



**AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
MAY 19, 2025
6:00 PM**

CALL TO ORDER

ROLL CALL

Ms. Julie LaBonte (Chair)
Mr. Thomas Buelter
Ms. Rhonda O'Brien
Mr. Larry Potashnick
Ms. Marjorie Richter
Mr. Stephan Tomlinson
Mr. AJ Wang

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, AICP, Director of Community Development
Ms. Bethany L. Moore, AICP, City Planner
Ms. Claralyn Bollinger, Recording Secretary

ACCEPTANCE OF THE AGENDA

APPROVAL OF MINUTES

- 1. May 5, 2025 Planning and Zoning Commission Draft Meeting Minutes**

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.

UNFINISHED BUSINESS

NEW BUSINESS

- 1. Application #25-010: Site Development Plan For A Front Yard Fence Along Coeur De Ville Lane for the Corner Property Addressed as 12116 Royal Valley Drive**

Jose Alanis, owner, has submitted an application to install a 6-foot tall, wooden privacy fence, within the front yard setback along the property line adjacent to Coeur De Ville Lane right-of-way for the corner property. The new fence would be installed in the same location and would be the same material as the existing fence, which is



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in disrepair. The subject property is zoned "C" Single Family Residential. The City of Creve Coeur's Zoning Ordinance Section 405.640 (C) *Fences Within The Front Yard Section And Along Street Right-Of-Way* states that 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 approved by site development plan by the Planning and Zoning Commission.

2. Application #25-005: Text Amendment to the Subdivision and Development of Land Code to Amend Section 410.150 to Provide Condominium Plat Review Procedures

Jason Jaggi, Director of Community Development, of the City of Creve Coeur, has submitted a text amendment application to provide procedures for Condominium Plats. The submitted application would amend Section 410.150 of the Subdivision and Development of Land section of the City Code to create a new section that includes procedures that would govern how Condominium Plats are reviewed and approved by the Planning and Zoning Commission and City Council. Currently, there is not a formalized, codified process specifically for Condominium. Text amendments require approval by the City Council after a recommendation from the Planning and Zoning Commission.

3. Application #25-014: Right-of-Way Ownership Clarification--Beaver Drive

The Public Works Department has submitted a request to clarify Beaver Drive as a public street to be maintained by the City of Creve Coeur.

WORK AGENDA

PENDING APPLICATIONS

- 1. Site Development Plan for Foster and Adoptive Care Coalition located at 1220 N. Lindbergh**
- 2. Continued review of NAICS land use code updates**

DEPARTMENT REPORTS

Bayer Campus Comp Plan--Progress Update



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ADJOURNMENT

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.

Posted by: _____

Date/Time posted: _____

If you need special accommodations to attend a meeting, services may be arranged by contacting the Office of the City Administrator in advance.



**MINUTES
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6:00 PM**

CALL TO ORDER

A regular meeting of the Planning and Zoning Commission of the City of Creve Coeur was called to order by Chair Julie LaBonte at the City Council Chamber, 300 North New Ballas Rd, City of Creve Coeur Government Center, Creve Coeur, MO 63141 on Monday, May 5, 2025, at 6:01 p.m.

ROLL CALL

Ms. Julie LaBonte (Chair)
Mr. Thomas Buelter
Ms. Rhonda O'Brien
Mr. Larry Potashnick-absent
Ms. Marjorie Richter
Mr. Stephan Tomlinson
Mr. AJ Wang

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, AICP, Director of Community Development
Ms. Bethany L. Moore, AICP, City Planner
Ms. Claralyn Bollinger, Recording Secretary and Administrative Services Supervisor

ACCEPTANCE OF THE AGENDA

RESULT: APPROVED (UNANIMOUS)
MOVER: Mr. Tomlinson
SECONDER: Mr. Wang
AYES: Mr. Buelter, Ms. LaBonte, Ms. O'Brien, Ms. Richter, Mr. Tomlinson, Mr. Wang
NAYS: None

The vote on the motion being 6 ayes and 0 nays, motion carried.

APPROVAL OF MINUTES

1. April 21, 2025 Planning and Zoning Commission Draft Meeting Minutes

RESULT: APPROVED (UNANIMOUS)
MOVER: Ms. O'Brien
SECONDER: Mr. Wang
AYES: Mr. Buelter, Ms. LaBonte, Ms. O'Brien, Ms. Richter, Mr. Tomlinson, Mr. Wang
NAYS: None

The vote on the motion being 6 ayes and 0 nays, motion carried.



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PUBLIC COMMENT

No public comments

UNFINISHED BUSINESS

NEW BUSINESS

1. Public Hearing. #25-011 and 25-012: Applications for an Amendment to the Olia Village Planned Zoning District Site Concept Plan and Phase 1 Site Development Plan and an Amendment to the Final Subdivision Plat for the Property at 10300 Olive Boulevard

Those intending to speak were sworn in by the court reporter.

Mr. Jaggi gave the City's presentation. The City will only be responsible for the maintenance of the proposed streets' pavement, not the sidewalks.

Mr. Buelter asked about the lighting. Mr. Jaggi said it will be privately maintained.

Ms. Richter asked about the additional expense for maintaining the streets. Mr. Jaggi said that there will be additional expenses for the City for maintaining the pavement, but this project will generate a fairly significant amount of tax revenue and we don't see the maintenance as being a large expense.

Matt Pfund with Jack Matthews Development answered questions from the Commission.

Ms. Richter asked about the developer's decision to make the roads public. Mr. Pfund replied that the future anchor tenant wants public right of way access to their building. They were concerned about private maintenance and that private roads may be closed for events.

Mr. Buelter asked about the timeline for the project. Mr. Pfund said that they are on track with the timeline.

Mr. Lumley offered exhibits into the record.

Mr. Wang made a motion to recommend approval of the amendment to the Olia Village Planned Zoning District Site Concept Plan and Phase 1 Site Development Plan.



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RESULT: APPROVED (UNANIMOUS)

MOVER: Mr. Wang

SECONDER: Mr. Buelter

AYES: Mr. Buelter, Ms. LaBonte, Ms. O'Brien, Ms. Richter, Mr. Tomlinson, Mr. Wang

NAYS: None

The vote on the motion being 6 ayes and 0 nays, motion carried.

Mr. Wang made a motion to recommend approval of the Amendment to the Final Subdivision Plat subject to the conditions of approval stated in staff report.

RESULT: APPROVED (UNANIMOUS)

MOVER: Ms. Wang

SECONDER: Ms. O'Brien

AYES: Mr. Buelter, Ms. LaBonte, Ms. O'Brien, Ms. Richter, Mr. Tomlinson, Mr. Wang

NAYS: None

The vote on the motion being 6 ayes and 0 nays, motion carried.

WORK AGENDA

1. Exterior Lighting Color Temperature

Mr. Jaggi spoke about the exterior lighting color temperature at the Life Time location. This was brought up at the Council meeting. Life Time agreed to a 3,000 Kelvin standard for their new exterior lights. This level has enough brightness to adequately light these areas.

