



AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, JULY 20, 2015
7:00 PM

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

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

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

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

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. ACCEPTANCE OF THE AGENDA**
- 4. APPROVAL OF MINUTES**

1. Draft Minutes (ID # 1418)

July 6, 2015 P&Z Draft Minutes

Attachments:

P&Z 070615 Minutes (PDF)

5. PUBLIC COMMENT

6. UNFINISHED BUSINESS

7. NEW BUSINESS

1. Application #15-017: Approval of a Minor Site Development Plan for St. Louis Kolache Retail Bakery at 1300 N. Lindbergh Boulevard

An application has been submitted for façade improvements to the existing structure and new landscaping at 1300 N. Lindbergh Boulevard for a retail bakery that specializing in kolaches. Retail Bakeries (NAICS 311811) are a permitted use in the GC District. Section 405.1080 requires minor site plan approval for any proposed alteration that would significantly affect the exterior of a building by the Planning and Zoning Commission.

APPLICANT:

Russell Clark
St. Louis Kolachi, LLC
#1 Highfield Lane
Frontenac, MO 63131

Property Owner:

Kenneth Goldberg
Lenette Realty & Investment Co.
1401 South Brentwood Blvd, # 520
Saint Louis, MO 63144

2. Application #15-018: Minor Site Plan for a Sports/Game Court and Eight and a Half Foot Tall Fence at 11363 Mosley Forest Drive

An application has been submitted for approval of a minor site plan for a 26 foot by 44 foot backyard game/sports court with a 8.5 foot fence at 11363 Mosley Forest. The fence design is a 42 inch tall dasher board with a 5 foot tall netting on top to be located at either ends of the court.

Applicant:

Dionna Helfers
Sports Court St. Louis
343 Great Oaks Drive
Labadie, MO 63055

Property Owner:

Mike and Debbie Lefton
1363 Mosley Forest Drive
Creve Coeur, MO 63141

8. WORK AGENDA

1. Comprehensive Plan Update General Project Timeline

Staff proposes to schedule the Public Workshops for the Comprehensive Plan Update on the following dates that would correspond with the regularly scheduled Planning and Zoning Commission meetings, where such workshop would be the only business for the meetings. Staff would hold regular business items to a following meeting or schedule an extra meeting on a 5th Monday, if necessary. The workshops would be held in the downstairs Multi Purpose Room.

Public Workshop #1: Monday, September 21. The consultant has indicated that they may have a conflict for that evening, and if necessary City would postpone the Monday meeting to Tuesday, Sept 22 or Wednesday, Sept 23

Public Workshop #2: Monday, December 7, 2015

Public Workshop #3: Monday, February 1, 2016

Public Workshop #4: Monday March 7, 2016

9. DEPARTMENT REPORTS

10. ADJOURNMENT

Posted: _____

Paul Langdon
Planning Director

PLANNING AND ZONING COMMISSION MEETING

Monday, July 6, 2015
7:00 P.M.

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, July 6, 2015, at the Creve Coeur Government Center, 300 North New Ballas Road. Chairman Beth Kistner called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Ms. Beth Kistner, Chair
Mr. Tim Carney
Mr. James Faron
Mr. Gene Rovak

OTHERS PRESENT: Mr. Carl Lumley, City Attorney
Ms. Whitney Kelly, City Planner
Ms. Jessica Stutte, Planning Assistant
Deborah McLaughlin, Recording Secretary

1. Call to Order
2. Roll Call
3. ACCEPTANCE OF THE AGENDA

There were no changes to the agenda.

4. APPROVAL OF MINUTES

- A. Draft Minutes for the Meeting of June 15, 2015.

NOTE: The agenda incorrectly says June 1, 2015.

Mr. Faron moved for approval. Mr. Carney seconded the motion.

Mr. Lumley made a recommended change that the minutes should reflect the Commission's vote to continue the text amendment, Chapter 400, Application 15-011, to tonight's meeting.

Mr. Faron moved as stated.
All voted aye.

5. PUBLIC COMMENT
None.

6. UNFINISHED BUSINESS

A. Application #15-001: Approval of the Site Development Plan of an Office Building at 844 N. New Ballas Court.

An application has been submitted for a new 16,432 square foot three-story office building at the southeast corner of East Rue De La Banque and North New Ballas Court. The Applicants are seeking a site coverage bonus for the proposed 69.3% site coverage by providing seating and landscaping. The subject property is Lot 12 within the CityPlace development and was originally to be phase two of the City Place Condominiums. Section 405.370(G)(1)(a) states that any development and/or redevelopment plans for properties within the area bounded by the City limit on the north, Olive Boulevard on the south, Craig Road on the east, and I-270 on the west, requires Planning and Zoning Commission and City Council review and approval.

Applicant: Jack D. Whaley Architect
1529 S. Old Highway 94, Suite 201
St. Charles, MO 63303

Property Owner: Vanchi Properties LLC
546 N. Warson Road
St. Louis, MO 63141

Mr. John King indicated that there are two issues that we're to address; one was the building elevation, and Jack Whaley, the architect, will address those elevations; and we are to increase the landscaping and to present a landscape plan.

Mr. Jack Whaley indicated that all the exterior walls are encased with brick, and there's some face block accents, which was on the last elevation that we submitted, so that has been changed.

On the landscape, I don't know that we were asked to increase the landscaping, we were asked to present some feature areas.

We have incorporated different elevations, but our walls would not be concrete, they would be Versalock. They range from 8 inches high to 20 inches high.

The interior walls actually would be the smaller landscape blocks. Largest elevation is 20 inches. Then we have the

retaining wall that you'll see on the south side of the building, but also the Versalock has a guardrail. These plants would be similar to the ones that were shown on the previous photograph. They would keep their color year round. There'd be yellows, different shades of green in there, and they would vary from elevation to elevation. Mr. Faron asked if there will be irrigation, and Mr. Whaley indicated there will be.

Mr. Faron inquired of Mr. Whaley if he had talked with the condo owners about the new layout. Mr. Whaley indicated he had not, but he thought they had answered their concerns

Ms. Kelly indicated to the Commission that this is the last two remaining items of discussion from the previous meeting with the all brick and to review the landscape for it to meet the site coverage bonus. That is a subjective review for you. So if you find that the amount of landscaping, in addition the cross access meets with the intent of the Comprehensive Plan and the idea of the landscaping and site grading feature, then you should make a motion to recommend approval to the City Council.

Mr. Rovak made a motion to recommend approval of the site development plan, landscape plans and bound together with Application 15-001, as presented to the Planning and Zoning Commission, subject to the conditions contained in the staff report for the meeting of July 6th, 2015, and no additional conditions. Motion seconded by Mr. Faron. There being no further discussion, the resultant vote was as follows:

Mr. Carney-aye Mr. Faron-aye Mr. Rovak-aye
Chairman Kistner-aye

Ms. Kelly indicated this would go to the City Council July 13, 2015.

B. Application #15-011: Approval of Text Amendments to Chapter 400, Planning, and Various Sections of Chapter 405, The Zoning Ordinance.

The Director of Community Development, on behalf of the City of Creve Coeur, Planning Division, has requested several amendments that include a variety of technical corrections and clarifications to Chapter 400, Planning Ordinance, and Chapter 405, Zoning Ordinance. The amendments address changes to the State statutes, correct outdated terminology, delete blind references, add greater precision to vague language and modify notification procedures. Public hearing was held on June 15 and matter continued for further discussion.

Ms. Kelly indicated that pretty much the revised ordinance

is in line with our previous discussion. We will continue publication of any text amendments in the City newsletter that was the key plan of discussion, and we removed any reference of proposed language regarding staff approval of minor site plans. However, we did include one new requirement for point of discussion, which is that we want to set a minimum of what would constitute a minor site plan for P&Z review, and that we are including a new and permeable surface of less than 500 square feet as part of what would require P&Z approval for minor site plan. Just to give you a point of reference, that would be equivalent to less than three parking stalls. So if a site provides more than 500 square feet of impermeable surfaces and seems significant alteration to the exterior of the building or the redevelopment to site, it would require Planning and Zoning Commission approval.

Mr. Faron asked if over 5,000 feet then would take not a minor site plan change. Ms Kelly indicated that was correct, that's a regular site development plan approval. Mr. Faron asked for clarification from Ms. Kelly on the 10 percent square footage to the ground floor. Ms. Kelly indicated it can go up to an additional 10 percent within that nonconforming setback. Anything more than that would be required to set back at the normal B standard of 15 feet or 15 percent of the lot width.

Ms. Kelly indicated they wanted to limit the amount of nonconformity to just the existing house with a minor addition to it, without overwhelming the site, what would be a normal nonconforming area.

Mr. Lumley indicated that we are not putting any constraints on their building within the applicable setback, so if they didn't change the part of the house that's in the grandfathered area, this wouldn't apply at all. It's just a limit on that grandfathered area itself specifically, so depending on the lot, there could be a lot of flexibility on other parts of the house.

