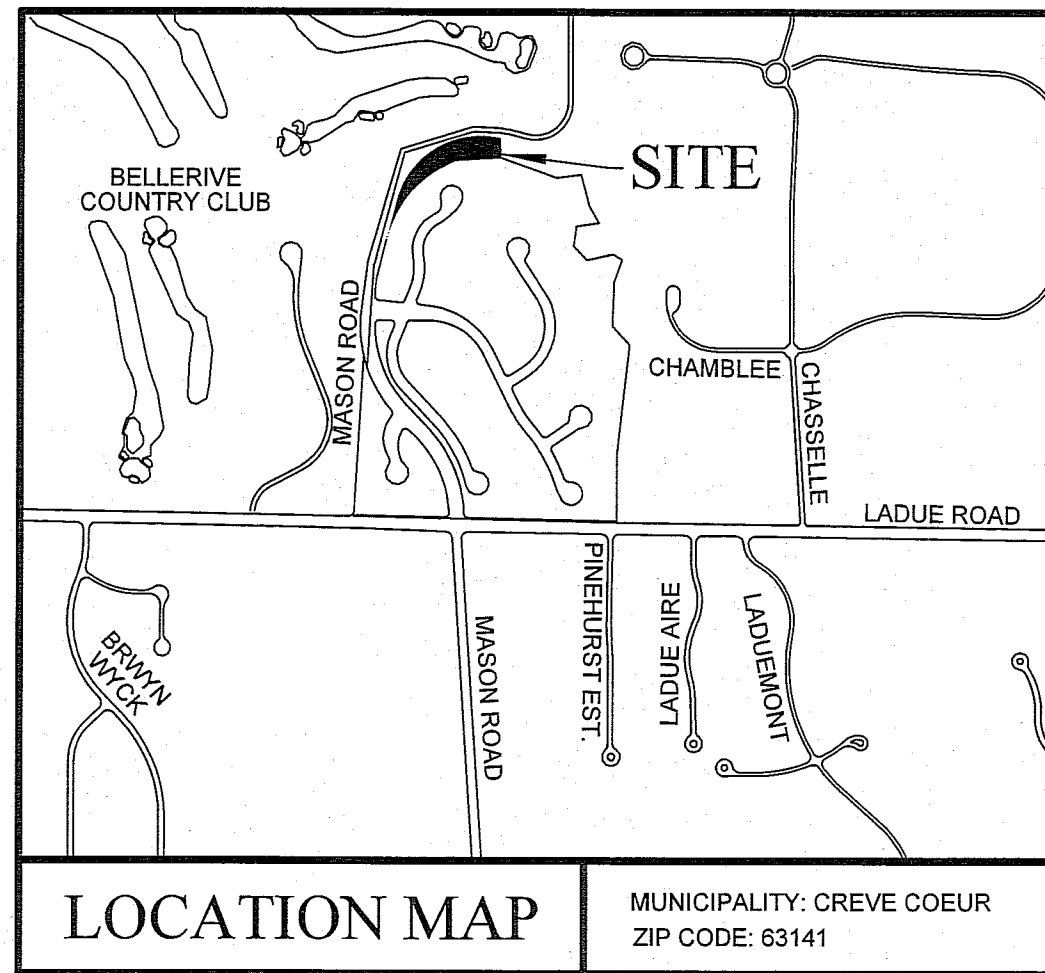


Not to Scale

APPENDIX 4: SITE PHOTOGRAPHS	Photo Date: 10/22/2012
 A photograph showing a view looking east from across Mason Road. In the foreground, there is a grassy area with a yellow fire hydrant. A paved road with a yellow center line runs horizontally across the middle. In the background, there is a parking lot with a black fence and some trees. A yellow diamond-shaped sign with a right-turn arrow and the number 20 is visible on the right side of the road.	Description: View looking east to the area for the proposed Lot from across Mason Road at the parking lot for the country club
 A photograph showing a view looking northeast from across Mason Road. The road is paved with a yellow center line and runs diagonally from the bottom left towards the center. On the right side of the road, there is a grassy area with a black fence and some trees. A yellow diamond-shaped sign with a right-turn arrow and the number 20 is visible on the right side of the road.	Description: View looking northeast from across Mason Road at the proposed lot.
 A photograph showing a view looking north along Mason Road. The road is paved with a yellow center line and runs diagonally from the bottom left towards the center. On the right side of the road, there is a grassy area with a black fence and some trees. A yellow diamond-shaped sign with a right-turn arrow and the number 20 is visible on the right side of the road. A sign for 'PUBLIC NOTICE' with the number '872-257' is also visible on the right side of the road.	Description: View looking north along Mason Road.