The Kelvin standard relates to the color type of the bulbs, not the lumens. Some other local cities are regulating the Kelvins. Clayton and Brentwood have 3,000 Kelvin standard. Kirkwood and Ellisville have 2,700 Kelvin standard.

A presentation was made to City Council on this topic, encouraging shift to warmer colors with less glare.

This would eventually be a text amendment to the zoning code.

The Commission supported proceeding.

2. Table A NAICS Code Updates

Ms. Moore gave the City's presentation. Currently City uses the 2012 version of NAICS



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and staff wants to move to the 2022 version. It needs to be updated in the zoning code ordinance. Some of the numbers and definitions of uses might change a little bit.

Staff has had inquiries about other uses in the Planned Office (PO) and Light Industrial (LI) purposes and intents. Services such as hair salons and nail salons have inquired about locating in PO districts. It is proposed that there be an expansion of uses in PO. It is proposed to allow some Conditional Uses to become Permitted Uses in LI districts.

Ms. Moore will come to a future meeting with a clearer, easier to read NAICS chart.

Ms. O'Brien asked about other jurisdictions and what uses are in their PO districts. Ms. Moore will look into this.

Mr. Jaggi commented on looking at what we can do to keep the PO districts relevant. LI is in the plant sciences district.

Mr. Jaggi said the code doesn't have any real regulations on how we define density for multi-family. Staff will look at this issue more closely in this process.

PENDING APPLICATIONS

- **Condominium Plat Procedures Text Amendment**
- **12116 Royal Valley Drive Fence Application**

A right of way dedication regarding Beaver Drive will also be on the May 19 meeting agenda.

DEPARTMENT REPORTS

1. Bayer East Comprehensive Plan Update--Site Visit and Open House

Monday, June 16 will be the first open house for the Bayer East Comprehensive Plan Update. Wednesday, May 21 will be a 5:30-7:00 p.m. tour of the part of the Bayer East Campus that is for sale. Planning & Zoning Commission and City Council members are invited.

July 8 will be the Planning and Zoning meeting instead of July 7.

Mr. Jaggi said that a four-story mixed-use development has been proposed for Olive at Graeser. A developer has the property under contract, and they will be seeking some financial incentives. The developer has been encouraged to meet with the nearby residents. The earlier the developer gets in front of the Commission, the better. Voting



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on the project would not happen at the preliminary meeting. It would be an introduction to the plan and an opportunity to provide feedback and any comments on the project with questions. The traffic study will be paid for by the developer, and the City's traffic engineer consultant will do the work.

Ms. LaBonte said the traffic study and people movement will be most important.

Mr. Jaggi said there won't be a parking structure. Parking demand is not as intense with a residential development compared to a commercial development. This will be a Planned Development with consideration given to public benefits and design.

Ms. O'Brien suggested that the benefits be highlighted early.

ADJOURNMENT

RESULT: APPROVED (UNANIMOUS)

MOVER: Mr. Wang

SECONDER: Ms. O'Brien

AYES: Mr. Buelter, Ms. LaBonte, Ms. O'Brien, Ms. Richter, Mr. Tomlinson, Mr. Wang

NAYS: None

The vote on the motion being 6 ayes and 0 nays, motion carried.

Meeting adjourned at 7:20 p.m.

Submitted by:

Recording Secretary

Chair



APPLICATION TO THE PLANNING AND ZONING COMMISSION

**#25-010: SITE DEVELOPMENT PLAN FOR A FRONT YARD FENCE
ALONG COEUR DE VILLE LANE FOR THE CORNER PROPERTY
ADDRESSED AS 12116 ROYAL VALLEY DRIVE**

FOR THE MEETING OF: Monday, May 19, 2025

SUBJECT PROPERTY LOCATION: 12116 Royal Valley Drive

REQUEST: Jose Alanis, owner, has submitted an application to install a 6-foot tall, wooden privacy fence, within the front yard setback along the property line adjacent to Coeur De Ville Lane right-of-way for the corner property. The new fence would be installed in the same location and would be the same material as the existing fence, which is in disrepair. The subject property is zoned "C" Single Family Residential. The City of Creve Coeur's Zoning Ordinance Section 405.640 (C) *Fences Within The Front Yard Section And Along Street Right-Of-Way* states that 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 approved by site development plan by the Planning and Zoning Commission.

ADDITIONAL INFORMATION: Staff may approve a fence within this area if the fence is to the side or rear of the home, is setback at least fifteen (15) feet from the property line, no more than four (4) feet in height, and is an open slatted decorative metal fencing. Any other fence requests in this location must seek Planning and Zoning Commission approval. City Council action is not required.

OWNER/ Jose Alanis
APPLICANT: 12116 Royal Valley Drive
Creve Coeur, Mo 63141

Key Issues:

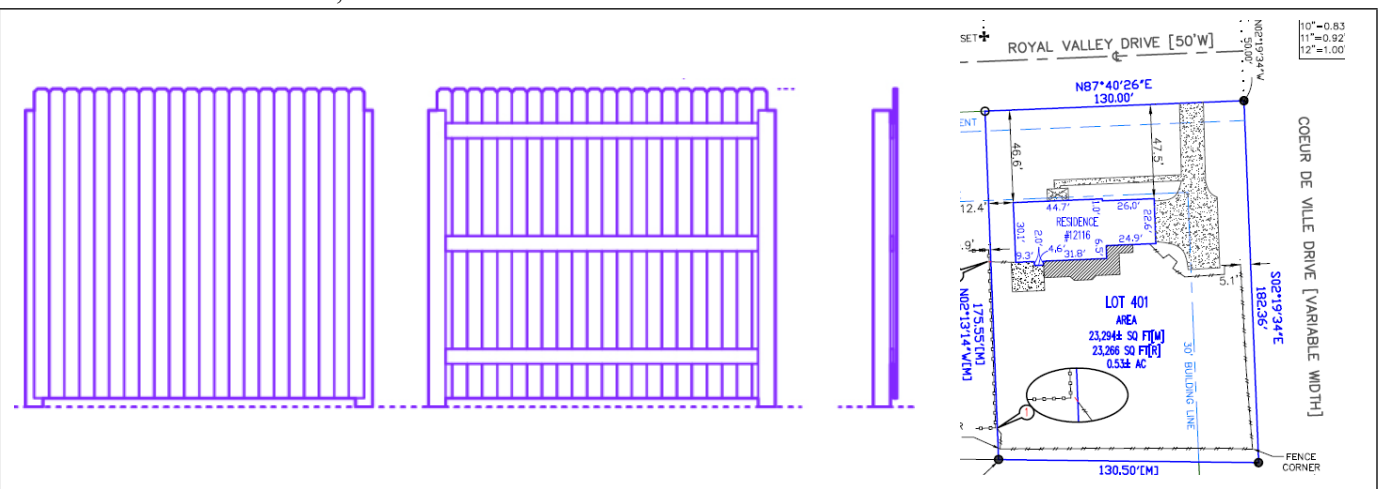
- Does the request integrate with the existing surrounding uses?