Mr. Faron moved to recommend approval of the draft ordinance attached to the staff report on Application No. 15-011, for the various text amendments to Chapters 400 and 405 of the Code of Ordinances of the City of Creve Coeur, Missouri to address changes to the State statutes, correct outdated terminology, delete blind references, and add greater precision to vague language, as presented on July 6th, 2015. Motion was seconded by Mr. Carney. There being no further discussion, the resultant vote was as follows:

Mr. Rovak-aye Mr. Faron-aye Mr. Carney-aye
Chairman Kistner-aye

7. NEW BUSINESS

A. Election of Vice-Chair

Mr. Carney nominated Mr. James Faron as Vice-Chair.
 Mr. Rovak seconded the nomination.
 Mr. James Faron accepted the nomination.
 There being no further discussion, the resultant vote was as follows:
 Mr. Carney-aye Mr. Rovak-aye Mr. Faron-aye
 Chairman Kistner-aye.
 Mr. Faron is the Vice-Chair.
 Mr. Faron thanked the Commission for their support, and said he hopes to do a fine job for my second term as vice-chair. Thank you again.

B. #15-016: Approval of a Minor Site Plan for a Fence Within the Front Yard Setback Along Mason Road for the Property 823 Coulangue Court.

Applicant: Keith Uhrig
 Chesterfield Fence
 620 Spirit Valley East Drive
 Chesterfield, MO 63005

Property Owner: Rahu and Theckla Mehta
 823 Coulangue Court
 Creve Coeur, MO 63141

Mr. Uhrig indicated that Mr. and Mrs. Mehta would like to obtain approval to extend their fence beyond the building line, all the way to their property line with a 4 foot tall eastern red cedar fence. There's been several other residents that have done the same thing.

Mr. Faron questioned Mr. Uhrig about matching the fence with the adjoining property.

Ms. Kelly indicated the report speaks for itself.

Mr. Faron made a motion to approve the site plan for the 4 foot tall wooden fence along the north property line within the area equivalent to the front-yard setback along Mason Road for the property addressed as 823 Coulangue Court submitted with Application No. 15-016, as presented to the Planning and Zoning Commission on July 6, 2015. Assuming we're going with the forest park design, which is an open slatted wood fence at 4 feet tall.
 Mr. Rovak seconded the motion.

The resultant vote was as follows:

Mr. Carney-aye Mr. Faron-aye Mr. Rovak-aye

Chairman Kistner-aye.

C. Application #15-019: Approval of a Minor Site Plan for an Awning Over the Roof-top Filming Platform on the Football Locker Room Building for Missouri Baptist University.

An application has been submitted by Rick W. Keisker, of Ittner Architects, on behalf of Missouri Baptist University, for a minor site plan for an awning over the roof-top filming platform on the new football practice field in the southwest corner of the campus. Section 405.1080 requires minor site plan approval for any proposed alteration that would significantly affect the exterior of a building by the Planning and Zoning Commission. The site development plan for the locker room building was reviewed and approved by the Planning and Zoning Commission on April 21, 2014, and is currently under construction.

Applicant: Rick W. Keisker
 Wm. B. Ittner, Architects, Inc.
 611 N. 10th Street
 St. Louis, MO 63101

Property Owner: Missouri Baptist University
 1 College Park Drive
 Creve Coeur, MO 63141

Mr. Rick Keisker indicated to the Commission, you all approved this project back in April of last year, and since then the project's under construction and it should be completed in the next few weeks. There's a filming platform and the canopy is being added, mostly as a functional thing to protect the people using the cameras in case it started to rain. The project was approved back in April. At that time it was approved with concrete masonry block brown face and split face, and since then the owner had upgraded most of the building to be brick, and that was approved by the City at the staff levels several months ago, so I just wanted to mention that.

Ms. Kelly indicated, as is often the case with awnings, we look at whether or not it's attention-getting device. Given that the neutral character of the color, we don't mind that it is actually creating attention-getting device. While it is unusual that it is on top of a roof, it is actually providing protection of an active recreational use and not inconsistent with similar uses around the country that would need protection.

Therefore, we find that it meets the intent of the Design Guidelines

Mr. Carney moved to approve the minor site plan for the new awning at Missouri Baptist University's practice football facilities, subject to the conditions contained in the staff report for the meeting July 6th, 2015.

Mr. Rovak seconded the motion.

There being no further discussion, the resultant vote was as follows:

Mr. Carney-aye Mr. Faron-aye Mr. Rovak-aye
Chairman Kistner-aye

D. Application #14-022: Approval of a Revised Site Development Plan at the Shoppes at Westgate Located at 12410-12428 Olive Boulevard. Request to Hold Until August 3, 2015.

Mr. Rovak indicated that he will be out of town for the August 3, 2015 meeting.

Mr. Faron moved to defer approval of the revised site development at the Shoppes at Westgate located at 12410-12428 Olive Boulevard. Request has been asked to hold until August 3, 2015. Mr. Rovak seconded the motion. There being no further discussion, the resultant vote is as follows: Mr. Rovak-aye Mr. Faron-aye Mr. Carney-aye
Chairman Kistner-aye.

8. Work Agenda

Ms. Kelly indicated they have received a letter from several business owners requesting us to look into the sign regulations and make possible changes. I have a copy of that letter here if you would like to see it. We would like to wait until we have a new director named, and it would be part of the ongoing discussion with Comprehensive Plan.

Also on your dais is a letter from Mel Klearman. He asked to forward that to you for his comments regarding the Comprehensive Plan as well.

9. DEPARTMENT REPORTS

A. City Planner

Ms. Kelly told the Commission that on October 12th, between 6 and 7 p.m., on Monday, has been scheduled for the annual ethics training for appointed and elected officials, so if you could mark your calendars, and we'll be sending out reminders for that as well.

Ms. Kelly indicated that coming up next is a site development plan for a retail bakery at 1300 North Lindbergh Boulevard in the former AT&T building. It will

be a St. Louis Kolache retail bakery, and we will have a approval of a sports court with the appropriate fence at a residence on Mosley Court.

Chairman Kistner requested that Ms. Kelly email the letter from the changes from the businesses about changes to sign.

B. City Attorney

Mr. Lumley indicated to the Commission that also related to signs, U.S. Supreme Court decided in the matter of City of Gilberts Sign Code.

Mr. Lumley indicated that opinion was taken into account and looked at our code once again, and the Eighth Circuit already gone this direction quite a while ago and we made a major sign overall, I don't know, three or four years ago, but just in going over it again caught a few things that will bring to you as clean-ups, but nothing of consequence. The main thrust of the Supreme Court opinion and Eighth Circuit opinion was not regulating content of signs, just time, place and manner regulations.

Mr. Lumley indicated on the 450 North case that the Court of Appeals ruled that the case should have just been dismissed with the initial argument the City presented. The opponents, the neighbors, have filed a post opinion motion for reconsideration. Typically those are not granted, but you never know for sure, so that will linger for a little while, and then they have the option to seek discretionary Missouri Supreme Court review, which, again, is typically not granted. But more time. So we're probably 30 to 60 days from knowing that the opinion's final, then result in a mandate to the trial court, which should result in a dismissal, but then there would always be the potential for even further litigation. So I thought the Business Journal article was a little optimistic in terms of the headline saying the project had been final approved, but we just have to wait and see.

10. ADJOURNMENT

There being no further business to come before the Planning and Zoning Commission, Mr. Faron moved for adjournment and all responded aye. The meeting was adjourned at 7:47 p.m.

Beth Kistner, Chairman

Produced by: Deborah K. McLaughlin, Court Reporter

Attachment: P&Z 070615 Minutes (1418 : July 6, 2015 P&Z Draft Minutes)



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

**APPLICATION TO PLANNING AND ZONING COMMISSION
#15-017 FOR APPROVAL OF A MINOR SITE DEVELOPMENT PLAN
FOR ST. LOUIS KOLACHE RETAIL BAKERY AT
1300 N. LINDBERGH BOULEVARD**

FOR THE MEETING OF: Monday, July 20, 2015, 7:00 PM

LOCATION: 1300 N. Lindbergh Boulevard, at the northeast corner of Lindbergh Boulevard and Baur Boulevard. The property is zoned GC District

REQUEST: An application has been submitted for façade improvements to the existing structure and new landscaping at 1300 N. Lindbergh Boulevard for a retail bakery that specializing in kolaches. Hours of operation will be from 6 am to 2 pm, 7 days a week, with 12 seats. The retail bakery will primarily be a carry-out business. Exterior modifications include painting the former AT&T orange façade trim to a red color. No other changes to the exterior building or site are proposed.

ADDITIONAL INFORMATION: The property was originally developed in 1978 under St. Louis County jurisdiction, the entire area was annexed into the City of Creve Coeur in 1990 and subsequently zoned GC (General Commercial) District. The property has remained largely unchanged since that time, and is pre-existing non-conforming. Retail Bakeries (NAICS 311811) are a permitted use in the GC District. Section 405.1080 requires minor site plan approval for any proposed alteration that would significantly affect the exterior of a building by the Planning and Zoning Commission.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request follow the Design Guidelines?

