



**AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
SEPTEMBER 2, 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, Administrative Services Supervisor

ACCEPTANCE OF THE AGENDA

APPROVAL OF MINUTES

1. **August 18, 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. **#25-020: Text Amendment to the Zoning Ordinance to Amend Section 405.210, Table A, from NAICS Code 2012 Edition to the 2022 Edition and Amend Certain Permitted and Conditional Uses within Table A**

Item has been withdrawn by Staff. It will be re-noticed and placed on the agenda at a later date.



**AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
SEPTEMBER 2, 2025
6:00 PM**

2. Application #25-024: A Site Development Plan for a Backyard Garden Enclosure Fence Located at 152 Petite Royale Court

Vladimir Shniter, homeowner, has submitted an application for site development plan approval of an as-built backyard garden enclosure. The garden enclosure includes 8-foot-tall wooden posts with steel pipes, bird netting, and wooden pickets forming the 21-foot by 36-foot enclosure. The City of Creve Coeur's Zoning Ordinance Section 405.640 (A) *Height of Fences and Walls* states that no fence or wall shall exceed 6 feet in height unless specifically approved by the Planning and Zoning Commission in consideration of a unique screening problem. City Council action is not required.

3. Public Hearing. #25-023: A Conditional Use Permit for Capriotti's Sandwich Shop Located at 12536 Olive Boulevard within Shoppes at Questover

Jonathan Heslop, of STL Caps, LLC, on behalf of Capriotti's Sandwich Shop, has submitted an application for a new conditional use permit for a 1,663 square foot restaurant location at 12536 Olive Boulevard, Suite B, within Shoppes at Questover. No exterior changes are proposed and the hours of operation will be from 9:00 AM to 9:00 PM every day of the week. There will be 24 seats in the restaurant and 4 employees at the busiest shift. The property is in the "GC" General Commercial zoning district. Capriotti's Sandwich Shop will specialize in serving fast-casual made-to-order sandwiches and the use is classified as a Limited-Service Restaurant (NAICS 722513). Under Section 405.370, Table A of the Zoning Code, NAICS 722513 requires the issuance of a conditional use permit in the "GC" zoning district subject to the recommendation of the Planning and Zoning Commission and approval of the City Council.

4. Public Hearing. Application #25-021. Text Amendment to the Zoning Ordinance Affecting Exterior Lighting Requirements as Regulated in Section 405.680.

Jason Jaggi, Director of Community Development, City of Creve Coeur, has submitted a text amendment application to the Zoning Ordinance section that regulates exterior lighting as provided in Section 405.680. The proposed amendments would require all new and replacement exterior lighting, with the exception of properties used as Single-Family Dwellings, not to exceed a Correlated Color Temperature of 3,000 degrees Kelvin. The unit of measurement for color temperature is expressed as degrees of Kelvin. The lower the Kelvin rating, the warmer or softer the light color. Higher ratings result in brighter, blue colors. Also,



**AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
SEPTEMBER 2, 2025
6:00 PM**

proposed as part of this amendment are various minor clarifications to Section 405.680. Text amendments require approval from the City Council based upon a recommendation from the Planning and Zoning Commission.

WORK AGENDA

1. Bayer East Comprehensive Plan Update Status Review

Staff will review the scope of work for the comprehensive plan update, progress made to date, and remaining tasks to complete the planning process.

PENDING APPLICATIONS

1.
 - Olia Village Lot 1 Site Development Plan
 - Missouri American Water Conditional Use Permit with Site Development Plan for Water Tank Replacement at 9989 Old Olive Street Road
 - 10370 White Bridge Lane Boundary Adjustment

2. September 29, 2025 Bayer East Comprehensive Plan Work Session (Special Meeting)

DEPARTMENT REPORTS

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.



**AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
SEPTEMBER 2, 2025
6:00 PM**

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
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
AUGUST 18, 2025
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, August 18, 2025, at 6:00 PM.

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 – arrived at 6:55 p.m.

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, Administrative Services Supervisor

ACCEPTANCE OF THE AGENDA

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

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

APPROVAL OF MINUTES

1. August 4, 2025 Planning and Zoning Commission Draft Meeting Minutes



**MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
AUGUST 18, 2025
6:00 PM**

RESULT: APPROVED (UNANIMOUS)

MOVER: Ms. O'Brien

SECONDER: Mr. Buelter

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

NAYS: None

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

PUBLIC COMMENT

No public comments tonight.

UNFINISHED BUSINESS

No unfinished business tonight.

NEW BUSINESS

- 1. #25-020: Text Amendment to the Zoning Ordinance to Amend Section 405.210, Table A, from NAICS Code 2012 Edition to the 2022 Edition and Amend Certain Permitted and Conditional Uses within Table A**

No one was present from the public who wanted to speak on this item. Motion to move public hearing to next meeting's agenda.

RESULT: APPROVED (UNANIMOUS)

MOVER: Ms. O'Brien

SECONDER: Mr. Tomlinson

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

NAYS: None

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

- 2. #25-021: Text Amendment to the Zoning Ordinance Affecting Exterior Lighting Requirements as Regulated in Section 405.680**

No one was present from the public who wanted to speak on this item. Motion to move public hearing to next meeting's agenda.

RESULT: APPROVED (UNANIMOUS)

MOVER: Ms. O'Brien



**MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
AUGUST 18, 2025
6:00 PM**

SECONDER: Mr. Tomlinson

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

NAYS: None

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

**3. Application #25-022: A Minor Site Plan Approval For New Exterior Lighting
At Congregation Temple Israel Located At 10675 Ladue Road**

Tim Spiegelglass of Spiegelglass Construction Company and Martina Stern, the Temple Israel Executive Director gave their presentation. This is phase 3 of 5 phases for light replacements. These are original light poles, and they are not in good shape anymore. Light spillage will be at a minimum into the neighborhood. They try to turn off the lights by 10:00 p.m. every night.

Ms. O'Brien asked about having some motion detector lights.

Mr. Spiegelglass said that is not usually an exterior application because of animal movement.

Bethany Moore gave the City's presentation. The 16 lights are 18.5 feet tall with 16 foot light pole atop a 2.5 foot concrete base. Two resident comments came in via email and are printed and were distributed before the meeting for the Commission members to review.

Ms. LaBonte: These lights are closer to the residences. Can they go back to 16 foot height?

Ms. Moore: That's a good question for the applicant.

Mr. Potashnick: How many light poles are there and how many are compliant?

Ms. Moore: I'm not sure about the total number.

Mr. Potashnick: Who approved the previous building permit for the prior replacement?

Ms. Moore: The application was approved by a staff member in the Building Division who did not know that the permit needed to go to the Planning and Zoning Commission for review.



**MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
AUGUST 18, 2025
6:00 PM**

No public comments.

Ms. LaBonte: Do you know how tall the old poles are?

Ms. Stern: They are taller lights from the 1960's. The taller poles are in the middle of the parking lot.

Mr. Buelter: The green ones are bigger?

Ms. Stern: The green ones are double-headed light poles.

Mr. Potashnick: What is the plan for the parking lot?

Ms. Stern: The parking lot will be repaved.

Ms. LaBonte: Asked about turning the lights off by 10:00 p.m.

Mr. Jaggi: You can add a condition to say that the lights will generally be turned off by 10:00 p.m.

The applicant confirmed that would be acceptable.

Ms. O'Brien made the motion and added the requirement that the lights generally be turned off by 10:00 p.m. second by Mr. Buelter.

RESULT: APPROVED (UNANIMOUS)

MOVER: Ms. O'Brien

SECONDER: Mr. Buelter

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

NAYS: None

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

WORK AGENDA

1. Bayer East Campus Comprehensive Plan Update

Catherine Hamacher, Associate Director of PGAV Planners, gave her presentation. There is much invasive honeysuckle on the Bayer East property. There is a tall grass area on the property. Ecological survey found more than 15 bird species were identified on site (more identified by ear), wild turkey, reptiles, small mammals, amphibians, native pollinators, insects, bats, owls, deer and fungi. Animals are moving



**MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
AUGUST 18, 2025
6:00 PM**

through the forested area and also within the forested areas near the Olive and Lindbergh intersection that is not being disturbed.

Mr. Jaggi: How are we going to balance the tree preservation with this area's development likelihood?

Ms. Hamacher: Balance of the ecological area within the redeveloped area is a consideration.

Ms. LaBonte: Stacey Park in Olivette has a trail that has been created toward Warson Road. There is migration across the Bayer campus toward the west.

Ms. Richter: Are the old trees scattered on this site?

Ms. Hamacher: Yes they are scattered in the undeveloped area.

Andy Struckhoff, President of PGAV Planners, continued the presentation.

Residential market: any type of housing should perform well. Multi-family housing in Olia Village should be considered and the dearth of smaller, starter homes should be considered. Nonetheless, smaller and large housing types would find an audience in Creve Coeur.

Commercial existing market: spaces along Olive, 4,100 sq ft of retail added per year since 2019 and 54 households added per year. Occupancy rates are high along the Olive corridor. Commercial demand/potential absorption: outparcel retail performs well, Olia Village housing adds demand for about 172,000 sq ft of retail. Office existing market: struggling a little bit post-pandemic. About 85% occupancy now. Current occupancy for medical office space in Creve Coeur is 93%. There are opportunities to create newer, more modern office developments.

Hotel existing market: 341 existing hotel rooms. Two new hotels proposed for Olia Village (251 rooms). Hotels closer to interchange and nearby amenities like food can help hotels succeed.

Office development not recommended until existing office space is more fully used.

Ms. Hamacher presented initial draft recommendations.

Mr. Wang arrived at 6:55 p.m.

Prioritize open space in a way that allows for development while also preserving the



**MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
AUGUST 18, 2025
6:00 PM**

existing tree canopy and maintaining a concentration of forested area; ensure a suitable buffer is retained between the area and the residential to the south while access to Tealwood subdivision is preserved; focusing on connectivity with bridge access over Lindbergh, trails and greenway connections; capitalize on Olive corridor to create new business opportunities for successful retail; create new housing opportunities for residents in Creve Coeur - focusing on a mix of housing types; coordinate with 39 North, Bayer and future developer to determine utilization opportunities for the existing Bayer research & development facilities.

Ms. O'Brien: We are changing the options available in office parks.

Mr. Jaggi: Office parks are an outdated model.

Ms. LaBonte: Discussion about conference space usage. Bayer wants to use the conference center.

Ms. Richter: I'd like to see the forested area preserved, but it may not be able to be preserved entirely.

Ms. Hamacher: You could also say we want any potential developer to encourage use of walking trails.

Mr. Jaggi: The market is what it is now. It is a snapshot view of the current conditions. The City will have a land use plan at the end of this process which identifies appropriate uses on the site and where. The open house on September 29 and draft recommendations will be presented to the public.

Ms. Hamacher: People are looking for more mixes of uses in office parks than in the past.

Ms. LaBonte: What's the discussion on the other side of Olive where the empty California Pizza Kitchen is located?

Mr. Jaggi: A restaurant is interested in coming into that space.

Mr. Jaggi: In my view, Olia Village transforms Olive and Lindbergh into an activity center. Schnucks is coming to Olia Village and it will be a significant activity generator there. With this process we're charged with what would be the appropriate types of development. The developer will then submit their plans for the site and those plans will be evaluated against these goals.

2. Graeser Station Preliminary Review Process Discussion and Updates



**MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
AUGUST 18, 2025
6:00 PM**

Mr. Jaggi: Shared some notes that covered the Graeser Station preliminary presentation. Primary points that were raised by the public and the Commission were density, parking and setbacks along Graeser, greenspace along Olive, traffic impacts, making lefts onto westbound Olive from within the site, how much traffic would be generated onto northbound Graeser, design details, adjusting ground-floor retail to interact with the plaza, modify how the parking interacts with the retail spaces, detailed landscaped plans for buffer area, detailed design of back of building, and impact on Ladue schools.

Ms. LaBonte: No parking garage is proposed?

Mr. Jaggi: Developer said they have used shared parking before and been successful with it.

Ms. O'Brien: It doesn't work downtown.

Mr. Jaggi: The parking study is going to be informative. They are trying to refine it more. It's probably a cost issue as to why they aren't proposing a parking deck. They will file a re-zoning application and go through the review process.

Ms. LaBonte: We got positive feedback about bringing the project to the public before the vote.

Mr. Wang: Would it be proper to ask about the load on the Police Department from the additional apartments?

Mr. Jaggi: Yes they can speak to that and weigh in when we receive a formal application for review.

PENDING APPLICATIONS

1.

- **CUP for Capriotti's Sandwich Shop at 12536 Olive Boulevard within Shoppes at Questover**
- **Garden Fence Enclosure at 152 Petite Royale Court**

Capriotti's Sandwich Shop will be located next to Chicken Salad Chick restaurant at the Shoppes at Questover. The space is currently the plaza's leasing office.

Garden fence enclosure project at 152 Petite Royale Court has had trustee comments submitted and a complaint filed by a neighbor. The enclosure is over 6 feet tall and has



**MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
AUGUST 18, 2025
6:00 PM**

a top covering it.

DEPARTMENT REPORTS

1. Olia Village Updates

Mr. Jaggi: Schnucks has announced that they are coming to Olia Village. Lot 1 site plan has been submitted for staff review by Jack Matthews Development. Townhouse development will be reviewed by the Commission in October on Lot 16. Fischer Homes is the builder.

ADJOURNMENT

Meeting adjourned at 7:55 PM.

Submitted by:

Recording Secretary

Chair



APPLICATION TO PLANNING AND ZONING COMMISSION

**#25-024: A SITE DEVELOPMENT PLAN FOR A BACKYARD GARDEN
ENCLOSURE FENCE LOCATED AT 152 PETITE ROYALE COURT**

FOR THE MEETING OF: Tuesday, September 2, 2025

SUBJECT PROPERTY LOCATION: 152 Petite Royale Court. Zoned A-RDD
Single-Family Zoning District

REQUEST: Vladimir Shniter, homeowner, has submitted an application for site development plan approval of an as-built backyard garden enclosure. The garden enclosure includes 8-foot-tall wooden posts with steel pipes, bird netting, and wooden pickets forming the 21-foot by 36-foot enclosure.

ADDITIONAL INFORMATION: The City of Creve Coeur's Zoning Ordinance Section 405.640 (A) *Height of Fences and Walls* states that no fence or wall shall exceed 6 feet in height unless specifically approved by the Planning and Zoning Commission in consideration of a unique screening problem. City Council action is not required.

Key Issues:

- Does the request integrate with the existing surrounding uses?

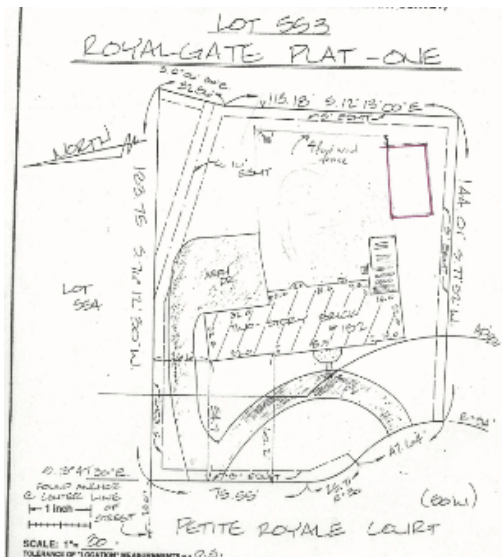
**Comprehensive Plan
References**

- Countryside Estate (CR)
- Design Guidelines

Zoning Code References

- Section 405.250: A-Single-Family Residential Zoning District
- Section 405.640: Fences and Walls

OWNER/APPLICANT: Vladimir Shniter
152 Petite Royale Court
Creve Coeur, MO 63141



REPORT PREPARED BY: Bethany L. Moore, AICP, City Planner; Jason W. Jaggi, AICP, Director of Community Development

DATE: 8/27/2025

ATTACHMENTS: Applicant's Materials
Section 405.640: Fences and Walls

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	A-RDD Single Family Residential	N/A
South	Single family residence	A-RDD Single Family Residential	N/A
East	Single family residence	A-RDD Single Family Residential	N/A
West	Single family residence	A-RDD Single Family Residential	Petite Royale Court

BACKGROUND

The City's code enforcement staff received complaints in May of this year regarding work being done in the backyard on the subject property. The first complaint was about digging in the backyard and the second complaint was about the construction of a retaining wall. After investigating the complaint and discussing the matter with the homeowner, the owner stated he was building a flower bed. No permit from the City was required due to the height of the wall being less than 4-feet. The code enforcement case was subsequently closed. On June 16, 2025, the City received another complaint, this time the concern was about fence posts being installed in the backyard. Upon investigation of this complaint, the owner informed code enforcement that he was installing a fence to protect his garden. No permit was applied for or issued by the City for this work. The inspector informed the homeowner that the garden fence requires a permit from the City and a violation letter was sent to the homeowner with a date of July 31st, 2025 to apply for a permit for compliance. Subsequently, the homeowner discussed the fence code requirements with Planning staff and his options for this project. Staff informed the homeowner that City staff can approve a fence permit as long as the fencing does not exceed 6-feet tall and meets with the materials and design requirements of city code. When asked what other options are available to allow the fence to remain, Staff informed the homeowner that the Planning and Zoning Commission can consider fences that exceed the maximum height requirement of 6-feet based on criteria provided in the zoning code that would necessitate a taller fence. The applicant has submitted a site development plan application for approval by the Commission for the as-built garden fence. Code enforcement action has been paused pending the outcome of the Planning and Zoning Commission's review.

