



**REGULAR MEETING
AGENDA
CITY OF CREVE COEUR
CITY COUNCIL
300 NORTH NEW BALLAS RD
AUGUST 10, 2020
7:00 PM**

As a precautionary measure to help prevent exposure and spread of COVID-19, the City Council meeting scheduled for Monday, August 10, 2020, at 7:00 p.m. will be livestreamed online.

The Council Chambers will be closed to the public; however, citizens are encouraged to participate and submit public comments in the following ways:

1. **Video Livestream** — Watch a live video broadcast of the City Council meeting here <https://us02web.zoom.us/j/83414931004>.
The public will be required to provide a name and email address to enter the meeting. The email address will not be saved or used to contact you. Citizens will have the opportunity to make public comments live during the meeting using the video livestream program ([How to Participate in Online Public Meetings](#)).
2. **Teleconference** — Call in to the meeting by dialing 1 646 876 9923/// Webinar ID: 834 1493 1004
3. **Email** — Public comment may also be emailed to the city clerk no later than 5:00 p.m. on the day of the meeting. Submit public comments to Deborah Ryan, City Clerk, at dryan@crevecoeurmo.gov.
4. **Live Audio** — Listen to a live audio broadcast of the City Council meeting by visiting the [Agendas & Minutes](#) page and clicking on the "Audio" link at the start of the meeting (audio only).

TO MAKE A PUBLIC COMMENT REGARDING QUIK TRIP -

[HTTPS://DOCS.GOOGLE.COM/FORMS/D/E/1FAIPQLSF9GIT85SDWK9KDKUEF8LGZKDPEXDSGBJMU5LT4V04Q5JKZ1Q/VIEWFORM?USP=SF_LINK](https://docs.google.com/forms/d/e/1FAIpQLSf9GiT85SDWK9KDKUEF8LGZKDPEXDSGBJMU5LT4V04Q5JKZ1Q/VIEWFORM?USP=SF_LINK)

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)
https://docs.google.com/forms/d/e/1FAIpQLSf9GiT85sdWK9KDKuef8LGZkDPEXdsGbjMu5lt4V04Q5jkZ1Q/viewform?usp=sf_link

ACCEPTANCE OF THE AGENDA

ANNOUNCEMENTS



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*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*

CONSENT AGENDA

- 1. Approval of July 27, 2020 City Council Regular Meeting Minutes**

BILLS PAYABLE REPORT

For Information Only

Summary: For your information and transmittal to the City Council, attached is a list of paid invoices from July 23, 2020 through August 5, 2020 in the amount of \$574,107.14.

UNFINISHED BUSINESS

- 2. Bill No. 5831 - an Ordinance Authorizing a New Conditional Use Permit with Boundary Adjustment and Site Development Plan Approval for a Quiktrip Gas Station with Convenience Store at 11004, 11026, and 11032 Olive Boulevard and 825 and 827 Graeser Road, and the Redevelopment of the Adjacent Retail Center at 11032 and 11056 Olive Boulevard. Final Reading and Passage**
Summary: Gwen Keen, Real Estate Project Manager, QuikTrip Corporation, has submitted an application for a Conditional Use Permit and Site Development Plan at 11004, 11026, 11032 and 11056 Olive Boulevard and 825-827 Graeser Road, for a new gas station with convenience store, that includes the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard. Gasoline Stations with Convenience Stores (NAICS 447110) require a conditional use permit in the GC-General Commercial District subject to a public hearing and recommendation of the Planning and Zoning Commission with final approval by the City Council. The Planning and Zoning Commission completed the public hearing at it's special meeting on June 3, 2020, and continued the discussion to the June 15 and July 6, 2020 meetings. The Planning and Zoning Commission recommended denial of the conditional use permit and site development plan, and approval of the boundary adjustment at its meeting on July 6, 2020.
- 3. Bill No. 5834 - an Ordinance Amending Table A: Permitted and Conditional Uses and Provisions in Section 405.470 Conditional Uses, of Article VI Standards for Permitted, Accessory and Conditional Uses, of the Zoning Code of the City of Creve Coeur, Missouri to Allow for Drug and Druggists' Sundries Merchant Wholesalers (NAICS 424210) as a Conditional Use in the GC-General Commercial District. Final Reading and Passage**



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Summary: Paul Martin, attorney on behalf of Larry Malashock, owner of LARPAT LLC at 10880 Baur Boulevard, has submitted an application for a text amendment to the zoning code to allow Drug and Druggists' Sundries Merchant Wholesalers (NAICS 424210) as a conditional use in the GC-General Commercial District. Currently, the aforementioned use is not permitted in the GC District. If the text amendment is approved, the applicant intends to file for a conditional use permit to allow Baur Distributing to operate within a portion of the Baur Executive Suites building at 10880 Baur Boulevard. Text Amendments to the Zoning Ordinance requires review at the Planning and Zoning Commission and approval by the City Council. The Planning and Zoning Commission recommended approval at its meeting on July 20, 2020.

4. Bill No. 5835 - an Ordinance Repealing Ordinance 2159 and Issuing a New Conditional Use Permit for a 919 Square-Foot Eating and Drinking Establishment, for Vitality Bowls, Located at 741 N. New Ballas Road, Within the Plaza Shops Shopping Center. Final Reading and Passage

Summary: Mark Matiszik, of G, Section, Inc. (DBA Vitality Bowls #069), has submitted for a conditional use permit for a new fast casual, 919 square foot restaurant, Vitality Bowls Superfood Café, with a maximum number of 16 seats, at 741 N. New Ballas Road, within the Plaza Shops Shopping Center, Creve Coeur MO, 63141. The subject property is zoned CB, Core Business District. All limited-service restaurants (NAICS 722513) are permitted as a conditional use with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. The Planning and Zoning Commission recommended approval at its meeting on July 20, 2020

5. Bill No. 5836 - an Ordinance Authorizing a New Conditional Use Permit for Application for an 88-Bed, 25,017 Square Foot Medical Drug Testing and Research Facility for BioPharma at 10330 Old Olive Street Road, Zoned GC-General Commercial. Final Reading and Passage

Summary: Andrew Janis, of BioPharma Services USA, Inc., has submitted a conditional use permit application for an 88-bed, 25,017 square foot Medical Drug Testing and Research Facility at 10330 Old Olive Street Road, Creve Coeur, MO 63141, and where patients/subjects usually stay a day or two, but sometimes can be longer. All Other Miscellaneous Ambulatory Health Care Services, NAICS 621999, are conditional uses in the GC-General Commercial District with review at the Planning and Zoning Commission and approval by the City Council. The Planning and Zoning Commission recommended approval at its meeting on July 20, 2020.



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6. Bill No. 5837 - an Ordinance Amending Deer Hunting Regulations, Section 205.305, by Adding a New Subsection 4.F Authorizing Hunting in Certain City Parks on a Limited Basis. Final Reading and Passage

Summary: As a component of the city's deer mitigation efforts, city staff and Council have discussed allowing a controlled hunt in one or more city parks to further control the deer population in the community. The proposed ordinance will allow for such activity in Millennium, Conway and Malcolm Terrace Parks, with approval of the Chief of Police.

NEW BUSINESS

7. Bill No. 5838 - an Ordinance Authorizing a New Conditional Use Permit for a Solar Panel Contractor, EFS Energy, at 1283 Research Boulevard in the LI-Light Industrial District. First Reading

Summary: Paul McKnight, of EFS Energy Inc., has submitted an application for a conditional use permit as a solar panel contractor at 1283 Research Boulevard, Creve Coeur, MO 63141. All Other Specialty Trade Contractors (NAICS 238990) in the LI-Light Industrial District requires a conditional use permit with review by the Planning and Zoning Commission and approval of an ordinance by the City Council. The Planning and Zoning Commission recommended approval at its meeting on August 3rd, 2020.

8. Resolution No. 1499 - a Resolution Approving a Site Development Plan for a 15,000 Square Foot, 36 Space Parking Lot Addition at 633 Emerson Road

Summary: Jennifer Gross, of Altus Properties, on behalf of DOC-633 Emerson Road MOB, LLC, property owners of 633 Emerson Road, has submitted an application for a 15,000 square foot parking lot expansion to provide an additional 36 parking spaces to the site, with new parking lot lighting. Section 405.1080 requires site plan review by the Planning and Zoning Commission for any proposed alteration that would significantly affect the exterior of a building. Section 405.370(G)(1)(b) requires Council review and approval of all development or redevelopment plans, other than minor site plans under 5,000 square feet of new site coverage, for the properties within the area bounded by Olive Boulevard on the north, Old Ballas Road on the south and east and I-270 on the west. The Planning and Zoning Commission recommended approval at its meeting on August 3, 2020.

9. Resolution No. 1500 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of the Necessary Documents for Submitting the Project Proposal Application and Later for Executing an Agreement with the Missouri Highway and Transportation Commission for a Grant-In-Aid through the Federal Transportation Alternatives Program (Tap) Grant for the North New Ballas Phase 3 Sidewalk Project.



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Summary: Public Works staff recommends that the City pursue federal funding to assist with the construction cost to extend the sidewalk along the west side of North New Ballas Road between the U. S. Post Office and Rocky Drive. The City's share of the project cost is included in the five-year Capital Improvement Program.

10. Resolution No. 1501 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the City Administrator to Execute the Necessary Documents for Forwarding the Project Proposal Application and to Later Execute an Agreement for a Grant-In-Aid from the Municipal Park Grant Commission.

Summary: Public Works staff, with the support of the Parks and Historic Preservation Committee, recommends that the City pursue a Municipal Park Grant to assist with the cost to improve the paths at Conway Park and at Malcolm Terrace Park.

11. Resolution No. 1502 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Approving the Use of a Contract Established by the County of Greene, Missouri, as a Cooperative Purchasing Agreement for the Procurement of Microsurfacing Services for the 2020 Construction Season.

Summary: Public Works staff recommends that the City enter into a cooperative agreement to use Donelson Construction Company for the FY2021 microsurfacing program. Through this agreement, the City would secure microsurfacing at the same cost as in 2019.

12. Resolution No. 1503 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract with Spencer Contracting Company for Asphalt Pavement Repairs as Part of the 2021 Fiscal Year Pavement Maintenance Program for the Not-To-Exceed Contract Sum of \$43,942.90.

Summary: Public Works staff recommends that the City enter into a contract with Spencer Contracting Company to complete asphalt pavement repairs on several streets as part of the City's FY2021 pavement maintenance program.

13. Resolution No. 1504 - a Resolution Approving the Final Change Order and Close Out and Settlement Agreement Regarding the Construction of the New Police Facility Between United Construction Ent. Co. of St. Louis, Inc., and the City.

Summary: Resolution approving Final Change Order #57 and Project Close-out Settlement with United Construction for the construction of the new Police Building.



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14. Resolution No. 1505 - a Resolution Authorizing the City Administrator to Enter into Agreements with Azavar Audit Solutions, Inc. (D.B.A. Azavar Government Solutions) and Cozen O'Connor for Professional Computer, Data Audit, Compliance Management and Management Consulting Services and Related Collection of Past Due Obligations

Summary: Agreements with Azavar Audit Solutions and Cozen O'Connor. Azavar will audit past, present and future taxes, franchise fees, service fees or any other recoveries, refunds, monies or revenue owed to the City. The City shall compensate Azavar on a contingency basis. Azavar will receive 37% of future revenues recovered for 18 months following when funds begin to be remitted to the City. In the event Azavar or Cozen are able to recover Past Underpayments, the City will pay the appropriate party 40%.

BUSINESS FROM MAYOR AND CITY COUNCIL

15. Council Liaison Reports

16. Juneteenth as a Potential City Holiday

Summary: Council Member D'Alfonso has requested discussion of this matter.

BUSINESS FROM CITY ADMINISTRATOR

17. Communications Plan - Parks and Stormwater Sales Tax

Summary: Staff will present a plan for informing the public about Proposition C, the proposal for a Creve Coeur parks and storm water sales tax. Proposition C will appear on the November 3 ballot.

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 08/6/2020

Deborah Ryan, MPCC
City Clerk



**REGULAR MEETING
MINUTES
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CALL TO ORDER

A regular meeting of the City Council of the City of Creve Coeur was called to order by Mayor Glantz at the City Council Chamber, 300 North New Ballas Rd, City of Creve Coeur Government Center, Creve Coeur, MO 63141 on Monday, July 27, 2020 at 7:00 PM.

PLEDGE OF ALLEGIANCE

Mayor Glantz led the Pledge of Allegiance.

INVOCATION

Mayor Glantz gave the invocation.

ROLL CALL

Council Member, Ward 2 Ellen Lawrence
Council Member, Ward 3 Robert Hoffman
Council Member, Ward 3 Charlotte D'Alfonso
Council Member, Ward 4 Scott Saunders
Council Member Ward 4 Dan Tierney
Council Member, Ward 1 Alexis Travers
Council Member, Ward 1 Heather Silverman
Council Member Ward 2 Nicole Greer

COMMENTS FROM THE GENERAL PUBLIC

No one requested to speak.

ACCEPTANCE OF THE AGENDA

To accept the agenda as presented.

The vote on the motion being 8 ayes and 0 nays, motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Alexis Travers, Council Member, Ward 1
AYES:	Lawrence, Hoffman, D'Alfonso, Saunders, Tierney, Travers, Silverman, Greer

ANNOUNCEMENTS



**MINUTES
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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

CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Scott Saunders, Council Member, Ward 4
SECONDER:	Heather Silverman, Council Member, Ward 1
AYES:	Lawrence, Hoffman, D'Alfonso, Saunders, Tierney, Travers, Silverman, Greer

- 1. Approval of July 13, 2020 City Council Regular Meeting Minutes**
- 2. Building Department - Records Destruction**

BILLS PAYABLE REPORT

For Information Only

Invoices Paid Listing

Summary: For your information and transmittal to the City Council, attached is a list of paid invoices from July 9, 2020 through July 22, 2020 in the amount of \$489,338.13.

UNFINISHED BUSINESS

- 3. Bill No. 5831 - an Ordinance Authorizing a New Conditional Use Permit with Boundary Adjustment and Site Development Plan Approval for a Quiktrip Gas Station with Convenience Store at 11004, 11026, and 11032 Olive Boulevard and 825 and 827 Graeser Road, and the Redevelopment of the Adjacent Retail Center at 11032 and 11056 Olive Boulevard. First Reading**

City Clerk read Bill No. 5831 for the first time.

Council Member Silverman recused herself.

Jason Jaggi made a presentation regarding the application. (Exhibit A)

Council Member Lawrence asked if the HEB has looked at the landscaping plans for this proposal.

Jason Jaggi stated no, as a rule and during the review/approval process, HEB does not



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review.

Council Member Lawrence asked how does an application, such as this, make it to the city as the city does not solicit developers or developments.

Jason Jaggi stated the city did not solicit this development or any other development that comes before the city. Quiktrip approached staff approximately a year ago with their interest in the site and their intention to submit a plan for a store. As an applicant, anyone can propose a project to the city and when that happens, it must go through the review process. Staff's role is to work with the applicants to gain compliance with all of the objectives that were previously reviewed, with respect to a use. It varies, depending on the different type of project.

Council Member Tierney asked why is the Conditional Use Permit, Boundary Adjustment and Site Development Plan being presented together.

Jason Jaggi stated for this application, it is an all or none, which created one development proposal.

Gwen King, representative for Quiktrip make a presentation regarding this application. (Exhibit B)

Council Member Lawrence asked if approved, would Quiktrip consider installing a charging station for electric vehicles.

Gwen King stated electric cars take a minimum of thirty minutes to charge and Quiktrip is a convenience store and don't feel patrons would be willing to sit in their parking lot for 30 minutes. If the demand and time to charge changes in the future, then the company could revisit at a later date.

Council Member Lawrence stated on the landscaping list and diagram it appears they are all the same plantings.

Gwen King stated that they could have the landscaper come back on board to revise for Council approval.

Brett Berger resident of 10 Winfield Point Lane spoke in opposition of Bill No. 5831 and on behalf of the following list of residents, citing traffic, safety and property values.

- Alison Berger
- Sarah Lord
- Gary thmpson
- Diane Weinstock
- Daniel Loeb
- Stephen Weinstock
- Jennifer Drescher



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- Sarah Stolker
- Joshua Stolker
- David Sinon
- Meghan Sinon
- Salim Chahin
- Matthew Schwerin
- Andrew Dreschi
- Doron Berger
- Barbara Berger
- Kathryn Parrack
- William P Roddy
- Cherie R Roddy
- Mark Bronson
- Susan Bronson
- Kurt Lord
- Linda Faddis
- Ann Gianino Cook
- Michael Faddis
- Casey Alderson
- Anthony Parrack
- Melissa Weis

Linda Rezney resident of 104 Graeser Acres spoke in opposition of the application and stated the mason wall is too close to the parking lot

Steve Goldenberg resident of 153 Plantation Drive spoke in support of Quiktrip and indicated it is a good site for the location and Quiktrip will be a good neighbor.

Rachel Loeb resident of 6 Winfield Pointe Ln spoke in opposition of the application and has safety concerns regarding the bus stop that is on the opposite side of the street of the proposed exit of the property.

Robin Alton resident of 439 Ridge Corde Place spoke in opposition and indicated that this business is not needed as there are several gas stations and convenience stores in the city.

Gina Shanfeld resident of 718 Graeser Road spoke in opposition of the application regarding the concern with safety for the area and it is against the Comprehensive Plan for the city.

Jim Cornelison resident of 10 Pine Manor Drive spoke in opposition of the applicatino and is concerned with density and the proposed project is against the Comprehensive Plan for the city.

Mary Susan Crockett resident of 11010 Martin Grove Lane spoke in opposition of the project and is concerned over the use of Graeser for deliver trucks and semi trucks.



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Fess Crockett resident of 11010 Marin Grove Lane spoke in opposition of the project and is concerned over safety.

Council Member Hoffman asked if there were any conditions regarding the sale of alcohol.

Jason Jaggi stated no, alcohol is subject to licensing by State, County and City.

Council Member D'Alfonso asked if traffic studies were taken into account and if times of school are in session considered.

Jason Jaggi stated the traffic study takes into consideration times when school is in session.

Council Member Tierney asked what trees are being proposed for landscaping.

Jason Jaggi stated on page 252 and 253 of the packet, there is the list of vegetation proposed for the property so that there is foliage year round and working with the proposed fencing.

Council Member Tierney asked how long will it take the proposed vegetation to mature.

Jason Jaggi stated with a new development, assuming it would take several years depending on they type of tree and availability of the nursery.

Mayor Glantz stated it is interesting that the present topic of discussion is landscaping and how to hide the proposed building, instead of how this development will add to the community. This application will be discussed again at the August 10th Council meeting.

RESULT: FIRST READING

Next: 8/10/2020 7:00 PM

4. Bill No. 5832 - an Ordinance Imposing a Parks and Stormwater Sales Tax at the Rate of One-Half of One Percent and Calling for Submission to the Voters of a Proposition Authorizing Such Tax. Final Reading and Passage

City Clerk read Bill No. 5832 for the final time.

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5832 becomes Ordinance No. 5706.



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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Ellen Lawrence, Council Member, Ward 2
AYES:	Lawrence, Hoffman, D'Alfonso, Saunders, Tierney, Travers, Silverman, Greer

5. Bill No. 5833 - an Ordinance Authorizing the Installation of One (1) Fire Hydrant for Santino Court, Located on the South Side on the Lot Lines Between Lots Seven (7) and Eight (8) in the City of Creve Coeur, Missouri. Final Reading and Passage

City Clerk read Bill No. 5833 for the final time.

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5833 becomes Ordinance No. 5707.

RESULT:	SECOND AND FINAL READING [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Nicole Greer, Council Member Ward 2
AYES:	Lawrence, Hoffman, D'Alfonso, Saunders, Tierney, Travers, Silverman, Greer

NEW BUSINESS

6. Bill No. 5834 - an Ordinance Amending Table A: Permitted and Conditional Uses and Provisions in Section 405.470 Conditional Uses, of Article VI Standards for Permitted, Accessory and Conditional Uses, of the Zoning Code of the City of Creve Coeur, Missouri to Allow for Drug and Druggists' Sundries Merchant Wholesalers (Naics 424210) as a Conditional Use in the Gc-General Commercial District. First Reading

City Clerk read Bill No. 5834 for the first time.

Jason Jaggi made a presentation regarding this application.

Paul Martin, representative of Larry Malashock and applicant, made a presentation regarding this application.

RESULT:	FIRST READING	Next: 8/10/2020 7:00 PM
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7. Bill No. 5835 - an Ordinance Repealing Ordinance 2159 and Issuing a New Conditional Use Permit for a 919 Square-Foot Eating and Drinking Establishment, for Vitality Bowls, Located at 741 N. New Ballas Road, Within the Plaza Shops Shopping Center. First Reading



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City Clerk read Bill No. 5835 for the first time.

Jason Jaggi made a presentation regarding this application.

Mark and Sally Matiszik introduced themselves, explained their restaurant and was available for questions.

RESULT: FIRST READING

Next: 8/10/2020 7:00 PM

8. Bill No. 5836 - an Ordinance Authorizing a New Conditional Use Permit for Application for an 88-Bed, 25,017 Square Foot Medical Drug Testing and Research Facility for BioPharma at 10330 Old Olive Street Road, Zoned GC-General Commercial. First Reading

City Clerk read Bill No. 5836 for the first time.

Jason Jaggi made a presentation regarding this application.

Andy Jarvis introduced himself and was available for questions.

Council Member Lawrence asked if there will be any special waste created at this site.

Andy Jarvis stated there will be some biomedical waste, but minimal.

RESULT: FIRST READING

Next: 8/10/2020 7:00 PM

9. Bill No. 5837 - an Ordinance Amending Deer Hunting Regulations, Section 205.305, by Adding a New Subsection 4.F Authorizing Hunting in Certain City Parks on a Limited Basis. First Reading

City Clerk read Bill No. 5837 for the first time.

Mark Perkins stated staff has drafted a proposal to allow hunting in city parks to address the concerns from residents that the deer population is increasing.

Chief Eidman stated he has been working with MDC regarding trying a controlled hunt in a city park.

Council Member Hoffman asked if this will be bow hunting only.

Chief Eidman stated yes.

Council Member Lawrence asked how will notices be sent out.

Chief Eidman stated social media, newsletter, website, signage in parks.



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Council Member Lawrence asked if the meat harvested will be donated.

Chief Eidman stated usually donated if more than one deer is harvested.

Mark Perkins stated this is at no cost to the city for these hunts.

RESULT:	FIRST READING	Next: 8/10/2020 7:00 PM
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10. Resolution No. 1497 - a Resolution of the City Council of the City of Creve Coeur, Missouri Authorizing the Execution of an Agreement with St. Louis County Regarding a Community Development Block Grant for Accessibility Improvements to Public Facilities Within the City.

City Clerk read Resolution No. 1497.

Matt Wohlberg stated this is an annual program allowing for a grant for up to \$20,000 and typically used for accessibility improvements to facilities. This will be to improve three bus stops along New Ballas Road.

The vote on the motion being 8 ayes and 0 nays, motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Scott Saunders, Council Member, Ward 4
SECONDER:	Heather Silverman, Council Member, Ward 1
AYES:	Lawrence, Hoffman, D'Alfonso, Saunders, Tierney, Travers, Silverman, Greer

11. Resolution No. 1498 - a Resolution to Amend Resolutions 907 and 992 Adopting the Citizen's Guide to Advisory Boards, Committees and Commissions for the City of Creve Coeur.

City Clerk read Resolution No. 1498.

The vote on the motion being 8 ayes and 0 nays, motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Scott Saunders, Council Member, Ward 4
SECONDER:	Heather Silverman, Council Member, Ward 1
AYES:	Lawrence, Hoffman, D'Alfonso, Saunders, Tierney, Travers, Silverman, Greer

BUSINESS FROM MAYOR AND CITY COUNCIL

12. Council Liaison Reports



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Mayor Glantz stated the new Committee appointments will be coming later in August, as well as new Committee Council liaisons.

Council Member Lawrence stated the Employee Pension Board has begun interviews for the RFP proposals.

13. Venable Park Re-Dedication

Council Member Silverman stated the date for the re-dedication of Venable Park has been set for Saturday, June 19, 2021 and asked that all Council Members put on their calendars.

RESULT:	ITEM DISCUSSED
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BUSINESS FROM CITY ADMINISTRATOR

14. Farmer's Market

Mark Perkins stated the Farmer's Market is still open and it has been more difficult with COVID 19 but will continue to operate for the new few weeks. Currently looking for a new Market Manager.

RESULT:	ITEM DISCUSSED
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15. ADJOURN

To adjourn at 9:39 pm

The vote on the motion being 8 ayes and 0 nays, motion carried.

Submitted by:

Deborah Ryan
City Clerk
Mayor

Barry Glantz

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Scott Saunders, Council Member, Ward 4
AYES:	Lawrence, Hoffman, D'Alfonso, Saunders, Tierney, Travers, Silverman, Greer



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

Meeting: 08/10/20 07:00 PM
Department: City Council
Category: Report
Prepared By: Anne Cronin
Initiator: Anne Cronin
Sponsors:
DOC ID: 3827

SCHEDULED

INVOICES PAID LISTING (ID # 3827)

Invoices Paid Listing

For your information and transmittal to the City Council, attached is a list of paid invoices from July 23, 2020 through August 5, 2020 in the amount of \$574,107.14.



MEMORANDUM

DATE: August 5, 2020

TO: Mark Perkins, City Administrator

FROM: Lori Obermoeller, Director of Finance

SUBJECT: Invoices Paid Listing

For your information and transmittal to the City Council, attached is a list of paid invoices from July 23, 2020 through August 5, 2020 in the amount of \$574,107.14.



Creve Coeur, MO

Council Report of Invoices Paid

By Fund

Payment Dates 7/23/2020 - 8/5/2020

Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
Fund: 01 - GENERAL FUND							
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	REFUND PARTICIPANTS FOR H2H RUN	01-4544	DFT0001853	881.29
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-2213	60385	6,431.86
UNUM LIFE INSURANCE COMPANY OF AMERICA		0093442-0011 7/20/20	07/20/2020	LONG TERM CARE AUG 20	01-2219	60435	209.90
FIDELITY SECURITY LIFE INSURANCE COMPANY		164421315	07/22/2020	VISION AUG 20	01-2218	60378	895.54
KELLY WHITE		3146307435	08/04/2020	COVID19 REFUND	01-4541	60390	22.50
QUADIENT FINANCE USA INC		PPLN01 6/25/20	06/25/2020	PREPAID POSTAGE	01-1652	60410	3,000.00
							11,441.09
							11,441.09
Department: 11 - LEGISLATIVE SERVICES							
Division: 12 - MAYOR AND CITY COUNCIL							
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	COUNCIL DINNER 6/22/20	01-11-12-6264	DFT0001853	86.82
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	COUNCIL DINNER 6/8/20	01-11-12-6264	DFT0001853	66.50
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	MML CONF NICOLE GREER CANCELLED REFUND PENDING	01-11-12-6265	DFT0001853	135.00
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-11-12-5243	60423	657.63
Division 12 - MAYOR AND CITY COUNCIL Total:							945.95
Division: 13 - CITY CLERK							
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-11-13-5233	60385	-50.95
GRANICUS LLC		129750	08/01/2020	CIVIC STREAMING AND AGENDA SEPT 20	01-11-13-6213	60382	945.70
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-11-13-5243	60423	1,415.66
Division 13 - CITY CLERK Total:							2,310.41
Department 11 - LEGISLATIVE SERVICES Total:							3,256.36
Department: 12 - ADMINISTRATION							
Division: 10 - LEGAL							
REJIS COMMISSION		442238	06/30/2020	PA CASES FROM PAMS TO SHOW ME COURTS	01-12-10-6262	60412	71.50

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Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
MELISSA P SMITH		INV0000495	08/03/2020	SPECIAL PROSECUTOR JUL 20	01-12-10-6201	60397	558.00
Division 10 - LEGAL Total:							629.50
Division: 11 - ADMINISTRATIVE							
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	MONTHLY CREDIT REPORT	01-12-11-6202	DFT0001853	15.86
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	JOB POSTING AD JUN 20	01-12-11-6260	DFT0001853	37.50
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	WALL STREET JOURNAL SUB JUN 20	01-12-11-6262	DFT0001853	19.49
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	POST DISPATCH STL TODAY E VERSION	01-12-11-6262	DFT0001853	9.97
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	BUSINESS NEWSLETTER SUB	01-12-11-6262	DFT0001853	70.00
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	REPLACEMENT CAMERA PLO	01-12-11-9504	DFT0001853	524.98
BANK OF AMERICA		CC PURCHASES FY21	07/31/2020	IPMA HR ACA MEMBERSHIP THRU 7/31/21	01-12-11-6262	DFT0001852	156.00
BANK OF AMERICA		CC PURCHASES FY21	07/31/2020	ICMA MEMBERSHIP ACA STOTT 7/1/20-6/30/21	01-12-11-6262	DFT0001852	733.00
BANK OF AMERICA		CC PURCHASES FY21	07/31/2020	ICMA CA DUES PERKINS	01-12-11-6262	DFT0001852	1,400.00
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-12-11-5233	60385	-35.80
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-12-11-5243	60423	5,337.51
Division 11 - ADMINISTRATIVE Total:							8,268.51
Division: 14 - MUNICIPAL COURT							
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-12-14-5233	60385	-17.90
RICOH USA, INC		103836653	06/29/2020	COURT COPIER LEASE 6/18-7/17/20	01-12-14-6213	60415	233.55
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-12-14-5243	60423	2,045.90
Division 14 - MUNICIPAL COURT Total:							2,261.55
Department 12 - ADMINISTRATION Total:							11,159.56
Department: 13 - FINANCE							
Division: 11 - ADMINISTRATIVE							
BANK OF AMERICA		CC PURCHASES FY21	07/31/2020	GFOA ANNUAL CONF 8/19-8/21/20 OBERMOELLER	01-13-11-6265	DFT0001852	130.00
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-13-11-5233	60385	-104.65
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-13-11-5243	60423	4,724.21
SCHOWALTER & JABOURI, P.C. PO00363		201610	07/27/2020	Audit Services for FY20 - Year 1 of 5 Year Contrac	01-13-11-6209	60418	8,000.00
Division 11 - ADMINISTRATIVE Total:							12,749.56
Division: 15 - INTERDEPARTMENTAL							
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	SLAIT GRANT FITBIT	01-13-15-7317	DFT0001853	97.99

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BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	SLAIT GRANT PURCHASE 2 SMARTWATCHES	01-13-15-7317	DFT0001853	149.95
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	SLAIT GRANT FITNESS TRACKERS	01-13-15-7317	DFT0001853	456.87
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	SLAIT GRANT PURCHASE 2 EXCERCISE BALLS	01-13-15-7317	DFT0001853	70.98
CHARTER COMMUNICATIONS		0215116071620	07/16/2020	INTERNET/TV AT SHOP	01-13-15-6255	60363	534.11
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-13-15-6220	60423	34,350.00
WEST CENTRAL DISPATCH CENTER	PO00345	20-10	07/01/2020	FY 2021 Q4 REJIS ACCESS AND FIBER FEES	01-13-15-6213	60439	787.00
WEST CENTRAL DISPATCH CENTER	PO00345	20-10	07/01/2020	FY 2021 Q4 CHARTER FIBER AND PRI FEES	01-13-15-6253	60439	5,708.00
WEST CENTRAL DISPATCH CENTER	PO00345	20-10	07/01/2020	FY 2021 Q4 CHARTER TV FEES	01-13-15-6255	60439	400.00
AT&T		31498918496042 7/19/20	07/19/2020	SERVICE AT OLIVE/270 7/19-8/18/20	01-13-15-6253	60354	185.67
THE DANIEL & HENRY CO.		INS FY21	07/09/2020	#26294 CYBR RENEWAL 7/1/20-7/1/21	01-13-15-6220	60428	4,031.00
THE DANIEL & HENRY CO.		INS FY21	07/09/2020	#26294 PUBLIC OFFICIALS RENEWAL 7/1/20-7/1/21	01-13-15-6222	60428	34,190.00
THE DANIEL & HENRY CO.		INS FY21	07/09/2020	#26477 PROPERTY RENEWAL 7/1/20-7/1/21	01-13-15-6226	60428	63,696.00
QUADIENT FINANCE USA INC		INV16112917	07/15/2020	INK CARTRIDGE FOR POSTAGE MACHINE	01-13-15-7304	60410	139.73
Division 15 - INTERDEPARTMENTAL Total:							144,797.30
Division: 51 - MIS OPERATIONS							
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	SHIPPING FEES	01-13-51-6213	DFT0001853	51.34
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	ZOOM MONTHLY FEE 6/16-6/17/20	01-13-51-7332	DFT0001853	0.97
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	ZOOM MONTHLY FEE 6/18-7/17/20	01-13-51-7332	DFT0001853	214.95
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	ZOOM MONTHLY FEE 6/20-7/19/20	01-13-51-7332	DFT0001853	14.99
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-13-51-5233	60385	-50.95
UMZUZU LLC	PO00320	0134396	08/01/2020	G Suite Annual AUG 20	01-13-51-6213	60434	1,560.00
TYLER TECHNOLOGIES	PO00362	025-304407	08/01/2020	Tyler Technologies Disaster Recovery Services 9/1-	01-13-51-6213	60433	1,517.33
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-13-51-5243	60423	963.62
WINNING TECHNOLOGIES, INC.	PO00348	21910	07/01/2020	IT Professional Services JUL 20	01-13-51-6202	60441	4,190.60
WINNING TECHNOLOGIES, INC.	PO00348	22062	08/01/2020	IT Professional Services AUG 20	01-13-51-6202	60441	4,190.60

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CDW LLC		ZKV3505	07/15/2020	2 WINDOWS 10 PRO LICENSES	01-13-51-7332	60362	1,411.52
						Division 51 - MIS OPERATIONS Total:	14,064.97
						Department 13 - FINANCE Total:	171,611.83
Department: 14 - COMMUNITY SERVICES							
Division: 11 - ADMINISTRATIVE							
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	FARMERS MARKET FACEBOOK BOOST 6/4-6/27/20	01-14-11-6230	DFT0001853	15.00
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-14-11-5233	60385	-50.95
RICOH USA, INC		103919606	07/17/2020	METER READS 2/12-3/11/20	01-14-11-6213	60414	43.68
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-14-11-5243	60423	981.44
FASTSIGNS		INV77203	05/20/2020	SIGNS FOR TENNIS COURT	01-14-11-9503	60377	350.07
						Division 11 - ADMINISTRATIVE Total:	1,339.24
						Department 14 - COMMUNITY SERVICES Total:	1,339.24
Department: 16 - MUNICIPAL FACILITIES MAINTENANCE							
Division: 11 - ADMINISTRATIVE							
SPIRE		5003001000 7/15/20	06/30/2020	300 N NEW BALLAS 6/12-7/14/20	01-16-11-6252	DFT0001835	149.28
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	DISINFECTANT CONCENTRATE	01-16-11-7304	DFT0001853	89.98
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	PD HAND SANITIZER	01-16-11-7304	DFT0001853	142.68
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	MASKS FOR COUNCIL	01-16-11-7304	DFT0001853	67.99
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	GLOVES	01-16-11-7304	DFT0001853	79.20
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	REFUND HAND SANITIZER	01-16-11-7304	DFT0001853	-171.18
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	HAND SANITIZER	01-16-11-7304	DFT0001853	171.18
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	HAND SANITIZER WIPES	01-16-11-7304	DFT0001853	56.33
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	KN95 MASK COUNCIL MEETINGS	01-16-11-7304	DFT0001853	133.98
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	HAND SANITIZER WIPES	01-16-11-7304	DFT0001853	56.33
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-16-11-5233	60385	-33.17
DOUGLAS VENTURES LLC	PO00248	008221208-79	08/01/2020	City Hall- Outsourced Janitorial Services	01-16-11-6212	60372	1,980.00
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	350 N NEW BALLAS RD DETCK	01-16-11-6254	60403	0.52
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-16-11-5243	60423	1,249.18
AMERICAN WATER TREATMENT, INC.		2020-2206	07/15/2020	CITY HALL WATER TREATMENT 7/1/20-9/30/2020	01-16-11-6212	60351	539.82
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	0247372-6: 300 N NEW BALLAS RD	01-16-11-6254	60399	277.86
ARAMARK UNIFORM SERVICES		316488378	07/21/2020	UNIFORM CLEANING-BUILDING MAINTENANCE	01-16-11-7308	60352	9.46

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Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
ARAMARK UNIFORM SERVICES		316514239	07/28/2020	UNIFORM CLEANING- BUILDING MAINTENANCE	01-16-11-7308	60352	9.46
WALTER KNOLL FLORIST		54859	07/01/2020	PLANT MAINT- CITY HALL- AUG	01-16-11-6212	60438	80.00
WIEGMANN ASSOCIATES		65421	07/27/2020	HEAT PUMP MAINT- CITY HALL	01-16-11-6211	60440	245.00
GRAINGER		9598608637	07/23/2020	QUICK CONNECT SOCKET	01-16-11-6212	60381	7.12
						Division 11 - ADMINISTRATIVE Total:	5,141.02
						Department 16 - MUNICIPAL FACILITIES MAINTENANCE Total:	5,141.02
Department: 21 - POLICE							
Division: 11 - ADMINISTRATIVE							
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	LUNCH FOR STAFF BREIFING PROTEST	01-21-11-6264	DFT0001853	105.25
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	REFUND FOR GLOVES	01-21-11-6271	DFT0001853	-24.86
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	REFUND FOR NITRILE GLOVES	01-21-11-6271	DFT0001853	-13.59
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	DESK TRAY SORTER FOR BOOKING AREA	01-21-11-7302	DFT0001853	62.53
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	SUPPLIES FOR PROTEST 6/25/20	01-21-11-7304	DFT0001853	60.86
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	DISINFECTANT WIPES	01-21-11-7304	DFT0001853	307.35
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	CABLES AND DISPLAY PORTS	01-21-11-7304	DFT0001853	150.20
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	REFRESHMENTS FOR WATER MAIN BREAK MASON/FEE FEE	01-21-11-7304	DFT0001853	63.84
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	2 GIFTCARDS FOR OFFICERS OF THE QTR	01-21-11-7306	DFT0001853	50.00
BANK OF AMERICA		CC PURCHASES FY21	07/31/2020	ASSOC CHIFS OF POLICE MEMBERSHIP EIDMAN	01-21-11-6262	DFT0001852	60.00
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-21-11-5233	60385	-277.66
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-21-11-5243	60423	8,032.34
WEST CENTRAL DISPATCH CENTER	PO00345	20-10	07/01/2020	FY 2021 Q4 BASE	01-21-11-6202	60439	25,300.00
WEST CENTRAL DISPATCH CENTER	PO00345	20-10	07/01/2020	FY 2021 Q4 UTILIZATION FEES.	01-21-11-6202	60439	113,688.00
REJIS COMMISSION		442322	07/20/2020	LIVESCAN CONNECTION	01-21-11-6202	60412	50.00
REJIS COMMISSION		442322	07/20/2020	CISCO ASA 5505 MAINTENANCE	01-21-11-6202	60412	20.77
REJIS COMMISSION		442322	07/20/2020	(2) NETMOTION CONNECTION WIRELESS SERVICE FEES	01-21-11-6202	60412	16.50
REJIS COMMISSION	PO00360	442322	07/20/2020	2020/2021 REJIS SUBSCRIPTION FEES	01-21-11-6202	60412	4,030.39
REJIS COMMISSION		442322	07/20/2020	10% MONTHLY REBATE SUBSCRIPTION FEE	01-21-11-6202	60412	-403.04

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Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
REJIS COMMISSION		442322	07/20/2020	MONTHLY GLOBAL SOFTWARE SVCS	01-21-11-6213	60412	1,155.00
REJIS COMMISSION		442322	07/20/2020	12 VERIZON DATA LINES	01-21-11-6253	60412	588.00
MARCO HOLDINGS LLC		INV7792152	07/22/2020	MAINT CHARGE FOR CHIEF'S OFFICE COPIER	01-21-11-6213	60393	61.12
ST LOUIS COUNTY AND MUNICIPAL POLICE ACADEMY		JAN01-DEC31	07/02/2020	(3) CMPA CONTIN EDUCATION PROGRAM MEM FEES	01-21-11-6261	60425	450.00
						Division 11 - ADMINISTRATIVE Total:	153,533.00
Division: 21 - INVESTIGATION							
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-21-21-5233	60385	-246.63
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-21-21-5243	60423	6,435.43
MAJOR CASE SQUAD OF GREATER ST. LOUIS		CCPD2020	07/24/2020	2020 ANNUAL MCS PARTICIPATING AGENCY FEE	01-21-21-6262	60392	250.00
ST LOUIS COUNTY AND MUNICIPAL POLICE ACADEMY		JAN01-DEC31	07/02/2020	(7) CMPA CONTIN EDUCATION PROGRAM MEM FEES	01-21-21-6261	60425	1,050.00
						Division 21 - INVESTIGATION Total:	7,488.80
Division: 22 - PATROL							
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	FLEET CAR WASHES	01-21-22-6210	DFT0001853	359.76
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	17 CAR WASHES	01-21-22-6210	DFT0001853	34.00
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	REFUND FOR KEY RINGS AND GLOVES	01-21-22-7302	DFT0001853	-90.59
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	BINS FOR JAIL SUPPLIES	01-21-22-7304	DFT0001853	144.83
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	TONER CARTRIDGE	01-21-22-7304	DFT0001853	89.95
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	MOTORCYCLE FUEL	01-21-22-7307	DFT0001853	6.06
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	LUNCH MEETINGS	01-21-22-7314	DFT0001853	250.00
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	3 WOUND CUBES AND CANOPY WEIGHTS	01-21-22-7314	DFT0001853	522.95
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	GIFT CARDS FOR COFFEE W COP	01-21-22-7314	DFT0001853	150.00
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-21-22-5233	60385	-1,215.05
DOBBS TIRE & AUTO CENTERS		04-317338	07/20/2020	4 CHARGER TIRES	01-21-22-6210	60371	542.00
OFFICE DEPOT		101742228001	07/11/2020	BULLETIN BOARD FOR BOOKING	01-21-22-7302	60406	28.99
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-21-22-5243	60423	44,635.54
SOUTHWEST COLD FIRE LAW ENFORCEMENT LLC		20203220	07/16/2020	5 GALLON PAIL OF COLD FIRE ALL SEASON BLEND	01-21-22-7301	60421	322.00
PATRICIA A MILLER		2075	08/03/2020	PET LEASH-ORANGE WITH WHITE IMPRINT	01-21-22-7314	60407	572.34

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LEON UNIFORM COMPANY		501682-80	06/30/2020	CREDIT FOR BOOTS PURCHASED IN FY20 INVOICE 501682	01-21-22-7308	60391	-224.99
LEON UNIFORM COMPANY		504791	07/16/2020	UNIFORM PURCHASE FOR D HERICH	01-21-22-7308	60391	123.95
LEON UNIFORM COMPANY		504863	07/31/2020	UNIFORM ALLOWANCE PURCHASE FOR CODY ALTMAN	01-21-22-7308	60391	14.54
LEON UNIFORM COMPANY		504923	07/17/2020	UNIFORM PURCHASE FOR D COLEMAN	01-21-22-7308	60391	309.98
LEON UNIFORM COMPANY		505036	07/21/2020	UNIFORM PURCHASE FOR C ALTMAN	01-21-22-7308	60391	77.36
LEON UNIFORM COMPANY		505335	07/24/2020	UNIFORM PURCHASE FOR D SZYDLOWSKI	01-21-22-7308	60391	305.00
LEON UNIFORM COMPANY		505613	07/29/2020	UNIFORM ALLOWANCE PURCHASE FOR KI YOUNG KIM	01-21-22-7308	60391	11.50
LEON UNIFORM COMPANY		505821	08/03/2020	UNIFORM ALLOWANCE PURCHASE FOR G SCHULTZ	01-21-22-7308	60391	84.00
HANDY AUTOMOTIVE		6219-482350	07/23/2020	8 OIL FILTERS	01-21-22-6210	60384	26.75
DEFENDER PRODUCT SOLUTIONS, LLC		DPS-20-060	08/02/2020	REPAIRS ON VEHICLE 2402 AND 2427	01-21-22-6210	60367	130.00
ST LOUIS COUNTY AND MUNICIPAL POLICE ACADEMY	PO00343	JAN01-DEC31	07/02/2020	CMPPA CONTINUING EDUCATION PROGRAM MEM FEES	01-21-22-6261	60425	6,000.00
BATTERIES PLUS		P28881443	07/15/2020	RADAR TRAILER BATTERY	01-21-22-6210	60355	188.90
						Division 22 - PATROL Total:	53,399.77
						Department 21 - POLICE Total:	214,421.57
Department: 31 - PUBLIC WORKS							
Division: 11 - ADMINISTRATIVE							
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	LAND SURVEY	01-31-11-6202	DFT0001853	2.25
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-31-11-5233	60385	-152.97
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-31-11-5243	60423	4,755.07
US BANK EQUIPMENT FINANCE		420227621	07/27/2020	COPIER 7/20/20-8/20/20	01-31-11-6213	60436	320.00
DREXEL TECHNOLOGIES INC		INV27615	08/03/2020	COPIER/COLOR PRINTER 7/1/20-7/31/20	01-31-11-6213	60373	60.62
						Division 11 - ADMINISTRATIVE Total:	4,984.97
Division: 41 - STREET MAINTENANCE							
SPIRE		9717450000 7/15/20	06/30/2020	1030 N LINDBERGH BLVD 6/12- 7/14/20	01-31-41-6252	DFT0001838	23.57
SPIRE		7725111000 7/21/20	07/31/2020	996 RUE DE LA BANQUE 6/18- 7/20/20	01-31-41-6252	DFT0001846	23.21

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Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
BANK OF AMERICA		CC PURCHASES FY21	07/31/2020	TRUCK RACK FOR RAKES	01-31-41-6211	DFT0001852	188.97
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-31-41-5233	60385	-280.02
MIDWESTERN SAFETY EQUIPMENT COMPANY, INC		007151-01	07/27/2020	TRAFFIC CONTROL SIGN	01-31-41-6212	60400	40.00
SHAPIRO METAL SUPPLY COMPANY		101334	07/27/2020	METAL FOR 217 SPREADER	01-31-41-6211	60419	26.25
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	6 BEACON HILL LN IRRIG	01-31-41-6254	60403	158.20
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	1030 N LINDBERGH BLVD	01-31-41-6254	60403	9.81
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	198 N NEW BALLAS RD IRRIG	01-31-41-6254	60403	18.00
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	533 N NEW BALLAS RD IRRCTR IS	01-31-41-6254	60403	204.87
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	160 N NEW BALLAS RD IRRIG	01-31-41-6254	60403	27.71
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	11915 OLIVE BLVD	01-31-41-6254	60403	44.28
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	740 N NEW BALLAS RD IRR1ST IS	01-31-41-6254	60403	155.12
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	451 N NEW BALLAS RD IRR3RD IS	01-31-41-6254	60403	79.28
BRANNEKY & SONS MERCANTILE CO. INC.		1051114	07/27/2020	STUMP KILLER & HAND SANITIZER/WIPES	01-31-41-7304	60358	69.96
BRANNEKY & SONS MERCANTILE CO. INC.		1051170	07/30/2020	BOLTS FOR PLOW- 217	01-31-41-6211	60358	52.79
BRANNEKY & SONS MERCANTILE CO. INC.		1052324	07/31/2020	NUMBERS & WHITE OUT	01-31-41-6212	60358	32.99
FRED WEBER, INC.		12377465	07/23/2020	ASPHALT- MOSLEY ACRES	01-31-41-7305	60379	270.00
ABSTENENCIA GENTRY		1261-2500005687	07/20/2020	EXCEL- PW TEMPORARY EMPLOYEE W/E 7/19/20	01-31-41-6207	60346	588.00
ABSTENENCIA GENTRY		1261-2500005697	07/27/2020	EXCEL- PW TEMP EMPLOYEE W/E 7/26/20	01-31-41-6207	60346	80.85
ABSTENENCIA GENTRY		1261-2500005698	07/27/2020	EXCEL- PW TEMP EMPLOYEE W/E 7/26/20	01-31-41-6207	60346	470.40
AREA WIDE INC		136876	07/30/2020	ICE MACHINE MAINT	01-31-41-6212	60353	114.00
CARTER-WATERS LLC		14082683-00	07/15/2020	SPRAYER PARTS	01-31-41-6212	60361	67.28
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-31-41-5243	60423	7,343.85
CHUCKS BOOTS		20-1584	07/28/2020	BOOTS- KEN CARPENTER	01-31-41-7308	60364	112.50
THE GREENWOOD GROUP LLC	PO00296	22226	07/25/2020	2020-2021 ROW & Grounds Maintenance Services	01-31-41-6212	60429	1,954.00
THE GREENWOOD GROUP LLC	PO00296	22229	07/25/2020	2020-2021 ROW & Grounds Maintenance Services	01-31-41-6212	60429	3,520.00

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Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
THE GREENWOOD GROUP LLC	PO00296	22443	07/27/2020	2020-2021 ROW & Grounds Maintenance Services	01-31-41-6212	60429	761.41
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	0473730-0: 996 E RUE DE LA BANQU ST	01-31-41-6254	60399	58.71
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	0549319-2: 1030 N LINDBERGH BLVD	01-31-41-6254	60399	34.36
CREST INDUSTRIES INC		2569595	07/22/2020	HOSE FITTING- BOBCAT SWEEPER	01-31-41-6211	60365	23.65
CREST INDUSTRIES INC		2570395	07/27/2020	FITTING TRUCK SPREADER 217	01-31-41-6210	60365	32.81
CREST INDUSTRIES INC		2571527	07/31/2020	FACE MASKS	01-31-41-7304	60365	119.55
CREST INDUSTRIES INC		2571529	07/31/2020	SHOP STOCK	01-31-41-6212	60365	617.64
CREST INDUSTRIES INC		2571531	07/31/2020	SHOP STOCK	01-31-41-6212	60365	89.70
WIRELESS USA		276762	07/21/2020	RADIO INSTALL- 216	01-31-41-6210	60442	477.69
WIRELESS USA		276891	07/28/2020	RADIO INSTALL ON TRUCK 217	01-31-41-6210	60442	187.50
RUSH TRUCK CENTER		3020086602	07/21/2020	318 FUEL SENDING UNIT	01-31-41-6210	60417	236.25
RUSH TRUCK CENTER		3020118506	07/23/2020	DRUMS FOR 319	01-31-41-6210	60417	202.50
RUSH TRUCK CENTER		3020213869	07/30/2020	BRAKE DRUM AND FUEL FILTER	01-31-41-6210	60417	384.52
RUSH TRUCK CENTER		3020213880	07/30/2020	BRAKES FOR 318	01-31-41-6210	60417	83.85
ARAMARK UNIFORM SERVICES		316488377	07/21/2020	UNIFORM SERVICE- PW SHOP	01-31-41-7308	60352	64.90
ARAMARK UNIFORM SERVICES		316514238	07/28/2020	UNIFORM SERVICE- PW SHOP	01-31-41-7308	60352	64.90
ST LOUIS SAFETY INC		594405	07/29/2020	DECALS FOR GAS PUMP	01-31-41-6212	60426	17.70
HANDY AUTOMOTIVE		6219-482353	07/23/2020	SUPPLIES FOR TRUCKS	01-31-41-6210	60384	267.47
HANDY AUTOMOTIVE		6219-482385	07/23/2020	AIR FILTERS	01-31-41-6210	60384	123.02
HANDY AUTOMOTIVE		6219-483155	07/29/2020	CLAMPS FOR ALL TRUCKS	01-31-41-6210	60384	86.40
HANDY AUTOMOTIVE		6219-483328	07/30/2020	AIR FILTER STOCK	01-31-41-6210	60384	63.69
VIKING-CIVES MIDWEST, INC.		90982	07/29/2020	PARTS FOR SALT SPREADERS	01-31-41-6211	60437	270.00
BLUE CHIP EXTERMINATING		9525079	07/14/2020	PEST CONTROL MAINT- PW SHOP	01-31-41-6212	60356	54.00
Division 41 - STREET MAINTENANCE Total:							19,718.09
Division: 42 - HEALTH/WELFARE							
REPUBLIC SERVICES	PO00198	346021676868	07/20/2020	TRASH & RECYCLING 7/1/19-6/30/20	01-31-42-6214	60413	1,664.86
Division 42 - HEALTH/WELFARE Total:							1,664.86
Division: 43 - PARKS MAINTENANCE							
SPIRE		9717450000 7/15/20	06/30/2020	1030 N LINDBERGH BLVD 6/12-7/14/20	01-31-43-6252	DFT0001838	23.56
SPIRE		7725111000 7/21/20	07/31/2020	996 RUE DE LA BANQUE 6/18-7/20/20	01-31-43-6252	DFT0001846	23.21
BANK OF AMERICA		CC PURCHASES FY21	07/31/2020	TRUCK RACK FOR RAKES	01-31-43-6211	DFT0001852	62.99
TOTAL COMFORT HEATING & AC, LLC		0000107427	07/23/2020	TAPPMAYER HOUSE- HEAT PUMP MAINT	01-31-43-6224	60431	1,194.00

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Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	01-31-43-5233	60385	-89.00
SHAPIRO METAL SUPPLY COMPANY		101334	07/27/2020	METAL FOR 217 SPREADER	01-31-43-6211	60419	8.75
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	902 MASON RD	01-31-43-6224	60403	175.20
BRANNEKY & SONS MERCANTILE CO. INC.		1051114	07/27/2020	STUMP KILLER & HAND SANITIZER/WIPES	01-31-43-7303	60358	19.99
BRANNEKY & SONS MERCANTILE CO. INC.		1051170	07/30/2020	BOLTS FOR PLOW- 217	01-31-43-6211	60358	17.60
ABSTENENCIA GENTRY		1261-2500005687	07/20/2020	EXCEL- PW TEMPORARY EMPLOYEE W/E 7/19/20	01-31-43-6207	60346	196.00
ABSTENENCIA GENTRY		1261-2500005697	07/27/2020	EXCEL- PW TEMP EMPLOYEE W/E 7/26/20	01-31-43-6207	60346	26.95
ABSTENENCIA GENTRY		1261-2500005698	07/27/2020	EXCEL- PW TEMP EMPLOYEE W/E 7/26/20	01-31-43-6207	60346	156.80
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-31-43-5243	60423	2,339.29
CHUCKS BOOTS		20-1584	07/28/2020	BOOTS- KEN CARPENTER	01-31-43-7308	60364	37.50
TOMASOVIC GREENHOUSE & NURSERY INC		211694	07/21/2020	NEW PLANTS	01-31-43-7303	60430	11.00
REINHOLD ELECTRIC, INC		212454	06/30/2020	TENNIS COURTS- UNDERGROUND BOX REPLACEMENT	01-31-43-6212	60411	437.60
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	0783768-5: 902 N MASON RD	01-31-43-6224	60399	160.98
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	0034325-1: 11370 ST PAUL ST	01-31-43-6254	60399	29.49
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	0472261-7: 12100 CONWAY RD	01-31-43-6254	60399	29.49
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	0578025-9: 1000 BARNES WEST DR	01-31-43-6254	60399	34.36
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	0567312-4: 10620 COUNTRY VIEW DR	01-31-43-6254	60399	34.36
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	0578184-4: 601 COEUR DE VILLE DR	01-31-43-6254	60399	83.06
CREST INDUSTRIES INC		2569595	07/22/2020	HOSE FITTING- BOBCAT SWEEPER	01-31-43-6211	60365	7.88
CREST INDUSTRIES INC		2570395	07/27/2020	FITTING TRUCK SPREADER 217	01-31-43-6210	60365	10.94
WIRELESS USA		276762	07/21/2020	RADIO INSTALL- 216	01-31-43-6210	60442	159.23
WIRELESS USA		276891	07/28/2020	RADIO INSTALL ON TRUCK 217	01-31-43-6210	60442	62.50
RUSH TRUCK CENTER		3020086602	07/21/2020	318 FUEL SENDING UNIT	01-31-43-6210	60417	78.75
RUSH TRUCK CENTER		3020118506	07/23/2020	DRUMS FOR 319	01-31-43-6210	60417	67.50
RUSH TRUCK CENTER		3020213869	07/30/2020	BRAKE DRUM AND FUEL FILTER	01-31-43-6210	60417	128.18

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Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
RUSH TRUCK CENTER		3020213880	07/30/2020	BRAKES FOR 318	01-31-43-6210	60417	27.95
ARAMARK UNIFORM SERVICES		316488377	07/21/2020	UNIFORM SERVICE- PW SHOP	01-31-43-7308	60352	21.64
ARAMARK UNIFORM SERVICES		316514238	07/28/2020	UNIFORM SERVICE- PW SHOP	01-31-43-7308	60352	21.64
HANDY AUTOMOTIVE		6219-482353	07/23/2020	SUPPLIES FOR TRUCKS	01-31-43-6210	60384	89.16
HANDY AUTOMOTIVE		6219-482385	07/23/2020	AIR FILTERS	01-31-43-6210	60384	41.00
HANDY AUTOMOTIVE		6219-482804	07/27/2020	VINYL REPAIR	01-31-43-6212	60384	19.94
HANDY AUTOMOTIVE		6219-483155	07/29/2020	CLAMPS FOR ALL TRUCKS	01-31-43-6210	60384	28.80
HANDY AUTOMOTIVE		6219-483328	07/30/2020	AIR FILTER STOCK	01-31-43-6210	60384	21.23
VIKING-CIVES MIDWEST, INC.		90982	07/29/2020	PARTS FOR SALT SPREADERS	01-31-43-6211	60437	90.00
MILBRADT LAWN EQUIPMENT CO.		966525	07/31/2020	WEED EATER STRING	01-31-43-6212	60401	72.85

Division 43 - PARKS MAINTENANCE Total: 5,962.37

Department 31 - PUBLIC WORKS Total: 32,330.29

Department: 32 - COMMUNIITY DEVELOPMENT

Division: 11 - ADMINISTRATIVE

HEALTHY ALLIANCE LIFE INSURANCE COMPANY	000661554C	07/17/2020	DENTAL INS AUG 20	01-32-11-5233	60385	-106.79
MCLAUGHLIN COURT REPORTING SERVICES, INC.	071320-1	07/13/2020	MINUTES PREG FOR JULY 6, 2020 P&Z MEETING	01-32-11-6202	60396	98.70
MCLAUGHLIN COURT REPORTING SERVICES, INC.	072320-1	07/23/2020	TXT 10880 BAUR/CUP 741 NEW BALLAS/ CUP 10330 O OLV	01-32-11-6202	60396	314.70
ST LOUIS AREA INSURANCE TRUST	18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-32-11-5243	60423	4,236.10
MISSOURI LAWYERS MEDIA	744764909	07/17/2020	CUP 1283 RESEARCH BLVD	01-32-11-6260	60404	54.52
MISSOURI LAWYERS MEDIA	744764910	07/17/2020	MERCY TEXT AMEND- 12120, 12130 CONWAY/ 3011 BALLAS	01-32-11-6260	60404	66.12

Division 11 - ADMINISTRATIVE Total: 4,663.35

Division: 61 - BUILDING DEPARTMENT

BANK OF AMERICA	CC PURCHASES FY20	06/30/2020	REFUND MUSIC STAND	01-32-61-7302	DFT0001853	-41.99
BANK OF AMERICA	CC PURCHASES FY20	06/30/2020	BUNDLE BANDS FOR ARCHIVED PLANS	01-32-61-7304	DFT0001853	62.84
BANK OF AMERICA	CC PURCHASES FY20	06/30/2020	SAFETY VEST	01-32-61-7308	DFT0001853	48.83
HEALTHY ALLIANCE LIFE INSURANCE COMPANY	000661554C	07/17/2020	DENTAL INS AUG 20	01-32-61-5233	60385	-288.26
PERALES AE LAWN CARE, INC	038571	07/16/2020	CODE VIOLATION HIGH WEEDS/GRASS	01-32-61-6215	60408	270.00
ST LOUIS AREA INSURANCE TRUST	18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	01-32-61-5243	60423	8,551.74
AIM TO AMAZE OUTDOOR SERVICES INC	2020-296	07/27/2020	CODE VIOLATION DEAD TREE	01-32-61-6215	60348	1,400.00
NJC PRINTING	211054	07/28/2020	AUTHORIZED SIGNS	01-32-61-7304	60405	130.22

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Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
NJC PRINTING		211059	07/30/2020	FIELD NOTICES STOP WORK	01-32-61-7304	60405	522.81
PERALES AE LAWN CARE, INC		348937	07/19/2020	CODE VIOLATION HIGH WEEDS/GRASS	01-32-61-6215	60408	660.00
PERALES AE LAWN CARE, INC		348938	07/19/2020	CODE VIOLATION HIGH WEEDS/GRASS	01-32-61-6215	60408	660.00
Division 61 - BUILDING DEPARTMENT Total:							11,976.19
Department 32 - COMMUNIITY DEVELOPMENT Total:							16,639.54
Fund 01 - GENERAL FUND Total:							467,340.50
Fund: 02 - CAPITAL IMPROVEMENT FUND							
Department: 61 - CIP							
Division: 71 - CIP							
GEOTECHNOLOGY, INC.		133223	06/30/2020	ASPHALT TESTING FOR 2020- ASPHALT PROJECT PHASE 1	02-61-71-9510	60380	686.00
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	02-61-71-5243	60423	2,329.29
DELGADOS BRO INC		INV0000486	07/22/2020	REPAIR 811 WHEATON FOR RESIDENT TONY ALLAS	02-61-71-9510	60369	89.00
Division 71 - CIP Total:							3,104.29
Department 61 - CIP Total:							3,104.29
Fund 02 - CAPITAL IMPROVEMENT FUND Total:							3,104.29
Fund: 06 - MUNICIPAL ENTERPRISE FUND							
BRIDGESTONE GOLF INC		1002925835	07/24/2020	BALLS FOR RESALE	06-1625	60359	425.76
							425.76
							425.76
Department: 14 - COMMUNITY SERVICES							
Division: 31 - ICE ARENA							
SPIRE		4981701000 7/20/20	07/30/2020	11400 OLDE CABIN RD 6/17-7/19/20	06-14-31-6252	DFT0001845	1,387.77
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	MISC SUPPLIES FOR CLEANING	06-14-31-7301	DFT0001853	6.98
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	06-14-31-5233	60385	-50.95
HUMAN RESOURCE STAFFING		1001060423	07/23/2020	PART TIME STAFF DRC W/E 7/19/20	06-14-31-6203	60389	265.98
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	11400 OLDE CABIN ROAD	06-14-31-6254	60403	885.07
RICOH USA, INC		103919606	07/17/2020	METER READS 7/12-8/11/20	06-14-31-6213	60414	43.66
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	06-14-31-5243	60423	2,178.03
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	06-14-31-6220	60423	3,255.00
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	1049261-9: 11400 OLDE CABIN RD	06-14-31-6254	60399	144.95

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Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
ALARM CENTER USA INC		260729	07/23/2020	LOCKER ROOM DOOR LOCKS REPLACED ICE ARENA	06-14-31-9501	60349	592.40
ARAMARK UNIFORM SERVICES		316514240	07/28/2020	TOWELS AND MOPS	06-14-31-7301	60352	9.93
THE DANIEL & HENRY CO.		INS FY21	07/09/2020	#26477 PROPERTY RENEWAL 7/1/20-7/1/21	06-14-31-6226	60428	8,368.50
DEKA SERVICE		INV15457	07/20/2020	REPAIR AC ICE ARENA LOBBY	06-14-31-6212	60368	552.80
						Division 31 - ICE ARENA Total:	17,640.12
Division: 32 - GOLF MAINTENANCE							
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	06-14-32-5233	60385	-86.75
MISSOURI AMERICAN WATER CO.		1017-210041135520 7.22.20	07/22/2020	11400 OLDE CABIN ROAD	06-14-32-6254	60403	9,838.40
SITEONE LANDSCAPE SUPPLY HOLDING, LLC		101746310-001	07/22/2020	TURFPLEX FERTILIZER	06-14-32-7303	60420	300.00
SITEONE LANDSCAPE SUPPLY HOLDING, LLC		101768116-001	07/22/2020	HUNTER NODE CONTROLLER	06-14-32-6212	60420	99.60
SITEONE LANDSCAPE SUPPLY HOLDING, LLC		101843252-001	07/23/2020	T STORM FUNGICIDE	06-14-32-7303	60420	125.00
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	06-14-32-5243	60423	2,195.85
HELENA CHEMICAL CO.		235272488	07/21/2020	ROT FUNGICIDES	06-14-32-7303	60388	778.50
BLUEWING SUPPLY LLC		2872	07/23/2020	NEEDLE TINES	06-14-32-6212	60357	158.60
GREENSPRO, INC.		INV0037952	07/22/2020	NAVICON FUNGICIDE	06-14-32-7303	60383	906.50
GREENSPRO, INC.		INV0037953	07/22/2020	SPRAY DYE	06-14-32-7303	60383	165.00
GREENSPRO, INC.		INV0037954	07/22/2020	DACONIL ACTION	06-14-32-7303	60383	405.00
ADVANCED TURF SOLUTIONS INC		SO850734	07/22/2020	MISC HORTICULTUAL SUPPLIES	06-14-32-7303	60347	1,101.76
						Division 32 - GOLF MAINTENANCE Total:	15,987.46
Division: 33 - PRO-SHOP							
SPIRE		4981701000 7/20/20	07/30/2020	11400 OLDE CABIN RD 6/17- 7/19/20	06-14-33-6252	DFT0001845	594.77
HEALTHY ALLIANCE LIFE INSURANCE COMPANY		000661554C	07/17/2020	DENTAL INS AUG 20	06-14-33-5233	60385	-37.94
BRIDGESTONE GOLF INC		1002925835	07/24/2020	BALLS FOR RESALE	06-14-33-8324	60359	0.24
RICOH USA, INC		103919606	07/17/2020	METER READS 2/12-3/11/20	06-14-33-6213	60414	43.66
ENTERCOM COMMUNICATIONS CORP		1586892	06/30/2020	GOLF COURSE ADVERTISING	06-14-33-6260	60374	225.00
ENTERCOM COMMUNICATIONS CORP		1586892 JUN	06/30/2020	GOLF COURSE ADVERTISING	06-14-33-6260	60374	250.00
ENTERCOM COMMUNICATIONS CORP		1586893	06/30/2020	ADVERTISING GOLF COURSE	06-14-33-6260	60374	245.00
ENTERCOM COMMUNICATIONS CORP		1586893 JUN	06/30/2020	GOLF COURSE ADVERTISING	06-14-33-6260	60374	280.00

Council Report of Invoices Paid

Payment Dates: 7/23/2020 - 8/5/2020

Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	06-14-33-5243	60423	436.82
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	06-14-33-6220	60423	3,255.00
METROPOLITAN ST. LOUIS SEWER DISTRICT		246045 REENTER	06/30/2020	1049261-9: 11400 OLDE CABIN RD	06-14-33-6254	60399	434.85
E-Z GOLF CART CO		8745	07/19/2020	PULL CARTS GOLF COURSE	06-14-33-9503	60376	415.96
THE DANIEL & HENRY CO.		INS FY21	07/09/2020	#26477 PROPERTY RENEWAL 7/1/20-7/1/21	06-14-33-6226	60428	8,368.50
ALL STAR PRO GOLF		INV18390	07/08/2020	GOLF COURSE PENCILS	06-14-33-7304	60350	238.30
ERIC SAXTON		INVOICE 1	07/15/2020	CAMP INSTRUCTION SUMMER 2020	06-14-33-6202	60375	600.00
Division 33 - PRO-SHOP Total:							15,350.16

Division: 34 - FOOD SERVICES

BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	FOOD RESALE GOLF	06-14-34-8315	DFT0001853	227.85
RL MUELLER NATIONAL DIST., INC.		108248	07/22/2020	CLEANING/FOOD AND SNACKS RESALE	06-14-34-7301	60416	78.00
RL MUELLER NATIONAL DIST., INC.		108248	07/22/2020	CLEANING/FOOD AND SNACKS RESALE	06-14-34-8315	60416	26.40
RL MUELLER NATIONAL DIST., INC.		108248	07/22/2020	CLEANING/FOOD AND SNACKS RESALE	06-14-34-8319	60416	275.00
DIERBERGS		1280-153-10	07/25/2020	BEER AND WATER RESALE	06-14-34-8316	60370	95.95
DIERBERGS		1280-153-10	07/25/2020	BEER AND WATER RESALE	06-14-34-8317	60370	9.58
ST LOUIS AREA INSURANCE TRUST		18995	06/19/2020	WORK COMP GENERAL AUTO LIABILITY 7/1/20-7/1/21	06-14-34-5243	60423	116.50
ARAMARK UNIFORM SERVICES		316514240	07/28/2020	TOWELS AND MOPS	06-14-34-7301	60352	2.75
D & D DISTRIBUTORS LLP		361733	07/14/2020	BEER RESALE	06-14-34-8316	60366	614.80
D & D DISTRIBUTORS LLP		372363	07/31/2020	BEER RESALE	06-14-34-8316	60366	555.21
HEARTLAND COCA-COLA BOTTLING COMPANY LLC		5988205831	02/10/2020	BEVERAGES RESALE	06-14-34-8317	60387	407.30
HEARTLAND COCA-COLA BOTTLING COMPANY LLC		5994205057	07/30/2020	BEVERAGES RESALE	06-14-34-8317	60387	346.19
HEARTLAND COCA-COLA BOTTLING COMPANY LLC		5998202718	01/17/2020	BEVERAGES RESALE	06-14-34-8317	60387	941.70
Division 34 - FOOD SERVICES Total:							3,697.23
Department 14 - COMMUNITY SERVICES Total:							52,674.97
Fund 06 - MUNICIPAL ENTERPRISE FUND Total:							53,100.73

Fund: 11 - SEWER LATERAL FUND

Department: 61 - CIP

Division: 93 - SEWER LATERAL

MATTHEW CONGER		SLR 6/16/20	06/16/2020	SEWER LATERAL REPAIR REIMBURSEMENT	11-61-93-9315	60395	1,350.00
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Council Report of Invoices Paid

Payment Dates: 7/23/2020 - 8/5/2020

Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
TROY P HARGROVE		SLR 6/23/20	06/23/2020	SEWER LATERAL REIMBURSEMENT	11-61-93-9315	60432	1,505.00
MARIO TUCKER		SLR 7/2/20	07/02/2020	SEWER LATERAL REPAIR REIMBURSEMENT	11-61-93-9315	60394	4,882.50
						Division 93 - SEWER LATERAL Total:	7,737.50
						Department 61 - CIP Total:	7,737.50
						Fund 11 - SEWER LATERAL FUND Total:	7,737.50
Fund: 19 - PUBLIC SAFETY FUND							
Department: 21 - POLICE							
Division: 23 - COUNTY PUBLIC SAFETY-PROP P							
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	CLEANING TOOLS FOR PD BLDG MAINT	19-21-23-6212	DFT0001853	211.92
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	PSI DRONE PILOT TESTING	19-21-23-6261	DFT0001853	160.00
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	WEBINAR COURSE KONCKI	19-21-23-6261	DFT0001853	95.00
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	PSI DRONE PILOT TESTING FEE	19-21-23-6261	DFT0001853	160.00
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	DRONE TRAINING AND TESTING MCINTOSH	19-21-23-6261	DFT0001853	160.00
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	TRAINING COURSE GRANDSTAFF AND EIDMAN	19-21-23-6261	DFT0001853	145.00
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	REFUND FOR PSI DRONE PILOT TESTING	19-21-23-6261	DFT0001853	-160.00
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	TRAINING FOR CPO GRANDSTAFF	19-21-23-6261	DFT0001853	995.00
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	TRASH CAN FOR BOOKING AREA	19-21-23-7302	DFT0001853	29.97
BANK OF AMERICA		CC PURCHASES FY20	06/30/2020	4 TRASH CANS FOR JAIL	19-21-23-7302	DFT0001853	122.88
BANK OF AMERICA		CC PURCHASES FY21	07/31/2020	FLITERS FOR POLICE BLDG	19-21-23-7302	DFT0001852	95.64
DOUGLAS VENTURES LLC	PO00342	007221207-79	07/01/2020	CUSTODIAL CLEANING SERVICES FOR POLICE BUILDING	19-21-23-6212	60372	1,530.00
SPIRE		0076006378-07	07/15/2020	NATURAL GAS COST 6/12-7/14/20	19-21-23-6252	60422	79.80
DOUGLAS VENTURES LLC	PO00361	008221207-78	08/01/2020	AUGUST CUSTODIAL CLEANING SERVICES FOR PD	19-21-23-6212	60372	1,530.00
METROPOLITAN ST. LOUIS SEWER DISTRICT		12250607-9-07	06/30/2020	MSD SERVICE PERIOD 5/31-6/30-2020	19-21-23-6254	60398	60.44
GRAINGER		1388995156	07/23/2020	SPEED AIR CONNECTOR FOR AIR COMPRESSOR/ SALLYPORT	19-21-23-6212	60381	7.12
MISSOURI AMERICAN WATER CO.		220023905711-07	07/21/2020	WATER SERVICE CHARGE 6/17-7/17/20	19-21-23-6254	60402	1,381.98
TERMINIX INTERNATIONAL COMPANY LP		398552280	07/15/2020	WORK ORDER 18085855355	19-21-23-6212	60427	300.00
CALIBRE PRESS	PO00341	82576	07/06/2020	IMPLICIT BIAS ONLINE CLASS FOR POLICE DEPARTMENT	19-21-23-6261	60360	3,500.00

Council Report of Invoices Paid

Payment Dates: 7/23/2020 - 8/5/2020

Vendor Name	Purchase Order Number	Payable Number	Payable Date	Description (Item)	Account Number	Payment Number	Amount
POLICE LEGAL SCIENCES	PO00344	9708	07/01/2020	LEGAL UPDATE SUBSCRIP FOR COMMISSIONED OFFICERS	19-21-23-6261	60409	9,000.00
THE DANIEL & HENRY CO.		INS FY21	07/09/2020	#26477 PROPERTY RENEWAL 7/1/20-7/1/21	19-21-23-6226	60428	23,178.00
CDW LLC		ZJH7118	07/08/2020	APC BACK-UPS FOR CHIEF'S SPARE COMPUTER	19-21-23-7331	60362	47.38
CDW LLC		ZJP8206	07/09/2020	FAX MACHINE FOR BOOKING AREA	19-21-23-7331	60362	193.99
Division 23 - COUNTY PUBLIC SAFETY-PROP P Total:							42,824.12
Department 21 - POLICE Total:							42,824.12
Fund 19 - PUBLIC SAFETY FUND Total:							42,824.12
Grand Total:							574,107.14

Report Summary

Fund Summary

Fund	Payment Amount
01 - GENERAL FUND	467,340.50
02 - CAPITAL IMPROVEMENT FUND	3,104.29
06 - MUNICIPAL ENTERPRISE FUND	53,100.73
11 - SEWER LATERAL FUND	7,737.50
19 - PUBLIC SAFETY FUND	42,824.12
Grand Total:	574,107.14

Account Summary

Account Number	Account Name	Payment Amount
01-11-12-5243	WORKERS COMPENSATI...	657.63
01-11-12-6264	IN TOWN MEETINGS	153.32
01-11-12-6265	TRAVEL & CONFERENCES	135.00
01-11-13-5233	DENTAL INSURANCE	-50.95
01-11-13-5243	WORKERS COMPENSATI...	1,415.66
01-11-13-6213	OFFICE EQUIPMENT MAI...	945.70
01-12-10-6201	LEGAL AND ACCOUNTING...	558.00
01-12-10-6262	DUES MEMBERSHIPS & S...	71.50
01-12-11-5233	DENTAL INSURANCE	-35.80
01-12-11-5243	WORKERS COMPENSATI...	5,337.51
01-12-11-6202	TECHNICAL AND PERSON...	15.86
01-12-11-6260	ADVERTISING	37.50
01-12-11-6262	DUES MEMBERSHIPS & S...	2,388.46
01-12-11-9504	OFFICE EQUIPMENT	524.98
01-12-14-5233	DENTAL INSURANCE	-17.90
01-12-14-5243	WORKERS COMPENSATI...	2,045.90
01-12-14-6213	OFFICE EQUIPMENT MAI...	233.55
01-13-11-5233	DENTAL INSURANCE	-104.65
01-13-11-5243	WORKERS COMPENSATI...	4,724.21
01-13-11-6209	ACCOUNTING SERVICES	8,000.00
01-13-11-6265	TRAVEL & CONFERENCES	130.00
01-13-15-6213	OFFICE EQUIPMENT MAI...	787.00
01-13-15-6220	LIABILITY AND PROPERTY ...	38,381.00
01-13-15-6222	PUBLIC OFFICIALS LIABILI...	34,190.00
01-13-15-6226	PROPERTY INSURANCE (P...	63,696.00
01-13-15-6253	TELEPHONE	5,893.67
01-13-15-6255	CABLE TV AND INTERNET	934.11
01-13-15-7304	GENERAL SUPPLIES	139.73
01-13-15-7317	SLAIT WELLNESS EXPENSES	775.79
01-13-51-5233	DENTAL INSURANCE	-50.95
01-13-51-5243	WORKERS COMPENSATI...	963.62

Account Summary

Account Number	Account Name	Payment Amount
01-13-51-6202	TECHNICAL AND PERSON...	8,381.20
01-13-51-6213	OFFICE EQUIPMENT MAI...	3,128.67
01-13-51-7332	COMPUTER SOFTWARE	1,642.43
01-14-11-5233	DENTAL INSURANCE	-50.95
01-14-11-5243	WORKERS COMPENSATI...	981.44
01-14-11-6213	OFFICE EQUIPMENT MAI...	43.68
01-14-11-6230	FARMER'S MARKET	15.00
01-14-11-9503	EQUIPMENT	350.07
01-16-11-5233	DENTAL INSURANCE	-33.17
01-16-11-5243	WORKERS COMPENSATI...	1,249.18
01-16-11-6211	EQUIPMENT MAINTENAN...	245.00
01-16-11-6212	BUILDING AND GROUNDS...	2,606.94
01-16-11-6252	NATURAL GAS	149.28
01-16-11-6254	WATER AND SEWER	278.38
01-16-11-7304	GENERAL SUPPLIES	626.49
01-16-11-7308	WEARING APPAREL AND L...	18.92
01-1652	PREPAID POSTAGE	3,000.00
01-21-11-5233	DENTAL INSURANCE	-277.66
01-21-11-5243	WORKERS COMPENSATI...	8,032.34
01-21-11-6202	TECHNICAL AND PERSON...	142,702.62
01-21-11-6213	OFFICE EQUIPMENT MAI...	1,216.12
01-21-11-6253	TELEPHONE	588.00
01-21-11-6261	EDUCATION & TRAINING	450.00
01-21-11-6262	DUES MEMBERSHIPS & S...	60.00
01-21-11-6264	IN TOWN MEETINGS	105.25
01-21-11-6271	MEDICAL SUPPLIES	-38.45
01-21-11-7302	SMALL TOOLS	62.53
01-21-11-7304	GENERAL SUPPLIES	582.25
01-21-11-7306	MEMORIALS AND PLAQU...	50.00
01-21-21-5233	DENTAL INSURANCE	-246.63
01-21-21-5243	WORKERS COMPENSATI...	6,435.43
01-21-21-6261	EDUCATION & TRAINING	1,050.00
01-21-21-6262	DUES MEMBERSHIPS & S...	250.00
01-21-22-5233	DENTAL INSURANCE	-1,215.05
01-21-22-5243	WORKERS COMPENSATI...	44,635.54
01-21-22-6210	VEHICLE MAINTENANCE	1,281.41
01-21-22-6261	EDUCATION & TRAINING	6,000.00
01-21-22-7301	CHEMICALS & CLEANING	322.00
01-21-22-7302	SMALL TOOLS	-61.60
01-21-22-7304	GENERAL SUPPLIES	234.78
01-21-22-7307	GASOLINE, PROPANE & M...	6.06
01-21-22-7308	WEARING APPAREL AND L...	701.34

Account Summary

Account Number	Account Name	Payment Amount
01-21-22-7314	CRIME PREVENTION SUPP...	1,495.29
01-2213	DENTAL INSURANCE PAY	6,431.86
01-2218	VISION CARE	895.54
01-2219	VOL LONG TERM DISABILI...	209.90
01-31-11-5233	DENTAL INSURANCE	-152.97
01-31-11-5243	WORKERS COMPENSATI...	4,755.07
01-31-11-6202	TECHNICAL AND PERSON...	2.25
01-31-11-6213	OFFICE EQUIPMENT MAI...	380.62
01-31-41-5233	DENTAL INSURANCE	-280.02
01-31-41-5243	WORKERS COMPENSATI...	7,343.85
01-31-41-6207	TEMP PROFESSIONAL SER...	1,139.25
01-31-41-6210	VEHICLE MAINTENANCE	2,145.70
01-31-41-6211	EQUIPMENT MAINTENAN...	561.66
01-31-41-6212	BUILDING AND GROUNDS...	7,268.72
01-31-41-6252	NATURAL GAS	46.78
01-31-41-6254	WATER AND SEWER	790.34
01-31-41-7304	GENERAL SUPPLIES	189.51
01-31-41-7305	STREET & SIDEWALK MAI...	270.00
01-31-41-7308	WEARING APPAREL AND L...	242.30
01-31-42-6214	REFUSE COLLECTIONS	1,664.86
01-31-43-5233	DENTAL INSURANCE	-89.00
01-31-43-5243	WORKERS COMPENSATI...	2,339.29
01-31-43-6207	TEMP PROFESSIONAL SER...	379.75
01-31-43-6210	VEHICLE MAINTENANCE	715.24
01-31-43-6211	EQUIPMENT MAINTENAN...	187.22
01-31-43-6212	BUILDING AND GROUNDS...	530.39
01-31-43-6224	TAPMEYER HOUSE MAI...	1,530.18
01-31-43-6252	NATURAL GAS	46.77
01-31-43-6254	WATER AND SEWER	210.76
01-31-43-7303	HORTICULTURAL SUPPLIES	30.99
01-31-43-7308	WEARING APPAREL AND L...	80.78
01-32-11-5233	DENTAL INSURANCE	-106.79
01-32-11-5243	WORKERS COMPENSATI...	4,236.10
01-32-11-6202	TECHNICAL AND PERSON...	413.40
01-32-11-6260	ADVERTISING	120.64
01-32-61-5233	DENTAL INSURANCE	-288.26
01-32-61-5243	WORKERS COMPENSATI...	8,551.74
01-32-61-6215	WEED CUTTING AND TREE...	2,990.00
01-32-61-7302	SMALL TOOLS	-41.99
01-32-61-7304	GENERAL SUPPLIES	715.87
01-32-61-7308	WEARING APPAREL AND L...	48.83
01-4541	COMMUNITY CENTER ME...	22.50

Account Summary

Account Number	Account Name	Payment Amount
01-4544	RECREATIONAL PROGRAM..	881.29
02-61-71-5243	WORKERS COMPENSATI...	2,329.29
02-61-71-9510	STREETS	775.00
06-14-31-5233	DENTAL INSURANCE	-50.95
06-14-31-5243	WORKERS COMPENSATI...	2,178.03
06-14-31-6203	PROFESSIONAL SERVICES	265.98
06-14-31-6212	BUILDING AND GROUNDS...	552.80
06-14-31-6213	OFFICE EQUIPMENT MAI...	43.66
06-14-31-6220	LIABILITY AND PROPERTY ...	3,255.00
06-14-31-6226	PROPERTY INSURANCE (P...	8,368.50
06-14-31-6252	NATURAL GAS	1,387.77
06-14-31-6254	WATER AND SEWER	1,030.02
06-14-31-7301	CHEMICALS & CLEANING	16.91
06-14-31-9501	BUILDINGS AND IMPROV...	592.40
06-14-32-5233	DENTAL INSURANCE	-86.75
06-14-32-5243	WORKERS COMPENSATI...	2,195.85
06-14-32-6212	BUILDING AND GROUNDS...	258.20
06-14-32-6254	WATER AND SEWER	9,838.40
06-14-32-7303	HORTICULTURAL SUPPLIES	3,781.76
06-14-33-5233	DENTAL INSURANCE	-37.94
06-14-33-5243	WORKERS COMPENSATI...	436.82
06-14-33-6202	TECHNICAL AND PERSON...	600.00
06-14-33-6213	OFFICE EQUIPMENT MAI...	43.66
06-14-33-6220	LIABILITY AND PROPERTY ...	3,255.00
06-14-33-6226	PROPERTY INSURANCE (P...	8,368.50
06-14-33-6252	NATURAL GAS	594.77
06-14-33-6254	WATER AND SEWER	434.85
06-14-33-6260	ADVERTISING	1,000.00
06-14-33-7304	GENERAL SUPPLIES	238.30
06-14-33-8324	MERCHANDISE-GOLF BAL...	0.24
06-14-33-9503	EQUIPMENT	415.96
06-14-34-5243	WORKERS COMPENSATI...	116.50
06-14-34-7301	CHEMICALS & CLEANING	80.75
06-14-34-8315	SANDWICHES AND HOT ...	254.25
06-14-34-8316	BEER	1,265.96
06-14-34-8317	COFFEE,TEA & SOFT DRIN...	1,704.77
06-14-34-8319	SNACKS	275.00
06-1625	GOLF BALLS	425.76
11-61-93-9315	SEWER LATERAL REIMBU...	7,737.50
19-21-23-6212	BUILDING AND GROUNDS...	3,579.04
19-21-23-6226	PROPERTY INSURANCE (P...	23,178.00
19-21-23-6252	NATURAL GAS	79.80

Account Summary

Account Number	Account Name	Payment Amount
19-21-23-6254	WATER AND SEWER	1,442.42
19-21-23-6261	EDUCATION & TRAINING	14,055.00
19-21-23-7302	SMALL TOOLS	248.49
19-21-23-7331	COMPUTER HARDWARE	241.37
Grand Total:		574,107.14

Project Account Summary

Project Account Key	Payment Amount
None	562,461.51
20601E	686.00
COVID19E	1,183.84
POSTE	9,000.00
SLAIT20E	775.79
Grand Total:	574,107.14



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

Meeting: 08/10/20 07:00 PM
Department: Planning Division
Category: Report
Prepared By: Whitney Kelly
Department Head: Jason Jaggi

TABLED

STAFF REPORT

Bill No. 5831 - an Ordinance Authorizing a New Conditional Use Permit with Boundary Adjustment and Site Development Plan Approval for a Quiktrip Gas Station with Convenience Store at 11004, 11026, and 11032 Olive Boulevard and 825 and 827 Graeser Road, and the Redevelopment of the Adjacent Retail Center at 11032 and 11056 Olive Boulevard. Final Reading and Passage

Gwen Keen, Real Estate Project Manager, QuikTrip Corporation, has submitted an application for a Conditional Use Permit and Site Development Plan at 11004, 11026, 11032 and 11056 Olive Boulevard and 825-827 Graeser Road, for a new gas station with convenience store, that includes the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard. Gasoline Stations with Convenience Stores (NAICS 447110) require a conditional use permit in the GC-General Commercial District subject to a public hearing and recommendation of the Planning and Zoning Commission with final approval by the City Council. The Planning and Zoning Commission completed the public hearing at it's special meeting on June 3, 2020, and continued the discussion to the June 15 and July 6, 2020 meetings. The Planning and Zoning Commission recommended denial of the conditional use permit and site development plan, and approval of the boundary adjustment at its meeting on July 6, 2020.

HISTORY:

07/13/20 City Council **TABLED** Next: 07/27/20

Council Member Silverman recused herself from the discussion.

The vote on the motion being 7 ayes and 0 nays, motion carried.

07/27/20 City Council **FIRST READING**

City Clerk read Bill No. 5831 for the first time.

Council Member Silverman recused herself.

Jason Jaggi made a presentation regarding the application. (Exhibit A)

Council Member Lawrence asked if the HEB has looked at the landscaping plans for this proposal.

Jason Jaggi stated no, as a rule and during the review/approval process, HEB does not review.

Council Member Lawrence asked how does an application, such as this, make it to the city as the city does not solicit developers or developments.

Jason Jaggi stated the city did not solicit this development or any other development that comes before the city. Quiktrip approached staff approximately a year ago with their interest in the site and their intention to submit a plan for a store. As an applicant,

anyone can propose a project to the city and when that happens, it must go through the review process. Staff's role is to work with the applicants to gain compliance with all of the objectives that were previously reviewed, with respect to a use. It varies, depending on the different type of project.

Council Member Tierney asked why is the Conditional Use Permit, Boundary Adjustment and Site Development Plan being presented together.

Jason Jaggi stated for this application, it is an all or none, which created one development proposal.

Gwen King, representative for Quiktrip make a presentation regarding this application. (Exhibit B)

Council Member Lawrence asked if approved, would Quiktrip consider installing a charging station for electric vehicles.

Gwen King stated electric cars take a minimum of thirty minutes to charge and Quiktrip is a convenience store and don't feel patrons would be willing to sit in their parking lot for 30 minutes. If the demand and time to charge changes in the future, then the company could revisit at a later date.

Council Member Lawrence stated on the landscaping list and diagram it appears they are all the same plantings.

Gwen King stated that they could have the landscaper come back on board to revise for Council approval.

Brett Berger resident of 10 Winfield Point Lane spoke in opposition of Bill No. 5831 and on behalf of the following list of residents, citing traffic, safety and property values.

- Alison Berger
- Sarah Lord
- Gary thmpson
- Diane Weinstock
- Daniel Loeb
- Stephen Weinstock
- Jennifer Drescher
- Sarah Stalker
- Joshua Stalker
- David Sinon
- Meghan Sinon
- Salim Chahin

- Matthew Schwerin
- Andrew Dreschi
- Doron Berger
- Barbara Berger
- Kathryn Parrack
- William P Roddy
- Cherie R Roddy
- Mark Bronson
- Susan Bronson
- Kurt Lord
- Linda Faddis
- Ann Gianino Cook
- Michael Faddis
- Casey Alderson
- Anthony Parrack
- Melissa Weis

Linda Rezney resident of 104 Graeser Acres spoke in opposition of the application and stated the mason wall is too close to the parking lot

Steve Goldenberg resident of 153 Plantation Drive spoke in support of Quiktrip and indicated it is a good site for the location and Quiktrip will be a good neighbor.

Rachel Loeb resident of 6 Winfield Pointe Ln spoke in opposition of the application and has safety concerns regarding the bus stop that is on the opposite side of the street of the proposed exit of the property.

Robin Alton resident of 439 Ridge Corde Place spoke in opposition and indicated that this business is not needed as there are several gas stations and convenience stores in the city.

Gina Shanfeld resident of 718 Graeser Road spoke in opposition of the application regarding the concern with safety for the area and it is against the Comprehensive Plan for the city.

Jim Cornelison resident of 10 Pine Manor Drive spoke in opposition of the applicatino and is concerned with density and the proposed project is against the Comprehensive Plan for the city.

Mary Susan Crockett resident of 11010 Martin Grove Lane spoke in opposition of the project and is concerned over the use of Graeser for deliver trucks and semi trucks.

Fess Crockett resident of 11010 Marin Grove Lane spoke in opposition of the project and is concerned over safety.

Council Member Hoffman asked if there were any conditions regarding the sale of alcohol.

Jason Jaggi stated no, alcohol is subject to licensing by State, County and City.

Council Member D'Alfonso asked if traffic studies were taken into account and if times of school are in session considered.

Jason Jaggi stated the traffic study takes into consideration times when school is in session.

Council Member Tierney asked what trees are being proposed for landscaping.

Jason Jaggi stated on page 252 and 253 of the packet, there is the list of vegetation proposed for the property so that there is foliage year round and working with the proposed fencing.

Council Member Tierney asked how long will it take the proposed vegetation to mature.

Jason Jaggi stated with a new development, assuming it would take several years depending on they type of tree and availability of the nursery.

Mayor Glantz stated it is interesting that the present topic of discussion is landscaping and how to hide the proposed building, instead of how this development will add to the community. This application will be discussed again at the August 10th Council meeting.

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**AN ORDINANCE AUTHORIZING A NEW CONDITIONAL USE PERMIT WITH
BOUNDARY ADJUSTMENT AND SITE DEVELOPMENT PLAN APPROVAL FOR A
QUIKTRIP GAS STATION WITH CONVENIENCE STORE AT 11004, 11026, AND
11032 OLIVE BOULEVARD AND 825 AND 827 GRAESER ROAD,
AND THE REDEVELOPMENT OF THE ADJACENT RETAIL CENTER
AT 11032 AND 11056 OLIVE BOULEVARD**

WHEREAS, Gasoline Stations with Convenience Stores (NAICS #447110) are conditional uses in the GC-General Commercial District; and

WHEREAS, Gwen Keen, Real Estate Project Manager, QuikTrip Corporation, has submitted an application for a Conditional Use Permit and Site Development Plan at 11004, 11026, 11032 and 11056 Olive Boulevard and 825-827 Graeser Road, for a new gas station with convenience store, that includes the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, June 1, 2016, beginning at 6:00 p.m., and continued to June 3, 2020, beginning at 6:00 p.m., on said application for the conditional use permit as provided by Section 405.1070(D)(2) and continued the review and discussion of the proposal to the June 15, and July 6, 2020 Planning and Zoning Commission Meetings; 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 1-7vote, recommended denial of the conditional use permit and site plans, subject to the conditions contained herein, and a 7-0 vote recommending approval of the boundary adjustment at its meeting on July 6, 2020; 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 rezoning is in the public interest and 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.

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

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a QuikTrip Gas Station with Convenience Store at 11004, 11026, 11032 and 11056 Olive Boulevard and 825-827 Graeser Road, with such property being described as follows:

LOT "A" DESCRIPTION without proposed MODOT Dedication Strip:

A tract of land located in Section 2, Township 45 North, Range 5 East, said tracts being conveyed to BG Olive & Graeser LLC by Deed Book 23202 at page 119 and Deed Book 23466 at page 2128 of the St Louis County Records, St Louis County, Missouri and being described as follows:

Beginning at the point of intersection of the South line of a tract conveyed to BG Olive & Graeser LLC as recorded in Book 23466 at page 2128, and the West right of way line of Graeser Road (width varies) being the North line of Lot 1 of MARTIN GROVE, a subdivision filed for record in Plat Book 299 at page 20 of the St Louis County Records; thence leaving said West right of way line of Graeser Road North 89 degrees 03 minutes 57 seconds West along the North line of said subdivision a distance of 410.71 feet to a point, said point being in the East line of Lot 3 of MARY MEADOWS, a subdivision filed for record in Plat Book 72 at page 25; thence leaving said MARTIN GROVE North 00 degrees 10 minutes 47 seconds East along the East line of MARY MEADOWS a distance of 159.54 feet to a point in the North line of Lot 1 of said MARY MEADOWS; thence leaving said MARY MEADOWS South 89 degrees 12 minutes 29 seconds East a distance of 151.03 feet to a point; thence North 05 degrees 39 minutes 39 seconds East a distance of 249.45 feet to a point in the Southern right of way line of Olive Boulevard (width varies); thence along said right of way South 84 degrees 15 minutes 15 seconds East a distance of 9.01 feet to a point; thence leaving said right of way South 73 degrees 33 minutes 59 seconds East a distance of 221.01 feet to a point; thence South 36 degrees 40 minutes 14 seconds East a distance of 16.71 feet to a point in the Western right of way line of Graeser Road (width varies); thence leaving Olive Boulevard South 00 degrees 36 minutes 57 seconds East along said Graeser Road a distance of 335.57 feet to the point of beginning and containing 2.7 acres, more or less.

Subject to easements, restrictions, reservations and covenants of record, if any.

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 4,993 square foot, 24-Hour, QuikTrip Convenience Store located at 11004 and 11026, and a portion of 11032 Olive Boulevard, and of 825 and 827 Graeser Road, with 16 vehicle fueling positions gas station.
2. Site Development Plans for the Gas Station with Convenience Store, and for the adjacent retail center shall include site improvements for shared access, a new façade to the existing building, and landscaping and other site improvements, as proposed with the Application #20-002 submitted by QuikTrip on the remaining portion of 11032, and 11056 Olive Boulevard.
3. The Applicant is required to submit Grading and Site Improvement Plans, showing all exterior improvements, for all new construction to the Department of Community Development for review, as required by Section 410.390 of the Subdivision and Land

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Development Regulations (Subdivision Code). The Grading and Site Improvement Plans shall be in substantial conformance with the Site Development Plans and the Landscape Plan submitted on May 11, 2020, as bound together and submitted in conjunction with Application #20-002 by QuikTrip and as amended below.

4. 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 May 11, 2020 and the revised retail building elevations received June 12, 2020, on as bound together and submitted in conjunction with Application #20-002 by QuikTrip and as amended below.
5. The improvements to the retail building shall be substantially completed prior to the issuance of a final occupancy permit for the Gas Station and C-Store.
6. All plans shall be updated to provide for consistency prior to final action by City Council. The sale of retail items customary to gas station convenience stores including food, beverages including intoxicating beer and liquor, personal care, or other convenience items is hereby granted.
7. The stacked stone and cornice detail design elements on the convenience store shall be carried around on all elevations of the side tower elements as discussed in the Staff Report for June 1st Planning and Zoning Commission meeting to meet with the recommendations of the Design Guidelines
8. The Landscape Plan shall be revised to provide additional plantings adjacent to the buildings and at the corner of Olive Boulevard, and Graeser Road for the Zoning Administrator's approval to meet with the City's Comprehensive Plan and Design Guidelines as well as Sections 405.540 and 405.810 of the Zoning Ordinance. Further, the Landscape Plan and Site Development Plans shall be revised to maintain the pre-existing landscaped area at the northwest corner of the site along Olive Boulevard. Landscape plantings shall include an appropriate variety, subject to approval of the Zoning Administrator.
9. An underground irrigation system shall be installed and maintained to serve all new landscaped areas. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt manner.
10. The proposed 8-foot tall shadowbox wood fence shall be stained with a compatible color and placed interior to the proposed landscaping adjacent to the residential zoning districts to create a condition where plantings are placed on both sides of the fence subject to final approval by the Zoning Administrator.
11. If required by the Building Code, a four-foot tall, safety barrier on top of the retaining wall shall be approved by Staff, provided it is an open slatted, black wrought-iron style.
12. All existing surface parking areas of the retail building site shall be resurfaced and re-stripped to present a consistent, neat appearance with the adjacent gas station and convenience store component.
13. The Applicant shall provide reciprocal parking, access, and drainage agreements for review and approval by the City Attorney with a copy of the recorded agreements provided to the City prior to the issuance of a building permit.
14. The applicant shall comply with all off-site roadway improvements as directed by MoDOT. Copies of MoDOT approvals based on the approved plans shall be provided to the City prior to the issuance of a Site Improvement Permit or Building Permits, including a maintenance and use agreement for the plantings within MoDOT right-of-way. New signals shall be black powder coated and lighted street name signs shall be utilized, at Applicant's expense subject to approval by the City's Public Works Department.
15. The right turn lane on northbound Graeser Road shall be extended in further mitigation of the anticipated traffic impacts at the Olive and Graeser intersection in substantially similar form as shown in the "Graeser Road Right-Turn Lane Extension Exhibit", subject to final

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review and approval by the Department of Public Works as a component of the Site Improvement Permit application.

16. The Applicant shall post a sign and direct deliveries of the larger fuel trucks to only utilize north bound Graeser Road, and not drive south on Graeser Road. Applicant shall prevent use of Graeser Road (either direction) south of the property line by fuel trucks and its company delivery trucks.
17. Employee parking, delivery and company vehicles shall be parked interior to the site behind the building and as far from the public right-of-way as possible. There shall always be a minimum of two employees on duty.
18. Copies of the approval of the Underground Storage Tanks by the Missouri Department of Natural Resources shall be provided to the City prior to approval of a final inspection and occupancy permit.
19. Outdoor displays of merchandise shall be located against the convenience store building underneath the overhangs as depicted on a revised site development plan for the Zoning Administrator's approval. Merchandise displayed outdoors shall be arranged in an orderly fashion and not on pallets. A walkway of 6 feet shall be provided at all times. The cash registers and all points of sale related to the gas station and convenience store shall be located and maintained within the established boundaries of the Olive-Graeser Transportation Development District.
20. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
21. All lighting shall comply with Section 405.680 Lighting of the Zoning Ordinance, and with the lighting levels as shown on the photometric plans for the canopy structure, as submitted on May 11, 2020.
22. Any mechanical equipment installed for the site shall be properly screened with approved materials.
23. Proof of recording of the approved boundary adjustment consolidation plat and copies of MoDOT approval based on the approved plans shall be provided prior to the issuance of a Site Improvement Permit or Building Permits from the City. All conditions of such approval shall be met by the applicant, except any inconsistency herewith shall require resolution with all applicable authorities
24. 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.
25. 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.
26. The site development plan approval covering all components of the proposed site improvements as a whole, shall be valid for a period not longer than twelve (12) months from the date it is approved, unless within such period a building permit is obtained and substantial construction is commenced. Substantial construction shall be deemed to consist of clearing the site, completion of footings, basement or building slab and inspection of such work. The Planning and Zoning Commission and the City Council, when required, may grant extensions not exceeding twelve (12) months each upon written request of the original applicant prior to the expiration of such period and resubmission of the application if the application as resubmitted is substantially the same as the initially approved application. However, the Commission and the Council, as applicable, have the power in such cases to attach new conditions to their re-approval or to disapprove the reapplication. Where the application for re-approval contains changes which the Zoning

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Administrator concludes materially alter the initial application, the Zoning Administrator shall initiate a new site development plan review procedure as stated in Section 405.1080 or a new minor site plan review procedure as stated in Section 405.1080.

27. 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.
28. 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 _____, 2020.

HEATHER SILVERMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2020.

BARRY GLANTZ
MAYOR

ATTEST:

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DEBORAH RYAN, MPCC
CITY CLERK

**BEFORE THE CITY COUNCIL OF
THE CITY OF CREVE COEUR, MISSOURI**

IN THE MATTER OF: Bill No. 5831
Application Nos.: 20-002 & 20-010

Application for Boundary Adjustment, Site Development Plan and
Conditional Use Permit for QuikTrip Gas Station With
Convenience Store at 11004, 11026, and 11032 Olive Boulevard
and 825 and 827 Graeser Road, and the Redevelopment of the
Adjacent Retail Center at 11032 and 11056 Olive Boulevard

**QUIKTRIP’S REPLY MEMORANDUM TO THE RECOMMENDATION OF THE
PLANNING AND ZONING COMMISSION AND IN SUPPORT OF
APPROVAL OF CONDITIONAL USE PERMIT**

Applicant, Gwen Keen, Real Estate Project Manager, QuikTrip Corporation (“QuikTrip”) submitted an application and supporting documentation (collectively, the “Application”) to the City of Creve Coeur, Missouri (the “City”), for a Conditional Use Permit and Site Development Plan for certain real property located at 11004, 11026, 11032 and 11056 Olive Boulevard and 825-827 Graeser Road (the “QuikTrip Property”), for the operation of a new 24-hour QuikTrip Gasoline Station with Convenience Store (NAICS #447110), in combination with the sale of other items or class of items such as food, beverages, personal care or other convenience items (the “Proposed Store”), and the redevelopment of the adjacent retail center (the “Retail Center”) at 11032 and 11056 Olive Boulevard (the “Retail Property”) (the QuikTrip Property and the Retail Center Property are collectively referred to as the “Site”).

The entirety of the Site is zoned “G-C,” General Commercial, and is located within the East Olive Corridor, as per the Creve Coeur 2030 Comprehensive Plan dated March 2017 (adopted via Res. 16-028 (March 20, 2017)) (the “Comprehensive Plan”),¹ and the Olive-Graeser Transportation Development District. Pursuant to the Creve Coeur Zoning Ordinance (“Zoning Ordinance”), “Gasoline Stations with Convenience Stores,” NAICS #447110,² require a

¹ See Creve Coeur 2030 Comprehensive Plan, at 89.

² In accordance with Section 405.210, Zoning Ordinance, “Gasoline Stations with Convenience Stores,” NAICS #447110, are defined as follows:

This industry comprises establishments engaged in retailing automotive fuels (e.g., diesel fuel, gasohol, gasoline) in combination with convenience store or food mart items. These establishments can either be in a convenience store (i.e., food mart) setting or a gasoline station setting. These establishments may also provide automotive repair services.

OFFICE OF MGMT. & BUDGET, EXEC. OFFICE OF THE PRESIDENT, 2012 NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS), SECTOR 44-45, CODE 447110 (2012); Notice of NAICS 2012 Final Decisions, 76 Fed. Reg. 51,239, 51,240-43 (Aug. 17, 2011); *see also*, Section 405.210, Zoning Ordinance (“Permitted uses and conditional uses are generally listed according to the North American Industry Classification System (NAICS) published by the Office of Management and Budget, 2012 Edition. The specific uses set forth herein taken from the

conditional use permit in the “GC” General Commercial District, subject to a public hearing and a recommendation by the Planning and Zoning Commission for the City of Creve Coeur (the “Commission”), with final approval by the City Council. *See* Sections 405.210(A)(2), 405.360(C), 405.470(A)(13), and 405.1070, and Table A, Zoning Ordinance.

INTRODUCTION

A. Conditional Use Permit Standards.

Pursuant to the Zoning Ordinance:

The purpose of conditional use permits is to provide the City with a procedure for determining the appropriateness of a proposed use not authorized as a matter of right by the regulations of the district in which the use is proposed to be located. The appropriateness of the use shall be determined in consideration of surrounding uses, activities and conditions of the site and of surrounding areas.

Section 405.1070(A)(1), Zoning Ordinance. Section 405.1070(E) of the Zoning Ordinance prescribes the standards governing the City Council’s review and consideration of application for a conditional-use permit and directs that the City Council shall approve such conditional use permit only if it finds that the application and evidence³ presented clearly indicate that the proposed conditional use will meet the six (6) enumerated standards set forth thereunder, to wit:

1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

2012 NAICS are adopted by reference as specifically set forth herein and made a part of this Chapter as if fully set out in this Chapter.”).

³ All evidence cited herein reflect documents made part of the record of this matter, are on file in the Office of the City Clerk, and are incorporated by reference as though fully set forth herein.

Section 405.1070(E), Zoning Ordinance; *450 N. Lindbergh Legal Fund, LLC v. City of Creve Coeur*, 477 S.W.3d 49, 54 (Mo. App. E.D. 2015). “In approving a conditional use permit application, the City Council may impose conditions and restrictions as necessary to assure that the standards of Section 405.1070(E) are complied with and the general intent of this Chapter is carried out.” Section 405.1070(D), Zoning Ordinance.

In Missouri, the authorization for a conditional use permit is administrative in nature, *State ex rel. Union Electric Co. v. University City*, 449 S.W.2d 894, 899 (Mo. App. E.D. 1970) (citing *State ex rel. Ludlow v. Guffey*, 306 S.W.2d 552, 556 (Mo. 1957)), and a city council, acting in an administrative capacity, “is limited to the narrow compass of [its ordinance].” *State ex rel. Nigro v. Kansas City*, 27 S.W.2d 1030, 1032 (Mo. 1930); *see also*, *State ex rel. St. Louis Cty. v. Jones*, 498 S.W.2d 294, 299 (Mo. App. E.D. 1973) (“The conditional use permit procedure is an administrative action; it is the enforcement, not the enactment, of zoning regulations.”). From that premise, the general rule applicable to the consideration of a conditional use permit is that “if the proposed use meets the standards prescribed by the local ordinance, the [agency] is bound to issue the [conditional] use permit subject to reasonable conditions which it might impose to mitigate any harmful effects that might otherwise result.” *State ex rel. Presbyterian Church v. City of Washington*, 911 S.W.2d 697, 701 (Mo. App. E.D. 1995) (quoting 6 Rohan, ZONING & LAND USE CONTROLS § 44.01[4] at pg. 19 (1992)). Quite simply put, “if the proposed use satisfies the ordinance standards, the zoning agency is *required* to issue the [conditional] use permit.” *Martin Marietta Materials, Inc. v. Bd. of Zoning Adjustment*, 246 S.W.3d 9, 19 (Mo. App. E.D. 2007) (emphasis in original).

Furthermore, public sentiment is not a factor upon which the City is permitted to rely on when making a decision whether to approve or recommend approval of a conditional use permit. *See Huttig v. City of Richmond Heights*, 372 S.W.2d 833, 842-43 (Mo. 1963); *Browning-Ferris Indus., Inc. v. Maryland Heights*, 747 F. Supp. 1340, 1349 (E.D. Mo. 1990); *N.P. Sandbothe v. City of Olivette*, 647 S.W.2d 198, 204-05 (Mo. App. E.D. 1983). This is because generalized fears are not based on facts. *See Sandbothe*, 647 S.W.2d at 204-05. The City’s determination of the Proposed Store’s compliance with Section 405.1070(E)(2) of the Zoning Code must be based solely upon the application and clear, undisputed evidence presented before it. *See* Section 405.1070(E), Zoning Ordinance; *see also*, *Sandbothe*, 647 S.W.2d at 204 (“Such finding must be made upon facts and evidence before it and the discretion granted the Council must be reasonable and not arbitrarily exercised.”).

B. Procedural History.

In accordance with the Zoning Ordinance, and on June 1, 2020, and June 3, 2020, a public hearing on the Application was conducted before the Commission at which time evidence was presented pertaining to the Application (collectively, the “Public Hearing”). On June 15, 2020, the Commission conducted a meeting (the “June 15th Meeting”) at which the Application was further discussed, with additional evidence and information being provided by Applicant and the City Planner and the Director of Community Development (“City Staff”) at the request of the Commission. On July 6, 2020, the Commission conducted another meeting (the “July 6th Meeting”) at which the Application was discussed and considered with further follow up information and evidence being provided by City Staff and Applicant.

The Applicant prepared and provided detailed Site Development Plans and other use plans, renderings, elevations plans, and studies for the Proposed Store and Retail Center, as well as expert parking and traffic analysis, and other uncontroverted evidence and expert testimony regarding the impact and compliance of the Proposed Store with respect to each of the six (6) enumerated standards for which a conditional use permit is to meet. The Applicant also submitted to the Commission QuikTrip's Memorandum in Support of Approval of Conditional Use Permit, a copy of which is on file with the City Clerk and incorporated by reference herein, was included in the July 6th Meeting Agenda Packet, ("QT Memo in Support of CUP"), which details the Proposed Store's compliance with the conditional use permit standards set forth in Section 405.1070(E) of the Zoning Ordinance.

Despite the Application and overwhelming, undisputed evidence presented clearly indicating that the Proposed Store meets the standards set forth in Section 405.1070(E) of the Zoning Ordinance, at the July 6th Meeting, the Commission, by a 1-7 vote, recommended denial of the Conditional Use Permit and Site Development Plans (collectively, the "Conditional Use Permit"),⁴ by rejecting a motion to approve Application 20-002.⁵ The Commission prepared no findings of fact or conclusions of law establishing the basis for their recommendation. As such, we are left to rely upon the certain statements made by the Commission during its discussion at the July 6th Meeting as the rationale for the Commissions negative recommendation.

DISCUSSION

For reasons more fully set forth in the QT Memo in Support of CUP, the Application and the uncontroverted evidence presented clearly indicate that the Proposed Store meets each of the six (6) enumerated standards set forth in Section 405.1070(E) of the Zoning Ordinance. The foregoing, notwithstanding, the Commission recommended denial of the Application. Based upon the statements made by members of the Commission at the July 6th Meeting, it is evident that the Commission's reasons for rejecting the Application are, as follows:

1. The Proposed Store is inconsistent with the Comprehensive Plan for reasons that it is proposed to operate 24-hours a day and that there is a preference for some other use;
2. The Proposed Store will negatively impact vehicular and pedestrian circulation and safety; and
3. Assumed criminal activity at the Proposed Store does not promote community welfare and will negatively impact the value of neighboring property.

These conclusions, however, are not supported by the evidence presented to the Commission, are inconsistent with prior actions of the Commission and the City Council, are an abuse of discretion, and are made in error.

⁴ As noted by City Staff, the Conditional Use Permit and Site Development Plan are tied together "[d]ue to the shared improvements, including the landscaping, stormwater improvements, lighting and the shared access which represent a coordinated development[.] Staff felt that the approval of the site development plan should be tied to a single review process and approval, similar to the Mobil-on-the-Run, with the Briteworx Car Wash facility." Staff Report, at pg. 2 (June 15, 2020).

⁵ See Planning and Zoning Commission Minutes (July 6, 2020).

I. The Operation of the Proposed Store as a 24-Hour Business Is Consistent with the Comprehensive Plan, and Rejection of the Application Based Upon a Desire That the Site Be Used For Some Other Use Is an Abuse of Discretion.

The Commission's decision to recommend denial of the Conditional Use Permit appears to be based on the Proposed Store's conformance with the overall objectives of the Comprehensive Plan, particularly with regard to the East Olive Corridor and the 24-hour operation of a Gasoline Station with Convenience Store.⁶ Statements made by Commission members also indicated that the Commission's recommendation of denial was on the basis that the Commission was hopeful for some other development of the Site, particularly with regard to the QuikTrip Property, in order to maintain the existing status quo of the East Olive Corridor.⁷

By way of background, however, a comprehensive plan:

“simply advises developers to review that plan to determine how [their development] will fit into the comprehensive plan for the development of the city. ... [C]onceptually it is a guide to development rather than an instrument to control land use. It is the task of the legislative body charged with zoning to apply the broad planning policies to specific property in enacting zoning regulations. The [Comprehensive] Plan is not itself a zoning document or a subdivision regulation, and cannot be used as such.”

State ex rel. Schaefer v. Cleveland, 847 S.W.2d 867, 871 (Mo. App. E.D. 1992); *see also, Bd. of Educ. v. City of Springfield*, 174 S.W.3d 653, 658 (Mo. App. S.D. 2005) (accord); *City of St. Charles v. DeVault Mgmt.*, 959 S.W.2d 815, 822 (Mo. App. E.D. 1997) (same). Likewise, as noted by City Staff, the City's Comprehensive Plan:

“serves as a guide for land use decisions and is adop[t]ed by the Planning and Zoning Commission. The City utilizes the recommendations in the plan to evaluate land use applications. The City also uses other guiding documents such as the Design Guidelines to review project applications. The zoning ordinance plays a different role, in that, the requirements for development are more specific and must be met. The applicant must demonstrate through their plans and other applicat[ion] materials that compliance with the zoning code is being met. If the proposal does not meet the requirements of the zoning ordinance, a variance would need to be reviewed and approved by the City's Board of Adjustment. The zoning ordinance takes into account the recommendations provided by the comprehensive plan and is the primary mechanism local governments use to implement the plan.”

⁶ See Recording of the July 6, 2020 Planning and Zoning Commission Regular Meeting, at 01:15:36 – 01:25:16, July 6, 2020 Planning and Zoning Commission Regular Meeting, a recording of which is on file in the Office of the City Clerk, available at <https://crevecoeurcitymo.igm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=5613&Format=Minutes>, and incorporated herein by reference herein (the “July 6, 2020 P&Z Recording”).

⁷ See July 6, 2020 P&Z Recording, at 01:41:29 – 01:46:10.

Staff Report, at 5 (June 15, 2020).

a. The Proposed Store is Consistent with the Applicable Goals and Objectives of the City’s Comprehensive Plan with respect to the East Olive Corridor and its 24-hour Operation.

The determination of whether to grant or deny a conditional use permit must be made in a reasonable and nonarbitrary manner. *Union Electric Co.*, 449 S.W.2d at 899. The provision for special use permits is a delegation of legislative power and must be limited by standards to assure its use in a reasonable and nonarbitrary manner. *State ex rel. Manchester Improvement Co. v. City of Winchester*, 400 S.W.2d 47, 48 (Mo. 1966). In this regard, the general rule in Missouri is where legislative authority is delegated to an administrative body by ordinance, standards must be established so that the administrative body cannot arbitrarily grant permission to one person while denying it to another similarly situated. *Guffey*, 306 S.W. 2d at 556-58; *see also, Union Electric Co.*, 499 S.W.2d at 899 (“[A]n ordinance which attempts to clothe an administrative ... body with arbitrary discretion with no definite standard ... is a delegation of legislative functions and is unconstitutional. This is true even where the administrative body is also the legislative body.”) (internal citations omitted). Indeed, “[t]he City is not authorized to pick and choose between similarly situated applicants.” *Ford Leasing Dev. Co. v. Ellisville*, 718 S.W.2d 228, 233 (Mo. App. E.D. 1986); *see also, e.g., Nigro*, 27 S.W.2d at 1032; *State ex rel. Columbus Park Community Council v. Board of Zoning Adjustment*, 864 S.W.2d 437, 442 (Mo. App. W.D. 1993); *Wolfner v. Board of Adjustment of the City of Frontenac*, 672 S.W.2d 147, 151 (Mo App. E.D. 1984).

The Commission and the City Council have previously determined that a 24-hour a day Gasoline Station with Convenience Store located within both the “GC,” General Commercial District and the East Olive Corridor complies with the Comprehensive Plan. On February 26, 2018, consistent with a favorable recommendation from the Commission,⁸ the City Council, by a 7-0 vote, passed Ordinance No. 5569 approving a conditional use permit for the placement and operation of a new 24-hour Mobil on the Run Gas Station with Convenience Store and Briteworx car wash facility located at 11109-11135 Olive Boulevard and 11100-11114 Oak Lake Court (the “Mobile on the Run”).⁹ The Mobil on the Run is located on Olive Boulevard and within both the “GC” General Commercial District and the East Olive Corridor. Pursuant to Ordinance No. 5569, the City made the express finding that the proposed conditional use, a gasoline station with convenience store, “[m]eets the applicable provisions of the City’s Comprehensive Plan[.]”

Much like the Mobile on the Run, the Proposed Store would be operated 24-hours a day and located on Olive Boulevard, within both the East Olive Corridor and the “GC” General

⁸ Planning and Zoning Commission Meeting Minutes (Tuesday, January 16, 2018) (recommending approval of the conditional use permit for Mobile on the Run) (a copy of which is on file in the Office of the City Clerk, and incorporated by reference herein).

⁹ *See* Ordinance No. 5569, duly passed by the City Council on February 26, 2018 (A copy of which is attached hereto as **Exhibit A**, and incorporated by reference herein).

Commercial District.¹⁰ Consistent with the findings of the City Council in Ordinance No. 5569, such a use within the East Olive Corridor is consistent with the Comprehensive Plan. Moreover, the Staff Report indicates that “[t]he scale of the [Proposed Store] development is consistent with existing developments along the corridor and is similar to the recently approved gas station and convenience store across Olive Boulevard[,]” and “embodies many of the recommendations the Comprehensive Plan.”¹¹

The City cannot issue a conditional use permit to one applicant for a 24-hour a day Gasoline Station with Convenience Store and deny it to another similarly situated. *See Wolfner*, 672 S.W.2d at 151 (citing *Bartholomew v. Board of Zoning Adjustment*, 307 S.W.2d 730, 732 (Mo. App. W.D. 1957)). To do so would be an unlawful abuse of discretion. *See, Id.*

b. The Denial of a Conditional Use Permit for the Proposed Store Based on the City’s Hope of Some Other Development of the Site is Not Based upon the Standards Prescribed by Section 405.1070(E) and is an Abuse of Discretion.

Under Missouri law, a city’s denial of a conditional use permit to an applicant on the basis that such city is hopeful of some other development of the property is an abuse of discretion and not based upon the standards prescribed by ordinance. *See Union Elec. Co.*, 449 S.W.2d at 901 (concluding that the denial of a conditional use permit by city council is unlawful when it is not based upon the standards set forth under an ordinance meant to guide administrative discretion, especially when it is based on a city’s hope of some other development).

Comments made by Commission members indicate that the Commission’s recommendation of denial was also based on the Commission’s hope for some other development of the Site, particularly with regard to the QuikTrip Property, in order to maintain the status quo of the East Olive Corridor. Specifically, in speaking to the Proposed Store’s compatibility with the Comprehensive Plan, it was stated that:

“I think the QuikTrip is actually a step backwards for us. There’s been much stated about the benefit of the rehabilitation of the existing retail center and yet the proposed QuikTrip is demolishing an almost identical building that could just as easily be rehabbed into the small scale retail and restaurant that its recommended and desired through our Comprehensive Plan or the East Olive Corridor, so it seems like a step backwards to destroy a building that could easily be rehabbed as demonstrated by the Petitioner’s own plan for the adjacent building. And then substituting the QuikTrip facility for it, we’re taking what, in my opinion, is prime corner of the entire East Olive Corridor, the single most valuable piece of property along that Corridor, that’s less than optimally developed

¹⁰ *See id.*; Application; Creve Coeur 2030 Comprehensive Plan, at pg. 58, 88-89; City of Creve Coeur, Missouri, Zoning Map (September 20, 2019).

¹¹ Staff Report, at 5 (June 1, 2020); *see also* Public Hearing Transcript 45:15-18, June 1, 2020. ((Testimony of Jason Jaggi, Director of Community Development, City of Creve Coeur) (“So with the Comprehensive Plan, staff’s view of the compatibility, we – overall, our conclusions is that this proposal embodies many of the recommendations of the Comp Plan.”)); City Staff, Staff PowerPoint Presentation, at 13 (presented June 1, 2020).

and we're installing QuikTrip at it, and I am deeply concerned about the negative impact that will have on the entirety of the Corridor . . . the demolition of the existing retail building and the substitution of QuikTrip is upending an almost 60-year status quo in that part of the District, that would have detrimental impact, in my view, on the redevelopment of the entire East Olive Corridor and I think, I agree this is a difficult decision and we all want progress and redevelopment, but sometimes perhaps the status quo is the best thing for now, that maybe the existing retail building could be redeveloped. If it's demolished and replaced with QuikTrip that isn't going to occur, and we purposely changed the intensity and scale to me along the entire East Olive Corridor."¹²

The above rationale for denial of the Conditional Use Permit for the Proposed Store was not based upon the standards prescribed by Section 405.1070(E) of the Zoning Ordinance, but rather on the mere conjecture, opinion, and hope of its members, unsupported by any evidence, that some other development of the Site would better serve the status quo or to further the redevelopment of the East Olive Corridor. The standard established by the Zoning Ordinance, however, is whether the Proposed Store “[m]eets the applicable provisions of the City's Comprehensive Plan”; not whether a different development would be better for the Site to maintain the status quo or to further the redevelopment of the East Olive Corridor. *See* Section 405.1070(E)(4), Zoning Ordinance. The record is totally devoid of any evidence of the latter. The Application and undisputed evidence presented clearly indicates that the Proposed Store meets the applicable provisions of the City's Comprehensive Plan, particularly with regard to the East Olive Corridor, is a good and proper use for the Site and serves to foster further improvements to nearby properties. *See* QT Memo in Support of CUP, at pg. 3-6, 8-10; Public Hearing Transcript 22:8-14, 22:25-23:4, June 1, 2020.

II. The Proposed Store Will Contribute to and Promote the Community Welfare and Convenience at the Specific Location and Will be Compatible with the Surrounding Area in Terms of Traffic.

The Commission's decision to recommend denial of the Conditional Use Permit also appears to be based upon the Commission's presumed findings with regard to traffic safety. During the July 6th Meeting, a Commission member took issue with the Proposed Store's impact on traffic and safety, stating:

I really have a problem with the initial delays that are anticipated on Olive and how that impacts the flow and the quality of life and the safety of not only the vehicles but bikes and pedestrians.¹³

The standard established in Section 405.1070(E)(6), Zoning Ordinance, is whether the Proposed Store “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[;]” not whether there would be *some* increase in the volume of

¹² July 6, 2020 P&Z Recording, at 01:41:29 – 01:46:10.

¹³ July 6, 2020 P&Z Recording, at 01:47:15 – 01:49:11.

traffic. “It is axiomatic that the extensive development of commercial areas and their dependence on the automobile for survival poses additional traffic problems and congestion. In every case involving such development it must be recognized that such increased traffic can have a ‘possible’ impact on the surrounding area.” *Sandbothe*, 647 S.W.2d at 205; *see also*, *Huttig v. City of Richmond Heights*, 372 S.W.2d 833, 840 (Mo. 1963) (“any added traffic congestion which would be caused by any ordinary commercial use of this tract would be wholly insignificant, when compared to the existing volume of traffic and congestion; we note also that the correction really needed at the intersection involves matters of highway engineering and reconstruction ...; thus [this] tract should not be penalized because of existing traffic conditions.” (emphasis added)).

As evidenced by the Site Plan, Traffic Impact Study, as well as the corresponding letters, reviews, and supplemental traffic information provided by Applicant’s traffic consultant, George L. Crawford and Associates, Inc., d/b/a CBB (“CBB”), the Missouri Department of Transportation (“MoDOT”), the Creve Coeur Police Department, Traffic Safety Unit, and the City’s traffic engineering consultants, George Butler Associates, Inc. (“GBA”), the Proposed Store will be compatible with the surrounding area in terms of traffic and tanker truck movement. Improvements to the existing configuration of the intersection of Olive Boulevard and Graeser Road will be made consistent with the Traffic Impact Study and recommendations of MoDOT and GBA.

Furthermore, as set forth in the QT Memo in Support of CUP, the approval of the Conditional Use Permit is anticipated to prompt the redevelopment of the properties located at the southwest corner of Olive Boulevard and Graeser Road, including the construction of a new sidewalk along North Graeser Road, which will connect to the redeveloped sidewalk along Olive Boulevard, and the implementation of an improved traffic mitigation plan for Olive Boulevard and Graeser Road. *See* QT Memo in Support of CUP, at pg. 4, 6. Accordingly, by making both Olive Boulevard and Graeser Road more pedestrian friendly and by implementing an improved traffic mitigation plan for the same, the proposed QuikTrip will allow for safer pedestrian circulation within and adjacent to the Site thereby allowing the Proposed Store to further contribute to and promote the community convenience at this specific location by allowing both pedestrians and motorists to safely access this proposed Gasoline Station with Convenience Store.¹⁴

¹⁴ Public Hearing Transcript 30:18 to 30:23, June 1, 2020 (Testimony of Lee Cannon, P.E., PTOE, Principal – Traffic Engineer, CBB); Applicant’s PowerPoint, at 27-35 (presented June 1, 2020); *see also* Lee Cannon, CBB, *Traffic Impact Study* (Jan. 13, 2020); J. Kyle Evans, P.E., PTOE, & Mike Erdtmann, P.E., GBA, *Proposed QuikTrip Development – Traffic Impact Study Review* (Apr. 14, 2020); Memorandum from Lt. Jeffrey Hartman, Traffic Safety Unit, Creve Coeur Police Department, re: *QuikTrip – Traffic Impact Study*, to Chief Glenn Eidman, Chief of Police, Creve Coeur Police Department (Apr. 17, 2020); Jeff Baird, P.E., Senior Traffic Studies Specialist, MODOT, *Traffic Impact Study Repose Letter* (Apr. 20, 2020); Lee Cannon, P.E., PTOE, Principal – Traffic Engineer, CBB, *Response to Agency Comments – Traffic Impact Study* (May 26, 2020); Lee Cannon, CBB, *Follow-Up for Response to Agency Comments – Traffic Impact Study* (May 28, 2020); Lee Cannon, CBB, *Response to Planning and Zoning Commission Comments and Questions* (June 10, 2020); J. Kyle Evans & Mike Erdtmann, GBA, *Proposed QuikTrip Development – CBB Response Memo dated 6/11/2020* (June 12, 2020); Lee Cannon, CBB, *Response to Staff Request for Intersection Comparison – Traffic Impact Study* (June 25, 2020); J. Kyle Evans & Mike Erdtmann, GBA, *Proposed QuikTrip Development – CBB Response Memo dated 6/25/20* (July 1, 2020).

The evidence presented clearly indicates that the Proposed Store “[w]ill contribute to and promote the community welfare and convenience at the specific location” and “[w]ill 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.”

III. The Proposed Store Will Not Impose an Excessive Burden or Have a Substantial Negative Impact on Surrounding or Adjacent Users of Police Services or Cause Substantial Injury to the Value of Neighboring Property.

a. The Proposed Store Will Not Impose an Excessive Burden or Have a Substantial Negative Impact on Police Services

Finally, during the July 6th Meeting, a Commission member took issue with the Proposed Store’s impact on crime and its relationship to property values, stating:

And to speak of community welfare again, the Chief did write a summary which I think in part he said everything seems fine, we don’t have a problem with the gas stations, but when you quantify it and come up with the factual interpretation of those tables, I believe there are about 48-50 calls in the PetroMart on north Ballas in January alone. That was more than normal but from there it’s average between 30-40 calls per month. I can’t think of another use that would have that much attention from our police department. I could be wrong, but that certainly speaks to quality of life, community wellness, health, safety, and again perhaps property values.[...] So I would question the store’s compliance with Criteria No. 2.¹⁵

As evidenced in the statement of the Commission Member, the concern raised is pure conjecture unsupported by the record before the Commission.

The Chief of Police submitted to the Commission a summary of the calls for service from four (4) other gas stations located within the City. *See* Memorandum from Chief Glenn Eldman, Chief of Police, Creve Coeur Police Department, QT Plan Area Crime Request, to Jason Jaggi, Director of Community Development, City of Creve Coeur (June 30, 2020) (on file in the Office of the City Clerk and incorporated herein by reference) (“Chief of Police Memo”). The number and type of service calls varied significantly for each of the four (4) gas stations included in memorandum submitted by the Chief of Police, which the Chief of Police attributes to the fact that the “demographics of the gas/convenience stores are a little different and vary in the way they are sitting on their respective properties.” *See id.*

Moreover, approvals of similarly situated uses of property within the City, and more particularly within the “GC,” General Commercial District and the East Olive Corridor, evidence that the City does not find uses similar to the Proposed Store to be an excessive burden on City

¹⁵ July 6, 2020 P&Z Recording, at 01:47:15 – 01:49:11. The standard set forth in Section 405.1070(E)(2) of the Zoning Code requires the Council to find that the proposed conditional use “[w]ill contribute to and promote the community welfare and convenience at the specific location.”

police services.¹⁶ Likewise, the Chief of Police has specifically stated that “[t]he police department has not had any particular issues with any of these businesses and are call responsive as well as being proactive to ensure the customers, visitors, and citizens feel safe.” *See* Chief of Police Memo.

It is clear that the Application and evidence presented clearly indicates that the Proposed Store 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, especially with regard to police services.¹⁷

b. The Proposed Store Will Not Cause Substantial Injury to the Value of Neighboring Property

Referencing the Police Chief’s Memorandum, a member of the Commission, stated that “I think many would argue that there is a direct correlation between crime and the reduction of property values.”¹⁸ Such a statement is by its own admission, not reliant upon on any evidence and is based upon mere conjecture and generalized fears. There is no empirical evidence presented of any negative impact on property values as a result of the placement and operation of the Proposed Store on the Site, and any generalized fears of neighboring property owners should not be considered. *See Sandbothe*, 647 S.W.2d at 204-05 (finding that generalized fears are not based on facts, and the will or desire of a few property owners is not substantially related to the public interest); *see also, Palmore v. Sidoti*, 466 U.S. 429, 433 (1984) (“Private biases may be outside the reach of the law, but the law cannot, directly or indirectly, give them effect.”).

To the contrary, by way of comparison, sales between February of 2018 and April of 2020 for the properties near the new 24-hour Mobil on the Run contradict any assertion that the placement and operation of a Gasoline Station with Convenience Store within the “GC” General Commercial District or the East Olive Corridor will cause a substantial injury to neighboring property values.¹⁹

Therefore, in light of the foregoing, the Application and undisputed competent evidence clearly indicates that the Proposed Store will contribute to and promote the community welfare and convenience at the specific location, 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, and will not cause substantial injury to the value of neighboring property.

¹⁶ *See* Ordinance No. 5569.

¹⁷ *See* QT Memo in Support of CUP, at pg. 13; *see also*, Public Hearing Transcript 14:1-4; 16:10-20, 35:23-39:1, June 1, 2020; Applicant’s PowerPoint, at 41 (presented June 1, 2020).

¹⁸ July 6, 2020 P&Z Recording, at 01:47:15 – 01:49:11.

¹⁹ *See* QT Memo in Support of CUP, at pg. 6-8; Public Hearing Transcript 25:11-25, June 1, 2020 ((Testimony of Jason Morgan, Principal and Managing Broker, Cornerstone Commercial Realty, Inc.) (“[F]or comparison purposes, we looked at recent home sales surround the new Mobile on the Run located on the northwest corner of Olive and Schulte. The table in this slide lists nine homes reported by St. Louis County that have sold February of 2018 through April of 2020. But the information illustrates that, despite the new Mobile On the Run being proposed and/or operating, all the home sales increased in value.”)); Applicant’s PowerPoint, at 24-26 (presented June 1, 2020).

CONCLUSION

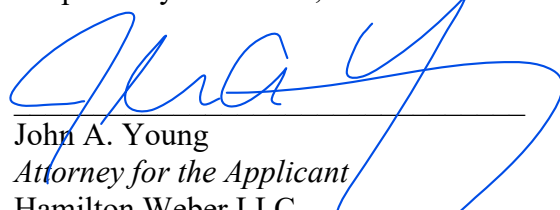
The City Council is tasked with making the final decision to grant the Conditional Use Permit for the subject property. *See 450 N. Lindbergh Legal Fund, LLC v. City of Creve Coeur*, 477 S.W.3d 49, 54 (Mo. App. E.D. 2015). “Nothing in ... [S]ection 405.1070 requires the City Council to follow the recommendation of the Planning and Zoning Commission,” as no such requirement exists. *Id.* Indeed, as the foregoing demonstrates, it is clear that the Commission’s decision to recommend denial of the Conditional Use Permit was in error, and against the weight of the evidence.

Accordingly, in light of the foregoing, it is clear the Application and overwhelming undisputed evidence presented clearly indicate the Proposed Store:

1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

Therefore, Applicant respectfully requests that the City Council approve Application Nos. 20-002 and 20-010 in accordance with Sections 405.1070(D)(2) and 405.1070(E) of the Zoning Ordinance.

Respectfully Submitted,


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SECOND SUBSTITUTE BILL NO. 5689ORDINANCE NO. 5569

AN ORDINANCE AUTHORIZING THE REZONING OF 11127-11141 OLIVE BOULEVARD FROM C SINGLE FAMILY RESIDENTIAL TO GC-GENERAL COMMERCIAL AND ISSUANCE OF A NEW CONDITIONAL USE PERMIT WITH BOUNDARY ADJUSTMENT, AND SITE DEVELOPMENT PLAN APPROVAL FOR A MOBIL ON THE RUN CONVENIENCE STORE WITH GAS PUMPS AND BRITEXWORX CAR WASH FACILITY LOCATED AT 11109-11135 OLIVE BOULEVARD AND 11100-11114 OAK LAKE COURT

WHEREAS, Gasoline Stations with Convenience Stores (NAICS #447110) and Car Wash Facilities (NAICS #811192) are conditional uses in the GC-General Commercial District; and

WHEREAS, Kevin Kamp, of Civil & Environmental Consultants, Inc. has submitted an application on behalf of Wallis Companies (Arch Energy, LLC), for the rezoning of 11127, 11135 and 11141 Olive Boulevard, from C-Single Family Residential District to GC-General Commercial District, and for a Conditional Use Permit, Site Development Plan and Boundary Adjustment for a new Mobil on the Run convenience store with gas pumps and BriteWorx Car Wash facility encompassing 11109-11135 Olive Boulevard and 11100-11114 Oak Lake Court; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, December 5, 2016, beginning at 6:30 p.m., and continued on December 4, 2017, beginning at 6:30 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 Crève Coeur; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a 6-0 vote, recommended approval of the rezoning of 1127, 11135, 11141 Olive Boulevard from C Single Family Residential to GC General Commercial, and by a 4-2 vote recommended approval of the boundary adjustment and conditional use permit for the gas station with convenience store and car wash facility at 11109-11135 Olive Boulevard and 11100-11114 Oak Lake Court, and by a vote of 5-1 recommend approval of the site development plan for the gas station with convenience store and car wash facility at 11109-11135 Olive Boulevard and 11100-11114 Oak Lake Court, subject to the conditions contained herein, at its meeting on January 16, 2018; 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 rezoning is in the public interest and 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

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regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.

4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

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

Section 1: The rezoning of the properties at 11127, 11135 and 11141 Olive Boulevard, currently zoned C Single Family Residential, to GC General Commercial is hereby approved and the official zoning map shall be amended accordingly. Upon recording of the boundary adjustment plat as described herein, all properties described in Section 2 (to the extent located in the City) will be zoned GC General Commercial in accordance herewith and City Code Section 405.190.B.3.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a Mobil on the Run Gas Station with Convenience store with 16 gas pumps and Briteworx car wash facility with 11 outdoor vacuum stations located at 11109-11135 Olive Boulevard and 11100-11114 Oak Lake Court, with such property being described as follows:

A tract of land being Part of Lots 1, 2, and 3 of "Oak Lake Estates", recorded in Plat Book 92, Page 3 of St. Louis County Records, and Part of Lots 3, 4 and 5 of the subdivision of the Farm of S. S. Matson, being part of U.S. Survey 1962, Township 45 North, Range 5 East of the Fifth Principal Meridian, St. Louis County, Missouri, more particularly described as follows:

Commencing at the intersection of the East line of a tract of land conveyed to Halliburton and Kohring, by deed recorded in Book 7558, Page 658 of said records with the North line of Olive Boulevard as widened by document recorded in Book 5112, Page 66 of said records, said point being 45.00 feet perpendicular distance North of Missouri State Highway 340 (variable width), also known as Olive Boulevard centerline station 179+55.77; thence along the said East line and along the East line of a tract of land conveyed to Pfortmiller by deed recorded in Book 11682, Page 2248 of said records, North 29 degrees 19 minutes 07 seconds West, 185.70 feet to the corporate limit line of the City of Creve Coeur; thence along said line the following courses and distances; thence North 60 degrees 01 minutes 53 seconds East, 100.29 feet to the POINT OF BEGINNING of the tract herein described; thence continuing along the corporate limit line of the City of Creve Coeur, North 60 degrees 01 minutes 53 seconds East, 200.09 feet; thence North 59 degrees 51 minutes 43 seconds East, 104.63 feet; thence along a curve to the right, the chord of which bears North 68 degrees 42 minutes 21 seconds East, 247.12 feet and the radius point of which bears South 30 degrees 08 minutes 17 seconds East, 803.69 feet from the last mentioned point, an arc distance of 248.11 feet to the West line of Schulte Road (variable width); thence along said West line Schulte Road, as described in Book 7631, Page 1576 of said records, the following courses and distances; thence South 29 degrees 19 minutes 28 seconds East, 91.74 feet; thence South 85 degrees 20 minutes 52 seconds West, 5.50 feet; thence South 29 degrees 19 minutes 28 seconds East, 83.77 feet; thence along a curve to the right, the chord of which bears South 24 degrees 59 minutes 17 seconds West, 32.49 feet and the radius point of which bears South 60 degrees 40 minutes 32 seconds West, 20.00 feet from the last mentioned point, an arc distance of 37.92 feet to a point being 45.00 feet perpendicular distance North of Olive Boulevard centerline station 185+63.34; thence along the aforesaid North right-of-way line of Olive Boulevard, being 45.00 feet perpendicularly distant north of and parallel to the centerline of said Olive Boulevard, the following courses and distances; thence along a curve to the left, the chord of which bears South 72 degrees 34 minutes 52 seconds

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West, 178.13 feet and the radius point of which bears South 10 degrees 41 minutes 58 seconds East, 761.20 feet from the last mentioned point, an arc distance of 178.54 feet to a point; thence South 61 degrees 53 minutes 32 seconds West, 154.64 feet; and thence South 59 degrees 51 minutes 43 seconds West, 189.15 feet; thence leaving said North right-of-way line, North 29 degrees 19 minutes 07 seconds West, 185.61 feet to the POINT OF BEGINNING, containing 2.380 acres, more or less.

And,

A tract of land being Part of Lots 1, 2, and 3 of "Oak Lake Estates", recorded in Plat Book 92, Page 3 of St. Louis County Records, and Part of Lots 3, 4 and 5 of the Subdivision of the Farm of S. S. Matson, being Part of U.S. Survey 1962, Township 45 North, Range 5 East of the Fifth Principal Meridian, St. Louis County, Missouri, more particularly described as follows:

Commencing at the intersection of the East line of a tract of land conveyed to Halliburton and Kohring, by deed recorded in Book 7558, Page 658 of said records with the North line of Olive Boulevard as widened by document recorded in Book 5112, Page 66 of said records, said point being 45.00 feet perpendicular distance North of Missouri State Highway 340 (variable width), also known as Olive Boulevard centerline station 179+55.77; thence along the said East line and along the East line of a tract of land conveyed to Pfortmiller by deed recorded in Book 11682, Page 2248 of said records, North 29 degrees 19 minutes 07 seconds West, 185.70 feet to the corporate limit line of the City of Creve Coeur; thence along said line North 60 degrees 01 minutes 53 seconds East, 100.29 feet to the POINT OF BEGINNING of the tract herein described, said point being on the corporate limit line of the City of Creve Coeur; thence North 29 degrees 19 minutes 07 seconds West, 125.13 feet; thence North 59 degrees 56 minutes 12 seconds East, 200.00 feet; thence North 17 degrees 19 minutes 15 seconds East, 1.05 feet to the South line of Oak Lake Court, 50 feet wide; thence along said South line of Oak Lake Court, 50 feet wide, the following courses and distances; thence along a curve to the left, the chord of which bears North 86 degrees 27 minutes 24 seconds East, 213.69 feet and the radius point of which bears North 17 degrees 19 minutes 15 seconds East, 300.00 feet from the last mentioned point, an arc distance of 218.49 feet; thence North 65 degrees 35 minutes 32 seconds East, 138.44 feet; thence along a curve to the right, the chord of which bears South 71 degrees 51 minutes 58 seconds East, 27.05 feet and the radius of which bears South 24 degrees 24 minutes 28 seconds East, 20.00 feet from the last mentioned point, an arc distance of 29.70 feet to the West line of Schulte Road (variable width); thence along said West line Schulte Road, as described in Book 7631, Page 1576 of said records, South 29 degrees 19 minutes 28 seconds East, 34.48 feet to the aforementioned corporate limit line of the City of Creve Coeur; thence along said line the following courses and distances; thence along a curve to the left, the chord of which bears South 68 degrees 42 minutes 21 seconds West, 247.13 feet and the radius point of which bears South 12 degrees 27 minutes 00 seconds East, 803.69 feet from the last mentioned point, an arc distance of 248.11 feet; thence South 59 degrees 51 minutes 43 seconds West, 104.63 feet; thence South 60 degrees 01 minutes 53 seconds West, 200.09 feet to the POINT OF BEGINNING, containing 1.009 acre, more or less.

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 a 4,800 square foot new 24-hour Mobil on the Run Gas Station with convenience store, with 16 gas pumps, and a 4,460 square foot Car Wash Facility with 11 outdoor vacuums located at 11109 – 11135 Olive Boulevard, and 11100, 11108, and 11114 Oak Lake Court.

SUBSTITUTE BILL NO. 5689ORDINANCE NO. 5669

2. The existing home at 11141 Olive Boulevard shall be removed and the site cleared and replanted to be in compliance with the zoning ordinance for buffering adjacent to residentially zoned property to the west.
3. The Car Wash Hours of Operation, including the vacuums shall be limited to 7 AM to 9 PM, seven days a week.
4. The Applicant is required to submit Grading and Site Improvement Plans, showing all exterior improvements, for all new construction to the Division of Planning for review, as required by Section 410.380 of the Subdivision and Land Development Regulations (Subdivision Code). The Grading and Site Improvement Plans shall be in substantial conformance with the Site Development Plans and the Landscape Plan submitted on January 9, 2018 as bound together and submitted in conjunction with Application #16-031 by CEC Civil & Environmental Consultants, Inc., and as amended below.
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 January 9, 2018 as bound together and submitted in conjunction with Application #16-031 by CEC Civil & Environmental Consultants, Inc., and as amended below.
6. The elevations shall be revised to remove the blue accent striping on the gas station canopy and the south elevation of the car wash facility.
7. Accessory structures such as trash enclosures and fencing and similar site elements are to be compatible with the architecture of the main buildings and should use similar materials.
8. The Gas Station canopy lighting shall be in conformance with the revised Photometric Plan dated 01-19-18 which provides for an average illumination level of 23.7 footcandles. Areas on the apron away from the gasoline pump islands used for parking or vehicle storage shall be illuminated in accordance with the requirements for surface parking areas.
9. The Landscape Plan shall be revised to provide additional plantings along Schulte Road and Olive Boulevard, as well as along the west property line, and relocate the knee walls further inward with the plantings on the public view for the Zoning Administrator's approval to meet with the City's Comprehensive Plan and Design Guidelines as well as Sections 405.540 and 405.810 of the Zoning Ordinance as discussed in the Staff Report for December 4th Planning and Zoning Commission Meeting. Burning bush and other invasive species shall not be used and minimum caliper requirements shall be met.
10. The knee walls shall be lowered to be consistent with a low knee wall design element, for the Zoning Administrator's approval.
11. An underground irrigation system shall be installed and maintained to serve all new landscaped areas. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt manner.
12. Upright evergreen plantings shall be provided on the west side of the fence which abuts 11141 Olive Boulevard subject to review and approval by the Zoning Administrator.
13. The site development plan drawings for the car wash and gas station with convenience store shall be revised to show a 30 foot buffer yard where it abuts a single family residential district.
14. The site development plans shall be revised to provide a minimum of 6 feet of sidewalk adjacent to the building, with a minimum 4 foot clearance between the vacuums and the building to meet with the regulations of Section 405.730 Sidewalks and City's Design Guidelines.
15. The Applicant shall bring the signal at Schulte Road and Olive Boulevard into ADA compliance on all four legs of the intersection, and an additional signal head is required for the southbound through movement that can be mounted overhead on the existing

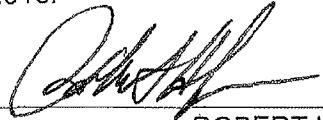
SUBSTITUTE BILL NO. 5689ORDINANCE NO. 5569

- mast arm or on a pedestal in the median island at the northbound approach, per MoDOT and St. Louis County's recommendations and approval.
16. Proof of recording of the approved boundary adjustment consolidation plat and copies of MoDOT and St. Louis County approval based on the approved plans shall be provided prior to the issuance of a Site Improvement Permit or Building Permits from the City. All conditions of such approval shall be met by the applicant, except any inconsistency herewith shall require resolution with all applicable authorities.
 17. Employee, delivery and company vehicles shall be parked interior to the site and as far from the public right-of-way as possible.
 18. Outdoor displays of merchandise shall be located against the convenience store building underneath the overhangs as depicted on a revised site development plan for the Zoning Administrator's approval. Merchandise displayed outdoors shall be arranged in an orderly fashion and not on pallets. A walkway of 6 feet shall be provided at all times.
 19. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code. Specifically, no temporary signs, including window signs, shall be placed on the car wash building.
 20. All lighting shall comply with Section 405.680 Lighting of the Zoning Ordinance.
 21. Noise levels shall meet with the St. Louis County standards.
 22. Any mechanical equipment installed for the site shall be properly screened with approved materials.
 23. 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.
 24. 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.
 25. 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.
 26. 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.

SUBSTITUTE BILL NO. 5689ORDINANCE NO. 5569

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

ADOPTED THIS 26 DAY OF February, 2018.

ROBERT HOFFMAN
PRESIDENT OF CITY COUNCILAPPROVED THIS 26 DAY OF February, 2018.

BARRY GLANTZ
MAYOR

ATTEST:



DEBORAH RYAN, MPCC
CITY CLERK

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

I, Deborah Ryan, City Clerk within and for the City of Creve Coeur, in the State and County aforesaid, do hereby certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 5569 of said city as approved by the City Council and signed by the Mayor, and is in effect for the City of Creve Coeur, MO, on the 26 th day of February, 2018, and as fully as the same appears on record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Creve Coeur, Missouri, at my office in said City this 22nd day of July, 2020.


Deborah Ryan
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
#20-002 & #20-010: BOUNDARY ADJUSTMENT, SITE DEVELOPMENT
PLAN AND CONDITIONAL USE PERMIT FOR QUIKTRIP GAS STATION
WITH CONVENIENCE STORE AT 11004, 11026, AND 11032 OLIVE
BOULEVARD AND 825 AND 827 GRAESER ROAD, AND THE
REDEVELOPMENT OF THE ADJACENT RETAIL CENTER
AT 11032 AND 11056 OLIVE BOULEVARD**

FOR THE MEETING OF: Monday, July 6, 2020 at 6:30 PM

LOCATION: 11004, 11026, 11032 and 11056 Olive Boulevard, and 825 and 827 Graeser Road, zoned GC-General Commercial District

REQUEST: Gwen Keen, Real Estate Project Manager, QuikTrip Corporation, has submitted an application for a Conditional Use Permit and Site Development Plan at 11004, 11026, 11032 and 11056 Olive Boulevard and 825-827 Graeser Road, for a new gas station with convenience store, that includes the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard. Gasoline Stations with Convenience Stores (NAICS 447110) require a conditional use permit in the GC-General Commercial District subject to a public hearing and recommendation of the Planning and Zoning Commission with final approval by the City Council.

ADDITIONAL INFORMATION: The properties at 11004 and 11026 Olive Boulevard were originally developed in 1963 and the properties at 11032 and 11056 Olive Boulevard were developed in 1966-1967 and contain pre-existing non-conformities. The properties at 825 and 827 Graeser Road were included in the commercial district along with the properties on Olive Boulevard in the earliest available zoning map of 1966.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request meet with the minimum standards of the GC-General Commercial district?
- Is the request consistent with the required standards for a conditional use permit?

Creve Coeur 2030

- East Olive Corridor Neighborhood Commercial District

Zoning Code References

- Section 405.210: Regulation of Uses, Table A
- Section 405.360 GC-General Commercial District
- Section 405.470 Conditional Uses

APPLICANT: Gwen Keen
Real Estate Project Manager
QuikTrip Corporation
2255 Bluestone
St. Charles, MO 63303

PROPERTY OWNER: Thomas A. Stern
BG Olive & Graeser LLC
Forsyth Investments LLC
150 N. Meramec Ste 500
St. Louis, MO 63105



REPORT PREPARED BY: Jason Jaggi, Director of Community Development, and Whitney Kelly, City Planner

DATE: 7/1/2020

ATTACHMENTS: Applicant's Memorandum in Support of Approval of Conditional Use Permit
CBB's Response for Intersection Comparisons – Traffic Impact Study
GBA's Response on the Traffic Comparisons
Creve Coeur Police Department-Calls of Service Memo
Draft Ordinance
Impacts of Commercial Development on Surrounding Residential Property Values, Wiley
Commercial Development Spillover Effects Upon Residential Values, Aydin, Crawford, Smith

UPDATED INFORMATION SINCE PRIOR MEETING

At the June 15th Planning and Zoning Commission meeting, the Commission asked for additional information regarding the issue of substantial impacts on surrounding properties, traffic volumes compared to nearby intersections, and crime data for existing gas stations with convenience stores.

As discussed in the prior Staff Reports, Section 405.1070(E) of the Zoning Code sets forth the standards by which a conditional use permit should be evaluated.

1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

As provided in the June 1st Staff Report, the proposal generally meets items 1, 4 and 5 above, subject to meeting certain identified additional conditions. The Commission and Council will need to weigh all information presented with this application to assess items 2, 3 and 6. The Applicants have provided a detailed response regarding these questions which has been included with the packet.

The issues that are being discussed by the Commission, are important components to evaluate the application. In the context of land use categorization within the Zoning Ordinance, gas stations are listed as an allowable use in the GC zoning district; however, they require additional scrutiny through the conditional use process. Gas stations with convenience stores are listed as conditional uses because they have the potential to create negative impacts to the surrounding area. In addition to the standard review of zoning compliance, comprehensive plan compatibility and level of adherence to the Design Guidelines, the key components of the conditional use process involve the identification of issues that have potential to create negative impacts associated with the use. Staff and the Commission have identified numerous areas of potential impacts including, traffic and circulation onto adjacent streets, property values, buffering, 24-hour nature of the use, method of deliveries and access. To assist the Commission with the review of these considerations, staff has summarized the issues and the proposed mitigation on each of these points:

Traffic, Access, Circulation

The applicant has received comments from MoDOT regarding necessary traffic mitigation. The applicant has incorporated these requirements into their plans or has committed to adhering to them. An additional consideration has been the need to extend the northbound right turn lane further south on Graeser. The applicant has provided an exhibit showing a conceptual design for this extension within the existing right-of-way. This preliminary design has been reviewed by the City's Public Works staff and has been found to be acceptable. It is not certain that this improvement is absolutely necessary given the projections for the increased traffic. Nonetheless, the Commission should give consideration to making this off-site improvement a condition of approval as this work will improve the flow of traffic through this intersection and it would be preferable that this be completed as a component of the construction of the project.

The applicant's traffic engineer has provided a follow up memo discussing traffic operations and volumes at the Olive/Graeser intersection compared to other nearby intersections on Olive. Generally, the proposed volumes and operations at this location would be similar to the other intersections along Olive.

There has been discussion on the desirability to extend the sidewalk further down to Martin Gove Lane. It did not appear that there was consensus to ask the applicant to provide this off-site improvement. The Commission should determine whether this improvement would be necessary.

The City's consulting traffic engineer will be available at the meeting to discuss any further questions regarding traffic. Included in the packet is the City's Traffic Consultant, GBA's comments on the information from the Applicant's Traffic Engineer. As indicated in his review document there are several factors that make a direct comparison difficult, but from a high-level perspective, he is in general agreement, that the intersection at Graeser/Dautel will operate similarly to the other 3 signalized intersections.

Effect on Property Values

The Applicants have provided a detailed response regarding these questions with additional information on property values/recent sales with respect to residential properties that are adjacent to gas stations, specifically Mobil on the Run. There was discussion on the possibility of obtaining the services of an independent appraiser to provide an opinion on the impact to property values adjacent to the proposed use. Staff has determined that such a request is not feasible at this time, as the City does not have a consultant on staff for such action, and the issuance of a request for proposal/qualifications would create significant delay, nor had an outside appraisal been completed in prior reviews of other conditional use permit applications.

Staff has researched the topic of commercial impacts on adjacent residential value and specifically gas stations. There appears to be limited direct research on this issue, but these studies that we did find do not distinguish between types of commercial development. The reports on the impact of commercial development upon nearby residential areas indicates that proximity to commercial developments may have a negative impact upon nearby residential properties, that the impact is likely dependent upon the size of the development, the degree in which proximity is mitigated by buffers to minimize visibility, sound, lighting etc. As stated in the attached reports, the research generally finds little or only modest impact which extends out no more than a few thousand feet from commercial sites, (Aydin, Crawford, Smith, p. 51). And that such negative impact is only for a short period of time, where in the long-term the initial reduction was found to be more than offset- within a few years of construction of the new retail (Wiley, p. 3.) However, these studies are generally looking at new commercial development against existing residential development. Whereas the subject properties have been zoned commercial with existing retail/commercial developments.

Buffering

As discussed in the prior staff report, the minimum required buffer from residential areas in the GC district for this development is 25-feet. In addition, the conditional use standards for gas stations require a 6-foot wood fence or wall along the property line which abuts residentially zoned properties.

The applicants are exceeding these requirements by proposing a buffer of 91-feet with an 8-foot high wood fence and multiple layers of evergreen landscape screening. For comparison purposes, the zoning code would allow, by-right, a commercial building (such as office) up to 3-stories in height, 25-feet from the southern property line subject to site plan approval by the Commission.

24-hour Use

The proposed QT involves the operation of a 24-hour business. As previously discussed during the review of this application, the nature of the use along with the 24-hour component represents a more intense use compared to other possible land uses such as an office or a traditional retail center, such as what exists on the site today. With this consideration, the separation of the use and buffering become important factors in the review of necessary mitigation. Staff would note that the other gas stations nearby, including Mobil on the Run, also operate on a 24-hour basis.

Deliveries and Access

The applicant has indicated that they are amenable to the City placing restrictions on the deliveries of fuel and other deliveries of products that are provided directly by QT. While it is not anticipated by staff that these vehicles would utilize Graeser on a consistent basis, this concern has been expressed by nearby residents.

- Staff has included a condition that the Applicant shall post a sign and direct deliveries of the larger fuel trucks to only utilize Graeser Road from the property line northward, and not drive south on Graeser Road.

Police Information—Calls for Service

The Police Department has provided a memo with calls for service data for the 4 existing gas stations in Creve Coeur. The data includes the type of call for the past five years. The Police Department notes in their memo that they take a pro-active approach to policing these uses and have not had any particular issues with these businesses.

In summary, this application proposes a comprehensive redevelopment of an aging commercial property. In addition to the gas station and convenience store, the proposal involves a substantial upgrade to the existing retail building to the west to create a coordinated appearance with the newer developments at this intersection. The activity associated with a gas station use brings with it impacts that need to be sufficiently identified and addressed. Ultimately, the Commission and Council will have to synthesize all of the information presented to determine whether or not this proposal, including suggested safeguards, can adequately address those impacts to the adjacent properties through such means as buffering, design, control of the lighting, and in mitigating the traffic impacts, and if they believe that this proposal creates substantial injury to property values beyond that of other similarly situated properties.

Open Items Requiring Resolution

Below are the open items from the prior Staff Reports that require discussion and resolution. To assist the Commission, staff has begun to formulate suggested conditions based on these items.

- Updated Boundary Adjustment Plat, Site Development Plans, and Landscape Plans that correspond and include the corrected information and site data table. The site development plan indicates 2.54 acres for the QT lot (+0.06 acres dedicated for right-of-way), and the second lot is shown at 1.82 acres with (+0.01 acres dedicated for right-of-way, while the Boundary Adjustment Plat and legal descriptions show 2.8 and 1.6 acres for the lots. Therefore, coordination between the Boundary Adjustment Plat, the Site Development Plans and landscape plan is needed with the correct information, including site data tables. The difference between the two numbers was due to the MoDOT's requested the turn lane into the site so the ROW dedication increased from the original preliminary plat. The approval of the Boundary Adjustment Plat would include that the lots be adjusted to be substantially the same as the Site Development Plans, for Staff's approval. Staff would also require the vacation of existing and establishment of new easements as a condition, as well as providing for the cross-access and shared parking agreements, as well as any easements necessary for the maintenance of the stormwater detention for the review and approval by the City Attorney prior to recording of the plat and the issuance of any building permits.
 - Staff has included a condition of approval that the drawings should be corrected prior to final action by the City Council.
- The Site Plan should maintain or enlarge the existing greenspace and remove the two parking spaces proposed at the southwest corner along Olive Boulevard and Revise the Landscaping to meet with the discussion on the June 1st Staff Report, which discussed additional landscaping at the northeast corner.
 - Staff has included a condition of approval to maintain the existing parking spaces and included a condition that the landscaping shall be revised to meet with the recommendations as discussed in the June 1st Staff Report for the Zoning Administrator's approval.

- Placement of the fence at the property line adjacent to residents or further inward with the proposed landscaping on the resident side.
 - Staff has included a condition of approval that the fence should be placed inward to allow for landscaping on the residential side. The Commission will need to confirm that the proposed 8'tall wood fence is adequate.
- Incorporate additional design elements for the buildings including carrying the stone all the way around the side tower elements and adding brick and/or stone for the full length of the canopy columns for the QT component and add screening of the rooftop mechanical units to the rear of the retail building.
 - The revised retail building drawings from June 12th, indicate that the mechanical equipment will be screened.
 - Staff has included a condition of approval that the design elements be carried around to meet with the recommendations of the City's Design Guidelines.
- Extending the sidewalk down to Martin Grove.
 - The City's mapping program shows there is sufficient right-of-way to extend the sidewalk from the QT property southward to the existing Martin Grove Lane sidewalk and to the existing crosswalk across Graeser Road, without encroaching onto private property. Several trees would have to be removed to accommodate the new sidewalk. The Commission should discuss the desirability of having the sidewalk extended with the Applicant, and if so, a condition would need to be added along with the requirement that any trees removed shall be replaced with deciduous shade street trees as directed by the Department of Public Works.

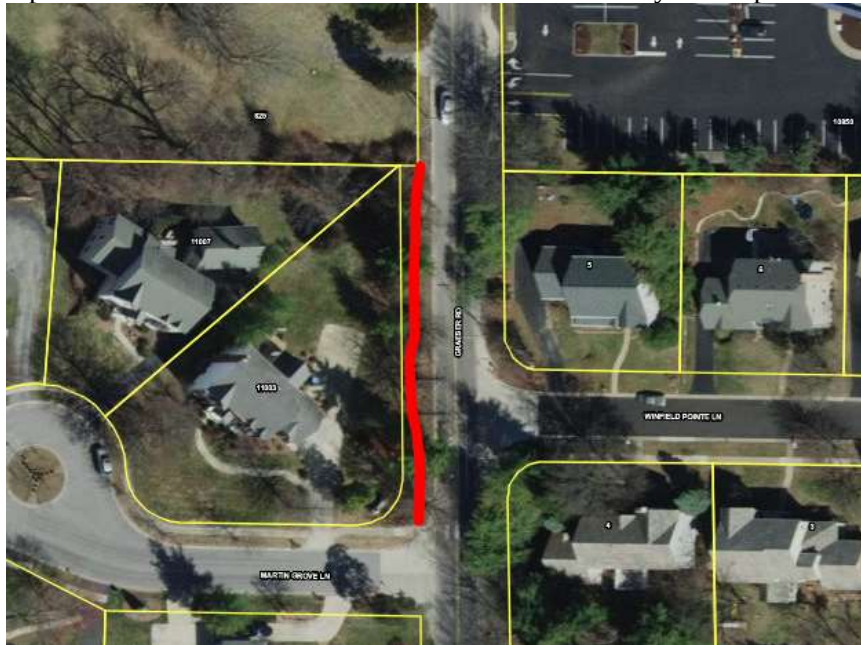


Figure 1: Image from City's GIS from the June 15th Staff Report

- Increase length of right turn lane on northbound Graeser at Olive. The applicants have presented an exhibit that shows this improvement can occur within existing right-of-way. The applicants have also proposed that this improvement could be added later after traffic is stabilized and if deemed necessary by the City. Since the applicant is showing the likelihood of this improvement being constructed without acquiring additional property and that the improvement would appear to address any lingering concerns with traffic delays at this intersection, staff suggests that the Commission require this work to be done in conjunction with any approval of this application.



Figure 2: GIS image of the area where the right turn lane would be extended, next to the Applicants drawing of the area.

The applicants have provided a comparison table of the level of service (LOS) of the nearby signalized intersections along Olive Boulevard. Please see the attached report from CBB.

- Staff has included a condition that the lane should be extended at the time of the road improvements and building construction subject to final review and approval by the Department of Public Works.

RECOMMENDATION AND ACTION

After deliberations, if the Commission members believe that the proposal represents a development in keeping with the Comprehensive Plan, meets the development standards of the zoning ordinance, including the conditional use requirements and those specific to gas stations, and significantly follows the Design Guidelines, then a motion to approve the conditional use permit, site development plan, and boundary adjustment would be appropriate. Staff has provided conditions below which are included in the draft ordinance. These conditions could be added to and will likely require further modifications as directed by the Commission:

1. The Conditional Use Permit shall be for the operation of a 4,993 square foot, 24-Hour, QuikTrip Convenience Store located at 11004 and 11026, and a portion of 11032 Olive Boulevard, and of 825 and 827 Graeser Road, with 16 vehicle fueling positions gas station.
2. Site Development Plans for the Gas Station with Convenience Store, and for the adjacent retail center shall include site improvements for shared access, a new façade to the existing building, and landscaping and other site improvements, as proposed with the Application #20-002 submitted by QuikTrip on the remaining portion of 11032, and 11056 Olive Boulevard.
3. The Applicant is required to submit Grading and Site Improvement Plans, showing all exterior improvements, for all new construction to the Department of Community Development for review, as required by Section 410.390 of the Subdivision and Land Development Regulations (Subdivision Code). The Grading and Site Improvement Plans shall be in substantial conformance with the Site Development Plans and the Landscape Plan submitted on May 11, 2020, as bound together and submitted in conjunction with Application #20-002 by QuikTrip and as amended below.
4. 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 May 11, 2020 and the revised retail building elevations received June

- 12, 2020, on as bound together and submitted in conjunction with Application #20-002 by QuikTrip and as amended below.
5. The improvements to the retail building shall be substantially completed prior to the issuance of a final occupancy permit for the Gas Station and C-Store.
 6. All plans shall be updated to provide for consistency prior to final action by City Council. The sale of retail items customary to gas station convenience stores including food, beverages including intoxicating beer and liquor, personal care, or other convenience items is hereby granted.
 7. The stacked stone and cornice detail design elements on the convenience store shall be carried around on all elevations of the side tower elements as discussed in the Staff Report for June 1st Planning and Zoning Commission meeting to meet with the recommendations of the Design Guidelines
 8. The Landscape Plan shall be revised to provide additional plantings adjacent to the buildings and at the corner of Olive Boulevard, and Graeser Road for the Zoning Administrator's approval to meet with the City's Comprehensive Plan and Design Guidelines as well as Sections 405.540 and 405.810 of the Zoning Ordinance. Further, the Landscape Plan and Site Development Plans shall be revised to maintain the pre-existing landscaped area at the northwest corner of the site along Olive Boulevard.
 9. An underground irrigation system shall be installed and maintained to serve all new landscaped areas. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt manner.
 10. The proposed 8-foot tall shadowbox wood fence shall be stained with a compatible color and placed interior to the proposed landscaping adjacent to the residential zoning districts to create a condition where plantings are placed on both sides of the fence subject to final approval by the Zoning Administrator.
 11. If required by the Building Code, a four-foot tall, safety barrier on top of the retaining wall shall be approved by Staff, provided it is an open slatted, black wrought-iron style.
 12. All existing surface parking areas of the retail building site shall be resurfaced and re-stripped to present a consistent, neat appearance with the adjacent gas station and convenience store component.
 13. The Applicant shall provide reciprocal parking, access, and drainage agreements for review and approval by the City Attorney with a copy of the recorded agreements provided to the City prior to the issuance of a building permit.
 14. The applicant shall comply with all off-site roadway improvements as directed by MoDOT. Copies of MoDOT approvals based on the approved plans shall be provided to the City prior to the issuance of a Site Improvement Permit or Building Permits, including a maintenance and use agreement for the plantings within MoDOT right-of-way. New signals shall be black powder coated and lighted street name signs shall be utilized, at Applicant's expense subject to approval by the City's Public Works Department.
 15. The right turn lane on northbound Graeser Road shall be extended in further mitigation of the anticipated traffic impacts at the Olive and Graeser intersection in substantially similar form as shown in the "Graeser Road Right-Turn Lane Extension Exhibit", subject to final review and approval by the Department of Public Works as a component of the Site Improvement Permit application.
 16. The Applicant shall post a sign and direct deliveries of the larger fuel trucks to only utilize north bound Graeser Road, and not drive south on Graeser Road.
 17. Employee parking, delivery and company vehicles shall be parked interior to the site behind the building and as far from the public right-of-way as possible.
 18. Copies of the approval of the Underground Storage Tanks by the Missouri Department of Natural Resources shall be provided to the City prior to approval of a final inspection and occupancy permit.
 19. Outdoor displays of merchandise shall be located against the convenience store building underneath the overhangs as depicted on a revised site development plan for the Zoning Administrator's approval. Merchandise displayed outdoors shall be arranged in an orderly fashion and not on

pallets. A walkway of 6 feet shall be provided at all times. The cash registers and all points of sale related to the gas station and convenience store shall be located and maintained within the established boundaries of the Olive-Graeser Transportation Development District.

20. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
21. All lighting shall comply with Section 405.680 Lighting of the Zoning Ordinance, and with the lighting levels as shown on the photometric plans for the canopy structure, as submitted on May 11, 2020.
22. Any mechanical equipment installed for the site shall be properly screened with approved materials.
23. Proof of recording of the approved boundary adjustment consolidation plat and copies of MoDOT approval based on the approved plans shall be provided prior to the issuance of a Site Improvement Permit or Building Permits from the City. All conditions of such approval shall be met by the applicant, except any inconsistency herewith shall require resolution with all applicable authorities
24. 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.
25. 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.
26. The site development plan approval covering all components of the proposed site improvements as a whole, shall be valid for a period not longer than twelve (12) months from the date it is approved, unless within such period a building permit is obtained and substantial construction is commenced. Substantial construction shall be deemed to consist of clearing the site, completion of footings, basement or building slab and inspection of such work. The Planning and Zoning Commission and the City Council, when required, may grant extensions not exceeding twelve (12) months each upon written request of the original applicant prior to the expiration of such period and resubmission of the application if the application as resubmitted is substantially the same as the initially approved application. However, the Commission and the Council, as applicable, have the power in such cases to attach new conditions to their re-approval or to disapprove the reapplication. Where the application for re-approval contains changes which the Zoning Administrator concludes materially alter the initial application, the Zoning Administrator shall initiate a new site development plan review procedure as stated in Section 405.1080 or a new minor site plan review procedure as stated in Section 405.1080.
27. 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.
28. 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.

MOTION

The proposal will require two different motions for approval; one for the boundary adjustment plat; and one for the conditional use permit and, the site development plan approvals for the Gas Station and the redevelopment of the retail building. Below are example motions, in the appropriate order:

“I move to approve Application #20-010 for the boundary adjustment to consolidate 825 and 827 Graeser Road and 11004 and 11026 and a portion of 11032 Olive Boulevard into one 2.54 acre parcel and the remaining portion of 11032, and 11056 Olive Boulevard into one 1.82 acre parcel, subject to the condition that that a final drawing be prepared to consistency with the final approved site development plans, as discussed in the Staff Report for June 1st, and July 6th, 2020, for review by staff for signature and recording, and that appropriate vacation of existing, the establishment of new easements, as well as providing for the cross-access and shared parking agreements, for the review and approval by the City Attorney prior to recording of the plat and the issuance of any building permits.” (Conditions may be added, eliminated, or modified)

“I move to approve Application #20-002 for the conditional use permit and site development plans for a Gas Station at 11004 and 11026, and a portion of 11032 Olive Boulevard, and 825 and 827 Graeser Road, and the site development plans for the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard, per the conditions provided in the Draft Ordinance for the meeting of July 6, 2020” (conditions may be added, eliminated, or modified).

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.

**BEFORE THE CITY OF CREVE COEUR
PLANNING AND ZONING COMMISSION**

IN THE MATTER OF: Application Nos.: 20-002 & 20-010

Application for Boundary Adjustment, Site Development Plan and Conditional Use Permit for QuikTrip Gas Station With Convenience Store at 11004, 11026, and 11032 Olive Boulevard and 825 and 827 Graeser Road, and the Redevelopment of the Adjacent Retail Center at 11032 and 11056 Olive Boulevard

**QUIKTRIP’S MEMORANDUM IN SUPPORT OF
APPROVAL OF CONDITIONAL USE PERMIT**

Applicant, Gwen Keen, Real Estate Project Manager, QuikTrip Corporation (“QuikTrip”) submitted an application and supporting documentation (collectively, the “Application”) for a Conditional Use Permit and Site Development Plan for certain real property located at 11004, 11026, 11032 and 11056 Olive Boulevard and 825-827 Graeser Road (the “Site”), for the operation of a new 24-hour QuikTrip Gasoline Station with Convenience Store (NAICS #447110), in combination with the sale of other items or class of items such as food, beverages, personal care or other convenience items (the “Proposed Store”), and the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard (the “Retail Center”).

Pursuant to Sections 405.210(A)(2), 405.360(C), 405.470(A)(13), and 405.1070, and Table A, of the Creve Coeur Zoning Ordinance (the “Zoning Ordinance”), Gasoline Stations with Convenience Stores (NAICS #447110) require a conditional use permit in the “GC” General Commercial District subject to a public hearing and recommendation of the Commission with final approval by the City Council.

On June 1, 2020, and June 3, 2020, the Planning and Zoning Commission for the City of Creve Coeur (the “Commission”) conducted a public hearing at which evidence was presented pertaining to the Application (collectively, the “Public Hearing”). On June 15, 2020, the Commission conducted a meeting at which the Application was discussed and considered with additional evidence being provided by QuikTrip at the request of the Commission.

Based upon the Application and evidence presented to the Commission, QuikTrip hereby submits its Memorandum in Support of Approval of Conditional Use Permit in the above-referenced matter, and requests that the Commission recommend approval of the aforementioned Conditional Use Permit to the City Council.

DISCUSSION

Pursuant to the Zoning Ordinance:

“The purpose of conditional use permits is to provide the City with a procedure for determining the appropriateness of a proposed use not authorized as a matter of right by the regulations of the district in which the use is proposed to be located. The appropriateness of the use shall be determined in consideration of surrounding uses, activities and conditions of the site and of surrounding areas.”

Section 405.1070(A)(1), Zoning Ordinance. The general rule applicable to the consideration of a conditional use permit is that “if the proposed use meets the standards prescribed by the local ordinance, the [agency] is bound to issue the [conditional] use permit subject to reasonable conditions which it might impose to mitigate any harmful effects that might otherwise result.” *State ex rel. Presbyterian Church v. City of Washington*, 911 S.W.2d 697, 701 (Mo. App. E.D. 1995) (quoting 6 Rohan, ZONING & LAND USE CONTROLS § 44.01[4] at pg. 19 (1992)). Section 405.1070(E) of the Zoning Ordinance sets forth the standards pursuant to which all conditional use permits in the City of Creve Coeur (the “City”) shall be reviewed. If the evidence presented clearly indicate that the six (6) standards set forth in Section 405.1070(E) are met, the City is bound to issue the conditional use permit.

Furthermore, public sentiment is not a factor upon which the City is permitted to rely upon when making a decision whether to approve or recommend approval of a conditional use permit. *See Huttig v. City of Richmond Heights*, 372 S.W.2d 833, 842-43 (Mo. 1963); *Browning-Ferris Indus., Inc. v. Maryland Heights*, 747 F. Supp. 1340, 1349 (E.D. Mo. 1990); *N.P. Sandbothe v. City of Olivette*, 647 S.W.2d 198, 204-05 (Mo. App. E.D. 1983). This is because generalized fears are not based on facts. *See N.P. Sandbothe*, 647 S.W.2d at 204-05. The City’s determination of the Proposed Store’s compliance with Section 405.1070(E)(2) of the Zoning Code must be based solely upon the application and clear, undisputed evidence presented before it. *See* Section 405.1070(E), City Code; *see also*, *N.P. Sandbothe*, 647 S.W.2d at 204 (“Such finding must be made upon facts and evidence before it and the discretion granted the Council must be reasonable and not arbitrarily exercised.”).

The Application and the evidence presented to the Commission clearly indicate that the Proposed Store satisfies the six (6) standards set forth in Section 405.1070(E), to wit:

- 1. The Proposed Store Complies With All Applicable Provisions of Chapter 405 Including Environmental Performance Standards Presented in Section 405.550, the Criteria in Section 405.470 and the Standards of Chapter 405 in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.**

It is clear from the application and the evidence presented that the Proposed Store complies with all applicable provisions of Chapter 405, including the environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of Chapter 405 in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.

- (a) The Proposed Store Complies with Environmental Performance Standards Presented in Section 405.550**

The Application and the undisputed evidence and testimony presented at the June 1, 2020 Public Hearing clearly indicate, and the Staff Report for the Commission Meeting on June 1, 2020 (the “Staff Report”) supports a finding, that the Proposed Store complies with all applicable environmental performance standards prescribed in Section 405.550 of the Zoning Ordinance, and QuikTrip has and will continue to comply with all applicable City, state, and federal environmental performance standards and environmental controls upon approval.¹

(b) The Proposed Store Complies with the Criteria in Section 405.470 and Chapter 405 in Regard to Yard and Setback, Parking and Loading Areas, Screening and Buffering, Refuse, Storage and Service Areas and Signs.

As evidenced on the Site Plan and Landscape Plan submitted with the Application, the Proposed Store complies with all of the criteria and standards set forth in Section 405.470(A)(13) of the Zoning Ordinance, as well as with all other applicable standards contained in Chapter 405 in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.² Section 405.470(A)(13) of the Zoning Ordinance sets forth specific development standards and criteria in regard to site size, setbacks, curb cuts and corner radius, parking and access, pump island location, storage and service areas, loading areas, fencing, landscaping, screening and buffering, trash and refuse storage and disposal, gasoline deliveries, sight lines and signs for the conditional use of a Gasoline Service Stations With Convenience Stores (NAICS #447110). Accordingly, as shown on the Site Plan and Landscape Plan,³ and as stated in the Staff Report, “[t]he proposed site development plan meets with these requirements of the Zoning Code.”⁴ Moreover, the Site Plan and Landscape Plan, coupled with the undisputed testimony at the Public Hearing, further demonstrate that the Proposed Store will comply with all of the continuing requirements and standards provided by Chapter 405 applicable to Gasoline Service Stations with Convenience Stores (NAICS #447110).⁵

Therefore, in light of the foregoing, it is clear that the Application and other evidence presented clearly indicate that the Proposed Store complies with all applicable provisions of Chapter 405, including the environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of Chapter 405 in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.

2. The Proposed Store Will Contribute to and Promote the Community Welfare and Convenience at the Specific Location.

The Application and evidence presented at the Public Hearing clearly indicate that the Proposed Store will contribute to and promote the community welfare and convenience at the specific location. This standard for a conditional use permit requires satisfaction of two components: (1) the proposed conditional use will contribute to and promote the community welfare at the specific location; and (2) the proposed conditional use will contribute to and promote the community convenience at the specific location.

(a) The Proposed Store Will Contribute to and Promote Community Welfare

As evidenced in the Application and by the testimony at the Public Hearing, the Proposed Store will contribute to and promote community welfare at the specific location in several ways:

(i) Redevelopment of the Retail Center.

As stated in Application, the placement of the Proposed Store is a good and proper use for the Site.⁶ The approval of the Conditional Use Permit for the Proposed Store would provide for the replacement of an outdated and underutilized retail building that currently occupies the Site with a gas station and convenience store together with extensive site improvements.⁷ In addition, the development of the Proposed Store would allow for the enhancement of the building and site of the similarly outdated and underutilized Retail Center adjacent to the Site.⁸ Such improvements will support economic development activities of the City by attracting new tenants to the Retail Center.⁹

In addition, as further discussed in Part 4 herein, the location and overall design for both the Proposed Store and the adjacent Retail Center comport with the City's Design Guidelines and the City Code, further the goals and objectives of the Creve Coeur 2030 Comprehensive Plan dated March 2017 (adopted via Res. 16-028 (March 20, 2017)) (the "City's Comprehensive Plan"), provide for overall aesthetic and development improvements for the East Olive Corridor, and enhance the streetscapes along Olive Boulevard and North Graeser Road, and will provide pedestrian circulation both within the development and along the adjacent roadways.¹⁰ As noted at Public Hearing, QuikTrip's extensive and substantial improvements will not only add value to the City at the southwest corner of Olive Boulevard and Graeser Road, but will also serve to foster further improvements to nearby properties.¹¹ Thus, by providing for the much needed overall redevelopment of the Site and the Retail Center, which thereby adds value to the City overall, it is clear that the placement and operation of the Proposed Store on the Site will contribute to and promote the community welfare at the specific location.

(ii) Increased Buffering From the Adjacent Residential Property.

The Site currently consists of five (5) separate parcels, all of which are located within the GC-General Commercial District pursuant to the Zoning Ordinance (the "GC District").¹² QuikTrip will be acquiring enough property at this specific location in order to provide a minimum of ninety-one (91) feet of landscaped buffering between the parking lot on the Site and the residential properties, which includes, among other things, the installation of an eight (8) ft. high fence, landscape wall feature, and extensive landscaping, between the location of the parking lot and the adjacent residential properties.¹³ The nearest building to be constructed as part of the Proposed Store would be a minimum of one hundred forty-six (146) feet from the nearest residential property line.¹⁴

Should the properties located at 825 and 827 Graeser Road be developed either individually or collectively, the maximum setback from the residential properties would be twenty (20) feet.¹⁵ As such, consistent with Table A of the Zoning Ordinance, the properties

located at 825 and 827 Graeser Road could be developed or used, as a matter of right, for a number of retail uses, including a grocery store, meat market, liquor store, tobacco store or medical marijuana dispensary within twenty (20) feet of the adjacent residential property lines.¹⁶ Approval of the Proposed Use at this Site consistent with the Application would allow for the preservation of a landscaped buffer between the Proposed Store and the adjacent residential properties that is over four (4) times greater than that which would otherwise be required for other permitted uses within the GC District.¹⁷

(iii) Increased Tax Revenue

The location and operation of the Proposed Store on the Site will further contribute to and promote the community welfare at its specific location due to the increase in sales and property tax revenue generated at this specific location.¹⁸ Based on its location on Olive Boulevard (Route 340), a primary street¹⁹ and a State highway²⁰, the City will see an increase in sales tax revenue due to the operation of the Proposed Store,²¹ as well as an overall increase in real and personal property tax revenue due to the construction of the Proposed Store and the redevelopment of the adjacent Retail Center,²² which will undoubtedly contribute to and promote the community welfare of the City.²³

In addition, as identified in the Staff Report, with the exception of the southernmost Graeser Road properties, the Site is located within the Olive-Graeser Transportation Development District (the “OG-TDD”).²⁴ The OG-TDD was established in 2008 to provide transportation-relative improvements within the vicinity of the Olive-Graeser/Dautel intersection.²⁵ With the approval of this Requested Conditional Use Permit, the sales tax generated from the Proposed Store and the renovated Retail Center would be subject to the additional one percent (1%) sales tax imposed by the OG-TDD and the sales taxes generated from such would be used to pay off the debt associated with the existing transportation-related improvements.²⁶

(iv) Creation of Quality Jobs

The Proposed Store would lead to creation of new jobs in the City, specifically at the southwest corner of Olive Boulevard and Graeser Road, for an exceptional community oriented corporation²⁷ which has been Fortune’s “100 Best Company to Work For” for 17 years, on Forbes Top 100 Privately Held Companies list for over 17 years, and, most recently, on People Magazine’s “Companies That Care” list for the last two years.²⁸ QuikTrip stores generally employ six (6) full-time and ten (10) or more part-time employees per store.²⁹ Average starting salaries for entry level assistant managers is currently over \$50,000 per year, and starting pay for a part time clerk is \$11.00 per hour.³⁰ Store manager salaries average \$89,000 per year.³¹ Full-time and part-time employees are offered health benefits and bonuses, tuition reimbursement and profit sharing are available for qualifying employees.³²

(v) Community Support

In addition to its continuing philanthropic support of national organizations such as Folds of Honor and the United Way, with the Proposed Store on the Site, QuikTrip would contribute

5% of its profits to local community charitable organizations in Creve Coeur much like it does for every other local community in which QuikTrip operates one of its stores.³³ Likewise, as each QuikTrip store is a National Safe Place location for children, and as each store is available as a police substation,³⁴ it is evident that the Proposed Store will contribute to and promote not only the community welfare at the southwest corner of Olive Boulevard and Graeser Road, but also the health, welfare and safety of the City as a whole.

(b) The Proposed Store Will Contribute to and Promote the Community Convenience at the Specific Location

The Proposed Store contributes to and promotes the community convenience at its specific location. As stated in the Staff Report, “[t]he [Proposed Store] and the renovation of the adjacent retail center [will] provide retail and services for the adjacent residential areas and other areas within this section of Creve Coeur.”³⁵ The Site is along a well-travelled area of the City³⁶ and people who drive the East Olive Corridor are looking for a well maintained, easily accessible gasoline station with convenience store which offers for sale high quality products.³⁷ Currently however, the properties located at the southwest corner of Olive Boulevard and Graeser Road are underutilized as they contain two partially unoccupied retail centers with outdated exteriors.³⁸ Accordingly, the placement and operation of the Proposed Store on the Site will contribute to and promote the community convenience and serve the needs of the people who drive the East Olive Corridor because the Proposed Store would be the only provider of motor vehicle fuels and the only 24-hour shopping and convenience store on the south side of Olive Boulevard between North New Ballas Road and Old Bonhomme Road.³⁹

Further, as noted above in Part 2(a), the approval of the Conditional Use Permit will also provide for the overall redevelopment of the properties located at the southwest corner of Olive Boulevard and Graeser Road. Included in this overall redevelopment is the construction of a new sidewalk along North Graeser Road, which will connect to the redeveloped sidewalk along Olive Boulevard, and the implementation of an improved traffic mitigation plan for Olive Boulevard and Graeser Road.⁴⁰ Accordingly, by making both Olive Boulevard and Graeser Road more pedestrian friendly and by implementing an improved traffic mitigation plan for the same, the proposed QuikTrip will allow for safer pedestrian circulation within and adjacent to the Site which thereby allows the Proposed Store to further contribute to and promote the community convenience at this specific location by allowing both pedestrians and motorists to safely access this proposed Gasoline Station with Convenience Store.⁴¹

In sum, with respect to the second conditional use permit standard, the approval of the Requested Conditional Use Permit “would represent a notable change within the East Olive Corridor and would continue the recent trend for additional development in this area[.]”⁴² and, as the undisputed evidence presented clearly demonstrates, the Proposed Store will ultimately add value to the City and will contribute to and promote the community welfare and convenience at the specific location, i.e., the southwest corner of Olive Boulevard and Graeser Road.

3. The Proposed Store Will Not Cause Substantial Injury to the Value of Neighboring Property.

The Proposed Store will not cause *substantial* injury to the value of neighboring property. It is first worth noting that the Site is currently zoning commercial, and has been used as such for over fifty (50) years.⁴³ Any detriment to the adjacent residential properties constructed in the 1990s as a result of being adjacent to commercial property has likely already been realized.⁴⁴ In addition, the existing retail center to the west of the Proposed Store was originally constructed in 1967 and is currently in below average condition.⁴⁵ Without the approval of the Conditional Use Permit for the placement and operation of the Proposed Store on the Site and the redevelopment of the Retail Center site, the current buildings located on the Site and the Retail Center will likely continue to deteriorate, consequently leading to an overall decrease in both neighboring commercial and residential property values and possible nuisance conditions.⁴⁶

The placement and operation of the Proposed Store on the Site will allow for the revitalization of the Retail Center which, along with the replacement of an outdated and underutilized retail building with the Proposed Store on the Site, a modern, well designed facility, will better represent the City of Creve Coeur as a whole, will enhance neighboring commercial property values.⁴⁷

There is no empirical evidence presented of any negative impact on property values as a result of the construction of the Proposed Store, and any generalized fears of neighboring property owners should not be considered. See *N.P. Sandbothe*, 647 S.W.2d at 204-05 (finding that generalized fears are not based on facts, and the will of a few property owners is not substantially related to the public interest). To the contrary, by way of comparison, sales between February of 2018 and April of 2020 for the properties near the 24-hour Mobil on the Run Gas Station with Convenience Store and Briteworx car wash facility located at 11109-11135 Olive Boulevard and 11100-11114 Oak Lake Court (the “Mobile on the Run”) contradict any assertion that the placement and operation of a Gasoline Station with Convenience Store within the “GC” General Commercial District or the East Olive Corridor will cause a substantial injury to neighboring property values.⁴⁸ As shown on the chart below, which is based on the properties sales data reported by St. Louis County and/or the St. Louis MLS, all of the properties located near the recently approved Mobile on the Run which were sold in the last two years, i.e., after the City’s approval of the conditional use permit for the placement and operation of the Mobile on the Run, increased in value.⁴⁹

Address	Parcel Locator:	Distance from Mobile on the Run Site (Approximate)	Sale Date #1	Sale Price #1	Sale Date #2	Sale Price #2
925 SCHULTE RD	17N540244	< 60 ft.	09/12/2018	\$135,000	06/03/2019	\$229,900
944 SCHULTE RD	17N540420	< 420 ft.	09/12/2017	\$158,600	03/31/2020	\$193,800
11121 OAK LAKE CT	17N530443	< 200 ft.	07/18/2012	\$155,000	02/20/2018	\$220,000
11130 OAK LAKE CT	17N530971	< 200 ft.	06/03/2015	\$207,500	08/08/2018	\$249,000
1000 LEISURE LANE	17N530751	< 750 ft.	02/20/2014	\$159,900	04/16/2020	\$278,000
11125 PAM LANE	17N530704	< 530 ft.	11/15/2019	\$131,000	04/13/2020	\$280,000
905 WOODSHIRE LN	17N530092	< 390 ft.	04/26/2016	\$185,000	05/22/2019	\$333,000
901 WOODSHIRE LN	17N510588	< 660 ft.	07/26/2016	\$328,000	08/02/2019	\$350,000
826 MARY MEADOWS LN	17N520422	< 720 ft.	09/16/2016	\$315,000	03/22/2019	\$350,000
811 MARY MEADOWS LN	17N520323	< 875 ft.	07/12/2012	\$205,000	05/13/2019	\$278,000

As identified in the Staff Report, “[t]he scale of the [Proposed Store] development is consistent with existing developments along the corridor and is similar to the recently approved gas station and convenience store across Olive Boulevard.”⁵⁰ Accordingly, the above chart supports the finding that, much like the Mobile on the Run, the Proposed Store will not cause a substantial injury to the value of neighboring property.⁵¹

Thus, in light of the foregoing, it is clear the undisputed evidence presented indicates that the Proposed Store will not cause substantial injury to the value of neighboring property. Therefore, the Planning and Zoning Commission should recommend approval of the Requested Conditional Use Permit.

4. The Proposed Use 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.

The undisputed evidence clearly indicates that the Proposed Store is consistent with the applicable goals and objectives set forth in the City's Comprehensive Plan⁵² and complies with all applicable zoning district regulations and provisions set forth in the Zoning Ordinance.

(a) The Proposed Use is Consistent with the Applicable Goals and Objectives of the City's Comprehensive Plan

With respect to its consistency with the applicable goals and objectives set forth in the City's Comprehensive Plan, as identified in the Staff Report, the proposed development “embodies many of the recommendations the Comprehensive Plan.”⁵³ Indeed, the subject property for the Proposed Store is located within the East Olive Corridor of the City's Comprehensive Plan where the vision for the area is to create a walkable corridor of destination retail boutiques, neighborhood service businesses, small-scale restaurants, attached townhomes, and low-density multifamily homes and single-family homes.⁵⁴ Accordingly, as observed in the Staff Report, QuikTrip's proposed development “consists of a gas station with convenience store and the renovation of an existing small retail building, both of which can be considered retail and neighborhood service businesses which is consistent with the vision of the East Olive Corridor in the Comprehensive Plan.”⁵⁵

Further, according to the City's Comprehensive Plan, a key community issue and priority for the City is to maintain a strong economic base and to “address outdated and underutilized commercial development and capitalize on high-tech industrial growth opportunities[,]” because “[m]aintaining a strong economic base is crucial for the long-range success of the City[.]”⁵⁶ Goal No. 3, Economic Growth and Community Services, of the City's Comprehensive Plan states that the City “will capitalize on new job growth and commercial development opportunities to strengthen its position as a major regional business center and provide necessary neighborhood services for the community.”⁵⁷ According to Goal No. 7, Community Sustainability & Resilience, of the City's Comprehensive Plan, the City “will lead the region in integrating community sustainability with on-going revitalization[,]” and the City should “[f]acilitate the

development of community-supportive retail and services to ensure long-term community vibrancy and resilience.”⁵⁸ The Proposed Store fulfills both Goals No. 3 and No. 7 as such approval capitalizes on new commercial development opportunities and creates new jobs, as well as enables the City to further foster the integration of community sustainability with on-going revitalization through the redevelopment of the Site for the Proposed Store and the accompanying improvements to the adjacent retail center.⁵⁹ As stated in Part 2(a), above, the approval of the Proposed Store will allow for the adjacent retail center to undergo a much needed facelift and will further the development of community-supportive retail and services to ensure long-term community vibrancy and resilience throughout the East Olive Corridor due to the placement and operation of the Proposed Store.⁶⁰

Moreover, pursuant to Goal No. 6, Transportation, Connectivity & Mobility, of the City’s Comprehensive Plan, the City “will utilize development ... to better manage automobile traffic; reduce traffic congestion; and improve transit, walkability, and bikeability.”⁶¹ In order to accomplish this goal, Strategy 6:7 provides that the City should “Promote vehicular cross-access between commercial parking lots to facilitate shared parking, reduce access points along commercial thoroughfares, improve traffic flow, and provide access to secondary streets.”⁶² Here, as shown on the Site Plan, the development will utilize a cross-access between the Proposed Store and the adjacent Retail Center, facilitate shared parking, and provide access to both Olive Boulevard and Graeser Road⁶³ consistent with the City’s Comprehensive Plan.⁶⁴ The one (1) existing shared, full-access driveway on Olive Boulevard for the Retail Center will be used as primary access for the Retail Center, but will allow for shared parking and cross-access to the Proposed Store Site⁶⁵, which in turn will improve traffic flow to and from both sites.⁶⁶ Similarly, consistent with the goals and objectives set forth in the City’s Comprehensive Plan and in accordance with the City’s Design Guidelines,⁶⁷ QuikTrip has provided for the strategic placement and utilization of the two (2) curb cuts permitted for the Proposed Store Site by including one (1) redesigned right-in/right-out access driveway on Olive Boulevard and one (1) redesigned full-access driveway on Graeser Road for the Proposed Store⁶⁸ to aid in the overall reduction of traffic congestion at the Olive Boulevard and Graeser Road intersection.⁶⁹

In order to improve upon the walkability of the City and to encourage the bike-ability of the same, consistent with Goal No. 6 of the City’s Comprehensive Plan, the Proposed Store includes the development of a sidewalk along Graeser Road and the redevelopment of the existing sidewalk along Olive Boulevard,⁷⁰ which comports with the City’s Pedestrian Plan,⁷¹ and provides for bicycle facilities near the front of the Proposed Store, as well as a free air compressor to fill up bicycle and automobile tires.⁷² Accordingly, the inclusion of a sidewalk along Graeser Road and bicycles facilities near the front of the store, along with the redevelopment of the existing sidewalk along Olive Boulevard, not only advance Goal No. 6 of the City’s Comprehensive Plan and comport with applicable design guidelines and plans, but also serve to further promote Goal No. 2, Residential Development & Preservation, by improving the walkability of the residential neighborhoods located on Graeser Road and their connectivity to Olive Boulevard.⁷³

Furthermore, consistent with the recommendations of the City’s Comprehensive Plan and Design Guidelines,⁷⁴ the Site Plan, Landscape Plan, and Photometric Plan for the Proposed Store consists of multiple features to help mitigate the impact of the commercial uses on Olive

Boulevard on the neighboring residences.⁷⁵ The inclusion of these features not only “mitigate the impact of non-residential uses such as lighting, noise, and trash on residential uses where they are adjacent[,]” consistent with Strategy 2:8 of the City’s Comprehensive Plan, but these features also serve to “protect residential areas from negative encroachment of non-residential uses.”⁷⁶

Lastly, in respect to the placement and operation of a 24-hour a day Gasoline Station with Convenience Store, the Proposed Store complies with the City’s Comprehensive Plan for the East Olive Corridor as evidenced by prior action of the City Council, particularly in regard to the approval of a conditional use permit for the placement and operation of the Mobil on the Run.⁷⁷ In fact, much like the Mobile on the Run, the Proposed Store would be operated 24-hours a day and similarly located in the East Olive Corridor and the “GC” General Commercial District.⁷⁸ It follows that, much like the approval of the conditional use permit for the placement and operation of the Mobile on the Run, where the City Council found that the conditional use for a 24-hour gasoline station with convenience store, as well as a car wash facility, located within the East Olive Corridor and the “GC” General Commercial District meets the applicable provisions of the City’s Comprehensive Plan,⁷⁹ here, the same should hold true as “[t]he City is not authorized to pick and choose between similarly situated applicants.” *Ford Leasing Dev. Co. v. Ellisville*, 718 S.W.2d 228, 233 (Mo. App. E.D. 1986); *see also*, e.g., *State ex rel. Nigro v. Kansas City*, 27 S.W.2d 1030, 1032 (Mo. 1930); *State ex rel. Columbus Park Community Council v. Board of Zoning Adjustment*, 864 S.W.2d 437, 442 (Mo. App. W.D. 1993); *Wolfner v. Board of Adjustment of the City of Frontenac*, 672 S.W.2d 147, 151 (Mo App. E.D. 1984). Therefore, as evidenced by prior actions of the City Council and as the proposed conditional use would be compatible with that of similarly situated conditional uses recently approved by the City Council, it is clear that undisputed evidence indicates that the Proposed Store comports with the applicable goals and objects set forth in the City’s Comprehensive Plan.⁸⁰

(b) The Proposed Use Complied with Other Applicable Zoning District Regulations and Provisions of Chapter 405

All of the subject properties for QuikTrip’s proposed development are located within the “GC” General Commercial District.⁸¹ Pursuant to Section 405.360(A), Zoning Ordinance, the stated purpose and intent of the “GC” General Commercial District is “to accommodate by site development plan approval *convenience* retail shopping and services and offices which are freestanding or part of small scale planned commercial developments and which are compatible in scale and intensity of use with adjacent residential uses.” (Emphasis added). While a Gas Station with Convenience Store are conditional uses in the “GC” General Commercial District, “it is the overall scale and intensity of the use that is reviewed with the stated purpose of the GC District”⁸² and “[t]he purpose of the GC district is similar to the recommendations in the Comprehensive Plan.”⁸³ Accordingly, as a free standing Gasoline Station with Convenience Store,⁸⁴ it is evident that the Proposed Store comports with the purpose and intent of the “GC” General Commercial District.⁸⁵ The Staff Report identified that the Proposed Store, along with the renovation of the adjacent Retail Center will “provide retail and services for the adjacent residential areas and other areas within this section of Creve Coeur,” and meet the applicable zoning district regulations and provisions for “GC” General Commercial District.⁸⁶

In regard to the Dimensional Regulations for the “GC” General Commercial District, the Site Plan evidences that the Proposed Store meets all lot size requirements, building bulk regulations, and yard and setback requirements provided for under Section 405.360(E), Zoning Ordinance.⁸⁷

Furthermore, the Proposed Store complies with the General Requirements for the “GC” General Commercial District, as provided for under Section 405.360(F), Zoning Ordinance, as well as with the other applicable regulations and provisions of Chapter 405 of the Zoning Ordinance relative to the zoning district and proposed conditional use.⁸⁸

Therefore, in light of the foregoing, as the undisputed evidence and testimony presented at the Public Hearings make clear, the Proposed Store comports with the applicable provisions of the City’s Comprehensive Plan and complies with the other applicable zoning district regulations and provisions of Chapter 405 of the Zoning Ordinance.

5. The Proposed Store Will Provide Erosion Control and On-Site Stormwater Detention in Accordance with the Standards Contained in Chapter 405 of the Zoning Ordinance.

As evidenced on the Landscape Plan and the Site Plan, the Proposed Store will provide erosion control and on-site storm water detention in accordance with the standards contained in Chapter 405 of the Zoning Ordinance, as well as Chapters 420 and 425, of the City Code.⁸⁹ Indeed, as evidenced on the Site Plan and Landscape Plan, all storm water management for the Proposed Store and the adjacent retail center site will be in accordance with the Metropolitan St. Louis Sewer District regulations, and the entire development will conform with all other appropriate environmental controls and standards including those related to landscaping, tree conservation, and stormwater retention and erosion control provided for in Chapters 405, 420 and 425 of the City Code.⁹⁰ As such, sufficient evidence clearly indicates that the Proposed Store will provide erosion control and on-site storm water detention in accordance with the standards contained in Chapter 405 of the Zoning Ordinance, as well as Chapters 420 and 425, of the City Code.

6. The Proposed Store Will be Compatible with the Surrounding Area And Thus Will Not Impose an Excessive Burden or Have a Substantial Negative Impact on Surrounding or Adjacent Users or on Community Facilities or Services.”

The Proposed Store and the redevelopment of the Retail Center employ sufficient mitigation measures to alleviate any impact the placement and operation of the Proposed Store could have community facilities or services or the users thereof.⁹¹ Other than those identified below, there is no evidence of any burden or impact on community facilities or services or the users thereof as a result of the Proposed Store.

(a) The Proposed Store is Compatible With the Surrounding Area

The Proposed Store is smaller than other QuikTrip locations currently operated in the St. Louis Metropolitan area⁹² as it is less than five thousand square feet in size, it utilizes Sonoma stone, has rear pilasters, a masonry screen wall and landscaping along the front of the building.⁹³ There is no other QuikTrip store currently operated in the St. Louis Metropolitan area that will look like the Proposed Store.⁹⁴ Rather, the Proposed Store has been designed to be compatible with the commercial area surrounding the Proposed Store and the City as a whole, as well as to mitigate any impact the operation of the Proposed Store could have on surrounding or adjacent users or on community facilities or services.⁹⁵ The Staff Report notes:

The proposal generally complies with the recommendations of the Comprehensive Plan and the Design Guidelines, in that it is well designed, with materials of good architectural character, and where the standard QuikTrip designs have been substantially modified to fit into the surrounding areas. The proposal provides for significant buffering to the south in the effort protect residents from the encroachments of commercial development and allows for the redevelopment of an existing aged retail center, that caters to local neighborhood businesses.”⁹⁶

Moreover, with respect to the redevelopment of the existing adjacent retail building, it should be noted that the approval of the Requested Conditional Use Permit will include staining the existing brick, which maintains the look and feel of natural brick in a similar color to the Proposed Store, and uses stacked stone elements which are similar to the design of the Proposed Store.⁹⁷ These stacked stone elements are similar to the stone element used for the Walgreens across the street on Olive Boulevard which further demonstrates that the Proposed Store and the redevelopment of the adjacent retail building will be compatible with the surrounding elements.⁹⁸

In addition, the Proposed Store will enhance the streetscapes along Olive Boulevard and North Graeser Road and further improve upon the overall walkability and accessibility of the Olive Boulevard and Graeser Road for surrounding and adjacent users through the placement and development of a sidewalk along Graeser Road and the redevelopment of the existing sidewalk along Olive Boulevard, both of which will border an extensively landscaped site.⁹⁹

(b) Traffic Mitigation Will Alleviate Any Impact on Community Transportation Facilities

As evidenced by the Site Plan, Traffic Impact Study, as well as the corresponding letters, reviews, and supplemental traffic information provided by CBB, the Missouri Department of Transportation (“MoDOT”), the Creve Coeur Police Department, Traffic Safety Unit, and George Butler Associates (“GBA”), the City’s Traffic Engineering Consultants, the Proposed Store will be compatible with the surrounding area in terms of traffic and tanker truck movement.¹⁰⁰ Improvements to the existing configuration of the intersection of Olive Boulevard and Graeser Road will be made consistent with the Traffic Impact Study and recommendations of MoDOT and GBA.¹⁰¹ In addition, QuikTrip has agreed to a review of the actual conditions for the right turn lane for North Graeser Road at the Proposed Store Site and to enter into an agreement whereby funds equal to the estimated cost of any such improvement are guaranteed if further mitigation measures are needed.¹⁰²

Therefore, in light of the foregoing, the undisputed competent evidence clearly indicates that the Proposed Store 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 of transportation facilities, including streets and highways, in the City.

(c) Security and Theft Prevention Measures Employed Provide Ample Theft Mitigation

There is no evidence that the Proposed Store will impose an excessive burden on City police services. Approvals of similarly situated uses of property within the City evidence that the City does not find uses similar to the Proposed Store to be an excessive burden on City police services.¹⁰³

The foregoing notwithstanding, the Proposed Store, will employ theft mitigation measures that exceed industry recommendations.¹⁰⁴ Indeed, as noted by QuikTrip at the Public Hearing, QuikTrip is very dedicated to deterring the overall crime for the areas in which it operates and the Proposed Store, much like every other QuikTrip store, will:¹⁰⁵

- (1) Provide for a well-designed interior layout whereby the QuikTrip employees are able to see their surroundings and people outside the store, including police on patrol, are able to see what is going on in the store into the store.
- (2) Include a well-lit exterior store environment, which acts as a deterrent to crime;
- (3) Include multiple high-definition security cameras, which provide clear views of the entire property, both the interior and exterior, and are able to be viewed by QuikTrip's own security department at the QuikTrip corporate office;
- (4) Have multiple employees, who are QuikTrip's greatest assets and number one concerns when it comes to safety, on duty, with a minimum of two (2) people on duty for the overnight shift, who will utilize a drop safe and other cash control equipment, such as a money dispenser;
- (5) Be owned and operated solely by QuikTrip Corporation, which has invested millions of dollars in overall security, has extensive security and theft prevention resources, trains its employees on how to properly mitigate theft and overall crime, and is the best in the business at cash-control; and
- (6) Be located in a safe and well-travelled area, as the QuikTrip team would not put a store anywhere it would not put their own kids.

With the implementation of the above crime mitigation measures,¹⁰⁶ it is clear that Proposed Store will be complying with and exceed the crime mitigation measures recommended in the *Robbery of Convenience Stores* report published by the United States Department of Justice (the "DOJ") in April of 2007,¹⁰⁷ and will not impose an *excessive* burden or have a *substantial* negative impact on surrounding or adjacent users of police services.

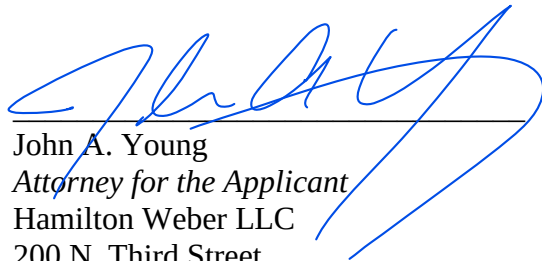
CONCLUSION

In conclusion, in light of the foregoing, the application and overwhelming undisputed evidence presented clearly indicate that the Proposed Store:

1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

Therefore, QuikTrip respectfully requests that the Planning and Zoning Commission recommend approval of the Requested Conditional Use Permit for the Proposed Store to the City Council in accordance with Sections 405.1070(D)(2) and 405.1070(E) of the City Code.

Respectfully Submitted,



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¹ Site Plan; Staff Report, at 12 (June 1, 2020); Applicant's PowerPoint, at pg. 36-40; *see also* Staff Report, at 21 (June 1, 2020)

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- ² Site Plan; Landscape Plan; *see also*, Staff Report, at 15 (June 1, 2020)
- ³ Site Plan; Landscape Plan
- ⁴ Staff Report, at 15 (June 1, 2020)
- ⁵ Site Plan; Landscape Plan; Public Hearing Testimony of Gwen Keen (June 1, 2020)
- ⁶ QuikTrip Conditional Use Permit Application, Rationale
- ⁷ *See*, Landscape Plan; Site Plan; Staff Report, at 5 (June 1, 2020); Photos of Existing Property; Renderings; Olive Retail Revised Elevations (Dated 6-12-2020); Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Morgan (June 1, 2020); Public Hearing Testimony of Mike Ballman (June 1, 2020); Applicant's PowerPoint, at 6-15, 21-23; *see also*, Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 13 Photos of Existing Property
- ⁸ *See*, Landscape Plan; Site Plan; Staff Report, at 5 (June 1, 2020); Photos of Existing Property; Renderings; Olive Retail Revised Elevations (Dated 6-12-2020); Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Morgan (June 1, 2020); Public Hearing Testimony of Mike Ballman (June 1, 2020); Applicant's PowerPoint, at 6-15, 21-23; *see also*, Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 13
- ⁹ *See* Photos of Existing Property; Renderings; Olive Retail Revised Elevations (Dated 6-12-2020); Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Morgan (June 1, 2020); Public Hearing Testimony of Mike Ballman (June 1, 2020); Applicant's PowerPoint, at 6-15, 21-23; *see also*, Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 13
- ¹⁰ Landscape Plan; Site Plan; Staff Report, at 5 (June 1, 2020); Renderings; Olive Retail Revised Elevations (Dated 6-12-2020); Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Morgan (June 1, 2020); Public Hearing Testimony of Mike Ballman (June 1, 2020); Applicant's PowerPoint, at 6-15, 21-23; *see also*, Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 13
- ¹¹ *See* Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 23
- ¹² Application; Staff Report, at 1 (June 1, 2020); Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Jaggi (June 1, 2020)
- ¹³ *See* Landscape Plan; Site Plan; Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Jaggi (June 1, 2020); *see also* Staff Report, at 16 (June 1, 2020)
- ¹⁴ *See* Landscape Plan; Site Plan; Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Jaggi (June 1, 2020); *see also* Staff Report, at 16 (June 1, 2020)
- ¹⁵ *See* Section 405.360(E)(4), Zoning Ordinance; Table A of the Zoning Ordinance
- ¹⁶ *See* Section 405.360(E)(4), Zoning Ordinance; Table A of the Zoning Ordinance
- ¹⁷ *See* Section 405.360, Zoning Ordinance; Site Plan; Landscape Plan; Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Jaggi (June 1, 2020)
- ¹⁸ *See* CBB, Traffic Impact Study, at 12, 24 (January 13, 2020) (hereinafter, "Traffic Impact Study"); Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 4, 23
- ¹⁹ Comprehensive Plan, at 89
- ²⁰ Traffic Impact Study, at 4
- ²¹ *See* Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 4
- ²² *See* Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 23
- ²³ *See* Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 4, 23
- ²⁴ Staff Report, at 21 (June 1, 2020)
- ²⁵ Staff Report, at 21 (June 1, 2020)
- ²⁶ Staff Report, at 21 (June 1, 2020); Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 23
- ²⁷ Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 2-4
- ²⁸ *See* Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 2-4
- ²⁹ *See* Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 2-4
- ³⁰ *See* Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 2-4
- ³¹ *See* Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 2-4
- ³² *See* Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 2-4
- ³³ Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 4
- ³⁴ Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 4
- ³⁵ Staff Report, at 12 (June 1, 2020)

³⁶ See generally, Traffic Impact Study

³⁷ Rationale - QuikTrip Conditional Use Permit Application

³⁸ Photos of Existing Property

³⁹ Testimony of Gwen Keen (June 1, 2020 Public Hearing); Applicant's PowerPoint, at 40

⁴⁰ Site Plan; Landscape Plan; Traffic Impact Study; GBA, *Proposed QuikTrip Development – Traffic Impact Study Review* (April 14, 2020); Creve Coeur Police Department: Traffic Safety Unit, *QuikTrip – Traffic Impact Study* (April 17, 2020); MODOT, *Traffic Impact Study Repose Letter* (April 20, 2020); CBB, *Response to Agency Comments – Traffic Impact Study* (May 26, 2020); CBB, *Follow-Up for Response to Agency Comments – Traffic Impact Study* (May 28, 2020); CBB, *Response to Planning and Zoning Commission Comments and Questions* (June 10, 2020); GBA, *Proposed QuikTrip Development – CBB Response Memo dated 6/11/2020* (June 12, 2020); Staff Report, at 5 (June 1, 2020); Staff Report, at 3-5 (June 15, 2020); see also, Testimony of Lee Cannon (June 1, 2020 Public Hearing); Applicant's PowerPoint, at 27-35

⁴¹ Staff Report, at 5 (June 1, 2020); Staff Report, at 3-5 (June 15, 2020); Testimony of Lee Cannon (June 1, 2020 Public Hearing); Applicant's PowerPoint, at 27-35; see also GBA, *Proposed QuikTrip Development – Traffic Impact Study Review* (April 14, 2020); Creve Coeur Police Department: Traffic Safety Unit, *QuikTrip – Traffic Impact Study* (April 17, 2020); MODOT, *Traffic Impact Study Repose Letter* (April 20, 2020); CBB, *Response to Agency Comments – Traffic Impact Study* (May 26, 2020); CBB, *Follow-Up for Response to Agency Comments – Traffic Impact Study* (May 28, 2020); CBB, *Response to Planning and Zoning Commission Comments and Questions* (June 10, 2020); GBA, *Proposed QuikTrip Development – CBB Response Memo dated 6/11/2020* (June 12, 2020)

⁴² See Staff Report, at 22 (June 1, 2020)

⁴³ See Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 23

⁴⁴ See Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 23

⁴⁵ See Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 23

⁴⁶ See Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 23

⁴⁷ Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 23

⁴⁸ Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 24-26

⁴⁹ Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 26; see also Ordinance No. 5569, duly passed by the City Council on February 26, 2018 (approving conditional use permit for the placement and operation of the 24-hour Mobile on the Run and Briteworx Carwash Facility)

⁵⁰ Staff Report, at 5 (June 1, 2020).

⁵¹ See Public Hearing Testimony of Jason Morgan (June 1, 2020); Applicant's PowerPoint, at 26; see also Ordinance No. 5569, duly passed by the City Council on February 26, 2018 (approving conditional use permit for the placement and operation of the 24-hour Mobile on the Run and Briteworx Carwash Facility)

⁵² As noted by City Staff, "the comprehensive plan serves as a guide for land use decisions and is adopted by the Planning and Zoning Commission. The City utilizes the recommendations in the plan to evaluate land use applications. The City also uses other guiding documents such as the Design Guidelines to review project applications. The zoning ordinance plays a different role, in that, the requirements for development are more specific and must be met. The applicant must demonstrate through their plans and other application materials that compliance with the zoning code is being met. If the proposal does not meet the requirements of the zoning ordinance, a variance would need to be reviewed and approved by the City's Board of Adjustment. The zoning ordinance takes into account the recommendations provided by the comprehensive plan and is the primary mechanism local governments use to implement the plan." See Staff Report, at 5 (June 15, 2020). Similarly, as the Eastern District Court of Appeals of Missouri has stated, a Master Plan of a city "simply advises developers to review that plan to determine how [their development] will fit into the comprehensive plan for the development of the city. ... [C]onceptually it is a guide to development rather than an instrument to control land use. It is the task of the legislative body charged with zoning to apply the broad planning policies to specific property in enacting zoning regulations. The Master Plan is not itself a zoning document or a subdivision regulation, and cannot be used as such." *State ex rel. Schaefer v. Cleveland*, 847 S.W.2d 867, 871 (Mo. App. E.D. 1992); see also Public Hearing Testimony of Jason Jaggi (June 3, 2020) (same)

⁵³ Staff Report, at 5 (June 1, 2020); see also Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 13

⁵⁴ Staff Report, at 4 (June 1, 2020); Creve Coeur 2030 Comprehensive Plan, at 88

⁵⁵ Staff Report at 5 (June 1, 2020); see also Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 13

- ⁵⁶ Creve Coeur 2030 Comprehensive Plan, at 13; *see also* Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 10
- ⁵⁷ Creve Coeur 2030 Comprehensive Plan, at 15; Staff Report, at 4-6 (June 1, 2020)
- ⁵⁸ Creve Coeur 2030 Comprehensive Plan, at 51
- ⁵⁹ Site Plan; Photos of Existing Property; Renderings
- ⁶⁰ *See* Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 10-13
- ⁶¹ Creve Coeur 2030 Comprehensive Plan, at 50.
- ⁶² Creve Coeur 2030 Comprehensive Plan, at 50.
- ⁶³ According to the Pedestrian Plan, Graeser Rd. is a secondary street. *See* Creve Coeur Pedestrian Plan, at 15. However, pursuant to the City's Comprehensive Plan, Graeser Road is designated as a primary street in the East Olive Corridor. *See* Creve Coeur 2030 Comprehensive Plan, at 89.
- ⁶⁴ *See* Creve Coeur 2030 Comprehensive Plan, at 50; *see also* Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 11, 13
- ⁶⁵ Site Plan
- ⁶⁶ Traffic Impact Study; Staff Report, at 18-19 (June 1, 2020)
- ⁶⁷ Creve Coeur 2030 Comprehensive Plan, at 50; City of Creve Coeur Design Review Guidelines, at 5 (April 2002)
- ⁶⁸ Site Plan; Traffic Impact Study, at 22-23; *see also* Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 11, 13
- ⁶⁹ *See* Traffic Impact Study; Public Hearing Testimony of Lee Cannon (June 1, 2020); Applicant's PowerPoint, at 27-35; Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 11, 13-15, 26-29; Public Hearing Testimony of Jason Jaggi (June 3, 2020); Public Hearing Testimony of Kyle Evans (June 3, 2020)
- ⁷⁰ Creve Coeur 2030 Comprehensive Plan, at 50; Site Plan; Renderings; Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Mike Ballman (June 1, 2020); Applicant's PowerPoint, at 10-12; Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 11, 13, 15
- ⁷¹ *See* Creve Coeur Pedestrian Plan, at 11, 15 (April 2002)
- ⁷² Site Plan; Renderings; Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 10-12
- ⁷³ *See* Creve Coeur 2030 Comprehensive Plan, at 46; Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Mike Ballman (June 1, 2020); Applicant's PowerPoint, at 10-12; Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 11, 13-15
- ⁷⁴ Creve Coeur 2030 Comprehensive Plan, at 93-94; Design Guidelines, *supra*, at 5, 15
- ⁷⁵ Site Plan; Landscape Plan; Photometric Plan; Renderings; Staff Report, at 16-18 (June 1, 2020)
- ⁷⁶ *See* Creve Coeur 2030 Comprehensive Plan, at 46; Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 10-16; Public Hearing Testimony of Jason Jaggi (June 1, 2020)
- ⁷⁷ *See* Ordinance No. 5569, duly passed by the City Council on February 26, 2018
- ⁷⁸ *See* Application; Ordinance No. 5569; Creve Coeur 2030 Comprehensive Plan, at 58, 88-89; City of Creve Coeur, Missouri, Zoning Map (September 20, 2019)
- ⁷⁹ *See* Ordinance No. 5569; Section 470.1070(E), Zoning Ordinance; *see also* Planning and Zoning Commission Minutes (January 16, 2018) (recommending approval of the conditional use permit for Mobile on the Run)
- ⁸⁰ Alternatively, as evidenced by prior action of the City Council, particularly in regard to the approval of a conditional use permit for the operation of the 24-hour Mobil on the Run Gas, good cause exists for deviation from the goal of the City's Comprehensive Plan's to "develop an 18/7 community experience[.]" because much like the Mobile on the Run and the Phillips 66, which is located at 767 N New Ballas Rd., the 24-hour operation of the proposed QuikTrip would be compatible with that of similar 24-hour gas stations located in the City.
- ⁸¹ *See* City of Creve Coeur, Missouri, Zoning Map (September 20, 2019); Application
- ⁸² Section 407.1070(A)(1), Zoning Ordinance; Staff Report, at 12 (June 1, 2020)
- ⁸³ Staff Report, at 12 (June 1, 2020)
- ⁸⁴ Site Plan
- ⁸⁵ Section 405.360(A), Zoning Ordinance; Staff Report, at 12 (June 1, 2020)
- ⁸⁶ Staff Report, at 12 (June 1, 2020)
- ⁸⁷ Site Plan; Landscape Plan; Revised Elevations; *see also*, Staff Report, at 15 (June 1, 2020); Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 19-25
- ⁸⁸ Site Plan; Landscape Plan; Photometric Plan; Renderings; *see also*, Staff Report, at 15-17, 18-19 (June 1, 2020); Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 24-25
- ⁸⁹ Landscape Plan; Site Plan; *see also* Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 20; Staff Report, at 19 (June 1, 2020); Public Hearing Testimony of Jason Jaggi (June 1, 2020)

⁹⁰ Landscape Plan; Site Plan; Revised Elevations; Renderings; *see also* Public Hearing Testimony of Gwen Keen (June 1, 2020); Applicant's PowerPoint, at 20; Staff Report, at 19 (June 1, 2020); Public Hearing Testimony of Jason Jaggi (June 1, 2020)

⁹¹ *See* Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Jaggi (June 1, 2020); Public Hearing Testimony of Lee Cannon (June 1, 2020); Public Hearing Testimony of Jason Jaggi (June 3, 2020); Public Hearing Testimony of Kyle Evans (June 3, 2020)

⁹² QuikTrip currently operates 76 QuikTrip stores in the St. Louis Metropolitan area, and of those 76 stores, approximately 38 are located in St. Louis County.

⁹³ Site Plan; Renderings; Landscape Plan; Material Samples

⁹⁴ Public Hearing Testimony of Gwen Keen (June 1, 2020); *see also*, Public Hearing Testimony of Jason Jaggi (June 1, 2020); Letter from QuikTrip to City Planner, *Response to City Comment Letter dated April 10, 2020*, at 4 (May 11, 2020)

⁹⁵ Letter from QuikTrip to City Planner, *Response to City Comment Letter dated April 10, 2020*, at 4 (May 11, 2020); *see also* Public Hearing Testimony of Gwen Keen (June 1, 2020)

⁹⁶ Staff Report, at 7 (June 1, 2020); *see also*, e.g., Site Plan; Staff Report, at 5 (June 1, 2020); Renderings; Olive Retail Revised Elevations (Dated 6-12-2020); Public Hearing Testimony of Gwen Keen (June 1, 2020); Public Hearing Testimony of Jason Morgan (June 1, 2020); Public Hearing Testimony of Mike Ballman (June 1, 2020); Applicant's PowerPoint, at 6-15, 21-23; *see also*, Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 13

⁹⁷ Site Plan; Revised Elevations; Renderings; Landscape Plan; Staff Report, at 5-7 (June 1, 2020)

⁹⁸ Site Plan; Revised Elevations; Renderings; Landscape Plan; Staff Report, at 7 (June 1, 2020)

⁹⁹ Site Plan; Landscape Plan; Revised Elevations; Renderings; *see also*, Staff Report, at 5, 7, 16-18 (June 1, 2020); Creve Coeur 2030 Comprehensive Plan, at 46

¹⁰⁰ Traffic Impact Study; GBA, *Proposed QuikTrip Development – Traffic Impact Study Review* (April 14, 2020); Creve Coeur Police Department: Traffic Safety Unit, *QuikTrip – Traffic Impact Study* (April 17, 2020); MODOT, *Traffic Impact Study Repose Letter* (April 20, 2020); CBB, *Response to Agency Comments – Traffic Impact Study* (May 26, 2020); CBB, *Follow-Up for Response to Agency Comments – Traffic Impact Study* (May 28, 2020); CBB, *Response to Planning and Zoning Commission Comments and Questions* (June 10, 2020); GBA, *Proposed QuikTrip Development – CBB Response Memo dated 6/11/2020* (June 12, 2020); Staff Report, at 5 (June 1, 2020); Staff Report, at 3-5 (June 15, 2020); *see also*, Public Hearing Testimony of Lee Cannon (June 1, 2020); Applicant's PowerPoint, at 27-35; Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 13, 26-29; Public Hearing Testimony of Jason Jaggi (June 3, 2020); Public Hearing Testimony of Kyle Evans (June 3, 2020)

¹⁰¹ Traffic Impact Study; GBA, *Proposed QuikTrip Development – Traffic Impact Study Review* (April 14, 2020); Creve Coeur Police Department: Traffic Safety Unit, *QuikTrip – Traffic Impact Study* (April 17, 2020); MODOT, *Traffic Impact Study Repose Letter* (April 20, 2020); CBB, *Response to Agency Comments – Traffic Impact Study* (May 26, 2020); CBB, *Follow-Up for Response to Agency Comments – Traffic Impact Study* (May 28, 2020); CBB, *Response to Planning and Zoning Commission Comments and Questions* (June 10, 2020); GBA, *Proposed QuikTrip Development – CBB Response Memo dated 6/11/2020* (June 12, 2020); Staff Report, at 5 (June 1, 2020); Staff Report, at 3-5 (June 15, 2020); *see also*, Public Hearing Testimony of Lee Cannon (June 1, 2020); Applicant's PowerPoint, at 27-35; Public Hearing Testimony of Jason Jaggi (June 1, 2020); Staff PowerPoint Presentation, at 13, 26-29; Public Hearing Testimony of Jason Jaggi (June 3, 2020); Public Hearing Testimony of Kyle Evans (June 3, 2020)

¹⁰² Public Hearing Testimony of Jason Jaggi (June 3, 2020)

¹⁰³ *See* Ordinance No. 5569; Section 470.1070(E), Zoning Ordinance; *see also* Planning and Zoning Commission Minutes (January 16, 2018) (recommending approval of the conditional use permit for Mobile on the Run).

¹⁰⁴ *See* Public Hearing Testimony of Gwen Keen (June 1, 2020)

¹⁰⁵ Public Hearing Testimony of Gwen Keen (June 1, 2020); *see also*, Floor Plan; Renderings; Site Plan; Applicant's PowerPoint, at 6-12, 41

¹⁰⁶ Alicia Altizio & Diana York, Problem-Oriented Guides for Police, 49 Problem-Specific Guides Series, *Robbery Of Convenience Stores*, at 12-13, 26 (Office of Community Oriented Policing Services, U.S. Department of Justice (April 2007)); *see also* Public Hearing Testimony of Gwen Keen (June 1, 2020)

¹⁰⁷ It should be noted that the *Robbery of Convenience Stores* report is part of a series of reports published by the DOJ, which include, among others, reports titled *Bank Robbery* (March of 2007), *Street Robbery* (June of 2010), and *Home Invasion Robbery* (January of 2013). Each of these reports highlight some of the common causes, problems

and effective response strategies for robberies based on the reports respective location as stated in its title (i.e., Banks, Convenience Stores, Streets, and Homes)



SINCE 1973

June 25, 2020

Ms. Gwen Keen
Real Estate Project Manager
QuikTrip Corporation
2255 Bluestone Drive
St. Charles, Missouri 63303

RE: Response to Staff Request for Intersection Comparison – Traffic Impact Study
Proposed QuikTrip #613 Gas Station and Convenience Store
Southwest Quadrant of Olive Boulevard at Graeser Road/Dautel Lane
Creve Coeur, Missouri
CBB Job No. 29-2018-28

Dear Ms. Keen:

In response to the City's request for a comparison of the nearby signalized intersections on Olive Boulevard, CBB has compiled the summary **Table A** below. All of the material in the table was previously generated and included in the traffic impact study or follow up responses, but this letter attempts to directly compare that information in a more succinct format.

It is our understanding that the City wishes to directly compare the nearby signalized intersections along Olive Boulevard (Mosley Road, Schulte Road/Mary Meadows Lane and Spoede Road) with the subject intersection at Graeser Road/Dautel Lane. CBB cautions that care should be exercised when comparing any two intersections since they are all unique; therefore, no additional analyses or specific conclusions are offered herein. It does appear that traffic volumes and operational levels of service for the intersection of Graeser Road/Dautel Lane range in the middle for most of the volume and LOS components.

Total traffic volumes using east-west Olive Boulevard at these locations are similar, so that data is not re-presented below. Furthermore, there are east-west left-turn lanes and two through lanes in each direction on Olive Boulevard at each intersection.



Response to Staff Request for Intersection Comparison – Traffic Impact Study
Proposed QT #613 – Olive Boulevard and Graeser Road
June 25, 2020
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Table A – Intersection Comparison (Build Conditions)

Intersection	Olive at Mosley	Olive at Schulte/Mary Meadows	Olive at Graeser/Dautel	Olive at Spoede
Adjacent Land Uses	High-Rise Office, Mid-Rise Office, Retail and Food Shops	Two C-Stores and Retail	Pharmacy, Bank, Retail and <u>Proposed QT</u>	Mid-Rise Office, Pocket Park, Health Retailer and Supermarket Grocery
Functional Classification	Minor Collector	Major Collector/Local	Minor Collector/Local	Major Collector/Local
Configuration	3 legs	4 legs, offset, east Olive median	4 legs, Olive medians	4 legs, Olive medians
NB Lanes	Separate LT & RT	Single Shared Lane	Separate LT & TH/RT	Separate LT & TH/RT
SB Lanes	None	Separate LT & TH/RT	Separate LT & TH/RT	Separate LT & TH/RT
Olive RT Turn Lanes	None	None	Existing WB, Proposed EB	Existing WB
NB total volume				
AM Peak Hour	155	10	210	260
MD Peak Hour	145	10	170	150
PM Peak Hour	205	10	190	245
SB total volume				
AM Peak Hour	None	335	165	30
MD Peak Hour	None	250	145	40
PM Peak Hour	None	390	175	40
Higher S.S. Entering Volume	Olive to SB Mosley	Olive to NB Schulte	Olive to SB Graeser	Olive to SB Spoede
AM Peak Hour	90	120	120	150
MD Peak Hour	100	175	170	145
PM Peak Hour	255	300	330	505
Intersection Overall LOS				
AM Peak Hour	B (12.8)	E (75.2)	C (20.6)	B (17.1)
MD Peak Hour	B (12.4)	D (45.5)	B (14.9)	B (10.1)
PM Peak Hour	C (20.6)	E (65.8)	C (24.3)	C (23.4)
Higher Side-Street LOS	NB Mosley	SB Schulte	NB Graeser (w/ NB P+P)	NB Spoede
AM Peak Hour	D (46.9)	F (>200)	D (51.1)	E (55.5)
MD Peak Hour	D (46.3)	F (>200)	D (37.5)	D (48.6)
PM Peak Hour	E (62.9)	F (>200)	D (47.4)	D (48.4)



Response to Staff Request for Intersection Comparison – Traffic Impact Study

Proposed QT #613 – Olive Boulevard and Graeser Road

June 25, 2020

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We trust that you will find this summary table useful. If additional information is desired, please feel free to contact me at 314-308-6547 or Lcannon@cbbtraffic.com.

Sincerely,

Lee Cannon, P.E., PTOE

Principal – Traffic Engineer

GRAESER ROAD RIGHT-TURN LANE EXTENSION EXHIBIT



MEMORANDUM

To: Jason Jaggi, AICP (City of Creve Coeur)
 From: J. Kyle Evans, P.E., PTOE
 Mike Erdtmann, P.E.
 Date: July 1, 2020
 Subject: Proposed QuikTrip Development – CBB Response Memo dated 6/25/2020

As requested, GBA staff has completed a review of the “*Response to Staff Request for Intersection Comparison – Traffic Impact Study*” dated 6/25/2020 in relation to the Proposed QuikTrip #613 in the southwest quadrant of Olive Boulevard at Graeser Road/ Dautel Lane. The response memo was prepared by CBB Transportation Engineers and Planners.

After general review of the memo and the information provided within **Table A**, there is one item of note. The results reported for the overall LOS for Dautel/Graeser represent the initial 2020 Build scenario, not the results documented for the revised signal phasing. The screen capture below shows the results reported in the June 11, 2020 memo that included the phasing modification requested by the Missouri Department of Transportation.

Overall (w/ NB P+P)	
C (20.6)	C (29.9)
B (14.9)	C (21.2)
C (24.3)	C (26.8)

With regards to the statement that every intersection is unique so a direct comparison should be approached cautiously certainly holds merit. There are many factors that impact operations at a signalized intersection. Some of those factors include:

- Cycle lengths – Olive is a coordinated corridor, so the intersections should be running the same cycle length
- Phasing – Many variations of protected or permitted left turn phasing, leading, lagging lefts, all factors into operations
- Phase splits – Amount of time given to each phase, the higher the volume along the approach, the more green time necessary
- Approach Volumes and arrival rates - Depending on generators, vehicles can arrive in varying patterns at an intersection and volumes can vary.
- Volume of left turns – Higher volumes potentially impact phasing and phase splits

To review the statement within the memo that, “It does appear that traffic volumes and operational levels of service for the intersection of Graeser Road/Dautel Lane range in the middle for most of the volume and LOS components.” **Tables 1 and 2** were compiled to show a breakdown of delay and

LOS for each individual approach, overall intersection operations and volume data at the four comparison intersections in addition to the information provided in **Table A**.

Table 1: Level of Service and Delay Comparison

Additional LOS Comparison			
Eastbound Olive:	AM Peak	MD Peak	PM Peak
Mosley	B (10.8)	B (10.3)	B (17.5)
Schulte/Mary Meadows	C (24.3)	B (10.5)	B (16.7)
Graeser/Dautel	C (28.6)	B (16.9)	C (25.1)
Spoede	B (16.7)	A (7.0)	B (17.7)
Westbound Olive:			
Mosley	B (11.5)	B (10.7)	B (16.5)
Schulte/Mary Meadows	A (9.4)	A (4.5)	A (5.7)
Graeser/Dautel	C (26.1)	C (21.9)	C (24.1)
Spoede	A (8.2)	A (6.9)	C (24.5)
Northbound:			
Mosley	D (46.9)	D (46.3)	E (62.9)
Schulte/Mary Meadows	D (50.6)	D (45.0)	D (50.7)
Graeser/Dautel	D (51.1)	D (37.5)	D (47.4)
Spoede	E (55.5)	D (48.6)	D (48.4)
Southbound:			
Mosley	--	--	--
Schulte/Mary Meadows	F (>200)	F (>200)	F (>200)
Graeser/Dautel	D (46.6)	C (32.0)	D (45.8)
Spoede	E (58.4)	D (44.5)	D (53.5)
Overall:			
Mosley	B (12.8)	B (12.4)	C (20.6)
Schulte/Mary Meadows	E (75.2)	D (45.5)	E (65.8)
Graeser/Dautel	C (29.9)	C (21.2)	C (26.8)
Spoede	B (17.1)	B (10.1)	C (23.4)

Table 1 shows that the delays for eastbound and westbound approaches are highest at the Graeser/Dautel intersection for all three peak periods. Review of the existing signals at the other three intersections show that the side streets operate with permitted left turn phasing only at those locations which increases the amount of green time available for Olive Boulevard, thus reducing mainline delays. Due to these variations, the results shown represent operational differences that would be expected when reviewing a signal with an additional signal phase.

For the northbound approach, the intersection of Graeser/ Dautel generally operates consistently with the delays and LOS associated with the other three intersections. The volumes provided in **Table A** (provided in the CBB response memo) show that the projected volumes at Graeser/ Dautel vary from the middle to the top end of the scale depending on the peak hour. These higher volumes are one of the factors for the application of the protected plus permitted signal phasing for this approach. The

modification to the signal phasing offsets the higher volumes showing operational results that are generally consistent with the other three intersections.

For the southbound approach the intersection of Graeser/ Dautel operates with the lowest amount of delay of the three intersections with a southbound approach. A review of **Table A** shows that the southbound approach volumes for Dautel (145-175 vehicles) fall in between the relatively low volumes at Spoede (30-40 vehicles) and the higher approach volumes at Schulte (250-390 vehicles).

Table 2: Volume Comparisons

Additional Volume Comparison			
Total EB/WB Entering Volumes:	AM Peak	MD Peak	PM Peak
Mosley	2,990	2,870	3,455
Schulte/Mary Meadows	2,991	2,828	3,433
Graeser/Dautel	3,136	2,840	3,505
Spoede	3,278	2,754	3,728
Total Entering Volumes:			
Mosley	3,145	3,005	3,660
Schulte/Mary Meadows	3,336	3,087	3,835
Graeser/Dautel	3,510	3,157	3,870
Spoede	3,572	2,947	4,009
Total Left Turns (Olive/SS)			
Mosley	70/80	50/90	120/120
Schulte/Mary Meadows	49/214	88/133	133/219
Graeser/Dautel	125/210	185/195	275/195
Spoede	74/105	64/110	293/110

Table 2 includes other combinations of approach volumes and critical movements related to the four intersections. Review of the volumes shown in **Table A** (provided in the CBB response memo) and **Table 2**, show that the total EB/WB entering volume of traffic and total entering volumes at Graeser/ Dautel are comparatively in the middle to high side of the four intersections. The total side street approach volumes for Graeser/ Dautel vary from the lowest volume to the highest volume depending on the peak hour, when the low volume approach (Mary Meadows) is disregarded. The volumes at Graeser/ Dautel are generally towards the higher end of the range with regards to the total volume of left turns associated with Olive Boulevard and the side streets.

In summary, the statements provided within the CBB memo are accurate with regards to approaching a direct comparison cautiously and the “similar” operations and volumes at the intersection of Graeser/ Dautel as it relates to the other signalized intersections along Olive Boulevard in the study area. As discussed, variations exist amongst the four intersections that suggest any comparisons should be viewed from a more generalized perspective (i.e. are the LOS results “A-F” comparable and do they fall within the acceptable category versus an in-depth comparison of specific delay results).

cc: file

THE IMPACT OF COMMERCIAL DEVELOPMENT ON SURROUNDING RESIDENTIAL PROPERTY VALUES

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Funding for this research was provided by REALTOR[®] University through the Richard J. Rosenthal Center for Real Estate Studies.

April 2015

THE IMPACT OF COMMERCIAL DEVELOPMENT ON SURROUNDING RESIDENTIAL PROPERTY VALUES

Executive Summary

This study examines the impact of commercial development on surrounding residential property values. The topic is explored utilizing an innovative approach that combines multiple data sources for the Atlanta, Georgia metropolitan area. Residential transaction prices in the neighborhood immediately surrounding a new commercial development are evaluated using a matched sample methodology and hedonic pricing models. Georgia MLS data – totaling over 1.5 million transactions of single-family detached properties – is merged with a registry of commercial property deliveries collected from CoStar Market Reports for Atlanta. CoStar Reports account for project delivery dates and property characteristics, such as property type, building size, category, and precise location.

Development impacts are evaluated at the .5, .75 and 1 mile radius surrounding the site. For each observation of a transaction that occurs within the specified radius, a matched sample is constructed that consists of all transactions from that calendar quarter in the same zip code (but outside the radius) for properties that have the same number of bedrooms, same number of bathrooms and were constructed within five years of the subject property. Only transactions that occur under normal sale conditions are considered. In doing so, the empirical results relate housing values for highly similar assets that are sold inside the radius to those that are sold just outside the radius but in the same zip code, and this comparison is made at all possible points in time relative to the project completion date. Valuation differences for properties sold inside the radius are

available as early as 20 years prior to and up to eight years following development completion. Fixed effects variables are applied to control for differences in submarkets, market timing within submarkets, property-specific physical attributes, and transaction-specific financial conditions – attempting to isolate the component of relative house price change that can be attributed to the introduction of a new commercial development.

Property types for new development considered in this study include industrial, office and retail spanning the period 2006 to 2014. Interactions between housing markets and commercial developments are revealed in the analysis, with project completions treated as an event study. Sites targeted for new industrial development exist in neighborhoods where values are relatively lower and already experiencing a downward trend in advance of the project completion. While price compression continues in the post-completion period, the trajectory is not significantly different than the counterfactual projection (supposing no industrial development had occurred). Industrial is one of the least desirable land uses, so it is not surprising to observe industrial development rights allocated in localities where housing values are on the decline. In close proximity to industrial development sites, a localized contraction in house prices appears during the predevelopment period and this may be the market response to a zoning change that allows the new project to be constructed. However, the focus in this study is on the impact of development completions and, lacking additional information about the particular timing of permitting and approvals, it is difficult to disentangle whether zoning changes cause prices to decline. Or, instead, do zoning changes that favor industrial development occur in areas that already have declining housing values? The sample of industrial developments includes a disproportionate count of large-scale projects (e.g.,

those delivering more than 150,000 square feet of gross leasable area), yet the existing trend is largely unaffected in the period that follows an industrial development completion.

By comparison, site selection for office development occurs in neighborhoods that are relatively more expensive, and at times when values are recently increasing. Post-completion, the trend stabilizes at elevated price points in recipient neighborhoods for new office buildings, yet the valuation spread is no longer increasing. Out of 273 new office developments identified for Atlanta during 2006 to 2014, a total of 252 are classified as either small projects (less than 100,000 square feet of building area) or suburban office (not located in Downtown, Midtown, Buckhead or Central Perimeter). The findings are heavily influenced by small projects and suburban office, rather than high-rise CBD office towers. Housing values appear largely unchanged by new office deliveries over the long-horizon.

In the immediate vicinity of retail development site, home prices are relatively lower than the surrounding area during the period leading up to the development. While the trend is trivial prior to completion, it is significantly impacted in the period immediately following a new retail delivery. Home prices inside the radius are initially relatively lower (even more so than before), but set on a path that is steadily increasing relative to comparables in the surrounding area. It takes only a couple of years for the initial reduction to be more than offset, and – within a few years after that – home prices inside the radius even surpass those in the surrounding area (when previously they were significantly lower). Of the three commercial real estate product types considered, proximity to retail development is the most likely to be considered a neighborhood

amenity and an important aspect to community revitalization – although it can take a few years for the submarket to fully incorporate positive price effects following the completion of a new shopping center.

Perhaps most surprising is the lack of evidence for negative and significant impacts of commercial developments on housing values. Scores of political arguments to the contrary are voiced at local debates across the nation, yet this research does not find substantive evidence of a negative interaction.

Background & Synthesis of Relevant Literature

Numerous neighborhood externalities have been evaluated for their impact on residential property values, including rail transit stations (Grass, 1992; Gatzlaff and Smith, 1993; Bowes and Ihlanfeldt, 2001; Debrezion, Pels and Rietveld, 2007), greenbelts and open spaces (Correll, Lillydahl and Singell, 1978; Bolitzer and Netusil, 2000; Irwin, 2002; Anderson and West, 2006), brownfields (Kaufman and Cloutier, 2006), airport noise (Espey and Lopez, 2000), churches (Carroll, Clauretie and Jensen, 1996), and landfills (Reichert, Small and Mohanty, 1992). The noted advantage from the existence of this extensive literature is in the existence of an established framework for estimating localized externality effects on residential property values. However, few studies consider the impact of commercial property development on residential property values. Yet, commercial development proposals arguably represent a very large component of policy debate in many jurisdictions across the nation, and NIMBY (not-in-my-backyard) is a recent addition to the modern vocabulary – even though it is not a recent concept.

Other studies discuss the political environment associated with commercial development proposals, including Feinerman, Finkelshtain and Kan (2004), Van der Horst (2007), and Schively (2007). The most closely related studies to the topic of a commercial development interaction tend to focus on the impact from very specific and niche products, such as Superfund sites (Kiel and Williams, 2007), livestock facilities (Herriges, Secchi and Babcock, 2005), oil and gas facilities (Boxall, Chan and McMillan, 2005), or new urbanism (Song and Knaap, 2003). This study aims to address the topic using a unified framework and consistent methodology to explore the outcome for surrounding residential property values resulting from new retail, office and industrial development for a major U.S. metropolitan market.

Hypothesis 1: *The delivery of new industrial development has no impact on surrounding residential property values.*

Industrial development, by comparison to the other two property types, is typically an unpopular land use, associated with increased pollution and trucking traffic. Industrial development is commonly horizontal on a single-story, rather than vertical, and the number of employees per square foot of building area is the lowest of the three commercial property types discussed in this proposal (e.g., typically 1 to 1.5 employees per 1,000 square feet of building area). Some industrial uses are resource-intensive and can place an excessive burden on the community's access to water and electricity.

Hypothesis 2: *The delivery of new office development has no impact on surrounding residential property values.*

New office development is typically the recipient of the highest property tax assessments (e.g., on both a value per square foot and value per acre basis). As a

consequence, new office buildings generally make positive contributions to a community's resources and infrastructure in excess of the resources absorbed. The disadvantage is that office buildings are highly-densified vertical land uses, increasing traffic flow and parking demand. Office buildings have also been accused of creating dark canyons or solar shadows as negative neighborhood externalities. If parking and traffic are not properly accommodated during the adjustments for development impact, then increased congestion will result as an undesirable consequence of new office construction. The advantage to office development is its ability to attract employers to the community who offer jobs in the business and professional services sectors. Residents seeking to minimize commute times may be attracted to neighborhoods that receive new office development.

Hypothesis 3: *The delivery of new retail development has no impact on surrounding residential property values.*

From a revenue perspective, retail development tends to be a jurisdictional favorite due to higher property tax assessments combined with additional cash flows sourced from local-option retail sales taxes. In the context of the surrounding housing market, whether retail development is net beneficial or detrimental depends on the outcome from competing effects. On the downside, new retail development often increases traffic volume, adds stress to public transportation systems, and attracts retail employees to the community who may seek low-income housing. A political argument is sometimes made to the effect that low-income residents decrease the quality of public education options. On the other hand, the quality and quantity of retail is commonly

ranked as one of the most desirable neighborhood attributes and new shopping and restaurants can attract residents to the community, increasing local housing demand.

If either the favorable or detrimental outcomes associated with any of the property types listed above are offset by the other, then Hypotheses 1, 2 or 3 will be rejected in favor of the alternative that commercial development of that property type *does* have a significant impact on the surrounding residential property values.

Summary of Data & Methods

This study combines market information from two important real estate events: new commercial real estate developments and single-family residential transactions. All empirical estimations in this study consider the values of single-family homes, as proxied by transaction prices. The series of residential transactions are for the metro Atlanta market area, generously provided by Georgia MLS, including a sample of 1,571,479 residential observations during the period 1985Q4-2014Q4. After deleting observations for listing status other than “Sold”, transactions occurring under special sale conditions (e.g., foreclosure, short sale), homes under construction at time of sale, reported transaction prices of \$0 or \$1, homes reported to have zero bedrooms or zero bathrooms, and those with missing information about the date of sale, year built or listing price, the useable sample is reduced to 664,556 observations.

Longitude and latitude coordinates are necessary in order to evaluate the impact of residential transactions that occur in close proximity to new commercial development. However, the Georgia MLS data does not include information about the longitude and latitude of the property sold. To collect this information, the entire residential transaction

series is submitted through the Census Geocoder tool to convert property address to longitude-latitude coordinates. The Geocoder returns unavailable information for 53,971 observations (about 8 percent of the sample), further reducing the final sample to 610,585 observations.

Figure 1 shows the pattern of single-family residential home prices in the Atlanta metro and corresponding transaction volume over the period 1985Q4Q1 thru 2014Q4. During 2006-2007, average home prices in Atlanta peak over \$230,000, approaching \$250,000. By 2009Q1, the average home price was under \$190,000 – down more than 24 percent from the peak. By 2014Q2, those losses had largely been recovered as home prices once again steadied with averages over \$250,000. Transaction volume displays a high degree of seasonality, peaking in Q2 of every year. Over 16,000 transactions occurred during 2006Q2, and never more than 9,000 in any quarter during 2008 to 2012. While prices have recovered, transaction volume remains below the height of activity.

The specific focus of this research is to estimate the relative impact on housing values in close proximity to new commercial developments. The list of new commercial development projects includes industrial, office and retail property types, collected from the CoStar Property database – based on year of completion. In total, there were 193 industrial, 273 office and 467 retail projects completed since 2006 in the Atlanta metro area.

Figure 2 shows the commercial development completions over a time series. Industrial development accounts for the largest amount of total space delivered at over 26.6 million square feet, with nearly one-third of that delivered during 2006 alone. Industrial deliveries drop to around 1 million square feet per year during the five year

period from 2009 to 2013; although it appears to have begun a sharp comeback by 2014. By comparison, office and retail development fall to near extinction during 2009 to 2013. All three categories of commercial real estate development display dramatic cyclic behavior.