Comprehensive Plan References

- Estate Neighborhood 1 (ER1)
- Design Guidelines

Zoning Code References

- Section 405.270: C-Single Family Residential
- Section 405.640: Fences and Walls
- Section 405.1080: Site Concept, Site Development, and Minor Site Plan Approval



REPORT PREPARED BY: Bethany L. Moore, AICP, City Planner

DATE: 5/14/2025

ATTACHMENTS: Applicant's Materials

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Single family residence	C Single Family Residential	Royal Valley Drive
South	Single family residence	B Single Family Residential	N/A
East	DeSmet Jesuit High School	B Single Family Residential	I-270
West	Single family residence	C Single Family Residential	N/A

FENCE PLACEMENT AND DESIGN

The Applicant is seeking to install a 6 foot (72") tall, wooden, privacy fence, approximately located just slightly setback from the property line adjacent to Coeur De Ville Drive right-of-way for the property addressed as 12116 Royal Valley Drive. There is currently a 4-foot-tall shadow box wooden fence in this location that is in bad condition and needs to be replaced. The current owners bought the house recently with the fence installed and would like a new, taller fence in this location for their dogs. The location of the fence is proposed for the front yard setback adjacent to Coeur De Ville Drive but behind the house. This section of Coeur De Ville Drive sits higher than the subject property which slopes down to the south. There is a black metal fence along the sidewalk in this location for pedestrian safety. This area also has some vegetation but there are a few spaces which would make the proposed 6-foot wooden privacy fence visible from Coeur De Ville Drive.

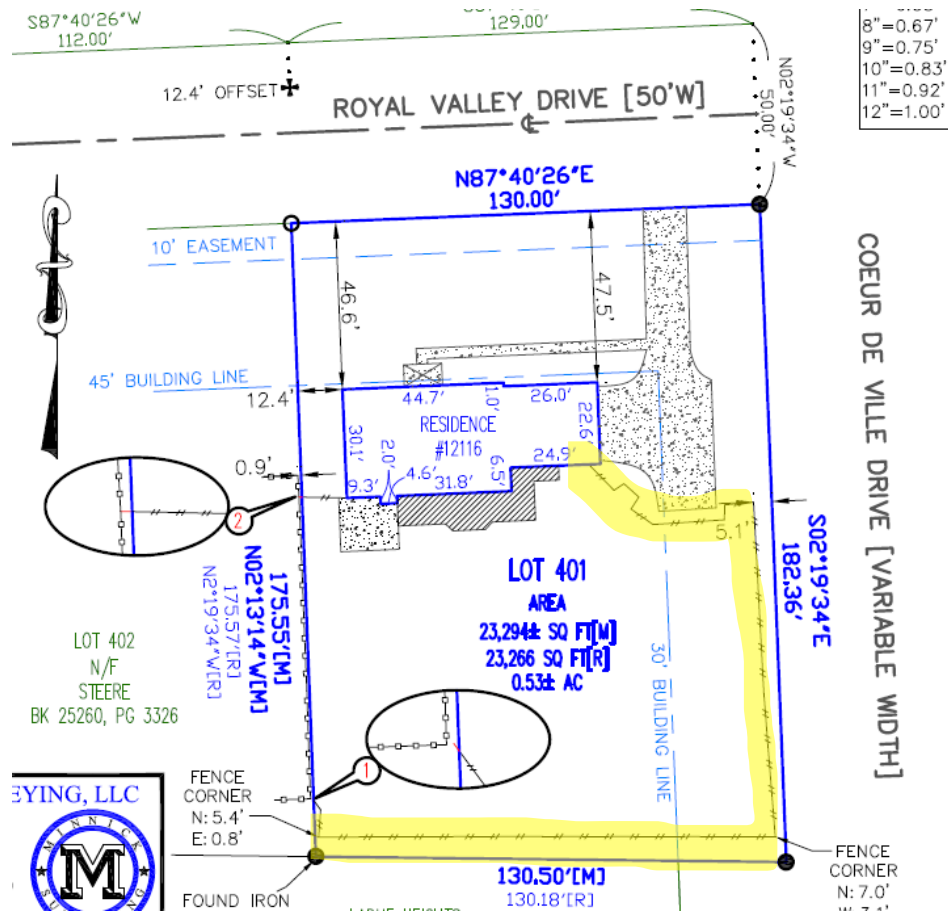


Figure 1: Applicant's Site Plan with existing and proposed fence location in yellow.

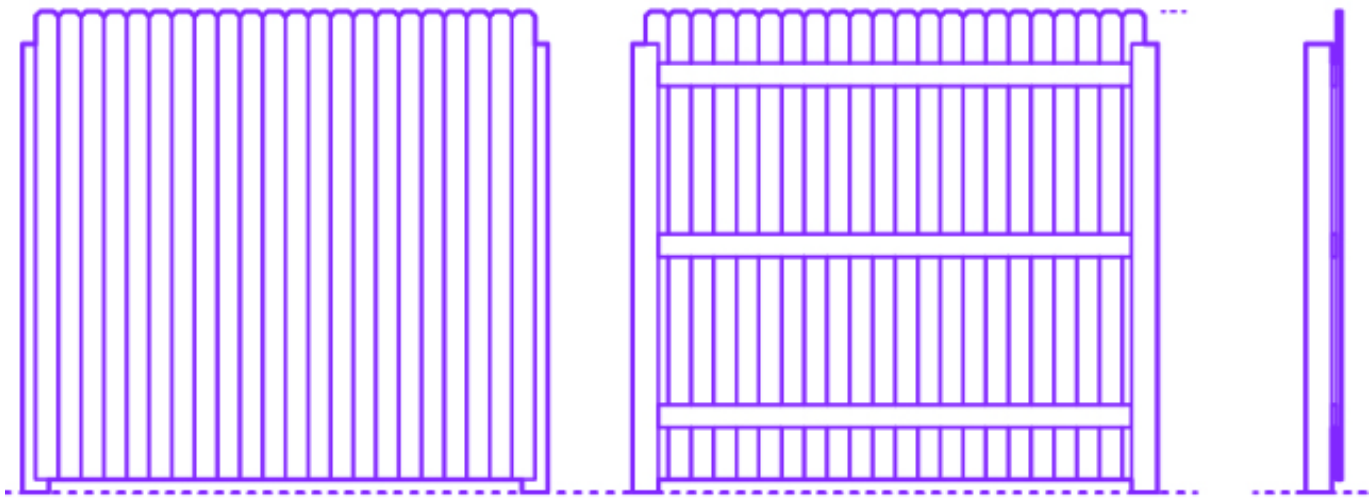


Figure 2: Fence detail showing 6-foot-tall fence detail for a wooden privacy fence.