FENCE PLACEMENT AND DESIGN

The Applicant has installed raised garden beds surrounded by a 21-foot by 36-foot fence enclosure consisting of 8-foot-tall wooden posts with metal bars connecting them across the top in order to install bird netting around the entire structure to keep animals out of the garden. There are also wooden pickets on a portion of the enclosure, presumably for use as a gate to enter the enclosure. The total height of the structure from the base of the garden beds to the top of the metal bars will not exceed 10 feet, according to the applicant.

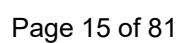
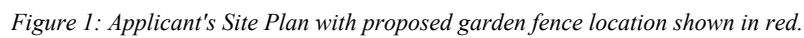


Figure 2: View of garden fence taken from Petite Royale Court taken by Staff.



Figure 3: View of garden enclosure provided by the applicant.

ZONING CODE ANALYSIS

The constructed garden enclosure is a type of fence that requires adherence to Section 405.640 of the zoning code. This section regulates all fences within the City and provides design and height standards that must be met in order for the City to issue a fence permit. A fence permit is required for fences prior to construction. In addition, many subdivisions have their own fence standards that may be different from the City's requirements. While the City does not enforce private subdivision indentures, it is important to note that homeowners oftentimes must meet both the City's and their subdivision requirements for fences.

The City's zoning code has standards for specific types of fences such as pool fences and game court fences. Using game court fences as an example, several years ago the City was dealing with these types of fences which were not regulated in the code. At the time, the city recognized that these types of fences require specific standards that do not apply and would not be appropriate for other types of fences. As such, this section of the code to regulate these types of fences was created as follows:

- E. Game Court Fence.** Tennis, basketball, racquetball, handball, and other game courts, hockey/ice rinks, batting cages, and other similar facilities may have an open dark coated chain link, or black netted fence customary for recreational activities up to ten (10) feet in height, provided such fence is setback at least fifteen (15) feet from any property line abutting a single-family residence. Approval of permanent lighting standards for Game Courts shall be reviewed by the Planning and Zoning Commission as a Minor Site Plan as provided in Section 405.1080.

The zoning code does not currently provide any separate standards for garden fences; therefore, the standard fence code requirements apply. The Zoning Code provides standards for evaluating height requests for fences over 6 feet tall under Section 405.640 Fences and Walls:

- A. Height Of Fences And Walls.** No fence or wall shall exceed six (6) feet in height, except for game court fences as provided in Subsection E, unless specifically approved by the Planning and Zoning Commission in consideration of a unique screening problem. In its review of requests for approval of fences or walls exceeding the foregoing height limit, the Commission shall consider all relevant factors concerning aesthetics, including whether the site and adjoining properties are used for non-residential purposes, the visibility of the fence or wall from the right-of-way and adjoining properties, the adequacy of screening provided by a fence or wall that does not exceed the foregoing height limits, and the compatibility of the proposed fence or wall design with the character of the surrounding area. Further, in its review, the Commission shall consider any relevant issues concerning access to public right-of-way, sidewalks and/or utility easements, the structural soundness of the proposed fence or wall, and changes in the drainage of the site.

Section 405.640.F. outlines the allowed materials for fences.

F. Fence materials and designs shall be subject to the following standards:

1. The design, color and material of the fence shall be complementary or shall match the principal structure on the property.
2. Solid sight-proof, white vinyl fences are prohibited; Vinyl fencing is permitted provided it maintains a natural wood color and/or dark color or style. For the purposes of this Section, natural colors shall include tan, gray, brown, or beige.
3. The horizontal and vertical support posts must be inside of the fence area or otherwise hidden from both the neighbor's and general public's view. Fences with a shadowbox design shall be considered to hide support posts.
4. Metal fencing shall have a flat top, similar to the graphic for Subsection (D)(1)(d) above, in residential districts. Metal spikes or spears at the top of a fence are prohibited in residential districts.
5. Except as otherwise provided herein, raw metal chain link fencing is prohibited for all residential development, but dark coated fencing is allowed.

The applicant is requesting approval of the as-built garden fence behind the house to protect the garden from animals. The Commission should verify with the homeowner that the existing conditions and materials provided by the applicant represent the totality of the project. As previously stated, the height and the materials do not meet the requirements for fences as laid out in Section 405.640. The Commission can approve additional height based upon a review of this request against the criteria for granting additional height in the case of a unique screening problem. Staff's review of the application finds that the applicant has not submitted information to demonstrate a unique screening problem to justify increased height.

If the additional height allowance is not granted, the homeowner must modify the currently constructed fence and submit a fence permit application with plans that show the overall height reduced to a maximum of 6 feet and with allowable fence materials such as wood, metal, or coated chain link. The location of the garden fence in the rear yard is not in conflict with the code. Upon issuance of a fence permit, an inspection would be made to confirm the fence meets with the approved plans. The applicant

should also obtain subdivision approval for the fence, although the City cannot withhold a fence permit if it meets the City's requirements.

To assist the Commission in its review of an acceptable garden fence that would meet the fence code, the images below represent appropriate examples. These designs feature wood posts with dark coated metal fencing in between the posts. The height of the fence examples appear to be 6-feet or less.



Figure 4: Allowed garden fencing examples.

The Planning and Zoning Commission should review the proposal against the requirements for additional fence height and allowed materials in order to make a determination. As provided previously in this report, Staff's review of the application is that the information provided is insufficient in this regard.

Staff has included the comments received to-date for the Commission's review, including opposition from the Royalgate Subdivision Trustees.

CONCLUSION AND ACTION

If the members of the Planning Commission find the applicant's reasons for the fence's height and design sufficient and meets with the zoning code criteria for such requests, they can approve it as installed. If the Commission determines the fence should be modified to meet with the current code requirements, discussion with the Applicant and a revised motion would be necessary. Further, if the request is denied, the applicant must modify the proposal to meet with the fence code requirements and obtain a fence permit.

MOTION

The motion for the garden fence at 152 Petite Royale Court 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 10-foot tall, bird netting and wood post fence to be located in the rear of the property for the property addressed as 152 Petite Royale Court as discussed within the Staff Report for Application #25-024 for the September 2, 2025, Planning and Zoning Commission meeting." (Modification or revisions may be included by preceding motion).

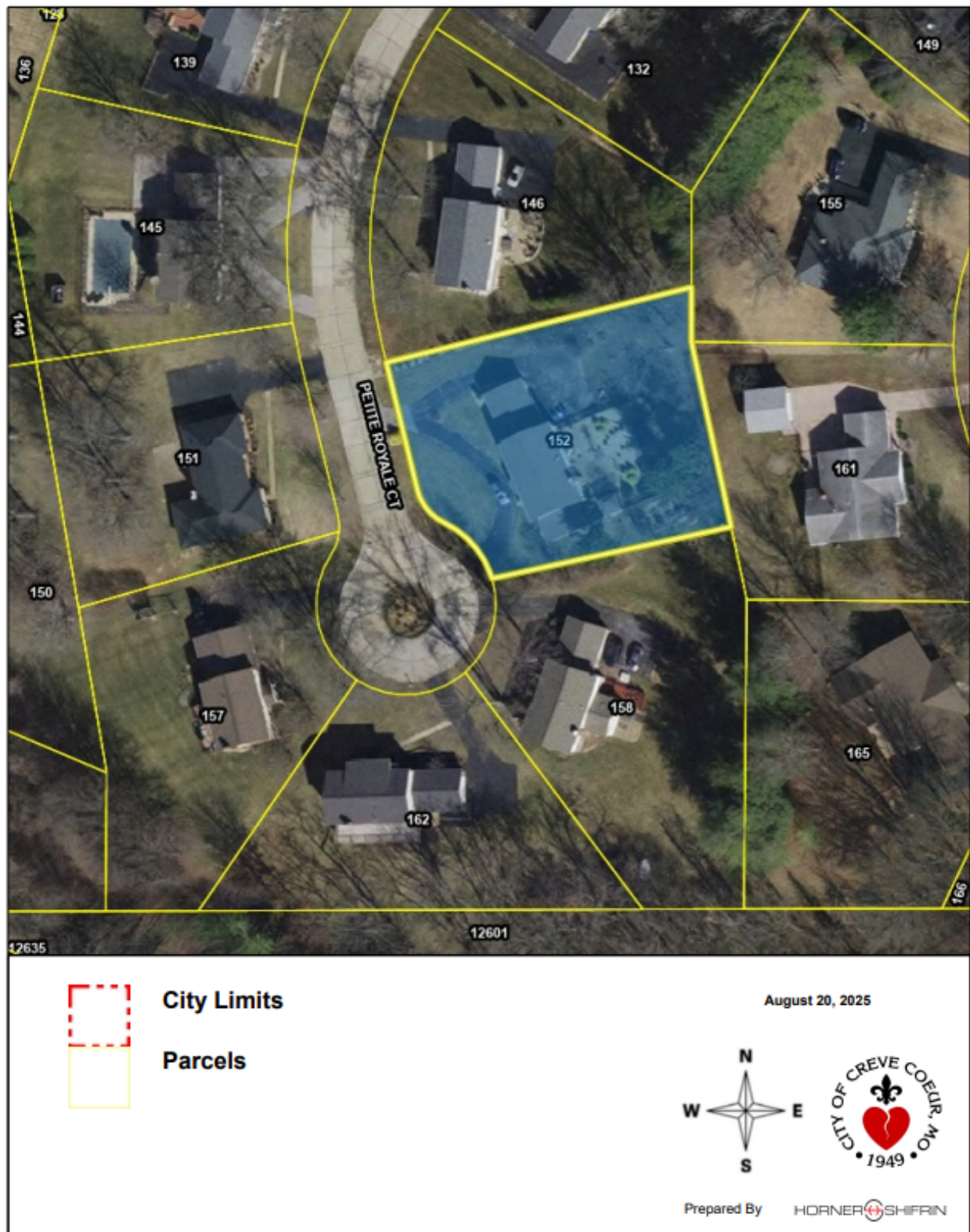
APPENDIX 1: COMPREHENSIVE PLAN

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

Date: 8.26.25



Description: Close up view of constructed garden fence, taken from the street.



Description: View of garden fence as viewed from the street.



city
of

CREVE COEUR

PLANNING DIVISION

300 North New Ballas Road, Creve Coeur, Missouri 63141

Tel. (314) 872-2501 • Fax (314) 872-2505

Permit # 25-024

PLANNING AND ZONING COMMISSION AGENDA APPLICATION

SITE DEVELOPMENT PLAN

Select Project Type: Site Development Plan ☒ Site Concept Plan ☐ Minor Site Plan ☐

Title of Project: Garden Enclosure

Location of Project: 152 Petite Royale Ct Locator # _____

Subject for Agenda: Application approval

Applicant:

Architect ☐ Engineer ☐ Contractor ☐ Agent ☐ Owner ☒

Applicant:	Applicant's Representative (if applicable):
<u>Vladimir Shnitzer</u> Name	_____ Name
_____ Company (If Applicable)	_____ Company (If Applicable)
<u>152 Petite Royale Ct</u> Address	_____ Address
_____ Address	_____ Address
Telephone # <u>314 6071145</u>	Telephone # _____
Fax # _____	Fax # _____
Email: <u>Vlad31@hotmail.com</u>	Email: _____
<u>Vlad Shnitzer</u> Applicant's Signature	_____ Applicant's Representative's Signature

Owner's Acknowledgement (if different from applicant):

_____ Name			_____ Company (If Applicable)		
_____ Address					
_____ Phone		_____ Fax		_____ Email	
_____ Applicant's Signature					

Description of Request (attach additional sheets as needed)

General Description: This is a garden enclosure: to protect the vegetable garden from deer, squirrel, rabbits and birds. The structure is 21 by 36 feet has multiple levels due to the existing landscape. The top of this structure is retail made out of black steel pipes and bird netting. The posts are wood (8ft high) Total height does not exceed 10ft. The structure is very similar to sport-courts described in the fence section 405.640

Rationale

Please describe in detail, on an attached sheet, the reasons why you believe the request 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.

Creve Coeur does not have a section in the code that encompasses permitting for the type of structure presented. It has no impact on neighbours does not change drainage and will have significantly improve view from the street to the previous structure.

Submittal Checklist

- | | |
|---|--|
| ☒ Rationale | ☐ Building elevations for new construction |
| ☒ Site plan 4 hard copies | ☒ Photographs of existing structures |
| ☐ Access and parking plan-4 hard copies; (may be shown on site plan) | ☐ Materials samples for Commission review |
| ☒ Landscape plan 4 hard copies | ☐ Legal Description in Word format |
| ☐ Floor plan 4 hard copies | ☐ Fees: \$250 (non-refundable) |
| ☐ Electronic copies of all materials | ☐ \$2000 (refundable deposit) |
| | ☐ Other items as requested by staff |

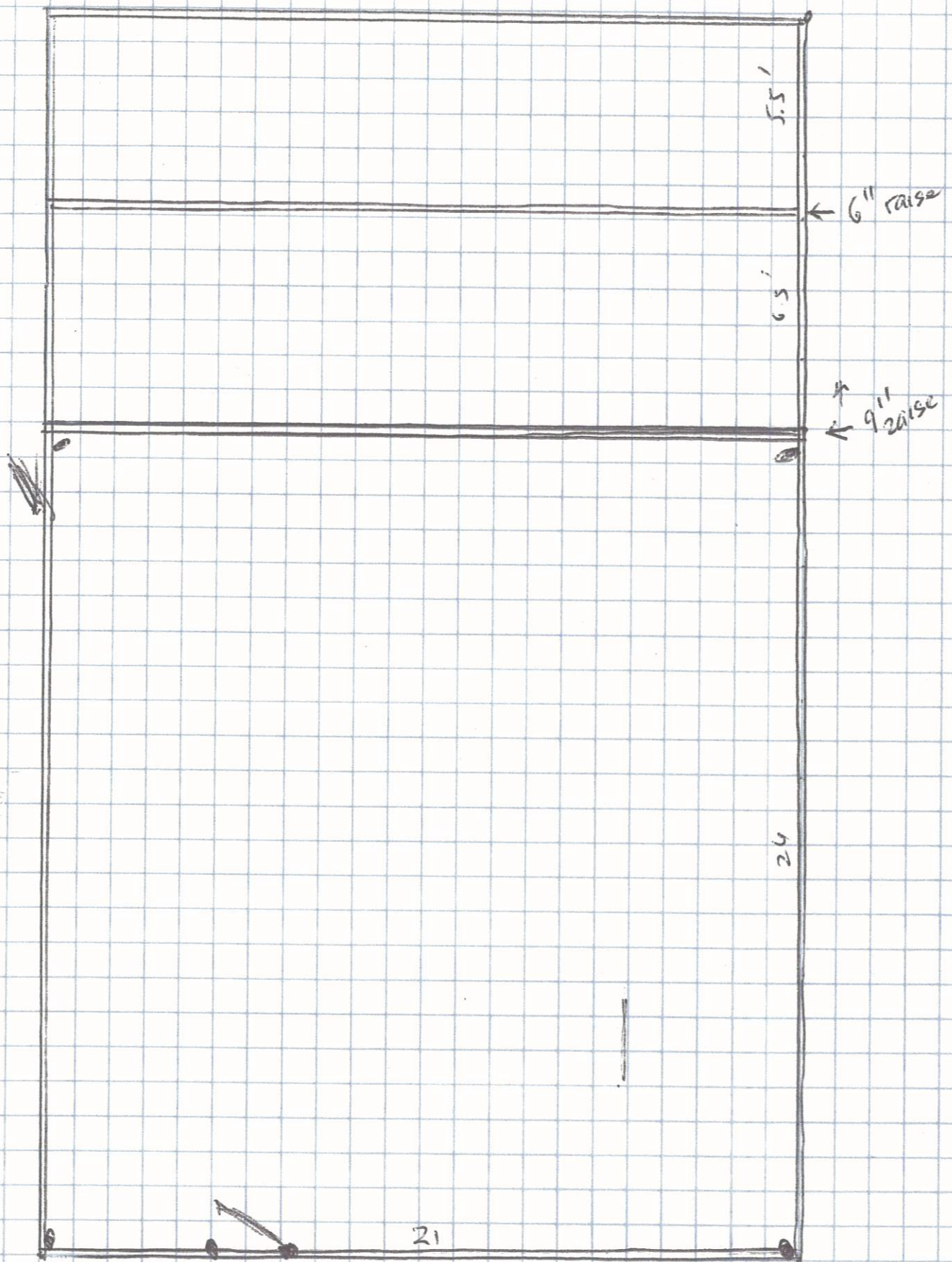
Preferred Public Hearing Date: Monday, _____, 20____.