Figure 3 presents the breakdown of new commercial developments by property type, sub-type and project size. For industrial, warehousing facilities represent the greatest number of new projects (in project count observations). Distribution centers constitute the second largest category, and are generally larger projects (typically over 75,000 square feet). Office buildings are often designed with flexibility to accommodate a variety of possible tenants, and general purpose office buildings represent the largest portion of new product. Medical office buildings are typically smaller (less than 50,000 square feet) and represent the second largest component of new office development. The largest category of new retail development observations is general retail, second is strip centers, and third is neighborhood shopping centers. The number of observations for new retail development types is inversely proportionate to shopping center size.

CoStar data already includes longitude-latitude coordinates for each new delivery. Using these coordinates, the relative distance between each development site and every residential transaction in the sample is calculated in nautical miles (measuring distance “as the crow flies”) using the haversine formula and solving for distance:

$$\text{Distance} = 2r \cdot \arcsin \left(\sqrt{\sin^2 \left(\frac{\phi_2 - \phi_1}{2} \right) + \cos(\phi_1) \cos(\phi_2) \sin^2 \left(\frac{\lambda_2 - \lambda_1}{2} \right)} \right),$$

where ϕ_1 and ϕ_2 are the latitudes, and λ_1 and λ_2 are the longitudes of points 1 and 2. r is the radius of the earth: 3963.17 miles. The distance measures are used to create the Close

indicator variable, identifying residential transactions that occur within the following radii of a new commercial development: .5 mile, .75 mile, and 1 mile. The objective is to identify relative valuation effects for the surrounding residential area pre- vs. post-completion. Observations located within radius of more than one new development for a commercial property type are removed from the analysis.

Table 1 describes the sample of residential transactions. The average home is 27 years old and sold for over \$202,000. The most common home sold has three bedrooms (47 percent of the sample), two bathrooms (65 percent of the sample), and no half-bath (55 percent of the sample). Properties located close to new industrial developments are significantly lower priced (average price of \$134,000), as are those close to new retail development (average price of \$164,000). By comparison, homes close to new office development are more expensive (average price of \$223,000).

To provide a more careful comparison, this study utilizes a matched sample methodology whereby for each Close transaction observation, a matched sample is constructed for transactions of “comparable” properties that are sold in the same calendar quarter, located in the same zip code (but outside the radius), having the same number of bedrooms, same number of bathrooms, and constructed within five years of the Close observation. All properties are single-family detached and sold under normal sale conditions. On average, each observation of a Close transaction corresponds to a matched sample comprised of seven to nine comparables. Observations that do not have at least one comparable transaction are excluded from the analysis.

Observations that are neither identified as Close, nor comparable are omitted from the respective estimation. In doing so, the empirical findings relate the percentage

difference in transactions prices for Close properties relative to comparable properties sold in the same quarter and zip code only – but outside the radius for development impact. The specification is akin to a difference-in-difference approach, attempting to compare effects for the subject group of observations close to a new development to effects for a control group of highly similar observations. The comparison is made at all possible points in time, before and after the development completion. In doing so, the technique attempts to resolve concerns that new commercial developments are neither randomly assigned to submarkets nor evenly distributed over a time series, and instead may respond to locally endogenous conditions such as population and economic growth.

The appropriateness of this method relies on its underlying assumptions. First, it assumes that neighborhood characteristics do not differ significantly between the area depicted by the radius that receives the new development and area in the same zip code that does not. Second, it assumes that the trend in property values beyond the radius but in the same zip code are representative of the trend in property values that would have occurred inside the radius had commercial development activity not taken place. The empirical analysis evaluates both assumptions by measuring the trend within the radius relative to comparable properties in the remaining zip code before development, after development, as well as counterfactually – supposing no development.

A hedonic model is used to specify valuation effects, which assumes that the value of a property is a function of physical, financial, locational, and market timing attributes. The basic model to be estimated is written as:

$$\ln(\text{Sale price}) = \beta_0 + \beta_1 \cdot \ln(\text{Age}) + \beta_2 \cdot 1 \text{ bedroom} + \beta_3 \cdot 2 \text{ bedrooms} + \beta_4 \cdot 4 \text{ bedrooms} \\ + \beta_5 \cdot >4 \text{ bedrooms} + \beta_6 \cdot 1 \text{ bathroom} + \beta_7 \cdot 3 \text{ bathrooms} + \beta_8 \cdot 4 \text{ bathrooms}$$

$$\begin{aligned}
& +\beta_9 \cdot >4 \text{ bathrooms} + \beta_{10} \cdot 1 \text{ half-bath} + \beta_{11} \cdot 2 \text{ half-baths} + \beta_{12} \cdot >2 \text{ half-baths} \\
& +\beta_{13} \cdot \text{Close} + \beta_{14} \cdot \text{Close} \cdot \text{After} + \beta_{15} \cdot \text{Close} \cdot \text{After} \cdot \text{Trend} \\
& + \sum_{i=1}^{15} \beta_{t+16} \cdot \text{Financing}_i + \sum_{j=1} \beta_{j+31} \cdot \text{Zip-quarter}_j + \epsilon.
\end{aligned} \tag{1}$$

The dependent variable is the transaction price, logged. Variables measuring the physical characteristics include property Age, logged, along with indicator variables for the number of bedrooms, bathrooms and half-baths. Indicators for 3 bedrooms, 2 bathrooms, and 0 half-baths are suppressed – representing the largest categories and to avoid multicollinearity. Financing conditions are controlled through 15 indicator variables (e.g., all cash, conventional, 100 percent financing, seller financing). Time-varying differences in market conditions are controlled through calendar-quarter indicator variables for each zip code, represented by the Zip-quarter_j variables. This approach allows intra-market dispersion in real estate cycles and seasonality to be controlled at the zip code level.

The Close variable is an indicator for transaction observations located within the specified radius. After is an indicator variable for transactions that occur in the year following completion of a new commercial development. Trend measures years relative to development completion, $\{-20, -19, \dots, -1, 0, +1, \dots, +8\}$, where 0 represents the year of completion. Given the log-linear and fixed-effects model specification, the parameter estimates for β_{13} , β_{14} , and β_{15} are the central focus of this estimation. The β_{13} coefficient (for Close) measures the constant pricing difference for observations within the radius relative to the remaining zip code over the full horizon. The β_{14} coefficient (for the Close*After interaction term) measures the constant change in the basis spread for the radius following the completion of a new development. The β_{15} coefficient (for the Close*After*Trend interaction term) measures the change per year in the trend for the radius relative to the remaining zip code following the completion of a new development.

A potential issue with the specification of Equation (1) is that the difference in property values within the radius relative to the remaining zip code may not be constant leading up to the development; rather values may be either relatively increasing or decreasing over time. In addition, the trend may have changed recently, altering the favorableness of conditions for development inside the radius. To evaluate these issues, two spline variables are added to the model. Equation (2) simply includes these two additional variables.

$$\begin{aligned} \ln(\text{Sale price}) = & \beta_0 + \beta_1 \cdot \ln(\text{Age}) + \beta_2 \cdot 1 \text{ bedroom} + \beta_3 \cdot 2 \text{ bedrooms} + \beta_4 \cdot 4 \text{ bedrooms} \\ & + \beta_5 \cdot >4 \text{ bedrooms} + \beta_6 \cdot 1 \text{ bathroom} + \beta_7 \cdot 3 \text{ bathrooms} + \beta_8 \cdot 4 \text{ bathrooms} \\ & + \beta_9 \cdot >4 \text{ bathrooms} + \beta_{10} \cdot 1 \text{ half-bath} + \beta_{11} \cdot 2 \text{ half-baths} + \beta_{12} \cdot >2 \text{ half-baths} \\ & + \beta_{13} \cdot \text{Close} + \beta_{14} \cdot \text{Close} \cdot \text{After} + \beta_{15} \cdot \text{Close} \cdot \text{After} \cdot \text{Trend} + \beta_{16} \cdot \text{Spline 1} + \beta_{17} \cdot \text{Spline 2} \\ & + \sum_{i=1}^{15} \beta_{t+18} \cdot \text{Financing}_i + \sum_{j=1} \beta_{j+33} \cdot \text{Zip-quarter}_j + \epsilon. \end{aligned} \quad (2)$$

Spline 1 is the same as the Trend variable, measuring years relative to development completion for observations inside the radius, $\{-20, -19, \dots, +8\}$, although not interacted with the After variable. Spline 1 measures the overall trend, or change in prices, within the radius relative to the remaining zip code – this measure is naïve with regard to development effects. Spline 2 is the same as the Trend variable, but interacted with an indicator variable for transactions that occur within five years prior to completion and beyond. Thus, Spline 2 introduces a knot-point in the trend line at -5 years relative to completion, and the Trend*After interaction term introduces a third knot-point at year +1 following completion. The coefficient on Spline 2 reveals whether the overall trend has changed recently in the pre-development period. The coefficient on the Trend*After interaction term is then measured relative the counterfactual trend implied by Spline 2. The spline regression approach, zip-quarter fixed effects, and exclusion of all remaining

market data that is not in the same zip code is consistent with the methodology applied by Ellen, Schill, Susin and Schwartz (2001), who evaluate development impacts of subsidized owner-occupied housing in New York City. The empirical results for the .5, .75 and 1 mile radii for industrial, office and retail property types are discussed in the next section.

Discussion of Results

Table 2 presents results from estimation of the base model, considering the relative impact on residential transactions within a .75 mile radius of new industrial, office, and retail developments in three separate estimations. The estimation is a fixed effects model, controlling for differences across Atlanta submarkets (defined by zip code) at the quarterly frequency. The estimated coefficient for Age is negative and significant; property values depreciate with age. Property values are generally increasing in the number of bedrooms, bathrooms and half-baths. The bedroom and bathroom coefficients are relatively large because they serve as proxies for the property size, since square footage is unavailable in the Georgia MLS data. Other studies tend to report lower estimated coefficients after controlling for property size. For conciseness, the estimated fixed-effect coefficients for Financing type and Zip-quarter indicator variables are unreported.

For new industrial developments, there were 4,272 transaction observations within a .75 mile radius over the sample period with at least one comparable observation that occurred outside the .75-mile radius, yet in the same zip code and calendar quarter. The 4,272 Close transactions along with the 34,191 observations of comparable

transactions appear in 1,350 distinct zip code-quarters. The coefficient for Close is estimated to be -0.01 and significant at the 10 percent level. Properties inside the .75 mile radius sell at a discount of 1 percent over the sample period, independent of the new development. This result suggests that neighborhood characteristics may vary to a limited extent for areas targeted for new industrial development. The coefficient for the Close*After interaction term is estimated at -0.044, and the coefficient for the Close*After*Trend variable is estimated to be -0.007. Following completion of a new industrial development, residential properties in the .75 mile radius are discounted an additional 4.4 percent relative to comparable properties outside the radius but inside the same zip code, and the discount widens by 0.7 percent per year following completion. This interpretation relies on the assumption that the basis difference in valuation for property values within the radius is constant and does not change over time – an assumption that is found to be inappropriate (discussed in results for Table 3).

For new office development, the estimated effect is zero. The 7,520 residential transactions that occur within the .75 mile radius of new office development are not sold at a significantly different price relative to the 51,505 transactions of comparable properties that are sold in the zip code and quarter, but located outside the radius. There is no significant difference in prices before or after the office development is completed, and no change in the trend for residential prices within the radius relative to prices outside the radius.

New retail development generally follows residential growth, and there is a much higher concentration of single-family transactions within the .75 mile radius. Properties inside the radius are discounted 2.3 percent relative the surrounding zip code. The

discount drops sharply following the new development, estimated at a 4.5 percent reduction, but prices subsequently rise by 1.3 percent per year relative to comparables outside the radius following the completion of the new development. If prices inside the radius are discounted 2.3 percent with no development, prices are discounted 5.5 percent in the year following development completion, 4.2 percent two years after, 2.9 percent after three years, and 1.6 percent after four years. Thus, the completion of new retail development has a negative impact in the immediate-term that is subsequently offset over a relatively short horizon. By the fourth year following completion of a new retail development, prices inside the radius are higher relative to outside the radius than they were pre-development and steadily increasing.

Table 3 presents a more complete evaluation of development effects. Recall the finding of negative post-development effects for the .75 mile radius following industrial completions. However, when the spline variables are included in the estimation, the coefficients for *Close*After* and *Close*After*Trend* are no longer significant, while the estimated coefficient for *Spline 2* is negative and significant. This suggests that property values within the .75 mile radius had already begun to decline at a rate of 1.3 percent per year, and that the timing of the new industrial completion had no significant impact on this pace of decline. The same result obtains for the new industrial developments at the 1 mile radius.

Figure 4, Panel A illustrates the pattern for property values inside the .75 mile radius relative to a new industrial completion. During years -20 to -6 relative to the project completion, values within the radius experience a trivial (and insignificant from zero) decline relative to values outside the radius. Five years prior to the new industrial

development, there is a significant change in the trend with values inside the radius being temporarily 4 percent higher, but falling at a rate of 1.3 percent per year. The dashed line depicts the counterfactual projection for what would have occurred following this new trend. The actual change in trend following new industrial development is insignificant from the existing trend. That is, while property values are found to have declined following a new industrial completion, the direction and magnitude of the decline are consistent with what would have been expected for the area had no development activity occurred.

Results for new office development are also provided in Table 3. Inclusion of the spline variables reveals that property values inside the .75 mile radius for new office development are relatively higher valued than their outside radius counterparts, estimated at a location premium of 2.1 percent for the Close variable. During the five-year pre-development horizon, a positive trend appears within the radius with values appreciating 0.8 percent per year. In the period following the office development completion, the price appreciation trend reverts to zero (estimated coefficient of -0.008 for Close*After*Trend effectively cancels out coefficient of equal and opposite magnitude for Spline 2). This result is illustrated in Figure 4, Panel B. Sites selected for new office development are located in relatively higher priced residential neighborhood which had begun to experience an upward trend in prices. While prices inside the radius remain relatively higher in the post-development period, they are neither significantly different from pre-development values, nor appreciating at a rate that is significantly different from zero.

Findings for the impact of new retail development are largely unaffected by the addition of the spline variables, as shown in Table 3. New retail development occurs in

neighborhoods with significantly lower property values, estimated at 2.8 percent below comparable properties for the .75 mile radius. Following the completion of a new development, the initial impact is negative 2.5 percent (net of coefficients for Close*After and Close*After*Trend), followed by positive annual price appreciation at a rate of 1.5 percent. Figure 4, Panel C illustrates the impact of retail development on surrounding residential property values for the .75 mile radius. Properties close to the development site are discounted relative to similar properties that are outside the radius. Following completion of a new retail development, the basis drops but price appreciation adjusts sharply upward. The initial negative price impact following completion of a new retail development is more than offset by positive gains after a few years. Over a longer horizon, residential properties in the area targeted for new retail development ultimately sell at a significant premium to those located outside the radius.

In Table 3, the sensitivity of the results with respect to the choice of radius is provided. Choosing a narrowly-specified radius (such as .5 mile) establishes a more direct connection between the new commercial development and immediately surrounding property values, but the empirical test has less power since there are fewer transactions in a given period for the smaller radius. Table 3 illustrates this tradeoff. The volume of transactions in the 1 mile radius is considerably higher than the transaction volume in the .5 mile radius, leading to more accurate parameter estimates. However, observations that are 1 mile away from the new development are less likely to be as directly affected by the completion as observations that are within the .5 mile radius.

Comparing results across the select radii for industrial, the Spline 2 and Close coefficients are negative and increase in magnitude with proximity to the development

site. At the .5 mile radius, property values are lower by 5 percent, compared to 3.5 percent for the .75 mile radius and 2.5 percent for the 1 mile radius. The downward trend that begins in the predevelopment period is most acute for properties closest to the development site. Five years before development completion, property values begin to decline by 1.9 percent per year in the .5 mile radius, 1.3 percent in the .75 mile radius, and 0.5 percent in the 1 mile radius. These findings suggest that locally depressed and relatively declining property values are likely influenced by proximity to the development site, although the impact is less likely a result of the project completion and more likely a consequence of events that occur during the predevelopment phase – such as zoning changes, project approval or entitlement (however these issues are not directly tested in this study).

Discussion of Policy Implications

The comprehensive approach adopted in this research study considers office, retail and industrial under a consistent framework and evaluates the impact of new commercial development for Atlanta, Georgia – a major U.S. metropolitan market. The results have the potential to be generalized to a broader audience, although some limiting factors should be noted. First, Georgia MLS data has some limitations including the lack of a square footage measure, which should increase the accuracy of the residential pricing estimation. Second, CoStar Market Reports provide information on select major developments, which typically includes the largest and most visible projects. However, there may be confounding factors that bias the results, including the presence of unobserved new developments or other unobservable factors. Third, this study makes use

of a matched sampling methodology which does not include the maximum data available, although alternative methods may be considered such as analysis of the full sample.

Matched samples increase the precision of the comparison between subject and control group observations at the expense of lower statistical power (due to fewer observations).

The results are noticeably sensitive with respect to choice of radius and matching criteria.

Fourth, this study considers the Atlanta metro area, which is characterized by relatively loose permitting and entitlement. In unrestrictive markets, development impact fees may be insufficient to offset the actual impact from a community stakeholder perspective.

Future research may consider more restrictive markets and compare the long-horizon impacts. Finally, the nature of the research question attempts to relate the occurrence of new commercial developments to changes in surrounding residential property values, although the connection between the two series may be indirect at best due to the time required for development externalities to be fully incorporated in housing values. Over a long horizon many factors can enter the picture which will affect property values, including changes in market conditions. In addition, the association becomes increasingly indirect as the distance between the residential observation and the development site increases. Notably, much of the commercial development activity occurred pre-2008, just before the Atlanta housing market experienced a significant downturn. Even though the empirical analysis attempts to account for these changes, post-development horizons are heavily comprised of observations from depressed market conditions.

This study applies a novel methodology for evaluating the impact of commercial development on surrounding residential property values, and this approach may serve as a foundation for future studies that investigate issues related to commercial development

externalities. It is possible that the findings are referenced in ongoing media discussion and policy debates at jurisdictional permitting and entitlement hearings as evidence in favor of or against new development proposals. From a legal standpoint, communities often seek development impact fees which invoke rational nexus and rough proportionality yardsticks. *Ex ante*, it can be very difficult to predict the actual impact that a singular new commercial development will cause. *Ex post*, industrial developments coincide with a preexisting downward trend in local housing values, yet the completion of an industrial development does not have a significant impact on the trend (at the .75 mile radius). Residential property values near office development sites experience an effect that essentially nets to zero upon completion. Retail developments, by comparison, have a positive and significant impact that differs from the existing trend – albeit over a longer horizon.

Perhaps most surprising is the lack of evidence for negative and significant impacts of commercial real estate development on residential property values. Volumes of political arguments to the contrary are voiced at local planning debates across the nation, yet this study does not provide substantive evidence of a negative interaction.

References

- Anderson, S.E., and S.E. West. (2006). Open Space, Residential Property Values, and Spatial Context. *Regional Science and Urban Economics* 36:6, 773-789.
- Bolitzer, B., and N.R. Netusil. (2000). The Impact of Open Spaces on Property Values in Portland, Oregon. *Journal of Environmental Management* 59:3, 185-193.
- Bowes, D.R., and K.R. Ihlanfeldt. (2001). Identifying the Impacts of Rail Transit Stations on Residential Property Values. *Journal of Urban Economics* 50:1, 1-25.
- Boxall, P.C., W.H. Chan, and M.L. McMillan. (2005). The Impact of Oil and Natural Gas Facilities on Rural Residential Property Values: A Spatial Hedonic Analysis. *Resource and Energy Economics* 27:3, 248-269.
- Carroll, T.M., T.M. Clauretie, and J. Jensen. (1996). Living Next to Godliness: Residential Property Values and Churches. *Journal of Real Estate Finance and Economics* 12:3, 319-330.
- Correll, M.R., J.H. Lillydahl, and L.D. Singell. (1978). The Effects of Greenbelts on Residential Property Values: Some Findings on the Political Economy of Open Space. *Land Economics* 54:2, 207-217.
- Debrezion, G., E. Pels, and P. Rietveld. (2007). The Impact of Railway Stations on Residential and Commercial Property Value: A Meta-analysis. *Journal of Real Estate Finance and Economics* 35:2, 161-180.
- Ellen, I.G., M.H. Schill, S. Susin, and A.E. Schwartz. (2001). Building Homes, Reviving Neighborhoods: Spillovers from Subsidized Construction of Owner-Occupied Housing in New York City. *Journal of Housing Research* 12:2, 185-216.
- Espey, M., and H. Lopez. (2000). The Impact of Airport Noise and Proximity on Residential Property Values. *Growth and Change* 31:3, 408-419.
- Feinerman, E., I. Finkelshtain, and I. Kan. (2004). On a Political Solution to the NIMBY Conflict. *American Economic Review* 94:1, 369-381.
- Gatzlaff, D.H., and M.T. Smith. (1993). The Impact of Miami Metrorail on the Value of Residences near Station Locations. *Land Economics* 69:1, 54-66.
- Grass, R.G. (1992). The Estimation of Residential Property Values around Transit Station Sites in Washington, D.C. *Journal of Economics and Finance* 16:2, 139-146.

- Herriges, J.A., S. Secchi, and B.A. Babcock. (2005). Living with Hogs in Iowa: The Impact of Livestock Facilities on Rural Residential Property Values. *Land Economics* 81:4, 530-545.
- Irwin, E.G. (2002). The Effects of Open Spaces on Residential Property Values. *Land Economics* 78:4, 465-480.
- Kaufman, D.A., and N.R. Cloutier. (2006). The Impact of Small Brownfields and Greenspaces on Residential Property Values. *Journal of Real Estate Finance and Economics* 33:1, 19-30.
- Kiel, K.A., and M. Williams. (2007). The Impact of Superfund Sites on Local Property Values: Are All Sites the Same? *Journal of Urban Economics* 61:1, 170-192.
- Reichert, A.K., M. Small, and S. Mohanty. (1992). The Impact of Landfills on Residential Property Values. *Journal of Real Estate Research* 7:3, 297-314.
- Schively, C. (2007). Understanding the NIMBY and LULU Phenomena: Reassessing Our Knowledge Base and Informing Future Research. *Journal of Planning Literature* 21:3, 255-266.
- Song, Y., and G.-J. Knaap. (2003). New Urbanism and Housing Values: A Disaggregate Assessment. *Journal of Urban Economics* 54:2, 218-238.
- Van der Horst, D. (2007). NIMBY or Not? Exploring the Relevance of Location and the Politics of Voiced Opinions in Renewable Energy Siting Controversies. *Energy Policy* 35:5, 2705-2714.

Tables & Figures for Empirical Results

Table 1. Sample of Single-family Residential Transactions

Table 2. Base Model

Table 3. Results by Distance, Spline Regressions

Figure 1. Atlanta Home Prices & Transaction Volume, 1985Q4-2014Q4

Figure 2. Commercial Real Estate Developments, 2006-2018

Figure 3. Sample of Commercial Developments, by Property Size & Category

Figure 4. Estimated Price Impact following New Commercial Development

Table 1. Sample of Single-family Residential Transactions

<i>Radius</i>	Close to Industrial			Close to Office			Close to Retail			Full Sample
	<i>.5 mile</i>	<i>.75 mile</i>	<i>1 mile</i>	<i>.5 mile</i>	<i>.75 mile</i>	<i>1 mile</i>	<i>.5 mile</i>	<i>.75 mile</i>	<i>1 mile</i>	
Observations	1,880	4,272	6,220	4,324	7,520	10,438	9,993	15,335	15,287	664,556
Variable	Mean	Mean	Mean	Mean	Mean	Mean	Mean	Mean	Mean	Mean
Close	1	1	1	1	1	1	1	1	1	
Sale Price	\$133,975	\$129,485	\$132,969	\$222,778	\$207,350	\$188,234	\$163,976	\$161,183	\$159,523	\$202,014
Age	17.931	17.901	18.310	23.350	21.058	18.836	20.823	19.527	17.788	27.164
1 bedroom	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.001
2 bedrooms	0.029	0.040	0.032	0.044	0.035	0.025	0.031	0.023	0.023	0.031
4 bedrooms	0.260	0.257	0.265	0.306	0.308	0.329	0.275	0.300	0.306	0.348
>4 bedrooms	0.054	0.042	0.038	0.105	0.094	0.086	0.061	0.062	0.064	0.149
1 bathroom	0.118	0.147	0.126	0.089	0.074	0.067	0.113	0.114	0.105	0.059
3 bathrooms	0.122	0.108	0.102	0.202	0.177	0.163	0.137	0.149	0.149	0.210
4 bathrooms	0.018	0.008	0.005	0.062	0.051	0.038	0.026	0.022	0.025	0.063
>4 bathrooms	0.001	0.000	0.000	0.012	0.009	0.008	0.006	0.004	0.005	0.021
1 half-bath	0.420	0.426	0.418	0.437	0.458	0.475	0.384	0.404	0.408	0.434
2 half-baths	0.003	0.003	0.003	0.009	0.010	0.011	0.006	0.007	0.008	0.012
>2 half-baths	0.000	0.000	0.000	0.000	0.001	0.000	0.000	0.000	0.001	0.001
Matched samples										
	<i>.5 mile</i>	<i>.75 mile</i>	<i>1 mile</i>	<i>.5 mile</i>	<i>.5 mile</i>	<i>1 mile</i>	<i>.5 mile</i>	<i>.75 mile</i>	<i>1 mile</i>	
Observations	16,282	34,191	52,935	29,840	51,505	82,457	89,918	122,661	112,041	
Variable	Mean	Mean	Mean	Mean	Mean	Mean	Mean	Mean	Mean	
Close	0	0	0	0	0	0	0	0	0	
Sale Price	\$140,456	\$139,831	\$141,037	\$184,627	\$174,039	\$164,181	\$152,740	\$153,036	\$151,758	

Notes: Table 1 presents summary statistics for the full sample of single-family residential transactions, along with the subsamples that are located in close proximity to new industrial, office and retail developments based on .5, .75 and 1 mile radii from the development site. Commercial developments are identified using the CoStar Property database for the period 2006-2014. During this period, there were 193 new industrial developments, 273 new office developments, and 467 new retail developments identified for the Atlanta (GA) metropolitan area. Residential transaction data are for the period 1985Q4-2014Q4 from the GA MLS database. Geographic distance is calculated in nautical miles based on longitude-latitude coordinates of the new commercial development and each residential transaction. The Observations row reports the number of residential transactions in the full sample and respective subsamples. The bottom panel reports the mean Sale Price and number of Observations for the matched samples of transactions that occur in the same calendar quarter and zip code as an observations located inside the specified radius, and have the same number of bedrooms, same number of bathrooms and were constructed within five years of the property that is inside the radius.

Variable definitions: Close is an indicator variable for observations that are located within the respective .5, .75 or 1 mile radius of a commercial development site, taking on a value of one for location inside the radius and zero otherwise. Sale Price is the transaction price paid at closing (in USD). Age measures the difference between the sale year and the year the residential single-family home was constructed. The 1, 2, 3, 4 and >4 bedroom [bathroom] variables are indicators for the number of bedrooms, taking on a value of one of the transaction was for a home that included a number of bedrooms [bathrooms] matching that category, and zero otherwise. Similarly, 0, 1, 2, and >2 half-bath variables are indicators for the number of half-bathrooms. Transactions reporting zero bedrooms or zero bathrooms are not considered in this sample.

Table 2. Base Model

<i>Radius: .75 mile</i> Variable	Industrial		Office		Retail	
	Coefficient	(t-stat)	Coefficient	(t-stat)	Coefficient	(t-stat)
Constant	12.217***	(60.7)	11.481***	(65.6)	11.252***	(59.4)
log(Age)	-0.133***	(-37.2)	-0.145***	(-46.8)	-0.143***	(-81.5)
1 bedroom			-0.276	(-1.1)	-0.258	(-1.3)
2 bedrooms	-0.071***	(-3.8)	-0.029	(-1.6)	-0.120***	(-10.3)
4 bedrooms	0.124***	(25.1)	0.116***	(26.9)	0.127***	(51.5)
>4 bedrooms	0.179***	(12.3)	0.173***	(17.7)	0.176***	(27.7)
1 bathroom	-0.258***	(-26.7)	-0.393***	(-33.4)	-0.313***	(-58.2)
3 bathrooms	0.249***	(30.0)	0.273***	(46.0)	0.252***	(70.9)
4 bathrooms	0.568***	(19.4)	0.623***	(49.7)	0.600***	(58.1)
>4 bathrooms	0.839***	(6.0)	0.792***	(23.8)	0.803***	(29.8)
1 half-bath	0.161***	(47.3)	0.187***	(63.9)	0.200***	(113.8)
2 half-baths	0.212***	(8.4)	0.367***	(24.2)	0.345***	(35.8)
>2 half-baths	-0.017	(-0.2)	0.292***	(4.0)	0.439***	(11.7)
Close	-0.010*	(-1.9)	0.007	(1.5)	-0.023***	(-8.6)
Close*After	-0.044**	(-2.4)	0.020	(1.3)	-0.045***	(-4.4)
Close*After*Trend	-0.007*	(-1.7)	0.000	(0.0)	0.013***	(6.0)
Financing indicators:	Included [15]		Included [15]		Included [15]	
Zip-quarter indicators:	Included [1350]		Included [2217]		Included [2834]	
R ²	76.9%		74.0%		75.5%	
Observations	38,463		59,025		137,996	

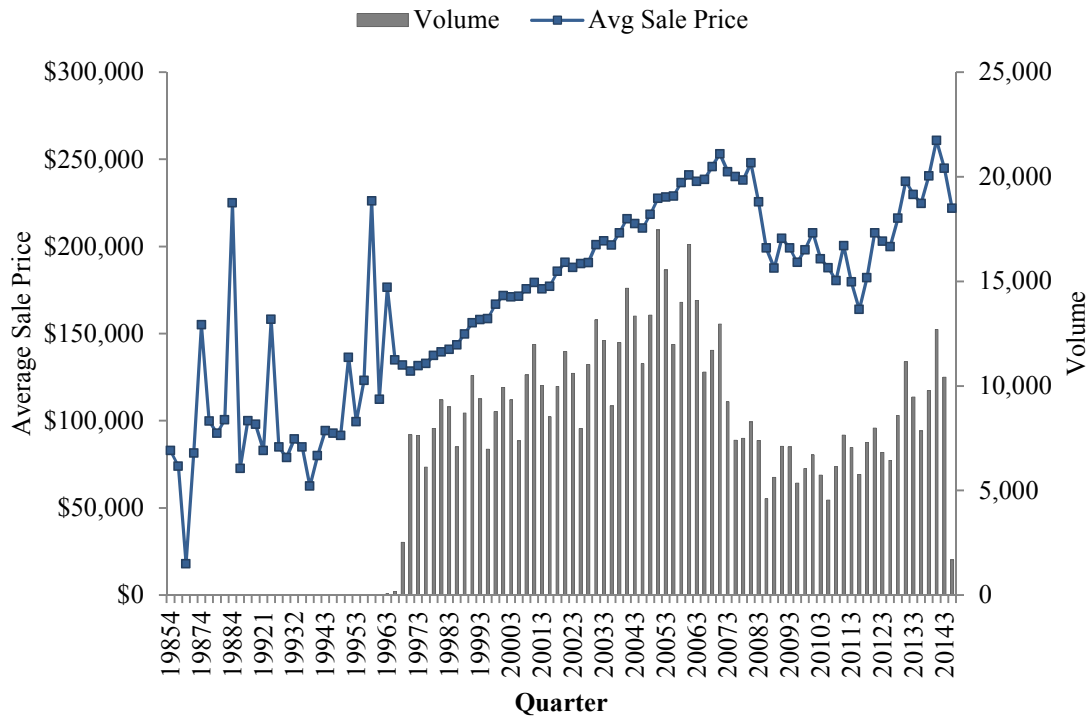
Notes: This table presents the results from three least squares estimations of Equation (1). The dependent variable is Sale Price, logged, which is the transaction price for each residential property in the sample. Close is an indicator variable for residential transactions that occur within the specified radius (.75 miles) of any new commercial real estate development during the sample period. Results for industrial, office and retail developments are presented in separate estimations, including the estimated Coefficient and corresponding *t*-statistic (*t*-stat) in parentheses. The interaction term Close*After is an indicator variable for residential transaction that occur within the specified radius and after the development project is completed. The interaction term Close*After*Trend takes on positive values counting the year since project completion for observations inside the radius that occur in the post-completion period, and values of zero otherwise. The estimations also include 15 indicator variables for transaction-specific financing conditions, as well as zip code-calendar quarter fixed effect indicators controlling for (unreported) geographic time-varying differences of the housing market. All other variables are defined in the notes to Table 1. The following variables are suppressed to prevent a linear combination: 3 bedrooms, 2 bathrooms, and 0 half-bath. ***, **, and * indicate statistical significance of estimated coefficients at the 1%, 5% and 10% levels of confidence respectively.

Table 3. Results by Distance, Spline Regressions

<i>Radius:</i>		<i>.5 mile</i>		<i>.75 mile</i>		<i>1 mile</i>	
Equation:		(1)	(2)	(1)	(2)	(1)	(2)
Panel A.	Industrial	Coefficient	Coefficient	Coefficient	Coefficient	Coefficient	Coefficient
	Close	-0.015 **	-0.050 ***	-0.010 *	-0.035 ***	-0.006	-0.025 ***
	Close*After	-0.117 ***	-0.082 ***	-0.044 **	-0.017	-0.017	0.002
	Close*After*Trend	0.005	0.024 ***	-0.007 *	0.006	-0.007 **	-0.002
	Spline1		-0.003		-0.002		-0.003 ***
	Spline2		-0.019 ***		-0.013 ***		-0.005 *
	R ²	79.0%	79.0%	76.9%	76.9%	72.0%	72.0%
	Observations	18,162		38,463		59,155	
Panel B.	Office	Coefficient	Coefficient	Coefficient	Coefficient	Coefficient	Coefficient
	Close	0.003	-0.009	0.007	0.021 **	0.000	0.007
	Close*After	0.019	0.031	0.020	0.005	0.015	0.007
	Close*After*Trend	-0.003	-0.005	0.000	-0.008 *	-0.002	-0.008 **
	Spline1		-0.005 ***		0.001		-0.001
	Spline2		0.002		0.008 **		0.006 **
	R ²	74.8%	74.8%	74.0%	74.0%	75.7%	75.7%
	Observations	34,164		59,025		92,895	
Panel C.	Retail	Coefficient	Coefficient	Coefficient	Coefficient	Coefficient	Coefficient
	Close	-0.021 ***	-0.030 ***	-0.023 ***	-0.028 ***	-0.031 ***	-0.048 ***
	Close*After	-0.043 ***	-0.034 **	-0.045 ***	-0.040 ***	-0.035 ***	-0.019 *
	Close*After*Trend	0.013 ***	0.017 ***	0.013 ***	0.015 ***	0.013 ***	0.019 ***
	Spline1		-0.001		-0.001		-0.002 ***
	Spline2		-0.004		-0.001		-0.006 ***
	R ²	74.5%	74.5%	75.5%	75.5%	76.8%	76.8%
	Observations	99,911		137,996		127,328	

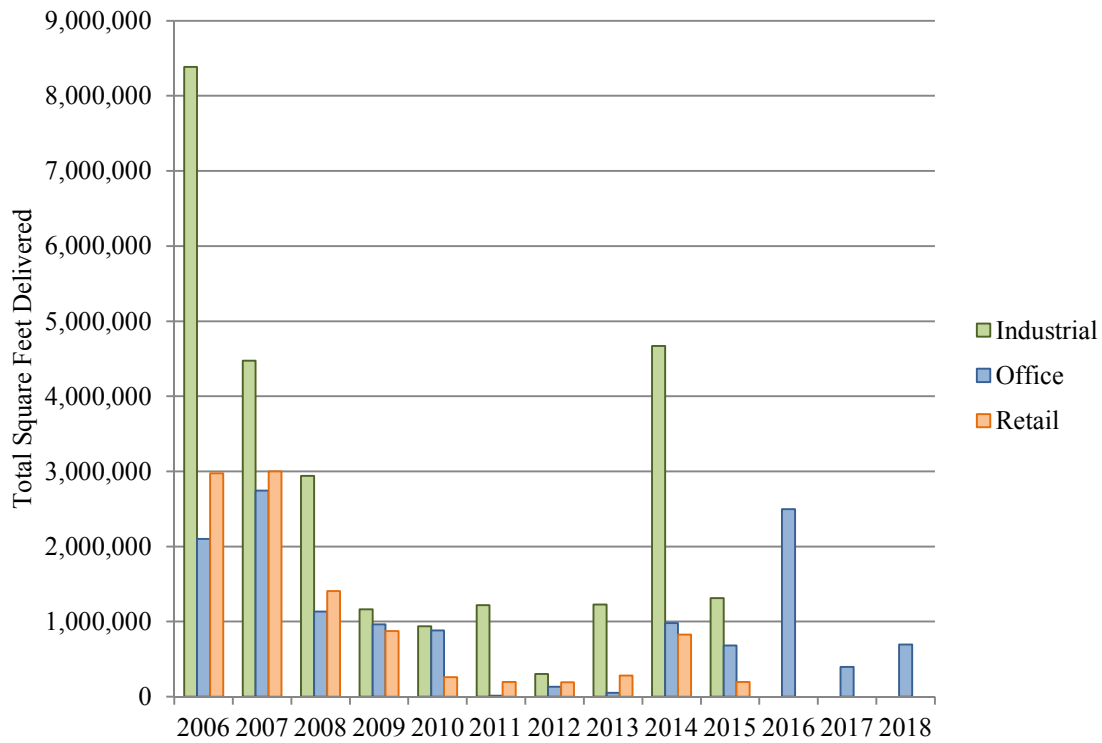
Notes: This table presents the results from the least squares estimations of Equations (1) and (2). The dependent variable is Sale Price, logged, which is the transaction price for each residential property in the sample. D_Close is an indicator variable for residential transactions that occur within the specified radius (.75 miles) of any new commercial real estate development during the sample period. Results for industrial, office and retail developments are presented in separate estimations, including the estimated Coefficient and corresponding *t*-statistic (*t*-stat) in parentheses. The interaction term Close*After is an indicator variable for residential transaction that occur within the specified radius and after the development project is completed. The interaction term Close*After*Trend takes on positive values counting the year since project completion for observations inside the radius that occur in the post-completion period, and values of zero otherwise. Spline 1 measures the year relative to development completion over the full horizon (i.e., beginning with year -20 thru year +8) for all observations inside the radius, while Spline 2 measures year relative to completion beginning in year -5, and takes on a value of zero for earlier years and for observations outside the radius. The estimations also include 15 indicator variables for transaction-specific financing conditions, as well as zip code-calendar quarter fixed effect indicator variables controlling for (unreported) geographic time-varying differences of the housing market. All other variables are defined in the notes to Table 1. The following variables are suppressed to prevent a linear combination: 3 bedrooms, 2 bathrooms, and 0 half-bath. ***, **, and * indicate statistical significance of estimated coefficients at the 1%, 5% and 10% levels of confidence respectively.

Figure 1. Atlanta Home Prices & Transaction Volume, 1985Q4-2014Q4



Notes: Figure 1 illustrates the average single-family residential transaction prices per quarter in the sample, during the period 1985Q4 to 2014Q4, using the blue line and corresponding to values on the left axis. Over the same period, the time-series distribution of residential transaction volume is depicted quarterly by the black bars, corresponding to values on the right axis.

Figure 2. Commercial Real Estate Developments, 2006-2018



Notes: Figure 2 illustrates the time-series distribution of total square footage of new commercial real estate projects delivered annually, by property type, over the period 2006 to 2018 (using expected values for the period 2014 thru 2018). Industrial space delivered is represented by the green bars, office space by the blue bars, and retail by the orange bars.

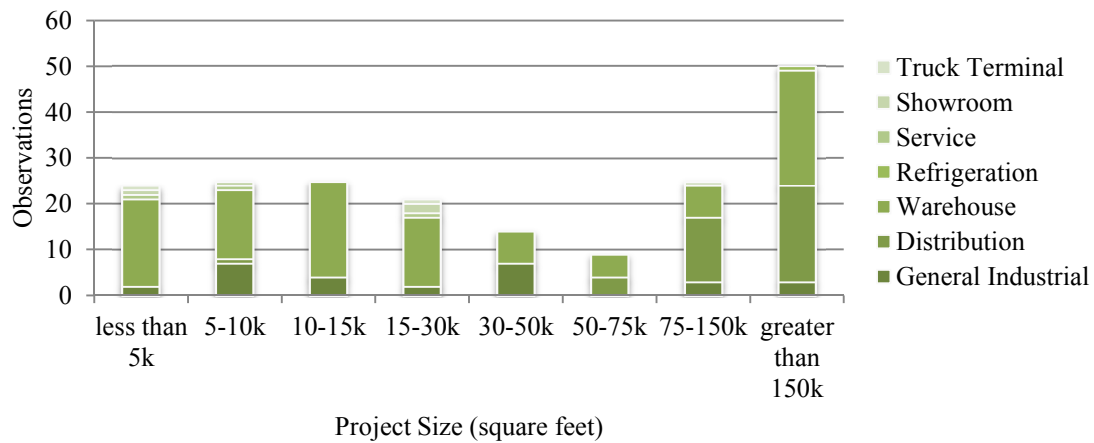
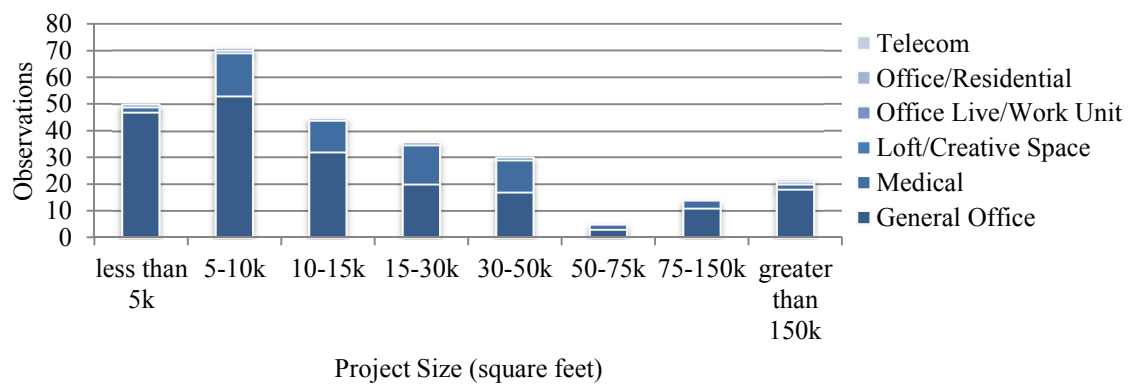
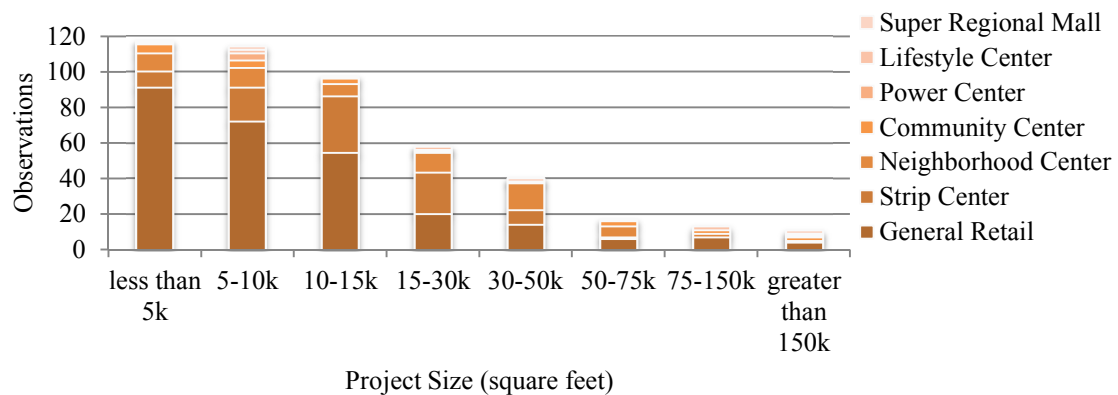
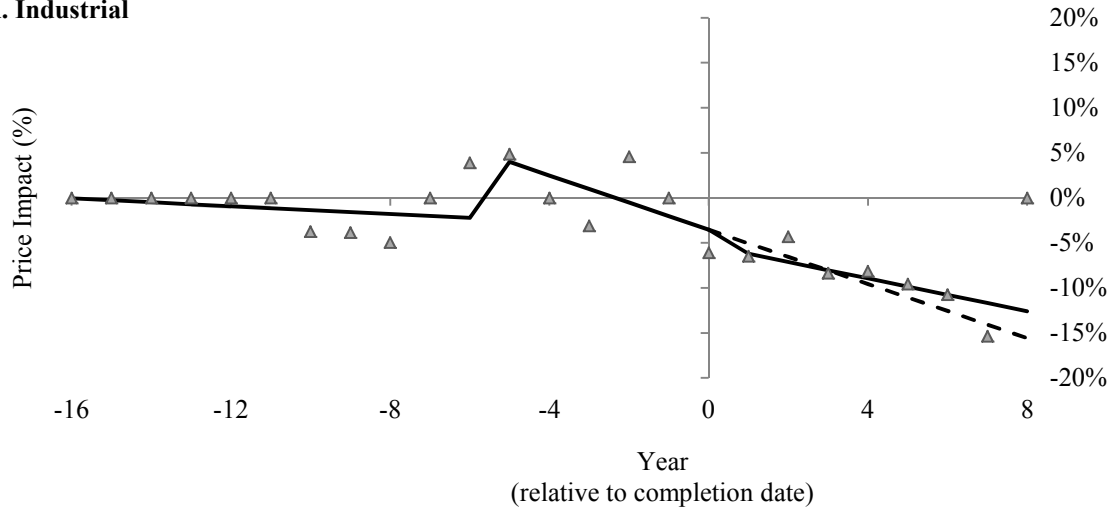
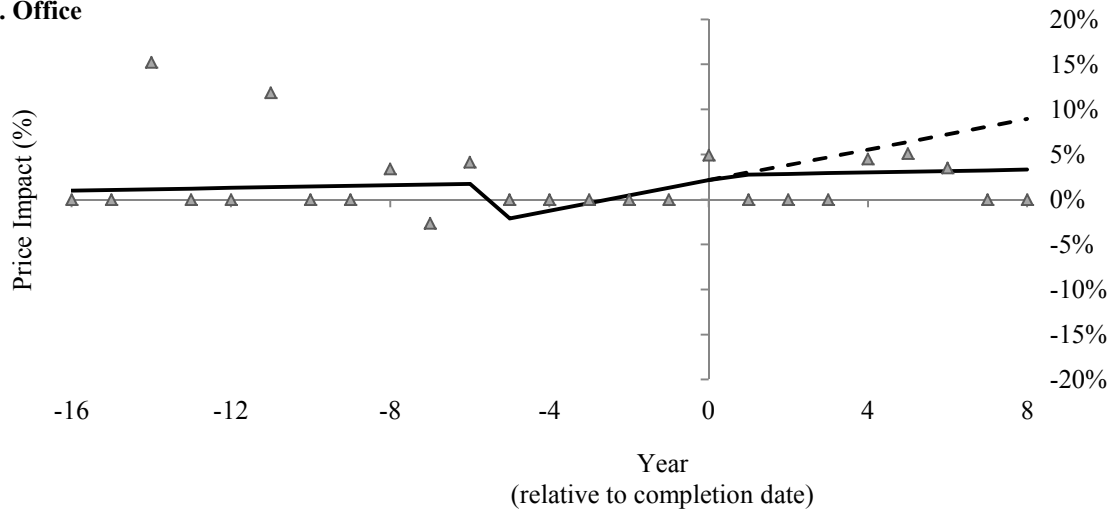
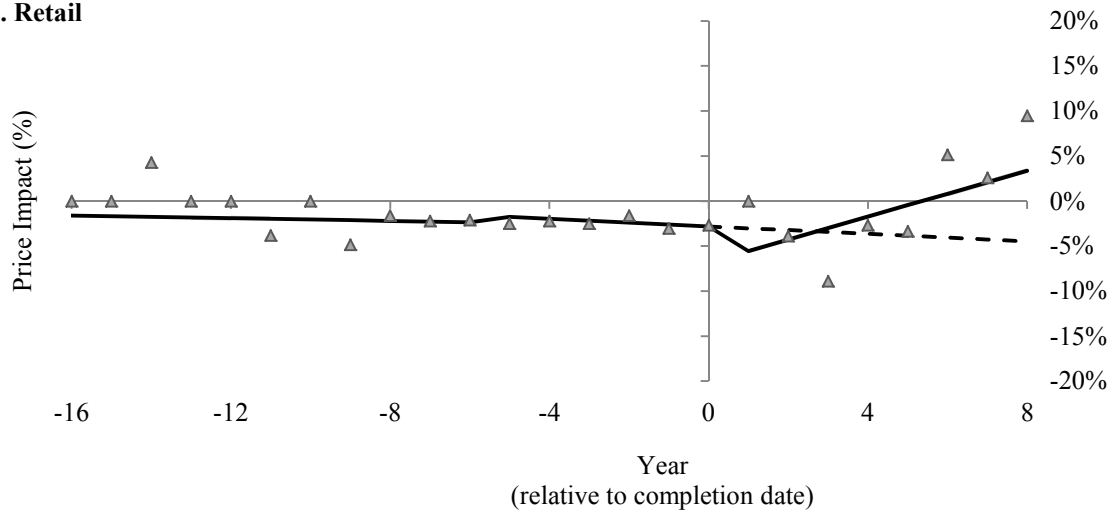
Figure 3. Sample of Commercial Developments, by Property Size & Category**A. Sample of Industrial Developments****B. Sample of Office Developments****C. Sample of Retail Developments**

Figure 4. Estimated Price Impact following New Commercial Development**A. Industrial****B. Office****C. Retail**

Notes: This figure presents the estimated price impact for single-family residential properties located within a .75 mile radius of a new industrial development (Panel A), office development (Panel B), and retail development (Panel C). Price impact is measured relative to a matched sample of single-family residential properties that have the same number of bedrooms, the same number of bathrooms, are built within 5 years, located in the same zip code (but outside the radius) and sold in the same calendar quarter of at least one subject property inside the radius. The grey triangles represent the estimated coefficients for each relative year interaction term for properties located inside the radius. Grey triangles take on a value of zero for coefficients that are statistically insignificant from zero at the 10% level. The solid black line depicts the trend from the spline regression with breakpoints at the -5 and +1 years relative to project completion. The dashed black line represents the counterfactual trend that would have been expected to occur for the .75 mile radius had the development not occurred.

COMMERCIAL DEVELOPMENT SPILLOVER EFFECTS UPON RESIDENTIAL VALUES

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ABSTRACT

There is lack of consensus in the literature that nearby commercial land uses create negative spillover effects on residential values. Nevertheless, the Texas legislature began to require state chartered commercial improvement districts to set aside “mitigation funds” in order to compensate surrounding areas for potential negative externalities. The first district in which this order was imposed was the Town Center Improvement District (TCID) of The Woodlands in Montgomery County, Texas. This paper examines the extent to which such net negative impacts, in fact, exist. In doing so, the study sheds additional light on the nature of commercial development externalities, especially for large, centralized, commercial developments which have not been studied in the past. This study confirms what a few others have found for smaller developments, that commercial developments produce both positive and negative effects on residential areas which on net produce a rough quadratic relation between home values and proximity. The analysis finds that the net impact on all properties in the impact area is positive, but the positive impact is observed to fall with accessibility from its highest level at around a half mile from the district’s boundaries. While all residential property owners appear to be net gainers, if “mitigation funds” continue to be required, the results reported here suggest that they should be concentrated on the areas that are extremely close to these large commercial districts. *JEL Classifications: R11, R12.*

INTRODUCTION

For decades, concern over residential market impacts from nearby non-conforming land uses has been discussed in a wide array of academic literatures and in hosts of political forums and debates. Such potential negative spillover effects are the primary rationale for zoning in many American cities is an effort to “protect” residential neighborhoods from these types of spatial externalities. While the greatest concern appears to involve the potential conflict between industrial and residential land uses, public policies typically extend to a broader array of potential conflicts, including negative spillover effects emanating to residential areas from non-industrial commercial developments.

The purported policy goals are to restrict and isolate commercial development from immediate proximity to residential areas. Besides zoning, which typically tries to distance these land uses from residential areas, buffers are sometimes required by public sector entities to form natural or artificial barriers to protect nearby residents from the noise, traffic, excessive night lighting, and aesthetic deterioration

generated from commercial activity. Where explicit government intervention doesn't exist, the private sector itself often attempts to minimize land use conflicts. For example, developers of "master-planned" communities typically set aside commercial reserves in such a way as to maximize the convenience of the commercial development (hence the value of potential commercial properties) while minimizing the negative impacts on residential properties in close proximity which might lower the value of the residential lots to be sold.¹

While the majority of the studies on the impact of land use regulations find nonresidential land uses to have at least some negative effects on residential values², the overall empirical literature must be characterized as mixed, especially with respect to commercial land uses. Some of the literature infers without much empirical evidence that the nature and extent of spillover impacts might be related to the size of a commercial development, its density or the nature of its borders. Clearly not all commercial development is the same. Some are strung out along a single transportation corridor, while others encompass large acres of land within well defined borders. A small commercial establishment may not have the negative consequences that a large regional mall might have, and a regional mall's impact may be smaller than that of a full sized mixed-use commercial center. Yet, these employment and commerce sub-centers have become a common fixture in contemporary suburban development, which can internalize many of the potential agglomeration economies associated with mini-CBDs (Central Business Districts). In many states, these sub-centers have become a part of commercial improvement districts. This is especially true in Texas, where most suburb development occurs outside the boundaries of incorporated municipalities which would otherwise have provided the infrastructure needed to support it.

Particularly popular for promoting commercial centers are legislatively approved improvement districts, also known as self-taxing districts. These districts provide a mechanism in which property owners agree to pay some form of taxes to the district in return for district specific services and amenities. As a consequence, the tax revenues are totally internalized within the district without leakages to outside jurisdictions. In Texas, there has been a substantial proliferation of such districts over the past 20 years which has had a profound effect upon the concentration of major commercial centers in the suburbs.³ However, the Texas State Legislature, which authorizes these special improvement districts, has been caught up in the traditional concerns of external impacts of non-conforming land uses and has added a new policy twist to government intervention to ameliorate these externalities. Beginning in the 1990s, improvement district charters have typically required each district to set aside "mitigation funds" in order to compensate surrounding areas for potential negative externalities and provide resources to minimize the consequences. The first example of such mandated funds was associated with the charter for the Town Center Improvement District (TCID) of The Woodlands in Montgomery County, Texas. The TCID collects a 1% sales tax on all sales in the district for its own internal purposes, but was required to set aside 10% of its revenues to be used toward the mitigation of the net negative impact the development might have within 2 miles of its borders.⁴

This legislative mandate poses an interesting question about the spillover effects of commercial development because of the size of the development involved. The Town Center is more than just a large regional retail shopping center. While a sizeable portion of the Town Center consists of The Woodlands Mall, the TCID also includes major entertainment venues, hospitality and convention facilities, and a

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substantial amount of office space. Overall, the TCID includes nearly 5 million square feet of office space and nearly 7 million square feet of retail and other types of commercial space. The area, whose borders are precisely defined, supports over 30,000 jobs. Surrounding the TCID inside The Woodlands overall master-planned community are more than 30,000 residential units. Thus, the TCID is not merely a large regional shopping center, but is a fully integrated suburban satellite central business district with a large economic base of its own.

An obvious concern to state policy makers was that the sheer size of the TCID might greatly increase the likelihood of negative spillover effects created by its presence due to traffic, aesthetic deterioration, and increased local crime which is often attracted by commercial development. While the overall net economic benefits to southern Montgomery County could be argued to be positive in terms of accessibility to shopping and growth in local jobs, there remained the possibility that residential areas in close proximity to the TCID might actually experience a net negative impact.

The purpose of this study is to examine the TCID experience in order to shed light on the untested hypothesis posited in the literature that while small local commercial development appears to have only a small impact on nearby residential properties, the impact of a “mega center” might be significantly greater. This study also examines whether a large development might have a broader geographic impact beyond the meager few hundred feet which has been found with the smaller developments. In analyzing the spatial patterns of such impacts and the geographic extent of what might be called the “impact area”, this study also examines the likelihood of dual positive and negative impacts upon surrounding residential areas as has been documented in a few past studies.⁵ Like most empirical work in the literature, this study assumes that either positive or negative impacts will be capitalized into the value of surrounding residential properties and that such impacts are related to proximity to the development in question. Section II reviews the empirical literature regarding non-conforming land use impacts. Section III discusses the data and methodology used in this particular study. Section IV summarizes the empirical results, and Section V provides a brief summary.

LITERATURE REVIEW

Both the economics and real estate literatures are filled with studies estimating the pecuniary impact on residential properties of potentially negative neighborhoods effects, including close proximity to non-conforming land uses. Most use some form of hedonic analysis to isolate such impact from the myriad of other determinants of property values. One of the first studies to document negative effects of commercial and industrial land uses upon home values and apartment rents was the work of Kain and Quigley (1970). Not all studies, however, find significant negative impact of nonresidential land uses upon home values, though proximity to industrial land uses is almost universally found to have a deleterious effect (See Grether and Mieskowski (1980)). In addition to industrial land use impacts, Stull (1975) also finds a quadratic relationship between home values and the amount of commercial development in an overall residential area. In that study, small amounts of commercial development were actually found to be a positive, while larger amounts (in excess of 5% of the total neighborhood land) were found to have statistically significant negative impact upon home values. Some studies also conclude that the

size of a particular commercial development can be important in affecting neighboring home values. Song and Knaap (2004), found no negative impact from commercial development, but they warned that larger commercial development might produce impact.

One reason past empirical research has produced mixed results is that they have typically failed to recognize the extremely localized character of the impact. This point was made by Tideman (1970) and is referred to by Grether and Mieskowski (1980) as the “next door” phenomenon. Thus, proximity may have to be defined in terms of such short distances as adjacent to or within feet of such factors producing noise, undesirable views, or excessive traffic. For example, the limited geographic extent of non-conforming externalities is demonstrated by Hughes and Sirmans (1992) who found that traffic generated by commercial activity only produced negative home value impact if it directly involved an increase in traffic intensity on the streets on which the homes were located. On the other hand, increased traffic on major neighborhood arteries appeared to have no measurable impact upon home values. Thus, size and distance do seem to be an important factor in affecting potential impact.

In one of the more interesting studies in the literature, Li and Brown (1980) focus upon both the positive and negative impacts of commercial development on residential property values. They cite the potential negative effects associated with aesthetics and pollution (mostly noise pollution) at the same time they consider the positive aspects of “accessibility”. These positive external effects are associated with close proximity to shopping and other developmental amenities including nearness to work places. Their findings suggest that home values within a third of a mile from industrial land uses fall with proximity to the industrial sites, but beyond a third of a mile values actually increase with closeness, presumably due to the amenity of being closer to a large employment base. For commercial developments they also find that there is a negative “externality effect” and a positive “accessibility effect”, but that the positive accessibility effect in all locations outweighs the negative externality effect.

On the other hand, Colwell, Gujral and Coley (1985) find that within 1500 feet (about a third of a mile) property values decline with increased proximity to a newly constructed shopping center, while those beyond 1500 feet actually gain in value with increased closeness. Similarly, Thibodeau (1990) analyzes the impact of a single high-rise office building on nearby houses in a small residential area of North Dallas and finds that homeowners with properties located between 1,000 and 2,500 meters away benefit from the high-rise while the homeowners within 1,000 meter distance are negatively affected by the building.

Contrary to the studies mentioned above, Song and Knaap (2004) find that housing prices increase with their proximity to neighborhood-scale commercial land uses and that an additional premium exists when the neighborhood store is located within walking distance. The authors caution though that the larger or more intense the commercial development, the more it can have a negative effect on housing prices.

Instead of analyzing direct distance to a commercial site, Paterson and Boyle (2002), examined the impact on home prices of direct visibility of such land uses. In their study these researchers conclude that “visibility of development significantly detracts from property values.” That is, the development appeared to be a neutral attribute as long as it could not be seen from residential properties. This finding

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suggests that land use conflicts might be ameliorated by the use of buffers and that negative externalities are typically a “next door” phenomenon where now “next door” has a specific meaning - the non-conforming land use must be seen from the residential property in question.

In summary, the literature on the impact of commercial development upon nearby residential areas indicates that proximity to commercial developments may have a negative impact upon nearby residential properties, but that the impact is likely dependent upon the size of the development, the degree in which proximity is ameliorated by buffers to minimize visibility, and the extent to which the negative externality is partially mitigated by the benefits of being close to shopping and employment. This research generally finds little or only modest impact which extends out no more than a few thousand feet from the commercial sites. However, to our knowledge none of the empirical studies have dealt with a large multi-use center the size of the TCID in which efforts to create buffers to “hide” the commercial development are much more challenging and in which problems of traffic, noise, crime, and aesthetic pollution are more likely to be magnified.⁶ Thus, we embarked upon our own original research specific to The Woodlands area and the impact area designated by the enabling legislation which should help fill the gap in the literature regarding the impact of today’s common suburban phenomena of large, comprehensive commercial centers.

DATA AND METHODOLOGY

The objective of this study is to measure the potential property value impact of the Town Center Development District of The Woodlands on nearby residential areas; thereby providing additional insights regarding the effect of large size commercial development in producing significant externalities upon surrounding residential areas. The methodology utilized follows the economics literature by employing a rather traditional hedonic approach. Typical hedonic estimating equations are utilized to isolate any TCID impact using specifications common to this large literature.

Following the contemporary literature on hedonic estimation in housing markets, special attention was given to issues of correct functional form and of treating the possibility of spatial autocorrelation. For example, Box-Cox transformations were implemented for both dependent and independent variables to resolve any questions over alternative specifications. The semi-log form was found to be the best functional form for the data since the Box-Cox λ was insignificantly different from zero.

The data utilized were also checked for spatial autocorrelation and the *Moran I* index was found to be positive and statistically significant, indicating some positive spatial autocorrelation. However, spatial autocorrelation corrected regressions, as well as cluster corrected regressions, did not alter the standard errors and t-statistics significantly. This indicates that while spatial autocorrelation exists, it is most likely due to missing variable(s) whose exclusion apparently does not have a significant effect on the empirical results and the estimated relationship between home prices and distance to TCID.

The semi-log estimating equation for determining the relationship between home value and specific structural and locational characteristics of the home utilizes the following functional forms (depending on the definition of distance variable):

$$\text{Log } P_i = \beta_0 + \beta_1 \cdot SF_i + \beta_2 \cdot SF_i^2 + \beta_3 \cdot Age_i + \beta_4 \cdot Age_i^2 + \beta_5 \cdot LOT_i + \beta_6 \cdot BATH_i \\ + \beta_7 \cdot WOOD_i + \beta_8 \cdot DIST_i + \beta_8 \cdot DIST_i^2 + \varepsilon_i$$

or

$$\text{Log } P_i = \beta_0 + \beta_1 \cdot SF_i + \beta_2 \cdot SF_i^2 + \beta_3 \cdot Age_i + \beta_4 \cdot Age_i^2 + \beta_5 \cdot LOT_i + \beta_6 \cdot BATH_i \\ + \beta_7 \cdot WOOD_i + \alpha_1 \cdot D_{1i} + \alpha_2 \cdot D_{2i} + \alpha_3 \cdot D_{3i} + \alpha_4 \cdot D_{4i} + \alpha_5 \cdot D_{5i} + \alpha_6 \cdot D_{6i} + \alpha_7 \cdot D_{7i} + \delta_i$$

where P_i is the value of the i^{th} home (appraisal value or sale price depending on the data set utilized); SF_i , Age_i , LOT_i , $BATH_i$ are respectively the square footage of living area, age, lot size, and number of baths for the i^{th} home; $WOOD_i$ is a location dummy for home located in The Woodlands master-planned community⁷; $DIST_i$ is the distance of the i^{th} home to the centroid of the TCID; and D_i 's are the dummy variables for distance bands around the TCID.⁸

Initially the geographic domain of the data collected extended approximately 4 miles from the centroid of the TCID as defined by GIS mapping routines in order to make sure that there were sufficient observations for "control areas" beyond the 2 mile range proscribed by the Texas legislature. Since the boundaries of the TCID extend on average a half mile from its center, properties designated as 0.5 miles from the TCID (its centroid) are virtually adjacent to the center's boundary.

There are two data sources available that can be utilized. The first is Multiple-Listing Service Data of market transactions which we label Data Set 1. The second is tax appraisal data from the Montgomery County Appraisal District (MCAD), labeled Data Set 2. Both data sets, however, utilize MCAD data because it contains all of the basic information on each home, some of which is not available in the MLS records. This data include information on political jurisdictions, neighborhood associations, and actual property plat maps with GIS coordinates. It is from the GIS coordinates that distances from the TCID were calculated.

Normally, sales data are preferred over tax appraisal data because they more accurately represent market outcomes. The problem is that the amount of sales data available provides insufficient degrees of freedom to adequately account for changes in small distances from the TCID. This also appears to be the case with many of the other studies cited which must rely on very small sales data samples. If the price/distance function is in anyway non-linear as some of the literature suggests, it will be nearly impossible to adequately describe price patterns statistically with small sample sizes.

While in many parts of the country the correlation between tax appraised values and actual sales values is quite low, in Texas county appraisal districts are regularly monitored to meet the state mandate that all appraisals are made at market values. In addition to the State's own ratio studies, the researchers at the Institute for Regional Forecasting of the University of Houston have conducted more sophisticated analyses of the correlation between sales values and tax district appraised values for a variety of markets throughout the state and have found the correlation quite high and more importantly spatially unbiased. Thus, despite our preference for sales data, because of the limited size of sales transactions and the fear that the spatial density of transactions might be inadequate for precise estimation of what was anticipated to be a complex non-linear relationship between distance to the TCID and home values,

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TABLE 1
DESCRIPTIVE STATISTICS OF THE DATA SETS

Variables	Sales Price Data	Appraisal Value Data
House Value	180,365 (121,475)	144,464 (94,821)
Square Footage	2351.3 (892.2)	2,302.7 (804.1)
Age	20.06 (9.30)	21.86 (8.80)
Lot Size	11,802.2 (13,037.5)	11,204.5 (4,988.3)
Bathrooms	2.21 (0.56)	2.90 (1.11)
Distance to TCID	2.14 (0.64)	2.01 (0.58)
Woodlands Dummy	0.75 (0.43)	0.70 (0.46)
D1	0.182 (0.39)	0.021 (0.14)
D2	0.219 (0.41)	0.044 (0.21)
D3	0.293 (0.46)	0.053 (0.22)
D4	0.221 (0.42)	0.099 (0.30)
D5	0.085 (0.21)	0.230 (0.42)
D6	—	0.309 (0.46)
D7	—	0.243 (0.43)
Sample Size	661	10,505

Note: Standard errors are in parenthesis. Distance bands such as D1 or D2 imply different distances in Data Set 1 and Data Set 2. More information about the exact coverage of distance bands can be found in the text under “Data and Methodology” section.

county tax appraisal district data became our preferred data set. This was not done, however, without first empirically comparing sales prices and appraised values within The Woodlands housing market.⁹ Nonetheless, this paper reports the empirical results using both data sets in estimating the equations above, recognizing the advantages and disadvantages of each.

The geographic domain of Data Set 1 extended 3.5 miles from the edge of the TCID in order to pick up sufficient “control area” observations.¹⁰ On the other hand, because of the enormous amount of data contained in the appraisal data set, there was no need to extend the area of study as far in order to capture additional observations to minimize any degrees of freedom problem. Thus, the total area analyzed with the appraisal data extends out only 3 miles.¹¹

Data Set 1 contains 661 sales data on single family homes sold during 2003 within the impact area of this study as well as the January 1, 2004 MCAD appraisal value for the same homes with the following averages: \$180,365 in sale price; 2,351 square feet of living area; 2.21 baths, 11,802 square foot lot size; and 20.1 years old. The larger data set, Data Set 2, contains 10,505 MCAD appraisal values (from MCAD 2004) for the homes located within the impact area with the following averages: \$144,464 in value; 2,303 square feet of living area; 2.90 baths, 11,204 square foot lot size; and 21.9 years old. Table 1 presents the comparison of data sets in detail. It is worth noting that the mean “distances” in both data sets are not significantly different (2.14 versus 2.11 respectively) and they have a similar range of values.

The square of “distance” was also included in the analysis, but in order to more precisely determine the pattern of residential values with respect to distance and to account for possible complex nonlinearities, distance dummy variables (D1 to D5 for the sales data and D1 to D7 for the appraisal data) were created. Because the dummies are defined differently in the two data sets, comparisons between the two different sets of empirical analyses should be done with some caution.¹² In essence, the number and geographic distribution of the observations in the sales data forced us to restrict the analysis to fewer, larger bands in order to have large enough sample sizes in each band. The larger appraisal data set allowed us to fine tune the bands much more narrowly to get a better sense of any turning points in what was anticipated to be a non-linear relationship. Furthermore, after the empirical analysis was complete using Data Set 1, we had a better idea of how to define the more narrowly defined bands in Data Set 2 to isolate key inflection points.

EMPIRICAL RESULTS

Tables 2 and 3 provide the semi-log regression results for Data Set 1 and Data Set 2 respectively. For each table the results of three alternative models are presented. The only differences are related to the specification of the distance relationship. Models 1 and 2 use a continuous distance variable in linear and quadratic forms. Model 3 uses dummy variables as distance measurements as previously described in order to capture potential irregular nonlinear patterns between distance and price. In general, the same geographic pattern in home values across distance is revealed. The price/value relationship is unambiguously non-linear, but as discussed below the estimated peak at which prices are their highest vary.

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TABLE 2
OLS REGRESSION RESULTS FROM DATA SET 1 DEPENDENT
VARIABLE: LOGARITHM OF SALES PRICE

Variables	Model 1	Model 2	Model 3
SF Squared	-0.025** (4.3)	-0.024** (4.5)	-0.023** (3.9)
Age	-0.017** (3.2)	-0.026** (4.4)	-0.023** (3.8)
Age Squared	0.0001 (1.0)	0.0003 (1.4)	0.0002 (0.9)
Lot Size	0.005** (5.2)	0.005** (4.8)	0.005** (5.8)
Bathrooms	0.112** (4.5)	0.107** (4.9)	0.114** (5.7)
Distance	-0.069** (3.4)	0.225* (2.1)	—
Distance Squared	—	-0.071** (3.6)	—
Woodlands	0.099** (3.0)	0.101** (3.2)	0.080** (2.7)
D1	—	—	0.154** (3.8)
D2	—	—	0.224** (4.5)
D3	—	—	0.155** (3.1)
D4	—	—	0.108** (2.5)
Constant	10.993** (156.4)	10.809** (98.5)	10.773** (247.6)
Adj. R-squared	0.765	0.768	0.767
Sample Size	661	661	661

Note: Absolute value of t-statistics are in parenthesis. ** Significant at 1% level, * Significant at 5% level.

The adjusted R-squares reported in Table 2 are smaller for all the models than those in Table 3 largely because of the smaller number of observations (and hence degrees of freedom) in the smaller sales data set. Nonetheless, the 77% R-squares reported are still quite respectable for this type of hedonic analysis. For all cases in both tables, the coefficients of housing characteristics are as expected and

have relatively high t-statistics. In both runs of model 1 the coefficient of the distance variable is negative and strongly significant. The small differences between the results of the two tables are not statistically significant. The negative sign of the coefficient in this linear specification suggests that on net prices tend to rise with proximity to the TCID, not fall, a finding that appears to contradict the notion that commercial developments produce at least some degree of negative externalities upon nearby residential areas.

Models 2 and 3, however, show that the general upward trend in home prices with respect to proximity is not monotonic. Applied to both data sets these models indicate that while prices in general rise as homes get closer to the TCID, there is a point in which they begin to fall back down. However, despite this decline, prices never retreat below the level of prices in the more distance control areas.

Unfortunately, the exact inflection point is much more difficult to ascertain and the results for models 2 and 3 as reported in both tables provide somewhat different estimates of the point at which prices peak and the height of that peak. For example, the distance coefficients of the quadratic equation in Table 2 suggest that prices peak at mile 1.58 before starting to fall back down. The results of the same specification using Data Set 2 as reported in Table 3 indicate that the peak occurs at mile 0.87. This difference is not particularly surprising since fitting a quadratic to a relationship which is non-linear but irregular often produces such a divergence.

To better accommodate what are likely irregular non-linearities, model 3 uses a series of distance dummy variables in an effort to better determine the actual pattern of prices. The results, however, are quite similar. Indeed, model 3 results suggest that the relationship between distance and price is parabolic. While the empirical results for both data sets tell essentially the same story, the results displayed in Table 3 are more useful because the larger number of observations allowed for narrower distance bands. Those results shown under model 3 in Table 3 suggest that the home values increase with the proximity to the TCID until some point between 1.50 and 1.25 miles. Beyond that point, as properties get closer to the TCID values start to fall.

These results are somewhat consistent with the conclusions of Li and Brown (1980) and Colwell, Gujral and Coley (1985) regarding the counter balancing effects of both positive and negative effects associated with nearby commercial establishments and may help to explain why some researchers such as Song and Knapp (2004) find little or no pecuniary effect upon nearby housing markets. The difference here is that the analysis is not related to small neighborhood commercial shopping sites, but a large regional mall with a significant amount of non-retail activity as well. Clearly the types of potential externalities suggested in the literature such as noise and light pollution, traffic congestion, and aesthetic deterioration would have been expected to be much greater for an area such as the TCID. Apparently, while such negative externalities may be more severe for larger centers, their beneficial effects, such as employment and accessibility to convenient one stop shopping, are also larger, negating much if not all of those negative impacts.

The one expectation in the literature that this research seems to bear out is that the negative externalities of larger commercial centers appear to extend further than for the small centers which the literature has typically treated before. Instead of the net negative impact extending a few hundred feet, the impact appears to influence prices anywhere from about a half mile to as far as 1.5 miles from the boundaries of the TCID (1 to 2 miles from the TCID's center). Given the size of the shopping center

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and the amount of traffic generated by the large amount of office space in the area, this is not particularly surprising.

TABLE 3
OLS REGRESSION RESULTS FROM DATA SET 2
DEPENDENT VARIABLE: LOGARITHM OF APPRAISAL VALUE

Variables	Model 1	Model 2	Model 3
SF Squared	-0.022** (11.5)	-0.021** (10.9)	-0.023** (12.1)
Age	-0.017** (18.4)	-0.019** (19.0)	-0.018** (16.8)
Age Squared	0.00006* (2.0)	0.0001** (4.7)	0.0001** (5.3)
Lot Size	0.004** (4.6)	0.004** (3.9)	0.004** (4.0)
Bathrooms	0.059** (19.5)	0.057** (18.4)	0.059** (19.2)
Distance	-0.078** (25.2)	0.068** (3.1)	—
Distance Squared	—	-0.039** (6.5)	—
Woodlands	0.153** (2.6)	0.144** (2.4)	0.147** (2.9)
D1	—	—	0.080** (6.0)
D2	—	—	0.129** (68.5)
D3	—	—	0.157** (18.7)
D4	—	—	0.116** (26.5)
D5	—	—	0.076** (11.8)
D6	—	—	0.063** (12.3)
Constant	10.907** (256.4)	10.831** (224.5)	10.684** (286.9)
Adj. R-squared	0.871	0.872	0.872
Sample Size	10,505	10,505	10,505

Note: Absolute value of t-statistics are in parenthesis. ** Significant at 1% level, Significant at 5% level.

Nonetheless, the estimated point in space where prices peak are somewhat different when using the alternative data sets. In general, the regression analyses using the smaller sales price data indicate that prices peak further away from the TCID than the same analyses using appraisal values. In Table 3, prices peak in model 2 at mile 0.9 and in model 3 between mile 1.00 and mile 1.25. In Table 2, model 2 indicates that prices peak at mile 1.6 and in model 3 they peak between mile 1.5 and 2.0. One

explanation for this divergence is that the number of observations scattered across distance is much sparser for the sales data set which might make it more difficult to precisely define the price function's turning point. Another explanation is that the county appraisal district, applying rather standard appraisal practices, was forced to pick comparables that were more or less distant from the TCID and hence did not adequately pick up the subtleties of small changes in distance to the TCID.

Interestingly, the values of homes within the closest distance band from the TCID are still higher than in the control areas. This is true for both data sets, as reported in Tables 2 and 3, though properties with very close proximity are found to have a larger "net" premium using Data Set 1.¹³ Data Set 1 also produces the greatest reversal in prices, falling with proximity a full 7% off their peak. In either case, the results confirm that, independent of the positive spillover effects, close proximity to the TCID does bring with it substantial negative externalities. What this means about the relationship of distance and negative spillover effects is ambiguous, however, because the net decline in prices which begin somewhere between 1 and 2 miles may be as much a function of diminishing marginal benefits of being slightly closer to the TCID as it is increasing marginal negative external effects associated with proximity.

From a policy perspective, these results indicate that no home values within any reasonable definition of the "impact area" have experienced a net negative impact due to spillover effects from the TCID. To the contrary values appear to be higher because of its presence. Everywhere, prices within the 3 mile radius of the TCID are higher than beyond that range, including prices of homes adjacent to the TCID's boundary. This should ameliorate much of the concern by the Texas legislature that their chartering of commercial self-taxing districts within the state's metropolitan areas might be a serious detriment to close-by residential areas. This does not mean, however, that there are not social gains to attempts to minimize the negative external effects that do appear to be present. Social welfare maximization would require efforts to maximize the benefits emanating from the large commercial development while at the same time encouraging measures to reduce the negative impacts they are likely to produce.

From a research perspective, while these findings are in harmony with the findings of Li and Brown (1980), and Colwell, Gujral and Coley (1985), who suggest that the positive effects associated with commercial development for most surrounding neighborhoods outweigh any negative effects. We now have a sense for the first time that such a conclusion is applicable to the large mega commercial centers which have become popular in American suburbia, but which stand out as islands of clearly non-conforming land uses.

CONCLUSIONS

Given the long history of concerns over potential negative externalities associated with close proximity to non-conforming land uses, it is not surprising that the Texas State Legislature includes provisions in enabling legislation for commercial self-taxing districts which mandate that a portion of revenues collected by these districts be used to ameliorate any of these possible negative effects. To a limited extent empirical academic studies have been able to document pecuniary impacts of these purported commercial land use externalities. Unfortunately, the literature provides little guidance regarding the degree or the extent of the geographic

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distribution of these negative spillover effects, information needed to base policies upon some rational criteria.

The existent literature reviewed here suggests that, at most, any negative impacts that are likely to occur from commercial developments are limited to areas of very close proximity. Supporting this finding are studies that suggest commercial development might generate both positive and negative amenities, and that it is only in residential areas adjacent or near to commercial development where the negative impacts outweigh the positive.

However, the typical commercial development analyzed in the literature is relatively small, often of the neighborhood shopping center size. One question that remains is whether impacts would be substantially different for large multi-use commercial developments that are the usual candidates for placement in self-taxing districts. One might easily expect that for large developments, the extent and spatial penetration of negative spillover effects, such as noise, light, traffic, and aesthetic diminution, would be much greater.

The results of this research both support and supplement the existent literature. They add support to the findings that proximity to commercial land uses creates both positive and negative impacts upon nearby residential areas. The results here suggest, however, that negative spillover effects for larger commercial centers extend further out than reported in past studies, since the pattern found here shows that prices on net continue to rise with distance from the TCID for around a mile beyond TCID's boundaries. Still, one interesting finding is that, despite the enormous size of the TCID, the negative effects, even at its border, are outweighed considerably by the positive effects. This may explain the recent interest of developers in building residential units right within the district.

Given that no residential area within the "impact area" is suffering from any "net" negative spillover effect, one must question the need for mitigation funds. Certainly, in terms of equity and the distribution of wealth, nearby households are better off with such commercial development than without. However, from an efficiency perspective, the evidence presented here that negative spillover effects do exist, suggests that there are potentially additional welfare gains to be made associated with these commercial developments, if the negative externalities could be ameliorated. Thus, policy makers would do well to focus mandated expenditures by commercial districts to minimize any spillover effects upon very close residential properties as opposed to requiring a mere transfer of funds to these communities to "compensate" them for losses that are in fact not occurring.

REFERENCES

- Colwell, Peter, Surinder Gurjral and Christopher A. Coley. 1985. "The Impact of a Shopping Center on the Value of Surrounding Properties." *Real Estate Issues* 10 (1): 35-39.
- Grether, David M. and Peter Mieszkowski. 1980. "The Effects of Non-residential Land Uses on the Prices of Adjacent Housing: Some Estimates of Proximity Effects." *Journal of Urban Economics* 8 (1): 1-15.
- Hughes, William T. Jr. and C. F. Sirmans. 1992. "Traffic Externalities and Single-Family House Prices." *Journal of Regional Science* 32 (4): 487-500.
- Jud, Donald G. 1980. "The Effects of Zoning on Single-Family Residential Property Values: Charlotte, North Carolina." *Land Economics* 56 (2): 142-154.

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- Ihlanfeldt, Keith R. 2007. "The Effect of Land Use Regulation on Housing and Land Prices." *Journal of Urban Economics* 61 (3): 420-435.
- Kain, John F. and John M. Quigley. 1970. "Measuring and Value of Housing Quality." *Journal of the American Statistical Association* 65 (330): 532-548.
- Li, Mingche M. and James H. Brown. 1980. "Micro-Neighborhood Externalities and Hedonic Housing Prices." *Land Economics* 56 (2): 125-141.
- Muth, Richard F. and Elliott Wetzler. 1976. "The Effect of Constraints on House Costs." *Journal of Urban Economics* 3 (1): 57-67.
- Ohls, James C., Richard C. Weisberg and Michelle J. White. 1974. "The Effect of Zoning on Land Values." *Journal of Urban Economics* 1 (4): 428-444.
- Paterson, Robert W. and Kevin J. Boyle. 2002. "Out of Sight, Out of Mind? Using GIS to Incorporate Visibility in Hedonic Property Value Models." *Land Economics* 78 (3): 417-425.
- Song, Yan and Gerrit-Jan Knaap. 2004. "Measuring the Effects of Mixed Land Uses on Housing Values." *Regional Science and Urban Economics* 34 (6): 663-680.
- Stull, William. 1975. "Community Environment, Zoning, and the Market Value of Single-Family Homes." *The Journal of Law and Economics* 18 (2): 535-557.
- Thibodeau, Thomas G. 1990. "Estimating the Effect of High-Rise Office Buildings on Residential Property Values." *Land Economics* 66 (4): 402-408.
- Tideman, Nicolaus T. 1970. "Land Use Control through Administered Compensation." Discussion Paper 59, *Program on Regional and Urban Economics* Harvard University.

ENDNOTES

1. Jud (1980) is one of many who provide an economic defense of such public sector intervention through zoning and/or private sector "extra-market mechanisms", such as restrictive covenants.
2. See Ohls, Weisber, and White (1974), Stull (1975), Muth and Wetzler (1976), Jud(1980) and Ihlanfeldt (2007).
3. Some districts also occur within municipalities to effectively guarantee that a portion of the tax revenues generated by the district is automatically reinvested into the district itself.
4. The radius of the TCID is more than three quarters of a mile, so the impact area suggested by the legislature is almost 3 miles from the TCID's center.
5. See Li and Brown (1980), Grether and Mieszkowski (1980), Colwell, Surinder and Coley (1985), and Thibodeau (1990).
6. On the other hand, the secluded and well hidden nature of this commercial enclave that fits so well within the natural surroundings of the area suggests that the TCID might affect surrounding areas in a significantly different way than the typical commercial land use analyzed in the literature.
7. In general there exists a premium in the Greater Houston housing market for homes located in master planned communities. Since The Woodlands is Houston's premier master planned community and since some of the "control areas" are located outside the boundaries of The Woodlands, it was deemed appropriate to distinguish between properties within and without The Woodlands.

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8. Distance bands were created to better capture the shape of the price function with respect to distance. Both data sets utilized produce a similar shape for the price function, confirming that the relationship is not monotonic.
9. Empirical analyses of the two data sets indicate that the problems of using appraisal data instead of actual sales data are not likely to be serious. For the 661 actual sales data obtained, their companion MCAD appraised values were also available. Using those observations, the ratio of the logs of appraisal values to sales prices were regressed on housing characteristics and distance to TCID producing a very low R-squared ($R^2 = 0.0069$), F-statistic ($F = 0.38$), and t-statistics on all of the explanatory variables (all the t-statistics are below 1 in absolute terms). While other specifications indicate somewhat higher R-squares; in general, the results indicate there is very little systematic pattern in appraisal value measurement error across relevant variables of interest.
10. We wished to limit the size of the control area, however, to minimize any need to have to control for other factors within the housing market that might be influencing values.
11. This change was totally consistent with the analysis of the sales data in that no impact was found beyond 3 miles.
12. For Data Set 1 the distance dummy variables are defined in terms of miles as follows: $D1 < 1.5$; $1.5 < D2 < 2.0$; $2.0 < D3 < 2.5$; $2.5 < D4 < 3.0$; $D5 > 3.0$. For Data Set 2 they are defined as: $D1 < .75$; $.75 < D2 < 1.0$; $1.0 < D3 < 1.25$; $1.25 < D4 < 1.5$; $1.5 < D5 < 2.0$; $2.0 < D6 < 2.5$; $D7 > 2.5$.
13. While prices within the closest range in Table 2 are higher than prices in the closest range in Table 3, this is not necessarily contradictory, since both the ranges and the control distance are different in the two empirical exercises.

Southwestern Economic Review



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

DATE: June 30, 2020

TO: Jason Jaggi

FROM: Glenn Eidman, Chief of Police

SUBJECT: QT Plan Area Crime Request

Mr. Jaggi,

The calls for service from Circle K, 11077 Olive, Mobil, 11109 Olive, Petromart, 767 N. New Ballas, BP, and 1 S. Lindbergh for the last five years are shown below. The categories are outlined by our CAD System (Computer Aid-Dispatching). The demographics of the gas/convenience stores are a little different and vary in the way they are sitting on the respective properties.

- The Petromart has had some issues with traffic congestion getting out of the business onto Ballas.
- Circle K and Mobil are at an intersection that is controlled by an electric signal.
- BP doesn't have any traffic issues and is the easiest to get into and out of.

The police department has not had any particular issues with any of these businesses and are call responsive as well as being proactive to ensure the customers, visitors, and citizens feel safe. The CAD entries also reflect proactive patrols by the police officers as well as getting out of their patrol cars and walking through the business itself, around the perimeter, and through the parking areas.

Should a further explanation of the data be needed, please feel free to contact me.



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

	CIRCLE K 11077 Olive		MOBIL 11109 Olive		PATROMART 767 N New Ballas		BP 1 S Lindbergh	
	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls
Jan	Assault	1	Assist Citizen	2	Abandoned Vehicle	1	Assist FD	1
	Assist Citizen	3	Disturbance	1	Assault	2	Burglary Alarm	1
	Disturbance	4	Keep the Peace	1	Assist Citizen	3	Check Welfare	1
	DWI	1	Stealing	1	Assist FD	1	Lock Out	1
	Property Damage	1	Stealing M/V	0	Burglary Alarm	1	Solicitor	1
	Stealing	1	Vehicle Crash	1	C&I Vehicle	1	Stealing	5
	Vehicle Crash	1	-	-	Check Welfare	1	Suspicious Vehicle	4
	-	-	-	-	Disturbance	2	Vehicle Crash	1
	-	-	-	-	DWI	2	-	-
	-	-	-	-	Drugs	2	-	-
	-	-	-	-	Fraud	3	-	-
	-	-	-	-	Hold Up Alarm	1	-	-
	-	-	-	-	Juvenile Violation	1	-	-
	-	-	-	-	Lock Out	1	-	-
	-	-	-	-	Property Damage	1	-	-
	-	-	-	-	Sick Case	1	-	-
	-	-	-	-	Solicitor	2	-	-
	-	-	-	-	Stealing	13	-	-
	-	-	-	-	Suspicious Person	2	-	-
	-	-	-	-	Suspicious Vehicle	1	-	-
	-	-	-	-	Traffic Hazard	1	-	-
	-	-	-	-	Vehicle Crash	4	-	-
Feb	Check Welfare	2	Assist Citizen	1	Abandoned Vehicle	1	Abandoned Vehicle	2
	Disturbance	1	Found Property	1	Assist Citizen	2	Check Welfare	2



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

	CIRCLE K 11077 Olive		MOBIL 11109 Olive		PATROMART 767 N New Ballas		BP 1 S Lindbergh	
	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls
	Sick Case	1	Fraud	1	Assist FD	1	Open Door	1
	Solicitor	1	Lock Out	0	Check Welfare	1	Property Damage	1
	Stealing	3	Stealing	3	Disturbance	2	Stealing	7
	Vehicle Crash	1	Suspicious Vehicle	0	Drugs	1	Suspicious Vehicle	1
	-	-	Vehicle Crash	3	Found Property	1	Vehicle Crash	1
	-	-	-	-	Fraud	1	-	-
	-	-	-	-	Lock Out	1	-	-
	-	-	-	-	Property Damage	1	-	-
	-	-	-	-	Sick Case	3	-	-
	-	-	-	-	Stealing	10	-	-
	-	-	-	-	Suspicious Mail	2	-	-
	-	-	-	-	Suspicious Person	3	-	-
	-	-	-	-	Suspicious Vehicle	1	-	-
	-	-	-	-	Trespassing	1	-	-
	-	-	-	-	Vehicle Crash	6	-	-
March	Abandoned Vehicle	1	Assist Citizen	1	Accidental Injury	1	Assist Citizen	1
	Assist Citizen	1	Assist FD	1	Assist Citizen	7	Burglary Alarm	1
	Check Welfare	1	Burglary Alarm	1	Assist FD	2	Check Welfare	1
	Disturbance	2	Check Welfare	2	C&I Vehicle	1	Property Damage	1
	ID Theft	1	Disturbance	1	Check Welfare	2	Stealing	13
	Stealing	6	Fraud	1	Disturbance	1	Suspicious Vehicle	1
	Vehicle Crash	1	Lost Property	0	Drugs	2	Vehicle Crash	1
	-	-	Property Damage	1	Flourishing	1	-	-
	-	-	Stealing	0	Found Property	3	-	-



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

	CIRCLE K 11077 Olive		MOBIL 11109 Olive		PATROMART 767 N New Ballas		BP 1 S Lindbergh	
	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls
	-	-	Stealing M/V	1	ID Theft	2	-	-
	-	-	Suspicious Person	2	Lock Out	1	-	-
	-	-	Traffic Hazard	1	Sick Case	1	-	-
	-	-	Trespassing	2	Solicitor	2	-	-
	-	-	-	-	Stealing	10	-	-
	-	-	-	-	Suspicious Person	2	-	-
	-	-	-	-	Suspicious Vehicle	5	-	-
	-	-	-	-	Trespassing	3	-	-
	-	-	-	-	Vehicle Crash	5	-	-
April	Assist Citizen	1	Assist Citizen	1	Abandoned Vehicle	1	Check Welfare	1
	Check Welfare	1	Stealing	3	Assault	1	Found Property	1
	Disturbance	1	Suspicious Person	0	Assist Citizen	5	Property Damage	1
	Lost Property	1	Suspicious Vehicle	4	Check Welfare	3	Stealing	3
	Parking Violation	1	-	-	Disturbance	6	Stealing M/V	1
	Stealing	2	-	-	Lock Out	1	Suspicious Vehicle	3
	Suspicious Person	1	-	-	Sick Case	2	Vehicle Crash	1
	Suspicious Vehicle	1	-	-	Solicitor	2	-	-
	Towed Vehicle	1	-	-	Stealing	11	-	-
	Vehicle Crash	3	-	-	Suicide Attempt	1	-	-
	-	-	-	-	Suspicious Person	1	-	-
	-	-	-	-	Suspicious Vehicle	3	-	-
	-	-	-	-	Trespassing	2	-	-
	-	-	-	-	Vehicle Crash	7	-	-



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	CIRCLE K 11077 Olive		MOBIL 11109 Olive		PATROMART 767 N New Ballas		BP 1 S Lindbergh	
	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls
May	Check Welfare	3	Check Welfare	2	Accidental Injury	1	Assault	1
	Disturbance	3	Domestic Assault	1	Assist Citizen	4	Assist Citizen	1
	Found Property	1	Harassment	1	C&I Vehicle	1	Assist FD	1
	Stealing	4	Lock Out	1	Check Welfare	2	Disturbance	1
	Suspicious Person	3	Stealing	1	Disturbance	1	Drugs	1
	Vehicle Crash	5	Stealing M/V	1	Drugs	2	Found Property	1
	-	-	Suspicious Person	2	DWI	1	Fraud	1
	-	-	Suspicious Vehicle	1	Found Property	1	Lost Property	1
	-	-	-	-	Keep the Peace	1	Property Damage	1
	-	-	-	-	Solicitor	1	Sick Case	1
	-	-	-	-	Stealing	8	Stealing	5
	-	-	-	-	Stealing M/V	2	Suspicious Person	2
	-	-	-	-	Suspicious Person	5	Suspicious Vehicle	7
	-	-	-	-	Suspicious Vehicle	4	Vehicle Crash	1
	-	-	-	-	Vehicle Crash	5	-	-
Jun	Animal Complaint	1	C&I Vehicle	1	Assist Citizen	5	Assist Citizen	3
	C&I Vehicle	1	Suspicious Vehicle	1	Assist FD	1	Check Welfare	1
	Disturbance	5	-	-	C&I Vehicle	1	Stealing	8
	Robbery	1	-	-	Check Welfare	3	Suspicious Person	2
	Sick Case	1	-	-	Disturbance	2	Vehicle Crash	3
	Stealing	7	-	-	Fraud	2	-	-
	Steal from vehicle	1	-	-	Property Damage	2	-	-



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	CIRCLE K 11077 Olive		MOBIL 11109 Olive		PATROMART 767 N New Ballas		BP 1 S Lindbergh	
	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls
	Suspicious Person	2	-	-	Sick Case	2	-	-
	Vehicle Crash	1	-	-	Stealing	7	-	-
	-	-	-	-	Stealing M/V	1	-	-
	-	-	-	-	Suspicious Mail	1	-	-
	-	-	-	-	Suspicious Person	2	-	-
	-	-	-	-	Vehicle Crash	10	-	-
July	Animal Complaint	1	Abandoned Vehicle	1	Assist Citizen	7	Abandoned Vehicle	1
	Assist Citizen	2	Assist Citizen	2	Assist FD	1	Check Welfare	2
	Disturbance	6	Burglary Alarm	6	Check Welfare	1	Disturbance	1
	Lock Out	1	Juvenile Violation	1	Disturbance	2	Lock Out	2
	Stealing	4	Stealing	2	DWI	1	Stealing	11
	Suspicious Person	1	Suspicious Person	3	Drugs	2	Suspicious Vehicle	3
	Suspicious Vehicle	1	Suspicious Vehicle	2	Fraud	1	Trespassing	1
	Vehicle Crash	1	Vehicle Crash	3	Found Property	1	Vehicle Crash	2
	-	-	-	-	Lock Out	1	-	-
	-	-	-	-	Lost Property	1	-	-
	-	-	-	-	Property Damage	1	-	-
	-	-	-	-	Sick Case	1	-	-
	-	-	-	-	Stealing	16	-	-
	-	-	-	-	Stealing M/V	1	-	-
	-	-	-	-	Suspicious Person	2	-	-
	-	-	-	-	Suspicious Vehicle	2	-	-
	-	-	-	-	Towed Vehicle	1	-	-
	-	-	-	-	Trespassing	1	-	-
	-	-	-	-	Vehicle Crash	6	-	-



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	CIRCLE K 11077 Olive		MOBIL 11109 Olive		PATROMART 767 N New Ballas		BP 1 S Lindbergh	
	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls
Aug	Abandoned Vehicle	1	Assist Citizen	2	Abandoned Vehicle	2	Assist FD	1
	Disturbance	2	Burglary Alarm	3	Assist Citizen	3	Check Welfare	1
	Sick Case	1	Disturbance	1	C&I Vehicle	1	Found Property	1
	Stealing	1	Sick Case	1	Check Welfare	2	Keep the Peace	2
	Suspicious Vehicle	1	Stealing	1	Disturbance	3	Lost Property	1
	Towed Vehicle	1	Vehicle Crash	1	Drugs	1	Recovered Vehicle	2
	Traffic Hazard	1	-	-	DWI	3	Stealing	6
	Vehicle Crash	1	-	-	Found Property	1	Suspicious Vehicle	4
	-	-	-	-	Harassment	1	Vehicle Crash	3
	-	-	-	-	Juvenile Violation	1	-	-
	-	-	-	-	Lock Out	1	-	-
	-	-	-	-	Sick Case	2	-	-
	-	-	-	-	Solicitor	3	-	-
	-	-	-	-	Stealing	16	-	-
	-	-	-	-	Stealing M/V	1	-	-
	-	-	-	-	Suspicious Person	3	-	-
	-	-	-	-	Suspicious Vehicle	3	-	-
	-	-	-	-	Traffic Hazard	1	-	-
	-	-	-	-	Vehicle Crash	5	-	-
Sept	Assault	1	Accidental Injury	1	Abandoned Vehicle	1	Assist Citizen	3
	Open Container	1	Burglary Alarm	1	Assault	1	Burglary	1
	Stealing	2	Lock Out	2	Assist Citizen	7	C&I Vehicle	1
	Suspicious Person	3	Stealing	2	Check Welfare	4	Found Property	1
	-	-	Suspicious Person	1	C&I Vehicle	1	Harassment	1



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

	CIRCLE K 11077 Olive		MOBIL 11109 Olive		PATROMART 767 N New Ballas		BP 1 S Lindbergh	
	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls
	-	-	Suspicious Vehicle	1	Disturbance	2	Property Damage	1
	-	-	Vehicle Crash	1	Fraud	2	Sick Case	1
	-	-	-	-	Lock Out	1	Stealing	6
	-	-	-	-	Sick Case	3	Suspicious Mail	1
	-	-	-	-	Solicitor	1	Suspicious Vehicle	4
	-	-	-	-	Stealing	21	Vehicle Crash	2
	-	-	-	-	Suspicious Person	3	-	-
	-	-	-	-	Suspicious Vehicle	2	-	-
	-	-	-	-	Trespassing	1	-	-
	-	-	-	-	Vehicle Crash	5	-	-
Oct	Abandoned Vehicle	1	Assist Citizen	1	Abandoned Vehicle	2	Assist Citizen	2
	Assist Citizen	1	Burglary Alarm	1	Assault	1	Check Welfare	1
	Check Welfare	1	Check Welfare	2	Check Welfare	2	Disturbance	1
	Disturbance	1	Disturbance	1	Disturbance	2	Drugs	1
	Drugs	1	Solicitor	1	DWI	1	Sick Case	1
	DWI	1	Stealing	1	Found Property	1	Stealing	4
	Harassment	1	Suspicious Person	1	Fraud	1	Vehicle Crash	2
	Keep the Peace	1	Traffic Hazard	1	Lock Out	1	-	-
	Stealing	2	-	-	Lost Property	1	-	-
	Suspicious Person	1	-	-	Sick Case	3	-	-
	-	-	-	-	Solicitor	1	-	-
	-	-	-	-	Stealing	19	-	-
	-	-	-	-	Stealing M/V	2	-	-
	-	-	-	-	Suspicious Person	1	-	-
	-	-	-	-	Towed Vehicle	1	-	-



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

	CIRCLE K 11077 Olive		MOBIL 11109 Olive		PATROMART 767 N New Ballas		BP 1 S Lindbergh	
	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls
	-	-	-	-	Trespassing	2	-	-
	-	-	-	-	Vehicle Crash	6	-	-
Nov	Disturbance	2	Disturbance	1	Assist Citizen	2	Assist Citizen	1
	Stealing	1	Drugs	1	Assist FD	1	Check Welfare	3
	Suspicious Person	3	DWI	3	Check Welfare	2	Drugs	1
	Suspicious Vehicle	1	Property Damage	1	DWI	1	ID Theft	1
	Vehicle Crash	1	Stealing	3	Fraud	1	Robbery	1
	-	-	Suspicious Vehicle	1	Flourishing	1	Solicitor	2
	-	-	Traffic Complaint	1	Found Property	1	Stealing	7
	-	-	Vehicle Crash	1	Sick Case	1	-	-
	-	-	-	-	Solicitor	1	-	-
	-	-	-	-	Stealing	21	-	-
	-	-	-	-	Stealing M/V	1	-	-
	-	-	-	-	Suspicious Person	2	-	-
	-	-	-	-	Suspicious Vehicle	2	-	-
	-	-	-	-	Vehicle Crash	10	-	-
Dec	Accidental Injury	2	Check Welfare	1	Abandoned Vehicle	2	Assist Citizen	1
	Assist Citizen	2	Fraud	1	Assist Citizen	2	Disturbance	1
	Check Welfare	1	Harassment	1	C&I Vehicle	1	ID Theft	1
	Disturbance	1	Lock Out	1	Check Welfare	5	Lost Property	1
	Forgery	1	Stealing	6	Disturbance	1	Stealing	9
	Fraud	1	Vehicle Crash	1	Drugs	2	Suspicious Person	2
	Harassment	1	-	-	DWI	1	Suspicious Vehicle	4
	ID Theft	1	-	-	Forgery	0	Tampering	1



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

	CIRCLE K 11077 Olive		MOBIL 11109 Olive		PATROMART 767 N New Ballas		BP 1 S Lindbergh	
	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls	Type of Call for Service 2015-2020	# of Calls
	Sick Case	1	-	-	Found Property	1	Vehicle Crash	1
	Solicitor	1	-	-	Lost Property	1	Water Main Break	2
	Stealing	2	-	-	Missing Person	1	-	-
	Suspicious Person	4	-	-	Sick Case	1	-	-
	Suspicious Vehicle	1	-	-	Stealing	8	-	-
	Trespassing	2	-	-	Suspicious Person	4	-	-
	Vehicle Crash	1	-	-	Trespassing	1	-	-
	-	-	-	-	Vehicle Crash	3	-	-



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
#20-002 & #20-010: BOUNDARY ADJUSTMENT, SITE DEVELOPMENT
PLAN AND CONDITIONAL USE PERMIT FOR QUIKTRIP GAS STATION
WITH CONVENIENCE STORE AT 11004, 11026, AND 11032 OLIVE
BOULEVARD AND 825 AND 827 GRAESER ROAD, AND THE
REDEVELOPMENT OF THE ADJACENT RETAIL CENTER
AT 11032 AND 11056 OLIVE BOULEVARD**

FOR THE MEETING OF: Monday, June 15, 2020 at 6:30 PM

LOCATION: 11004, 11026, 11032 and 11056 Olive Boulevard, and 825 and 827 Graeser Road, zoned GC-General Commercial District

REQUEST: Gwen Keen, Real Estate Project Manager, QuikTrip Corporation, has submitted an application for a Conditional Use Permit and Site Development Plan at 11004, 11026, 11032 and 11056 Olive Boulevard and 825-827 Graeser Road, for a new gas station with convenience store, that includes the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard. Gasoline Stations with Convenience Stores (NAICS 447110) require a conditional use permit in the GC-General Commercial District subject to a public hearing and recommendation of the Planning and Zoning Commission with final approval by the City Council.

ADDITIONAL INFORMATION: The properties at 11004 and 11026 Olive Boulevard were originally developed in 1963 and the properties at 11032 and 11056 Olive Boulevard were developed in 1966-1967 and contain pre-existing non-conformities. The properties at 825 and 827 Graeser Road were included in the commercial district along with the properties on Olive Boulevard in the earliest available zoning map of 1966.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request meet with the minimum standards of the GC-General Commercial district?
- Is the request consistent with the required standards for a conditional use permit?

Creve Coeur 2030

- East Olive Corridor Neighborhood Commercial District

Zoning Code References

- Section 405.210: Regulation of Uses, Table A
- Section 405.360 GC-General Commercial District
- Section 405.470 Conditional Uses

APPLICANT: Gwen Keen
Real Estate Project Manager
QuikTrip Corporation
2255 Bluestone
St. Charles, MO 63303

PROPERTY OWNER: Thomas A. Stern
BG Olive & Graeser LLC
Forsyth Investments LLC
150 N. Meramec Ste 500
St. Louis, MO 63105



REPORT PREPARED BY: Jason Jaggi, Director of Community Development, and Whitney Kelly, City Planner
DATE: 6/12/2020
ATTACHMENTS: Applicant's Updated Materials Received June 11, 2020 and June 12, 2020 Revised Retail Building Elevations
Response Letter from City's Traffic Consultant, GBA

Packet Pg. 163

The Applicants have also submitted revised Retail Building elevation that show the screening of the mechanical roof-top equipment at the rear, as recommended in the prior Staff Report.

Fuel Truck Movements and Traffic Impact Study Update from CBB

The letter from CBB in the attached materials provides for additional exhibits on the truck movements near and within the site. QT has also indicated that they will have the fuel trucks and larger tractor trailer truck only access the site from Olive and Graeser, and not to go south of the site on Graeser Road. The Applicants have indicated that the baseline current numbers, include full leasing of the retail center, as well as full occupancy of the former HBE office building. The traffic study also used trip forecasts with the current “Gen 3” convenience stores and their offerings.

The updated models on Tables A-C on Page 4 of the CBB report show that with the mitigation methods required by MoDOT the wait times are generally improved for both Graeser and Dautel – albeit at the expense of the wait times for the average car on Olive. Please refer to the attached response letter from the City’s traffic consultant, GBA regarding the additional information provided by CBB. GBA will be in attendance at the meeting to answer any traffic impact questions from the Commission.

According to information provided by QT and CBB, they have adjusted the curb radius to better accommodate a turning truck. The Applicant has indicated a willingness to work with the City on scheduling the deliveries of the trucks to avoid rush hour/peak times. The Commission should discuss any further questions regarding deliveries with the Applicant.

Location of the Graeser Road Entrance/Curb Cut

The site development plans submitted on May 11th, show that the proposed Graeser entrance curb cut is located between the two existing driveways for 825 and 827 Graeser Road, reducing the three curb cuts into one. CBB’s letter indicates that this location aids in the traffic impacts. Staff would note that it is considered a best practice to locate vehicular access points furthest from the intersection as possible and this appears to be the case with this proposal.



Figure 2: Close-up of the Preliminary Demo Plan showing the location of the new entrance with the existing curb cuts, and the GIS image of the existing area.

Sidewalk Extension from the property line to Martin Grove Lane

Below is the image from the City’s GIS which shows there is sufficient right-of-way to extend the sidewalk from the QT property southward to the existing Martin Grove Lane sidewalk and to the existing crosswalk

An aerial photograph of a residential neighborhood. Yellow lines delineate individual property parcels. A prominent red line, likely representing a utility easement or boundary, runs vertically through the center of the image. Several houses are visible, some with their addresses labeled: 11067 and 11003 on the left side, and 4, 5, 6, and 10805 on the right side. A road labeled 'GRANITE RD' runs vertically, and 'WINDFIELD POINTE LN' runs horizontally. A curved road at the bottom is labeled 'MARTIN GROVE LN'. The number '520' is also visible in the upper left area.

Packet Pg. 165

In summary, the school district Transportation Director did not express a concern that this project would cause a review of the bus stop locations. Nonetheless, there is the ability to make adjustments initiated by the school district's annual review process or by a request from a parent.

Police Information—Calls for Service

Staff has contacted the Police Department to request calls for service for the existing gas stations and convenience stores in Creve Coeur. The Police Department has confirmed that they will provide the information; however it has not been received. Staff will provide this information for review by the Commission at the next meeting.

Comprehensive Plan

The Commission requested additional information on the comprehensive plan review with respect to this project based on comments from the public. As background, the comprehensive plan serves as a guide for land use decisions and is adopted by the Planning and Zoning Commission. The City utilizes the recommendations in the plan to evaluate land use applications. The City also uses other guiding documents such as the Design Guidelines to review project applications. The zoning ordinance plays a different role, in that, the requirements for development are more specific and must be met. The applicant must demonstrate through their plans and other application materials that compliance with the zoning code is being met. If the proposal does not meet the requirements of the zoning ordinance, a variance would need to be reviewed and approved by the City's Board of Adjustment. The zoning ordinance takes into account the recommendations provided by the comprehensive plan and is the primary mechanism local governments use to implement the plan. As discussed at the prior meeting, an overlay zoning district specific to the East Olive corridor to implement the recommendations of the comprehensive plan remains under review by the Commission and staff.

Staff's prior analysis regarding this application's consistency with the comprehensive plan can be found on Pages 4-5 of the June 1st staff report. Staff will be available at the meeting to discuss any questions from the Commission regarding the review of the comprehensive plan's recommendations that relate to this proposal.

RECOMMENDATION AND ACTION

The Commission should hear from the Applicant on the revised information and provide further direction to staff and/or the applicant. The City's traffic consultant will be present at the meeting to answer questions with respect to the traffic impacts. Below are the list of items from the previous Staff Report, including the discussion on carrying the sidewalk down to Martin Grove Lane:

- Updated Boundary Adjustment Plat, Site Development Plans, and Landscape Plans that correspond and include the corrected information and site data table.
- "Demo" Plan seems to be a mislabeled, as it is showing existing and proposed development.
- The Site Plan should maintain or enlarge the existing greenspace and remove the two parking spaces proposed at the southwest corner along Olive Boulevard
- Placement of the fence at the property line adjacent to residents or further inward with the proposed landscaping on the resident side.
- Revise the landscape plan to show plantings adjacent to the building and at the corner of Olive Boulevard and Graeser Road.
- Incorporate additional design elements for the buildings including carrying the stone all the way around the side tower elements and adding brick and/or stone for the full length of the canopy columns for the QT component and add screening of the rooftop mechanical units to the rear of the retail building.
- A reciprocal parking and drainage agreement to be reviewed by the City Attorney and recorded prior to the issuance of Building Permits.
- Extending the sidewalk down to Martin Grove Lane.

After deliberations if the Commission members believe that the proposal represents a development in keeping with the Comprehensive Plan, meets the development standards of the zoning ordinance, including the conditional use requirements and those specific to gas stations, and significantly follows the Design Guidelines, it would be appropriate to direct staff to prepare a draft ordinance to incorporate the suggested conditions for review at the next meeting.

MOTION

At this time, the Commission should hear from the Applicants and provide direction on the items above, as well as provide Staff with recommended follow-up items for consideration to incorporate into a draft ordinance for the July 6th Planning and Zoning Commission. Below is a recommended motion to continue:

“I move to continue Application #20-002 & #20-010 for the boundary adjustment, site development plan and conditional use permit for QuikTrip gas station with convenience store at 11004, 11026, and 11032 Olive Boulevard and 825 and 827 Graeser Road, and the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard to allow for the Applicant to revise the drawings based upon the discussion and direction from the Commission and drafting of an ordinance for consideration.”
(conditions may be added, eliminated, or modified).

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.

This aerial map displays a residential neighborhood with numerous lots and streets. A red dashed line outlines a specific area, and a blue shaded area highlights a cluster of lots. The map includes labels for streets such as Olive Blvd, Chase Park Ln, and Winfield Pointe Ln. The lots are numbered, and the map shows the layout of the neighborhood, including the intersection of Olive Blvd and Chase Park Ln.



Prepared By: HORNER & SHIFFRIN



ST. LOUIS DIVISION
 2255 Bluestone Drive
 St. Charles, Missouri 63303
 636-916-5706
 FAX: 636-916-5731

June 11, 2020

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

RE: Responses to Planning & Zoning Commission Comments & Questions
 Proposed QuikTrip #613

Dear Ms. Kelly,

Thank you for providing a list of comments and questions from the Planning & Zoning Commission on June 4, 2020 and participating in our follow up meeting the same day to clarify which items will be addressed by the city staff and which items QuikTrip should address. I have attached a letter from CBB with the items Lee Cannon responded to our on behalf. Below are the items I have responded to directly.

Material samples

- These have been delivered to City Hall and a color pdf has been provided as well

Timing of the Redevelopment of the Retail Center

- QuikTrip was required to purchase 5 parcels from the current owner which encompassed both retail centers for this location. Currently we have all 5 of those parcels under contract. QuikTrip then sought out options for the "surplus" property and found an investor who wanted to purchase and update the retail center on the remaining property. The property is currently under contract with the Bruce Development Company. We originally submitted 2 applications with the city for the CUP and site plan approvals, as well as, an application for a new plat to be approved. The plat submitted, and currently under review, shows the 5 parcels to be reconfigured into 2 parcels. At the request of the city staff, we kept everything under 1 application in order to keep continuity of the 2 parcels being developed. As it stands currently, because of the shared improvements – landscaping, light poles, pavement, etc – it is the intention for the QuikTrip construction and the retail center update to begin concurrently or within weeks from one another.

Timing of deliveries & restriction of trucks from going south on Graeser

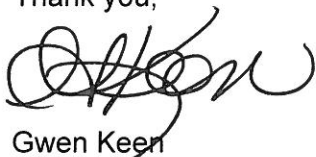
- The 2 largest vehicles from which this QuikTrip location will receive deliveries are the fuel tanker and the QTD tractor trailer, both of which QuikTrip has control over the delivery route and timing. We will work with the city to develop timeframes for the safe and secure utilization of these vehicles. These trucks will be directed to access this site via Olive, or Olive to Graser only.

Extending the right turn lane along the east side of Graser

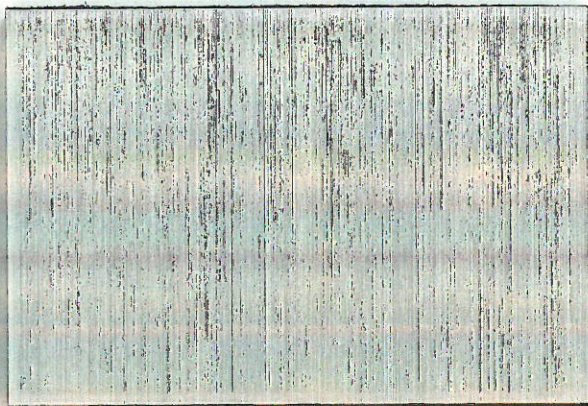
- CBB has indicated it is questionable whether or not extending the right turn lane on Graeser will be necessary. QuikTrip is agreeable to establishing an agreement and escrow for further evaluation of this road work after the QuikTrip is open and traffic patterns have normalized to determine how often and to what level these conditions materialize.

If any additional information or documents are needed, please feel free to contact me at (636) 627-0003, or gkeen@quiktrip.com.

Thank you,

A handwritten signature in black ink, appearing to read 'Gwen Keen', with a stylized, cursive script.

Gwen Keen
Real Estate Project Manager
QuikTrip Corporation



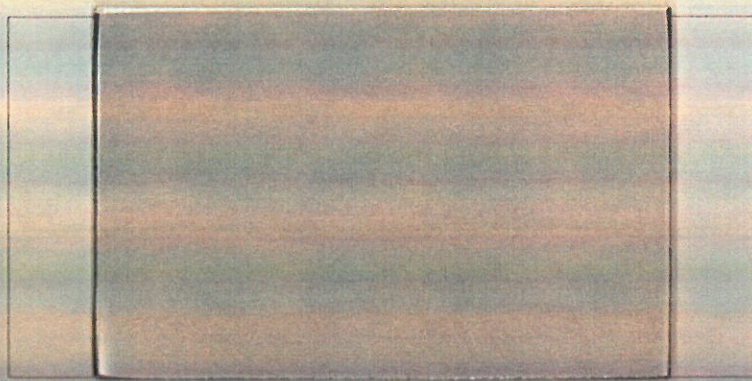
HLZ Hairline Silver - Alpolic
Building Cornice/Gas Canopy Fascia



Polypro 95 Mesh - Black
Trash Enclosure/Mechanical Screen



QT BROWN Metal Paint -
Light Poles/Coping



Aluminum - Kawneer
Entry Door/Window Frame



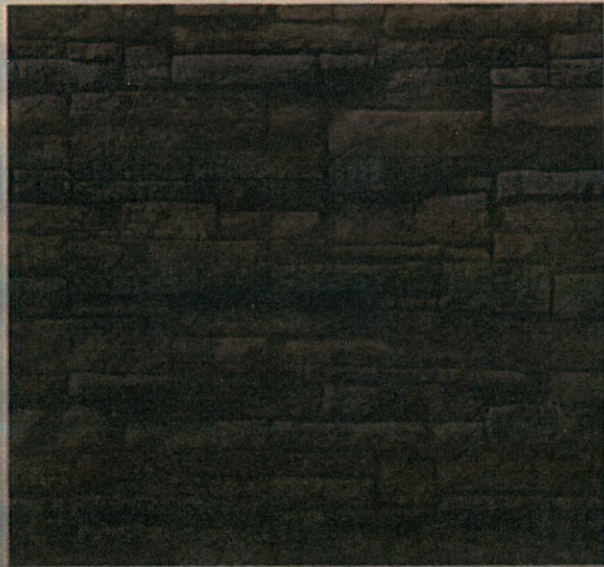
Material Samples # 613
Oliver & Graeser
Creve Coeur, MO
Convenience Store with Fuel
Prepared by: QuikTrip 01.29.20



3M 5674 Red -
Accent Band/Awning



Interstate Brick - Building/Canopy Columns



Stacked Stone - ~~Landmark Stone~~ **Sonoma Stone**
GLEN-GERY - Building Columns
Physical Sample to be provided by Manufacturer



Interstate Brick - Building/Canopy Columns

June 11, 2020

Ms. Gwen Keen
 Real Estate Project Manager
 QuikTrip Corporation
 2255 Bluestone Drive
 St. Charles, Missouri 63303

RE: Response to Planning and Zoning Commission Comments and Questions
 Proposed QuikTrip #613 Gas Station and Convenience Store
 Southwest Quadrant of Olive Boulevard at Graeser Road/Dautel Lane
 Creve Coeur, Missouri
 CBB Job No. 29-2018-28

Dear Ms. Keen:

In response to the issues raised by the City's Planning and Zoning Commission as compiled by City Planning staff, I have prepared the following additional material:

1. Fuel tanker and other delivery truck movements
 - o CBB has reviewed the Autoturn vehicle path diagrams prepared by CDI (attached) which include a Fire Truck, WB40 Fuel Tanker and WB50 Tractor Trailer. We find all of those paths common and acceptable.
 - o As mentioned by you, the fuel tanker is expected at this site two or three times every four days (one tanker every 1.5 to 2 days on average)
 - o In order to more easily accommodate the larger trucks entering from Graeser Road as southbound right-turns, the northwest curb return radius has been increased to 32 feet.
 - o We agree that there is no need for trucks servicing this site to use Graeser south of the site driveway.
 - o Internal to the site, QT utilizes full-depth, concrete, rolled curbs which reduce damage on the site where large truck movements are present.
2. Graeser Road Curb Cut Location
 - o The relocation of the Graeser Road curb cut further from Olive Boulevard is a positive for traffic operations.



3. Information on Retail Building at full usage/parking counts
 - o The traffic study includes trips for the full occupancy of the retail.
 - o When CBB's original counts were made in August 2019, 15,444 SF of the existing retail space was occupied and generating trips, including the two restaurants.
 - o The remaining 15,024 SF retail center is smaller than the total tenant space occupied when counted.
 - o The site plan includes a code calculation for parking requirements which addresses the proposed QT and the revitalized retail center.
4. Extending sidewalk to Martin Grove
 - o There is already sidewalk along the entire length of the east side of Graeser Road and marked crossings at Olive Boulevard and Martin Grove. QT will add sidewalk along their frontage on the west side of Graeser Road. We do not believe that the proposed development directly creates the need for an extension beyond the site.
5. G3 Food Service on Traffic Impact
 - o The traffic study used trip forecasts which reflect the current Gen 3 stores and their offerings.
6. Stop signs at Olive (all red for pedestrian crossing)
 - o The pedestrian scramble phase (all vehicles see red signal indications) is typically used in Central Business Districts or on college campuses with heavy pedestrian levels throughout the day, crossing in all directions.
 - o CBB would not recommend a scramble at this intersection.
 - o It is also unlikely that MODOT would approve that timing configuration as it would significantly increase delays and queues for east-west through traffic along Olive Boulevard.
7. Status of MoDOT review with updated information on mitigation
 - o CBB informed MoDOT that QT has incorporated both of MoDOT's requirements on the site plan. We are awaiting their reply.
8. Extending Right turn lane
 - o CBB's Follow-Up Memo dated May 28, 2020 indicated that the traffic signal head change required by MODOT for Northbound Graeser Road will reduce the forecasted queues from 220 feet to 160 feet and thereby avoid blockage of the QT driveway which is located 190 feet south of Olive Boulevard. With the Northbound signal head change, none of the queue would be expected to block the QT driveway.
 - o In order to maintain access into the through/right-turn lane at all times, that second lane could be extended from its current 145 feet length to 160 feet or more. It is questionable whether or not this extension will be necessary based on the added QT traffic.



9. CBB to provide information on the impact of the traffic flow
 - o The existing counts, build (adding QT) and build with improvements (MoDOT required Northbound signal head change) levels of service (LOS), average delays and critical queue lengths are compared below in **Tables A, B and C** for the overall intersection and specifically for the Northbound Graeser Road approach during the three study peak hours.

We trust that you will find these additional responses useful. If additional information is desired, please feel free to contact me at 314-308-6547 or Lcannon@cbbtraffic.com.

Sincerely,

Lee Cannon, P.E., PTOE
Principal – Traffic Engineer

o



Table A: Traffic Operating Conditions – AM Peak Hour Comparison

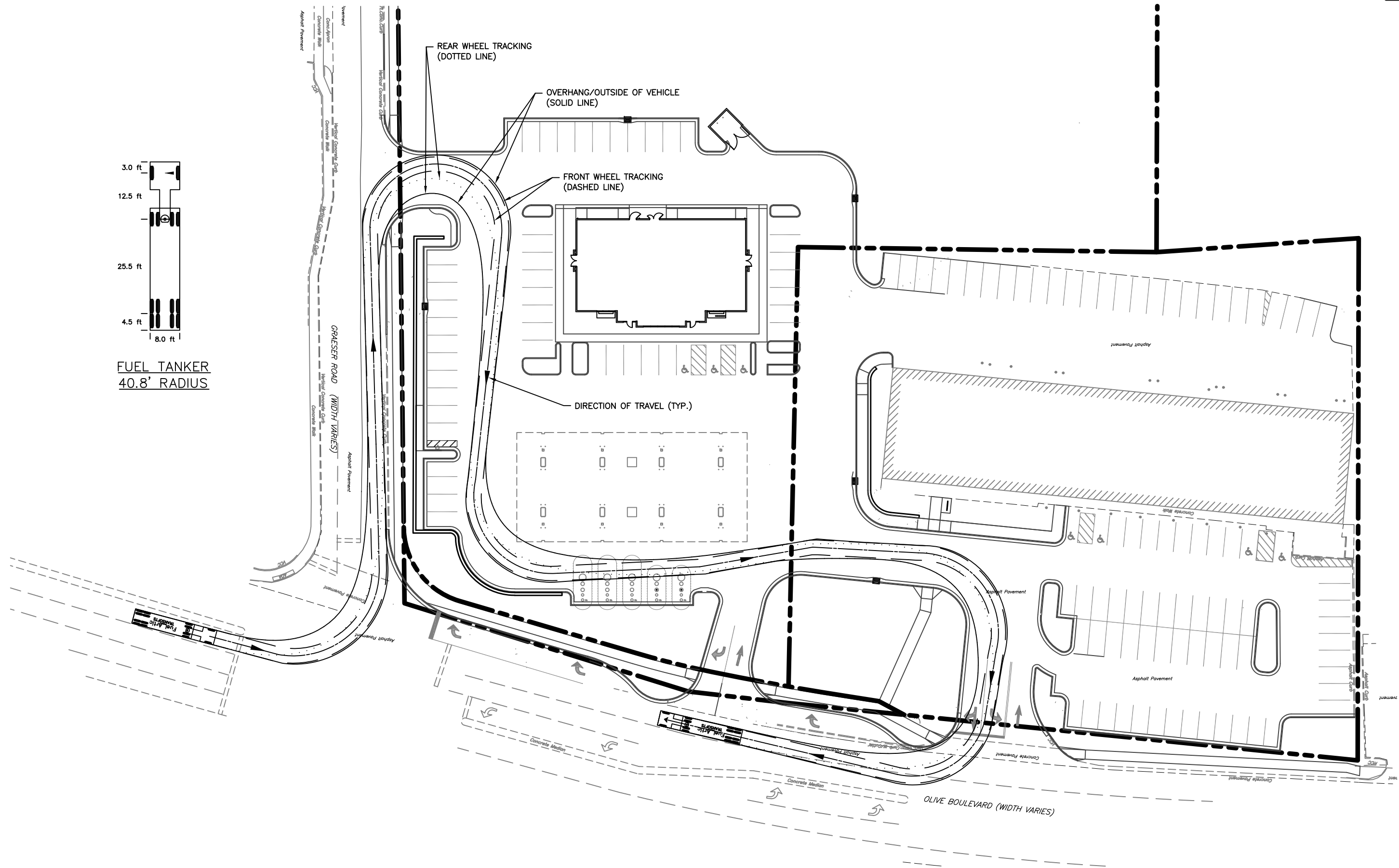
Intersection/Approach	AM Peak Hour		
	Existing Counts	2020 Build	2020 Build (NB P+P)
Olive Boulevard and Graeser Road/Dautel Lane (Signalized)			
Eastbound Olive Boulevard Approach	A (7.8)	B (12.8)	C (28.6)
Westbound Olive Boulevard Approach	B (17.0)	B (19.7)	C (26.1)
Northbound Graeser Road Approach	C (31.3)	E (60.3)	D (51.1)
95 th Percentile Left-Turn Queue	75'	180'	160'
Southbound Dautel Lane Approach	E (59.4)	D (45.8)	D (46.6)
Overall	B (15.2)	C (20.6)	C (29.9)

Table B: Traffic Operating Conditions – Midday Peak Hour Comparison

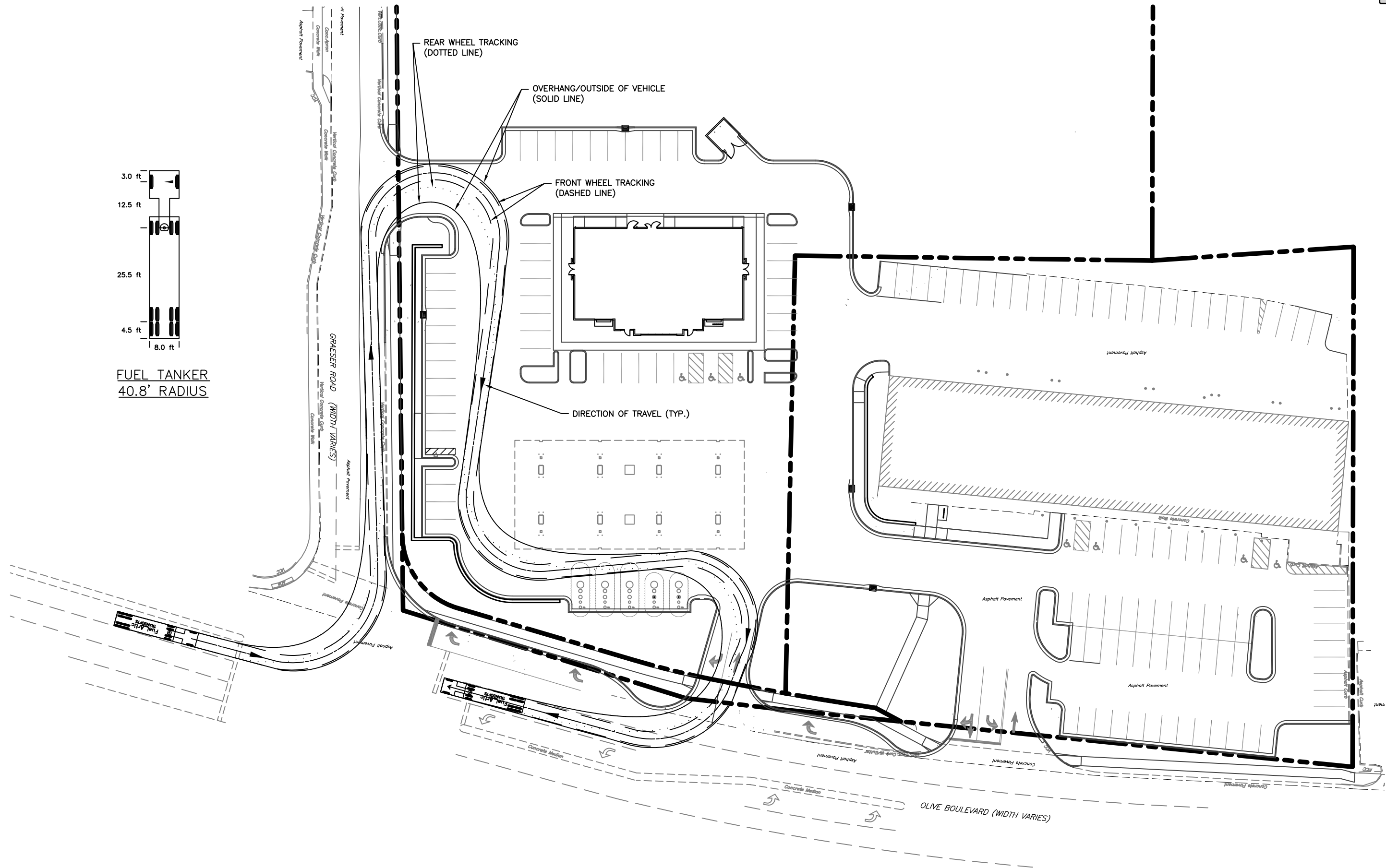
Intersection/Approach	AM Peak Hour		
	Existing Counts	2020 Build	2020 Build (NB P+P)
Olive Boulevard and Graeser Road/Dautel Lane (Signalized)			
Eastbound Olive Boulevard Approach	A (4.4)	A (7.6)	B (16.9)
Westbound Olive Boulevard Approach	B (12.6)	B (14.5)	C (21.9)
Northbound Graeser Road Approach	D (39.0)	D (52.4)	D (37.5)
95 th Percentile Left-Turn Queue	85'	160'	135'
Southbound Dautel Lane Approach	D (41.4)	C (34.9)	C (32.0)
Overall	B (11.7)	B (14.9)	C (21.2)

Table C: Traffic Operating Conditions – PM Peak Hour Comparison

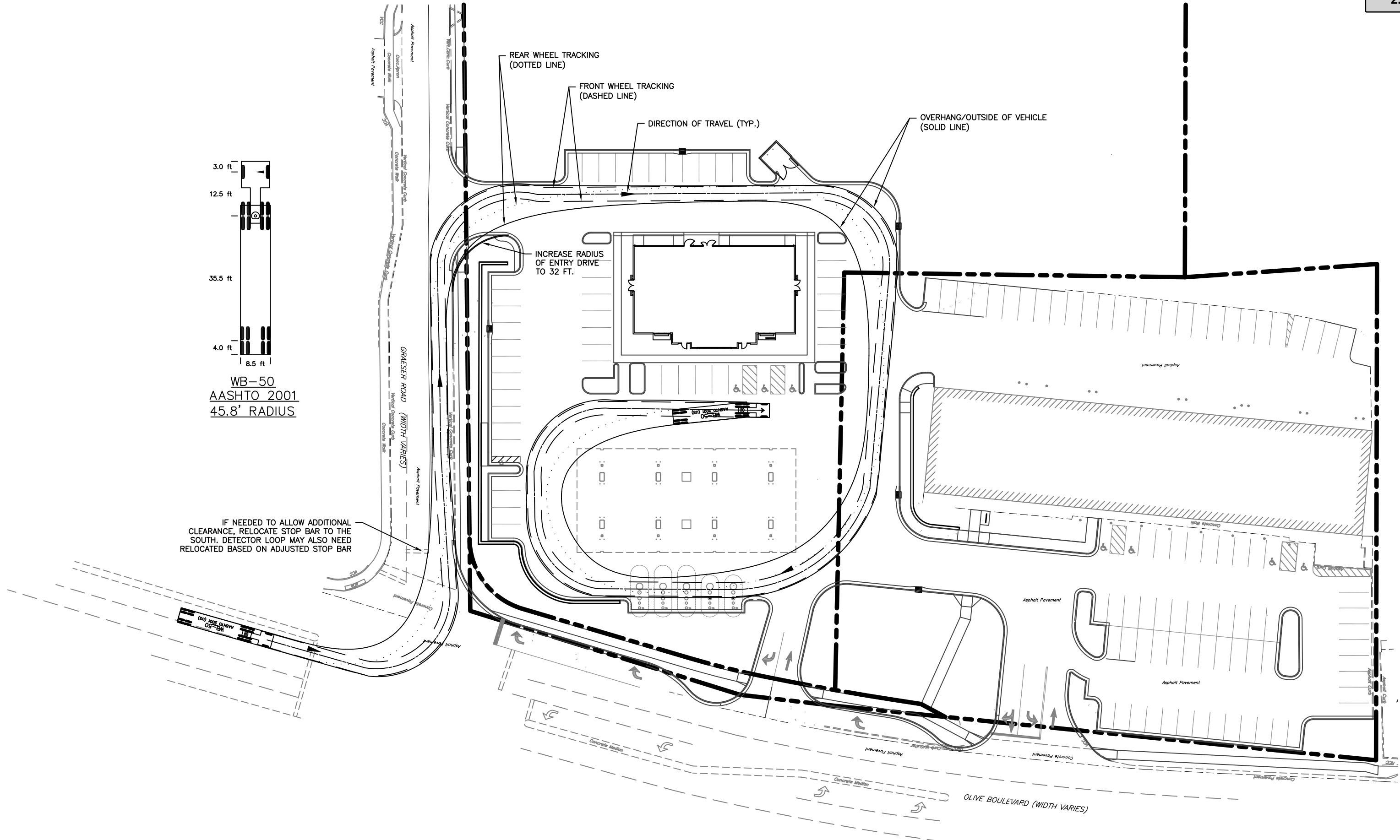
Intersection/Approach	AM Peak Hour		
	Existing Counts	2020 Build	2020 Build (NB P+P)
Olive Boulevard and Graeser Road/Dautel Lane (Signalized)			
Eastbound Olive Boulevard Approach	B (18.4)	C (22.0)	C (25.1)
Westbound Olive Boulevard Approach	B (14.2)	B (19.3)	C (24.1)
Northbound Graeser Road Approach	D (52.1)	E (71.4)	D (47.4)
95 th Percentile Left-Turn Queue	100'	220'	160'
Southbound Dautel Lane Approach	D (51.6)	D (41.9)	D (45.8)
Overall	B (19.3)	C (24.3)	C (26.8)



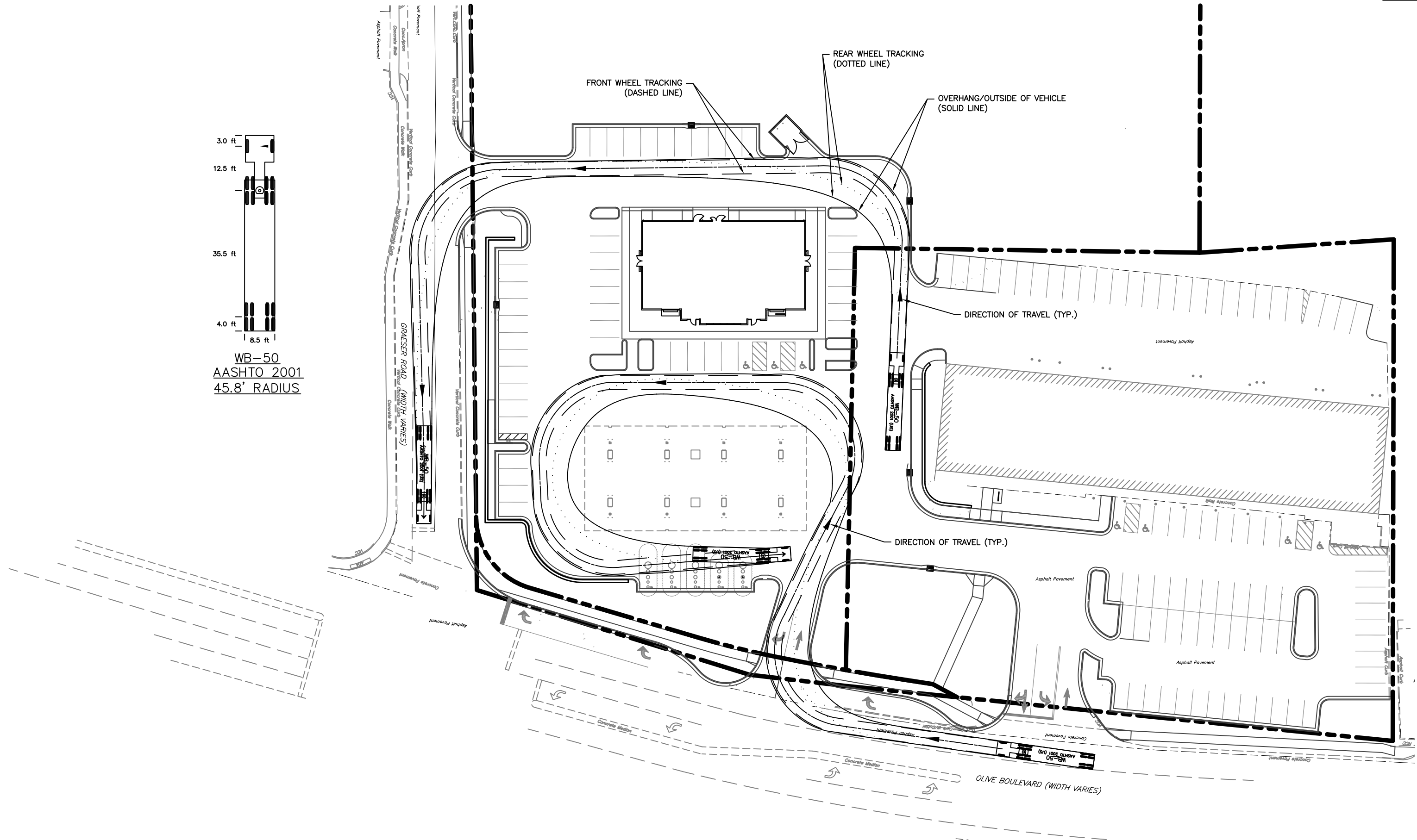
FUEL TANKER TRUCK MOVEMENT EXHIBIT



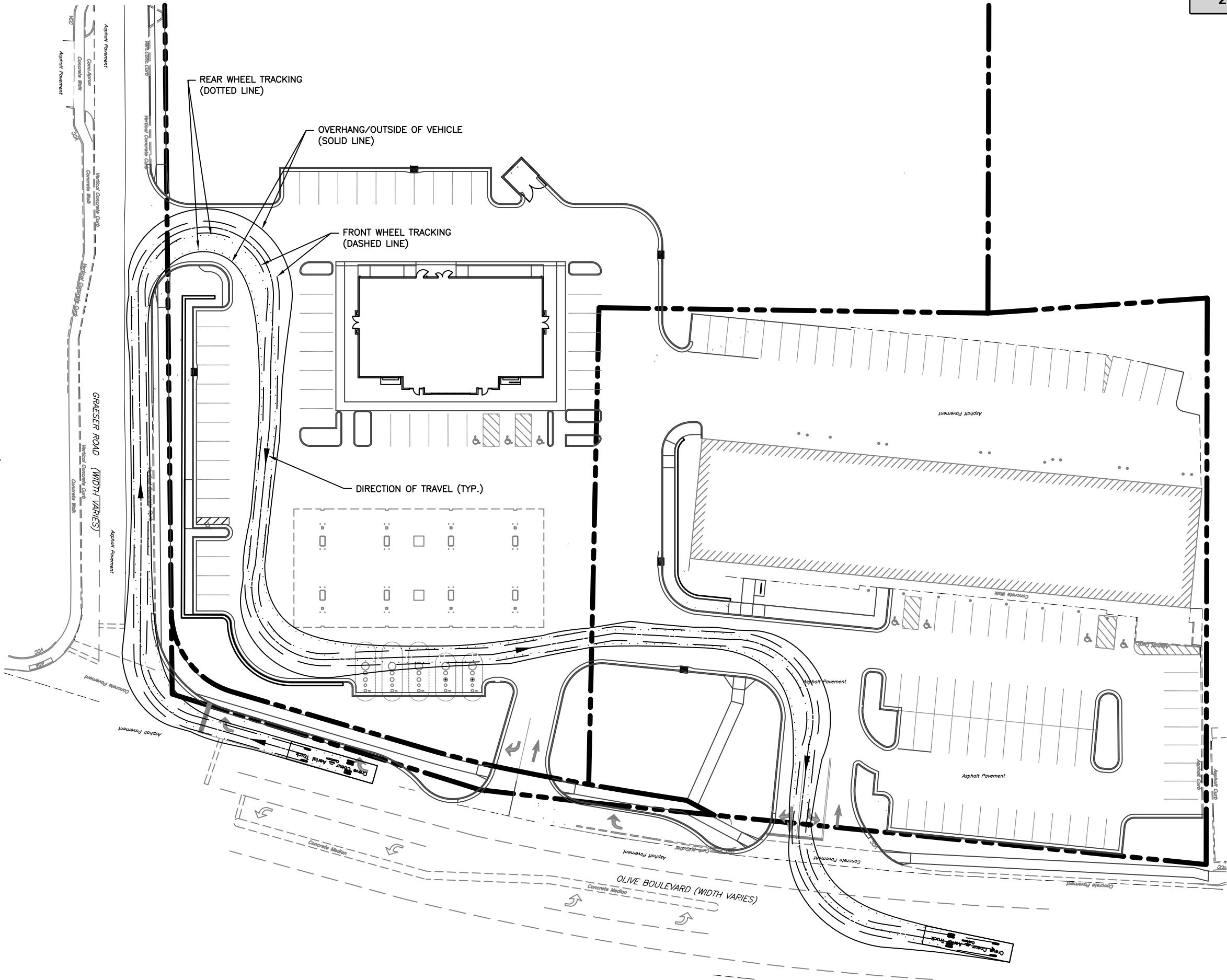
FUEL TANKER TRUCK MOVEMENT EXHIBIT



WB-50 DELIVERY TRUCK MOVEMENT EXHIBIT
W/ SITE MODIFICATIONS



WB-50 DELIVERY TRUCK MOVEMENT EXHIBIT
OLIVE ENTRY - GRAESER EXIT



CREVE COEUR FIRE TRUCK MOVEMENT EXHIBIT



16305 Swingley Ridge Road
Suite 300
Chesterfield, MO 63017

MEMORANDUM

To: Jason Jaggi, AICP (City of Creve Coeur)
From: J. Kyle Evans, P.E., PTOE
Mike Erdtmann, P.E.
Date: June 12, 2020
Subject: Proposed QuikTrip Development – CBB Response Memo dated 6/11/2020

As requested, GBA staff has completed a review of the *Response to Planning and Zoning Commission Comments and Questions* dated 6/11/2020 in relation to the Proposed QuikTrip #613 in the southwest quadrant of Olive Boulevard at Graeser Road/ Dautel Lane. The response memo was prepared by CBB Transportation Engineers and Planners.

With regards to Item 1: Fuel tanker and other delivery truck movements, GBA has reviewed the provided diagrams and findings statements and are in agreement on all points made. The revisions to the northwest curb return radius, as shown, accommodate the WB-40, WB-50 and Aerial Fire Truck turning movement paths.

With regards to Item 2: Graeser Road Curb Cut Location, GBA agrees with the statement that the relocation of the existing curb cut to the south improves the traffic operations between Olive Boulevard and the proposed site entrance. Relocating the drive south of its existing location provides additional storage space for northbound traffic thus reducing the potential for the through/right turn lane to be blocked.

With regards to Item 3: Information on Retail Building at full usage/parking counts, GBA agrees with the methodology and application of the existing traffic count volumes for the combined retail centers as a fair and accurate representation of the background trips associated with full occupancy of the retail center in the proposed site plan.

With regards to Item 4: Extending sidewalk to Martin Grove Lane, GBA agrees with the findings related to existing pedestrian access. Additionally, the extension of the sidewalk on the west side of Graeser Road would have significant impacts to the residential property abutting Graeser Road as shown in **Figures 1 and 2** on the following page.



Figure 1: Looking south along Graeser Road towards Martin Grove Lane



Figure 2: Looking north along Graeser Road from Martin Grove Lane

With regards to Item 5: G3 Food Service on Traffic Impact, GBA agrees with the methodology as presented in the original traffic impact statement. CBB utilized trip generation rates specifically related to existing QT stores within the St. Louis Region. The trip generation rates provided within the analysis show a higher volume of trips associated with the development as compared to utilization of the published ITE Trip Generation Manual Rate for a gas station with convenience store.

With regards to Item 6: Stop signs at Olive (all red for pedestrian crossing), GBA agrees with the response statements.

With regards to Item 7: Status of MoDOT review with updated information on mitigation, pending MoDOT response, GBA has no comments at this time.

With regards to Item 8, Extending Right turn lane on Graeser Road, GBA has reviewed the information provided by CBB with regards to the operations and queues associated with the implementation of the protected northbound left turn phase. The results provided from the Synchro analysis document the 95th percentile queue length. This value represents the calculated queue that has a 5% probability of being exceeded during the peak hour. On average, the queues associated with peak hour operations will be shorter in length. Pending approval and development of the site, GBA supports the developer's proposal of further evaluation of the operational impacts of queuing at this specific location between three and six months after the development opens and traffic patterns have normalized.

With regards to Item 9, CBB to provide information on the impact of the traffic flow, GBA has reviewed the information provided within Tables A, B and C. The tables highlight the improved operations along northbound Graeser Road at Olive Boulevard with the implementation of the protected/permitted left turn phase during the AM/PM/mid-day peak periods. The tables note the impacts to the operations of the other three approaches. Due to the increased delays (and associated queue lengths), GBA recommends that CBB compare the predicted eastbound queue lengths with respect to the retail center access location and if warranted, an R10-7 "Do Not Block Intersection" sign shall be installed west of the access location as part of the development.

cc: file

BUS ROUTE SUMMARY

2019 - 2020

Spoede

4-Sep-19

Route L004

8:15	4:10	EXECUTIVE ESTATES DR & LADUE RD
8:16	4:14	52 E LADUE ESTATES DR
8:17	4:15	LADUE ESTATES DR & S LADUE ESTATES DR
8:18	4:10	LADUE ESTATES DR & LADUE RD
8:20	4:18	MOSLEY HILL DR & N MOSLEY RD
8:21	4:19	HUNTERS POND RD & N MOSLEY RD
8:22	4:20	N MOSLEY RD & TUREEN DR
8:23	4:20	N MOSLEY RD & TRILANE
8:23	4:21	MOSLEY ACRES & N MOSLEY RD
8:24	4:22	MORWOOD LN & N MOSLEY RD
8:25	4:23	BENWOOD LN & N MOSLEY RD
8:26	4:24	OLIVE BLVD & RENEE LN
8:27	4:25	MARY MEADOWS LN & OLIVE BLVD
8:30		SPOEDE ELEMENTARY

Route L008

8:07	4:03	KINGSBROOK LN & N WARSON RD
8:07	4:05	FORSYTHIA LN & GRANDVIEW DR
8:09	4:07	OLIVETTE COMMUNITY CENTER
8:11	4:08	GREENERY LN & N WARSON RD
8:17	4:14	GUELBRETH LN & OLD OLIVE STREET RD
8:19	4:16	BEAU JARDIN DR & SANNOIS DR
8:20	4:18	10463 BRIARBEND DR 3
8:25	4:20	OLD OLIVE STREET RD & OLD OLIVE STREET Way
8:30	4:24	N SPOEDE RD & WILTON ROYAL DR
8:32	4:26	BARRE HAVEN DR & CHASE PARK LN
8:37		SPOEDE ELEMENTARY

Route L009

8:13	4:08	N LINDBERGH BLVD & N SUNSWEPT DR
8:14	4:10	FOXBROOK DR & SHADYBROOK DR
8:15	4:11	SHADYBROOK & QUAILWAYS DR
8:16	4:15	LAWRENCE DR & N LINDBERGH BLVD
8:18	4:18	DWYER AVE & SAVANNAH AVE
8:20	4:21	CONWAY RD & DWYER AVE
8:21	4:22	CHAPEL OAKS RD & CONWAY RD
8:23	4:24	BROWNWOOD DR & CONWAY RD
8:25	4:26	CONWAY RD & VOUGA LN
8:26	4:30	OAK GATE LN & S SPOEDE RD
8:28	4:31	GLEN ABBEY DR & S SPOEDE RD
8:30	4:33	CHAMINADE DR & S SPOEDE RD
8:35		SPOEDE ELEMENTARY

Route L010

8:06	4:04	LADUE CT & LADUE RD
8:07	4:05	COUNTRY FAIR LN & LADUE RD
8:08	4:07	LADUE RD & W WHITE BRIDGE LN
8:10	4:10	BROOKTRAIL CT & S GRAESER RD
		GRAESER RD & LADUE RD (STOP ON GREASER
8:12	4:12	BEFORE LADUE NEAR DRIVEWAY AT 110 GREASER)
8:14	4:14	E WINDRUSH CRK & GRAESER RD
8:15	4:15	FOURWYND DR & GRAESER RD
8:16	4:16	GRAESER RD & RIDGECORDE LN
8:17	4:17	GRAESER RD & THE KNOLLS LN
8:18	4:19	CHAMBRAY CT & GRAESER RD
8:20	4:21	CHALET CT & GRAESER RD
8:21	4:23	GRAESER RD & WEDGEWOOD LN
8:22	4:24	FARON HILL RD & GRAESER RD
8:23	4:25	GRAESER RD & WINFIELD POINTE LN
8:24	4:27	DAUTEL LN & GRAESER ACRES
8:24	4:28	DAUTEL LN & DAUTEL MANOR CT
8:25	4:30	DAUTEL LN & WELLSLEY CT
8:25	4:31	DAUTEL LN & LEIGHTON CT
8:30	4:33	DEAVER LN & OLIVE BLVD
8:31	4:35	OLIVE BLVD & SONA LN
8:32	4:36	LARKIN AVE & OLIVE BLVD
8:35		SPOEDE ELEMENTARY

Route L017

8:11	4:22	OLIVE BLVD & TOWER HILL CT
8:13	4:10	INDIAN MEADOWS DR & OLIVE VILLAGE CT
8:14	4:12	CROCKETT DR & INDIAN MEADOWS DR
8:15	4:13	CODY DR & CROCKETT DR
8:17	4:14	GRANDVIEW DR & MESA DR
8:18	4:16	MESA DR & PIONEER DR
8:19	4:17	LA JOLLA DR & PIONEER DR
8:20	4:18	HURON DR & PIONEER DR
8:22	4:19	GRANDVIEW DR & LA JOLLA DR
8:24	4:10	INDIAN CIRCLE DR & INDIAN MEADOWS DR
8:32		SPOEDE ELEMENTARY

BUS ROUTE SUMMARY**2019- 2020****Middle School**

27-Feb-20

Route L001

7:25	3:34	HILLTOP DR & OLIVE BLVD
7:27	3:35	CHISHOLM CT & HILLTOP DR
7:29	3:36	COMSTOCK CT & HILLTOP DR
7:30	3:37	CHICKASAW CT & HILLTOP DR
7:31	3:38	HILLTOP DR & IROQUOIS DR
7:34	3:39	ARROWHEAD DR & COCHISE DR
7:35	3:40	ALICE PL & MARGARET LN
7:39	3:31	N PRICE RD & STONELEIGH TOWERS
7:50		LADUE MIDDLE SCHOOL

Route L002

7:30	3:28	BONHOMME LAKE DR & OLIVE BLVD
7:32	3:30	KINGSBROOK LN & N WARSON RD
7:34	3:32	FORSYTHIA LN & GRANDVIEW DR
7:36	3:34	OLIVETTE COMMUNITY CENTER
7:39	3:35	GREENERY LN & N WARSON RD
7:40	3:37	N WARSON RD & STACY DR
7:42	3:38	CHERRI LN & N WARSON RD
7:42	3:39	KENTOM DR & N WARSON RD
7:43	3:40	LISA DR & WARSON DOWNS RD
7:44	3:41	COUNTRYSHIRE PL & N WARSON RD
7:47	3:42	FIELDING RD & N WARSON RD
7:50		LADUE MIDDLE SCHOOL

Route L003

7:15	3:25	LADUE RD & SALEM ESTATES DR
7:25	3:31	BON HILLS DR & N PRICE RD
7:26	3:32	BON PRICE LN & N PRICE RD
7:29	3:34	ALDAN DR & W VILLA AVE
7:30	3:35	ELKINGTON LN & W VILLA AVE
7:32	3:37	LOCUST LN & N PRICE RD
7:34	3:39	APPLESEED LN & OLIVE BLVD
7:35	3:41	INDIAN TRAILS DR & OLIVE BLVD
7:36	3:42	MAGNET DR & OLIVE BLVD
7:38	3:43	FRIESE DR & OLIVE BLVD
7:39	3:45	OLIVE BLVD & TOWER HILL CT
7:40	3:46	OLIVIER LN & OLIVE BLVD
7:41	3:47	BASSWOOD LN & OLIVE BLVD
7:50		LADUE MIDDLE SCHOOL

Route L009

7:22	3:26	HACIENDA DR & RIO VISTA DR
7:23	3:27	GRANADA WAY & HACIENDA DR
7:24	3:28	BRAZILLIAN CT & HACIENDA DR
7:25	3:30	LADUE RD & TERRY LN
7:27	3:31	DIELMAN RD & WICKERSHAM LN
7:28	3:32	170 DIELMAN RD
7:28	3:32	DIELMAN RD & SUNNY MEADE
7:29	3:33	DIELMAN RD & THE ORCHARDS LN
7:31	3:34	COVINGTON LN & COVINGTON RD
7:33	3:35	N COVINGTON MEADOW RD & ROMANY PARK LN
7:35	3:37	DIELMAN RD & FAIRWINDS CT
7:37	3:38	DIELMAN RD & BRIARCLIFF
7:39	3:40	BRIARCLIFF & LADUE RD
7:41	3:42	LADUE RD & OAKLEIGH LN
7:42	3:43	FORDYCE LN & LADUE RD
7:45	3:44	LADUE RD & WOODCLIFFE RD
7:50		LADUE MIDDLE SCHOOL

Route L004

7:30	3:23	N SPOEDE RD & RAMBLEWOOD LN
7:31	3:24	N SPOEDE RD & SPOEDE GRV
7:31	3:25	MISSION HILLS CT & N SPOEDE RD
7:32	3:26	N SPOEDE RD & SPOEDE WOODS
7:33	3:27	COLONIAL HILLS PKWY & N SPOEDE RD
7:33	3:28	N SPOEDE RD & SPOEDE HILLS DR
7:34	3:29	COLONIAL HILLS DR & N SPOEDE RD
7:35	3:30	HUNTINGTON LN & N SPOEDE RD
7:36	3:31	N SPOEDE RD & WINDSOR TERRACE LN
7:37	3:32	KINGSBRIDGE ESTATES DR & N SPOEDE RD
7:38	3:33	NORTH SPOEDE & SHERWYN LN
7:39	3:34	ALDEN LN & N SPOEDE RD
7:40	3:35	CHILTON LN N SPOEDE & RONDELAY DR
7:41	3:36	OAK PARK DR & S SPOEDE RD
7:42	3:37	CHAMINADE DR & S SPOEDE RD
7:43	3:38	S SPOEDE & VILLA COUBLAY
7:44	3:39	BALLANTRAE DR & S SPOEDE RD
7:45	3:40	FRONTENAC ESTATES DR & S SPOEDE RD
7:46	3:41	N FORTY DRIVE & ROUNDABOUT
7:50		LADUE MIDDLE SCHOOL

Route L005

7:25	3:30	CODY DR & MESA DR
7:26	3:32	GRANDVIEW DR & MESA DR
7:27	3:33	MESA DR & PIONEER DR
7:28	3:34	LA JOLLA DR & PIONEER DR
7:29	3:35	HURON DR & PIONEER DR
7:30	3:37	GRANDVIEW DR & LA JOLLA DR
7:31	3:38	CROCKETT DR & YUCCA DR
7:32	3:41	INDIAN MEADOWS DR & MOHAVE DR
7:33	3:43	DIELMAN RD & ROTHWELL HEIGHTS LN
7:34	3:45	CASTLE GATE VILLAS DR & DIELMAN RD
7:36	3:47	LLEWELLYN LN & OLIVE BLVD
7:37	3:48	DOLORES AVE & OLIVE BLVD
7:50		LADUE MIDDLE SCHOOL

Route L007

7:21	3:20	CLAREMONT & LADUE
7:25	3:25	HIGHGATE RD & OLD BONHOMME RD
7:26	3:26	CROSSWINDS DR & OLD BONHOMME RD
7:27	3:28	BERKLEY PLACE CT & OLD BONHOMME RD
7:28	3:29	OLD BONHOMME RD & WHITE ROSE LN
7:29	3:31	BONHOMME FOREST DR & OLD BONHOMME RD
7:30	3:31	BEAUWOOD CT & OLD BONHOMME RD
7:31	3:32	LYNNE CT & OLD BONHOMME RD
7:32	3:33	RAMSGATE DR & OLD BONHOMME RD
7:33	3:33	HOMESTEAD ACRES & OLD BONHOMME RD
7:34	3:36	OLD BONHOMME RD & STONEYSIDE LN
7:35	3:38	HEATHERWOOD DR & STONEYSIDE LN
7:38	3:40	HEATHER HILL LN & OLD BONHOMME RD
7:50		LADUE MIDDLE SCHOOL

BUS ROUTE SUMMARY**2019- 2020****Middle School****Route L010**

7:18	3:20	CONWAY RD & DARYL LN
7:20	3:23	CHAPEL OAKS RD & CONWAY RD
7:22	3:25	CONWAY RD & VOUGA LN
7:22	3:25	CONWAY RD & TUCKER
7:24	3:27	CONWAY RD & WESTFIELD
7:25	3:28	CONWAY RD & CONWOOD LN
7:31	3:34	BROOKTRAIL CT & S GRAESER RD
7:34	3:36	E WINDRUSH CRK & GRAESER RD
7:35	3:37	GRAESER RD & RIDGECORDE LN
7:36	3:39	CHALET CT & GRAESER RD
7:36	3:40	GRAESER RD & WEDGEWOOD LN
7:37	3:41	GRAESER LN & GRAESER RD
7:38	3:42	GRAESER RD & WINFIELD POINTE LN
7:50		LADUE MIDDLE SCHOOL

Route L011

7:25	3:25	DANIEL RD & TRAILS END LN
7:26	3:28	ROLLING ROCK CT & ROLLING ROCK LN
7:31	3:33	LAYMONT CT & S MCKNIGHT RD
7:32	3:34	MCKNIGHT WOODS & S MCKNIGHT RD
7:33	3:35	S MCKNIGHT RD & THORNDALL DR
7:34	3:37	S MCKNIGHT RD & SCARSDALE LN
7:35	7:28	1025 S MCKNIGHT
7:36	3:38	HAVERFORD TERRACE LN & S MCKNIGHT
7:37	3:40	CLAYTON RD & RIDGETOP DR
7:38	3:42	BERKSHIRE DR & CLAYTON RD
7:41	3:44	BLACK CREEK LN & S MCKNIGHT RD
7:42	3:45	GREENBRIAR & S MCKNIGHT RD
7:44	3:48	LADUE MNR & S MCKNIGHT RD
7:50		LADUE MIDDLE SCHOOL

Route L012

7:22	3:44	S WARSON & SUNNEN PL
7:28	3:25	BRAXTON CT & HASTINGS DR
7:30	3:27	FAIRGREEN DR & PAYSON DR
7:31	3:28	LINDLEY DR & MANSFIELD DR
7:33	3:29	MANSFIELD DR & PAYSON DR
7:34	3:30	MANSFIELD DR & RADFORD DR
7:35	3:31	ENGEL LN & RADFORD DR
7:36	3:32	CRABAPPLE CT & ENGEL LN
7:38	3:33	ENGEL LN & HARVEST LN
7:39	3:34	CORDELL CT & ENGEL LN
7:40	3:36	DIELMAN RD & ENGEL LN
7:41	3:36	DIELMAN RD & GREEN OAKS
7:50		LADUE MIDDLE SCHOOL

Route L013

7:18	3:20	CLAYPRICE CT & CLAYTON RD
7:20	3:22	CLAYTON & EXMOOR
7:21	3:23	LAY RD & LAYTON TER
7:26	3:29	53 GODWIN LN
7:27	3:30	GODWIN LN (BY # 20)
7:30	3:32	11 LADUE CREST LN
7:32	3:34	LINDWORTH DR & S MCKNIGHT RD
7:34	3:35	1771 S. MCKNIGHT
7:34	3:35	ELSWORTH LN & S MCKNIGHT RD
7:35	3:36	DEER CREEK WOODS & S MCKNIGHT RD
7:37	3:38	LITZSINGER RD & PARK LN
7:38	3:39	LINDWORTH LN & LITZSINGER RD
7:38	3:39	DANIEL RD & LITZSINGER RD
7:39	3:40	OVERBROOK RD & LITZSINGER RD
7:43	3:40	BRIDLE CREEK RD & LITZSINGER RD
7:44	3:43	NEAR 9998 LITZINGER RD
7:45	3:44	2130 S WARSON RD
7:47	3:45	S WARSON & WINDING RIDGE RD
7:50		LADUE MIDDLE SCHOOL

Route L014

7:14	3:20	BRYNNWOOD DR & CLAYTON RD
7:21	3:25	49 PORTLAND DR
7:24	3:29	N GEYER & GEYER LN
7:25	3:30	HERMITAGE HILL RD & N GEYER RD
7:30	3:34	FOX RIDGE RD & N GEYER RD
7:31	3:35	COACH N 4 LN & N GEYER RD
7:32	3:36	CHIPPER RD & N GEYER RD
7:33	3:37	N GEYER RD & TREGARON PL
7:34	3:38	COUNTRY ESTATS PLACE N GEYER RD
7:35	3:39	GEORGIAN ACRES & NORTH GEYER
7:37	3:40	CLAYTON RD & STONINGTON PL
7:38	3:41	CLAYTON COURT DR & CLAYTON RD
7:39	3:42	CLAYTON RD & HUNTLEIGH DOWNS
7:40	3:44	CLAYTON RD & FRONTENC WOODS
7:45	3:46	DUNLEITH RD & S LINDBERGH BLVD
7:50		LADUE MIDDLE SCHOOL

Route L015

7:20	3:22	CONWAY AND DWYER
7:23	3:24	CLAYTON DOWN LANES & CLAYTON RD
7:24	3:25	CLAYTON RD & TERRACE GDNS
7:26	3:26	CLAYTON RD & DEVONDALE LN
7:31	3:32	2067 FIRETHORN
7:35	3:36	COUNTRY CLUB DR & GRANDVIEW DR
7:36	3:37	BEDFORD DR & GRANDVIEW DR
7:37	3:39	BOPP RD & FRONTENAC FOREST
7:39	3:41	BOPP RD & HOLIDAY LN
7:43	3:44	CLAYTON RD & CRICKLEWOOD PL
7:44	3:47	BLAYTONN LN & CLAYTON RD
7:46	3:48	CLAYTON RD & WOODOAKS TRL
7:47	3:49	CLAYTON RD & CREEKWOOD
7:50		LADUE MIDDLE SCHOOL

BUS ROUTE SUMMARY**2019- 2020****Middle School****Route 16**

7:23	3:20	BURROUGHS LN & S PRICE RD
7:23	3:21	S PRICE RD & SHERATON DR
7:24	3:22	S PRICE RD & SAINT ANDREWS DR
7:25	3:22	N PRICE RD & PAXTON LN
7:25	3:23	KINGSTON MANOR DR & N PRICE RD
7:26	3:25	N PRICE RD & RICARDO LN
7:27	3:25	AMES PLACE DR & N PRICE RD
7:27	3:27	LADUE HILLS DR & N PRICE RD
7:28	3:28	N PRICE RD & PRICEWOODS LN
7:28	3:29	BIRNAWOODS LN & N PRICE RD
7:29	3:30	KINGS LYNN ST & N PRICE RD
7:31	3:33	DEUSER ST & WATSONIA CT
7:31	3:34	DEUSER ST & OLD BONHOMME RD
7:34	3:37	BROOKSIDE LN & LADUE
7:35	3:38	LADUE RD & MCKNIGHT LN
7:37	3:39	BERKLEY LN & LADUE RD
7:37	3:42	POINTER LN & TANGLEWOOD DR
7:38	3:45	TANGLEWOOD DR & WENNEKER DR
7:39	3:47	LOUWEN DR & WENLOU DR
7:46		LADUE MIDDLE SCHOOL

Route L017

7:17	3:23	LADUE RD & MARYHILL DR
7:18	3:24	COUNTRY FAIR LN & LADUE RD
7:19	3:25	CHATFIELD PLACE RD & LADUE RD
7:20	3:26	LADUE ROAD & WHITEBRIDGE
7:21	3:27	LADUE RD & OAK PARK CT
7:23	3:29	GRAESER RD & LADUE RD & S GRAESER RD
7:24	3:31	11233 LADUE RD
7:25	3:33	LADUE RD & W LADUE ESTATES DR
7:27	3:35	LADUE ESTATES AND LADUE WEST ESTATES
7:29	3:40	MOSLEY HILL DR & N MOSLEY RD
7:30	3:41	N MOSLEY RD & TUREEN DR
7:31	3:42	N MOSLEY RD TRI LANE
7:32	3:43	MOSLEY ACRES & N MOSLEY RD
7:33	3:44	MORWOOD LN & N MOSLEY RD
7:34	3:45	MOSLEY FARM CT & N MOSLEY RD
7:35	3:47	FAIRWAYS CIR & N MOSLEY RD
7:36	3:48	BENWOOD LN & N MOSLEY RD
7:38	3:49	OLIVE BLVD & RENEE LN
7:39	3:51	MARY MEADOWS LN & OLIVE BLVD
7:41	3:54	LARKIN AVE & OLIVE BLVD
7:50		LADUE MIDDLE SCHOOL

Route L022

7:26	3:23	617 HIGH HAMPTON RD
7:28	3:22	KADINA AND OLD WARSON
7:29	3:26	9846 OLD WARSON RD
7:32	3:31	COPPER HILL RD & HOLLISTON CT
7:34	3:33	DES PERES AVE & WILD DEER RD
7:44	3:41	9049 CLAYTON RD
7:46	3:42	CLAYTON & WHITFIELD
7:50		LADUE MIDDLE SCHOOL

Route L018

7:16	3:21	SPRINGWOOD DR & THORNWOOD DR
7:17	3:23	1123 THORNWOOD DR (THORNWOOD & ISLAND BEFORE LINDBERGH)
7:19	3:25	LYLEWOOD DR & S LINDBERGH BLVD
7:21	3:27	FERRAND WOODS & S LINDBERGH BLVD
7:22	3:28	CLERBROOK LN & S LINDBERGH BLVD
7:23	3:29	CLERMONT LN & S LINDBERGH BLVD
7:24	3:30	CLERMONT CT & S LINDBERGH BLVD
7:25	3:32	S LINDBERGH BLVD & STONEY BROOK LN
7:30	3:36	BEAVER DR & N LINDBERGH BLVD
7:32	3:37	NEAR 1 TEALWOOD DR
7:33	3:38	NEAR 14 TEALWOOD DR
7:34	3:39	NEAR 40 TEALWOOD DR
7:35	3:40	N LINDBERGH BLVD & N SUNSWEPT DR
7:36	3:42	SHADY BROOK & QUAILWAYS DR
7:37	3:43	FOXSBROOK DR & SHADYBROOK DR
7:39	3:44	LAWRENCE DR & N LINDBERGH BLVD
7:41	3:48	DWYER AVE & GARIBALDI PL
7:42	3:49	DWYER AVE & SAVANNAH AVE
7:45	3:51	CLAYTON TER & S LINDBERGH BLVD
7:50		LADUE MIDDLE SCHOOL

Route L019

7:26	3:34	GUELBRETH LN & OLD OLIVE STREET RD
7:27	3:31	BRIARBEND DR & GUELBRETH LN
7:29	3:32	BEAU JARDIN DR & SANNOS DR
7:30	3:30	BRIARBEND DR & WILLOW BROOK DR
7:31	3:35	OLD OLIVE & OLD WAY
7:32	3:36	N SPOEDE RD & OLIVE BLVD
7:33	3:37	BARRE HAVEN DR & OLIVE BLVD
7:34	3:39	OLIVE BLVD & CHASE PARK
7:36	3:40	DAUTEL LN & GRAESER ACRES
7:37	3:42	DAUTEL LN & DAUTEL MANOR CT
7:38	3:43	DAUTEL LN & LEIGHTON CT
7:42	3:44	OLIVE BLVD & SONA LN
7:43	3:45	DEAVER LN & OLIVE BLVD
7:50		LADUE MIDDLE SCHOOL

Route L020

7:27	3:26	INDIAN CIRCLE DR & INDIAN MEADOWS DR
7:28	3:27	CROCKETT DR & INDIAN MEADOWS DR
7:29	3:29	LAGUNA DR & MESA DR
7:30	3:30	CIMARRON CT & CIMARRON DR
7:39	3:37	NEAR 8437 COLONIAL
7:39	3:38	NEAR 8569 COLONIAL
7:40	3:40	NEAR 8537 COLONIAL
7:41	3:44	8967 LADUE LANE & N. MCKNIGHT RD
7:42	3:42	LADUE RD & WILLOW HILL RD
7:43	3:46	LADUE RD & WHITEGATE LN
7:47	3:50	9241 CLAYTON RD
7:50		LADUE MIDDLE SCHOOL

BUS ROUTE SUMMARY 2019- 2020 **Fifth Grade Center**

24-Sep-19

Route L001

6:40	2:42	CLAYTON TER & S LINDBERGH BLVD
6:43	2:45	CLAYTON DOWNS LN & CLAYTON RD
6:44	2:46	CLAYTON RD & TERRACE GDNS
6:46	2:47	CLAYTON RD & DAVONDALE IN
6:48	2:52	COUNTRY CLUB DR & GRANDVIEW DR
6:50	2:53	BEDFORD & GRANDVIEW
6:52	2:54	BOPP RD & FRONTENAC FOREST
6:53	2:55	2604 BOPP ROAD
6:53	2:56	BRIDLE LN & CLAYTON RD
6:55	2:58	CLAYTON RD & INDIAN CREEK
6:56	2:59	HERMITAGE HILL RD & N GEYER RD
7:00	3:01	2104 NORTH GEYER
7:02	3:02	N GEYER RD & OUTER LADUE DR
7:03	3:03	CHIPPER ROAD & NORTH GEYER
7:04	3:04	N GEYER RD & PORTLAND & TREGON PL
7:05	3:05	COUNTRY ESTATES PL & NORTH GEYER
7:15		5TH GRADE CENTER (W)

Route L002

6:40	2:42	6 S TEALBROOK
6:42	2:43	BEAVER DR & NORTH LINDBERGH
6:46	2:47	GUELBRETH & OLD OLIVE
6:47	2:48	BEAUJARDIN DR & GUELBRETH LN
6:49	2:50	BARRE HAVEN DR & CHASE PARK LN
6:51	2:52	COUNTRY SQUIRE LN & DAUTEL LN
6:52	2:53	GRAESER RD & MARTIN GROVE LN
6:53	2:54	GRAESER RD & WEDGEWOOD LN
6:54	2:55	GRAESER RD & RIDGECORDE LN
6:57	2:58	MOSLEY ACRES & N MOSLEY RD
6:58	2:58	BENWOOD LANE & MOSLEY RD
7:01	3:02	OLIVE BLVD & RENE
7:02	3:04	OLIVE BLVD & SONA LN
7:07	3:06	COLONIAL HILLS DR & N SPOEDE RD
7:12		5TH GRADE CENTER (W)

Route L003

6:42	2:42	CABLE AVE & DWYER AVE
6:43	2:44	CONWAY RD & DWYER AVE
6:44	2:45	CHAPEL OAKS RD & CONWAY RD
6:46	2:46	BROWNWOOD CONWAY RD
6:46	2:47	CONWAY RD & VOUGA LN
6:49	2:49	CONWAY RD & FRONTENAC PL
6:50	2:50	CONWAY RD & FRONTENAC ESTATES DR
6:53	2:51	CLAYTON RD & STONINGTON
6:54	2:53	CLAYTON RD & FRONTENAC WOODS LN
6:55	2:54	CLAYTON RD & CREEKWOOD LN
6:54	2:58	BRIARWOOD DR & SPRINGWOOD DR
7:02	3:01	DOGWOOD & WARSON
7:03	3:01	CHATEAU OAKS & LADUE CUTOFF
7:08	2:39	LADUE AND COUNTRY FAIR
7:10		5TH GRADE CENTER (W)

Route L004

6:36	2:44	LADUE RD & MCKNIGHT LN
6:37	2:45	BERKLEY LN & LADUE RD
6:38	2:46	LADUE RD & TANGLEWOOD DR
6:41	2:49	COLONIAL LN & GAY AVE
6:45	2:53	LADUE TERRACE & MCKNIGHT RD
6:46	2:54	MOYDALGAN DR & MCKNIGHT RD
6:46	2:54	BLACKCREEK & MCKNIGHT RD
6:47	2:55	PILLSBURY PL & S MCKNIGHT RD
6:49	2:57	HAVERFORD TERRACE & MCKNIGHT
6:51	2:59	CLAYTON RD & RIDGETOP
6:52	3:00	BERKSHIRE DR & CLAYTON RD
6:54	3:03	WENLOW & WEMMEKER
6:58	3:07	CLAYPRICE CT & CLAYTON RD NORTH SIDE
7:01	3:09	LOG CABIN DRIVER AND OVERHILLS
7:04	3:11	2 MIDPARK LANE
7:12	3:12	5TH GRADE CENTER (W)

Route L005

6:45	3:02	N PRICE & STONLEIGH TOWERS NEAR NEAR PRICE MEADOWS
6:45	3:02	N PRICE RD & W VILLA AVE WEST
6:46	3:01	E VILLA AVE & N PRICE RD
6:47	3:00	BON PRICE LN & N PRICE RD
6:48	2:59	BON HILLS N & N PRICE RD
6:49	2:57	DEUSER ST & OLD BONHOMME RD
6:52	2:54	ACCESS RD & N PRICE RD
6:53	2:53	N PRICE RD & PRICEWOODS LN
6:54	2:52	DELMAR & N PRICE RD
6:55	2:51	N PRICE RD & PAXTON
6:57	2:49	LADUE RD & THE PRADO
6:58	2:48	GRANADA WAY & HACIENDA DR
7:00	2:47	LADUE & TERRY LANE
7:00	2:47	LADUE & GRAYBRIDGE
7:02	2:43	170 DIELMAN RD
7:04	2:45	BRIARCLIFF AND BRIARCLIFF
7:04	2:45	LADUE AND BRIARCLIFF
7:05	2:42	LADUE LN & LADUE RD
7:06	2:41	LADUE RD & WOODCLIFF
7:10		5TH GRADE CENTER (W)

BUS ROUTE SUMMARY 2019- 2020
Fifth Grade Center

Route L006

6:40	3:09	CHISOLM & HILLTOP DR
6:41	3:08	HILLTOP DR & IRIQUIOS
6:45	3:06	DOLORES AVE & OLIVE BLVD
6:48	3:03	DIELMAN RD & OLD BONHOMME RD
6:50	2:59	N COVINGTON MEADOW & ROMANY PARK
6:51	3:02	3 CEDAR CREST
6:52	2:57	BONHOMME FOREST & OLD BONHOMME
6:53	2:56	OLD BONHOMME RD & RAMSGATE
6:54	2:55	OLD BONHOMME RD & STONEYSIDE LN
6:55	2:54	HEATHER HILL LN & OLD BONHOMME RD
6:58	2:47	KINGSBROOK LN & N WARSON RD
7:00	2:50	9723 GRANDVIEW (OLIVETTE CC)
7:06	2:45	N WARSON RD & STACY DR
7:07	2:44	KEMTOM & WARSON
7:08	2:44	534 N WARSON RD
7:09	2:43	COUNTRYSHIRE PL & N WARSON RD
7:10	2:42	FIELDING & N WARSON RD
7:15		5TH GRADE CENTER (W)

Route L007

6:47	2:44	BON AIRE & OLD BONHOMME
6:50	2:47	APPLESEED & OLIVE
6:52	2:48	INDIAN TRAILS & OLIVE
6:55	2:49	OLIVE & TOWERHILL
6:57	2:51	OLIVIER & OLIVE
6:58	2:53	OLIVE & BONHOMME LAKE
7:03	2:58	CONWAY LN & CONWAY RD
7:06	3:01	CLERMONT LN & S LINDBERGH BLVD
7:07	3:02	CLERBROOK LN & S LINDBERGH BLVD
7:11		5TH GRADE CENTER (W)

Route L008

6:31	2:42	LADUE FRST & S PRICE RD
6:32	2:44	BURROUGHS & S PRICE RD
6:34	2:45	CLAYTON & EXMOOR
6:35	2:47	LAY RD & LAYTON
6:36	2:48	FAIR OAKS DR & LAY RD
6:38	2:50	S MCKNIGHT RD & SARANAC DR
6:39	2:51	MCKNIGHTWOODS AND MCKNIGHT RD
6:41	2:51	MCKNIGHT & THORNDALE
6:44	2:54	GODWIN LANE (NEAR 18)
6:47	2:57	DEER CREEK LN & LINDWORTH DR
6:49	2:58	ELLSWORTH LN & S MCKNIGHT RD
6:52	3:02	LITZSINGER RD & PARK LN
6:53	3:03	LITZSINGER LN & LITZSINGER RD
6:55	3:04	DANIEL RD & LITZSINGER RD
6:59	3:09	DES PERES & WILD DEER
7:01	3:11	COPPER HILL RD & HOLLISTON CT
7:06	3:15	HIGH HAMPTON RD & N WOODLAWN AVE
7:10	3:25	S WARSON & WARIDGE
7:14	3:23	DUNLEITH DR & OLDE MILLING RD
7:14	3:28	LYNNBROOK & SPOEDE
7:15	3:30	706 S SPOEDE
7:17		5TH GRADE CENTER (W)

Route L23

6:43	2:47	DIELMAN RD & ROTHWELL HEIGHTS
6:44	2:48	DIELMAN RD & NAPOLEON
6:45	2:50	CIMARRON DR & INDIAN MEADOWS DR
6:46	2:52	GRANDVIEW DR & MESA DR
6:48	2:53	CROCKETT INDIAN MEADOWS & LAGUNA
6:50	2:55	INDIAN MEADOWS DR & OLIVE VILLAGE CT
6:55	2:58	LINDLEY & MANSFIELD
6:56	2:59	MANSFIELD DR & RADFORD DR
6:57	3:00	CRABAPPLE CT & ENGEL LN & RADFORD DR
6:58	3:01	CRABAPPLE CT & ENGEL LN
6:59	3:02	ENGEL LN & HARVEST LN
7:00	3:03	CORDELL & ENGEL
7:01	3:04	ENGEL LN & GREEN OAKS
7:02	3:05	DIELMAN RD & ENGEL
7:03	3:06	DIELMAN RD & HILL & DALE
7:09	3:13	N LINDBERGH BLVD & SUNSWEPT
7:10	3:14	N LINDBERGH BLVD & QUAILWAYS
7:15		5TH GRADE CENTER (W)

BUS ROUTE SUMMARY
2019- 2020
High School

23-Sep-19

Route L009

6:33	2:37	CLERBROOK LN & S LINDBERGH BLVD
6:34	2:38	CLERMONT CT & S LINDBERGH BLVD
6:35	2:39	S LINDBERGH BLVD & STONEY BROOK LN
6:35	2:40	N LINDBERGH BLVD & S TEALBROOK DR
6:36	2:42	BEAVER DR & N LINDBERGH BLVD
6:37	2:44	N LINDBERGH BLVD & TEALWOOD DR
6:40	2:47	KINGSBROOK LN & N WARSON RD
6:41	2:49	OLIVETTE COMMUNITY CENTER
6:42	2:50	GRANDVIEW & WARSON
6:45	2:52	N WARSON RD & STACY DR
6:45	2:53	N WARSON RD & WARINGTON SQ
6:46	2:53	N WARSON RD & SUNDOWN SQ
6:47	2:55	COUNTRYSHIRE PL & N WARSON RD
6:50	2:58	LADUE RD & MARYHILL DR
6:53	3:01	ANZEIGER AVE & S LINDBERGH BLVD
6:54	3:02	LYLEWOOD DR & S LINDBERGH BLVD
6:55	3:03	1131 S LINDBERGH BLVD
7:05		LADUE HORTON WATKINS HS

Route L010

6:39	2:37	CLAYTON DOWNS LN & CLAYTON RD
6:40	2:37	CLAYTON RD & CRICKLEWOOD PL
6:41	2:38	BRIDLE LN & CLAYTON RD & TERRACE GDNS
6:42	2:39	CLAYTON RD & DEVONDALE LN
6:48	2:45	NEAR 2070 FIRETHORN DR
6:50	2:47	COUNTRY CLUB DR & GRANDVIEW DR
6:53	2:50	BOPP RD & FRONTENAC FOREST ST
6:53	2:50	BOPP RD & HOLIDAY
6:54	2:51	BOPP RD & DEVONDALE LN
6:56	2:53	GEORGIAN ACRES & N GEYER RD
6:57	2:55	N GEYER RD & PORTLAND DR & TREGARON PL
7:01	2:57	2108 GEYER
7:02	2:57	FOX RIDGE RD & N GEYER RD
7:03	2:58	COUNTRYSIDE LN & N GEYER RD
7:03	2:58	N GEYER RD & STEEPLECHASE LN
7:04	2:59	GEYER DOWNS LN & N GEYER RD
7:10		LADUE HORTON WATKINS HS

Route L011

6:35	2:38	OAK PARK & SPOEDE
6:35	2:39	GLEN ABBEY & SPOEDE
6:36	2:29	BALLANTRAE & SPOEDE
6:41	2:40	LITZSINGER RD & S LINDBERGH BLVD
6:43	2:45	DUNLEITH RD & S LINDBERGH BLVD
6:45	2:47	BABLER LN & LITZSINGER RD
6:48	2:50	BRIDLE CREEK & LITZINGER RD
6:49	2:49	LITZSINGER RD & WOOD ACRE RD
6:50	2:51	9797 LITZSINGER RD
6:53	2:53	DANIEL RD & LITZSINGER RD
6:54	2:54	LITZSINGER LN & LITZSINGER RD
6:56	2:56	LITZSINGER RD & PARK LN
7:05		LADUE HORTON WATKINS HS

Route L012

6:42	2:38	COUNTRY FAIR LN & LADUE RD
6:43	2:40	LADUE RD & W WHITE BRIDGE LN
6:44	2:41	LADUE RD & SHARDUE LN
6:46	2:43	GRAESER RD & LADUE RD
6:48	2:44	LADUE ESTATES DR & LADUE RD
6:49	2:45	MOSLEY HILL DR & N MOSLEY RD
6:50	2:47	MOSLEY LN & N MOSLEY RD
6:52	2:49	BENWOOD LN & N MOSLEY RD
6:53	2:50	OLIVE BLVD & RENEE LN
6:55	2:52	MARY MEADOWS LN & OLIVE BLVD
6:56	2:53	OLIVE BLVD & SONA LN
7:00	2:57	N LINDBERGH BLVD & N SUNSWEPT DR
7:01	2:58	N LINDBERGH BLVD & QUAILWAYS DR
7:03		LAWRENCE DR & N LINDBERGH BLVD
7:10		LADUE HORTON WATKINS HS

Route L013

6:44	2:43	E WINDRUSH CRK & GRAESER RD
6:46	2:45	GRAESER RD & THE KNOLLS LN
6:48	2:47	GRAESER LN & GRAESER RD
6:49	2:48	11010 MARTIN GROVE
6:51	2:50	DAUTEL LN & GRAESER ACRES
6:57	2:54	BARRE HAVEN DR & N SPOEDE RD
6:59	2:57	GUELBRETH LN & OLD OLIVE STREET RD
7:00	2:59	GUELBRETH LN & BRIARBEND
7:02	3:00	OLD OLIVE STREET ROAD & OLD OLIVE W/
7:10	3:08	LADUE HORTON WATKINS HS

Route L014

6:38	2:38	N SPOEDE RD & SPOEDE LN
6:38	2:38	COUNTRY VIEW DR & N SPOEDE RD
6:39	2:39	COLONIAL HILLS DR & N SPOEDE RD
6:39	2:39	COLONIAL HILLS PKWY & N SPOEDE RD
6:43	2:43	1001 OLD OLIVE
6:48	2:46	HARVEST LN & OLIVE BLVD
6:52	2:50	COVINGTON RD & DIELMAN RD
6:52	2:51	DIELMAN RD & SUMAC LN
6:53	2:51	DIELMAN RD & SUNNY MEADE
6:54	2:52	BRIARCLIFF & DIELMAN RD
6:56	2:54	BRIARCLIFF & LADUE RD
6:56	2:54	OAKLEIGH & LADUE
6:57	2:55	FORDYCE LN & LADUE RD
6:58	2:56	APPLE TREE LN & LADUE RD
7:00	2:58	CLERMONT LN & S WARSON RD
7:05		LADUE HORTON WATKINS HS

Route L015

6:49	2:41	INDIAN TRAILS DR & OLIVE BLVD
6:52	2:43	OLIVE BLVD & TOWER HILL CT
6:53	2:45	OLIVAIER LN & OLIVE BLVD
6:54	2:46	BASSWOOD LN & OLIVE BLVD
6:55	2:47	BONHOMME LAKE DR & OLIVE BLVD
7:05		LADUE HORTON WATKINS HS

BUS ROUTE SUMMARY**2019- 2020****High School****Route L016**

6:40	2:40	CROCKETT DR & MESA DR
6:42	2:42	LA JOLLA DR & PIONEER DR
6:44	2:44	INDIAN MEADOWS DR & MOHAVE DR
6:45	2:45	DIELMAN RD & INDIAN MEADOWS DR
6:47	2:47	LLEWELLYN LN & OLIVE BLVD
7:05		LADUE HORTON WATKINS HS

Route L017

6:39	2:50	BON PRICE TERRACE & OLD BONHOMME RD
6:45	2:56	HILLTOP DR & OLIVE BLVD
6:47	2:58	COCHISE DR & HILLTOP DR
6:48	2:59	HILLTOP DR & IROQUOIS DR
6:50	3:01	ALICE PL & IRVINGTON CT
6:55	2:45	LADUE RD & TERRY LN
7:05		LADUE HORTON WATKINS HS

Route L018

6:32	3:01	CLAYTON RD & EXMOOR DR
6:35	2:42	LOUWEN DR & WENNEKER
6:38	2:44	TANGLEWOOD DR & WENNEKER DR
6:40	2:46	POINTER LN & TANGLEWOOD DR
6:43	2:50	COLONIAL LN & GAY AVE
		LADUE & MCKNIGHT RD (On Right Side of Ladue
6:46	2:52	across from Berkly)
6:46	2:53	LADUE RD & WILLOW HILL RD
6:48	2:55	HACIENDA DR & RIO VISTA DR
6:50	2:57	BRAZILLIAN CT & LADUE RD
6:51	2:58	N PRICE RD & TOWN AND COUNTRY DR
6:51	2:58	N PRICE RD & KINGSTON MANNER
6:52	2:59	DELMAR BLVD & N PRICE RD
6:53	3:00	N PRICE RD & PRICEWOODS LN
6:54	3:01	KINGSLYNN (CHEVY CHASE DR) & N PRICE RD
6:59	3:08	CELLA RD & CLAYTON RD
7:05		LADUE HORTON WATKINS HS

Route L019

6:35	2:38	CLAYPRICE CT & CLAYTON (CLAYPRICE SIDE)
6:37	2:40	CLAYTON RD & RIDGETOP DR
6:38	2:42	BERKSHIRE DR & CLAYTON RD
6:39	2:43	CLAYTON RD & SAINT MARYS KNLS
6:41	2:45	CLAYTON RD & LAY RD
6:41	2:45	CLAYTON RD & WHITFIELD LN
6:43	2:47	S PRICE RD & SHERATON DR
6:44	2:48	LADUE FRST & S PRICE RD
6:46	2:50	LADUE RD & MCKNIGHT RD
6:48	2:52	GREENBRIAR DR & S MCKNIGHT RD
6:49	2:53	MOYDALGAN DR & S MCKNIGHT RD
6:50	2:54	BLACK CREEK LN & S MCKNIGHT RD
6:51	2:57	S MCKNIGHT RD & SCARSDALE LN
6:51	2:56	1025 S MCKNIGHT
6:51	2:58	S MCKNIGHT RD & THORNDALL DR
6:52	2:59	GREENRIDGE DR & S MCKNIGHT RD
6:54	3:00	GODWIN LN & LADUE CREST LN
6:58	3:02	1266 LAY RD
6:59	3:03	FAIR OAKS DR & LAY RD
7:00	3:03	LAY ROAD & LAYTON RD
7:04	3:05	9241 CLAYTON RD
7:10		LADUE HORTON WATKINS HS

Route L020

6:44	2:40	LOG CABIN LN & S 40 DR
6:45	2:43	ROLLING ROCK LN & S 40 DR
6:46	2:44	LINDWORTH DR & S MCKNIGHT RD
6:48	2:45	CRICKET LN & S MCKNIGHT RD
6:49	2:47	DEER CREEK WOODS & S MCKNIGHT RD
6:53	2:50	GILBERT AVE & OLD WARSON RD
6:54	2:51	DESPERES AVE & OLD WARSON RD
6:56	2:52	COPPER HILL RD & HOLLISTON CT
6:58	2:54	9846 OLD WARSON RD
7:00	2:56	OLD WARSON RD & TRENT
7:01	2:57	OLD WARSON RD & WARSON ESTATES DR
7:02	2:59	OLD WARSON RD & S WARSON RD
7:03	3:00	NEAR 628 HIGH HAMPTON
7:05	3:03	S WARSON RD & SOMERSET DOWNS
7:07	3:07	LITZINGER RD & S WARSON RD
7:10		LADUE HORTON WATKINS HS

Route L021

6:33	2:37	APPLESEED LN & OLIVE BLVD
6:35	2:39	INDIAN MEADOWS DR & OLIVE BLVD
6:36	2:40	LAGUNA & MESA
6:38	2:42	DIELMAN RD & ENGEL LN
6:39	2:44	DIELMAN RD & OLD BONHOMME RD
6:43	2:50	LADUE RD & WOODCLIFFE RD
6:49	2:52	CONWAY RD & PRINCESS AVE
6:51	2:53	CONWAY RD & FRONTENAC ESTATES DR
6:52	2:55	CONWAY RD & VOUGA LN
6:53	2:56	CONWAY RD & TUCKER
6:53	2:57	CONWAY RD & CONWOOD LN
6:54	2:59	CONWAY RD & WESTFIELD LN
6:59	3:02	LYNNBROOK RD & S SPOEDE RD
7:00	3:03	S SPOEDE RD & NORTH FORTY DR
7:02	3:05	CAROLE LN & S 40 DR
7:04	3:07	CLAYTON RD & HUNTLEIGH DOWNS
7:05	3:10	CLAYTON RD & FRONTENAC WOODS LN
7:15		LADUE HORTON WATKINS HS

Route L022

6:44	2:48	N PRICE RD & PRICE MEADOWS DR
6:45	2:55	VILLA PLACE CT & W VILLA AVE
6:46	2:58	N PRICE RD & W VILLA AVE
6:48	3:00	HIGHGATE RD & OLD BONHOMME RD
6:49	3:02	OLD BONHOMME RD & WHITE ROSE LN
6:50	3:04	BONHOMME WOODS DR & OLD BONHOMM
6:51	3:05	OLD BONHOMME RD & RAMSGATE DR
6:52	3:06	HEATHER HILL LN & OLD BONHOMME RD
6:54	3:08	LINDLEY DR & OLD BONHOMME RD
7:05		LADUE HORTON WATKINS HS

REQUEST FOR BUS STOP REVIEW/CHANGE



Please print all information and submit to: Ladue Schools Transportation Department
 9703 Conway Road, Saint Louis, MO 63124
 Fax: 314-993-9822 Email: businfo@ladueschools.net

Date: _____ Student's Name: _____ Grade: _____

School: ☐ Conway ☐ Old Bonhomme ☐ Reed ☐ Spoede ☐ Fifth Grade Center
☐ Ladue Middle School ☐ Ladue Horton Watkins High School

Transportation Address: _____

Name of Parent/Guardian: _____

Home Phone: _____ Cell Phone: _____ Work Phone: _____

Current Stop Location: _____

Location of Safety Hazard (*name of street or road*):

Describe the Safety Hazard/Concern: _____

Desired Outcome: _____

PLEASE ATTACH A SKETCH OR DIAGRAM OF THE LOCATION IN QUESTION, IF NECESSARY.

Parent/Guardian,

I hereby certify that the information provided in this request is correct to the best of my knowledge.

 Signature of Parent/Guardian

 Date

Note: If approved, please allow up to 5 days from the date of approval for implementation.

The request has been: ☐ Approved ☐ Denied

Comments: _____

 Signature of Transportation Coordinator

 Date



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
#20-002 & #20-010: BOUNDARY ADJUSTMENT, SITE DEVELOPMENT
PLAN AND CONDITIONAL USE PERMIT FOR QUIKTRIP GAS STATION
WITH CONVENIENCE STORE AT 11004, 11026, AND 11032 OLIVE
BOULEVARD AND 825 AND 827 GRAESER ROAD, AND THE
REDEVELOPMENT OF THE ADJACENT RETAIL CENTER
AT 11032 AND 11056 OLIVE BOULEVARD**

FOR THE MEETING OF: Monday, June 1, 2020 at 6:00 PM

LOCATION: 11004, 11026, 11032 and 11056 Olive Boulevard, and 825 and 827 Graeser Road, zoned GC-General Commercial District

REQUEST: Gwen Keen, Real Estate Project Manager, QuikTrip Corporation, has submitted an application for a Conditional Use Permit and Site Development Plan at 11004, 11026, 11032 and 11056 Olive Boulevard and 825-827 Graeser Road, for a new gas station with convenience store, that includes the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard. Gasoline Stations with Convenience Stores (NAICS 447110) require a conditional use permit in the GC-General Commercial District subject to a public hearing and recommendation of the Planning and Zoning Commission with final approval by the City Council.

ADDITIONAL INFORMATION: The properties at 11004 and 11026 Olive Boulevard were originally developed in 1963 and the properties at 11032 and 11056 Olive Boulevard were developed in 1966-1967 and contain pre-existing non-conformities. The properties at 825 and 827 Graeser Road were included in the commercial district along with the properties on Olive Boulevard in the earliest available zoning map of 1966.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request meet with the minimum standards of the GC-General Commercial district?
- Is the request consistent with the required standards for a conditional use permit?

Creve Coeur 2030

- East Olive Corridor Neighborhood Commercial District

Zoning Code References

- Section 405.210: Regulation of Uses, Table A
- Section 405.360 GC-General Commercial District
- Section 405.470 Conditional Uses

APPLICANT: Gwen Keen
Real Estate Project Manager
QuikTrip Corporation
2255 Bluestone
St. Charles, MO 63303

PROPERTY OWNER: Thomas A. Stern
BG Olive & Graeser LLC
Forsyth Investments LLC
150 N. Meramec Ste 500
St. Louis, MO 63105



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 5/26/2020
ATTACHMENTS: Applicant's Revised Materials received May 11, 2020
MoDOT Comments
City's Traffic Engineers, GBA, Response Letter
CBB response to comments dated May 26, 2020 and May 28, 2020
Letter from Graeser Neighbors received May 20, 2020
Comments received by May 28, 2020

PROPOSAL

Gwen Keen, Real Estate Project Manager, QuikTrip Corporation, has submitted a request for the following:

- Conditional Use and Site Development Plan approval for a 4,993 square foot, 24-Hour, QuikTrip Convenience Store located at 11004 and 11026, and a portion of 11032 Olive Boulevard, and a portion of 825 and 827 Graeser Road, with eight (8) gas dispensers and façade improvements to the adjacent retail shopping center, and a reworking of the shared parking and entrance drive.
- The remaining portion of former 825 and 827 Graeser Road will provide for the stormwater detention and landscaped buffer area from the adjacent residences.
- The total site coverage for the Gas Station and C-Store will be 42.9%.
- The adjacent retail center redevelopment includes site improvements for shared access, and a new façade to the existing building. The retail building is on 1.62 acres (the remaining portion of 11032, and 11056 Olive Boulevard will be boundary adjusted into one parcel) and has a pre-existing non-conforming site coverage of 84.6% that will be reduced to 74.7%
- Boundary adjustment plat to consolidate 825 and 827 Graeser Road and 11004 and 11026 and a portion of 11032 Olive Boulevard into one 2.54 acre parcel (+0.06 acres dedicated for right-of-way); and the remaining portion of 11032, and 11056 Olive Boulevard into one 1.82 acre parcel (+0.01 acres dedicated for right-of-way).

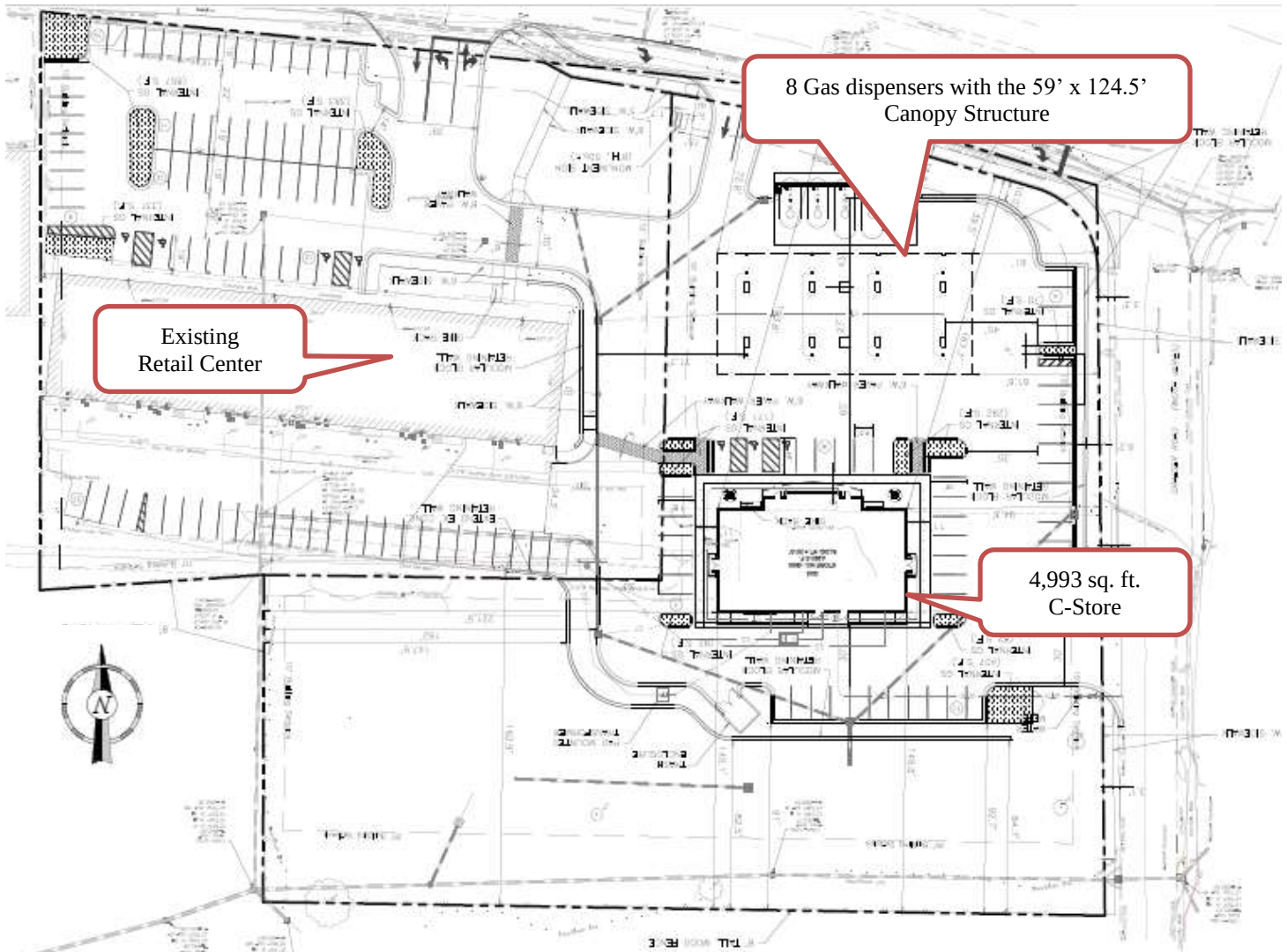


Figure 1: Proposed Site Development Plan



Figure 2: C-Store Elevations

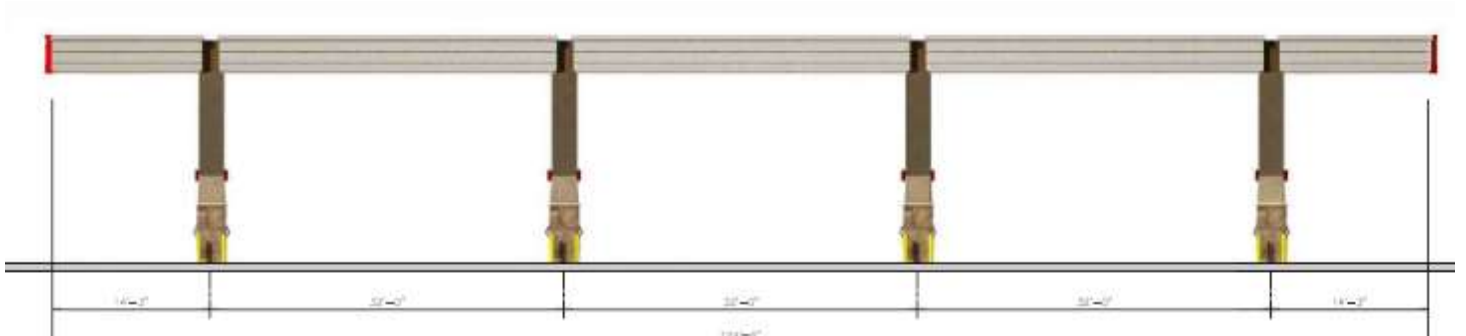


Figure 3: Canopy Structure Front/Olive Boulevard Facing Elevation

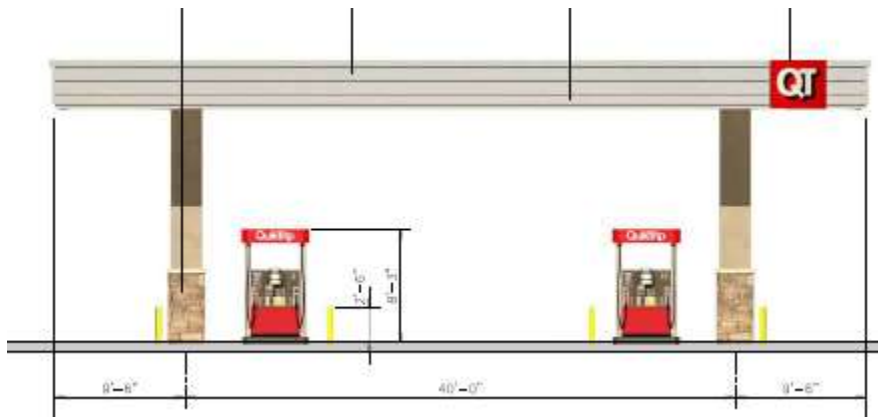


Figure 4: Canopy Structure Side Elevations



Figure 5: Retail Building Elevations



Figure 6: Retail Building Rear Elevation

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Commercial/Retail	GC General Commercial	Olive Boulevard
South	Residences	C Single Family Residential	NA
East	Credit Union	GC General Commercial	Graeser Road
West	Commercial/Retail	GC General Commercial	NA

COMPREHENSIVE PLAN REVIEW

The subject property is within the East Olive Corridor of the *Creve Coeur 2030* Comprehensive Plan where the vision for the area is to create a walkable corridor of destination retail boutiques, neighborhood service businesses, small-scale restaurants, attached townhomes, and low-density multi-family home and single-family homes. Development of the East Olive Corridor should encourage pedestrian access from adjacent neighborhoods and prioritize walkability between neighboring lots while accommodating car access and easy parking. The East Olive Corridor comprises the Neighborhood Commercial District (NC) place type that supports the development of a variety of medium-to low –density commercial, retail, office, neighborhood service business and residential development in a commercial corridor with shallow lot depths. This district is designed to provide a transition between more intense commercial districts to the east and west that would build toward a coherent corridor identity (p. 88). Frontage recommendations encourage uniform setbacks on neighboring lots to establish a consistent location and orientation of building façade frontages and primary building entrances to face Olive Boulevard.

Objectives and Strategies

The Comprehensive Plan includes seven (7) key objectives and 67 individual strategies (Chapter 3). Staff has highlighted those objectives and strategies which are most applicable to this proposal.

Placemaking & Community Identity

- Improves streetscapes and public realm enhancements (Strategy 1.3),
- Ensures that adjacent non-residential and residential developments are compatible with each other (Strategy 1.8), as well as under Residential Development & Preservation, Strategy 2.9: Protect residential areas from negative encroachment of non-residential uses.

Economic Growth and Community Services

- Strategy 3.1: Ensure future economic growth is responsive to the changing economy and captures the “place-making dividend”.
- Strategy 3.3: Transform the Olive Boulevard corridor with a Central Business District and supporting Mixed-Use Districts.
- Strategy 3.7: Guide regional retail and services (serving as a destination amenity) to the Community Center District area.

Transportation, Connectivity & Mobility

- Strategy 6.2: Enhance the safety of existing bicycle and pedestrian facilities, including safe pedestrian crossings of major roads
- Strategy 6.4: Use environmental design, operations, and management to reduce vehicular congestion on Olive Boulevard.
- Strategy 6.7: Promote vehicular cross-access between commercial parking lots to facilitate shared parking, reduce access points along commercial thoroughfares, improve traffic flow, and provide access to secondary streets.

Community Sustainability & Resilience

- Strategy 7.1: Facilitate the development of community-supportive retail and services to ensure long-term community vibrancy and resilience.

East Olive Corridor Recommendations

The Comprehensive Plan provides several recommendations specific to the East Olive Corridor (pages 93-94). Recommendations that are applicable to development proposals include orienting buildings to the primary street, establishing uniform setbacks for buildings, allowing convenient parking while encouraging shared parking with cross access, creating a pedestrian-friendly environment with outdoor dining and retail site amenities and establishing well landscaped frontages. Sufficient buffering adjacent to residential areas, reducing curb-cuts, and supporting low-impact site development are also recommended in the plan,

The Comprehensive Plan also acknowledges the development challenges inherent with the East Olive corridor. These include shallow lot depths, topography, small individual parcels, and the zoning requirements which involve assembly of multiple properties to provide sufficient land for development to provide the necessary buffering from residential property (Page 88).

Compatibility with the Comprehensive Plan

The Comprehensive Plan provides broader goals to support the vision and the interpretation of the degree to which the development proposal achieves these goals is the charge of the Commission in its recommendation to the City Council. Staff finds that the proposed development embodies many of the recommendations of the Comprehensive Plan. The proposal consists of a gas station with a convenience store and the renovation of an existing small retail building, both of which can be considered retail and neighborhood service businesses which is consistent with the vision of the East Olive Corridor in the Comprehensive Plan. Specifically, this proposal provides enhanced streetscapes along Olive Boulevard and North Graeser Road which will be improved with landscaping, a high-level of buffering adjacent to residential areas is proposed, and pedestrian circulation both within the development and along the adjacent roadways will be improved. The design of the QT is consistent with the Comprehensive Plan recommendations regarding the positioning of the buildings, when taking into account the proposed use and the pre-existing retail building to the west of QT, which will be renovated. This proposal also reduces the number of curb cuts along both frontages and a new sidewalk is proposed along Graeser Road. Cross-access and shared parking agreements between the retail building and the QT are proposed by the applicant. Traffic mitigation is proposed by the applicant to reduce anticipated vehicular congestion on Olive and Graeser. Access to a secondary street (Graeser Rd.) is provided which will allow motorists to utilize the signal at Olive Boulevard. Please refer to the traffic impact section of this report for additional discussion. The scale of the development is consistent with existing developments along the corridor and is similar to the recently approved gas station and convenience store across Olive Boulevard.

If the Commission finds that the proposal does not meet with the goals of the Comprehensive Plan or there are adjustments that would further the request toward the goals of the Comprehensive Plan, further direction should be provided to the Applicant.

DESIGN GUIDELINES REVIEW

The City's Design Guidelines provide further recommendations on the layout and design for gas stations that include building architecture which should be designed to provide an attractive appearance that is compatible with the surrounding area. Prefabricated or pre-designed buildings are strongly discouraged. When requested and approved, such buildings are to be substantially modified and embellished to create a project that is complementary to the community fabric. All architectural details should be related to an overall architectural theme. Separate structures, such as canopy, car wash or cashier's booth, on the site should be avoided. When requested and approved, separate structures are to have consistent architectural detail and design elements that provide a cohesive project appearance.

The Design Guidelines general recommendations include:

- Well-articulated high-quality designs with pedestrian elements included;
- Scale of the building should be carefully considered with an architectural and urban scale compatible with the neighboring developments and that the coordination between the actual or apparent height of adjacent structures is strongly encouraged.
- Adjacent structures should carry the lines of one building into the next through the use of varying window heights, brick coursing, or other horizontal elements that complement neighboring buildings. (p. 7).
- Clearly defined primary building entrances that is oriented toward the street level.
- Building that are styles in an attempt to use the building itself as advertising are strongly discouraged, particularly where the proposed architecture is the result of a "corporate" or franchise style. The building should not be designed as a sign and should not be flood lit at night. (p.8)
- Materials that have good architectural character, with a preference toward "green" traditional building materials, and limited use of EIFS (p. 9)
- Material or color changes should occur at a change of plan. Material or color changes at the outside corners of structures that give the impression of "thinness" and artificiality of the material are discouraged. Inconsistent adornment and frequent changes in material should be avoided.

Specific recommendations regarding Auto Service Station include (p. 9-10):

- Access to all service stations should be limited to 2 curb cuts. If at a corner, there should be no more than 1 curb cut per street. Raised planters should be used at various locations to ensure customer safety
- The amount of bare pavement or asphalt area on the site should be limited through the use of landscaping, contrasting colors and banking or pathways of alternate paver materials.
- Building architecture should be designed to provide an attractive appearance that is compatible with the surrounding area. Prefabricated or pre-designed buildings are strongly discouraged. When requested and approved, such buildings are to be substantially modified and embellished to create a project that is complimentary to the community fabric. All architectural details should be related to an overall architectural theme.
- Separate structures, such as a canopy, car wash, or cashier's booth, on the site should be avoided. When requested and approved separate structures are to have consistent architectural detail and design elements that provide a cohesive project appearance.
- Lighting fixtures are to be flush with the underside of the canopy

The proposal generally complies with the recommendations of the Comprehensive Plan and the Design Guidelines, in that it is well designed, with materials of good architectural character, and where the standard QuikTrip designs have been substantially modified to fit into the surrounding areas. The proposal provides for significant buffering to the south in the effort protect residents from the encroachments of the commercial development and allows for the redevelopment of an existing aged retail center, that caters to local neighborhood businesses. The following is a list of design matters that should be reviewed with the applicant by the Commission:

- *Building elements, such as parapet wall, penthouses or screen walls should be treated as an integral part of the architecture, and that material and color changes should occur at a change of plane.* The mechanical screening and parapet walls are well-integrated on the C-store that utilized the same brick material as the building. However, the stacked stone materials are not carried all the way around on the east and west tower elevations, and the metal coping around the mechanical screening should be carried to the inside edge around the front of the store.



Figure 7: Close-up of the North Elevation

The Retail building's new proposed façade provides greater interest and rooftop screening of the mechanical equipment. The proposal includes staining the existing brick which maintains the look and feel of natural brick in a similar color to the QuikTrip building, and stacked stone elements are similar to the design of the C-Store. It should also be noted that it is a similar stone element used for the Walgreens across the street to further the compatibility of the buildings with the surrounding development.



Figure 8: Close-up of the Side Elevation for the Retail Building

Staff is unclear if the rear of the building provides for roof-top screening, with the two lines not identified, and the mechanical equipment in dashed lines that generally indicate that it is located behind an element.

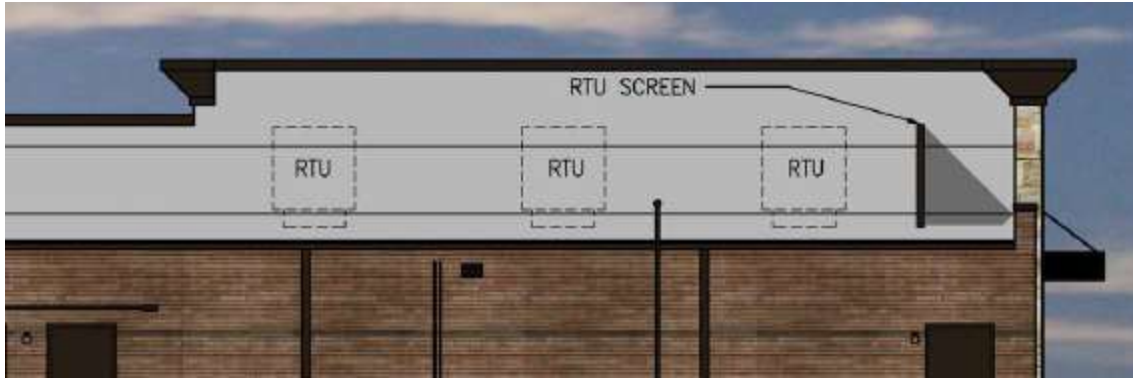


Figure 9: Close-up of the rear elevation of the retail center

- Access to all service stations should be limited to 2 curb cuts. If at a corner, there should be no more than 1 curb cut per street. Raised planters should be used at various locations to ensure customer safety. The retail center shows the maintenance of the existing entrance that will serve both the gas station and the retail center as a full access. The gas station property is limited to the right in and right out only on Olive, and one access along Graeser Road. MoDOT has concurred with this layout due to the island within Olive Boulevard and the proximity to the intersection. Staff does recommend that a “No Left Turn” will be needed for the parking lot exit. Additional landscaped areas have been provided that are properly curbed within the retail center parking lot, as well as curbed landscape areas for the walkway in front of the C-store. A retaining wall and landscaping are provided between the parking and the new sidewalk along Graeser Road, to comply with these recommendations.

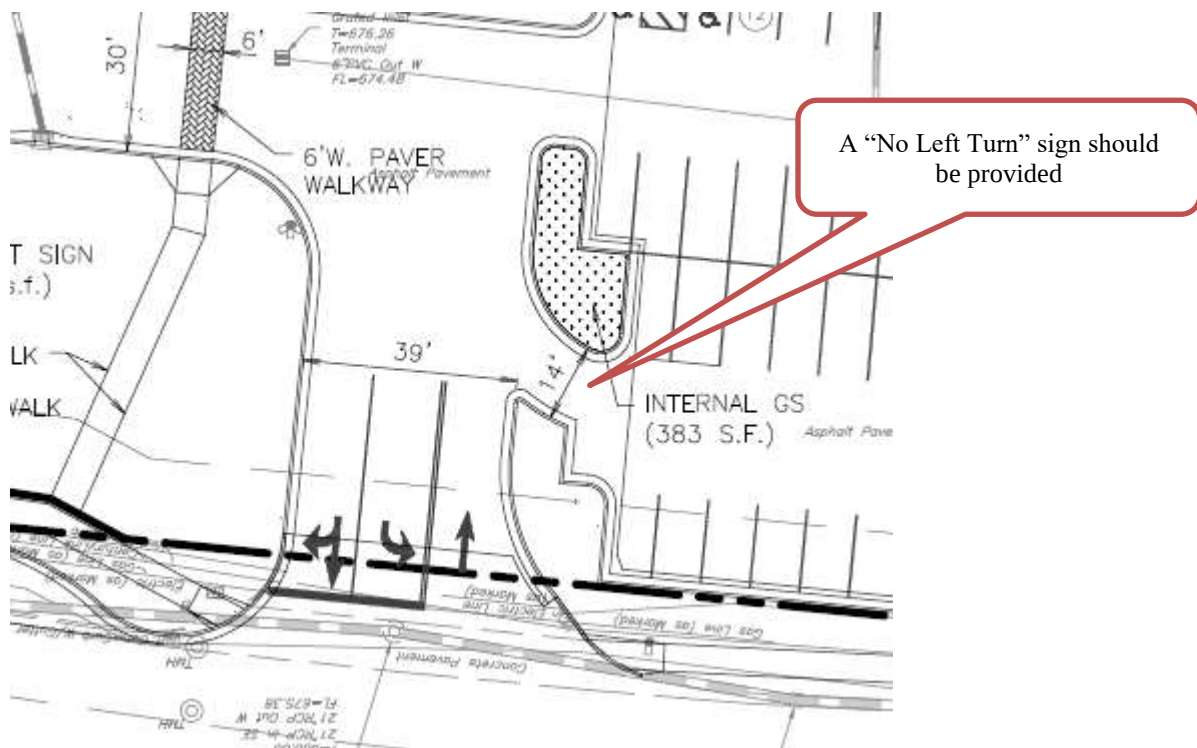


Figure 10: Close-up of the site plan showing the main entrance.

- Separate structures, such as a canopy, car wash, or cashier's booth, on the site should be avoided. When requested and approved separate structures are to have consistent architectural detail and design elements that provide a cohesive project appearance. The Canopy structure does provide similar details as the C-Store and retail building with the use of stacked stone. However, Staff recommends that the stone, or a combination of the stone and

brick to match the building should be carried up the entire length of the column, to better integrate the design with the main building.

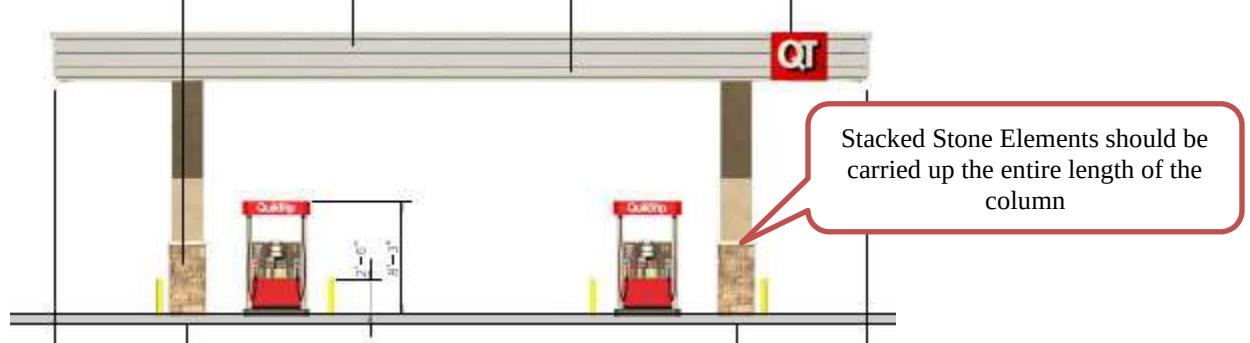


Figure 11: Close-up of the side elevation of the canopy structure

- The Design Guidelines strongly encourage high quality landscaping that accentuates the building and site, softens the effects of parking in areas and enhances the quality of life of the City; and, that there is a consistency of landscape design throughout a development, and that landscaped areas are to be maximized and balanced throughout the site. Further, the Comprehensive Plan recommends that when parking is located in front of the building breaking up parking and provide a buffer zone between parking and buildings. Additionally, the Comprehensive Plan calls for well landscaped frontages along Olive Boulevard. The Landscape Plan shows the new landscaping for both the retail building and the gas station, with the appropriate number of street trees and a landscaped hedge. However, Staff would like to see greater layering with additional plantings at the corner along the retaining wall. The hedge along the front of the existing parking of the retail building are within MoDOT right-of-way, and therefore a maintenance and use agreement for this area will be required by MoDOT. Further, the Code requires that all trees are to be a minimum of 3-inch caliper size providing clear headroom of at least six (6) feet, per Section 405.540(F)(1) of the Landscape regulations, where the plans show a caliper of 2.5".

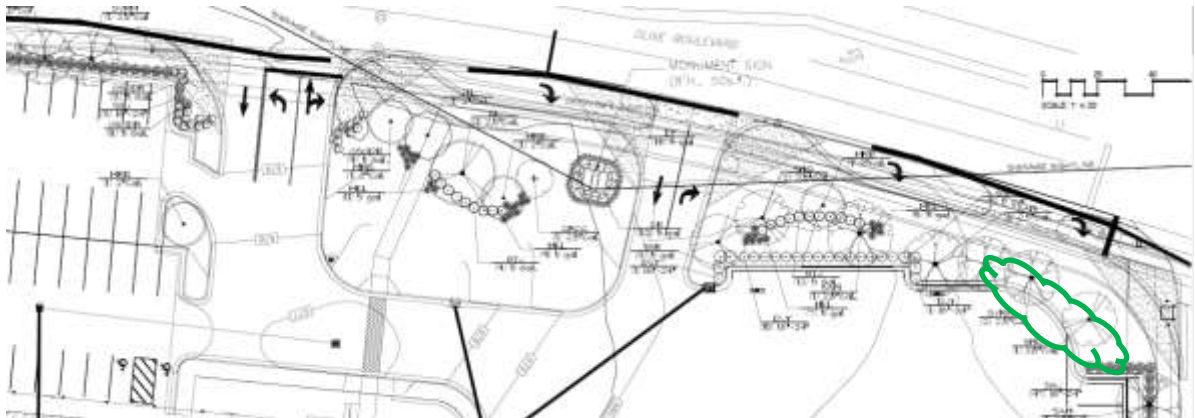


Figure 12: Close-up of Landscape Plan along Olive Boulevard.

The renderings and site plan show landscaping adjacent to the building to break up the hard surfaces of the outdoor seating, and the building in order to meet with the recommendation with the recommendations. However, the landscape plan is not showing plantings in these areas. Consistency between the Landscape Plan, the Site Development Plans is needed and landscaping adjacent to the buildings should be provided, particularly where the new landscaped patio area in front of Pumpnickels at the retail center. The Applicants have indicated that the new patio area for the retail center has not been fully designed as they would work with the tenants to determine the landscaping in conjunction with the allowance for outdoor seating. If the Commission feels that this is sufficient, staff can work with the Applicant to further refine this area as a condition of approval.

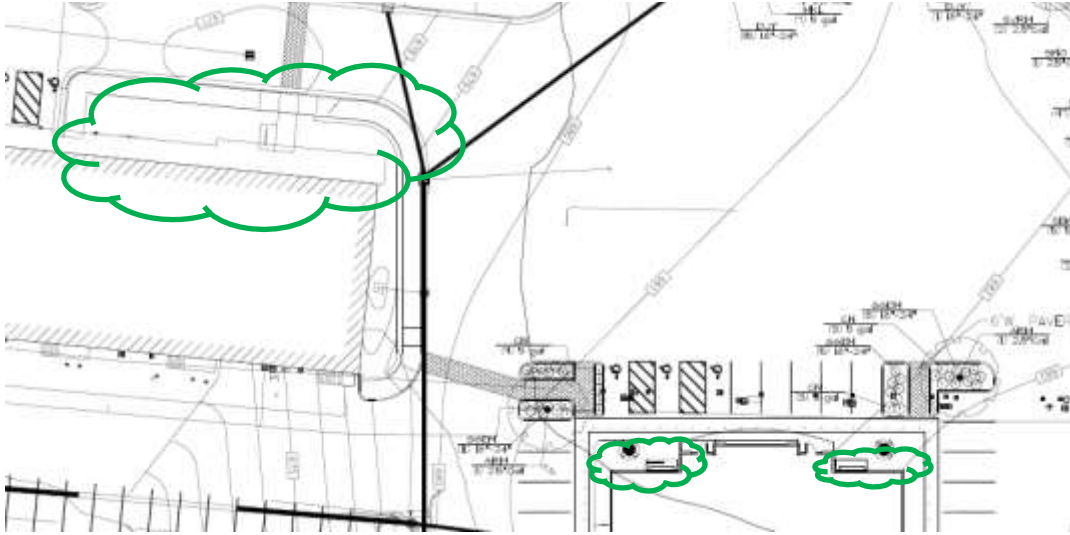


Figure 13: Close up of the Landscape Plan of the areas in front of the buildings.



Figure 14: Close-up of the rendering showing landscaping adjacent to the C-Store Building not shown on the landscape plan.

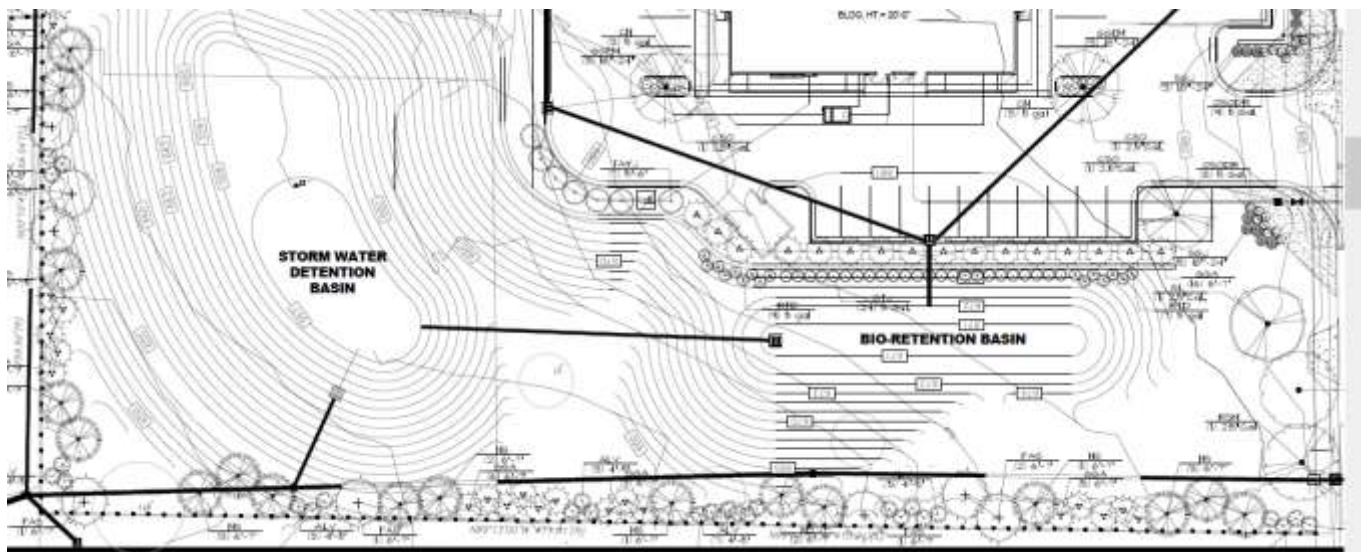


Figure 15: Close-up of the rear of the development on the area formerly 825 & 827 Olive Boulevard

The rear landscaping provides significant evergreens to provide year-round screening along the property lines in addition to the 8-foot tall wood shadowbox fence. Additional landscaping is

proposed along the base and on top of the retaining wall along the back of the building and parking area, in compliance with the City's Design Guidelines that recommend minimizing the height and length of the retaining walls and screen with appropriate landscaping. Additionally, retaining walls in excess of 4-feet in height should be terraced with planting area terrace separation between levels, and materials utilized for the retaining wall should match the primary building materials. With respect to the fence, the Commission should determine if it should be placed at the property line as shown, or interior to the site with the evergreens placed on both sides, so that the residents benefit from the landscaping.

- *The Design Guidelines recommend that sidewalks in front of retail businesses in a commercial district should be a minimum of 10 feet and include pedestrian amenities such as planters and benches. Outdoor sales, dining or storage should not impair pedestrian movement, and should maintain a minimum 4-foot clearance path along the sidewalk. Section 405.730(A)(2) Sidewalks of the Zoning Ordinance requires a minimum width of internal sidewalks in non-residential developments to be at least six feet and eight if used as a curb stop discussed further below. The Applicant is showing 8-feet along the front of the central tower element, and eleven feet along the east and west sides of the building. Table seating and a bike rack are provided along the front elevation, per the image below. However, the drawings show low bollards within this area, therefore staff recommends a condition of approval that at least six feet of clear access be maintained between the bollards and the building entrances, to comply with the requirements of the Zoning Ordinance and the Design Guidelines. The front elevations are also broken up with pedestrian elements and landscaping including access for those walking to the front doors from the gas pumps.*

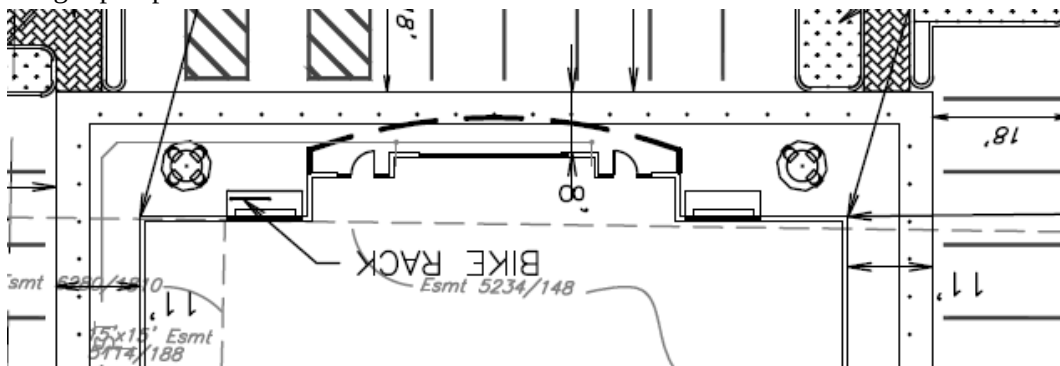


Figure 16: Close-up of the site plan showing sidewalks in front of the store.

- The Applicant is showing that all pedestrian crosswalks will utilize a stamped textured concrete in furtherance of the Design Guidelines that recommends at intersections, crosswalks, and main building entries, a change in sidewalk color, texture, or material should emphasize the location. Paint Striping to accentuate these areas is strongly discouraged. (p. 5). And is required in Section 405.730(A)(1)(c) Sidewalks of the Zoning Ordinance.
- The City's Pedestrian Plan indicates that Olive Boulevard as a primary street should have a separated sidewalk, as well as provide for a separated sidewalk along Graeser that are 5 feet in width. The Applicants are providing for new separated sidewalks along both Olive and Graeser Roads. The Graeser Road sidewalk is within the existing right-of-way, and therefore will not require an easement to the City.

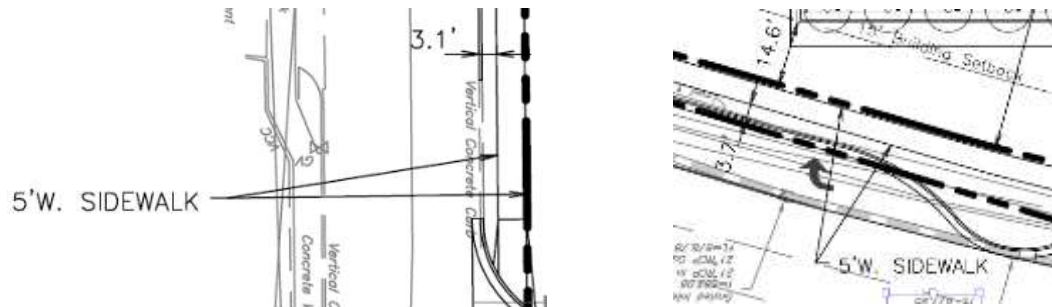


Figure 17: Close-up of the Site Plan showing new detached sidewalks along Graeser Road on right and Olive Boulevard on left

ZONING REVIEW

Section 405.1070(E) of the Zoning Code sets forth the standards by which a conditional use permit should be evaluated.

1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

The Planning and Zoning Commission's review should be guided upon the facts of the proposal against the regulations of the Zoning Ordinance and the goals and objectives of the Comprehensive Plan and Design Guidelines.

As discussed below, the proposal generally meets items 1, 4 and 5 above, subject to meeting certain identified additional conditions. The Commission will need to weigh all information provided to assess items 2, 3 and 6.

Section 405.360: GC-General Commercial District

The stated purpose and intent of the GC District is to accommodate by site development plan approval convenience retail shopping and services and offices which are free standing or part of small scale planned commercial developments and which are compatible in scale and intensity of use with adjacent residential uses. While a Gas Station with Convenience Store are conditional uses in the GC District, it is the overall scale and intensity of use that is reviewed with the stated purpose of the GC District. The purpose of the GC district is similar to the recommendations in the Comprehensive Plan. The convenience store and gas station, and the renovation of the adjacent retail center provide retail and services for the adjacent residential areas and other areas within this section of Creve Coeur.

The subject properties are already zoned GC-General Commercial and, when a GC District abuts a single-family residential district, Section 405.360(E)(4)(d) *Buffer yards* requires a buffer yard of twenty (20) feet on all sides that abut the single-family district. The minimum required buffer yard shall be increased in five (5) foot increments, up to a maximum of forty (40) feet, for each acre of the subject property over two (2) acres in area. All acreage shall be rounded up to the next whole number for buffer yard calculation purposes. The buffer yard shall not contain any impervious surface and shall be landscaped

and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission. As discussed above, the proposal will consolidate the non-conforming six parcels into one 2.54 acre parcel (+0.06 acres dedicated for right-of-way) for the gas station lot; and the remaining portion of 11032, and 11056 Olive Boulevard into one 1.82 acre parcel (+0.01 acres dedicated for right-of-way) for the existing retail building, with significant buffering that exceeds the required minimum buffer of 25 feet, where almost 93 feet of landscaping from the rear parking to the nearest residential property line.

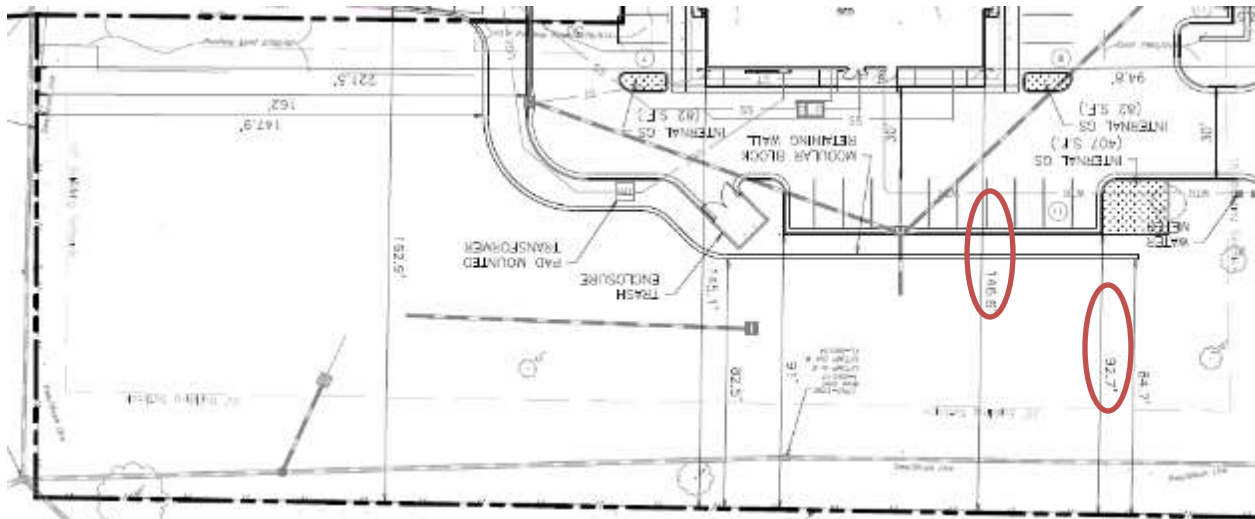


Figure 18: Close-up of the Site Plan showing buffer area

The existing retail building is pre-existing, non-conforming, and the proposal will not increase the degree of nonconformity for the existing building. Section 405.610(B) provides that any non-conforming structure which is devoted to a use which is permitted in the zoning district in which it is located may be continued, so long as it remains otherwise lawful, and that any such structure be maintained, repaired or remodeled; provided however, that no such maintenance, repair or remodeling shall either create any additional non-conformity or increase the degree of existing non-conformity of all or any part of such structure.

The maximum structure height shall not exceed 3 stories or 45 feet tall. The proposed development is a single story use with the maximum structure height of approximately 20 feet for the convenience store, the canopy structure has a maximum height of 22 feet 6 inches to the top of the canopy, and the existing retail center with the new façade will have an overall height of 19'-8".

Maximum site coverage is 63%. The Planning and Zoning Commission may, in its discretion, allow the permitted coverage to be increased as a bonus by an additional factor to 70% in consideration of special or outstanding landscape and site planning features. As stated above, the total site coverage is 42.9% for the Gas Station property, which includes open space and the storm water detention facilities, while the retail center property contains a pre-existing non-conforming site coverage of 84.6% that will be reduced to 74.7%.

The site data table on the drawings is showing incorrect information. Below are the corrected site data table for each of the properties. The table also includes the reduction of the retail center parking to be 84 spaces. The existing parking along Olive Boulevard is pre-existing non-conforming, in that they are placed at the property line, where the current regulations require a minimum of 10 feet of landscaping and/or pedestrian facilities, per Section 405.240(B)(2) of the Zoning Ordinance. The site development plans showed an addition of two parking spaces in line with the existing parking at the northwest corner of the site, where there is currently landscaping. Therefore, the parking spaces on the drawings will have to be removed as it would be increasing the number of parking within the setback.

SITE DATA (QUIKTRIP STORE)		SITE DATA (RETAIL CENTER)	
EXISTING ZONING:	GC - GENERAL COMMERCIAL	EXISTING ZONING:	GC - GENERAL COMMERCIAL
PROPOSED USE:	CONVENIENCE STORE W/ FUEL CANOPY	PROPOSED USE:	RETAIL
DEVELOPMENT AREA:	(113,256 S.F.) 2.60 AC	DEVELOPMENT AREA:	(79,892 S.F.) 1.83 AC
RIGHT-OF-WAY DEDICATION:	(2,500 S.F.) 0.06 AC	RIGHT-OF-WAY DEDICATION:	(402 S.F.) 0.01 AC
NET AREA:	(110,756 S.F.) 2.54 AC	NET AREA:	(79,490 S.F.) 1.82 AC
PROPOSED SITE COVERAGE:	42.9%	EXISTING SITE COVERAGE:	84.6%
(PARKING, DRIVES, CANOPY & BUILDING = 1.09 AC / 2.54 AC)		(PARKING, DRIVES & BUILDING = 1.54 AC / 1.82 AC)	
FLOOR AREA RATIO:	0.05 FAR	PROPOSED SITE COVERAGE:	74.7%
(4,993 S.F. / 110,756 S.F.)		(PARKING, DRIVES & BUILDING = 1.36 AC / 1.82 AC)	
BUILDING HEIGHT:	20'-0"	EXISTING FLOOR AREA RATIO:	0.19 FAR
TOP OF BUILDING ELEVATION:	702.0	(15,054 S.F. / 79,490 S.F.)	
(FFE=682.0 + 20'-0")		EXISTING BUILDING HEIGHT:	17'-0"
SITE LIGHTING:	(SEE PHOTOMETRIC SITE PLAN)	TOP OF BUILDING ELEVATION:	694.9
SITE LANDSCAPING:	(SEE LANDSCAPING PLAN)	(FFE=677.9 + 17'-0")	
INTERNAL GREENSPACE CALCULATIONS:		SITE LIGHTING:	(SEE PHOTOMETRIC SITE PLAN)
REQUIRED INTERNAL GREENSPACE = 1,005 S.F.		SITE LANDSCAPING:	(SEE LANDSCAPING PLAN)
(PARKING & DRIVES = 35,194 S.F. / 350 S.F. x 10)		INTERNAL GREENSPACE CALCULATIONS:	
PROVIDED INTERNAL GREENSPACE = 1,104 S.F.		REQUIRED INTERNAL GREENSPACE = 1,263 S.F.	
STORM WATER MANAGEMENT: (PER M.S.D. REGULATIONS)		(PARKING & DRIVES = 44,209 S.F. / 350 S.F. x 10)	
PROPOSED PARKING: = 49 SPACES		PROVIDED INTERNAL GREENSPACE = 1,913 S.F.	
(INCLUDES 2 STANDARD & 1 VAN ACCESSIBLE SPACES)		STORM WATER MANAGEMENT: (PER M.S.D. REGULATIONS)	
		PROPOSED PARKING: = 84 SPACES	
		(INCLUDES 3 STANDARD & 1 VAN ACCESSIBLE SPACES)	

Figure 19: Revised Site Data Table received May 19th.

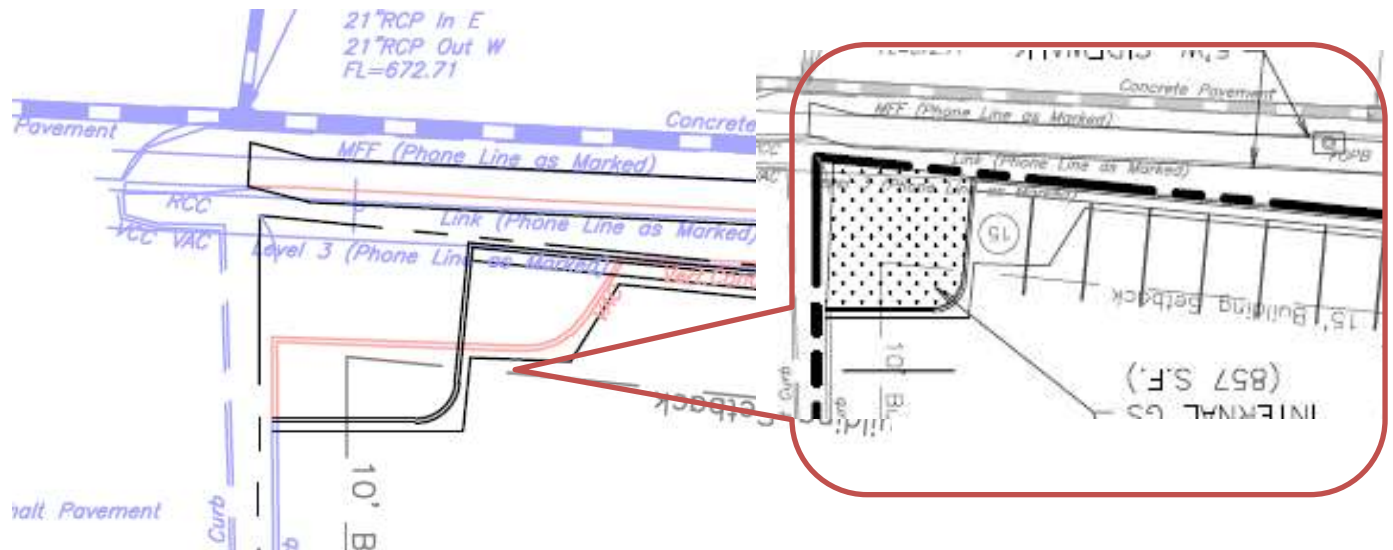


Figure 20: Close-up of the "Demo" Plan and the Site Plan of the two parking spaces that will have to be removed and the existing green area to remain.

"Use" Specific Regulations

Section 405.470(A)(13) provides specific requirements regarding gas stations and car washes:

Section 405.470. Conditional Uses.

A. Conditional uses allowed in zoning districts are as follows:

13. Gasoline service stations — NAICS 447110 Gasoline Stations with Convenience Stores (conditional use in the "PC", "GC" and "CB" districts). The following specific development standards shall be met before a conditional use permit may be issued for a gasoline service station in accordance with Section 405.1070,

so as to control the mode of development, method of operation and to ensure that the location does not adversely affect the health, safety and welfare of the community, especially from the traffic point of view.

- a. *Site size.* Service station sites shall contain a minimum area of twenty thousand (20,000) square feet, a minimum lot frontage of one hundred (100) feet and a minimum of twenty-five hundred (2,500) square feet for each dispenser, whichever is greater. A dispenser may have more than one (1) hose.
- b. *Setbacks.* All buildings shall be set back at least fifty (50) feet from the street right-of-way line and at least ten (10) feet from any other property line unless a greater setback is required by other provisions of this Chapter. Dispenser islands shall be set back twenty (20) feet from any property line. Canopies may be erected to within ten (10) feet of a property line or street right-of-way to protect automobiles positioned for service at pump islands.
- c. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays are to be contained entirely within the building. Where adjacent to a residential district ("A", "B", "C", "D", "AR" or "MR"), no more than three (3) service bays shall be permitted. Service bay doors shall not face residentially zoned property.
- d. *Parking and access.* In addition to providing parking in accordance with Section 405.820(F), there should be adequate space on site for automobiles to wait in line for each dispenser island and dispenser.
- e. *Fencing.* The site shall be fenced with a six (6) foot brick or stone masonry wall or solid fence of wood or other material deemed appropriate by the Planning and Zoning Commission along each property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").
- f. *Retail sales.* Sales shall be restricted for the service station to gasoline, oil, tires, batteries and automotive accessories and food and beverages sold from vending machines, unless permission is explicitly granted as part of the conditional use permit for the sale of other items or classes of items such as food, beverages, personal care or other convenience items or car washing services.
- g. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
- h. *Major repairs prohibited.* Major engine or transmission dismantling, body and fender work, top and upholstery work shall not be permitted on the premises of the service station.
- i. *Trailer and equipment rental prohibited.* Trailer and equipment rentals shall not be permitted to operate on the premises of a service station.
- j. *Gasoline deliveries.* No delivery tanker shall park on public right-of-way during gasoline delivery, nor shall any hose be permitted on the public right-of-way.
- k. *Pump island location.* Pump islands located parallel to the street should observe a twenty (20) foot setback. Pump islands located perpendicular to the street should observe a thirty (30) foot setback.
- l. *Landscaping and buffering.* A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entrances. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.
- m. *Curb cuts and corner radius.* On corner sites a twenty (20) foot curb radius shall be provided and no curb entrance shall be located within less than fifty (50) feet from the end of such curve. At intersections where a primary flow of right turn traffic is anticipated, a thirty-five (35) foot corner curb radius of curvature shall be provided, again with a fifty (50) foot curb cut setback from the end of the curve.
- n. *Sight lines.* Landscaping provided along the street frontage in accordance with paragraph (13)(l) "Landscaping and Buffering" above should preserve sight lines for entering and exiting traffic. This does not preclude careful placement of street trees with high foliage or low growing shrubbery (below thirty (30) inches).

