



**REGULAR MEETING
AGENDA
CITY OF CREVE COEUR
CITY COUNCIL
300 NORTH NEW BALLAS RD
APRIL 13, 2015
7:00 PM**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

COMMENTS FROM THE GENERAL PUBLIC

(Citizens are asked to limit comments to three minutes and to complete a speaker card)

ACCEPTANCE OF THE AGENDA

ANNOUNCEMENTS

*The City Council meets the 2nd and 4th Monday of each month
6:00 p.m. - 7:00 p.m. - Work Session
7:00 p.m. - Regular Meeting of the City Council*

PRESENTATION - TREE INVENTORY UPDATE

Summary: Josh Behounek with Davey Resource Group will provide a summary of the recent tree inventory update including recommendations for tree maintenance and an Emerald Ash Bore maintenance program.

1. CONSENT AGENDA

A. Council Minutes Dated March 23, 2015

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated April 9, 2015 in the amount of \$381,656.80 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

2. Amended Bill No. 5532 - an Ordinance Authorizing a Master Sign Plan for DeSmet Jesuit High School Located at 233 N. New Ballas Road and Zoned "B" Single Family Residential. Applicant Has Requested Withdrawal.

Summary: Andy Seabacher, of M+H Architects, Inc., on behalf of DeSmet Jesuit High School, has submitted an application for a Master Sign Plan for the campus at 233 N. New Ballas Road, pursuant to Section 405.950.J of the City of Creve Coeur's Code of



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Ordinances, to include new signage throughout the campus. DeSmet has requested that the discussion be continued to April 13, 2015 to allow time for evaluation of alternative proposals that address the prior amendments to the bill. Letter dated April 9, 2015 the applicant has requested withdrawal of this application.

3. Bill No. 5542 - an Ordinance Amending the Residential Code for One- and Two-Family Dwellings of the City of Creve Coeur. Final Reading and Passage

Summary: The building division is recommending that the city's Residential Building Code be amended to allow 'wireless interconnection' between smoke detectors, to delete the requirement for 'gasketed' fireplace doors, and to update expiration date of sprinkler provisions.

4. Bill No. 5543 - an Ordinance Amending the Plumbing Code of the City of Creve Coeur, Missouri. Final Reading and Passage

Summary: The building division is recommending that the city's plumbing code be amended to delete

Section 312.1 (1)(A) which requires two waste stack/drainage systems for dwelling units in new multi-family buildings.

5. Resolution No. 1158 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract with N. B. West Contracting Company for a Thin Asphalt Overlay in the Belle Coeur Neighborhood as Part of the Street Repair Program for the 2015 Fiscal Year for \$98,920.00.

Summary: The reconstruction of Chasselle Lane resolved the most significant pavement issue in the Belle Coeur subdivision. The other five streets in the subdivision were in much better condition than Chasselle, but these streets now require preventive maintenance to preserve their condition. Following review of a competitive bid process, staff recommends that the City hire N. B. West Contracting to perform the recommended thin overlay in this subdivision. Deferred from the March 23, 2015 Council meeting.

NEW BUSINESS

6. Bill No. 5544 - an Ordinance Authorizing the Issuance of a New Conditional Use Permit for Used-Only Automotive Dealer at 10640 Gateway Boulevard. First Reading

Summary: Danny Baker, of Exotic Motors Midwest, L.L.C., has submitted an application for a conditional use permit for a 10,408 square-foot used-only automobile dealership. All activities related to the dealership will be located inside; no outside sales or display will occur. Used car dealers (NAICS 441120) are permitted as a conditional use in the LI District. The Planning and Zoning Commission has recommended approval with conditions.



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7. Bill No. 5545 - an Ordinance Authorizing the Issuance of a New Conditional Use Permit for an Outpatient Psychiatric Center Located at 10199 Woodfield Lane in the "GC" General Commercial District. First Reading

Summary: Franco Sicuro, M.D., of Advanced Geriatric Management, has submitted an application for a conditional use permit to allow an intensive outpatient therapy facility providing individual and group-based psychotherapy. The facility will occupy up to 1,500 square feet of the existing psychiatric offices. No exterior changes are proposed. Planning and Zoning Commission has recommended approval with conditions.

8. Bill No. 5546 - an Ordinance Repealing Ordinance Nos. 1454, 1487 and 2083 and Authorizing the Issuance of a New Conditional Use Permit for a 5,162 Square-Foot Eating and Drinking Establishment with Drive-Thru Facilities Located at 447 North New Ballas Road Within the Balmoral Plaza Shopping Center. First Reading

Summary: David Hutkin, on behalf of Panera Bread/St. Louis Bread Company, has submitted a request to amend the conditional use permit and site development plan for The St. Louis Bread Company to allow the exterior renovation of the current restaurant in the Balmoral Plaza Shopping Center to accommodate drive-through service. All features of the drive-through service will be located in the rear of the building. Food services and drinking places (NAICS 722) with drive-thru facilities shall be located on sites of not less than two acres, subject to certain conditions are permitted as conditional uses. The Planning and Zoning Commission has recommended approval with conditions.

9. Resolution No. 1161 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract Increase with M&H Concrete Contractors, Inc., for the 2015 Roadway Reconstruction Project for the Amount of \$97,459.20.

Summary: The condition of the concrete base for Chalet Court and Spoele Woods Court was worse than anticipated, and City staff recommends the complete reconstruction of these streets with concrete. This work carries an additional cost that will require the City Council to consider both a change order and a budget adjustment for the reconstruction account.

APPOINTMENTS

10. Director of Recreation

BUSINESS FROM MAYOR AND CITY COUNCIL

11. Council Liaison Reports

12. Street Program

Summary: Discussion requested by Council Member Kent.



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7:00 PM**

BUSINESS FROM CITY ADMINISTRATOR

13. Trash Schedule

Summary: Under the city's new residential trash contract beginning July 1, 2015, trash and recycling pick up in wards 3 and 4 are scheduled for Wednesday and Thursday, respectively. Republic Waste has requested that the current trash schedule of collecting ward 3 on Thursday, and ward 4 on Friday, be retained going forward.

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

Posted: _____ posted 04/10/2015
Deborah Ryan, MPCC
City Clerk



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: Public Works Department
Category: Presentation
Prepared By: Jim Heines
Department Head: Jim Heines

SCHEDULED

STAFF REPORT

Tree Inventory Update

Josh Behounek with Davey Resource Group will provide a summary of the recent tree inventory update including recommendations for tree maintenance and an Emerald Ash Bore maintenance program.



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: April 9, 2015
TO: Mark. Perkins, City Administrator
FROM: Jim Heines, Director of Public Works
SUBJECT: Tree Inventory Report

Over the past several years, city staff has successfully applied for Trim Grant funding to assist with the cost to update our tree inventory in parks, right-of-ways, and on city owned properties. The final phase of the tree inventory update was completed earlier this year by Davey Resource Group.

As a recipient of the Trim Grant funding, the city's consultant, Davey Resource Group is required to present a summary of the result before the City Council. Josh Behounek with Davey Resource Group has agreed to make a short presentation to Council which will address the tree inventory, tree maintenance recommendations as well as providing recommendations for an Emerald Ash Bore tree maintenance program.

Attachment: Tree Inventory Report 4-13-15 (1295 : Tree Inventory)



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Debbie Ryan
City Clerk
(314) 872-2517
www.creve-coeur.org/

Meeting: 04/13/15 07:00 PM

DOC ID: 1296

COUNCIL MINUTES (ID # 1296)

Council Minutes Dated March 23, 2015



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: Finance Department
Category: Report
Prepared By: Sherry Hall
Initiator: Dan Smith
Sponsors:

BILLS LISTING (ID # 1301)

DOC ID: 1301

Bills Payable Listing

For Information Only

A report of bills payable dated April 9, 2015 in the amount of \$381,656.80 has been provided for Council review. No vote is required.



City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, Missouri 63141
(314) 432-6000
www.creve-coeur.org

DATE: April 9, 2015

TO: Mark Perkins, City Administrator

FROM: Daniel Smith, Director of Finance

SUBJECT: Bills Payable

For your information and transmittal to the City Council, is a list of bills payable dated April 9, 2015 in the amount of \$381,656.80.

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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NO DEPT - NO DIV

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invo Amount
00121		925796794	06-Mar-15	CALLAWAY GOLF	GOLF BALLS FOR RESALE	06-00-00-1625	184
00121		925859820	24-Mar-15	CALLAWAY GOLF	GOLF HATS/GLOVES FOR RESALE	06-00-00-1628	344
00084		3818352519	26-Mar-15	COCA-COLA	VENDING SODA-GARAGE	01-00-00-4739	283
02431		122914	29-Dec-14	CROOK, ALBERT	SEWER LATERAL REPAIR REIMB	02-00-00-1901	2,860
02428		032015	20-Mar-15	DARRYL C JONES AGENCY, LLC	REFUND O/P OF 2015 BUS. LICENS	01-00-00-4402	40
00066		244676	30-Mar-15	FROESEL OIL	1300 GAL DIESEL FUEL	01-00-00-1653	2,544
02173		032015	20-Mar-15	KNOWLEDGE LAKE INC	REFUND O/P OF 2015 BUS. LICENS	01-00-00-4402	170
02434		033115	31-Mar-15	KWS GATEWAY RESEARCH CENTER LLC	REFUND O/P OF 2015 BUS. LICENS	01-00-00-4402	130
02438		030215	02-Mar-15	NICKLIN, MAURICE	SEWER LATERAL REPAIR REIMB	02-00-00-1901	2,448
02219		032015	20-Mar-15	OLIVE STREET CAFE, LLC	REFUND O/P OF 2015 BUS. LICENS	01-00-00-4402	40
00105		6-017043289	15-Mar-15	REPUBLIC SERVICES	538 YARD WASTE BAGS	01-00-00-1655	1,856
00105		6-017043289	15-Mar-15	REPUBLIC SERVICES	2470 YARD WASTE TAGS	01-00-00-1655	7,015
Sum of Invoices							17,917

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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LEGISLATIVE

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00019	P002006	109106	03-Apr-15	CURTIS, HEINZ, GARRETT & O'KEEFE	LEGAL FEES-CITY ATTY-MARCH 20	01-11-12-6201	13,198
01690		031215	10-Feb-15	MARYLAND HEIGHTS	REIMB-MML LEG DINNER 2/10/15	01-11-12-6265	221
01048		9742276423	13-Mar-15	VERIZON WIRELESS	AIR CARD 2/14 - 3/13/15	01-11-13-9504	40
Sum of Invoices							13,459.00

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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ADMINISTRATION

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoi Amou
01120		A00017865303GCH	31-Mar-15	ASI	FLEX PLAN ADMIN FEES-MAR 2015	01-12-11-6203	134
00136		2469	02-Apr-15	CHAMBER OF COMMERCE CREVE COEUR/OLIVETTE	BRD OF DIR MTG-PERKINS	01-12-11-6264	20
01447	P001964	20270	30-Mar-15	DIVERSIFIED PRINTING INC	NEWSLETTER W/INSERT-APR 2015	01-12-11-6203	1,633
01447	P001964	20250	10-Mar-15	DIVERSIFIED PRINTING INC	PRINTING OF MARCH 2015 NWSLTR	01-12-11-6203	872
01997		9056712	31-Mar-15	EQUIFAX INFORMATION SERVICES	INFORMATION SERVICE	01-12-11-6202	27
01262	P001959	32626	28-Feb-15	SPECIALTY MAILING	HANDLING/MAILING MARCH 2015 NW	01-12-11-6203	224
Sum of Invoices							2,911.9

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CITY OF CREVE COEUR
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Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00073		TC67115	12-Mar-15	CDW-G	WATCHGUARD XTM SECURITY-1YR	01-12-51-6213	560
00070		I150325073	25-Mar-15	TECH ELECTRONICS	SYSTEM REBOOT	01-12-51-6213	172
Sum of Invoices							732.0

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ACCOUNTS PAYABLE LISTING

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FINANCE

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00474		IN006429	20-Mar-15	AP TECHNOLOGY	BLANK CHECK STOCK	01-13-11-7304	284.19
00016		032015	20-Mar-15	COLLECTOR OF REVENUE	SALES TAX RPT-MARCH 2015	01-13-11-6202	20.00
Sum of Invoices							304.19

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CITY OF CREVE COEUR
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INTERDEPARTMENTAL

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00051		40.41452	30-Mar-15	BCA, INC.	INSURANCE DEDUCTIBLE	01-13-15-6220	500.00
00771		111920	15-Jul-14	CHESTERFIELD VALLEY NURSERY	REIMB FOR DAMAGED TRUCK TIRE	01-13-15-6220	564.08
00154		9001253038	18-Mar-15	KONICA MINOLTA BUSINESS SOLUTIONS	COPIER LEASE 12/19/14-3/18/15	01-13-15-6213	523.44
00045		760775419001	17-Mar-15	OFFICE DEPOT-BUSINESS DIV	RECEIPT BOOKS	01-13-15-7304	20.46
00045		760775473001	17-Mar-15	OFFICE DEPOT-BUSINESS DIV	INKJET CARTRIDGES, PENS	01-13-15-7312	61.47
00045		759621089001	11-Mar-15	OFFICE DEPOT-BUSINESS DIV	TONER-RECORDS ROOM	01-13-15-7312	306.18
00046		CIV0111603	12-Mar-15	OFFICE ESSENTIALS	TONER-RECORDS ROOM	01-13-15-7312	552.04
00075		4020	26-Mar-15	WUSSLER BUSINESS FORMS	10000 WINDOW ENVELOPES	01-13-15-7312	342.70
00075		4019	26-Mar-15	WUSSLER BUSINESS FORMS	2-COLOR LOGO ENVELOPES	01-13-15-7312	333.50
Sum of Invoices							3,203.87

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CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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COMMUNITY SERVICES

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
02014		96531 GF	12-Mar-15	CARTRIDGE WORLD	TONER CARTRIDGES	01-14-11-7304	125.93
01693		94371729.	18-Mar-15	RICOH USA, INC	COPIER LEASE 3/12-4/11/15	01-14-11-6213	29.90
Sum of Invoices							155.83

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CITY OF CREVE COEUR
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ICE ARENA

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550		452-8544469	17-Mar-15	ARAMARK UNIFORM SERVICES	MOP RENTAL (3/17/15)	06-14-31-7301	1.37
01550		452-8570015	24-Mar-15	ARAMARK UNIFORM SERVICES	MOP RENTAL (3/24/15)	06-14-31-7301	1.37
01550		452-8544469	17-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/17/15)	06-14-31-7308	4.16
01550		452-8570015	24-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/24/15)	06-14-31-7308	4.16
00295		1644751	19-Mar-15	CARDIAC SCIENCE	AED PADS	06-14-31-6211	150.56
02014		96531.	12-Mar-15	CARTRIDGE WORLD	TONER CARTRIDGES	06-14-31-7304	125.93
00014		0136635 4/15	23-Mar-15	CHARTER COMMUNICATIONS	TV SERVICE-APRIL 2015	06-14-31-6255	52.33
00080		6524-121-5	27-Mar-15	DIERBERGS	BIRTHDAY CAKE	06-14-31-7304	21.99
00117		3011746	02-Mar-15	HOME DEPOT	WATER SUPPLY LINES, OUTLETS	06-14-31-6212	32.44
00117		3011746	02-Mar-15	HOME DEPOT	PAINTING SUPPLIES	06-14-31-7301	89.79
00117		3011746	02-Mar-15	HOME DEPOT	KNEE PADS	06-14-31-7302	10.97
00196		00124275	18-Mar-15	ICE SKATING INSTITUTE	MEMBERSHIP RENEWAL	06-14-31-6262	395.00
00082		0096357	19-Mar-15	METROLIFT PROPANE	PROPANE FOR OLYMPIA 3/19/15	06-14-31-7307	338.99
00867		54945	06-Mar-15	MURPHY	BOILER REPAIR/MAINT	06-14-31-6211	360.00
01693		94371729	18-Mar-15	RICOH USA, INC	COPIER LEASE 3/12 - 4/11/15	06-14-31-6213	29.89
00434		4351-9	02-Mar-15	SHERWIN-WILLIAMS	PAINT FOR LOCKER ROOMS	06-14-31-7301	387.92

Sum of Invoices 2,006.87

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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4/9/2015

GOLF MAINTENANCE

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
02240		2861	27-Jan-15	ERB TURF EQUIPMENT, INC	DEW WHIP FOR GREENS MOWER	06-14-32-6211	60.00
00023		453926	26-Mar-15	FRED WEBER	1" CLEAN STONE	06-14-32-6212	40.94
00117		9062216	26-Mar-15	HOME DEPOT	RAKES, SHOVELS, VALVE	06-14-32-7302	81.98
00040		850460	10-Mar-15	MILBRADT	CHAINSAW PARTS	06-14-32-6211	16.19
00040		850471	10-Mar-15	MILBRADT	BEARING	06-14-32-6211	11.14
00042		1136158	16-Mar-15	MPR SUPPLY	HYDRAULIC IRRIGATION TUBE	06-14-32-6212	80.00
00175		1000932-00	20-Mar-15	MTI DISTRIBUTING, INC.	AERATOR KEY AND CONTROL MODULE	06-14-32-6211	245.74
00175		1000865-00	20-Mar-15	MTI DISTRIBUTING, INC.	IGNITION SWITCH	06-14-32-6211	17.64
00175		1001411-00	25-Mar-15	MTI DISTRIBUTING, INC.	BEARING KIT-TORO 3300D	06-14-32-6211	88.21
00175		999295-00	06-Mar-15	MTI DISTRIBUTING, INC.	ROLLER PARTS FOR 3100	06-14-32-6211	19.35
00175		999549-00	10-Mar-15	MTI DISTRIBUTING, INC.	AERATING TINES	06-14-32-6211	257.10
00175		1000402-00	17-Mar-15	MTI DISTRIBUTING, INC.	IRRIGATION HEADS	06-14-32-6212	530.40
00175		1000215-00	17-Mar-15	MTI DISTRIBUTING, INC.	IRRIGATION PARTS	06-14-32-6212	20.85
00173		IN124796	26-Mar-15	SUPREME TURF PRODUCTS	GREENS FERTILIZER	06-14-32-7303	596.00
00173		IN124228	09-Mar-15	SUPREME TURF PRODUCTS	GROWTH REGULATOR FOR GREENS	06-14-32-7303	220.00
Sum of Invoices							2,285.54

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CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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PRO SHOP

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00121		925859820	24-Mar-15	CALLAWAY GOLF	SHIPPING FEE	06-14-33-8325	0.75
00121		925796794	06-Mar-15	CALLAWAY GOLF	SHIPPING FEE	06-14-33-8325	0.12
00295		1644751	19-Mar-15	CARDIAC SCIENCE	AED PADS	06-14-33-6211	64.52
02014		96531.	12-Mar-15	CARTRIDGE WORLD	TONER CARTRIDGES	06-14-33-7304	125.94
00014		0136635 4/15	23-Mar-15	CHARTER COMMUNICATIONS	TV SERVICE-APRIL 2015	06-14-33-6255	22.42
00503		104053930	06-Mar-15	MONEY MAILER OF ST. LOUIS WEST	ADVERTISING	06-14-33-6260	300.00
01693		94371729	18-Mar-15	RICOH USA, INC	COPIER LEASE 3/12 - 4/11/15	06-14-33-6213	29.89
Sum of Invoices							543.64

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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4/9/2015

SNACK BAR

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550		452-8544469	17-Mar-15	ARAMARK UNIFORM SERVICES	WIPING TOWELS (3/17/15)	06-14-34-7301	3.44
01550		452-8570015	24-Mar-15	ARAMARK UNIFORM SERVICES	WIPING TOWELS (3/24/15)	06-14-34-7301	3.44
01072		600087	19-Mar-15	C.R. FRANK POPCORN AND SUPPLY CO.	SNACKS FOR RESALE	06-14-34-8319	154.38
00084	P002067	3818352518	26-Mar-15	COCA-COLA	COKE PRODUCT FOR RESALE (8317)	06-14-34-8317	606.43
01491		61314467	17-Mar-15	FARMER BROS. COFFEE	COFFEE FOR RESALE	06-14-34-8317	114.46
01491		61314467	17-Mar-15	FARMER BROS. COFFEE	PAPER PRODUCTS	06-14-34-8321	50.00
02357		0102215	18-Mar-15	H.A.M.'S DELI LLC	FOOD FOR RESALE	06-14-34-8319	83.76
01471		96554	18-Mar-15	RL MUELLER NATIONAL DIST., INC.	FOOD FOR RESALE	06-14-34-8315	64.00
01471		96554	18-Mar-15	RL MUELLER NATIONAL DIST., INC.	SNACKS FOR RESALE	06-14-34-8319	231.35
01471		96554	18-Mar-15	RL MUELLER NATIONAL DIST., INC.	PAPER PRODUCTS	06-14-34-8321	24.95
Sum of Invoices							1,336.21

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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4/9/2015

BUILDING MAINTENANCE

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550		452-8570014	24-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/24/15)	01-16-11-7308	4.16
01550		452-8595603	31-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/31/15)	01-16-11-7308	4.16
01550		452-8544468	17-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/17/15)	01-16-11-7308	4.16
02056		504299012-200	01-Apr-15	CORVUS JANITORIAL SYSTEMS	CLEANING SERVICE APRIL 2015	01-16-11-6212	2,207.00
00080		5480-194-5	20-Mar-15	DIERBERGS	LOUNGE SUPPLIES	01-16-11-7304	14.16
01438	P002099	20261	12-Mar-15	EDELEN DOOR & WINDOW	REPLACE FRONT& REAR SALLYPORT	01-16-11-6212	4,150.00
00627		E15-61808	24-Mar-15	MISSOURI DIVISION OF FIRE SAFETY	STATE ELEVATOR INSPECTION-2015	01-16-11-6211	25.00
00164		048529	19-Mar-15	NEW SYSTEM CARPET & BUILDING CARE LTD.	CLEANING SUPPLIES	01-16-11-6212	314.72
00116		4011	02-Apr-15	SAM'S CLUB	LOUNGE SUPPLIES	01-16-11-7304	560.00
Sum of Invoices							7,283.36

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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4/9/2015

POLICE-ADMIN

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00643		E435918	17-Mar-15	ASSOCIATED BAG CO.	(1) ROLL POLY TUBING	01-21-11-7308	106.80
00080		82261145	16-Mar-15	DIERBERGS	VEGETARIAN PRISONER MEALS	01-21-11-7309	8.38
01068		148368	26-Mar-15	DNT	QTLY COPIER MAINT REC ROOM	01-21-11-6213	128.11
00125		347665	27-Mar-15	LEON UNIFORM	RET POLICE CHIEF RECOGNI CERE	01-21-11-7306	80.91
00125		332674	22-Sep-14	LEON UNIFORM	(100) Police Emblems	01-21-11-7308	285.00
00050	P001945	INV0040702	15-Mar-15	REJIS	SUBSCRIPTION FEES-MARCH 2015	01-21-11-6202	4,030.39
00050		INV0040702 4-15	15-Mar-15	REJIS	IMDS ORACLE DB MAINT-MAR 2015	01-21-11-6202	21.00
00050		INV0040702 4-15	15-Mar-15	REJIS	5% MONTHLY REBATE-MAR 2015	01-21-11-6202	-201.52
00050		INV0040702 4-15	15-Mar-15	REJIS	ASA 5505 MAINT-MAR 2015	01-21-11-6202	20.77
00050		INV0040702 4-15	15-Mar-15	REJIS	LIVESCAN CONNECT-MAR 2015	01-21-11-6202	50.00
00050		INV0040703	17-Mar-15	REJIS	FRID BADGE FOR RESERVE OFFICER	01-21-11-6213	7.50
00050	P001946	INV0040702 4/15	15-Mar-15	REJIS	GLOBAL SOFTWARE SVC-MAR 2015	01-21-11-6213	1,102.50
00050		INV0040702 4-15	15-Mar-15	REJIS	M-REACH CAD MOBILE-MAR 2015	01-21-11-6213	52.50
00116		4196	01-Apr-15	SAM'S CLUB	PRISONER MEALS	01-21-11-7309	59.48
00092	P001948	69882	16-Mar-15	ST LOUIS COUNTY	C.A.R.E. SERVICES-MARCH 2015	01-21-11-6202	23.91
Sum of Invoices							5,775.73

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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POLICE-INVESTIGATIONS

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01567		IN15286	01-Apr-15	PRIMARY MARKING SYSTEMS, INC.	E-TWIST ANNUAL SOFTWARE MAINT	01-21-21-6213	500.00
00050		INV0040702 4-15	15-Mar-15	REJIS	IMDS ORACLE DB MAINT-MAR 2015	01-21-21-6202	10.50
Sum of Invoices							510.50

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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4/9/2015

POLICE-PATROL

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00426		32567	13-Mar-15	ADGRAPHIX	GRAPHICS FOR 2015 MOTORCYCLE	01-21-22-6210	293.00
02119		220194	01-Apr-15	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CAR 2406 A/C COMPRESSOR, VALVE	01-21-22-6210	1,210.10
02119		220462	02-Apr-15	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CAR 2419 DIAGNOSE MECHANICAL I	01-21-22-6210	162.50
02119		219996	17-Mar-74	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CAR 2416 3000 MILE SERVICE	01-21-22-6210	44.29
02119		220100	20-Mar-15	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CAR 2411 REPLACE BULB-HEADLT	01-21-22-6210	50.23
02119		220382	31-Mar-15	DAVE SINCLAIR LINCOLN-MERCURY, INC.	MOUNT & BALANCE 3 TIRES 2408	01-21-22-6210	37.50
02119		220269	27-Mar-15	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CAR 2404 REPLACE FAN BEARINGS	01-21-22-6210	198.50
02119		219737	27-Mar-15	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CHARGER BATTERY	01-21-22-6210	124.95
02119		220053	19-Mar-15	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CAR 2408 3000 MILE SERVICE	01-21-22-6210	42.95
02119		220235	25-Mar-15	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CAR 2411 WELD DR SEAT FRAME	01-21-22-6210	75.00
02119		220011	18-Mar-15	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CAR 2409 3000 ML SERVICE	01-21-22-6210	42.95
02119		220043	18-Mar-15	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CAR 2406 3000 ML SVS; FIX SEAT	01-21-22-6210	77.95
00080		82261145	16-Mar-15	DIERBERGS	(2) PKS SUPER GLUE	01-21-22-7304	4.88
00095		300028	02-Apr-15	DOBBS TIRE & AUTO	(1) EXPLORER TIRE	01-21-22-6210	126.95
00095		231430	31-Mar-15	DOBBS TIRE & AUTO	(5) TIRES	01-21-22-6210	627.91
00234		425613	04-Mar-15	ED. ROEHR SAFETY PRODUCTS	LIGHTS FOR MARKED 2015 CAR	01-21-22-6210	124.71
00234		426069	11-Mar-15	ED. ROEHR SAFETY PRODUCTS	RUMBLER SIREN BRACKET FOR CHAR	01-21-22-6210	48.46
00234		426900	26-Mar-15	ED. ROEHR SAFETY PRODUCTS	EMERG LIGHTS FOR 2015 VEHICLE	01-21-22-6210	555.24
00234		426440	17-Mar-15	ED. ROEHR SAFETY PRODUCTS	(1) HAVIS FACEPLATE	01-21-22-6210	28.61
00234	P002125	426931.	26-Mar-15	ED. ROEHR SAFETY PRODUCTS	2 TASER HOLSTERS	01-21-22-7313	106.50
00234		425614	04-Mar-15	ED. ROEHR SAFETY PRODUCTS	LIGHTS FOR UNMARKED 2015 CAR	01-21-22-9503	124.71
00234	P002114	426899	26-Mar-15	ED. ROEHR SAFETY PRODUCTS	EMERGENCY LIGHTS FOR UNMARKED	01-21-22-9503	1,404.29
00234	P002114	426899	26-Mar-15	ED. ROEHR SAFETY PRODUCTS	SHIPPING	01-21-22-9503	62.24
00234		426440	17-Mar-15	ED. ROEHR SAFETY PRODUCTS	(2) GUN LOCK TIMERS	01-21-22-9503	59.80
00234		426440	17-Mar-15	ED. ROEHR SAFETY PRODUCTS	(1) SIREN BOX	01-21-22-9503	349.95
00234	P002114	425614.	04-Mar-15	ED. ROEHR SAFETY PRODUCTS	EMERGENCY LIGHTS FOR UNMARKED	01-21-22-9503	124.71
00125		336893-04	18-Mar-15	LEON UNIFORM	UNIFORM ITEMS PO BLAGAJCEVIC	01-21-22-5107	44.90
00125		346119-02	25-Mar-15	LEON UNIFORM	UNIFORM ITEM FOR PO WILSON	01-21-22-5107	12.95
00125		337395	13-Nov-14	LEON UNIFORM	UNIFORM FOR COMMAND STAFF	01-21-22-7304	40.49

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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POLICE-PATROL

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00608		93466	20-Mar-15	NORTHWEST TIRE & AUTO	TRANSFER HITCH BETWEEN 2 CARS	01-21-22-6210	153.51
00050		INV0040702 4-15	15-Mar-15	REJIS	VERIZON DATA LINES-MAR 2015	01-21-22-6253	686.00
01584	P002102	1500366	22-Mar-15	RESPONDER PUBLIC SAFETY EQUIPMENT	SHIPPING	01-21-22-6210	35.00
01584	P002102	1500366	22-Mar-15	RESPONDER PUBLIC SAFETY EQUIPMENT	CONSOLES, COMPUTER MOUNTS, ETC	01-21-22-6210	1,381.93
00611		8343	27-Mar-15	THE HOOSIER COMPANY	SUPPLIES FOR TRAFFIC COUNTER	01-21-22-6210	232.50
00091		231906	24-Mar-15	WIRELESS USA	4 ANTENNAS FOR 2015 VEHICLES	01-21-22-6210	92.68
Sum of Invoices							8,788.84

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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STREETS

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01295		115-551	02-Apr-15	ALL TYPE COMPRESSOR	COMPRESSOR REPAIR	01-31-41-6211	509.10
01550		452-8570011	24-Mar-15	ARAMARK UNIFORM SERVICES	MOP RENTAL (3/24/15)	01-31-41-6212	3.97
01550		452-8595600	31-Mar-15	ARAMARK UNIFORM SERVICES	MOP RENTAL (3/31/15)	01-31-41-6212	3.97
01550		452-8544465	17-Mar-15	ARAMARK UNIFORM SERVICES	MOP RENTAL (3/17/15)	01-31-41-6212	4.97
01550		452-8570011	24-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/24/15)	01-31-41-7308	44.46
01550		452-8595600	31-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/31/15)	01-31-41-7308	44.46
01550		452-8544465	17-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/17/15)	01-31-41-7308	44.47
00010		963545	02-Apr-15	BRANNEKY HARDWARE	SHOP SUPPLIES	01-31-41-6212	31.95
00010		96399	02-Apr-15	BRANNEKY HARDWARE	SCREWDRIVER	01-31-41-7302	9.99
00010		963161	26-Mar-15	BRANNEKY HARDWARE	SPRAY PAINT	01-31-41-7305	47.93
00099		1367336	28-Feb-15	CEEKAY SUPPLY	WELDING GAS/TANKS	01-31-41-7307	66.92
01466		140053718	11-Mar-15	CROSS MIDWEST TIRE	TIRES FOR TRUCK 207	01-31-41-6210	93.87
00141		116534	27-Mar-15	ELECTRO BATTERY	BATTERIES FOR TRUCK 311	01-31-41-6210	207.91
00141		116535	27-Mar-15	ELECTRO BATTERY	CREDIT MEMO-JUNK RETURNS	01-31-41-6210	-67.50
00049		37894	01-Apr-15	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 3/29/15	01-31-41-6207	1,293.00
00049		37880	25-Mar-15	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 3/22/15	01-31-41-6207	1,435.99
00049		37867	18-Mar-15	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 3/15/15	01-31-41-6207	1,293.00
00049		37840	11-Mar-15	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 3/8/15	01-31-41-6207	1,293.00
00127		46151	24-Mar-15	ERB EQUIPMENT COMPANY	REPAIR FRONT LOADER	01-31-41-6211	836.09
02402		6219-233328	31-Mar-15	HANDY AUTOMOTIVE	HEADLIGHT BULBS	01-31-41-6210	13.63
02402		6219-232624	24-Mar-15	HANDY AUTOMOTIVE	SEAL FOR FUEL TANK TRK 310	01-31-41-6210	3.44
02402		6219-232498	23-Mar-15	HANDY AUTOMOTIVE	TOOLS FOR TRUCK 311	01-31-41-6210	7.83
02402		6219-232568	24-Mar-15	HANDY AUTOMOTIVE	TOOLS FOR FUEL TANK REPLACEMEN	01-31-41-6210	42.73
02402		6219-232717	25-Mar-15	HANDY AUTOMOTIVE	PARTS FOR FUEL TANK TRUCK 310	01-31-41-6210	4.95
02402		6219-232719	25-Mar-15	HANDY AUTOMOTIVE	UNDERCOAT FOR TRUCK 310	01-31-41-6210	16.62
02402		6219-232039	19-Mar-15	HANDY AUTOMOTIVE	AIR FILTERS FOR CHIPPER	01-31-41-6211	108.00
02402		6219-231382	13-Mar-15	HANDY AUTOMOTIVE	FLOOR-DRY FOR SHOP	01-31-41-6212	63.20
00349		677830-001	10-Mar-15	HTE TECHNOLOGIES	SOLENOID FOR SALT SPREADER	01-31-41-6211	61.61
00789		492565	20-Mar-15	K&K SUPPLY	FUEL CAP	01-31-41-6211	26.86
00789		492321	18-Mar-15	K&K SUPPLY	ROCK DRILL BITS FOR OLIVE ISLA	01-31-41-7302	302.70

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
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STREETS

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00789		493401	27-Mar-15	K&K SUPPLY	3" ROCK BIT	01-31-41-7302	151.35
01134		4117960	24-Mar-15	KIMBALL MIDWEST	STOCK ITEMS FOR SHOP	01-31-41-6212	235.70
00156		64709	02-Mar-15	L & C TRUCK REPAIR, INC.	REPAIRS ON TRUCK 300	01-31-41-6210	435.62
00156		64947	17-Mar-15	L & C TRUCK REPAIR, INC.	FUEL FILTER TRUCK 311	01-31-41-6210	21.07
00156		64777	04-Mar-15	L & C TRUCK REPAIR, INC.	REPAIRS ON TRUCK 318	01-31-41-6210	485.50
00100		33864	20-Mar-15	MISSOURI PETROLEUM	BLOCKS FOR TAR POT, CRACK SEAL	01-31-41-7305	2,628.00
00411		105765	18-Mar-15	N.B. WEST CONTRACTING CO.	COLD PATCH FOR POT HOLES	01-31-41-7305	177.10
00047		P14558	19-Mar-15	PAT KELLY EQUIPMENT	SLEEVE FOR ROCK DRILL	01-31-41-7302	139.98
00809		136040	09-Mar-15	RED BUD SUPPLY, INC.	TRAFFIC CONES	01-31-41-7305	1,318.91
00896		81696	27-Mar-15	SHAPIRO SALVAGE & SUPPLY CO.	RACKS FOR TAILGATES ON TRUCKS	01-31-41-6210	423.00
01352		321195	24-Mar-15	ST LOUIS COMPOSTING, INC.	SOIL FOR OLIVE ISLANDS	01-31-41-7303	64.00
01352		321156	24-Mar-15	ST LOUIS COMPOSTING, INC.	SOIL FOR OLIVE ISLANDS	01-31-41-7303	64.00
01352		321380	25-Mar-15	ST LOUIS COMPOSTING, INC.	SOIL FOR OLIVE ISLANDS	01-31-41-7303	64.00
00092		69917	17-Mar-15	ST LOUIS COUNTY	QTRLY TRAFFIC SIGNAL MAINT.	01-31-41-6251	393.77
00692		542817	24-Mar-15	ST LOUIS SAFETY, INC.	SAFETY ITEMS	01-31-41-7308	78.72
01878		1483354	17-Mar-15	TAPCO	DRIVER HEAD FOR STREET SIGNS	01-31-41-7311	147.90
Sum of Invoices							14,677.74

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CITY OF CREVE COEUR
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HEALTH & WELFARE

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
02430		28353	16-Mar-15	A.M. RICHARDS GLASS CO. INC	EMERGENCY BOARD UP-13 SONA LN	01-31-42-6215	375.00
00105	P001995	0346-017043289	15-Mar-15	REPUBLIC SERVICES	RESIDENTIAL SVC-MARCH 2015	01-31-42-6214	85,691.40
00105	P001995	0346-017043289	15-Mar-15	REPUBLIC SERVICES	RECYCLING SVC-MARCH 2015	01-31-42-6217	24,946.33
Sum of Invoices							111,012.73

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CITY OF CREVE COEUR
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PARKS

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550		452-8570011	24-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/24/15)	01-31-43-7308	44.45
01550		452-8595600	31-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/31/15)	01-31-43-7308	44.45
01550		452-8544465	17-Mar-15	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (3/17/15)	01-31-43-7308	44.46
00010		96399	02-Apr-15	BRANNEY HARDWARE	ANCHORS	01-31-43-7302	9.56
00010		963534	02-Apr-15	BRANNEY HARDWARE	ANCHORS	01-31-43-7302	7.17
00010		963497	02-Apr-15	BRANNEY HARDWARE	CREDIT MEMO-MDSE RETURN	01-31-43-7302	-13.93
01466		140053718	11-Mar-15	CROSS MIDWEST TIRE	TIRES FOR TRUCK 207	01-31-43-6210	31.29
02055		031315	13-Mar-15	CUSTOM PROPERTY SOLUTIONS	PARTS FOR MILL PARK PLAYGROUND	01-31-43-6212	64.79
00141		116534	27-Mar-15	ELECTRO BATTERY	BATTERIES FOR TRUCK 311	01-31-43-6210	69.31
00141		116535	27-Mar-15	ELECTRO BATTERY	CREDIT MEMO-JUNK RETURNS	01-31-43-6210	-22.50
00049		37894	01-Apr-15	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 3/29/15	01-31-43-6207	431.00
00049		37880	25-Mar-15	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 3/22/15	01-31-43-6207	478.66
00049		37867	18-Mar-15	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 3/15/15	01-31-43-6207	431.00
00049		37840	11-Mar-15	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 3/8/15	01-31-43-6207	431.00
00128		S3490132.001	24-Mar-15	FROST ELECTRIC	LIGHTS FOR L. COLLINS PARK	01-31-43-6212	169.68
01872		21033	24-Mar-15	GRUBER SYSTEMS, INC.	HAND SOAP-MILLENNIUM PARK	01-31-43-6212	73.55
02402		6219-233328	31-Mar-15	HANDY AUTOMOTIVE	HEADLIGHT BULBS	01-31-43-6210	4.55
02402		6219-232624	24-Mar-15	HANDY AUTOMOTIVE	SEAL FOR FUEL TANK TRK 310	01-31-43-6210	1.15
02402		6219-232498	23-Mar-15	HANDY AUTOMOTIVE	TOOLS FOR TRUCK 311	01-31-43-6210	2.61
02402		6219-232568	24-Mar-15	HANDY AUTOMOTIVE	TOOLS FOR FUEL TANK REPLACEMEN	01-31-43-6210	14.25
02402		6219-232717	25-Mar-15	HANDY AUTOMOTIVE	PARTS FOR FUEL TANK TRUCK 310	01-31-43-6210	1.65
02402		6219-232719	25-Mar-15	HANDY AUTOMOTIVE	UNDERCOAT FOR TRUCK 310	01-31-43-6210	5.54
00117		1012374	24-Mar-15	HOME DEPOT	CLOSED SIGNS FOR PARK RSTRMS	01-31-43-6212	6.06
00117		1073173	24-Mar-15	HOME DEPOT	LETTERS TO MAKE SIGNS	01-31-43-6212	29.75
00560		50984	13-Mar-15	HUMMERT INTERNATIONAL	PARTS FOR BACKPACK SPRAYER	01-31-43-6211	73.97
00789		491751	13-Mar-15	K&K SUPPLY	DRILL BIT, OIL & OILER	01-31-43-7302	160.00
00789		491673	12-Mar-15	K&K SUPPLY	ROCK DRILL BITS	01-31-43-7302	304.40
00209		210799/1	28-Oct-14	KIRKWOOD MATERIAL SUPPLY	CREDIT-PALLET RETURN	01-31-43-6212	-20.00
00209		218426/1	31-Mar-15	KIRKWOOD MATERIAL SUPPLY	COMPOST-TAPPMAYER HOUSE	01-31-43-7303	62.85
00156		64709	02-Mar-15	L & C TRUCK REPAIR, INC.	REPAIRS ON TRUCK 300	01-31-43-6210	145.21

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PARKS

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00156		64947	17-Mar-15	L & C TRUCK REPAIR, INC.	FUEL FILTER TRUCK 311	01-31-43-6210	7.02
00156		64777	04-Mar-15	L & C TRUCK REPAIR, INC.	REPAIRS ON TRUCK 318	01-31-43-6210	161.84
00047		P14405	12-Mar-15	PAT KELLY EQUIPMENT	MDSE RETURN CREDIT	01-31-43-7302	-109.98
00047		P14404	12-Mar-15	PAT KELLY EQUIPMENT	ADAPTER & DRILL BITS	01-31-43-7302	238.97
00047		P14377	11-Mar-15	PAT KELLY EQUIPMENT	ROCK DRILL BIT	01-31-43-7302	26.98
00896		81696	27-Mar-15	SHAPIRO SALVAGE & SUPPLY CO.	RACKS FOR TAILGATES ON TRUCKS	01-31-43-6210	141.00
00692		542817	24-Mar-15	ST LOUIS SAFETY, INC.	SAFETY ITEMS	01-31-43-7308	78.72
00173		IN124398	16-Mar-15	SUPREME TURF PRODUCTS	CHEMICALS FOR CONWAY LAKE	01-31-43-7301	470.00
00173		IN124400	13-Mar-15	SUPREME TURF PRODUCTS	WEED KILLER FOR R.O.W.	01-31-43-7303	610.00
00260		24005	05-Mar-15	TOTAL LOCK & SECURITY	REPAIRS DOG PARK ENTRANCE	01-31-43-6212	673.00
00260		23838	05-Mar-15	TOTAL LOCK & SECURITY	REPAIRS DOG PARK ENTRANCE	01-31-43-6212	92.50

Sum of Invoices 5,475.98

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CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

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COMMUNITY DEVELOPMENT - PLANNING

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00213		040115-1	01-Apr-15	MCLAUGHLIN COURT REPORTING SERVICES, INC	CRT REPORTER P&Z 3/16/15	01-32-11-6260	86.00
00303		10716033	25-Mar-15	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE-BOA	01-32-11-6260	44.08
00303		10710125	17-Mar-15	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE-P&Z	01-32-11-6260	47.56
00303		10710115	17-Mar-15	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE-P&Z	01-32-11-6260	44.08
00303		10710135	17-Mar-15	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE-P&Z	01-32-11-6260	49.88
Sum of Invoices							271.60

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

a

4/9/2015

COMMUNITY DEVELOPMENT - BUILDING

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
02429		4347	01-Dec-14	JB ENGINEERING AND CODE CONSULTING P.C.	CONSULTING SERVICES FOR BLDG D	01-32-61-6203	1,000.00
02324	P002061	105049	01-Mar-15	MYGOV, LLC	MONTHLY MAINT FEE-TRACK SFTWAR	01-32-61-6262	600.00
00112		200199	25-Mar-15	MPS	BLDG PERMIT FORMS	01-32-61-7304	85.50
00112		200037	13-Mar-15	MPS	FIELD CORRECTION NOTICES	01-32-61-7304	85.86
00112		200061	17-Mar-15	MPS	INSPECTION REQUEST FORMS	01-32-61-7304	352.59
Sum of Invoices							2,123.95

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

a

4/9/2015

CAPITAL IMPROVEMENTS

Vendor Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
02313	P002049	PAY #4 GRAESER	01-Apr-15	L.F. KRUPP CONSTRUCTION INC.	GRAESER ROAD RESURFACING PROJE	02-61-71-9510-14707	37,652.21
01333		PAY #1 RDWY RECN	03-Apr-15	M & H CONCRETE	2015 ROADWAY RECONSTRUCTION	02-61-71-9510-15709	136,225.91
02433	P002131	15-0147	10-Mar-15	THD DESIGN GROUP	LAND TITLE SURVEY	02-61-71-9501-14104	7,000.00
Sum of Invoices							180,878.12

Total of All Invoices 381,656.80

Attachment: Bills Payable Listing 4-13-15 (1301 : Bills Payable Listing)



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: City Council
Category: Master Sign Plan
Prepared By: Whitney Kelly
Department Head: Debbie Ryan

TABLED

ORDINANCE

Amended Bill No. 5532 - an Ordinance Authorizing a Master Sign Plan for DeSmet Jesuit High School Located at 233 N. New Ballas Road and Zoned "B" Single Family Residential. Applicant Has Requested Withdrawal.

Andy Seabacher, of M+H Architects, Inc., on behalf of DeSmet Jesuit High School, has submitted an application for a Master Sign Plan for the campus at 233 N. New Ballas Road, pursuant to Section 405.950.J of the City of Creve Coeur's Code of Ordinances, to include new signage throughout the campus. DeSmet has requested that the discussion be continued to April 13, 2015 to allow time for evaluation of alternative proposals that address the prior amendments to the bill. Letter dated April 9, 2015 the applicant has requested withdrawal of this application.

Ordinance

Meeting of April 13, 2015



DE SMET
JESUIT HIGH SCHOOL

Gabriel and Gertrude Alberici Campus

233 NORTH NEW BALLAS ROAD
ST. LOUIS, MISSOURI 63141-7530
TELEPHONE (314) 567-3500
FAX (314) 567-1519
www.desmet.org

RECEIVED
APR 09 2015
PLANNING DEPT.

April 9, 2015

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

Dear Mr. Langdon,

This letter is a follow-up to our meeting yesterday. In light of the amended changes in the proposed signage plan, De Smet Jesuit High School is requesting that the proposal for a new signage plan be withdrawn. It is our understanding that with this request, the signage plan as amended will not be voted on by the City Council.

Our plan is to repair the current Ballas sign, as reviewed in our meeting with you yesterday.

Please let me know if anything further needs to be done to facilitate the refund of the escrow money paid by De Smet Jesuit at the time the signage plan was submitted.

Sincerely,

Dr. Greg Densberger
Director of Operations and Special Projects
De Smet Jesuit High School

CC: Mr. Andy Sebacher (M-H Architects)
Rev. Walter Sidney, SJ
Mr. Steve Burr

Attachment: Withdrawal Letter.4-9-2015 (1191 : Amended Bill No. 5532 - DeSmet Master Sign Plan)



DE SMET
JESUIT HIGH SCHOOL

Gabriel and Gertrude Alberici Campus

233 NORTH NEW BALLAS ROAD
ST. LOUIS, MISSOURI 63141-7530
TELEPHONE (314) 567-3500
FAX (314) 567-1519
www.desmet.org

RECEIVED
MAR 04 2015
PLANNING DEPT.

March 4, 2015

Mr. Paul Langdon
Director of Community Development
300 N. New Ballas Rd.
Creve Coeur, MO 63141

Dear Mr. Langdon,

On behalf of De Smet Jesuit High School, I am requesting that the City Council extend the continuance on our proposed signage plan for an additional four weeks, until the Council meeting on Monday, April 13, 2015. This additional time will allow us to continue reviewing our options in light of the amendment and to consider revised design alternatives.

Sincerely,

Dr. Greg Densberger
Director of Operations and Special Projects
De Smet Jesuit High School

Attachment: DeSmet Continuance Request.3-4-2015 (1191 : Amended Bill No. 5532 - DeSmet Master Sign Plan)



DE SMET
JESUIT HIGH SCHOOL

Gabriel and Gertrude Alberici Campus

233 NORTH NEW BALLAS ROAD
ST. LOUIS, MISSOURI 63141-7530
TELEPHONE (314) 567-3500
FAX (314) 567-1519
www.desmet.org

February 4, 2015

Mr. Paul Langdon
Director of Community Development
300 N. New Ballas Rd.
Creve Coeur, MO 63141

Dear Mr. Langdon,

On behalf of De Smet Jesuit High School, I am requesting that the City Council extend the continuance on our proposed signage plan for an additional four weeks, until the Council meeting on Monday, March 9. This additional time will allow us to review our options in light of the amendment and consider revised design alternatives.

Sincerely,

Dr. Greg Densberger
Director of Operations and Special Projects
De Smet Jesuit High School

BILL NO. 5532

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A MASTER SIGN PLAN FOR
DESMET JESUIT HIGH SCHOOL LOCATED AT 233 N. NEW BALLAS ROAD
AND ZONED "B" SINGLE FAMILY RESIDENTIAL**

WHEREAS, Andy Seabacher, of M+H Architects, Inc., on behalf of DeSmet Jesuit High School, has submitted an application for a Master Sign Plan for the campus at 233 N. New Ballas Road, pursuant to Section 405.950.J of the City of Creve Coeur's Code of Ordinances, to include new signage throughout the campus; and

WHEREAS, the boundaries of the Master Signage Plan will be for the entire school campus including all existing and proposed signage, except as modified herein, as demonstrated in the "Signage Master Plan for DeSmet Jesuit" received December 8, 2014 and attached as Exhibit 1; 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 January 5, 2015, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; 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

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard; and

WHEREAS, the Planning and Zoning Commission reviewed and, by 7-0 vote, recommended approval of the master sign plan, subject to the conditions contained herein, at its meeting on January 5, 2015; and

WHEREAS, the City Council being fully informed finds that approving the Plan, subject to certain conditions, 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 is in the public interest; 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

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

SECTION 1: A Master Sign Plan is approved for the DeSmet Jesuit High School campus, generally located at 233 N. New Ballas Road, in the "B" Single Family Residential zoning district whose legal description is as follows:

A tract of land in the Southwest quarter of Section 3 and the Northwest corner of Section 10, Township 45 North, Range 5 East of 5th Principal Meridian, City of Creve Coeur, St. Louis County, Missouri, and being more particularly described as follows:

Attachment: Amended Bill No. 5532 (1191 : Amended Bill No. 5532 - DeSmet Master Sign Plan)

BILL NO. 5532

ORDINANCE NO. _____

Beginning at the point of intersection of the Western line of Ballas Road, variable width, with the Northern line of Emerald Green Estates, a subdivision according to the plat thereof recorded in Plat Book 104 Pages 20 and 21 of the records of the Recorder of Deeds in St. Louis County, Missouri, said point being the Northeast corner of Lot 37 of the above said Emerald Green Estates; thence along the Northern line of Emerald Green Estates North 89 ° 26 minutes 00 seconds West 1198.84 feet to a point on the Eastern right-of-way of Interstate Highway 270 as established under Condemnation Suit No. 259230 in the Circuit Court of St. Louis County; thence along last said Eastern line the following courses and distances: North 02 ° 23 minutes 20 seconds West 200 feet, North 16 ° 06 minutes 26 seconds West 102.94 feet to a point on the Eastern line of Emerson Road, 40 feet wide; thence along last said Eastern line the following courses and distances: North 00 ° 38 minutes 56 seconds East 468.18 feet to a point on the Eastern line of Emerson Road North 00 ° 12 minutes 22 seconds East 329.97 feet to a point on the Western prolongation of the Southern line of Balmoral Subdivision South 89 ° 26 minutes 45 seconds East 651.81 feet to a point on the Western line in Book 11602 Page 1279 of the above said records; thence along last said Western line South 00 ° 53 minutes 27 seconds West 330.11 feet to a point on the Northern line of the above said Section 10, said point being on the Western line of a tract of land conveyed to the United States Postal Service by deed recorded in Book 8196 Page 2285 of the above said records; thence along last said Western line South 00 ° 41 minutes 09 seconds West 336.85 feet to a point on the Southern line of the above said United States Postal Service Property; thence along last said Southern line South 89 ° 26 minutes 00 seconds East 647.44 feet to a point on the Western line of Ballas Road, variable width; thence along last said Western line South 00 ° 39 minutes 38 seconds West 1008.93 feet to the Point of Beginning and containing 1,686,518 square feet or 38.717 acres more or less.

SECTION 3: Such approval of the Master Signage Plan for the DeSmet Jesuit campus shall be subject to the following conditions:

1. The Applicant shall follow the Signage Master Plan for DeSmet Jesuit received December 8, 2014 for all new or altered signage on the campus, as approved by the City of Creve Coeur, except as modified below. The location, size, shape, color, type, and design of each sign shall not substantively depart from the signage plan, unless approved by the City of Creve Coeur.
2. No more than ~~two~~ one monument signs shall be permitted for the frontage along Emerson Road and no more than one monument sign shall be permitted for the frontage along North New Ballas Road.
3. The proposed monument signs shall be similarly styled and shall be located a minimum of 15 feet from the public right-of-way.
4. The Applicant shall submit sign permit and/or building permit applications for proposed signs referred to in the Signage Master Plan that currently do not possess a sign permit.
5. No additional permanent signage is allowed for the campus. Permitted temporary banners are allowed as provided under Section 405.940(E)(5).

Attachment: Amended Bill No. 5532 (1191 : Amended Bill No. 5532 - DeSmet Master Sign Plan)

BILL NO. 5532

ORDINANCE NO. _____

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

ADOPTED THIS ____ DAY OF _____, 2015.

CHARLOTTE D'ALFONSO
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2015.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

Attachment: Amended Bill No. 5532 (1191 : Amended Bill No. 5532 - DeSmet Master Sign Plan)

BILL NO. 5532

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A MASTER SIGN PLAN FOR
DESMET JESUIT HIGH SCHOOL LOCATED AT 233 N. NEW BALLAS ROAD
AND ZONED "B" SINGLE FAMILY RESIDENTIAL**

WHEREAS, Andy Seabacher, of M+H Architects, Inc., on behalf of DeSmet Jesuit High School, has submitted an application for a Master Sign Plan for the campus at 233 N. New Ballas Road, pursuant to Section 405.950.J of the City of Creve Coeur's Code of Ordinances, to include new signage throughout the campus; and

WHEREAS, the boundaries of the Master Signage Plan will be for the entire school campus including all existing and proposed signage, except as modified herein, as demonstrated in the "Signage Master Plan for DeSmet Jesuit" received December 8, 2014 and attached as Exhibit 1; 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 January 5, 2015, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; 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

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard; and

WHEREAS, the Planning and Zoning Commission reviewed and, by 7-0 vote, recommended approval of the master sign plan, subject to the conditions contained herein, at its meeting on January 5, 2015; and

WHEREAS, the City Council being fully informed finds that approving the Plan, subject to certain conditions, 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 is in the public interest; 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

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

SECTION 1: A Master Sign Plan is approved for the DeSmet Jesuit High School campus, generally located at 233 N. New Ballas Road, in the "B" Single Family Residential zoning district whose legal description is as follows:

A tract of land in the Southwest quarter of Section 3 and the Northwest corner of Section 10, Township 45 North, Range 5 East of 5th Principal Meridian, City of Creve Coeur, St. Louis County, Missouri, and being more particularly described as follows:

Attachment: Bill No. 5532 (1191 : Amended Bill No. 5532 - DeSmet Master Sign Plan)

BILL NO. 5532

ORDINANCE NO. _____

Beginning at the point of intersection of the Western line of Ballas Road, variable width, with the Northern line of Emerald Green Estates, a subdivision according to the plat thereof recorded in Plat Book 104 Pages 20 and 21 of the records of the Recorder of Deeds in St. Louis County, Missouri, said point being the Northeast corner of Lot 37 of the above said Emerald Green Estates; thence along the Northern line of Emerald Green Estates North 89 ° 26 minutes 00 seconds West 1198.84 feet to a point on the Eastern right-of-way of Interstate Highway 270 as established under Condemnation Suit No. 259230 in the Circuit Court of St. Louis County; thence along last said Eastern line the following courses and distances: North 02 ° 23 minutes 20 seconds West 200 feet, North 16 ° 06 minutes 26 seconds West 102.94 feet to a point on the Eastern line of Emerson Road, 40 feet wide; thence along last said Eastern line the following courses and distances: North 00 ° 38 minutes 56 seconds East 468.18 feet to a point on the Eastern line of Emerson Road North 00 ° 12 minutes 22 seconds East 329.97 feet to a point on the Western prolongation of the Southern line of Balmoral Subdivision South 89 ° 26 minutes 45 seconds East 651.81 feet to a point on the Western line in Book 11602 Page 1279 of the above said records; thence along last said Western line South 00 ° 53 minutes 27 seconds West 330.11 feet to a point on the Northern line of the above said Section 10, said point being on the Western line of a tract of land conveyed to the United States Postal Service by deed recorded in Book 8196 Page 2285 of the above said records; thence along last said Western line South 00 ° 41 minutes 09 seconds West 336.85 feet to a point on the Southern line of the above said United States Postal Service Property; thence along last said Southern line South 89 ° 26 minutes 00 seconds East 647.44 feet to a point on the Western line of Ballas Road, variable width; thence along last said Western line South 00 ° 39 minutes 38 seconds West 1008.93 feet to the Point of Beginning and containing 1,686,518 square feet or 38.717 acres more or less.

SECTION 3: Such approval of the Master Signage Plan for the DeSmet Jesuit campus shall be subject to the following conditions:

1. The Applicant shall follow the Signage Master Plan for DeSmet Jesuit received December 8, 2014 for all new or altered signage on the campus, as approved by the City of Creve Coeur, except as modified below. The location, size, shape, color, type, and design of each sign shall not substantively depart from the signage plan, unless approved by the City of Creve Coeur.
2. No more than two monument signs shall be permitted for the frontage along Emerson Road.
3. The monument signs shall be similarly styled and shall be located a minimum of 15 feet from the public right-of-way.
4. The Applicant shall submit sign permit and/or building permit applications for proposed signs referred to in the Signage Master Plan that currently do not possess a sign permit.
5. No additional permanent signage is allowed for the campus. Permitted temporary banners are allowed as provided under Section 405.940(E)(5).

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

ADOPTED THIS ____ DAY OF _____, 2015.

CHARLOTTE D'ALFONSO
PRESIDENT OF CITY COUNCIL

Attachment: Bill No. 5532 (1191 : Amended Bill No. 5532 - DeSmet Master Sign Plan)

BILL NO. 5532

ORDINANCE NO. _____

APPROVED THIS ____ DAY OF _____, 2015.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

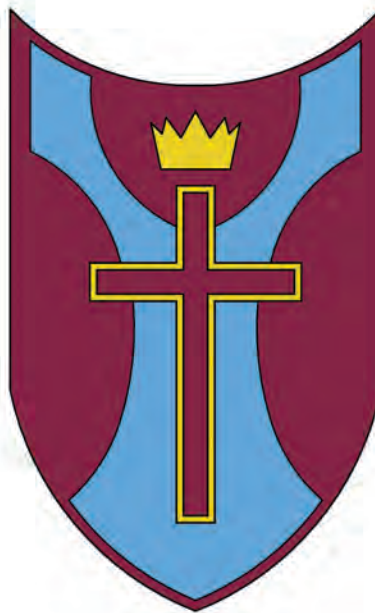
Attachment: Bill No. 5532 (1191 : Amended Bill No. 5532 - DeSmet Master Sign Plan)

DECEMBER 2, 2014

SIGNAGE MASTER PLAN

for

DeSMET JESUIT





2150 SCHUETZ ROAD, SUITE 200, ST. LOUIS, MO 63146 | 314.878.3500 | WWW.MHA.US.COM

December 2, 2014

Whitney Kelly
City Planner
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

RE: DeSmet Jesuit Signage Master Plan
14041.03

Dear Whitney Kelly,

Please except this submittal on behalf of DeSmet Jesuit for approval as the Signage Master Plan record document for DeSmet Jesuit.

Campus signage is intended to communicate to on and off-site public, improve on-site vehicular traffic and safety, and identify and provide information for campus facilities while enhancing the overall aesthetic appearance of the campus.

The purpose of the proposed Signage Master Plan is to establish a framework of acceptable scale and location for all future permanent signs on DeSmet Jesuit's campus. This will enable DeSmet Jesuit to execute the Signage Master Plan through individual sign installation, as needs arise and development on campus continues, within this approved framework. Execution of the Signage Master Plan and installation of the individual signs will be without a specific schedule and in no specific order at this time.

All signs will comply with Life Safety codes, signs will not obstruct exit ways or ventilations, and signs will not project beyond the property lines or into public right-of-ways.

The attached submittal includes a *Campus Keyplan* of DeSmet Jesuit indicating the locations of existing and proposed signage on campus followed by a detailed description of each sign.

We hope you find this acceptable. Please call with any questions or comments.

Sincerely,

M+H ARCHITECTS

Andy Sebacher
Project Manager

cc: Dr. Greg Densberger, DeSmet Jesuit



M+H ARCHITECTS - AWARDED THE 2014 PSMJ CIRCLE OF EXCELLENCE



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO

DeSMET JESUIT
233 N. New Ballas Rd.
St. Louis, MO 63141

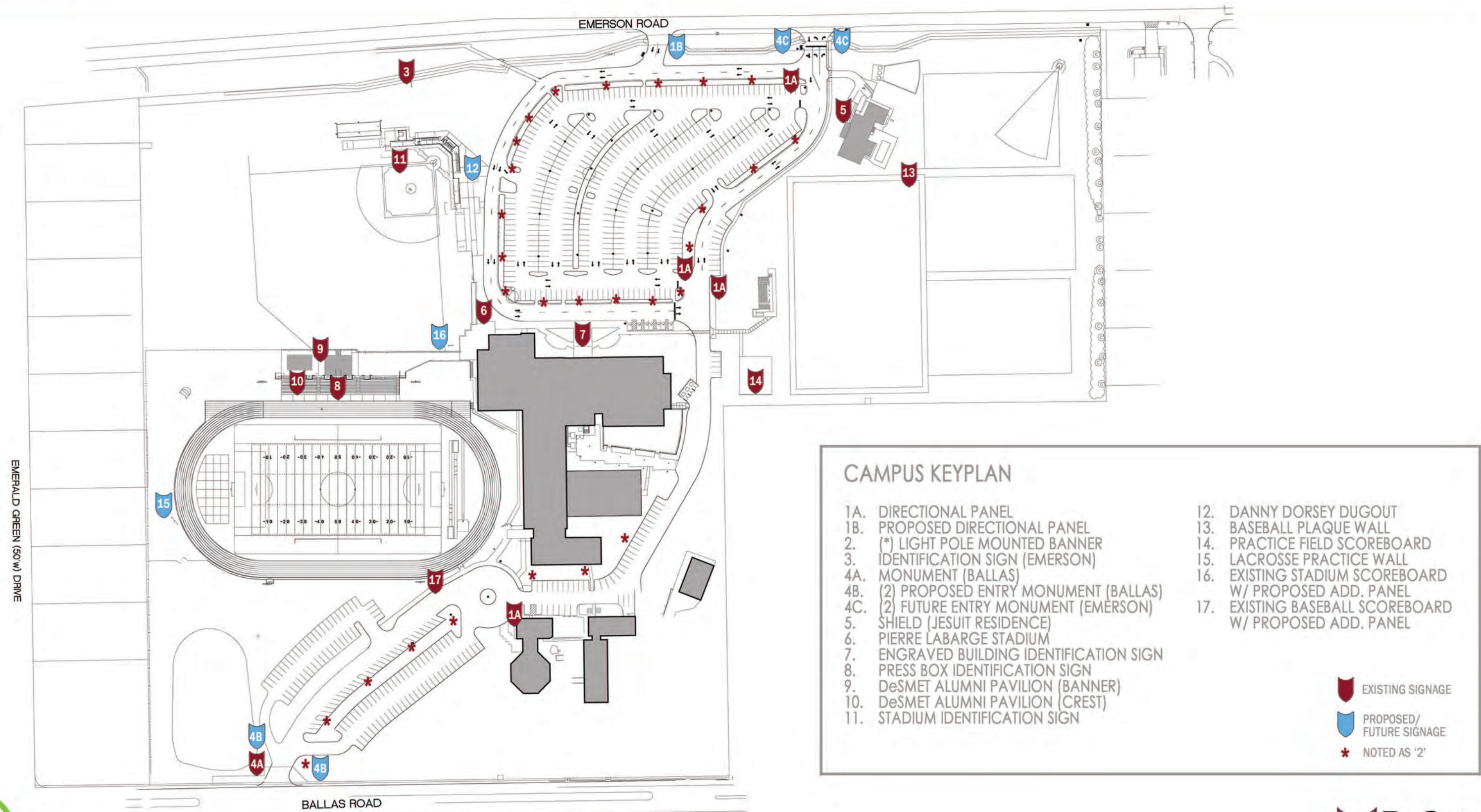
ZONING: R-1

SITE ACERAGE: 38.8 Acres +/-

LEGAL DESCRIPTION:

A tract of land in the Southwest quarter of Section 3 and the Northwest corner of Section 10, Township 45 North, Range 5 East of 5th Principal Meridian, City of Creve Coeur, St. Louis County, Missouri.

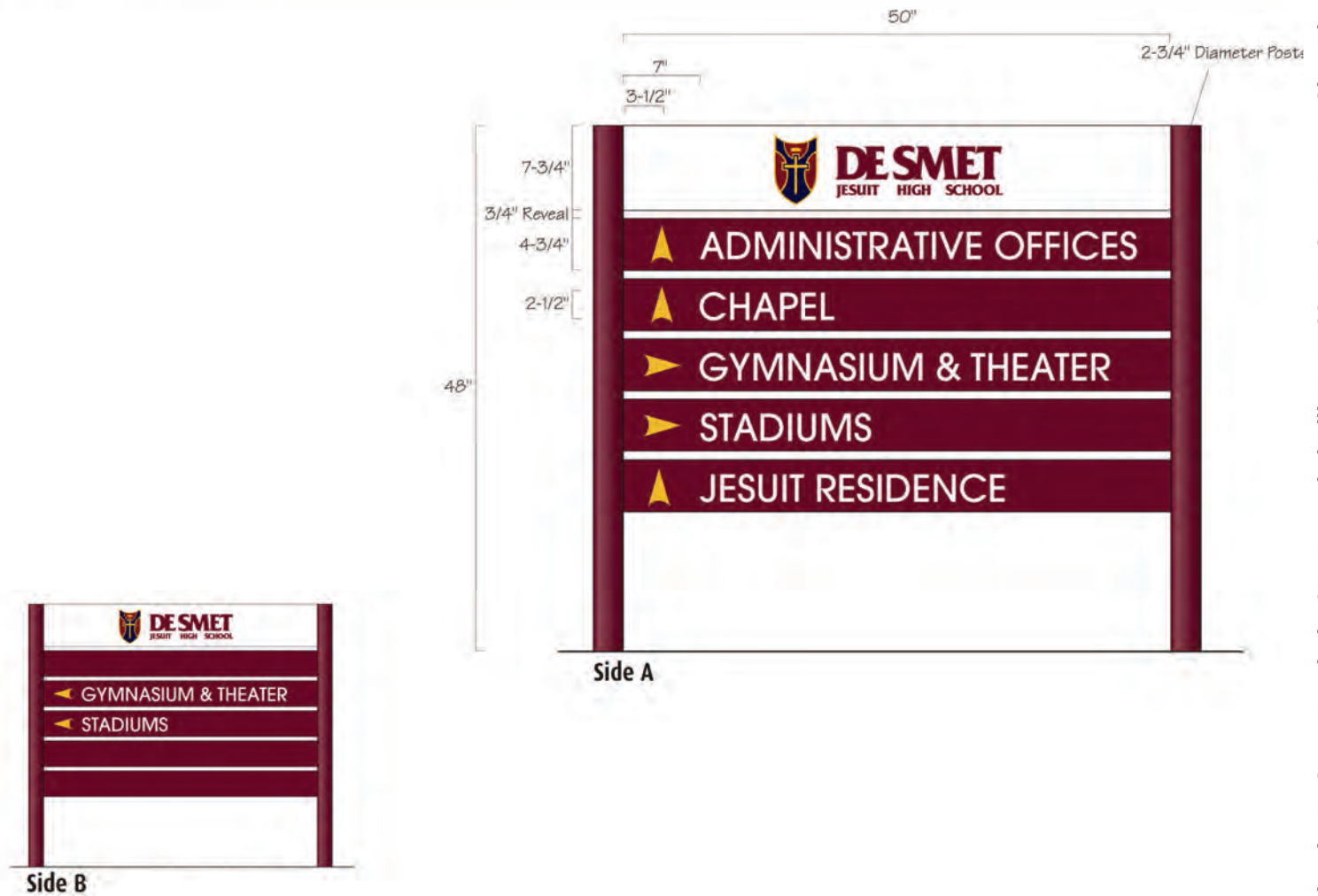
Beginning at the point of intersection of the Western line of Ballas Road, variable width, with the Northern line of Emerald Green Estates, a subdivision according to the plat thereof recorded in Plat Book 104 Pages 20 and 21 of the records of the Recorder of Deeds in St. Louis County, Missouri, said point being the Northeast corner of Lot 37 of the above said Emerald Green Estates; thence along the Northern line of Emerald Green Estates North 89 ° 26 minutes 00 seconds West 1198.84 feet to a point on the Eastern right-of-way of Interstate Highway 270 as established under Condemnation Suit No. 259230 in the Circuit Court of St. Louis County; thence along last said Eastern line the following courses and distances: North 02 ° 23 minutes 20 seconds West 200 feet, North 16 ° 06 minutes 26 seconds West 102.94 feet to a point on the Eastern line of Emerson Road, 40 feet wide; thence along last said Eastern line the following courses and distances: North 00 ° 38 minutes 56 seconds East 468.18 feet to a point on the Eastern line of Emerson Road North 00 ° 12 minutes 22 seconds East 329.97 feet to a point on the Western prolongation of the Southern line of Balmoral Subdivision South 89 ° 26 minutes 45 seconds East 651.81 feet to a point on the Western line in Book 11602 Page 1279 of the above said records; thence along last said Western line South 00 ° 53 minutes 27 seconds West 330.11 feet to a point on the Northern line of the above said Section 10, said point being on the Western line of a tract of land conveyed to the United States Postal Service by deed recorded in Book 8196 Page 2285 of the above said records; thence along last said Western line South 00 ° 41 minutes 09 seconds West 336.85 feet to a point on the Southern line of the above said United States Postal Service Property; thence along last said Southern line South 89 ° 26 minutes 00 seconds East 647.44 feet to a point on the Western line of Ballas Road, variable width; thence along last said Western line South 00 ° 39 minutes 38 seconds West 1008.93 feet to the Point of Beginning and containing 1,686,518 square feet or 38.717 acres more or less.





DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



DIRECTIONAL PANEL (TYPICAL)

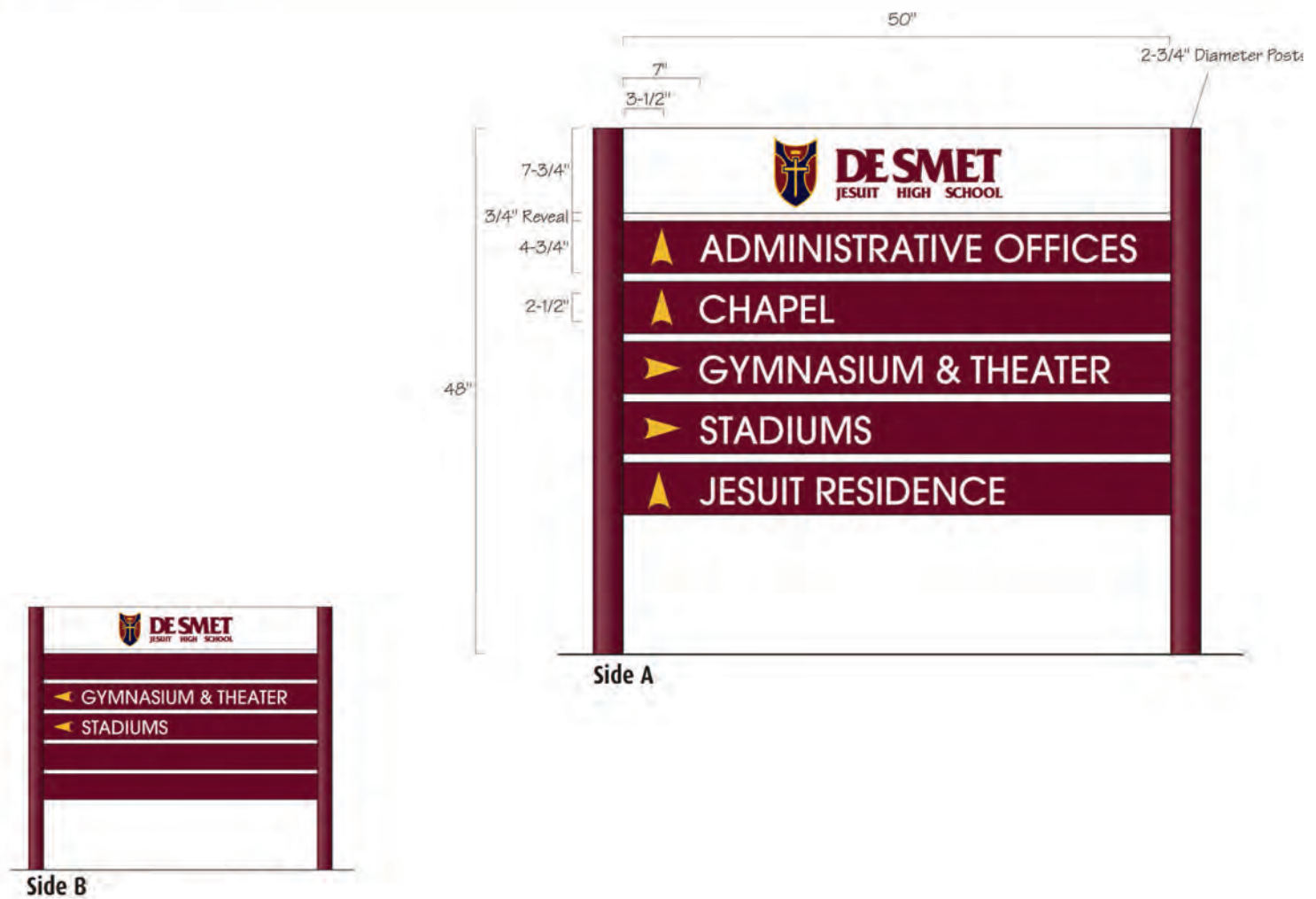
OVERALL DIMENSIONS: 48"H x 55 1/2"W x 2 3/4" D

PANEL MAX. AREA: 18.5 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



PROPOSED DIRECTIONAL PANEL

(SIMILAR TO EXISTING PANELS)

OVERALL DIMENSIONS: 48"H x 55 1/2"W x 2 3/4" D

PANEL MAX. AREA: 18.5 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



LIGHT POLE MOUNTED BANNERS

(NOTED AS * ON PLAN)

DIMENSIONS: 2' x 4'

BANNER AREA: 8 SF



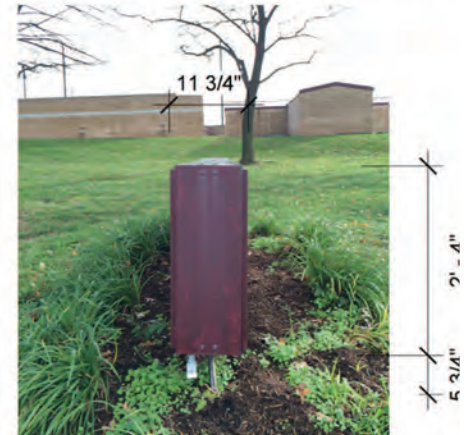
**DE SMET
JESUIT**

Packet Pg. 51



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



IDENTIFICATION SIGN (EMERSON)

EXISTING SIGN FACE AREA: 23.3 SF

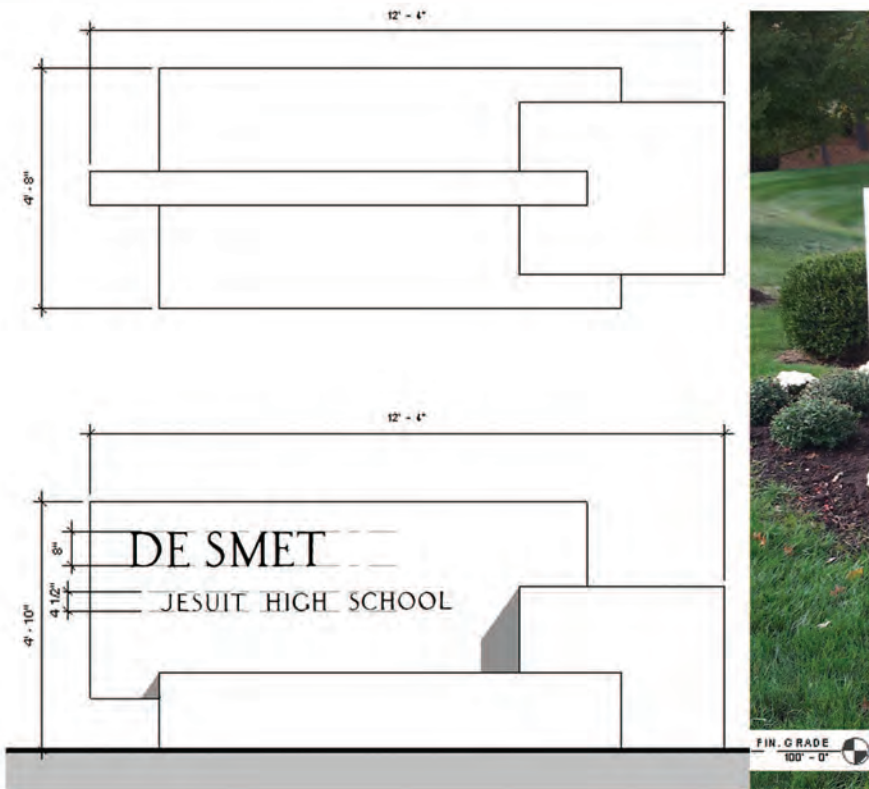


**DE SMET
JESUIT**



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



MONUMENT (BALLAS)

(TO BE REPLACED w/ 4B)

EXISTING SIGN FACE AREA: +/- 54 SF



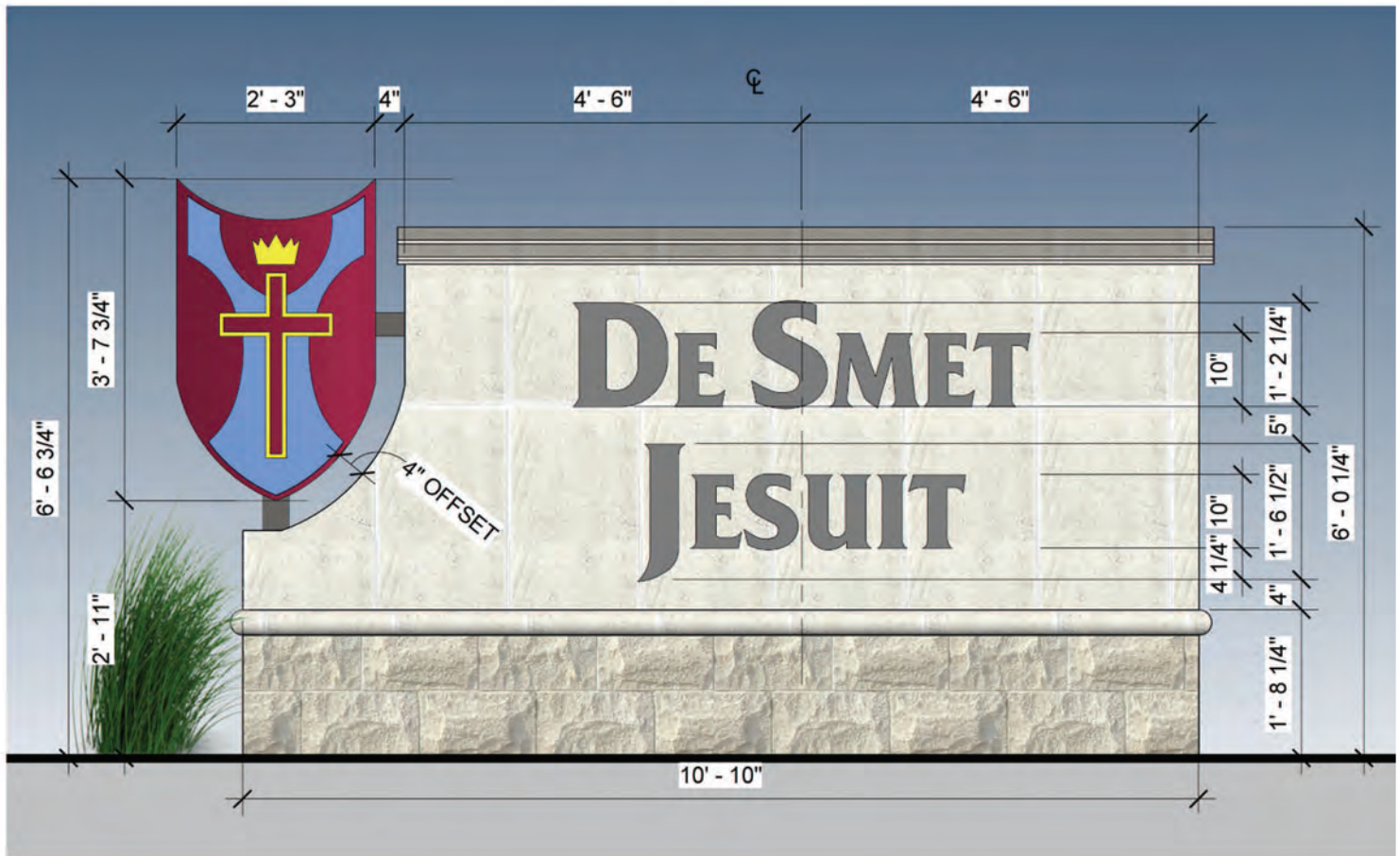
DE SMET
JESUIT

Packet Pg. 53



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



(2) PROPOSED ENTRY MONUMENT (BALLAS)

SIGN FACE AREA: +/- 60 SF





DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



(2) PROPOSED ENTRY MONUMENT (BALLAS)

SIGN FACE AREA: +/- 60 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



SHIELD (JESUIT RESIDENCE)

EXISTING SIGN FACE AREA: 2.65 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



PIERRE LABARGE STADIUM

SIGN AREA: +/- 12 SF

Attachment: Exhibit 1- Signage Master Plan for DeSmet Jesuit (1191 : Amended Bill No. 5532 - DeSmet Master Sign Plan)



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



ENGRAVED BUILDING IDENTIFICATION SIGN

EXISTING SIGN FACE AREA: 84 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



PRESS BOX IDENTIFICATION SIGN

EXISTING SIGNAGE AREA: +/- 9 SF



**DE SMET
JESUIT**



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



DeSMET ALUMNI PAVILION (BANNER)

EXISTING SIGN FACE AREA: 12 SF



**DE SMET
JESUIT**



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



DeSMET ALUMNI PAVILION (CREST)

EXISTING SIGN FACE AREA: +/- 6 SF



**DE SMET
JESUIT**



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



DANNY DORSEY DUGOUT

EXISTING SIGN AREA: 2.75 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



BASEBALL PLAQUE WALL

PLAQUE DIMENSIONS: 18" x 18" (17 TOTAL)

DONOR RECOGNITION

DIMENSIONS: 12" LETTERS; 114" MIN. LENGTH
AREA: 9 - 14 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



PRACTICE FIELD SCOREBOARD

SCOREBOARD AREA: 189 SF



**DE SMET
JESUIT**



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



LACROSSE PRACTICE WALL

WALL FACE AREA: 540 SF

SIGNAGE AREA: 157 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



EXISTING STADIUM SCOREBOARD W/ PROPOSED ADD. PANEL

EXISTING SCOREBOARD AREA: 168 SF

ADDITIONAL PANEL AREA: 40 SF



**DE SMET
JESUIT**

Packet Pg. 67



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



EXISTING BASEBALL SCOREBOARD W/ PROPOSED ADD. PANEL

EXISTING SCOREBOARD AREA: 60 SF

ADDITIONAL PANEL AREA: 30 SF



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

MEMORANDUM TO CITY ADMINISTRATOR AND CITY COUNCIL

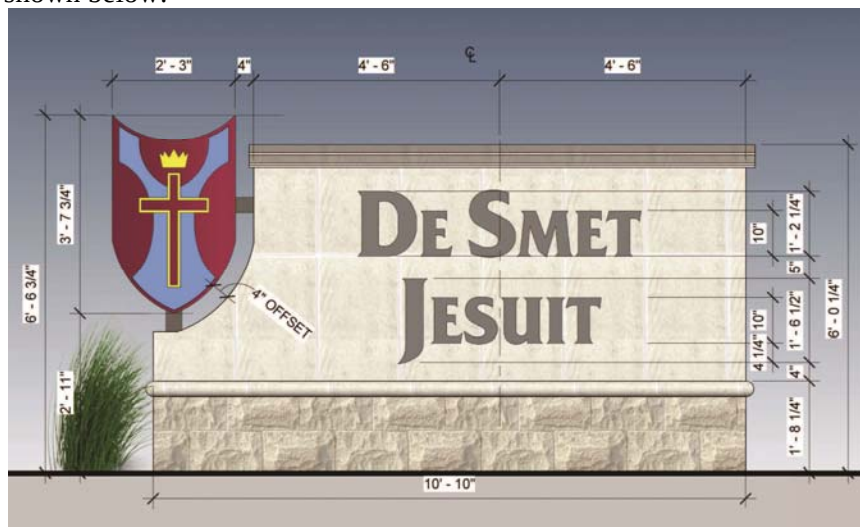
Meeting Date: January 26, 2015

Subject: Master Sign Plan For DeSmet Jesuit High School

Memo Prepared by: Paul Langdon, AICP
Community Development Director

During the meeting of January 12, 2015, the City Council reviewed the application for a Master Sign Plan for DeSmet Jesuit High School. In the course of discussion, a question was raised regarding the occurrence of large monument signs on other highly visible sites. Further, a request was made for a brief analysis of what those other signs look like and what is their size. The issue at hand was whether or not the two proposed monument signs on North New Ballas Road represented an appropriate amount of sign under the purposes of a Master Sign Plan. Staff have compiled information on several commercial and institutional properties in the city that are either nearby or serve similar purposes (a large identifier of a single use).