Comprehensive Plan References

- Commerce Center Action Area
- Design Guidelines

Zoning Code References

- Section 405.360: "GC" General Commercial Business District
- Section 405.1080: Site Concept, Site Development, and Minor Site Plan Approval

APPLICANT: Russell Clark
St. Louis Kolachi, LLC
#1 Highfield Lane
Frontenac, MO 63131

PROPERTY OWNER: Kenneth Goldberg
Lenette Realty & Investment Co.
1401 South Brentwood Blvd, # 520
Saint Louis, MO 63144



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 7/17/2015
ATTACHMENTS: Applicant's drawings received June 18, 2015

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 District	NA
South	Office	GC-General Commercial District	Baur Boulevard
East	Office	LI-Light Industrial District	Lindbergh Plaza Center
West	Jewish Community Center	Unincorporated St. Louis Co.: R1	Lindbergh Boulevard

COMPREHENSIVE PLAN REVIEW

The Comprehensive Plan does not provide much direction for this area except to encourage the creation and growth of land uses related to the Life Sciences and Biotech Sector movement and to upgrade the architectural quality of building stock as businesses expand or redevelop (p. 75). As the proposal is neither an expansion nor a redevelopment and no other changes are proposed for the exterior of the building or site, the proposed use does not fall under this goal and is otherwise in general conformance with the Comprehensive Plan.

DESIGN GUIDELINES REVIEW

The Design Guidelines provide further direction regarding building designs per the following:

Chapter 2 / Buildings

C. Design

6. *Buildings that are stylized 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.*

D. Relationship to Neighboring Development

1. *Architectural design should be compatible with the developing character of the neighborhood area. Design compatibility includes complementary building style, form, size, color, and materials.*
3. *Building color should be compatible with the neighborhood and should reinforce the visual character of the environment of the proposed buildings. The color should not be such that the building is competing for attention. Building colors should be subdued and not garish, and should not, in any way, constitute "signing" of the building or site.*

E. Materials/Colors

4. *Architectural consistency of colors, materials and detailing are to be provided between all building elevations. False or decorative façade treatments, where one or more unrelated materials are placed upon the building should be avoided. Large parapet walls should reflect the function behind them [and] should not be freestanding. All elevations need not look alike; however, a sense of overall architectural continuity is strongly encouraged.*

The proposed soffit trim color is a red color, the remaining brick building material is pre-existing painted white. However due to the age of the building it does appear that it will need to be repainted soon. The Applicant has indicated that they would look to repaint the building maintaining the existing white color. However, the rest of the building would not be completed until after opening in order to generate revenue. While the color scheme is contrasting with the surrounding properties, the red and white could be seen as stylizing the building, for advertising purposes and to attract customers, which is often the key discussion in reviewing such proposals. It is an improvement over the former AT&T orange color, and is a

traditional, red color found throughout the St. Louis Community. However, a more neutral, scheme color would be more in keeping with the Design Guidelines.

ZONING REVIEW

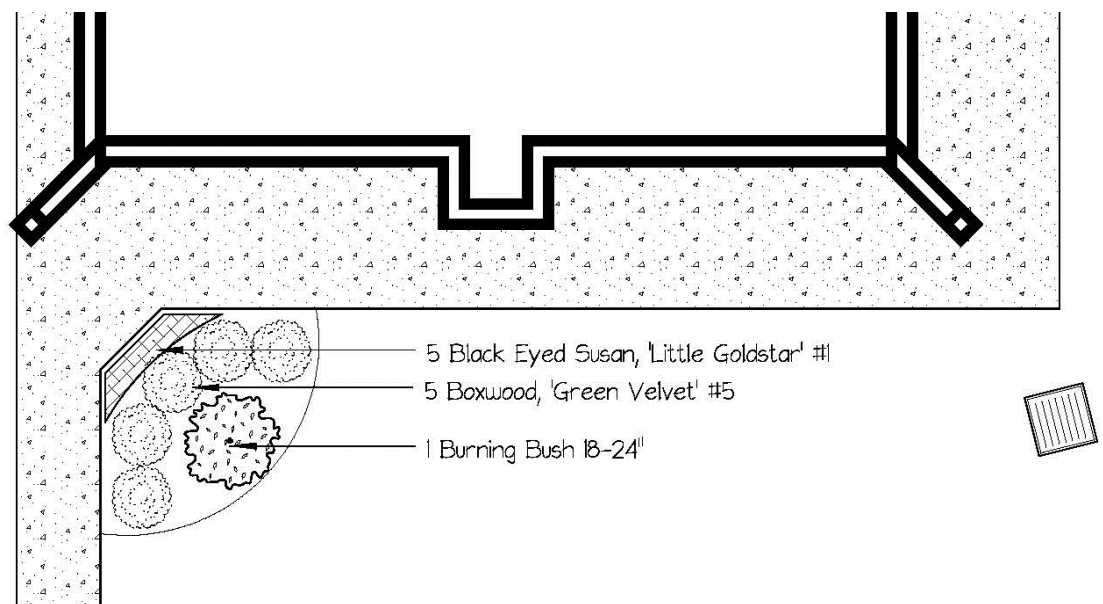
A minor site plan is required for a change in use of an entire site to another permitted use, or any proposed alteration that would significantly affect the exterior of a building, or redevelopment of a site that already contains a building or buildings, provided that such expansion, change or redevelopment shall not add more than five thousand (5,000) square feet of new impermeable surface to the site. As the proposed alteration is significantly affecting the exterior of the building, so this is the appropriate process for review. Zoning review is limited to the regulations below:

Parking

The Applicant is restriping the parking lot to provide 14 spaces. Retail uses have a minimum parking of 4 spaces per 1,000 square feet of building. The minimum parking required for the 1300 square foot building is 6 spaces. Therefore, adequate parking is provided.

Landscaping

The Applicant is proposing to utilize the site as is, except to include new landscaping near the entrance walkway, per the image below.



Section 405.540(F)(1) requires one street tree per 30 lineal feet of frontage. The street trees may include existing trees, new trees or a combination thereof, provided that there is one street tree for every 30 lineal feet or part thereof of street frontage and such street trees are located on the property at least two feet six inches but not more than 12 feet from the back of the curb, unless additional setback is necessary to accommodate planned road widening, overhead utility lines or some other condition identified by the Director of Planning. As indicated above, the site is pre-existing non-conforming and the area in front of the building does not provide any street trees, and only one existing tree just east of the trash enclosure. The right-of-way along Lindbergh Boulevard has over head utilities would that prohibit placement of street trees within the right-of-way. The minimum number of trees needed for the site approximately five trees along the property frontage of Lindbergh Boulevard and four trees along Baur Boulevard. Additionally, the submitted drawings indicate a Burning Bush, which is listed as an invasive species in the City's Landscaping Guide, and additional evergreen plantings is needed to provide headlight screening. Therefore, Staff recommends that a condition of approval includes providing the appropriate number of trees on site and additional planting along the south parking area for the Zoning Administrator's approval.

Trash Enclosure

The Applicant is utilizing the existing trash enclosure. However, details of the gate to be replaced has not been provided. Therefore, a conditional of approval is that the Applicant provide an elevation and detail to property screen the trash area for the Zoning Administrator's approval.

RECOMMENDED CONDITIONS FOR APPROVAL

Should the Planning and Zoning Commission motion to recommend approval of the minor site plan, staff recommends the following condition:

1. The Applicant is required to submit a Site Improvement Permit application, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code. The permit application shall be in substantial conformance with the information submitted received June 18, 2015 as bound together and submitted in conjunction with Application #15-017.
2. Exterior elevations shall be in substantial conformance with the color renderings submitted in conjunction with Application #15-017, or as otherwise directed by the Planning and Zoning Commission. Applicant shall provide an elevation and detail of the gate to properly providing screening and fully enclose the trash area for the Zoning Administrator's approval.
3. The Landscape Plan shall be revised to provide for the appropriate number of street trees, and plantings to meet with Section 405.540 Landscaping and Section 405.810 of the City's Zoning Ordinance for the Zoning Administrator's approval, and as discussed in the Staff Report on Application #15-017. 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.
4. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
5. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the bakery.
6. There shall be no outdoor storage or placement of any materials or equipment.
7. Any future enlargement, extension, expansion or alteration in the use of the structure into a restaurant use must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as a conditional use permit before a Building Permit for the enlargement, expansion or alteration may be issued.

ACTION AND MOTION

The motion to approve the minor site plan as shown in the Applicant's materials will be in the form of approval, approval with conditions, denial or deferral. The following is an example of an appropriate motion for this application:

"I move to approve the minor site plan for the new retail bakery at 1300 N. Lindbergh Boulevard subject to the conditions contained in the staff report, for the meeting of July 6, 2015" (conditions may be added, eliminated, or modified by preceding motion).