The proposed site development plan meets with these requirements of the Zoning Code. The proposal includes 8 gas dispensers, thus a required minimum of 20,000 square feet of site area. The proposal will have an overall site for the Gas Station and Convenience Store of 2.54 acres, with a lot frontage of approximately 221 feet along Olive Boulevard and 335.57 feet along Graeser Road.

Fence & Trash Enclosure

As discussed above, the proposal includes an 8-foot shadow-box wood fence and significant evergreen landscaping at the property line as well as upright evergreen plantings behind the building to screen the retaining wall, and building. The Applicants have indicated that the proposed wood fence is sufficient in consideration of the significant landscaping, as well as over 92 feet between the closest residential property line to the rear parking, and 146.5 feet to the rear of the building, and that a masonry wall is not necessary. Staff is generally in agreement with this, as in other areas where a solid wall was required, these sites were much more open and visible, with not as much landscaping, and the developments were closer to the residential areas. As discussed above, the Commission should discuss with the Applicant whether the fence should be placed at the property line or behind the proposed landscaping, so that the residents get the benefit of the evergreen plantings, and whether or not a masonry wall is needed. The trash enclosure material is a stacked pre-cast stone material that is consistent with the building materials, in compliance with Section 405.470 (A) (13)(g), and located behind the building out of view from Olive Boulevard in compliance with the Design Guidelines that the location of such services should be sited with limited visibility to pedestrians and/or adjacent properties (P.19). However, the final drawings for a permit will require a concrete pad to be provided within and adjacent to the trash enclosure.

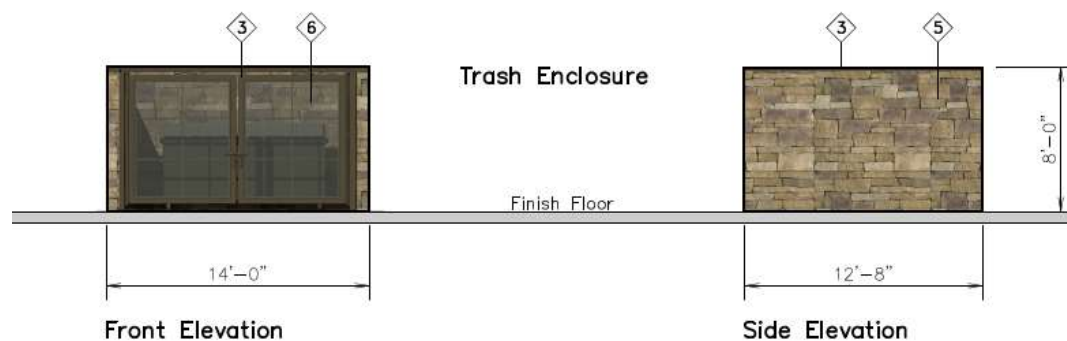


Figure 21: Close-Up of the Elevations Showing the Trash Enclosure.

Further, the Applicant has indicated that the retaining walls will be a complimentary color to the Sonoma stone used in the store masonry. It should be noted, that the Building Codes may require a safety barrier along the top of the retaining wall along the back of the buildings, if required, Staff has included a condition that this shall be a black open-slatted, wrought iron style design.

Landscaping

As discussed above, the proposal provides for well-designed landscaping, with a few minor additional landscaped areas and adjustments needed to meet with the recommendations of the Comprehensive Plan, Design Guidelines. The proposal meets with the minimum requirements of the Zoning Ordinance, with the exception of the minimum diameter of 3" for the trees, per 405.540(F)(1), where 2.5" are shown.

Section 405.540 Landscaping provides design standards for landscape plans that include a minimum of 1 street tree for every 30 lineal feet of street frontage and such trees shall be located on the subject property at least 2.5 feet, but not more than 12 feet from the back of the curb unless additional setback is necessary to accommodate planned road widening, overhead utility line or some other condition identified by the Director of Planning. The Landscape Plan shows the required 17 trees along Olive Boulevard, and 11 trees which are required along Graeser Road, where three are existing and maintained and 8 new trees are provided. Further, Section 405.540(F)(3) requires that 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. The Landscape Plan indicates that the proposal is in compliance with this requirement.

The Applicants are proposing the use of LED Light fixtures throughout the parking lot of the new development as well as the existing retail center, as well as for the flush mounted soffit lighting for the canopy. The parking lot lighting is showing a mounting height of 22 feet, where Section 405.680(B)(3) has a maximum mounting height of 24 feet in non-residential districts. Additional light fixtures have been added to the rear of the existing retail building to ensure a consistent light levels in compliance with Section 405.680, Lighting, of the Zoning Code, and Section 205.810 of the Parking Ordinance requires a minimum of not less than an average of one (1) foot-candle of illumination for a parking lot.

LUMINAIRE SCHEDULE								
SYMBOL	LABEL	QTY	ARRANGEMENT	MOUNTING HEIGHT	LUMENS PER LAMP	LLF	DESCRIPTION	TOTAL WATTS
	A	09	SINGLE	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1
	B	04	2 @ 90°	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1
	C	00	2 @ 180°	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1
	D	03	3 @ 90°	22'	12,591	0.90	SLM-LED-12L-SIL-FT-40-70-CRI	93.1

		
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Figure 23: Applicants Luminaire Schedule and Type of fixtures

Parking

The last staff report for the existing retail center when the Jet's Pizza sought a conditional use permit in 2013, showed that a total of 99 parking spaces were required, where 127 spaces were available on site, as shown in the table below from the 2013 Staff Report.

The following table shows the parking calculations for the entire center:

Tenant	Use	Size (sq.ft.)	Parking Regulations	# of spaces
Thai Nivas	Restaurant	2400(+58 indoor seats)	1/3 seats in C.U.P., + 1/250sf	20
West Oak Cleaners	Laundry services	2100(240 sf pick up area+1860sf clothing storage)	1/150sf of pick-up area +1/300sf clothing storage	9
Salon Elysium	Nail Salon	1080 (4 stations)	3.5/station	14
School Music USA	Retail	1080	4/1000	5
All on the Same Page Book Store	Retail	900	4/1000	4
Pumpernickel's	Restaurant	3900(+98 indoor seats)	1/3 seats in C.U.P., + 1/250 sf	49
Vacant (formerly Jet's Pizza)	Restaurant: Take-out/Delivery Only	1,500	4/1000	6
Vacant	Retail	984	4/1000	4
Vacant	Retail	1080	4/1000	5
Total Building:		15,024	Total:	116
15% Reduction			Total Required:	99

The proposed modifications to the site reduce the parking spaces to 84 spaces (as discussed above the site plans show 86 spaces, however the two spaces created at the northwest corner along Olive Boulevard will need to be removed, and the existing greenspace maintained or enlarged). Section 405.820(F)(1)(c) Gasoline stations (NAICS 447) requires four (4) parking spaces per one thousand (1,000) square feet of gross floor area plus three (3) spaces for every service bay. As QT is not providing service bays, the required parking is for the C-Store only. The required parking for the C-Store is 20 spaces, where the site plan is providing for 49 spaces. The total parking required for both the retail center based on the uses above, and the C-Store together is 119, where 133 total spaces are shown.

Section 405.800(G)(4) provides that uses which can clearly demonstrate the ability to successfully provide joint parking facilities to the satisfaction of the Planning and Zoning Commission may be permitted to share up to fifty percent (50%) of their required parking spaces, provided that written agreement assuring the retention for such purpose shall be properly drawn and executed by the parties concerned, approved as to form and execution by the City Attorney and shall be filed and made part of the application for a building permit. Such approval may, with fifteen (15) days' prior written notice, be rescinded by the City Council and additional parking shall be obtained by the owners in the event that the City Council determines that such joint use is resulting in a public nuisance or is otherwise adversely affecting the public health, safety or welfare. Therefore, Staff has included a requirement that a parking agreement shall be provided for review by the City Attorney and properly recorded to comply with this section prior to the issuance of any building permits.

Section 405.810(A)(1) requires that all parking spaces shall have a useable space of 9 feet in width and 19 feet in length. The Planning and Zoning Commission may approve the use of continuous concrete curbs as wheel stops and thus measure the size of parking spaces to be two (2) feet less in length than otherwise required. In such instances the parking layout should allow for the vehicle to overhang the curb by two (2) feet and such overhang area must be clear of all obstructions (signs, trees, etc.) and may not be regarded as required landscape area or pedestrian circulation space. Several of the parking spaces are showing a dimension of 9.5 by 18 feet in width adjacent to the building. The low bollards around the building would allow for sufficient room for the vehicle overhang. However, the parking spaces elsewhere are not all dimensioned. Staff has included a condition that all parking shall have a useable space of 9 by 19 feet. Staff also recommends that the existing parking lot for the retail center should be re-sealed for consistent appearance with the new development.

Stormwater Mitigation

The plans include a stormwater detention basin at 825 & 827 Graeser Road behind the existing retail building and the proposed new C-store will be required to meet with MSD and City requirements. The submitted plans show most of the roof drains and surface storm water runoff from QT and the retail building will be collected and piped to a bio-retention area planted with native landscaping prior to entering the detention basin. On the west end of the site where the existing retail building is located, stormwater runoff will be piped directly to the storm sewer as currently exists. The stormwater mitigation plan appears to meet with the requirements of the City; however, a detailed review of the engineering calculations will be performed by MSD and City staff at the permitting stage.

Signs

Signs are reviewed at Staff level and review and any approvals of the development do not constitute approval of the signs shown on the drawings. Nonetheless, the applicant is showing signage for the project on the plans and staff has provided a review of these signs against the zoning code.

Section 405.950(I) provides for specific direction on Automobile Service Station signs that include signs on the Canopy. Particularly subsection 4 states that signs on the service station canopy shall not exceed 30 square feet in gross sign area per street frontage, and includes any business logo inclusive of striping or other symbols, appearing on the canopy shall count as part of the gross sign area. The Applicants have revised the drawings to eliminate any striping, however the placement of the signs does not correspond to the street frontage for the west elevation. The canopy structure drawings are also showing signs on the

columns that are not allowed. Therefore, Staff will include a condition that the canopy signs shall be on the elevation that corresponds to the street frontage, and that no additional signs are allowed on the columns of the canopy.

Further, Section 405.950(I) Gasoline Price Signs, provides for one (1) gasoline price sign allowed on the property. This sign must be freestanding and permanently anchored with a masonry base at least one (1) foot in height. Such a sign shall not exceed thirty (30) square feet in sign area per face and shall not exceed six (6) feet in height from top of sign to top of grade. Section 405.930(D)(13) provides that these signs are only to be manually changeable signs, where electronic changeable signs are prohibited. The renderings appear that the price is electronically changeable.

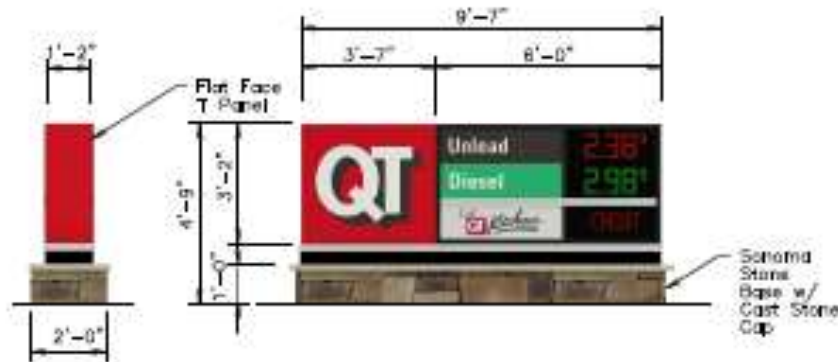


Figure 24: Close-up of the rendering of the monument sign

Additionally, the retail center is also showing new signs for the tenants with the new façade. Individual tenants within a shopping center are limited to one sign with a minimum of 20 square feet and a maximum sign area of 50 square feet depending on the width of their tenant space, per Section 405.950(B)(1) of the Sign Regulations. The sign area is determined by a single rectangle around the extreme limits of the sign. Some of the signs appear to be too large, particularly for the two endcaps. Therefore, a standard condition would provide that all signs shall comply with Article VIII Sign Regulations.

TRAFFIC IMPACT STUDY

A Traffic Impact Study (TIS) was submitted by the applicant's consulting traffic engineer, CBB, and reviewed by the City's consulting traffic engineer, GBA, as well as MoDOT, who has jurisdiction for Olive Boulevard. As discussed in the memo from the City's Consulting Traffic Engineer, GBA, based upon the trip generation rates for gas stations with a convenience store with 16 vehicle fueling positions, the development is forecasted to increase trips to the site by 158, 129 and 139 trips in the morning, midday and evening peak hours, respectively. Based on the existing trip distribution and proposed trip assignment rates, there will be approximately 5 new trips assigned to Graeser Road south of the proposed development. Most of the vehicles traveling to and from the development will be pass-by trips already on the roadway.

Table 5, on Page 21 of the CBB report, shows an increase in delays, reduction in Level of Service, (LOS) and queuing lengths that almost double along Northbound Graeser Road at the Olive Boulevard signalized intersection. The City's traffic consultant's Additional mitigation strategy recommendations should be proposed for reducing impacts to the NB Graeser Road approach at Olive Boulevard.

MoDOT's comments to the Traffic Impact Study are as follows:

- MoDOT concurs with the recommendation of providing right turn bays for the proposed right-in/right-out entrance and at Graeser Rd. and will require such on the permit plan.
- MoDOT will also require conversion of the existing permissive-only (3-section) flashing yellow arrow indication for northbound Graeser Rd. to a protected-permissive (4-section) flashing yellow arrow indication to help mitigate the projected increase in the northbound approach delays.

CBB provided an initial response letter addressing MoDOT and the City's traffic consultant's comments, which is attached to the report. The response indicated that the signal changes required by MoDOT will provide some measure for mitigating the delays and queue lengths on Graeser Road; however the level of mitigation was not quantified by the applicant's traffic engineer. Based on continued discussions with staff and the City's traffic consultant regarding the traffic impacts for the development, CBB provided a follow-up response letter dated May 28, 2020, showing the effect of the additional mitigation measures. This latest information submitted by the applicant's traffic engineer indicates that with the additional mitigation measures proposed conditions would be improved with the increased traffic onto Graeser Road by moving the cars through the intersection more quickly; however, the report also indicates that extending the through/right-turn lane to the QT driveway conditions could be improved further.

The proposed traffic mitigation requires further review by staff and the City's traffic consultant. The Commission should discuss these findings with the City's consulting traffic engineer, who will be in attendance of the meeting, as well as with the Applicant and provide further direction. More information can be provided based upon further discussion of the traffic impacts and mitigation measures and presented at a subsequent meeting.

With respect to Olive Bouelvard, the proposal includes dedicated right-of-way for additional turn lane width into the shopping center, and gas station, as well as at the corner of Olive and Graeser Road, as required by MoDOT. This will require reworking the existing signals at this intersection. The City should require that any new signals utilize the City's standards of black coated design with lighted street name signs on the mast arms, consistent with the standards elsewhere along Olive Boulevard.

Other Items Related to the Proposed Use

The proposal is for a 24-hour gas station and convenience store. Mobil on the Run, and the Circle K, which are located nearby also operate on a 24-hour basis. Staff has discussed the deliveries of product to the store as well as re-fueling trucks with the applicant. Based on these discussions with QT, the frequency of deliveries to the store, including fuel, is based on demand. QT has indicated to staff that they do not envision this store to be considered "high-demand" due to its location and that deliveries occur through multiple vendors and there is no fixed schedule on when these deliveries occur.

With respect to the Underground Storage Tanks (UST) for the gas station, the City does not regulate these components. The state and federal government provide the oversight for UST's.

It should also be noted that with the exception of the southernmost Graeser Road properties, the development area is located within the Olive-Graeser Transportation Development District (OG-TDD). The OG-TDD was established in 2008 to provide transportation-related improvements within the vicinity of the Olive-Graeser/Dautel intersection. If this development were to be approved, the sales tax generated from the QT and the renovated retail building would be subject to the additional one percent (1%) sales tax imposed by the TDD and used to pay off the debt associated with the existing transportation-related improvements.

If additional information on these aspects is desired, the Commission should provide this request to the Applicant.

BOUNDARY ADJUSTMENT PLAT

As part of this request with Application #20-010, the Applicant has submitted a plat that would consolidate the existing six (6) non-conforming lots into two (2) lots. One lot would be for the Gas Station and Convenience Store and for the stormwater detention areas that serve both properties and the landscaped buffer yard area, and one lot would be for the retail center. The site development plan indicates 2.54 acres for the QT lot (+0.06 acres dedicated for right-of-way), and the second lot is shown at 1.82 acres with (+0.01 acres dedicated for right-of-way, while the Boundary Adjustment Plat and legal descriptions show 2.8 and 1.6 acres for the lots. Therefore, coordination between the Boundary

[illegible]

existing retail center to the west. With the suggestions offered by staff within this report and subject to discussions between the Commission and the applicant during the meeting, on balance, this revised proposal could achieve many of the goals and objectives of the Comprehensive Plan and Design Guidelines. Due to the nature of the proposed uses, the Commission should review the project to determine if any potential impacts with the development, particularly those that involve adjacent residential areas have been sufficiently mitigated.

Below are the open items that Staff has recommended that the Applicants address prior to the drafting of an ordinance, and which the Commission should provide further direction:

- Updated Boundary Adjustment Plat, Site Development Plans, and Landscape Plans that correspond and include the corrected information and site data table.
- “Demo” Plan seems to be a mislabeled, as it is showing existing and proposed development.
- The Site Plan should maintain or enlarge the existing greenspace and remove the two parking spaces proposed at the southwest corner along Olive Boulevard
- Placement of the fence at the property line adjacent to residents or further inward with the proposed landscaping on the resident side.
- Revise the landscape plan to show plantings adjacent to the building and at the corner of Olive Boulevard and Graeser Road. However, this could also be a condition of approval if the Commission wishes to move the proposal forward.
- Incorporate additional design elements for the buildings including carrying the stone all the way around the side tower elements and adding brick and/or stone for the full length of the canopy columns for the QT component and add screening of the rooftop mechanical units to the rear of the retail building.
- A reciprocal parking and drainage agreement to be reviewed by the City Attorney and recorded prior to the issuance of Building Permits.

If the Commission members believe that the proposal represents a development in keeping with the Comprehensive Plan, meets the development standards of the zoning ordinance, including the conditional use requirements and those specific to gas stations, and significantly follows the Design Guidelines a motion to recommend approval of the conditional use permit and site development plans, and boundary adjustment to the City Council would be appropriate. With this being said, staff believes that there are items that require discussion and direction from the Commission that would likely require further review. For reference purposes, staff has suggested the following conditions based on the plans submitted for this review. Upon receiving further direction from the Commission, staff will prepare an updated list of conditions and a draft ordinance for the Commission’s review.

1. The Conditional Use Permit shall be for the operation of a 4,993 square foot, 24-Hour, QuikTrip Convenience Store located 11004 and 11026, and a portion of 11032 Olive Boulevard, and of 825 and 827 Graeser Road, with 16 vehicle fueling positions gas station
2. Site Development Plans for the Gas Station with Convenience Store, and for the adjacent retail center shall include site improvements for shared access, and a new façade to the existing building, as proposed with the Application #20-002 submitted by QuikTrip on the remaining portion of 11032, and 11056 Olive Boulevard.
3. The Applicant is required to submit Grading and Site Improvement Plans, showing all exterior improvements, for all new construction to the Department of Community Development for review, as required by Section 410.390 of the Subdivision and Land Development Regulations (Subdivision Code). The Grading and Site Improvement Plans shall be in substantial conformance with the Site Development Plans and the Landscape Plan submitted on May 11, 2020 as bound together and submitted in conjunction with Application #20-002 by QuikTrip and as amended below.
4. 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 May 11, 2020 as bound together and submitted in conjunction with Application #20-002 by QuikTrip and as amended below.

5. The Landscape Plan shall be revised to provide additional plantings adjacent to the building and at the corner of Olive Boulevard, and Graeser Road for the Zoning Administrator’s approval to meet with the City’s Comprehensive Plan and Design Guidelines as well as Sections 405.540 and 405.810 of the Zoning Ordinance as discussed in the Staff Report for June 1, 2020 Planning and Zoning Commission Meeting.
6. An underground irrigation system shall be installed and maintained to serve all new landscaped areas. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt manner.
7. The proposed 8-foot tall shadowbox wood fence shall be placed interior to the proposed landscaping adjacent to the residential zoning districts to create a condition where plantings are placed on both side of the fence.
8. If required by the Building Code, a four-foot tall, safety barrier on top of the retaining wall shall be approved at Staff level provided it is an open slatted, black wrought-iron style.
9. The Applicant shall provide for the reciprocal parking and drainage agreement for the City Attorney’s review and approval prior to the issuance of a building permit.
10. Copies of MoDOT approval based on the approved plans shall be provided prior to the issuance of a Site Improvement Permit or Building Permits from the City, including a maintenance and use agreement for the plantings within MoDOT right-of-way. New signals shall be black powder coated and lighted street name signs shall be utilized, at Applicant’s expense.
11. Employee parking, delivery and company vehicles shall be parked interior to the site behind the building and as far from the public right-of-way as possible.
12. Outdoor storage and display of merchandise shall be prohibited.
13. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
14. All lighting shall comply with Section 405.680 Lighting of the Zoning Ordinance.
15. Any mechanical equipment installed for the site shall be properly screened with approved materials.
16. 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.
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 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.
18. 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.
19. 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.

MOTION

At this time, the Commission should hear from the Applicants and the public on the June 1st and 3rd, and provide direction on the items above, as well as provide Staff with recommended follow-up items for

consideration at the June 15th Planning and Zoning Commission meeting. Below is a recommended motion to continue:

“I move to continue Application #20-002 & #20-010 for the boundary adjustment, site development plan and conditional use permit for QuikTrip gas station with convenience store at 11004, 11026, and 11032 Olive Boulevard and 825 and 827 Graeser Road, and the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard to allow for the Applicant to revise the drawings based upon the discussion and direction from the Commission” (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.

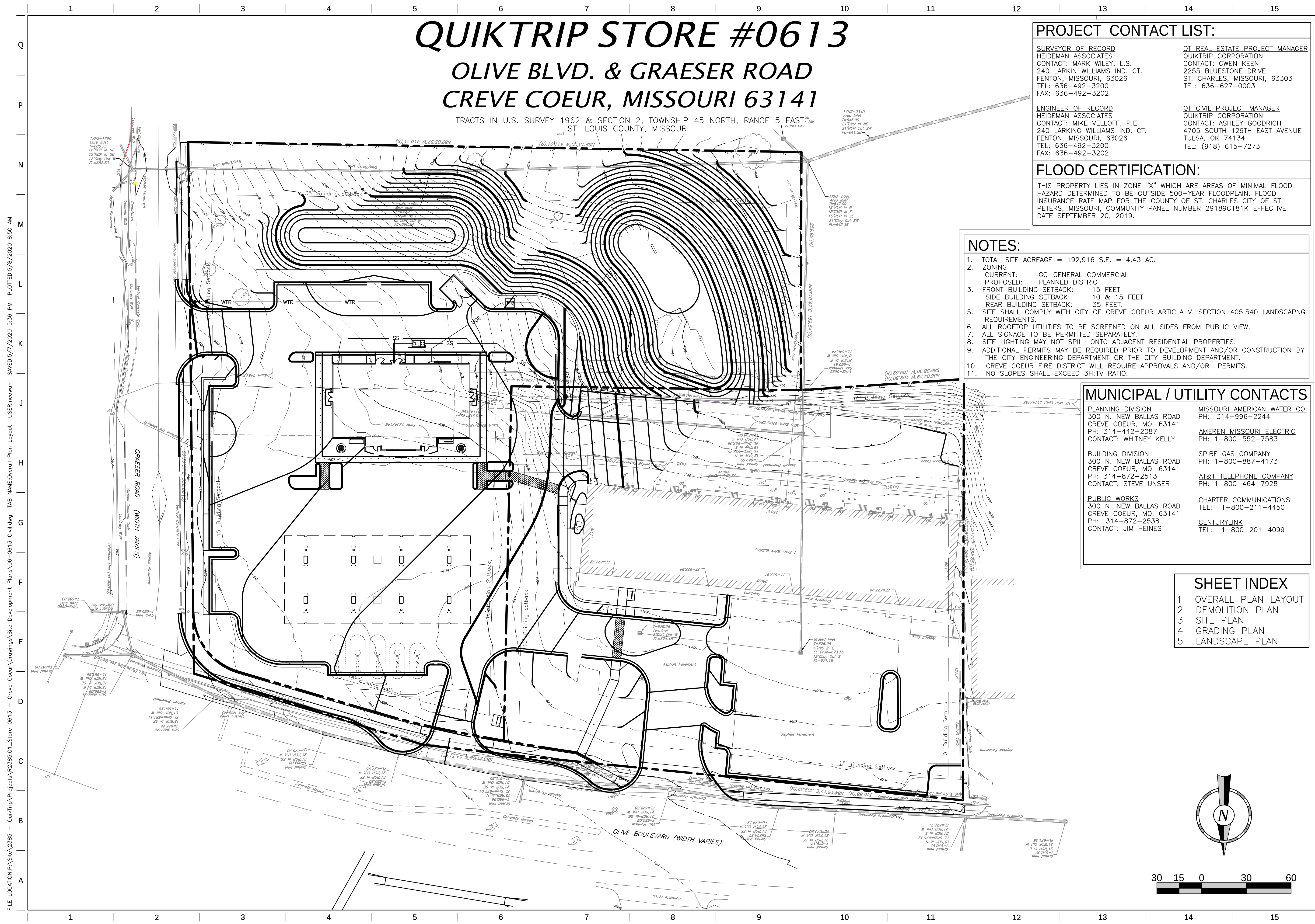
APPENDIX 2: ZONING CODE

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

This aerial map displays a residential neighborhood with numerous lots and streets. A red dashed line outlines a specific area, and a blue shaded area highlights a cluster of lots. The map includes labels for streets such as Olive Blvd, Chase Park Ln, and Winfield Pointe Ln. The lots are numbered, and the map shows the layout of the neighborhood, including the intersection of Olive Blvd and Chase Park Ln.



Prepared By: THORNER & SHIFFRIN



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FLOOD CERTIFICATION:
THIS PROPERTY LIES IN ZONE "X" WHICH ARE AREAS OF MINIMAL FLOOD HAZARD DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN, FLOOD INSURANCE RATE MAP FOR THE COUNTY OF ST. CHARLES CITY OF ST. PETERS, MISSOURI, COMMUNITY PANEL NUMBER 29189C181K EFFECTIVE DATE SEPTEMBER 20, 2019.

- NOTES:**
- TOTAL SITE ACREAGE = 192,916 S.F. = 4.43 AC.
 - ZONING
CURRENT: GC-GENERAL COMMERCIAL
PROPOSED: PLANNED DISTRICT
 - FRONT BUILDING SETBACK: 15 FEET
SIDE BUILDING SETBACK: 10 & 15 FEET
REAR BUILDING SETBACK: 35 FEET
 - SITE SHALL COMPLY WITH CITY OF CREVE COEUR ARTICLA V, SECTION 405.540 LANDSCAPING REQUIREMENTS
 - ALL ROOFTOP UTILITIES TO BE SCREENED ON ALL SIDES FROM PUBLIC VIEW.
 - ALL SIGNAGE TO BE PERMITTED SEPARATELY.
 - SITE LIGHTING MAY NOT SPILL ONTO ADJACENT RESIDENTIAL PROPERTIES.
 - ADDITIONAL PERMITS MAY BE REQUIRED PRIOR TO DEVELOPMENT AND/OR CONSTRUCTION BY THE CITY ENGINEERING DEPARTMENT OR THE CITY BUILDING DEPARTMENT.
 - CREVE COEUR FIRE DISTRICT WILL REQUIRE APPROVALS AND/OR PERMITS.
 - NO SLOPES SHALL EXCEED 3H:1V RATIO.

MUNICIPAL / UTILITY CONTACTS

PLANNING DIVISION
300 N. NEW BALLAS ROAD
CREVE COEUR, MO. 63141
PH: 314-442-2087
CONTACT: WHITNEY KELLY

MISSOURI AMERICAN WATER CO.
PH: 314-996-2244
AMEREN MISSOURI ELECTRIC
PH: 1-800-552-7583

BUILDING DIVISION
300 N. NEW BALLAS ROAD
CREVE COEUR, MO. 63141
PH: 314-872-2513
CONTACT: STEVE UNSER

SPIRE GAS COMPANY
PH: 1-800-887-4173
AT&T TELEPHONE COMPANY
PH: 1-800-464-7928

PUBLIC WORKS
300 N. NEW BALLAS ROAD
CREVE COEUR, MO. 63141
PH: 314-872-2538
CONTACT: JIM HEINES

CHARTER COMMUNICATIONS
TEL: 1-800-211-4450
CENTURYLINK
TEL: 1-800-201-4099

SHEET INDEX

1	OVERALL PLAN LAYOUT
2	DEMOLITION PLAN
3	SITE PLAN
4	GRADING PLAN
5	LANDSCAPE PLAN

PROJECT NO.: #####

QuikTrip No. 0613
OLIVE BLVD. & GREASER ROAD
CREVE COEUR, MO 63141


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PROTOTYPE: P-99 (08/10/19)
DIVISION:
VERSION: 001
DESIGNED BY: MJV
DRAWN BY: DPB
REVIEWED BY: MJV

REV	DATE	DESCRIPTION

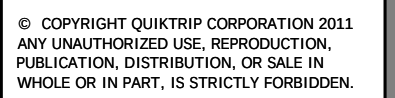
ORIGINAL ISSUE DATE:

SHEET TITLE:
OVERALL PLAN LAYOUT
(FOR INTERNAL USE ONLY)

SHEET NUMBER:
1

FILE LOCATION\\MP\\Site\\2385 - QuikTrip\\Projects\\R2385.01_Store 0613 - Creve Coeur\\Drawings\\Site Development Plans\\06-0613 Civil.dwg TAB NAME:Overall Plan Layout USER:ncnewn SAVED:5/7/2020 5:36 PM PLOTTED:5/9/2020 8:50 AM

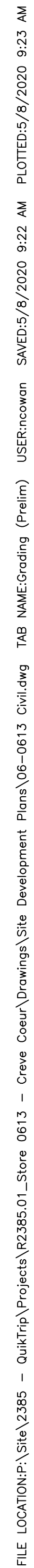
OLIVE BLVD. & GREASER ROAD
CREVE COEUR, MO 63141

[illegible]

PRELIMINARY DEMOLITION
PLAN

2





GRADING NOTES	
1.	GAS CANOPY INSTALLER SHALL INSTALL THE CANOPY COLUMN DRAIN PIPE AND OVERFLOW FITTING. THE STORM WATER INSTALLER SHALL CONNECT THEIR PIPING TO THE GAS INSTALLER'S OVERFLOW FITTING.
2.	TO AVOID ANY DEFINED CRESTS OR SUMPS, "GRADE BREAKS" SHALL BE CONSTRUCTED AS A "VERTICAL CURVE". SURVEYOR & CONTRACTOR SHALL CONFER WITH KUTIRITH CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION STAKING OR CONCRETE PLACEMENT RELATIVE TO ANY GRADE BREAKS.
3.	NO SLOPES SHALL EXCEED 3%:1V RATIO.



PROTOTYPE: P-99 (08/01/19)
DIVISION:
VERSION: 001
DESIGNED BY: MJV
DRAWN BY: DPB
REVIEWED BY: MJV

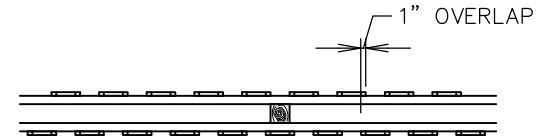
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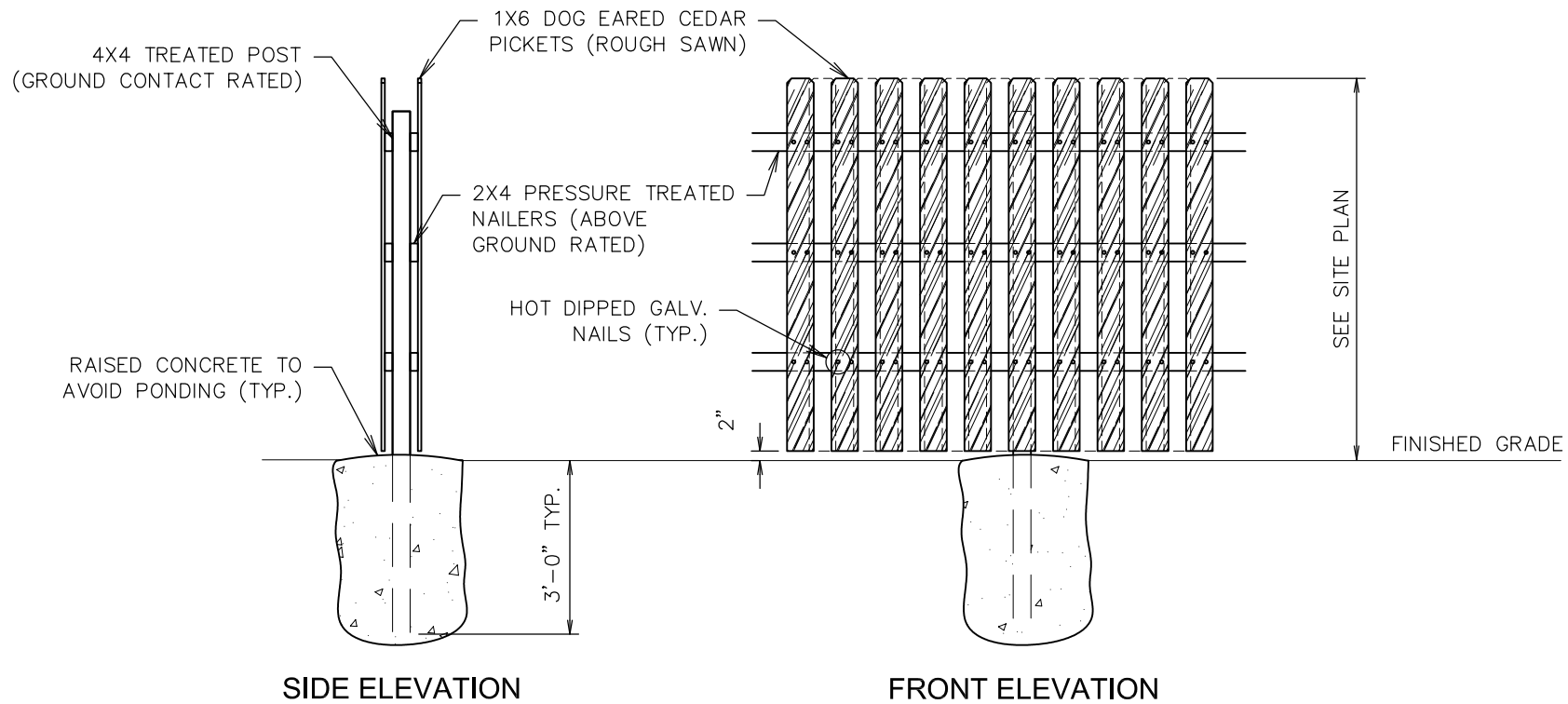
4

FOR 8' OR TALLER FENCE, REPLACE 4X4 POST WITH 4X6 (NARROW SIDE TO FENCE). A 4TH "NAILER" WILL BE REQUIRED. BURIAL DEPTH SHALL BE 4'-0".

COVER ENTIRE FENCE W/BEHR DECK PLUS DP359 OXFORD BROWN (2 COATS MINIMUM). TOP AND BOTTOM OF FENCE ALSO TO BE SEALED.



PLAN



DOUBLE-SIDED WOODEN FENCE



STORE NO.: 0613

DATE: 3/16/20

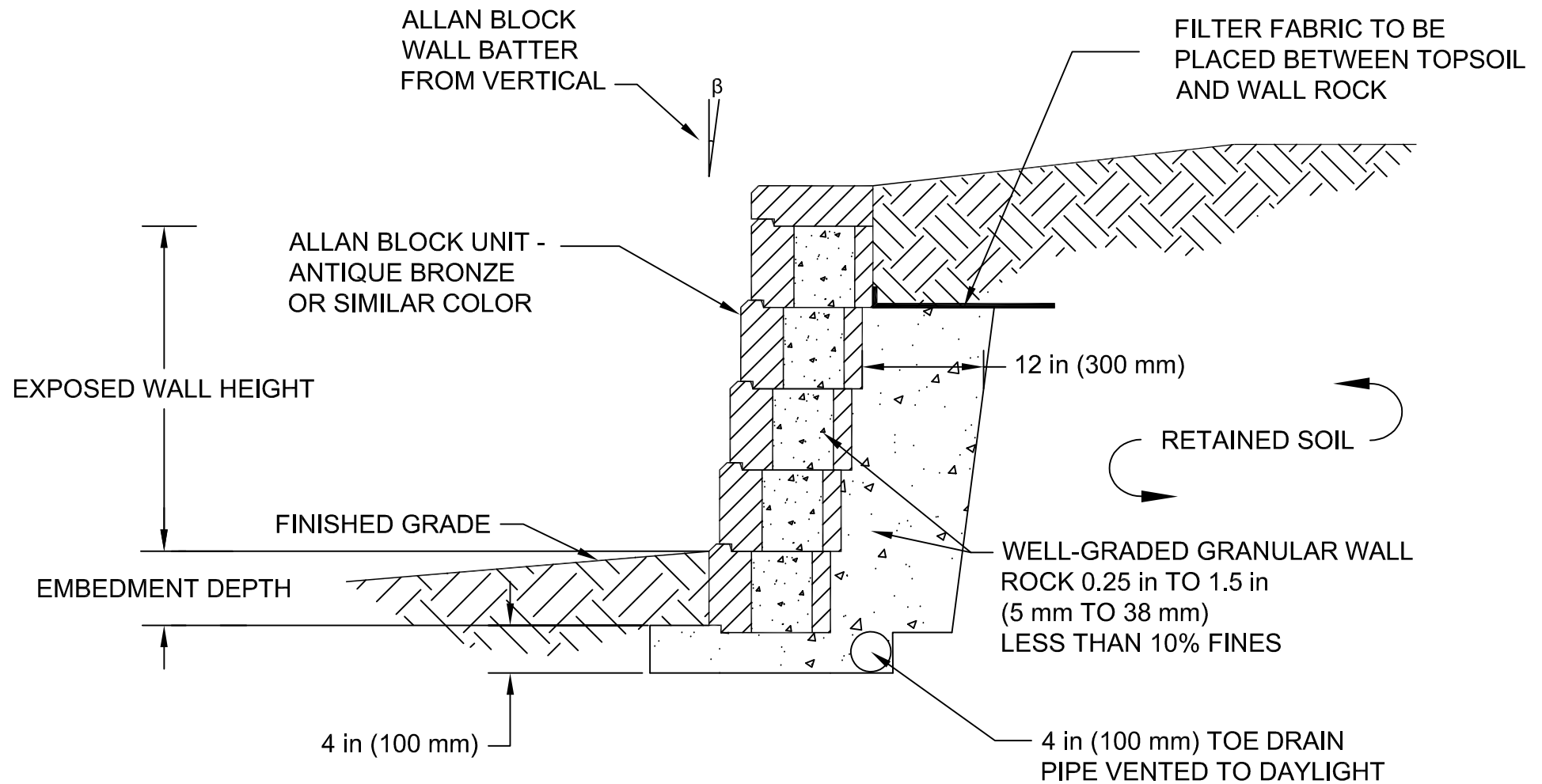
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NAME:

REVISION:

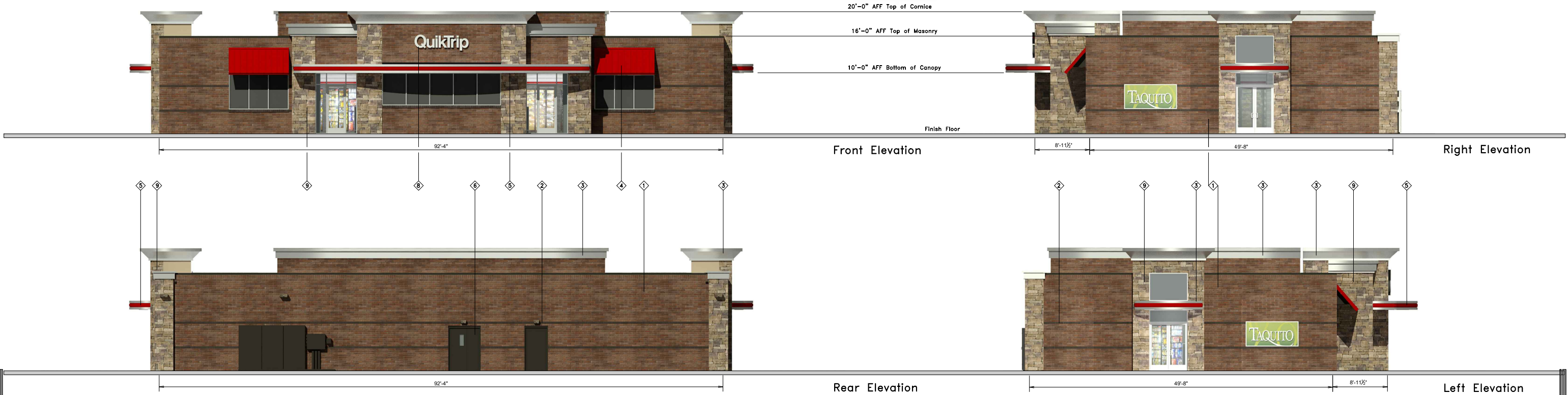
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EF-X



Designed By:	 ALLAN BLOCK	The purpose of this drawing is for preliminary design only. This drawing should not be used for final design or construction without the certification of a professional engineer registered in the state in which the wall will be built. The accuracy and use of details contained in this document are the sole responsibility of the user. The user must verify each detail for accuracy as they pertain to their particular project. © 2005 Allan Block	Title: TYPICAL GRAVITY WALL SECTION	Date:
Checked By:				Project No:
Scale: NOT TO SCALE				Drawing No:

APPROVED
[Signature]
05/11/2020





QuikTrip.
4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store # 613	Custom G3S w/ Sonoma Stone & 24SF Signage	Address: Olive & Greaser	City, State: Creve Coeur, MO
Serial # 06-0613-G3S	Scale: 1/16"=1'-0"	Issue Date: 05.11.20	Drawn By: JK
		Rev/Notes: #	COPYRIGHT © 2011 QUIKTRIP CORPORATION DESIGN PATENTS QUIKTRIP PLANS ARE THE EXCLUSIVE PROPERTY OF QUIKTRIP CORPORATION, TULSA, OKLAHOMA. THESE PLANS ARE PROTECTED IN THEIR ENTIRETY BY DOMESTIC AND INTERNATIONAL COPYRIGHT AND PATENT STATUTES. ANY UNAUTHORIZED USE, REPRODUCTION, PUBLICATION, DISTRIBUTION OR SALE IN WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

①	FINISH	MANUFACTURER	SPECIFICATION
1	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
2	MIDNIGHT	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
3	BRUSHED ALUMINUM	REYNOLDS	FASCIA
4	QT RED	SHERWIN-WILLIAMS	STANDING SEAM AWNING
5	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
6	QT BROWN	SHERWIN-WILLIAMS	METAL PAINT
7	BLACK	ALL COURT FABRICS	POLYPRO 95 MESH
8	CUSTOM 24SF SIGN	ALLEN INDUSTRIES	SIGNAGE
9	SONOMA	GLEN GERY	STACKED STONE
10	IDB-20	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE

Packet Pg. 226





Store 613
06-0613-PE08

Creve Coeur, MO
Date: 05.11.20 By:JK









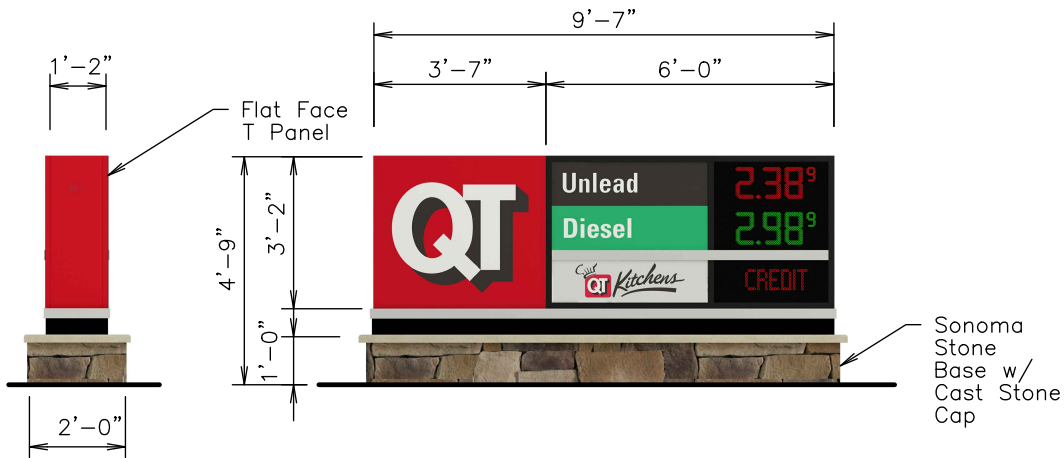

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 P.O. Box 3475 - Tulsa, OK 74103-3475
 918.622.5782

APPROVED

05/11/2020

Custom Horizontal
Monument Sign
MH-E2PQ-31-CS



NOTES	
DRAWN BY	
ISSUE DATE	05.11.20

SQUARE FOOTAGE	
TYPEFACE	
INSIDE CAN	
ENTIRE SIGN	30.35

SPECIFICATIONS: LED PRICER PANELS BY SKYLINE PRODUCTS, INC.

Color Specifications

All Paint Finishes to be Akzo Nobel

	Opaque Silver
	Translucent White
	Black - Low Gloss
	Matte White (Interior of Sign)
	Match 3M Cardinal Red #3632-53
	Match PMS 349C

SCALE:

1/4" = 1'-0"

SERIAL NUMBER:

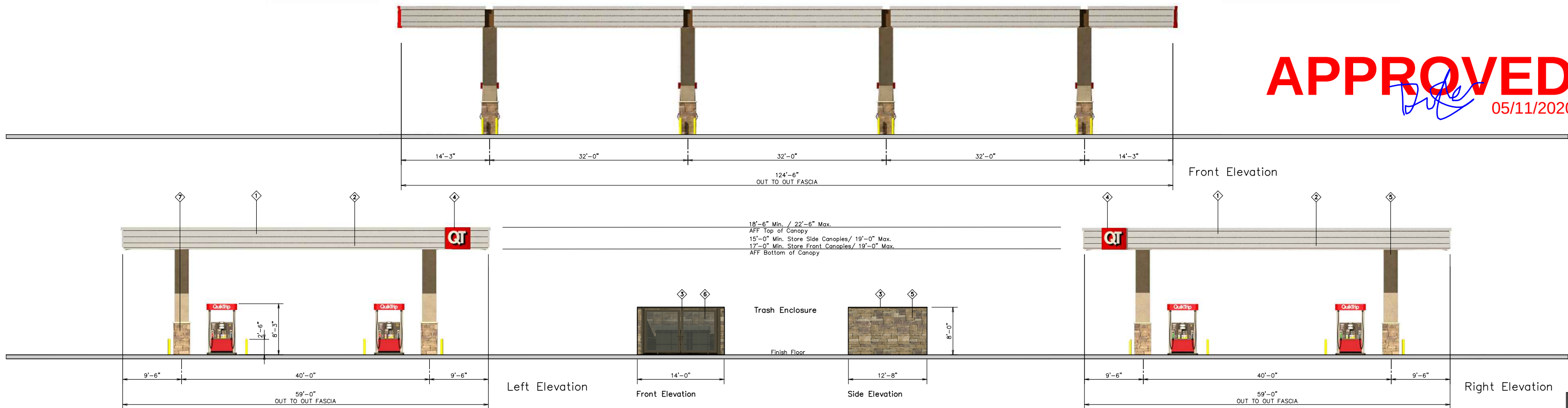
MH-E2PQ-31-CS

STORE NUMBER:

613



APPROVED
Duke
05/11/2020



QuikTrip.

4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #
613 Custom Canopy w/ No Red Band

Serial #
06-0613-G3S

Scale:
1/16"=1'-0"

Issue Date:
05.11.20

Address:
Olive & Greaser

Drawn By:
JK

Rev/Notes:

City, State:
Creve Coeur, MO

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①	FINISH	MANUFACTURER	SPECIFICATION
1	HLZ-ALUMINUM	ALPOLIC	CANOPY
2	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
3	QT BROWN	SHERWIN - WILLIAMS	METAL PAINT
4	IDC-14	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
5	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
6	BLACK	ALL COURT FABRICS	POLYPRO 95 MESH
7	MIDNIGHT	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK

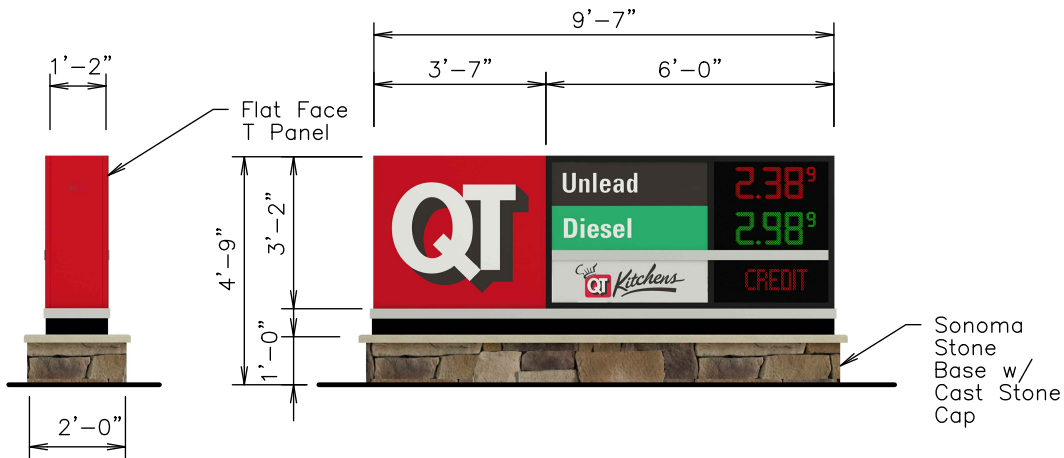

QuikTrip.

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 P.O. Box 3475 - Tulsa, OK 74110-3475
 918.662.5768

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05/11/2020

Custom Horizontal
Monument Sign
MH-E2PQ-31-CS



NOTES	
DRAWN BY	
ISSUE DATE	05.11.20

SQUARE FOOTAGE	
TYPEFACE	
INSIDE CAN	
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MH-E2PQ-31-CS

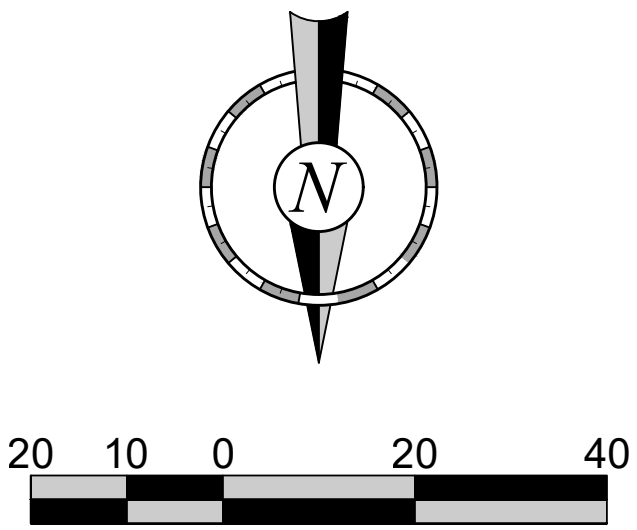
STORE NUMBER:

613



LUMINAIRE SCHEDULE								
SYMBOL	LABEL	QTY	ARRANGEMENT	MOUNTING HEIGHT	LUMENS PER LAMP	LLF	DESCRIPTION	TOTAL WATTS
	E	32	SINGLE	15' TO 19'	12,793	0.35	SCV-LED-13L-SC-40	83.6
	F	09	SINGLE	10' TO 12'	5,326	0.90	XSL2-S-LED-50-SS-40	59.9
	G	08	SINGLE	12'	6,275	0.90	XWM-3-LED-06-40	54.0
	H	03	SINGLE	22'	8,048	0.90	SLM-LED-12L-SIL-FT-40-70-CRI-IL	93.1

PROJECT NO.: #####



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SHEET NUMBER:

C160



Slice Medium - SLM Outdoor LED Area Light

The Slice's sleek design makes it perfectly-suited for Commercial & Industrial applications, while its cost-effective die-cast aluminum housing makes its acquisition cost very competitive. The Slice offers high performance silicone optics, die cast aluminum housing, 42,000+ lumens and is available with integral Airlink Synapse controls.

Features & Specifications

Optical System

- State-of-the-Art one piece silicone optic sheet delivers industry leading optical control with an integrated gasket to provide IP66 rated sealed optical chamber in 1 component.
- Proprietary silicone refractor optics provide exceptional coverage and uniformity in IES Types 2, 3, 5W, FT and FTA.
- Silicone optical material does not yellow or crack with age and provides a typical light transmittance of 93%.
- Zero uplight.
- Available in 5000K, 4000K, 3000K, and 2700K color temperatures per ANSI C78.377. Also Available in Phosphor Converted Amber with Peak intensity at 610nm.
- Minimum CRI of 70.
- Integral Louver (IL) option available for improved back-light control without sacrificing street side performance. See page 5 for more details.

Electrical

- High-performance driver features over-voltage, under-voltage, short-circuit and over temperature protection.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) Input 50/60 Hz or optional High Voltage (347-480 Vac).
- L80 Calculated Life: >100k Hours (See Lumen Maintenance on Page 3)
- Total harmonic distortion: <20%
- Operating temperature: -40°C to +50°C (-40°F to +122°F). 42L lumen package rated to +40°C.
- Power factor: >.90
- Input power stays constant over life.
- Field replaceable surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- High-efficacy LEDs mounted to metal-core circuit board to maximize heat dissipation
- Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed.



Dimmable



WIRELESS CONTROLS



Bluetooth™



IP66



ARRA Funding Compliant



UL US LISTED



MANUFACTURED IN THE USA



ROHS COMPLIANT



TITLE 24 COMPLIANT



IDA DARK SKY APPROVED

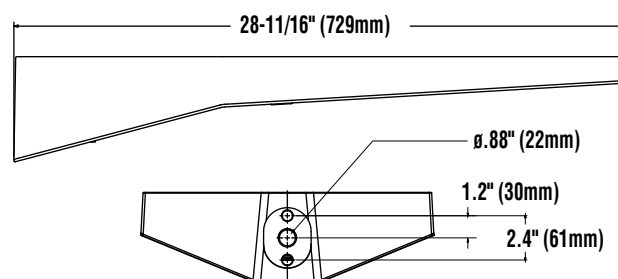
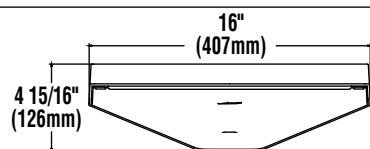


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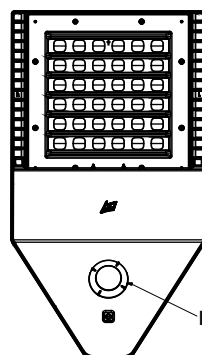


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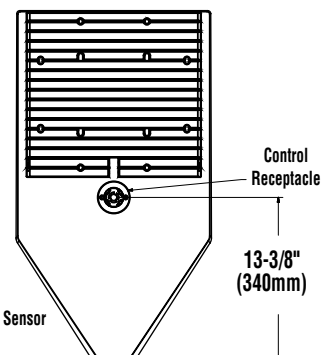
Product Dimensions



B3 Pole Drill Pattern



Bottom View



Top View



Slice Medium - SLM Outdoor LED Area Light

Features & Specifications (Cont.)

Construction

- Rugged die-cast aluminum housing contains factory prewired driver and optical unit. Cast aluminum wiring access door located underneath.
- Designed to mount to square poles.
- Luminaire is proudly manufactured in the U.S. of U.S. and imported parts.
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Other standard LSI finishes available. Consult factory.
- Shipping weight: 30 lbs in carton.

Controls

Wireless Controls System

To make this fixture AirLink ready, simply order one of the following options:

- The integrated [Wireless Lighting Controller](#): ALSC or ALSCH (see ordering guide) as the controls option, or
- Integrated Wireless Controller option (above) with integrated motion sensor: ALSCS (ordering guide for mounting heights) or
- The 7-Pin Photoelectric Control Receptacle: CR7P as the controls option; and either the [5-Pin](#) or [7-Pin Twist Lock Controller](#): ALSC UNV TL5 or ALSC UNV TL7 as an accessory

To see how the components of AirLink system work together, reference the diagram in the controls section of this spec sheet. For more information on our AirLink products, visit our website: www.lsi-airlink.com/airlink-synapse/

Stand-Alone Controls

- Integral Passive Infrared Bluetooth™ Motion/Photocell Sensor (IMSBT)
 - Switches luminaire light levels based on motion and daylight (see the controls section for more details)
 - Fixtures operate independently and can be commissioned via iOS or Android configuration app
- 7-pin ANSI C136.41-2013 photocontrol receptacle (CR7P)
 - Available for twist lock photocontrols or wireless control modules

Installation

- A single fastener secures the hinged door, underneath the housing and provides quick & easy access to the electrical compartment.
- Included terminal block accepts up to 12 ga. wire.
- Utilizes LSI's traditional 3" drill pattern B3 for easy fastening of LSI products. (See drawing on page 1)

Warranty

- LSI LED Fixtures carry a 5-year warranty.

Listings

- Listed to UL 1598 and UL 8750.
- RoHS Compliant.
- American Recovery and Reinvestment Act Funding Compliant.
- IDA compliant; with 3000K color temperature selection.
- Title 24 Compliant; see local ordinance for qualification information.
- Suitable for wet Locations.
- IP66 rated Luminaire. IP66 rated optical chamber.
- 3G rated for ANSI C136.31 high vibration applications

Performance

ELECTRICAL DATA (AMPS)*

Lumens	Watts	120V	208V	240V	277V	347V	480V
9L	68.2	0.6A	0.3A	0.3A	0.2A	0.2A	0.1A
12L	93.1	0.8A	0.4A	0.4A	0.3A	0.3A	0.2A
18L	148.5	1.2A	0.7A	0.6A	0.5A	0.4A	0.3A
24L	188.8	1.6A	0.9A	0.8A	0.7A	0.5A	0.4A
30L	248.6	2.1A	1.2A	1.0A	0.9A	0.7A	0.5A
36L	317.8	2.6A	1.5A	1.3A	1.1A	0.9A	0.7A
42L	393.4	3.3A	1.9A	1.6A	1.4A	1.1A	0.8A

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%

ELECTRICAL DATA - PHOSPHOR CONVERTED AMBER (AMPS)*

Lumens	Watts	120V	208V	240V	277V	347V	480V
9L	74.3	0.6A	0.4A	0.3A	0.3A	0.2A	0.2A
12L	102.9	0.9A	0.5A	0.4A	0.4A	0.3A	0.2A

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%

RECOMMENDED LUMEN MAINTENANCE¹(24-42L)

Ambient	Initial ²	25 hr ²	50 hr ²	75 hr ³	100 hr ³
0-40 C	100%	100%	97%	94%	92%

RECOMMENDED LUMEN MAINTENANCE¹(9-18L)

Ambient	Initial ²	25 hr ²	50 hr ²	75 hr ³	100 hr ³
0-50 C	100%	96%	91%	87%	83%

- 1- Lumen maintenance values at 25C are calculated per TM-21 based on LM-80 data and in-situ testing.
- 2- In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times the IESNA LM-80-08 total test duration for the device under testing.
- 3- In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times the IESNA LM-80-08 total test duration for the device under testing

DELIVERED LUMENS*

Lumen Package	Distribution	Phosphor Converted Amber (Peak 610nm)			Wattage
		Delivered Lumens	Efficacy	BUG Rating	
9L	2	5958	80	B2-U0-G1	74
	2 IL	3735	50	B0-U0-G1	
	3	6196	83	B1-U0-G1	
	3 IL	4205	56	B0-U0-G1	
	5W	5528	74	B3-U0-G1	
	FT	5922	79	B1-U0-G2	
	FT IL	3712	50	B0-U0-G1	
	FTA	5997	80	B2-U0-G2	
12L	2	7559	73	B2-U0-G2	103
	2 IL	4738	46	B0-U0-G1	
	3	7860	76	B2-U0-G2	
	3 IL	5335	52	B0-U0-G1	
	5W	7013	68	B3-U0-G2	
	FT	7513	73	B2-U0-G2	
	FT IL	4709	46	B0-U0-G2	
	FTA	7608	74	B2-U0-G2	
	FTA IL	5397	52	B0-U0-G1	

*LED Chips are frequently updated therefore values are nominal

LUMINAIRE EPA CHART - SLM

Tilt Degree				Tilt Degree			
0°				0°			
Single	0.5	2.1	2.6	T90°	1.2	2.9	3.6
D180°	1.1	2.1	2.6	TN120°	1.3	4.4	5.4
D90°	0.9	2.5	3.1	O90°	1.2	2.9	3.6

Specifications and dimensions subject to change without notice.



Slice Medium - SLM Outdoor LED Area Light

DELIVERED LUMENS*															
Lumen Package	Distribution	CRI	2700K CCT			3000K CCT			4000K CCT			5000K CCT			Wattage
			Delivered Lumens	Efficacy	BUG Rating	Delivered Lumens	Efficacy	BUG Rating	Delivered Lumens	Efficacy	BUG Rating	Delivered Lumens	Efficacy	BUG Rating	
9L	2	70	8349	122	B2-U0-G2	8576	125	B2-U0-G2	9396	137	B2-U0-G2	9784	143	B2-U0-G2	69
	2 IL	70	5185	76	B0-U0-G1	5326	78	B0-U0-G1	5835	85	B0-U0-G1	6076	89	B0-U0-G1	
	3	70	8571	125	B1-U0-G2	8804	129	B1-U0-G2	9646	141	B2-U0-G2	10044	147	B2-U0-G2	
	3 IL	70	6283	92	B0-U0-G2	6454	94	B0-U0-G2	7071	103	B0-U0-G2	7363	107	B0-U0-G2	
	5W	70	8158	119	B3-U0-G2	8380	122	B3-U0-G2	9181	134	B3-U0-G2	9560	140	B4-U0-G2	
	FT	70	8337	122	B2-U0-G2	8563	125	B2-U0-G2	9382	137	B2-U0-G2	9769	143	B2-U0-G2	
	FT IL	70	5393	79	B0-U0-G2	5540	81	B0-U0-G2	6069	89	B0-U0-G2	6320	92	B0-U0-G2	
	FTA	70	8459	123	B2-U0-G2	8689	127	B2-U0-G2	9520	139	B2-U0-G2	9913	145	B2-U0-G2	
FTA IL	70	6200	91	B1-U0-G1	6369	93	B1-U0-G1	6978	102	B1-U0-G1	7266	106	B1-U0-G1		
12L	2	70	11157	119	B2-U0-G2	11461	122	B2-U0-G2	12556	134	B3-U0-G2	13075	139	B3-U0-G2	94
	2 IL	70	6929	74	B1-U0-G1	7117	76	B1-U0-G2	7798	83	B1-U0-G2	8119	86	B1-U0-G2	
	3	70	11454	122	B2-U0-G2	11766	125	B2-U0-G2	12890	137	B2-U0-G2	13423	143	B2-U0-G2	
	3 IL	70	8396	89	B0-U0-G2	8625	92	B0-U0-G2	9449	101	B0-U0-G2	9839	105	B0-U0-G2	
	5W	70	10902	116	B4-U0-G2	11199	119	B4-U0-G2	12269	131	B4-U0-G2	12775	136	B4-U0-G2	
	FT	70	11141	119	B2-U0-G2	11444	122	B2-U0-G2	12538	133	B2-U0-G3	13055	139	B2-U0-G3	
	FT IL	70	7207	77	B0-U0-G2	7403	79	B0-U0-G2	8110	86	B0-U0-G2	8445	90	B0-U0-G2	
	FTA	70	11304	120	B2-U0-G2	11612	124	B2-U0-G2	12722	135	B2-U0-G2	13247	141	B2-U0-G2	
FTA IL	70	8286	88	B1-U0-G1	8511	91	B1-U0-G1	9325	99	B1-U0-G1	9710	103	B1-U0-G1		
18L	2	70	16714	112	B3-U0-G3	17168	115	B3-U0-G3	18809	126	B3-U0-G3	19586	131	B3-U0-G3	150
	2 IL	70	10379	69	B1-U0-G2	10662	71	B1-U0-G2	11681	78	B1-U0-G2	12163	81	B1-U0-G2	
	3	70	17158	115	B2-U0-G3	17625	118	B2-U0-G3	19310	129	B3-U0-G3	20107	134	B3-U0-G3	
	3 IL	70	12578	84	B1-U0-G2	12920	86	B1-U0-G2	14155	95	B1-U0-G2	14739	99	B1-U0-G2	
	5W	70	16331	109	B4-U0-G2	16776	112	B4-U0-G2	18379	123	B4-U0-G2	19138	128	B5-U0-G3	
	FT	70	16689	112	B3-U0-G3	17143	115	B3-U0-G3	18781	126	B3-U0-G4	19557	131	B3-U0-G4	
	FT IL	70	10795	72	B1-U0-G2	11089	74	B1-U0-G2	12149	81	B1-U0-G3	12651	85	B1-U0-G3	
	FTA	70	16934	113	B3-U0-G3	17395	116	B3-U0-G3	19058	127	B3-U0-G3	19844	133	B3-U0-G3	
FTA IL	70	12412	83	B1-U0-G1	12750	85	B1-U0-G2	13969	93	B1-U0-G2	14546	97	B1-U0-G2		
24L	2	70	20880	112	B3-U0-G3	22701	121	B4-U0-G3	24276	130	B4-U0-G3	24784	133	B4-U0-G3	187
	2 IL	70	13100	70	B1-U0-G2	14243	76	B1-U0-G2	15231	81	B1-U0-G2	15550	83	B1-U0-G2	
	3	70	21739	116	B3-U0-G3	23636	126	B3-U0-G4	25275	135	B3-U0-G4	25804	138	B3-U0-G4	
	3 IL	70	15828	85	B1-U0-G3	17209	92	B1-U0-G3	18403	98	B1-U0-G4	18788	100	B1-U0-G4	
	5W	70	20632	110	B5-U0-G3	22432	120	B5-U0-G3	23988	128	B5-U0-G3	24490	131	B5-U0-G3	
	FT	70	21611	116	B3-U0-G4	23496	126	B3-U0-G4	25126	134	B3-U0-G4	25652	137	B3-U0-G4	
	FT IL	70	13692	73	B1-U0-G3	14886	80	B1-U0-G3	15919	85	B1-U0-G3	16252	87	B1-U0-G3	
	FTA	70	21496	115	B3-U0-G3	23371	125	B3-U0-G3	24992	134	B3-U0-G3	25515	136	B3-U0-G3	
FTA IL	70	15226	81	B1-U0-G2	16555	89	B1-U0-G2	17703	95	B2-U0-G2	18073	97	B2-U0-G2		
30L	2	70	26581	108	B4-U0-G3	28900	117	B4-U0-G3	30905	125	B4-U0-G3	31551	128	B4-U0-G3	247
	2 IL	70	16677	68	B1-U0-G2	18132	73	B1-U0-G2	19390	79	B1-U0-G2	19796	80	B1-U0-G2	
	3	70	27675	112	B3-U0-G4	30089	122	B3-U0-G4	32176	130	B3-U0-G4	32850	133	B3-U0-G4	
	3 IL	70	20150	82	B1-U0-G4	21908	89	B1-U0-G4	23428	95	B1-U0-G4	23918	97	B1-U0-G4	
	5W	70	26266	106	B5-U0-G3	28557	116	B5-U0-G3	30538	124	B5-U0-G4	31177	126	B5-U0-G4	
	FT	70	27512	111	B3-U0-G4	29912	121	B3-U0-G4	31987	130	B3-U0-G4	32656	132	B3-U0-G5	
	FT IL	70	17430	71	B1-U0-G3	18951	77	B1-U0-G4	20266	82	B1-U0-G4	20690	84	B1-U0-G4	
	FTA	70	27365	111	B3-U0-G3	29752	120	B4-U0-G3	31816	129	B4-U0-G3	32482	132	B4-U0-G3	
FTA IL	70	19384	78	B2-U0-G2	21075	85	B2-U0-G2	22537	91	B2-U0-G2	23008	93	B2-U0-G2		
36L	2	70	32214	102	B4-U0-G3	35025	111	B4-U0-G3	37454	118	B4-U0-G3	38238	121	B4-U0-G4	317
	2 IL	70	20212	64	B1-U0-G2	21975	69	B1-U0-G3	23499	74	B2-U0-G3	23991	76	B2-U0-G3	
	3	70	33540	106	B3-U0-G4	36466	115	B3-U0-G5	38996	123	B3-U0-G5	39812	126	B3-U0-G5	
	3 IL	70	24421	77	B1-U0-G4	26551	84	B1-U0-G4	28393	90	B1-U0-G4	28987	92	B1-U0-G5	
	5W	70	31832	101	B5-U0-G4	34609	109	B5-U0-G4	37010	117	B5-U0-G4	37785	119	B5-U0-G4	
	FT	70	33342	105	B3-U0-G5	36251	114	B3-U0-G5	38766	122	B4-U0-G5	39577	125	B4-U0-G5	
	FT IL	70	21125	67	B1-U0-G4	22968	73	B1-U0-G4	24561	78	B1-U0-G4	25075	79	B1-U0-G4	
	FTA	70	33164	105	B4-U0-G3	36058	114	B4-U0-G4	38559	122	B4-U0-G4	39366	124	B4-U0-G3	
FTA IL	70	23492	74	B2-U0-G2	25541	81	B2-U0-G2	27313	86	B2-U0-G2	27885	88	B2-U0-G2		
42L	2	70	36785	94	B4-U0-G3	39994	103	B5-U0-G4	42768	110	B5-U0-G4	43663	112	B5-U0-G4	390
	2 IL	70	23079	59	B1-U0-G3	25093	64	B2-U0-G3	26833	69	B2-U0-G3	27395	70	B2-U0-G3	
	3	70	38299	98	B3-U0-G5	41640	107	B4-U0-G5	44528	114	B4-U0-G5	45460	117	B4-U0-G5	
	3 IL	70	27886	72	B1-U0-G4	30319	78	B1-U0-G5	32422	83	B1-U0-G5	33100	85	B1-U0-G5	
	5W	70	36349	93	B5-U0-G4	39520	101	B5-U0-G4	42261	108	B5-U0-G4	43145	111	B5-U0-G4	
	FT	70	38073	98	B4-U0-G5	41395	106	B4-U0-G5	44266	114	B4-U0-G5	45192	116	B4-U0-G5	
	FT IL	70	24122	62	B1-U0-G4	26226	67	B1-U0-G4	28045	72	B1-U0-G4	28632	73	B1-U0-G4	
	FTA	70	37870	97	B4-U0-G4	41174	106	B4-U0-G4	44030	113	B4-U0-G4	44951	115	B4-U0-G4	
FTA IL	70	26825	69	B2-U0-G2	29165	75	B2-U0-G2	31188	80	B2-U0-G2	31841	82	B2-U0-G2		

*LED Chips are frequently updated therefore values are nominal

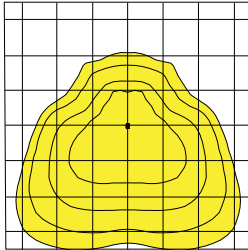
Specifications and dimensions subject to change without notice.



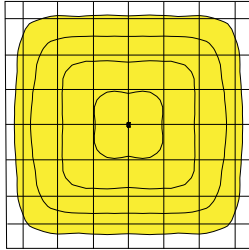
Slice Medium - SLM Outdoor LED Area Light

Performance (Cont.)

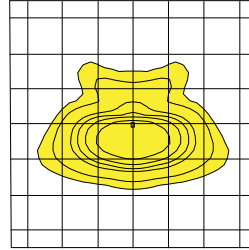
All published luminaire photometric testing performed to IESNA LM-79 standards. ISO footcandle plots below demonstrate the Slice (SLM) light patterns only. Not for total fixture output. For complete specifications and IES files, see website.



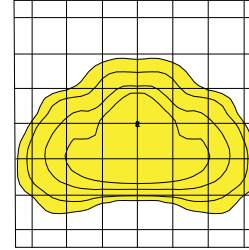
FT



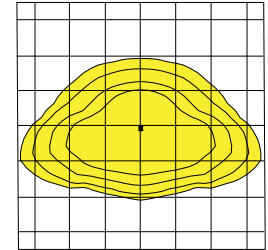
5W



FTA



Type 3



Type 2

Ordering Guide

TYPICAL ORDER EXAMPLE: **SLM LED 36L SIL FTA UNV DIM 50 70CRI ALSCS04 BRZ IL**

Luminaire Prefix	Light Source	Lumen Package*	Light Output	Distribution	Orientation ¹	Voltage	Driver
SLM Slice Medium	LED	9L - 9,000 lms 12L - 12,000 lms 18L - 18,000 lms 24L - 24,000 lms 30L - 30,000 lms 36L - 36,000 lms 42L - 42,000 lms *Consult factory for programmable wattages and lumen packages	SIL - Silicone	2 - Type 2 3 - Type 3 5W - Type 5 Wide FT - Forward Throw FTA - Forward Throw Automotive	(blank) - standard L - Optics rotated left 90 R - Optics rotated right 90	UNV - Universal Voltage (120-277V) HV - High Voltage (347-480V)	DIM - 0-10V Dimming (0-10%)

Color Temp	Color Rendering	Controls (Choose One)	Finish	Options
50 - 5,000 CCT 40 - 4,000 CCT 30 - 3,000 CCT ² 27 - 2,700 CCT ² AMB - Phosphor Converted Amber ^{2,3}	70CRI - 70 CRI	(Blank) - None <u>Wireless Controls System</u> ALSC - AirLink Synapse Control System ⁴ ALSCH - AirLink Synapse Control System Host / Satellite ^{4,5} ALSCS01 - AirLink Synapse Control System with 8-12' Motion Sensor ⁴ ALSCHS01 - AirLink Synapse Control System Host / Satellite with 8-12' Motion Sensor ^{4,5} ALSCS02 - AirLink Synapse Control System with 12-20' Motion Sensor ⁴ ALSCHS02 - AirLink Synapse Control System Host / Satellite with 12-20' Motion Sensor ^{4,5} ALSCS04 - AirLink Synapse Control System with 20-40' Motion Sensor ⁴ ALSCHS04 - AirLink Synapse Control System Host / Satellite with 20-40' Motion Sensor ^{4,5} <u>Stand-Alone Controls</u> EXT - 0-10V Dimming leads extended to housing exterior CR7P - 7 Pin Control Receptacle ANSI C136.41 ⁷ IMSBT1 - Integral Bluetooth™ Motion and Photocell Sensor max 8-24' mounting height ^{4,6} IMSBT2 - Integral Bluetooth Motion and Photocell Sensor max 25-40' mounting height ^{4,6} <u>Button Type Photocells</u> PCI120 - 120V PCI208-277 - 208 -277V PCI347 - 347V	BRZ - Bronze BLK - Black GPT - Graphite MSV - Metallic Silver WHT - White PLP - Platinum Plus SVG - Satin Verde Green	(Blank) - None IL - Integral Louver HSS ¹



Slice Medium - SLM Outdoor LED Area Light

Accessory Ordering Information⁸

Description	Order Number	Description	Order Number
PC120 Photocell for use with CR7P option (120V) ⁹	122514	DFK480 Double Fusing (480V)	DFK480
PC208-277 Photocell for use with CR7P option (208V, 240V, 277V) ⁹	122515	DFK347 Double Fusing (347V)	DFK347
PC347 Photocell for use with CR7P option (347V) ⁹	159516	X5RPP - Round Pole Adapter for 5" Poles ¹⁰	379968CLR
PC480 Photocell for use with CR7P option (480V) ⁹	1225180	IL - Integral Louver HSS	684812
ALSC UNV TL5 - Airlink 5Pin Twist Lock Controller ^{4,9}	661409	Universal Mounting Bracket (UMB) ¹⁰	684616CLR
ALSC UNV TL7 - Airlink 7Pin Twist Lock Controller ^{4,9}	661410	Adjustable Slip Fitter (ASF) ¹⁰	688138CLR
PMOS24 - 24V Pole-Mount Occupancy Sensor (ALSC/H Compatible) ¹⁰	663284CLR	Pole Quick Mount Bracket - Square Pole ¹⁰	687073CLR
X3RPP - Round Pole Adapter for 3" Round Tapered Poles ¹⁰	408273CLR	Pole Quick Mount Bracket - 4-5" Round Pole ¹⁰	689903CLR
X4RPP - Round Pole Adapter for 4" Poles ¹⁰	379967CLR	15° Tilt Pole Quick Mount Bracket - Square Pole ¹⁰	688003CLR
FK120 Single Fusing (120V)	FK120	15° Tilt Pole Quick Mount Bracket - 4-5" Round Pole ¹⁰	689905CLR
FK277 Single Fusing (277V)	FK277	BKS XBO WM CLR Wall Mount Bracket ¹⁰	382132CLR
DFK208, 240 Double Fusing (208V, 240V)	DFK240		

FOOTNOTES:

- 1 - Not available on "Type 5W" distribution.
- 2 - Consult Factory for availability.
- 3 - Only available in 9L and 12L Lumen Packages
- 4 - Not available in HV.
- 5 - Consult Factory for Site Layout
- 6 - IMSBT is field configurable via the LSI app that can be downloaded from your smartphone's native app store.

7 - Control device must be ordered separately. 7 pin standard. See Accessory Ordering Information.

8 - Accessories are shipped separately and field installed.

9 - Factory installed CR7P option required. See Options.

10 - "CLR" denotes finish. See Finish options.

Accessories/Options

Integral Louver (IL)

Accessory Integral Louver available for improved back-light control without sacrificing street side performance. LSI's Integral Louver (IL) option delivers backlight control that significantly reduces light spill behind the pole for applications with pole locations close to adjacent properties. The integrated louvers' design maximizes forward-reflected light while - reducing glare, maintaining the optical distribution selected, and most importantly, eliminating light trespass. The Integral louver rotates with the optical distribution.

Luminaire Shown with Integral Louver (IL)



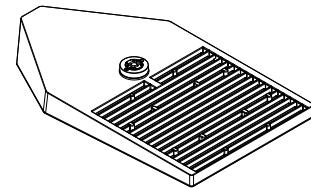
Luminaire Shown with IMSBT Option



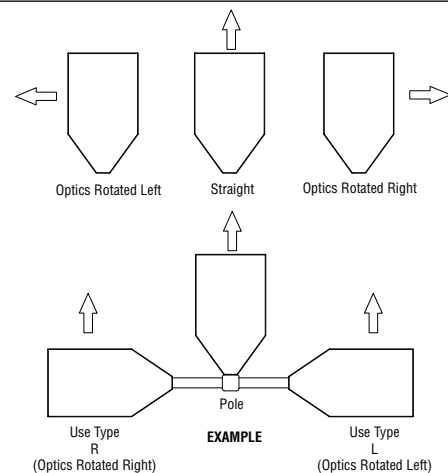
7 Pin Photoelectric Control

7-pin ANSI C136.41-2013 control receptacle option available for twist lock photocontrols or wireless control modules. Control accessories sold separately. Dimming leads from the receptacle will be connected to the driver dimming leads (Consult factory for alternate wiring).

Fixture Shown with CR7P



Optics Rotation





Slice Medium - SLM Outdoor LED Area Light

Stand-alone Controls: Integral Bluetooth™ Motion and Photocell Sensor (IMSBT)

Slim low profile sensor provides multi-level control based on motion and/or daylight. Sensor controls 0-10 VDC LED drivers and is rated for cold and wet locations. Two unique PIR lenses are available and used based on fixture mounting height. All control parameters are adjustable via an iOS or Android App capable of storing and transmitting sensor profiles.

Operation Modes

Dusk to Dawn operation via integral photocell switches lights on and off based on the ambient light levels. In this mode the lights remain on all night even with no motion in the area.

Dimming operation turns the lights on to the selected high level when motion is detected and the ambient light level is below the hold off set point. Once the sensor stops detecting motion and the time delay elapses, the lights will go to the low level. If no motion is detected during the cut off time delay period the lights will completely turn off or stay on at the low level depending on settings.

Configurations

- Initial setup and later adjustments made via iOS and Android App.
- Sensor settings are stored and maintained in the event of a power failure.

Motion Level - fully adjustable from 0-100% with default at 100%. Motion Level is defined as when the sensor detects motion the dimming control output goes to the selected high light level.

Dim Level - fully adjustable from off, 0-100% with default at 50%. Dim level is defined as when the sensor stops detecting motion and the time delay expires the dimming control output goes down to the selected low light level.

Time Delay 1 - adjustable from 1 sec to 1 hour and 45 minutes with default 5 minutes. Time delay is defined as the time period that must elapse after the last time the sensor detects motion for the lights to go to low light level.

Time Delay 2 - the time period that must elapse after the lights go to low light level and the sensor detects no motion for the lights to turn off. This feature may be enabled or disabled. If disabled there is no cut off and the lights stay in the low light level. Adjustable from 1 sec to 8 hours and 59 minutes with default set at 10 minutes.

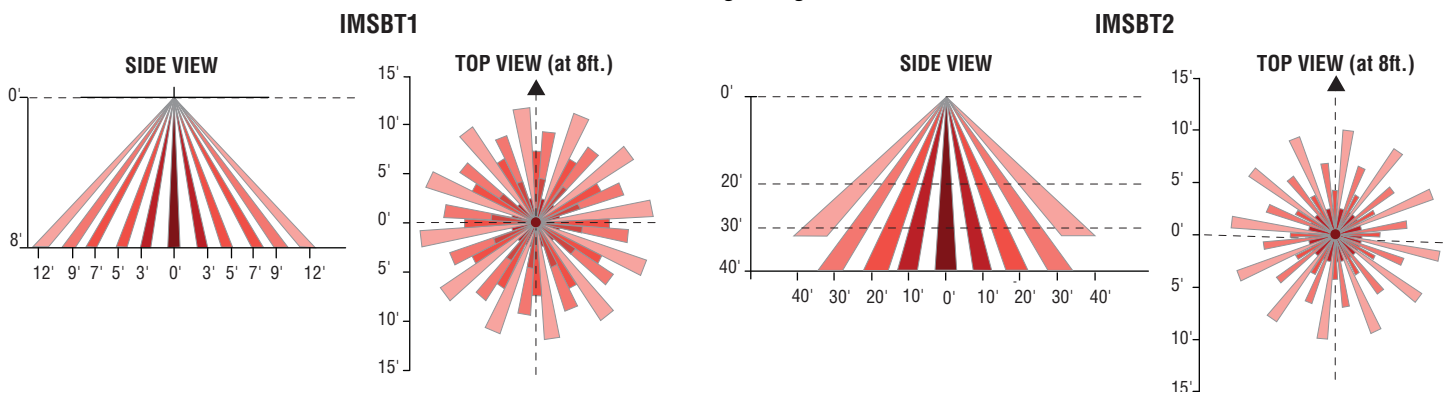
Sensor sensitivity – the response of the PIR detector to motion within the sensor's coverage area. Adjustable from low, medium, high. Default setting is low.

Ambient Light – when the light level exceeds this setting the lights will turn off even if motion is detected. When the light level goes below the setting the lights will turn on even if no motion is detected. A switch will allow you to enable or disable this feature. ON <30 LUX, OFF >100 LUX.

Sensor Configuration App

- Range up to 65 ft. outdoor line of sight
- iOS11 or later
- Android 6.0 or later
- Password protected.
- Sensor profiles used for setting up parameters one time and then applying the profile to different sensors requiring the same settings.

IMSBT Coverage Diagrams



Configuration App





Slice Medium - SLM Outdoor LED Area Light



AirLink™
enabled by Synapse®

The AirLink enabled by Synapse Wireless Lighting Control System is the perfect solution for commercial, industrial and municipal applications, such as: auto dealerships, parking lots, garages, shopping complexes and warehouses.

AirLink utilizes robust wireless communication via 2.4 GHz Self-Healing Mesh Network which not only increases reliability and accuracy of system, but also eliminates single point of failure.

The flexibility of the system make it perfect for new construction and retrofit projects. The user-friendly AirLink web application is accessible through any device with an internet connection and allows for complete customization of the system's features.

Some capabilities of the system include: occupancy/vacancy sensing, daylight harvesting, scheduling, high-end trim, dimming, zone control, BMS integration and energy monitoring.

The AirLink System

Wireless controls & sensors



Wireless & Override Switches



Occupancy/Vacancy & Daylight Sensors



AirLink-integrated Fixtures



AirLink-compatible Fixtures



Circuit & Zone Controllers

Centralized control & integration



Site Manager Controller

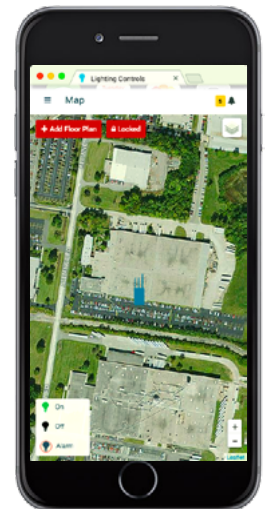


Gateway Module



WiFi, Cellular or Ethernet Connection

Simple-to-use software



AirLink Site Manager: Lighting control web app

Contact LSI Controls



Sales
controls.sales@lsi-industries.com



Support
controls.support@lsi-industries.com
1 (800) 436-7800 (support, option 8)



More information
For more information on AirLink, visit our website at www.lsi-airlink.com



Slice Medium - SLM Outdoor LED Area Light

poles & Brackets

LSI offers a full line of poles and brackets to complete your lighting assembly. Our USA manufacturing facility has the same high quality standards for our poles and brackets as we do our lighting fixtures.



BKA UMB CLR

The 3G rated Universal Mounting Bracket (UMB) allows for seamless integration of LSI Luminaires onto existing/retrofit or new construction poles. The UMB bracket was designed specifically for square or round (tapered/straight) poles with (2) mounting hole spaces between 3.5"-5". Bolt pattern B3 on fixture side.



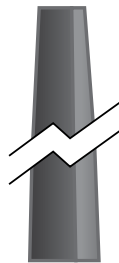
Square Pole

14'-39'



Round Pole

10'-30'



Tapered Pole

20'-39'



BKA ASF CLR

The adjustable Slip Fitter is a 3G rated rugged die cast aluminum adapter to mount LSI luminaires onto a 2" (51mm) IP, 2.375" (60mm) O.D. tenon. The Adjustable Slip Fitter can be rotated 180° allowing for tilting LSI luminaires up to 45° and 90° when using a vertical tenon. Works with B3 pole drill pattern.



BKS PQMH CLR

The Pole Quick Mount Bracket allows for lightning fast installation of LSI luminaires onto existing and new construction poles with LSI's B3 or B5 standard pole bolt patterns. B3 bolt pattern on fixture side.



BKS PQM15 CLR

The Pole Quick Mount Bracket allows for preset 15° uptilt of LSI luminaires for greater throw of light and increased vertical illumination as well as fast installation onto poles with LSI's 3" or 5" bolt pattern. B3 and B5 pole drill pattern. B3 bolt pattern on fixture side.

MIRADA WALL SCNCE (XWM)



DOE LIGHTING FACTS

Department of Energy has verified representative product test data and results in accordance with its Lighting Facts Program. Visit www.lightingfacts.com for specific catalog strings.

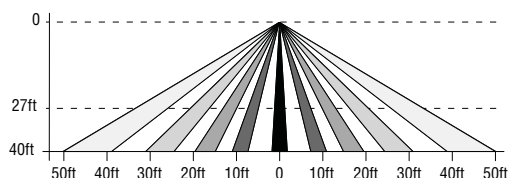
LIGHT OUTPUT - XWM - 3 5000K CCT

	Lumens	Wattage	LPW
03	3410	29	117
04	4417	40	111
06	6609	59	113
08	8610	82	105

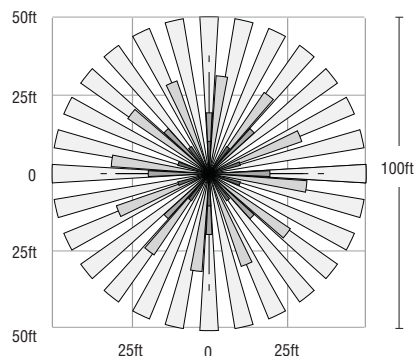
LED Chips are frequently updated therefore values may increase.

COVERAGE DIAGRAM

SIDE VIEW



TOP VIEW



US & Int'l. patents pending

SMARTTEC™ -LSI drivers feature integral sensor which reduces drive current, when ambient temperatures exceed rated temperature

ENERGY SAVING CONTROL OPTIONS - DIM - 0-10 volt dimming enabled with LSI wireless controls.

OPTIONAL INTEGRAL MOTION SENSOR - Passive infrared motion sensor activates switching of luminaire light levels. High level light is activated when passersby enter target zone and increased to full bright in 1-2 seconds. Low light level (30% of maximum drive current) is activated when target zone is absent of motion activity for 5 minutes and is gradually ramped down (10 seconds) to low level. Sensor detection range 110° horizontal x 93° vertical x 10 meters maximum distance.

LEDS - Available with 5000K, 4000K or 3000K color temperature, 70 CRI min.

OPTICS/DISTRIBUTIONS - Ultra-high efficiency reflectors provide three distributions. Choose from Type 2, Type 3 or Type FT.

HOUSING - Three-piece die-cast aluminum housing is smoothly contoured low-profile shape. Mounting hardware is stainless steel or electro-zinc plated steel. Housing and optical unit are sealed with extruded silicone gasket; supply conductors with molded EPDM bushing.

OPTICAL UNIT - Proprietary silicone refractor optics provide exceptional coverage and uniformity. Pressure stabilizing breather allows super-tight protection while preventing cycling from building up internal pressures and vacuums that can stress optical unit seals

WALL MOUNTING - Galvanized-steel universal wall mounting plate easily mounts directly to 4" octagonal or square junction box. EPDM gasket is supplied to be installed between mounting plate and junction box, sealing junction box from entrance of water. Universal plate permits fixture to be mounted in uplighting (indoor only) or downlighting position. Optional pole-mounting bracket permits mounting to standard poles (XPM).

ELECTRICAL - Two-stage surge protection (including separate surge protection built into electronic driver) meets IEEE C62.41.2-2002, Location Category C. Available with universal voltage power supply 120-277VAC (50/60Hz input) or 347-480VAC.

DRIVER - Drivers are dimming, standard. Components are fully encased in potting material for IP65 moisture resistance. Driver complies with IEC and FCC standards. Driver can be easily accessed.

EMERGENCY OPTIONS - Optional integral emergency battery-back-up options are available. BB option operates in 0°C to 60°C ambient temperature and CWBB operates in -20°C to 60°C ambient temperature. When primary AC power failure occurs, both options operate 10 LEDs for minimum of 90 minutes.

OPERATING TEMPERATURE - -40°C to +50°C (-40°F to +122°F)

FINISH - Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling.

WARRANTY - LSI LED fixtures carry a limited 5-year warranty.

PHOTOMETRICS - Please visit our web site at www.lsi-industries.com for detailed photometric data.

SHIPPING WEIGHT (in carton) - 30 lbs./13.6Kg

LISTING - UL listed to ANSI/UL1598, UL8750 and other U.S. and international safety standards. Suitable for wet locations in downlight position.

This product, or selected versions of this product, meet the standards listed below. Please consult factory for your specific requirements.



Project Name _____ Fixture Type _____
Catalog # _____

10/20/17

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Packet Pg. 247

MIRADA WALL SCNCE (XWM)

LUMINAIRE ORDERING INFORMATION

TYPICAL ORDER EXAMPLE: **XWM FT LED 08L 50 UE WHT IMS**

Prefix	Distribution	Light Source	Output ⁸	Color Temperature	Input Voltage	Finish	Optional Controls	Optional Sensor/Options
XWM - Mirada Wall Sconce	2 - Type 2 3 - Type 3 (Wide Throw) FT - Type 4 (Forward Throw)	LED	03L - 3,400 Lumens 04L - 4,400 Lumens 06L - 6,600 Lumens 08L - 8,600 Lumens	50 - 5000K 40 - 4000K 30 - 3000K	UE - Universal Voltage (120-277) HV - 347-480	BLK - Black BRZ - Bronze GPT - Graphite MSV - Metallic Silver PLP - Platinum Plus WHT - White	Wireless Control System^{1,2} (blank) - None PCM - Platinum Control System GCM - Gold Control System DIM - 0-10 volt dimming (required for satellite fixtures) ALSC - AirLink Synapse Control System Stand-Alone Control (blank) - None DIM - 0-10 volt dimming ³ (from external signal)	Sensor IMS - Integral Motion Sensor ^{4,7} Options BB - Battery Back-up ⁵ CWBB - Cold Weather Battery Back-up ⁵ XPM - Pole Mounting Bracket

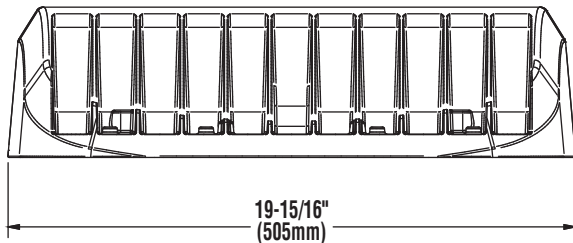
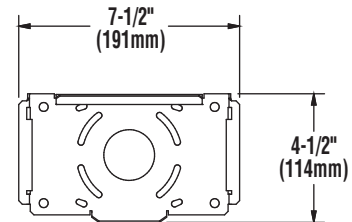
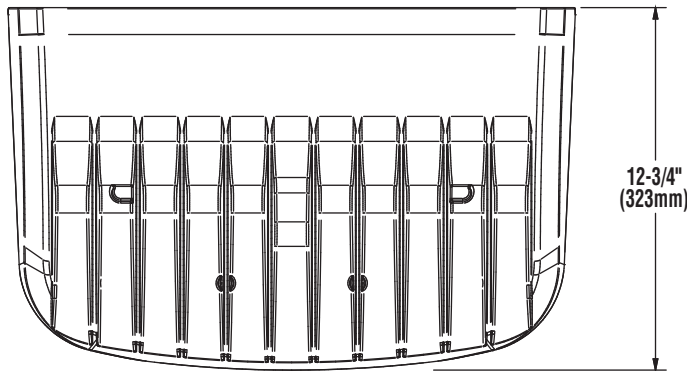
ACCESSORY ORDERING INFORMATION¹ (Accessories are field installed)

Description	Order Number	Description	Order Number
XWM SW BLK - Surface Wiring Box (Available in black only)	356915BLK	DFK208 - Double Fusing	DFK208
FK120 - Single Fusing	FK120	DFK240 - Double Fusing	DFK240
FK277 - Single Fusing	FK277	DFK480 - Double Fusing	DFK480
FK347 - Single Fusing	FK347	IMS/PC Remote Configurator Tool ⁷	584929

FOOTNOTES:

- 1 - For wireless controls information and accessories, see Controls Section.
- 2 - Requires a SiteManager and override switch. Not compatible with battery back-up, IMS or HL Option.
- 3 - Not compatible with IMS Option
- 4 - Not compatible with DIM or Wireless Control System
- 5 - Not compatible with Wireless Control System
- 6 - Not available with BB, CWBB, IMS Option or Wireless Control System
- 7 - IMS is the WattStopper Dual Sensor (Daylight & Motion) which is field adjustable, via a handheld remote configurator tool⁸
- 8 - Output based on type 3 optics in cool white color temperature, see IES files for exact delivered lumens

DIMENSIONS



Project Name _____ Fixture Type _____
Catalog # _____

10/20/17

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Packet Pg. 248



AirLink™

enabled by Synapse®

Wireless Lighting Controller

The AirLink integrated controller is a California Title 24 compliant lighting controller that provides real-time light monitoring and control with utility-grade power monitoring. It includes a 24V sensor input and power supply to connect up to two (2) sensors into the outdoor AirLink wireless lighting system.

Features

- 2% Utility Grade Power Monitoring
- Up to 80% Savings through smart dimming
- True On/Off functionality via switched relay
- Seamlessly integrates into the outdoor AirLink wireless lighting control solution & Self-healing Mesh Networking
- Relay closes on power loss
- Supports a wide range of LED drivers and fixtures
- Class 1 / Class 2 0-10V Dimming Control
- Direct Connect up to two (2) to 24V Occupancy Sensors and Photocells (consult sales for compatible list)
- Secure, over-the-air upgrades to support future enhancements
- Excellent RF Range — 1,000ft LoS between controllers
- Available in a metal cased version with quick connect terminal blocks
- Lights default to on for safety

Specifications

Regulatory Approvals

- FCC, IC, CE certified
- cULus Listed
- California Title 24 compliant

Power and Performance

- Operating environmental: -40°F to 131°F (-40°C to 55°C)
- Input power: 100–277 VAC +/- 10% (Max 305V) 47/64 Hz
- Switched output: Default ON; Zero Cross Switching
- Load rating: 5A @ 100V to 277V (+/- 10%)
- Dimming: 0–10V control; Output: Class 1/2 - 20mA Source Max / 50mA Sink Max
- Power monitoring: Utility grade - 2% accuracy
- Sensors inputs: 0–10V (photocell sensors), 0–24V (all other sensors); Sensor power supply: 24VDC @ 50mA

Other

- Dimensions: 8.2" L x 2.3" W x 1.3" H (209mm L x 59mm W x 33mm H) without antennas
- Radio: SNAP 2.4 GHz; 802.15.4; +20 dBm Transmit Power; -105 dBm Receive Sensitivity
- Warranty: 5 years

Contact LSI Controls



Sales
controls.sales@lsi-industries.com



Support
controls.support@lsi-industries.com
1 (800) 436-7800 (support, option 8)



More information
For more information on AirLink, visit our website at www.lsi-airlink.com/airlink

LED AREA LIGHTS - LSI SLICE SMALL (XLCS)



DOE LIGHTING FACTS

Department of Energy has verified representative product test data and results in accordance with its Lighting Facts Program. Visit www.lightingfacts.com for specific catalog strings.

LIGHT OUTPUT - XLCS						
		Lumens (Nominal)				
		Type 3	Type FT	Type 5	Type5E	TypeFTE
Cool White	SS	10100	11400	11400	8200	7800
	HO	14000	15500	15700	11600	10600
Neutral White	SS	9700	10400	10800	7900	7500
	HO	13400	14700	15200	11000	10500
		Watts (Nominal)				
		97				
		140				
		97				
		140				

LED Chips are frequently updated therefore values may increase.

US & Int'l. patents pending

SMARTTEC™ - LSI drivers feature integral sensor which reduces drive current, when ambient temperatures exceed rated temperature.

ENERGY SAVING CONTROL OPTION - DIM - 0-10 volt dimming enabled with controls by others.

LEDS - Select high-brightness LEDs in Cool White (5000K), or Neutral White (4000K) color temperature, 70 CRI.

DISTRIBUTION/PERFORMANCE - Types 3, FT, 5 and enhanced 5E and FTE. Exceptional uniformity creates bright environment at lower light levels. Internal Louver (IL) option available for improved backlight control without sacrificing street side performance for FT distribution.

HOUSING - One-piece, die-formed aluminum housing contains factory prewired driver. Wiring access door (with safety lanyard) located underneath.

OPTICAL UNIT - Clear tempered flat glass lens permanently sealed to weather-tight aluminum optic frame creates an IP65 rated optical unit (includes pressure-stabilizing breather).

MOUNTING - Tapered rear design allows fixtures to be mounted in 90° and 120° configurations without the need for extension arms. Use with 3" reduced drilling pattern. A round pole plate is required for mounting to round poles. Wall mount available by ordering wall mounting bracket (BKS-XBO-WM-* -CLR). Proprietary pole quick mount accessories available with horizontal mounting or fixed 15° angled mounting (PQMH-KIT-CLR and PQM15-KIT-CLR) for mounting to square poles. See Accessory Ordering Information chart for all brackets.

ELECTRICAL - Two-stage surge protection (including separate surge protection built into electronic driver) meets IEEE C62.41.2-2002, Location Category C. Available with universal voltage power supply 120-277 VAC (50/60Hz input), and 347-480 VAC. Optional button-type photocells (PCI) are available in 120, 208, 240, 277 or 347 volt (supply voltage must be specified).

DRIVER - Available in SS (Super Saver) and HO (High Output) drive currents. Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed.

OPERATING TEMPERATURE - -40°C to +50°C (-40°F to +122°F)

FINISH - Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Available in black, bronze and white. Other standard LSI finishes available. Consult factory.

WARRANTY - LSI LED fixtures carry a limited 5-year warranty.

PHOTOMETRICS - Please visit our web site at www.lsi-industries.com for detailed photometric data.

SHIPPING WEIGHT (in carton) - One fixture: 17.5 lbs. (7.9 kg). Packed two per carton: 30 lbs. (13.6 kg).

LISTING - UL listed to U.S. and international safety standards. Suitable for wet locations. For a list of the specific products in this series that are DLC listed, please consult the LED Lighting section of our website or the Design Lights website at www.designlights.org.

This product, or selected versions of this product, meet the standards listed below. Please consult factory for your specific requirements.



Fixtures comply with ANSI C136.31-2010 American National Standard for Roadway Lighting Equipment - Luminaire Vibration 1.5G requirements.



Project Name _____ Fixture Type _____

Catalog # _____

10/2416
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LED AREA LIGHTS - LSI SLICE SMALL (XLCS)

LUMINAIRE ORDERING INFORMATION

TYPICAL ORDER EXAMPLE: **XLCS S LED SS 50 UE BLK PCR**

Prefix	Distribution	Light Source	Drive Current	Color Temperature	Input Voltage	Finish	Options
XLCS	3 - Type III 5 - Type V FT - Forward Throw 5E - Type V Enhanced FTE - Forward Throw Enhanced	LED	SS - Super Saver HO - High Output	50 - 5000K 40 - 4000K	UE - Universal Voltage (120-277V) 347-480 Universal Voltage (347-480V)	BLK - Black BRZ - Bronze WHT - White	DIM - 0-10V Dimming (from external signal) Button Type Photocells PCI120 - 120V PCI208-277V - 208-277V PCI347 - 347V IL - Internal Louver (available with FT distribution only)

LUMINAIRE EPA CHART - PLCS

Horizontal Mounting Only	
Single	0.4
D180°	0.8
D90°	0.6
T90°	1.4
TN120°	1.4
Q90°	1.6

Note: House Side Shield adds to fixture EPA. Consult Factory.

ACCESSORY ORDERING INFORMATION

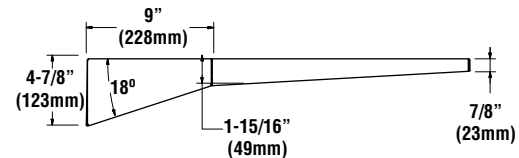
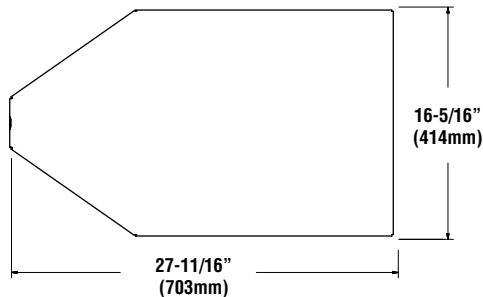
(Accessories are field installed)

Description	Order Number	Description	
BKS-XBO-WM-* - CLR Wall Mount Bracket	382132CLR	DFK208, 240 Double Fusing (208V, 240V)	DFK208, 240 ²
XLCS-3/FT-HSS (Black only)	603162BLK ¹	DFK480 Double Fusing (480V)	DFK480 ²
X4RPP Round Pole Plate for 4" Poles	379967CLR	FK347 Single Fusing (347V)	FK347 ²
X5RPP Round Pole Plate for 5" Poles	379968CLR	PQMH-KIT-CLR Square Pole Quick Mount Horizontal Bracket	582328CLR
FK120 Single Fusing (120V)	FK120 ²	PQM15-KIT-CLR Square Pole Quick Mount Bracket w/fixed 15° Angle	582329CLR
FK277 Single Fusing (277V)	FK277 ²		

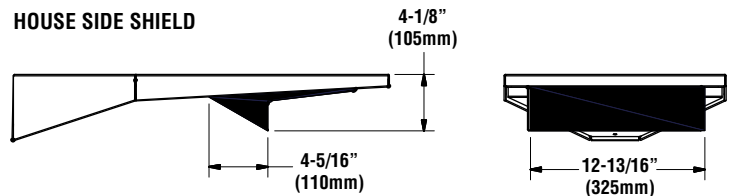
FOOTNOTES:

- 1 - House Side Shields add to fixture EPA. Consult factory.
- 2 - Fusing must be located in the hand hole of pole.

DIMENSIONS



HOUSE SIDE SHIELD



Project Name _____ Fixture Type _____
Catalog # _____

10/2416

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LED AREA LIGHTS - LSI SLICE SMALL (XLCS)

BUG LISTING

XLCS - Type 3

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
HO	CW	14,020	143	98	B3-U0-G2
	CW-HSS	8815	146	60	B2-U0-G2
	NW	13,421	143	94	B3-U0-G2
SS	CW	10,126	97	105	B3-U0-G2
	NW	9719	97	101	B3-U0-G2

XLCS - Type 5E

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
HO	CW	11,581	146	79	B4-U0-G2
	NW	10,996	146	75	B4-U0-G2
SS	CW	8202	96	85	B3-U0-G2
	NW	7908	96	82	B3-U0-G2

XLCS - Type 5

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
HO	CW	15,674	138	113	B4-U0-G2
	NW	15,184	146	104	B4-U0-G2
SS	CW	11,449	96	119	B3-U0-G2
	NW	10,762	96	112	B3-U0-G1

XLCS - Type FTE

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
HO	CW	10585	141	75	B2-U0-G2
	CW-HSS	7810	146	53	B1-U0-G2
	NW	10,499	146	72	B2-U0-G2
	NW-HSS	7721	146	53	B1-U0-G2
SS	CW	7752	96	81	B1-U0-G2
	CW-HSS	5676	96	59	B1-U0-G2
	NW	7493	96	78	B1-U0-G2
	NW-HSS	5517	96	57	B1-U0-G2

XLCS - Type FT

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
HO	CW	15,535	139	112	B3-U0-G2
	CW-HSS	12,489	139	90	B1-U0-G2
	CW-IL	14,384	138	104	B3-U0-G2
	NW	14,694	146	100	B3-U0-G2
	NW-HSS	10,499	144	73	B1-U0-G2
	NW-IL	12,763	144	89	B2-U0-G2
SS	CW	11,383	96	118	B2-U0-G2
	CW-HSS	9099	96	95	B1-U0-G2
	CW-IL	10,509	96	109	B2-U0-G2
	NW	10,410	96	108	B2-U0-G2
	NW-HSS	7699	99	78	B1-U0-G2
	NW-IL	9328	98	95	B2-U0-G2

* Color Temperature: NW-4000K, CW-5000K



Project Name _____ Fixture Type _____

Catalog # _____

10/2416

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LED SOFFIT LIGHT (XSL2)



DOE LIGHTING FACTS

Department of Energy has verified representative product test data and results in accordance with its Lighting Facts Program. Visit www.lightingfacts.com for specific catalog strings.

US patents D574994 & D595896 & 7828456 and US & Int'l. patents pending

EXPECTED LIFE - Minimum 60,000 hours to 100,000 hours depending upon the ambient temperature of the installation location. See LSI web site for specific guidance.

LEDS - Select high-brightness LEDs. Cool White 5000K color temperature, 69 CRI.

DRIVER CURRENT - Super saver (SS) - most economical and highest lumens per watt or High Output (HO) - highest output per initial dollar.

DISTRIBUTION/PERFORMANCE - Type S (Symmetric) or 5A (Type 5). Excellent uniformity with Bug rating of BU-UO-G1. Optional diffused lens available to reduce visibility of diodes

HOUSING/OPTICAL UNIT - Housing is die-formed aluminum with a gasketed clear tempered glass lens providing a water-resistant seal. Weather-tight aluminum enclosure contains factory prewired driver to ensure no water entry. Sealed optical unit containing LEDs rated IP67.

MOUNTING - Direct mounts with screws through the trim frame (standard). Optional channel bar kit available to suspend assembly from ceiling joists. 12" clearance required for ease of installation.

ELECTRICAL - Universal frequency power supply (50/60 Hz). Supply voltage must be specified for pre-wired thermal protectors.

DRIVER - State-of-the-art driver technology designed specifically for LSI LED light sources provides unsurpassed system efficiency. Driver will operate with input of 120/208/240/277V (50/60 Hz). Components are fully encased in potting material for moisture resistance. Driver complies with IEC and FCC standards.

OPERATING TEMPERATURE - -40°C to +50°C (-40°F to +122°F).

FINISH - Each fixture is finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling, and is guaranteed for five full years. Standard color is white.

WARRANTY - LSI LED fixtures carry a limited 5-year warranty.

PHOTOMETRICS - Please visit our web site at www.lsi-industries.com for detailed photometric data.

LISTING - Listed to U.S. and Canadian safety standards. Suitable for damp locations.

This product, or selected versions of this product, meet the standards listed below. Please consult factory for your specific requirements.



LIGHT OUTPUT - XSL2				
	Clear Lens	Lumens	Watts	LPW
Type S	SS - Super Saver	6,193	60	103
	HO - High Output	8,348	86	97
Type 5A	SS - Super Saver	5,158	60	86
	HO - High Output	6,959	86	81
	Diffused Lens			
Type S	SS - Super Saver	5,752	60	96
	HO - High Output	6,751	87	78
Type 5A	SS - Super Saver	4,393	60	73
	HO - High Output	5,842	87	67

LED Chips are frequently updated therefore values may increase.



Project Name _____ Fixture Type _____

Catalog # _____

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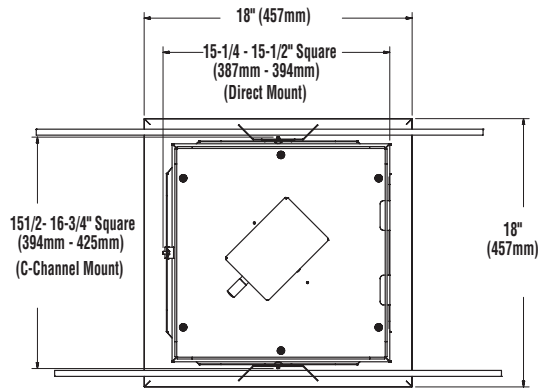
LED SOFFIT LIGHT (XSL2)

PRODUCT ORDERING INFORMATION

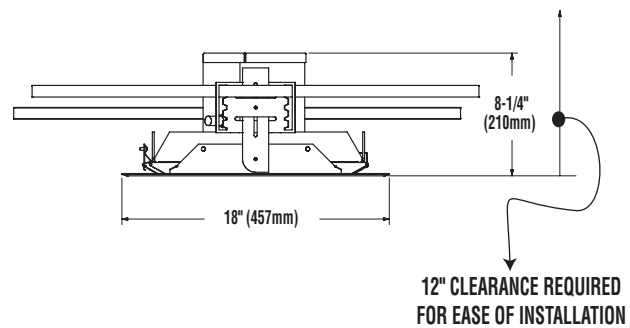
TYPICAL ORDER EXAMPLE: **XSL2 S LED 50 SS CW 120 WHT CMT**

Prefix	Distribution	Light Source	# of LEDs	Drive Current	Color Temperature	Input Voltage	Finish	Options
XSL2 - Soffit Light	S - Symmetric 5A - Type 5	LED	50	HO - High Output SS - Super Saver	CW - Cool White (5000° K nom.)	120 208 240 277 347	WHT - White	CMT - Channel Bar Mounting Kit DM - Direct Mount DFL - Diffused Lens

DIMENSIONS

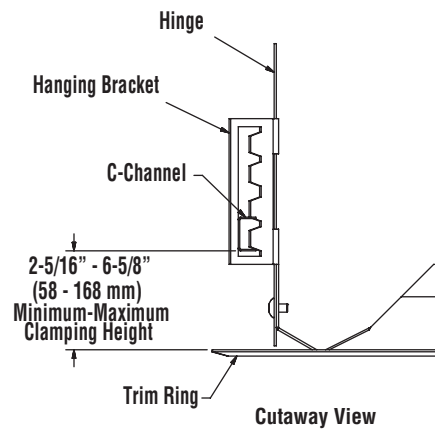


TOP VIEW



SIDE VIEW
(Channel Mount Shown)

SHIPPING WEIGHT - 14 lbs. (6.4kg)



Cutaway View



Project Name _____ Fixture Type _____
Catalog # _____

09/27/19

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LED SOFFIT LIGHT (XSL2)



DOE LIGHTING FACTS

Department of Energy has verified representative product test data and results in accordance with its Lighting Facts Program. Visit www.lightingfacts.com for specific catalog strings.

US patents D574994 & D595896 & 7828456 and US & Int'l. patents pending

EXPECTED LIFE - Minimum 60,000 hours to 100,000 hours depending upon the ambient temperature of the installation location. See LSI web site for specific guidance.

LEDS - Select high-brightness LEDs. Cool White 5000K color temperature, 69 CRI.

DRIVER CURRENT - Super saver (SS) - most economical and highest lumens per watt or High Output (HO) - highest output per initial dollar.

DISTRIBUTION/PERFORMANCE - Type S (Symmetric) or 5A (Type 5). Excellent uniformity with Bug rating of BU-UO-G1. Optional diffused lens available to reduce visibility of diodes

HOUSING/OPTICAL UNIT - Housing is die-formed aluminum with a gasketed clear tempered glass lens providing a water-resistant seal. Weather-tight aluminum enclosure contains factory prewired driver to ensure no water entry. Sealed optical unit containing LEDs rated IP67.

MOUNTING - Direct mounts with screws through the trim frame (standard). Optional channel bar kit available to suspend assembly from ceiling joists. 12" clearance required for ease of installation.

ELECTRICAL - Universal frequency power supply (50/60 Hz). Supply voltage must be specified for pre-wired thermal protectors.

DRIVER - State-of-the-art driver technology designed specifically for LSI LED light sources provides unsurpassed system efficiency. Driver will operate with input of 120/208/240/277V (50/60 Hz). Components are fully encased in potting material for moisture resistance. Driver complies with IEC and FCC standards.

OPERATING TEMPERATURE - -40°C to +50°C (-40°F to +122°F).

FINISH - Each fixture is finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling, and is guaranteed for five full years. Standard color is white.

WARRANTY - LSI LED fixtures carry a limited 5-year warranty.

PHOTOMETRICS - Please visit our web site at www.lsi-industries.com for detailed photometric data.

LISTING - Listed to U.S. and Canadian safety standards. Suitable for damp locations.

This product, or selected versions of this product, meet the standards listed below. Please consult factory for your specific requirements.



LIGHT OUTPUT - XSL2				
Clear Lens		Lumens	Watts	LPW
Type S	SS - Super Saver	6,193	60	103
	HO - High Output	8,348	86	97
Type 5A	SS - Super Saver	5,158	60	86
	HO - High Output	6,959	86	81
Diffused Lens				
Type S	SS - Super Saver	5,752	60	96
	HO - High Output	6,751	87	78
Type 5A	SS - Super Saver	4,393	60	73
	HO - High Output	5,842	87	67

LED Chips are frequently updated therefore values may increase.



Project Name _____ Fixture Type _____

Catalog # _____

09/27/19

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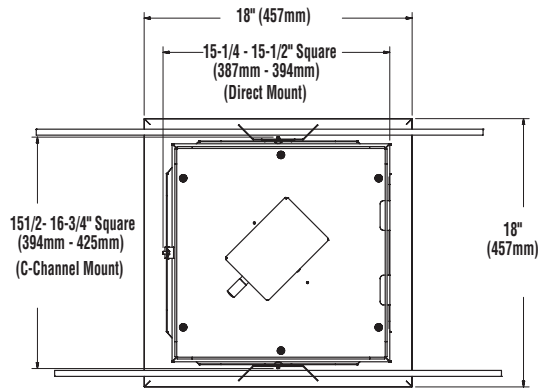
LED SOFFIT LIGHT (XSL2)

PRODUCT ORDERING INFORMATION

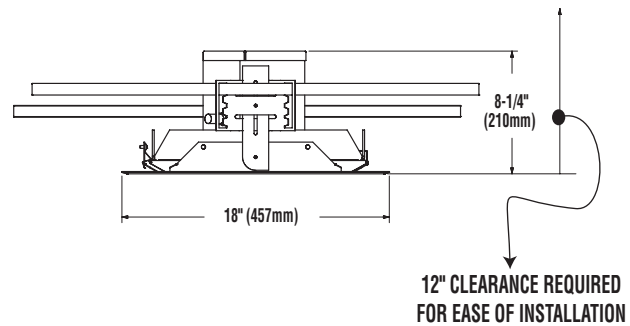
TYPICAL ORDER EXAMPLE: **XSL2 S LED 50 SS CW 120 WHT CMT**

Prefix	Distribution	Light Source	# of LEDs	Drive Current	Color Temperature	Input Voltage	Finish	Options
XSL2 - Soffit Light	S - Symmetric 5A - Type 5	LED	50	HO - High Output SS - Super Saver	CW - Cool White (5000° K nom.)	120 208 240 277 347	WHT - White	CMT - Channel Bar Mounting Kit DM - Direct Mount DFL - Diffused Lens

DIMENSIONS

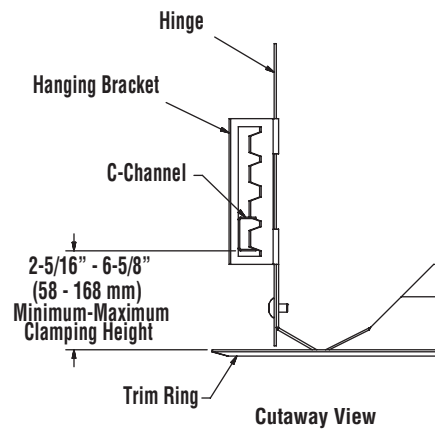


TOP VIEW



SIDE VIEW
(Channel Mount Shown)

SHIPPING WEIGHT - 14 lbs. (6.4kg)



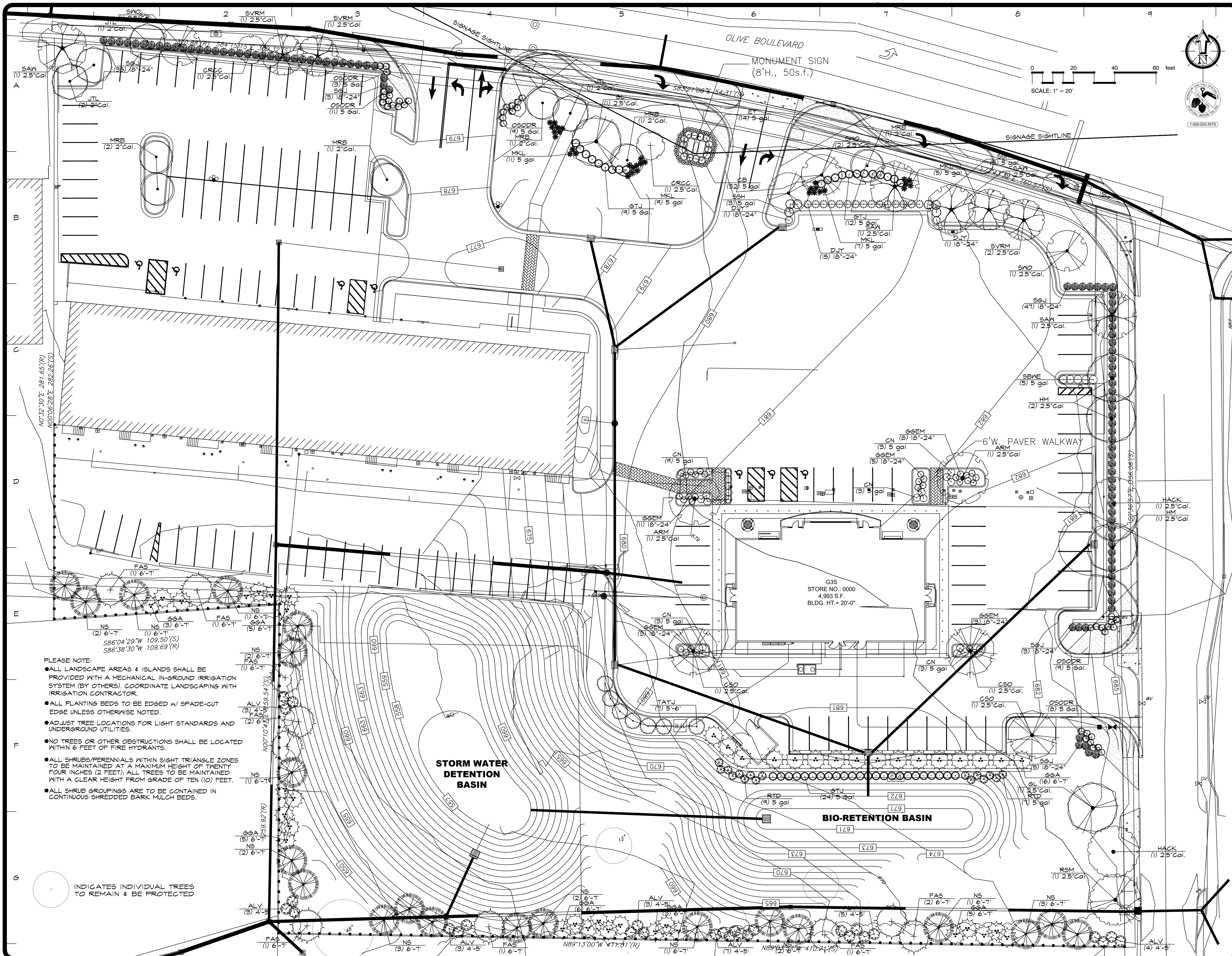
Project Name _____ Fixture Type _____
Catalog # _____

09/27/19

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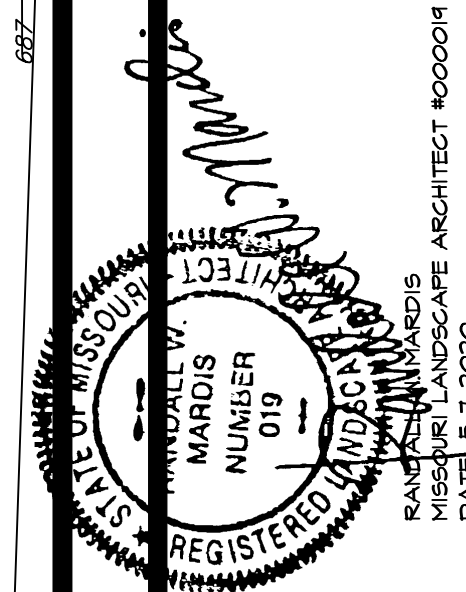
Packet Pg. 256



REVISIONS	BY
1-15-2020	RYM
2-21-2020	RYM
5-4-2020	RYM
5-1-2020	RYM

Landscape
TECHNOLOGIES

87 Jacobs Creek Drive
St. Louis, MO 63114
314-241-1230
www.landscape-technologies.com



PLANTING PLAN FOR THE PROPOSED
QuikTrip #613
CREVE COEUR, MISSOURI

DRAWN R. MARDIS
CHECKED RAM/EL
DATE 12-4-19
SCALE 1"=20'-0"
JOB No. 2019-174
SHEET L-1

Landscscape
TECHNOLOGIES
61 Jacobs Creek Drive, Suite 604
Frisco, TX 75034
(856) 429-1250
Fax: (856) 429-1251
MO Landscape Architectural Corporation #200900192

PLANTING PLAN FOR THE PROPOSED
QuikTrip #613
CREVE COEUR, MISSOURI

GENERAL:

- PRUNING:

- INSURANCE:

MULCH:

TOPSOIL:

- MISC. MATERIAL:

- TURF:

- WARRANTY:

- IRRIGATION:

GENERAL:

- 1.) System shall be designed for 30 gpm @ 80 PSI. Contractor to field verify actual conditions.
- 2.) Exact top, backflow and controller location to be coordinated with owner or owner's representative.
- 3.) All control wiring to be 14 ga. Minimum 3 extra strands to be installed in each direction from the controller to the end of the mainline.
- 4.) All piping to be sleeved in SCH40 PVC when passing under hardscape. PVC Sleeve to be a minimum of twice the size of pipe(s) running through.
- 5.) Underground structures and utilities must be considered approximate only. There may be others not presently known or shown. It shall be the irrigation contractor's responsibility to determine or verify the existence of and exact location of the above (Call 1-800-DIG-RITE).
- 6.) It shall be the irrigation contractor's responsibility to:
 - A.) Verify all existing and proposed features shown on the drawings prior to commencement of work.
 - B.) Report all discrepancies found with regard to existing conditions or proposed design to the landscape architect immediately for a decision.

PLANT SCHEDULE

RETAIL STORE:
PARKING/DRIVES = 42,603 SQ. FT.
REQUIRED GREENSPACE = 42,603 / 350 X 10 = 1,226 SQ. FT.
PROVIDED GREENSPACE = 1,571 SQ. FT.

1.) ONE (1) STREET TREE PER 30' OF FRONTAGE
 ● 320.08 LF FRONTAGE ALONG GRAESER ROAD; THEREFORE, ELEVEN (11) TREES REQUIRED. THREE TREES ARE EXISTING/RETAINED, EIGHT (8) NEW ARE PROPOSED
 ● 489.76 LF FRONTAGE ALONG OLIVE BLVD.; THEREFORE, SEVENTEEN (17) TREES ARE REQUIRED AND PROVIDED.

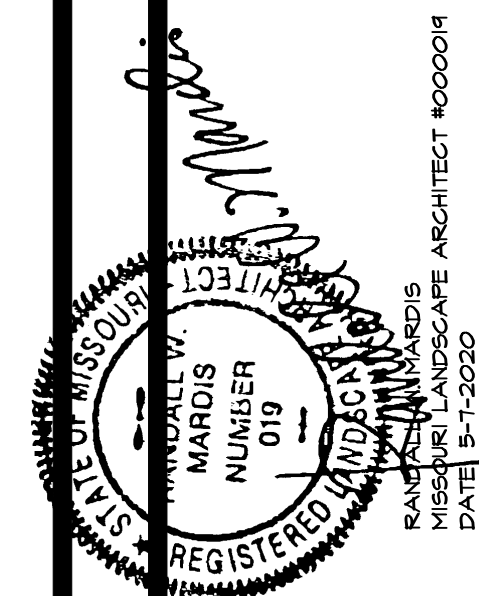
- LOT AREA = 192,916 Sq. Ft. / 4.43 Ac.
BUILDING FOOTPRINTS = 20,023 Sq. Ft. Total
GT = 4,993 Sq. Ft. / Exist. Bldg = 15,030 Sq. Ft.
IMPERVIOUS SURFACE = 85,151 Sq. Ft. or 44% including
parking area of 26,705 Sq. Ft.
PERVIOUS PAVING SURFACE: 350 Sq. Ft.
GREENSPACE = 81,366 Sq. Ft. or 45%
SQ. FT. OF PARKING = 26,705 Sq. Ft.
SQ. FT. INTERIOR LANDSCAPING = 3,570 Sq. Ft.

IN-GROUND, AUTOMATIC IRRIGATION SYSTEM IS REQUIRED AND WILL BE PROVIDED AS A CONDITION OF DEVELOPMENT (By Others.)

REVISIONS	BY
1-15-2020	RVM
2-21-2020	RVM
5-4-2020	RVM
5-7-2020	RVM

Landscape
TECHNOLOGIES

617 Jacobs Creek Drive
St. Louis, MO 63114
800 Landscape Architectures Corporation (800) 200-0092



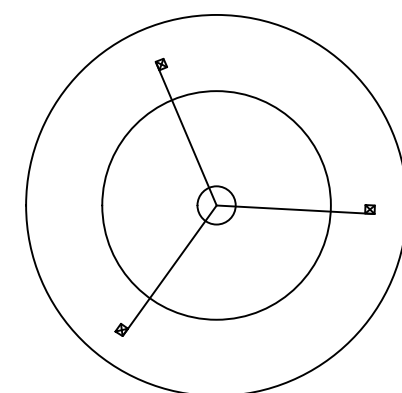
PLANTING PLAN FOR THE PROPOSED
QuikTrip #613
CREVE COEUR, MISSOURI

DRAWN
R. MARDIS
CHECKED
RAM/EL
DATE
12-4-19
SCALE
1"=20'-0"
JOB No.
2019-174
SHEET

L-3

OF THREE SHEETS

DETERMINE/MARK NORTH SIDE
OF TREE IN NURSERY PRIOR
TO DIGGING AND PLANT
IN SAME RELATIONSHIP
TO NORTH WHEN
PLANTING ON-SITE



PLAN

DO NOT CUT CENTRAL LEADER

8" 2-PLY RUBBER HOSE

DOUBLE STRAND 12 GAUGE WIRE
COVERED W/2-PLY RUBBER HOSE
PAINTED FLUORESCENT ORANGE

WHITE FLAGGING (TYP.)

TREE WRAP

3 INCHES SHREDDED BARK MULCH
4 INCH DEEP SAUCER

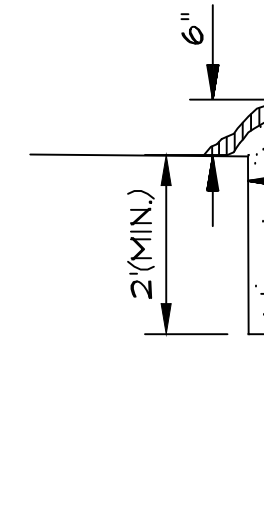
6" STEEL TEE POST, SET PLUMB

BACKFILL MIX

UNDISTURBED SUBSOIL

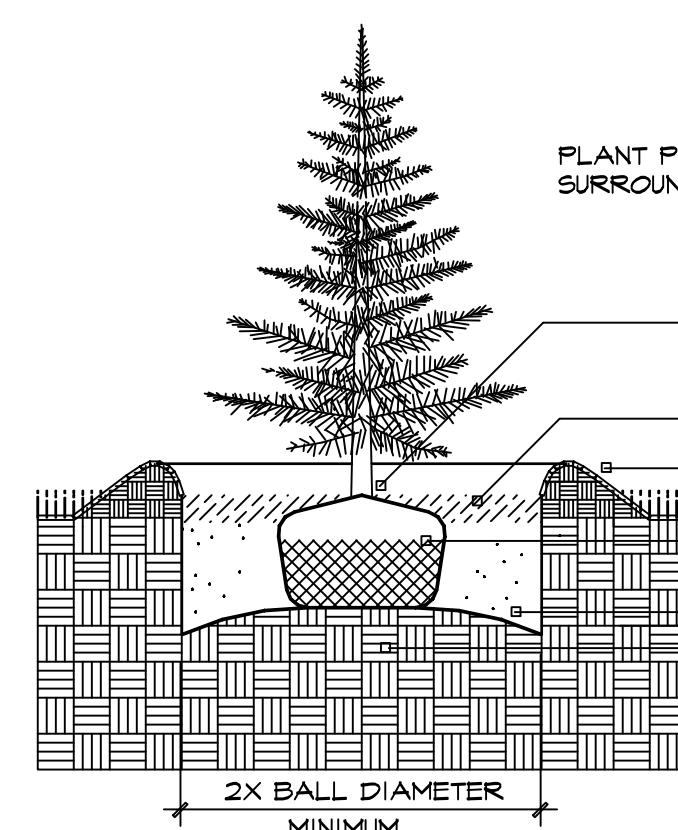
REMOVE BURLAP, WIRE & ROPE
FROM TOP 1/3 OF THE BALL
AFTER PLACEMENT IN PIT

FLARE OF TRUNK TO BE
VISIBLE ABOVE SOIL LINE



DECIDUOUS TREE PLANTING

N.T.S.



PLANT PINE VARIETIES TOP OF BALL AT 4" ABOVE
SURROUNDING GRADES.

CROWN OF ROOT BALL SHALL BEAR SAME RELATION
(OR SLIGHTLY ABOVE) TO FINISHED GRADE AS IT
BORE TO PREVIOUS GRADE

3" MINIMUM BARK MULCH

CREATE SOIL SAUCER W/ TOPSOIL-6" MINIMUM

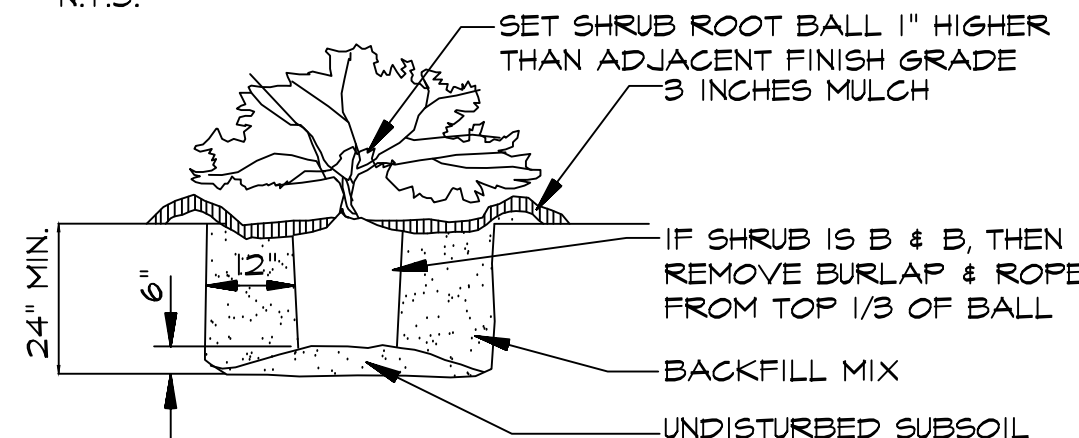
FOLD DOWN BURLAP @ TOP OF ROOT BALL & REMOVE TOP 1/3
OF BURLAP. REMOVE ANY NON-BIODEGRADABLE MATERIAL

PREPARED SOIL BACKFILL

PREPARED ADMIXTURE BACKFILL OR NATIVE SOIL

EVERGREEN TREE PLANTING

N.T.S.



SET SHRUB ROOT BALL 1" HIGHER
THAN ADJACENT FINISH GRADE

3 INCHES MULCH

IF SHRUB IS B & B, THEN
REMOVE BURLAP & ROPE
FROM TOP 1/3 OF BALL

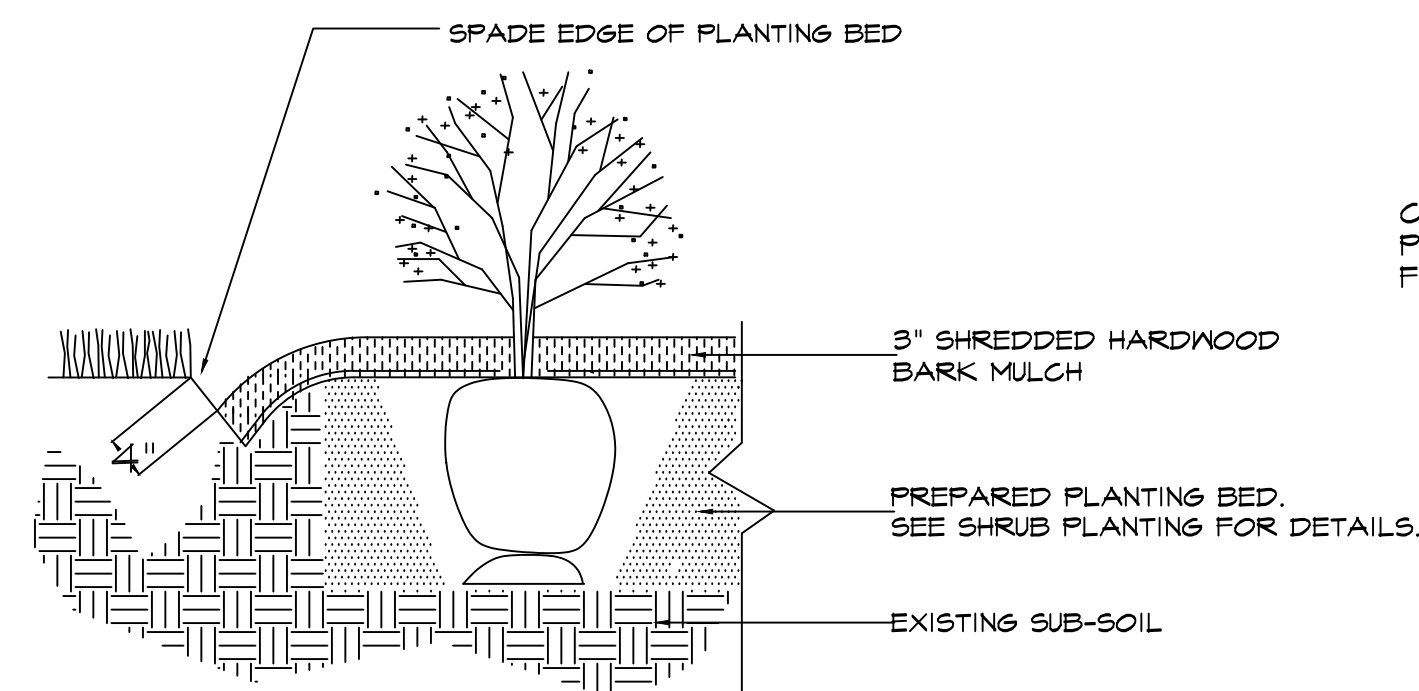
BACKFILL MIX

UNDISTURBED SUBSOIL

PRUNE ANY BROKEN BRANCHES AFTER PLANTING. DAMAGED
SHRUBS OR BROKEN / CRUMBLING ROOT BALLS WILL BE REJECTED.

SHRUB PLANTING

N.T.S.



SPADE EDGE OF PLANTING BED

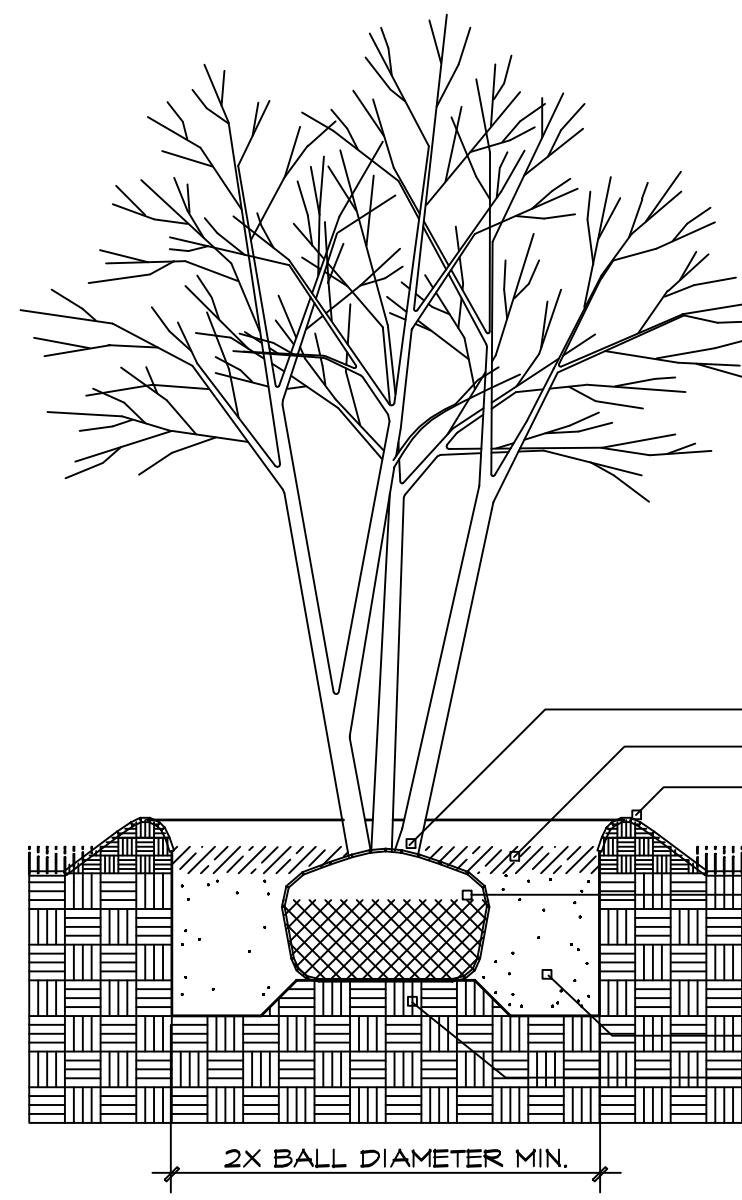
3" SHREDDED HARDWOOD
BARK MULCH

PREPARED PLANTING BED.
SEE SHRUB PLANTING FOR DETAILS.

EXISTING SUB-SOIL

SPADE-CUT EDGE DETAIL

N.T.S.



DETERMINE/MARK NORTH SIDE
OF TREE IN NURSERY PRIOR
TO DIGGING AND PLANT
IN SAME RELATIONSHIP
TO NORTH WHEN
PLANTING ON-SITE

SET TREE AT ORIGINAL GRADE
SHREDDED BARK MULCH @ 3" MINIMUM
SOIL SAUCER: USE PREPARED TOPSOIL - 6" MINIMUM

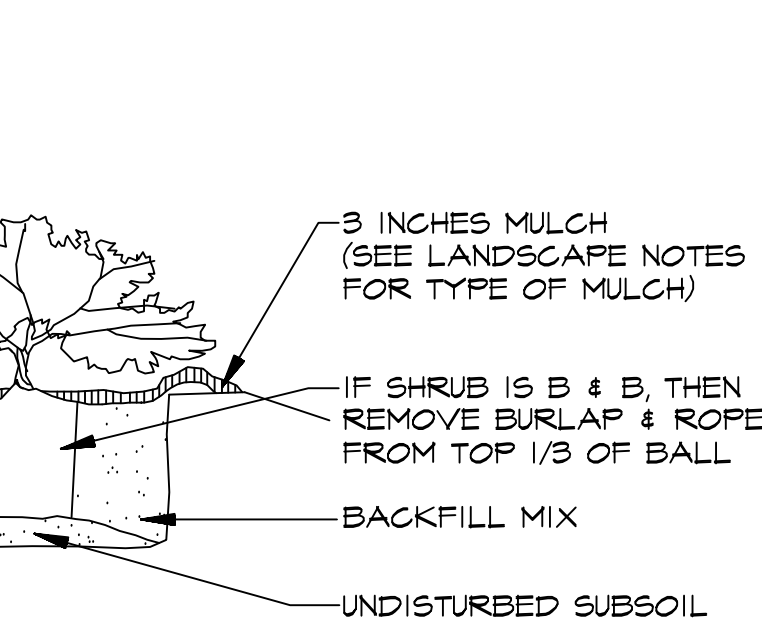
CUT ROPES @ TOP OF ROOT BALL. REMOVE TOP 1/3
OF BURLAP. REMOVE ANY NON-BIODEGRADABLE
MATERIAL

PREPARED ADMIXTURE BACKFILL

PREPARED SUBGRADE PEDESTAL

MULTI-STEM TREE PLANTING

N.T.S.



SHRUB PLANTING ON SLOPE

N.T.S.

3 INCHES MULCH
(SEE LANDSCAPE NOTES
FOR TYPE OF MULCH)

IF SHRUB IS B & B, THEN
REMOVE BURLAP & ROPE
FROM TOP 1/3 OF BALL

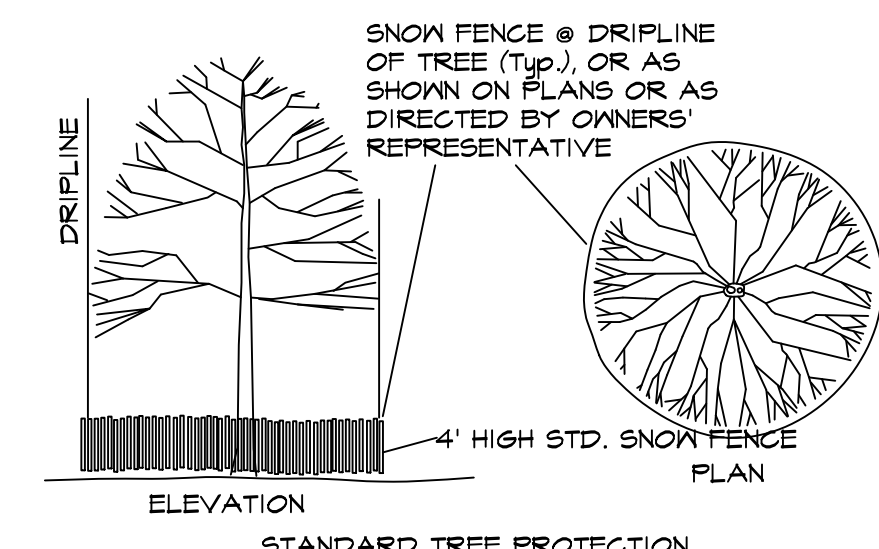
BACKFILL MIX

UNDISTURBED SUBSOIL

NOTE: USE SHREDDED BARK MULCH ONLY

TREE PLANTING ON SLOPE

N.T.S.



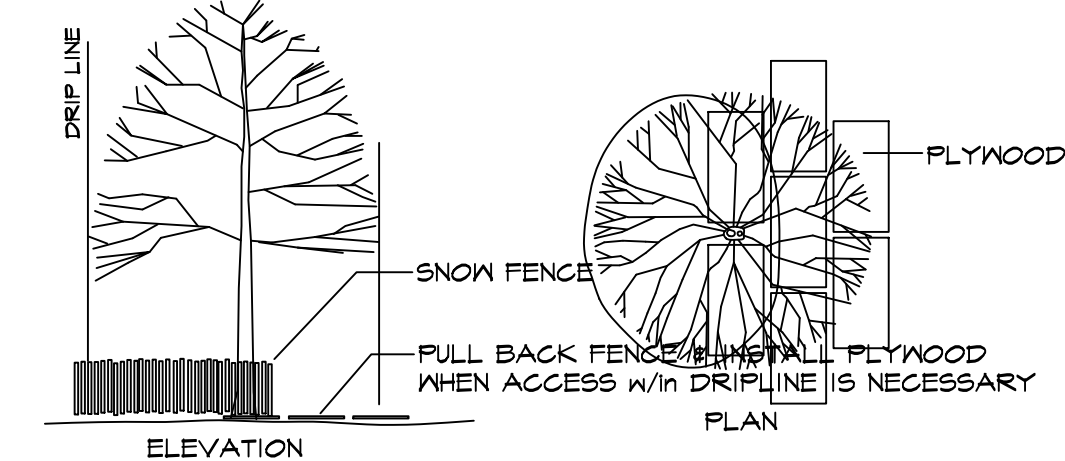
SNOW FENCE @ DRIPLINE
OF TREE (TYP.), OR AS
SHOWN ON PLANS OR AS
DIRECTED BY OWNERS'
REPRESENTATIVE

4" HIGH STD. SNOW FENCE

ELEVATION

PLAN

STANDARD TREE PROTECTION



SNOW FENCE

PULL BACK FENCE @ MIN. 4' PLYWOOD
WHEN ACCESS W/in DRIPLINE IS NECESSARY

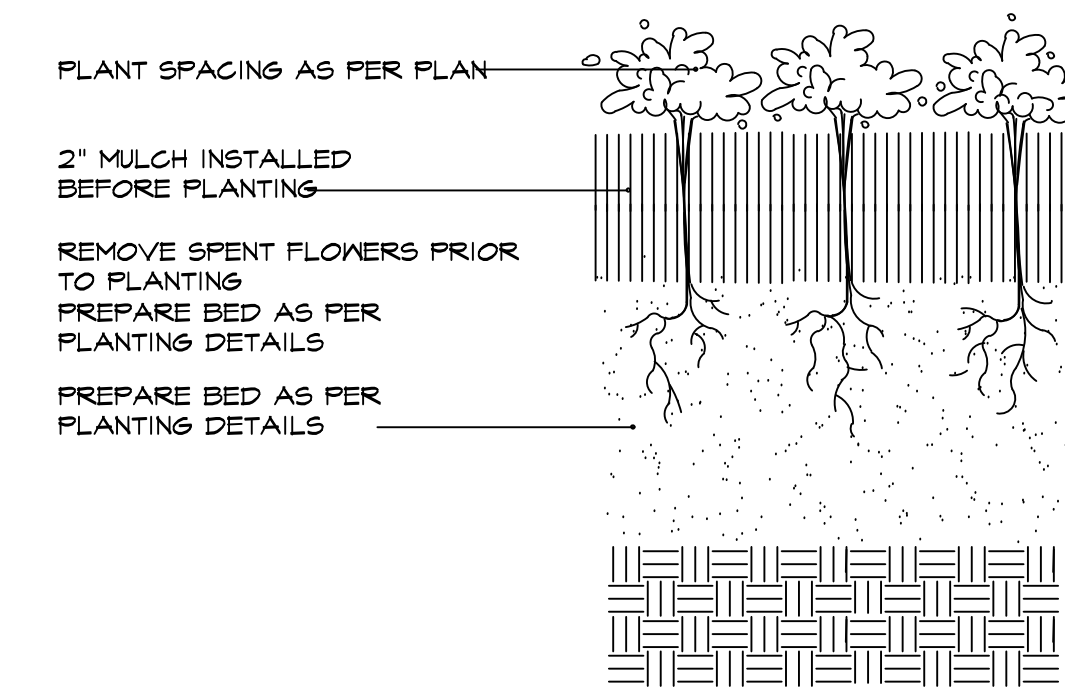
ELEVATION

PLAN

TREE PROTECTION FOR WORK W/in DRIPLINE AREA

TREE PROTECTION DETAIL

N.T.S.



PLANT SPACING AS PER PLAN

2" MULCH INSTALLED
BEFORE PLANTING

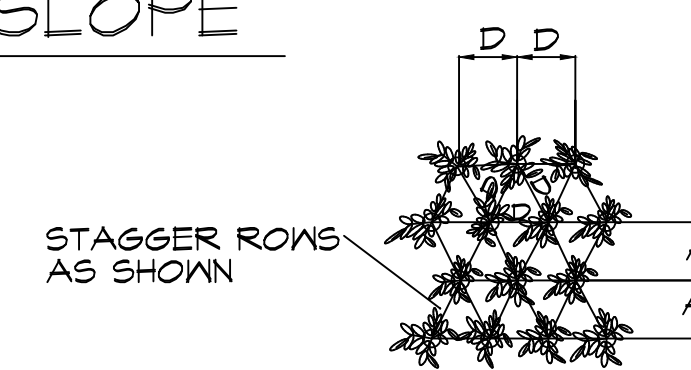
REMOVE SPENT FLOWERS PRIOR
TO PLANTING
PREPARE BED AS PER
PLANTING DETAILS

PREPARE BED AS PER
PLANTING DETAILS

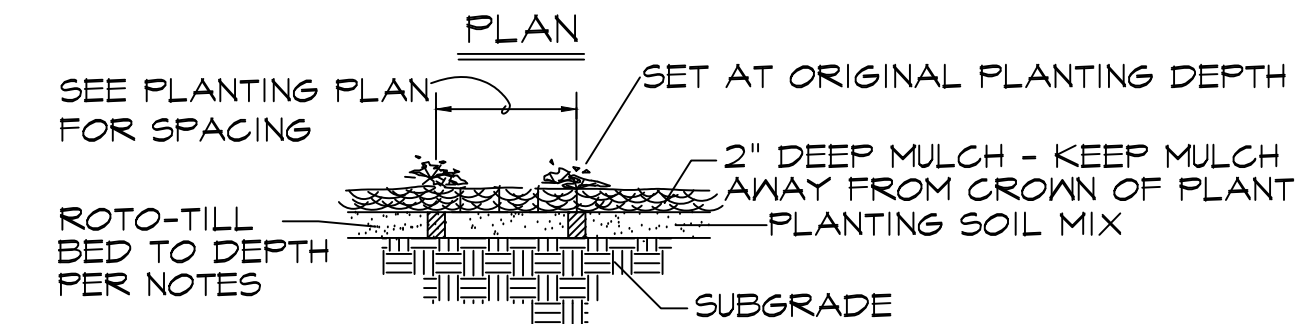
PERENNIAL / ANNUAL PLANTING

N.T.S.

SPACING "D"	ROW "A"	# OF PLANTS PER SQ. FT.
30"	26"	0.16
24"	20.8"	0.25
18"	15.6"	0.45
15"	13"	0.64
12"	10.4"	1.00
10"	8.66"	1.44
8"	6.93"	2.25



STAGGER ROWS
AS SHOWN



SEE PLANTING PLAN
FOR SPACING

ROTO-TILL
BED TO DEPTH
PER NOTES

SET AT ORIGINAL PLANTING DEPTH

2" DEEP MULCH - KEEP MULCH
AWAY FROM CROWN OF PLANT

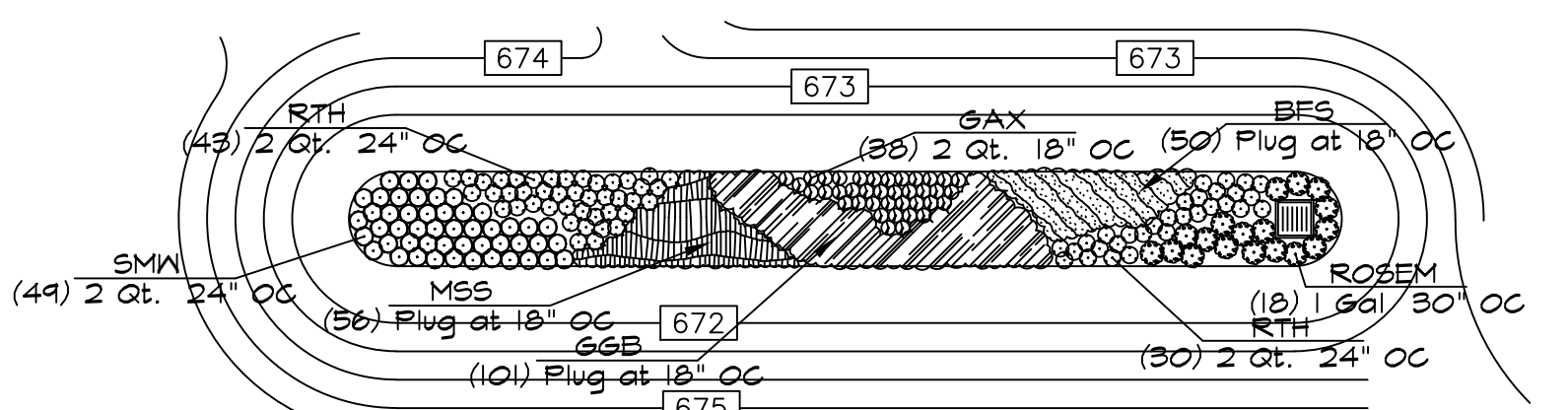
PLANTING SOIL MIX

SUBGRADE

SECTION

FORB/GRASS PLANTING DETAIL

N.T.S.



BIO-RETENTION PLANTING PLAN

SCALE: 1"=20'-0"

January 13, 2020

Ms. Gwen Keen
Real Estate Project Manager
QuikTrip Corporation
2255 Bluestone Drive
St. Charles, Missouri 63303

RE: Traffic Impact Study
Proposed QuikTrip #613 Gas Station and Convenience Store
Southwest Quadrant of Olive Boulevard at Graeser Road/Dautel Lane
Creve Coeur, Missouri
CBB Job No. 29-2018-28

Dear Ms. Keen:

As requested, CBB has completed a traffic impact study pertaining to the proposed construction of a QuikTrip gas station and convenience store #613 in Creve Coeur, Missouri. The site is located on the southwest corner of Olive Boulevard and Graeser Road/Dautel Lane. The existing site consists of a variety of commercial uses, none of which appear to generate high traffic volumes. The location of the site relative to the surrounding area is depicted in **Figure 1**, and a closer aerial view of the site is shown in **Figure 2**.

QuikTrip Corporation proposes to construct a 4,993 square foot (SF) convenience store with 8 fueling pumps, providing 16 vehicle-fueling positions (vfp). A copy of the site plan provided by QuikTrip at the commencement of the study is shown in **Figure 3**. It should be noted that QuikTrip is assembling multiple parcels to create the subject site. However, the larger retail building to the immediate west will remain in operation on a separate lot(s).

The purpose of this study was to determine the number of additional trips that would be generated by the proposed QuikTrip, evaluate the impact of the additional trips on current operating conditions for the adjacent roadways, identify the most appropriate configurations for the site access, and determine the ability of motorists to safely enter and exit the site. Where necessary, roadway improvements (lane additions and/or traffic control modifications) were recommended to mitigate the impact of the proposed redevelopment and to accommodate the additional traffic. The focus of this study was the AM, Midday, and PM peak hours of a typical weekday.



Figure 1: Project Location Map



Figure 2: Site Location

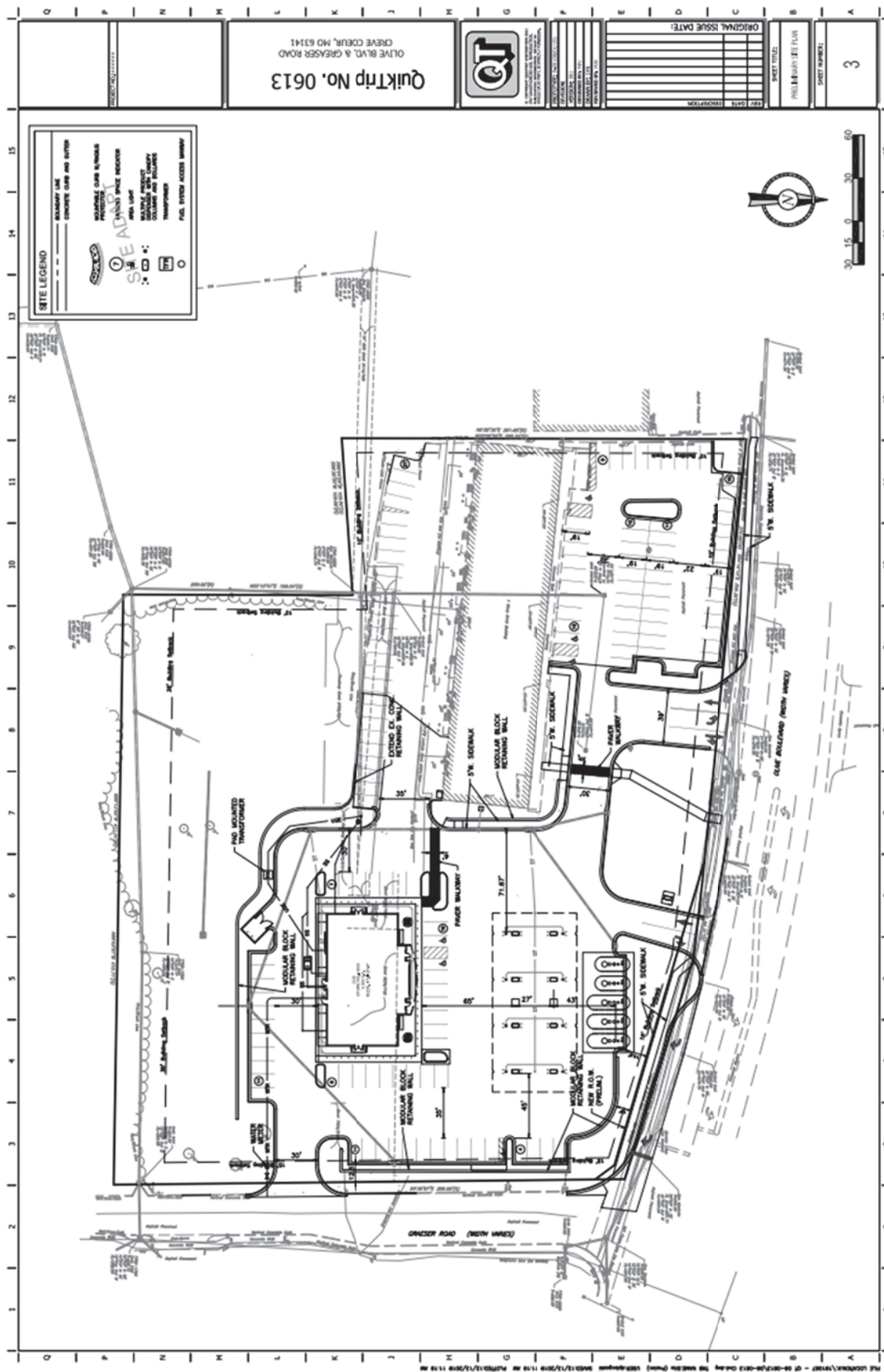


Figure 3: Concept Site Plan (provided by others)



The following intersections were included in the study:

- Olive Boulevard at Mosley Road (Signalized);
- Olive Boulevard at Schulte Road/Mary Meadows Lane (Signalized);
- Olive Boulevard at Graeser Road/Dautel Lane (Signalized);
- Olive Boulevard at Spoeede Road (Signalized);
- Olive Boulevard at Existing West Site Driveway/St. Vincent DePaul Driveway (Side-Street Stop);
- Olive Boulevard at Existing Central Site Driveway/Proposed QuikTrip Driveway (Right-In/Right-Out);
- Olive Boulevard at Existing East Site Driveway (Right-In/Right-Out – To Be Removed);
- Graeser Road at Proposed QuikTrip North Driveway (Side-Street Stop);
- Graeser Road at Existing Site Driveway/Proposed QuikTrip South Driveway (Side-Street Stop); and
- Graeser Road at First Community Driveway (Side-Street Stop).

The following analysis scenarios were considered:

- 2020 Baseline Conditions (Recent CBB Counts plus known developments);
- 2020 Build Conditions (2020 Baseline plus Site Trips).

The following report presents the methodology and findings relative to the 2020 Baseline and 2020 Build conditions.

EXISTING CONDITIONS

Jurisdictional Agency: The adjacent roadway jurisdictions vary. The City of Creve Coeur owns and maintains most of the surface streets, and the Missouri Department of Transportation (MoDOT) owns and maintains Olive Boulevard (Route 340). Consequently, any proposed improvements on these routes will be subject to both agencies' approvals through their typical permitting processes. CBB and other representatives of the project team met with staff from the City of Creve Coeur and MoDOT on July 10, 2019 to garner their input on the study scope. This traffic impact study was intended to meet both the City's and MoDOT's collective requirements.

Area Roadway System: CBB inspected the surrounding roadway system to verify number and use of travel lanes, traffic controls in place, adjacent driveway locations, posted speed limits, the presence of non-motorized facilities (pedestrian sidewalks and marked crossings as well as bike lanes) and other pertinent physical features.

Olive Boulevard (Missouri Route 340) is a major east-west arterial that provides access to Interstate 270 to the west and Lindbergh Boulevard (US Route 67) and I-170 to the east. Olive Boulevard is owned and maintained by MoDOT.



Within the study area, Olive Boulevard provides two through lanes in each direction. To the west of Schulte Road/Mary Meadows Lane as well as to the east of Graeser Road/Dautel Lane, Olive Boulevard provides a center two-way left-turn lane. Between Schulte Road/Mary Meadows Lane and Graeser Road/Dautel Lane, Olive Boulevard is divided by a raised concrete median with one break to serve the subject site and St. Vincent DePaul across the street. The posted speed limit is 35 miles per hour (mph). Sidewalks are provided along both sides of the roadway. The traffic signals along Olive Boulevard operate as part of a coordinated system.

Mosley Road is a minor north-south collector road owned and maintained by the City of Creve Coeur. The road provides two lanes, one in each direction, and its north terminus is a tee intersection with Olive Boulevard. Sidewalks are present along both sides of the roadway. Mosley Road has a posted speed limit of 30 mph. At the signalized intersection with Olive Boulevard, pedestrian crossings are marked across the south and east legs.

Schulte Road is a major north-south collector roadway owned and maintained by the St. Louis County Department of Transportation. The road provides two lanes, one in each direction. Within the study area, Schulte Road intersects Olive Boulevard at a signalized intersection. To the south of Olive Boulevard, the road changes names to **Mary Meadows Lane**, which is a local residential road ending in a cul-de-sac maintained by the City of Creve Coeur. Sidewalks are not present along the roadway except for the Circle K frontage on the north side of Olive Boulevard. Schulte Road has a posted speed limit of 35 mph. At the signalized intersection with Olive Boulevard, pedestrian crossings are marked across the north and south legs only.

Graeser Road is a minor north-south collector road owned and maintained by the City of Creve Coeur. The road provides two lanes, one in each direction. Sidewalks are present along the east side of the roadway. Graeser Road has a posted speed limit of 30 mph. At the signalized intersection with Olive Boulevard, pedestrian crossings are marked across the north, south, and east legs. To the north of Olive Boulevard, the road changes names to **Dautel Lane**.

Spoede Road is a major north-south collector roadway owned and maintained by the City of Creve Coeur. The road provides two lanes, one in each direction. Within the study area, Spoede Road intersects Olive Boulevard at a signalized intersection. Sidewalks are provided along the west side of the roadway. Spoede Road has a posted speed limit of 30 mph. At the signalized intersection with Olive Boulevard, pedestrian crossings are marked across the north, south, and west legs.

Existing Traffic Volumes: In order to identify the traffic impacts associated with the proposed QuikTrip development, it is essential to first understand the pre-development traffic conditions in the area. To that end, it was necessary to perform an operational analysis of the existing traffic volumes on the surrounding road system. Therefore, any deficiencies in the current road system would be identified before the traffic generated by the proposed development is added to the system.



Given the traffic characteristics in the area, the weekday AM, Midday, and PM peak hours would be expected to represent a “worst-case scenario” with regards to the traffic impact. If traffic operations are acceptable during these peak hours, it can be reasoned that conditions would be as good or better throughout the remainder of the day.

Turning movement counts were collected during the weekday AM commuter peak period (7:00 to 9:00 AM), the weekday Midday peak period (11:00 AM to 1:00 PM), and the weekday PM commuter peak period (4:00 to 6:00 PM) in August 2019 after local school began Fall term. Based on the traffic counts, the AM peak hour occurred from 7:30 to 8:30 AM, the Midday peak hour occurred from 11:30 AM to 12:30 PM, and the PM peak hour occurred from 4:30 to 5:30 PM. The Existing Traffic Volumes are summarized in **Exhibit 1**. While not shown on Exhibit 1, pedestrians and bicycles were counted at all study locations. Those levels were relatively low; total inbound/outbound trips for all the current uses during the three peak hours were 1/1, 2/1, and 4/4, respectively.

Spot counts were completed to assess existing traffic at the intersections of Olive Boulevard with all existing site driveways (one full access and two right-in/right-out only on Olive Boulevard as well as one full access on Graeser Road) and also the First Community Credit Union driveway on Graeser Road to the south. Existing volumes at these driveways are low, as can be seen in **Exhibit 1**.

Baseline Traffic Volumes: Expected traffic volumes from two other developments were added to existing traffic volumes to reflect opening year Baseline traffic volumes. Trips from a previous study completed by CBB for a Mobil on the Run gas station at Olive Boulevard and Schulte Road/Mary Meadows Lane as well as trips from the expected full occupancy of the 166,000-SF HBE office building on Olive Boulevard at Mosely Road (based on data from the ITE Trip Generation Manual) were added to the Existing traffic volumes in Exhibit 1 to determine the total volumes in the 2020 Baseline scenario, shown in **Exhibit 2**. Trip generation data for the Mobil on the Run and HBE office uses are shown in **Tables 1 and 2**, respectively.

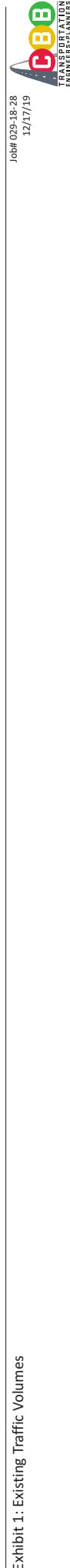
Table 1: Net Trips – Mobil on the Run Redevelopment (By Others)

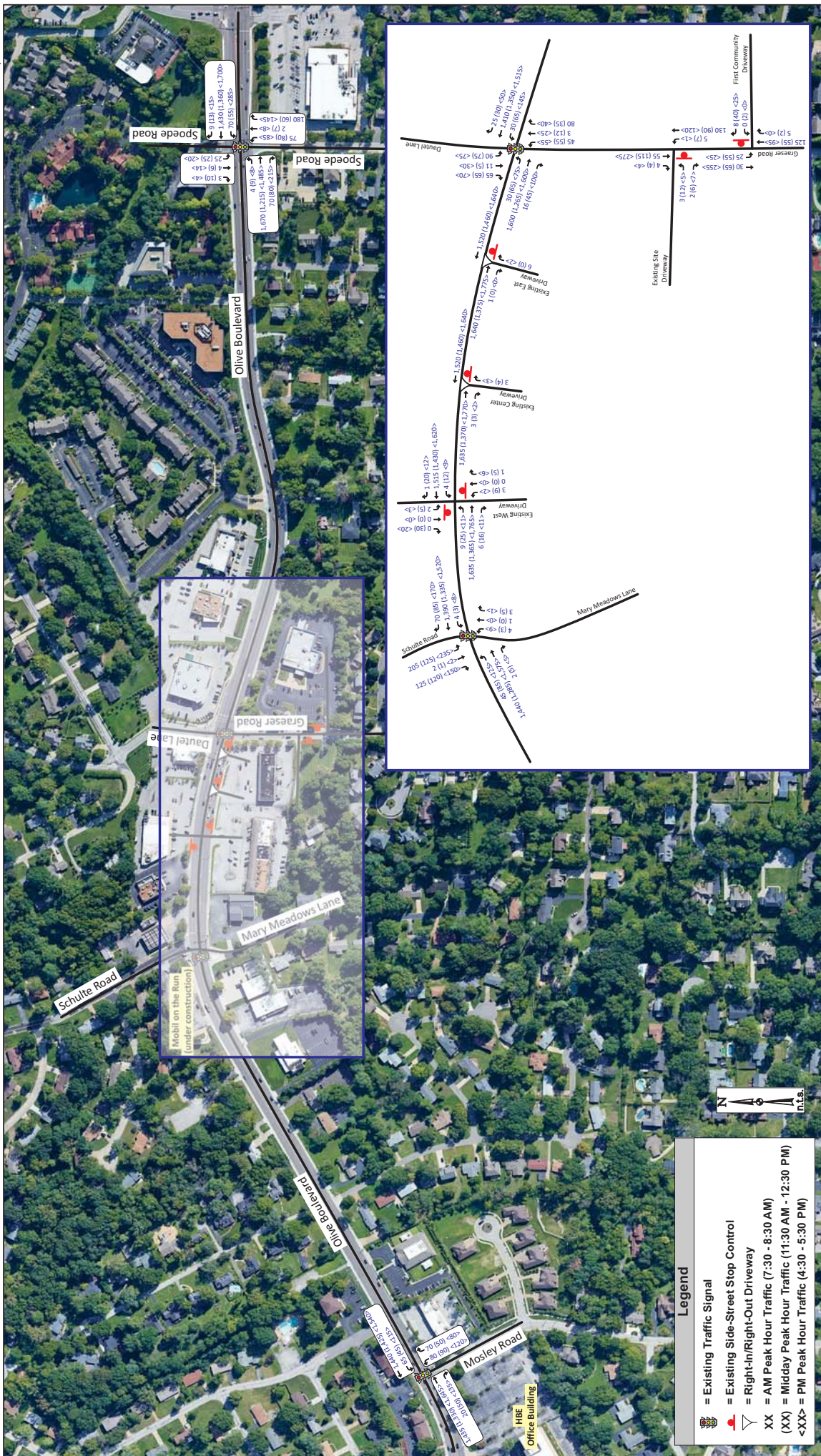
<i>Trip Estimate from Previous Study</i>	<i>Weekday AM Peak Hour</i>			<i>Weekday Midday Peak Hour</i>			<i>Weekday PM Peak Hour</i>		
	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>
Increase in Trips for Mobil on the Run Gas Station Redevelopment									
Total Trips	55	65	120	90	100	190	70	70	140
New Trips	20	30	50	35	45	80	30	30	60
Pass-by Trips	35	35	70	55	55	110	40	40	80



Table 2: HBE Office Building Trips

Land Use	Size	Weekday AM Peak Hour			Weekday Midday Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
Full Occupancy of HBE Office Building										
General Office Building	16 vfp	165	30	195	60	60	120	30	160	190







PROPOSED SITE

Proposed Land Use: Based upon the site plan provided by QuikTrip, shown in **Figure 3**, the proposed convenience store would be approximately 4,993 SF. The number vehicle fueling stations would be 16 under a single canopy.

Site Access: Direct access to the QuikTrip store is proposed via one full-access driveway on Graeser Road as well as one right-in/right-out driveway on Olive Boulevard. One of the existing driveways on Olive Boulevard serving this site would be closed. A full access driveway on Olive Boulevard is present on the adjacent site to the west, and cross access would be maintained between the two sites such that the proposed QuikTrip will use that driveway.

Trip Generation: As a primary step in this analysis, forecasts were prepared to estimate the amount of traffic that the proposed QuikTrip development would generate during the AM, Midday and PM peak hours. Traffic forecasts for the proposed QuikTrip were developed using data from counts performed at similar facilities within the St. Louis metropolitan area.

For comparison, the *Trip Generation Manual*, Tenth Edition, published by the Institute of Transportation Engineers (ITE) was also used to estimate the anticipated trips for the QuikTrip store. This manual, which is a standard resource for transportation engineers, is based on a compilation of nationwide studies documenting the trip generation characteristics of various land uses. Specifically, ITE Code 945 (Gasoline Station with Convenience Store) was used for comparison to the empirical numbers. The estimated trip generation for the proposed development is summarized in **Table 3**.

A significant portion of these trips would already be traveling along Olive Boulevard and would stop at this site as part of another trip (i.e. pass-by trips). Pass-by trips are classified as traffic already using the adjacent roadways that are attracted to the site as an intermediate stop on the way to and from other destinations. These pass-by trips create turning movements at the driveways serving the site, but they do not represent new traffic on the adjacent roadways and therefore, do not increase traffic at upstream and downstream intersections.



Table 3: Trip Generation Estimate

Land Use	Size	Weekday AM Peak Hour			Weekday Midday Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
Trip Generation Based on ITE Land Use Code 945										
Gas Station w/ Convenience Store	16 vfp	100	100	200	125	125	250	125	125	250
New Trips		40	40	80	55	55	110	55	55	110
Pass-by Trips (62%/56%/56%)		60	60	120	70	70	140	70	70	140
Trip Generation Based on CBB Local Data for QuikTrip Stores										
Area QuikTrip Stores*	16 vfp	170	165	335	145	140	285	145	140	285
New Trips		45	40	85	40	35	75	40	35	75
Pass-by Trips (75%)		125	125	250	105	105	210	105	105	210

*Trips based on multiple driveway count studies by CBB

The statistical information provided in the *Trip Generation Handbook, A Recommended Practice*, published by ITE, supports pass-by percentages of 62 percent for gas station trips during the weekday AM peak hour and 56 percent for gas station trips during the weekday PM peak hour. Since no Midday pass-by rates were recommended by ITE, the PM peak hour pass-by trip rates were applied to the Midday peak hour. With the use of the higher trip projections based on the local QuikTrip sites, CBB also used a higher pass-by rate of 75% for our QuikTrip forecasts.

As a result, the proposed QuikTrip is estimated to generate 85 *new* trips during the weekday AM peak hour and 75 *new* trips during the weekday Midday and PM peak hours. The proposed QuikTrip is also estimated to generate 250 pass-by trips during the weekday AM peak hour and 210 pass-by trips during the weekday Midday and PM peak hours.

Trip Distribution: The site-generated trips for the proposed QuikTrip were assigned into and out of the site based upon existing travel patterns, current roadway network, and the proximity to similar uses. The distribution of new site-generated trips was estimated as follows:

- To/From the west on Olive Boulevard 45%
- To/From the east on Olive Boulevard 35%
- To/From the south on Mosley Road 5%
- To/From the north on Schulte Road 5%
- To/From the south on Graeser Road 5%
- To/From the south on Spoede Road 5%



The pass-by trips were assigned in accordance with the existing traffic volumes on the adjacent roadways, specifically Olive Boulevard eastbound and westbound.

The site-generated trips (new and pass-by) for the weekday AM, Midday, and PM peak hours are shown in **Exhibit 3**.

2020 Build Traffic Volumes: The increases in traffic volumes resulting from the trip assignment for the proposed QuikTrip (Exhibit 3) were aggregated with the 2020 Baseline Traffic Volumes (Exhibit 2) to determine the total volumes in the 2020 Build scenario. The 2020 Build Traffic Volumes for the weekday AM, Midday and PM peak hours are shown in **Exhibit 4**.







Right-Turn Lane Warrants

The need for auxiliary eastbound right-turn lanes on Olive Boulevard at the existing driveway on the neighbor's property (full access), proposed/shifted QuikTrip site driveway (right-in/right-out), and Graeser Road (signalized intersection) was evaluated using MoDOT's Access Management Guidelines (AMG). These guidelines consider auxiliary lanes an asset in promoting safety and improved traffic flow at relatively high conflict locations. Separate turn lanes are intended to remove turning vehicles from the through lanes to reduce the potential number of rear-end collisions at intersections. The MoDOT method provides volume guidelines for the consideration of separate turn lanes by comparing the total advancing volume (which includes all turning traffic) to the number of right turns during the design hour with respect to a given major road speed.

Utilizing MoDOT's AMG *Right-Turn Lane Guideline for Four-Lane Roadway* nomograph, shown in **Figures 4, 5, and 6**, separate eastbound right-turn lanes are warranted on Olive Boulevard at the QuikTrip right-in/right-out drive and the Graeser Road signalized intersection, but not at the shared full-access driveway on the neighbor's property. However, due to the limited distance between the two private entrances, a useful right-turn lane may not be practical at the QuikTrip driveway. It should be acknowledged that the proposed redevelopment is not expected to add many, if any, eastbound right-turn movements on Olive Boulevard at Graeser Road; the warrants for an eastbound right-turn lane at the signalized intersection are based on an existing need to serve current volumes.

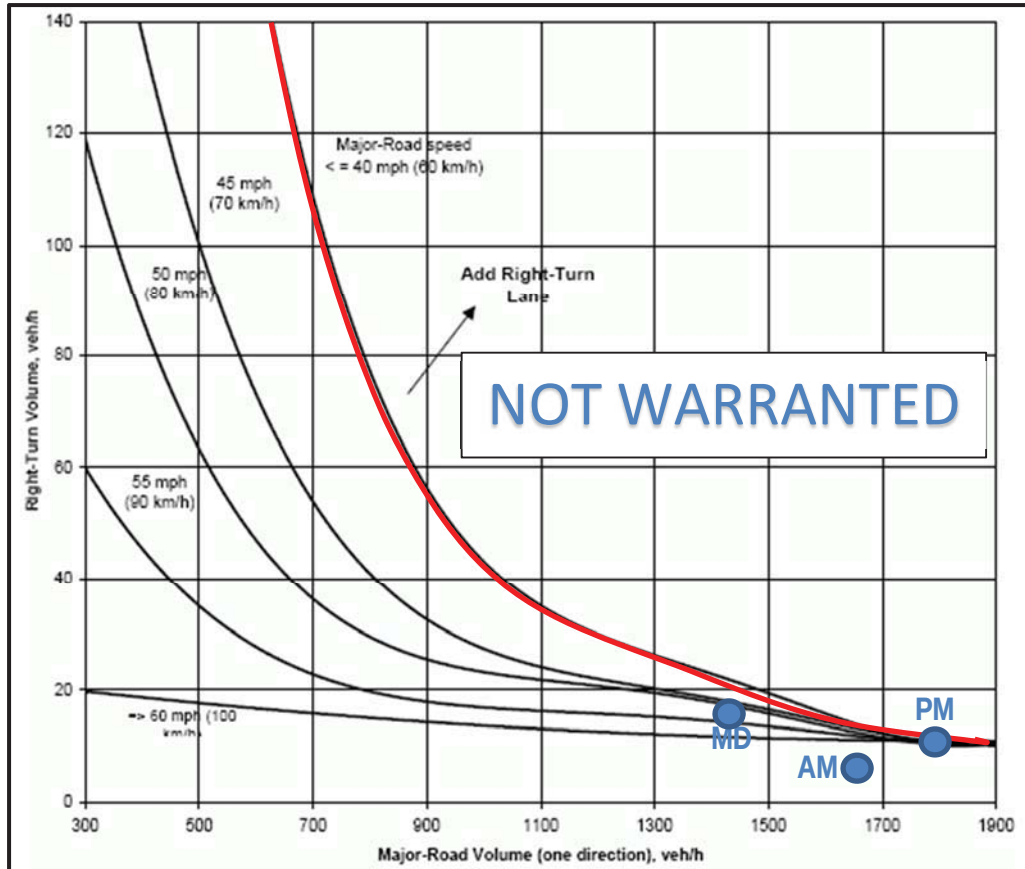


Figure 3: Right-Turn Lane Guidelines for Four Lane Roadways – Olive Boulevard at Shared Full Access Driveway on Neighbors Property

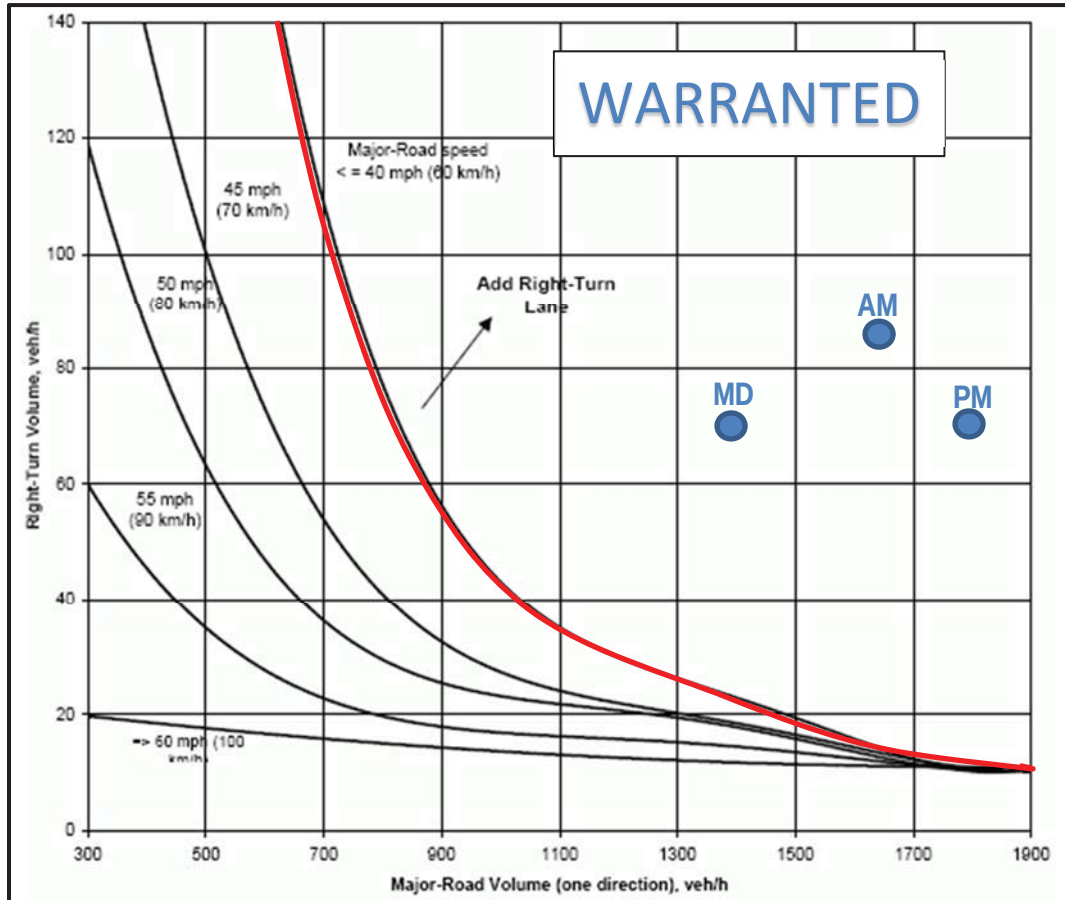


Figure 5: Right-Turn Lane Guidelines for Four Lane Roadways – Olive Boulevard at QuikTrip Driveway (Right-In/Right-Out)

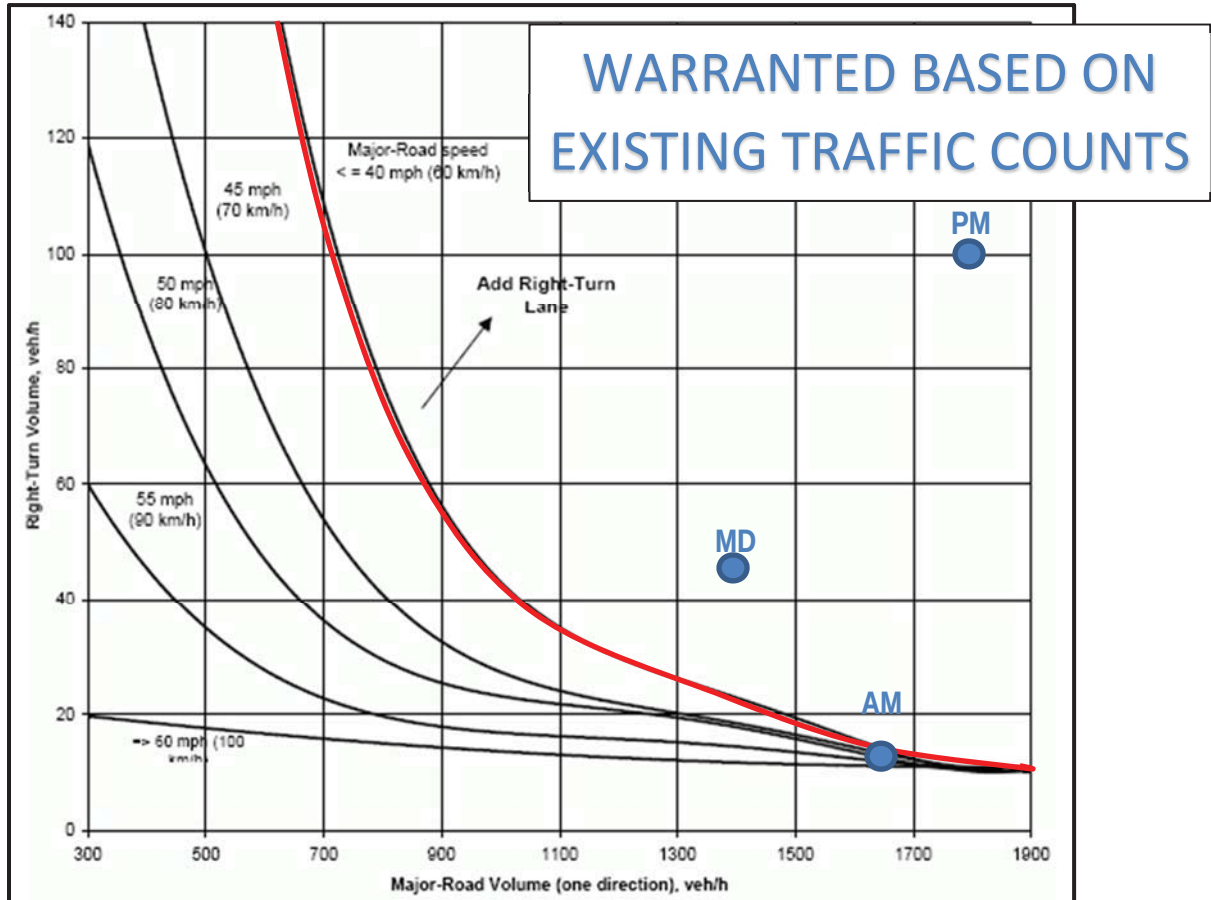


Figure 6: Right-Turn Lane Guidelines for Four-Lane Roadways – Olive Boulevard at Graeser Road Signalized Intersection



TRAFFIC ANALYSES

Study Procedures: The 2020 Baseline and 2020 Build operating conditions for the study area intersections were evaluated using SYNCHRO 10, which is based on procedures outlined in the *Highway Capacity Manual* to determine estimates of capacity and operational performance of signalized and unsignalized intersections. Our traffic operations analysis below includes measures of effectiveness generated by the SYNCHRO software.

The operating conditions were graded in accordance with six levels of traffic service (Level A "Free Flow" to Level F "Fully Saturated") established by the *Highway Capacity Manual*. Levels of service (LOS) are measures of traffic flow which consider such factors as speed, delay, traffic interruptions, safety, driver comfort, and convenience. Level C, which is normally used for highway design, represents a roadway with volumes ranging from 70% to 80% of its capacity. However, Level D is generally considered acceptable for peak period conditions.

It must also be acknowledged that the perception of acceptable traffic service varies widely by area. Specifically, more delay is usually tolerated in urban areas compared to rural areas. Based on the character of this area, we believe that overall intersection LOS D would be an appropriate target for overall peak period traffic operations, although potentially unattainable based on current high through volumes on Olive Boulevard

The thresholds that define levels of service at an intersection are based upon the type of control used (i.e., whether it is signalized or unsignalized) and the calculated delay. For signalized and all-way stop intersections, the average control delay per vehicle is estimated for each movement and aggregated for each approach and the intersection as a whole. At intersections with partial (side-street) stop control, delay is calculated for the minor movements only since motorists on the main road are not required to stop. Furthermore, criteria differ for the two, since control types create different driver expectations. **Table 4** summarizes the level of service thresholds used in this analysis.

Table 4: Level of Service Thresholds

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



Given the general traffic characteristics in the area (Olive Boulevard being a major commuter route) and the anticipated trip generation for the proposed redevelopment (which would also be expected to peak during the weekday AM, Midday, and PM peak periods), the weekday AM, Midday, and PM peak hours would represent a “worst-case scenario” with regards to the traffic impact. If traffic operations are acceptable during these peak periods, it can be reasoned that conditions would be as good or better throughout the remainder of the day.

Operating Conditions: The study intersections were evaluated using the methodologies described above. **Table 5** summarizes the results of these analyses, which compare the 2020 Baseline and 2020 Build operating conditions and average delays for each of the study intersections during the weekday AM, Midday, and PM peak hours. The estimated 95th percentile queue lengths for the critical movements are also shown in Table 5. It should be noted that the 2020 Build analyses included the two right-turn lanes along Olive Boulevard (shown to be warranted above) at the QuikTrip right-in/right-out driveway and Graeser Road signalized intersection.

As shown in Table 5, the intersection of Olive Boulevard at Schulte Road/Mary Meadows Lane operates at LOS E overall during the AM and PM peak hours under 2020 Baseline conditions due to the poor LOS for the southbound Schulte Road approach. Additionally, the southbound Dautel Lane approach, southbound Spoede Road approach, and the northbound and southbound Existing shared driveway/St. Vincent DePaul approaches at Olive Boulevard all operate at LOS E during the AM peak hour. The southbound Schulte Road approach at Olive Boulevard operates at LOS F during the Midday peak hour. The northbound Mosley Road approach at Olive Boulevard operates at LOS E during the PM peak hour. All other approaches and overall intersections within the study area operate at acceptable levels of service during each peak hour under 2020 Baseline conditions.

Under 2020 Build conditions, significant changes are not expected along Olive Boulevard. During the AM peak hour, the northbound Graeser Road approach at Olive Boulevard is expected to degrade from LOS C to LOS E with the intersection degrading from LOS B to LOS C overall. During the PM peak hour, that approach is expected to degrade from LOS D to LOS E with the intersection degrading from LOS B to LOS C overall. The northbound Spoede Road approach will degrade from LOS D to LOS E in the AM peak hour. The northbound Shared Driveway approach at Olive Boulevard is expected to degrade to LOS F in the AM peak hour and LOS E during the Midday and PM peak hours. The additional five southbound left-turns expected on Schulte Road at Olive Boulevard are not expected to make a significant difference in operations at the approach, but timing or capacity adjustments are likely necessary to mitigate the poor baseline operations at the Schulte Road/Mary Meadows intersection.



Table 5: Traffic Operating Conditions – 2020 Baseline and 2020 Build Traffic Volumes

Intersection/Approach	AM Peak Hour		Midday Peak Hour		PM Peak Hour	
	2020 Baseline	2020 Build	2020 Baseline	2020 Build	2020 Baseline	2020 Build
Olive Boulevard and Mosley Road (Signalized)						
Eastbound Olive Boulevard Approach	A (9.8)	B (10.8)	B (10.2)	B (10.3)	B (17.2)	B (17.5)
Westbound Olive Boulevard Approach	B (11.2)	B (11.5)	B (11.0)	B (10.7)	B (16.7)	B (16.5)
Northbound Mosley Road Approach	D (48.1)	D (46.9)	D (47.5)	D (46.3)	E (64.3)	E (62.9)
Overall	B (12.3)	B (12.8)	B (12.5)	B (12.4)	C (20.6)	C (20.6)
Olive Boulevard and Schulte Road/Mary Meadows Lane (Signalized)						
Eastbound Olive Boulevard Approach	C (22.3)	C (24.3)	B (10.4)	B (10.5)	B (16.4)	B (16.7)
Westbound Olive Boulevard Approach	A (8.4)	A (9.4)	A (3.9)	A (4.5)	A (5.9)	A (5.7)
Northbound Mary Meadows Lane Approach	D (50.6)	D (50.6)	D (45.0)	D (45.0)	D (50.7)	D (50.7)
Southbound Schulte Road Approach	F (>200)	F (>200)	F (>200)	F (>200)	F (>200)	F (>200)
Overall	E (71.3)	E (75.2)	D (42.3)	D (45.5)	E (63.6)	E (65.8)
Olive Boulevard and Graeser Road/Dautel Lane (Signalized)						
Eastbound Olive Boulevard Approach	A (7.8)	B (12.8)	A (4.4)	A (7.6)	B (18.4)	C (22.0)
Westbound Olive Boulevard Approach	B (17.0)	B (19.7)	B (12.6)	B (14.5)	B (14.2)	B (19.3)
Northbound Graeser Road Approach	C (31.3)	E (60.3)	D (39.0)	D (52.4)	D (52.1)	E (71.4)
95 th Percentile Left-Turn Queue	75'	180'	85'	160'	100'	220'
Southbound Dautel Lane Approach	E (59.4)	D (45.8)	D (41.4)	C (34.9)	D (51.6)	D (41.9)
Overall	B (15.2)	C (20.6)	B (11.7)	B (14.9)	B (19.3)	C (24.3)
Olive Boulevard and Spoede Road (Signalized)						
Eastbound Olive Boulevard Approach	C (21.3)	B (16.7)	A (9.0)	A (7.0)	C (21.1)	B (17.7)
Westbound Olive Boulevard Approach	A (8.0)	A (8.2)	A (6.8)	A (6.9)	C (24.3)	C (24.5)
Northbound Spoede Road Approach	D (54.5)	E (55.5)	D (46.4)	D (48.6)	D (47.5)	D (48.4)
Southbound Spoede Road Approach	E (58.4)	E (58.4)	D (44.5)	D (44.5)	D (53.7)	D (53.5)
Overall	B (19.2)	B (17.1)	B (10.7)	B (10.1)	C (24.7)	C (23.4)
Olive Boulevard and Existing Shared Driveway/St. Vincent DePaul Driveway (Side-Street Stop)						
Eastbound Olive Boulevard Left-Turn	B (13.7)	B (13.7)	B (12.5)	B (12.5)	B (14.2)	B (14.1)
Westbound Olive Boulevard Left-Turn	C (15.3)	C (16.2)	B (12.6)	B (13.0)	C (16.0)	C (16.8)
Northbound Site Driveway Approach	E (45.0)	F (67.2)	D (29.5)	E (43.5)	C (18.9)	E (46.8)
95 th Percentile Left-Turn Queue	<15'	30'	<15'	25'	<15'	20'
Southbound St. Vincent DePaul Driveway Approach	E (39.4)	E (42.1)	B (13.0)	B (13.2)	B (13.7)	B (13.7)
Olive Boulevard and Existing Central Site Driveway (Right-In/Right-Out)						
Northbound Right-Turn Approach	B (11.1)	B (11.9)	B (10.3)	B (10.8)	B (10.8)	B (11.3)
Olive Boulevard and Existing East Site Driveway (Right-In/Right-Out)						
Northbound Right-Turn Approach	B (11.1)		B (10.3)		B (10.7)	
Graeser Road at Existing Site Driveway/Proposed QuikTrip South Driveway (Side-Street Stop)						
Eastbound Site Driveway Approach	A (9.3)	B (10.4)	A (9.6)	B (10.3)	B (10.4)	B (12.1)
Northbound Graeser Road Left-Turn	A (<1.0)	A (<1.0)	A (<1.0)	A (<1.0)	A (<1.0)	A (<1.0)
Graeser Road at First Community Driveway (Side-Street Stop)						
Westbound Site Driveway Approach	A (9.0)	A (9.0)	B (10.1)	B (10.2)	A (8.9)	A (8.9)
Southbound Graeser Road Approach	A (<1.0)	A (3.2)	A (<1.0)	A (3.5)	A (<1.0)	A (<1.0)

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



The 95th percentile northbound left-turn queue on Graeser Road from the Olive Boulevard signal was calculated to block the proposed QuikTrip south driveway during all three peak hours. However, as many of the northbound trips on Graeser Road at Olive Boulevard would originate from the proposed QuikTrip site, some of that queue will be stacked on the site as opposed to extending farther south on Graeser Road itself.

CBB considered an alternative signal configuration with split north-south phasing and dual northbound left-turn lanes, but that configuration would have worse operations than the current common north-south phase configuration despite shorter northbound queues. Therefore, the lane widening was not advanced as a viable alternative.

Non-Motorized Considerations

Pedestrian Accommodations Sidewalks are provided along both sides of Olive Boulevard and along the east side of Graeser Road, and all existing traffic signals addressed herein already provide pedestrian signals and crosswalks.

Segments of sidewalk at the new/widened driveways for the proposed site must be designed in compliance with current ADA (PROWAG) standards when considering ramps, cross-slopes, etc.

SUMMARY

CBB completed the preceding study to address the potential traffic impacts pertaining to the proposed development of QuikTrip gas station and convenience store #613 on the southwest corner of Olive Boulevard and Graeser Road/Dautel Lane in Creve Coeur, Missouri.

- The proposed gas station and convenience store would be approximately 4,993 SF with 16 vehicle fueling positions.
- The proposed development is estimated to generate up to 85 new trips during the weekday AM peak hour, 75 new trips during the weekday Midday peak hour, and 75 new trips during the weekday PM peak hour. Additionally, the new store is expected to generate 250 pass-by trips during the weekday AM peak hour, 210 pass-by trips during the weekday Midday peak hour, and 210 pass-by trips during the weekday PM peak hour.
- Access to the site is proposed to utilize the existing shared driveway on the neighbor's (full-access) and rebuilt QuikTrip Site Driveway (right-in/right-out) on Olive Boulevard. The existing East Site Driveway (right-in/right-out) would be closed. Access is also proposed on Graeser Road near the existing site driveway, which would remain in place and provide full access.



- CBB recommends that the proposed QuikTrip right-in/right-out access on Olive Boulevard be located near the existing curb cut to maximize spacing from the Graeser Road signal.
- Based on existing volumes, an eastbound right-turn lane is currently warranted on Olive Boulevard at the Graeser Road signalized intersection.
- An eastbound right-turn lane is warranted along Olive Boulevard at the proposed QuikTrip site entrance, but an auxiliary right-turn lane is not warranted at the shared, full access drive. Due to the limited distance between the two private entrances, a useful right-turn lane may not be practical.
- Under 2020 Baseline conditions, all study intersections operate at acceptable levels of service, overall and individual approaches, except the intersection of Olive Boulevard at Schulte Road/Mary Meadows Lane during the AM and PM peak hours (more specifically, the southbound Schulte Road approach during all three peak hours), the southbound Dautel Lane approach at Olive Boulevard during the AM peak hour, the northbound and southbound Existing shared driveway/St. Vincent DePaul approaches at Olive Boulevard during the AM peak hour, the southbound Spoede Road approach during the AM peak hour, and the northbound Mosely Road approach during the PM peak hour.
- Under 2020 Build conditions, significant operational issues are not expected, but the northbound Shared Driveway and northbound Graeser Road approaches are expected to degrade to poor levels of service. Those intersections are expected to operate at acceptable levels overall.
 - The 95th percentile left-turn queues on Graeser Road at Olive Boulevard under the unconstrained 2020 Build conditions are calculated to be up to 220 feet during the PM peak hour, which would extend past the site driveway. However, since a large portion of the northbound left-turns originate from the proposed site, many of those vehicles would be queued on the site as opposed to extending farther south on Graeser Road itself.



We trust that this traffic impact study adequately describes the forecasted traffic conditions that should be expected in the vicinity of the proposed QuikTrip convenience store in Creve Coeur, Missouri. If additional information is desired, please feel free to contact me at 314-308-6547 or Lcannon@cbbtraffic.com.

Sincerely,

A handwritten signature in black ink that reads "Lee Cannon".

Lee Cannon, P.E., PTOE
Principal – Traffic Engineer



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MEMORANDUM

To: Jason Jaggi, AICP (City of Creve Coeur)
Whitney Kelly, AICP (City of Creve Coeur)

From: J. Kyle Evans, P.E., PTOE
Mike Erdtmann, P.E.

Date: April 14, 2020

Subject: Proposed QuikTrip Development – Traffic Impact Study Review

As requested, GBA staff has completed a review of the traffic impact study report submitted in association with the proposed development of QuikTrip #613, located in Creve Coeur, Missouri in the southwest quadrant of Olive Boulevard and Graeser Road/Dautel Lane. The study was prepared by CBB Transportation Engineers and Planners and submitted in January 2020.

It is our understanding from the report that the proposed QuikTrip #613 store will replace an existing commercial property in the southwest corner of the intersection and share an access point with the neighboring existing commercial building that will remain to the west of the study property. The proposed improvements are shown in **Figures 1, 2, and 3** of the report.

The project involves the removal of the existing commercial property and construction of a 4,993 square foot (SF) convenience store with 16 vehicle-fueling positions (vfp).

The project is proposed to be completed in a single phase, with analysis completed for the 2020 Baseline Conditions and 2020 Build Conditions.

Access to the site will be accomplished through the existing full access site driveway shared with the neighboring property (Side-Street Stop), an existing central site driveway (Right-In/Right-Out) and Graeser Road at the existing site driveway (Side-Street Stop). The report mentioned one additional study intersection "Graeser Road at Proposed QuikTrip North Driveway (Side-Street Stop)" that was not included in the output or shown on the site plan.

The trip assignment was based on the existing trip volumes from the study area intersections. It is our opinion that this approach is a valid application.

As part of this study, CBB utilized trip generation estimates based upon data collected at several similar facilities within the St. Louis metropolitan area. These rates were compared to the Institute of Transportation Engineer's (ITE) "Trip Generation Manual, Tenth Edition for Land Use 945 – Gasoline Station with Convenience Store. A comparison of the rates between ITE's manual and the field collected counts shows a significant increase in total trips during the AM peak hour and a small to modest increase in the mid-day and PM Peak periods.

One item of note is that the study used a higher than documented “pass-by trip” rate. This results in fewer new trips being generated by the proposed development. However, the overall number of trips to/from the QT site is higher than the documented values associated with the ITE Trip Generation Manual. While these rates result in more trips than the ITE forecast, their application has been approved in other studies by the City and MoDOT. It is our opinion that the local trip rates are appropriate to use in this study given the data was collected locally at potentially similar facilities.

Based upon the trip generation rates for local gas stations with convenience store and accounting for both the construction of the new development and removal of the existing commercial building, the development is forecasted to increase development generated trips to the site by 158, 129 and 139 trips in the morning, midday and evening peak hours, respectively. Of these trips, the inbound versus outbound number of trips were calculated based upon ITE’s percentages (51% in/ 49% out for the morning, midday and evening peaks). The trip generation forecasts are shown in Table 3 on page 11 of the report.

The traffic impact study stated the site-generated traffic was assigned to the adjoining roadway system based on existing traffic patterns within the study area. The new trips are shown in Exhibit 3 on page 13. As seen in the exhibit, the study assumes that the eastbound right-in, right-out driveway on Olive Boulevard and the full access driveway on Graeser Road will be the primary access points with most trips utilizing these intersections.

The 2020 Baseline and Build conditions Synchro outputs were reviewed to determine the impact of the development with improvements proposed in the study. The list of improvements is found in the executive summary as well as the report. With the stated improvements, the development is not expected to have an unfavorable impact on the surrounding roadway network. In most cases, the improvements provide more favorable conditions than the background scenario with regard to reducing delays and queues.

Table 5, on Page 21 of the report, shows an increase in delays, reduction in LOS and queuing lengths that almost double along NB Graeser Road at the Olive Boulevard signalized intersection. *We recommend further discussion related to the impact of potentially blocking access to the through/right turn lane due to queues from the left turn movements and potential mitigation strategies to address these items. The Synchro results show the queues associated with the northbound left turns will block off the through/right turn lane in all three peak hour scenarios.*

The study shows that the baseline plus build condition traffic volumes warrant an auxiliary right turn lane at both the Site Central Right-In/Right-Out drive and the intersection of Olive Boulevard with Graeser Road. Based on geometric constraints, the right turn lane is proposed to only be added at the signalized intersection. *We recommend further discussion related to the impacts on eastbound operations, if it is not being constructed at both warranted locations. The report currently states that the operations analysis was completed with both right turn lanes being implemented.*

As previously noted, the traffic analysis was completed for the 2020 Baseline Condition and the 2020 Build Condition. The study noted some deficiencies at specific approaches to the various study area intersections in both the Baseline and Build Conditions, but no future analysis was completed to determine if any of these locations will have anticipated service failures in the near-term future.

Summary of TIS Review

As requested, GBA staff has completed a review of the traffic impact study report submitted in association with the proposed QuikTrip #613 Gas Station and Convenience Store, located in Creve Coeur, Missouri in the southwest quadrant of the Olive Boulevard and Graeser Road/Dautel Lane intersection.

It is our understanding from the report that the proposed development is to occur in a single phase, replacing existing uses on the site. The planned improvements are shown in Figures 1, 2 and 3 of the report.

The development is expected to be completed in 2020 and include a 4,993 square foot (s.f.) convenience store with 16 vehicle-fueling positions (vfp). The redevelopment would replace an existing commercial building approximately 7,800 s.f. in size. Forecasted trips accounted for the construction of the new QuikTrip store and removal of the commercial building.

Access is proposed via three “existing” driveways. The Olive Boulevard Existing West Site Driveway/St. Vincent DePaul Driveway (Side-Street Stop), Olive Boulevard Existing Central Site Driveway/Proposed QuikTrip Driveway (Right-In/Right-Out), and the Graeser Road Existing East Site Driveway/Proposed QuikTrip South Driveway (Side-Street Stop). Traffic coming from Olive Boulevard utilizing the Proposed South Driveway will do so by traveling through the existing signalized intersections of Olive Boulevard at Graeser Road/Dautel Lane. The Existing West Site Driveway entrance on Olive Boulevard will remain a full movement access point per a cross-access agreement with the neighboring commercial building on separate lot(s) of the development.

Below is a summary of comments from the traffic impact study review:

1. The study proposed the use of local trip rates for the gas station with convenience store with a higher than normal pass-by trip application. While these rates result in fewer new trips than the ITE forecast, their application has been approved in other studies by the City and MoDOT. It is our opinion that the local trip rates are appropriate to use in this study given the data was collected locally at potentially similar facilities and the overall generated trips are conservative in nature.
2. Based upon the trip generation rates for gas station with convenience store with 16 vfp, the development is forecasted to increase trips to the site by 158, 129 and 139 trips in the morning, midday and evening peak hours, respectively. Based on the existing trip distribution and proposed trip assignment rates, there will be approximately 5 new trips assigned to Graeser Road south of the proposed development. Most of the vehicles traveling to and from the development will be pass-by trips already on the roadway.

Below is a summary of recommendations from the traffic impact study review:

3. It is recommended that additional analysis be completed on the interaction of the Proposed QuikTrip South Driveway with regards to the northbound approach to the signalized intersection at Olive Boulevard and Graeser Road. Queue lengths within the report suggest that access to the northbound through/right lane along Graeser Road could be restricted due to the reported northbound left turn queues. Additional mitigation strategy recommendations should be proposed for reducing impacts to the NB Graeser Road approach at Olive Boulevard.
4. The 2020 Background and Forecasted Synchro files were reviewed to determine the impact of the development with improvements proposed in the study. With the stated improvements, the development is not expected to have an unfavorable impact on the surrounding roadway network. It is recommended that the operations at the existing West Site driveway and existing Central Site/Proposed QuikTrip entrance be reviewed for impacts without the warranted right turn lane as part

of the analysis, since the site plans don't show the installation of that turn lane due to geometric constraints.

5. It is recommended to review the impacts of accommodating a north/south pedestrian crossing at the signalized intersection of Olive Boulevard and Graeser Road/Dautel Lane. The signalized intersection to the west, at Schulte Road does not provide north/south crossings which could lead to unfavorable pedestrian movements.

cc: file

May 26, 2020

Ms. Gwen Keen
Real Estate Project Manager
QuikTrip Corporation
2255 Bluestone Drive
St. Charles, Missouri 63303

RE: Response to Agency Comments – Traffic Impact Study
Proposed QuikTrip #613 Gas Station and Convenience Store
Southwest Quadrant of Olive Boulevard at Graeser Road/Dautel Lane
Creve Coeur, Missouri
CBB Job No. 29-2018-28

Dear Ms. Keen:

CBB has received review comments received from MODOT and the City of Creve Coeur regarding the Traffic Impact Study completed for the proposed QuikTrip gas station and convenience store #613 in Creve Coeur, Missouri. The City's comments were prepared by GBA, their third-party reviewer. The site is located on the southwest corner of Olive Boulevard and Graeser Road/Dautel Lane.

CBB has considered each comment and has the following responses:

MODOT Comments

MoDOT Comment #1: "MoDOT concurs with the recommendation of providing right turn bays for the proposed right-in/right-out entrance and at Graeser Rd. and will require such on the permit plan."

- CBB Response: Understood. Both right turn lanes on Olive Boulevard are now shown on the current site plan.

MoDOT Comment #2: "MoDOT will also require conversion of the existing permissive-only (3-section) flashing yellow arrow indication for northbound Graeser Rd. to a protected-permissive (4-section) flashing yellow arrow indication to help mitigate the projected increase in the northbound approach delays."



- CBB Response: Understood. This signal head modification will be shown on the traffic signal design plans, which will be developed after conceptual approval of the project by the City. If the City needs to see this reflected on the site plan, a simple text note with an arrow pointing to the intersection can be added by the site designer.

City (GBA) Comments

City (GBA) Summary Recommendation #3: “It is recommended that additional analysis be completed on the interaction of the Proposed QuikTrip South Driveway with regards to the northbound approach to the signalized intersection at Olive Boulevard and Graeser Road. Queue lengths within the report suggest that access to the northbound through/right lane along Graeser Road could be restricted due to the reported northbound left turn queues. Additional mitigation strategy recommendations should be proposed for reducing impacts to the NB Graeser Road approach at Olive Boulevard.”

- CBB Response: As required by MoDOT (Comment #2 above), the traffic signal head change will reduce delays and queue lengths for the northbound approach to some degree. However, that change will not entirely offset the impact of the added traffic. As noted in the traffic study, much of the projected queue would be held on the QT site.
- CBB also considered the potential to extend the existing through/right-turn lane farther south to allow those vehicles to bypass the waiting left-turn vehicles. However, it is highly likely that the lane extension would require acquisition of property from First Community Credit Union and may not be feasible for QT to complete.

City (GBA) Summary Recommendation #4: “The 2020 Background and Forecasted Synchro files were reviewed to determine the impact of the development with improvements proposed in the study. With the stated improvements, the development is not expected to have an unfavorable impact on the surrounding roadway network. It is recommended that the operations at the existing West Site driveway and existing Central Site/Proposed QuikTrip entrance be reviewed for impacts without the warranted right turn lane as part of the analysis, since the site plans don’t show the installation of that turn lane due to geometric constraints.”

- CBB Response: MoDOT will require both right-turn lanes on Olive Boulevard (Comment #1 above), so both right turn lanes on Olive are now shown on the current site plan.



City (GBA) Summary Recommendation #5: “It is recommended to review the impacts of accommodating a north/south pedestrian crossing at the signalized intersection of Olive Boulevard and Graeser Road/Dautel Lane. The signalized intersection to the west, at Schulte Road does not provide north/south crossings which could lead to unfavorable pedestrian movements.”

- CBB Response: There is already one marked pedestrian crossing on the east side of the signalized intersection which provides a safe location to cross Olive Boulevard. As noted by GBA, this one marked crossing is more than some of the other signalized intersections along Olive Boulevard which do not provide any. Furthermore, QT is adding new sidewalk on the west side of Graeser Road along their entire frontage, from Olive Boulevard to their southern property line, which will improve pedestrian access and safety. Therefore, a second crossing is not a necessity, as the existing facility provides for a signalized crossing of Olive Boulevard.
- Since Olive Boulevard is under MoDOT’s jurisdiction, MoDOT would need to approve the additional crosswalk. MoDOT did not bring up this issue in their review letter.
- It should be acknowledged that pedestrian crossings at signalized intersections required an increased amount of green time for the side street(s) based on the total crossing distance which, in turn, reduces the available green time to the mainline (Olive Boulevard) traffic. Consequently, adding a second marked pedestrian crossing will increase delays and queuing for east-west traffic along Olive Boulevard.

We trust that you will find these responses useful. If additional information is desired, please feel free to contact me at 314-308-6547 or Lcannon@cbbtraffic.com.

Sincerely,

Lee Cannon, P.E., PTOE
 Principal – Traffic Engineer

May 28, 2020

Ms. Gwen Keen
 Real Estate Project Manager
 QuikTrip Corporation
 2255 Bluestone Drive
 St. Charles, Missouri 63303

RE: Follow-Up for Response to Agency Comments – Traffic Impact Study
 Proposed QuikTrip #613 Gas Station and Convenience Store
 Southwest Quadrant of Olive Boulevard at Graeser Road/Dautel Lane
 Creve Coeur, Missouri
 CBB Job No. 29-2018-28

Dear Ms. Keen:

In response to the City's inquiry yesterday, CBB has completed additional analyses to document the anticipated change in queuing at the QuikTrip driveway on Graeser Road with the signal head change at Olive Boulevard required by MoDOT.

The City's third-party consultant, GBA, had previously recommended additional analysis on the interaction of the proposed QuikTrip driveway since queue lengths in the Traffic Study report suggest that access to the northbound through/right-turn lane along Graeser Road could be restricted by the northbound left turn queues.

In our response to comments letter to you dated May 26, 2020, we noted that the MoDOT mandated signal head change for northbound Graeser Road at Olive Boulevard would have some positive impact to reduce delays and queues. City staff requested that those impacts be documented further.

There is approximately 190 feet of storage available for the northbound left-turn lane on Graeser Road, from the stop bar at Olive Boulevard to the centerline of the QT driveway. However, the second northbound lane on Graeser Road which served through and right-turn traffic is only about 145 feet long (measured south of the northbound left-turn lane stop bar). Therefore, with the current configuration, any queues in the left-turn lane in excess of 145 feet will block entry into the through/right-turn lane.



CBB reanalyzed the 2020 Build operating conditions with the MoDOT required protected-plus-permitted phasing. The following Table A reflects an extension of Table 5 from the original Traffic Study report.

Table A: Traffic Operating Conditions – 2020 Build Alternatives

Intersection/Approach	AM Peak Hour		Midday Peak Hour		PM Peak Hour	
	2020 Build	2020 Build (NB P+P)	2020 Build	2020 Build (NB P+P)	2020 Build	2020 Build (NB P+P)
Olive Boulevard and Graeser Road/Dautel Lane (Signalized)						
Eastbound Olive Boulevard Approach	B (12.8)	C (28.6)	A (7.6)	B (16.9)	C (22.0)	C (25.1)
Westbound Olive Boulevard Approach	B (19.7)	C (26.1)	B (14.5)	C (21.9)	B (19.3)	C (24.1)
Northbound Graeser Road Approach	E (60.3)	D (51.1)	D (52.4)	D (37.5)	E (71.4)	D (47.4)
95 th Percentile Left-Turn Queue	180'	160'	160'	135'	220'	160'
Southbound Dautel Lane Approach	D (45.8)	D (46.6)	C (34.9)	C (32.0)	D (41.9)	D (45.8)
Overall	C (20.6)	C (29.9)	B (14.9)	C (21.2)	C (24.3)	C (26.8)

The maximum northbound left-turn queues would be reduced to 160 feet or less in all three peak hours with the traffic signal changes. Those left-turn queues themselves would not block the QT driveway, but the left-turn queues would still block entry into the through/right-turn lane during the AM and PM peak hours. The blockage would increase the actual maximum queues experienced on Graeser Road with some through/right-turn vehicles added to the rear of the left-turn queue near the end of the signal cycle.

In order to fully mitigate the impacts, the through/right-turn lane could be extended to the QT driveway to avoid that blockage. It appears that the widening could begin north of the existing First Community Credit Union driveway. It is likely that the lane extension would require acquisition of property and may not be feasible for QT to complete alone.

We trust that you will find these additional responses useful. If additional information is desired, please feel free to contact me at 314-308-6547 or Lcannon@cbbtraffic.com.

Sincerely,

Lee Cannon, P.E., PTOE
 Principal – Traffic Engineer



Missouri Department of Transportation

St. Louis District
Thomas Blair, P.E., District Engineer

1590 Woodlake Drive
 Chesterfield, Missouri 63017-5712
 314.275.1500
 Fax: 573.522.6475
 1.888.ASK MODOT (275.6636)

April 20, 2020

Mr. Lee Cannon, P.E., PTOE
 Principal – Traffic Engineer
 CBB Transportation Engineers & Planners
 12400 Olive Blvd., Suite 430
 St. Louis, MO 63141
 <<Transmitted via e-mail>>

Dear Mr. Cannon:

MoDOT Traffic has reviewed CBB's Traffic Impact Study regarding the proposed Quik Trip #613, located at the southwest corner of Olive Blvd. (Missouri Route 340) and Graeser Rd. in Creve Coeur, and offers the following comments.

- MoDOT concurs with the recommendation of providing right turn bays for the proposed right-in/right-out entrance and at Graeser Rd. and will require such on the permit plan.
- MoDOT will also require conversion of the existing permissive-only (3-section) flashing yellow arrow indication for northbound Graeser Rd. to a protected-permissive (4-section) flashing yellow arrow indication to help mitigate the projected increase in the northbound approach delays.

Thank you for the opportunity to review the traffic study and associated models. If you have any questions regarding our comments, please contact me at 314-877-0135.

Sincerely,

Jeff Baird, P.E.
 Senior Traffic Studies Specialist
 Southwest St. Louis County Area Traffic

CC: Mr. Ryan Pearcy – AE SL
 Mr. Jay-Jay Braden – TR SL
 Ms. Teresa Howard – TR SL



Our mission is to provide a world-class transportation system that is safe, innovative, reliable and dedicated to a prosperous Missouri.

www.modot.org

QuickTrip #613
Creve Coeur, MO[illegible]

Drawn:	XXX
Checked:	XXX

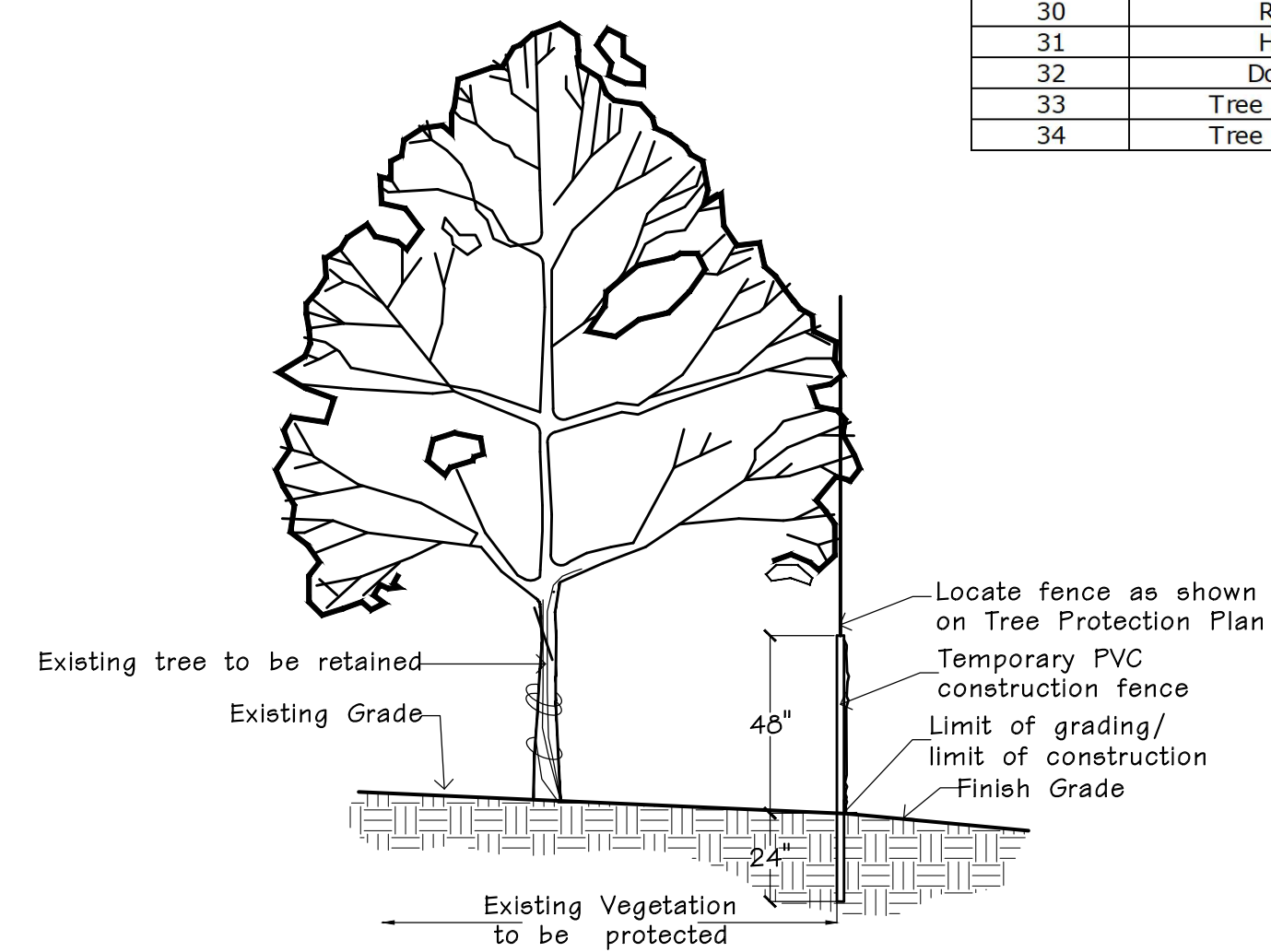
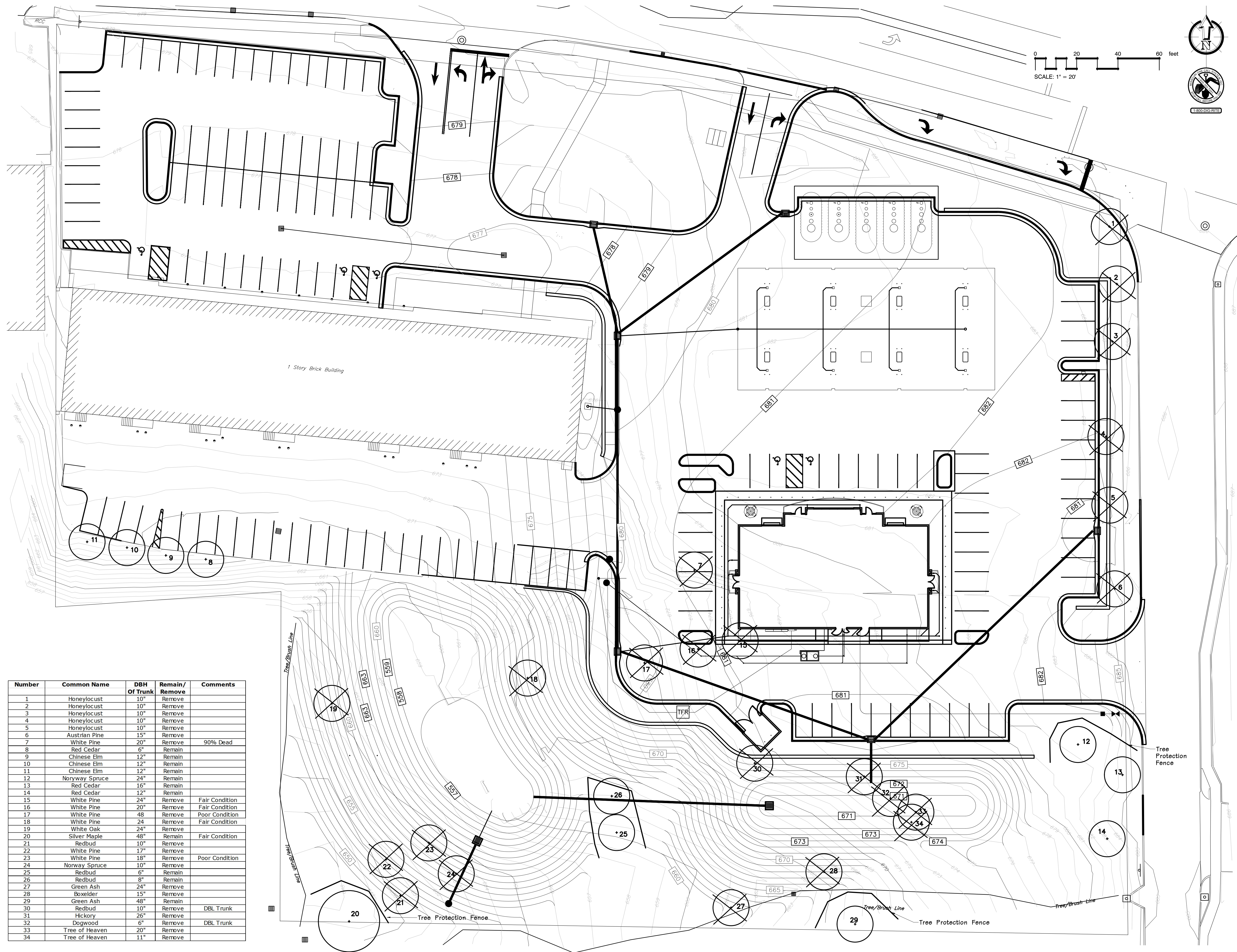
deLong
landscape Architecture, LLC

7620 West Bruno Ave
St. Louis, MO. 63117
(314) 346-4856
delongla@gmail.com

Missouri State Certificate of Authority: #2013000145

Sheet Title:	Existing Tree Survey
Sheet No:	1

Date:	2/3/20
Job #:	135.024



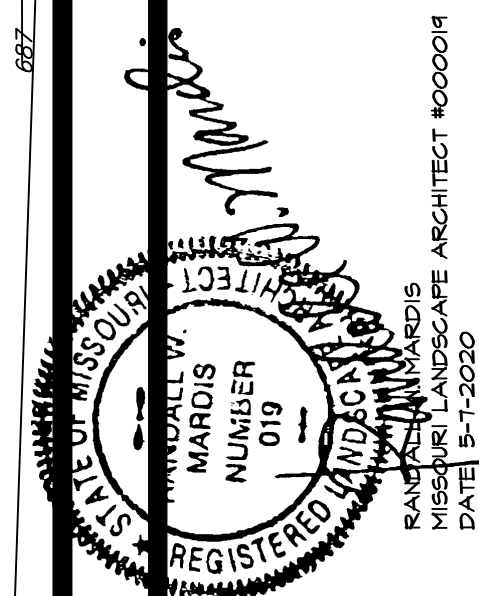
TREE PROTECTION DETAIL
n.t.s.

 Existing Trees
SCALE 1" = 20'-0"

REVISIONS	BY
1-15-2020	RYM
2-21-2020	RYM
5-4-2020	RYM
5-1-2020	RYM

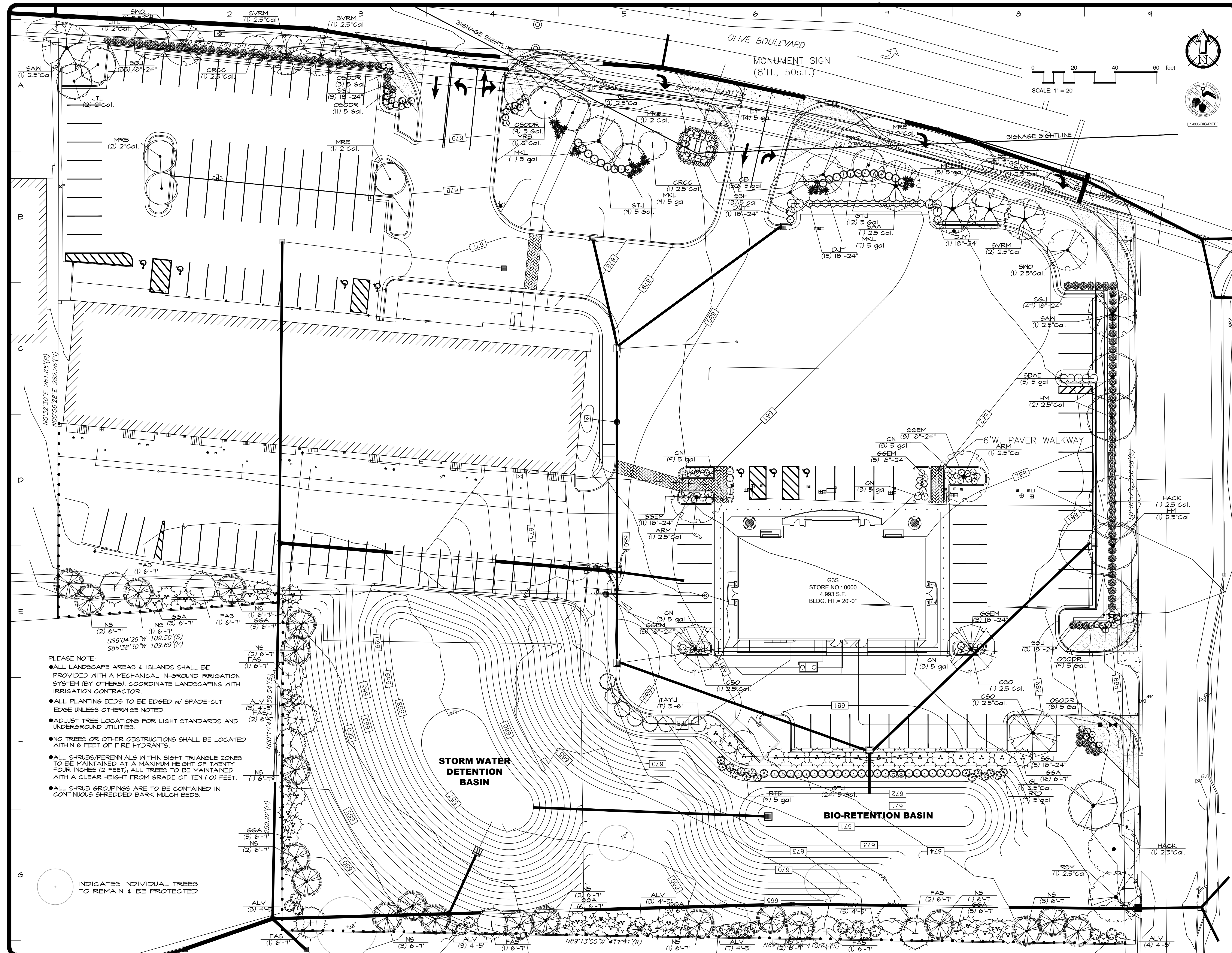
Landscape
TECHNOLOGIES

87 Jacobs Creek Drive
St. Louis, MO 63114
314.433.1230
info@landscape-technologies.com



PLANTING PLAN FOR THE PROPOSED
QuikTrip #613
CREVE COEUR, MISSOURI

DRAWN
R. MARDIS
CHECKED
RAMMEL
DATE
12-4-19
SCALE
1"=20'-0"
JOB No.
2019-174
SHEET
L-1
OF THREE SHEETS



REVISIONS	BY
1-15-2020	RYM
2-21-2020	RYM
5-4-2020	RYM
5-11-2020	RYM

LANDSCAPE TECHNOLOGIES

61 Jacobs Creek Drive
St. Louis, MO 63113
800-222-2222
Fax: 314-222-2222

STATE OF MISSOURI

REGISTERED LANDSCAPE ARCHITECT

MARK D. MARDIS

NUMBER 019

DATE 5-1-2020

PLANTING PLAN FOR THE PROPOSED

QuikTrip #613

CREVE COEUR, MISSOURI

DRAWN R. MARDIS
CHECKED RYM/EL
DATE 12-24-19
SCALE N.A.
JOB No. 2019-174
SHEET
L-2
OF THREE SHEETS

LANDSCAPE GUIDELINE SPECS:

GENERAL:

- 1.) 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.
- 2.) 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).
- 3.) 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.
- 4.) It shall be the landscape contractor's responsibility to:

A.) Verify all existing and proposed features shown on the drawings prior to commencement of work.

B.) Report all discrepancies found with regard to existing conditions or proposed design to the landscape architect immediately for a decision.

C.) 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.
- 5.) 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.
- 6.) Provide single-stem trees unless otherwise noted in plant schedule.
- 7.) All plant material shall comply with the recommendations and requirements of ANSI Z60.1 "American Standards for Nursery Stock".
- 8.) 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. Inspections may take place 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.
- 9.) 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.
- 10.) Should auger equipment be utilized in excavating any plant pits, vertical sides of plant pits shall be thoroughly scarified to avoid creation of "polished side walls" prior to plant material installation.
- 11.) 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.
- 12.) Keep all plant material (except turf) a minimum of 36" clear of fire hydrants.
- 13.) Landscape contractor shall kill & remove all existing weeds within the project site.
- 14.) All tags, nursery stakes, labels, etc. shall be removed by the landscape contractor at completion of all landscape installation.
- 15.) Landscape contractor shall be in compliance with all federal, state and local laws / regulations relating to insect infestation and/or plant diseases.

PRUNING:

- 1.) Lightly prune trees at time of planting. Prune only the crossover limbs, intermingled leaders and/or any broken branches. Some interior twigs and lateral branches may be pruned. However, do not remove the terminal buds of branches that extend to the edge of the crown.
- 2.) All pruning shall comply with ANSI A300 standards.

INSURANCE:

- 1.) The landscape contractor shall submit certificates of insurance for workman's compensation and general liability.

MULCH:

- 1.) All mulch in planting beds 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.
- 2.) Mexican Pebbles shall be installed where indicated on plan. Mirafil fabric shall be used beneath all gravel mulch beds.
- 3.) Edge all beds with spade-cut edge unless otherwise noted.

MAINTENANCE:

- 1.) Landscape Contractor shall provide a separate proposal to maintain all plants, shrubs, groundcover, perennials and annuals for a period of 12 months after acceptance.
- 2.) Contractor shall ensure that only competent and trained personnel shall provide such services and that such services be provided in a timely manner.

TOPSOIL:

- 1.) 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.
- 2.) 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.
- 3.) 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 correcting all 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.
- 4.) Landscape contractor to apply pre-emergent herbicide to all planting beds upon completion of planting operations and before application of shredded bark mulch.
- 5.) Install siltation controls prior to commencement of any grading operations. Inspect and maintain all siltation fences on a weekly basis until vegetation is established.

MISC. MATERIAL:

- 1.) Provide stakes and deadmen of sound, new hardwood, free of knotholes and defects.
- 2.) Tree wrap tape shall be 4" minimum, designed to prevent borer damage and winter freezing. Additionally, only 3-ply tying material shall be used.

TURF:

- 1.) All disturbed lawn areas to be seeded with a mixture of Turf-Type fescue (500# per acre) and bluegrass (18# per acre). Lawn areas shall be unconditionally warranted for a period of 90 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.
- 2.) 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.
- 3.) Any points carrying concentrated water loads and all slopes of 15% or greater shall be sodded.
- 4.) All sod shall be placed a maximum of 24 hours after harvesting.
- 5.) Recondition existing lawn areas damaged by Contractor's operations including equipment/material storage and movement of vehicles.
- 6.) Sod Contractor to ensure sod is placed below sidewalk and all paved area elevations to allow for proper drainage.

WARRANTY:

- 1.) 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.
- 2.) 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.
- 3.) 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.
- 4.) 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.
- 5.) A written guarantee shall be provided to the owner per conditions outlined in #1 above.

IRRIGATION:

- 1.) An underground, fully automatic irrigation system is required. Please see Irrigation guideline specifications below.

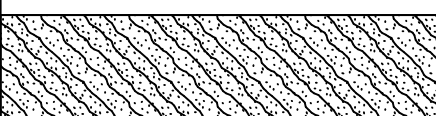
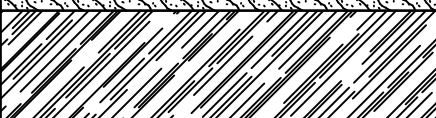
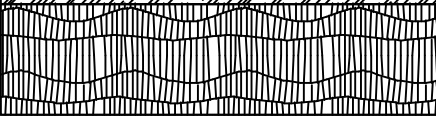
IRRIGATION GUIDELINE SPECS:

GENERAL:

- 1.) System shall be designed for 30 gpm @ 80 PSI. Contractor to field verify actual conditions.
- 2.) Exact tap, backflow and controller location to be coordinated with owner or owner's representative.
- 3.) All control wiring to be 14 ga. Minimum 3 extra strands to be installed in each direction from the controller to the end of the mainline.
- 4.) All piping to be sleeved in SCH40 PVC when passing under hardscape. PVC Sleeve to be a minimum of twice the size of pipe(s) running through.
- 5.) Underground facilities, structures and utilities must be considered approximate only. There may be others not presently known or shown. It shall be the irrigation contractor's responsibility to determine or verify the existence of and exact location of the above (Call 1-800-DIG-RITE).
- 6.) It shall be the irrigation contractor's responsibility to:

A.) Verify all existing and proposed features shown on the drawings prior to commencement of work.

B.) Report all discrepancies found with regard to existing conditions or proposed design to the landscape architect immediately for a decision.

PLANT SCHEDULE				
TREES	QTY	COMMON / BOTANICAL NAME	SIZE	
ARM	2	Armstrong Red Maple / Acer rubrum 'Armstrong'	2.5"Cal	
HACK	2	Common Hackberry / Celtis occidentalis	2.5"Cal.	
CSO	3	Crimson Spire Oak / Quercus robur x alba 'Crimson Spire'	2.5"Cal.	
GL	2	Greenspire Littleleaf Linden / Tilia cordata 'Greenspire'	2.5"Cal.	
HM	3	Hedge Maple / Acer campestre	2.5"Cal	
SAW	4	Santooth Oak / Quercus acutissima	2.5"Cal.	
SVRM	4	Sun Valley Red Maple / Acer rubrum 'Sun Valley'	2.5"Cal	
SNO	4	Swamp White Oak / Quercus bicolor	2.5"Cal.	
RSM	1	'Red Sunset' Maple / Acer rubrum 'Franksred'	2.5"Cal	
EVERGREEN TREES	QTY	COMMON / BOTANICAL NAME	SIZE	
FAS	10	Fat Albert Spruce / Picea pungens 'Fat Albert'	6'-7'	
GGA	43	Green Giant Arborvitae / Thuja plicata 'Green Giant'	6'-7'	
NS	21	Norway Spruce / Picea abies	6'-7'	
TAYJ	7	Taylor Juniper / Juniperus virginiana 'Taylor'	5'-6'	
FLOWERING TREES	QTY	COMMON / BOTANICAL NAME	SIZE	
CRCC	2	Canada Red Chokecherry / Prunus virginiana 'Canada Red'	2.5"Cal.	
JTL	4	Ivory Silk Japanese Tree Lilac / Syringa reticulata 'Ivory Silk'	2"Cal.	
MRB	6	Merlot Redbud / Cercis x 'Merlot'	2"Cal.	
SHRUBS	QTY	COMMON / BOTANICAL NAME	SIZE	
ALV	28	Alleghany Leatherleaf Viburnum / Viburnum rhytidophyllum 'Alleghany'	4'-5'	
RTD	16	Bailey's Red-twig Dogwood / Cornus sericea 'Cardinal'	5 gal	
CB	32	Concorde Barberry / Berberis thunbergii 'Concorde'	5 gal	
CN	21	Coppertina Ninebark / Physocarpus opulifolius 'Coppertina'	5 gal	
DJY	17	Dense Japanese Yew / Taxus cuspidata 'Densifolmis'	18"-24"	
EY	14	Everlow Yew / Taxus x media 'Everlow'	5 gal	
GTJ	45	Gold Tip Juniper / Juniperus chinensis 'Gold Tip'	5 Gal.	
GGEM	30	Green Gem Boxwood / Buxus x 'Green Gem'	18"-24"	
MKL	32	Miss Kim Lilac / Syringa patula 'Miss Kim'	5 gal	
SGJ	43	Sea Green Juniper / Juniperus chinensis 'Sea Green'	18"-24"	
SBWE	5	Sonic Bloom Weigela / Weigela florida 'Sonic Bloom'	5 gal	
SSH	6	Strawberry Sundae Hydrangea / Hydrangea paniculata 'Strawberry Sundae'	5 gal	
FORBS	QTY	COMMON / BOTANICAL NAME	SIZE	
GAX	38	Golden Alexander / Zizia aurea	2 Qt. @ 18" OC	
ROSEM	18	Rose Mallow / Hibiscus laevis	1 Gal @ 30" OC	
RTH	73	Rose Turtle-Head / Chelone obliqua	2 Qt. @ 24" OC	
SMW	49	Swamp Milkweed / Asclepias incarnata	2 Qt. @ 24" OC	
ROSES	QTY	COMMON / BOTANICAL NAME	SIZE	
OSODR	40	OSO Easy Double Rose / Rosa x 'OSO Easy Double Rose'	5 Gal.	
NATIVE GRASSES	QTY	COMMON / BOTANICAL NAME	SIZE	
	50	Brown Fox Sedge / Carex vulpinoidea	Plug at 18" OC	
	101	Great Green Bulrush / Scirpus atrovirens	Plug at 18" OC	
	56	Morning Star Sedge / Carex grayi	Plug at 18" OC	

QT STORE:
PARKING/DRIVES = 35,536 SQ. FT.
REQUIRED GREENSPACE = 35,536 / 350 X 10 = 1,015 SQ. FT.
PROVIDED GREENSPACE = 1,104 SQ. FT.

RETAIL STORE:
PARKING/DRIVES = 42,603 SQ. FT.
REQUIRED GREENSPACE = 42,603 / 350 X 10 = 1,226 SQ. FT.
PROVIDED GREENSPACE = 1,371 SQ. FT.

LANDSCAPE REQUIREMENTS:

- 1.) ONE (1) STREET TREE PER 30' OF FRONTAGE

● 320.08 LF FRONTAGE ALONG GRAESER ROAD; THEREFORE, ELEVEN (11) TREES REQUIRED. THREE TREES ARE EXISTING/RETAINED, EIGHT (8) NEW ARE PROPOSED.

● 484.16 LF FRONTAGE ALONG OLIVE BLVD.; THEREFORE, SEVENTEEN (17) TREES ARE REQUIRED AND PROVIDED.

- * DISTANCES ABOVE DEDUCT ENTRANCE OPENINGS

- 2.) OPAQUE SCREEN REQUIRED WHERE RESIDENTIAL ABUTS COMMERCIAL PROPERTIES, MINIMUM 4' HEIGHT

LOT AREA = 192,916 Sq. Ft. / 4.43 Ac.
BUILDING FOOTPRINTS = 20,023 Sq. Ft. Total
QT = 4,948 Sq. Ft. / Exist. Bldg = 15,030 Sq. Ft.
IMPERVIOUS SURFACE = 85,157 Sq. Ft. or 44% including parking area of 26,705 Sq. Ft.
PERVIOUS PAVING SURFACE: 350 Sq. Ft.
GREENSPACE = 87,386 Sq. Ft. or 45%
SQ. FT. OF PARKING = 26,705 Sq. Ft.
SQ. FT. INTERIOR LANDSCAPING = 3,570 Sq. Ft.