****Confirm schedule and available meeting dates with Planning Division staff****

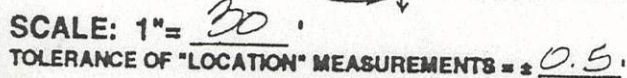
Office Use Only

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

Revised: 7/22



LOT 553
ROYAL GATE PLAT - ONE



STATE OF MISSOURI
NICHOLAS
C. PAPPAS
NUMBER
LS-1416
REGISTERED LAND SURVEYOR

TOPOS SURVEYING & ENGINEERING CORP.
790 ST. FRANCOIS ST. FLORISSANT, MISSOURI 63031
PHONE NUMBERS: (314) 838-5806 FAX: 838-8141

PAGE 1 OF 1
1095 - 170
ORDER NO. 4591

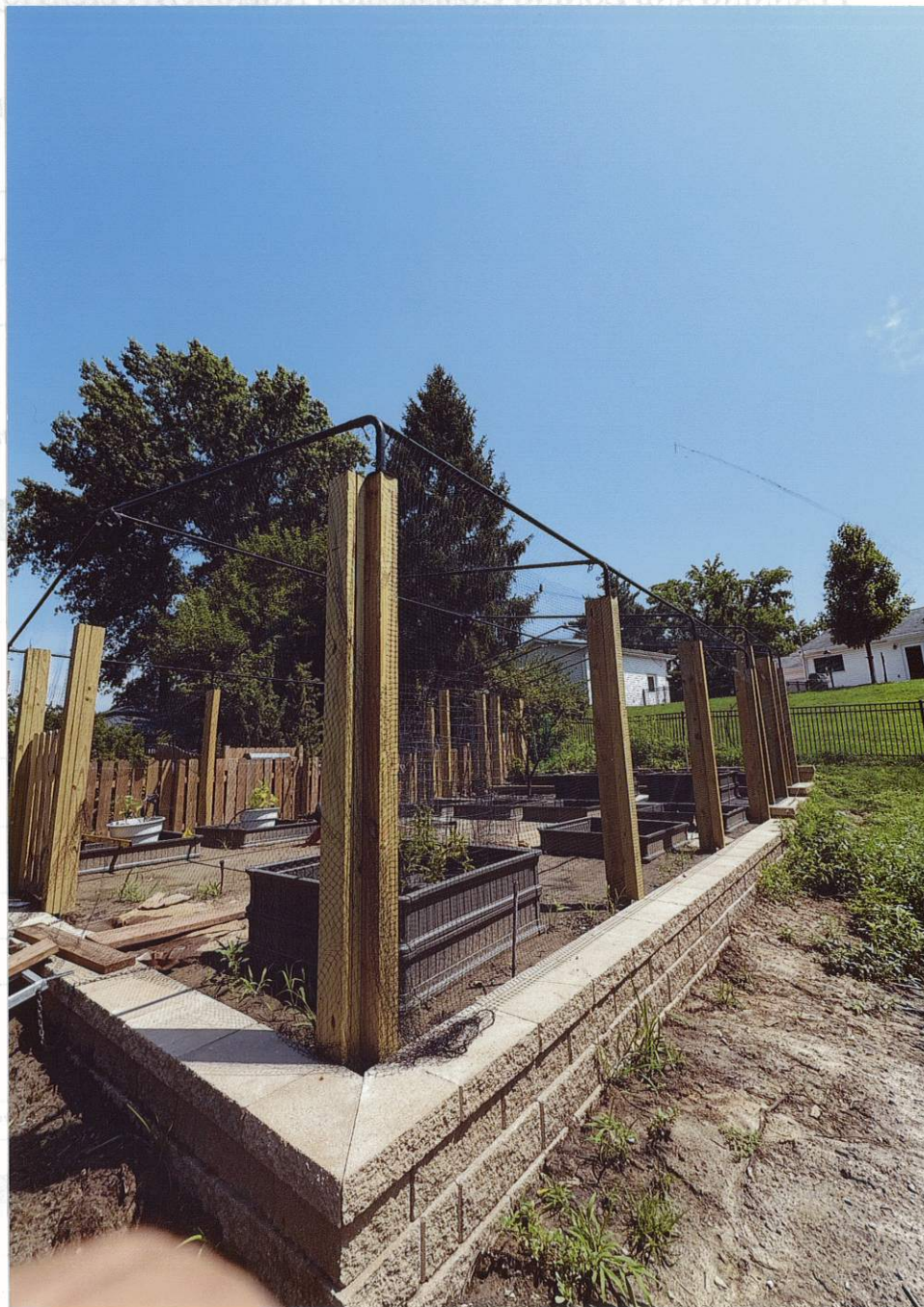
Permit # 22-054

CREVE COEUR

PLANNING DIVISION
300 North New Ballas Road, Creve Coeur, Missouri 63141
Tel. (314) 873-2501 • Fax (314) 873-2502



PLANNING AND ZONING COMMISSION AGENDA APPLICATION



CREVE COEUR

PLANNING DIVISION
300 North Main Street, Creve Coeur, Missouri 63141
Tel: (636) 573-2100 • Fax: (636) 573-2102



PLANNING AND ZONING COMMISSION AGENDA APPLICATION SITE DEVELOPMENT PLAN



August 13, 2025

To: Jason Jaggi & Bethany Moore

From: Royal Gate Trustees

Re: Violation of Subdivision Indentures – 152 Petite Royale Ct.

After reviewing the garden structure constructed at 152 Petite Royale Ct., the Trustees have determined that it violates multiple provisions of our recorded indentures and does not meet the standards for a first-class, single-family residential subdivision. The photos provided (attached) clearly show:

- **Noncompliance with Allowed Fence Types & Heights**

The structure incorporates vertical wood posts exceeding the four-foot fence height limit established in Section IV(A). The posts support a metal frame and netting that function as walls and roof, creating a visual inconsistent with the ornamental, low-profile fencing described in the indentures. The overhead metal framework is rudimentary in design, resembling temporary utility scaffolding rather than an architectural feature appropriate for a residential property.

- **Prohibited Structure Type and Placement**

No provision exists in our indentures for an enclosed agricultural or garden structure of this size. It is not an “open porch, platform, terrace, or step” as permitted between the front building line and the rear of the residence. Furthermore, parts of the structure are within the 10-foot side lot line setback, violating the placement restriction in Section IV(A).

- **Failure to Seek Trustee Approval**

Section IV(H) requires written trustee approval before any construction of fences, walls, or other structures. The homeowners neither submitted plans nor received approval before beginning construction. This requirement is mandatory and not retroactive.

- **Incompatibility with Neighborhood Character**

The height, unfinished posts, industrial-style black framing, and utilitarian netting are inconsistent with the high-quality, decorative materials envisioned by the indentures. Its size, placement, and visibility from neighboring yards and the street detract from the subdivision’s residential character and violate the requirement to preserve a “first-class single-family residential area.”

Conclusion

This structure is a clear violation of both the letter and spirit of the indentures. It should be removed or substantially modified to comply with the restrictions, including reducing height, changing materials, relocating within required setbacks, and obtaining formal trustee approval.

We respectfully request that the City enforce applicable codes and restrictions in support of the subdivision's governing documents.

Royal Gate Trustees

Jeremy Lancaster

Denise Bentele

Ronnie Kramer

IV. Restrictions (A). Building Lines – Fences:

The building lines shown on the Plats of record of Subdivision, and impressed with restrictions herein, are hereby established and created as shown on said Plats, and that no building or other structure shall be erected closet to any street than the building lines shown on the Plats of Subdivision, except open porches, platforms, terraces, and steps which may extend not more than 28 feet beyond said building lines and except chimneys, cornices, down-spouts, gutters, and window bays; and no fences except stone, brick, picket or hedge fences or ornamental wire, or other material and form approved in writing by the trustees, shall be erected between the front Lot line and a line located at the rear end of any residence and parallel to said front Lot line. No portion of any of the above fences shall exceed a height of four feet. No building or structure shall be erected within 10 feet of any side Lot line. Anything herein to the contrary notwithstanding, any fence that encloses a swimming pool shall not exceed a height of 6 feet and may be erected at any place on a Lot, behind the front building line, as the trustees shall, in writing, approve

IV. Restrictions (H). Power to Approve Plans:

That the Trustees shall have the power to approve Or reject all plans and specifications for the construction, re-construction, addition, or alterations of any building, fence, wall, for the location of

the structures on the lots or site and the general grading and landscape treatment. No work shall be started upon any of the improvements until the plans and specifications for same shall have been submitted to and received the written approval of the Trustees. The Trustees shall have the right to disapprove and reject any such plans which in their opinion would be injurious to, or out of harmony with, the present or future development of Subdivision, and, in so passing upon such plans, they shall have the right to take into consideration the type, use and color of materials and finish, and architectural design, and any and all other facts, which, in their opinion, shall affect the desirability or suitability of Subdivision as a first class single family residential area.





Bethany Moore <bmoore@crevecoeurmo.gov>

Public Comment on #25-024

2 messages

rpgale@charter.net <rpgale@charter.net>

Mon, Aug 25, 2025 at 9:37 AM

To: bmoore@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov

Cc: Ed Bay <ebay@crevecoeurmo.gov>, Royal Gate Subdivision <royalgate.subdivision@gmail.com>

Re: #25-024: A S ITE DEVELOPMENT PLAN FOR A B ACKYARD G ARDEN
E NCLOSURE FENCE L OCATED AT [152 PETITE ROYALE COURT](#)

Ms. Moore,

I would normally strongly oppose the proposed site development plan for a Backyard Garden Enclosure at 152 Petite Royale Court. This is NOT a proposed plan.

This is not a normal request to the Planning and Zoning Committee, since it appears to already have been constructed over the last two months, with no permitting from the City. This is the method of doing work by the resident of this home. In the last 20+ years, I have seen multiple cases where they have skirted the rules and avoided proper permitting to get things done. Two months ago, he told city officials that he was only doing landscaping.

Many years ago, he decided to replace his fence around his in-ground pool. The old fence did not meet current codes of height around pools. Instead of following the current codes, he proceeded to replace small portions of the old fence, section at a time, to skirt the need to provide a safe fence that met current height codes. He was cited by the City of Creve Coeur for allowing the area of his property between his wood fence and the neighbors fence (on the property line) to be overgrown with weeds, trash, shopping cart, etc. The City had to take him to court to get him to clean it up.

Several years ago, my wife and I returned home from the store and found a bullet hole through the bathroom window that faced the corner of his property. We contacted CCPD and they found a bullet fragment in the bathroom. During their

investigation and talks with neighbors, they interviewed Mr. Shniter and found out that he had a pellet rifle that he used to keep deer out of his garden. He claimed that he had not used it lately and was informed that the use of a pellet rifle in the City of Creve Coeur is a violation. That was the start of his obsession of protecting his garden. He put motion sensor lights in his garden. The next step that I noted was that he had a small dog that was constantly barking at wildlife. This was a year-round issue; I only hope that he had a warm outdoor enclosure for the dog.

I oppose this monstrosity that has already been built. Unfortunately, based on the elevations of our subdivision, I have to look down on it, right out my back patio door. See the picture below from my patio.



Bob Gale

Bob Gale

161 Royal Manor Ct.

Creve Coeur, MO 63141-8134

rpgale@charter.net

Home: 314-576-1439

Cell: 314-478-4774

 **oledata.mso**
24K

Bethany Moore <bmoore@crevecoeurmo.gov>

Mon, Aug 25, 2025 at 5:21 PM

To: rpgale@charter.net

Cc: jjaggi@crevecoeurmo.gov, Ed Bay <ebay@crevecoeurmo.gov>, Royal Gate Subdivision
<royalgate.subdivision@gmail.com>

Mr. Gale,

Thank you for your comments. We will include this in the packer for the Planning and Zoning Commission and send it to the applicant. Thanks!

[Quoted text hidden]

--



Bethany L. Moore, AICP

City Planner

City of Creve Coeur

300 North New Ballas Rd

Creve Coeur, MO 63141

314-442-2087

www.crevecoeurmo.gov

Section 405.640. Fences And Walls.¹ [R.O. 2008 §26-73; Ord. No. 1903 §1, 11-24-1997; Ord. No. 3024 §1, 11-22-2004; Ord. No. 5163 §2, 12-13-2010; Ord. No. 5563, 1-8-2018²; Ord. No. 5728, 1-25-2021; Ord. No. 5742, 6-14-2021]

- A. Height Of Fences And Walls. No fence or wall shall exceed six (6) feet in height, except for game court fences as provided in Subsection E, unless specifically approved by the Planning and Zoning Commission in consideration of a unique screening problem. In its review of requests for approval of fences or walls exceeding the foregoing height limit, the Commission shall consider all relevant factors concerning aesthetics, including whether the site and adjoining properties are used for non-residential purposes, the visibility of the fence or wall from the right-of-way and adjoining properties, the adequacy of screening provided by a fence or wall that does not exceed the foregoing height limits, and the compatibility of the proposed fence or wall design with the character of the surrounding area. Further, in its review, the Commission shall consider any relevant issues concerning access to public right-of-way, sidewalks and/or utility easements, the structural soundness of the proposed fence or wall, and changes in the drainage of the site. **[Ord. No. 5760, 11-22-2021]**
- B. Fences Or Walls At Street Intersections. No fence or wall shall be located within the sight triangle (as defined in Article II) of a street intersection.
- 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.

Walls, entry columns, and gates, in front of the home within the front yard or the area equivalent to the front yard shall be subject to site development plan approval in accordance with Section 405.1080.

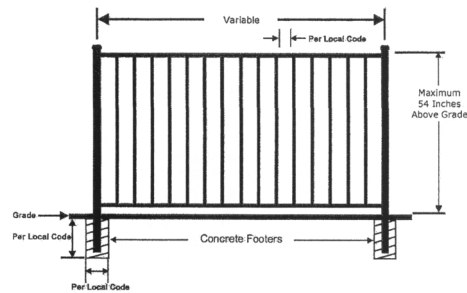
D. Fences Surrounding Swimming Pools. [Ord. No. 5760, 11-22-2021]

- 1. Every private swimming pool constructed anywhere in the City of Creve Coeur shall be provided with an enclosure surrounding the pool area that is constructed and maintained in compliance with the Creve Coeur Building Code. The Zoning Administrator shall have the authority to approve a fence surrounding a swimming pool within a front yard setback or along any street right-of-way as described under the following conditions:

1. Editor's Note: Ord. No. 5760, adopted 11-22-2021, provided that the following be set forth in a footnote to this Section: "All regulations set forth in the City Code of Ordinances and in effect on August 27, 2021 regarding physical security measures around private property are hereby ratified, confirmed and reenacted as of the effective date of this Ordinance, as modified by this Ordinance, based upon the legislative findings set forth in this Ordinance. Such ratification, confirmation and reenactment are hereby made on a severable basis, such that in the event any court were to hold that a specific regulation is not enforceable under Section 67.494 RSMo., or other applicable law, such ruling shall not affect the enforceability of any other regulation not specifically invalidated by such ruling."

2. Editor's Note: Ord. No. 5563 also changed the title of this Section to include, "And Walls."

- a. The fence is at least fifteen (15) feet from any lot line.
- b. The fence is a maximum of fifty-four (54) inches in height.
- c. The fence meets Building Code standards regarding design and placement of fence to the pool.
- d. The fence is of an open-slat, metal style, similar to the following:



- e. If the Zoning Administrator finds that any of the aforementioned standards is not met, the fence shall require Planning and Zoning Commission approval in accordance with Sections 405.640 and 405.1080.
- E. Game Court Fence. Tennis, basketball, racquetball, handball, and other game courts, hockey/ice rinks, batting cages, and other similar facilities may have an open dark coated chain link, or black netted fence customary for recreational activities up to ten (10) feet in height, provided such fence is setback at least fifteen (15) feet from any property line abutting a single-family residence. Approval of permanent lighting standards for Game Courts shall be reviewed by the Planning and Zoning Commission as a Minor Site Plan as provided in Section 405.1080.
- F. Fence materials and designs shall be subject to the following standards:
1. The design, color and material of the fence shall be complementary or shall match the principal structure on the property.
 2. Solid sight-proof, white vinyl fences are prohibited; Vinyl fencing is permitted provided it maintains a natural wood color and/or dark color or style. For the purposes of this Section, natural colors shall include tan, gray, brown, or beige.
 3. The horizontal and vertical support posts must be inside of the fence area or otherwise hidden from both the neighbor's and general public's view. Fences with a shadowbox design shall be considered to hide support posts.
 4. Metal fencing shall have a flat top, similar to the graphic for Subsection (D)(1)(d) above, in residential districts. Metal spikes or spears at the top of a fence are prohibited in residential districts.
 5. Except as otherwise provided herein, raw metal chain link fencing is prohibited for all residential development, but dark coated fencing is allowed.



**APPLICATION TO PLANNING AND ZONING COMMISSION
#25-023: A CONDITIONAL USE PERMIT FOR CAPRIOTTI'S SANDWICH
SHOP LOCATED AT 12536 OLIVE BOULEVARD WITHIN SHOPPES AT
QUESTOVER**

FOR THE MEETING OF: Tuesday, September 2nd, 2025, 6:00 PM

LOCATION: 12536 Olive Boulevard (see attached map). Zoned GC-General Commercial Zoning District.

REQUEST: Jonathan Heslop, of STL Caps, LLC, on behalf of Capriotti's Sandwich Shop, has submitted an application for a new conditional use permit for a 1,663 square foot restaurant location at 12536 Olive Boulevard, Suite B, within Shoppes at Questover. No exterior changes are proposed and the hours of operation will be from 9:00 AM to 9:00 PM every day of the week. There will be 24 seats in the restaurant and 4 employees at the busiest shift. The property is in the "GC" General Commercial zoning district. Capriotti's Sandwich Shop will specialize in serving fast casual made-to-order sandwiches and the use is classified as a Limited-Service Restaurant (NAICS 722513).

ADDITIONAL INFORMATION: Under Section 405.370, Table A of the Zoning Code, NAICS 722513 requires the issuance of a conditional use permit in the "GC" zoning district subject to the recommendation of the Planning and Zoning Commission and approval of the City Council.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?