Based upon the discussion on January 12th, it appears that the Council is most concerned with the total visual impact of the installation rather than the permit area of the sign (the sign copy). The fullest extents of DeSmet's proposed signs are 75.3 square feet while the permit area (does not include supporting base) is 52.74 square feet. Only one side of each sign is visible from the right-of-way, so the total visible monument area is 150.6 square feet; the associated sign area, for permit purposes, is 105.48 square feet. The elevation drawing of the sign is shown below:



For ease of comparison, the other signs surveyed are shown with their outside most dimensions in the following table. Note again that this area includes the entire installation; no distinction is made for the area of the given signs that would actually be evaluated in a sign permit application.

SIGN SURVEY

Photo Date: 1/21/2015

All dimensions are width x height at fullest extents

**Creve Coeur Government Center**

9'9" x 6'3" = 60.9 sq. ft.

Total of two faces: 121.8 sq.ft.

**Balmoral Plaza**

9'3" x 8'6" = 78.6 sq. ft.

Total of two faces: 157.2 sq.ft.

**Chaminade College Preparatory School**

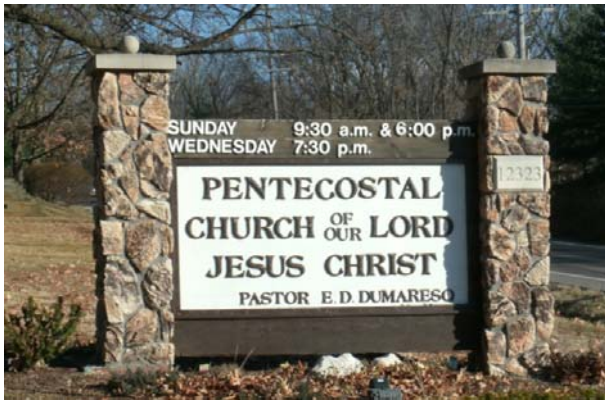
11'7" x 9' = 105.25 sq.ft

Only one face.

**St. Louis Priory School (main entrance)**

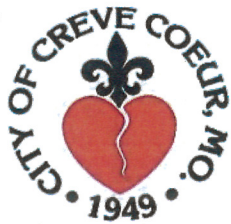
10'6" x 3'6" = 36.75 sq.ft.

Total of two faces: 73.5 sq.ft.

 A rectangular sign with a brick border. The text reads "St. Louis Elks Lodge 9" in a large, serif font. Below the text is a circular logo featuring a stag's head. At the bottom, it says "12481 LADUE RD.".	St. Louis Elks Lodge 9 7' x 4'10" = 33.8 sq.ft. Total of two faces: 67.6 sq.ft.
 A sign with a stone border. The text includes "SUNDAY 9:30 a.m. & 6:00 p.m." and "WEDNESDAY 7:30 p.m." at the top. The main text reads "PENTECOSTAL CHURCH OF OUR LORD JESUS CHRIST" and "PASTOR E. D. DUMARESCU".	Pentacostal Church 11'10" x 7'10" = 92.7 sq.ft Total of two faces: 185.4 sq.ft.
 A large, stepped brick sign. The text reads "CONGREGATION SHAARE EMETH" in a bold, sans-serif font.	Congregation Share Emeth 13'4" x 7'2" = 93.3 sq.ft. Total of two faces: 186.6 sq.ft.

In addition to the signs shown above, many subdivisions have identification signs that have small copy areas, but are mounted on large monuments or gateway entrances; in many instances, they are much larger than those shown here. Based on this comparison, the proposed DeSmet signs are similar to those seen elsewhere in the city. The main distinction is that they are using two, single-faced signs rather than one, two-faced sign in order to create the same style of gateway entrance as seen in the subdivisions. Set within 1,350 feet of frontage without any other signs, this approach does not seem to represent a proliferation of signs along Ballas Road. However, if the Council is concerned that it does, a constructed gateway with a single, two-faced sign will provide a similar level of school identification and sense of arrival though it might not represent a more visually simple design.

Staff members will be available to answer any questions regarding this analysis during the meeting.



city of

CREVE COEUR

2.2.h

300 North New Ballas Road • Creve Coeur, Missouri 63141
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www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION #14-039 FOR A MASTER SIGN PLAN FOR DESMET JESUIT SCHOOL

FOR THE MEETING OF: January 5, 2015

LOCATION: 233 North New Ballas Road. The property is zoned "B" Single Family Residential.

REQUEST: Andy Seabacher, of M+H Architects, Inc., on behalf of DeSmet Jesuit High School located at 233 North New Ballas Road, has submitted a request for a Master Sign Plan to include new entrance monument signs along Emerson and N. New Ballas Roads, and various building signs, scoreboard signs, and directional signs throughout the campus.

ADDITIONAL INFORMATION: The City's Sign Regulations allow institutions such as schools in residential districts a single low monument sign of 24 square feet and six feet in height. However, residentially-zoned institutions with a minimum tract area of 20 acres may seek approval of a comprehensive plan of signage subject to the recommendation of the Planning and Zoning Commission and approval of the City Council. DeSmet Jesuit is 38.7 acres.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request follow the Design Guidelines?
- Does the request meet the requirements for a Master Sign Plan approval?

Comp. Plan References

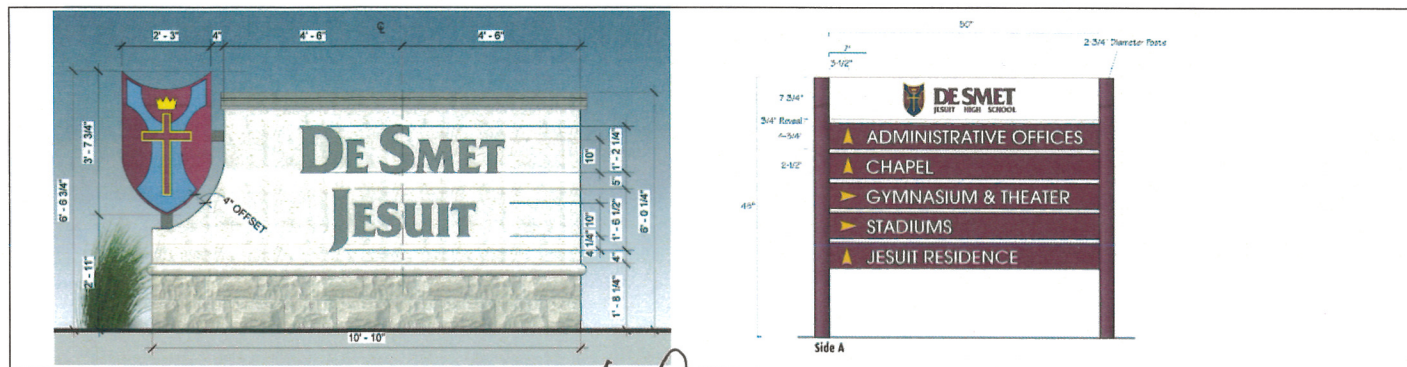
- Residential Neighborhoods

Zoning Code References

- Section 405.260: "B" Single Family Residential District
- Section 405.940(E) Institutional Uses In Residential Districts.
- Section 405.950(J) Master Signs Plans

APPLICANT: Greg Densberger
DeSmet Jesuit
233 North New Ballas Road
Creve Coeur, MO 63141

APPLICANT'S REPRESENTATIVE: Andy Seabacher
M+H Architects, Inc.
2165 Schuetz Road
St. Louis, MO 63146



REPORT PREPARED BY:

Whitney Kelly
Whitney Kelly, AICP, City Planner

1/2/2015
Date

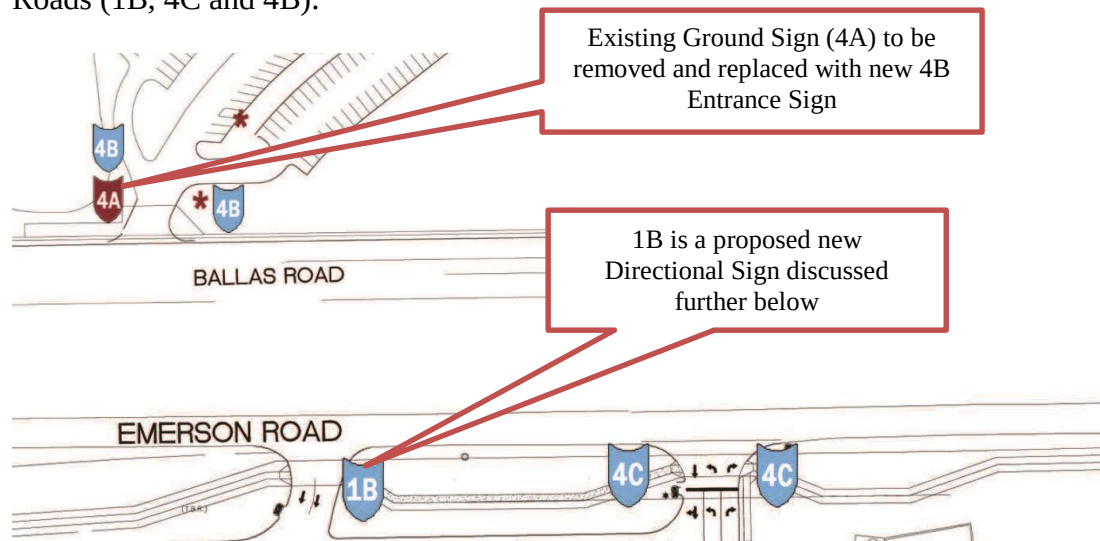
ATTACHMENTS: Applicant's drawings received December 8, 2014
Draft Ordinance

MASTER SIGN PLAN PROPOSAL

The proposed plan documents all of the existing signs and proposes several new signs, including two entrance signs (identified as 4B & 4C) at the entrance driveways of Emerson Road and N. New Ballas Road. All of the signs have a consistent use of the school colors and materials for branded signs and non-branded signs. Below is a discussion of the key signs that are large and visible from the right-of-way and adjacent properties. Please refer to the Applicant's materials for all smaller proposed signs intended for on-site wayfinding.

New Entrance Signs (4B and 4C)

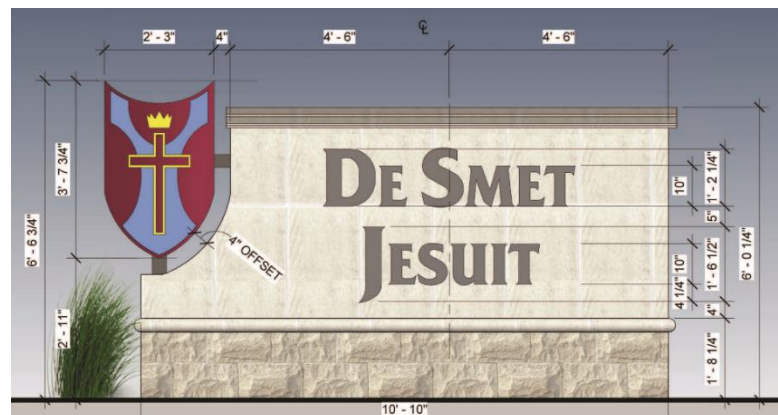
Institutional uses in residential districts in excess of five acres may be permitted a single campus low monument sign with a maximum area per sign face of 24 square feet, with a maximum height of not more than six feet, and setback a minimum of 15 feet from the public right-of-way (per *Section 405.940.E.3 Campus Low Monument Signs*). However, through the master sign program, alternative signs may be permitted. Below is a close up of the campus map showing the proposed location of the new entrance monument signs along Emerson and N. New Ballas Roads (1B, 4C and 4B):



The existing campus monument sign along N. New Ballas Road (4A) will be removed and replaced with two 52.74 square-foot entrance signs at opposite sides of the entrance driveway (4B) at approximately 90 feet from one another. The same signs will be located at the entrance along Emerson Road (4C) for a total of four new monument signs. All signs will be located approximately 15 feet or more from the property line. Page 11 of the attached Applicant's Signage Plan provides a mock view of the two signs together.



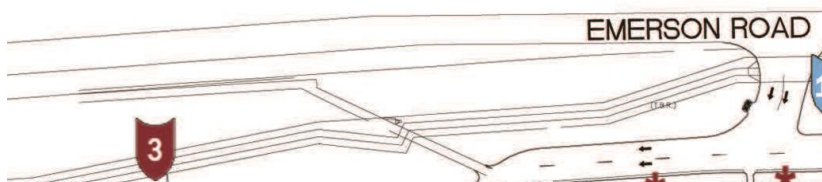
Existing Sign-4A to be removed



Proposed Entrance Signs of approximately 53 sq. ft., and 6.5 feet

Existing Campus Monument Sign Proposed to Remain (#3)

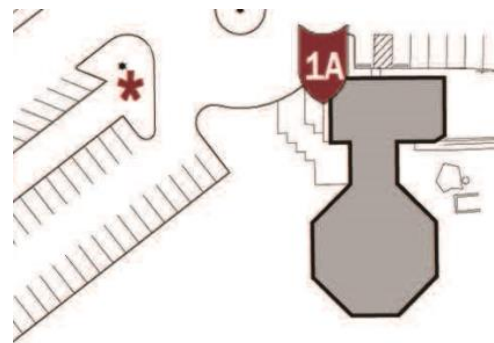
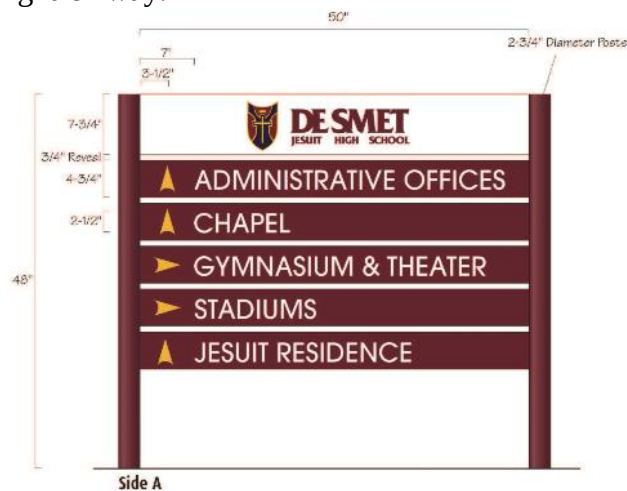
The proposal also includes maintaining the existing 23.3 square-foot sign along Emerson Road, identified as # 3 on the map. Below is a close-up of the existing sign proposed to remain and a close-up of the location on the map:



New Directional Signs (1A & 1B)

The proposed plan includes two new directional signs with a sign area of 18.5 square feet each, as shown to the right.

One (identified as 1B in the detail of the map above) will be located along at the second entrance along Emerson Road, and the second (identified as 1A) will be located adjacent to the Chapel within the parking lot on the N. New Ballas Road side of the property and out of view from the right-of-way.



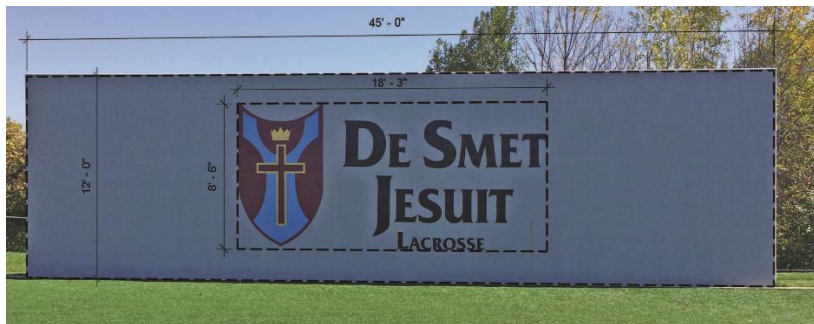
Building Signs

Without the master sign plan provision, institutional uses in residential districts such as schools and places of worship are allowed one wall sign not exceeding twelve square-feet in size. The proposed sign package includes various building signs. The largest proposed building sign is for the main building (identified as #7 in the middle of the campus facing Emerson Road) with a sign area of 84 square feet.



Scoreboard and Various Field Signs

The remaining signs include various building signs, signs on scoreboards, light pole banners (indicated by *) throughout the parking lots, a mural on the Lacrosse practice wall, and a Baseball Wall of Fame. All are internal to the campus with limited visibility from the public right-of-way. Below is a close-up of the Lacrosse Mural and a proposed future donor sign for the scoreboard:



Lacrosse Practice Wall Mural, #14



Example scoreboard with future sign area



Example light-pole banners to be placed throughout the campus

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

Direction	Use	Zoning District	Separated by
North	Post Office, commercial office building, single-family residences	"GC" General Commercial and "C" Single-Family Residential	N/A
South	Single-family residences	"B" and "C" Single-family Residential	N/A
East	Government Center and single-family attached residences	"B" Single-family Residential	N. New Ballas
West	Single-family residences	"B" and "C" Single-family Residential	Interstate 270

COMPREHENSIVE PLAN REVIEW

The Comprehensive Plan does not provide much direction for sign review in residential areas, except to recommend that the City ensure that non-residential development is compatible with adjacent residential development and that with the expansion of institutional uses beyond the existing property boundaries negative impacts on surrounding residential areas with regard to the site, including signage, will be mitigated (page 44-45).

The Design Guidelines offer further guidance in reviewing signs, by recommending that sign plans include a consistency of materials, siting, and design. Specifically, all signs are to be architecturally integrated and complement their surroundings in terms of size, shape, color, texture and lighting. Signs are to complement the overall design of the building and are not to be designed to be in visual competition with other signs in the area. New signs proposed for existing buildings should provide a compatible appearance with other building signage. Where no sign program exists there should be an attempt to bring in a unifying element (such as size). (Chapter 5, page 17). The proposed DeSmet signs are well-designed in similar style and use of materials, and limited to within the campus and away from the residential areas. For the most part, the master sign plan is consistent with the Comprehensive Plan and Design Guidelines. However, Staff has a concern regarding the total number of monument signs. The proposal includes maintaining the existing sign along Emerson Road, and adding four entry signs that are approximately 60 square feet each. This is out of character with a residential setting where, without such a plan, the campus would be limited to one sign of 24 square feet. Therefore, a condition of approval includes allowing only two similarly styles signs along Emerson Road. This would effectively require the elimination of sign #3 although one of the new signs could be placed in its pre-existing location if the plan is revised.

ZONING CODE REVIEW

All signs within the City are regulated under Article VIII of the Zoning Ordinance. The purpose of the Sign Regulations are to encourage the effective use of signs as a means of communication, to maintain and enhance the aesthetic appearance of the City and to facilitate and improve pedestrian and vehicular traffic safety, and to lessen confusion and visual clutter caused by a proliferation of signs competing for attention. For campuses, the Sign Regulations allow for flexibility through the approval of a comprehensive sign package that creates an overall identity for the campus, where all signs are compatible in theme, quality, and character with the surrounding area, per the Master Sign Plan provision below:

Section 405.950.J. Master Signage Plans. In keeping with the intent to allow flexibility in the design of planned developments and large campus development of contiguous multi-acre areas, not separated by major highways or public right-of-ways (i.e., Olive Boulevard), the following options may be available for signs accessory to uses in non-residential district properties of campus developments of three (3) or more multiple buildings with a minimum of ten (10) acres and residentially zoned institutions (schools and places of worship with a minimum tract area of twenty (20) acres) subject to:

- 1. As an alternative to what would otherwise be allowed, signs may be permitted in accordance with a Comprehensive Plan of signage subject to the recommendation of the Planning and Zoning Commission and approval of the City Council following a public hearing conducted in accordance with the provisions of Sections 405.1060(D)(3) and 405.1120 of the Zoning Code. The Comprehensive Plan of signage shall show the location, size, height and extent of all proposed signs. In addition, the geographic limits of the area to be covered by the Comprehensive Plan of signage must be shown.*
- 2. Any application submitted pursuant to Subsection (J)(1) above may be made by any property owner, owner of an easement, lessee, contract purchaser or their agent. Such application shall be accompanied by a statement setting forth the names of the record owners of the properties upon which such signs are proposed to be located and the notarized agreement of each record owner to the placement of such signs on their property. When an application requests permission to erect a sign on property owned by someone other than the applicant, then such application shall be accompanied by a written and notarized statement signed by the record owners of such properties which indicates their endorsement of the application.*
- 3. The above-cited signage options shall be exercised in accordance with the standards for all planned developments as set forth in Section 405.1080. All proposed signs shall be reviewed based on the following criteria:*
 - a. Proposed signs are consistent with the purpose of this Article.*
 - b. Proposed signs are compatible with the theme, visual quality, and overall character of the surrounding area.*
 - c. Proposed signs are in scale and harmonious with the development and shall be so located and sized as to ensure convenience to the visitor, user or occupant of the development while not adding to street clutter or otherwise detracting from the planned unit nature of the development and the purposes of architectural and urban design elements.*

The proposed Master Sign Plan for DeSmet is largely consistent with the intent of the Sign Regulations provision for master sign plans and with prior action, where the signs represent a similar style and design, and are mostly limited to the interior of the campus. The new entrance monument signs along Emerson and N. New Ballas Roads will provide identity and visibility to the school and the proposed signs throughout the campus will increase public convenience by providing better direction information for visitors on the campus in a well-designed, coordinated manner. However, the existing monument sign along Emerson is out of character with the new signs, and as discussed above only adds to the visual clutter along Emerson and therefore is recommended to be removed from the plan.

FORM OF THE DRAFT ORDINANCE

The draft ordinance contains the following customary conditions that primarily ensure adherence to proposed plan:

- The Applicant shall follow the Master Signage Plan received December 8, 2014 for all new or altered signage on the campus, as approved by the City of Creve Coeur, except as

modified below. The location, size, shape, color, type, and design of each sign shall not substantively depart from the Master Sign Plan, unless approved by the City of Creve Coeur.

- No more than two monument signs shall be permitted for the frontage along Emerson Road.
- The proposed new monument signs shall be similar styled and shall be located a minimum of 15 feet from the public right-of-way.
- The Applicant shall submit sign permit and/or building permit applications for proposed signs referred to in the Master Sign Plan that currently do not possess a sign permit.
- No additional permanent signage is allowed for the campus. Permitted temporary banners are allowed as provided under Section 405.940(E)(5).

CONCLUSION AND ACTION

If the Planning and Zoning Commission finds that the DeSmet Jesuit Signage Master Plan is consistent with the purpose and requirements of Article VIII, a recommendation to the City Council for approval is necessary. Action on the proposal will come in the form of a recommendation of approval, approval with conditions, or denial. The following is an example of an appropriate motion for this application:

“I move to recommend approval of the DeSmet Jesuit Signage Master Plan, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of January 5, 2015” (conditions may be added, eliminated, or modified by preceding motion).

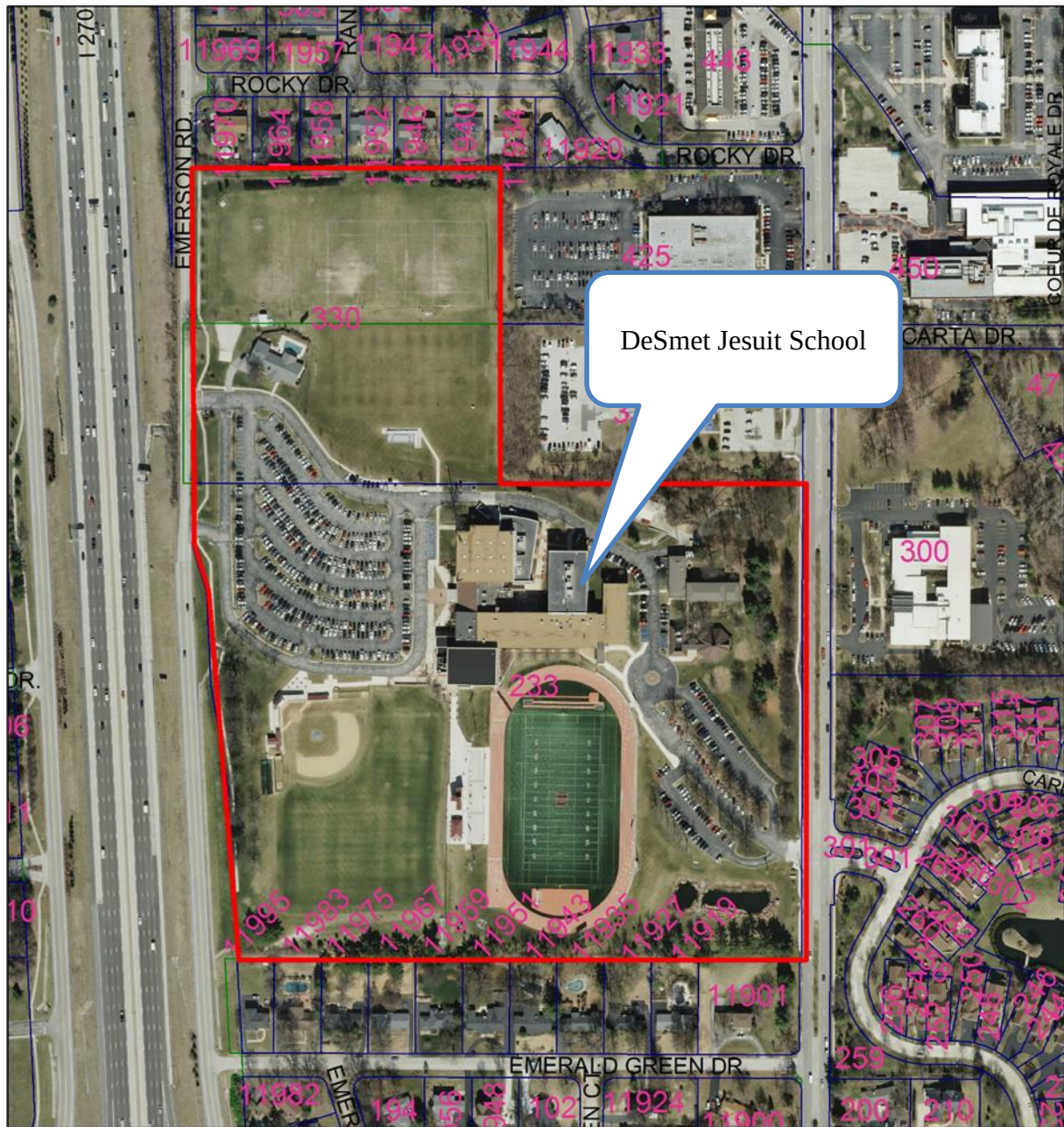
APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

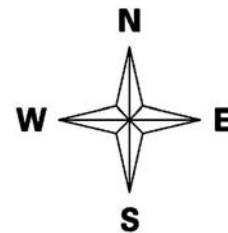
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL PHOTO



Property lines

DeSmet Jesuit School Campus

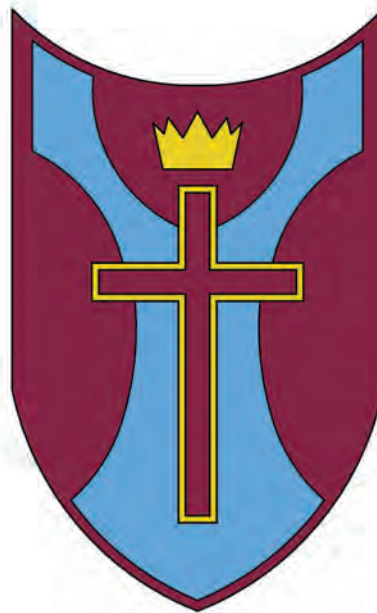


DECEMBER 2, 2014

SIGNAGE MASTER PLAN

for

DeSMET JESUIT





2150 SCHUETZ ROAD, SUITE 200, ST. LOUIS, MO 63146 | 314.878.3500 | WWW.MHA.US.COM

December 2, 2014

Whitney Kelly
City Planner
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

RE: DeSmet Jesuit Signage Master Plan
14041.03

Dear Whitney Kelly,

Please except this submittal on behalf of DeSmet Jesuit for approval as the Signage Master Plan record document for DeSmet Jesuit.

Campus signage is intended to communicate to on and off-site public, improve on-site vehicular traffic and safety, and identify and provide information for campus facilities while enhancing the overall aesthetic appearance of the campus.

The purpose of the proposed Signage Master Plan is to establish a framework of acceptable scale and location for all future permanent signs on DeSmet Jesuit's campus. This will enable DeSmet Jesuit to execute the Signage Master Plan through individual sign installation, as needs arise and development on campus continues, within this approved framework. Execution of the Signage Master Plan and installation of the individual signs will be without a specific schedule and in no specific order at this time.

All signs will comply with Life Safety codes, signs will not obstruct exit ways or ventilations, and signs will not project beyond the property lines or into public right-of-ways.

The attached submittal includes a *Campus Keyplan* of DeSmet Jesuit indicating the locations of existing and proposed signage on campus followed by a detailed description of each sign.

We hope you find this acceptable. Please call with any questions or comments.

Sincerely,

M+H ARCHITECTS

Andy Sebacher
Project Manager

cc: Dr. Greg Densberger, DeSmet Jesuit



M + H ARCHITECTS - AWARDED THE 2014 PSMJ CIRCLE OF EXCELLENCE



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO

DeSMET JESUIT
233 N. New Ballas Rd.
St. Louis, MO 63141

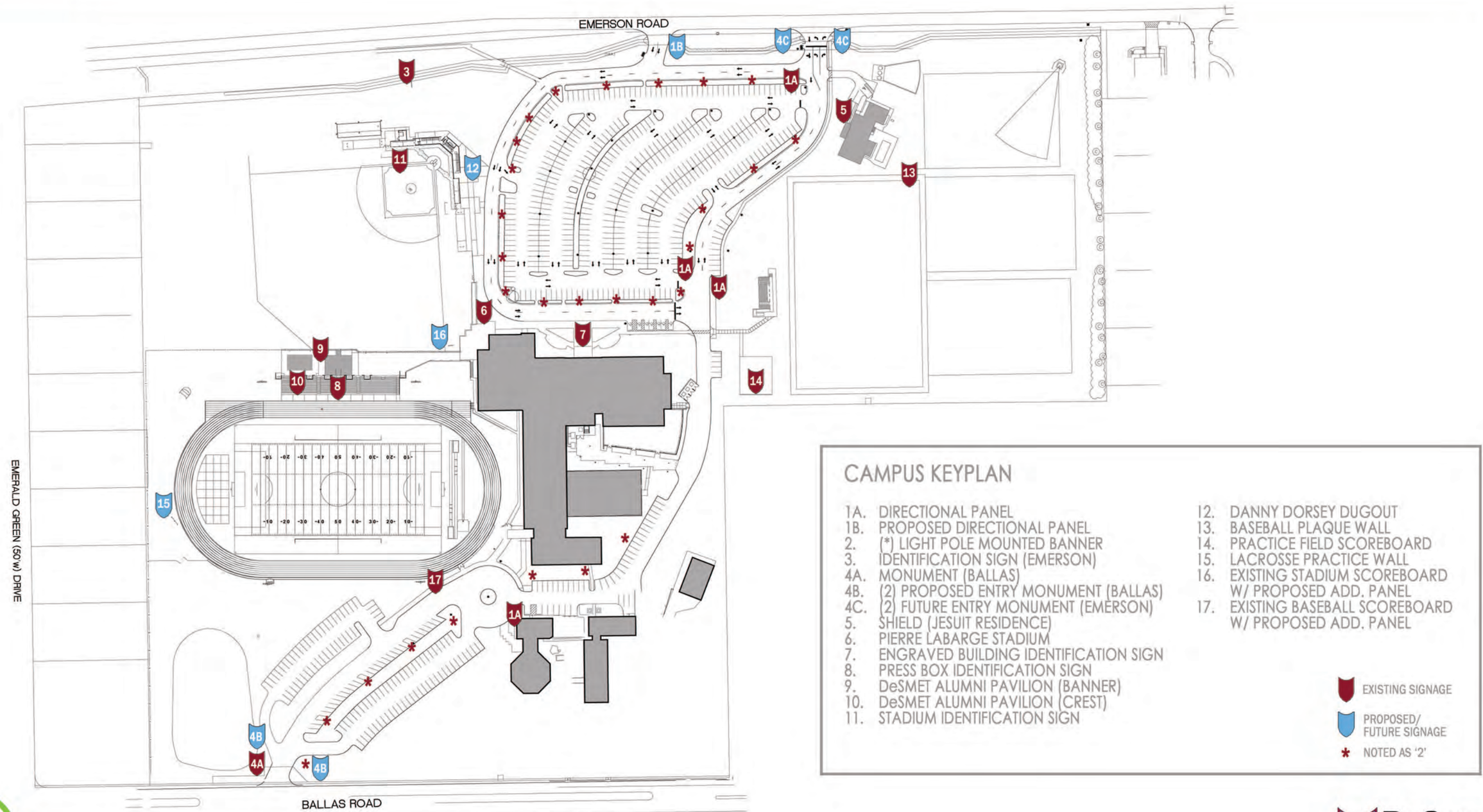
ZONING: R-1

SITE ACERAGE: 38.8 Acres +/-

LEGAL DESCRIPTION:

A tract of land in the Southwest quarter of Section 3 and the Northwest corner of Section 10, Township 45 North, Range 5 East of 5th Principal Meridian, City of Creve Coeur, St. Louis County, Missouri.

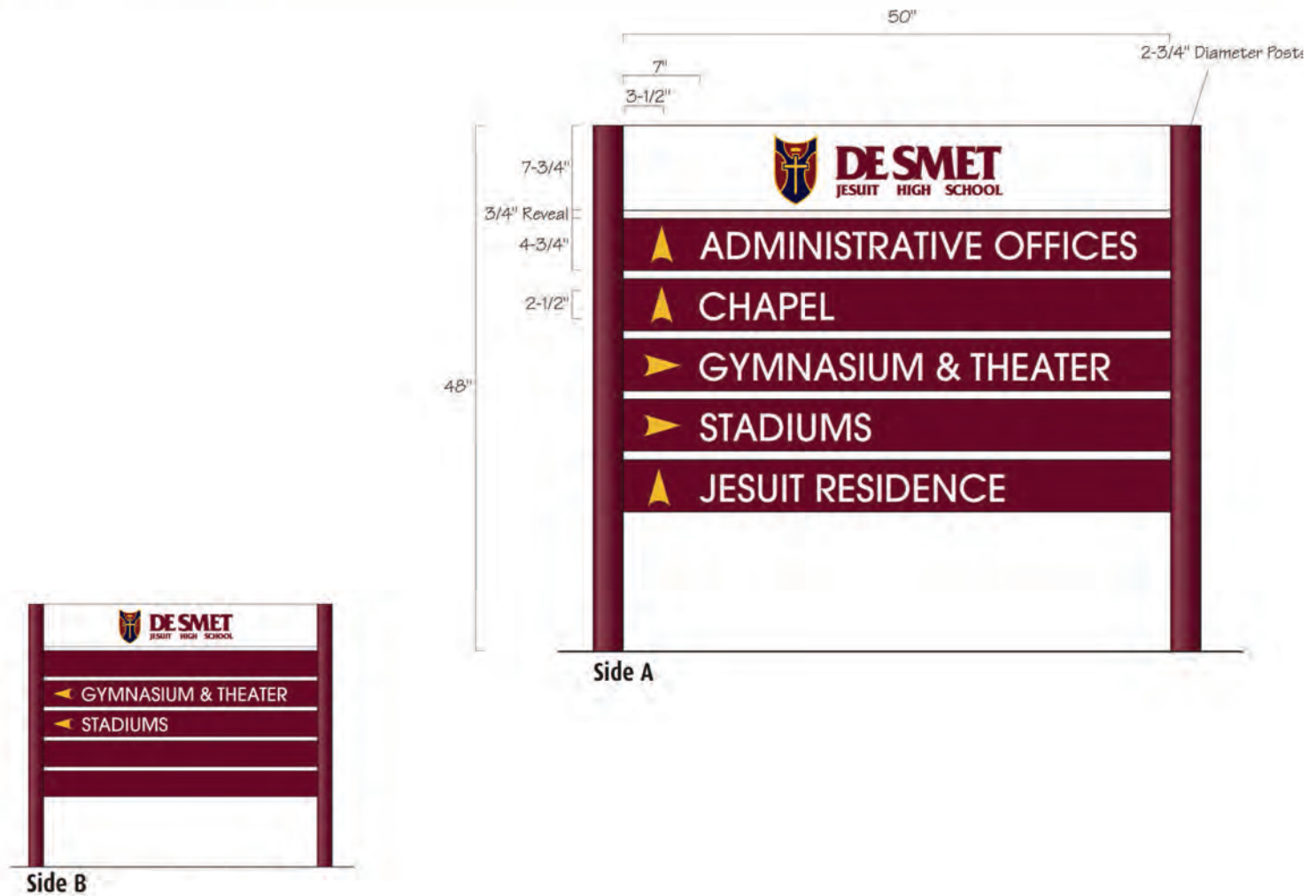
Beginning at the point of intersection of the Western line of Ballas Road, variable width, with the Northern line of Emerald Green Estates, a subdivision according to the plat thereof recorded in Plat Book 104 Pages 20 and 21 of the records of the Recorder of Deeds in St. Louis County, Missouri, said point being the Northeast corner of Lot 37 of the above said Emerald Green Estates; thence along the Northern line of Emerald Green Estates North $89^{\circ} 26' 00''$ West 1198.84 feet to a point on the Eastern right-of-way of Interstate Highway 270 as established under Condemnation Suit No. 259230 in the Circuit Court of St. Louis County; thence along last said Eastern line the following courses and distances: North $02^{\circ} 23' 20''$ West 200 feet, North $16^{\circ} 06' 26''$ West 102.94 feet to a point on the Eastern line of Emerson Road, 40 feet wide; thence along last said Eastern line the following courses and distances: North $00^{\circ} 38' 56''$ East 468.18 feet to a point on the Eastern line of Emerson Road North $00^{\circ} 12' 22''$ East 329.97 feet to a point on the Western prolongation of the Southern line of Balmoral Subdivision South $89^{\circ} 26' 45''$ East 651.81 feet to a point on the Western line in Book 11602 Page 1279 of the above said records; thence along last said Western line South $00^{\circ} 53' 27''$ West 330.11 feet to a point on the Northern line of the above said Section 10, said point being on the Western line of a tract of land conveyed to the United States Postal Service by deed recorded in Book 8196 Page 2285 of the above said records; thence along last said Western line South $00^{\circ} 41' 09''$ West 336.85 feet to a point on the Southern line of the above said United States Postal Service Property; thence along last said Southern line South $89^{\circ} 26' 00''$ East 647.44 feet to a point on the Western line of Ballas Road, variable width; thence along last said Western line South $00^{\circ} 39' 38''$ West 1008.93 feet to the Point of Beginning and containing 1,686,518 square feet or 38.717 acres more or less.





DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



DIRECTIONAL PANEL

(TYPICAL)

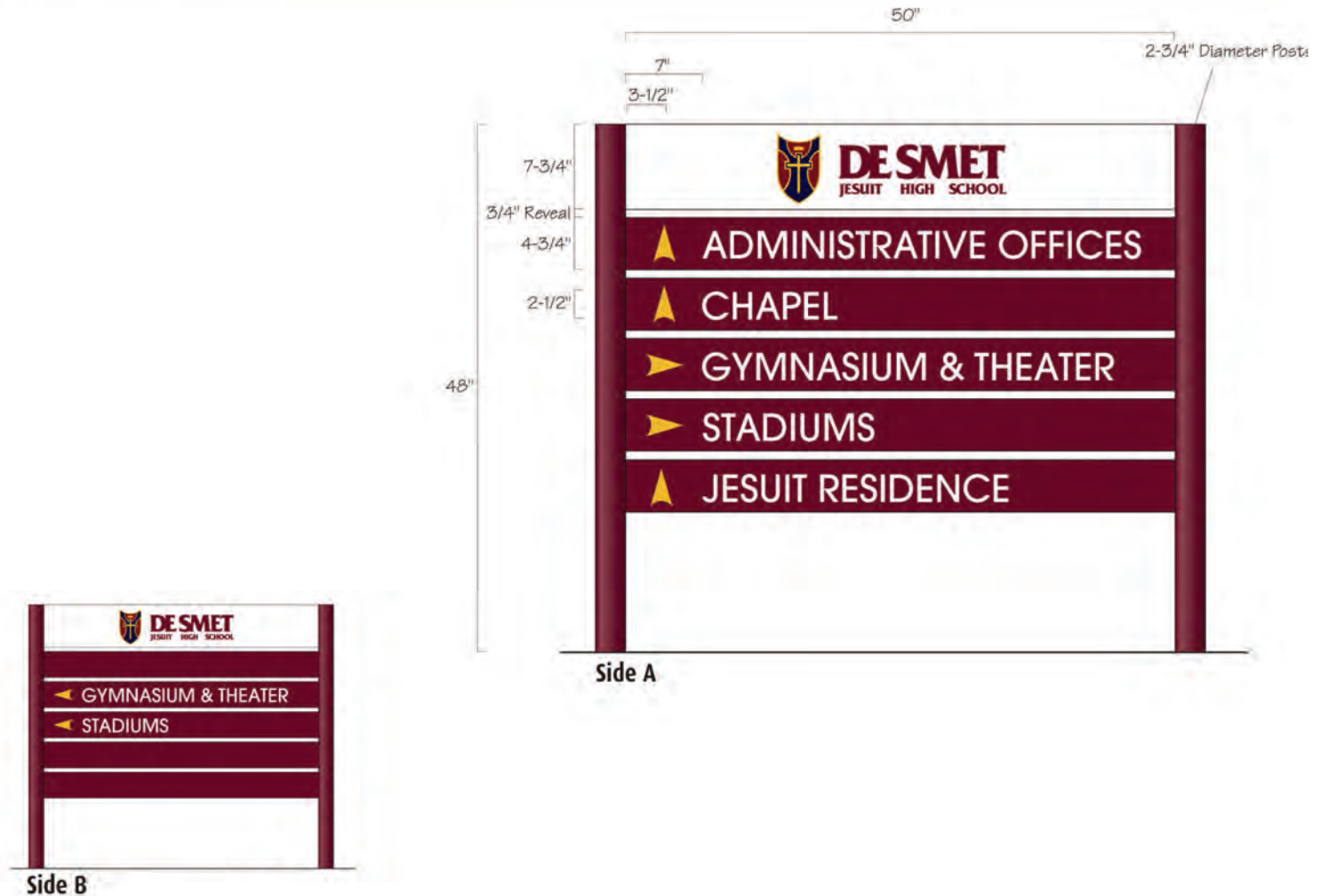
OVERALL DIMENSIONS: 48"H x 55 1/2"W x 2 3/4" D

PANEL MAX. AREA: 18.5 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



PROPOSED DIRECTIONAL PANEL

(SIMILAR TO EXISTING PANELS)

OVERALL DIMENSIONS: 48"H x 55 1/2"W x 2 3/4" D

PANEL MAX. AREA: 18.5 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



LIGHT POLE MOUNTED BANNERS

(NOTED AS * ON PLAN)

DIMENSIONS: 2' x 4'

BANNER AREA: 8 SF



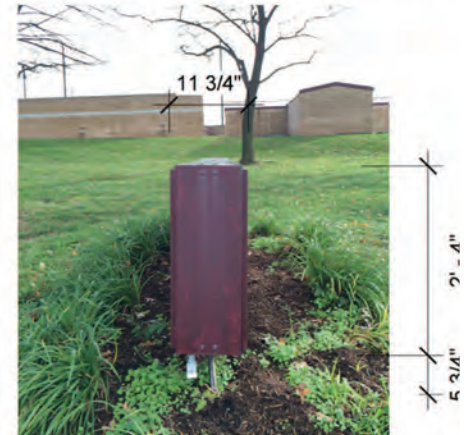
**DE SMET
JESUIT**

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DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



IDENTIFICATION SIGN (EMERSON)

EXISTING SIGN FACE AREA: 23.3 SF

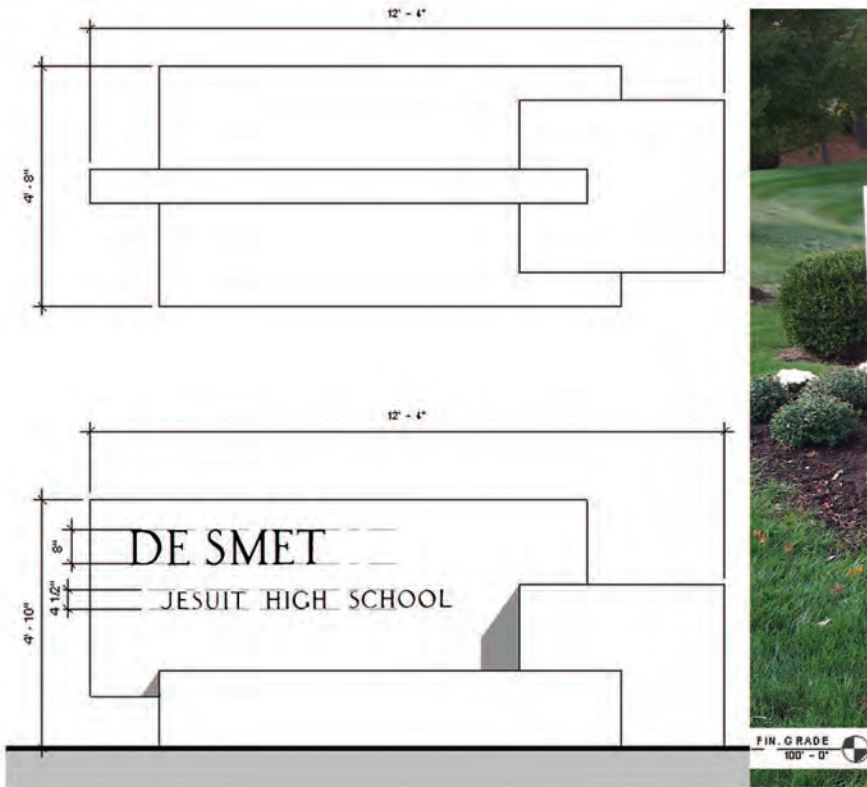


**DE SMET
JESUIT**



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



MONUMENT (BALLAS)

(TO BE REPLACED w/ 4B)

EXISTING SIGN FACE AREA: +/- 54 SF



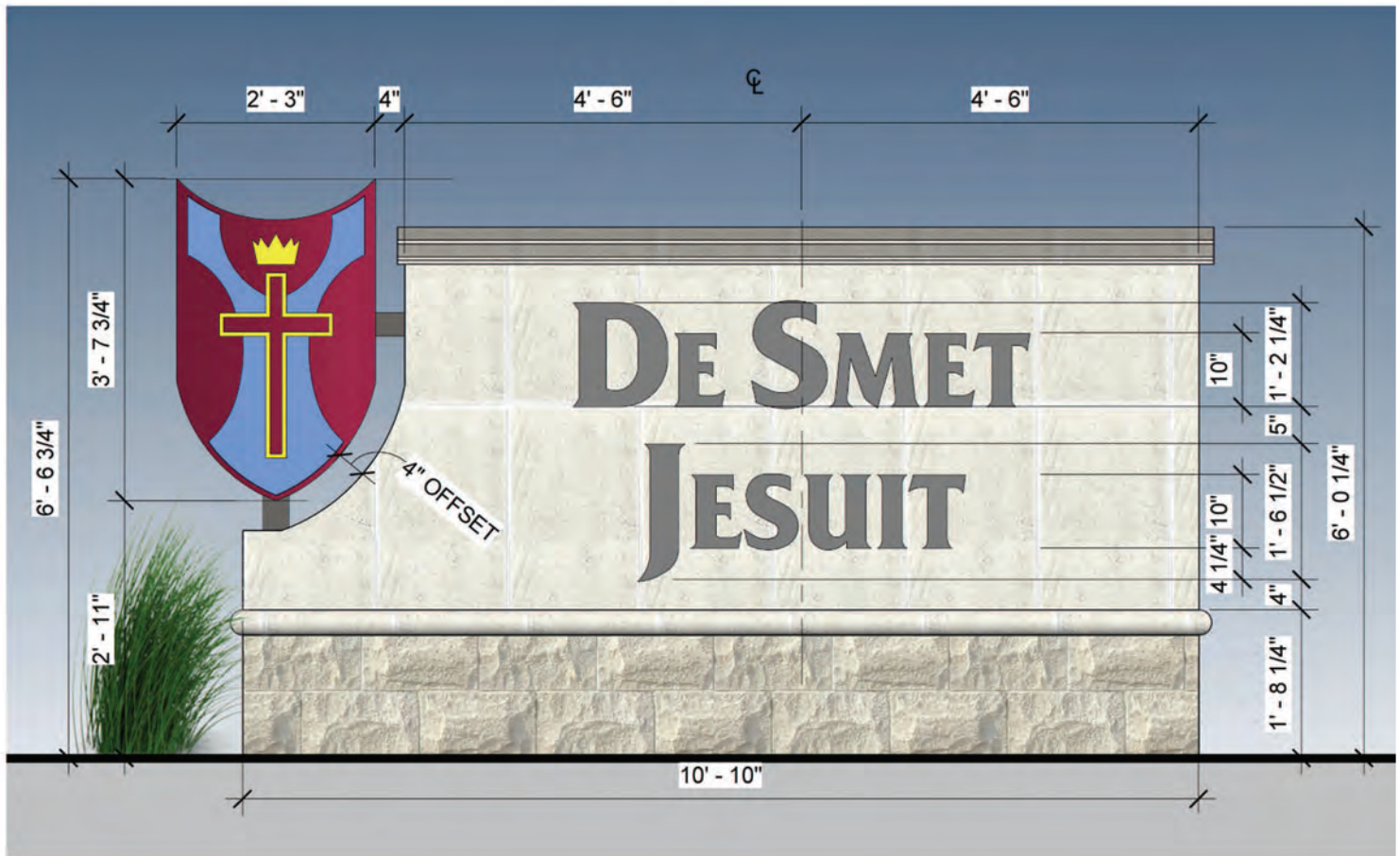
DE SMET
JESUIT

Packet Pg. 88



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



(2) PROPOSED ENTRY MONUMENT (BALLAS)

SIGN FACE AREA: +/- 60 SF



**DE SMET
JESUIT**

Packet Pg. 89



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



(2) PROPOSED ENTRY MONUMENT (BALLAS)

SIGN FACE AREA: +/- 60 SF



Technical drawing of a stone sign for 'DE SMET JESUIT'. The sign features a crest on the left with a red shield, a blue cross, and a yellow crown. The text 'DE SMET' and 'JESUIT' is displayed in large, bold, serif capital letters on a light-colored stone background. The sign is mounted on a base of rough-hewn stone. Dimensions are provided for the sign's overall size and the placement of the crest and text.

Dimensions:

- Overall width: 10' - 10"
- Overall height: 6' - 6 3/4"
- Crest width: 2' - 3"
- Crest height: 3' - 7 3/4"
- Text area width: 4' - 6"
- Text area height: 1' - 8 1/4"
- Text area depth: 4 1/4" - 10"
- Text area offset: 4" OFFSET
- Text area depth: 10"
- Text area depth: 5" - 1' - 2 1/4"
- Text area depth: 1' - 6 1/2"
- Text area depth: 4"
- Text area depth: 6' - 0 1/4"



(2) FUTURE ENTRY
MONUMENT(EMERSON)

SIGN FACE AREA: +/- 60 SF



DE SMEI JESUIT



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



SHIELD (JESUIT RESIDENCE)

EXISTING SIGN FACE AREA: 2.65 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



PIERRE LABARGE STADIUM

SIGN AREA: +/- 12 SF

Attachment: 12-2-14 DeSmet Jesuit Signage Master Plan Book (1191 : Amended Bill No. 5532 - DeSmet Master Sign Plan)



DE SMET
JESUIT

Packet Pg. 93



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



ENGRAVED BUILDING IDENTIFICATION SIGN

EXISTING SIGN FACE AREA: 84 SF



**DE SMET
JESUIT**



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



PRESS BOX IDENTIFICATION SIGN

EXISTING SIGNAGE AREA: +/- 9 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



DeSMET ALUMNI PAVILION (BANNER)

EXISTING SIGN FACE AREA: 12 SF



**DE SMET
JESUIT**

Packet Pg. 96



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



DeSMET ALUMNI PAVILION (CREST)

EXISTING SIGN FACE AREA: +/- 6 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



DANNY DORSEY DUGOUT

EXISTING SIGN AREA: 2.75 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



BASEBALL PLAQUE WALL

PLAQUE DIMENSIONS: 18" x 18" (17 TOTAL)

DONOR RECOGNITION

DIMENSIONS: 12" LETTERS; 114" MIN. LENGTH
AREA: 9 - 14 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



PRACTICE FIELD SCOREBOARD

SCOREBOARD AREA: 189 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



LACROSSE PRACTICE WALL

WALL FACE AREA: 540 SF

SIGNAGE AREA: 157 SF





DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



EXISTING STADIUM SCOREBOARD W/ PROPOSED ADD. PANEL

EXISTING SCOREBOARD AREA: 168 SF

ADDITIONAL PANEL AREA: 40 SF



DESMET JESUIT SIGNAGE MASTER PLAN

CREVE COEUR, MO



EXISTING BASEBALL SCOREBOARD W/ PROPOSED ADD. PANEL

EXISTING SCOREBOARD AREA: 60 SF

ADDITIONAL PANEL AREA: 30 SF

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A MASTER SIGN PLAN FOR
DESMET JESUIT HIGH SCHOOL LOCATED AT 233 N. NEW BALLAS ROAD
AND ZONED "B" SINGLE FAMILY RESIDENTIAL**

WHEREAS, Andy Seabacher, of M+H Architects, Inc., on behalf of DeSmet Jesuit High School, has submitted an application for a Master Sign Plan for the campus at 233 N. New Ballas Road, pursuant to Section 405.950.J of the City of Creve Coeur's Code of Ordinances, to include new signage throughout the campus; and

WHEREAS, the boundaries of the Master Signage Plan will be for the entire school campus including all existing and proposed signage, except as modified herein, as demonstrated in the "Signage Master Plan for DeSmet Jesuit" received December 8, 2014 and attached as Exhibit 1; 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 January 5, 2015, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; 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

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard; and

WHEREAS, the Planning and Zoning Commission reviewed and, by _____ vote, recommended approval of the master sign plan, subject to the conditions contained herein, at its meeting on January 5, 2015; and

WHEREAS, the City Council being fully informed finds that approving the Plan, subject to certain conditions, 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 is in the public interest; 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

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

SECTION 1: A Master Sign Plan is approved for the DeSmet Jesuit High School campus, generally located at 233 N. New Ballas Road, in the "B" Single Family Residential zoning district whose legal description is as follows:

A tract of land in the Southwest quarter of Section 3 and the Northwest corner of Section 10, Township 45 North, Range 5 East of 5th Principal Meridian, City of Creve Coeur, St. Louis County, Missouri, and being more particularly described as follows:

BILL NO. _____

ORDINANCE NO. _____

Beginning at the point of intersection of the Western line of Ballas Road, variable width, with the Northern line of Emerald Green Estates, a subdivision according to the plat thereof recorded in Plat Book 104 Pages 20 and 21 of the records of the Recorder of Deeds in St. Louis County, Missouri, said point being the Northeast corner of Lot 37 of the above said Emerald Green Estates; thence along the Northern line of Emerald Green Estates North 89 ° 26 minutes 00 seconds West 1198.84 feet to a point on the Eastern right-of-way of Interstate Highway 270 as established under Condemnation Suit No. 259230 in the Circuit Court of St. Louis County; thence along last said Eastern line the following courses and distances: North 02 ° 23 minutes 20 seconds West 200 feet, North 16 ° 06 minutes 26 seconds West 102.94 feet to a point on the Eastern line of Emerson Road, 40 feet wide; thence along last said Eastern line the following courses and distances: North 00 ° 38 minutes 56 seconds East 468.18 feet to a point on the Eastern line of Emerson Road North 00 ° 12 minutes 22 seconds East 329.97 feet to a point on the Western prolongation of the Southern line of Balmoral Subdivision South 89 ° 26 minutes 45 seconds East 651.81 feet to a point on the Western line in Book 11602 Page 1279 of the above said records; thence along last said Western line South 00 ° 53 minutes 27 seconds West 330.11 feet to a point on the Northern line of the above said Section 10, said point being on the Western line of a tract of land conveyed to the United States Postal Service by deed recorded in Book 8196 Page 2285 of the above said records; thence along last said Western line South 00 ° 41 minutes 09 seconds West 336.85 feet to a point on the Southern line of the above said United States Postal Service Property; thence along last said Southern line South 89 ° 26 minutes 00 seconds East 647.44 feet to a point on the Western line of Ballas Road, variable width; thence along last said Western line South 00 ° 39 minutes 38 seconds West 1008.93 feet to the Point of Beginning and containing 1,686,518 square feet or 38.717 acres more or less.

SECTION 3: Such approval of the Master Signage Plan for the DeSmet Jesuit campus shall be subject to the following conditions:

1. The Applicant shall follow the Signage Master Plan for DeSmet Jesuit received December 8, 2014 for all new or altered signage on the campus, as approved by the City of Creve Coeur, except as modified below. The location, size, shape, color, type, and design of each sign shall not substantively depart from the signage plan, unless approved by the City of Creve Coeur.
2. No more than two monument signs shall be permitted for the frontage along Emerson Road.
3. The proposed new monument signs shall be similarly styled and shall be located a minimum of 15 feet from the public right-of-way.
4. The Applicant shall submit sign permit and/or building permit applications for proposed signs referred to in the Signage Master Plan that currently do not possess a sign permit.
5. No additional permanent signage is allowed for the campus. Permitted temporary banners are allowed as provided under Section 405.940(E)(5).

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

ADOPTED THIS ____ DAY OF _____, 2015.

CHARLOTTE D'ALFONSO
PRESIDENT OF CITY COUNCIL

BILL NO. _____

ORDINANCE NO. _____

APPROVED THIS ____ DAY OF _____, 2015.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, JANUARY 5, 2015

7:00 P.M.

PUBLIC HEARING #14-039

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chairman
Mr. Tim Carney
Mr. James Faron
Mr. Ken Howard
Ms. Beth Kistner
Mr. Charles Pullium
Mr. Gene Rovak
Mr. Carl Lumley, City Attorney
Mr. Paul Langdon, Director of Community Development
Ms. Whitney Kelly, City Planner
Ms. Jessica Stutte, Administrative Assistant
Ms. Deborah McLaughlin, Recording Secretary

McLaughlin Court Reporting Services, Inc.

Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
4772 Gatesbury Drive
St. Louis, MO 63128
(314) 487-2259

1 CHAIRMAN MADDEN: I'd like to call to order the
2 Planning Zoning Commission meeting for the City of Creve
3 Coeur, Missouri for Monday, January 5th, 2015.

4 We'll start with roll call.

5 Mr. Tim Carney?

6 MR. CARNEY: Present.

7 CHAIRMAN MADDEN: Mr. James Faron?

8 MR. FARON: Present.

9 CHAIRMAN MADDEN: Mr. Ken Howard?

10 MR. HOWARD: Present.

11 CHAIRMAN MADDEN: I don't see Ms. Kistner.

12 Charles Pullium?

13 MR. PULLIUM: Present.

14 CHAIRMAN MADDEN: Gene Rovak?

15 MR. ROVAK: Present.

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

18 MR. LUMLEY: Present.

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

21 MR. LANGDON: Present.

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

24 MS. KELLY: Present.

25 CHAIRMAN MADDEN: Jessica Stutte, our

1 Administrative Assistant?

2 MS. STUTTE: Present.

3 CHAIRMAN MADDEN: Deborah McLaughlin, our
4 Recording Secretary?

5 MS. MCLAUGHLIN: Present.

6 CHAIRMAN MADDEN: And Ms. Kistner's here now.

7 MS. KISTNER: Present.

8 CHAIRMAN MADDEN: That'll move us to New
9 Business.

10 14-039 for a master sign plan for De Smet Jesuit
11 High School. It's a public hearing, so anybody that might
12 be talking on this, please come up and get sworn in.

13 (The speakers were sworn in by the court
14 reporter.)

15 CHAIRMAN MADDEN: Are the microphones not -- the
16 handheld? Okay.

17 Could you state your name and address for the
18 record, please.

19 MR. SEABACHER: Yes, my name is Andy Seabacher.
20 My address is 947 Sprinters Row Drive.

21 I am with M+H Architects representing De Smet
22 Jesuit.

23 Chairman and Commission, thank you for your
24 time.

25 I'm here to present the De Smet Jesuit master

1 sign plan documents, which show all existing proposed
2 campus signs from Ballas to Emerson Roads.

3 And as indicated in the staff report, most of
4 the existing and proposed signs are way-finding signs,
5 informational signs and building identification signs
6 directed at the on-site campus pedestrian, vehicular
7 traffic with limited visibility to the public
8 right-of-way.

9 And I can flip through those exhibits on the
10 screen here.

11 These are the typical way-finding signs, which
12 exist, and which we're proposing to add one or two. And
13 the banners are existing. There's an existing shield on
14 the Jesuit residence. This is the stadium identification
15 and some of the building identification signage on the
16 press box, on the pavilions. These are all very internal
17 to the campus, primarily pedestrian access, other pavilion
18 identifier, dugout, gaming. This is a proposed Wall of
19 Fame along the baseball diamond, stadium back wall, and
20 then existing practice field scoreboards, lacrosse
21 practice wall and football and baseball scoreboard future
22 expansion.

23 The signage that's really directed at the public
24 right-of-way is along Emerson and Ballas, obviously, this
25 is along Ballas. Their intent is to replace this sign

1 that's been there since the original construction, and
2 they've maintained it vigorously, but they would like to
3 improve -- to do two things with the proposed new signage
4 at the driveway. Improve visibility and identification,
5 as well as identify -- provide a sense of entrance and a
6 sense of arrival at the -- at the driveway on Ballas Road
7 in place of that previous existing sign.

8 That sign is the proposed design, and this is an
9 image developed indicating how those -- that sign would be
10 used on each side of the drive on Ballas Road and the
11 approximate scale for those.

12 The same concept would be applied to the Emerson
13 Road main entrance. And the staff report indicates that
14 their concern for the clutter along that, and we
15 appreciate that, they're identifying the sign, the
16 proposed sign at the driveway on either side, in addition
17 to this one, that De Smet would like to maintain, and we
18 discussed, we being M+H and De Smet, discussed that.

19 Our position was, basically, that this sign is
20 based on the location, directed primarily at the highway.
21 It's 60 feet back from the road underneath some mature
22 trees and a large green space. It's fairly -- it's very
23 easily overlooked during the day when all the activity is
24 on top of the hill to the east of this. At night, it's a
25 different thing. This is internally lit. It's intended

1 to be the maroon school colors as a background with white
2 letters, and that is when it is more visible actually at
3 night where you have the dark background and this
4 internally illuminated sign projecting toward the highway.

5 Now, the reason we feel it's really addressing
6 the highway is because as you approach -- as you approach
7 the school, or you come up Emerson from the south, you're
8 really looking for the entrance. This is 60 feet away
9 from the road, and you're really looking past this.

10 So De Smet appreciates this as an identifier to
11 the highway more than anything. And would like to add to
12 the concept that they're developing on Ballas by
13 duplicating that on Emerson.

14 But would defer to the Commission's opinion
15 and -- and whether they agree with the staff report.

16 Any questions I can answer?

17 CHAIRMAN MADDEN: Anybody have any questions for
18 Mr. Seabacher?

19 Ms. Kistner.

20 MS. KISTNER: Just a quick question.

21 The proposed double entry monuments, those are
22 not lit, is that correct?

23 MR. SEABACHER: They are lit --

24 MS. KISTNER: Internally? They're not
25 internally lit?

1 MR. SEABACHER: They're not internally lit. No,
2 there would be a dark individually mounted letter with
3 halo lighting. And that is they're -- they're lit
4 individually internally and reflects on the stone monument
5 background, which creates a lighting effect and a
6 silhouette effect of the letters against the white
7 light -- white lit stone.

8 The -- the shield that's next to that would be
9 ground mounted lighting, face lighting, face lit, and
10 that's part of the interest in re-branding De Smet's -- or
11 the re-use of their traditional brand and re-introduction
12 of that and making it more visible along the street there.

13 So the lettering individually will be halo lit,
14 black on white, and then the -- the shield would be face
15 lit.

16 MS. KISTNER: Okay. So then at night they would
17 be visible, and they would be 6 feet tall, the pair of
18 them would each be 6 feet tall and visible from the
19 highway as well?

20 MR. SEABACHER: Well, the ones on Emerson are so
21 far up the hill, they are actually behind the row of trees
22 and that that separates Emerson from 270. That elevation
23 is way behind what is visible from 270.

24 MS. KISTNER: Okay. Thank you.

25 CHAIRMAN MADDEN: Mr. Faron.

1 MR. FARON: Going down that same road, I was
2 going to ask myself about visibility from the highway to
3 one of those signs there.

4 It sounds like they're covered by the trees, and
5 your client prefers to have that monument down the road
6 further to the south so someone from the highway and the
7 outer road could see it?

8 MR. SEABACHER: Yeah, it's pretty -- it's pretty
9 well determined that the further north you get on the
10 De Smet site, and we can go back maybe to the site plan,
11 the less visible that is from the highway.

12 What this site plan won't show, of course, is
13 the vegetation, but -- or the elevation, but from about
14 this point, they have two drives, this is in only,
15 intended to circulate for drop-off. This is the one
16 that's in and out where they proposed the two signs. And
17 this one is probably the limit of your visibility from the
18 highway.

19 At this point, the elevation is such that it's
20 higher and there's a row of trees and vegetation between
21 Emerson and the highway. So the -- the far north entrance
22 is visibility from the highway.

23 MR. FARON: Was there any thought of eliminating
24 one of those monument entrance signs there? I know in the
25 staff report they talked about just the -- the amount, and

1 you'd have two on Ballas, two on Emerson. You really have
2 three, plus a directional sign, which is maybe four. Has
3 there been discussion maybe with maybe staff would be in
4 agreement with just having two there, keeping the legacy
5 sign and providing one at the, say, west entrance to the
6 campus?

7 MR. SEABACHER: Yeah, I think that would be the
8 second choice.

9 MR. FARON: Other than removing the old sign and
10 just keeping the two there?

11 MR. SEABACHER: Yes.

12 MR. FARON: You would not want to go that way?

13 You would keep --

14 MR. SEABACHER: Yes.

15 MR. FARON: -- two different signs instead of,
16 if we were in agreement, to keep all those there?

17 MR. SEABACHER: Correct.

18 MR. FARON: Could I ask about the directional
19 sign.

20 I know that second entrance there, which is kind
21 of, I guess, to feed the parking there a bit more. It's a
22 one-way. It's two lanes that go one way.

23 Does that directional sign, what purpose does it
24 serve there, just to tell you where you're going to be
25 going, I guess?

1 MR. SEABACHER: Yeah. To keep the traffic going
2 the one way and identifies what is -- is -- what sort of
3 facilities you'll gain by going that direction.

4 MR. FARON: You say going one direction, is it
5 really needed there? I guess, again, cutting down on the
6 clutter. I know you have another directional sign back a
7 bit on the island at the entrance, the one you propose --
8 or that's existing there, I'm sorry. I don't know if the
9 other one that you're proposing along the outer road could
10 be pulled back, and just thought --

11 MR. SEABACHER: I think, yeah, that's -- that is
12 one thing we've discussed, is that this location may be
13 better served along this island here --

14 MR. FARON: Right.

15 MR. SEABACHER: -- as you come in and face it --

16 MR. FARON: Sure.

17 MR. SEABACHER: -- directly.

18 MR. FARON: You might miss that. You might stop
19 and look at it. And once you get in there, I don't know
20 if there's a directional sign that says you have to go to
21 the right. You can't go back. I'm sure people
22 occasionally do it, but just curious of the amount of
23 signage and stuff as mentioned in the report.

24 Let staff comment about it. Beyond that.

25 CHAIRMAN MADDEN: Anybody else?

1 MR. FARON: Thank you.

2 CHAIRMAN MADDEN: Is there anybody in the
3 audience? No.

4 Paul -- Whitney.

5 MS. KELLY: Whitney Kelly on behalf of the City
6 of Creve Coeur.

7 As Mr. Seabacher has indicated, he's gone
8 through most of the signs on the campus that they're
9 proposing.

10 And this is largely, the City has an issue with
11 the total number of signs along Emerson.

12 They are within a residential district, and,
13 therefore, the number of lighted signs is of concern.

14 The staff report has -- and the draft ordinance
15 has indicated that limiting it to two would be preferable.
16 It is a significant amount -- more amount signage than
17 would normally be allowed. Ten times the amount of
18 signage.

19 Maintaining. If they wish to have two signs,
20 they could either put them at the entrance of either side
21 of the driveway, as they proposed, or replace one of those
22 with a similarly designed sign where the existing ground
23 sign is located.

24 Otherwise, it is within a residential district
25 with residents to the north and to the south, and,

1 therefore, the number of signs is our main concern.

2 MR. FARON: Not the style or the design? It's
3 the -- the number?

4 MS. KELLY: Yes. Specifically, along Emerson it
5 was the number of ground signs in that the design
6 guidelines and the purpose of the master sign plan is that
7 all signs should be similarly designed.

8 So if they wish to maintain two signs, we
9 recommend that they be of similar design, and they can
10 either be placed on either entrance as proposed or -- and
11 remove the existing ground sign, or have one sign there
12 and replace the existing ground sign with a similar design
13 sign as proposed at 60 square feet.

14 CHAIRMAN MADDEN: I got a question for you.

15 Probably won't work, but I guess they want
16 people coming down 270 to be able to see that one -- the
17 existing sign. What if they put it on the back of the
18 dugout? That's higher up on the hill, further south.

19 MR. SEABACHER: Yeah, the back of the dugout is
20 here, Whitney.

21 MS. KELLY: The main concern we would have is
22 all the residents to the south. Interruption of that.

23 CHAIRMAN MADDEN: Okay.

24 MS. KELLY: This is a residential setting, even
25 though it's the interstate. They are asking for two

1 60-foot square signs along Emerson when the code only
2 provides for one at 25 square feet. So we believe that
3 the two should be the maximum number of signage.

4 CHAIRMAN MADDEN: Okay. So it's going to be --
5 they're going to have to eliminate one of the three.

6 MS. KELLY: Uh-huh.

7 CHAIRMAN MADDEN: Okay.

8 MR. FARON: But you're okay with -- I mean the
9 old sign's okay, if it's about numbers, you don't mind
10 them being different?

11 MS. KELLY: Well, no, as -- as the condition
12 within the staff report states, is that the two -- the old
13 one -- if they wish to have a sign there, then it needs to
14 be re-designed to be -- to match the proposed signs that
15 they're seeking.

16 If they choose to have the two signs together at
17 that main entrance to create an entry, then that one sign
18 needs to be removed.

19 CHAIRMAN MADDEN: Okay.

20 Ms. Kistner.

21 MS. KISTNER: If one of those 4C signs were
22 moved down to the in only entrance that's further south, I
23 think, based on what the applicant said, that is outside
24 of the tree, the more densely treed area, so that that
25 would be -- they would be matching signs at the two

1 entrances, one of which would be seen from the highway or
2 at night, so it would be lit.

3 Would that serve that purpose?

4 MS. KELLY: Yes, ma'am.

5 CHAIRMAN MADDEN: Yeah, I agree with you. I
6 mean you don't need two entrance -- I would highlight both
7 entrances with the two signs. That's up to them.

8 Basically, they can either add one new one, keep
9 the old one, but -- well, re-do the old one, or they can
10 take two at any of those two entrances.

11 MS. KELLY: Correct.

12 CHAIRMAN MADDEN: And then remove the old one.

13 MS. KELLY: Correct.

14 CHAIRMAN MADDEN: So that's a decision they have
15 to make.

16 MS. KELLY: Uh-huh.

17 CHAIRMAN MADDEN: Okay.

18 So if we pass this, and they can work it out
19 with you guys on what they want to do?

20 MS. KELLY: I believe the condition within the
21 ordinance allows for that configuration. It only allows
22 for two, and where they place that, it hasn't specified.

23 CHAIRMAN MADDEN: Okay.

24 MS. KELLY: Or we can word it appropriately as
25 it proceeds to Council.

1 CHAIRMAN MADDEN: Okay.

2 Any other questions?

3 Yeah, that'll close -- well --

4 MR. LUMLEY: Offer the following exhibits into
5 the record of this public hearing: The documentation in
6 possession of the City Clerk reflecting the public notice;
7 the staff's report; the materials presented by
8 Mr. Seabacher this evening; City's Code of Ordinances and
9 Charter, the City's Comprehensive Plan and the public file
10 regarding this application.

11 CHAIRMAN MADDEN: Okay, that'll close the public
12 hearing.

13 (This ends the Public Hearing.)
14
15
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25

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

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

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



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: Building Division
Category: Report
Prepared By: Steve Unser
Department Head: Paul Langdon

SCHEDULED

ORDINANCE

**Bill No. 5542 - an Ordinance Amending the Residential Code
for One- and Two-Family Dwellings of the City of Creve
Coeur. Final Reading and Passage**

The building division is recommending that the city's Residential Building Code be amended to allow 'wireless interconnection' between smoke detectors, to delete the requirement for 'gasketed' fireplace doors, and to update expiration date of sprinkler provisions.

Ordinance

Meeting of April 13, 2015

BILL NO. 5542

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS OF THE CITY OF CREVE COEUR.

WHEREAS, the City of Creve Coeur, St. Louis County, Missouri adopted the “2009 International Residential Code for One- and Two-Family Dwellings”, with certain amendments as the Building Code of the City of Creve Coeur for One- and Two-Family Dwellings by Ordinance No. 5312.

WHEREAS, the City of Creve Coeur, St. Louis County, Missouri is desirous of amending the requirements of said building code to protect the health, safety and welfare of the citizens of Creve Coeur, St. Louis County, Missouri.

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

SECTION 1: Article VI, Residential Code for One- and Two-Family Dwellings, of Chapter 500 of the City Code of Ordinances is hereby amended as follows:

A. SECTION 500.450 AMENDMENTS TO CHAPTER 1 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 1 – ADMINISTRATION: Section R106.1.1.1 is hereby amended to read as follows:

R106.1.1.1 Residential Fire Sprinkler Option Form. An application for permit for a one or two family dwelling or residence or townhouse shall be accompanied by the city’s Residential Fire Sprinkler Option Form signed by the builder and the purchaser affirming that a fire sprinkler system was offered to the purchaser prior to entering into the purchase contract in conformance with Sections R313.1 and R313.2 of this code. If there is no purchaser at the time of the permit application submittal, then said signed Form shall be submitted as soon as there is a purchaser and prior to the issuance of a certificate of occupancy for the new residence. The provisions of this section shall expire on December 31, ~~2019~~: 2024.

B. SECTION 500.470 AMENDMENTS TO CHAPTER 3 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 3 – BUILDING PLANNING: Sections R313.1, R313.2, R314.3, R314.4, and R314.5 are hereby amended or added to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. A builder of townhomes shall offer any purchaser on or before the time of entering into the purchase contract the option, at the purchaser’s cost, to install fire sprinklers in the townhouse. Notwithstanding any other provision of law to the contrary, no purchaser of such townhouse shall be denied the right to choose or decline to install a fire sprinkler system in such townhouse being purchased. The provisions of this section shall expire on December 31, ~~2019~~: 2024.

Exception: No changes made.

R313.2 One- and two-family dwellings automatic fire sprinkler systems. A builder of one- and two-family dwellings shall offer any purchaser on or before the time of entering

BILL NO. 5542

ORDINANCE NO. _____

into the purchase the option, at the purchaser's cost, to install fire sprinklers in the dwelling. Notwithstanding any other provision of law to the contrary, no purchaser of such one- or two- family dwelling shall be denied the right to choose or decline to install a fire sprinkler in such dwelling being purchased. The provisions of this section shall expire on December 31, ~~2019~~. 2024.

Exception: No changes made.

R314.3 Location. Smoke alarms shall be installed in the following locations:

1. No changes made.
2. No changes made.
3. No changes made.

~~When more than one smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit.~~

R314.4 Power source. Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than required for overcurrent protection. ~~Smoke alarms shall be interconnected.~~

Exceptions:

1. No change.
2. ~~Interconnection and~~ Hard wiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for hard wiring ~~and interconnection~~ without the removal of interior finishes.

R314.5 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in accordance with Section R313.3, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm.

Exception: Interconnection of smoke alarms in existing areas shall not be required where alterations or repairs do not result in removal of wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

C. SECTION 500.550 AMENDMENTS TO CHAPTER 11 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 11 – ENERGY EFFICIENCY: Section N1102.4.3 is hereby amended to read as follows:

BILL NO. 5542

ORDINANCE NO. _____

Chapter 11 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is adopted as amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

N1102.4.3 Fireplaces. New wood-burning fireplaces shall have ~~gasketed doors~~ tight-fitting flue dampers ~~or doors~~, and outdoor combustion air. Where using tight-fitting doors on factory-built fireplaces listed and labeled in accordance with UL 127, the doors shall be tested and listed for the fireplace. Where using tight-fitting doors on masonry fireplaces, the doors shall be listed and labeled in accordance with UL 907.

SECTION 2: SAVING CLAUSE: Nothing in this ordinance or in the Building Code hereby amended, shall be construed to affect any suit or proceeding currently pending in any court as of the effective date hereof, or any rights previously acquired or liability previously incurred, or any cause or causes of action existing under any ordinance hereby repealed, as cited herein.

SECTION 3: SEVERABILITY: If any section, subsection, provision, sentence, clause, or phrase of this ordinance or of the ICC International Residential Code for One- and Two-Family Dwellings, Fourth Edition, 2009, is, for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said code, and the City of Creve Coeur City Council hereby declares that it would have passed the same, even though such portion so held to be unconstitutional or invalid had not been included therein.

SECTION 4: EFFECTIVE DATE: This ordinance shall become effective May 1, 2015, pursuant to section 3.11(g) of the City Charter.

Adopted by the City Council this ___ day of _____, 2015.

CHARLOTTE D'ALFONSO
PRESIDENT OF THE CITY COUNCIL

Approved this ___ day of _____, 2015.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

CITY OF CREVE COEUR
Department of Community Development
BUILDING DIVISION

MEMORANDUM

TO: Mark Perkins, City Administrator

FROM: Steve Unser, Chief Building Official

CC: Paul Langdon, Director of Community Development

DATE: March 17, 2015

RE: Building Division's Recommendation to Amend the City's Building Code for One- and Two-Family Dwellings.

On 8/1/2013, per Ordinance No. 5312, the city amended and adopted the 2009 International Residential Code for One- and Two-Family Dwellings as the city's residential building code.

Since that date, the 2012 International Residential Code for One- and Two-Family Dwellings has been published. The 2012 edition of the IRC allows the "interconnection" between residential smoke alarms to be "wireless" under certain circumstances. Presently, the city's residential building code requires the "interconnection" between residential smoke alarms to be "hard-wired" into the home's electrical system.

"Interconnection" results in all of the home's smoke alarms sounding simultaneously when one smoke alarm is actuated by smoke. This amendment to Section R314 would give residents another method to interconnect their smoke alarms (wirelessly or by hard-wiring them together) depending on the extent of their remodeling project and the availability of an attic, basement or crawl space for access. See attached **EXHIBIT A** for additional information.

The 2015 edition of the IRC deletes the present requirement for 'gasketed doors' at fireplace openings. It turns out that gasketed doors across fireplace openings conserved energy but could also create a safety hazard if these doors were closed while a fire was burning in the firebox. The proposed amendment to Section N1102.4.3 would eliminate this potential safety hazard. See attached **EXHIBIT B** for additional information.

Also see attached **EXHIBIT C** for the Building Code Board of Appeals recommendation to amend the city's residential building code as proposed.

R314

Smoke Alarms



Wireless smoke alarm (Photo courtesy of BRK Electronics, Aurora IL)

CHANGE TYPE: Modification

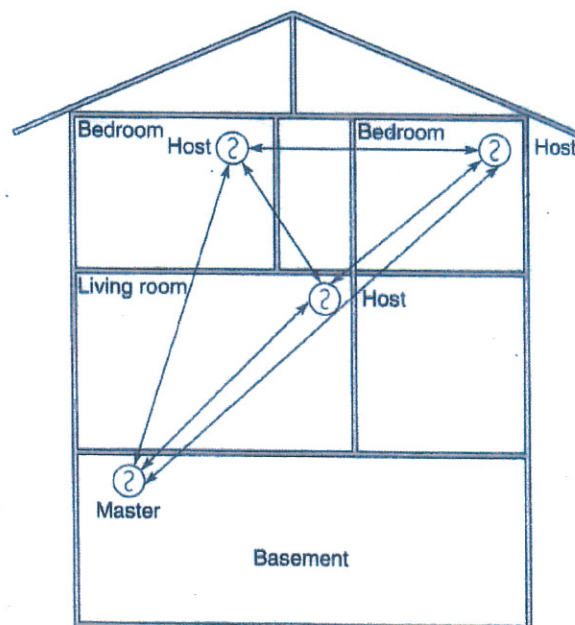
CHANGE SUMMARY: The code now specifically recognizes wireless technology in lieu of interconnection for smoke alarm installations in both new and existing dwelling units. The interconnection provisions have been moved out of the sections related to location and power source and placed in a new Section R314.5.

2012 CODE: R314.1 Smoke Detection and Notification. All smoke alarms shall be listed and labeled in accordance with UL 217 and installed in accordance with the provisions of this code and the household fire warning equipment provisions of NFPA 72.

R314.2 Smoke Detection Systems. [No change to text]

R314.3 Location. Smoke alarms shall be installed in the following locations:

1. In each sleeping room.
2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
3. On each additional story of the dwelling, including basements and habitable attics but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for



② Smoke alarm

Wireless smoke alarms

International Code Council®

the adjacent lower level provided that the lower level is less than one full story below the upper level.

~~When more than one smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit.~~

R314.3.1 Alterations, Repairs, and Additions. [no change to text]

R314.4 Power Source. Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. ~~Smoke alarms shall be interconnected.~~

Exceptions:

1. Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power.
2. ~~Interconnection and~~ Hard-wiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space, or basement available which could provide access for hard wiring ~~and interconnection~~ without the removal of interior finishes.

R314.5 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in accordance with Section R314.3, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm.

Exception: Interconnection of smoke alarms in existing areas shall not be required where alterations or repairs do not result in removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space, or basement available which could provide access for interconnection without the removal of interior finishes.

CHANGE SIGNIFICANCE: Smoke alarms provide early warning of fire to occupants, greatly improving the likelihood of escape from a dwelling before a fire grows to flashover. As in previous editions, the 2012 IRC requires smoke alarms in new dwellings and, when a permit is required, in existing dwellings undergoing interior alterations or additions. The provisions have been reorganized to place all interconnection requirements in a new section. The sections related to the required locations for smoke alarms and their power supply no longer contain information related to interconnection.