ANALYSIS

The Zoning Code provides standards for evaluating requests for fences adjacent to street right-of-way under Section 405.640 Fences and Walls:

C. Fences Or Walls Within The Front Yard Section And Along Street Right-Of-Way.

A fence may project within the area equivalent to the front yard of the applicable zoning district, when clearly to the side or rear of the home, provided that such fence is setback at least fifteen (15) feet from the property line, no more than four (4) feet in height, and is an open slatted decorative metal fencing, similar in style for swimming pool enclosures as provided in Subsection (D). Any other fence design or location, outside of the preceding criteria, in the area equivalent to the front yard along any street right-of-way shall be subject to site development plan approval by the Planning and Zoning Commission in accordance with Section 405.1080.

The Design Guidelines provide general direction for review of fences with the following, although the application of these guidelines has limited use for decorative fences within single family neighborhoods.

Design Review Guidelines: 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.
- 3 All fencing should be designed as an integrated part of the site, rather than as a separate fence, such as a planter wall or continuation of an architectural wall feature.
5. In highly visible public areas where fencing is needed, decorative fencing is encouraged. (p.18-19)

The applicant's current fence, although on the property line and visible from Coeur De Ville, is roughly 4 feet tall with an open shadow box style. The applicant is proposing to replace the fence in the same location with a 6-foot-tall fence in a privacy fence style that does not include space between the pickets. The visual difference between a shorter fence with a more open picket design and a taller fence with no spaces between the pickets can be dramatic. Although the area is not fully visible due to the downward slope of the property away from Coeur De Ville Drive and some existing vegetation, staff recommends that additional landscaping be installed along the front of the fence to fill in any gaps that would make it visible from Coeur De Ville Drive.



Figure 3: View of subject property from Royal Valley Drive showing metal fence along Coeur De Ville Drive in red and applicant's existing fence in yellow.

CONCLUSION AND ACTION

If the members of the Planning Commission find the applicant's reasons for the fence location, height, and design sufficient, they can approve it as proposed. If the Commission wishes to revise the location, material or height of the fence, discussion with the Applicant and a revised motion would be necessary. Staff recommends that if the request is approved, a condition be added for additional landscaping to be installed along the outside of the fence facing Coeur De Ville Drive as directed by Staff as is typically recommend for such fences in the front yard of corner properties.

MOTION

The motion for the front yard fence adjacent to street right-of-way at 12116 Royal Valley Drive as shown in the enclosed site plan will be in the form of approval, approval with conditions, or deferral. City Council action is not required. The following is an example motion for this application:

"I move to approve the site plan for a 6-foot tall, wooden, privacy fence to be located on the property line adjacent to Coeur De Ville Drive, for the corner property addressed as 12116 Royal Valley Drive as discussed within the Staff Report for Application #25-010 for the May 19, 2025, Planning and Zoning Commission meeting with the condition that additional landscaping be installed along the outside of the fence facing Coeur De Ville Drive as directed by Staff."
(Modification or revisions may be included 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



Description: 12116 Royal Valley Drive from Royal Valley Drive.



Description: Property directly across Royal Valley Drive with no fence.



Description: Existing fence at 12116 Royal Valley Drive.



Description: The applicant's existing fence and the fence along the sidewalk.

My name is Jose Carlos Alanis. My family and I purchased our home a year ago, and we are working on making necessary improvements to ensure our property's safety, comfort, and functionality.

One of the most pressing concerns is our existing fence, which is in disrepair. The wood has dried out significantly, compromising its structural integrity and effectiveness. We request permission to replace this outdated fencing with a 6-foot privacy fence.

This request is being made out of a sincere concern for the safety and well-being of our small children and family pets. Our children are very young and active, and the current fencing does not provide an adequate barrier from the street or surrounding areas. Likewise, our pets have a tendency to jump over lower fencing, which poses a danger not only to them but also to drivers and pedestrians.

A 6-foot privacy fence would create a secure, enclosed space where our children can safely play and our pets can roam without the risk of escape. Additionally, a privacy fence will provide a buffer from nearby traffic and reduce exposure to environmental noise, contributing to a more peaceful and private home environment.

We understand the city has guidelines regarding fence height and style, and we greatly appreciate your consideration of our request. Our goal is to improve the safety of our property and enhance its appearance in a way that aligns with the neighborhood's standards.