IN-GROUND, AUTOMATIC IRRIGATION SYSTEM IS REQUIRED AND WILL BE PROVIDED AS A CONDITION OF DEVELOPMENT (By Others)

Landscare
TECHNOLOGIES

67 Jacobs Creek Drive
St. Charles, Missouri 63304
Tel: (636) 432-1280
Fax: (636) 432-0693
Web: www.landscare.com

RAISED LANDSCAPES
MISSOURI LANDSCAPE ARCHITECT #0000014
PAUL S. STANLEY

REGISTERED LANDSCAPE ARCHITECT
MARDIS NUMBER 019
JANUARY 1997

DRAWN R. MARDIS
CHECKED RMM/EL
DATE 12-4-19
SCALE 1"=20'-0"
JOB No. 2019-174
SHEET
L-3
OF THREE SHEETS

Pa





**“QUIKTRIP #613 LOTS A & B”
Preliminary Plat Descriptions**

OVERALL DESCRIPTION without proposed MODOT Dedication Strip

Tracts of land located in Section 2, Township 45 North, Range 5 East, said tracts being conveyed to BG Olive & Graeser LLC by Deed Book 23202 at page 119 and Deed Book 23466 at page 2128 and conveyed to Forsyth Investments LLC by deed recorded in Book 17821 page 2221 of the St Louis County Records, St Louis County, Missouri and being described as follows:

Beginning at the point of intersection of the South line of a tract conveyed to BG Olive & Graeser LLC as recorded in Book 23466 at page 2128, and the West right of way line of Graeser Road (width varies) being the North line of Lot 1 of MARTIN GROVE, a subdivision filed for record in Plat Book 299 at page 20 of the St Louis County Records; thence leaving said West right of way line of Graeser Road North 89 degrees 03 minutes 57 seconds West along the North line of said subdivision a distance of 410.71 feet to a point, said point being in the East line of Lot 3 of MARY MEADOWS, a subdivision filed for record in Plat Book 72 at page 25; thence leaving said MARTIN GROVE North 00 degrees 10 minutes 47 seconds East along the East line of MARY MEADOWS a distance of 159.54 feet to a point in the North line of Lot 1 of said MARY MEADOWS; thence South 86 degrees 04 minutes 29 seconds West along the North line of said Lot 1 a distance of 109.50 feet to a point, said point being the Southeast corner of a tract conveyed to A & A Properties LLC by deed recorded in Book 17841 at page 0360 of the St Louis County Records; thence leaving said MARY MEADOWS North 00 degrees 06 minutes 28 seconds East a distance of 282.26 feet to a point in the Southern right of way of Olive Boulevard (width varies); thence leaving said MARY MEADOWS South 84 degrees 15 minutes 15 seconds East along said Olive Boulevard a distance of 294.78 feet to a point; thence leaving said Olive Boulevard South 73 degrees 33 minutes 59 seconds East a distance of 221.01 feet to a point; thence leaving Olive Boulevard South 36 degrees 40 minutes 14 seconds East a distance of 16.71 feet to a point in the West right of way line of Graeser Road; thence South 0 degrees 36 minutes 57 seconds East along said Graeser Road a distance of 335.57 feet to the point of beginning and containing 4.3 acres, more or less.

Subject to easements, restrictions, reservations and covenants of record, if any.



**“QUIKTRIP #613 LOTS A & B”
Preliminary Plat Descriptions**

LOT "A" DESCRIPTION without proposed MODOT Dedication Strip:

A tract of land located in Section 2, Township 45 North, Range 5 East, said tracts being conveyed to BG Olive & Graeser LLC by Deed Book 23202 at page 119 and Deed Book 23466 at page 2128 of the St Louis County Records, St Louis County, Missouri and being described as follows:

Beginning at the point of intersection of the South line of a tract conveyed to BG Olive & Graeser LLC as recorded in Book 23466 at page 2128, and the West right of way line of Graeser Road (width varies) being the North line of Lot 1 of MARTIN GROVE, a subdivision filed for record in Plat Book 299 at page 20 of the St Louis County Records; thence leaving said West right of way line of Graeser Road North 89 degrees 03 minutes 57 seconds West along the North line of said subdivision a distance of 410.71 feet to a point, said point being in the East line of Lot 3 of MARY MEADOWS, a subdivision filed for record in Plat Book 72 at page 25; thence leaving said MARTIN GROVE North 00 degrees 10 minutes 47 seconds East along the East line of MARY MEADOWS a distance of 159.54 feet to a point in the North line of Lot 1 of said MARY MEADOWS;

thence leaving said MARY MEADOWS South 89 degrees 12 minutes 29 seconds East a distance of 151.03 feet to a point; thence North 05 degrees 39 minutes 39 seconds East a distance of 249.45 feet to a point in the Southern right of way line of Olive Boulevard (width varies); thence along said right of way South 84 degrees 15 minutes 15 seconds East a distance of 9.01 feet to a point; thence leaving said right of way South 73 degrees 33 minutes 59 seconds East a distance of 221.01 feet to a point; thence South 36 degrees 40 minutes 14 seconds East a distance of 16.71 feet to a point in the Western right of way line of Graeser Road (width varies); thence leaving Olive Boulevard South 00 degrees 36 minutes 57 seconds East along said Graeser Road a distance of 335.57 feet to the point of beginning and containing 2.7 acres, more or less.

Subject to easements, restrictions, reservations and covenants of record, if any.



**“QUIKTRIP #613 LOTS A & B”
Preliminary Plat Descriptions**

LOT "B" DESCRIPTION:

A tract of land located in Section 2, Township 45 North, Range 5 East, said tract being conveyed to Forsyth Investments LLC by Deed Book 17821 at page 2221 of the St Louis County Records, St Louis County, Missouri and being described as follows:

Commencing at the point of intersection of the South line of a tract conveyed to BG Olive & Graeser LLC as recorded in Book 23466 at page 2128, and the West right of way line of Graeser Road (width varies) being the North line of Lot 1 of MARTIN GROVE, a subdivision filed for record in Plat Book 299 at page 20 of the St Louis County Records; thence leaving said West right of way line of Graeser Road North 89 degrees 03 minutes 57 seconds West along the North line of said subdivision a distance of 410.71 feet to a point, said point being in the East line of Lot 3 of MARY MEADOWS, a subdivision filed for record in Plat Book 72 at page 25; thence leaving said MARTIN GROVE North 00 degrees 10 minutes 47 seconds East along the East line of MARY MEADOWS a distance of 159.54 feet to a point in the North line of Lot 1 of said MARY MEADOWS, said point being the Point of Beginning of the tract herein described; thence South 86 degrees 04 minutes 29 seconds West along the Northern line of Lot 1 a distance of 109.50 feet to a point; thence leaving MARY MEADOWS North 00 degrees 06 minutes 28 seconds East a distance of 282.26 feet to a point in the Southern right of way line of Olive Boulevard (width varies); thence South 84 degrees 15 minutes 15 seconds East along the Southern right of way of Olive Boulevard a distance of 285.77 feet to a point; thence leaving said right of way South 05 degrees 39 minutes 39 seconds West a distance of 249.45 feet to a point; thence North 89 degrees 12 minutes 29 seconds West a distance of 151.03 feet to the point of beginning and containing 1.6 acres, more or less.

Subject to easements, restrictions, reservations and covenants of record, if any.



Whitney Kelly <wkelly@crevecoeurmo.gov>

Comments on QT for July 6 meeting

L R <lrezny@hotmail.com>

Mon, Jul 6, 2020 at 4:50 PM

To: Jason Jaggi <jjaggi@crevecoeurmo.gov>, whitney kelly cc whitney kelly <wkelly@crevecoeurmo.gov>

Are we a neighborhood with gas stations/ convenience stores or a neighborhood OF has stations/ convenience stores?

We already have 2.

Adding another will be aesthetically disastrous for East Olive. Even on a Christmas tree, you don't put all the tinsel on one branch.

Accord to Housely, there are 10 Industries that Diminish Property Value the Most.

<https://housely.com/industries-that-diminish-property-values-most/>

Convenience Stores with Gas Stations are included along with hospitals(sirens) funeral parlors, shooting ranges ect.

The entry for Convenience Stores with Gas Stations had a link to Zillow, the online housing info site. Zillow should have good data on this, but the link is broken.I

Gas stations and tanks are State and Federally regulated. Creve Coeur can't regulate the pumps or tanks. Similarly in Restaurants, Creve Coeur does not do the food inspection. They do regulate the odors that come from the eateries. In the same was Creve Coeur should be concerned with the vapors from a station.
State and Feds regulation does not assure zero pollution.

" fact, a 2019 study of U.S. gas stations found that benzene emissions from underground gasoline storage tank vents were sufficiently high to constitute a health concern at a distance of up to 518-feet. Also, the researchers noted:

"emissions were 10 times higher than estimates used in setback regulations [like that in the California handbook] used to determine how close schools, playgrounds, and parks can be situated to the facilities [gas stations]."

Prior to the 2019 study it was thought that most of the benzene was released at the pump during fueling. A 2015 paper noted the following bit of irony with regard to vapor recovery and harmful emissions from gas station storage tanks:

"It is important to note that vapor recovery at the nozzle can cause vapor releases at the storage, because vapors recovered at the nozzle are typically directed into the storage tank. The storage tank, in turn, can "breathe" and potentially release recovered vapors immediately or at a later time. A tank sucks in relatively uncontaminated air as the liquid fuel level drops in the tank due to vehicle refueling, and it releases vapors through the vent pipe into the atmosphere if the gas pressure increases and exceeds the cracking pressure of the pressure/vacuum valve, when fuel evaporates into unequilibrated gas in the headspace."

Ceds.org/gasstation/

Thank You
Linda Rezny



Whitney Kelly <wkelly@crevecoeurmo.gov>

Masonry wall at QT

1 message

L R <lrezny@hotmail.com>

Mon, Jul 6, 2020 at 3:47 PM

To: Jason Jaggi <jjaggi@crevecoeurmo.gov>, whitney kelly cc whitney kelly <wkelly@crevecoeurmo.gov>

When QT made their presentation at the Ice Rink to neighbors, they showed a Masonry wall at the back of the parking lot. Walgreens as a masonry wall and so does Mobil.

It is a sound and sight buffer and I detail why it is needed in my third note June 1.

When I talked to the residents behind the Mobil on Oak Lake, no one complained about the wall.

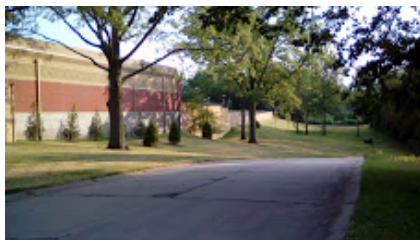
Photos attached

Thank you
Linda Rezny

3 attachments



IMG_20200705_190024.jpg
571K



IMG_20200705_190036.jpg
604K



IMG_20200705_181751.jpg
406K



Whitney Kelly <wkelly@crevecoeurmo.gov>

Oak Lake Comments

1 message

L R <lrezny@hotmail.com>

Mon, Jul 6, 2020 at 9:18 AM

To: whitney kelly cc whitney kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>

For Comment section at beginning of July 6, PnZ meeting

Over the weekend, I went to Oak Lake, the street directly behind the redeveloped Mobil. Not everyone on PnZ knows the street's history. A developer bought all but two of the houses and then his plans crashed with the economy. His houses became rentals. He sold three to Mobil, one is still rented. The rest were eventually sold. Now only one of the owners is left from before this fiasco. Since all his sales were during the downturn, the prices were low.

I wanted to ask people how the neighborhood changed from before and after the redevelopment, but few could say ; they had not been there that long. They were glad the 3 vacant houses owned by Mobil were finally torn down. The redevelopment was a big improvement over a row of abandon houses

Construction made a terrible mess. Big trucks damaged the street, then the water and sewer companies really tore it up making connections for the Mobil. They are hoping for a new street next year.

So much mud and water flooded the basement of the house at the bottom of the block that the owner sold to a rehabber and left.

Things have settled down, but they still have so many complaints they held an open air meeting recently to discuss what should be done.

Some are caused by problems at Mobil: Water suddenly flooding a yard, that stops when the resident calls Mobil. Dead trees on the [unmanicured](#) section, one threatening to fall into yard

Other problems PnZ had a hand in, and hence the reason I wrote this:

Lessons for PnZ

As was predicted by residents at PnZ before the permitting, people who don't know they can't make a left into Mobil from Schulte go to Oak Lake to turn around. Some turn at the top of the street and others go to the bottom to use the circle. Some are so disgusted at being inconvenienced they tear around the circle. All this terrifies the parents of the 6 small children on the block. PnZ helped create this danger, but will not be involved in solving it.

The lighting study must have been faulty since two of the houses have brightly lit backyards and one had to buy blackout blinds to be able to sleep. Hopefully someone will solve this, but will PnZ be involved?

I don't think there was a sound study. There should have been one. In any case, there are periods of annoying noise repeated on and off everyday. It stops at 8 pm when the car wash closes. Another problem PnZ probably won't even hear about.

People on PnZ have said: Residents always complain, but when it is done, we never hear from them. Implying developments [don't](#) really cause problems, people just worry. I think the lack of complaining is because residents learned PnZ doesn't listen to them. Why would they come back to PnZ to complain, especially after the damage has been done and there is no reversing it. Those things they do complain about are not handled by the PnZ Commission, but by the Director and other City departments.

Lesson, Some of the problems predicted by residents do come true, even if you don't hear about them.

Maybe you should get a report on projects a year after completion.

What issues have different departments had to deal with during construction and after completion.

Contact persons who wrote or spoke at meetings to see how it came out.

With feedback you could make better decisions, and better rules.

LISTEN TO CONCERNED RESIDENTS before you make your decisions. They know their neighborhood better than you. and they are the ones living with your decisions.

Thank you, Linda Rezny. 104 Graeser Acres



Whitney Kelly <wkelly@crevecoeurmo.gov>

Opposition to QT

1 message

altonfamily@charter.net <altonfamily@charter.net>

Tue, Jul 7, 2020 at 12:20 AM

To: wkelly@crevecoeurmo.gov

Dear Planning and Zoning Committee

I like many residents are opposed to the QT proposal on Graeser and Olive. My family has lived off Graeser for over 50 years. My In-Laws purchased a house on Ridgcorde Place in 1968 and we purchased that house from them in 2000. My husband grew up riding his bike on Graeser to go to the Pet store that was on Olive or to Krummenacher Pharmacy. When we moved in as a family, Graeser was a quiet residential street. In the last 20 years we have seen quite a bit of development of older homes being torn down to make way for large homes that sell for \$900,000 or more. These improvements have made our neighborhood better and in turn have increased property values.

The problem with a QT is that it absolutely does nothing to help property values and most definitely will hurt the value of properties closest to the proposed site.

We do not need a QT – within one block we have a Mobil On the Run and Circle K that both have conveniences stores and operate 24 hours. It is miss leading to compare the properties that are around these two gas stations because they are about a ¼ or ½ the value of the properties that are located near the corner of Olive and Graeser.

The additional traffic that will be on Graeser Road will be a major safety concern and the congestion at the Graeser/Olive Intersection during rush hour times will be miserable for the residents and it will cause safety concerns with school buses.

Also, doing a quick lookup there are no QT stations located in affluent areas like the proposed site. All QT stations are located near highways, business/industrial locations, or high traffic streets. Such streets like: Telegraph Road, Tesson Ferry, Kingshighway, Hampton, Gravois, Page Ave, Dunn Rd, St. Charles Rock Road, Choteau, Lemay Ferry. None of these areas are like our little slice of Creve Coeur.

Please represent the residents like me that do not feel this project is necessary or reflects what we want in our backyard and DO NOT approve this project. I do not pay my tax dollars to have a QT down the street. Help keep Creve Coeur and Olive from becoming another Manchester Road.

Sincerely

Robin Alton

[439 Ridgcorde Place](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

QT Arguments re property value

1 message

L R <lrezny@hotmail.com>

Mon, Jul 6, 2020 at 3:31 PM

To: Jason Jaggi <jjaggi@crevecoeurmo.gov>, whitney kelly cc whitney kelly <wkelly@crevecoeurmo.gov>

In the Memorandum in Support of CUP , Part 3,Will not cause substantial injury...I

Please remember applicant wants facts, not opinions

The FRONT of the site has been zoned commercial and used commercially for 50 years.

The BACK of the site has been zoned commercial for unknown time, but has been used as residential until now.

They say " Any detriment to the adjacent residential property constructed in the 1990's as a result of be being adjacent to commercial property has likely already been realized "

1, They seem to be admitting being by commercial reduces value

2, They OPINE, the detriment has been realized, no data given

3, Their argument is on a false premise since the BACK of the property has been used as residential.

4, Do they have any data to say that the residents were informed about the zoning of the BACK of the site before they purchased their houses and it made no difference in price? The appearance of residential made residents and new buyers more comfortable and probably kept up their values.

They then OPINE that without the approval of the CUP the property will continue to deteriorate.

I OPINE that the current owners, Gershman real estate, have the impetus and ability to find another buyer before too long, AND that the buyer will want a more modern facility which will be a credit to Creve Coeur.

They then claim there is no evidence of negative impact. They present a table here of increases in property values behind Mobil which have no impact on the question There was already a gas and convenience store on the Mobil site.

Changing from an old Mobil to a new Mobil is not the same as changing from a sleepy retail strip and residentially used lots to a QT. So their nice chart of sales does nothing to advance their point.

FACT Property values over most of St Louis County are going up, so an increase is not remarkable.

Jason summary of literature on the subject is more applicable.

The negative impact is closest to the site by a few thousand feet and "only" last a few years.

So there is research supporting loss of value to the neighbors, the vary people who are complaining here.

Since these are established neighborhoods, few residents are recent buyers. Most have lived in their homes for several years and would be expected to move in next few years. How many of them in the usual course, would have liked to move in a year or two or three, ect. The addition of a gas station /convenience store would be expected to reduce the amount they could get for their house over these next "few" years.

Some of those most impacted are quite upset at the thought of the gas station arising behind them. They may want to move. This is not an opinion, it happened behind the Walgreens. The people most impacted by the physical presence of the QT would also be the most economically impacted as the house value would be lowest during construction and the first years. What if they have to move for a job loss or divorce. Are they prisoners of their house for the next "few" years?

You regulate appearance on commercial property as it reflects Creve Coeur. The neighbors know their surroundings reflect on their house value. There will be a measurable economic impact on the close neighbors.

Thank you
Linda Rezny



Whitney Kelly <wkelly@crevecoeurmo.gov>

QT Proposal

1 message

Joyce Heiman <joyce.heiman@gmail.com>

Mon, Jul 6, 2020 at 11:44 AM

To: wkelly@crevecoeurmo.gov

Cc: Brett and Alison Berger <agberger@hotmail.com>, John Heiman <jchjch@charter.net>, joyce.heiman@gmail.com

I have emailed before on March 22, 2020 giving reasons why the QT proposal should not be approved, but have some additional comments. I could not find email addresses for the Planning and Zoning Committee and would appreciate your forwarding this email to those members.

On June 17th between 2:30 pm and 3:15 pm I visited several QT stations to get a feel for what it would be like to have a QT in our neighborhood. I visited the following QT's -- 9404 Page Avenue, 63132, [2621 Woodson Rd., 63114](#), 8815 Page Avenue, 63114, and [12200 Dorsett Road, 63043](#). I did not count any cars at the gas pumps. Each station had 14 to 17 cars in the lot for the convenience store alone. Most of the QT's were not near residential areas and were surrounded by commercial developments. The one closest to a residential area had a pest control business and a boarded up building nearby. I was struck by the constant flow of people and cars coming and going, so they live up to their name. A lot of trucks and vehicles like UPS trucks were there also. A QT at Graeser and Olive would not only bring this kind of traffic but traffic to provide the convenience store with their products in addition to the tankers refilling their tanks. This kind of constant traffic and the speed with which it takes place to me would not be suitable for a walkable neighborhood.

Then I read the East Olive Corridor Comprehensive Plan. The Vision and the Residential Preservation and Economic Development portions describe a neighborhood in stark contrast to what I experienced when visiting the QT stations. The first two sentences of the Vision portion state "The East Olive Corridor will be an area of small businesses with a residential neighborhood character with substantial green spaces and landscaping. The area will serve as a buffer from the higher intensity uses on the east and west." There are more locations to be developed along this corridor and I would not like to see QT be precedent setting for what is to come. I see many shopping areas providing examples along Ladue Road, Clayton Road, and west of I-270 on Olive which are more desirable for the neighborhood.

Joyce Heiman
2 Winfield Pointe Lane
3142775917



Whitney Kelly <wkelly@crevecoeurmo.gov>

QT sidewalk along Graeser

L R <lrezny@hotmail.com>

Mon, Jul 6, 2020 at 10:52 AM

To: Jason Jaggi <jjaggi@crevecoeurmo.gov>, whitney kelly cc whitney kelly <wkelly@crevecoeurmo.gov>

Glad sidewalk being seriously concidered. Much safer than having to cross Graeser to stay on a sidewalk

I have not inspected the site but hate to loose trees. They are much appreciated this time of year as they cool your walk and the surrounding area.

Can the sidewalk accommodate the trees?

Some sidewalks in Creve Coeur, ex Mosely are next to the road instead of having a grassy margin.

Even nicer would be a meandering sidewalk that kept the grassy strip unless required to save a tree

Monday July 6, 2020 Via Electronic Mail

Re: Graeser & Olive due to QuikTrip Proposal Being Considered by P&Z

Dear Creve Coeur Planning & Zoning, Staff, and City Council:

QT has asked Creve Coeur P&Z to vote to approve a CUP for their 4-entrance, 4,993 sf QT (and QT Kitchen fast food facility) at Olive and Graeser.

Your Creve Coeur residents through its association, The Graser Neighbors for Safety ask that you deny their request at this time. Here are additional reasons:

1. **MODOT:** GNS confirmed with MODOT, today, July 6, 2020, that MODOT engineers are completing an additional review of the QT plan and traffic study. As confirmed today, **the MODOT review is NOT COMPLETE.** Because of the new information presented about the traffic study and its deficiencies, MODOT has not provided their "OK" to the QT proposal or traffic study. It would be premature for P&Z to approve the CUP at this time without appropriate MODOT review.
2. **The Ladue School Board** and Board Staff are having meetings about the hazards of bringing QT fuel tanker trailers on residential Graeser Road. This would be to an enlarged access point that is closer to their non-movable brick bus stop. **The concern is for the safety and welfare of the children.** P&Z should respect the Board's upcoming review and voice of concern.
3. **Adjoining Neighbors: First Community Credit Union:** First Community wrote P&Z a letter of concern about the QT project. This letter **was not included in the Packet for P&Z.** It is attached. It is not fair to encumber the FCCU site and have its Creve Coeur Community Members suffer for the convenience of a QT.
4. **Last Minute QT Legal Brief is Inaccurate & Misleading.** Just submitted on July, 1, 2020, this document is filled with "over the top" and misleading statements (i.e. terms such as "substantial" and "undisputed".... clearly that is not the case). P&Z should not rely on this report at face value and the other parties should have an opportunity to rebut its misleading legal claims:

The (6) standards set forth in Section 405.1070(E) are NOT met. Some, of many examples:

Because the site is a corner site, it should only have ONE entrance exit on Olive Road. P&Z should reject QT's claim that the shopping center is not part of the CUP application. It is one development plan.

The objectives of the Comprehensive Plan are not met. Creve Coeur spent hundreds of thousands of dollars on this plan ... P&Z should not let QT dispose of key parts of it for their convenience.

There is no 24/7 Mega convenience store and kitchen on south Graeser for a reason. The Comprehensive Plan calls for limited hours of operation in this area of the East Olive Corridor.

There has been no SYNCHRO report requested by P&Z.

The Creve Coeur Police reports show substantial calls regarding crime concerning a (smaller) convenience store.

QT admitted at P&Z hearing that it did not need fuel and delivery trucks on Graeser. To date, no follow up from QT regarding request for additional information.

5. QT's Traffic Study is still Incomplete, Inaccurate and QT did not provide the additional information requested by P&Z:

a) QuikTrip's traffic calculations and conclusions anticipate all mitigation efforts in place, but QT does not have plans to implement all mitigation efforts at the start of the development.

b) The spokesperson for the QT traffic study admitted to P&Z at the hearing, that the traffic acceptably numbers are close (to being unacceptable). For the health safety and welfare of Creve Coeur residents, Realizing this, P&Z should scrutinize the report with care.

c) The QT traffic study representative admitted to P&Z that there will be traffic slowdowns on Olive. Because the numbers are close to being nonacceptable, for the safety of residents, a more thorough analysis should be completed.

d) The Traffic Study should present the underlying data. QT neither presents the actual dates of the Traffic Study nor the actual method used to collect the data. This additional information is especially important in this situation.

Note the vagueness of the Traffic Study regarding key factors:

In response to P&Z's inquiry as to the increased traffic forecasted by a fully occupied remaining 15,000 sf retail center on the site, QuikTrip's traffic consultant, CBB stated on page 2 of 4 of their June 11, 2020 letter:

"The traffic study includes trips for the full occupancy of the retail."

"When CBB's original counts were made in August 2019, 15,444 SF of the existing retail space was occupied and generating trips ..."

There are three problems with the statements:

A. If QT is stating that the building at issue was at full occupancy at the time of the study, this claim is false. The pictures below show the vacancies at that time:

Former West Oak Cleaners



Former Jett's Pizza



B. If QT is asserting that the total amount of occupancy from existing two buildings equal (or greater) than the total occupancy of the proposed remaining building, then the QT assertion is is deceptive for proper planning in the future.

Here is why: QT is basing traffic counts on “occupied” current space, such as below:

The low traffic music store uses its adjacent storefront as storage (technically “occupied” but not generating traffic):



Pumpnickel's: a limited hour deli restaurant (pre-COVID hours operation) on month to month lease:



A former bookstore space that at the time was being used as a state senator campaign office (staffed by or two volunteers during the day) would be an extremely low traffic generator:



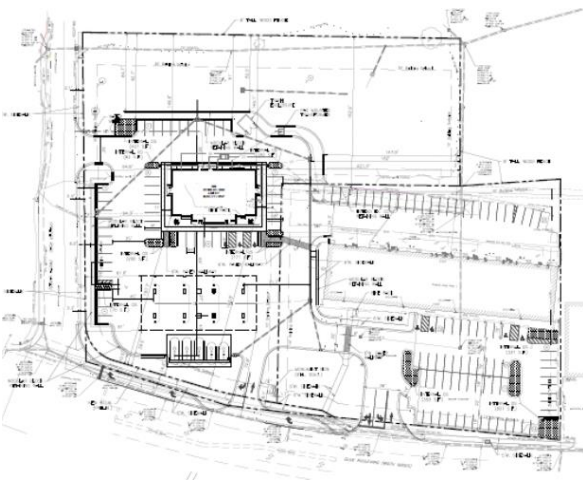
C. The proper analysis is for a traffic FORECAST report using FORECAST numbers for the entire site. Instead, the QT Traffic Analysis is vague and uses improper historical very low or no volume “occupied” retail numbers (and without important supporting data).

For the safety and welfare of the community, P&Z should insist on the proper analysis and the supporting data.

3. This QT is the Generation 3 Quick Trip, with 4,993 sf and 4 entrances. The QT traffic study states it includes data from this model ... **but look closely at that statement**... that is a blended analysis. It mostly has data from smaller standard convenience stores (like the 900 sf convenience store across the street), and also QTs that are not this mega high volume-high traffic model.

The proper study should **only** have an analysis of this type of larger high volume model. It should only have what is classified in the industry as a MEGA convenience store data. That is the relevant data for analysis.

4. QT wants to purchase both the corner site as well as the adjacent site to the west. QT intends to then record an easement through the full access “West” site and then dispose of the “West” site to a third party.



This “**use and dispose**” technique in order for QT to accomplish its convenience needs adds an additional burden on Olive Road. QT’s actions may be legal, but they are highly unusual. Creve Coeur should examine this much further in order to protect the health, welfare and safety of its roads and the citizens.

Below is the letter from First Community Credit Union.

Thank you,

GNS

Graeser Neighbors for Safety
By Kurt Lord & Brett Berger

Creve Coeur Planning and Zoning Commission
300 N. New Ballas Rd
Creve Coeur, MO 63141

June 26, 2020

Dear Commission Members,

I am contacting you from First Community. As I am sure you're aware, we have a branch located at 10950 Olive at the southeast corner of Olive Blvd and Graeser Rd. I am writing in regard to the proposed QT development.

We have been contacted by some of our members and we are aware of the neighborhood opposition to this project for reasons including the potential for crime, negative environmental impact and the potential for reduced property value. Though we understand all those positions, we would ask that the commission focus specifically on the traffic concerns at the intersection given the additional vehicles and the tanker trucks. It seems undeniable this will impede the flow of traffic between Graeser and Olive. What impact will that have on our customers? Will you need to widen Graeser Road to accommodate the tanker trucks?

Just for background information, First Community was founded as the Monsanto Employees Credit Union and our location on Olive was chosen some 40 years ago because of its proximity to the Monsanto World HQ. We have retained this location all these years as a service to Creve Coeur. During this time we have peacefully coexisted with our residential neighbors along Graeser Road. We have over 10,000 members in your zip code that use this branch. We also have a drive-thru ATM that is accessible to the general public 24/7. We have always taken great care to maintain the location in such a way that exceeds the expectations of the neighborhood. Given our long-term commitment to Creve Coeur, we hope you will consider our interests as you deliberate. As we indicated, our concern is that our members leaving our lot on Graeser might not be able to get out if a tanker truck is blocking the road. In closing, we ask the commission to deny the QT proposal.

If you have further questions or information for us please contact Tom Ream, Facilities Manager, at 636-537-4449.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn D. Barks", with a stylized, cursive script.

Glenn D. Barks
President & CEO

July 5, 2020

Mr. Jaggi, Ms. Kelly, and Members of Planning and Zoning Commission:

In the recent packet presented for Monday's meeting, there were several items I would like to address. The first is the statement by the applicant that "public sentiment is not a factor upon which the city is permitted to rely upon when making a decision.....of a conditional use permit. This is because generalized fears are not based on facts." I certainly feel strongly that the citizens of Creve Coeur are not motivated solely by fear-mongering, but rather by facts as they analyze neighborhood projects. However, I also feel that all of the pertinent facts have either been *misrepresented* by the applicant or *stifled by inadequate studies* to reveal the facts.

1. The subject of substantial injury to the value of neighboring property:
 - a. The study shown by the applicant represents properties of considerably lesser values than those closest to the property in question. They can therefore *not* be *comparable*. In addition, 6 of the properties noted were not in Creve Coeur (they are in the 63146 zip code), and 4 of the properties had a beginning value year and end value year during which they had between 1 and 4 assessment changes as noted in the St. Louis County Assessment Records and those values would not have been affected based on the construction or lack of construction of the Mobil on the Run facility.
 - b. "Commercial Development Spillover Effects upon Residential Values" was performed regarding properties in *Texas*, does not specify *types* of commercial developments, and again uses sales price data from houses of a much lesser value than the one here. "The Impact of Commercial Development on Surrounding Residential Property Values" discusses properties in *Atlanta, Ga* and includes industrial, office and retail, but does not specifically mention gas stations, the main subject here. Again, the single-family residential home prices discussed (between 2006 and 2012) are substantially lower than the residential neighborhoods that would be affected here. Also, the fact that this property was previously zoned commercial should have little weight in that the type of the previous development was substantially different and less invasive than the proposed gas station.
 - c. Mr. Rovak, at the last meeting suggested an independent real estate appraiser from this area investigating the situation here regarding particularly *this type of development* in *this type of residential area*. As noted in the staff report, the decision regarding this idea was not implemented based mainly on time considerations. Is this really important given the time span during which this development will affect the community? The fact that outside appraisal has not been completed in prior reviews could mainly be due to the fact that there would not have been as much impact on lower priced housing but IS an important factor to consider here. The fact that it was requested by a member of the commission should have some weight in this decision.
 - d. Given that this item is one of the six standards by which the project should be evaluated by the Commission, the applicant *should want* actual FACTS brought forward specific to this type of project and I would urge the Commission to pursue this.
2. The statement by the applicant that the proposed store will contribute to and promote the community welfare and convenience at the specific location:

- a. In this section, (for community welfare) the applicant relies mainly on the redevelopment of the retail center and not on the QUIKTRIP itself as the basis for its arguments. While the redevelopment of the retail center might contribute to the community welfare, there is little evidence that a gas station will do the same, especially since there are others in the area that provide this service to the community. In addition, they argue increased tax revenue which would be true even if both retail centers would be redeveloped or if another tax-generating entity would replace them. The TDD would remain in place for either one. Any development, in addition, would be bound to generate jobs. This cannot be one of the prime considerations for THIS development.
 - b. Regarding to contributing to and promoting community convenience, the applicant again points to the redevelopment of the retail center. The fact that “the Proposed Store would be the only provider of motor vehicle fuels and the only 24-hour shopping and convenience store on the south side of Olive Blvd” completely ignores the two facilities on the north side of Olive that do the same. In addition, there is already a sidewalk on Olive and on Graeser and pedestrian and motorist concerns only become necessary due to the type of development proposed.
- 3. The Creve Coeur Comprehensive Plan:
 - a. Just because the applicant states that this is in agreement with our Comprehensive Plan, does not make it so. They are right in the quote that we want to “create a walkable corridor of destination retail boutiques, neighborhood service, businesses, small-scale restaurants, attached townhomes, and low-density multifamily homes and single-family homes”, but it is certainly arguable that this project does that. Certainly, renovating the retail center will fit the bill, but doing this in order to get a less desirable project in this location is not the way we in the community would like to see this accomplished. This is not a needed neighborhood service as similar services are provided nearby. If the community does not want a particular development, they should have some say in whether this meets the guidelines of the plan. The community needs to hear more in the meeting regarding this.
- 4. Compatibility with the surrounding area with no substantial impact on surrounding or adjacent users or on community facilities or services:
 - a. The surrounding area is primarily single family home residential and the proposed development is a far cry from that!
 - b. Citizens have already outlined impacts that they see to their neighborhoods and the design guidelines do not mitigate these.
 - c. Cross-access and parking considerations would be present for any type of development due to city guidelines.
 - d. It is only a statement by the applicant, not substantiated, that this project will “enhance the streetscapes along Olive Boulevard and North Graeser Road” and is certainly arguable.
- 5. Safety

Please note that while the police department was not asked to provide this information, it would be interesting to compare police calls for retail centers and gas stations to determine if the type of business affects community safety.

I ask you to take these ideas into consideration as you continue the discussion at the Monday, July 6 meeting.

Thank you

Lynn Berry and Henry Clouse

626 Graeser Rd.

Creve Coeur, Mo 63141



Whitney Kelly <wkelly@crevecoeurmo.gov>

QT Research

jchjch <jchjch@charter.net>
To: wkelly@crevecoeurmo.gov

Mon, Jul 6, 2020 at 2:47 PM

Kelly: Please forward the attachments to our PZ Commission. Unfortunately the file transmission is very large--so I may have to break it up into smaller transmissions--Please acknowledge receipt
Thank you
John Heiman

John C Heiman

cell:314-956-2195

4 attachments



QT Analysis Conclusion & Summary.odt
22K



QT Research Analysis.odt
997K



QT Location Analysis Location One thru 20.doc
8353K



QT Analysis Locations #50 thru 69.doc
4985K

Conclusion reached based upon aerial views of QT Location Maps plus school district boundary analyses in St Louis, MO and to some extent in Kansas City MO area is as follows:

Absolutely no St Louis Area QT stations are embedded within high end residential areas encompassing Clayton & Ladue School districts

Summary of Reasons:(St Louis has 74 QT locations within 100 miles)

1) No particular affinity for convenience store items marketed by QT
Positive reviews elsewhere dwell on junk food & oversized drinks.

Not certain this is important to Ladue school district residents.

Speculation would be neighborhood trash issues will arise.

2)Antipathy toward customer vehicular traffic & commercial resupply traffic 24x7. Interstate 270 travelers plus cars on Lindbergh will be encouraged by huge Billboards to exit & fill up with food & fuel

4) Potential pollution issues related to underground tank storage

5) Our p & z qt approval would violate "pedestrian friendly"plan for Creve Coeur eastern corridor

Kansas City has 86 QT locations within 100 mile radius

Three QT's appear to be embedded within the best area rated

Shawnee Mission School District encompassing Overland Park, Shawnee Mission, & Olathe resi areas but none appear near high end resi areas

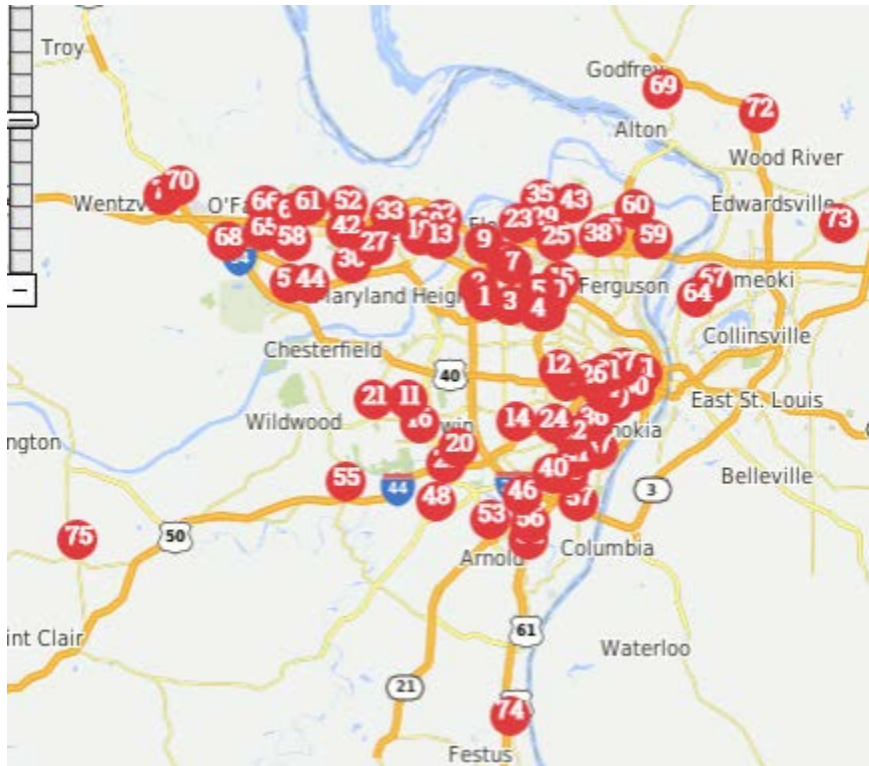
First Attachment: QT Research Analysis STL,MO plus KC,KS area

Second Attachment: QT Location Sampling Analysis Stores One thru 20 as designated on QT St Louis Area Map

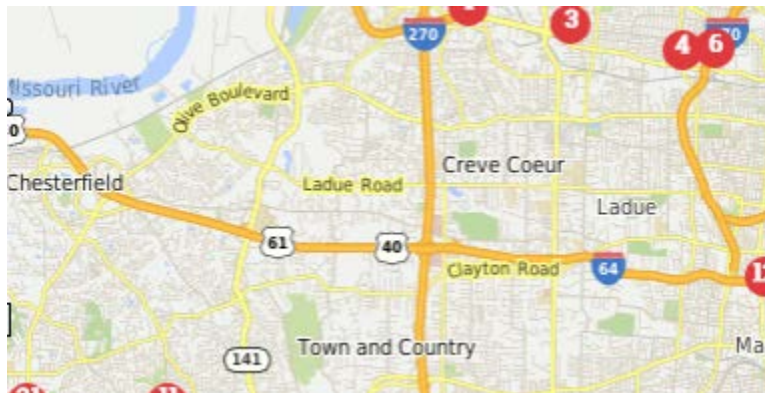
Third Attachment: QT Location Sampling Analysis Stores Fifty thru 69 as designated on QT St Louis Area Map

Here's condensed map of all 75 QT St Louis area locations:

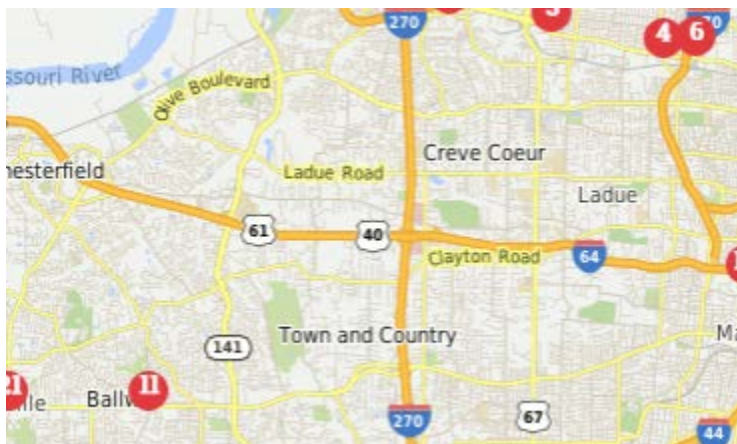
<https://www.quiktrip.com/Locations> If you magnify the map you'll find it hard to find upscale zip codes associated for example with Clayton or Ladue School Districts(see pg2 On aerial maps I only found two out of 1st twenty(#7 &8) which might be high end resi(eg backyard pools,low density,larger homes) and one(?) out of last 20 grp#57?)



Here's affluent neighborhood map snip--no QT's exist south of Page within Clayton or Ladue School districts



Here's a slightly expanded map where 1st QT's south from Page are on Manchester Rd
Page 1



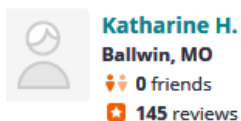
Complimentary Reviews deal primarily with patrons love for junk food(breakfast items,brats,pizza slices,pretzels etc) & cleanliness. Most reviews are ten to one favorable in STL area .Only viewed locations with ten or more reviews

Sampling of Negative Yelp reviews include unease noting police presence & crowded parking issues
9909 Natural Bridge



The staff are fast to get to know there regular customers. Plus you are safe her with county metro county bel nor and umsl police always here.

14800 Manchester



This place sucks. They never have what I need and I never get a receipt. The staff keeps changing over and there are always cops there which make me wonder what's really going on.

5909 Howdershell Hazelwood

Holy crap is this place busy! It doesn't seem to matter what time of day you go there, they are always slammed. That said, the staff does an excellent job of moving people through their register lines so you can get on with your day.

QuikTrip is a favorite because of their consistency, convenient location: and customer service. It also doesn't hurt that they usually have some of the lowest gas prices in the area. This just happens to be one of their busier locations

Page 2

Review #2

This place is really busy almost all the time. I swear I feel like I am going to get T-Boned by the crazies flying around trying to snipe open gas pumps.

I feel like the location makes it hard to navigate, being that it has so many entrances at strange angles

Review 3

this place is crazy busy all the time. the parking lot is always full. so you have to watch out for you and the car next to you. you do get in and out in record time.

8583 St Chas Rock Rd

Page 2

Had to use the facilities yesterday. Much to my surprise the bathroom was quite dirty and there was clear evidence of drug use in the bathroom. Drug paraphernalia photos attached.

4646 St Peters Pkwy

10 months ago

Lots of customers, coming & going, all day long (24 hrs), with police presence often. The lines may get long but then they call for more cashiers and it is so fast, accurate & smooth to go in here! Love our Quick Trip! Actually, they all operate the same way and are so efficient--we love all Quick Trips!

15902 Manchester Ellisville-- lottery ticket winning \$ stolen from customer last year

In the [Phoenix](#) metropolitan area, there are no QuikTrip stores located within the city limits of the suburb of [Scottsdale](#). This is due to a city ordinance that regulates the design and build of gas and service stations within city limits. Neither the city nor the company will give in to the other (in other words QuikTrip will not build a station to appease the ordinance and Scottsdale will not make an exception to QuikTrip), and therefore Scottsdale is the only city in the Phoenix area without a QuikTrip.

The company has run into similar issues in [Overland Park, Kansas](#), but it is more from a desire to make the city more "pedestrian-friendly"

And ala Overland Park our p & z qt approval would violate "pedestrian friendly" plan for Creve Coeur eastern corridor

RE Overland Park Pedestrian friendly research: <https://tinyurl.com/yb22pgau>
 None of the foregoing url very enlightening about QT's Overland Park rejection
 Here's an old presentation published by Harvard Business School which sheds light on traffic & sales in 2011 for gas stations/convenience stores:
http://supplychainresearch.com/images/quik_trip.pdf see bottom of Page One
 Also see middle to bottom of page 3 for actual sales volumes & gas to convenience sales ratios..See bottom of page five re distribution resupply from internal QT fleet plus outside vendors--but no mention of gasoline truck resupply frequency

And then there's this reaction to crime:

<https://ktul.com/news/local/quiktrip-to-begin-arming-employees-to-help-deter-crime-at-tulsa-stores>

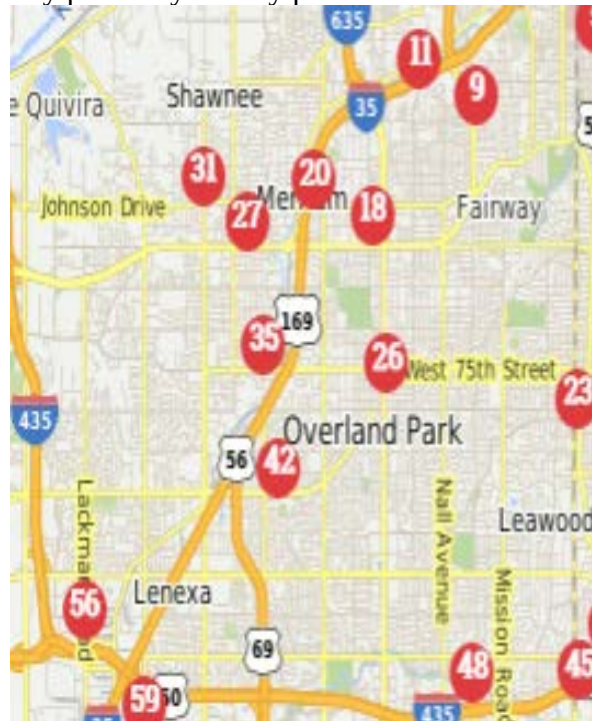
The best school district/neighborhood in KC is Overland Park, Ks/ Shawnee Mission School District..As you can see from map it is bordered by QT #'s 31,27,20,18,,56,59,48, 45, & 23—a greater geography than Clayton& Ladue.

Embedded inside Overland Park/Shawnee Mission School District map below are 35,42,& 26

South of #42 seems high end resi—whole area significant commercial but north a mix of apts & resi—fast food along road in front of QT..

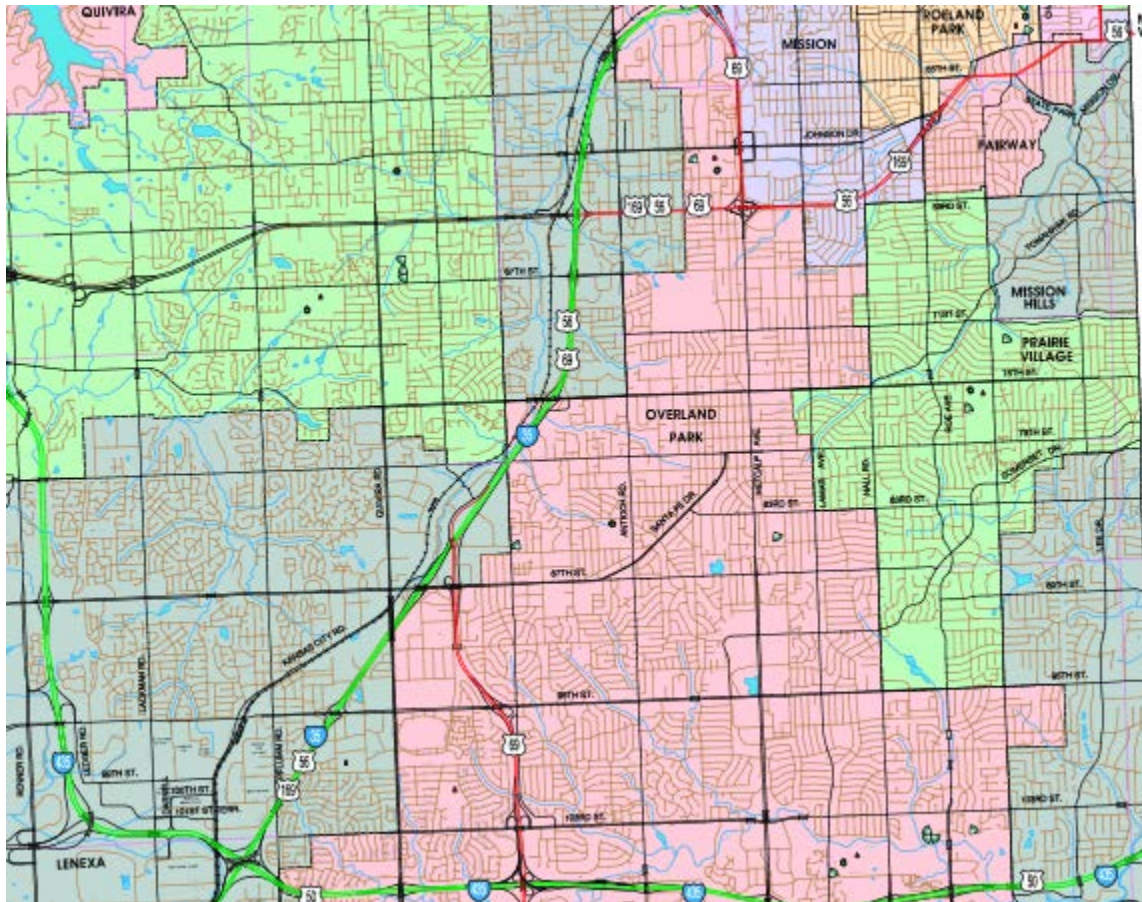
At QT #35..same fast food groupings but lower end resi

And ditto for #26 primarily commercial—auto dealers,uhaul,auto parts retailer & payday loan office surrounded by primarily closely packed resi

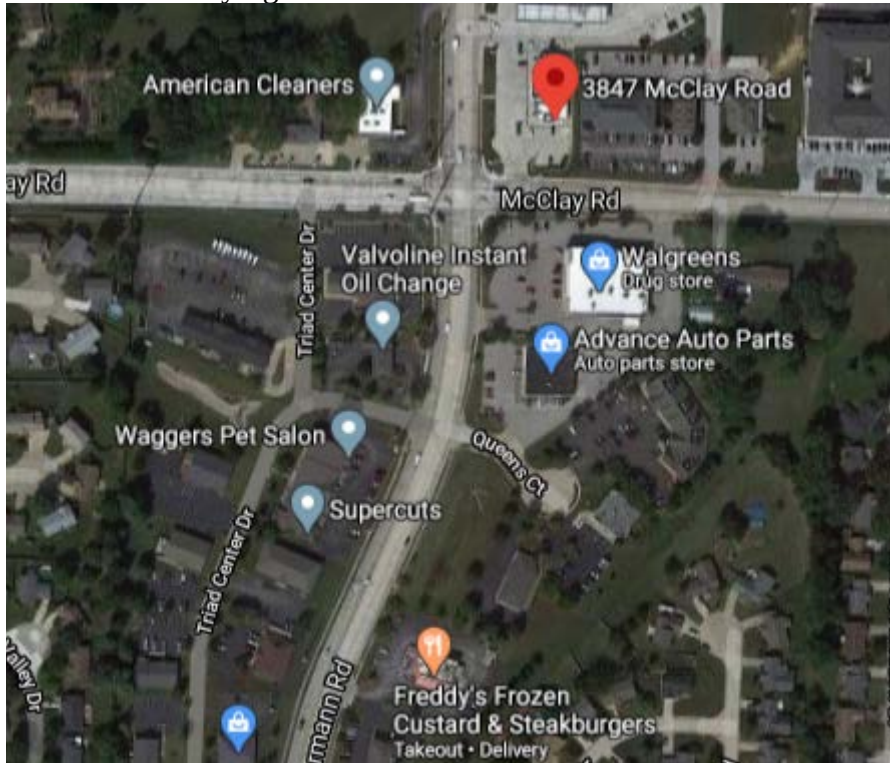


Page 5

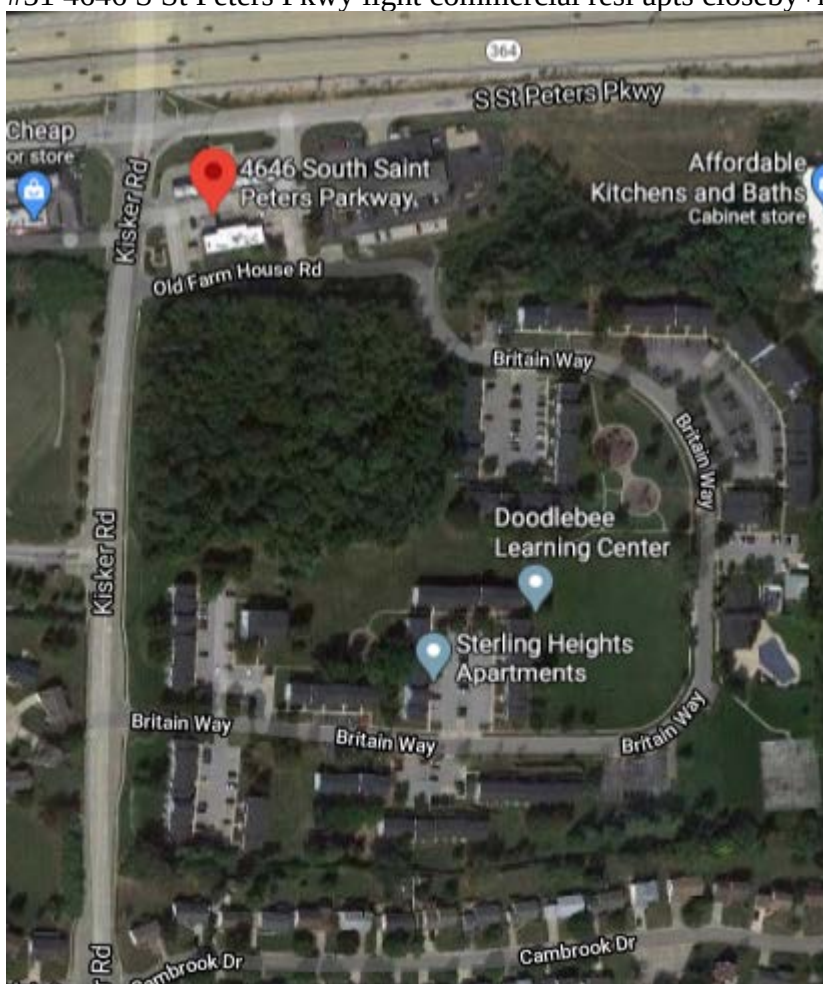
Overland Park spans four public school districts. The portion of the city north of Interstate 435 (at bottom of map below) lies within the Shawnee Mission School District which is headquartered in Overland Park, operates thirty eight elementary schools, two middle schools, six high schools, and multiple support facilities in the city

Page 6

#50 3847 McClay light commercial much resi but not as close as Graeser



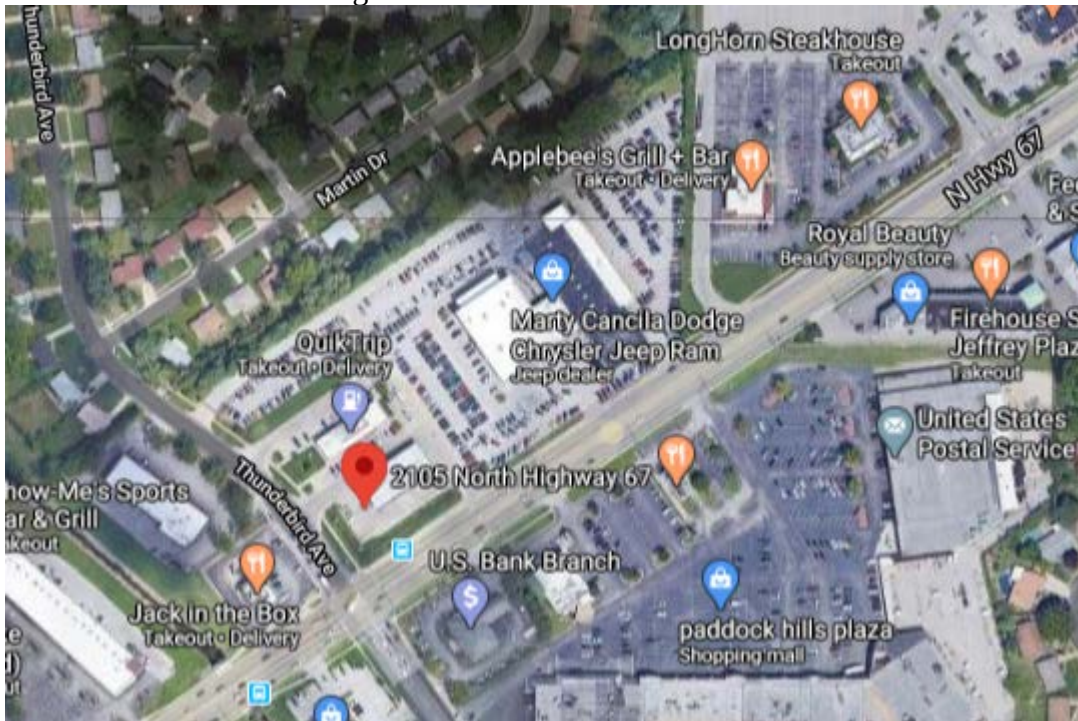
#51 4646 S St Peters Pkwy light commercial resi apts closeby+homes



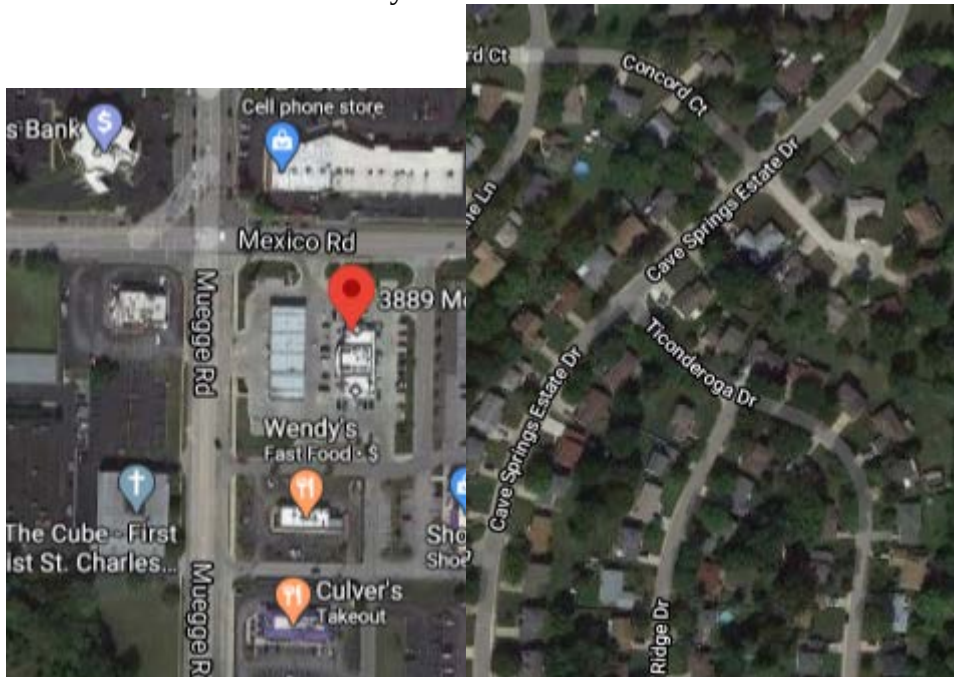
#52 150 Howdershell low end resi--couple of fast food places



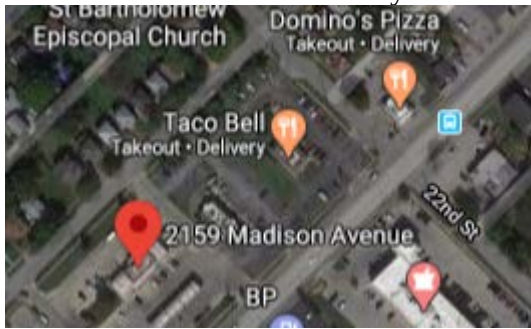
#53 2115 No HWY 67 Huge commercial area--with resi



#54 3889 Mexico Rd Primarily comm' l-resi not real close but substantial subdivisions



#55 2159 Madison Granite city low end fast food +resi



#56 10845 Lilac --looks like diesel truck stop primarily comm'l resi not real close



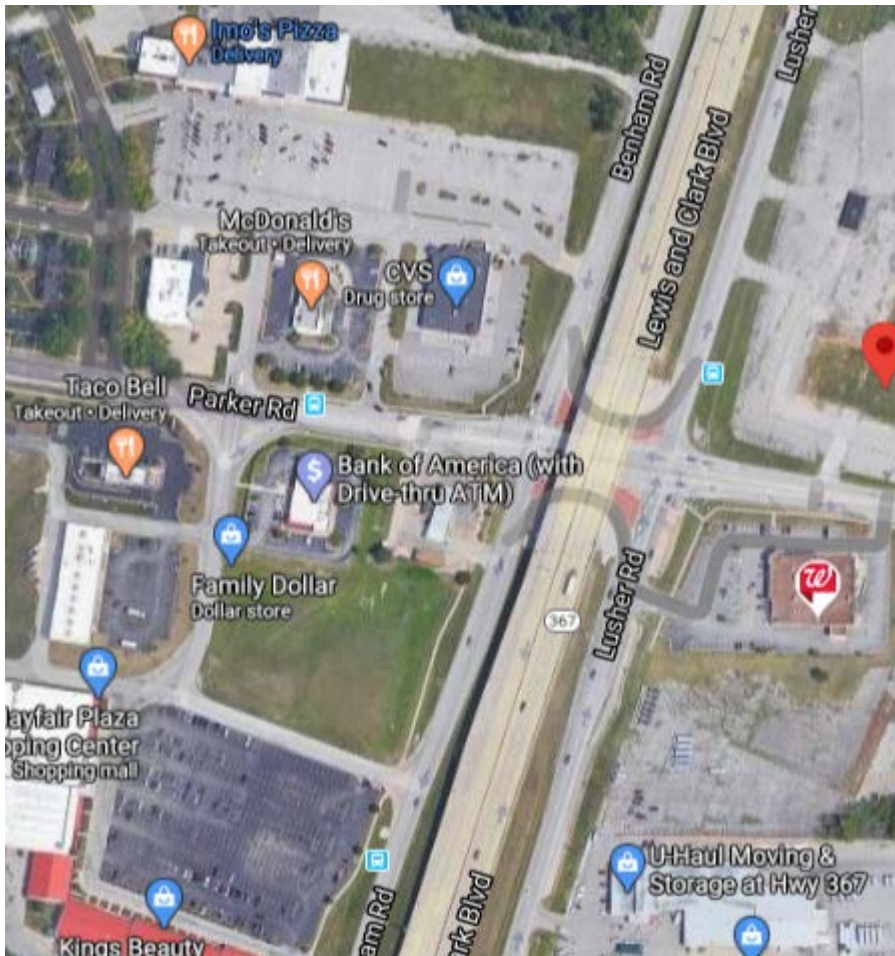
#57 59052 So Hwy 94 --Primarily resi



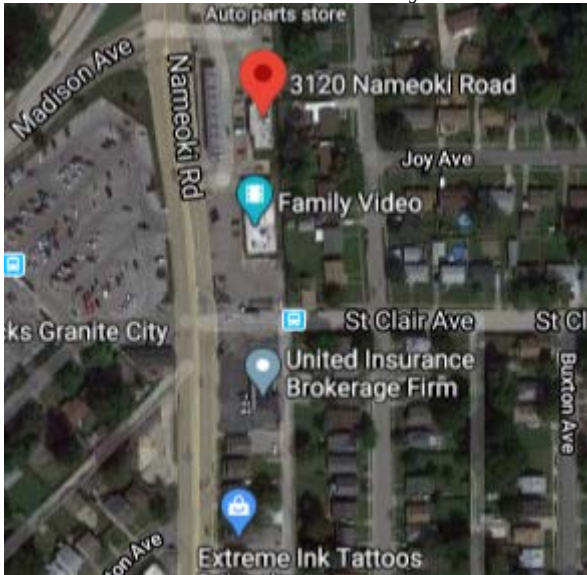
#58 3000 Mid Rivers Mall--Commercial with lots of resi



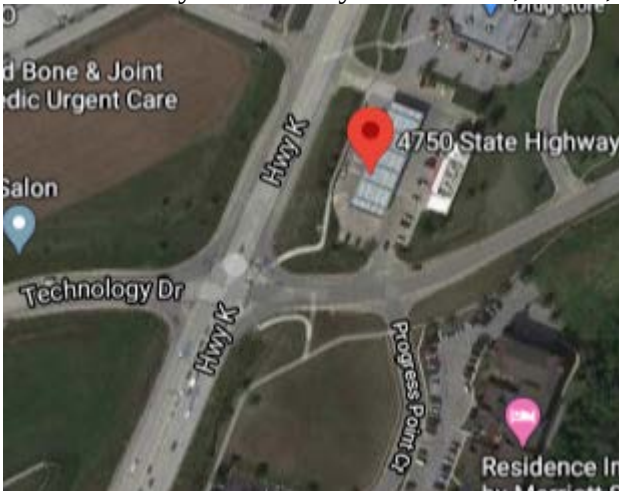
#59 12110 Lusher Rd heavy commercial with much resi but not real nearby



#60 3120 Nameoki Granite City low end commercial, low end resi



#61 4750 Hwy K Primarily commercial, hotels, resi not very close



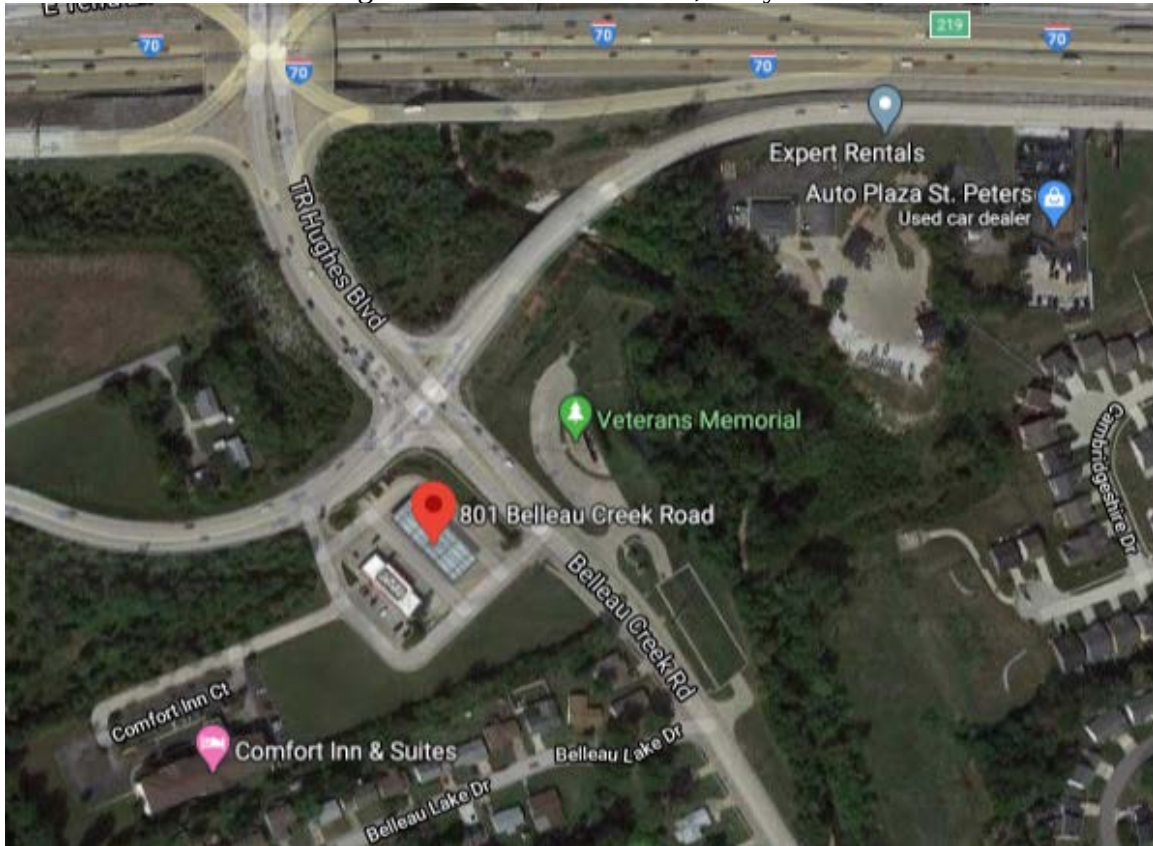
#62 391 Main St near MidRivers Mall--commercial--scant resi



#63 140 Fallon Loop Rd-Primarily resi



#64 801 Belleau Creek Rd light comm'l south of IH 70, heavy north--close to resi on south



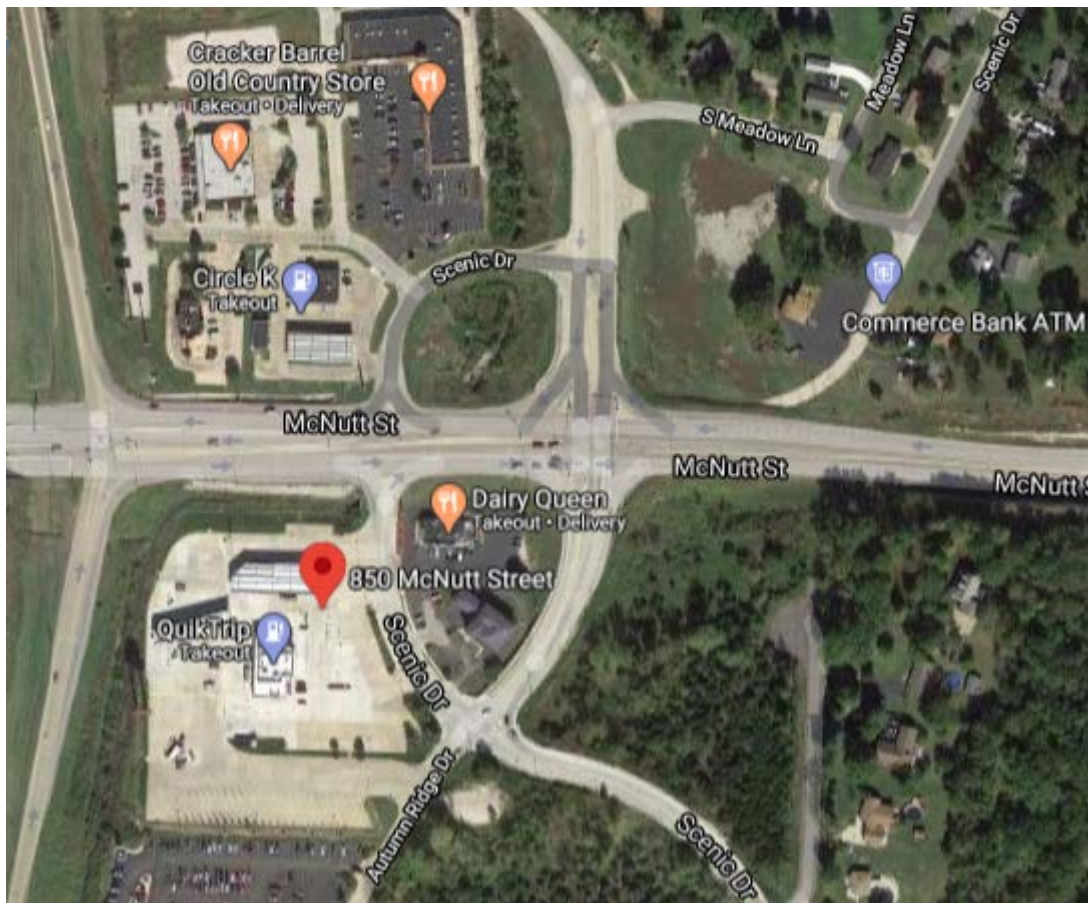
#65 8601 Mexico rd largely comm'l, resi not very close



#66 1150 Feise Rd light commercial--resi nearby



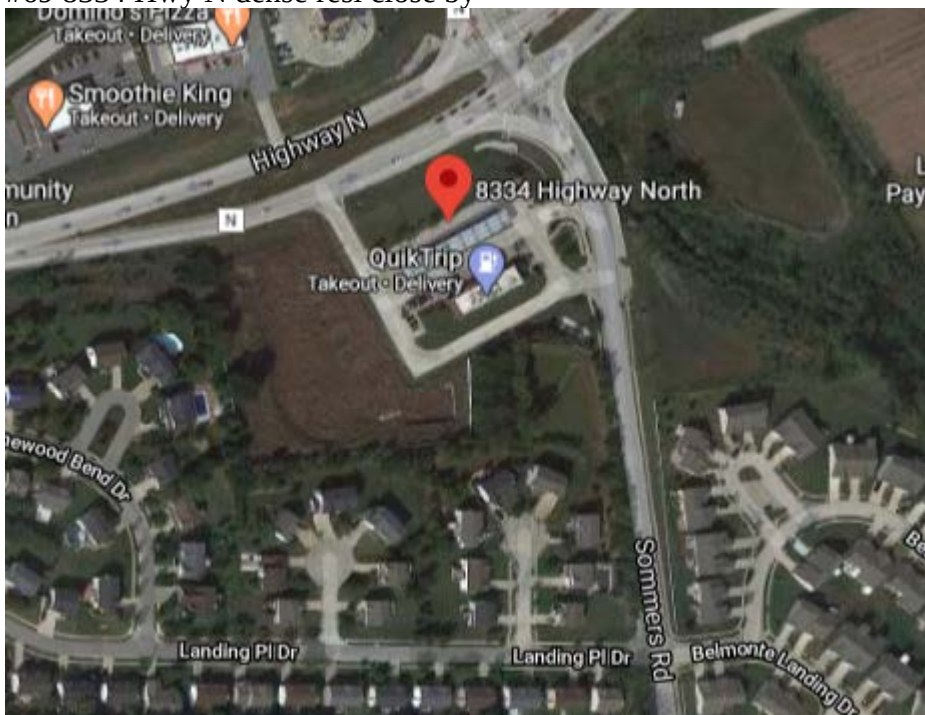
#67 850 McNutt St Light commercial--some resi not very close



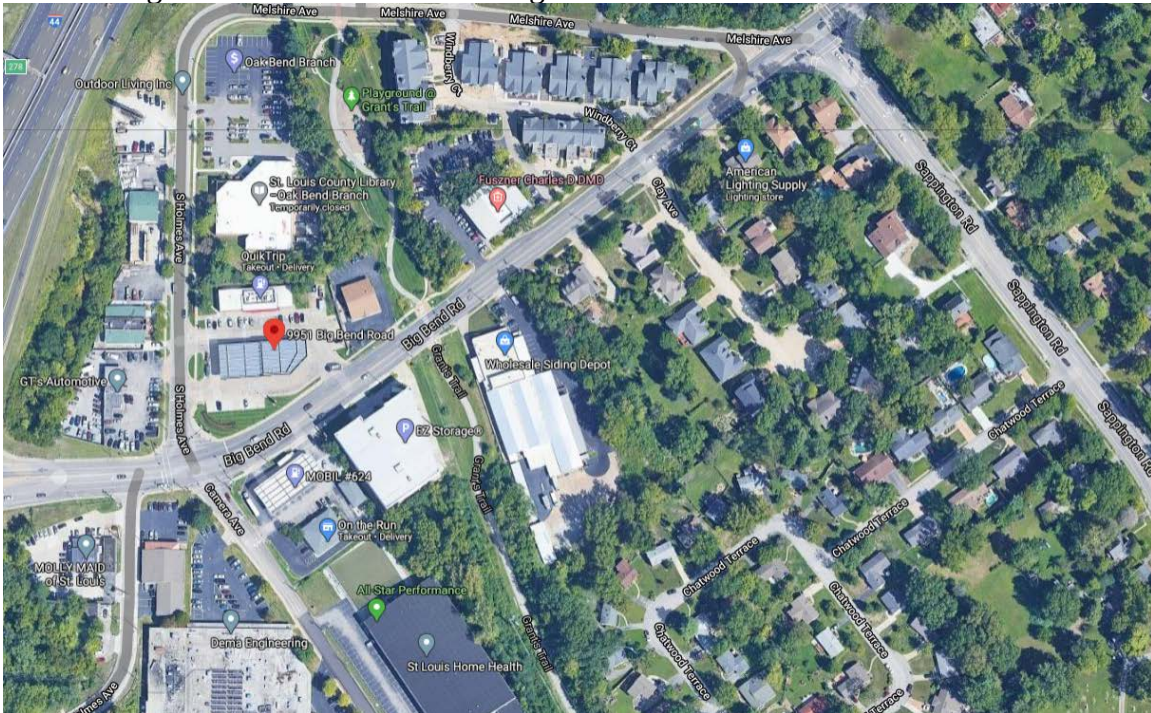
#68 955 Bryan Rd Light comm'l--apts close & dense small resi, not close, to the west



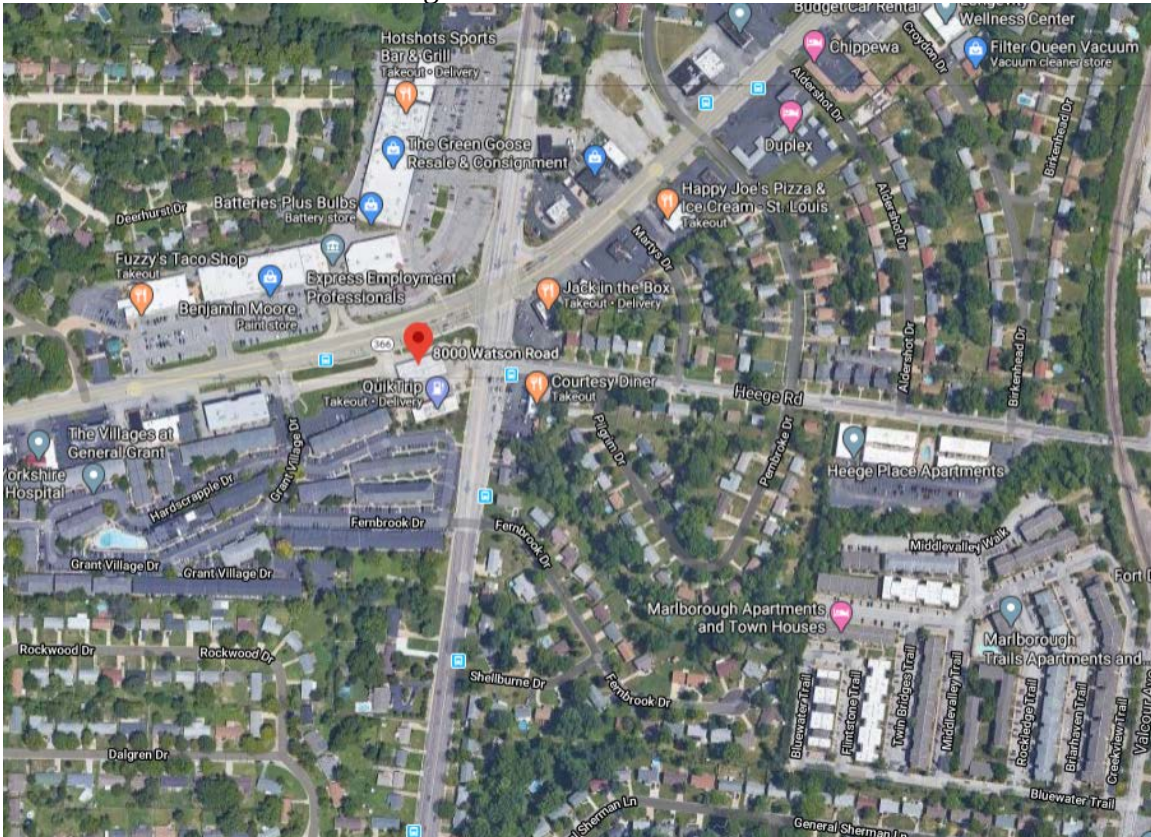
#69 8334 Hwy N dense resi close by



#1 9951 Big Bend off IH 44 near resi neighborhoods



#2 8000 Watson Rd near resi neighborhoods



#3 1923 Bowles Ave off IH44

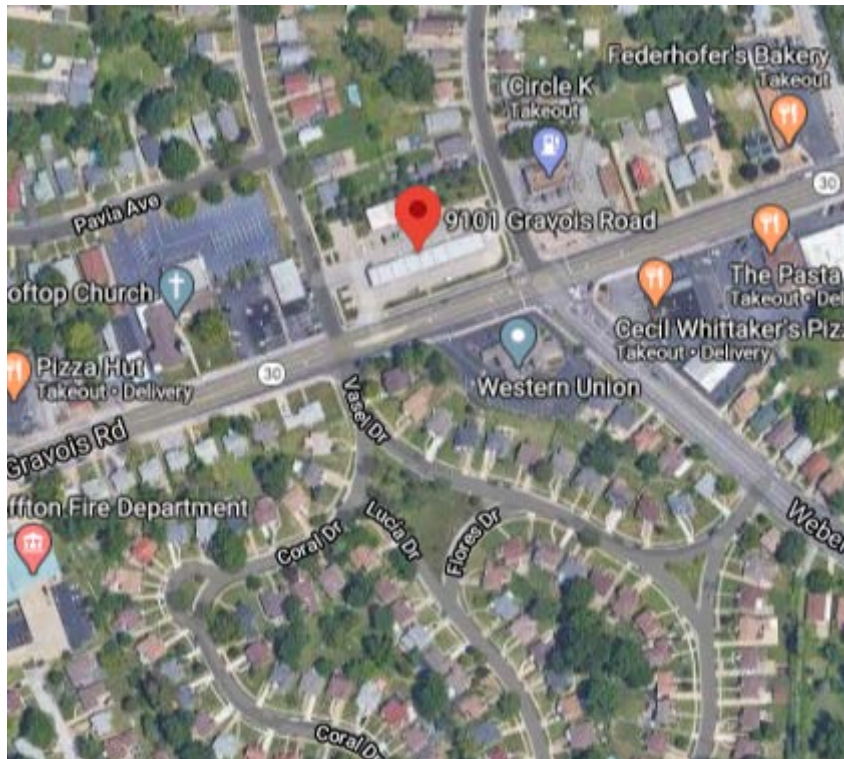


#4 1530 So Hanley highly commercial--scant resi nearby

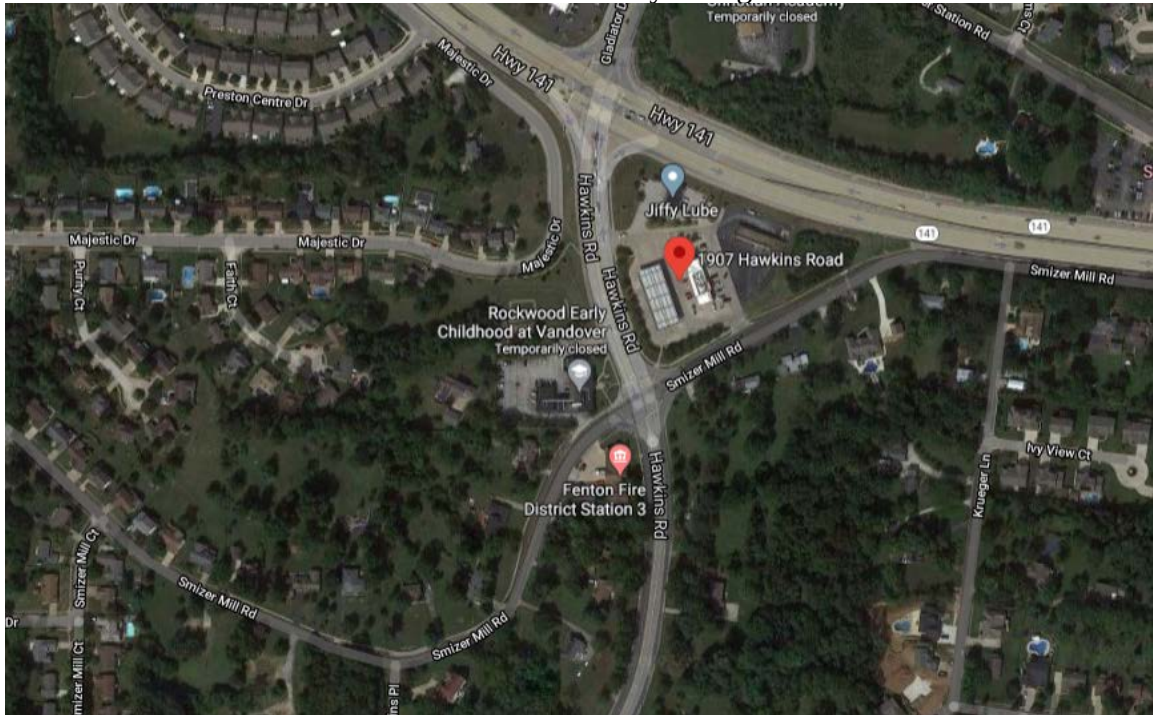
#5 2633 So Big Bend mostly commercial low end resi nearby



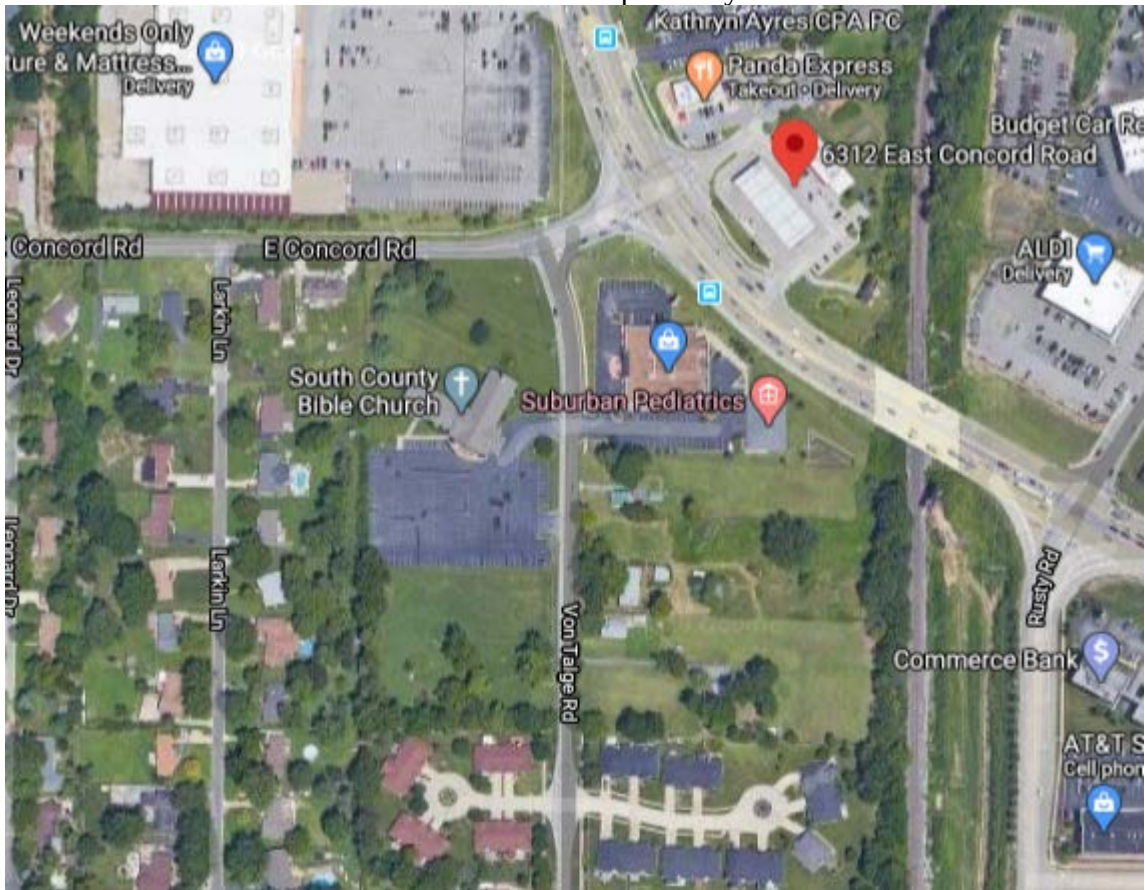
#6 9101 Gravois resi



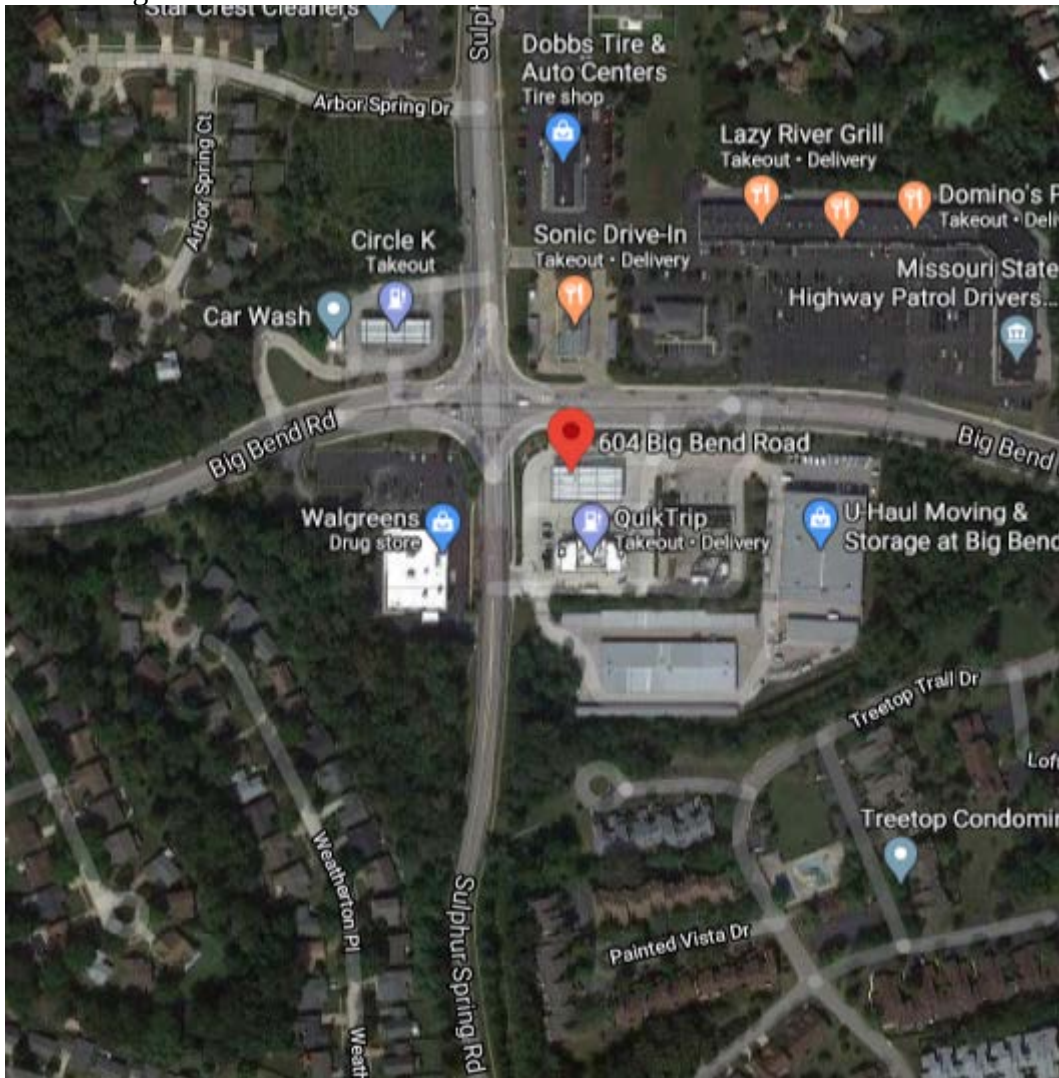
#7 1907 Hawkins Rd--somewhat close to resi--may be higher end homes?



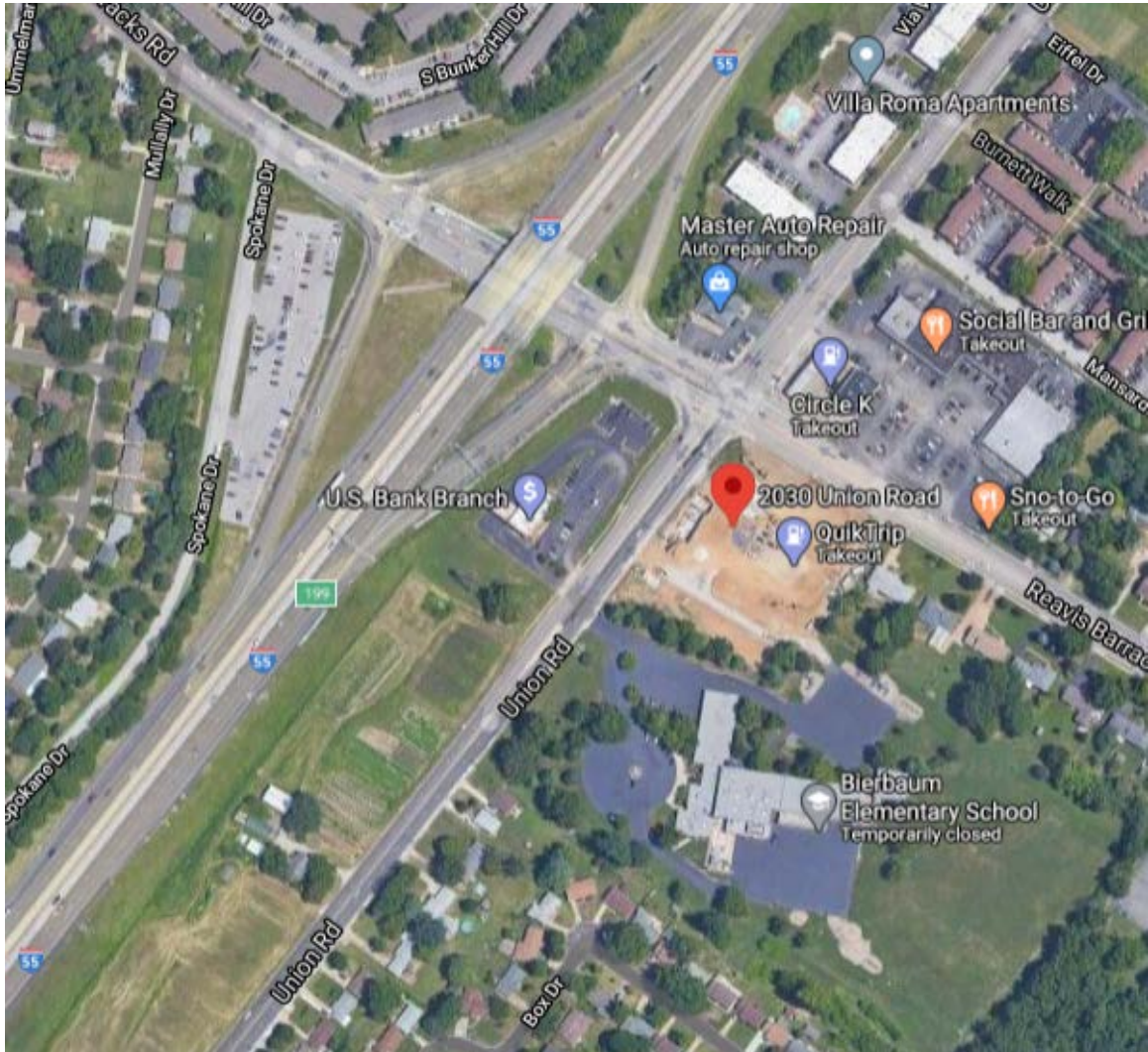
#8 6312 E Concord Rd somewhat close to resi--primarily commercial



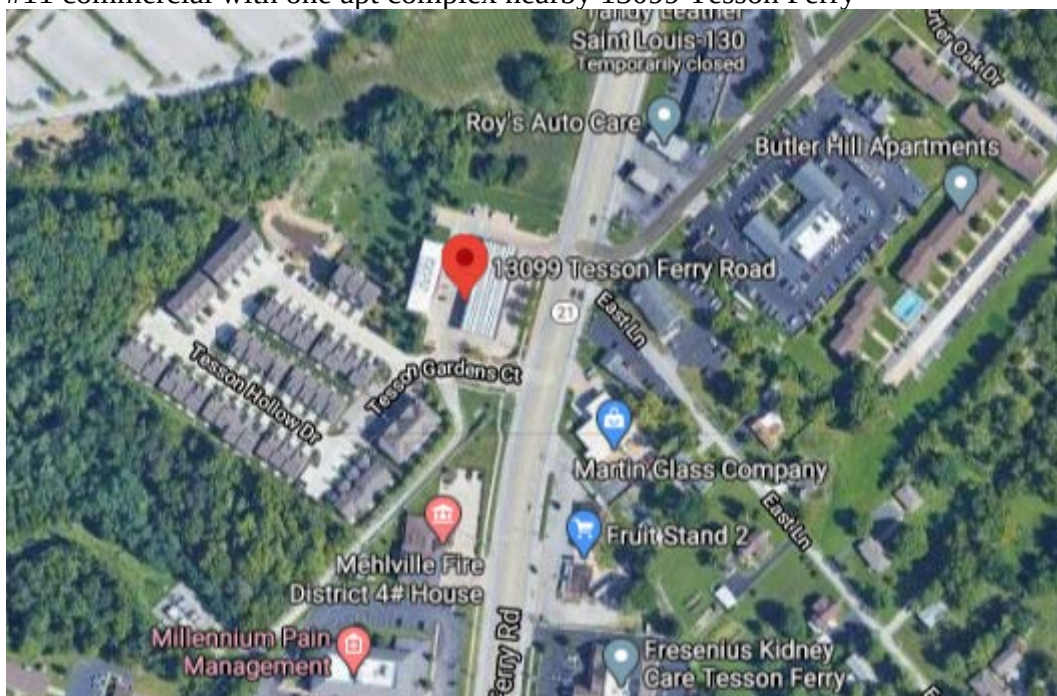
#9 604 Big Bend Blvd somewhat close to resi & commercial



#10 somewhat close to resi+commercial 2030 Union Blvd



#11 commercial with one apt complex nearby 13099 Tesson Ferry



#12 commercial neighborhood 14800 Manchester

#13 Primarily resi 6900 Gravois Ave



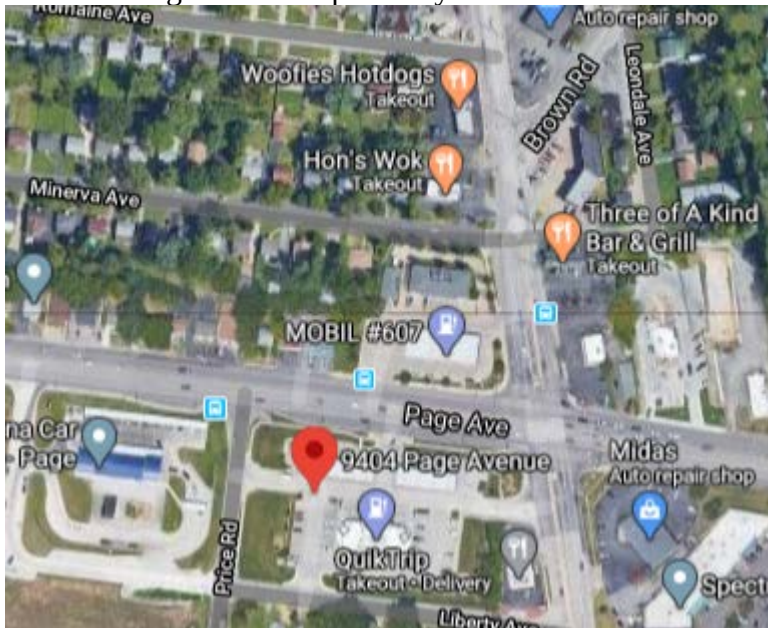
#14 3475 Lemay Ferry Primarily commercial--some resi



#15 Primarily Commercial--some resi 2166 Hampton



#16 9404 Page Overland primarily commercial--low end resi on other side of Page



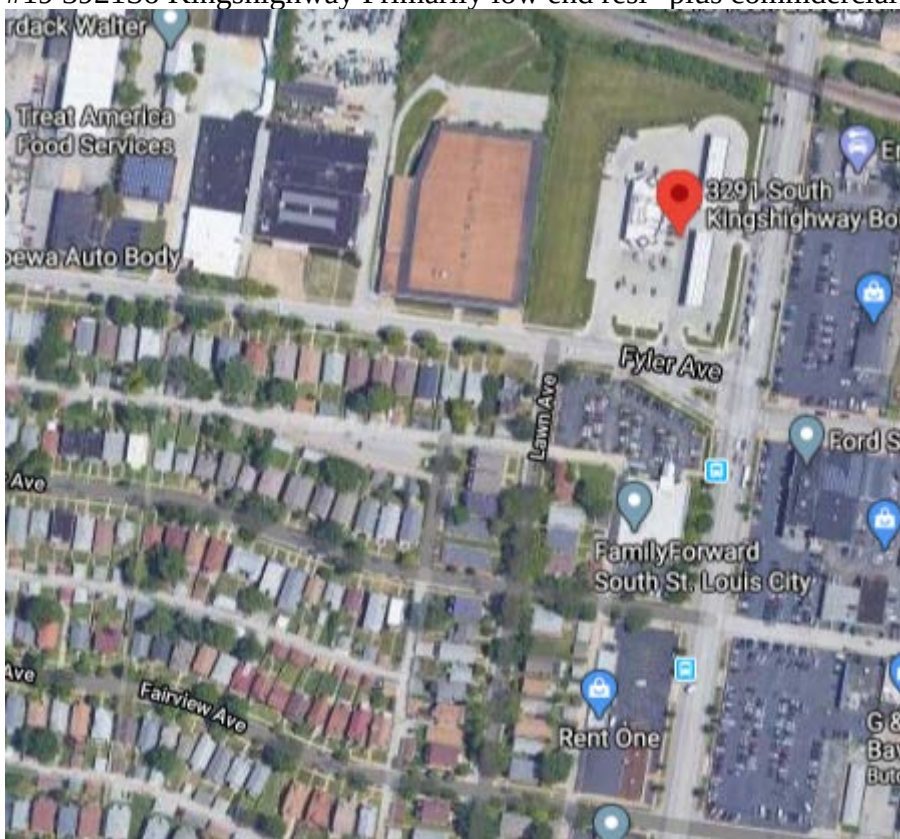
#17 10793 Page Primarily commercial very few homes



#18 702 Lemay Ferry Primarily resi



#19 3921 So Kingshighway Primarily low end resi--plus commercial



#20 8815 Page Overland Commercial only



17151 Chesterfield Airport Road
Chesterfield, MO 63005
636-728-3333
1-800-767-8880
www.firstcommunity.com

Creve Coeur Planning and Zoning Commission
300 N. New Ballas Rd
Creve Coeur, MO 63141

RECEIVED
JUL 02 2020
PLANNING DEPT.

June 26, 2020

Dear Commission Members,

I am contacting you from First Community. As I am sure you're aware, we have a branch located at 10950 Olive at the southeast corner of Olive Blvd and Graeser Rd. I am writing in regard to the proposed QT development.

We have been contacted by some of our members and we are aware of the neighborhood opposition to this project for reasons including the potential for crime, negative environmental impact and the potential for reduced property value. Though we understand all those positions, we would ask that the commission focus specifically on the traffic concerns at the intersection given the additional vehicles and the tanker trucks. It seems undeniable this will impede the flow of traffic between Graeser and Olive. What impact will that have on our customers? Will you need to widen Graeser Road to accommodate the tanker trucks?

Just for background information, First Community was founded as the Monsanto Employees Credit Union and our location on Olive was chosen some 40 years ago because of its proximity to the Monsanto World HQ. We have retained this location all these years as a service to Creve Coeur. During this time we have peacefully coexisted with our residential neighbors along Graeser Road. We have over 10,000 members in your zip code that use this branch. We also have a drive-thru ATM that is accessible to the general public 24/7. We have always taken great care to maintain the location in such a way that exceeds the expectations of the neighborhood. Given our long-term commitment to Creve Coeur, we hope you will consider our interests as you deliberate. As we indicated, our concern is that our members leaving our lot on Graeser might not be able to get out if a tanker truck is blocking the road. In closing, we ask the commission to deny the QT proposal.

If you have further questions or information for us please contact Tom Ream, Facilities Manager, at 636-537-4449.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn D. Barks".

Glenn D. Barks
President & CEO



Whitney Kelly <wkelly@crevecoeurmo.gov>

June 15 Discussion about Quick Trip

1 message

Ken Eiger <fsa86@sbcglobal.net>

Tue, Jun 16, 2020 at 6:38 PM

To: mayor-council@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov

Cc: Brett Berger <bergerbrett7@gmail.com>, Susan Eiger <mikzil2@yahoo.com>

I'm sending this as a follow-up to yesterday's meeting and the discussions about Quick Trip.

The question of noxious chemicals was raised and the response was that the state regulates buried gas tanks and therefore Creve Coeur doesn't need to consider this. A few thoughts:

- I heard very clearly, and there were no dissenting comments, that there are written materials that speak a variety of items needing to be considered, one of which was hazardous materials. In response, a comment was made that this is regulated by the state and so outside of the scope of consideration. What I fail to understand is how the written responsibilities to consider items like this aren't applicable if other governmental agencies are also involved — if that were the case wouldn't the written materials be explicit in exempting issues where there is another agency involved?
- Shouldn't we hold organizations to the higher standard set by either the state or locally as opposed to the a standard set outside of our purview? Said another way, the standard that's "right" for a rural area with no residential areas within miles may not be the appropriate standard for properties that abut residential. To me, this feels like the commission is perhaps abdicating as opposed to appropriately exercising its written and codified responsibilities. Said another way, this feels like a search for the lowest standard that can be found, while as Creve Coeur residents we're looking for something better.
- Consider other types of commercial operations. For any of these, it's hard to argue that property values and / or quality would go up for the nearby residents.
 - Missouri allows coal powered electric plants - do we want one of those on Olive Boulevard? I assume that this is a regulated enterprise, and that one could easily argue that tax revenue for the site would increase. At the same time, should the possibility of enhanced revenue be decisive?
 - The federal government allows nuclear power plants - same question. Let's pretend that the permit was to put in a nuclear power plant. Does yesterday's discussion say that Creve Coeur shouldn't be interested since the federal government (Nuclear Regulatory Commission) has jurisdiction?
 - Clearly military armories and ammunition storage facilities are legal. Shouldn't Creve Coeur care about these materials being so close to a residential neighborhood and want to be able to voice a very strong opinion?
 - While we're not in Nevada, there brothels are legal.
- I understand that spillage was previously discussed as also being a Missouri, not a Creve Coeur item. Do you know if they meant spillage from the underground tanks, the delivery trucks, the people pumping their own gas or all. Seems like any of these could cause a health issue for nearby residents. Curious if the conversation about Missouri's regulatory reach covers all possible events.

Thank you for your consideration of these items.

Ken Eiger



Whitney Kelly <wkelly@crevecoeurmo.gov>

weight limit on graeser is 1 ton per posted signs - QT can not be allowed on delivery access on graeser

Brett Berger <bergerbrett7@gmail.com>

Tue, Jun 16, 2020 at 12:02 AM

To: mayor-council@crevecoeurmo.gov, Jason Jaggi <jjaggi@crevecoeurmo.gov>, Whitney Kelly <wkelly@crevecoeurmo.gov>, Kurt Lord <Kurt.lord@svn.com>

the weight limit on graeser is 1 ton and doesn't allow trucks. i know this because google documented the below sign as recently as august 2017.

see for yourself here: <https://www.google.com/maps/@38.6732048,-90.4219916,3a,38.4y,197.35h,85.93t/data=!3m7!1e1!3m5!1snytfh0AnXnBPymMxZ1CfHQ!2e0!5s20170801T000000!7i13312!8i6656>

how did these posted signs mysteriously disappear just in time for this development?

please investigate this with public works. tanker nor delivery tractor trailer trucks and other side delivery trucks for booze and soda and food have no business on graeser road as they weigh WAY more than 1 ton.



QT can not be allowed on delivery access on graeser

--

All the best,

Brett Berger
Graeser Neighbors for Safety <http://graeserneighbors.org/>
314.495.4990
10 Winfield Pointe Lane, Creve Coeur, MO 63141



Whitney Kelly <wkelly@crevecoeurmo.gov>

weight limit on graeser is 1 ton per posted signs - QT can not be allowed on delivery access on graeser

Matt Wohlberg <mwohlberg@crevecoeurmo.gov>

Tue, Jun 16, 2020 at 5:51 PM

To: bergerbrett7@gmail.com

Cc: Mayor Council <mayor-council@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>, Whitney Kelly <wkelly@crevecoeurmo.gov>, kurt.lord@svn.com, Jim Heines <jheines@crevecoeurmo.gov>

Mr. Berger,

I received your voicemail today about vehicle weight limits on Graeser Road, and Jason Jaggi forwarded your email below that requested comments from the Department of Public Works about the same topic. I thought it would be efficient to respond to both at the same time.

Graeser Road, like several streets between Olive and Ladue, used to have the one-ton truck restriction signs posted at both Olive and Ladue. If I recall correctly, these signs were removed in 2018. This was done for a variety of reasons:

- there are no bridges or other conditions along Graeser Road that require a weight limit of one ton or a weight limit close to one ton
- there is no specific weight limit imposed upon Graeser Road in the Municipal Code
- routine services to residents (e.g. trash collection, residential deliveries, contractors working for residents along Graeser) require the use of vehicles that exceeded the posted limit
- although the services to residents along Graeser would be exempt, the signs were not clear as to the reason for the restriction and caused confusion among delivery drivers and construction contractors

In short, the one-ton limit seemed arbitrary, was difficult to justify and enforce, and caused confusion, so the signs were removed.

Section 335.160 of the Municipal Code (copy attached) addresses restrictions for commercial vehicles and heavy vehicles, but it also allows for local pickup and delivery on streets with such restrictions if the shortest route possible is used. In the case of the properties at Graeser and Olive (the bank and the site in question), delivery access to and from Graeser is currently allowed, because the exemption allows for it regardless of the truck restrictions that are in place. The only stipulation would be that the commercial vehicles would need to use the shortest route back to Olive, which seems like the most efficient and logical path for delivery drivers to use.

I hope that this helps. Please contact me if you have additional questions.

Thank you,

Matt

CITY OF CREVE COEUR

Matt Wohlberg, PE, CFM
City Engineer

300 N. New Ballas Road
Creve Coeur, MO 63141
Phone: (314) 442-2084
Fax: (314) 872-2505

www.creve-coeur.org

[Quoted text hidden]

--

Jason W. Jaggi, AICP
Director of Community Development
City of Creve Coeur, Missouri
[300 North New Ballas Rd](#)
[Creve Coeur, MO 63141](#)
314-872-2504

www.creve-coeur.org



Section 355.160.pdf
42K



Whitney Kelly <wkelly@crevecoeurmo.gov>

Quik trip follow up

1 message

Susan E <mikzil2@yahoo.com>

Wed, Jun 17, 2020 at 5:35 AM

To: mayor-council@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov

Cc: Brett Berger <bergerbrett7@gmail.com>, Kenneth Eiger <fsa86@sbcglobal.net>

Thank you for your time and thoughtful consideration of the comprehensive plan when considering the proposal for the QuikTrip.

While discussing your explicitly enumerated item of the comprehensive plan that addresses the impact on the neighboring home values, you mentioned there may be difficulty in finding objective [appraisers.to](#) to determine how the home values would be affected when taking into account the higher values of the neighboring homes then comparable QuikTrip locations.

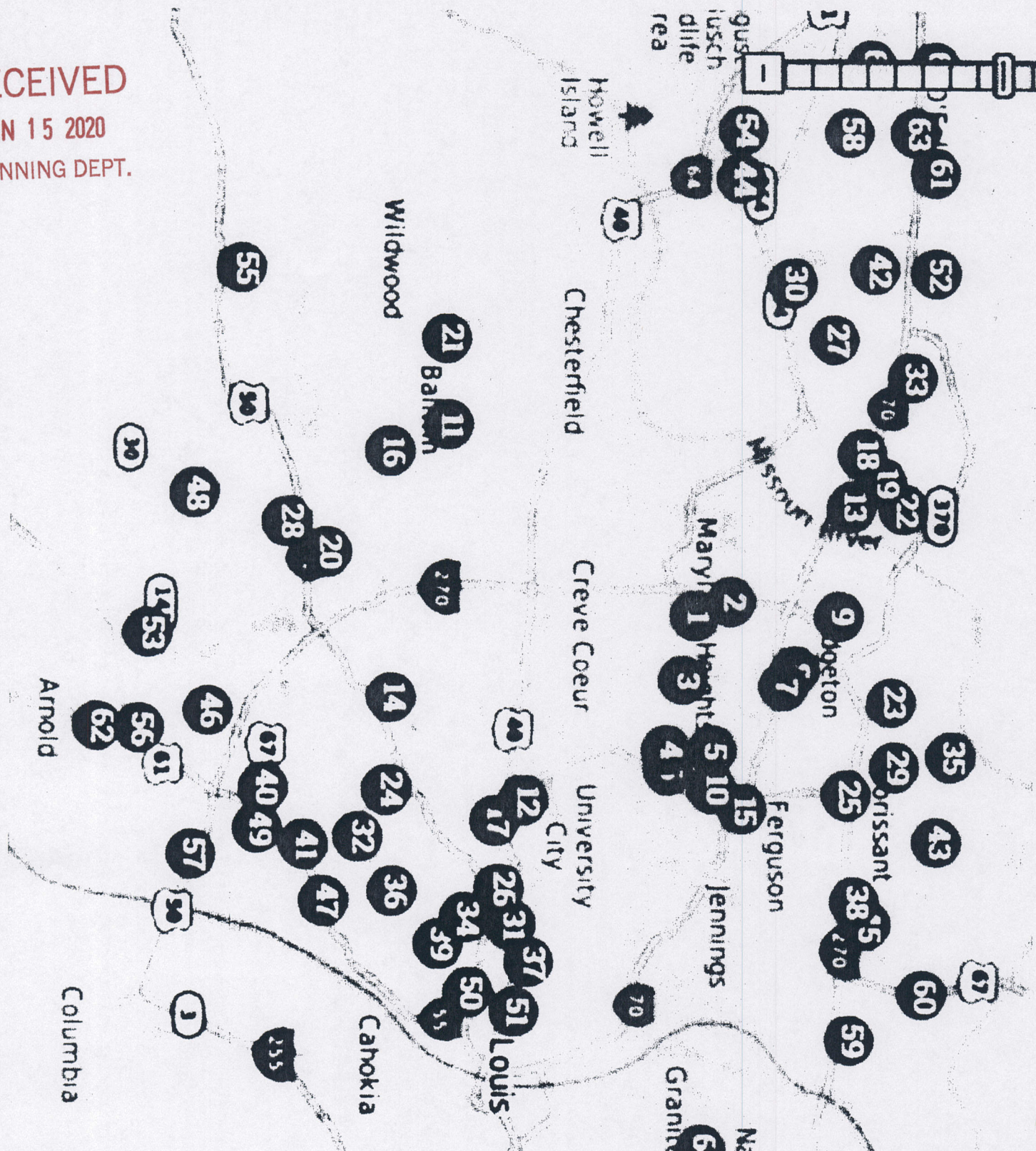
However, there are 2 concrete examples regarding the purchase of 11003 Martin Grove that clearly demonstrate the direct impact on neighboring home values. Not only did the current purchaser acknowledge that they would NOT have bought the house had they known the Quiktrip was being considered, but also the original sale of the home fell through DUE to the Quiktrip.

Since this is in direct contrast with one of the stated goals of the comprehensive plan, we think this should be used as part of the determination of whether QuikTrip meets the stated goals of your comprehension plan.

We appreciate your time and consideration

Susan and Ken Eiger

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For Pn2 June 15'20
QT

Included is a map of the QT locations within 20 miles of 63141. Notice that most of them are strung along MAJOR hwys: 70, 170, and 270 in N County: 40/64 in the City, 44 and 55 in S County. Olive is not a Major Hwy. Creve Coeur is not N County, or S City.

Also notice the lack of QTs between Page and Hwy 44. Curious that the area containing Creve Coeur and communities like Creve Coeur have no QTs. Maybe QT doesn't belong in those neighborhoods.

I looked at all the QT on the perimeter of that empty space. Using the map numbers, the stations are listed below in a rough circle starting with #1 and headed east. For each after the address there is a Hwy Exit, street intersection or at least a municipality to help you place it.

For each there is also a list of the neighboring business, since only #3 on Page near Overland touch a residential neighbor. Repeat, for the locations circling Creve Coeur, the only QT sited by a residence is 10793 Page

If you read the entire list you will notice the neighboring businesses included at least one of these, Light industrial, Drive thru on a small lot, U-Haul or Budget truck rental, Storage facility, Motel, Auto sales, Collision repair, Home Depot type business, Major Grocery store. None of these are what we want to see on East Olive

Since QT sites themselves with neighbors that we would not want on East Olive, that would make people think that East Olive intends to become something far different that what Creve Coeur aspires to.

Maybe QT belongs some where else

The SW corner of Graeser And Olive needs an IMPROVEMENT. Setting a QT in concrete here is not that improvement. Is Creve Coeur desperate to take any comer, or patient enough to find one that fits?

The perimeter list in order
 #1,2,3,4,5,6,12,17,14,20,16,11,21

Point #1 is the QT we use in this neighborhood if you want cheaper gas and it's on the way to the YMCA

-Point #1

12200 Dorsett, Maryland Heights
 270 exit at Dorestt
 Large light industrial area with hotels and fast food

-Point #3
 10739 Page, unincorporated near Overland
 Page between 170 and Warson
 Neighbors: Westport Auto sales, Zip car wash, Global Granite, Salvation Army, Wendy's, Walgreens, Shell

Point #4
 9404 Page, Overland
 Neighbors: Mobil on the Run, Captain D's, Budget Truck Rental, Wingstop, Midas, Churches, Blue Iguana Car Wash

Point #5
 2621 Woodson, Overland
 Where downtown Overland meets collision repair, Save A Lot and a Boarding house

-Point #6
 8815 Page, Overland
 Page and 170
 Surrounded by light industrial

-Point #12
 1530 S Hanley, Richmond Heights
 Hanley S of Hwy 64
 Neighbors: Circle K, Home Depot, Menards, several fast food

-Point #17
 2633 S Big Bend, Maplewood
 Big Bend at Manchester
 Neighbors: Jack in the Box, Raising Canes, CVS, White Castle, Vaporized, St Louis Closet, Maplewood Richmond Heights track at rear.

-Point #14
 9951 Big Bend, Oakland
 near Exit off Hwy 44
 Mobil on the Run, GT Auto repair, ST L Animal Emerg., Clinic, Wholesale Siding Depot, EZ Storage, St L Co Library branch at rear.

-point #16

-point #11
 14800 Manchester, Ballwin
 On Lowes parking lot,
 neighbors, Lowes, Mobil on the Run, U-Haul and Wendy's across the street.

-Point #21
 15902 Manchester and Kiefer Creek Heavily developed area
 :CVS, Office Depot, Aldi, Several strips and lots of fast food

-Point #20

-Point #20
 1923 Bowles Ave, Fenton
 Exit off Hwy44
 Neighbors: light industrial, hotels,

The SW corner of Graeser And Olive need an IMPROVEMENT. Setting a QT in concrete here is not that improvement. Is Creve Coeur desperate to take any comer, or patient enough to find one that fits?

Thank you
 Linda Rezny
 314-872-7699 Landline



Whitney Kelly <wkelly@crevecoeurmo.gov>

please include for tonight's P&Z meeting : GNS providing new traffic study insights for QT project

Brett Berger <bergerbrett7@gmail.com>

Mon, Jun 15, 2020 at 4:37 PM

To: Brett Berger <bergerbrett7@gmail.com>, Kurt Lord <Kurt.lord@svn.com>, Jason Jaggi <jjaggi@crevecoeurmo.gov>, Whitney Kelly <wkelly@crevecoeurmo.gov>, jstutte@crevecoeurmo.gov

Bcc: wkelly@crevecoeurmo.gov

Hello

Please include this for minutes and agenda etc for tonight's P&Z hearing:

Our committee's traffic study projects approximately 436 cars per hour during peak hours and business for QT. This is based off of 9404 page QT which is about 5000 square foot Generation3 quiktrip with 8 pumps serving 16 cars, exactly the same as the proposed site. This is based off of google's very reliable statistics of business that they get from android cell phone users' gps analytics. This notes the QT today when we recorded numbers was at about TWO THIRDS its typical volume.

Please see this sped up video of our counts: <https://youtu.be/9JIR82LYrgQ>

The end of the video shows our extrapolation.

(Note the above video is sped up for convenience. the full length normal speed video can be found here: <https://youtu.be/v0fhNslAagk>)

As you can see we're providing WAY more concrete evidence than the applicant. the applicants traffic study notes max of 335 vehicles per hour in am rush. this empirical data shows otherwise.

This is further evidence that the applicant continues to placate and misrepresent information for their own purpose. their traffic study is not valid.

Thanks

--

All the best,

Brett Berger
Graeser Neighbors for Safety <http://graeserneighbors.org/>
314.495.4990
[10 Winfield Pointe Lane, Creve Coeur, MO 63141](#)

RECEIVED
JUN 15 2020
PLANNING DEPT.

Planning and Zoning June 15 meeting QT

Comments

We live in a neighborhood with gas stations, do we want to become a neighborhood OF gas stations?

Conditional use, means you don't have a right to build to that use, but must make it clear that the use is good for the neighborhood.
Use as a QT is a negative for this neighborhood.

QT says they are a convenience store, but we can only eat so much. Eating at QT means the people who have been finding their food at the existing business, will spend less at those, and without increasing the sale tax income. Besides the neighboring Mobil on the Run and the Circle K, these business could lose some sales: McDonalds, Starbucks, Dierbergs Bakery, Deli, and Chinese, Mini Donuts, Schnucks Bakery and Deli, St Louis Bread, Kohn's Deli, Picklemans, Subway, Jimmy Johns, Potbelly, Gioia's Deli, McAllister's, Imos, Pizza Hut, California Pizza, Kitchen, Dominos, Pizza World, etc.
We can already easily get the most of the offerings from QT. They are not offering a NEW service that we need.

QT says 75% of its customers are by pass, that is they were already on the route, but stopped. This means that they disrupt traffic by slowing a bit to turn in and later pull out, OR they add to the queue at the stop light to get in or out. Each one has an impact.

Society will be gradually moving away from fossil fuels. There may eventually be a place for recharging stations, but since this is a residential neighborhood and not office space, a recharging station does not have a customer base here. So what marketable reuse will there be for 3 abandoned gas stations. They do not usually attract high end tenants when repurposed. We already have 2 that will eventually be scrapped. Does this neighborhood need another?

Further complicating the reuse is contamination. The tanks may be state of the art and may never create the large brownfields we see at old stations now, but the accumulation or runoff of contaminants from gas and various other fluids and solids from the hundreds of cars stopping daily will make eventual reuse more

their car at the gas station.

We already have 2 such stations a block away. Trading the "convenience" of a station on opposite side of street for more traffic problems and a host of inconveniences at a currently relatively quiet corner is not wise.

The Walgreens decided a few years ago that we didn't need a 24 hr store at this corner, so there are no business open for 24 hrs here. Really changes the feeling of the neighborhood at night. Don't want to go back to 24 hr activity.

Given that there are others offering nearly identical service a block away, QT would either divide up the current customers at the current stations OR bringing in new customers from elsewhere when this is supposed to be a local business

IF this is forced on the neighbors, they will really need a masonry wall as explained in earlier note for June 1

Thank You
Linda Rezny 314-872-7699 landline
1 314-872-7699



Whitney Kelly <wkelly@crevecoeurmo.gov>

QT is not being forthright @ graeser & olive

Brett Berger <bergerbrett7@gmail.com>

Mon, Jun 15, 2020 at 4:52 PM

To: Brett Berger <bergerbrett7@gmail.com>, Kurt Lord <Kurt.lord@svn.com>

Bcc: wkelly@crevecoeurmo.gov

Hello

Our committee would like to document a history of QuikTrip misrepresenting and mischaracterizing situations for their own benefit. We do not believe they are being forthright.

1. Applicant grossly mischaracterized the sale of 11003 martin grove. the family that bought that has was believed to be in a bidding war and had NO clue there could be a gas station adjacent.
2. Applicant continues to point to the validity of their TIS. Our video shown here: <https://www.youtube.com/watch?v=9JIR82LYrgQ> shows that applicant's TIS am peak max traffic count of 335 per hour substantially underrepresents the true nature of the volume to come. GNS study count comes up with 436 / hour.
3. Agenda package page 20 for tonight notes: "Information on Retail Building at full usage/parking counts. The traffic study includes trips for the full occupancy of the retail. " This is not true. That center was not fully occupied.

The applicant is not on trial here but how can we be so sure they're actually telling us the truth?

--

All the best,

Brett Berger

Graeser Neighbors for Safety <http://graeserneighbors.org/>

314.495.4990

10 Winfield Pointe Lane, Creve Coeur, MO 63141



Whitney Kelly <wkelly@crevecoeurmo.gov>

No QT at Graeser/Olive

Mark Bronson <mbronson@newmanbronson.com>

Mon, Jun 15, 2020 at 5:21 PM

To: Whitney Kelly <wkelly@crevecoeurmo.gov>

Cc: "jjaggi@crevecoeurmo.gov" <jjaggi@crevecoeurmo.gov>, "mayor-council@crevecoeurmo.gov" <mayor-council@crevecoeurmo.gov>, "bergerbrett7@gmail.com" <bergerbrett7@gmail.com>

Dear Ms. Kelly,

Please forward this email to the Planning and Zoning Commission:

I attended the last meeting via Zoom and wholeheartedly join with those who spoke in opposition to the QT. I will not be able to attend this evening's meeting, but request that this email be noted in opposition to the QT.

What impressed me as the most striking "misrepresentation" by QT at the last meeting was its claim that the QT would "add" value to the homes in our neighborhood. As we learned from the buyer of the home on Martin Grove, the price they paid had nothing to do with the QT and they became extremely upset upon learning that a QT is proposed to be built behind their newly acquired home. For QT to claim that it will increase our home values is ludicrous. No one other than QT legitimately questions that the QT will hurt our home values.

You don't need to be a traffic consultant to know the reality that QT will add in a very negative respect to the traffic on Graeser--QT customers will certainly use Graeser to avoid rush hour traffic on Olive; and also simply as a short cut when leaving the QT to get to Ladue Road/Lindbergh or Spoede/Highway 40/64 at all hours of the day and night.

Interestingly, QT seeks to market itself as a "convenience store" that just happens to sell gas. We already have the Walgreens at Olive/Graeser and the Mobile on the Go—both of which sell a full line of "convenience store" items including liquor, etc. There is no need for another convenience store at that intersection.

I am not clear on what the Comprehensive Plan really is, but I can't imagine that the planners ever envisioned a QT at Olive/Graeser. And it certainly is not "pedestrian friendly" to those walking across the entry/exits. And it certainly does not add to the atmosphere of "encouraging public site amenities, including outdoor dining, plazas, fountains, bicycle parking.... district vibrancy....."

Again, we and it seems like almost all the residents in "our" neighborhood, strongly oppose the QT and urge the Commission to reject its application.

Mark & Sue Bronson

[Quoted text hidden]

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Monday June 15, 2020

Via Electronic Mail

RE QuikTrip CUP at Olive & Graeser:

Re: Graeser & Olive due to QuikTrip Proposal Being Considered by P&Z

Dear Planning & Zoning Commission and Mayor Glantz and City Council Members:

GNS is responding to the new information posted by Creve Coeur June 11-12, 2020, regarding the above referenced CUP.

1. QuikTrip made material misrepresentations to Creve Coeur in order to improperly influence Planning & Zoning.

a. As shown by the site plans for the retail building, the total sq. ft is 60.1ft x 250 ft, slightly over 15,000 sf.

b. in response to P&Z's inquiry as to the increased traffic forecasted by a fully occupied 15,000 sf retail center on the site, QuikTrip's traffic consultant, CBB stated on page 2 of 4 of their June 11, 2020 letter:

"When CBB's original counts were made in August 2019, 15,444 SF of the existing retail space was occupied and generating trips ..."

This is a materially false statement intended to influence P&Z that the traffic study forecast, based on August 2019 data, incorporated a fully occupied retail center. **The retail center was not fully occupied in August 2019.**

In fact, significant vacancy existed in August 2019. GNS can provide proof of the vacancy.

QuikTrip is attempting to mislead P&Z through falsification of key statements in its CBB report, in response to P&Z inquiries, and in order to mislead P&Z so that it accepts false traffic information.

2. Note the Wording of June 15, 2020 Creve Coeur Staff Report

a) On page 3 of the Staff Letter, Staff states:

"The traffic study also used trip forecasts with the current Gen 3 convenience stores and their offerings."

P&Z should note that the Traffic Study included some data from Gen 3 Quick Trips, but also used significantly more data from a typical convenience store and non Gen 3 QuikTrips.

Comparing a 4 entrance Mega Generation 3 QuikTrip to typical convenience store such as the 900 sf Circle K convenience store 400 ft away is not accurate forecasting.

As an alternative, data can be formulated for a generic 4,993 sf 4 entrance Mega Convenience Store, even if not branded as a Gen 3 QuikTrip.

3. Note the paragraph regarding the School Bus Location, on page 4 of the Staff Report

Staff stated that they contacted the Ladue District Transportation Director. Although unnamed in the report, GNS confirmed with Staff that it was Gene Kieczkowski.

However, P&Z should note that Gene does not actually work directly with the School District. He is subcontractor who in part designs routes for University City and Ladue.

GNS did contact the Administration and each Ladue School Board Member to notify them about the safety issues of the relocation of a school bus stop

GNS Notified the School Board in part:

The City of Creve Coeur has recognized this area in its Comprehensive Plan as a special residential neighborhood known as the East Olive Corridor. City leaders described their objectives for this area:

The East Olive Corridor Plan, objective is to create

"... a walkable corridor of destination retail boutiques, neighborhood service businesses, small-scale restaurants, attached townhomes, and low-density multi-family homes and single family homes. Development of the East Olive corridor should encourage pedestrian access from adjacent neighborhoods and prioritize walkability between neighboring lots while accommodating car access and easy parking.

The Ladue School District uses Graeser Road for numerous school bus routes. Many school bus stops are located on this residential street. The closest one to Olive Road is located at Windfield Pointe and Graeser Road.

Below is the picture of the cross walk from Martin Grove Subdivision to the Winfield Pointe Subdivision. The bus stop is located at this point.

The brick shelter was constructed by the neighborhood association specifically to protect Ladue School District children waiting for their Ladue school buses. The shelter is used extensively.



QuikTrip wants to relocate the access point on residential Graeser Road much closer to this stop for the convenience of its fuel tractor trailers.

The Ladue School District is considering the following issues if the bus stop was moved for QuikTrip's convenience:

1. It would terminate the use of the brick shelter paid for by the parents for their Ladue School children.
2. It would defeat the wishes of the parent who do not think is appropriate for fuel tractor trailers to be tying up traffic, and creating a dangerous condition on residential Graeser Road so close to a school bus stop. It is not safe for Ladue School children.

GNS additionally requests for additional and re-opened resident comment at P&Z and City Council level especially considering the current and past material misrepresentations to Creve Coeur by the Applicant and the limited ability to address important issues in a COVID restricted environment.

Thank you,

GNS

Graeser Neighbors for Safety
By Kurt Lord & Brett Berger



Whitney Kelly <wkelly@crevecoeurmo.gov>

New Info & Misrepresentation: Tonight's Meeting

Kurt Lord <kurt.lord@svn.com>

Mon, Jun 15, 2020 at 5:45 PM

To: mhallacquisition@gmail.com, bethkistner@gmail.com, grovak@outlook.com, tcarni@yahoo.com, jmyersstl@gmail.com, Larry Potashnick <lnp@capitalperformance.net>, Mr Todd Streiler <todd.streiler@gmail.com>, Whitney Kelly AICP <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>, Barry Glantz <bglantz@crevecoeurmo.gov>, ellen lawrence <ellenblawrence@yahoo.com>, Brett Berger <bergerbrett7@gmail.com>, Zoe Lemcovitz <zaz3@sbcglobal.net>

To P&Z and Mayor Glantz and Council:

At the end of last week, new information was made public regarding new submissions from QuikTrip, the applicant for a CUP at Olive & Graeser.

We believe that the Applicant made a material misrepresentation in its additional information.

Also, we would like to clarify some other issues and make a request.

Please see our attached correspondence.

Thank you

GNS

by Kurt Lord and Brett Berger



Graeser Neighbors for Safety Response to New Info 6-15-20.pdf

475K



Whitney Kelly <wkelly@crevecoeurmo.gov>

Quick Trip

Michael F <faddis755@gmail.com>

Mon, Jun 15, 2020 at 5:55 PM

To: wkelly@crevecoeurmo.gov

Whitney,

I live on Graeser Road and I am concerned about the potential QT.

One of my biggest concerns is safety. This includes crime and traffic. Why bring in any traffic (car or foot) 24 hours a day. There is a residential area just 100 feet from the proposed site. Why invite anyone in the area after normal working hours?

The traffic on Graeser is manageable now...BUT, the majority of the cars/trucks are speeding, well over the 30 mph limit. I would love to see a policeman stationed on Graeser to discourage the speeding. How about the flashing sign that tells you how fast you are going, or the speed limit sign that has flashing lights on it so people actually see it. I'm afraid if the QT is built, there will be delivery as well as tanker trucks all the time. If this goes through can there be a written condition that **NO** delivery or tanker trucks can use the full length of Graeser from Olive to Ladue or Ladue to Olive.

My last point is a statement that the QT rep made. She stated that QT is very adaptable, for instance if electric cars come into play they will accomodate or they would concentrate on the food aspect of their business. I don't think anyone has mentioned this yet...

PLEASE, PLEASE put in a condition that QT can **NEVER** put in a drive thru!!!

They would do this under the premise of being adaptable to the community because the QT Rep stated many times that **QT is in the food business not the fuel business**. The food business, by the way, is a destination location not a pass-by as they stated.

Please pass this on to the P and Z Committee.

Thank you very much,

Linda Faddis



Whitney Kelly <wkelly@crevecoeurmo.gov>

Fwd: QuickTrip Convenience Store Applications #20-002 and 20-010

Jessica Stutte <jstutte@crevecoeurmo.gov>
To: Whitney Kelly <wkelly@crevecoeurmo.gov>

Mon, Jun 15, 2020 at 11:03 AM

Jessica Stutte

Planning Division Assistant
City of Creve Coeur
(314) 872-2501 jstutte@crevecoeurmo.gov

[Planning Division](#) [Building Division](#) [Public Records Request Form](#)

Please don't print this e-mail unless you really need to. [Be Green!](#)

----- Forwarded message -----

From: **Richard Kutta** <richardkutta@earthlink.net>
Date: Mon, Jun 15, 2020 at 10:57 AM
Subject: QuickTrip Convenience Store Applications #20-002 and 20-010
To: <jstutte@crevecoeurmo.gov>

June 14, 2020

Planning & Zoning Commission

City of Creve Coeur, MO

c/o jstutte@crevecoeurmo.gov

Re: QuickTrip Convenience Store Applications #20-002 and 20-010

This concerns additional information provided June 11th by applicant QuikTrip Corporation and their traffic engineering consultant CBB regarding the proposed tanker inbound turning movement at Olive Street and Graeser Rd. The response letters agree that inbound tankers will enter the site via Graeser Road. The June 11 QuikTrip letter states, "These trucks will be directed to access this site via Olive, or Olive to Graeser only" while the CBB June 11 letter states, "... the larger trucks entering from Graeser Road as southbound right turns, ..." The Autoturn fuel tanker movement diagrams [Pgs 23-26] demonstrate that tankers can navigate onto the site following three inbound routes from westbound Olive via Graeser and one from eastbound Olive directly onto the site using the eastern curb cut. The most likely route, from I-270 eastbound on Olive turning south on Graeser (following the route shown for CCFPD aerial truck) is not diagrammed, possibly because it is not yet feasible.

While applicant indicated during their presentation that they do not control tanker schedule or times, their supplementary information reversed that position. It is unlikely that QuickTrip can prevent haulers from following the most likely route. There are inevitable new truck drivers, traffic congestion, and weather conditions, stopped buses, and the myriad of random traffic events that cause tankers and other large trucks to vary from plan. I believe applicant should demonstrate that trucks can safely navigate the most likely route: eastbound on Olive, south on Graeser, without crossing into oncoming northbound Graeser traffic and without crossing over multiple lanes of eastbound Olive traffic. Tankers must be able to move safely from eastbound Olive to southbound Graeser and onto the QT

parcel without endangering others, or they should revise their site plan to accommodate that route, which may require adding a right turn lane to southbound Graeser and reconfiguring the signalization.

While applicant presented an innovative route [Pg. 26] that successfully combines eastbound Olive with southbound Graeser, it produces a figure-8 path that conflicts with all fuel dispensing and convenience store activities during truck movement. Further, all Autoturn diagrams show that fuel dispensing is blocked while tankers unload. After an engineering career designing commercial and institutional facilities, including many site plans, I believe the Autoturn diagrams convincingly demonstrate that Graeser and the site are inadequate for the proposed use, which will result in safety hazards for customers, residents, and Olive Street traffic.

Please include these remarks in the record.

Sincerely,

Richard M Kutta, PE

[24 Colonial Hills Parkway](#)

[Creve Coeur MO 63141](#)

richardkutta@earthlink.net

Wednesday, May 20, 2020

VIA Electronic Mail

Jason W. Jaggi, Whitney Kelly & Members of Planning & Zoning Commission
City of Creve Coeur
300 North New Ballas Rd
Creve Coeur, MO 63141

Re: QuikTrip Conditional Use Permit Application to Develop the SW Corner of Olive Blvd. and Graeser Road.

Dear Jason and Whitney and Planning & Zoning Commission Members:

We are Graeser Neighbors for Safety ("GNS"). We are a committee of Creve Coeur residents who respectfully oppose the development of a QuikTrip gasoline station and convenience store ("Project") at the southwest corner of Graeser Road and Olive Blvd 11026 and 11004 Olive Blvd., and 825 and 827 Graeser Road ("Site") and redevelopment of 11032 Olive Blvd. ("Redevelopment Parcel"). GNS is led by homeowners Brett Berger and Kurt Lord.

City officials directly received opposition comments from approximately one hundred neighbors (representing the vast majority of residents) who strongly oppose the QuikTrip proposal. This letter details the basis of resident opposition.

Also, attached is the in-person petition with over 110 signatures. Collecting signatures was done before the Covid stay at home order. It was completed by dedicated residents and specifically for residents living along Graeser Road or tributary cul-de-sacs.

1. The QuikTrip Violates Standards Set by the Creve Coeur City Code ("Code") Regarding CUP Standards

Section 405.1070 Conditional Use Permits E. Standards

The City Council shall not approve a conditional use unless it finds that the application and evidence presented clearly indicate that the proposed conditional use:

2. Will contribute to and promote the community welfare and convenience at the specific location.

4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.

6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

Our City Leaders Completed the Creve Coeur 2030 Comprehensive Plan (The CP Plan). As Stated in the CP Plan:

The commission shall commence with the task of implementing the new Comprehensive Plan as provided therein to the full extent of its authority.

Creve Coeur 2020 Section 2, Adopted by the Seven Members of the Commission, March 20, 2017

The Project is in direct conflict with four (4) goals for achieving the “Plan Vision” (as defined in The CP Plan):

Comprehensive Plan Goal 1.0 Placemaking & Community Identity:

The city is to “*develop an 18/7 community experience,*” meaning community activity 18 hours a day, as opposed to 24 hours a day, 7 days a week.

A QuikTrip is a 24/7 high volume operation, which is not in keeping with the forward vision of the Plan.

Comprehensive Plan Goal 2.0 Residential Development & Preservation:

The City is to “*preserve and evolve its high-quality residential development and stable property values while . . . improving walkability and accessibility of neighborhoods.*”

- The Project will injure property values for the homes in the area surrounding the Site.
- The anticipated change in traffic patterns outlined in the Traffic Study will degrade walkability and accessibility of neighborhoods.

Comprehensive Plan Goal 4.0 Community Amenities & Facilities

The City is to “provide a variety of new, high quality public amenities and community facilities that meet the needs and desires of all Creve Coeur residents.”

A 24-hour gas station/convenience store is not a “new public amenit[y] or community facility[y]”.

Comprehensive Plan Goal 6.0 Transportation, Connectivity & Mobility

The City is to “*utilize development . . . to better manage automobile traffic, reduce traffic congestion and improve transit, walkability and bikeability.*”

QuikTrip’s own traffic study finds the Project will degrade traffic conditions to an unacceptable level on Graeser Road and Spoede Road. Additionally, (not mentioned by the study is that there is no sidewalk access to the QuickTrip for pedestrians walking to the site from Graeser Road. Greatly increasing the congestion degrades the walkability and bikeability at the Site.

Pedestrians (including children in strollers) already have been hit by cars at the intersection.

Graeser & Olive Pedestrian Crosswalk: Car hits mother and infant in stroller. Both taken to Mercy Hospital ER.



Vehicles have veered out of control and hit structures at the intersections.

2020 Graeser & Olive traffic control box, second incident of hit from out of control vehicle.



The city should not allow a plan that dramatically increases danger to drivers and pedestrians.

2. The Proposal Fails East Olive Corridor Standards Within the Comprehensive Plan

Missouri State Statutes: 89.030. Zoning districts. — For any or all of said purposes the local legislative body may divide the municipality into districts of such number, shape, and area as may be deemed best suited to carry out the purposes of sections 89.010 to 89.140; and within such districts may regulate and restrict the erection, construction, reconstruction, alteration or use of buildings, structures, or land.

The Adopted Comprehensive Plan sets for the vision for the East Olive Corridor. The QuikTrip Site and Redevelopment Parcel are a part. The East Olive Corridor Plan, objective is to create "... a walkable corridor of destination retail boutiques, neighborhood service businesses, small-scale restaurants, attached townhomes, and low-density multi-family homes and single family homes." (page 88)

East Olive Corridor Recommendations Include:

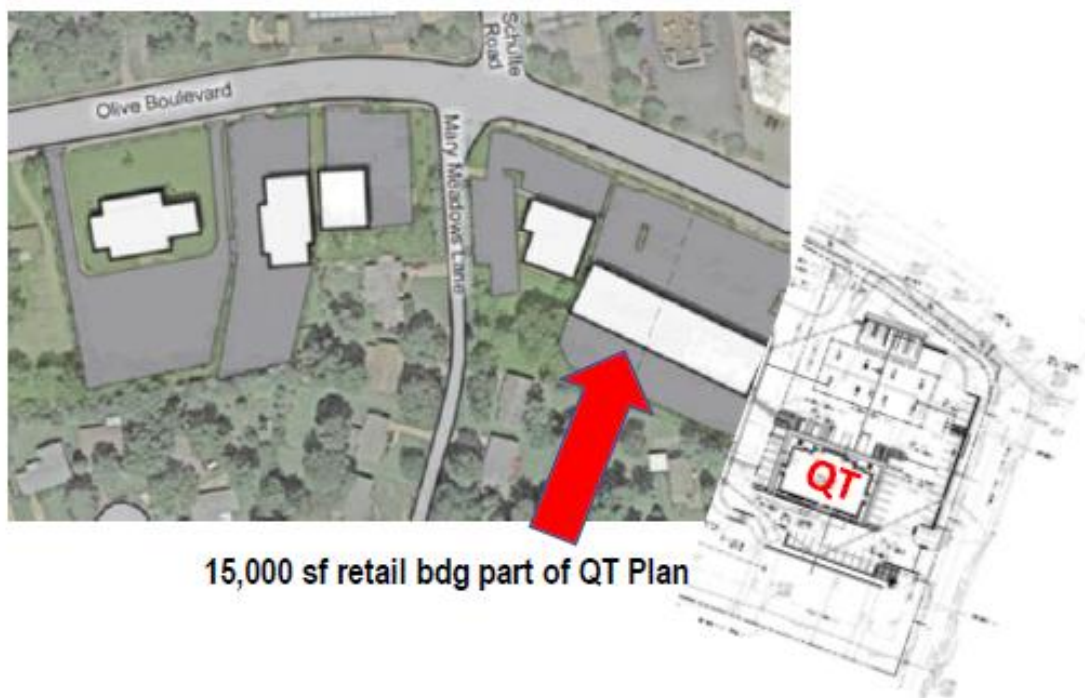
Frontage Recommendations - Primary Streets: encourage uniform setbacks on neighboring lots to establish a consistent location and orientation of building facade frontages to Primary Streets.

Corresponding diagram in the Comprehensive Plan



Compare the Creve Coeur objectives above with the uneven layout of buildings if the QuikTrip Plan is approved.

Overlay of QT Plan to existing buildings shown in the Comprehensive Plan



- The corner building on Mary Meadows has a substantially different setback than the 15,000 sf building that is part of the QT plan.
- The QT building has a substantially different setback than the 15,000 sf building.

The “vision and best practices character images” shown on page 91 of the CP Plan do not include a high traffic convenience store gas station, or anything close to it.

Examples of the character images:



MARKETPLACE – CLAYTON ROAD (LADUE, MISSOURI)



MARKETPLACE – CLAYTON ROAD (LADUE, MISSOURI)

3. The QuikTrip Violates Standards Set by the Creve Coeur City Code Regarding Stormwater/Stormwater Detention

Section 405.1070 E *Standards* subparagraph 5 provides:

The City Council shall not approve a conditional use unless it finds that the application and evidence presented clearly indicate that the proposed conditional use:

5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.

There are substantial concerns regarding stormwater and hazardous substance runoffs from the Project and this effect on the adjacent properties. Properties in Martin Grove and Mary Meadows subdivisions are contiguous to the Site and Redevelopment Parcel. Properties are at a lower elevation than the Site and Redevelopment Parcel.

GNS has serious concerns about the potential for runoff from the Project and Redevelopment Parcel (as improved) reaching the surrounding residential properties, and hazardous/toxic substances used at the QuikTrip migrating to the surrounding residential properties.

GNS requests that the City commission a study on how existing stormwater infrastructure and surrounding residential properties will be affected by the projected stormwater runoff from the Project and the proposed water detention ponds.

GNS requests that the City provide the Metropolitan St. Louis Sewer Districts and the Missouri Department of Natural Resources' evaluations of these aspects of the Project.

4. The Plan will cause *Substantial Injury* to the Value of Neighboring Property

Section 405.1070 E *Standards* subparagraph 3 provides:

“The City Council shall not approve a conditional use unless The City Council shall not approve a conditional use unless it finds that the application and evidence presented clearly indicate that the proposed conditional use:

3. Will not cause substantial injury to the value of neighboring property.

- Homes in the Martin Grove and Winfield Pointe subdivisions have assessed values of \$500,000 and higher.
- These properties and those in the Mary Meadows subdivision, are the homes closest to the Site and Redevelopment Parcel.
- Homes in the Martin Grove / Mary Meadows subdivisions share a property line with the Site. Recently a sale contract for a home in Martin Grove was lost when the prospective buyer learned of the proposed QuikTrip on the Site.
- GNS has been provided information that even the proposal has already caused substantial injury to the value of the neighboring properties.
- The City (recently) allowed a gas station/convenience stores adjacent to single family residential homes, note the substantially different and more restrictive: a) access, b) property, and c) traffic conditions.
- A QuikTrip on the Site will negatively impact the values of the nearby homes, particularly those in Martin Grove and Mary Meadows.

GNS requests that a Property Value Study of the homes most negatively affected by a QuikTrip on the Site: the homes in Martin Grove, Winfield Pointe, and Mary Meadows.

5. The City Should Postpone Consideration of the Proposal Until the East Olive Corridor Overlay Zoning is Complete

In 2017, our city leaders spent substantial time and financial resources creating the Comprehensive Plan.

For the East Olive Corridor, The CP Plan states that the City should complete regulations for the East Olive Corridor, including:

- *Develop consistent landscaping standards along Olive Boulevard with street trees, lighting, and pedestrian amenities. Not completed.*
- *Establish pedestrian facility requirements to encourage walkable access, including 1) the provision of walkways between buildings and the public sidewalk; 2) walkways that provide pedestrian cross-access between neighboring lots; and 3) walkways connecting parking facilities to buildings. Not completed.*
- *Establish standards for buffers between Neighborhood Commercial district (NC) lots and adjacent residential district lots. Not completed.*

- *Develop design guidelines to achieve the desired character of the place type. Not completed.*
- *Complete development of and enact a local Stormwater Ordinance to address land disturbance of less than one (1) acre; this Ordinance should aim to limit the adverse effects of runoff produced by development, using on-site mitigation and site design to limit runoff to what exists today. Not completed.*
- *Establish minimum tree coverage requirements for commercial surface parking lots. » Establish tree planting and coverage standards for non-residential lots subject to redevelopment. Not completed.*
- *Establish a minimum percentage of green space to be preserved on site. Not completed.*

6. The Traffic Study Does Not Incorporate MODOT Requirements

MODOT issued a report that requires right turn bays for the proposed rightin/right-out entrance and at Graeser Rd. on the permit plan.

This requirement is NOT part of the QuikTrip proposal plan. The Plan fails the mandatory requirements of City Code 405.1080 (d). It would be improper for the City to consider the current proposal.

Additionally, for the safety and wellbeing of Creve Coeur residents, no consideration of this plan should take place until the public has had to review the comments and recommendations of the Fire Protection District.

No recommendations or comments have been provided to the public. Therefore, this plan should not be considered at this time.

7. The Traffic Study is Incomplete and Not Accurate

a. The Traffic Study des not consider the entire site plan.

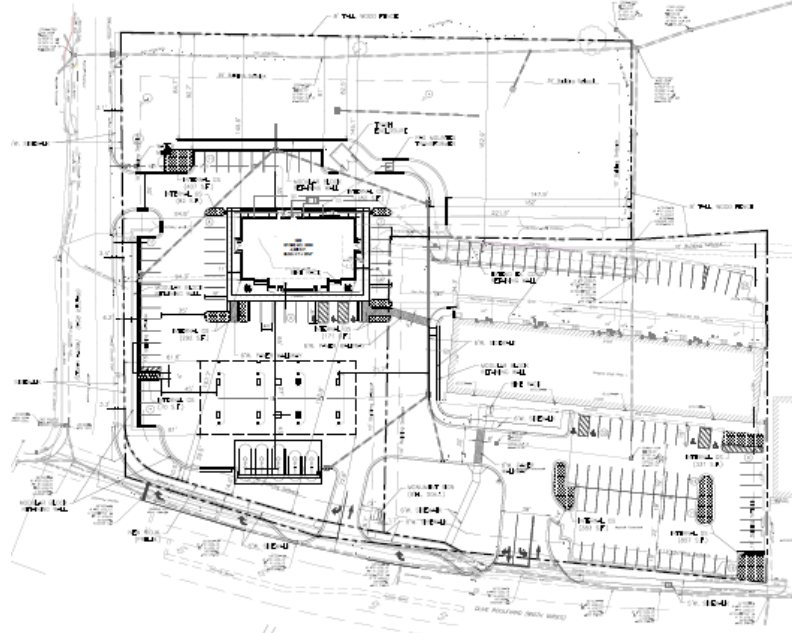
QT Traffic Study showing site location/area of emphasis.



Figure 2: Site Location

The proposal as has been submitted and publicized is for the proposed QT as well as the adjacent shopping center.

Site Plan Submitted by QT on May 11, 2020 includes the adjacent shopping center



The traffic generation data estimates (Traffic study, Table 3) are from only 2 sources: ITE Land Use code 945 and Area QuikTrips. It does not include the shopping center traffic. Additionally, there is no consideration of the adjacent shopping center in the Baseline Traffic Study or the Trip Generation Study.

As shown by the development plan, primary access to and from the Quik Trip will be from the adjacent shopping center.

Additionally, the Traffic Study makes no mention of the increased traffic caused by the full tenanting of the 15,054 sf adjacent shopping center.

Examples of Current Vacancy of Shopping Center:



Image of Shopping Center as per Plan:

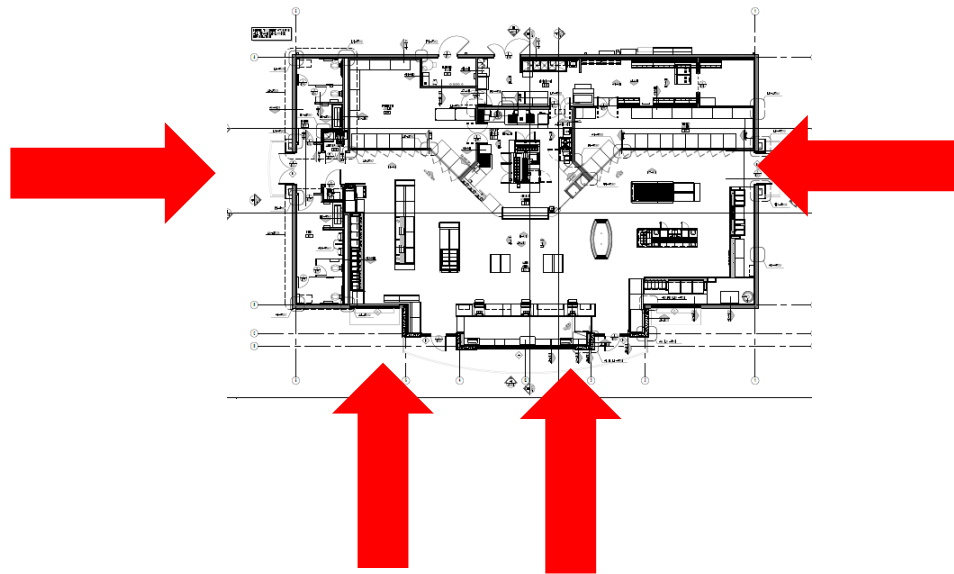


There is no review of the type of tenants proposed for the shopping center as different tenants produce different amounts of traffic generation.

Because the Traffic Study does not consider ALL the traffic generators contemplated by the site plan, it is incomplete and inaccurate. The study does not meet the requirements of Creve Coeur City Code 405.1080 4 (a).

b. The Traffic Study Does Not Incorporate the Correct Data for This QuikTrip and Therefore is Not Accurate

The prototype proposed by QT is the new GENERATION 3 QuikTrip with four (4) entrances. See below. Entrances marked by red arrows:



This is an important distinction for an accurate Traffic Study: As QuikTrip publicity has noted:

The Gen 3 model is designed to churn inside and outside sales—in particular, by helping customers get in and out of the store, and on and off its high-volume lot.

The store features four entrances—two in the front and two on the side—and is more than 40% larger than the previous format. Of its 700-plus stores, more than 130 are Gen 3 models.

Quotes from QuickTrip Spokesman from a recent Grand Opening is instructive:

*“We just opened our first store in San Antonio last week, and with that we launched some different foods we are not carrying everywhere else — including breakfast tacos,” [QuickTrip Spokesman] Thornbrugh said. **“Sales have been through the roof, and if we can continue that trend, we will bring those items everywhere we operate.”***

As noted in the San Antonio Grand Opening news report:

“QuikTrip is the Disneyland of Convenience Stores”

Pictures show the difference: Typical Convenience Store Interior (Circle K at Olive Schulte)



QuikTrip Generation 3:



Examples of why QT is the **Disneyland of Convenience Stores**:

Above: the Coffee, Specialty Coffee and Soft Drink Bars.

Below: The fast ordering QT Kitchen Terminal Kiosks and the Frozen Drink “Smorgasbord”



This QuikTrip is not that of a standard gas station/convenience store. Trip generations based on ITE Land Use code 945 for a typical convenience store materially underrepresent the true nature of this use.

Additionally, using data from BBB Local Data for QuikTrip stores materially underrepresents the true traffic of this QuikTrip. The only data that is relevant is that of a GENERATION 3 QuikTrip.

Because QuikTrip's traffic study significantly underestimated the traffic for the proposed use is inaccurate, it should not be relied upon by the City. Without an accurate traffic study, the City should reject consideration of QuikTrip's proposal.

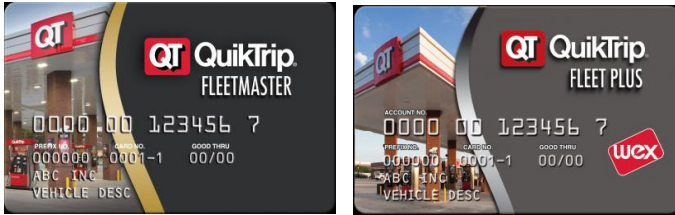
c. The Traffic Study Under-Represents New Trips to the Site

The QuikTrip Traffic Study states that “a significant number of the trips to the site would be “pass-by trips” meaning trips to the site would be from vehicles already using the adjacent roadways – not a new vehicle trip. (ie: estimation of traffic: 210-250 pass by trips versus 75-85 new trips).

This estimation of traffic is inaccurate because of the following regional traffic generators to the site:

1. QuikTrip advertises on highway informational signs to attract to its location. This site is a 1.5-mile, linier, due east, route from the Interstate 270 access point.
2. QuikTrip has a strong fleet vehicle program designed to attract commercial clients. The programs includes a FleetServices Online program, a 1-800 number to find QT locations and to “contact QT from anyplace in the USA”.

The Fleetmaster / Fleet Plus Card for vehicle fleets



"Save up to 5¢/gal at over 800 QuikTrip locations, with no setup, monthly, or annual fees."

3. In addition to marketing nationwide to commercial fleets, QT offers the QT Credit Card, with special amenities to promote customers to purposely seek a QT (fuel savings, rewards program, bonus points)



4. QT Gift Cards incentivize out of area customers to travel to QT. QT offers e-gift Cards, traditional gift cards and bulk order gift cards.



5. People travel extra miles to seek at QT, the "***Disneyland of Convenience Stores***" because of its overwhelming menu. Items include:

- ***Pizzas: XL Pizzas (5 types) Personal Pizzas (build your own)***
- ***Pretzels (3 types)***
- ***Biscuits***
- ***Breakfast Scrambles (4 types)***
- ***Breakfast Burritos (4 types)***
- ***Subs (7 types),***
- ***Wraps (7 types)***
- ***Beef Brisket, Pulled Pork and Pulled Chicken BBQ Sandwiches***
- ***Croissant Sandwiches (6 types)***
- ***Quesadillas,***
- ***Grilled Cheese (4 types),***
- ***Tacos,***
- ***Flatbreads,***
- ***QT Twisters with Mix-Ins,***
- ***Ice Cream Cones (at a discounted price)***
- ***Milkshakes (4 types or build your own)***
- ***Specialty drinks (including Frappes, Lattes / Chai Lattes, Mochas, Americanos, Cappuccinos)***

The QuikTrip Traffic Study did not take in account the substantial and unique traffic draw of a Generation 3 QuikTrip brand Convenience Store (Quick Service Restaurant), fulling station for private customers as well as that for commercial fleet vehicles. It is to be located 1.5 miles from a major Metro St. Louis interstate highway. Therefore, the traffic study conclusions should not be relied upon.

8. The Traffic Degradation Noted by the Traffic Study Prevents Consideration of the Site at this Time

Even the incomplete analysis of the QuikTrip Traffic study indicates that present traffic stacking on both Graeser Road and Spoede Road will be exacerbated by the operation of a QuikTrip on the Site.

Per the Traffic Study, the level of service on the northbound approach of both roads during peak service periods is expected to degrade to below an acceptable level: in the case of Graeser from Grade C during the morning rush and Grade D during the evening rush to Grade E; and in the case of Spoede from Grade D to Grade E during the morning rush.

The intersection of Olive Blvd. and Graeser is expected to degrade overall from Grade B to Grade C, and the northbound shared driveway approach near the Spoede and Olive intersection is expected to degrade to Grade F during the morning and Grade E at midday and in the evening. As you are likely aware Grade D is considered to be the lowest acceptable level of service. We question the Traffic Study's claim that the proposed operation will not increase traffic on Olive Blvd. and ask that the City investigate it.

Nothing in the Traffic Study bodes well for the Project when applying the provisions of Section 405.1070 to QuikTrip's CUP application ("Application"). The Traffic Study indicates the increased hazards and inconvenience the Project will bring not only to the surrounding neighborhood, but also to residents and businesses at Spoede and Olive. While the Traffic Study looks at volume, it overlooks conditions in these neighborhoods such as proximity to school and public transportation bus stops and the effect on pedestrian and bicycle traffic.

9. The Plan has Significant Site Configuration and Tanker Truck Access Questions

GNS has reviewed the architectural plans with local site design experts and has serious concerns about the footprint of the Project and the cross access from the Site to the Redevelopment Parcel.

1. The Project configuration is extremely tight and appears to leave little room for tanker sweep paths needed for tanker trucks to maneuver on the property. Creve Coeur residents based upon consultation, believe the Project configuration stretches tanker maneuverability to the absolute limit, and possibly beyond. This creates yet another layer of hazards to safety for Creve Coeur residents.

GNS requests that QuikTrip provide an AutoTurn AutoCad ("ATAC") analysis and simulation (see IMPORTANT REFERENCES at end of this letter) for the project, showing how tankers will maneuver on the property to enter the property, refill the underground fuel tanks, and exit.

GNS requests that, before consideration, residents see the Creve Coeur Fire Protection District's evaluation of the Project based on an ATAC on the Project.

2. In addition to tanker trucks maneuvering on the Project, GNS is concerned about tanker trucks traveling Graeser Road to access the Project. GNS has learned that a typical QuikTrip location has its tanks refilled twice a day most days of the week. We believe tanker trucks entering and exiting

the Project using the curb cut on Graeser would create an undue risk for anyone passing through that area using any mode of transportation.

3. It is foreseeable that in spite of restrictions, tanker trucks may come up Graeser Road from Ladue Road if access to Olive Blvd. from I-270 is closed or restricted due to traffic congestion or an accident.

4. Overall the cross access between the Site (as improved by the Project) and the Redevelopment Parcel will be dangerous for vehicles and pedestrians. Access to the businesses located on the Redevelopment Parcel will be greatly reduced for Graeser Road residents as well as anyone coming from the east, as they will either have to traverse the QuikTrip operation or go out of their way to enter the Redevelopment Parcel from Olive Blvd.

10. Additional Concerns

Restrictions put on the Site by QuikTrip

GNS has concerns about the long-term future of the Site if it is developed into a QuikTrip. Like any savvy business, when QuikTrip leaves a location it uses all legally available means to control the future use of a property. This can make the property difficult to redevelop and result in an empty former QuikTrip site.

Revenue Projections vs Actual Revenue

GNS requests that the City provide the projected revenue the City expects to receive from the Project. By way of comparison GNS requests that the City provide the projected revenue the Mobil On the Run was expected to provide the City and the actual revenue it has produced prior to the St. Louis County mandatory stay-at-home order went into effect.

Increased Crime.

Another aspect of the Project that runs contrary to subparagraphs 2 and 6 of the conditional use permit standards is the potential for an increase in crime. There are many studies showing 24-hour convenience stores are high targets for crime (see IMPORTANT REFERENCES at end of this letter. Note the reports of the **QuikTrip Slider Crimes**). GNS requests that the City review and share with residents, calls for service from police, fire and EMS for the past five years for: the Circle K (formerly Shell) and Mobile on the Run (formerly Mobil) at Olive Blvd. and Schulte Road; the Phillips 66 at Olive Blvd. and Ballas Road; and the BP at Lindbergh Blvd. and Ladue Road.

Residents' ability to participate in Planning and Zoning Commission and City Council meetings reviewing QuikTrip's Application during the ongoing COVID-19 pandemic.

We are concerned that remote meetings will either prevent or discourage many concerned residents from participating. This electronic meeting access prevents those without technical knowledge and/or reliable internet access from being heard.

We see a real risk that resident Due Process will be trampled upon in the name of the pandemic, and QuikTrip's Application will not receive the appropriate level of scrutiny.

The hearing on this plan should be postponed until all residents have the opportunity to participate in public meetings.

Conclusion, Summary, and Requests.

- GNS is not opposed to redevelopment of the Site
- GNS does oppose this QuikTrip plan.
- QuikTrip is a is an excellent operator, however placing “***the Disneyland of Convenience Stores***” within the East Olive Corridor violates City Code, the terms of the Creve Coeur Comprehensive Plan, and the East Olive Corridor directives.

In reviewing QuikTrip’s Application, GNS is requesting that the City do the following:

- 1) Postpone Consideration of the Plan because:
 - a) The Plan does not meet the requirements of the City Code 405.1070-1080.
 - b) The Plan does not meet the requirements of the Comprehensive Plan or the East Olive Corridor.
 - c) The East Olive Corridor Zoning should be completed before consideration of The Plan.
 - d) The QT Traffic Study is Incomplete and Inaccurate.
 - e) It does not show the mandatory MODOT requirements in the QT site plan.
 - f) Residents will be denied due process if only a virtual meeting is held on this important matter.
- 2) Reject the Plan Because:
 - a) It contains an incomplete and inaccurate Traffic Study.
 - b) it does not incorporate the mandatory requirements communicated by MODOT.
 - c) It does not meet the requirements of the City Code 405.1070-1080 as described in detail above.
 - d) It does not meet the requirements of the Comprehensive Plan and the East Olive Corridor.
- 3) Take the following Steps:
 - a) Request the use of a Generation 3 QuikTrip as the model for a Traffic Study and ask that its other noted deficiencies be cured and presented to the Public before hearing.
 - b) Request a site traffic plan incorporating MODOT mandatory requirements.
 - c) Require QuikTrip to provide an AutoTurn AutoCad analysis and simulation of tanker maneuvering on the Project and share the findings with the public before further consideration.
 - d) Provide residents with the Creve Coeur Fire Protection District’s evaluation of the Project.
 - e) Review and share with residents calls for service from police, fire, and EMS for the past five years for: the Circle K and Mobil On the Run at Schulte Road and Olive Blvd.; the Phillips 66 at Olive Blvd. and Ballas Road.; and the BP at Lindbergh Blvd. and Ladue Road
 - f) Commission a study on the effect on stormwater infrastructure of the Project stormwater runoff and detention ponds, and share the findings with residents.
 - g) Provide residents with the Metropolitan St. Louis Sewer District and the Missouri Department of Natural Resources’ evaluations of the Project relative to runoff and risk of hazardous/toxic substances reaching surrounding residential properties.

On behalf of all concerned residents, GNS expresses thanks for your time and attention to this very important matter.

Sincerely,

GNS

Graeser Neighbors for Safety

IMPORTANT SUPPORTING REFERENCES

1. Attracting Out of Area Patrons

For info regarding the influence of Highway Directional Signs (such as those at Olive and I-270) and those used by QuikTrip to attract out of area customers see the Missouri Specific Service Signing Program website: <https://missouri.interstatelogos.com/state/>

2. Crime and Convenience Stores

a. The Problem of Robbery of Convenience Stores Convenience Stores” Arizona State University Center for Problem-Oriented Policing (2007).

The proposed QuikTrip would be classified as a Hyper Convenience Store

<https://popcenter.asu.edu/content/robbery-convenience-stores-0>

b. US Dept of Justice National Safety Partnership

<https://www.nationalpublicsafetypartnership.org/Documents/Robbery%20of%20Convenience%20Stores.pdf>

3. A few Reports of the QuikTrip “Slider” Crimes

The high volume of traffic and emphasis of *quick* transactions at a QuikTrip provide an attractive scene for “**Slider Crimes**”

<https://www.wsbtv.com/news/local/atlanta/police-warning-drivers-about-these-gas-stations-hit-most-by-slider-crimes/984647728/>

<https://www.ajc.com/news/crime--law/breaking-man-shot-during-slider-crime-atlanta-gas-station-police-say/q7cyWJKSHnQMIzJ9pf8jGM/>

<https://www.youtube.com/watch?v=cSn7Jdz3lqE>

4. An example of an AutoTurn AutoCad type analysis and simulation GNS is requesting is available here:

<https://www.youtube.com/watch?v=wQtvea4Keb4>

5. An example of QuikTrip’s practice of abandoning a location

for a nearby site (and placing restrictions on the use of the previous site, decreasing marketability)

<https://www.youtube.com/watch?v=0nOucWmqMRA>

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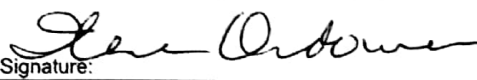
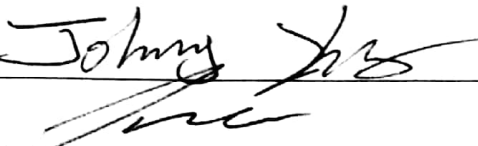
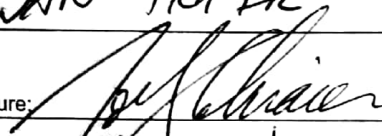
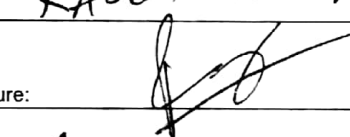
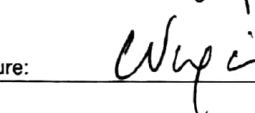
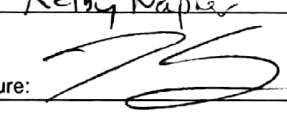
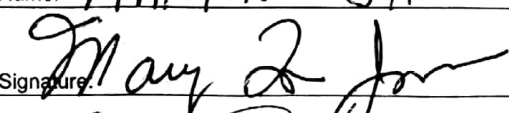
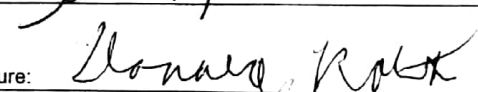
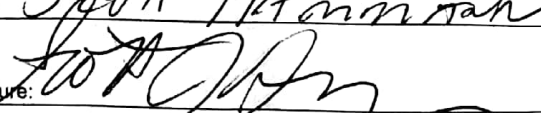
PLEASE PRINT CLEARLY!

1	Name: Linda Faddis	Address: 755 Graeser Rd. 63141	
	Signature: <i>Linda Faddis</i>	Email: faddis755@gmail.com	Date: 3.1.2020
2	Name: Mike Faddis	Address: 755 Graeser Rd.	
	Signature: <i>Mike Faddis</i>	Email: faddis755@gmail.com	Date: 3/1/20
3	Name: Yong Huang	Address: 465 Fourwynd Dr.	
	Signature: <i>Yong Huang</i>	Email: yhuang02@gmail.com	Date: 3/1/20
4	Name: STUART CYTRON	Address: 426 Fourwynd Dr.	
	Signature: <i>ANNETTE Cytron</i>	Email: STUARTCYTRON@ICLOUD.COM	Date: 3/1/20
5	Name: Frank Payne	Address: 425 Fourwynd dr	
	Signature: <i>Frank Payne</i>	Email: paynef1@gmail.com	Date: 3/1/20
6	Name: Leah Hammann	Address: 438 FOURWYN DR	
	Signature: <i>Leah Hammann</i>	Email:	Date: 3/1/20
7	Name: Elena Hammann	Address: 438 Fourwynd Dr.	
	Signature: <i>Elena Hammann</i>	Email:	Date: 3/1/20
8	Name: Anna Hammann	Address: 438 Fourwynd Dr	
	Signature: <i>Anna Hammann</i>	Email:	Date: 3/1/20
9	Name: Cynthia Wang	Address: 9 pine manor	
	Signature: <i>Cynthia Wang</i>	Email: CynthiaWang106@gmail.com	Date: 3/1/20
10	Name: HEINAY ORDOWEA	Address: 2 PINE MANOR	
	Signature: <i>Heinay Ordowea</i>	Email:	Date: 3/1/20

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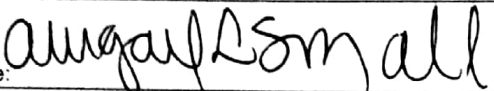
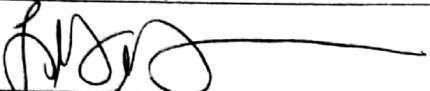
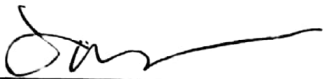
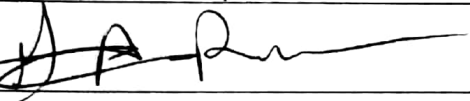
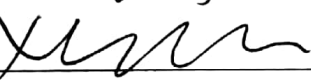
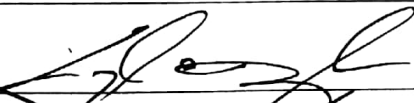
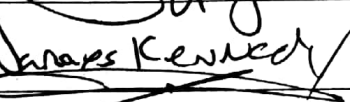
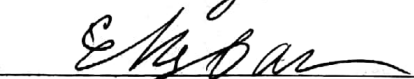
PLEASE PRINT VERY CLEARLY!

1	Name: EILENE ORDOWER	Address: 2 PINE MANOR 63141	
	Signature: 	Email:	Date: 3/1/20
2	Name: Johnny [unclear]	Address: 3 Pine Manor dr.	
	Signature: 	Email:	Date: 3/1/20
3	Name: JAN HOFER	Address: 7 PINE MANOR DRIVE	
	Signature: 	Email:	Date: 3/1/20
4	Name: Joel Schraier	Address: 5 Pine Manor Dr.	
	Signature: 	Email:	Date: 3/1/20
5	Name: RAJESH MANDARAVU	Address: 438 RIDGELOFT PL	
	Signature: 	Email:	Date: 3/1/20
6	Name: Gena Napier	Address: 11036 Ridgewood Ln	
	Signature: 	Email:	Date: 3/1/2020
7	Name: Kelly Napier	Address: 11036 Ridgewood Ln	
	Signature: 	Email:	Date: 3/1/2020
8	Name: MARY LOU JAMES	Address: MLJAMES@SOCKET.NET	
	Signature: 	Email:	Date: 3/1/2020
9	Name: Don Roth	Address: 450 FOURWIND DR.	
	Signature: 	Email:	Date: 3/1/20
10	Name: Scott Hammann	Address: 438 FOURWIND DR.	
	Signature: 	Email:	Date: 03/01/2020

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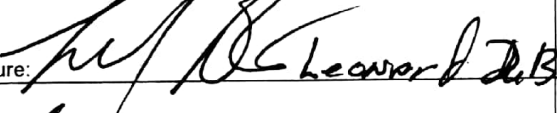
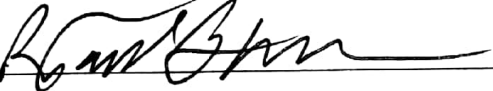
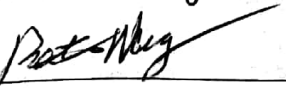
1	* Name: Abigail Small	* Address: 4 East Windrush Creek	
	* Signature: 	Email: abigailsmall@msn.com	* Date: 3-8-2020
2	* Name: Lisa Goebel	* Address: 435 GRAESER RD 63141	
	* Signature: 	Email: lisa.goebel413@gmail.com	* Date: 3.8.20
3	* Name: James Goebel	* Address: 435 GRAESER RD 63141	
	* Signature: 	Email: jgoebel@solidsystems.com	* Date: 3-8-20
4	* Name: Gretchen Ross	* Address: 29 Tealwood Dr 63141	
	* Signature: 	Email: GHR5T2@SBCGLOBAL.NET	* Date: 3-8-20
5	* Name: Francis Goebel	* Address: 435 Graese Rd	
	* Signature: 	Email: frg1101@gmail.com	* Date: 3/8/20
6	* Name: Xiaojing Chen	* Address: 11035 Ridgewode Ln	
	* Signature: 	Email: Xiaojingcn@gmail.com	* Date: 03/08/20
7	* Name: Glenn Douglas	* Address: 430 Ridgewode Pl	
	* Signature: 	Email: g.douglas@comcast.net	* Date: 3/8/20
8	* Name: David Kennedy	* Address: 441 Graeser rd. david@angleroofing.com	
	* Signature: 	Email: david@angleroofing.com	* Date:
9	* Name: Jim Nivag@aol.com	* Address: 5 Shu... Lane 63141	
	* Signature:	Email:	* Date:
10	* Name: Elena Ryban	* Address: 10420 Violet Ct	
	* Signature: 	Email:	* Date:

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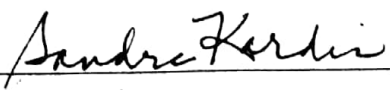
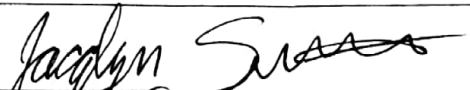
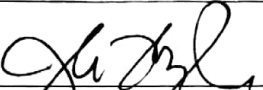
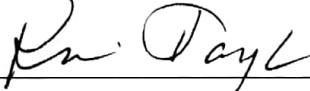
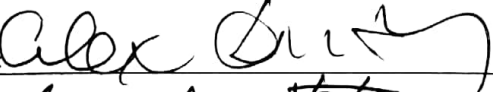
nataliexchen@yahoo.com

1	* Name: Sarah Stolker	* Address: 5 Faron Hill Rd	
	* Signature: 	Email	* Date: 3/2/20
2	* Name: TERRY TOLLIVER	* Address: 5 Wedgewood Ln	
	* Signature: Terry Tolliver	Email	* Date: 3/2/20
3	* Name: Hui Hu Bernstein	* Address: 10960 Langdon Way Ct	
	* Signature: 	Email	* Date: 3/2/20
4	* Name: Keita Bernstein	* Address: 10960 Langdon Way Ct	
	* Signature: 	Email: 571 Greaser Rd	* Date: 3/2/20
5	* Name: RICH KRAMER	* Address: 570 OAKHAVEN LN	
	* Signature: 	Email	* Date: 3/2/20
6	* Name: Barbara Kramer	* Address: 570 Oakhaven Ln	
	* Signature: Barbara Kramer	Email	* Date: 3/2/2020
7	* Name: Zoë Lemcovitz	* Address: 605 GRAESER RD.	
	* Signature: ZOË LEMCOVITZ	Email: zaz3@sbcglobal.net	* Date: 3/2/20
8	* Name: CATHERINE LEMCOVITZ	* Address: 605 Graeser Road	
	* Signature: Catherine Lemcovitz	Email: NA	* Date: 3/2/20
9	* Name: Natalie Chen	* Address: 5 Winfield Pointe Ln	
	* Signature: nalschen	Email	* Date: 3/2/20
10	* Name: Peter Wang	* Address: 5 Winfield Pointe Ln	
	* Signature: 	Email	* Date:

PETITION TO OPPOSE: QuikTrip development @ Graeser & Olive

"I am a Creve Coeur resident. I oppose the development of a QuikTrip gas station and convenience store at the southwest corner of Graeser and Olive."

PLEASE PRINT VERY CLEARLY!

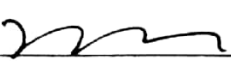
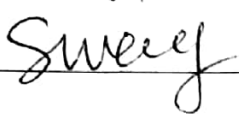
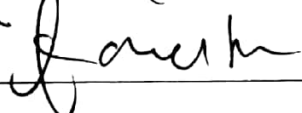
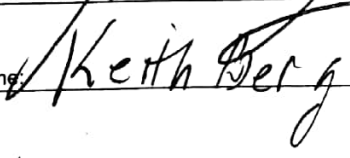
1	* Name: SANDRA KARDIS	* Address: 678 Graeser Rd.	
	* Signature: 	Email: _____	* Date: 3/1/2020
2	* Name: Sandra ANTHONY KARDIS	* Address: 678 Graeser Rd	
	* Signature: 	Email: _____	* Date: 1 March 2020
3	* Name: Jackie Settes	* Address: 1 Wedgewood Ln	
	* Signature: 	Email: _____	* Date: 03/1/2020
4	* Name: Dan Coe	* Address: 3 Wedgewood Ln Creve Coeur MO	
	* Signature: 	Email: richard@labontemusic.net	* Date: 3-1-20
5	* Name: Richard LaBonte	* Address: 6 Wedgewood Ln Creve Coeur, MO	
	* Signature: 	Email: julie.labonte@aol.com	* Date: 3/1/2020
6	* Name: Julie LaBonte	* Address: 6 Wedgewood Ln	
	* Signature: 	Email: KARINTAYLOR320@GMAIL.COM	* Date: 3/1/2020
7	* Name: KARIN TAYLOR	* Address: 7 WEDGEWOOD LN	
	* Signature: 	Email: william.d.taylor58@gmail.com	* Date: 3/1/2020
8	* Name: William Taylor	* Address: 7 Wedgewood Lane, St. Louis, MO 63141	
	* Signature: _____	Email: _____	* Date: _____
9	* Name: Alexander Dintsin	* Address: 11 Wedgewood Ln, Creve Coeur MO 63141	
	* Signature: 	Email: dintsin@gmail.com	* Date: 3/01/20
10	* Name: Yelena Zerkoven	* Address: 11 Wedgewood Ln, Creve Coeur MO 63141	
	* Signature: _____	Email: Lenatimo@yahoo.com	* Date: 3/01/20

PETITION TO OPPOSE:

QuikTrip development @ Graeser & Olive

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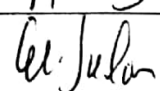
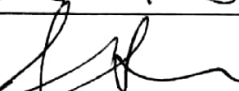
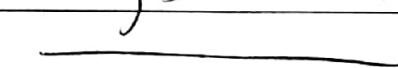
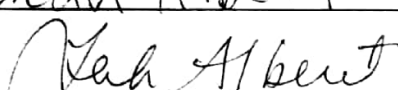
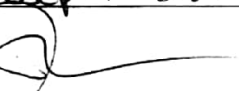
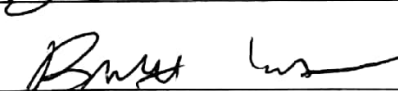
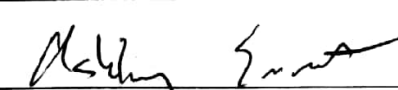
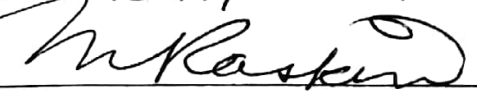
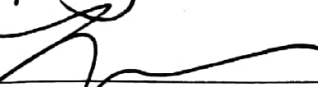
PLEASE PRINT VERY CLEARLY!

1	* Name: Meggie Wen	* Address: 13 Wedgewood Ln	
	* Signature: 	Email: fengfeng999@gmail.com	* Date: 03/01/2020
2	* Name: Shengyue Wang	* Address: 13 Wedgewood Ln	
	* Signature: 	Email: _____	* Date: 03/01/2020
3	* Name: SEAN SETTLES	* Address: 1 WEDGEWOOD LN	
	* Signature: 	Email: N/A	* Date: 03/01/2020
4	* Name: Pouri Badihi	* Address: 556 OAKHAVEN LN	
	* Signature: 	Email: N/A	* Date: 03/01/2020
5	* Name: Mahamud Khan	* Address: 593 Oakhaven Ln	
	* Signature: 	Email: _____	* Date: 3/1/20
6	* Name: Fareesa Khan	* Address: 543 Oakhaven Ln	
	* Signature: 	Email: _____	* Date: 3/1/20
7	* Name: A. BADIHI	* Address: 561 OAKHAVEN	3/1/2020
	* Signature: 	Email: _____	* Date: _____
8	* Name: S. Greenberg	* Address: 567 Oakhaven	3/1/20
	* Signature: 	Email: _____	* Date: _____
9	* Name: Keith Berg	* Address: 1 Faron Hill Rd	3/1/20
	* Signature: 	Email: _____	* Date: _____
10	* Name: Gina Shanfeld	* Address: 718 Graeser Rd	
	* Signature: 	Email: gina@shamfeld.com gina@shamfeld.com	* Date: 3/2/20

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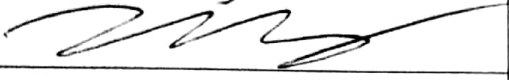
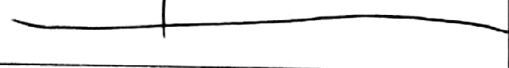
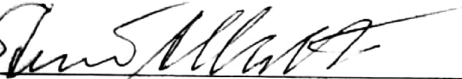
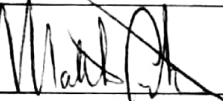
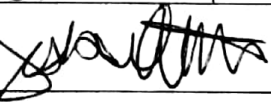
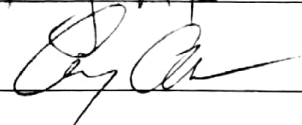
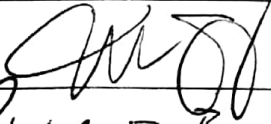
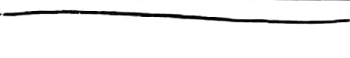
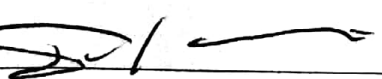
PLEASE PRINT VERY CLEARLY!

1	* Name: Eli Sadon	* Address: 10966 Rondelay Dr Creve Coeur Mo. 63141	
	* Signature: 	Email: eli.sadon@gmail.com	* Date: 3/1/20
2	* Name: Sherri Sadon	* Address: 10966 Rondelay Dr Creve Coeur Mo 63141	
	* Signature: 	Email: shersa@aol.com	* Date: 3/1/20
3	* Name: Casey Szczepniak	* Address: 10930 Rondelay Dr Creve Coeur Mo 63141	
	* Signature: 	Email: _____	* Date: 3/1/20
4	* Name: Leah Albert	* Address: 10921 Rondelay Drive	
	* Signature: 	Email: ipsedixit4@yahoo.com	* Date: March 1, 2020
5	* Name: Joseph Blomker	* Address: 211 Radelay Ct 63141	
	* Signature: 	Email: joeb joebloemker@gmail.com	* Date: 3/1/20
6	* Name: Theresa Blomker	* Address: " "	
	* Signature: 	Email: " "	* Date: " "
7	* Name: Brett Ernst	* Address: 212 Radelay Ct	
	* Signature: 	Email: brett.ernst21@gmail.com	* Date: 3/1/20
8	* Name: Ashley Ernst	* Address: " "	
	* Signature: 	Email: _____	* Date: _____
9	* Name: MIRIAM RASKIN	* Address: 10847 RONDELAY DR	
	* Signature: 	Email: msrmsr@sbcglobal.net	* Date: 3/1/2020
10	* Name: Yong Yin	* Address: 10842 Rondelay Dr	
	* Signature: 	Email: yongyin@gmail.com	* Date: 3/1/2020

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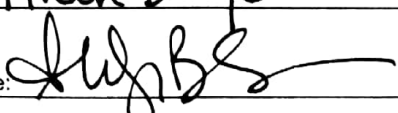
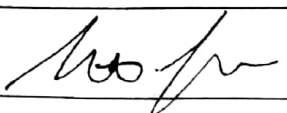
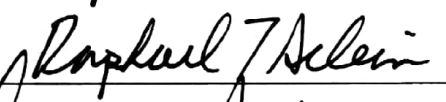
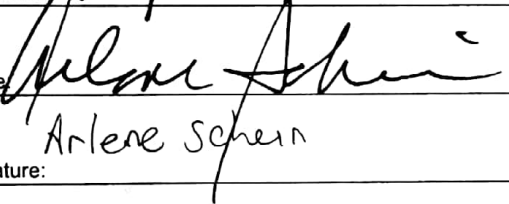
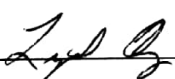
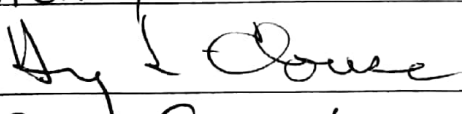
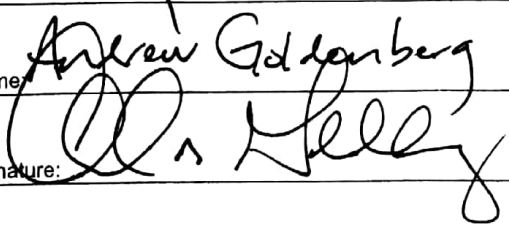
1	* Name: Jie Zhang	* Address: 10842 Rondelay Dr.	
	* Signature: 	Email: aj_2h@yahoo.com	* Date: 3/1/20
2	* Name: Philip Jensen	* Address: 10835 RONDELAU DR	3/1/2020
	* Signature: 	Email: Alan Siwak	* Date:
3	* Name: Nancy Siwak	* Address: 323 CARLYLE LAKE DR	
	* Signature: 	Email:	* Date: 3/1/20
4	* Name: STEWART ALBERT	* Address: 10921 RONDELAU DR	
	* Signature: 	Email:	* Date: 3/1/20
5	* Name: MATTHEW LITWACK	* Address: 10910 Rondelay Dr.	
	* Signature: 	Email: matthewlitwack@yahoo.com	* Date: 3/1/2020
6	* Name: Jessica Litwack	* Address: 10910 Rondelay Dr.	
	* Signature: 	Email: jessicalitwack@gmail.com	* Date: 3/1/20
7	* Name: Amy Alfer	* Address: 10933 Rondelay Dr.	
	* Signature: 	Email: amyalfer@yahoo.com	* Date: 3/1/20
8	* Name: MARK KRUB	* Address: 10950 Rondelay Dr.	
	* Signature: 	Email: mark@metroproperty.com	* Date: 3/1/20
9	* Name: RICHARD BENDUSKI	* Address: 262 GRAESER 63141	
	* Signature: 	Email:	* Date: 3/1/20
10	* Name: DAN MANDOC	* Address: 1 E WINDRUSH CT CREVE COEUR MO 63141	
	* Signature: 	Email: DMANDOC@GMAIL.COM	* Date: 3/1/20

PETITION TO OPPOSE:

QuikTrip development @ Graeser & Olive

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1	* Name: Alison Berger	* Address: 10 Winfield Pointe Ln. 63141	
	* Signature: 	Email: agberger@hotmail.com	* Date: Feb 29, 2020
2	* Name: Brett Berger	* Address: 10 Winfield Pointe 63141	
	* Signature: 	Email: bergerbrett17@gmail.com	* Date: Feb 29, 2020
3	* Name: Steve Frank	* Address: 9 Winfield Pointe	
	* Signature: STEVE FRANK	Email: SFRANK@ENTERPRISEMED.COM	* Date: 2/29/20
4	* Name: Raphael T Schein	* Address: 4 Winfield Pointe Ln 63141	
	* Signature: 	Email: RSCHEIN@CHARTER.NET	* Date: 3/1/2020
5	* Name: Arlene Schein	* Address: 4 Winfield Pointe	
	* Signature: 	Email: arlbts@charter.net	* Date: 3/1/2020
6	* Name: Lynn S. Berry	* Address: 626 GRAESER RD 63141	
	* Signature: 	Email: lsberry@swbell.net	* Date: 3/1/2020
7	* Name: HENRY L. CLOUSE	* Address: 626 GRAESER RD 63141	
	* Signature: 	Email: berelous@swbell.net	* Date: 63141
8	* Name: Andrew Goldenberg	* Address: 3 Winfield Pte. Ln. 63141	
	* Signature: 	Email: andrewgoldenberg@msn.com	* Date: 3/1/2020
9	* Name:	* Address:	
	* Signature:	Email:	* Date:
10	* Name:	* Address:	
	* Signature:	Email:	* Date:

PETITION TO OPPOSE:

2.ah

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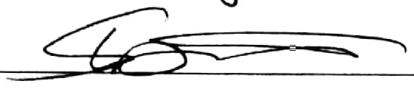
PLEASE PRINT VERY CLEARLY!

1	* Name: <u>NORTON GREEN</u>	* Address: <u>3 Windrush Creek E.</u>
	* Signature: <u>[Signature]</u>	Email: <u>NTM GREEN@STC GLORIAN.WEST</u> * Date: <u></u>
2	* Name: <u>Lauren Pesce</u>	* Address: <u>20 Windrush Creek West</u>
	* Signature: <u>Lauren Pesce</u>	Email: <u>lauren.pesceee@gmail.com</u> * Date: <u>3/01/20</u>
3	* Name: <u>Setu Patola</u>	* Address: <u>4 W, Windrush Crk Rd</u>
	* Signature: <u>[Signature]</u>	Email: <u>patola.setu@gmail.com</u> * Date: <u>03/01/20</u>
4	* Name: <u>Dan Haltenhof</u>	* Address: <u>8 Windrush Creek West</u>
	* Signature: <u>[Signature]</u>	Email: <u>dahlaw@primary.net</u> * Date: <u>3/1/2020</u>
5	* Name: <u>MARK BRONSON</u>	* Address: <u>14 WINDRUSH CREEK WEST</u>
	* Signature: <u>[Signature]</u>	Email: <u>mbronson@newmanbronson.com</u> * Date: <u>3/1/20</u>
6	* Name: <u>SUE BRONSON</u>	* Address: <u>14 W WINDRUSH CREEK</u>
	* Signature: <u>[Signature]</u>	Email: <u>suebronson@yahoo.com</u> * Date: <u>3/1/20</u>
7	* Name: <u>Amy Feit</u>	* Address: <u>18 W. Windrush Creek</u>
	* Signature: <u>[Signature]</u>	Email: <u>amyph8@yahoo.com</u> * Date: <u></u>
8	* Name: <u>DENNY FELI</u>	* Address: <u>18 Windrush W</u>
	* Signature: <u>[Signature]</u>	Email: <u>mshenouda@outlook.com</u> * Date: <u>3/1/20</u>
9	* Name: <u>Nelly Saad</u>	* Address: <u>22 W. Windrush Crk</u>
	* Signature: <u>Nelly Saad</u>	Email: <u>Creve Coeur, MO</u> * Date: <u>6/3/14</u>
10	* Name: <u></u>	* Address: <u></u>
	* Signature: <u></u>	Email: <u></u> * Date: <u></u>

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1	* Name: <u>Shumhong Dai</u>	* Address: <u>580 Graeser Road</u>
	* Signature: 	Email: _____ * Date: _____
2	* Name: <u>Jennifer Drescher</u>	* Address: <u>11006 Martin Grove Ln</u>
	* Signature: <u>Jennifer</u>	Email: <u>jennifer.drescher@gmail.com</u> * Date: <u>3-8-20</u>
3	* Name: <u>Andrew Drescher</u>	* Address: <u>11006 Martin Grove Ln</u>
	* Signature: <u>Andy</u>	Email: <u>andrew.drescher@yahoo.com</u> * Date: <u>3-8-20</u>
4	* Name: <u>Steven Starr</u>	* Address: <u>11014 Martin Grove lane</u>
	* Signature: <u>Steve Star</u>	Email: <u>ssstarr4444@aol.com</u> * Date: <u>3-8-20</u>
5	* Name: <u>Jill Starr</u>	* Address: <u>11014 Martin Grove</u>
	* Signature: <u>Jill A Star</u>	Email: <u>Jd011555@gmail.com</u> * Date: <u>3/3/20</u>
6	* Name: _____	* Address: _____
	* Signature: _____	Email: _____ * Date: _____
7	* Name: _____	* Address: _____
	* Signature: _____	Email: _____ * Date: _____
8	* Name: _____	* Address: _____
	* Signature: _____	Email: _____ * Date: _____
9	* Name: _____	* Address: _____
	* Signature: _____	Email: _____ * Date: _____
10	* Name: _____	* Address: _____
	* Signature: _____	Email: _____ * Date: _____



Whitney Kelly <wkelly@crevecoeurmo.gov>

GNS demands for quiktrip

1 message

Brett Berger <bergerbrett7@gmail.com>

Wed, Jun 3, 2020 at 7:07 PM

To: mayor-council@crevecoeurmo.gov, Whitney Kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>

Cc: Kurt Lord <Kurt.lord@svn.com>

Bcc: wkelly@crevecoeurmo.gov

These things must be resolved before the CUP can be properly considered.

- ALL PUMPS MUST BE AT LEAST 500 FEET FROM CLOSEST RESIDENTIAL PROPERTY LINE
- ONLY ONE CUTOUT FOR QT's USE ON GRAESER AND ONE ON OLIVE PER ORDINANCE
- THE CUP APP MUST INCLUDE DETAILS OF THE 15sq FT CENTER
- RECONFIGURE TANKER SWEEP PATH SO THAT THEY DO NOT USE GRAESER
- RECONFIGURE TANKER SWEEP PATH SO THAT THEY DO NOT BREAK THE LAW BY DRIVING INTO ONCOMING TRAFFIC, INCORRECT TURNING LANES, OR BE IMPEDED BY PARKED VEHICLES ONSITE
- STUDY REGARDING HIGH VALUE LUXURY HOME VALUES NEAR 24 HOUR ESTABLISHMENTS AND GAS STATIONS
- SETBACKS MUST COMPLY AND SITE MUST MEET SPIRIT OF CP
- NEW TRAFFIC STUDY WITH DRIVEWAY COUNTS FROM MULTIPLE QT LOCATIONS OF COMPARATIVE VOLUME COMPLETED BY AN IMPARTIAL PARTY, NOT CBB

--

All the best,

Brett Berger

Graeser Neighbors for Safety <http://graeserneighbors.org/>

314.495.4990

10 Winfield Pointe Lane, Creve Coeur, MO 63141



Whitney Kelly <wkelly@crevecoeurmo.gov>

Observations Following Conclusion of Public Hearing on June 3, 2020 Regarding Proposed QuikTrip at Graeser and Olive

Zoe Lemcovitz <zaz3@sbcglobal.net>

Fri, Jun 5, 2020 at 1:42 PM

To: Whitney Kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>

Cc: Brett Berger <bergerbrett7@gmail.com>, Kurt Lord <kurt.lord@svn.com>

Dear Ms. Kelly and Mr. Jaggi:

I live at 605 Graeser Road. I am writing to share some thoughts and observations following the second part of the public hearing that took place on June 3, 2020 regarding the above referenced matter. Please forward my e-mail to the Planning and Zoning Commission.

Traffic Study

I believe QuikTrip and their traffic consultant, CBB, have said that the August 2019 traffic study was conducted using actual numbers from the two strip malls and that they feel in the aggregate this equals what the traffic counts would be if the strip mall on the western parcel were fully occupied.

I would like to point out that in August 2019 the businesses operating in the now vacant strip mall were: a small shoe repair shop; a small nail salon; a dry cleaners; a pharmacy; and a beauty salon. Living in the area and being a patient of the pharmacy, I passed by and visited the shopping center regularly. None of those businesses were generating a lot of traffic from my observation. I think an accurate portrayal would be that they were all dying on the vine. Things for the western strip mall were only slightly better in my opinion. So I'm not sure that aggregating the traffic generated by the two strip malls in August of 2019 can be used to represent what a thriving strip center would produce.

I don't think the question has been raised as to whether or not "school traffic" was taken into account in the traffic study, but I think that is an important consideration. I think traffic patterns related to school being in session would better represented in September or October when all schools are in full session.

The point was made, I think by Mr. Evans of Butler & Associates, that Graeser is not a viable cut-through for those desiring to get to a QT located at the corner of Graeser and Olive. I beg to differ. I use a lot of alternate routes to get around town, especially to avoid traffic. Lindbergh backs up at rush hour. I can easily see a scenario where someone will use Graeser to get to QT to avoid traffic on Lindbergh, or Ballas, or maybe even 270. I'm not saying it will be a majority, but there will for sure be people using my street as a cut through to get to QuikTrip.

Comprehensive Plan

After the public hearing closed, Staff provided some comments offering context for information presented at the public hearing. With regard to the Comprehensive Plan page 92, "East Olive Corridor proposed development examples," Staff stated that these are concepts, not zoning ordinances and that Staff is working on it.

In response I reiterate what Graeser Neighbors for Safety and others have been pointing out: the East Olive Corridor recommendations do not conceive adding a third gas station convenience store to the East Olive Corridor. Further, I believe this illustrates the fact that it is incumbent upon the City to complete the zoning ordinances relative to the East Olive Corridor recommendations prior to considering QuikTrip's CUP application. Only then can the proposed project be fairly evaluated.

Possible Conditions on the Applicant

Several members of the Planning and Zoning Commission asked about placing conditions on the application to attempt to mitigate some of the concerns Graeser Neighbors for Safety and others have raised. Specifically, it was asked if approval could be conditioned on: the level of service on Graeser Road

not exceeding Level E; and tankers serving the QT not using Graeser between the curb cut on Graeser and Ladue Road.

These conditions can only exist on paper. There is very little that can be done to ensure that they are not breached. If I am sitting in traffic at the top of my street I don't know how to tell if I'm experiencing a service level of D or E or F. If a tanker truck goes down or up my street the onus is on me to report it, with sufficient documentation to lead to some sort of enforcement action. It doesn't change the fact that a tanker truck travelled Graeser, or I'm sitting in traffic below the agreed upon level of service, both of which violate conditions QuickTrip agreed to.

I believe all of the foregoing is further support for denying QuikTrip's CUP application.

Thank you for your time and attention.

Respectfully submitted,
Zoë Lemcovitz
Graeser Neighbors for Safety



Whitney Kelly <wkelly@crevecoeurmo.gov>

QuikTrip @ Graeser & Olive

1 message

Brett Berger <bergerbrett7@gmail.com>

Wed, Jun 3, 2020 at 4:59 PM

To: Whitney Kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>, mayor-council@crevecoeurmo.gov

Cc: Kurt Lord <Kurt.lord@svn.com>

Bcc: wkelly@crevecoeurmo.gov

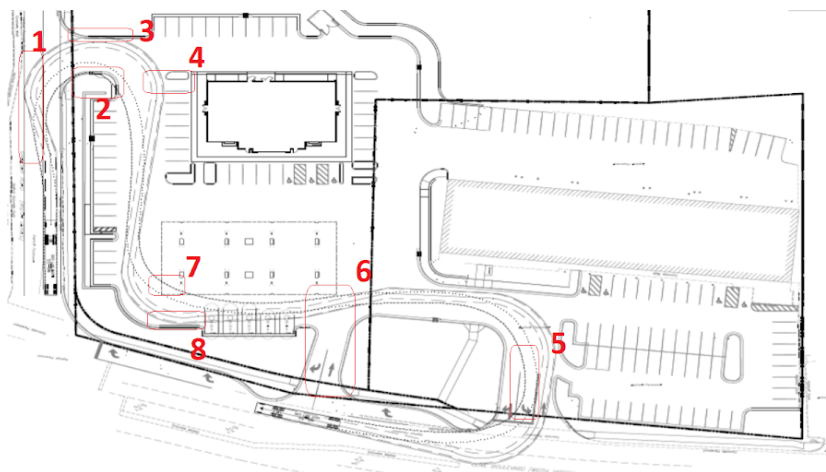
Hello members of P&Z, Mister Mayor, Council Members and City Staff

I am sending this email to you all and am blind copying P&Z direct emails due to the inability to associate in our pandemic era.

I need you to understand the following critical points of legal footing before tonight's meeting.

- Ordinance requires food sold from vending machines for gas stations. If this is part of the existing CUP request it was not highlighted anywhere.
- Are both parcels one CUP request? They must be due to the multiple curb cuts.
- normally a site should only be allowed on curb cut per street. so one in/out on olive and one on graeser. however they are going to buy the whole property with the 15k sq foot shopping center (with pumpnickels) so that they can work a deal to share that cross access between lots and then sell off the shopping center but still share the access. is this legal? maybe. but it's terribly poor planning. if you notice on attached image point #6 there is NO physical way for the trucks to use the access curb cut associated with the site to get their trucks in and out reconfiguring the entire site
- The entire cross access deal here is a total problem and not in compliance. QT should not be permitted two curb cuts on olive same as every other applicant. Especially considering they're not even a part of this CUP
- cross access between the sites is a serious safety hazard and traffic issue. You have to cut through one to get to the other.
- tanker trucks accessing residential streets is not acceptable. graeser used to have a weight limit sign that has mysteriously disappeared. This is a RESIDENTIAL street.
- tanker trucks do not have enough room to enter the site without using the wrong lane of traffic and blocking oncoming traffic. see attached image point #1. the original of this image is in packet page 303
- there is NO way they the tanker trucks can get in and out of the site without driving into oncoming traffic's right of way on multiple occasions
- tanker trucks do not have enough room once on the site to maneuver without driving over curbs and may be impeded by parked vehicles. see attached image points #2, 3 and 4, 7, 8
- tanker trucks impede oncoming turning lanes when exiting the site. see attached image point #6
- tanker trucks will travel olive (going westbound) and turn left onto graeser (to go southbound) causing stacking in that left turning lane. the turning lane is likely not even long enough to accommodate an 18 wheeler. Or is it?
- tanker trucks on a daily basis feed from a school bus stop on graeser which is a residential road is a undeniable safety hazard
- issues with the setback of the qt building. does not conform. they're using the existing nonconforming 15k sq ft shopping center as justification for adding another building that is even more non compliant. Will the sites address be olive or greaser? The frontage shows facing olive but that far set back it should be a graeser address.
- Yes the city is in financial crisis like other municipalities in this pandemic era. this is NOT a saving grace for our city's financial crisis due to covid. even if passed this thing wouldn't be operational for years (construction and planning is timely) and it's a terrible short term and bad long term solution
- additional revenue from qt will cannibalize from other gas stations 550 feet away. additional revenue will be cannibalized by loss of property income taxes when property values fall.
- QT's lawyer said the city staff report endorsed their project and city staff said nothing to refute this. City staff needs to discuss this tonight.
- I call into question the impartialness of CBB. why in the world was lee cannon sitting in the same room as the applicant all buddy buddy for their remote meeting, when the rest of the world is social distancing. The mere fact that they presented together implies their approval. How many studies have been done for QT by CBB in the past over the years i wonder? they seem very friendly. i call into question the impartialness of their report.
- the city must require a report where multiple driveway counts for multiple different QUIKTRIPS in st louis be done, from an impartial company of the cities choosing, but not cbb.
- The entire traffic study does not appropriately consider the applicants true volume
- The QT lawyer stated city staff endorsed their project and that is not true. City staff MUST come out and say that they are impartial
- QT's comparison on property value with a gas station is not valid because they didn't use any luxury homes near gas stations in their examples. They used 200k house examples and not luxury 600k value homes. property values will fall according to how close they are
- QT TOTALLY mischaracterized the sale on 11003 martin grove. Ive since spoken with the owners extensively. that family would not have bought that house had they known a gas station was planned. shame on QT For calling them out specifically and advertising their home price and address without the families knowledge
- I think this behavior shows exactly the type of neighbors we might expect from QT, exploitative and willing to say anything to claim victory

- QT's spokesperson seems willing to say anything to subdue the crowd. When talking about concerns of crime or accidents or traffic they like to note that quote "things happen". But why should we invite a 24 hour business that clearly has a high propensity of litter, crime, traffic, and traffic related safety issues, and so on. Only to then try to mitigate those issues?
- Please let me note that city staff has been kind and helpful to citizens. This is not an indictment of anyone specifically but i seriously call into question the impartialness and application of the city staff. Why in the world did city staff not ask for tanker sweep paths originally. Neighbors had to recommend and request those plans and the non compliant plan was only revealed two days ago shown on screen for a split second the drawing of the plan was only available via a nearly 400 page document to the public after 5pm yesterday
- City staff is busy worrying and talking about parapets and how much brick is on the canopy and minor landscaping upgrades, but they are failing to do their job in asking the tough questions about setbacks and traffic and safety and revenue and tanker access and on and on.
- Neighbors should not be on the hook to spend their time to prove to the city this is a bad idea. Our precious tax dollars that weigh heavy on so many minds at the city level are paying city staff to ask these hard questions. But they are not being asked.
- The city can not sacrifice our neighborhood in the name of tax dollars.
- QT at graeser and olive and olive is not appropriate conditional use
- The P&Z and city counsel's most important job is to protect its constituents, my neighbors. P&Z must recommend to deny the CUP based on these details.



--
All the best,

Brett Berger
Graeser Neighbors for Safety <http://graeserneighbors.org/>
314.495.4990
[10 Winfield Pointe Lane, Creve Coeur, MO 63141](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

Topics for Tonight's Meeting

1 message

Kurt Lord <kurt.lord@svn.com>

Wed, Jun 3, 2020 at 4:15 PM

To: mhallacquisition@gmail.com, bethkistner@gmail.com, grovak@outlook.com, tcarni@yahoo.com, jmyersstl@gmail.com, Larry Potashnick <lnp@capitalperformance.net>, Mr Todd Streiler <todd.streiler@gmail.com>, Whitney Kelly AICP <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>, Barry Glantz <bglantz@crevecoeurmo.gov>, ellen lawrence <ellenblawrence@yahoo.com>

To Our Members of Planning & Zoning:

These are unusual times and public hearings have changed. Normally we would not e-mail you directly, but with limited social interaction and a hearing that has been split in two, minutes that will not be available until the end of the week ... we want to keep fresh our main points:

Attorney for QT indicated that Staff approved their proposal. As we confirmed with Staff, this is not the case. **The standard for approval** is that the Applicant has **met the CUP / Comprehensive Plan conditions**. Staff only noted that it "embodied many of the regulations. "Embodied many" is not the standard of acceptance.

QT made significant misleading statements to P&Z regarding the purchase transaction on Martin Grove. The homeowner involved will address P&Z either in writing or with testimony.

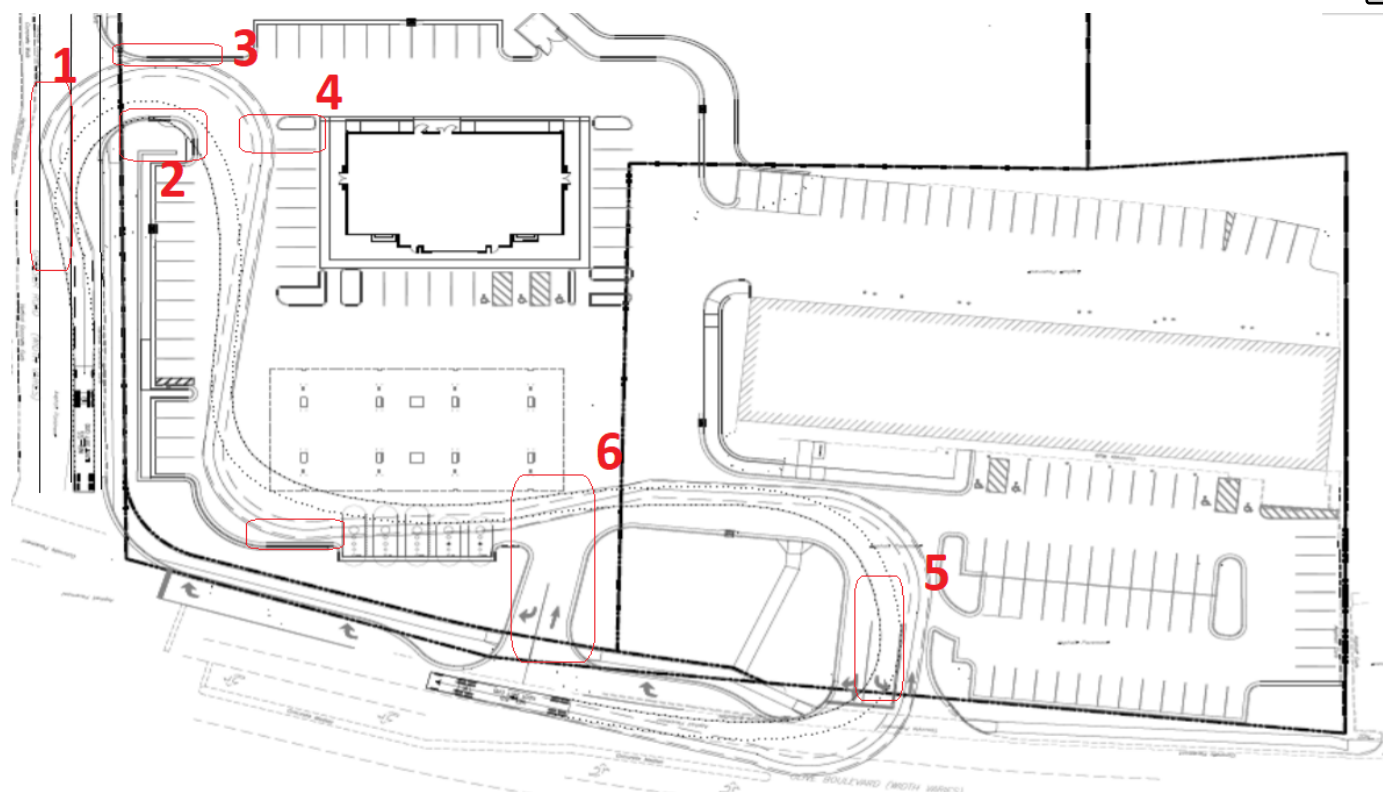
The Applicants plan violates conditional uses on many fronts especially concerning gas stations: including 405.470(f) regarding food sales, 405.550, regarding storage tanks, 405.610(b). **The applicant violates the stated objectives of the Comprehensive Plan and the East Olive Corridor.**

The traffic report does not analyze a **Gen Three, 4,993 sf QT with 4 entrances** specifically designed to attract high volume in-out traffic. The industry classifies this as a mega convenience store. The traffic study is inaccurate. It understates the volume of the use and undercounts the traffic.

QT is selectively using the land with the 15,000 building to achieve its objectives. QT will only own the adjacent site long enough to meet its goals until it disposes it to another party. P&Z should consider the sites as a whole, not individually, and selectively to meet QT needs to skirt Creve Coeur regulations.

- QT must have the site to get full access on Olive. Yet QT does not include the increase in traffic of the retail site in the traffic study.
- As staff notes on page 8 of its report: *"access to all service stations should be limited to 2 curb cuts. If on a corner there should be no more than one cut per street."* QT violates this requirement.
- QT is taking a non-conforming retail site, and setbacks, and instead of improving it, it is expanding the non-conformity. This is highly improper planning.

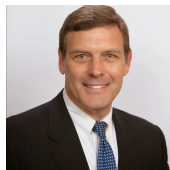
And finally, look closely at the **Tanker truck sweep submitted by QT ... It does not fit.** (follow the numbers). It cuts off parking spaces, swings into ongoing traffic, is brought closer south to the school bus stop, blocks car stacking (as noted in traffic studies), and does not even fit on Graeser, hitting the sidewalk.



Graser is a residential road in the residential focused East Olive Corridor. Traffic safety is being degraded to unacceptable levels.

Thank you,

Graeser Neighbors for Safety



Kurt Lord

Managing Partner, SVN Lord Partners - Commercial Real Estate
office: 314.826.5566 | cell: 314.960.5258 kurt.lord@svn.com
11475 Olde Cabin Road, Suite 230, Saint Louis, MO 63141



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With over 200 offices, SVN is the largest Commercial Real Estate Organization in the USA. each office independently owned-operated



Whitney Kelly <wkelly@crevecoeurmo.gov>

PUBLIC HEARING. Application #20-002 & #20-010: Boundary Adjustment, Site Development Plan and Conditional Use Permit for QuikTrip Gas Station with Convenience Store at 11004, 11026, and 11032 Olive Boulevard and 825 and 827 Graeser Road, and the Redevelopment of the Adjacent Retail Center at 11032 and 11056 Olive Boulevard

1 message

Zoe Lemcovitz <zaz3@sbcglobal.net>

Wed, Jun 3, 2020 at 4:04 PM

To: Whitney Kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>

Ms. Kelly and Mr. Jaggi:

I live at [605 Graeser Road](#), about 3/10s of a mile from Olive Blvd. I am writing regarding the proposed QuikTrip in my neighborhood at Olive Blvd. and Graeser Rd. Following the Applicant's presentation at the public hearing on Monday, June 1st I would like to share with you some final thoughts. Please share my e-mail with the Planning & Zoning Commission.

Although QuikTrip is by many accounts an excellent operator, the fact of the matter is that almost all of the residents in the area don't want to see this type of use at the site. It's not QuikTrip we object to; it is the *use*. The Applicant stated several times that the south side of Olive is underserved for fuel and convenience stores. I suppose that is a true statement, but it is also true that the *area* is not underserved for fuel and convenience stores. I can easily get to Circle K and Mobile On the Run from my house, and if I am traveling east on Olive from the west, I can turn left utilizing the traffic signal at Schulte. Do both sides of Olive have to be mirror images of one another? More like Manchester Road?

It was put forth several times by the Applicant that the owner(s) of the parcels making up the property *chose* to participate in the TDD for the traffic signal at Olive and Graeser, the implication being that we all owe a debt of gratitude to the property owner(s) and therefore we should give them carte blanche to do whatever they want with the property.

What about the vision for the East Olive Corridor expressed in the City's Comprehensive Plan? Does that not guide us as to acceptable uses for the property? City Staff in their presentation highlighted East Olive Corridor objectives contained in the Comprehensive Plan, which included medium to low-density commercial compatible in scale and intensity with the surrounding area. A QuikTrip does not satisfy either of these objectives for my neighborhood.

Nothing in the East Olive Corridor objectives describes a gas station convenience store or anything similar to it. The kinds of uses recommended for my neighborhood are things I believe most of us living here would embrace. Uses that would give my neighborhood the look and feel of downtown Kirkwood, parts of downtown Clayton, or perhaps even Clayton Road between Warson and Conway. Uses that would serve my neighborhood in harmony as the uses the property owner(s) *chose* to eliminate did.

QuikTrip made a number of representations and promises during their presentation and rebuttal: they project that the location will only need to be refueled every 2 days; tankers and commercial vehicles they "control" will not travel south on Graeser Road to Ladue Road; they don't walk away from locations; and their buildings are attractive and easily retenantable. These are only speculations which can be wrong and promises which can be broken. The reality of a QuikTrip in my neighborhood may be not as represented and promised. And once it is built, those of us living on and off of Graeser Road have to live with that reality.

To QuikTrip's point that they don't walk away from locations I have attached for your consideration three photos taken 6-3-20 of a former QuikTrip in Maryland Heights at Dorsett Road and Fee Fee that sits vacant and boarded up. The store relocated 1 mile away in late 2017 or early 2018. I hope to send in a separate e-mail (due to file size limitations) a video that pans from the former QuikTrip to the residences across the street which have had to look at it for going on three years now.

All of the city officials, and the real estate professionals, and traffic professionals, and the Quiktrip site acquisition professionals can scout my neighborhood, and visit my neighborhood, and evaluate my neighborhood for this project. But unless you live in my neighborhood you cannot know the true character of my neighborhood and the quality of life it provides. The residents on and off of Graeser Road are the

experts on that. And we have resoundingly rejected this proposal. Please trust our judgment as you reach your conclusion and likely determine our fate.

Respectfully submitted,

Zoë Lemcovitz
605 Graeser Road

3 attachments



Former QuikTrip at Dorsett & Fee Fee - 1 of 3 - 6-3-20.jp2
3252K



Former QuikTrip at Dorsett & Fee Fee - 2 of 3 - 6-3-20.jp2
3252K



Former QuikTrip at Dorsett & Fee Fee - 3 of 3 - 6-3-20.jp2
2980K



Whitney Kelly <wkelly@crevecoeurmo.gov>

PUBLIC HEARING. Application #20-002 & #20-010: Boundary Adjustment, Site Development Plan and Conditional Use Permit for QuikTrip Gas Station with Convenience Store at 11004, 11026, and 11032 Olive Boulevard and 825 and 827 Graeser Road, and the Redevelopment of the Adjacent Retail Center at 11032 and 11056 Olive Boulevard

1 message

Zoe Lemcovitz <zaz3@sbcglobal.net>

Wed, Jun 3, 2020 at 4:21 PM

To: Whitney Kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>

Ms. Kelly and Mr. Jaggi - Attached is a video panning from a former QuikTrip at Dorsett and Fee Fee in Maryland Heights to the residences across the street from it. I was not able to attach it to my previous e-mail today due to the file size. Please share this with the Planning and Zoning Commission.

For clarity, here is the paragraph from my previous e-mail today that references my sending this video:

"To QuickTrip's point that they don't walk away from locations I have attached for your consideration three photos taken 6-3-20 of a former QuikTrip in Maryland Heights at Dorsett Road and Fee Fee that sits vacant and boarded up. The store relocated 1 mile away in late 2017 or early 2018. I hope to send in a separate e-mail (due to file size limitations) a video that pans from the former QuikTrip to the residences across the street which have had to look at it for going on three years now."

Respectfully submitted,

Zoë A. Lemcovitz
[605 Graeser Road](#)



Former QT Maryland Heights Video Panning to Residential - 6-3-20.zip
 24578K

RECEIVED
JUN 03 2020
PLANNING DEPT.

Attention J Jaggi
To Planning and Zoning Commission for June 3 meeting

A neighborhood should be never sacrificed to get sales tax for the City.

Being realistic, finances are an immediate problem due to the pandemic and always on the minds of responsible people serving the City

Due to the long process of planning and construction, sales tax from QT will be zero for the next couple of years and so have not impact on the current situation.

Although QT has it fervent adherents, customers can only put so much gas in their car or food in their stomachs. Sales at the QT will partly cannibalize sales at the neighboring stations AND local food vendors like McDonald's Starbucks, Subway, Bread Company, Pizza places etc. Due to limitation on consumption, total sales tax to the City from local customers will not increase much. Despite claiming it is a local business, some additional people may come to QT from outside of Creve Coeur.

Olive is at the northern border for Creve Coeur, but there is a string of QT's on Page to the north for Non residents. Additional customers from out of Creve Coeur would only be a small part of the customers and sales tax. So in sum QT may make a lot of sales for themselves, but the total sales tax to the City will not be boosted much by QT.

The applicant mentioned paying off a TDD. There is a special 1% sales tax put on the four corners of the Olive Graeser intersection to pay for the alignment of Dautel and Graeser and the erection of the stoplight, medians, etc. The Olive/Graeser TDD (Transportation District) was created in 2009 to pay for those costs. The total was about \$1.3 million, and is currently financed by 40 yr bonds held by the City. Thirty years remain for the TDD to pay off the bonds. The City would like to eventually have them paid off, but given the remaining time, I would not think those bonds are currently a major budgetary concern.

Don't be tempted to impose a QT on this part of Creve Coeur for any benefit sales tax will make. Any benefit would be small, especially in comparison to the damage inflicted by a QT pushed into this residential neighborhood.

<https://www.creve-coeur.org/375/OliveGraeser-TDD>
see Ord 5071 for long explanation
short Ex H
Costs Ex G pg2

Thank you
Linda Rezny 314-872-7699



Whitney Kelly <wkelly@crevecoeurmo.gov>

Fwd: QT Public Comment

Jessica Stutte <jstutte@crevecoeurmo.gov>
To: Whitney Kelly <wkelly@crevecoeurmo.gov>

Tue, Jun 2, 2020 at 8:22 AM

Jessica Stutte

Planning Division Assistant
City of Creve Coeur
(314) 872-2501 jstutte@crevecoeurmo.gov

[Planning Division](#) [Building Division](#) [Public Records Request Form](#)

Please don't print this e-mail unless you really need to. Be Green!

----- Forwarded message -----

From: **Richard Kutta** <richardkutta@earthlink.net>
Date: Mon, Jun 1, 2020 at 9:35 PM
Subject: QT Public Comment
To: <jstutte@crevecoeurmo.gov>

June 1, 2020

Planning & Zoning Commission

City of Creve Coeur

Re: QuickTrip Convenience Store Applications #20-002 and 20-010

In evaluating the proposed CUP, I have a concern which I believe must be resolved as a use condition: tanker truck turning movements. The proposed tanker inbound turning movement totally blocks Graeser Rd while tankers move from eastbound Olive to Southbound Graeser and onto the proposed QT Parcel. Police, Fire and Ambulance access to serve residences via Graeser will normally be from east and west on Olive Street. Emergency vehicles will be unable to travel south on Graeser Road during truck movement until trucks clear the turn into QT. The applicant indicated during their presentation that they do not control tanker schedule or times; thus they cannot schedule tankers to avoid Graeser traffic. School buses and adverse weather will further interfere with tanker and associated truck access. As a condition of use I request that applicant revise the tanker truck access plan to enter from and leave directly to Olive Street without use of Graeser. Likewise, applicant should be required to restrict use of Graeser by all other large service trucks such as delivery, trash, and food service. Finally, the traffic impact study should be revised to accommodate exclusive truck access from Olive street only, which may induce west and eastbound stacking during truck turning movements. In summary, the QT proposal appears to be for a project served by a road infrastructure that is already fully utilized.

Please include these remarks in the record. Thank you for the opportunity to offer these comments.

Sincerely,

Richard M Kutta, PE

[24 Colonial Hills Parkway](#)

[Creve Coeur MO 63141](#)

richardkutta@earthlink.net



Whitney Kelly <wkelly@crevecoeurmo.gov>

Fwd: questions regarding the proposed QT at Olive and Dautel

Jessica Stutte <jstutte@crevecoeurmo.gov>
To: Whitney Kelly <wkelly@crevecoeurmo.gov>

Tue, Jun 2, 2020 at 8:23 AM

Jessica Stutte

Planning Division Assistant
City of Creve Coeur
(314) 872-2501 jstutte@crevecoeurmo.gov

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Please don't print this e-mail unless you really need to. Be Green!

----- Forwarded message -----

From: **Rebecca Pastor** <becky.pastor@gmail.com>
Date: Mon, Jun 1, 2020 at 6:38 PM
Subject: questions regarding the proposed QT at Olive and Dautel
To: <jstutte@crevecoeurmo.gov>

What about all the garbage and litter? I am very concerned about this. I used to live behind a QT, and though my house was in a residential area, the trash blew across the neighborhood and was visible everywhere on the residential street. The QT is the one on Big Bend, and the litter on and even across four lanes of Big Bend was also significant.

--
Rebecca Pastor, LPC
<http://rebeccapastor.com>

June 2, 2020

Mr. Jaggi, Ms. Kelly, and Planning and Zoning members:

I attended the virtual meeting yesterday and was interested especially in a few comments by the Applicant.

First of all, it was a surprise to see the way in which they want the tanker truck to enter and leave the property. When we were discussing the Car Wash that was to go into the corner, several people brought up the fact that there was a weight limit on Graeser Rd. and that indeed there was a sign expressing that. The sign, however, is no longer there, so I wondered why and whether there is actually a weight limit on this road (repaired by the taxpayers, by the way). The traffic study representative emphasized that as a public road the trucks can go there. I object to this for other reasons however, including the turn radius they would need to get off of Olive onto Graeser and then into the entrance to the car wash. It seems they would have to go into the other lane, which the traffic representative said that could easily be remedied by changing the stripes on the road (a solution that does not seem quite correct). In addition, the plan that he showed had the truck exiting in front of the retail building, again not seeming to be a good idea. I would request that the diagram shown with the entrance and exit of the tanker truck be included in the June 3 packet.

The Applicant also said that the entrance on Graeser would be moved further South but provided no exact site for this entrance and how it approximates the entrance to the credit union. It seems that it would make it awfully close to the entrance to the credit union (which is utilized all the time) and would cause traffic problems in that area. I would request that the new site be included in the packet for the June 3 meeting.

Graeser Road is also a special enforcement area with a speed limit of 30 mph. We often see speeding on this road despite this, but with added traffic and a cut through mentality, I am sure that speeding will increase and we will have more problems, especially with the children and the cross-walk.

I also see that of the 6 standards, 3 are definitely not met. I DO NOT see how a convenience store and filling station will contribute to and promote the community welfare (what is their contribution?) or serve as a convenience at the specific location given the other filling stations and convenience stores nearby. I feel that this development WILL cause substantial injury to the value to neighboring property despite the inaccurate account by the applicant regarding the nearby sale when the new property owner was unaware of the development. And lastly, I certainly DO NOT FEEL that this will be compatible with the surrounding residential area and that it certainly WILL impose an excessive burden and have a substantial negative impact on surrounding or adjacent users (the other similar businesses that will suffer).

In addition, I can see the convenience store as a gathering place for teenagers and others due to the food service causing additional problems in the neighborhood. We already have problems with the police called for out of control late night parties, fireworks for the weeks before and after July 4, etc.

Unless fully fenced, I see the retention pond as a hazard for the neighborhood children, and the use of the cross access by a fully tenanted retail center to further increase the traffic on Graeser. The problem with adding additionally lanes on Graeser for the right-hand turn which will infringe on Credit Union

Property will be added to the cost, ultimately borne by the taxpayers through the TDD or other financing.

All in all, the Conditional Use for this property should be denied by Planning and Zoning as it is not in the spirit of the new Comprehensive Plan and has too many potential problems.

Thank you for listening

Lynn S. Berry and Henry L. Clouse

626 Graeser Rd. 63141



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JUN 02 2020
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Attention J Jaggi
To Planning and Zoning Commission
Re QT hearing
Response to some comments at Mon hearing and related thoughts

Traffic related:

If QT takes the signal to capacity how will the Credit Union or others using the signal be able to develop further.

Graeser is not big enough to let a tanker swing in there. Their suggestion was to paint a stripe in the road to keep the tanker from entangling in the other lanes.

They said people will only use the Olive exit to turn left when there is little traffic. That assumes all customers are smart and know the station well. It also leaves unsaid that fact that there will then be more pressure on Graeser at peak hours to get customers out safely.

Lee Cannon says that by definition Graeser is a collector street. It may technically have that capacity, but remaking it as a busy street will radically change the neighborhood.

DEMAND A BETTER STUDY BEFORE YOU PROCEED
Current study lacks projection in the future after build that are usually included.

Data at Schulte is before Mobil was built or are just guesses
Innumerable problems others mentioned.

Other:

As was mentioned, QT knows from how far they plan to draw customers. They need to share that with PnZ

If the cannibalization of sales forces out another station, it would likely be the Circle K. That is an old station and when it is abandoned, there will need to be an extensive Brownfield clean up before it can be reused. Don't hurry Circle K into that.

Thank you

Linda REzny
314-872-7699 landline



Whitney Kelly <wkelly@crevecoeurmo.gov>

qt at graeser

1 message

Brett Berger <bergerbrett7@gmail.com>

Tue, Jun 2, 2020 at 4:46 PM

To: mayor-council@crevecoeurmo.gov, Whitney Kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>

mobil on the run was forced to add second story windows to their buildings to comply

its unfair that city is not enforcing the same ruleset on QT

--

All the best,

Brett Berger

314.495.4990

[10 Winfield Pointe Lane, Saint Louis, MO 63141](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

tanker trucks on graeser road for QT

1 message

Brett Berger <bergerbrett7@gmail.com>

Tue, Jun 2, 2020 at 4:45 PM

To: Jason Jaggi <jjaggi@crevecoeurmo.gov>, Whitney Kelly <wkelly@crevecoeurmo.gov>, mayor-council@crevecoeurmo.gov

Cc: Kurt Lord <Kurt.lord@svn.com>

tanker trucks on graeser road for QT is a terrible idea. this will substantially decrease safety for travelers of any mode, vehicle, car, and bike.

qt and their spokespersons admin there will be big traffic impacts and claim they will mitigate the traffic

why would P&Z approve a plan that brings substantial traffic and injury to the city when it is in direct violation of the code.

are tanker trucks allowed to access and use shulte road to refill at QT? no, no they are not.

--

All the best,

Brett Berger

Graeser Neighbors for Safety <http://graeserneighbors.org/>

314.495.4990

10 Winfield Pointe Lane, Creve Coeur, MO 63141



Whitney Kelly <wkelly@crevecoeurmo.gov>

QT Meeting last night

1 message

Lori Zamler <lbzamler@charter.net>
To: mayor-council@crevecoeurmo.gov
Cc: jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov

Tue, Jun 2, 2020 at 4:57 PM

Mr. Mayor,

I am super confused. Did the attorney tell the P&Z that city staff approved the proposal?

Isn't the staff supposed to be totally neutral?

Has the decision already been made?

Thank you,

Lori Zamler

3 Winfield Pointe Ln

jjaggi@crevecoeurmo.gov
Whitney Kelly <jjaggi@crevecoeurmo.gov >
mayor-council@crevecoeurmo.gov

Sent from my iPhone



Whitney Kelly <wkelly@crevecoeurmo.gov>

Fwd: P&Z Meeting Tonight

Whitney Kelly <wkelly@crevecoeurmo.gov>
 To: "Kelly, Whitney" <wkelly@ci.creve-coeur.mo.us>

Mon, Jun 1, 2020 at 3:38 PM

----- Forwarded message -----

From: **Beth Kistner** <bethkistner@gmail.com>
 Date: Mon, Jun 1, 2020 at 3:26 PM
 Subject: Fwd: P&Z Meeting Tonight
 To: Jason Jaggi <jjaggi@crevecoeurmo.gov>

See below - I want to make sure any contact with me is part of the record.

----- Forwarded message -----

From: **Kurt Lord** <kurt.lord@svn.com>
 Date: Mon, Jun 1, 2020 at 3:23 PM
 Subject: P&Z Meeting Tonight
 To: <bethkistner@gmail.com>

Dear Ms. Kistner:

The Graeser Neighbors for Safety is a committee of Creve Coeur residents who respectfully oppose the development of a QuikTrip gasoline station and convenience store at Graeser and Olive. City officials received opposition comments from approximately one hundred neighbors (many of whom have requested to yield their speaking time to GNS).

Attached is our letter discussing the application (along with a petition with over 110 paper signatures). We ask that you review it.

This is an important issue that needs an in-depth analysis. The QT proposal is unprecedented.

A Generation 3 Quicktrip with 4 separate entrances has never been considered by the city. Publicity regarding the QT Gen 3 notes that with this model, QT is now the "Disneyland of Convenience Stores." This size convenience store is classified as a mega convenience store by independent planning guides.

The applicant's technique to meet its objectives is unprecedented. Securing (only for a short time) a 15,000 sf shopping center so that vehicles can cross over its retail its parking lot for the QT needs is not the good planning that Creve Coeur is known for.

The proposal violates important provisions of the CUP process, the comprehensive plan, and the objectives of the East Olive Corridor.

The traffic study is inaccurate and incomplete. Important issues raised by MODOT are left unresolved.

Finally, degrading the traffic safety at a corner already know for distracted drivers hitting residents and their children is not appropriate.

Thank you for listening to your residents. Please see the attached.

Kurt



Kurt Lord

Managing Partner, SVN Lord Partners - Commercial Real Estate

office: 314.826.5566 | cell: 314.960.5258 kurt.lord@svn.com

11475 Olde Cabin Road, Suite 230, Saint Louis, MO 63141



Office www.svnlordpartners.com

With over 200 offices, SVN is the largest Commercial Real Estate Organization in the USA. each office independently owned-operated

--
Jason W. Jaggi, AICP
Director of Community Development
City of Creve Coeur, Missouri
300 North New Ballas Rd
Creve Coeur, MO 63141
314-872-2504

www.creve-coeur.org



Graeser Neighbors for Safety Letter to City re QT Plan 5-20-20.pdf
5864K



Whitney Kelly <wkelly@crevecoeurmo.gov>

QT Meeting Question for 6/1/2020

Greg Kistner <kistner.greg@gmail.com>

Mon, Jun 1, 2020 at 11:24 AM

To: wkelly@crevecoeurmo.gov

Hello,

I was hoping to be able to attend tonight's meeting as I live near where the QT is planning on being put, but I don't think I'll be able to attend as something else has come up. So, I wanted to submit a question in advance. And, if this question is not really applicable then I apologize. I have never attended one of these meetings before. But if that is the case, could you at least get this question into the right hands of the people at QT? Thanks!

Would it be possible to install two new tech air pump machines at this new QT? If The business ends up going in, I'd prefer to make it as good of a place as possible. And all of the gas stations nearby have old tech air pump stations. Multiple new ones with free air where you enter in digitally the inflation number you need and it does the rest are awesome.

Thanks!

- Greg Kistner



Whitney Kelly <wkelly@crevecoeurmo.gov>

Re: QuikTrip Application - Olive & Graeser

Jason Jaggi <jjaggi@crevecoeurmo.gov>

Mon, Jun 1, 2020 at 10:57 AM

To: "Jordan, Mark" <MJordan@mail.wallisco.com>

Cc: "Wallis, Lynn" <LWallis@mail.wallisco.com>, Whitney Kelly <wkelly@crevecoeurmo.gov>

Mark,

I have received your comments and will include them with the other comments we have received today. Our plan is to distribute them to P&Z in one batch prior to tonight's meeting.

The public hearing will be held via Zoom. If you would like to speak at tonight's meeting, please use the following link to register:

<https://www.creve-coeur.org/CivicAlerts.aspx?AID=1119>

The public hearing will be continued to Wed. 6/3 at 6:00 PM due to the level of public participation.

Please let me know if you have any questions regarding the public meeting process.

Thanks,
Jason

On Mon, Jun 1, 2020 at 9:51 AM Jordan, Mark <MJordan@mail.wallisco.com> wrote:

Jason,

Hope this email finds you well.

I have reviewed the staff report in advance of this evenings Planning Commission and have the following comments;

- Page 6 – the report states “*The proposal generally complies with the recommendations of the Comprehensive Plan and the Design Guidelines, in that it is well designed, with materials of good architectural character, and where the standard QuikTrip designs have been substantially modified to fit into the surrounding areas*”.

I fail to see any substantial modification in the standard QuikTrip design. It is still their standard “corporate, prototype” design with only slight modifications to materials. In addition, the fuel canopy fascia is QuikTrip’s standard brand design. QuikTrip should be held to the same design standards that previous applicants have been held to.

- Page 8 – the report states “*Access to all service stations should be limited to 2 curb cuts. If at a corner, there should be no more than 1 curb cut per street.*”

QuikTrip is purchasing the parcels and re-platting for the sole purpose of creating 3 points of access. In order to be consistent with previous submittals, the City should treat the project as a single development with only one access point on Olive. In addition, the access point at Graeser should be right in right out only.

- Pages 20-21 – In addition to the staff comments, I have concerns regarding the comparison of trip generation to the Mobil On the Run at Olive and Schulte. From the Traffic Study Report;

Baseline Traffic Volumes: Expected traffic volumes from two other developments were added to existing traffic volumes to reflect opening year Baseline traffic volumes. Trips from a previous study completed by CBB for a Mobil on the Run gas station at Olive Boulevard and Schulte Road/Mary Meadows Lane as well as trips from the expected full occupancy of the 166,000-SF HBE office building on Olive Boulevard at Mosely Road (based on data from the ITE Trip Generation Manual) were added to the Existing traffic volumes in Exhibit 1 to determine the total volumes in the 2020 Baseline scenario, shown in **Exhibit 2**. Trip generation data for the Mobil on the Run and HBE office uses are shown in **Tables 1 and 2**, respectively.

Using standardized trip data from ITE or comparing expected trips to the On the Run will not accurately reflect the traffic generated by a typical QT. QT's sales volumes, by their own estimate, average nearly \$14,000,000 per location annually. That places them at between 2-3 times the average. A more accurate trip generation would require actual trips to be counted at 3 QT locations and averaged together.

Thank you for your attention to these issues.

This message contains confidential information and is intended only for the individual(s) addressed in the message. If you are not the named addressee, you should not disseminate, distribute, or copy this e-mail. If you are not the intended recipient, you are notified that disclosing, distributing, or copying this e-mail is strictly prohibited.

--

Jason W. Jaggi, AICP
Director of Community Development
City of Creve Coeur, Missouri
[300 North New Ballas Rd](#)
[Creve Coeur, MO 63141](#)
314-872-2504

www.creve-coeur.org

RECEIVED
MAY 29 2020
BUILDING DEPT.

To Attention of Jason Jaggi
To Planning and Zoning Commission
hopefully to be read May 29

Re the Traffic Study for the proposed Quik Trip

The Proposal makes a bad traffic situation worse and the solutions are not in the plan. On that basis alone the current plan should be shelved. IF QT can't come up with a better plan for the traffic, the project should be dropped. QT may not be responsible for the current situation, but if the project goes ahead you literally put in NEW concrete a bad situation. This is an opportunity to make an improvement. Don't waste it.

According to this weeks correspondence the problems in the queue backup at northbound Graeser Rd are going to need more thought and possible real estate negotiation "In order to fully mitigate the impacts, the through/right-turn lane could be extended to the QT driveway to avoid that blockage. It appears that the widening could begin north of the existing First Community Credit Union driveway. It is likely that the lane extension would require acquisition of property and may not be feasible for QT to complete alone. " (Follow-Up for Response to Agency Comments - Traffic Impact Study Proposed QT #613 - Olive Boulevard and Graeser Road May 28, 2020 Page 2 of 2)

My computer will not copy page 15 of the CBB Jan 13, 2020 traffic impact study Summary: On Olive QT needs a right turn lane into their property, but due to the short distance between the drive for the retail part and for the QT part, getting in a useful one may not be practical.

IF QT can't come up with a better plan for the traffic, the project should be dropped. If the project is to be dropped, you are expending a lot of energy for a doomed task. Since the meeting has been planned I assume you will continue. In our minds we tend to hang on to plans we have invested in just because we did so much work. Keep reminding yourself that this plan might not fit in this place in Creve Coeur.

This is not the development Creve Coeur needs. The property owner is strongly motivated to find a profitable replacement for his dated strip. Rest assured he can find something better, that fits this part of Creve Coeur.

Thank you
Linda Reznay
314-872-7699 landline

Faxed to 314-872-2505

RECEIVED
MAY 29 2020
BUILDING DEPT.

Second not

To Attention of Jason Jaggi
To Planning and Zoning Commission
hopefully to be read May 29

Re the Traffic Study for the proposed Quik Trip

Looking at the traffic study for the QT, baseline data was collected by a study in Aug 2019, after school started. These are the numbers in Exhibit 1
(Traffic Impact Study Jan 13,2020 Page 6 of 24)

The Mobil on did not open until December 2019
All the actual counts for traffic on Olive and Schulte do not account for the big traffic change.
This application was made in the Spring of 2020, but the traffic data fomr the Summer 2019 in Exhibit 1 by then was uselessly out of date.

Also on Page 6, CBB a used data from a study they did on the ESTIMATED traffic for Mobil on the Run. CBB GUESS before the Mobil even opened.
CBB added that to a GUESS for full occupancy at the HBE building. The sum of these two GUESSES is Exhibit 2
Adding Guesses together does not make data more reliable.

A new traffic study with CURRENT data needs to be done before any more time is wasted considering this project.
It would be a legal disaster to pass this project along with the idea that it could be halted later if a second traffic study was unfavorable.

The traffic impact study is out of date and full of guesses, when reliable data is needed. The traffic impact study needs to be repeated NOW. After a new study, the project can come back up.

Thank you, Linda Rezny 314-872-7699 landline

Third Note, two pages

Attention Jason Jaggi
To the Planning and Zoning Commission
In advance of the June 1 meeting for the proposed QT

RECEIVED
JUN 01 2020
PLANNING DEPT.

Masonry Wall needed

I attended the Neighborhood Meeting Quik Trip had in Feb. They showed drawings for the project. They claimed they were not sure how far the parking lot would encroach on to the old Graeser Residence lots, but they did show a long masonry wall behind the parking lot.

Now that we have Preliminary Demolition Plan Sheet 2 and Renderings (Elevations), we can see how much of the formerly residential area is taken up by the proposed development. The parking lots eats 69 ft, the big trash enclosure more, and the retaining wall about 78 ft. What is left is a pair of soulless detention basins, separated from the Martin Grove homes by a flimsy wooden fence.

THE PLAN DOES NOT HAVE A MASONRY WALL.

Wooden fences are poor sound absorbers and landscaping blocks sight lines, but is not a good sound absorber. Masonry is needed.

The proposed plan would increase the noise on the surrounding properties. Currently, most noise is at the front of the property. There are some cars on the lots coming to businesses for an extended visit. Most of the noise in front is the constant sounds of engines and moving tires on Olive.

First we will look at the noise from cars on the lot. The space behind the buildings are marked for parking, but only the workers at the businesses use that now. The new configuration will have fewer parking spaces in front of both the buildings. The Convenience store has doors on the front and there are two entrances on the sides with parking spaces. The cars will need to use the parking spaces behind the buildings due to the shortage in the front. The Convenience store is closer to the neighbors so the rear lot would be a new noise source. The QT would also be open 24 hrs, about double the time the current businesses operate. Further there would be far more customers traveling in and out. More cars, more customers, closer to the residences, for 24 hours can make a lot more noise. A masonry wall would be needed.

The building that had Krummenacker Pharmacy is 160 ft of sound deadening. If the QT is built as proposed, that 160ft mass, will be gone, replaced by a 92.25 ft building, 58% of the size of the current one. The new building is smaller and sited to the SE. The current gap for sound protection between the buildings is about 60 ft, the new one about 80 ft. The new building's front is about 70 ft closer to Martin Grove and windfield Point and leaves about 50 additional ft on the west of the building completely without real sound protection. Having Road noise from Olive is a problem I am familiar with. My back yard is 430 ft from Olive. The sirens and occasional horns are just interruptions in the low roar of road noises. Imagine you are in a room with a noisy fan running. After a while you might forget it was there, but you are so relieved when it is finally turned off. The houses on Martin Grove are about 420 ft from Olive, a bit closer than mine.

The current line of buildings blocks some of that noise. Removal of the large masonry building opens up residents to the constant drone from Olive. The solution is a masonry wall.

Linda Reedy pg 1

PNZ June 1

Generally it is most efficient to block noise closest to the source so a continuous masonry wall behind the parking lots, as was included in the neighborhood presentation, would be the best solution to the rise in noise for the neighbors.

Thank you
Linda Rezny 314-872-7699 land line

pg 2

Whitney Kelly
 Creve Coeur City Planner
 300 N. New Ballas Rd
 Creve Coeur, Mo 63141

Dear Whitney,

I am a resident of Creve Coeur and live at 755 Graeser Rd. I am writing to express my thoughts on the proposed Quick Trip development. I will not be able to attend the meeting this Monday so I wish to express my thoughts in writing.

I want to begin by saying I have developed several strip centers myself. I understand the whole process and am familiar with requests for zoning and special use permits. I am certain that Quick Trip will comply with all zoning requests as the lot is perfect for their needs. I know that since there has been a recent special use and zoning permitted for the Mobil that this request by QT will follow and most likely be awarded. However, since I live less than a block away and am familiar with the process, I wish to express some of my concerns which may lead to some intelligent changes to the site plan and statutes surrounding the special use permit.