R314 continues

continued

Wireless smoke alarms are now specifically approved for satisfying the interconnection requirements for both new and existing dwellings. Wiring is not required to achieve interconnection of two or more wireless smoke alarms. Photoelectric and ionization types of wireless smoke alarms are available, as well as wireless carbon monoxide (CO) alarms. All wireless smoke alarms are listed to UL 217, *Single and Multiple Station Smoke Alarms*, and are classified by NFPA 72 as low-power systems.

All of the devices available in the marketplace utilize a single smoke alarm that serves as the "host" device that is wirelessly connected to the "guest" smoke alarms in the dwelling and sleeping spaces. Wireless smoke alarms are available for hard wiring to a 120-volt AC branch circuit or for battery power operation. Except for existing dwellings without access for hard wiring, the IRC requires all smoke alarms to be hard wired with battery backup. This rule applies to the "host" and "guest" devices. Under these new provisions, wiring is no longer required to interconnect the smoke alarms. In new and existing residential construction, these systems reduce installation costs.

NFPA 72 Section 23.18 requires the "host" device to supervise all of the "guest" smoke alarms. Required supervisory signals include loss or depletion of battery power in the "guest" smoke alarms and the integrity of the signal frequency and path interconnecting all of the devices. Before a battery reaches a power level that renders a smoke alarm inoperable, or in the event of a failure of the communications path, NFPA 72 requires an audible and visual supervisory signal be transmitted and annunciated so it can be identified and repaired. NFPA 72 specifies a maximum polling frequency of 60 seconds between the "master" and "guest" devices. "Host" and "guest" smoke alarms are specifically listed as to their function in accordance with NFPA 72. The response time between a smoke alarm's activation and the transmission of a signal that causes the interconnected alarms to activate cannot exceed 20 seconds.

NFPA 72 requires wireless low-power smoke alarms to be capable of reliably communicating at a distance of 100 feet inside of dwellings. The particular test method specified in NFPA 72 is based on the system's ability to attenuate (transmit and receive) a wireless radio frequency signal inside of a building with four walls and two floors constructed of wood, gypsum wallboard, plywood, and a floor covered with tile. In systems where smoke and carbon monoxide alarms are wirelessly interconnected, NFPA 72 requires that the fire alarm signal take precedence over other alarm signals. The wireless smoke alarm that initiates an alarm signal must be manually reset to silence the audible alarm signal. Finally, a failure of any "guest" alarm cannot cause the loss of signal to other transceivers on the wirelessly monitored circuit. Depending on the design and listing, a single "host" smoke alarm may be capable of serving 12 to 18 "guest" smoke alarms.

CHANGE TYPE: Modification

CHANGE SUMMARY: Doors on wood-burning fireplaces must be listed for the application. The requirement for gasketed doors on fireplaces has been removed.

2015 CODE: N1102.4.2 (R402.4.2) Fireplaces. New wood-burning fireplaces shall have tight-fitting flue dampers or doors, and outdoor combustion air. Where using tight-fitting doors on factory-built fireplaces listed and labeled in accordance with UL 127, the doors shall be tested and listed for the fireplace. Where using tight-fitting doors on masonry fireplaces, the doors shall be listed and labeled in accordance with UL 907.

N1102.4.2, Table N1102.4.1.1 continues

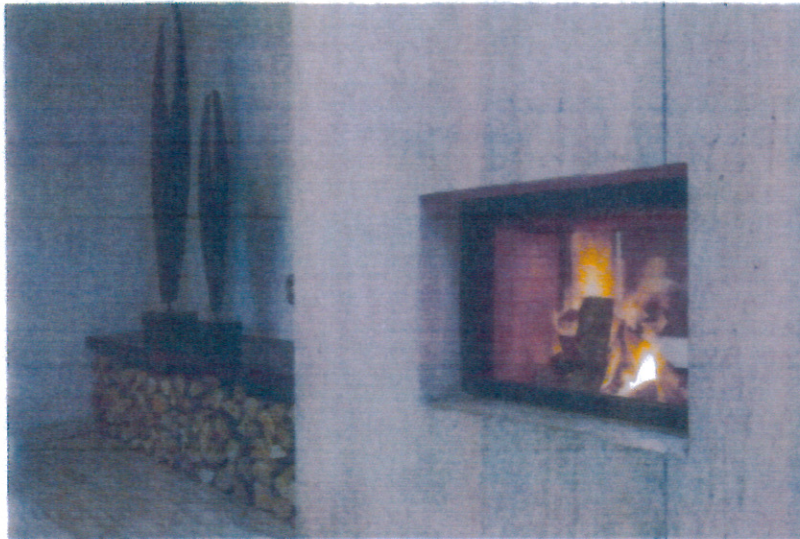
N1102.4.2, Table N1102.4.1.1 Wood-Burning Fireplace Doors

EXHIBIT B

TABLE N1102.4.1.1 (R402.4.1.1) Air Barrier and Insulation Installation

Component	Air Barrier Criteria	Insulation Installation Criteria
Fireplace	An air barrier shall be installed on fireplace walls. Fireplaces shall have gasketed doors.	

(Portions of table not shown for brevity and clarity.)



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Fireplace doors must be listed for the application.

222 PART 4 ■ Energy Conservation

*N1102.4.2, Table N1102.4.1.1
continued*

CHANGE SIGNIFICANCE: Fireplaces can potentially be major sources of air leakage because of the natural drafting of the chimney. The provisions for doors and dampers on fireplaces intend to reduce air leakage when the fireplace is not in use and improve energy efficiency. In previous code editions, Section N1102.4.2 has required a tight-fitting damper on new wood-burning fireplaces. The general insulation and air barrier requirements in Table N1102.4.1.1 required all fireplaces to have gasketed doors. The combination of a tight-fitting damper, gasketed door, and outdoor combustion air introduced directly into the firebox greatly improves the energy efficiency of this popular feature of homes. However, most factory-built fireplaces are not listed for use with gasketed doors. Factory-built fireplaces must be tested, listed, and labeled in accordance with UL 127 and installed in accordance with the conditions of the listing per IRC Section R1004. Installing a gasketed door that was not listed for use on a factory-built fireplace would be a violation of the listing and could cause a safety hazard if the door was closed while a fire was burning. The requirement for a gasketed door in Table N1102.4.1.1 has been removed and a requirement for a door on all new wood-burning fireplaces has been added to Section N1102.4.2. The code now stipulates that tight-fitting doors installed on wood-burning fireplaces must be listed to the applicable standard.



city
of

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EXHIBIT C

March 17, 2015

Mayor and Council Members
Creve Coeur Government Center
300 N. New Ballas Road.
Creve Coeur, MO 63141

RE: Building Code Board of Appeals Review of the Amendments Being
Proposed to the 2009 International Residential Code for One- and Two-
Family Dwellings.

Dear Mayor and Council Members;

The Building Code Board of Appeals were asked by the Chief Building Official on December 4, 2014, to review the aforementioned amendments to the 2009 edition of the International Residential Code that was previously adopted by the city on 8/1/2013 by Ordinance No. 5312.

The amendments reviewed were:

- An amendment to Section R314 to allow 'wireless interconnection' between residential smoke detectors.
- An amendment to Section N1102.4.3 to delete the requirement for 'gasketed doors' at fire box openings.

Upon careful review of the aforementioned proposed amendments and after our public meeting held on December 17, 2014, to further discuss these amendments with each other and the Chief Building Official, the Building Code Board of Appeals recommends amending the city's residential building code as proposed.

Thank you for your consideration of this recommendation.

Sincerely,

Building Code Board of Appeals
Bernard Colton, Chairperson



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: Building Division
Category: Report
Prepared By: Steve Unser
Department Head: Paul Langdon

SCHEDULED

ORDINANCE

Bill No. 5543 - an Ordinance Amending the Plumbing Code of the City of Creve Coeur, Missouri. Final Reading and Passage

The building division is recommending that the city's plumbing code be amended to delete Section 312.1 (1)(A) which requires two waste stack/drainage systems for dwelling units in new multi-family buildings.

Ordinance

Meeting of April 13, 2015

BILL NO. 5543

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE PLUMBING CODE OF THE CITY OF CREVE COEUR, MISSOURI.

WHEREAS, the City of Creve Coeur, St. Louis County, Missouri adopted the “The Uniform Plumbing Code, 2009 Edition”, as adopted and amended by St. Louis County by Ordinance No. 24,441, as the Plumbing Code of the City of Creve Coeur by Ordinance No. 5214.

WHEREAS, the City of Creve Coeur, St. Louis County, Missouri is desirous of amending the requirements and standards for the installation of plumbing equipment and systems to protect the health, safety and welfare of the citizens of Creve Coeur, St. Louis County, Missouri.

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

SECTION 1: Article IV, Plumbing Code, of Chapter 500 of the City Code of Ordinances is hereby amended by adding the following:

Section 500.405: AMENDMENTS TO CHAPTER 3 OF THE UNIFORM PLUMBING CODE:

--CHAPTER 3-- GENERAL REGULATIONS:

Chapter 3 of the Uniform Plumbing Code, 2009 Edition, as amended and adopted by the St. Louis County Council on July 14, 2010 by Ordinance No. 24,441, is further amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

312.1 General requirements for building drains and building sewers serving single service Fats, Oil, or Grease (FOG) generating facilities. (See drawing # 45 in Appendix M)

Condition 1 (Delete in its entirety).

1. Multi-Family Units — ~~(Other than one, two and four family dwellings).~~
 - (A) ~~A separate waste stack shall be installed for waste from kitchen sinks, disposals and dishwashers and shall exit the building separately from other building drains. Solids interceptor not required except prior to a common-grease interceptor.~~

SECTION 2: SAVING CLAUSE: Nothing in this ordinance or in the Plumbing Code hereby amended, shall be construed to affect any suit or proceeding currently pending in any court as of the effective date hereof, or any rights previously acquired or liability

Attachment: Bill No 5543 (1262 : Bill No. 5543 - Amending the City's Plumbing Code)

BILL NO. 5543

ORDINANCE NO. ____

previously incurred, or any cause or causes of action existing under any ordinance hereby repealed, as cited herein.

SECTION 3: SEVERABILITY: If any section, subsection, provision, sentence, clause, or phrase of this ordinance or of the Uniform Plumbing Code, 2009 Edition, is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said code, and the City of Creve Coeur City Council hereby declares that it would have passed the same, even though such portion so held to be unconstitutional or invalid had not been included therein.

SECTION 4: EFFECTIVE DATE: This ordinance shall become effective May 1, 2015, pursuant to section 3.11(g) of the City Charter.

Adopted by City Council this ____ day of _____, 2015.

Charlotte D'Alfonso
President of the City Council

Approved this ____ day of _____, 2015

Barry Glantz
Mayor

ATTEST:

Deborah Ryan, MPCC
City Clerk

Attachment: Bill No 5543 (1262 : Bill No. 5543 - Amending the City's Plumbing Code)

CITY OF CREVE COEUR
Department of Community Development
BUILDING DIVISION

MEMORANDUM

TO: Mark Perkins, City Administrator

FROM: Steve Unser, Chief Building Official

CC: Paul Langdon, Director of Community Development

DATE: March 17, 2015

RE: Building Division's Request to Amend the City's Plumbing Code by
Deleting Condition (1)(A) from Section 312.1.

On 8/22/2011, the city adopted St. Louis County's Plumbing Code as the city's Plumbing Code per Ordinance No. 5214.

When St. Louis County adopted their plumbing code (2009 Uniform Plumbing Code) on 7/14/2010, it was amended to include a new requirement per Section 312.1 (1)(A). See attached **EXHIBIT A**.

This new requirement says that for Multi-Family Units (condominiums and apartments) a separate waste stack must be installed to serve kitchen sinks, disposals and dishwashers. It goes on to say that this separate waste stack must exit the building separately from other building drains and must discharge into a common grease interceptor.

This means that all individual dwelling units in a new condominium or apartment building must each be connected to two (2) waste stacks and drainage systems. One waste stack and drainage system must serve the bathroom fixtures and washing machines. The newly required second waste stack and drainage system must serve the kitchen sinks, disposals and dishwashers AND discharge into a common grease interceptor.

This plumbing code amendment was brought to the attention of the building division by the developers of the Vanguard Apartment Community. Their plumbing engineer questioned the cost effectiveness and need for the second waste stack/drainage system.

Attachment: 3-17-15 MEMO to CA (Plbg Code Amendment) (1262 : Bill No. 5543 - Amending the City's Plumbing Code)

Previous plumbing codes, including the 2009 Uniform Plumbing Code that the county amended, require only one (1) waste stack and drainage system to serve all plumbing fixtures (kitchen, bathroom, laundry) for individual units in a condominium or apartment building. And grease interceptors were not required.

By making this amendment, St. Louis County has decided that Multi-Family Units are now Fats, Oil, or Grease (FOG) generating facilities similar to commercial restaurants; and therefore, need to have the separate waste stack/drainage system and common grease interceptor(s) to serve the kitchen plumbing fixtures within Multi-Family Units.

The building division asked St. Louis County Plumbing why this amendment came about. When no clear answer was given, the city decided to hire an independent plumbing code consultant to give his professional opinion on this amendment. Please see attached **EXHIBIT B (White Paper)**.

Julius Ballanco concludes that for all the reasons **highlighted** in the White Paper, **“a separate drainage system for kitchen sinks in multifamily dwellings is not feasible, not economically viable, and should not be required”**.

Presently, there are approximately 1,181 condominium units and 2,496 apartment units within the City of Creve Coeur. All of these Multi-Family Units have a single waste stack and drainage system that serves both their bathroom and kitchen plumbing fixtures. To date, the building division has not received any complaints regarding chronic or pervasive grease build-ups or clogs occurring in these single sanitary sewer systems.

For the reasons stated above, the building division recommends that Condition (1) (A) be deleted from Section 312.1 of the City's Plumbing Code.

• EXCERPT from St. Louis County's Ordinance amending the 2009 Uniform Plumbing Code

EXHIBIT A

312.0 *Independent Systems.*

The drainage system of each new building and of new work installed in any existing building shall be separate and independent from that of any other building, and, when available, every building shall have an independent connection with a public or private sewer.

Exception: Where one (1) building stands in the rear of another building on an interior lot, and no private sewer is available or can be constructed to the rear building through an adjoining court, yard, or driveway, the building drain from the front building shall be permitted to be extended to the rear building.

312.1 General requirements for building drains and building sewers serving single service Fats, Oil, or Grease (FOG) generating facilities. (See drawing # 45 in appendix M)

1. Multi-Family Units - (Other than one, two and four family dwellings).

- (A) A separate waste stack shall be installed for waste from kitchen sinks, disposals and dishwashers and shall exit the building separately from other building drains. Solids interceptor not required except prior to a common grease interceptor.

2. Commercial Units.

- (A) Separation of sanitary, and FOG building drains exiting the building.

- (1) All sanitary, and FOG building drains shall exit the building separately and shall be combined in a sampling manhole prior to leaving the property. Storm Drains shall exit the property separately where conditions allow.

Exception: Where the footprint of the building on the property does not provide adequate clearance for this installation it shall be installed inside the building. Access from the outside shall be provided for this installation.

3. One, Two & Four Family Residential

- (A) Separate FOG building drain not required

Attachment: EXHIBIT A (1262 : Bill No. 5543 - Amending the City's Plumbing Code)

EXHIBIT B

- White Paper -

Grease Waste in Residential Kitchens Located in Multifamily Dwellings Impact on Creve Coeur, Missouri

By: Julius Ballanco, P.E.

Background Information: The City of Creve Coeur, Missouri adopts the County of St. Louis Plumbing Code, which is the 2009 edition of the IAPMO Uniform Plumbing Code with local amendments. One of the local amendments, made by the County of St. Louis, requires a separate waste stack for the kitchen waste in multifamily dwellings. The amendment is to Section 312.1 on independent systems. The amendment reads, as follows:

1. Multi-Family units - (Other than one, two and four family dwellings).

- (A) *A separate waste stack shall be installed for waste from kitchen sinks, disposals and dishwashers and shall exit the building separately from other building drains. Solids interceptor not required except prior to a common grease interceptor.*

The justification for a separate waste stack is to collect fats, oils, and grease (FOG) that discharges to the drainage system. The separate stack is required to discharge to a grease interceptor. The local amendment identifies the grease interceptor as being required outside the building. The style of grease interceptor installed outside the building is a gravity grease interceptor.

Engineering Analysis of Local Amendment: Any attempt to remove FOG from the public sanitary sewer is considered a good idea. However, not all good ideas are practical. An analysis of the gains must be weighed against the cost of implementation and the overall effectiveness of the system.

There are multiple reasons for controlling the grease that enters the public sanitary sewer system. Grease accumulation in the public sewer system is one of the leading causes of Sanitary Sewer Overflow (SSO), as well as, Combined Sewer Overflow (CSO). Grease can be detrimental to the treatment process at the publically owned treatment works (POTW). Grease can partially pass through the treatment process, resulting in the discharge to either the solids byproduct or the water course.

The common methods for removing grease from the sanitary sewage is with the installation of a grease interceptor. There are two styles of grease interceptors permitted by the Plumbing Code: hydromechanical grease interceptors and gravity grease interceptors.

Hydromechanical grease interceptors tend to be smaller in size, installed within close proximity of grease producing plumbing fixtures. Hydromechanical grease interceptors are also the most commonly installed grease interceptors. A grease removal device, also called a GRD, can be installed in conjunction with a hydromechanical grease interceptor. A GRD automatically skims the grease from the grease interceptor and deposits the grease into a collection container.

Gravity grease interceptors tend to be larger devices, typically installed outside. Gravity grease interceptors are designed to remove grease from multiple grease producing fixtures.

Both grease interceptors have to be maintained on a regular basis. The grease is removed by a company that renders the grease. The rendering companies come on a regular basis to clean the grease interceptor.

Grease interceptors are required to be designed based on the anticipated amount of grease, the flow in the piping system, and the capacity of the interceptor. There are numerous articles, manuals, codes, and standards addressing the sizing of grease interceptors. Every sizing criteria is based on food handling establishments, where there is a considerable amount of grease generated.

Every model plumbing code in the United States indicates that grease interceptors are not required for individual dwelling units. The reason for not requiring grease interceptors for individual dwelling units is based on the type of use of a residential kitchen sink, the use of a food waste disposer, and the cooking habits of individuals.

The kitchen sink is the most used plumbing fixture in dwelling units. Studies continually show that the kitchen sink is used as the major source of water in a dwelling unit. Residential kitchen sink use includes: obtaining water for drinking, washing hands, obtaining water for cooking, obtaining water for concentrated drinks, washing of dishes, washing of counter, washing of range, washing of floor, washing of small children, treatment for first aid (burns, cuts, bruises), and making of ice. **This complex use of a kitchen sink is not conducive for the installation of a grease interceptor.** The flow rates are too high for the minimal amount of grease that may go down the drain.

Food waste disposers are popular items for individual dwelling unit kitchen sinks. There is growing popularity for installing food waste disposers since they are considered a green method of disposing of food waste. Many builders supply a food waste disposer as a standard item in a dwelling unit kitchen.

If a grease interceptor is installed, a food waste disposer cannot discharge through the grease interceptor. This creates a problem when grease interceptors are required for residential kitchen sinks. **In effect, the requirement for a grease interceptor results in the prohibition of a food waste disposer.**

If food waste passes through a grease interceptor, it greatly reduces the efficiency of the interceptor. Food waste decomposition in a grease interceptor will dramatically increase oxygen consumption. The food waste will also drop the pH, increase corrosion, and increase hydrogen sulfide production. **For this reason, the Plumbing Code prohibits food waste disposers from discharging to a grease interceptor.**

The cooking habits of individuals does not result in a large volume of grease being discharged down the sanitary drain. The American public has become very conscious of grease and its effect

on the body. As a result, lighter oils are being used. Heavy grease or fat is not a normal staple in a residential kitchen. While the pioneers tended to use lard for cooking, today's home cook uses canola oil or olive oil.

The grease that is used will typically enter the drain during the washing of dishes. This can be accomplished by hand washing or the use of an automatic dishwasher. In both operations, grease cutting detergents are used. When these detergents are used for cleaning, there is a molecular break down of the grease molecules.

An article by Max Weiss, current Executive Director of the Plumbing and Drainage Institute, explains the facts and myths about grease interceptors. The article is attached for informational purposes. It further supports the concept of not requiring grease interceptors for dwelling units.

In order for a multifamily dwelling unit to separate kitchen waste, a separate drainage system must be installed. Normally, when separate drainage piping systems are installed, the venting for the separate system is permitted to connect to the venting system of the remaining plumbing. This prevents the added expense of a second venting system.

The intended design shown in the local amendment for installing a grease interceptor in multifamily dwellings is only intended to protect the publically owned treatment works and public sewer from the introduction of grease into the public system. The installation of an outside grease interceptor provides no protection from the possible build up of grease in the sanitary drainage piping.

By separating the drainage lines, assuming that there is a grease problem, there will be an increase in the number of stoppages in the building drainage system. When the kitchen sink connects to the overall plumbing system, there are large volumes of water that help to move any possible grease laden waste to the public sewer. If there are only kitchen sinks connecting to the drainage system, the grease will be more prone to separate and clog the drain lines. All of this is based on the assumption that there are heavy concentrations of grease discharging to the drain lines, which studies have shown to be inaccurate.

A separate system will also increase the cost of the plumbing installation. Plumbing installation costs vary based on the size of the building, the sizing of the piping, and the type of piping material installed. A good estimate for figuring the added cost of a separate system for a multifamily dwelling is to add \$5.00 per foot for every foot of drainage piping from the kitchen sink to the outside grease interceptor. This is a general figure, assuming piping costs, installation costs, increase in pipe sizing, etc. Add to that figure the cost of the grease interceptor and the cost of the outside underground piping. A typical outside grease interceptor will cost between \$5,000 to \$8,000 to purchase and install. For outside underground piping a figure of \$20 per foot is a good estimate.

Apply these general estimates to a 50 unit apartment building and the plumbing installation increases in cost by approximately \$20,000. This added cost does not include the cost of maintaining the grease interceptor with periodic cleaning.

This added cost must be compared to the added value to the publically owned treatment works and public sewer. Assume 1,000 apartment and condominium buildings in St. Louis County. Using an increase of \$20,000 per building, this would amount to a total additional cost of \$20,000,000 for the plumbing systems. This value would be difficult to justify from an engineering economic standpoint.

The St. Louis Metropolitan Sewer District (MSD) is responsible for the sewage treatment and public sewers in Creve Coeur. MSD estimates that 15 percent of the sanitary sewer overflows are directly related to grease accumulation in the public sewer.

MSD Ordinance Number 12559 regulates the discharge into the public sewer. This ordinance became effective on January 1, 2008. Pretreatment is required for industrial and commercial users of the public sewer system. Pretreatment means that the building owners must first treat their sanitary waste to remove certain contaminants that may be harmful to the sanitary sewer system or publically owned treatment works. The US EPA requires publically owned treatment works or State agencies to enact requirements for pretreatment.

MSD Ordinance Number 12559 lists the maximum allowable concentration of FOG allowed to discharge to the sewer. The limit is 200 mg/l. US EPA recommends enacting a limit that ranges from 50 to 450 mg/l. They allow the States or publically owned treatment works to determine which limit to enact.

The MSD ordinance also has specific requirements for the pretreatment of FOG. The requirements for grease interceptors reads:

*B. Interceptors or traps for oil, grease, grit, or other harmful or flammable substances which can be trapped, shall be provided when required by the Director. **Such interceptors or traps shall not be required for private dwelling units.***

(1) All interceptors and traps shall be operated and maintained in a manner which prevents the trapped substances from being discharged into the wastewater system, storm water system, or any watercourse.

(2) Degreasers, enzymes and similar substances which act to temporarily emulsify or suspend oil or grease shall not be introduced into any interceptor or trap designed to capture and retain oil or grease.

(3) Products or processes which do not act to temporarily emulsify or suspend oil or grease may be used as long as the discharge from the facility using the products or processes complies with the oil and grease limitations contained in Article V, Section Two of this Ordinance as documented by appropriate sampling and analyses.

The concerns for FOG, identified by US EPA, involves industrial users or food handling establishments. These commercial facilities are known to be the major contributors of FOG to the public sewer system.

MSD's Ordinance is also directed at commercial and industrial users. To emphasize this requirement, the Ordinance has specific requirements that state: **"Such interceptors or traps shall not be required for private dwelling units."**

Private dwelling units identified in the ordinance and consistent with US EPA include: one and two family dwellings, townhouses, **apartments, condominiums,** and cooperatives. **None of these facilities are required by MSD to install grease interceptors. Hence, pretreatment is not required.**

On July 15, 2011, MSD signed a consent decree, having been sued by the United States (EPA), State of Missouri, and Missouri Coalition for the Environment Foundation. The consent decree lists requirements for MSD to follow over the next 23 years.

Part of the consent decree included requirements for FOG. On Page 37 of the consent decree, the FOG requirements read, as follows:

H. Fats. Oil and Grease Control Program Plan

34. No later than three months from the Effective Date, MSD shall submit to EPA and the State for review and for EPA's approval, with a copy to the Coalition, in accordance with the requirements of Section VII, a Fats Oil & Grease ("FOG") Control Program Plan to ensure that grease accumulations are not restricting the capacity of the Sewer System contributing to SSOs.

35. The FOG Control Program Plan shall include the following elements:

- a. Identification of the specific departments of MSD that will lead investigations associated with grease blockages;*
- b. Development of appropriate sections for inclusion in the standard operating procedures in the FOG Program Plan for locating and preventing FOG accumulations;*
- c. Development of maintenance guidance for FOG commercial establishments including best management practices. This guidance shall expressly state that the FOG commercial establishments shall comply with the applicable plumbing code requirements. MSD shall provide the FOG maintenance guidance to FOG commercial establishments when MSD conducts an inspection of these establishments;*
- d. Development of performance guidelines for FOG control equipment at new and existing FOG commercial establishments. MSD shall provide the FOG performance guidelines to public entities who are responsible for the plumbing code requirements of these commercial establishments;*
- e. Both periodic and random FOG equipment inspections, including scheduled inspections of known problem areas;*
- f. Implementation of FOG best management practices;*
- g. Development of FOG prevention measures including notification of pretreatment staff and/or FOG control staff, as appropriate, of recurring grease blockages;*

- h. Implementation of Hauled Waste Receipt Program;*
 - i. Enforcement procedures for non-compliant facilities;*
 - j. Development of Residential and Commercial Establishments FOG Outreach and Education Program consisting, at a minimum, of the following elements:*
 - i. MSD shall distribute informational FOG Door Hangers to residents living immediately upstream of each grease SSO after such an event;*
 - ii. MSD shall annually prepare and distribute FOG information or inserts with sewer bills so that it is visible to reader;*
 - iii. MSD shall prepare and maintain a FOG education information page on its web site; and*
 - iv. MSD shall evaluate the most appropriate method of educating high density residential dwellings (i.e. apartment buildings and condominium and townhome complexes) of the impacts of FOG on the sewer system.*
 - k. A list of FOG commercial and industrial establishments;*
 - l. A list of enforcement actions taken against non-compliant facilities within the last 5 years;*
 - m. MSD's current schedule for periodic and random FOG equipment inspections and a listing of inspections that have taken place within the past 5 years;*
 - n. MSD shall review new commercial and industrial sewer connection permit applications to ensure applicant has adequate FOG removal or control equipment; and*
 - o. MSD shall submit as part of its Annual Report pursuant to Paragraph 73, summaries of FOG inspections and enforcement actions taken by MSD during the preceding calendar year.*
- 36. FOG Control Program Plan Implementation: MSD shall implement the revised FOG Control Program Plan within 90 days of receipt of EPA's approval of such Plan.*

MSD has developed a FOG education program. Included in the educational program is information on the MSD website. The information on FOG, intended for the consumer, reads:

Fats, oils, and grease

Just as fats, oils, and grease (FOG) clog our arteries, they also clog pipes both inside your home and outside in our sewer system. Once the grease is in the drain, it sticks to the sides of sewer pipes, both on your property and in the public sewer system. Over time, the grease will build up and block the pipes. Even if you don't experience back-ups, you could be impacting your neighbors downstream, leading to costly repairs and cleanups or sewer overflows that damage the system and pollute our waterways.

FOG accumulation in the public sewer system can causes blockages in the sewer pipes, which then keeps the pipes from functioning properly. Blocked sewer pipes can cause sewer backups into homes and/or streets, costly cleaning and maintenance, and water pollution.

The Metropolitan St. Louis Sewer District (MSD) estimates that about 15 percent of blockages in its public sewer system are caused by FOG. What can you do to help? The easiest way is to keep fats, oils, and grease out of the public sewer system:

- *Never pour grease down sink drains, into toilets, or down the sewer system.*
- *Encourage friends and neighbors to keep FOG out of the sewer system. Share this FOG flyer with them.*
- *Scrape visible FOG and food scraps from plates, pots, and utensils into the trash.*
- *Pour fats, oils, and grease into an empty pet food, vegetable, or coffee can or jar. Allow the grease to cool and solidify. Throw the container in the trash. COOL IT, CAN IT & TRASH IT.*

The recommended steps by MSD is a common means of dealing with potential FOG from an individual dwelling unit kitchen. This is also a highly effective means for preventing FOG from entering the public sewer.

MSD has not required, nor recommended that multifamily dwelling unit kitchen sinks discharge through a grease interceptor. **Even after signing a consent decree, MSD recognizes that FOG from dwelling units is not a major concern.** The bigger concern with FOG is **commercial food handling establishments.** These are the facilities that use a high concentration of FOG.

For all the stated reasons, a separate drainage system for kitchen sinks in multifamily dwellings is not feasible, not economically viable, and should not be required. The kitchen sink in any dwelling unit, including multifamily dwelling units, should connect to the plumbing drainage system for the remainder of the building.

About the Author: Julius Ballanco, P.E., CPD, FASPE is President of JB Engineering and Code Consulting, P.C. The firm specializes in codes and standards consulting in the areas of plumbing, mechanical, life safety and fire protection engineering. Mr. Ballanco is currently the President of the American Society of Plumbing Engineers Research Foundation. He is Past President of the American Society of Plumbing Engineers. Mr. Ballanco serves on many national standard committees, including ANSI/ASME, IAPMO, ASTM, NSF, ICC, and ASSE. A graduate of Stevens Institute of Technology, he is both a Registered Professional Engineer and Licensed Master Plumber.



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: Public Works Department
Category: Contract
Prepared By: Matt Wohlberg
Department Head: Jim Heines

TABLED

RESOLUTION

Resolution No. 1158 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract with N. B. West Contracting Company for a Thin Asphalt Overlay in the Belle Coeur Neighborhood as Part of the Street Repair Program for the 2015 Fiscal Year for \$98,920.00.

The reconstruction of Chasselle Lane resolved the most significant pavement issue in the Belle Coeur subdivision. The other five streets in the subdivision were in much better condition than Chasselle, but these streets now require preventive maintenance to preserve their condition. Following review of a competitive bid process, staff recommends that the City hire N. B. West Contracting to perform the recommended thin overlay in this subdivision. Deferred from the March 23, 2015 Council meeting.

RESOLUTION NO. 1158

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AUTHORIZING THE EXECUTION OF A CONTRACT WITH N. B. WEST CONTRACTING COMPANY FOR A THIN ASPHALT OVERLAY IN THE BELLE COEUR NEIGHBORHOOD AS PART OF THE STREET REPAIR PROGRAM FOR THE 2015 FISCAL YEAR FOR \$98,920.00.

WHEREAS, it is necessary to resurface asphalt roadway pavement in order to maintain the quality of life expected by the community;

WHEREAS, the City provides safe public rights of way for its commercial and residential communities;

WHEREAS, this project and these improvements have been competitively bid per the requirements, as outlined in the City of Creve Coeur Code of Ordinances;

WHEREAS, N. B. West Contracting Company has provided the lowest and best bid for the Belle Coeur Overlay Project;

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

Section 1. The Contract between **N. B. West Contracting Company** and the City regarding the Belle Coeur Overlay (UBAWS) Project, attached hereto as "Exhibit A," with a **contract sum of \$ 98,920.00**, is hereby approved and the execution thereof by the City Administrator or his designee is hereby authorized. The Contract as executed shall be substantially in the form of "Exhibit A," with such changes therein as shall be approved by the officers of the City executing same, consistent with the provisions and intent of this Resolution. 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 Contract.

Adopted this 23th day of March, 2015.

Barry Glantz
Mayor

Attest:

Resolution

Meeting of April 13, 2015

Deborah Ryan, MPCC
City Clerk

EXHIBIT A**CITY-CONTRACTOR AGREEMENT**

This is an Agreement made and entered into the ____ day of _____, 2015, by and between the City of Creve Coeur, Missouri (hereinafter called the "City") and, a **N. B. West Contracting Company** with offices at 2780 Mary Ave. Brentwood, MO 63144 (hereinafter called the "Contractor"). The project identified as **Belle Coeur Overlay (UBAWS) Project** (hereinafter referred to as the "Project" or the "Work").

WITNESSETH:

The Contractor and the City for the consideration set forth herein agree as follows:

ARTICLE I**The Contract Documents**

The Contract Documents which comprise the entire agreement between the City and the Contractor consist of the following:

- 1) This City-Contractor Agreement
- 2) General Conditions of City-Contractor Agreement
- 3) Job Special Provisions
- 4) State Wage Determination
- 5) Non-Collusion Affidavit
- 6) Performance Payment Bond
- 7) Technical Specifications and Construction Details
- 8) Construction Schedule
- 9) All Addenda and all Modifications issued after execution of this Contract
- 10) The 2011 Missouri Standard Specifications for Highway Construction; including all supplemental revisions and updates through the date of bid opening,

referred to herein as the "Standard Specifications" and applicable to the Work of this Contract by reference;

- 11) The 2009 Missouri Department of Transportation Standard Drawings, including all supplemental revisions and updates through the date of bid opening. These drawings shall be included in the reference to the "Standard Specifications" herein.
- 12) The latest version of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD)

The documents listed above, together with this Agreement, form the Contract and are all as fully a part of the Contract as if attached to this Agreement or repeated herein. All definitions set forth in the General Conditions of City-Contractor Agreement are applicable to this Agreement.

ARTICLE II

Scope of Work

The Contractor, acting as an independent contractor, shall do everything required by the Contract Documents. The Contractor represents and warrants that he has special skills which qualify him to perform the Work in accordance with the Contract and that he is free to perform all such Work and is not a party to any other agreement, written or oral, the performance of which would prevent or interfere with the performance, in whole or in part, of the Work.

ARTICLE III

Time of Completion

All time limits stated in the Contract Documents are of the essence. The Work to be performed under the Contract shall commence within **ten (10)** days of the date of the written notice to proceed from the City to the Contractor and shall be completed by **June 15, 2015**.

ARTICLE IV

The Contract Sum and Payments

The "Contract Sum" is hereby defined as the sum total of the products of the estimated quantity of each bid item in the Bid Form Proposal and the unit price bid by the Contractor in the Bid Form Proposal for that item, adjusted to account for any Modification(s), as defined in the General Conditions, made in compliance with Article VII of this Agreement and made prior to the execution of this Agreement. Therefore, the Contract Sum represents a reasonable estimate of the anticipated final contract value at the time of the execution of this Agreement. Both the Contractor and the City acknowledge that the actual work may require different item quantities than those that were included in the Bid Form Proposal or a pre-construction Modification and

that the completed and accepted item quantities will be reconciled against the estimated quantities through a final change order upon the completion of the Work.

The Contract Sum for this Work shall be Ninety-Eight Thousand, Nine Hundred Twenty dollars and Zero cents (\$ 98,920.00). The Contract unit prices and Contract item quantities are listed in Table 1 on page C-10 of this Agreement. These unit prices and item quantities form the basis of the not-to-exceed Contract Sum, as described above and as illustrated in Table 1. All payments for the Work shall be based upon the Contract unit costs listed in Table 1.

Based upon Applications for Payment submitted by the Contractor on or before the twentieth day of the month for work completed and accepted by the City, in accordance with the Contract Documents, except as otherwise required by Section 34.057 RSMo. the City shall pay the Contractor as follows:

- (1) On or about the tenth day of each following month, ninety percent (90%) [95% if Contract Sum exceeds \$50,000] of the value of the portion of the Work that has been completed and accepted to date, less the aggregate of all previous progress payments;
- (2) Upon completion of the Work, the Contractor and the City shall execute a final Modification to this Agreement to reconcile the quantity of each completed and accepted Contract item with the estimated quantity of that item included in Table 1 and adjusted through subsequent Modification(s), if any, made in compliance with Article VII of this Agreement; and
- (3) Final payment shall be made within thirty (30) days after the Work is fully completed and accepted by the City and the Contract fully performed.

ARTICLE V

Performance of the Work

a) Within seven (7) calendar days after being awarded the Contract, the Contractor shall prepare and submit for the City's approval:

- (1) a Construction Schedule for the Work in a bar chart format which Construction Schedule shall indicate the dates for starting and completing the various stages of construction on a street by street basis, and
- (2) a Traffic Control Plan indicating the location of all proposed signage, detours, and road closures throughout the project which adequately address the traffic control required for the proposed work. All traffic control shall be according to the standards of the Manual on Uniform Traffic Control Devices (MUTCD) developed by the Federal Highway Administration and shall be signed and sealed by a professional engineer who is licensed in the state of Missouri.

The Notice To Proceed shall be issued within fourteen (14) calendar days of the award, however no work will commence until the Contractor's Construction Schedule and Traffic Control Plan are submitted and approved by the City.

b) The Contractor shall be required to substantially finish portions of the work as designated by the Director of Public Works prior to continuation of further work remaining on the project. This may include backfilling, paving, sodding, or cleanup as designated by the Director of Public Works.

c) Completion of the Work in accordance with the time limits set forth in the Construction Schedule is an essential condition of the Contract. If the Contractor fails to complete the Work in accordance with the Construction Schedule, unless the delay is excusable under the provisions of Article VI hereof, the Contractor shall pay the City as liquidated damages, and not as a penalty, the sum of two hundred and fifty dollars (\$250.00) for each calendar day the Contractor fails to comply with the Construction Schedule. The total amount so payable to the City as liquidated damages may be deducted from any sums due or to become due to the Contractor from the City.

d) After Commencement of the Work, and until final completion of the Work, the Contractor shall report to the City, at such intervals as the City may reasonably direct, the actual progress of the work compared to the Construction Schedule. If the Contractor falls behind the Construction Schedule for any reason, he shall promptly take, and cause his Subcontractors to take, such action as is necessary to remedy the delay, and shall submit promptly to the City for approval a supplementary schedule or progress chart demonstrating the manner in which the delay will be remedied; provided, however, that if the delay is excusable under Article VI hereof, the Contractor will not be required to take, or cause his Subcontractors to take, any action which would increase the overall cost of the Work (whether through overtime premium pay or otherwise), unless the City shall have agreed in writing to reimburse the Contractor for such increase in cost. Any increase in cost incurred in remedying a delay which is not excusable under Article VI hereof shall be borne by the Contractor.

ARTICLE VI

Delays Beyond Contractor's Control

(a) If the Contractor fails to complete the Work in accordance with the Construction Schedule solely as a result of the act or neglect of the City, or by strikes, lockouts, fire or other similar causes beyond the Contractor's control, the Contractor shall not be required to pay liquidated damages to the City pursuant to paragraph (c) of Article V hereof, provided the Contractor uses his best efforts to remedy the delay in the manner specified in paragraph (d) of Article V hereof. If, as a result of any such cause beyond the Contractor's control, the delay in

completion of the Work in accordance with the Construction Schedule is so great that it cannot be remedied in the aforesaid manner, or if the backlog of Work is so great that it cannot be remedied without incurring additional cost which the City does not authorize, then the time of completion and the Construction Schedule shall be extended pursuant to a Change Order for the minimum period of delay occasioned by such cause. The period of delay and extension shall be determined by the City.

(b) Notwithstanding the foregoing paragraph (a), no extension of time shall be granted for any delay the cause of which occurs more than seven (7) days before claim therefore is made in writing by the Contractor to the City, and no extension of time shall be granted if the Contractor could have avoided the need for such extension by the exercise of reasonable care and foresight, as determined by the Director of Public Works. In the case of a continuing cause of delay, only one claim is necessary.

(c) Weather shall not constitute a cause for granting an extension of time.

(d) In the event a delay is caused by the City, the Contractor's sole remedy shall consist of his rights under this Article VI.

ARTICLE VII

Changes in the Work

(a) The City may make changes within the general scope of the contract by altering, adding to, or deducting from the Work, the Contract Sum being adjusted accordingly. All such changes in the Work shall be executed under the conditions of the Contract. No extra work or change shall be made except pursuant to a Change Order from the City in accordance with the General Conditions. Any claim for an increase in the Contract Sum resulting from any such change in the Work shall be made by the Contractor in accordance with the General conditions.

(b) If the requested change would result in a delay in the Construction Schedule, the provisions of Article V, paragraph (c), and Article VI hereof shall apply. If the requested change would result in a decrease in the time required to perform the Work, the completion date and the Construction Schedule shall be adjusted by agreement between the parties to reflect such decrease.

(c) Any adjustment in the Contract Sum for duly authorized extra work or change in the Work shall be determined based on the Contract unit prices listed in Table 1 of this Agreement, to the extent such unit prices are applicable. To the extent such unit prices are not applicable, the adjustment in the Contract Sum shall, at the option of the City, be determined by an acceptable fee properly itemized and supported by sufficient substantiating data to permit evaluation, by an acceptable cost-plus-percentage fee, or by an acceptable fixed fee.

ARTICLE VIII**Termination by City or Contractor**

(a) If the Contractor is adjudged a bankrupt; or if the Contractor makes a general assignment for the benefit of creditors; or if a receiver is appointed on account of the Contractor's insolvency; or if the Contractor persistently or repeatedly fails, except in cases for which extension of time is provided, to make progress in accordance with the Construction Schedule; or if the Contractor fails to make prompt payment to Subcontractors or for material or labor, or persistently disregards laws, ordinances or the instructions of the City, or otherwise breaches any provision of the Contract, the City may, without prejudice to any other right or remedy, by giving written notice to the Contractor and his surety, terminate the Contract, take possession of the Work and of all materials and equipment thereon, and finish the Work by whatever method the City may deem expedient. If the unpaid balance of the value of the Work completed to date shall exceed the expenses of finishing the Work, including additional professional, managerial, and administrative expenses, such excess shall be paid to the Contractor. If such expenses shall exceed the unpaid balance of the value of the Work completed to date, the Contractor shall pay the difference to the City promptly upon demand.

In the event of termination pursuant to this paragraph, the Contractor, upon the request of the City, shall promptly:

- (i) assign to the City in the manner and to the extent directed by the City all right, title, and interest of the Contractor under any subcontracts, purchase orders, and construction equipment leases to which the Contractor is a party and which relate to the Work or to construction equipment required therefore, and
- (ii) make available to the City, to the extent directed by the City, all construction equipment owned by the Contractor and employed in connection with the Work.

(b) Performance of the Work hereunder may be terminated by the City by giving three (3) days prior written notice to the Contractor if the City, in its sole discretion, decides to discontinue or suspend construction. In the event of such termination, as opposed to termination pursuant to paragraph (a) of this Article VIII, the Contract Sum shall be reduced in an equitable manner by agreement between the parties.

ARTICLE IX**Contractor's Liability Insurance**

The Contractor shall purchase and maintain in full force and effect the following insurance coverage with an insurance carrier acceptable to the City:

The policy shall be endorsed to cover the contractual liability of the Contractor under the General Conditions.

The Contractor and his Subcontractors shall procure and maintain during the life of this agreement insurance of the types and minimum amounts as follows:

- (a) Workers' Compensation in full compliance with statutory requirements of Federal and State of Missouri law and Employers' Liability coverage in the amount of \$1,000,000.
- (b) Comprehensive General Liability and Bodily Injury
 - Including Death: \$1,000,000 each person
\$1,000,000 each occurrence
 - Property Damage: \$1,000,000 each occurrence
\$1,000,000 aggregate
- (c) Comprehensive Automobile Liability, Bodily Injury
 - Including Death: \$1,000,000 each person
\$1,000,000 each occurrence
 - Property Damage: \$1,000,000 each accident
- (d) Owner's Protective Bodily Injury
 - Including Death: \$1,000,000 each person
\$1,000,000 each occurrence
 - Property Damage: \$1,000,000 each occurrence
\$1,000,000 aggregate

The Owner's Protective policy shall name the City as the Insured. Certificates evidencing such insurance shall be furnished the City prior to Contractor commencing the work on this project. The certificates must state **"The City of Creve Coeur is an additional primary insured."** The certificate must provide for thirty (30) days advance notice to the City as certificate holder of any change or cancellation, and any necessary policy endorsements must be provided.

ARTICLE X

Equal Opportunity and Non-Discrimination

The Contractor will comply with all provisions of federal, state, and local codes, ordinances, and regulations governing the regulation of Equal Employment Opportunity and Non-Discrimination.

In the event that any or all of the provision(s) of this Article conflict with federal, state, or other local laws, ordinances, or regulations, then the requirements of such federal, state, or local laws, ordinances, or regulations shall prevail. Compliance with the foregoing provisions shall not relieve the Contractor from adherence to any and all additional requirements regarding

equal employment or non-discrimination set forth in such federal, state, or other local laws, ordinances, or regulations.

During the performance of this contract, the contractor, for itself, its assignees and successors, in interest (hereinafter referred to as the “contractor”) agrees, as follows:

1. Compliance with Regulations: The contractor shall comply with Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
Further, on any federal assisted contract, the Contractor and sub-contractor agree to comply with the Equal Employment Opportunity provisions cited in CFR 23, Subpart D – Construction Contract Equal Employment Opportunity Compliance Procedures, CFR 49 – Non-Discrimination in Federally-assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, E.E. 11246 and Title VII of the Civil Rights Act of 1964.
2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, income, limited English proficiency, sex, gender identity, sexual orientation, age or disability in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contractor covers a program set for in Appendix B of the Regulations.
3. Solicitation for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, income, limited English proficiency, sex, gender identity, sexual orientation, age or disability.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department of the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to

- the State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event the contractor's noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a) Withholding payments to the contractor under the contract until the contractor complies and/or
 - b) Cancellation, termination or suspension of the contract, in whole or in part.
 6. Incorporation of Provisions: The contractor shall include provisions of paragraphs (1) through (5) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State Highway Department to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

ARTICLE XI

Conflicts of Interest

The parties agree to abide by all applicable federal, state, and local laws, ordinances, and regulations relating to conflicts of interest. A detailed discussion of conflicts of interest can be found in Section 5.6 of the General Conditions of City-Contractor Agreement.

ARTICLE XII

The Work

The Contractor shall furnish all labor, materials, and equipment necessary to complete all activities within the project limits, as specified in the Contract Documents. The Scope of Work generally includes edge milling and overlay with Ultra-Thin Bonded Asphalt Wearing Surface (UBAWS). The Scope of Work provides for items as more specifically described in the attached Technical Specifications.

All work shall be completed to the satisfaction of the Director of Public Works for the City of Creve Coeur.

TABLE 1
Summary of Contract Quantities, Contract Unit Prices, and Contract Sum

Item Number	Item	Unit	Contract Quantity	Contract Unit Price	Item Subtotal
621410A	MODIFIED COLDMILLING (0" TO 3/4")	SY	6,200	\$ 3.05	\$ 18,910.00
413300A	ULTRA-THIN BONDED ALTERNATE WEARING SURFACE (UBAWS) - TYPE A - 3/4" THICK	SY	12,700	\$ 6.30	\$ 80,010.00

CONTRACT SUM:	\$ 98,920.00
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IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

CITY OF CREVE COEUR

By: _____
Mark C. Perkins, City Administrator

By: _____
James H. Heines, Director of Public Works

(SEAL)

Attest: _____
City Clerk

Date: _____

CONTRACTOR

By: _____
Signature

Printed Name

Title

(SEAL)

Attest: _____

Date: _____



DEPARTMENT OF PUBLIC WORKS STAFF MEMORANDUM

DATE: March 11, 2015
Revised April 9, 2015

TO: Mark Perkins, City Administrator

CC: Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer
Rich Beran, P.E., Civil Engineer

SUBJECT: Recommendation of Award
Belle Coeur Overlay Project

Competitive bids have been received and evaluated for the Belle Coeur Overlay Project. City staff recommends pursuing a contract with N. B. West Contracting Company for the project based upon their past performance in the City and their low bid for the work.

Project Discussion

City staff has developed the subject project as part of the City's annual pavement maintenance program. Asphalt pavement can be found on over two-thirds of the City's roadways, making a significant annual investment into these streets necessary.

The City reconstructed Chasselle Lane in the fall of 2013. Based on pavement conditions, the remaining streets in the Belle Coeur subdivision had been identified as candidates for microsurfacing to be performed 2014. Deteriorated and/or damaged sections of concrete curb and gutter were replaced in the subdivision as part of the 2012 and 2013 Concrete Pavement Replacement Projects in anticipation of the reconstruction and microsurfacing projects. City staff found the area to be an excellent candidate to perform an alternative surface treatment to the microsurfacing – an Ultrathin Bonded Asphalt Wearing Surface, or UBAWS.

Project Limits

The proposed thin overlay project involves five streets in the Belle Coeur neighborhood:

1. Chamblee Lane (Current PCI = 88-94)
2. Champeix Lane (Current PCI = 85)
3. Clion Lane (Current PCI = 82)
4. Coulange Court (Current PCI = 86)
5. Cuiseaux Court (Current PCI = 84)

A map of the project roadways is attached.

For simplicity, these five streets will be referred to in this report as the streets of Belle Coeur. Chasselle Lane is also part of the Belle Coeur subdivision, but Chasselle is not included in this grouping of streets, because it is not considered for the proposed thin overlay that is proposed for the rest of the subdivision.

What is UBAWS?

UBAWS is an acronym for Ultrathin Bonded Asphalt Wearing Surface, which is a more technical term for a type of thin asphalt overlay commonly referred to as a “Nova Chip.”

The UBAWS/Nova Chip pavement application was developed in Europe in the 1980’s and began to be used in this area in the 1990’s. Initial uses of the product involved resurfacing for bridge decks due to the thin (and therefore light) layer of asphalt. In recent years, the UBAWS/Nova Chip application has been successfully used on roadways of varying vehicle use by the City of Maryland Heights, St. Louis County, and the Missouri Department of Transportation (MoDOT).

UBAWS/Nova Chip is a thin asphalt overlay that shares the pavement preservation goal of microsurfacing and many of the material and application properties of a typical asphalt overlay. Staff considers the UBAWS/Nova Chip to be an alternate option to microsurfacing and an intermediate consideration between microsurfacing and asphalt resurfacing for asphalt streets.

UBAWS/Nova Chip vs. Asphalt Resurfacing. UBAWS/Nova Chip is essentially the same as asphalt resurfacing, just with a different asphalt mixture to allow for a thinner pavement layer. The UBAWS/Nova Chip thickness is approximately $\frac{3}{4}$ ”, which is roughly half of the $1\frac{1}{4}$ ” to $1\frac{1}{2}$ ” minimum thickness of the typical asphalt pavement used for resurfacing. Most of the recent resurfacing projects in the City of Creve Coeur have been at a 2” to $2\frac{1}{2}$ ” thickness.

The main difference between the UBAWS/Nova Chip and resurfacing is its strength and what the new pavement is meant to accomplish and fix. UBAWS/Nova Chip is thinner and is meant to fix small surface issues and preserve relatively good pavement. Asphalt resurfacing is thicker and eliminates most of a street’s surface issues by simply replacing the entire top layer of pavement.

UBAWS/Nova Chip vs. Microsurfacing. While UBAWS/Nova Chip are both asphalt pavement preservation techniques, the UBAWS/Nova Chip is different from a microsurface treatment in several ways:

1. **Strength.** The UBAWS/Nova Chip is an asphalt overlay that is rolled to compaction, whereas the Microsurface is a surface sealer that is partially dragged into place by squeegees or burlap sacks. As an asphalt overlay, the UBAWS/Nova Chip ($\frac{3}{4}$ ”) is about twice as thick as a microsurface ($\frac{3}{8}$ ”), and the different material and thickness make the UBAWS/Nova Chip stronger and longer-lasting than the microsurface. This strength makes the UBAWS/Nova Chip better able to withstand the wear caused by high traffic volumes on major streets or by turning tires in cul-de-sacs.
2. **Life Expectancy.** The UBAWS/Nova Chip application has been found to last between 8-10 years, whereas the microsurfacing has lasted between 5-7 years in the City’s applications.
3. **Rideability.** The finished surface of the UBAWS/Nova Chip is smooth once the new pavement has been rolled, whereas the microsurfacing needs some time for vehicle tires to wear the surface smooth.
4. **Cure Time.** Vehicle can drive on the UBAWS/Nova Chip within 20-30 minutes of application, whereas microsurfacing requires several hours to dry and harden before it can be opened to traffic.
5. **Cost.** The contract price for UBAWS/Nova Chip is approximately three times as much as microsurfacing would be, with much of the contracted cost going to the additional preparation needed to grind down the edges of pavement to maintain smooth transitions at driveways and intersections. The thinner microsurfacing does not require such edge milling. The streets in

Belle Coeur will need some level of patching of potholes and other preparation work, whether the UBAWS/Nova Chip or the microsurfacing is used, but more patching (and cost) should be expected for a microsurfacing application. Repairs to streets in preparation for microsurfacing has typically been completed the City's Public Works staff.

Generally, the UBAWS/Nova Chip application is a thin asphalt overlay that can be used as a robust pavement preservation application. Its main purpose is to seal in oxidized asphalt surfaces and bridge low-severity cracking, thus preserving the pavement.

Example Projects

As mentioned above, the UBAWS/Nova Chip application has been used by other area government agencies, including the City of Maryland Heights, St. Louis County, and MoDOT. Staff visited the construction site during the UBAWS/Nova Chip application in Maryland Heights in 2014 and found the process to be very similar to the City's typical asphalt pavement resurfacing. Staff has also witnessed the various stages of the UBAWS/Nova Chip process by St. Louis County in the neighborhoods immediately north of Creve Coeur, as many of the streets in this area were completed over the past few years. In addition, one of the recent uses of UBAWS/Nova Chip by MoDOT was the thin overlay along Olive Boulevard just west of New Ballas Road in 2012.

Staff has recently visited these areas and has found that the pavement is performing well.

Selection of Belle Coeur

The streets in the Belle Coeur neighborhood were selected for the UBAWS/Nova Chip treatment due the condition of the pavement and the recent reconstruction of Chasselle Lane through the subdivision.

Pavement conditions along the Belle Coeur streets are generally good. Low-severity cracking can be found along much of the edge of the pavement near the concrete curb and gutter. Some areas will need to be replaced by the City's Public Works crews to prepare these streets for the UBAWS/Nova Chip, but these areas are relatively isolated. The UBAWS/Nova Chip process will involve grinding out much of the area along the concrete curb and gutter, meaning that much of the pavement that is showing cracking on this street will have its surface replaced, thus addressing much of the surface distress found on the street.



The recent reconstruction of Chasselle Lane should mean that significant pavement maintenance will not be required on Chasselle Lane for perhaps another ten years. By using the UBAWS/Nova Chip on the remaining streets in the neighborhood, the City will not only complete work in the neighborhood that was begun in 2013, but the City will also bring all of the pavement in the neighborhood to a similar condition and maintenance schedule. This is consistent with the City's planning on a neighborhood basis.

Project Financing

The proposed Belle Coeur Overlay Project will be completed using capital improvement funds. Funding is available in the FY2015 budget in account #02-61-71-9510 under the Street & Sidewalk Maintenance Program.

Advertisement

The City advertised the Invitation for Bids for the subject project in *The Countian* on February 24 and 26, and March 3, 2015. Invitations for bids were also sent to the known contractors who perform this work in the St. Louis area. The Invitation for Bids was also posted on the City's website.

Bid Results and Discussion

Bids for the subject project were publicly opened and read on Tuesday, March 10, 2015. Due to the specialized nature of the project, a total of two (2) bids were received for the project, as summarized below:

1. N. B. West Contracting Company.\$ 98,920.00
2. Pace Construction..\$ 129,090.00

A copy of the bid results is attached. No calculation errors were found in the bids.

Recommendation

The recommendation is to award the subject project to N. B. West Contracting Company, due to their low bid for the work and their past performance with similar work in Maryland Heights. As examples, N. B West has also worked on several recent projects in Creve Coeur such as the Chilton Culvert Replacement during the late fall and winter of 2013 as well as the Conway Road Resurfacing Project in 2012 . The expectation is that this good relationship and N. B. West's good performance will be continued with the successful completion of the subject project.

The recommendation is to award the Belle Coeur Overlay Project to the firm listed below for a total price of \$98,920.00:

N. B. West Contracting Company
2780 Mary Avenue
Brentwood, MO 63144
(314) 962-3145

Attachments: Bid Tabulation
 Project Map



BID TABULATION

Belle Coeur Overlay (UBAWS) Project

City of Creve Coeur, Missouri

Bids opened: 3:00 pm, Tuesday, March 10, 2015

Item Number	Item	Unit	Contract Quantity
621410A	MODIFIED COLDMILLING (0" TO 3/4")	SY	6,200
413300A	ULTRA-THIN BONDED ALTERNATE WEARING SURFACE (UBAWS) - TYPE A - 3/4" THICK	SY	12,700

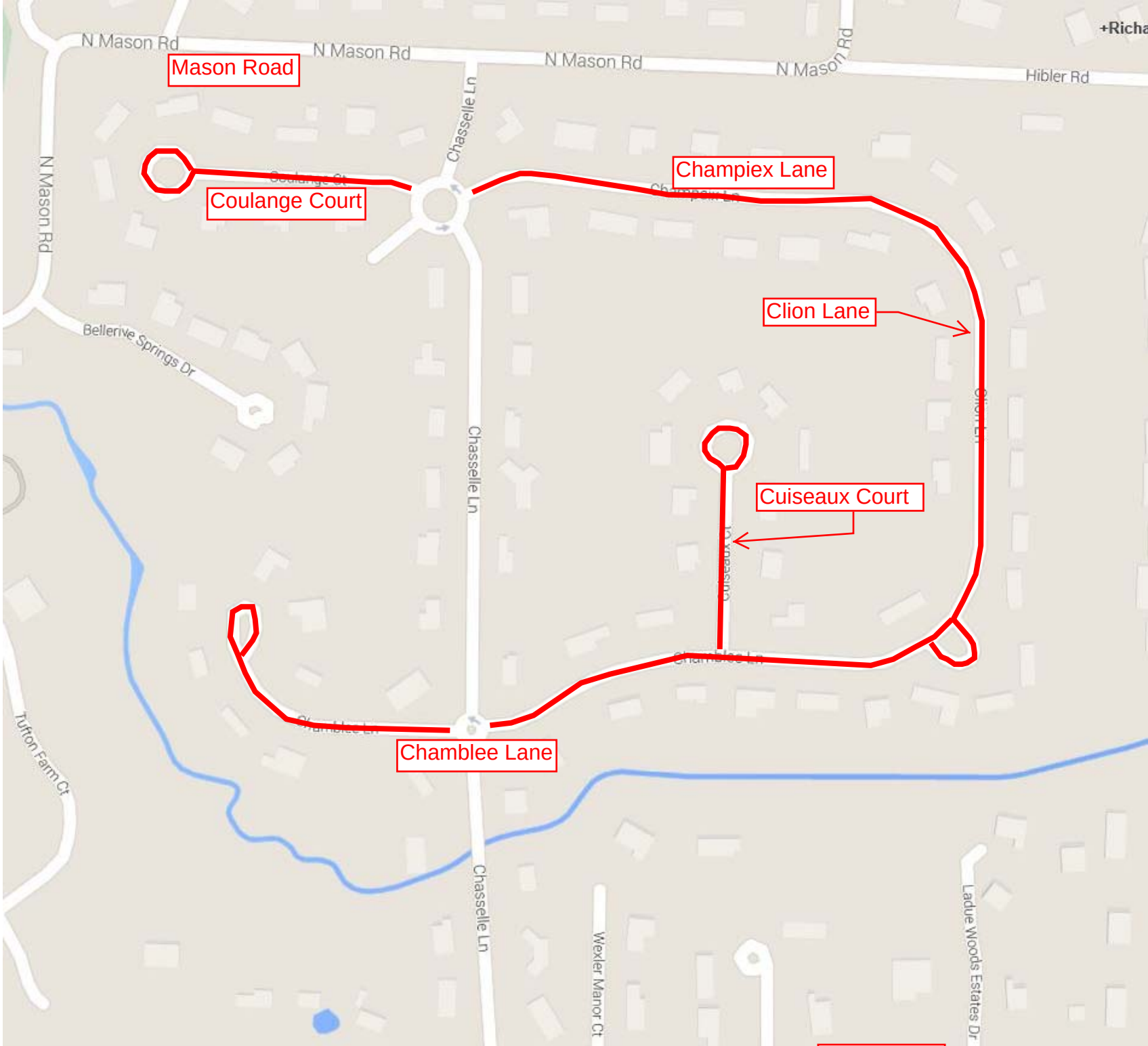
N.B. West Contracting Co.	
Unit Bid Price	Item Subtotal
\$ 3.05	\$ 18,910.00
\$ 6.30	\$ 80,010.00

Pace Construction	
Unit Bid Price	Item Subtotal
\$ 3.00	\$ 18,600.00
\$ 8.70	\$ 110,490.00

Total Bid:

N.B. West Contracting Co.	
\$	98,920.00

Pace Construction	
\$	129,090.00





City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: City Council
Category: Report
Prepared By: Whitney Kelly
Department Head: Debbie Ryan

SCHEDULED

STAFF REPORT

Bill No. 5544 - an Ordinance Authorizing the Issuance of a New Conditional Use Permit for Used-Only Automotive Dealer at 10640 Gateway Boulevard. First Reading

Danny Baker, of Exotic Motors Midwest, L.L.C., has submitted an application for a conditional use permit for a 10,408 square-foot used-only automobile dealership. All activities related to the dealership will be located inside; no outside sales or display will occur. Used car dealers (NAICS 441120) are permitted as a conditional use in the LI District. The Planning and Zoning Commission has recommended approval with conditions.

BILL NO. 5544

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR USED-ONLY AUTOMOTIVE DEALER AT 10640 GATEWAY BOULEVARD

WHEREAS, under Section 405.380(C), all used-only automotive dealers in the “LI” Light Industrial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Danny Baker, owner of Exotic Motors Midwest, L.L.C., for a conditional use permit for the sale of used automobiles, where all activity will occur inside the building at 10640 Gateway Boulevard; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 6, 2015, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

WHEREAS, 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 5-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on April 6, 2015; and

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

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

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

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 2 hereof for the operation of a used-only automobile dealership (NAICS 441120) at 10640 Gateway Boulevard, in LI (Light Industrial) District, whose legal description is as follows:

Attachment: Bill No. 5544 (1300 : Bill No. 5544 - CUP for Used-Only Automotive Dealer Exotic Motors CUP)

BILL NO. 5544

ORDINANCE NO. _____

A tract of land in Lot 12 and part of Lot 11 of the Resubdivision of Section 2, 3 and 4 Of Lindbergh Warson Industrial Center Addition No. 1 as shown on the plat thereof recorded on Plat Book 100 page 52 of the St. Louis County Records and further described as follows:

Beginning at the Southwest corner of said Lot 12; thence South 89 degrees 14 minutes East 274.38 feet along the South lines of Lots 12 and 11 to a point; thence North 0 degrees 50 minutes East 271.74 feet to a point on the South line of Gateway Boulevard, 50 feet wide; thence on said South line of Gateway Boulevard along a curve to the right having a radius of 238.50 feet, a distance of 54.15 feet to a point of tangency; thence along said South line, North 62 degrees 55 minutes West, 0.15 feet to the Northwest corner of said Lot 11; thence continuing along said South line, North 62 degrees 55 minutes West, 12.27 feet to a point of curve; thence along a curve to the left having a radius of 188.50 feet, a distance of 86.75 feet to a point of tangency; thence North 78 degrees 17 minutes West 13.15 feet to the Northwest corner of said Lot 12; thence along the West line of said Lot 12 the following courses and distances: South 7 degrees 41 minutes 30 seconds West 158.46 feet to a point; thence along a curve to the right having a radius of 200.00 feet a distance of 131.01 feet to a point of tangency; thence South 45 degrees 13 minutes 30 seconds West 58.59 feet to the point of beginning.

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 used-only automotive dealer (NAICS 441120) located at 10640 Gateway Boulevard.
2. All business operations shall take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors.
3. The hours of operation shall be: 8:00 a.m. to 6:00 p.m. Monday through Friday; or by appointment only.
4. Additional business hours may be permitted with the Zoning Administrator's approval, including but not limited to, the hosting of special events.
5. The parking lot shall be restriped as shown on the Site Plan submitted with Application 15-002, last revised on March 17, 2015, except that sufficient parking spaces shall be relocated to widen the drive aisle shared with the adjacent property to the west to a minimum width of 22 feet.
6. The pre-existing dumpster enclosure shall be reconstructed in conformance with Section 405.380, "LI" Light Industrial District and Section 405.460, Accessory Uses and Structures, of the Zoning Ordinance.
7. Any new mechanical equipment installed for the site shall be properly screened with approved materials.
8. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
9. 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.
10. 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.

BILL NO. 5544

ORDINANCE NO. _____

11. 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.
12. 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 _____, 2015.

CHARLOTTE D'ALFONSO
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2015.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



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

**APPLICATION TO PLANNING AND ZONING COMMISSION#15-002
FOR A NEW CONDITIONAL USE PERMIT FOR EXOTIC MOTORS,
A USED-ONLY AUTOMOTIVE DEALER LOCATED AT
10640 GATEWAY BOULEVARD**

FOR THE MEETING OF: April 6, 2015

LOCATION: 10640 Gateway Boulevard, in the LI (Light Industrial)
District

REQUEST: Danny Baker, of Exotic Motors Midwest, L.L.C., has submitted an application for a conditional use permit for a 10,408 square-foot used-only automobile dealership. All activities related to the dealership will be located inside; no outside sales or display will occur. Used car dealers (NAICS 441120) are permitted as a conditional use in the LI District with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission..

ADDITIONAL INFORMATION:

On October 24, 2011, the City Council approved a text amendment to include the sale of used-only automotive dealers in the "LI" District as a conditional use, provided that all business operations will take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors.

Key Issues:

- Does the request integrate with the surrounding uses?
- Does the request further the goals and/or implement the Comprehensive Plan?

Comp. Plan References

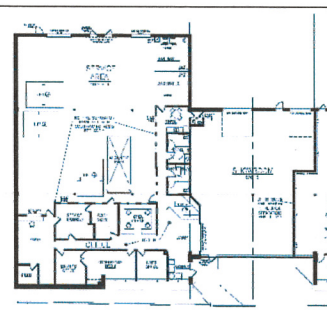
- Commerce Center Action Area

Zoning Code References

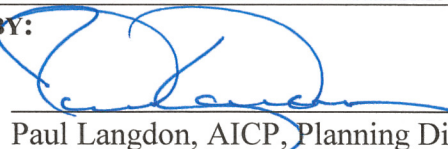
- Section 405.210: Regulation of Uses
- Section 405.380: LI Light Industrial District
- Section 405.470: Conditional Uses
- Article VII Off-Street Parking And Loading Regulations

APPLICANTS: Mr. Danny Baker
Exotic Motors Midwest, LLC
9238 Old Bonhomme
St. Louis, MO 63132

PROPERTY OWNER: Morrie Zimring
23 Tipton Way
St. Louis, MO 63105



REPORT PREPARED BY:


Paul Langdon, AICP, Planning Director

4/3/2015
Date

ATTACHMENTS: Applicant's Materials received March 6, 2015
Draft Ordinance

INTRODUCTION

Danny Baker, of Exotic Motors Midwest has submitted a request for a conditional use permit for the sale of used automobiles. The applicant is a low-volume dealer specializing in exotic (low volume, high performance) automobiles. The business will occupy 10,408 square feet with all activity occurring indoors including only routine maintenance and detailing of the vehicles. The hours of operation are Monday through Friday, 8:00 a.m. to 5:00 p.m., or by appointment, with the use of the internet and telephone as the primary sources for sales. The applicant will undertake whatever building interior upgrades are necessary to secure an occupancy permit, but no significant exterior changes are proposed.

BACKGROUND AND ZONING HISTORY

The existing 19,609 sq. ft. warehouse building was originally built in 1974 on a site of approximately 1.32 acres in the Lindberg-Warson Industrial Center. Originally developed under St. Louis County jurisdiction, the entire area was annexed into the City of Creve Coeur in 1990 and subsequently zoned LI (Light Industrial) District. The property has remained largely unchanged since that time.

On October 24, 2011, the City Council approved a text amendment to include the sale of used-only automotive dealers in the LI District as a conditional use, provided that all business operations will take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors. Addition site conditions were also included and discussed further below under Zoning Review.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Industrial	"LI" Light Industrial	Gateway Boulevard
South	Industrial	"LI" Light Industrial	N/A
East	Industrial	"LI" Light Industrial	N/A
West	Industrial	"LI" Light Industrial	N/A

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Commerce Center Action Area located on the east end of Olive Boulevard. The Comprehensive Plan does not provide much direction for this area except for "Monitor development in the Lindbergh-Warson Industrial Park and explore ways to encourage long-term viability of this area" under the Residential Preservation and Economic Development goals and objectives (page 71). The Comprehensive Plan also discusses upgrading the architectural quality of the building stock as businesses expand or redevelop. The applicant will upgrade the interior of the structure and will make any necessary repairs to the exterior of the building but, since they only occupy a portion of the structure, they are not committing to any significant exterior upgrades. The nature of the use, however, requires that a clean, well-kept appearance be maintained that is typically of a higher caliber than is typically seen in traditional light industrial uses. In fact, the existing front landscape is already of a higher quality than most of the properties within the LI District. Therefore, the proposed use would satisfy the goals and objectives of the Comprehensive Plan.

ZONING REVIEW

Pre-conditions:

Used-only automotive dealers are permitted with conditions in the "LI" Light Industrial District subject to the provisions of Section 405.470:

SECTION 405.470: CONDITIONAL USES

12. Motor vehicle, new and used, used only, and motorcycle dealers--SIC Codes 551, 552, and 557 (conditional use in the "LI" District).
 - a. Indoor operations only. All business operations (including, but not limited to, vehicle service, cleaning and storage) will take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors. This shall not be interpreted to require service bay doors to be closed except as may be required by an approved conditional use permit.
 - b. Site size. Shall be located on lots of not less than one (1) acre.
 - c. Trash disposal and storage. All used tires and parts, trash and similar objects shall be stored and fully screened from view of the public right-of-way.

The applicant has indicated that all cars and any maintenance will occur inside the building in order to protect them from the elements (including washing the cars within the heated garage area). There is an existing trash dumpster enclosure at the rear of the property that will require reconstruction so that it does not encroach on the adjacent lot and gates so as to not be viewable from the public right-of-way. A condition requiring the new enclosure is included in the draft ordinance. Lastly, the property consists of 1.6 acres, thus satisfying all of the requirements for the conditional use, subject to the aforementioned condition.

Parking:

Parking regulations for Automotive Dealers are discussed under Section 405.820(F)(1) of the Required Off-Street Parking Spaces regulations:

- F. Wholesale And Retail Trade (SIC codes 50-59).
 1. Automotive (SIC Code 55) (not including automobile repair (SIC Code 75)):
 - a. Automobile or boat dealers (SIC Codes 5510, 5520, 5550, 5560 and 5590). One (1) space per two hundred fifty (250) square feet of show room floor area plus three (3) parking spaces per service bay plus one (1) space per one thousand two hundred fifty (1,250) square feet of total aggregate building area. Parking spaces typically occupied by new or used automobiles for sale shall not be counted towards the required off-street parking requirements. Such parking spaces occupied by automobiles for sale do not have to meet the minimum parking space requirements specified in this Chapter.

Using these requirements for the used auto dealership and the office and warehousing requirements for the other tenant spaces, the parking required on site is 46 spaces. If restriped as proposed, 47 parking spaces will be provided, although three of the spaces appear to encroach on the two-way drive aisle shared with the building to the west. Staff recommends a condition of approval that has those three spaces moved to open wall locations along the back of the building (several such places are available).

RECOMMENDATION

Based on the above analysis, the request for a conditional use permit meets all of the requirements of the Comprehensive Plan and Zoning Ordinances. Staff recommends approval subject to the conditions below which are included in the draft ordinance:

1. The Conditional Use Permit shall be for the operation of a used-only automotive dealer located at 10640 Gateway Boulevard.
2. All business operations shall take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors.
3. The hours of operation shall be: 8:00 a.m. to 5:00 p.m. Monday through Friday; or by appointment only.
4. Additional business hours may be permitted with the Zoning Administrator's approval, including but not limited to, the hosting of special events.
5. The parking lot shall be restriped as shown on the Site Plan submitted with Application 15-002, last revised on March 17, 2015, except that sufficient parking spaces shall be relocated to widen the drive aisle shared with the adjacent property to the west to a minimum width of 22 feet.
6. The pre-existing dumpster enclosure shall be reconstructed in conformance with Section 405.380, "LI" Light Industrial District and Section 405.460, Accessory Uses and Structures, of the Zoning Ordinance.
7. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
8. Any future enlargement, extension, expansion or exterior 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 exterior alteration may be issued.

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 new Conditional Use Permit for Exotic Motors allowing used-only automotive sales at 10640 Gateway Boulevard, subject to the conditions contained in the draft ordinance attached to the staff report on Application #15-002, dated April 6, 2015" (conditions may be added, eliminated, or modified by preceding motion).

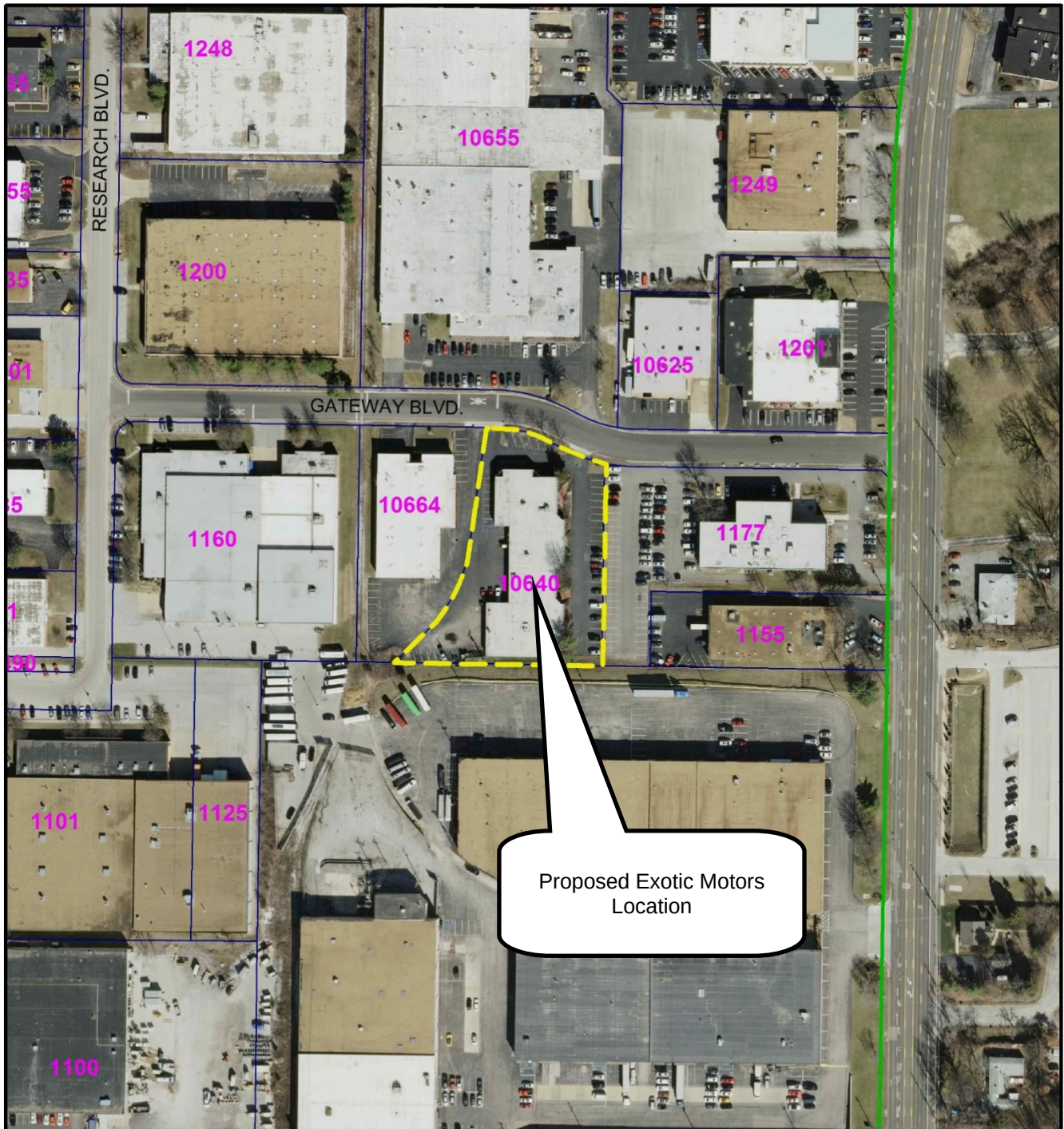
APPENDIX 1: COMPREHENSIVE PLAN

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

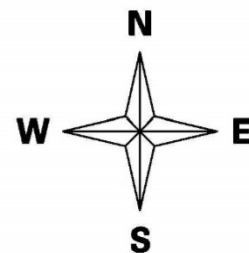
APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO



-  Creve Coeur Municipal Boundary
-  Property Lines
-  10640 Gateway Boulevard



APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 3/30/2015



Description: View looking southwest toward the front of the unit to be occupied by the dealership.



Description: View looking south from Gateway Boulevard toward the parking, functional front of the building and landscaping.



Description: View looking south from the truck court area toward the dumpster enclosure that is in disrepair.



city of CREVE COEUR

PLANNING DIVISION

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

3.6.c

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:

MR. DANNY BAKER

Name

EXOTIC MOTORS MIDWEST, LLC

Company (if applicable)

9238 OLD BONHOMME

Address

ST. LOUIS, MO. 63132

Address

Telephone # 314-561-9766

Fax # 636-296-0037

Email: DANNY@EXOTICMOTORSMIDWEST.COM



Applicant's Signature

Applicant's Representative (if applicable):

MICHAEL F. BAUER

Name

M² ARCHITECTURE STUDIO

Company (if applicable)

1232 WASHINGTON AVENUE

Address

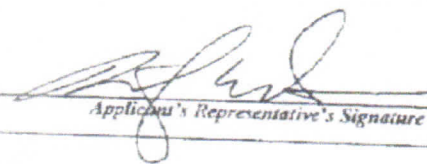
SUITE 310 ST. LOUIS MO 63103

Address

Telephone # 314-241-6262

Fax # 314-241-6263

Email: MIKEB@M2ASTUDIO.COM



Applicant's Representative's Signature

Property Information:

10640 & 10650

Address

GATEWAY BOULEVARD

Address

ST. LOUIS, MO 63132

Development Name (if any)

Current Zoning

L-1 LIGHT INDUSTRIAL

Prior CUP approvals (if known)

UNKNOWN

Owner's Acknowledgement (if different from applicant):

MARIE ZIMRING

Name

Company (if applicable)

23 TOPTON WAY

Address

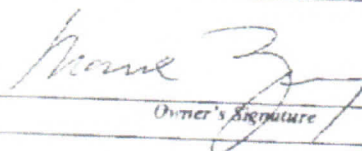
ST. LOUIS MO 63105

Address

Telephone # 314 378 0746

Fax #

Email: MZIM1062@AOL.COM



Owner's Signature

Attachment: Applicant Materials (1300 : Bill No. 5544 - CUP for Used-Only Automotive Dealer Exotic Motors CUP)

Description of Requested Use (attach additional sheets as needed)

General Description of Business: AUTOMOTIVE SALES & SERVICE
AND ASSOCIATED CAR DETAILING. OFFICE AND
WAREHOUSE USES (SEE ATTACHED PLANS).

Gross Floor Area - Existing and Proposed: TOTAL BUILDING IS 19,609 sq ft

Number of Seats (for restaurant only): N.A. THIS USE X

Number of Employees at the busiest shift: 12,436

Hours of Operation: SHOWROOM - M-F 9:00am to 6:00pm, SERVICE - M-F 8:00am to 6:00pm

Current or Most Recent Use of the Property: OFFICE / WAREHOUSE

Will the applicant apply for a liquor license: Yes No X

Rationale

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

Submittal Checklist

☒ Rationale	☐ Building elevations for new construction
☒ Site plan (4) COPIES	☐ Photographs of existing structures
☒ Access and parking plan; (may be shown on site plan) (4) COPIES	☐ Materials samples
☐ Landscape plan	☒ Fees: \$250 (non-refundable)
☒ Floor plan (4) COPIES	☐ \$2000 (refundable deposit)
☒ Electronic copies of all materials	☒ Other items as requested by staff
	☒ LEGAL IN WORD FORMAT

Preferred Public Hearing Date: Monday, APRIL 6th, 2015.

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

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

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

Revised: 11/11

Exotic Motors Midwest, LLC

10650 Gateway Boulevard
Creve Coeur, MO 63132

Rationale for Conditional Use Permit

Exotic Motors is a destination boutique car dealership, catering to a select group of owners and buyers.

Exotic Motors is a good fit in the Creve Coeur, L1-Light Industrial Zoning district for the following reasons:

Despite having all of a regular car dealership's functional components (Showroom, service area, parts, offices and staff support), Exotic Motors is not a conventional car dealership.

Most sales activity is conducted over the phone or via the internet.

Overall visitor traffic to the facility is low.

Walk-in traffic, other than pre-arranged appointments, is rare.

No vehicles are displayed outdoors and there are no exterior sales promotions.

All service work is conducted inside the building.

Service work and vehicle pickup are by appointment.

Cars in for service are only outside the facility as they are maneuvered for service positions into the shop area.

There are no showroom access doors on the front (East) of the building.

After hours, all cars are secured with-in the facility.

Other than company building signage, per ordinance like any other business, there will be no other external reference to the dealership.

JAMES SURVEYING COMPANY

I also declare that under my supervision and to the best of my ability and professional judgment, that the results shown hereon are made in accordance with the Current Minimum Standards for Property Boundary Surveys as set forth by the Missouri Department of Agriculture, Division of Geology and Land Survey and rules promulgated by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, for an Urban Class Survey.

PROPERTY DESCRIPTION PER TITLE POLICY:

Beginning of the Southwest corner of said Lot 12, thence South 89 degrees 14 minutes East 274.38 feet along the South lines of lots 12 and 11 to a point, thence North 0 degrees 50 minutes East 271.74 feet to a point on the South line of Gateway Boulevard, 50 feet wide, thence on said South line of Gateway Boulevard along a curve to the right having a radius of 100.00 feet, a central angle of 15 degrees 15 minutes 15 seconds, a chord of 47.22 feet, bearing S 12 degrees 22 minutes E, 0.15 feet to the Northwest corner of said Lot 11, thence continuing along said South line North 12 degrees 22 minutes West, 12.27 feet to a point of curve, thence along a curve to the left having a radius of 188.50 feet, a distance of 86.75 feet to a point of tangency, thence North 78 degrees 17 minutes West 13.15 feet to the Northwest corner of said Lot 10, thence continuing along said North line North 12 degrees 22 minutes West, 158.46 feet to a point, thence along a curve to the right having a radius of 200.00 feet, a distance of 131.01 feet to a point of tangency, thence South 45 degrees 13 minutes 30 seconds West 58.59 feet to the point of beginning.

SOURCE OF TITLE: Old Republic National Title Insurance Company - File Number: 373051L, Dated: January 5, 2015

ITEM 4: Building Lines and Easements in Plot Book 96, Page 59, and Plot Book 100, Page 52 (Unless otherwise noted, the Building Lines and Easements shown were taken from these instruments)

ITEM 5: Reservation of Easement Strip by Industrial Properties, Inc. in Book 5010, Page 282 (Affects the Property as shown)

ITEM 6: Easements to Union Electric Company in Book 4737, Page 327 (All Easement Strips and Private Streets as shown on the Plot) and Book 5218, Page 42 (Affects the Property as shown)

ITEM 7: Easement to The Metropolitan St. Louis Sewer District in Book 5544, Page 110 (Affects the Property as shown)

ITEM 8: Easement to Lodged Gas Company in Book 6779, Page 2364 (Affects the Property as shown)

SOURCE OF BEARINGS: "Resubdivision Of Sections 2, 3 And 4 Of Lindbergh-Warson Industrial Center Addition #1", Plot Book 100, Page 52 of the St. Louis County Records.