Creve Coeur 2030 Plan References

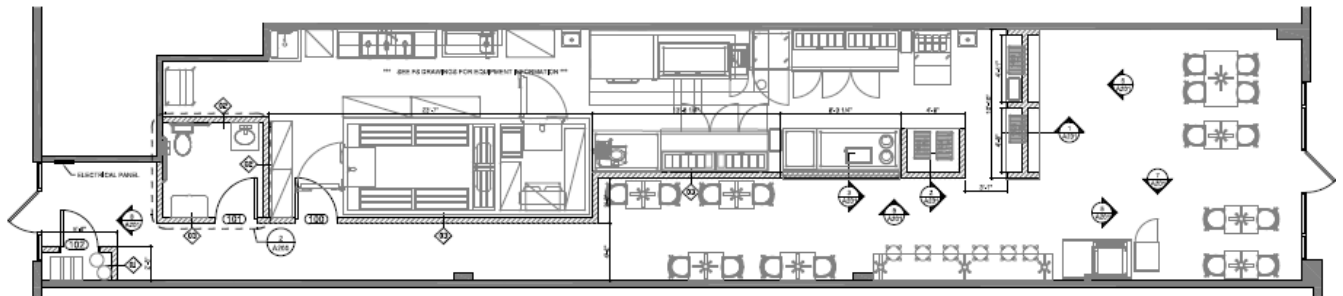
- Mixed-Use District

Zoning Code References

- Section 405.360: GC-General Commercial District
- Section 405.470: Conditional Uses

APPLICANT: Jonathan Heslop
STL Caps, LLC
PO Box 525
Eureka, MO 63025

PROPERTY Craig Bellew
OWNER'S AGENT: Altus Properties, LLC
231 S. Bemiston Ave, Suite 650
St. Louis, MO 63105



① **FLOOR PLAN**
SCALE: 1/4"=1'

REPORT PREPARED BY: Bethany Moore, AICP, City Planner
DATE: 8/27/2025
ATTACHMENTS: Applicant's Materials received 8/1/25
Draft Ordinance

PROJECT DESCRIPTION

The Applicants are seeking approval for a new conditional use permit for a Capriotti's Sandwich Shop limited-service restaurant within the Shoppes at Questover Shopping Center to fill the retail space at 12536 Olive Boulevard Suite B that was previously used as the leasing office. The Shoppes at Questover development includes three buildings with two different owners. The two properties include shared parking spaces and cross access between the properties. The proposed restaurant is 1,663 square feet, with 24 indoor seats and no outdoor seats. No exterior changes are proposed as part of this project. Capriotti's Sandwich Shop is a fast-casual, made to order sandwich shop which includes indoor ordering and dining as well as to-go and pick-up orders.

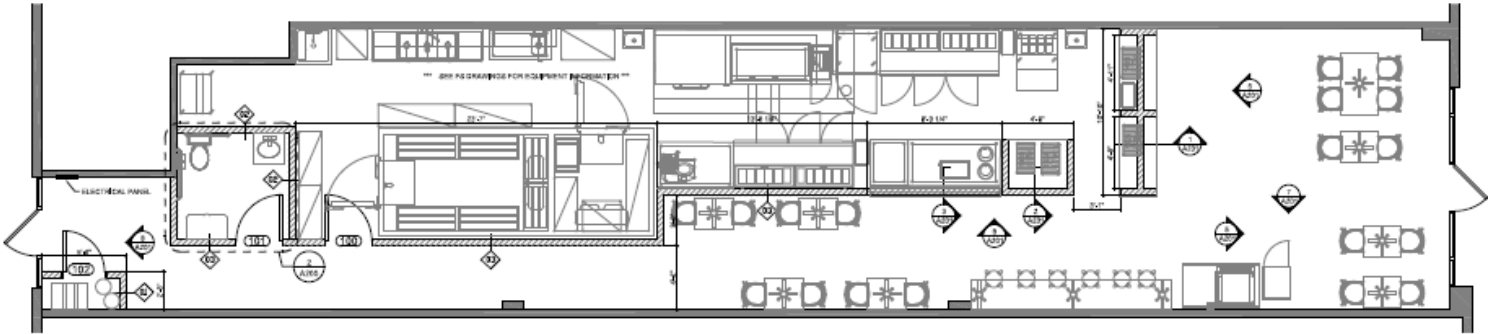


Figure 1: Floor Plan.

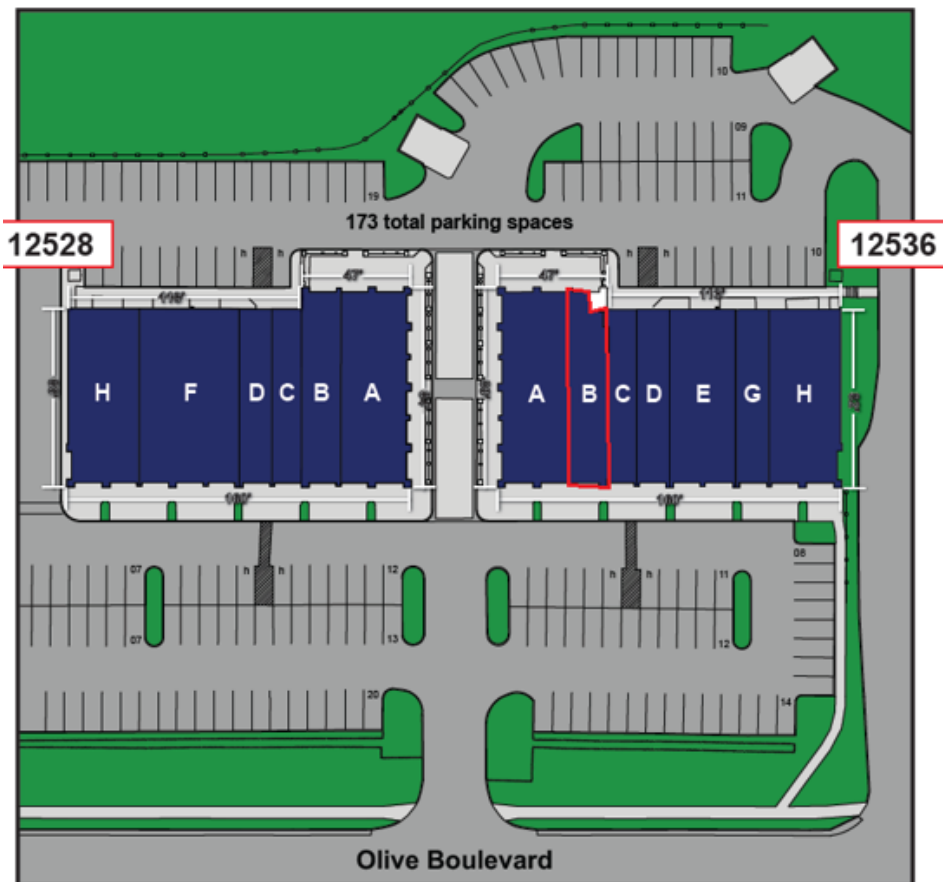


Figure 2: Proposed Location Site Plan. Capriotti's shown in red circle.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Commercial	CB-Core Business	Olive Boulevard
South	Residential-Questover Place and Questover Crossing	B-RDD-Single Family Residential with Residential Design Development	Partial Questover Court
East	Commercial	MX-Mixed-Use Commercial District	N/A
West	Commercial-Creve Coeur Animal Hospital	GC-General Commercial District	N/A

COMPREHENSIVE PLAN REVIEW

The *Creve Coeur 2030* Plan includes the subject property within the West Olive Corridor Mixed-use District (MU) Place type that has a vision to create a visually-distinctive and regionally-recognized commercial corridor that improves walkable and bikeable access to retail and service businesses for the “day-to-day” use of Creve Coeur’s residents and workers. The MU Place type supports the development of a variety of medium-density commercial, retail, office, institutional, dining, community services, and multi-family residential within a suburban context. These land uses are supported primarily through vehicular access with improved walkability, pedestrian connections to adjacent neighborhoods, and beautifully landscaped street frontages. (p. 82). The applicant is filling a space within the Shoppes at Questover Shopping Center. No changes to the exterior of the building or site are proposed. Therefore, the use within the Shopping Center is consistent with the Comprehensive Plan which supports dining establishments in the West Olive Corridor.

ZONING REVIEW

NAICS 722513 Limited-Service Restaurants are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission in all of the commercial districts of the City. The entire Shoppes at Questover shopping center is 4.65 acres with approximately 36,331 square feet of retail space. The proposal is for 1,663 square feet thus representing roughly 4.5% of the complex’s square footage.

Parking:

Parking regulations for restaurants are discussed under Section 405.820(F)(5) which requires one parking space per every three 3 seats of maximum occupancy recorded under the conditional use permit plus 1 parking space per every 250 square feet of total floor area. The proposed space is 1,663 square feet with 24 indoor seats; therefore, 15 parking spaces are required. Shopping centers designed for restaurant, retail uses, and personal service establishments may combine the total parking spaces for each use, less a 15% reduction in the total number of parking spaces required, per Section 405.820(B)(1). Section 405.820(A)(2) requires that where fractional spaces result, the parking spaces required shall be the next greater whole number. The shopping center has 204 total parking spaces for shared use and 202 spaces are required for the current uses leaving 2 excess parking spaces on site. The site is fully leased out and the parking lot is almost at capacity with the existing uses. Future conditional uses will need to be closely reviewed to make sure that the existing parking spaces are able to accommodate the required parking for the uses on site.

Below is the current parking table for the entire center:

Tenant	Use	Size (sq. ft.)	Parking Regulations	# of spaces
12528 A-Gulf Shores	Restaurant (87 indoor seats)	2,928	1/3 seats in CUP, + 1/250 sq. ft..	41
12528 B- Cutco Stores, Inc	Services – Hair Salon	1,450	4/1000 sq. ft.	6
12528 C- St. Louis Gyro	Restaurant (16 indoor seats)	1,281	4/1000 sq. ft.	6
12528 D- Amor Nails & Spa	Services – Nail Salon	1,334	4/1000 sq. ft.	6
12528 F-Heartland Dental, LLC	Dental Office	4,002	4/1000 sq. ft.	16
12528 H- Massage Envy	Services – Salon	2,840	4/1000 sq. ft.	12
12536 A-Chicken Salad Chick	Restaurant (74 indoor seats)	2,845	1/3 seats in CUP, + 1/250 sq. ft..	37
12536 B-Capriotti's Sandwich Shop	Restaurant (24 indoor seats)	1,663	1/3 seats in CUP, + 1/250 sq. ft..	15
12536 C-Cookie Cutters	Services – Hair Salon	1,157	4/1000 sq. ft.	5
12536 D-European Wax Center	Services –Salon	1,334	4/1000 sq. ft.	6
12536 E-F-Jet's Pizza	Restaurant (40 indoor seats)	2,668	1/3 seats in CUP, + 1/250 sq. ft..	25
12536 G-Trofast, LLC	Office	1,342	4/1000 sq. ft.	6
12536 H-Metro Design Studio	Services – Hair Salon	2,840	4/1000 sq. ft.	12
12520 A- Jersey Mike's	Restaurant (24 indoor seats)	1,722	1/3 seats in CUP, + 1/250 sq. ft..	15
12520 B – Batteries Plus	General Retail	1,832	4/1000 sq. ft.	8
12520 C –FedEx Office	General Retail	1,839	4/1000 sq. ft.	8
12520 D – All Brand Answering Services	Office	3,254	4/1000 sq. ft.	14
Sub-total:				238
Minus 15% Reduction				36
Total # of Parking Spaces Required:				202
Total Available On-site:				204
Excess Parking:				2

OTHER REVIEW ITEMS

Trash for the restaurant will utilize the existing dumpster located behind the building. The dumpster enclosure is in good repair. Staff noted during a site visit that there is missing landscaping within the existing beds in front of Building A where Capriotti's will be filling the tenant space. A condition has been added to require replacement of this landscaping for the Zoning Administrator's approval prior to final occupancy. The parking lot is in good condition and the existing lighting appears to be compliant with the Zoning Code requirements.

RECOMMENDED CONDITIONS FOR APPROVAL

Based on the above analysis, the request for a conditional use permit appears to meet all of the requirements of the Zoning Ordinances and is consistent with the goals and objectives of the Comprehensive Plan. Should the Planning and Zoning Commission view this request favorably, staff recommends the approval be subject to the conditions below which are included in the draft ordinance:

1. The Conditional Use Permit shall be for the operation of a 1,663 square foot Limited-Service Restaurant, NAICS 722513, establishment at 12536 Olive Boulevard, Suite B within the Shoppes at Questover Shopping Center.
2. Maximum seating permitted is limited to 24 indoor seats. The Zoning Administrator may authorize outdoor seating, based up review of an outdoor seating plan to ensure all relevant Zoning and Building Codes are adequately addressed.
3. Hours of operation shall be 9:00 a.m. to 9:00 p.m., seven days a week. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.
4. Missing landscaping within the existing beds in front of the buildings shall be replaced for the Zoning Administrator's approval prior to issuance of a final certificate of occupancy.
5. Employee vehicles, delivery and company vehicles shall be parked behind the buildings and as far from the public right-of-way as possible.
6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code and require a separate permit approval.
7. Any mechanical equipment installed for the site shall be properly screened with approved materials.
8. Any future enlargement, extension, expansion, or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
9. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
10. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained, and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
11. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

ACTION

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

MOTION

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

“I move to recommend approval of a Conditional Use Permit for Capriotti’s Sandwich Shop located at 12536 Olive Boulevard, Suite B, within Shoppes at Questover, subject to the conditions discussed in the Staff Report and Draft Ordinance for the meeting of September 2, 2025”
(conditions may be added, eliminated, or modified by preceding motion).

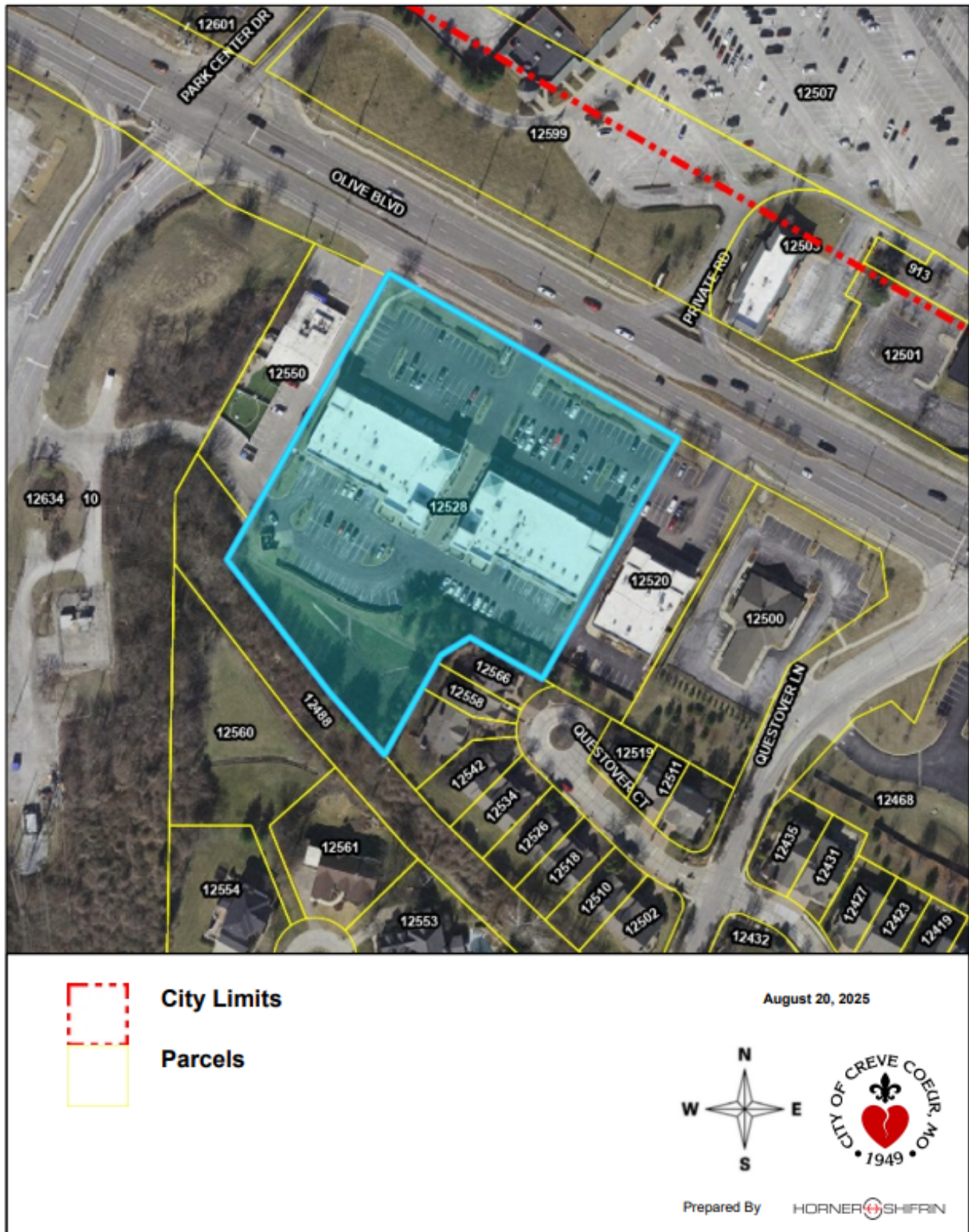
APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

Date: 8.29.25

	Description: Proposed Capriotti's location to the right of Chicken Salad Chick.
	Description: Rear entrance of Suite B where Capriotti's will be located.
	Description: Example of missing landscaping at Building A.

	Description: Example of missing landscaping at Building A.
	Description: Existing trash enclosure in good repair.