1. I would like to see delivery times, trash trucks, gas deliveries etc.. in the middle of the day and not real early or real late at night. I believe it would be prudent because it will also limit truck use on Graeser.
2. I believe the buffer landscaping should be increased and some trees should be closer to the building more at the height of the neighboring properties. Increasing the height of the trees will help to block the view. The trees should be (1) on the top of the retaining wall near the building (2) as well as surrounding the water retention area.
3. I think there is an issue with safety of getting the big tanker trucks in and out of the site due to the size and location of the curb cut on Olive (according to the renderings we saw at the public meeting several months ago). We do not want the big trucks on Graeser at all.
4. Quick Trip is proud of their new Fresh Food service areas. We don't want this to become a destination for outdoor dining and **we don't ever want to allow a drive thru.** This is primarily a gas station and not a restaurant. We would like to limit the future "restaurant" activities.
5. Operating for 24 hours worries us since we are very near the site. I know Mobil has this and you will grant this to QT but it still concerns us.
6. I believe the woman from QT who gave the presentation is correct when she says they will not be bringing more traffic, however I believe they will be **diverting** traffic onto Graeser in the mornings. People will come in, get gas, exit onto Graeser. The easy egress is onto Graeser. This store is wanting this site because they are on "the going to work side of the street". They are not contemplating getting west bound customers, those will go to Mobil. They will get more eastbound traffic, with the highest activity in the early morning and will be diverting traffic onto Graeser, which

will then continue east on Ladue or over to the hiway. This will put increased “cut through” traffic on Graeser when school buses and children are on the street. I believe we could petition for either **more stop signs** on Graeser to slow down and discourage Graeser traffic. Or maybe have a **sign prohibiting right turn traffic** from QT onto Graeser at specific times, similar to the signs at Rondelay. Or even **speed bumps**. All of these things along with **increased police presence to discourage and enforce against more hi speed traffic endangering kids in the morning**.

- a. This issue of **diverting** traffic is actually one of my major worries. I believe it will make Graeser a street with fast drivers and **it will be unsafe to the children especially in the morning with school buses**. Remember, this is the going to work side of the street (mornings).
7. I am concerned that the drainage area be maintained and properly landscaped. Many times these areas fall into disarray and are neglected. As stated before, I would like proper buffer landscaping at heights that will limit vues of QT. Landscaping should be at the top of the retaining walls and around the detention area.
8. Speeding on Graeser is a bit of a problem now. More police presence, another stop sign, or blinking lights on the current stop signs like they have in front of Glendale City Hall, or a radar speed sign to slow people down would make the street safer for the children in the area.

Thank you for your consideration in the above mentioned matters.

Sincerely,
 Michael J Faddis, DDS
 Linda Faddis
 755 Graeser Rd



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, May 17, 2020 at 6:28 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, marileanagarcia@gmail.com

Your form has a new entry. Here are all the answers.

Email address	marileanagarcia@gmail.com
Name	Marileana Garcia
Home Address, Zip code	10811 Rondelay drive
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sat, May 2, 2020 at 11:43 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, cma1101@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	cma1101@yahoo.com
Name	Carol Alexander
Home Address, Zip code	345N. Mosley Rd.
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	We have enough gas stations in Creve Coeur now. The traffic will be much worse becoming another Manchester! Also this could bring more crime to Creve Coeur and unfair to the surrounding neighbors.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, May 19, 2020 at 6:59 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, keene.stum@gmail.com

Your form has a new entry. Here are all the answers.

Email address	keene.stum@gmail.com
Name	Keene Simon Stum
Home Address, Zip code	827 Graeser Road
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	Graeser Road is a clean, quiet community with many private homes, and families, many of them with children. I strongly believe that a retail development the scale and scope of a QuickTrip would be at the very least in stark contrast and incredibly disruptive to the neighborhood and possibly even detrimental to the people, properties and community as a whole. In addition, there are (obviously) already two existing gas stations/convenience stores on the opposite side of Olive Blvd. (With the Mobile/OntheRun that just opened a few months ago) Thank you for you time.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

No QT at Graeser/Olive

Olivia Cornelison <oliviac0417@gmail.com>

Fri, May 22, 2020 at 5:40 PM

To: wkelly@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, hsilverman@crevecoeurmo.gov, atravers@crevecoeurmo.gov
Cc: bergerbrett7@gmail.com

Dear Creve Coeur Officials,

We have lived off Graeser Road on Pine Manor since 1977 and have thoroughly enjoyed the community and appreciated the way the city officials have managed to maintain the feeling that this is a great town to live in and to raise a family.

We strongly opposed the Waterway Car Wash at this site and now WE STRONGLY OPPOSE THE QT STATION AND CONVENIENCE STORE.

There are many reasons this project does not belong at this site. However, my background has me looking at this in a little bit different perspective and I would like all of you to review this project from my perspective.

As a retired civil engineer and V.P. of Marketing for a major developer, I feel that the following shows this is the wrong location for a QT Gas Station.

We always started our SITE LOCATION with the following:

First and foremost THE PROJECT MUST ADD TO THE FABRIC OF THE COMMUNITY.

If you are convinced that answer is yes, then there are five (5) steps to ensure the project will be successful.

- 1) Location - determine who your customers are, their demographic characteristics, taste preferences and the sophistication levels. Consider if the community is actively seeking your project. They might not need or want your business.
- 2) Beware of problem locations. Some locations are perfect and some may be miserable and cause project failure.
- 3) Estimate the market size and lookout for vehicular and traffic flow problems, which can create costly safety issues.
- 4) Pay a fair price for the property. Poor Return On Investment (ROI) will cause failure.
- 5) Very rarely will a business be the only game in town. Be certain there is enough business to go around. Too much competition will reduce profit and ultimately cause failure. ALSO ANALYZE IF YOU HAVE ANYTHING TO OFFER THAT YOUR COMPETITION DOESN'T. If not, go to another location.

Based on these criteria, this project should never have been selected for this Creve Coeur location and obviously does not belong there.

The QT project will be creating traffic and safety concerns, poor aesthetics for the neighborhood and they are NOT NEEDED because On-The-Run and Circle K gas stations are handling the neighborhood needs.

QT has apparently forgotten that you determine NEED BEFORE SELECTING A SITE.

Their actions in reference to this project have already determined they have no desire to become a good neighbor. They do not belong, in this location, in our great Creve Coeur community.

Thank you,

Jim and Olivia Cornelison
10 Pine Manor Drive
Creve Coeur, MO 63141

cell number - 314-620-1820 (Jim Cornelison)



Whitney Kelly <wkelly@crevecoeurmo.gov>

QT

Steve Goldenberg <steve@goldenmgt.com>

Fri, May 8, 2020 at 2:38 PM

To: wkelly@crevecoeurmo.gov

Cc: bgilantz@crevecoeurmo.gov, atravers@crevecoeurmo.gov, hsilverman@crevecoeurmo.gov, elawrence@crevecoeurmo.gov, ajwang@crevecoeurmo.gov, cdalfonso@crevecoeurmo.gov, rhoffman@crevecoeurmo.gov, ssaunders@crevecoeurmo.gov, sbaseley@crevecoeurmo.gov

Dear Mayor Glantz, City Council Members and Members of the Planning and Zoning Commission,

I am writing this letter in strong support of the proposed QT convenience store at Graeser and Olive. This is a perfect location for this use and the existing shopping plaza is an embarrassment to the City of Creve Coeur.

I have worked with QT and they are the premier operator in the c-store industry. Their stores are always well maintained and their grounds are meticulously kept. Their employees are well trained, polite and professional. I strongly advise all of you to visit any QT store and take notice of the building, grounds and staff.

The City of Creve Coeur needs to make this area of our City a priority and clean up these blighted centers. We should welcome in new tax generating businesses, especially those businesses who operate at the level of quality as QT.

I support the City making all necessary construction requirements to best protect the neighboring subdivision from the noise and sight of this store. At the same time, I expect the City to understand that this is a high volume commercial corner and that this is an appropriate use.

The fear of change is not a reason to deny progress. The concern of traffic, crime and pollution are unfounded and foolish. Our elected officials must make decisions based on facts and for the good all of the residents of Creve Coeur. Decisions cannot be made to placate those that will oppose ANY new commercial use at this location.

Sincerely,

Steve Goldenberg

153 Plantation Drive

Creve Coeur, MO

314-397-3088 (cell)



Whitney Kelly <wkelly@crevecoeurmo.gov>

Quik trip

nancy brown <nancy.brown11@yahoo.com>

Mon, May 4, 2020 at 8:01 AM

Reply-To: "nancy.brown11@yahoo.com" <nancy.brown11@yahoo.com>

To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>

Please stop the quick trip from coming to Olive and Graeser! We don't need another gas station that close to the other two! Small shops, restaurant, hardware store, etc. Would be a much better addition.

Thank you!

Nancy Brown

[10677 speede view ct](#)
[63141](#)

[Sent from Yahoo Mail on Android](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

Quiktrip

Izgalie@gmail.com <lzgalie@gmail.com>

Mon, May 4, 2020 at 10:50 AM

To: wkelly@crevecoeurmo.gov

I'm not sure that Creve Coeur is legally able to stop QT from building on Olive. But really, do we need another gas station? Why on earth do we need four of them in the space of a mile? Perhaps Creve Coeur is thinking of being the first city in West County with a gas station mall?

Certainly we should be able to find a business that will enhance our community. You have heard many suggestions since this information became public. Please take all legal means to make our community one that makes us proud.

Thank you for your attention.

Liz Galie

Malcolm Terrace

Sent from my iPhone



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Wed, Apr 1, 2020 at 9:59 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, waarnol@yahoo.com

Your form has a new entry. Here are all the answers.

Email address waarnol@yahoo.com

Name William Arnold

Home Address, Zip code 63141

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Wed, Apr 1, 2020 at 3:02 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, wallachma@gmail.com

Your form has a new entry. Here are all the answers.

Email address	wallachma@gmail.com
Name	MARC A WALLACH
Home Address, Zip code	10965 Chambray Court
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Thu, Apr 2, 2020 at 4:54 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, meschwerin@gmail.com

Your form has a new entry. Here are all the answers.

Email address	meschwerin@gmail.com
Name	Matthew Schwerin
Home Address, Zip code	447 Ridgecorde Pl 63141
Creve Coeur resident?	No
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Thu, Apr 2, 2020 at 10:10 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, mfschwerin@gmail.com

Your form has a new entry. Here are all the answers.

Email address	mfschwerin@gmail.com
Name	Michelle Schwerin
Home Address, Zip code	447 Ridgecorde Pl 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sat, Apr 4, 2020 at 9:01 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, hxian07@gmail.com

Your form has a new entry. Here are all the answers.

Email address	hxian07@gmail.com
Name	Hong Xian
Home Address, Zip code	10 Wedgewood Lane, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Fri, Apr 3, 2020 at 5:43 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, debrawiens@gmail.com

Your form has a new entry. Here are all the answers.

Email address	debrawiens@gmail.com
Name	Debra Wiens
Home Address, Zip code	10959 Janridge Lane
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Fri, Apr 3, 2020 at 5:53 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, annemie_dewilde@yahoo.com

Your form has a new entry. Here are all the answers.

Email address annemie_dewilde@yahoo.com

Name Annemieke De Wilde

Home Address, Zip code [10935 Janridge Lane, 63141](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this proposal to be passed by the Planning and Zoning commission. We have MORE than enough gas stations. PLUS let's find a revenue resilient solution in a pandemic environment! We need MUCH MORE creative solutions in what is sure going to be a new much more LOCAL economy. How about a farmer's - local arts & crafts market place

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Apr 6, 2020 at 1:49 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, olivia0417@gmail.com

Your form has a new entry. Here are all the answers.

Email address	olivia0417@gmail.com
Name	Olivia Cornelison
Home Address, Zip code	10 Pine Manor Drive
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Apr 6, 2020 at 2:46 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, louiss53@gmail.com

Your form has a new entry. Here are all the answers.

Email address louiss53@gmail.com

Name Louis & Marilyn Salini

Home Address, Zip code [11071 Graeser Lane](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. Do we really need another gas station within several 100 feet of the mega Mobil and Circle K unless it's the city's desire to have Olive become like Manchester rd. or St. Charles Rock Rd. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Apr 6, 2020 at 8:04 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, swanjoe8488@gmail.com

Your form has a new entry. Here are all the answers.

Email address	swanjoe8488@gmail.com
Name	Joe Swan
Home Address, Zip code	547 Chalet Ct, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, Apr 7, 2020 at 4:12 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, cheryl.gelstein@gmail.com

Your form has a new entry. Here are all the answers.

Email address	cheryl.gelstein@gmail.com
Name	cheryl.gelstein@gmail.com
Home Address, Zip code	63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, Apr 7, 2020 at 4:07 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, andrew_fredman@ml.com

Your form has a new entry. Here are all the answers.

Email address andrew_fredman@ml.com

Name Andrew Fredman

Home Address, Zip code [10955 Brooktrail Court](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, Apr 7, 2020 at 3:49 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, reon1@aol.com

Your form has a new entry. Here are all the answers.

Email address	reon1@aol.com
Name	Richard O'Neill
Home Address, Zip code	150 Brooktrail Court
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, Apr 7, 2020 at 4:22 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, mbrmlt@mac.com

Your form has a new entry. Here are all the answers.

Email address	mbrmlt@mac.com
Name	Michael Rumelt, M.D.
Home Address, Zip code	10914 Broktrail Court
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, Apr 7, 2020 at 4:26 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, mbrmlt@mac.com

Your form has a new entry. Here are all the answers.

Email address	mbrmlt@mac.com
Name	Michael B Rumelt, M.D.
Home Address, Zip code	10914 Brooktrail court
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	As a home owner I fear a reduction in the value of my home, excessive traffic and pollution, and no public need for this proposal since several similar businesses already are located at the intersection of Olive and Schulte.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, Apr 7, 2020 at 4:27 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, lblath@hotmail.com

Your form has a new entry. Here are all the answers.

Email address lblath@hotmail.com

Name Lorry Blath

Home Address, Zip code 63141

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

Olive street is already way too busy without adding yet another gas station. During normal times, prior to Covid, a ten-minute drive could take 20 or 30 minutes to go east or west from 270 on Olive. I'm sure there are many accidents at that hour and from 5:30PM on. There are many gas stations already. Personally, I avoid Olive as much as possible. I'd rather go up and down Ladue, but there are reasons to drive on Olive street, including restaurants, cleaners, groceries and the adorable shops! What cute shops? Oh, there are NO adorable shops. Only car washes, automobile dealers, and gas stations. Why would nay restaurateur or shop owner even consider placing a business in Creve Coeur. Another gas station makes Creve Coeur look cheap, not anything like Kirkwood or Webster where one can actually go shopping and to nice restaurants. May as well put in a Walmart while you are at it. Cheapen our home values and then we will pay less taxes and Creve Coeur will end up like Page or Dorsett. I have lived here over 40 years and seen my house value appreciate. I used to be proud to say I lived in Creve Coeur...

Just because a developer has put his money into a deal, does NOT mean we have to bow and and say happy to comply with your wishes!

I urge you, please do NOT allow this dangerous unnecessary proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, Apr 7, 2020 at 4:36 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, dwelick@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	dwelick@yahoo.com
Name	David Elick
Home Address, Zip code	153 Brooktrail Ct., 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Wed, Apr 8, 2020 at 9:49 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, alsheila@sbcglobal.net

Your form has a new entry. Here are all the answers.

Email address	alsheila@sbcglobal.net
Name	Sheila Rosenfeld
Home Address, Zip code	158 South Graeser, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Wed, Apr 8, 2020 at 10:16 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, ncabboud@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	ncabboud@yahoo.com
Name	Nabil and Rose-marie Abboud
Home Address, Zip code	133 S Graeser Rd 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Wed, Apr 8, 2020 at 12:51 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, salimchahin@gmail.com

Your form has a new entry. Here are all the answers.

Email address	salimchahin@gmail.com
Name	Salim Chahin
Home Address, Zip code	111 S Graeser Rd, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 12, 2020 at 1:04 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, vbenduski@hotmail.com

Your form has a new entry. Here are all the answers.

Email address	vbenduski@hotmail.com
Name	Veronica Benduski
Home Address, Zip code	262 Graeser Road, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Apr 13, 2020 at 6:26 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, melmuch@hotmail.com

Your form has a new entry. Here are all the answers.

Email address	melmuch@hotmail.com
Name	Melanie Muchnick
Home Address, Zip code	63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Wed, Apr 15, 2020 at 4:23 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, jazzcat320@gmail.com

Your form has a new entry. Here are all the answers.

Email address	jazzcat320@gmail.com
Name	Lori Burkhardt
Home Address, Zip code	1286 Weatherby Drive
Creve Coeur resident?	No
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission. I am just north of Incorporated Creve Coeur. I use the Graeser and Olive intersection every day Added traffic and driveways would be a dangerous addition to that intersection.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Thu, Apr 16, 2020 at 6:58 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, vrbhatias2@excite.com

Your form has a new entry. Here are all the answers.

Email address	vrhatias2@excite.com
Name	H B
Home Address, Zip code	63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Fri, Apr 17, 2020 at 2:34 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, thomayang.xiaoguang@gmail.com

Your form has a new entry. Here are all the answers.

Email address	thomayang.xiaoguang@gmail.com
Name	Thomas Yang
Home Address, Zip code	573 Oakhaven Ln, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	1. We already have enough gas station and car wash around this area. 2. may causing traffic issue around Graseser and Olive for both pedestrians and drivers 3. may cause other safety issue, welfare concerns 4. Public hearing is also limited due to the ongoing pandemic

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 9:45 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, hxian07@gmail.com

Your form has a new entry. Here are all the answers.

Email address	hxian07@gmail.com
Name	Hong Xian
Home Address, Zip code	10 Wedgewood Lane, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	No need

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 5:05 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, yiweiding2013@gmail.com

Your form has a new entry. Here are all the answers.

Email address yiweiding2013@gmail.com

Name Yiwei Ding

Home Address, Zip code [11059 Graeser Ln, Creve Coeur, MO 63141](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I wish to object to this proposal on the following grounds:

Despite all the modern health and safety guidelines QuickTrip must follow, gas stations can still pose significant hazards to neighbors, especially CHILDREN, the ELDERLY, and PEOPLE of all ages who have lung conditions such as asthma. Some of the perils include ground-level ozone caused in part by gasoline fumes, groundwater hazards from petroleum products leaking into the ground. Most gas pumps today must have government-regulated vapor-recovery boots on their nozzles, which limit the release of gas vapors while you're refueling your car. But if those boots aren't working properly, the nearly odorless hydrocarbon fumes, which contain harmful chemicals like benzene, can be released into the air.

What's more, a 24-HOUR gas station and convenience store at the proposed location will draw heavier traffic, conducive to drugs, violence and crime, therefore threatening the safety of our CHILDREN and COMMUNITY. Children being picked up and dropped off by school buses will be in additional danger. A 24-HOUR operation right at the entrance of Cress Creek neighborhood loses a fundamental appeal associated with any desirable communities leading to an inevitable decline in property value and/or attraction. This will 'Cheaper' the neighborhood. More and more cities realized the problems caused by 24-HOUR gas station and imposed restrictions on existing 24-HOUR gas stations.

We strongly believe there is NO need for another gas station as there are currently four gas stations within 2 miles radius along Olive Blvd. We are a quiet CHILD FRIENDLY neighborhood and wish to remain this way!

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 4:32 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, johnnyz2016@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	johnnyz2016@yahoo.com
Name	Johnny Zhang
Home Address, Zip code	3 pine manor, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	We already have two gas stations cross the street on olive blvd. There is no need for another gas station. a new QT would bring traffic, noise, crime to this neighborhood.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 1:54 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, jstolker@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	jstolker@yahoo.com
Name	Joshua Stolker
Home Address, Zip code	5 Faron Hill Rd
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	Hi-- The families who live on Graeser Road are regularly walking up to Olive Blvd for trips to Walgreens, FroYo, Noodles and Company, Pumpernickle's, and more. Most evenings in the spring, summer, and fall, this is a very busy area of pedestrian traffic, and we already have witnessed drivers plowing through Graeser at high speeds, or racing around the corner from Olive onto Graeser (especially those going to the Credit Union on the corner). This will clearly worsen if a gas station is built on the corner, both in terms of safety and in terms of automobile traffic overall-- please push for a different type of commercial development on this corner, for the sake of all of our families in this area of Creve Coeur!! -Josh Stolker

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 12:57 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, lblath@hotmail.com

Your form has a new entry. Here are all the answers.

Email address	lblath@hotmail.com
Name	Lorry Blath
Home Address, Zip code	146 S. graeser rd. 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	Yet another gas station will cheapen Olive street rd. It is becoming like a Page or Dorsett -- busy, cheap, unpleasant. If we can't stop this, then we may as well build a Walmart on the next corner. Developers can't always have their way. Another gas station will prevent any restauranteur to place a local eatery here; it will prevent interesting shops from going in. We are not Kirkwood or Webster or Clayton -- a walkable city. But why not? If another gas station lowers tax values of homes, the city will earn less tax revenues overall. This is not a good investment for the city of Creve Coeur.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 12:46 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, jennifer.drescher@gmail.com

Your form has a new entry. Here are all the answers.

Email address	jennifer.drescher@gmail.com
Name	Jennifer Drescher
Home Address, Zip code	11006 Martin Grove Lane, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I am concerned about the increased traffic in the area and also the potential for increased crime. We do not need another gas station on East Olive. I do not want our neighborhood to look like Page or Hampton. Our property values will decrease. Our neighbor already lost a contract on their home due to the possibility of a Quik Trip.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 12:40 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, janelibo@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	janelibo@yahoo.com
Name	Jane LI
Home Address, Zip code	11003 Martin Grove
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	It's obvious that we already have enough gas stations with 2 just across the street. We need more diversity in business establishments in this area in order to keep the property value up which will eventually lead to more tax revenues for the City. Another gas station will bring unwanted traffic, environment pollution and safety issues. All will drag down the property value.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 12:38 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, jdoll555@gmail.com

Your form has a new entry. Here are all the answers.

Email address	jdoll555@gmail.com
Name	Jill Starr
Home Address, Zip code	63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I think it will be way too crowded for Graeser and disruptive for the neighborhoods around Quiktrip. I also think we don't need another gas station with all the other ones within a half mile already there!

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 11:14 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, yangjunboy7@yahoo.com

Your form has a new entry. Here are all the answers.

Email address yangjunboy7@yahoo.com

Name Jun Yang

Home Address, Zip code [8 winfield pointe lane, creve coeur, 63141](#)

Creve Coeur resident? Yes

Dear Mrs. Kelly & Mr. Jaggi,

I wish to object to this proposal on the following grounds:

Despite all the modern health and safety guidelines QuickTrip must follow, gas stations can still pose significant hazards to neighbors, especially CHILDREN, the ELDERLY, and PEOPLE of all ages who have lung conditions such as asthma. Some of the perils include ground-level ozone caused in part by gasoline fumes, groundwater hazards from petroleum products leaking into the ground. Most gas pumps today must have government-regulated vapor-recovery boots on their nozzles, which limit the release of gas vapors while you're refueling your car. But if those boots aren't working properly, the nearly odorless hydrocarbon fumes, which contain harmful chemicals like benzene, can be released into the air.

Comments about why you oppose QuikTrip development @ Graeser and Olive.

What's more, a 24-HOUR gas station and convenience store at the proposed location will draw heavier traffic, conducive to drugs, violence and crime, therefore threatening the safety of our CHILDREN and COMMUNITY. Children being picked up and dropped off by school buses will be in additional danger. A 24-HOUR operation right at the entrance of Cress Creek neighborhood loses a fundamental appeal associated with any desirable communities leading to an inevitable decline in property value and/or attraction. This will 'Cheapen' the neighborhood. More and more cities realized the problems caused by 24-HOUR gas station and imposed restrictions on existing 24-HOUR gas stations.

We strongly believe there is NO need for another gas station as there are currently four gas stations within 2 miles radius along Olive Blvd. We are a quiet CHILD FRIENDLY neighborhood and wish to remain this way!

All the best,
Yang Family
[8 Winfield pointe lane](#)

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 10:53 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, altonfamily@charter.net

Your form has a new entry. Here are all the answers.

Email address altonfamily@charter.net

Name ROBIN ALTON

Home Address, Zip code [439 RIDGECORDE PLACE](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I have lived off Graeser Road for over 20 years. I have seen the changes in traffic patterns during that time with the adding of stoplights at both Olive and Ladue. My concerns besides the current residential cars we have is the additional traffic that would use Graeser as a cut through during the day and especially at rush hour. These non-residents would use Graeser as a much shorter way with less traffic to get access to either Lindbergh or Highway 40. The additional traffic especially during the afternoon/evening rush hour would be a major safety concern when you have late buses from Ladue dropping off children and there are pedestrians that are trying to cross from the West side of Graeser to access the sidewalk on the East side. There would also be additional cars accessing Graeser to go West onto Olive making it more difficult for us the residents to make a left turn.

The QT is a business we do not need when we already have two gas stations (Mobil & Circle K) with mini markets a BLOCK away at Shulte/Mary Meadows and Olive.

Another concern would be the fact that QT would be open 24 hours and is an invitation for an increase in crimes like vandalism and burglary with homes located right behind this business.

Please help continue to keep Graeser quiet and safe for all our residents and do not allow this QT to be built.

Thank-you
Robin Alton

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 19, 2020 at 10:20 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, missish22@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	missish22@yahoo.com
Name	Aisha Bangert
Home Address, Zip code	832 Deaver lane, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	We do not need another 24 hour gas station in this area. One of them will be bound to close, then we'll have an abandoned lot. Not to mention the additional traffic crossing graeser! Put it down by City Place where there is only 1 station and hard to get in and out of.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sat, Apr 18, 2020 at 6:43 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, svetlanaduncan@ymail.com

Your form has a new entry. Here are all the answers.

Email address	svetlanaduncan@ymail.com
Name	Svetlana Duncan
Home Address, Zip code	63146
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	That part of Olive is already well saturated with gas filling stations. The On the Run that was recently put across the street is more than enough for that area. In my experiences QuickTrips have brought rougher crowds to neighborhoods and I don't welcome that.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sat, Apr 18, 2020 at 9:24 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, ncabboud@yahoo.com

Your form has a new entry. Here are all the answers.

Email address ncabboud@yahoo.com

Name Nabil & Rose-Marie Abboud

Home Address, Zip code [133 S Graeser Rd 63141](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

Our main concern is why do we need another gas station in the neighborhood when we already have several others within a short distance of each other, especially that new monstrosity car wash that disfigured a previously attractive stretch of Olive! Do we have to repeat the obvious drawbacks of putting another gas and fast service station so close to residential homes, with the increased traffic at all times of the day and night, especially including but not limited to the danger to children going to and coming from school. If our city needs more revenue, this is not the kind of business that we think is appropriate in this case, and we hope that the QuickTrip development will be rejected. Due to the Coronavirus epidemic, all Creve-Coeur residents should be able to voice their opinion through a mailing survey and not a meeting that they may not be able to attend. Thank you for your consideration and attention to this matter.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Fri, Apr 24, 2020 at 11:12 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, doron.berger@outlook.com

Your form has a new entry. Here are all the answers.

Email address	doron.berger@outlook.com
Name	Doron Berger
Home Address, Zip code	133 Ladue Oaks Dr St Louis, MO 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Apr 26, 2020 at 11:52 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, ginadibar@yahoo.com

Your form has a new entry. Here are all the answers.

Email address ginadibar@yahoo.com

Name Gina Shanfeld

Home Address, Zip code 718 Graeser Rd. 63141

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I'm writing to express my extremely strong opposition to the QuikTrip project being considered for the southwest corner of Graeser and Olive. My family and I live a short distance from this corner, on Graeser, just south of Winfield Pointe neighborhood. I firmly believe this proposal is not in the best health and safety interests of the area. Further, the placement of a gas station and convenience store in this particular block further degrades this stretch of Olive, until now a quiet and residential stretch of Olive already flanked by three gas stations within one half mile of the project site. This is unacceptable to those of us who have chosen this area for our families and made considerable investments in our properties....many of which are located within a few hundred feet of this location. Lastly, I urgently request that any further consideration/review of this project be made fully accessible to public input. In light of the current Covid pandemic, this means delaying such considerations or requiring that such discussions be open to both in-person and virtual participation to ensure full accessibility even during the Covid pandemic.

QuikTrip will increase crime, traffic, and other undesirable elements at the gateway of a lovely residential street, teeming with young children. I attended the Meet and Greet at the Dielmann Rec Complex a few months back, and Gwen Keen, Real Estate Project Manager for QuikTrip, tried to deny that convenience stores brought higher rates of crime. She tried to paint a picture of a more upscale clientele at this location...."doctors stopping for an early morning cup of coffee on their way to work," and that kind of thing. Let's be clear. Olive is a major thoroughfare connecting Hwy 270 to I-170 and it is heavily trafficked. I follow the Creve Coeur crime reports and take note in just the past month of multiple incidents of theft and other questionable activity at the new Mobil On The Run gas station, the Circle K gas station and the Phillips 66 station very nearby. In two recent instances, the incidents were theft of alcohol by someone who then jumped into a waiting car. Other incidents involved theft of gas, which would likely entail a high-speed departure from the scene in a wreck-less manner. Gas stations and convenience stores that operate 24 hours do invite crime as well as the potential for that crime during overnight hours in places where-as in this case -previously there has been no such threat. I urge you to consult with the police department to further review these crime reports and those of other nearby municipalities related to convenience stores.

Additionally having a gas station with round-the-clock traffic presents a real safety hazard as a school bus stop exists just 40 ft from the curb cut on Graeser Road and traffic would be considerably increased. Scores of young children live in the first 3 blocks of Graeser south of Olive... 23 of them under the age of 8! Parents walk with their strollers and children from their homes to Walgreens, Noodles, and Fro Yo, which requires that they walk past this project site and through an intersection that would now be far more deadly with increased traffic and added curb cuts. The very name - "Quik Trip," is intended to evoke the ease of dashing in and out to grab gas and other items...the higher volume, the better....not in alignment with the caution and care we would look for on a pedestrian-heavy, residential street like Graeser. We already get cars racing down Graeser at 70 mph...the last thing we need is additional traffic cutting across Graeser from Ladue Road and other points south to get to/from the QuikTrip!

We moved to Creve Coeur four years ago, and were drawn to the quiet nature of this street and neighborhood. My family has made a considerable investment in our home, with the reasonable expectation that there would not be a 24-hour convenience store/gas station just 2.5 blocks from our house... nearly close enough for the glow of the overhead lights of the parking lot to be seen at our house. An older but occupied (until recently) strip center with a mix of long-established businesses has been in this location and was a nice fit for the area. What makes the QuikTrip prospect even less desirable is that there are not one, but two gas station/convenience stores within .3 miles of the Graeser/Olive Intersection, one completed within the last two months! Another gas station- Waterway- is less than .5 miles away in the other direction! There is no need for another gas station! Perceived home values in our neighborhood have already been impacted by the possibility of QuikTrip moving in. A home sale in Martin Grove neighborhood recently fell through once the prospective buyers learned that Quik Trip was hoping to become a neighbor.

There are 2 gas stations on the south side of Olive between 270 and I-170, and then 4 more on the north side. That's 7 total gas stations within a 4.7 mile stretch! Ms. Keen had indicated that this location would be unique due to its on the south side of Olive. However, Phillips 66 and the BP at Olive and Old Bonhomme are on the south side of Olive. In this 4.7 mile stretch, how necessary is it truly to add a 3rd gas station on that side of Olive? Where there is arguably a need for a gas station/convenience store is farther west on Olive by the new multimillion dollar Barnes -Jewish West County Hospital, where very few gas station/convenience stores currently exist, and a lot more traffic from further distances is likely present. At Graeser headed east to Old Olive Street Road, Creve Coeur is trying to create a pedestrian friendly East Olive Corridor. How much better served would this goal be if there was a mix of retail and restaurants at Graeser, a better mix of business and one that is pedestrian friendly rather than unsightly, unnecessary, and arguably dangerous?

I am not alone in my strong opposition to the arrival of QuikTrip at the entrance to our neighborhood. My neighbors and I understand that you are charged with giving the applicants a fair hearing and we are confident that the Planning and Zoning Commission will do its due diligence with regard to review of traffic flow and crime reports and stats related to this type of business-especially since several such businesses exist already in the immediate area. QuikTrip will have a battle on its hands. Graeser Neighbors For Safety is committed to demonstrating to our elected officials why this gas station convenience store is NOT the right project for this area. We appreciate the chance for neighbors and other interested community members to be part of the discussion and provide feedback. Since the QuikTrip Conditional Use Permit is now complete and before the city, and we are still under Shelter-in-Place and social distancing restrictions due to Covid-19, I would ask you to ensure that all who wish to be part of this discussion be allowed to do so. Please keep your citizens informed of when the public hearing might be, and please continue to offer access to that meeting by zoom conference, webinar and hopefully in-person participation.

Thank you for your time and careful consideration of this matter.

Sincerely,

Gina Shanfeld
[718 Graeser Rd.](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Apr 27, 2020 at 9:17 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, brberger@charter.net

Your form has a new entry. Here are all the answers.

Email address	brberger@charter.net
Name	Barbara Berger
Home Address, Zip code	133 Ladue Oaks Drive 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	Do we really need another gas station and quick shop in Creve Coeur!!! Other cities have wonderful restaurants and shops to go to. I am not proud of my city and always go elsewhere for my dining and entertainment needs!! It is merely a city to travel through to get elsewhere. More unneeded commercial which increases traffic to an already dangerous corner is a real cop out for our city!!

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Apr 27, 2020 at 9:25 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, brberger@charter.net

Your form has a new entry. Here are all the answers.

Email address	brberger@charter.net
Name	Barbara Berger
Home Address, Zip code	133 Ladue Oaks Drive 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	Do we really need another gas station and quick shop in Creve Coeur!!! Other cities have wonderful restaurants and shops to go to. I am not proud of my city and always go elsewhere for my dining and entertainment needs!! It is merely a city to travel through to get elsewhere. More unneeded commercial which increases traffic to an already dangerous corner is a real cop out for our city!!

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, Apr 28, 2020 at 10:35 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, mcmahon1699@gmail.com

Your form has a new entry. Here are all the answers.

Email address	mcmahon1699@gmail.com
Name	John McMahon
Home Address, Zip code	16 chaminade drive St. Louis mo 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	We don't need another gas station when there are 2 across the street. Recent gas leak at chaminade high school is a concern

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, Apr 28, 2020 at 10:47 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, lgholtzman@gmail.com

Your form has a new entry. Here are all the answers.

Email address	lgholtzman@Gmail.com
Name	Linda Holtzman
Home Address, Zip code	1 West Windrush Creek
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	We already just opened Mobil on the Run. It is too many gas stations together and will create traffic on Graeser Rd.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Tue, Apr 28, 2020 at 10:49 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, sholt1@aol.com

Your form has a new entry. Here are all the answers.

Email address	sholt1@aol.com
Name	Sylvan Holtzman
Home Address, Zip code	1 West Windrush Creek
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	Too many gas stations right next to each other. Also, will create traffic on Graeser

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Wed, Apr 29, 2020 at 7:18 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, ekalmes@aol.com

Your form has a new entry. Here are all the answers.

Email address	ekalmes@aol.com
Name	Emily Chambers
Home Address, Zip code	63146
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	No need. There are already 2 gas stations nearby and there is a QT down the road. I don't understand this proposal and the benefit of it especially since it will be cutting down houses and duplicating services. This a definite no for me

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Wed, Apr 29, 2020 at 7:45 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, nate2017@protonmail.com

Your form has a new entry. Here are all the answers.

Email address	Nate2017@protonmail.com
Name	Nathan Chambers
Home Address, Zip code	10911 Leighton Court
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	There are already two gas stations and the Walgreens. Walgreens has a drive-through. How do us residents in the area benefit from this development of the QuikTrip? I strongly oppose. Thank you. --Nate

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

No QT @ Graeser & Olive - example of the traffic dangers to residents

Brett Berger <bergerbrett7@gmail.com>

Sat, Apr 25, 2020 at 1:34 PM

To: mayor-council@crevecoeurmo.gov, Whitney Kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>

Cc: Zoe Lemcovitz <zaz3@sbcglobal.net>, Kurt Lord <Kurt.lord@svn.com>, Michael F <faddis755@gmail.com>, Steve Koslovsky <swk@koslaw.net>

Mr. Mayor, Creve Coeur City Council Reps, Jason, and Whitney,

Please know that I write this message with the utmost respect for you, our reps, and for the processes in place to keep projects like this fair for all involved, including developers.

As you are likely aware, my family and I strongly oppose the QuikTrip development, or any high volume 24 hour establishment, or any gas-station from being built at the southwest corner of Graeser and Olive. Our opposition is most strongly based on safety and health concerns.

The southwest corner of Graeser & Olive is already a VERY busy intersection and frequently poses danger for bikers, pedestrian traffic, as well as vehicles. There have been MANY traffic related incidents at this location historically and a 24 hour high-volume gas station will only make this problem worse.

I request that you please review documented incidents with the CC police department over the last 5 years and consider that many incidents go unreported. And consider that a high-volume establishment will increase incidents in a way that we simply can not predict quantitatively.

Our elected official primary objective is to protect residents. PLEASE protect us, the neighbors along Graeser, nearby neighbors, your CONSTITUENTS from this proposal that will add no value to our community.

If you need specific examples of the dangers that exist already at this busy corner, take a look at the fallout from an automobile accident YESTERDAY at this very location, see attached photos. I took these photos yesterday 4/24/2020.

The utility box in the photos was recently installed (last year or so, I would say). It was built with FOUR METAL GUARDS that are cement anchored into the earth to protect against vehicle collision. This is a dangerous corner with history of vehicular incidents, which is why it was built with protection to prevent it from being destroyed by a car. Would the protective poles be necessary if there weren't a cause for concern? Protection of PEDESTRIANS should be tantamount.. metal guards can not be put in place to protect people walking or biking.

Just YESTERDAY a vehicle with enough momentum collided with the metal concrete post guards, uprooted them the guards, and hit and destroyed and uprooted the utility box. What if this were a person walking instead of a utility asset? A high volume gas station at this corner will increase incidents like this in a huge way. This is not something we can measure predictively but more volume can only lead to more issues.

On a separate note please notify whomever at the city / utility companies would be needed to resolve this issue with the utility box.

I strongly implore you to consider the safety of your constituents. We are collectively PLEADING with you to consider the ill effects of this project.

NOT A SINGLE RESIDENT WANTS THIS GAS STATION BUILT!

I challenge you to find a nearby neighbor without financial ties to the project who actually wants this gas station built.

Where's the value to residents or the city? Would it be more revenue than the empty shell that it is? Yes.. but let's not let the developers/owners of this property force our hand because of the vacancy they created which is generating zero revenue for the city. They forced vacancy so our city would be desperate for any income from this property. I find this business approach to be low and deceitful.

Please consider our safety.

When these comments are made public for the public record please INCLUDE all three photographs as evidence.





Most respectfully yours,

Brett Berger
Graeser Neighbors for Safety <http://graeserneighbors.org/>
314.495.4990
[10 Winfield Pointe Lane, Creve Coeur, MO 63141](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

No QT at Graeser and Olive

Debi Feit <debifeit@gmail.com>

Thu, Apr 23, 2020 at 9:25 PM

To: wkelly@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov

Cc: bergerbrett7@gmail.com

Dear Creve Coeur Officials,

We have lived just off Graeser Road since 1980. We raised our children here, enjoying our neighborhood and our Creve Coeur experience immensely!

As with the recent Waterway debacle, we STRONGLY OPPOSE a QT in our neighborhood and community! There is absolutely no reason for this unwelcome addition, for so many important reasons!

We rely on our elected officials to represent and protect our neighborhoods and the Creve Coeur community, not be jaded by promises of enhanced revenue and/or falling victim to pressure by outside sources. Why would this unwelcome proposal even be considered? NO RESIDENT IN OUR NEIGHBORHOOD WANTS A QT!

A QT at Graeser and Olive would present a serious detriment to the Creve Coeur that we know, love and want to protect! The wishes and best interests of its citizens should always come first and foremost, in all decision making of both city officials and our elected representatives!

A QT at Graeser and Olive will reduce home values in the neighborhood by commercializing our neighborhood. Homeowners close by would be concerned and angry with a QT at Graeser and Olive, not only for the damage it would have on their home values, but on their way of life and enjoyment of their homes, as well! A QT as opposed to office/retail space would provide a vastly different type of presence in our neighborhood!

Additionally, let's consider the significant and safety scenario. A QT at Graeser and Olive will make our neighborhood and community much less safe for residents of all ages, due to unnecessary, increased and even dangerous traffic, at all hours. Would YOU want a QT in YOUR backyard? It is easy to foresee increased accidents and worse, waiting to happen.

Finally, why would we even have the need for yet another gas/convenience store, when we have numerous other existing (and recently renovated) gas/convenience shops along Olive, two of which are in close proximity to Graeser and Olive, another on Old Olive, one at Olive and Ballas, and yet another at Olive and Old Bonhomme?

Again, our opposition to a QT mirrors that of the very unsatisfactory Waterway proposal! We urge you to abandon and defeat any QT proposal, in the best interest of the proud community you serve!

Thank you.

Robert and Deborah Feit
8 Pine Manor Drive
Creve Coeur, MO 63141

Sent from my iPad



Whitney Kelly <wkelly@crevecoeurmo.gov>

No QT at Graeser/Olive

Mark Bronson <mbronson@newmanbronson.com>

Mon, Apr 20, 2020 at 1:28 PM

To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>, "jjaggi@crevecoeurmo.gov" <jjaggi@crevecoeurmo.gov>, "mayor-council@crevecoeurmo.gov" <mayor-council@crevecoeurmo.gov>
Cc: "bergerbrett7@gmail.com" <bergerbrett7@gmail.com>

Dear Creve Coeur Officials,

We have lived along Graeser Road since 1979. Please note our **STRONG AND SINCERE OPPOSTION** to you allowing a QT in our neighborhood and community.

As our City planners, and as the Guardians of our way of life and of our neighborhoods and community, we expected you to strongly discourage, if not immediately veto, even the thought of a QT at Graeser/Olive. Certainly, we expected that you all got the message when Waterway tried to establish itself there, and when a hotel was proposed to replace an office building at Mosely and Olive. We elect you and pay you to protect our community and existing way of life. A QT at Graeser/Olive is not part of our neighborhood, community or existing way of life.

There is absolutely **NO NEED** for a QT in our neighborhood and community.

A QT at Graeser/Olive **ONLY SERVES THE FINANCIAL INTERESTS OF QT** to the detriment of the neighborhood and community. I am not aware of any of the Creve Coeur planning projections including a QT at Graeser/Olive.

A QT at Graeser/Olive **WILL REDUCE HOME VALUES** in the neighborhood by **COMMERCIALIZING THE NEIGHBORHOOD**. Are you aware of any studies showing that a QT in a residential neighborhood increases the value of homes, because I have not talked to one local real estate agent who would agree. And I understand that most all the homeowners adjacent and nearest the intersection are extremely concerned, anxious and upset at the prospect of a QT at Graeser/Olive not only for the damage it will have upon their home values/investment, but upon their way of life and enjoyment of their homes and property. Who among you would like to look out your window at a QT? An office/retail building is one thing, a QT is something totally different.

A QT at Graeser/Olive will also make the neighborhood **LESS SAFE** due to **ADDITIONAL UNNECESSARY TRAFFIC**—we already have a problem with traffic not stopping at the stop signs and speeding; with a QT, persons from outside our community will be drawn to the QT at Graeser/Olive (by QT's advertising, promotions, larger selection of convenience products and cheap gas) rather than using the numerous other existing gas stations along Olive, two of which are virtually across the street, another on Old Olive, another at Olive and Ballas and one at Olive and Old Bonhomme.

We **URGE** you to tell QT to abandon its plans. If QT persists, we **URGE** you to take whatever action is necessary to defeat the QT development at Graeser/Olive.

Thank you.

Mark & Su3 Bronson

[14 W. Windrush Creek](#)

[Creve Coeur, MO 63141](#)

Cell 314-249-6858



Whitney Kelly <wkelly@crevecoeurmo.gov>

No QuikTrip @ Graeser & Olive

Bill Arnold <ba.arnold@me.com>

Wed, Apr 1, 2020 at 9:58 AM

To: wkelly@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov

I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sincerely,
William Arnold
719 Graeser Road
Sent from my iPad



Whitney Kelly <wkelly@crevecoeurmo.gov>

No QuikTrip @ Graeser & Olive

dwelick <dwelick@yahoo.com>

Tue, Apr 7, 2020 at 4:34 PM

To: wkelly@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov

I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent from my T-Mobile 4G LTE Device



Whitney Kelly <wkelly@crevecoeurmo.gov>

No QuikTrip @ Graeser & Olive

Molly Myers <mrmymers@by-design.net>

Wed, Apr 8, 2020 at 1:35 PM

To: wkelly@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov

I am a Creve Coeur resident living on Graeser Road just a few blocks away from this proposed QuikTrip location. I wanted to let you know that I strongly oppose this business at this location. I think it would adversely impact the traffic on our residential street (Graeser Rd). It would significantly increase the left turn traffic on west bound Olive which could make this intersection more dangerous. Also, with 2 other gas stations just a block away I don't think that there is a need for another gas station at this location. If you would like to revitalize this area along Olive, then please look at other types of businesses that are not already represented in this area and that will not create a significant increase in vehicular traffic. Please do NOT allow this proposal to be passed by the Planning and Zoning commission.

Sincerely,

Molly Myers

[535 Graeser Rd.](#)

636-391-2610

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This email has been checked for viruses by Avast antivirus software.

<https://www.avast.com/antivirus>



Whitney Kelly <wkelly@crevecoeurmo.gov>

No QuikTrip @ Graeser & Olive

Debi Feit <debifeit@gmail.com>

Tue, Apr 14, 2020 at 8:11 PM

To: wkelly@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov

I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Thank you!

Robert and Deborah Feit
8 Pine Manor Drive
Creve Coeur, MO 63141

Sent from my iPad



Whitney Kelly <wkelly@crevecoeurmo.gov>

Potential QT at Olive and Graeser

Fess Crockett <fess@4-cwealth.com>

Mon, Apr 27, 2020 at 10:04 AM

To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>, "jjaggi@crevecoeurmo.gov" <jjaggi@crevecoeurmo.gov>, "mayor-council@crevecoeurmo.gov" <mayor-council@crevecoeurmo.gov>

Cc: Brett Berger <bergerbrett7@gmail.com>

Dear Representatives,

I am opposed to the potential QT at the corner of Olive and Graeser for many reasons. I have been a homeowner in Creve Coeur for over 18 years and a business owner in Creve Coeur for over a decade. I have also been involved with several multi-million dollar real estate investments.

My concerns are three-fold:

1. Property value declines because of several factors:
 - a. Industrial noise, light, and sound within hundreds of yards of my street
 - b. Increased traffic congestion
 - c. 24 hour operation - - not neighborhood oriented
 - d. Who wants a \$600k+ house next to a gas station?
2. Increased crime
 - a. A car was stolen from my driveway a few years ago - - found in North St. Louis
 - b. A G-store will not help matters (see below)
 - c. From FBI:

FBI Releases 2016 Crime Statistics

The number of robbery offenses at convenience stores rose the most in 2016.

September 26, 2017

WASHINGTON – Violent crime increased for the second consecutive year, while property crime decreased for the 14th straight year, according to the FBI's annual report on national crime statistics. Overall violent crime rose 4.1% last year, while property crime fell 1.3% compared to 2015 figures.

Compared with 2015, the report found that the number at convenience stores rose the most among six of the seven locations tracked in 2016. Last year there were 17,401 robberies in convenience stores, a 6.7% from 2015. For **gas or service stations**, there were 8,178 robberies, up 2.1% from 2015.

3. Increased traffic and safety issue.
 - a. Car leaving the G-store going east will use both Olive and Graser
 - b. Traffic on Olive backs up at the light, so the overflow will go to Graeser

c. Traffic on Graeser also backs up now at the light - - the extra congestion from people leaving the G-store will back up even more causing congestion:

i. Cars going Southbound on Graeser going to credit union will cause halted traffic.

ii. Northbound traffic may stop to let cars get into credit union and back up near Martin Grove crosswalk where Ladue School District busses pick-up and drop off over a dozen elementary and junior high students every weekday - - causing a safety hazard.

1. My daughter with Down Syndrom uses that crosswalk at Marti Grove - - how can she be taught to cross when cars are stopped and could go at any time - - also hazard going across street to Martin Grove if cars are backed up - - can't see well looking north - -a real problem.

Thanks for your consideration and for serving our community. We appreciate you looking after our commnity's best interests.

Fess Crockett

11010 Martin Grove Lane



4-C Personal Wealth Management

677 Craig Road

Suite 211

Creve Coeur, MO 63141

(314) 626-0677

Fax (314) 390-5677

fess@4-cwealth.com

www.4-cwealth.com



Whitney Kelly <wkelly@crevecoeurmo.gov>

Proposed Quick Trip at Graeser and Olive

Jaculin Wankum <jjdtm@icloud.com>

Sun, Apr 5, 2020 at 7:54 PM

To: wkelly@crevecoeurmo.gov

I live at #3 Chilton Lane in Creve Coeur. I oppose the Quick Trip at Olive and Graeser. There are already two gas stations near there, one being new. We don't need another one. And there are plenty more in the area. Gas stations are not usually locations of great beauty. Plus, extra traffic through a nice neighborhood is not helpful in any way. Please, do not allow Quick Trip to build in this location. It is a waste of resources and not needed. Thank you for your consideration.
Jaculin Wankum
Sent from my iPad



Whitney Kelly <wkelly@crevecoeurmo.gov>

QT

Minette Kayman <mskayman2@gmail.com>

Wed, Apr 29, 2020 at 3:58 PM

To: wkelly@crevecoeurmo.gov

Hi!

I am writing to let you know that I am AGAINST a QT at Olive & Graeser.
A great restaurant (not fast food) would be wonderful!!!

Thanks!

Missy

Sent from my iPad



Whitney Kelly <wkelly@crevecoeurmo.gov>

QUICK TRIP AT GRAESER AND OLIVE

Susan O'Neill <susanoneill12@gmail.com>

Tue, Apr 14, 2020 at 10:39 AM

To: mayor-council@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov

A Quick Trip should never be approved for any area of Creve Coeur. The size and magnitude of this type of business in a family oriented community is beyond outrageous. Graeser is a small 2 lane road of single family homes. Olive is an already overcrowded 4 lane road, neither a vast commercial road, interstate or major highway, which is where these behomeths are located, roads that can facilitated this type of operation. Quick Trips are essentially truck stops.

We have a significant and up to now a well thought out number of gas stations in our area. I count 4 in a 1 to 2 miles radius. Are you trying to put some of them out of business? What purpose does it serve to put an albatross like a Quick Trip in the mix and into our family neighborhood.

Oh and by the way, do you ever watch the news about the numer of crimes that occur at Quick Trips around the country? Are you trying to create a perfect spot for criminals to slip into the area.

Should you allow this to proceed, the entire community of Creve Couer will hold you personally responsible for jeopardizing our safety, welfare, traffic conjection, decline in property values and other as yet unknow problems and impacts that will surely occur if you vote for this project.

I urge you to please not pass this disastrous and harmful proposal. You will be negligent in your duties as our elected officials and leaders of our community.

What will be notable is to see who if any of you do vote for this. It would indicate an alterior motive on your part, or who is in the pocket of the principals pushing this project, or yet another example of "Government At It's Worst!"

Susan O'Neill

[150 Brooktrail Ct.](#)[Creve Coeur, MO 63141](#)

Susan O'Neill

Marketing Specialist, Relocation Specialist

Hall of Fame Member

314-368-5740 (Cell)

636-394-9300 (Office)

soneill@cbgundaker.com[View My Website](#)

GUNDAKER

#1 Office in the State of Missouri

[1100 Town & Country Crossing](#)[Town & Country, MO 63017](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

Quick Trip In Creve Coeur

Susan O'Neill <susanoneill12@gmail.com>

Sun, Apr 19, 2020 at 1:52 PM

To: "jjaggi@crevecoeurmo.gov" <jjaggi@crevecoeurmo.gov>, mayor-council@crevecoeurmo.gov, wkelly@crevecoeurmo.gov

Have you bothered to research the crime at Quick Trips??

If you do, you will discover that convenience stores are:

- * Popular targets for a variety of crimes, most notably robbery and shoplifting. It has been so significant in some places they have closed their doors.
- * Do you want our community to be a direct target of armed robbery??
- * Most transactions are in cash so have relatively large amounts of cash on the premises, and have easily resale merchandise like liquor, lottery tickets, cigarettes.
- * It offers extended hours which are very appealing to the criminal element, and limited number of people working there, so it is easy for criminals to do their dirty work with few witnesses present.
- * Some clerks must work behind bullet proof windows.

And along with the above, there will a significant amount of traffic, which we already have, plus harm to property values.

I can only hope that you have more regard for this family community that elected you, and vote "NO" to the Quick Trip at Olive and Graeser.

Susan O'Neill
150 Brooktrail Ct.
Creve Coeur, MO 63141

Susan O'Neill

Marketing Specialist, Relocation Specialist

Hall of Fame Member

314-368-5740 (Cell)
636-394-9300 (Office)
soneill@cbgundaker.com
[View My Website](#)



GUNDAKER

#1 Office in the State of Missouri
1100 Town & Country Crossing
Town & Country, MO 63017



Whitney Kelly <wkelly@crevecoeurmo.gov>

Quick Trip

Laura Paperner <lspaperner@gmail.com>
To: wkelly@crevecoeurmo.gov

Wed, Apr 29, 2020 at 5:34 PM

I am not a citizen of the City of Creve Coeur, so my opinion probably doesn't matter.
I am opposed to the Quick Trip for several reasons, but the most important one is what I understand is a proposed retention pond.
This is a health hazards for the citizens of Creve Coeur as well as those of us who live in the general area.

Thank your for your time and consideration.
Laura Paperner
St Louis County Unincorporated



Whitney Kelly <wkelly@crevecoeurmo.gov>

QuickTrip CUP at Graeser Road and Olive Blvd.

Zoe Lemcovitz <zaz3@sbcglobal.net>

Mon, Apr 20, 2020 at 2:56 PM

To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>, "jjaggi@crevecoeurmo.gov" <jjaggi@crevecoeurmo.gov>, "mayor-council@crevecoeurmo.gov" <mayor-council@crevecoeurmo.gov>

Cc: Brett Berger <bergerbrett7@gmail.com>

Dear Ms. Kelly, Mr. Jaggi, Mayor Glantz, and City Council Members:

I understand that QuickTrip's application for a conditional use permit (CUP) to build a QuickTrip (QT) at the southwest corner of Graeser and Olive (Property) is complete and currently under Creve Coeur city government review.

I am writing once again to express my opposition to a CUP being issued. I reside at [605 Graeser Road](#), about three tenths of a mile south of Olive Blvd. I walk with some frequency in my neighborhood and that includes walking up to Graeser and Olive (Intersection) to patronize the businesses that used to be located in the now empty strip mall; mail a letter at the postal mailbox in front of the vacant strip mall; and go across the street to Walgreens and other businesses on the north side of Olive Blvd. I can tell you from personal experience that any one of these activities can be dangerous.

On more than one occasion while walking across Olive to go to or from Walgreens I have had a close encounter with a vehicle traveling in the Intersection, despite my crossing with the light. But for my quick reflexes there were two times when I could have easily been struck by a car. I called MoDOT to report my concerns about this. Walking to the now vacant strip mall and mailbox was only a little less dangerous. In addition to my personal experiences I have witnessed a variety of near misses at the Intersection. Operating a QT on the Property is only going to add to the danger to pedestrians, and anyone else traveling in that area no matter the mode of transportation. Nothing about the proposed QT enhances my neighborhood, and in fact it makes my neighborhood a little less livable.

In addition to my opposition to the QT CUP application I would also like to express my concerns about how a public hearing (Hearing) on this matter will be conducted. I understand that the COVID-19 pandemic has required that we change the way we conduct official business. In considering how to conduct the Hearing please consider that if the Hearing is conducted virtually only those who have access to the Internet, and a reliable connection will be able to attend. This has the potential to prevent people from participating. Conversely, an in-person Hearing may prevent people from participating due to limits on crowd size, and concerns about personal health. I don't know what the solution is, but I hope that you, our city leaders, will find a way to provide equal access that is fair to all interested parties.

Respectfully submitted,

Zoë A. Lemcovitz
[605 Graeser Road](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

Re: Quick Trip

Heather Silverman <hsilverman@crevecoeurmo.gov>

Mon, Apr 6, 2020 at 11:27 AM

To: Mark Golde <Mark.Golde@strat4growth.com>

Cc: Whitney Kelly <wkelly@crevecoeurmo.gov>

Hi Mark,

Thanks so much for taking the time to write, especially during these difficult times. It's great to hear from you.

I share your concerns about the potential of having a Quick Trip at that corner.

As I understand it, Quick Trip has not fully completed an application yet and there is no meeting scheduled. I've copied Whitney Kelly, our City Planner. If I am incorrect, she will provide the up to date information.

Heather

On Mon, Apr 6, 2020, 11:02 AM Mark Golde <Mark.Golde@strat4growth.com> wrote:

Heather:

I live at #1 Sherwyn Lane in Ward 1. My wife and I met you at Dick and Diane Fine's home when you were running for office. First, hope you and your family are healthy and doing okay in this difficult time.

I am not very well informed but I think that I am against the Quick Trip development. I worry about Olive turning into a Manchester Rd in Ballwin. I also think that there are currently a reasonable number of gas stations along this stretch of Olive and the new Mobil On the Go/car wash is pretty substantial and imposing.

What do you think? Is there an online zoning meeting scheduled to address this issue?

Thanks.

Sincerely,

Mark Golde, Principal

Strategies for Growth

The Cortex Innovation Community

4220 Duncan Ave, Suite 201

St. Louis, MO 63110

Cell: (314) 503-7207





Whitney Kelly <wkelly@crevecoeurmo.gov>

Re: quick trip**Heather Silverman** <electheathersilverman@gmail.com>

Tue, Apr 7, 2020 at 11:06 PM

To: Lorry Blath <lblath@hotmail.com>

Cc: wkelly@crevecoeurmo.gov

Lorry,

Thanks so much for your email. I understand your concerns. As far as I know, Quick Trip has yet to submit a complete application. I am copying Whitney Kelly, the City Planner in case she has more up to date information.

Heather

On Tue, Apr 7, 2020 at 4:34 PM Lorry Blath <lblath@hotmail.com> wrote:

Heather,

Olive street is already way too busy without adding yet another gas station. During normal times, prior to Covid, a ten-minute drive could take 20 or 30 minutes to go east or west from 270 on Olive. I'm sure there are many accidents at that hour and from 5:30PM on. There are many gas stations already. Personally, I avoid Olive as much as possible. I'd rather go up and down Ladue, but there are reasons to drive on Olive street, including restaurants, cleaners, groceries and the adorable shops! What cute shops? Oh, there are NO adorable shops. Only car washes, automobile dealers, and gas stations. Why would any restaurateur or shop owner even consider placing a business in Creve Coeur? Another gas station makes Creve Coeur look cheap, not anything like Kirkwood or Webster where one can actually go shopping and to nice restaurants. May as well put in a Walmart while you are at it. Cheapen our home values and then we will pay less taxes and Olive Street will end up like Page or Dorsett. It's well on it's way. I have lived here over 40 years and seen my house value appreciate. I used to be proud to say I lived in Creve Coeur...Don't run it into the ground, please!

Just because a developer has put his money into a deal, does NOT mean we have to bow and and say happy to comply with your wishes!

I urge you, please do NOT allow this dangerous unnecessary proposal to be passed by the Planning and Zoning commission

Thanks so much

Lorry Blath

146 S. Graeser Rd 63141



Whitney Kelly <wkelly@crevecoeurmo.gov>

Re: QuikTrip development updates-- we need your help!

Brett Berger <bergerbrett7@gmail.com>

Fri, Apr 17, 2020 at 3:43 PM

To: Diane Weinstock <diw1@charter.net>, Whitney Kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>, mayor-council@crevecoeurmo.gov

Hello Mrs. Weinstock,

Thanks for your comments. I agree with you.

I apologize that our website made it more difficult for you to reach out to our representatives, I understand what you mean about it asking to install software. Thank you for this feedback. I will work on making it more clear today.

I am forwarding this message to our city reps for their review. Please feel free to reply with any additional information.

Their email addresses are as follows: wkelly@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov

@Jason, Whitney, Council, Mr. Mayor -- please see Mrs. Weinstock's below comments. Thank you!

All the best,

Brett Berger
Graeser Neighbors for Safety
[10 Winfield Pointe Ln, Creve Coeur, MO 63141](#)
314.495.4990

On Fri, Apr 17, 2020 at 2:12 PM Diane Weinstock <diw1@charter.net> wrote:

I emailed those suggested in your last email. I don't know if they were received because when you click on their email address you have to set up an account in order to do so. It is an inconvenience, especially for some one who technically challenged.

My husband cannot understand allowing another gas station when there are two others (one is huge), just 3 blocks away at Schulte. Then there is another at Ballas. Even a major thoroughfare like Manchester doesn't have a density of gas stations like that.

Nor is there a need for a quick shop. Walgreens right across the street has the same offerings and there is a small Schnucks block away.

Is it true the Quick Trip would be 24 hours? Do we really want to attract

People out at all hours of the night to an area with high end residential properties behind it?

What could planning and zoning be thinking?

Sent from my iPhone

On Apr 17, 2020, at 1:54 PM, Brett Berger <bergerbrett7@gmail.com> wrote:

Hello Graeser Neighbors – QuickTrip's application for a conditional use permit (CUP) to build a QuickTrip (QT) at the southwest corner of Graeser and Olive is complete and currently under review by Creve Coeur (City).

The City estimates that a public hearing on the CUP will take place in mid May or early June. Due to the COVID-19 pandemic, the City is considering how to conduct the public hearing: in-person, virtual, or hybrid. The City must balance QuickTrip's rights and residents' rights.

Now is a **critical time to make your opposition to this project known** to our city representatives. If you have done so already, please **message them again with more information and details of your concerns**. This is not a one and done proposition.

Whether or not you previously expressed your opposition, please take the time to contact our city officials TODAY and:

- give them concrete examples of incidents at the intersection of Graeser and Olive that you have been a part of or witnessed that raise safety concerns for pedestrians, drivers, or both;
- state health, safety, and welfare concerns you foresee with the operation of a QT at the intersection of Graeser and Olive – be specific;
- express any concerns you have about how the public hearing will be conducted - consider:
 - if the public hearing is conducted virtually, only people with access to the Internet will be able to participate;
 - conversely if the public hearing is conducted in-person the number of attendees will likely be limited which may mean that people who want to attend cannot and people with COVID-19 concerns will not attend.

Email your reps using the link or form available on our page here:
<http://graeserneighbors.org>

Please be an active participant in this process. Many voices are louder and carry more weight than one voice, even if it speaks for many.

The updated CUP application will be available on the documents page of our site very soon.

Thanks for all you do!

Brett Berger
 Graeser Neighbors for Safety
[10 Winfield Pointe Lane, Creve Coeur MO 63141](#)

Helpful Details

The Creve Coeur City Council meets on the second and fourth Monday of each month at 7:00 pm. Work Sessions are held prior to the regularly scheduled Council meetings at 6:00. These meetings are audio recorded.

The Planning and Zoning Commission meets on the first and third Monday of each month.

You can learn more about the Planning and Zoning Commission here:

<http://www.creve-coeur.org/158/Planning-Zoning-Commission>

Currently, public meetings are being held virtually. Access information on how to attend online public meetings here:

<http://www.creve-coeur.org/CivicAlerts.aspx?AID=1109>

You can access City Council and Planning and Zoning Commission agendas here:

<https://www.creve-coeur.org/97/City-Council-Agendas-Minutes>

You can access the City meeting calendar and audio recordings of certain past meetings (including City Council and Planning and Zoning Commission) here:

<http://crevecoeurcitymo.iqm2.com/Citizens/Calendar.aspx>



Whitney Kelly <wkelly@crevecoeurmo.gov>

Re: QuikTrip NO

Heather Silverman <hsilverman@crevecoeurmo.gov>

Sun, Apr 19, 2020 at 8:18 AM

To: Debra Wiens <debrawiens@gmail.com>

Cc: Barry Glantz <bglantz@crevecoeurmo.gov>, Whitney Kelly <wkelly@crevecoeurmo.gov>, Alexis Travers <atravers@crevecoeurmo.gov>

Mrs. Wiens,

Thank you for taking the time to let us know your concerns and thoughts about the proposed project.

I've heard from many residents and take your concerns seriously.

Stay safe and healthy.

Heather

On Sat, Apr 18, 2020, 8:07 PM Debra Wiens <debrawiens@gmail.com> wrote:

Dear Mayor Glantz and Council Members Silverman and Travers,

We have great concern about the **noise, public nuisance issues** and **devaluing of home properties** that will occur with the **proposed QuikTrip**. We respectfully ask the city council and officials to seriously consider the traffic congestion that will result from many additional vehicles pulling quickly in and out at Olive and Graeser, a quiet residential street lined with high-value properties. (Patrons go to QuikTrip precisely because they are eager for a quick trip.) They are typically rushed, distracted drivers.

If you are a pedestrian that walks through this intersection daily as we do, then you understand the **dangers to foot traffic** that already exist at this corner. It is safer to cross Graeser *south of* the Graeser/Olive light than it is to cross at the light where west-bound drivers on Olive, eager to make a quick left turn onto Graeser, do not watch for pedestrians. The automobile traffic and bottleneck that will result is a physical danger that neighbors do not want nor need to suffer.

There are already **two quick service stations within one block** of this intersection. Why does Creve Coeur need another gas station with fast food?

QuikTrips are **out of character for our residential street in beautiful Creve Coeur**. What kind of a **barrier** can possibly be created to protect the nearest neighbors from the noise, lights, fumes, stress and hassle?

Clearly, a 24-hour mega gas station with convenience store will draw heavier traffic, including non-residents causing **unwanted congregations**, conditions conducive to behaviors that may present safety issues for children and families.

Debra and Douglas Wiens

10959 Janridge Lane

Creve Coeur MO 63141

314-567-3374



Whitney Kelly <wkelly@crevecoeurmo.gov>

Concerns about QT

1 message

Rachel Loeb <rachel.c.loeb@gmail.com>

Sat, Feb 29, 2020 at 10:19 AM

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

Good morning. I am the owner of [6 Winfield Pointe Lane](#) and have 3 children 6 and under. I understand a QT might go in 2 doors from my house and I have several concerns about that.

1) My first grader's (my oldest) bus stop is at Graeser and Winfield Pointe Lane. At least 6 children have to cross graeser to get to that intersection. My concern is that the volume of traffic to increase on Graeser will be at the same time as the morning bus schedule creating a major safety concern of car accidents.

2) I am also concerned about the large trucks and tanks involved in both the building and upkeep of a gas station and convenience store. Graeser only has a sidewalk on one side and I don't want it to become a cut through from ladue.

3) Most of Creve Coeur is quiet and everything is closed by 9:30. I love this about Creve Coeur and it is why I choose to move my family here. We already have 2 other gas stations across the street. Qt is in the news for regular drug overdoses in their parking lots. I don't want all the night owls to come hangout on our block because there is so much open here while everything else is closed.

4) and lastly, this is going to hurt my property value because all the other people who work their whole lives to be able to afford a house in this range won't move in these neighbors because of a gas station. We already had someone move out because they knew it could be a problem and the originally lost the sale because thr buyers didn't want a gas station in their back yard. If I knew a gas station was going in, I wouldn't have bought here either.

I understand QT wants to be in Creve Coeur and can make a lot of money here. I also heard them when they said they actually want to be on Ballas but can't find anything large enough to buy. Please don't allow them to settle in my neighborhood because they can't find a better spot yet.

Thank you for your time,
Rachel Loeb



Whitney Kelly <wkelly@crevecoeurmo.gov>

FW: [Mayor-Council] Quik Trip at Olive and Graeser

Mark Perkins <mperkins@crevecoeurmo.gov>

Thu, Mar 5, 2020 at 10:05 AM

To: Whitney Kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>

From: Debbie Horwitz [mailto:debhdvm@gmail.com]

Sent: Wednesday, March 04, 2020 5:25 PM

To: mayor-council@crevecoeurmo.gov

Subject: [Mayor-Council] Quik Trip at Olive and Graeser

To whom it may concern,

It would be damaging to have a Quik Trip at this location. There are already two gas stations on block away. The intersection is already clogged and congested most of the day and the addition of this store and gas station would make things worse.

Please do not allow another gas station/quick store in this area

Best regards

Debra F. Horwitz DVM DACVB

253 S. Graeser Rd.

St. Louis, MO 63141

E-mail: debhdvm@gmail.com



Jason Jaggi <jjaggi@crevecoeurmo.gov>

Fwd: [Mayor-Council] Quick trip

1 message

Mark Perkins <mperkins@crevecoeurmo.gov>

Fri, Mar 6, 2020 at 7:42 AM

To: Whitney Kelly <wkelly@crevecoeurmo.gov>, Jason Jaggi <jjaggi@crevecoeurmo.gov>

Mark Perkins
City Administrator
City of Creve Coeur
[300 N. New Ballas Road](#)
[Creve Coeur, MO 63141](#)
314-872-2511

Begin forwarded message:

From: Cheryl Gelstein <cheryl.gelstein@gmail.com>
Date: March 6, 2020 at 6:25:11 AM CST
To: mayor-council@crevecoeurmo.gov
Subject: [Mayor-Council] Quick trip

Dear Mayor Glantz,

I would like to voice my concern over the proposal to allow a quick trip at Olive and Graeser Road. I do not feel that another gas station/fast food establishment would benefit our neighborhoods in anyway whatsoever. Furthermore the traffic and congestion that would increase on Olive Road would be detrimental to driving in Creve Coeur.

Thank you ,

Cheryl Gelstein

Sent from my iPhone



Whitney Kelly <wkelly@crevecoeurmo.gov>

In FAVOR of Quick Trip

1 message

Julie Harder <julieblue92@gmail.com>

Fri, Mar 27, 2020 at 10:52 PM

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

Cc: mayor-council@crevecoeurmo.gov

I am writing in counter to the campaign to shut out putting a Quick Trip at Olive and Graeser. I think adding a Quick Trip is a wonderful opportunity for the City of Creve Coeur. We frequent Quick Trip everywhere we travel that have them. Every single one is immaculately clean, well managed, and the employees are friendly and work very quickly.

The fact that people want to shut out this amazing business is mind-baffling to me. We are in the middle of a financial crisis with potential record levels of unemployment. Building a new Quick Trip would add jobs to the economy. It would also boost revenue to the city. We currently have to drive to Maryland Heights or unincorporated county to get to a QT, so our taxes go to them. Why not add more revenue and help build the tax base of Creve Coeur?

I feel that some of the opposition to this proposal comes from an elitist and possibly racist or even xenophobic stance. I am guessing that this opposition comes from fear of the clientele who might frequent the store. Diversity is what makes this area so amazing. We get to see and learn different perspectives. Shutting out business out of fear of diversity violates the Equal Protection Clause of the 14th Amendment to the US Constitution.

As far as the concern that some have stated about safety of children at bus stops, admittedly that intersection can be dangerous. My family members are runners and say that people often ignore people in the cross walk. That issue is something that needs to be addressed by the Police Department. If there is more patrolling done and tickets issued, the safety of the intersection will improve. I have confidence in the Creve Coeur Police and their ability to make improvements. Also every QT I've been to encourages a police presence. They take care of our officers and people know that it is a safe spot.

In fact QT posts signs that they are a "Safe Place" for children. Along with their support of Folds of Honor, the United Way, and At-Risk Youth, they are philanthropic company that we should welcome to our area. <https://www.quiktrip.com/About/Community#safeplace>

According to the credible company called Great Place to work, 92% of customers rate the service they deliver as excellent. And 85% of QT employees say it is a great place to work; whereas, the average US-based company only has 59% of their employees saying it is a great place to work. They also cite that 87% of management is competent at running the business. www.greatplacetowork.com/certified-company/1000407 Here is a link to the benefits that QT employees earn. <https://www.quiktrip.com/Jobs/Benefits>

Finally, the strip mall at that corner now has almost all of the spaces sitting vacant. It truly is becoming an eye sore. Quick Trip, as I've mentioned, takes great care in keeping their properties neat and clean. I've witnessed many QT employees scraping gum off parking lots, hosing them down, emptying trash, and neatly stocking merchandise. It will look much nicer than the outdated, empty strip mall. Some argue that property values will decrease. A clean, modern Quick Trip should actually add to property values rather than decrease them.

For these reasons, Quick Trip is an excellent company to welcome to Creve Coeur with open arms.

Julie Harder
1324 Weatherby Drive, 63146
314-486-6525



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sun, Mar 1, 2020 at 3:41 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, ambrts@charter.net

Your form has a new entry. Here are all the answers.

Email address	ambrts@charter.net
Name	Arlene Schein
Home Address, Zip code	4 Winfield Pointe lane, Creve Coeur, MO 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning. I would urge you to consider the research pertaining to the negative impact of such a project near a residential community issued by the NIH, and various public health agencies. As a former attorney for the NYC environmental control board who dealt with cases involving environmental hazards in the City of New York, there are too many unknown risks as to the impact on children, and elderly with health issues, residing in close proximity to the gas station. Plainly speaking this project represents an inherent danger to the community.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Fri, Feb 28, 2020 at 4:16 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov

Your form has a new entry. Here are all the answers.

Email address	bergerbrett7@gmail.com
Name	BRETT E BERGER
Address	10 Winfield Pointe Ln
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	Jason and Whitney, as you already know, I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts; for safety, health, traffic on Graeser, home and property values, and a variety of other serious problems. Graeser Road is a residential thoroughfare. The proposed site is adjacent to grade-school bus stops and single family family homes south of Olive. Graeser road has a beautiful neighborhood aura, and a Gas station could only serve to diminish that. Graeser and Olive is not an appropriate site for this project. The reasons are far too numerous to mention here. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission. Thank you for your consideration!

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sun, Mar 1, 2020 at 12:15 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, feldspar@charter.net

Your form has a new entry. Here are all the answers.

Email address	feldspar@charter.net
Name	Robert Dymek
Home Address, Zip code	14 Colonial Hills Parkway
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	At least three gas stations are found on Olive Blvd in Creve Coeur. We certainly don't need another one --- especially one that is open 24 hrs, which will add traffic and noise to our community. Also, after allowing that ugly quonset-hut-style car wash, enough is enough. Please encourage alternative small businesses to occupy that space.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sun, Mar 1, 2020 at 12:12 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, feldspar@charter.net

Your form has a new entry. Here are all the answers.

Email address	feldspar@charter.net
Name	Robert Dymek
Home Address, Zip code	14 Colonial Hills Parkway
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sat, Feb 29, 2020 at 7:19 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, gracecrockett12@gmail.com

Your form has a new entry. Here are all the answers.

Email address	gracecrockett12@gmail.com
Name	Grace Crockett
Home Address, Zip code	11010 Martin Grove 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sat, Feb 29, 2020 at 7:00 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, hope.crockett04@gmail.com

Your form has a new entry. Here are all the answers.

Email address	hope.crockett04@gmail.com
Name	Hope Crockett
Home Address, Zip code	11010 Martin Grove Lane 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	Bright lights, 24 hour business next door to our home, attracts transients, a home buyer in Martin Grove pulled out of their contract after hearing about QT project, will create unbelievable traffic on Graeser going West on Olive, noise level increase in residential neighborhood - especially at night, proposed fencing will not help due to QT being lower topography than Martin Grove so we will see the lights and hear the noise, it will completely change the quiet neighborhood feeling of the northern end of Graeser.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sat, Feb 29, 2020 at 6:56 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, fess@4-cwealth.com

Your form has a new entry. Here are all the answers.

Email address	fess@4-cwealth.com
Name	Fess Crockett
Home Address, Zip code	11010 Martin Grove Lane 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	Bright lights, 24 hour business next door to our home, attracts transients, a home buyer in Martin Grove pulled out of their contract after hearing about QT project, will create unbelievable traffic on Graeser going West on Olive, noise level increase in residential neighborhood - especially at night, proposed fencing will not help due to QT being lower topography than Martin Grove so we will see the lights and hear the noise, it will completely change the quiet neighborhood feeling of the northern end of Graeser.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sat, Feb 29, 2020 at 6:43 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, marysuzannecrockett@gmail.com

Your form has a new entry. Here are all the answers.

Email address	marysuzannecrockett@gmail.com
Name	Mary Suzanne Crockett
Home Address, Zip code	11010 Martin Grove Lane 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sat, Feb 29, 2020 at 2:01 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, nataliexchen@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	nataliexchen@yahoo.com
Name	Natalie Chen
Home Address, Zip code	5 Winfield Pointe Ln
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sat, Feb 29, 2020 at 12:04 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, brberger@charter.netj

Your form has a new entry. Here are all the answers.

Email address	brberger@charter.netj
Name	Barbara Berger
Home Address, Zip code	133 Ladue Oaks Dr 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Fri, Feb 28, 2020 at 7:00 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, doron.berger@outlook.com

Your form has a new entry. Here are all the answers.

Email address	doron.berger@outlook.com
Name	Doron Berger
Home Address, Zip code	133 Ladue Oaks Dr 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Mon, Mar 2, 2020 at 4:37 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, missisb22@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	missisb22@yahoo.com
Name	Aisha Bangert
Home Address, Zip code	832 Deaver Lane
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Mar 2, 2020 at 7:43 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mljames@socket.net

Your form has a new entry. Here are all the answers.

Email address	mljames@socket.net
Name	Mary LOU James
Home Address, Zip code	427 Graeser Rd 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning.

Sent via [Google Forms Email](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Thu, Mar 26, 2020 at 7:41 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, rschein@charter.net

Your form has a new entry. Here are all the answers.

Email address rschein@charter.net

Name Raphael T Schein

Home Address, Zip code [4 Winfield Pointe Ln, 63141](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. It would subject the residents, including schoolchildren who wait for the bus, to the risk of increased air pollution, the risk of a chemical spill, a small but real fire and explosion risk, as well as light and noise pollution. It would undoubtedly lower our property values. Approval of the project over the objections of the local residents, could gradually lower property values city-wide, as we may develop a reputation among homebuyers as a city where development trumps all else.

It is not clear why this site was chosen, as it would lead to increased truck traffic on Olive Blvd. There are also two gas stations serving the community that are only one block away.

My wife and I have lived in Creve Coeur for twenty-five years. I would hope that our elected leaders would place more importance on the feelings of the residents who will be affected by this over those of the out of town big corporate interests.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Thank you for your consideration.

Sincerely,

Raphael T. Schein

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Fri, Mar 20, 2020 at 5:01 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, suebronson@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	suebronson@yahoo.com
Name	Sue Bronson
Home Address, Zip code	14 W Windrush Creek, 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Fri, Mar 20, 2020 at 5:00 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, mbronson@newmanbronson.com

Your form has a new entry. Here are all the answers.

Email address mbronson@newmanbronson.com

Name Mark I Bronson

Home Address, Zip code [14 W. Windrush Creek, 63141](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Mar 22, 2020 at 1:48 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, jacqueline_dsmith@yahoo.com

Your form has a new entry. Here are all the answers.

Email address Jacqueline_dsmith@yahoo.com

Name Jacqueline D Smith

Home Address, Zip code [9 Colonial Hills Pkwy](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Sun, Mar 22, 2020 at 1:57 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, joyce.heiman@gmail.com

Your form has a new entry. Here are all the answers.

Email address	joyce.heiman@gmail.com
Name	Joyce Heiman
Home Address, Zip code	2 Winfield Pointe Lane 63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission. I have reviewed all the documents for this project and done some research. In addition to the above listed negative impacts I am concerned the project would be precedent setting for other undesirable businesses. It could change the character of our neighborhood and be a target for crime. On Friday there was a shooting on Gravois Avenue in St. Louis City at a QT where one person died and one was injured. In reviewing the plan I could not determine how close the Graeser Road entrance is to the first entrance to Winfield Pointe Lane from Olive Street Road(Page 3). This could be a safety problem as increased traffic congestion coming from WPL to go north on Graeser to make a left turn to go west on Olive. The traffic study indicated the northbound Graeser Road approach would be expected to degrade to poor level during 3 peak times of the day. Queues to exit onto Graeser northbound would be stacked on QT property during peak pm hours, but study didn't take into account the effect of residents coming out of WPL and Martin Grove going northbound on Graeser. QT representative indicated the project would not increase traffic but the traffic study indicates otherwise particularly during the weekday AM peak, Midday peak, and PM peak hours. The ability to walk west on the sidewalk on Olive would become more dangerous with inflow of traffic eastbound turning into QT. On Page 4 of the study it looked like the map showed a left turn out of QT to go westbound on Olive. Another concern is the length of time for construction and whether at any time northbound Graeser to access Olive would be shut down. It looks like there would be outdoor table and chair eating locations which could create additional trash. One of my main concerns is the presence of underground gas storage tanks which I

researched. One article - "Underground Storage Tanks -- Leaking" from the Missouri Department of Natural Resources reports that there have been 4900 releases from underground storage tanks in the last 10 years.

Another article from National Institute of Health - "Gas Stations Pollution" discusses air pollution when people fill their gas tanks which exposes people who work there and residents nearby. Other problems include leakage into ground water.

Another Article -- "Gas Stations Pollution" by Environmental Pollution Centers discusses toxicity associated with gas stations and does cite some improvements in equipment but also indicates negative consequences few blocks away from the station with difficulty in enforcing environment safety measures.

Another Article -- "Gas Stations Vent Far More Toxic Fumes than Previously Thought" in Science Daily cites "A study examined the release of vapors from gas station vent pipes, finding emissions were 10 times higher than estimates used in setback regulations used to determine how close schools, playgrounds, and parks can be situated to the facilities"

An article by Housely "10 Industries That Diminish Property Values the Most" cites Convenience Store with Gas Station

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sun, Mar 29, 2020 at 11:43 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, altonfamily@charter.net

Your form has a new entry. Here are all the answers.

Email address ALTONFAMILY@CHARTER.NET

Name Robin Alton

Home Address, Zip code [439 Ridgecorde Place](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sun, Mar 29, 2020 at 3:07 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, melissaweis55@yahoo.com

Your form has a new entry. Here are all the answers.

Email address melissaweis55@yahoo.com

Name Melissa Weis

Home Address, Zip code [572 Graeser Rd 63141](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

1 message

Brett Berger <bergerbrett7@gmail.com>

Sun, Mar 29, 2020 at 3:04 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, casey_alderson@yahoo.com

Your form has a new entry. Here are all the answers.

Email address casey_alderson@yahoo.com

Name Casey Alderson

Home Address, Zip code [572 Graeser Rd, 63141](#)

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Mar 30, 2020 at 9:30 AM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, grogers85@gmail.com

Your form has a new entry. Here are all the answers.

Email address	grogers85@gmail.com
Name	Shawna Rogers
Home Address, Zip code	63141
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Mar 30, 2020 at 12:37 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, jstolker@yahoo.com

Your form has a new entry. Here are all the answers.

Email address	jstolker@yahoo.com
Name	Joshua Stolker
Home Address, Zip code	5 Faron Hill Rd
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Mar 30, 2020 at 1:07 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, jeffreyfrench@aol.com

Your form has a new entry. Here are all the answers.

Email address	jeffreyfrench@aol.com
Name	Jeffrey French
Home Address, Zip code	2 windrush creek east
Creve Coeur resident?	Yes
Comments about why you oppose QuikTrip development @ Graeser and Olive.	I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store. I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Mar 30, 2020 at 5:02 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, cma1101@yshoo.com

Your form has a new entry. Here are all the answers.

Email address cma1101@yshoo.com

Name Carol Alexander

Home Address, Zip code 63141

Creve Coeur resident? Yes

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Greaser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Mar 30, 2020 at 5:42 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, dma9696@gmail.com

Your form has a new entry. Here are all the answers.

Email address dma9696@gmail.com

Name Danielle alexander

Home Address, Zip code [96 pebblebrook ln 63146](#)

Creve Coeur resident? No

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

New form response notification

Brett Berger <bergerbrett7@gmail.com>

Mon, Mar 30, 2020 at 5:59 PM

Reply-To: bergerbrett7@gmail.com

To: bergerbrett7@gmail.com, kurt.lord@svn.com, jjaggi@crevecoeurmo.gov, wkelly@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov, dma9696@gmail.com

Your form has a new entry. Here are all the answers.

Email address dma9696@gmail.com

Name Joe carrera

Home Address, Zip code [96 pebblebrook ln](#)

Creve Coeur resident? No

Comments about why you oppose QuikTrip development @ Graeser and Olive.

I strongly oppose any QuikTrip development or gas station at the southwest corner of Graeser and Olive. There would be so many negative impacts, for safety, health, traffic on Graeser, home and property values, and a variety of other problems. Graeser Road is a residential thoroughfare and the proposed site is adjacent to grade-school bus stops and single family homes south of Olive. Graeser and Olive is not an appropriate site for a high-volume 24-hour gas station convenience store.

I urge you, please do NOT allow this dangerous proposal to be passed by the Planning and Zoning commission.

Sent via [Google Form Notifications](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

No QuikTrip @ Graeser & Olive

1 message

Barb Berger <brberger@charter.net>

Thu, Mar 12, 2020 at 8:29 PM

To: wkelly@crevecoeurmo.gov, jjaggi@crevecoeurmo.gov, mayor-council@crevecoeurmo.gov

I strongly oppose a QuikTrip on the Graeser/Olive corner. There are not enough restaurants or charming shops. I am always leaving Creve Coeur to eat out and shop. More gas stations does not add anything to the city of Creve Coeur. More ugly commercial. Not enhancing the city at all!!!! Does not fit with the city's comprehensive plan. This QuikTrip will not make anyone proud of living in Creve Couer!!



Whitney Kelly <wkelly@crevecoeurmo.gov>

Opposition to Quik Trip Proposal

altonfamily@charter.net <altonfamily@charter.net>

Mon, Mar 30, 2020 at 12:10 AM

To: jjaggi@crevecoeurmo.gov

Cc: wkelly@crevecoeurmo.gov

Dear Jason & Whitney

Our family has been residents of Ridgecorde Place a street off of Graeser Road for a total of over 50 years. We purchased our home from family and we have been living on Ridgecorde for over 20 years. During that time there have been many changes that have taken place that have helped to enhance the area as well as property values. The biggest being the addition of the stoplight signals at both ends of Graeser that have helped make crossing Ladue or Olive safer for both pedestrians and drivers. I like that we still have the neighborhood feel along Graeser and the addition of a Quik Trip would not be a proper use of the parcel of land located at the corner of Olive and Graeser. The concerns that I have like many other residents is the amount of additional traffic that this will add to Graeser Road. Also, the fact that there already are two gas stations with convenience stores just one block away seems ridiculous and totally unnecessary to add a third one. This is making Olive starting to feel like another Manchester Road and this is the last thing that any of the residents in this area want. We want to maintain the quiet and safe integrity of this area. Please vote NO on this project and keep our streets quiet and safe for families on Graeser.

Thank-you,

Robin & Scott Alton

439 Ridgecorde Place

314-569-0969 or 314-517-5888



Whitney Kelly <wkelly@crevecoeurmo.gov>

Proposed QuikTrip at Olive and Graeser

Zoe Lemcovitz <zaz3@sbcglobal.net>

Sat, Mar 14, 2020 at 6:29 PM

To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>, "jjaggi@crevecoeurmo.gov" <jjaggi@crevecoeurmo.gov>, "mayor-council@crevecoeurmo.gov" <mayor-council@crevecoeurmo.gov>

Cc: Brett Berger <bergerbrett7@gmail.com>

Dear Ms. Kelly, Mr. Jaggi, Mayor Glantz, and City Council Members:

I am writing to express my opposition to a conditional use permit ("CUP") being issued in order to allow: a QuikTrip gas station and convenience store to be built and operated at 11026 and [11004 Olive Blvd.](#), and 825 and [827 Graeser Road](#) ("Site"); and redevelopment of [11032 Olive Blvd.](#)

I reside at [605 Graeser Road](#), about three tenths of a mile south of Olive Blvd. The requirement for a CUP for gasoline stations with convenience stores to operate within the General Commercial District, as the Site is zoned, is designed to protect against the exact situation that is before the City: an incompatible use in a residential area.

My objections to the QuikTrip CUP are as follows:

Increased Traffic

I am concerned about the traffic congestion that will result at Graeser and Olive if any gasoline station with a convenience store operates on the corner. The volume of vehicles generated by a QuikTrip on the Site will create additional hazards and headaches for residents of Graeser Road and its subdivisions.

In addition to congestion at Graeser and Olive, I am also concerned about additional traffic that will be drawn up Graeser from Ladue Road. It is not inconceivable that residents along Ladue and its subdivisions and those traveling on Ladue will use Graeser to access the proposed QuikTrip.

Noise Pollution, Light Pollution, and Environmental Contamination

The operation of a QuikTrip on the Site will bring activities that will generate more noise. QuikTrip promotes how well-lit its stations are. Undoubtedly that lighting, together with the noise, will spill over into the surrounding residential subdivisions. One needs only to drive down Oak Lake Ct., located behind the new Mobile On The Run at [11109 Olive Blvd.](#), to experience what the presence of a gasoline station with convenience store can do to the character of a residential neighborhood. Notably, that subdivision is just outside of Creve Coeur city limits.

There is no way to prevent some environmental contamination from a gasoline operation. While the Site is no greenfield, given that for over 50 years more than one dry cleaners has operated on the Site, the contamination risks associated with a gasoline operation are exponentially greater. The mere presence of a gasoline operation gives potential buyers of the surrounding residential property a great deal of leverage that is expensive to dispute.

Property Values

It would be naïve to believe that the property values of the homes adjacent to the Site, especially those contiguous to it, will not be reduced by the presence of a gasoline station with convenience store. Creve Coeur city government touts having median home values of over \$400,000.00. Why, then, would the city government allow a project that will undoubtedly lower the values of homes at and above that metric?

Redundancy

The Site was occupied by businesses that served our community and the immediate neighborhood in harmony with the surrounding residential properties. Some of these businesses served Creve Coeur for over half a century. Now almost all of them have gone. And for what? A gasoline station with a convenience store within approximately 1000 feet of two other gasoline stations with convenience stores. When the competition gets too tough and one or more of them pulls out what will we be left with? An empty, environmentally contaminated former gasoline station with convenience store.

I understand that due process requires that the City review this application and proposal. It is clear that the zoning code was designed to prevent the adverse effects that will result from locating a QuikTrip on the Site. The southwest corner of Graeser and Olive is not a suitable location for any gasoline station with convenience store operation and therefore I oppose the City issuing a CUP to allow QuikTrip to build and operate on the Site.

Respectfully submitted,

Zoë A. Lemcovitz
[605 Graeser Road](#)



Whitney Kelly <wkelly@crevecoeurmo.gov>

QT at Olive and Greaser

1 message

Katharine Scott <trolleydolly@att.net>

Sun, Mar 8, 2020 at 4:55 PM

To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>

I strongly oppose any QT development or gas station at sw corner of Graeser and Olive.

The proposed site is adjacent to a school bus stop and a residential thoroughfare and will affect safety as well as property values both north and south of Olive.

We do not need a 24 hour gas station/convenience store.

Within one block stand two gas stations that offer what QT can offer and

they both have car washes. This will only bring more congestion. Three gas stations in one block!

As City Planner please don't allow this proposal to advance any further to the the Zoning and Planning Commission.

Thank you.

Katharine Scott
Concerned Citizen



Whitney Kelly <wkelly@crevecoeurmo.gov>

Quick Trip at Graeser and Olive

Linda Pevnick <lindapevnickmsw@gmail.com>

Thu, Mar 5, 2020 at 8:14 AM

To: wkelly@crevecoeurmo.gov

I am opposed to construction of a Quik Trip at the corner of Graeser and Olive. This is an already too busy corner because of the Walgreens. A quiet strip mall as exists is one thing, but, the very busyness of a Quik Trip is too much for what is otherwise a quiet residential area. People have trouble as it is at that corner with traffic and noise. People pulling out on Graeser/Dautel from Walgreens without stopping first, disrespectful of thru traffic frequently almost causing accidents. As a Creve Coeur business owner and resident of the Graeser/Olive neighborhood, I am very much against the approval of a Quik Trip at that location.

Linda Pevnick, MSW, LCSW

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Linda Pevnick, MSW, LCSW
Individual Psychotherapy
[655 Craig Road, Suite 320](#)
[Creve Coeur, MO 63141](#)
314-567-5360

"Linda is the best therapist, the most reliable I have ever had the opportunity to work with. Vadim Baram, MD. St. Louis Psychiatrist.

**Please note that emails are not confidential. If you are sending me an email please make sure that you do not include confidential information.*



Jason Jaggi <jjaggi@crevecoeurmo.gov>

Quick Trip at Graeser and Olive

Linda Pevnick <lindapevnickmsw@gmail.com>

Thu, Mar 5, 2020 at 8:14 AM

To: jjaggi@crevecoeurmo.gov

I am opposed to construction of a Quik Trip at the corner of Graeser and Olive. This is an already too busy corner because of the Walgreens. A quiet strip mall as exists is one thing, but, the very busyness of a Quik Trip is too much for what is otherwise a quiet residential area. People have trouble as it is at that corner with traffic and noise. People pulling out on Graeser/Dautel from Walgreens without stopping first, disrespectful of thru traffic frequently almost causing accidents. As a Creve Coeur business owner and resident of the Graeser/Olive neighborhood, I am very much against the approval of a Quik Trip at that location.

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Whitney Kelly <wkelly@crevecoeurmo.gov>

Quik Trip

1 message

reon1@aol.com <reon1@aol.com>

Wed, Mar 4, 2020 at 1:03 PM

To: mayor-council@ci.creve-coeur.mo.us

Cc: mperkins@crevecoeurmo.gov, wkelly@crevecoeurmo.gov

Greetings to all,

The proposed Quik Trip at the corner of Olive Blvd and Graeser Road is a bad idea for numerous reasons.

We have all seen the large footprint that a Quik Trip requires. This large operation generates a constant daily flow of "In and out" traffic. It is just not a gas station, it is a quick shop and a fast food restaurant. The trucks and work crews that will be utilizing this operation will be constant. The traffic on Olive is already substantial, the added traffic to Graeser Road will increase dramatically in both directions. Graeser Road will be utilized as a cut through between Olive and Ladue. Our neighborhoods do not need this additional traffic for obvious reasons.

Creve Coeur does not need another gas station on Olive Blvd. There are already three gas stations between Old Olive and Shulte Road, a distance of approximately 3/4 of a mile.

Please give strong consideration to not approving this Quik Trip proposal. It is not what Creve Coeur needs.

Dick O'Neill
[150 Brooktrail Court](#)



Jason Jaggi <jjaggi@crevecoeurmo.gov>

QuikTrip

Mildred Fabick <jrsellshomes@icloud.com>

Tue, Mar 10, 2020 at 5:39 PM

To: jjaggi@crevecoeurmo.gov

I'm a resident off N Spoede and wondering why on earth Creve Coeur wants 4 gas stations within a one mile radius. Currently we have Waterway off Old Olive, Circle K, which used to be a Shell station, and a new Mobil right across from the Circle K. IMO this area does not need another gas station and seems like the City is junking up the east corridor.

Mildred F Fabick, Jr
954 Crick Hollow Ct
St Louis, MO 63146
314-402-3678



Whitney Kelly <wkelly@crevecoeurmo.gov>

Stop QuikTrip @ Graeser & Olive

1 message

jun yang <yangjunboy7@yahoo.com>

Tue, Mar 10, 2020 at 2:24 PM

To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>, "jjaggi@crevecoeurmo.gov" <jjaggi@crevecoeurmo.gov>

Cc: Brett Berger <bergerbrett7@gmail.com>

Dear Mrs. Kelly & Mr. Jaggi,

I wish to object to this proposal on the following grounds:

Despite all the modern health and safety guidelines QuickTrip must follow, gas stations can still pose significant hazards to neighbors, especially CHILDREN, the ELDERLY, and PEOPLE of all ages who have lung conditions such as asthma. Some of the perils include ground-level ozone caused in part by gasoline fumes, groundwater hazards from petroleum products leaking into the ground. Most gas pumps today must have government-regulated vapor-recovery boots on their nozzles, which limit the release of gas vapors while you're refueling your car. But if those boots aren't working properly, the nearly odorless hydrocarbon fumes, which contain harmful chemicals like benzene, can be released into the air.

What's more, a 24-HOUR gas station and convenience store at the proposed location will draw heavier traffic, conducive to drugs, violence and crime, therefore threatening the safety of our CHILDREN and COMMUNITY. Children being picked up and dropped off by school buses will be in additional danger. A 24-HOUR operation right at the entrance of Cress Creek neighborhood loses a fundamental appeal associated with any desirable communities leading to an inevitable decline in property value and/or attraction. This will 'Cheaper' the neighborhood. More and more cities realized the problems caused by 24-HOUR gas station and imposed restrictions on existing 24-HOUR gas stations.

We strongly believe there is NO need for another gas station as there are currently four gas stations within 2 miles radius along Olive Blvd. We are a quiet CHILD FRIENDLY neighborhood and wish to remain this way!

All the best,
Yang Family
8 Winfield pointe lane



Planning and Zoning Commission Public Hearing June 1, 2020

Applications 20-002 & 20-010: Conditional Use Permit, Site Development Plan and Boundary Adjustment

QT Gas Station and Convenience Store
1004, 11026, 11032 Olive Boulevard; 825 and 827 Graeser Road

Renovation of Adjacent Retail Center
11032 and 11056 Olive Boulevard

Jason Jaggi, AICP Director of Community Development
Whitney Kelly, AICP City Planner

STAFF REPORT PRESENTATION OUTLINE

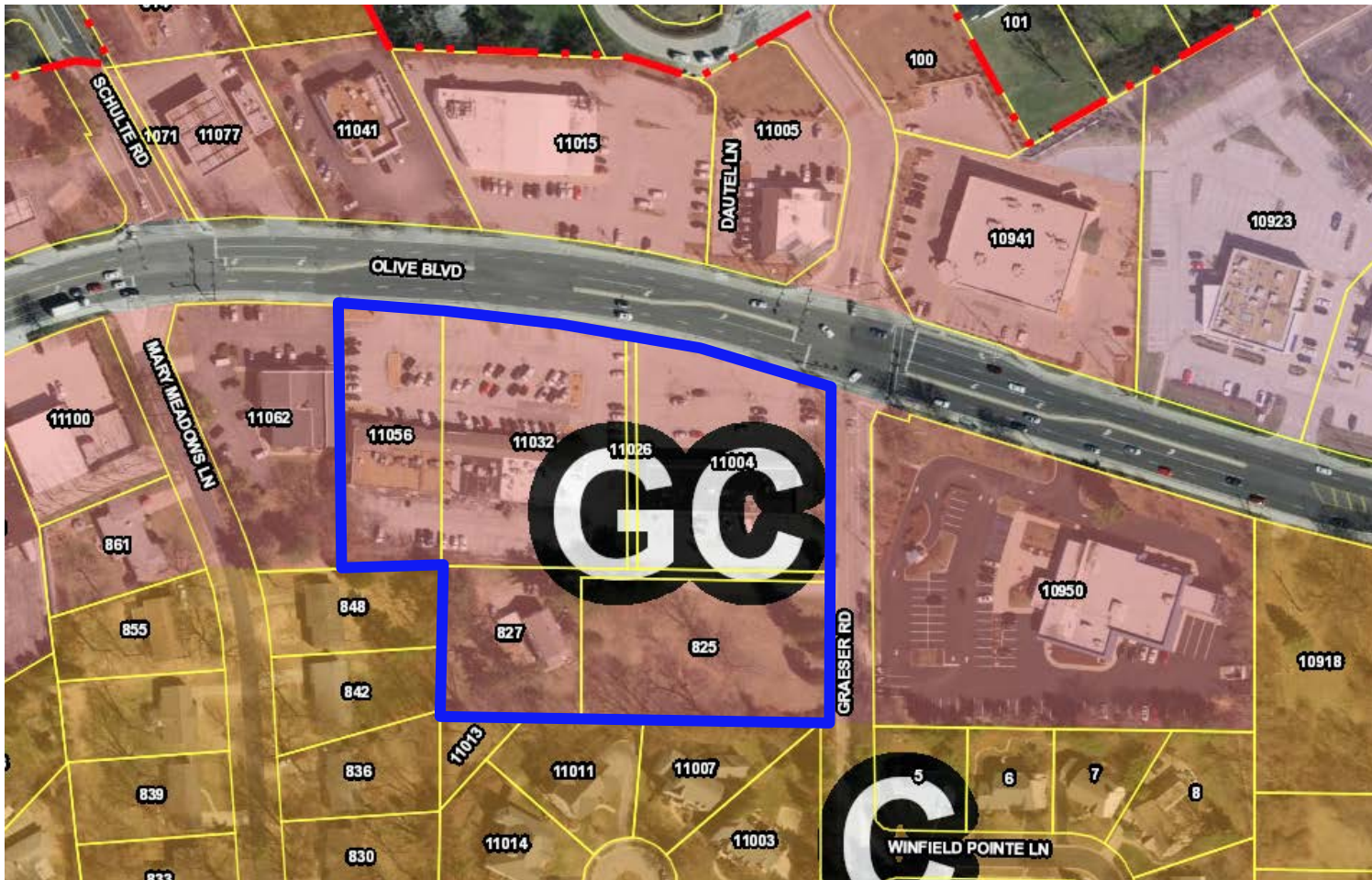
- **Location, Zoning Ordinance Review Process, Summary of Proposal**
- ***Creve Coeur 2030* Comprehensive Plan review**
- **Creve Coeur Design Guidelines review**
- **Zoning Ordinance review**
- **Traffic Impact Study**
- **Summary of items for further discussion**



Background Information

Zoning Ordinance Review Process and Summary of Proposal

LOCATION OF PROPOSED DEVELOPMENT



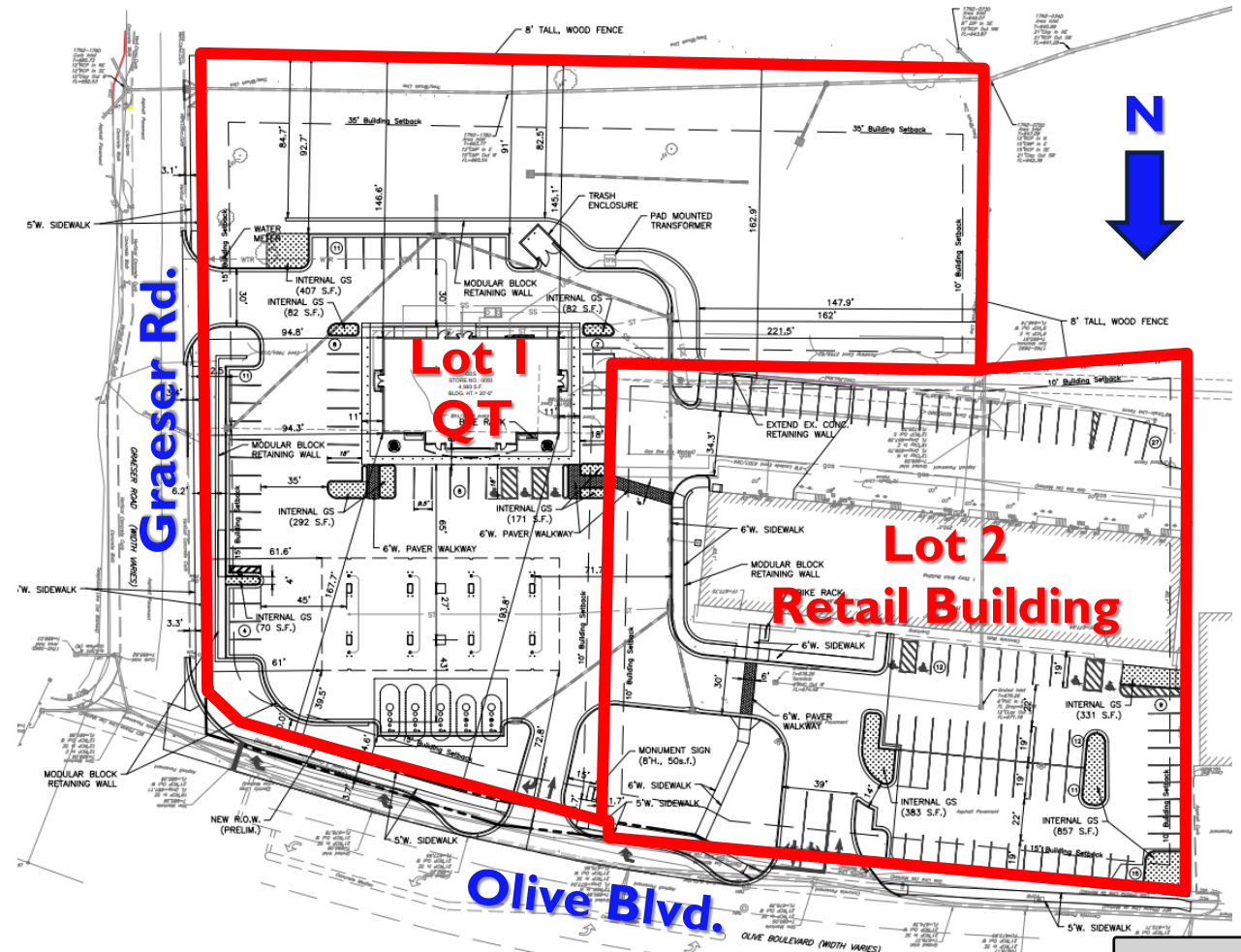
- Southwest corner of Olive and Graeser
- Includes 6 total parcels of land
- All zoned GC-General Commercial District
- Total site area: 4.43 acres

ZONING ORDINANCE PROCESS AND PROCEDURES

- **Allowed land uses are listed as “permitted” (by-right) or “conditional” based upon zoning district classification of the property.**
- **Gasoline Stations with Convenience Stores (NAICS 44710) are listed as a Conditional Use in the GC-General Commercial District**
- **Conditional Use Permit (CUP) requires a public hearing with review and recommendation by Planning and Zoning Commission to City Council.**
- **City Council makes final decision for CUP’s by ordinance with two readings.**
- **Planning documents used for review of development proposals, including CUP’s:**
 - **Comprehensive Plan—Creve Coeur 2030**
 - **Zoning Ordinance**
 - **Creve Coeur Design Guidelines**
 - **Other ordinances, plans, studies (Traffic Impact Study, Pedestrian Plan, Land Development and Subdivision Code, etc.)**

SUMMARY OF PROPOSED DEVELOPMENT

- Two components:
 - 1) New QT with 8 gas pump islands, 5,000 SF convenience store
 - 2) Renovation of adjacent 15,000 SF retail center
- Consolidating to 2 lots
- Shared stormwater detention, parking, cross-access
- QT lot: 2.54 AC, 42.9% site coverage
- Retail Building lot: 1.82 AC, reduced to 74.7% site coverage





Comprehensive Plan Review

CREVE COEUR 2030—COMPREHENSIVE PLAN REVIEW

- **Located within East Olive Corridor**
- **Vision:**

Create a walkable corridor of destination retail boutiques, neighborhood service businesses, small-scale restaurants, attached townhomes, and low-density multi-family home and single-family homes. Development of the East Olive Corridor should encourage pedestrian access from adjacent neighborhoods and prioritize walkability between neighboring lots while accommodating car access and easy parking.

CREVE COEUR 2030—COMPREHENSIVE PLAN REVIEW

■ **Neighborhood Commercial District Place type:**

Supports the development of a variety of medium-to low-density commercial, retail, office, neighborhood service business and residential development in a commercial corridor with shallow lot depths. This district is designed to provide a transition between more intense commercial districts to the east and west that would build toward a coherent corridor identity (p. 88). Frontage recommendations encourage uniform setbacks on neighboring lots to establish a consistent location and orientation of building façade frontages and primary building entrances to face Olive Boulevard.

CREVE COEUR 2030—COMPREHENSIVE PLAN REVIEW

■ Objectives and Strategies (City-wide)

■ Placemaking & Community Identity

- Improves streetscapes and public realm enhancements (Strategy 1.3),
- Ensures that adjacent non-residential and residential developments are compatible with each other (Strategy 1.8), as well as under Residential Development & Preservation, Strategy 2.9: Protect residential areas from negative encroachment of non-residential uses.

■ Economic Growth and Community Services

- Strategy 3.1: Ensure future economic growth is responsive to the changing economy and captures the “place-making dividend”.
- Strategy 3.3: Transform the Olive Boulevard corridor with a Central Business District and supporting Mixed-Use Districts.
- Strategy 3.7: Guide regional retail and services (serving as a destination amenity) to the Community Center District area.

CREVE COEUR 2030—COMPREHENSIVE PLAN REVIEW

■ Objectives and Strategies (City-wide) Con't

■ Transportation, Connectivity & Mobility

- Strategy 6.2: Enhance the safety of existing bicycle and pedestrian facilities, including safe pedestrian crossings of major roads
- Strategy 6.4: Use environmental design, operations, and management to reduce vehicular congestion on Olive Boulevard.
- Strategy 6.7: Promote vehicular cross-access between commercial parking lots to facilitate shared parking, reduce access points along commercial thoroughfares, improve traffic flow, and provide access to secondary streets.

■ Community Sustainability & Resilience

- Strategy 7.1: Facilitate the development of community-supportive retail and services to ensure long-term community vibrancy and resilience.

CREVE COEUR 2030—COMPREHENSIVE PLAN REVIEW

- **East Olive Corridor Recommendations:**
- Orienting buildings to the primary street, establishing uniform setbacks for buildings, allowing convenient parking while encouraging shared parking with cross access, creating a pedestrian-friendly environment with outdoor dining and retail site amenities and establishing well landscaped frontages. Sufficient buffering adjacent to residential areas, reducing curb-cuts, and supporting low-impact site development
- Development challenges inherent with the East Olive corridor. These include shallow lot depths, topography, small individual parcels, and the zoning requirements which involve assembly of multiple properties to provide sufficient land for development to provide the necessary buffering from residential property

CREVE COEUR 2030—COMPREHENSIVE PLAN REVIEW

■ **Compatibility with Comprehensive Plan:**

- Staff finds the proposal embodies many of the recommendations of the comp plan:
 - Provides neighborhood service businesses with appropriate scale: smaller retail building, gas station and convenience store. Redevelopment of aged retail center that caters to local neighborhood businesses.
 - Improved streetscapes: well-landscaped with sidewalks
 - High quality design and materials and appropriate positioning of buildings toward Olive Boulevard
 - Significant buffering adjacent to residential areas. Especially important due to proposed use.
 - Pedestrian circulation within and adjacent to development
 - Reduction of curb-cuts, cross-access, shared parking provided
 - Traffic mitigation proposed to reduce congestion associated with higher use. More analysis required for final assessment



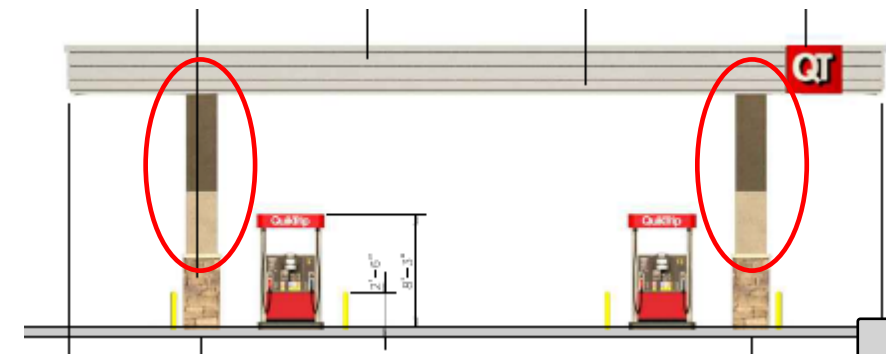
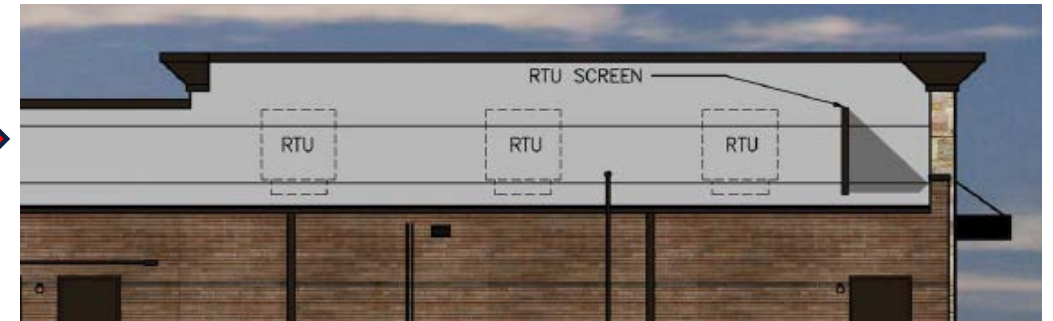
Design Guidelines Review

DESIGN GUIDELINES REVIEW

- **Design Guidelines: (1) General recommendations; (2) Auto Service Station Specific Recommendations**
- **Overall, proposal adheres to the general Design Guidelines and for Auto Service Stations with staff proposed modifications**
 - High quality materials, primarily brick and stone
 - Standard QT design has been modified to fit within surrounding area. Retail building coordinates with QT design.
 - For the QT lot, access is limited to 2 curb cuts. Shared access on retail building lot.
 - Bare pavement reduced with landscaped areas and paver walkways across drive aisles for pedestrian connectivity
 - Canopy lighting is flush with underside
 - Layered buffering in effort to protect residents from commercial development activity

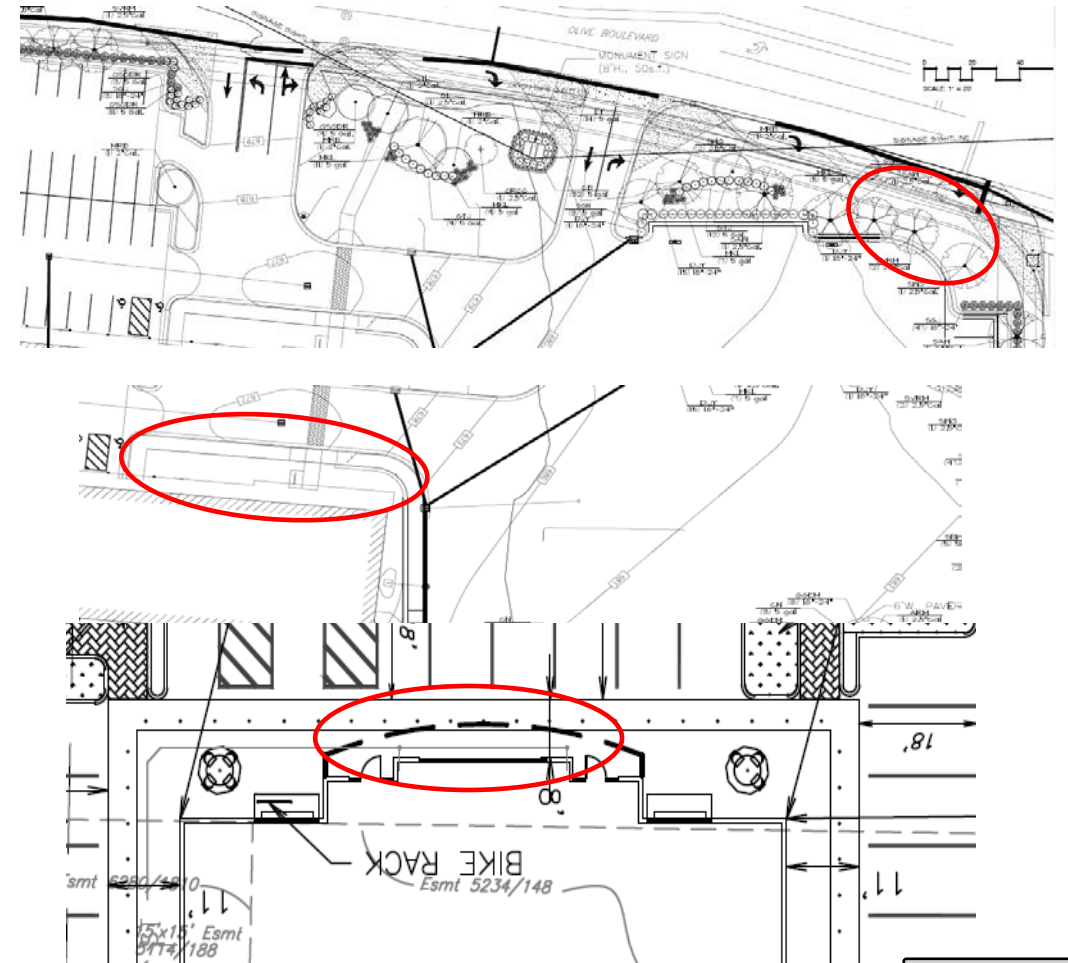
DESIGN GUIDELINES REVIEW—STAFF PROPOSED MODIFICATIONS

- Carry stone around side tower elements
- Provide rear RTU screening-retail building
- Apply brick to remaining portion of canopy supports



DESIGN GUIDELINES REVIEW—PROPOSED MODIFICATIONS

- Accentuate landscaping at corner of Olive and Graeser and adjacent to building
- Provide final design for pedestrian seating area in front of retail building
- Provide 6-feet of pedestrian clearance at C-store





Zoning Ordinance Review

ZONING ORDINANCE REVIEW

■ Conditional Use Permit Standards for Review (405.1070.E)

1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

ZONING ORDINANCE REVIEW

- **Conditional Use Permit Standards for Review (405.1070.E)**
 - Commission review guided upon facts of proposal against Zoning Code requirements, consistency with goals and objectives of Comprehensive Plan, level of conformance to Design Guidelines
 - As discussed in the Staff Report:
 - The proposal generally meets items 1, 4 and 5, subject to meeting certain identified additional conditions. The Commission will need to weigh all information provided to assess items 2, 3 and 6.

ZONING ORDINANCE REVIEW

- **GC-General Commercial District (405.360)**
 - Purpose and Intent: accommodate by site development plan approval convenience retail shopping and services and offices which are free standing or part of small scale planned commercial developments and which are compatible in scale and intensity of use with adjacent residential uses.
 - Gas stations with convenience stores are conditional uses in GC District.

ZONING ORDINANCE REVIEW

- **GC-General Commercial District**
 - Setbacks
 - Buffering
 - Building Height
- **Other Items Reviewed:**
 - Parking
 - Landscaping
 - Stormwater
 - Lighting

ZONING ORDINANCE REVIEW

- **Conditional Use Standards for Gas Stations (405.470.A.13)**
 - 14 standards must be met, including:
 - Setbacks
 - Landscaping and buffering
 - Minimum site area
 - Parking
 - Access
 - Fencing
 - Trash disposal
 - Allowable items for sale
 - Deliveries
 - Pump island locations
 - Staff believes all requirements as listed above are met

ZONING ORDINANCE REVIEW

■ Setbacks

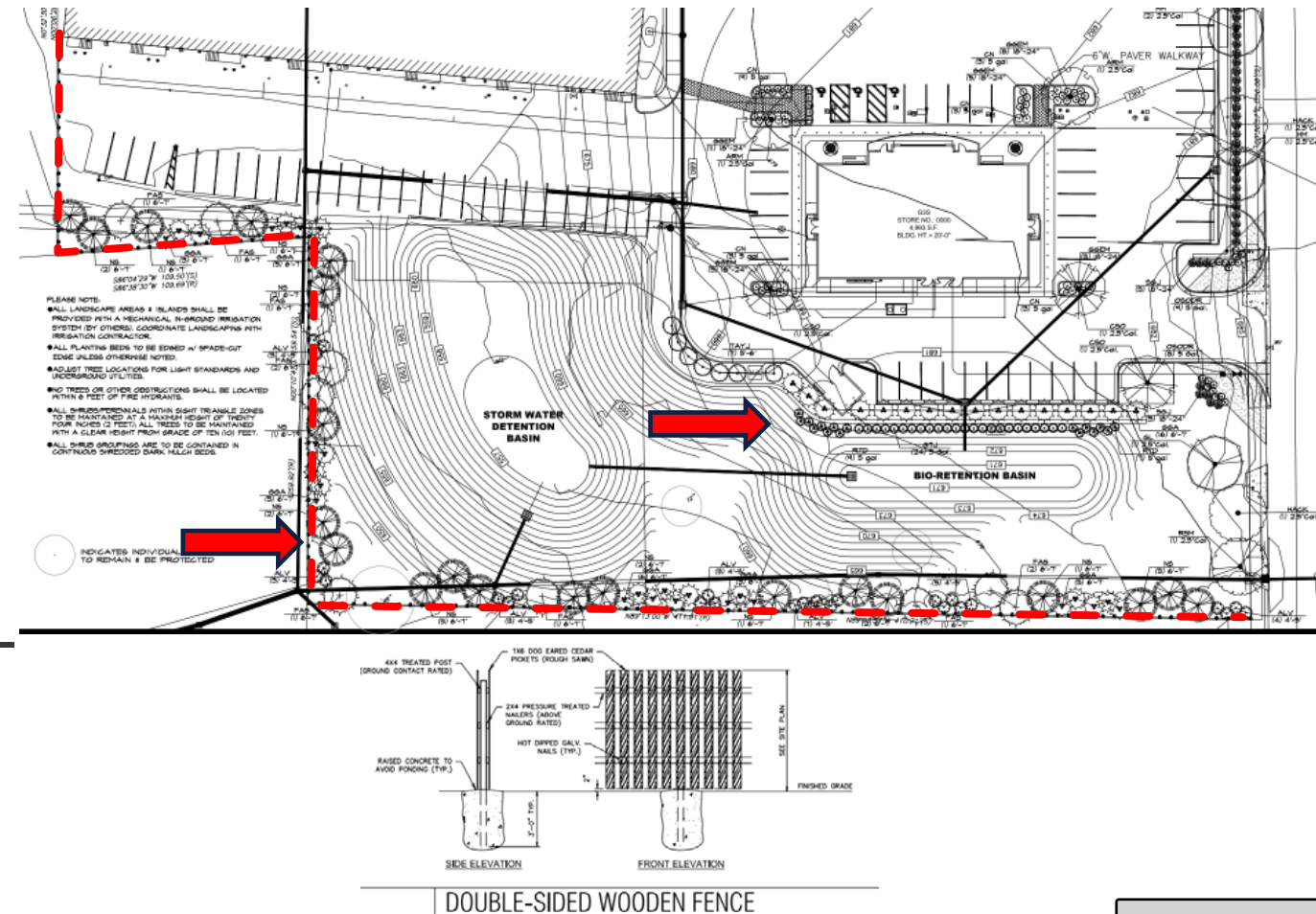
- Setbacks are met for all buildings and structures

■ Parking—All uses

- Required 119 spaces. Proposed, 133 spaces based on shared parking agreement

■ Buffering and Screening

- Required: min. 25 feet bufferyard. Proposed 93-feet with evergreens, 8-foot tall wood fence placed at property line.
- Discuss fence location and material



ZONING ORDINANCE REVIEW

■ Landscaping

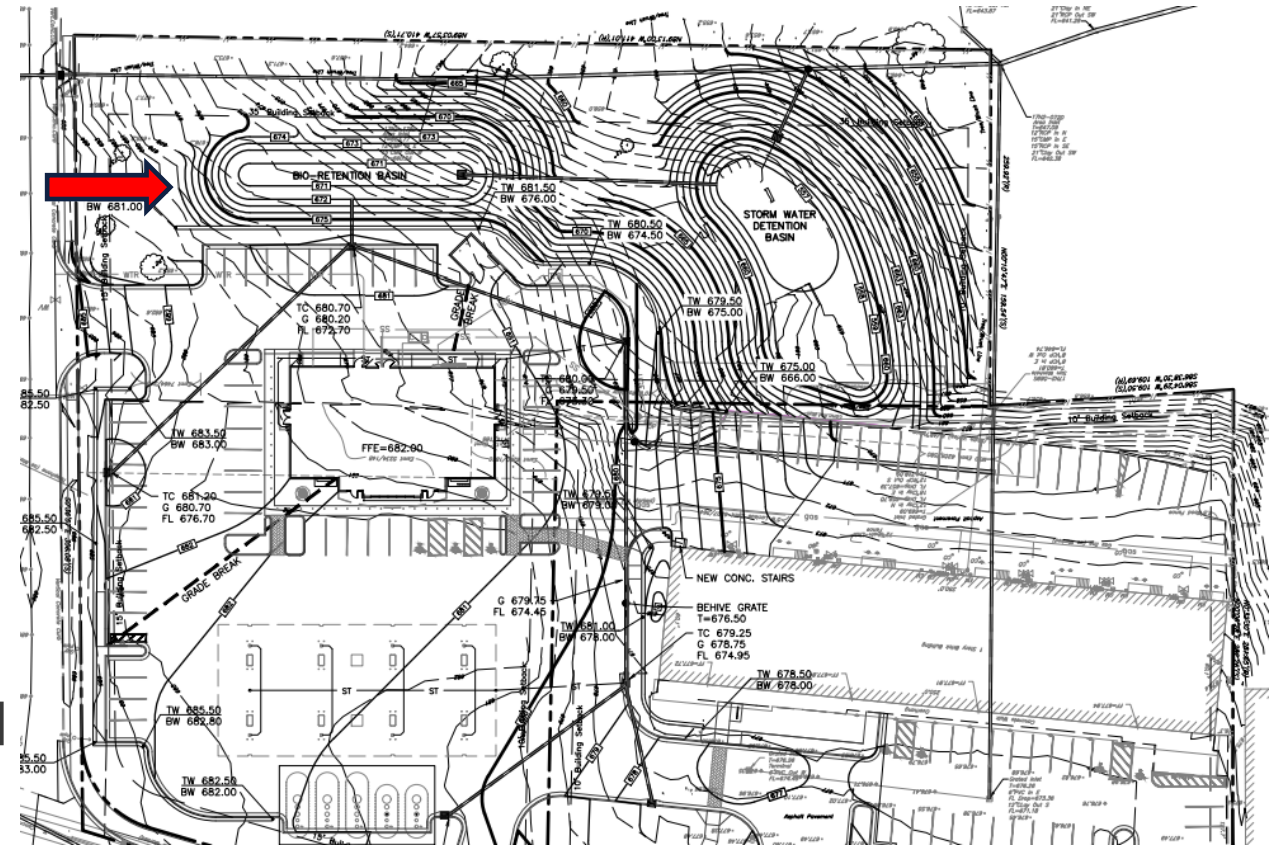
- Exceeds code requirements. Need to provide min. cal. of 3-inch trees.

■ Stormwater

- Shared stormwater facility
- Bio-retention and detention basin for surface and roof drainage

■ Signage

- Adjustments required. Staff review and approval with sign permit process



TRAFFIC IMPACT STUDY

- **Traffic Impact Study Summary Points**
 - **Scope defined by MoDOT with input from City staff**
 - **TIS reviewed by City's traffic consultant, GBA**
 - **Based on a traffic model**
 - **Traffic counts taken in August 2019**
 - **Morning, mid-day, evening rush peak periods**
 - **CBB utilized trip generation estimates based on data at other similar facilities, then compared to ITE**
 - **Pass-by trips—traffic already using the roadways**

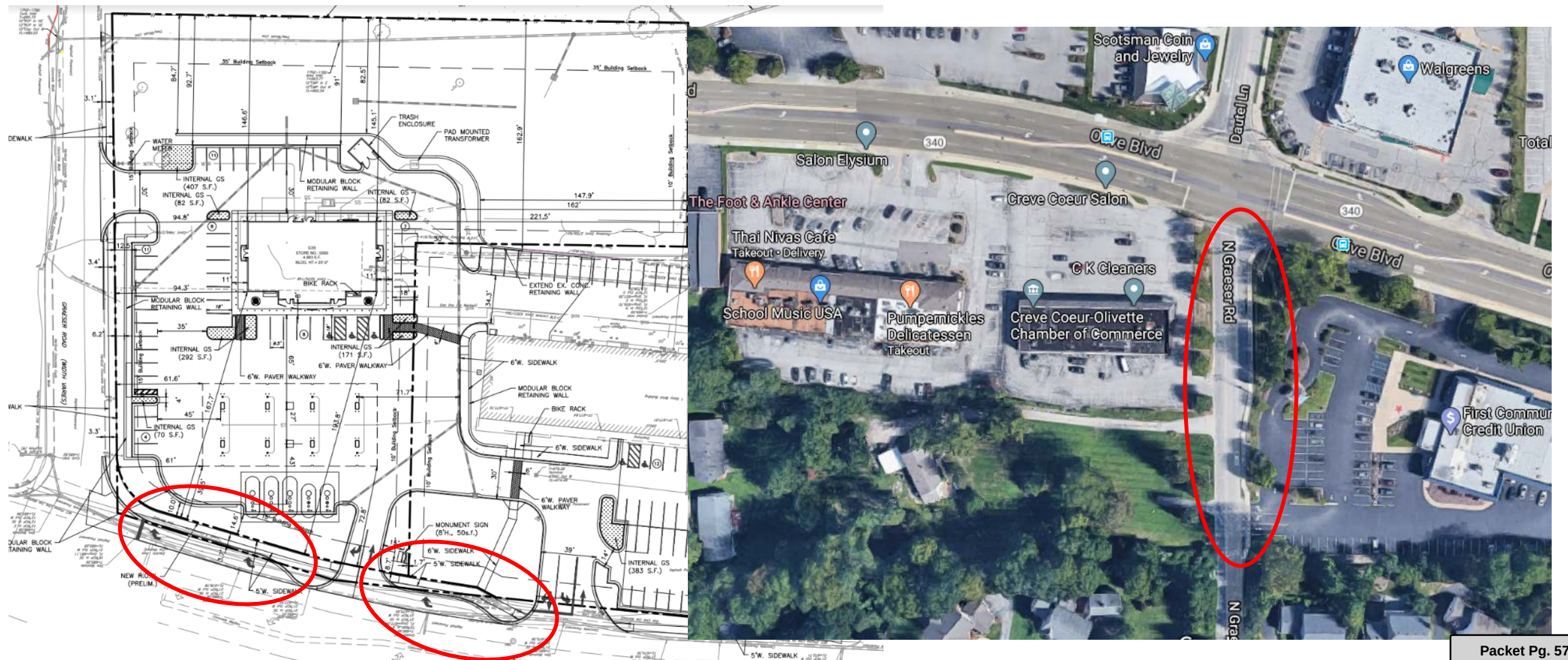
TRAFFIC IMPACT STUDY

- **Traffic Impact Study Summary Points Con't**
 - **Proposed use (gas station & convenience store) will create additional traffic at this site and onto Graeser Road from this site. Additional traffic on Graeser Road south of the development appears minimal.**
 - **Mitigation for additional traffic requested by MoDOT and City**
 - **MoDOT: (1) Provide right turn bays into site and for Graeser (2) Conversion of Olive/Graeser signal to allow NB Graeser left turns to have green arrow in addition to flashing yellow left to mitigate delays for NB Graeser.**
 - **City: Consider additional mitigation for NB Graeser delays**

TRAFFIC IMPACT STUDY

- **Traffic Impact Study Summary Points Con't**
 - With proposed mitigation:
 - Increase in queuing of cars on NB Graeser during all peak periods
 - Average delay for wait time (in seconds):
 - AM: Increase, 19.8 seconds
 - Mid: Reduction: 1.5 seconds
 - PM: Reduction: 4.7 seconds
 - Reduction in wait time for Dautel approach

TRAFFIC IMPACT STUDY





Conclusion

STAFF REVIEW SUMMARY OF KEY POINTS—ITEMS FOR FURTHER DISCUSSION

Overall Review:

- **Review Standards for Conditional Use Permits**
- **Sufficient mitigation provided for expected impacts**
- **Compliance with Zoning Code requirements**
- **Consistency with recommendations of Comp Plan and Design Guidelines**

Specific Items:

- **Placement of the fence** at the property line adjacent to residents or further inward to provide landscaping on the residents side.
- Revise the **landscape plan** to show plantings adjacent to the building and at the corner of Olive Boulevard and Graeser Road.
- Incorporate additional **design elements** for the buildings including carrying the stone all the way around the side tower elements and adding brick and/or stone for the full length of the canopy columns for the QT component and add screening of the rooftop mechanical units to the rear of the retail building.
- Understand how **deliveries** (fuel and retail items) will be made to the site
- **Traffic Impact Analysis**—finalize review by staff and City's traffic consultant to be presented at future meeting



Bringing a New Generation to Creve Coeur

QuikTrip's Brand of Excellence

- QuikTrip: #1 in the C-Store Industry
 - 2014, 2015, & updated in 2017 Market Source Survey
 - 2019 CDP Mystery Shop #1 Ranking
 - QuikTrip #1 out of 45 nationwide chain retailers
 - Cleanliness, friendliness, great service, merchandise selection, merchandise price & atmosphere
- Fortune's "100 Best Company to Work For" 17 years
- Forbes Top 100 Privately Held Companies for over 17 years
- People magazine's "Companies That Care" - 2 years
- Privately Held Corporation – Family & Employee Ownership
- No franchisees

QuikTrip's Employees

Top pay for top people!

- Average starting salary for entry level assistant manager is over \$50,000
- Starting pay for part time clerk is \$11.00 per/hr
- Store Manager salaries on average \$89,000/yr
- Bonuses given to employees for customer service, profit, and attendance
- Under 20% turnover rate
- No employee has ever been laid off in the history of the company
- 6 full-time & 10+ part-time employees per store
- Health Benefits available for all employees, including part-time employees
- Tuition Reimbursement programs
- Full Time employee profit sharing and 401k

QuikTrip's Community Impact

- New jobs
- Increase in tax revenue
- QuikTrip contributes 5% of its profits to local community charitable organizations
- QuikTrip is a National Safe Place location for endangered youth

QuikTrip's Guarantee

Our promise to our customers is simple...

we *guarantee quality* in everything we do or sell.

Quality in everything...

- | | | |
|-------------------|--------------------|----------------------|
| ✓ Fresh Food | ✓ Customer Service | ✓ Frozen Treats |
| ✓ Coffee | ✓ Grab 'n Go items | ✓ Roller Grill Items |
| ✓ Gasoline | ✓ Fresh Brewed Tea | ✓ Fresh Pastries |
| ✓ Clean Restrooms | ✓ Security | ✓ Appearance |















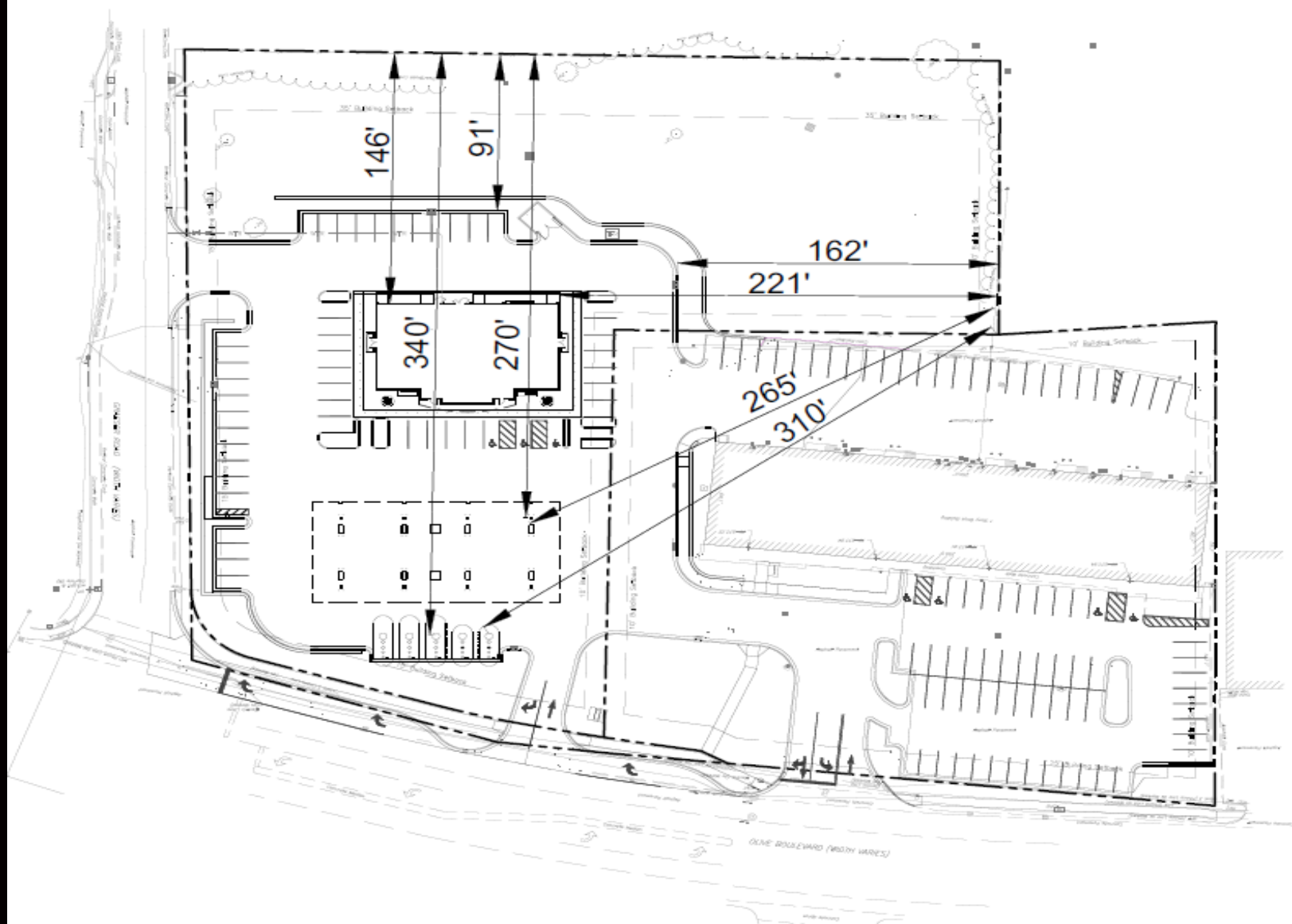






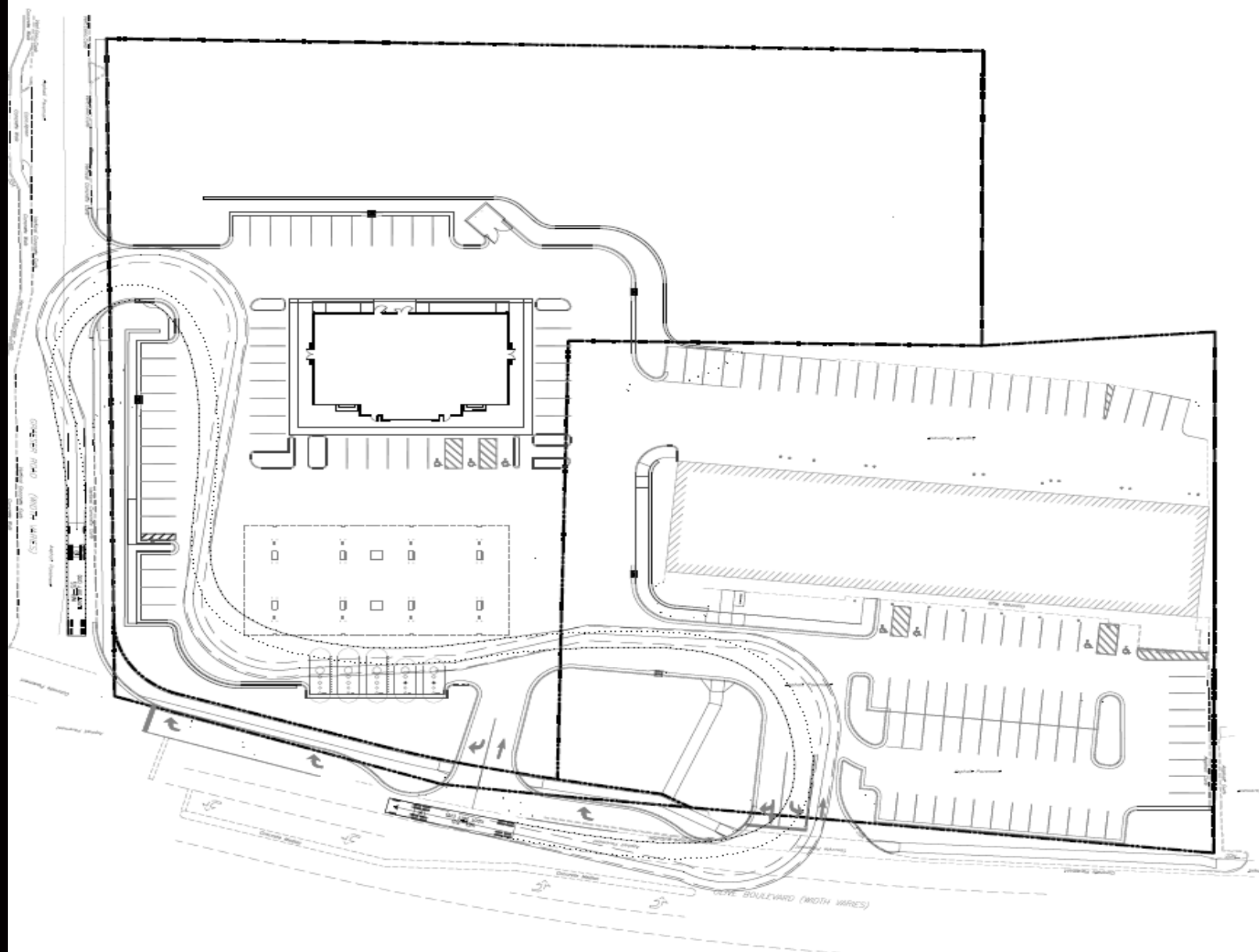
Site Distances

- The proposed development currently meets or exceeds all building setbacks and landscaping buffers.
- Landscape buffer in rear = 91 feet
- Distance from fuel pump to closest property line = 265 feet
- Distance from fuel tanks to closest property line = 310 feet



Site Circulation

- QT stores are all designed for onsite circulation of vehicles ranging from pedestrian vehicles to delivery vehicles.
- Critical vehicle to design for is the Fueling Tanker.
- Anticipated approach from the East on Olive and enter the site from Graeser Road.
- Exit the site onto Olive heading East.



Site Storm Water Management

- The development will follow all regulations set forth by Metropolitan St. Louis Sewer District (MSD)
- Site runoff will be captured, treated and detained in a Bioretention Basin and Detention Basin.
- Storm Water will be mitigated to match pre-development conditions
- Storm Water Management includes water volume reduction.



PROPOSED REVITALIZATION OF THE EXISTING 15,024 SF SHOPPING CENTER
11032 - 11056 OLIVE BLVD., CREVE COEUR, MO 63141

DESCRIPTION

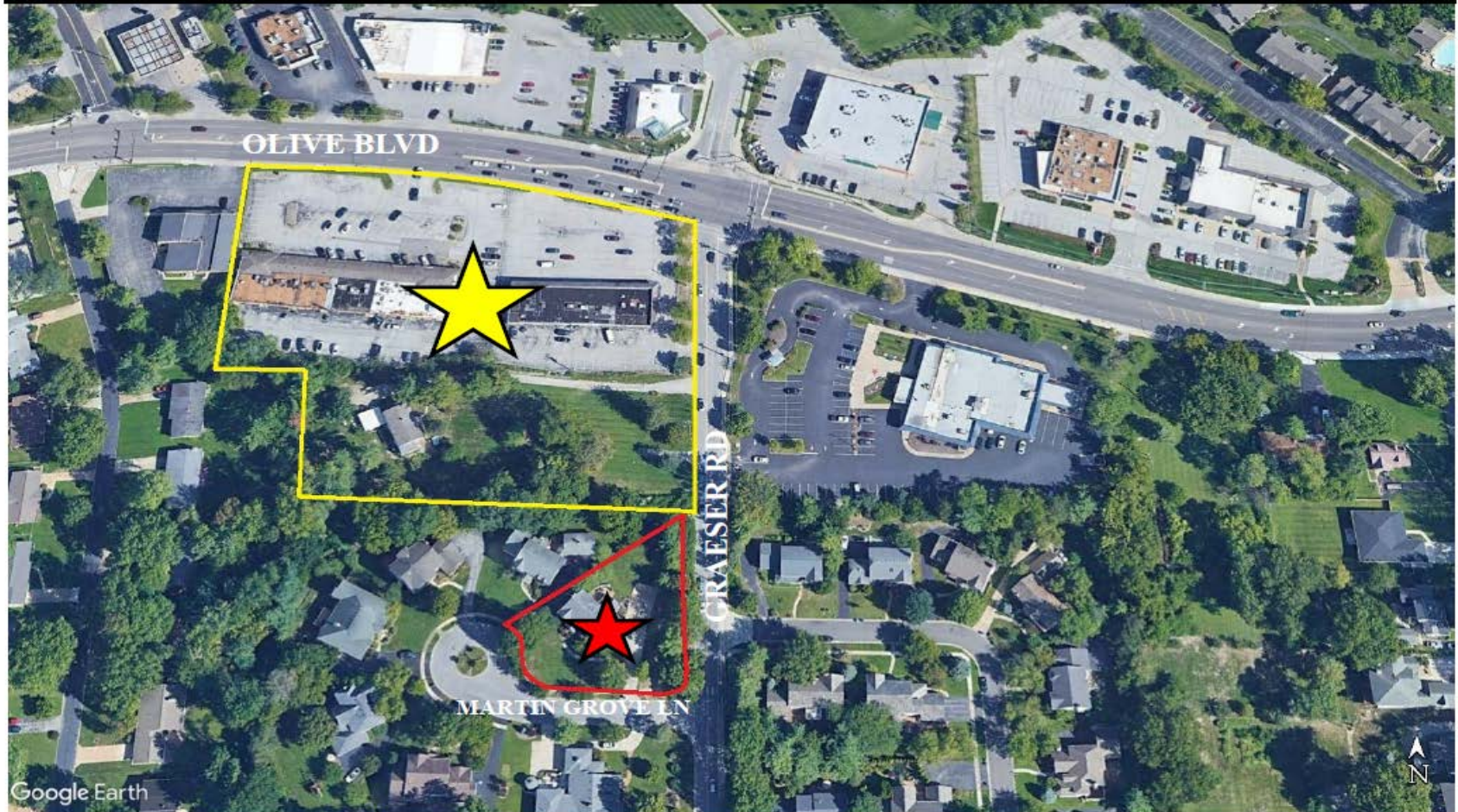
- 15,024 SF multi-tenant strip center built in 1967
- 37% or 5,580 SF is unoccupied
- Current tenants include Pumppernickel's, Support Innovations, Inc., Salon Elysium, LLC and School Music USA
- The center is in below average condition and considered obsolete - time has passed it by
- We are proposing to revitalize the existing shopping center in conjunction with a QuikTrip store set to anchor the overall project
- Sidewalks, cross access and parking agreements with the neighboring QuikTrip will be put in place for the benefit of the shopping center, its tenants and customers
- The revitalization of the shopping center will enhance the existing tenant's experience, its customers and serve to attract new tenants to the center and Creve Coeur
- The revitalization of the shopping center will better represent Creve Coeur, contribute to the community, enhance property values and generate sales tax
- *Mike Baalman with Baalman Architects to discuss the shopping center improvements and design*
(Next Slide of Shopping Center Renderings)

RECENT SINGLE-FAMILY HOME SALE IN MARTIN GROVE LANE
11003 MARTIN GROVE LANE, CREVE COEUR, MO 63141

DESCRIPTION

- The residents attending the February 18, 2020 neighborhood meeting raised a concern regarding the negative impact a QuikTrip store would have on home values in the immediate area.
- Additionally, and in conjunction with the above concern, a specific reference was made to a house in Martin Grove Lane which had recently gone under contract, fallen apart, and could not be sold because of the proposed QuikTrip.
- QuikTrip was concerned about the issue neighbors raised as it had not experienced declining home values as a result of its stores locating near residential in the past.
- QuikTrip asked that our team investigate the Martin Grove Lane transaction and as a result we discovered the following:
 - ⇒ Based on our findings, the house referenced by the neighborhood pertained to 11003 Martin Grove Lane. 11003 Martin Grove Lane was put on the market on or about November 11, 2019 with an asking price of \$699,900. Per our conversation with the listing agent, there was lots of interest in the home and it went under contract very quickly. The buyer became aware of the proposed redevelopment that was to take place at the existing commercial properties bordering 11003 Martin Grove Lane and as a result the buyer terminated the contract. Shortly thereafter the property was contracted for and sold to a different buyer in January of 2020 for \$735,000. The Sale Price was \$35,100 over the listed price. Total days on the market was approximately 63 days and the sale set a new high sale price for Martin Grove Lane.
- *See Next Slide Depicting Location of House in Relation to Proposed QuikTrip and Shopping Center Redevelopment*

RECENT SINGLE FAMILY RESIDENTIAL SALE COMP IN MARTIN GROVE LANE
11003 MARTIN GROVE LANE, CREVE COEUR, MO 63141



Google Earth

- ★ PROPOSED REDEVELOPMENT SITE
- ★ 11003 MARTIN GROVE LN

**RECENT SINGLE-FAMILY HOME SALES IN CLOSE PROXIMITY TO THE NEW MOBIL ON THE RUN
NEW MOBIL ON THE RUN AT 11117 OLIVE BLVD., CREVE COEUR, MO 63141**

Below is a list of single-family homes located near the new Mobile on the Run Site which were sold in the last two years as of May 27, 2020, as reported by St. Louis County and/or the St. Louis MLS.

Address	Parcel Locator:	Distance from Mo- bile on the Run Site (Approximate)	Sale Date #1	Sale Price #1	Sale Date #2	Sale Price #2
925 SCHULTE RD	17N540244	< 60 Ft.	09/12/2018	\$135,000	06/03/2019	\$229,900
944 SCHULTE RD	17N540420	< 420 ft.	09/12/2017	\$158,600	03/31/2020	\$193,800
11121 OAK LAKE CT	17N530443	< 200 ft.	07/18/2012	\$155,000	02/20/2018	\$220,000
11130 OAK LAKE CT	17N530971	< 200 ft.	06/03/2015	\$207,500	08/08/2018	\$249,000
1000 LEISURE LANE	17N530751	< 750 ft.	02/20/2014	\$159,900	04/16/2020	\$278,000
11125 PAM LANE	17N530704	< 530 ft.	11/15/2019	\$131,000	4/13/2020	\$280,000
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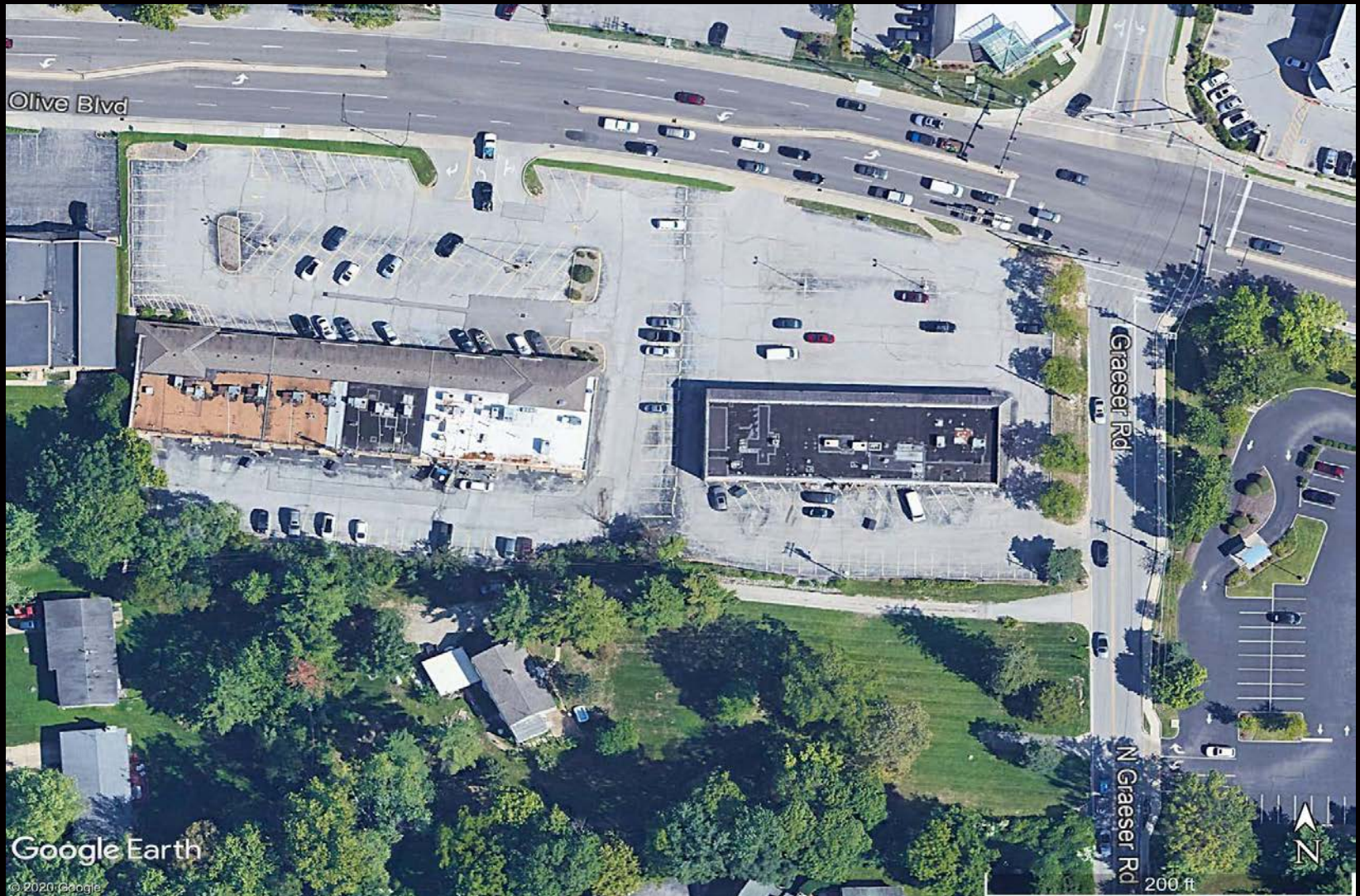
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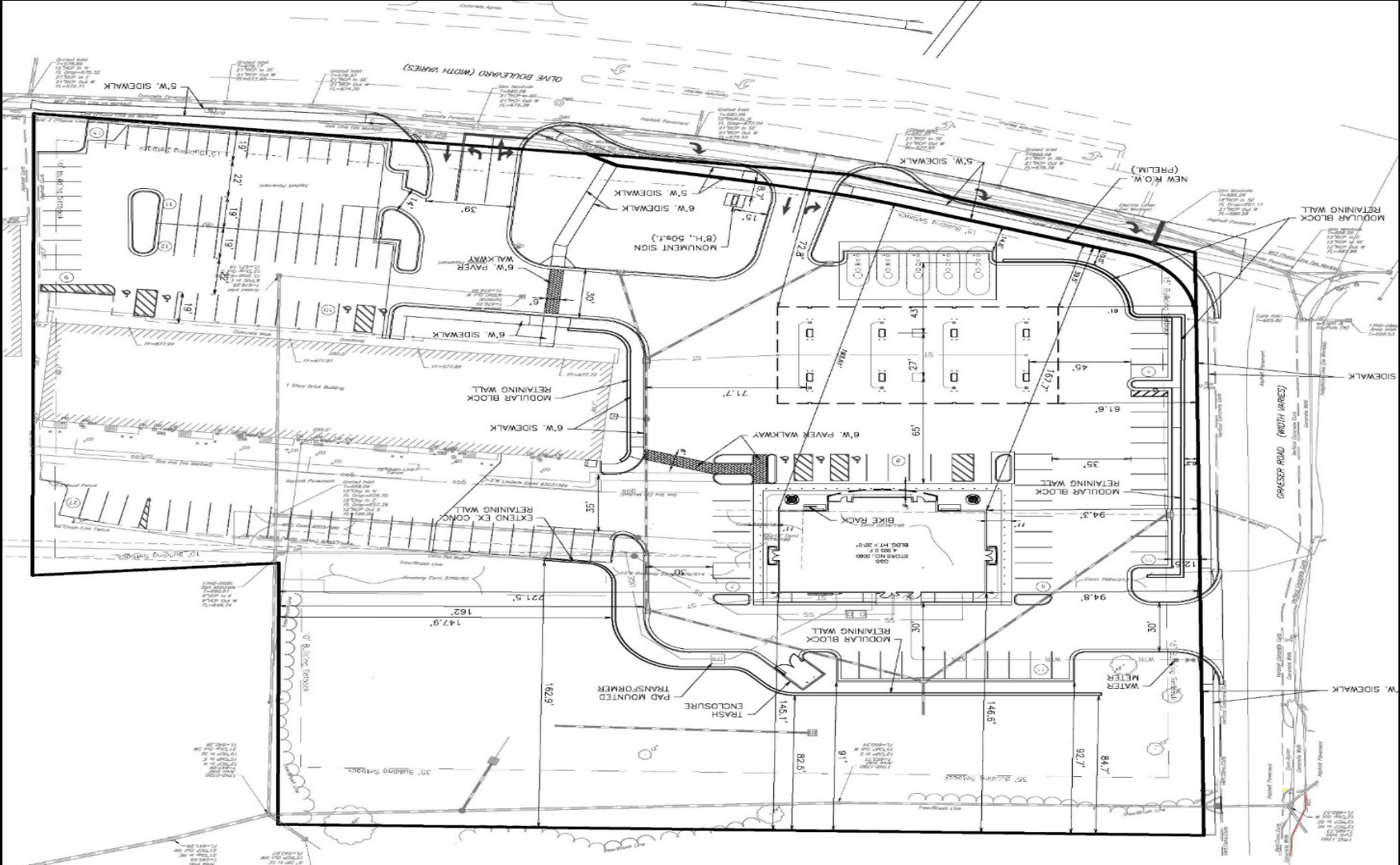
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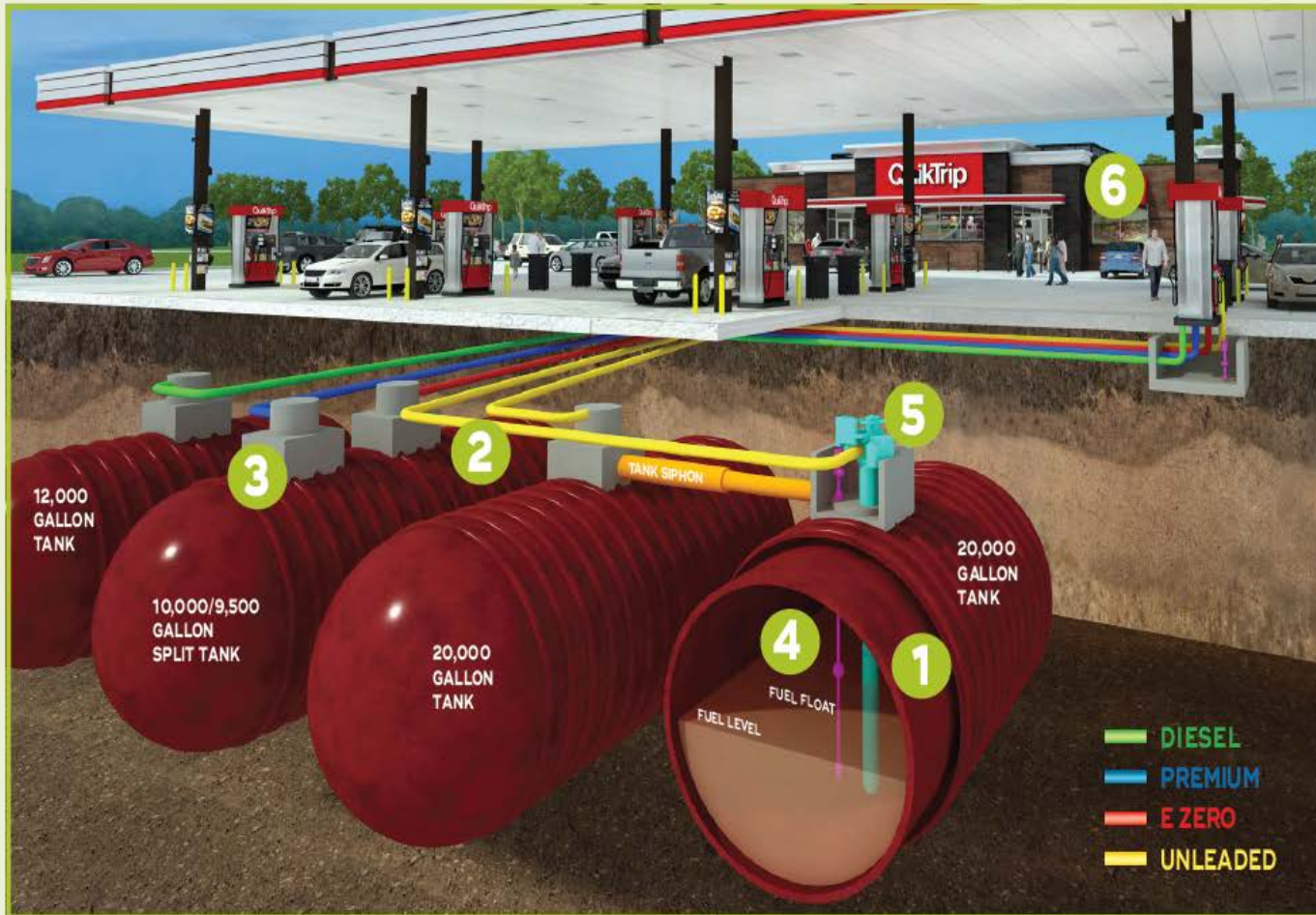


Recommendations

- Improvements
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 - New eastbound right-turn lane on Olive at reconstructed QT driveway (RIRO)
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- Pedestrian facilities and connections will be much improved with the new sidewalk on west side of Graeser and the new site connector to Olive.



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2 DOUBLE-WALL, FIBERGLASS PIPE



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4 AUTOMATIC TANK GAUGES (ATG PROBE)



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- QuikTrip's cutting-edge fuel system includes several redundant leak prevention and monitoring systems. This system is designed with state-of-the-art interstitially monitored double-walled fiberglass piping installed to minimize joints. Additionally, underground sumps equipped with liquid sensors and a duplicative leak detection monitoring system are used to identify potential leaks in real time.
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The following scenarios are recent examples of QuikTrip's commitment to reducing environmental impact and holding true to our Core Value of ***Doing the Right Thing.***

BROWNFIELD REVITALIZATION

- **Store #1045** – Partnering with the North Carolina Department of Environmental Quality, QuikTrip transformed a site contaminated with metals and petroleum where a former cotton gin, scrap metal junkyard, and lumberyard existed dating back to the late 1800's.
- **Store #1140** – Partnering with the South Carolina Department of Health and Environmental Control and the Environmental Protection Agency, QuikTrip remediated a site contaminated with pesticides, petroleum, and metals where a former auto body repair shop previously operated (see photos below).



Before



After

ENERGY CONSERVATION

CONSERVING ENERGY IS THE RIGHT THING TO DO

- The current QuikTrip store is 100% LED outside and 95% LED inside, and we're currently examining ways to retrofit older stores to LED.
- QuikTrip changed the refrigeration spec on new stores from individual rooftop units to a comprehensive rack spec in 2015 and gained a 20% reduction in energy use.

- QuikTrip currently uses a Building Management System in all of our facilities to monitor, alarm, and control: lighting, heating/cooling, refrigeration, cooler-door anti sweats, and exhaust fans.

The energy savings paid for the new system within two years, but the real value was the visibility into our systems. We remotely monitor equipment performance, and quickly react to issues creating even more energy savings.

QUIKTRIP'S STRATEGIC ENERGY PLAN

43,857,000 KW Hours Saved Annually
Equivalent to 30,305 Metric Tons of CO₂

EMCS

- Installed Energy Management Control Systems in all QT stores.

REFRIGERATION

- High-efficiency fan motors for walk-in coolers
- High-efficiency compressors for fan motors

LIGHTING

- LED lights: walk-in coolers, gas canopies, bathrooms, and signs
- Neon red stripe on gas canopies to LED
- Retrofit store fluorescent lighting from 32W to 28W
- Retrofit warehouses and commissaires to high-efficiency fluorescent lighting.
- Change specification for exterior lights from 400W to 320W.



QT's energy savings initiatives significantly reduces the Company's carbon footprint. The reduction in carbon dioxide is equivalent to:



CARBON SEQUESTERED BY:
 6,462 acres of pine forest
 777,051 tree seedlings
 300 acres of deforestation

or



CO₂ EMISSIONS FROM:
 5,942 passenger vehicles
 3,397,422 gallons of gasoline

or



ANNUAL CO₂ EMISSIONS FROM:
 Electricity used by 3,678 homes
 Energy used by 2,575 homes

WASTE CONSERVATION

1,669 TONS
in 2018



BIG FIVE RECYCLABLE MATERIALS

paper • glass • cardboard
plastic • aluminum

IN 2018, QT's RECYCLING EFFORTS OF THE BIG FIVE CONSERVED OR AVOIDED THE FOLLOWING

TREES

Mature
18,227



enough timber to produce
225,811,658
sheets of newspaper

LANDFILL AIRSPACE

Cubic Yards
6,525



annual municipal
waste disposal of
8,380
people

ELECTRICITY

KW HR

3,648,647



enough power to
fulfill annual needs of
348
homes

WATER

Gallons

9,685,630



enough fresh water to
meet the daily needs of
129,141
people

GREENHOUSE GAS EMISSIONS

Metric Tons of CO₂

3,853

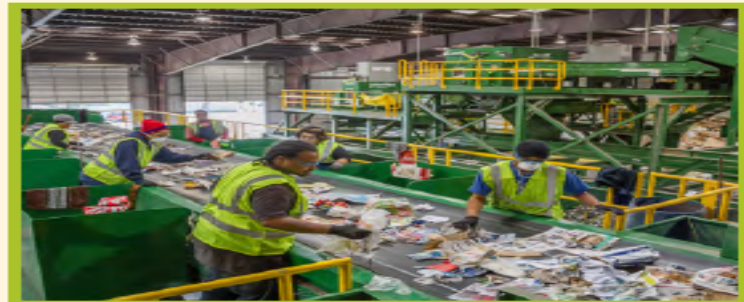


From recycling cardboard packaging in Arizona to complete waste stream separation in Tulsa, waste recycling occurs at hundreds of QuikTrip stores spanning across multiple divisions.

QuikTrip Strives To Repurpose Building Materials

Upon the closure of each QuikTrip site, our inventory of reusable building materials and equipment is either sent to another store for reuse or is sold. Items include refrigeration units, cabinets, countertops, checkstands, gasoline dispensers, and various pieces of equipment. This "dequip" process helps divert demolition debris bound for disposal at the landfill and preserves resources through reuse.

During site redevelopment, QuikTrip looks to implement best construction management practices by balancing site grades for less haul-off, and reusing concrete, excavated soils and rock, and minimally impacted soils. These practices help minimize waste streams leaving the site along with saving fuel and reducing emissions from trucks and material sent to landfills for disposal.



All trash generated at QT stores in Tulsa is sent to a materials recycling facility (MRF) where plastic, glass, metal, cardboard, and paper products are separated for recycling.



Non-recyclable trash residue from the MRF is sent to American Environmental Landfill where methane gas is captured from decomposing waste. This methane gas powers generators delivering electricity to a power plant serving a nearby community of 20,000 people.

A Couple of Items to Note

- TDD Participant
- Delivery Times
- Already 2 gas stations in the area
- QuikTrip is in the convenience store business - adaptable

Crime

QuikTrip's #1 asset is the person behind the counter

- Interior store layout
- Exterior store environment
- Location
- Convenience store type
- Ownership
- Staff number
- Cash-control procedures
- Operational hours

**APPLICATION TO PLANNING AND ZONING
COMMISSION #20-002 & #20-010: BOUNDARY
ADJUSTMENT, SITE DEVELOPMENT PLAN AND
CONDITIONAL USE PERMIT FOR QUIKTRIP GAS
STATION WITH CONVENIENCE STORE AT 11004,
11026, AND 11032 OLIVE BOULEVARD AND 825 AND
827 GRAESER ROAD, AND THE REDEVELOPMENT OF
THE ADJACENT RETAIL CENTER AT 11032 AND 11056
OLIVE BOULEVARD**

PUBLIC HEARINGS
JUNE 1st AND 3rd, 2020



HAMILTON
WEBER LLC

Conditional Use Permit Standards

The City Council shall approve a conditional use only if it finds that the application and evidence presented clearly indicate that the proposed conditional use:

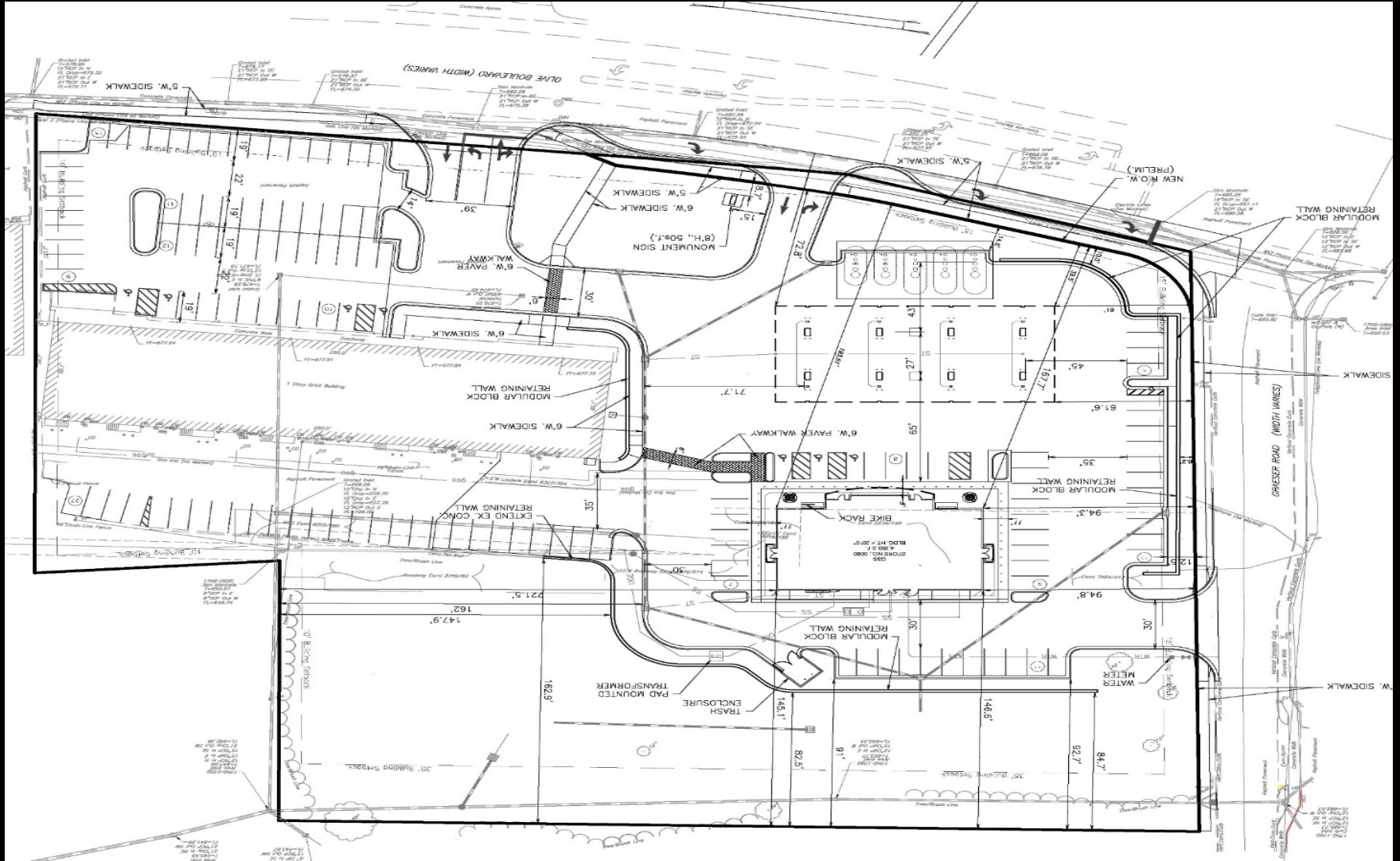
1. Complies with all other applicable provisions of Chapter 405 including environmental performance standards, the criteria in 405.470, and the standards regarding yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions, unless good cause exists for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in Chapter 405.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

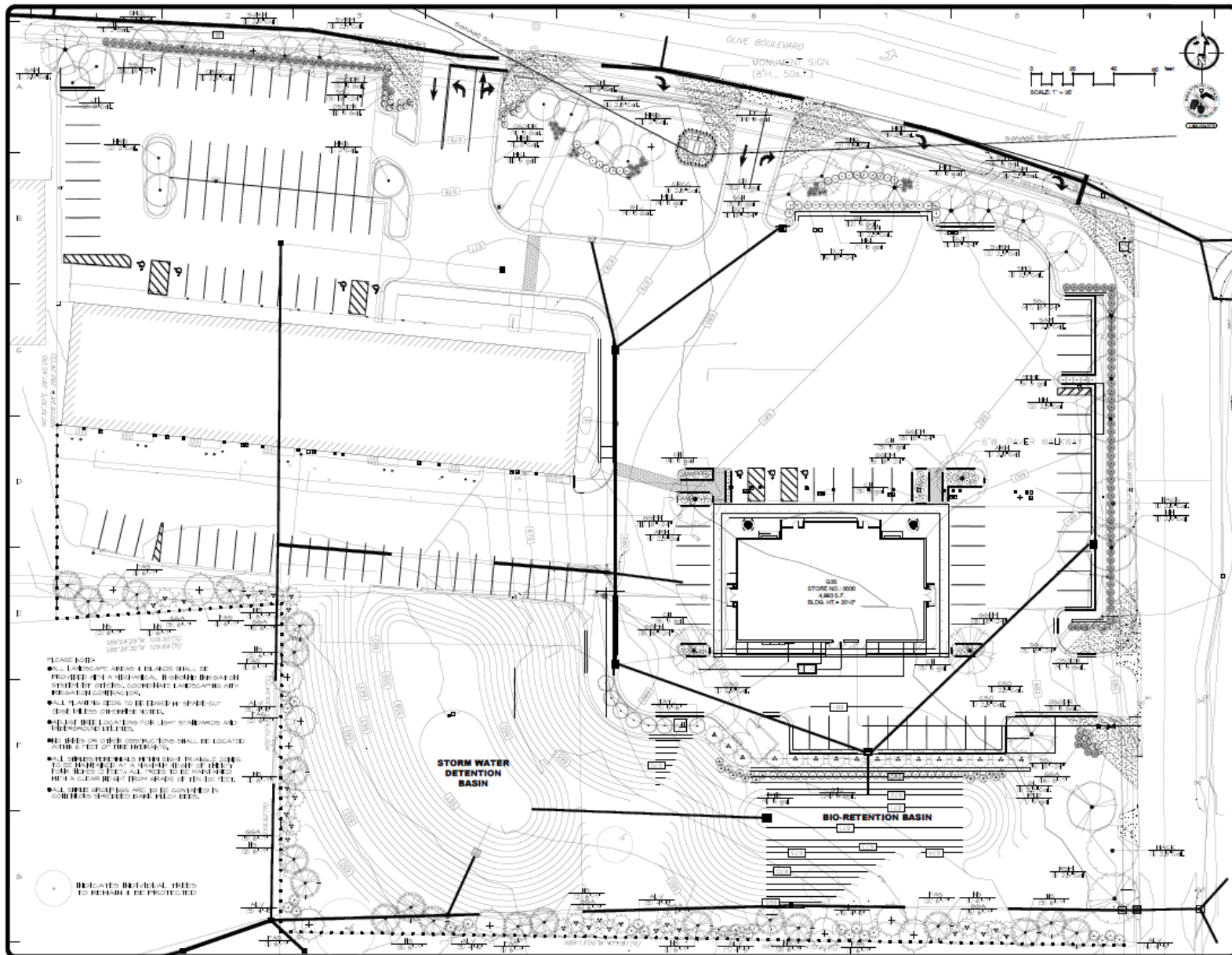
Section 405.1070(E), Code of Ordinances, City of Creve Coeur, Missouri

Thank You!

We welcome your
questions and feedback

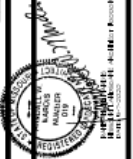






DATE	DESCRIPTION
1/15/2020	HHH
2/15/2020	HHH
3/15/2020	HHH
4/15/2020	HHH

Landscape
T E C H N I C I A N



PLANTING PLAN FOR THE PROPOSED
QuikTrip #613
CREVE COEUR, MISSOURI

DATE	DESCRIPTION
1/15/2020	HHH
2/15/2020	HHH
3/15/2020	HHH
4/15/2020	HHH



Bringing a New Generation to Creve Coeur

QuikTrip's Brand of Excellence

- QuikTrip: #1 in the C-Store Industry
 - 2014, 2015, & updated in 2017 Market Source Survey
 - 2019 CDP Mystery Shop #1 Ranking
 - QuikTrip #1 out of 45 nationwide chain retailers
 - Cleanliness, friendliness, great service, merchandise selection, merchandise price & atmosphere
- Fortune's "100 Best Company to Work For" 17 years
- Forbes Top 100 Privately Held Companies for over 17 years
- People magazine's "Companies That Care" - 2 years
- Privately Held Corporation – Family & Employee Ownership
- No franchisees

QuikTrip's Employees

Top pay for top people!

- Average starting salary for entry level assistant manager is over \$50,000
- Starting pay for part time clerk is \$11.00 per/hr
- Store Manager salaries on average \$89,000/yr
- Bonuses given to employees for customer service, profit, and attendance
- Under 20% turnover rate
- No employee has ever been laid off in the history of the company
- 6 full-time & 10+ part-time employees per store
- Health Benefits available for all employees, including part-time employees
- Tuition Reimbursement programs
- Full Time employee profit sharing and 401k

QuikTrip's Community Impact

- New jobs
- Increase in tax revenue
- QuikTrip contributes 5% of its profits to local community charitable organizations
- QuikTrip is a National Safe Place location for endangered youth

QuikTrip's Guarantee

Our promise to our customers is simple...

we *guarantee quality* in everything we do or sell.

Quality in everything...

- | | | |
|-------------------|--------------------|----------------------|
| ✓ Fresh Food | ✓ Customer Service | ✓ Frozen Treats |
| ✓ Coffee | ✓ Grab 'n Go items | ✓ Roller Grill Items |
| ✓ Gasoline | ✓ Fresh Brewed Tea | ✓ Fresh Pastries |
| ✓ Clean Restrooms | ✓ Security | ✓ Appearance |















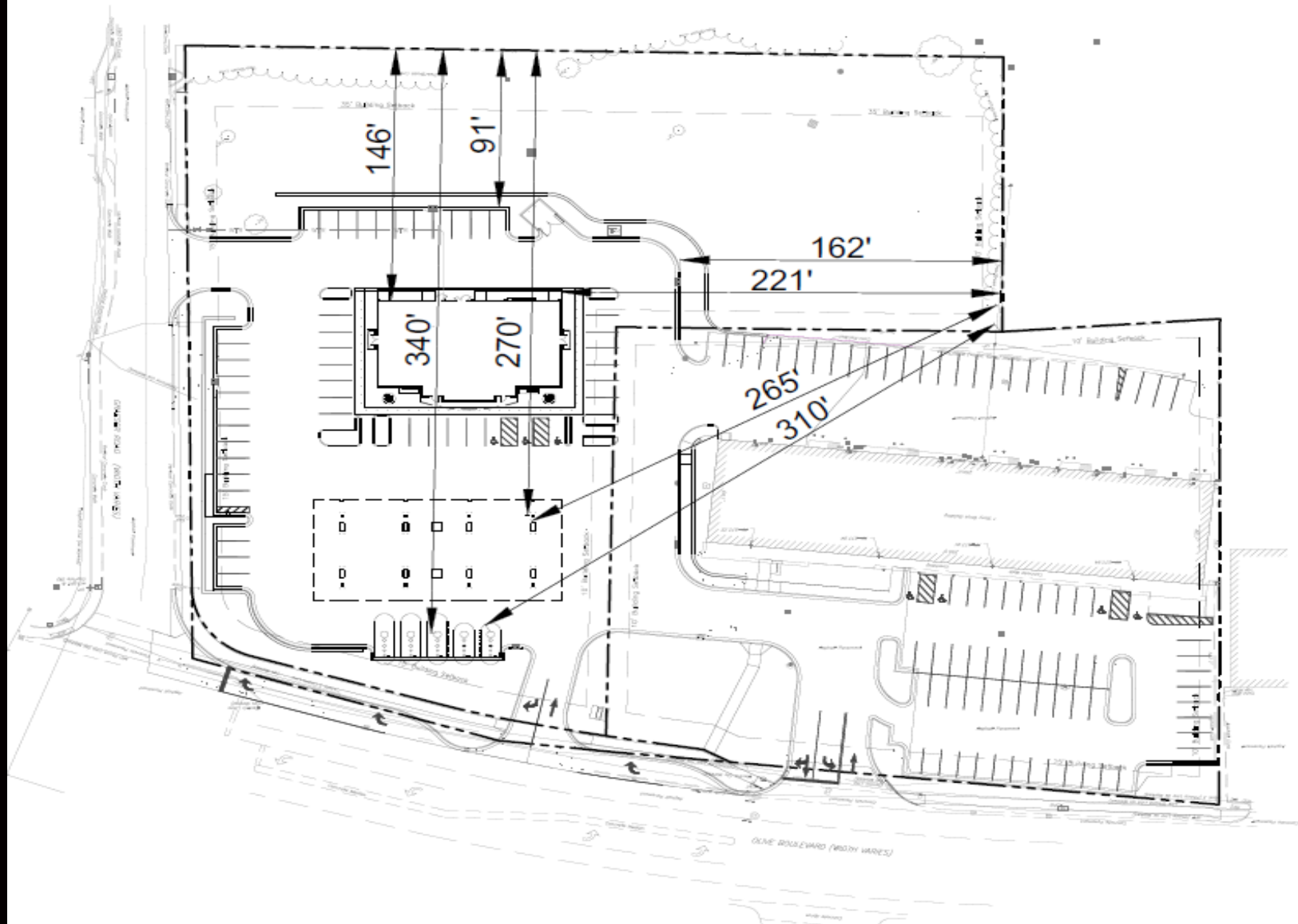






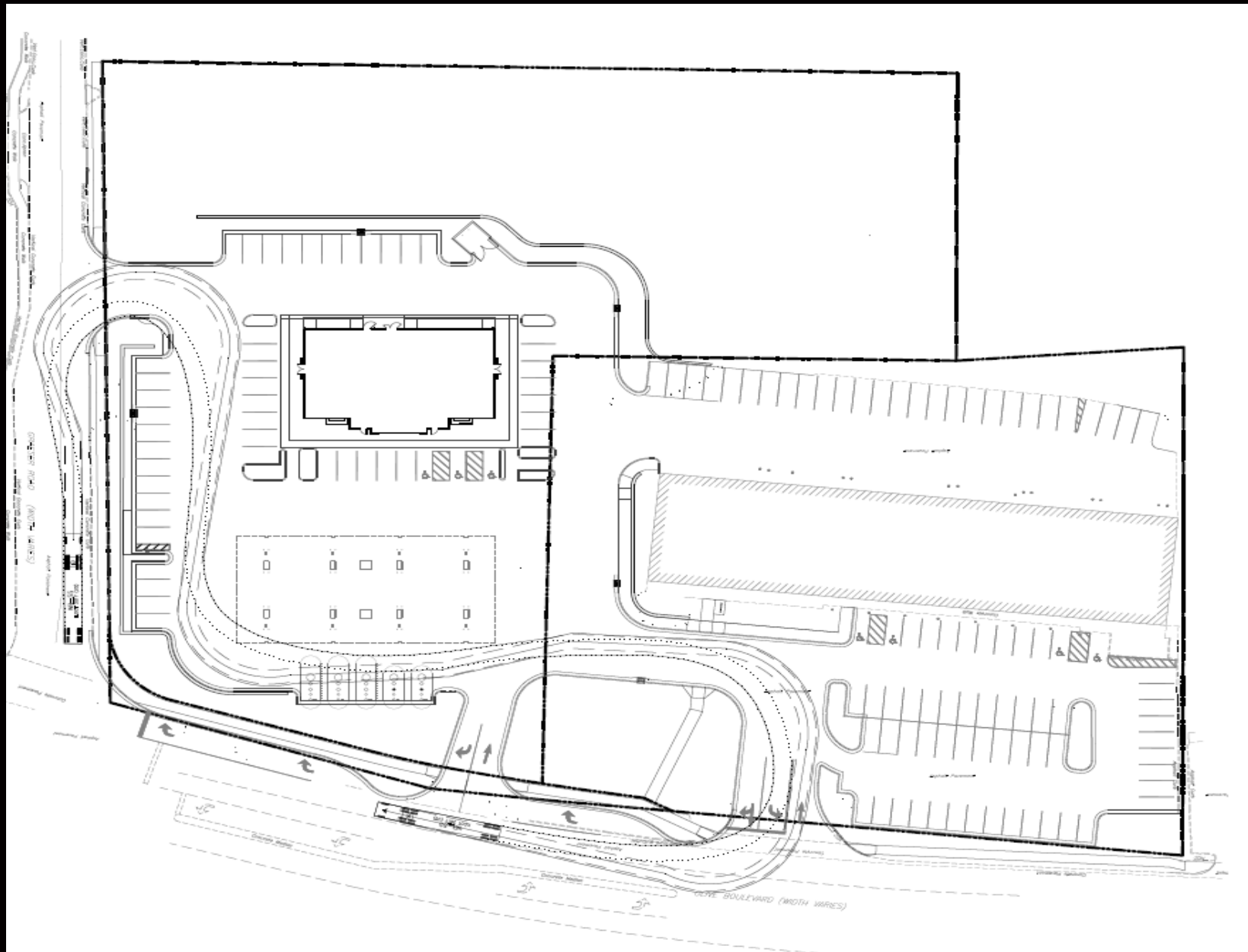
Site Distances

- The proposed development currently meets or exceeds all building setbacks and landscaping buffers.
- Landscape buffer in rear = 91 feet
- Distance from fuel pump to closest property line = 265 feet
- Distance from fuel tanks to closest property line = 310 feet



Site Circulation

- QT stores are all designed for onsite circulation of vehicles ranging from pedestrian vehicles to delivery vehicles.
- Critical vehicle to design for is the Fueling Tanker.
- Anticipated approach from the East on Olive and enter the site from Graeser Road.
- Exit the site onto Olive heading East.



Site Storm Water Management

- The development will follow all regulations set forth by Metropolitan St. Louis Sewer District (MSD)
- Site runoff will be captured, treated and detained in a Bioretention Basin and Detention Basin.
- Storm Water will be mitigated to match pre-development conditions
- Storm Water Management includes water volume reduction.



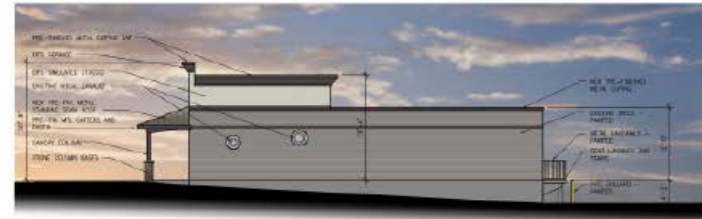
ELEVATIONS OF PROPOSED REDEVELOPMENT OF THE EXISTING 15, 024 SF SHOPPING CENTER
11032 - 11056 OLIVE BLVD., CREVE COEUR, MO 63141



1 CONCEPTUAL NORTH (FRONT) ELEVATION
ELEVATION SCALE: 1" = 1'-0"



2 CONCEPTUAL EAST (SIDE) ELEVATION



3 CONCEPTUAL WEST (SIDE) ELEVATION



4 CONCEPTUAL SOUTH (REAR) ELEVATION



BAALMAN
ARCHITECTS

R2 Diesel Drive
CIVILIAN, 200 C56H
ph: 314-933-212

Richard J. Gaultier
AWPHTSCT
License: A-21133483D
Certified Affinity
2011-03-08

STRUCTURAL ENGINEER

C.E.

MEMBER
NATIONAL
INSTITUTE
OF
STEEL

New Exterior Alterations for:
Olive Retail Center
11034 Olive Blvd.
St. Louis, Missouri 63141

DATE	ISSUE	RA
1-28-2025	ESGMO & HOSPICE	
2-2-2025	PROCESSES FOR COMMUNITY	
3-2-2025	WILLIAMS FOR COMMUNITY	

Michael J. Rosenman
ARCHITECT

PROJECT NUMBER: 20
CONTRACT: 20

PROJECT NUMBER
19-061
January 29, 2020

D-46ET
A1
EXTERIOR
ELEVATION
STUDY

PROPOSED REVITALIZATION OF THE EXISTING 15,024 SF SHOPPING CENTER
11032 - 11056 OLIVE BLVD., CREVE COEUR, MO 63141

DESCRIPTION

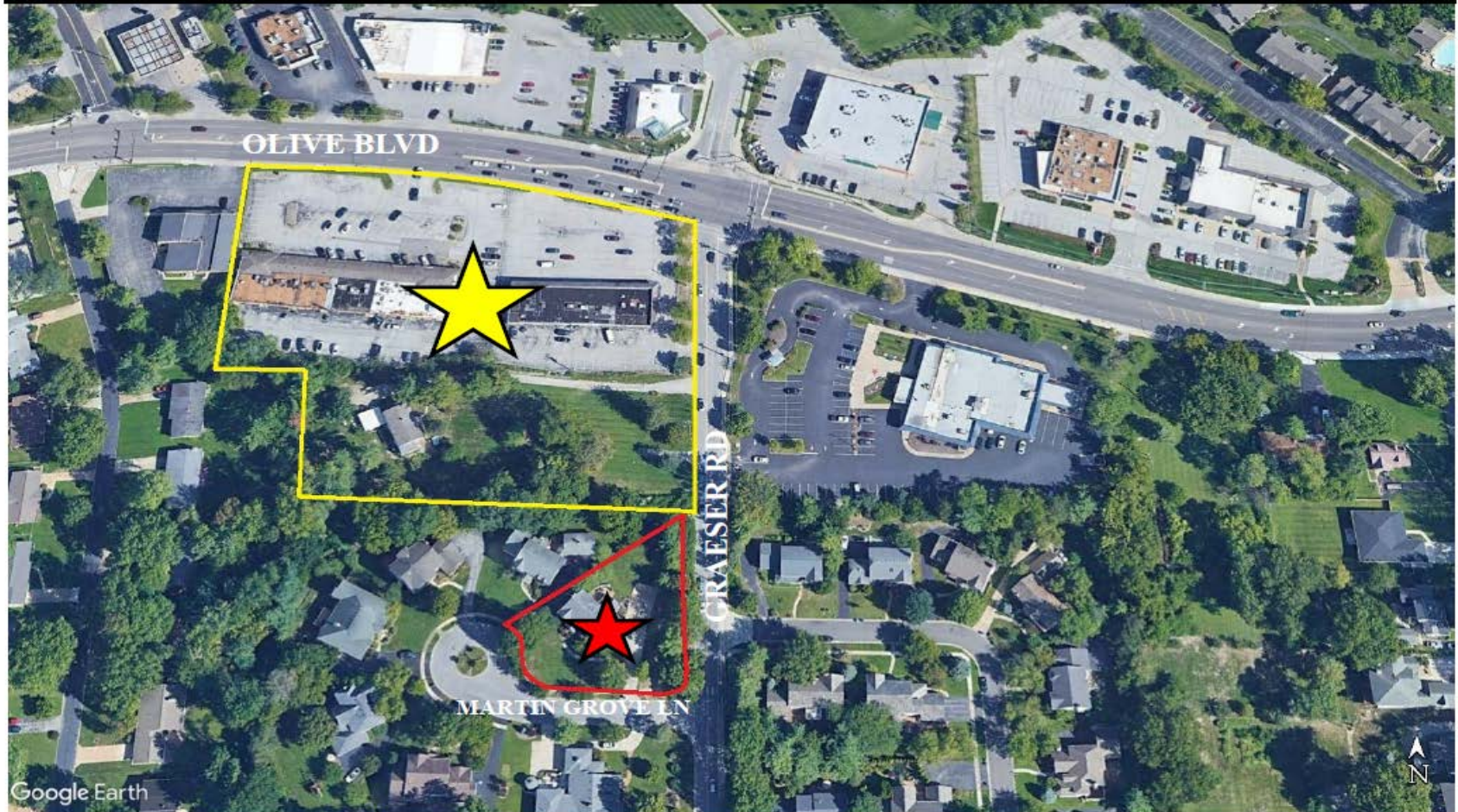
- 15,024 SF multi-tenant strip center built in 1967
- 37% or 5,580 SF is unoccupied
- Current tenants include Pumppernickel's, Support Innovations, Inc., Salon Elysium, LLC and School Music USA
- The center is in below average condition and considered obsolete - time has passed it by
- We are proposing to revitalize the existing shopping center in conjunction with a QuikTrip store set to anchor the overall project
- Sidewalks, cross access and parking agreements with the neighboring QuikTrip will be put in place for the benefit of the shopping center, its tenants and customers
- The revitalization of the shopping center will enhance the existing tenant's experience, its customers and serve to attract new tenants to the center and Creve Coeur
- The revitalization of the shopping center will better represent Creve Coeur, contribute to the community, enhance property values and generate sales tax
- *Mike Baalman with Baalman Architects to discuss the shopping center improvements and design*
(Next Slide of Shopping Center Renderings)

RECENT SINGLE-FAMILY HOME SALE IN MARTIN GROVE LANE
11003 MARTIN GROVE LANE, CREVE COEUR, MO 63141

DESCRIPTION

- The residents attending the February 18, 2020 neighborhood meeting raised a concern regarding the negative impact a QuikTrip store would have on home values in the immediate area.
- Additionally, and in conjunction with the above concern, a specific reference was made to a house in Martin Grove Lane which had recently gone under contract, fallen apart, and could not be sold because of the proposed QuikTrip.
- QuikTrip was concerned about the issue neighbors raised as it had not experienced declining home values as a result of its stores locating near residential in the past.
- QuikTrip asked that our team investigate the Martin Grove Lane transaction and as a result we discovered the following:
 - ⇒ Based on our findings, the house referenced by the neighborhood pertained to 11003 Martin Grove Lane. 11003 Martin Grove Lane was put on the market on or about November 11, 2019 with an asking price of \$699,900. Per our conversation with the listing agent, there was lots of interest in the home and it went under contract very quickly. The buyer became aware of the proposed redevelopment that was to take place at the existing commercial properties bordering 11003 Martin Grove Lane and as a result the buyer terminated the contract. Shortly thereafter the property was contracted for and sold to a different buyer in January of 2020 for \$735,000. The Sale Price was \$35,100 over the listed price. Total days on the market was approximately 63 days and the sale set a new high sale price for Martin Grove Lane.
- *See Next Slide Depicting Location of House in Relation to Proposed QuikTrip and Shopping Center Redevelopment*

RECENT SINGLE FAMILY RESIDENTIAL SALE COMP IN MARTIN GROVE LANE
11003 MARTIN GROVE LANE, CREVE COEUR, MO 63141



Google Earth

- ★ PROPOSED REDEVELOPMENT SITE
- ★ 11003 MARTIN GROVE LN

**RECENT SINGLE-FAMILY HOME SALES IN CLOSE PROXIMITY TO THE NEW MOBIL ON THE RUN
NEW MOBIL ON THE RUN AT 11117 OLIVE BLVD., CREVE COEUR, MO 63141**

Below is a list of single-family homes located near the new Mobile on the Run Site which were sold in the last two years as of May 27, 2020, as reported by St. Louis County and/or the St. Louis MLS.

Address	Parcel Locator:	Distance from Mo- bile on the Run Site (Approximate)	Sale Date #1	Sale Price #1	Sale Date #2	Sale Price #2
925 SCHULTE RD	17N540244	< 60 Ft.	09/12/2018	\$135,000	06/03/2019	\$229,900
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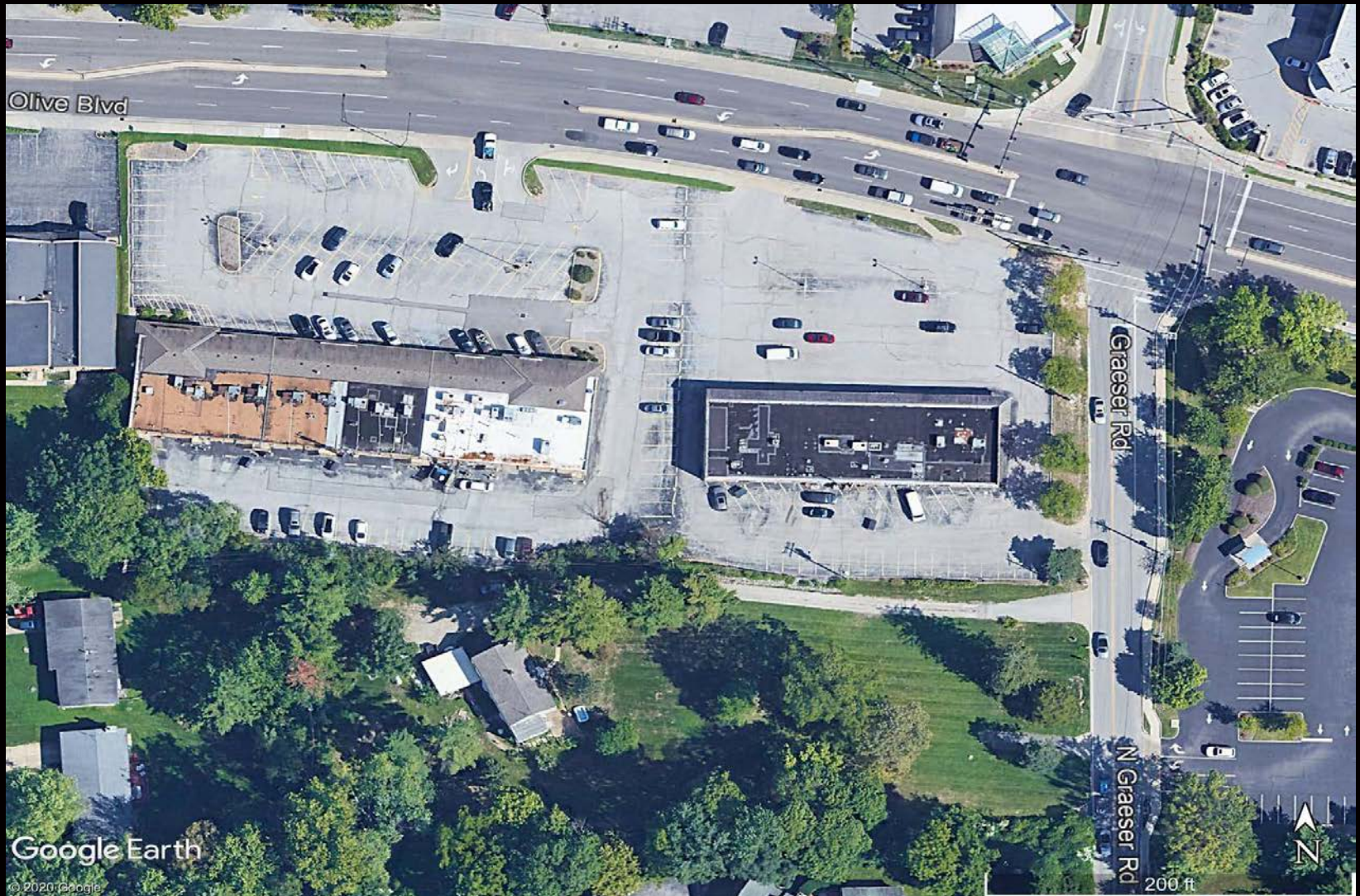
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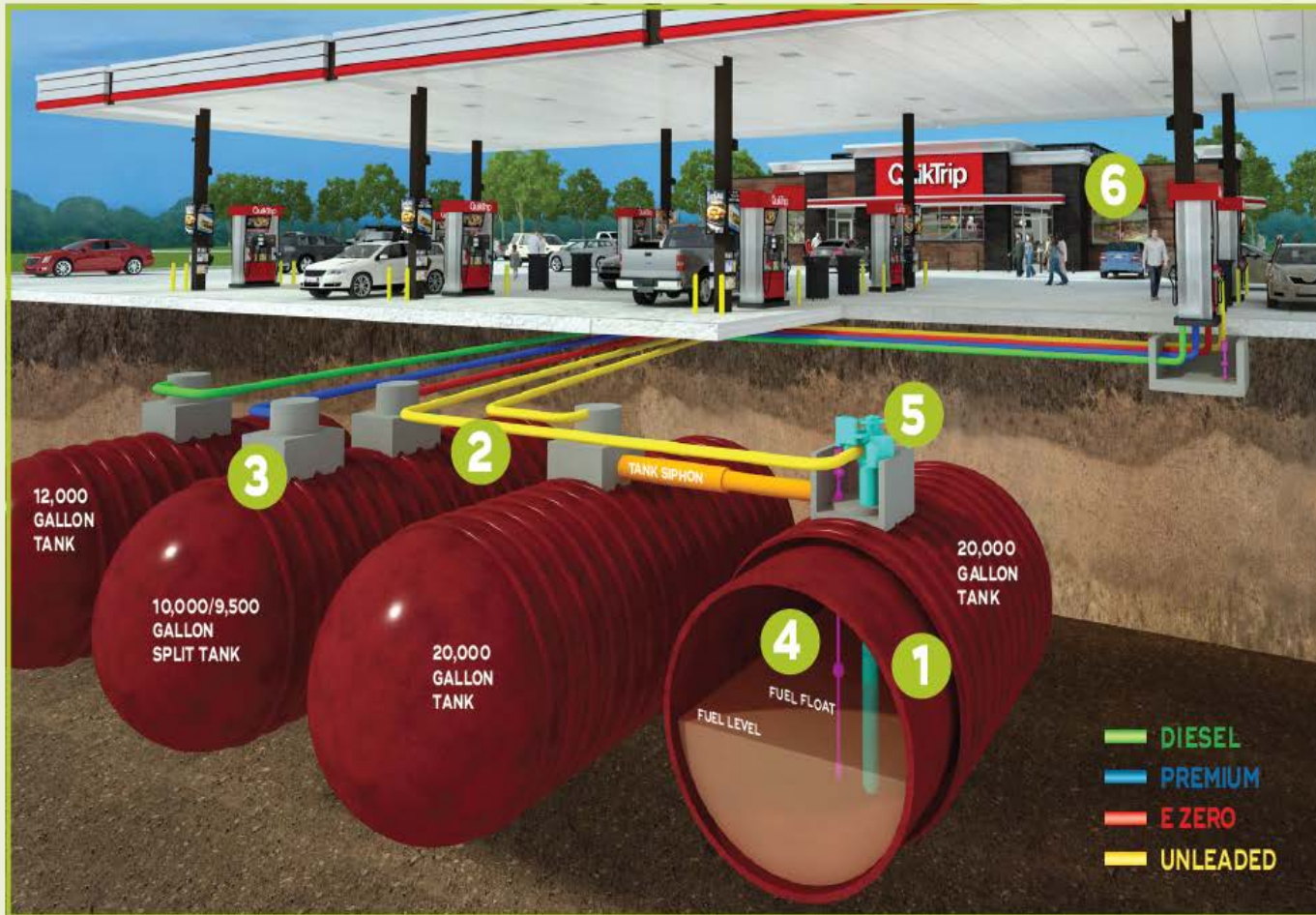


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BROWNFIELD REVITALIZATION

- **Store #1045** – Partnering with the North Carolina Department of Environmental Quality, QuikTrip transformed a site contaminated with metals and petroleum where a former cotton gin, scrap metal junkyard, and lumberyard existed dating back to the late 1800's.
- **Store #1140** – Partnering with the South Carolina Department of Health and Environmental Control and the Environmental Protection Agency, QuikTrip remediated a site contaminated with pesticides, petroleum, and metals where a former auto body repair shop previously operated (see photos below).



Before



After

ENERGY CONSERVATION

CONSERVING ENERGY IS THE RIGHT THING TO DO

- The current QuikTrip store is 100% LED outside and 95% LED inside, and we're currently examining ways to retrofit older stores to LED.
- QuikTrip changed the refrigeration spec on new stores from individual rooftop units to a comprehensive rack spec in 2015 and gained a 20% reduction in energy use.

- QuikTrip currently uses a Building Management System in all of our facilities to monitor, alarm, and control: lighting, heating/cooling, refrigeration, cooler-door anti sweats, and exhaust fans.

The energy savings paid for the new system within two years, but the real value was the visibility into our systems. We remotely monitor equipment performance, and quickly react to issues creating even more energy savings.

QUIKTRIP'S STRATEGIC ENERGY PLAN

43,857,000 KW Hours Saved Annually
Equivalent to 30,305 Metric Tons of CO₂

EMCS

- Installed Energy Management Control Systems in all QT stores.

REFRIGERATION

- High-efficiency fan motors for walk-in coolers
- High-efficiency compressors for fan motors

LIGHTING

- LED lights: walk-in coolers, gas canopies, bathrooms, and signs
- Neon red stripe on gas canopies to LED
- Retrofit store fluorescent lighting from 32W to 28W
- Retrofit warehouses and commissaires to high-efficiency fluorescent lighting.
- Change specification for exterior lights from 400W to 320W.



QT's energy savings initiatives significantly reduces the Company's carbon footprint. The reduction in carbon dioxide is equivalent to:



CARBON SEQUESTERED BY:
 6,462 acres of pine forest
 777,051 tree seedlings
 300 acres of deforestation

or



CO₂ EMISSIONS FROM:
 5,942 passenger vehicles
 3,397,422 gallons of gasoline

or



ANNUAL CO₂ EMISSIONS FROM:
 Electricity used by 3,678 homes
 Energy used by 2,575 homes

WASTE CONSERVATION

1,669 TONS
in 2018



BIG FIVE RECYCLABLE MATERIALS

paper • glass • cardboard
plastic • aluminum

IN 2018, QT's RECYCLING EFFORTS OF THE BIG FIVE CONSERVED OR AVOIDED THE FOLLOWING

TREES

Mature
18,227



enough timber to produce
225,811,658
sheets of newspaper

LANDFILL AIRSPACE

Cubic Yards
6,525



annual municipal
waste disposal of
8,380
people

ELECTRICITY

KW HR

3,648,647



enough power to
fulfill annual needs of
348
homes

WATER

Gallons

9,685,630



enough fresh water to
meet the daily needs of
129,141
people

GREENHOUSE GAS EMISSIONS

Metric Tons of CO₂

3,853

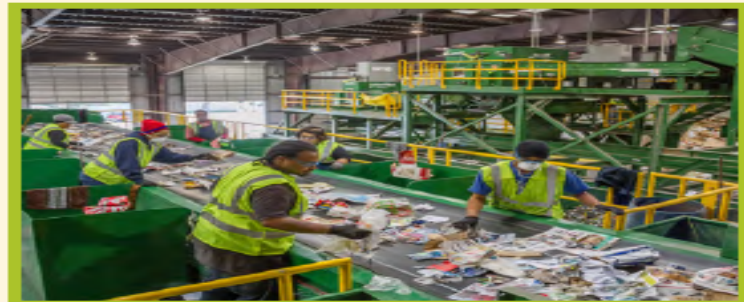


From recycling cardboard packaging in Arizona to complete waste stream separation in Tulsa, waste recycling occurs at hundreds of QuikTrip stores spanning across multiple divisions.

QuikTrip Strives To Repurpose Building Materials

Upon the closure of each QuikTrip site, our inventory of reusable building materials and equipment is either sent to another store for reuse or is sold. Items include refrigeration units, cabinets, countertops, checkstands, gasoline dispensers, and various pieces of equipment. This "dequip" process helps divert demolition debris bound for disposal at the landfill and preserves resources through reuse.

During site redevelopment, QuikTrip looks to implement best construction management practices by balancing site grades for less haul-off, and reusing concrete, excavated soils and rock, and minimally impacted soils. These practices help minimize waste streams leaving the site along with saving fuel and reducing emissions from trucks and material sent to landfills for disposal.



All trash generated at QT stores in Tulsa is sent to a materials recycling facility (MRF) where plastic, glass, metal, cardboard, and paper products are separated for recycling.



Non-recyclable trash residue from the MRF is sent to American Environmental Landfill where methane gas is captured from decomposing waste. This methane gas powers generators delivering electricity to a power plant serving a nearby community of 20,000 people.

A Couple of Items to Note

- TDD Participant
- Delivery Times
- Already 2 gas stations in the area
- QuikTrip is in the convenience store business - adaptable

Crime

QuikTrip's #1 asset is the person behind the counter

- Interior store layout
- Exterior store environment
- Location
- Convenience store type
- Ownership
- Staff number
- Cash-control procedures
- Operational hours

**APPLICATION TO PLANNING AND ZONING
COMMISSION #20-002 & #20-010: BOUNDARY
ADJUSTMENT, SITE DEVELOPMENT PLAN AND
CONDITIONAL USE PERMIT FOR QUIKTRIP GAS
STATION WITH CONVENIENCE STORE AT 11004,
11026, AND 11032 OLIVE BOULEVARD AND 825 AND
827 GRAESER ROAD, AND THE REDEVELOPMENT OF
THE ADJACENT RETAIL CENTER AT 11032 AND 11056
OLIVE BOULEVARD**

PUBLIC HEARINGS
JUNE 1st AND 3rd, 2020



HAMILTON
WEBER LLC

Conditional Use Permit Standards

The City Council shall approve a conditional use only if it finds that the application and evidence presented clearly indicate that the proposed conditional use:

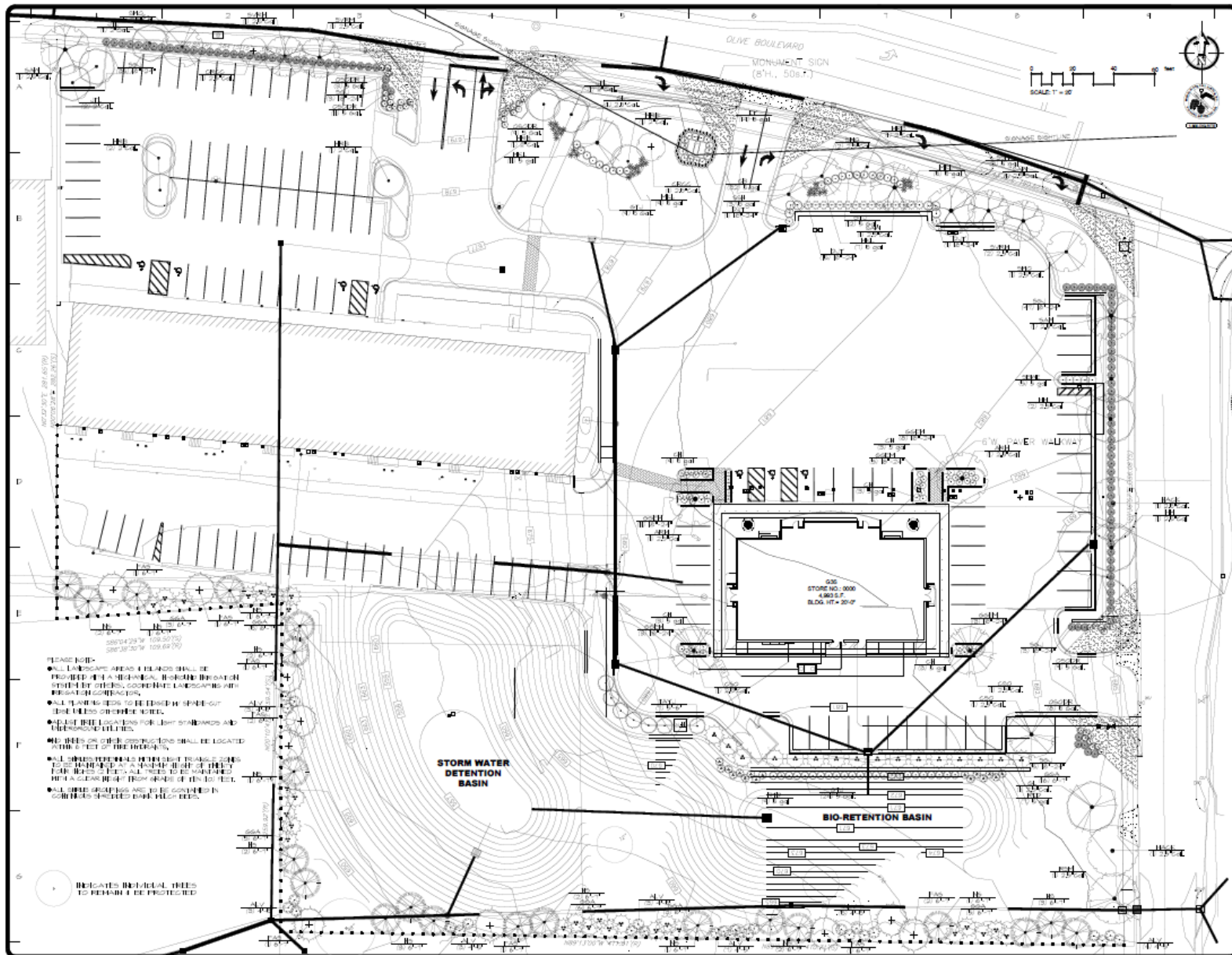
1. Complies with all other applicable provisions of Chapter 405 including environmental performance standards, the criteria in 405.470, and the standards regarding yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions, unless good cause exists for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in Chapter 405.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

Section 405.1070(E), Code of Ordinances, City of Creve Coeur, Missouri

Thank You!

We welcome your
questions and feedback





DATE	DESCRIPTION
1-1-2020	HHH
2-1-2020	HHH
3-1-2020	HHH
4-1-2020	HHH

Landscape
T. C. COLEMAN, INC.
LANDSCAPE ARCHITECT
1000 N. GARDEN ST. SUITE 100
ST. LOUIS, MO 63102
TEL: 314.433.1111
FAX: 314.433.1112



PLANTING PLAN FOR THE PROPOSED
QuikTrip #613
CREVE COEUR, MISSOURI

DATE	DESCRIPTION
1-1-2020	HHH
2-1-2020	HHH
3-1-2020	HHH
4-1-2020	HHH

1 PLANNING AND ZONING COMMISSION MEETING

2 CITY OF CREVE COEUR, MISSOURI

3 300 NORTH NEW BALLAS ROAD

4 MONDAY, JUNE 1, 2020

5 6:00 P.M.

6
7 PARTIAL PUBLIC HEARING VIA ZOOM

8 APPLICATION NOS. 20-002 & 20-010

9
10 THOSE IN ATTENDANCE:

11 Ms. Beth Kistner, Chairman

12 Mr. Tim Carney

13 Ms. Muriel Hall

14 Mr. James Myers

15 Mr. Gene Rovak

16 Mr. Larry Potashnick

17 Mr. Todd Streiler

18 Mr. Carl Lumley, City Attorney

19 Mr. Jason Jaggi, Director of Community Development

20 Ms. Whitney Kelly, City Planner

21 Ms. Jessica Stutte, Planning Assistant/Recording Secretary

22 McLaughlin Court Reporting Services, Inc.

23 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR

24 4772 Gatesbury Drive

25 St. Louis, MO 63128

(314) 974-1199

1 CHAIRMAN KISTNER: All right. We're ready to
2 call to order the Planning and Zoning Commission meeting
3 for the City of Creve Coeur, Monday, June 1st, 2020.

4 We are going to start with our call to order --
5 our roll call.

6 Mr. Carney?

7 MR. CARNEY: Present.

8 CHAIRMAN KISTNER: Ms. Hall?

9 She is not signed in yet, but we expect her.

10 Mr. Myers?

11 MR. MYERS: Present.

12 CHAIRMAN KISTNER: Mr. Rovak?

13 MR. ROVAK: Present.

14 CHAIRMAN KISTNER: Mr. Potashnick?

15 MR. POTASHNICK: Present.

16 CHAIRMAN KISTNER: Mr. Streiler?

17 MR. STREILER: Present.

18 CHAIRMAN KISTNER: City Attorney, Carl Lumley?

19 MR. LUMLEY: Present.

20 CHAIRMAN KISTNER: Director of Community
21 Development, Jason Jaggi?

22 MR. JAGGI: Present.

23 CHAIRMAN KISTNER: City Planner, Whitney Kelly?

24 MS. KELLY: Present.

25 CHAIRMAN KISTNER: And Planning Assistant and

1 Recording Secretary, Jessica Stutte?

2 MS. STUTTE: Present.

3 CHAIRMAN KISTNER: So this is -- because of
4 the -- the current COVID virus circumstances and
5 cautionary measure, we're conducting this hearing via --
6 via Zoom.

7 We have our first order of business is
8 acceptance of the agenda, but I just want to note that
9 part of that agenda is that we are -- we have planned to
10 end this meeting at 9:30 p.m.

11 And if necessary, it will be continued to a
12 later meeting on June 3rd.

13 So if we could have an acceptance of the agenda
14 with those conditions.

15 MR. ROVAK: So moved.

16 CHAIRMAN KISTNER: It will end at 9:30.

17 We have a second?

18 VOICE: Yes.

19 CHAIRMAN KISTNER: Okay. All in favor?

20 (All responded aye.)

21 CHAIRMAN KISTNER: We will move on to a -- one
22 item of New Business.

23 We do need to have a motion to suspend the
24 swearing in of those who wish to speak on the application
25 tonight. That's not something that we have particularly

1 done, and so we would need a roll call vote to suspend a
2 motion -- a roll call vote to suspend swearing in of all
3 speakers tonight.

4 VOICE: So moved.

5 MR. POTASHNICK: Second. The swearing in for
6 just the -- for this evening.

7 CHAIRMAN KISTNER: Okay. So ready for a vote?
8 Mr. Carney?

9 MR. CARNEY: Aye.

10 CHAIRMAN KISTNER: Mr. Myers?

11 MR. MYERS: Aye.

12 CHAIRMAN KISTNER: Mr. Rovak?

13 MR. ROVAK: Aye.

14 CHAIRMAN KISTNER: Mr. Potashnick?

15 MR. POTASHNICK: Aye.

16 CHAIRMAN KISTNER: Mr. Streiler?

17 MR. STREILER: Aye.

18 CHAIRMAN KISTNER: And the Chair votes aye.

19 We're now ready for our first item of New
20 Business. It's a public hearing. Application No. 20-002
21 and 20-010: Boundary adjustment, site development plan
22 and conditional use permit for QuikTrip Gas Station with
23 convenience store at 11004, 11026, 11032 Olive Boulevard,
24 825 and 827 Graeser Road, and the redevelopment of the
25 adjacent retail center at 11032 and 11056 Olive Boulevard.

1 Before we get started tonight, I just wanted
2 to -- this is an unusual circumstance. We're doing this,
3 you know, from a online format, so I just wanted to go
4 over a few of the -- the ground rules that we're going to
5 be operating under for -- for tonight's meeting.

6 There's been a lot of interest in this
7 application, and so within the capabilities of the, you
8 know, teleconferencing, the video conferencing format, we
9 tried to put some things in place that will optimize the
10 ability to hear from all of our, you know, the interested
11 parties.

12 The -- the guideline that we were using for
13 tonight's meeting is the policy that was approved by the
14 Commission on the Board for Pandemic Public Hearings,
15 so -- so that's where we're operating under.

16 We're going to proceed with the applicant
17 presenting their request first, and they will have 30
18 minutes for their presentation.

19 The staff is then going to present their report,
20 and also have 30 minutes.

21 We're then going to move in to public comments.
22 And then at the end of public comments, we will give the
23 applicant time for rebuttal just as we do at all of our
24 public hearings.

25 There's one group within the public, the Graeser

1 Neighbors for Safety, they've requested to speak on behalf
2 of several residents who have indicated on their
3 registration forms that they will yield their time to the
4 Graeser Neighbors for Safety group. So we're going to
5 take the spokespersons for this group, there are five of
6 them, first, followed by the other individuals that have
7 registered and wish to speak, and that group is going to
8 have 30 minutes also. And then we will move in to any
9 other participants who have not indicated that they've
10 yielded their time with Graeser Neighbors for Safety, and
11 each of those individuals will have three minutes to
12 speak.

13 So as time allows, we will -- we will move to --
14 to those comments that are on the call that's not
15 registered the opportunity, so some of those people have
16 already registered for that, but we will still get to
17 people, and I'll call those people first. We'll still get
18 to the people who have not signed up in advance, and,
19 again, there will be some limited time for, you know,
20 three minute times for each of those.

21 And there's a "raise your hand" function in Zoom
22 that will be utilized at that time. And I'll repeat those
23 instructions when we get to that -- that point in the
24 meeting.

25 We did schedule a second meeting this week,

1 Wednesday, June 3rd at 6 p.m. to continue the public
2 hearing if we need it.

3 If we don't get through everyone tonight,
4 everybody will get a chance to speak, and we will continue
5 that in to the Wednesday meeting if needed.

6 And then the hearing will, and only then will
7 the hearing be concluded after the applicant has their
8 chance for rebuttal. And then we'll begin our
9 deliberations at that point after the hearing has -- has
10 concluded.

11 Couple of other things. Just to remind people,
12 that all of the written and email comments submitted by
13 Thursday of last week have been included in the meeting
14 packet. Everyone who is registered to speak will be
15 allowed to address with their comments, as I said, but we
16 do hope that, for those people who have not already
17 submitted comments, and after the larger group speaks of
18 residents, that we don't repeat. I mean one of the ideas
19 is this a public hearing. We want to have new information
20 and not repeat of old information.

21 If not tonight, you can still register to speak
22 at Wednesday's meeting until 5 p.m. prior to that new
23 meeting, although if we do conclude the public hearing
24 tonight, that will not -- that will not occur.

25 And we will be looking at that three minute,

1 after that first group of scheduled thirty minute resident
2 comments, we will be limiting to 30 minutes -- I mean to
3 three minutes a person.

4 So I really thank everybody for their
5 cooperation on this. Obviously, this is a difficult time.
6 This is an incredibly important matter to our city, and we
7 have a lot of interested parties, so we want to make this
8 as, you know, productive and transparent for everybody
9 who's participating, and who all are there.

10 And with that, I think we will probably turn it
11 over -- ready to turn it over to the applicant.

12 The applicant ready?

13 We're looking to give the applicant permission
14 to start their presentation.

15 VOICE: We need Greg Rogers from QuikTrip
16 acknowledged as our speaker.

17 MR. STREILER: Lee, you might want to check your
18 audio.

19 CHAIRMAN KISTNER: Hello. Can you guys hear us
20 now?

21 VOICE: Yes.

22 CHAIRMAN KISTNER: Okay. As -- as each of you
23 speak, if you could give your name and business address.

24 MS. GWEN KEEN: Sure.

25 We have a PowerPoint. Are we going to be able

1 to share that as I'm speaking?

2 CHAIRMAN KISTNER: Yes.

3 MS. GWEN KEEN: Can we share a screen or --

4 CHAIRMAN KISTNER: You have to ask for
5 permission to do that.

6 Again, if you could start by giving your name
7 and business address.

8 MS. GWEN KEEN: Sure. My name is Gwen Keen.
9 I'm with QuikTrip Corporation, 2255 Bluestone,
10 St. Charles, Missouri 63303.

11 I'm the real estate project manager for QuikTrip
12 that's overseeing this location, and --

13 CHAIRMAN KISTNER: We can see your presentation
14 now.

15 MS. GWEN KEEN: Wonderful. Wonderful.

16 We practiced, but, apparently, we missed a
17 couple steps or something.

18 Well, first of all, we want to thank the -- the
19 Creve Coeur staff and the time that they've spent with us
20 in helping us get through this process and understand
21 Creve Coeur, and what you all are looking for there in
22 your community.

23 And we also want to thank the Commissioners for
24 all of their effort and time in looking at this
25 presentation and this petition as well.

1 Tonight I would like to introduce QuikTrip to
2 Creve Coeur. I'd like to present some information about
3 how we do things at QuikTrip. And I'd also like to
4 discuss some of the concerns that -- that has been brought
5 up about this location and where we want to be in Quik --
6 there in Creve Coeur.

7 Some of the concerns we know that have been
8 raised specifically are how close we are to the
9 residential neighborhood, tanker trucks and -- and turning
10 circulation, storm sewer, um, the retail center and what
11 that's going to look like in conjunction with the QuikTrip
12 being there, property values, which we know are of
13 concern, traffic, environmental concerns, delivery times
14 and -- and the concerns that have been brought up about
15 crime.

16 What we want to do tonight and during our
17 presentation is to present facts over fear.

18 We know that there's a lot of feelings that come
19 involved when -- when it's about someone's home, and so we
20 recognize that. And we want to give some facts for what
21 we understand as part of the community, and what we know
22 as being in the convenience store business for over 60
23 years.

24 So with that, we will start -- so something's
25 freezing here. There.

1 And first I'm going to talk about our employees,
2 so, and our brand of excellence factually.

3 So QuikTrip is number one in the industry. We
4 are the best of the best. And that's not just me saying
5 it, but it's also market source surveys that have been
6 done, and the people within the industry that looked for
7 those things. Those studies have been done in 2014, '15,
8 and the last one was updated in 2017. 2019, in the CSP,
9 we were noted as the number one mystery shopper rating.

10 What they looked for in all of these, primarily,
11 is cleanliness, friendliness, great service and
12 merchandise, the location and what it looks like in the
13 atmosphere we present.

14 And time after time again when it comes to these
15 lists, QuikTrip is at the top of that list. If not number
16 one, we are very shortly under there.

17 So we take pride in that, and our brand of
18 excellence.

19 We've also been on several other lists: Fortune
20 100 Best Companies To Work For, privately held companies.
21 One that we're very proud of is Companies That Care.
22 Since People Magazine has made that one, we made that list
23 two years.

24 And the other thing we take great pride in and
25 is significant to notice that we are privately held

1 company. We are family and employee owned. So I'm
2 actually a partial owner in the company as a shareholder.

3 And that's very important because we take --
4 that's part of our branding of excellence is that
5 ownership component, and the fact that there is no
6 franchise.

7 We're corporated out of Tulsa, Oklahoma. So all
8 of our training and expertise is all centralized out of
9 Tulsa, and is then disseminated to all of our locations.
10 And that's how we maintain our brand of excellence.

11 So we pay our employees very well. Another
12 thing that we take great pride in.

13 A starting manager for QuikTrip, an entry level,
14 their starting salary is averaged over \$50,000 a year.
15 And our average starting -- or our hourly salary for store
16 managers at this time is 89,000. Our part-time employees
17 are making \$11 an hour to start.

18 We also provide bonuses for attendance and
19 customer service. Part of that mystery shopper.

20 And then also we've got an under 20 percent
21 turnover rate. So a lot of times when people come to
22 QuikTrip, they want to stay at QuikTrip.

23 Matter of fact, I've been with the company for
24 over 18 years now.

25 So the other thing we take a lot of pride in is

1 no employee has ever been laid off in the history of the
2 company. And that's of great significance right now.

3 You know, during this COVID pandemic QuikTrip
4 was considered and is considered an essential business,
5 and our employees, they -- they stood that line, and they
6 greeted all of our customers and they were there. And we
7 take great pride in that. We did not lay off anyone.
8 There was no one that didn't have a job during this time.

9 The other thing is we provide a very good health
10 benefits package, not only for full-time employees, but
11 also for part-time employees. So we take great pride in
12 our employees. We support those employees once they
13 become a part of our QuikTrip.

14 Next.

15 Our community impact. We provide new jobs for
16 the area. The Creve Coeur location, we will look to hire
17 people within the Creve Coeur area that work at the
18 closest location. And what we will bring in experienced
19 managers. You're not going to get a brand new manager
20 there that's never run a QuikTrip. So we will have
21 localized employees, but we also have an experienced
22 manager there.

23 Be increase in tax revenue. The QuikTrip does
24 contribute 5 percent of our profits to local community
25 charities.

1 And also we are deemed as a national safe place
2 for endangered youth. If anyone's in trouble, we have the
3 signs to indicate that they can come to our location and
4 we can get these kids help.

5 What we guarantee at QuikTrip is quality. It's
6 quality in everything we do, from the bathrooms, from
7 security to freshly brewed tea to roller item grills to
8 fresh food and coffee and our appearance. We put
9 excellence and quality into everything that we do.

10 And now let's look at the Creve Coeur location.

11 So I'm very excited about this building. We
12 worked hand-in-hand to understand what you were looking
13 for in Creve Coeur with your staff. And I can tell you
14 that there is no other QuikTrip in the entire metro area
15 that looks like this QuikTrip.

16 So what we've done is we have changed the
17 structures. At the top we've made sure that it's part of
18 the screen. As far as the top goes, we've changed to a
19 Sonoma stone, which is more compatible with the other
20 locations in that immediate area. We've provided store --
21 store landscaping right up against the building. And we
22 also have decorative bollards there instead of just
23 regular paint bollards.

24 We not only saved two points -- or one point
25 of -- of entry, but we also provided two. So there's one

1 on each end that are close to each front door, as opposed
2 to try to tell everyone for one location, and then to the
3 other doors.

4 We gave them the closest route with an enhanced
5 entry there.

6 As far as the canopy goes, we have talked to
7 staff, and we are agreeable that they were wanting the
8 stone to go completely up to the top, and that's something
9 that we can definitely accommodate.

10 We also removed the red band. That is something
11 typical that we -- we really don't like doing, but that we
12 did do, because we do desire to be in this location, and
13 so we have removed the red band from the canopy at the
14 top.

15 There's some of the landscaping we'll be
16 providing in the front.

17 Now, our next slide is of the kitchen. So this
18 is really what's facilitated the new building. What we
19 wanted to do is we saw the demographics changing and the
20 products changing. You know, convenience stores typically
21 were always known for cigarettes and beer, but that's not
22 where the industry's at, and QuikTrip is a very adaptable
23 company, and we saw where everything was going, and we
24 really saw that people were wanting fresh food, and that
25 we were really something more than a just a gas station.

1 So that became the development of QuikTrip kitchen.

2 And so it's a full-service counter where you can
3 get a multitude of different beverages, ice cream
4 novelties, pizzas, both single serve and full serve. And
5 we have an automated system where you can order, and it'll
6 be fixed and ready, usually, before you're ready to check
7 out.

8 So that was one of the big things that
9 facilitated our change.

10 This is another thing that facilitated our
11 change was we were able to change the counter. And so as
12 you'll see, our employees are able to look into the store
13 in the environment that is going on inside the store.

14 As far as the outside the store, we have
15 extensive windows across the front.

16 And what you can't see is up in the corner
17 there, we have a security monitor that monitors multiple
18 cameras so the team, our employees, can monitor the
19 security from inside the store, as well as what's going on
20 outside the store. So we have that ability.

21 Here's the overall aerial view of what the site
22 plan will look like. So the retail center will stay
23 within an upgrade. We have a full access in front of the
24 retail center. And there are ride-in ride-out on our
25 parcel near the canopy.

1 And if you'll see that large green space, that
2 is where our landscaping buffer and our BMP ponds will be
3 for detention.

4 Here's another rendering of what it will look
5 like from the corner. The access and the connection, the
6 shared space between us and the strip center.

7 This is one of the rear renderings, the rear
8 projections of the building, and what you'll see here is
9 we do have a fence, and there's a great deal of
10 landscaping between us and the back of the building.

11 At the request of the staff, they inquired if we
12 can move the fence back off the property line and switch
13 it for the landscaping, so any residents back there will
14 be able to see the landscaping, and not just the fence or,
15 you know, in front of the landscaping, and we've been
16 agreeable to do that in that area. So what will happen is
17 that fence will be back around the trees and everything on
18 the other side.

19 Here we've got where the retaining wall and what
20 the retaining wall will look like. We also put an
21 extensive treeline on top of the retaining wall, which
22 will virtually block almost the entire back of the store
23 from the rear of the building.

24 And then here's a side view. As you can see,
25 this side was actually updated from our last one. We have

1 the other one to show what the retaining wall will look
2 like, but -- but when you look at the landscape plan, we
3 also provided another row of landscaping in front of the
4 retaining wall. So we have a large landscape area between
5 the rear of the store and the residential property line.

6 Right now I'm going to turn it over to Nathan,
7 so he can talk about our distances and stormwater.

8 MR. NATHAN COWAN: Good evening.

9 My name's Nathan Cowan with Civil Design. Our
10 address is 5220 Oakland Avenue in St. Louis, Missouri
11 63110.

12 I've been a licensed civil engineer in the
13 St. Louis region for 15 years now.

14 And for this site, I'd like to start off by
15 talking about some of the site distances that the current
16 design has.

17 First off, the proposed development does
18 currently meet or exceeds all of the building setbacks and
19 landscape buffers.

20 A few of these dimensions I would like to point
21 out.

22 There is one in the landscape buffer that Gwen
23 mentioned. We are providing a 91-foot buffer, rear,
24 QuikTrip store, whereas, a 25-foot buffer is all that is
25 required.

1 There's some other distances I'd like to point
2 out.

3 We have a distance from the pump to the closest
4 property line of 265 feet. The distance from the fuel
5 tanks to the closest property line of 310 feet.

6 The next slide's going to show these distances,
7 as well as a few others that may be of interest, such as
8 building to the rear setback or building to the side
9 residence.

10 For site circulation. At the beginning of all
11 these projects, QuikTrip takes -- takes care to make sure
12 the entire site does, indeed, is designed to specific --
13 for all on-site circulation of vehicles, for pedestrian
14 vehicles and delivery vehicles.

15 The -- the critical vehicle that we designed for
16 is the fuel and tanker. That's to get in and out of the
17 site.

18 We always analyze the turning movement of this
19 truck to make sure that there are no obstacles in the way.
20 So the anticipated approach for this tanker vehicle will
21 be east on Olive and enter the site Graeser Road and exit
22 the site on to Olive, head east.

23 The next slide is going to show -- shows what
24 this maneuver looks like in two dimensional here.

25 CHAIRMAN KISTNER: So can you clarify, is the

1 entry for the tanker on Graeser?

2 MR. NATHAN COWAN: Yeah, that's what we are
3 anticipating currently.

4 So another item I'd like to talk about is the
5 site stormwater management.

6 The development will follow all regulations set
7 forth by Metropolitan St. Louis District. The site water
8 will be captured, treated and retained bio-retention basin
9 and detention basin.

10 The stormwater will be mitigated to match
11 predevelopment conditions, meaning there will be not --
12 there will not be any more stormwater leaving the site
13 than there is currently.

14 And on top of the stormwater management, will
15 also include a volume reduction measures where it will
16 actually decrease the amount of water leaving the site,
17 therefore, approving downstream public utilities and pipe
18 conducted activity there.

19 And that is all of that.

20 Thank you.

21 (Talking over each other.)

22 MR. JASON MORGAN: Good evening, my name is
23 Jason Morgan. I'm with Cornerstone Commercial Realty.
24 We're located at 8000 Maryland Avenue.

25 CHAIRMAN KISTNER: One second. Excuse me.

1 I just want to note for the record that Muriel
2 Hall has joined the meeting.

3 MR. JASON MORGAN: That who joined the meeting?

4 CHAIRMAN KISTNER: Muriel Hall.

5 MR. JASON MORGAN: Okay. Thank you.

6 Again, Jason Morgan with Cornerstone Commercial
7 Realty, 8000 Maryland Avenue, Suite 1120, St. Louis,
8 Missouri 63105.

9 Cornerstone -- I'm a principal at Cornerstone.
10 We're a full service commercial real estate company
11 established in 1998.

12 And I am here to talk about the redevelopment of
13 the 15,000 square foot strip center located to the west of
14 the proposed QuikTrip.

15 In conjunction with Bruce Development, I'm very
16 excited to share with you our proposed renovation.

17 Again, the existing center is 15,024 square
18 feet. It was originally constructed in 1967. The center
19 is currently 63 percent occupied. It's got approximately
20 6,000 square feet of vacancy or 37 percent vacant.

21 Current tenants include Pumpnickles, Support
22 Innovations, Salon Asylum and School Music USA.

23 The shopping center is in below average
24 condition, and is in desperate need of a significant
25 investment and vision.

1 I think it's fair to say that time has passed
2 the center by.

3 As part of the QuikTrip development we are
4 proposing to revitalize the shopping center. Sidewalks,
5 cross-access and parking agreement with the neighboring
6 QuikTrip will be developed with that for the shopping
7 center, its tenants and customers.

8 The revitalization of the shopping center will
9 enhance the existing tenants' experience, its customers
10 and serve to attract new tenants to the center and Creve
11 Coeur.

12 We'll also better represent Creve Coeur,
13 contribute to the community, enhance property values and
14 generate sales tax.

15 Now I would like to turn it over to Mike
16 Baalman, the architect on the project.

17 MR. MIKE BAALMAN: Good evening.

18 My name is Mike Baalman of Baalman Architects
19 located at No. 2 Daniel Drive, O'Fallon, Missouri 63366.

20 I'm here tonight to present the exterior
21 renovations to the retail portion of the project.

22 This is the building to the west of the proposed
23 QuikTrip, and currently contains Pumpernickels and the
24 Thai Cafe.

25 We're proposing a complete facelift of the

1 existing building, so that they coordinate and compliment
2 the design of the proposed QuikTrip, and to better fit
3 within the proposed updated esthetic -- excuse me -- the
4 updated esthetic of the surrounding neighborhood.

5 Care has been taken to update and enhance all
6 elevations while maintaining major structural components
7 of the existing building.

8 The front elevation highlights the two
9 restaurant tenants located on each end of the center with
10 modestly raised parapets, cantilever awnings and the
11 multiple application of stone, simulated wood and EIFS
12 cornice work.

13 The interconnecting midsection of the building
14 includes a lower parapet suitable for the appropriate
15 installation of individual tenant signage, and the
16 existing canopy has been enhanced to include a standing
17 seam metal roof, stone column bases and decorative scone
18 lighting.

19 All glass store fronts along the front and east
20 elevations will be of new pre-finished aluminum with high
21 efficiency glass.

22 We are also proposing to stain all existing
23 brick to complement the brick of the proposed QuikTrip.
24 Utilizing stained brick will allow for a more attractive
25 depth and feel over simply painting the brick.

1 Finally, we are proposing to screen rooftop
2 equipment on all four elevations.

3 Thank you.

4 MR. JASON MORGAN: Jason Morgan, again with
5 Cornerstone.

6 I was also asked to investigate and research a
7 concern that was raised at our neighborhood meeting on
8 February 18th with the residents concerning this
9 redevelopment.

10 The concern was over the impact that the
11 QuikTrip would have on residential values.

12 Specifically, an issue was raised about a home
13 on Martin Grove Lane that -- that was put on the market,
14 had fallen apart, as the buyer had found out about the
15 redevelopment and terminated the contract.

16 Again, we were concerned about this and wanted
17 to determine and figure out what the facts were.

18 We discovered that the house referenced at that
19 neighborhood meeting is 11003 Martin Grove Lane. The
20 house was put on the market on November 11th, 2019 with an
21 asking price of 699,900.

22 From my conversation with the listing
23 agent, there was a lot of interest and the house
24 went under contract very quickly.

25 The buyer was made aware of the proposed

1 redevelopment and elected to terminate the contract.

2 Shortly thereafter the house went back
3 under contract and closed in January of 2020, the
4 35,100 over the list price of 735,000.

5 We believe this set a new high for Martin Grove
6 Lane.

7 Next one.

8 The yellow star indicates the commercial
9 development. The red star shows you the location of the
10 home that sold (indiscernible).

11 Additionally, and for comparison purposes, we
12 looked at recent home sales surrounding the new Mobile On
13 The Run located on the northwest corner of Olive and
14 Schulte.

15 The table in this slide lists nine homes
16 reported by St. Louis County that have sold February of
17 2018 through April of 2020. But the information
18 illustrates that, despite the new Mobile On the Run being
19 proposed and/or operating, all the home sales increased in
20 value.

21 MR. LEE CANNON: Good evening, Chairman, Members
22 of the Commission.

23 My name is Lee Cannon. I'm the principal and
24 traffic engineer with the CBB. Our office are at 12400
25 Olive, Suite 430 in Creve Coeur, Missouri.

1 I have 26 years of experience in traffic,
2 transportation, engineering and planning, and I not only
3 work in the area, but I also live in the area, so I'm very
4 familiar with the site, the traffic along this stretch of
5 road.

6 Completed dozens of projects in and around Creve
7 Coeur. I've even been hired by the City of Creve Coeur to
8 complete projects.

9 The signal at Olive and Graeser, Dautel is
10 actually result of one of our projects that we completed
11 several years ago for Walgreens.

12 I've most recently been hired by the City of
13 Creve Coeur to complete the Craig Road corridor study.

14 I also serve as third party engineer for several
15 cities in the St. Louis region.

16 CBB's been in business since 1973, and as I
17 mentioned, we're headquartered here in Creve Coeur now,
18 over the last six years or so, and we are recognized
19 experts in this highly specialized field of traffic
20 engineering.

21 I want to give you a little bit of background
22 about traffic impact studies and what they are.

23 First of all, we assume that the project is
24 going to be approved; that the developer is going to
25 follow through and build it; that the project be

1 successful and it will generate traffic. That's the basis
2 for our traffic study.

3 So any project that -- that is built is going to
4 generate some impact, some additional traffic.

5 With that additional traffic, though, what we
6 try to determine is will there be a negative impact or how
7 much will the impact be. Based on that finding, if there
8 is an impact that needs to be mitigated, we identify
9 solutions that can offset the impact of that traffic.

10 And a lot of those solutions have been
11 incorporated now on to a plan that QuikTrip is presenting
12 to you now.

13 As I mentioned, I'm very familiar with QuikTrip
14 traffic. We've done, at CBB, over 40 assignments, 40
15 different studies. Some of which are like this site,
16 which is a brand new store, but others look at expansions
17 and modifications at existing stores, so those studies
18 have given us insights into how much traffic QuikTrip
19 stores typically generate based on the number of pumps,
20 the size of the building and the areas in which they have
21 currently locate.

22 About three-quarters of QuikTrip traffic is
23 pass-by trips. That means it's not new traffic on the
24 road, it's traffic that they pull off of the existing
25 roadway.

1 As you all know, Olive Boulevard is heavily
2 traveled. That's exactly why QuikTrip wants to be here,
3 to serve those vehicles that are already on the roadway.

4 The new trip levels are generally on the order
5 of 75 to 85 new trips per hour, vehicles per hour, in the
6 morning rush hour or the afternoon rush hour, the typical
7 high commuter peak hours during the day.

8 And that's 40 to 45 cars in, and then 35 to 40
9 cars out in that hour, so it's the total traffic impact.

10 The initial pass-by trips do make turning
11 movements in and out of the driveway, but they're
12 generally not adding traffic at the next block, to the
13 east, west or south (indiscernible).

14 QuikTrip also has proposed strong pedestrian
15 connections as part of their sites, and are fully ADA
16 compliant with the development of their sites.

17 The next slide is current conditions. You see
18 here on the screen. That's just an aerial view that shows
19 Graeser Road, Olive Boulevard and the existing driveway
20 concerning the retail center which has two buildings.

21 With the site plan, one of the driveways closest
22 to Graeser on Olive will be closed. The driveway on
23 Graeser will also be relocated for the QuikTrip much
24 further south or further south away from the city.

25 As far as what we did in the work to complete

1 the traffic impact study, we first met with city staff
2 representatives and MoDOT representatives.

3 (Talking over each other.)

4 CHAIRMAN KISTNER: Did you mean further west?

5 MR. LEE CANNON: I didn't hear you.

6 CHAIRMAN KISTNER: Did -- do you mean -- you
7 said it was further south. Did you mean further -- you
8 mean the one on Graeser that's located --

9 MR. LEE CANNON: Yeah. Yes, Graeser further
10 south.

11 CHAIRMAN KISTNER: Okay. Thank you.

12 MR. LEE CANNON: Yes.

13 Just for clarification, the -- the question was
14 about the driveway at Graeser, and we are -- we are moving
15 it further south.

16 So we worked with the city and MoDOT to scope
17 the study. We completed the traffic impact study and
18 provided a report dated January 13, 2020, and I believe
19 everyone on the Commission has available.

20 MoDOT reviewed that, and had two requirements,
21 which are now incorporated into the site plan.

22 The city staff and their third party engineer,
23 GBA, also reviewed the study, and had three comments, of
24 which are incorporated on to the plan you see now.

25 And we provided additional comment letters to

1 the city to document the changes that those additional
2 improvements would have on the traffic flow for the site.

3 So the recommendations, the summary of what's
4 being done to offset traffic for this site, include a new
5 eastbound right turn lane on Olive at the Graeser Road
6 signal; a new eastbound right turn lane on Olive at the
7 QuikTrip ride-in ride-out driveway. We closed the one
8 driveway on Olive closest to Graeser, the east driveway.

9 There's improved on-site circulation and
10 connection to the shared full access driveway on Olive.

11 There's a new sidewalk included on the west side
12 of Graeser.

13 There's also a new signal head change that will
14 provide a green protected arrow for northbound Graeser as
15 they come up to Olive to turn left.

16 And the Graeser driveway will be moved further
17 away from Olive to south.

18 So, in conclusion, this site will have
19 additional traffic, but the mitigating improvements that
20 are now included on the site plan will offset that impact,
21 and the pedestrian facilities that have been proposed will
22 provide much improved and safer connections to and from
23 the site and along Olive and Graeser.

24 Thank you very much.

25 CHAIRMAN KISTNER: QuikTrip, you have three

1 minutes remaining.

2 MS. GWEN KEEN: Thank you.

3 So I just want to touch on a few items.

4 One would be the fuel tanks that's come into
5 question.

6 We use a state-of-the-art system, fuel system.
7 We have double-wall tanks; we have double-wall fiberglass
8 pipes, testing facilities on it that keeps track of
9 everything.

10 We use -- we are a top-tiered gasoline retailer,
11 which means it's highly rated, and what it -- through the
12 EPA, and we use renewable fuels.

13 We also use energy conservation.

14 And, again, I'm just touching on these due to
15 time.

16 We have water conservation; we have waste
17 conservation through recycling.

18 QuikTrip does have a sustainability plan, and we
19 utilize that in all of our locations.

20 As far as -- and also, you know, something came
21 up about spills. Spills are highly rare. The gentlemen
22 that drives -- gentlemen and women that drive fuel tankers
23 are highly specialized in the industry. They have to have
24 security clearances, they have to have training, so it's
25 not like they're pulling someone off. These are highly

1 specialized individuals who deliver fuel to the locations.