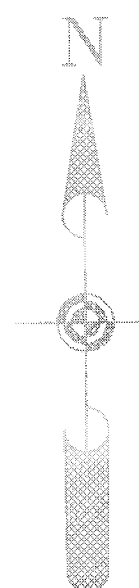
SOURCE OF DEED: Conveyed to the Zimring Family Partnership II, L.P., by Deed recorded in Book 20810, Page 1630 of the St. Louis County Records.

FLOOD NOTE: "Zone X" Areas determined to be outside 500-Year Floodplain (NOT a "Special Flood Hazard Area")
City of Creve Coeur, Missouri, Community-Panel Number: 290344 0192 K, Effective Date: February 4, 2015

ZONING: City of Creve Coeur, Mapour, Zone "U" – Light Industrial District

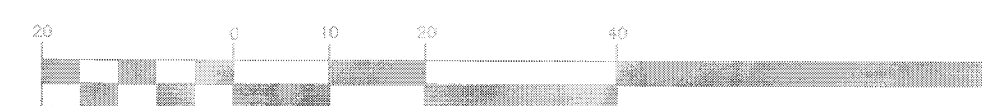
- Lot Size Requirements: Minimum Lot Area = 21,780 square Feet; Minimum Width = 100 Feet; Minimum Depth = 150 Feet
- Bulk Regulations: Maximum Building Height = 60 Feet; Maximum Site Coverage = 85% of Site
- Yard and Setback Requirements: Front Yard = 30 Feet (50 Feet with Parking in Front of Building); Side & Rear: 10 feet
- Parking Requirements: General offices including professional, governmental or institutional except as specifically enumerated in this Article: For buildings less than fifteen thousand (15,000) square feet, four (4) stalls per one thousand (1,000) square feet of gross leasable floor area. For buildings greater than fifteen thousand (15,000) square feet, three and three-tenths (3.3) stalls per one thousand (1,000) square feet of gross leasable floor area.

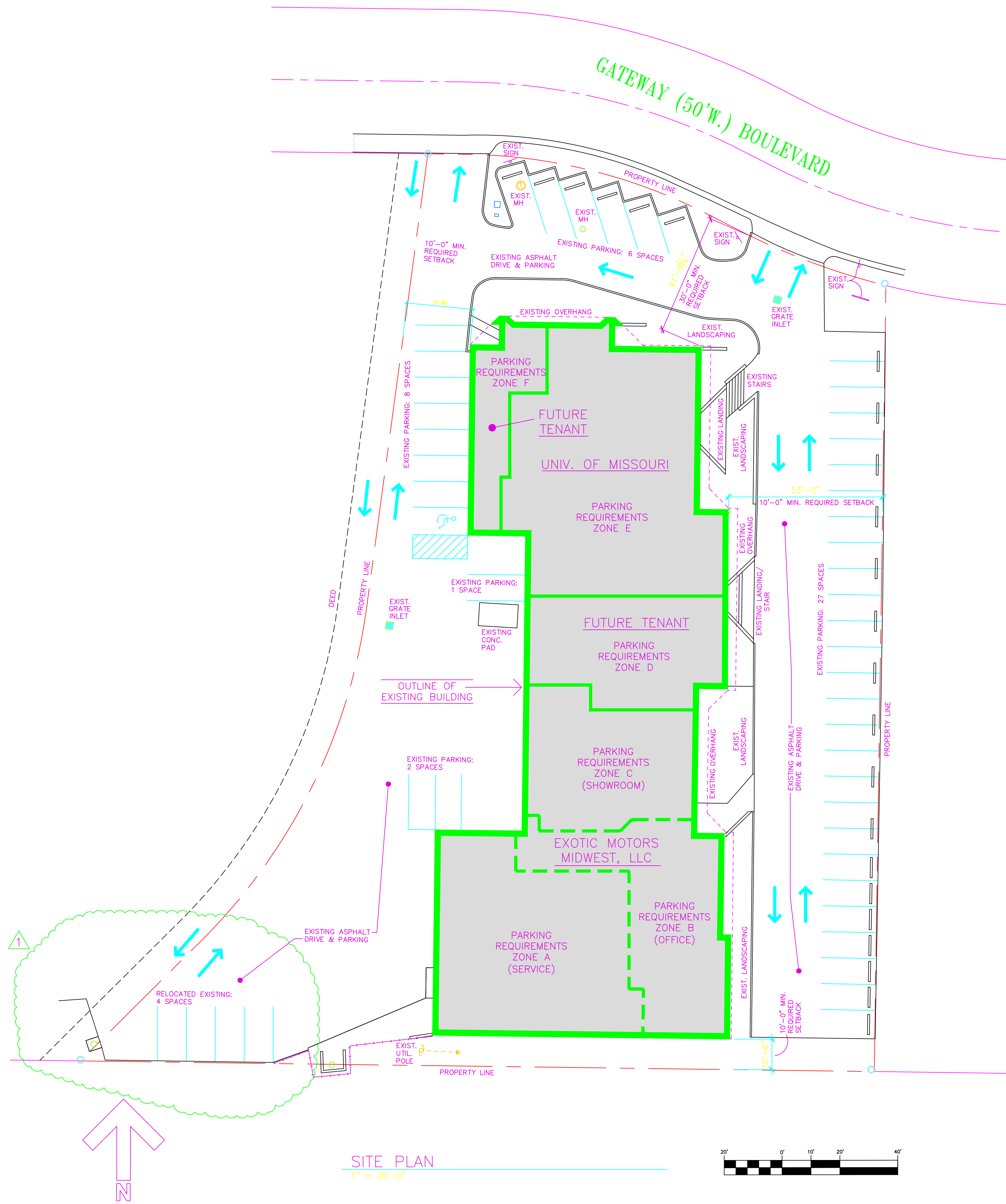
Any Zoning information shown hereon is not meant to be a Statement of Compliance, which would be beyond the Surveyor's expertise.



GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

Packet Pg. 183



PARKING REQUIREMENTS

GOVERNING CODE.....	ARTICLE VII: OFF-STREET PARKING AND LOADING REQUIREMENTS	
	SECTION 405.820 REQUIRED OFF-STREET PARKING SPACES	
ZONE A:	AUTOMOTIVE DEALERSHIP-SERVICE AREA	9 PARKING SPACES
	REQUIRED SPACES @ 1/3 SERVICE BAY.....	
ZONE B:	AUTOMOTIVE DEALERSHIP	
	OFFICE.....	2,958 S.F. (GROSS FLOOR AREA)
	REQUIRED SPACES @ 1/1,250 S.F.	3 PARKING SPACES
ZONE C:	AUTOMOTIVE DEALERSHIP	
	SHOWROOM.....	2,522 S.F. (ACTUAL SHOWROOM FLOOR AREA)
	REQUIRED SPACES @ 1/250 S.F.	11 PARKING SPACES
ZONE D:	FUTURE TENANT	
	OFFICE AREA.....	510 S.F. (GROSS LEASABLE FLOOR AREA)
	REQUIRED SPACES @ *3.3/1000 S.F.	4 PARKING SPACES
	*BUILDINGS GREATER THAN 15,000 S.F.	
STORAGE AREA.....	1,900 S.F. (GROSS FLOOR AREA)	1 PARKING SPACE
	REQUIRED SPACES @ *1/2000 S.F.	40,000 S.F.
ZONE E:	GENERAL OFFICE.....	4,845 S.F. (GROSS LEASABLE FLOOR AREA)
	REQUIRED SPACES @ *3.3/1000 S.F.	17 PARKING SPACES
	*BUILDINGS GREATER THAN 15,000 S.F.	
ZONE F:	STORAGE.....	1,000 S.F. (GROSS FLOOR AREA)
	REQUIRED SPACES @ *1/2,000 S.F.	1 PARKING SPACE
	*BUILDINGS WITH FLOOR AREA 15,001 S.F. - 40,000 S.F.	
TOTAL REQUIRED PARKING SPACES.....		46 PARKING SPACES
TOTAL PROVIDED PARKING SPACES.....		47 PARKING SPACES

BUILDING INFORMATION

NO ADDITIONS OR MAJOR EXTERIOR RENOVATION TO OCCUR.
MINOR ADJUSTMENTS OF OVERHEAD DOORS AND MAN DOORS ON THE WEST ELEVATION ARE PLANNED.

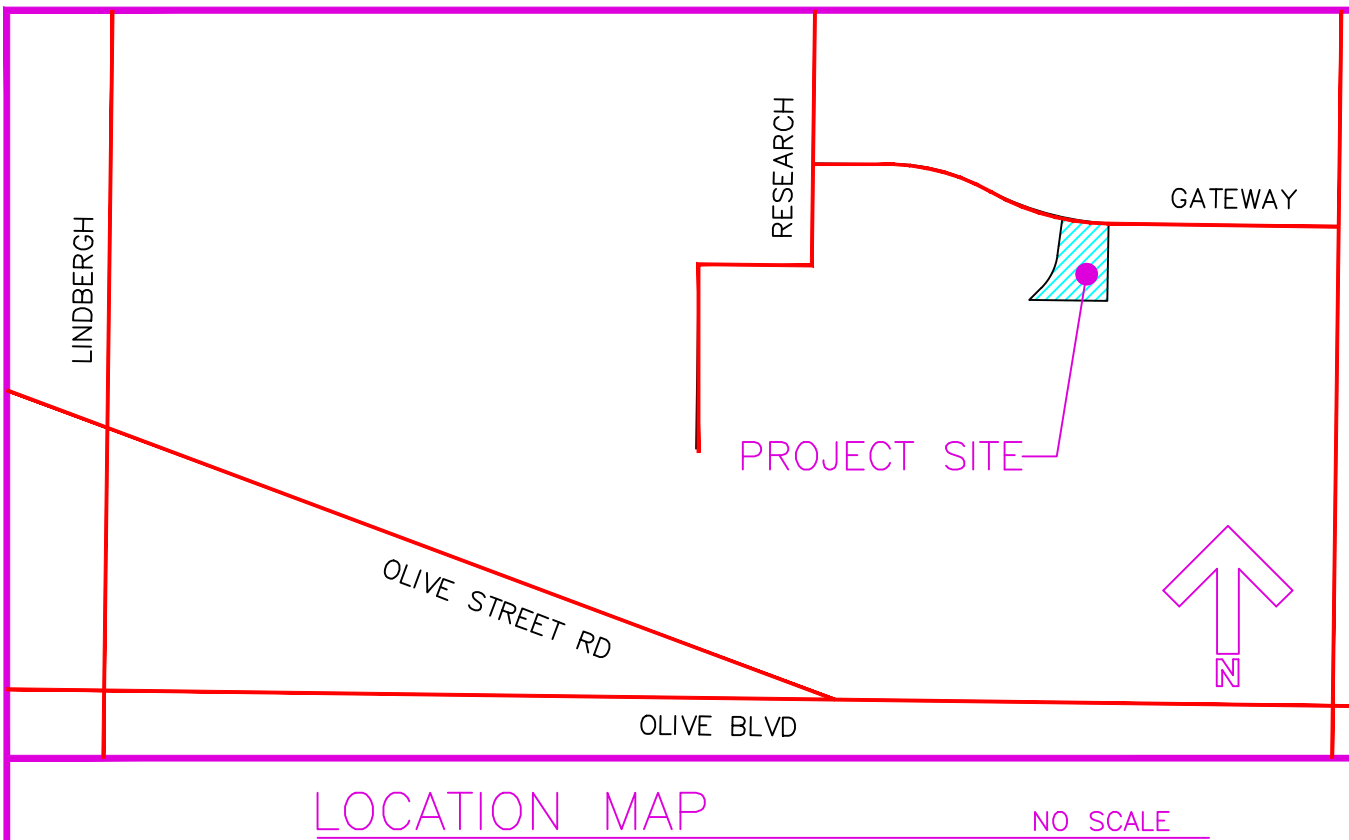
DESCRIPTION: COMMERCIAL BUILDING, EXISTING BRICK FACE & CONCRETE BLOCK BACK-UP. REFER TO LAND TITLE SURVEY DATED FEBRUARY 13, 2015 BY JAMES SURVEYING COMPANY FOR ADDITIONAL SITE INFORMATION.

EXISTING BUILDING FOOTPRINT.....19,609 S.F. (PER LAND TITLE SURVEY)

EXISTING BUILDING HEIGHT.....1 STORY/ 14'-0"

RENT ROLL

ZONE	SUITE	TENANT	GROSS FLOOR AREA
A,B,C	10640	EXOTIC MOTORS MIDWEST, LLC	10,408 S.F.
D	10644	FUTURE TENANT	2,500 S.F.
E	10650	UNIVERSITY OF MISSOURI	5,700 S.F.
F	10650A	FUTURE TENANT	1,000 S.F.



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f: 314.241.6263
www.m2astudio.com



PROPOSED INTERIOR RENOVATION FOR:
EXOTIC MOTORS MIDWEST, LLC

10640 GATEWAY BOULEVARD ST. LOUIS, MISSOURI 63132

ARCHITECTURAL SITE PLAN

REVISIONS	NO.	DATE
	1	3-17-2015
	2	
	3	
	4	
	5	

ISSUE DATE: MARCH 5, 2015
PROJECT NO.: 15-119
DRAWN BY: LSG
CHECKED BY: MEB

SEAL

SHEET

AS1.1

DESIGN CRITERIA

GOVERNING CODE.....2009 IBC
FIRE DISTRICT.....OVERLAND FIRE DISTRICT

OCCUPANCY GROUPS (CHAPTER 3)
B (SECTION 304)GENERAL OFFICES
S-1 (SECTION 311)SERVICE AREA

EXISTING CONSTRUCTION TYPE: IIB (602.2 & TABLE 601)

PROPOSE TO USE NONSEPARATED OCCUPANCIES (508.3)

ALLOWABLE AREA (TABLE 503)
B OCC.....23,000 S.F.
S-1 OCC.....17,500 S.F. (MOST RESTRICTIVE PER 508.3.2)
BUILDING AREA
MODIFICATION (506.2).....24,500 S.F.
ACTUAL BUILDING AREA.....18,314 S.F. (WITHIN EXTERIOR WALLS PER 502.1)

ALLOWABLE HEIGHT (TABLE 503)
B OCC.....3 STORIES
S-1 OCC.....2 STORIES (MOST RESTRICTIVE PER 508.3.2)
ACTUAL BUILDING HEIGHT.....1 STORY

FIRE PROTECTION:
NONSPRINKLERED (NONE OF CONDITIONS PER 903.2.9 EXIST-SEE BELOW)

- 903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exist:
1. A Group S-1 fire area exceeds 12,000 sq. ft.
 2. A Group S-1 fire area is located more than three stories above grade plane.
 3. The combined area of all Group S-1 fire areas on all floors, including mezzanines, exceed 24,000 sq. ft.
 4. A Group S-1 fire area used for the storage of commercial trucks or buses where fire area exceeds 5,000 sq. ft.



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PROPOSED INTERIOR RENOVATION FOR:
EXOTIC MOTORS MIDWEST, LLC

10640 GATEWAY BOULEVARD ST. LOUIS, MISSOURI 63132

FLOOR PLAN

REVISIONS

NO.	DATE

ISSUE DATE: MARCH, 2015
PROJECT NO.: X8-XXX
DRAWN BY: LSG
CHECKED BY: MEB

SEAL

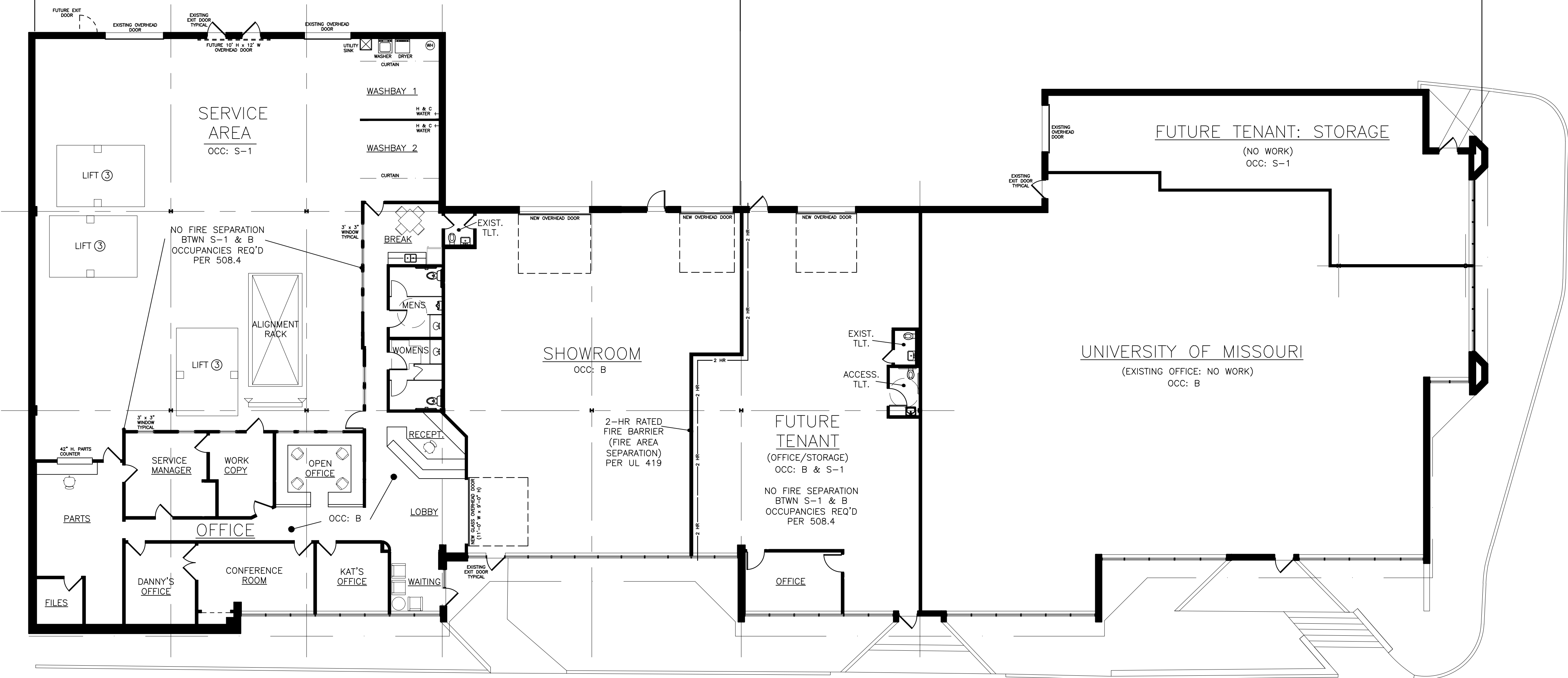
SHEET

A1.1

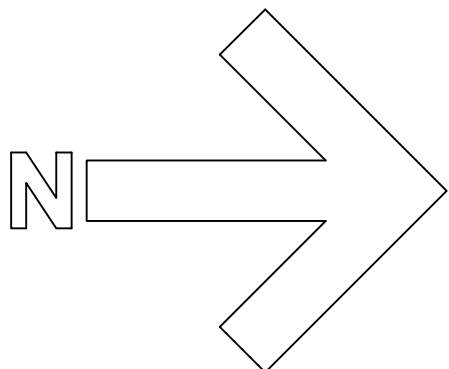
FIRE AREA 1: 9006 S.F. / 12,000 SF MAX. PER 903.2.9

FIRE AREA 2: 9288 S.F. / 12,000 SF MAX. PER 903.2.9

EXOTIC MOTORS MIDWEST, LLC



FLOOR PLAN
3/32" = 1'-0"























PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, APRIL 6, 2015

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chairman
Mr. James Faron
Ms. Beth Kistner
Mr. Charles Pullium
Mr. Gene Rovak
Mr. Carl Lumley, City Attorney
Mr. Paul Langdon, Director of Community Development
Ms. Whitney Kelly, City Planner
Ms. Jessica Stutte, Planning Assistant
Ms. Dianna Hark, Recording Secretary

Dianna C. Hark, RPR, IL-CSR, MO-CCR
CSR No. 084.004728
CCR No. 1079

1 MR. MADDEN: I'd like to call to order the
2 Planning and Zoning Commission meeting for the City of
3 Creve Coeur Missouri for Monday, April 6th, 2015.

4 We'll start with roll call.

5 Mr. Carney won't be here. Mr. James Faron?

6 MR. FARON: Present.

7 MR. MADDEN: Mr. Howard won't be here.

8 Ms. Beth Kistner?

9 MS. KISTNER: Present.

10 MR. MADDEN: Charles Pullium?

11 MR. PULLIUM: Present.

12 MR. MADDEN: Gene Rovak?

13 MR. ROVAK: Present.

14 MR. MADDEN: Carl Lumley, our city attorney?

15 MR. LUMLEY: Present.

16 MR. MADDEN: Paul Langdon, our Director of
17 Community Development?

18 MR. LANGDON: Present.

19 MR. MADDEN: Whitney Kelly, our City Planner?

20 MS. KELLY: Present.

21 MR. MADDEN: And Jessica Stutte, our Planning
22 Assistant and Recording --

23 MS. STUTTE: Present.

24 MR. MADDEN: Okay. That will move us to B.
25 Application #15-002: Approval for a New Conditional

1 Use Permit for Exotic Motors, a Used-Only Automotive
2 Dealer Located at 10640 Gateway Boulevard.

3 This is a public hearing. Anybody that's
4 going to be involved in this public hearing, you can
5 come up now and get sworn in. Save us time doing it
6 individually. If there's somebody in the audience
7 that may be commenting on this, please come up now and
8 be sworn in.

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

10 MR. MADDEN: State your name and addresses
11 for the record, please.

12 MR. BAUER: My name is Michael Bauer. My
13 address is 1324 Graceland Estates Lane in Maryland
14 Heights 63146. I'm the architect representing the
15 applicant, Danny Baker.

16 MR. MADDEN: Mr. Baker, will you state your
17 name and address?

18 MR. BAKER: My name is Daniel Baker. I live
19 at 9238 Old Bonhomme 63132.

20 MR. MADDEN: Okay. Is there a presentation?

21 MR. BAUER: Actually, we were in receipt of
22 the staff report. I didn't know if the staff made a
23 presentation to you all prior to us, but we've
24 submitted a request for conditional use permit for
25 sale of high-end used automobiles. Specialize in

1 low-volume high-performance automobiles.

2 Staff has done a great job of summarizing
3 our requests. I think the only item that I noted in
4 our application that we'd like your consideration on
5 were the hours of operation.

6 Our eight to five is for service, and we had
7 a nine to six request for the showroom area. All
8 activities within the dealership will be inside the
9 building, and there will be no outdoor displays or
10 other exterior work done with the dealership.

11 We feel it's a good fit for the light
12 industrial district, and happy to take any questions
13 that you have on the, any of our operations.

14 MR. MADDEN: Mr. Faron.

15 MR. FARON: The dumpster situation, that
16 will be taken care of I guess --

17 MR. BAUER: Yes, I haven't looked up the L1
18 regulations. Presently, it's a, it's a recessed
19 chain-link fence enclosure on three sides. Our survey
20 indicates that it's actually sitting beyond the
21 property line, so we would correct within the property
22 line. And, and they'll move based on the current
23 regulations that you're looking for.

24 MR. FARON: So it will move to within your
25 property, or it would be --

1 MR. BAUER: It would move on -- the
2 footprint would move on to the property. We may
3 associate it with the rear of the building and build a
4 couple of perpendicular walls and try to make it a
5 little more substantial than what you're seeing now in
6 the staff report.

7 MR. FARON: The rear would be the west
8 elevation I would assume I think? Back there where
9 the garage doors are?

10 MR. BAUER: Yes. I think right now, it sits
11 on the south property line, and it, it may rotate
12 90 degrees to be associated with the west side of the
13 building.

14 MR. FARON: And, and the only movement of
15 vehicles is just from the, I'd say the garage or the
16 utility area to --

17 MR. BAUER: -- to the shoulder.

18 MR. FARON: You have to go outside to do
19 that? It seemed like --

20 MR. BAUER: Yes. There's no direct
21 connection --

22 MR. FARON: -- that was just movement?
23 You're going to show everything inside --

24 MR. BAUER: Yes.

25 MR. FARON: I guess any other changes you'll

1 have to come to the city for any adjustments to your
2 business?

3 MR. BAUER: Right.

4 MR. FARON: Thank you.

5 MR. MADDEN: Anybody else? Carl?

6 MR. LUMLEY: Just to confirm, I want the
7 hours of operation to be nine to six Monday through
8 Friday, and appointment only at other times? Is
9 that --

10 MR. BAKER: That's correct. Eight to five
11 for service, nine to six for sales, and then Saturday
12 and Sunday we're not open.

13 MR. FARON: A quick question for staff. A
14 couple years ago, we had approved a similar use. Were
15 their, their hours of a similar nature? I believe
16 they were. I mean it's almost identical --

17 MR. LANGDON: Nine to five essentially.

18 MR. FARON: Thank you.

19 MR. MADDEN: Ms. Kistner?

20 MS. KISTNER: Can I follow up that question?
21 The staff have any concerns about a nine to six?

22 MR. LANGDON: No, ma'am.

23 MR. MADDEN: Any other questions? You guys
24 have anything? Anybody in the audience? No? Okay.

25 MR. FARON: I move to recommend approval of

1 the new conditional use permit for Exotic Motors
2 allowing used-only automotive sales at 10640 Gateway
3 Boulevard subject to the conditions that remain in the
4 draft ordinance attached to the staff report on
5 Application #15-002 dated April 6, 2015.

6 MR. ROVAK: Second that.

7 MR. MADDEN: With the later hours, it will be
8 six p.m. instead of five.

9 MS. KISTNER: So eight to six would be the
10 hours in Condition No. 3.

11 MR. FARON: With change in Condition No. 3
12 for operating hours of eight a.m. to six p.m., Monday
13 through Friday, appointment only on weekends.

14 MR. MADDEN: Do you want to enter your
15 documents?

16 MR. LUMLEY: Offer the following exhibits
17 into the record of the public hearing: Documentation
18 in possession of the City Clerk reflecting the notice
19 to the public of the hearing, staff's report, the
20 City's Code of Ordinances and Charter, City's
21 Comprehensive Plan and the public file regarding this
22 application.

23 MR. MADDEN: That will officially end our
24 public hearing. Any discussion on the motion? No?
25 I'll call for a vote. Mr. Rovak?

1 MR. ROVAK: Aye.

2 MR. MADDEN: Mr. Pullium?

3 MR. PULLIUM: Aye.

4 MR. MADDEN: Mr. Faron?

5 MR. FARON: Aye.

6 MR. MADDEN: Ms. Kistner?

7 MS. KISTNER: Aye.

8 MR. MADDEN: And the Chair votes aye. Thank
9 you all very much.

10 MR. LANGDON: Mr. Chairman, this will go to
11 the City Council next Monday.

12 MR. MADDEN: That will move us to C.
13 Application #15-003: Approval of a Conditional Use
14 Permit for Psychiatric Intensive Outpatient Therapy
15 Clinic at 10199 Woodfield Lane.

16 This is a public hearing also, so if you're
17 going to be involved in this, please come up and be
18 sworn in.

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

20 MR. SICURO: My name is Franco Sicuro. I
21 own the building on 10199 Woodfield Lane, 63143. And
22 this application for, what are they called?
23 Conditional use -- extension of conditional uses of
24 the facility that I occupy since 2011, has to do with
25 the fact that I'm a psychiatrist.



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: City Council
Category: Report
Prepared By: Whitney Kelly
Department Head: Debbie Ryan

SCHEDULED

STAFF REPORT

Bill No. 5545 - an Ordinance Authorizing the Issuance of a New Conditional Use Permit for an Outpatient Psychiatric Center Located at 10199 Woodfield Lane in the "GC" General Commercial District. First Reading

Franco Sicuro, M.D., of Advanced Geriatric Management, has submitted an application for a conditional use permit to allow an intensive outpatient therapy facility providing individual and group-based psychotherapy. The facility will occupy up to 1,500 square feet of the existing psychiatric offices. No exterior changes are proposed. Planning and Zoning Commission has recommended approval with conditions.

BILL NO. 5545

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE
PERMIT FOR AN OUTPATIENT PSYCHIATRIC CENTER LOCATED AT
10199 WOODFIELD LANE IN THE "GC" GENERAL COMMERCIAL DISTRICT**

WHEREAS, under Section 405.360(C), all Outpatient Mental Health Centers in the "GC" General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Franco Sicuro, M.D., of Advanced Geriatric Management, for a conditional use permit to allow an intensive outpatient therapy facility providing individual and group-based psychotherapy at 10199 Woodfield Lane; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 6, 2015, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

WHEREAS, 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 5-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on April 6, 2015; and

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

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

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

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 2 hereof for the operation of psychiatric intensive outpatient clinic (NAICS 621420) at 10199 Woodfield Lane, in GC (General Commercial) District, whose legal description is as follows:

Attachment: Bill No. 5545 (1299 : Bill No. 5545 - CUP for Outpatient Center 10199 Woodfield Lane)

BILL NO. 5545

ORDINANCE NO. _____

Lot 25 of Corporate Square Plat No 3, according to the plat thereof recorded in Plat Book 188 pages 88 through 90, and Surveyor's Affidavit recorded in Book 7224 page 2286 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 1,500 square-foot psychiatric intensive outpatient clinic, with individual and group based psychotherapy, within the building located at 10199 Woodfield Lane. The provision of substance abuse treatment shall require an amendment to this permit.
2. The hours of operation shall be: 9:00 a.m. to 6:00 p.m. Monday through Saturday.
3. Additional business hours may be permitted with the Zoning Administrator's approval, including but not limited to, the hosting of special events.
4. The pre-existing dumpster enclosure shall be reconstructed in conformance with Section 405.460, Accessory Uses and Structures, of the Zoning Ordinance.
5. Additional building exterior lighting and landscaping shall be installed on the property as reasonably directed by the Zoning Administrator within six months of adoption of this Ordinance. All new and existing lighting shall meet with the Requirements of Section 405.810 Lighting.
6. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the use permitted by this ordinance.
7. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
8. Any future enlargement, extension, expansion or exterior 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 exterior 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.

BILL NO. 5545

ORDINANCE NO. _____

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 _____, 2015.

CHARLOTTE D'ALFONSO
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2015.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

Attachment: Bill No. 5545 (1299 : Bill No. 5545 - CUP for Outpatient Center 10199 Woodfield Lane)



city
of

CREVE COEUR

3.7.b

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

**APPLICATION TO PLANNING AND ZONING COMMISSION
#15-003 FOR A CONDITIONAL USE PERMIT FOR A PSYCHIATRIC
INTENSIVE OUTPATIENT THERAPY CLINIC (NAICS 621420) AT
10199 WOODFIELD LANE**

FOR THE MEETING OF: April 6, 2015

LOCATION: 10199 Woodfield Lane, east of Lindbergh Boulevard, in the
GC-General Commercial Zoning District

REQUEST: Franco Sicuro, M.D., of Advanced Geriatric Management,
has submitted an application for a conditional use permit to allow an
intensive outpatient therapy facility providing individual and group-
based psychotherapy. The facility will occupy up to 1,500 square feet
of the existing psychiatric offices. No exterior changes are proposed.

ADDITIONAL INFORMATION: Outpatient Mental Health and Substance
Abuse Centers (NAICS 621420) are permitted as a conditional use in the
GC District with review and approval by the City Council upon the
recommendation of the Planning and Zoning Commission.

Key Issues:

- Does the request integrate with the surrounding uses?
- Does the request further the goals and/or implement the Comprehensive Plan?

Comp. Plan References

- Commerce Center Action Area

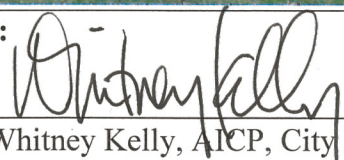
Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.360 GC General Commercial
- Section 405.470 Conditional Uses
- Article VII Off-Street Parking And Loading Regulations

APPLICANT/ Franco Sicuro, MD
OWNER: AGM IOP-PHP
10199 Woodfield Lane, Suite 50
Creve Coeur, MO 63141



REPORT PREPARED BY:


Whitney Kelly, AICP, City Planner

4/3/2015

Date

ATTACHMENTS: Applicant's Materials received March 6, 2015
Draft Ordinance

INTRODUCTION AND ZONING HISTORY

The subject property was originally built in 1974, and the site consists of 2.11 acres. The building is approximately 14,322 square feet. Originally developed under St. Louis County jurisdiction, the entire area was annexed into the City of Creve Coeur in 1990 and subsequently zoned GC (General Commercial) District. The property has remained largely unchanged since that time.

Dr. Sicuro purchased the building in 2011, and opened the Millennium Psychiatric Associates as a permitted use under the SIC (Standardized Industrial Classification) as Offices and Clinics of Doctors of Medicine. In 2013, the City adopted new regulations converting all uses from the 1987 SIC to the 2012 NAICS for all permitted and conditional uses. The NAICS included a more up-to-date classification system for various activities. Dr. Sicuro is now seeking to expand the practice to include psychiatric intensive outpatient therapy that will include several hours of group therapy which the NAICS categorizes under Industry 621420 Outpatient Mental Health and Substance Abuse Centers which is listed as a conditional use in the GC District.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office	"GC" General Commercial	N/A
South	Office	"GC" General Commercial	N/A
East	Office	"LI" Light Industrial	N/A
West	Beau Jardin Apartment Complex	R6- Unincorporated St. Louis County	Lindbergh Blvd

COMPREHENSIVE PLAN REVIEW

The subject property is located within the office/industrial area designated by the Comprehensive Plan as Key Property Commerce Center 2 within the Commerce Center Action Area located on the east end of Olive Boulevard, north of Old Olive Street Road and east of Lindbergh Boulevard. The Comprehensive Plan does not provide much direction for this area except to encourage the creation and growth of land uses related to the Life Sciences and Biotech Sector movement and to upgrade the architectural quality of building stock as businesses expand or redevelop (p. 75). As the proposal is neither an expansion nor a redevelopment and no other changes are proposed for the exterior of the building or site, the proposed use does not fall under this goal and is otherwise in general conformance with the Comprehensive Plan.

ZONING REVIEW

Pre-conditions and Limitations

Outpatient Mental Health Centers are permitted with conditions in the District subject to the provisions of Section 405.470:

SECTION 405.470: CONDITIONAL USES

24. Outpatient mental health and substance abuse center — NAICS 62142 (conditional use in the "GC" district).
 - a. Shall be licensed by the Division of Alcohol and Drug Abuse of the Department of Mental Health of the State of Missouri.

- b. The exterior of the treatment facility shall reasonably conform to the exterior appearance of other buildings in the vicinity.
- c. Shall not be located closer than one (1) mile to any other substance abuse treatment facility.

The City is not aware of any other clinics in the area, and as Dr. Sicuro is not operating a substance abuse treatment facility, all of the conditions of the Zoning Code have been met. Staff are aware, however, that this NAICS category includes a variety of uses that are not being requested at this time, so Staff has included a condition that the conditional use permit is only for an outpatient mental health center and does not include a substance abuse treatment center. If the Applicant wishes to expand to include substance abuse treatment in the future, an amendment to the conditional use permit will be necessary.

Street Condition

Woodfield Lane is a private drive that runs through the property and it is in poor condition. Last fall, the City's Public Works Department staff met with St. Louis County, who also has frontage on the street, regarding their desire to make this a public road. At that time, the County indicated that they were working with the property owner to plan the corrections to the road, and that the County would agree to have their crews perform the repairs to City standards, if the City and property owners would agree to split the material costs. City Staff indicated interest in participating, but Staff has not received an update since that time although the Creve Coeur Director of Public Works has contacted the County for an update on Woodfield Lane. Therefore, Staff has not included a condition at this time for the property owner to address the condition of this road. Nonetheless, all other property maintenance issues will need to be addressed. There is an existing trash dumpster enclosure at the rear of the property that will need to be properly enclosed and the existing lighting will need to be downcast and fully shielded to meet with the regulations of Section 405.460, Accessory Uses and Structures, and Section 405.680, Lighting.

Parking:

Parking regulations for related health care services are discussed under Section 405.820(H)(8) of the Required Off-Street Parking Spaces regulations:

Section 405.820. Required Off-Street Parking Spaces

8. Health care and social assistance (NAICS 62).

a. Ambulatory health care services (NAICS 621).

- (1) Buildings under fifteen thousand (15,000) square feet. Four (4) spaces per one thousand (1,000) square feet of gross leasable floor area.

The Applicant's site plan shows that there are 84 spaces available on site. The entire building is approximately 14,322 square feet, and the proposed use will occupy 1,500 square of office space within the building. The parking requirement for the entire building is 58 spaces, thus adequate parking is available onsite.

RECOMMENDATION

Based on the above analysis, the request for a conditional use permit meets all of the requirements of the Comprehensive Plan and the Zoning Ordinance. Staff recommends approval subject to the conditions below which are included in the draft ordinance:

1. The Conditional Use Permit shall be for the operation of a 1,500 square-foot psychiatric intensive outpatient clinic, with individual and group based psychotherapy, within the building located at 10199 Woodfield Lane. The provision of substance abuse treatment shall require an amendment to this permit.
2. The hours of operation shall be: 9:00 a.m. to 6:00 p.m. Monday through Saturday.
3. Additional business hours may be permitted with the Zoning Administrator's approval, including but not limited to, the hosting of special events.
4. The pre-existing dumpster enclosure shall be reconstructed in conformance with Section 405.460, Accessory Uses and Structures, of the Zoning Ordinance.
5. All lighting shall be meet with the Requirements of Section 405.810 Lighting.
6. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the use permitted by this ordinance.
7. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
8. Any future enlargement, extension, expansion or exterior 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 exterior alteration may be issued.

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 new Conditional Use Permit for a psychiatric intensive outpatient clinic, with individual and group based psychotherapy, within the building located at 10199 Woodfield Lane, subject to the conditions contained in the draft ordinance attached to the staff report on Application #15-003, dated April 6, 2015"
(conditions may be added, eliminated, or modified by preceding motion).

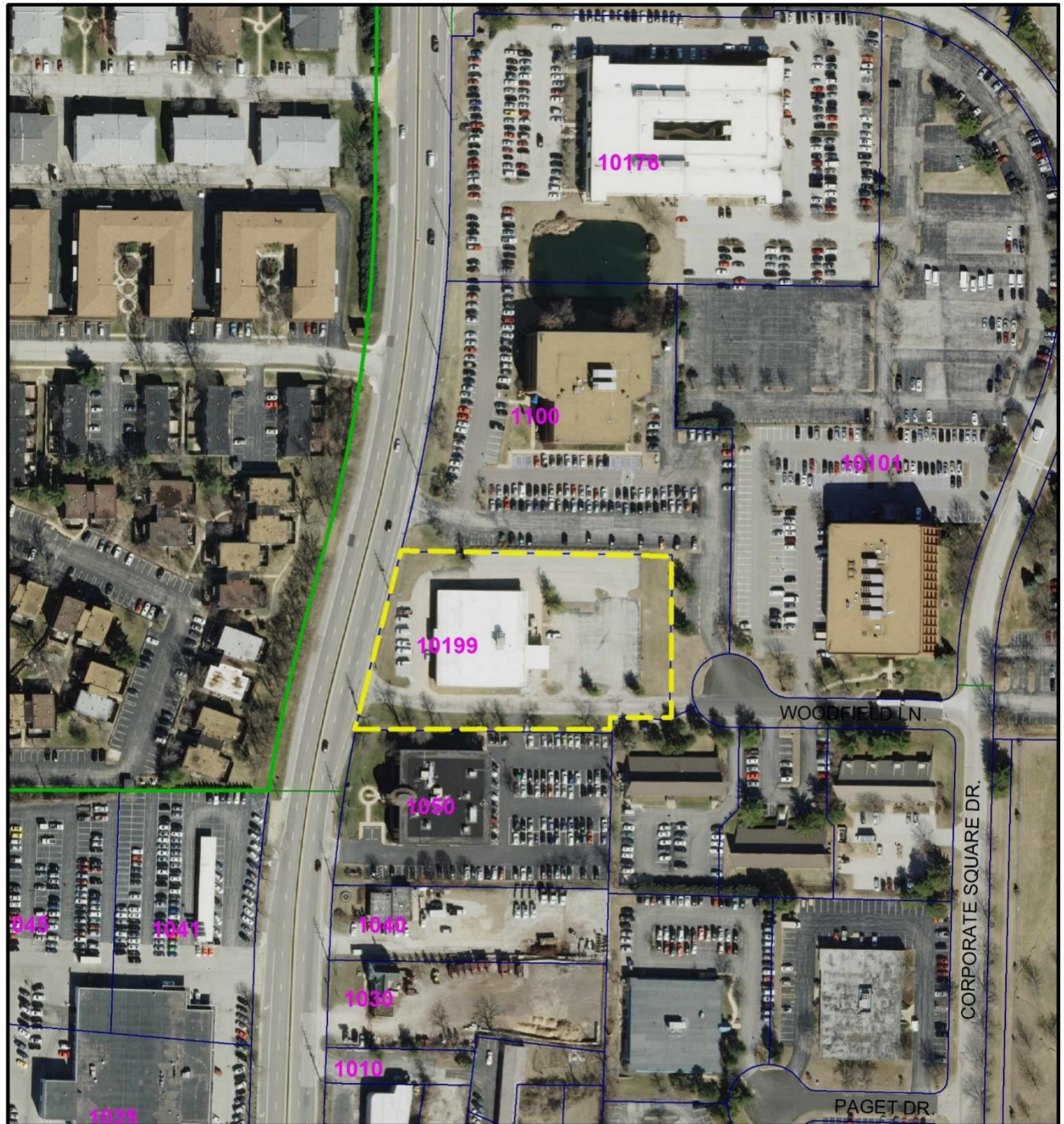
APPENDIX 1: COMPREHENSIVE PLAN

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

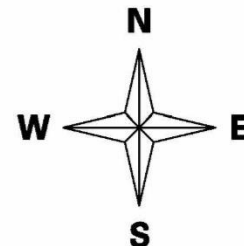
APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO



- Creve Coeur Municipal Boundary
- Property Lines
- 10199 Woodfield Lane, Millennium Psychiatric Associates



APPENDIX 4: SITE PHOTOGRAPHS		Photo Date: 3/31/2015
	Description: View of the building looking northeast from Lindbergh Boulevard and Woodfield Lane. Description: View looking east from Lindbergh Boulevard along Woodfield Lane. Description: View looking west along Woodfield Lane.	

	Description: View looking west from Woodfield Lane to the back of the building and the available parking.
	Description: View of the existing parking lot lighting that will need to comply with Section 405.810.
	Description: View of the existing unenclosed trash enclosure.

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE
PERMIT FOR AN OUTPATIENT PSYCHIATRIC CENTER LOCATED AT
10199 WOODFIELD LANE IN THE "GC" GENERAL COMMERCIAL DISTRICT**

WHEREAS, under Section 405.360(C), all Outpatient Mental Health Centers in the "GC" General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Franco Sicuro, M.D., of Advanced Geriatric Management, for a conditional use permit to allow an intensive outpatient therapy facility providing individual and group-based psychotherapy at 10199 Woodfield Lane; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 6, 2015, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

WHEREAS, 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 April 6, 2015; and

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

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

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

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 2 hereof for the operation of psychiatric intensive outpatient clinic (NAICS 621420) at 10199 Woodfield Lane, in GC (General Commercial) District, whose legal description is as follows:

BILL NO. _____

ORDINANCE NO. _____

Lot 25 of Corporate Square Plat No 3, according to the plat thereof recorded in Plat Book 188 pages 88 through 90, and Surveyor's Affidavit recorded in Book 7224 page 2286 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 1,500 square-foot psychiatric intensive outpatient clinic, with individual and group based psychotherapy, within the building located at 10199 Woodfield Lane. The provision of substance abuse treatment shall require an amendment to this permit.
2. The hours of operation shall be: 9:00 a.m. to 6:00 p.m. Monday through Saturday.
3. Additional business hours may be permitted with the Zoning Administrator's approval, including but not limited to, the hosting of special events.
4. The pre-existing dumpster enclosure shall be reconstructed in conformance with Section 405.460, Accessory Uses and Structures, of the Zoning Ordinance.
5. All lighting shall be meet with the Requirements of Section 405.810 Lighting.
6. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the use permitted by this ordinance.
7. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
8. Any future enlargement, extension, expansion or exterior 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 exterior 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.

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

BILL NO. _____

ORDINANCE NO. _____

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 _____, 2015.

CHARLOTTE D'ALFONSO
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2015.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



city of CREVE COEUR

PLANNING DIVISION

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

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:	Applicant's Representative (if applicable):
<u>Franco Sicuro</u> Name	<u>Becky Qedney</u> Name
<u>AGM IOP-PHP</u> Company (If Applicable)	<u>same</u> Company (If Applicable)
<u>10199 woodfield lane, Ste 50</u> Address	 Address
<u>St Louis MO 63132</u> Address	 Address
<u>Telephone # 314-720-0899</u>	<u>Telephone # 314-222-0602</u>
<u>Fax # 314-997-7799</u>	<u>Fax # 314-298-0020</u>
<u>Email: bgedney@millenniumpa.com</u>	<u>Email: bgedney@millenniumpa.com</u>
 Applicant's Signature	 Applicant's Representative's Signature

Property Information:	Owner's Acknowledgement (if different from applicant):
<u>10199 woodfield lane, Ste 50</u> Address	 Name
<u>St Louis, MO 63132</u> Address	 Company (If Applicable)
 Development Name (if any)	 Address
 Current Zoning	 Address
 Prior CUP Approvals (if known)	<u>Telephone #</u>
	<u>Fax #</u>
	<u>Email:</u>
	 Owner's Signature

RECEIVED

MAR 16 2015

PLANNING DEPT

Packet Pg. 220

Attachment: P&Z Application (1299 : Bill No. 5545 - CUP for Outpatient Center 10199 Woodfield Lane)

Description of Requested Use (attach additional sheets as needed)

General Description of Business: outpatient psychotherapy (intensive outpatient program), individual + group based psychotherapy

Gross Floor Area – Existing and Proposed: 1500 sq ft

Number of Seats (for restaurant only): N/A

Number of Employees at the busiest shift: 2

Hours of Operation: 9^A – 6^P ~~MTWTF~~ M-Sa

Current or Most Recent Use of the Property: Inpatient Research

Will the applicant apply for a liquor license: Yes _____ No ✓

Rationale

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

Submittal Checklist

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

Preferred Public Hearing Date: Monday, April 6, 2015.

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

Office Use Only

____ All Sections Complete
 ____ All Documents, incl. e-Copies
✓ Fees Paid

Received By:

JS
 Date: 3/6/2015

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

Revised: 11/11

AGM IOP-PHP

10199 Woodfield Lane, Suite 50 Olivette, MO 63132-2922
Tel 314-720-0899 Fax 314-997-7799

City of Creve Coeur
Planning and Zoning
Creve Coeur, MO 63141

P&Z Commission:

March 6, 2015

Rationale for the CUP submission: AGM IOP-PHP will be a part of the existing psychiatric practice of Dr. Franco Sicuro. It will be a component that will compliment his existing services.

Parking: We have a very large lot that wraps around 3 sides of our building and is more than enough for all of the businesses in our building.

Floor Plan: See enclosed drawing. AGM IOP-PHP will be sharing some space with our existing companies who perform similar activities in Dr. Franco Sicuro's businesses.

Sincerely,



Franco Sicuro, MD

Attachment: P&Z Application (1299 : Bill No. 5545 - CUP for Outpatient Center 10199 Woodfield Lane)

RECEIVED
MAR 16 2015
PLANNING DEPT.



Ernst L.

Schizanthus

✓ = spaces for use by this company.
Media Room, kitchen, + nurse's station are shared.

1500 sq ft for AGM 100-PHP proposed.

[illegible]



PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, APRIL 6, 2015

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chairman
Mr. James Faron
Ms. Beth Kistner
Mr. Charles Pullium
Mr. Gene Rovak
Mr. Carl Lumley, City Attorney
Mr. Paul Langdon, Director of Community Development
Ms. Whitney Kelly, City Planner
Ms. Jessica Stutte, Planning Assistant
Ms. Dianna Hark, Recording Secretary

Dianna C. Hark, RPR, IL-CSR, MO-CCR
CSR No. 084.004728
CCR No. 1079

1 MR. MADDEN: I'd like to call to order the
2 Planning and Zoning Commission meeting for the City of
3 Creve Coeur Missouri for Monday, April 6th, 2015.
4 We'll start with roll call.

5 Mr. Carney won't be here. Mr. James Faron?

6 MR. FARON: Present.

7 MR. MADDEN: Mr. Howard won't be here.
8 Ms. Beth Kistner?

9 MS. KISTNER: Present.

10 MR. MADDEN: Charles Pullium?

11 MR. PULLIUM: Present.

12 MR. MADDEN: Gene Rovak?

13 MR. ROVAK: Present.

14 MR. MADDEN: Carl Lumley, our city attorney?

15 MR. LUMLEY: Present.

16 MR. MADDEN: Paul Langdon, our Director of
17 Community Development?

18 MR. LANGDON: Present.

19 MR. MADDEN: Whitney Kelly, our City Planner?

20 MS. KELLY: Present.

21 MR. MADDEN: And Jessica Stutte, our Planning
22 Assistant and Recording --

23 MS. STUTTE: Present.

24 ~~MR. MADDEN: Okay. That will move us to B.~~

25 ~~Application #15-002: Approval for a New Conditional~~

1 ~~MR. ROVAK: Aye.~~

2 ~~MR. MADDEN: Mr. Pullium?~~

3 ~~MR. PULLIUM: Aye.~~

4 ~~MR. MADDEN: Mr. Faron?~~

5 ~~MR. FARON: Aye.~~

6 ~~MR. MADDEN: Ms. Kistner?~~

7 ~~MS. KISTNER: Aye.~~

8 ~~MR. MADDEN: And the Chair votes aye. Thank~~
9 ~~you all very much.~~

10 ~~MR. LANGDON: Mr. Chairman, this will go to~~
11 ~~the City Council next Monday.~~

12 MR. MADDEN: That will move us to C.
13 Application #15-003: Approval of a Conditional Use
14 Permit for Psychiatric Intensive Outpatient Therapy
15 Clinic at 10199 Woodfield Lane.

16 This is a public hearing also, so if you're
17 going to be involved in this, please come up and be
18 sworn in.

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

20 MR. SICURO: My name is Franco Sicuro. I
21 own the building on 10199 Woodfield Lane, 63143. And
22 this application for, what are they called?
23 Conditional use -- extension of conditional uses of
24 the facility that I occupy since 2011, has to do with
25 the fact that I'm a psychiatrist.

1 And part of the service is that I want to
2 offer also group therapy. And those group therapy
3 services do take some times, you know, hours rather
4 than a simple visit. So they tend to be between
5 three, three hours every single session, sometimes six
6 times a week or three times a week, depending on,
7 which implies the capability of having staffing,
8 sometimes after hours, because people work, and also
9 sometimes weekend, essentially only Saturday.

10 So the usage of the current facility would
11 be incremented or kind of improved by the fact that we
12 can offer also those kind of services.

13 We're planning to occupy about 1,500 square
14 feet of the facility and have it more dedicated to
15 those services.

16 MR. MADDEN: Any questions? Mr. Faron?

17 MR. FARON: I guess the conditions, you're
18 in compliant with the trash enclosure improvements? I
19 know there's probably staff discussion about the
20 street to the south in terms of approving that. Seems
21 to be plenty of parking.

22 I guess we'll hear from staff about
23 discussion with the state or the county maybe on that
24 street.

25 You, you occupy the building right now --

1 MR. SICURO: Correct.

2 MR. FARON: Are you expanding the, I mean
3 you --

4 MR. SICURO: No, just that we formalized the
5 service to be able to provide actually group therapy,
6 more intensive outpatient therapy. Just basically
7 educational group, you know, for obviously
8 psychological services --

9 MR. FARON: Sure. And it's more of an
10 expansion of what you provide right now --

11 MR. SICURO: Correct.

12 MR. FARON: -- but not a step in, like, a
13 substance abuse direction or --

14 MR. SICURO: -- I'm a psychiatrist. So my
15 patients obviously may have some substance abuse
16 problem. We call them dual diagnosis. So they
17 have -- which is very common.

18 But, you know, the plan is basically to
19 offer a little bit of a wider service in terms of the
20 counseling part of it. Because, you know, just a
21 simple visit, you come in, see the doctor for 20
22 minutes. Is very reductive.

23 And we found that, that is a better way to,
24 you know, do a comprehensive service.

25 MR. FARON: Sure. I, I don't know if it's a

1 slippery slope on use. I mean I think staff might
2 address that in terms of our, our code and our use of
3 the facility.

4 But thank you for your answers. I
5 appreciate your time.

6 MR. SICURO: You're welcome. And referring
7 to the, to the enclosure for the, for the garbage, we
8 actually got many, many times, the garbage company,
9 the waste company damage it because they're really
10 slamming it.

11 And so we have the full enclosure, so we're
12 going to put it back on. But I don't know if there's
13 any leverage of these people not to break it every
14 single time.

15 MR. FARON: Is it Republic Services --

16 MR. SICURO: Yes, it is.

17 MR. LANGDON: It's -- trash services in a
18 commercial setting are privately contracted and not
19 through the city's provider. There are techniques,
20 though, to reinforce it that we can help you with.

21 MR. SICURO: Yeah, I mean they broke all the
22 time. Just throwing, they slam it, and they leave it
23 open, the wind breaks it. I got a little bit tired of
24 this behavior, so.

25 MR. LANGDON: We, we can help with the

1 design of it.

2 MR. SICURO: But, you know, whatever you can
3 do to leverage. You know, I have the type enclosure.
4 The doors. It just has to be remounted, and if they
5 break it again, have to send them a bill.

6 MR. FARON: It's not block, is it?

7 MR. SICURO: No, it's a wooden structure.
8 It was originally approved by the Board and by the
9 Council. So just that.

10 MR. MADDEN: Ms. Kistner, you have a
11 question?

12 MS. KISTNER: Question for staff. Are there
13 any landscaping requirements that should be addressed
14 at this time? With the property in compliance with?

15 MR. LANGDON: It's legally preexisting for
16 site coverage. There was, at the time of occupancy,
17 really an absence of street trees. And those were
18 addressed by the applicant at that time. So they meet
19 the requirements for that.

20 The parking is all in the rear, and we
21 have -- there's a large tree at the front of the
22 parking lot. Certainly, if the Commission feels that
23 there needs to be progress made on site coverage,
24 then, then you know, you could explore that at this
25 time.

1 Because there's no external change being
2 made to the building, we didn't feel that it brought
3 in a site development plan review. But obviously, as
4 a conditional use permit, you have that option.

5 MS. KISTNER: I, I bring it up because the,
6 the exterior of the building is pretty devoid of
7 anything welcoming. There is, you know, looks like
8 primarily, you know, minimal grass coverage,
9 shrubbery, anything like that. Have you considered --

10 MR. SICURO: Yeah, we actually, we are going
11 to be doing the shrubs around the building, and that
12 has already been ordered to beautify the property.
13 Mostly on the side.

14 The grass, though, you know, doesn't need a
15 special maintenance. But we really want to put trees,
16 tall trees, because we put the solar panel on top of
17 the building to power through solar panels. So
18 anything that is a big tree is going to kind of
19 obstruct the -- and create shadows, and that will
20 decrease the efficiency of the solar panels.

21 MS. KISTNER: And, and I was thinking more
22 just ground level --

23 MR. SICURO: Yeah. We are. We are. We
24 absolutely are. I already ordered it and it's been a
25 sore topic. Mostly because of the -- you got to

1 properly water it. And somehow the builder that I
2 used, which I do not recommend, has created water spot
3 that is actually a water drip, you know, more than a
4 spot. So, we try to address that and be a little more
5 creative on the how to beautify the property. But you
6 know, definitely.

7 So we have increased some light, because we
8 put some extra lighting, and they already been
9 ordered. Some of them have been placed already. We
10 going to lighten up also the side of the building.

11 It's not been requested by anybody, but we
12 felt that because of the hour of operation, we really
13 need to illuminate the area properly in nighttime
14 obviously.

15 MR. LANGDON: We can have those changes
16 documented for City Council, or if you want to hold it
17 to the next meeting --

18 MS. KISTNER: No -- that would be great.

19 MR. MADDEN: Mr. Faron?

20 MR. FARON: Paul, a question about the
21 lighting. When I was looking at it, was this a matter
22 of spread just everywhere, or do we need to down
23 light, or we need more lighting?

24 MR. LANGDON: Lighting always needs to be
25 shielded and downcast so it's not shining off the

1 property.

2 MR. FARON: It looked like it wasn't, so it
3 was needing to be changed to be shot down and just
4 more illumination on the site for safety? The hours
5 they're extending?

6 MR. LANGDON: I think the doctor's referring
7 to the lighting right adjacent to the building. There
8 are flood lights for the parking lot, conventional
9 flood lights that need to be shielded.

10 MR. SICURO: So the front is fairly
11 illuminated at this point because we added light. The
12 back is extremely illuminated because we have the, you
13 know, the big lights that go on the parking lot. The
14 side are not.

15 So we actually -- I already purchased it.
16 They have to mount them. Unfortunately, they brought
17 the wrong ones; they have to be reordered. But, you
18 know, the two sides of the building are going to be
19 properly illuminated.

20 MR. MADDEN: Any questions?

21 MR. LANGDON: We can provide a description
22 of Woodfield Lane and the circumstances there, the
23 piece of private road if you like. But they can
24 present that for you.

25 MS. KELLY: Whitney Kelly, City Planner on

1 behalf of the City of Creve Coeur. As the applicant
2 has indicated, he is a -- Dr. Sicuro is a
3 psychiatrist. And because he is expanding the
4 practice under our new adopted NAICS designation, it
5 required a conditional use of permit.

6 The condition of Woodfield Lane has been
7 under discussion with the city and St. Louis county
8 and the property owner. This portion of it is solely
9 on the applicant's property. And this over here is
10 within a public right of way.

11 There have been discussions between the
12 three parties involved about making that a public road
13 and bringing the condition up to standard. We did not
14 feel to include it at this time with this application
15 as it requires a three-party agreement to be handled
16 at a later date. If there's any other questions?

17 MR. MADDEN: Any questions for Whitney?
18 Anyone make a motion?

19 MR. FARON: Move to recommend approval of
20 the new conditional use permit for the psychiatric
21 intensive outpatient clinic with individual and
22 group-based psychotherapy within the building located
23 at 10199 Woodfield Lane subject to the conditions
24 contained in the draft ordinance attached to the staff
25 report on Application #15-003, dated April 6th, 2015.

1 MS. KISTNER: Second.

2 MR. MADDEN: Okay. You want to enter your
3 documents now?

4 MR. LUMLEY: Enter the following exhibits
5 into the record of this public hearing: Documentation
6 of possession of the City Clerk reflecting the Public
7 Notice provided regarding the hearing, the Staff
8 Report, the City Code Ordinances and Charter, the
9 City's Comprehensive Plan and the Public File
10 regarding the application.

11 MR. MADDEN: Any discussion? Call for a
12 vote. Ms. Kistner?

13 MS. KISTNER: Aye.

14 MR. MADDEN: Mr. Faron?

15 MR. FARON: Aye.

16 MR. MADDEN: Mr. Pullium?

17 MR. PULLIUM: Aye.

18 MR. MADDEN: Mr. Rovak?

19 MR. ROVAK: Aye.

20 MR. MADDEN: And the Chair votes aye. Thank
21 you.

22 MR. LANGDON: Mr. Chair, this will go to the
23 City Council next Monday as well.

24 MR. MADDEN: And that about wraps it, does it
25 not? Basketball fans in here I guess. Okay.



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: City Council
Category: Report
Prepared By: Whitney Kelly
Department Head: Debbie Ryan

SCHEDULED

STAFF REPORT

Bill No. 5546 - an Ordinance Repealing Ordinance Nos. 1454, 1487 and 2083 and Authorizing the Issuance of a New Conditional Use Permit for a 5,162 Square-Foot Eating and Drinking Establishment with Drive-Thru Facilities Located at 447 North New Ballas Road Within the Balmoral Plaza Shopping Center. First Reading

David Hutkin, on behalf of Panera Bread/St. Louis Bread Company, has submitted a request to amend the conditional use permit and site development plan for The St. Louis Bread Company to allow the exterior renovation of the current restaurant in the Balmoral Plaza Shopping Center to accommodate drive-through service. All features of the drive-through service will be located in the rear of the building. Food services and drinking places (NAICS 722) with drive-thru facilities shall be located on sites of not less than two acres, subject to certain conditions are permitted as conditional uses. The Planning and Zoning Commission has recommended approval with conditions.

BILL NO. 5546

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ORDINANCE NOS. 1454, 1487 AND 2083 AND
AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A
5,162 SQUARE-FOOT EATING AND DRINKING ESTABLISHMENT WITH DRIVE-
THRU FACILITIES LOCATED AT 447 NORTH NEW BALLAS ROAD WITHIN
THE BALMORAL PLAZA SHOPPING CENTER**

WHEREAS, under Section 405.360(C), all food services and drinking placed in the "GC", General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, St. Louis Bread Company received a conditional use permit at its current location in 1991, by Ordinance Number 1454, which permit was subsequently amended by Ordinance Numbers 1487 and 2083, approved in 1991 and 2000, respectively; and

WHEREAS, an application was submitted by David Hutkin, on behalf of Panera Bread/St. Louis Bread Company, to amend the conditional use permit and site development plan for The St. Louis Bread Company to allow the exterior renovation of the current restaurant at 447 N. New Ballas Road within the Balmoral Plaza Shopping Center, including the addition of drive-thru facilities; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 6, 2015, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the amended 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 5-0 vote, recommended approval of the amended conditional use permit, subject to the conditions contained herein, at its meeting on April 6, 2015; and

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

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

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

BILL NO. 5546

ORDINANCE NO. _____

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

Section 1: Ordinance Numbers 1454, 1487 and 2083 are hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a restaurant located at 447 N. New Ballas Road with Drive-Thru Facilities, in the "GC" General Commercial zoning district, within the Balmoral Plaza Shopping Center, whose legal description is as follows:

A tract of land being all of Lot A of Balmoral, a Subdivision according to the plat thereof recorded in Plat Book 94 page 9 of the St. Louis County Records and also part of Section 3, Township 45 North, Range 5 East, St. Louis County, Missouri, and described as follows:

Beginning at the Northeast corner of aforementioned Lot A, said point being in the West line of Ballas Road, 60 feet wide; thence along the West line of said Ballas Road South 0 degrees 06 minutes East, a distance of 104.55 feet to a point of curve; thence along the Western line of said Ballas Road and along the North line of Rocky Drive 50 feet wide, being on a curve to the right having a radius of 30 feet an arc distance of 47.47 feet to a point of tangency; thence along the North line of Rocky Drive 50 feet wide, North 89 degrees 26 minutes West, a distance of 269.65 feet to the Southwest corner of aforementioned Lot A; thence leaving the North line of aforesaid Rocky Drive and running along the West line of said Lot A; North 0 degrees 06 minutes West, a distance of 428.47 feet to the Northwest corner thereof; thence leaving said corner of Lot A and running North 38 degrees 06 minutes East, 50.00 feet to a point in the centerline of the former Missouri Pacific Railroad Right-of-Way (now abandoned); thence Southeastwardly along said Railroad Centerline and on a curve to the right having a radius of 1910 feet an arc distance of 373.40 feet to a point in the West line of aforementioned Ballas Road; thence along said road line South 0 degrees 06 minutes East 78.30 feet to the point of beginning according to survey executed by The Clayton Engineering Company dated October 10, 1989.

Section 3: 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 5,162 square foot eating and drinking establishment at 447 N. New Ballas Road, with drive-thru facilities as shown in the "Color Site Plan Exhibit" dated April 8, 2015 as bound together and submitted in conjunction with Application #15-004 by Core States, Inc. except as modified below.
2. Maximum seating permitted is limited to 135 indoor seats and 47 outdoor seats.
3. Hours of operation for the restaurant dining room and drive-thru facilities shall be 6:00 a.m. to 10:00 p.m., Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.
4. Deliveries to any rear door on the property shall be made only from 7:00 a.m. to 9:00 p.m., daily.
5. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the "Exterior Elevations" submitted on March 13, 2015 as bound together and submitted in conjunction with Application #15-004 by Core States, Inc.
6. The Applicant is required to submit a Site Improvement Permit application to be approved by the Zoning Administrator, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code, and including the painted stop bar at the

BILL NO. 5546

ORDINANCE NO. _____

north-south drive isle per the recommendations of the City's traffic engineer. The permit application shall include a final Landscape Plan that is in substantial conformance with the Landscape Plan by Landscape Technologies as bound together and submitted on March 13, 2015 in conjunction with Application #15-004, except that additional landscaping shall be provided in accordance with the Zoning Administrator's reasonable directions at the south end of the middle island as discussed in the Staff Report for the meeting of April 6, 2015.

7. The Applicant shall provide an easement for a future detached sidewalk with a minimum width of five feet and separated from the curb by a minimum of three feet consistent with the Pedestrian Plan along Rocky Road, and in-lieu of constructing such side walk, equivalent funds in the sum of \$_____ will be provided to the trustees of the Balmoral Subdivision for improvements to the subdivision entrance including for the purpose of minimizing confusion between that entrance and the plaza entrance.
8. A clear pedestrian path, no less than four (4) feet wide shall be maintained between the outdoor furniture and the building at all times.
9. The Applicant shall submit a detail of the proposed six-foot high sound wall for the Zoning Administrator's approval that is consistent with the Design Guidelines.
10. An underground irrigation system shall be installed and maintained to serve all new landscaped areas.
11. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
12. The drive thru order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level. Other than the drive thru order facility, outdoor speakers may only be used in the patio area. Drive thru order facility and other outdoor speakers shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater, or at any property line abutting a residential use, up to a height of eight feet above the ground at such property line. Order facility and service windows shall not increase ambient sound levels at other property lines above the average Monday to Friday midday level of 54.5 dB.
13. All lighting shall be in conformance with Section 405.680, Lighting, of the Zoning Code, and Section 205.810 of the Parking Ordinance.
14. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
15. The kitchen facility shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
16. Employee parking, and delivery and company vehicles parking shall be behind the complex within the service area or structured parking deck in conformance with the management's operational requirements.
17. Any mechanical equipment installed for the site shall be screened with materials, as approved by the Zoning Administrator.
18. 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.
19. Failure to comply with any one or more 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.

BILL NO. 5546

ORDINANCE NO. _____

20. 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.
21. 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 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

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

ADOPTED THIS ____ DAY OF _____, 2015.

CHARLOTTE D'ALFONSO
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2015.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

Attachment: Bill No. 5546 (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)



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

**APPLICATION TO PLANNING AND ZONING COMMISSION
#15-004 FOR AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR
ST. LOUIS BREAD CO. AT 447 N. NEW BALLAS COURT TO ALLOW FOR
DRIVE-THRU SERVICES**

FOR THE MEETING OF: April 6, 2015

LOCATION: 447 N. New Ballas Road, in the Balmoral Plaza Shopping Center.

REQUEST: David Hutkin, on behalf of Panera Bread/St. Louis Bread Company, has submitted a request to amend the conditional use permit and site development plan for The St. Louis Bread Company to allow the exterior renovation of the current restaurant in the Balmoral Plaza Shopping Center to accommodate drive-through service. All features of the drive-through service will be located in the rear of the building. Food services and drinking places (NAICS 722) with drive-thru facilities shall be located on sites of not less than two acres, subject to certain conditions are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission.

ADDITIONAL INFORMATION: The Balmoral Plaza Shopping Center was originally developed in 1975 on 2.456 acres, and zoned GC-General Commercial District. A restaurant at this location initially received a special use permit in 1976, Ordinance Number 761. The conditional use permit for St. Louis Bread Co., repealed and replaced that ordinance in 1991 (Ordinance Number 1454), and was subsequently amended by Ordinance Numbers 1487 and 2083, approved in 1991 and 2000, respectively. Staff is recommending a repeal of the prior ordinances and replacing them with a new ordinance.

APPLICANTS: David Hutkin
Balmoral Plaza Investors, LLC
c/o Hutkin Development Co.
10829 Olive Blvd. Suite 200
Creve Coeur, MO 63141

PROPERTY OWNER: Hutkin Development Co.
10829 Olive Blvd. Suite 200
Creve Coeur, MO 63141

Key Issues:

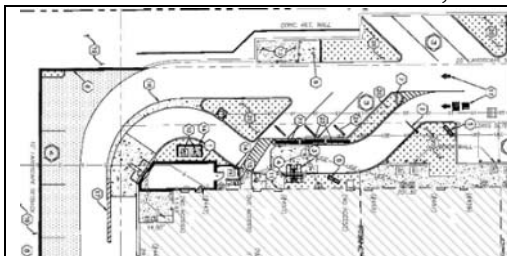
- Integration with the surrounding uses.
- Implementation of the goals of the Comprehensive Plan.
- Consistency with the required findings for a conditional use permit.

Comp. Plan References

- Community Health and Connectivity
- Design Guidelines
- Pedestrian Plan

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.360: GC General Commercial District
- Section 405.470 Conditional Uses
- Section 405.820 Required Off-Street Parking Spaces



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner

Paul Langdon, AICP, Director of Community Development

ATTACHMENTS: Applicant's Materials received March 13, March 27, and April 1, 2015.
Draft Ordinance
Ordinance Numbers 1454, 1487, and 2083

Attachment: Staff Report (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)

PROPOSAL

The proposed drive-thru facilities include a 402 square-foot addition to the rear of the building. The existing restaurant is 4,760 square feet with 135 interior seats, and 47 exterior seats. The proposed addition will be of the same brick material as the main building. The drive-thru lane, order board, and pick-up window are at the rear of the building. The pick-up window is on the angle to accommodate the turning radius of the vehicles around the building, which may be visible to those traveling on Rocky Drive. The applicant proposes to rearrange some parking and create new parking spaces at the southwest corner of the property in what is currently greenspace. This will require a new retaining wall. Additional landscaping has been included to provide screening of the drive-thru features and throughout the site. The site has preexisting site coverage of 78.3%, and the proposed plans indicate site coverage of 78.2%. Below is a close-up of the site development plan showing the proposed drive-through facilities:

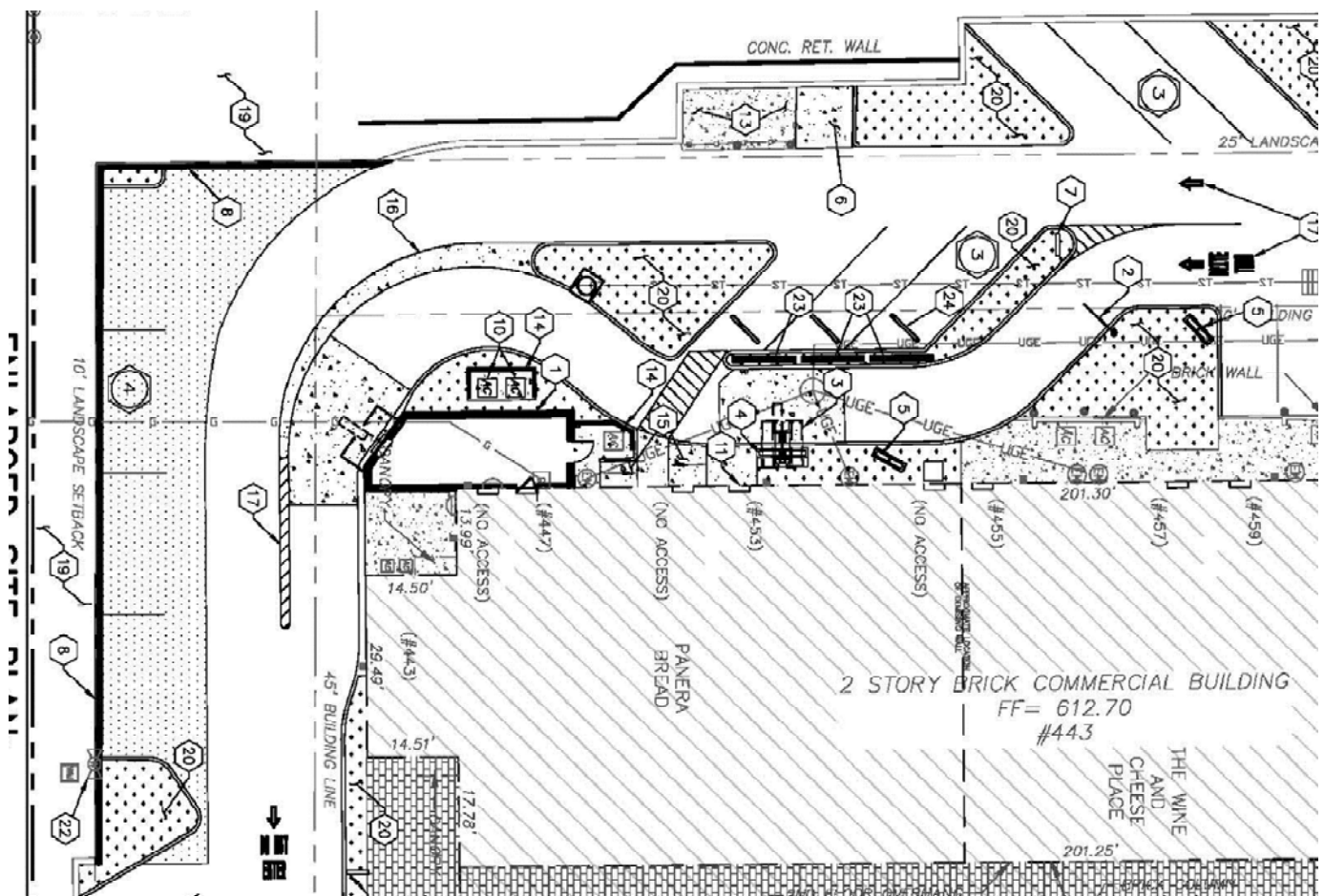


Figure 1: Close-up of the site development plan



Figure 2: Close-up of the screening of drive-thru elements



Figure 3: Close-up of the proposed landscaped screening from Rocky Drive.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office Building	CB Core Business District	N/A
South	Office Building	GC General Commercial	Rocky Drive
East	Office Building	PO Planned Office	N. New Ballas Road
West	Residences	B Single Family Residential	NA

COMPREHENSIVE PLAN REVIEW

The subject property is not located within a focus area of discussion within the Comprehensive Plan. As the allowance of drive-thru restaurants through-out the city, and adjacent to residential neighborhoods, has been significantly discussed before the City Council, and the proposed use is utilizing an existing building, where all drive-thru activity will occur behind the building and out of the general view from the public right-of-way, the project is in general conformance with the Comprehensive Plan, subject to the Planning Commission and City Council concluding that it will not adversely affect the adjacent residents.

DESIGN GUIDELINES

Site Layout -Pedestrian and Vehicular Circulation

The City's Design Guidelines make recommendations regarding the site plan and use of drive-through elements, including being sensitive to the existing site features, and providing for a high quality, pedestrian-scale and walkable area. The Design Guidelines, Pedestrian and Vehicular Circulation Section (Page 6), recommends that circulation patterns should be safe, clearly defined and directed, and that circulation systems should be designed to avoid conflicts between vehicular, bicycle, and pedestrian traffic. Staff has a concern that the additional parking created at the southwest corner would create a conflict with those existing the drive-thru lane and bypass lanes, and pedestrians walking to and from those parking spaces. Backing into and out of these spaces creates a potential point of conflict.

Chapter 3 of the Design Guidelines provides specific recommendations regarding certain uses. Drive-thru elements are to be architecturally integrated into the building rather than appearing to be applied or "stuck-on to the building, and are not to be located on the primary street frontage. Also, the site design should accommodate a logical and safe vehicle and pedestrian circulation pattern through the site, and not interfere with the on-site parking (page. 11). Further, it is recommended that retaining walls, in excess of four-feet, should be terraced and landscaped (page 20). Construction details of the proposed retaining wall adjacent to Rocky Drive have not been provided, but maintaining the existing retaining wall and greenspace at the southwest corner would further the proposal toward meeting other goals and objectives of the Comprehensive Plan and Design Guidelines. It should be noted that this change is not needed to comply with a specific zoning standard. Below is a close up of the area indicated:

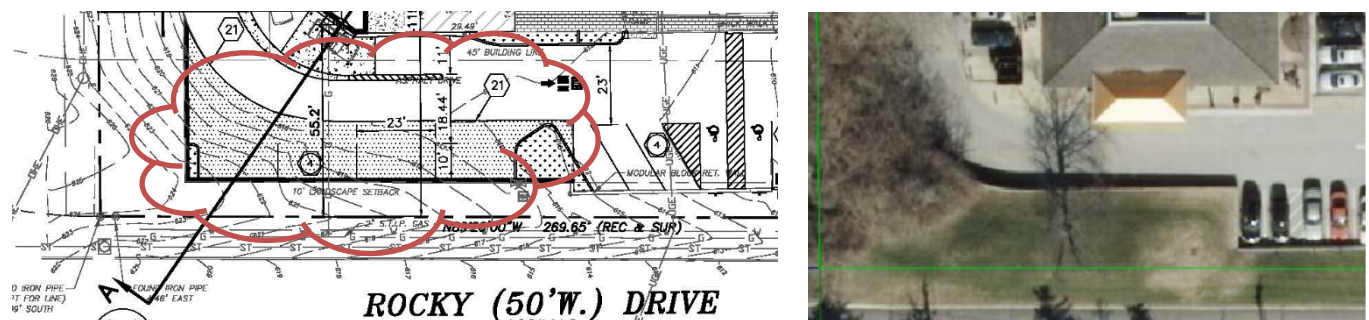


Figure 4: Close-up of the southwest corner of the Site Development Plan and a close-up of the existing area in the aerial photo

This area is also a point of scrutiny in the Applicant's traffic study as well as the review by the City's traffic engineering consultant. In both cases, concerns were raised regarding visibility and safe movement. The Applicant's study recommends eliminating the easternmost parking space

and smoothing the exit lane from the drive-through lane; only the latter is shown on the Applicant's site plan. The City's consultant also recommends eliminating the southernmost space adjacent to the front sidewalk. Staff have no basis to question these conclusions and have included a related condition of approval in the draft ordinance, while acknowledging that the Applicant will likely be opposed to losing any parking spaces near the front of the building. If the Planning Commission and City Council believe the other three parallel parking spaces should also be eliminated to improve the landscape screening between the drive-through and Rocky Drive, then an appropriate amendment to the draft ordinance will be needed. Finally on this point, this is a critical location within the site plan for a variety of reasons, both positive and negative. Staff encourage the Planning Commission and City Council to work with the Applicant in determining if a better alternative design can be supported by all parties.

Regarding the building modifications, the proposed addition for the service window is of a material and design consistent with the existing building. The location will largely be screened from view from North New Ballas Road by the existing building, thus in keeping with the design guidelines in as much as this proposal can. Additional guidelines pertaining to outdoor dining state that pedestrian movement should not be impaired and there should be a minimum four-foot clear path along the sidewalk. Staff is unaware of any current issue with sidewalk obstructions, but a related condition of approval is included in the draft ordinance to prevent the situation from arising in the future.

Landscape Design

The Design Guidelines encourage high quality landscape designs that:

- accentuate the building and throughout the site;
- aid and direct vehicular pedestrian circulation;
- encourage pedestrian interaction;
- minimize the appearance of the parking lot;
- screen unfavorable views and accentuate significant views, and;
- enhance architectural features and details of a building.

Further, parking areas and traffic-ways are to be enhanced with landscaped spaces containing trees, tree groupings, and shrubbery or other landscape enhancements. Parking islands should be located at the beginning and end of all parking aisles as well as every 8-10 parking stalls with a minimum of nine feet in width. The Applicant's proposed landscape plan focuses on the drive-thru area behind the building but also shows new plantings within the islands at the end of the parking rows and at the corner of the building. The existing trees next to the building are to be removed and replaced with ornamental grasses and shrubs. Trees that are missing from the island between the parking rows in front of the building are to be replaced with holly shrubs to match the existing. The lack of trees in this center landscape island is inconsistent with the recommendations of the Design Guidelines, and the Landscaping section of the Zoning Code discussed further below. However, the Applicant can let the holly grow higher so that it affects a better vehicle screen and the addition of trees in the end islands will provide an equivalent amount of shade within the parking lot. An additional landscaped island on the south end of the center line of parking spaces to include a shade tree could move the site further toward compliance with the Design Guidelines, as shown below:

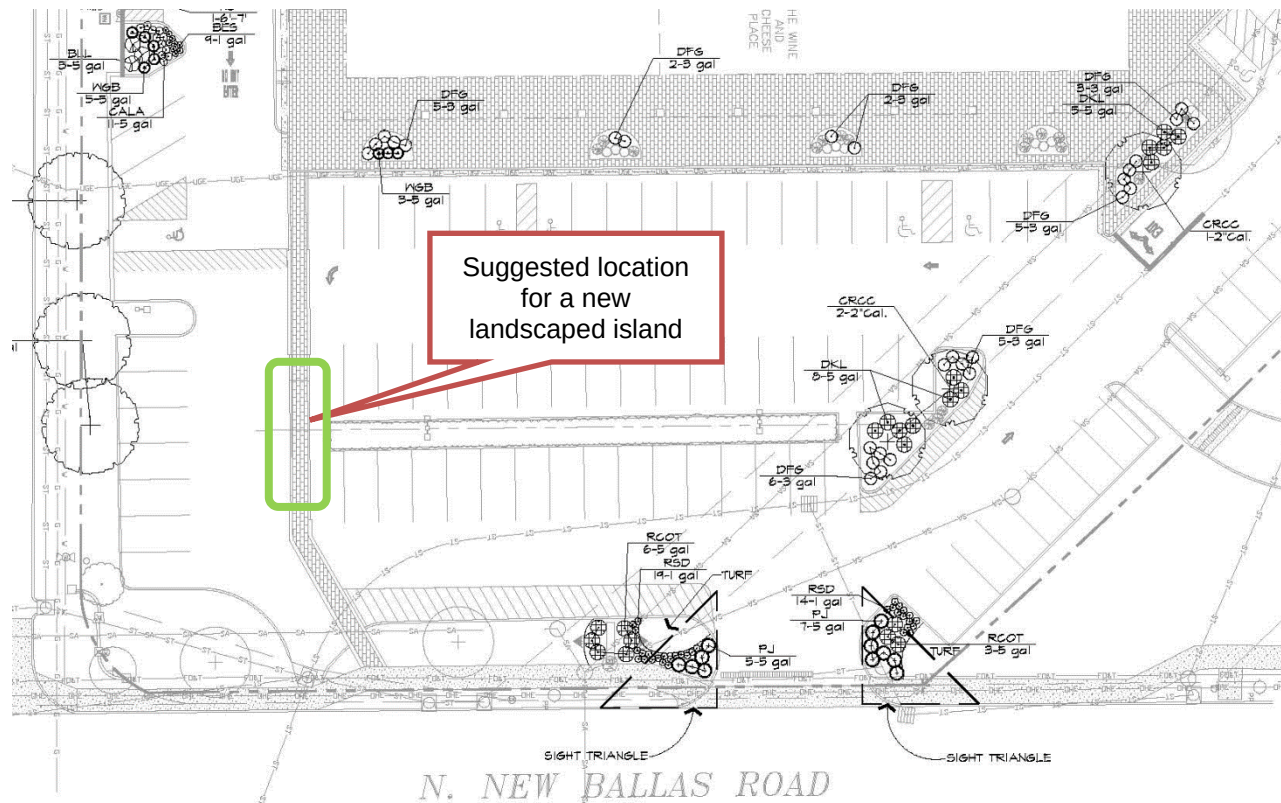


Figure 5: Detail of the Landscape Plan, showing location of an additional island that would further the site toward compliance in site coverage and landscaping.

If the members of the Planning Commission believe that an island is necessary to satisfy a finding of conformance with the Comprehensive plan, staff suggest discussing design options with the Applicant since alterations to the parking lot near the front of the building are always problematic on commercial properties. If agreed upon, a condition of approval requiring the island will need to be added.

Screening (Fences and Walls)

The Design Guidelines recommend that all new sound walls, masonry walls, or fences are to be designed to minimize visual monotony through changes in plane, height, materials, texture or significant landscape massing. The design should also use materials that are compatible with the architecture of the main building (p. 18). The applicant has included a six foot sound wall to ensure compliance with the noise abatement requirements under the Zoning Ordinance, although the details of this fence have not been provided. A recommended condition of approval requires that the Applicant submit details on the sound wall that are consistent with the Design Guidelines for the Zoning Administrator's approval. It should be noted that sound walls are not congruent with many of the other design guidelines regarding attractive buffers and pedestrian-scale design so staff encourage the Planning Commission and City Council to resist requiring any more wall than is necessary to satisfy the basic sound level and screening requirements.