BILL NO. _____ ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A NEW CONDITIONAL USE PERMIT FOR
CAPRIOTTI'S SANDWICH SHOP AT 12536 OLIVE BOULEVARD UNIT B WITHIN
THE SHOPPES AT QUESTOVER SHOPPING CENTER, ZONED GC-GENERAL
COMMERCIAL**

WHEREAS, under Section 405.360(C), NAICS 722513 Limited-Service Restaurants require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Jonathan Heslop, of STL Caps, LLC, on behalf of Capriotti's Sandwich Shop, submitted an application for a new conditional use permit for a 1,663 square foot restaurant with 24 indoor seats, at 12536 Olive Boulevard, Suite B, within Shoppes at Questover; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Tuesday, September 2, 2025, beginning at 6:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a ____ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on September 2, 2025; and

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

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

1. Complies with all applicable provisions of this Zoning Ordinance Chapter 405 including but not limited to 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.
2. Will contribute to and promote the welfare and convenience of the community at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Is consistent with the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans, unless good cause is demonstrated 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

BILL NO. _____

ORDINANCE NO. _____

adjacent users or on pedestrian or vehicular traffic or on community facilities or services, including but not limited to emergency services.

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

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a limited-service restaurant located at 12536 Olive Boulevard, Suite B, in the “GC” General Commercial zoning district, within Creve Coeur Plaza, whose legal description is as follows:

Lot A of Questover Subdivision, A subdivision in St. Louis County, Missouri, as per the Questover Consolidation Plat, Recorded in Plat Book 353, Page 34 of the St. Louis County Records.

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

1. The Conditional Use Permit shall be for the operation of a 1,663 square foot Limited-Service Restaurant, NAICS 722513, establishment at 12536 Olive Boulevard, Suite B within the Shoppes at Questover Shopping Center.
2. Maximum seating permitted is limited to 24 indoor seats. The Zoning Administrator may authorize outdoor seating, based up review of an outdoor seating plan to ensure all relevant Zoning and Building Codes are adequately addressed.
3. Hours of operation shall be 9:00 a.m. to 9:00 p.m., seven days a week. Additional business hours may be permitted with the Zoning Administrator’s approval including, but not limited to, the catering of special events.
4. Missing landscaping within the existing beds in front of the buildings shall be replaced for the Zoning Administrator’s approval prior to issuance of a final certificate of occupancy.
5. Employee vehicles, delivery and company vehicles shall be parked behind the buildings and as far from the public right-of-way as possible.
6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code and require a separate permit approval.
7. Any mechanical equipment installed for the site shall be properly screened with approved materials.
8. Any future enlargement, extension, expansion, or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
9. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
10. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained, and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.

BILL NO. _____

ORDINANCE NO. _____

11. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

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

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

ADOPTED THIS ____ DAY OF _____, 2025.

MARK MANLIN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2025.

DR. ROBERT
HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK



city
of

CREVE COEUR

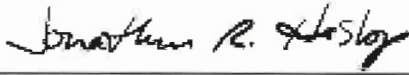
PLANNING DIVISION

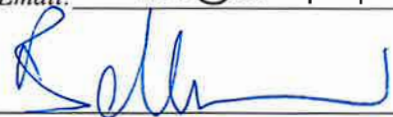
File # _____

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):
Jonathan Heslop	
<i>Name</i>	<i>Name</i>
STL Caps, LLC dba Capriotti's Sanwich Shop	
<i>Company (If Applicable)</i>	<i>Company (If Applicable)</i>
PO Box 525	
<i>Address</i>	<i>Address</i>
Eureka, MO 63025	
<i>Address</i>	<i>Address</i>
Telephone # 314.757.8447	Telephone # _____
<i>Telephone #</i>	<i>Telephone #</i>
Fax # _____	Fax # _____
<i>Fax #</i>	<i>Fax #</i>
Email: stlcapsllc@gmail.com	Email: _____
<i>Email:</i>	<i>Email:</i>
	
<i>Applicant's Signature</i>	<i>Applicant's Representative's Signature</i>

Property Information:	Owner's Acknowledgement (if different from applicant):
12536 Olive Blvd	Craig Bellew
<i>Address</i>	<i>Name</i>
Ste B	Altus Properties, LLC (Agent for Owner)
<i>Address</i>	<i>Company (If Applicable)</i>
Shoppes at Questover	231 S. Bemiston Ave, Suite 650
<i>Development Name (if any)</i>	<i>Address</i>
GC	St. Louis, MO 63105
<i>Current Zoning</i>	<i>Address</i>
none	Telephone # 314-713-1821
<i>Prior CUP Approvals (if known)</i>	<i>Telephone #</i>
	Fax # 314-569-5059
	<i>Fax #</i>
	Email: cbellew@altusproperties.com
	<i>Email:</i>
	
	<i>Owner's Signature</i>

Addendum for STL Caps, LLC dba Capriotti's Sandwich Shop

Rationale:

Four restaurants already operate in these two buildings, so the community is used to this type of traffic, parking, hours, etc. Our location will have entrances on both ends, enabling our dine-in customers pick whichever parking lot is easier or less full. We plan to have all the take-out orders use two dedicated spots near the rear entrance since 65% of the orders at our current location are to-go.



August 4, 2025

Bethany L. Moore, AICP
City Planner
City of Creve Coeur
300 North New Ballas Road
Creve Coeur, MO 63141

RE: Lease and Use Information – Conditional Use Permit for Capriotti's Sandwich Shop
12536 Olive Blvd, Suite B, Creve Coeur, MO 63141

Dear Ms. Moore,

I am writing to provide lease and use details in support of the Conditional Use Permit application for the premises located at **12536 Olive Blvd, Suite B, Creve Coeur, MO 63141**.

The **Landlord** for the premises is **Altus-Questover, LLC**, a Missouri limited liability company. The **Tenant** is **STL Caps, LLC**, a Missouri limited liability company doing business as **Capriotti's Sandwich Shop**.

The leased premises is approximately **1,663 square feet** in size and will be used for the operation of a **Capriotti's Sandwich Shop** location, serving **sub sandwiches**.

Please let me know if you need any additional information or documentation to complete your review of the CUP application.

Altus Properties, LLC – Manager for Owner/Landlord

By: Sarah Gwillim Mansholt
Managing Director, Property Management
Altus Properties, LLC

Shoppes at Questover



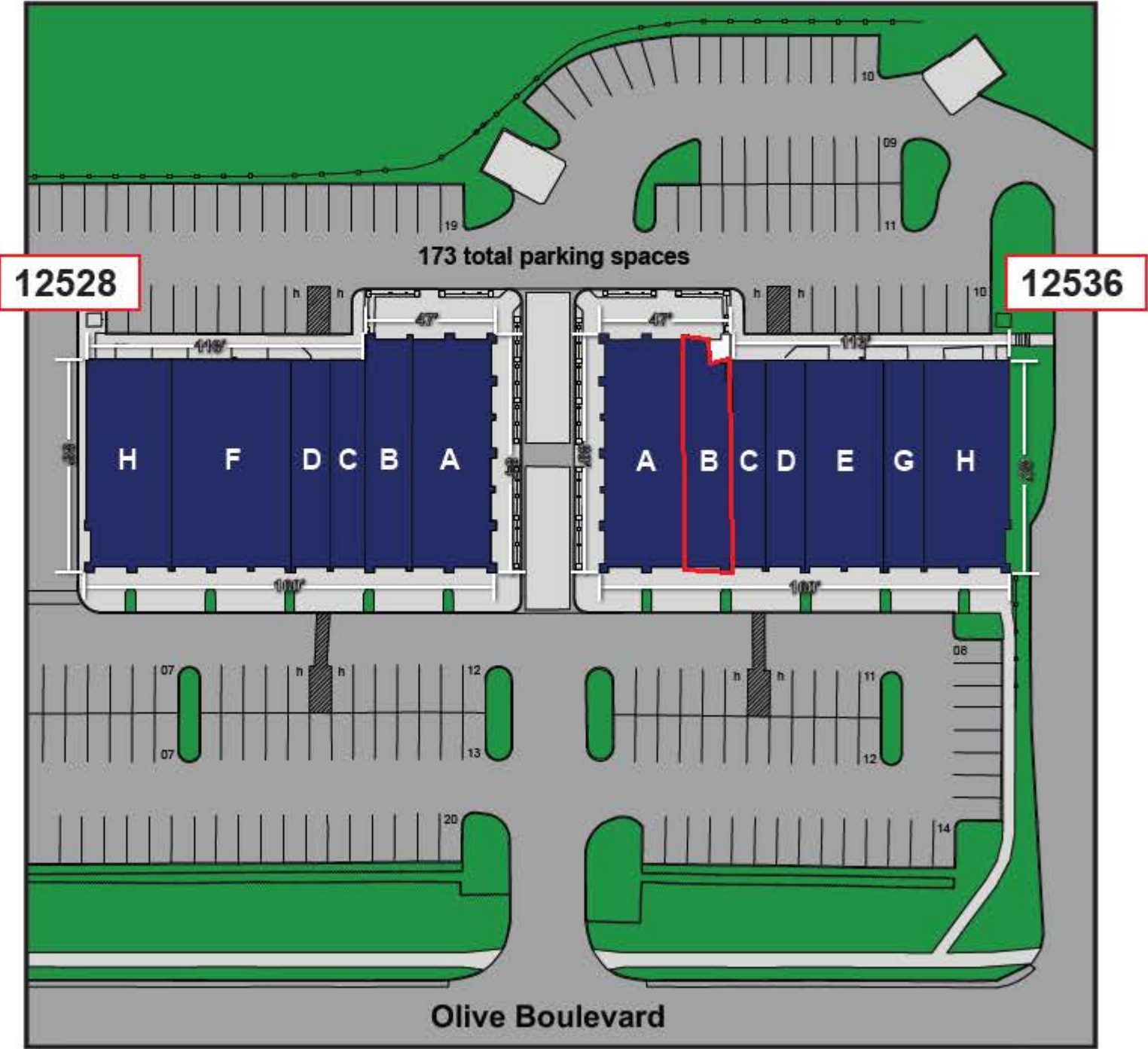
12528 Olive Blvd.

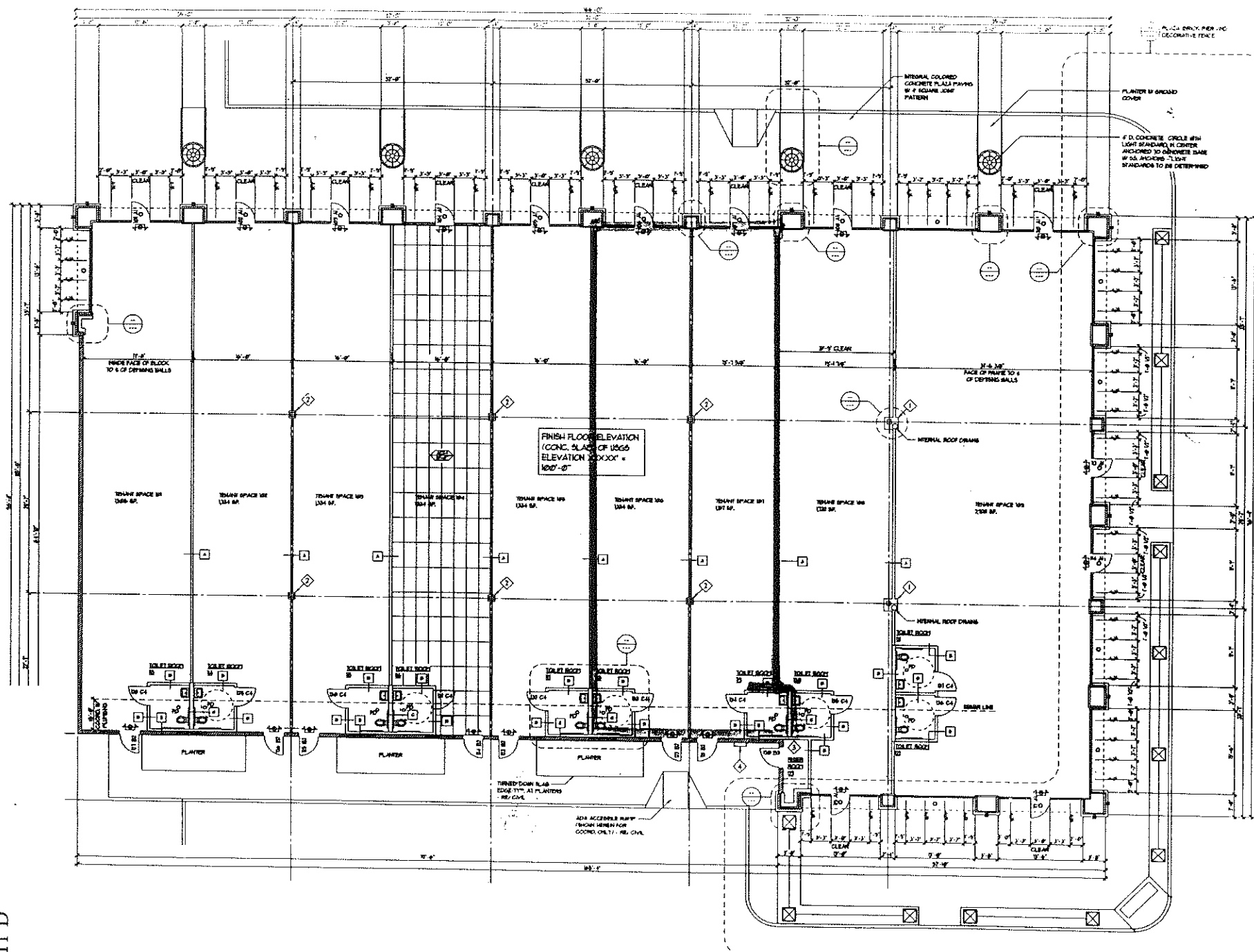
UNIT	TENANT	SF
H	Massage Envy	2,840
F	Heartland Dental, LLC	4,002
D	Amor Nails & Spa	1,334
C	St. Louis Gyro	1,281
B	Cutco Stores, Inc.	1,450
A	H. Parker Management	2,928

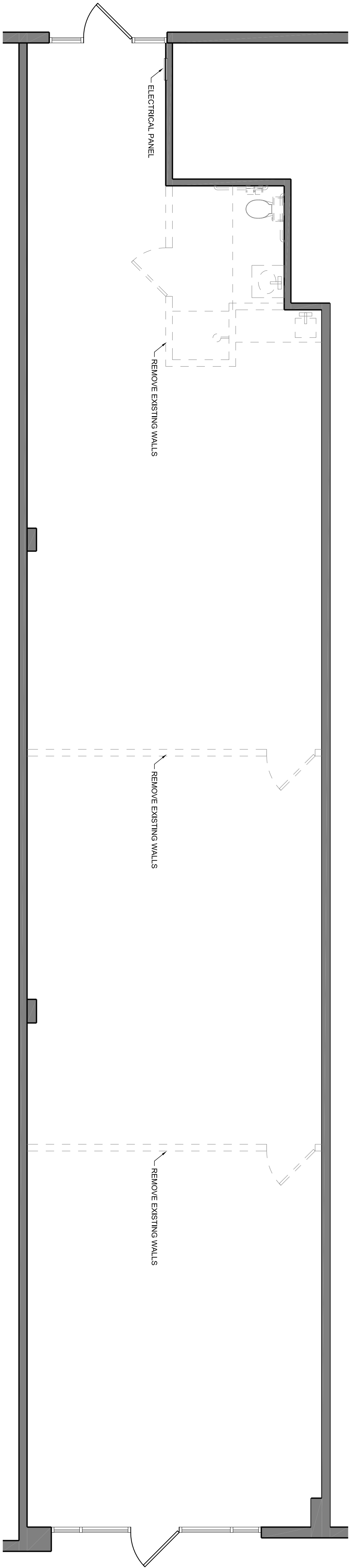
12536 Olive Blvd.