2 Typically a spill is less than a gallon. We're
3 usually able to address that. Our employees have been
4 trained in knowing that if it is heading towards a drain
5 or anything like that, all of the people are notified. We
6 have a dedicated department, two environmental issues
7 at -- at our -- our corporate headquarters that monitors
8 and keeps track of all of that.

9 Again, I just want to touch on a few of these.

10 QuikTrip will be a TDD participant. The
11 property owner did so voluntarily when the signalization
12 was put in, and we, obviously, will end up helping pay
13 that down.

14 Delivery times. We do have control over some
15 delivery times. We're very mindful that we're in a
16 residential area, and we are able to assist with more
17 appropriate delivery times for our tractor trailers.

18 Tankers are a different story. The tankers,
19 again, they're 305 feet off of the property line and
20 they're in the front of the store by Olive.

21 You know, one of the comments that's come up is
22 that there's already two gas stations in the area. What I
23 find interesting, there's already two, but we're not an
24 appropriate location for that area.

25 So, but the other thing is those are on the

1 northbound side of the road. This is on the south side of
2 the road. We feel it's underutilized based on our
3 analysis. And we're not the type of location that just
4 goes in for a short time. We're there for the long time
5 period.

6 An example of that is factored within the
7 St. Louis area we have stores that are well over
8 20-years-old. We're not just closing those down. We're
9 revitalizing them. We're scraping them and rebuilding
10 them with a new modern facility.

11 We're in the convenience store business. We're
12 not in the fuel business, but we're in the convenience
13 store business, and that's what we do. We adapt to those
14 when times change.

15 Once again, what's on the electric pump. The
16 technology is not there. People don't like to go to a
17 convenience store and sit for 30 minutes and have an
18 electric charge on their vehicle.

19 When the technology changes and updates, we're
20 going to adapt as well to what's going on in the industry,
21 not just the fuel industry, but also the convenience
22 business industry.

23 CHAIRMAN KISTNER: Thank you.

24 MS. GWEN KEEN: I'm sorry?

25 CHAIRMAN KISTNER: Thank you very much. You

1 have had over 30 minutes.

2 MS. GWEN KEEN: Okay.

3 Again, I'm sorry, I can't hear you.

4 CHAIRMAN KISTNER: We -- you've had -- your 30
5 minutes is -- is up. Are you ready to conclude?

6 MS. GWEN KEEN: We just had one other -- our --
7 we were going to touch briefly on crime, but we can do
8 that at a later time as need be.

9 We can just have one further slide, and we'll
10 have John come up and conclude.

11 MR. JOHN YOUNG: Members of the Commission, my
12 name is John Young, and I'm an attorney, and I represent
13 QuikTrip. My law firm has handled -- located at 200 North
14 Third Street in St. Charles, Missouri.

15 And, again, just as a conclusion statement. The
16 Planning & Zoning Commission makes a recommendation for --
17 to the City Council for the approval of any conditional
18 use permit.

19 And in your consideration there are six
20 standards. And we believe that those six standards, the
21 evidence will conclude and indicate that the conditional
22 use permit is warranted based on the evidence presented
23 and standards -- the six standards that are set forth in
24 your city code.

25 The entire project team is available to answer

1 any questions you may have.

2 And we appreciate your consideration. We more
3 than ask for your recommendation.

4 Thank you.

5 CHAIRMAN KISTNER: Thank you.

6 Commission Members, at this point we're not
7 ready for discussion, but are there any clarifying
8 questions that you have for the applicant that you'd like
9 to pose to them now?

10 MR. MYERS: I have a question.

11 What are the proposed operating hours at the
12 facility?

13 MS. GWEN KEEN: QuikTrip operates a 24/7
14 operation.

15 MR. MYERS: Okay. Thank you.

16 CHAIRMAN KISTNER: Other Commission questions?

17 MR. POTASHNICK: Yeah, I'd like to hear about,
18 you know, the crime if we can.

19 MS. GWEN KEEN: Sure.

20 CHAIRMAN KISTNER: What was your question?

21 MR. LUMLEY: Crimes.

22 CHAIRMAN KISTNER: Crimes. Okay.

23 MS. GWEN KEEN: So that has come up, and one of
24 the references in the package that the Graeser Association
25 put together was a report from the Department of Justice.

1 And we just kind of wanted to address some of those --
2 that items because it does go to convenience stores, and
3 one of the things that QuikTrip does is we look to
4 mitigate all of these impacts and all of these issues.

5 And when you go through that Department of
6 Justice report, what you find is that we have done that.
7 And we've done it very well.

8 Some of the items that they talk about in that
9 report is the interior store layout. With the interior
10 store layout that we have, what they're saying is that the
11 employees need to be able to see their store surroundings.

12 Well, I showed you the slide where we're able to
13 do that, but we're able to be very cognizant and present
14 within the store, and have that visual layout, but we also
15 have the ability for people outside to see inside and to
16 see what's going on and to see activity going on in there.

17 Another point in that study was that the
18 exterior store environment is important. Lighting. And
19 that's what we do. We have very inviting, and a busy type
20 of operation that does show that there's activity going
21 on. And that is a deterrent. And so our lighting and how
22 we do that and utilize the lighting is very important.

23 The location. Typically, the crime that occurs
24 is typical within the standard of the city. So as Creve
25 Coeur goes, the -- the store will go, and, you know,

1 I'm -- I'm very sure that there's not a high crime rate
2 there in Creve Coeur.

3 Of course things happen. But just because we're
4 a 24-hour convenience store does not mean that we're more
5 so a target. If anything, when you look at the standard
6 within that Department of Justice report, they also talk
7 about the store type, whether it's a corporate store or a
8 mom and pop.

9 And the ownership of it. For example, a
10 7-Eleven or a QuikTrip. It's known the standards that we
11 have. We have invested millions of dollars on our
12 security.

13 We have the ability to watch the interior of our
14 store, as well as the exterior.

15 But what we also have is we also have a security
16 room at our corporate office, that at any time, they can
17 look at and see what's going on at the store. Not just
18 within the store, but out of store activities.

19 We have high def cameras that monitor the entire
20 property that QuikTrip utilizes and will utilize there in
21 Creve Coeur.

22 So we've invested thousands and millions of
23 dollars on that. Because our greatest asset that we have
24 at QuikTrip is the people behind the counter, the people
25 that are making the donuts and the people that are making

1 your pizza, those are the people that I will tell you
2 QuikTrip cares most about and their safety.

3 Our CEO makes it very, very clear that if you
4 wouldn't put your daughter in a store, then don't build
5 the store there. And I have to say I think we'd put our
6 daughters in a store in Creve Coeur.

7 CHAIRMAN KISTNER: Thank you.

8 MS. GWEN KEEN: Staff members. How many staff
9 you have on duty. You know, QuikTrip does have an
10 extensive operation, and so we have multiple employees on
11 duty. On the overnight shift at this location, we will
12 have two people on duty in that location.

13 Task control procedures also came up in that
14 Department of Justice report.

15 We are the best in the business as -- of our
16 equipment that we utilize; that we have a drop safe; that
17 our employees don't keep more than \$50 in cash. And word
18 does get out that going in overnight and trying to hit a
19 QuikTrip is not beneficial because you're not going to
20 walk off with a whole lot of cash out of it because of our
21 procedures. We're very diligent in those efforts.

22 CHAIRMAN KISTNER: Thank you. Thank you. I
23 think you've answered the question.

24 (Talking over each other.)

25 MS. GWEN KEEN: (Indiscernible) so we can

1 utilize 24 hours by having two employees. Okay.

2 VOICE: Yeah, we're just -- we're just having a
3 hard time hearing you. Sorry about that.

4 CHAIRMAN KISTNER: Commission, any other
5 questions?

6 And I don't mean to rush you, I just want to
7 make sure that we -- we go through a pretty direct
8 question/answer period here.

9 MS. GWEN KEEN: Sure. No problem.

10 CHAIRMAN KISTNER: Okay. If we have no other
11 questions for the Commission now, staff, you ready?

12 MR. JAGGI: Yes, we can present our report.

13 Okay. I'm going to begin here. My name is
14 Jason Jaggi. I'm the Director of Community Development
15 with the City of Creve Coeur.

16 If I could ask the Commission, can you see this
17 information on your screen?

18 CHAIRMAN KISTNER: Yes.

19 MR. STREILER: Yes.

20 MR. JAGGI: Okay.

21 And can you all hear me okay?

22 MR. STREILER: Yes.

23 CHAIRMAN KISTNER: Yes.

24 MR. JAGGI: Excellent.

25 I'm going to go through this then.

1 Again, my name is Jason Jaggi. I'm the Director
2 of Community Development with the City of Creve Coeur.

3 Our -- I'm going to present our staff report
4 this evening. This is the -- this is the information I'm
5 going to cover tonight.

6 First of all, I want to introduce the location,
7 the zoning ordinance review process and then provide a
8 brief summary of the proposal. And I realize the
9 applicant has done that, but I'm going to add a few things
10 to that presentation.

11 I'm also going to review staff's analysis on the
12 Comprehensive Plan in terms of its applicability to this
13 application; the Design Guidelines that we have in place
14 as we evaluate each development proposal, and then I'm
15 going to cover the Zoning Ordinance with respect to
16 compliance with these applications. Lastly, I'm going to
17 touch on the traffic impact study, and then present some
18 items for further discussion based on staff's analysis.

19 So with that background information, beginning
20 there. As you all know, this is the location of the
21 project. It's on the southwest corner of Olive and
22 Graeser. It comprises six total parcels, and all of the
23 property today is currently zoned GC, General Commercial
24 District.

25 The site is just under five -- it's about four

1 and a half acres in total.

2 And the Zoning Ordinance outlines the process
3 and procedures for this review tonight.

4 And within the Zoning District all allowable
5 land uses are listed as either permitted or conditional
6 based upon that district in which they're located.

7 And in this case, these -- this property, gas
8 stations and convenience stores, they're listed as
9 conditional uses, so it requires a public hearing with
10 review, and the P&Z does make that recommendation to City
11 Council, and City Council would make the final approval or
12 denial based upon their review, and that's done with
13 ordinance with two readings.

14 So the documents that have been used for staff's
15 review of this proposal for CUPs include the Comprehensive
16 Plan, the Zoning Ordinance, our Design Guidelines, as well
17 as other ordinances, plans and studies that we have in the
18 city, and specifically the traffic impact study that's
19 been submitted, our pedestrian plan, and the land
20 development and subdivision code. All of these items were
21 reviewed by staff upon receiving the submitted information
22 from the applicant.

23 So the summary of the -- of the proposed
24 development. As most of you are aware, we have a proposed
25 QT with convenience store. It has eight gas pump islands.

1 The store is about 5,000 square feet in size. And it also
2 includes an additional component, which is the renovation
3 of the adjacent 15,000 square foot shopping center.

4 They have also submitted a boundary adjustment
5 plat that would take all the existing land and break these
6 two new lots, and you can see here how those two lots are
7 proposed to be arranged.

8 Both of these components of the site plan will
9 involve shared stormwater detention, which is the property
10 utilized just to the south. Those are the address -- the
11 properties addressed on Graeser Lane, as well as shared
12 parking and cross-access.

13 The QT lot itself is proposed to be about two
14 and half acres with 40 -- about 43 percent site coverage.
15 The retail building lot is just under two acres. Would
16 have an existing -- well, it would be reduced to 74.7
17 percent site coverage. That would be a reduction based on
18 the coverage that you see today because they're proposing
19 to add significant areas of green space to that front
20 part.

21 So when we looked at our Comprehensive Plan
22 review, and, again, this is a summary of information, I
23 would refer you to the staff report for a full analysis
24 and full information, but I wanted to kind of hit on the
25 highlights here this evening.

1 And one is that this property is located within
2 the East Olive Corridor. And the vision for that, for
3 this location of Olive is to create walkable corridor of
4 destination boutiques, neighborhood retail -- or
5 neighborhood service businesses, small scale restaurants,
6 attached townhomes and multi-family homes and taking into
7 account some of the existing single-family homes.

8 Development within the corridor should encourage
9 pedestrian access from neighborhoods, as well as
10 walkability within the lots themselves, and also
11 acknowledging easy car access and accommodating the
12 vehicle as part of any development.

13 The Comprehensive Plan also outlines -- or
14 proposes Place Type Districts, and in this area, as you
15 saw, is the Neighborhood Commercial District Place Type.

16 And you can see here that a lot of the same
17 elements are proposed, meaning the low density commercial,
18 neighborhood service-type businesses and -- in a
19 residential development, as well, within this setting.

20 This district has been identified to provide a
21 transition between more intense -- more intense Commercial
22 Districts, which are found to the east and west of the
23 corridor.

24 And those areas would be as you get west of
25 Mosley and as you go east on Spode along Olive Boulevard.

1 And the plan also provides recommendations that
2 the city should establish a mechanism to create uniform
3 setbacks on neighboring lots, and to ensure that
4 orientation of buildings and frontages face Olive
5 Boulevard, which is classified as the primary street for
6 it.

7 And this list here is, again, it's in the staff
8 report, but we looked at several of the broad plan wide
9 objectives and strategies and identified those which we
10 feel are pertinent to this application.

11 I won't go through all of these, but you can see
12 in the staff report some of these items here are -- would
13 be applicable to these -- to this proposal. And they
14 include place making, community identity strategies,
15 economic growth, community services, transportation
16 objectives, as well as community sustainability.

17 And I'd be happy to answer any specific
18 questions the Commission may have as we proceed with the
19 review process.

20 And, specifically, though, with our East Olive
21 Corridor, so there are recommendations within that section
22 of the plan. And, again, some of these are repeating, but
23 orienting buildings to the -- to the street, uniform
24 setbacks, community parking, encouraging shared parking in
25 cross-access, ensuring development is pedestrian friendly,

1 that -- that we can promote outdoor dining and retail
2 amenities, and that we concentrate on establishing
3 well-laid landscape frontages.

4 In addition, sufficient buffering, with -- with
5 adjacent residential areas next door, reducing curb-cuts
6 and supporting low impact site development for all
7 recommendations specific to East Olive.

8 The plan also acknowledges that there are
9 significant development challenges in this corridor, and I
10 think we see some of that with this application in terms
11 of topography. There is some lot depth concerns that --
12 that also requires assembly of properties to make
13 redevelopment occur. And, again, I think we've seen some
14 of that here with this proposal tonight.

15 So with the Comprehensive Plan, staff's view of
16 the compatibility, we -- overall, our conclusion is that
17 this proposal embodies many of the recommendations of the
18 Comp Plan.

19 And I've listed some here for you. It provides
20 neighborhood service businesses with an appropriate scale;
21 it would propose to keep a smaller retail building that
22 primarily serves a -- a smaller area, as well as a new
23 convenience store to the area; improve streetscapes would
24 be a result of this with well-landscaped sites --
25 well-landscaped sites with sidewalks. The quality of

1 design appears to be high, and materials are sufficient
2 for the development, and the buildings do seem to be
3 appropriately oriented toward Olive Boulevard.

4 We would also note that there is significant
5 buffering to adjacent residential areas that is proposed,
6 and we acknowledge that this is a very important
7 consideration given the proposed use that is being
8 considered.

9 We would also note that pedestrian circulation
10 is well thought out within the development, as well as
11 access to adjacent areas, and there has been a reduction
12 in curb-cuts with cross-access provided and also shared
13 parking provided.

14 Traffic mitigation is proposed associated with
15 this development to reduce congestion, but I would note
16 that we do have additional analysis, and I will comment on
17 that a little bit further in my presentation.

18 So with respect to the Design Guidelines. There
19 are overall general recommendations that the city has that
20 apply to all development, but we also have specific
21 guidelines in our Design Guidelines for auto service
22 stations.

23 And, again, just to summarize, all the
24 information in our report, we do feel that this proposal
25 adheres to a lot of those principals and objectives for

1 design, for the -- for not only the auto service station
2 uses themselves, but also for any development project.
3 And would note that there appears to be high quality
4 materials, which are, in this case, primarily brick and
5 stone.

6 And the standard QT design has been modified.
7 It's been modified to fit within the surrounding area. So
8 there is some relationship between the materials on
9 this -- on their proposed building with the renovation of
10 the retail center to other buildings in the area, such as
11 the Scotsman Jewelry on the corner, as well as Walgreens,
12 across the street.

13 Like I said, for the QT lot, access is -- is
14 reduced to two curb-cuts. Shared access is -- is also
15 available, though, on the retail lot as well.

16 Good pedestrian access. Bare pavement is
17 reduced. Paver walkways are there to ensure pedestrian
18 connectivity.

19 I would also comment that the lighting is flush
20 on the underside, and there has been an effort to layer
21 the buffering between the residential areas to shield the
22 impacts.

23 So all these items are discussed in our Design
24 Guidelines, and the applicant appears to be addressing a
25 lot of these requirements.

1 With that being said, we do have some comments
2 on what's submitted, that I would offer. And one is some
3 of the material on these corner towers doesn't seem to be
4 carried around, and we always expect that to occur, so
5 that would be a recommendation.

6 We did hear from the applicant this evening that
7 they're -- they're stating that all of the rooftop
8 mechanical units on the existing retail building will be
9 screened. That wasn't clear in the drawings, but we do
10 feel that that should happen with the renovation.

11 And then I believe the QT applicant addressed
12 their willingness to add brick or stone to cover the
13 remaining canopy supports, which was one of our
14 suggestions as well.

15 With respect to some of the site issues here, we
16 did think there was an opportunity to add some additional
17 landscaping at the corner of Olive and Graeser to
18 accentuate and punctuate the corner.

19 And then we also feel that there needs to be a
20 final design offered for the pedestrian element in front
21 of the retail building to allow for outdoor seating and a
22 comfortable environment for pedestrians and users of the
23 building. And I believe the applicant is prepared to do
24 that at some point in the future, but we do think that is
25 something that needs to be -- needs to be required.

1 We also noted that there appears to be a little
2 bit of a concern with some clearance in front of the
3 store, and we'd ask that QT comply with that requirement
4 as well.

5 So with the Zoning Ordinance here, as the
6 applicant's attorney has noted and staff also included
7 this information in our report, there are six standards in
8 our Zoning Code that -- that should direct the Commission
9 in terms of their review.

10 And all of the tools and guidelines and plans,
11 ordinances and all that, should be evaluated against these
12 six requirements. And they're in the report. They're up
13 on the screen. But there's a lot of areas that the
14 Commission should review in order to -- to determine the
15 appropriateness of this application. And that's why we
16 have them, and that's why we have uses like this as
17 conditional, so they can have a greater look than you
18 might have with a standard application. It doesn't
19 require this -- this extensive of a review.

20 So, again, you should be guided upon the facts
21 of the proposal in accordance with the code requirements,
22 consistency with goals and objectives of the Comp Plan and
23 the level of conformance with our Design Guidelines.

24 And as we have offered in our report, staff
25 believes the proposal generally meets Items 1, 4 and 5 of

1 that list, but we've also identified some conditions that
2 would meet with our -- our take on this application, and
3 then we do suggest that the Commission should weigh all
4 the information that would be needed to assess these other
5 Items 2, 3 and 5.

6 So, when we do look at our Zoning Ordinance, the
7 first place we go to is the General Commercial District
8 standards, and we look at the purpose and intent, and the
9 purpose and intent is to -- of that district is to
10 accommodate by site development plan, convenience, retail
11 shopping and services and offices, which are freestanding
12 or part of a small scale plan development, which are
13 compatible in scale and intensity of use with adjacent
14 residential uses.

15 So the GC contemplates some of these -- some of
16 these concerns and review items as part of the purpose,
17 and I think that's what brings us to this -- this level of
18 review with those being conditional uses.

19 So the district standard themselves offer
20 setback, buffering, building height. We also looked at
21 the parking requirements, landscaping, stormwater and
22 lighting, as well as the conditional use standards for gas
23 stations. So not only do we have Design Guidelines, we
24 have Comprehensive Plan guidance, but we also have our
25 Zoning Code's 14 specific standards that need to be

1 reviewed and evaluated by the Commission to determine that
2 compliance is being met.

3 And since they're on the Zoning Code, you know,
4 they're -- you know, they're at the top of the
5 interpretation, certainly, but these are standards and
6 these are items that need to be determined that they're
7 meet -- they're being met.

8 Staff has reviewed all these, and we do conclude
9 that all of these items in that code section are being met
10 by the applicant.

11 So with respect for setbacks, just to go through
12 this list, all -- all structures are met. Setbacks are
13 met. Parking is being met, as long as it's provided on a
14 shared basis. And the buffering, as mentioned, far
15 exceeds the minimum code requirement of 25 feet.

16 We do ask that the Commission look at the
17 fencing and look at the screening in particular detail,
18 cause it's certainly important to this application.

19 Landscaping generally exceeds the requirements
20 with a couple minor exceptions here with the tree size.

21 It is a shared stormwater facility for the
22 entire development. It does include bio-retention and a
23 detention basin.

24 We did comment on signs a little bit as a staff
25 review approval component of the project.

1 And my last comment this evening deals with the
2 traffic impact study. And I will start off by saying
3 there's been significant discussions with our traffic
4 consultant, GBA, they have reviewed the traffic.

5 Mr. Evans, Kyle Evans, is our consultant, which
6 he is on the call as well. He can answer any questions
7 the Commission might have tonight or in the future
8 regarding this application with the traffic impacts.

9 But as the applicant's engineer noted, the
10 traffic is based off auto. That scope was defined by
11 MoDOT and the city last summer when they first approached
12 us with this project.

13 Traffic counts were taken in August of 2019, so
14 it hasn't been recent, which is probably a good thing,
15 because our traffic counts are not what they used to be,
16 and, hopefully, not what we expect them to be in the
17 future.

18 And we concentrated on morning, midday and
19 evening rush peak periods. And CBB did use those traffic
20 generation estimates based on actual data with their
21 locations, and that was compared to the International
22 Traffic Engineers standards for -- for their guidance.

23 The study does note that a lot of the traffic
24 generation or trip generation here is a result of pass-by
25 trips, meaning that traffic is already utilizing the

1 roadways, and there's not a lot of new traffic generated
2 specific to this use, and our traffic engineering
3 consultant agreed with that -- with that finding.

4 So with these traffic summary, again, this --
5 this proposed use will create additional traffic on to
6 this site, and also particularly on to Graeser Road.

7 Additional traffic on Graeser Road south of
8 development, however, appears to be minimum. Mitigation
9 for additional traffic on to the roadways was requested by
10 MoDOT, as well as the city. MoDOT provided comments that
11 they -- that the applicant provide right turn bays into
12 the site itself, as well as in to -- for right bound -- or
13 I'm sorry -- southbound Graeser from Olive, and to modify
14 the signal to allow northbound Graeser a left green arrow,
15 as well as a flashing arrow to mitigate some of the
16 stacking that would be involved on northbound Graeser.

17 And so the city's engineer and staff looked at
18 that, and we also asked the applicant to consider
19 additional mitigation beyond that and to review it.

20 And so what we have -- really, what it boils
21 down to tonight is that with the proposed mitigation,
22 increasing of -- and cuing of cars on northbound Graeser
23 during all peak periods, the average is -- is -- is up.
24 Average delay, though, for wait time in seconds, a.m. is
25 increasing of 19.8 seconds; midday is a reduction,

1 actually, with the proposed reduction mitigation, and so
2 is p.m. peak period.

3 We also noted in the report and -- that the wait
4 time for Dautel is actually reduced with these mitigation
5 numbers.

6 So you can see here the two right -- right turn
7 bays that are added to the roadway on Olive, and then this
8 is the area that we're concerned about or interested in in
9 terms of the traffic impacts getting through their
10 proposed curb-cut and what kind of stacking we have here.

11 So, in our assessment, I think this project is
12 moving in the right direction, but we acknowledge there --
13 there needs to be a little further review to understand
14 all the traffic mitigation impacts, and I think there's a
15 little more information we need to be able to affirm some
16 of what we believe is going to happen based on some last
17 minute changes by the applicant with respect to
18 mitigation.

19 So that is my -- I'll just offer a conclusion.
20 Again, for the Commission review, the standards for the
21 conditional use permits is important here. The key
22 question, of course, is sufficient mitigation; is
23 sufficient mitigation provided for the expected impacts;
24 does it comply with the Zoning Code; is it consistent with
25 the Comp Plan and the Design Guidelines. And we have a

1 couple specific items here as well that are pretty small
2 details that I think I've covered already or the applicant
3 has.

4 And, of course, the traffic impact analysis, we
5 want to finalize that review and consult a little bit
6 further with our traffic consultant, and we're prepared to
7 present more finalized information at a future meeting.

8 And with that, I will conclude my comments. But
9 I would be happy to answer any questions that the
10 Commission may have or clarification points now and,
11 certainly, will be available at the end of the public
12 comment period to answer any questions of you or the
13 public.

14 Thank you.

15 CHAIRMAN KISTNER: Thanks, Jason.

16 Could I ask a little more detail about the
17 traffic --

18 MR. JAGGI: Yes.

19 CHAIRMAN KISTNER: -- and some of the proposed
20 changes?

21 MR. JAGGI: Uh-huh.

22 CHAIRMAN KISTNER: So just to clarify, there is
23 a proposed addition to a turning lane from westbound going
24 eastbound?

25 MR. JAGGI: What is proposed are two on Olive.

1 There were two dedicated right turn lanes added to -- and
2 you can see here on the screen that there isn't today.

3 So a motorist would be able to pull off in to
4 this right turn lane and go into the site.

5 CHAIRMAN KISTNER: Okay.

6 MR. JAGGI: A motorist would also be able to get
7 off the main -- the main through lane on -- from Olive and
8 go southbound on Graeser, so that's a new condition.

9 CHAIRMAN KISTNER: So actually enhances --

10 MR. JAGGI: Yes.

11 CHAIRMAN KISTNER: -- Graeser Road southbound?

12 MR. JAGGI: Correct.

13 So you can get -- you can get off of Olive and
14 be in a dedicated turn lane to go southbound on Graeser.

15 And what we're also talking about in terms of
16 the Graeser Road mitigation, because we understand that's
17 going to be a concern, what is the traffic that's going to
18 be put on to Graeser Road; what is that going to look
19 like; what are the delays and how much traffic are we
20 talking about.

21 And so with the study, like I presented, it
22 appears that there is sufficient mitigation being
23 proposed. But we want to take a closer look to see if
24 there is any need to maybe cut down this -- this -- to
25 extend this lane a little bit further here, and,

1 hopefully, you can see it on my screen. That's northbound
2 Graeser. Cause we want to make sure all cars are -- are
3 able to get through this intersection as best we can.

4 And with the signal timing adjustment they're
5 proposing that helps to a great degree, allow cars to move
6 more quickly through Graeser.

7 So, the bottom line is, we're putting more cars
8 on to Graeser, but the objective here, and I believe
9 that's --

10 CHAIRMAN KISTNER: Graeser northbound?

11 MR. JAGGI: Yeah, northbound Graeser, yeah.

12 But I think what we're seeing with the -- with
13 the mitigation is we're going to be able to follow more
14 cars through there quicker than what we would have today.

15 CHAIRMAN KISTNER: So is part of the
16 consideration possibility to add either a -- some
17 additional lanes so that either there's a like dedicated
18 left bound lane, or -- I'm sorry left bound --
19 northbound -- oh, I'm sorry -- westbound lane or
20 eastbound, I mean what -- when you say should there
21 possibly be additional mitigation, what might that look
22 like and where would the -- the property come from?

23 MR. JAGGI: Yeah, that was a good question.

24 So, first of all, we want -- we want to look at
25 all the tables for what, you know, we have the information

1 on the pre -- you know, the existing conditions. And we
2 have some information on the proposed conditions with the
3 mitigation, but what we're interested to see is is there
4 still a need for any further mitigation.

5 I mean right now this looks pretty good, based
6 on what they're showing, with in terms of getting cars
7 through there. Cause we know there's going to be more
8 traffic on Graeser. That's -- that's a known with this
9 proposal. But it could be where we're -- we might try to
10 extend the right turn lane, for example, going northbound
11 Graeser to eastbound Olive.

12 But to do that, we would have to reconfigure the
13 right-of-way a little bit.

14 We need to kind of finalize all of that
15 information when we come back to you.

16 CHAIRMAN KISTNER: And what are the options for
17 doing that, because the only place really to do that is --
18 would look to be in that credit union property to the
19 east?

20 MR. JAGGI: Right. So, this is, actually, what
21 you're seeing here is driveway, that sidewalk is in the
22 city's right-of-way.

23 CHAIRMAN KISTNER: Okay.

24 MR. JAGGI: But what it might do is it might
25 push that sidewalk, when we shift everything east, it

1 might put that on to the credit union's property by a few
2 feet.

3 If that's the case, if we determine that is
4 something that's desirable by the city, and I would rely
5 on our traffic consultant to conclude to that, then that
6 may involve some acquisition. But I'm not -- this
7 evening, I'm not certain that that's absolutely necessary
8 to do all that, but I want to be upfront that that's
9 something that we feel like needs to be reviewed a little
10 bit further.

11 CHAIRMAN KISTNER: And what timeframe do you
12 think that can be reviewed in?

13 MR. JAGGI: I -- I would say after we're
14 concluding with the public comments, we could come back to
15 that at a following meeting. When you have your
16 deliberations, for example, we could come back to that.

17 CHAIRMAN KISTNER: Okay. And --

18 MR. JAGGI: And the applicant is aware that we
19 need some further study on this. I don't think they would
20 disagree.

21 VOICE: The traffic consultant raised his hand.

22 CHAIRMAN KISTNER: Which? The Creve Coeur or
23 the CBB?

24 VOICE: I think it's Lee Cannon.

25 MR. JAGGI: That's the applicant's traffic

1 engineer.

2 CHAIRMAN KISTNER: Okay.

3 Mr. Cannon, if you have something specific to
4 that -- to add, please do so.

5 MR. LEE CANNON: Okay. Again, for the record,
6 Lee Cannon with CBB.

7 Yes, we did look at the issue related to
8 northbound to Graeser, and are investigating further with
9 the city's traffic engineer and the city staff as to
10 whether or not an improvement is possible to extend the
11 right lane on northbound Graeser back to the first
12 Community Credit Union driveway, and whether that's
13 necessary as a mitigation factor.

14 As Jason mentioned, we'll work with city staff
15 and evaluate what can be done adjacent to the credit union
16 property and what -- what positive impacts that would have
17 on traffic flow at that point.

18 CHAIRMAN KISTNER: Thank you.

19 So, Jason, I do have a couple of --

20 MR. JAGGI: Yes.

21 CHAIRMAN KISTNER: -- additional questions for
22 you.

23 MR. JAGGI: Uh-huh.

24 CHAIRMAN KISTNER: The -- the remaining parking
25 is an over-park situation, and I appreciate the fact some

1 of the parking on the -- the retail center will be reduced
2 due to new green space, which is, you know, a plus of this
3 application, but it still shows a -- a level of
4 over-parking compared to what would be required.

5 Is there some reason why we would not want to
6 reduce further --

7 MR. JAGGI: Yeah.

8 CHAIRMAN KISTNER: -- to kind of eliminate that
9 asphalt coverage?

10 MR. JAGGI: I think the applicant may want to
11 speak to this as well.

12 But the issue here is that require for both
13 uses, so with the gas station, convenience store and based
14 upon the occupancy of the retail center, and that would
15 include restaurants and retail shops, information that we
16 know about in terms of the tenants of that building, when
17 you add all that together, it requires 119 spaces, but for
18 each individual use separately, the shopping center would
19 not meet parking. Okay. If -- if you looked at
20 separately, the shopping center is short on required
21 parking based on today's code.

22 CHAIRMAN KISTNER: Okay.

23 MR. JAGGI: So to mitigate that, if all of them
24 are shared, then they meet theirs and they actually exceed
25 it, if you look at everything in total.

1 So, I don't -- I think -- I think if this is --
2 I would recommend that QT pursues that. They're offering
3 to do that. It provides additional parking, should it be
4 needed.

5 And the other thing that I would mention is, you
6 know, some uses that go into retail centers are
7 conditional uses that would require review and same
8 process as this. For example, if another restaurant went
9 in there that -- where one doesn't exist, so we would be
10 able to look at parking then as well. But this -- that's
11 really just a snapshot for the parking that we have today.

12 CHAIRMAN KISTNER: Thanks.

13 And my final question is stormwater.

14 MR. JAGGI: Yes.

15 CHAIRMAN KISTNER: You're satisfied with the --
16 the stormwater or it needs further review or --

17 MR. JAGGI: We're satisfied, based on this level
18 of review, what comes before the Planning and Zoning
19 Commission.

20 So what they're doing is they're collecting all
21 the rooftop water from the buildings, from the QT gas
22 station canopy and the surface runoff from the parking
23 lot, and they're sending that to the south, so the
24 Graeser -- the properties that are addressed on Graeser,
25 where you see that older house and the vacant land, that

1 will all, basically, be detention -- used for detention
2 purposes and for screening from the residential property.

3 So the stormwater's going to be sent to a
4 bio-retention area, and that's a requirement of MSD, it's
5 also duplicated in our code. And that cleans the water
6 before it goes into the detention basin, and so the
7 detention basin is where the stormwater will collect.
8 It's just like the kind of stuff that we have next to the
9 police station. It would look similar to that in
10 appearance.

11 CHAIRMAN KISTNER: And does MSD sign off on
12 those plans?

13 MR. JAGGI: Yes. We have our Public Works
14 Department that reviews those engineering plans. And we
15 also won't release our permits until MSD has approved it.
16 And there will be a maintenance agreement with MSD for
17 detention. So, you know, we can also get involved, but
18 that's part of it as well. MSD has a significant role in
19 stormwater.

20 CHAIRMAN KISTNER: Thanks.

21 Commission Members, anybody have any questions
22 for staff?

23 MR. STREILER: I do. Just maybe a clarification
24 for Jason.

25 You indicated that the -- the shops may have to

1 come back, depending on what uses go in and whether they
2 require a CUP.

3 Seems like this has been advertised as one CUP
4 for both the sites, and it seems the narrative all along
5 has kind of referenced the CUP for both the retail and the
6 QuikTrip.

7 Can you verify that there's one CUP that covers
8 both sites or are they somehow separated?

9 MR. JAGGI: The site plan has two components to
10 it, which is the renovation of the retail center, as well
11 as the -- the QT, but the conditional use permit is only
12 required for the -- for the new gas station and
13 convenience store, for just the QT component.

14 But I guess the point I'm trying to make is,
15 individual uses within the retail center would be subject
16 to a separate conditional use permit. So, for example,
17 restaurants are conditional uses in Creve Coeur. If there
18 were to be a new restaurant proposed for that retail
19 center, they would have to apply for a CUP and get that
20 approved, and we would look at parking as well. So we
21 would get another review of the parking situation.

22 But based on the existing tenants that we know
23 are there and the uses and so forth, that's how we're
24 deriving our -- our parking requirement.

25 CHAIRMAN KISTNER: Other questions from

1 Commission Members?

2 VOICE: Nope.

3 CHAIRMAN KISTNER: You did a really good job
4 then, Jason.

5 Okay. Then having heard from the applicant and
6 staff, we're going to move to our public comment section.

7 We're going to start off with the group from --
8 the Graeser Neighborhood Group, and we've allotted 30
9 minutes for that group.

10 The first name I have, and I don't know how you
11 all want to organize that, if somebody could, let's see,
12 speak up --

13 VOICE: Bring them all in, and then they can do
14 their time and --

15 CHAIRMAN KISTNER: Okay. Yes.

16 So we're going -- we're going to bring in Brett
17 Berger, Zoe Lemcovitz, Kurt Lord, Gina Shanfeld, Fetzer
18 Crockett and Mary Crockett.

19 So Chris is going to allow all of you in to --
20 to talk. And, presumably, you all have decided what order
21 you're going to go in. And once you get underway, the
22 group of you will have 30 minutes.

23 MR. BRETT BERGER: Great. Thank you. Hello,
24 and thank you for your time.

25 My name is Brett Berger. I reside at 10

1 Winfield Pointe at 63141 here in Creve Coeur.

2 Graeser Neighbors for Safety is a committee of
3 Creve Coeur residents who respectfully oppose the
4 development of a QuikTrip gasoline station and convenience
5 store at Graeser and Olive.

6 Our committee enjoys the support of the majority
7 of residents who live near the proposed site.

8 City officials received opposition comments and
9 requests to speak yielding time to our committee from
10 approximately over 100 neighbors with different concerns.

11 And this is representing the vast majority of
12 residents, all of whom strongly oppose this applicant.

13 This is also backed by a petition that has over
14 110 signatures provided to the city. It's worth noting
15 that collecting those signatures was done pre-COVID on a
16 single afternoon by three folks before -- you know,
17 because of the pandemic, there was really no allowance for
18 additional grassroots signature collection or our number
19 of signatures would be considerably more.

20 If you see Packet Page 132 through 142 you can
21 see those signatures.

22 Additionally, as of noon today, at least 40 of
23 the 70 people that registered to speak and signed up to
24 speak at this meeting have yielded their time to our
25 committee.

1 We are -- we are requesting approximately 30 to
2 40 minutes for this presentation. And we hope that that's
3 fair, considering that 40 residents times three minutes
4 apiece is two hours.

5 We will do our best to be respectful of
6 everybody's time, and hope we are saving considerable time
7 with our community committee presentation here.

8 Our committee provided a letter to the Planning
9 and Zoning Commission on May 20th, 2020 outlining issues
10 brought forward by residents.

11 This letter can be found at the beginning of
12 your packet, page 116.

13 Our points in the letter -- our points in the
14 letter and new details in this presentation outline the
15 basis residents' opposition.

16 But before we begin discussing those specific
17 points, I would like the city to acknowledge that this
18 electronic meeting, we believe, does not provide
19 sufficient access to all residents. It does not allow
20 residents the ability to associate directly with each
21 other, and the electronic format prevents access to those
22 residents without technical knowledge and/or reliable
23 internet access from being heard. Even those folks who
24 might be dialing from their telephone without internet are
25 not able to see any of the visual presentation.

1 And so we know that there is some risk to -- to
2 resident due process, and we hope that it will not be
3 sacrificed. And we are concerned that the applicant may
4 not receive the appropriate level of scrutiny that it
5 normally would based on this.

6 Having said that, our main concerns with the
7 application for the conditional use permit are as follows.

8 The applicant is in violation of the conditional
9 use permit ordinance. It's in violation of the
10 Comprehensive Plan. And it's in violation of the spirit
11 of the East Olive Corridor. Therefore, the conditional
12 use permit should be denied.

13 The applicant's sponsored traffic impact study
14 is incomplete, and it substantially underrepresents and
15 mischaracterizes true future traffic figures.

16 Therefore, consideration for the applicant's CUP
17 should not be cited at this time without proper
18 information.

19 Also substantial traffic degradation due to the
20 proposed will limit access for residents, and it's going
21 to create substantial safety issues.

22 This provides the city with ample legal grounds
23 to deny the CUP request.

24 Additionally, tanker trucks will not have enough
25 room to maneuver the site and will end up using Graeser

1 Road constantly to refill any underground service tanks
2 adding additional risks, traffic and safety issues on our
3 street.

4 There are numerous additional safety concerns on
5 different levels.

6 A CUP cannot be granted when substantial health
7 and safety risks are associated.

8 Substantial stormwater retention issues specific
9 to this site have not been taken into account, and we will
10 discuss those further.

11 The applicant's CUP request should not be
12 considered until this is properly reviewed.

13 Additionally, property values will be
14 substantially injured. The applicant's CUP request cannot
15 be approved with substantial injury.

16 Additionally, crime will increase and be more
17 localized to residential areas. Families with and without
18 young children will be substantially less healthy and safe
19 due to the proposed project.

20 I'm now going to hand it off to Graeser
21 Neighbors for Safety Committee Member Zoe Lemcovitz, who
22 will provide more details about how we believe this does
23 not meet the CUP ordinance.

24 Zoe, are you able to take over?

25 MS. ZOE LEMCOVITZ: I believe so.

1 Can everybody hear me?

2 VOICE: Yes.

3 MS. ZOE LEMCOVITZ: All right.

4 All right. Brett, thank you for handing it over
5 to me.

6 And Members of the Planning and Zoning
7 Commission, thank you for listening to our comments.

8 My name is Zoe Lemcovitz. I reside at 605
9 Graeser Road.

10 We have reviewed the applicant's CUP and other
11 documents, and we find that the proposed development
12 violates the conditional use permit standards set by the
13 City Code.

14 Section E of the City Code, 405.1070 sets out
15 the CUP standards for the conditional use permits.

16 Subsection 1 prohibits the City Council from
17 approving a conditional use unless it finds the use
18 complies with the City Code requirements for environmental
19 standards, criteria for conditional uses, yard and setback
20 and screening and buffering.

21 There are environmental concerns with the QT
22 plan relative to stormwater runoff. These will be
23 presented by another GNFS speaker later.

24 The QT plan does not meet setback, parking,
25 screening and buffering requirements set forth in the East

1 Olive Corridor standards contained in the City's
2 Comprehensive Plan, which I will address in more detail
3 later.

4 Subsection 2 of Section E requires the use
5 contribute to and promote community welfare and
6 convenience. And Subsection 6 of Section E requires the
7 use will be compatible with the surrounding area.

8 A QT at the corner of Graeser and Olive is not
9 compatible with surrounding area and will degrade traffic
10 conditions at Graeser and Olive, as well as at Spoede and
11 Olive, reduce safety, walkability and bikeability in the
12 surrounding area, increase crime in the area.

13 These points will be addressed in detail by
14 other GNFS speakers.

15 Subsection 3 of Section E requires the use not
16 cause substantial injury to the value of neighboring
17 property.

18 A QuikTrip on the site will substantially injure
19 the values of nearby homes, particularly those in Martin
20 Grove and Mary Meadows. This is evidenced by the loss of
21 the sale contract for a home in Martin Grove due to the
22 possibility of a QuikTrip, which will be discussed in
23 detail by another speaker.

24 GNFS requests the city have performed a property
25 value study of the homes most negatively affected by a

1 QuikTrip on the site; the homes in Martin Grove, Winfield
2 Pointe and Mary Meadows.

3 Subsection 4 of Section E requires the use meet
4 applicable provisions of the City's Comprehensive Plan,
5 and any applicable neighborhood or sector plans unless
6 good cause exists for deviation therefrom.

7 QT's plan does not comply with the City's
8 Comprehensive Plan, especially the East Olive Corridor
9 standards, which I will address in more detail later.

10 Good cause cannot be shown for deviating from
11 the East Olive Corridor standards in order to allow a gas
12 station with convenience store to operate within 500 feet
13 of two preexisting gas stations with convenience stores.

14 The City's Comprehensive Plan titled "Creve
15 Coeur 2030 Comprehensive Plan" adopted March 20th, 2017
16 obligates the city to deny uses that would otherwise
17 violate the Comprehensive Plan or fully implement it.

18 When adopted, the Comprehensive Plan called for
19 the commencement of the tasks -- for the tasks of
20 implementing the new Comprehensive Plan.

21 To date, the city has not completed
22 implementation of the Comprehensive Plan.

23 The city has authority, and we believe the
24 obligation to deny a conditional use permit if the project
25 is not in line with the Comprehensive Plan.

1 The QT plan violates the city's Comprehensive
2 Plan, and, therefore, the QT conditional use permit
3 application must be denied.

4 The proposed development violates specific goals
5 of the city's Comprehensive Plan.

6 The QT plan violates Comprehensive Plan Goals
7 1.0, 2.0, 4.0 and 6.0.

8 Comprehensive Plan Goal 1.0 notes the city is to
9 develop an 18/7 community experience as opposed to being a
10 24/7 community.

11 As QuikTrip has acknowledged in their
12 presentation, they operate 24/7. It is a high volume
13 operation. This is not in keeping with Goal 1.0.

14 Comprehensive Plan Goal 2.0 notes the city is to
15 preserve and evolve its high-quality residential
16 development and stable property values while improving
17 walkability and accessibility of neighborhoods.

18 As previously stated, the project will
19 substantially injure property values for the homes in the
20 area, particularly those in Martin Grove, Mary Meadows and
21 Winfield Pointe.

22 The anticipated change in traffic patterns
23 outlined in the QT traffic study will degrade walkability
24 and accessibility of neighbors -- of neighborhoods.

25 And as QT and the Planning and Zoning staff have

1 acknowledged, the plan is to move the entrance on Graeser
2 Road further south closer to the residential areas, closer
3 to the bus stop, thereby -- the school bus stop, thereby
4 also reducing safety, walkability, bikeability for those
5 who live in the area.

6 As previously mentioned, a sale contract in
7 Martin Grove was lost over the prospect of a QT.

8 Comprehensive Plan Goal 4.0 notes that the city
9 is to provide a variety of new high-quality public
10 amenities and community facilities that meet the needs and
11 desires of all Creve Coeur residents.

12 A 24-hour gas station convenience store is not a
13 new public amenity or a community facility for this area.
14 Mobile On the Run and Circle K are a block away. The area
15 is well-served by gas station convenience stores.

16 Comprehensive Plan Goal 6.0 notes that the city
17 is to utilize development to better manage automobile
18 traffic, reduce traffic congestion and improve transit
19 walkability and bikeability.

20 QuikTrip's own traffic study finds the project
21 will degrade traffic conditions to an unacceptable level
22 on Graeser Road and Spoede Road at the northbound approach
23 to Olive.

24 The degradation in traffic conditions will
25 negatively affect walkability and bikeability.

1 The proposed development fails to meet the East
2 Olive Corridor standards of the city's Comprehensive Plan.

3 The Comprehensive Plan sets forth the vision for
4 the East Olive Corridor of which the QuikTrip site and the
5 existing commercial building to the west are a part.

6 The vision and best practices character images
7 shown on page 91 of the Comprehensive Plan do not include
8 images of a high traffic convenience gas station or
9 anything even close to it.

10 The East Olive Corridor standards object -- the
11 East Olive Corridor objectives standards stated on page 88
12 of the Comprehensive Plan are to create a walkable
13 corridor of destination retail boutiques, neighborhood
14 service businesses, small-scale restaurants.

15 A QT at the corner of Graeser and Olive is
16 contrary to the objectives of the East Olive Corridor
17 standards. It will reduce walkability.

18 It is not a retail boutique or a small
19 restaurant, and is likely not the type of establishment
20 those businesses want to be located next to.

21 To the extent that it could be considered a
22 neighborhood service business, the service it would
23 provide is already being filled by, not one, but two gas
24 station convenience stores 500 feet from the site.

25 The East Olive Corridor recommendations

1 encourage uniform setbacks on neighboring lots to
2 establish a consistent location and orientation of
3 building facade frontages to primary streets.

4 I would now like to share with you an
5 illustration from the Comprehensive Plan showing this
6 recommendation as compared to an illustration of the
7 existing frontages and proposed QuikTrip development.

8 As you can see, the top image is from the
9 Comprehensive Plan, the East Olive Corridor frontage
10 recommendations, and we can see Mary Meadows is in the
11 center between the two parcels, and we see buildings with
12 equal frontage -- or equal setbacks from Olive Boulevard.

13 When we look to the existing situation, we see
14 we have the frontages along Olive west of Mary Meadows,
15 then we drop back to the existing 15,000 square foot
16 building that is proposed to be redeveloped, and then we
17 drop back even further to the frontage of the QuikTrip,
18 basically, providing us with a three-tiered cake.

19 The canopy of the QuikTrip cannot be counted as
20 a building, and, therefore, cannot satisfy this frontage
21 requirement.

22 The corner building at the southeast corner of
23 Mary Meadows and Olive has a substantially different
24 setback and -- than the existing 15,000 square foot
25 commercial building.

1 And the proposed QT building has a substantially
2 different setback.

3 All three sites have different setbacks
4 creating, as you can see, a three-tiered cake, which is in
5 direct violation of the Comprehensive Plan's East Olive
6 Corridor standards.

7 The city has not completed the East Olive
8 Corridor standard -- the East Olive Corridor overly zoning
9 required under the Comprehensive Plan, and, therefore, the
10 city cannot consider the QT CUP. The following
11 regulations for the East Olive Corridor required under the
12 Comprehensive Plan and have not been completed.

13 Landscaping standards along Olive Boulevard with
14 street trees lining and pedestrian amenities.

15 Pedestrian facility requirements to encourage
16 more walkable access.

17 Standards for buffers between neighborhood
18 commercial districts and adjacent residential districts.

19 Design Guidelines to achieve the desired
20 character of the Place Type.

21 Minimum tree coverage requirements for
22 commercial surface parking lots and tree plantings and
23 coverage standards for non-residential lots subject to
24 redevelopment.

25 Minimum percentage of green space to be

1 preserved on-site.

2 The Comprehensive Plan is created with the
3 spirit to improve our city. It would be short-sided to
4 allow QT to develop without any of these East Olive
5 Corridor considerations and risk having development of a
6 QT limit the goals of the Comprehensive Plan in the
7 future.

8 Because the East Olive Corridor overlay is not
9 complete, the city, at a minimum, should postpone
10 consideration of the QT application until such time as the
11 East Olive Corridor overlay zoning is complete.

12 For the foregoing reasons, Creve Coeur
13 representatives must reach out to QuikTrip's CUP
14 application.

15 I thank you for your time and attention. And I
16 yield the remainder of my time, if any, to the next GNFS
17 speaker Kurt Lord.

18 CHAIRMAN KISTNER: Thank you.

19 MR. KURT LORD: All right. My name is Kurt
20 Lord. And I live at 11035 Graeser Lane.

21 The first thing I'm going to address is the
22 outstanding issues highlighted by MoDOT.

23 Our committee has found that the QuikTrip
24 provided traffic study does not incorporate all the MoDOT
25 requirements.

1 MoDOT issued a report that requires right turn
2 bays for the proposed ride-in and ride-out, while the
3 applicant has shown some right turn ride-in and out bays
4 off of -- turn lanes off of Olive, this is not been
5 reviewed by MoDOT.

6 The second thing is, the -- is that there has
7 been, as noted by Chairman Kistner, issues with northbound
8 on Graeser Lane. In fact, the May 28th, 2020 letter from
9 CBB representative Lee Cannon points out to these
10 unresolved issues in his second to last paragraph on the
11 second page, which requires acquisition of property to
12 fully resolve these issues from First Community Credit
13 Union, and that has not been resolved. So this is
14 premature.

15 The plan fails the mandatory requirements of
16 City Code 405.1080(D). It would be improper for the city
17 to consider the current proposal based on these unresolved
18 substantial issues.

19 However, that's not the only thing.

20 The traffic study is not complete. And,
21 specifically, the traffic study does not consider the
22 entire site plan.

23 By its terms, it's only considering the
24 QuikTrip. It seems that the applicant uses the
25 15,000 square foot retail center when it's convenient for

1 things like full access, but doesn't include that when
2 considering traffic counts as necessitated because, as is
3 pointed out by Member Streiler, this CUP is for the entire
4 site, not for -- we're not just looking at one site in
5 isolation.

6 Okay. Specifically, the traffic generation data
7 estimates in the traffic study, Table 3, are only from two
8 sources, ITE Land Use Code 945 and area QuikTrips. It
9 doesn't include the shopping center traffic. And there is
10 no consideration of the adjacent shopping center in the
11 baseline traffic study or even the trip generation study.

12 Now, as noted by Jason Morgan, applicant, they
13 have big plans to, I believe the term was revitalize the
14 shopping center. Well, that's going to mean a lot more
15 traffic.

16 What QuikTrip is proposing is just using this
17 shopping center so that they -- so that the traffic can
18 cart and scoot on over the parking lot of the adjacent
19 shopping center to get to the QuikTrip, and then QuikTrip
20 will cast off ownership to another party after they put
21 in, I assume, some things mandating this type of
22 cross-access.

23 Really, that's kind of not cosher way of doing
24 things.

25 So, we believe -- because the traffic study does

1 not consider all the traffic generators not contemplated
2 by the CUP, the entire site, the traffic study is
3 incomplete. It's inaccurate. And it does not meet the
4 requirements of Creve Coeur City Code 405.10804(A).

5 Also, the traffic study is not accurate. Quite
6 simply, the traffic study does not incorporate the correct
7 data for this QuikTrip. And it substantially
8 underrepresents the true amount of trips generated.

9 Let's be specific. This is the new QuikTrip
10 Generation 3 with four separate entrances. You can see
11 the diagram on page 124 of the packet.

12 Now, this is an important distinction, because
13 as QuikTrip publicity is noted, the Generation 3 model is
14 designed to churn inside and outside sales, in particular,
15 by helping customers get in and out of the store in office
16 high volume lot.

17 QuikTrip. It's a QuikTrip.

18 The store features four entrances; two in front
19 and one on each side, and is more than 40 percent larger
20 than the previous format. Of its 700-plus stores, only
21 the best 130 are Generation 3 models.

22 In other words, also the highest traffic models
23 are the Generation 3.

24 That's why in the publicity surrounded by a
25 recent opening in Texas, it was noted QuikTrip is the

1 Disneyland of convenience stores.

2 I mean these are the clues to show us, hey, yes,
3 QuikTrip is a great operator. As Gwen said, the best of
4 the best. Something more than just a gas station.

5 Gwen, you're certainly right. It certainly is.

6 But that's where Planning Zoning needs to take
7 particular notice. This is not just a -- a QuikTrip.
8 It's not just a gas station. This is Generation 3, the
9 Disneyland of convenience stores.

10 Now, that's why this traffic generation study is
11 inappropriate, cause it only uses the IT land of 545 for
12 typical convenience store, such as the, I don't know, 800
13 square foot Circle K that's nearby.

14 What is appropriate is a traffic study that only
15 analyzes what we're putting in -- or what they're wanting
16 to put in, which is Generation 3.

17 Now, one other thing. In the traffic study,
18 Quik -- CBB has done tables with estimates.

19 Okay. But they did not do actual traffic counts
20 for a similar QuikTrip. But our committee did. And we
21 did it in a coronavirus environment. Specifically on two
22 occasions, we went to the QuikTrip on Dorsett Road and did
23 traffic counts on rush hour time periods.

24 What did we find? That the -- the traffic
25 count, it was -- that 25 percent higher than the number in

1 the CBB report. And this is during a coronavirus-type
2 situation.

3 So, the traffic study significantly
4 underestimates the traffic for this site. And we can
5 provide the -- the backup information of our study, and
6 we'll continue to do that.

7 And one other thing. The QuikTrip traffic study
8 states that this is going to be pass-by trips, in other
9 words, local trips.

10 However, when I contacted the city, what does
11 pass-by trips mean. Well, without a general radius, the
12 city official said, well, we're kind of thinking that that
13 means within the East Olive Corridor. Well, that's
14 defined between Mosley and Spoede.

15 I'd like Planning and Zoning to ask what
16 QuikTrip model was used, what radius they used to generate
17 their income for this location.

18 And if they're going to say, well, we will only
19 attract people from Olive to Spoede, then there's no
20 reason for QuikTrip to have additional signage directing
21 cars off of Interstate 270, like they do at other
22 locations, into an interior site, because they're saying
23 they only want local -- local pass-byers, and I think
24 that's inaccurate. But you can ask QuikTrip what are
25 their projected sales; what is their projected sales area,

1 so we can compare what is a pass-by trip.

2 MR. BRETT BERGER: Thank you, Kurt.

3 This is Brett Berger again.

4 I'm going to talk quickly about traffic
5 degradation.

6 Even -- even in the -- the what we would call
7 the inaccurate traffic study --

8 CHAIRMAN KISTNER: Going to give you all a
9 five-minute warning.

10 VOICE: Is that for the 30 or the 40 minutes?

11 CHAIRMAN KISTNER: For the 30 minutes.

12 VOICE: Okay. We may need a little bit more,
13 but we're almost done.

14 MR. BRETT BERGER: Yes, so I'm going to talk
15 quickly about traffic degradation, and I'm going to try to
16 go as quickly as possible.

17 But what I was saying was is even in the
18 under -- what we're -- what we believe is an
19 underrepresented traffic study, there's still discussions
20 of -- of issues and traffic stacking that -- that -- that
21 won't be able to be resolved.

22 It states that the level of service on the
23 northbound approach of both Graeser and Spoede Road are
24 going to decrease to below acceptable levels of service.

25 And -- and -- and in the case of Graeser Road,

1 MoDOT, basically, says that, hey, this can't be resolved
2 without getting other properties involved, specifically
3 First Community Credit Union.

4 You know, there are some mitigating factors, but
5 we believe that the traffic is still going to be a
6 problem. There will be additional traffic diverted
7 southbound on Graeser. There will be terrible traffic
8 stacking on Spoede and on Graeser.

9 And even in MoDOT's eyes, that particular piece
10 cannot be resolved. And so that -- that is definitely a
11 concern of ours.

12 We believe that -- that the Planning and Zoning
13 should not allow a proposal that puts residents and
14 childrens -- children in harm's way by worsening traffic,
15 decreasing access for vehicles, sightless and pedestrians.
16 It's in violation of the City Code, and we believe it's
17 something that can't be resolved.

18 We also have concerns about, and I'm going
19 really fast here, but we also have concerns about the
20 tanker truck pass and whatnot.

21 Now, there was no sweep pass. We were not shown
22 any type of simulation until tonight, in their
23 presentation for about a split second, what the tanker
24 truck sweep pass would be and how the tanker trucks would
25 maneuver on the site. And the reason that they didn't

1 show that for very long is because they're going to have
2 to use Graeser Road one or two times a day to refill their
3 underground service tanks.

4 Is Graeser Road built to accommodate 18-wheeler
5 multi-ton tanker trucks, and the answer is I don't know,
6 but I can tell you it sure isn't safe for people that are
7 crossing the street there.

8 There's a school level -- a grade school bus
9 stop. It's like 100 feet away from the proposed curb-cut
10 where the tanker trucks are going to be going in and out
11 once or twice a day.

12 We've discussed with other folks in the
13 industry, and they told us that QuikTrip is a very
14 high-volume operator, and on average, during pre-COVID
15 times, they probably refill their underground service
16 tanks twice a day.

17 So that means 18-wheelers driving through my
18 neighborhood twice a day driving past, you know, my
19 nine-year-old on her scooter. It's just not a safe --
20 it's just not a safe thing.

21 And so we would recommend that, you know,
22 tankers not be allowed on Graeser. It's not appropriate.
23 It's not safe.

24 I would also like to pass it over now to Gina
25 Shanfeld if she's able to take it over. She's going to

1 talk to you guys a little bit about safety.

2 Gina, are you there?

3 MS. GINA SHANFELD: Yes. Yes.

4 Thank you, Brett.

5 MR. BRETT BERGER: Thank you.

6 MS. GINA SHANFELD: Okay. Thank you. I will
7 just try to get through this quickly.

8 As our name implies, Graeser Neighbors for
9 Safety, our first and foremost concern about this project
10 is safety.

11 We understand that that site's going to be
12 developed. We want it to be developed. We question
13 whether this use is a right invested given these concerns
14 and what we've learned tonight.

15 As the applicant's name implies, their business
16 is intended to service a high-volume (indiscernible) to
17 talk about this, and on a 24-hour basis. That is not in
18 line with the caution and care we would look for in
19 pedestrian heavy residential street like Graeser.

20 You've heard in detail some of these
21 traffic-related concerns on the traffic study just south
22 of that red circle that was there is where the bus stop is
23 for all of our elementary school kiddos.

24 There are 25 children under the age of
25 15-years-old that live within three blocks of this

1 project, most of them, the two closest neighborhoods
2 impacted. Not to mention all the families that live
3 fronting Graeser, which we feel undoubtedly will
4 experience a high-volume traffic as people cut through
5 between Lindbergh, up Ladue and Graeser to get to this
6 QuikTrip.

7 Additional traffic, of course, is a safety
8 hazard. The fuel tanker trucks we've talked about.

9 We also have concerns about the chemicals on the
10 site migrating to residences, and what assurances we have
11 that it will not, and that the residents will not be
12 harmed.

13 We have concerns about the additional crime
14 localization and the 24-hour operated site that sells
15 alcohol late into the night adjacent to residences.

16 See Packet Page 207 that links to FBI statistics
17 for 24-hour establishments.

18 I would also just mention that we've been
19 following the Creve Coeur crime reports, and both, the
20 Circle K, Mobile On the Run and Phillips 66 have all been
21 in those reports for theft, not of money, I know they
22 mention they try to limit it to \$50, but of alcohol and of
23 gas with high speed departures from those sites into
24 waiting cars. That is not a safe situation.

25 We also would just mention that this site you

1 have a 24-hour very high-volume operation, is not our idea
2 of a safe, and, frankly, desirable neighborhood business.

3 And now I will pass it over to Mary Suzanne
4 about property values.

5 Oh, let's see. Mary Suzanne, are you there?

6 VOICE: Mary Suzanne and Fetzer, are you guys
7 able to -- are you guys muted maybe?

8 CHAIRMAN KISTNER: Mary Suzanne, you may need to
9 un-mute yourselves.

10 VOICE: Thank you.

11 MS. MARY SUZANNE CROCKETT: Yeah, I'm in the
12 bottom left.

13 CHAIRMAN KISTNER: Could you have your own mute
14 button and video off button on, Fess -- or Crocketts --
15 Crocketts? I'm sorry.

16 Did you find Crockett?

17 VOICE: Fess and Mary Suzanne, are you guys able
18 to -- to hear us at all?

19 VOICE: Yeah, I see on the Q and A that they've
20 asked how.

21 VOICE: Okay. At the bottom left there should
22 be a mute button. And at the bottom left of the screen.

23 CHAIRMAN KISTNER: If you hover your cursor kind
24 of towards the bottom, I think.

25 VOICE: Yeah, if you move your cursor to the

1 bottom left, maybe there's a mute -- mute button.

2 MR. FETZER CROCKETT: Okay. Okay, now, all
3 right. Finally. Can you all hear?

4 VOICE: There you go.

5 VOICE: Yes, we can.

6 MR. FETZER CROCKETT: Okay.

7 VOICE: Thank you. Yes.

8 MR. FETZER CROCKETT: All right. Okay. All
9 right.

10 MS. SUZANNE CROCKETT: Can you see us?

11 MR. FETZER CROCKETT: Don't worry about seeing.
12 Don't worry about seeing.

13 VOICE: Now we can.

14 MS. MARY SUZANNE CROCKETT: All right. Well, we
15 had to adjust, and that's what we do in life, isn't it?

16 All right. My name is Mary Suzanne Crockett.
17 And I am a grateful resident of 11010 Martin Grove Lane,
18 63141 for 18 years.

19 I want to thank all of you for looking out for
20 the best interest of our community.

21 And I also want to thank the QuikTrip
22 representatives for showing in their presentations with a
23 QuikTrip sign hovering over their heads what we dread, as
24 a neighborhood potentially looking like, if there's a
25 QuikTrip hovering at the entrance to our lovely homes off

1 Graeser Road.

2 You, as homeowners, know we all care about three
3 standards; the sustained property value of our homes, the
4 character of the neighborhood and safety.

5 This proposed development significantly and
6 negatively impacts all three.

7 First, the property values of our homes
8 regarding this proposed development. Our committee finds
9 that the proposed will cause substantial injury to the
10 value of neighboring property.

11 The QuikTrip representative said their employees
12 are their most important asset. Financially, our most
13 important asset is the property value of our homes.

14 Move that down for me, please.

15 Section 405.1070(E) standards, Subparagraph
16 Three, provides, quote, the City Council shall not approve
17 a conditional use unless it finds that the application and
18 evidence presented clearly indicate that the proposed
19 conditional use, Part Three, will not cause substantial
20 injury to the value of neighboring property.

21 Homes in the Martin Grove and Winfield Pointe
22 subdivisions have assessed values of \$500,000 and higher.
23 These properties and those in the Mary Meadows subdivision
24 are the homes closest to the site and redevelopment
25 parcel.

1 I live in Martin Grove, which shares a property
2 line with the site, and recently, as you heard, a sale
3 contract for a home in our cul-de-sac was lost when a
4 perspective buyer learned of the applicant's proposed
5 changes.

6 Please hear me very carefully. The spokesperson
7 in favor of the QuikTrip development who spoke with the
8 listing agent shaded the facts, and gave a completely
9 false assumption regarding the negative impact of QuikTrip
10 on our property values.

11 Here are the facts.

12 I spoke with the buyer's agent from Janet
13 McAfee, who said her client did not want to live there
14 when QuikTrip was a hypothetical situation.

15 What will it be like when perspective home
16 buyers can see a QT out the window of the home they're
17 considering? Would you want to buy that house? Me
18 neither.

19 I spoke with the new neighbors tonight who did
20 buy that home for that large price. They did not know
21 about the potential QuikTrip being built there. And they
22 were in a bidding war for a house they loved and very much
23 wanted. They are furious about this development. They
24 are now -- and they are now a part of our opposition to a
25 QuikTrip being built within a stone's throw of their new

1 home, especially now that we heard tonight that the new
2 driveway for QuikTrip tankers is going to be moved even
3 closer to their home near where their two small children
4 will be using the school crossing at -- right outside
5 their home on Graeser, and where the traffic expert
6 tonight said that Graeser is going to have to move more
7 traffic with the hope of moving it more quickly.

8 Our homes cannot -- our homes cannot assume
9 people will not know about this development, and our
10 property values will go down.

11 The city recently allowed Mobile On the Run to
12 be developed adjacent to single-family residential homes.
13 But it is important to note that there was already a gas
14 station on that site. There's never been a gas station on
15 this corner, and the people who have chosen to live here,
16 in our dream homes, want to keep it that way.

17 Second, a gas station will change the entire
18 aura of our neighborhood in a negative way. QuikTrip said
19 their surveys showed that what a great company they are,
20 but did you notice they did not have a survey for how
21 neighbors feel about QuikTrip when a QT gas station is
22 built right next door to their neighborhood.

23 The light pollution from the QT lights and the
24 cars driving there will be visible because of the
25 topography between the site and the two-story homes in

1 Martin Grove.

2 I, unfortunately, can see the lights of
3 Walgreens from my bed out of my bedroom window when they
4 redeveloped it. But at least Walgreens restricted their
5 hours, and dimmed their lights at midnight.

6 And there is a 1,000-foot buffer, at least,
7 between Martin Grove and Walgreens, and we still see their
8 lights. QT will be much closer and will be open 24/7.

9 Our committee requests that a property value
10 study be done of the homes most negatively affected by a
11 QuikTrip on the site; the homes in Martin Grove and Mary
12 Meadows.

13 And, lastly, I'd like to talk about increased
14 crime.

15 Another aspect of the project that runs contrary
16 to Subparagraphs Two and Six of the conditional use permit
17 standards is the substantial increase in crime.

18 The proposed QuikTrip would operate 24 hours a
19 day seven days a week selling alcohol late into the night,
20 a stone's throw from our homes and children.

21 This is not what any of us had in mind when we
22 bought our dream homes here.

23 There are many studies showing 24-hour
24 convenience stores are high targets for crime. See Packet
25 Page 131.3 for a few references, including an FBI study.

1 Also, on Packet Page 131, please note the
2 reports of the QuikTrip slider crimes.

3 I've never heard of this. But I don't want to
4 get to know it as a stone's throw from my front door.

5 These slider crimes are specifically associated
6 with QuikTrip. It's QuikTrip's special type of vast
7 volume operation that uniquely attracts these types of
8 crimes.

9 The applicant touts of the line security,
10 however, anyone can do a search, and I encourage each and
11 every Council member to do so, of a QuikTrip St. Louis on
12 YouTube and see footage of an armed robbery in St. Louis
13 from just a few years back.

14 The QuikTrip representative said she was, quote,
15 pretty sure there wasn't a high crime rate in Creve Coeur.
16 I thought she was going to talk about facts instead of
17 assumptions and feelings.

18 Here is a fact. Our car was stolen, just two
19 years ago, from our driveway, and later recovered in North
20 St. Louis.

21 We do not need anything else that will increase
22 the potential for crime in our neighborhood. There are
23 numerous examples involving QuikTrip specifically and
24 crime.

25 I appeal to this Committee to not just sit as a

1 Council Member, but as a homeowner, who I could safely
2 assume would not want this development a stone's throw
3 from your door. And to please protect us from such a
4 damaging development to our homes and neighborhoods.

5 Thank you very much.

6 And now I will pass this on to a brilliant man,
7 my husband, Fess Crockett.

8 CHAIRMAN KISTNER: Let me just say, you all are
9 approaching -- this group is now approaching 40 minutes,
10 not the 30 that we discussed, so you really are going to
11 have to wrap it up, if you can.

12 Thank you.

13 MR. FETZER CROCKETT: Okay. I'll go for about
14 45 seconds.

15 We acknowledge that this property is right for
16 change and will produce tax revenue.

17 I want to know if a committee should consider
18 that the revenue that QuikTrip is doing is probably going
19 to be part cannibalizing the other two gas stations, and
20 has this been forecasted in you all's record, and how
21 accurate was the revenue of Mobile On the Run.

22 Now on the runoff, the stormwater costs on the
23 financial aspect.

24 As the trustee of Martin Grove, it's not only
25 the residents, but it's our stormwater retaining pond

1 where we are of utmost concern.

2 We've had to spend over \$10,000 on this
3 retention pond. We spent hundreds, up to a thousand a
4 year on this. It is going to be continuous to the
5 property, and we are very concerned of the runoff of
6 QuikTrip into our retention pond.

7 If there are issues with our retention pond and
8 QuikTrip, will Martin Grove be indemnified? Has this been
9 considered by the city?

10 Martin Grove Subdivision does not have the
11 resources to fight QuikTrip if there's an issue with the
12 subdivision's retention pond.

13 Our committee requests the city have a --
14 commission a study on how the existing stormwater
15 infrastructure and surrounding residential properties and
16 our retention pond will be affected by the projected
17 stormwater runoff from the project.

18 Our committee requests that the city provide the
19 MSD Sewer District's and Missouri Department of Natural
20 Resources' evaluations of these aspects of the project.

21 I now yield for the conclusion.

22 VOICE: Yeah, thank you so much, Fess and Mary
23 Suzanne. You guys are -- are fantastic.

24 And thank you to everybody for your time. We'll
25 go ahead and wrap it up.

1 We're going to skip our concluding points, which
2 is, basically, discussing what our concerns are again and
3 reiterating that.

4 But it's -- I think it's pretty clear to see why
5 we believe Planning and Zoning right now should be denying
6 the conditional use permit.

7 So we thank you for your time, and we are
8 hopeful that our committee will be able to save some time
9 in non-responding comments from additional residents at
10 this point.

11 So thank you very much to everybody.

12 CHAIRMAN KISTNER: Thank you, and I really
13 appreciate all of the efforts that you all made to
14 organize your presentation, to collect your information,
15 to present it clearly and in a way designed to help us in
16 our understanding, so I really do appreciate that.

17 We are going to take, since we're about two
18 hours, little over two hours into this meeting, we're
19 going to take a five-minute break now, sort of a bio break
20 for everyone, including residents.

21 We're going to resume at 8:15. And we will open
22 it up to more resident comments, who -- who have submitted
23 a application or a speaker card --

24 VOICE: Registrations.

25 CHAIRMAN KISTNER: -- or registrations, but did

1 not know that they were yielding to this Neighbors for
2 Safety.

3 We're going to start with Arthur Leber, then
4 Jill Starr, Cheryl Gelstein and Larry Gelstein. Those
5 will be the first four up.

6 If -- if you all don't have anything to add in
7 addition to the Graeser Neighbors for Safety, then you can
8 always just, you know, note that when we call you.

9 So everybody gets until 8:15. Thank you.

10 (A break was taken at 8:09 p.m. The following
11 proceedings resumed back on the record:)

12 CHAIRMAN KISTNER: Well, we can begin. We have
13 a quorum.

14 Okay. Our first -- our next speaker for three
15 minutes is Arthur Leber.

16 Mr. Leber, are you there? We don't have anybody
17 that is logged in as Arthur Leber.

18 If -- if you're just a phone number, you might
19 have to do a raise your hand to let us know -- oh, Star 9.

20 Oh, on your phone, Arthur, if you're there, you
21 would do a Star 9.

22 All right. We're going to move on just to keep
23 things moving.

24 Next is Jill Starr.

25 VOICE: She just said she'll yield.

1 CHAIRMAN KISTNER: She's yielding too.

2 Larry Gelstein?

3 VOICE: Cheryl's first.

4 CHAIRMAN KISTNER: I'm sorry, Cheryl Gelstein.

5 Cheryl, are you there?

6 Larry Gelstein, are you there?

7 Okay. I'm going to keep moving down until we
8 have people that --

9 Mary Lou James?

10 I'm sorry, Martin Krug. I missed that, Martin
11 Krug.

12 VOICE: Mark.

13 CHAIRMAN KISTNER: Mark.

14 VOICE: So we have Mark Krug.

15 MS. KELLY: He just raised his hand.

16 CHAIRMAN KISTNER: Okay. So we have Mark.

17 MR. MARK KRUG: Yes. Can you hear me?

18 CHAIRMAN KISTNER: Do you want to introduce
19 yourself and start with your name and address.

20 MR. MARK KRUG: Yes. My name is Mark Krug. I
21 am -- and I reside at 10950 Rondelay Drive. And I am the
22 trustee of the Rondelay Terrace Subdivision.

23 Rondelay is the -- is the only cut-through
24 street between -- between Graeser Road and Spoede Road,
25 north of Ladue Road and south of Olive.

1 I believe that all the stacking and additional
2 traffic on that corner of Graeser made by the QuikTrip
3 will push additional traffic and additional cut-through
4 down through our subdivision and down through Graeser.
5 And the streets are only one-way, and they will not be
6 able to utilize -- they will not be able to take on all
7 the traffic.

8 So I'm -- I'm against the QuikTrip.

9 That's it for me.

10 CHAIRMAN KISTNER: Thank you very much.

11 Mary Lou James. We're looking for you now to
12 enable you to speak.

13 Mary Lou James, if you're there, could you --
14 could you do a raise your hand on the meeting screen, so
15 that we know that you're there.

16 Just so you know, on our end we -- we can see
17 the names of people who have dialed in, if they've dialed
18 in with a -- with a name, and then Chris, our technical
19 expert here, then enables you to speak.

20 So if -- a few people, we can only see a phone
21 number, so if that's one of you, then --

22 You have to do Star 9 on your phone to un-mute
23 yourself --

24 VOICE: To raise it.

25 CHAIRMAN KISTNER: Or to raise your hand. I'm

1 sorry.

2 Okay. We'll move to Alise (phonetic) Krug.

3 Do you see Alise Cruz -- Krug, Chris?

4 Omar Kahn (phonetic)? Omar Kahn?

5 Beth Levy? Don't see a Beth Levy.

6 Louis Salini?

7 Jeffrey French?

8 So, Jeffrey --

9 MR. JEFFREY FRENCH: Can you hear me?

10 CHAIRMAN KISTNER: Yes.

11 MS. KELLY: Yes.

12 MR. JEFFREY FRENCH: Excellent.

13 Hello. Jeffrey French. Live at 2 Windrush
14 Creek East, Creve Coeur, Missouri, my wife, two young
15 children.

16 We actually just moved and are -- moved into the
17 area, and love the area. My wife works in the area. I
18 work in the area. And in Creve Coeur, not in the area, in
19 Creve Coeur, the city limits of Creve Coeur.

20 And my children go to school within the city
21 limits of Creve Coeur. We came to it because we love it.

22 We are both in the healthcare industry, and
23 specifically pre-hospital EMS.

24 Our concerns are the traffic on Graeser Road
25 going northbound.

1 I am a graduate of Westminster Christian Academy
2 that used to be on Ladue Road. And I remember all the
3 traffic on Graeser. That's why I came back. And now with
4 the QuikTrip, everything from Ladue Road is going to come
5 north on Graeser to QuikTrip.

6 I heard about the semi entrance on Graeser Road.
7 I just think that's preposterous. And why anybody would
8 think it's a good idea to put an 80,000-pound vehicle on a
9 residential street that close to a bus stop is crazy.

10 And then lastly, I want to make sure it's noted
11 that the crime that was talking about with theft of
12 alcohol, robberies, \$50 and, et cetera, there's one thing
13 that we're missing with that, is as a potential and
14 expected increase of drugs at QuikTrips.

15 I have extensive history with that. I have
16 asked why specifically drug addicts like to go to
17 QuikTrips. And as QuikTrip noted, they said we have the
18 cleanest bathrooms. And drug addicts have told me,
19 what -- man, why do you go to QuikTrip. I asked them, why
20 do you go to QuikTrip, and they said, because the
21 bathrooms are always clean, and when I pass out, I want to
22 fall somewhere clean.

23 So, because of that, I have major concerns
24 raising my family at this new property I just purchased.

25 Thank you.

1 CHAIRMAN KISTNER: Thank you.

2 Rachel Loeb.

3 MS. RACHEL LOEB: Can you guys hear me?

4 MS. KELLY: Yes.

5 CHAIRMAN KISTNER: Yes.

6 MS. RACHEL LOEB: Are you able to see me?

7 CHAIRMAN KISTNER: If you want to be seen.

8 MS. RACHEL LOEB: I would love to be seen.

9 CHAIRMAN KISTNER: Okay. There'll be a slight
10 moment of disconnect while we bring you up, but just hang
11 on.

12 MS. RACHEL LOEB: Okay. Thank you.

13 Are you able to see me?

14 CHAIRMAN KISTNER: I'll let you know.

15 MS. RACHEL LOEB: Okay. Start my video.

16 CHAIRMAN KISTNER: There you go.

17 MS. RACHEL LOEB: Hi, I'm Rachel Loeb. I'm at 6
18 Windfield Pointe Lane.

19 I'm not able to see me. Are you able to?

20 CHAIRMAN KISTNER: Yes, we are.

21 MS. RACHEL LOEB: Wonderful.

22 So right now I just -- I am outside at my kids'
23 bus stop, and I just wanted you guys to see that. My
24 biggest concern is my children.

25 As I said, my name is Rachel Loeb. I live at 6

1 Windfield Pointe Lane.

2 I did have the opportunity to look at the place
3 during our break.

4 And I have three kids, who I also put to bed at
5 that time. They are three, five and seven.

6 We did talk about the bus stop. The buses go
7 elementary school, fifth grade center, middle school and
8 high school, all at this one spot.

9 And the sky looks beautiful right now. It is
10 right -- right there, and they're talking about making it
11 even closer to my house. So I am very concerned about
12 this location.

13 So I understand that there has been a study
14 about -- there's one car, we can even count them in this
15 three minutes. I understand there's been a study about
16 the traffic at this point. But has it been captured about
17 how much higher the traffic will be in the morning when
18 everyone's getting the -- their coffee. Will the buses go
19 from 6 to 8:10? So that means we're looking at repeated
20 cars coming through this road at the time that my very
21 young children are there.

22 And there's also a crosswalk right here, if
23 you're able to see, that we have dozens of -- all of
24 the -- dozens of children from that neighborhood have to
25 go to.

1 So I'm very concerned about the -- about the
2 safety of my children.

3 I'm also concerned about the -- the -- the --
4 the sky is so beautiful, we have neighbors taking
5 pictures.

6 I'm also concerned about housing values. You
7 know, the study that we saw, that they even showed us, was
8 in 2012 when the market was still down, and they said,
9 look, it's come up. It's like I would just -- I would
10 love to see them say that it's gone up the same as other
11 places.

12 And, again, at the Mobil, for example, there was
13 a -- people already bought a house knowing that a gas
14 station was there.

15 So, thank you for your time.

16 I, again, just wanted to express how close it
17 really is to this -- this stop, and we've seen two cars in
18 this three minutes and that's it.

19 So thank you very much for your time.

20 CHAIRMAN KISTNER: Thank you.

21 Todd Muchnick.

22 MR. TODD MUCHNICK: Hi. Can you guys hear me?

23 CHAIRMAN KISTNER: Yes.

24 MR. TODD MUCHNICK: Okay. Great.

25 My name's Todd Muchnick. My wife and I live at

1 533 Graeser Road. We built this house 20 years ago. We
2 were one of the first people to do the -- the proverbial
3 teardown on this street.

4 I've been listening to most of the people on
5 both sides of this, and it's -- presentations have been
6 very insightful.

7 My problem is, to touch on what Ms. Loeb just
8 spoke about is, is how many people are going to get their
9 cup of coffee in the morning and make a right turn on
10 Graeser Road to get to the Highway 40 Corridor, either
11 going to Clayton or to go into the downtown area?

12 I think that that -- that number has been
13 severely underestimated.

14 Those of us that have lived in St. Louis all of
15 our lives know the benefit of a good cut-road. And right
16 now Graeser has sort of not risen to that level, such as
17 Spoeede or Lindbergh, which are the major thoroughfares.

18 So, my concern as a resident that lives right on
19 Graeser Road is how much traffic is going to be diverted
20 to southbound Graeser, and then what's going to happen
21 down at that light down there at Ladue at Graeser Road for
22 people that want to go east on to Ladue Road? There's
23 going to have to be more left turn lanes there.

24 So my concerns are the same as most of the other
25 residents.

1 I do appreciate everybody else's input. I think
2 everybody's got a pretty good grasp on what the pros and
3 cons are of this development.

4 And from my standpoint of being a resident and a
5 homeowner on Graeser Road, there's not a whole lot of
6 positives for those of us who live on Graeser or off of
7 Graeser.

8 So I yield back some more of my time.

9 Thanks to the committee for the work that you
10 guys do.

11 CHAIRMAN KISTNER: Thank you very much.

12 Joe Swan.

13 And next up will be Michelle Schwerin.

14 We're not seeing a Joe Swan.

15 How about Michelle Schwerin?

16 The next up after that being Jim Cornelison.

17 No Michelle Swan.

18 Jim Cornelison.

19 MR. JIM CORNELISON: Can you hear me?

20 CHAIRMAN KISTNER: Yes.

21 MR. JIM CORNELISON: Yes. I am requesting --
22 oh, by the way, good evening, P&Z and its members.

23 (Talking over each other.)

24 CHAIRMAN KISTNER: Can you start with your name
25 and address, please.

1 MR. JIM CORNELISON: I'm getting to that.

2 My name is Jim Cornelison. My wife and I reside
3 at 10 Pine Manor Drive.

4 I am requesting six minutes, using half of my
5 other three minutes being for my wife.

6 I have an email packet in the P&Z Members to
7 read.

8 I am a retired civil engineer. I was also a
9 vice president of marketing for a major developer.

10 Therefore, I am offering my comments because I
11 know how a developer thinks, and I think it's important to
12 know that right now.

13 First of all, this site location and problem is
14 always the goal.

15 But, first and foremost, the project must add to
16 the fabric of the community.

17 In this case, it sure doesn't. However, if you
18 assume you are doing this, and there are five steps to
19 take.

20 First one is location. You have to determine
21 who your customers are, their demographic characteristics,
22 taste preferences, the sophistication levels.

23 Consider if the community is actively seeking
24 your project. They might not need or want it.

25 Number two, problem location.

1 All projects have individuals who do not want it
2 in their neighborhood. All developers know that.

3 A developer's worst nightmare, however, is a
4 very large group of citizens that are against them, and we
5 do have that large group.

6 Next, if your site location is not perfect, for
7 example, Waterway was rejected here. You look for
8 weaknesses in the community.

9 Unfortunately, our weakness has been determined
10 by our desire to improve the appearance of the Creve Coeur
11 portion of Olive Street.

12 QT Corporation has added the facelifting on the
13 adjacent building as part of their proposal to bait us in
14 the giving them the gas station.

15 It appears they feel P&Z will buy into gas
16 station approval if the other building is remodeled.
17 Otherwise, why would they spend the money to remodel the
18 building?

19 Another gas station is too stiff a price to pay
20 for getting that other building remodeled. It's just not
21 worth it.

22 Next, you estimate the market size and look for
23 traffic problems. In this case, we've heard a lot about
24 traffic tonight. One thing we have not included is all of
25 the national advertising impact that QT does, and how this

1 will apply to us, which makes all the other studies
2 inaccurate and need to be redone.

3 Number four, you assure a good profit return on
4 investment. They're, obviously, very comfortable with
5 this part.

6 And, number five, very rarely will a business be
7 the only game in town. Too much competition will reduce
8 profits and cause possible failing. You should always
9 analyze if you have anything to offer the community that
10 your competition doesn't. And in this case, they do not.

11 Based on these projects finding procedures that
12 have been used by developers everywhere, this site should
13 not have been selected for this gas station.

14 They only are in this for profit and will not be
15 good neighbors.

16 I'm asking all P&Z Members to consider the old
17 problem solving statement; sometimes issues simply boil
18 down to what is reasonable.

19 CHAIRMAN KISTNER: Thank you --

20 MR. JIM CORNELISON: Reasonably, we do not want
21 our Creve Coeur Olive Street to look like Manchester Road.

22 CHAIRMAN KISTNER: Thank --

23 MR. JIM CORNELISON: We are an upscale
24 residential community, and want to stay that way.

25 And of further consideration --

1 CHAIRMAN KISTNER: Thank you very much. You
2 have gone over your --

3 MR. JIM CORNELISON: A couple -- one more minute
4 please. One more minute.

5 CHAIRMAN KISTNER: You have gone over. We've
6 really asked everybody to try to stick to the three
7 minutes and you've gone --

8 MR. JIM CORNELISON: May I have one more minute,
9 please?

10 CHAIRMAN KISTNER: Thirty seconds.

11 MR. JIM CORNELISON: One minute.

12 Other thing we should consider is that less gas
13 will be used for cars in the near future.

14 The world is going away from gas-run cars. Shut
15 downs of gas stations in the future are going to be
16 inevitable.

17 P&Z should not be looking at things just of
18 today's standards, we should be looking down the road.

19 The last thing we want is a QT station five
20 years from now that shuts down, then what do we do?

21 Thank you.

22 CHAIRMAN KISTNER: Thank you.

23 We have Lilly Crockett and Grace Crockett up
24 next.

25 We don't see any Crocketts on the -- the list of

1 attendees.

2 Linda Rezny.

3 And then Tom Stern after that.

4 MS. LINDA REZNY: Okay. Can you hear me?

5 CHAIRMAN KISTNER: Yes.

6 MS. LINDA REZNY: Okay. Okay. So I did send
7 some things already -- I'm sorry. Linda Rezny, 104
8 Graeser Acres.

9 I did send a couple of notes to Jason already,
10 and one of them was about the fact that the data on which
11 the traffic study was based was taken in August, while the
12 QT was still under construction, and the rest of their
13 data is all on hypotheticals. We need to have a real
14 traffic count.

15 And I also think sent a thing about how if you
16 do choose to build this thing, it definitely needs to have
17 a masonry wall, not a flimsy fence. And I assume that the
18 Commission Members have already read that.

19 And I want to pick up where the last person was
20 just speaking about fossil fuels. I don't think fossil
21 fuels are going to go out in five years. But the
22 Walgreens has already been here for ten years. Time
23 passes. Things change. We are going to go away from
24 fossil fuels.

25 And if you wanted to change the QT into a

1 recharging station, this is not really what's going to
2 happen because this is a residential neighborhood. You
3 can plug in in your own home. You don't need a recharging
4 station on a corner, and we will end up with three
5 abandoned gas stations. We really don't need that.

6 Another problem is contamination. Tanks may be
7 state-of-the-art, and we aren't going to get a huge ground
8 field like we do under old gas stations right now, but the
9 accumulated minor amounts of contamination from gas and
10 various other fluids and solids from the hundreds of cars
11 coming in daily will make eventual reuse more complicated,
12 depressing the market of new tenants in order to redevelop
13 this when it's no longer a gas station.

14 Further, the runoff from the station, the quote,
15 treatment is that it runs down to the bottom of this basin
16 and the gunk that washes down gets stuck in the -- the
17 dirt and the plants there and that, quote, cleans it, and
18 then a cleaner water goes to another basin and then goes
19 off to MSD. But is that, quote, bio-detention basin going
20 to become a bio-hazard basin?

21 And the -- the fact that we already have two
22 stations that close, someone has already mentioned the
23 cannibalization. It won't be good for the businesses that
24 we have there, the businesses that we already have, and
25 it's not going to increase the basic sales tax for -- for

1 this corner.

2 And that just about does it. Thank you very
3 much.

4 CHAIRMAN KISTNER: Thank you very much.

5 Tom Stern.

6 MR. TOM STERN: Tom Stern, 233 Brooktrail Court
7 in the Westwood Place Subdivision on the south end of
8 Graeser Road.

9 I'm a 36-year resident of the City of Creve
10 Coeur. I have served on the Economic Development
11 Committee and the City's Creve Coeur Task Force. I have
12 participated in several master plan reviews, including
13 discussions on the East Olive Corridor.

14 Our company, Gershman Commercial Real Estate,
15 has been a corporate citizen of the city for more than 60
16 years, and currently manages 150,000 square feet of office
17 and retail properties in the city, including the three
18 properties under consideration.

19 We hosted the Creve Coeur Farmers Market for
20 three years.

21 We have been an asset to the city and complied
22 whenever asked.

23 The intersection of Olive and Graeser would not
24 be a signalized intersection today if it were not for the
25 cooperation of the owners of the properties that are under

1 consideration.

2 When the Walgreens development on the northeast
3 corner of Olive and Graeser was under consideration, the
4 city administration approached the owners of the two
5 shopping centers on the southwest corner to become part of
6 the Transportation Development District to aid in the
7 financing of a signalization. This placed an additional
8 sales tax burden on the tenants, but ownership believed it
9 was important safety consideration and agreed to
10 participate.

11 Additionally, the Missouri Department of
12 Transportation insisted that owners agree to relinquish a
13 curb-cut on Olive and allow a limited left turn access to
14 the two shopping centers, and, again, ownership agreed.

15 The proposed QuikTrip development meets all the
16 city's requirements for commercial development adjacent to
17 residential property.

18 They have even included requirements that were
19 part of the approval process for On the Run project across
20 the street.

21 The shopping centers were there long before the
22 adjacent subdivisions were developed, and have been zoned
23 commercially for more than 50 years.

24 The Western Center is proposed to remain with
25 its existing tenants and to be improved with -- to better

1 comply with the city's current requirements, including
2 green space and water retention.

3 QuikTrip is an outstanding corporate citizen,
4 and they will contribute significant sales tax receipts
5 from their operation. Substantially more than the
6 shopping center's previous tenants.

7 In addition, their payments to the TBD will
8 accelerate the retirement of the bonds, which are held by
9 the city.

10 Creve Coeur should welcome QuikTrip with open
11 arms.

12 CHAIRMAN KISTNER: Thank you very much.

13 Next up we have the Roddys, Bill.

14 Bill Roddy, you have to un-mute yourself.
15 You've been un-muted on this end, but you have to do it
16 on -- on your end. I think there's a -- a button on the
17 lower left that you --

18 Bill, are you there? Bill Roddy or Cherie
19 Roddy?

20 MS. CHERIE RODDY: Hello?

21 CHAIRMAN KISTNER: Yes.

22 MS. CHERIE RODDY: (Indiscernible) I didn't hear
23 you at first, so I apologize.

24 Are you calling Cherie Roddy?

25 CHAIRMAN KISTNER: Yes, or Bill.

1 MS. CHERIE RODDY: Well, I'm the one speaking,
2 not him. He yielded his time.

3 CHAIRMAN KISTNER: I'm sorry. You're saying you
4 both yield your time?

5 VOICE: No, he -- he yielded his to her.

6 CHAIRMAN KISTNER: Oh, okay.

7 MS. CHERIE RODDY: Apologize, I cannot hear you.

8 CHAIRMAN KISTNER: Okay. Can you hear me?

9 So who is speaking?

10 MS. CHERIE RODDY: One minute, please.

11 Cherie Roddy, 839 Deaver. This project will be
12 in my backyard.

13 It's my -- it's -- it is time to put on your
14 practical hats. In this uncertain time we need to support
15 our existing businesses, not add to the stress of more
16 competition.

17 There will be eight gas stations from Ballas to
18 McKnight Road. Costco to be built.

19 There are approximately 17,000 Creve Coeur
20 residents, approximately 10,000 in Olivette, not all of
21 whom drive. Why do we need three within 500 feet?

22 Car insurance companies are returning payment
23 premiums. People are not driving. Businesses are working
24 from home. Buildings are empty with no end in sight.

25 You approved a fifth grocery store from Ballas

1 to Spode. The new fifth store did not even last a year.

2 Shame on Creve Coeur for allowing a commercial
3 strip mall to be allowed to be a potential blight.

4 The biggest question I have for you is what will
5 you do with an empty gas station?

6 Thank you.

7 CHAIRMAN KISTNER: Thank you very much.

8 Was that for both Bill and -- okay.

9 Neal Breitweiser? Do we see Neal? We don't see
10 Neal.

11 So we have gone through the list of names that
12 we -- we have called all of the names of people who had
13 submitted -- who had registered to speak tonight.

14 At this point, if there is anybody on the -- on
15 the -- the Zoom meeting who would like to speak, if you
16 could do a raise your hand feature and identify yourself,
17 we can recognize you.

18 MR. JAN HOFER: Can you hear me?

19 MS. KELLY: Yes.

20 CHAIRMAN KISTNER: Yes.

21 MR. JAN HOFER: This is Jan Hofer. I'm living
22 on 7 Pine Manor Drive.

23 One thing that I find interesting is that
24 there's always new aspects to the traffic study from
25 QuikTrip.

1 So today I learned for the first time that there
2 will be southbound tanker traffic to serve the site, and,
3 you know, I would ask the Committee to ask QuikTrip how
4 that traffic is going to handle that site.

5 I mean from the rendering that I saw in the
6 QuikTrip presentation, it looks like, because of the turn
7 radius, that that truck will have to turn to the
8 northbound lane on Graeser to make the right turn in to
9 the site.

10 I don't think that is a safe maneuver to be
11 allowed. And, you know, I would just encourage you to
12 really study that traffic flow in and out of the site
13 because every single time there is a new discovery site, I
14 just don't feel that that traffic study has a transparent
15 nature in -- in it.

16 So just to ask some of the safety questions, I
17 would really encourage you.

18 Thanks.

19 CHAIRMAN KISTNER: Thank you.

20 Do we have any other hands raised?

21 We're not seeing anybody else from the public
22 who is looking to speak.

23 VOICE: So go to the applicant.

24 CHAIRMAN KISTNER: Yeah, so I think we will now
25 go to the applicant for ten minutes of response.

1 And we're working on getting back into --

2 Okay. QuikTrip, if you're ready.

3 MS. GWEN KEEN: Can you hear me?

4 CHAIRMAN KISTNER: Yes.

5 MS. GWEN KEEN: Okay. Obviously, there were
6 several issues that were brought up that we would want to
7 address.

8 We think probably the most paramount, though,
9 would be traffic, and so we're going to have Lee Cannon
10 address those.

11 So we would like to address several of the other
12 issues that were brought about as well.

13 So at this point, I just wanted to have Lee
14 Cannon address the traffic concerns.

15 MR. LEE CANNON: Hello again. Lee Cannon with
16 CBB.

17 There were a lot of mention about traffic
18 concerns, and I'll try to go through the ones that I wrote
19 down.

20 First of all, to take the last comment first.

21 The traffic impact study was prepared with input
22 from the city staff and from MoDOT. The traffic input
23 study looked at issues that those two agencies brought
24 forward as being very important to them.

25 The study was completed in accordance with

1 industry standards, and then it was reviewed by MoDOT and
2 also by city staff and a third party traffic engineer
3 working for the city in GBA.

4 So, we believe that it is whole and complete, as
5 mentioned. MoDOT did make some comments on the study.

6 Those -- those comments aren't incorporated in
7 the study because they were accepted by -- by QuikTrip,
8 and they are improvements now shown on the site plan. So
9 they have been incorporated into the plan.

10 The original traffic study was not revised, but
11 there were supplemental memoranda provided to the city.

12 An additional issue was the -- the idea that the
13 traffic counts or the base volumes were inaccurate. We
14 did count the traffic in August of 2019.

15 The retail center, both of the retail centers
16 were open. There was over 15,000 square feet occupied at
17 that time between the two centers, which come up to a
18 total of about 23,000 square feet.

19 So the building that will be revitalized and
20 remain, it has about 15,000 square feet, so that amount of
21 traffic with the two open restaurants is about the same
22 amount of traffic with the -- that was counted at the time
23 we did our traffic.

24 So -- so the full occupancy of the retail is
25 included in the count, not in the forecast.

1 Some other things that are included in the
2 background forecast, though, are Mobile On the Run, and a
3 full -- the full forecast for Mobile On the Run were added
4 to the base traffic volumes count.

5 In addition to that, the HBE Office building
6 that is currently quite underutilized, I'm not quite sure
7 how much traffic -- how much space is currently utilized,
8 but we looked at that being fully occupied as a projection
9 on the base. So our base traffic counts are pretty good
10 to start with.

11 Another issue that was brought up was the fact
12 that the -- the counts that the residents did, they went
13 out and looked at the Dorsett Road QuikTrip, which is a
14 site where CBB also did a traffic impact study that was
15 approved by the City of Maryland Heights and built, that
16 store is approximately 17 percent larger on the
17 convenience store side, and it has 25 percent more fuel
18 pumps. So as part of the traffic study for that site,
19 it -- and it will generate more traffic than this site, so
20 the traffic protection used for this site, based on the
21 number of pumps and the size of the store, are accurate
22 based on the work that we've done throughout the area for
23 QuikTrip.

24 Another question came up about pass-by trips and
25 what they mean and where they're from.

1 Really what a pass-by trip is is there's a car
2 traveling along Olive going from somewhere on Olive to
3 somewhere else on Olive, or maybe from their home to their
4 job, and they're passing Graeser on Olive. Now that the
5 QuikTrip is there, they'll make a turn in to the QuikTrip
6 and get a convenience item, a food item or gas, and then
7 they'll turn back out, and they'll continue on the way
8 that they would if QuikTrip wasn't used. That's all a
9 pass-by trip is. And it's very well-documented in traffic
10 standards that pass-by trips are very prevalent for
11 convenient-style uses; fast foods restaurants, convenience
12 stores and those types of activities are things that
13 happen on a day-to-day basis when -- when a lot of drivers
14 are out on their way doing something else.

15 The other issue came up about Graeser Road. And
16 Graeser Road is defined by East/West Gateway as a
17 collector street. And it has a collector street function.

18 The -- the north end of Graeser abuts commercial
19 on both ends. And I would agree with you that the south
20 end of Graeser is more of a local collector street that
21 collects traffic from the neighborhoods and allows that
22 traffic to get up on to Olive via a traffic signal.

23 But traffic signals are a resource, an amenity,
24 to help all of the community get on and off Olive
25 Boulevard, and we really need to utilize -- we need to

1 allow everyone, all the properties, to utilize the traffic
2 signals for safe and efficient access.

3 You can see from the site plan that the --
4 the -- referred as retail center is going to have
5 cross-access connection to get to Graeser so they can also
6 enjoy the benefits of the same.

7 The existing retail centers on the west side of
8 Graeser, as well as the First Community Credit Union on
9 the east side, have been there quite a long time, and
10 they -- they've enjoyed the use of Graeser Road for as
11 long as they've been around, and then enjoy the use of the
12 signal that got put in at -- at that point.

13 Another thing I want to bring up is that, you
14 know, the city's traffic engineer, GBA, and MoDOT have
15 looked at the information we've provided. We've done our
16 work in a professional manner that is tried to be as
17 transparent as possible providing the facts. There will
18 be impacts. That's why we have recommended mitigation
19 measures, offset those impacts, and we believe that we
20 have adequately done so; that we will offset the
21 additional traffic.

22 Lastly, I want to point out that we are looking
23 at Graeser Road with the city to determine if there's an
24 additional need to lengthen the northbound right turn
25 lane. That was not a point -- I believe one of the

1 speakers mentioned MoDOT made a mention of that, but MoDOT
2 did not indicate that.

3 But we will look at that further. And if it's
4 needed, we will include it in the plan, but we'll work
5 with the city on that through our -- through the process.

6 With that, I'd be happy to answer any of the
7 questions the Commission may have. But I believe we're
8 going to yield back, so that the team can answer a few of
9 the other questions.

10 CHAIRMAN KISTNER: I did have just one question,
11 Mr. Cannon, if you could.

12 Do you have any comment about the questions
13 about the turning radius for tanker trucks, and how that
14 was factored in, and also how many times a day or week
15 they would actually be approaching?

16 MR. LEE CANNON: I'm going to defer the how many
17 times a day question to the owner/operator.

18 But as far as the tanker goes, it is appropriate
19 for the tanker to be able to use Graeser. Graeser is a
20 public street that's built to public street standards. It
21 can accommodate heavy loads.

22 Now, we don't want to promote the trucks from
23 QuikTrip going south of QuikTrip on Graeser. But having
24 those trucks use Graeser to get to and from Olive, it is
25 appropriate because there's a signal, and we believe it's

1 the right thing to do.

2 Because of the size of the tankers, they
3 typically need to make a one-way travel path. So they
4 either need to come in at Graeser and go out Olive, or
5 vice versa. So the way that it's designed now, it's
6 coming in Graeser and out Olive. And that's just due to
7 the size of the vehicle and trying to fit it on the site.
8 We like to have it run a one-way path.

9 Does that answer your question?

10 CHAIRMAN KISTNER: Yes.

11 So it would have to go into the northbound lane
12 in order to make the turn?

13 MR. LEE CANNON: Now, that is a design issue
14 that we can look at in more detail, but, no, we do not
15 want the truck to overlap the pathway.

16 So if need be, if we need to make an adjustment
17 to single striping -- if we need to make an adjustment to
18 striping of the roadway, we can work with MoDOT to do that
19 to hold the stop bars and to make sure there's no vehicle
20 overlap, because we do not want the tanker truck to
21 overlap.

22 That's the reason that we use the autoTURN
23 software is to show the vehicle path, the wheels and the
24 overhangs, of those large vehicles to make sure that that
25 doesn't happen.

1 CHAIRMAN KISTNER: All right. Thank you.

2 And I realize I took -- does anybody else have a
3 question for Mr. Cannon?

4 I realize I'm taking up some of their ten
5 minutes of time, so I'll let you continue, but want to
6 make sure that we've given everyone the chance -- the
7 Commission a chance to ask any traffic questions.

8 MR. STREILER: A question for Lee.

9 Hey, Lee, as you know, I've reviewed a few of
10 your studies in the past. And this one was included in a
11 packet of about 300 other pages, and it wasn't clear to me
12 that the traffic volumes from the retail was broken out.
13 As you indicated, it was.

14 I'm wondering if you could do a supplemental
15 study, or at least request from your client to do a
16 supplemental study so the Commission Members and city
17 staff and their consultant can see the volumes, both
18 during, you know, your study from the -- the -- the retail
19 area, and also include in your forecast the numbers that
20 could be generated under different, you know, tenant
21 synergies or tenant occupancy scenarios from that, you
22 know, the retail site. And if you could, you said that
23 some of the folks that use that retail site will migrate
24 across QT to enjoy the use of the signal on Graeser.

25 Can you also kind of identify on-site sort of

1 the flow patterns and maybe percentages from the retail
2 sites, so we've got a better picture of the combined
3 impact from the two uses?

4 MR. LEE CANNON: Well, I can definitely go back
5 and clarify what the traffic counts were for the site that
6 are, basically, the existing retail use levels, so I can
7 definitely do that from the data that we have at hand.

8 The question would be is how to look at what
9 might be in the retail center. So we could do a
10 projection, a forecast, for just general retail versus the
11 existing retail, plus restaurants, but, typically, in a
12 retail center, the higher volume uses are the restaurants.
13 And I believe that those types of uses that go above and
14 beyond just general retail would require a conditional use
15 permit in the City of Creve Coeur.

16 So if we have higher traffic levels from a
17 future use, it would likely be a use by your code that
18 would require that developer to come back and ask for a
19 conditional use permit similar to this entire process.

20 But we -- we can show the traffic flows also for
21 the cross-access with -- provide some additional
22 clarification.

23 MR. STREILER: The volumes -- the volumes will
24 also help us understand per the benchmark, you know, of
25 what future uses could go in, and, in fact, enjoy the use

1 of the QT site and the signal on Graeser, and that way
2 understand if -- if the site would allow additional, as
3 you had mentioned, conditional use type uses on the retail
4 area.

5 Right now I'm concerned that the level of
6 service on Graeser may have reached a point, even after
7 successful QT goes in, where there's just not a whole lot
8 of volume remaining to allow that -- before that level of
9 service degrades to levels that might be unsafe.

10 CHAIRMAN KISTNER: All right.

11 MR. CARNEY: I have a question along the similar
12 lines on this.

13 There's going to be cross-access both ways, and
14 I wondered if the traffic study looked at how many people
15 exit the QT through the shopping center left turn lane and
16 head west on Olive?

17 And we've looked at this with other
18 developments, and may cause a safety concern for the
19 Board, and I'm wondering if your traffic study took in
20 what percentage people you think might exit the QT that
21 direction rather than going to the signalized energy on
22 Graeser.

23 MR. LEE CANNON: Yes, we did.

24 You know, we -- we looked at how much traffic
25 would want to go east out of the QuikTrip, which would

1 create that left turn. And then I believe during the peak
2 hours, we're assuming something like a third of the
3 traffic might attempt to make a left turn out of the
4 shared driveway. But in the off-peak hours that -- that
5 turn will be a little easier to make at the unsignalized
6 driveway.

7 So we would see a majority of the trips from
8 QuikTrip that want to turn left out going to the signal
9 during peak hours, maybe more of those trips on a
10 percentage basis on the unsignalized drive during the
11 off-peak hours.

12 But I travel -- I travel this road, you know, on
13 a -- multi times a day, and it's always a great thing to
14 have a signal to get on and off of Olive in the peak
15 hours, but in off peak hours, it's relatively easy to turn
16 left out of the dry-cleaners or the music store, some of
17 the things that I -- that I visit.

18 But given a choice, this connection to Graeser
19 is -- is very important for the peak hour traffic to
20 provide a safe location for everyone to turn on and off of
21 Olive.

22 CHAIRMAN KISTNER: Thank you.

23 Any other Commission questions for Mr. Cannon?

24 Otherwise, we'll ask the QuikTrip to wrap up
25 their -- any response they have.

1 MR. LEE CANNON: Thank you. Good night.

2 MS. GWEN KEEN: I'd kind of like to continue on
3 with the issues regarding Graeser.

4 In our discussions with the staff during the
5 kind of the time in between, QuikTrip has already agreed
6 that our tractor trailers and our tankers will not be
7 making any right turns down Graeser. And we will not
8 allow our vehicles or any commercial vehicles that we
9 oversee, or, basically, have control of due to deliveries
10 or -- our deliveries would be going south on Graeser. So
11 we are restricting that. So the only area was the area
12 that we showed in our exhibit, is where any type of
13 tractor trailers or tankers would be utilizing Graeser.
14 So we -- we are very firm in that on our intention there.

15 That site already has tractor trailers
16 delivering to it and utilizing both Graeser and Olive.
17 And they're utilizing it in order to deliver to the retail
18 center.

19 Also the question was, can they sustain it.
20 Well, they already have buses going down there. And based
21 on where we're located, there will be no tanker trailers
22 or tankers going where that -- the bus delivery -- or the
23 bus stop would be.

24 As far as the tank deliveries, we will not be
25 getting tractor trailer or tank deliveries twice a day.

1 This store does not merit that type of volume.
2 It's all based on demand, and it doesn't meet that with as
3 many pumps as we have.

4 We expect that we will have deliveries, on
5 average, every day and a half to two days, and I would
6 lean more towards once every two days for this location.

7 Another issue that was brought up is QuikTrip
8 going away in five years.

9 As I stated, QuikTrip is in the convenience
10 store business. We are not in the fuel business. And
11 that's not our main drive. We're here to be convenient.

12 When the technology progresses to where other
13 forms of fuel or transportation are being utilized, we
14 will adapt to that.

15 If we ever get to a society that does not have
16 any of those needs, we are in the convenience store
17 business, and that's one of the reasons why we invested in
18 going to fresh foods and things that a variety and
19 multi-generational people are looking for, and that's
20 where we've made that investment in preparing fresh food,
21 that full service counter. Fresh and healthy grab and go
22 snacks that -- that we can provide a wide variety.

23 Also, if we were to -- one of the things that I
24 want to make sure I point out is we are reinvesting in the
25 St. Louis metro area. Most of our stores here have been

1 well over 20 years, and we're not just pulling up stakes
2 and making them go away.

3 We're reinvesting in those areas and updating
4 and modernizing. So we are at this location for the long
5 haul.

6 I respectfully disagree. This is a great site
7 for a QuikTrip because we are more of a neighborhood store
8 in this area. We applied at great lengths to conform and
9 adapt to this area by the materials that we're utilizing.

10 So we have done expectation. We do extensive
11 analysis on our locations, because we do look to be here
12 for a very, very long time.

13 If QuikTrip ever does go away, I don't want to
14 go too far into this, but there are things that we have to
15 do, such as pulling tanks. And we have a very attractive
16 building that can be adaptable to any other type of
17 businesses.

18 One of the other things I want to point out is
19 some of the comments about crime and this QuikTrip
20 St. Louis armed robbery. I understand that there have
21 been other armed robberies here in Creve Coeur. A bank
22 was robbed and other -- things happen. Crime does happen.

23 But just because we're a convenience store
24 doesn't mean that we have a higher propensity. There --
25 and that's why we reference that Department of Justice.

1 We have gone to great lengths as a company, as a
2 corporation, to mitigate all of those issues that have
3 been brought about and talked about to the FBI. That's
4 why we're one of the gold standards when it comes to
5 security, and how we take care of that.

6 You know, anything can be taken out of context
7 and utilized in order to weigh, shall we say, instead pull
8 up a YouTube video of armed robbery, I don't know that's
9 quite fair in this instance when the context is not put
10 about that.

11 I also want to talk about property values. You
12 know, there's a great deal of matters that go into
13 determining property values.

14 You know, I want to point out that people bought
15 the residence -- bought their homes and built their homes
16 knowing that they were adjacent to commercial property and
17 collector streets, such as Olive and Graeser.

18 That property was already zoned and has been
19 zoned for many years, I believe over 50 years, as a
20 commercial property.

21 It was also pointed out, that people bought
22 their houses knowing there was a gas station, the Mobile
23 On the Run, and yet the property values still went up.

24 The premise is that if you put a gas station
25 there that their property values are going to go down, but

1 there's no evidence to support that comment.

2 The evidence shows that when a Mobile On the Run
3 was re-put in or reestablished and a gas -- a carwash
4 component was added, the property values went up, and not
5 just a little, but they went significantly up.

6 CHAIRMAN KISTNER: If you could -- excuse me.

7 MS. GWEN KEEN: There are a great many factors
8 that are going to go into establishing property values --

9 (Talking over each other.)

10 CHAIRMAN KISTNER: If you could start to wrap
11 this up.

12 Excuse me.

13 MS. GWEN KEEN: -- the school, the surrounding
14 city, the overall location, any offerings that that city
15 has, and whether or not it can deliver what customers or
16 the consumers in that area want.

17 CHAIRMAN KISTNER: If you can wrap this up now.

18 MS. GWEN KEEN: (Indiscernible) is underutilized
19 when it comes to fuel and a convenience store.

20 So the other --

21 MR. LUMLEY: For some reason they can't hear you
22 when they're talking.

23 CHAIRMAN KISTNER: If you could start to wrap
24 this up now I -- if you could start to wrap up the -- your
25 response now.

1 MS. GWEN KEEN: Sure.

2 Just a (indiscernible).

3 Again, our goal here has been to try to put
4 facts to these and comments and substantiate it, not just
5 to bring something up, but to refer to the Department of
6 Justice to bring you an exhibit, such as those property
7 values. To have a fully supported traffic engineer that
8 not only knows a QuikTrip, but also has done extensive
9 work in Creve Coeur and understands the big picture of
10 what's going on in that Olive Corridor.

11 A comment was made about the Gen 3 stores. Gen
12 3 does not refer to traffic or volumes. Gen 3 is, in the
13 history of QuikTrip, we have only had three types or three
14 prototypes that we've utilized, and we spent extensive
15 years in getting employee feedback, customer feedback,
16 vendor feedback to develop what we call the Gen 3 store,
17 which accommodated -- which took all of these factors into
18 consideration.

19 Again, something else that was pulled out of
20 context was that they did traffic counts at -- at Dorsett
21 Road, and that those were different than the ones we
22 presented.

23 Well, the reason would be because that location
24 is different. That traffic study was done. That traffic
25 study at Dorsett location was reviewed and accepted by

1 Maryland Heights and by MoDOT. And they it's --
2 everything that we have -- that traffic study was found to
3 be valid in the findings because MoDOT re-evaluated that
4 traffic study six months after we were operational at that
5 location. That location was almost a 6,000 square foot
6 building. This building is not. It's less than 5,000.

7 That location had -- was designed for what we
8 call a double stack (indiscernible) or 12 pumps, 24
9 pumping locations. This is not. This is a double stack
10 eight, which only has 16 locations.

11 CHAIRMAN KISTNER: Thank you.

12 MS. GWEN KEEN: So, of course, the percentage
13 actually match what the difference in our location.

14 Mr. Young, our attorney, has one further comment
15 that we would like to add.

16 We didn't anticipate that we would be doing a
17 rebuttal this evening. We understood that this would be
18 Wednesday, so just one moment, and we'll have Mr. Young
19 wrap it up for us.

20 CHAIRMAN KISTNER: Thank you.

21 MR. JOHN YOUNG: Thank you.

22 And thank you, Commission, for the opportunity
23 to respond.

24 I just want to conclude with a couple of
25 comments.

1 CHAIRMAN KISTNER: If you can get a little
2 closer to the microphone. If you could get a little
3 closer to your microphone.

4 MR. JOHN YOUNG: Oh, if I speak loudly will that
5 help?

6 CHAIRMAN KISTNER: I -- we really don't hear you
7 quite that well.

8 MR. JOHN YOUNG: Okay.

9 I will speak as loud and as close to the
10 microphone as possible.

11 Just want to make a couple concluding comments.

12 (Indiscernible) noncompliance with the
13 Comprehensive Plan and the requirements of the City Code
14 specific to conditional use permits and as applied to
15 requirements for a convenience store fueling station, but
16 I would just encourage the Commission to review the staff
17 report on this to conclude to the opposite, and we agree
18 with the staff's conclusion. Believe that we have met all
19 of those requirements.

20 Finally, again, with regard to reference to the
21 issues stated, references to the report of the Department
22 of Justice, it is worth noting, the Department of Justice
23 also has issued reports on street robbery and an home
24 invasion robbery and bank robberies, so it's been prepared
25 and presented as though the fact that this report exists

1 somehow is indicative that there is some excessive amount
2 of crime that follows a convenience store.

3 But that's not the purpose of this report.
4 (Indiscernible) report, (indiscernible).

5 In fact, what the report does is identifies and
6 highlights common causes, problems and effective response
7 strategies.

8 And as previously presented by Ms. Keen, the
9 effective response strategies have all been implemented by
10 QuikTrip and then some. So we meet all those
11 (indiscernible) response strategies to mitigate that.

12 And then an FBI report in 2018, (indiscernible)
13 convenience store nationally, per convenience store for
14 the last year, the number of robberies per store -- or not
15 last year, but 2018, which is last school year, .15
16 robberies, .15. That takes into account all national,
17 whether it be New York City, Atlanta, Chicago, City of
18 St. Louis, Creve Coeur. So the number for Creve Coeur is
19 likely much, much, much lower.

20 Again, Planning and Zoning Commission, we ask
21 that you review this in light of the facts, in light of
22 the evidence presented to you this evening.

23 Those six factors that are set forth in your
24 City Code are your guidelines. Those are the
25 (indiscernible) you're supposed to consider for

1 consideration of conditional use permit.

2 We believe we have satisfied all that. That's
3 clearly indicated in the evidence.

4 We would ask you to recommend approval.

5 Thank you.

6 CHAIRMAN KISTNER: Thank you very much.

7 At this time, although we have gone through the
8 list of all of the people who -- who have registered from
9 the public, because this is a new sort of technology and
10 process that we're going through, I think we will -- I
11 recommend that we continue the hearing to the Wednesday
12 meeting to give residents who have not spoken, so this
13 would be new residents, not repeats of people who have
14 already had their chance, but just in a -- to be extra
15 cautious to make sure that everybody who would like to
16 speak to this matter will be able to.

17 We will start -- we will resume the hearing with
18 those comments on Wednesday. And at that point, we will
19 close the public hearing, and move in to our discussion
20 and deliberation.

21 MR. LUMLEY: I think there was an opportunity
22 for staff to respond as well maybe on Wednesday -- or some
23 of the public comments.

24 MR. JAGGI: That's correct and --

25 CHAIRMAN KISTNER: Oh.

1 MR. JAGGI: -- if the Commission would like, we
2 can certainly --

3 CHAIRMAN KISTNER: Yes.

4 MR. JAGGI: -- add our responses on Wednesday.

5 CHAIRMAN KISTNER: That would be --

6 MR. JAGGI: I would also add that, you know, the
7 registration process would be open as you mentioned.

8 Any resident could also submit written comments
9 to staff. And if we receive those comments, we will
10 include it in the packet, which will be finalized tomorrow
11 late afternoon. So there is an opportunity for additional
12 written comments to be part of that packet, even from
13 individuals who already spoke this evening.

14 That -- that is another option that's available.

15 CHAIRMAN KISTNER: Yes, written comments,
16 correct.

17 MR. JAGGI: Yes, written comments, yes.

18 CHAIRMAN KISTNER: From people who have already
19 spoken.

20 MR. JAGGI: Uh-huh.

21 CHAIRMAN KISTNER: Is the Commission in
22 agreement with that, for that plan for moving forward?

23 MR. ROVAK: Yes.

24 MR. CARNEY: Yes. Sounds good.

25 CHAIRMAN KISTNER: If so, do we have a motion to

1 continue the hearing to the meeting of June 3rd?

2 MR. JAGGI: June 3rd at six o'clock p.m.

3 CHAIRMAN KISTNER: At 6 p.m.

4 MR. ROVAK: So move.

5 MR. CARNEY: I'll second.

6 CHAIRMAN KISTNER: I'll do a roll call vote.

7 Mr. Carney?

8 MR. CARNEY: Aye.

9 CHAIRMAN KISTNER: Ms. Hall?

10 MS. HALL: Aye.

11 CHAIRMAN KISTNER: Mr. Myers?

12 MR. MYERS: Aye.

13 CHAIRMAN KISTNER: Mr. Rovak?

14 MR. ROVAK: Aye.

15 CHAIRMAN KISTNER: Mr. Potashnick?

16 MR. POTASHNICK: Aye.

17 CHAIRMAN KISTNER: Mr. Streiler?

18 MR. STREILER: Aye.

19 CHAIRMAN KISTNER: And the Chair votes aye.

20 Staff, is there anything else we need to do

21 before we ask for a motion to adjourn?

22 MR. JAGGI: I would just say that the meeting's

23 going to be a continuation of the public hearing.

24 Staff -- you're not looking for staff to bring

25 back any additional information, we're going to wait until

1 you deliberate, and then we'll move from there, correct?

2 CHAIRMAN KISTNER: Correct.

3 MR. JAGGI: Okay. I just wanted to clarify
4 that.

5 Thank you.

6 CHAIRMAN KISTNER: All right. Could we have a
7 motion to adjourn.

8 MR. CARNEY: Move to adjourn.

9 MR. ROVAK: Second.

10 CHAIRMAN KISTNER: All in favor?

11 (All responded aye.)

12 CHAIRMAN KISTNER: Aye.

13 Thanks, everyone. See you Wednesday.

14 (At 9:24 p.m., the Public Hearing was continued until
15 Wednesday, June 3, 2020.)

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

3
4 I, Deborah K. McLaughlin, Registered
5 Professional Reporter, Missouri Certified Court Reporter,
6 Illinois Certified Shorthand Reporter and Kansas Certified
7 Court Reporter, do hereby certify that I reported the
8 Planning and Zoning public hearing stenographically and
9 later reduced to typewriting; and that this is a true and
10 accurate transcript of the public hearing.

11
12
13 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR

14 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR
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1 PLANNING AND ZONING COMMISSION MEETING

2 CITY OF CREVE COEUR, MISSOURI

3 300 NORTH NEW BALLAS ROAD

4 WEDNESDAY, JUNE 3, 2020

5 6:00 P.M.

6
7 CONTINUATION AND CONCLUSION OF PUBLIC HEARING VIA ZOOM

8 APPLICATION NOS. 20-002 & 20-010

9
10 THOSE IN ATTENDANCE:

11 Ms. Beth Kistner, Chairman

12 Mr. Tim Carney

13 Ms. Muriel Hall

14 Mr. James Myers

15 Mr. Gene Rovak

16 Mr. Larry Potashnick

17 Mr. Todd Streiler

18 Mr. Carl Lumley, City Attorney

19 Mr. Jason Jaggi, Director of Community Development

20 Ms. Whitney Kelly, City Planner

21 Ms. Jessica Stutte, Planning Assistant/Recording Secretary

22 McLaughlin Court Reporting Services, Inc.

23 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR

24 4772 Gatesbury Drive

25 St. Louis, MO 63128

(314) 974-1199

1 CHAIRMAN KISTNER: All right. Good evening,
2 Everyone.

3 We're going to bring to order the Planning
4 Zoning Commission meeting for the City of Creve Coeur,
5 Wednesday, June 3rd, 2020.

6 We're going to start with our -- our call to
7 order.

8 Mr. Carney?

9 MR. CARNEY: Present.

10 CHAIRMAN KISTNER: Ms. Hall?

11 She is not present yet, but she's expected.

12 We're getting an echo, Chris.

13 Mr. Myers?

14 MR. MYERS: Present.

15 CHAIRMAN KISTNER: Mr. Rovak?

16 MR. ROVAK: Present.

17 CHAIRMAN KISTNER: Mr. Potashnick?

18 MR. POTASHNICK: Present.

19 CHAIRMAN KISTNER: Mr. Streiler?

20 MR. STREILER: Present.

21 CHAIRMAN KISTNER: Carl Lumley, City Attorney?

22 MR. LUMLEY: Present.

23 CHAIRMAN KISTNER: Jason Jaggi, Director of
24 Community Development?

25 MR. JAGGI: Present.

1 CHAIRMAN KISTNER: Whitney Kelly, City Planner?

2 MS. KELLY: Present.

3 CHAIRMAN KISTNER: Jessica Stutte, Planning
4 Assistant and Recording Secretary?

5 MS. STUTTE: Present.

6 CHAIRMAN KISTNER: So -- so moving on, first,
7 just before I start the Unfinished Business and going to
8 our public hearing, just a reminder that we are still --
9 we are still operating under the policy approved by the
10 Commission on May 4th on public hearing during COVID,
11 so -- and also that we have agreed in advance to start
12 this meeting early, at 6 p.m., and end it at 9:30 p.m.

13 So our order of business, our only order of
14 Unfinished Business for tonight is Application No. 20-002
15 and 20-010, a boundary adjustment site development plan
16 and conditional use permit for Quik -- QuikTrip gas
17 station with convenience store 11004, 11026 and 11032
18 Olive Boulevard and 825 and 827 Graeser Road, and the
19 redevelopment of the adjacent retail center at 11032 and
20 11056 Olive Boulevard.

21 Reminder that everyone -- we had waived our
22 swearing in for the purpose of this public hearing, given
23 the technology that we're using tonight.

24 In our previous meeting on Monday, we heard from
25 the applicant for 30 minutes. We heard from the staff for

1 30 minutes. We heard extensively from the public.

2 We wanted to continue it so that we could give
3 additional time for public, given that we're in a, you
4 know, different kind of format, to make sure that we were
5 making -- that there was enough time and room for public
6 comment.

7 So we're going to start tonight with additional
8 public comment.

9 We have people who have registered, and we have
10 a list, and we're going to go through that list.

11 It will be a three-minute limit per -- per
12 person who has registered.

13 A number of people have yielded their time to
14 the Graeser Neighbors for Safety, and so we're going to
15 ask that that group be given ten minutes to accommodate
16 the people that have yielded to them, and -- but still go
17 through those people who have not officially yielded to
18 them, but they can -- they can do so as we call on them.

19 And for those people who choose to speak on
20 their own, we will have a three-minute limit.

21 VOICE: Mention the raising their hand.

22 CHAIRMAN KISTNER: Oh, if you -- if you have not
23 registered and still want to speak, you can choose the
24 raise your hand function to mention that you want to
25 speak.

1 VOICE: And Star 9 for dial.

2 CHAIRMAN KISTNER: And if you have dialed in and
3 you're not online, there's a Star 9. If you do Star 9 on
4 this call, that will activate the raise your hand, and you
5 can message in your intention that you want to speak.

6 And also for the record, Muriel Hall, P&Z
7 Commissioner, has entered the meeting.

8 MS. HALL: Thank you.

9 CHAIRMAN KISTNER: With that in mind, and --
10 and, also, as we had said during the -- at the previous
11 meeting, these are -- the continued public comment is for
12 people who have not spoken previously.

13 So the first person up is Susan Eiger, and she
14 has yielded time to Graeser Neighbors for Safety.

15 Ken Eiger has yielded time to Graeser Neighbors
16 for Safety.

17 Linda Rezny has already spoken.

18 So Sherri Sadon -- Sadon -- Sadon.

19 If you are -- if you are here and signed in,
20 you're being enabled to speak.

21 MS. SHERRI SADON: Hi. Can you hear me?

22 CHAIRMAN KISTNER: Yes.

23 MS. SHERRI SADON: Great.

24 My husband Eli has yielded his time to me, so
25 I'm just making note of that because what I'd like to

1 speak on, it will take me about six minutes.

2 My name is Sherri Sadon, and I reside with my
3 husband Eli at 10966 Rondelay Drive.

4 Thanks to the Council for your work and
5 attention. We know this is not easy, as the livelihood of
6 the people in Creve Coeur is at stake and in your hands.

7 You're considering people's peace of mind in
8 their homes, parents' concerns for safety of their
9 children, concerns of traffic, crime and more. It's not
10 easy, but it should be.

11 How many of you live on or off of Graeser? If
12 you do, or even don't, imagine yourself in our shoes.
13 You've saved, borrowed, stretched yourself to buy a
14 beautiful upscale home. A gas station that's open 24/7
15 opens up right on your street next to your home.

16 This investment is no longer worth what you
17 worked so hard for. We have evidence of that by the
18 cancellation of the contract on the home in the area, and
19 there will be more.

20 The study that showed home values increasing
21 near Mobile On the Run, in our opinion, was a terrible
22 analogy, as those are not luxury homes. Those homes are
23 an approximate \$200,000 value, and the homes adjacent to
24 this particular site are in the \$600,000-plus range. So
25 that comparison was absurd.

1 What happens to the value of a luxury home when
2 you put a gas station adjacent to it? Just think about
3 that. This should be an easy decision. The conditional
4 use permit for QuikTrip must be denied.

5 In addition, this does the opposite of
6 beautifying the area. Adds to the other less than upscale
7 retailers on Olive. If you honestly want a beautiful and
8 make the area a more walkable and (indiscernible), why in
9 the world would you want a gas station?

10 Yes, QuikTrip is a gas station. They advertise
11 to be more than one because people think of them as a gas
12 station.

13 I'm not questioning whether or not they're a
14 good operator. I'm sure they are. In fact, they're very
15 smart marketers. This will be a battle to the finish to
16 compete against Mobile On the Run and Circle K, and these
17 guys are not in this business to lose.

18 We know the city is desperate -- is in desperate
19 need of additional revenue, just like all other
20 municipalities, especially during this pandemic.

21 (Indiscernible.) It will take years for this
22 project to be operational and, therefore, it's not even
23 short-term nor a longterm -- the longterm fix.

24 Substantial amounts of sales from the new gas
25 station will come at the expense of the other two gas

1 stations that are about 500 feet or yards or whatever
2 away, and that's not taken into account at all.

3 How much net revenue will this city end up
4 really generating by adding a QuikTrip?

5 Also, any additional revenue would likely be
6 offset by the loss of property tax due to our property
7 values falling.

8 Our neighborhood cannot be sacrificed to get
9 sales tax for the city.

10 And let me speak about setbacks.

11 So the setbacks for the project are ridiculous.
12 You start with an existing setback that's nonconforming
13 and use that as a justification to propose making it even
14 more nonconforming.

15 Will the location's address be on Olive or
16 Graeser Road? With such a ridiculous setback, it's
17 addressed likely to be Graeser because of Graeser Road
18 frontage.

19 On to traffic study. So a traffic study is just
20 that, a study. It isn't guaranteed. It's impossible to
21 predict how much traffic the advertising or grand opening
22 will bring in to our neighborhood.

23 I'm very familiar with the marketing industry,
24 as I work in it. And these guys are going to have really
25 aggressive sales goals to make, and we are all naive if we

1 believe this is a location where QuikTrip will simply be
2 happy with whatever overflow traffic or customers that
3 just happen to wander in to their gas station choosing not
4 to (indiscernible) competition.

5 So let's not underestimate.

6 CHAIRMAN KISTNER: Excuse me. If you could --
7 we're -- you've gone well over your three minutes, if you
8 can start to wrap up, please.

9 MS. SHERRI SADON: Okay. My husband yielded his
10 to me.

11 CHAIRMAN KISTNER: But he hasn't -- hasn't
12 participated or filled out a form or been present. I
13 can't just -- anyone who comes in can say I have somebody
14 else who's yielded my time, and I -- we have to be fair to
15 everyone.

16 MS. SHERRI SADON: Okay. He's right here next
17 to me, but, okay, I will -- I will go as fast as I can.
18 They will -- okay.

19 I was just saying, let's not underestimate them.
20 They will bring substantial new trips on to Olive because
21 people will go out of their way to get to a QuikTrip, and
22 it's likely, very likely, they will advertise very
23 heavily.

24 Also, the idea that the city would allow a
25 25,000-pound tanker fuel truck on to a residential street

1 is just unimaginable to us. How can you deny the safety
2 implications associated with this?

3 QuikTrip said no tankers on southbound Graeser
4 ever, but how can they prevent a subcontractor fuel
5 provider tanker truck that's not under their control from
6 traveling southbound on Graeser?

7 Additionally, QuikTrips own sweet
8 (indiscernible) illustration shows it's impossible for
9 their tanker not to use oncoming traffic's right-of-way to
10 exit on to Graeser. So how is this acceptable?

11 And just another two minute -- one minute.

12 CHAIRMAN KISTNER: No, no, I'm sorry, you really
13 do have to wrap up. You've -- you've used up your time.

14 MS. SHERRI SADON: Okay. Okay. Then I'll just
15 talk just really quickly about how 24-hour establishments
16 are higher targets for crime.

17 And QuikTrip continues to quote convenience
18 stores statistics, but they fail to quote 24-hour
19 establishments.

20 If you just simply Google QuikTrip crime
21 St. Louis, just see what you get, and I won't go into any
22 more details on that.

23 CHAIRMAN KISTNER: All right.

24 MS. SHERRI SADON: In short, we feel like this
25 project is in violation of the vision of improving our

1 city; in violation of numerous ordinances causes
2 substantial healthy, safety and traffic issues for
3 neighbors and must be denied by P and Z.

4 CHAIRMAN KISTNER: Thank you very much.

5 MS. SHERRI SADON: Every single resident comment
6 you've received so far has been opposed to this terrible
7 project (indiscernible).

8 CHAIRMAN KISTNER: Thank you.

9 The next --

10 MS. SHERRI SADON: It's not appropriate
11 conditional use.

12 Our representative's job is to be impartial and
13 protect its constituents.

14 CHAIRMAN KISTNER: Thank you very much.

15 MS. SHERRI SADON: We trust that you will do
16 just that.

17 Thank you for your time.

18 CHAIRMAN KISTNER: Thank you very much.

19 Mr. Kutta or Kupta?

20 MR. LUMLEY: Kutta.

21 CHAIRMAN KISTNER: Kutta.

22 MR. RICHARD KUTTA: (Indiscernible) okay?

23 CHAIRMAN KISTNER: Yes.

24 MR. RICHARD KUTTA: Good evening. Good evening,
25 Chair and Members of the Commission. I'm Richard Kutta.

1 I live at 24 Colonial Hills Parkway, a residential
2 subdivision of 28 homes, half of which have children at
3 almost all times.

4 This is a brief extension to a written statement
5 I've already submitted.

6 My wife and I have lived in this subdivision
7 for -- well, since 1980.

8 It does not run through to Olive. It sort of
9 abuts with Deaver and Deaver provides access for walkers
10 and bicyclers from the subdivision, and there is a lot of
11 that. They pass -- they all pass in front of my house,
12 and I'm aware of it.

13 Those -- that traffic patronizes Olive Street
14 banks, groceries, pharmacy, miscellaneous shopping, so it
15 can -- it's an entree of the subdivision to Olive and up
16 and down Olive, including the Graeser intersection, which
17 is really the -- the reason for my -- my writing -- or
18 speaking.

19 We're -- we're concerned about the additional
20 width and busyness of Graeser, and how it will affect
21 pedestrian traffic, as well as the vehicular traffic.

22 The QuikTrip is really known for material
23 change. All the material that is going to be sold to
24 customers in the way of fuel and merchandise has to be
25 brought in by truck.

1 So what I would like to see the Commission get a
2 better understanding of is just how is that truck traffic
3 going to be handled.

4 How will the trucks enter the site? Where will
5 they park when they're on the site? And how will they
6 leave the site?

7 We got a mixed message at the last public
8 hearing whether it was going to be using eastbound Olive
9 to southbound Graeser or not.

10 It's not clear to me yet, and I certainly hope
11 that you can get that clarified.

12 Well, I'm envisioning more traffic. I'm
13 envisioning some congestion at the intersection. And
14 I'm -- I'm envisioning difficulty with emergency vehicles.

15 Help me get my visions straight.

16 Thank you very much.

17 CHAIRMAN KISTNER: Thank you very much.

18 Doron Berger.

19 MS. BARBARA BERGER: Can you hear me? Hello?

20 CHAIRMAN KISTNER: We -- yes.

21 MS. BARBARA BERGER: Hello.

22 CHAIRMAN KISTNER: Yes. If you could start --

23 MS. BARBARA BERGER: Yes, this is Barbara
24 Berger, Doron's wife. He has time and I have time. Okay.
25 I'm speaking for him. He was called away on emergency.

1 I am the grandmother -- can you hear me?

2 CHAIRMAN KISTNER: Yes, we can. If you can
3 start with your name and address --

4 (Talking over each other.)

5 MS. BARBARA BERGER: Okay. Okay. I am the
6 grandmother --

7 CHAIRMAN KISTNER: If you could start with your
8 name and address. If you could start with your name.

9 MS. BARBARA BERGER: -- of two young children
10 that live on Winfield Pointe. Okay. I -- I often go when
11 they get on the bus and when they get off the bus, I go to
12 meet these kids.

13 I can tell you --

14 CHAIRMAN KISTNER: Sorry, if you could start
15 with your name and address, that will help us.

16 MS. BARBARA BERGER: Okay. Can you hear me?
17 Can you hear me?

18 CHAIRMAN KISTNER: Yes, we can, but we need --

19 MS. BARBARA BERGER: Okay. Okay.

20 CHAIRMAN KISTNER: We need your --

21 MS. BARBARA BERGER: Okay.

22 CHAIRMAN KISTNER: -- address --

23 MS. BARBARA BERGER: My name -- my name is
24 Barbara Berger. Okay. I have time and my husband has
25 time. Anyway, I am speaking for him.

1 My address -- and me. My address is 133 Ladue
2 Oaks Drive. I live in Creve Coeur. I'm a resident.

3 The reason I have called in is I am a
4 grandmother of two young children that live in Winfield
5 Pointe.

6 I often pick them up when they get off the bus
7 between 3:30 and 4:30.

8 I can tell you the fact that there has not been
9 a tragedy yet with one of -- with -- with a child getting
10 hit is a miracle.

11 These buses do not pull into the subdivision.
12 They stop right on Graeser. These kids get off right on
13 Graeser. Cars are whizzing by, whatever traffic there is,
14 you know, and if a QuikTrip is allowed, god knows what
15 will happen with the traffic. God knows what will happen
16 with the pedestrians, the young kids, getting on and off
17 the buses. It's -- it's crazy.

18 Okay. Every time I think about it, I'm a
19 nervous wreck cause it's already dangerous.

20 At the very least, you know, I'm not even
21 speaking about the -- the QuikTrip now when I say, during
22 bus pick up and drop off, okay, the -- the speed limit
23 should be reduced to 20 miles an hour. Police should be
24 patrolling Graeser totally, so heavily during that time.

25 Okay. If you -- if you allow the traffic to

1 increase, cause people are cutting through to head to the
2 QuikTrip, it -- it's not good. Very, very, very
3 dangerous.

4 I stand on the corner. I wait for these kids.
5 Cars are whizzing by fast.

6 In addition, I'm very fortunate. I have a lot
7 of disposable income. I can go out to eat. I can go to
8 plays. I can go to musical events. I can go wherever.
9 Unfortunately, I am not proud of my city as it is now. If
10 I want to go out to eat or anywhere else, I drive to
11 Clayton and I drive to Chesterfield, which Chesterfield,
12 in the last ten years, has done an unbelievable, fantastic
13 job with their city. Okay. There destinations for
14 wonderful things.

15 The owner of this property at Graeser and Olive
16 has done a horrible job. He has let this property be
17 totally rundown.

18 Okay. If -- if you allow a QuikTrip, all I can
19 think about is the movie "It's A Wonderful Life". Okay.
20 Do you remember Pottersville? Okay. Creve Coeur will
21 become Pottersville. Okay. We are on our way.

22 Get us a town square. Get us some charming
23 things. Make it a gathering spot. Enhance Creve Coeur.
24 Okay. We do not need another gas station. It's insane.
25 I want to be proud of my city, plus it is so dangerous

1 already without the QuikTrip.

2 Thank you. I hope you heard me.

3 CHAIRMAN KISTNER: We did. And thank you very
4 much.

5 MS. BARBARA BERGER: That's it.

6 CHAIRMAN KISTNER: Thank you.

7 MS. BARBARA BERGER: I'm done.

8 Thank you. Please consider this. It's not
9 good.

10 CHAIRMAN KISTNER: We will. Thank you.

11 Our next is Ming Fang.

12 MR. MING FANG: All right. You guys can hear?

13 CHAIRMAN KISTNER: Yes.

14 MR. MING FANG: Okay. And thank you for the
15 time.

16 Thank you, Commissioners and staff, for giving
17 me the opportunity to speak.

18 I reside at -- I reside at 11003 --

19 (Talking over each other.)

20 CHAIRMAN KISTNER: If you could start with
21 your -- if you could start with your name and address. If
22 you could start with your name and address, please.

23 MR. MING FANG: Yeah, my name's Ming, Ming Fang,
24 last name, M-I-N-G, F-A-N-G.

25 We are the resident that recently purchased the

1 11003 Martin Grove Lane.

2 I was shocked to hear my property was on display
3 on Monday night's meeting for the wrong reasons.

4 We went into a bidding war with multiple
5 individuals and one dropped out (indiscernible) proposed
6 gas station to be built next to property.

7 If we were told there was a gas station to be
8 built, we would have not purchased the property at all.

9 CHAIRMAN KISTNER: Mr. Fang, it's a little hard
10 to hear you. If you're able to speak a little closer,
11 maybe, to your speaker.

12 MR. MING FANG: Is -- is it better now?

13 CHAIRMAN KISTNER: Not really. I just want to
14 make sure that we hear you clearly.

15 MR. MING FANG: Is this better?

16 CHAIRMAN KISTNER: Yes.

17 MR. MING FANG: Okay. Can I start over?

18 CHAIRMAN KISTNER: Sure.

19 MR. MING FANG: Okay.

20 So thank you, Commission Members and staff, for
21 giving me the opportunity to speak.

22 I am the resident at 11003 Martin Grove Lane.

23 Our property was mentioned yesterday -- or
24 Monday night. I was shocked to hear my property was on
25 display on Monday night's meeting wrongly.

1 We went into a bidding war with multiple
2 individuals, and one dropped out knowing there's a
3 proposed gas station built next to the property.

4 If we were told there was a gas station to be
5 built, we would not have purchased the property at all.

6 It is utterly distasteful to have QT using this
7 information to sway others and misrepresent the situation.

8 Again, we would not have purchased the property
9 if we were told there was a gas station to be built.

10 The gas station jeopardize how (indiscernible).
11 Giving the horrible emissions of gas from the gas station.

12 The most clear connection healthy risk -- health
13 risks near a gas station is presented in the California
14 Air Resource Board Air Quality and Land Use Handbook.

15 How the facts range from nausea to cancer. The
16 cancer risks posed by gas station emissions stems from
17 Benzine and other components released to the atmosphere
18 while pumping gas.

19 The California Air (indiscernible) case that
20 adverse effects sends out at least 500 (indiscernible) gas
21 pump.

22 In the proposed location, all the gas pumps
23 (indiscernible) is less than 200 feet.

24 The gas station will significantly hurt property
25 value within 500 feet.

1 Recent (indiscernible) that a gas station
2 (indiscernible) reduces a home value by up to 40 percent.

3 U.S. Department of Housing and Urban Development
4 restricts FFA ensured mortgages for home within 300 feet
5 of a tank holding more than a thousand gallons of
6 gasoline.

7 (Indiscernible) people will drive in and out of
8 the intersection, hang out at gas station buying lottos,
9 cigarettes and beer.

10 The 24-hour service also means more lighting
11 pollution, sound pollution and late night hangouts.

12 And the proposed gas tanker driving path is
13 right in the path of Ladue School District student bus
14 dropoff. Many of the kids cross at Graeser. With the
15 increased traffic in the road, it will increase the number
16 of kids' injuries while crossing Graeser.

17 And with all that said, having the QT station is
18 a terrible, terrible idea in a residential area.

19 We strongly oppose having a QT gas station built
20 on Olive and Graeser Road.

21 Thank you.

22 CHAIRMAN KISTNER: Thank you very much.

23 Next up is Doug Wiens. And after that is Alison
24 Berger.

25 MR. DOUG WIENS: Good evening. This is Doug

1 Wiens. We live at 10959 Janridge with my wife Debra.

2 Can you hear me?

3 CHAIRMAN KISTNER: Yes.

4 MR. DOUG WIENS: Yeah.

5 Okay. So I just would like to make a few
6 comments.

7 So we live on the corner of Janridge and
8 Graeser. And we've lived here about 14 years. And during
9 our time here we've noticed an increase in the traffic on
10 Graeser, and we're concerned that with the QuikTrip, the
11 traffic will become even greater than it is now.

12 And it's really, to me, it's really unbelievable
13 that we would be talking about having a tanker turn in to
14 the -- in to the gas station through the other lanes on
15 Graeser.

16 One of the things I really think about here is
17 driving down Graeser in the morning when the school bus is
18 picking up kids. I sometimes follow it.

19 I would encourage anybody that thinks that we
20 should have a gas station in here to do this, follow the
21 bus -- the bus down the road, although I guess school's
22 not on because of COVID, but follow the bus down the road
23 because it's stopping at every -- every few -- every
24 intersection picking up children. And there's a line of
25 cars behind the bus that are all very impatient trying to

1 find an opportunity to zoom past the bus.

2 So it's already not a very good situation. And
3 with a QuikTrip going in at the end of the road, it would
4 be much, much worse.

5 But I think one of the big questions here is
6 what kind of neighborhood, what kind of city do we want to
7 have.

8 The housing comparisons that claim that the
9 QuikTrip will not affect the housing values are comparing
10 this neighborhood to a much, much lower income
11 neighborhood.

12 So, is that the kind of neighborhood that we
13 want to be?

14 I think the reason they can't find a comparable
15 QuikTrip in a comparable neighborhood around St. Louis is
16 because there doesn't -- there doesn't exist for them.

17 No other neighborhood like this would allow a
18 QuikTrip to be located in their neighborhood.

19 And, finally, I would -- I guess I would say
20 that there's no advantage to us to having the QuikTrip
21 here. There's already two gas stations. If you add this
22 gas station, it will just cause one of the other two gas
23 stations to go broke. So then the city will be left with
24 an empty gas station, and we'll have to clean up the --
25 the residue from the tanks of that gas station and try to

1 redevelop that land.

2 So it's just kind of a game of whack-a-ball
3 where we're moving gas stations around the neighborhood,
4 every time we locate one somewhere, they, you know, they
5 cause environmental damage, and then we allow a new one on
6 land that hasn't been corrupted by a gas station yet.

7 So it seems like terrible planning for the city
8 to do this to our neighborhood.

9 And that's my -- my comment.

10 Thank you for listening.

11 CHAIRMAN KISTNER: Thank you very much.

12 Next up is Alison Berger and Brett Berger.

13 VOICE: Alison yielding her time to the Graeser
14 Neighborhood.

15 CHAIRMAN KISTNER: Okay.

16 Do we have anything from Brett Berger?

17 MR. LUMLEY: He is the -- he's the --

18 CHAIRMAN KISTNER: Oh, he's --

19 MR. LUMLEY: He's the first speaker for the
20 group last --

21 CHAIRMAN KISTNER: He's part of the Graeser,
22 okay.

23 So moving on, the next signed up was Kurt Lord,
24 but he is also part of the Graeser Neighbors, and we've
25 allotted some extra time for that group.

1 So Ryan Lord.

2 MR. LUMLEY: He's yielding to Kurt.

3 CHAIRMAN KISTNER: He's yielded to Kurt.

4 And so we have James --

5 MR. LUMLEY: He spoke last time.

6 CHAIRMAN KISTNER: -- Cornelison. He spoke
7 last time.

8 MR. LUMLEY: Yeah.

9 CHAIRMAN KISTNER: Okay. So I think at that
10 point, we've heard all of the new speakers who have not
11 yielded to Graeser Neighbors or who aren't part of Graeser
12 Neighbors for Safety.

13 So we have ten minutes allotted for -- for that
14 group to speak.

15 Is there someone here who wants to start for
16 Graeser Neighbors?

17 We'll start with you, Brett, because you were
18 the first speaker the last time.

19 MR. BRETT BERGER: Hi. Can you hear me okay?

20 CHAIRMAN KISTNER: Yes.

21 MR. BRETT BERGER: Hi. Thank you.

22 Are you able to see -- am I able to share my
23 screen, please?

24 CHAIRMAN KISTNER: We can -- we can set that up.

25 MR. BRETT BERGER: One moment while I pull that

1 up.

2 CHAIRMAN KISTNER: Deborah, just checking in
3 with you. Are you having any difficulty with audio or are
4 you able to get everything down?

5 Sorry, I surprised Chris with that, so he
6 doesn't know to un-mute you.

7 Just one second, Brett.

8 Or you could give us a thumb's up, Deborah, if
9 you're okay.

10 THE COURT REPORTER: It's pretty good. Every
11 once in a while somebody on the phone, it's hard, but
12 it's -- it's pretty good.

13 CHAIRMAN KISTNER: Okay. Thank you.

14 Deborah is our -- is recording this -- is taking
15 a transcript of this hearing for the rest of you.

16 Okay. Brett, if you want to start.

17 MR. BRETT BERGER: Hi. Thank you very much.
18 Thank you for your time.

19 Brett Berger, 10 Windfield Pointe, 63141.

20 I spoke on Monday night, as you know. I think
21 the new information has been presented Monday night, and
22 was presented Monday that's really, really critical for us
23 to discuss.

24 First of all, as Mr. Ming said, there's many
25 government-funded studies that show that homes need to be

1 500 feet from the closest gas pump to the property line
2 for it to be safe.

3 I believe it's a law in California because
4 separating human beings from toxic chemicals is the right
5 thing to do.

6 People that are exposed for long, long time
7 periods, it's very dangerous. Okay. And this is a
8 warning that it is not safe, and that maybe it will be an
9 ordinance or a law one day.

10 Additionally, one thing that was interesting to
11 note is that the ordinance requires that food sold from
12 vending machines for gas stations, it must be sold from a
13 vending machine. I assume it's part of the CUP request,
14 but I didn't really see it highlighted or mentioned
15 anywhere.

16 Additionally, as one of the members of P and Z
17 mentioned, I'm wondering, are both parcels part of one CUP
18 request? I mean they have to be if you're going to
19 include multiple curb-cuts on Olive, they must be two --
20 one CUP request for both of those to include that.

21 I mean normally our ordinance says that a site
22 should only be allowed one curb-cut per street.

23 So like one in and one out on Olive and one on
24 Graeser. However, they're going to buy, they meaning the
25 applicant's going to buy the entire property, along with

1 the 15,000 square foot shopping center that has
2 Pumpernickles in it, so that they can, you know, work some
3 sort of a deal to share cross-access between the lots.

4 Then they're going to sell off that property and
5 facelift it or whatever, but they're still going to share
6 that access. I mean is it legal? Maybe it's legal. I
7 don't know. But to me it seems like terrible planning.

8 If you noticed on the attached image, Point
9 No. 6, and I'm going to go over this image here in -- in
10 significant detail, but this is the site where the tanker
11 truck sweep pass.

12 There is simply no way that a tanker truck,
13 where I'm showing here, would be able to get through that
14 curb-cut without using the curb-cut down here. Okay.
15 It's not physically possible. And that's why they're
16 working this deal with the cross-access that, in my
17 opinion, for lack of better term, is -- is baloney.

18 The entire process is a serious problem, and it
19 cannot be resolved without configuring the entire site.

20 You know, QT cannot be allowed two curb-cuts on
21 Olive, just like every other applicant. You know,
22 especially considering that particular part is not really
23 part of the CUP.

24 Cross-access is serious safety and traffic
25 hazard. You have to cut through one to get to the other,

1 and it's simply not good.

2 On this particular page here, this image, I want
3 to show tanker trucks, talk about tanker trucks, because
4 tanker trucks accessing residential street is not
5 acceptable. Graeser is a residential street. It used to
6 have a weight limit sign, an age ago, not that long ago,
7 but some time back, and that has disappeared. I don't
8 know where it went. But it's a residential street.

9 Tanker trucks do not have enough room to enter
10 the site without using the wrong lane of traffic and
11 blocking oncoming traffic.

12 You look at Point No. 1, here -- well, first of
13 all, let me say that this arrow here, their notes, first,
14 they were only presented on Monday, was the first time
15 we've seen this slide, and it was the first time that QT
16 explained to us how this was going to work. It says they
17 will be coming from the east. They will access -- use
18 Graeser to exit the site. And they will exit from Olive.
19 And so that's what this is showing.

20 So, first of all, it takes into no account that
21 huge tanker truck making a left turn here on Graeser
22 across from Olive. I hope you're able to see this picture
23 okay.

24 If you look here, this is the picture of the
25 tanker truck right here that they're showing. I'm trying

1 to draw it, but it's not so good.

2 And if you look at here, these different dots,
3 you see a dotted, a solid line and a dash line, if I'm not
4 mistaken, those represent where the tire tracks would be
5 if this truck was turning and going through the site.

6 And if you look here, these black lines here,
7 this is the oncoming traffic lane. There's two lanes of
8 traffic. This traffic goes this way, and this traffic
9 goes this way.

10 The tanker truck is going to be coming this way,
11 but it has to sweep all the way here in to this part of
12 traffic, oncoming traffic, breaking the law, going in to
13 oncoming traffic to even get in to the site.

14 Furthermore, I'd like to point out the fact that
15 right here, you can hardly see it, first of all, this
16 drawing rendering is terrible. I'm certain that the lines
17 were made very dense, so you could not see the truck was
18 coming in in to oncoming traffic. That's a weird thing to
19 me.

20 But if you look here, this is the sidewalk line
21 that I'm drawing, and if that tanker truck doesn't do that
22 exactly right, that's the right turn lane that comes up to
23 the sidewalk, that tanker truck doesn't turn at the exact
24 right time, he will be on the sidewalk. Okay.

25 Additionally, if you look at Points No. 2, 3, 4,

1 7, and this guy right here, you will see that these tanker
2 trucks are stretched to the exact maximum limit that they
3 can go without driving on the curbs. Even their most
4 perfect sweep drives over the curb here at 3; drives over
5 the curb here at 2. Would bump into a vehicle if it were
6 parked right here at 4 and sticking out a little bit, they
7 would have to reverse, back up, reverse, back up ten
8 times, you know, 10-point turn mechanism to get through
9 the site.

10 Additionally, here, it cuts through where the
11 canopy is. If a car was right here filling up, they can't
12 get through. If cars were parked right here, while a car
13 was filling up, they can't get through.

14 Additionally, as I mentioned here at Point No.
15 6, this is the access site associated with -- with the
16 applicant. There's no way for a truck to go through here.
17 It's not possible. And that's why they're working this
18 baloney detail with the cross-access here on No. 5.

19 Okay. That's the only way this thing works.
20 Doesn't work any other way, and it's not fair.

21 Additionally, it's not safe and not legal.
22 They're going into the wrong parts of traffic; they're
23 driving over curbs; they're driving in to sidewalks. It
24 is utterly ridiculous.

25 And tanker trucks do not have enough space on

1 this particular site.

2 Additionally, there's no account for them
3 turning left on to Graeser from Olive Road across from the
4 Walgreens there. Okay. Tanker trucks on a daily basis,
5 be from school, bus stop on Graeser, which is a
6 residential road, undeniable safety hazard for me.

7 Additionally, as we've talked about a million
8 times, as Ms. Sadon had said, setbacks are ridiculous.
9 Just because this building doesn't conform and the
10 building over here that's not shown does conform, that is
11 not a good reason to add another building that's even set
12 back even further. Like it's ridiculous. You got one
13 setback, two setbacks, three setbacks. How does that
14 conform?

15 Well, they're going to say, no, the canopies are
16 the setbacks. That is utter garbage. Total garbage.
17 What kind of a person would drive down the street and look
18 at a building and think to themselves that, oh, I'm
19 looking at the -- the -- the, you know, the covered
20 driveway there and that's where the building is. No, the
21 building is way back there. Basically, as Ms. Sadon
22 mentioned, it should have a Graeser street address, and it
23 should be facing the other way. Its frontage should be
24 facing Graeser. So far back. It's utterly ridiculous. I
25 mean I know I'm fired up here. I'm trying to be as

1 respectful as I can be, but I am upset about this. It's
2 not safe and it violates many different aspects. Okay.

3 The city is in a financial crisis. Yes. And we
4 need money. This is not a fix. Okay. If the thing is
5 selling gas at three years from now, you're making money
6 off of it, it would be a miracle. Okay.

7 Also, it's like was said, it's going to
8 cannibalize from the gas stations. A revenue will be
9 cannibalized from declining house values.

10 You know, QT put our neighbors on blast. Not a
11 word to our neighbors about putting their home address or
12 putting their -- their purchase price. Not to mention the
13 fact that those neighbors had no clue that the other
14 families dropped out of the bidding war, and that's why
15 that house went so much. They would not have bought that
16 house. Okay.

17 Additionally, I call into question the
18 impartialness of CBB. Okay. And this is not an
19 indictment of anybody personally, but, why in the world
20 was Lee Cannon sitting in the same room as the applicant
21 all buddy-buddy having a coffee for the remote meeting
22 when the rest of the world is social distancing?

23 The mere fact that they presented together
24 implies their approval.

25 How many studies has been done by QuikTrip --

1 for QuikTrip by CBB in the past years?

2 I mean I really wonder. They seem awfully
3 friendly, and I really call into question the
4 impartialness of the report.

5 The city must do a report where they review
6 multiple driveway counts for multiple different QuikTrips
7 in the St. Louis location that are of similar volume, that
8 must be done and it must be considered, and it must be
9 done by an impartial company of the city's choosing.

10 The entire traffic study does not appropriately
11 consider the applicant's true volume.

12 The QuikTrip lawyer, the other night, said that
13 the city's staff endorsed the project. Just look at the
14 staff report. And that is utter malarkey. The staff must
15 be impartial. The staff has not endorsed anybody.
16 They're simply giving recommendations on if the pieces are
17 following code or not.

18 QuikTrip totally mischaracterized that sale on
19 Martin Grove. And as others have mentioned, the home
20 values that they compared was a ridiculous comparison
21 comparing incredibly high-end homes to homes that are not
22 high-end.

23 Okay. Let me note also, the staff has been very
24 kind and helpful to my committee, to me personally, to
25 everybody. This is not an indictment of anybody

1 specifically. But I very much call into question the
2 impartialness and the application of the city staff here.

3 Why in the world did the city staff not ask for
4 tanker sweep pass in the original plan? Why are their
5 neighbors having to recommend and request those plans?
6 And why is the noncompliant plan only revealed two days
7 ago, and shown on the screen by the applicant for a split
8 second? Why was the plan only made available in a
9 document that was a 350-page document revealed two days
10 ago.

11 City staff is busy working and worrying about
12 parapets and how much brick and canopy and minor
13 landscaping upgrades, but they're failing to do the job
14 asking the tough questions about setbacks, traffic safety,
15 revenue, tanker access and on and on.

16 And speaking of esthetics, they're probably not
17 important, if Mobil On the Run had to put a second story
18 window on their building, why in the world would this
19 applicant not have to do that on their plans as well?

20 Neighbors should not be on the hook, spend their
21 time finding out and asking all these hard questions. The
22 city cannot sacrifice our neighborhood in the name of tax
23 dollars.

24 QuikTrip at Graeser and Olive is not an
25 appropriate conditional use.

1 The Planning and Zoning must do its job to
2 protect its constituents.

3 Here are our demands.

4 CHAIRMAN KISTNER: (Indiscernible.)

5 (Talking over each other.)

6 MR. BRETT BERGER: All pumps must be 500 feet
7 from the closest property line. Only one cutout for QT's
8 use on Graeser. The CUP must include details of --

9 CHAIRMAN KISTNER: (Indiscernible) you have --

10 MR. BRETT BERGER: I'm done. Let me just read
11 my five points and I'm done.

12 CHAIRMAN KISTNER: Well over the ten minutes
13 allotted to your group.

14 MR. BRETT BERGER: This is my and Kurt's time.

15 CHAIRMAN KISTNER: I know, and we are counting
16 that.

17 That's -- so I was --

18 MR. BRETT BERGER: Okay. Well, they need to fix
19 the tanker sweep pass. Pumps need to be 500 feet. They
20 can't be breaking the law by driving in to other people's
21 lane of traffic. And we need a study that shows house
22 values and proper traffic counts, and setbacks have got to
23 comply.

24 This is ridiculous.

25 Thank you.

1 CHAIRMAN KISTNER: Thank you very much.

2 I -- I had thought to call on Ryan Lord, who
3 yielded his time to Kurt Lord, but you just claimed his
4 time, so I guess that's probably the last of the public
5 comment.

6 Is there -- is there anyone additional, if you
7 would like to speak, you have not signed up, you can do a
8 raise your hand function or Star 9, if you're not signed
9 in.

10 There's some -- there's somebody with a --
11 without a name.

12 You can try, but I don't think (indiscernible).

13 Okay. So just allow somebody who doesn't have a
14 name who raised their hand. Okay.

15 Is there anyone who's been un-muted that's --
16 that's looking to speak that raised their hand? Okay.

17 MS. TRACY EROWITZ: Hello. Can you hear me?

18 CHAIRMAN KISTNER: Yes.

19 MS. TRACY EROWITZ: My name is Tracy Erowitz. I
20 live at One Winfield Pointe Lane. I have resided here
21 since August of 1991.

22 And one of my concerns is the presence of a fuel
23 tanker carrying 11,000 gallons of fuel coming down a
24 residential street like Graeser.

25 I know that when my daughter came home from

1 college, we shipped her car on a eighteen-wheeler. He
2 could not even make the turn on to Graeser. We had to go
3 to the intersection of Graeser and Olive to pick up her
4 car.

5 I've never even seen a eighteen-wheeler even
6 attempt to turn. And if a truck comes, the shopping
7 center, they're always turning off of Olive.

8 And my question is how many gallons of gas is
9 sold to QT? How many gallons does the underground storage
10 tanks hold? How often are they refilled?

11 I believe the woman with QT on Monday said that
12 it might be every two days. If that is the case, then
13 that is already too many times to have a fuel tank turning
14 down Graeser, and what happens if they decide to go down
15 Ladue Road to Graeser?

16 Also, the curb-cut of -- of Graeser is about 28
17 to 30 further south than it sits today. It brings that
18 whole fuel tank closer to the houses and the kids riding
19 their bikes, selling lemonade on Graeser.

20 If the city implemented the plan to make Olive a
21 more pedestrian-friendly area, then this is the wrong
22 tenant for the site.

23 We want an area like a downtown Kirkwood or
24 Webster, then this is wrong for the area.

25 Traffic on Olive is already bad. Will continue

1 to get worse.

2 Olive is a major east/west corridor carrying a
3 lot of traffic. There is always someone speeding on
4 Olive, making an illegal left turn when no left turn sign
5 is posted.

6 My concern is the future of Creve Coeur, and the
7 P and Z has to make the best recommendations based on the
8 long-term community needs.

9 And what happens if there are kids who end up
10 hanging out at night, and (indiscernible) QT, cause that
11 could possibly happen also.

12 I appreciate your time. And thank you so much.

13 CHAIRMAN KISTNER: Thank you very much.

14 VOICE: Ryan Lord and Kurt Lord are indicating
15 they want to speak individually and they are not yielding
16 their time to Graeser Neighbors.

17 CHAIRMAN KISTNER: Okay. So, although
18 Mr. Berger indicated that he had taken the Lords' time,
19 the Lords have indicated they still want to speak on their
20 own, so we'll recognize Ryan Lord.

21 MR. KURT LORD: Can you (indiscernible) Ryan
22 Lord?

23 CHAIRMAN KISTNER: Yes.

24 MR. KURT LORD: Okay. And I will be brief.

25 My name's Kurt Lord. I'm at 11035 Graeser Lane.

1 CHAIRMAN KISTNER: I'm sorry. Excuse me one
2 second. Excuse me one second.

3 I did recognize Ryan Lord, who was --

4 MR. KURT LORD: Oh, I'm sorry.

5 MR. RYAN LORD: I yield my time to my father,
6 Kurt Lord.

7 CHAIRMAN KISTNER: Okay. I just want to make
8 sure that we knew who we were talking to.

9 MR. KURT LORD: Okay. Is that okay,
10 Ms. Kistner, can I proceed?

11 CHAIRMAN KISTNER: Yes.

12 MR. KURT LORD: Okay. My name is Kurt Lord.
13 I'm at 11035 Graeser Lane.

14 I'm speaking individually tonight.

15 As you may know, my wife was hit by a distracted
16 driver at this intersection. You may have seen the
17 pictures.

18 My two-year-old was almost killed in a stroller
19 in the crosswalk of this intersection.

20 QuikTrip, by its defined purpose, brings
21 distracted drivers and harms to residents and to a
22 dangerous street, and an area not envisioned by our city
23 fathers for this purpose.

24 Additionally, following up from last night -- or
25 from the last time we talked, the attorney for QuikTrip

1 indicated that the staff approved their proposal. As we
2 can -- as I confirmed with staff, the standard of -- for
3 approval is that the applicant has met the CUP
4 comprehensive plan conditions.

5 Staff only noted that the proposal only allotted
6 many of the conditions. That's not the standard.

7 QuikTrip made significant misleading statements
8 to Planning and Zoning, which Ming Fang (indiscernible)
9 tonight.

10 The applicant's plan violates the conditional
11 uses on many fronts. They could look at 405.470(F), which
12 they did not get permission to do; 405.550, 405.610(B), as
13 well as the objectives of the Comprehensive Plan East
14 Olive Corridor.

15 This is a Generation 3 QuikTrip; 4,993 square
16 feet with four entrances. Classified by the industry as a
17 mega convenience store.

18 The traffic study is inaccurate regarding the
19 traffic and the -- and what should be measured a
20 Generation 3.

21 QuikTrip is selectively using the land with its
22 15,000 square foot building to achieve its objectives, and
23 will only own the site long enough to meet its goals until
24 it dispose of it to another party.

25 P&Z should consider this site as a whole, not

1 individually, so that QuikTrip can skirt Creve Coeur
2 regulations.

3 QuikTrip must have the site to get cross-access
4 on Olive, yet QuikTrip does not include the increase in
5 traffic in the retail traffic study.

6 And as staff has notes on page 8; access to all
7 service stations should be limited to two curb-cuts. If
8 on a corner there should be more than one cut per street.

9 QuikTrip violates this requirement. And
10 QuikTrip is taking a nonconforming retail site and a
11 setback and instead of improving it, they're expanding the
12 nonconformity.

13 So, in conclusion, the application is violation
14 of the CUP ordinance, the comprehensive plan, so we ask --
15 I ask personally that you deny it.

16 The traffic study is incomplete and
17 substantially underrepresents the -- mischaracterizes the
18 traffic figures.

19 I ask that it be redone and reanalyzed by the
20 city's traffic study.

21 I ask that you have the traffic study redone
22 encompassing the traffic increase on the entire site, the
23 traffic through the entire site, and a study that focuses
24 on Generation 3, 4,993 square foot QuikTrip.

25 The CUP should be done for the entire site, not

1 just part of it.

2 And MoDOT and the Fire Protection District
3 should be asked to analyze the entire site.

4 Ask QuikTrip --

5 CHAIRMAN KISTNER: Thank you.

6 MR. KURT LORD: -- to present a plan without any
7 traffic degradation; prohibit tanker truck access from
8 Graeser Road; have QuikTrip show a plan without Graeser
9 Road access for tanker trucks; limit, as per rules, to one
10 entry exit on Olive and one on Graeser; refuse to let
11 QuikTrip relocate the access points on Graeser further
12 south towards the school crossing; have the QuikTrip
13 comply with all objectives of the Comprehensive Plan and
14 the East Olive Corridor, including setbacks.

15 And due to the representations of the QuikTrip
16 representatives, have QuikTrip finance a finance of
17 property study regarding property values.

18 And, finally --

19 (Talking over each other.)

20 CHAIRMAN KISTNER: Thank you very much. And I
21 do know that you --

22 MR. KURT LORD: (Indiscernible.)

23 CHAIRMAN KISTNER: I know that you've -- I know
24 that you've submitted these remarks in person -- I mean in
25 writing, so we do have all of the remarks that you're

1 reading now.

2 MR. KURT LORD: Okay. I'm done.

3 CHAIRMAN KISTNER: Your three minutes is
4 substantially over.

5 Thank you.

6 MR. KURT LORD: Okay.

7 We have a Kurt Cornelison.

8 VOICE: No.

9 CHAIRMAN KISTNER: No?

10 VOICE: Kurt -- Kurt was just speaking. Jim
11 Cornelison.

12 CHAIRMAN KISTNER: Oh, yeah, but Jim spoke
13 already.

14 MR. LUMLEY: He spoken before.

15 CHAIRMAN KISTNER: Okay. So do we have anyone
16 new that has raised their hand that has not spoken
17 already?

18 So last call for raising hands electronically,
19 if you have not spoken already. Give a minute for that.

20 If not, then that will be the end of our public
21 comment portion.

22 Next up then is staff.

23 MR. JAGGI: Okay. Thank you.

24 Members of the Planning Commission, Members of
25 the Public, Jason Jaggi, Director of Community Development

1 with the City of Creve Coeur.

2 I just want to check and make sure you can hear
3 me okay? If the Commissioners could nod for me. Thank
4 you.

5 VOICE: (Indiscernible).

6 MR. JAGGI: Thank you.

7 I did want to touch on a few things based on the
8 comments that have come up, and I bring these comments to
9 you just to offer some context and -- and possible
10 suggestions for the Commission from a staff perspective on
11 some of the comments that have been raised during the
12 public hearing.

13 They're not intended to directly provide support
14 or opposition, more of an explanation of the ordinance, of
15 the context of the Comprehensive Plan, Design Guidelines
16 and all the different elements that we look at for
17 development proposals.

18 There are a lot of different things we look at.
19 It can be kind of confusing a little bit to know what the
20 role is for each of these documents.

21 So I hope -- I want to touch on that just
22 briefly, and then explain that for you, because there is a
23 lot of interrelatedness with this information that you
24 need to be aware of in terms of the decision-making for
25 this application.

1 So I want to start out with a screen share and
2 take a look at the Comp Plan just briefly here.

3 Going to go here just a second. Okay.
4 Hopefully, you all can see that okay.

5 Just a brief nod would be great for some of the
6 Commissioners. Okay. Excellent.

7 Okay. So this is page -- the -- first of all,
8 the Comprehensive Plan, with respect to the Comprehensive
9 Plan review and our review as it applies to development
10 applications such as this, the key issues here are how do
11 all of the components and recommendations of the Comp Plan
12 fit together.

13 I think that is the charge of us as a city, is
14 to put all these pieces together to formulate, you know,
15 a -- a level of -- of compliance. Is it in -- is it
16 consistent with the recommendations.

17 And, collectively, are they consistent with the
18 development -- development application under review.

19 Staff has provided our analysis looking at
20 several elements of the plan, and we have formulated on
21 our opinion on the section of the plan that we feel are
22 relevant to this request.

23 But I just wanted to kind of put -- put some of
24 that out there. There's a lot of different pieces of the
25 plan. And I think it's our charge to put all that

1 together and formulate a level of consistency or not with
2 the direction and recommendations of the plan.

3 And I want to highlight page 92 of the plan.
4 This has been suggested a lot with respect to the -- the
5 desire for standard or uniform setbacks.

6 And so what we have here on page 92 is there is
7 a preface here that I want to make sure we understand.
8 And it's explained here on that page of the plan.

9 It says, "Diagrams below illustrate the plan lot
10 size for redevelopment, including pedestrian and vehicular
11 access, crosswalk connections, parking and buffering and
12 other recommendations. They're diagrams. They're not
13 site plans. And they -- they do not convey specific
14 dimensional or regulatory arms.

15 So these are concepts. They are not -- they
16 don't carry the same weight as a zoning ordinance
17 requirement where you have to meet the setback.

18 So these require, and at the recommendations of
19 the planning, they require analysis in order to implement.

20 And so as a Commission, we have been doing that
21 over the past year. We've had work sessions together to
22 look at how we might develop an ordinance or design
23 guidelines to -- to -- to implement this. And, quite
24 frankly, that's been challenging given all of the
25 different characteristics of the corridor, different types

1 of uses, existing buildings versus new, putting it
2 altogether, we're still looking at it, but it is
3 challenging to do that. But it is a concept that still is
4 under review on how -- how we do that.

5 But I would say during the review it has been
6 acknowledged that variation is going to be needed to some
7 degree. I think we have come to that.

8 And the other thing I wanted to touch on is that
9 the -- the uniform setback, this illustration on the lower
10 part is an illustration. It shows new examples. It shows
11 some of these concepts of how they could be achieved.

12 And I would point out this application does seem
13 to bring forward some of these with respect to a second
14 tier pedestrian zone where you can walk in front of retail
15 buildings and connect to one another, one building to the
16 next; shared lots; utilizing shared parking lots and
17 providing parking in the rear and service areas and so
18 forth.

19 So just a clarification on that, I think is
20 important in terms of the role of that particular page in
21 our Comprehensive Plan.

22 This is the site here, as you all know. I don't
23 want to forget this, cause I think sometimes the drawings
24 can be a little difficult to discern. This provides kind
25 of a simple picture of the proposal, how it would overlay

1 the current site and with some of the surrounding areas as
2 well, so this is an exhibit and it might help you as
3 you're looking for a general picture of it.

4 I would also mention that there's been a lot of
5 discussion on crime issues, and with gas stations and what
6 that may bring to the neighborhood.

7 I, if the Commission desires, I can go back to
8 Creve Coeur Police Department and Chief Eidman and request
9 that service call information, if that's something you all
10 want to see, I'm sure the Chief will provide that for your
11 review, and I would be happy to provide that as well for
12 the public's review with respect to crime and maybe crime
13 as they relate to gas stations in particular.

14 There has also been a question about staff's
15 role in the process. And I think the residents are spot
16 on with that from what I've heard. We do not make a -- a
17 particular recommendation of yes approve or no deny.

18 What our charge is to do is to review the
19 applications against the City's Codes, assess the level of
20 appearance to planning documents that guide us, meaning
21 the Comprehensive Plan and Design Guidelines, and provide
22 that information to the decision makers, and that comes in
23 the form of our staff report and our presentation, such as
24 this.

25 Ultimately it's the P and Z Commission that will

1 make the recommendation based on all of this information,
2 as well as comments from the public and the applicant, and
3 provide that to the City Council. The City Council will
4 ultimately make the final decision up or down.

5 And that is correct, we don't -- staff does not
6 approve projects. We are not the decision makers for
7 these types of applications.

8 I would also mention that when this does go on
9 to the City Council, the City Council does take comments
10 from the public, so when it moves away from Planning and
11 Zoning, there is still the opportunity for public
12 participation.

13 With that, that does conclude the comments that
14 I had prepared for tonight.

15 I also would like some comments from our traffic
16 consultant. This is the city's traffic consultant that I
17 mentioned. His name is Kyle Evans. He's a credentialed
18 professional traffic operations engineer. He works for
19 George Butler & Associates, and he has been reviewing this
20 application, the traffic study in particular, as an
21 independent voice; not from their engineer; not, you know,
22 not from staff or whatever. He's -- he's charged with
23 taking an objective look at this proposal and weighing in
24 on it.

25 And I would like to introduce him and provide

1 just a few comments on his -- his take on some of the
2 comments that have been raised this evening, if that's
3 okay, and then I think we'll be done with our comments.

4 CHAIRMAN KISTNER: Thank you.

5 MR. KYLE EVANS: Hi. Thank you.

6 As mentioned, my name's Kyle Evans. I'm a
7 professional engineer and a licensed professional traffic
8 operations engineer. I work for George Butler &
9 Associates here in the St. Louis area. I've been in the
10 industry for over 21 years. And I've taken part in these
11 studies throughout the St. Louis area and across the --
12 the country based on some of my previous employment.

13 My job, as part of this project, was to go
14 through and read through the submitted traffic study and
15 kind of produce some of the background, the application of
16 the methodology, and just kind of see if there were any
17 items that needed to be further addressed.

18 From -- from my reading through it, I found that
19 the study was performed in accordance with the industry
20 standards and in a fashion that's typical with the
21 requirements of the city and MoDOT.

22 In terms of the steps as this project goes
23 through, they went out, they collected counts of the
24 existing roadway, which included the existing site traffic
25 for the two commercial buildings on those properties.

1 The next step was to develop some trip
2 generation for the new proposed site. This was also done
3 based on collective locally -- I'm sorry. This was done
4 on -- based on counts that CBB had collected locally.

5 I also compared those to the ITE Trip Generation
6 Manual Practices, and found that the results are a
7 conservative value, so the values that CBB presented are
8 actually higher than what they would have had if they went
9 through the ITE Trip Generation Manual.

10 So, in terms of that, they are showing
11 additional traffic going to and from the site that is
12 above and beyond what is usually a standard practice.

13 In addition, as mentioned, these type of
14 developments include high pass-by traffic, so anyone
15 that's already on Graeser, anyone that's already on Olive,
16 a lot of that traffic is what's going to be pulled in to
17 this site and exit at the site to go back up to Olive or
18 Graeser.

19 One important note. These values are always
20 developed based on a weighted average. So the amount of
21 trips that are assigned away from the site are going to be
22 in a ratio related to the existing traffic on those
23 roadways, and based on that, there was about 5 percent
24 traffic that came to and from the south along Graeser.
25 And the study shows that there's going to be fewer than

1 100, quote, unquote, new trips that did not start out on
2 Graeser. So it would be drawn to the area, and so it
3 works out to four or five vehicles total based on the new
4 site that's going to be applied to Graeser.

5 In addition to that, based on the existing
6 connectivity to 270 and to Lindbergh, it doesn't appear
7 that Graeser is a really beneficial cut-through for
8 anyone. They're not going to exit at Lindbergh to go to
9 Ladue to cut up to where this QuikTrip location is at.
10 They have all the accessibility that they need from the
11 east and the west along Olive.

12 Also, with regards to any of the results from
13 the study, those were completed using the software package
14 Synchro, which is a typical program utilized for this type
15 of study.

16 The overall level of service findings fall
17 within MoDOT's range of acceptable levels of service.
18 Everything was a D or below for the overall intersection
19 results.

20 There will be some individual approaches that
21 fall below that level, but, typically, along the corridor
22 like Olive, the majority of the griding time is assigned
23 to the major thoroughfare, which improves congestion,
24 reduces emission problems, and works to promote clean air.

25 So if there is a slightly lower level of service

1 on a side road, that is typically acceptable.

2 But even with the additional traffic in the
3 improvements that were mitigated through the change in
4 cycle -- excuse me -- the change in the phasing of the
5 signal, it still came out as a level service D for
6 northbound Graeser, which is an acceptable level of
7 service.

8 And that includes, you know, the additional
9 protected left, which is going to actually improve the
10 ability to get off at Graeser on to Olive, which could be
11 a problem without any improvements at the intersection.

12 And then one last thing. Just noted that the
13 study incorporated the changes that were requested by
14 MoDOT, and then just -- there's going to need to be a
15 little additional clarification and insight in the
16 operations related to the queuing for northbound traffic,
17 and then that through right turn lane.

18 So that was one last question that I know I had
19 discussed with city staff that we would like to see
20 clarified just a little bit more.

21 CHAIRMAN KISTNER: I have a question on
22 something you said towards the end, and I had a little
23 trouble hearing.

24 Did you say that the -- the signal would be B,
25 as in boy, or D, as in David?

1 MR. KYLE EVANS: Actually, I think it was D, as
2 in dog.

3 CHAIRMAN KISTNER: Dog.

4 And is that for all periods of time; morning
5 rush, what was the --

6 MR. KYLE EVANS: Based on the field conditions
7 in the morning peak, it was analyzed at a level service C,
8 as in cat.

9 In the midday it was a level service C overall.

10 And then with -- with the improvements that
11 MoDOT requested, it actually resulted in a level service
12 C, as in cat.

13 And without any improvements, it was a higher
14 level service D, as in dog.

15 CHAIRMAN KISTNER: So C in the morning; C in
16 midday; C in the evening if the mitigation that was
17 proposed was adopted, is that correct?

18 MR. KYLE EVANS: Correct.

19 CHAIRMAN KISTNER: And the current -- the
20 current levels are what in morning, midday and --

21 MR. KYLE EVANS: The current levels are C, as in
22 cat, in the morning; B, as in boy, in the midday, and C,
23 as in cat, in the p.m.

24 CHAIRMAN KISTNER: So with mitigation, the only
25 part that degrades is the midday, is that correct?

1 MR. KYLE EVANS: Correct.

2 CHAIRMAN KISTNER: Thank you.

3 Do members of the Commission have any questions
4 for the traffic engineer?

5 Yes, I see -- I'll start with Mr. Streiler.

6 MR. STREILER: Yeah. I was curious, I don't
7 know that I fully understand the mitigation efforts.

8 I assume we're talking about northbound Graeser,
9 and I know there was discussion about a right turn lane
10 being extended, possibly all the way south to the proposed
11 new entrance.

12 Is that one of the mitigation factors that are
13 included that gets that Graeser intersection from a level
14 E to a level D?

15 MR. KYLE EVANS: That -- that's the situation
16 that needs to be further clarified.

17 So I think the last go-round of the study and
18 results that we looked at were prior to showing an
19 extension of that, and it only included modifications to
20 the signal phasing.

21 And so -- and the biggest question related to
22 the extension of that turn lane is the potential for any
23 kind of queuing traffic northbound lefts to block off
24 access to other vehicles wanting to go to the through
25 right lane to go right on Olive.

1 So any improvements would -- would, basically,
2 reduce the queue lane that includes any blockage and then
3 allow additional traffic to go through.

4 CHAIRMAN KISTNER: Mr. Rovak.

5 MR. ROVAK: Yeah, and I hope this doesn't really
6 overlap with Todd's question.

7 That -- the turning motion that was portrayed, I
8 didn't know if -- if GBA's scope included that and what
9 was -- if you had, you form an opinion as to how accurate
10 were those -- was that turning track, certainly, one of
11 the commenters, certainly, was trying to throw cold water
12 on that, and it looked, at least as I tried to follow his
13 comments, that he did raise some very valid questions,
14 given the size of the vehicle and the relatively limited
15 space to make that turnaround after coming in -- turning
16 on to Graeser and then in to the -- in to the development.

17 So, but, again, I don't know if that was in your
18 scope, or if you've had a chance to review the tracks
19 both, I guess, for the tires, and, more importantly,
20 overhang of the vehicle and everything.

21 MR. KYLE EVANS: Right. And I, actually, I have
22 not seen that, other than briefly Monday night, and then
23 also earlier during this meeting, so I haven't had the
24 ability to review it in any way, shape or form.

25 MR. ROVAK: Okay. Yeah, hopefully, staff would

1 ask you to continue or -- whether that's staff in-house or
2 with your assistance, I think that's something we'd
3 certainly want to see how -- how serious an issue that is.
4 Because on the face of it, seemed to be, and I don't
5 consider myself qualified to traffic issues or vehicle
6 turns, but I'd like to see that pursued a little further.

7 MR. KYLE EVANS: Okay.

8 CHAIRMAN KISTNER: We have --

9 MR. MYERS: I had a question also.

10 CHAIRMAN KISTNER: Yes.

11 MR. MYERS: Jason presented a table Monday with
12 reduced wait times at the signal.

13 Mr. Evans, did you prepare that where it showed
14 after the mitigation the installation of the protective
15 left arrow for MoDOT? Did you prepare that -- that slide
16 to show the change in queuing time on northbound Graeser?

17 MR. KYLE EVANS: I did not. Those numbers are
18 directly out of the report or followup memos from CBB --

19 MR. MYERS: Okay.

20 MR. KYLE EVANS: -- and analysis that they
21 completed.

22 MR. MYERS: Okay. Thank you.

23 MR. CARNEY: And I have a question of -- that
24 I'll ask CBB as well.

25 The existing shared driveway, according to the

1 CBB report, it looks like it's currently a -- an E level
2 and it would go to an F.

3 Did you evaluate the cars that will be crossing
4 over and trying to go back across Olive going westbound or
5 is that --

6 CHAIRMAN KISTNER: Gene, you're a little hard to
7 hear.

8 MR. LUMLEY: Tim.

9 CHAIRMAN KISTNER: I mean sorry. Tim. You're a
10 little hard to hear.

11 MR. CARNEY: Okay.

12 I'll get closer to the microphone. Is that any
13 better?

14 CHAIRMAN KISTNER: A little better, yes.
15 Thanks.

16 MR. CARNEY: Okay.

17 The question is about the -- the shared driveway
18 in the shopping center area.

19 It looks like it's currently an E level right
20 (indiscernible) the CBB, and it'll go to an F, so I assume
21 that will get worse.

22 And I just have a question because I think cars
23 are going to be lined up trying to get out on to Graeser,
24 people like me, who are impatient, are going to try to cut
25 over there and cut across Olive.

1 Just wondered if you looked at that issue, and
2 if there's any mitigation that can be done to stop the --
3 the traffic situation that could be caused by that?

4 MR. KYLE EVANS: Is that -- is that a question
5 for CBB or for myself?

6 MR. CARNEY: No, yeah, that's for Kyle.

7 Did you study that as part of your study, that
8 intersection?

9 MR. KYLE EVANS: I -- so I looked at that as
10 part of was submitted by CBB.

11 And, again, the methodology that they used is
12 appropriate.

13 And in instances like that, an unsignalized
14 intersection will typically operate at much lower levels
15 of service with higher delay, especially against a major
16 collector like Olive, just due to the fact that it's
17 unsignalized, and they have to look across three lanes of
18 traffic to make that left to go westbound.

19 So the way that it -- it was analyzed, and I
20 guess the mitigation strategy, is that there's the
21 cross-access between the properties to allow vehicles to
22 go over to Graeser and go northbound to the signal to get
23 out.

24 And I will add that based on the latest
25 mitigation strategies that they used, the queue lane is

1 going to be such that it's approximately 160 feet at its
2 maximum, which is towards the back end of that turn lane
3 that's out there existing, so there shouldn't be a ton of
4 vehicles that get stuck on the QuikTrip property waiting
5 to get out.

6 So it should be a pretty smooth flow of traffic
7 to get to the signal, the wait for the green and to go.

8 And, again, based on them adding a protective
9 left turn for northbound, vehicles will be able to make
10 that turn pretty easily since they've got the dedicated
11 movement there at the beginning of their -- of the
12 northbound cycle.

13 MR. CARNEY: Okay.

14 And I have another question.

15 One of the suggestions I think you had was to
16 limit the cars turning left on to QT on to Graeser so that
17 they could not get into the right turn lane. Is that
18 something you still consider, or did you decide that that
19 would not be worth it?

20 MR. KYLE EVANS: I -- I think the statement that
21 I had made was it appeared like in the original analysis
22 that that queue lane -- the queue from the left turn lane
23 was blocking vehicles from getting out of -- either
24 getting out of the QuikTrip site or continuing north on
25 Graeser, cause it's blocking out where the roadway widens

1 out, but that was before the protective left turn lane --
2 or the protective left arrow was added, which reduces that
3 queue enough that it doesn't block the movements.

4 So I think that -- that mitigation strategy of
5 the protected phase at the signal has corrected that
6 issue.

7 MR. CARNEY: Okay. Thank you.

8 CHAIRMAN KISTNER: Other questions from
9 Commission Members?

10 MR. LUMLEY: Todd just raised his hand.

11 CHAIRMAN KISTNER: Sorry. Todd.

12 MR. STREILER: Yeah, I have another question,
13 but it's more of a follow-up to the question I had on
14 Monday night to CBB's engineer. And I think he answered
15 the first part regarding the traffic volumes that were
16 included in the report seemed to have been taken,
17 obviously, when the retail was open or at least some
18 tenants remained in the proposed redevelopment retail
19 area.

20 What I specifically requested was a study done
21 or was a contemplated in the volume calculations what
22 those volumes may be forecasted if the 15,000 square foot
23 retail shops were fully occupied.

24 And I asked that because it seems to me that the
25 way the traffic circulation works, both on-site and

1 off-site, requires a lot of the traffic generated or
2 traffic by the retail or even QT to kind of sweep across
3 the QT site and -- and utilize that signalized
4 intersection on Graeser.

5 So with that being said, it seems very important
6 that we have an understanding of the future traffic
7 impact, of not only QT, but also the traffic volumes from
8 the retail to the west.

9 To put that in the form of a question, Kyle, did
10 the current study include projected volumes for both the
11 QT and the fully occupied retail center to the west?

12 MR. KYLE EVANS: From where I can see in the
13 study, yes. So they take the -- the 2020 baseline
14 condition, which takes into account all of the traffic
15 that's currently on the site for both buildings, and it
16 leaves that in place, and then adds the QuikTrip traffic
17 on top of that.

18 So if they were going to revise that and look at
19 both buildings, they would have started with a net sum of
20 zero traffic volume, and then applied everything, but
21 they -- they had volumes that were already associated with
22 the site prior to adding the QuikTrip generation.

23 MR. STREILER: Do we know if those are volumes
24 based on the current occupancy or the projected
25 100 percent occupancy?

1 MR. KYLE EVANS: Based on the study, those were
2 associated with the counts they had taken in, I believe it
3 said in August of 2019, so those weren't theoretical
4 numbers, those were actual counts taken in the field.

5 MR. STREILER: Based on whatever uses are
6 currently there?

7 MR. KYLE EVANS: Correct.

8 MR. STREILER: Jason, do we know -- do we know
9 about a percentage or how occupied that retail center is?

10 I -- it's my understanding it's 15,000 square
11 feet, and I think it needs 60 parking stalls.

12 MR. JAGGI: I don't know exactly. We can
13 certainly come back with that specific information.

14 I would say it's probably around two-thirds
15 occupied at this point, somewhere in that area.

16 MR. STREILER: I think that would be helpful.

17 As we -- as we get towards the level service of
18 D and high D, it doesn't take a whole lot to hit that
19 tipping point, and I think we -- it would really be
20 meaningful to have a good understanding of the projected
21 counts for where the site, which includes retail,
22 15,000 square feet.

23 MR. JAGGI: Yeah, and I think -- I think Kyle is
24 suggesting it as well.

25 You know, we need a little more clarification on

1 the traffic impacts. I think there's been some, you know,
2 some efforts for mitigation, but there is also some --
3 some relatively late additional considerations for
4 mitigation that I do think needs to be reported back from
5 the applicant's traffic engineer succinctly, and in a
6 follow-up, you know, follow-up to the report for your
7 information, and then I think that also needs to be
8 reviewed by Mr. Evans in terms of agreement or not or
9 whatnot.

10 So I do think that's something that we need to
11 come back with for that so we can be -- all be a little
12 more clear on it.

13 CHAIRMAN KISTNER: I have one additional
14 question for Kyle.

15 Was the trip generation report that CBB produced
16 and you reviewed, was that based on the, you know, the --
17 how was the -- the QuikTrip itself categorized? Was it
18 based on the square footage of convenience store plus the
19 number of pumps? What is the -- how -- how is -- how are
20 those figures generated?

21 MR. KYLE EVANS: Typically, with regards to IT
22 standards, they usually look at the number of vehicle
23 fueling pumps, and that's, typically, how that category is
24 listed for a multiplier.

25 I don't know exactly how they collected the data

1 throughout St. Louis, but it could have been an aggregate
2 study where they looked at multiple locations and counted
3 the number of pumps, and then came up with a, you know, an
4 average number, which was able to allow them to calculate
5 for this site based on sixteen vehicle fueling pumps.

6 MR. JAGGI: I would just ask that I think that's
7 something we would also ask CBB to come back and clarify;
8 how that data was collected, so you can have that
9 information.

10 MR. POTASHNICK: Okay. I have a question.

11 CHAIRMAN KISTNER: Yes.

12 MR. POTASHNICK: To the supplemental information
13 that we're gathering, is it also going to include an
14 analysis of east side of Graeser, in the -- in the
15 roadway?

16 Or is that -- are we going to do this in an A
17 part and a B part?

18 MR. JAGGI: Well, yeah, I think that is -- that
19 is certainly in the mix here.

20 There's a willingness by QT, and they've stated
21 that during these proceedings, that they're willing to
22 look at extending that right turn lane, which is on the
23 east side of Graeser.

24 But I think we need to understand very clearly
25 what the -- what the level of service is and -- and where

1 we're at, where the stacking is, and determine if that's
2 even necessary. It may be. It sounds like it's close,
3 and it sounds like QT is willing to provide even further
4 mitigation if it's required.

5 So, I think we've got to put a lot of this
6 information together and include that as well.

7 CHAIRMAN KISTNER: And once we conclude the
8 public hearing tonight, that's going to be our -- our next
9 area of discussion among ourselves, is what information do
10 we want to ask staff to collect before we, you know,
11 proceed with our discussions at the next meeting.

12 So be -- be thinking about that.

13 Are there --

14 MR. STREILER: Chairman Kistner, I've got a
15 couple more things.

16 One, I think if it wasn't mentioned, I think it
17 would be important now that we've seen the schematics, for
18 the turning movements for that tanker truck. I would like
19 your opinion, Mr. Evans, on how that works and how we can
20 maybe offer some mitigating factors to allow that -- that
21 to work.

22 I think it's a pretty important part of the site
23 to function, and if we could look at various alternatives
24 to make those movements work.

25 And I think a speaker also mentioned maybe

1 having the Fire District run their templates to make sure
2 that they can access the site too.

3 So I guess I'm asking staff to extend this
4 request to include an evaluation of the, you know, the
5 tanker, the truck movements.

6 CHAIRMAN KISTNER: And, Todd, we'll get to that
7 when we -- when we do our discussion about what additional
8 information we want, that will include that.

9 MR. STREILER: Lastly, I guess, would it be a
10 fair condition, if you will, to require that -- that we
11 not exceed a level of service of E? Is that -- is that a
12 fair and attainable recommendation or condition?

13 CHAIRMAN KISTNER: I think that's -- I think
14 that's pertinent to our discussion once we, you know,
15 we've begun our discussion of what's been presented in the
16 public hearing.

17 Jason, do you have --

18 MR. JAGGI: I'm sorry. I -- I agree with that.

19 CHAIRMAN KISTNER: Any other questions for staff
20 or the traffic engineer?

21 MR. ROVAK: I have some questions for staff.

22 I don't think I have anything else for Mr. Evans
23 though.

24 CHAIRMAN KISTNER: Okay.

25 MR. ROVAK: Couple of things. Well, one thing,

1 there was talk, but I don't know how rigorous it was, or
2 if it was just an opinion that the applicant offered about
3 no -- none of these tankers traveling south on -- on
4 Graeser.

5 So one question would be, is that a legitimate
6 condition that we could place during all this? They said
7 they, you know, it was said, well, they don't have
8 control.

9 Obviously, if somebody is a primary vendor of
10 theirs or their main product, I think they do have some
11 kind of control.

12 So the one -- one question would be is that
13 something that would be within the limits or within an
14 acceptable use of our conditions? Could we place such
15 condition that they do not use south -- that they do not
16 use southbound Graeser for continuation of routes from
17 their trucks?

18 That's -- that's one question.

19 CHAIRMAN KISTNER: Do we want to be talking
20 about conditions to add at this point?

21 MR. ROVAK: Yeah. That's -- I just wanted to
22 get that out of the way now.

23 VOICE: Sure. Right. Yeah.

24 MR. ROVAK: Because it was said, well, they
25 don't think they would -- that would happen and they don't

1 have control.

2 My immediate reaction is, yes, when they have a
3 primary vendor of their primary product, I think they do
4 have some de facto control.

5 So is it legitimate to place a condition within
6 all the conditions that are going to -- we'll be dealing
7 with, that no tanker travel on southbound -- or south
8 Graeser, whether approaching from Ladue, which I would
9 doubt, but still, just the use of Graeser south of this
10 turning point, is that a condition that we could place?

11 MR. JAGGI: Well, couple things. One is I think
12 that's something that -- that you need to discuss as a
13 commission with the applicant.

14 I believe they suggested that there is no
15 intention to do that. So, yeah, it's possible to add that
16 condition.

17 MR. ROVAK: Okay.

18 MR. JAGGI: But I think -- I think for tonight,
19 though, we probably want to -- want to look at is there
20 any additional information that staff has presented and
21 public comments that need to be clarified or is there
22 any --

23 MR. ROVAK: Okay.

24 MR. JAGGI: -- additional information that you
25 all want staff to come back with or the applicant to come

1 back with, just what -- what additional information do you
2 need for your review at the next meeting, and we could do
3 that.

4 MR. ROVAK: Okay.

5 CHAIRMAN KISTNER: Which we are going to do once
6 we close the public hearing.

7 MR. JAGGI: Okay. Okay. Very good.

8 MR. ROVAK: Okay.

9 Well, I had some -- think maybe they do belong
10 after -- after the public hearing, cause it's just a
11 comment within ourselves, so to speak, I have a
12 couple of -- I guess one of the things I would ask, cut me
13 off if this is really something for the future.

14 The question was brought up about competing
15 similar uses since we have two very large similar uses in
16 place now.

17 Is that something that is within our purvey to
18 consider in evaluating approval of a site like this, or is
19 that something that's off the table? Maybe this is --
20 maybe this is for -- for Jason or maybe this is for Carl,
21 but is that something we can put into our considerations?

22 CHAIRMAN KISTNER: I think this is, again,
23 something that maybe we want to consider as part of our
24 deliberations --

25 MR. ROVAK: Okay.

1 CHAIRMAN KISTNER: -- and not a public hearing
2 collection of information.

3 MR. ROVAK: All right. Okay.

4 Oh, last thing. And then maybe this does --
5 well, I think Jason would know this.

6 There was a question brought up in Mr. Lord's
7 email to all of us.

8 Is there actually any weight limit on Graeser?
9 This was aside from the turning limits. I don't know
10 what --

11 MR. JAGGI: I don't know that --

12 MR. ROVAK: Okay. It was brought up.

13 MR. JAGGI: Yeah, I don't know the answer to
14 that question, but I will -- that is an item that I can
15 follow up with at the next meeting --

16 MR. ROVAK: Okay.

17 MR. JAGGI: -- and provide that for you.

18 MR. ROVAK: Okay.

19 And anything else I've got left, really would be
20 a part of our deliberations, so that's all I've got.

21 Thank you.

22 CHAIRMAN KISTNER: Okay.

23 MR. STREILER: Madam Chair, before we close, I'm
24 getting a request here from, I guess QT, that Greg
25 Rhoades' (phonetic) participation is being requested as

1 part of the public hearing.

2 Is there any reason not to allow him to speak
3 and maybe rebut some of the things we brought up?

4 CHAIRMAN KISTNER: I think we have already
5 had -- and we'll have opportunities to hear from QuikTrip
6 further during deliberations, but right now, I think our
7 public hearing information where we collect all of the
8 information about the application, I think we've had that.

9 And they've had their -- the rebuttal and,
10 honestly, we could just keep going back and -- you know,
11 we could keep doing this repeatedly, so I -- I think -- I
12 think they've -- QuikTrip has been given ample opportunity
13 to present the application that they propose.

14 And if there are other information they'd like
15 to add, there's going to be a lot of opportunity for that.

16 MR. CARNEY: One thing I'd like to just ask
17 Jason about.

18 What -- brought up during the public comments
19 that we're not looking at this as one CUP, and I just want
20 to clarify. We are looking at this whole project as one
21 large CUP, but if anything changes down the road, is that
22 shopping center going to change, is this one big project?

23 MR. JAGGI: Yes, it's one application with two
24 components.

25 The conditional use, though, is only required

1 for gas stations and convenience stores. It is not
2 required for retail buildings. And that building is
3 existing, so it does not -- that component does not
4 require a CUP.

5 CHAIRMAN KISTNER: Okay. With that, I think
6 we're ready to close our public hearing once Carl has made
7 his additions to the record.

8 MR. LUMLEY: Thank you.

9 I offer the following exhibits into the record
10 of this public hearing: Documentation in possession of
11 the City Clerk reflecting the public notice that was
12 provided regarding this hearing; the staff report that's
13 been submitted; the presentation materials that have been
14 submitted; the City Code of Ordinances and Charter; the
15 City Comprehensive Plan; the public file regarding this
16 application, which includes all written comments submitted
17 by the public up to the -- five o'clock today.

18 CHAIRMAN KISTNER: All right.

19 With that, the public hearing is closed.

20 (The Public Hearing was closed at 7:35 p.m.)
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22
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24
25

1 STATE OF MISSOURI)
2) SS
3 COUNTY OF ST. LOUIS)
4

5 I, Deborah K. McLaughlin, Registered
6 Professional Reporter, Missouri Certified Court Reporter,
7 Illinois Certified Shorthand Reporter and Kansas Certified
8 Court Reporter, do hereby certify that I reported the
9 Planning and Zoning public hearing stenographically and
10 later reduced to typewriting; and that this is a true and
11 accurate transcript of the public hearing.
12

13
14 

14 _____, RPR, MO-CCR, IL-CSR, KS-CCR
15 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR
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City Council
300 North New Ballas Rd
Creve Coeur, MO 63141

Meeting: 08/10/20 07:00 PM
Department: Planning Division
Category: Ordinance
Prepared By: Whitney Kelly
Department Head: Jason Jaggi

SCHEDULED

ORDINANCE

**Bill No. 5834 - an Ordinance Amending Table A: Permitted and Conditional Uses and Provisions in Section 405.470 Conditional Uses, of Article VI Standards for Permitted, Accessory and Conditional Uses, of the Zoning Code of the City of Creve Coeur, Missouri to Allow for Drug and Druggists' Sundries Merchant Wholesalers (Naics 424210) as a Conditional Use in the Gc-General Commercial District.
Final Reading and Passage**

Paul Martin, attorney on behalf of Larry Malashock, owner of LARPAT LLC at 10880 Baur Boulevard, has submitted an application for a text amendment to the zoning code to allow Drug and Druggists' Sundries Merchant Wholesalers (NAICS 424210) as a conditional use in the GC-General Commercial District. Currently, the aforementioned use is not permitted in the GC District. If the text amendment is approved, the applicant intends to file for a conditional use permit to allow Baur Distributing to operate within a portion of the Baur Executive Suites building at 10880 Baur Boulevard. Text Amendments to the Zoning Ordinance requires review at the Planning and Zoning Commission and approval by the City Council. The Planning and Zoning Commission recommended approval at its meeting on July 20, 2020.

Ordinance

Meeting of August 10, 2020

BILL NO. 5834

ORDINANCE NO. _____

AN ORDINANCE AMENDING TABLE A: PERMITTED AND CONDITIONAL USES AND PROVISIONS IN SECTION 405.470 CONDITIONAL USES, OF ARTICLE VI STANDARDS FOR PERMITTED, ACCESSORY AND CONDITIONAL USES, OF THE ZONING CODE OF THE CITY OF CREVE COEUR, MISSOURI TO ALLOW FOR DRUG AND DRUGGISTS' SUNDRIES MERCHANT WHOLESALERS (NAICS 424210) AS A CONDITIONAL USE IN THE GC-GENERAL COMMERCIAL DISTRICT

WHEREAS, an application by Paul Martin, attorney, on behalf of Larry Malashock, owner of LARPAT LLC at 10880 Baur Boulevard, was submitted for a text amendment to the zoning code to allow Drug and Druggists' Sundries Merchant Wholesalers (NAICS 424210) as a conditional use in the GC-General Commercial District; and

WHEREAS, such uses are not currently allowed within the GC General Commercial District; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, July 20, 2020, beginning at 6:30 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 6-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on July 20, 2020; and,

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

WHEREAS, the City Council being fully informed finds that amending the City Code of Ordinances would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and in the public interest;

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

Section 1: The following individual line items in Section 405.210 Table A Permitted and Conditional Uses shall be amended as follows, while all other parts of Table A shall remain unchanged:

BILL NO. 5834

ORDINANCE NO. _____

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
424210	Drugs and Druggists' Sundries Merchant Wholesalers												C		P

Section 2: Section 405.470 Conditional Uses shall be amended to include the following, and existing regulations accordingly:

Article IV. Standards For Permitted, Accessory and Conditional Uses

Section 405.470. Conditional Uses.

A. Conditional uses allowed in zoning districts are as follows:

34. Drugs and Druggists' Sundries Merchant Wholesalers (NAICS 424210) conditional use in the GC District:
- Shall be located only on properties that abut the LI-Light Industrial zoning district.
 - Such uses are limited to a maximum of 50 percent (50%) of the floor area of the building in which they are located
 - All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment

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

ADOPTED THIS ____ DAY OF _____, 2020.

HEATHER SILVERMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2020.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN
CITY CLERK



city of CREVE COEUR

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

APPLICATION TO PLANNING AND ZONING COMMISSION #20-015: TEXT AMENDMENT TO ALLOW FOR DRUG AND DRUGGISTS' SUNDRIES MERCHANT WHOLESALERS (NAICS 424210) AS A CONDITIONAL USE IN THE GC-GENERAL COMMERCIAL DISTRICT

FOR THE MEETING OF: Monday, July 20, 2020, 6:30 PM

LOCATION: GC-General Commercial District, City-wide.

REQUEST: Paul Martin, attorney on behalf of Larry Malashock, owner of LARPAT LLC at 10880 Baur Boulevard, has submitted an application for a text amendment to the zoning code to allow Drug and Druggists' Sundries Merchant Wholesalers (NAICS 424210) as a conditional use in the GC-General Commercial District. Currently, the aforementioned use is not permitted in the GC District. Text Amendments to the Zoning Ordinance requires review at the Planning and Zoning Commission and approval by the City Council.

ADDITIONAL INFORMATION: If the text amendment is approved, the applicant intends to file for a conditional use permit to allow Baur Distributing to operate within a portion of the Baur Executive Suites building at 10880 Baur Boulevard. This business repackages and distributes "topicals"-health and beauty cosmetic products from the hemp industry.

Key Issues:

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

Creve Coeur 2030 References

- Mixed-Use Innovation Campus District (MUIC)
- 39N Master Plan

Zoning Code References

- Table A: Permitted and Conditional Uses
- Section 405.210: Regulation of Uses
- Section 405.360: GC-General Commercial
- Section 405.470: Conditional Uses

APPLICANT: Larry Malashock
LARPAT, LLC, dba Baur
Executive Suites
10880 Baur Boulevard
Creve Coeur, MO 63141

APPLICANTS Paul Martin
REPRESENTATIVE: Paul Martin. PC
101 South Hanley Road, Suite 1280
St. Louis, MO 63105



Google images

REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 7/10/2020
ATTACHMENTS: Applicant's Materials received May 26, 2020
Draft Ordinance

REQUEST AND BACKGROUND

LARPAT, L.L.C., d/b/a Baur Executive Suites. LARPAT is the owner of 10880 Baur Boulevard, which is located in the City "GC General Commercial District. The Applicants are seeking to use part of the building for a separate business, Baur Distributing, which he also owns in partnership with others. Baur Distributing would lease approximately 2,000 square feet from LARPAT, which would also maintain its commercial office leasing for the remaining majority of the building space (approximately 8,000 square feet). Baur Distributing would involve the repackaging and distribution of "topicals"-- health and beauty cosmetic products which are largely sourced and developed using product from the hemp industry—that would be sold to retailers and also directly by internet to consumers. Such uses fall under the category of Drug and Druggist's Sundries Merchant Wholesalers, per the NAICS Definition below:

424210 - Drugs and Druggists' Sundries Merchant Wholesalers

This industry comprises establishments primarily engaged in the merchant wholesale distribution of biological and medical products; botanical drugs and herbs; and pharmaceutical products intended for internal and/or external consumption in such forms as ampoules, tablets, capsules, vials, ointments, powders, solutions, and suspensions.

Illustrative Examples:

Antibiotics merchant wholesalers
Endocrine substances merchant wholesalers
Blood derivatives merchant wholesalers
In-vitro and in-vivo diagnostics merchant wholesalers
Botanicals merchant wholesalers
Vaccines merchant wholesalers
Cosmetics merchant wholesalers
Vitamins merchant wholesalers

Table A of the City's permitted and conditional uses list merchant wholesalers, including 424210 - Drugs and Druggists' Sundries Merchant Wholesalers, as a permitted use in the LI-Light Industrial District. As the applicants have indicated such uses are permitted further east on Baur Boulevard within the LI District. The property at 10880 Baur Boulevard is located along Lindbergh Boulevard, zoned GC-General Commercial as are the other properties that front Lindbergh Boulevard, north of Olive Boulevard. Therefore, the Applicants are seeking to include the use as a conditional use in the GC District. If approved, they would then seek approval for the conditional use permit for the site.

Table A would be revised as follows:

Use Code	2012 NAICS Title	ZONING DISTRICTS													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
424210	Drugs and Druggists' Sundries Merchant Wholesalers												C		P

DISCUSSION**Comprehensive Plan and 39N Master Plan**

The comprehensive plan, *Creve Coeur 2030*, provides overall goals and objectives for City as a whole and offers focused recommendations based on the concept of Place Type Districts. The location where the applicant intends to operate a merchant wholesale business is located within the Mixed-Use Innovation Campus District (p. 97). This Place Type District is conterminous with the 39 North Innovation District which is also subject to the 39 North Master Plan. The 39 North Master Plan, as an element of the comprehensive plan, identifies four distinct areas in the existing built environment analysis. The subject property and immediate area are part of the Industrial Park area (p. 32). Further

south, the area east of Lindbergh and north of Olive is identified as the Office Park. Please also refer to Figure 1 below. The 39N Master Plan notes that the industrial areas on the northern part of the 39N district are highly successful having occupancy rates of greater than 90 percent (p. 29). The mid-to long range development goals for this area (the Northern District) is to transition from light industrial to office and lab uses to support plant science and related industries within the 39N District (p. 67). With that being said, the plan acknowledges that future development in the northern, industrial parts of the District is a lesser priority that will be driven by the success of earlier investments (p. 78-79).

BUILT ENVIRONMENT

Today, 39 North consists of four distinct areas with a variety of uses.

Incorporated into the City of Chippewa County in 1990, industrial park areas to the north end of the district are characterized by single-story, light industrial uses. Expansive paved surfaces supporting parking and tractor-trailer movement are dominant and limit vegetation. Pedestrian facilities are nearly non-existent.

FOUR DISTINCT DISTRICT AREAS



1. Industrial Park

Building construction dates range from 1957 to the late 1990s with the majority of buildings constructed in the late 1960s to early 1970s. Most businesses are warehousing services in single story, large footprint buildings. Other building uses include plastics and synthetic resin manufacturing, paper manufacturing, printing and publishing services, motor vehicle repair, chemical manufacturing and other fabricated metal production manufacturing. Rail spurs, all but one of which are abandoned, enter the district from the Central Railroad and run north-south into the industrial park. Most are visible at road crossings and are in various states of disrepair. This is the area with the highest building density in the district and the greatest number of land owners and parcels.



Figure 1: Image of page 32 of the 39N Master Plan regarding the four distinct areas within the 39N, along with the GIS Image of the area with the Zoning District indicated. The GC District is shown as red.

Zoning Analysis

The City has zoned all of the properties that front the east side of Lindbergh, north of Olive Boulevard as GC-General Commercial, as well as many other areas throughout the City including Lindbergh Blvd south of Bayer's campus, the East Olive Corridor, and the West Olive & Large Property areas along Olive Boulevard, N. New Ballas Road, etc. that would be included as part of this text amendment. The properties further east of Lindbergh Boulevard and north of Olive Boulevard are zoned LI-Light Industrial, where such uses are permitted. While immediately adjacent to light industrial uses, the properties along Lindbergh, north of Olive are mostly non-industrial. The uses for the properties along Lindbergh are varied and include a restaurant, offices, the regional location of the American Red Cross, a retail fabric store and carnival supply store. In summary, the existing uses in this area along Lindbergh can be described as transitional to the more intense light industrial uses to the east and residential and office uses across the west side of Lindbergh.

The stated purpose of the GC District is intended to accommodate by site development plan approval convenience retail shopping and services and offices which are freestanding or part of small scale planned commercial developments and which are compatible in scale and intensity of use with adjacent residential uses. The character of the existing uses within this section of the GC District are different than other areas of the City that area also zoned GC. As stated previously, this area is best described as transitional to the light industrial area further east. With that being said, the City has historically viewed the properties fronting Lindbergh differently than the light industrial areas further east as evidenced with the GC District designation and the existing uses reflect this position.



Figure 2: GIS Image of the Applicants Office property and the GC District adjacent to the LI District, and N. Lindbergh Boulevard.

Proposed Text Amendment Analysis

The Applicant is submitting a text amendment to allow merchant wholesaling for drug and druggist sundries as a specific use to be allowed within the GC District as a conditional use. In the written request, the applicant acknowledges staff's concern with the proposed amendment that would not be in keeping with the stated purpose of the GC District and would introduce a category of use that would potentially not be acceptable for other properties zoned GC. The applicant has noted that a limited number of similar uses are currently allowed with the GC District. These uses include confectionary manufacturing, retail bakeries, roof mounted communication equipment, surgical appliance and supplies manufacturing, dental laboratories, sign manufacturing and packaging and labeling services.

Staff is generally not supportive of allowing wholesaling type uses in the GC District as we feel this is not a compatible use throughout the GC District and does not meet the intended purpose of the District. While there are uses that allow some forms of manufacturing within the GC District, those allowances are very few. In addition, the proposed amendment is narrowly focused on a single specific use for a single business. With that being said, the 39 North Master Plan and the Comprehensive Plan does not foresee this particular area in the long term remaining within the type of uses that would fit well within the General Commercial District. In fact, the 39 North Master Plan identifies the properties north of the Red Cross building as part of the industrial park and does not make a distinction that the properties along Lindbergh are any different than that further east. The long-term vision for this area (the Northern Section) would be for it to transition to support the plant science and technology hub that is envisioned for the 39N District. Staff recognizes that the properties along this portion of Lindbergh, while zoned GC, are transitional in nature given the light industrial uses immediately to the east. A more thorough examination of the appropriate zoning designations and regulations for this area is needed as part of the future review for implementation of the 39 North Master Plan.

If the Commission determines that it is acceptable to allow a wholesaling use within the GC District, staff would recommend that the allowance for this use be narrowly focused with the following restrictions in place:

- The wholesaling use should require the approval of a conditional use permit.
- The wholesaling use should only be allowed in portions of the GC District that abut Light Industrial zoning
- The wholesaling use should be a limited percentage of the building as a whole, 25% or less of the floor area
- All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment

If approved as stated above, these regulations would only apply to the properties below in recognition of the transitional nature of this area of the City located within the GC District.



CONCLUSION AND ACTION

Should the Commission wish to consider the Applicants request to allow for the Drugs and Druggists' Sundries Merchant Wholesalers as a conditional use in the GC District, Staff would recommend the following specific ordinance revisions.

In addition to the revision of Table A, Staff would propose that a new subsection is needed under Section 405.470 Conditional Uses as follows:

Section 405.470 Conditional Uses

34. Drugs and Druggists' Sundries Merchant Wholesalers (NAICS 424210) conditional use in the GC District:
 - a. Shall be located only on properties that abut the LI-Light Industrial zoning district.
 - b. Such uses are limited to a maximum of 25 percent of the floor area of the building in which they are located
 - c. All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment

MOTION

If the Planning Commission has chosen to accept the draft ordinance as written, the following would be a suitable motion for this application:

"I move to recommend approval of the text amendments to allow Drugs and Druggists' Sundries Merchant Wholesalers (NAICS 424210) conditional use in the GC District, and amending Section 405.470 to establish certain standards for such users as discussed with Application #20-015 on the July 20, 2020"

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.

Law Offices of
Paul Martin, P.C.
 101 South Hanley Road, Suite 1280
 St. Louis, Missouri 63105
paul@paulmartinpc.com
 (314) 805-8800

May 22, 2020

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

Delivered by U.S. Mail and by electronic mail to wkelly@crevecoeurmo.gov

Re: 10880 Baur Boulevard

Dear Ms. Kelly:

As we've discussed, please accept this letter and the enclosed form and filing fee as my client's application for a text amendment to the City's "GC" zoning classification table.

I represent LARPAT, L.L.C., d/b/a Baur Executive Suites. LARPAT is the owner of 10880 Baur Boulevard, which is located in the City "GC" General Commercial District. Larry Malashock owns LARPAT.

LARPAT owns 10880 Baur and has leased space within the building for commercial office purposes. In 2019, a Missouri American water line burst, flooding a significant portion of the property. While some office uses have been restored, Mr. Malashock would like to use part of the building for a separate business—Baur Distributing—which he also owns in partnership with others. Baur Distributing would lease approximately 2,000 square feet from LARPAT, which would also maintain its commercial office leasing for the remaining majority of the building space (approximately 8,000 square feet).

Baur Distributing would involve the repackaging and distribution of "topicals"—health and beauty cosmetic products which are largely sourced and developed using product from the hemp industry—that would be sold to retailers and also directly by internet to consumers. Product will be delivered to the property by van or straight truck once or twice a week. There it will be repackaged into smaller containers, labelled, and then delivered to retailers and end-users by standard shipping and mail methods. The new business will utilize the existing double doors facing east for all product transfers, and this access point will be exclusive to the business. Because the business is limited in size and scope, there is no need for semi-truck delivery or for any delivery bays. Baur Distributing would also use approximately 110 square feet of its space for a company office, and while there are no current plans to open the space to walk-in buyers, that use remains a possibility.

As you know, the property is located in the city's General Commercial zoning district, and the most applicable NAICS category is Use Code No. 424210, Drugs and Druggists' Sundries Merchant Wholesalers. According to Table A of the City's Zoning Code, this use is not allowed in the GC District, either as a permitted or as a conditional use, although it is a permitted use in the neighboring "LI" Light Industrial District. We are asking the City to amend Table A by classifying Use Code No. 424210 as a conditional use in the GC District.

We believe this reclassification satisfies the general standards established in Section 405.1060 of the City Code.

- It is consistent with City's 2030 Comprehensive Plan Update, specifically Section XI, Mixed-Use Innovation Campus District (MUIC), in that it would maintain the current ground floor "mixed uses" and community amenities that are permitted in the GC District and would further complement and accommodate the sale and distribution of hemp products, and hence development of the SLEDP 39 North plant science and technology district.
- It would not increase the risk of fire, panic, or other damages, diminish the existing availability of light and air, which is adequate for the area, increase population or contribute to the overcrowding of 10880 Baur or its neighboring properties, or increase the City's burden for the provision or safe-guarding of City services to the GC District.

We also do not believe the proposed reclassification would increase traffic congestion in the area or otherwise negatively affect the area's prevailing character or its existing zoning scheme.

- The proposed reclassification would not adversely impact the city's current zoning scheme. While the purpose and intent of the GC district is "to accommodate . . . convenience retail shopping and services and offices . . . which are compatible in scale and intensity of use with adjacent residential uses", there are no adjacent residential uses that need to be protected in this area.
- The proposed reclassification would be consistent with uses currently permitted in the GC District. For example, the current district classifications permit, whether of right or conditionally, several uses involving the delivery of product and on-site transformation of that product into or for a different use. See, e.g., confectionary manufacturing (NAICS 311340-311352), retail bakeries (NAICS 311811), roof-mounted communication equipment (NCAIS 517929), surgical appliance and supplies manufacturing (NAICS 339113), dental laboratories (NAICS 339116), sign manufacturing (NAICS 339950), and packaging and labelling services (NAICS 561910).
- Furthermore, that portion of the GC District that encompasses 10880 Baur is adjacent to the city's LI District to the east and is also bounded by Lindbergh Boulevard to the west, at the northeastern corner of the city, and the GC properties in this location generally do not have direct access to Lindbergh. This relative isolation has resulted in the area being developed in ways that are compatible with the adjoining LI zoning.
- More specifically, the proposed reclassification would be consistent with uses currently existing in and around 10880 Baur, whether in the GC or LI Districts, which include industrial, wholesale, and distribution businesses that require substantial product

storage, delivery, and transport and which use the same roads as 10880 Baur. E.g., Party Land and American Carnival Mart (outdoor storage and rental of carnival facilities), Innovative Construction and Roofing (outdoor storage of roofing supplies and sale of roofing services), Gran Prix Bowling Supply (wholesaler to bowling alleys), AG&M Marble (national wholesale distributor with a public showroom), Jackman's Fabrics, U.S. Foods, Ambassador Embroidery Machines, and Spectra Metal Sales.

- Perhaps most compatible with the proposed use of 10880 Barr is PCI, Inc. a large topicals production and distribution facility located just two lots to the west of my client's property at 10800 Baur.

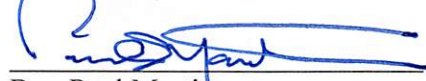
And please remember that approval of the requested reclassification would only allow Baur Distributing to apply for a conditional use permit. The City would retain the authority to consider and permit or deny the proposed use, or to condition the proposed use as circumstances require, including method and location of deliver, hours of operation, physical site changes, walk-in traffic, etc. Given that the proposed use takes up a small amount of space and that the on-site activities are minimal and not intensive or invasive, Baur Distributing is more than willing to submit itself to the conditional use process.

In closing, we are aware of staff concern that approval of the proposed reclassification may well have unintended consequences in those portions of the City that are zoned GC but that are not located in the area of 10880 Baur, i.e., the GC areas that front on Olive and Lindbergh Boulevards and that have a near proximity to the City's residential or core business districts. We appreciate this concern, and while we believe such issues could be addressed by the City in the conditional use application process, we propose a textual limitation on the reclassification to resolve this potential issue. Thus, Table A to Chapter 405 could be revised to acknowledge Use Code No. 424210 as a conditional use in the GC District, but an accompanying footnote could limit the use to properties "adjacent to the LI District to the east and bounded by Lindbergh Boulevard to the west", or something similar. This would limit the potential development of this use to the northeastern corner of the city, an area for which it is demonstrably well-suited.

We look forward working with you on the application, and if you need anything further, please let me know.

Sincerely,

Paul Martin, P.C.



By: Paul Martin

Copy: Mr. Carl Lumley, City Attorney

city
of

CREVE COEUR

File # _____

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

PLANNING AND ZONING COMMISSION AGENDA APPLICATION TEXT AMENDMENT

<i>Applicant:</i>	<i>Applicant's Representative (if applicable):</i>
LARPAT, L.L.C.	Paul Martin
<i>Name</i>	<i>Name</i>
d/b/a Baur Executive Suites	Paul Martin, P.C.
<i>Company (If Applicable)</i>	<i>Company (If Applicable)</i>
10880 Baur Blvd.	101 South Hanley Road, Suite 1280
<i>Address</i>	<i>Address</i>
Creve Coeur, MO 63132	St. Louis, MO 63105
<i>Address</i>	<i>Address</i>
Telephone # _____	Telephone # 314-805-8800
Fax # _____	Fax # 314-727-9071
Email: _____	Email: paul@paulmartinpc.com

APPLICANT:

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

The undersigned hereby requests to be placed on the Agenda for the Planning and Zoning Commission meeting at 6:30 P.M. on Monday, July 20, 2020.

Arabach
 Applicant's Signature

 Applicant's Representative's Signature

5-21-20

Date

Date

Submittal Checklist

- Two (2) checks, \$250.00 filing fee & \$2000.00 escrow
- Description of Request
- Proposed Ordinance Language
- Electronic copy of all submitted documents.

Jason Jaggi, AICP, Director of Community Development
 Whitney Kelly, AICP, City Planner
 Jessica Stutte, Administrative Assistant (872-2501)

Office Use Only
 Received by:
 Fees paid:

Updated 5/19

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

Amendment to Table A, Permitted and Conditional Uses, to Chapter 405, Zoning Ordinance, of the Creve Coeur Municipal Code, by reclassifying Use Code No. 424210,

Drugs and Druggists' Sundries Merchant Wholesalers, as a conditional use in the "GC" General Commercial District. Please see attached.

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

See above

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

See above.


Applicant Signature

5-31-20
Date

Creve Coeur Planning and Zoning Commission
Text Amendment Application #20-015
LARPAT LLC, 10880 Baur Boulevard
July 20, 2020

Paul Martin
101 S. Hanley, Suite 1280
St. Louis, Missouri 63105
(314) 727-0778 (Direct)
(314) 805-8800 (Cell)
(314) 727-9071 (Fax)

Ownership

- LARPAT Inc., owner of 10880 Baur Boulevard
- Mr. Larry Malashock, owner of LARPAT Inc.
- Desires to use a portion of the building for a business known as Baur Distributing, also owned by Mr. Malashock and his partners

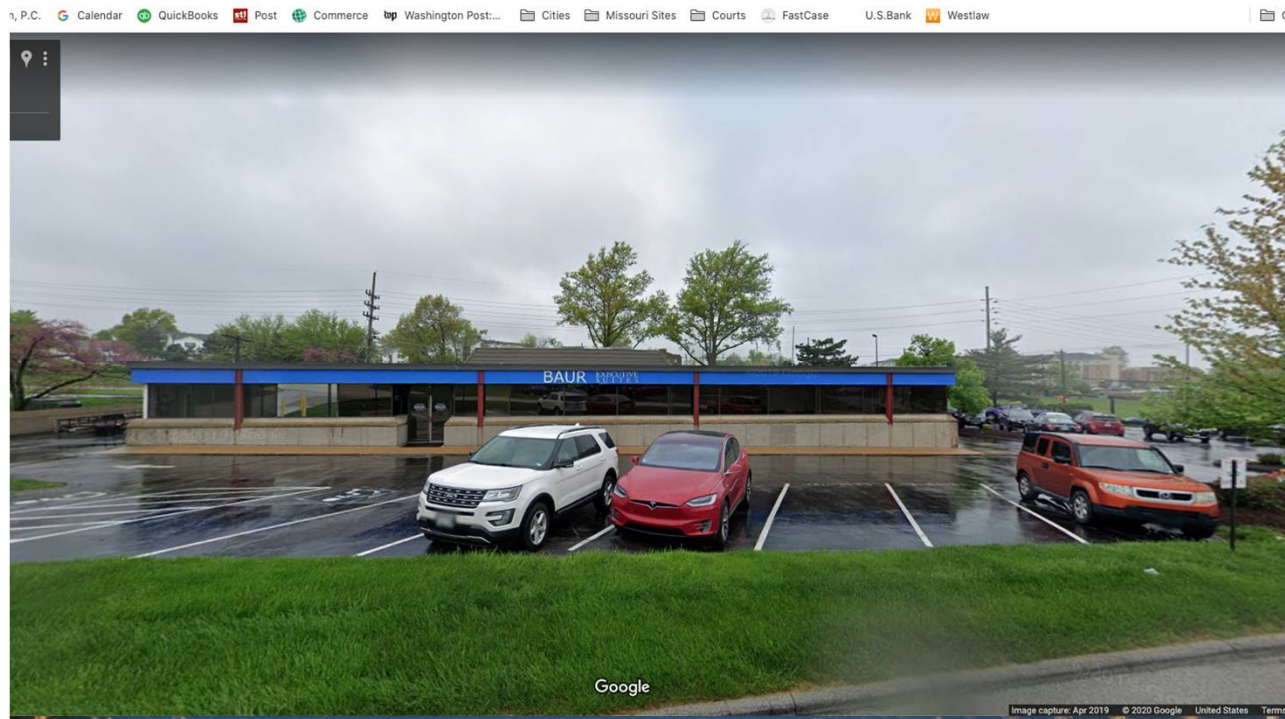


Site—10880
Baur Blvd.



South view from Baur Boulevard

West view from Andes Boulevard



Proposed Wholesale and Retail of “Topicals”

- Health and beauty cosmetic products derived primarily from hemp
- Deliveries twice per week of bulk product, which is repackaged, labelled, and sold via internet, with end-user delivery by standard shipping and mail
- Baur Distributing also desires to offer walk-in retail and product pick-up on site
- Approx. 2,000 square feet of building to be used (total building area 10,000 square feet)

Zoning Request

- Proposed use is classified as Drugs and Druggist' Sundries Merchant Wholesalers
- Not permitted at all in the General Commercial District, but permitted of right in the adjacent Light Industrial District
 - PCI Inc. at 10800 Baur, two lots to the east, operates a similar topicals operation
- We are requesting that the commission recommend approval of a text amendment that would establish Drugs and Druggist' Sundries Merchant Wholesalers as a conditional use in the GC District

Zoning Considerations

- General Commercial zoning doesn't really fit the area
 - Purpose and Intent of GC is “to accommodate . . . convenience retail shopping and services and offices . . . which are compatible in scale and intensity of use with adjacent residential uses”. §405.360.A CCMC.
 - No adjacent retail in the area—Lindbergh lies to the west, the Light Industrial District is to the east, the city boundary is to the north and to the south is Research & Office Park
- Proposed use is compatible with other uses permitted by the zoning code
 - GI allows, either conditionally or of right, confectionary manufacturing, retail bakeries, roof-mounted communication equipment, surgical appliance and supplies manufacturing, dental laboratories, sign manufacturing, and packaging and labelling services.
- Proposed use is compatible with other nearby existing uses
 - Party Land and American Carnival Mart, Innovative Construction and Roofing, Gran Prix Bowling Supply, AG&M Marble, Jackman's Fabrics, U.S. Foods, Ambassador Embroidery Machines, Spectra Metal Sales, and PCI, Inc.

Planning Considerations

- Compatible with the City's 2030 Comprehensive Plan Update, Mixed-Use Innovation Campus District (Section XI)
 - “[I]ntended for the development of specialized office, laboratory, institutional, and research buildings for high-tech and biotech industries, supported by vibrant, ground floor mixed-use development . . .”
 - The proposed repackaging, wholesale, retail and office uses meet the mixed-use qualification
- Compatible with the 39 North Master Plan
 - Recognizes the existing as-built area as “Industrial Park”
 - Acknowledges the long-range development goal as transitioning to office and lab uses to support plant science and related industries
 - But also recognizes that this transition is a lesser priority that will be driven by the success of earlier uses
- Planning goals for this transitional area do not envision uses that are compatible with GC zoning, and the proposed use does not offend the City's plans

Proposed Text Amendment

- Amend Table A by making “Drugs and Druggist’ Sundries Merchant Wholesalers” a conditional use in the GC District
- Add a new Subsection 405.470.34 to limit such uses:
 - To properties that abut the LI District;
 - To a maximum of 25% of existing floor area;
 - With no outdoor storage.
- Floor area limitation
 - Seemingly arbitrary and may be too restrictive, especially considering retail
 - If goal is to prevent the use from overwhelming the site, we’d ask for a 50% limitation (in case the business becomes successful and needs to expand)

Conclusion and Questions

- The use as proposed:
 - Is consistent with existing uses in the area;
 - Is compatible with similar uses permitted by the City's zoning code, whether of right or conditionally, within the GI District;
 - Will not intrinsically lead to any deleterious land use effects that might harm neighboring properties or the community; and
 - Will allow for the productive use of 10880 Baur in a manner that is not violative of the City's long-term plans for the area.
- We ask for your positive recommendation to the City Council, with a floor area limitation of 50%.
- Questions?
- Thank you.

1 PLANNING AND ZONING COMMISSION MEETING

2 CITY OF CREVE COEUR, MISSOURI

3 300 NORTH NEW BALLAS ROAD

4 MONDAY, JULY 20, 2020

5 6:30 P.M.

6 PUBLIC HEARING VIA ZOOM

7 APPLICATION NO. 20-015

8
9 THOSE IN ATTENDANCE:

10 Mr. Gene Rovak, Chairman

Mr. Tim Carney (via Zoom)

11 Ms. Muriel Hall (via Zoom)

Mr. James Myers (via Zoom)

12 Mr. Larry Potashnick (via Zoom)

Mr. Todd Streiler (via Zoom)

13 Mr. Carl Lumley, City Attorney

Ms. Whitney Kelly, City Planner

14 Ms. Jessica Stutte, Planning Assistant/Recording Secretary

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21
22 McLaughlin Court Reporting Services, Inc.

23 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
4772 Gatesbury Drive
24 St. Louis, MO 63128
25 (314) 974-1199

1 CHAIRMAN ROVAK: Call meeting to order of
2 Planning Zoning Commission of Creve Coeur meeting of
3 July 20th, 2020 being called to order.

4 We'll start with roll call.

5 Our Chair, Ms. Kistner, will not be here this
6 evening.

7 Mr. Carney?

8 MR. CARNEY: Present.

9 CHAIRMAN ROVAK: Ms. Hall?

10 Is Ms. Hall here tonight? Was she planning on
11 being --

12 MR. LUMLEY: She's on the screen.

13 CHAIRMAN ROVAK: She might have muted.

14 MS. KELLY: Muriel, you muted yourself.

15 MS. HALL: Yeah, I'm present.

16 CHAIRMAN ROVAK: Okay.

17 I'm Gene Rovak, the Vice Chair, I'm here.

18 Mr. Potashnick?

19 MR. POTASHNICK: Present.

20 CHAIRMAN ROVAK: Mr. Streiler?

21 We are waiting.

22 MR. LUMLEY: You skipped Mr. Myers.

23 CHAIRMAN ROVAK: All right. And, okay,
24 Mr. Lumley, City Attorney?

25 MR. LUMLEY: I'm -- I'm here, but you --

1 CHAIRMAN ROVAK: Oh, oh.

2 MR. LUMLEY: -- skipped Mr. Myers.

3 CHAIRMAN ROVAK: Oh, I'm sorry.

4 And, Mr. Myers, and I see you. Yeah.

5 MR. MYERS: Present.

6 CHAIRMAN ROVAK: All right. Mr. Lumley, City
7 Attorney?

8 MR. LUMLEY: Yes, I'm here.

9 CHAIRMAN ROVAK: Okay.

10 Jason Jaggi will not be here this evening.

11 Whitney -- Whitney Kelly, City Planner?

12 MS. KELLY: Present.

13 CHAIRMAN ROVAK: And Jessica Stutte, Planning
14 Assistant and Recording Secretary?

15 MS. STUTTE: Present.

16 CHAIRMAN ROVAK: Okay.

17 Are there any additions or changes to the agenda
18 proposed?

19 MR. CARNEY: Motion for approval.

20 MR. MYERS: Second.

21 CHAIRMAN ROVAK: Okay. Is there a motion to
22 accept the agenda?

23 MR. LUMLEY: They -- they just did.

24 MS. KELLY: They just --

25 CHAIRMAN ROVAK: Oh, okay. Very good.

1 All in favor?

2 (All responded aye.)

3 CHAIRMAN ROVAK: Okay. Any opposed?

4 Okay. Hearing none, we'll move on.

5 Have you had a chance to look at the minutes

6 from the last meeting?

7 Are there any changes proposed to the meeting --

8 meeting minutes from January [sic] 6th?

9 MS. KELLY: July 6th.

10 CHAIRMAN ROVAK: I'm sorry, July 6th meeting.

11 Were there any changes proposed, additions or corrections?

12 Okay. Hearing none, I'll ask for a motion to

13 approve the minutes.

14 MR. CARNEY: So moved.

15 MR. POTASHNICK: Second.

16 CHAIRMAN ROVAK: Okay. All in favor?

17 (All responded aye.)

18 CHAIRMAN ROVAK: Opposed?

19 Okay. The minutes are approved.

20 At this point, we always start to see -- ask if

21 anybody in the audience wishes to speak on a matter or

22 issue that is not on the agenda.

23 And this point, I'll ask you to raise your hand

24 in a visual fashion, or to ask a question or to raise your

25 hand, if you're in Zoom, you click the Q and A. If you're

1 dialing in via Zoom without -- without computer, then
2 just -- there's a star G to raise your hand.

3 MR. LUMLEY: Star 9.

4 CHAIRMAN ROVAK: Star 9, I'm sorry. I'm getting
5 a lot wrong tonight. I apologize to everybody.

6 Okay. And if there is something that's on the
7 agenda that you wish to speak to, then wait until that
8 motion -- or that item comes up and that will be the time
9 to speak.

10 And at that time we'll ask that you state your
11 name and address for the record, but we will not have a
12 swearing in on these Zoom meetings, on the digital
13 meetings like this.

14 MR. LUMLEY: Well, we need to have a vote --

15 CHAIRMAN ROVAK: Oh.

16 MR. LUMLEY: -- so I would -- I would recommend
17 that the Commission have a motion to waive the swearing in
18 of any members of the public during the public hearing.

19 CHAIRMAN ROVAK: Any motion for that, please.

20 MR. CARNEY: I couldn't hear what he said.

21 CHAIRMAN ROVAK: We'd like to entertain a motion
22 that -- that anybody who is speaking from the public not
23 have to be sworn in. They'll be identified, and they'll
24 ask -- we'll ask for their name and address, but we'll
25 forgo the swearing in, and if that's acceptable --

1 MR. CARNEY: Okay.

2 MR. POTASHNICK: So moved.

3 CHAIRMAN ROVAK: We have a second.

4 MS. HALL: Second.

5 CHAIRMAN ROVAK: Okay. All in favor?

6 (All responded aye.)

7 CHAIRMAN ROVAK: Okay. Any opposed?

8 Okay. And that is waived.

9 We'll go on. There is no Unfinished Business.

10 MR. CARNEY: Excuse me, Gene.

11 CHAIRMAN ROVAK: Yes.

12 MR. CARNEY: I've noticed under the attendees,
13 Todd Streiler is an attendee, but he's not a panelist, so
14 maybe -- maybe we can see if he's having a problem with
15 getting in to the -- as a panelist.

16 CHAIRMAN ROVAK: Okay. Did you hear from him?

17 MR. CARNEY: If Chris could look under
18 attendees, you can see Todd, get him transferred over
19 to --

20 MS. KELLY: Thank you. He's getting him. Yeah.

21 MR. STREILER: Here I am. I've been here the
22 whole time.

23 VOICE: Okay. Okay.

24 CHAIRMAN ROVAK: All right. There you go.

25 All right. We'll move on to New Business there

1 being no Unfinished Business.

2 First item on the agenda is a Public Hearing:
3 Application 20-015: A Text Amendment To Allow For Drug
4 And Druggists' Sundries Merchandise [sic] Wholesalers
5 (NAICS 424210) As A Conditional Use Permit In The
6 GC-General Commercial District.

7 Is there anybody that wants to speak on this
8 matter?

9 MS. KELLY: The IT -- yeah, the IT coordinator
10 will bring forth Paul Martin and Larry Malashock. They
11 are the applicants.

12 MR. MARTIN: Sorry about that, folks.

13 How are you all?

14 CHAIRMAN ROVAK: Okay.

15 MS. KELLY: So if we could have -- the court
16 reporter will need to swear both of you in first.

17 (The speakers were sworn in by the court
18 reporter.)

19 CHAIRMAN ROVAK: You can proceed with your
20 presentation.

21 MR. MARTIN: Thank you, Chairman Rovak.

22 We have a PowerPoint that I am going to try to
23 display for you. I'm not tech savvy though at all, and I
24 do not know exactly how this is going to work.

25 CHAIRMAN ROVAK: Okay. Our City -- City Planner

1 has a copy of it, so if you have any trouble bringing that
2 up in a share mode, she'll go ahead and put that on the
3 screen.

4 MR. MARTIN: Okay. That'll be great. It's just
5 not -- just not here for me, and I don't -- now I don't
6 even know how to get back to where you all are.

7 CHAIRMAN ROVAK: Should have a icon, a Zoom icon
8 on either the right or bottom side of your screen.

9 MR. MARTIN: Here. Here we go.

10 MS. KELLY: Okay. I have it up.

11 MR. MARTIN: So is that visible to you, but not
12 me?

13 MS. KELLY: Hold on. I got to figure this out
14 now. All right. Okay.

15 MR. MARTIN: All right. Fantastic.

16 Well, just in an opening cover here, the next --
17 the next slide talks about who my client is and who the
18 owner is for 10880 Bauer Boulevard. That is LARPAT, Inc.,
19 actually it's LARPAT, L.L.C., and Mr. Larry Malashock, who
20 is also participating, is the owner of LARPAT.

21 And we desire to use a portion of the building
22 at 10880 Bauer for business known as Bauer Distributing,
23 also owned by Mr. Malashock and his partners.

24 Next slide, please.

25 MS. KELLY: Sorry.

1 MR. MARTIN: All right. This is just a little
2 clip from your zoning map that shows you where 10880 is.

3 As you can see, we've got Lindbergh Boulevard to
4 the west. Andes -- Andy -- is it Andes or Andes?

5 MS. KELLY: Andes.

6 MR. MARTIN: Andes Boulevard. Andes Boulevard
7 to the east and Bauer Boulevard to the immediate north.
8 And that's that little corner right there where we are.

9 All right. Next, please.

10 This is just screen shot showing the south view
11 from Bauer Boulevard. And you can see to the right
12 Lindbergh. And the next screen shot shows the west view
13 from Andes Boulevard, and that is the facility that we're
14 talking about.

15 Next, please.

16 The proposed use is the wholesale -- the
17 re-packaging and wholesaling of topicals and also the
18 retail sale of topicals from this particular site.

19 Topicals are health and beauty cosmetic
20 products, and they're derived primarily from hemp.

21 Just to give you, I know this isn't a
22 conditional use permit time, but just to give you a little
23 bit of an idea what the use is.

24 We anticipate deliveries coming in twice a week
25 of bulk product, which is going to be re-packaged and then

1 sold and distributed -- sold by the internet with the
2 distribution through standard distribution measures; mail,
3 UPS, things of that nature.

4 And that would include distribution to both
5 wholesale -- excuse me -- retailers and to consumers.

6 MR. MALASHOCK: And to wholesalers as well.

7 MR. MARTIN: And to wholesalers as well.

8 Thank you, Larry.

9 What was mentioned in the original application,
10 which we didn't really address in any detail, was desire
11 to offer walk in, retail and product -- product pick up
12 site. And wanted to bring this up to the -- to the
13 Commission because we feel like the retail aspect of this
14 is more consistent with, and, indeed, is permitted by the
15 General Commercial zoning regulations, and we think it
16 makes a better fit, and we also like the idea of an
17 additional income stream.

18 However, when we did -- when we did the original
19 application, we were talking about using approximately
20 2,000 square feet of the building for the re-packaging,
21 labeling, distribution function and sale function of the
22 building. We didn't anticipate a walk in area, so that is
23 going to come in to play in a little bit. I'll talk more
24 about that in just a -- just a little bit down the road.

25 Next slide, please.

1 So the proposed use is classified under the
2 classification system as drug and druggist sundries
3 merchant wholesalers.

4 Sorry, my screen's a little bit cut off there.

5 This particular use isn't permitted at all in
6 the General Commercial District. It's not a permitted
7 use. It's not a conditional use. But in the adjacent
8 Light Industrial District it is a permitted use, and, in
9 fact, PCI, Inc. at 10800 Bauer, which is just two lots to
10 the east, I don't know how far away it is, probably no
11 more than 500 feet, but that company operates a similar
12 topical business. It's practically right next door.

13 So what we are requesting is that the Commission
14 recommend approval of a text amendment to the City Council
15 that would establish drugs and druggists sundries merchant
16 wholesalers as a conditional use in the General Commercial
17 District.

18 Next slide, please.

19 Couple of points we think are worthy of
20 consideration.

21 The first point is something that I feel
22 compelled to point out, that the General Commercial zoning
23 regulations really don't fit in this specific area, and by
24 this area, I mean where we have Lindbergh to the west and
25 Light Industrial to the east.

1 City code establishes the purpose and intent of
2 General Commercial as accommodating convenience retail
3 shopping and services and offices which are compatible in
4 scale and intensity of use with adjacent residential uses.

5 Well, we have -- we don't have any adjacent
6 residential uses here. We've got a state highway to the
7 west, a Light Industrial District to the east, the city
8 boundary is to the north, and I believe that's kind of
9 like an industrial park area to the immediate north of
10 that boundary, and to the south is the Research and Office
11 Park District designation.

12 So the -- the -- the transitional goals of
13 General Commercial zoning don't apply as much here because
14 there isn't any residential to transition to, and we like
15 you to please keep that in mind.

16 We'd also ask you to keep in mind that the
17 proposed use is compatible with other uses that are
18 currently permitted by the zoning code in the GI -- the GC
19 District, excuse me, whether as conditional uses or of
20 right, and those uses include confectionary manufacturing,
21 retail bakeries, roof mounted communication equipment,
22 surgical appliance and supplies manufacturing, dental
23 laboratories, sign manufacturing and packaging and
24 labeling services.

25 I'm not saying that these are identical to the

1 proposed use, but they certainly share different aspects
2 of their operations, including the bringing in a product
3 or some kind of product and then transforming that product
4 into something that is then sold and -- and having
5 packaging and labeling services on-site.

6 So there is some use compatibility there that is
7 not offensive to the General Commercial District
8 regulations in any way.

9 The proposed use is also compatible with other
10 nearby existing uses, especially when you get in to the
11 Light Industrial District.

12 Party Land and American Carnival Mart is in the
13 General Commercial District. It's that northernmost
14 district in the property there. And they are a company
15 that rents carnival equipment, and, actually, has outside
16 storage at the site. I'm not sure if they're supposed to,
17 but they do.

18 Right across catty-corner to 10880 Bauer is a
19 construction and roofing company, again, with outdoor
20 storage.

21 We also have -- we also have Jackman's Fabrics,
22 AG&M Marble, US Foods, Spectra Metal Sales, an embroidery
23 machine company of some sort, and all of these share some
24 aspects of wholesaling or retailing that specific
25 equipment or goods throughout -- I'm sorry -- to -- to

1 both wholesalers and retailers. And that includes PCI,
2 which we've already discussed.

3 Next district -- next page, please.

4 Now, we would say that the -- the proposed use
5 is compatible with the City's 2030 Comprehensive Plan
6 update, specifically the Mixed-Use Innovation Campus
7 District, which is Section 11.

8 That district is intended for the development of
9 specialized office, laboratory, institutional and research
10 buildings for high tech and biotech industries supported
11 by vibrant ground floor mixed-use development. And we
12 would submit that the proposed re-packaging wholesale
13 retail and office uses meet that mixed-use qualification,
14 and there is a tie-in to biotech through the sale of the
15 different hemp products.

16 With the 39 North Master Plan, it's interesting
17 that the plan recognizes the existing as built area as
18 industrial park, and, of course, it doesn't observe zoning
19 distinctions, but throughout that entire area, from
20 Lindbergh all the way east through the -- to the boundary
21 of the Light Industrial area, that is included and
22 described in the Master Plan as an industrial park area.

23 The 39 North Master Plan acknowledges the
24 long-range development goal as transitioning from the
25 current uses to office and laboratories that support plant

1 science and related industries.

2 But it also recognizes that the transition is a
3 lesser priority that will be driven by the successes of
4 earlier, presumably, existing uses.

5 And we'd suggest that planning for this
6 transitional area really doesn't envision the uses that
7 are currently recognized and being promoted by General
8 Commercial zoning. And the proposed use, Bauer
9 Distributing's proposed use, does not offend the city
10 plans in any way, shape or form.

11 Next slide, please.

12 So we are asking for the proposed text
13 amendment, and staff has put together an ordinance
14 conveying the -- the substance of that amendment.

15 First is an amendment to Table A by making drugs
16 and drug sundries merchants wholesalers a conditional use
17 in the GC district, and we would remind everyone of the
18 obvious; that this is just the beginning of the process.

19 If this is granted, Bauer Distributing will
20 still have to go through a conditional use permit process.
21 And in that process all of the land use issues that
22 traditionally come up in this kind of -- in any kind of a
23 conditional permit process are going to be addressed, so
24 this is just step one is to make it so that we can apply
25 for the conditional use permit.

1 The proposed text amendment also suggests adding
2 a new Subsection 405.470.34 to limit these uses, and we've
3 discussed one limitation to properties that abut the LI
4 District, and we think that makes all the sense in the
5 world, given the true consistency between existing uses in
6 the GC District at this point and the LI District to the
7 east.

8 Staff is suggesting a maximum of 25 percent of
9 the existing floor area be allowed for this use and no
10 more and no outside storage.

11 We have absolutely no problem with no outdoor
12 storage, but we would ask the Commission to consider the
13 possibility of increasing that 25 percent maximum.

14 We understand staff's desire not to let a -- a
15 use that is not perfectly compatible with strict General
16 Commercial regulations to overwhelm a particular site,
17 and -- and that is probably the -- the purpose of that
18 25 percent floor area limitation.

19 But we think it's too restrictive because the --
20 when we first started this process, again, we have a
21 10,000 square foot building. We estimated 2,000 square
22 feet at the operations end without the retail. Adding in
23 the retail is probably going to be getting us up to that
24 maximum 25 percent of existing floor area from the
25 beginning.

1 And while we have no problem with that, we're
2 concerned about, if this business is successful, that
3 we're going to require an expansion, and if we're limited
4 to 25 percent, that expansion isn't going to be allowed
5 without a subsequent text amendment. So --

6 MR. MALASHOCK: Correction, Paul. Not if, when
7 it's successful.

8 MR. MARTIN: Thank you, Larry.

9 And what -- what we'd ask the Commission to
10 consider, if it is inclined to favorably recommend this
11 change to the Council, that you consider making the
12 recommendation to a maximum of 50 percent of the existing
13 floor area. That would give us some flexibility, some
14 room for growth. And by limiting it to no more than half
15 of the existing floor area, the use wouldn't overwhelm the
16 site, and, hopefully, it might meet staff's needs there.