PEDESTRIAN PLAN REVIEW

The City's Pedestrian Plan recommends that the inclusion of sidewalks and pedestrian pathways should be provided and be buffered by street trees. That is, the sidewalk should be detached from the curb and integrated with the adjacent landscape to improve the pedestrian orientation and overall appearance.

As mentioned above, no sidewalk exists along Rocky Drive. The subject property has an existing sidewalk along North New Ballas Drive, but no sidewalk is provided for along Rocky Drive. Therefore, Staff recommends that a condition of approval include that a sidewalk with a minimum width of five feet, separated from the curb by a minimum of three feet be installed along Rocky Drive as recommended by the Pedestrian Plan and Design Guidelines.

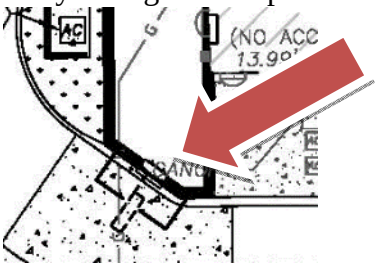
ZONING REVIEW

All food services and drinking places with drive-thru facilities are permitted with conditions in all commercial zoning districts within the city. As indicated above Panera Bread Company, d.b.a. St. Louis Bread Company, received their initial conditional use permit as a restaurant in 1991. As they are seeking approval of the drive-thru elements at this location, the zoning issues will focus on the drive-thru elements only; a full zoning analysis of the existing building within the GC District is not necessary. The only point of discussion is that the maximum site coverage for properties in the GC District is 63% and the subject property has pre-existing non-conforming site coverage of 78.3%. The proposed addition will decrease the site coverage to 78.2%. If the Planning Commission and City Council wish to see further progress toward reducing the site coverage, staff suggests maintaining the existing greenspace at the southwest corner of the property and creating an additional island in the parking lot, as discussed above.

Conditional Use

Section 405.470, Conditional Uses provides further requirements for certain uses throughout the city. In particular, the recently adopted Ordinance No. 5400 provided specific regulations regarding drive-thru facilities for all restaurants, coffee shops, beverage bars, and the like, when adjacent to residential uses. The proposed addition for the St. Louis Bread Company meets with all of the requirements in the GC District that abut residential uses. Below is a table of the requirements and the analysis of the proposed site plan.

Ordinance Requirement	Proposed Development
<i>Section 405.470. Conditional Uses. 14. Food services and drinking places — (NAICS 722). Shall be located on sites of not less than two (2) acres ...</i>	St. Louis Bread Co. is a Limited-Service Restaurant, NAICS 722513, currently governed by Ordinance Numbers 1454, 1487 and 2083. The subject property is 2.456 acres.
<i>c. Drive-thru services on sites in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that abut residential uses are subject to the following:</i>	The subject property is zoned GC and abuts the Balmoral subdivision.
<i>(1) Drive-thru facilities shall be limited to one (1) restaurant with no more than two (2) service windows, two (2) order facilities and two (2) designated stacking lanes which shall all be located on the rear or one (1) end of a multi-tenant retail building having a continuous structure frontage of at least two hundred (200) feet. Such frontage may include one (1) passageway or arcade (not open on the sides).</i>	St. Louis Bread Co. is the only restaurant facility in the center and is located in the end unit of the ground floor. The bump out between the restaurant space and access lane is the entrance for the offices on the second floor. The proposed order facilities and designated stacking lane are at the rear of the building, with one order board and one service window. The building is 235.11 feet in width.

(2) <i>The drive-thru order facility and service window shall only be on or adjacent to a wall not facing a street, unless otherwise approved, and shall be completely screened from the ground-floor level of adjacent residences with a property line wholly or partially within two hundred (200) feet of either the order facility or the service window by means of a solid barrier or topographic change. Vegetation cannot be used to meet this requirement but may be needed to address aesthetic concerns.</i>	The service window is located on the corner of the proposed new addition, while not directly facing a street per the detail below:  The Applicant is proposing a vegetative 10-foot screen/fence, as shown in Figure 2 above, to meet with the requirements of shielding the drive-thru facilities from the residences to the west, as well as a six-foot high sound wall. Note that the requirement only requires screening the ground floor of the nearest three residences based on the 200-foot radii shown on the Applicant's plans.
(3) <i>The drive-thru restaurant shall have no less than two thousand four hundred (2,400) square feet of gross floor area (area under roof) and a minimum of fifty-five (55) indoor seats for customers.</i>	With the proposed addition, the restaurant will have 5,162 square feet of gross floor area. Existing seating is 135 indoor seats, and 47 outdoor seating
(4) <i>The drive-thru order facility and service window shall be no less than fifty (50) feet from any property line of any residential use.</i>	The proposed location of the order facility is 74.2 feet from the west property line, and the service window is 71 feet from the west property line and 55.2 feet from the south property line.
(5) <i>The designated stacking lane shall be no less than one-hundred ninety (190) feet long [approximately ten (10) cars] excluding the space being served by the window, which shall be no less than nine (9) feet wide by nineteen (19) feet long. The lane shall, at a minimum, provide for vehicular escape prior to the point of the facility order board, which escape route can be shared with the general parking lot circulation.</i>	The proposed stacking lane includes a bypass lane and can accommodate more than the required space for stacking.
(6) <i>The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.</i>	The stacking lane is located entirely behind the main building away from the entrance at N. New Ballas Road.

(7) <i>The designated stacking lane shall not cross between the building and principal street frontage.</i>	The stacking lane is located entirely behind the main building.
(8) <i>A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City, that the required drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site.</i>	See the Applicant's materials attached. The report from Lockmueller Group recommends several on-site enhancements, most of which have been incorporated into the site plan for greater flow, with the exception of deleting one parking space. The City's Traffic Engineer concurs with those conclusions and recommends deleting one other nearby. These changes are supported by a recommended condition of approval.
(9) <i>The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.</i>	The Applicant has agreed to utilize an automatic volume control, and the draft ordinance reinforces this by including a condition of approval for the use of such.
(10) <i>An acoustical study shall be submitted demonstrating that the order facility and service windows will not produce sounds exceeding sixty (60) dB as measured at any property line abutting a residential use, up to a height of eight (8) feet above ground at the property line and demonstrating that the order facility and service windows will not increase ambient sound levels at other property lines above the average Monday to Friday midday level.</i>	See the Applicant's materials attached. McClure/EDI Acoustics have indicated that the use will have a negligible impact on the ambient sound in the area. Staff have also conducted field observations of a similar St. Louis Bread Company location and verified that the drive-through facilities do not exceed 60dB at even 30 feet and only the occasional vehicle would require attenuation.

Landscaping

As discussed above, the Landscaping Plan focuses mostly on the new drive through elements at the rear of the building but also proposes filling in the existing landscaping islands that are missing trees, removing the trees next to the building and replacing with low shrubs and grasses, as well as providing new base plantings at the entrance and around the monument sign. The last approved plan in 2001 indicated that the long strip between the front parking rows should have three street trees. These have since been removed. As discussed above, the site has pre-existing non-conforming site coverage of 78.3%, and the proposed changes decrease this coverage to 78.2%, so the proposal meets with the regulations pertaining to legally pre-existing sites.

As discussed above, if the Planning Commission or City Council believe more progress should be made toward reducing the non-conformities on the site in order to support the request, Section 405.540 Landscaping requires a minimum of two deciduous shade trees within and up to every one hundred linear feet of parking for each row. The ends of parking rows abutting a circulation aisle shall be defined by the interior landscaped area whenever feasible, in order to minimize and reduce the apparent size of the parking area. The Applicant is showing two trees, at the northern end of the parking row only. Creating a new island at the southern end and adding an additional tree would bring the site closer to compliance with the Zoning Code for parking lot trees and site

coverage, and would create a refuge for pedestrians walking across the parking lot. Careful tree selection would be needed to avoid obstructing the views of the tenant sign band.

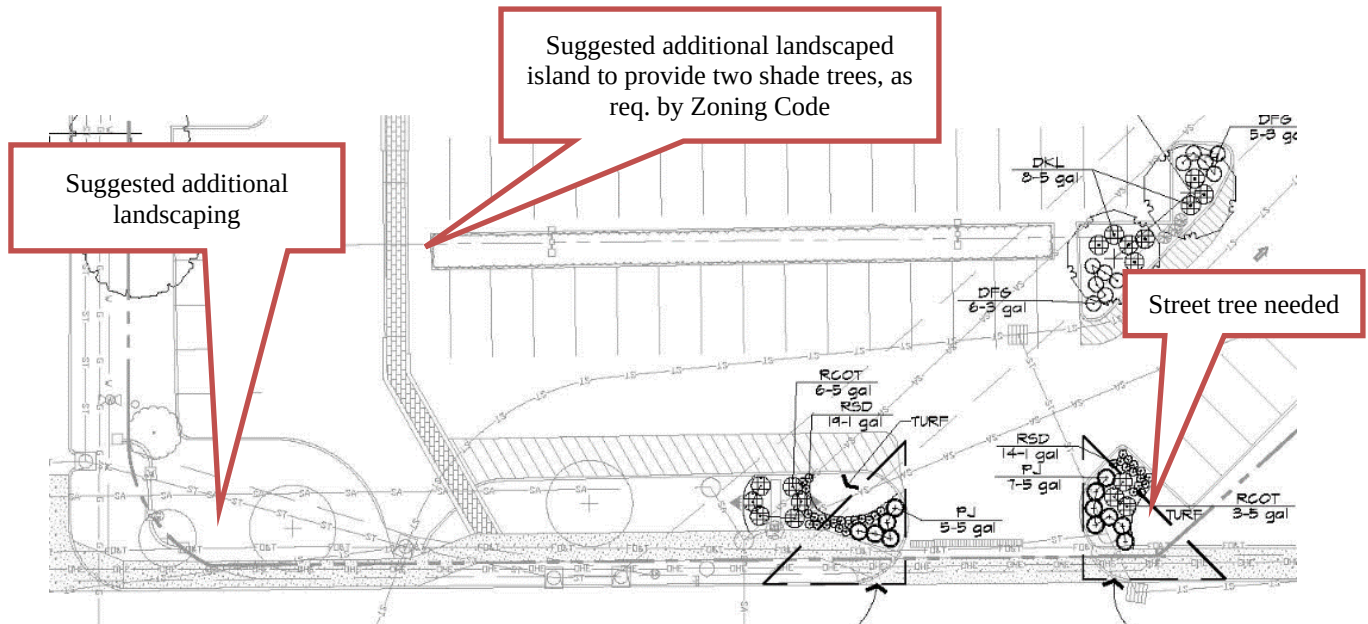


Figure 7: Close-up of the proposed Landscape Plan

Additionally, Staff suggest that the southeast corner can be enhanced to provide low screening of the drive-thru lane and headlights from N. New Ballas Road, and a street tree should be added at the northeast corner to comply with the minimum number of street trees required under the Landscaping section of the Zoning Code

Below is the relevant section of the Zoning Code:

SECTION 405.540: LANDSCAPING

F. Design Standards For Landscape Plans

1. Street trees shall be clearly delineated on the final landscape plan. The street trees shall be deciduous hardwood trees, not less than three (3) inch caliper size providing clear headroom of at least six (6) feet. The street trees may include existing trees, new trees or a combination thereof, provided that there is one (1) street tree for every thirty (30) lineal feet or part thereof of street frontage and such street trees shall be located on the subject property at least two (2) feet six (6) inches but not more than twelve (12) feet from the back of the curb, unless additional setback is necessary to accommodate planned road widening, overhead utility lines or some other condition identified by the Director of Planning. The Department of Public Works shall maintain a list of recommended street trees as well as undesirable trees. The Public Works Director or his/her designee may approve street trees not included in the list of recommended trees if the proposed tree is a deciduous hardwood, is disease resistant, is salt tolerant and has a clear trunk height of at least seven (7) feet six (6) inches or as directed by the Director of Public Works.
3. In addition to any landscaped front, back or side yard areas required by this or any other Section, a minimum of ten (10) square feet of interior landscaped area shall be provided within the parking lot for each three hundred fifty (350) square feet of paved area within the parking lot including parking spaces and driving aisles. The landscaping shall be in one (1) or more areas so as to minimize and reduce the apparent size of parking areas.

4. All interior landscaped areas provided in accordance with the preceding paragraph shall have a minimum area of fifty (50) square feet and a minimum width of three (3) feet. Each separate interior landscaped area shall include at least one (1) deciduous shade tree of a type and size required herein. Such shade trees may include any approved street tree or may include a deciduous tree that is disease resistant and has a suitable clear trunk height considering its proposed placement on the site. There shall be a minimum of two (2) deciduous shade trees, within and up to, every one hundred (100) linear feet of parking for each parking row. Such trees shall be spaced evenly around the perimeter. The ends of parking rows abutting a circulation aisle shall be defined by interior landscaped areas whenever feasible.

The Applicant has indicated that the existing honeysuckle along the west property line will be removed, to comply with recent Commission action and with the goals of the Horticulture, Environmental and Beautification Committee that it should be removed as a condition of approval of any site development plan. The remaining vegetation will be used to provide screening of the sound wall. If the Commission wishes to see additional landscaping, then they should provide such direction to the Applicant for revisions to the Landscape Plan. Below is a close-up of the location of the proposed sound wall:

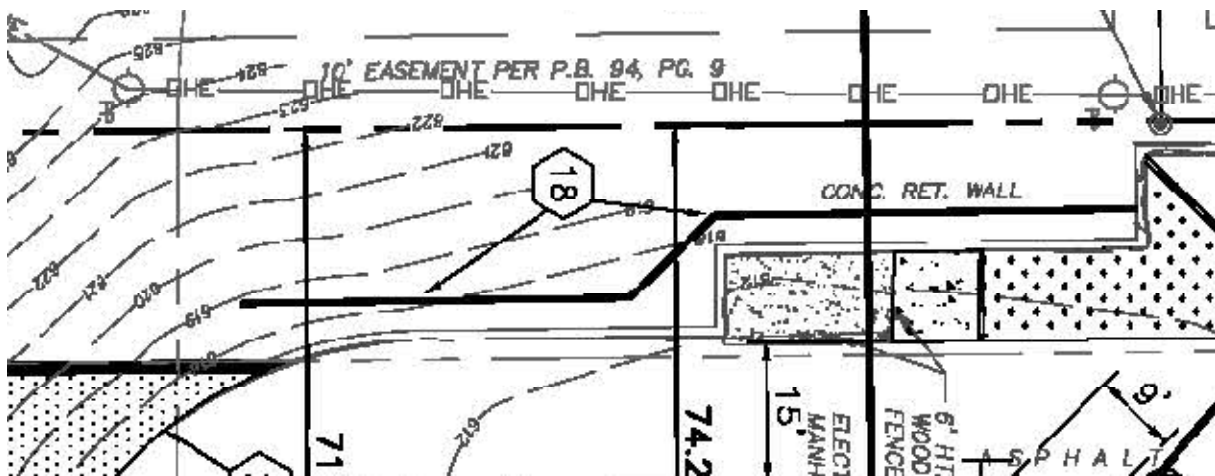


Figure 8: Close-up of proposed sound wall location, noted as 18.

Lighting

The Applicant's photometric plan indicates that lighting will be less than one candle foot at the property line, which meets with the illumination requirements below, as well as with Section 405.680 where lighting shall not be cast upon an adjacent property or right-of-way nor shall glare be emitted from an illuminant source. Any new lighting for the drive-thru facilities, including that of the order board, should comply with Section 405.680 that all lighting shall be downcast and fully shielded. Staff has included a recommended condition of approval for this and existing lighting.

SECTION 405.810: DESIGN AND MAINTENANCE STANDARDS

4. *Lighting.* Any off-street parking or loading area used between 6:00 P.M. and 6:00 A.M. shall contain a system of lighting to provide an adequate standard of at least one (1) foot-candle of illumination over the area of the parking area to be used. All lighting shall be arranged to deflect, shade and focus lights away from adjacent properties, shall be designed so as not to create more than one (1) foot-candle of illumination at any property

boundary abutting a residential zoning district and shall comply with all provisions of Section 405.680. Any land use which utilizes an off-street parking or loading area between 6:00 P.M. and 6:00 A.M. an average of less than four (4) days per month may be exempted from this requirement by the Planning and Zoning Commission.

Parking

The site development plan indicates that a total of 165 parking spaces are provided where 138 spaces are required, per the parking regulations. Thus an excess of 27 spaces are available on-site. The Applicant included a parking table for review:

Name	Address / Suite	1st Floor	Gross Floor Area	Seat Count	Parking Req. (Per 1k s.f. of GFA)	Parking Required	Parking Required (adjusted)
Dr. Charles Meyer	443 - 200		1,178		4	4.71	5
Personal Growth, LLC	443 - 201		589		4	2.36	3
Dr. J Brooks Newbill	443 - 205		1,178		4	4.71	5
Mark Mangels, DMD	443 - 215		1,049		4	4.20	5
Shelter Mutual Insurance	443 - 220		589		4	2.36	3
Ms. Pamela M. Nickel	443 - 222		497		4	1.99	2
Natural Life Therapy	443 - 224		1,398		4	5.59	6
Dr. Judel Lew DDS	443 - 227, 231		2,215		4	8.86	9
Dr. Mark S. Berg	443 - 244		1,487		4	5.95	6
Dr. Bhuyan	443 - 249		1,327		4	5.31	6
Subtotal (second floor)			11,506				50
St. Louis Bread (Panera) #607 (floor area)	447	X	4,760		4	19.04	20
St. Louis Bread (Panera) #607 (interior seat count)	447			135	0.333	44.96	45
St. Louis Bread (Panera) #607 (exterior seat count)	447			47	0.125	5.88	6
The Wine and Cheese Place	455, 457, 459	X	3,535		4	14.14	15
Edward D. Jones	461	X	1,165		4	4.66	5
The Paper Warehouse	463, 465	X	2,381		4	9.52	10
Subtotal (first floor)			11,841				101
St. Louis Bread (Panera) #607 (drive thru addition)		X	402		4	1.61	2
Subtotal (whole building, post addition)			23,749				153
Allowed 15% reduction (1st Floor tenants only)					0.15	101	-15
TOTAL PARKING REQUIRED							138
Parking Provided							
Existing							176
Existing spaces to be removed							27
Proposed spaces to be added / restriped							16
TOTAL PARKING PROPOSED					Includes 8 ADA accessible spaces		165

Figure 9: Parking Table from Site Development Plan

RECOMMENDATION

Based on the above analysis, the proposal meets all of the minimum requirements, to the same degree or greater than the existing site, of the Comprehensive Plan and Zoning Ordinance. There are potential modifications that Staff believes would improve the overall site by improving traffic conditions near the drive-through and reducing the degree of pre-existing non-conformities with the landscape requirements. Staff therefore recommends approval subject to the conditions below which are included in the draft ordinance:

1. The Conditional Use Permit shall be for the operation of 5,162 square foot eating and drinking establishment at 447 N. New Ballas Road, with drive-thru facilities as shown in the "Site Development Plan" submitted on March 13, 2015 as bound together and submitted in conjunction with Application #15-004 by Core States, Inc. except as modified below.
2. Maximum seating permitted is limited to 135 indoor seats and 47 outdoor seats.
3. Hours of operation for the restaurant dining room shall be 6:00 a.m. to 9:00 p.m., Monday through Saturday, and 7:00 a.m. to 9:00 p.m. on Sunday. The drive-through facilities shall only operate from 7:00 a.m. to 9:00 p.m., daily. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.
4. Deliveries to any rear door on the property shall be made only from 7:00 a.m. to 9:00 p.m., daily.
5. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the "Exterior Elevations" submitted on March 13, 2015 as bound together and submitted in conjunction with Application #15-004 by Core States, Inc.
6. The Applicant is required to submit a Site Improvement Permit application to be approved by the Zoning Administrator, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code, except that two parking spaces shall be eliminated as recommended in the "Drive-Thru Study, Balmoral Plaza" by Lochmueller Group and dated December 23, 2014, and the "Drive-Thru Study, Panera, LLC, Balmoral Plaza" by George Butler Associates and dated April 2, 2015. The permit application shall include a final Landscape Plan that is in substantial conformance with the Landscape Plan by Landscape Technologies as bound together and submitted on March 13, 2015 in conjunction with Application #15-004.
7. A detached sidewalk with a minimum width of five feet and separated from the curb by a minimum of three feet consistent with the Pedestrian Plan shall be constructed along Rocky Road.
8. A clear pedestrian path, no less than four (4) feet wide shall be maintained between the outdoor dining furniture and the building at all times.
9. The Applicant shall submit a detail of the proposed six-foot high sound wall for the Zoning Administrator's approval that is consistent with the Design Guidelines.
10. An underground irrigation system shall be installed and maintained to serve all new landscaped areas.
11. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
12. The drive thru order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level. Other than the drive thru order facility, outdoor speakers may only be used in the patio area. Drive thru order facility and other outdoor speakers shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater or at any property line abutting a residential use, up to a height of eight feet above the ground at such property line. Order facility and service windows shall not increase ambient sound levels at other property lines above the existing average Monday to Friday midday level of 54.5 dB.
13. All lighting shall be in conformance with Section 405.680, Lighting, of the Zoning Code, and Section 205.810 of the Parking Ordinance.

14. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
15. The kitchen facility shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
16. Employee parking, and delivery and company vehicles parking shall be behind the complex within the service area or structured parking deck in conformance with the management's operational requirements.

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 Application #15-004 for a Conditional Use Permit for an eating and drinking establishment, with drive-thru facilities for St. Louis Bread Company located at 447 N. New Ballas Road, subject to the conditions contained in the draft ordinance attached to the staff report dated April 6, 2015” (conditions may be added, eliminated, or modified by preceding motion).

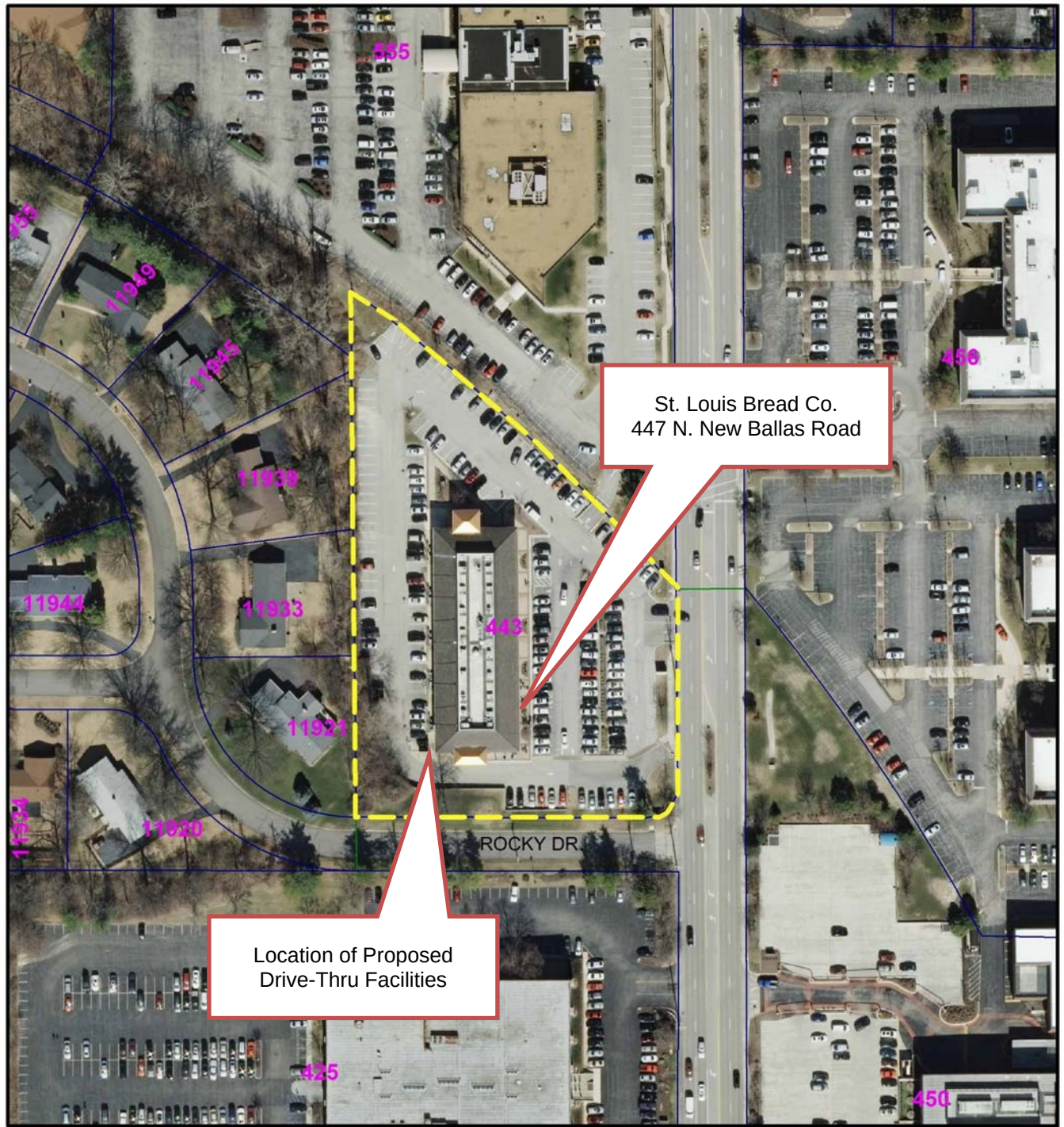
APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

APPENDIX 2: ZONING CODE

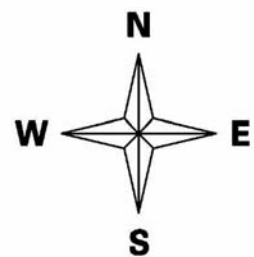
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL PHOTO



Attachment: Staff Report (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)

- Property Lines
- Balmoral Plaza Shopping Center



APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 4-3-2015



Description: View looking northwest from the parking lot toward the St. Louis Bread Company storefront. The City's traffic engineer has recommended eliminating the parking space occupied by the nearest vehicle.



Description: View looking south from the north property line across the main parking field. The St. Louis Bread Company is located on the far end of the building to the right.



Description: View looking southeast toward the rear of the St. Louis Bread Company tenant space where the new drive-through facilities will be located.

APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 3-30-2015



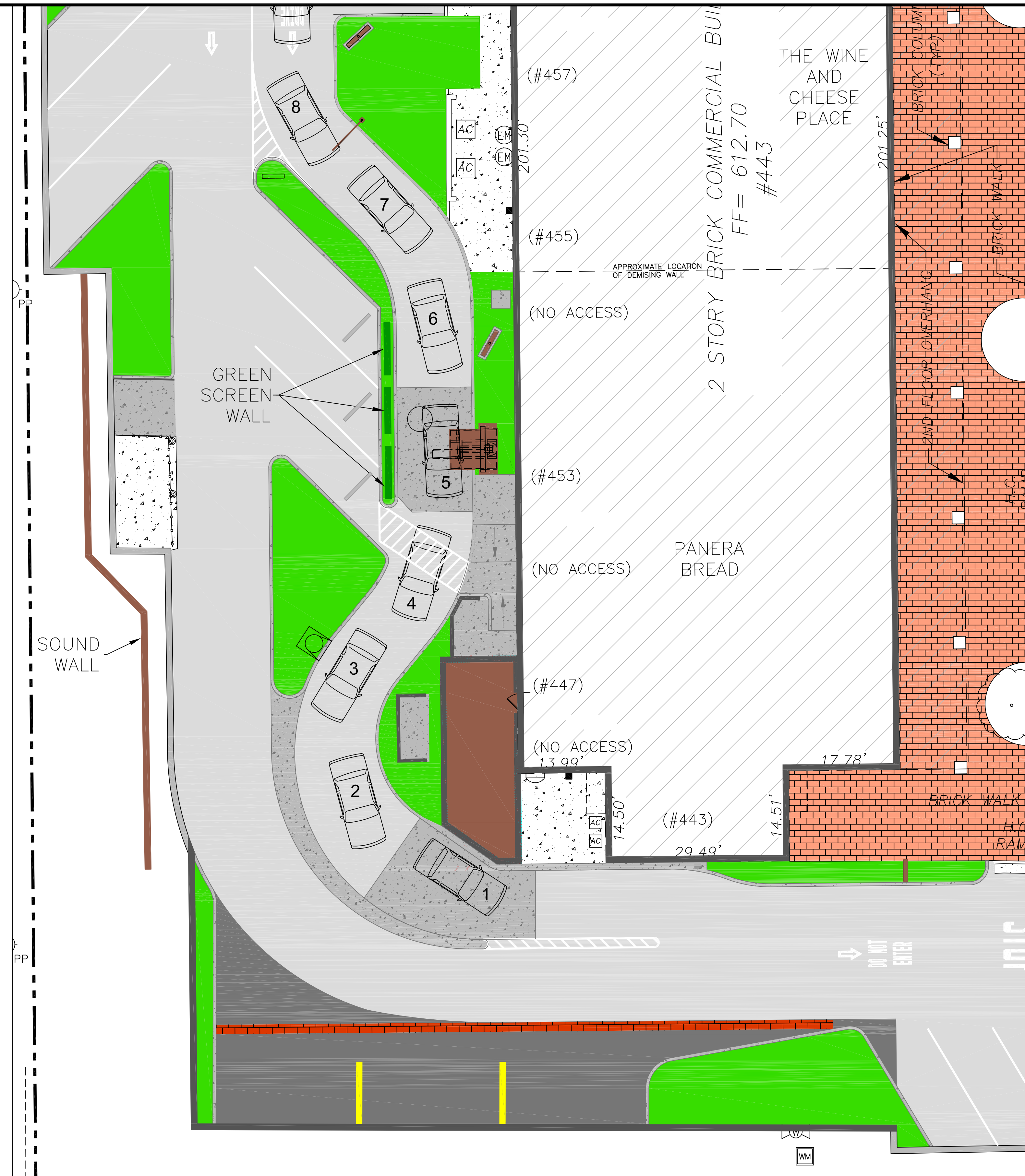
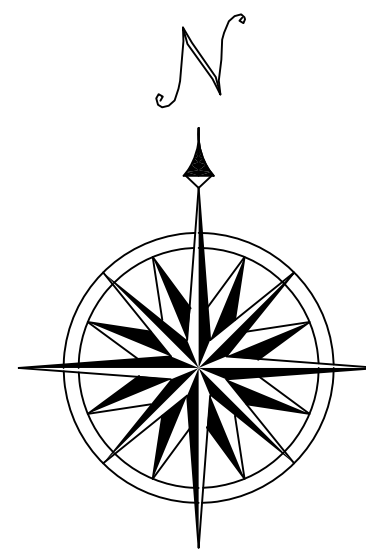
Description: View looking northeast from the by-pass lane area toward the drive-through window location.



Description: View looking west from the main parking field into the location of the proposed drive-through lane, by-pass lane and parallel parking spaces. Note that house to the west is not visible even though full leaf-out has not occurred.



Description: View looking northeast toward potential location for an additional landscape island in the main parking field.

[illegible]

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ORDINANCE NOS. 1454, 1487 AND 2083 AND
AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A
5,162 SQUARE-FOOT EATING AND DRINKING ESTABLISHMENT WITH DRIVE-
THRU FACILITIES LOCATED AT 447 NORTH NEW BALLAS ROAD WITHIN
THE BALMORAL PLAZA SHOPPING CENTER**

WHEREAS, under Section 405.360(C), all food services and drinking placed in the "GC", General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, St. Louis Bread Company received a conditional use permit at its current location in 1991, by Ordinance Number 1454, which permit was subsequently amended by Ordinance Numbers 1487 and 2083, approved in 1991 and 2000, respectively; and

WHEREAS, an application was submitted by David Hutkin, on behalf of Panera Bread/St. Louis Bread Company, to amend the conditional use permit and site development plan for The St. Louis Bread Company to allow the exterior renovation of the current restaurant at 447 N. New Ballas Road within the Balmoral Plaza Shopping Center, including the addition of drive-thru facilities; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 6, 2015, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the amended 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 amended conditional use permit, subject to the conditions contained herein, at its meeting on April 6, 2015; and

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

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

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.
3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.

Attachment: Draft Ordinance (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)

BILL NO. _____

ORDINANCE NO. _____

4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

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

Section 1: Ordinance Numbers 1454, 1487 and 2083 are hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a restaurant located at 447 N. New Ballas Road with Drive-Thru Facilities, in the "GC" General Commercial zoning district, within the Balmoral Plaza Shopping Center, whose legal description is as follows:

A tract of land being all of Lot A of Balmoral, a Subdivision according to the plat thereof recorded in Plat Book 94 page 9 of the St. Louis County Records and also part of Section 3, Township 45 North, Range 5 East, St. Louis County, Missouri, and described as follows:

Beginning at the Northeast corner of aforementioned Lot A, said point being in the West line of Ballas Road, 60 feet wide; thence along the West line of said Ballas Road South 0 degrees 06 minutes East, a distance of 104.55 feet to a point of curve; thence along the Western line of said Ballas Road and along the North line of Rocky Drive 50 feet wide, being on a curve to the right having a radius of 30 feet an arc distance of 47.47 feet to a point of tangency; thence along the North line of Rocky Drive 50 feet wide, North 89 degrees 26 minutes West, a distance of 269.65 feet to the Southwest corner of aforementioned Lot A; thence leaving the North line of aforesaid Rocky Drive and running along the West line of said Lot A; North 0 degrees 06 minutes West, a distance of 428.47 feet to the Northwest corner thereof; thence leaving said corner of Lot A and running North 38 degrees 06 minutes East, 50.00 feet to a point in the centerline of the former Missouri Pacific Railroad Right-of-Way (now abandoned); thence Southeastwardly along said Railroad Centerline and on a curve to the right having a radius of 1910 feet an arc distance of 373.40 feet to a point in the West line of aforementioned Ballas Road; thence along said road line South 0 degrees 06 minutes East 78.30 feet to the point of beginning according to survey executed by The Clayton Engineering Company dated October 10, 1989.

Section 3: 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 5,162 square foot eating and drinking establishment at 447 N. New Ballas Road, with drive-thru facilities as shown in the "Site Development Plan" submitted on March 13, 2015 as bound together and submitted in conjunction with Application #15-004 by Core States, Inc. except as modified below.
2. Maximum seating permitted is limited to 135 indoor seats and 47 outdoor seats.
3. Hours of operation for the restaurant dining room shall be 6:00 a.m. to 9:00 p.m., Monday through Saturday, and 7:00 a.m. to 9:00 p.m. on Sunday. The drive-through facilities shall only operate from 7:00 a.m. to 9:00 p.m., daily. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.
4. Deliveries to any rear door on the property shall be made only from 7:00 a.m. to 9:00 p.m., daily.
5. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the

BILL NO. _____

ORDINANCE NO. _____

"Exterior Elevations" submitted on March 13, 2015 as bound together and submitted in conjunction with Application #15-004 by Core States, Inc.

6. The Applicant is required to submit a Site Improvement Permit application to be approved by the Zoning Administrator, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code, except that two parking spaces shall be eliminated as recommended in the "Drive-Thru Study, Balmoral Plaza" by Lochmueller Group and dated December 23, 2014, and the "Drive-Thru Study, Panera, LLC, Balmoral Plaza" by George Butler Associates and dated April 2, 2015. The permit application shall include a final Landscape Plan that is in substantial conformance with the Landscape Plan by Landscape Technologies as bound together and submitted on March 13, 2015 in conjunction with Application #15-004.
- 7.
8. A detached sidewalk with a minimum width of five feet and separated from the curb by a minimum of three feet consistent with the Pedestrian Plan shall be constructed along Rocky Road.
9. A clear pedestrian path, no less than four (4) feet wide shall be maintained between the outdoor furniture and the building at all times.
10. The Applicant shall submit a detail of the proposed six-foot high sound wall for the Zoning Administrator's approval that is consistent with the Design Guidelines.
11. An underground irrigation system shall be installed and maintained to serve all new landscaped areas.
12. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
13. The drive thru order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level. Other than the drive thru order facility, outdoor speakers may only be used in the patio area. Drive thru order facility and other outdoor speakers shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater, or at any property line abutting a residential use, up to a height of eight feet above the ground at such property line. Order facility and service windows shall not increase ambient sound levels at other property lines above the average Monday to Friday midday level of 54.5 dB.
14. All lighting shall be in conformance with Section 405.680, Lighting, of the Zoning Code, and Section 205.810 of the Parking Ordinance.
15. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
16. The kitchen facility shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
17. Employee parking, and delivery and company vehicles parking shall be behind the complex within the service area or structured parking deck in conformance with the management's operational requirements.
18. Any mechanical equipment installed for the site shall be screened with materials, as approved by the Zoning Administrator.
19. 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.
20. Failure to comply with any one or more 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

BILL NO. _____

ORDINANCE NO. _____

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.

21. 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.
22. 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 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

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

ADOPTED THIS ____ DAY OF _____, 2015.

CHARLOTTE D'ALFONSO
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2015.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

Attachment: Draft Ordinance (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)



Google earth
© 2015 Google

VIEW FROM SW PROPERTY CORNER

Attachment: 14088_1b-Retouch_SWcomer's copy (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)



Architects of the Possible®
9812 Manchester Road
St. Louis, Missouri 63119
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BALMORAL PLAZA

CREVE COEUR,
14-088

MISSOURI
03-03-15



March 5, 2015

Mr. Paul Langdon
Director of Community Development
City of Creve Coeur
300 North New Ballas Road
Creve Coeur, Missouri 63141

RE: St. Louis Bread Company
Proposed Drive-Thru Addition
447 North New Ballas Road

Dear Mr. Langdon:

Panera Bread/St. Louis Bread Company offers the following rationale for the location of the proposed drive-thru service window at the southwest corner of the drive-thru addition.

1. Operationally, the drive thru service window always falls at the end of the food and beverage preparation line, which runs north and south within the proposed drive-thru addition. The alternative, which would reverse the food and beverage preparation line and locate the window at the north end of the drive-thru expansion, would cause the queue of customer vehicles to move further to the north, adversely affecting parking and traffic circulation.
2. Logistically, the corner location accommodates the natural turning radius of a customer vehicle as it turns from south to east. This maximizes the available turning radius at the southwest corner of the building for passenger vehicles and delivery vehicles not utilizing the drive-thru, and eliminates any unnatural or unsafe maneuvers required by the customer to access the service window.

Sincerely,

Panera Bread, LLC

A handwritten signature in black ink, reading 'Michael D. Brunetto'.

Michael D. Brunetto
Sr. Manager, Special Projects Construction

smd/MB

RECEIVED
MAR 16 2015
PLANNING DEPT.



March 5, 2015

Mr. Paul Langdon
Director of Community Development
City of Creve Coeur
300 North New Ballas Road
Creve Coeur, Missouri 63141

RE: St. Louis Bread Company
Proposed Drive-Thru Addition
447 North New Ballas Road
Sidewalk @ North Side of Rocky Drive

Dear Mr. Langdon:

The site plan we are submitting for review in support of the above project does not include a new sidewalk along the north side of Rocky Drive.

At present, there are no sidewalks within the adjacent residential area with which to connect a new sidewalk – it would effectively be “a sidewalk to nowhere”. In addition, extending the sidewalk to the sidewalk along Ballas Road may prove difficult.

Sincerely,

Panera Bread, LLC

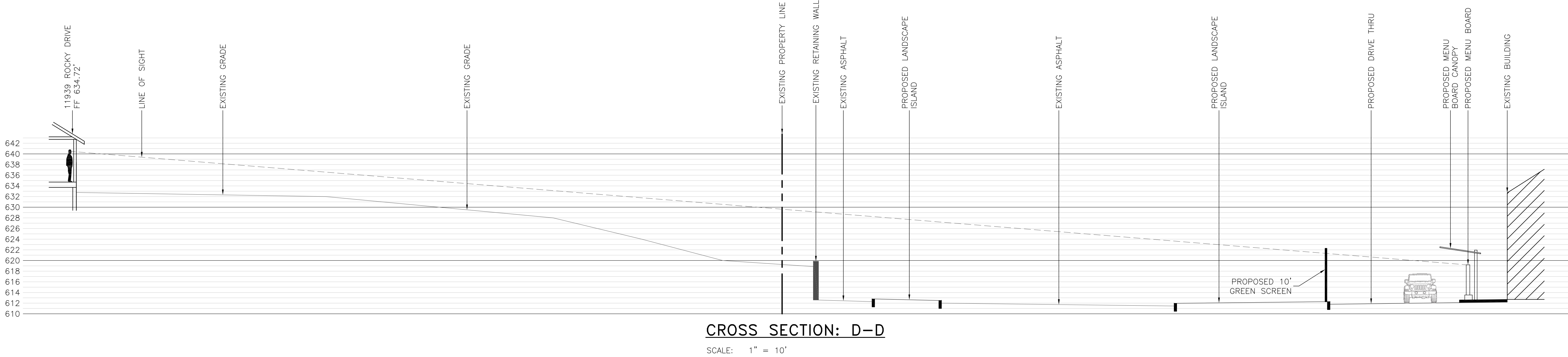
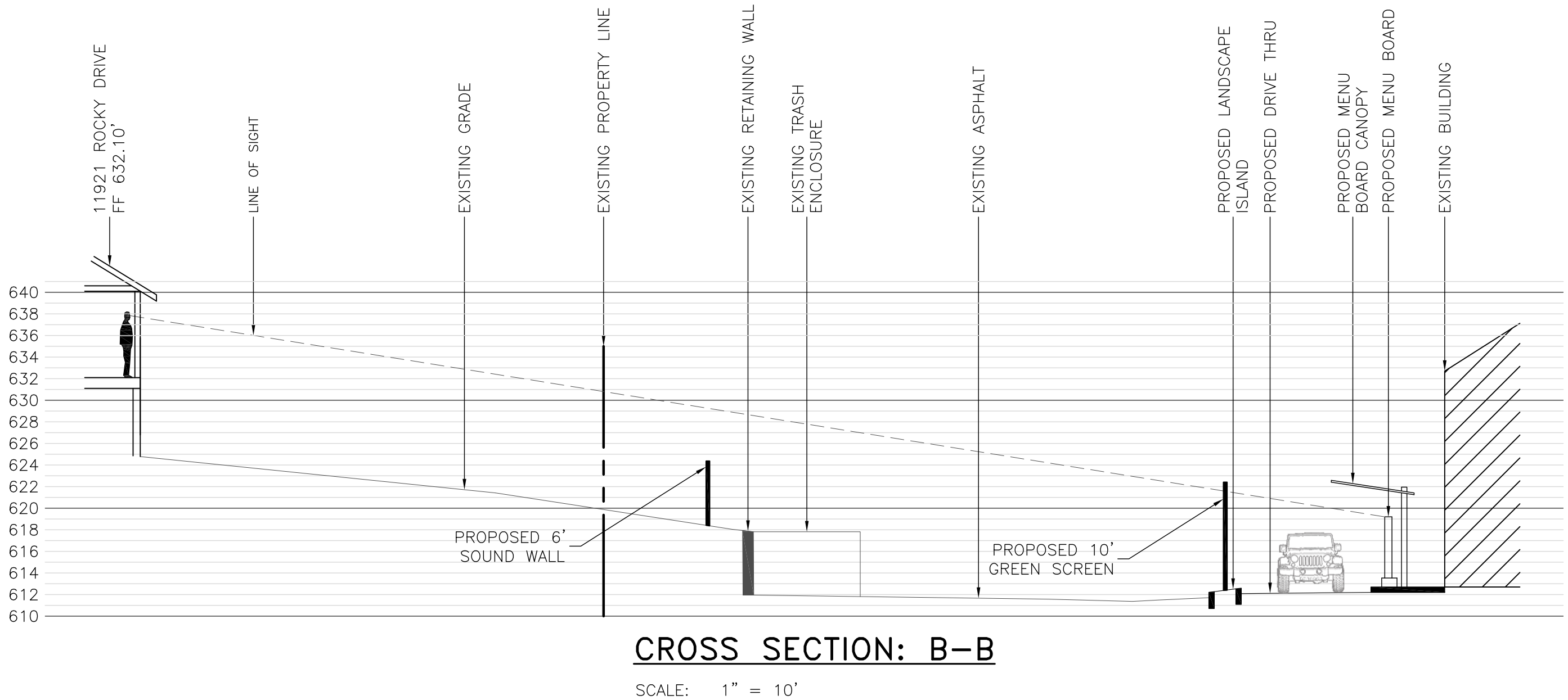
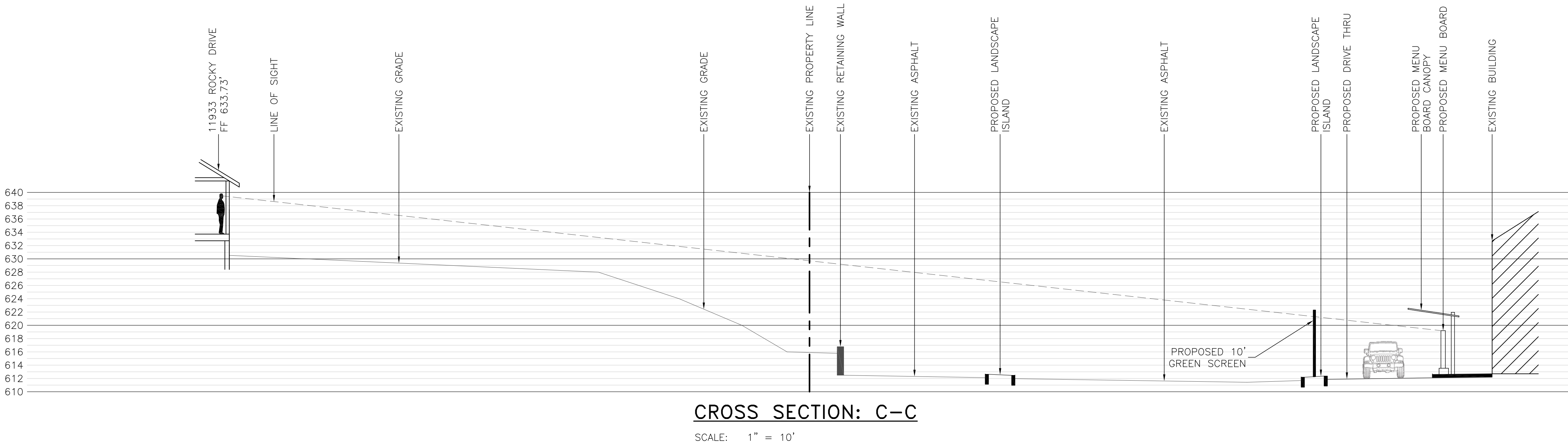
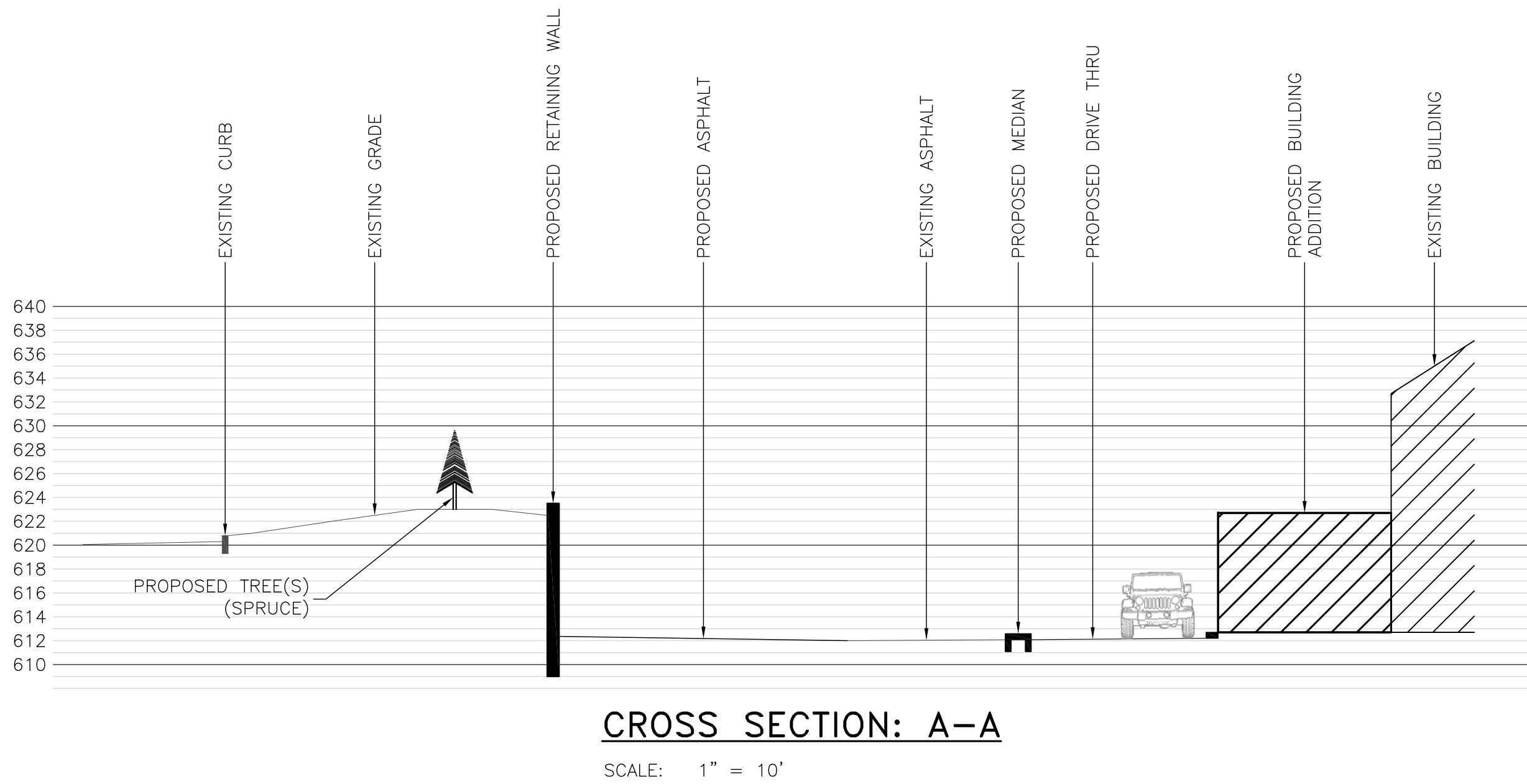
A handwritten signature in black ink that reads 'Michael D. Brunetto'.

Michael D. Brunetto
Sr. Manager, Special Projects Construction

smd/MB

RECEIVED
MAR 6 2015
PLANNING DEPT.

Attachment: SLB at Balmoral Plaza - All drawings (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)



CORESTATES, INC.
MISSOURI PROFESSIONAL ENGINEER
#2000002945F

SEAL

PATRICK T. BENNETT
#20000003134
PROFESSIONAL ENGINEER

CORESTATES, INC.
MISSOURI PROFESSIONAL ENGINEER
#2000002945F

SEAL

PATRICK T. BENNETT
#20000003134
PROFESSIONAL ENGINEER

Documents prepared by CoreStates, Inc. are for the sole use of the client and are not to be used for any other project without the written consent of CoreStates, Inc. CoreStates, Inc. is not responsible for any errors or omissions in these documents and at the users own risk. CoreStates, Inc. disclaims any liability for any damages, claims and losses.

Job#: ARC-12287
Scale: 1" = 10'
Date: 03-06-15
Drawn By: MAB
Checked By: PTB

CORE STATES
GROUP

59 Crestwood Executive Center, Suite 500
St. Louis, MO 63126
Phone (314) 843-4320
Fax (314) 843-4323
pbennett@core-eng.com

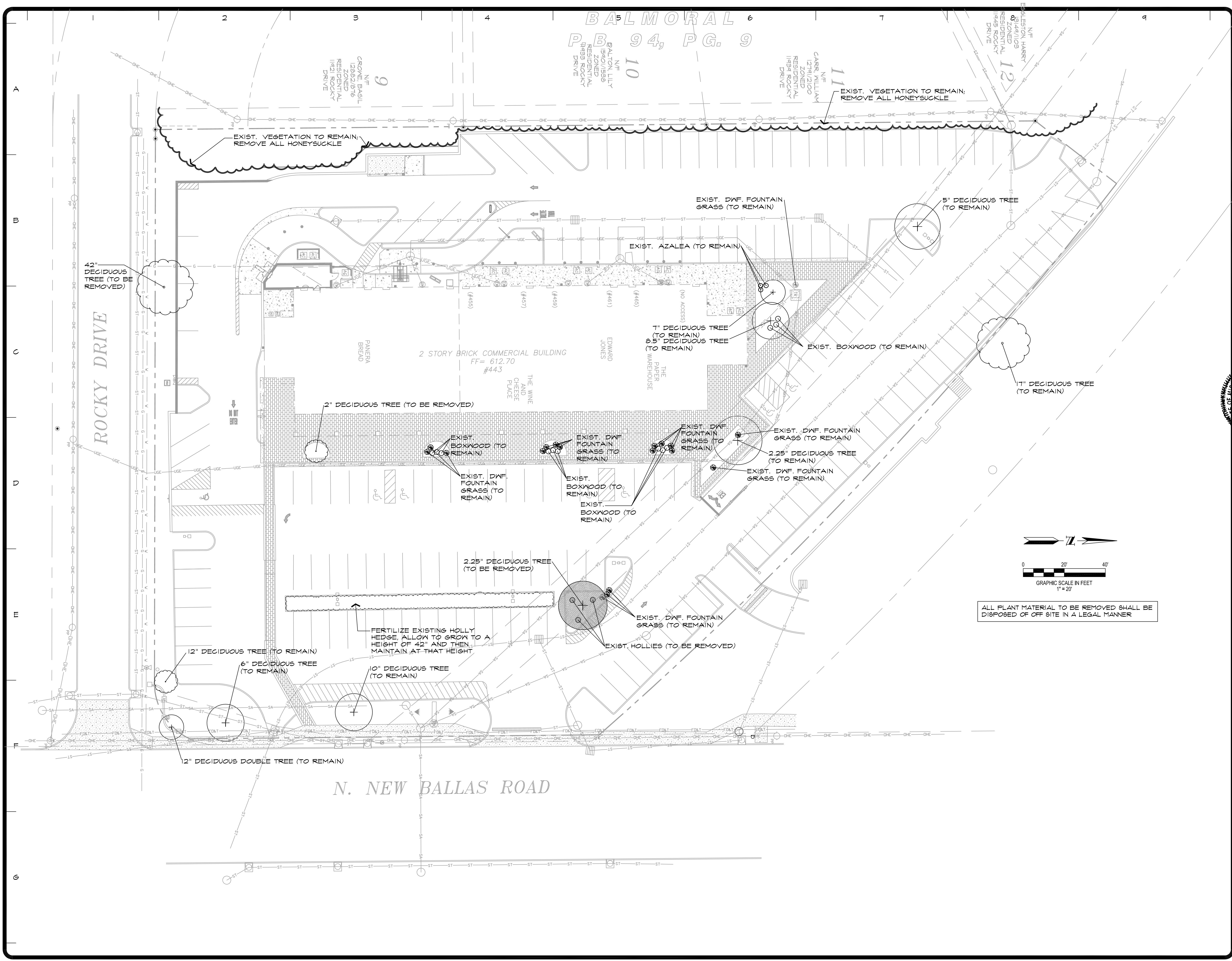
Panera, LLC
3630 South Geyer Rd., Suite 100 St. Louis, MO 63127
Cafe #607
Drive-Thru Addition
447 N. New Ballas Road, Creve Coeur, MO 63141

Site Development Plan

Rev. #	Date	Description

Packet Pg. 268

SDP-2
2 OF 2



REVISIONS		BY
1/13/15		RYM
2/24/15		RYM
2/28/15		RYM
3/5/15		RYM

landscape
TECHNOLOGIES

636 428-1250
87 Jacob Creek Drive
St. Louis, MO 63104
NO Landscape Architectural Corporation, LLC02000182

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT

019

DATE: 3-12-15

EXISTING LANDSCAPE @

Balmoral Plaza

CREVE COEUR, MISSOURI

DRAWN R. WARDIS
CHECKED RYM
DATE 1/15
SCALE 1"=20'-0"
JOB No. 2015-101
SHEET
1.1
OF THREE SHEETS

REVISIONS		BY
1/13/15		RYM
2/24/15		RYM
2/28/15		RYM
3/5/15		RYM

landscape
TECHNOLOGIES

636 428-1250
87 Jacob Creek Drive
St. Louis, MO 63104
NO Landscape Architectural Corporation, LLC 020900182

REGISTERED LANDSCAPE ARCHITECT

RANDALL W. HARDS
NUMBER 019

DATE: 3-12-15

RANDALL W. HARDS
REGISTERED LANDSCAPE ARCHITECT #000014

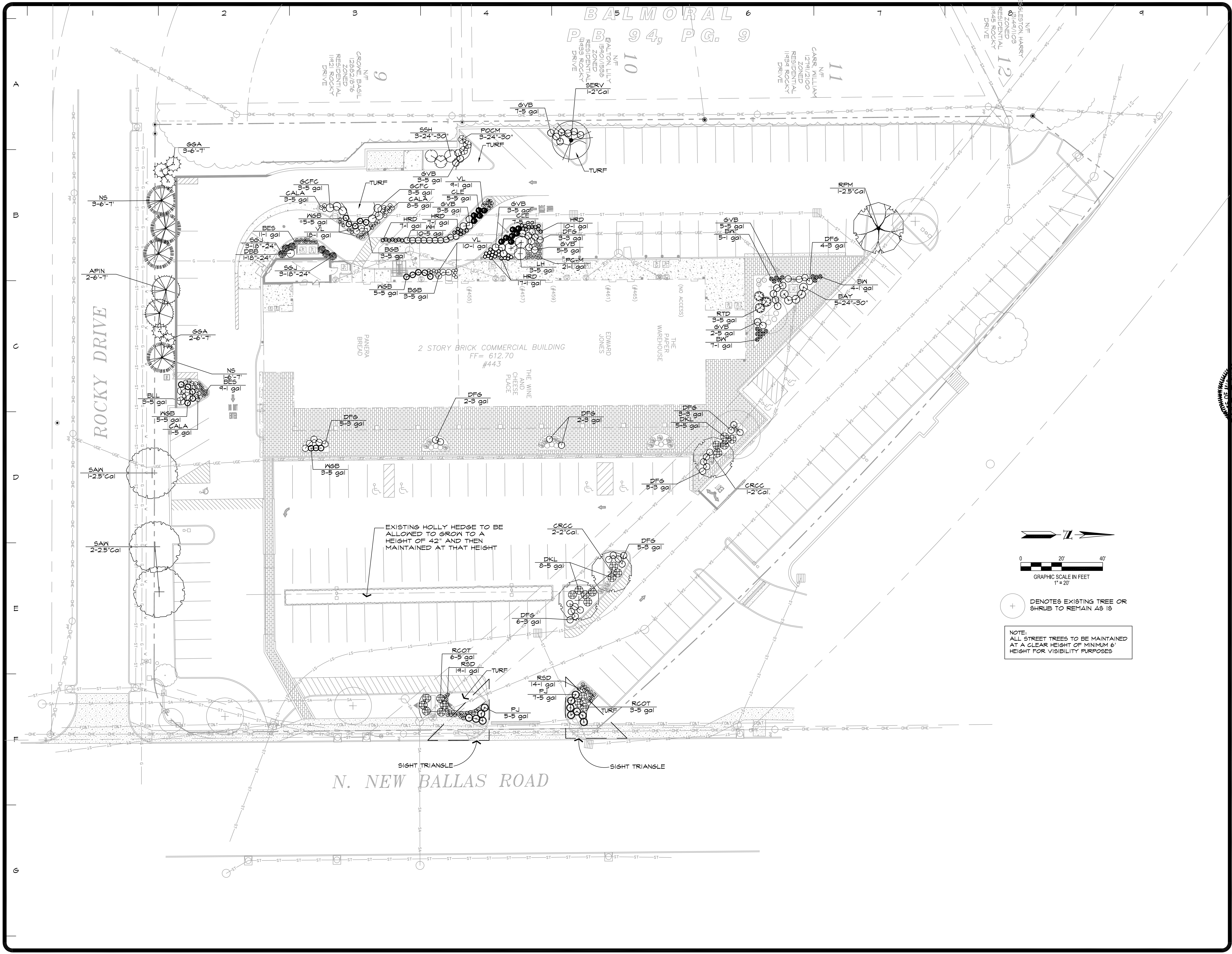
DATE: 3-12-15

PLANTING PLAN FOR THE LANDSCAPE @

Balmoral Plaza

CREVE COEUR, MISSOURI

DRAWN R. HARDS
CHECKED RYM
DATE 1/15
SCALE 1"=20'-0"
JOB No. 2015-101
SHEET L-2
OF THREE SHEETS



REVISIONS	BY
1/13/15	RVM
2/24/15	RVM
2/28/15	RVM
3/5/15	RVM

landscape
TECHNOLOGIES

67 Jacobs Creek Drive
St. Louis, MO 63104
(636) 428-1250
Fax: (636) 428-1254
MO Landscape Architect Corporation #200900182

RANDALL W. HARDS
LANDSCAPE ARCHITECT #000014
DATE: 3-12-15

PLANTING PLAN FOR THE LANDSCAPE @

Balmoral Plaza
CREVE COEUR, MISSOURI

DRAWN
R. HARDS
CHECKED
RVM
DATE
1/15
SCALE
N.A.
JOB NO.
2015-101
SHEET

L-3

OF THREE SHEETS

Attachment: SLB at Balmoral Plaza - All drawings (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)

LANDSCAPE GUIDELINE SPECS:

GENERAL:

- All natural vegetation shall be maintained where it does not interfere with construction or the permanent plan of operation. Every effort possible shall be made to protect existing structures or vegetation from damage due to equipment usage. Contractor shall at all times protect all materials and work against injury to public.
- The landscape contractor shall be responsible for any coordination and sequencing with other site related work being performed by other contractors. Refer to additional drawings for further coordination of work to be done.
- Underground facilities, structures and utilities must be considered approximate only. There may be others not presently known or shown. It shall be the landscape contractor's responsibility to determine or verify the existence of and exact location of the above (Call 1-800-DIG-RITE in Missouri).
- Plant material are to be planted in the same relationship to grade as was grown in nursery conditions. All planting beds shall be cultivated to 6" depth minimum and graded smooth immediately before planting of plants. Plant groundcover to within 12" of trunk of trees or shrubs planted within the area.
- It shall be the landscape contractor's responsibility to:
 - Verify all existing and proposed features shown on the drawings prior to commencement of work.
 - Report all discrepancies found with regard to existing conditions or proposed design to the landscape architect immediately for a decision.
 - Stake the locations of all proposed plant material and obtain the approval of the owner's representative or landscape architect ten (10) days prior to installation.
- Items shown on this drawing take precedence over the material list. It shall be the landscape contractor's responsibility to verify all quantities and conditions prior to implementation of this plan. No substitutions of types or size of plant materials will be accepted without written approval from the landscape architect.
- Provide single-stem trees unless otherwise noted in plant schedule.
- All plant material shall comply with the recommendations and requirements of ANSI Z601 "American Standards for Nursery Stock".
- It shall be the contractor's responsibility to provide for inspection of the plant material by the Landscape Architect (or Owners' Representative) prior to acceptance. Landscape Architect may inspect plants before, during or after installation. Plants not conforming exactly to the plant list will not be accepted and shall be replaced at the landscape contractor's expense.
- All bids are to have unit prices listed. The Owner has the option to delete any portion of the contract prior to signing the contract or beginning work. This will be a unit price contract; quotes shall be valid for 12 months.
- Should auger equipment be utilized in excavating any plant pits, vertical sides of plant pits shall be scarified to avoid creation of "polished side walls" prior to plant material installation.
- All excess topsoil, rocks, debris and/or tainted soils shall be removed by the general contractor prior to point project is turned over to the landscape contractor to commence landscape installation.

INSURANCE:

- The landscape contractor shall submit certificates of insurance for workman's compensation and general liability.

MULCH:

- All mulch to be shredded oak bark mulch at 3" depth (after compaction) unless otherwise noted. Mulch shall be clean and free of all foreign materials, including weeds, mold, deleterious materials, etc.
- No plastic sheeting or filter fabric shall be placed beneath shredded bark mulch beds. Mirafi fabric shall be used beneath all gravel mulch beds.
- Edge all beds with spade-cut edge unless otherwise noted.

MAINTENANCE:

- Landscape Contractor shall provide a separate proposal to maintain all plants, shrubs, groundcover, perennials and annuals for a period of 12 months after acceptance.
- Contractor shall ensure that only competent and trained personnel shall provide such services and that such services be provided in a timely manner.

TOPSOIL:

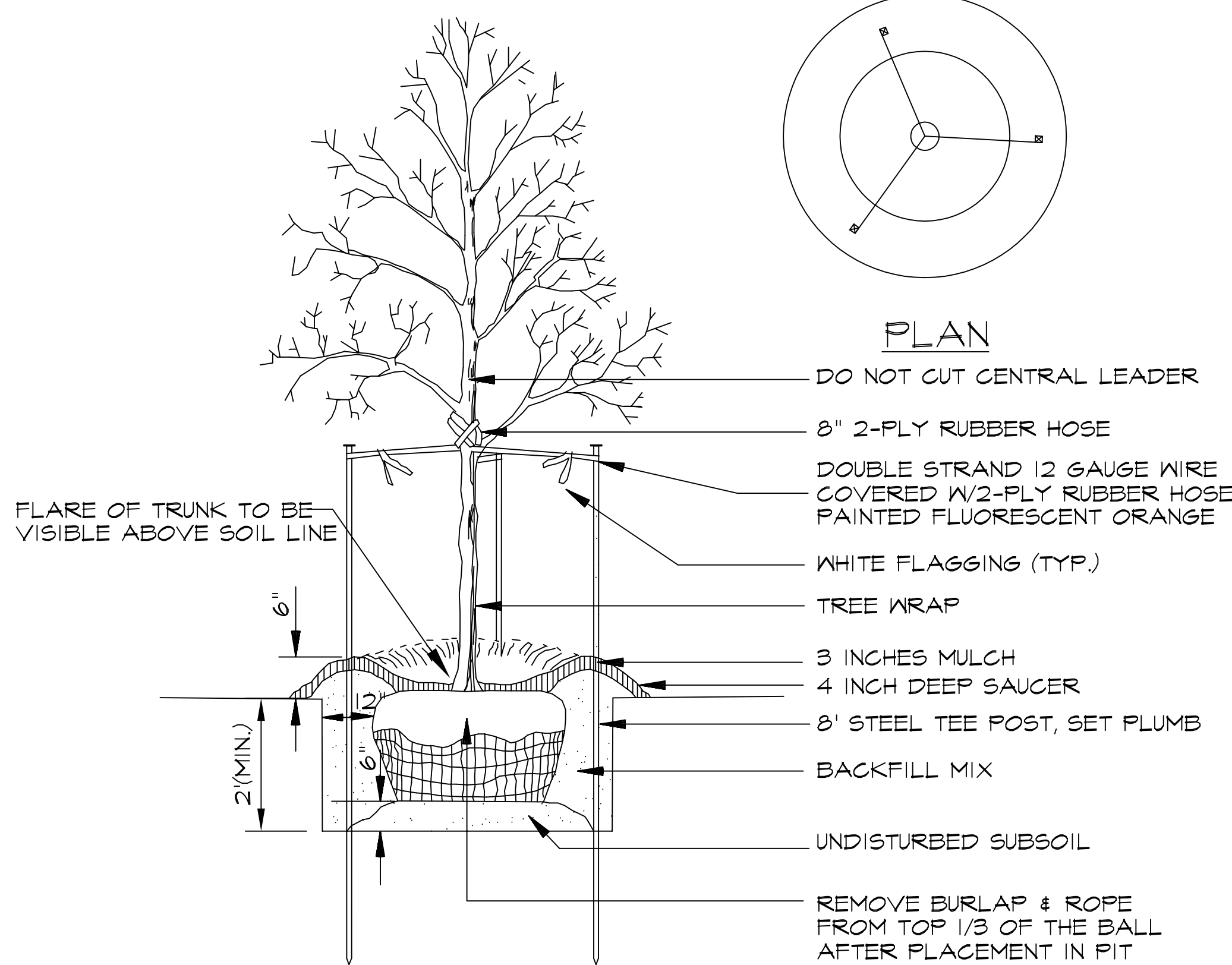
- Topsoil mix for all proposed landscape plantings shall be five (5) parts well-drained screened organic topsoil to one (1) part Canadian sphagnum peat moss as per planting details. Roto-till topsoil mix to a depth of 6" minimum and grade smooth.
- Provide a soil analysis, as requested, made by an independent soil-testing agency outlining the % of organic matter, inorganic matter, deleterious material, pH and mineral content.
- Any foreign topsoil used shall be free of roots, stumps, weeds, brush, stones (larger than 1"), litter or any other extraneous or toxic material. Landscape contractor shall be fully responsible for corrective soil negative soil issues prior to plant installation. Killing and removal of all weeds shall be the responsibility of the landscape contractor as part of this task.
- Landscape contractor to apply pre-emergent herbicide to all planting beds upon completion of planting operations and before application of shredded bark mulch.
- Install siltation controls prior to commencement of any grading operations. Inspect and maintain all siltation fences on a weekly basis until vegetation is established.

TURF:

- All disturbed lawn areas to be seeded with a mixture of Turf-Type fescue (300# per acre) and bluegrass (18# per acre). Lawn areas shall be unconditionally warranted for a period of 40 days from date of final acceptance. Bare areas more than one square foot per any 50 square feet shall be replaced.
- The turf contractor shall be responsible for protection of finished grade; restore and repair any erosion or water damage and obtain owners' approval prior to seeding or sod installation.
- Landscape contractor shall offer an alternate price for sod in lieu of seed. Sod shall be cut at a uniform thickness of 3/4". No broken pieces, irregular pieces or torn pieces will be accepted.
- Any points carrying concentrated water loads and all slopes of 15% or greater shall be sodded.
- All sod shall be placed a maximum of 24 hours after harvesting.
- Recondition existing lawn areas damaged by Contractor's operations including equipment/material storage and movement of vehicles.
- Sod Contractor to ensure sod is placed below sidewalk and all paved area elevations to allow for proper drainage.

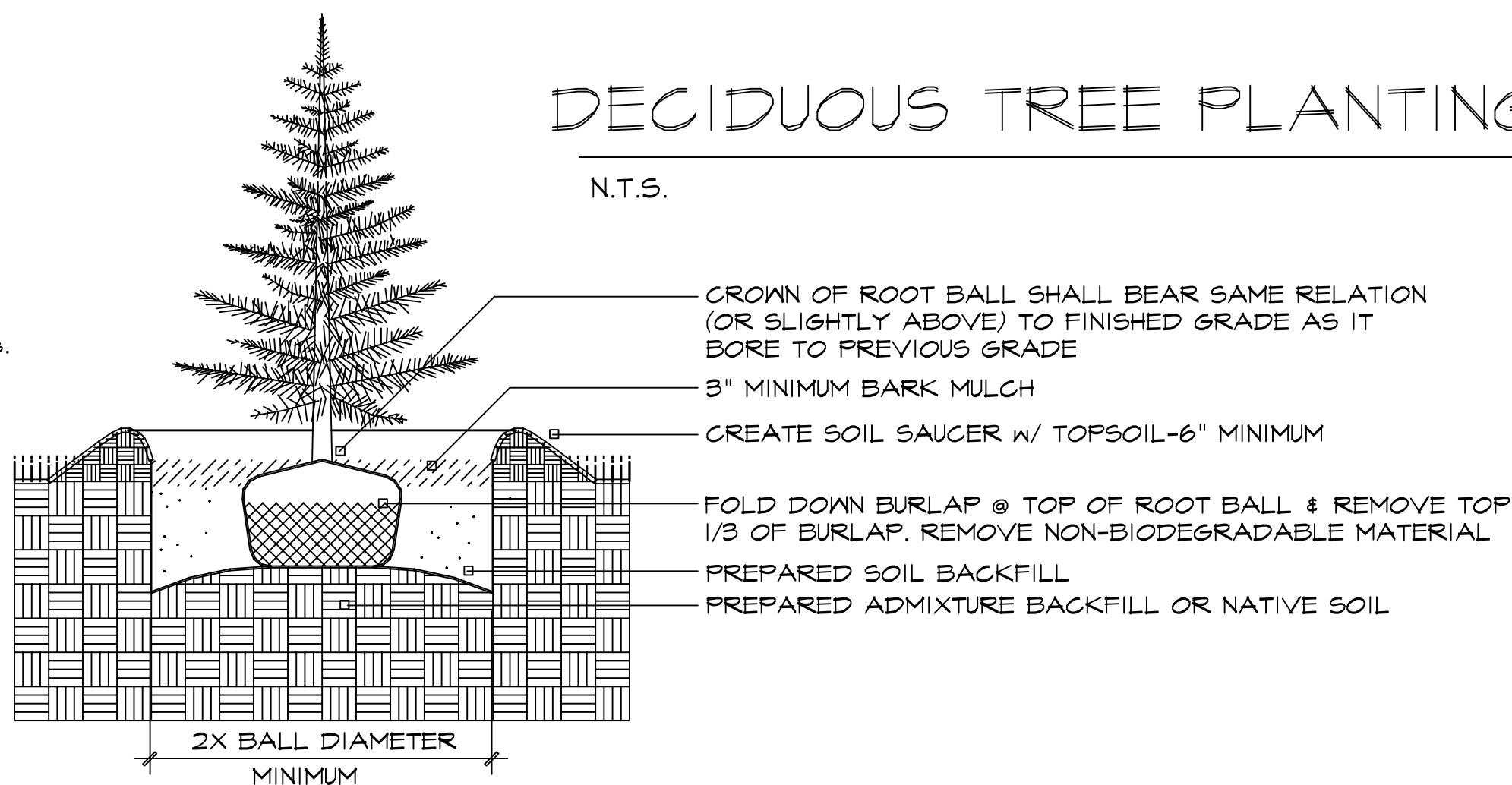
WARRANTY:

- All plant material (excluding ground cover, perennials and annuals) are to be warranted for a period of 12 months after complete installation of all landscape material at 100% of the installed price.
- Any plant material found to be defective shall be removed and replaced within 30 days of notification or in growth season determined to be best for that plant.
- Only one replacement per tree or shrub shall be required at the end of the warranty period, unless loss is due to failure to comply with warranty.
- Lawn establishment period will be in effect once the lawn has been mowed three times. Plant establishment period shall commence on the date of acceptance and 100% completion.



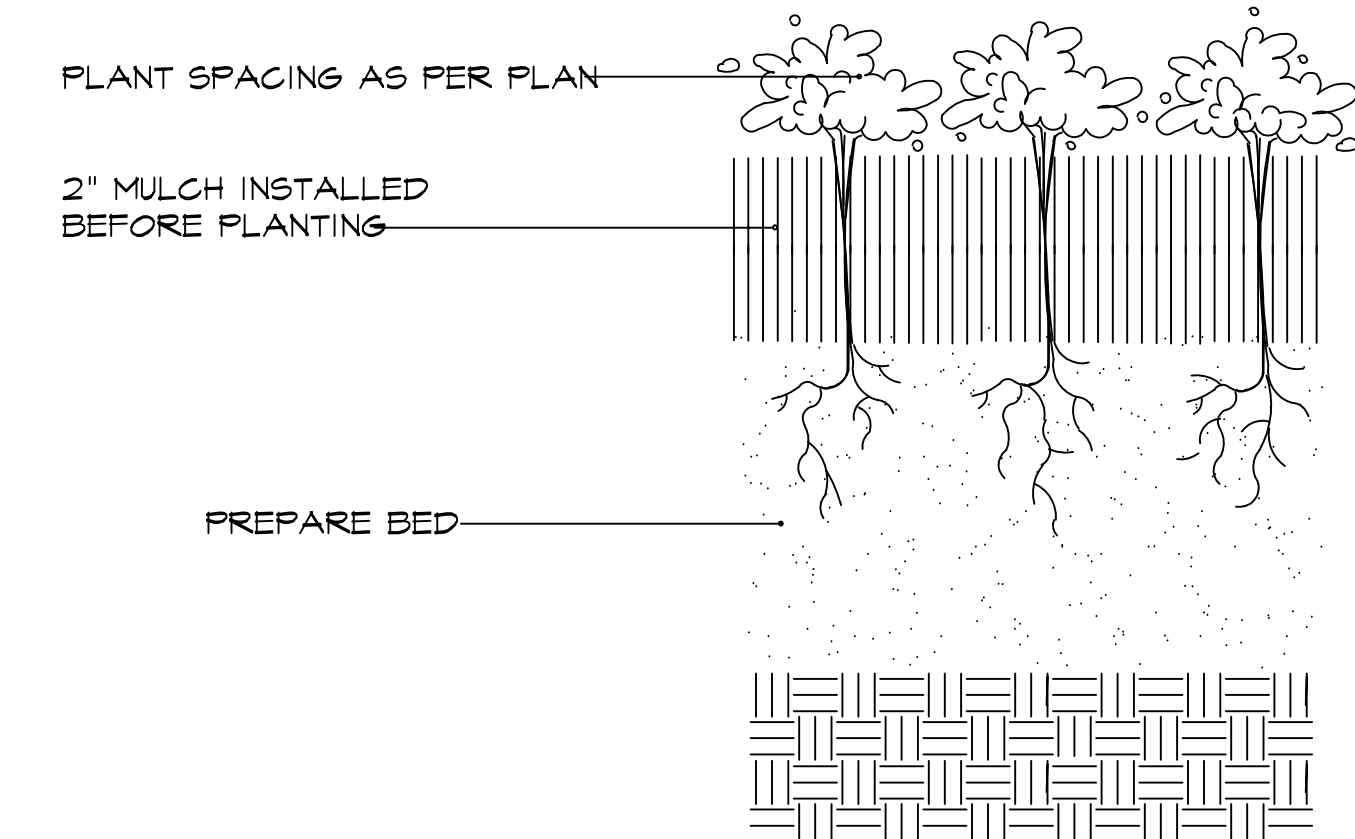
DECIDUOUS TREE PLANTING

N.T.S.



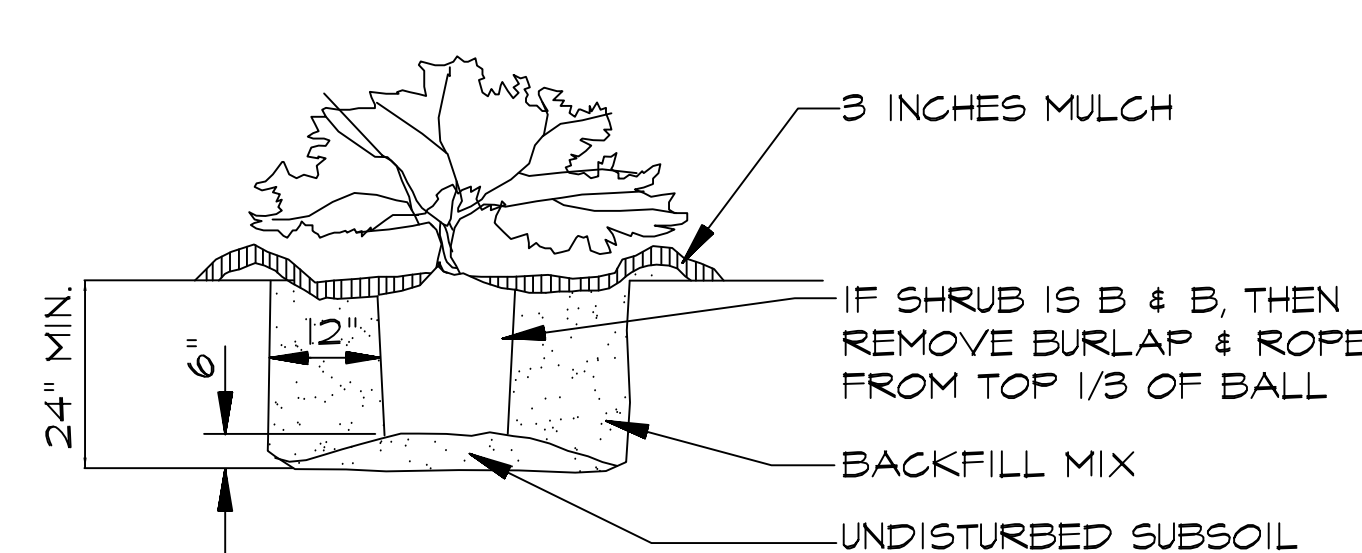
EVERGREEN TREE PLANTING

N.T.S.



PERENNIAL / ANNUAL PLANTING

N.T.S.