UNIT	TENANT	SF
A	Chicken Salad Chick	2,928
B	Capriotti's Sandwich Shop	1,663
C	Cookie Cutters	1,157
D	European Wax Center	1,334
E-F	Jet's Pizza	2,683
G	Trofast, LLC	1,342
H	Metro Design Studio	2,840
Other	Riser Room	79

● Available Space (100% LEASED)







2 DEMO FLOOR PLAN

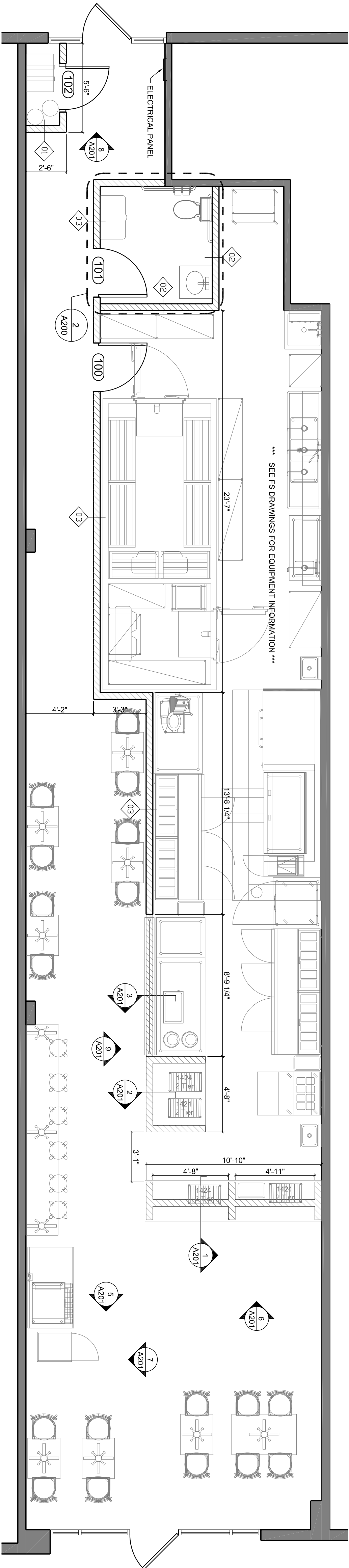
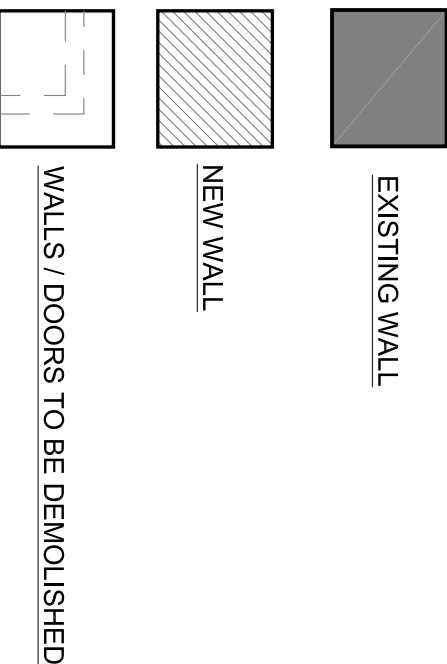
SCALE: 1/4"=1'

DEMOLITION NOTES

1. MECHANICAL CONTRACTOR TO MARK SPECIFIC DUCTWORK FOR REMOVAL.
2. PLUMBING CONTRACTOR TO MARK SPECIFIC PIPING FOR REMOVAL.
3. REMOVE ALL EXISTING PLUMBING FIXTURES, INCLUDING SINKS, SLOTTED DRAIN COVERS, CONDUIT AND WIRING, AS MARKED BY ELECTRICAL CONTRACTOR.
4. REMOVE ALL EXISTING FLOOR COVERINGS, INCLUDING ADHESIVES AND ACCESSORIES.
5. REMOVE EXISTING SUSPENDED CEILING SYSTEMS, INCLUDING ALL TIRE WIRE, FASTENERS, AND ACCESSORIES.
6. REMOVE ALL EXISTING INTERIOR FURNISHINGS INCLUDING WINDOW COVERINGS, CASEWORK, AND COUNTERTOPS.
7. REMOVE ALL EXISTING INTERIOR FURNISHINGS INCLUDING WINDOW COVERINGS, CASEWORK, AND COUNTERTOPS.
8. REMOVE ALL MISCELLANEOUS FASTENERS, NAILERS, AND OTHER ITEMS NOT LIMITED TO NAILS AND ANCHORS AT THE BOTTOM TRACK OF WALLS BEING REMOVED.
9. REMOVE ALL MISCELLANEOUS FASTENERS, NAILERS, AND OTHER ITEMS NOT LIMITED TO NAILS AND ANCHORS AT THE BOTTOM TRACK OF WALLS BEING REMOVED.
10. REMOVE ALL DEBRIS FROM SPACE AND LEAVE FLOOR BROOM SWIFT AT COMPLETION OF DEMOLITION.

PLAN NOTES

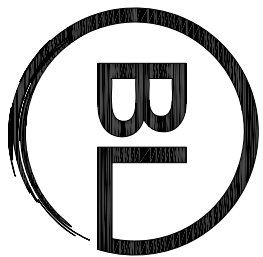
1. CLEAN, REPAIR, TAPE AND SAND SMOOTH ALL EXISTING GYPSUM BOARD WALLS AS NECESSARY TO ENSURE PROPER PREPARATION FOR NEW FINISHES. ALL OUTSIDE CORNERS SHALL RECEIVE METAL CORNER BEADS AND SHALL BE PREPARED FOR THE SPECIFIED FINISH. REFER TO FINISH BUTTER, UNPAIRED GYP BOARD JOINTS OR BUILDING AND UNPAIRED WALLS WILL NOT BE ACCEPTED. FULL HEIGHT GYP BOARD SHEETS SHALL BE UTILIZED FOR FULL HEIGHT CONSTRUCTION. MOISTURE RESISTANT BRWALL RESTROOMS, KITCHEN, AND ALL WALLS WITH A SINK OR WITH MILLWORK INCLUDING A SINK.
2. ALL EXISTING TO REMAIN GYP BOARD MUST SATISFY THE REQUIREMENTS FOR GYP BOARD. ALL EXISTING GYP BOARD SHALL BE REMOVED TO THE PARTITION DIMENSIONS ARE NOMINAL AND ARE TAKEN FROM THE FACE OF GYP BOARD. SHOWN PERPENDICULAR TO EXTERIOR WINDOW. MILLIONS ASSUMED TO BE CENTERED ON THE EXTERIOR WALL/UNIT LING.
3. SILICONE SEALANT SHALL BE INSTALLED AT ALL JOINTS OF ALL ALL PERMITTED.
4. PROVIDE WALL BACKER BOARD, PFT PLYWOOD, OR 20 GA METAL BACKING IN WALL FOR SUPPORT OF WALL BRACKS, MILLWORK, EQUIPMENT, SHELING, MOUNTED SCREENS WITH OWNER.
5. PROVIDE FIRE EXTINGUISHERS PER LOCAL CODE REQUIREMENTS. ALL FIRE EXTINGUISHERS SHALL BE STATE CERTIFIED AND BE PROPERLY MOUNTED FIRE EXTINGUISHERS SHALL NOT EXCEED 75' OF TRAVEL DISTANCE AWAY. ARE READILY ACCESSIBLE AND IMMEDIATELY AVAILABLE IN THE NORMAL AREAS OF THE BUILDING. EXTINGUISHERS SHALL NOT BE OBSTRUCTED OR OBSCURED FROM VIEW.
6. PROVIDE FIRE EXTINGUISHERS PER LOCAL CODE REQUIREMENTS. ALL FIRE EXTINGUISHERS SHALL BE STATE CERTIFIED AND BE PROPERLY MOUNTED FIRE EXTINGUISHERS SHALL NOT EXCEED 75' OF TRAVEL DISTANCE AWAY. ARE READILY ACCESSIBLE AND IMMEDIATELY AVAILABLE IN THE NORMAL AREAS OF THE BUILDING. EXTINGUISHERS SHALL NOT BE OBSTRUCTED OR OBSCURED FROM VIEW.
7. PROVIDE FIRE EXTINGUISHERS PER LOCAL CODE REQUIREMENTS. ALL FIRE EXTINGUISHERS SHALL BE STATE CERTIFIED AND BE PROPERLY MOUNTED FIRE EXTINGUISHERS SHALL NOT EXCEED 75' OF TRAVEL DISTANCE AWAY. ARE READILY ACCESSIBLE AND IMMEDIATELY AVAILABLE IN THE NORMAL AREAS OF THE BUILDING. EXTINGUISHERS SHALL NOT BE OBSTRUCTED OR OBSCURED FROM VIEW.
8. PROVIDE FIRE EXTINGUISHERS PER LOCAL CODE REQUIREMENTS. ALL FIRE EXTINGUISHERS SHALL BE STATE CERTIFIED AND BE PROPERLY MOUNTED FIRE EXTINGUISHERS SHALL NOT EXCEED 75' OF TRAVEL DISTANCE AWAY. ARE READILY ACCESSIBLE AND IMMEDIATELY AVAILABLE IN THE NORMAL AREAS OF THE BUILDING. EXTINGUISHERS SHALL NOT BE OBSTRUCTED OR OBSCURED FROM VIEW.
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11. PROVIDE FIRE EXTINGUISHERS PER LOCAL CODE REQUIREMENTS. ALL FIRE EXTINGUISHERS SHALL BE STATE CERTIFIED AND BE PROPERLY MOUNTED FIRE EXTINGUISHERS SHALL NOT EXCEED 75' OF TRAVEL DISTANCE AWAY. ARE READILY ACCESSIBLE AND IMMEDIATELY AVAILABLE IN THE NORMAL AREAS OF THE BUILDING. EXTINGUISHERS SHALL NOT BE OBSTRUCTED OR OBSCURED FROM VIEW.



1 FLOOR PLAN

SCALE: 1/4"=1'

ARCHITECT



BLACKLINE
DESIGN+CONSTRUCTION

DESIGN+CONSTRUCTION

2217 Locust St., First Floor

Saint Louis, Missouri 63103

tel. 314.391.1800

fax. 314.296.1722

MISSOURI STATE CERTIFICATE OF

AUTHORITY

#2015000244

MARK GROENEN
ARCHITECT
LICENSE NUMBER: A-2014003633

CONSULTANTS:

MJEP ENGINEERING
ARCHITECTS
10420 Shaw Blvd.
St. Louis, MO 63132

PROJECT ADDRESS
12536 Olive Blvd.
Creve Coeur, MO 63141



No.	Revision/Issue	Date
1	PERMIT SET	7/10/25
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OWNER:
ATTN: JONATHAN HESLOP
9532 Manchester Road
St. Louis, MO 63119

FLOOR PLAN

25-2000-1
2/6/25
A100
Verifies





**APPLICATION TO PLANNING AND ZONING COMMISSION
#25-021: TEXT AMENDMENT TO THE ZONING ORDINANCE AFFECTING
EXTERIOR LIGHTING REQUIREMENTS AS REGULATED IN SECTION
405.680**

FOR THE MEETING OF: Tuesday, September 2, 2025, 6:00 P.M.

REQUEST: Jason Jaggi, Director of Community Development, City of Creve Coeur, has submitted a text amendment application to the Zoning Ordinance section that regulates exterior lighting as provided in Section 405.680. The proposed amendments would require all new and replacement exterior lighting, with the exception of properties used as Single-Family Dwellings, not to exceed a Correlated Color Temperature of 3,000 degrees Kelvin. The unit of measurement for color temperature is expressed as degrees of Kelvin. The lower the Kelvin rating, the warmer or softer the light color. Higher ratings result in brighter, blue colors. Also, proposed as part of this amendment are various minor clarifications to Section 405.680. Text amendments require approval from the City Council based upon a recommendation from the Planning and Zoning Commission.

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

APPLICANT: Jason Jaggi
Director of Community Development
300 North New Ballas Road
Creve Coeur, MO 63141

REPORT PREPARED BY: Jason W. Jaggi, AICP, Director of Community Development

DATE: August 28, 2025

ATTACHMENTS: Draft Ordinance, Prior Discussion Item Staff Memos

Key Issues:

- Are the changes consistent with the purposes of the Zoning Code?
- Are the changes consistent with the objectives and strategies of the Comprehensive Plan?

Zoning Code References

- Section 405.680: Lighting

BACKGROUND AND REQUEST

The City's zoning code regulates exterior lighting within the City, except for streetlights which are provided by the utility (Ameren) under contract. Section 405.680, Lighting, provides numerous standards for exterior lighting within residential and non-residential districts. These standards require downcast and shielded lighting fixtures, maximum height limits for lighting fixtures and minimum illumination levels for parking lots. The code also prohibits light trespass onto adjacent properties and seeks to reduce the negative impacts of glare.

The zoning code, however, does not currently regulate the color temperature of lighting. Color temperature has increasingly become a focus of attention as LED's have replaced traditional exterior lighting methods. The negative environmental and human effects of intense, white lights are often cited as concerns.

The cities of Kirkwood, Brentwood, Clayton and Ellisville have recently updated their codes as well to address this issue. Please see the prior memos for additional research and information on these cities' regulations. More recently, in Creve Coeur, the color temperature of exterior lighting for the new parking lot was a point of discussion for the Lifetime Fitness conditional use permit application by the City Council. Ultimately, the City Council added a condition of approval that the maximum color temperature rating for the new parking lot lighting cannot exceed 3,000 Kelvin, with no objection from the applicant. Prior discussions on color temperature were held with the City Council on April 28th and May 27th. A work session discussion was also held with the Planning and Zoning Commission on May 5, 2025. At the conclusion of these discussions, there was general agreement by City Council and the Planning and Zoning Commission for staff to propose amendments to the lighting code to regulate color temperature.

The submitted amendments introduce maximum color temperature ratings for all exterior lighting, with the exception of single-family residences and streetlights. The unit of measurement for color temperature is expressed as degrees of Kelvin. Typical Kelvin ratings range from 2,000 to 6,500. The lower the Kelvin rating, the warmer or softer the light color. Higher ratings result in brighter, blue colors. Other updates and clarifications to the lighting code are also part of these amendments.

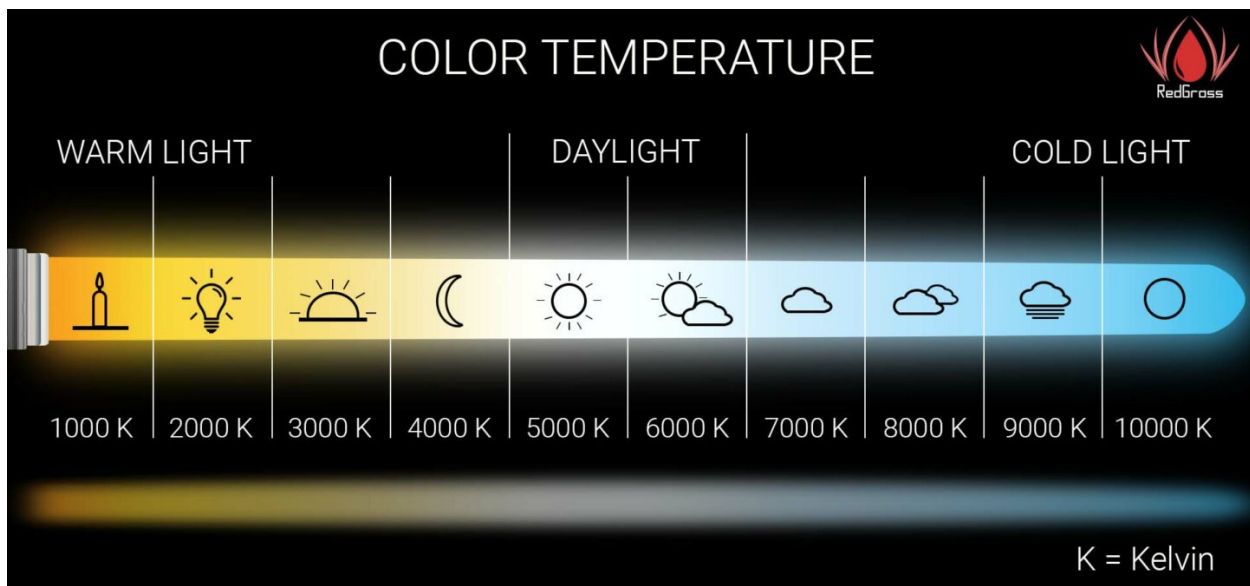


Figure 1: Graphic depicting the color temperature spectrum

COMPREHENSIVE PLAN REVIEW

The comprehensive plan, Creve Coeur 2030, was adopted in 2017. A component of the vision for the City is to remain a regional leader as a green and environmentally-friendly community (p.44). Additionally, the plan establishes seven (7) primary goals (p. 15):

1. Placemaking and Community Identity
2. Residential Development and Preservation
3. Economic Growth and Community Services
4. Community Amenities and Facilities
5. Parks, Open Space and Environment
6. Transportation, Connectivity and Mobility
7. Community Sustainability, Health and Resilience

Further, the framework of the plan emphasizes “placemaking” in establishing community character (p. 28) and acknowledges the need to respond to changing conditions (p. 10-11). The proposed lighting revisions relate to Goal #7 as lighting intensity and color impact the sustainability and health of the community. The regulation of lighting, and in this instance, the color of lighting contributes to this framework of establishing a strong community identity. The change from traditional lighting sources to LED lighting has many positive benefits including longevity and energy reduction; however, these changes have introduced negative environmental aspects. In a broad sense, these amendments are supported by the comprehensive plan as they are responsive to changing conditions.

SUMMARY OF PROPOSED AMENDMENTS

The amendments to Section 405.680, Lighting, establish a maximum Correlated Color Temperature (CCT) of 3,000 degrees Kelvin. This requirement would apply to all new or replacement exterior lighting fixtures, including pole-mounted lighting and building lighting. Single-family residences and athletic field lights (referred to as Major Outdoor Recreation Facilities) would be exempt from these requirements. The new requirements as written in the draft ordinance are as follows:

Color temperature. All exterior lighting located on a property used for anything other than a Single-Family Dwelling, as defined in this Chapter, including parking lot light standards and lighting for loading areas, shall not exceed a Correlated Color Temperature (CCT) of three-thousand (3,000) degrees Kelvin. All exterior light fixtures, lamps, and bulbs, lawfully installed and operable prior to November 1, 2025, are exempt from the color temperature requirements of this Section; provided, however, that if an existing lamp or fixture on property used for other than a Single-Family Dwelling is replaced, replacement lamps or fixtures must conform to these requirements. These requirements shall not apply to Major Outdoor Recreation Facilities.

The code has also been updated as follows:

- Clarifies that Planning and Zoning Commission review is required for all proposed lighting for non-residential new building construction and for the replacement or additional pole-mounted light standards. This clarification would exempt the replacement of light heads on existing poles that do not affect the height and the replacement or addition of building-mounted lighting from Planning and Zoning Commission review.
- Game courts have been added to cross-reference the fence code section for these uses that require P&Z approval for permanent lighting.
- Other minor clarifications throughout

The redlined version of all changes can be found in the attached draft ordinance.