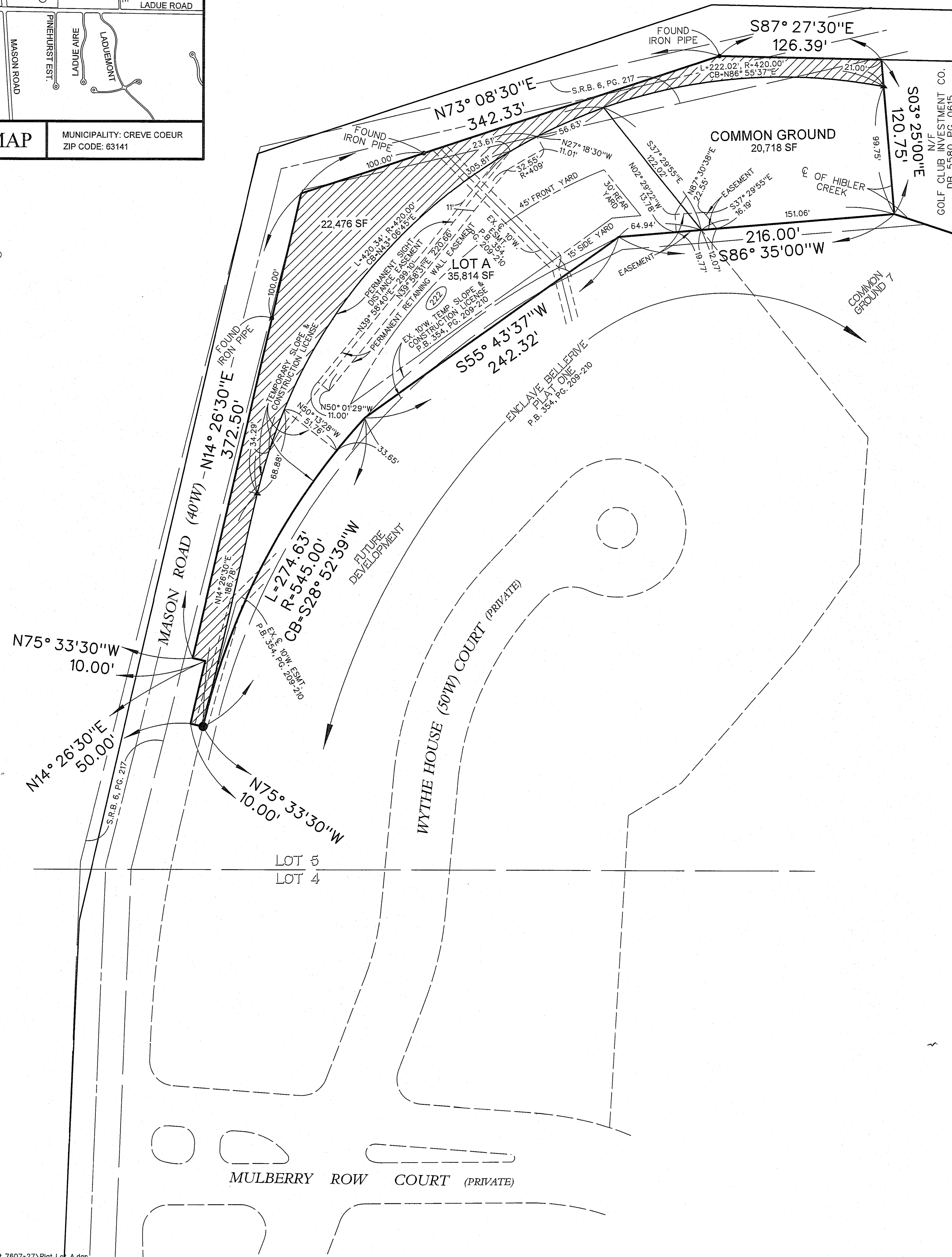
222 NORTH MASON ROAD

A TRACT OF LAND BEING PART OF LOT 5 OF THE
SUBDIVISION IN PARTITION OF THE WM. HOGG ESTATE
AND PART OF U.S. SURVEY 730, TOWNSHIP 45 NORTH, RANGE 5 EAST
CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI



LEGEND

SRB SURVEYOR'S RECORD BOOK
(ST. LOUIS CITY RECORDS)
▲ PERMANENT MONUMENT
(BRASS COATED STEEL ROD
W/ BRAS CAP)
● IRON PIPE (FOUND OR SET)
□ FOUND STONE
+ FOUND CROSS
(123) ADDRESS



This is to certify that we have, during the month of April, 2013, by order of The Enclave at Bellerive, L.L.C., made a Property Boundary Survey and prepared a Subdivision Plat of "A tract of land being part of Lot 5 of the Subdivision in Partition of the Wm. Hogg Estate, according to the plat accompanying the Commissioner's Report recorded in Deed Book 409, Page 81 and Survey Record Book 6, Page 217 of the St. Louis City (former County) Records and part of U.S. Survey 730, Township 45 North, Range 5 East, in the City of Creve Coeur, St. Louis County, Missouri." This Survey was made in accordance with the "Missouri Minimum Standards for Property Boundary Surveys", as established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, and meets the accuracy requirements of an Urban Property Survey, as defined therein, and the results are as shown on this plat.

Volz Incorporated

May 30, 2013

Date

Richard W. Norvell, P.L.S.
Professional Land Surveyor
MO. PLS No. 1437
rwnorvell@volzinc.com

We the undersigned owners of the tracts of land hereon platted and further described in the foregoing Surveyor's Certificate, have caused the same to be surveyed and subdivided in the manner shown on this plat, which Subdivision shall be subject to any easements, restrictions or covenants of record and hereafter be known as "222 North Mason Road". The dedication strip along Mason Road, variable width, which for better identification is shown hatched hereon, is hereby dedicated to St. Louis County for public use forever.