BOUNDARY SURVEY

LOT 401 OF CREVE COEUR PLACE ADDITION
PLAT BOOK 172 PAGES 8 AND 9,
ST. LOUIS COUNTY RECORDS

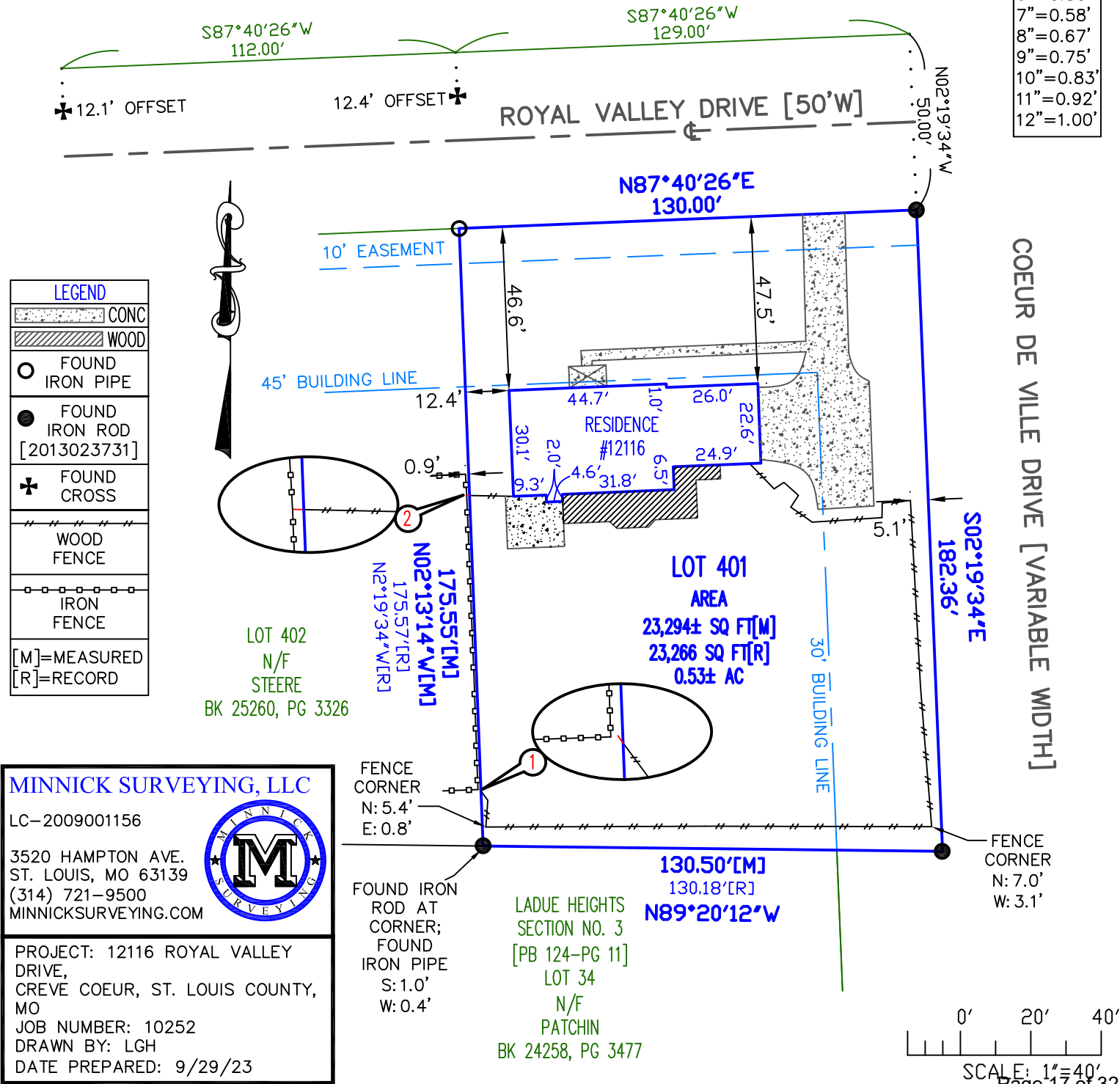
- NOTES:
- THIS BOUNDARY SURVEY WAS PERFORMED AT THE REQUEST OF AND IS CERTIFIED TO OLD REPUBLIC TITLE COMPANY OF ST. LOUIS/JOSE & JENNIFER ALANIS DURING THE MONTH OF SEPTEMBER, 2023 AND IS NON TRANSFERABLE.
 - THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS, CLASS OF SURVEY: URBAN PROPERTY, BOUNDARY LOCATIONS HAVE BEEN ESTABLISHED USING EVIDENCE FOUND AND SHOWN ON THIS PLAT.
 - THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, AND OTHER DOCUMENTS WHICH MIGHT AFFECT THE QUALITY OF TITLE TO TRACT AS SHOWN HEREON WAS GAINED FROM TITLE COMMITMENT NUMBER 2303331 PREPARED BY OLD REPUBLIC TITLE COMPANY OF ST. LOUIS DATED SEPTEMBER 12, 2023. ANY ADDITIONAL EASEMENTS AND/OR EXCEPTIONS REPORTED IN SCHEDULE B - SECTION 2 OF THE ABOVE REFERENCED COMMITMENT SHOWN OR NOTED ON THIS SURVEY: NONE.
 - SUBJECT PROPERTY NOW OR FORMERLY OWNED BY: NATIONS BROTHERS RENOVATIONS, LLC DOC#2023032700479
 - BASIS OF BEARING: PLAT BOOK 172, PAGES 8 AND 9
 - OWNERSHIP DETERMINATION OF IMPROVEMENTS IS BASED, TO THE BEST OF OUR ABILITIES AND JUDGMENT, ON FIELD OBSERVATIONS ONLY, NO GUARANTEE IS BEING MADE. PLEASE CONSULT PROPERTY OWNERS REGARDING OWNERSHIP OF ALL IMPROVEMENTS.
 - SURVEY NOTES:
1. SUBJECT'S FENCE ENCROACHING 0.4' OUT OF LOT
2. SUBJECT'S FENCE ENCROACHING 0.8' OUT OF LOT



JARED MINNICK
LAND SURVEYOR
PLS-2007017968

9/29/23

1"	=0.08'
2"	=0.17'
3"	=0.25'
4"	=0.33'
5"	=0.42'
6"	=0.50'
7"	=0.58'
8"	=0.67'
9"	=0.75'
10"	=0.83'
11"	=0.92'
12"	=1.00'





6 x 8 Pressure Treated Dog Ear Fence Panel

(Nominal Size: 72"H x 96"W)
Model Number: 1731145 | Menards® SKU: 1731145

\$

66⁹⁸

each

ADD TO CART

^

- Description & Documents
- Specifications
- Optional Accessories
- Buying Guide

Product Type	Wood Privacy Fence Panel	Material	Green Pressure Treated Wood
Thickness	2-1/4 inch	Special Features	Pressure Treated Against Rot & Decay
Overall Height	72 inch	Weight	135 pound
Overall Width	96 inch	Color/Finish	Green Treated
Top Style	Dog Ear	Installed Height	72 inch
Shipping Dimensions	96.00 H x 72.00 W x 1.25 D	Shipping Weight	134.75 lbs
Return Policy	Regular Return (view Return Policy)		



APPLICATION TO PLANNING AND ZONING COMMISSION
#25-005: TEXT AMENDMENT TO THE SUBDIVISION AND DEVELOPMENT
OF LAND CODE TO AMEND SECTION 410.150 TO PROVIDE
CONDOMINIUM PLAT REVIEW PROCEDURES

FOR THE MEETING OF: Monday, May 19, 2025, 6:00 P.M.

REQUEST: Jason Jaggi, Director of Community Development, of the City of Creve Coeur, has submitted a text amendment application to provide procedures for Condominium Plats. The submitted application would amend Section 410.150 of the Subdivision and Development of Land section of the City Code to create a new section that includes procedures that would govern how Condominium Plats are reviewed and approved by the Planning and Zoning Commission and City Council. Currently, there is not a formalized, codified process specifically for Condominium. Text amendments require approval by the City Council after a recommendation from the Planning and Zoning Commission.

ADDITIONAL INFORMATION: Text Amendments to the Subdivision Code require review by the Planning and Zoning Commission with a public hearing and final approval given by the City Council.

APPLICANT: Jason Jaggi, Director of Community
Development
City of Creve Coeur
300 N. New Ballas Road
St. Louis, MO 63141

REPORT PREPARED BY: Bethany L. Moore, AICP, City Planner

DATE: May 15, 2025

ATTACHMENTS: Draft Ordinance

Key Issues:

- Are the changes consistent with the purposes of the City Code?

Zoning Code References

- Section 410.150: Reserved
- Section 410.530:
Amendment of Chapter

BACKGROUND AND REQUEST

The current Subdivision and Development of Land chapter of the City Code does not include review procedures specific to condominium plats. In prior reviews, the procedure for subdivision plats has been followed instead because a condominium plat is a type of subdivision. Staff recognized that following the subdivision procedures does not address additional requirements that Staff and the City Attorney would like to see included specifically for condominium plats. After reviewing the condominium plat procedures for surrounding municipalities, Staff worked with the City Attorney to create a review procedure specific to condominium plats in order to provide clear requirements for this process that are similar to the review timeline for subdivision plats. A new Section 410.150 will be created to provide requirements for condominium plat review procedures.

Text amendments to the Subdivision and Development of Land section of the City Code are handled slightly different than a text amendment to the Zoning Code. Amendments to Chapter 410, Subdivision and Development of Land, requires City Council approval upon a recommendation from the Planning and Zoning Commission with a public hearing held at City Council instead of the Planning and Zoning Commission like the amendment to the Zoning Code process.

SUBDIVISION AND DEVELOPMENT OF LAND REVIEW

The Subdivision and Development of Land chapter of the City Code includes review and approval procedures for subdivision plats but not specifically for condominium plats. In the past, condominium plats have been reviewed under the subdivision plat requirements because a condo plat is a type of subdivision. The proposed new Section 410.150 would provide a review process with requirements specific to condominium plats. Section 410.150 is currently empty and reserved for future use. Staff has worked with the City Attorney to provide requirements that are similar to the condo plat procedures for surrounding cities and also follow the same framework for the existing Creve Coeur City Code plat reviews.