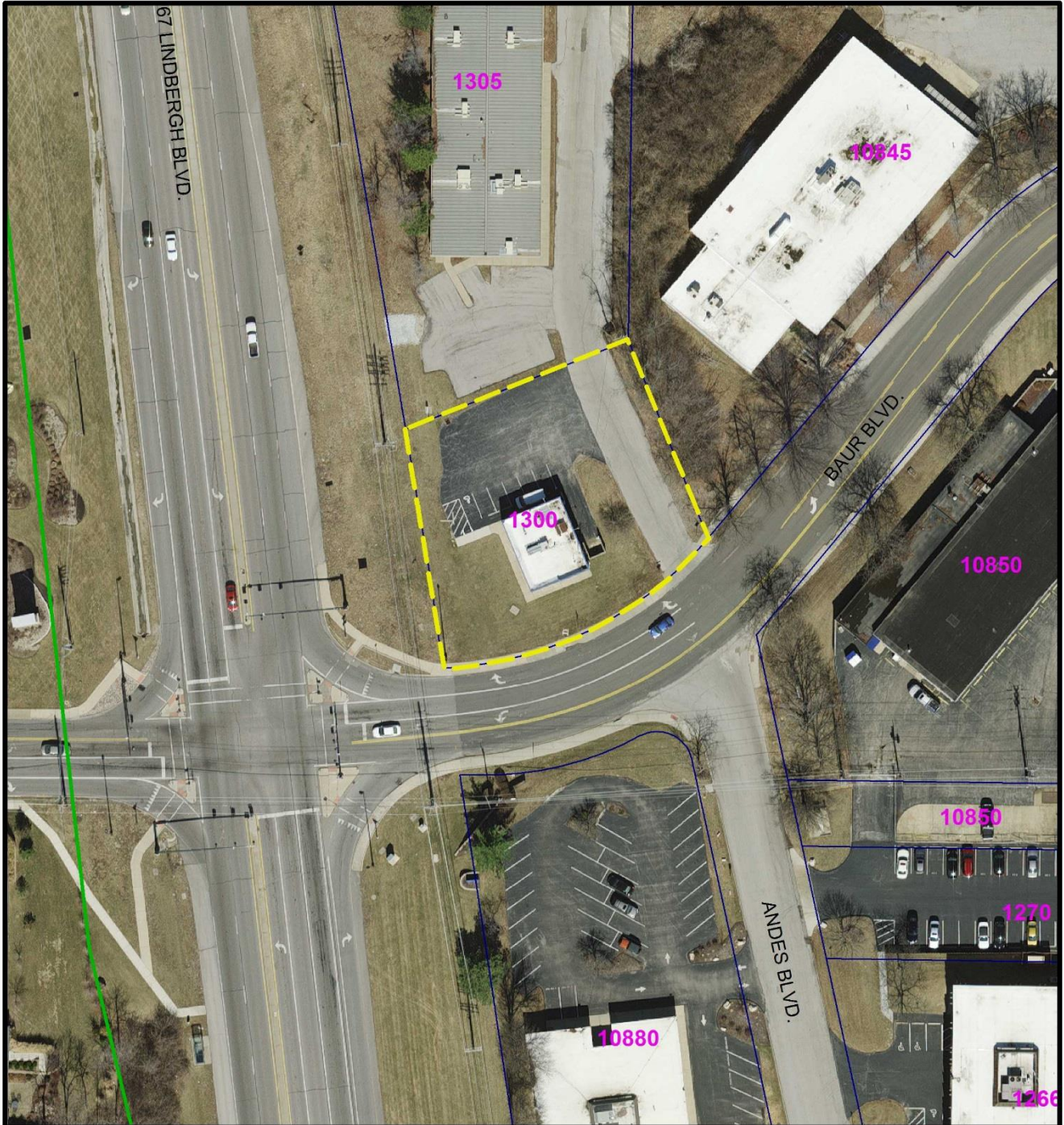
APPENDIX 1: COMPREHENSIVE PLAN

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

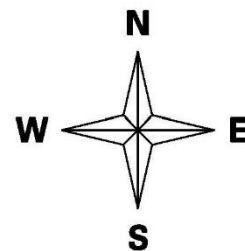
APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL MAP



- 1300 Lindbergh Boulevard
- Property Lines
- Creve Coeur Municipal Boundary



Attachment: Staff Report.7-20-2015 (1430 : 1300 N. Lindbergh St. Louis Kolache Retail Bakery)

APPENDIX 4: SITE PHOTOGRAPHS

Photo Date:



Description: View looking north from Baur Boulevard at the existing building.



Description: View looking north along the west property line along Lindbergh Boulevard from Baur Boulevard.



Description: View looking west along Baur Boulevard.



Description: View of the existing trash enclosure.



city
of

CREVE COEUR

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

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

Name	Russell CLARK
Company (if applicable)	ST. LOUIS Kolache LLC
Address	#1 Highfield Ln.
Address	Franklin, MO 63131
Telephone #	314-229-9959
Fax #	
Email	RSCLARK68@YAHOO.COM
Applicant's Signature	Applicant's Representative's Signature

Address	1300 W. Lindbergh
Address	
Development Name (if any)	Lenette Realty Investment Co.
Current Zoning	SPRINKS 30 BC
Permit CLUP Approvals (if known)	
Name	Kenneth Goldberg
Company (if applicable)	Lenette Realty Investment Co.
Address	1401 S. Brentwood Blvd. suite 502
Address	
Telephone #	314 567-4850
Fax #	314 567-4017
Email	kgoldberg@lenetterealty.com
Owner's Signature	

Attachment: Applicant's Materials submitted 6-18-2015 (1430 : 1300 N. Lindbergh St. Louis Kolache Retail Bakery)



CITY OF CREVE COEUR
300 N. NEW BALLAS RD.
CREVE COEUR, MO 63141
432-6000 (Business License)/872-2500 (Certificate of Occupancy)

BUSINESS LICENSE & CERTIFICATE OF OCCUPANCY APPLICATION

ALL LINES MUST BE COMPLETED BEFORE LICENSE CAN BE ISSUED

COMPANY NAME St. Louis Kolache MISSOURI RETAIL SALES TAX NUMBER N/A
CREVE COEUR ADDRESS 1300 N. Lindbergh PHONE NUMBER 314-229-195
FAX NUMBER N/A WEBSITE ADDRESS STLKOLACHE.COM
MANAGER'S NAME (Creve Coeur Location) Russell Clark
MANAGER'S EMAIL ADDRESS RS CLARK 68 @ Yahoo.COM
BILLING ADDRESS #1 Highfield Ln. FRANKLIN, MI 48131
(if different from above) OWNERS NAME Russell Clark & BART MANTIA
NUMBER OF PERMANENT EMPLOYEES 8 TYPE OF BUSINESS: OFFICE RETAIL ☒ MFG INDIVIDUAL/PROPREITORSHIP
CHECK ONE OF THE FOLLOWING: CORPORATION ☒ PARTNERSHIP INDIVIDUAL/PROPREITORSHIP
DESCRIPTION OF BUSINESS BAKERY OPEN 6AM TO 2PM
NAICS CODE (IF KNOWN) _____
DATE MOVING INTO CITY OF CREVE COEUR 6-1-15

TOTAL SQUARE FEET OF BUSINESS 1214
X \$30 PER THOUSAND SQUARE
FEET OR ANY PORTION OF A THOUSAND

BUSINESS LICENSE FEE
(\$40.00 MINIMUM/\$1,000.00 MAXIMUM)

PERMIT # _____

CERTIFICATE OF OCCUPANCY

NOTE: THIS USE IS NOT APPROVED AND THESE PREMISES SHALL NOT BE OCCUPIED UNTIL THE CITY HAS ISSUED THIS CERTIFICATE OF OCCUPANCY. OCCUPANCY INSPECTION IS REQUIRED BY CITY. CITY MAY REQUIRE COUNTY AND/OR FIRE DISTRICT INSPECTIONS AS DEEMED NECESSARY.

WILL THERE BE ANY RENOVATIONS WITHIN THIS SPACE? NO YES

NOTE: IF A BUILDING PERMIT HAS BEEN ISSUED FOR RENOVATIONS TO THIS SPECIFIC SPACE, THEN THE CERTIFICATE OF OCCUPANCY IS INCLUDED WITH THIS BUILDING PERMIT

OCCUPANCY APPLICATION: NEW COMMERCIAL EXISTING COMMERCIAL

FEE OF \$65.00 PAID ON _____ CONTACT NAME & PHONE # _____

I DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS CORRECT AND IN ACCORDANCE WITH THE BUSINESS LICENSE ORDINANCES OF THE CITY OF CREVE COEUR.

SIGNATURE OF COMPANY OFFICIAL _____ DATE _____

INSPECTOR'S APPROVAL SIGNATURE _____ (OFFICE USE ONLY) DATE _____

EXEMPT FROM BUSINESS LICENSE FEE USE APPROVAL: DATE _____

LICENSE NUMBER _____ DATE ISSUED _____ FEE AMOUNT PAID \$ _____

Attachment: Applicant's Materials submitted 6-18-2015 (1430 : 1300 N. Lindbergh St. Louis Kolache Retail Bakery)

Description of Requested Use (attach additional sheets as needed)

General Description of Business: BAKERY SPECIALIZING IN KOLACHES.
WE WILL BE A SMALL BAKERY OPEN 6AM TO 2PM 7 DAYS A WEEK

Gross Floor Area – Existing and Proposed: 1214
 Number of Seats (for restaurant only): 12
 Number of Employees at the busiest shift: 4
 Hours of Operation: 6AM TO 2PM
 Current or Most Recent Use of the Property: ATT RETAIL STORE
 Will the applicant apply for a liquor license: Yes No ✓

Rationale

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

Submittal Checklist

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

DISK OR CD
LESS DESCRIPTION ON ONLINE PROPERTY IN WORD FORMAT

Preferred Public Hearing Date: Monday, _____, 20____

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

Office Use Only

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

Revised: 3/1

Packet Pg. 21

To: City of Creve Coeur Board of Directors :

We would like to enhance your beautiful city of Creve Coeur by opening a brand new business called St. Louis Kolache!