IMPLEMENTATION AND ENFORCEMENT

This ordinance has an effective date of November 1st. At that time, any new or replacement exterior lighting must meet the requirements of this code. These standards will be enforced during the site development plan review process for applications that require approval by the Planning and Zoning Commission and during the permitting process for any projects that involve new or replacement lighting. It is important to note that new light fixtures are often installed or replaced without the City's knowledge. The City contracts with St. Louis County for the administration and enforcement of the electrical code, and with the exception of new light poles, permits are not required by the City. Further, during most times of the year, lighting is not turned on when City staff is present during normal working hours. For these reasons, enforcement of these requirements for all lighting projects will be challenging and we will need to rely on a complaint-driven process. Recent discussions with staff from other St. Louis County municipalities where these requirements have been established rely on the same method of enforcement.

CONCLUSION AND ACTION

The proposed amendment has been submitted to establish new regulations on the color temperature of 3,000 degrees Kelvin for exterior lighting in non-residential districts. These amendments are in line with several other nearby cities that have established limits ranging from 2,700K to 3,000K. With the exception of challenges with enforcement, as previously described in this report, the proposed limit of 3,000K has not created any unforeseen issues for these municipalities.

MOTION

If the Planning and Zoning Commission believes the amendments are appropriate, the following would be a suitable motion for this application:

“I move to recommend approval to City Council for text amendments to the Zoning Code to regulate the color temperature of exterior lighting and other proposed amendments to Section 405.680 as described in the attached draft ordinance as part of Application 25-021 discussed at the Planning and Zoning Commission meeting of September 2, 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.

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING ADDITIONAL EXTERIOR LIGHTING REQUIREMENTS AS
REGULATED IN SECTION 405.680 OF THE ZONING ORDINANCE, OF THE CODE OF
ORDINANCES OF THE CITY OF CREVE COEUR**

WHEREAS, an application was made by Jason Jaggi, Director of Community Development, City of Creve Coeur, to amend the zoning regulations for exterior lighting, specifically to establish color temperature requirements and other clarifications throughout; and

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, has recognized the need for such changes as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Ordinance; 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 September 2, 2025, beginning at 6:00 p.m., or immediately following the close of the previous public hearing; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote _____ recommended approval of the subject amendments at its meeting on September 2, 2025; 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:

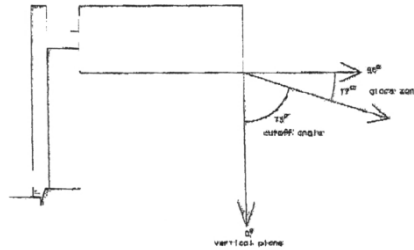
Section 1: Amendments to Section 405.680 of the Zoning Ordinance, of the City of Creve Coeur's Code of Ordinances shall be enacted as follows:

Section 405.680. Lighting.

A. Definitions. For the purposes of lighting regulations, terms used shall be defined as follows:

CUTOFF ANGLE — The angle at which a permanently attached shield directs light downward and obstructs light discharge in a manner that lessens glare emitted from the fixture. The cutoff angle is measured from the vertical plane which is perpendicular to the ground and is restricted to a maximum of seventy-three degrees (73°) as demonstrated in the following exhibit:

Cutoff Angle Defined

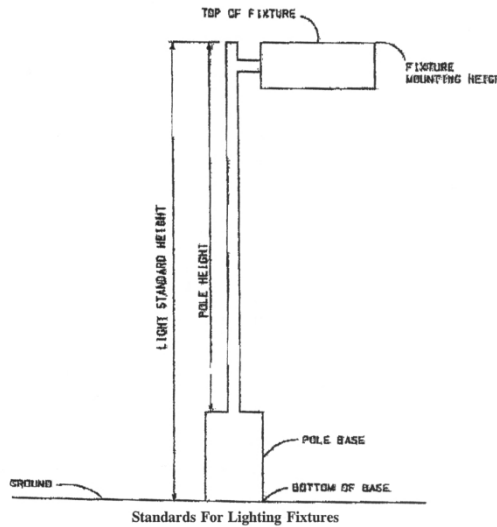


FULLY SHIELDED — A lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element or indirectly by reflection or refraction from any part of the luminaire, is projected no greater than seventy-three degrees (73°) beyond the vertical plane perpendicular to the ground (see cutoff angle).

GLARE — Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see and, in extreme cases, causing momentary blindness.

- B. General Standards. The following standards shall apply to all exterior lighting fixtures within the City of Creve Coeur, Missouri, except for utility streetlighting which is governed by contract between City and utility:
1. The Planning and Zoning Commission shall review proposed lighting for non-residential new building construction or for the replacement or addition of pole-mounted light standards on an existing non-residential development in accordance with Section 405.1080. The submittal shall consist of a lighting plan for review by the Planning and Zoning Commission and shall include the type, number, brightness, color-temperature, type of cutoff/shielding and hours of usage of all fixtures. A detailed sketch, elevation or cutsheet shall be submitted for each type of light standard. As illustrated below, the sketch for pole-mounted light standards shall consist of the pole base, the pole, the mounting arm or other attachment device and the fixture.

Standards For Lighting Fixtures



2. In residential zoning districts ("A," "B," "C," "D" and "AR") lighting fixtures, except traffic signals and lighting for major outdoor recreation facilities, shall not exceed sixteen (16) feet in height (measured from the bottom of the base to the top of fixture) unless specifically permitted by the site development plan approval in accordance with Section 405.1080.
3. In non-residential zoning districts lighting fixtures, except for traffic signals and lighting for major outdoor recreation facilities, shall not exceed twenty-four (24) feet in height (measured from the bottom of the base to the top of fixture) unless specifically permitted by site development plan approval in accordance with Section 405.1080.
4. Lighting shall not be cast upon an adjacent property ~~or right-of-way~~ nor shall glare be emitted from an illuminant source.
5. The Planning and Zoning Commission may require lighting to be dimmed or connected to a motion detector between the hours of 10:00 P.M. and 6:00 A.M. ~~but~~ For off-street parking and loading areas, lighting shall not be reduced to less than an average of one (1) foot-candle of illumination as required by Section 405.810 (A) (4).
6. Parking lot light standards and lighting for loading areas shall consist of full cutoff, downcast fixtures with the illuminant source fully shielded from view.
7. Lighting intended to illuminate building elevations, landscaping or signage shall shine directly onto the intended surface. Except as provided below for holiday-type lights, strips or strings of lights used to call attention to a commercial use or occupancy by outlining property lines, sales area, rooflines, doors, windows, wall edges or other architectural features of a building site are prohibited.
8. Sidewalk and pedestrian avenues may be lit by low, bollard-type lighting or as approved by the Planning and Zoning Commission. If reflectors or refractors are used, these devices shall direct light downward and shall meet the cutoff angle criteria. Under no circumstance shall light be directed ~~outward~~ upward.

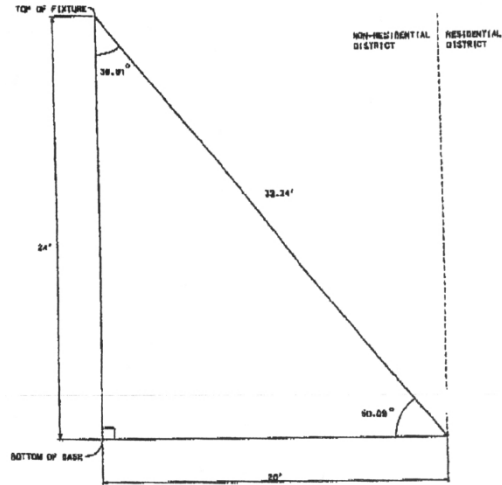
9. The use of exposed neon as an illumination source for identification or as an architectural feature must be reviewed and approved by the Planning and Zoning Commission prior to installation or erection of the exposed neon.
 10. No luminaire shall have any blinking, flashing or fluttering lights or other illuminating device which has a changing light intensity, brightness or color, nor shall any beacon lights be permitted.
 11. Illuminated signs shall meet the requirements of Section 405.930(F).
 12. ~~A bulb type with a color rendering rating greater than seventy five (75) shall be used. Highly rated elements, include, but are not limited to, metal halide and incandescent bulbs. Color Temperature. All exterior lighting located on a property used for anything other than a Single-Family Dwelling, as defined in this Chapter, including parking lot light standards and lighting for loading areas, shall not exceed a Correlated Color Temperature (CCT) of three-thousand (3,000) degrees Kelvin. All exterior light fixtures, lamps, and bulbs, lawfully installed and operable prior to November 1, 2025, are exempt from the color temperature requirements of this Section; provided, however, that if an existing lamp or fixture on property used for other than a Single-Family Dwelling is replaced, replacement lamps or fixtures must conform to these requirements. These requirements shall not apply to Major Outdoor Recreation Facilities.~~
 13. High/low pressure sodium and mercury vapor bulbs are prohibited.
 14. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.
 15. Neither direct nor reflected light from primary light sources shall create a hazard to operators of motor vehicles on public thoroughfares.
- C. Additional Provisions For Non-Residential Districts. To reduce the impact of non-residential districts on residential districts and to reduce instances of light trespass, either the cutoff angle or light standard height shall be decreased for lighting in non-residential districts that are closer than fifty (50) feet to the boundary line of an adjoining or abutting residential district ("A," "B," "C," "D" and "AR"). In such cases, the following shall apply:
1. The cutoff angle of lighting fixtures in non-residential districts shall decrease as the distance to the property line decreases as demonstrated in the following table:

Distance	L.S. Height	Cutoff Angle
20	24	39.81
25	24	46.17
30	24	51.34
35	24	55.56
40	24	59.04
45	24	61.93
50	24	64.36

When the light standard height is constant, the cutoff angle may be calculated as follows:

$$\Theta = \tan^{-1} (\text{Distance/Pole Height})$$

Where Θ = Cutoff Angle



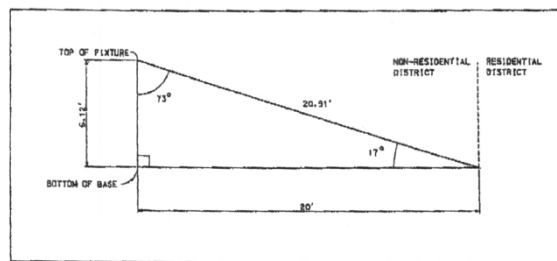
Distance	L.S. Height	Cutoff Angle
20	6.12	73
25	7.64	73
30	9.17	73
35	10.70	73
40	12.23	73
45	13.76	73
50	15.29	73

The applicant may also modify light standard heights to adjust for cutoff, with the seventy-three degree (73°) cutoff angle constant. The pole height in a non-residential district may be altered as follows:

When the cutoff angle is constant, the pole height may be calculated as follows:

$$\text{Pole Height} = \text{Distance} / \tan \Theta$$

Where Θ = Cutoff Angle



2. If a year-round, opaque screen is present or proposed along the boundary between the non-residential district and the residential district and the screen prohibits light travel onto the adjoining or abutting property, the Planning and Zoning Commission may waive the above restrictions established in Section 405.680(C)(1) of this Chapter and approve light standards with cutoff angles and heights regulated in "General Standards" Section 405.680(B) of this Chapter.
- D. Major Outdoor Recreation Facilities. Lighting systems and standards for Major Outdoor Recreation Facilities as determined by the Planning and Zoning Commission, such as athletic fields or stadiums, shall require approval of conditional use permit in accordance with Section 405.1070.
- E. Game Courts. Permanent lighting standards for game courts as described in Section 405.640.E. shall be reviewed by the Planning and Zoning Commission as a Minor Site Plan in accordance with Section 405.1080.
- F. Holiday Lighting. Additional holiday-style lighting may be displayed for periods not to exceed forty-five (45) days in any ninety-day period provided it otherwise meets the foregoing requirements.

Section 2. 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



city
of

CREVE COEUR

File # 25-021

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966
www.creve-coeur.org

TEXT AMENDMENT APPLICATION

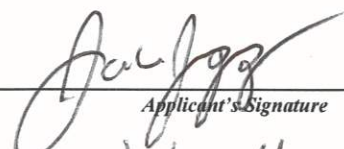
PLEASE COMPLETE FRONT AND BACK PAGES

<i>Applicant:</i>	<i>Applicant's Representative (if applicable):</i>
Jason Jaggi, Director of Community Development	
<i>Name</i>	<i>Name</i>
City of Creve Coeur	
<i>Company (If Applicable)</i>	<i>Company (If Applicable)</i>
300 North New Ballas Road	
<i>Address</i>	<i>Address</i>
Creve Coeur MO 63141	
<i>Address</i>	<i>Address</i>
<i>Telephone #</i> 314-872-2501	<i>Telephone #</i>
<i>Fax #</i>	<i>Fax #</i>
<i>Email:</i> jjaggi@crevecoeurmo.gov	<i>Email:</i>

Applicant's Status (Indicate one):

- ☒ City Official (Mayor, City Councilor, Planning Commissioner, Zoning Administrator)
☐ Private Party (Financial, contractual, or proprietary interest)
☐ Other Governmental Interest (Jurisdiction: _____)

The undersigned hereby requests to be placed on the Agenda for the Planning and Zoning Commission meeting at 6:30 P.M. on Monday, August 18, 2025.



Applicant's Signature
August 18 July 11, 2025

Date

Applicant's Representative's Signature

Date

Description of Request (attach additional sheets as needed): _____

Amendments to Section 405.680 Lighting to add color temperature requirements and other minor clarification edits.

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

Section 405.680 Lighting

Proposed Ordinance Language (attach additional sheets as needed): _____

See attached draft amendments

Office Use Only

Proposed Ordinance Language

N/A
Fees Paid

Written Justification

Received By:

ClaraLyn Bollinger

Date: 7/11/2025



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 MAYOR AND CITY COUNCIL

Meeting Date: May 27, 2025

Subject: **Discussion Item: Color Temperature for Exterior Lighting**

Memo Prepared by: Jason W. Jaggi, AICP, Director of Community Development

Attachments: Summary of ordinances from other St. Louis County municipalities
Zoning Code Section 405.680 Lighting
P&Z Staff Memo 5-5-25 Work Session

A discussion item at the request of Council member Donna Spence regarding the color temperature of exterior lighting was held at the April 28th Council meeting. At the conclusion, staff agreed to take a further look into this matter.

Attached is a memo that staff prepared for the May 5th Planning and Zoning Commission meeting providing information on the color temperature for exterior lighting. As part of this memo, a summary of Kelvin color temperature requirements from nearby municipalities was provided. The Planning and Zoning Commission expressed support for regulating color temperature for exterior lighting.

The Police Department has also looked into the crime-deterrence aspects of color temperature and will be available at the Council meeting to share their thoughts regarding the potential regulation of color temperature.

After discussion, staff requests direction from the Council on whether to pursue a zoning code amendment to establish maximum color temperature ratings for new exterior lighting requests associated with building permit or zoning applications throughout the City for non-single family residential uses.



city of CREVE COEUR

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(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: May 5, 2025

Subject: **Work Session/Discussion Item: Color Temperature for Exterior Lighting**

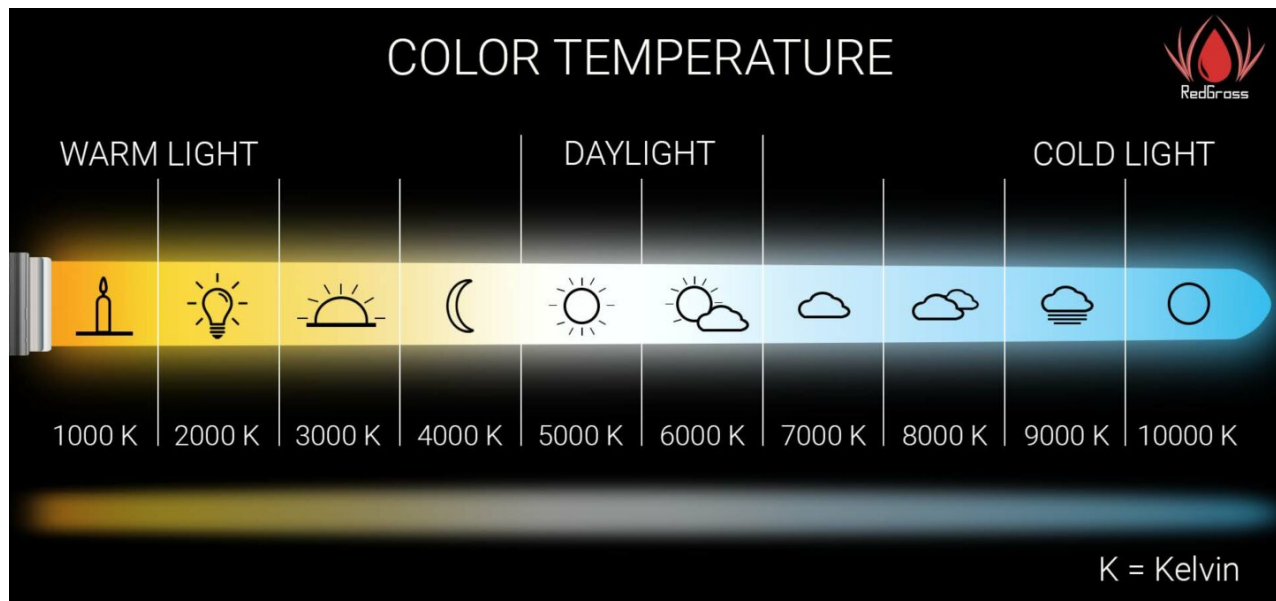
Memo Prepared by: Jason W. Jaggi, AICP, Director of Community Development

Attachments: Summary of ordinances from other St. Louis County municipalities
Zoning Code Section 405.680 Lighting

The color temperature of exterior lighting was a point of discussion for the Lifetime Fitness conditional use permit application at the last City Council meeting. Ultimately, the City Council added a condition of approval that the maximum color temperature rating for the new parking lot lighting cannot exceed 3,000 Kelvin, with no objection from the applicant. A discussion on color temperature was also on the April 28th Council meeting as a discussion item at the request of Council member Donna Spence. At the conclusion, staff agreed to take a further look into this matter.