SUMMARY OF PROPOSED AMENDMENTS

The proposed condominium plat requirements will be included in Section 410.150 which is currently empty and reserved. The proposed condominium plat procedures mirror the procedures for subdivision plat review while also including requirements that are specific to condominium plats in order to fill the gap for review procedures for this type of document. The proposed amendment provides technical requirements for the plat drawing, and requires a condominium declaration with review by the City Attorney. The condominium declaration must accompany the plat and provide the appropriate mechanisms for collection of assessments and compliance with city ordinances. The code also requires certification that the plat has been prepared in accordance with the State Statutes for Condominiums. These requirements are not addressed in the subdivision plat review procedures that are currently used to review condominium plats. The entire amendment can be viewed in the draft ordinance, attached.

While reviewing this ordinance to establish condominium plat procedures, staff found another area of the code that should be amended. Section 410.530 should be amended to eliminate the City Clerk's requirement to schedule the public hearing after the Planning and Zoning Commission gives a recommendation on a text amendment to the Subdivision and Development of Land section. This amendment would allow the public hearing to be scheduled for the first City Council meeting after the Planning and Zoning Commission meeting and eliminate a longer wait time between meetings on the item.

Below is the minor amendment proposed for Section 410.530(A)(4)(c):

Public hearing. ~~After receipt of a recommendation from the Planning and Zoning Commission,~~
The City Clerk shall set a date for a public hearing before the City Council and publish a public

notice as required under Section **405.1120** of this Code and post it on the City website. Notice of the hearing shall also be published in the City newsletter. No application for amendment may be approved until after such hearing is held.

If the Commission is in agreement with this additional amendment, Staff will include this in the notice for the City Council public hearing.

CONCLUSION AND ACTION

The proposed condominium plat procedure amendment to Section 410.150 has been submitted to address the need for condominium plat review standards which are not currently addressed in Chapter 410 Subdivision and Development of Land. The amendment provides clear requirements for this specific plat type instead of relying on following the subdivision plat procedures. The motion will also include revisions to Section 410.530 to shorten the length of time between meetings for the amendment process for Chapter 410.

MOTION

If the Planning and Zoning Commission believes the condominium plat procedure amendment is appropriate, including the additional revisions to Section 410.530(A)(4)(c), the following would be a suitable motion for this application:

“I move to recommend approval to City Council for the text amendment to amend the Subdivision and Development of Land Code to include a new Section 410.150, *Condominium Plat Procedure*, and revisions to Section 410.530(A)(4)(c) as described in the attached draft ordinance as part of Application 25-013 discussed at the Planning and Zoning Commission meeting of May 19, 2025.”

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.

**AN ORDINANCE AMENDING SECTION 410.150 AND SECTION 410.530 OF THE
SUBDIVISION AND DEVELOPMENT OF LAND CODE TO ESTABLISH
CONDOMINIUM PLAT REVIEW PROCEDURES**

WHEREAS, an application was made by the Director of Community Development for the City of Creve Coeur to amend Sections 410.150 and 410.530 of the Subdivision and Development of Land section of the City Code which regulates plat review; and

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for such amendments in the City Code of Ordinances as set forth herein; and

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public meeting thereon at the Creve Coeur Government Center on Monday, May 19, 2025 and beginning at 6:00 p.m.; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of __ recommended approval of the subject amendments as set forth herein at its meeting on Monday, May 19, 2025; and

WHEREAS, the City Council of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on ____, 2025, beginning at __: __ p.m., 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 reequipments of the Subdivision and Development of Land chapter; 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 410.150 of the Subdivision and Development of Land chapter, of the City of Creve Coeur's Code of Ordinances shall be amended as follows:

Section 410.150 Condominium Plat Procedures

A. *Purpose.* The purpose of the condominium plat is to establish a legal record of the condominium subdivision in accordance with the provisions of this Chapter and the provisions of Chapter 448, RSMo., as amended, or successor Statutes (the "Condominium Act").

B. *Submission Requirements.* The condominium plat shall be prepared and sealed by a land surveyor or engineer registered by the State of Missouri to ensure compliance with the State of Missouri's "Condominium Act" and shall be clearly and legibly drawn at a scale of fifty feet to the inch (1" = 50') or other scale if deemed appropriate by the Zoning Administrator. Information required on the condominium plat shall include:

- 1.** Name of the condominium.
- 2.** Names, addresses and telephone numbers of the subdivider, owner and engineer.
- 3.** Location of the condominium by U.S. Survey System and political subdivisions including section, town, range, township, County and State.
- 4.** Names of existing streets abutting or giving access to the subject property.
- 5.** All plat boundaries based on an accurate transverse, with all angular and linear dimensions shown. Error of enclosure of such boundary survey shall not exceed one (1) in ten thousand (10,000) (one (1) foot for each ten thousand (10,000) feet of perimeter survey).
- 6.** All blocks, lots, streets, alleys, crosswalks, easements and setback lines within and adjacent to the plat, all of which shall have all angular and linear dimensions given and all radii, internal angles, bearings, points of curvature, tangents and lengths of all curves, so that no dimensions or data are missing which are required for the future location of any of the corners of boundaries of blocks, lots or streets as listed above. All dimensions shall be given to the nearest hundredth of a foot. True angles and distances shall be drawn to the nearest established official monuments, not less than three (3) of which shall be accurately described on the plat.
- 7.** Accurate location of all survey monuments.
- 8.** All easements or rights-of-way provided for public services or utilities and any limitations of such easements.
- 9.** All lot numbers and lines, with accurate dimensions in feet and hundredths of feet and with bearings or angles to street lines.
- 10.** Accurate outlines of any areas to be dedicated or temporarily reserved for public use with the purpose indicated thereon.
- 11.** Location of all Common Elements and Limited Common Elements

12. Building setback lines required by the Creve Coeur zoning ordinance, with dimensions.

13. Title, date of preparation, scale of map and north arrow.

14. In addition to the foregoing requirements, every condominium plat prepared pursuant to this Section shall be accompanied by a declaration of condominium which shall include provisions for the following:

a. The Board of Trustees shall be responsible for compliance with all City ordinances with respect to common elements and common areas.

b. Service of any notice or of any complaint with respect to a violation of City ordinances relating to common elements or common areas shall be sufficient if served on the Board of Trustees.

c. Assessment powers of the Board of Trustees shall include the right to levy assessments for the cost of compliance with all City requirements with respect to the common elements or common areas, the curing of any violations of these City requirements and the satisfaction of any fines or costs that may be imposed for violation of City requirements.

d. A fidelity bond covering the Board of Trustees shall be obtained and maintained in full force and effect at all times.

e. Signature of approval by City Attorney and requirement that any amendment be approved by the City Attorney.