In order to do this, we need a conditional use permit for the building at 1300 N. Lindbergh. As you well know, this building has been vacant for the last two years, and its history includes an AT&T Store and a Winchell's Donut Shop. We would like to fill that vacancy and bring life to that highly visible corner area which would be a great asset to the neighborhood.

St. Louis Kolache was founded by a partnership of two prominent business owners, Russell Clark and Bart Mantia. We have owned and operated four restaurants in the last fourteen years, and we are the current owners of the Cecil Whittaker's Pizzeria in St. Ann as well as the Total Catering business. Being in St. Ann for the past 13 years, we have built a great relationship with the community and donated to various charities. For the past eight years, we have also worked with the St. Ann Fire Department and donated over 200 pizzas a year to the returning military men at the USO.

We would like to introduce Kolaches to the Creve Coeur area. A Kolache is a European style pastry. These light pastries can be filled with fruit toppings as well as eggs and sausage. In the January, 2015 issue of Bon Appetite, it was stated that the Kolache was one of the top foods to look for in 2015. The time is right for a new and exciting local company!

St. Louis Kolache will be, primarily, a carry-out store. It will have seats for 12 people, but it will mainly be a quick service style restaurant. Hours of operation that it will be open daily to the public are 6 a.m.-2 p.m. Baking would need to begin about 4 a.m., and we would staff about four employees at our busiest times.

In addition to serving the freshest and tastiest Kolaches, we will also be serving the finest coffee in St. Louis from Kaldis Coffee. We will be partnering with this company to provide your citizens the best! With all of the local businesses and residents in the Creve Coeur area, we believe that this will surely become a local destination point.

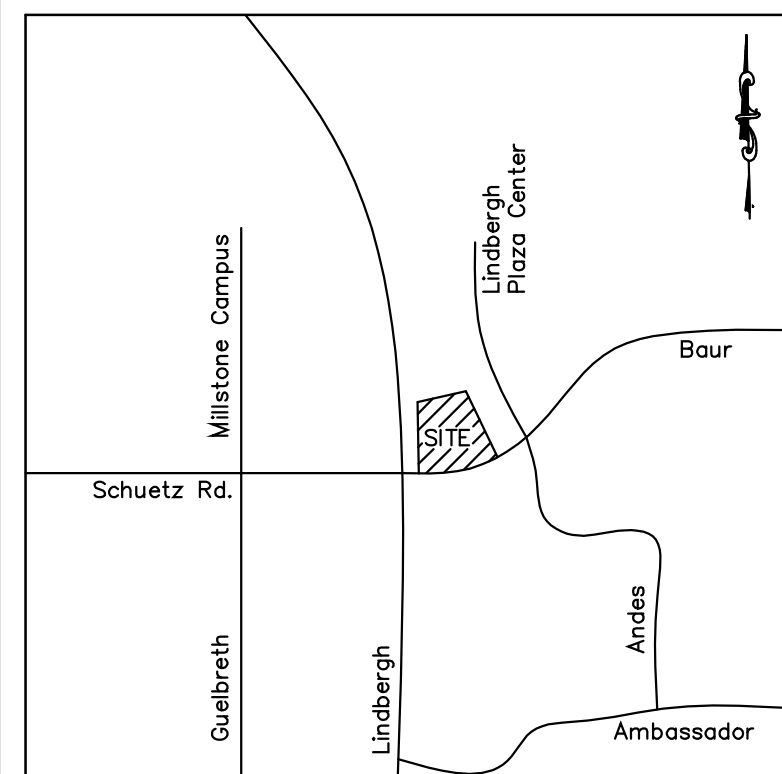
We look forward to operating a successful business in your community and being a great asset to the city of Creve Coeur. Thank you for this opportunity.

Sincerely,

Russell Clark & Bart Mantia

Attachment: Applicant's Materials submitted 6-18-2015 (1430 : 1300 N. Lindbergh St. Louis Kolache Retail Bakery)



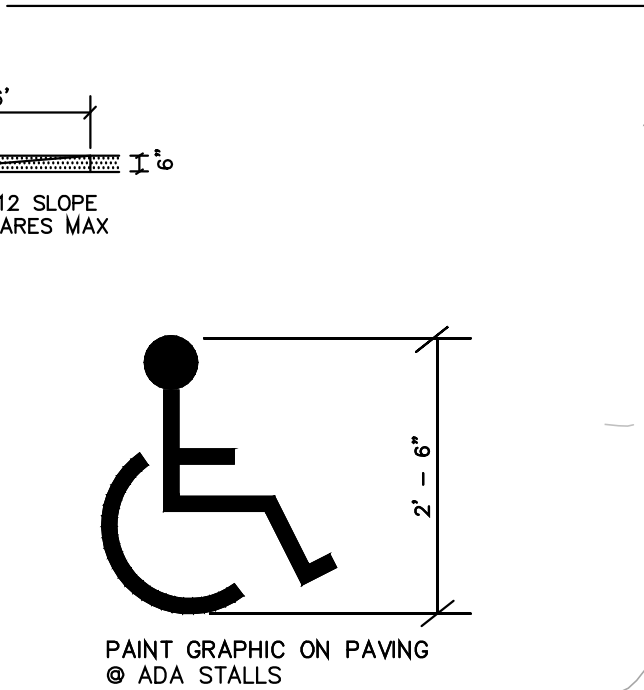


LOCATION MAP

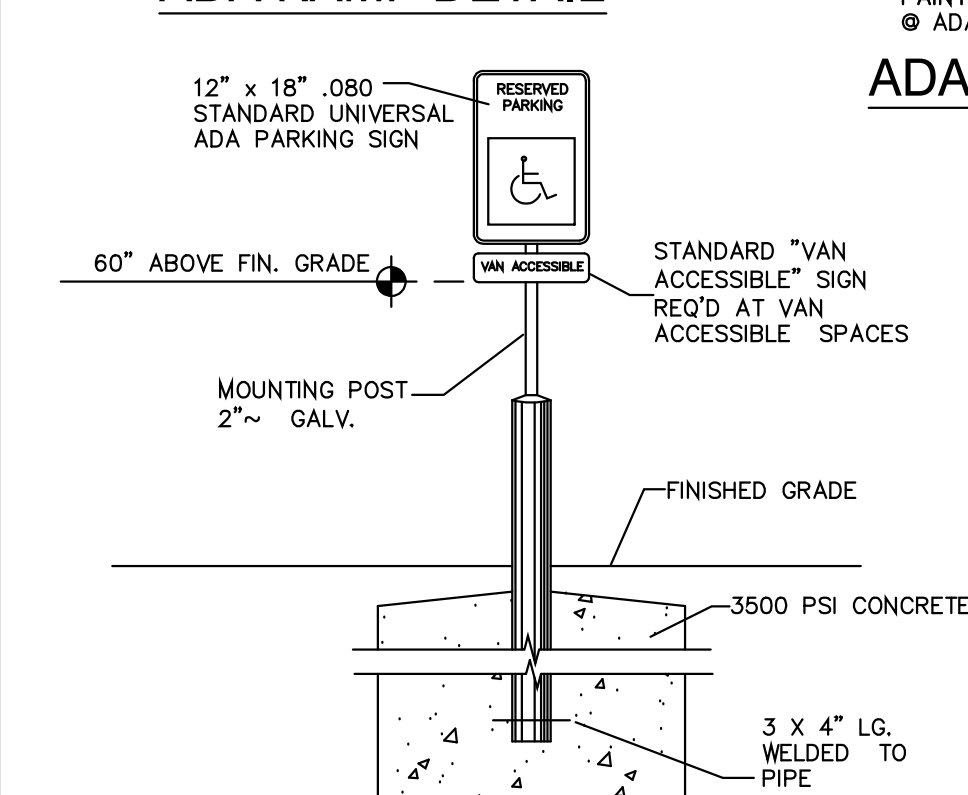
LEGEND

EXISTING CONTOURS	---
PROPOSED CONTOURS	---
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	---

TYPICAL PARKING STALLS



ADA RAMP DETAIL



ADA PARKING SIGN

Prepared For:
LENETTE REALTY & INVESTMENT
 KENNETH A. GOLDBERG
 1401 S BRENTWOOD BLVD., SUITE 520
 ST. LOUIS, MISSOURI 63144
 PHONE (314) 567-4852
 FAX (314) 567-4017

Prepared By:

CEDC
 CIVIL ENGINEERING
 DESIGN CONSULTANTS

11402 Gravois Road
 Suite 100
 Saint Louis, Missouri 63126
 314.729.1400
 Fax: 314.729.1404
 www.cedc.net

PROPERTY DATA

OWNER = LENETTE REALTY & INVESTMENT CO.
 ADDRESS = 1300 N. LINDBERGH
 CREVE COEUR, MO 63132
 LOCATOR NUMBER = 16M510269
 ZONING = GENERAL COMMERCIAL
 AREA (TOTAL) = 0.47± ACRES
 WATER SHED = RIVER DES PERES
 FIRE DISTRICT = WEST OVERLAND EMS AND FIRE
 SCHOOL DISTRICT = PATTONVILLE

BENCHMARK

St. Louis County Benchmark 8-133 Elev. 675.84'(NGVD 29)
 - "L" on a signal base at the Creve Coeur fire station at
 # 10400 Schuetz Road.

SITE BENCHMARK

ELEV. 633.58' - "L" on the Southeast corner of a
 concrete base for a telephone box.