All easements shown on this plat, unless designated for other specific purposes, are hereby dedicated to the City of Creve Coeur, Missouri, Missouri American Water Company, Laclede Gas Company, AmerenUE, AT&T, the Metropolitan St. Louis Sewer District, and the relevant cable television company, their successors and assigns as their interests may appear for the purpose of improving, constructing, replacing, maintaining, and repairing of public utilities, sewer or sewers, storm water improvements and drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements, for the excavation and storage of materials during installation, repair, or replacement of said utilities, sewer or sewers, storm water improvements and drainage facilities. The building setback lines shown hereon are also hereby established.

The Permanent Site Distance Easement as shown on this plat is hereby conveyed to St. Louis County to ensure and protect the clear and unobstructed view of motorists on and entering the adjacent roadways. No part of said easement shall be built on, regraded or changed in any manner nor shall any structure or planting be permitted within said easement unless expressly approved by the St. Louis County Director of Highways and Traffic. Any structure or planting approved by the Director shall be maintained by the Trustees of Enclave Bellerive, their successors or assigns.

The Permanent Retaining Wall Easement is hereby granted to St. Louis County, Missouri to construct, repair and maintain the retaining wall and appurtenances.

The Temporary Slope Construction License as shown on this plat is hereby conveyed to St. Louis County for the purpose of making cuts, fills and sloping embankment, constructing drives, sidewalks, temporary roadways and overhead utilities if any, provide working room and implementing any and all other construction items until such time as the proposed roadway may be completed and accepted by St. Louis County. Upon the acceptance of said improvements by St. Louis County or its assigns, this license shall terminate.