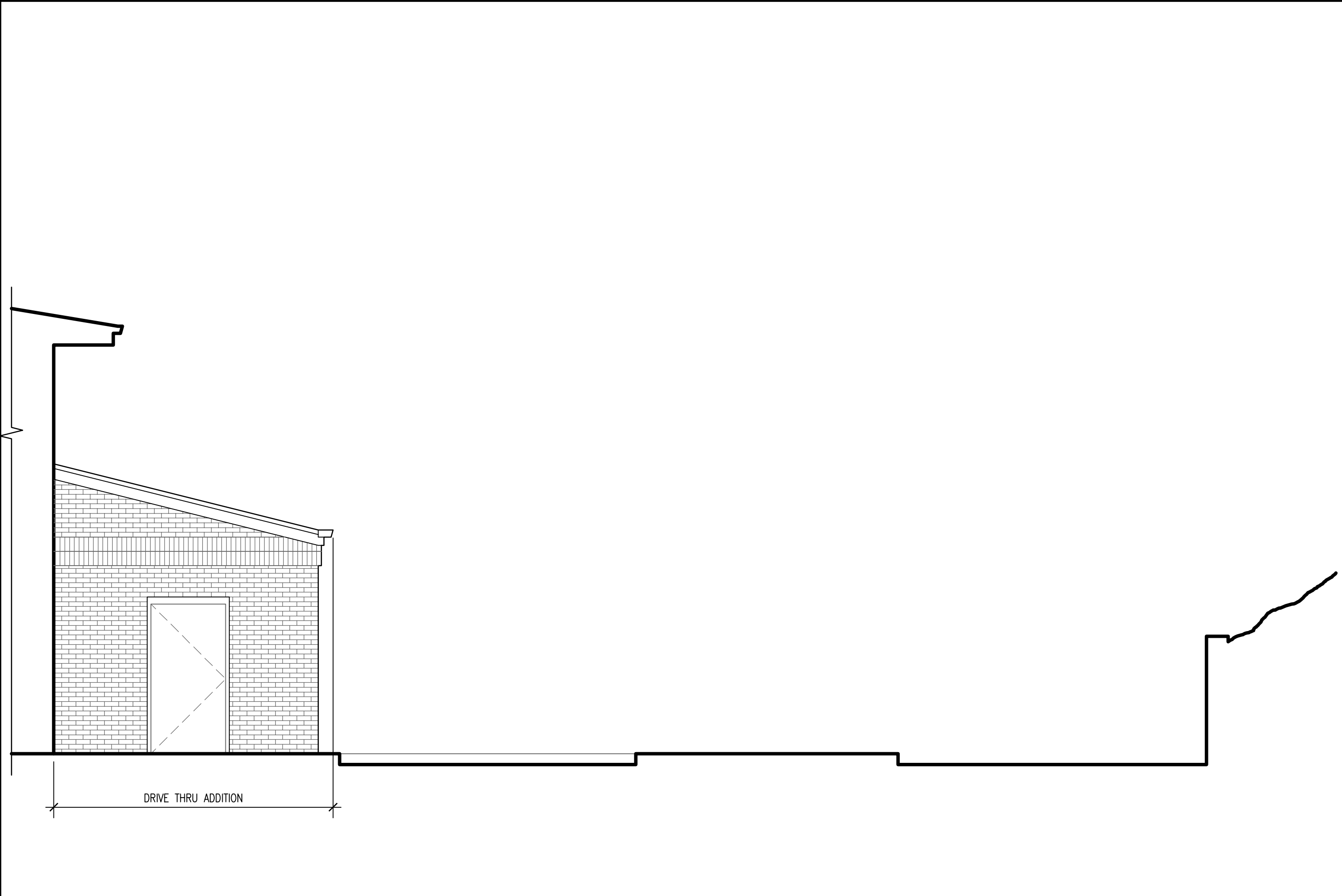


PRUNE ANY BROKEN BRANCHES AFTER PLANTING,

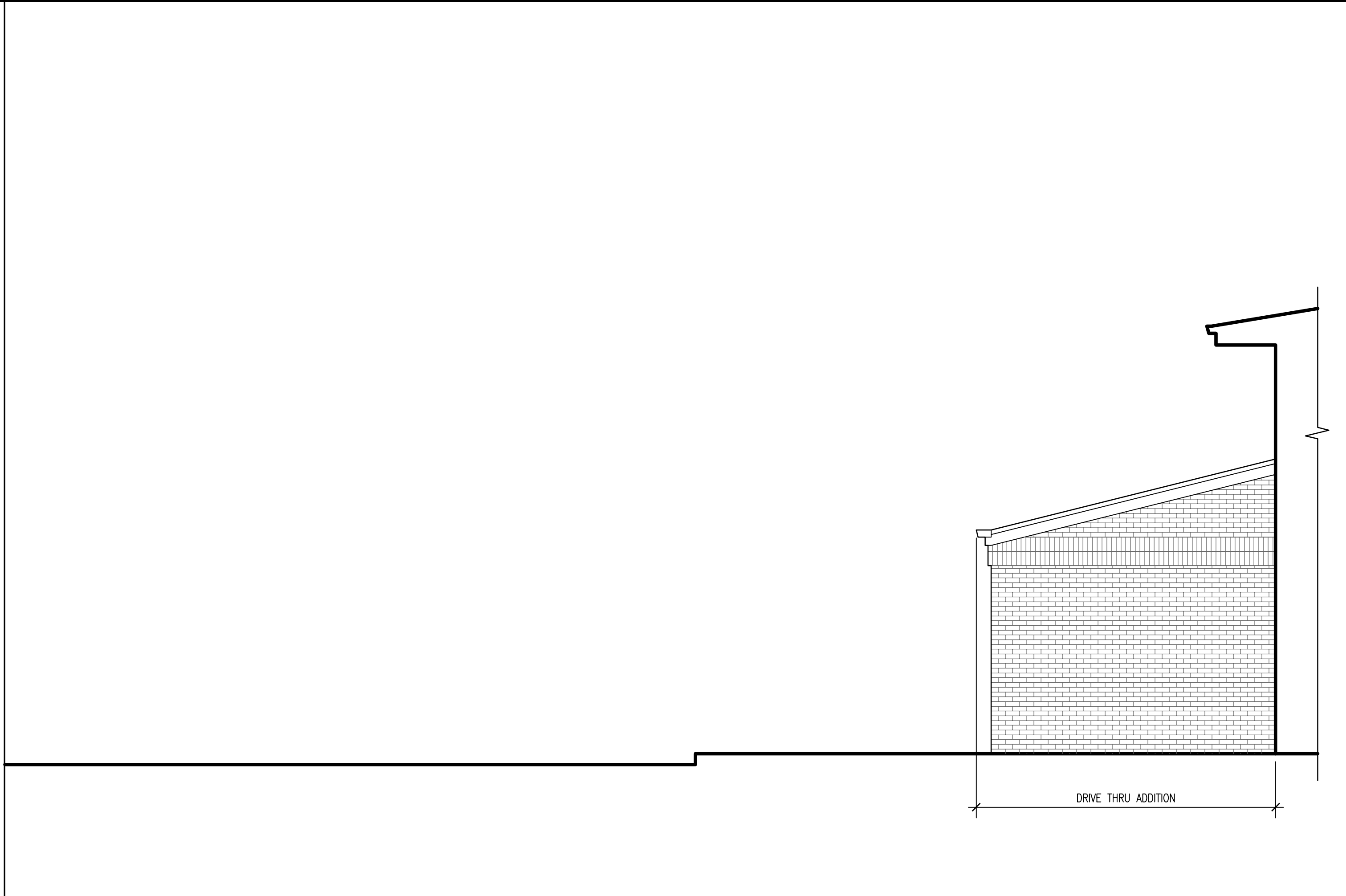
SHRUB PLANTING

N.T.S.

PLANT SCHEDULE				
TREES	QTY	COMMON NAME / BOTANICAL NAME	SIZE	
RPM	1	Redpointe Maple / <i>Acer rubrum</i> 'Frank Jr.'	2.5' Cal	
SAW	3	Sawtooth Oak / <i>Quercus acutissima</i>	2.5' Cal	
EVERGREEN TREES	QTY	COMMON NAME / BOTANICAL NAME	SIZE	
APIN	2	Austrian Pine / <i>Pinus nigra</i>	6'-7'	
GSA	5	Green Giant Arborvitae / <i>Thuja plicata</i> 'Green Giant'	6'-7'	
NS	4	Norway Spruce / <i>Picea abies</i>	6'-7'	
FLOWERING TREES	QTY	COMMON NAME / BOTANICAL NAME	SIZE	
CRCC	3	Canada Red Chokecherry / <i>Prunus virginiana</i> 'Canada Red'	2' Cal	
SERV	1	'Autumn Brilliance' Serviceberry / <i>Amelanchier</i> X <i>grandiflora</i> 'Autumn Brilliance'	2' Cal	
SHRUBS	QTY	COMMON NAME / BOTANICAL NAME	SIZE	
RTD	3	Bailey's Red-twig Dogwood / <i>Cornus sericea</i> 'Cardinal'	5 gal	
BLL	3	Bloomerang Lilac / <i>Syringa</i> x 'Penda'	5 gal	
BGB	6	Bonanza Gold Barberry / <i>Berberis thunbergii</i> 'Bonanza Gold'	5 gal	
DBB	1	Compact Burning Bush / <i>Euonymus alatus</i> 'Compactus'	18"-24"	
DKL	13	Dwarf Korean Lilac / <i>Syringa meyeri</i> 'Palibin'	5 gal	
GCFC	6	Golden Charm False Cypress / <i>Chamaecyparis pisifera filifera</i> 'Golden Charm'	5 gal	
GVB	28	Green Velvet Boxwood / <i>Buxus</i> 'Green Velvet'	5 gal	
LH	3	Limelight Hydrangea / <i>Hydrangea paniculata</i> 'Limelight' TM	5 gal	
BAY	5	Northern Bayberry / <i>Myrica pensylvanica</i>	24"-30"	
POCM	3	Petite Orchid Crape Myrtle / <i>Lagerstroemia indica</i> 'Petite Orchid' TM	24"-30"	
PJ	12	Procrumbens Juniper / <i>Juniperus procumbens</i> 'Nana'	5 gal	
WH	10	Red Sprite Winterberry / <i>Ilex verticillata</i> 'Red Sprite'	5 gal	
RCOT	4	Rock Cotoneaster / <i>Cotoneaster horizontalis</i>	5 gal	
SGJ	6	Sea Green Juniper / <i>Juniperus chinensis</i> 'Sea Green'	18"-24"	
SSH	3	Strawberry Sundae Hydrangea / <i>Hydrangea paniculata</i> 'Strawberry Sundae'	24"-30"	
WSB	18	Winter Gem Boxwood / <i>Buxus microphylla</i> 'Winter Gem'	5 gal	
CLE	12	'Hummingbird' Summersweet / <i>Clethra alnifolia</i> 'Hummingbird'	5 gal	
ANNUALS/PERENNIALS	QTY	COMMON NAME / BOTANICAL NAME	SIZE	
BW	16	Butterfly Milkweed / <i>Asclepias tuberosa</i>	1 gal	
BES	20	Goldsturm Black-eyed Susan / <i>Rudbeckia fulgida</i> 'Goldsturm'	1 gal	
HRD	41	Happy Returns Daylily / <i>Hemerocallis</i> hybrid 'Happy Returns'	1 gal	
PC-M	21	Purple Coneflower / <i>Echinacea purpurea</i> 'Magnus'	1 gal	
RSD	33	Red Stella Daylily / <i>Hemerocallis</i> hybrid 'Red Stella'	1 gal	
VL	37	Variegated Liriope / <i>Liriope muscari</i> 'Variegata'	1 gal	
GRASSES	QTY	COMMON NAME / BOTANICAL NAME	SIZE	
DFG	35	Dwarf Fountain Grass / <i>Pennisetum alopecuroides</i> 'Hameln'	3 gal	
CALA	22	Foerster's Reed Grass / <i>Calamagrostis acutifolia</i> 'Karl Foerster'	5 gal	



22 EXTERIOR ELEVATION - NORTH ADDITION
SCALE: 1/4" = 1'-0"



10 EXTERIOR ELEVATION - EAST ADDITION
SCALE: 1/4" = 1'-0"



24 EXTERIOR ELEVATION - WEST
SCALE: 1/4" = 1'-0"

BAKERY CAFE:
#0607
SYSTEM: G2 (FUN)
PHOTO TYPE UPDATE: 2009-02

DESIGN CONSULTANT:
FREDERICK J. GOGLIA
ARCHITECT
300 CHESAPEAKE BLVD. ST. LOUIS, MO 63103
PH: (314) 437-3400 FAX: (314) 437-3400 www.fjg.com

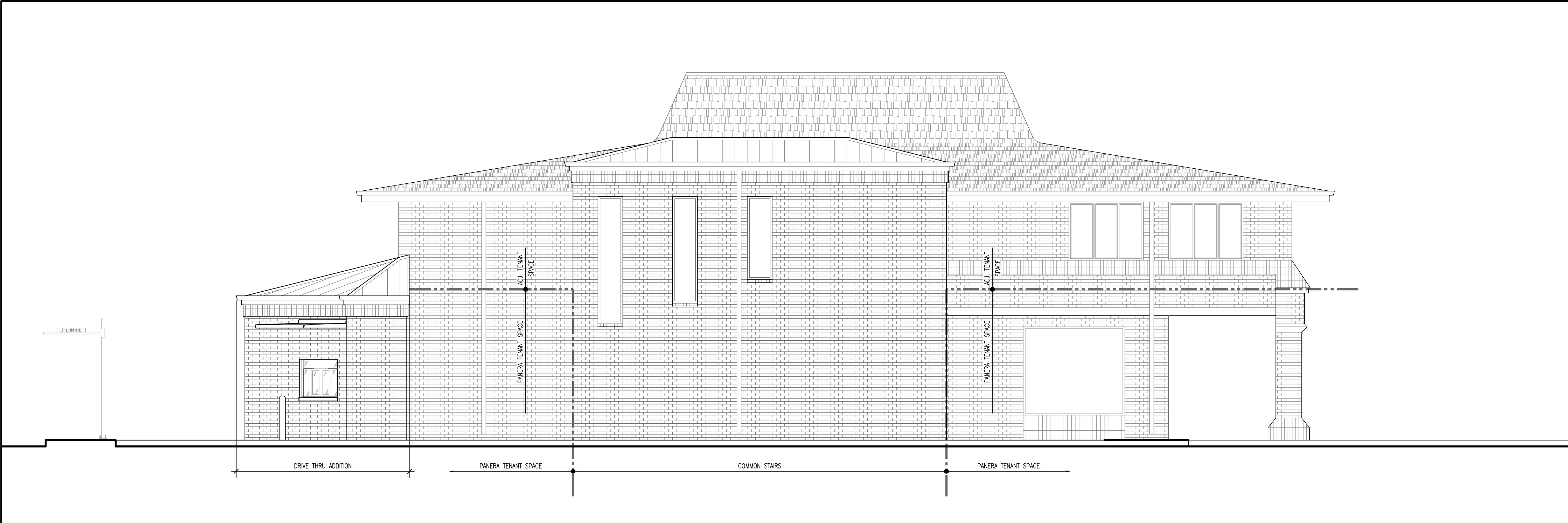
PANERA BREAD BAKERY
CAFE #0607
447 NORTH NEW BALLAS RD.
CREVE COEUR, MO 63141



REVISION

ISSUE DATE: 2015.X.X
PROJECT NUMBER: 100399
DRAWN BY: DJB
DM: Arc Vision
CPM: Mike Brunetto

SHEET NO:
A-5.1
EXTERIOR
ELEVATIONS



22 EXTERIOR ELEVATION - SOUTH
SCALE: 1/4" = 1'-0"



24 EXTERIOR ELEVATION - EAST
SCALE: 1/4" = 1'-0"

BAKERY CAFE:
#0607
SYSTEM: G2 (FUN)
PROTOTYPE UPDATE: 2009-02

DESIGN CONSULTANT:
FREDERICK J. GOGLIA
ARCHITECT
300 CHESAIRE BLVD. ST. LOUIS, MO 63103
PH: (314) 437-9400 FAX: (314) 437-9400
www.fjg.com

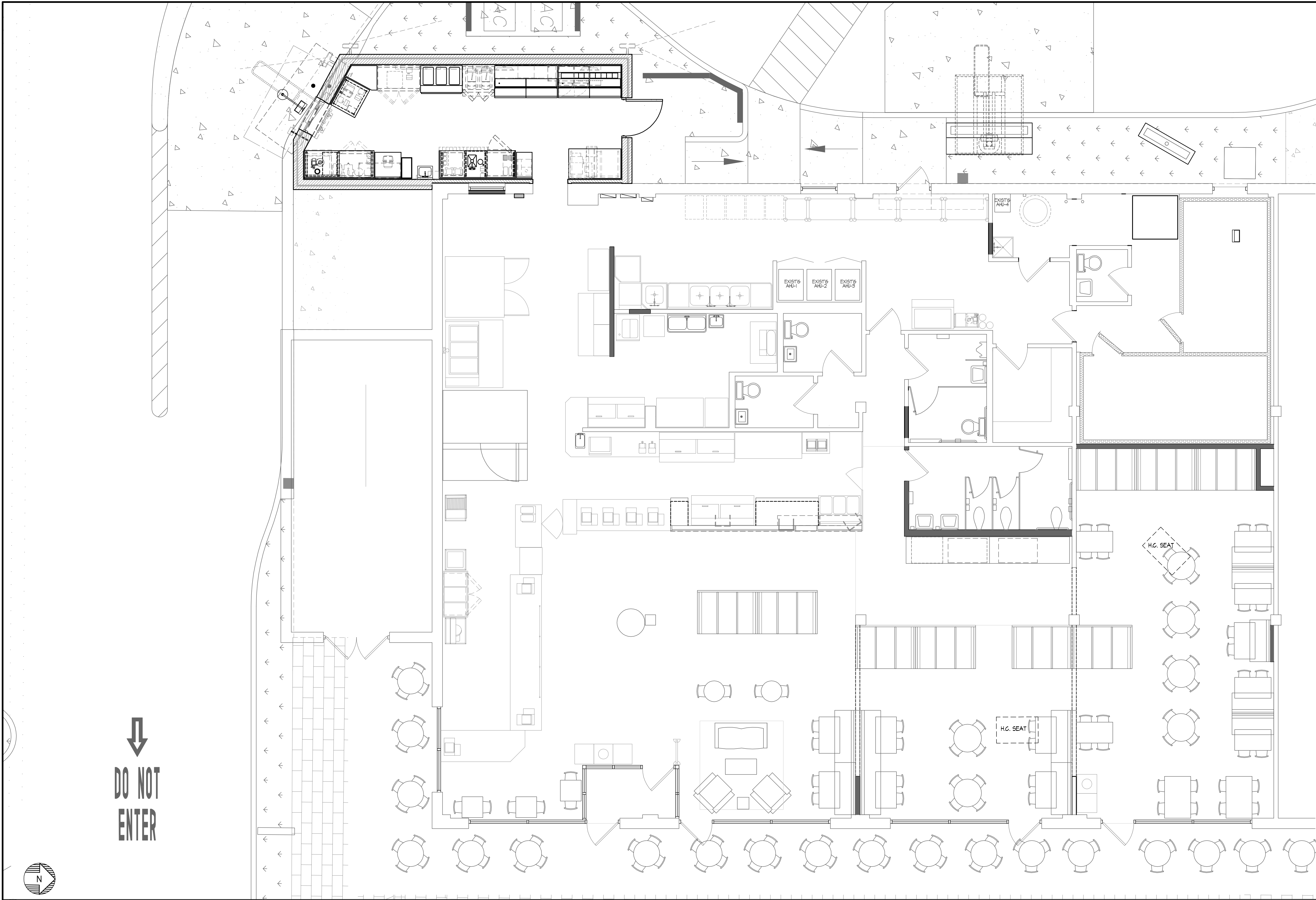
PANERA BREAD BAKERY
CAFE #0607
447 NORTH NEW BALLAS RD.
CREVE COEUR, MO 63141



REVISION

ISSUE DATE: 2015.X.X
PROJECT NUMBER: 100399
DRAWN BY: DJB
DM: Arc Vision
CPM: Mike Brunetto

SHEET NO:
A-5.2
EXTERIOR
ELEVATIONS



BAKERY CAFE:
#0607
SYSTEM: G2 (FUN)
PROTOTYPE UPDATE: 2009-02

DESIGN CONSULTANT:
FREDERICK J. GOGIA
ARCHITECT
1000 CHESAIRE BLVD., SUITE 200
ST. LOUIS, MO 63103
PH: (314) 437-3400 FAX: (314) 437-3400

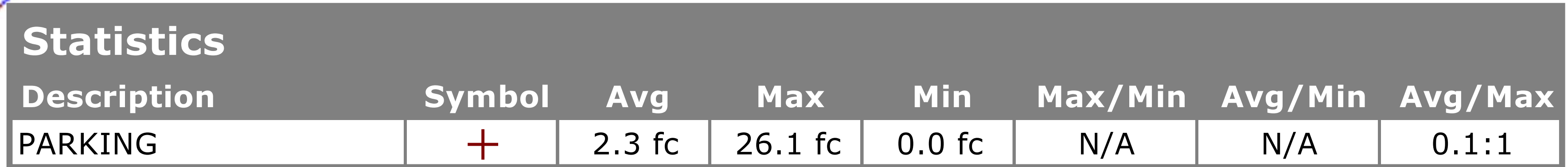
PANERA BREAD BAKERY
CAFE #0607
447 NORTH NEW BALLAS RD.
CREVE COEUR, MO 63141



REVISION

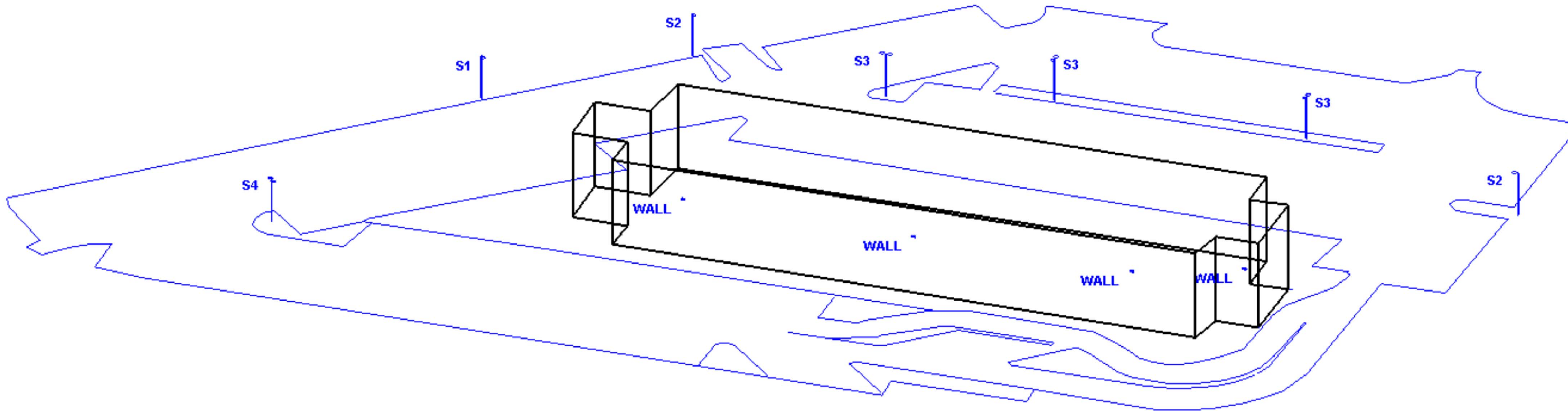
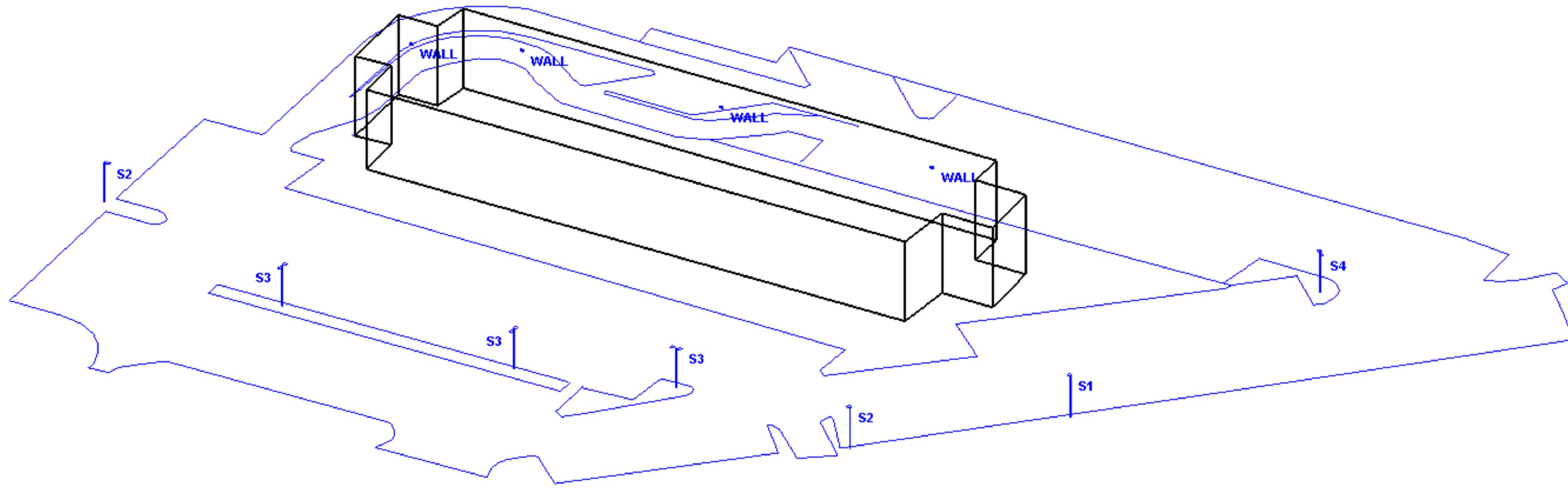
ISSUE DATE: 2015.X.X
PROJECT NUMBER: 100399
DRAWN BY: DJB
DM: Arc Vision
CPM: Mike Brunetto

SHEET NO:
EQ-2.1
FLOOR PLAN
- EQUIPMENT



Designer	NICK KIRN
Date	1/16/2015
Scale	Not to Scale
Drawing No.	
Summary	

Attachment: SLB at Balmoral Plaza - All drawings (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru























McCLURE\EDI ACOUSTICS

December 18, 2014

Via email: 'Mike Brunetto' <Mike.Brunetto@panerabread.com>

Mr. Mike Brunetto
Panera Bread Company
443 N New Ballas Road
Saint Louis, Missouri 63141

Re: St. Louis Bread Company
Balmoral Plaza
Proposed Drive thru Sound Level
McClure Project: 104113d.000

Dear Mr. Brunetto:

McClure/EDI Acoustics has reviewed the property line distance information and the typical sound pressure levels emitted from the proposed order station. We have also visited similar St. Louis Bread Company locations to measure ambient sound and the sound impact of the ordering station. Based on this information, the sound levels at the west property line will be below the Creve Coeur Zoning Ordinance No. 5400 sound control code for both day and night operation and will have negligible impact on the ambient sound in the area. The technology within the order station compensates for the ambient sound resulting in sound levels similar to two people having a conversation in the parking lot.

Measurements

The sound measurement was located on the west property line of the proposed Balmoral Plaza site approximately 55' from the proposed order station in line with the residence. The measurement was conducted from 12:00 am December 9, 2014 to 8:00 am December 12, 2014. The daytime ambient (background) sound measured at the proposed site was 54.5 dBA. See Figure 1 for data.

Shown for each 60 minute interval are Leq, L90, L10. A Larson Davis Model 720 Sound Level Meter (SLM) was used for the measurements. The SLM recorded and stored the following A-weighted quantities for each one hour increments of the measurement period: (1) energy equivalent sound level [Leq], (2) the maximum sound level [Lmax], (3) the sound level exceeded 10% of the time [L10] and (4) the sound level exceeded 90% of the time [L90]. All measurements were A-weighted per ANSI S1.4 and are designated as dBA.

Attachment: Acoustic Study received 3-9-2015 (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)

Mr. Mike Brunetto
December 17, 2014
Page 2 of 4

Early this year a similar sound study was conducted for another St Louis Bread Company Location and data was collected from the same type of intercom system at the Chippewa store. The ambient sound at St. Louis Bread Company on Chippewa was measured from 3:00 pm July 16, 2014 to 1:00 pm July 17, 2014. The daytime ambient sound level was measured at 58.3 dBA. The site was bound by Chippewa and Lansdowne. The monitor was placed approximately 80' from the order station near the dumpster to simulate the Balmoral Plaza monitor location. The measured data is in Figure 2. Note the similarity between the patterns of the sound levels at Balmoral even though one has an order station and the other does not. Chippewa was chosen based on the ordering station being in close proximity to residences.

We placed two additional sound monitors at the Chippewa site from 11:30 am to 2:00 pm July 21, 2014. One monitor was in the same location 80' away from the order station and the other on the property line directly in line with the ordering station about 50' away. The data in Figure 3 indicates the levels are within +/- 1 dB from each other and the typical ambient sound level a majority of the time. The location furthest from the order station did increase about 6 dB a couple of instances over the measurement period while the location closest to the order station only increased 2 to 3 dB at the same times. The slight difference in sound level closest to the order station indicated the order station did not over compensate for the increased ambient sound.

The order station provided by HME has an Automatic Volume Control (AVC) which adjusts the sound level to reduce the level as the ambient sound decreases. The AVC system automatically compensates for the ambient sound and increases the level only enough to overcome the ambient sound, as shown in Figure 3 at the Chippewa location.

Calculations

The Balmoral Plaza site plan provided by Hutkin Development June 4, 2014 indicates the approximate distance from the closest point on the west property line to the order station to be about 50' to the retaining wall. The attached sound data provided by order station manufacturer, HME Electronics, includes maximum sound levels as well as sound levels with the AVC activated. The worst case is calculated to be 45 dBA at the property line and 42 dBA at the home located at Randy Drive. This is based on a maximum output of 84 dBA at 1' from the order station. The order station will employ AVC and typically operates at only 60 dBA at 1' from the order station when the ambient sound level is low. **Based on the manufacturer's data the sound level contribution from the order station with the AVC activated is calculated to be 30 dBA at the property line and 24 dBA at the house. These levels are far below any typical ambient sound.** While the sound levels will typically be somewhere in between 60 and 84 dBA at 1' from the order station, the measured data from Chippewa shows the order station remains as quiet as possible based on the ambient sound of the area.

Mr. Mike Brunetto
December 17, 2014
Page 3 of 4

The Creve Coeur sound code (Ordinance No. 5400) states that the sound level will not exceed 60 dBA at the property line. The sound emitted by the order station is 15 dB or more below this criteria at the property line as well as maximum sound levels.

The test station for the manufacturer's data was 8' in front of a reflective building as is the same for this site condition. We have conducted our own tests to verify the operation of the AVC system. We have now included calculations for both the worst case sound levels as well as typical levels with the AVC system.

Conclusions

The sound level is controlled by traffic sound based on site observations and measured data rather than the ordering station. The data indicated the Automatic Volume Control (AVC) functions well since the ordering station level blends in with the traffic and other ambient sounds.

The calculated sound levels at the south property line will be far below the 60 dBA Creve Coeur sound code and will have insignificant impact on the ambient sound in the area. The technology within the order station compensates for the ambient sound resulting in sound levels similar to two people having a conversation in the parking lot. The property line and the house will experience sound levels from the order station to be less than 45 dBA, sound levels typical of a quiet office or urban environment. As a reference, conversational speech levels are typically 55 to 65 dBA.

Recommendations

The sound from the ordering station and drive-thru is less than the Creve Coeur sound code requires and is below typical ambient traffic sound. No further remediation is required. If so desired, to further reduce the sound we could recommend a couple of options:

1. The canopy over the order station could be treated with perforated metal backed with mineral wool insulation. This would provide some minor acoustical benefit for the order station. It may reduce the overall sound from the automobile about 3 dB. Most of the auto sound comes from engine bay, exhaust, tires and radio. The position of the canopy is not near any of the typical sources other than engine and radio sound.
2. The new proposed fence along the top of the retaining wall will have additional benefit in reducing the sound from the automobile as it makes the turn. It would help with engine sound and tire scrub sound. The benefit to the west property line would only take effect if the sound origination is within 12' of the north side of the fence. The amount of reduction would depend on the construction of the fence. A 6 to 12 dB reduction should be achievable with a thick wood fence 6' high. Automobile sound is typically not a code issue for the business owner or developer as long as the auto is street legal. Another

Mr. Mike Brunetto
December 17, 2014
Page 4 of 4

benefit is the eliminating the line of sight to Balmoral Plaza. Figure 4 is the sound contour without the fence at the maximum sound level of 84 dBA at 1' from speaker and Figure 5 is with the proposed fence.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Gary Brown". The signature is fluid and cursive, with the first name "Gary" and last name "Brown" clearly distinguishable.

Gary Brown

GPB:tbm
cc: David Hutkin <dhutkin@hutkin.com>
Attachments

Attachment: Acoustic Study received 3-9-2015 (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)

**Panera Bread
Property Line Sound Levels
12/9/14 to 12/12/14 - 55 Feet from Proposed Intercom System**

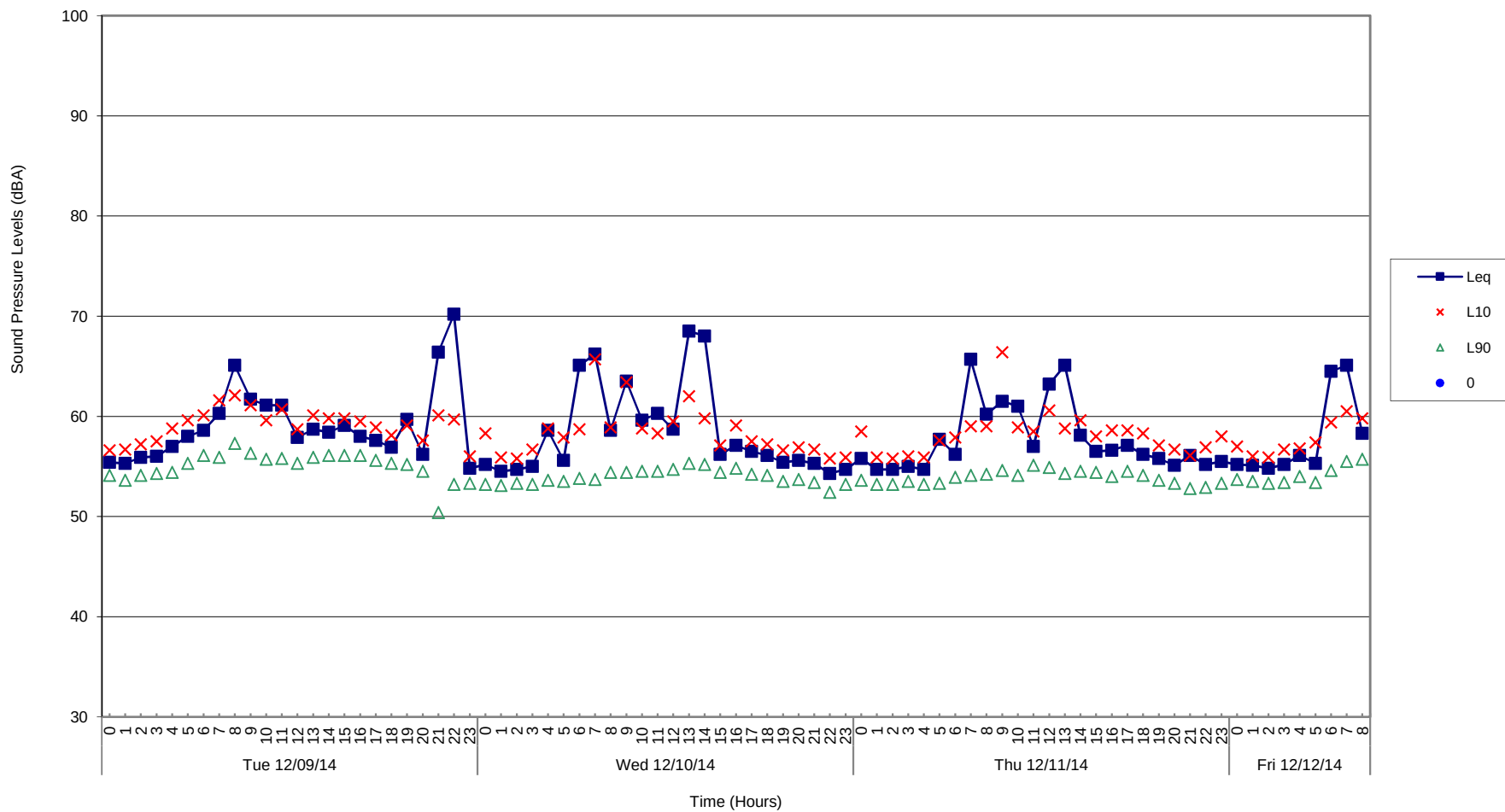
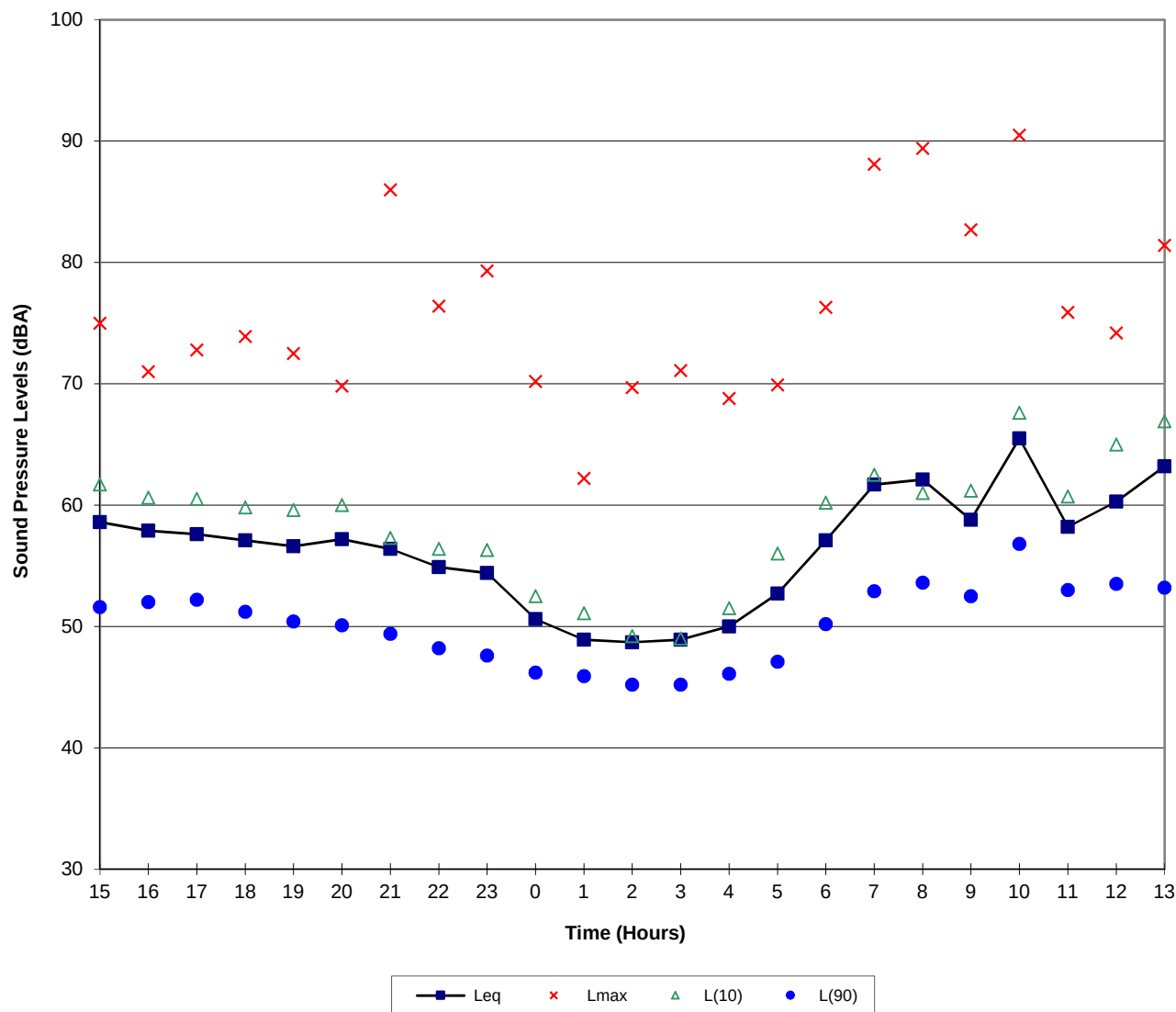


Figure 1



Capitol Land - Panera Bread
Existing Location - Loc 1
July 16, 2014 to July 17, 2014

6607 Chippewa St Louis MO

L/D 720 - 0430

July 16, 2014 at 3 P.M.

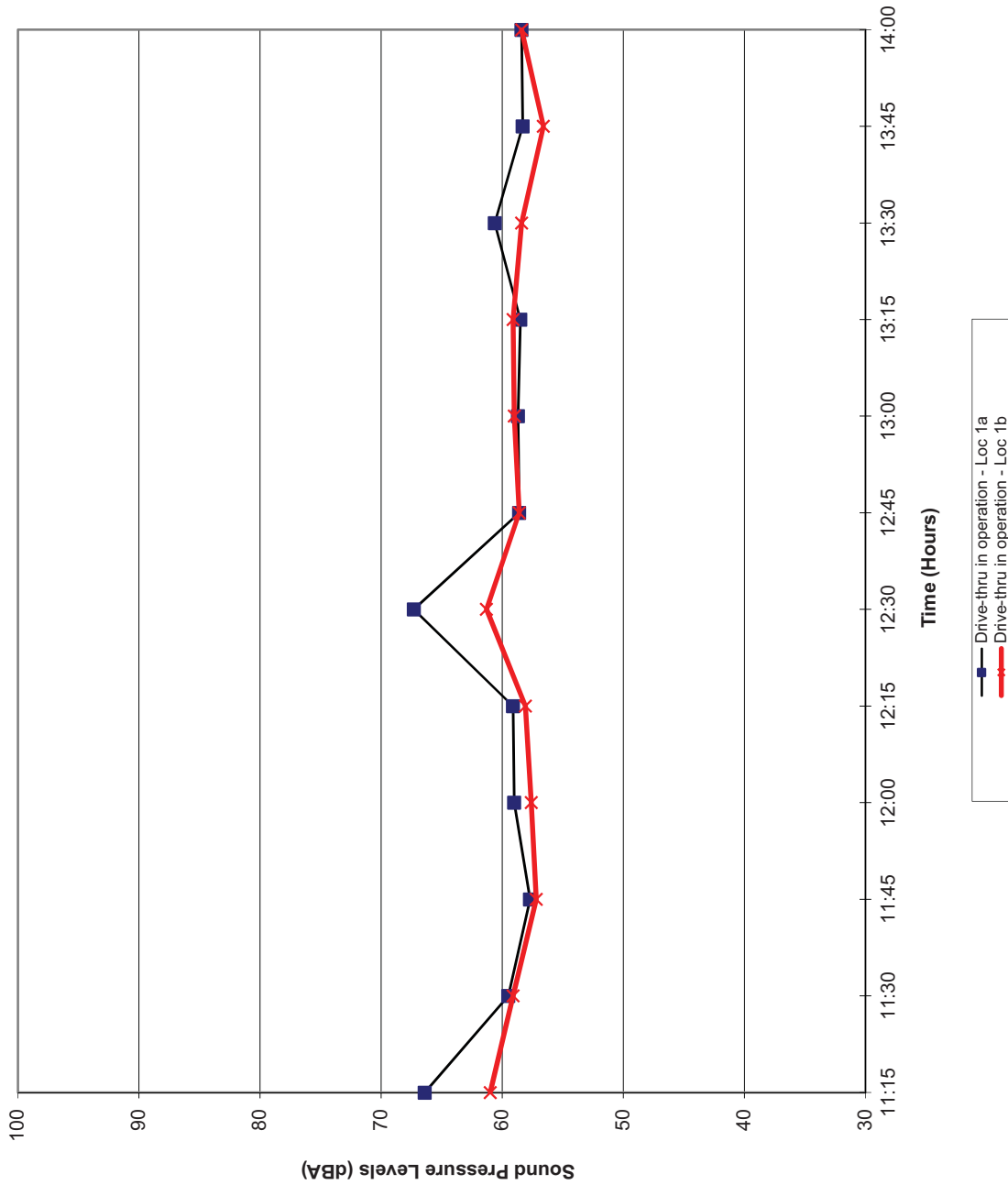
Leq(n) 58.6 dBA
Leq(d) 58.3 dBA
Ldn(24) 65.0 dBA

McClure/EDI Acoustics
St. Louis, Missouri

Figure 2

Capitol Land - Panera Bread

July 21, 2014 11:30am to 2:00pm



Loc 1 vs. Loc 2 15 Min dBA Leq

Location 1:
6607 Chippewa St Louis MO
~ 160 Ft to center of Chippewa
~ 80 to the speaker

Location 2:
Directly in line with Speaker
~50 away at concrete wall

McClure/EDI Acoustics
St. Louis, Missouri

Figure 3

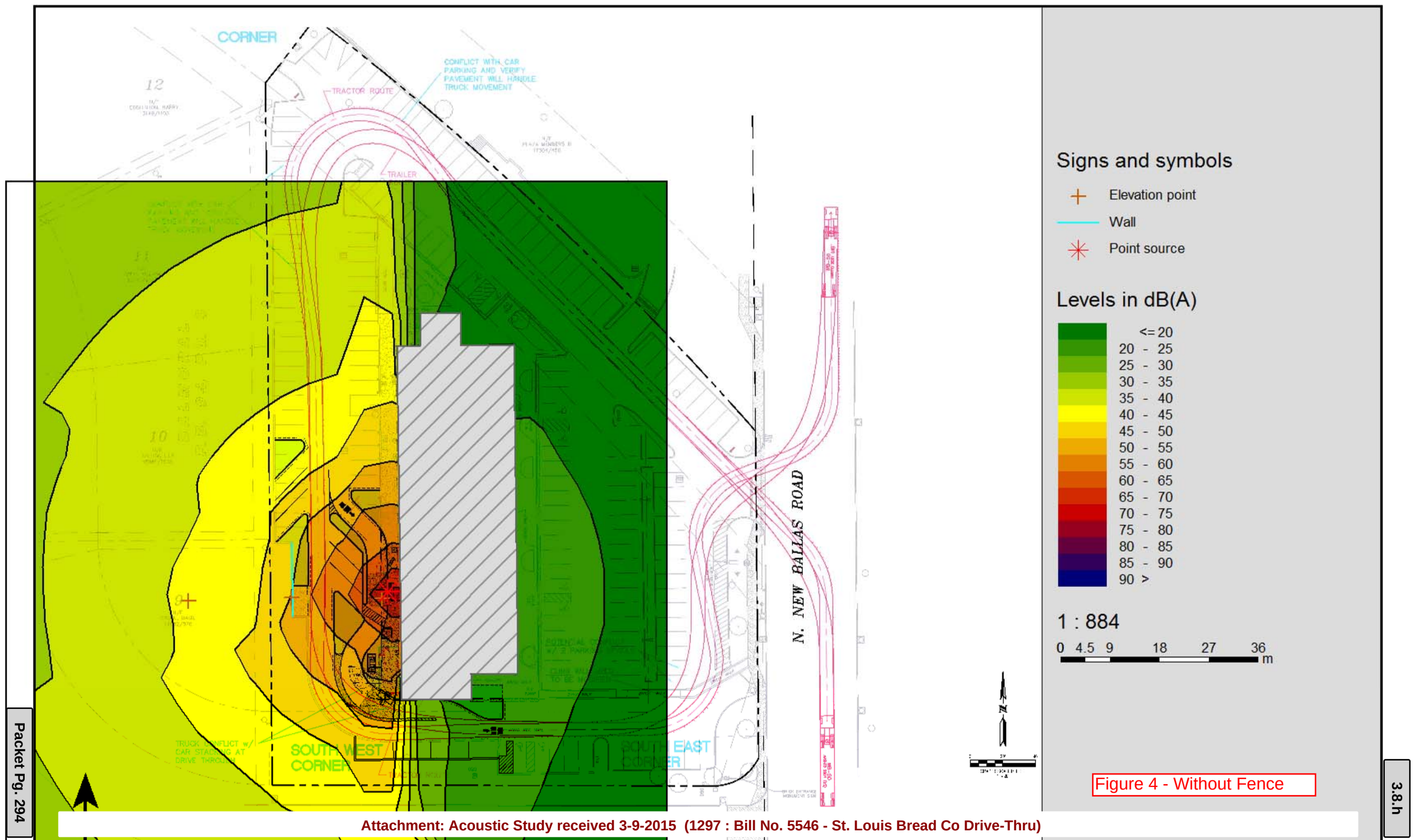
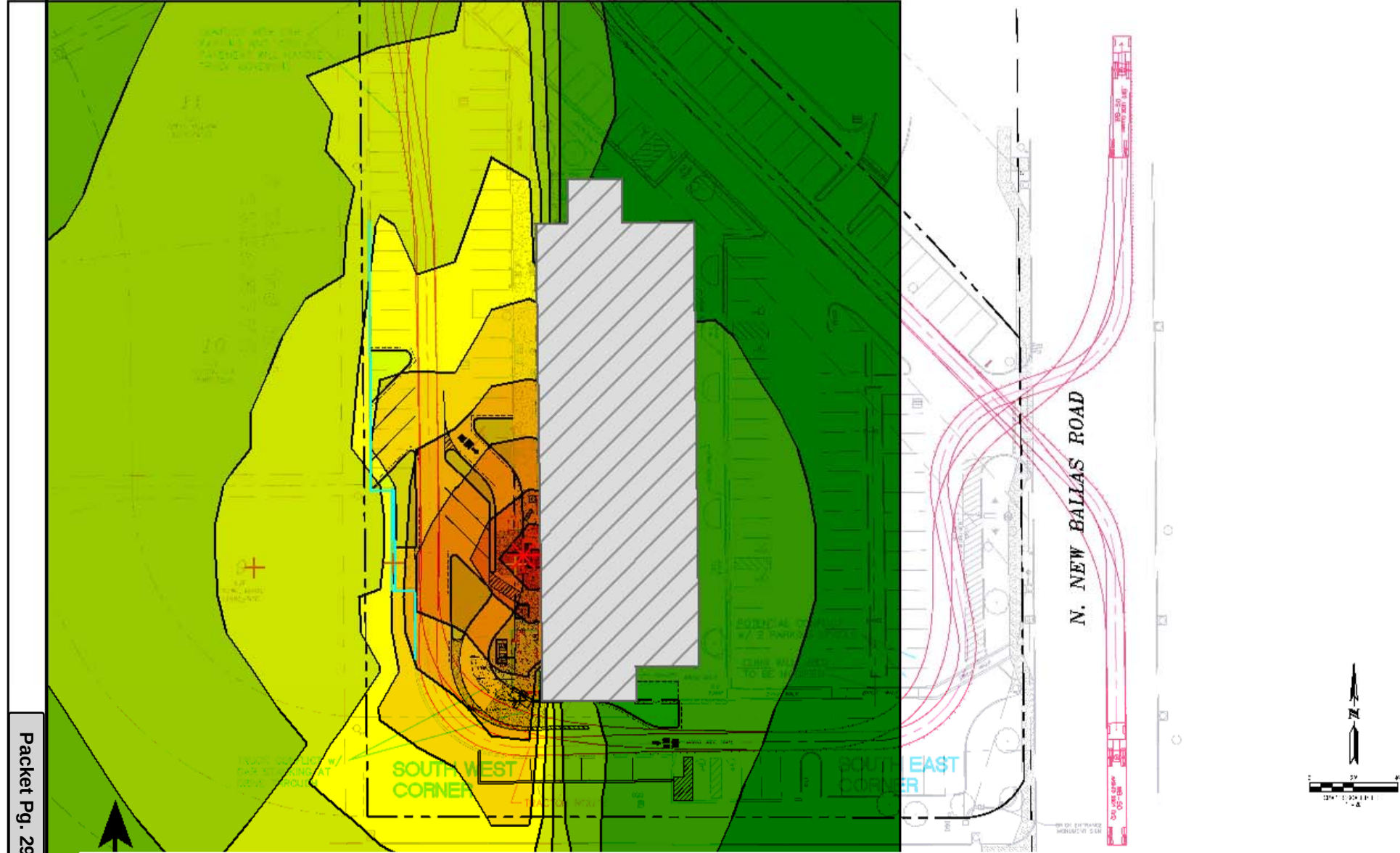


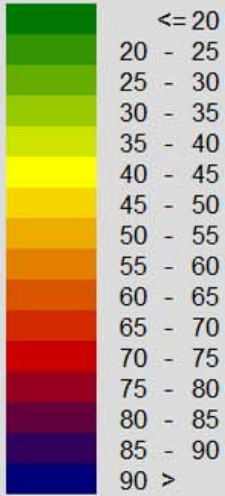
Figure 4 - Without Fence



Signs and symbols

- + Elevation point
- Wall
- * Point source

Levels in dB(A)



1 : 884



Figure 5 - With Fence

Memo

Re: Drive-Thru Sound Pressure Levels From the Menu Board or Speaker Post

The sound pressure levels from the menu board or speaker post are as follows:

1. Sound pressure level (SPL) contours (A weighted) were measured on a typical HME SPP2 speaker post. The test condition was for pink noise set to 84 dBA at 1 foot in front of the speaker. All measurements were conducted outside with the speaker post placed 8 feet from a non-absorbing building wall and at an oblique angle to the wall. These measurements should not be construed to guarantee performance with any particular speaker post in any particular environment. They are typical results obtained under the conditions described above.
2. The SPL levels are presented for different distances from the speaker post:

Distance from the Speaker (Feet)	SPL (dBA)
1 foot	84 dBA
2 feet	78 dBA
4 feet	72 dBA
8 feet	66 dBA
16 feet	60 dBA
32 feet	54 dBA

3. The above levels are based on factory recommended operating levels, which are preset for HME components and represent the optimum level for drive-thru operations in the majority of the installations.

Also, HME incorporates automatic volume control (AVC) into many of our Systems. AVC will adjust the outbound volume based on the outdoor, ambient noise level. When ambient noise levels naturally decrease at night, AVC will reduce the outbound volume on the system. See below for example:

Distance from Outside Speaker	Decibel Level of standard system with 45 dB of outside noise <u>without</u> AVC	Decibel level of standard system with 45 dB of outside noise <u>with</u> AVC active
1 foot	84 dBA	60 dBA
2 feet	78 dBA	54 dBA
4 feet	72 dBA	48 dBA
8 feet	66 dBA	42 dBA
16 feet	60 dBA	36 dBA

If there are any further questions regarding this issue please contact HME customer service at 1-800-848-4468.

Thank you for your interest in HME's products.



December 23, 2014

Mr. Mike Brunetto
Sr. Manager, Special Projects
Panera, LLC
3630 S. Geyer Road, Suite 100
St. Louis, Missouri 63127

Mr. David Hutkin
Hutkin Development Company
10829 Olive Boulevard
Suite 200
St. Louis, Missouri 63141

RE: Drive-Thru Study, Balmoral Plaza
Creve Coeur, Missouri
514-0156-0TE

Dear Gentlemen:

Lochmueller Group has completed the following assessment of traffic conditions pertaining to the proposed addition of a drive-thru facility for the existing St. Louis Bread Company restaurant at Balmoral Plaza in Creve Coeur, Missouri. Balmoral Plaza is a two-story facility with ground floor retail and professional or medical offices on the second floor.

The purpose of this evaluation was to identify the net differences that are anticipated in the site's traffic characteristics as a result of the proposed drive-thru. Specifically, the recently adopted text amendment to the City of Creve Coeur's zoning ordinance stipulates that a study "demonstrate that the drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians accessing or passing the site". Accordingly, this study sought to:

- Determine how much additional traffic would be generated by the addition of the drive-thru;
- Assess the safety and operational impacts of the drive-thru on motorists entering or exiting the site along Ballas Road; and
- Identify anticipated changes in on-site circulation patterns or stacking.

The assessment focused on conditions during the midday peak period (11:00 a.m. to 1:00 p.m.) of a typical weekday, which would be the peak time of operation for the existing restaurant and the proposed drive-thru. If the additional traffic generated by the drive-thru can be accommodated during this peak period, it stands to reason that adequate capacity would be available throughout the remainder of the day.

411 North 10th Street, Suite 200
St. Louis, Missouri 63101
PHONE: 314.621.3395



Existing Operating Conditions at Balmoral Plaza

Balmoral Plaza is located on the west side of Ballas Road between Rocky Drive and Old Ballas Road. It is accessed by a single access drive on Ballas Road, which is located approximately 160 feet to the south of an existing traffic signal that serves the adjacent Atrium Medical Building and several other sites. Additionally, a one-way, cross-access drive is provided that allows motorists exiting Balmoral Plaza to access the signalized intersection in order to turn onto Ballas Road (some motorists were also observed using this cross-access to access Old Ballas Road).

The site has an irregular shape with two parking aisles in the front of the building and one drive aisle around the periphery of the site. Internal traffic tends to be most heavily concentrated in the two rows in the front of the building. Most of the parking aisles are marked with one-way arrows in order (the only exception is the two-way drive aisle along the frontage of the retail space), which is appropriate, though the proposed addition of a drive-thru should provide an opportunity to reinforce those patterns in order to improve on-site circulation.

In order to assess whether the drive-thru would interfere with or influence traffic circulating within or passing the site, it was first necessary to quantify current traffic levels. A manual turning movement count was performed at the site's access drive on Ballas Road during the midday peak period (11:00 a.m. - 1:00 p.m.), from which it was determined that the peak hour of traffic activity occurred from 11:45 a.m. to 12:45 p.m.

Existing turning movement volumes during the midday peak hour are shown in **Figure 1**. As shown, approximately 167 motorists enter the site from Ballas (76 via left turns), while 110 exit directly onto Ballas (48 via left turns). Through movements on Ballas are evenly split at this time of day.

Observations were concurrently made of on-site traffic operations and utilization of the cross-access drive. These observations indicated that roughly as many motorists use the cross-access drive to exit the site as those that turn left directly onto Ballas Road (approximately 48 vehicles during the peak hour).

In order to quantify baseline operating conditions, the driveway on Ballas Road was evaluated using Synchro 7, which is based upon the methodologies outlined in the "Highway Capacity Manual" (HCM) published in 2010 by the Transportation Research Board. The capacity of an intersection is quantified by the Level of Service (LOS), which is based upon the average delay a vehicle incurs at an intersection.

Table 1 summarizes the criterion for unsignalized intersections, as defined in the Highway Capacity Manual. LOS C, which is normally used for highway design, represents a roadway with volumes ranging from 70% to 80% of its capacity, whereas LOS D is considered acceptable during peak periods in urban and suburban areas.

Figure 1: Existing Midday Peak Hour Traffic Volumes – Balmoral Plaza



Table 1: Unsignalized Intersection Level of Service Thresholds

Level of Service	Control Delay per Vehicle (sec/veh)
	Unsignalized
A	0-10
B	> 10-15
C	> 15-25
D	> 25-35
E	> 35-50
F	> 50

The existing operating conditions at the driveway are summarized in **Table 2**. As shown, the intersection operates favorably during the midday peak period with outbound (eastbound) motorists operating at LOS C and inbound (northbound left-turns) operating at LOS A/B.



Table 2: Existing Operating Conditions – Balmoral Plaza Driveway

Intersection/Approach	Midday Peak Hour
Eastbound Approach	C (16.5)
Northbound Left-Turn	A/B (10.0)

Anticipated Impact of the Drive-Thru on Site-Generated Traffic

The field observations at Balmoral Plaza showed that approximately one-half of the site-generated traffic during the midday peak period can be attributed to the existing Saint Louis Bread Company restaurant. This equates to approximately 162 trips (83 in; 79 out), which is consistent with traffic levels observed at other existing Bread Company facilities in the region.

Previous studies completed for Panera were also referenced to identify the influence of a drive-thru on a facility's activity level. These studies indicated that the presence of a drive-thru increases the number of midday transactions (which would correlate with the number of trips that are generated) by approximately 15%.

Moreover, the addition of a drive-thru reduces parking demand by up to 30% as some walk-in customers are converted to drive-thru trips. As a result, it is anticipated that as much as 40% of the restaurant's business could be generated by the drive-thru, which is also commensurate with traffic levels observed at other existing Bread Company facilities with drive-thrus.

By applying this information to Balmoral Plaza, it can be estimated that the Bread Company drive-thru would increase site-generated traffic by approximately 24 trips during the midday peak hour (12 in; 12 out), or less than 1 vehicle every other minute, as shown in **Table 3**.

**Table 3: Balmoral Plaza Trip Generation w/ Bread Co. Drive-Thru
Midday Peak Hour**

	In	Out	Total
Existing Balmoral Plaza - Total	166	158	324
Existing St. Louis Bread Co. (Estimated)	83	79	162
15% Increase from Drive-Thru	12	12	24
Forecasted St. Louis Bread Co - Total	95	91	186
Projected Bread Co Walk-In Trips (~60%)	58	54	112
Projected Bread Co. Drive-Thru Trips (~40%)	37	37	74
Forecasted Balmoral Plaza - Total	178	170	348

As shown, the drive-thru would be expected to generate a very modest 7% increase in the site's overall traffic generation, which could be considered negligible. In fact, even if the drive-thru produced *twice* as much growth as projected, the net increase on site generated traffic would still be relatively insignificant.

The projected increase in site-generated traffic was assigned to the turning movements at the driveway on Ballas Road, as depicted in **Figure 2**. By comparing these movements to the existing volumes in Figure 1, it can be seen that the impact to any one turning movement would be nominal. In particular, left turns into and out of the site during the midday peak hour would only increase by five and four trips, respectively (there would also be proportionate increases in the number of people that use the cross-access drive to turn left at the signalized intersection). Again, even if the drive-thru produced *twice* as much growth as projected, the net increase in these critical turning movements would still be nominal (10 vehicles per hour or less).

Figure 2: Forecasted Midday Peak Hour Traffic Volumes – Balmoral Plaza



Forecasted Operating Conditions at Balmoral Driveway w/ the Drive-Thru

The projected level of increase in turning movements onto or off of Ballas Road would not be expected to have a perceptible impact. In fact, the capacity analyses were repeated using the forecasted volumes, as summarized in **Table 4**, which indicated that there would be negligible increases in delay and no change in Level of Service for the critical movements. Hence, it can be reasoned that the proposed drive-thru would have no adverse impact on external operating conditions and would not be hazardous to motorists accessing or passing the site.



Table 4: Forecasted Operating Conditions w/ Drive-Thru – Balmoral Plaza Driveway

Intersection/Approach	Midday Peak Hour
Eastbound Approach	C (17.1)
Northbound Left-Turn	A/B (10.1)

As shown, left turns into or out of the site would continue to have favorable operating conditions. That said, it must be acknowledged that left turns out of the site can sometimes be challenging as motorists must await a gap in both directions of flow. However, motorists have the option of diverting to the signalized intersection via the cross-access drive and, based on the operating conditions, there would not appear to be justification for turning restrictions of any kind unless there is a significant crash history at this location.

It is our understanding that staff will review crash statistics provided by the police department, but these conclusions would likely stand unless there is a compelling connection between the left turns and a history of safety problems. Moreover, given the nominal increase in turning movements, safety conditions should not be exacerbated by the proposed drive-thru.

Anticipated Impact of the Drive-Thru on Site Circulation and Parking

The drive-thru pick-up window would be located on southwest corner of the building with the drive-thru's storage, order board and menu boards located to the rear of the building. In keeping with the City's drive-thru ordinance, the drive-thru lane must provide stacking for ten vehicles, excluding storage at the pick-up window. Two menu boards would be provided in advance of the order board, thereby affording motorists the opportunity to exit the drive-thru via a bypass lane (a.k.a., escape lane) before entering the queue for orders and pick-up.

It should be noted that a continuous bypass lane was not deemed necessary for this site. In fact, given the drive-thru window's location, it would be undesirable to accommodate merging around the corner of the building that would be unexpected by circulating motorists. Instead, customers would have an escape opportunity after the initial menu board (two menu boards are proposed, including one in advance of the drive-thru entrance before customers would enter the segregated queue). The drive-thru lane and bypass lane would be merged together downstream from the pick-up window.

The drive-thru would actually be expected to have a positive influence on internal circulatory patterns. Specifically, approximately 50 midday trips (25 in; 25 out) would be removed from the parking aisles in front of the building where on-site traffic is most heavily concentrated. Instead, those motorists would be shifted to the peripheral drive aisles, which would also be used by new drive-thru customers (12 in; 12 out).

In addition, the presence of the drive-thru - in combination with proposed circulatory changes which will be discussed below - would be expected to deter some motorists from circulating around the building. The only motorists that would be expected to use the bypass lane (aside from drive-thru customers that change their minds) would be those parked in the rear of the building (primarily employees or medical office patients). Hence, circulatory flows in the back of the building would be relatively light with the exception of the drive-thru customers, thereby minimizing the potential for interference.



Recommended Enhancements to Accommodate the Drive-Thru

Conditions on the site were reviewed to identify existing or potential conflict points between the drive-thru and site circulation. It was concluded that the existing one-way circulatory pattern should be reinforced throughout most (but not all) of the site in order to improve on-site circulation and to prevent interference. The recommended circulatory patterns are reflected by **Figure 3**.

In order to reinforce these patterns, improve traffic flow and mitigate the impact of the drive-thru, a number of enhancements (primarily consisting of pavement markings) or site plan modifications are recommended, as depicted by **Figure 4** and described below:

1. Entrance to the Site from Ballas Road

Issue: Many inbound motorists (approximately 10-15% of entering trips) make an immediate left turn into the first parking aisle despite its intended one-way flow in the opposite direction. The drive-thru could increase the level of peripheral traffic that would conflict with those wrong-way movements.

Recommendation: Add a striped median and a turn arrow in the entrance to guide motorist to the right. The pavement markings should be further enhanced to include a "yield line" (striping) for northbound traffic in the first parking aisle, thereby delineating right-of-way to inbound trips over those circulating within the site.

2. Northernmost Drive Aisle Between Ballas Road and the Cross-Access Drive

Issue: The drive aisle is intended to be one-way inbound to avoid conflicts with motorists entering from Ballas Road, but it's width tends to invite two-way traffic, so some drivers were observed using this aisle to exit the site (rather than circulating through the parking lot).

Recommendation: Add diagonal hatching to effectively narrow the drive aisle and passively enforce one way flow while still accommodating parking maneuvers into or out of the adjacent spaces. In addition, another directional arrow (pavement marking) should be placed in the drive aisle and a "Do Not Enter" sign should be installed on the near (right-hand) side of the drive aisle.

3. Drive Aisle on the North Side of Building

Issue: This drive aisle is currently striped for one-way (counter-clockwise) traffic flow, though it is sometimes used by drivers for two-way flow.

Recommendation: Two-way flow is advocated between the cross-access drive and the rear parking aisle in order to encourage the use of the signalized access to Ballas and also to minimize the volume of traffic that would be forced to circulate around the building (and the drive-thru). Therefore, it is recommended that two-way arrows be added at either end of the drive aisle. There is sufficient aisle/bay width to accommodate two-way circulation per City Code, and the addition of the drive-thru should not have a meaningful impact on this section of the property.

It is also recommended that striping be added at the intersection of this drive aisle with the cross-access drive and the parking aisle along the front of the building. These pavement markings, which would include a short centerline, striped stop lines (on the northbound and eastbound approaches)



and supplemental arrows (northbound, eastbound and westbound), will reinforce the intended patterns, help delineate right-of-way, and reduce the likelihood of conflicts.

4. Drive Aisle on the West Side of Building

Issue: The introduction of the drive-thru will preclude the potential for two-way traffic flow in the rear (western side) of the building. This drive aisle is already marked for one-way traffic, but this pattern should be reinforced to avoid conflicts with motorists entering the drive-thru.

Recommendation: Reinforce one-way traffic flow in the rear drive aisle by adding additional pavement marking arrows.

5. Parking Adjacent to the Drive-Thru Stacking

Issue: As previously noted, the drive-thru will provide stacking for ten vehicles, excluding the space at the pick-up window but including those stored between the pick-up window and the order board. Some of the stacking behind the order board will overlap with some of the perpendicular parking located along the rear of the building.

Based on observations of other existing Bread Co. facilities, queues in the drive-thru would typically average 4-5 vehicles, which would be confined to the protected area of the stacking lane (and would not overlap with the adjacent parking stalls). However, it is anticipated that this location may realize maximum queues of up to 10 vehicles during the busiest 15-30 minutes of the lunch peak, thereby briefly obstructing four or more of the adjacent parking stalls.

Recommendation: It is recommended that the adjacent parking stalls be reserved (via pavement markings) for employees, thereby reducing the turnover on those spaces, particularly during peak periods. It should be acknowledged that it does not appear prudent to remove any of those spaces given the lack of surplus parking.

6. Delivery Trucks in Rear of Building

Issue: Some delivery trucks currently use the rear drive aisle for deliveries, which could be in conflict with peak period drive-thru operations.

Recommendation: It will be necessary to develop delivery restrictions or accommodations for the tenants. In particular, deliveries (for all tenants) should be prohibited during the midday peak (11:30 a.m. to 1:30 p.m.) unless accommodations can be provided elsewhere on the site. During non-peak periods, delivery trucks could be staged at the far north end of the rear drive aisle. This would not interfere with the drive-thru, but some parking spaces would be temporarily obstructed, though that is consistent with current operational practices.

7. Merger of Drive-Thru and Bypass Lane

Issue: Staff expressed concerns about the potential for interference or confusion associated with the convergence of movements at the drive-thru exit. Specifically, the current plan proposes a curb bulb to delineate the merge between the drive-thru lane and the bypass lane in an area that would also be used to accommodate parking maneuvers (into or out of the parallel spaces adjoining the bypass lane or the perpendicular parking at the end of the merge).



It should be noted that activity levels in the southwest corner of the property should be relatively modest (during the midday peak, there would be approximately 35-45 trips through the drive-thru and an estimated 20-30 trips in the bypass lane). Nevertheless, it would be prudent to provide more space than the 13-foot wide bypass lane to accommodate all of the potential maneuvers in this area without interference.

Recommendation: Given the relatively low volumes in the drive-thru and bypass lane, a "controlled" merge should not be necessary. By reducing the size of the proposed curb bulb, motorists in the drive-thru should be able to pull forward and merge into the drive aisle without conflict (this arrangement is typical of most drive-thru restaurants). The combined width of the drive-thru and bypass lane (approximately 23 feet) would also better facilitate parking maneuvers in the immediate area.

In addition, to provide additional buffer between the drive-thru, the bypass lane and parking maneuvers, it is recommended that one of the parallel parking spaces (the easternmost one closest to the merge point) and one of the perpendicular spaces (the westernmost one closest to the merge point) be eliminated.

Some of the perpendicular spaces may also be angled in order to allow parking maneuvers that would require less aisle width. The remaining perpendicular spaces should also be restriped to shift the two handicapped parking spaces to the east end of the parking row (rather than the west), thereby making them accessible from the two-way parking aisle in front of the building. Finally, a left-turn arrow should be added at the end of the parking aisle to discourage motorists from turning in the wrong direction into the drive-thru exit.

CONCLUSIONS

Lochmueller Group completed an assessment of the proposed addition of a drive-thru facility for the existing St. Louis Bread Company restaurant at Balmoral Plaza in Creve Coeur. Based on the preceding discussion, it may be concluded that the drive-thru facilities shall not interfere with site circulation or be hazardous to motorists accessing or passing the site. In fact, anticipated changes to circulatory patterns and recommended enhancements to the on-site circulation (via pavement markings) will likely improve conditions.

Following are the principal findings from this evaluation:

1. The proposed addition of a drive-thru is expected to increase Saint Louis Bread Company's traffic volumes by approximately 15%, resulting in only 24 additional trips being attracted to the site during the midday peak hour. Additional drive-thru volume would be realized as some existing in-store trips would be converted to drive-thru trips (Bread Company's on-site parking demands could be reduced by as much as 30%). As a result, the drive-thru would be expected to serve approximately 37 motorists during the peak hour.
2. The drive-thru would produce nominal increases in the number of turning movements into or out of the site from Ballas Road. Operating conditions for site's driveway would remain favorable with negligible increases in delay, so the drive-thru would not be hazardous to motorists accessing or passing the site.

Mr. Mike Brunetto & Mr. David Hutkin
 December 23, 2014
 Page 10



3. The presence of the drive-thru may actually reduce circulation in the front of the site where on-site traffic is most heavily concentrated. Instead, those motorists would be shifted to the peripheral drive aisles along with the new drive-thru customers.
4. The existing one-way, counter-clockwise circulatory pattern should be reinforced throughout most of the site to improve on-site circulation and prevent interference. It is therefore recommended that supplemental pavement markings be installed at several locations to optimize circulation patterns:
 - a. Provide a striped island and turn arrow in the entrance from Ballas Road to guide motorists to their right. In addition, a "yield line" (striped) should be provided for northbound traffic in the adjacent parking aisle.
 - b. Provide diagonal hatching in the north drive aisle between Ballas Road and the cross-access drive to promote one-way (inbound) flow. In addition, additional directional arrows and a "Do Not Enter" sign should be installed on the east leg of the internal intersection.
 - c. Provide two-way directional arrows between the cross-access drive and the rear parking aisle. Also provide centerline striping, stop lines (striped on the northbound and eastbound approaches) and supplemental arrows (northbound, eastbound and westbound) on the other legs of the internal intersection to delineate right-of-way and reduce the likelihood of conflicts.
 - d. Reinforce one-way traffic flow in the rear drive aisle with the drive-thru stacking by adding additional pavement marking arrows. In addition, it is recommended that parking stalls adjoining the drive-thru stack be restricted for employee use and that delivery restrictions be developed to prevent interference during the midday peak period.
 - e. Finally, the site plan should be modified to eliminate potential conflicts or interference between the drive-thru exit, the bypass lane and the adjacent parking stalls. Specifically, it is recommended that the proposed curb bulb be reduced or eliminated and that one parallel and one perpendicular space be eliminated.

Should you have any questions or comments regarding this information, please do not hesitate to contact me or Ms. Lauren Delaney.

Sincerely,
Lochmueller Group, Inc.

A handwritten signature in black ink that reads "Douglas S. Shatto".

Douglas S. Shatto, P.E., PTOE
 Branch Manager / Transportation Services Manager

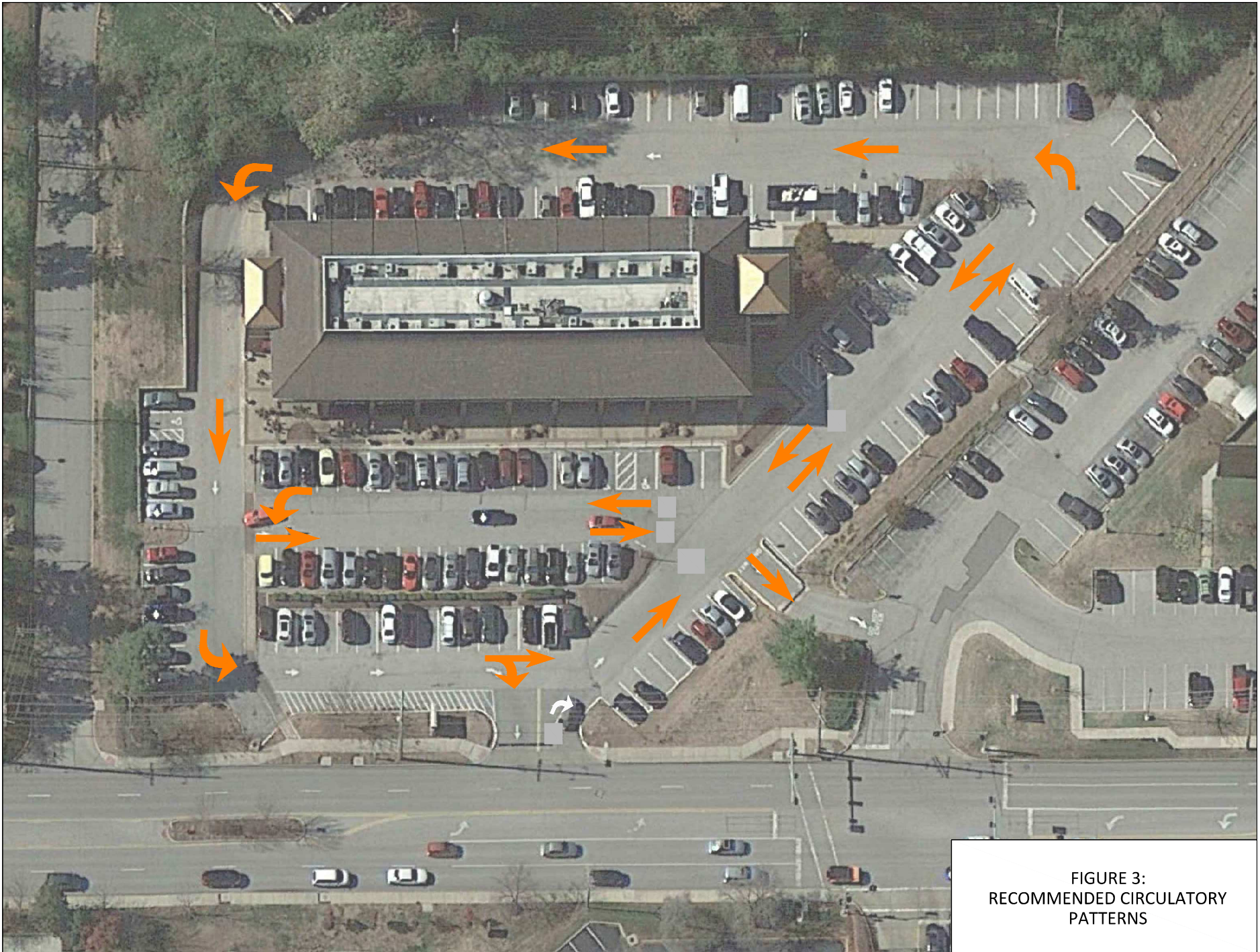
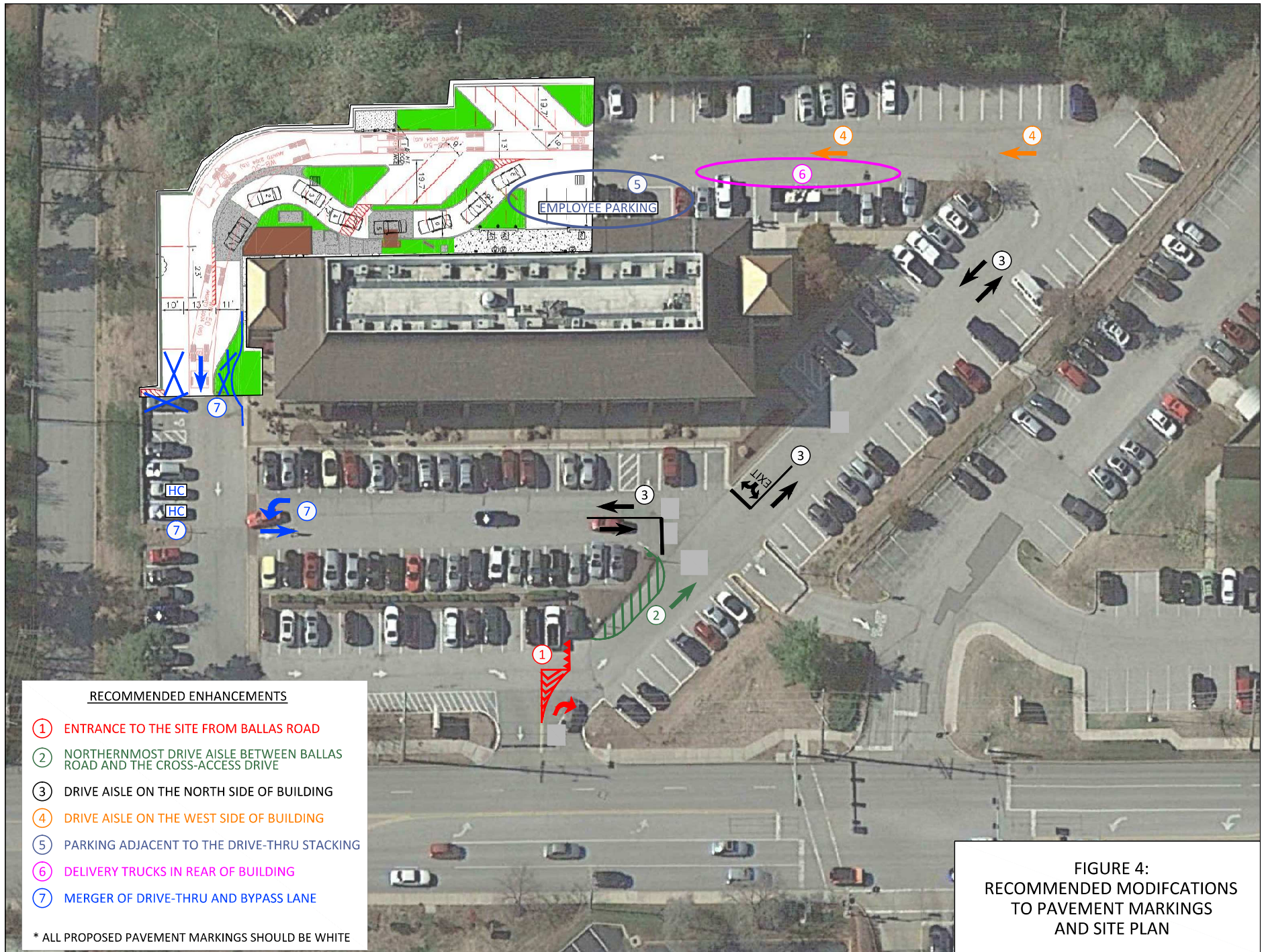


FIGURE 3:
RECOMMENDED CIRCULATORY
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MEMORANDUM

To: Mr. Paul Langdon, AICP, Director of Community Development
City of Creve Coeur, Missouri

From: Daniel T. Shane, P.E., PTOE
George Butler Associates, Inc.

Date: April 2, 2015

Subject: Traffic Impact Study Assessment
Drive-Thru Study, Panera, LLC, Balmoral Plaza

GBA, Inc. has completed its review of the Drive-Thru Study associated with the Balmoral Plaza for the City of Creve Coeur. This review was based on the following resources:

- Drive-Thru Study, Balmoral Plaza, prepared by Lochmueller Group, dated December 23, 2014;
- Site Development Plan for the Panera, LLC Drive-Thru Addition, prepared by Core States Group, dated March 6, 2015;

This review was completed to investigate the validity of the drive-thru study and traffic flow relating to the addition of a drive-thru lane for the existing St. Louis Bread Company store in the Balmoral Plaza within the City of Creve Coeur, Missouri. It should be noted that this review does not consist of reanalyzing intersection capacity, or the recalculation of trip generation or traffic assignment.

The traffic study reviewed the impacts associated with the above referenced development along the New Ballas Road, at the primary unsignalized intersection with the Balmoral Plaza. The study also reviewed traffic flow and pedestrian safety, per the recently adopted text amendment to the City of Creve Coeur's zoning ordinance to "demonstrate that the drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians accessing or passing the site".

This study reviews traffic conditions relating to existing traffic volumes observed during the midday peak period, determined to be between 11:45 am and 12:45 pm. We do agree that this should sufficiently represent the peak hour of the generator (i.e. the peak time for commuter inbound and outbound trips); however, this may not coincide with the peak hour of adjacent street traffic. It should be noted that the consultant did not review the impacts to the morning and evening peak commuter traffic along New Ballas Road.

Field observation of traffic patterns by the consultant suggested that about half of the total site generated traffic during the midday peak period can be attributed to the existing St. Louis Bread Company restaurant. GBA completed a field observation of traffic patterns between 11:45 am and 12:20 pm. Based

Attachment: GBA Traffic Assessment_Balmoral Plaza_4-2-2015 (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)

on our observation, the estimate of restaurant generated traffic appears reasonable.

The consultant suggests that the proposed drive-thru lane addition will generate 15% more inbound/outbound site trips. The drive-thru lane addition will also *reduce walk-in trips by 30%*, and those patrons would now utilize the new drive-thru facility. The new site trips would result in a net increase of 15%, or 12 inbound and 12 outbound trips associated with the drive-thru addition. Is there empirical data from Panera, LLC to support this? It seems reasonable that if 30% of the walk-in patrons are converted to drive-thru patrons, then there would be *30% more walk-in patrons* to replace the converted drive-thru customers. In other words, new walk-in customers would be attracted to the restaurant, and increase to a level that the restaurant would operate at its current capacity, not decrease. As a result, we feel the site generated trips are underestimated by about 30%.

It is noted that a portion of the departing site traffic currently utilizes the signalized intersection with the adjacent development via the cross-access drive. It is reasonable to assume that a similar proportion of additional outbound site traffic will use the signalized access as it becomes increasingly difficult to make eastbound left turns at the unsignalized entrance during peak conditions. Signalized capacity analysis was not documented as part of this report; however, it was suggested that the relatively small number of additional outbound trips would not significantly impact the intersection operation levels-of-service. The eastbound left turn movement is already a challenge during peak commuter periods, and additional drive-thru traffic should not have an impact on the overall safety of the intersection. At the time of this assessment, traffic crash data at this intersection was not available for review.

The proposed drive-thru lane would route traffic behind the building and along the west side of the building. Drive-thru traffic would then be routed along the west and south sides of the building to place their order and pick-up. We concluded from our field observation that most of the parked vehicles along the west side of the building were dedicated to employee parking.

The report also suggests that the proposed drive-thru addition would have a *positive* impact on the internal traffic circulatory patterns, as 50 midday trips would be removed from the parking aisles, and routed to the drive-thru lane. As previously mentioned, we feel this could be misrepresented, as the restaurant's overall number of walk-in customers will not likely experience a significant decrease, in our opinion.

A series of seven (7) recommended enhancements to accommodate the drive-thru were identified. We concur with the consultant's recommendations regarding overall circulatory traffic flow. Additionally, we would suggest that the southernmost parking stall, adjacent to the east side of the building, be removed in an effort to avoid potential conflicts and provide better sight distance for circulatory traffic and drive-thru traffic.

We appreciate the opportunity to be of service to you. If you should have any questions or concerns regarding the information in this memorandum, please feel free to contact us at 636.240.2444.

GEORGE BUTLER ASSOCIATES, INC.



Daniel T. Shane, P.E., PTOE
Associate, Project Manager

BILL NUMBER 1481ORDINANCE NUMBER 1454

AN ORDINANCE REPEALING ORDINANCE NUMBER 761 AS AMENDED BY ORDINANCE NUMBER 1080 AND AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO OPERATE A RESTAURANT AND BAKERY TO BE LOCATED AT 447-449 NORTH NEW BALLAS ROAD IN BALMORAL PLAZA IN THE "GC" GENERAL COMMERCIAL DISTRICT, SUBJECT TO THE CONDITIONS HEREIN SET FORTH.