LAND DESCRIPTION

Lot A of Lindbergh Plaza Annex, according to the
 plat thereof recorded in Plat Book 185 Page 86 of
 the St. Louis County Records.

STORMWATER RUNOFF CALCULATIONS (25 Yr. / 20 Min. STORM)

TOTAL SITE AREA = 0.47± ac.
 DIFFERENTIAL RUNOFF = 0 c.f.s.

SITE DEVELOPMENT PLAN for ST. LOUIS KOLACHE RESTAURANT

LINDBERGH PLAZA ANNEX,
 CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI,

0 10 20

SCALE:
 1 inch = 10 ft.

Basis of Bearing:
 GRID NORTH (NAD 83) MISSOURI EAST ZONE

- - Denotes Set 1/2" x 18" Rebar with cap stamped "Marler L.S.-347-D"
- - Denotes Found 1/2" Iron Pipe

GENERAL NOTES

- ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE ENGINEER FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES, PRIOR TO CONSTRUCTION, TO HAVE 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 COMPANY.
- 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, MODOT 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).
- STRUCTURE SETBACKS (PER GENERAL COMMERCIAL ZONING SECTION 405.360)

FRONT	10 FT.
SIDE	12 FT.
REAR	20 FT.
- PARKING CALCULATIONS. PARKING REQUIREMENTS FOR SMALL RESTAURANT FACILITIES:

BUILDING AREA	= 1,300 s.f.
REQUIRED PARKING	= 1,300 / 1,000 x 4 = 6 STALLS
PARKING PROVIDED	= 14 STALLS (INCLUDES 1 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 MODOT 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	= 1,300 s.f.
PARKING & DRIVE AISLES	= 9,100 s.f.
	10,400 s.f.±
SITE COVERAGE	= 10,400± s.f. / 20,457 s.f. x 100 = 51%
(*SITE COVERAGE IS AN EXISTING CONDITION)	
- FLOOR AREA RATIO (F.A.R.) (REFERENCE SECTION 405.360(E)3c)

MAXIMUM FLOOR AREA RATIO	= 0.4
1,300 s.f. BUILDING	= 0.06
20,457 s.f. SITE AREA	
- 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.

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.

MISSOURI ONE CALL TICKET NUMBER 151540933

The utilities contacted by Missouri One Call were ATT Transmission, Ameren Missouri Electric, ATT Distribution, Charter Communications, MODOT St. Louis District, Fidelity Link, Laclede Gas Company, CTCLN - Centurylink, Windstream Communications, MNA-Bluebird, Missouri American Water Company, XO Communication, St. Louis Metropolitan Sewer District.

M.S.D. BASE MAP
 M.S.D. P.No.

Site Development Plan

ST. LOUIS KOLACHE RESTAURANT

1300 N. Lindbergh Boulevard
 Creve Coeur, Missouri 63132

**SITE
 DEVELOPMENT
 PLAN**

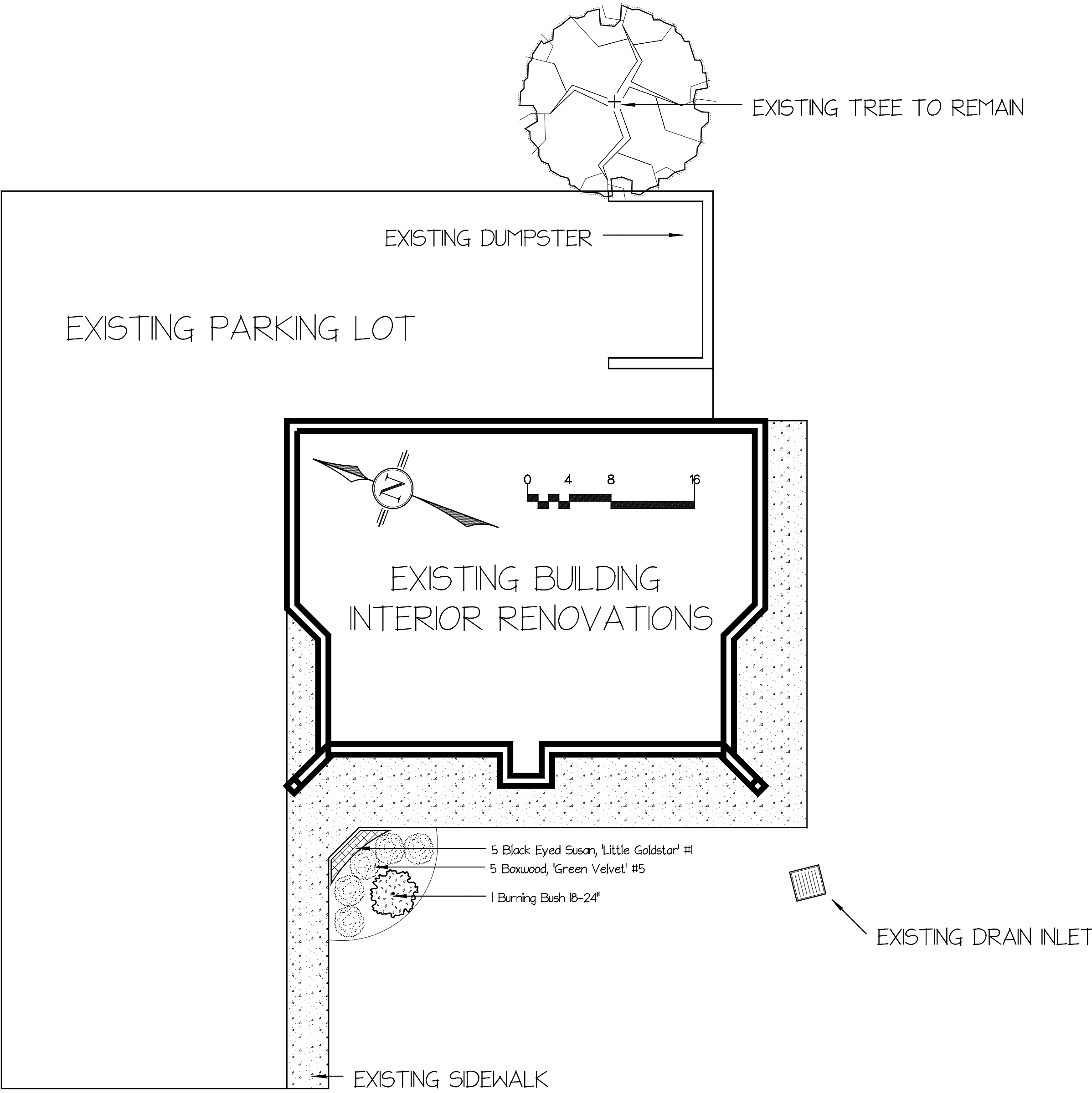
DRAWING NO.

SD01

BRANDON A. HARP, P.E. E-28650
 PROFESSIONAL ENGINEER
 CEDC LICENSE NO.: 2003004674

11402 Gravois Road
 Suite 100
 Saint Louis, Missouri 63126
 314.729.1400
 Fax: 314.729.1404
 www.cedc.net

CEDC
 CIVIL ENGINEERING
 DESIGN CONSULTANTS



Frisella

NURSERY

LANDSCAPE DESIGNERS & NURSEYMEN SINCE 1953

Frisella Nursery
550 HIGHWAY F
DUBLIN, MO 63941
636.798.2555
FRISELLANURSERY.COM



Russell Clark - 'St. Louis Kolache'
1300 North Lindbergh Blvd.
Creve Coeur, MO 63131
314-229-1959