Two permanent monuments (indicated as ▲) for each block created and semi permanent monuments (indicated as ●) at all lot corners will be set, with the exception that the front lot corners may be monumented by notches or crosses cut in concrete paving on the prolongation of the lot line within twelve (12) months after the recording of this subdivision plat, in accordance with 10 CSR 30-2.090 of the Missouri Department of Natural Resources and 4 CSR 30-16.090 of the Missouri Department of Economic Development.

This Subdivision is subject to the conditions and restrictions filed in conjunction with this plat and recorded this _____ day of _____, 2013, as Daily Number _____ of the St. Louis County Records.

It is hereby certified that all existing easements are shown or noted on this plat as of the time and date of the recording of this plat. All taxes due and payable against this property have been paid in full.

IN WITNESS WHEREOF, we have hereunto set our hand, this _____ day of _____, 2013.

The Enclave at Bellerive, L.L.C.

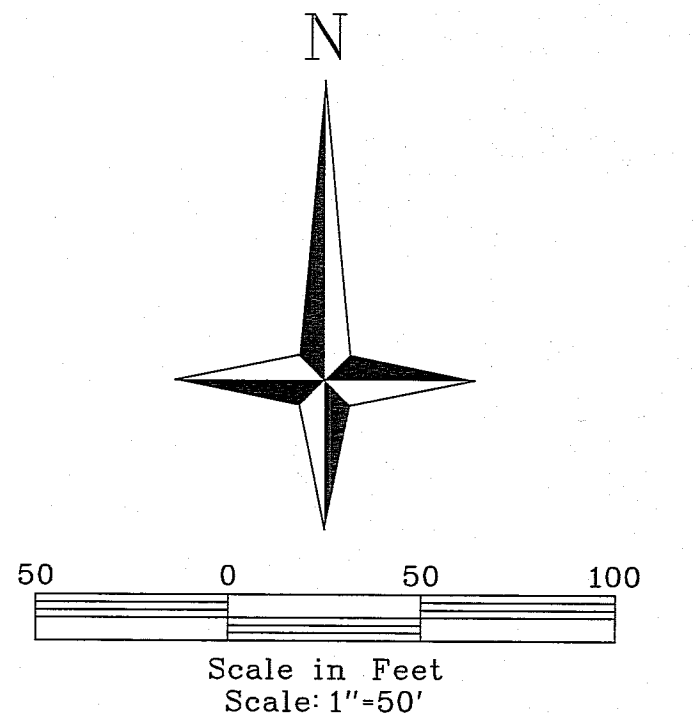
By: Christopher Vatterott, Managing Member

STATE OF MISSOURI)
COUNTY OF ST. LOUIS)

On this _____ day of _____, 2013, before me appeared Christopher Vatterott, to me personally known, who being by me duly sworn, did say that he is the Managing Member of The Enclave at Bellerive, L.L.C., a Missouri Corporation duly organized and existing under the laws of the State of Missouri, and that the seal affixed to the foregoing instrument is the Corporate Seal of said Corporation and that said instrument was signed and sealed in behalf of said Corporation, by authority of its Board of Directors and he further acknowledges said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have herewith set my hand and affixed by notarial seal the day and year above written.
My Commission expires _____

(Printed name of Notary Public) (Notary Public)



We the undersigned legal owners and holder of notes for _____, secured by Deed of Trust recorded in Deed Book _____, Page _____, of the St. Louis County Records, do hereby join in and approve the foregoing Subdivision, as shown on this Plat.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our corporate seal, this _____ day of _____, 2013.

Corporation

By: _____
(Corporate Officer)

(Printed name of Corporate Officer, Title)
STATE OF MISSOURI)
COUNTY OF ST. LOUIS)

On this _____ day of _____, 2013, before me appeared, _____, to me personally known, who being by me duly sworn, did say that (s)he is the _____ of _____, a Missouri Corporation duly organized and existing under the laws of the State of Missouri, and that the seal affixed to the foregoing instrument is the Corporate Seal of said Corporation and that said instrument was signed and sealed in behalf of said Corporation, by authority of its Board of Directors and (s)he further acknowledges said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have herewith set my hand and affixed by notarial seal the day and year above written.