WHEREAS, APPLICATION WAS MADE BY MYRON KLEVENS, OWNER OF ST. LOUIS BREAD CO., FOR A CONDITIONAL USE PERMIT FOR A RESTAURANT AND BAKERY TO BE LOCATED IN THE BALMORAL PLAZA RETAIL CENTER AT 447-449 NORTH NEW BALLAS ROAD IN THE "GC" GENERAL COMMERCIAL DISTRICT, AND

WHEREAS, THE PLANNING AND ZONING COMMISSION RECOMMENDED APPROVAL OF SAID APPLICATION, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE CITY COUNCIL ON MONDAY, MARCH 25, 1991 AT 7:30 P.M. ON SAID APPLICATION FOR THE CONDITIONAL USE PERMIT AS PROVIDED BY ARTICLE VIII, SECTION 26-114 OF ORDINANCE NO. 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD BEEN PREVIOUSLY PUBLISHED ON MARCH 8, 15, AND 20, 1991 IN THE ST. LOUIS COUNTIAN, A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF CREVE COEUR, AND

WHEREAS, ALL PARTIES DESIRING TO BE HEARD, EITHER FOR OR AGAINST SAID APPLICATION, WERE GIVEN AN OPPORTUNITY TO BE HEARD, AND

WHEREAS, THE CITY COUNCIL BEING FULLY INFORMED FINDS THAT THE GRANTING OF THE APPLICATION WOULD BE IN HARMONY WITH THE PUBLIC HEALTH, SAFETY, COMFORT AND CONVENIENCE OF THE CITIZENS OF THE CITY OF CREVE COEUR AND IN CONFORMANCE WITH GOOD ZONING PRACTICE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE

DISTRICT, SUBJECT TO THE HEREINAFTER STATED CONDITIONS ON THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND BEING ALL OF LOT "A" OF BALMORAL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 94 PAGE 9 OF THE ST. LOUIS COUNTY RECORDS AND ALSO PART OF SECTION 3, TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF AFOREMENTIONED LOT "A", SAID POINT BEING IN THE WEST LINE OF BALLAS ROAD, 60 FEET WIDE; THENCE ALONG THE WEST LINE OF SAID BALLAS ROAD SOUTH 0 DEGREES 06 MINUTES EAST, A DISTANCE OF 104.55 FEET TO A POINT OF CURVE; THENCE ALONG THE WESTERN LINE OF SAID BALLAS ROAD AND ALONG THE NORTH LINE OF ROCKY DRIVE 50 FEET WIDE, BEING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 30 FEET AN ARC DISTANCE OF 47.47 FEET TO A POINT OF TANGENCY; THENCE ALONG THE NORTH LINE OF ROCKY DRIVE 50 FEET WIDE, NORTH 89 DEGREES 26 MINUTES WEST, A DISTANCE OF 269.65 FEET TO THE SOUTHWEST CORNER OF AFOREMENTIONED LOT "A"; THENCE LEAVING THE NORTH LINE OF AFORESAID ROCKY DRIVE AND RUNNING ALONG THE WEST LINE OF SAID LOT "A"; NORTH 0 DEGREES 06 MINUTES WEST, A DISTANCE OF 428.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE LEAVING SAID CORNER OF LOT "A" AND RUNNING NORTH 38 DEGREES 06 MINUTES EAST, 50.00 FEET TO A POINT IN THE CENTERLINE OF THE FORMER MISSOURI PACIFIC RAILROAD RIGHT-OF-WAY (NOW ABANDONED); THENCE SOUTHEASTWARDLY ALONG SAID RAILROAD CENTERLINE AND ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1910 FEET AN ARC DISTANCE OF 373.40 FEET TO A POINT IN THE WEST LINE OF AFOREMENTIONED BALLAS ROAD; THENCE ALONG SAID ROAD LINE SOUTH 0 DEGREES 06 MINUTES EAST, 78.30 FEET TO THE POINT OF BEGINNING AND CONTAINING 107,588.3 SQUARE FEET (2.4699 ACRES).

3. THE FLOOR PLAN FOR THE PROPOSED RESTAURANT SHALL BE FILED WITH THE ZONING ADMINISTRATOR SHOWING THE TYPE AND LOCATION OF ALL EQUIPMENT, FURNITURE, SEATING CAPACITY, AND OTHER INFORMATION WHICH MAY BE REQUESTED BY THE BUILDING OFFICIAL.

4. SIGNS FOR THE RESTAURANT MUST BE IN CONFORMANCE WITH THE CITY'S SIGN REGULATIONS AND PERMITS OBTAINED FOR THE ERECTION OR MODIFICATION OF ANY SIGN ON THE PREMISES.

5. THE REFUSE CONTAINER SHALL BE FOR THE EXCLUSIVE USE OF THIS RESTAURANT AND SHALL BE LOCATED IMMEDIATELY BEHIND THE RESTAURANT IN THE MOST SOUTHERN PARKING SPACES. THE REFUSE CONTAINER SHALL BE LOCATED WITHIN A SCREENED SIGHT-PROOF STORAGE AREA WITH THE INSTALLATION OF A HOSE BIBB TO SERVICE THE TRASH ENCLOSURE AREA.

6. NO BANNERS, PENNANTS, OFF-SITE SIGNS, FRINGE, LIGHTS, PINWHEELS, OR OTHER SIMILAR DEVICES FOR ATTRACTING ATTENTION MAY BE DISPLAYED AT ANY TIME IN CONNECTION OF SAID RESTAURANT.

7. THERE SHALL BE NO OUTDOOR STORAGE OR PLACEMENT OF ANY MATERIALS OR EQUIPMENT USED IN CONJUNCTION WITH THE RESTAURANT.

8. ANY MECHANICAL EQUIPMENT INSTALLED FOR THE RESTAURANT SHALL BE PROPERLY SCREENED WITH APPROVED MATERIALS.

9. THERE SHALL BE NO NEON SIGNS DISPLAYED IN THE WINDOW OF THIS ESTABLISHMENT.

10. DELIVERY AND COMPANY VEHICLES SHALL BE PARKED IN THE REAR PARKING AREA OF THE SHOPPING CENTER.

11. ANY FUTURE ENLARGEMENT OR ALTERATION IN THE USE OF THE STRUCTURE 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 OR ALTERATION MAY BE ISSUED.

12. SEASONAL OUTDOOR SEATING SHALL BE ALLOWED, LIMITED TO A

HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

15. 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 OBTAIN A NEW CONDITIONAL USE PERMIT FROM THE CITY OF CREVE COEUR PRIOR TO RECEIPT OF AN OCCUPANCY PERMIT.

16. ALL CONDITIONS CONTAINED WITHIN THIS PERMIT SHALL BE POSTED UPON THE PROPERTY IN SUCH A MANNER THAT IT IS VISIBLE TO THE PUBLIC AND THE OPERATOR OF SAID FACILITY.

17. 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 REASONABLE NOTICE TO THE OWNER OF THE INTENTION OF THE CITY COUNCIL TO REVOKE, AND REASONABLE TIME GRANTED TO THE OWNER TO CORRECT ANY SUCH BREACH OF CONDITION.

SECTION 4. THE CITY ADMINISTRATOR OF THE CITY OF CREVE COEUR IS HEREBY AUTHORIZED AND DIRECTED TO ISSUE A CONDITIONAL USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE, SAID PERMIT TO EXPRESSLY PROVIDE FOR THE CONDITIONS AND STIPULATIONS HEREINABOVE SET OUT IN SECTION 3 OF THIS ORDINANCE.

SECTION 5. THIS ORDINANCE SHALL BECOME EFFECTIVE AT THE EXPIRATION OF FIFTEEN (15) DAYS AFTER ADOPTION BY THE CITY COUNCIL AND THE SIGNING THEREOF BY THE MAYOR.

PASSED THIS 22ND DAY OF APRIL, 1991


SUE BAUM, MAYOR

APPROVED THIS 22ND DAY OF APRIL

BILL NUMBER 1521ORDINANCE NUMBER 1487

AN ORDINANCE AMENDING ORDINANCE NUMBER 1454 WHICH AUTHORIZED THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE OPERATION OF A RESTAURANT AND BAKERY TO BE LOCATED AT 447-449 NORTH NEW BALLAS ROAD IN THE BALMORAL PLAZA, IN THE "GC" GENERAL COMMERCIAL DISTRICT, BY REPEALING CONDITIONS NUMBERED 1 THROUGH 17 OF SECTION 3 AND ENACTING IN LIEU THEREOF NEW CONDITIONS NUMBERED 1 THROUGH 14.

WHEREAS, APPLICATION WAS MADE FOR AN AMENDMENT TO THE CONDITIONAL USE PERMIT AUTHORIZED BY ORDINANCE NUMBER 1454 FOR A RESTAURANT TO ALLOW AN INCREASE IN THE PERMISSIBLE SQUARE FOOTAGE FOR THE ST. LOUIS BREAD COMPANY RESTAURANT AND BAKERY, LOCATED AT 447-449 NORTH NEW BALLAS ROAD, IN THE "GC" GENERAL COMMERCIAL DISTRICT OF THE CITY OF CREVE COEUR (THE "CITY"), AND

WHEREAS, THE CITY'S PLANNING AND ZONING COMMISSION RECOMMENDED APPROVAL OF SAID APPLICATION, AND

WHEREAS, A PUBLIC HEARING, ORIGINALLY SCHEDULED FOR SEPTEMBER 23, 1991 AND POSTPONED AT THE REQUEST OF THE PETITIONER, WAS HELD BY THE CITY COUNCIL ON MONDAY, OCTOBER 28, 1991 AT 7:30 P.M. ON SAID APPLICATION FOR AN AMENDMENT TO THE CONDITIONAL USE PERMIT AS PROVIDED BY ARTICLE VIII, SECTION 26-114 OF ORDINANCE NUMBER 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD BEEN PREVIOUSLY PUBLISHED ON SEPTEMBER 6, 13, AND 18, 1991 IN THE ST. LOUIS COUNTIAN, A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF CREVE COEUR, AND

WHEREAS, ALL PARTIES DESIRING TO BE HEARD, EITHER FOR OR AGAINST SAID APPLICATION, WERE GIVEN AN OPPORTUNITY TO BE HEARD AT SAID PUBLIC HEARING, AND

WHEREAS, THE CITY COUNCIL BEING FULLY INFORMED FINDS THAT

SECTION 1: ORDINANCE NUMBER 1454, SECTION 3 CONDITIONS
NUMBERED 1 THROUGH 17 ARE HEREBY REPEALED AND ENACTING IN LIEU THEREOF
NEW CONDITIONS NUMBERED 1 THOROUGH 14 TO READ AS FOLLOWS:

1. THIS CONDITIONAL USE PERMIT SHALL BE FOR THE OPERATION OF A
1,970 SQUARE FOOT RESTAURANT IN COMBINATION WITH A 1,630 SQUARE FOOT
BAKERY WITHIN THE SAME TENANT SPACE.

2. THE HOURS OF OPERATION SHALL BE FROM 6:00 A.M. TO 10:00 P.M.
DAILY.

3. THE FLOOR PLAN FOR THE PROPOSED RESTAURANT SHALL BE FILED
WITH THE CITY'S ZONING ADMINISTRATOR SHOWING THE TYPE AND LOCATION OF
ALL EQUIPMENT, FURNITURE, SEATING CAPACITY, AND OTHER INFORMATION
WHICH MAY BE REQUESTED BY THE BUILDING OFFICIAL.

4. SIGNS FOR THE RESTAURANT MUST BE IN CONFORMANCE WITH THE
CITY'S SIGN REGULATIONS AND PERMITS MUST BE OBTAINED FOR THE ERECTION
OR MODIFICATION OF ANY SIGN ON THE PREMISES. BANNERS, PENNANTS,
FRINGE, LIGHT PINWHEELS OR OTHER SIMILAR DEVICES FOR ATTRACTING
ATTENTION MAY BE DISPLAYED ONLY IN CONFORMANCE WITH THE CITY'S CURRENT
SIGN REGULATIONS. EXPOSED NEON SIGNS SHALL ONLY BE USED UPON REVIEW
AND APPROVAL OF THE CITY'S PLANNING AND ZONING COMMISSION.

5. THE REFUSE CONTAINER SHALL BE FOR THE EXCLUSIVE USE OF THIS
RESTAURANT AND SHALL BE LOCATED IMMEDIATELY BEHIND THE RESTAURANT IN
THE MOST SOUTHERN PARKING SPACES. THE REFUSE CONTAINER SHALL BE
LOCATED WITHIN A SCREENED SIGHT-PROOF STORAGE AREA WITH THE INSTALLA-
TION OF A HOSE BIBB TO SERVICE THE TRASH ENCLOSURE AREA.

6. THERE SHALL BE NO OUTDOOR STORAGE OR PLACEMENT OF ANY
MATERIALS OR EQUIPMENT USED IN CONJUNCTION WITH THE RESTAURANT,
INCLUDING STORAGE OF OUTDOOR TABLES, CHAIRS AND UMBRELLAS.

7. ANY MECHANICAL EQUIPMENT INSTALLED FOR THE RESTAURANT
BE PROPERLY SCREENED WITH APPROVED MATERIALS.

10. SEASONAL OUTDOOR SEATING SHALL BE ALLOWED, LIMITED TO A MAXIMUM OF TWENTY-FOUR (24) SEATS.

11. THE SEATING AREA MUST HAVE SUFFICIENT PROPER SIGNS TO COMPLY WITH THE "NO SMOKING" ORDINANCE NUMBER 1392.

12. A COPY OF ALL HEREIN ATTACHED CONDITIONS SHALL BE FURNISHED BY THE OWNER OR PETITIONER TO THE OPERATOR(S) OR MANAGER(S) INCLUDING SUCCESSIVE OPERATOR(S), OWNER(S) OR MANAGER(S) WHO SHALL FORWARD TO THE ZONING ENFORCEMENT OFFICER AN ACKNOWLEDGEMENT THAT HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

13. ALL CONDITIONS CONTAINED WITHIN THIS PERMIT SHALL BE POSTED UPON THE PROPERTY IN SUCH A MANNER THAT IT IS VISIBLE TO THE PUBLIC AND THE OPERATOR OF SAID FACILITY.

14. FAILURE TO COMPLY WITH ANY ONE OR ALL OF THE CONDITIONS OF THIS PERMIT SHALL BE ADEQUATE CAUSE FOR THE REVOCATION OF SAID PERMIT BY THE CITY COUNCIL, PROVIDED, HOWEVER, NO PERMIT SHALL BE REVOKED WITHOUT PRIOR NOTICE TO THE OWNER OF THE INTENTION OF THE CITY COUNCIL TO REVOKE THIS PERMIT AND REASONABLE TIME GRANTED TO THE OWNER TO CORRECT OR REMEDY ANY SUCH BREACH OF CONDITION, EXCEPT FOR REPEATED BREACHES OR VIOLATIONS.

SECTION 2: THE CITY ADMINISTRATOR OF THE CITY OF CREVE COEUR IS HEREBY AUTHORIZED AND DIRECTED TO ISSUE AN AMENDED 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 1 OF THIS ORDINANCE.

SECTION 3: THIS ORDINANCE SHALL BECOME EFFECTIVE AT THE EXPIRATION OF FIFTEEN (15) DAYS AFTER ADOPTION BY THE CITY COUNCIL AND THE SIGNING THEREOF BY THE MAYOR.

BILL NUMBER 3056**ORDINANCE NUMBER 2083**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 1487 WHICH AUTHORIZED
THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A RESTAURANT AND
BAKERY TO BE LOCATED AT 443-465 NORTH NEW BALLAS ROAD, IN THE 'GC'
GENERAL COMMERCIAL DISTRICT**

WHEREAS, application was made by Williams and Associates to amend the Conditional Use Permit authorized under Ordinance No. 1487 for the St. Louis Bread Company, and

WHEREAS, said amendment is to expand the existing 3,600 square foot restaurant and bakery in the Bal Moral Plaza, located at 443-465 North New Ballas Road, in the GC, General Commercial District, and

WHEREAS, on Monday, July 17, 2000, the Planning and Zoning Commission of the City of Creve Coeur, by unanimous vote, recommended approval of said application for a Conditional Use Permit and accompanying Site Development Plan as per Section 26-114.4(b), and

WHEREAS, a Public Hearing was held by the Creve Coeur City Council on Monday, September 11, 2000 and continued to October 10, 2000, beginning at 7:30 p.m. or immediately following the close of the previous Public Hearing, on said application for the Conditional Use Permit as provided by Article 9, Section 26-114 of Ordinance Number 1903 of the City of Creve Coeur, and

WHEREAS, notice of publication for said Public Hearing had been previously published on September 20, 2000, in the St. Louis Countian and on September 18, 2000, in the West County Journal, newspapers of general circulation in the City of Creve Coeur, 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 three times before final passage by the City Council, and

WHEREAS, the City Council being fully informed finds that the granting of the application would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and in the public interest and in conformance with good zoning practice.

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 expansion of an eating and drinking establishment known as St. Louis Bread Company at the Bal Moral Plaza, located at 443-465 North New Ballas Road, in the GC, General Commercial District, subject to the hereinafter stated conditions, on the following described property:

A tract of land being all of Lot A of BalMoral, a subdivision according to the plat thereof recorded in the Plat Book 94, page 9 of the St. Louis County Records and also part of Section 3, Township 45 north, Range 05 East, St. Louis County, Missouri, and described as follows:

Attachment: ORDINANCE 2083 (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)

Beginning at the northeast corner of aforementioned Lot A, said point being in the west line of Ballas Road, 60 feet wide; thence along the west line of said Ballas Road south 0 degrees 06 minutes east, a distance of 104.55 feet to a point of curve; thence along the western line of said Ballas Road, 60 feet wide; thence along the west line of said Ballas Road and along the north line of Rocky Drive 50 feet wide, being on a curve to the right having a radius of 30 feet an arc distance of 47.47 feet to a point of tangency; thence along the north line of Rocky Drive 50 feet wide, north 89 degrees 26 minutes west, a distance of 269.65 feet to the southwest corner of aforementioned Lot A; thence leaving the north line of aforementioned Rocky Drive and running along the west line of said Lot A north 0 degrees 06 minutes west, a distance of 428.47 feet to the northwest corner thereof; thence leaving said corner of Lot A and running north 38 degrees 06 minutes east, 50.00 feet to a point in the centerline of the former Missouri Pacific Railroad right-of-way (now abandoned); thence southeastwardly along said railroad centerline and on a curve to the right having a radius of 1910 feet an arc distance of 373.40 feet to a point in the west line of aforementioned Ballas Road, thence along said road line south 00 degrees 06 minutes east, 78.30 feet to the point of beginning and containing 107,588.3 feet (2.4699 acres).

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

1. This Conditional Use Permit shall be for the operation of a 4,800 sq. ft. eating and drinking establishment as defined under Section 26-52.13 of the City of Creve Coeur Zoning Code.
2. Said use shall be located in the Bal Moral Plaza as shown in and in compliance with the Site Development Plan dated (Received) July 10, 2000, by the Department of Community Development and approved by the Creve Coeur City Council or as further revised as required and approved by the City of Creve Coeur.
3. The maximum area accessible to the public, excluding kitchen area, restrooms and storage, shall be 2,832 square feet, with a maximum permitted occupancy of 189 occupants. Outdoor seating will be permitted adjacent to the St. Louis Bread Company so long as total seating within the building and outdoors does not exceed 189 seats. A minimum 4-wide, unobstructed and clear pedestrian path must be maintained at all times if outdoor seating is placed adjacent to the building.
4. No advertising will be permitted on the umbrellas used for the outdoor seating area.
5. The hours of operation shall be from 6:00 AM to 10:00 PM, seven (7) days a week.
6. The floor plan for the proposed restaurant shall be filed with the City's Zoning Administrator showing the type and location of all equipment, furniture, seating capacity, and other information which may be requested by the building official.
7. All signs for the restaurant must be in conformance with the City's sign regulations, and permits must be obtained for the erection or modification of any sign on the premises. Banners, pennants, fringe, light pinwheels or other similar devices for attracting attention may be displayed only in conformance with the City's current sign regulations. Exposed neon signs shall only be used in conformance with the current sign regulations of the City of Creve Coeur.
8. The refuse containers shall be for the exclusive use of the restaurant and shall be located adjacent to the restaurant. The refuse containers shall be located within a screened sight-proof storage area with the installation of a hose bibb to service the trash enclosure area. Trash pick-up for the facilities shall only occur between the hours of 8:00 a.m. and 8:00 p.m.

9. There shall be no outdoor storage or placement of any materials or equipment used in conjunction with the restaurant, including storage of outdoor tables, chairs and umbrellas.
10. Any mechanical equipment installed for the restaurant shall be properly screened with approved materials.
11. Delivery and company vehicles shall be parked in the rear parking area of the restaurant.
12. Any future enlargement, extension, expansion or alteration in the use of the available seating area, 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 or alteration may be issued.
13. The seating area must have sufficient proper signs to comply with the "No Smoking" Ordinance Number 1392 and amending Ordinance Number 1548.
14. A copy of all herein attached conditions shall be furnished by the owner or petitioner to the operator(s) or manager(s) including successive operator(s), owner(s) or manager(s) who shall forward to the Zoning Enforcement Officer an acknowledgement that he or she has read and understood each of these conditions and agrees to comply therewith.
15. All conditions contained within this permit shall be posted upon the properties in such a manner that it is visible to the public and the operator of said facilities.
16. 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.
17. 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.
18. 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.
19. The use of outdoor speakers for the amplification of music or spoken word shall be prohibited.
20. An underground irrigation system shall be installed and maintained in good working order to serve all green and/or landscaped areas, including interior parking lot islands, identified on the Site Development Plan.
21. If deemed necessary and required by the City at a future date, the restaurant operator and/or the property owner shall provide adequate private on-site security personnel to address crowd control issues and facilitate traffic flow and traffic control issues within thirty (30) days of such official notice. Such personnel shall be required on Fridays, Saturdays, Sundays, and holidays or as prescribed by the City.
22. As per the conditions of approval of the Planning and Zoning Commission on July 17, 2000, the following conditions shall apply to the accompanying Site Development Plan:

- (a) All dumpsters and trash or refuse collection carts and/or dumpsters shall be screened from view from adjoining properties or public rights-of-way. A hose bibb connection shall be provided for cleanup purposes.
- (b) Three additional street trees be provided north of the existing deciduous tree north of the subdivision brick monument sign and the Plaza's entrance along North New Ballas Road. Said trees should be spaced no more than 30 feet from center.
- (c) The pedestrian crossing leading from the St. Louis Bread Company to North New Ballas Road shall consist of a stamped color concrete in areas crossing vehicle drive isles.
- (d) The depth of the parking stalls along the central median be reduced from 20 feet to 18 feet so that the central median can be expanded from 5 feet to 9 feet.
- (e) The central median shall then be landscaped with live vegetation/plantings, including additional ornamental trees. The existing rock ground shall be removed. An irrigation system as defined under Section 26-62.6 (j) of the Zoning Ordinance should be provided to service this island.
- (f) The property owner to provide a sidewalk easement on the Rocky Road side of the property. Said easement to be sufficient width to include not just a sidewalk but a temporary construction easement for the construction of a sidewalk, all without compensation to be paid by the City. The applicant shall build a six-foot wide sidewalk adjacent to and the full length of North New Ballas Road in front of said property. The applicant is responsible for the placement and construction of said sidewalk.
- (g) The applicant shall maintain the existing stairway on the south side of the property along Rocky Road. The plans submitted do not indicate the stairway will be maintained.
- (h) A Final Landscape Plan shall be submitted to the Department of Community Development prior to the application of any additional permits on the site. The Final Landscape Plan shall be developed in accordance with Section 26-62.5 of the City of Creve Coeur Zoning Ordinance. Said plan shall include all items included in the Concept Landscape Plan approved by the Planning and Zoning Commission, shall clearly meet or exceed all of the design standards outlined in Section 26-62.6 (including providing an adequate irrigation system as defined in paragraph (j) of said section), shall be prepared by an architect or landscape architect registered in the State of Missouri, and shall be included with the Final Site Development Plan.
- (i) The applicant will provide a cross-access easement to the Duke-Weeks property to the north.

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.

SECTION 4: This ordinance shall become effective at the expiration of fifteen (15) days after adoption by the City Council and the signing thereof by the Mayor.

ADOPTED THIS 10th DAY OF October, 2000


ELEANOR GLOVINSKY
PRESIDENT OF CITY COUNCIL

APPROVED THIS 10th DAY OF October, 2000


ANNETTE KOLIS MANDEL
MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

Attachment: ORDINANCE 2083 (1297 : Bill No. 5546 - St. Louis Bread Co Drive-Thru)

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, APRIL 6, 2015

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chairman
Mr. James Faron
Ms. Beth Kistner
Mr. Charles Pullium
Mr. Gene Rovak
Mr. Carl Lumley, City Attorney
Mr. Paul Langdon, Director of Community Development
Ms. Whitney Kelly, City Planner
Ms. Jessica Stutte, Planning Assistant
Ms. Dianna Hark, Recording Secretary

Dianna C. Hark, RPR, IL-CSR, MO-CCR
CSR No. 084.004728
CCR No. 1079

1 MR. MADDEN: I'd like to call to order the
2 Planning and Zoning Commission meeting for the City of
3 Creve Coeur Missouri for Monday, April 6th, 2015.

4 We'll start with roll call.

5 Mr. Carney won't be here. Mr. James Faron?

6 MR. FARON: Present.

7 MR. MADDEN: Mr. Howard won't be here.

8 Ms. Beth Kistner?

9 MS. KISTNER: Present.

10 MR. MADDEN: Charles Pullium?

11 MR. PULLIUM: Present.

12 MR. MADDEN: Gene Rovak?

13 MR. ROVAK: Present.

14 MR. MADDEN: Carl Lumley, our city attorney?

15 MR. LUMLEY: Present.

16 MR. MADDEN: Paul Langdon, our Director of
17 Community Development?

18 MR. LANGDON: Present.

19 MR. MADDEN: Whitney Kelly, our City Planner?

20 MS. KELLY: Present.

21 MR. MADDEN: And Jessica Stutte, our Planning
22 Assistant and Recording --

23 MS. STUTTE: Present.

24 ~~MR. MADDEN: Okay. That will move us to B.~~

25 ~~Application #15-002: Approval for a New Conditional~~

1 Going to move D. Application #15-004:
2 Approval of an Amendment to the Conditional Use Permit
3 for St. Louis Bread Company at 447 North New Ballas
4 Court to Allow for Drive-Through Services.

5 This is a public hearing also, so if you're
6 going to come up and talk, ask questions, whatever,
7 please come up and be sworn in, all of you now, so.

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

9 MR. MADDEN: Are you going first, Mr. Hutkin?

10 MR. HUTKIN: I would be happy to follow.

11 MR. MADDEN: You're fine. Just state your
12 name and address.

13 MR. HUTKIN: My name is David Hutkin with
14 Hutkin Development Company with offices at 10829 Olive
15 Boulevard in Creve Coeur.

16 I want to thank the Chairman and all the
17 commissioners for the time that they have spent over
18 the last year and a half considering drive-through
19 ordinance on lots of two acres or larger, for the time
20 you'll spend this evening discussing it, and hopefully
21 deliberating over it shouldn't take hopefully too much
22 more time than we've already spent.

23 I also would be remiss -- while not as
24 eloquently as, as the woman who spoke earlier on a
25 residential development, if I didn't thank the

1 outstanding job that Paul and Whitney have done in
2 providing their thoughtful review of our project.

3 I also need to introduce the folks who are
4 here tonight who are available, not just to explain
5 various aspects of the project, but also to answer any
6 questions that you may have throughout the course of
7 your deliberations.

8 I'll just start at the far end. That is
9 Mike Brunetto, special projects manager for Panera
10 Bread; Mike Turnquist, director of real estate for
11 Panera; Gary Brown with McClure/EDI Acoustic
12 Engineers; Doug Shatto with Lochmueller Group, traffic
13 consultants; Patrick Bennett with Core States
14 providing civil engineering on the project; and Steve
15 Kling, who I suspect you recognize, a principle with
16 Jenkins and Kling.

17 On March 16th, representatives of St. Louis
18 Bread Company and myself met with residents of
19 Balmoral subdivision as well as both council members
20 from the ward(phonetic) to review the plan and answer
21 questions that were raised by the residents as well as
22 council members Lawrence and Wang(phonetic).

23 I want to assure you that when preparing a
24 plan, we were very careful to make sure certain that
25 it met all of the conditions and requirements of the

1 ordinance. As confirmed by the city staff report,
2 especially in the important areas of sound mitigation
3 and setbacks, we exceeded the requirements as
4 stipulated.

5 Specifically, and I don't know if I'm going
6 to be any good at this, part of it, as you may have
7 seen if you've had a chance to review the acoustic
8 study performed by McClure/EDI, it points out that
9 noise levels generated by the drive-through do not
10 require a sound wall in order to comply with the
11 city's ordinance.

12 These findings actually were confirmed by
13 measurements taken by the city's own staff at an
14 existing St. Louis Bread Company drive-through.
15 Nonetheless, at a significant expense, we have
16 included a wall in our plan.

17 We've also included a green feature on the
18 fence that will serve to screen the order facility and
19 service window in the drive-through lane to improve
20 the aesthetics of the fence. And I don't know if the
21 glare allows you to sort of see how that works. This
22 might do a better job. Obviously our fence won't be
23 this tall -- that's a three-story garage -- but the
24 idea is we're attaching an implement to the fence.

25 We plant English ivy. English ivy is a

1 species that stays green 12 months a year. Doesn't go
2 dormant in the winter. And granted, it will take a
3 little while for the ivy to grow to the full height of
4 the fence, but the area will be irrigated, so we're
5 optimistic it will perform as you see on this graphic.

6 We voluntarily added these elements to our
7 plan to improve upon the existing conditions beyond
8 what we were required to do by the ordinance.

9 Additionally, we've added significantly to
10 the landscaping throughout the property, and it will
11 incorporate the further suggestions identified in the
12 staff report that we received Friday. And again,
13 that's the combination of the glare and the fact that
14 that photo was taken at seven a.m. So the sun was
15 sort of rising from the east, so it's a little washed
16 out, but that's our existing condition. The landscape
17 plan, this shows new vegetation, new planting that
18 we'll be adding on the site.

19 And again, I apologize that it doesn't
20 really -- this is now a rendered photo of Balmoral
21 Plaza with the actual plantings rendered into the
22 existing condition photograph, but I don't know that
23 it's doing a very good job of showing what it will
24 actually look like.

25 We also sought to improve the operations of

1 the property by swapping approximately 2,000 square
2 feet of green space at the southwest corner of the
3 property for slightly more than that in various areas
4 around the property.

5 To mitigate any negative impact of this
6 swap, our landscape architect designed a hedge of 11
7 Evergreen trees with three various species. We were
8 advised by Council Member Lawrence to not to plant all
9 the same species. And so, of course, she was right.
10 So we tweaked a little bit from having all Spruce
11 trees to three various types of Evergreens in the
12 event of, you know, one of the species is befallen by
13 a disease.

14 This screening will protect the visibility
15 of the rear service area from traffic on Rocky Drive.
16 These parking spaces that are created, these parking
17 spaces that are created by moving the retaining wall
18 are very important to us. They serve a dual function.

19 Besides adding parking to try to mitigate
20 some of the spaces we lose through the introduction of
21 the drive-through, it also serves as a loading area
22 that we currently don't have on the property. So it
23 allows us to begin to mitigate some of the preexisting
24 nonconforming conditions that exist on the property.

25 We recognize that staff has raised a concern

1 about this area. We learned of this concern late
2 Friday afternoon and haven't had a chance to sit down
3 with our own traffic engineer and come up with a
4 solution that would satisfy staff's concern. We would
5 ask that as opposed to, to have us remove these
6 parking spaces as a condition of your approval
7 tonight, that you allow us the time between now and
8 council meeting to work with staff. And if we're not
9 able to satisfy staff's concerns, then we'll, we will
10 take them out. But we would respectfully request this
11 next week to work with Paul and Whitney and the city's
12 traffic engineer to see if we can't get them
13 comfortable with a solution to their concerns.

14 Item 3 in the draft ordinance calls for the
15 operating hours of the bakery cafe to cease at
16 nine p.m. The current conditional use permit allows
17 for the hours of operation to ten p.m. We would
18 request that the current operating hours remain as
19 allowed.

20 Additionally, the draft ordinance stipulates
21 the drive-through not commence operation until
22 seven a.m, although the cafe is allowed to open at
23 six a.m. through their existing CUP. We would
24 respectfully request that the drive-through be allowed
25 to open at the same time as the cafe.

1 Item 6 of the draft ordinance requires the
2 removal of two parking spaces. We are in agreement
3 with the requirement to remove the eastern-most
4 parallel space in the newly created parking area, but
5 believe that the city's traffic consultant earlier
6 today became satisfied with a solution that our design
7 consultant came up with, and I think Paul and Whitney
8 have received confirmation from GBA that the solution
9 that Doug came up with was satisfactory. So we would
10 respectfully request that the ordinance requires to
11 remove this parking space but not the parking space
12 that is directly in front of the Bread Company's
13 bakery cafe.

14 Item 8 of the ordinance requires
15 construction of a sidewalk along Rocky Drive. During
16 our meeting with the residents, and Council Members
17 Lawrence and Wang, we raised the possibility this
18 condition would be part of the ordinance that would
19 allow for our drive-through.

20 Of the residents and trustee that were in
21 attendance, they were unanimous in their opposition to
22 the sidewalk. In lieu of constructing a sidewalk that
23 ends at our property line and apparently has little
24 chance of connecting to a sidewalk in the subdivision
25 in the future, we offered to provide improvements and

1 money aimed at enhancing the streetscape at the
2 entrance of Balmoral subdivision.

3 I don't know if the residents and trustee
4 that were present at the meeting March 16th are duly
5 authorized to speak on behalf of the entire
6 subdivision, but we can understand why the
7 neighborhood would not be desirous of having a partial
8 sidewalk built in their subdivision. We believe it
9 would be mutually beneficial if we helped enhanced the
10 signage, streetscape and landscaping at the entrance
11 to Balmoral subdivision at our cost.

12 Again, we would not want this request to
13 delay your vote this evening. That being said, we
14 would prefer, providing that Balmoral subdivision, the
15 enhancements they said they do want versus the
16 sidewalk they said that they don't want.

17 Other than that, we're agreeable to all of
18 the other restrictions, conditions and suggestions
19 that Paul and Whitney have included in the draft
20 ordinance. What I'd like to do at this time is ask
21 Patrick Bennett to come up and take you through the
22 technical aspects of the plan. And we're all, again,
23 available for questions at your pleasure. Thank you.

24 MR. BENNETT: Good evening. My name is
25 Patrick Bennett. I'm with Core States Group with

1 offices at 50 Crestwood Executive Center, St. Louis,
2 Missouri 63126. And as David alluded, I am the civil
3 engineer, professional engineer of record on the
4 project.

5 Just go over some high-level highlights.
6 I'm assuming everyone's fairly familiar with the
7 plaza. Point out here that the existing entrance is
8 not being proposed to be altered in any way. There's
9 no additional entrance, no widening, no narrowing.
10 We're leaving that existing entrance in place.

11 Activity at the front end of the site will
12 remain as it is today, or as it is striped today.
13 Two-way traffic in the aisle closest to the building
14 with one-way traffic heading north on that closest to
15 Ballas Road.

16 Same over here. Two-way all along the
17 northern edge. Leading around the building,
18 obviously, any new proposed drive-through traffic
19 would enter where vehicles currently enter, but then
20 continue along the northern edge of the building and
21 are wrapping around the backside of the site.

22 Currently this is all two-way traffic,
23 parking on both sides of the driveway. There will be
24 become a point with our proposed improvements where we
25 will isolate it to become one-way traffic south. It

1 will remain two-way traffic up here for patrons that
2 happen to park back there, but primarily employees of
3 the second-floor businesses or employees of the
4 first-floor businesses presumably to park back here
5 and enter the building.

6 But then once we get to this demarcation
7 point here, there will be a striped, a stripe, if you
8 will, delineating where the drive-through traffic
9 would enter the cue versus any bypass traffic that
10 would bypass any cue that would happen to be there at
11 any given time during the day.

12 We look a little more closely at the actual
13 enlarged plan of the drive-through improvements
14 themselves, once again, the white here is the existing
15 building as it stands today. This shaded, dark brown
16 area is the drive-through addition itself. This will
17 be a self-sustaining addition, if you will, in that
18 this part of the facility will not interact, if you
19 will, with the rest of the cafe. There is a staff
20 that simply supports this function itself. There's
21 not someone running back and forth between the two
22 uses. Everything that happens in the drive-through
23 itself facilitates and happens out the window right
24 there.

25 You see our car stacked there. It goes from

1 one all the way back to 11. If you look back at the
2 overall plan with the proposed speaker post and menu
3 board here at Car 5, and we have two, one here and one
4 here, preview boards which enable folks to just get a
5 general idea of what they might be ready to order so
6 that when they do get up to the main menu board,
7 they're a little more prepared and expeditious about
8 providing their order.

9 Once again, as Dave mentioned, there's, on
10 one of his elevations earlier, there's existing trash
11 enclosures here which we will be widening by one bay
12 in order to supplant the one, the trash enclosure
13 that's being removed in conjunction with the building
14 addition, as well as the new sound wall that's being
15 constructed on the side of the hill as part of the
16 project. And then our bypass lane that goes around
17 the perimeter of the site to allow folks that don't
18 necessarily want or need to enter the drive-through
19 cue but can still circulate through the site.

20 That's it in a nutshell. Happy to answer
21 any questions whether it be now or later. Otherwise,
22 I'm going to hand it over to Doug Shatto for his
23 discussion on traffic-oriented issues.

24 MR. SHATTO: Good evening. As Patrick said,
25 my name's Doug Shatto. I'm branch manager and a

1 principal of the Lochmueller Group. We're
2 transportation and infrastructure engineers with
3 offices at 411 North 10th Street, St. Louis 63101.

4 We were asked to perform a study of the
5 proposed drive-through, basically to address the
6 requirements of the zoning ordinance, specifically to
7 demonstrate that the addition of the drive-through
8 facility won't interfere with site circulation or be
9 hazardous to motorists or pedestrians accessing or
10 passing the site.

11 Based upon those criteria, we really focused
12 on three primary issues. One was, how much additional
13 traffic would likely be generated by the drive-through
14 facility itself? Secondly was what the impacts of
15 that additional traffic would be on operations and
16 safety of the motorists entering and existing the
17 site, principally at the driveway on Ballas Road. And
18 then thirdly, the impact or addressing issues relative
19 to on-site circulation.

20 What we found was using information, and as
21 you all are probably aware, Panera Bread Company has
22 converted a number of restaurants within the St. Louis
23 region from walk-in facilities to drive-through
24 facilities. So there was existing information
25 available to allow us to quantify what the impacts of

1 that might be.

2 Panera provided us with information that
3 showed that they would expect to be about a 15 percent
4 increase in the overall level of activity from the
5 site. That's based upon sales as well as vehicular
6 accounts from other facilities.

7 We actually made an effort to vet that
8 number by looking at the projections -- the existing
9 level of traffic that we have here along with what
10 would be the projected increase, and then compared
11 that to counts that we performed at another existing
12 facility with a drive-through, and found that they
13 would be comparable. So we felt that those
14 projections were, in fact, reasonable and realistic
15 for this facility.

16 It is important to note that while there's
17 roughly a 15 percent increase in the level of traffic
18 that this store would generate, there's also going to
19 be a conversion of some of the existing customers from
20 walk-in customers to drive-in customers. So that will
21 change the, some of the operations of the site. That
22 came into effect when we looked at the evaluation of
23 the on-site circulation.

24 The 50 percent increases is pertinent when
25 we look at the impact as far as the external access to

1 the site on New Ballas Road. In particular, we were
2 concerned about left turn access, both left turns off
3 of Ballas and on to Ballas.

4 It's important to note -- and I'm going to
5 refer to this graphic that shows the overall site --
6 it's important to note that obviously there's a single
7 driveway here on Ballas with an inbound lane and
8 outbound lane. There's also a cross access to the
9 traffic signal immediately to the north.

10 So people that want to make a left turn onto
11 Ballas have that alternative available to them, and we
12 looked at the existing level of traffic here. What we
13 found was, with the 15 percent increase associated
14 with the drive-through is that we're only talking
15 about an increase in the number of left turns here
16 during the midday peak hour, which would be the lunch
17 period basically. That's the heaviest time of day,
18 particularly when related to Bread Co. and the
19 drive-through itself.

20 We're only talking about increase in the
21 left turn volumes by less than five cars an hour.
22 That level of traffic increase really isn't that
23 meaningful.

24 Now one acknowledgment I want to make, and
25 this came up during our review of staff comments as

1 well as the city's traffic consultant review of our
2 report, and intuitively, 15 percent seems low in terms
3 of the level of increases projected there. And as I
4 said earlier, we did make an attempt to vet that
5 number.

6 But even if we had doubled that level of
7 increase over what we're projecting right now, it
8 still wouldn't have any impact on the operations of
9 that driveway there. So we were satisfied that this
10 driveway was going to be able to operate effectively
11 the way that it does today with the addition of the
12 drive-through.

13 Now a couple of other acknowledgments to
14 make is that we recognize that the left turn storage
15 on northbound New Ballas Road is nominal at this
16 location. Basically there's four to five car lengths
17 before you get to that median there today.

18 What we observed, and we were out there on
19 four separate occasions, basically the maximum cue
20 that we observed during the lunch period was vehicles.
21 It's not to say that there wouldn't be odd days, other
22 times of the year where there might have been
23 something more than that, but that was pretty typical.

24 And actually, what we saw more often than
25 not, was less than three vehicles, typically two

1 vehicles, waiting to make that left turn into the
2 site. So based upon the level of increase that we're
3 talking about with the drive-through, we don't expect
4 any change in operation there.

5 One thing that's important to recognize, as
6 I said earlier, you're going to have a conversion of
7 some walk-in customers that will become drive-through
8 customers. And as Patrick alluded to, drive-through
9 customer traffic would be expected to go around the
10 periphery of the site for the most part. So we'll
11 actually be taking some traffic out of this immediate
12 area, which tends to be a little bit congested with
13 the parking maneuvers there, and then having more
14 traffic go around the periphery of the site.

15 When looking at that, we also recognized
16 that there are some circulatory issues on the site
17 today that we felt there was an opportunity here to
18 correct upon them, and also optimize the operations of
19 the site to accommodate the drive-through.

20 So what this exhibit actually depicts are
21 changes to the on-site circulation that we're actually
22 recommending. Actually in many cases, it's a
23 reinforcement of the existing circulation. There's
24 not that many changes that were necessary.

25 As Patrick alluded to, this is a two-way

1 aisle today, and we would intend for it to remain a
2 two-way aisle. Actually, if you look at the existing
3 arrows in white just below here, the rest of the site
4 is actually striped for one-way circulation today, and
5 we want to reinforce that with one exception. We want
6 this area back here to become two-way so that people
7 in the rear of the shopping center have the ability to
8 get out here and use that cross access without forcing
9 them around the site.

10 So we are going to be looking at some
11 changes internal to the site that will reinforce the
12 one-way circulation in a counterclockwise pattern.
13 We'll have the ability for people to use this parking
14 aisle and either circulate around, or come back out to
15 the cross access. But those are all things that we
16 think are not only meaningful in terms of
17 accommodating the drive-through, but in fact, an
18 enhancement to the existing conditions.

19 How we are going to accomplish that is
20 through a series -- this is primarily a function of
21 pavement markings and some signage that we think that
22 we can put in there. We noticed a number of things
23 operationally within the site that we wanted to
24 correct upon.

25 One was as people turn off of Ballas Road

1 into the site, the intent is for them to make a
2 continuous right turn and either flow into the parking
3 field or to the rear of the site.

4 Obviously, with the addition of the
5 drive-through, we really want to promote that
6 movement. Occasionally under the existing conditions,
7 we noticed people that will make a left turn here,
8 inappropriately mind you, and come this way.

9 But we really want to discourage that
10 movement because of the addition of the drive-through
11 traffic coming around this direction. So we're
12 proposing some striped median, an island in this area
13 that will channelize that traffic. We also want to
14 promote this as just one-way inbound here. So there's
15 going to be additional striping that will be placed in
16 this area to narrow this throat and discourage people
17 from trying to exist in this direction.

18 There's also addition striping that we're
19 proposing in this area to reinforce the two-way flow
20 within that section, and then finally reinforcing the
21 one-way flow as we come out through here, and we think
22 that those are all going to be enhancements to what's
23 currently existing.

24 Couple other recommendations that we made
25 in, in recognition of the drive-through. Generally

1 speaking, four to six vehicles in the drive-through
2 should be sufficient stacking, but we know that during
3 the midday peak period, there can be occasions where
4 that will spill back past there. We felt that we
5 really needed to discourage high turnover of these
6 parking spaces within this area, so we recommended
7 that they be restricted to employee parking.
8 Obviously going to be employees of the office space
9 upstairs or any of the other retail uses within the
10 shopping center itself.

11 As David mentioned previously, there was
12 also some concerns expressed by staff about the
13 convergence of activities within this area near the
14 driver-through exit, near the bypass lane, and the
15 proposed parallel parking there that would be
16 established with the reconfiguration of the retaining
17 wall there.

18 This is actually based upon an old site
19 plan, and originally there was a curb bulb-out
20 proposed here that was going to force the merger of
21 the drive-through traffic with the bypass lane.

22 We didn't feel that was necessary. When we
23 looked at the level of traffic coming through the
24 drive-through as well as the bypass lane -- both of
25 which are relatively modest; they're not really

1 high-volume uses that we're dealing with here -- we
2 didn't think that that forced merger was necessary.
3 So we felt that bringing this curb bulb back in and
4 maintaining that within there to allow parking
5 maneuvers was more appropriate.

6 So that's already been reflected by the site
7 plan that you have before you tonight. We also did
8 recognize some of the concerns that staff expressed
9 about parking maneuvers, particularly there was a
10 parking space here that's been eliminated and then
11 also the last parallel parking space, that we felt
12 parking maneuvers in those two spaces could, in fact,
13 interfere with drive-through operations, and so we had
14 recommended that those be eliminated in recognition of
15 staff's comments.

16 I think that the other three spaces that
17 would remain here, the parallel spaces could be
18 functional. Obviously, lower turnover more than
19 likely, but they still could be functional without
20 interference.

21 So I think Mr. Hutkin already alluded to
22 that fact that that one space, I think we were already
23 prepared to eliminate that, and they've already made
24 adjustments to this parking in here with angle
25 parking, which I think is better arrangement for that

1 location.

2 And then the last comment was based upon the
3 city's traffic consultant's review of the work that
4 we've done and the site plan. He had expressed
5 concerns about the potential for site distance
6 limitation here due largely to this last parking space
7 in the, at the parking row fronting St. Louis Bread
8 Company.

9 Generally concurred with his observation
10 there, the potential for conflicts there, even though
11 we're dealing with low flows. But rather than
12 eliminating that space, which actually is a high-value
13 space relative to the operations of the restaurant and
14 the other tenants in that area, we felt that that
15 could be mitigated in two separate ways.

16 One is that we're stilling looking at a curb
17 bulb out here that would provide an additional level
18 of separation between people coming out of the
19 drive-through and somebody coming down this parking
20 aisle.

21 But, and if that's not satisfactory, then we
22 also recommended the addition of a stop bar at that
23 location where I just drew those lines forcing people
24 exiting the drive-through to stop and yield to anybody
25 that's in the cross parking aisle here.

1 I did talk to the city's traffic consultant
2 relative to -- and actually, we jointly came to that
3 conclusion that we felt that that would be sufficient,
4 and thereby allow that parking space to stay. So
5 that's alluding to the conversation that Mr. Hutkin
6 referred to that I had.

7 MS. KISTNER: Excuse me for just one second.
8 When you said a "stop bar," is that painted on the
9 ground?

10 MR. SHATTO: Yes. A pavement marking
11 basically, and it would be a white bar along with the
12 stop emblem there to encourage people to use it.

13 Be happy to answer any questions now or
14 later. Otherwise, I'll turn it back to Mr. Hutkin.

15 MS. KISTNER: In that circulation plan, on
16 the north side of the property there, the only way to
17 get out to a light in order to make a left turn is to
18 come out that --

19 MR. SHATTO: If, if a motorist is parked in
20 the rear of the site, and I should note that this is
21 technically, it's already marked for one-way
22 circulation, though frankly it doesn't get used that
23 way today. People that park in this rear parking
24 aisle tend to go in both directions based upon what we
25 observed.

1 We are promoting one-way circulation from,
2 basically from this point all the way through, because
3 we want to have one-way circulation adjacent to the
4 drive-through.

5 And so what we're suggesting is additional
6 striping, additional arrows within this area to
7 promote that one-way circulation. Consequently,
8 anybody that parks in the rear of the site here, which
9 based upon what we've observed, that's primarily
10 employees of the upstairs offices and also some
11 employees of the retail tenants within the building
12 here.

13 So people parking here would be forced to
14 use the bypass lane around the drive-through. They
15 could still use the left turn, they could still use
16 this two-way drive aisle to get to the signalized
17 access through the cross access, or they could
18 circulate around the front of the site and then either
19 make an unsignalized left on to Ballas or a right turn
20 on to Ballas.

21 MS. KISTNER: So if a -- and I wasn't really
22 even thinking about the employees who will know the
23 circulation and know what to do, but customers coming
24 through the drive-through who, you have to assume, are
25 not terribly familiar with their, their options, would

1 come through, if they wanted to get to a signalized
2 left turn, they would have to know to turn in through
3 that center parking aisle in order to --

4 MR. SHATTO: -- actually a good point.
5 Today there is an existing sign in this vicinity, that
6 if somebody's coming down one of those other parking
7 aisles today, there is a sign indicating that cross
8 access to the traffic signal does exist, and I think
9 in, in light of your point, it might be appropriate to
10 install an additional sign down at this end of the
11 parking aisle so that people coming through the
12 drive-through would also be aware of the fact that
13 that cross access option is available to them.

14 I should mention, one thing I forgot, should
15 they proceed through here, even with the striping
16 changes that we're recommending at the entrance here,
17 and we really want to reinforce this fact. We don't
18 want people trying to make a left turn as soon as they
19 come in the site, but even with this striping change,
20 they do have the ability to be able to continue
21 through here to get to the cross access. So that
22 option is still available to them.

23 MS. KISTNER: I didn't know if it was
24 blocked --

25 MR. SHATTO: Yeah, I should have clarified

1 that. Thank you.

2 MR. MADDEN: The lane behind the front
3 parking there that you say is going to be two-way --

4 MR. SHATTO: This one here?

5 MR. MADDEN: Yeah. I have never -- and I
6 frequent that place quite often, thanks to my wife, I
7 have never seen a car come at me. In other words --
8 what would that be? From south to north.

9 MR. SHATTO: I think there's a natural flow
10 for people to come in here to continue out in this
11 direction --

12 MR. MADDEN: -- that's why I'm saying. Just
13 a suggestion, you're the traffic guy, leave it the way
14 it is, and to make it easier for those cars, if you
15 ever been in there trying to back up out of there
16 isn't the easiest thing, because they're so close --
17 you make it look nice on there -- but angle the
18 parking on the top and the bottom of that row, angle
19 them in. I mean, maybe I'm wrong. I never had a car
20 come at me from south to the north.

21 MR. SHATTO: We did observe some too. And
22 this actually -- I'm covering it up here with some of
23 the graphics that we got on this, but there are
24 actually two directional arrows here, two-way arrows
25 on that drive --

1 MR. MADDEN: I know their they're. I'm just
2 telling you, nobody ever goes that way. And now
3 you're going to be changing them around.

4 I'd put a sign on that corner where you're
5 talking about the stop, no left turn, make them come
6 down the way they're always used to coming out of
7 there. And if they want -- now you told us there
8 isn't going to be an island there at the entrance from
9 Ballas, if they want to go out, they can go up and
10 then come up the hill and they're out.

11 MR. SHATTO: Right. Now actually to your
12 point. Actually we considered that option. We
13 considered making this all one-way flow and just
14 trying to reinforce that. Two reasons we didn't go in
15 that direction.

16 One is that you could have parkers in this
17 end of the drive aisle. I think if they get down
18 here, they're more prone to just circulate around.
19 The parkers in this end of the drive aisle do tend to
20 gravitate back to this area, we did observe some that
21 going on.

22 We also really didn't want to promote that
23 much traffic crossing the driveway here at Ballas. We
24 wanted to try and minimize that as much as we could.

25 MR. MADDEN: But if you angle them in, what

1 I'm suggesting, there's no way they could go back out
2 that way. I mean, they're going to have to -- they're
3 going to hit two cars backing up.

4 MR. SHATTO: I guess my point is, I'm not
5 opposed to them going back out that way because I'm
6 trying to get them to this point with the least
7 circulation on the site as I can, and they're doing
8 that today.

9 The other thing is that if we angle that
10 parking, that changes the whole parking field
11 dimensionally whether or not we'd be able to
12 accommodate that change in the rows that way.

13 MR. MADDEN: Okay. I'm -- and this will be
14 my last thing on it. If you have people coming down
15 that way, you're going to have a lot more traffic
16 congestion with the people coming in that want to go
17 through the drive-through, because they're going to
18 meet right there.

19 MR. SHATTO: Where are you talking about?
20 Right here?

21 MR. MADDEN: Yeah. If they're going from
22 south to north, then the people coming in from Ballas,
23 I mean they're going, they're going to meet right
24 there. That's going to slow the whole thing up in my
25 opinion, but.

1 MR. SHATTO: One thing to keep in mind, and
2 we're kind of agreeing to disagree, I think, just in
3 terms of what -- how to handle the flow there. One
4 thing to keep in mind is that the level of traffic
5 activity in this immediate area is subject to decrease
6 with the addition of the drive-through.

7 Because people that are currently coming
8 here and parking and walking in, even if they're
9 getting carry-out or dining in, doesn't really matter,
10 many of those people are going to be converted to
11 drive-through customers.

12 And so instead of coming here and parking
13 and maneuvering through this drive aisle, they're
14 instead just going to circulate around the periphery
15 of the side.

16 MR. MADDEN: That was going to be my last
17 question. If you call in an order, are they going to
18 go in and get it like they have to do now, or is it
19 going to be optional?

20 MR. SHATTO: I might refer to the Panera
21 people on that as to how they would handle that
22 operationally.

23 MR. MADDEN: Could you state your name and
24 address?

25 MR. TURNQUIST: Mike Turnquist, Panera

1 Bread. Our office is in Sunset Hill off of Geyer
2 Road.

3 And to answer your question, right now, we
4 have 42 percent of our sales are carry-out at this
5 location. And we will anticipate that dropping down,
6 and 15 percent of those will now be converted to
7 drive-through sales.

8 Regarding phone-in, the future of the
9 phone-in of business will be -- will come to a stop
10 very quickly as we will no longer accept phone-in
11 orders as we transgression(sic) into more of a mobile
12 app type of operation.

13 So we still will have people walking in and
14 picking up orders to go through either mobile apps or
15 through the Internet, but not through phone-ins.

16 MR. MADDEN: Okay. But if they do the mobile
17 app, can they go through the drive-through and say, "I
18 have an order waiting"?

19 MR. TURNQUIST: No. Those orders will all
20 be --

21 MR. MADDEN: -- out of the car --

22 MR. TURNQUIST: -- small area where you can
23 place orders, and that will be enhanced within the
24 future as Panera starts to transition all their stores
25 into a more of a mobile app versus phone orders.

1 MR. MADDEN: Thank you.

2 MR. ROVAK: I have a follow-up. And this
3 goes back to traffic engineer. And really, it was
4 touched on in some of the answers. I guess what I was
5 looking for -- I'm not much on subtleties when we're
6 directing drivers and parkers. I think some of the
7 things, the stop bar perhaps.

8 But I'd like to know that we're going to see
9 some fairly aggressive, more assertive signage that
10 really -- when you depend on people understanding or
11 comprehending what they should be doing or what's the
12 right way, I don't have a lot of faith in that, and I
13 think sometimes a not very subtle sign is going to do
14 more than just a certain amount of striping or
15 coloration on the pavement. "This is something you
16 don't do," "This is something you will do," "This is
17 something you must do."

18 Obviously not those exact words, but very
19 in-your-face signage of, "Here's what we expect --
20 which way we expect you to go," or, "That you should
21 go," I think goes a lot further than depending on
22 people to pick up on the nuance of some of the
23 directional striping, or even from the things that are
24 already at the site.

25 MR. SHATTO: I agree with you in principle.

1 In fact that was a concern that we shared as well.
2 And actually, we, we felt that, well, this site today
3 is probably overpopulated with signs as it is. And
4 once you start to introduce that many signs, it does
5 start to create more confusion and less compliance.

6 What we felt was that older striping or
7 pavement markings actually would have a clearer
8 message for those motorists. In particular, you're
9 talking about things like, in this instance, striping
10 that would be -- extend all the way across the
11 driveway and have the message, the stop message
12 written on the pavement. Basically they can't miss
13 that.

14 Whereas some of the signs that we have on
15 the site today can be easily missed. We felt that we
16 can do, we can do very bold pavement marking here to
17 reinforce the circulation, one, it will be more
18 effective than the additional signage. There's still
19 signage that we've advocated, if fact, we'd like to
20 consolidate some that's out there --

21 MR. ROVAK: -- when you have too many signs,
22 consolidation of some of that goes a long way.

23 MR. SHATTO: Agreed.

24 MR. ROVAK: But like I said, I, I just --
25 when I see -- when I'm behind somebody who then starts

1 deciding he's going to stop right here and wait for
2 that perfect space that somebody's pulling out of,
3 again, less subtlety and more --

4 MR. SHATTO: -- on site like this actually
5 can be very effective just because it is so prominent
6 and so bold. And it's actually harder for them to
7 miss it there in the driveway than it is to miss some
8 of the signs that they have on the shoulder.

9 Obviously, you're dealing with internal
10 signs that are much smaller than what you would have
11 out on a highway or an open road, which are much, you
12 know, two to three times larger in size. So we do
13 have some constraints in terms of what we'd be able to
14 put in there signage wise.

15 MR. MADDEN: Mr. Faron?

16 MR. FARON: Related to the traffic, I know
17 this is a difficult site, because generally when you
18 come into a parking lot, there is some relief before
19 you get right to the parking. I mean, there's a
20 congestion point right there when you turn in from the
21 south, and people are confused. There's going to be
22 some backup in the turn lane.

23 At least in my question about the island out
24 there, has there ever been discussion about removing
25 the island to allow cueing there in the middle of --

1 MR. SHATTO: You're talking about the
2 left -- or excuse me, the center median on Ballas?

3 MR. FARON: Median on Ballas there. It's a
4 small one there. I know some of the residents have
5 said, you know, they think they're going to be able to
6 get into, let's say, a customer into the parking lot.
7 They cut that island short and they realize it's
8 Rocky -- it's the drive there. Then they race down to
9 the entrance.

10 If that island was maybe, if that median was
11 gone, maybe people could cue up a little bit longer
12 and avoid that mistake of just, if there was
13 discussion of removing the median.

14 A second point, and maybe you're -- quite a
15 while ago I brought up an option of a southbound exit
16 only. I don't know if that's ever been discussed. So
17 you come out of the drive-through and you just proceed
18 right to Ballas and you head south directly.

19 Now I know it's close to that curb cut at
20 the subdivision, but the traffic going in that
21 subdivision is probably not great for the people that
22 live in there, for people who go in there by mistake
23 and turn around, makes its greater. But I don't know
24 if those curb cuts are too close.

25 But if I was leaving that drive-through and

1 you put a sign at that, that bar you say, you know,
2 that, that stopping point that says "south straight
3 ahead on Ballas, to the left to go north on Ballas."
4 You know, so you got a straight shot to Ballas and you
5 just head south to the hospitals, to wherever.

6 Instead of having to come back to that
7 bottleneck right in front, or even come back to the
8 light, I mean I know you can -- it would be great if
9 that -- that ramp up to the light is not ideal. That
10 is very difficult. The slope is pretty steep and, I
11 mean, you could just see people blocking the entrance
12 there for people coming in who want to get back to the
13 drive-through.

14 I don't know if there's an option to have an
15 entrance in the back corner, say the northwest corner
16 for trucks. I mean when a truck comes in there, they
17 have to navigate that whole front entryway probably,
18 correct?

19 MR. SHATTO: There are pretty significant
20 grade differences back here. So I think --

21 MR. FARON: -- I brought it up before.
22 There probably was a caveat related to that.

23 So when, when -- I'll go maybe to another
24 point here. When a delivery truck comes in, was there
25 ever a thought of having the delivery truck over where

1 the three parallel spots are?

2 MR. SHATTO: Yeah. In fact, that was one of
3 the things that Mr. Hutkin alluded to in response to
4 staff's comments there that, that those parallel
5 parking spaces could be used with some temporary
6 restrictions for loading.

7 And actually, I think that's probably a good
8 idea because we were concerned about where loading
9 could take place otherwise if those spaces didn't
10 exist. So I think there's a benefit --

11 MR. FARON: -- restaurant, I'll say. I
12 don't know how -- I guess you walk over to the back.
13 I mean the proximity to residential I would say maybe
14 is less at the parallel than in the back. I mean I
15 know that houses kind of angle to the northwest, but
16 it is in the back where the residential and the
17 subdivision is. Over to the side, at least you're on
18 the entry drive. And, you know, if that was discussed
19 or not.

20 I mean, with the trucks then, I mean you
21 envision the trucks going all the way around. I know
22 there was some complaints about the noise and
23 reversing.

24 MR. SHATTO: Correct.

25 MR. FARON: So they drop and then they exit

1 all the way through the maze kind of. I have other
2 points here, but I'm trying to focus on the traffic.

3 The bubble there that you -- the bulb there,
4 what you're saying is it's being decreased, right? So
5 there's kind of two lanes of traffic that can go
6 through there at this point.

7 MR. SHATTO: Right. What the original site
8 plan had suggested was that the curb line that's there
9 today might get pulled out by ten to 12 feet just to
10 really force those two lanes together.

11 We didn't think that was appropriate or
12 necessary. So really what's happening now is that the
13 site plan, I think, proposes two to three feet of curb
14 extension there just to encourage the merger there
15 without necessitating it within that area. And here
16 you can see where the curb would just be pulled out
17 within that area.

18 MR. FARON: And that, I mean that dictates
19 kind of pushing the drive line away from pedestrians,
20 and people maybe walking there. They're kind of
21 putting a little bit of soft cushion or buffering
22 there to move people away from pedestrian traffic --

23 MR. SHATTO: Right. And that's another
24 valid point. In fact, we went back to the other
25 graphic here, is that we recognize that there are

1 areas in here where there's predominant pedestrian
2 flows.

3 Of course, there's, there's a paved
4 crosswalk that goes all the way out to the sidewalk on
5 Ballas Road in this area. We also recognize that
6 there be handicapped parking along this south parking
7 aisle here, and that providing a crossing opportunity
8 in here, that curb bulb would help receive some of
9 those pedestrians, and at the same time, that stop bar
10 that we're now discussing would help provide some
11 protection for some of those --

12 MR. FARON: -- approach is like going
13 through Kirkwood. You know, you, you kind of tighten
14 that bottle, slow people down, and kind of --

15 MR. SHATTO: Right.

16 MR. FARON: So the, the parking there on the
17 south would be angled? Would be --

18 MR. SHATTO: These spaces would be angled,
19 and then you can see it better on -- there you go.
20 Right at the very end of this, you can see how those
21 spaces would be angled heading into the wall.

22 MR. FARON: Losing one and moving the
23 handicapped down? Was that the approach --

24 MR. SHATTO: Right.

25 MR. FARON: Okay. I'm sure there will be

1 other questions related to other parts of the
2 presentation. But thank you for answering those at
3 this point.

4 MR. BROWN: Hello. Good evening. My name
5 is Gary Brown. I'm an acoustical engineer with
6 McClure Engineering/EDI Acoustics. I did a noise
7 study at the site back in -- over the summer to look
8 at the site, to see what kind of impact we'd have from
9 the speaker.

10 As there was no location here for this one,
11 I used several other locations in the St. Louis area.
12 One was off of Chippewa, the other one was off of
13 Manchester Road, and then even one in Alton.

14 Coming down to that conclusion, we, based on
15 the speaker system that's used, and this is a
16 activated, a voice activated system. So it adjusts
17 with the backgrounds. So with that, that's actually
18 called a AVC, automated voice control. So that
19 adjusts the sounds to what the current background
20 conditions are.

21 So as the noise gets higher on Ballas Road,
22 this will activate to adjust that to be even with the
23 background sound level. So as the sound level goes
24 down, it gets quieter. The noise from the speaker
25 system -- it would be like just normal conversation

1 between two people. That will lower as well.

2 It's estimated for normal conversation to be
3 within 60 to 70 dB for a normal conversation. So
4 based on that, we concluded that the sound level that
5 would be at the property line of 50 feet there is
6 roughly right at, a little bit below 45 dBA. That's
7 without the wall. Once we put the wall in, the sound
8 reduces more.

9 I brought a graph today to illustrate.
10 Okay. It's kind of cutting off my scale here. So,
11 so, everything in bright white area, and this area
12 here is all within 40 dB or below. So as we go on the
13 other side of the wall, this area here is now in the
14 35 to 40 dB range.

15 And as you get up into the houses, they're
16 now below 35 dB, which is well below current
17 background conditions at this site. The average
18 daytime background sound level was about 54 dB. I'll
19 be glad to answer any questions.

20 MR. MADDEN: Ms. Kistner?

21 MS. KISTNER: You mentioned that the speaker
22 levels would rise and lower based on other ambient
23 noise in the area. And you specifically reference
24 street noise on Ballas as a source of that?

25 MR. BROWN: Yes, that's correct.

1 MS. KISTNER: What if there is, if -- let's
2 say a car in the line had loud radio music playing,
3 would that raise the speaker level, too?

4 MR. BROWN: Yes, that's correct. Any source
5 that would relate to the current background conditions
6 to raise up the speaker level to -- so it can have a
7 normal conversation between the driver and the person
8 taking the order.

9 MS. KISTNER: So if you were affected by
10 other noises, you will be more affected by the speaker
11 noise as it rises to overcome the other noise?

12 MR. BROWN: Well, you still have some
13 shielding from the car effect. As you pull up, if the
14 car has a loud muffler on it, yes. It will raise
15 above to that muffler level. That's saying there's a
16 bad car going through.

17 But typically, cars are fairly decent
18 nowadays and you got quiet mufflers. So it would
19 raise to that level to have a normal conversation.
20 But, you know, depending on what the source is.

21 MS. KISTNER: I'm wondering, you know, up to
22 what point. The idea that the speaker will get louder
23 and louder and louder and louder as it --

24 MR. BROWN: -- cut-off point where it does
25 not go louder --

1 MS. KISTNER: So what is the cut-off point?

2 MR. BROWN: For this speaker system, it was

3 80.

4 MS. KISTNER: Eighty?

5 MR. MADDEN: Eighty.

6 MR. BROWN: That's at one foot, though. So
7 you got to realize, you got a distance. All sound
8 pressure is related to a distance. So that's at a
9 one-foot distance.

10 MS. KISTNER: So what -- at the distance
11 over by the wall, for example, where would that --
12 what would be the level if the speaker was operating
13 at 80?

14 MR. BROWN: So if the wall is at, what was
15 the wall? 72 feet.

16 MS. KISTNER: Seventeen?

17 MR. BROWN: No, 72 feet to the wall --

18 MS. KISTNER: Seventy-two feet.

19 MR. BROWN: -- so you're looking at roughly
20 about 48 dB if that was, if that was at the maximum.

21 MS. KISTNER: Forty-eight dB?

22 MR. BROWN: Forty-eight, yes.

23 MR. MADDEN: Any questions? Mr. Faron?

24 MR. FARON: I guess you're stating that this
25 is an effective way to control sound. I mean, do you

1 use it at Des Peres and Chippewa --

2 MR. BROWN: Yes.

3 MR. FARON: And I don't know the landscaping
4 and the vegetation back there. I know there was
5 discussion of removing some of the honeysuckle. I
6 don't know if that was for construction of the sound
7 wall. I don't know --

8 MR. BROWN: No. That is actually a screen
9 to block the patrons as they're driving through --

10 MR. FARON: -- I know that is there
11 obviously. I'm just saying with the wall --

12 MR. BROWN: I'm sorry, what was --

13 MR. FARON: -- I mean there's quite a bit of
14 vegetation up there. I have been up there. It's
15 pretty thick. It is honeysuckle and we definitely try
16 to promote removing it. But it does provide quite a
17 barrier there and I know probably some of it's going
18 to be removed for the wall.

19 I guess you look at all the conditions
20 there, with the screen wall, the retaining wall. I
21 don't know if there's a chance to terrace the
22 landscaping there. Probably limited on site there,
23 but.

24 MR. BROWN: Yeah. Actually vegetation
25 doesn't provide much sound barrier qualities to it.

1 It has to be very dense, within 50 to 100 feet to
2 provide any kind of attenuation.

3 You know, as you get into the winter, it --
4 leaves are gone, that helps a little bit. But as far
5 as the vegetation is concerned, it does not provide
6 much attenuation. So that's why we've gone with the
7 wall.

8 MR. FARON: The wall is ten feet high; is
9 that correct?

10 MR. BROWN: Well, that's considering, you've
11 got a retaining wall; that's at five feet. And then
12 you got a six feet -- I'm sorry. The retaining wall
13 is at six feet, and then the barrier wall was added to
14 that, which is another six feet. So it's 12 feet
15 or --

16 MR. FARON: Off of pavement roughly?

17 MR. BROWN: Yes.

18 MR. FARON: And that screen wall down there,
19 that is basically directly between the ordering box
20 and the residents in back. And --

21 MR. BROWN: Correct.

22 MR. FARON: -- and that order unit is
23 parallel to the residents back there I guess.
24 Parallel to the back of the building it seems like.

25 MR. BROWN: Yes. It does directly face out

1 that way.

2 MR. FARON: And you don't envision any kind
3 of audio pollution at the pickup window, and that's
4 angled I believe, correct?

5 MR. BROWN: -- it's got the angle and it's
6 got a little box that comes out. So it's typically,
7 the voice is pretty much stayed within that area.

8 MR. FARON: Could I ask, have you looked at
9 the documentation that we've received from the
10 residents about some of the sound issues?

11 MR. BROWN: I did tonight about 5:30, right
12 before my daughter's softball practice --

13 MR. FARON: -- quite a bit here, but I mean
14 it probably is pertinent to kind of review that and
15 address some of the concerns I know you have with your
16 presentation. That's probably all I have right now.

17 MR. BROWN: Okay.

18 MR. FARON: Thank you.

19 MR. MADDEN: Mr. Pullium?

20 MR. PULLIUM: Two quick questions. Did I
21 hear you right to say that the sound now, unprotected
22 by any wall, is -- will be higher to the -- for the
23 residents than what it will be after you put in the
24 wall? Even with the addition of the speakers and all
25 that?

1 MR. BROWN: I'm sorry, what was the question
2 again?

3 MR. PULLIUM: Let me see if I can ask that
4 in a clearer way. Did I hear -- I thought I heard you
5 earlier to say that the, that the sound, after you put
6 in this wall, there's actually going to be less sound
7 than what they are currently experiencing --

8 MR. BROWN: Yes.

9 MR. PULLIUM: -- but we're also introducing
10 more sound.

11 MR. BROWN: Yes. Because that creates the
12 barrier. It's blocking part of the sound.

13 MR. PULLIUM: So we're going to introduce
14 more sound, we're going to put a barrier there to
15 block that sound, and with the addition of that
16 barrier, they will have a net negative. They will
17 have less sound.

18 MR. BROWN: That's correct. I, I -- the
19 graph you saw is based on no background sound levels.
20 So, once -- that sound level decreases and increases
21 through the day and night.

22 I did do a -- kind of show you what the --
23 how that fluctuates through the day. This is over a
24 three-day period. You can see, it does -- this is
25 with no speaker in a system.

1 You can see how it fluctuates and has a
2 little bit of rise in the morning, then it stabilizes
3 through the day. And then sometime at night, I guess
4 not sure what happened there, could have been a storm
5 that weekend, and then the -- there's other
6 occurrences here. And then again, here at seven in
7 the morning.

8 So that's pretty much when the plaza becomes
9 alive. Cars are pulling in. Could be a dump truck
10 that morning, or a trash truck.

11 MR. PULLIUM: Well, I guess my -- everyone
12 knows if you put a sound wall there, that the houses
13 on the other side of the sound wall, keeping
14 everything else the same, are now going to have less
15 sound on that side.

16 MR. BROWN: Yes.

17 MR. PULLIUM: Okay, great. We're blocking
18 more sound. But we're also introducing more sound by
19 the introduction of a speaker system. So the question
20 is, does the sound wall create a net negative sound
21 volume on the other side of the sound wall? That's my
22 question.

23 MR. BROWN: Yes. It will create a negative
24 sound from the traffic noise off of Ballas.

25 MR. MADDEN: Wait a minute. Let me see if I

1 can phrase it. Okay, let's say on the other side of
2 the wall right now, before you put your in sound box,
3 and I'm just using numbers as a 50.

4 MR. BROWN: Okay.

5 MR. MADDEN: Okay? If -- with the sound
6 wall, before you introduce the box, it's going to go
7 down, right?

8 MR. BROWN: I'm sorry?

9 MR. MADDEN: No wall there, it's a 50.

10 MR. BROWN: No, it doesn't go -- this is
11 without background. So I don't know what the
12 background sound is. So, no --

13 MR. MADDEN: Let me try this --

14 MR. BROWN: -- I'll show you the one with
15 the wall -- without the wall. Is that what you're
16 wanting --

17 MR. MADDEN: No. I want to know -- like
18 we're saying right now, if you put the wall up with no
19 voice box on, let's say the other side of the wall is
20 a 50. I'm just using that number. I don't know what
21 it is.

22 But you put the sound wall up, it's a 50 on
23 the other -- to the, to the neighbors. Now you
24 introduce the voice box. What's that 50 going to do?
25 Go up or down on the other side of the wall?

1 MR. BROWN: That 50 will decrease actually.

2 MR. MADDEN: Okay. I think --

3 MR. BROWN: On the other side of that wall,
4 that sound will decrease.

5 MR. ROVAK: The, the reduction due to the
6 wall is greater than the addition due to the voice
7 box?

8 MR. BROWN: That's correct.

9 MS. KISTNER: And follow up to that, is that
10 mentioned at, at the wall level, or at areas above it
11 where -- because of the grade --

12 MR. BROWN: -- normal height you and I would
13 stand.

14 MS. KISTNER: Okay. But the -- where the
15 people live, though, I think grades up, correct?

16 MR. BROWN: Yeah. It does slightly go up --

17 MS. KISTNER: So the measurement that -- and
18 for you, you're going to have your turn to come up --

19 MR. MADDEN: -- don't worry. You'll get it.

20 MS. KISTNER: The, the measurements that are
21 relevant to the, to our ordinance are that the sound
22 levels as measured at any property line abutting a
23 residential use up to a height of eight feet above
24 ground at the property line, so that's the measuring,
25 the measurement point as I understand it, is property

1 line and eight feet higher. So, it's not the height
2 of the wall, it's where the property line plus eight
3 feet is.

4 MR. HUTKIN: Let me see if I can't explain.
5 Our understanding is that so long as at the property
6 line at an elevation of eight feet, we need to be
7 below 60 dB.

8 My understanding from the McClure study, as
9 well as readings taken by city staff at the site,
10 we're currently operating at a level of 54 dB to
11 58 dB, and there's no question that when a Lamborghini
12 pulls around the back, it shoots to 78 dB. I think it
13 was Maserati that was measured at 78.

14 With the introduction of the sound wall,
15 which is a height of six feet, which now gives us a
16 total of 12 feet of masonry barrier along our property
17 line with the home at 11921 Rocky, the sound level
18 will be around 45 dB at eight feet high at the
19 property line.

20 So we will have a net reduction or net
21 negative, a net reduction, even with the introduction
22 of the voice activated control speaker box. I'm not
23 sure how to answer your good question about what
24 happens if, you know, someone comes with a boom box
25 blasting a radio in the car, does it just keep

1 elevating, but there is a cap on the speaker box at
2 84 dB measured at one foot, excuse me, one foot.

3 So as you get to the 72 feet, which is the
4 distance between the speaker box and the wall, it's
5 dissipated dramatically and we're back down -- I'm not
6 the engineer, but we're well below the 60 dB, even
7 under that rare circumstance where the speaker box
8 goes to 84 decibels at one foot. I'm not sure I've
9 done any better at answering that.

10 MR. ROVAK: But I mean, I could also ask the
11 question then, even with this adjustment, this
12 automatic noise adjustment, the only time, if I
13 understand right, that the voice box would be at its
14 maximum would be when the ambient is already, I would
15 guess, far more distracting.

16 You're not going to have a situation where
17 the voice box is loud when the ambient is quiet.
18 You're -- and the ambient would already have to be at
19 a nearly objectionable level in order to boost the
20 voice box itself. So if we're looking at perception
21 of noise --

22 MR. HUTKIN: Your point is the voice box is
23 not the catalyst, that there's an external --

24 MR. ROVAK: -- and then as I see it then, so
25 the perception of noise is going to be at its worst

1 strictly when you have large ambient noise. The
2 addition, if you can call it an addition, from the
3 voice box is going to be, I think, very incidental.

4 The objection would be that ambient noise,
5 whatever it would be, the Maserati or whatever else,
6 the bad muffler, that which by itself would be
7 objectionable. Even before the introduction of
8 speaking over tones simultaneous --

9 MR. HUTKIN: -- some point, even the voice
10 activated control box, speaker box is drowned out --

11 MR. ROVAK: -- be overpowered --

12 MR. HUTKIN: -- it's been trumped, if you
13 will, by this other external --

14 MR. ROVAK: That's what I wanted to be
15 confident of.

16 MS. KISTNER: I'll just cap that off. If
17 that situation exists, then the existence of the
18 drive-through has attracted the cars with a loud --
19 so, the, the fact that the speaker may not add to an
20 objectionable condition doesn't eliminate the fact
21 that an objectionable condition might have been
22 introduced, you know, into the rear because of the
23 drive-through.

24 So it's a, it's a concern for neighbors --

25 MR. HUTKIN: Sure.

1 MS. KISTNER: -- whether or not -- you did
2 answer the question about the speaker box, and I
3 appreciate that. That it has a cap, and that that
4 cap, at 72 feet is not going to raise the level over.

5 It doesn't answer, you know, what kind of
6 noise in general is now going to be coming into the,
7 to the back of that building that is not there today?

8 MR. HUTKIN: Well, it's just -- it actually
9 is existing today. We currently have many vehicles
10 that are circulating around the building, whether they
11 are employee parking or -- I always, when I go to the
12 Bread Co., I park in the back to save the parking
13 spots out front for real customers.

14 So there are -- that, that activity is
15 currently going on. There's no question there will be
16 more, or we wouldn't be in front of you. But it's the
17 same type, yes, there will be more of it and it may be
18 occurring at maybe other hours of two in the afternoon
19 when they're currently isn't that going on at two in
20 the afternoon, or some such thing. But yes, that,
21 that's a valid point.

22 MR. MADDEN: Who do you have next. Done?
23 Okay. Then let's move to the audience, and I will
24 call you. First one on the top is Linda Rezny. And
25 can I remind everybody, you're going to have three

1 minutes. And if somebody has said what you're coming
2 up to say, just say you pass. It will be a first, but
3 I try every time. Just remember traffic's traffic.

4 MS. REZNY: Linda Rezny, 104 Graeser Acres.
5 I had a really long list, and Paul made my list
6 shorter by answering some of my questions this
7 afternoon, but there might be more questions.

8 I gave you a printed copy and I've already
9 come up with some more questions after listening to
10 these people. And there are some other problems that
11 are coming up, like Mr. Brent(phonetic) and Mr. Shatto
12 seem to be giving different traffic arrangements here.

13 There's a whole lot of details here that
14 aren't all tied down. And I think that instead of
15 trying to tie them all down tonight, you come back
16 again next week when they've all got their heads
17 together in the same places and maybe you can go watch
18 the game.

19 Okay. So from my printed stuff, you have to
20 be careful on the line of sight drawings because some
21 are labeled Rocky when they should be Randy.

22 So 1191 Rocky, the line of sight, like the
23 others, is from the house. It's not from the patio.
24 And in fact, I went there this afternoon and not only
25 does 21 have a patio, but three doors down, they got a

1 really nice deck all the way out at the edge of the
2 property.

3 The only -- those, these drawings that you
4 have here only are looking at the window. These
5 people will be seeing the rest of the car line. And
6 what about other points on their property not in their
7 house? Are they supposed to stay indoors?

8 You don't know what the impact is at
9 different places unless it's researched, and they've
10 only done research on looking at the actual order
11 window.

12 I live in Olive with my line of sight from
13 my kitchen window. And in the winter when the leaves
14 are gone, the moving cars in the day and the lights at
15 night still catch my eye differently than parked cars
16 which are on lots closer to me. Moving objects
17 attract your attention more than stationery ones.

18 For drive-throughs, there are specific
19 requirements for screening the window and the order
20 board. But as in any CUP, you have to protect the
21 neighbors in the location they are in. In this case,
22 the CUP should protect them from the sight and sound
23 of the drive line stack that creates problems that
24 parked cars do not. Like running engines, music,
25 talking, horns, et cetera.

1 There is also a different set of expected
2 behavior in a drive-through line than is expected from
3 people parking and walking to lunch or the dentist.
4 Residents need protection from this.

5 A possible solution is mentioned in the
6 acoustic study with -- which was not brought up when
7 the fellow came up and talked about the acoustic
8 study. In the agenda, there are two different ideas,
9 and one runs the length of the property. They had a
10 wall built in and he called it a fence, and he had a
11 separate set of acoustic outcomes when he put in that
12 fence. Having some barrier to provide relief from the
13 moving line of cars and the customers in their cars is
14 necessary.

15 MR. MADDEN: Thank you. We got, we got all
16 the rest for the record.

17 MS. REZNY: Well, I do have half a paragraph
18 here because --

19 MR. MADDEN: Okay. I'll give you your half
20 of paragraph.

21 MS. REZNY: Okay. Similarly, no measurement
22 of the sound on the property above the grade of the
23 property line, this came up tonight, right? Can the
24 CPU(sic) protect people from sound that, since they
25 are above grade like Ms. Kistner was talking about can

1 the CPU(sic) protect them from noise that may come
2 above our wall. But we don't know what the noise the
3 right now.

4 MR. MADDEN: Thank you. Harry Eggleston.

5 MR. EGGLESTON: Yeah. I'll be brief. I
6 live at 11945 Randy Drive. It is a very difficult
7 site. I appreciate all the comments made by the panel
8 members and all.

9 There is noise there that is not accounted
10 for. I hear noise from the, from the speaker, and
11 these people are going to put a patio speaker I
12 understand from the notes supplied by Mr. Langdon.

13 And I think that the wall is not going to be
14 high enough nor long enough. So it may not be high
15 enough and it may not be long enough.

16 There are a lot of problems. We all live
17 there; you all don't. We're going to be there when
18 everybody's gone tonight, all these experts. I'm a
19 patron of the restaurant. I like it. I hate to see
20 this site, which is already burdened by inadequate
21 parking, have more traffic there.

22 I see safety concerns there. The entrance
23 and exit it is not large enough, in my humble opinion.
24 There are many other objections, but we have many
25 other speakers and the basketball game is on. Thank

1 you, Mr. Chairman.

2 MR. MADDEN: Thank you. Scott, is it
3 Janders?

4 MR. SANDERS: Sanders.

5 MR. MADDEN: Sanders, okay. Looked like a J
6 to me. Sorry.

7 MR. SANDERS: Yeah. You know, lousy
8 handwriting coming from my school days. Scott
9 Sanders, 508 Randy Drive. I also happen to be one of
10 the trustees of the Balmoral Homeowners.

11 You know, couple of, couple of real
12 objections here. Number one, despite what was printed
13 up, now we have, you know, the -- brought up the
14 suggestion that the drive-through be allowed to open
15 at six in the morning instead of seven, which I think
16 is going to create, with that additional traffic,
17 unacceptable again, more noise, more commotion, more
18 traffic that's going to be unacceptable.

19 The other one that I, that I notice is in
20 all of the renderings and all of the drawings that
21 we've seen, there's never -- there has not been
22 anything showing the impact from the residences that
23 are immediately behind the restaurant, what their view
24 is going to be.

25 And, you know, you know, with all respect to

1 the sound engineer, you know, I don't think that, that
2 what he was showing us today really is entirely
3 adequate to reflect what the experience is going to be
4 of those residents directly behind, you know, directly
5 behind the restaurant.

6 And if I could, just going back to, none of
7 the diagrams really truly show where those homes are
8 in relation to the restaurant, in relation to the
9 drive line, et cetera. There's even one diagram that
10 shows the view coming from Rocky Drive, which is
11 actually entirely unrealistic because it does not
12 reflect the elevation changes, nor does it show the
13 proximity of the, of Joe's very first home there on,
14 on Randy to the restaurant.

15 So just some things that, that don't look
16 and feel right all, all in the name of trying to force
17 in a drive-through purely for an economic gain at the,
18 at the cost to the residents of the Balmoral
19 subdivision.