17 And if the business succeeds fantastically, and
18 even that 50 percent isn't enough, we would recognize the
19 need to either get a new building or come back for another
20 text amendment, and make a subsequent pitch for -- for
21 allowing the entire building to be used for that purpose.

22 But at this point (indiscernible) is at
23 25 percent. We'd ask you to consider 50 percent. And we
24 are willing to take the risk of what happens after that.

25 Next slide, please.

1 So we think the use as proposed is consistent
2 with existing uses in the area. It's compatible with
3 similar uses permitted by the city zoning code, whether of
4 right or conditionally that -- within the GI District.

5 We do not believe that the use will lead
6 intrinsically to any deleterious land use and facts that
7 may affect or burden the neighboring property or
8 community.

9 Again, that is something that is addressed in
10 the conditional use permit process, but the nature of the
11 use is just not anything significant. There isn't any
12 tremendous noise or litter or traffic. So all of those
13 issues will be hashed out later, but at this point, the
14 one doesn't necessarily follow the other.

15 And it'll allow for the productive use of 10880
16 Bauer in a matter that is not violative of the city's
17 longterm plans for the area.

18 So we're asking for a positive recommendation to
19 the City Council with a floor area limitation of
20 50 percent.

21 And happy to answer any questions.

22 CHAIRMAN ROVAK: Okay. Do we have questions
23 from the Commission?

24 MR. STREILER: Yeah, I had a question.

25 Regarding the Section 405.470, that 34, which

1 would have -- it would actually impose the supplemental
2 requirements for a CUP, Paul, if we were to expand that
3 from 25 percent to no more than 50, would you be able to
4 park that or would there be some other requirements that
5 you would need waivers for?

6 MR. MARTIN: I'm not aware of any other waivers
7 that we would need.

8 MR. STREILER: Whitney, what would -- do you
9 know what that would do to the application if we allowed
10 them to use up to 50 percent of the floor or gross floor
11 area for this use, would that affect any other
12 requirements?

13 MS. KELLY: It could, but that would be reviewed
14 under the conditional use permit process.

15 MR. MARTIN: And with the conditional use permit
16 process, if it did affect those other requirements, we
17 wouldn't necessarily need to amend the text, if I am
18 speaking correctly, Whitney, but they would be conditions
19 that are attached to the permit, if the -- if the permit
20 is issued?

21 MS. KELLY: Correct. It just depends on the
22 whole review of the specifics of the site.

23 Remember, this is just a text amendment to the
24 GC District, so, therefore, it -- that's what we're
25 looking at now.

1 We would get into the site specific requirements
2 and any impacts of the site when it comes -- when or if it
3 comes through for the text -- for the actual conditional
4 use permit.

5 MR. STREILER: Whitney, can you maybe present
6 the rationale of how staff arrived at 25 percent for this
7 text amendment?

8 MS. KELLY: Yes.

9 There -- well, I'll start from the -- my
10 presentation or discussion.

11 Whitney Kelly on behalf of the City of Creve
12 Coeur.

13 I'll just -- the 25 percent came in with their
14 request to -- for 2,000 square feet of an 8,000 square
15 foot building for this use.

16 We do have a concern. We have -- their initial
17 request was just to allow it as a conditional use within
18 the GC District. However, since the GC District does
19 encompass a large portion of the entire city, we don't
20 feel like -- we didn't feel like that was an appropriate
21 text amendment without any general -- without specifics.

22 While we have looked -- if you remember, as part
23 of our 39 North discussion and our discussions on
24 recommendations for changes to the zoning code following
25 the adoption of the 39 North, we have seen this as a

1 transition area. We've never really looked at having the
2 GC District along Lindbergh Boulevard change to LI, just
3 because of the nature of that, and we would limit, like we
4 only want to limit the amount of industrial uses, Light
5 Industrial uses on Lindbergh Boulevard.

6 The existing properties are generally office
7 oriented type of developments, so, therefore, we felt,
8 while this request was very minor in nature and very
9 limited in scope, that was sufficient for this area.

10 As that transitioned to the Light Industrial
11 District, but we didn't want to open up all of Lindbergh
12 Boulevard to higher intensive wholesale distribution that
13 the Light Industrial is really meant to address.

14 MR. CARNEY: Can I ask a question too?

15 Does the applicant have an estimate or
16 projection what percent you'll be doing at wholesale
17 versus internet versus retail, just a general breakdown
18 how that -- you think that'll work?

19 MR. MALASHOCK: Retail, right now, is a very
20 minor portion of our business, cause we don't have a
21 storefront.

22 How that changes is hard to determine. We have
23 a lot of retail outlets around the city in pharmacies, the
24 Whole MediCenter Group is carrying all of our products;
25 Schnucks is carrying one of our products, and we'll put in

1 three more within the next few weeks. There is a handful
2 of doctors' offices that are also distributing for us.

3 So we've never had a need for retail store, but
4 we have it on our website what our address is, so people
5 still walk in anyway because they don't want to pay
6 shipping costs, and ask to buy it on-site.

7 So that's why when it came up that it would make
8 it better for us with the permit if we went ahead and
9 established a retail store, it's not a problem because we
10 have enough people walking in already. So retail's a very
11 minor portion. Internet goes up and down. I think last
12 year internet was about 15 percent of our business, and
13 the balance is all wholesale.

14 MR. CARNEY: Okay. All right. Thank you.

15 MR. MALASHOCK: And the building -- just another
16 quick adjustment. The building is actually 10,000 square
17 feet, not 8.

18 MR. CARNEY: Okay.

19 MR. STREILER: So that answers my question with
20 regard to parking.

21 I think if the expansion goes beyond, you know,
22 25 percent and closer to 50 percent, it's mostly going to
23 be office -- or it's mostly going to be warehouse and
24 distributing, which doesn't require much parking anyway,
25 is that correct?

1 MR. MALASHOCK: That's correct. And we also own
2 a lot across the street that I bought from when I was with
3 my previous -- when I owned the building in a previous
4 business. So we have about an additional, I think it's 25
5 parking places just literally across Bauer from us --
6 across Andes from us. Sorry.

7 MR. STREILER: And it sounds like the main --
8 the rationale for the 25 percent was really to comport
9 with your application?

10 MR. MALASHOCK: It sounds like it, you're
11 correct.

12 MS. KELLY: It was to comport with this -- with
13 their request for 2,000 square feet, but we felt like it
14 was important to keep the scope of wholesale distribution
15 along this portion of Lindbergh Boulevard limited in
16 nature, whereas, we've always talked about this portion
17 would maybe have an overlay, but we did not see it as
18 going towards a Light Industrial use where heavier
19 wholesale distribution and larger trucks coming in and out
20 would be seen, so that's why we also felt like it was
21 important to keep it in -- small in scale.

22 The building does have other office uses in the
23 building. And it was keeping it in scope with the
24 existing architecture or scope of the existing building as
25 well.

1 MR. STREILER: Do we -- maybe you already
2 presented this, but do we know if -- if this site will be
3 receiving deliveries from large trucks or tractor
4 trailers?

5 And on a second question, how many bays does
6 this building have for -- for delivery?

7 MR. MALASHOCK: It has no bays. It has no --
8 well, I don't believe anyway of putting a bay in at this
9 point. If we grow to that level that we need semi trailer
10 trucks, then we'll have to sell the building and move to a
11 different area.

12 As far as deliveries go, to answer that
13 question -- sorry, my dogs are going crazy. I'm trying to
14 get my wife to quiet them down. Deliveries right now, we
15 probably get a delivery only once every other month. And
16 as business picks up, hopefully, the deliveries will pick
17 up, but they usually come by small van, and they'll bring
18 it and drop it off. That's it.

19 MR. STREILER: And these --

20 MR. MALASHOCK: A lot of products we carry or a
21 lot of the products we bring in, like gummy bears, we'll
22 bring in gummy bears, we stick them in pouches of five and
23 twelve and re-box them into different size boxes, and then
24 we send them down via carrier to all the FastLane Gas
25 Stations or to Mr. Checkout. Those are two other outlets

1 we have our products in currently.

2 So the shipments coming in right now are minor,
3 and shipments going out are a -- all the internet ones go
4 by U.S. Mail, and a lot of other deliveries around
5 St. Louis, me or our partners deliver by in person for the
6 friendly touch, and those out of town get shipped by UPS.

7 MR. STREILER: Thank you.

8 CHAIRMAN ROVAK: Do you any other questions or
9 concerns?

10 MR. STREILER: This is -- this is kind of saying
11 the obvious, but you did say this is a CBD, which is a
12 hemp-derived product. You're not -- you're not
13 anticipating branching into what -- the cannabis infused
14 or medical or recreational use of marijuana, are you?

15 MR. MALASHOCK: No, we did not go for a license
16 in any aspect of the marijuana industry, no. We're
17 strictly sticking with the hemp. We do sell a gel cap
18 that has some THC in it, but it's under the legal limit of
19 .3 percent.

20 Ours came in on testing, I think, at .15 or
21 whatever.

22 So that's the only product that we re-package
23 that has a little THC in it. But we did not go for a
24 marijuana license, no.

25 Did that make sense to you, Todd?

1 MR. STREILER: Yes, it did.

2 Thank you.

3 CHAIRMAN ROVAK: Do any other members of the
4 Commission have any questions for, I guess either for the
5 applicant or the staff has begun to present, so with the
6 staff as well?

7 MR. CARNEY: I -- I have a question for -- for
8 Whitney.

9 I know I'm familiar with Party Land, which is
10 the business they referenced, and I know they do quite a
11 bit of business in wholesale and internet.

12 Is it the nature of the product that is causing
13 this to be an issue, or is it really the wholesale aspect
14 that we're looking at here?

15 MS. KELLY: It's the wholesale distribution,
16 which is not generally -- that is not allowed in the GC
17 District.

18 The part -- that whole area was annexed into the
19 city in the '90s, and, therefore, a lot of those
20 businesses and a lot of the properties are preexisting
21 nonconforming.

22 I was not aware that they had any outdoor
23 storage, but that's generally not allowed either, so.

24 MR. CARNEY: I mean they're very good business,
25 they're very good people, but I think this text amendment

1 might clean up some other issues that we have that need to
2 be addressed, so I think this is a good -- a good thing
3 for us to look at.

4 And I also think in the future more retailers
5 are going to be taking this avenue to sell direct to the
6 consumer and wholesale, and I think it's going to become
7 bigger issue going forward. The retailers are going to
8 have a hard time just selling to the walk in off the
9 street traffic.

10 MR. MALASHOCK: You're correct, there's
11 definitely not enough profit in that.

12 CHAIRMAN ROVAK: Okay. Any other members?
13 If not, I'll ask if the --

14 MR. LUMLEY: Did staff finish the presentation?

15 MS. KELLY: Yeah.

16 CHAIRMAN ROVAK: Oh, I tried to -- I was
17 prompting before, but maybe you hadn't.

18 MS. KELLY: Essentially, yeah, I was able to.

19 CHAIRMAN ROVAK: Okay.

20 So are there any comments from the public?

21 Did we get any virtual speaker cards?

22 We had any registrations from members of the
23 public?

24 MS. KELLY: I'm not aware of any.

25 CHAIRMAN ROVAK: Okay.

1 MS. KELLY: And I don't see any raising any
2 hands.

3 CHAIRMAN ROVAK: Okay.

4 All right. Then that'll put me back to kind of
5 where I was a minute ago, but if the staff has anything
6 else they'd like to add to this discussion.

7 MS. KELLY: No, sir, other than that we do
8 believe we've tied -- instead of opening up this wholesale
9 distribution to all of the GC District, we do feel like
10 we've tied it in to just this area adjacent to the LI
11 District, which is appropriate.

12 Again, the question for the Commission to weigh
13 is whether 50 percent or 25 percent is appropriate for
14 this area as well for their request.

15 And, therefore, that's your -- that's your
16 discussion.

17 CHAIRMAN ROVAK: Okay. We'll cover that during
18 the discussion.

19 I guess that'll close the -- close the --

20 MR. LUMLEY: We have something coming up, Gene.

21 CHAIRMAN ROVAK: We have something? I'm sorry.
22 What did I miss?

23 MS. KELLY: The -- couple of questions have come
24 up on Q and A.

25 CHAIRMAN ROVAK: Oh, okay.

1 MS. KELLY: Asking about Council. This -- this
2 next step, once Planning and Zoning has made their
3 recommendation, it gets forwarded to the City Council for
4 review and ultimate approval, so they will have their time
5 to weigh the issues prior to enacting the text amendment.
6 And then should that get passed, then the applicant would
7 then have to seek approval for the conditional use permit
8 specific for the site. And we would get -- then get in to
9 the site specific requirements and any issues that might
10 raise.

11 CHAIRMAN ROVAK: So a number of steps follow
12 this.

13 I see there's one more, but I can't read it.

14 MS. KELLY: Yeah, the -- the next question is
15 what would -- would it be bad if it -- if it happened?
16 What would be bad if it happened?

17 The idea is -- the issue is is the amount of
18 larger trucks generally that comes with wholesale
19 distribution and the larger warehouses needed for that,
20 there -- but that's why it's a permitted use in the Light
21 Industrial District.

22 We do have a question about whether it's
23 appropriate for this -- for the office building to be able
24 to convert into such a wholesale distribution and
25 warehouse facility. But that is the question with this

1 text amendment that the Commission and Council will have
2 to answer.

3 CHAIRMAN ROVAK: Okay. Thank you.

4 At that point -- okay, I guess now we would
5 close the public hearing.

6 Would you -- our City Attorney will --

7 MR. LUMLEY: Thank you.

8 I offer the following exhibits into the record
9 of this public hearing: Documentation in possession of
10 the City Clerk reflecting the public notice, the staff
11 report and Mr. Martin's PowerPoint presentation, the City
12 Code of Ordinances and Charter, the City Comprehensive
13 Plan and the public file regarding this application.

14 CHAIRMAN ROVAK: Okay. And that will close the
15 public hearing.

16 (The Public Hearing was closed at 7:12 p.m.)
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City Council
300 North New Ballas Rd
Creve Coeur, MO 63141

Meeting: 08/10/20 07:00 PM
Department: Planning Division
Category: Ordinance
Prepared By: Whitney Kelly
Department Head: Jason Jaggi

SCHEDULED

ORDINANCE

Bill No. 5835 - an Ordinance Repealing Ordinance 2159 and Issuing a New Conditional Use Permit for a 919 Square-Foot Eating and Drinking Establishment, for Vitality Bowls, Located at 741 N. New Ballas Road, Within the Plaza Shops Shopping Center. Final Reading and Passage

Mark Matiszik, of G, Section, Inc. (DBA Vitality Bowls #069), has submitted for a conditional use permit for a new fast casual, 919 square foot restaurant, Vitality Bowls Superfood Café, with a maximum number of 16 seats, at 741 N. New Ballas Road, within the Plaza Shops Shopping Center, Creve Coeur MO, 63141. The subject property is zoned CB, Core Business District. All limited-service restaurants (NAICS 722513) are permitted as a conditional use with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. The Planning and Zoning Commission recommended approval at its meeting on July 20, 2020

Ordinance

Meeting of August 10, 2020

BILL NO. 5835

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ORDINANCE 2159 AND ISSUING A NEW
CONDITIONAL USE PERMIT FOR A 919 SQUARE-FOOT EATING AND DRINKING
ESTABLISHMENT, FOR VITALITY BOWLS, LOCATED AT 741 N. NEW BALLAS
ROAD, WITHIN THE PLAZA SHOPS SHOPPING CENTER**

WHEREAS, under Section 405.370(C), all eating and drinking places in the “CB”, Core Business zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Mark Matiszik, of G, Section, Inc. (DBA Vitality Bowls #069), has submitted for a conditional use permit for a new fast casual, 919 square foot restaurant, Vitality Bowls Superfood Café, with a maximum number of 16 seats, at 741 N. New Ballas Road, within the Plaza Shops Shopping Center, Creve Coeur MO, 63141.; and,

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, July 20, 2020, beginning at 6:30 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 6-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on July 20, 2020; 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: Ordinance Number 2159 is hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a restaurant located at 741 N. New Ballas Road, in the “CB” Core Business zoning district, within the Plaza Shops, whose legal description is as follows:

BILL NO. 5835

ORDINANCE NO. _____

A TRACT OF LAND BEING LOT "A" OF THE "BOUNDARY ADJUSTMENT PLAT OF A TRACT OF LAND BEING PART OF LOTS 3 AND 4 OF "STUDT'S HOME PLACE" AND PART OF LOT 7 OF "THE LAKE HOUSE FARM SUBDIVISION" AND PART OF VACATED DECKER LANE", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 345, PAGE 557 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS.

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 a 919 square foot eating and drinking establishment at 741 N. New Ballas Road, within the Plaza Shops.
2. Maximum seating permitted is limited to 16 seats.
3. Hours of operation shall be 8:00 a.m. to 8:00 p.m., seven days a week. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.
4. Employee parking, delivery and company vehicles shall be parked behind the buildings and as far from the public right-of-way as possible.
5. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
6. Any mechanical equipment installed for the site shall be properly screened with approved materials.
7. Missing landscaping shall be replaced to be in substantial compliance with the prior approved landscape plan for review and approval by the Zoning Administrator.
8. The property owner shall address any property maintenance issues to the satisfaction of the Chief Building Official prior to the issuance of a Certificate of Occupancy
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.
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 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

BILL NO. 5835

ORDINANCE NO. _____

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 _____, 2020.

HEATHER SILVERMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2020.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN
CITY CLERK



city of CREVE COEUR

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

APPLICATION TO PLANNING AND ZONING COMMISSION #20-017: CONDITIONAL USE PERMIT FOR A LIMITED SERVICES RESTAURANT, VITALITY BOWLS, WITHIN PLAZA SHOPS AT 741 N. NEW BALLAS ROAD

FOR THE MEETING OF: Monday, July 20, 2020, 6:30 PM

LOCATION: 741 N. New Ballas Road, within Plaza Shops Center, Zoned CB-Core Business District.

REQUEST: Mark Matiszik, of G, Section, Inc. (DBA Vitality Bowls #069), has submitted for a conditional use permit for a new fast casual, 919 square foot restaurant, Vitality Bowls Superfood Café, with a maximum number of 16 seats, at 741 N. New Ballas Road, within the Plaza Shops Shopping Center, Creve Coeur MO, 63141. The subject property is zoned CB, Core Business District. All limited-service restaurants (NAICS 722513) are permitted as a conditional use with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission.

ADDITIONAL INFORMATION: The Plaza Shops were originally developed in 1983, in conjunction with the property at 11850 Studt Ave, which were both under the same ownership. At that time, the center utilized the adjacent property at Studt Ave. for shared parking to meet with the minimum requirements for parking that were on the subject property. The properties have since been split up and sold to different entities. The former Pieology Restaurant utilized the former Cuisine D'Art conditional use permit, that relied on the shared parking between the properties, and parking requirements and regulations for restaurants have changed since the issuance of the original ordinance (Ordinance No. 2159). Therefore, Staff is recommending that Ordinance No. 2159 to be repealed, and any new restaurants in the center will have to seek a new conditional use permit.

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?

Comprehensive Plan References

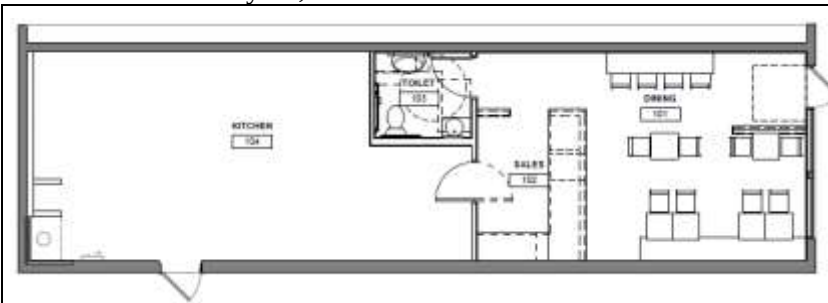
- Central Business District
- Mixed-Use District (MU)

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.370: CB-Core Business District
- Section 405.470: Conditional Uses
- Article VII: Off-Street Parking and Loading Regulations.
- Section 405.1080 Site Concept, Site Development and Minor Site Plan Approval

APPLICANT: Mark Matiszik
G. Section, Inc (DBA Vitality Bowls #069)
6314 Northwood Ave. Unit 3E
Clayton, MO 63105

PROPERTY OWNER: Catherine Vierling
CH Retail Fund I/St. Louis Plaza Shops, L.L.C.
190 Carondelet Plaza, Suite 1400
St. Louis, MO 63105



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 7/15/2020
ATTACHMENTS: Applicant's Materials received June 19, 2020
Draft Ordinance
Ordinance No. 2159

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Plaza Motors Car Dealerships	CB-Core Business District	NA
South	Retail/Office Building	CB-Core Business District	Studdt Ave.
East	Creve Coeur Plaza Shopping Center	CB-Core Business District	N. New Ballas Road
West	Plaza Motors Car Dealerships	CB-Core Business District	NA

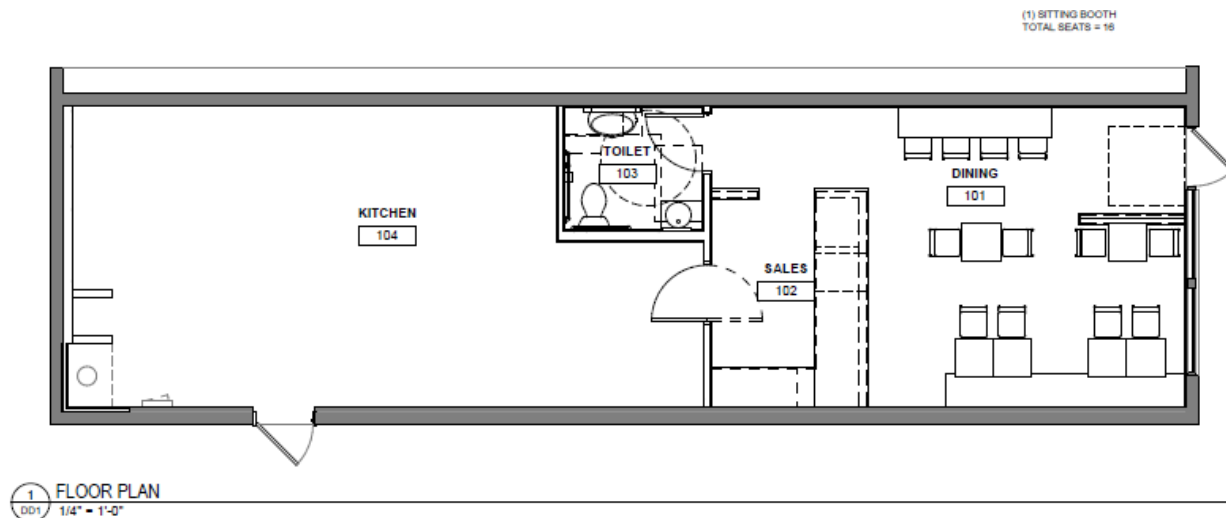
COMPREHENSIVE PLAN REVIEW

Creve Coeur 2030 Plan

The *Creve Coeur 2030 Plan* includes the overall goal for Placemaking & Community Identity by creating mixed-use, walkable districts (p. 45), and for the long-term Economic Growth & Community Services goal of provide the community services, amenities and experiences necessary to leverage and capture the changing consumer preferences for more lifestyle centers (p. 47). The subject property is located within the Central Business District area, that is intended for a walkable, mixed-use shopping, dining, and entertainment district with gridded street pattern and storefront street level development, for high-intensity, mixed-use development, including dining, retail, office and multi-family residential development with centralized shared-use structured parking located at the interior of the block (p. 72). The applicant is filling an existing tenant space within the Plaza Shops retail center that includes a mix of restaurants, retail and service uses. The applicant is not making any other changes to the building or the site. Therefore the proposal meets with the purpose of the District in as much as this request can.

ZONING REVIEW

Restaurants are permitted with conditions in all commercial zoning districts within the city, and the applicant is leasing an existing tenant space within the Plaza Shops, whose prior use was the Christian Science Reading Room addressed as 741 N. New Ballas. The proposal is for a 16 seat, 919 square foot, quick-serve restaurant. No changes to the exterior of the building or site have been requested.



Use Intensity:

Section 405.470(14) Restaurants shall not be located on sites of not less than 2 acres. Except that the acreage requirement does not apply to restaurants without drive-through services in the "CB," "PO," "PC" and "LI" Districts that are located within a retail or office building;

Parking:

Parking regulations for restaurants are discussed under Section 405.820(F)(5)(b) Required Off-Street Parking Spaces provides that for small restaurant facilities which offer only carry-out/delivery service and/or a seating capacity of sixteen (16) or fewer persons shall provide parking spaces at the ratio required for basic retail uses; provided such small restaurant facilities shall not be freestanding or provide drive-through, drive-up or curb service facilities. Multi-tenant retail shopping centers designed for restaurant, retail uses and personal service establishments may combine the total parking spaces for each use, less a fifteen percent (15%) reduction in the total number of parking spaces required, per Section 405.820(B)(1). As the proposed use is a made-to-order, fast casual style restaurant, serving both dine-in and carryout customers with a maximum number of 16 seats, the parking is calculated at basic retail.

Below is the current parking table for the entire center:

Tenant	Use	Size (sq. ft.)	Parking Regulations	# of spaces
701 New Ballas – Vacant (Former Pieology)	Former Restaurant/Vacant	3120	4/1000 sq. ft.	13
707 New Ballas – Little Medical School	Other Educational Services	1500	1/300sq. ft.	6
711 New Ballas – Edward Jones	Other Financial Services	1560	4/1000 sq. ft.	7
713 New Ballas – Excel Sports & Physical Therapy	Other Health Services	1575	4/1000 sq. ft.	7
715 New Ballas – Vacant	General Retail	1050	4/1000 sq. ft.	5
717 New Ballas – Vacant	General Retail	1400	4/1000 sq. ft.	6
721 New Ballas – Oishi Sushi*	Restaurant (94 indoor seats and 40 outdoor)	2800	1/3 seats in C.U.P., + 1/8 outdoor seats, + 1/250 sq. ft.	48
725 New Ballas – Vacant (former Zoya's)	General Retail	1319	4/1000 sq. ft.	6
727 New Ballas – Vacant	General Retail	1426	4/1000 sq. ft.	6
731 New Ballas – Nail Salon	Services – Nail Salon	1643	4/1000 sq. ft.	7
733 New Ballas – Zang Chi	Restaurant > 16 seats	1190	4/1000 sq. ft.	5
735 New Ballas – Vacant	General Retail	1358	4/1000 sq. ft.	6
737 New Ballas – Travel Masters, Inc.	Services Other Personal Services	1038	4/1000 sq. ft.	5
741 New Ballas – Proposed Vitality Bowls	Restaurant > 16 seats	919	4/1000 sq. ft.	4
743-745 New Ballas – Eyewearhouse	General Retail	2100	4/1000 sq. ft.	9
747 New Ballas – Lab Corp	Other Health Services	2040	4/1000 sq. ft.	9
Sub-total:				149
Minus 15% Reduction				-22
Total # of Parking Spaces Required:				127
Total Available On-site:				165
Excess Parking:				38

The ordinance for the former Cuisine D'Art indicated a total number of seats for indoor and out was a maximum of 80, and it included both the former Pieology space and the Little Medical School space at 707 N. New Ballas Road. Pieology utilized the Cuisine D' Art conditional use permit, as they were only reducing the size of the space, and reduced to seating to 70 indoor seats and 12 outdoor seats. At that

time, the center utilized the adjacent property at 11850 Studt Ave. that was under the same ownership to meet with the minimum required parking. The properties have since been split up and sold to different entities, and the joint parking agreement was released. It appears that the former Zoya's Express Café at 725 N. New Ballas, went in as a retail bakery, and was expanded without having obtaining a conditional use permit. Therefore, as discussed above, Staff is recommending a repeal of the original Cuisine D'Art conditional use permit since the space has been vacant for some time and that requirements/standards have since changed. For the purposes of this request, these spaces are calculated at the general 1 space for every 250 square feet, or 4/1000 square feet, of floor area. Any new restaurants will need to go through the process for a new conditional use permit to ensure that there is adequate parking available on the site. Therefore, the parking table is showing an excess of 38 spaces at this time.



Property Maintenance

The Building Division has cited the property ownership on several building code and property maintenance issues. And there appears to be missing landscape throughout the site. Therefore, Staff has included a condition that any missing landscaping shall be replaced to be in substantial compliance with the prior approved landscape plan on file for review and approval by the Zoning Administrator and that any property maintenance issues shall be addressed to the satisfaction of the Chief Building Official.

RECOMMENDED CONDITIONS FOR APPROVAL

Based on the above analysis, the request for a conditional use permit meets all of the requirements, in the same degree or greater than the prior use, of the Comprehensive Plan and 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 919 square foot eating and drinking establishment at 741 N. New Ballas Road, within the Plaza Shops.
2. Maximum seating permitted is limited to 16 seats.

3. Hours of operation shall be 8:00 a.m. to 8:00 p.m., seven days a week. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.
4. Employee parking, delivery and company vehicles shall be parked behind the buildings and as far from the public right-of-way as possible.
5. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
6. Any mechanical equipment installed for the site shall be properly screened with approved materials.
7. Missing landscaping shall be replaced to be in substantial compliance with the prior approved landscape plan for review and approval by the Zoning Administrator.
8. The property owner shall address any property maintenance issues to the satisfaction of the Chief Building Official prior to the issuance of a certificate of occupancy
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.
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.

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 may be incorporated into the motion or made by separate actions.

MOTION

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

"I move to recommend approval of Application #20-017 for a Conditional Use Permit for an eating and drinking establishment for Vitality Bowls located at 741 N. New Ballas Road, within the Plaza Shops, subject to the conditions discussed in the Staff Report and Draft Ordinance for the meeting of July 20, 2020" (conditions may be added, eliminated, or modified).

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

*Planning and Zoning Commission
July 20, 2020*

*Application #20-017.Vitality Bowls CUP
Page 6*

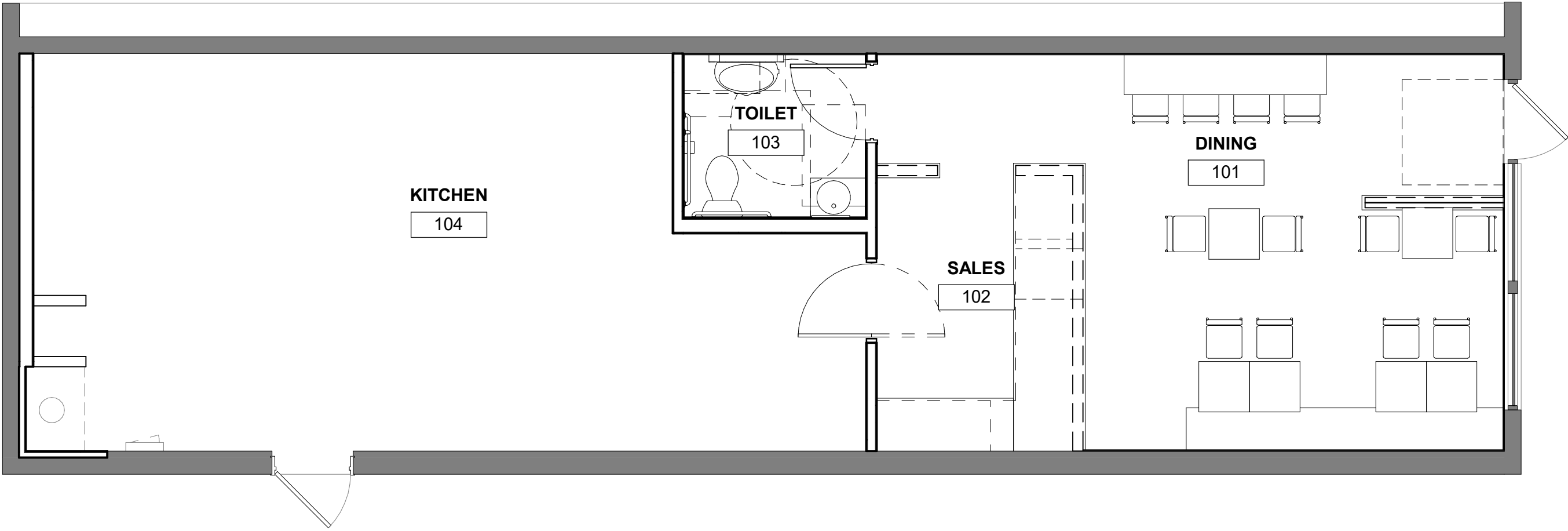
APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO



DINING 101:
(6) 24" X 24" TABLES
(1) 10'W X 1'-7"D EATING COUNTER
(1) SITTING BOOTH
TOTAL SEATS = 16

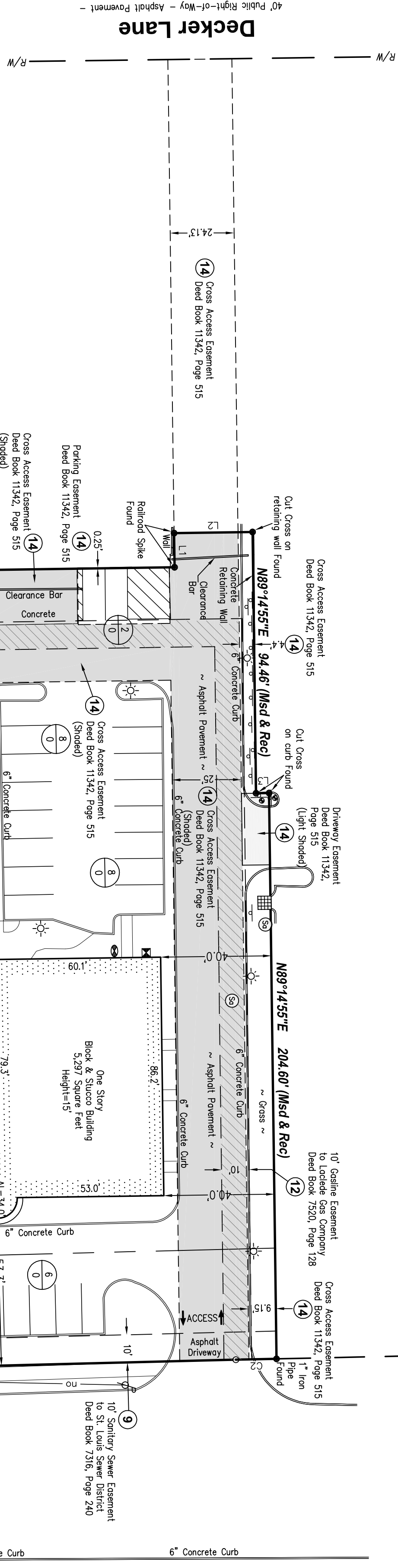


1 FLOOR PLAN
DD1 1/4" = 1'-0"

Vitality Bowls



ASBURY AUTOMOTIVE ST LOUIS, LLC
a Delaware limited liability company
Deed Book 14562, Page: 2780
APN: 170612359



FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. 1002-204813-RTT - SCHEDULE A: EXHIBIT A:

PARCEL A:
A TRACT OF LAND BEING LOT "A" OF THE "BOUNDARY ADJUSTMENT PLAT OF A TRACT OF LAND BEING PART OF LOTS 3 AND 4 OF "STUDT'S HOME PLACE" AND PART OF LOT 7 OF "THE LAKE HOUSE FARM SUBDIVISION" AND PART OF "WACLED BECKER LANE", ACCORDING TO THE PLAT THEREOF RECORDED IN A PLAT BOOK 345, PAGE 557 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS.

PARCEL B:
NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AND PARKING VEHICLES, AS CREATED BY THE EASEMENT AGREEMENT BY AND BETWEEN STEEN, INC., A MISSOURI CORPORATION, AND CHAPLAIN EILEEN, INC., A MISSOURI CORPORATION DATED AS OF OCTOBER 23, 1997 AND RECORDED NOVEMBER 3, 1997 IN BOOK 11342, PAGE 515.

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. 1002-204813-RTT - SCHEDULE B: SECTION II:

- Numbers correspond with survey-related Schedule B exception items contained in the above referenced commitment.
- Building lines, easements, covenants and restrictions established by the plat recorded in Plat Book 345, Page 557 and Affidavit recorded in Book 11372, Page 200 and Consent recorded in Book 11389, Page 1521. (Parcel A)
 - (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)
 - Easement granted to the Metropolitan St. Louis Sewer District by the instrument recorded in Book 7516, Page 240. (Parcel A)
 - (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)
 - Easement granted to the Southwestern Bell Telephone Company by the instrument recorded in Book 7512, Page 1815.
 - (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)
 - Easement granted to St. Louis County Water Company by the instrument recorded in Book 7518, Page 787. (Parcel A)
 - (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)
 - Easement granted to Locade Gas Company by the instrument recorded in Book 7520, Page 128. (Parcel A)
 - (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)
 - Easement granted to Union Electric Company by the instrument recorded in Book 7550, Page 479 and Book 10648, Page 483. (Parcel A)
 - (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)
 - Terms and provisions of Easement Agreement by and between Steinh, Inc. and Caplano Eileen, Inc. dated as of October 23, 1997 and recorded November 3, 1997 in Book 11342, Page 515. (Parcel A) (MULTIPLE EASEMENTS BOTH AFFECT AND BENEFIT THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)
 - Terms and provisions of Memorandum of Agreement pursuant to a Tenants in Common Agreement dated as of February 27, 1998 entered into and by and among Hutkin Plaza Shops, L.L.C., Dielman Rock Island Investors, L.L.C., and Studt Investors, L.L.C., according to an instrument recorded in Book 11476, Page 2288.
 - (AFFECTS THE SUBJECT PROPERTY - CONTAINS NO PLOTTABLE ITEMS)
 - Terms and provisions of Parking Declaration dated March 26, 1999 by Hutkin Plaza Shops, L.L.C., a Missouri limited liability company, Studt Investors, L.L.C., a Missouri limited liability, and Dielman Rock Island Investors, L.L.C., a Missouri limited liability company according to the instrument recorded in Book 7545, Page 1223.
 - (AFFECTS THE SUBJECT PROPERTY - CONTAINS NO PLOTTABLE ITEMS)

TOTAL LAND AREA:

123,263 Square Feet
2,830 Acres

PARKING:
159 Parking Spaces
6 Handicapped Spaces
165 Total Parking Spaces

ZONING:

As of December 28, 2016, we have not yet received the current zoning information for the subject property.

ENCROACHMENTS:

At the time of this survey, there was no visible evidence of encroachments or violations.

FLOOD ZONE:

By scaled map location and graphic plotting only, the subject property appears to lie entirely in Zone X-Unshaded (Areas determined to be outside the 0.2% annual chance floodplain) according to the Flood Insurance Rate Map for the County of St. Louis, Community Panel No. 2918020187K, Revised Date February 4, 2015.

BASIS OF BEARING:

The basis for all bearings shown hereon is the West property line of subject property, known as being N00°50'00"W per Plat Book 345, Page 557 of the Saint Louis County Records.

MISCELLANEOUS NOTES:

- There is direct access to the subject property via North New Ballas Road and Studt Avenue, both public right-of-ways. There is also access to the subject property per a Cross Access Easement set forth in Deed Book 11342, Page 515 from Decker Lane, a public right-of-way.
- With regard to Note A Item 11, an 81' utility locate request was made and markings found at the intersection of the subject property and North New Ballas Road. The markings indicate the location of underground features cannot be accurately, completely, and reliably depicted. In some jurisdictions, 81' or other similar utility locate requests from surveyors may be ignored or result in an incomplete response.
- A 1' wide utility easement is shown on the subject property, located on the east side of the property.
- The posted address on site is 701 North New Ballas Road, Creve Coeur, Missouri.
- At the time of this survey, there was no discernable evidence of earth moving work, building construction or building additions within recent months.
- At the time of this survey, there was no discernable evidence of the subject property being used as a solid waste dump, sump or sanitary landfill.
- At the time of this survey, there was no discernable evidence of any recent changes in street layout or easement boundaries.
- At the time of this survey, there was no discernable evidence of any recent street or sidewalk construction or repairs.
- The Property surveyed and shown hereon is the same property described in Schedule A of First American Title Insurance Company Title Commitment No. 1002-204813-RTT with an effective date of November 28, 2016 (FAS1 FES1504/FAS3 AEM100K1) by the Surveyor in the minimum amount of \$1,000,000 of coverage for the period of the survey.
- The survey was conducted in accordance with the contract term. Certificate of Insurance to be furnished upon request.



millman
National Land Services
Transforming the Industry

Surveying
Zoning
Environmental
Real Support - Title Review
Millman Surveying, Inc.
Corporate Headquarters
4111 Bradley Circle NW
Canton, OH 44718
Phone: 800-520-1010
Fax: 330-342-0834
www.millmanland.com
landsurveyors@millmanland.com

ALTANSPS LAND TITLE
SURVEY PREPARED FOR:

CROW HOLDINGS
CAPITAL REAL
ESTATE
3819 Maple Avenue
Dallas, Texas 75219

Plaza Shops
701 North New Ballas Road
City of Creve Coeur
County of Saint Louis
State of Missouri

GRAPHIC SCALE
0 30 60
1 INCH = 30 FT.

NORTH

DATE OF SURVEY: December 28, 2016
LS-2357
S. GRAVE
DMS
RECORDED LAND SURVEY FOR

Surveyor's Seal

REVISION HISTORY	
REV.	DATE: COMMENT:
1	3/1/17 EASEMENT VERIFICATION
PC:	MSI Project No. 38532
EF:	
PM:	WG Drafter: IMG

G. Section, Inc. d/b/a Vitality Bowls #069
6314 Northwood Ave. #3E
Clayton, MO 63105
(314) 295-1215

April 7, 2020

BUILDING & SAFETY DIVISION

RE: Vitality Bowls #069
Address: 741 New Ballas Road, Creve Coeur, MO 63141

Project Narrative

This is a proposed 917 sq. ft. leased space that is part of the shopping center development known as St. Louis Plaza Shops where we wish to open a Vitality Bowls Superfood Café.

Vitality Bowls Superfood Café will be a made-to-order, fast casual style restaurant, serving both dine-in and carryout customers. Its hours of operations will be 8:00am – 8:00pm, seven days per week.

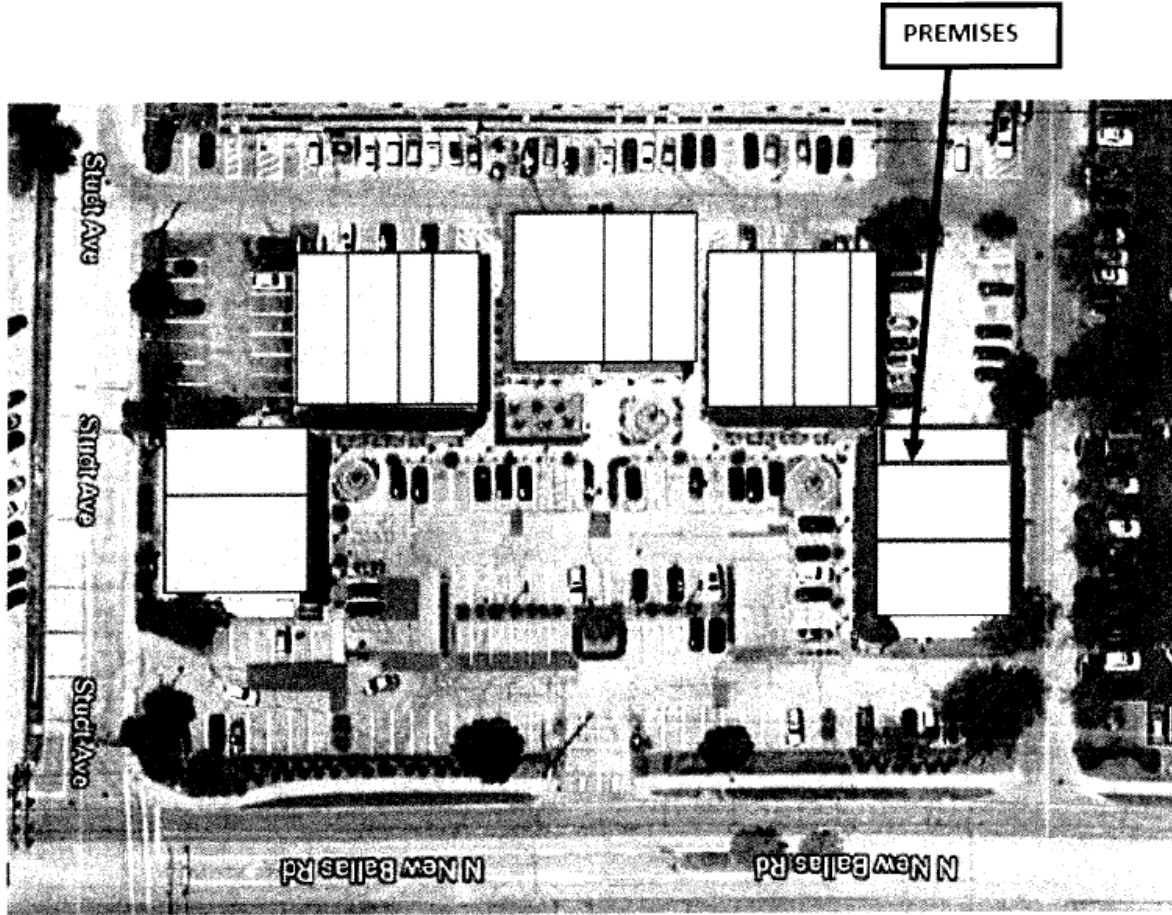
No changes to the exterior of the building or its landscape are part of this request. As part of the retail space within the St. Louis Plaza Shops development, the restaurant will utilize existing trash enclosures and parking approved for tenant use as part of the development.



Mark Matiszik
Treasurer
T: 314-295-1215
markm@vitalitybowls.com









BILL NUMBER 3134**ORDINANCE NUMBER 2159**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A
CONDITIONAL USE PERMIT FOR AN EATING AND
DRINKING ESTABLISHMENT TO BE KNOWN AS CUISINE
D' ART TO BE LOCATED AT THE PLAZA SHOPS CENTER,
ADDRESSED AS 701 NORTH NEW BALLAS, IN THE 'CB'
CORE BUSINESS DISTRICT**

WHEREAS, application was made by Ms. Beth Williams for a Conditional Use Permit to operate an eating establishment at the Plaza Shops Center, located on N. New Ballas, north of Studt Avenue, zoned CB, Core Business District, and

WHEREAS, under Section 26-41-3(e), all eating and drinking establishments require the issuance of a Conditional Use Permit as defined under Section 26-114, and

WHEREAS, on October 15, 2001, the Planning and Zoning Commission of the City of Creve Coeur, by unanimous vote recommended approval of said application as per Section 26-114.4(b), and

WHEREAS, a Public Hearing was held by the Creve Coeur City Council on Monday, November 12, 2001, 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 at least 15 days prior to the hearing, in the St. Louis Countian on October 24, 2001 and in the West County Journal on October 22, 2001, 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

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the construction and operation of a 3,120 sq. ft. eating and drinking establishment to be known as Cuisine d' Art at the Plaza Shops Center tenant space addressed as 701 N. New Ballas Road, located in the Plaza Shops development, zoned CB, Core Business District, subject to the hereinafter stated conditions, on the following described property:

Legal Description

Parcel A

A tract of land being Lot "A" of the Boundary Adjustment Plat of a tract of land being part of Lots 3 and 4 of Studt's Home Place and part of Lot 7 of The Lake House Farm Subdivision and part of vacated Decker Lane, according to the Plat thereof recorded in Book 345, page 557 of the St. Louis County Records.

Parcel B

A tract of land being Lot 1 of Weller Manor, according to the Plat thereof recorded in Book 105, page 1 of the St. Louis County Records and part of Lot 5 of Studt's Home Place according to the plat thereof recorded in Book 7 page 38 of the St. Louis County Records of the St. Louis County Records, situated within Section 3, Township 45 North, Range 5 East, in the City of Creve Coeur, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the point of on the Eastern Right of Way line of Decker Lane forty feet wide, at the Northwestern corner of Lot 2 of Weller Manor, as aforementioned; thence along said Eastern line and the Eastern line of land conveyed to the City of Creve Coeur (for the widening of Decker Lane), by Deed recorded in Book 7505, page 1930 of the St. Louis County Records, North 00 ° 52 minutes 55 seconds West, 200.57 feet to a point of curvature; thence Southwestwardly 39.65 feet, along a curve to the right having a radius of 25.00 feet and a chord bearing North 44 ° 35 minutes 32 seconds East to a point of tangency on the southern Right of Way line of Studt Avenue as widened to fifty feet by the Deed to the City of Creve Coeur, as aforementioned; thence along said Southern line East, 161.61 feet to a point on the Western line of a tract of land conveyed to Rose-Gold Nomen Company, by deed recorded in Book 6486 page 1867 of the St. Louis County Records; thence along Western line, South 00 ° 52 minutes 55 seconds East, 129.61 feet to a point; thence South 09 ° 42 minutes 03 seconds East, 94.59 feet to the Northeastern corner of Lot 2 Weller Manor, as aforementioned, thence along the Northern line of Lot 2, South 89 ° 07 minutes 05 seconds West, 201.38 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:

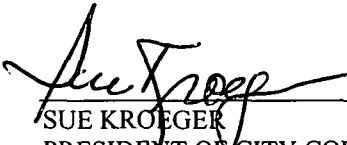
1. This Conditional Use Permit shall be for the operation of a 3,120 sq. ft. eating and drinking establishment as defined under Section 26-52.13 of the City of Creve Coeur Zoning Code.
2. Said use shall be located in the Plaza Shops Center tenant space addressed as 701 N. New Ballas Road, located in the Plaza Shops development as approved by the Creve Coeur City Council.
3. The maximum seating permitted is limited to 80 seats (including any outdoor seating on the north side of the building), as defined by the City's Zoning Ordinance.
4. The hours of operation shall be from 7:00 a.m. to 10:00 p.m., seven days a week.
5. 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.
6. 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.

7. Should the restaurant desire an exclusive refuse container it shall be located adjacent to the restaurant. A new 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. Trash pick-up for the facilities shall only occur between the hours of 8:00 a.m. and 8:00 p.m.
8. 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. Additional business hours are permitted with the Department of Community Development's approval. Business hours can be approved for the catering of special events.
12. Employee parking, delivery and company vehicles shall be parked in the west parking area of the restaurant.
13. Loading to and from Studt Avenue is prohibited.
14. A sidewalk shall be installed by the owner of Plaza Shops on N. New Ballas Road and shall meet City standards, as directed by the Department of Community Development.
15. 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.
16. The seating area must have sufficient proper signs to comply with the "No Smoking" Ordinance Number 1392 and amending Ordinance Number 1548.
17. 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.
18. 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.
19. 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.
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.
22. The use of outdoor speakers for the amplification of music shall be permitted and shall not exceed 50 decibels at the property line.

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 15 days after adoption by the City Council and the signing thereof by the Mayor.

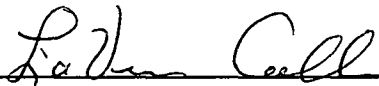
Adopted by City Council this 10 day of December, 2001.


SUE KROEGER
PRESIDENT OF CITY COUNCIL

Approved this 10 day of December, 2001.


ANNETTE KOLIS MANDEL
MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

Vitality Bowls® is a Superfood Café revolutionizing Açaí Bowls®.

An Açaí Bowl® is a nutritional powerhouse featuring the Amazon's rare Açaí (ah-sigh-ee) Berry, famous for having the richest antioxidant content of any naturally occurring fruits.



What we offer:

- Açaí Bowls®
- Smoothies
- Fresh Juices
- Panini and Salads

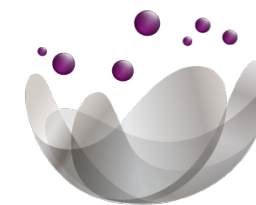
When to enjoy:

- Breakfast, lunch, snack, or dessert
- Dine-in, To-go, at Home, at the Office

**the healthiest meal you'll eat all
day!**

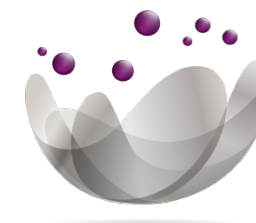
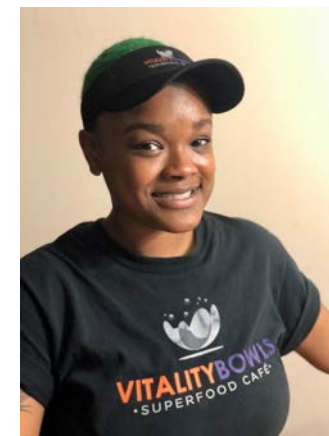


Bringing Healthy Food to your community



VITALITYBOWLS
• SUPERFOOD CAFE •

Creating new jobs

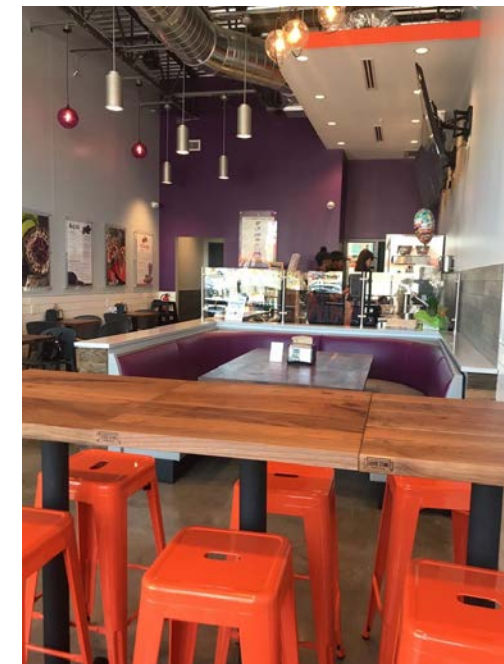
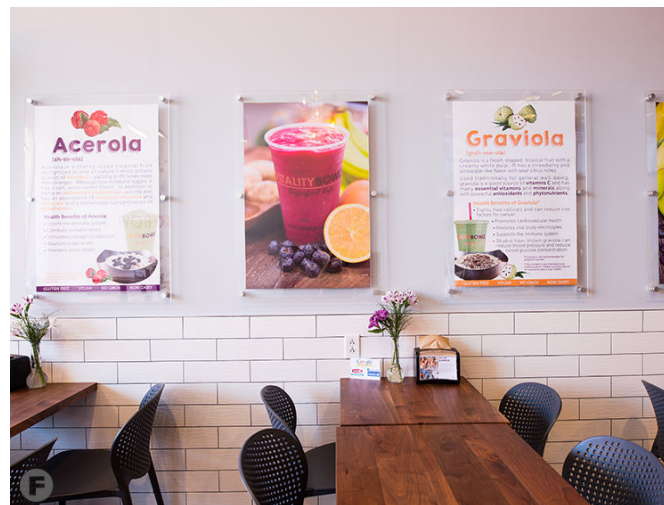


VITALITYBOWLS
• SUPERFOOD CAFÉ •

We are local!



Elevating Plaza Shops



1 PLANNING AND ZONING COMMISSION MEETING

2 CITY OF CREVE COEUR, MISSOURI

3 300 NORTH NEW BALLAS ROAD

4 MONDAY, JULY 20, 2020

5 6:30 P.M.

6 PUBLIC HEARING VIA ZOOM

7 APPLICATION NO. 20-017

8
9 THOSE IN ATTENDANCE:

10 Mr. Gene Rovak, Chairman

Mr. Tim Carney (via Zoom)

11 Ms. Muriel Hall (via Zoom)

Mr. James Myers (via Zoom)

12 Mr. Larry Potashnick (via Zoom)

Mr. Todd Streiler (via Zoom)

13 Mr. Carl Lumley, City Attorney

Ms. Whitney Kelly, City Planner

14 Ms. Jessica Stutte, Planning Assistant/Recording Secretary

15
16
17
18
19
20
21
22 McLaughlin Court Reporting Services, Inc.

23 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
4772 Gatesbury Drive
24 St. Louis, MO 63128
25 (314) 974-1199

1 CHAIRMAN ROVAK: Call meeting to order of
2 Planning Zoning Commission of Creve Coeur meeting of
3 July 20th, 2020 being called to order.

4 We'll start with roll call.

5 Our Chair, Ms. Kistner, will not be here this
6 evening.

7 Mr. Carney?

8 MR. CARNEY: Present.

9 CHAIRMAN ROVAK: Ms. Hall?

10 Is Ms. Hall here tonight? Was she planning on
11 being --

12 MR. LUMLEY: She's on the screen.

13 CHAIRMAN ROVAK: She might have muted.

14 MS. KELLY: Muriel, you muted yourself.

15 MS. HALL: Yeah, I'm present.

16 CHAIRMAN ROVAK: Okay.

17 I'm Gene Rovak, the Vice Chair, I'm here.

18 Mr. Potashnick?

19 MR. POTASHNICK: Present.

20 CHAIRMAN ROVAK: Mr. Streiler?

21 We are waiting.

22 MR. LUMLEY: You skipped Mr. Myers.

23 CHAIRMAN ROVAK: All right. And, okay,
24 Mr. Lumley, City Attorney?

25 MR. LUMLEY: I'm -- I'm here, but you --

1 CHAIRMAN ROVAK: Oh, oh.

2 MR. LUMLEY: -- skipped Mr. Myers.

3 CHAIRMAN ROVAK: Oh, I'm sorry.

4 And, Mr. Myers, and I see you. Yeah.

5 MR. MYERS: Present.

6 CHAIRMAN ROVAK: All right. Mr. Lumley, City
7 Attorney?

8 MR. LUMLEY: Yes, I'm here.

9 CHAIRMAN ROVAK: Okay.

10 Jason Jaggi will not be here this evening.

11 Whitney -- Whitney Kelly, City Planner?

12 MS. KELLY: Present.

13 CHAIRMAN ROVAK: And Jessica Stutte, Planning
14 Assistant and Recording Secretary?

15 MS. STUTTE: Present.

16 CHAIRMAN ROVAK: Okay. We'll move on for Public
17 Hearing for Application 20-018: Conditional Use Permit
18 For An Inpatient Medical --

19 MR. LUMLEY: No, you skipped over --

20 CHAIRMAN ROVAK: Oh.

21 MR. LUMLEY: -- No. 2.

22 CHAIRMAN ROVAK: I'm sorry. Oh, let me back up.
23 I apologize to everybody for that.

24 Yes. Okay. We didn't want to throw somebody
25 out on their ear before they even got a chance.

1 Item 2 is Public Hearing for Application 20-017:
2 Conditional Use Permit for a Limited Services Restaurant,
3 Vitality Bowls, Within Plaza Shops at 741 North New Ballas
4 Road.

5 Okay. Okay. And anybody who is speaking on
6 this will be sworn in please by the court reporter.

7 MR. LUMLEY: He's still -- he's still moving
8 them up.

9 MS. KELLY: Yeah.

10 CHAIRMAN ROVAK: Okay.

11 MS. KELLY: It's that MM down there.

12 Mark, you're not showing audio and video, did
13 you turn those on?

14 MR. MARK MATISZIK: There we go. Can you hear
15 us now?

16 MS. KELLY: Yes.

17 CHAIRMAN ROVAK: Yes.

18 MS. SALLY MATISZIK: Hello. Sorry for the
19 delay.

20 MR. MARK MATISZIK: Thank you very much.

21 CHAIRMAN ROVAK: Okay. Okay.

22 (The speakers were sworn in by the court
23 reporter.)

24 MR. MARK MATISZIK: Hello. Thank you.

25 My name is Mark Matiszik. This is my wife Sally

1 Matiszik. We are co-owners of G, Section, Inc., who
2 currently does business in Richmond Heights as Vitality
3 Bowls.

4 We are franchisees. And we are hoping to start
5 our second franchise -- our second location of the
6 franchise in the St. Louis area over at Plaza Shops just
7 south of Olive on New Ballas Road.

8 To give you a brief introduction to kind of who
9 we are and what Vitality Bowls does, we wanted to show a
10 brief slide presentation.

11 There we go. And I will let Sally kind of
12 describe it.

13 MS. SALLY MATISZIK: Great.

14 So, in general, what is Vitality Bowls? If you
15 haven't been to our location in Richmond Heights before,
16 we are described as a super food cafe. And what we offer
17 are acai bowls, smoothies, fresh juices, panini, salads.
18 Everything is made fresh to order.

19 But we are really known for our super food
20 bowls. And what that is we take one or more of our four
21 starring super foods; the acai berry, graviola, pitaya or
22 acerola, and we blend them with other frozen fruits and/or
23 vegetables into a thick spoonable base, so think of it
24 kind of like a smoothie with a spoon.

25 We cover that with organic granola, topped with

1 fresh fruits and finish those with additional super foods.

2 And, basically, the acai bowl is going to be one
3 of the healthiest and most nutritional things you'll eat
4 all day. It's because we don't have any fillers, and we
5 consider fillers to be ice to bulk it up, syrups, added
6 sugars, artificial colors, artificial flavors. We have
7 none of that in any of our menu items. So it truly is
8 going to be a nutritional powerhouse for you.

9 This is just a very short video.

10 (Showing video.)

11 MR. MARK MATISZIK: Look like a good idea.

12 MS. SALLY MATISZIK: Yeah, so, hopefully, that
13 gives you an idea. Just a brief picture of all the fresh
14 foods we have.

15 And this slide here, I love to show this. I
16 hope you see the color as bright as they are on here. No
17 added colors, nothing artificial in here. This is all
18 natural, bright, fresh, nutritious food.

19 You're seeing the variety of our menu from our
20 super food bowls that are in those silver bowls. Also, we
21 have a picture of them in our to go bowls that we're all
22 doing right now being safe with the coronavirus. We
23 provide those for catering.

24 You'll see beautiful pictures of our smoothies,
25 our large salads, our panini sandwiches that range from

1 gluten free to whole wheat, and a classic panini roll.
2 And also some of the juices are in the top photos there.

3 So this is, like I said, just a variety of
4 everything that we offer that we're currently serving in
5 our Richmond Heights location right now.

6 Next slide.

7 One of the things we love to talk about is the
8 fact that when we open up Vitality Bowls in Creve Coeur,
9 we will be creating new jobs. We think at this location
10 we'll have about four full-time people and at least twenty
11 part-time people.

12 The photos you see here are actual employees
13 that we have at our current Richmond Heights location. We
14 have first time employees that are -- we've started some
15 people as a youth employee that have now been promoted to
16 ship leaders. We have family members that have families
17 of their own. So we have quite a range of ages of people
18 that we employ.

19 But one of the things that's truly dear to my
20 heart is having new employees, getting people job
21 experience, teaching them skills that they can't learn in
22 other places, teamwork, dealing with the public, being in
23 front of other people and talking to people in person
24 versus over the phone and on text. So it's -- it's really
25 a passion of mine. The teamwork is one of our most

1 special things. And I cannot wait to start interviewing
2 people for the new job in Creve Coeur.

3 Another thing that I love to point out is we are
4 local. So almost all the Vitality Bowls across the
5 country are locally owned and operated. That's one thing
6 that's really important to Vitality Bowls; that the owners
7 are in the location; they're actually working there;
8 they're dealing with the public; they're training their
9 team.

10 Mark and I have been hands-on since we began the
11 Vitality Bowls in Richmond Heights, and that's our
12 intention when we go to Creve Coeur, just he and I are
13 going to split up a little bit.

14 Also, another thing about being local is we love
15 to get involved in the community. And I'm hoping that's
16 something that I can do more in Creve Coeur.

17 Some of the photos that you see here are local
18 partners of products, so KomBlu Kombucha, if you're not
19 familiar with that, it's a fermented tea and fruit juice
20 that's an incredible soda alternative. Really good
21 tasting. And Park Avenue Coffee. Both of these are
22 locally made here, and we want to continue with that.

23 Another thing that we do every month is we are
24 part of the local Gift To Meal Program that was designed
25 by a Washington University graduate. And every month we

1 donate a number of meals through Gift To Meal to Operation
2 Food Search.

3 For example, in June we provided 78 meals to
4 Operation Food Search, and we average anywhere between,
5 I'd say 50, and our most we've done is about 92 per month
6 since we've been open.

7 And you see quite a few photos there of some
8 people in the medical profession. So during this
9 coronavirus pandemic, we've partnered up with an
10 initiative called Make An Impact, and we have been part of
11 donating meals to, specifically for this one, to
12 St. Mary's Hospital in Richmond Heights. We were part of
13 their 1,001 meal donated through this program, and very
14 pleased that Vitality Bowls has donated a number of times
15 to this.

16 And we continue to provide meals to charitable
17 and nonprofit organizations.

18 The picture you see with the kids in the group
19 is just one example of a nonprofit dance group, Consuming
20 Kinetics Dance, that we also provide to.

21 And this is something I'm very pleased to talk
22 about is elevating Plaza Shops. I don't know if any of
23 you have driven by or are familiar with the space.

24 But when you looked at today's agenda you may
25 have seen that there's a few vacant spots in that

1 location, and we are really looking forward to filling one
2 of them and bringing some vibrancy back to that location.

3 You can see what the inside of our current
4 Richmond Heights Vitality Bowls looks like. It's very
5 high-class. We use top-quality finishes. The colors are
6 comfortable. The seating is nice. We'll provide free
7 wi-fi to anyone if they do want to dine in and stay with
8 us.

9 Our tables are all handcrafted locally by Dave
10 Stein Woodworking.

11 So you can see we really want to elevate and
12 have the space be comfortable, nice and high-quality and
13 we'd love to bring that to you.

14 Hope I didn't go too fast on those for everyone.

15 CHAIRMAN ROVAK: No.

16 MS. SALLY MATISZIK: If anyone wants to see any
17 of those other slides, or especially of the food, please
18 ask, and I'd be happy to bring it up.

19 CHAIRMAN ROVAK: Thank you.

20 How long have you been in -- in the Richmond
21 Heights location?

22 MR. MARK MATISZIK: We just celebrated our
23 second anniversary, so we started in July of 2018.

24 And what's fantastic about our business is we've
25 developed, I describe it as rabidly loyal customer base,

1 especially for kind of a premium chain, we have almost
2 6,000 people who have signed up for our loyalty program
3 who average almost one time every month coming in, which
4 is a huge average for us.

5 For a lot of people, we become almost a regular
6 part of their life, they're in three or four times a week.

7 In fact, as the restaurant industry really
8 struggled during the COVID crisis, and as restaurants were
9 shut down, we, obviously, suffered business, but we were
10 able to pivot very quickly because we had such a high
11 proportion of loyalty customers into curbside pickup and
12 ordering via our app, and we are actually well above 2019
13 year-to-date, so that we -- we dropped.

14 We are still going to finish the year up. And
15 we have a lot of excitement because we have people that
16 come almost every Saturday and Sunday, especially on
17 weekends, from as far west as O'Fallon, Missouri, and as
18 far east as O'Fallon, Illinois.

19 We've (indiscernible) to expand.

20 Our plan was always to launch one, and see if
21 could first prove acai as a concept in the St. Louis area.
22 We're very comfortable that we've done that. And now we
23 wanted to test out if we could work in a smaller location,
24 we were -- we signed the lease, and we were looking at a
25 location like the one in Plaza Shops even prior to COVID,

1 which has worked out really well because things like
2 curbside pickup and more focus on takeout seems to be the
3 way the restaurant industry is going overall.

4 CHAIRMAN ROVAK: Thank you.

5 Any Commission Members have any questions for
6 the applicant?

7 MR. CARNEY: I had one question about hours.

8 It says eight to eight. You normally operate
9 from eight to eight?

10 MS. SALLY MATISZIK: Yes, we do, yes.

11 MR. CARNEY: Okay. Any -- any need to go past
12 eight o'clock or --

13 MS. SALLY MATISZIK: We don't see that --
14 foresee that for now.

15 When we applied in Richmond Heights, we applied
16 for extended hours, but we're -- seem quite controlled
17 between eight and eight. Our employees are usually gone,
18 cleaning up, anywhere between 8:30 and 9, so it seems to
19 be working well.

20 MR. CARNEY: Okay. Thank you.

21 MS. SALLY MATISZIK: Uh-huh.

22 CHAIRMAN ROVAK: Okay.

23 MR. STREILER: Have you looked at the site in
24 Creve Coeur and tried to figure out how you could do
25 expanded business operations during the COVID shutdown

1 where you have to rely on carryout or drive up or drive
2 through and what -- what have you found?

3 MS. SALLY MATISZIK: Uh-huh.

4 MR. MARK MATISZIK: Yeah, it was fascinating,
5 one of the things that appealed to us about this Plaza
6 Shop location was the way their parking was laid out.
7 We'll have two spots there that are reserved for curbside
8 pickup, which, again, we were looking at, even prior to
9 the COVID situation.

10 And what we found, based upon our experience in
11 Richmond Heights, is it actually provides some
12 efficiencies to us with an increase proportion of pickup,
13 especially curbside pickup.

14 We have a great app, and we have, by far now,
15 the majority of our orders placed either on the app or
16 online.

17 Most of the time people will order, pay ahead,
18 and -- so that they can go touchless curbside pickup and
19 set a time ahead.

20 So our bowls are a bit labor intensive. We're
21 technically a quick service restaurant, but we take a bit
22 longer. Best case scenario, an acai bowl, if it's made
23 correctly, can take, you know, five to nine minutes to
24 make, and when we get very busy, as we often do during
25 lunch and dinner rushes, that can occasionally cause some

1 wait times.

2 Since we moved to more curbside pickup because
3 of the virus, it's much more efficient because now a lot
4 of our orders we get 30 minutes, an hour, sometimes two
5 hours' advance notice. We're able to make them. Have
6 them waiting in a freezer. And it sort of -- sort of has
7 evened out our operational flow.

8 MR. CARNEY: I had looked -- I have one other
9 question.

10 I looked at the -- the center today, and it
11 looks like there could be some outdoor dining. There's a
12 large outdoor patio, I think by the sushi. Is that a
13 shared area or is that just for that restaurant or what's
14 the situation on --

15 MS. SALLY MATISZIK: Unfortunately, that is just
16 for the sushi restaurant.

17 The way that the parking works for us, we
18 haven't applied for any outdoor seating at this time.
19 We've taken our maximum amount of seating inside the
20 restaurant at this time.

21 MR. CARNEY: Right. Okay. All right. Thank
22 you.

23 MS. SALLY MATISZIK: Uh-huh.

24 CHAIRMAN ROVAK: Any other questions?

25 If not, let the staff. You might have a say.

1 MS. KELLY: Whitney Kelly on behalf of the City
2 of Creve Coeur.

3 As the applicants have indicated, they are
4 seeking approval of a conditional use permit for a new
5 restaurant at 741 North New Ballas Road within the Plaza
6 Shop Center.

7 This is a new restaurant space within that
8 center, and, therefore, it requires a conditional use
9 permit.

10 As they have indicated, they are a quick serve
11 with limited seating. It's maximum of sixteen seats.
12 Therefore, the parking calculation is based upon the
13 regular retail of one space for every 250 square feet of
14 floor area or four per thousand.

15 The whole center has a total of parking spaces
16 on site of 165 spaces, and with this use, that would leave
17 the total required parking as 127 spaces, therefore,
18 there's an excess of 38 spaces on-site.

19 This does include the repeal of the initial CUP
20 for the Cuisine D'Art, which was elsewhere in the center.

21 When the Cuisine D'Art went in, they utilized
22 and shared parking with an adjacent property. That the
23 properties have now been split off, and so, therefore,
24 we're recommending that we repeal that one.

25 Any new tenant within that space will have to

1 seek its own CUP, and we would examine the parking at that
2 time.

3 Therefore, we recommend approval.

4 CHAIRMAN ROVAK: Okay.

5 Do any Commission Members have any questions for
6 Whitney, the staff?

7 Okay. Well, then, let's see if there's anything
8 else. If there's nothing else --

9 MR. LUMLEY: Any members of the public.

10 CHAIRMAN ROVAK: Yes, we didn't -- do we have
11 anybody who wishes to speak to this? Okay.

12 MR. LUMLEY: No.

13 CHAIRMAN ROVAK: No. Okay. I guess we can get
14 the exhibits into the record and --

15 MR. LUMLEY: Yes.

16 CHAIRMAN ROVAK: -- you ready to close the
17 hearing?

18 MR. LUMLEY: Thank you.

19 I offer the following exhibits into the record
20 of this public hearing: The staff report regarding this
21 matter, the PowerPoint presentation from the applicants,
22 the City Code of Ordinances and Charter, the City
23 Comprehensive Plan, the public file regarding the
24 application and documentation in possession of the City
25 Clerk reflecting the public notice.

CHAIRMAN ROVAK: Okay.

Okay. And we'll close that -- we'll close the public hearing.

(The Public Hearing was closed at 7:42 p.m.)

oOo

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: 08/10/20 07:00 PM
Department: Planning Division
Category: Ordinance
Prepared By: Whitney Kelly
Department Head: Jason Jaggi

SCHEDULED

ORDINANCE

Bill No. 5836 - an Ordinance Authorizing a New Conditional Use Permit for Application for an 88-Bed, 25,017 Square Foot Medical Drug Testing and Research Facility for BioPharma at 10330 Old Olive Street Road, Zoned GC-General Commercial. Final Reading and Passage

Andrew Janis, of BioPharma Services USA, Inc., has submitted a conditional use permit application for a 88-bed, 25,017 square foot Medical Drug Testing and Research Facility at 10330 Old Olive Street Road, Creve Coeur, MO 63141, and where patients/subjects usually stay a day or two, but sometimes can be longer. All Other Miscellaneous Ambulatory Health Care Services, NAICS 621999, are conditional uses in the GC-General Commercial District with review at the Planning and Zoning Commission and approval by the City Council. The Planning and Zoning Commission recommended approval at its meeting on July 20, 2020.

Ordinance

Meeting of August 10, 2020

BILL NO. 5836

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A NEW CONDITIONAL USE PERMIT FOR
APPLICATION FOR A 88-BED, 25,017 SQUARE FOOT MEDICAL DRUG TESTING
AND RESEARCH FACILITY FOR BIOPHARMA AT 10330 OLD OLIVE STREET
ROAD, ZONED GC-GENERAL COMMERCIAL**

WHEREAS, under Section 405.360(C), all All Other Miscellaneous Ambulatory Health Care Services, NAICS 621999 in the GC-General Commercial District require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Andrew Janis, of BioPharma Services USA, Inc., has submitted request for a conditional use permit application for an 88-bed, 25,017 square foot Medical Drug Testing and Research Facility at 10330 Old Olive Street Road, Creve Coeur, MO 63141; and,

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, July 20, 2020, beginning at 6:30 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 6-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on July 20, 2020; 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 3 hereof for the operation of a Medical Drug Testing and Research Facility at 10330 Old Olive Street Road under the category of Other Miscellaneous Ambulatory Health Care Services (NAICS 621999), in the GC-General Commercial zoning district, whose legal description is as follows:

Parcel 1:

BILL NO. 5836

ORDINANCE NO. _____

A tract of land in the Northern half of the Northwest 1/4 of Section 1, Township 45 North, Range 5 East, and being part of Lot or Share C as shown on the plat accompanying Commissioners Report in Petition Suit of Matthew Legg et al versus Gustavo Gilbert in the St. Louis Land Court, October Term, 1865, and described as: Beginning at the Northwest corner of property conveyed to Monsanto Chemical Company by deed dated February 11, 1952 recorded in Book 2893 Page 391 of the St. Louis County Records; thence in a Southerly direction along the West line of property aforementioned 253.18 feet, more or less, to the Missouri State Highway Right of Way conveyed to Monsanto Chemical Company to the State of Missouri acting by and through the State Highway Commission of Missouri by deed May 12, 1958 recorded in Book 3949 Page 14 of the St. Louis County Records; thence along said Missouri State Highway Right of Way North 46 degrees 04 minutes East 333.77 feet, more or less, to its intersection with the North line of the property conveyed to Monsanto Chemical Company by the aforementioned deed dated February 11, 1952, thence in a Westerly direction along the North line of said property conveyed to Monsanto Chemical Company by deed dated February 11, 1952, 230 feet, more or less, to point of beginning.

Parcel 2:

A tract of land in the Northwest One Quarter of Section 1, Township 45 North, Range 5, being a part of Lot or Share C as shown on the plat accompanying Commissioner's Report in Petition Suit of Matthew Legg, et al versus Gustavo Gilbert in the St. Louis Court, October Term, 1865, and described as: Beginning at a point in the East and West Quarter Section line of the Northwest corner of said Section 1 being also the Southeast corner of the Northwest corner of said Section 1 being also the Southeast corner of a one acre tract conveyed to Louis H. Gisele by deed recorded in Book 476 Page 360 thence North 2 degrees 3 minutes East on the East line of said Gisele tract, a distance of 761.81 feet to the South line of Olive Street Road and being the Northeast corner of said Gisele tract; thence Eastwardly along the South line of Olive Street Road, a distance of 60 feet to a point; thence South 2 degrees 3 minutes West to a point in the East and West line of line of said Northwest Quarter of Section 1; thence Westward along the East and West Quarter of Section line to the point of beginning, EXCEPTING THEREFROM that portion conveyed to Educational Employees Credit Union by General Warranty Deed dated February 18, 1975 and recorded in Book 6777 Page 86 of the St. Louis County Records and that portion thereof taken for State Highway purposes according to decree in Cause No. 222918 of the Circuit Court of St. Louis County, a certified copy of which is recorded in Book 3955 Page 431 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 an 88-bed, 25,017 square foot Medical Drug Testing and Research Facility with overnight stays at 10330 Old Olive Street Road under the category of Other Miscellaneous Ambulatory Health Care Services (NAICS 621999).
2. The property owner shall address any property maintenance issues and building code issues related to the use to the satisfaction of the Chief Building Official.
3. The Applicants shall submit for a building permit to properly screen the existing dumpster with a trash enclosure that is compatible with the architecture of the main buildings subject to the Zoning Administrator's approval.
4. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
5. All Landscaping shall be maintained per the prior approved plan and vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, and should the street trees be removed, sufficient landscaping shall be

BILL NO. 5836

ORDINANCE NO. _____

provided on the property to be consistent with the Landscape Plan to the extent possible, as required under Section 405.540 Landscaping, as determined by the Zoning Administrator.

6. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.
7. 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.
8. 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.
9. 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.
10. 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 _____, 2020.

HEATHER SILVERMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2020.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN
CITY CLERK



city of CREVE COEUR

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

APPLICATION TO PLANNING AND ZONING COMMISSION #20-018: CONDITIONAL USE PERMIT FOR AN IN-PATIENT, MEDICAL DRUG TESTING AND RESEARCH FACILITY, BIOPHARMA, AT 10330 OLD OLIVE STREET ROAD

FOR THE MEETING OF: Monday, July 20, 2020, 6:30 PM

LOCATION: 10330 Old Olive Street Road, GC-General Commercial District.

REQUEST: Andrew Janis, of BioPharma Services USA, Inc., has submitted a conditional use permit application for an 88-bed, 25,017 square foot Medical Drug Testing and Research Facility at 10330 Old Olive Street Road, Creve Coeur, MO 63141, and where patients/subjects usually stay a day or two, but sometimes can be longer. All Other Miscellaneous Ambulatory Health Care Services, NAICS 621999 are conditional uses in the GC-General Commercial District with review at the Planning and Zoning Commission and approval by the City Council.

ADDITIONAL INFORMATION: The subject property was originally developed as an office development in 2002. The applicant's business is to provide clinical trials on subject individuals. Approximately 90% of the clinical trials are comparison studies and analysis between generic drugs and name brand drugs (both over-the-counter and prescription). The remaining 10 % of the Company's business are Phase I trials (not on the market yet). While there are medical staff on-site, the facility is not an urgent care, hospital or clinic; and except as directly related to the clinical trials, the Company provides no health care services. The facility is used only for clinical trials. The facility, the drugs to be tested, and the process of the clinical trials are all highly regulated by the US FDA and other US and world regulatory organizations. As the patients/subjects are staying overnight, Staff considers the use closest related use as an Other Miscellaneous Ambulatory Health Care Services, NAICS 621999.

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?

Comprehensive Plan References

- Mixed-Use Innovation Campus District (MUIC)
- 39N Master Plan

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.
- Section 405.1080 Site Concept, Site Development and Minor Site Plan Approval

APPLICANT: Andrew Janis
Biopharma Services USA Inc.
300 Portland Street, Suite 100
Columbia, MO 65201

PROPERTY OWNER: James A. Fredericks
Armstrong Teasdale LLP, Suite 1800
St. Louis, MO 63105



Google image

REPORT PREPARED BY: Whitney Kelly, AICP, City Planner

DATE: 7/8/2020

ATTACHMENTS: Applicant's Materials received 6/19/2020 and Floor Plans received 7/13/2020
Draft Ordinance

PROPOSAL

BioPharma is seeking a conditional use permit as an Other Miscellaneous Ambulatory Health Care Services (NAICS 621999) for the entire building, approximately 25,017 square feet, at 10330 Old Olive Street Road. The building was originally developed in 2002 and has largely remained the same since then. There are wireless facilities on the building as well that have received conditional use permits.

The most recent use was St. Louis Clinical Trials that started operating in 2013, under the category of a general medical clinic office, with some overnight stays, for a portion of the building. The City since revised the ordinance to the current list of uses based on the NAICS, where such uses are now seen as a conditional use, similar to other overnight medical clinics. As the applicants will be using the entire building, a conditional use permit is necessary.

As discussed above, BioPharma provides clinical trials on subject individuals. Approximately 90% of the clinical trials are comparison studies and analysis between generic drugs and name brand drugs (both over-the-counter and prescription). The remaining business involves Phase I trials (not on the market yet). The clinical trials are performed with volunteer subjects from the Company's database, and some through advisements. Potential subjects for any particular clinical trial are first screened by telephone/email; and upon arrival, the potential subjects are physically screened for vitals to confirm that they are healthy for the subject trial. The subjects are then tested, and are required to spend the night to monitor the test. Generally, the subjects are overnight for two nights. Approximately 15% of the subjects spend three nights. Longer, overnight studies are rare. In connection with overnight stays, the subjects usually arrive around 4:00 p.m. – 6:00 p.m., and go home the applicable morning of their release.

There is no cafeteria or kitchen in the facility, nor vending machines. All food is catered to monitor the same with respect to the clinical trials. While there are medical staff on-site from time to time, the facility is not an urgent care, hospital or clinic; and except as directly related to the clinical trials, the Company provides no health care services. The facility is used only for clinical trials. The facility, the drugs to be tested and the process of the clinical trials are all highly regulated by the US FDA and other US and world regulatory organizations.

The Applicants are requesting a total of 88 beds. However, according to the applicant, not all beds will be used at the same time. The optimum number of beds for business purposes of the Company are approximately 60 beds; and due to the nature of the testing and the recirculation of the beds and other facilities, generally only about 24-36 beds are in use at any one time. Approximately 50% of the overnight stays are during the week, 50% are on weekends.

Employees on-site are generally as follows:

8:00 a.m. to noon	15-20 employees
Noon to 5:00 p.m.	8-10
5:00 p.m. to 10:00 p.m.	8-10
10:00 p.m. to 8:00 a.m.	3-5

Parking is provided on-site for staff and the trial subjects. Historically, approximately 15-20% of the subjects are dropped off by friends/family, and picked up upon release. An additional 15-20% arrive by cab or bus. The site has 71 parking spaces: 21 spaces in the garage, and 50 spaces on the surface parking lot. No changes are proposed to the building or the site.

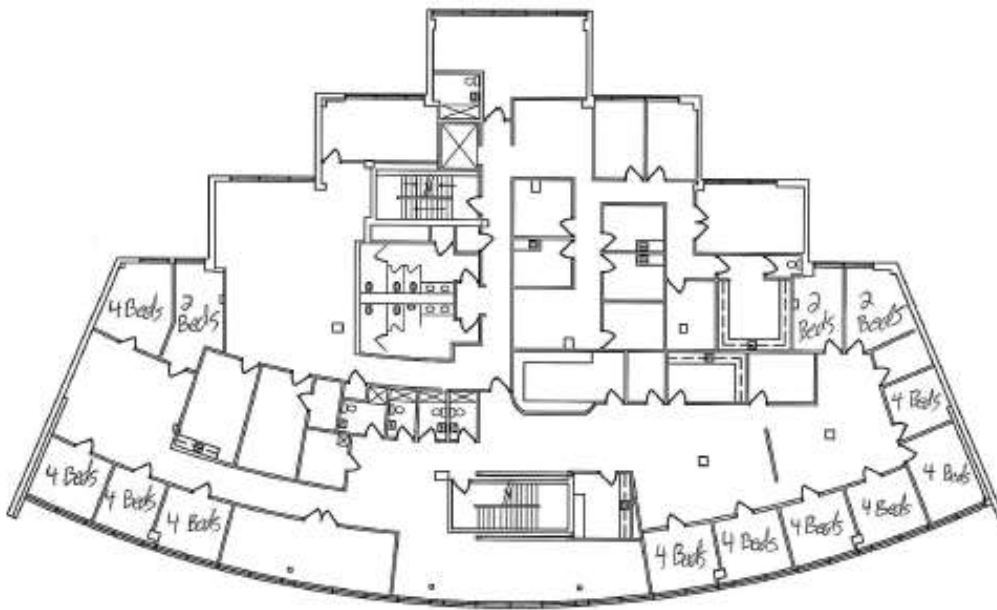
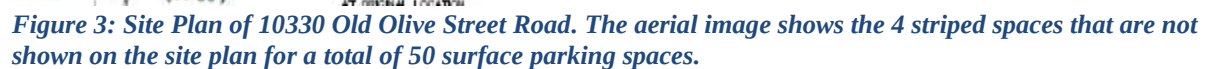


Figure 1: Floor plan showing bed locations on 1st floor



Figure 2: Floor plan showing bed location on 2nd floor



The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office	GC-General Commercial	NA
South	Bayer Crop Science Division	RO-Research Office	Olive Boulevard
East	Lou Fusz Automotive Dealers	GC-General Commercial	Lindbergh Boulevard
West	Office	GC-General Commercial	NA

The *Creve Coeur 2030 Plan* includes the subject property in the Mixed-Use Innovation Campus District (MUIC) as well as within the 39N Master Plan. The Mixed-Use Innovation Campus District is for a sustainable hub for cutting-edge research, job opportunities, and community amenities that encourages innovation, collaboration and entrepreneurship in vibrant, mixed-use environment, that is intended for the development of office, laboratory, institutional, and research buildings for the biotech industry, supported

by diverse housing options, active uses and other community amenities. This district is supported by diverse housing options, active uses and other community amenities in support of the *39 North Master Plan*. Olive and Lindbergh Boulevard are identified as the primary streets, where a variety of active, office, and residential ground floor uses should be encouraged, with a front build-to line to encourage a consistent location and orientation of building frontages to Primary Street, and parking should primarily be located in shared facilities, behind buildings. Pedestrian amenities should be provided along the front façade of each building and connect to adjacent buildings and public site amenities, including outdoor dining, plazas, fountains, bicycle parking, “parklets” and other elements to promote district vibrancy (p. 99). The Applicants will utilize an existing office building on a 24-hour operation, for the purpose of the research and development of drugs. The applicant is not making any other changes to the building or the site. Therefore, the proposal meets with the purpose of the District in as much as this request can.

ZONING REVIEW

As discussed above. As an independent sleep clinic not associated with a doctor’s office, outpatient sleep disorder centers and clinics are classified as NAICS 621498 - All Other Outpatient Care Centers which require a conditional use permit in the GC-General Commercial District under Table A of the Zoning Ordinance. The site has remained largely the same as was originally approved, including the original landscaping. No changes to the exterior of the building or site have been requested. Therefore, review is limited to the discussion below:

Parking

Section 405.820 Required Off-Street Parking Spaces include that Ambulatory health care services (NAICS 621) for which the proposed use falls within includes the following:

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.
 - (2) Buildings greater than fifteen thousand (15,000) square feet. Three and three-tenths (3.3) spaces per one thousand (1,000) square feet of gross leasable floor area.

The existing office building was approved and developed in 2002, as a two story office building with approximately 25,017 square feet of floor area on 1.120 acres, with 50 surface parking spaces, and 21 spaces within the garage. For general office developments, the parking is determined by the gross leasable floor area of 85% of the building. Therefore, for the entire building, 71 spaces are required at 3.3 spaces, per 1,000 square feet of the gross leasable floor area. Section 405.820(A)(7) states that if a specific land use is not included in the list of uses for which parking space requirements are specifically listed, then the required parking for that use shall be determined by using the required parking for the most similar use that is specifically listed. Given the overnight stays of the “patients/ test subjects” the applicants have also completed a parking calculation to determine the maximum number of beds that the site would allow, based on the requirements similar to a hospital, since there are patient beds for this specific use:

Section 405.820(H)(8)(c) Hospitals (NAICS 622).

- (1) Eighty-five one-hundredths (0.85) space per employee on duty at any one (1) shift change or sixty-five one-hundredths (0.65) space per full-time equivalent total employment, whichever is greater, and additional parking spaces shall be provided for visitors on the basis of six-tenths (0.6) space per hospital bed.

This number is consistent with the historical concept of clinical testing, that only about 50% of the beds are used at any one time. Thus, the total number of allowed beds based on the requirements under Sec. 405.820(H)(8)(c)(1) is 88 beds calculated as follows:

$$.85 \times (20 \text{ employees on duty at any one shift change}) = 17 \text{ spaces OR } .65 \times (25 \text{ employees total employment}) = 17 \text{ spaces set aside for employee parking.}$$

70 spaces in the lot and garage in total – 17 spaces set aside for employee parking = 53 spaces left to be provided for subjects.
 $53 \text{ spaces} \div .6 \text{ (spaces per hospital bed)} = \text{a maximum of 88 beds allowed by the zoning code.}$

As this will be the only use within the building, staff believes sufficient parking has been provided.

Trash Enclosure

The existing trash dumpster is not located within an enclosure. Therefore, Staff has included a condition of approval that the dumpster be properly screened within an enclosure with building materials that are consistent with the existing structure for the Zoning Administrator's approval.

RECOMMENDED CONDITIONS FOR APPROVAL

Based on the above analysis, the request for a conditional use permit meets all of the requirements, in the same degree or greater than the prior use, of the Comprehensive Plan and 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 an 88-bed, 25,017 square foot Medical Drug Testing and Research Facility with overnight stays at 10330 Old Olive Street Road under the category of Other Miscellaneous Ambulatory Health Care Services (NAICS 621999).
2. The property owner shall address any property maintenance issues and building code issues related to the use to the satisfaction of the Chief Building Official.
3. The Applicants shall submit for a building permit to properly screen the existing dumpster with a trash enclosure that is compatible with the architecture of the main buildings subject to the Zoning Administrator's approval.
4. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
5. All Landscaping shall be maintained per the prior approved plan and vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, and should the street trees be removed, sufficient landscaping shall be provided on the property to be consistent with the Landscape Plan to the extent possible, as required under Section 405.540 Landscaping, as determined by the Zoning Administrator.
6. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.
7. 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.
8. 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.
9. 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.
10. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed

by the new owner or lessee shall be filed with the City at the time of such transfer or lease.
Failure to comply with this provision shall not excuse anyone from these conditions.

ACTION

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

MOTION

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

“I move to recommend approval of Application # 20-018 for a Conditional Use Permit for Medical Drug Testing and Research Facility, BioPharma, subject to the conditions discussed in the Staff Report and Draft Ordinance for the meeting of July 20, 2020” (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

10330 Old Olive Street Road



City Limits

Parcels

June 22, 2020



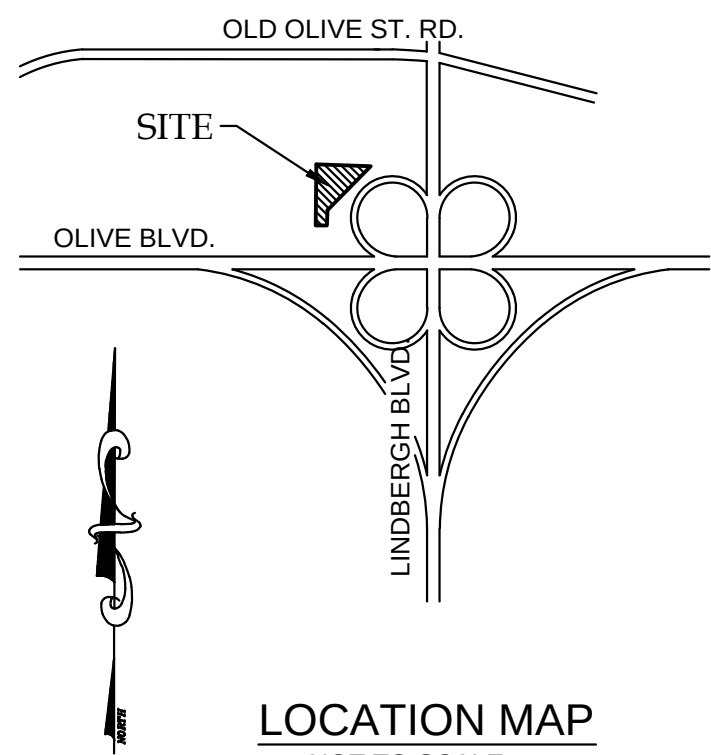
Prepared By

HORNBY & SHERR

ALTA/ACSM LAND TITLE SURVEY

#11330 OLD OLIVE STREET ROAD

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



LOCATION MAP
NOT TO SCALE

LEGEND

- FOUND OLD STONE/
CONC. MONUMENT
- + FOUND OR SET CROSS/ANCHOR
- FOUND IRON PIPE/ROD
- SET IRON ROD W/ CAP
- GUY WIRE
- PP POWER POLE
- ⋈ YARD LIGHT
- ☆ LIGHT STANDARD
- ◆ FIRE HYDRANT
- WM WATER METER
- WV WATER VALVE
- GO SANITARY CLEANOUT
- GV GAS VALVE
- DR DRAIN
- SIGN
- x- FENCE
- ☒ MAIL BOX
- OE— OVERHEAD ELECTRIC
- 6"W— WATER LINE
- G— GAS LINE
- ==S== STORM SEWER
- S— SANITARY SEWER
- FL FLOWLINE
- CONC. (CONCRETE)
- ASPH. (ASPHALT)

NOTES

- 1.) The basis of the bearing system is the southeast line of property described in deed book 12750, page 1894 of the St. Louis County Records. Said bearing is south 84 degrees, 43 minutes, 20 seconds east. Said line is labeled "A" - "B".
- 2.) () denotes record information.
- 3.) Topographic elevations have not been provided or requested for this drawing.
- 4.) This is an urban survey.
- 5.) Underground utilities have been plotted from available maps & at-grade markings by Missouri One Call, and should be considered approximate only. The contractor must verify all locations of all underground utilities prior to any excavation. The surveyor has not physically located the underground utilities.
- 6.) The title commitment referenced is per True Title Insurance Company. The commitment number is CL160285. The effective date is January 12, 2016. See Schedule "B" Section 2 for the following survey related items:
 - Item 7) Limitation of rights of direct access by the instrument recorded in Book 3955, page 431 (Parcel 1) - prohibits access to Olive Street Road.
 - Item 8) Easement granted to Union Electric Company by the instrument recorded in Book 4405, page 563 (Parcel 1) - is shown hereon.
 - Item 9) Easements by instruments recorded in Book 5704, page 491 and Book 6785, page 31 (Parcel 5) - are shown hereon.
 - Item 10) Covenants and restrictions contained in the Declaration of Condominium and By Laws recorded in Book 6863 page (Parcels 4 and 5), - these are covenants and restrictions for condominiums (Court at 5 Gardens).
 - Item 11) The easement granted to The Metropolitan St. Louis Sewer District by instrument recorded in deed book 6910, page 2249 (Parcel 4) - is shown hereon.
 - Item 12) Terms and provisions of the Declaration of easement executed by and between Court of 5 Gardens and Bluegrass Investments, LLC, dated as September 19, 2000 and recorded November 6, 2000 in Book 12750 page 1843 - is shown hereon. Page 1844 references Exhibit 5 in Article 1, this may be a blunder. The surveyor believes it should reference Exhibit 4.
 - Item 13) Terms and provisions of the Sign Easement Agreement executed by and between Court of 5 Gardens and Bluegrass Investments, LLC, dated as September 18, 2000 and recorded November 6, 2000 in Book 12750 page 1866 - is shown hereon.
 - Item 15) Terms and provisions of the Easement Agreement executed by and between Educational Employees Credit Union and 10330 Old Olive, L.L.C., dated June 8, 2001 and recorded July 5, 2001 in Book 13141 page 1918 - is shown hereon.
 - Item 16) Terms and provisions of the maintenance agreement with the Metropolitan St. Louis Sewer District by the instrument recorded in Book 13294, page 312 (Parcels 1 & 2), - This is a maintenance agreement with the Metropolitan St. Louis Sewer District.
 - Item 19) Terms and provisions of Parking Agreement by the instrument recorded in Book 17044, page 724. - This is a parking agreement for assigning parking spaces.
 - Item 20.) Terms and provisions of the unrecorded lease by and between 10330 Old Olive, L.L.C. (landlord) and CyberTel Cellular Telephone Company d/b/a Verizon Wireless, for an initial term of five (5) years, with the rights to extend the term of the lease for at least four (4) terms of five (5) years each, dated as of November 23, 2009, notice of which is given by the Memorandum of Building and Rooftop Lease Agreement recorded December 16, 2009 in Book 18708, page 163.
 - Subordination, Consent, Non-Disturbance and Attornment Agreement by and among The Business Bank of St. Louis, 10330 Old Olive, L.L.C. and CyberTel Cellular Telephone Company d/b/a Verizon Wireless recorded in Book 18708 Page 169 of the St. Louis County Records. (Leasehold not examined)
 - Wireless Communication Lease Assignment Agreement by and between 10330 Old Olive, L.L.C., a Missouri limited liability company, who acquired title as 10330 Old Olive, L.L.C., A Missouri corporation and T10 Unison Site Management LLC, a Delaware limited liability company, dated as of April 4, 2014 and recorded April 8, 2014 in Book 20954, page 672. - These agreements provide for access to the site via existing ingress & egress route to Old Olive Street Road and use of the building and easement areas for utility installation, maintenance and repair of communication facilities.
 - Item 22) Terms and provisions of License Agreement by and between 10326 Old Olive Street Road LC, a Missouri limited liability company and 10330 Old Olive, LLC, a Missouri limited liability company, dated as of April 12, 2013 and recorded April 22, 2013 in Book 20470, page 519 - is shown hereon.

- 7.) The coordinate system is assumed.
- 8.) The subject property is in Zone "X" (areas determined to be outside the 500-year flood plain) per FIRM (Flood Insurance Rate Map), Panels 166 and 167 of map no. 29189C0166H and 29189C0167H respectively. Effective dates of the both maps are August 2, 1995.
- 9.) The subject property is zoned: GC (General Commercial District). Note the following:
Front Yard Setback = 10 feet
Side Yard Setback = 12 feet
Rear Yard Setback = 20 feet

UTILITIES

ELECTRIC

AMEREN U.E.
1901 CHOUTEAU
P.O. BOX 149
ST. LOUIS, MO 63103
(314) 342-1111

GAS

LACLEDE GAS COMPANY
3950 FOREST PARK AVE.
ST. LOUIS, MO 63108
(314) 658-5421

TELEPHONE

SOUTHWESTERN BELL TELEPHONE
4321 LEMAY FERRY ROAD
ST. LOUIS, MO 63129
(314) 894-4026

SEWER

METROPOLITAN ST. LOUIS SEWER DISTRICT
2000 HAMPTON AVE.
ST. LOUIS, MO 63139
(314) 768-6200

WATER

MISSOURI-AMERICAN WATER COMPANY
535 N. NEW BALLAS RD.
ST. LOUIS, MO 63141
(314) 991-3404

ALTA/ACSM CERTIFICATION

To: Rob Heyder, True Title Company, LLC, and their successors and assigns.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1,2,3,4,7(a),7(b)(1),7(c),8,9, 10,11(a) & 13 of Table A thereof. The field work was completed on February 10 2016.

Date: February 10, 2016



2/10/16

Michael A. Sater
Missouri P.L.S. #2001001915



SABUR, INC.
1751 ASHBY RD. ST. LOUIS, MO 63114
PHONE: (314) 428-1414 FAX: (314) 428-6082
www.sabur-inc.com
Authority No. LS-293-D

DRAWN BY:	ORDER NO.	SHEET
J.F.B.	16-008	1
CHECKED BY:	DATE:	
M.A.S.	2/10/2016	1

Professional Surveyors Development Consultants

Summit at Creve Coeur Office Bldg • 10330 Old Olive Street Road • Creve Coeur, MO

Summary of Improvement Characteristics (Cont)	
Site Improvements (Cont)	The property has good landscaping around the building and along the perimeter of the site, consisting of small bushes, ornamental trees around the building and larger trees along the perimeter, which are considered typical for this market area.
Land-to-Building Ratio	2.12:1
Parking Spaces	There are a total of 21 parking spaces in the parking garage, including 3 handicap spaces, and another 49 parking spaces on the asphalt paved lot for a total of 70 parking spaces, assumed adequate with 2.76 spaces per 1,000 SF of building area.
Personal Property	None included in the valuation
Marketability and Appeal	The Subject property is an average quality, Class B, two story, single or two tenant medical and professional office building as currently designed in a high profile commercial district with good overall access and exposure.



Whitney Kelly <wkelly@crevecoeurmo.gov>

Conditional Use Permit Application [IWOV-IDOCS.FID3888825]

James Fredericks <JFredericks@atllp.com>

Wed, Jun 24, 2020 at 2:13 PM

To: Whitney Kelly <wkelly@crevecoeurmo.gov>

Cc: Andrew Janis <ajanis@biopharmaservices.com>, "Jdeutsch@ergclinical.com" <Jdeutsch@ergclinical.com>, Kathryn Redmond <KRedmond@atllp.com>, "tom.ray@cbre.com" <tom.ray@cbre.com>

I work with Kathryn (Katie) Redmond on this matter, and you may recall that you and I spoke earlier regarding the CUP process and timing.

Upon receipt of your 6/22/20 email below, I followed up with both the current tenant in the building, Evolution Research Group, LLC, and the proposed subtenant, Biopharma Services USA Inc., regarding the issues that you identified in your email to Katie.

Regarding the operation of the business, BioPharma (the "Company") is approximately 14 years old, with its headquarters in Toronto, Canada, and its sole U.S. presence in Columbia, Missouri (soon to be Creve Coeur, Missouri). I have attached several pages from the Company's website, as the website is quite lengthy. These pages set forth in detail the business of the Company. In short, the Company's business is to provide clinical trials on subject individuals. Approximately 90% of the clinical trials are comparison studies and analysis between generic drugs and name brand drugs (both over-the-counter and prescription). The remaining percent of the Company's business are Phase I trials (not on the market yet).

The clinical trials are performed with volunteer subjects from the Company's database, and sometimes through advertisements. Potential subjects for any particular clinical trial are first screened by telephone/email; and upon arrival, the potential subjects are physically screened for vitals to confirm that they are healthy for the subject trial. The subjects are then tested, and are required to spend the night to monitor the test. Generally, the subjects are overnight for two nights. Approximately 15% of the subjects spend three nights. Longer, overnight studies are rare. In connection with overnight stays, the subjects usually arrive around 4:00 p.m. – 6:00 p.m., and go home the applicable morning of their release.

Regarding food, there is no cafeteria or kitchen in the facility. There are not even vending machines for food or soft drinks. All food is catered to monitor the same with respect to the clinical trials.

Whereas there are medical staff employees on site from time to time, the facility is not an urgent care, hospital or clinic; and except as directly related to the clinical trials, the Company provides no health care services. The facility is used only for clinical trials. The facility, the drugs to be tested and the process of the clinical trials are all highly regulated by the US FDA and other US and world regulatory organizations. See page 10 of the attached.

The building can accommodate as many as 100 beds. However, the optimum number of beds for business purposes of the Company are approximately 60 beds; and due to the nature of the testing and the recirculation of the beds and other facilities, generally only about 24-36 beds are in use at any one time. Approximately 50% of the overnight stays are during the week. 50% are on weekends. Employees on site are generally as follows:

8:00 a.m. to noon

15-20 employees

Noon to 5:00 p.m. 8-10

5:00 p.m. to 10:00 p.m. 8-10

10:00 p.m. to 8:00 a.m. 3-5

Parking is provided on site for staff and the subjects. Historically, approximately 15-20% of the subjects are dropped off by friends/family, and picked up upon release. An additional 15-20% arrive by cab or bus. The site has 70 parking spaces: 21 spaces in the garage, and 49 spaces on the open air parking lot.

Subjects are not allowed to go outside during a clinical trial. Possibly some subjects linger before or after their scheduled time. Employees sometimes take outside breaks.

Trash receptacles will be placed outside for minor trash.

Please advise what other information you may need, and if the Application is otherwise complete for purposes of making the July 20 scheduled P&Z meeting. Thanks.



Armstrong Teasdale LLP

James A Fredericks | Partner

7700 Forsyth Blvd., Suite 1800, St. Louis, Missouri 63105-1847

MAIN PHONE: 314.621.5070 | MAIN FAX: 314.621.5065

DIRECT: 314-342-8066 | Extension: 7026 | FAX: 314-612-2201

jfredericks@armstrongteasdale.com

www.armstrongteasdale.com

From: Whitney Kelly [mailto:wkelly@crevecoeurmo.gov]

Sent: Monday, June 22, 2020 2:54 PM

To: Kathryn Redmond

Cc: James Fredericks

Subject: Re: Conditional Use Permit Application [IWOV-IDOCS.FID3888825]

CAUTION: EXTERNAL EMAIL

[Quoted text hidden]

If you have received this message by mistake, please notify the City of Creve Coeur IT department (it@crevecoeurmo.gov) and

delete this message from your system. All email to and from the City are checked for viruses. Although this e-mail and any attachment(s) are believed to be free of any virus, worm, or other digital illness or defect that might affect any computer system that receives and opens this message, it is the responsibility of the recipient to make sure that it is free from any virus or other defect. The City does not accept, and specifically disclaims, any responsibility or liability for any loss or damage arising from the receipt or use of this message, and any attachment(s) in any way.



BioPharma Website.pdf

3327K

WHO WE ARE?

We invite you now to come and experience the true BioPharma service. It's our people, our culture and our community.

BioPharma Services was founded by two surgeons dedicated to advancing medical science to improve the life and spirit of their patients. With this same dedication and vision in mind, these physicians brought life to BioPharma.

Through each success, and even some failures, the perpetual drive to make BioPharma great has been determined by the will and dedication of our people. The will to empower their colleagues, friends and teammates to excel in all facets of clinical research and inspire performance to achieve greatness.

It is with this same culture and brand of excellence that we welcome our clients. To experience the team community that has propelled us into a global leader in medical research, to be a client-focused partner, where people and patients matter.

Again, we invite you to come and meet our people. Our people who have learned that success is better achieved and celebrated as a team than as an individual.



"I have been humbled by the spirit and dedication of our people. It empowers me to see them execute high quality medical research in order to bring much needed pharmaceutical products to the market. BioPharma Services is an exciting place to work — full of passion, integrity and commitment. I look forward to the next 10 years of innovation and drive."

Renzo DiCarlo, CEO.

WORLDWIDE CERTIFICATION

In this highly regulated industry that is governed by the international quality standards of GCP and GLP, it is paramount that our process, quality and governance never falters. Adhering to the principles set forth by the ICH, BioPharma's unwavering commitment to quality and safety standards is supported by our history of regulatory inspections which spans across markets. They include routine regulatory inspections by the US FDA, UK MHRA, ANSM, DKMA, ANVISA, Health Canada, World Health Organization and a GLP certification by the SCC.

FDA – U.S. Food and Drug Administration
Health Canada
ANSM – French National Agency for Medicines and Health Products Safety
DKMA – Danish Medicines Agency
UK MHRA – Medicines and Healthcare products Regulatory Agency
ANVISA – Brazilian Sanitary Surveillance Agency
OECD GLP – Standards Council of Canada
World Health Organization

CONTACT

THE RIGHT PARTNER FOR YOU!

We check all the right boxes that make us the Right Partner for you.

- ✓ Full-service CRO from study design inception to clinical trial execution. Data reporting and tabulation to the final Clinical Study Report. See **Our Services** for full details.
- ✓ Client-focused, client-centric service, transparent communication, pro-active approach, innovative thinking and solutions.
- ✓ Two clinical centers in Toronto, Canada and St. Louis, Missouri with a total capacity of 300 beds.
- ✓ In-house bioanalytical laboratory to support LC/MS/MS analysis in different matrices.
- ✓ Proven commitment to quality supported by successful inspections from the US FDA, UK MHRA, French and Danish authorities, ANVISA and Health Canada.
- ✓ GLP certified by the Standards Council of Canada (SCC).
- ✓ Expedited timelines including proven First-to-File services for US FDA drug submissions.
- ✓ A seasoned team of Physicians, Scientists and Clinicians dedicated to our clients' needs and objectives.
- ✓ Key areas of focus include Phase I clinical studies, PK/PD, Human Abuse Potential and Abuse Deterrent Assessments, Bioequivalence/Bioavailability, and GLP R&D and sample analysis.
- ✓ Robust database of healthy subject volunteers and special populations including recreational drug users, post-menopausal/surgically sterile females and hypogonadal males.

OUR MANAGEMENT TEAM



RENZO DICARLO
Chief Executive Officer



ANNA TAYLOR
Executive VP of Business Development



DR. JOHN OLDENHOF
VP of Clinical Pharmacology



LOUIS CO
VP of Global Clinical Operations



DR. NICKI HUGHES
VP of Lab Operations



JO ANN DI SENSI
VP of Global Quality Assurance and Privacy Officer



BRIAN LUKIAN
Chief Financial Officer



MEMBER OF MEDICINES FOR EUROPE



Medicines for Europe is the official trade association for the European generic, biosimilar and value-added pharmaceutical industry, representing, supporting and developing scientific and technical interests within the European Union. Medicines for Europe Member Companies supply over 62% of all medicines in Europe covering 80% of therapeutic areas including high blood pressure, diabetes and cancer.

BioPharma Services is therefore proud to be a Partner Member of this strong and united Association which allows us to have a voice at a European level on all matters affecting the sustainability, competitiveness and regulatory environment of our industry.

OUR WORK IN CHINA



BioPharma's experienced scientific team includes members of Chinese origin with extensive in-country networks allowing for close communication with the [NMPA – National Medical Products Administration](#) (formerly [CFDA – China Food and Drug Administration](#)) and other key individuals in the Chinese market. Our experience in the Chinese generics market includes:

- > Conduct of bioequivalence trials for NMPA submission
- > Conduct of bioequivalence trials for joint submission to USA and European regulatory agencies (NMPA/FDA and NMPA/EMA)
- > Program development and scientific consultation for conduct of 505(b)(2) trials for FDA/NMPA submission
- > Support for ICH and Policy 80 format Clinical Study Report (CSR) for NMPA submission for FDA study submission
- > Access to Chinese partners for sponsor's study document translation and submission to NMPA

With the rapid development of the Chinese market and the expected restructuring of NMPA in 2019, we invite you to connect with us for the most up-to-date guidance on current regulations and the impact on your clinical trials.

PHASE I/IIA

BioPharma has created two Phase I Centers of Excellence able to execute a wide variety of Phase I clinical trials for our global pharmaceutical community.



Our Healthy Volunteer Segments

BioPharma's Physician Team has dedicated their professional careers to improving healthcare and providing innovative medical solutions to our communities. We've crafted a medical team that can be your trusted partner in the creation of leading-edge healthcare solutions and essential medical therapies.

For over 10+ years, the BioPharma team has worked tirelessly to build and develop a reliable and compliant database of healthy subject volunteers and special populations. With a current database of 18,000 active subject participants, our healthy volunteer segments are:

Healthy males and females

Recreational drug users (opioid, cannabinoids and stimulants)

Post-menopausal and/or surgically sterile females

Hypogonadal males & Vasectomized males



With our Phase I centers located in Toronto, Canada and St. Louis, Missouri, BioPharma has been integral in the success of completing the following Phase I trials for our valued clients:

- > First in Human (FIH)
- > Single Ascending Dose (SAD)/Multiple Ascending Dose (MAD)
- > Absolute bioavailability
- > Safety and Tolerability
- > Food Effect study
- > Age and gender
- > Dose proportionality
- > Drug-Drug and Alcohol interaction studies
- > Human Abuse Potential/Abuse Deterrent Assessment
- > Medical Cannabis
- > Pharmacokinetics/Pharmacodynamics (PK/PD)
- > Exploratory clinical models for Proof-of-Concept decision making
- > BA/BE for all dosage forms (including solid oral formulations, transdermal patches, inhalation products and depot injections)

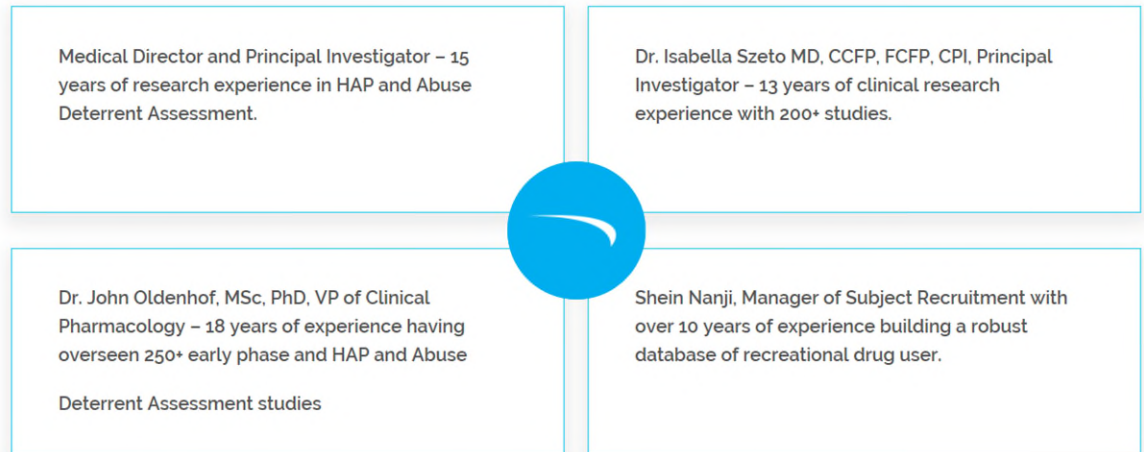
Human Abuse Liability & Abuse Potential

From our inception in 2006, BioPharma has amassed extensive experience in the conduct of clinical studies in opioids, narcotics and cannabinoid products. Our team has extensive experience with CNS products, Human Abuse Potential (HAP) and Abuse Deterrent Assessment programs and has the capability to support your abuse potential programs.



BIOPHARMA'S HAP TEAM

BioPharma's HAP team consists of a core team of abuse potential specialists that have been involved in the very first human abuse potential studies conducted under GCP in the early 2000s, and prior to the introduction of the FDA Guidances on Abuse Potential and Abuse Deterrent Assessment.



Bioequivalence (BE) & Bioavailability (BA) Studies

With over 2000+ studies conducted between two clinical sites in Toronto, Canada and St. Louis, USA, BioPharma has built a brand of excellence in the conduct of Bioequivalence (BE) and bioavailability (BA) studies to support both generic and hybrid drug filings and 505(b)(2) New Drug Applications.

With impeccable quality and reputable data in mind, the BioPharma team is trained and empowered to deliver its very best each and every day. This attention to detail is supported by numerous successful Regulatory Inspections from the US FDA, EMA, UK MHRA, ANVISA, and Health Canada. With our in-house scientific and regulatory expertise, proficient in all major drug markets, BioPharma can support the full study conduct from study design and protocol inception to the issuance of the final Clinical Study Report.



With a strong profile of studies conducted on solid oral formulations, BioPharma has also amassed scientific intelligence in the conduct of studies for:

- › Solid oral dosage forms for IR, ER, MR formulations
- › ODT and SL formulations
- › Inhalation products
- › Transdermal patches
- › Long-acting depot injections
- › Creams, suppositories and ointments

Our team of PK Scientists, Clinical Operation specialists and Clinical Investigators work together to ensure the competent execution of BE studies that adhere to the GCP principles that govern our industry. Supported by our Quality Control processes and governed by our Quality Assurance experts, we remain committed to delivering excellence in clinical research with an unwavering commitment to service and client satisfaction.

Bioanalysis & Bioanalytical Services

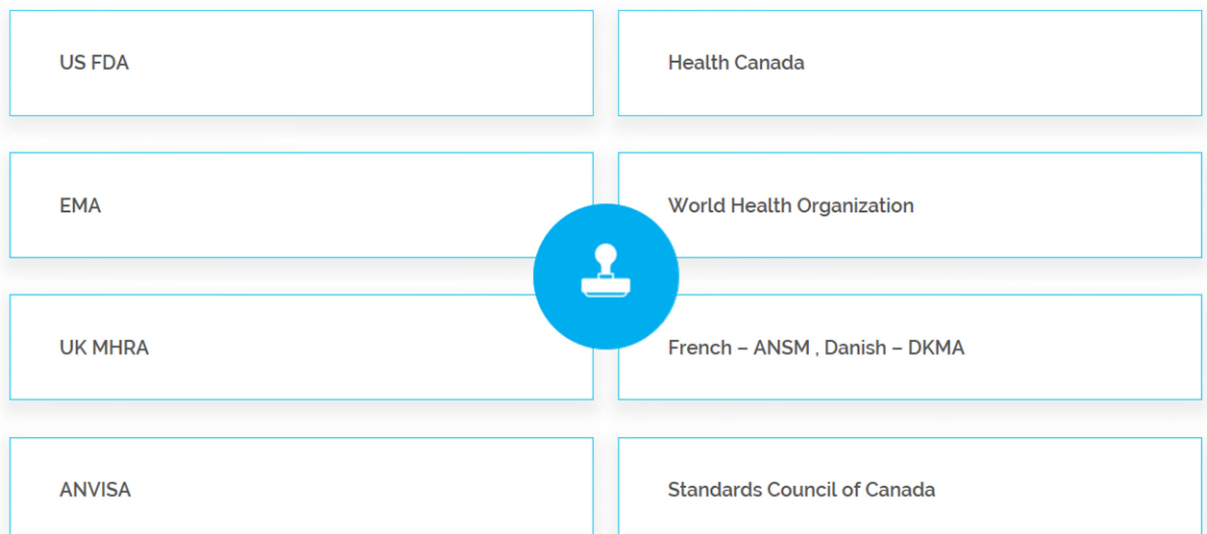
With the constant changes in technology driving science forward, bioanalysis continues to leap ahead improving the quality, accuracy, and speed with which drug analysis in biological fluids is handled. Led by Dr. Nicki Hughes, a 20-year veteran in Bioanalytical Research, the lab team at BioPharma appreciates the importance of delivering quality and innovative solutions to support the drug development programs of our clients. Whether it's combining the analysis of multiple compounds into a single assay (ie. Dolutegravir/Tenofovir/Lamuvudine) or utilizing a double extraction method to analyze drug products, we find solutions to expedite the turn-around times for analysis with quality and robust assays. This all starts with R&D and developing a sound, rugged analytical methods that can be reproduced and repeated with consistent and accurate results time and time again.

With almost impossible timelines in mind, the bioanalytical analysis team at BioPharma has also successfully executed the analysis of clinical trial samples to support First-to-File ANDA submissions to the US FDA. With a turn-around target of a mere 48-hours, the team will work tirelessly around the clock to support our client's endeavours in an increasingly competitive market place. Given our proven track record of success, let us assess the feasibility of your FTF program so we can be a valuable partner in your future achievements.



Certificates

With successful regulatory inspections spanning global markets, BioPharma can provide reliable, reputable data to support drug submission to multiple agencies for market authorization.



As drug potency also increases, driving the need for sensitive methodologies to detect even lower concentrations of drug in biological samples, BioPharma as a bioanalytical CRO company utilizes state-of-the-art LC/MS/MS platforms to meet this need. The scope of bioanalytical services offered at BioPharma include:

- > Method feasibility
- > Method development (GLP and non-GLP) and validation
- > Method transfers
- > Bioanalysis of biological samples from BE/BA studies and clinical PK studies
- > Bioanalysis to support nonclinical toxicokinetic studies in all animal matrices

Clinical Trial Data Management

Along with the successful execution of a clinical study, of equal importance is the management of the data the study produces in clinical research. That is, to assure the precise, reliable and accurate collection of data organized and packaged to meet the current regulatory and industry standards.

BioPharma's onsite Phase I Clinical Data Management team is constantly looking for innovative and creative solutions to expand and improve on our processes and procedures that will allow us to give back to our clients by offering efficient, cost-effective services in a timely, expeditious manner.



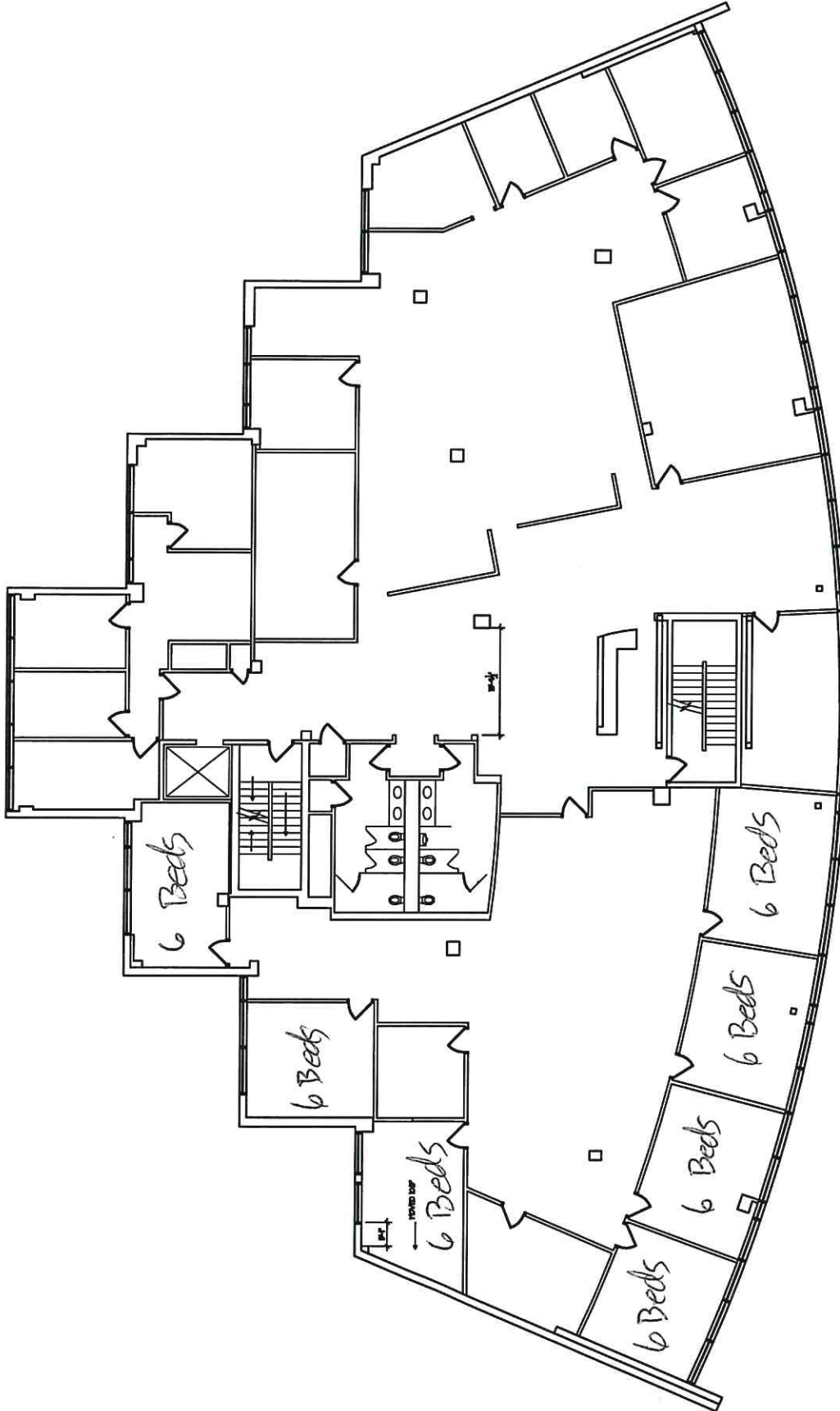
BioPharma's full offering of Data Management services includes:

- › Data Management Plan (DMP) development
- › eCRF design and development
- › Database Build & Design
- › Data validation specifications
- › Data Management
- › Edit checks Programming & Testing
- › Collection of pharmacodynamics data and review
- › Single or double data entry
- › EDC Training
- › eCRF Completion Guidelines
- › Query Management
- › Third-party data integration
- › Customized clinical data management programming

Our comprehensive CDISC data conversion services include:

- › SDTM annotated CRFs
- › SDTM datasets
- › ADaM analysis datasets
- › Pooled analysis datasets (ISS/ISE)
- › Define.xml metadata and Define.pdf
- › CDISC controlled terminology
- › Data Handling report
- › FDA reviewers' Guide
- › eCTD structure

- › Safety Data Management & Reconciliation
- › Data Export/Transfer
- › Interim Analysis readiness
- › Medical coding (CM, AE, MH)
- › Serious Adverse Event (SAE) reconciliation
- › Customized status reporting and data listings
- › Database closeout and delivery

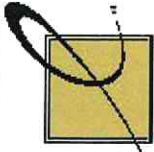


CBRE

2ND FLOOR
 12,509 RSF
 10330 OLD OLIVE STREET
 CREVE COEUR, MISSOURI NOT TO SCALE



LINEA
 DESIGN, INC
 144 W LOCKWOOD AVE SUITE NUMBER 150
 WEBSTER GROVES, MISSOURI 63119 314-721-0044

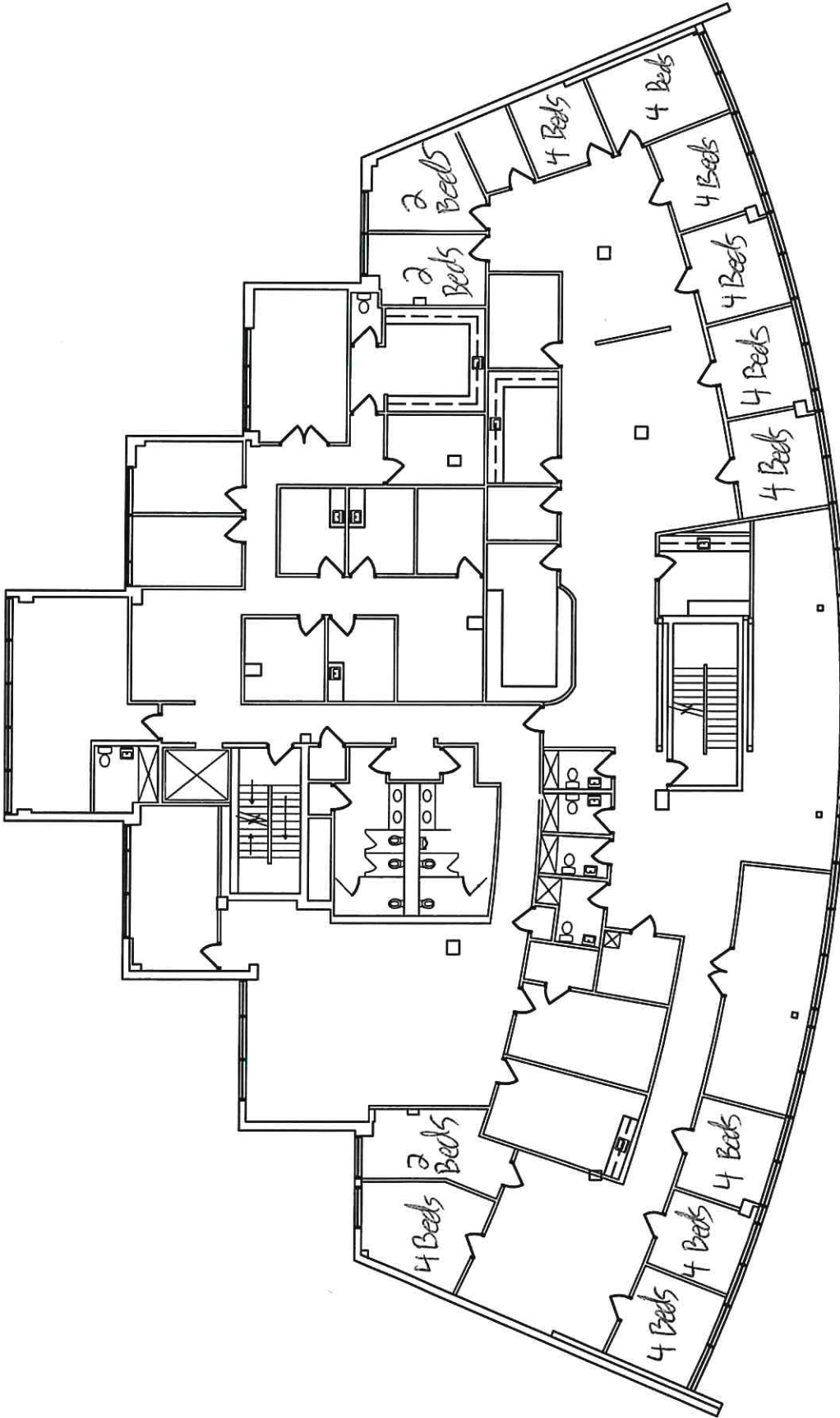


144 W LOCKWOOD AVE SUITE NUMBER 150
WEBSTER GROVES, MISSOURI 63119 314-721-0044



1ST FLOOR
10330 OLD OLIVE STREET
CREVE COEUR, MISSOURI

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Armstrong
Teasdale



Application for Conditional Use Permit

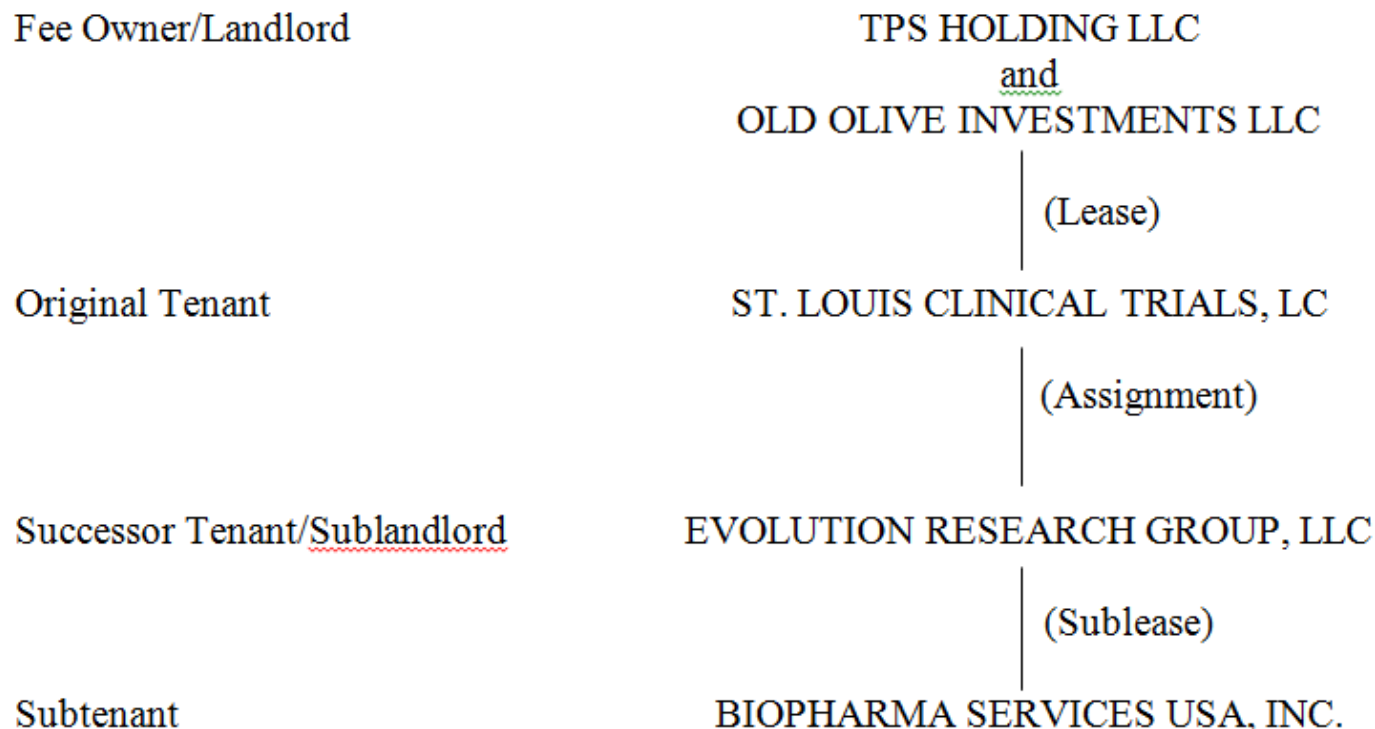
July 20, 2020

Jim Fredericks, counsel for
Evolution Research Group, LLC

Always exceed expectations through teamwork and excellent client service.

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10330 Old Olive Street Road Ownership Chart



10330 Old Olive Street Road



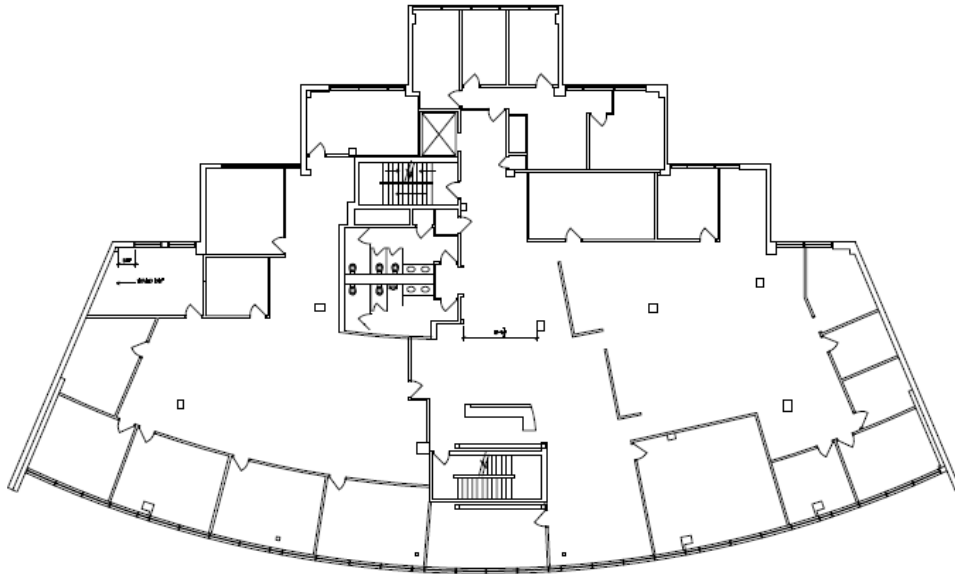
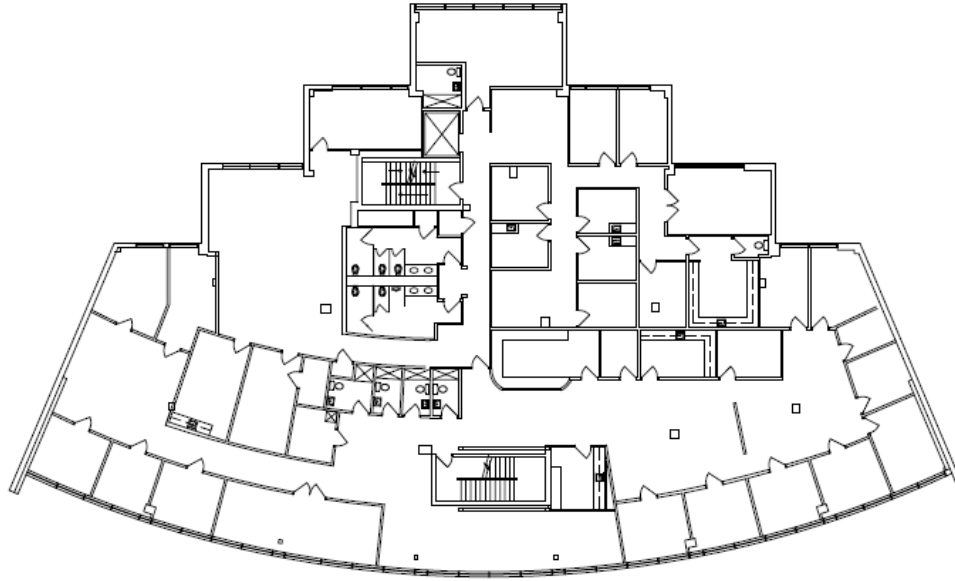




Figure 3: Site Plan of 10330 Old Olive Street Road. The aerial image shows the 4 striped spaces that are not shown on the site plan for a total of 50 surface parking spaces.

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	NA
South	Bayer Crop Science Division	RO-Research Office	Olive Boulevard
East	Lou Fusz Automotive Dealers	GC-General Commercial	Lindbergh Boulevard
West	Office	GC-General Commercial	NA

COMPREHENSIVE PLAN REVIEW

Creve Coeur 2030 Plan

The Creve Coeur 2030 Plan includes the subject property in the Mixed-Use Innovation Campus District (MUIC) as well as within the 39N Master Plan. The Mixed-Use Innovation Campus District is for a sustainable hub for cutting-edge research, job opportunities, and community amenities that encourages innovation, collaboration and entrepreneurship in vibrant, mixed-use environment, that is intended for the development of office, laboratory, institutional, and research buildings for the biotech industry, supported

1 PLANNING AND ZONING COMMISSION MEETING

2 CITY OF CREVE COEUR, MISSOURI

3 300 NORTH NEW BALLAS ROAD

4 MONDAY, JULY 20, 2020

5 6:30 P.M.

6 PUBLIC HEARING VIA ZOOM

7 APPLICATION NO. 20-018

8
9 THOSE IN ATTENDANCE:

10 Mr. Gene Rovak, Chairman

Mr. Tim Carney (via Zoom)

11 Ms. Muriel Hall (via Zoom)

Mr. James Myers (via Zoom)

12 Mr. Larry Potashnick (via Zoom)

Mr. Todd Streiler (via Zoom)

13 Mr. Carl Lumley, City Attorney

Ms. Whitney Kelly, City Planner

14 Ms. Jessica Stutte, Planning Assistant/Recording Secretary

15
16
17
18
19
20
21
22 McLaughlin Court Reporting Services, Inc.

23 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
4772 Gatesbury Drive
24 St. Louis, MO 63128
(314) 974-1199
25

1 CHAIRMAN ROVAK: Call meeting to order of
2 Planning Zoning Commission of Creve Coeur meeting of
3 July 20th, 2020 being called to order.

4 We'll start with roll call.

5 Our Chair, Ms. Kistner, will not be here this
6 evening.

7 Mr. Carney?

8 MR. CARNEY: Present.

9 CHAIRMAN ROVAK: Ms. Hall?

10 Is Ms. Hall here tonight? Was she planning on
11 being --

12 MR. LUMLEY: She's on the screen.

13 CHAIRMAN ROVAK: She might have muted.

14 MS. KELLY: Muriel, you muted yourself.

15 MS. HALL: Yeah, I'm present.

16 CHAIRMAN ROVAK: Okay.

17 I'm Gene Rovak, the Vice Chair, I'm here.

18 Mr. Potashnick?

19 MR. POTASHNICK: Present.

20 CHAIRMAN ROVAK: Mr. Streiler?

21 We are waiting.

22 MR. LUMLEY: You skipped Mr. Myers.

23 CHAIRMAN ROVAK: All right. And, okay,
24 Mr. Lumley, City Attorney?

25 MR. LUMLEY: I'm -- I'm here, but you --

1 CHAIRMAN ROVAK: Oh, oh.

2 MR. LUMLEY: -- skipped Mr. Myers.

3 CHAIRMAN ROVAK: Oh, I'm sorry.

4 And, Mr. Myers, and I see you. Yeah.

5 MR. MYERS: Present.

6 CHAIRMAN ROVAK: All right. Mr. Lumley, City
7 Attorney?

8 MR. LUMLEY: Yes, I'm here.

9 CHAIRMAN ROVAK: Okay.

10 Jason Jaggi will not be here this evening.

11 Whitney -- Whitney Kelly, City Planner?

12 MS. KELLY: Present.

13 CHAIRMAN ROVAK: And Jessica Stutte, Planning
14 Assistant and Recording Secretary?

15 MS. STUTTE: Present.

16 CHAIRMAN ROVAK: Okay. We're on No. 3.

17 This is Application 20-018: Conditional Use
18 Permit For An Inpatient Medical Drug Testing And Research
19 Facility, BioPharma at 10330 Old Olive Street Road.

20 Do we have the applicants present and available?

21 MR. JAMES FREDERICKS: I'm here. Jim
22 Fredericks. I'm the attorney for the group.

23 Let's see who all's here from my group. I've
24 got Katie Redmond, an associate with my firm.

25 I'm supposed to have with me, let's see if he's

1 here, Jesse Deutsch, chief financial officer of Evolution
2 Research Group.

3 Jesse, are you there?

4 There's Andy. Andy just showed up.

5 Andy Janis, is the director of clinical
6 operations of BioPharma Services.

7 MR. JESSE DEUTSCH: I'm here.

8 MR. JAMES FREDERICKS: And I got a -- something
9 blocking here, so I can't tell. Somebody behind --
10 somebody next to you. Let's see.

11 Oh, there's Jesse. There you go.

12 And there -- Tom Scott is maybe listening in.

13 Tom Ray's name just showed up. He's the -- the
14 CBRE broker who put this whole thing together.

15 And then Tom Scott is the owner -- one of the
16 owners and the representative of the property owner, which
17 is TPS Holding, LLC and Old Olive Investments. I -- I see
18 his name just popped up there.

19 Whitney, I did not give you Mr. Scott's name, so
20 I apologize that -- to that.

21 But we're all here to raise our hand and take
22 the oath to the extent -- to the extent we're going to
23 talk.

24 With a little bit of luck, you'll only listen to
25 me, so.

1 We'll just trust Tom's got his hand up.

2 (The speakers were sworn by the court reporter.)

3 MR. JAMES FREDERICKS: As I mentioned, I
4 represent the -- the individuals here. And what we have
5 here is I represent Evolution Research Group. They are
6 the existing tenant in the subject property. And what
7 they are doing is they want to sublease to BioPharma
8 Services, who is the proposed subtenant.

9 The property is 10330 Old Olive Street Road.
10 You probably all recognize it. The picture to your right
11 is the view from the intersection of the northwest corner
12 of North Lindbergh and Olive Boulevard. You can see that
13 from that -- from that intersection.

14 The picture to the left is the front door of
15 that same building. It's sort of a unique shaped building
16 the way it is angular on the left and circular on the
17 right.

18 The building contains approximately
19 26,027 square feet. As you can see, it's two stories. It
20 has seventy parking spaces. And the two stories here, the
21 what you're seeing on your screen at this point, is the
22 existing floor plan for the existing tenant, but it -- the
23 interior, because it's a sublease, there will probably be
24 little to no major changes to this floor plan going
25 forward with the subtenant.

1 The parking is approximately seventy parking
2 spaces. It surrounds the building, and that little -- it
3 is throwing you off a bit, but the colored section right
4 in the middle there, shows a -- a few extra parking spaces
5 that didn't get picked up in the survey, but you can see
6 all the parking is available on that site, and there are
7 parking underneath the building as well.

8 The building was developed in 2002. As I
9 mentioned, there's no material changes to the building are
10 contemplated. And it is currently used by -- or last used
11 by the company, St. Louis Clinical Trials, which
12 eventually became Evolution Research Group, which
13 Evolution Research Group is the existing tenant.

14 The tenant no longer wants to use the premises,
15 and by sheer coincidence, the new subtenant, who wants to
16 move into that space, has the exact same business.

17 So what we're dealing with is the tenant, which
18 is subleased to the subtenant for the exact same use. The
19 use is clinical trials on individuals.

20 Now, there is medical staff on-site, but it's
21 important to note that this is not an urgent care; this is
22 not a hospital; it's not a clinic; it's not a healthcare
23 service provider in any sense of the word. It's for
24 clinical trials only.

25 Which, of course, begs the question; what is a

1 clinical trial. Well, 90 percent of the clinical trials
2 are comparison studies of an analysis between generic
3 drugs and name brand drugs, both over-the-counter and
4 prescription.

5 The remaining 10 percent of the business is
6 phase one trials, which are new drugs that are being
7 brought to the market.

8 BioPharma Services is an international company.
9 This is a big coup for not only Creve Coeur, but for the
10 State of Missouri.

11 There are -- there are two offices in Canada and
12 only one in the United States, and it's here in Creve
13 Coeur.

14 The chemical testing is a highly competitive
15 business. More so, it's highly regulated industry. It's
16 regulated by the USFDA, but also, and I don't mean to bore
17 you on this, but the ANSM, which is the French National
18 Agency for Medicines and Health Systems; the DKMA, which
19 is the Danish Medicines Agency; the UKMHRA, which is
20 Medicines and Healthcare Products Regulatory Agents of the
21 UK. We also have a Regulatory Agencies of Brazilian
22 Surveillance Agency, and the OBCDGLP, how do you like that
23 one, The Standard Council for Canada, and, of course, the
24 World Health Organization.

25 It's important for you to know that, for full

1 disclosure, the clinical studies include overnight stays.

2 The overnight stays were also being performed by
3 the prior tenant or the existing tenant, and the -- the
4 stays are sometimes one nights, two nights, and
5 occasionally three nights.

6 The volunteers arrive around four o'clock
7 through six o'clock. They spend the night. They take the
8 trial test. They spend the night, and then they're
9 released the morning -- or they leave the morning of the
10 day of their release, which is either the one -- the first
11 day, the second day, et cetera.

12 While they're there they are not allowed to
13 leave the building. Food is catered in. There's no
14 kitchens. There's no vending machines except for the
15 employees.

16 The -- there's minimal parking issues, other
17 than for the employees. There's a substantial number of
18 the people get dropped off and picked up.

19 I think, you know, one of the issues that we
20 bring up, again, is this is the exact same business that
21 the existing tenant is using, and it has been used for the
22 same period, for seven years.

23 So what we're dealing with is a situation where
24 there has been a change in the zoning code.

25 When this building was constructed and when it

1 was serviced to be used, it met all of the zoning codes of
2 the City of Creve Coeur.

3 Sometime during the period of the existing
4 lease, which started on June 1, 2014, and will expire on
5 May 31, 2024, sometime during this lease the zoning code
6 changed.

7 Now, when it changed, it really wasn't more than
8 a zoning classification. The classification, the City of
9 Creve Coeur, like many, many other municipalities, started
10 using the NAICS standards, and I see that -- you're using
11 that in every one of these conditional use petitions that
12 have come before us.

13 Every type of business doesn't fit squarely
14 within these standards. Here it is. We've got a niche
15 here and another niche there. And so the rule, as I
16 understand it, in the City of Creve Coeur, which is also
17 the rule in most municipalities, is that you find the
18 NAICS classification that is closest to what is actually
19 being used, and then you work from that and you -- you
20 issue a conditional use to the extent it works within the
21 box.

22 So in summary, the zoning code is not changed;
23 the proposed use is not changed; it's just a -- we're
24 requesting a conditional use for this purpose.

25 We believe that the standards -- or that the use

1 is consistent with the standards for -- to approve a
2 conditional code.

3 We think it complies with all the other
4 applicable provisions of the code. It will contribute to
5 and promote the community welfare and convenience for the
6 specific location.

7 We do not believe it will cause substantial
8 injury to the value of the neighboring property, and we
9 think it'll be compatible, that it currently is, and will
10 continue to be compatible with the surrounding area, and,
11 thus, not impose a substantial burden or negative impact
12 on the surrounding buildings.

13 We realize that there are conditions that the
14 staff has recommending. We have read them, and we accept
15 them.

16 I guess I close my small short presentation
17 with, and I apologize for stealing any thunder from
18 Whitney, but in the recommendations it says, the request
19 for conditional use permit meets all of the requirements
20 in the same degree or greater than the prior use.

21 So with all great respect, we request that you
22 approve the conditional use, and I have the whole group,
23 from owner to tenant to subtenant, here to answer any
24 questions you want to know about this use.

25 CHAIRMAN ROVAK: Okay. Thank you.

1 Do we have any questions before we would ask for
2 the staff -- for Whitney to speak?

3 Are there any questions from -- from Commission
4 Members?

5 Hearing none, Whitney, can you give us a
6 summary.

7 MS. KELLY: Whitney Kelly on behalf of the City
8 of Creve Coeur.

9 As the applicant has indicated, they are seeking
10 a conditional use permit for an 88-bed 25,017 square foot
11 medical drug testing and research facility at 10330 Old
12 Olive Street Road.

13 As the applicants -- as the applicant has
14 indicated, because patients, or as they refer to as also
15 as subjects, usually stay over a day or two, we felt that
16 it best fit within the category of all other miscellaneous
17 ambulatory healthcare services, which is a conditional use
18 in the GC District.

19 The overnight stays generally are listed as a
20 conditional use just due to the fact that they require
21 review of additional health and safety codes under the
22 Building Division, which is why we seek it as a
23 conditional use anywhere else.

24 As the applicant has indicated, they do have
25 sufficient parking. We did look at the parking available

1 on the site. And with the 88 beds, they would have --
2 they have sufficient parking. And they are not proposing
3 any changes to the exterior of the business -- exterior of
4 the building or the site.

5 The prior use did go in in 2013, as just a
6 medical office, I believe is what it was categorized in,
7 but when we switched to the NAICS, we looked at -- it
8 prompted that any overnight stays should be reviewed as a
9 conditional use permit, and that's why the applicant's
10 here before you tonight.

11 CHAIRMAN ROVAK: Thank you.

12 Do we have other questions from the Commission?

13 Okay. Okay. If not --

14 MR. LUMLEY: Anyone in the public.

15 CHAIRMAN ROVAK: -- we want to enter --

16 MR. LUMLEY: Anyone from the public.

17 CHAIRMAN ROVAK: Oh, I'm sorry, forget them
18 again.

19 Do we have anybody out there who wants to
20 participate or ask any questions?

21 No raised hands.

22 Okay. I guess we can proceed to enter the
23 exhibits into the record.

24 MR. LUMLEY: Thank you.

25 I'll offer the following exhibits in the record

1 of this public hearing: Documentation in possession of
2 the City Clerk reflecting the public notice, the staff
3 report and the PowerPoint presentation this evening, the
4 City Code of Ordinances and Charter, the City
5 Comprehensive Plan, the public file regarding this
6 application.

7 CHAIRMAN ROVAK: Okay. That will close the
8 public hearing.

9 (The Public Hearing was closed at 7:57 p.m.)
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1 STATE OF MISSOURI)
2) SS
3 COUNTY OF ST. LOUIS)

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

11
12
13 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR
14 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR
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City Council
300 North New Ballas Rd
Creve Coeur, MO 63141

Meeting: 08/10/20 07:00 PM
Department: City Administrator
Category: Ordinance
Prepared By: Mark Perkins
Department Head: Carl Lumley

SCHEDULED

STAFF REPORT

Bill No. 5837 - an Ordinance Amending Deer Hunting Regulations, Section 205.305, by Adding a New Subsection 4.F Authorizing Hunting in Certain City Parks on a Limited Basis. Final Reading and Passage

As a component of the city's deer mitigation efforts, city staff and Council have discussed allowing a controlled hunt in one or more city parks to further control the deer population in the community. The proposed ordinance will allow for such activity in Millennium, Conway and Malcolm Terrace Parks, with approval of the Chief of Police.

HISTORY:

07/27/20 City Council **FIRST READING**

City Clerk read Bill No. 5837 for the first time.

Mark Perkins stated staff has drafted a proposal to allow hunting in city parks to address the concerns from residents that the deer population is increasing.

Chief Eidman stated he has been working with MDC regarding trying a controlled hunt in a city park.

Council Member Hoffman asked if this will be bow hunting only.

Chief Eidman stated yes.

Council Member Lawrence asked how will notices be sent out.

Chief Eidman stated social media, newsletter, website, signage in parks.

Council Member Lawrence asked if the meat harvested will be donated.

Chief Eidman stated usually donated if more than one deer is harvested.

Mark Perkins stated this is at no cost to the city for these hunts.

BILL NO. 5837

ORDINANCE NO. _____

AN ORDINANCE AMENDING DEER HUNTING REGULATIONS, SECTION 205.305, BY ADDING A NEW SUBSECTION 4.F AUTHORIZING HUNTING IN CERTAIN CITY PARKS ON A LIMITED BASIS.

WHEREAS, the proliferation of deer within the City poses an ongoing threat to public health and safety, and

WHEREAS, there are limited locations within the City that afford a safe environment for controlled hunting to reduce deer population, and

WHEREAS, the larger City parks provide such a suitable safe environment, and

WHEREAS, the City needs to take additional action to mitigate this threat,

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

SECTION 1: The following new subsection 4.f is hereby added to the City Deer Hunting Regulations, Section 205.305:

4.f. The Chief of Police may grant permission for hunting within Millennium Park, Malcolm Terrace Park or Conway Park, provided that such park shall be closed to public access during such hunting, such hunting shall be conducted under direct police supervision and such hunting shall not occur more frequently than one day in a calendar month in the same park. The Chief of Police shall set the date, time, and parameters for any such hunting, and shall coordinate such scheduling and parameters with the Director of Parks and Recreation and the programs of that department. Such parameters shall include compliance with Sections 205.300 to 205.320. The Chief of Police shall keep the Mayor, City Council, and City Administrator informed during the planning of such hunts and shall provide them with written notice of any such hunt at least one week in advance.

SECTION 2: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

Adopted this _____ day of _____, 2020

Heather Silverman, Council President

Approved this _____ day of _____, 2020

Barry Glantz, Mayor

Attest:

Deborah Ryan, MPCC
City Clerk



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

Meeting: 08/10/20 07:00 PM
Department: Planning Division
Category: Ordinance
Prepared By: Whitney Kelly
Department Head: Jason Jaggi

SCHEDULED

ORDINANCE

Bill No. 5838 - an Ordinance Authorizing a New Conditional Use Permit for a Solar Panel Contractor, EFS Energy, at 1283 Research Boulevard in the LI-Light Industrial District. First Reading

Paul McKnight, of EFS Energy Inc., has submitted an application for a conditional use permit as a solar panel contractor at 1283 Research Boulevard, Creve Coeur, MO 63141. All Other Specialty Trade Contractors (NAICS 238990) in the LI-Light Industrial District requires a conditional use permit with review by the Planning and Zoning Commission and approval of an ordinance by the City Council. The Planning and Zoning Commission recommended approval at its meeting on August 3rd, 2020.

Ordinance

Meeting of August 10, 2020

BILL NO. 5838

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A NEW CONDITIONAL USE PERMIT FOR A
SOLAR PANEL CONTRACTOR, EFS ENERGY, AT 1283 RESEARCH BOULEVARD
IN THE LI-LIGHT INDUSTRIAL DISTRICT**

WHEREAS, under Section 405.370(C), All Other Specialty Trade Contractors (NAICS 238990) in the "LI" Light Industrial District requires the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Paul McKnight, of EFS Energy, has submitted an application for a conditional use permit as a solar panel contractor, to utilize the building at 1283 Research Boulevard, Creve Coeur, MO 63141; and,

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, August 3, 2020, beginning at 6:30 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 6-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on August 3, 2020; 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 3 hereof for EFS Energy, a solar panel contractor, within the category of All Other Specialty Trade Contractors (NAICS 238990) within the LI-Lighting Industrial zoning district, whose legal description is as follows:

BILL NO. 5838

ORDINANCE NO. _____

The South 143 feet of Lot 21 of RESUBDIVISION OF SECTIONS 2,3, AND 4 OF LINDBERGH-WARSON INDUSTRIAL CENTER ADDITION NO. 1, according to the plat thereof recorded in plat Book 100 page 52 of the St. Louis County Recorder's Office.

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 a 13,134 square foot office and warehouse facility for EFS Energy, a solar panel contractor, under the category of All Other Specialty Trade Contractors (NAICS 238990), at 1283 Research Boulevard, Creve Coeur, MO 63141, as bound together and submitted in conjunction with Application #20-020 by Paul McKnight, except as modified below.
2. The Applicants shall submit for a building permit to properly screen the existing dumpster with a trash enclosure that is compatible with the architecture of the main buildings subject to the Zoning Administrator's approval.
3. All landscaping shall be maintained and vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, and should the street trees be removed, sufficient landscaping shall be provided on the property to be consistent with the landscape plan to the extent possible, as required under Section 405.540 Landscaping
4. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.
5. 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.
6. 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.
7. 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.
8. 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.

BILL NO. 5838

ORDINANCE NO. _____

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

ADOPTED THIS ____ DAY OF _____, 2020.

HEATHER SILVERMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2020.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN
CITY CLERK



city of CREVE COEUR

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

APPLICATION TO PLANNING AND ZONING COMMISSION #20-020: CONDITIONAL USE PERMIT FOR A SOLAR PANEL CONTRACTOR, EFS ENERGY INC., AT 1283 RESEARCH BOULEVARD IN THE LI-LIGHT INDUSTRIAL DISTRICT

FOR THE MEETING OF: Monday, August 3, 2020

LOCATION: 1283 Research Boulevard, Zoned LI-Light Industrial District.

REQUEST: Paul McKnight, of EFS Energy Inc., has submitted an application for a conditional use permit as a solar panel contractor at 1283 Research Boulevard, Creve Coeur, MO 63141. All Other Specialty Trade Contractors (NAICS 238990) in the LI-Light Industrial District requires a conditional use permit with review by the Planning and Zoning Commission and approval of an ordinance by the City Council.

ADDITIONAL INFORMATION: The existing 13,134 square foot warehouse and office building was originally developed in 1963 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, and has some pre-existing, non-conformities regarding site development. No changes to the exterior of the building or site are proposed. And there will be no outdoor storage of materials.

Key Issues:

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

Creve Coeur 2030 References

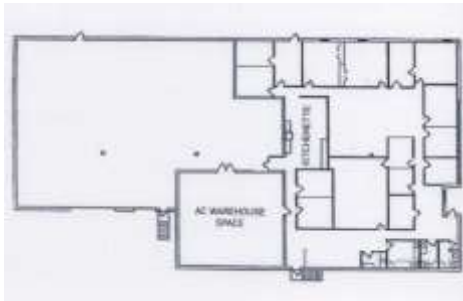
- Mixed-Use Innovation Campus District (MUIC)
- 39N Master Plan

Zoning Code References

- Table A: Permitted and Conditional Uses
- Section 405.380: LI-Light Industrial
- Section 1080: Site Concept, Site Development and Minor Site Plan Approval.

APPLICANT: Paul McKnight
EFS Energy Inc.
9100 Midland Blvd.
St. Louis, MO 63114

PROPERTY OWNER: H. O. Watkins
HOW Realty, LLC
28152815 Stonington Place
St. Louis, MO 63131



Google Street View

REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 7/24/2020
ATTACHMENTS: Applicant's Materials received June 30, 2020
Draft Ordinance

PROPOSAL SUMMARY

Paul McKnight, of EFS Energy Inc., is seeking approval to lease the building for the offices and warehousing of solar modules and related electrical equipment, as a solar panel contracting company. According to the Applicant, staff offices include sales, engineering, construction, and administration for 50% of the building space. The remaining warehouse facility will be used to store solar modules and related electrical equipment. The number of employees at the busiest shift are 15 people. There will be no outdoor storage of materials. The property was originally developed in 1963 under St. Louis County jurisdiction, and annexed into the City in 1990, and has some pre-existing, non-conformities. The property has remained largely the same since originally developed with mature landscaping on the site.

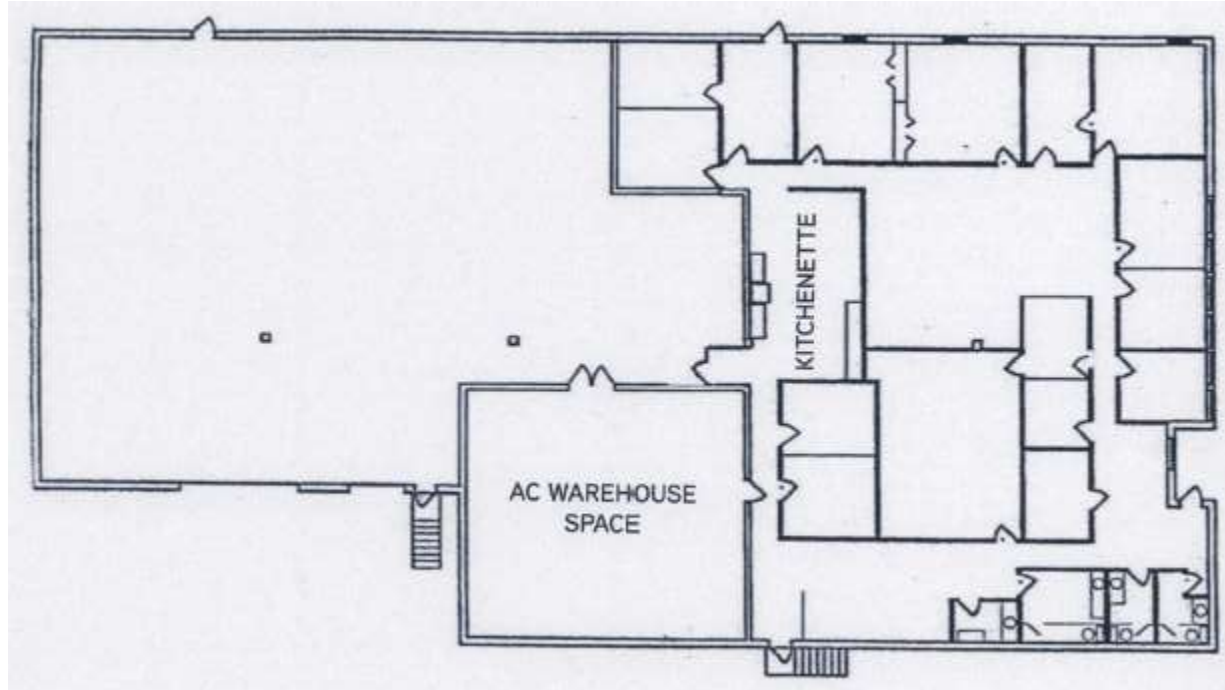


Figure 1: Close-up of the Applicant's Floor Plan



Figure 2: City's GIS Image of the Subject Property

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Warehouse	LI-Light Industrial	NA
South	Warehouse	LI-Light Industrial	NA
East	Warehouse	LI-Light Industrial	Research Blvd.
West	Warehouse	LI-Light Industrial	NA

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Mixed-Use Innovation Campus District and within the Industrial Park area of the 39 N. Master Plan. The vision for the Mixed-Use Innovation Campus District (MUIC) is a sustainable hub for cutting-edge research, job opportunities, and community amenities that encourages innovation, collaboration, and entrepreneurship in a vibrant, mixed-use environment. As the proposal is utilizing a vacant warehouse space and building that is pre-existing non-conforming, the proposed use would satisfy the goals and objectives of the Comprehensive Plan in as much as this request can.

ZONING REVIEW

The stated purpose of the LI-District, under Section 405.380(A) is to encourage the development and redevelopment of areas of the City which are designated as industrial by one (1) of the City's land use plans. The "LI" District is further intended to ensure high quality future development through the use of site development plan approval procedures which provide for specific consideration of access, parking, drainage, landscaping, and design factors.

Section 405.380(G) of the LI-District Regulations states that all business, services, storage, merchandise display and repairing and processing shall be conducted wholly within an enclosed building or within a fenced and screened exterior storage area, except for off-street automobile parking and off-street loading unless expressly permitted by a conditional use permit (see Section 405.1070). Table A includes All Other Specialty Trade Contractors (NAICS 238990) as a Conditional Use in the LI District. All activity will occur inside the building, with no outdoor storage of materials on site.

Parking

Section 405.820(F)(6) Wholesale trade, warehousing, and storage (NAICS 42, 49) shall have their parking requirements based on the following:

Building Size	Parking Spaces
Less than 5,000 square feet	1 space per 1,000 square feet
5,000 to 15,000 square feet	1 space per 1,500 square feet
15,001 to 40,000 square feet	1 space per 2,000 square feet
Greater than 40,001 square feet	1 space per 2,500 square feet
or one (1) space per employee on the largest shift, whichever is greater.	

As discussed above the 13,134 square foot warehouse and office building was originally developed in 1963 under St. Louis County jurisdiction. There is no specific parking requirement for All Other Specialty Trade Contractors, outside of the warehouse facility above. The overall site plan shows spaces available for the entire building. At a parking requirement of 1 space per 1,500 square feet of floor area, is 9 spaces for warehousing, or 15 spaces per employee on the largest shift, are required. The aerial photo indicates plenty of parking available, with approximately 32 spaces available. Therefore, Staff does not anticipate a parking issue on this site.

Landscaping

The City's landscaping regulations requires that all landscaping shall be permanently maintained in good condition with at least the same quality and quantity of landscaping as initially approved. As the site is pre-existing, non-conforming with no known Landscape Plan on file, and the existing landscaping is mature and well maintained, Staff has not required a landscape plan at this time. However, Staff has included a condition that that all landscaping shall continue to be maintained and any dead or dying plants shall be replaced as needed, to comply with Section 405.540 Landscaping.

Trash Enclosure

The existing trash dumpster is not located within an enclosure. Therefore, Staff has included a condition of approval that the dumpster be properly screened within an enclosure with building materials that are consistent with the existing structure for the Zoning Administrator's approval.

CONCLUSION

The proposed conditional use appears to meet the goals of the Comprehensive Plan and Design Guidelines, and satisfies the regulations contained in the Zoning Code. If the members of the Planning Commission are satisfied that the proposal meets goals and objectives of the Comprehensive Plan and the applicable requirements of the Zoning Ordinance, the Commission may recommend approval of the conditional use permit for an electrical contractor. Below are the recommended conditions of approval.

1. The Conditional Use Permit shall be for a 13,134 square foot office and warehouse facility for EFS Energy, a solar panel contractor, under the category of All Other Specialty Trade Contractors (NAICS 238990), at 1283 Research Boulevard, Creve Coeur, MO 63141, as bound together and submitted in conjunction with Application #20-020 by Paul McKnight, except as modified below.
2. The Applicants shall submit for a building permit to properly screen the existing dumpster with a trash enclosure that is compatible with the architecture of the main buildings subject to the Zoning Administrator's approval.
3. All landscaping shall be maintained and vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, and should the street trees be removed, sufficient landscaping shall be provided on the property to be consistent with the landscape plan to the extent possible, as required under Section 405.540 Landscaping
4. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.
5. 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.
6. 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.
7. 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.
8. 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.

MOTION

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

“I move to recommend approval of the conditional use permit for EFS Energy at 1283 Research Boulevard, subject to the conditions listed in the Staff Report and Draft Ordinance for the meeting of August 3, 2020” (Conditions may be added, eliminated, altered, and modified by preceding motion).

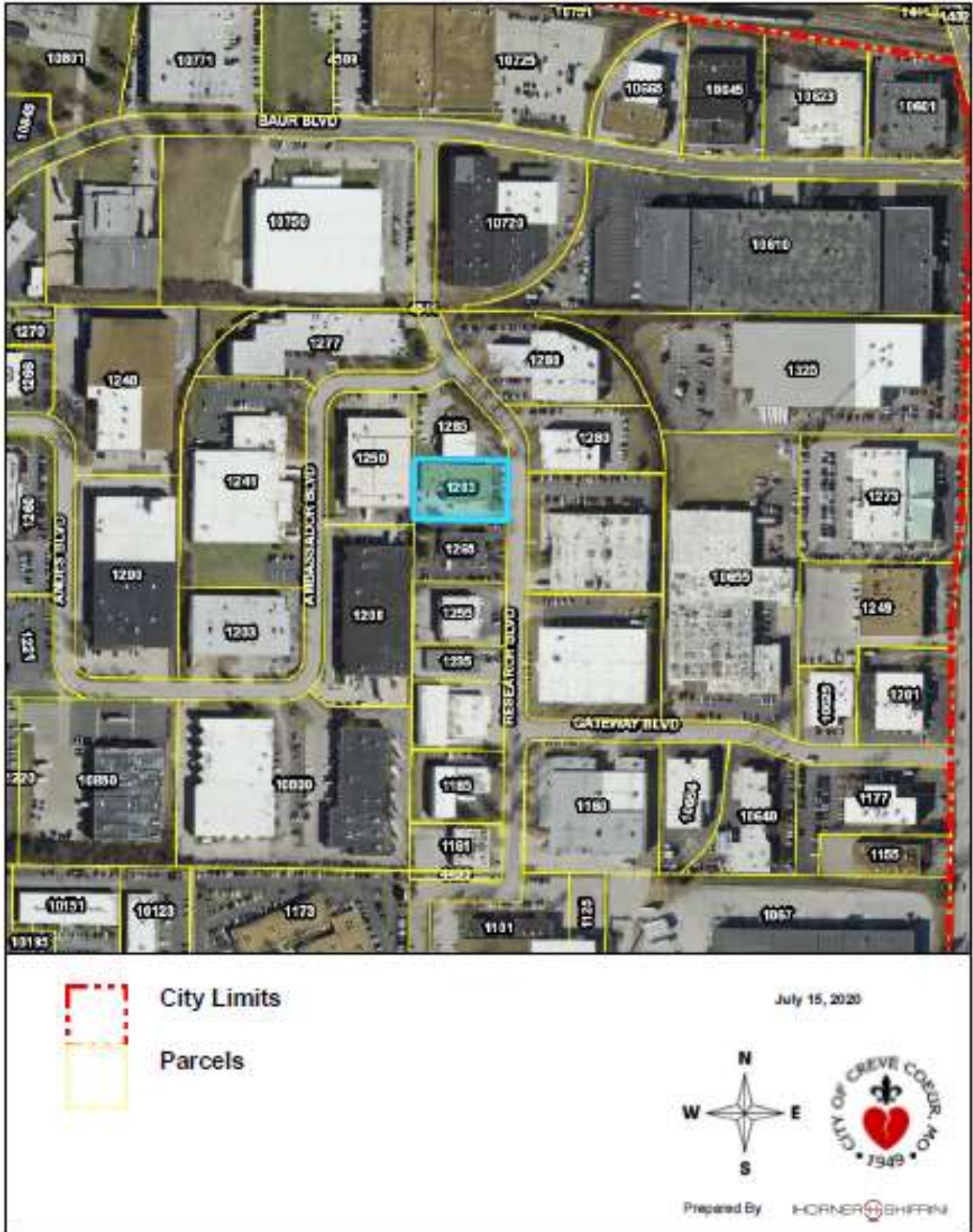
APPENDIX 1: COMPREHENSIVE PLAN

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



APPENDIX 4: SITE PHOTOGRAPHS

Date: 7/27/2020



Description: View looking southwest at the front of the subject property existing landscaping with mature trees.



Description: View looking northwest at the front of the subject property and along the side of the existing building.

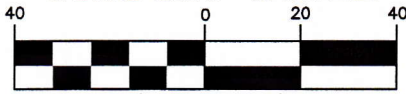


Description: Google Street View Image 2019 showing the unenclosed dumpster in the background.

LINDBERGH-WARSON INDUSTRIAL CENTER ADDITION NO. 1

RESUBD. OF SECTIONS 2, 3 AND 4
PLAT BOOK 100 PAGE 52

GRAPHIC SCALE



(IN FEET)

1 inch = 40 ft.



N/F
DANIEL J. MULLEN ETAL
8085/1955

LOT 22

FOUND IRON PIPE

1.24' (REC.) 1.28' (ACT.)

FOUND CROSS
0.04' S.

S89°17'00"E

225.00'

FOUND IRON PIPE
(HELD)

7.52'

20' UTILITY EASEMENT
P.B. 100 PG. 52

10' EASEMENT
4200/214

LOT 21

32,175 sq.ft.
0.74 acres

40' BUILDING LINE

N/F
TCMK PROPERTIES LLC
11922/2044

N00°43'00"E

143.00'

FOUND IRON PIPE
0.12' S., 0.13' W.

500°43'00"W
(BASIS OF BEARINGS)

RESEARCH (50'W.) BLVD.

17.81'

N89°17'00"W

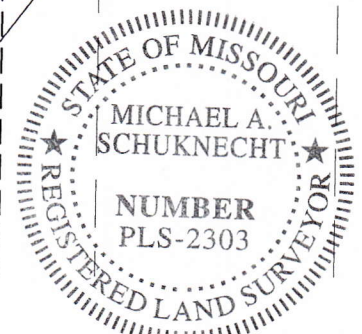
225.00'

FOUND IRON PIPE
0.11' E.

FOUND IRON PIPE
(HELD)

LOT 20

N/F
BC McDONALD & CO.
11612/1360



GENERAL NOTES:

SOURCE OF RECORD TITLE: LAND NOW OR FORMERLY OF CONSUMER CONTACT COMPANY BUILDING, LLC AS RECORDED IN DEED BOOK 17100 PAGE 1409, ST. LOUIS COUNTY RECORDS.

BASIS OF BEARINGS: THE WEST LINE OF RESEARCH BLVD. IN LINDBERGH-WARSON INDUSTRIAL CENTER ADDITION NO. 1 AS RECORDED IN PLAT BOOK 100 PAGE 52, ST. LOUIS COUNTY RECORDS AND BEING SOUTH 00 DEGREES 43 MINUTES 00 SECONDS WEST.

IT IS NOT WARRANTED THAT THIS PLAT CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY, BUILDING LINES AND OTHER ENCUMBRANCES THAT MAY APPLY. A CURRENT TITLE OPINION OR COMMITMENT FOR TITLE INSURANCE IS RECOMMENDED. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYING SOLUTIONS, LLC.

AT THE REQUEST OF MR. HOWARD WATKINS, DURING THE MONTH OF JANUARY, 2017, SURVEYING SOLUTIONS, LLC HAS COMPLETED A BOUNDARY SURVEY ON PART OF LOT 21 OF LINDBERGH-WARSON INDUSTRIAL CENTER ADDITION #1 AS RECORDED IN PLAT BOOK 100 PAGE 52, ST. LOUIS COUNTY RECORDS. THE RESULTS OF SAID BOUNDARY SURVEY ARE SHOWN HEREON; AND THAT THIS BOUNDARY SURVEY WAS COMPLETED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS FOR AN "URBAN" PROPERTY SURVEY.

MICHAEL A. SCHUKNECHT, P.L.S.
MISSOURI CERT. NO. L.S. 2303

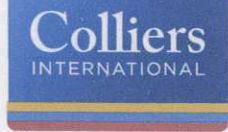
SURVEYING SOLUTIONS, LLC

L-2008031329
1346 MONTEVALE COURT
FENTON, MISSOURI 63026
PHONE/FAX: 636-305-9607

Flex Space

SUBLEASE

1283 RESEARCH BLVD
CREVE COEUR, MO 63132



13,134 SF Single Tenant Flex Building

- > Sublease through 10/31/2021
- > ±45% office finish
- > Air-conditioned work/staging area in warehouse
- > 14' clear ceiling height in warehouse
- > 2 dock high loading doors (one 16' wide, one 8' wide)
- > 32 car parking (2.5/1,000)
- > Easy access to I-270 and I-170 via Olive Boulevard and Page Avenue
- > Located in the 39 North Innovation District

RECEIVED
JUN 30 2020
BUILDING DEPT.

PRICING

\$4.75 PSF, NNN

CONTACT US

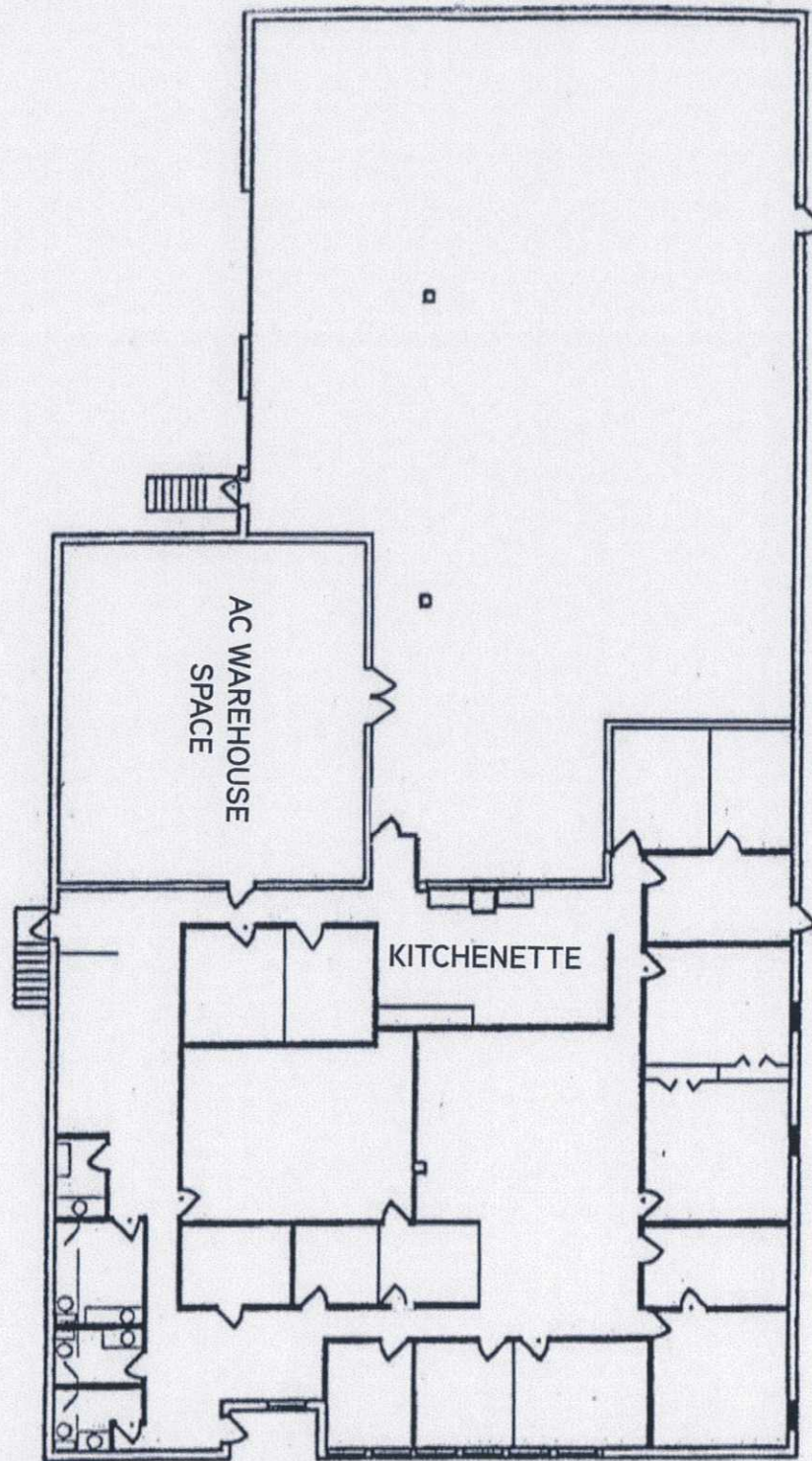
Tony Kennedy
Senior Vice President
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Mobile 314 630 4152
tony.kennedy@colliers.com

Dan Bamberger
Vice President
Direct 314 584 6226
Mobile 314 435 8549
dan.bamberger@colliers.com

Colliers International
101 South Hanley Road, Suite 1400
St. Louis, MO 63105
314 863 4447

Although all information furnished regarding property for sale, rental or financing is from sources deemed reliable, such information has not been verified, and no express representation is made nor is any to be implied as to the accuracy thereof, and it is submitted subject to errors, omissions, change of price, rental or other conditions, prior sale, lease or financing, or withdrawal without notice.

FLOOR PLAN

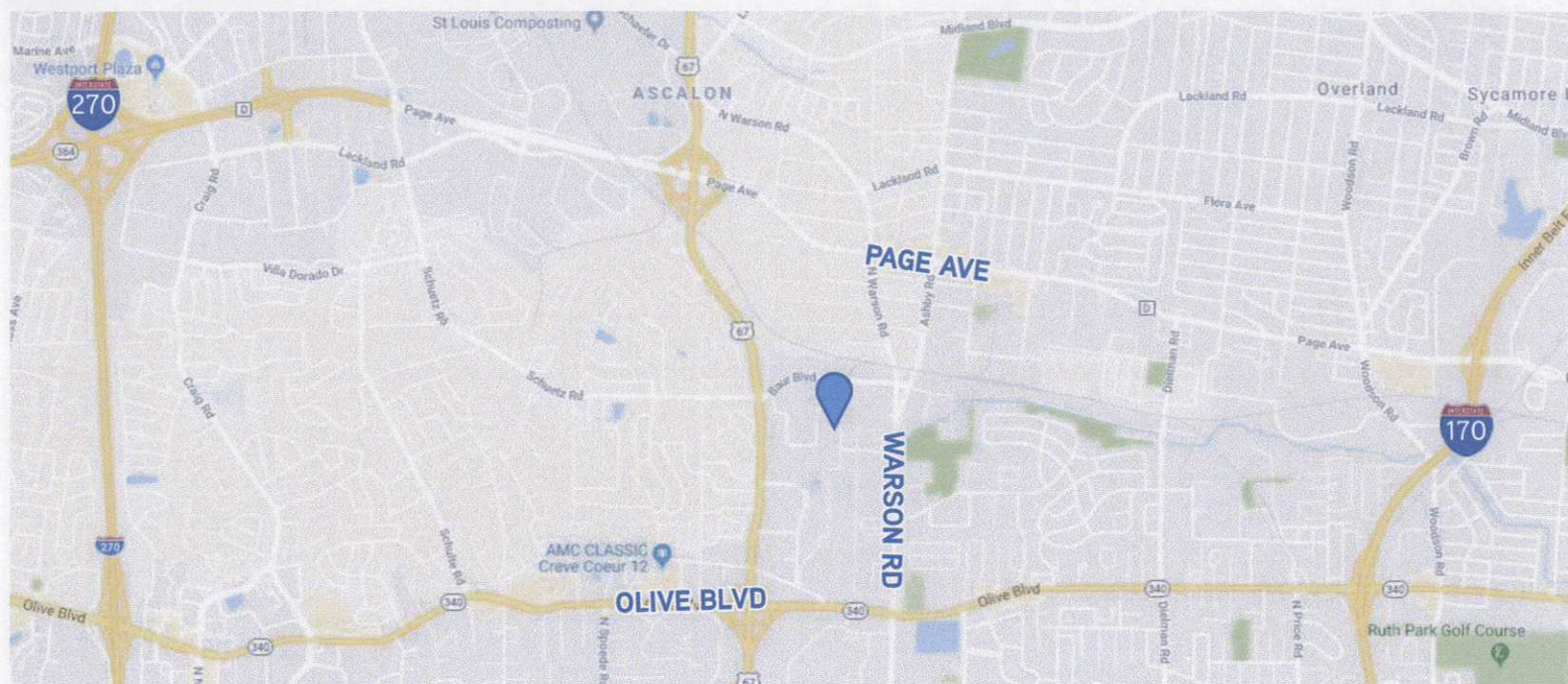


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colliers.com/stlouis

GREAT LOCATION



MOVE-IN READY

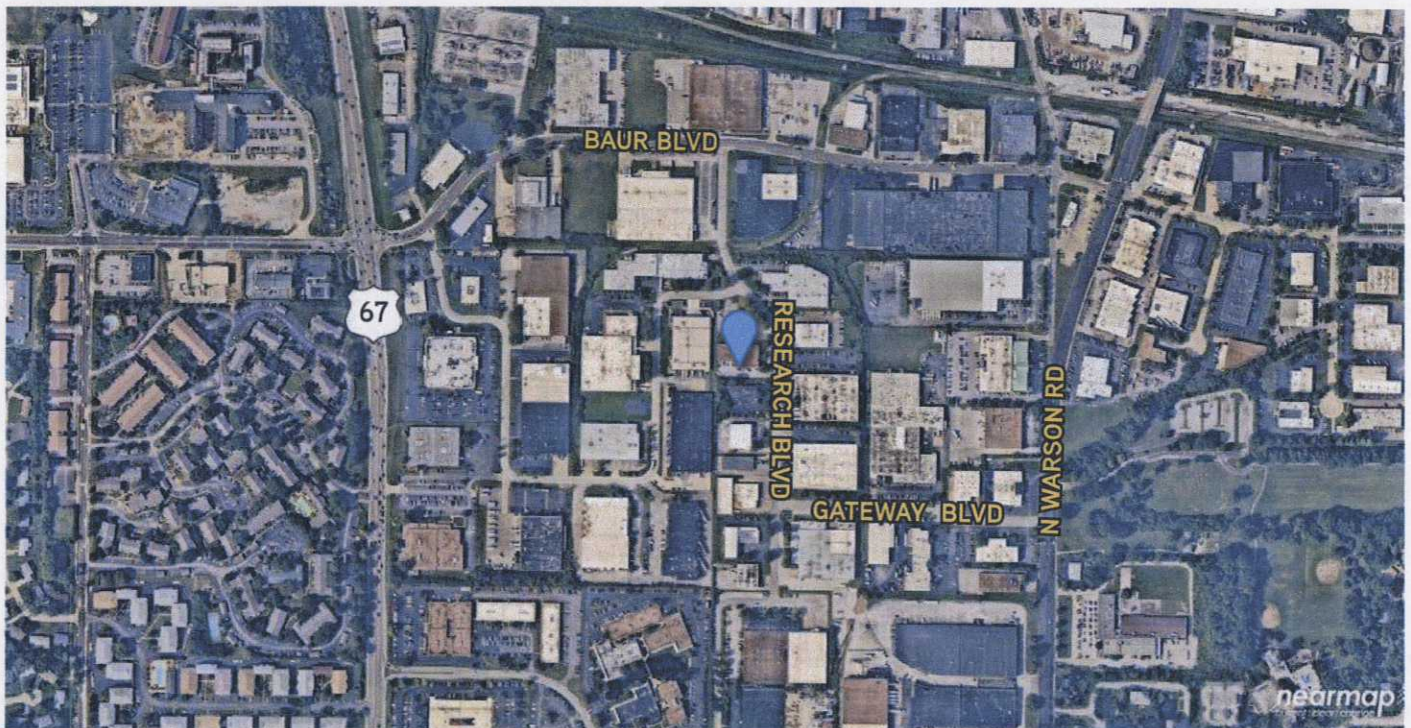
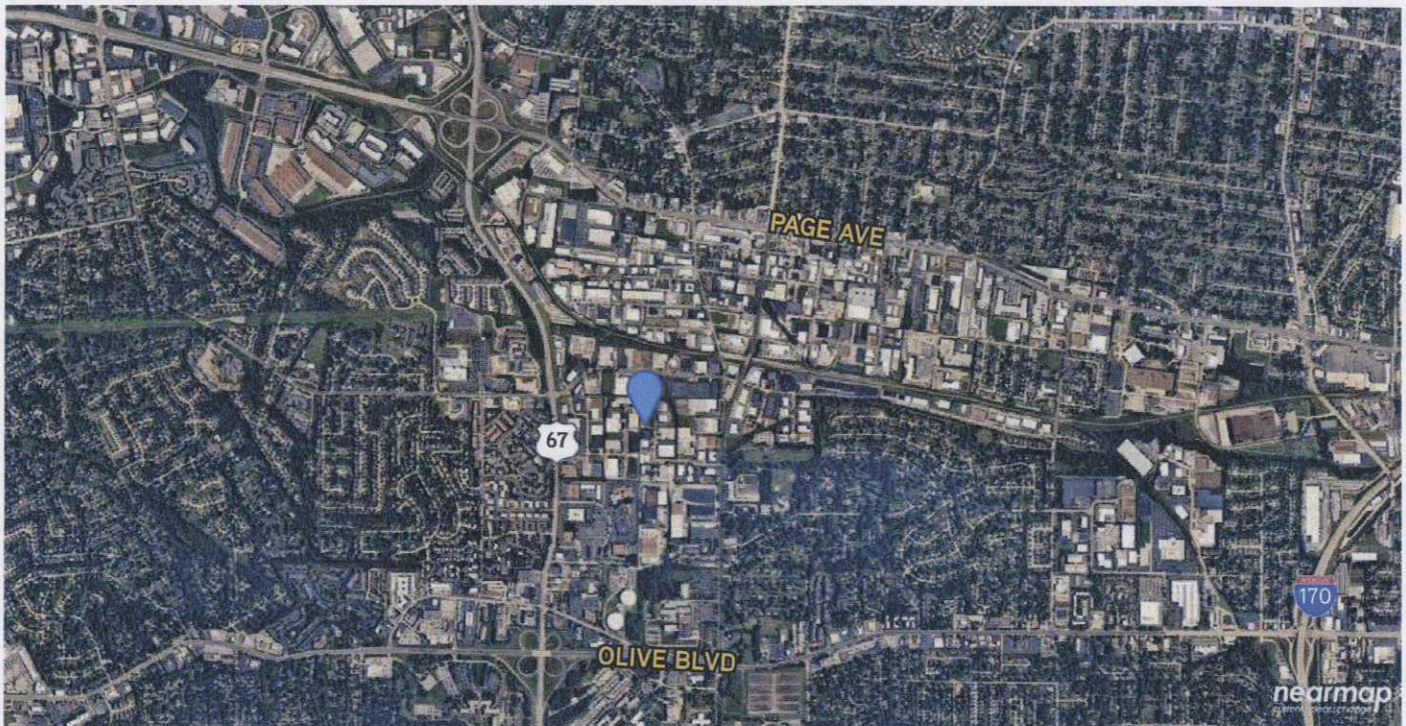


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AERIAL PHOTOGRAPHS



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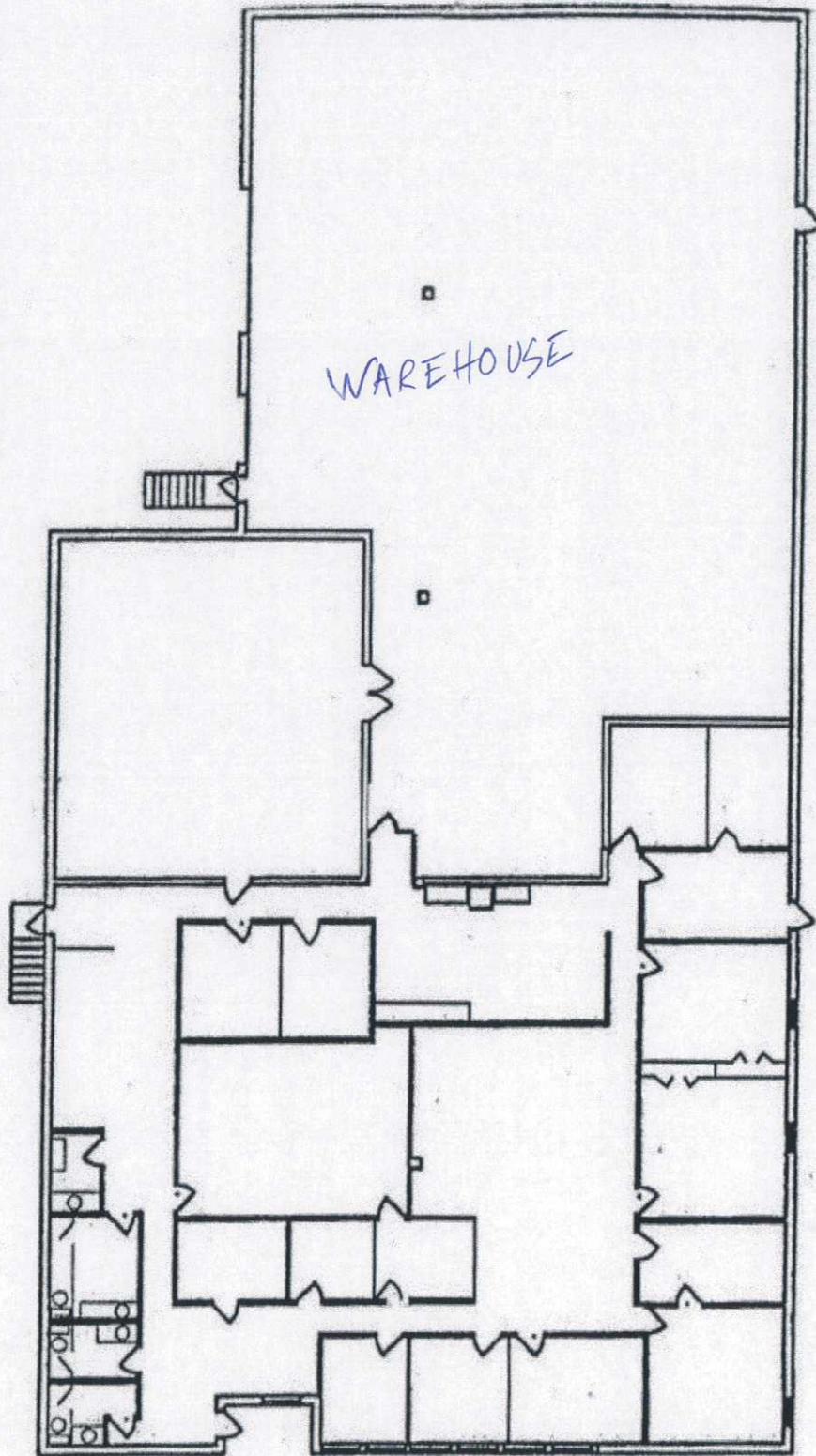
GREAT LOCATION GREAT VALUE



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JUN 30 2020
BUILDING DEPT.



APPLICATION #20-020:

**CONDITIONAL USE PERMIT FOR A SOLAR PANEL
CONTRACTOR, EFS ENERGY INC., AT 1283
RESEARCH BOULEVARD IN THE LI-LIGHT INDUSTRIAL
DISTRICT**

- All Other Specialty Trade Contractors (NAICS 238990) in the LI-Light Industrial District requires a conditional use permit with review by the Planning and Zoning Commission and approval of an ordinance by the City Council.
- Proposed use will utilize the entire existing 13,134 square foot warehouse and office building
- Property was originally developed in 1963 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.
- There will be no outdoor storage of materials on the site.

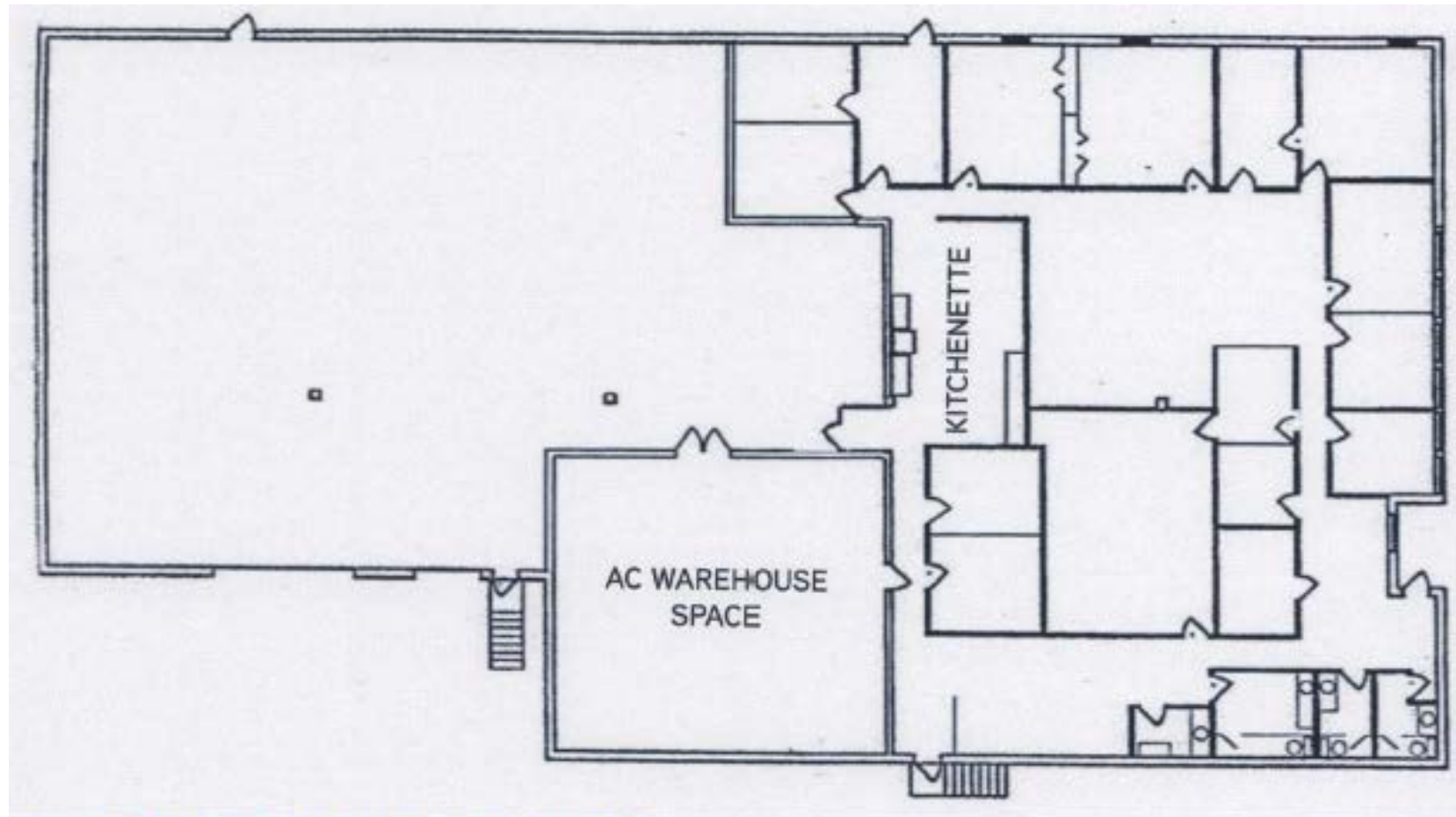


Figure 1: Close-up of the Applicant's Floor Plan



Recommended Conditions of Approval are:

- As there is no Landscape Plan on file and the existing landscaping includes mature trees and planting. Staff has not required a landscape plan at this time. However, a condition has been included that the landscaping shall be maintained and any dead and dying materials shall be replaced.**
- The existing unenclosed dumpster shall be enclosed and screened for the Zoning Administrator's approval.**
- Other required conditions are the standard conditions for conditional use permits.**



QUESTIONS?

1 PLANNING AND ZONING COMMISSION MEETING

2 CITY OF CREVE COEUR, MISSOURI

3 300 NORTH NEW BALLAS ROAD

4 MONDAY, AUGUST 3, 2020

5 6:30 P.M.

6
7 PUBLIC HEARING VIA ZOOM

8 APPLICATION NO. 20-020

9
10 THOSE IN ATTENDANCE:

11 Ms. Beth Kistner, Chairman

12 Mr. Tim Carney

13 Ms. Muriel Hall

14 Mr. James Myers

15 Mr. Gene Rovak

16 Mr. Larry Potashnick

17 Mr. Carl Lumley, City Attorney

18 Mr. Jason Jaggi, Director of Community Development

19 Ms. Whitney Kelly, City Planner

20 Ms. Jessica Stutte, Planning Assistant/Recording Secretary

21 McLaughlin Court Reporting Services, Inc.

22 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR

23 4772 Gatesbury Drive

24 St. Louis, MO 63128

25 (314) 974-1199

1 CHAIRMAN KISTNER: So we will call to order the
2 Planning and Zoning Commission meeting for the City of
3 Creve Coeur on Monday, August 3rd, 2020.

4 We will start with our call to order.

5 Mr. Carney?

6 MR. CARNEY: Present.

7 CHAIRMAN KISTNER: Ms. Hall?

8 MS. HALL: Present.

9 CHAIRMAN KISTNER: Mr. Myers?

10 MR. MYERS: Present.

11 CHAIRMAN KISTNER: Mr. Rovak?

12 MR. ROVAK: Present.

13 CHAIRMAN KISTNER: Mr. Potashnick?

14 MR. POTASHNICK: Present.

15 CHAIRMAN KISTNER: Mr. Streiler is absent.

16 We have City Attorney, Carl Lumley?

17 MR. LUMLEY: Present.

18 Can they hear me?

19 CHAIRMAN KISTNER: Okay. Now I hear you.

20 MR. LUMLEY: Okay.

21 CHAIRMAN KISTNER: So was that Carl? Is Carl
22 present?

23 MR. LUMLEY: Yes.

24 CHAIRMAN KISTNER: Okay.

25 Jason Jaggi, Director of Community Development?

1 MR. JAGGI: Present.

2 CHAIRMAN KISTNER: Whitney Kelly, City Planner?

3 MS. KELLY: Present.

4 CHAIRMAN KISTNER: And Jessica Stutte, Planning
5 Assistant/Recording Secretary, is she on tonight?

6 MS. STUTTE: Present.

7 CHAIRMAN KISTNER: Got it.

8 (The applicant was not available via Zoom when
9 the public hearing was called. The other hearings were
10 held.)

11 CHAIRMAN KISTNER: So we're going to move to our
12 Public Hearing, Application No. 20-020: Conditional Use
13 Permit for a Solar Panel Contractor, EFS Energy, at 1283
14 Research Boulevard in the Light -- LI, Light Industrial
15 District.

16 MR. LUMLEY: We're swearing in, right?

17 MR. JAGGI: And we need to swear in everybody
18 who wishes to speak.

19 MR. PAUL MCKNIGHT: Okay. Can you hear me?

20 MS. KELLY: Yes.

21 (The speakers were sworn by the court reporter.)

22 MR. PAUL MCKNIGHT: Oh, you need to see my
23 video, don't you?

24 MS. KELLY: Yeah.

25 MR. PAUL MCKNIGHT: There we go. Hello.

1 CHAIRMAN KISTNER: All right. Thank you.

2 So if you want to start off with your
3 application.

4 MR. PAUL MCKNIGHT: Yeah, I'm sorry, I'm a
5 little unprepared. I had my -- my kids kind of cause a
6 ruckus there at 6:30, and I had to -- had to attend to
7 that.

8 So, but my application is for a conditional use
9 permit, I believe -- I'm not exactly sure what the -- what
10 the conditions are.

11 One thing that was mentioned was we were asked
12 if we would have any outdoor storage, which we will not.
13 We have plenty of warehouse space.

14 Our -- our company is a solar panel contractor.
15 So we have a sales team. We have engineering. And we do
16 have a small install crew. But we do, also, a lot of
17 subcontracting as well.

18 So we have -- we have several vehicles. We
19 have -- we have currently three work vans and a box truck,
20 but we're using the facility as intended. We're not --
21 we're not doing anything outside of what that building was
22 intended for.

23 In fact, moving into that facility, the previous
24 tenants had left a lot of furniture and things of that
25 nature. We hardly did anything, even on the inside of it.

1 We, basically, moved in. We're using all the offices as
2 offices. We're using the warehouse as warehouse. And
3 sorting solar panels and -- and related equipment,
4 electrical equipment.

5 CHAIRMAN KISTNER: So, Mr. McKnight, before we
6 go to staff, I mean there are eight conditions, and it is
7 important for you to understand those and know whether or
8 not you agree with them.

9 MR. PAUL MCKNIGHT: Right. Okay.

10 MS. KELLY: I can present those, and then we can
11 ask the applicant if he's in agreement.

12 CHAIRMAN KISTNER: Okay.

13 MS. KELLY: Okay. As the applicant has
14 indicated, they are a Solar -- Solar Panel Contractor, EFS
15 Energy, at 1283 Research Boulevard in the Light Industrial
16 District.

17 I apologize. Whitney Kelly on behalf of the
18 City of Creve Coeur.

19 All other specialty trade contractors, as well
20 as electrical contractors, which were the only two
21 categories that we could fit this applicant in, are listed
22 as a conditional use in the LI District.

23 They will be using the entire building of 13,134
24 square feet of warehouse and office.

25 The property was originally developed in 1963

1 under St. Louis County jurisdiction, and then annexed into
2 the city in the '90s. Subsequently rezoned to the LI,
3 Light Industrial District.

4 Therefore, the property does have some
5 pre-existing nonconformities.

6 As the applicant has indicated, there's no
7 outdoor storage of materials on the site.

8 Here's the floor plan and existing -- this image
9 from the city's GIS of the building.

10 A condition of approval did include that the
11 current unenclosed dumpster on the site shall be properly
12 enclosed for -- and -- for a building permit, and that can
13 be at staff -- that is at staff approval.

14 The landscaping does seem to be well maintained
15 pretty much, and there's existing large trees, so we have
16 not asked for a landscape plan at this time.

17 However, we just wanted to make it a condition
18 of approval that all landscaping shall be maintained and
19 any dead and dying materials shall be replaced, just so
20 that they just, as we've seen before, that they just don't
21 clear the site without having any plans or proposal to
22 maintain the landscaping in the future.

23 The other requirements are pretty standard for
24 any conditional use permit, and those were the two key
25 components that were specific for this application.

1 Now, all lighting shall be -- shall be in
2 conformance with -- any new lighting shall be in
3 conformance with the City Code, and all signage shall be
4 in conformance with the City's sign regulations, those
5 kind of standard conditions.

6 So that was pretty much all I had.

7 If you have any questions.

8 MR. PAUL MCKNIGHT: So for the, you said
9 enclosure?

10 MR. LUMLEY: She's muted.

11 CHAIRMAN KISTNER: Whitney, you're on mute.

12 MR. PAUL MCKNIGHT: (Indiscernible.)

13 MS. KELLY: Yeah. Basically, we -- we just
14 generally ask that the dumpster be enclosed and then
15 screened, like a nice wood fence that would fully enclose
16 the dumpster.

17 MR. PAUL MCKNIGHT: Okay. So would I -- do I
18 need to submit an application? Like do we -- like if we
19 get a proposal for the fence, then does that need to be
20 approved prior to us installing it?

21 MS. KELLY: Yes. That would be under a building
22 code question.

23 MR. PAUL MCKNIGHT: Okay. Okay.

24 And then I assume that's the same with -- with
25 outdoor signage, which is not part of this -- this

1 particular conditional use permit, correct?

2 MS. KELLY: Correct.

3 MR. PAUL MCKNIGHT: Okay.

4 I think that's -- that's the only question I
5 really had, other than I know that there was a -- kind of
6 a expensive, I guess, fee for -- for -- for having this --
7 this hearing, as well as the review of our materials.

8 But we also did not have new construction or
9 anything of that nature. Knowing that there's no
10 engineering review, I guess I was just curious about the
11 (indiscernible).

12 MS. KELLY: You went out at the end.

13 But the escrow covers the cost of the public --
14 public recording and notification for the project.

15 MR. PAUL MCKNIGHT: That be as far as what
16 that's covering. And (indiscernible).

17 MS. KELLY: Okay. I'm sorry. You froze up, so
18 we didn't get all of that.

19 MR. PAUL MCKNIGHT: Okay. That's okay. I kind
20 of have a bad connection right here, apparently.

21 MS. KELLY: But, again, the -- the application
22 and the escrow for Planning and Zoning for any conditional
23 use permit is for the fee for the court reporter, for the
24 public hearing and any notification fees that were -- and
25 the mailing that was completed on the project. And those

1 are generally returned once final approval has been
2 granted by the City Council. Any unused portion of those
3 fees are returned.

4 CHAIRMAN KISTNER: Are there any questions by
5 Members of the Commission?

6 Are there any members of the public that would
7 like to speak at this public hearing?

8 If not, then the hearing is closed.

9 And now we can open it up to any discussion or
10 questions about the -- the proposal. And if not, a -- a
11 motion.

12 MR. LUMLEY: Beth, can I go ahead and offer the
13 exhibits?

14 MR. PAUL MCKNIGHT: Sorry. My connection just
15 went out again, so.

16 MR. LUMLEY: Can I offer the exhibits now?

17 CHAIRMAN KISTNER: Oh, I'm sorry, Carl.

18 MR. LUMLEY: That's okay.

19 CHAIRMAN KISTNER: So the hearing is not closed.

20 MR. LUMLEY: There we go.

21 Okay. I offer the following exhibits --

22 CHAIRMAN KISTNER: Yes.

23 MR. LUMLEY: -- into the record of this public
24 hearing: Documentation in possession of the City Clerk
25 reflecting the public notice that's been provided, the

1 staff's report on this matter, the City Code of Ordinances
 2 and Charter, the City Comprehensive Plan and the public
 3 file regarding this application.

4 CHAIRMAN KISTNER: Thank you.

5 And now the hearing is closed.

6 (The Public Hearing was concluded at 7:53 p.m.)

7
 8 STATE OF MISSOURI)
) SS
 9 COUNTY OF ST. LOUIS)

10
 11 I, Deborah K. McLaughlin, Registered
 12 Professional Reporter, Missouri Certified Court Reporter,
 13 Illinois Certified Shorthand Reporter and Kansas Certified
 14 Court Reporter, do hereby certify that I reported the
 15 Planning and Zoning public hearing stenographically and
 16 later reduced to typewriting; and that this is a true and
 17 accurate transcript of the public hearing.

18
 19
 20 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR

21 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR
 22
 23
 24
 25



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

Meeting: 08/10/20 07:00 PM
Department: Planning Division
Category: Report
Prepared By: Whitney Kelly
Department Head: Jason Jaggi

SCHEDULED

RESOLUTION

Resolution No. 1499 - a Resolution Approving a Site Development Plan for a 15,000 Square Foot, 36 Space Parking Lot Addition at 633 Emerson Road

Jennifer Gross, of Altus Properties, on behalf of DOC-633 Emerson Road MOB, LLC, property owners of 633 Emerson Road, has submitted an application for a 15,000 square foot parking lot expansion to provide an additional 36 parking spaces to the site, with new parking lot lighting. Section 405.1080 requires site plan review by the Planning and Zoning Commission for any proposed alteration that would significantly affect the exterior of a building. Section 405.370(G)(1)(b) requires Council review and approval of all development or redevelopment plans, other than minor site plans under 5,000 square feet of new site coverage, for the properties within the area bounded by Olive Boulevard on the north, Old Ballas Road on the south and east and I-270 on the west. The Planning and Zoning Commission recommended approval at its meeting on August 3, 2020.

Resolution

Meeting of August 10, 2020

RESOLUTION NO. 1499

A RESOLUTION APPROVING A SITE DEVELOPMENT PLAN FOR A 15,000 SQUARE FOOT, 36 SPACE PARKING LOT ADDITION AT 633 EMERSON ROAD

WHEREAS, Section 405.370(G)(1)(b) states that the City Council will hereby exercise the right, power and authority to review and approve any and all development or redevelopment plans, for the properties within the area bounded by Olive Boulevard on the north, Old Ballas Road on the south and east and I-270 on the west, as provided for in Section 405.1080; and

WHEREAS, an application was submitted by Jennifer Gross, of Altus Properties, on behalf of DOC-633 Emerson Road MOB, LLC, property owners of 633 Emerson Road, for a 15,000 square foot parking lot expansion to provide an additional 36 parking spaces to the site, with new parking lot lighting within the greenspace and around the non-conforming billboard; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a 5-0 vote, recommended approval of the request, subject to the conditions contained herein, at its meeting on August 3, 2020; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed resolution has been made available for public inspection prior to its consideration by the Council; and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed Site Development Plan, when subject to certain conditions set forth herein, should be approved:

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

Section 1: The site development plan for the property addressed as 633 Emerson Road is approved subject to the following conditions:

1. The Applicant shall submit a site improvement permit for the additional 15,000 square feet of new site coverage for the parking lot at 633 Emerson Road to be in substantial compliance with the site development plans received July 2, 2020, as bound together and submitted in conjunction with Application #20-022 by CEDC, except as modified below.
2. A final landscape shall be submitted to be in substantial compliance with the revised Landscape Plan emailed on July 16, 2020, as bound together and submitted in conjunction with Application #20-022 by CEDC, except as modified below.
3. The Landscape plan shall be revised to include the plantings around the building and "Living Fence/Trellis" system at the south elevation and east elevation of the building consistent with the approved plans in 2013; identify and replace all dead and dying trees and plants in order to provide attractive year-round screening along Emerson Road frontages, and any plant materials listed as an undesirable species, shall be replaced with a Missouri Native tree as recommended by the City's Landscaping Guide, for the Zoning Administrator's approval.
4. Additional shrubs shall be provided around the west side of the new parking area and additional upright evergreen plants placed around the Billboard to soften the area as discussed in the Staff Report for August 3, 2020 Planning and Zoning Commission meeting, for the Zoning Administrator's approval.
5. All new trees shall have a minimum caliper of three inches (3") as required under Section 405.540 Landscaping

RESOLUTION NO. 1499

6. An underground irrigation system shall be installed for the new landscaped areas as required under Section 405.540(10).
7. All landscaping shall be maintained per the approved Landscape Plan and any 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.
8. All lighting shall be installed or modified to be in conformance with Section 405.680, Lighting, of the Zoning Ordinance, subject to approval of the Zoning Administrator.
9. The entire parking lot shall be resealed, and the southernmost entrance and adjacent sidewalk shall be reconstructed to meet with ADA regulations, as directed by the Department of Public Works.
10. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the Planning and Zoning Commission or if required City Council before a Building Permit for the enlargement, expansion or alteration may be issued.
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 2: This resolution shall become effective upon approval.

ADOPTED THIS 10th DAY OF August 2020.

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
#20-022 FOR SITE DEVELOPMENT PLAN FOR PARKING LOT ADDITION
AT 633 EMERSON ROAD**

FOR THE MEETING OF: Monday, August 3, 2020

LOCATION: 633 Emerson Road, Zoned CB – Core Business District.

REQUEST: Jennifer Gross, of Altus Properties, on behalf of DOC-633 Emerson Road MOB, LLC, property owners of 633 Emerson Road, has submitted an application for a 15,000 square foot parking lot expansion to provide an additional 36 parking spaces to the site, with new parking lot lighting. The property was originally developed in 1989 and expanded in 1998. The overall site coverage with this request will increase from 52.5% to 62.3%. The property also has a non-conforming billboard.

ADDITIONAL INFORMATION: Section 405.1080 requires site plan review by the Planning and Zoning Commission for any proposed alteration that would significantly affect the exterior of a building. Section 405.370(G)(1)(b) requires City Council review and approval of all development or redevelopment plans, other than minor site plans under 5,000 square feet of new site coverage, for the properties within the area bounded by Olive Boulevard on the north, Old Ballas Road on the south and east and I-270 on the west. Section 405.950(L)(2)(a) of the sign regulations state that all lighting and landscaping of grandfathered billboards shall maintain the previously approved and required landscaping. The proposal will have to remove some of the existing trees for the new parking area.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request follow the Design Guidelines?

Creve Coeur 2030 References

- Central Business District
- West Olive and Large Commercial Properties Mixed-Use District (MU)

Zoning Code References

- Section 405.370: CB-Core Business District
- Section 405.540: Landscaping
- Section 405.680: Lighting
- Article VII Off-Street Parking and Loading Regulations
- Section 405.950(L) Billboards
- Section 405.1080 Site Concept, Site Development and Minor Site Plan Approval

APPLICANT / Jennifer Gross
PROPERTY Altus Properties
MANAGER: 231 Bemiston Ave., Suite 650
St. Louis, MO 63105

APPLICANT'S Yosef Howley, P.E.
REPRESENTATIVE: CEDC
10820 Sunset Office Drive, Suite 200
St. Louis, Missouri 63127



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 7/30/2020
ATTACHMENTS: Applicant's Materials received July 2, 2020
Revised Landscape Plan received July 16, 2020
Materials from 2013 Minor Site Plan
Draft Resolution

BACKGROUND AND PROPOSAL SUMMARY

The property was originally built in 1989. In 1998, the property received approval of a Site Development Plan to enclose the underground parking and construct additional surface parking to the south. A condition of the approval, at that time, included submitting (for staff's approval) a revised landscape buffer to protect the residents on Emerson Road from the sight of the billboard on the subject property and required additional trees at various locations in and around the existing parking areas. However, Staff has not been able to locate the revised landscape plan. In 2013, the Planning and Zoning Commission approved a minor site plan for new landscaping around the base of the building, new entry elements and "Living Fence/Trellis" system at the south elevation and east elevation that was used to break up the blank walls and provide greater interest to the building, a new paint scheme for the property, as well as a boundary adjustment, and right-of-way dedication, to create one, 3.63 acre lot. The property also has a non-conforming billboard on the property.



Figure 1: 2013 Rendering of the East Elevations for the Living Fence/Trellis system

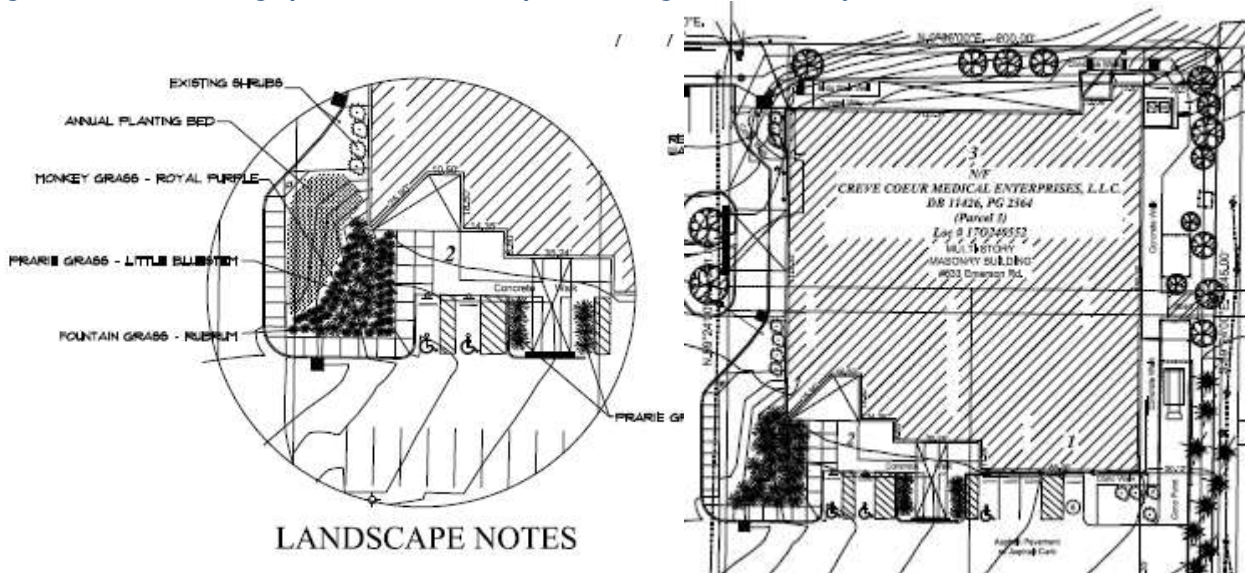


Figure 2: Close-up of the 2013 Landscaping Plan for around the building.

The Applicants are seeking to add 15,000 square feet to the site in order to provide an additional 36 parking spaces. The overall site coverage will increase from 52.5% to 62.3%. The Applicant has indicated that to offset the effect of this additional impervious area, two sections of pavement in the existing parking are proposed to be removed and replaced with pervious pavers (while still counted as coverage). Landscape measures are proposed to meet Creve Coeur standards and provide adequate screening for the proposed parking to adjacent properties, primarily residential areas to the south, including maintaining screening for the existing billboard sign.

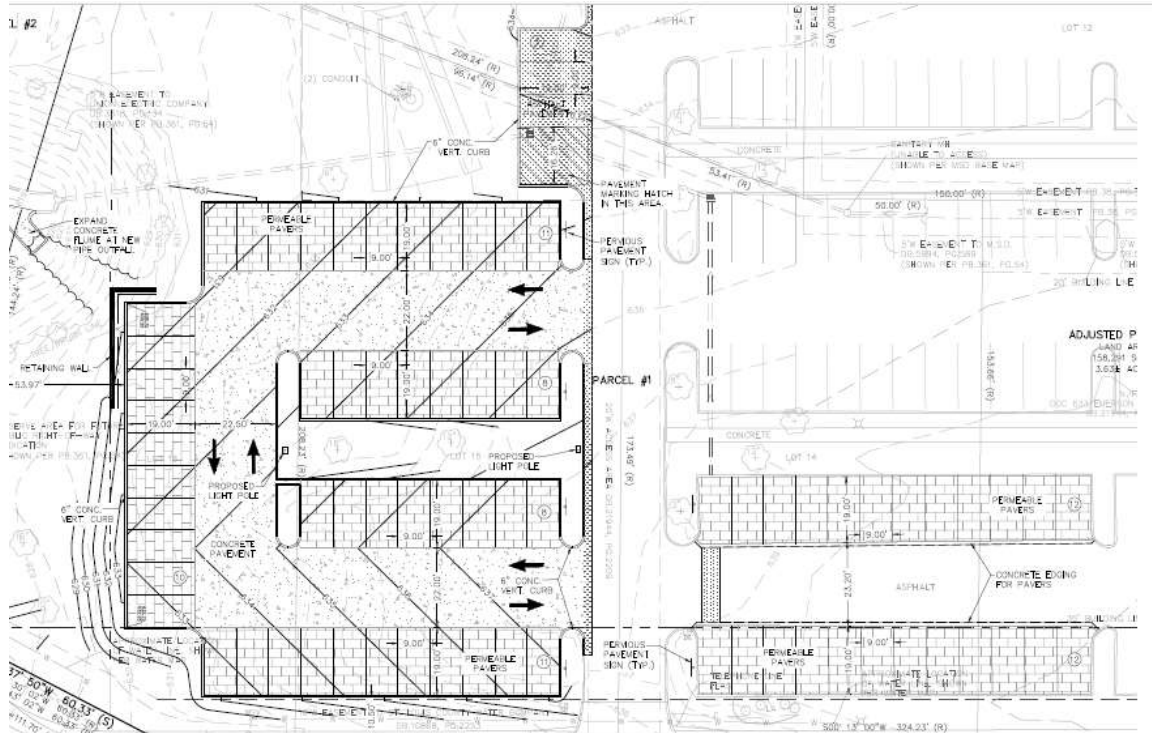


Figure 3: Close-up of the proposed site plan of the new parking area, with the permeable pavers used.

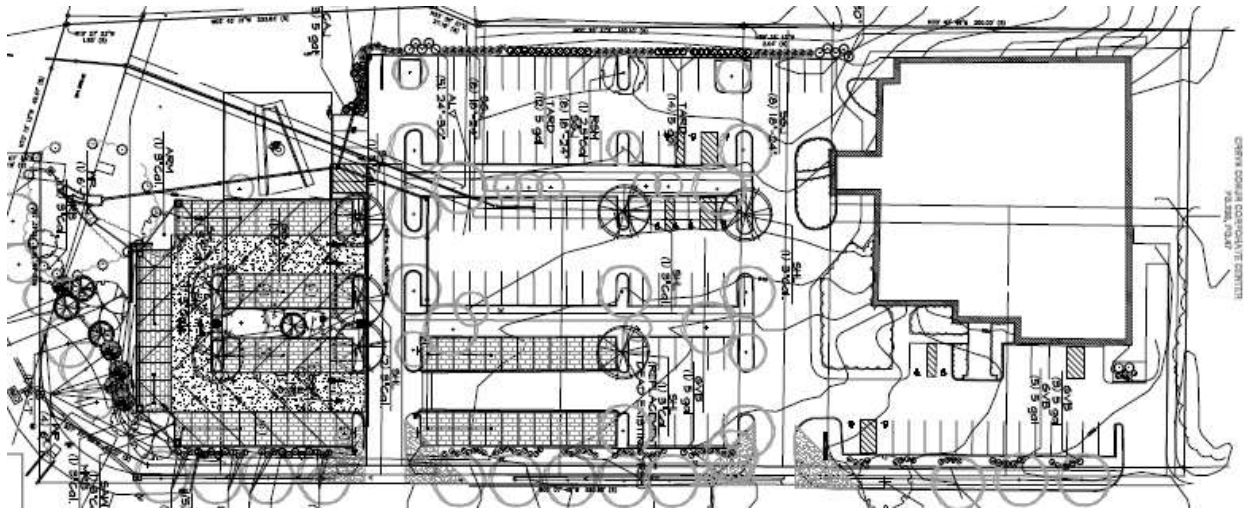


Figure 4: Proposed new landscape plan

Packet Pg. 1086

COMPREHENSIVE PLAN AND DESIGN GUIDELINE REVIEW

The subject property is located within the West Olive and Large Commercial Properties Mixed-Use District (MU) of the Comprehensive Plan that supports large development sites with centralized, shared-use surface parking lots; comprehensive pedestrian connections between the street, parking areas, and buildings; and plentiful outdoor public space amenities within a beautifully-landscaped site environment (p. 82). Native Landscaping is also encouraged to support sustainable and low impact site development practices (p. 87, and p. 51-Strategy 7.9 of Community Sustainability & Resilience). Greater diversity of plant materials is also recommended under City-wide Strategy 5. Parks, Open Space & Environment (Strategy 5.7, p. 49), as well as discussions at Council on proposed landscape plans.

The Design Guidelines strongly encourage high quality landscaping that accentuates the building and site, softens the effects of parking in areas and enhances the quality of life of the City; the scale and nature of landscaping material are to be appropriate to the site or structure, with large-sale landscaping complementing the large scale building; and, that there is a consistency of landscape design throughout a development; parking areas, traffic-ways and parking structures are to be enhanced with landscaped spaces containing trees, tree groupings, and shrubbery or other landscaped enhancements, including berms; landscaped areas are to be maximized and balanced throughout the site; and live plant material is to be used for ground cover (p. 15-16)

The City's Landscaping Guide provides for the list of appropriate types of trees as well as other plant materials, that are geared more toward native species, etc., as well as a list of undesirable trees. The Applicants are showing the use of skyline honey locust trees for parking lot islands, which according to the Missouri Botanical Garden Plant Finder, is the non-thorn variety of honey locust. However, the proposal does include the use of Sawtooth Oak trees, which are listed as an undesirable, invasive tree. Therefore, a condition of approval includes that any plant materials listed in the City's Landscape Guide as undesirable shall be replaced with one from the recommended trees/plant list.

The proposal will require the removal of some of the large existing evergreen trees that are used to screen the views of the billboard on along Emerson Road and Old Ballas Road, which is discussed further below under the Billboard Regulations. Additional evergreens have been added including along the west property line for the headlight screening of vehicles along I-270, and to fill in where parking lot trees are currently missing. However, the planting around the building and the living-trellis are not shown. Therefore, a condition of approval includes that the final landscape plan shall be updated to include plantings and plants on the trellis system to comply with the approved plans from 2013.

ZONING REGULATIONS

As previously discussed, the maximum site coverage is 63%, where the Planning and Zoning Commission may allow for additional coverage of up to 70% in consideration of special or outstanding landscape and site planning features, per Section 405.320(E)(3)(b). The additional parking will bring the site up to a site coverage to 62.3%.

Section 405.370(G) requires Council approval for any and all development or redevelopment plans, other than minor site plans, within the following areas:

- a. The area bounded by the City limits on the north, Olive Boulevard on the south, Craig Road on the east and I-270 on the west.
- b. The area bounded by Olive Boulevard on the north, Old Ballas Road on the south and east and I-270 on the west.

Minor site development plans are any proposed alteration that would add new impermeable surface in excess of five hundred (500) square feet or significantly affect the exterior of a building or redevelopment of a site that already contains a building or buildings, provided that any such expansion, change or redevelopment shall not add more than five thousand (5,000) square feet of new impermeable surface to the site, per Section 405.1080. As the proposal is adding more than 15,000 square feet of coverage, it will

require going before City Council. While the Applicants are utilizing permeable pavers for stormwater, the City still considers this to be counted as site coverage as it is used for a parking area.

Landscaping

The City's landscaping regulations require that all landscaping shall be permanently maintained in good condition with at least the same quality and quantity of landscaping as initially approved. Section 405.540 Landscaping provides design standards for landscape plans that include a minimum of 1 street tree for every 30 lineal feet of street frontage as well as that 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. Further, no landscaped hedge shall be less than two (2) feet in height and two (2) feet in spread at time of installation; however, no hedge or wall or berm shall exceed three (3) feet in height within ten (10) feet of any driveway opening. The individual plants used in the development of such a hedge shall be placed so as to be not more than thirty (30) inches on center. Additionally, Section 405.810(A)(5) requires that headlight screening of vehicles from view by an earth berm, a solid wall, decorative fence, evergreen planting of equivalent visual density or other effective means. Such fence or berm and associated landscaping shall be a minimum of eighteen (18) inches in height and an average of three (3) feet in height at the time of planting. Therefore, additional landscaping has been provided along I-270. Some of the trees are showing a 2.5 caliper, and therefore a condition of approval is that all trees are to be a minimum of 3" as required under Section 405.540(F).

Many of the existing large trees that are providing screening of the billboard appear to be in poor health or are completely dead. Many of the trees that are indicated to be remain, are also in poor health, or showing signs of stress and will need to be removed. Therefore, a revised landscape plan is needed to identify those trees that will need to be removed, and replaced, as well as fill in missing landscaping throughout the site. Staff has included a condition that additional landscaping is needed for the parking area just to the east of the billboard, as well as additional evergreen plants added around the billboard to soften the sign, as discussed further below.

Billboard

The subject property has a non-conforming billboard. Section 405.950(L)(2)(a) of the sign regulations states that all lighting and landscaping of grandfathered billboards shall maintain the previously approved and required landscaping. Staff does have a concern with the removal of the large evergreens that were required to provide screening for the residents to the south and east of the property and the parking so close to the billboard area.



Figure 7: Google Image of the Existing Landscaping at Emerson and Old Ballas Road



Figure 8: Google Images of existing trees and screening of the billboard looking south at Emerson and Old Ballas Road, and Staff photo of some of the existing trees in poor health.

The new parking area will be very close around the non-conforming billboard, and the new plantings will require time to provide the same screening as the existing on the site. The Applicants have indicated that they feel that additional parking is needed to ensure retention of tenants. They have added additional plantings to the south for screening purposes and are maintaining the existing trees that would be within the parking lot islands. If approved, the final landscape plan for this site will also serve as the required landscaping to satisfy the requirements of the billboard ordinance.

Staff has included that landscaping along the west parking rows should also be provided for headlight screening.

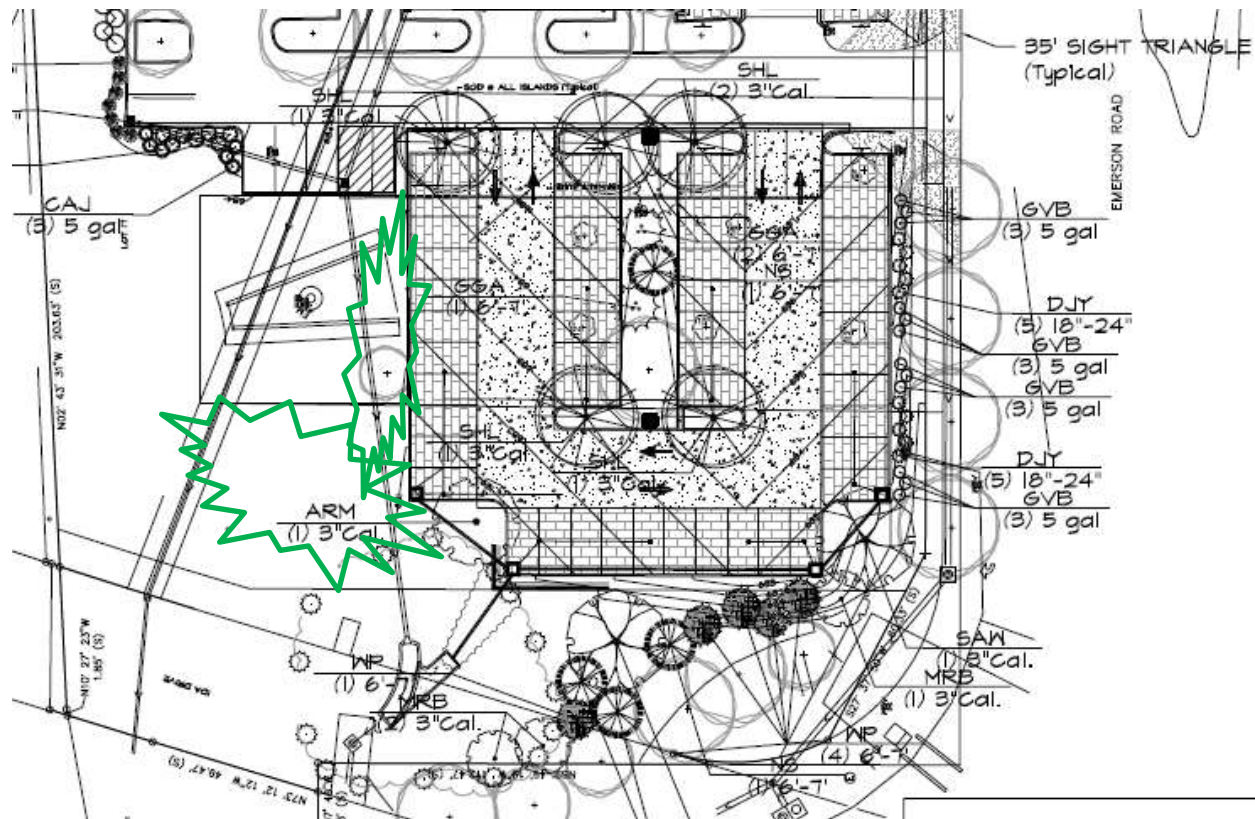


Figure 9: Close-up of the Landscape plan for the new addition and the billboard with highlighted areas for additional landscaping.

Lighting

Section 405.680 Lighting of the Zoning Ordinance provides that the Planning and Zoning Commission shall review all lighting plans that include the type, number, brightness, type of cutoff/shielding and hours of usage of all fixtures. Section 405.680(B) requires that all lighting shall be downcast and fully shielded and shall not cast light upon adjacent property or right-of-way nor shall glare be emitted from an illuminant source. Section 405.680(B)(3) requires that all lighting for non-residential developments shall not exceed twenty-four (24) feet in height (measured from the bottom of the base to the top of fixture) unless specifically permitted by site development plan approval in accordance with Section 405.1080. Additionally, Section 405.810(A)(4) of the Off-Street Parking and Loading Regulations parking lot requires lighting shall maintain a minimum of one (1) foot-candle of illumination at night.

The new parking area is proposed to have new lighting that meets with these regulations. However, the site photometric plan indicates that the existing parking lots are flood lights. Therefore, a condition of approval includes that all lighting shall be downcast and fully shielded, and that the existing flood lights shall be replaced with the same light fixtures as the proposed new fixtures. If additional light fixtures are needed, Staff has included a condition that Staff shall have the authority to approve additional light fixtures to meet with the requirements above.

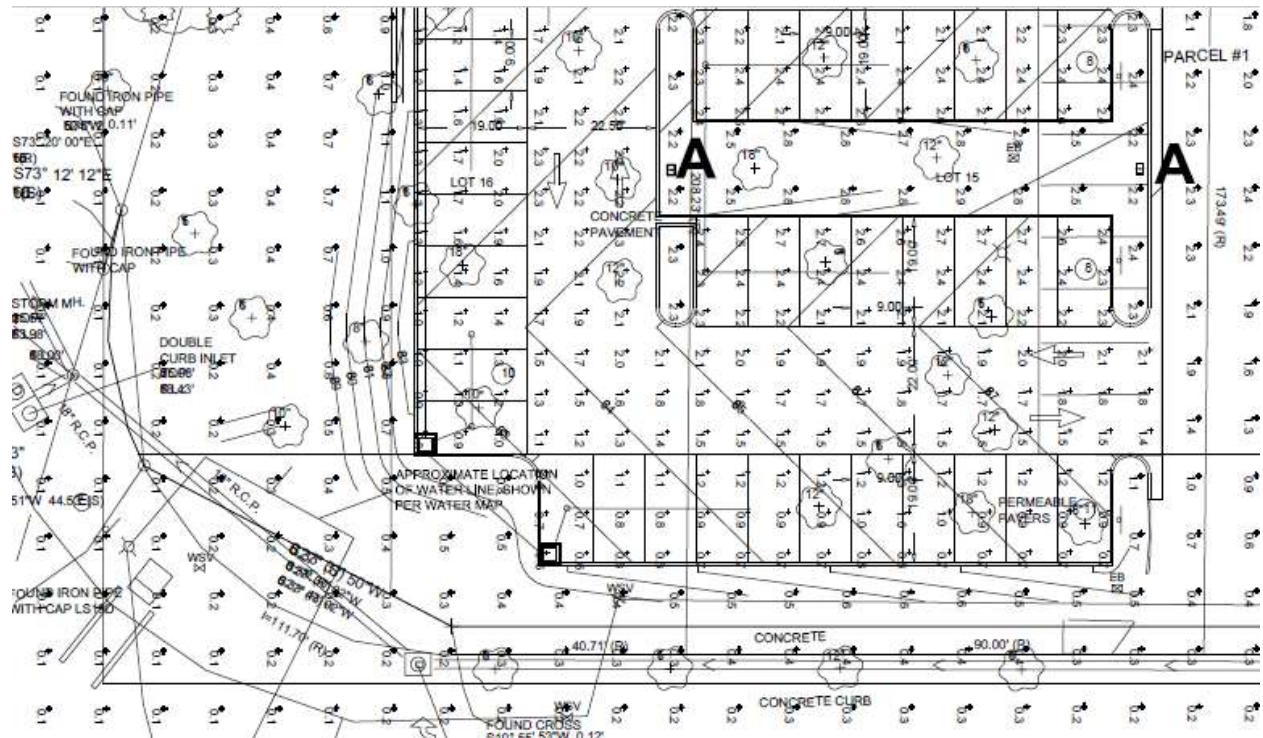


Figure 11: Close-up of the Applicant's Photometric Plan showing that lighting levels to be less than 1 fc at the property line.

Luminaire Schedule			
Symbol	Qty	Label	Description
	2	A	PRV-XL-C75-D-UNV-T5-BZ
	6	EX	EXISTING FLOOD LIGHT POLE

Figure 10: Light Fixture and Schedule



Property Maintenance

While visiting the site, Staff observed that the existing parking lot needs maintenance and parking lot will need to be repaired as needed and resealed. The Public Works Department has also requested that the southernmost driveway entrance, near the area of the new parking spaces, is to be reconstructed to meet with the current ADA requirements as well. Therefore, Staff has included a condition that the entire parking lot be resealed, and that the southern entrance be reconstructed to meet with ADA regulations, as directed by the Department of Public Works.

CONCLUSION

Should the Commission find the proposal in keeping with the Comprehensive Plan and the Design Guidelines and in keeping with the regulations regarding the Section 405.950(L)(2)(a) of the Sign Regulations that require maintenance of the landscaped screening of grandfathered billboards, a motion to recommend approval to the City Council is needed. Below are the bullet points of the main conditions discussed that involve additional landscaping and screening and other site issues as recommended by staff:

- A revised landscape plan to include the landscaping around the building that was approved 2013, replacement of any missing landscaping along Emerson Road, and identifying any dead or dying trees that need to be replaced.

- Additional evergreen plantings around the base of the billboard to soften the area, as well as for headlight screening along the parking area.
- Reconstruction of the southern entrance to meet with ADA standards, and repairing and resealing the remaining asphalt parking area.
- Upgrading the existing flood light fixtures with lights that are consistent with the LED lighting proposed for the new parking area, and in compliance with Section 405.680 Lighting. If additional light fixtures are needed, Staff has included a condition that authorizes Staff to approve such provided that it meets with all of the requirements of Section 405.680 and Section 405.810(A)(4) of the Off-Street Parking and Loading Regulations.

Below are the recommended conditions of approval, including the conditions for Staff approval of the above suggested changes, as well as the customary conditions for this type of project:

1. The Applicant shall submit a site improvement permit for the additional 15,000 square feet of new site coverage for the parking lot at 633 Emerson Road to be in substantial compliance with the site development plans received July 2, 2020, as bound together and submitted in conjunction with Application #20-022 by CEDC, except as modified below.
2. A final landscape shall be submitted to be in substantial compliance with the revised Landscape Plan emailed on July 16, 2020, as bound together, and submitted in conjunction with Application #20-022 by CEDC, except as modified below.
3. The Landscape plan shall be revised to include the plantings around the building and "Living Fence/Trellis" system at the south elevation and east elevation of the building consistent with the approved plans in 2013; identify and replace all dead and dying trees and plants in order to provide attractive year-round screening along Emerson Road frontages, and any plant materials listed as an undesirable species, shall be replaced with a Missouri Native tree as recommended by the City's Landscaping Guide, for the Zoning Administrator's approval.
4. Additional shrubs shall be provided around the west side of the new parking area and additional upright evergreen plants placed around the Billboard to soften the area as discussed in the Staff Report for August 3, 2020 Planning and Zoning Commission meeting, for the Zoning Administrator's approval.
5. All new trees shall have a minimum caliper of three inches (3") as required under Section 405.540 Landscaping
6. An underground irrigation system shall be installed for the new landscaped areas as required under Section 405.540(10).
7. All landscaping shall be maintained per the approved Landscape Plan and any 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.
8. All lighting shall be installed or modified to be in conformance with Section 405.680, Lighting, of the Zoning Ordinance, subject to approval of the Zoning Administrator.
9. The entire parking lot shall be resealed, and the southernmost entrance and adjacent sidewalk shall be reconstructed to meet with ADA regulations, as directed by the Department of Public Works.
10. Any future enlargement, extension, expansion, or alteration in the use of the structures or site must be approved by the Planning and Zoning Commission or if required City Council before a Building Permit for the enlargement, expansion or alteration may be issued.
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.

MOTION

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

“I move to recommend approval of the site development plans for an additional 15,000 square feet of parking for the 633 Emerson Road subject to the conditions listed in the Staff Report and Draft Resolution for the meeting of August 3, 2020” (Conditions may be added, eliminated, altered, and/or modified).

APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO



APPENDIX 4: SITE PHOTOGRAPHS	Date: 7/30/2020
	Description: View of existing trees that appear to be in poor health.
	Description: Existing street tree that is dead and needs to be replaced.
	Description: View looking south from the existing parking lot of several dead trees that will need to be replaced.

	Description: View of the parking lot that will need to be resurfaced.
	Description: View of the existing landscaped trellis on the south elevation of the building
	Description: Google image of the existing landscaping and missing landscaping in the foreground, and the trellis at the east elevation of the building.