Exterior lighting (other than street lighting) is regulated in the zoning code through Section 405.680 (attached for reference). The City currently requires downcast and shielded lighting fixtures, sets maximum height for lighting fixtures and establishes minimum illumination levels for parking lots. The code also prohibits light trespass and seeks to reduce the impacts of glare. The City does not, however, regulate the color temperature of exterior lighting. Color temperature has increasingly become a focus of attention as LED's have replaced traditional exterior lighting methods. The negative environmental and human effects of intense, white lights are often cited as concerns.

The unit of measurement for color temperature is expressed as degrees of Kelvin. Typical Kelvin ratings range from 2,000 to 6,500. The lower the Kelvin rating, the warmer or softer the light color. Higher ratings result in brighter, blue colors. The image below illustrates the different temperature levels of lighting.



Staff has researched various cities in St. Louis County that regulate color temperature. Brentwood, Kirkwood, Clayton and Ellisville generally limit color temperature for exterior lighting to either 2,700 to 3,000 Kelvin for non-single family uses. Attached is a summary of these regulations.

Dark Sky Missouri is an advocacy organization whose mission is to reduce light pollution. A member of this organization spoke at the City Council meeting. Dark Sky Missouri's website provides additional information on this topic: <https://www.darksourcemissouri.org/>

Staff requests discussion by the Commission on the desirability to establish similar regulations in Creve Coeur for color temperature for all new exterior lighting in non-single family residential districts.

Kelvin Lighting Requirements 4-30-25

City of Kirkwood. 2,700 Kelvin rating. Applies to all exterior lighting but not single-family uses. Applies to any application that requires a permit or zoning application where new lighting or replacement lighting is proposed.

All lighting fixtures shall not exceed a Correlated Color Temperature (CCT) of two thousand seven hundred (2,700) Kelvin.

Applicability. The following lighting regulations apply to all new outdoor lighting fixtures or the replacement of existing outdoor lighting fixtures within the City of Kirkwood unless specifically listed in § [25-52\(c\)](#).

- 1. Any new building or addition equal to or greater than 50% of the square footage of the original structure's footprint or renovation equal to or greater than 50% of the appraised value of the improvements on the property as determined by the St. Louis County Assessor's Office shall require the entire site to comply with the requirements of this section. If the development includes more than one lot, this section shall apply to each lot individually and not the development as a whole.*

City of Clayton. 3,000 Kelvin rating. Applies to all non-residential exterior lighting and any permit that involves new exterior lighting. Contains a provision that all existing lighting must be brought into conformance within a 5-year period from adoption (adopted 2021).

Color Temperature. All exterior lighting installed after March 9, 2021, shall not exceed a correlated color temperature (CCT) of three thousand one (3,001) degrees Kelvin.

After March 9, 2026, any lamp or bulb with a correlated color temperature (CCT) that exceeds three thousand (3,000) degrees Kelvin. (5-year compliance requirement)

City of Brentwood. 3,000 Kelvin rating. Applies to all non-single and two-family uses.

Lamps located on property used for anything other than single-family and two-family residential structures may not exceed a Correlated Color Temperature (CCT) of three thousand (3,000) Kelvin.

City of Ellisville. 2,700 Kelvin rating. Does not seem to exclude residential uses.

Lamps may not exceed a CCT of two thousand seven hundred (2,700) K.

Grandfathered Existing Fixtures. All outdoor light fixtures/lamps/bulbs lawfully installed prior to and operable on the effective date of this Section are exempt from all requirements of this Section, unless existing outdoor lighting fixtures are replaced, removed or reinstalled in connection with any use or structure to which this Section is applicable.



MEMORANDUM TO PLANNING AND ZONING COMMISSION

Meeting Date: September 2, 2025

To: Members of the Planning and Zoning Commission

CC:

Memo Prepared by: Jason W. Jaggi, AICP, Director of Community Development

Subject: Bayer East Comprehensive Plan Status Update

Attached: PGAV Planners Scope of Services
Process timeline (last updated July 9, 2025)

Staff and the City's consultant have made considerable progress with the update to the comprehensive plan for the Bayer East campus. The work began in April and is being conducted in accordance with the Scope of Services previously reviewed by the Commission in March and with funds allocated to this project by the City Council. To date, the following tasks have been completed:

- Existing conditions analysis
- Issue identification and major factors
- Existing Bayer building assessment
- Stakeholder meetings
- Public Open House #1 with summary of comments received
- Flora and fauna assessment
- Market analysis

The major next steps in the process are as follows:

- Finalize recommendations with development scenarios
- Development incentive review policy framework (City Council)
- Conduct Final Public Open House
- Prepare draft comprehensive plan update document and post for public review and comment
- Present final draft plan to Planning and Zoning Commission and conduct public hearing
- Adoption of the plan by resolution of the Planning and Zoning Commission

Based on the feedback received at the last meeting, our consultant is available to present the draft recommendations for review by the Commission at a Special Meeting on Monday, September 29th. The consultant will also provide a summary of the analysis to date.

Due to the above changes in the schedule, we now need to identify and commit to a date for the final public open house. In discussions with PGAV Planners, the two dates that are available in October are **Wednesday, October 22nd or Wednesday October 29th**. The open house will be scheduled for 6:00pm-8:00pm.

Staff will review this information with the Commission to finalize the content for the September 29th special P&Z meeting and presentation by PGAV Planners and to select a date for the open house in October.

Bayer East Comprehensive Plan Update Schedule (Revised 7-9-25)

TIMELINE	TASK
	Identify existing conditions
	Understand major factors
	Analyze site characteristics
April - June	Flora / Fauna Assessment
	Coordinate access to site / site visit
	Building assessment matrix
	Open House #1 (notice via postcard, newsletter, and yard signs beforehand)
	Connect with 39N, Bayer, other stakeholders
	Evaluate the market
July	Perform market analysis for potential components
	Describe conditions
	Consider development scenarios
Early August	<i>City Staff Meeting - Discuss market analysis, initial recommendations, development scenarios</i>
August 18th	<i>P&Z Meeting - Discuss Market Analysis and initial recommendations/implications</i>
August	Finalize Recommendations
August	Prepare for Open House
Early September	Development Incentive Review Policy Manual
Mid-September	<i>City Council Meeting - Get feedback on development policy review manual</i>
September	Finalize Draft Comp Plan Update
September 29th	Open House #2 (Back up date - Sept 18th)
October 20th	Presentation to P&Z (Back up date - Nov 3rd)

ATTACHMENT A

TASK ORDER NUMBER TWO

In accordance with the Master Services Agreement between the City of Creve Coeur, Missouri (the “City”), and PGAV Planners, LLC. (“PGAV”) dated April 27, 2023, this Task Order Number Two (“Task Order”) serves as the written authorization to PGAV to provide the services described herein, in accordance with the attached work schedule and compensation structure.

I. SCOPE OF SERVICES

The scope of services to be performed pursuant to this Task Order (the “Scope of Services”) are as described in Exhibit A attached hereto, which describes the work to be performed and the schedule within which the work shall be delivered. PGAV shall furnish all labor, materials, supplies, equipment, supervision, and services necessary for and incident to the delivery of the Scope of Services. PGAV represents that it has thoroughly reviewed the Scope of Services and the Master Services Agreement and that it accepts the Task Order and the conditions under which the Task Order is to be performed.

II. INFORMATION TO BE PROVIDED BY THE CITY

Depending upon where such information may be located and maintained, the City will provide to PGAV available data as follows:

1. Data and/or contact persons who may provide information regarding the Site (as defined in Exhibit A) including the offering document, existing conditions, and/or site analyses.
2. Access to comprehensive plan, City ordinances and design guidelines via City web.
3. Data which the City has or which may be readily acquired without extensive research which may assist in conducting the work as outlined in Exhibit A, including information regarding, but not necessarily limited to, existing master development plans or conditional use permits, reviews of staff or consultants; and
4. The services of the City Attorney, the City Clerk, Community Development Director, or other staff, if necessary, for review of preliminary documents prepared by PGAV and assistance in establishing meetings with the City Council, Planning and Zoning Commission, property owners or developers (or their representatives), or other parties as may be required to conduct the work. PGAV acknowledges that it will not be a client of the City Attorney and all work by the City Attorney shall be solely on behalf of the City.

III. NOTICES

The relationship between the City and PGAV necessitates mutual trust, effective collaboration, prompt sharing and evaluation of relevant information, and a commitment to timely communication and responsiveness. If either party feels that their expectations or information needs (pertaining to the other party or within their control) are not being adequately met, they agree to inform the other party about the issue. The objective of such notices is to encourage prompt communication and to prevent disputes. A notice can be delivered through a phone call, email, fax, express, or postal service.

The project representatives are Andy Struckhoff, President of PGAV, and Jason Jaggi, Director of Community Development for the City of Creve Coeur, Missouri. PGAV staff assigned will include members of our team as appropriate to the work. A party may designate a new project representative by sending a notice of the change to the other party.

IV. PROJECT STAFFING & MANAGEMENT

PGAV hereby agrees to provide the qualified professional, technical, and clerical staff available within the firm to conduct the work in accordance with the tasks as outlined in this Agreement and within each Task Order.

V. FEE AND METHOD OF COMPENSATION

- A. Compensation shall be made to PGAV on an hourly basis in accordance with the hourly rates as set forth below. The overall fee for the services as set forth herein shall not exceed \$60,000 exclusive of reimbursable expenses.

- B. PGAV's standard hourly are as set forth at right. Any invoice issued for an assigned task will be based on the hourly rate of the PGAV staff involved in conducting the assignment. PGAV's standard hourly rates shown at right are subject to change once per year. PGAV's hourly rates subject to this agreement shall not be changed without the City's written consent.

Project Staff	Hourly Rate
President	\$290
Vice President	\$260
Senior Director	\$235
Associate Director	\$235
Senior Project Manager	\$220
Project Manager	\$185
Project Planner	\$160
Planner	\$130
Intern	\$65
Administrative/ Technical Assistance	\$95

- C. Reimbursable expenses will consist of mileage, long distance telephone charges, express delivery charges, photographic expenses, the cost of printing or other reproduction of documents, fees or charges for documents owned by others, and other "out-of-pocket" expenses required to provide the services described. Such expenses will be billed at their direct cost to PGAV.
- D. If the City fails to make payment due to PGAV for services and reimbursable expenses within 60 days after receipt of our initial statement, PGAV will suspend services under this agreement until PGAV has been paid in full the amounts due for services and expenses.
- E. If for any reason the City determines that a task properly initiated under the terms of this Agreement should not proceed, the City will inform PGAV in writing that they wish to terminate the task. The date of said termination shall occur upon receipt of the written notice of termination by PGAV via the U.S. Postal Service or facsimile (followed by receipt of an original signature copy). The City will pay to PGAV an amount representing the work performed to the date of termination in accordance with the hourly rate schedule herein for the classification of personnel involved with the work plus any reimbursable expenses which have been incurred by PGAV to that date.

VI. TIMING

This Scope of Services is to be performed over a six (6) month planning process upon approval of the Task Order by City Council, for completion by October 1, 2025.

VII. OWNERSHIP OF DOCUMENTS

PGAV agrees that any and all reports prepared, and conclusions reached hereunder, may be designated by the City as being for the confidential information of the City and that neither PGAV nor any member of the PGAV staff will disclose any such designated confidential materials with any person whatsoever, other than the City or their authorized representatives, except when called upon to testify in relation to such report or conclusion under oath in a judicial forum, or as may be otherwise required by law. PGAV will cooperate with the City regarding compliance with Federal or State "sunshine law" provisions. The City will have sole ownership of all documents, reports, maps, etc. prepared under this Agreement, including rights of copying and distribution.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed this 16 day of April, 2025.

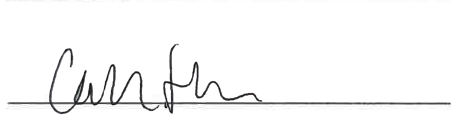
ATTEST:



CITY OF CREVE COEUR, MISSOURI


Mark Perkins
City Administrator

ATTEST:



PGAV PLANNERS, LLC

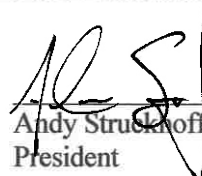

Andy Struckhoff
President

EXHIBIT A

SCOPE OF SERVICES

I. General Description

1. With the potential change in ownership of 92-acres of the current 151-acre East Bayer Campus (the “Site”) (outlined in red in the image below), an update to the City’s Comprehensive Plan, Creve Coeur 2030 (the “Comprehensive Plan Update”) is needed.



East Bayer Campus; the Site, highlighted in red.

The focus of the plan update is to identify appropriate future land uses and development objectives in order to position the Site to positively contribute to the City and the future development of the 39 North AgTech District. PGAV will perform the following tasks:

II. Site Analysis

1. Identify existing conditions and characteristics of the Site including uses, access, topography, flora and fauna, zoning, etc.
2. Understand major factors including the planned 39 North Greenway, the trail connection from Stacy Park, the existing Tealwood Drive connection just south of the site, a potential extension of the Bayer Drive connection from Olive, and any plans for the Lindbergh Blvd overpass connecting the site to the Olia Village development.
3. Analyze Site characteristics and potential for functionality and walkability in accordance with City requirements and best planning and site design practices.
4. Coordinate with the Site’s existing owner to gain access to the Site.
5. Analyze uses and conditions of existing buildings located within the Site.

III. Market Analysis

1. Evaluate the market for reuse of some or all of the existing buildings and facilities.
2. Perform market analysis on potential future land uses, including residential, commercial, office, research, and lab components, and for those uses which will further the objectives of the 39 North Master Plan.

3. Describe existing market conditions and project future demand and absorption associated with each use described above and in terms of building square foot or, with respect to residential, number of units.

IV. Development Analysis

1. Identify the future role of this property within the broader 39 North District and how this property can contribute to the goals of the 39 North District and to the adjacent planned Olia Village development.
2. Consider future development scenarios for the Site. Depending on the information revealed in the site analysis phase and the data analyzed in the market analysis phase, these development scenarios may include concepts which include utilizing all existing buildings, utilizing some of the existing with new development, and assuming all existing buildings are demolished, and new development is planned on the site.
3. Provide future development recommendations identifying appropriate land uses, connectivity, open space, massing, building heights, and compatibility with adjacent residential uses.
4. Draft Comprehensive Plan Update.

V. Policy

1. Provide recommendations for development planning review mechanisms such as utilizing the City's planned zoning district procedure.
2. Identify general review criteria for the City's consideration of financial assistance or development incentives.
3. Work with City staff to formalize development incentive review criteria and public processes. This document will help to address incentives the City might be open to considering and what constraints and criteria are likely to be utilized when considering their use.
4. Draft Policy Framework.

VI. Public Outreach

1. Assist City staff with three public outreach components:
 - a) One (1) open house to seek public feedback about the future of the Site. It is anticipated that this meeting will allow residents to understand the current conditions and provide feedback to be used in the Development Analysis phase.
 - b) One (1) open house to review recommendations.
 - c) One (1) meeting to present the final draft of the Comprehensive Plan Update to the Planning & Zoning Commission at the Public Hearing.
 - d) Stakeholder engagement with 39 North partners including the 39 North organization, Bayer, and others.

VII. Deliverables

1. Prepare a written Comprehensive Plan Update addressing the Site, which update shall be in suitable form for adoption by the Planning and Zoning Commission.
2. Site Plans and related maps or GIS data.
3. Development Incentive Review Policy Framework.

RESOLUTION NO. 1785

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR,
MISSOURI AUTHORIZING EXECUTION OF A TASK ORDER AGREEMENT UNDER
THE MASTER SERVICES AGREEMENT BETWEEN THE CITY OF CREVE COEUR,
MISSOURI AND PGAV PLANNERS**

WHEREAS, Bayer intends to sell approximately 91 acres of their 151-acre Bayer East campus and is soliciting offers from developers; and

WHEREAS, the City of Creve Coeur's adopted comprehensive plan does not contemplate any significant changes to the Bayer East campus; and

WHEREAS, an update to the City's comprehensive plan is necessary in light of these changes to the status of the Bayer East campus to establish land use goals and recommendations for this property, located within the boundaries of the 39 North District; and

WHEREAS, on April 24, 2023, the City Council approved Resolution No. 1639 regarding a Master Services Agreement with PGAV Planners for planning and development financing services;

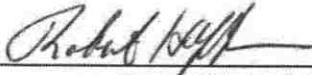
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
CREVE COEUR, AS FOLLOWS:**

Section 1: Task Order Number Two between **PGAV Planners** and the City of Creve Coeur, attached hereto as "Exhibit 1" to provide planning services to the City of Creve Coeur is hereby approved and the City Administrator is authorized to execute same. The fee for services shall not exceed \$60,000.00 with an additional \$5,000.00 authorized for reimbursable expenses. The agreement as executed shall be in the form of such exhibit with such changes as are consistent with the provisions and intent of this Resolution and necessary to achieve the purposes hereof. 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 Resolution, the matters herein authorized, and the rights and duties of the City under the agreement.

ADOPTED THIS 24TH DAY OF MARCH, 2025.

ATTEST:


KELLIE HENKE
CITY CLERK


DR. ROBERT HOFFMAN
MAYOR


The seal of the City of Creve Coeur, Missouri, is circular. It features a central heart with a fleur-de-lis above it. The words "CITY OF CREVE COEUR, MO." are written in a circle around the heart, and the year "1949" is at the bottom.