20 And also, one other one, and that is when,
21 when we've heard about the increase in traffic and the
22 increase in vehicular traffic, we hear percentages.
23 What I have yet to hear is, give us an actual number,
24 how many cars that we expect to see driving through at
25 the noon hour. How many cars do we expect to see from

1 seven a.m. to eight a.m.? The first hour, the
2 morning -- the breakfast rush, if you will. I'd like
3 to hear some actual numbers, not just vague
4 percentages. Thank you.

5 MR. MADDEN: Thank you. Joe Flaherty.

6 MR. FLAHERTY: Hello. My name is Joe
7 Flaherty. I live at 11921 Rocky, which is the first
8 home on the right when you come in the Balmoral,
9 immediately behind the Panera location.

10 I sent a letter earlier today. I know my
11 three minutes -- I will have enough to say what I want
12 to say. I do want to say for the record that I do
13 respect development. I do like Panera Bread Company.
14 We, you know, we visit the shopping center very often
15 as a family. But this is kind of a situation where
16 commercial and residential have collided.

17 Today, all the business is done at the front
18 door of the Panera. Obviously, some deliveries come
19 in the back; employees park in the back. But the
20 photos that Mr. Hutkin has put up has shown all the
21 traffic at the front door.

22 What's being proposed today on the
23 conditional use permit is to take whatever percentage
24 that might be, 15 percent, 25 percent, I don't know
25 what the number is, and move it to the rear of the

1 property.

2 Some fancy people were up here talking,
3 throwing some great numbers out there about what their
4 interpretation is, is going, going to be, the effect
5 to the homeowners. I can tell you right now living
6 there for the last seven years, that it's already --
7 it's something that you can see, it's something that
8 you can smell, and it's something, it's something that
9 you can hear. We deal with it on a daily basis.

10 And for anyone to tell me that putting up a
11 six-foot sound wall is going to abate that, again, I'd
12 invite you guys to come to my home and look down on,
13 on, on the shopping center and take a look at it.

14 Your residential developer that was up here
15 earlier tonight talked about, you know, when we're
16 doing development, we shouldn't, you know, see our
17 neighbors. We're going to screen them appropriately.

18 And if you do consider approving this, hope
19 you take a look at more than imposing a six-foot wall
20 and doing much more screening. There are open
21 corridors in, in the, the small copses of trees between
22 the, between the two properties. And you can see, you
23 can see the shopping center in the winter, you can see
24 it for six months. During the summer you can still
25 see it.

1 One last thing, too. On, on the ordinance
2 that I read, I thought that it mentioned a 200-foot
3 impact screening on residential to commercial
4 property. Is that what I read? Because, I mean, the
5 way I read it was, the 200-foot would have to -- would
6 impact all the properties within a 200-foot radius of
7 the speaker box. Is that the way that's supposed to
8 be interpreted?

9 MR. LANGDON: Basically is.

10 MR. FLAHERTY: So -- and I do think that
11 when we met with Mr. Hutkin, what was proposed, that
12 sound wall, was really just kind of behind my house.
13 And if you look at the 200-foot, it would actually --
14 that -- anything of screening would need to be much
15 further along the property in all directions. So I do
16 think what has been proposed is not adequate. Thank
17 you for your time.

18 MR. MADDEN: Thank you. And Jack Trout.

19 MR. TROUT: Good evening. Jack Trout, 11955
20 Randy Drive. I was asked to present a letter for the
21 record from one of our neighbors who couldn't be here,
22 Mr. Masterson. I believe it was e-mailed. Do you all
23 need a copy for the record?

24 MR. MADDEN: We have it.

25 MR. TROUT: Yep. Perfect. And then you

1 have the other record, I believe, from Joe? This
2 letter?

3 MR. MADDEN: I didn't know who that was from.

4 MR. TROUT: But I believe that was e-mailed
5 in also.

6 MR. MADDEN: Yeah. We got them.

7 MR. TROUT: Perfect. I, too, want to thank
8 all you for serving on this commission. I know it's
9 not easy. Thank all of you for making your
10 presentations this evening, but it still comes down to
11 what is best, I think, for the residents.

12 And if this project does go through, you
13 have talked a number of issues. One is the island out
14 on Ballas Road. Go out and stand there. You can see
15 if you're northbound, you'll get one and a quarter,
16 maybe one and a half cars to stage as you're going
17 northbound, and the back ends are hanging out. That
18 island is a detriment, and I really think we got to
19 look at that very carefully. It is -- creates a huge,
20 huge problem.

21 And as far as changing the signage or
22 whatever else we've had discussions, as Mr. Hutkin
23 says, we have, have some thoughts that would maybe
24 help keep some of the traffic off Rocky.

25 But most importantly, I don't think, you

1 know, the commission, the staff, or anybody has done
2 enough homework to really address all the concerns of
3 the neighbors and the residents of Balmoral
4 subdivision.

5 To my knowledge, there's not one neighbor,
6 one resident of Balmoral subdivision who's in favor of
7 this project, and just because of all the concerns
8 that have been spoken about tonight, even your
9 concerns, how the traffic's going to flow, so on and
10 so forth.

11 So, and, you know, and I feel for Joe and
12 his family as there are trucks out there five o'clock
13 in the morning making deliveries. There are, you
14 know, back-up alarms. There are hydraulic lifts going
15 up and down and banging, and the trash trucks and
16 stuff.

17 So, if we just take all that in
18 consideration, I would hope that we can maybe do a
19 little more homework on this and see where it goes.
20 Thank you for your time.

21 MR. MADDEN: Thank you. Is there anybody
22 that didn't turn in a card that got sworn in and wants
23 to talk? Okay. Paul your turn, or?

24 MR. LANGDON: Yes, sir. Just a quick
25 suggestion. You may want to take just a brief recess

1 because I want to set the computer up.

2 MR. MADDEN: That's fine. Sounds good to me.
3 So we'll take five minutes.

4 [There was a break in the record.]

5 MR. MADDEN: Call the meeting back to order.
6 Mr. Langdon, it's all yours.

7 MR. LANGDON: Mr. Chairman, members of the
8 Commission, Paul Langdon, Director of Community
9 Development for the city.

10 A lot of items already discussed. I think
11 some questions, fair questions have been asked and
12 some of which we don't have clear answers for. You
13 know, some of the concerns related to perspective
14 from, specifically from a backyard for example.

15 I think that there's a couple of things, you
16 may even want to call them housekeeping, that I want
17 to do just because it's important to framing the
18 discussion and evaluating some of the comments that
19 have been made.

20 As far as the overall layout, this is the
21 submitted site plan, this is part of the packet. And
22 as you can see, aside from the building and the
23 overall site layout, it does depict those lots and
24 those houses. They are a part of the evaluation. So
25 we do know how close those houses are to the property.

1 The question about the landscape and how
2 much can be saved or not saved. I think it's
3 important to note that the property line is very close
4 to the parking for a good part of this distance. Only
5 the last house, or the area in front of that last
6 house has any amount of green space within the
7 property in question. So, when you're concerned about
8 preservation of the honeysuckle, the majority of it is
9 actually on the residential properties anyway.

10 So to the extent that some repairs or
11 infills can be made in this area, sure. But beyond
12 that, there's really nowhere to put it. You're
13 talking about an area about this wide, and that's the
14 compacted backfill behind the wall.

15 So if you go out there today, the
16 honeysuckle that reaches the wall is actually well
17 back from it. It's the branches that are hanging out,
18 and those are actually on the adjacent property. Yes,
19 sir?

20 MR. FARON: Would that impact a wall
21 extending that way, too? How would that play out
22 with --

23 MR. LANGDON: -- I think -- yes. There
24 would be an issue there. Only in that constructing a
25 wall on top of the existing retaining wall would be,

1 from an engineering perspective, problematic, because
2 you'd be running into what supports the wall in the
3 first place.

4 But this is one of the items I want to
5 clarify. The ordinance, when we developed all this,
6 was in response to a concern that we've often had with
7 conditional uses. At what standard do we hold
8 somebody? When the conditional use permit just says,
9 " Well, we evaluate and make sure there's no impact,"
10 well, what's the metric for that? What's the
11 no-impact metric? And usually we don't know. We take
12 a guess, we make evaluations, we hire consultants, we
13 do studies, whatever we can do to come up with the
14 right answer.

15 In this case, because the commission and the
16 council, the staff, the residents were all very
17 concerned about what a drive-through might do, what it
18 might create for the neighbors.

19 We set out on a many-months' journey to
20 determine what is the zero impact point? At what
21 point do they have to get to before we can say they've
22 reached the standard? They've cleared the bar. And
23 then actually put that in the ordinance, in the zoning
24 ordinance. Make that the requirement so that if they
25 meet those standards, we don't have to engage in a lot

1 of guesswork. We don't have to engage in, you know,
2 multiple studies, conflicting studies, arguments here
3 at the lectern. We've already gone through this.
4 We've already been through a very long discussion
5 about what we thought was reasonable.

6 Now, we heard from a lot of residents who
7 said, "You're not right. What you the commission and
8 what you the council and what you the staff might
9 think is it reasonable is not reasonable."

10 But we did try to come up with a point that
11 everyone was comfortable with. And you all massaged
12 the tax amendment to a great degree, and then it went
13 to city council and they massaged it some more.

14 So I think that I would encourage the
15 commission to resist second guessing the ordinance.
16 If it was 20 years ago and cars were different and
17 drive-throughs were different and everything was
18 different from when we passed the ordinance,
19 absolutely. It's time to rethink it.

20 This was 12 months ago. Nothing's changed.
21 By everyone's admission, this site is unchanged, and
22 that's part of the problem for some of residents. But
23 the reality is, it is what it is. It was that way a
24 year ago when we heard the testimony then, when you
25 all forwarded a recommendation to council, and it was

1 the same testimony, the same conditions when it went
2 through the city council and was approved with the
3 current conditions.

4 So with that said, my approach to this is,
5 does this request meet those requirements? Those
6 requirements that we set out to say, "If you do that,
7 there's really not much left."

8 And at the time, at the city council, there
9 even was the discussion, "Boy, you know, we don't
10 leave ourselves a lot of discretion with this
11 approach. What if we still don't like it?" Well, you
12 better not like it for something other than the
13 standards that you put in the ordinance. That is the
14 risk. You create an ordinance that's so absolute, so
15 ironclad, 13 requirements for one use. We don't have
16 any other use except for satellite antennas that comes
17 anywhere close to this kind of, of limitation on where
18 they can go and what standards they have to meet.

19 So, yeah. You've put yourself in a pretty
20 narrow box. City council perhaps is a better way to
21 say it has put you in a pretty narrow box. But that's
22 the reality of it and that's what helps define this
23 discussion.

24 So when it comes to this notion of the wall
25 above the wall, the ordinance says only that you have

1 to screen the drive-through order board and the window
2 from any residents whose property line falls within
3 200 feet. It doesn't say you have to put a sound wall
4 200 feet down the property line. It doesn't say you
5 have to put a fence. It doesn't say anything other
6 than it has to be a solid screen. It doesn't even say
7 it has to be at the property line.

8 The objective here was to screen the
9 properties from the light that we know comes from
10 these order boards at night to perhaps provide an
11 additional level of sound mitigation, even if it isn't
12 in a formal sound wall. That's all it says.

13 Everybody, and I mean everybody, is reading
14 too much into that standard. It's about the
15 performance. Is the view screened or is it not?
16 Didn't say how.

17 So what's being proposed here because of
18 this issue of how can you build on top of a reinforced
19 concrete wall with almost no space to do it in was to
20 bring the screen to the drive-through so that you cut
21 off the view angle as soon as possible. It's a solid
22 screen. I think there are some design tweaks that,
23 that we'll, we continue to work with the applicant on,
24 but the screen is in that area -- pardon my shaky hand
25 at the end of a long day -- but that's the area where

1 the screen occurs, and these are the site lines.

2 There's the 200-foot arc. This property
3 line falls within it, therefore this house has to be
4 screened. Took the farthest corner, ran it back to
5 the, to the order board and then located the screen
6 right here to cut that line of sight off. That meets
7 the requirement of the code. Simple as that.

8 As far as the, the window, the window is
9 over on this side, so there is no line of sight back
10 to this, this house. And there's no line of sight
11 back to this house. Arguably, from right here to
12 right there, there may be a line of sight, and perhaps
13 something needs to be done in this area to beef that
14 screen up perhaps. Because again, fair enough, I
15 don't think there is a view that looks from here --
16 from here down to the, to the window, and we can
17 certainly ask the applicant to do that.

18 So, you know, there's, there's some
19 misunderstanding there. Also, switch to something
20 else here. The sound study. I think what hasn't
21 really been looked at is this diagram that shows the
22 measured sound levels out in the field. Without a
23 fence, what's out there?

24 I have to go to -- I can move it around if
25 you like me to, but the key, which is off the screen,

1 shows that the 60 decibels is way back here and
2 there's the property line. That's without the screen.

3 So, if you add the screen, it reduces it
4 even more. So then it raises the question, "Well,
5 what volume does the speaker bring to it? And does
6 the screening, once it's in, still keep us basically
7 in this condition?"

8 That's a fair question, and certainly the,
9 the concern about the sound levels, what is the sound
10 level? How loud is loud? We did a little
11 demonstration in front of the council, and that's how
12 we got the 60 decibels. I'm talking over 60 decibels
13 right now. I can assure you of that.

14 Now what we did was go out to the site,
15 switch technology here, to the other location that's
16 been alluded to out in Des Peres, took a sound meter,
17 lunchtime, middle of the day. Oddly enough, in a very
18 similar location right up the hill from the order
19 board, totally unscreened, you can see the sound 57.6.

20 Average car, typical exhaust system, well
21 within the standard without any barrier whatsoever,
22 roughly 60 feet from the board. Mr. Hutkin had heard
23 this story. There's the Maserati sitting at the order
24 board, 58.4 now while it's sitting there.

25 We went down the line, and although I don't

1 have a picture with the meter in it, when the same
2 car, which is this one, pulled away, it did go up over
3 60 decibels, at that point as it's driving away from
4 the board.

5 Now, in this case, the, the sound study does
6 not, I don't think, consider as a car goes around the
7 corner and you've got the exhaust projecting back,
8 what's the effect. And that would be a question I
9 would want the acoustic engineer to address.

10 But the point being, this is, in case you
11 don't know, this is Manchester Road right here. So
12 there's plenty of ambient noise. We measured it at
13 55, 56 decibels all the time. And I can show you a
14 similar picture with the sound meter up looking at
15 Manchester Road.

16 So, I don't think everyone, including me
17 until I did this, had a notion of how loud these
18 things are. I mean, we, we sort of get used to
19 thinking that there's this, this peace and quiet in
20 the world until you introduce something. There is no
21 peace and quiet in the world, especially when you're
22 near an arterial road.

23 Ballas Road, I think that the engineer's
24 conclusion that the ambient noise midday is about 54,
25 55 decibels. I would totally agree. To make sure

1 that I agreed, we went by there today at noon. Did
2 the same thing out there at noon. 54, 55 decibels,
3 almost with regularity until a circulation fan turns
4 on, which they have to have, and the decibel level
5 went up to 60. And that's down in the parking lot,
6 you know, with my back to the retaining wall. So
7 that's about 30 feet or so from the fan. So we're
8 really talking about a sound level equal to an air
9 vent. It's really not that loud.

10 Now, the other interesting thing, and again,
11 I wouldn't have, I wouldn't have believed it if I
12 didn't do it, but standing there in that position,
13 even without the Maserati, with the small car, I could
14 not understand -- and you'll have to take my word for
15 this -- but I could not understand a single word
16 coming from that, that speaker box. Not one. I mean
17 I tried. We really tried.

18 So I went down to the retaining wall, which
19 is, what, the width of the driveway, 25, 26 feet. I
20 still could not understand it. I could hear a voice,
21 but I could not understand it. The, the technology
22 that goes into these controls is way beyond anything
23 you can imagine from what you went to at a Burger King
24 20 years ago. They're just not the same.

25 And I would strongly encourage members of

1 the commission, if you're not prepared to make a
2 decision tonight, to go do what I did. It really is
3 remarkable how well that works. How well it focuses
4 the sound and how well it keeps it to just enough to
5 be heard from the car seat. Not from 50 feet away but
6 from the car seat. It's a really big difference.

7 And I think it's important. I think it's a
8 valuable exercise. It was eye-opening for me. That's
9 why we took the picture the way we did. We wanted you
10 to see it so you would believe it because we think
11 it's key.

12 The hours of operation, you know, the, the
13 restaurant, we certainly didn't intend to limit the
14 restaurant hours, the inside hours. The
15 drive-through, the hours, the seven a.m. was based on
16 the delivery issue and what was the appropriate time
17 for deliveries to arrive.

18 You know, really, is the six a.m. bridge too
19 far? I think that it goes back to the original reason
20 the ordinance, the zoning code was written the way it
21 was. If you've met all these requirements, what's
22 left to not like? It gets into that very subjective
23 area. And, you know, have they met the requirement of
24 the code? Yes, I believe they have.

25 Do you think that six a.m. is a, is just too

1 early for any potential risk? Perhaps. But I can't
2 stand here and tell you that the code says you should
3 not let them open at six. I can't tell you that
4 they're going to create a condition that I think is
5 going to be harmful at six.

6 Is a trash truck dropping a Dumpster at
7 six a.m. really irritating? Yeah, it sure is, because
8 you know what? I live right beside a commercial
9 alley. So I know what it sounds like when a Dumpster
10 hits the ground at six a.m., and you don't want that.

11 But that's not what we're talking about.
12 We're talking about the drive-through, and it's not a
13 Dumpster hitting the ground at six a.m. So it's
14 really, in my mind, inappropriate to say, "Well,
15 listen, Dumpsters and trash companies and everything
16 else, they're all the same." They're not all the
17 same. This is one particular use with one particular
18 set of circumstances that we can regulate. And we
19 have lots of opportunity to limit the impact.

20 The parking modification at the corner, I
21 can confirm, they did speak with the city traffic
22 engineer, Dan Shane who works for George Butler
23 Associates, the stop bar and the, the curbing were
24 agreed as, as a reasonable modification there.

25 On the four spaces on the opposite side, we,

1 I think, probably seen it enough, you know, green
2 space is always the objective especially on the
3 perimeter. We're always looking to, to keep what we
4 have and get more if we can, just because that's the
5 character of Creve Coeur.

6 I also understand because, you know, we also
7 work with the commercial property owners on a daily
8 basis how important those parking spaces are. I get
9 it. We understand. I think there is a lot going on
10 in that corner, and we've talked with the applicant
11 about that. I think there are some things that can be
12 done to make it better, both for green space and for
13 traffic.

14 I think that the offer to, to take some time
15 to evaluate it, whether it's before you make your
16 recommendation or after, is really up to you. But I
17 welcome the opportunity to work with them on something
18 better than just pushing that wall as far to the
19 street as they can in order to get, you know, the most
20 room in that driveway because that comes at the
21 expense of the green space on the outside of that.

22 Exactly what the solution is, I don't know.
23 I would imagine by the offer made that, that they're
24 not sure either, but I think that's time well spent.
25 I think that also gives us the opportunity to look at

1 some of those infill buffering issues to the west for
2 that first house.

3 On the sidewalk requirement, you know, the
4 zoning ordinance says that the first ten feet outside
5 of every right-of-way should be reserved for landscape
6 and sidewalks, unless the sidewalk is already present
7 within the right-of-way.

8 In situations where a sidewalk was either
9 ill advised because it was unsafe for some reason,
10 because of grades, et cetera, or because we really had
11 no confidence that that sidewalk would ever connect to
12 anything, we have foregone the requirement for a
13 sidewalk, and instead of, simply made sure that a
14 sidewalk had happened with the least amount of impact
15 to the public, and ultimately that means expense.

16 In some cases, we've actually escrowed when
17 we thought the sidewalk extension would come in the
18 near future. Other cases, like this one I think,
19 where an expansion of the sidewalk network is in the
20 far future, if ever, it probably would be
21 inappropriate to escrow for sidewalk.

22 In this case, all I would ask is that we
23 require an easement to ensure that there is room for
24 sidewalk should that ever become a public priority.
25 It's a minimal cost to the developer at this stage;

1 it's no cost should the sidewalk be installed in the
2 future unless some future circumstances necessitate
3 it, then it doesn't place any burden on the public or
4 the neighborhood to live with something or to build
5 something that they don't want at this time.

6 It does make it a whole lot easier to do
7 though. Should priorities change and the sidewalk
8 system's going in and it's going to connect to
9 something, we don't have to go back to the property
10 owner and try and negotiate for land. That's already
11 done now.

12 Last clarification point, or maybe extra
13 information, is on the safety of the entrance. I for
14 one have seen, you know, some pretty complicated stuff
15 going on at that entrance. I know that, you know,
16 we've talked about it internally, what should we do
17 there? Is it unsafe? That kind of thing.

18 Certainly in this application, if there's
19 more traffic going to the site, is it unsafe, what
20 should we do? First point of reference, is it unsafe?
21 It's definitely busy. Talked to the police department
22 just the other day. Asked them for the last three
23 years' data on that location as a starting point, and
24 what did they come up with.

25 Well, in incidents, car-to-car,

1 car-to-person, in the last three years, I believe the
2 number was 22, but only five of them were actually on
3 the road. The rest of them were people running into
4 each other in the parking lot.

5 It's a conventional parking lot, so I can't
6 say it's a problem with the parking lot, it's just
7 busy. But five incidents in three years out in the
8 right-of-way, and in each case, it was the owner
9 reporting that they did not see oncoming traffic,
10 failed to yield, pulled out in front and got hit.

11 So the next question is, Well, what is that?
12 I mean, is that a lot? Is that not very much?
13 Average? What is that? Just up the road at Studt, at
14 the light at Studt, and you've got the, the side
15 streets and then you've got the entrance into the
16 plaza there, in the same period, I think it was 24
17 incidents in three years. So, this isn't that bad.

18 Out on Olive and locations on Olive where
19 it's busy, they're seeing higher numbers than this.
20 So, in the police department's opinion, the lieutenant
21 that gave me -- sorry, the sergeant that gave me the
22 information, they did not believe that this represents
23 a dangerous place. Busy for sure. Definitely, I
24 would say complicated as a driver. There are times
25 you got to make some decisions.

1 But sometimes that's not so bad because when
2 it's -- sort of a clear and present danger effect,
3 like a lot of busy traffic is, it sharpens you up, you
4 pay more attention, you drive more carefully. It's
5 the same theory behind pulling crosswalks into the
6 road. You know, the sidewalk comes down and then
7 actually bulbs out.

8 Because as you're approaching that as a
9 driver, you see this person coming down and then turn
10 like they're about to cross the road, it's like "fah."
11 It catches your eye. You pay more attention. They
12 actually have fewer incidents even though you've
13 injected the pedestrians closure to the flow of
14 traffic because you've brought the attention of the
15 driver to the fore.

16 So, you know, I think there's, again, an
17 assumption based on casual observation, but to those
18 that are actually keeping the records, there's not a
19 real impact.

20 The, the site has a lot of nonconformities.
21 I take that back, it has some significant
22 nonconformities, site coverage being one of them. It
23 has an abundance of parking, according to the zoning
24 code, which is odd, not a nonconformity.

25 And some of the landscape has ebbed and

1 flowed over the years. One of them is the entrance.
2 Those of you who have been around long enough recall
3 that the sign for the center used to be on the north
4 side of the driveway. And when the street was
5 widened, that became problematic. That sign came out
6 and they moved the sign to the other side of the
7 driveway.

8 When I was speaking to the police chief
9 about this whole safety issue, and he said, "Yeah,
10 it's really not that bad there. And it's even better
11 since we moved the sign." Because so many people
12 would pull up on that driveway, look north and not see
13 what was coming, and then they pull out and get hit.
14 So, he was very pleased that that corner got opened
15 up.

16 To the extent that we would like a street
17 tree there because that would fit the pattern, I think
18 it's also important to recognize that anything
19 introduced into that site triangle would be
20 inappropriate because we have past history.

21 And while we suggest that a tree up there
22 would be wise, and I think it would be even wiser to
23 pull it further back from the street to keep that
24 triangle completely open.

25 As far as the landscape in the parking lot,

1 I realize that my attempt to be sort of simple in the
2 drawing made it too precise. There's a nice, green
3 rectangle around the location at the end of that row,
4 at the southern end of that, that row of parking.

5 I did not mean to imply that that was the
6 curb line of, of an island. That's just the location
7 we're talking about. What I would imagine is, at the
8 end of hedge, see a tree go in, and then the at-grade
9 walkway that's there now remains undisturbed. And on
10 the outside of that, a, a barrier or a hedge planting,
11 you have enough room in, in the driveway there to do a
12 two-foot wide strip and create essentially a safe zone
13 for pedestrians who are walking all the way across
14 that parking lot.

15 Again, no loss in parking, an increase in
16 safety for pedestrians, and another tree in a parking
17 lot that currently is nonconforming for that. Any
18 other landscape I think along Rocky that would help
19 one screen the site and help define the site from the
20 residential entrance or the subdivision entrance I
21 think is a good thing.

22 The offer was made by the applicant to spend
23 money on that rather than on a sidewalk. If the
24 commission does not see the sidewalk as essential, I
25 would absolutely take them up on that offer. I think

1 that's a great opportunity for, for all concerned when
2 the sidewalk is of limited value.

3 But otherwise, I would have to conclude
4 that, that it does meet the standards of, of the
5 ordinance that we worked so hard to get approved last
6 year. That's all I have. I'll be happy to answer
7 your questions.

8 MR. MADDEN: Ms. Kistner?

9 MS. KISTNER: Question about, several people
10 raised the stacking island on Ballas, and whether or
11 not that could or should be shortened or removed.
12 What's your --

13 MR. LANGDON: Well, certainly if we had seen
14 an abundance of people getting run into because they
15 were out in the drive lane and approaching cars didn't
16 stop, I would say absolutely it should be shortened.
17 But we don't see that.

18 So, you know, it was observed by the traffic
19 engineer, they've seen four cars. When that space is
20 full, does that really mean that people just keep
21 going? And say, "Well, I -- there's nowhere for me to
22 stop, so I'll go up to the light and circle around or
23 something," I don't know.

24 If you create more space, probably you'll
25 have more cars stacking in it I'm going to guess. Do

1 I think it's essential? No, it's not borne out by the
2 statistics. But, you know, we have looked at island
3 modifications to deal with traffic before to open up
4 space, open up stacking lanes.

5 It can become an extreme to where we've
6 taken out, you know, green space in the middle of the
7 road really for no obvious reason. MoDOT loves to do
8 that. You know, opportunities to, to provide islands
9 in the middle of Olive Boulevard have died at the feet
10 of, you know, some standard that we never live up to
11 because you don't get 30 cars in a line. People make
12 other choices.

13 So no, I wouldn't say it's, it's of
14 importance. Might it provide some benefit? It might.

15 MS. KISTNER: And how, if it was deemed
16 necessary, how does that -- do we control that road?

17 MR. LANGDON: Yes.

18 MS. KISTNER: I think that's all I have.

19 MR. MADDEN: Mr. Faron?

20 MR. FARON: Related to that, the south only
21 out exit, is that probably not helpful I guess in this
22 whole mess of --

23 MR. LANGDON: -- introduces the driveway
24 very close to a street, and, and then you have the
25 intersecting turn issue. So I would discourage it.

1 MR. FARON: So someone coming out going
2 right is not even looking at Rocky. They're just
3 looking at merging and they could pull right out in
4 front of someone who's coming out?

5 MR. LANGDON: Correct. I, I think if the
6 concern is that you're going to overcrowd the main
7 driveway, I would rather work with the main driveway
8 than create another one.

9 MR. FARON: That's additional curb pass. I
10 knew that would probably be a problem to introduce
11 that. The, the loading over to the south side, is
12 that more appropriate in your opinion to move it
13 farther from residential, or would it be a wash on
14 that?

15 MR. MADDEN: Paul, before you answer that,
16 when we were doing this, and Mr. Hutkin and his group
17 were here, didn't they say they'd be willing, just,
18 you know, to give the, throw the neighbors a bone,
19 that they would unload in the front and take it in
20 through the front door?

21 MR. HUTKIN: No.

22 MR. MADDEN: I think we did, but we can check
23 the minutes. I mean what would be so hard about doing
24 that, and then the truck's not driving back there.
25 You don't hear it backing up with the beeper and

1 everything. I mean, what, what would the people from
2 Panera think on that?

3 MR. HUTKIN: Yeah. There's all kinds of
4 reasons that as the property owner, and Mike Turnquist
5 can address it from the operating standpoint, that
6 would create a whole new set of challenges. If we've
7 got the wine and cheese place and Paper Warehouse and
8 Bread Company coming in through --

9 MR. MADDEN: But don't they -- we were told
10 they delivered the bakery and everything very -- long
11 before they open up. Is that not true?

12 MR. HUTKIN: That is actually not true.

13 MR. MADDEN: -- they lied to us.

14 MR. HUTKIN: Pardon me?

15 MR. MADDEN: So they didn't tell us the
16 truth --

17 MR. HUTKIN: No, no, no, no. I think the
18 residents, I think the residents made the claim and --
19 so what we did, we, we went and got the transponder
20 reports off the GPS system from all the people making
21 deliveries. So we have six months of history as to
22 when Sigma, who's a food supplier to the Bread
23 Company, as well as St. Louis Bread Company's own
24 dough facility makes deliveries.

25 And I don't know if that's going to work.

1 That's not going to work that way, is it? So this is
2 actually not taking a truck driver's word for
3 anything. This is a transponding unit in the GPS
4 system mounted in the truck. So these are the times
5 that truck pulls in --

6 MR. MADDEN: Can you read those? I can't see
7 them.

8 MR. HUTKIN: Yeah, I can't either. So this
9 is October of 2014 through March of 2015. And these
10 are in military -- well, this actually is okay. It's
11 not -- it's military hours, but it's all before noon.

12 So the times that the truck had arrived on
13 the property ranges from around 6:50 to sometime in
14 the eight o'clock a.m. hour.

15 When I asked representatives of St. Louis
16 Bread Company why are they rolling in at 6:50, 6:40,
17 6:30, the answer was, Sometimes the driver gets ahead,
18 but he waits in the truck until -- because he knows
19 until seven a.m., he's not allowed to start unloading.

20 So the cafe opens at six a.m. So bringing
21 in food at six and seven, or excuse me, seven and
22 eight a.m., it also would cause issues for the
23 people -- customers parking out in the front --

24 MR. MADDEN: What I was thinking that they'd
25 come at four a.m., early, come to the front. I

1 thought that's what we had decided, but obviously I'm
2 wrong. But, you know, come at four a.m., deliver the
3 stuff to the front door. The people in the back
4 aren't going to hear a thing. They're out of there
5 by -- I don't know. How long does it take to unload
6 your truck? A half hour? They're out of there, and,
7 you know, instead of --

8 MR. HUTKIN: I think, and again, Mike, Mike
9 can address it. But my recollection of most retailers
10 who have made a significant investment in their
11 furniture and fixtures and equipment, and in this
12 case, you know, flooring, to be running all that,
13 carts through the front of the restaurant would, you
14 know, they'd be remodeling every, you know, 30 days in
15 order for the baker cafe to look like, you know, it
16 needs to look.

17 So, we, we weren't deaf to the issues last
18 summer that were raised by residents about these,
19 these deliveries. In fact, when we met with the
20 residents as recently as March 16th, the issue was
21 raised again. And I got, frankly, a little animated
22 because I was told that there was a delivery that
23 morning at 5:23.

24 So again, we pulled March -- we pulled,
25 again this is Sigma. Sigma is their food delivery.

1 We pulled not just March 16th, but we pulled six
2 months. And on that particular day, there was no
3 delivery at 5:23 in the morning as we had been
4 represented.

5 So, we also -- and I won't go through all of
6 these, but this is the trash -- this is Bread
7 Company's trash, this is the common area trash. So,
8 we, we took steps last summer, as we said we would, to
9 correct -- because there were dough deliveries at 1:30
10 in the morning. And that would be obnoxious to have
11 that, you know, beep, beep, beep. So the Bread
12 Company did follow through on that commitment.

13 MR. MADDEN: Well, if we let you open at
14 six, you're going to have to have it come earlier than
15 that, aren't you? Because otherwise, they're going to
16 be back there --

17 MR. HUTKIN: -- the, the Bread Company opens
18 at six currently, okay. That's their current
19 operating hours --

20 MR. MADDEN: -- drive-through in the back.
21 Does the truck unload in the back?

22 MR. TURNQUIST: That would, we would
23 obviously --

24 MR. MADDEN: You need to come up here,
25 please.

1 MR. TURNQUIST: Right now, we have
2 drive-throughs at about 300 of our current locations.
3 They're about a third of our facilities. And we
4 deliver all times during the day obviously. And our
5 drivers interact through the back door with the
6 drive-through on many, many occasions.

7 So we would still continue to use the back
8 door as, as a means of ingress and egress.

9 MR. MADDEN: Okay. And I'll be honest with
10 you. Before we had the break, I wasn't ready to vote
11 tonight. But I think if we get some of the things in
12 there, Paul, you know, sidewalks versus sign, I'm for
13 the sign. I mean let's help the neighbors out and
14 make it look nice. I mean, you don't care, do you,
15 Mr. Hutkin?

16 MR. HUTKIN: No, no. We, again, the issue
17 was raised and the, and the residents expressed, you
18 know, one, dissatisfaction with the sidewalk. Totally
19 understand that, but could use some help trying to
20 differentiate Balmoral subdivision from Balmoral
21 Plaza.

22 Councilperson Lawrence suggested maybe
23 taking down the name Balmoral from the residential
24 piece so people disassociate or disassociate the two.
25 So we're, we're happy to sit down and spend some

1 money. Let's get an architect that can design
2 something that helps with the streetscape, the
3 landscape, the signage, and we'll do the best we can.

4 MR. MADDEN: Okay. Paul? What else -- if we
5 do something tonight, do we need in a proposal that --

6 MR. LANGDON: Well, there is the, if you
7 agree with -- there's the question of hours. I think
8 certainly the closing, I don't think there's any
9 concern there. Put an extra hour in the, the morning
10 hour, whether it's six a.m. or seven a.m. is something
11 you need to look at.

12 Currently, the ordinance refers to the
13 parking studies and eliminating the two spots that
14 either study references. Take out the one with the
15 addition of a stop bar before the north-south drive
16 aisle.

17 MS. KISTNER: Is that -- what condition
18 number is that right now?

19 MR. LUMLEY: You reference seven from the
20 building the sidewalk to the easement of the sidewalk
21 in the future. And then I'm not sure what your
22 thoughts are in terms of quantifying the cooperative
23 improvements.

24 MR. HUTKIN: The sidewalk is Item 8.

25 MR. LUMLEY: Not in our packet. It's seven.

1 MR. HUTKIN: The parking's Item 6.

2 MR. MADDEN: While he's looking, is everybody
3 okay with the sign versus the sidewalk?

4 MS. KISTNER: You're calling it a sign, but
5 it's a, it's a set of improvements around the entrance
6 landscaping.

7 MR. ROVAK: What page is the resolution on?

8 MR. FARON: Thirty-four, the packet. Is
9 that right? Ninety-four.

10 MR. TROUT: Can I make a comment, if
11 possible?

12 MR. MADDEN: Well, we've already given you
13 guys your shot. Okay, come on up. State your name
14 and address again, please.

15 MR. TROUT: Sure. Thank you very much.
16 Jack Trout, 11955 Randy Drive. Just want to clarify
17 out on the island on Ballas Road, it's the stacking is
18 part of it, but we feel as residents that people
19 mistake our subdivision for the entrance. And that
20 was one of the reasons to take that island off so
21 there's a straight shot if you're going northbound,
22 that they can see Balmoral Plaza.

23 It had nothing to do with how many car
24 crashes or whatever, this was a, a way of letting
25 potential customers coming in to see that, "Oh, yeah,

1 there's Balmoral Plaza, not the subdivision." And
2 that was the reason we had asked to remove the island.
3 Thank you.

4 MR. MADDEN: You're welcome. Is Ballas MoDOT
5 or is that us?

6 MR. ROVAK: Us.

7 MR. LUMLEY: You can encourage the -- what's
8 it called now? The police and traffic committee. I
9 forget what the new name is. Traffic committee to
10 look at that issue, make a recommendation.

11 MR. PULLIUM: That's my question. Sorry.
12 Is the removal of the island before us right now?

13 MR. LANGDON: No.

14 MS. KISTNER: It's not a condition that's in
15 here. It could be.

16 MR. LUMLEY: No, it couldn't be a condition
17 because it's not in control -- it's city property.
18 But I don't think, I don't think the commission would
19 want to make a traffic change without the traffic
20 committee saying.

21 MR. FARON: Question, just about -- I know
22 the residents have talked about lighting. I know
23 we're talking about signage and the entry. Was that
24 ever kind of approached with the applicant about
25 providing lighting? I know we're talking about -- I

1 thought I read that in there. And I know this is
2 documents we're getting here before the meeting,
3 shortly before the meeting, but I thought I saw
4 something in there in terms of providing lighting
5 instead of a sidewalk. I thought it was brought up in
6 the documents related to --

7 MR. LANGDON: It may have been something
8 presented this evening. I'm not aware of any.

9 MR. FARON: That's what I'm saying. I know
10 we're talking about --

11 MR. MADDEN: Mr. Hutkin, you have your hand
12 up. Do you have something on that?

13 MR. HUTKIN: If I can, I think that the city
14 received a letter this afternoon suggesting that in
15 lieu of streetscape, landscape, signage enhancements,
16 that we install street lights throughout the
17 neighborhood.

18 We're happy to work with the residents on a
19 reasonable basis to improve the condition that we were
20 made aware of because we share a name of Balmoral.
21 The people are confused between Balmoral subdivision
22 and Balmoral Plaza.

23 We thought a reasonable solution that would
24 be to enhance or improve their entrance area,
25 streetscape, landscape, signage. I don't think -- I'm

1 certain that we would not be interested in creating
2 street lights between Emerson and Ballas.

3 I'm not suggesting it's not a worthy
4 endeavor; we're not really willing to take that one
5 on. But we would willing happily work on the
6 entranceway --

7 MR. FARON: I just mention --

8 MR. HUTKIN: -- no, no, I know. But that's
9 where it came from. It, it was raised. You're right,
10 Commissioner Faron.

11 MR. FARON: -- showing a few concerns. And
12 I mean I had -- and again, maybe with Paul, a few
13 other points. I mean there was discussion of the
14 smell. I mean is there a tempered air system there
15 now? There isn't but there is going to be one in
16 place --

17 MR. LANGDON: -- there now.

18 MR. FARON: There is? Okay.

19 MR. LANGDON: My understanding is that's
20 what's in place. I think maybe the smell may be the
21 trash rather than the restaurant.

22 MR. FARON: And moving to the trash, I mean
23 are those -- I know there's discussion of different
24 kind of enclosures to cover those, and make sure
25 they're closed. I'm just touching upon some of the

1 concerns that the residents have. I mean
2 collectively, if a lot of those are addressed, you
3 know, this might proceed a little more amicably, so.

4 MR. HUTKIN: Would you like me --

5 MR. FARON: Sure. Address some of those.

6 MR. HUTKIN: So we, we actually received
7 word that from the manager of the bakery cafe, that he
8 has witnessed the raccoon that comes from underneath
9 the deck at 11921 Rocky, makes its way down to our
10 Dumpster, pops the -- slides under the lid, gets in
11 there and takes the trash back up to Mr. Flaherty's
12 home.

13 We just learned of this about a week ago.
14 We've been in touch with Republic Allied trash. We're
15 getting new trash containers that are supposedly
16 raccoon proof. So they'll, they'll latch. So now,
17 you know, given -- if raccoon's don't morph into
18 having, you know, posable thumbs, we should be able
19 to --

20 MR. LUMLEY: They already do.

21 MR. HUTKIN: They do? Okay. So we're back
22 to the drawing board. But no, we're, we're aware of
23 that condition, and, you know, lo and behold, you
24 know, the store manager said, "Oh, yeah. I've seen
25 that raccoon coming from underneath the deck." So

1 we're on that. That's not an acceptable condition
2 from our perspective.

3 MR. FARON: Sniper on top of the building?
4 And the, the air. I was going to -- the,
5 the tempered air. Do you know if that -- I guess that
6 is --

7 MR. HUTKIN: You have a tempered air system?
8 Yeah, yeah. Thank you.

9 MR. TURNQUIST: From a restaurant point of
10 view, we have no grease, we have no fryers. The
11 only -- and we obviously have an air system with our
12 ovens. On the very best day possible, you might even
13 get a small whiff of bread at the most. So, I don't
14 know, I think if there's any, more about the garbage
15 than, than anything else.

16 MR. FARON: Thank you.

17 MR. MADDEN: I think one of the major things
18 we got to decide before we do anything is six a.m. or
19 seven a.m.

20 MR. PULLIUM: Mr. Langdon, is there not a,
21 an ordinance with respect to what time trash service
22 can come into neighborhoods and pick up trash?

23 MR. LANGDON: There is. I believe it's
24 seven a.m.

25 MR. PULLIUM: It is. They're not allowed,

1 they're not allowed to come into my neighborhood.

2 MR. LUMLEY: Commercial properties, not just
3 residential.

4 MR. LANGDON: No.

5 MR. MADDEN: I'm, I'm talking about opening.

6 MR. PULLIUM: I, I understand. My, My point
7 being that, that guidelines, seven a.m., was created
8 for a purpose. And it's for the benefit of
9 neighborhoods, and the people who live in
10 neighborhoods. I think that's what the neighbors here
11 are suggesting.

12 That that traffic, and the noise associated
13 with that traffic, should not begin until seven a.m.
14 I think that's, that's the point I thought they were
15 trying to make.

16 MR. LANGDON: I would agree. I think that's
17 the point they're trying to make. I think the, the
18 other consideration is, is there, after having done
19 all these analyses, is there in fact a disturbance?

20 MR. MADDEN: Is there a what?

21 MR. LANGDON: A disturbance created.

22 Because as the ambient level goes down as it would be
23 at six a.m., so does the speaker volume. So again, I
24 don't think you'll hear it that far away. Certainly
25 not inside a house.

1 MR. PULLIUM: And to the extent that it is a
2 problem, are we back to the noise violation control
3 under the city? That, that would be the recourse. If
4 we made the wrong decision and there was noise, it
5 would be under the noise violation, noise ordinance?

6 MR. LANGDON: Well, the, the general noise
7 ordinance refers to the county, which is 60 -- I
8 believe it's 63 decibels. So, you know, if it's that
9 loud, then absolutely. Because that would be
10 violating the CNP as well. If -- as long as it met
11 the 60, under the CNP and there was no other standards
12 that I'm not aware of, then they would not be in
13 violation.

14 MR. MADDEN: Anybody else that want to weigh
15 in on this? Ms. Kistner?

16 MS. KISTNER: Two conflicting thoughts I
17 have. One, I think from a user perspective having a
18 different start time with the drive-through than the
19 restaurant opens can be confusing. So at a minimum,
20 there needs to be some kind of signage, and you might
21 end up with people driving to the back without it
22 being open, and, and you might not even, you know, to
23 the extent there is any noise associated with it, you
24 might get it anyway because people are confused. And
25 so, so that, that one part to me argues to keep it

1 consistent, makes for a smoother operation.

2 On the other hand, are there some -- is
3 there some reason to -- I have some vague recollection
4 that we might have done this once before years ago
5 when I was on the council, and some other -- I, I
6 can't remember where this was, but we started with a
7 particular time and invited the applicant to come back
8 in X number of months. And if the circumstance -- you
9 know, if there had not been any problems, I, I, I'm
10 not sure I remember that correctly. And I, I don't
11 know. Does that open up the CUP again?

12 MR. LANGDON: I, I can't recall the specific
13 situation. But certainly, sort of a trial period is
14 something that, that you can put in the ordinance,
15 sort of a required return to the commission and then
16 account for -- with notification of the neighbors
17 about, you know, "We're reevaluating this issue."

18 MS. KISTNER: Does it require a new CUP? Or
19 a change to the CUP?

20 MR. LANGDON: No. I think we just write the
21 condition to say, you know, "You come back. If, if
22 the commission determines that there's no impact, then
23 the hours remain as they were. If there is an impact,
24 then they revert to seven a.m."

25 MS. KISTNER: So it would go --

1 MR. LANGDON: -- the if/then right in the
2 condition.

3 MS. KISTNER: Okay. Then it would start at
4 the earlier hour and revert to the later hour as
5 opposed to the other way around? I guess that's what
6 you're saying --

7 MR. LANGDON: -- think seven a.m. is sort of
8 the assumed safe hour anyway, so.

9 MS. KISTNER: Right.

10 MR. LANGDON: The exception would be the
11 thing to start with. And then if it doesn't work out,
12 drop back to the typical.

13 MR. MADDEN: Well, if there's no noise --
14 well, we'll have somebody checking it out every so
15 often then? If we put this in there?

16 MS. KISTNER: Paul is going to volunteer --

17 MR. MADDEN: Look pretty good --

18 MR. LANGDON: I'd be happy to.

19 MR. MADDEN: Have we -- well, let's close the
20 public hearing and let Carl enter in his materials.

21 MR. LUMLEY: Offer the following exhibits
22 into the record of the public hearing: Documentation
23 in possession of the City Clerk reflecting the notice
24 provided to the public, staff's report, Ms. Rezny's
25 memorandum dated April 6th, Mr. Masterson's memo of

1 April 6th, Mr. Flaherty's letter of April 6, all is
2 received this evening, the City's Code of Ordinances
3 and Charter, the City's Comprehensive Plan, and the
4 public file regarding this application.

5 MR. MADDEN: Okay. I need one thing.

6 MR. LUMLEY: Well, my -- if, if the desire
7 of the commission is to vote on the item, I would
8 suggest you start with a motion to approve it on the
9 conditions as stated and then pick a particular
10 conditions to offer amendments to and vote on the
11 amendments separately.

12 MR. FARON: I'm not fully sure I want to
13 vote on the amendment at this point. I don't know
14 what the commission feels collectively, but I know
15 there was discussion on giving more time to address
16 some of the issues of the residents brought in front
17 of us.

18 There were some question marks with the
19 packet or the presentation with parking and a few
20 loose ends. I don't know if it's critical, but would
21 it be --

22 MR. MADDEN: Well, I --

23 MR. FARON: -- the final vote to get those
24 ironed out.

25 MR. MADDEN: I think we're going to put all

1 of those -- most of those are mentioned, unless I'm
2 wrong, right there. And then you said we can add
3 those others, right?

4 MR. LUMLEY: As I understand it, most of the
5 discussion points will be changing the language of
6 certain conditions.

7 MR. FARON: And leave others comment --

8 MR. ROVAK: Do you want a motion on it now
9 then?

10 MR. MADDEN: If, if you want to make a
11 motion --

12 MR. ROVAK: I'll make the basic motion now.
13 I move to approve -- I move to recommend approval of
14 Application 15-004 for a conditional use permit for an
15 eating and drinking establishment, the drive-through
16 facilities for St. Louis Bread Company located at 447
17 North New Ballas Road, subject to the conditions
18 contained in the draft ordinance attached to the staff
19 report dated April 6th, 2015. I believe I'll leave it
20 at that.

21 MS. KISTNER: Second.

22 MR. LUMLEY: Wait until the end to consider
23 any amendments for.

24 MR. MADDEN: Any discussion on that? So I
25 guess this is where we're going to add the amendments?

1 MS. KISTNER: I'd like to offer an amendment
2 to Condition No. 6, I mean, sorry, Condition No. 7
3 and --

4 MR. LUMLEY: Before you -- just to clarify.
5 If we're looking at the draft ordinance, there's a
6 numbering error because it's seven with no language
7 with it. You're looking at the staff report.

8 But the motion to approve is all of the
9 conditions that are in the draft ordinance. So, just
10 so we all are on the same page, let's use the numbers
11 as stated.

12 MS. KISTNER: In the draft ordinance?

13 MR. LUMLEY: Right. So for example, as
14 Mr. Hutkin referred, eight in the ordinance is the
15 sidewalk. So let's just use the numbers even though
16 there is error.

17 This is page -- well, the first condition
18 would be on page 100, and then it continues on. So,
19 that, that's the error. So, when you're making an
20 amendment, refer to the draft ordinance and just stick
21 with the numbers even though we got this -- matching
22 up right. If that's okay with everyone?

23 MR. MADDEN: That's fine.

24 MS. KISTNER: So my motion is to eliminate
25 the Condition No. 8 for the detached sidewalk and

1 replace it with applicant improvements to the entrance
2 area in, in conjunction as agreed on with the
3 residents of Balmoral subdivision.

4 MR. LUMLEY: Well, I think what staff is
5 proposing is that it would still be an easement for
6 us --

7 MS. KISTNER: -- I left that part out.

8 MR. LUMLEY: So changing it from
9 construction of a sidewalk to granting of an easement
10 for a sidewalk with the same dimensions and locations
11 I would assume.

12 And when we talk about cooperating with
13 someone else, that becomes problematical. I mean I
14 think ultimately, where we would want to be in front
15 of city council is to actually quantify what this
16 sidewalk would cost, and just require them to give the
17 money to the subdivision to use.

18 Because they can't do any work on the
19 subdivision's property without their permission, and
20 the trustees would have the ability to use the funds.
21 So I mean, it just gets very messy to have a situation
22 where we're trying to mandate cooperation. Both sides
23 can be acting in complete good faith and still not see
24 things the same way.

25 I don't think we're in a position to

1 quantify that now.

2 MS. KISTNER: No, but does it need to be
3 referenced, or will council simply know that --

4 MR. LUMLEY: I think you can use language in
5 terms of "in lieu of construction, funds will be
6 contributed to the subdivision." Is it one
7 subdivision or two? In terms of trustees?

8 MR. SANDERS: Two.

9 MR. LUMLEY: Do you know who controls the
10 entranceway? Both, or who's responsible for the sign?
11 Is it both --

12 MR. MADDEN: He's not asking how many
13 trustees. He said is there more than one
14 subdivision --

15 MR. SANDERS: No, just the one subdivision.
16 I'm sorry.

17 MR. LANGDON: Mr. Chairman, just, and the
18 applicant may already know. Is the sign on common
19 ground for the subdivision, or is it on, on your
20 property?

21 MR. HUTKIN: You know, Patrick is looking at
22 the survey quickly, he can answer. But I think what
23 we would be very comfortable saying is of equivalent
24 value is, you know, we would contribute that amount of
25 money and then --

1 MR. MADDEN: What the sidewalk would cost?

2 MR. HUTKIN: Yes. So if the sidewalk is
3 \$10,000, we would make -- you know, in-kind exchange
4 of cash, and then the residents would hire their
5 architect.

6 MR. LUMLEY: And the goal would be to
7 quantify that before City Council so it's definitive.

8 MR. MADDEN: But when you go before City
9 Council, you need an actual number. So if you could
10 find out what the sidewalk --

11 MR. HUTKIN: We'll get two bids, and we'll
12 make that --

13 MR. MADDEN: Sounds good.

14 MS. KISTNER: So my amendment to Condition 8
15 is to replace it with language saying that the
16 construction of the sidewalk will be eliminated, but
17 the applicant would provide an easement with a minimum
18 width of five feet separated from the curb by a
19 minimum of three feet. And in lieu of construction of
20 the sidewalk, funds will be provided to the
21 subdivision of equivalent value to the, what the
22 construction costs would have been.

23 MR. MADDEN: Sounds good.

24 MR. FARON: Second.

25 MR. MADDEN: Okay. We're voting on that

1 second one. Any discussion? Beth Kistner?

2 MS. KISTNER: Aye.

3 MR. MADDEN: Mr. Faron?

4 MR. FARON: Aye.

5 MR. MADDEN: Mr. Pullium?

6 MR. PULLIUM: Aye.

7 MR. MADDEN: Mr. Rovak?

8 MR. ROVAK: Aye.

9 MR. MADDEN: And the Chair votes aye.
10 Hours, yeah.

11 MR. FARON: Change it or leave that?

12 MR. MADDEN: I think we ought to go with the
13 six and then let the south police follow up.

14 MR. FARON: So we're six a.m. only --

15 MR. SANDERS: May I make a suggestion that
16 might eliminate a lot of this debate?

17 MR. MADDEN: Go ahead. Come up here.

18 MR. SANDERS: Scott Sanders, 508 Randy
19 Drive. You know, we we're talking -- we're all kind
20 of somewhat guesstimating what we think the noise
21 level will be.

22 Why wouldn't -- why can't we set up an
23 actual proof of concept. Set up temporarily the
24 speaker box, stage a number of cars at different times
25 of different days. So we simulate weekday morning, we

1 simulate weekend morning, we simulate weekday and
2 weekend midday and evening, and let's take actual
3 measurements and let's see what happens.

4 MR. MADDEN: I think he's already done that
5 I mean essentially.

6 MR. HUTKIN: That's what been --

7 MS. KISTNER: -- equivalent to what
8 Mr. Langdon did. And it's better than a simulation
9 because it's actually, you know, in a, in a location
10 with traffic with the same speaker systems. So I, I
11 think that would be --

12 MR. SANDERS: I understand what he did as
13 far as measuring what was happening at the, at the
14 Manchester location. I'm talking about doing a
15 simulation actually at the Ballas location.

16 MR. MADDEN: Unless I'm wrong, I would think
17 that's with the sound -- would you like to come up
18 and -- please?

19 MR. BROWN: Yeah. Hi, I'm Gary Brown,
20 4545 Oleatha, McClure Engineering. We did do a
21 simulation at the location at Chippewa. It backs up
22 to the residential property. Has the same kind of
23 barrier wall, or a retaining wall back there.

24 We monitored that and did a, a measurement
25 through the lunchtime hour and recorded that level

1 through that whole time frame for, like, two hours.

2 So we did that simulation and got the same
3 results that Paul pulled up. It was right at, between
4 50 to 55 dBA, right along the property line there.
5 And it was constant. It was a steady flow. I do have
6 a chart of that that I can show you at that location.

7 MR. MADDEN: That's okay. I trust you.
8 Okay.

9 MS. KISTNER: I'm, I'm not going to make a
10 motion to change it from the seven o'clock.

11 MR. LUMLEY: We have Condition No. 6 that
12 talks about removing two parking spaces that I think
13 staff was recommending that it reduce to the
14 elimination of one.

15 MS. KISTNER: I move to amend Condition
16 No. 6 to note that one parking space shall be
17 eliminated.

18 MR. FARON: Second that.

19 MR. MADDEN: Any discussion? I'll call for a
20 vote. Mr. Rovak?

21 MR. ROVAK: Aye.

22 MR. MADDEN: Mr. Pullium?

23 MR. PULLIUM: Aye.

24 MR. MADDEN: Mr. Faron?

25 MR. FARON: Aye.

1 MR. MADDEN: Ms. Kistner?

2 MS. KISTNER: Aye.

3 MR. MADDEN: And the Chair votes aye.

4 MR. LUMLEY: Paul, is there a need to
5 address the southwest corner, or is that something
6 that would be investigated and presented to council
7 for potential change? Do you have a specific change
8 in mind right now?

9 MR. LANGDON: I do not. You know, the draft
10 ordinance is not binding, so.

11 MR. LUMLEY: Just to save that one?

12 MR. LANGDON: Yeah. I would say the
13 commission understands that that issue may evolve as
14 it makes its way to council beyond your say-so. And
15 that's what we would do.

16 One other thing though that, that we talked
17 about a little bit, but we didn't really talk about in
18 terms of the ordinance is the south end of that
19 parking row where it comes to the walkway. That's not
20 part of the plan now and it's not in the draft
21 ordinance.

22 The parking there, and we talked about, you
23 know, locating a tree in here and then, and then the
24 pedestrian screen, or whatever you want to call it,
25 right in there, whether or not that would be required.

1 It's not currently on the plans, it's not
2 currently in the, in the draft ordinance. It was
3 something that we raised in the staff report as a
4 possibility. As I understand it from Mr. Hutkin's
5 presentation, they're amenable to it.

6 MR. HUTKIN: Yes, we are.

7 MR. FARON: Make a motion to add that to --

8 MR. LANGDON: It would just be an addition.

9 MR. FARON: An addition to the ordinance to
10 landscape the additional south island and middle
11 parking aisle to further follow the site coverage
12 nonconformity.

13 MS. KISTNER: Second.

14 MR. MADDEN: Any discussion? Call for a
15 vote. Mr. Faron?

16 MR. FARON: Aye.

17 MR. MADDEN: Mr. Pullium?

18 MR. PULLIUM: Aye.

19 MR. MADDEN: Mr. Rovak?

20 MR. ROVAK: Aye.

21 MR. MADDEN: Ms. Kistner?

22 MS. KISTNER: Aye.

23 MR. MADDEN: And the chair votes aye.

24 MR. LUMLEY: Do we need to add a reference
25 to the stop bar, or does that just get resolved?

1 MR. LANGDON: Well, I think that was an
2 important part of our engineer's comfort with
3 preserving that one spot. So it should be included.

4 MS. KISTNER: How we describe the location,
5 it's the addition of a stop bar where?

6 MR. LANGDON: At the intersection with the
7 south, north-south drive aisle in front of the
8 building.

9 MR. FARON: I would move to add a stop bar
10 at the north-south drive aisle in the southeast
11 corner --

12 MS. KISTNER: The intersection of the
13 north-south drive aisle.

14 MR. FARON: Intersection of the north-south
15 drive aisle I'll say.

16 MS. KISTNER: Second.

17 MR. MADDEN: Any discussion? Call for a
18 vote. Ms. Kistner?

19 MS. KISTNER: Aye.

20 MR. MADDEN: Mr. Faron?

21 MR. FARON: Aye.

22 MR. MADDEN: Mr. Pullium?

23 MR. PULLIUM: Aye.

24 MR. MADDEN: Mr. Rovak?

25 MR. ROVAK: Aye.

1 MR. MADDEN: And the chair votes aye.

2 MS. KISTNER: Any other amendments?

3 MR. ROVAK: What are we leaving the
4 timing --

5 MR. FARON: Well, our timing is probably
6 going to be the last --

7 MR. MADDEN: Nobody's made a motion --

8 MR. FARON: -- was there a discussion on the
9 southwest corner with the parallel parking versus the
10 loading? I guess that will play itself out you were
11 saying?

12 MR. LANGDON: Yes. I think we'll, we'll --
13 based on the discussion tonight and what I think is
14 the instructions from the commission, pursue something
15 there that introduces more green space, preserves some
16 parking, does not create a traffic hazard.

17 MR. FARON: And was there a discussion of
18 terracing the landscape? Was that the location I saw
19 in the agenda that you had mentioned? I was trying to
20 pin that down throughout the night where you had
21 mentioned terracing that, that retaining and
22 landscaping. Was that the nature of the location that
23 you're discussing?

24 MR. LANGDON: The design guidelines suggests
25 that retaining walls over four feet should be

1 terraced. If a new retaining wall is being built,
2 then that would be the location.

3 The competing objective there is the green
4 space that's there, we want to keep as high as we can
5 so that it has the best screening value from the road.
6 So there's a design evaluation there which we would
7 have to look at --

8 MR. FARON: And I thought that was a
9 location where you said there might be slight sight
10 line issues to the window. That was the only place.
11 Just --

12 MR. LANGDON: -- whole corner in general.
13 Here again, looking at the drawing, you know, this,
14 this is all new wall here, and, and there's the window
15 right there.

16 So, you know, maybe from -- around here
17 around is an area where we'll, you know, take a second
18 look and, and speak to the neighbor. And if there are
19 particular gaps, this is where they can be filled.
20 There's room to work. And then, you know, see what we
21 can do with this space.

22 MR. FARON: So our last issue is the
23 operating hours.

24 MR. ROVAK: I don't know if there was a
25 condition that dealt with it.

1 MR. PULLIUM: It's No. 3.

2 MR. FARON: Could I ask the staff one quick
3 question? Paul, you were saying you felt that one
4 hour difference was not a game changer really in terms
5 of opening. I thought you had addressed the hour.

6 I mean we're, we're setting a, a limit.
7 Store opens at six. Was there a sense in having the
8 drive-through open at six too? I, I can't paraphrase
9 what you said, but I thought you addressed the issue a
10 little more succinctly than I am right now.

11 MR. LANGDON: I think the, the question
12 before each of you is whether you believe the
13 standards in the code represent acceptable standards
14 for the hour of six a.m. We've said that, you know,
15 from seven a.m., which is sort of the end of quiet
16 hours, 60 decibels at the property line is, is
17 satisfactory.

18 I, based on our observations of the way the
19 system functions, I think it will be not audible over
20 whatever ambient noise is present at six a.m. So, I
21 don't think there will be an impact.

22 MR. FARON: But again, you said, like, trash
23 and delivery will occur seven a.m. after. It cannot
24 occur before that time?

25 MR. LANGDON: Correct.

1 MR. FARON: So if those two instances are
2 occurring in the back, should drive-through occur at
3 the same time based on those two activities? Just
4 wanted to clear that up. Thank you.

5 MR. LANGDON: I guess part of it is, you
6 know, the standard is 60 decibels. But what we don't
7 know is if the ambient noise is down to 40 or so, you
8 know, the quiet, quieter conditions at six a.m., and
9 the speaker volume drops as it's supposed to, are we
10 really still talking about, you know, no impact?

11 All they'll hear is the ambient noise,
12 whatever that is because the speakers are that
13 effective. They certainly are during the day. I can
14 vouch for that in person. But in the morning, I don't
15 know.

16 MS. KISTNER: I, I think, though, that there
17 is going to be auto noise in the back there between
18 six and seven that you wouldn't otherwise have but for
19 the drive-through window.

20 And, from my standpoint, because I'm not
21 sure whether or not the, the increase, the level set
22 is appropriate for the hour of six to seven a.m. An
23 hour where allover ambient noise is lower between six
24 and seven, then, you know, it starts to pick up later
25 on, so. I, I would not be comfortable at this time

1 going with the six a.m.

2 MR. MADDEN: I think we're going to have a
3 lot of confusion then. People are going to pull
4 around back, window's not open.

5 MS. KISTNER: Then there should be a sign.

6 MR. MADDEN: I mean, you said -- well, let's
7 just vote and see what happens.

8 MR. LANGDON: Well, I think, too, don't lose
9 sight of the opportunity to, to build in an if/then
10 statement. Try it --

11 MR. MADDEN: -- check that.

12 MS. KISTNER: What are the conditions for
13 checking --

14 MR. FARON: -- on that?

15 MR. ROVAK: Are they subjective or are they
16 a 60 decibel measurement?

17 MR. PULLIUM: Well, you said the ordinance,
18 the question's whether the ordinance already governs
19 that. You're talking about the decibel level. The
20 ordinance doesn't govern whether a drive-through shall
21 be open at six a.m., five a.m., four a.m. or seven
22 a.m., correct?

23 MR. LANGDON: This ordinance, correct. The
24 drive-through ordinance --

25 MR. PULLIUM: It does not. So it is within

1 the discretion of this, this board under the CUP.

2 MR. LANGDON: Correct. Right. We're using
3 the seven a.m. as sort of a benchmark because it
4 applies to trash service and construction. But it's
5 not directly applicable to drive-throughs.

6 MR. MADDEN: So if we go six, we should build
7 something in where we can -- the sound police will
8 check. And if they're over, we're going to --

9 MS. KISTNER: Over what?

10 MR. MADDEN: Yeah. Well, that's what I'm
11 asking.

12 MR. PULLIUM: It's whether there's too many
13 complaints from the neighbors after it gets started --

14 MS. KISTNER: -- you can build into a --

15 MR. MADDEN: -- we'll have those at first.

16 MR. PULLIUM: That's what it is.

17 MR. LANGDON: It's not a question I can
18 really answer for you. When you say, you know, what,
19 what's in violation of what? Yeah, I don't, I don't
20 know the answer to that at this point.

21 MR. HUTKIN: Can I just give some --

22 MR. MADDEN: Just come up.

23 MR. HUTKIN: Yeah, just some technical data
24 from the sound engineer. Apparently a car with a
25 functioning muffler, and we only take customers that

1 have functioning mufflers, it's 45 dB is a car? At
2 50, so at a distance of 50 feet, the decibel level of
3 the car is 45.

4 And then so the speaker -- then is it no
5 more than 48? So the speaker rises no more than three
6 dBs above ambient noise. So if a car, functioning
7 properly, is a 45, the, the loudest the speaker box
8 gets is 48 dB.

9 And I don't know if you have an example of
10 what's 40 -- I mean we, we discussed it.
11 Conversational level is 60 dB. What's something that
12 would be 48?

13 MR. BROWN: So the rule of thumb on that is
14 sound decreases every time it doubles by six dB.
15 Everybody get that? So every time you double the
16 distance in the sound, it goes down by six dB.

17 So if I go from ten to 20, it drops six dB.
18 20 to 40 drops another six. Forty to 80, it drops
19 another six. Okay. So you're talking about the
20 sounds with associated distance.

21 So when you get a sound source and you
22 double that distance, every time you double that
23 distance, it decreases by six. That make sense?

24 MR. MADDEN: I think the easiest thing to do
25 on this is make a motion and we'll vote.

1 MR. ROVAK: What's the motion?

2 MR. MADDEN: Well, no, no. We're just
3 going -- we're not going to get into what we want. I
4 mean just say a motion to change it -- let the
5 drive-through open at six a.m. like the walk-in part
6 does --

7 MS. KISTNER: If somebody wants to make that
8 motion. If we make no motion, it stands at seven
9 o'clock.

10 MR. MADDEN: Right.

11 MS. KISTNER: Well, no. If we vote it down,
12 it stands at seven.

13 MR. HUTKIN: What I think is actually a, a
14 typo is the closing hours of the, of the cafe are not
15 nine, they're ten.

16 MR. MADDEN: Yeah, I noticed that in there,
17 too.

18 MR. HUTKIN: So, so if we can clean that up,
19 that would be great. And we'll keep our fingers
20 crossed on the opening time.

21 MR. MADDEN: Anybody want to make it? Or I
22 will if you guys don't want to.

23 MR. FARON: I can make the motion --

24 MR. MADDEN: And then change the other end --
25 well, let's do one at a time.

1 MR. FARON: Make a motion to adjust No. 3,
2 maximum hours of operation for the restaurant dining
3 room shall stay at six a.m. to ten p.m. Monday through
4 Saturday, and seven a.m. to nine p.m. on Sunday. The
5 drive-through facility shall operate from six a.m. to
6 nine p.m. daily. Additional hours may be permitted
7 and the zoning --

8 MR. ROVAK: Until ten.

9 MR. FARON: Until ten p.m. daily. Sorry.

10 MR. LUMLEY: -- single motion on closing
11 time of ten o'clock and see if that passes.

12 MR. FARON: I will make a motion to change
13 the closing time to ten p.m. Monday through Sunday --

14 MS. KISTNER: For both the restaurant dining
15 room and the --

16 MR. FARON: -- drive-through.

17 MS. KISTNER: I'll second that motion.

18 MR. MADDEN: Any discussion? Mr. Rovak?

19 MR. ROVAK: Aye.

20 MR. MADDEN: Mr. Pullium?

21 MR. PULLIUM: Aye.

22 MR. MADDEN: Mr. Faron?

23 MR. FARON: Aye.

24 MR. MADDEN: Ms. Kistner?

25 MS. KISTNER: Aye.

1 MR. MADDEN: And the Chair votes aye.

2 MR. FARON: I move again on No. 3 to change
3 the -- or to make the opening time for the
4 drive-through facility to be six a.m. Monday through
5 Sunday -- or through Saturday. And seven a.m. on
6 Sunday; is that correct?

7 MR. ROVAK: Second.

8 MR. MADDEN: Any discussion? Mr. Rovak?

9 MR. ROVAK: Aye.

10 MR. MADDEN: Mr. Pullium?

11 MR. PULLIUM: Aye.

12 MR. MADDEN: Mr. Faron?

13 MR. FARON: Nay.

14 MR. MADDEN: Ms. Kistner?

15 MS. KISTNER: Nay.

16 MR. MADDEN: I knew I'd get myself in this
17 position. Chair votes aye.

18 Now do we have to go back and read the
19 original?

20 MR. LUMLEY: -- on the original motion as
21 amended.

22 MR. MADDEN: Okay.

23 MR. LUMLEY: You're just ready to vote. You
24 don't need to have a motion.

25 MR. MADDEN: Okay. Any discussion on the

1 original motion with all the amendments? Call for the
2 vote. Ms. Kistner?

3 MS. KISTNER: Aye.

4 MR. MADDEN: Mr. Faron?

5 MR. FARON: Aye.

6 MR. MADDEN: Mr. Pullium?

7 MR. PULLIUM: Aye.

8 MR. MADDEN: Mr. Rovak?

9 MR. ROVAK: Aye.

10 MR. MADDEN: And the chair votes aye.

11 MR. HUTKIN: What's the score of the game?

12 MR. MADDEN: I think it's over. I hope you
13 taped it for us. And is this the longest Mr. Kling's
14 ever sat in this room without talking?

15 MR. KLING: Never a truer word has been
16 spoken.

17 MR. HUTKIN: In all seriousness, we
18 recognize this is a tough one. There is no easy for
19 anybody on this. We appreciate all the time, all the
20 good thought that went into this, and we'll do the
21 right thing.

22 (The Public Hearing was closed.)

23

24

25



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: Public Works Department
Category: Change Order
Prepared By: Matt Wohlberg
Department Head: Jim Heines

SCHEDULED

RESOLUTION

Resolution No. 1161 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract Increase with M&H Concrete Contractors, Inc., for the 2015 Roadway Reconstruction Project for the Amount of \$97,459.20.

The condition of the concrete base for Chalet Court and Spoele Woods Court was worse than anticipated, and City staff recommends the complete reconstruction of these streets with concrete. This work carries an additional cost that will require the City Council to consider both a change order and a budget adjustment for the reconstruction account.

RESOLUTION NO. 1161

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AUTHORIZING THE EXECUTION OF A CONTRACT INCREASE WITH M&H CONCRETE CONTRACTORS, INC., FOR THE 2015 ROADWAY RECONSTRUCTION PROJECT FOR THE AMOUNT OF \$97,459.20.

WHEREAS, the City provides safe public rights of way for its commercial and residential communities;

WHEREAS, it is necessary to rehabilitate aged and failing street pavement and curbing in order to maintain the quality of life expected by the community;

WHEREAS, the 2015 Roadway Reconstruction Project has been competitively bid per the requirements, as outlined in the City of Creve Coeur Code of Ordinances;

WHEREAS, M&H Concrete Contractors, Inc., submitted the lowest and best bid for the project and has a reputation for providing quality roadway improvement services for the City of Creve Coeur;

WHEREAS, the City Council of the City of Creve Coeur approved funding for the 2015 Roadway Reconstruction Project, with a sum of \$ 359,290.50, through Resolution 1155 on March 9, 2015;

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

Section 1. The Contract change order between **M&H Concrete Contractors, Inc.**, and the City, attached hereto as "Change Order #1," with a **sum of \$ 97,459.20**, is hereby approved and the execution thereof by the City Administrator or his designee is hereby authorized. The Contract change order as executed shall be in substantially the form of "Change Order #1," with such changes therein as shall be approved by the officers of the City executing same, consistent with the provisions and intent of this Resolution. 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 Contract.

Adopted this 13th day of April, 2015.

Barry Glantz
Mayor

Attest:

Resolution

Meeting of April 13, 2015

Deborah Ryan
City Clerk

CHANGE ORDER #1

SHEET NO 1 OF 2

**CITY OF CREVE COEUR
CHANGE ORDER**CHANGE ORDER NO. 1TO: M&H CONCRETE CONTRACTORS, INC. (CONTRACTOR)PROJECT 2015 ROADWAY
RECONSTRUCTION PROJECT

YOU ARE HEREBY DIRECTED TO MAKE THE FOLLOWING CHANGES FROM THE CONTRACT

1. DESCRIPTION AND REASON FOR CHANGE (ATTACH SUPPLEMENTAL SHEETS IF REQUIRED)

See attached sheets.

2. ESTIMATE OF COST OF WORK AFFECTED BY THIS CHANGE ORDER

(A) EST. LINE NO	(B) CONTRACT ITEM NO	(C) ITEM DESCRIPTION		(D) UNITS PREVIOUSLY PROVIDED FOR	(E) UNITS TO BE CONSTRUCTED	(F) UNITS OVERRUN, UNDERRUN, CONTINGENCY	(G) CONTRACT OR AGREED UNIT PRICE	(H) AMOUNT OF OVERRUN OR PLUS CONTINGENCY	(I) AMOUNT OF UNDERRUN OR MINUS CONTINGENCY
	403002A	Geosynthetic Interlayer - System C	SY	6,862	0	-6,862.0	\$ 3.60	\$0.00	-\$24,703.20
	405001A	Bituminous Pavement	TON	938	0	-938.0	\$ 72.00	\$0.00	-\$67,536.00
	502001A	Concrete Removal and Replacement	SY	3405	7532	4,127.0	\$ 50.20	\$207,175.40	\$0.00
	502002A	Concrete Removal and Replacement - High Early	SY	356	0	-356.0	\$ 57.00	\$0.00	-\$20,292.00
	604201A	Adjust Manhole to Grade	EA	5	2	-3.0	\$ 320.00	\$0.00	-\$960.00
	609100A	Type "S" Vertical Curb	LF	60	210	150.0	\$ 28.00	\$4,200.00	\$0.00
	609200A	Integral Vertical Curb	LF	105	80	-25.0	\$ 17.00	\$0.00	-\$425.00
TOTALS:								\$211,375.40	(\$113,916.20)

3. SETTLEMENT FOR COST OF THE ABOVE CHANGE TO BE MADE AT CONTRACT UNIT PRICES, WITHOUT EXCEPTION.**4. CONTRACT TIME FOR THIS CHANGE ORDER WILL BE INCREASED / DECREASED BY:** 0 days

1. CONTRACT AMOUNT	\$359,290.50	THE TERMS OF SETTLEMENT OUTLINED ABOVE ARE HEREBY AGREED TO	
2. OVERRUN THIS ORDER (H-I)	\$97,459.20		
3. OVERRUN PREVIOUS (LINE 4 ON PREV. ORDERS)	N/A	M&H CONCRETE CONTRACTORS, INC.	
4. TOTAL OVERRUN TO DATE (2+3)	\$97,459.20		
5. TOTAL CONTRACT AMOUNT (1+4)	\$456,749.70	SIGNATURE	DATE
SUBMITTED		PROJECT ENGINEER CITY OF CREVE COEUR	DATE
APPROVED		DIRECTOR OF PUBLIC WORKS CITY OF CREVE COEUR	DATE
		APPROVED	CITY ADMINISTRATOR CITY OF CREVE COEUR
			DATE

Attachment: 2015 Roadway Reconstruction Project - Change Order #1 Exhibit (1298 : Resolution No. 1161 - 2015 Roadway Reconstruction

CITY OF CREVE COEUR
CHANGE ORDER

CHANGE ORDER NO. 1
PROJECT 2015 ROADWAY RECONSTRUCTION PROJECT

DESCRIPTION AND REASON FOR CHANGE

Attachment: 2015 Roadway Reconstruction Project - Change Order #1 Exhibit (1298 : Resolution No. 1161 - 2015 Roadway Reconstruction



DEPARTMENT OF PUBLIC WORKS STAFF MEMORANDUM

DATE: April 8, 2015

TO: Mark Perkins, City Administrator

CC: Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Discussion of Scope Increase in Change Order #1
2015 Roadway Reconstruction Project

Removal of the asphalt surface of Chalet Court and Spoede Woods Drive has found the need for extensive concrete base repairs. Staff recommends reconstructing both of these streets with concrete instead of repairing the base and resurfacing the streets with asphalt. This change in approach requires a substantial change order and, likely, a budget adjustment to implement.

Project Summary

The scope of the 2015 Roadway Reconstruction Project includes three residential streets in two phases, with Chalet Court and Spoede Woods Drive as Phase 1 and Winrock Drive as Phase 2. The contract documents list Phase 2 as a possibility if the budget allowed following completion of the work necessary for the Phase 1 streets.

All three streets involved in this project were originally concrete streets that were overlaid with asphalt some years ago once the concrete pavement began to deteriorate. The resulting asphalt-on-concrete pavement section is commonly referred to as a “combination” street.

Evidence of concrete base failure was found for all three streets, and the amount of failure varied by street. The overriding issue on Spoede Woods Drive was deterioration due to the age of the pavement. The main issue on Chalet Court was a series of voids that were found in a section of the street. Staff planned to evaluate each street once the asphalt was removed to determine the extent of the reconstruction for each. Staff felt that the reconstruction of Spoede Woods Drive was a possibility, but that the concrete replacement on Chalet Court would be significant but limited to certain areas.

The project was competitively bid in February 2015, and M&H Concrete Contractors, Inc. (M&H Concrete) was found to be the lowest responsible and responsive bidder. The project was awarded to M&H Concrete in early March 2015 for the amount of \$359,290.50.

Construction Options and Cost Projections

Construction began on Wednesday, March 25, with the removal of the asphalt surface pavement from Chalet Court and Spoede Woods Drive. Staff found that the base pavement on both of these streets to be in worse condition than anticipated, with approximately 50% of Chalet Court and 65% of Spoede Woods Drive requiring replacement. Such extensive base repairs warranted a review of the plan for each street.

Staff estimated cost for making concrete base repairs and overlaying each street with asphalt (as planned) and compared this cost with the cost to completely replace these streets with concrete pavement.

Repair and Overlay\$ 390,000

Reconstruction\$ 460,000

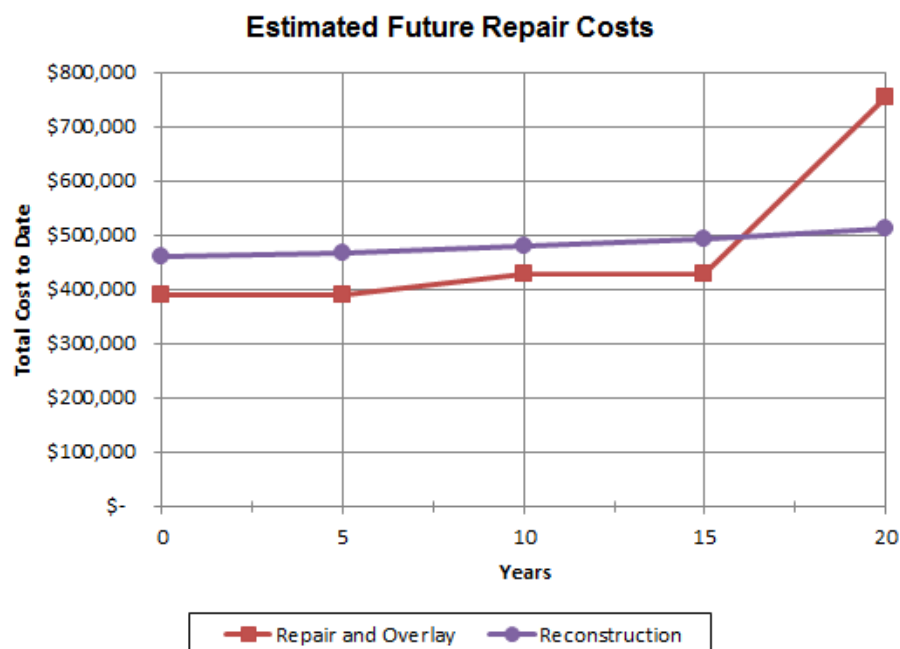
With these costs being relatively close, staff made some rough projections for street maintenance for each option for the next twenty years. The repair and overlay projection assumes a microsurfacing after ten years and a resurfacing with 25% base repair after twenty years. The reconstruction projection assumes that a small percentage of the fully reconstructed concrete streets will need to be replaced on an on-going basis. The results are as follows:

Repair and Overlay

Year	Work Description	Cost	Expenses to Date
0	Base Repair, Resurface	\$ 390,000	\$ 390,000
5	None	\$ 0	\$ 390,000
10	Microsurface	\$ 38,000	\$ 428,000
15	None	\$ 0	\$ 428,000
20	Base Repair, Resurface	\$ 327,000	\$ 755,000

Reconstruction

Year	Work Description	Cost	Expenses to Date
0	Reconstruction	\$ 460,000	\$ 460,000
5	1% Slab Replacement	\$ 6,000	\$ 466,000
10	2% Slab Replacement	\$ 13,000	\$ 479,000
15	2% Slab Replacement	\$ 15,000	\$ 494,000
20	2% Slab Replacement	\$ 17,000	\$ 511,000



With the initial costs so close, the total cost of maintaining the combination streets through the repair-and-overlay approach will exceed the cost to reconstruct and maintain concrete streets when the streets are resurfaced next. This cycle would repeat every 15-20 years.

Staff finds that it will be in the City's long-term interest to invest the additional \$70,000 into these streets now by reconstructing them. The current project impacts at least half of each street, and now appears to be the most appropriate time to reconstruct.

Considering the extent of the current project and the long-term costs, staff instructed M&H Concrete to construct the roadway pavement as a full replacement with concrete. The cost of the work will not exceed the contract sum before the City Council has had an opportunity to review and approve the subject change order.

Contract Change Order

A contract change order is proposed to increase the contract amount to allow for the full replacement of Chalet Court and Spoede Woods Drive with concrete pavement. The change order represents an increase of the contract sum of approximately 27%, as follows:

Contract Sum	\$ 359,290.50
Change Order #1	\$ 97,459.20
Projected Construction Cost:	\$ 456,749.70

The Change Order #1 exhibit for the proposed Council resolution lists an itemized account for the proposed contract increase. In general, the increase involves approximately \$200,000 of additional concrete work and \$100,000 of reduced cost due to the elimination of the asphalt work.

It should be noted that this proposed change originates from a change in approach from City staff and not from M&H Concrete.

Project Financing

Funding for the 2015 Roadway Reconstruction Project is identified in the FY2015 capital improvement plan in account 02-61-71-9510-15709 (Roadway Reconstruction) with a budget of \$400,000.00. The anticipated cost of the project will exceed the budgeted amount by approximately \$57,000.00.

A budget adjustment will be necessary to provide enough funding for the proposed reconstruction. A budget adjustment in the amount of \$60,000.00 is suggested so to allow for additional minor changes to the project.

The City could draw funds from one of several sources to finance the project. Some apparent options include:

- Bring forward FY2016 reconstruction funds to FY2015. This option will allow for the earliest completion of the work, but it will require a budget adjustment.
- Extend the construction deadline to August 1, 2015, to allow for construction to extend into FY2016. This option would not require a budget adjustment, but it would extend the duration of the construction on Spoede Woods Drive.
- Delay the Belle Coeur Thin Overlay project until FY2016, and use the funds allocated for surface treatment to complete this project. This option would not require a budget adjustment, but it would delay the planned work in the Belle Coeur subdivision by several months. If this approach were taken, staff would propose a revised FY2016 pavement maintenance budget that allocates enough funding to continue the surface treatment program.

Recommendation

Staff proposes to fully reconstruct Chalet Court and Spoede Woods Drive and to complete this work within the 2015 fiscal year. This approach appears to be in the City's best long-term interest, and completing the repairs in the current fiscal year will limit the duration of the impact to the residents on Spoede Woods Drive. Any plan moving forward would involve the completion of Chalet Court in the current fiscal year.

Staff recommends further limiting the City's optimism when considering how to approach repairs to combination streets. Recent projects have found that repairing and resurfacing the existing pavement is a viable option for only a few of these streets. Rocky Drive, Randy Drive, and the south half of South Graeser Road are good examples of combination streets where the repair-and-resurface approach worked well. Princetowne Drive, the north half of South Graeser Road, Brooktrail Court, and, now, Chalet Court and Spoede Woods Drive are examples where reconstruction was or would have been the best option. Staff was simply too optimistic in the original plan to rehabilitate Chalet Court and Spoede Woods Drive.



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

SCHEDULED

Meeting: 04/13/15 07:00 PM
Department: City Administrator
Category: Appointment
Prepared By: Mark Perkins
Initiator: Carl Lumley
Sponsors:

APPOINTMENT (ID # 1304)

DOC ID: 1304

Director of Recreation



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: Legislative /City Clerk
Category: Report
Prepared By: Mark Perkins
Department Head: Debbie Ryan

SCHEDULED

STAFF REPORT

Street Program

Discussion requested by Council Member Kent.



City Council
300 North New Ballas Rd
Creve-Coeur, MO 63141

Meeting: 04/13/15 07:00 PM
Department: City Administrator
Category: Report
Prepared By: Mark Perkins
Department Head: Carl Lumley

SCHEDULED

STAFF REPORT

Trash Schedule

Under the city's new residential trash contract beginning July 1, 2015, trash and recycling pick up in wards 3 and 4 are scheduled for Wednesday and Thursday, respectively. Republic Waste has requested that the current trash schedule of collecting ward 3 on Thursday, and ward 4 on Friday, be retained going forward.