LEGEND

EXISTING CONTOURS	— 433 —
PROPOSED CONTOURS	— 433 —
EXISTING STORM SEWER	— [] —
PROPOSED STORM SEWER	— [] —
EXISTING SANITARY SEWER	— [] —
PROPOSED SANITARY SEWER	— [] —
RIGHT-OF-WAY	— [] —
EASEMENT	— [] —
CENTERLINE	— [] —
EXISTING TREE	— [] —
EXISTING SPOT ELEVATION	— [] —
PROPOSED SPOT ELEVATION	— [] —
SWALE	— [] —
TO BE REMOVED	— [] —
TO BE REMOVED & RELOCATED	— [] —
TO BE USED IN PLACE	— [] —
ADJUST TO GRADE	— [] —
BACK OF CURB	— [] —
FACE OF CURB	— [] —
WATER MAIN	— [] —
GAS MAIN	— [] —
UNDERGROUND TELEPHONE	— [] —
OVERHEAD WIRE	— [] —
UNDERGROUND ELECTRIC	— [] —
SILTATION CONTROL	— [] —
FIRE HYDRANT	— [] —
POWER POLE	— [] —
WATER VALVE	— [] —
LIGHT STANDARD	— [] —

PROPERTY DATA

OWNER	= Doc 633 Emerson Road Mob LLC
ADDRESS	= 633 EMERSON
	CREVE COEUR, MO 63141
LOCATOR NUMBER	= 170240754
ZONING	= CB CORE BUSINESS DISTRICT
AREA (TOTAL)	= 158,291 s.f. or 3.63 ACRES
WATER SHED	= CREVE COEUR CREEK WATERSHED
FIRE DISTRICT	= CREVE COEUR
SCHOOL DISTRICT	= PARKWAY SCHOOL DISTRICT
ELECTRIC SERVICE	= AMERENUE

INDEX OF SHEETS

SDP1	SITE DEVELOPMENT PLAN
SDP2	OVERALL PLAN

SITE DEVELOPMENT PLAN

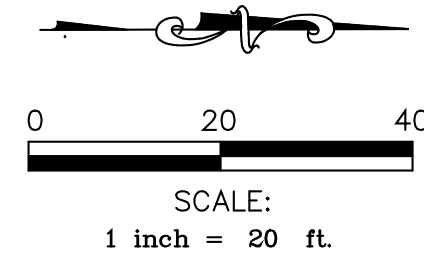
for a

PARKING LOT ADDITION

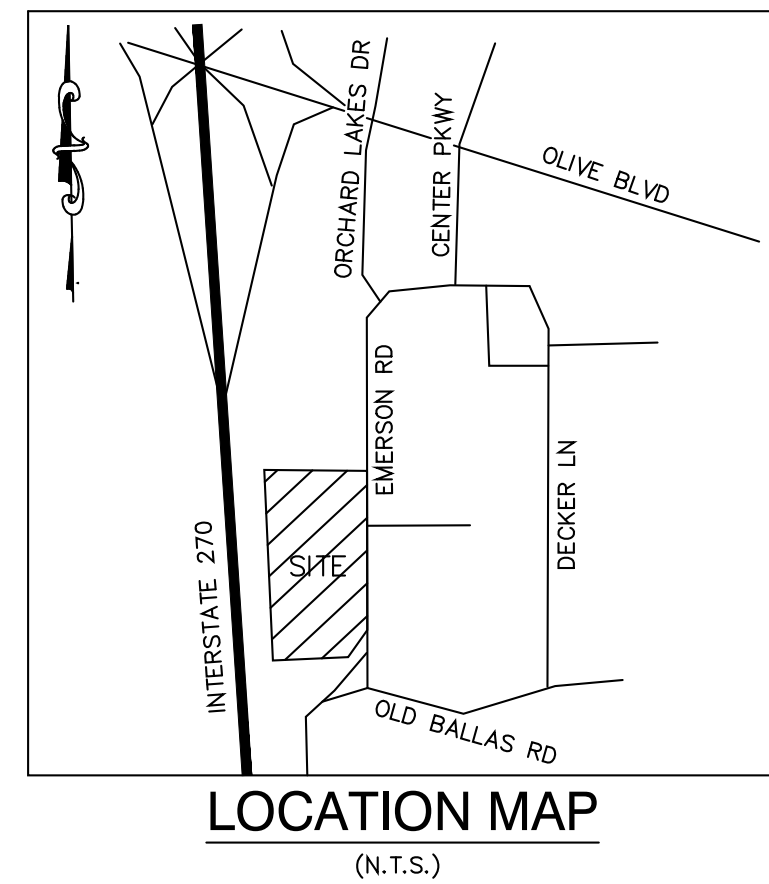
EMERSON TERRACE OFFICE PARK

LEGEND

	ASPHALT PAVEMENT
	PERMEABLE PAVERS
	CONCRETE PAVEMENT (HEAVY DUTY)



- — DENOTES SET 1/2" x 18" REBAR WITH CAP STAMPED "MARLER L.S.—347—D"
- — DENOTES FOUND IRON PIPE
- — DENOTES FOUND IRON ROD
- ⊕ — DENOTES FOUND CROSS
- △ — DENOTES FOUND RIGHT OF WAY MARKER



GENERAL NOTES

- ALL UTILITIES SHOWN HAVE BEEN LOCATED FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES PRIOR TO CONSTRUCTION TO LOCATE EXISTING UTILITIES FIELD LOCATED. THE CONTRACTOR SHALL BE ON RECORD WITH THE MISSOURI ONE CALL SYSTEM. ALL PROPOSED UTILITIES SHALL BE UNDERGROUND.
- ALL ELEVATIONS ARE BASED ON BENCHMARK SHOWN.
- BOUNDARY AND TOPOGRAPHIC SURVEY BY MARLER SURVEYING CO.
- ALL ON-SITE MATERIALS AND METHODS OF CONSTRUCTION TO MEET THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF CREVE COEUR, MODOT AND M.S.D.
- ALL GRADED AREAS SHALL BE PROTECTED FROM EROSION BY EROSION CONTROL DEVICES AND/OR SEEDING AND MULCHING AS REQUIRED BY THE CITY OF CREVE COEUR AND MODOT.
- PRIOR TO BEGINNING ANY WORK ON THE SITE, THE SUBCONTRACTOR SHALL CONTACT THE GENERAL CONTRACTOR FOR SPECIFIC INSTRUCTIONS RELEVANT TO THE SEQUENCING OF WORK.
- GRADING CONTRACTOR SHALL INSTALL SILTATION CONTROL PRIOR TO STARTING THE GRADING. ADDITIONAL SILTATION CONTROL DEVICES SHALL BE INSTALLED AS DIRECTED BY THE CITY OF CREVE COEUR AND MODOT.
- ALL FILLS AND BACKFILLS SHALL BE MADE OF SELECTED EARTH MATERIALS, FREE FROM BROKEN MASONRY, ROCK, FROZEN EARTH, RUBBISH, ORGANIC MATERIAL AND DEBRIS.
- GRADING CONTRACTOR SHALL KEEP EXISTING ROADWAYS CLEAN OF MUD AND DEBRIS AT ALL TIMES.
- PROPOSED CONTOURS SHOWN ARE FINISHED ELEVATIONS ON PAVED AREAS.
- ALL GRADING AND DRAINAGE TO BE IN CONFORMANCE WITH THE CITY OF CREVE COEUR AND M.S.D.
- SIDEWALKS ALONG THE ACCESSIBLE ROUTE SHALL NOT HAVE A SLOPE EXCEEDING 1"V:20"H. SLOPES GREATER THAN 1"V:20"H MUST BE DESIGNED AS A RAMP. SIDEWALKS TO BE CONSTRUCTED TO ST. LOUIS COUNTY ADA STANDARDS.
- SIDEWALKS, CURB RAMPS, RAMPS AND ACCESSIBLE PARKING SPACES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT APPROVED "AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES" (ADAAG) ALONG WITH THE REQUIRED GRADES, CONSTRUCTION MATERIALS, SPECIFICATIONS AND SIGNAGE. IF ANY CONFLICT OCCURS BETWEEN THE ADA GUIDELINES AND THE INFORMATION ON THE PLANS, THE ADA GUIDELINES SHALL TAKE PRECEDENCE AND THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER PRIOR TO ANY CONSTRUCTION.
- NO GRADE SHALL EXCEED 3(H):1(V) UNLESS JUSTIFIED BY GEOTECHNICAL REPORT THAT HAS BEEN APPROVED BY THE CITY OF CREVE COEUR.
- STORM WATER SHALL BE DISCHARGED AT AN ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE NATURAL DISCHARGE POINTS.
- ALL LANDSCAPED AREAS TO BE FILLED WITH A MINIMUM OF 6" OF TOPSOIL.
- ALL LANDSCAPED AREAS DISTURBED BY OFF-SITE WORK SHALL BE IMMEDIATELY SEEDED OR SODDED, AS DIRECTED BY THE CITY OF CREVE COEUR OR MODOT UPON COMPLETION OF WORK IN THE AREA AFFECTED.
- ADEQUATE TEMPORARY OFF-STREET PARKING FOR CONSTRUCTION EMPLOYEES SHALL BE PROVIDED. PARKING ON NON-SURFACED AREAS SHALL BE PROHIBITED IN ORDER TO ELIMINATE THE CONDITION WHEREBY MUD FROM CONSTRUCTION AND EMPLOYEES' VEHICLES IS TRACKED ONTO THE PAVEMENT CAUSING HAZARDOUS ROADWAY AND DRIVEWAY CONDITIONS.
- ALL SEWER CONSTRUCTION AND MATERIALS TO BE IN ACCORDANCE WITH THE METROPOLITAN ST. LOUIS SEWER DISTRICT STANDARD CONSTRUCTION SPECIFICATIONS FOR SEWER AND DRAINAGE FACILITIES, (LATEST EDITION).
- PARKING CALCULATIONS (PER ZONING SECTION 405.820)

PARKING REQUIREMENTS FOR OTHER HEALTH SERVICES

Four (4) parking spaces per one thousand (1,000) square feet of floor area: 38,277/1,000 * 4 = 153 spaces

TOTAL = 153 SPACES REQUIRED

PARKING PROVIDED ON SITE = 185 SPACES (INCLUDES 9 ADA STALLS)
- NO ON-SITE ILLUMINATION SOURCE SHALL BE SO SITUATED THAT LIGHT IS CAST DIRECTLY ON ADJOINING PROPERTIES OR ROADWAYS. ILLUMINATION LEVELS SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CREVE COEUR. THE SITE LIGHTING STANDARDS AND LOCATIONS SHALL BE REVIEWED AND APPROVED PER THE REQUIREMENTS OF THE CITY OF CREVE COEUR. LIGHTING DESIGN SUBJECT TO FINAL DESIGN OF LIGHTING ENGINEER.
- LANDSCAPING SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CREVE COEUR.
- ALL PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED TO THE CITY OF CREVE COEUR AND COUNTY STANDARDS.
- ANY SIGNAGE PROPOSED FOR THIS SITE SHALL BE IN COMPLIANCE WITH THE ORDINANCES OF THE CITY OF CREVE COEUR.
- DENSITY CALCULATIONS

SITE COVERAGE:

The area of a non-residential site which is covered by buildings, driveways, parking lots, loading areas, but excluding landscaped and green spaces, plaza, pedestrian circulation and unpaved buffer areas.

BUILDING AREA = 22,704 s.f.

PARKING & DRIVE AISLES = 75,763 s.f.

98,467 s.f.±

SITE COVERAGE = 98,467± s.f. / 158,163±s.f. x 100 = 62.3%
- FLOOR AREA RATIO (F.A.R.)

38,277 s.f. BUILDING = 0.242

158,163 s.f. SITE AREA
- SIGN AND BANNERS SHALL BE IN CONFORMANCE WITH ARTICLE VII. SIGN REGULATIONS OF THE ZONING CODE. THE RELOCATION AND REPLACEMENT OF ALL SIGNS SHALL REQUIRE A PERMIT PER ARTICLE VII SIGN REGULATIONS. ANY NON-CONFORMING SIGN AREAS MUST BE DOCUMENTED PRIOR TO THE REMOVAL AND REPLACEMENT OF THE SIGN.
- STRUCTURE SETBACKS (PER CORE BUSINESS DISTRICT ZONING)

FRONT 15 FT.

SIDE 10 FT.

REAR 10 FT.

BUFFER YARD 50 FT. (THAT ABUT THE SINGLE-FAMILY DISTRICT)
- AN UNDERGROUND IRRIGATION SYSTEM SHALL BE INSTALLED AS REQUIRED PER SEC. 405.540(10).
- PARKING LOT LIGHTING SHALL BE DOWNCAST AND FULLY SHIELDED IN CONFORMANCE WITH SECTION 405.680, LIGHTING OF THE ZONING CODE.
- ALL SIGNS AND BANNERS SHALL BE IN CONFORMANCE WITH ARTICLE VII. SIGN REGULATIONS OF THE ZONING CODE. THE RELOCATION AND REPLACEMENT OF ALL SIGNS SHALL REQUIRE A PERMIT PER ARTICLE VII SIGN REGULATIONS. ANY NON-CONFORMING SIGN AREAS MUST BE DOCUMENTED PRIOR TO THE REMOVAL AND REPLACEMENT OF THE SIGN.
- THE TRASH ENCLOSURE SHALL BE BUILT OF MATERIALS THAT ARE CONSISTENT WITH THE BUILDING, SUBJECT TO THE ZONING ADMINISTRATOR'S APPROVAL.

NOTE:

THE UNDERGROUND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SOURCES AND THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THE VERIFICATION OF THE ACTUAL LOCATIONS OF ALL UNDERGROUND UTILITIES, EITHER SHOWN OR NOT SHOWN ON THIS DRAWING, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE LOCATED PRIOR TO GRADING OR CONSTRUCTION OF IMPROVEMENTS.



Call BEFORE you DIG
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MISSOURI ONE-CALL SYSTEM, INC.

MISSOURI ONE CALL TICKET NUMBER 201011563
UTILITIES CONTACT BY MISSOURI ONE CALL WERE:
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ATT DISTRIBUTION
CHARTER COMMUNICATIONS
LEVEL 3 NOW CENTURY LINK
EDWARD JONES
MISSOURI AMERICAN WATER
MCI
SPIRE MO EAST
ST. LOUIS METROPOLITAN SEWER

M.S.D. BASE MAP
M.S.D. P-No.

STORMWATER RUNOFF CALCULATIONS

(15 Yr. / 20 Min. STORM)

TOTAL SITE AREA = 3.63 ac.

EXISTING RUNOFF CALCULATIONS		
BUILDING:	0.521 ac. x 3.54 c.f.s./ac.	= 1.845 c.f.s.
PAVED:	1.384 ac. x 3.54 c.f.s./ac.	= 4.901 c.f.s.
PERVIOUS:	1.728 ac. x 1.70 c.f.s./ac.	= 2.933 c.f.s.
	3.63 ac.	9.679 c.f.s.

PROPOSED RUNOFF CALCULATIONS		
BUILDING:	0.521 ac. x 3.54 c.f.s./ac.	= 1.845 c.f.s.
PAVED:	1.382 ac. x 3.54 c.f.s./ac.	= 4.891 c.f.s.
PERVIOUS:	1.728 ac. x 1.70 c.f.s./ac.	= 2.938 c.f.s.
	1.78 ac.	9.674 c.f.s.

DIFFERENTIAL RUNOFF:		
9.679 c.f.s. - 9.674 c.f.s.		= (-0.05) c.f.s.

LEGAL DESCRIPTIONS

(FROM TITLE COMMITMENT)

LEGAL DESCRIPTION

PARCEL #1

A TRACT OF LAND BEING PART OF LOTS 12, 13, 14, 15, 16, AND 17 OF EMERSON TERRACE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN DAILY NUMBER 29 ON MARCH 19 1942 IN THE ST. LOUIS COUNTY RECORDS, IN SECTION 3, TOWNSHIP 45 NORTH RANGE 5 EAST ST. LOUIS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE INTERSECTION ON THE SOUTH LINE OF EVEN DRIVE, 50 FEET WIDE, WITH THE EAST RIGHT-OF-WAY LINE AT INTERSTATE HIGHWAY 270 (FORMERLY 244); THENCE SOUTH 89 DEGREES 12 MINUTES 03 SECONDS EAST 230.78 FEET AND ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 0 DEGREES 47 MINUTES 57 SECONDS WEST AT 20.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 16.75 FEET ALONG SAID SOUTH LINE OF EVEN DRIVE TO THE WEST LINE OF EMERSON AVENUE AS WIDENED BY A ROAD DEDICATION PLAT RECORDED IN PLAT BOOK 281, PAGE 17 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTH 0 DEGREES 13 MINUTES 00 SECONDS WEST 324.25 FEET AND SOUTH 27 DEGREES 45 MINUTES 02 SECONDS WEST 60.33 FEET ALONG SAID WEST LINE OF EMERSON AVENUE TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 26 DEGREES 40 MINUTES 53 SECONDS WEST 60.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 45.59 FEET TO THE NORTH LINE OF IDA DRIVE, 40 FEET WIDE; THENCE NORTH 73 DEGREES 08 MINUTES 52 SECONDS WEST 144.29 FEET AND ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 16 DEGREES 51 MINUTES 00 SECONDS EAST 1820.88 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 40.22 FEET ALONG SAID NORTH LINE OF IDA DRIVE, 40 FEET WIDE, TO THE AFORESAID EAST RIGHT-OF-WAY LINE OF IDA DRIVE, 40 FEET WIDE, TO THE AFORESAID EAST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 270 (FORMERLY 244); THENCE NORTHWARDLY ALONG SAID RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 270 (FORMERLY 244) THE FOLLOWING COURSES AND DISTANCES: NORTH 02 DEGREES 38 MINUTES 19 SECONDS WEST 162.73 FEET, NORTH 23 DEGREES 12 MINUTES 03 SECONDS EAST 27.19 FEET, AND NORTH 0 DEGREES 30 MINUTES 23 SECONDS EAST 150.05 FEET TO THE POINT OF BEGINNING, ACCORDING TO SURVEY BY VOLZ ENGINEERING AND SURVEYING INC. ON NOVEMBER 5 1990.

PARCEL #2

IDA DRIVE (A PRIVATE 40-FOOT-WIDE ROAD) AS SHOWN ON PLAT OF EMERSON TERRACE, A SUBDIVISION RECORDED IN PLAT BOOK 38 PAGE 37, BEING BOUNDED AS FOLLOWS: ON THE NORTH BY THE SOUTH LINE OF LOT 16 AND PART OF LOT 17 OF AFORESAID EMERSON TERRACE; ON THE SOUTH BY THE NORTH LINE OF THE CREVE COEUR BRANCH OF MISSOURI PACIFIC RAILROAD RIGHT-OF-WAY; ON THE EAST BY THE WEST LINE OF EMERSON AVENUE; ON THE WEST BY THE EAST LINE OF HIGHWAY 270 (FORMERLY 244).

PARCEL #3

LOTS 1, 2, AND 3 OF EMERSON TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 38 PAGE 37 OF THE ST. LOUIS COUNTY RECORDS OFFICE. EXCEPTING THEREFROM THAT PART CONVEYED TO THE CITY OF CREVE COEUR BY DEED RECORDED IN BOOK 8499 PAGE 757.

PARCEL #4

A TRACT OF LAND BEING PART OF EVEN DRIVE, 50 FEET WIDE, ACCORDING TO "EMERSON TERRACE," A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 38 PAGE 37 OF THE ST. LOUIS COUNTY RECORDS.

SITE BENCHMARK

NAVD88 ELEV. - 629.07' FTUS

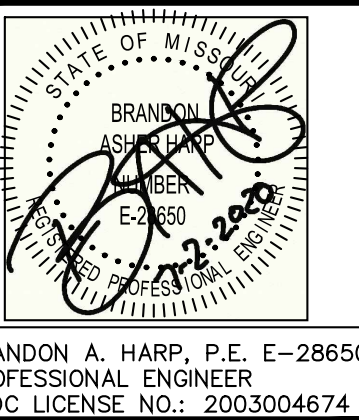
*0" IN THE WORD OPEN ON FIRE HYDRANT NEAR THE SOUTHEAST CORNER OF SUBJECT PROPERTY, AS SHOWN ON SURVEY.

PREPARED BY:

CEDC
CIVIL ENGINEERING
DESIGN CONSULTANTS

10820 Sunset Office Drive
Suite 200
St. Louis, Missouri 63127
314.729.1400
Fax: 314.729.1404
www.cedc.net

EMERSON ROAD (VARIABLE WIDTH)
(FORMERLY EMERSON AVENUE)



10820 Sunset Office Drive
Suite 200
Saint Louis, Missouri 63127
314.729.1400
Fax: 314.729.1404
www.cedc.net

CEDC
CIVIL ENGINEERING
DESIGN CONSULTANTS

Site Development Plan for
PARKING ADDITION
633 EMERSON RD.
CREVE COEUR, MO 63141

Proj. # 1921

No. Description Date
Site Development Plan 07/02/2020

SITE
DEVELOPMENT
PLAN

DRAWING NO.

SDP1

SCHEDULE "B" TITLE EXCEPTION NOTES

THIS SURVEY IS BASED ON A TITLE REPORT PREPARED BY WFG NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 204635, DATED APRIL 14, 2020 AT 8:00 A.M.

ITEMS NOT LISTED BELOW ARE STANDARD EXCEPTIONS AND/OR ARE NOT MATTERS OR ISSUES THAT PERTAIN TO THIS SURVEY.

G. BUILDING LINES, EASEMENTS, CONDITIONS AND RESTRICTIONS AS SHOWN IN PLAT BOOK 38 PAGE 37 AND PLAT BOOK 361 PAGE 54.

H. EASEMENT AGREEMENT RECORDED IN BOOK 21944 PAGE 2209. (BENEFIT'S SUBJECT PROPERTY, SHOWN ON SURVEY)

I. MEMORANDUM OF LEASE RECORDED IN BOOK 22215 PAGE 1122. (NOT A PLOTTABLE ITEM)

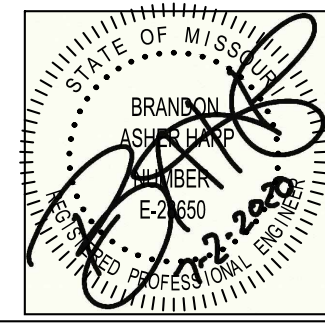
J. VACATION OF EASEMENT RECORDED IN BOOK 20499 PAGE 727 (EASEMENT ORIGINALLY RECORDED IN BOOK 5994 PAGE 585) (BENEFIT'S SUBJECT PROPERTY, SHOWN ON SURVEY)



0 30 60

SCALE:
1 inch = 30 ft.

- - DENOTES SET 1/2" x 18" REBAR WITH CAP STAMPED "MARLER L.S.-347-D"
- - DENOTES FOUND IRON PIPE
- - DENOTES FOUND IRON ROD
- ⊕ - DENOTES FOUND CROSS
- △ - DENOTES FOUND RIGHT OF WAY MARKER



BRANDON A. HARP, P.E. E-28650
PROFESSIONAL ENGINEER
CEDC LICENSE NO.: 2003004674

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www.cedc.net

CEDC
CIVIL ENGINEERING
DESIGN CONSULTANTS

Site Development Plan for
PARKING ADDITION
633 EMERSON RD.
CREVE COEUR, MO 63141

Proj. # 1921

No. Description Date

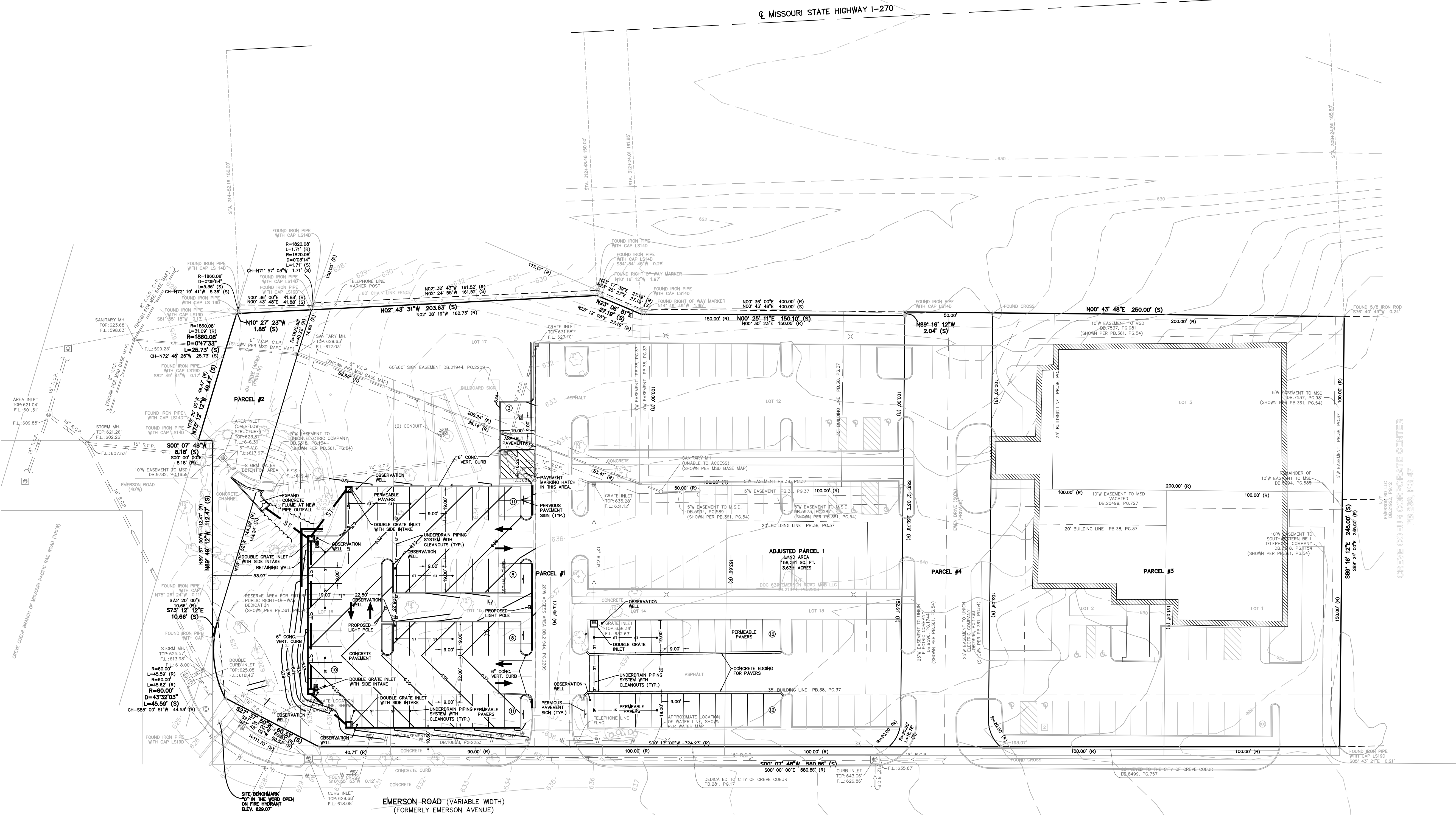
Site Development Plan 07/02/2020

OVERALL
PLAN

DRAWING NO.

SDP2

M.S.D. BASE MAP
M.S.D. P-No.



LANDSCAPE GUIDELINE SPECS:

GENERAL:

- 1.) 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.
- 2.) 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.
- 3.) 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 utility location services in municipality).
- 4.) 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.
- 5.) It shall be the landscape contractor's responsibility to:
 - A.) Verify all existing and proposed features shown on the drawings prior to commencement of work.
 - B.) Report all discrepancies found with regard to existing conditions or proposed design to the landscape architect immediately for a decision.
 - C.) 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.
- 6.) 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.
- 7.) Provide single-stem trees unless otherwise noted in plant schedule.
- 8.) All plant material shall comply with the recommendations and requirements of ANSI Z60.1 "American Standards for Nursery Stock".
- 9.) 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. Inspections may take place 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.
- 10.) 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.
- 11.) Should auger equipment be utilized in excavating any plant pits, vertical sides of plant pits shall be thoroughly scarified to avoid creation of "polished side walls" prior to plant material installation.
- 12.) 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.
- 13.) Keep all plant material (except turf) a minimum of 36" clear of fire hydrants.
- 14.) Landscape contractor shall kill & remove all existing weeds within the project site.
- 15.) All tags, nursery stakes, labels, etc. shall be removed by the landscape contractor at completion of all landscape installation.
- 16.) Landscape contractor shall be in compliance with all federal, state and local laws / regulations relating to insect infestation and/or plant diseases.
- 17.) All substitutions of plant material shall be submitted to landscape architect for approval.

PRUNING:

- 1.) Lightly prune trees at time of planting. Prune only the crossover limbs, intermingled leaders and/or any broken branches. Some interior twigs and lateral branches may be pruned. However, do not remove the terminal buds of branches that extend to the edge of the crown.
- 2.) All pruning shall comply with ANSI A300 standards.

INSURANCE:

- 1.) The landscape contractor shall submit certificates of insurance for workman's compensation and general liability.

MULCH:

- 1.) 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.
- 2.) No plastic sheeting or filter fabric shall be placed beneath shredded bark mulch beds. Mirafi fabric shall be used beneath all gravel mulch beds. Lap fabric 6" over adjacent coverages.
- 3.) Edge all beds with spade-cut edge unless otherwise noted.

MAINTENANCE:

- 1.) Landscape Contractor shall provide a separate proposal to maintain all plants, shrubs, groundcover, perennials and annuals for a period of 12 months after acceptance.
- 2.) Contractor shall ensure that only competent and trained personnel shall provide such services and that such services be provided in a timely manner.
- 3.) Watering of seeded or sodded lawns shall begin immediately and shall continue to be provided continuously for the following 72 hours. Regardless, the landscape contractor shall be responsible for all landscape maintenance until project turnover.

SIGHT TRIANGLES:

- 1.) No landscape material or other obstructions shall be placed or be maintained within the sight distance area so as not to impede the vision between a height of thirty inches (30") and ten feet (10') above the adjacent street or paving surfaces.
- 2.) Sight triangles at the intersection of a public street and a private access way (except for single family residences) shall also be formed by measuring from the point of intersection of the street frontage curbs and the entrance curb lines a distance of 35' and connecting the points so established to form the sight triangle area.

TOPSOIL:

- 1.) 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.
- 2.) 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.
- 3.) 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 correcting all 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.
- 4.) Landscape contractor to apply pre-emergent herbicide to all planting beds upon completion of planting operations and before application of shredded bark mulch.
- 5.) Install siltation controls prior to commencement of any grading operations. Inspect and maintain all siltation fences on a weekly basis until vegetation is established.

MISC. MATERIAL:

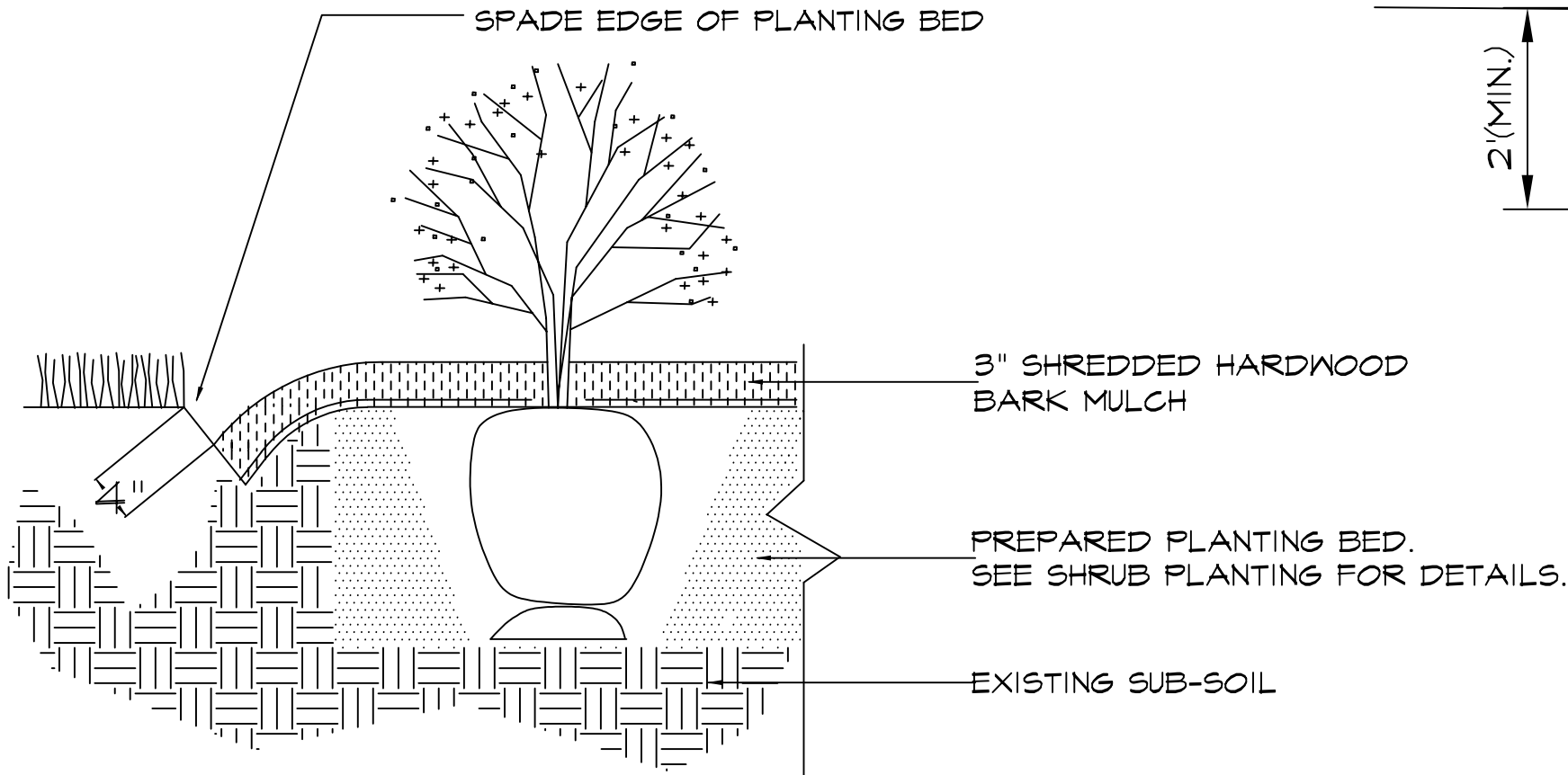
- 1.) Provide stakes and deadmen of sound, new hardwood, free of knotholes and defects.
- 2.) Tree wrap tape shall be 4" minimum, designed to prevent borer damage and winter freezing. Additionally, only 3-ply tying material shall be used.

TURF:

- 1.) All disturbed lawn areas to be sodded with a high quality Turf-Type fescue. Lawn areas shall be unconditionally warranted for a period of 90 days from date of full acceptance. Bare areas more than one square foot per any 50 square feet shall be replaced.
- 2.) Seed and fertilization operations shall occur between May 1 and June 15th or between September 1 and October 15th unless directed by others in writing AND irrigation system is operating. Granular or pelleted fertilizer consisting of 50% water-insoluble slow release nitrogen, phosphorous and potassium in a 12-12-12 composition.
- 4.) 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. Sod shall be freshly cut at a uniform thickness of 3/4". No broken pieces, irregular pieces or torn pieces will be accepted.
- 6.) Any points carrying concentrated water loads and all slopes of 15% or greater shall be sodded and pegged.
- 7.) All sod shall be placed a maximum of 24 hours after harvesting.
- 8.) Recondition existing lawn areas damaged by Contractor's operations including equipment/material storage and movement of vehicles.
- 9.) Sod Contractor to ensure sod is placed below sidewalk and all paved area elevations to allow for proper drainage.

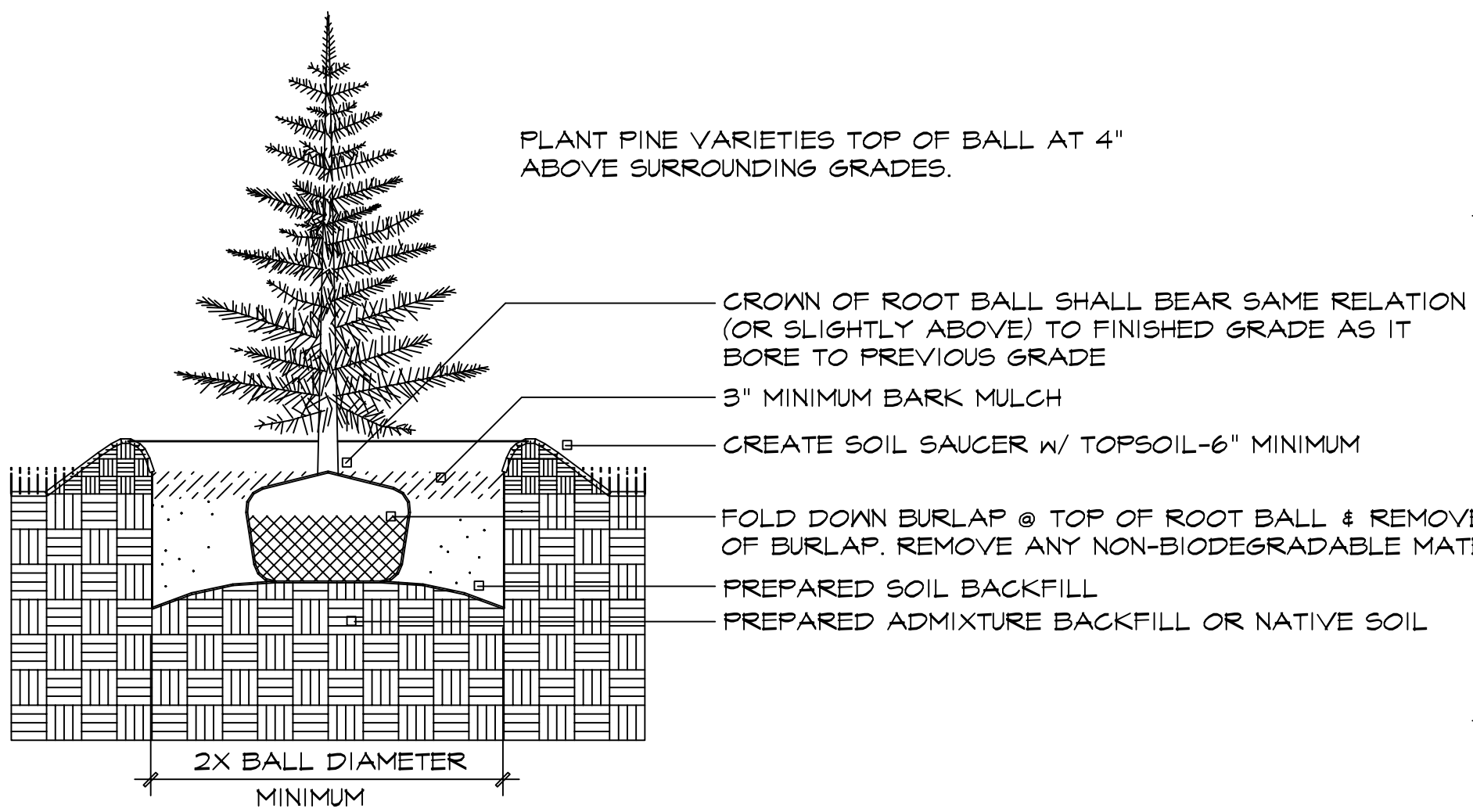
WARRANTY:

- 1.) 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.
- 2.) 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.
- 3.) 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 the warranty.
- 4.) 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.
- 5.) A written guarantee shall be provided to the owner per conditions outlined in #1 above.



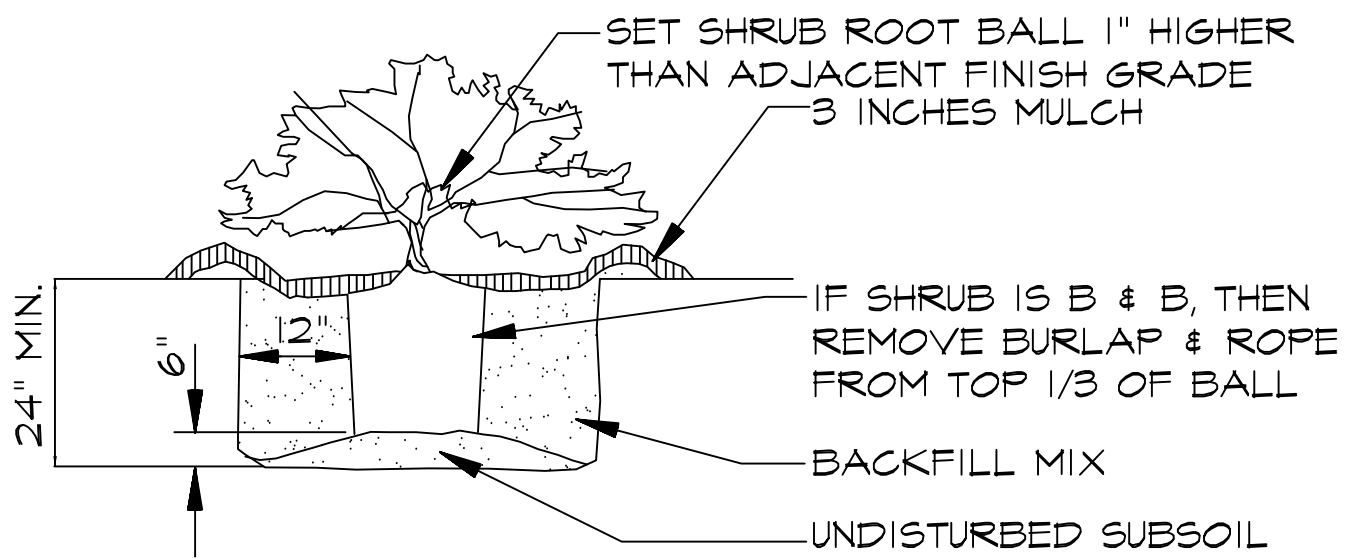
SPADE-CUT EDGE DETAIL

N.T.S.



EVERGREEN TREE PLANTING

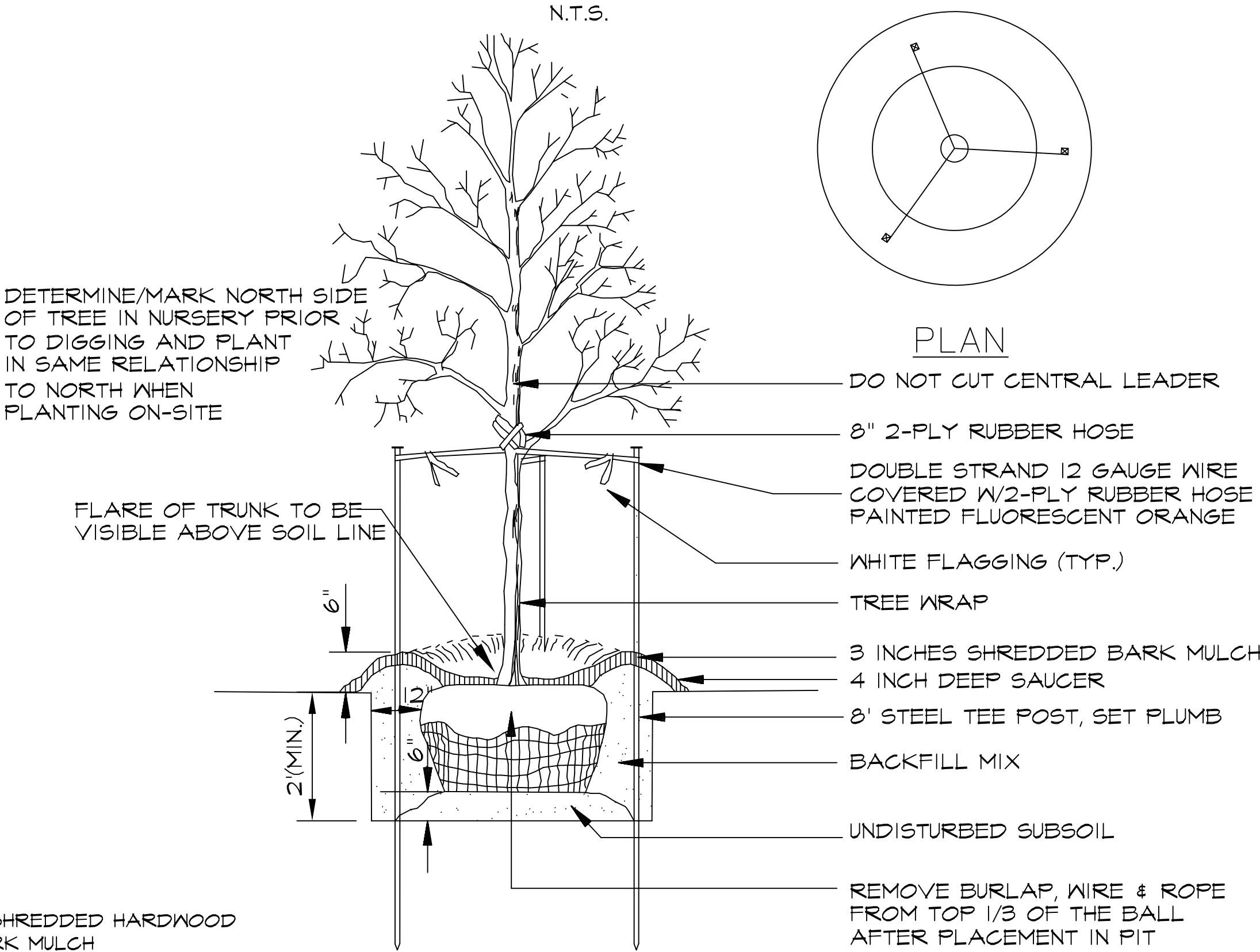
N.T.S.



PRUNE ANY BROKEN BRANCHES AFTER PLANTING. DAMAGED SHRUBS OR BROKEN / CRUMBLING ROOT BALLS WILL BE REJECTED.

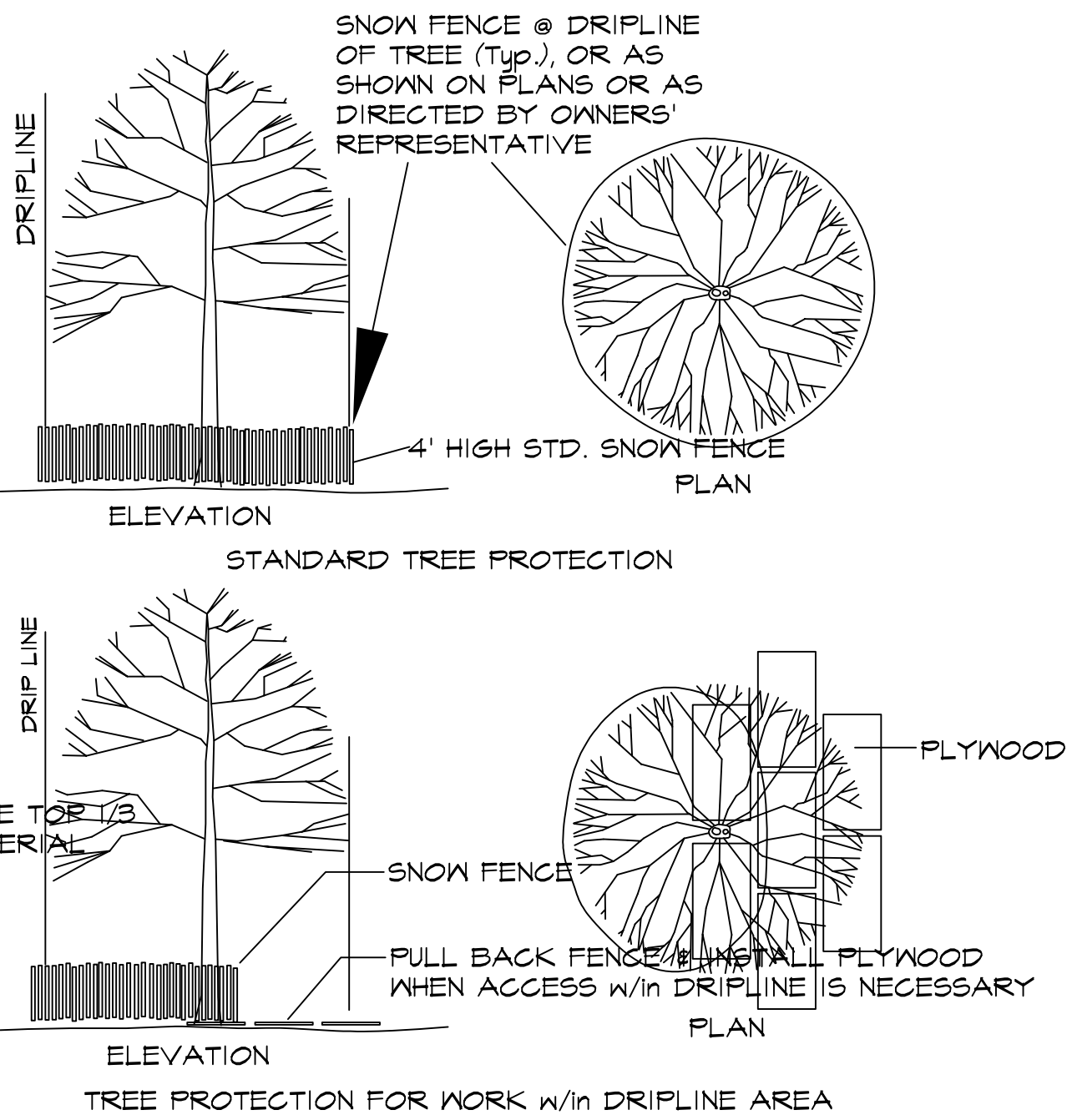
SHRUB PLANTING

N.T.S.



DECIDUOUS TREE PLANTING

N.T.S.



TREE PROTECTION DETAIL

N.T.S.

REVISIONS	BY
1/6/2020	RAM

Landscape TECHNOLOGIES

633 Emerson Road
Creve Coeur, MO 63158
Phone: (636) 421-1200
Fax: (636) 421-1201
Email: info@landscape-technologies.com
Website: www.landscape-technologies.com

RANDALL A. HARDSHIP
REGISTERED LANDSCAPE ARCHITECT #0000019
MISSOURI LANDSCAPE ARCHITECT #0000019
DATE 1/2/2020

PLANTING PLAN FOR THE PROPOSED PARKING EXPANSION FOR

633 Emerson Road

CREVE COEUR, MISSOURI

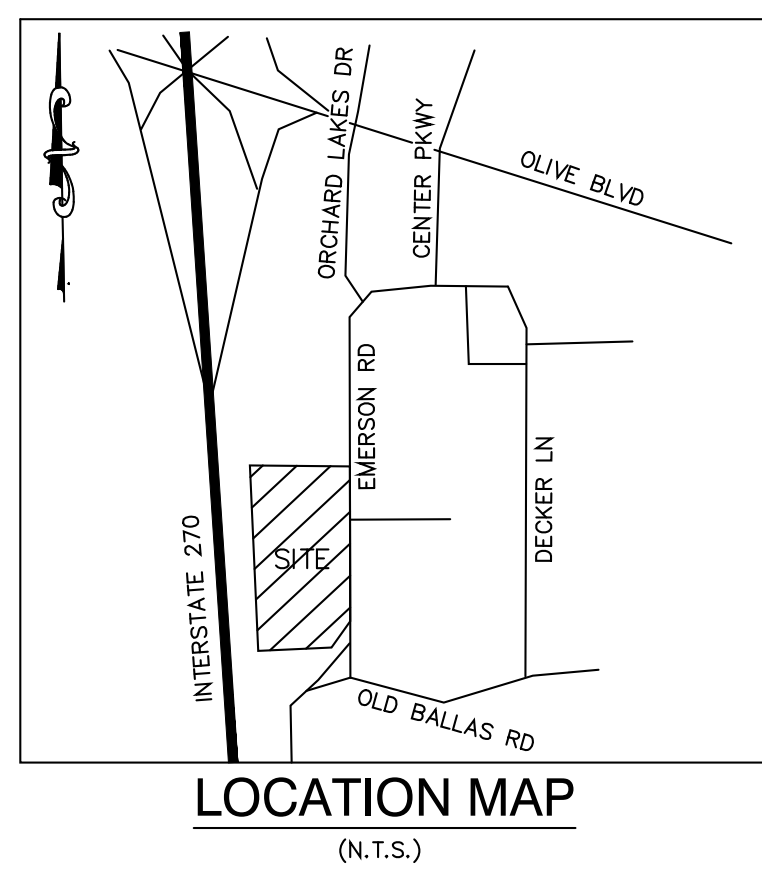
DRAWN: R. HARDSHIP
CHECKED: RM/ML
DATE: 1/2/2020
SCALE: N/A
JOB NO.: 2020-141
SHEET: L-2
OF TWO SHEETS

PHOTOMETRIC PLAN

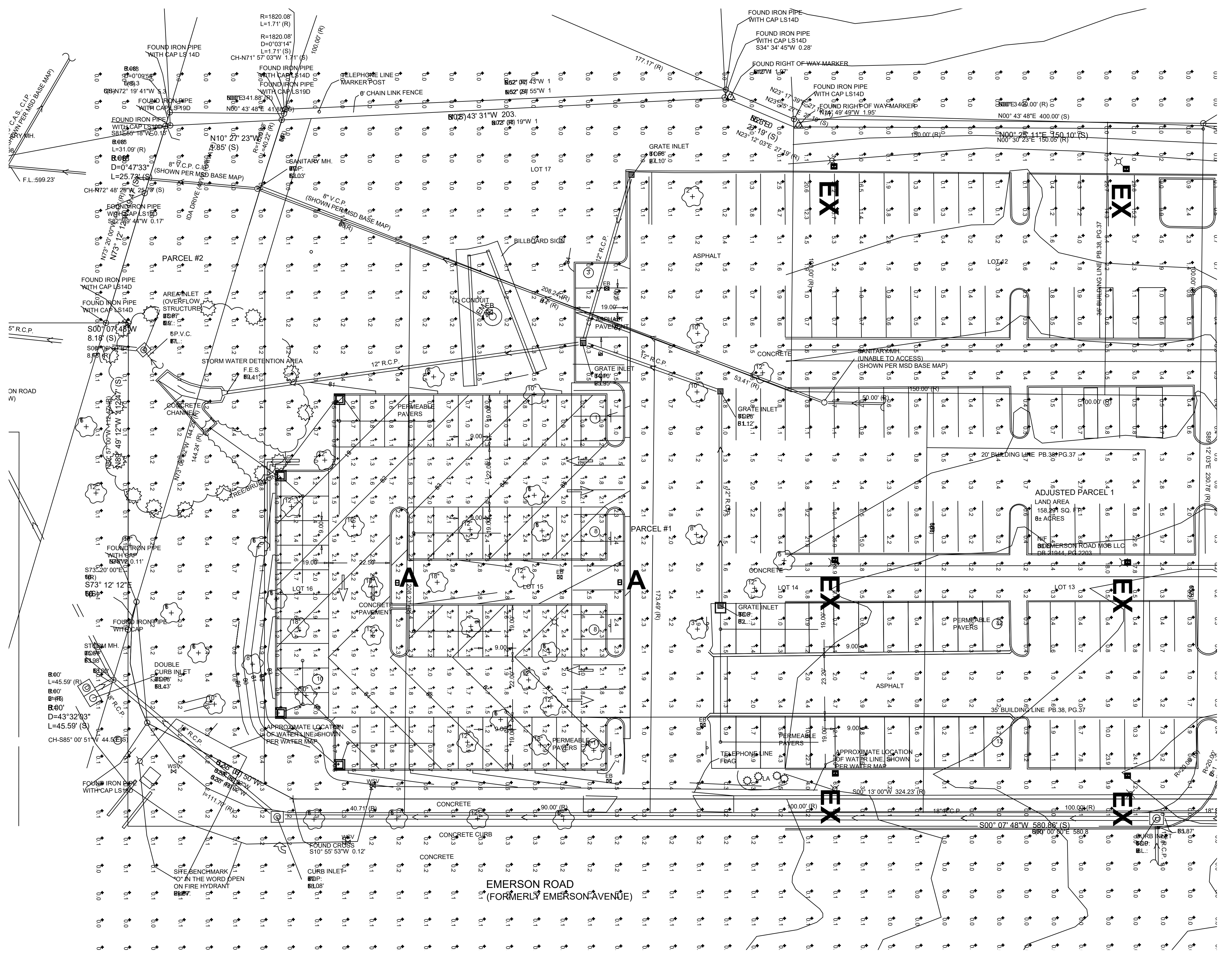
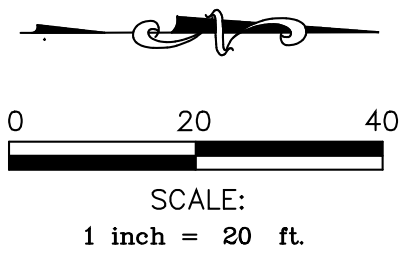
for a

PARKING LOT ADDITION

EMERSON TERRACE OFFICE PARK



Luminaire Schedule			
Symbol	Qty	Label	Description
	2	A	PRV-XL-C75-D-UNV-T5-BZ
	6	EX	EXISTING FLOOD LIGHT POLE



Photometric Plan for
PARKING ADDITION
633 EMERSON
CREVE COEUR, MO 63141

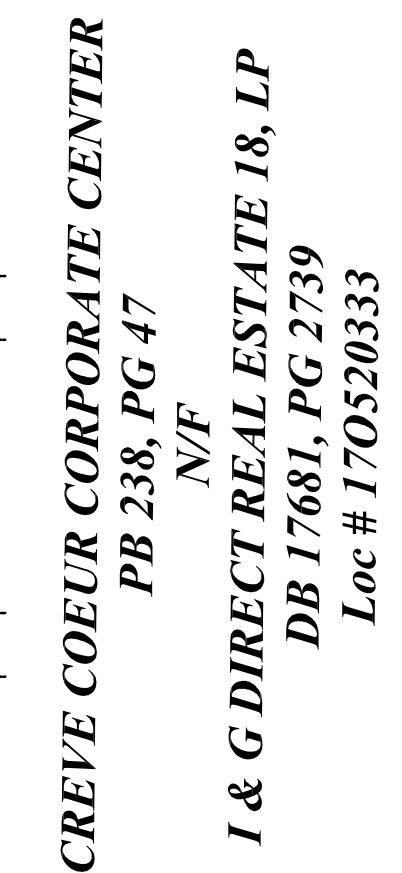
No.	Description	Date
		06/29/2020

PHOTOMETRIC PLAN

DRAWING NO.
P1

PREPARED BY:
GUARANTEE ELECTRIC
3401 Bent Ave
St. Louis, MO 63116





DEMOLITION NOTES

WIND ARCHITECTURAL GROUP, INC.
7666 DALE AVENUE RICHMOND HEIGHTS, MISSOURI 63117

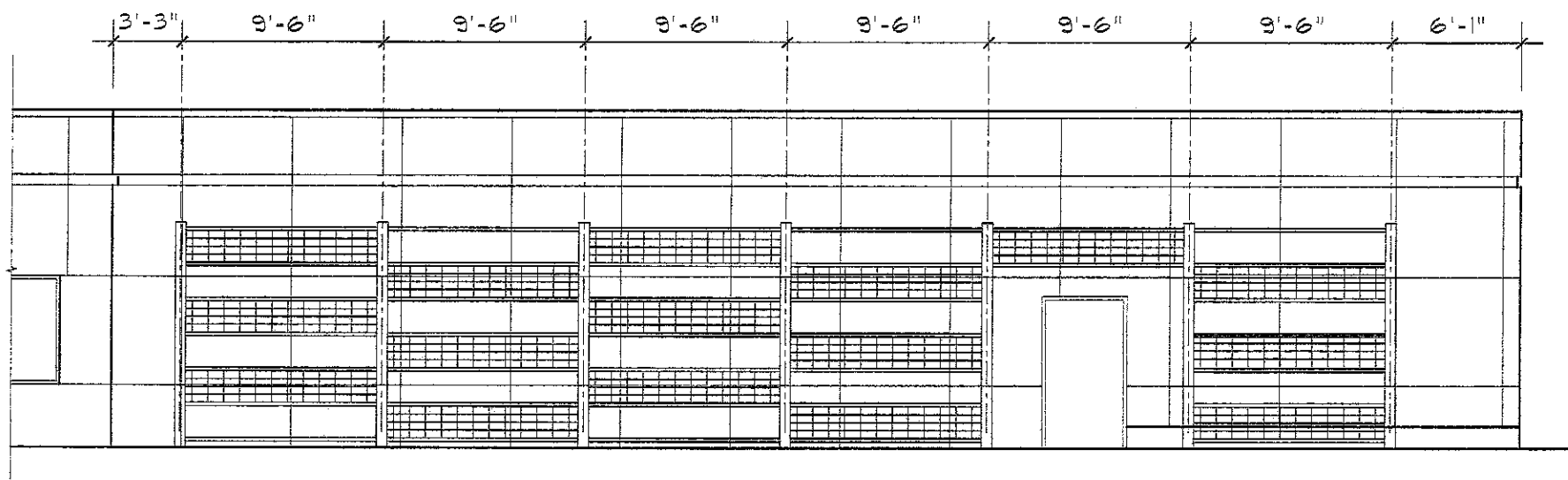
SD-1

EMERSON MEDICAL OFFICE BUILDING
605 EMERSON ROAD
CREVE COEUR, MISSOURI

RECEIVED

MAR 28 2013

PLANNING DEPT.



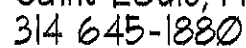
ELEVATION

 $\frac{1}{8}'' = 1'-0''$

EMERSON BUILDING

3-28-2013

WIND ARCHITECTURAL GROUP, INC.
 7666 Dale Avenue
 Saint Louis, Missouri 63117
 314 645-1880



Project		Catalog #		Type	
Prepared by		Notes		Date	



Lumark

PRV / PRV-XL Prevail LED

Area / Site Luminaire

Typical Applications

Outdoor • Parking Lots • Walkways • Roadways • Building Areas

Interactive Menu

- Ordering Information [page 2](#)
- Mounting Details [page 3](#)
- Optical Configurations [page 3](#)
- Product Specifications [page 3](#)
- Energy and Performance Data [page 4](#)
- Control Options [page 5](#)

Product Certifications



Product Features

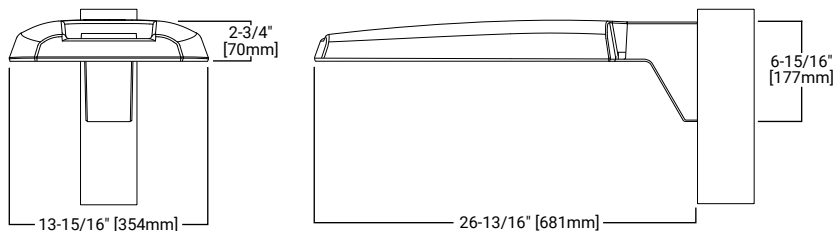


Quick Facts

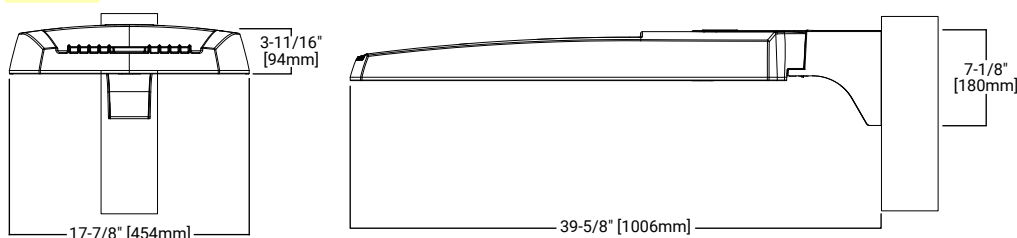
- Lumen packages range from 7,100 - 48,600 lumens (50W - 350W)
- Replaces 70W up to 1,000W HID equivalents
- Efficacies up to 148 lumens per watt
- Energy and maintenance savings up to 85% versus HID solutions
- Standard universal quick mount arm with universal drill pattern

Dimensional Details

Prevail



Prevail XL



Ordering Information

SAMPLE NUMBER: **PRV-XL-C75-D-UNV-T4-SA-BZ**

Product Family ^{1,2}	Light Engine ³	Driver	Voltage	Distribution	Mounting (Included)	Color
PRV =Prevail	C15 =(1 LED) 7,100 Nominal Lumens C25 =(2 LEDs) 13,100 Nominal Lumens C40 =(2 LEDs) 17,100 Nominal Lumens C60 =(2 LEDs) 20,000 Nominal Lumens	D =Dimming (0-10V)	UNV =Universal (120-277V) 347 =347V 480 =480V ⁴	T2 =Type II T3 =Type III T4 =Type IV T5 =Type V	SA =Standard Versatile Arm MA =Mast Arm WM =Wall Mount Arm	AP =Grey BZ =Bronze BK =Black DP =Dark Platinum GM =Graphite Metallic WH =White
PRV-XL =Prevail XL	C75 =(4 LED) 26,100 Nominal Lumens C100 =(4 LED) 31,000 Nominal Lumens C125 =(4 LED) 36,000 Nominal Lumens C150 =(6 LED) 41,100 Nominal Lumens C175 =(6 LED) 48,600 Nominal Lumens					
Options (Add as Suffix)			Accessories (Order Separately) ¹⁷			
7030 =70 CRI / 3000K CCT ⁵ 7050 =70 CRI / 5000K CCT ⁵ HSS =House Side Shield ⁶ L90 =Optics Rotated 90° Left R90 =Optics Rotated 90° Right 10K =10kV/10kA UL 1449 Fused Surge Protective Device HA =50°C High Ambient Temperature ⁷ PER =NEMA 3-PIN Twistlock Photocontrol Receptacle PER7 =NEMA 7-PIN Twistlock Photocontrol Receptacle MSP/DIM-L12 =Integrated Sensor for Dimming Operation, 8' - 12' Mounting Height ^{8,9} MSP/DIM-L30 =Integrated Sensor for Dimming Operation, 12' - 30' Mounting Height ^{8,9} MSP-L12 =Integrated Sensor ON/OFF Operation, 8' - 12' Mounting Height ^{8,9} MSP-L30 =Integrated Sensor ON/OFF Dimming Operation, 12' - 30' Mounting Height ^{8,9} MS/DIM-L20 =Motion Sensor for Dimming Operation, 9' - 20' Mounting Height ^{9,10} MS/DIM-L40W =Motion Sensor for Dimming Operation, 21' - 40' Mounting Height ^{9,10} MS-L20 =Motion Sensor for ON/OFF Operation, 9' - 20' Mounting Height ^{9,10} MS-L40W =Motion Sensor for ON/OFF Operation, 21' - 40' Mounting Height ^{9,10} ZW =Wavelinx-enabled 4-PIN Twistlock Receptacle ^{9,11,12} ZW-SWPD4XX =Wavelinx Wireless Sensor, 7' - 15' Mounting Height ^{9,11,12,13} ZW-SWPD5XX =Wavelinx Wireless Sensor, 15' - 40' Mounting Height ^{9,11,12,13} LWR-LW =LumaWatt Pro Wireless Sensor, Wide Lens for 8' - 16' Mounting Height ^{9,14} LWR-LN =LumaWatt Pro Wireless Sensor, Narrow Lens for 16' - 40' Mounting Height ^{9,14} (See Table Below) =LumenSafe Integrated Network Security Camera ^{15,16}			PRVWM-XX =Wall Mount Kit ⁸ PRVMA-XX =Mast Arm Mounting Kit ⁸ PRVSA-XX =Standard Arm Mounting Kit ⁸ PRVLSA-XX =Standard Arm Mounting Kit (for Prevail XL) ¹⁵ PRVXLWM-XX =Wall Mount Kit (for Prevail XL) ¹⁵ PRVXLMA-XL =Mast Arm Mounting Kit (for Prevail XL) ¹⁵ MA1010-XX =Single Tenon Adapter for 3-1/2" O.D. Tenon MA1011-XX =2@180° Tenon Adapter for 3-1/2" O.D. Tenon MA1017-XX =Single Tenon Adapter for 2-3/8" O.D. Tenon MA1018-XX =2@180° Tenon Adapter for 2-3/8" O.D. Tenon HS/VERD =House Side Shield ^{6,18} VGS-F/B =Vertical Glare Shield, Front/Back ¹⁸ VGS-SIDE =Vertical Glare Shield, Side ¹⁸ OA/RA1013 =Photocontrol Shorting Cap OA/RA1014 =NEMA Photocontrol - 120V OA/RA1016 =NEMA Photocontrol - Multi-Tap 105-285V OA/RA1201 =NEMA Photocontrol - 347V OA/RA1027 =NEMA Photocontrol - 480V ISHH-01 =Integrated Sensor Programming Remote ¹⁹ FSIR-100 =Wireless Configuration Tool for Occupancy Sensor ²⁰ SWPD4-XX =WaveLinx Wireless Sensor, 7' - 15' Mounting Height ^{12,13,21} SWPD5-XX =WaveLinx Wireless Sensor, 15' - 40' Mounting Height ^{12,13,21} WOLC-7P-10A =WaveLinx Outdoor Control Module (7-PIN) ²²			
NOTES: 1. DesignLights Consortium® Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details. 2. Customer is responsible for engineering analysis to confirm pole and fixture compatibility for applications. Refer to installation instructions and pole white paper WP513001EN for additional support information. 3. Standard 4000K CCT and 70CRI. 4. Only for use with 480V Wye systems. Per NEC, not for use with ungrounded systems, impedance grounded systems or corner grounded systems (commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner Grounded Delta systems). 5. Use dedicated IES files on product website for non-standard CCTs. 6. Option will come factory-installed. House Side Shield not suitable with T5 distribution or C60 lumen package. 7. Not available with C60 lumen package. 8. Only available in PRV configurations C15, C25, C40 or C60. 9. Controls system is not available with photocontrol receptacle (PER or PER7) or other controls systems (MS, MSP, ZW or LWR). 10. Utilizes the Wattstopper sensor FSP-211. 11. Sensor passive infrared (PIR) may be overly sensitive when operating below -20°C (-4°F). 12. In order for the device to be field-configurable, requires WAC Gateway components WAC-PoE and WPOE-120 in appropriate quantities. Only compatible with WaveLinx system and software and requires system components to be installed for operation. See website for more Wavelinx application information. 13. Replace XX with sensor color (WH, BZ, or BK). 14. LumaWatt Pro wireless sensors are factory installed and require network components LWP-EM-1, LWP-GW-1, and LWP-PoE8 in appropriate quantities. See website for LumaWatt Pro application information. 15. Only available in PRV-XL configurations C75, C100, C125, C150, or C175. 16. Not available with 347V, 480V, or HA options. Consult LumenSafe system product pages for additional details and compatability information. 17. Replace XX with paint color. 18. Must order one per optic/LED when ordering as a field-installable accessory (1, 2, 4, or 6). 19. This tool enables adjustment to Integrated Sensor (MSP) parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your lighting representative at Eaton for more information. 20. This tool enables adjustment to Motion Sensor (MS) parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your lighting representative at Eaton for more information. 21. Requires Wavelinx-enabled 4-PIN twistlock receptacle (ZW) option. 22. Requires 7-PIN NEMA twistlock photocontrol receptacle (PER7) option. The WOLC-7 cannot be used in conjunction with other controls systems (MS, MSP, ZW or LWR).						

LumenSafe Integrated Network Security Camera Technology Options (Add as Suffix)

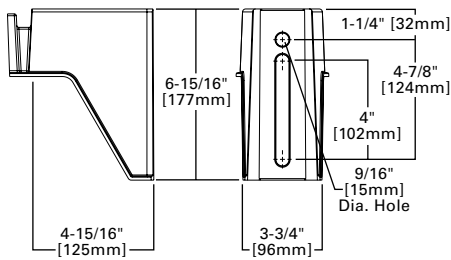
Product Family	Camera Type	Data Backhaul
L =LumenSafe Technology 	D =Dome Camera	C =Cellular, Customer Installed SIM Card A =Cellular, Factory Installed AT&T SIM Card V =Cellular, Factory Installed Verizon SIM Card S =Cellular, Factory Installed Sprint SIM Card E =Ethernet Networking

Stock Ordering Information

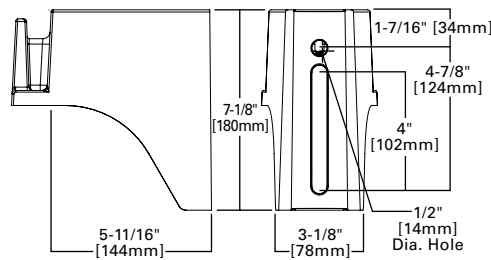
Product Family ¹	Light Engine	Voltage	Distribution	Options (Add as Suffix)
PRVS =Prevail	C15 =(1 LED) 7,100 Nominal Lumens C25 =(2 LEDs) 13,100 Nominal Lumens C40 =(2 LEDs) 17,100 Nominal Lumens C60 =(2 LEDs) 20,000 Nominal Lumens	UNV =Universal (120-277V) 347 =347V ²	T3 =Type III T4 =Type IV	MSP/DIM-L30 =Integrated Sensor for Dimming Operation, Maximum 30' Mounting Height ²
PRVS-XL =Prevail XL	C75 =(4 LED) 26,100 Nominal Lumens C100 =(4 LED) 31,000 Nominal Lumens C125 =(4 LED) 36,000 Nominal Lumens C150 =(6 LED) 41,100 Nominal Lumens C175 =(6 LED) 48,600 Nominal Lumens			
NOTES: 1. All stock configurations are standard 4000K/70CRI, bronze finish, and include the standard versatile mounting arm. 2. Only available in PRVS configurations C15, C25, C40 or C60.				

Mounting Details

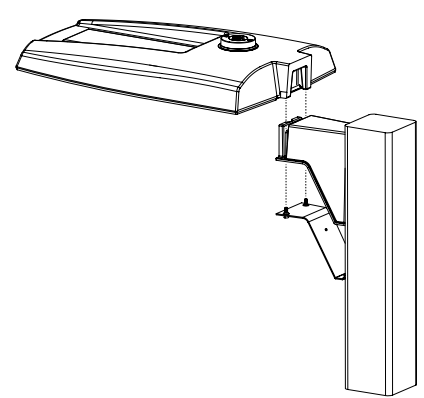
Pole Mount Arm (PRV)



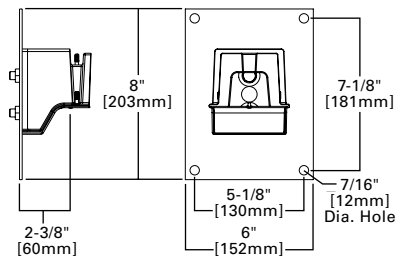
Pole Mount Arm (PRV-XL)



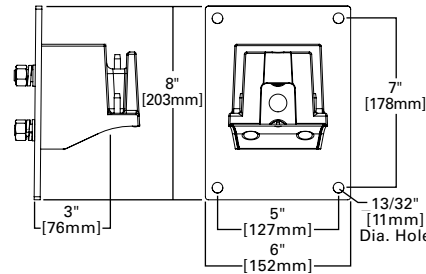
Versatile Mount System



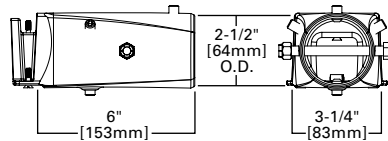
Wall Mount (PRV)



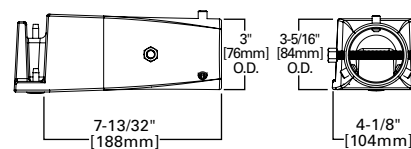
Wall Mount (PRV-XL)



Mast Arm Mount (PRV)



Mast Arm Mount (PRV-XL)



Mounting Configurations and EPAs

NOTE: For 2 PRV's mounted at 90°, requires minimum 3" square or 4" round pole for fixture clearance. For 2 PRV-XL's mounted at 90°, requires minimum 4" square or round pole for fixture clearance. Customer is responsible for engineering analysis to confirm pole and fixture compatibility for applications.

Wall Mount

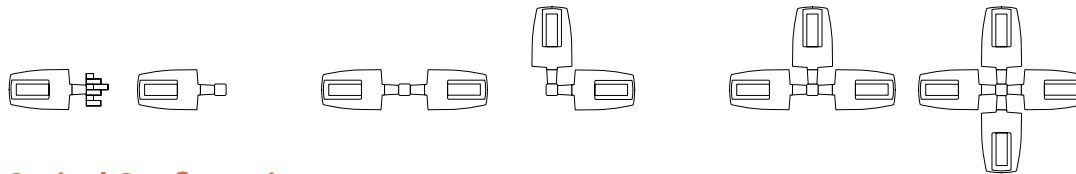
Arm Mount Single
EPA 0.92 (PRV)
EPA 1.12 (PRV-XL)

Arm Mount 2 @ 180°
EPA 1.35 (PRV)
EPA 2.25 (PRV-XL)

Arm Mount 2 @ 90°
EPA 1.42 (PRV)
EPA 2.13 (PRV-XL)

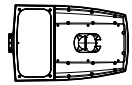
Arm Mount 3 @ 90°
EPA 1.63 (PRV)
EPA 2.52 (PRV-XL)

Arm Mount 4 @ 90°
EPA 1.63 (PRV)
EPA 2.52 (PRV-XL)

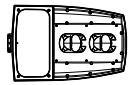


Optical Configurations

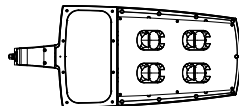
PRV-C15
(7,100 Nominal Lumens)



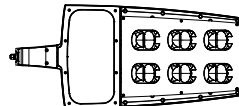
PRV-C25/C40/C60
(13,100/17,100/20,000
Nominal Lumens)



PRV-XL-C75/C100/C125
(26,100/31,000/36,300 Nominal Lumens)



PRV-XL-C150/C175
(41,100/48,600 Nominal Lumens)



Product Specifications

Construction

- Single-piece die-cast aluminum housing
- Tethered die-cast aluminum door

Optics

- Dark Sky Approved (3000K CCT and warmer only)
- Precision molded polycarbonate optics

Electrical

- 40°C minimum operating temperature
- 40°C maximum operating temperature
- >.9 power factor
- <20% total harmonic distortion

- Class 1 electronic drivers have expected life of 100,000 hours with <1% failure rate
- 0-10V dimming driver is standard with leads external to the fixture

Mounting

- Versatile, patented, standard mount arm accommodates multiple drill patterns ranging from 1-1/2" to 4-7/8"
- A knock-out on the standard mounting arm enables round pole mounting
- Prevail: 3G vibration rated
- Prevail XL Mast Arm: 3G vibration rated
- Prevail XL Standard Arm: 1.5G vibration rated

Finish

- Five-stage super TGIC polyester powder coat paint, 2.5 mil nominal thickness

Shipping Data

- Prevail: 20 lbs. (9.09 kgs.)
- Prevail XL: 45 lbs. (20.41 kgs.)

Energy and Performance Data

Power and Lumens (PRV)

 View PRV IES files

Light Engine		C15	C25	C40	C60
Power (Watts)		52	96	131	153
Input Current @ 120V (A)		0.43	0.80	1.09	1.32
Input Current @ 277V (A)		0.19	0.35	0.48	0.57
Input Current @ 347V (A)		0.17	0.30	0.41	0.48
Input Current @ 480V (A)		0.12	0.22	0.30	0.35
Distribution					
Type II	4000K Lumens	7,123	13,205	17,172	20,083
	BUG Rating	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3
	3000K Lumens	6,994	12,965	16,860	19,718
Type III	4000K Lumens	7,111	13,183	17,144	20,050
	BUG Rating	B1-U0-G2	B2-U0-G3	B3-U0-G4	B3-U0-G4
	3000K Lumens	6,982	12,944	16,832	19,686
Type IV	4000K Lumens	7,088	13,140	17,087	19,984
	BUG Rating	B1-U0-G3	B2-U0-G4	B2-U0-G4	B3-U0-G5
	3000K Lumens	6,959	12,901	16,777	19,621
Type V	4000K Lumens	7,576	14,045	18,264	21,360
	BUG Rating	B3-U0-G3	B4-U0-G3	B4-U0-G4	B5-U0-G4
	3000K Lumens	7,438	13,790	17,932	20,972

Lumen Maintenance

Configuration	TM-21 Lumen Maintenance (50,000 Hours)	Theoretical L70 (Hours)
Up to PRV-C60 at 25°C	91.30%	194,000
Up to PRV-C60 at 40°C	87.59%	134,000
Up to PRV-XL-C175 at 25°C	91.40%	204,000
Up to PRV-XL-C175 at 40°C	89.41%	158,000

Lumen Multiplier

Ambient Temperature	Lumen Multiplier
10°C	1.02
15°C	1.01
25°C	1.00
40°C	0.99

Power and Lumens (PRV-XL)

 View PRV-XL IES files

Light Engine		C75	C100	C125	C150	C175
Power (Watts)		176	217	264	285	346
Input Current @ 120V (A)		1.50	1.84	2.21	2.38	2.92
Input Current @ 277V (A)		0.66	0.82	0.97	1.04	1.25
Input Current @ 347V (A)		0.54	0.66	0.79	0.84	1.02
Input Current @ 480V (A)		0.40	0.48	0.57	0.62	0.74
Distribution						
Type II	4000K Lumens	26,263	31,231	36,503	41,349	48,876
	BUG Rating	B3-U0-G3	B3-U0-G4	B4-U0-G4	B4-U0-G4	B4-U0-G5
	3000K Lumens	25,786	30,664	35,840	40,598	47,989
Type III	4000K Lumens	26,120	31,061	36,304	41,124	48,610
	BUG Rating	B3-U0-G5	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5
	3000K Lumens	25,646	30,497	35,645	40,377	47,727
Type IV	4000K Lumens	26,098	31,035	36,274	41,089	48,569
	BUG Rating	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5	B4-U0-G5
	3000K Lumens	25,624	30,471	35,615	40,343	47,687
Type V	4000K Lumens	28,129	33,450	39,097	44,287	52,349
	BUG Rating	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5
	3000K Lumens	27,618	32,843	38,387	43,483	51,398

Control Options

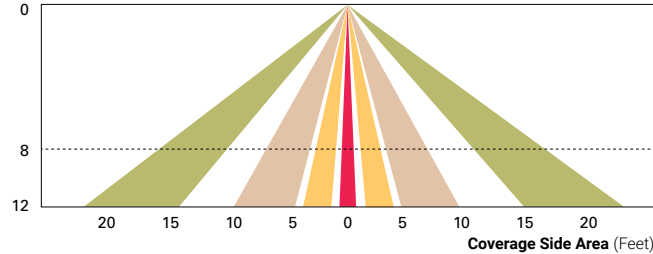
0-10V (D) The dimming option provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocontrol (PER and PER7) Photocontrol receptacles provide a flexible solution to enable "dusk-to-dawn" lighting by sensing light levels. Advanced control systems compatible with NEMA 7-pin standards can be utilized with the PER7 receptacle.

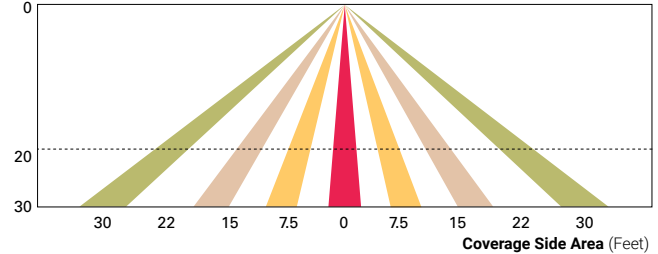
Dimming Occupancy Sensor (MSP and MS) These sensors are factory installed in the luminaire housing. When a sensor for dimming operation (/DIM) option is selected, the luminaire will dim down to approximately 50 percent power after five minutes of no activity detected. When activity is detected, the luminaire returns to full light output. When a sensor for ON/OFF operation is selected, the luminaire will turn off after five minutes of no activity.

These occupancy sensors include an integral photocell that can be activated or inactivated with the programming remote / configuration tool for "dusk-to-dawn" control or "daylight harvesting". **Note:** For MSP sensors, the factory preset is ON (Enabled), and for MS sensors, the factory preset is OFF (Disabled). The programming remote / tool is a wireless tool that can be utilized to change the dimming level, time delay, sensitivity and other parameters. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 8'-40'.

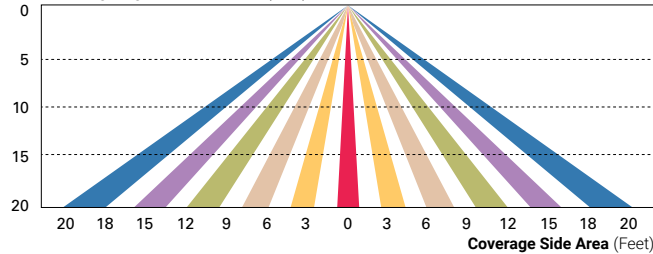
For mounting heights from 8' to 12' (-L12)



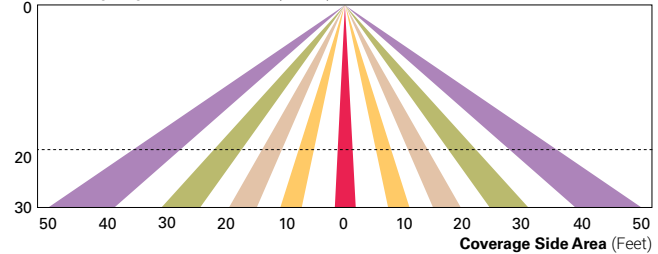
For mounting heights from 12' to 30' (-L30)



For mounting heights from 9' to 20' (-L20)



For mounting heights from 21' to 40' (-L40W)

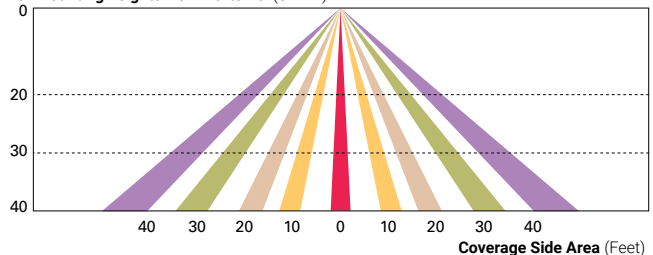


WaveLinx Wireless Control and Monitoring System Available in 7-PIN or 4-PIN configurations, the WaveLinx Outdoor control platform operates on a wireless mesh network based on IEEE 802.15.4 standards enabling wireless control of outdoor lighting. Use the WaveLinx Mobile application for set-up and configuration. At least one Wireless Area Controller (WAC) is required for full functionality and remote communication (including adjustment of any factory pre-sets).

WaveLinx Outdoor Control Module (WOLC-7P-10A) A photocontrol that enables astronomic or time-based schedules to provide ON, OFF and dimming control of fixtures utilizing a 7-PIN receptacle. The out-of-box functionality is ON at dusk and OFF at dawn.

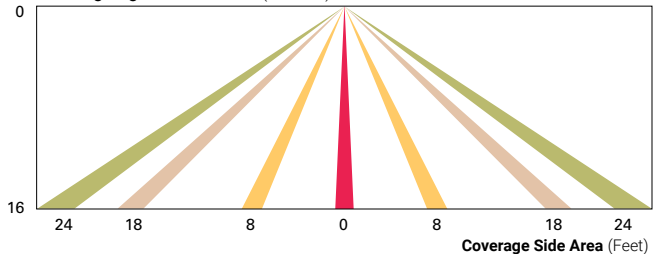
WaveLinx Wireless Sensor (SWPD4 and SWPD5) These outdoor sensors offer passive infrared (PIR) occupancy and a photocell for closed loop daylight sensing. These sensors can be factory installed or field-installed via simple, tool-less integration into luminaires equipped with the Zhaga Book 18 compliant 4-PIN receptacle (ZW). These sensors are factory preset to dim down to approximately 50 percent power after 15 minutes of no activity detected. These occupancy sensors include an integral photocell for "dusk-to-dawn" control or daylight harvesting that is factory-enabled. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 7'-40'.

For mounting heights from 16' to 40' (SWPD)

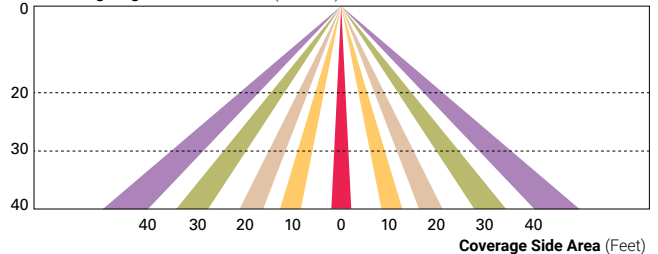


LumaWatt Pro Wireless Control and Monitoring System (LWR-LW and LWR-LN) The Eaton's LumaWatt Pro powered by Enlighted is a connected lighting solution that combines LED luminaires with an integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of other resources beyond lighting.

For mounting heights from 8' to 16' (LWR-LW)

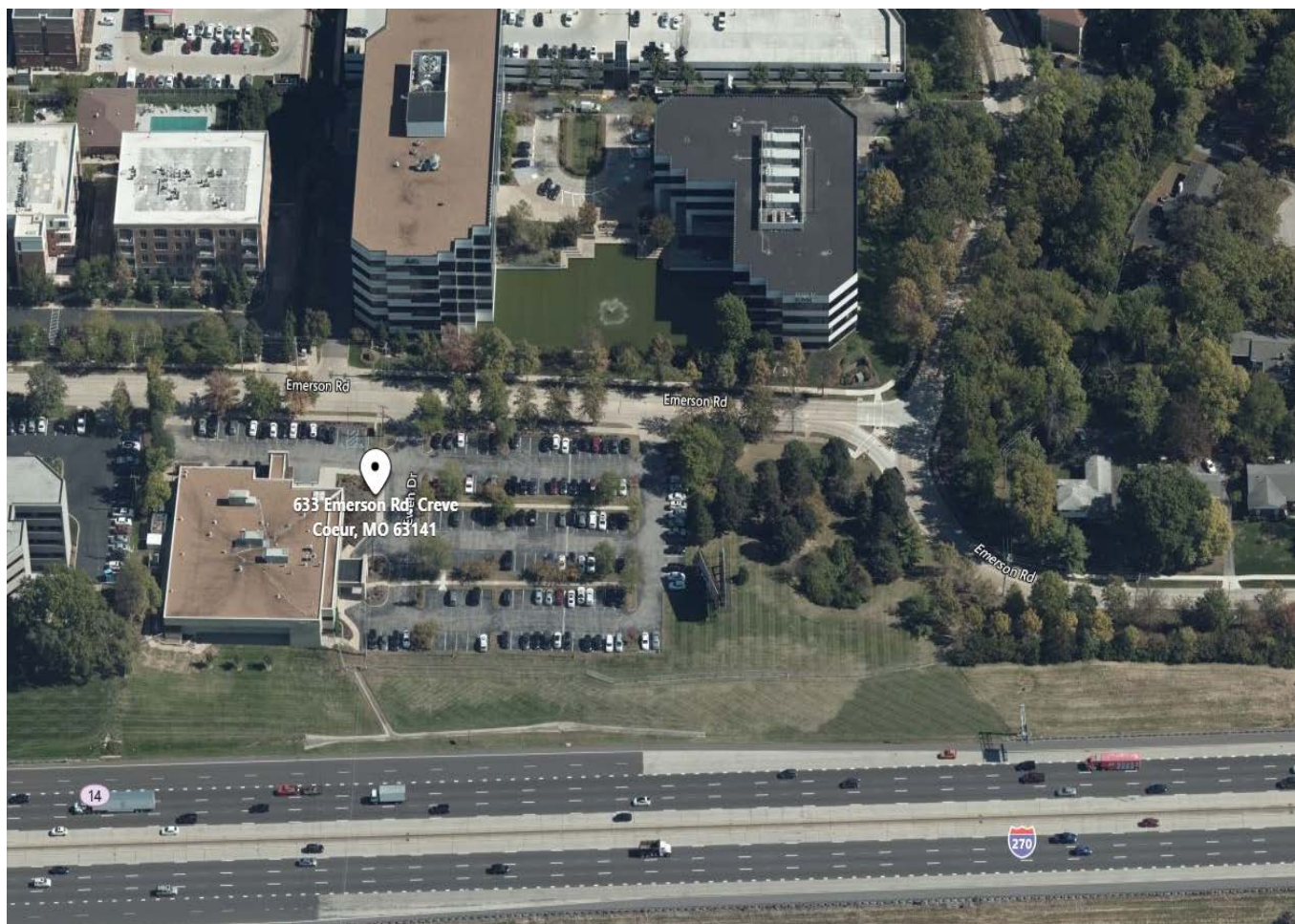


For mounting heights from 16' to 40' (LWR-LN)



LumenSafe (LD) The LumenSafe integrated network camera is a streamlined, outdoor-ready camera that provides high definition video surveillance. This IP camera solution is optimally designed to integrate into virtually any video management system or security software platform of choice. No additional wiring is needed beyond providing line power to the luminaire. LumenSafe features factory-installed power and networking gear in a variety of networking options allowing security integrators to design the optimal solution for active surveillance.

633 EMERSON – MEDICAL OFFICE BUILDING **PARKING LOT EXPANSION**

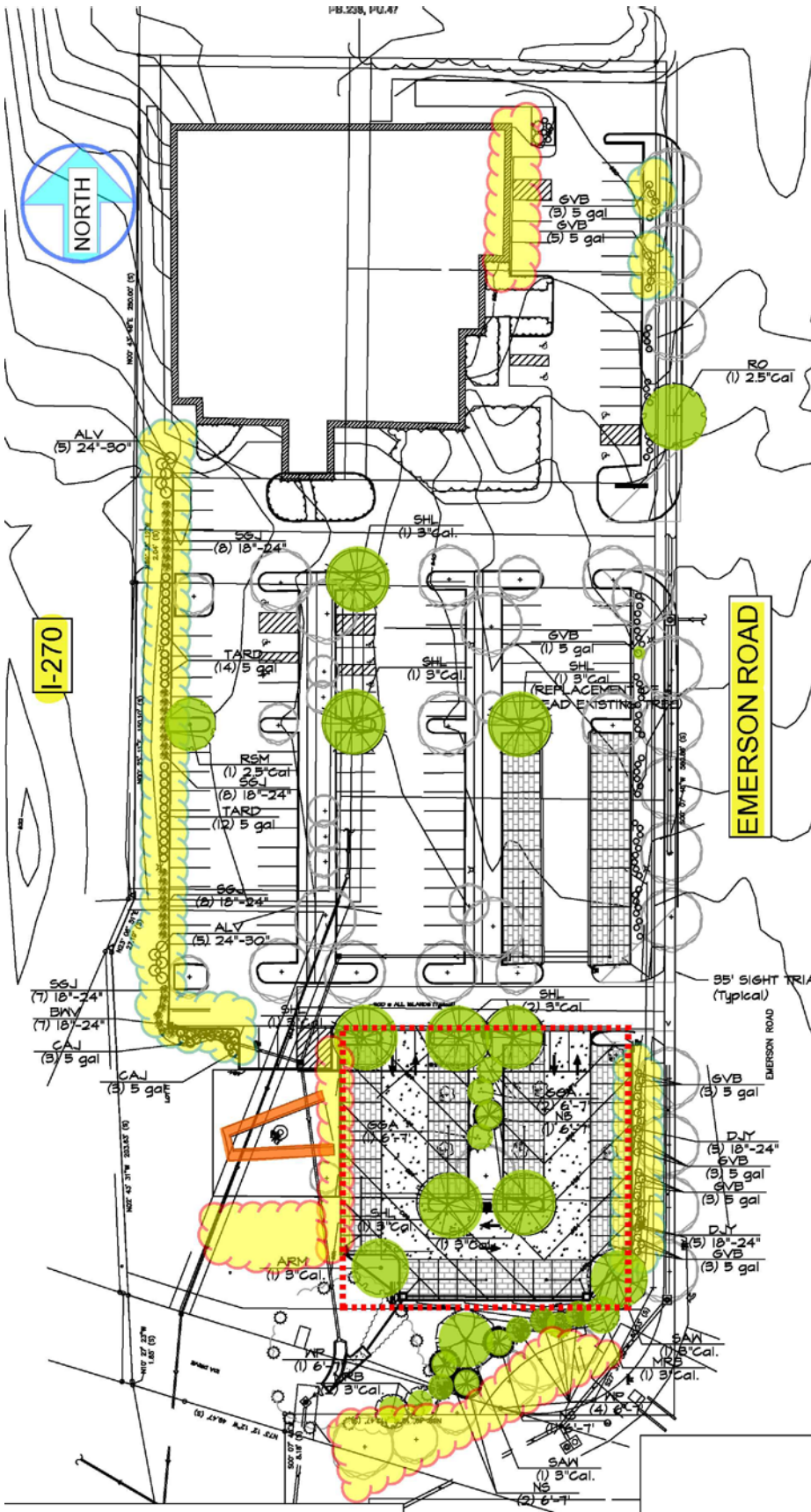


AERIAL VIEW LOOKING EAST

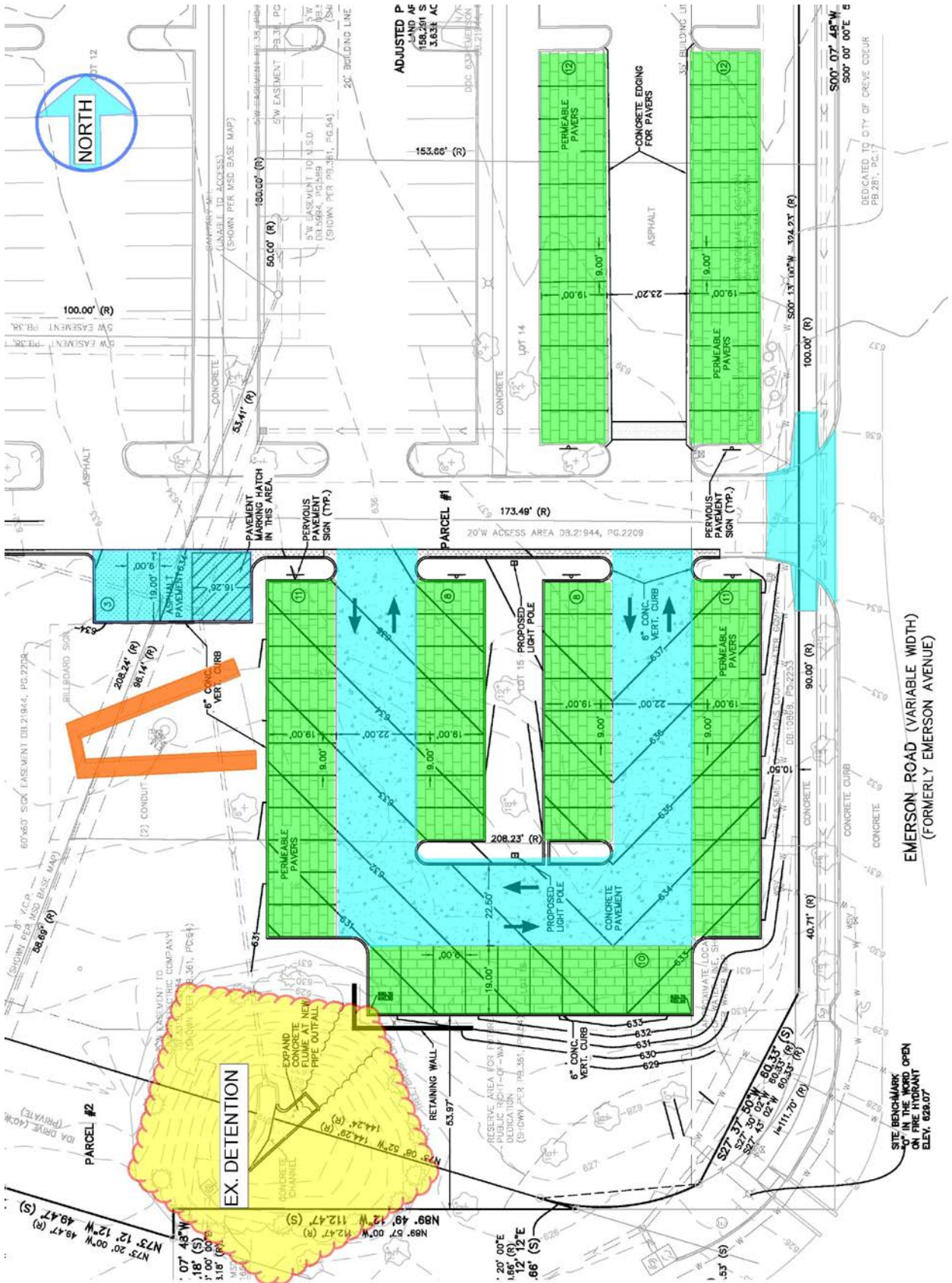
633 EMERSON – PARCEL AERIAL PHOTO



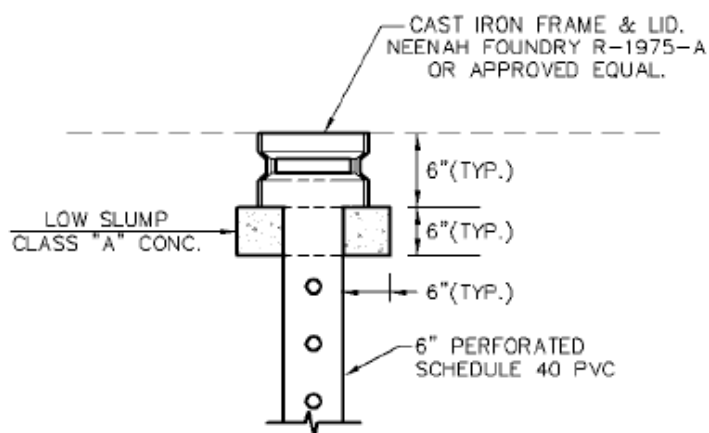
633 EMERSON – LANDSCAPING



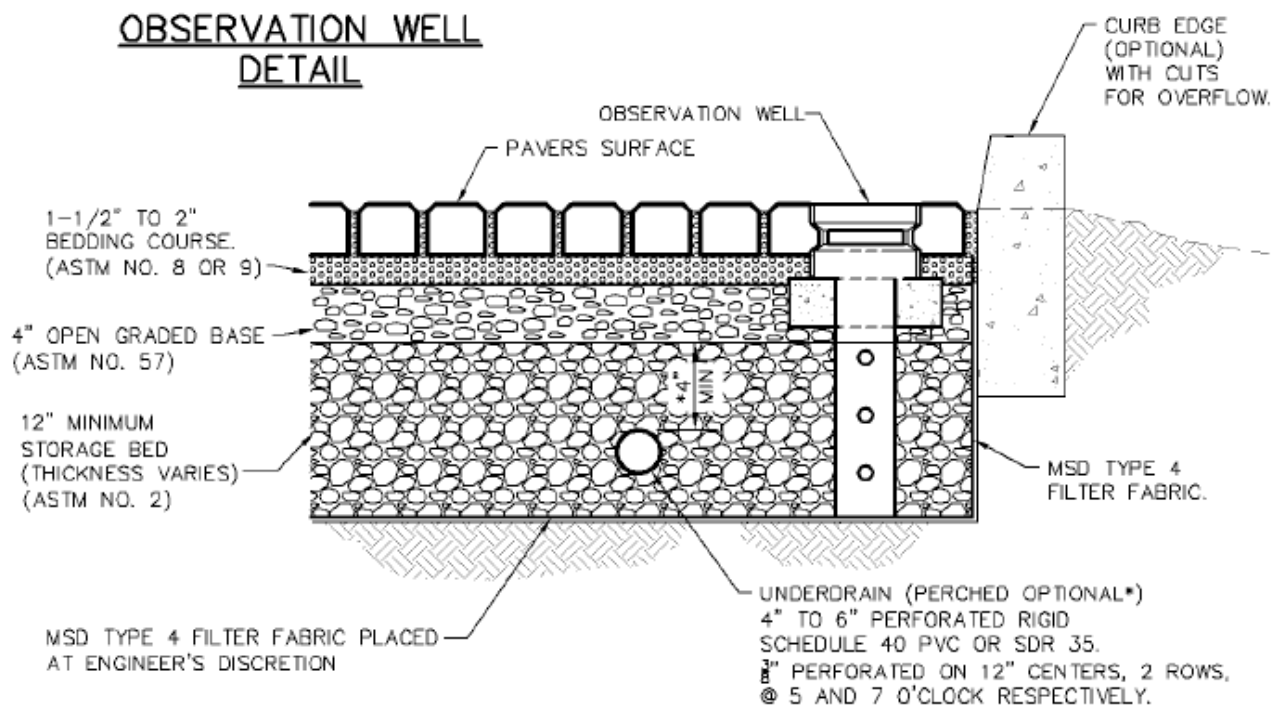
633 EMERSON – PAVEMENT



633 EMERSON – PAVERS



OBSERVATION WELL DETAIL



PERMEABLE INTERLOCKING CONCRETE PAVEMENT TYPICAL SECTION

* ADDITIONAL UNDERDRAINS MAY BE PERCHED
ABOVE THE REQUIRED STORAGE ELEVATION
AND WITHIN THE STORAGE BED IN ORDER
TO PROTECT THE PAVER BLOCKS.

633 EMERSON – NORTH ENTRANCE



LOOKING NORTHWEST



LOOKING SOUTHWEST

633 EMERSON – SOUTH ENTRANCE**LOOKING NORTHWEST****LOOKING SOUTHWEST**



APPLICATION #20-022: SITE DEVELOPMENT PLAN FOR PARKING LOT ADDITION AT 633 EMERSON ROAD

- **Section 405.1080 requires site plan review by the Planning and Zoning Commission for any proposed alteration that would significantly affect the exterior of a building.**
- **Section 405.370(G)(1)(b) requires City Council review and approval of all development or redevelopment plans, other than minor site plans under 5,000 square feet of new site coverage, for the properties within the area bounded by Olive Boulevard on the north, Old Ballas Road on the south and east and I-270 on the west.**
- **Section 405.950(L)(2)(a) of the sign regulations state that all lighting and landscaping of grandfathered billboards shall maintain the previously approved and required landscaping.**
- **The proposal will have to remove some of the existing trees for the new parking area.**



- ;



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- Some of the existing trees are dead or under distressed







Recommended Conditions of Approval are:

- **Revised Landscape plan to show existing plantings around the building consistent with the 2013 plan.**
- **Identify any dead and dying trees that need to be removed and replace with new planting.**
- **Additional plantings around the base of the billboard and along the new parking areas.**
- **Replacement of non-conforming parking lot lights with consistent lights as proposed.**
- **Reconstruction of the southern entrance to meet with ADA standards, and repairing and resealing the remaining asphalt parking area.**



QUESTIONS?



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

Meeting: 08/10/20 07:00 PM
Department: Public Works Department
Category: Resolution
Prepared By: Matt Wohlberg
Department Head: Jim Heines

SCHEDULED

RESOLUTION

Resolution No. 1500 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of the Necessary Documents for Submitting the Project Proposal Application and Later for Executing an Agreement with the Missouri Highway and Transportation Commission for a Grant-In-Aid through the Federal Transportation Alternatives Program (Tap) Grant for the North New Ballas Phase 3 Sidewalk Project.

Public Works staff recommends that the City pursue federal funding to assist with the construction cost to extend the sidewalk along the west side of North New Ballas Road between the U. S. Post Office and Rocky Drive. The City's share of the project cost is included in the five-year Capital Improvement Program.

RESOLUTION NO. 1500

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AUTHORIZING THE EXECUTION OF THE NECESSARY DOCUMENTS FOR SUBMITTING THE PROJECT PROPOSAL APPLICATION AND LATER FOR EXECUTING AN AGREEMENT WITH THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION FOR A GRANT-IN-AID THROUGH THE FEDERAL TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT FOR THE NORTH NEW BALLAS PHASE 3 SIDEWALK PROJECT.

WHEREAS, the City Council deems it necessary and recognizes the need to improve and expand its existing sidewalk network to serve the citizens of Creve Coeur as well as those in the metropolitan area; and

WHEREAS, the City Council recognizes this Transportation Alternatives Program (TAP) Grant as an excellent opportunity to expand sidewalk connectivity and accessibility along North New Ballas Road; and

WHEREAS, the City Council has determined that the scope of work is to construct an ADA compliant sidewalk within the project limits; and

WHEREAS, the City Council has defined the project limits as the west side of North New Ballas Road from and including the bus stop at the northeasterly corner of the De Smet Jesuit High School property to the northwestern corner of the intersection of Rocky Drive at North New Ballas Road.

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

1. An application shall be made under the TAP Grant for federal funding to assist with the cost to modify existing sidewalks and to add new sidewalk along the west side of North New Ballas Road, from De Smet Jesuit High School to the northwest corner of Rocky Drive at North New Ballas Road; and
2. A grant application for the project proposal described herein shall be prepared and submitted to the East West Gateway Council of Governments for consideration for grant funding; and
3. The City Administrator is hereby authorized and directed to execute the necessary documents for forwarding the project proposal application for a TAP grant; and
4. If a grant is awarded, the City of Creve Coeur will enter into an agreement or contract with the Missouri Highway and Transportation Commission regarding said grant to assist with the project to the limits stated herein.
5. Expansion of the project limits shall be at the discretion of the City of Creve Coeur.

Adopted this 10th day of August, 2020.

Resolution

Meeting of August 10, 2020

Barry Glantz
Mayor

Attest:

Deborah Ryan, MPCC
City Clerk



DEPARTMENT OF PUBLIC WORKS STAFF MEMORANDUM

DATE: August 4, 2020

TO: Mark Perkins, City Administrator

CC: Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Recommendation to Pursue Federal Grant Funding
North New Ballas Sidewalk Phase 3

Public Works staff recommends that the City pursue federal funding to assist with the expansion of the sidewalk along the west side of North New Ballas Road between Magna Carta Drive and Rocky Drive.

Background

New Ballas Road is a five-lane, minor arterial roadway and is the longest and most heavily traveled roadway that the City of Creve Coeur maintains. While maintaining vehicular traffic has been the primary purpose of New Ballas Road, the City has increasingly emphasized expanding and improving the sidewalks and pedestrian facilities along New Ballas.

Highlights of these efforts include:

- | | |
|-----------|---|
| 2002 | Pedestrian Plan ranks sidewalks on New Ballas Road as a “first priority” |
| 2008 | New Ballas Resurfacing Project expands and updates sidewalks and ramps |
| 2009 | Conceptual sidewalk plan developed that included New Ballas Road from Ladue Road to Rocky Drive |
| 2010 | Sidewalk added in front of the post office (Sidewalk Phase 1) |
| 2011 | De Smet Jesuit High School adds the sidewalk along their frontage |
| 2017-2019 | Ramp and sidewalk updates through the annual concrete program |
| 2017-2020 | Accessible pedestrian signals installed at signalized intersections |
| 2019 | Sidewalk added from Ladue Road to De Smet entrance (Sidewalk Phase 2) |
| 2019 | Sidewalk replaced in front of Creve Coeur Police Building |

For about 20 years, there have been continuous sidewalks on the west side of New Ballas Road from Conway Road to Ladue Road and on the east side of New Ballas Road from Ladue Road to Olive Boulevard. Beginning in 2008, the roadway and sidewalk projects listed above began to expand the sidewalks and pedestrian facilities along the west side of New Ballas Road between Ladue and Olive with the goal of creating continuous sidewalks on both sides on North New Ballas Road.

Today, only two gaps exist in this sidewalk: the first is between Old Ballas Road and Studt Avenue, and the second is between Magna Carta Drive and Rocky Drive. The current proposal

is to use grant funding to add a sidewalk between Magna Carta and Rocky and to fill one of these gaps.

Proposed Project

The proposed project involves pedestrian improvements along the frontage of the U. S. Post Office (331 North New Ballas Road) and a new sidewalk along the frontage of the Ballas Place office building (425 North New Ballas Road). Specific aspects of the project include:

- Accessibility improvements to the bus stop between the U. S. Post Office and De Smet Jesuit High School
- Updated curb ramps along the frontage of the U. S. Post Office
- Expanded pedestrian signal at the intersection of New Ballas and Magna Carta
- New curb ramps on the west side of the intersection of New Ballas and Magna Carta
- Relocation of the retaining wall at 425 North New Ballas
- Construction of a six-foot-wide sidewalk between Magna Carta and Rocky that is separated from the curb by a tree lawn
- New curb ramps at the intersection of New Ballas and Rocky

This project would create a 335-foot-long sidewalk on the west side of New Ballas Road from Magna Carta Drive to Rocky Drive. While this sidewalk would be relatively short, it is significant for two reasons. First, it would fill the current gap in the sidewalk and would complete a continuous and accessible pedestrian path on the west side of New Ballas from Ladue to Old Ballas. Second, this sidewalk would create a direct path between Magna Carta Drive and Rocky Drive. Currently, pedestrians traveling north on the west side of New Ballas would need to cross New Ballas at Magna Carta, walk to the next traffic signal, cross New Ballas again to return to the west side of the street, and then walk south to Rocky Drive. The proposed sidewalk would shorten this path by approximately 775 feet.

The attached exhibit illustrates the project limits and the connection that the new sidewalk will make between the existing sidewalks on New Ballas Road.

Project Cost Estimate and Grant Funding

The Transportation Alternatives Program (TAP) grant is a federal grant that provides up to 80% reimbursement for costs related to the design, easement acquisition, and construction of certain types of transportation, community, and environmental projects. Projects that improve the bicycle or pedestrian facilities are the most applicable to Creve Coeur. Roadway improvement projects generally do not qualify for funding through the TAP grant.

Unlike the federal roadway grant program that operates on a 4-5 year schedule, the TAP grant operates on a 2-3 year schedule. Such a schedule makes it difficult to complete the design, right-of-way, and construction phases of a project within the TAP grant. As such, the City has generally taken the option to fully fund the design phase of TAP-funded projects. Doing so allows for the design to begin sooner and for the project to progress at a reasonable pace.

The estimated costs for the design, right-of-way, and construction phases are included in the table below.

Project Phase	Total Cost	Grant Funding	City Funding	Comments
Design	\$ 45,000	\$ 0	\$ 45,000	100% City
Right of Way	\$ 5,000	\$ 4,000	\$ 1,000	80/20 grant/City
Construction	\$ 205,000	\$ 164,000	\$ 41,000	80/20 grant/City
Totals	\$ 255,000	\$ 168,000	\$ 87,000	

The City's contribution to this project would be approximately 34% of the total cost.

The Capital Improvement Program (CIP) identifies \$100,000 for City's portion of the design and construction of this project. Specifically, \$50,000 is allocated in each of FY2022 and FY2023.

Recommendation

The gap in the sidewalk on the west side of New Ballas Road between Magna Carta Drive and Rocky Drive is not only inconvenient, but it also poses a hazardous route to travel for those who attempt to take the direct path. Although an accessible path is provided on the east side of New Ballas, pedestrians have been observed taking the direct path along the west side of the street. A new sidewalk at this location - and the connectivity and safety improvement that it provides - is warranted.

In the past three years, the City has used the funding offered through the Transportation Alternatives Program to add sidewalks along Emerson Road and a portion of North New Ballas Road. Staff finds that this program offers a significant benefit to the City by allowing the City to expand its sidewalk improvements beyond what could be accomplished through the annual allocation of maintenance funds.

The principal reasons why a sidewalk has not yet been completed between Magna Carta and Rocky are the cost to remove and relocate the retaining wall that is in the way of the project, the lack of the appropriate right of way and easements needed for the sidewalk, and the lack of support from the property owners. New ownership at 425 North New Ballas Road supports the sidewalk project and has donated the right of way and easements needed for the project as a condition of recent development at that property. With two of the barriers removed, cost is now the limiting factor. Pursuit of the TAP grant helps to reduce the cost barrier.

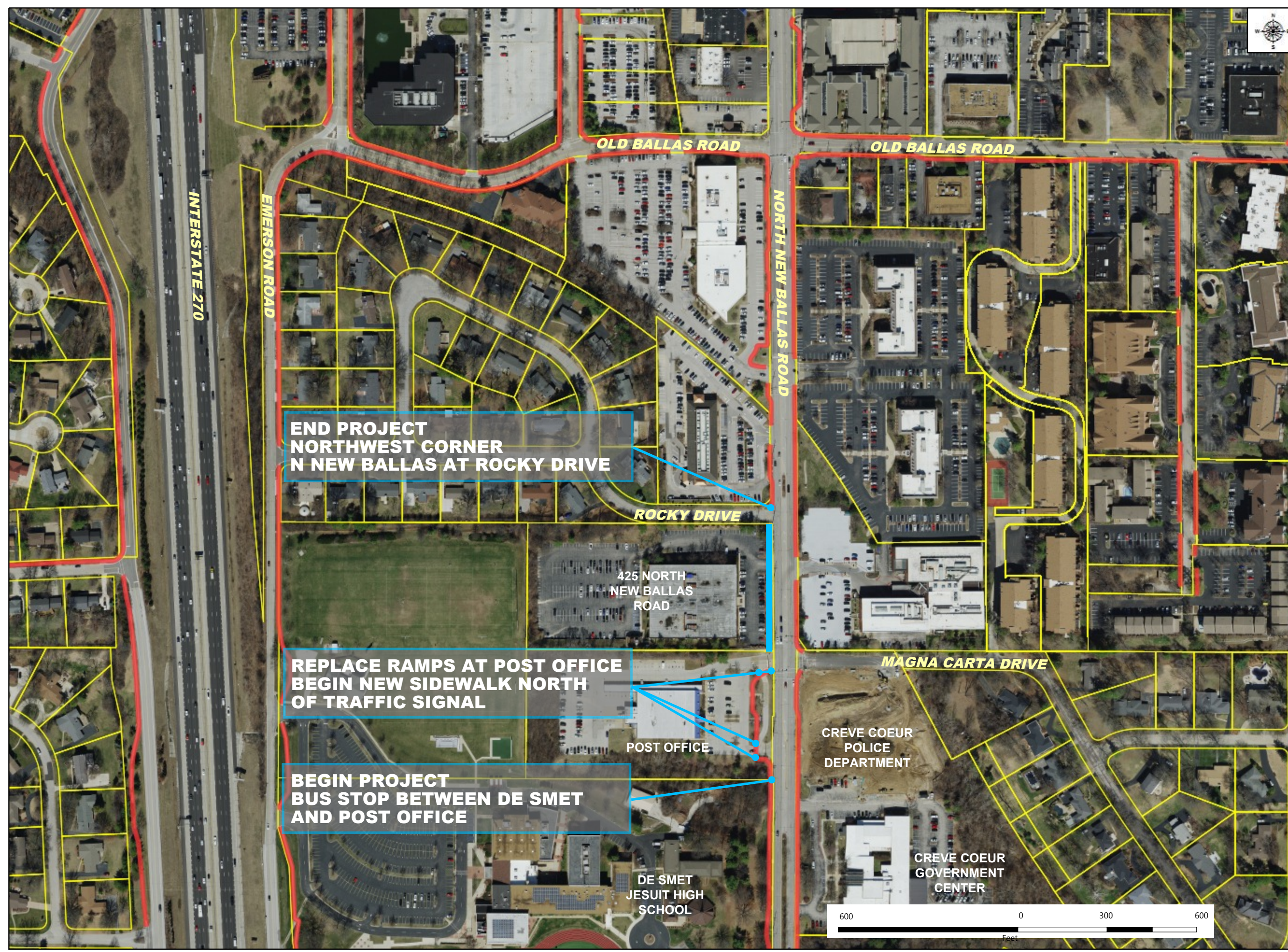
Therefore, Public Works staff recommends that the City pursue federal Transportation Alternative Program funding to add a sidewalk on North New Ballas Road between Magna Carta Drive and Rocky Drive and to make associated accessibility improvements in the vicinity.

Attachments: Project Location Exhibit

New Ballas
Sidewalk Phase 3

Project Location
Exhibit

- Proposed Sidewalk
- Existing Sidewalks
- Parcel Boundaries



END PROJECT
NORTHWEST CORNER
N NEW BALLAS AT ROCKY DRIVE

REPLACE RAMPS AT POST OFFICE
BEGIN NEW SIDEWALK NORTH
OF TRAFFIC SIGNAL

BEGIN PROJECT
BUS STOP BETWEEN DE SMET
AND POST OFFICE

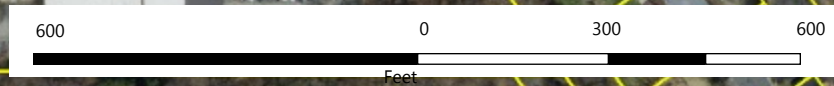
425 NORTH
NEW BALLAS
ROAD

POST OFFICE

DE SMET
JESUIT HIGH
SCHOOL

CREVE COEUR
POLICE
DEPARTMENT

CREVE COEUR
GOVERNMENT
CENTER



August 4, 2020



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

Meeting: 08/10/20 07:00 PM
Department: Public Works Department
Category: Resolution
Prepared By: Matt Wohlberg
Department Head: Jim Heines

SCHEDULED

RESOLUTION

**Resolution No. 1501 - a Resolution of the City Council of the
City of Creve Coeur, Missouri, Authorizing the City
Administrator to Execute the Necessary Documents for
Forwarding the Project Proposal Application and to Later
Execute an Agreement for a Grant-In-Aid from the Municipal
Park Grant Commission.**

Public Works staff, with the support of the Parks and Historic Preservation Committee, recommends that the City pursue a Municipal Park Grant to assist with the cost to improve the paths at Conway Park and at Malcolm Terrace Park.

RESOLUTION NO. 1501

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS FOR FORWARDING THE PROJECT PROPOSAL APPLICATION AND TO LATER EXECUTE AN AGREEMENT FOR A GRANT-IN-AID FROM THE MUNICIPAL PARK GRANT COMMISSION.

WHEREAS, the City of Creve Coeur City Council deems it necessary to improve its parks to serve its citizens as well as those in the metropolitan area; and

WHEREAS, the pedestrian paths at Conway Park and Malcolm Terrace Park are in need of widening and other improvements to suit the current use of the parks; and

WHEREAS, the City Council recognizes this Municipal Park Grant as an excellent opportunity to improve City parks for the benefit of the community.

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

1. An application shall be made to the Municipal Park Grant Commission of St. Louis County for a grant-in-aid for a portion of costs required to make improvements to the pedestrian paths at Conway Park and at Malcolm Terrace Park.
2. That the project proposal described herein be prepared and submitted to the Municipal Parks Grant Commission.
3. The City Administrator is hereby authorized to sign and execute the necessary documents for forwarding the project proposal application and later executing an agreement for a grant-in-aid under the Municipal Park Grant Commission.
4. If a grant is awarded, the City of Creve Coeur will enter into an agreement or contract with the Municipal Park Grant Commission regarding the grant.

Adopted this 10th day of August, 2020.

Barry Glantz, Mayor

ATTEST:

Resolution

Meeting of August 10, 2020

Deborah Ryan, City Clerk



DEPARTMENT OF PUBLIC WORKS STAFF MEMORANDUM

DATE: August 6, 2020

TO: Mark Perkins, City Administrator

CC: Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Recommendation for Parks Trail Improvements
FY2021 Municipal Park Grant

Staff recommends that the City pursue a Municipal Park Grant for improvements to the walking trails in Conway Park and in Malcolm Terrace Park. Staff requests that the City Council pass a resolution to commit to the project and the grant, as is required for the grant application.

Municipal Park Grant

The Municipal Park Grant originated in 2000 and is funded through sales taxes in St. Louis County. This grant program reimburses cities in St. Louis County for improvements to public facilities and parks.

To date, the City of Creve Coeur has been awarded nine grants, with a total grant award of approximately \$2.2 million. Among the improvements that these funds have made possible are new playgrounds, refurbished tennis courts, renovations to the Dielmann Recreation Complex and Ice Arena, and new golf cart paths for the Creve Coeur Golf Course.

The City is eligible up to for \$475,000 in grant funding in FY2021. The City's grant match needs to be at least 6% to earn points in the application, which would be \$30,320 if the maximum grant amount is sought. This would translate into a total project budget of \$505,320.

The Municipal Park Grant program is competitive, and points are awarded to project applications based upon the merits of the project and the per-capita funding from past Municipal Park Grant awards. In order to receive a grant, the City needs to propose a worthy project and needs to seek funding on intervals that limit the grant requests. The City should not expect to receive a grant on an annual basis or for projects that do not demonstrate a significant need or improvement.

Project Proposal

The proposed project would involve improvements to the paths at Conway Park and at Malcolm Terrace Park. Each portion of the proposed project is described briefly below:

<u>Conway Park Path Improvements</u>	Estimated Cost: \$ 404,000
--------------------------------------	----------------------------

The asphalt path at Conway Park measures approximately 0.85 miles in length and is 6-8 feet in width. The path begins at the parking lot at the south end of the park and runs north to the dog park and then creates a loop around the park's pond.

The path is over 25 years old and has begun to deteriorate, especially along its edges. Much of the deterioration is due to the path's age, but some of the issues with the edges of the path have been caused by the City's maintenance vehicles accessing the park on a routine basis.

Drainage culverts carry stormwater beneath the path in four locations. These metal culverts are generally in poor condition.

The proposed project would involve several components:

- **Culvert Replacement.** Prior to work on the asphalt path, the culverts beneath them would be replaced. The cost of this work is estimated to be \$40,000.
- **Asphalt Path Replacement.** The project would involve replacing the existing asphalt path through a process called full-depth reclamation. The existing path would be ground up with the rock and soil beneath it, and cement would be added to the base to create a strong base for a new, 10-foot-wide asphalt path. The reclamation process will enable the City to limit the amount of disturbance to the park (both in time and area) and will create a strong pavement that will support maintenance vehicles. The estimated cost of this portion of the project is \$290,000.
- **Benches and Picnic Tables.** New benches and picnic tables will be added along the path. Some will replace existing furniture that were scheduled to be replaced soon, but others will add to the furniture in Conway Park, at a cost estimated at \$15,000.
- **Trail Signs.** New signs are proposed near each end of the trail to inform trail users of the amenities in the park and the slope of the path to expect. Such signs are helpful to all users, but can be especially helpful to the disabled. The signs would be similar in size and design as those used to provide information about the historic buildings in the parks. The estimated cost of these signs is \$4,000.
- **Design.** Engineering design services are needed to ensure that the path meets accessibility standards, to determine the appropriate cement mixture for the pavement base, and to determine the appropriate stormwater culvert sizes. The design cost is estimated to be about \$55,000.

Malcolm Terrace Park Path Improvements

Estimated Cost: \$ 72,000

Several wooded trails run through Malcolm Terrace Park. This project would replace the existing paved trail that measures approximately 700 feet (0.13 miles) in length. The existing trail is typically 8 feet wide, begins at the park's parking lot, leads to a nearby pavilion, and then extends south through the woods to a turn-around area. The path has deteriorated over the years, and the path is currently uneven in several locations, which has reduced the accessibility of this path.

The proposed improvements include:

- **Path Replacement.** The proposal is to replace this path with a concrete path of similar dimensions but with an accessible cross slope. Working around the existing trees will pose a challenge for this work, and the northern end of the trail will be re-routed to better avoid a large sycamore tree that has destroyed the existing path. The pavement beneath the pavilion will also be replaced with concrete. The estimated cost of this work is \$60,000.
- **Park Furniture.** Several benches are proposed along the path, and new picnic tables will replace the existing picnic tables in the pavilion, for an estimated cost of \$10,000.

- **Trail Sign.** A trail sign, similar to those proposed at Conway Park, is proposed near the parking lot at the north end of the paved trail. The estimated cost of the sign is \$2,000.

The estimated costs for the project will be about \$476,000.

Other Improvements Considered. Staff considered two improvements to the Malcolm Terrace Park but did not include these in the recommendation:

1. **Extension of the paved trail to Elzey Street.** The existing asphalt path at Malcolm Terrace Park ends at a small asphalt cul de sac north of Elzey Street and then continues as a dirt and gravel path to the west end of Elzey Street. The location of the end of the asphalt path was once at the park's boundary, but a 2014 land exchange with the adjacent homeowner allowed for the entire path to be in the park.

Through initial discussions about this project, it was determined that extending the paved path to Elzey Street should first involve stabilization of the adjacent bank of Deer Creek. The design and permitting involved with that work would take longer than the Municipal Park Grant's typical one-year schedule, and it would make the extension of the trail cost-prohibitive.

2. **Add wood chips along wooded trails.** Malcolm Terrace Park has over a mile of unpaved trails through the woods at the south end of the park. Some of these trails have become overgrown. Clearing these paths and adding a layer of wood chips along them would qualify for grant funding through the Municipal Park Grant. Although the cost to add wood chips is significantly cheaper than paving a trail, the scale of this work could make the cost exceed the amount of grant funding available.

Grant and Project Schedule

Grant applications are due by August 28. The projects that will be funded through this round of the grant will need to be completed during the 2021 calendar year. Notification of grant awards is expected by late fall. Upon a successful grant application and notification of award, staff would seek a budget adjustment for the project (as discussed below) and would begin coordinating the design portion of the project. The following schedule is anticipated:

Notification of Award.....November 2020

Budget AdjustmentDecember 2020

Conway Park Design.....January 2021 – March 2021

Construction.....April 2021 – September 2021

Grant ReimbursementFall/Winter 2021

The time estimates above include design, bidding, construction, and restoration.

Budget

The total estimated cost of the project is \$476,000, which includes both design and construction costs. The table below shows these costs and the relationship to the grant. Design costs are not eligible for reimbursement through a Municipal Park Grant.

Project Phase	Total Cost	Grant Funding	City Funding
Design	\$ 55,000	\$ 25,000	\$ 30,000
Construction	\$ 421,000	\$ 421,000	\$ 0
Totals	\$ 476,000	\$ 426,000	\$ 30,000

According to these estimates, the grant would reimburse the City for approximately 94% of the project costs.

The capital budget identifies \$30,500 for this project in FY2021, specifically in account 02-61-71-9506-21401. This represents only the grant match. Upon award of the grant, a budget adjustment would be necessary to provide the additional funding needed for full cost of the project and to account for the grant reimbursement. The net change to the budget would be negligible, if any.

Recommendation

The City's Parks and Historic Preservation Committee considered the Municipal Park Grant application in May 2020 and recommended that the City pursue improvements to the existing trails at the City's parks. The trails at Conway Park and at Malcolm Terrace Park were specifically discussed at that meeting and were part of the recommendation.

The City's parks and public facilities have benefitted greatly from past Municipal Park Grants. Through this funding source, the City has been able to offer many new and upgraded facilities. The proposed improvements to the trails in Conway Park and Malcolm Terrace Park would provide new paths and improved access at two of the City's parks while also eliminating maintenance costs for the near future. Therefore, staff recommends that the City pursue the Municipal Park Grant for the improvements to the parks paths as outlined above.

Attachments: Conway Park Exhibit

Malcolm Terrace Park Exhibit

Conway Park Path Improvements

Proposed Improvements

- Asphalt Path Replacement
- Drainage Culvert Replacement

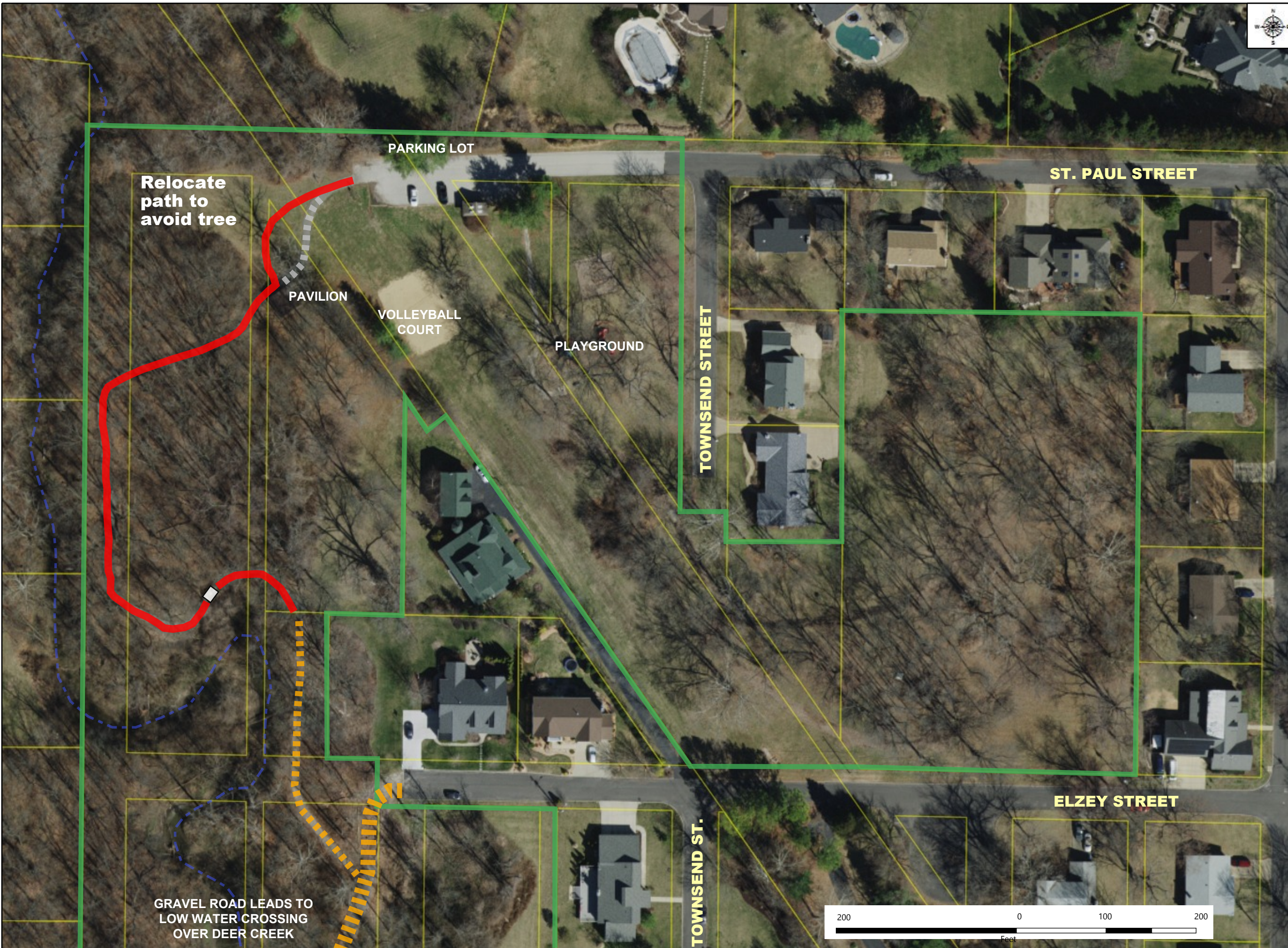


July 7, 2020

Malcolm Terrace
Park Path
Improvements

Proposed
Improvements

-  Park Limits
-  New Path
-  Asphalt Path
(To Be Removed)
-  Gravel Path to
Remain
-  Bridge



August 6, 2020



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

Meeting: 08/10/20 07:00 PM
Department: Public Works Department
Category: Resolution
Prepared By: Matt Wohlberg
Department Head: Jim Heines

SCHEDULED

RESOLUTION

Resolution No. 1502 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Approving the Use of a Contract Established by the County of Greene, Missouri, as a Cooperative Purchasing Agreement for the Procurement of Microsurfacing Services for the 2020 Construction Season.

Public Works staff recommends that the City enter into a cooperative agreement to use Donelson Construction Company for the FY2021 microsurfacing program. Through this agreement, the City would secure microsurfacing at the same cost as in 2019.

RESOLUTION NO. 1502

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, APPROVING THE USE OF A CONTRACT ESTABLISHED BY THE COUNTY OF GREENE, MISSOURI, AS A COOPERATIVE PURCHASING AGREEMENT FOR THE PROCUREMENT OF MICROSURFACING SERVICES FOR THE 2020 CONSTRUCTION SEASON.

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

WHEREAS, it is necessary for the City to improve and maintain its asphalt pavement network to provide safe rights of way and to maintain the quality of life expected by the community; and

WHEREAS, microsurfacing is one of several techniques used by the City to maintain its asphalt roadway pavement; and

WHEREAS, Section 140.030 of the City of Creve Coeur Code of Ordinances allows the City to enter into acceptable cooperative purchasing agreements, and that such agreements can be based upon a contract established by another governmental entity; and

WHEREAS, the County of Greene, Missouri, solicited competitive bids for microsurfacing and related services and entered into an agreement with Donelson Construction Company, LLC, for these services on December 27, 2016, for the 2017 construction season, which agreement was extended to the 2020 construction season through an amendment executed on March 17, 2020; and

WHEREAS, the agreement between the County of Greene and Donelson Construction Company, LLC, includes a cooperative agreement provision through which Donelson Construction Company, LLC, agreed to honor its unit prices for other interested municipalities, such as the City of Creve Coeur.

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

Section 1. The City's participation in a cooperative purchasing agreement, whereby microsurfacing and related services are procured in accordance with the unit prices for Greene County Contract #16-0798, attached hereto as "Exhibit A," is hereby approved.

Section 2. The Contract between **Donelson Construction Company, LLC**, and the City, attached hereto as "Exhibit B," with a **contract sum not to exceed \$ 192,000.00**, is hereby approved and the execution thereof by the City Administrator is hereby authorized. The Contract as executed shall be substantially in the form of "Exhibit B," 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 10th day of August, 2020.

Resolution

Meeting of August 10, 2020

Barry Glantz
Mayor

Attest:

Deborah Ryan, MPCC
City Clerk

EXHIBIT A

AGREEMENT FOR CONTRACT SERVICES

THIS AGREEMENT FOR CONTRACT SERVICES (the "Agreement") is made and entered into as of December 27, 2016, by and between the County of Greene, ("County") and Donelson Construction Company, LLC ("Contractor"), located at 1075 Wise Hill Road, Clever, Missouri 65631. (The term Contractor includes professionals performing in a consulting capacity.)

PART I – FUNDAMENTAL TERMS

- A. **Location of Project:** Greene County location(s) as set forth in EXHIBIT I, included herein, and for other public bodies within Greene County as well as agencies located in Missouri, Iowa, Illinois, Indiana, Kentucky, Tennessee, Mississippi, Arkansas, Louisiana, Texas, Oklahoma, Kansas & Nebraska, as set forth in Exhibit II. Included herein.
- B. **Description of Services/Goods to be Provided:** Provide goods/services in accordance with Exhibit I and Exhibit II, included herein.
- C. **Term:** Unless terminated earlier as set forth in this Agreement, the services shall commence on December 27, 2016 ("Commencement Date") and shall continue through December 26, 2017, with the option to renew, at both parties discretion, for up to two additional one-year periods.
- D. **Party Representatives:**

The County designates the following person to act on County's behalf: Melissa Denney or Rick Artman

The Contractor designates the following person to act on Contractor's behalf: Michael J. Donelson
- E. **Notices:** Contractor shall deliver all notices and other writings required to be delivered under this Agreement to County at the address set forth in the General Provisions. The County shall deliver all notices and other writings required to be delivered to Contractor at the address set forth following Contractor's signature below.
- F. **Integration:** This Agreement represents the entire understanding of County and Contractor as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with regard to those matters covered by this Agreement. This Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements, and understandings, if any, between the parties, and none shall be used to interpret this Agreement.

PART II - GENERAL PROVISIONS

1. SECTION ONE - SERVICES OF CONTRACTOR

- 1.1. **Scope of Services.** In compliance with all terms and conditions of this Agreement, Contractor shall provide the goods and/or services shown on Exhibit I and Exhibit IIes, which may be referred to herein as the "services" or the "work." If this Agreement is for the provision of goods, supplies, equipment or personal property, the terms "services" and "work" shall include the provision (and, if designated in the Scope of Services, the installation) of such goods, supplies, equipment or personal property.
- 1.2. **Changes and Additions to Scope of Services.** County shall have the right at any time during the performance of the services, without invalidating this Agreement, to order extra work beyond that specified in the Scope of Services or make changes by altering, adding to, or deducting from said work. No such work shall be undertaken unless a written order is first given by County to Contractor, incorporating therein any adjustment in (i) the Budget, and/or (ii) the time to perform this Agreement, which adjustments are subject to the written approval of the Contractor. It is expressly understood by Contractor that the provisions of this Section 1.2 shall not apply to services specifically set forth in the Scope of Services or reasonably contemplated therein. Contractor hereby acknowledges that it accepts the risk that the services to be provided pursuant to the Scope of Services may be more costly or time consuming than Contractor anticipates and that Contractor shall not be entitled to additional compensation therefore.
- 1.3. **Standard of Performance.** Contractor agrees that all services shall be performed in a competent, professional, and satisfactory manner in accordance with the standards prevalent in the industry, and that

all goods, materials, equipment or personal property included within the services herein shall be of good quality, fit for the purpose intended.

- 1.4. **Performance to Satisfaction of County.** Contractor agrees to perform all work to the satisfaction of County within the time specified. If County reasonably determines that the work is not satisfactory, County shall have the right to take appropriate action, including but not limited to: (i) meeting with Contractor to review the quality of the work and resolve matters of concern; (ii) requiring Contractor to repeat unsatisfactory work at no additional charge until it is satisfactory; (iii) suspending the delivery of work to Contractor for an indefinite time; (iv) withholding payment; and (v) terminating this Agreement as hereinafter set forth.
- 1.5. **Instructions from County.** In the performance of this Agreement, Contractor shall report to and receive instructions from the County's Representative designated in Paragraph D.1 of the Fundamental Terms of this Agreement. Tasks or services other than those specifically described in the Scope of Services shall not be performed without the prior written approval of the County's Representative.
- 1.6. **Familiarity with Work.** By executing this Agreement, Contractor warrants that Contractor (i) has thoroughly investigated and considered the scope of services to be performed, (ii) has carefully considered how the services should be performed, and (iii) fully understands the facilities, difficulties, and restrictions attending performance of the services under the Agreement. If the services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the conditions there existing, prior to commencement of services hereunder. Should the Contractor discover any conditions, including any latent or unknown conditions, which will materially affect the performance of the services hereunder, Contractor shall immediately inform the County of such fact and shall not proceed except at Contractor's risk until written instructions are received from the County's Representative.
- 1.7. **Prohibition Against Subcontracting or Assignment.** Contractor shall not contract with any other entity to perform in whole or in part the services required hereunder without the express written approval of County. In addition, neither the Agreement nor any interest herein may be transferred, assigned, conveyed, hypothecated, or encumbered voluntarily or by operation of law, whether for the benefit of creditors or otherwise, without the prior written approval of County. In the event of any unapproved transfer, including any bankruptcy proceeding, County may void the Agreement at County's option in its sole and absolute discretion. No approved transfer shall release any surety of Contractor of any liability hereunder without the express consent of County.
- 1.8. **Compensation.** Contractor shall be compensated in accordance with the terms of the Budget. Included in the Budget are all ordinary and overhead expenses incurred by Contractor and its agents and employees, including meetings with County representatives, and incidental costs incurred in performing under this Agreement.

2. SECTION TWO - INSURANCE AND INDEMNIFICATION

- 2.1. **Insurance:** Without limiting Contractor's indemnification obligations, Contractor shall procure and maintain, at its sole cost and for the duration of this Agreement, insurance coverage as provided below, against all claims for injuries against persons or damages to property which may arise from or in connection with the performance of the work hereunder by Contractor, its agents, representatives, employees, and/or subcontractors. In the event that Contractor subcontracts any portion of the work in compliance with Section 1.7 of this Agreement, the contract between the Contractor and such subcontractor shall require the subcontractor to maintain the same policies of insurance that the contractor is required to maintain pursuant to this Section 2.
- 2.2. **Contractor's Insurance Requirements:** The Contractor shall not commence work under this contract until they have obtained all insurance required under this paragraph and such insurance has been approved by the County, nor shall the Contractor allow any subcontractor to commence work on their subcontract until all similar insurance required of subcontractor has been so obtained and approved. All policies shall be from companies authorized to issue insurance in the State of Missouri and shall be in amounts, form and companies satisfactory to the County which must carry an A-6 or better rating as listed in the A.M. Best or equivalent rating guide. Insurance limits indicated below may be lowered at the discretion of the County.
- 2.3. **Comprehensive General Liability Insurance** -The Contractor shall take out and maintain during the life of this contract, such comprehensive general liability insurance as shall protect them and any

subcontractor performing work covered by this contract, from claims for damages for personal injury including accidental death, as well as from claims for property damages, which may arise from operations under this contract, whether such operations be by themselves or for any subcontractor or by anyone directly or indirectly employed by them. The insurance carried by Contractor shall name Greene County, Missouri, its elected officials and employees as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Greene County and said insurance shall be not less than \$500,000.00 per person and \$3,000,000.00 for any one occurrence covering both bodily injury and property damage, including accidental death. If the Contract involves any underground/digging operations, the general liability certificate shall include X, C, and U (Explosion, Collapse, and Underground) coverage. If providing Comprehensive General Liability Insurance, then the Proof of Coverage of Insurance shall also be included.

- 2.4. **Workers Compensation Insurance** -The Contractor shall take out and maintain during the life of this contract, Employee's Liability and Worker's Compensation Insurance for all of their employees employed at the site of work, and in case any work is sublet, the Contractor shall require the subcontractor similarly to provide Worker's Compensation Insurance for all of the latter's employees unless such employees are covered by the protection afforded by the Contractor. Worker's Compensation coverage shall meet Missouri statutory limits. Employers' Liability limits shall be \$500,000.00 each employee, \$500,000.00 each accident, and \$500,000.00 policy limit. In case any class of employees engaged in hazardous work under this Contract at the site of the work is not protected under the Worker's Compensation Statute, the Contractor shall provide and shall cause each subcontractor to provide Employers' Liability Insurance for the protection of their employees not otherwise protected.
- 2.5. **Commercial Automobile Liability** - The Contractor shall maintain during the life of this contract, automobile liability insurance in the amount of not less than \$500,000.00 per claimant and \$3,000,000.00 for any one occurrence, covering both bodily injury, including accidental death, and property damage, to protect themselves from any and all claims arising from the use of the Contractor's own automobiles, teams and trucks; hired automobiles, teams and trucks; and both on and off the site of work.
- 2.6. **Professional Liability** - (covering errors and omissions): One Million Dollars (\$1,000,000.00) per claims made.
- 2.7. **Other Insurance** - Such other policies of insurance as may be required in Part III hereto ("Special Provisions")
- 2.8. **Proof of Carriage of Insurance** -The Contractor shall furnish the County with Certificate(s) of Insurance which name the County, its elected officials and employees as additional insureds in an amount as required in this contract and sufficient to cover sovereign immunity limits for Missouri public entities (\$376,378.00 per claimant and \$2,509,186.00 per occurrence for 2010) as calculated by the Missouri Department of Insurance, financial institutions, professional registration, and publish annually in the Missouri Registered pursuant to Section 537.610, RSMo. Each party shall require a thirty (30) day mandatory cancellation notice. In addition, such insurance shall be on occurrence basis and shall remain in effect until such time as the County has made final acceptance of the facility contracted.
- 2.9. **Indemnity Agreement:** To the fullest extent permitted by law, Contractor shall indemnify, hold harmless and defend the County, its directors, officers, agents, and employees from and against all claims, damages, losses and expenses (including but not limited to attorney's fees) arising by reason of any act or failure to act, negligent or otherwise, of Contractor, of any subcontractor (meaning anyone, including but not limited to consultants having a contract with contractor or a subcontract for part of the services), of anyone directly or indirectly employed by contractor or by any subcontractor, or of anyone for whose acts the contractor or its subcontractor may be liable, in connection with providing these services. This provision does not, however, require contractor to indemnify, hold harmless, or defend the County of Greene from its own negligence.
- 2.10. In no event shall the language or requirements of this Agreement constitute or be construed as a waiver or limitation of the County's rights or defenses with regard to County's applicable sovereign, governmental or official immunities and protections as provided by federal and state constitutions, statutes, and laws.

3. SECTION THREE - LEGAL RELATIONS AND RESPONSIBILITIES

- 3.1. **Compliance with Laws:** Contractor shall keep itself fully informed of all existing and future state and federal laws and all County statutes and regulations which in any manner affect those employed by it or in any way affect the performance of services pursuant to this Agreement. Contractor shall at all times observe and comply with all such laws, statutes, and regulations and shall be responsible for the compliance of all work and services performed by or on behalf of Contractor. When applicable, Contractor shall not pay less than the prevailing wage, which rate is determined by the Missouri Department of Labor and Industrial Relations of the State of Missouri.
- 3.2. **Licenses, Permits, Fees and Assessments.** Contractor shall obtain at its sole cost and expense all licenses, permits, and approvals that may be required by law for the performance of the services required by this Agreement. Contractor shall have the sole obligation to pay any fees, assessments, and taxes, plus applicable penalties and interest, which may be imposed by law and arise from or are necessary for Contractor's performance of the services required by this Agreement, and shall indemnify, defend, and hold harmless County against any such fees, assessments, taxes, penalties, or interest levied, assessed, or imposed against County thereunder.
- 3.3. **Non-Discrimination Assurance.** With regard to work under this Agreement, the Contractor agrees as follows:
- a. **Civil Rights Statutes:** The Contractor shall comply with all state and federal statutes relating to nondiscrimination, including but not limited to Title VI and Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §§ 2000d and 2000e, *et seq.*), as well as any applicable titles of the "Americans with Disabilities Act" (42 U.S.C. § 12101, *et seq.*). In addition, if the Contractor is providing services or operating programs on behalf of the department or the Commission, it shall comply with all applicable provisions of Title II of the "Americans with Disabilities Act".
 - b. **Nondiscrimination:** The Contractor covenants for itself, its assigns, and all persons claiming under or through it, that there shall be no discrimination against any person on grounds of race, color, religion, creed, sex, disability, national origin, age or ancestry of any individual in the selection and retention of subcontractors, including procurement of materials and leases of equipment in the performance of this Agreement. The County shall not participate either directly or indirectly in the discrimination prohibited by 49 C.F.R. § 21.5, including employment practices.
 - c. **Solicitations for Subcontracts, Including procurements of Material and Equipment:** These assurances concerning nondiscrimination also apply to subcontractors and suppliers of the Contractor. These apply to all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract including procurement of materials or equipment. Each potential subcontractor or supplier shall be notified by the Contractor of the requirements of this Agreement relative to nondiscrimination on grounds of the race, color, religion, creed, sex disability or national origin, age or ancestry of any individual.
 - d. **Information and Reports:** The Contractor shall provide all information and reports required by this Agreement, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the County to be necessary to ascertain compliance with other contracts, orders and instructions. Where any information required of the Contractor is in the exclusive possession of any other who fails or refuses to furnish this information, the Contractor shall so certify to the County as appropriate and shall set forth what efforts it has made to obtain the information.
 - e. **Sanctions for Noncompliance:** In the event the Contractor fails to comply with the nondiscrimination provisions of this Agreement, the County shall impose such contract sanctions as it may determine to be appropriate, including but not limited to:
 - (i) Withholding of payments under this Agreement until the Contractor complies; and/or
 - (ii) Cancellation, termination or suspension of this Agreement, in whole or in part, or both.
 - f. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraph 3.3 of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the statutes, County Commission order, or instructions issued by the County. The Contractor will take such action with respect to any subcontract or procurement as the County may direct as a means of enforcing such provisions, including sanctions for noncompliance;

provided that in the event the Contractor becomes involved or is threatened with litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the County to enter into such litigation to protect the interests of the County.

- 3.4. **Section 285.530(2) RSMo. and 292.675 RSMo. Affidavit.** Contractor shall comply with the provisions of Sections 285.525 through 285.550, and 292.675 RSMo., from the commencement until the termination of this Agreement. For any contract over \$5,000.00 and for any public works project contract the Contractor shall provide County an acceptable notarized Affidavit stating:

- a. That Contractor is enrolled in and participates in a federal work authorization program with respect to the employees working in connection with the contracted services; and
- b. That Contractor does not knowingly employ any person who is an authorized alien in connection with the contracted services.
- c. That Company has verified the completion of a 10-hour construction safety program with respect to the employees working in connection with the contracted services.

Copies of the required Affidavits can be found on the County's Purchasing website: <http://www.greenecountymo.org/purchasing/index.php>. Additionally, Contractor must provide County with documentation evidencing current enrollment in a federal work authorization program (e.g., electronic signatory page from E-verified program's memo of understanding). Refer to *Attachment I, Notice and Instructions to Bidder/Vendors regarding Sections 285.525 through 285.550, RSMo., effective January 1, 2009 and Section 292.675 RSMo., effective August 28, 2009, attached hereto.*

- 3.5. **Independent Contractor.** Contractor shall perform all services required herein as an independent contractor of County and shall remain at all times as to County a wholly independent contractor. County shall not in any way or for any purpose become or be deemed to be a partner of Contractor in its business or otherwise, or a joint venturer, or a member of any joint enterprise with Contractor. Contractor shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of County. Neither Contractor nor any of Contractor's employees shall, at any time, or in any way, be entitled to any sick leave, vacation, retirement, or other fringe benefits from the County. County is under no obligation to withhold State and Federal tax deductions from Contractor's compensation. Neither Contractor nor any of Contractor's employees shall be included in the competitive service, have any property right to any position, or any of the rights an employee may have in the event of termination of this Agreement.
- 3.6. **Use of Patented Materials.** Contractor shall assume all costs arising from the use of patented or copyrighted materials, including but not limited to equipment, devices, processes, and software programs, used or incorporated in the services or work performed by Contractor under this Agreement. Contractor shall indemnify, defend, and save the County harmless from any and all suits, actions or proceedings of every nature for or on account of the use of any patented or copyrighted materials.
- 3.7. **Proprietary Information.** All proprietary information developed specifically for County by Contractor in connection with, or resulting from, this Agreement, including but not limited to inventions, discoveries, improvements, copyrights, patents, maps, reports, textual material, or software programs, but not including Contractor's underlying materials, software, or know-how, shall be the sole and exclusive property of County, and are confidential and shall not be made available to any person or entity without the prior written approval of County. Contractor agrees that the compensation to be paid pursuant to this Agreement includes adequate and sufficient compensation for any proprietary information developed in connection with or resulting from the performance of Contractor's services under this Agreement. Contractor further understands and agrees that full disclosure of all proprietary information developed in connection with, or resulting from, the performance of services by Contractor under this Agreement shall be made to County, and that Contractor shall do all things necessary and proper to perfect and maintain ownership of such proprietary information by County.
- 3.8. **Retention of Funds.** Contractor hereby authorizes County to deduct from any amount payable to Contractor (whether arising out of this Agreement or otherwise) any amounts the payment of which may be in dispute hereunder or which are necessary to compensate County for any losses, costs, liabilities, or damages suffered by County, and all amounts for which County may be liable to third parties, by reason of Contractor's negligent acts, errors, or omissions, or willful misconduct, in performing or failing to perform Contractor's obligations under this Agreement. County in its sole and absolute discretion, may withhold from any payment due Contractor, without liability for interest, an amount sufficient to cover such

claim or any resulting lien. The failure of County to exercise such right to deduct or withhold shall not act as a waiver of Contractor's obligation to pay County any sums Contractor owes County.

- 3.9. **Termination By County.** County reserves the right to terminate this Agreement at any time, with or without cause, upon written notice to Contractor. Upon receipt of any notice of termination from County, Contractor shall immediately cease all services hereunder except such as may be specifically approved in writing by County. Contractor shall be entitled to compensation for all services rendered prior to receipt of County's notice of termination and for any services authorized in writing by County thereafter. If termination is due to the failure of Contractor to fulfill its obligations under this Agreement, County may take over the work and prosecute the same to completion by contract or otherwise, and Contractor shall be liable to the extent that the total cost for completion of the services required hereunder, including costs incurred by County in retaining a replacement contractor and similar expenses, exceeds the Budget.
- 3.10. **Right to Stop Work; Termination By Contractor.** Contractor may terminate this Agreement only for cause, upon thirty (30) days' prior written notice to County. Contractor shall immediately cease all services hereunder as of the date Contractor's notice of termination is sent to County, except such services as may be specifically approved in writing by County. Contractor shall be entitled to compensation for all services rendered prior to the date notice of termination is sent to County and for any services authorized in writing by County thereafter. If Contractor terminates this Agreement because of an error, omission, or a fault of Contractor, or Contractor's willful misconduct, the terms of Section 3.8 relating to County's right to take over and finish the work and Contractor's liability therefore shall apply.
- 3.11. **Waiver.** No delay or omission in the exercise of any right or remedy by a non-defaulting party on any default shall impair such right or remedy or be construed as a waiver. A party's consent to or approval of any act by the other party requiring the party's consent or approval shall not be deemed to waive or render unnecessary the other party's consent to or approval of any subsequent act. Any waiver by either party of any default must be in writing.
- 3.12. **Legal Actions.** Legal actions concerning any dispute, claim, or matter arising out of or in relation to this Agreement shall be instituted and maintained in an appropriate court with jurisdiction in Greene County, and Contractor agrees to submit to the personal jurisdiction of such court.
- 3.13. **Rights and Remedies are Cumulative.** The rights and remedies of the parties are cumulative and the exercise by either party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by the other party.
- 3.14. **Attorneys' Fees.** In any action by the County against the Contractor seeking enforcement of any of the terms or provisions of this Agreement or in connection with the performance of the work hereunder, if the County is the party prevailing in the final judgment in such action or proceeding, in addition to any other relief which may be granted, the County shall be entitled to have and recover from the Contractor its reasonable costs and expenses, including, but not limited to, reasonable attorney's fees, expert witness fees, and courts costs. If the County is required to initiate or defend litigation with a third party because of the violation of any term or provision of this Agreement by the Contractor, then the County shall be entitled to its reasonable attorney's fees and costs from the Contractor.
- 3.15. **Force Majeure.** The time period specified in this Agreement for performance of services shall be extended because of any delays due to unforeseeable causes beyond the control and without the fault or negligence of County or Contractor, including, but not restricted to, acts of nature or of the public enemy, unusually severe weather, tornadoes, fires, earthquakes, floods, epidemics, quarantine restrictions, riots, strikes, freight embargoes, wars, litigation, and/or acts of any governmental agency, including County, if the delaying party shall within ten (10) days of the commencement of such delay notify the other party in writing of the causes of the delay. If Contractor is the delaying party, County shall ascertain the facts and the extent of delay, and extend the time for performing the services for the period of the enforced delay when and if in the judgment of County such delay is justified. County's determination shall be final and conclusive upon the parties to this Agreement. In no event shall Contractor be entitled to recover damages against County for any delay in the performance of this Agreement, however caused. Contractor's sole remedy shall be extension of this Agreement pursuant to this Section 3.14.
- 3.16. **Non-Liability of County Employees.** No official, employee, agent, representative, or volunteer of County shall be personally liable to Contractor, or any successor in interest, in the event of any default or breach by County, or for any amount which may become due to Contractor or its successor, or for breach of any obligation of the terms of this Agreement.

3.17. Conflicts of Interest

- 3.18. No official, employee, agent, representative or volunteer of County shall have any financial interest, direct or indirect, in this Agreement, or participate in any decision relating to this Agreement that affects his or her financial interest or the financial interest of any corporation, partnership, association or other entity in which he or she is interested, in violation of any Federal, State or County law or statute. Contractor shall not employ any such person while this Agreement is in effect.
- 3.19. Contractor represents warrants and covenants that he, she or it presently has no interest, direct or indirect that would interfere with or impair in any manner or degree the performance of Contractor's obligations and responsibilities under this Agreement. Contractor further agrees that while this Agreement is in effect, Contractor shall not acquire or otherwise obtain any interest, direct or indirect, that would interfere with or impair in any manner or degree the performance of Contractor's obligations and responsibilities under this Agreement.

4. SECTION FOUR - MISCELLANEOUS PROVISIONS

- 4.1. **Records and Reports.** Upon request by County, Contractor shall prepare and submit to County any reports concerning Contractor's performance of the services rendered under this Agreement. County shall have access, upon reasonable notice, to the books and records of Contractor related to Contractor's performance of this Agreement in the event any audit is required. All drawings, documents, and other materials prepared by Contractor in the performance of this Agreement (i) shall be the property of County and shall be delivered at no cost to County upon request of County or upon the termination of this Agreement, and (ii) are confidential and shall not be made available to any individual or entity without prior written approval of County. Contractor shall keep and maintain all records and reports related to this Agreement for a period of three (3) years following termination of this Agreement, and County shall have access to such records in the event any audit is required.

- 4.2. **Notices.** Unless otherwise provided herein, all notices required to be delivered under this Agreement or under applicable law shall be personally delivered, or delivered by United States mail, prepaid, certified, return receipt requested, or by reputable document delivery service that provides a receipt showing date and time of delivery. Notices personally delivered or delivered by a document delivery service shall be effective upon receipt. Notices delivered by mail shall be effective at 4:00 p.m. on the second calendar day following dispatch. Notices to the County shall be delivered to the following address, to the attention of the County Representative set forth in Paragraph D.1 of the Fundamental Terms of this Agreement:

To County: Greene County
 Purchasing Department
 933 N. Robberson
 Springfield, Missouri 65802

Notices to Contractor shall be delivered to the address set forth below Contractor's signature on Part I of this Agreement, to the attention of Contractor's Representative set forth in Paragraph D.2 of the Fundamental Terms of this Agreement. Changes in the address to be used for receipt of notices shall be effected in accordance with this Section 4.2.

- 4.3. **Construction and Amendment.** The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply. The headings of sections and paragraphs of this Agreement are for convenience or reference only, and shall not be construed to limit or extend the meaning of the terms, covenants and conditions of this Agreement. This Agreement may only be amended by the mutual consent of the parties by an instrument in writing.
- 4.4. **Severability.** Each provision of this Agreement shall be severable from the whole. If any provision of this Agreement shall be found contrary to law, the remainder of this Agreement shall continue in full force.
- 4.5. **Authority.** The person(s) executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

- 4.6. **Special Provisions.** Any additional or supplementary provisions or modifications or alterations of these General Provisions shall be set forth in the Special Provisions.

THIS AGREEMENT FOR CONTRACT SERVICES MUST BE SIGNED AND INCLUDED WITH THE BID SUBMISSION. IF AWARDED, THE CONTRACT WILL BE SIGNED AND CERTIFIED BY GREENE COUNTY AND ONE COPY OF THIS AGREEMENT WILL BE RETURNED TO YOU.

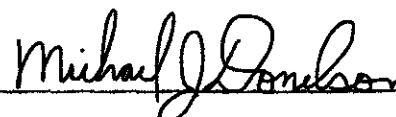
IN WITNESS WHEREOF, the parties have executed and entered into this Agreement as of the date first set forth above.

COUNTY OF GREENE

By:  1-3-17
Purchasing Director

By: 
Purchasing Buyer

DONELSON CONSTRUCTION COMPANY, LLC

By: 

Title: Member

By: _____

Title: _____

AUDITOR CERTIFICATION

I certify that the expenditure contemplated by this document is within the purpose of the document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of anticipated revenue appropriated for payment of same.


Greene County Auditor

1/4/17
Date

Additional Purchases by Other Public Agencies:

Will you honor the submitted prices for purchase by other entities who participate in Cooperative purchasing with Greene County, Missouri?

✓ Yes No

Michael J. Donelson

Michael J. Donelson, Member

DONELSON CONSTRUCTION CO., LLC
1075 WISE HILL ROAD
CLEVER, MO 65631



EXHIBIT I

**Construction
Company, LLC**

Ph: (417) 743-2694

Fax: (417) 743-2945

1075 Wise Hill Road, Clever, MO 65631

December 21, 2016

Mr. Rick Artman
Greene County Highway Department Administrator

Mr. Artman,

Donelson Construction Co., LLC offers the following pricing for the patented Modified Aggregate Quick Set (M.A.Q.S.) Surfacing System®, and related services. US Patents 7,312,262B2, 2007/0031227A1, 9,260,826B2, other patents pending, and proprietary materials and devices are included in the products and services offered herein. All materials and labor are inclusive with these prices, except where noted. These prices are valid within Greene County and the City of Springfield. For other agencies located within or outside of Greene County, please see alternate pricing attached. Donelson reserves the right to discount any of the prices listed at any time.

MAQS-Fine (One lift, 12-15 pounds per square yard)...\$1.78 per square yard (non-residential)
\$2.34 per square yard (residential)

MAQS-Type 2 (One lift, 17-21 pounds per square yard)...\$2.35 per square yard (non-residential)
\$2.67 per square yard (residential)

MAQS-Type 2 Plus (One lift, 22-26 pounds per square yard)...\$2.74 per square yard (non-residential)
\$3.16 per square yard (residential)

MAQS-Type 3 (One lift, 26-30 pounds per square yard)...\$2.95 per square yard (non-residential)
\$3.37 per square yard (residential)

MAQS-FlexScratch (crack repair)...same prices stated above

MAQS-PressurePave Crack Filler...\$0.26 per pound installed (non-residential)
\$0.30 per pound installed (residential)

MAQS-ChipLock and MAQS-GripSeal...\$2.56 per gallon plus \$0.45 per square yard (non-residential)
or \$0.85 per square yard (residential)

Hot rubber crack-fill (labor only, County or City to supply material)...\$3.00 per pound installed

Cold mix asphalt...\$56.00 per ton FOB Clever Stone Quarry

Sincerely,

Michael J. Donelson
Owner



**Construction
Company, LLC**

EXHIBIT II

Ph: (417) 743-2694
Fax: (417) 743-2945

1075 Wise Hill Road, Clever, MO 65631

December 21, 2016

Mr. Rick Artman
Greene County Highway Department Administrator

Mr. Artman,

Per the cooperative agreement option of your contract, Donelson Construction Co., LLC offers the following pricing for the patented Modified Aggregate Quick Set (M.A.Q.S.) Surfacing System®, and related services. US Patents 7,312,262B2, 2007/0031227A1, 9,260,826B2, other patents pending, and proprietary materials and devices are included in the products and services offered herein. All materials and labor are included. These prices are valid for other public bodies within the County, as well as agencies located in Missouri, Iowa, Illinois, Indiana, Kentucky, Tennessee, Mississippi, Arkansas, Louisiana, Texas, Oklahoma, Kansas, and Nebraska. Price levels are dependent upon type and volume of work desired, distance from material production facilities (Clever, MO), and other considerations. Donelson reserves the right to discount any of the prices listed at any time.

Sincerely,

A handwritten signature in black ink that reads 'Michael J. Donelson'.

Michael J. Donelson
Owner



EXHIBIT II

2017 Greene County Cooperative Agreement Pricing – Other agencies

	Modified Aggregate Quick Set (per yd ²)	PressurePave Crack Filler	MAQS-ChipLock or MAQS-GripSeal	Hot Rubber Crack Filler (per yd ²)
LEVEL 1	MAQS-Fine: \$2.94	\$0.30 per pound of material installed	Installation:	
	MAQS-2: \$3.38		\$0.65 per yd ² rural OR	Rural: \$0.70
	MAQS-2 Plus: \$3.73		\$1.10 per yd ² residential	
	MAQS-3: \$3.93		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$2.56 per gallon	
LEVEL 2	MAQS-Fine: \$3.04	\$0.31 per pound of material installed	Installation:	
	MAQS-2: \$3.49		\$0.65 per yd ² rural OR	Rural: \$0.70
	MAQS-2 Plus: \$3.90		\$1.10 per yd ² residential	
	MAQS-3: \$4.30		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$2.60 per gallon	
LEVEL 3	MAQS-Fine: \$3.15	\$0.32 per pound of material installed	Installation:	
	MAQS-2: \$3.59		\$0.65 per yd ² rural OR	Rural: \$0.70
	MAQS-2 Plus: \$4.10		\$1.10 per yd ² residential	
	MAQS-3: \$4.65		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$2.70 per gallon	
LEVEL 4	MAQS-Fine: \$3.40	\$0.33 per pound of material installed	Installation:	
	MAQS-2: \$3.79		\$0.65 per yd ² rural OR	Rural: \$0.70
	MAQS-2 Plus: \$4.60		\$1.10 per yd ² residential	
	MAQS-3: \$4.90		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$2.80 per gallon	
LEVEL 5	MAQS-Fine: \$3.80	\$0.34 per pound of material installed	Installation:	
	MAQS-2: \$4.20		\$0.65 per yd ² rural OR	Rural: \$0.70
	MAQS-2 Plus: \$4.80		\$1.10 per yd ² residential	
	MAQS-3: \$5.20		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$2.90 per gallon	
LEVEL 6	MAQS-Fine: \$4.20	\$0.35 per pound of material installed	Installation:	
	MAQS-2: \$4.60		\$0.65 per yd ² rural OR	Rural: \$0.70
	MAQS-2 Plus: \$5.10		\$1.10 per yd ² residential	
	MAQS-3: \$5.50		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$3.00 per gallon	



OFFICE OF THE PURCHASING DIRECTOR
1143 N. ROBBERTSON AVE., SUITE 1000, SPRINGFIELD, MO 65802

ROBERT CIRTIN
PRESIDING COMMISSIONER

HAROLD BENGSCHE
COMMISSIONER, 1st DISTRICT

LINCOLN P. HOUGH
COMMISSIONER, 2nd DISTRICT

CONTRACT #: 16-0798

TITLE: Modified Aggregate Quick Set
(MAQS)

CONTACT: Melissa Denney

PHONE: (417)868-4013

AMENDMENT ISSUE DATE: 04-06-2018

E-MAIL: mdenney@greencountymo.gov

AMENDMENT NUMBER 2 TO AGREEMENT FOR CONTRACT SERVICES

This Amendment Number 2 to Agreement for Contract Services (the "Second Amendment") is made and entered into as of April 6, 2018 by and between the County of Greene, ("County") and Donelson Construction, LLC ("Contractor"), for the purpose of amending the written "Agreement for Contract Services" entered into between the County and Contractor as of December 27, 2016 County of Greene contract #16-0798 (the "Agreement").

- Purpose:
1. "SCOPE OF SERVICES" and "BUDGET" are modified by adding EXHIBIT I, attached hereto.
 2. Except as set forth in this Amendment, all terms, conditions and provisions of the Agreement are unchanged and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to the Agreement to be executed by their respective duly authorized agents as of the date first set forth above.

COUNTY OF GREENE

DONELSON CONSTRUCTION, LLC

By:

Melissa Denney
Purchasing Buyer

By:

Michael J. Donelson
Member

Title:

By:

Chris Hest
Purchasing Director

By:

Title:

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of anticipated revenue appropriated for payment of same.

Comp. J. Stair
Auditor Certification

4/6/18
Date



**Construction
Company, LLC**

April 1, 2018

EXHIBIT I

Ph: (417) 743-2694
Fax: (417) 743-2945
1075 Wise Hill Road, Clever, MO 65631

Mr. Rick Artman
Greene County Highway Department Administrator

Mr. Artman,

Donelson Construction Co., LLC offers the following pricing for the patented Modified Aggregate Quick Set (MAQS®) Surfacing System, and related services. US Patents 7,312,262B2, 2007/0031227A1, 9,260,826B2, 9,879,387B2 other patents pending, and proprietary materials and devices are included in the products and services offered herein. All materials and labor are inclusive with these prices, except where noted. These prices are valid within Greene County and the City of Springfield. For other agencies located within or outside of Greene County, please see alternate pricing attached. Donelson reserves the right to discount any of the prices listed at any time.

MAQS-Fine (One lift, 12-15 pounds per square yard)...\$1.88 per square yard (non-residential)
\$2.44 per square yard (residential)

MAQS-Type 2 (One lift, 17-21 pounds per square yard)...\$2.45 per square yard (non-residential)
\$2.77 per square yard (residential)

MAQS-Type 2 Plus (One lift, 22-26 pounds per square yard)...\$2.84 per square yard (non-residential)
\$3.26 per square yard (residential)

MAQS-Type 3 (One lift, 26-30 pounds per square yard)...\$3.05 per square yard (non-residential)
\$3.47 per square yard (residential)

MAQS-FlexScratch (crack repair)...same prices stated above

MAQS-PressurePave Crack Filler...\$0.35 per pound installed (non-residential)
\$0.35 per pound installed (residential)

MAQS-ChipLock and MAQS-GripSeal...\$2.56 per gallon plus \$0.55 per square yard (non-residential)
or \$0.95 per square yard (residential)

Hot rubber crack-fill (labor only, County or City to supply material)...\$3.00 per pound installed

Cold mix asphalt...\$56.00 per ton FOB Clever Stone Quarry

Sincerely,

Michael J. Donelson
Owner



**Construction
Company, LLC**

EXHIBIT I

Phone: (417) 743-2694

Fax: (417) 743-2945

1075 Wise Hill Road, Clever, MO 65631

2018 Greene County Cooperative Agreement Pricing – Other agencies

	<i>Modified Aggregate Quick Set (per yd2)</i>	<i>PressurePave Crack Filler</i>	<i>MAQS-ChipLock or MAQS- GripSeal</i>	<i>PressurePave OR Hot Rubber Crack Filler (per yd2)</i>
LEVEL 1	MAQS-Fine: \$2.94	\$0.53 per pound of material installed	Installation:	
	MAQS-2: \$3.38		\$0.75 per yd2 rural OR	Rural: \$0.70
	MAQS-2 Plus: \$3.73		\$1.20 per yd2 residential	
	MAQS-3: \$3.93		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$2.56 per gallon	
LEVEL 2	MAQS-Fine: \$3.04	\$0.55 per pound of material installed	Installation:	
	MAQS-2: \$3.49		\$0.75 per yd2 rural OR	Rural: \$0.70
	MAQS-2 Plus: \$3.90		\$1.20 per yd2 residential	
	MAQS-3: \$4.30		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$2.60 per gallon	
LEVEL 3	MAQS-Fine: \$3.15	\$0.57 per pound of material installed	Installation:	
	MAQS-2: \$3.59		\$0.75 per yd2 rural OR	Rural: \$0.70
	MAQS-2 Plus: \$4.10		\$1.20 per yd2 residential	
	MAQS-3: \$4.65		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$2.70 per gallon	
LEVEL 4	MAQS-Fine: \$3.40	\$0.59 per pound of material installed	Installation:	
	MAQS-2: \$3.79		\$0.75 per yd2 rural OR	Rural: \$0.70
	MAQS-2 Plus: \$4.60		\$1.20 per yd2 residential	
	MAQS-3: \$4.90		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$2.80 per gallon	
LEVEL 5	MAQS-Fine: \$3.80	\$0.61 per pound of material installed	Installation:	
	MAQS-2: \$4.20		\$0.75 per yd2 rural OR	Rural: \$0.70
	MAQS-2 Plus: \$4.80		\$1.20 per yd2 residential	
	MAQS-3: \$5.20		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$2.90 per gallon	
LEVEL 6	MAQS-Fine: \$4.20	\$0.63 per pound of material installed	Installation:	
	MAQS-2: \$4.60		\$0.75 per yd2 rural OR	Rural: \$0.70
	MAQS-2 Plus: \$5.10		\$1.20 per yd2 residential	
	MAQS-3: \$5.50		Plus	Residential: \$1.00
	MAQS-Flex (same as prices stated above)		Material: \$3.00 per gallon	



OFFICE OF THE PURCHASING DIRECTOR
1443 N. ROBBERTSON AVE., SUITE 1000, SPRINGFIELD, MO 65802

ROBERT CIRTIN
PRESIDING COMMISSIONER

HAROLD BENGSCHE
COMMISSIONER, 1st DISTRICT

LINCOLN P. HOUGH
COMMISSIONER, 2nd DISTRICT

CONTRACT #: 16-0798

TITLE: Modified Aggregate Quick Set (MAQS)
AMENDMENT ISSUE DATE: 12-06-2018

CONTACT: Melissa Denney
PHONE: (417)868-4013
E-MAIL: mdenney@greencountymo.gov

AMENDMENT NUMBER 3 TO AGREEMENT FOR CONTRACT SERVICES

This Amendment Number ~~2~~^{3rd} to Agreement for Contract Services (the "Third Amendment") is made and entered into as of December 6, 2018 by and between the County of Greene, ("County") and Donelson Construction, LLC ("Contractor"), for the purpose of amending the written "Agreement for Contract Services" entered into between the County and Contractor as of December 27, 2016 County of Greene contract #16-0798 (the "Agreement").

- Purpose:
1. The expiration date of the Agreement is changed from December 27, 2018 to December 27, 2019.
 2. Except as set forth in this Amendment, all terms, conditions and provisions of the Agreement are unchanged and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Third Amendment to the Agreement to be executed by their respective duly authorized agents as of the date first set forth above.

COUNTY OF GREENE

By:

Melissa Denney
Purchasing Buyer

By:

[Signature]
Purchasing Director

DONELSON CONSTRUCTION, LLC

By:

Michael J. Donelson

Title:

Member

By:

Title:

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of anticipated revenue appropriated for payment of same.

[Signature]
Auditor Certification

12/31/18
Date



OFFICE OF THE PURCHASING DIRECTOR
1443 N. ROBERSON AVE., SUITE 1000, SPRINGFIELD, MO 65502

ROBERT CIRTIN
PRESIDING COMMISSIONER

HAROLD BENGSCH
COMMISSIONER, 1st DISTRICT

LINCOLN P. HOUGH
COMMISSIONER, 2nd DISTRICT

CONTRACT #: 16-0798

TITLE: Modified Aggregate Quick Set (MAQS)
AMENDMENT ISSUE DATE: ~~12-26-2019~~ 3/9/2020

CONTACT: Tami Greene
PHONE: (417)868-4019
E-MAIL: tgreene@greencountymo.gov

AMENDMENT NUMBER 5 TO AGREEMENT FOR CONTRACT SERVICES

This Amendment Number 5 to Agreement for Contract Services (the "Fifth Amendment") is made and entered into as of March 9, 2020 by and between the County of Greene, ("County") and Donelson Construction, LLC ("Contractor"), for the purpose of amending the written "Agreement for Contract Services" entered into between the County and Contractor as of December 27, 2016 County of Greene contract #16-0798 (the "Agreement").

- Purpose:
1. "SCOPE OF SERVICES" and "BUDGET" are modified by adding EXHIBIT I, attached hereto.
 2. Except as set forth in this Amendment, all terms, conditions and provisions of the Agreement are unchanged and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this ^{Fifth} Amendment to the Agreement to be executed by their respective duly authorized agents as of the date first set forth above.

COUNTY OF GREENE

By: [Signature] 3-17-2020
Purchasing Buyer

By: [Signature] 3/17/2020
Purchasing Director

DONELSON CONSTRUCTION, LLC

By: [Signature]
Title: Member

By: _____
Title: _____

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of anticipated revenue appropriated for payment of same.

[Signature]
Auditor Certification
3/30/2020
Date



**Construction
Company, LLC**

EXHIBIT I

Ph: (417) 743-2694
Fax: (417) 743-2945
1075 Wise Hill Road, Clever, MO 65631

March 4, 2020

Mr. Rick Artman
Greene County Highway Department Administrator

Mr. Artman,

Donelson Construction Co., LLC offers the following explanation for the revised MAQS pricing submitted. The example below is based upon the increase proposed of the MAQS-2 (non-residential price).

Increase in cost of base asphalt...\$0.15 per square yard

Increase due to asphalt additives necessary to maintain long-term performance...\$0.06 per square yard

Increase in emulsion content to maintain long-term performance...\$0.09 per square yard

Increase in average application rate of material to road surfaces...\$0.14 per square yard

Increase in cost of crushed aggregate...\$0.04 per square yard

Total increase: \$0.48 per square yard

Sincerely,

A handwritten signature in dark ink, appearing to read 'Michael J. Donelson', is written over a light blue horizontal line.

Michael J. Donelson
Owner



**Donelson
Construction
Company, LLC**

EXHIBIT I

Ph: (417) 743-2694
Fax: (417) 743-2945
1075 Wise Hill Road, Clever, MO 65631

March 4, 2020

Mr. Rick Artman
Greene County Highway Department Administrator

Mr. Artman,

Donelson Construction Co., LLC offers the following pricing for the patented Modified Aggregate Quick Set (MAQS®) Surfacing System, and related services. US Patents 7,312,262B2, 2007/0031227A1, 9,260,826B2, 9,879,387B2 other patents pending, and proprietary materials and devices are included in the products and services offered herein. All materials and labor are inclusive with these prices, except where noted. These prices are valid within Greene County and the City of Springfield. For other agencies located within or outside of Greene County, please see alternate pricing attached. Donelson reserves the right to discount any of the prices listed at any time.

MAQS-Fine (One lift, 12-15 pounds per square yard)...\$2.43 per square yard (non-residential)
\$2.79 per square yard (residential)

MAQS-Type 2 (One lift, 17-21 pounds per square yard)...\$2.93 per square yard (non-residential)
\$3.19 per square yard (residential)

MAQS-Type 2 Plus (One lift, 22-26 pounds per square yard)...\$3.39 per square yard (non-residential)
\$3.62 per square yard (residential)

MAQS-Type 3 (One lift, 26-30 pounds per square yard)...\$3.65 per square yard (non-residential)
\$3.88 per square yard (residential)

MAQS-FlexScratch (crack repair)...same prices stated above

MAQS-PressurePave Crack Filler...\$0.35 per pound installed (non-residential)
\$0.35 per pound installed (residential)

MAQS-ChipLock and MAQS-GripSeal...\$2.56 per gallon plus \$0.55 per square yard (non-residential)
or \$0.95 per square yard (residential)

Hot rubber crack-fill (labor only, County or City to supply material)...\$3.00 per pound installed

Cold mix asphalt...\$56.00 per ton FOB Clever Stone Quarry

Sincerely,

Michael J. Donelson
Owner



**Construction
Company, LLC**

EXHIBIT I

Phone: (417) 743-2694
Fax: (417) 743-2945
1075 Wise Hill Road, Clever, MO 65631

2020 Greene County Cooperative Agreement Pricing – Other agencies

	<i>Modified Aggregate Quick Set (per yd2)</i>	<i>PressurePave Crack Filler</i>	<i>MAQS-ChipLock or MAQS-GripSeal</i>	<i>PressurePave OR Hot Rubber Crack Filler (per yd2)</i>
LEVEL 1	MAQS-Fine: \$3.45	\$0.60 per pound of material installed	Installation:	Rural: \$0.84 Residential: \$1.12
	MAQS-2: \$3.79		\$0.75 per yd2 rural OR	
	MAQS-2 Plus: \$4.25		\$1.20 per yd2 residential	
	MAQS-3: \$4.67		Plus	
	MAQS-Flex (same as prices stated above)		Material: \$2.56 per gallon	
LEVEL 2	MAQS-Fine: \$3.56	\$0.62 per pound of material installed	Installation:	Rural: \$0.84 Residential: \$1.12
	MAQS-2: \$3.89		\$0.75 per yd2 rural OR	
	MAQS-2 Plus: \$4.50		\$1.20 per yd2 residential	
	MAQS-3: \$5.13		Plus	
	MAQS-Flex (same as prices stated above)		Material: \$2.60 per gallon	
LEVEL 3	MAQS-Fine: \$3.68	\$0.64 per pound of material installed	Installation:	Rural: \$0.84 Residential: \$1.12
	MAQS-2: \$3.98		\$0.80 per yd2 rural OR	
	MAQS-2 Plus: \$4.75		\$1.25 per yd2 residential	
	MAQS-3: \$5.28		Plus	
	MAQS-Flex (same as prices stated above)		Material: \$2.70 per gallon	
LEVEL 4	MAQS-Fine: \$3.80	\$0.66 per pound of material installed	Installation:	Rural: \$0.84 Residential: \$1.12
	MAQS-2: \$4.10		\$0.80 per yd2 rural OR	
	MAQS-2 Plus: \$5.00		\$1.25 per yd2 residential	
	MAQS-3: \$5.43		Plus	
	MAQS-Flex (same as prices stated above)		Material: \$2.80 per gallon	
LEVEL 5	MAQS-Fine: \$3.92	\$0.68 per pound of material installed	Installation:	Rural: \$0.84 Residential: \$1.12
	MAQS-2: \$4.25		\$0.85 per yd2 rural OR	
	MAQS-2 Plus: \$5.25		\$1.30 per yd2 residential	
	MAQS-3: \$5.60		Plus	
	MAQS-Flex (same as prices stated above)		Material: \$2.90 per gallon	
LEVEL 6	MAQS-Fine: \$4.05	\$0.70 per pound of material installed	Installation:	Rural: \$0.84 Residential: \$1.12
	MAQS-2: \$4.40		\$0.85 per yd2 rural OR	
	MAQS-2 Plus: \$5.50		\$1.30 per yd2 residential	
	MAQS-3: \$5.90		Plus	
	MAQS-Flex (same as prices stated above)		Material: \$3.00 per gallon	

EXHIBIT B**CITY-CONTRACTOR AGREEMENT**

This is an Agreement made and entered into the ____ day of _____, 2020, by and between the City of Creve Coeur, Missouri (hereinafter called the "City"), and **Donelson Construction Company, LLC**, with offices at **1075 Wise Hill Road, Clever, Missouri 65631** (hereinafter called the "Contractor"). The project identified as the **2020 Microsurfacing 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) Agreement for Contract Services between Greene County, Missouri, and Donelson Construction Company, LLC, including Amendments 1, 2, 3, 4, and 5
- 3) Contractor's Affidavit for Public Construction Projects
- 4) Performance and Payment Bonds
- 5) Construction Schedule
- 6) All Modifications issued after execution of this Contract
- 7) 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.

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 shall be substantially completed **within sixty (60) days of the written notice to proceed**, unless specified otherwise in writing by the City.

The Contractor's Construction Schedule shall accurately describe when each phase of the Work will be completed within the Time of Completion indicated above. The Contractor's Construction Schedule cannot indicate a completion date that requires more time than what is specified above. An extension of the Time of Completion can be made only through a Change Order from the City.

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 one-hundred-ninety-two thousand dollars and zero cents (\$ 192,000.00). The Contract unit prices and Contract item quantities are listed in Table 1 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-five percent (95%) 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.
- (3) Proof of compliance with all insurance requirements, acceptable to the City.
- (4) All required bonds.
- (5) Any missing bid documents.

b) The Notice To Proceed shall be issued within fourteen (14) calendar days after the award of the contract or submittal to and approval by the City of the foregoing required documents, whichever is later. Undue delay in submitting such required documents shall be grounds for termination of the contract by the City upon three (3) days advance written notice.

c) 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.

d) 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:

- five hundred dollars (\$500.00) for each calendar day the Contractor fails to comply with the Construction Schedule until the Director of Public Works determines that Substantial Completion of the Work has been achieved; and
- one hundred dollars (\$100.00) for each working day after both the completion date specified in the Construction Schedule has expired and the date that Substantial Completion has been achieved, until final completion and acceptance of the Work.

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. Excessive delay, as determined by the Director of Public Works, may be grounds for termination of the City-Contractor Agreement, as discussed in Article VIII.

e) 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 (d) 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 (d), 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 and other policies must cover the City as an additional primary insured. All policies must be endorsed to require at least thirty (30) days written advance notice to the City of any change or cancellation. Proof of compliance with these requirements shall be furnished to and approved by the City prior to the Contractor commencing the Work on this project. Certificates evidencing such insurance shall be furnished the City prior to Contractor commencing the work on this project.

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. Additionally, but not in limitation of the foregoing, no elected official or other official of the City having any power of review or approval of any of the undertakings contemplated by this Agreement, shall knowingly participate in any decision(s) relating thereto which affect his or her personal interests or those of his/her immediate family, or those of any corporation or partnership in which he or she or a member of his/her immediate family is directly or indirectly interested.

ARTICLE XII

Compliance with State Law Regarding Israel

Pursuant to Section 34.600 RSMo, the Contractor is not currently engaged in and shall not, for the duration of this contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel.

ARTICLE XIII**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 the application of an asphaltic surface sealant to selected residential and commercial roadways within the City of Creve Coeur, as listed below. The locations of the work are subject to change, as determined by the Director of Public Works.

Street Name	General Limits
Elzey Street.....	South Mosley Road to end
Eugenia Street.....	Saint Paul Street to cul-de-sac
Fairways Drive.....	Fairways Circle to Mosley Road
Hunters Pond Road.....	Mosley Road to cul-de-sac
Ladue Meadows	All streets in this subdivision
Marford Drive.....	Templar Drive to end
Mosley Acres Drive	Mosley Road to cul-de-sac
Rue de la Banque.....	Olive Boulevard to end
Saint Paul Street	South Mosley Road to parking lot
South Graeser Road	Brooktrail Court to cul-de-sac
South Mosley Road	Ladue Road to cul-de-sac
Staines Court.....	Marford Drive to cul-de-sac
Templar Drive.....	Magna Carta Drive to Runnymede Drive
Townsend Street (north).....	Saint Paul Street to end
Townsend Street (south)	Elzey Street to cul-de-sac
Will Avenue	Olive Boulevard to Studt Avenue

The Scope of Work provides for items as more specifically described in the referenced Contract Documents. All work shall be completed to the satisfaction of the Director of Public Works for the City of Creve Coeur.

TABLE 1 – CONTRACT UNIT PRICES

ITEM	QUANTITY	UNIT	UNIT COST	EXTENDED COST
MAQS-2 Driving Surface **	46,000	SY	\$3.79	\$ 174,340.00
MAQS-2 Flex Application	2,000	SY	\$3.79	\$ 7,580.00
PressurePave Application	9,000	SY	\$1.12	\$ 10,080.00
NOT-TO-EXCEED CONTRACT SUM:				\$ 192,000.00

** Item thickness to be less than 3/8".

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

CITY OF CREVE COEUR

By: _____
Mark C. Perkins, City Administrator

(SEAL)

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

Attest: _____
City Clerk

Date: _____

DONELSON CONSTRUCTION COMPANY, LLC

By: _____
Signature

Printed Name

Title

(SEAL)

Attest: _____

Date: _____



DEPARTMENT OF PUBLIC WORKS STAFF MEMORANDUM

DATE: August 5, 2020

TO: Mark Perkins, City Administrator

CC: Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Recommendation to Pursue Cooperative Purchasing Agreement
FY2021 Microsurfacing Program

City staff has reviewed the contract documents from a competitive public bid for microsurfacing issued and extended by Greene County, Missouri, and staff recommends that the City approve the use of this contract as the basis for a cooperative purchasing agreement for microsurfacing, as is provided for in the Greene County contract and the Code of Ordinances of the City of Creve Coeur.

Project Summary

Microsurfacing is a thin, asphalt-based pavement surface treatment whose purpose is to help preserve asphalt pavement. It does this by providing a new driving surface and by sealing the pavement from water infiltration and oxidization.

Microsurfacing is not an asphalt overlay: it is poured and spread over the pavement rather than rolled smooth. Microsurfacing also relies upon the pavement below it for its strength, meaning that it is best applied to streets that are in good condition. The City's Public Works crews are in the process of repairing and cracksealing the pavement along streets in this program in order to provide a solid foundation for the microsurfacing application. This work is critical to the long-term success of the microsurfacing material.

Project Locations. The streets that are proposed for this project generally include asphalt residential streets along Mosley Road, around Malcolm Terrace Park, and in the Runnymede subdivision. Specifically, the proposed FY2021 microsurfacing program will include:

Elzey Street	Rue de la Banque
Eugenia Street	Saint Paul Street
Fairways Drive (partial)	South Graeser Road
Hunters Pond Road	Staines Court
Ladue Meadows Subdivision	Templar Drive
Marford Drive	Townsend Street
Mosley Acres Drive	Will Avenue

This list of streets is the same as was presented to the City Council as part of the discussion of the FY2021 roadway maintenance program on May 11, with the following changes:

- Ladue Meadows Lane. This short cul de sac will be postponed to a future program. One of the four homes on this street is being rebuilt.

- Oak Park Court. This cul de sac is located on the south side of Ladue Road just west of Spoede Road. Staff recommends to include this street in a future program, along with nearby Shardue Lane and Middlebrook Drive.
- Fairways Drive. This combination street was removed from the FY2021 concrete and asphalt programs due to this year's limited budget. Staff recommends to use microsurfacing to stabilize a deteriorated portion of Fairways Drive between Fairways Circle and Mosley Road. The goal will be to help the asphalt surface hold together through this winter, and possibly longer, until the concrete and asphalt work can be completed.

Program Goals. The primary goal of the program is to preserve and prolong the life of asphalt pavement. Secondary goals are to structure the program to limit costs, to limit the impacts to residents, to be intuitive, to maintain flexibility for future programs, and to create program rotation that returns to streets within the 8-10 year lifespan of the material. A program that addresses a general area of the City helps to achieve all of these goals.

The FY2021 microsurfacing program targets streets and subdivisions along Mosley Road as a first step in an effort to finish all microsurfacing for candidates in that corridor prior to the federally funded Mosley Road Improvement Project begins in 2022.

Cooperative Agreement using Greene County Bid

In 2017, the City participated in the cooperative purchasing agreement established through the Greene County microsurfacing contract with Donelson Construction Company, LLC, which was signed in December 2016. Specifically, the contract is Greene County Contract #16-0798. Greene County and Donelson Construction have executed amendments to extend their contract for the 2018, 2019, and 2020 construction seasons.

According to Section 140.030 of the City of Creve Coeur Code of Ordinances, the City may participate in a cooperative purchasing agreement that is based upon a contract that was legally set up by another government entity. This section further defines an "acceptable" cooperative agreement to be one that contains the same terms, conditions, and specifications as the City would include in its own contract documents. The terms, conditions, and specifications for the contract amendment are the same as those from the 2017 project.

There will not be an increase in the unit costs for microsurfacing for FY2021. The unit costs that are included in the Greene County cooperative agreement for FY2021 are the same unit costs for microsurfacing as in FY2020.

The cooperative agreement recommended by staff is to enter into a contract with Donelson Construction Company using the amended Greene County contract document as the basis for establishing the cost, terms, and specifications for the work. The proposed contract would not actually involve Greene County, other than to reference their bid documents.

Review of Donelson Construction Company

Donelson Construction Company successfully completed the City's FY2017, FY2018, FY2019, and FY2020 microsurfacing projects. Their workmanship, attention to detail, and diligence in completing the project met or exceeded the City's requirements for both projects. In addition, the Donelson Construction Company staff have been well qualified and have been responsive to both staff and residents.

Project Schedule

Work has been underway to prepare most of the project roadways for microsurfacing since May. Milestones in the project schedule include:

December 2016	Greene County bid and contract award
March 2020	Greene County/Donelson contract extension
May 2020	Pavement program presentation to the City Council
May-September 2020.....	Public Works staff prepare streets in the program
August 10, 2020.....	<i>Recommendation of award of microsurfacing project to the City Council</i>
August 2020	Project award
September/October 2020	Construction

The 1-2 hour cure time for the microsurfacing application allows for the work to be completed during the school year. Previous projects had a longer cure time that would conflict with school bus routes.

Financing

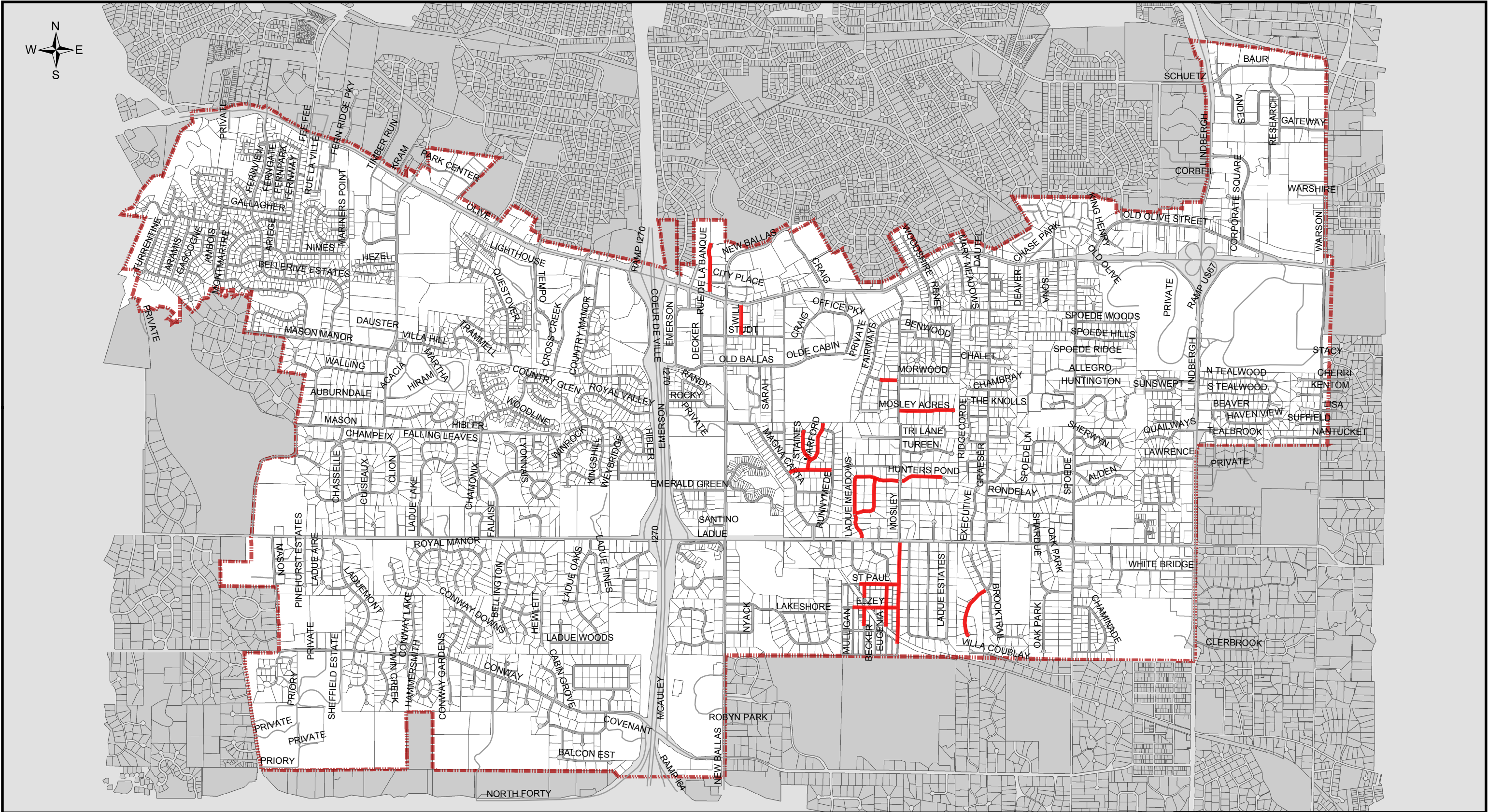
The estimated contract sum for this project is \$192,000.00. This amount is less than the \$217,000 that was originally estimated for this project, and this is due to both reductions in the scope of work and the cost of the work remaining at the 2019 prices.

The proposed microsurfacing project will be funded through the Capital Fund, and specifically through account 02-61-71-9510-21604. The proposed microsurfacing project will keep the FY2021 pavement program within its total budget of \$600,000.

Recommendation

Donelson Construction Company and their microsurfacing product have met or exceeded the City's expectations in the FY2017-FY2020 Microsurfacing Projects, and staff expects that the City will receive the same results with the FY2021 program. Therefore, staff recommends that the City enter into a contract with Donelson Construction Company that extends the Greene County cooperative agreement prices for the desired microsurfacing products.

Attachments: Map of Project Roadways



FY2021 Microsurfacing Project

August 10, 2020

Legend

- Project Locations
- Other Roadways



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

Meeting: 08/10/20 07:00 PM
Department: Public Works Department
Category: Resolution
Prepared By: Matt Wohlberg
Department Head: Jim Heines

SCHEDULED

RESOLUTION

Resolution No. 1503 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract with Spencer Contracting Company for Asphalt Pavement Repairs as Part of the 2021 Fiscal Year Pavement Maintenance Program for the Not-To-Exceed Contract Sum of \$43,942.90.

Public Works staff recommends that the City enter into a contract with Spencer Contracting Company to complete asphalt pavement repairs on several streets as part of the City's FY2021 pavement maintenance program.

RESOLUTION NO. 1503

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AUTHORIZING THE EXECUTION OF A CONTRACT WITH SPENCER CONTRACTING COMPANY FOR ASPHALT PAVEMENT REPAIRS AS PART OF THE 2021 FISCAL YEAR PAVEMENT MAINTENANCE PROGRAM FOR THE NOT-TO-EXCEED CONTRACT SUM OF \$43,942.90.

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

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

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

WHEREAS, Spencer Contracting Company has provided the lowest and best bid for the project.

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

Section 1. The Contract between **Spencer Contracting Company** and the City, attached hereto as "Exhibit A," with a **not-to-exceed contract sum of \$ 43,942.90**, is hereby approved and the City Administrator is hereby authorized and directed to enter into and execute that Contract. 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 10th day of August, 2020.

Barry Glantz
Mayor

Attest:

Resolution

Meeting of August 10, 2020

Deborah Ryan, MPCC
City Clerk

EXHIBIT A**CITY-CONTRACTOR AGREEMENT**

This is an Agreement made and entered into the ____ day of _____, 2020, by and between the **City of Creve Coeur, Missouri** (hereinafter called the "City"), and **Spencer Contracting Company**, with offices at 3073 Arnold Tenbrook Road, Arnold, MO 63010 (hereinafter called the "Contractor"). The project is identified as **2020 Asphalt Pavement Resurfacing Project – Phase 2** (hereinafter called the "Work" or the "Project").

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) Technical Specifications and Construction Details
- 5) Non-Collusion Affidavit
- 6) Contractor's Affidavit for Public Construction Projects
- 7) Performance and Payment Bonds
- 8) Construction Schedule
- 9) Missouri Annual Wage Order
- 10) All Addenda to the Bid Documents and all Modifications issued after execution of this Contract

- 11) The Saint Louis County Standard Specifications for Highway Construction, dated October 1, 2018, referred to herein as the “Standard Specifications” and applicable to the Work of this Contract by reference;
- 12) The St. Louis County Standard Drawings, dated September 1, 2015. These drawings shall be included in the reference to the “Standard Drawings” herein.
- 13) 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. Furthermore, 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 **thirty (30) calendar days** of the date of the written Notice to Proceed as issued by the City, and the Work shall be completed **before November 1, 2020**.

The Contractor’s Construction Schedule shall accurately describe when each phase of the Work will be completed within the Time of Completion indicated above. The Contractor’s Construction Schedule cannot indicate a completion date that requires more time than what is specified above. An extension of the Time of Completion can be made only through a Change Order from the City, in accordance with the General Conditions of the City-Contractor Agreement.

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 Proposal Form and the unit price bid by the Contractor in the

Bid Proposal Form for that item, adjusted to account for any Modification(s), as defined in the General Conditions, made in compliance with Article VI 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 Proposal Form 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 forty-three thousand, nine hundred, and forty-two Dollars and ninety Cents (\$43,942.90). The Contract unit prices and Contract item quantities are listed in Table 1 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 of this Agreement. 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 VI 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 which shall indicate the target dates for starting and completing the various stages of the Work.

(2) A Traffic Control Plan indicating the location of all proposed signage, detours, and lane closures requested for the Work and which adequately address and maintain the pedestrian and vehicular traffic during the 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, as referenced in Article I of this Agreement.

(3) Proof of compliance with all insurance requirements, acceptable to the City.

(4) All required bonds.

(5) Any missing bid documents.

(b) The Notice to Proceed shall be issued within fourteen (14) calendar days after the award of the contract or submittal to and approval by the City of the foregoing required documents, whichever is later. Undue delay in submitting such required documents shall be grounds for termination of the contract by the City upon three (3) days advance written notice.

(c) 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, restoration, or cleanup as designated by the Director of Public Works.

(d) 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:

- five hundred dollars (\$500.00) for each calendar day the Contractor fails to comply with the Construction Schedule until the Director of Public Works determines that Substantial Completion of the Work has been achieved; and
- one hundred dollars (\$100.00) for each working day after both the completion date specified in the Construction Schedule has expired and the date that Substantial Completion has been achieved, until final completion and acceptance of the Work.

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. Excessive delay, as determined by the Director of Public Works, may be grounds for termination of the City-Contractor Agreement, as discussed in Article VIII.

(e) 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 may constitute a cause for granting an extension of time, as determined and approved by the Director of Public Works.

(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) 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 of the City-Contractor Agreement

(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. In such case, the Contractor shall not be entitled to receive any further payment until the work is finished. 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 and other policies must cover the City as an additional primary insured. All policies must be endorsed to require at least thirty (30) days written advance notice to the City of any change or cancellation. Proof of compliance with these requirements shall be furnished to and approved by the City prior to the Contractor commencing the Work on this project. Certificates evidencing such insurance shall be furnished the City prior to Contractor commencing the work on this project.

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, including, but not limited to, Chapter 230 of the Code of Ordinances of the City of Creve Coeur, Missouri.

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, gender identity, sexual orientation, age, disability, or familial status 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, ancestry, income, limited English proficiency, sex, gender, gender identity, sexual orientation, age, disability, or familial status.
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 services included in the Work. The scope of work includes asphalt pavement resurfacing and related work on City-maintained roadways at selected locations in the City of Creve Coeur. This work is more specifically described in the Technical Specifications.

The 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
402001A	PAVEMENT MILLING	SY	1,520	\$ 3.75	\$ 5,700.00
405001A	TYPE "C" BITUMINOUS PAVEMENT	TON	260	\$ 94.00	\$ 24,440.00
407001	TACK COAT	GAL	290	\$ 0.01	\$ 2.90
612001A	TRAFFIC CONTROL (INCLUDES FLAGGERS)	LS	1	\$ 1,600.00	\$ 1,600.00
613500A	PARTIAL-DEPTH PAVEMENT REPAIR	SY	60	\$ 35.00	\$ 2,100.00
619000A	MOBILIZATION	EA	1	\$ 6,000.00	\$ 6,000.00
BID ALT	BID ALTERNATE - MOSLEY ROAD REPAIRS	LS	1	\$ 4,100.00	\$ 4,100.00
CONTRACT SUM:				\$	43,942.90

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

CITY OF CREVE COEUR

By _____
Mark C. Perkins, City Administrator

(SEAL)

By _____
James H. Heines, Director of Public Works

Attest: _____
City Clerk

Date: _____

SPENCER CONTRACTING COMPANY

By _____
Signature

Printed Name

(SEAL)

Title

Attest: _____

Date: _____



DEPARTMENT OF PUBLIC WORKS STAFF MEMORANDUM

DATE: August 4, 2020

TO: Mark Perkins, City Administrator

CC: Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Recommendation of Award
2020 Asphalt Pavement Resurfacing Phase 2 Project

Competitive bids have been received and evaluated for the City's annual asphalt resurfacing project. City staff recommends pursuing a contract with Spencer Contracting Company, based upon their past performance in the City and their low bid for the work.

Project Discussion

The City has recently completed the 2020 Asphalt Pavement Resurfacing Phase 1 Project. The Phase 1 project began in May and was completed using FY2020 funding. The project involved asphalt pavement resurfacing for several streets along Fernview Drive and repairs to Ladue Road and Emerson Road.

City staff developed the 2020 Asphalt Pavement Resurfacing Phase 2 Project as part of the City's FY2021 pavement maintenance program. Due to the current economic situation, the FY2021 asphalt program has a significantly reduced budget compared to the annual asphalt programs in the recent past. Accordingly, the scope of work for the Phase 2 project is also much less than normal. Specifically, the scope of the Phase 2 project includes the following:

- Craig Road – Partial-depth asphalt repairs to address several failing areas
- Emerson Road – Asphalt overlay over utility patches to keep the pavement usable until Emerson Road can be partially reconstructed in early 2021
- Hunters Pond Road – Asphalt milling and overlay for the cul-de-sac pavement
- Ladue Meadows – Asphalt overlay following concrete base pavement replacement for portions of the subdivision that have failed pavement.
- Mosley Acres Drive – Asphalt overlay following concrete pavement base replacement for a 35-foot-long section of Mosley Acres that is sinking
- Mosley Road – Asphalt overlay to improve two areas near Olive Boulevard
- Tureen Drive – Asphalt milling and overlay for two deteriorated sections of the street.

The work on Hunters Pond Road, Ladue Meadows, and Mosley Acres Drive are in preparation for the FY2021 microsurfacing project, which is planned for this fall.

The work on Mosley Road was included in the bid documents as a bid alternate, because this work involves obtaining a permit from the Missouri Department of Transportation (MoDOT) and significantly more traffic control than the other locations.

Advertisement

The City posted the Invitation for Bids to the Drexel Technologies online planroom and on the City's website, and the Invitation for Bids was sent to the contractors who have bid on the City's recent asphalt projects.

Bid Results and Discussion

Bids for the subject project were received on Friday, July 31, 2020, and were held in quarantine over the weekend before being publicly opened and read on Monday, August 3, 2020. The City received a total of seven (7) bids for the project, which are summarized below:

Bidder	Base Bid	Bid Alternate	Total Bid
1. Spencer Contracting Company.	\$ 39,842.90.....	\$ 4,100.00.....	\$ 43,942.90
2. Dura-Seal Paving Contractor.	\$ 40,221.50.....	\$ 4,200.00.....	\$ 44,421.50
3. BuildPro StL Construction, Inc.....	\$ 50,212.90.....	\$ 5,400.00.....	\$ 55,612.90
4. Byrne and Jones Construction.	\$ 57,180.79.....	\$ 9,822.07.....	\$ 67,002.86
5. Jokerst Paving & Contracting	\$ 65,710.00.....	\$ 9,166.00.....	\$ 75,876.00
6. XL Contracting, Inc.	\$ 76,487.40.....	\$ 6,485.88.....	\$ 82,973.28
7. Leritz Contracting, Inc.	\$ 400,506.50.....	\$ 8,000.00.....	\$ 408,506.50

A tabulation of the bid results is attached. Some minor mathematical errors were made in two of the bids, but these errors did not significantly change the amount of the base bid for those two contractors and did not make an impact to the order of the bids. An error in the bid by Leritz Contracting was significant, in that this bid replaced the unit price bid with the total amount for one item, effectively increasing their base bid from \$46,506.50 to \$400,506.50. While this error did not impact the lowest bid, it explains why the Leritz bid is much higher than the others.

Bidders must write their proposed unit price both in words and in numerals, similar to writing a check. In the Instructions to Bidders, the bid documents state that the unit price written as will be the accepted bid if there is a discrepancy. Public Works staff will not interpret the intent of a bid.

The bid included Bid Alternate #1 for the work proposed for Mosley Road. The order of the bids is the same if the bids are sorted by the base bids or the total bids (i.e. base bid plus the bid alternate), so the bid alternate did not create a situation in which the lowest bidder for the base bid was not the lowest bidder for all aspects of the project. According to the bid document, the City reserves the right to award a project based upon whatever combination of base bid and bid alternate(s) that are included in the bids.

Project Financing

The proposed 2020 Asphalt Pavement Resurfacing Phase 2 Project will be completed using capital improvement funds. Funding is available in the proposed FY2021 budget in account 02-61-71-9510-21601 for asphalt pavement improvements. The bid provided by Spencer Contracting Company (including the bid alternate for Mosley Road repairs) is within the \$45,000 included in the budget for asphalt pavement improvements.

Recommendation

Staff recommends that the City award the contract for the 2020 Asphalt Pavement Resurfacing Phase 2 Project to Spencer Contracting Company, due to their low bid for the work and their successful completion of the several of the City's recent annual asphalt pavement resurfacing projects. Staff expects the good performance from Spencer Contracting Company to continue with the successful completion of the proposed project.

Further, staff recommends that the City include both the Base Bid and Bid Alternate #1 in the scope of the project. The total bid by Spencer Contracting Company is within the budget for the FY2021 asphalt program.

The recommendation is to award the 2020 Asphalt Pavement Resurfacing Phase 2 Project to Spencer Contracting Company, for the not-to-exceed contract sum of \$ 43,942.90.

Attachments: Bid Tabulation



BID TABULATION

2020 Asphalt Pavement Resurfacing Project - Phase 2

City of Creve Coeur, Missouri

Bids due: 10:00 am, Friday, July 31, 2020

Bids opened: 10:00 a.m, Monday, August 3, 2020

BASE BID

Item Number	Item	Unit	Contract Quantity
402001A	PAVEMENT MILLING	SY	1,520
405001A	TYPE "C" BITUMINOUS PAVEMENT	TON	260
407001	TACK COAT	GAL	290
612001A	TRAFFIC CONTROL (INCLUDES FLAGGERS)	LS	1
613500A	PARTIAL-DEPTH PAVEMENT REPAIR	SY	60
619000A	MOBILIZATION	EA	1

Engineer's Estimate	
Unit Bid Price	Item Subtotal
\$ 4.00	\$ 6,080.00
\$ 80.00	\$ 20,800.00
\$ 4.00	\$ 1,160.00
\$ 5,000.00	\$ 5,000.00
\$ 100.00	\$ 6,000.00
\$ 7,000.00	\$ 7,000.00

Spencer Contracting Company	
Unit Bid Price	Item Subtotal
\$ 3.75	\$ 5,700.00
\$ 94.00	\$ 24,440.00
\$ 0.01	\$ 2.90
\$ 1,600.00	\$ 1,600.00
\$ 35.00	\$ 2,100.00
\$ 6,000.00	\$ 6,000.00

Dura-Seal Paving Contractor	
Unit Bid Price	Item Subtotal
\$ 3.73	\$ 5,669.60
\$ 87.40	\$ 22,724.00
\$ 0.01	\$ 2.90
\$ 4,000.00	\$ 4,000.00
\$ 40.00	\$ 2,400.00
\$ 5,425.00	\$ 5,425.00

BuildPro StL Construction, Inc.	
Unit Bid Price	Item Subtotal
\$ 6.16	\$ 9,363.20
\$ 120.00	\$ 31,200.00
\$ 4.31	\$ 1,249.90
\$ 1,200.00	\$ 1,200.00
\$ 103.33	\$ 6,199.80
\$ 1,000.00	\$ 1,000.00

Base Bid Subtotal:

Engineer's Estimate	
\$	46,040.00

Spencer Contracting Company	
\$	39,842.90

Dura-Seal Paving Contractor	
\$	40,221.50

BuildPro StL Construction, Inc.	
\$	50,212.90

BID ALTERNATE #1

Item Number	Item	Unit	Contract Quantity
BID ALT	BID ALTERNATE - MOSLEY ROAD REPAIRS	LS	1

Unit Bid Price	Item Subtotal
\$ 5,000.00	\$ 5,000.00

Unit Bid Price	Item Subtotal
\$ 4,100.00	\$ 4,100.00

Unit Bid Price	Item Subtotal
\$ 4,200.00	\$ 4,200.00

Unit Bid Price	Item Subtotal
\$ 5,400.00	\$ 5,400.00

Total Bid:

Engineer's Estimate	
\$	51,040.00

Spencer Contracting Company	
\$	43,942.90

Dura-Seal Paving Contractor	
\$	44,421.50

BuildPro StL Construction, Inc.	
\$	55,612.90

Denotes discrepancy between price written in number and words.

Price written in words governs.

Denotes calculation error. Corrected value shown.



BID TABULATION

2020 Asphalt Pavement Resurfacing Project - Phase 2

City of Creve Coeur, Missouri

Bids due: 10:00 am, Friday, July 31, 2020

Bids opened: 10:00 a.m, Monday, August 3, 2020

BASE BID

Item Number	Item	Unit	Contract Quantity
402001A	PAVEMENT MILLING	SY	1,520
405001A	TYPE "C" BITUMINOUS PAVEMENT	TON	260
407001	TACK COAT	GAL	290
612001A	TRAFFIC CONTROL (INCLUDES FLAGGERS)	LS	1
613500A	PARTIAL-DEPTH PAVEMENT REPAIR	SY	60
619000A	MOBILIZATION	EA	1

Byrne & Jones Construction	
Unit Bid Price	Item Subtotal
\$ 8.58	\$ 13,041.60
\$ 113.08	\$ 29,400.80
\$ 8.75	\$ 2,537.50
\$ 2,389.45	\$ 2,389.45
\$ 96.86	\$ 5,811.60
\$ 3,999.84	\$ 3,999.84

Jokerst Paving & Contracting	
Unit Bid Price	Item Subtotal
\$ 4.00	\$ 6,080.00
\$ 169.00	\$ 43,940.00
\$ 1.00	\$ 290.00
\$ 3,000.00	\$ 3,000.00
\$ 90.00	\$ 5,400.00
\$ 7,000.00	\$ 7,000.00

XL Contracting, Inc.	
Unit Bid Price	Item Subtotal
\$ 5.07	\$ 7,706.40
\$ 153.02	\$ 39,785.20
\$ 1.78	\$ 516.20
\$ 6,785.00	\$ 6,785.00
\$ 127.66	\$ 7,659.60
\$ 14,035.00	\$ 14,035.00

Leritz Contracting, Inc.	
Unit Bid Price	Item Subtotal
\$ 7.55	\$ 11,476.00
\$ 97.22	\$ 25,277.20
\$ 2.77	\$ 803.30
\$ 2,000.00	\$ 2,000.00
\$ 6,000.00	\$ 360,000.00
\$ 950.00	\$ 950.00

Base Bid Subtotal:

Byrne & Jones Construction	
\$	57,180.79

Jokerst Paving & Contracting	
\$	65,710.00

XL Contracting, Inc.	
\$	76,487.40

Leritz Contracting, Inc.	
\$	400,506.50

BID ALTERNATE #1

Item Number	Item	Unit	Contract Quantity
BID ALT	BID ALTERNATE - MOSLEY ROAD REPAIRS	LS	1

Unit Bid Price	Item Subtotal
\$ 9,822.07	\$ 9,822.07

Unit Bid Price	Item Subtotal
\$ 9,166.00	\$ 9,166.00

Unit Bid Price	Item Subtotal
\$ 6,485.88	\$ 6,485.88

Unit Bid Price	Item Subtotal
\$ 8,000.00	\$ 8,000.00

Total Bid:

Byrne & Jones Construction	
\$	67,002.86

Jokerst Paving & Contracting	
\$	74,876.00

XL Contracting, Inc.	
\$	82,973.28

Leritz Contracting, Inc.	
\$	408,506.50

Denotes discrepancy between price written in number and words.
Price written in words governs.

Denotes calculation error. Corrected value shown.



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

Meeting: 08/10/20 07:00 PM
Department: Public Works Department
Category: Agreement
Prepared By: Jim Heines
Department Head: Jim Heines

SCHEDULED

RESOLUTION

**Resolution No. 1504 - a Resolution Approving the Final
Change Order and Close Out and Settlement Agreement
Regarding the Construction of the New Police Facility
Between United Construction Ent. Co. of St. Louis, Inc., and
the City.**

Resolution approving Final Change Order #57 and Project Close-out Settlement with United Construction for the construction of the new Police Building.

Resolution

Meeting of August 10, 2020

RESOLUTION NO. 1504

A RESOLUTION APPROVING THE FINAL CHANGE ORDER AND CLOSE OUT AND SETTLEMENT AGREEMENT REGARDING THE CONSTRUCTION OF THE NEW POLICE FACILITY BETWEEN UNITED CONSTRUCTION ENT. CO. OF ST. LOUIS, INC., AND THE CITY.

WHEREAS, the City engaged United Construction Ent. Co. of St. Louis, Inc. ("United") as general contractor to construct the New Police Facility (the "Project"); and

WHEREAS, United and the City have negotiated the Final Change Order and Close Out and Settlement Agreement; and

WHEREAS, the Parties have reached this Final Change Order and Close Out and Settlement Agreement to resolve their financial obligations concerning the construction of the Project; and

WHEREAS, in consideration of all relevant factors, the City has determined that it is in the public interest to approve this Final Change Order and Close Out and Settlement Agreement in the form attached hereto as Exhibit A;

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

Section 1. The Final Change Order and Close Out and Settlement Agreement between the City and United Construction Ent. Co. of St. Louis, Inc. attached hereto as Exhibit A is hereby approved and the City Administrator is authorized to execute same on behalf of the City and the City Clerk is authorized and directed to attest thereto. The Settlement Agreement as executed shall be in substantially 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 and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the Agreement.

Section 2.

This Resolution shall take effect from and after its adoption.

APPROVED THIS _____ DAY OF _____, 2020.

BARRY GLANTZ, MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

“EXHIBIT A”

CHANGE ORDER - CLOSE OUT AND SETTLEMENT AGREEMENT

This Change Order - Close Out and Settlement Agreement, effective August 1, 2020, is executed between United Construction Ent. Co. of St. Louis, Inc. (“United”) and the City of Creve Coeur, Missouri (“Owner”). United and the Owner are party to a written construction contract dated June 9, 2018 (the “Contract”), respecting services to be provided by United as a general contractor for Owner in the construction of a new police department (the “Project”).

By this document, the parties wish to express their agreement concerning the close out of all current and outstanding payment obligations under the Contract and all change orders for the Project. The parties agree as follows:

1. Subject to final approval by the Creve Coeur City Council, Owner and United agree to a **Final Change Order # 57**, in the amount of **\$97,000**. The Final Change Order will be presented to the Creve Coeur City Council for approval at its meeting on August 10, 2020.
2. The amount set forth in the Final Change Order comprises the total compensation due United, all of United’s Subcontractors, and all of United’s Suppliers, for the work under the Contract and any work performed under any change order to the Contract, including impact on unchanged work.
3. By signing the Final Change Order, United acknowledges and agrees on behalf of itself, all its Subcontractors, and all its Suppliers, that the stipulated amount is the full and final payment for all work performed under the Contract and any change order to the Contract, plus all payment for any interruption of schedules, extended field overhead costs, delay, and all impact on all other work under the Contract.
4. The signing of the Final Change Order indicates that the Final Change Order constitutes agreement for the full mutual accord and satisfaction for all payment obligations under the Contract including any change, and that the charge under the Final Change Order constitutes the total equitable adjustment owed United, all its Subcontractors, and all its Suppliers under the Contract and any change order to the Contract. United on behalf of itself, all its Subcontractors, and all its Suppliers, agrees to waive all rights without exception or reservation of any kind whatsoever to file any further claim related to Owner’s payment obligations under the Contract and any change order to the Contract. No further claim or request for equitable adjustment of any type, for any reasonably foreseeable cause shall rise out of or as a result of the Final Change Order or the impact of the Final Change Order on the remainder of the work under the Contract.

5. United further agrees to indemnify and hold Owner and its officials, employees and agents harmless from any further claims, requests for equitable adjustment, or damages raised by its Subcontractors or its Suppliers at any tier, as a result of the work under the Contract.
6. The parties agree that upon the approval by the City Council of the Final Change Order and payment by Owner of the amount of **\$97,000**, that all current and future claims, including but not limited to claims for payment, adds, credits, damages, and liquidated damages are deemed waived, released, and resolved. The only obligations that the parties have going forward are those stated in this Close Out Agreement, plus all punch list, correction of work obligations, warranty obligations and indemnification obligations that exist in accordance with the terms of the Contract.

United Construction Ent. Co. of St. Louis, Inc

City of Creve Coeur, Missouri

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: August 5, 2020

TO: Mark Perkins, City Administrator

FROM: Jim Heines, Director of Public Works

SUBJECT: Final Change Order and Project Settlement Agreement

The construction of the new Police Department building began in the spring of 2018 and continued through the next year until August 22, 2019 when substantial completion was approved. During the progress of the construction a number of owner-initiated change orders were approved which required additional construction days to be added to the project schedule.

Most recently, construction of the smoke evacuation system in the detention area was completed. This was the final construction items left to complete on the project. Attached is a Resolution to approve the final Change Order and close-out of the project. Also attached is a final settlement between United Construction and the City which addresses payment for several final Change Order requests, compensation for construction delays and an extension to the approved number of working days on the project.

The cost breakdown of Final Change Order #57 is as follows:

<u>Item#</u>	<u>Detailed Description</u>	<u>Cost</u>
COR 54	Extra cost to unload canopy due to Retaining Wall B delays	\$ 1,943
COR 66	Add fireproofing to beam/column in Sallyport (firestopping)	\$11,034
COR 72	Add Steel cover plate around column fireproofing	\$ 898
COR 85	Cut the top of footing at sidewalk	\$ 423
COR 100	Asphalt material cost increase	\$ 862
COR 101	General Condition cost incurred by delays – 67 days @ \$1,221/day	\$81,840
Total		\$97,000

Staff recommends the approval of Final Change Order #57 in the amount of \$97,000 and the attached Settlement Agreement so the project can be closed out and final payment can be made.



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

Meeting: 08/10/20 07:00 PM
Department: City Council
Category: Resolution
Prepared By: Lori Obermoeller
Department Head: Lori Obermoeller

SCHEDULED

RESOLUTION

Resolution No. 1505 - a Resolution Authorizing the City Administrator to Enter into Agreements with Azavar Audit Solutions, Inc. (D.B.A. Azavar Government Solutions) and Cozen O'Connor for Professional Computer, Data Audit, Compliance Management and Management Consulting Services and Related Collection of Past Due Obligations

Agreement with Azavar Audit Solutions and Cozen O'Connor. Azavar will audit past, present and future taxes, franchise fees, service fees or any other recoveries, refunds, monies or revenue owed to the City. The City shall compensate Azavar on a contingency basis. Azavar will receive 37% of future revenues recovered for 18 months following when funds begin to be remitted to the City. In the event Azavar or Cozen are able to recover Past Underpayments, the City will pay the appropriate party 40%.

Resolution

Meeting of August 10, 2020

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AGREEMENTS WITH AZAVAR AUDIT SOLUTIONS, INC. (D.B.A. AZAVAR GOVERNMENT SOLUTIONS) AND COZEN O'CONNOR FOR PROFESSIONAL COMPUTER, DATA AUDIT, COMPLIANCE MANAGEMENT AND MANAGEMENT CONSULTING SERVICES AND RELATED COLLECTION OF PAST DUE OBLIGATIONS

WHEREAS, THE CITY OF CREVE COEUR SPENDS SIGNIFICANT CITY FUNDS ANNUALLY FOR THE PURCHASE OF UTILITY SERVICES, AND

WHEREAS, THE BILLING FOR THESE SERVICES IS A COMPLEX MATTER, AND

WHEREAS, THE CITY OF CREVE COEUR IMPOSES A UTILITY TAX ON RESIDENTIAL AND COMMERCIAL UTILITY SERVICES, AND

WHEREAS, COLLECTING THE REVENUE FOR THESE FEES CAN BE A COMPLEX MATTER, AND

WHEREAS, CITY STAFF BELIEVES THAT A REVIEW OF THE CITY'S BILLS AND THE CITY'S TAXES COULD RESULT IN A SUBSTANTIAL REFUND, CREDIT OR REDUCTION OF FUTURE CHARGES OR FUTURE REVENUE TO THE CITY.

WHEREAS, THE TOTAL AMOUNT OF THE FEES TO BE PAID TO AZAVAR AUDIT SOLUTIONS, INC. AND COZEN O'CONNOR ARE UNKNOWN DUE TO THE CONTINGENCY BASIS OF THE CONTRACTS AND COULD THEREFORE REQUIRE CITY COUNCIL APPROVAL.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI THAT:

SECTION 1. THE CITY ADMINISTRATOR IS HEREBY AUTHORIZED TO ENTER INTO THE AGREEMENTS WITH AZAVAR AUDIT SOLUTIONS, INC. AND COZEN O'CONNOR FOR UTILITY ACCOUNT REVIEW, AUDIT RECOVERY SERVICES AND REVENUE RECOVERY. IN THE FORMS ATTACHED HERETO AS EXHIBIT A, AND TO OBTAIN THE BENEFITS THEREOF AND MEET THE OBLIGATIONS OF THE CITY THEREUNDER.

APPROVED THIS 10TH DAY OF AUGUST, 2020

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



MEMORANDUM

DATE: August 5, 2020

TO: Mark Perkins, City Administrator

FROM: Lori Obermoeller, Director of Finance

SUBJECT: Contract with Azavar Audit Solutions for Utility Audit, Review and Recovery Services

The City of Creve Coeur pays out substantial funds for utility service including telecommunications, electric, natural gas, water, and sewer. Utility billing is a complex matter based on rate tariffs and other factors and staff is only able to provide a cursory review of the bills. Azavar Audit Solutions (DBA Azavar Government Solutions) provides a service to review and audit the city's utility accounts. They review the city's actual bills for compliance with existing contracts and tariffs.

In addition to the City's utility bills, Azavar Audit Solutions will also review and audit each franchise agreement, utility tax, locally administered taxes or fees, locally imposed occupations tax, ad valorem tax, excise tax and any other tax that the city assesses. In-house staff does not have either the expertise or time to provide such complete review.

The purpose of each audit done by Azavar Audit Solutions is to determine past, present and future taxes, franchise fees, service fees and any other recoveries, refunds, monies or revenue owed to the City that were not properly attributed to the City or were not properly paid or collected and to determine future taxes, franchise fees, and other monies owed to the City not previously counted.

In return for their efforts Azavar Audit Solutions would receive 37% of any future savings or future revenue every month for 18 months following when the funds begin to be remitted to the City. In the even Azavar is able to recover past underpayments, the City will pay Azavar 40% of any credit or refund received. Staff feels this is a no-lose proposition for the city. There is no direct cost to the city unless actual monies are recovered. They have done a lot of work for many other municipalities in Missouri, including many in St. Louis County. I have checked references and all have spoken favorably about the work of Azavar Audit Solutions.

We did receive 5 proposals, but Azavar was the best suited for the City. Staff therefore recommends approval of the attached resolution authorizing the work of Azavar Audit Solutions. I have attached a copy of the proposed contract for your review. I would be pleased to answer any questions.

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("Agreement") is made and entered into by and between Azavar Audit Solutions, Incorporated, (D.B.A. Azavar Government Solutions) an Illinois corporation having its principal place of business at 55 East Jackson Boulevard, Suite 2100, Chicago, Illinois 60604 ("Azavar"), and Creve Coeur, Missouri, a Missouri municipal corporation having its principal place of business at 300 North New Ballas Road, Creve Coeur, Missouri 63141 ("Customer").

1. SCOPE OF SERVICES

1.1 Subject to the following terms and conditions, Azavar shall provide professional computer, data audit, compliance management, and management consulting services ("Services") in accordance with the below statement of work. Azavar will render the services provided under this Agreement in a workmanlike manner in accordance with industry standards and applicable law. The Services and work provided shall be provided in substantial accordance with the below Statement of Work:

- (a) Azavar shall undertake a Local Government Audit Program on behalf of the Customer. As part of the Local Government Audit Program Azavar shall, on behalf of the Customer, separately review and audit each fee, ordinance, contract, franchise agreement, utility tax, locally administered taxes or fees, locally imposed occupation tax, ad valorem tax, excise tax, taxpayer, franchise fee, utility service fee, intergovernmental or other remittances to the Customer, and expense imposed by or upon the Customer within the Customer's corporate boundaries ("Audits") including, but not limited to local businesses, electric, gas, telecommunications, refuse, and water providers ("Providers") on behalf of the Customer. However, the Statement of Work and this Agreement do not apply to any Providers that are the subject of currently pending class action litigation, whether Customer is a named plaintiff or a member of the class or putative class. Azavar shall review during the course of its work for the Customer, Customer ordinances, contracts, receipts, addresses and databases, including any of the aforementioned items, whether administered locally, by the state or federal government, by any other government or non-government organization, or by any other third-party, revenues relating to state and local sales/use/occupation taxes, including business license/registration databases and revenue, and any other locally authorized fees and/or licenses, including liquor licenses. Azavar shall review and audit, amusement, food, beverage, and/or liquor taxes and/or fees and hotel, motel, bed, and/or transient occupancy taxes where applicable to the Customer. Azavar shall review and consult Customer on areas to enhance, increase, or maximize Customer revenues including, but not limited to, previous, existing, or new ordinances, agreements, or third-party contracts. Should the Customer own or operate its own utilities including electric, natural gas, water or other utilities, Azavar shall also review and audit the revenues and expenses of those Customer owned or operated utilities.
- (b) The purpose of each audit is to determine past, present, and future taxes, franchise fees, service fees, or any other recoveries, refunds, monies or revenue owed to the Customer that were not properly attributed to the Customer or were not properly paid or collected and to determine future taxes, franchise fees, and other monies owed to the Customer not previously counted so that Customer can collect these past, present, and future monies. Azavar will review and analyze Federal and Missouri state law, the Customer's own local ordinances and databases, and the franchise agreements, contracts or bills between Customer and Providers to conduct the Audits. In the course of an audit, Azavar will present to Customer in writing during the course of the Audits findings of monies which should have been paid to Customer by Providers in the past ("Past Underpayments") and, based on the record of Past Underpayments, an estimate of the increased revenue Customer can reasonably expect to realize from Providers by correcting in the future errors identified in the Audits ("Future Revenues") for review by the Customer (hereinafter, "Findings"). Where already allowable by existing Customer contracts or agreements or Federal, State, or local laws or ordinances, this Agreement authorizes Azavar to correct any prospective errors under such applicable laws, local ordinances, or contracts. Azavar shall not contact any residents or businesses other than Providers, or seek collection from any such residents or other businesses, without a plan and script approved by Customer. Azavar shall review Customer ordinances and shall present Findings to Customer to maximize Customer revenues as part of the Audits, and where such Findings requires a change into the future, Azavar will only implement such change after Customer has reviewed and agreed to in writing any such change. Customer understands that Findings may include, but are not limited to, changes to technology, organizational processes, process automation, Customer communication practices, Customer governing practices, and/or updates to local ordinances or the codification thereof. Customer agrees that any Findings, whether implemented in whole or in part by Azavar or the Customer, shall be fully compensable under Section 3 of this Agreement, including wherein the Findings require any amendments to an ordinance and wherein the ordinance is changed. Customer agrees to review any Findings within thirty (30) days.
- (c) Customer hereby represents that it is not engaged in any Audits as contemplated under this Agreement and shall therefore pay Azavar the fees set forth in this Agreement for any Future Revenues or Past Underpayments (as applicable under Section 3.3) attributable to the Audit and Findings by Azavar. Customer agrees that it shall not initiate or engage in any Audits, changes to any ordinances related to any Audits, or execution or renewal of any contracts or franchise agreements related to any Audits as contemplated under this Agreement without Azavar's prior written consent.
- (d) In order to perform the Audits, Azavar shall require full access to Customer records and Provider records. Customer shall use its authority as necessary to assist in acquiring information and procure data from Providers. Customer agrees that it shall cooperate with Azavar, provide any documentation and records requested by Azavar, and provide continued access (prior to, during, and following any Audits) to documentation and records, and shall engage in meetings with Providers when requested by Azavar. Customer shall notify Azavar of any Provider requested meetings with Customer and shall include Azavar in said meetings.
- (e) During the course of each audit, Azavar may find that rather than being owed past due funds, the Customer owes funds erroneously paid to the Customer. In this case, Azavar will immediately terminate its participation for that specific Provider audit at no cost to the Customer and will document the error and provide the Customer with information necessary to correct the error. Azavar shall have no liability to Customer for these errors or actions arising from Azavar's or Customer's knowledge thereof.
- (f) Customer acknowledges that each Provider is a separate entity that is not controlled by Azavar and therefore Azavar cannot predict all the steps or actions that a Provider will take to limit its responsibility or liability during the Audit. Should Customer negotiate, abate,

cancel, amend, delay, or waive by any means all or a portion of Past Underpayments (as applicable under Section 3.3) or Future Revenues identified as payable to Customer during an audit, and such action is not approved by Azavar, Customer shall pay all Azavar expenses and fees on a time and materials basis for that audit in addition to any applicable contingency fees for any Findings that were identified by Azavar or by its Audits;

- (g) The first audit start date is expected to be within no later than thirty (30) days from the date of this Agreement unless changed and approved by the Customer's Audit Primary Contact and Liaison;
- (h) Each audit is expected to last at least six (6) months. Each subsequent audit will begin after payment terms and obligations have been satisfactorily met from previously completed Audits however overlapping audit work may take place at the discretion of Azavar. Audit timelines are set at the sole discretion of Azavar;
- (i) Audit status meetings will be held regularly via phone, email, or in person throughout the course of the Audits between Azavar and the Customer's Primary Contact and Liaison and will occur approximately every quarter;
- (j) Jason Perry, Local Government Audit Program Manager, and Azavar specialists will be auditors under this Agreement. All Azavar staff or subcontractors shall be supervised by the Azavar Program Manager.

1.2 Customer agrees to provide reasonable access to facilities for Consultants working on Customer's premises as may be reasonably required for the performance of the Services set forth in this Agreement and in any Exhibit hereto. Customer will assign and designate an employee to be the Audit Primary Contact and Liaison. The Customer's Audit Primary Contact and Liaison will be the final decision maker for the Customer as it relates to this audit and will meet with Azavar staff on a regular basis as necessary. Lack of participation of Customer staff, especially at critical milestones during an audit, will adversely affect the audit timeline and successful recovery of funds. Customer's staff shall be available for meetings and participation with Providers to properly verify records and recover funds.

2. **INDEPENDENT CONTRACTOR.** Azavar acknowledges and agrees that the relationship of the parties hereunder shall be that of independent contractor and that neither Azavar nor its employees shall be deemed to be an employee of Customer for any reason whatsoever. Neither Azavar nor Azavar's employees shall be entitled to any Customer employment rights or benefits whatsoever. Customer shall designate Azavar as Power of Attorney with the Missouri Department of Revenue solely for the purpose of reviewing data provided by the Missouri Department of Revenue.

3. **PAYMENT TERMS.**

3.1 Customer shall compensate Azavar the fees set forth in this agreement on a contingency basis. If applicable, Azavar shall submit an invoice to Customer on a monthly basis detailing the amounts charged to Customer pursuant to the terms of this Agreement. Any invoice not disputed in writing by Customer within thirty (30) days after the receipt of such invoice shall be considered approved by the Customer. If Customer defaults on payment of any invoice that is not disputed in writing by Customer within thirty (30) days after the receipt of such invoice, Azavar, at its sole discretion, may accelerate all payments due under this Agreement and seek recovery of all estimated fees due to Azavar based on Findings. Azavar shall be entitled to recover all costs of collection including, but not limited to, finance charges, interest at the rate of one percent (1%) per month, reasonable attorney's fees, court costs, and collection service fees and costs for any efforts to collect fees from the customer. Contingency payment terms are outlined below. If Customer negotiates, abates, cancels, amends, delays, or waives, without Azavar's written consent, any Future Revenues or Past Underpayments (as applicable under Section 3.3) that were identified by Azavar or by its Audits where such Findings were allowed under the law at the time the tax determination or Findings were made, Customer shall pay to Azavar applicable contingency fees for the total said tax determination or Findings at the rates set forth below and for the following eighteen (18) months. If Customer later implements during the subsequent eighteen (18) months any Findings Customer initially declined based on Azavar programs or recommendations, Azavar shall be paid by Customer its portion of the savings and/or recoveries over the following eighteen (18) months at the contingency fee rates set forth below.

3.2 Customer shall pay Azavar an amount equal to thirty-seven (37) percent of any Future Revenues recovered per account or per Provider for eighteen (18) months following when funds begin to be properly remitted to the Customer. In the event any Provider provides Customer any credits at any time in lieu of payment of Future Revenues, Customer will pay Azavar an amount equal to thirty-seven (37) percent of any Future Revenues or similar savings and fair market value for any other special consideration or compensation recovered for or received by the Customer from any Provider. All contingency fees paid to Azavar are based on determinations of recovery by Azavar, and agreed to by Customer, including Provider data and regulatory filings. All revenue after the subsequent eighteen (18) month period for each account individually will accrue to the sole benefit of the Customer.

3.3 As it pertains to Customer expenses and cost Audits, Customer shall pay Azavar an amount equal to thirty-seven (37) percent of Future Revenues approved by Customer for eighteen (18) months following the date savings per Provider is implemented by Azavar or Customer. All savings after the subsequent eighteen (18) month period for each service provider individually will accrue to the sole benefit of the Customer. In the event Azavar is able to recover any Past Underpayments during the course of cost Audits, whether by refunds or credits, at any time during the life of this Agreement, Customer will pay Azavar an amount equal to forty (40) percent of said Past Underpayments received by Customer from any Provider. All contingency fees paid to Azavar are based on determinations of savings by Azavar, and agreed to by Customer, including Provider data and regulatory filings.

4. **CONFIDENTIAL INFORMATION**

4.1 Each party acknowledges that in the performance of its obligations hereunder, either party may have access to information belonging to the other which is proprietary, private and highly confidential ("Confidential Information"). Each party, on behalf of itself and its employees, agrees not to disclose to any third party any Confidential Information to which it may have access while performing its obligations hereunder without the written consent of the disclosing party which shall be executed by an officer of such disclosing party. Confidential Information does not include: (i)

written information legally acquired by either party prior to the negotiation of this Agreement, (ii) information which is or becomes a matter of public knowledge, (iii) information which is or becomes available to the recipient party from third parties where such third parties have no confidentiality obligations to the disclosing party; and (iv) information subject to disclosure under any Missouri state or federal laws.

4.2 Azavar agrees that any work product or any other data or information that is provided by Customer in connection with the Services shall remain the property of Customer, and shall be returned promptly upon demand by Customer, or if not earlier demanded, upon expiration of the Services provided under any Statement of Work hereto.

5. **INTELLECTUAL PROPERTY**

5.1 No work performed by Azavar or any Consultant with respect to the Services or any supporting or related documentation therefor shall be considered to be a Work Made for Hire (as defined under U.S. copyright law) and, as such, shall be owned by and for the benefit of Azavar. In the event that it should be determined that any of such Services or supporting documentation qualifies as a "Work Made for Hire" under U.S. copyright law, then Customer will and hereby does assign to Azavar, for no additional consideration, all right, title, and interest that it may possess in such Services and related documentation including, but not limited to, all copyright and proprietary rights relating thereto. Upon request, Customer will take such steps as are reasonably necessary to enable Azavar to record such assignment. Customer will sign, upon request, any documents needed to confirm that the Services or any portion thereof is not a Work Made for Hire and/or to effectuate the assignment of its rights to Azavar.

5.2 Under no circumstance shall Customer have the right to distribute any software containing, or based upon, Confidential Information of Azavar to any third party without the prior written consent of Azavar which must be executed by a senior officer of Azavar.

6. **DISCLAIMER**

EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT, AZAVAR DOES NOT MAKE ANY WARRANTY, EXPRESS OR IMPLIED, WITH RESPECT TO THE SERVICES RENDERED UNDER THIS AGREEMENT OR THE RESULTS OBTAINED FROM AZAVAR'S WORK, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL AZAVAR BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, SPECIAL, OR INDIRECT DAMAGES, OR FOR ACTS OF NEGLIGENCE THAT ARE NOT INTENTIONAL OR RECKLESS IN NATURE, REGARDLESS OF WHETHER IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. CUSTOMER AGREES THAT AZAVAR'S LIABILITY HEREUNDER FOR DAMAGES, REGARDLESS OF THE FORM OF ACTION, SHALL NOT EXCEED THE TOTAL AMOUNT PAID FOR THE SERVICES GIVING RISE TO THE DAMAGES UNDER THE APPLICABLE ESTIMATE OR IN THE AUTHORIZATION FOR THE PARTICULAR SERVICE IF NO ESTIMATE IS PROVIDED.

7. **TERMINATION**

7.1 Unless earlier terminated in accordance with Section 7.2 below, this Agreement shall be effective from the date first written above and shall continue thereafter until terminated upon 90 days written notice by Customer or Azavar.

7.2 Termination for any cause or under any provision of this Agreement shall not prejudice or affect any right of action or remedy which shall have accrued or shall thereafter accrue to either party.

7.3 The provisions set forth above in Section 3 (Payment Terms), Section 4 (Confidential Information), and Section 5 (Intellectual Property) and below in Section 9 (Assignment), and Section 10 (Use of Customer Name) shall survive termination of this Agreement.

8. **NOTICES.** Any notice made in accordance with this Agreement shall be sent by certified mail or by overnight express mail:

If to Azavar

General Counsel
Azavar Audit Solutions, Inc.
55 East Jackson Boulevard, Suite 2100
Chicago, Illinois 60604

If to Customer

Finance Director
City of Creve Coeur
300 North New Ballas Road
Creve Coeur, Missouri 63141

9. **ASSIGNMENT.** Neither party may assign this Agreement or any of its rights hereunder without the prior written consent of the other party hereto, except Azavar shall be entitled to assign its rights and obligations under this Agreement in connection with a sale of all or substantially all of Azavar's assets.

10. **USE OF CUSTOMER NAME.** Customer hereby consents to Azavar's use of Customer's name in Azavar's marketing materials; provided, however, that Customer's name shall not be so used in such a fashion that could reasonably be deemed to be an endorsement by Customer of Azavar unless such an endorsement is provided by customer.

11. **COMPLETE AGREEMENT.** This Agreement, along with each Statement of Work attached hereto from time to time, contains the entire Agreement between the parties hereto with respect to the matters specified herein. The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision hereof. This Agreement shall not be amended except by a written amendment executed by the parties hereto. No delay, neglect or forbearance on the part of either party in enforcing against the other any term or condition of this Agreement shall either be, or be deemed

to be, a waiver or in any way prejudice any right of that party under this Agreement. This Agreement shall be construed in accordance with the laws of the State of Missouri and the parties hereby consent to the jurisdiction of the courts of the State of Missouri.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in duplicate originals by their duly authorized representatives as of the date set forth below.

AZAVAR AUDIT SOLUTIONS, INC.

CITY OF CREVE COEUR, MISSOURI

By _____

Title _____

Date _____

By _____

Title _____

Date _____



August 5, 2020

Jonathan M. Grossman
 Direct Phone 202-912-4866
 jgrossman@cozen.com

Lori Obermoeller
 Finance Director
 City of Creve Coeur
 300 North New Ballas Road
 Creve Coeur, Missouri 63141

Re: Municipal Taxes and Fees

Dear Ms. Obermoeller:

We are pleased that the City of Creve Coeur, Missouri ("Creve Coeur") is engaging Cozen O'Connor, P.C. ("Cozen") to assist Creve Coeur and its auditor Azavar in the collection of municipal taxes and fees from certain taxpayers. This letter is intended to formalize our retention, as required by applicable Rules of Professional Conduct. Before engaging in any specific representation of Creve Coeur, we will need to run a conflict check and agree to the scope of work.

Cozen's fee will be an amount equal to forty percent (40%) of any Past Underpayments pursuant to Section 3.2, but not Section 3.3, of the Professional Services Agreement between Azavar Government Solutions and Creve Coeur, paid to Creve Coeur and fair market value for any other special consideration or compensation recovered for and/or by Creve Coeur from any audited taxpayer. All contingency fees paid to Cozen are based on determinations of recovery by Cozen and agreed to by Creve Coeur. Cozen and Creve Coeur will each be responsible for paying their own costs such as travel expenses for their personnel and routine overhead expenses (e.g., copying, telephone and express mail). Direct litigation costs, such as filing fees, deposition transcripts, expert witness expenses, and outside copying fees, shall be paid by Creve Coeur.

If Creve Coeur is awarded costs or legal fees in addition to taxes, penalties and interest, those costs or fees shall first be used to reimburse Creve Coeur for any direct litigation costs it paid. Any amount in excess would be paid to Cozen.

If Creve Coeur negotiates, abates, cancels, amends, delays, or waives, without Cozen's written consent, any Past Underpayments, Creve Coeur shall pay to Cozen the applicable contingency fees for the total said tax determination at the contingency rate of forty percent (40%).

Cozen is a general service law firm that Creve Coeur recognizes has represented, now represents, and will continue to represent numerous clients over a wide range of industries and businesses in a wide variety of matters. Given this, without a binding conflicts waiver, conflicts of interest might arise that could deprive Creve Coeur or other clients of the right to select this firm as their counsel. Thus, as an integral part of the engagement, Creve Coeur agrees that Cozen may, now or in the future, represent other entities or persons, including in litigation,

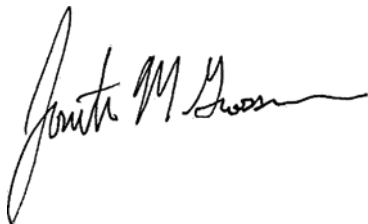
adversely to Creve Coeur or any affiliate on matters that are not substantially related to the legal services that Cozen has rendered, is rendering, or in the future will render to Creve Coeur under this engagement (an "Allowed Adverse Representation").

Creve Coeur also agrees that it will not, for itself or any other entity or person, assert that either (a) this firm's representation of Creve Coeur or any affiliate in any past, present, or future matter or (b) this firm's possession of confidential information belonging to Creve Coeur or any affiliate is a basis to disqualify Cozen from representing another entity or person in an Allowed Adverse Representation. Creve Coeur further agrees that any Allowed Adverse Representation does not breach any duty this Firm owes to Creve Coeur or any affiliate. Creve Coeur acknowledges that it has had the opportunity to consult with counsel about the consequences of this waiver.

If the arrangement outlined above is satisfactory, please acknowledge this by signing below and returning it to me at your earliest convenience. If you have any questions concerning the terms of this engagement, please do not hesitate to call me.

Sincerely,

COZEN O'CONNOR



BY: JONATHAN M. GROSSMAN

ACCEPTED ON BEHALF OF CITY OF CREVE COEUR

Signature:

Name: Lori Obermoeller

Title: Finance Director

Date:



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

Meeting: 08/10/20 07:00 PM
Department: City Administrator
Category: Discussion
Prepared By: Mark Perkins
Department Head: Carl Lumley

SCHEDULED

STAFF REPORT

Juneteenth as a Potential City Holiday

Council Member D'Alfonso has requested discussion of this matter.



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

Meeting: 08/10/20 07:00 PM
Department: City Administrator
Category: Report
Prepared By: Mark Perkins
Department Head: Carl Lumley

SCHEDULED

STAFF REPORT

Communications Plan - Parks and Stormwater Sales Tax

Staff will present a plan for informing the public about Proposition C, the proposal for a Creve Coeur parks and storm water sales tax. Proposition C will appear on the November 3 ballot.