Designed by:
Michael Skalski

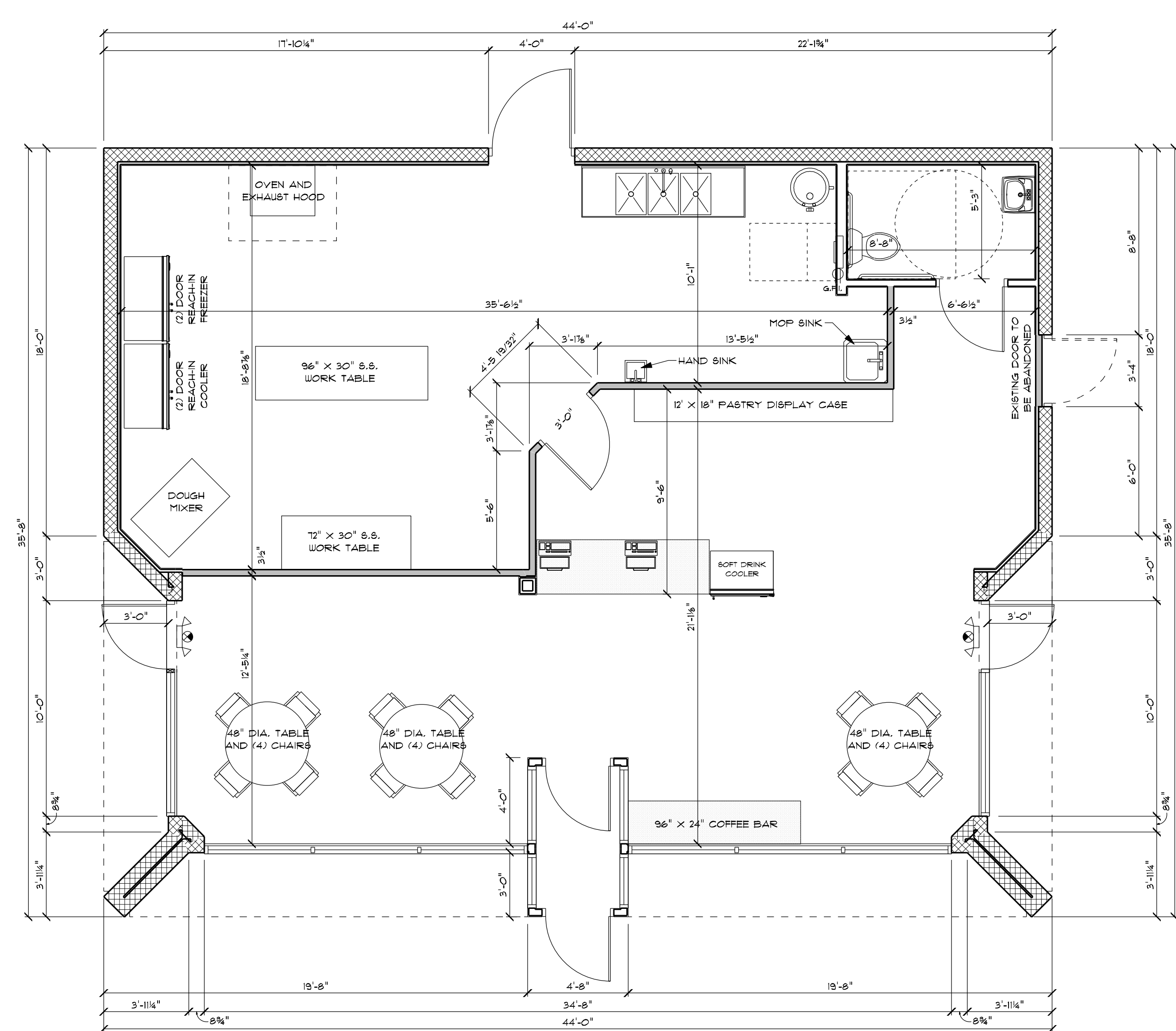
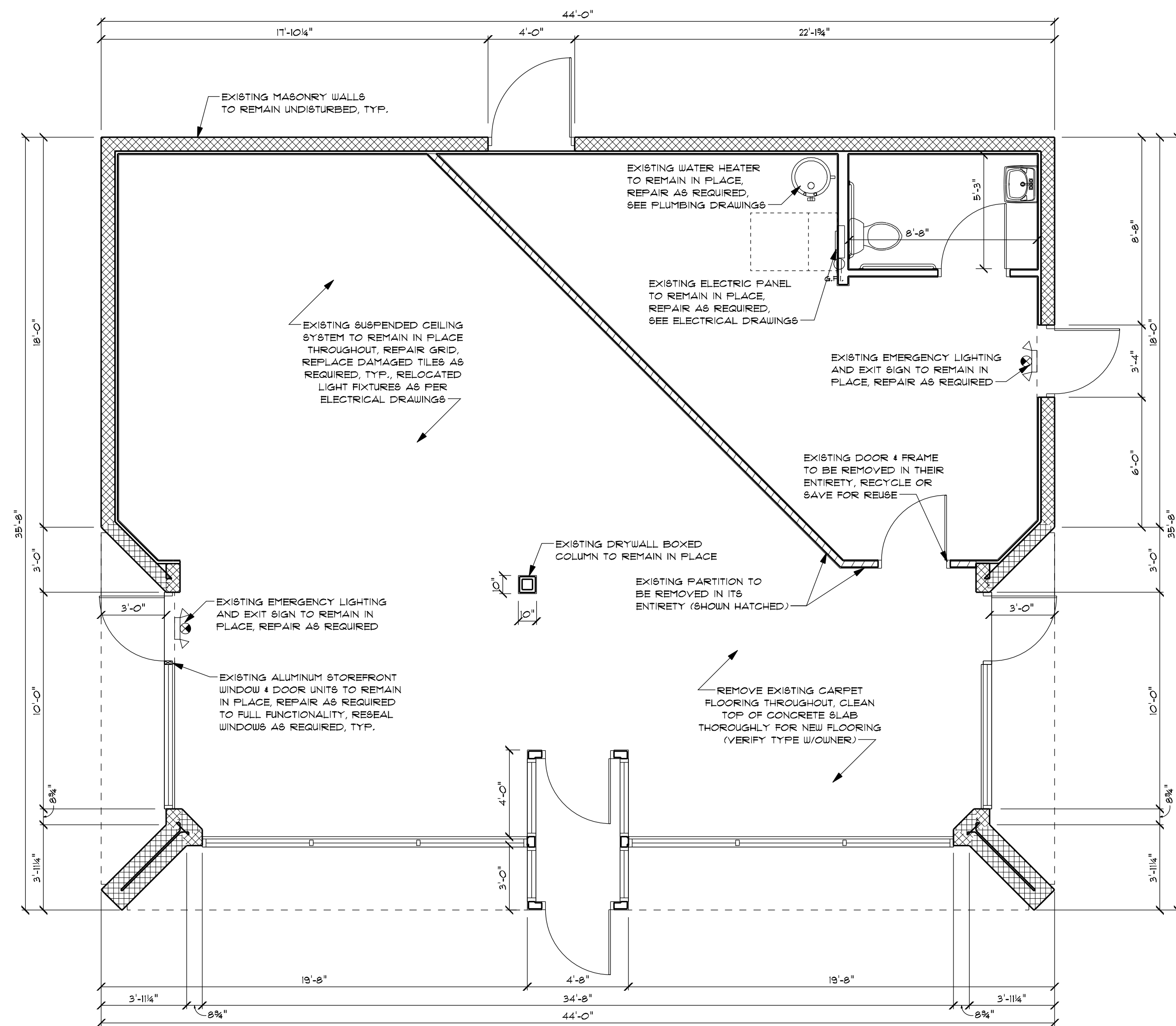
Drawn by:
MHS

Date:
6/11/15

Scale:
1"=8'

Sheet:

Landscape | of 3



PRELIMINARY

NOT TO BE USED FOR CONSTRUCTION



city
of

CREVE COEUR

7.2.a

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

APPLICATION TO PLANNING AND ZONING COMMISSION
#15-018 MINOR SITE DEVELOPMENT PLAN FOR A SPORTS COURT
AND CORRESPONDING EIGHT AND A HALF FOOT TALL FENCE AT
11363 MOSLEY FOREST DRIVE

FOR THE MEETING OF: Monday, July 20, 2015

LOCATION: 11363 Mosley Forest. The subject property is located in the A-Single Family Residential zoning district.

REQUEST: An application has been submitted for approval of a minor site plan for a 26 foot by 44 foot backyard game/sports court with a 8.5 foot fence at 11363 Mosley Forest. The fence design is a 42 inch tall dasher board with a 5 foot tall netting on top to be located at either ends of the court.

ADDITIONAL INFORMATION: The City of Creve Coeur's Zoning Ordinance (Section 405.640 Fences) states that no fence shall exceed six feet in height unless specifically approved by the Planning and Zoning Commission in consideration of a unique screening problem. Further, Section 405.460 states that Accessory Uses, including private recreation facilities shall be 15 feet from any lot line. City Council action is not required.

Key Issues:

- Does the fence provide screening of a unique problem?
- Impact to Neighborhood

Comprehensive Plan References

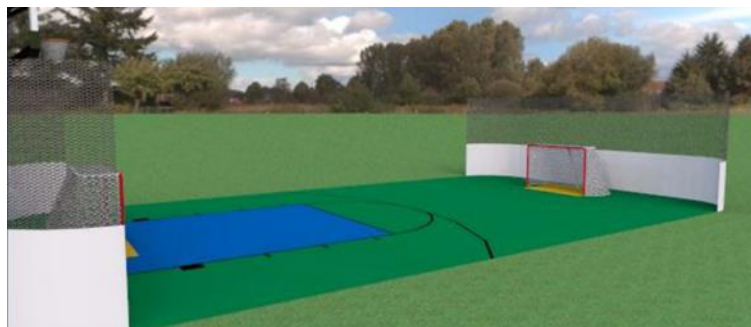
- Residential Neighborhoods
- Design Guidelines

Zoning Code References

- Section 405.250: A Single-Family Residential
- Section 405.460 Accessory Uses and Structures
- Section 405.640 Fences

APPLICANT: Dionna Helfers
Sports Court St. Louis
343 Great Oaks Drive
Labadie, MO 63055

PROPERTY OWNER: Mike and Debbie Lefton
1363 Mosley Forest Drive
Creve Coeur, MO 63141



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 7/15/2015
ATTACHMENTS: Applicant's drawings received June 19, 2015

Attachment: Staff Report.7-20-2015 (1419 : 11363 Mosley Forest Drive Game/Sports Court)