15. Certificates. The following information shall be provided on the condominium plat:

a. Certification by a registered land surveyor or engineer that the plat represents a survey made by him/her and that all the necessary survey monuments are correctly shown thereon and that the size of each lot is correctly indicated by dimensions and square feet of area. Impressed thereon and affixed thereto shall be the personal seal and signature of the registered land surveyor or engineer by whom or under whose authority and direction the plat was prepared in conformance with the State of Missouri's "Condominium Act".

b. Certification that real estate taxes are paid shall be furnished in the form of copies of paid real estate tax bills on the land within the proposed subdivision.

c. An acknowledgment in certificate form by the owner or owners of his/her or their adoption of the plat and of the dedication of streets and other public areas. Dedications shall be in certificate form on the plat including any liens or deeds of trust. Should such restrictions and trusteeships be filed as a separate instrument, reference to such instrument shall be noted on the final subdivision plat.

d. Proposed and existing private restrictions and trusteeships and their periods of existence. Should such restrictions and trusteeships be filed as a separate instrument, reference to such instrument shall be noted on the final condominium plat.

C. *Review Procedure.*

1. *Submission to Zoning Administrator.* The applicant shall submit one physical copy and one .pdf copy of the condominium plat to the Zoning Administrator. The Zoning Administrator shall review the application and determine whether it is complete with respect to all applicable submission requirements. The Zoning Administrator shall distribute copies to other appropriate City personnel for review and comment.

2. *Planning and Zoning Commission.* The various City departments shall review the submission and transmit their comments to the Zoning Administrator. The Zoning Administrator shall promptly:

a. Forward the application to the Planning and Zoning Commission, Mayor and City Council,

b. Cause notice of the application to be publicly posted at the Government Center in the same manner as Commission meeting agendas,

c. Cause a sign regarding the matter to be posted on the affected property, and

d. Cause the application and plat to be made publicly available on the City website, all at least ten (10) days prior to the date of the meeting of the Planning and Zoning Commission at which the application is first considered.

e. The Zoning Administrator shall also prepare a staff analysis and submit a report in conjunction with all applications being forwarded to the Planning and Zoning Commission, and shall submit such analysis and report to the Commission, Mayor and City Council in advance of the meeting at which the application is scheduled to be considered, and cause such analysis and report to be made publicly available on the City website in advance of that meeting.

f. The Commission shall, by majority vote, recommend approval or denial of the condominium plat and declaration by the City Council.

3. *City Council.* Once Planning and Zoning Commission has made its recommendation, the condominium plat and declaration shall be submitted to the City Council for consideration of the necessary ordinance creating the condominium subdivision and approving the declaration, and if approved such approval and date thereof shall be shown on the final condominium plat and declaration.

4. Recording. Upon enactment of the ordinance, the final condominium plat and declaration shall be recorded and a copy of the recorded plat shall be provided to the Zoning Administrator. No construction or occupancy permits shall be issued until proof of recording has been submitted to the Zoning Administrator.

5. Amendments to Condominium Plats. Any change in an approved and/or recorded condominium plat including, but not limited to, changes in areas dedicated to public use, the number or size of units, location and extent of common elements or limited common elements or changes that affect any plat approved or recorded prior to the adoption of the condominium plat regulations in effect at the time the change is proposed shall be approved or disapproved by the Planning and Zoning Commission and City Council in accordance with the provisions governing condominium plat approval.

SECTION 2: Section 410.530(A)(4)(c) of the Subdivision and Development of Land chapter, of the City of Creve Coeur's Code of Ordinances shall be amended as follows:

Public hearing. ~~After receipt of a recommendation from the Planning and Zoning Commission,~~ The City Clerk shall set a date for a public hearing before the City Council and publish a public notice as required under Section **405.1120** of this Code and post it on the City website. Notice of the hearing shall also be published in the City newsletter. No application for amendment may be approved until after such hearing is held.

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

ADOPTED THIS ____ DAY OF _____, 2025.

MARK MANLIN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2025.

DR. ROBERT HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK



MEMORANDUM

DATE: May 5, 2025
TO: Merk Perkins, City Administrator
FROM: Jim Heines, Director of Public Works
CC: Jason Jaggi, Director of Planning
SUBJECT: ROW Ownership Clarification – Beaver Dr.

RECOMMENDATION:

The recommendation is to approve the Ordinance clarifying that the road pavement and right-of-way (ROW) on Beaver Dr. are owned and maintained by the City of Creve Coeur.

PROJECT FUNDING:

There should be no additional impact to the city's budget because we are already maintaining this roadway.

BACKGROUND INFORMATION:

On March 12, 1979, City Council approved Beaver Dr. as a public roadway which is maintained by the City. Since that time the city has invested in several asphalt overlays as well as the day-to-day maintenance provided to other public roads.

Recent reviews of the ROW documents have revealed some confusion regarding the ownership of sections of the road and ROW. The attached Ordinance clarifies and confirms that the City of Creve Coeur accepted Beaver Dr. in 1979 as a public road maintained by the City of Creve Coeur.

ATTACHMENTS:

- Draft Confirmation Ordinance
- ROW Photo – Beaver Dr.
- Ordinance 887 – Beaver Dr. Acceptance (1979)

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CONFIRMING THE STATUS OF BEAVER DR. IN THE BEAVER MEADOWS, MARLYN, AND TEALWOOD PLAT 2 SUBDIVISIONS AS A PUBLICLY MAINTAINED STREET.

WHEREAS, the City of Creve Coeur approved the acceptance of portions of Beaver Dr. pavement and rights-of-ways in Ordinance 887 on March 12, 1979; and

WHEREAS, the City of Creve Coeur has continued to maintain Beaver Dr. since the acceptance Ordinance was approved; and

WHEREAS, this Ordinance confirms that the entirety of Beaver Dr. is considered an approved and public street, so that City records are clear in this respect; and

WHEREAS, a copy of this 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;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AS FOLLOWS:

SECTION 1: Beaver Dr., shown on Exhibit A attached hereto is hereby confirmed to be a public street of the City of Creve Coeur and the City Administrator is authorized to execute Exhibit A on behalf of the City and the City Clerk is authorized and directed to attest thereto. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Ordinance, and the matters herein authorized.

SECTION 2: This ordinance shall become effective pursuant to Section 3.11(g) of the City Charter.

Passed this ____ day of _____ 2025.

Mark Manlin
President of City Council

Approved this ____ day of _____ 2025.

Dr. Robert Hoffman
Mayor

Attest:

Kellie Henke
City Clerk

BILL NUMBER 904

ORDINANCE NUMBER 887
~~889~~

AN ORDINANCE DECLARING THE STREET OF EXECUTIVE ESTATES SUBDIVISION (EXECUTIVE ESTATES DRIVE), WARSON SQUARE, PLAT NO. 1, SUBDIVISION (SUNDOWN SQUARE), AND MARYLN SUBDIVISION (BEAVER DRIVE), TO BE "ACCEPTED PUBLIC STREETS" AND "APPROVED STREETS" AND THE ACCEPTANCE THEREOF BY THE CITY OF CREVE COEUR FOR MAINTENANCE PURPOSES.