My Commission expires _____

(Printed name of Notary Public) (Notary Public)

It is hereby certified, that this Subdivision Plat was approved on the _____ day of _____, 2013 pursuant to the Subdivision Regulations of the City of Creve Coeur, Missouri, as outlined in said regulations in Section 410.140.C, Ordinance Number 5123.

Planning & Zoning Commission
City of Creve Coeur, Missouri

Chairman

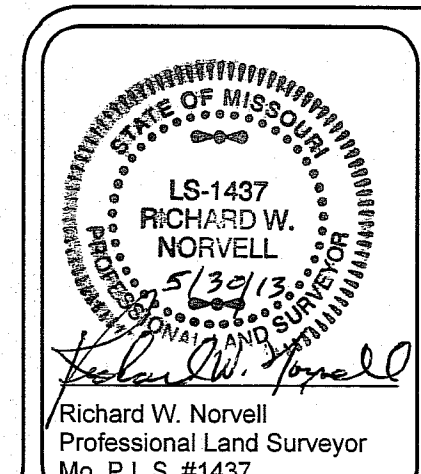
I, Deborah Ryan, City Clerk for and within the City of Creve Coeur, Missouri, do hereby certify that this Subdivision Plat is in complete compliance with Ordinance No. 1045 approved on the twenty-fifth day of July, 1983, as approved by the City Council of the City of Creve Coeur.

Deborah Ryan, City Clerk

General Notes:

- Bearing system adopted from Enclave Bellerive Plat One as recorded in Plat Book 354 Pages 209 and 210.
- Source of Title: A First American Title Insurance Company Commitment for Title Insurance Number NCS-46336-STLO, dated April 12, 2003. All Easements reported therein are shown hereon.

THIS PLAT CONTAINS 1.814 ACRES



VOLZ
Incorporated
10849 Indian Head Ind'l. Blvd.
St. Louis, Missouri 63132
314.426.6212 main - 314.890.1250 fax
WWW.VOLZINC.COM

MISSOURI CORPORATE CERTIFICATES OF AUTHORITY:
NO. 000019 EXPIRES: DECEMBER 31, 2013 - LAND SURVEYING
NO. 000203 EXPIRES: DECEMBER 31, 2013 - ENGINEERING

222 N. MASON ROAD
CREVE COEUR, MO 63141
Sheet 1 of 1
7/07-27

BILL NUMBER _____

ORDINANCE NUMBER _____

**AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR A
SUBDIVISION KNOWN AS 222 NORTH MASON ROAD, CITY OF CREVE
COEUR, ST. LOUIS COUNTY, MISSOURI**

WHEREAS an application has been submitted by The Enclave at Bellerive, LLC, for approval of a final plat of a subdivision known as 222 N. Mason Road north of Ladue Road and east of Mason Road; and

WHEREAS Final plat of 222 North Mason Road conforms to the preliminary plat approved by the Planning and Zoning Commission on November 5, 2012; and,

WHEREAS public notice of said final plat applications was provided in accordance with Section 410.140.C.2 of the Creve Coeur Municipal Code; and

WHEREAS the Planning and Zoning Commission recommended by a vote of ____ for approval of 222 North Mason Road on June, 3, 2013; and

WHEREAS, a copy of the proposed ordinance has been made available for public inspection prior to its adoption by the City Council and this bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the Council approved consideration and passage of this ordinance as an emergency measure on the day of its introduction due to the financing deadlines confronting the applicant and the Council's cancellation of its next regular meeting,

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

SECTION 1: The Final plat of subdivision known as 222 North Mason Road, described as a tract of land being part of Lot 5 of the subdivision in partition of the Wm. Hogg Estate and parts of U.S. Survey 730, Township 45 North, Range 5 East, City of Creve Coeur, St. Louis County, Missouri, as heretofore submitted on May 13, 2013 are hereby approved subject to the following conditions:

1. The applicant shall provide two paper copies and one electronic copy of the recorded plat to the City of Creve Coeur.

SECTION 2: Such approval of the plats for the subdivision of the property shall be endorsed on said Plat as indicated in Section 1 hereof under the hand of the City Clerk, and the seal of the City of Creve Coeur, Missouri shall be affixed thereto.