WHEREAS, THE SUBDIVISION PLATS OF EXECUTIVE ESTATES, WARSON SQUARE, PLAT NO. 1, AND MARYLN SUBDIVISION HAVE BEEN DULY APPROVED BY THE CITY OF CREVE COEUR AND RECORDED IN:

EXECUTIVE ESTATES SUBDIVISION (EXECUTIVE ESTATES DRIVE), PLAT BOOK 103, PAGE 46

WARSON SQUARE, PLAT NO. 1, (SUNDOWN SQUARE), PLAT BOOK 80, PAGE 30

MARYLN SUBDIVISION (BEAVER DRIVE), PLAT BOOK 51, PAGE 87

WHEREAS, THE STREET OF BEAVER DRIVE IN MARYLN SUBDIVISION WAS DEDICATED TO PUBLIC USE BY AN INSTRUMENT RECORDED IN BOOK NO. 7135, PAGE 1385 IN THE ST. LOUIS COUNTRY RECORDERS OFFICE

WHEREAS, SAID STREET OF EXECUTIVE ESTATES (EXECUTIVE ESTATES DRIVE), WARSON SQUARE, PLAT NO. 2 (SUNDOWN SQUARE), MARYLN SUBDIVISION (BEAVER DRIVE), ARE SHOWN THEREON AS PUBLIC STREETS, AND

WHEREAS, SAID STREETS HAVE BEEN CONSTRUCTED TO THE REQUIRED SPECIFICATIONS OF THE CITY OF CREVE COEUR;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1: EXECUTIVE ESTATES SUBDIVISION (EXECUTIVE ESTATES DRIVE), AS SHOWN ON THE PLAT OF EXECUTIVE ESTATES SUBDIVISION, RECORDED IN PLAT BOOK 103, PAGE 46, WARSON SQUARE, PLAT NO. 1 (SUNDOWN SQUARE), PLAT BOOK 80, PAGE 30, AND MARYLN SUBIDVISION (BEAVER DRIVE), PLAT BOOK 51, PAGE 87, OF THE ST. LOUIS COUNTY RECORDER'S OFFICE ARE HEREBY DECLARED TO BE AND EACH OF THEM IS AN "ACCEPTED PUBLIC STREET" AND AN "APPROVED STREET" AS DEFINED IN ORDINANCE NO. 225, SECTION 15.2.000, SUB-PARAGRAPHS (A) AND (B).

SECTION 2: THIS ORDINANCE SHALL BE IN FULL FORCE AND
EFFECT FIFTEEN (15) DAYS AFTER ADOPTION BY THE BOARD AND THE SIGN-
ING THEREOF BY THE MAYOR.

PASSED THIS 12TH DAY OF MARCH 1979.

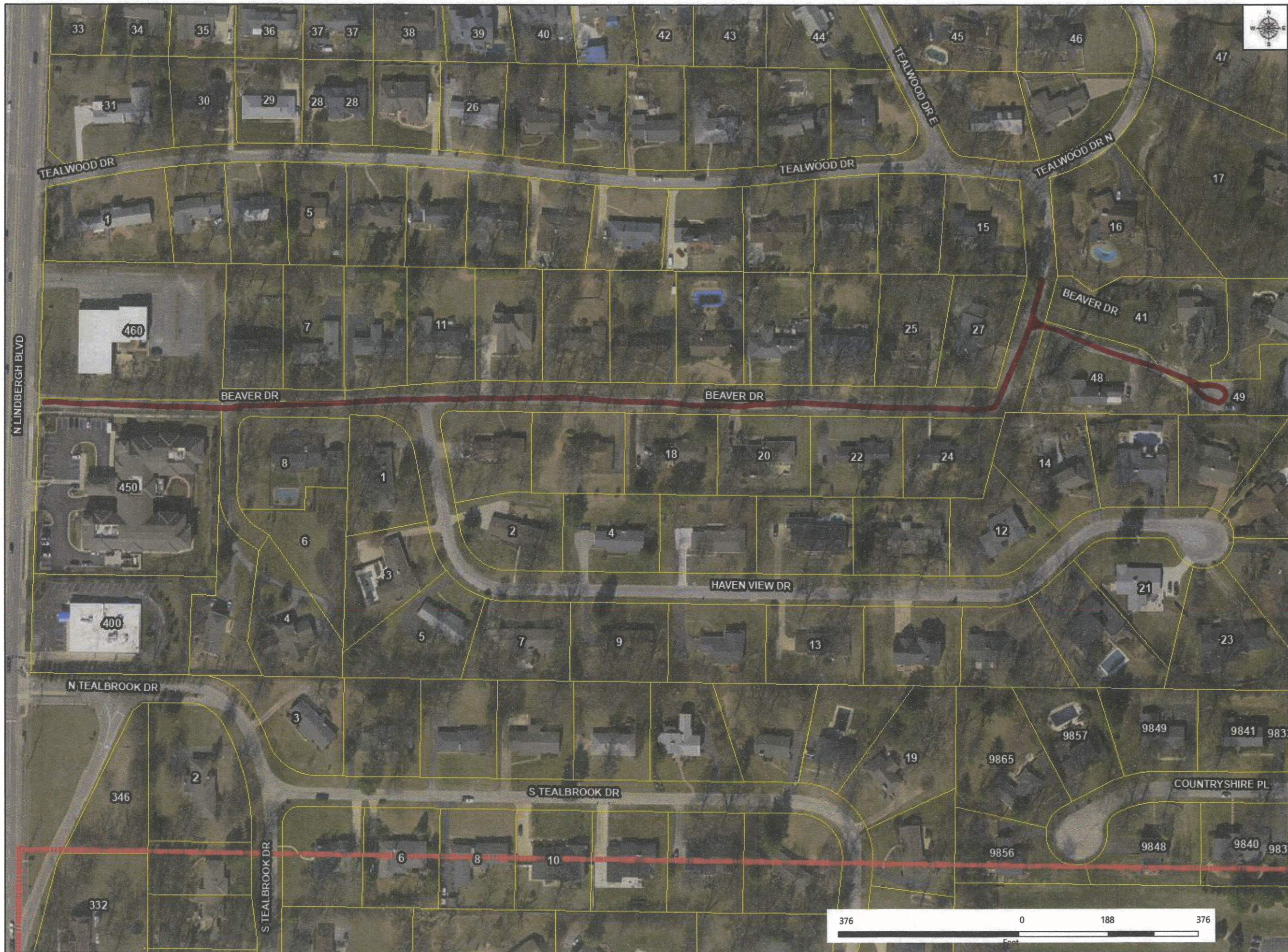

HAROLD L. DIELMANN, MAYOR

APPROVED THIS 12TH DAY OF MARCH 1979.


HAROLD L. DIELMANN, MAYOR

ATTEST:


LAVERNE COLLINS, CITY CLERK



"EXHIBIT A"
Beaver Drive

-  Parcels
-  City Limits

May 1, 2025



Prepared By
HORNER SHIFRIN