SECTION 3: This ordinance shall become effective as an emergency measure in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2013.

DR. SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK



city of CREVE COEUR

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

**APPLICATION TO PLANNING AND ZONING COMMISSION
#13-020 FOR APPROVAL OF A BOUNDARY ADJUSTMENT BETWEEN
353 CONWAY LAKE DRIVE AND 367 CONWAY LAKE DRIVE**

FOR THE MEETING OF: June 3, 2013

LOCATION: 353 Conway Lake Drive and 367 Conway Lake Drive

REQUEST: The property owner of 353 Conway Lake Drive purchased the adjoining property to the south at 367 Conway Lake and is seeking a boundary adjustment to combine the two 0.6 acres into one, 1.2 acre lot. The property is Zoned "A" Single Family Residential with "RDD" Designation.

ADDITIONAL INFORMATION: The sale or transfer of small parcels of land to or between adjoining property owners, where such sale does not create additional lots is a ministerial act; if the drawings are technically accurate it must be approved by the Planning and Zoning Commission.

Key Issues:

- Does the adjustment create non-conformities on either lot?

Subdivision Code References

- Section 410.030(D)

Zoning Code References

- Section 405.250: "A" Single-Family Residential
- Section 405.450. C Residential Designed Development Procedure.

**APPLICANT /
PROPERTY
OWNER:** David and Catherine Hogan
353 Conway Lake Drive
Creve Coeur, MO 63141

REPRESENTATIVE: Thomas Prost
Poehlman & Prost, Inc.
P.O. Box 8340
St. Louis, MO 63132



REPORT PREPARED BY:

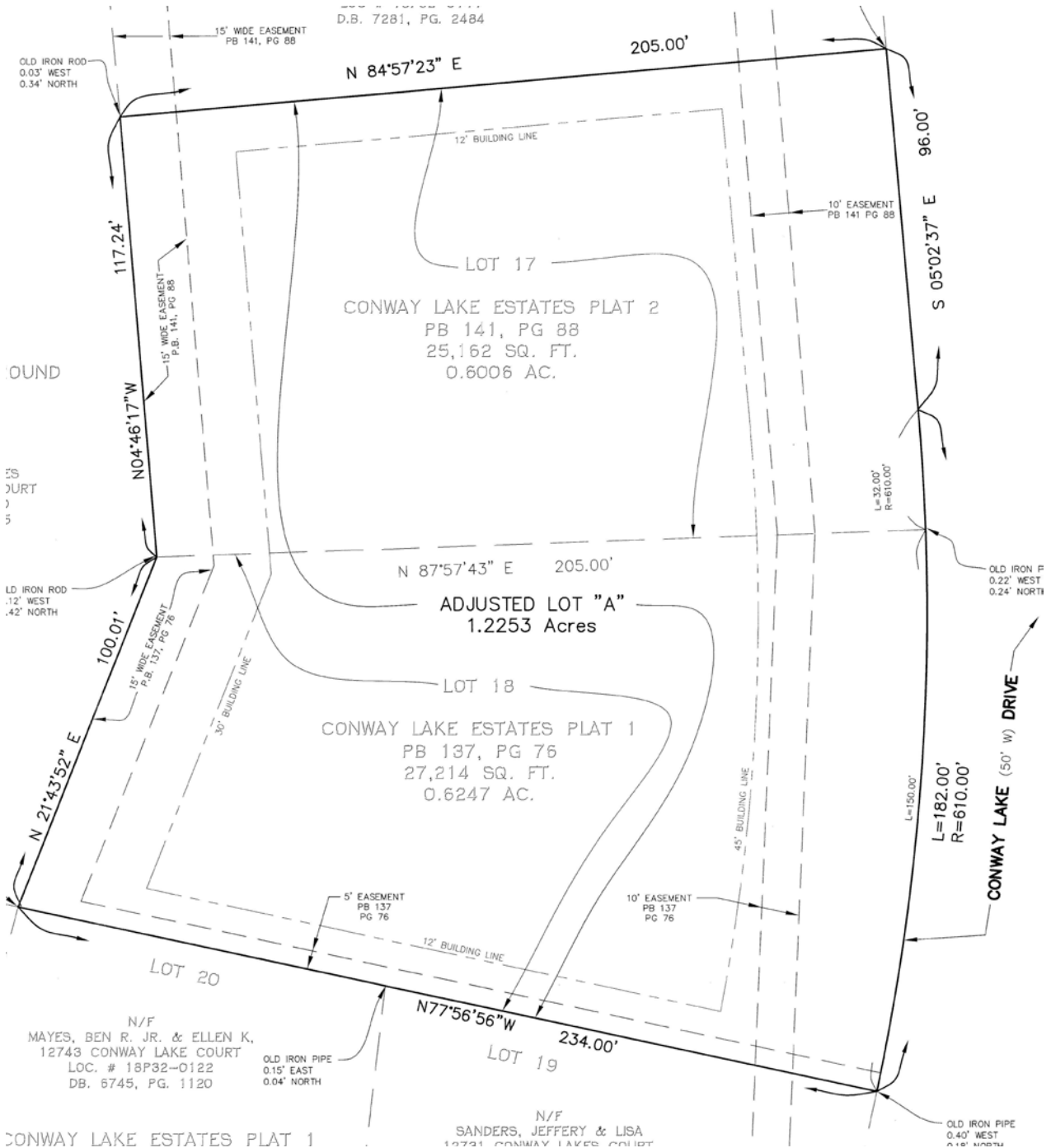
Whitney Kelly
Whitney Kelly, AICP, City Planner

7/31/2013
Date

ATTACHMENTS: Boundary Adjustment Plat received May 24, 2013

BACKGROUND

The property at 353 Conway Lake Drive has a site area of 0.6006 acre. The property at 367 Conway Lake Drive also has a site area of 0.6247 acre. The properties are zoned "A" Single Family Residential with "RDD". "A" Single Family Residential requires a minimum of one acre. Conway Lakes Estate Subdivision was approved with the "RDD" Residential Design Designation that allowed for smaller lots up to a maximum of 28 lots, with a 45-foot front yard, 12-foot side-yard, and 30-foot rear yard setback. The property owners are seeking a boundary adjustment that will combine the two properties to create a single lot at 1.2253 acres. Below is a close up of the boundary adjustment plat.



DISCUSSION

A boundary adjustment, which is not a subdivision plat, is possible when the following regulation from the Subdivision Code is satisfied:

410.030(D) Sale or transfer of small parcels of land to or between adjoining property owners, where such sale does not create additional lots, is exempt from the requirement of recording by plat; provided, however, that certification by the Planning and Zoning Commission shall be required prior to such sale or transfer. This certification shall be recorded with the title of the property by the St. Louis County Recorder of Deeds.

This appears to be the case with the current application. The survey submitted indicates that the property changes will not create any non-conformities on the site. As such, and given the staff conclusion that the drawings are technically accurate, the adjustment should be approved by the Planning and Zoning Commission.

ACTION

If the members of the Planning Commission are satisfied that the requested boundary adjustment meets the applicable requirements of the Subdivision Code, the Planning Department staff request that a final decision be voted upon; no action by the City Council is required.

MOTION

The following are examples of a motion for this application:

“I move to approve the 353 Conway Lake Drive boundary adjustment attached to the staff report on application #13-020 for the meeting of June 3, 2013, subject to the condition that a final drawing be prepared for signature and recording.” (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 (CHAPTER 405 OF THE CREVE COEUR MUNICIPAL CODE)

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

APPENDIX 3: CREVE COEUR SUBDIVISION AND LAND DEVELOPMENT REGULATIONS (CHAPTER 410 OF THE CREVE COEUR MUNICIPAL CODE)

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

APPENDIX 3: AERIAL MAP