LAND USE AND ZONING OF SURROUNDING PROPERTIES

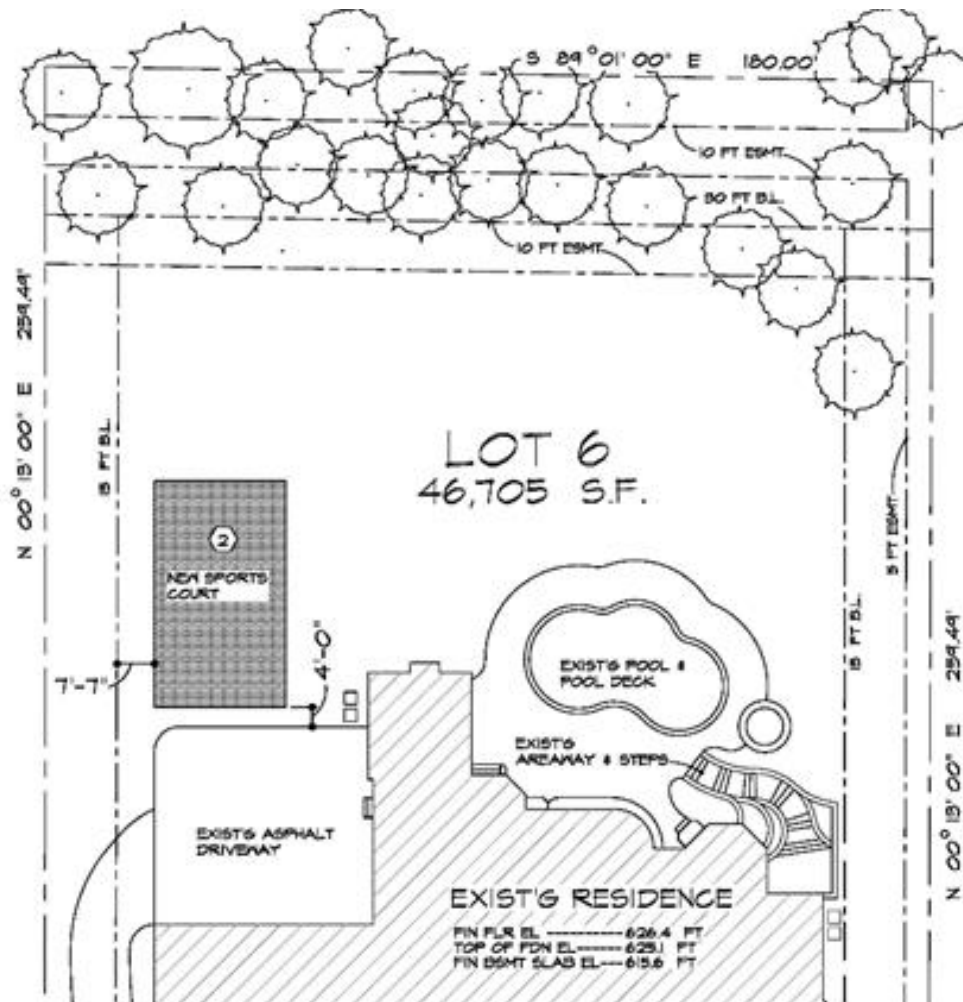
The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Residence	A Single-Family Residential	NA
South	Residence	A Single-Family Residential	Mosley Forest Drive
East	Residence	A Single-Family Residential	NA
West	Residence	A Single-Family Residential	NA

ANALYSIS

Sports Court

The sports court is approximately 26 feet by 44 feet and located behind the home off the end of the driveway. The proposed location is approximately 22.5 feet from the west property line and approximately 85 feet front the rear property line. Properties in the A Single-Family Residential District is limited to 25% site coverage. The Applicant has indicated that the color of the court has not been decided upon at this time. The proposed court will add approximately 1220 square feet of new coverage. However, the overall site coverage will remain under 25%, at 24.7%. No outdoor lighting is proposed with this application. Below is a close-up of the site plan and the site area calculations:



SITE AREA CALCULATION :		
46,705 S.F. LOT X.25 = 11,676 S.F. AVAILABLE		
HOUSE	4767	11,542 S.F.
GARAGE	1215	
IMPERVIOUS DRIVE	1750	
WALKS / PATIO	530	
AREAWAY & STEPS	390	
POOL DECK	1670	
SPORTS COURT	1220	
GREEN SPACE = 75.3 %		
PERMEABLE DRIVE	3900	
FLOOR AREA RATIO:		
7032 S.F. / 46705 S.F. = 15 %		

Private parks or recreation facilities must be set back at least 15 feet from any lot line, per the regulations below:

SECTION 405.460: ACCESSORY USES AND STRUCTURES

B. Permitted Accessory Uses And Structures.

6. Private park or recreation facilities including private swimming pools, bathhouses or tennis courts, provided that such facilities are set back at least fifteen (15) feet from any lot line and separated from adjacent residential property by a fence of at least four (4) and not more than six (6) feet in height.

Therefore, the project meets with the Zoning District regulations and with the setback requirements for the proposed use with regard to the location and coverage.

Fence

The fence or dasher boards located to the north and south of the proposed court are 42" tall and constructed with an aluminum frame. The dasher material is high density poly. The boards feature a blue Caprail, white Dasher Face and a yellow Kickplate. The black net is an additional five feet in height that brings the total height of the fence to 8.5 feet. The Zoning Code does not provide guidance in evaluating requests for fences, except that no fence shall exceed six feet in height unless approved by the Planning and Zoning Commission in consideration of a unique screening problem.

SECTION 405.640: FENCES

- A. Height Of Fences. No fence shall exceed six (6) feet in height unless specifically approved by the Planning and Zoning Commission in consideration of a unique screening problem.
- E. Tennis Court Backstop Fence. Tennis courts may have an open chain link fence up to ten (10) feet in height, provided such backstop fence is setback at least twenty (20) feet from any property line abutting a single-family residence.

As with similar reviewed facilities, the purpose of the fence is prevent balls from leaving the property. The size and function of the court is equivalent to that of a tennis court which is limited to fence heights of ten feet. Therefore, the total height of 8.5 feet, and the location of the court is consistent with Section 405.640(E). Whether or not this constitutes a "unique screening problem" is up to the Commission members to determine.

The Comprehensive Plan and Design Guidelines provide further direction for review of fences with the following:

Comprehensive Plan: Residential Preservation and Economic Development

2. Encourage the continued preservation of the suburban landscape character of the area, its open green spaces, and stream corridors. New development or redevelopment should protect and enhance stream channels, preserving remaining riparian corridors, preserve trees and encourage re-establishment of natural streams, where feasible. The use of pervious paving materials and vegetated swales to manage storm water in new development and redeveloping areas is encouraged.

Design Review Guidelines: F. Screening (Fences and Walls)

2. The design of fencing, sound walls, trash enclosures, and similar site elements is to be compatible with the architecture of the main buildings and should use similar materials.
3. All fencing should be designed as an integrated part of the site, rather than as a separate fence, such as a planter wall or continuation of an architectural wall feature. (p.18-19)

The placement of the fence partially enclosing a private residential recreation facility would not appear to be out of character in this setting. The proposed fence is limited to the north and south of the new sports facility. The west property line has an existing berm that would assist in keeping balls from leaving the property. While the dasher board is a high density poly material, it is limited to 3.5 feet in height and visibility from the public right-of-way is limited do the location behind the home and slope of the property. The remaining five feet of black netting would blend in with the surrounding environment. It is unclear from the materials presented that the vertical poles would be raw metal or painted black. Therefore, Staff recommends that a condition of approval includes that the support structure of the back netting be powder coated black to match the netting, and blend in with the surrounding landscape to meet with the intent of the Design Guidelines.

CONCLUSION

The impact of the fence would be negligible for most of the neighborhood, except to the two neighboring properties on the east. The fence would be most visible looking from the cul-de-sac looking east toward the backyard. The black netting would largely disappear with the surrounding landscaping and prevent balls from leaving the site, and the height is consistent with the allowed height regulations for a similarly designed tennis courts. Below are the recommended conditions of approval discussed above:

- The Applicant is required to submit a Site Improvement Permit application, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code. The permit application shall be in substantial conformance with the information submitted received June 19, 2015 as bound together and submitted in conjunction with Application #15-018 by Dionna Helfers, Sports Court St. Louis.
- The support pole for the netting shall be painted black to match the proposed netting in furtherance of the Design Guidelines.
- No night lighting shall be installed for the sports court.

MOTION AND ACTION

The motion on the sports court and fence is based on the Staff recommended conditions of approval. If the Commission wishes to consider different conditions of approval, it should be done by preceding motions. Action on the motion should be in the form of approval, approval with additional conditions, or denial. The following is an example motion for this application:

“I move to approve the site plan for a Sports Court and the corresponding 8.5 foot fence at either end of the facility at 11363 Mosley Forest Drive submitted with Application #15-018 subject to the conditions listed in the Staff Report, as presented to the Planning and Zoning Commission on July 20, 2015”.

APPENDIX 1: COMPREHENSIVE PLAN

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

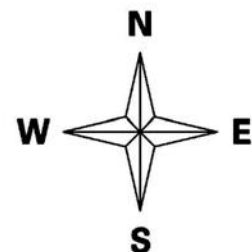
APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO



 11363 Mosley Forest Drive
 Property Lines



Attachment: Staff Report.7-20-2015 (1419 : 11363 Mosley Forest Drive Game/Sports Court)

APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 7/16/2015



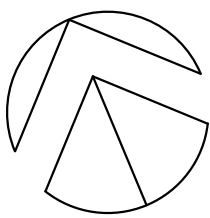
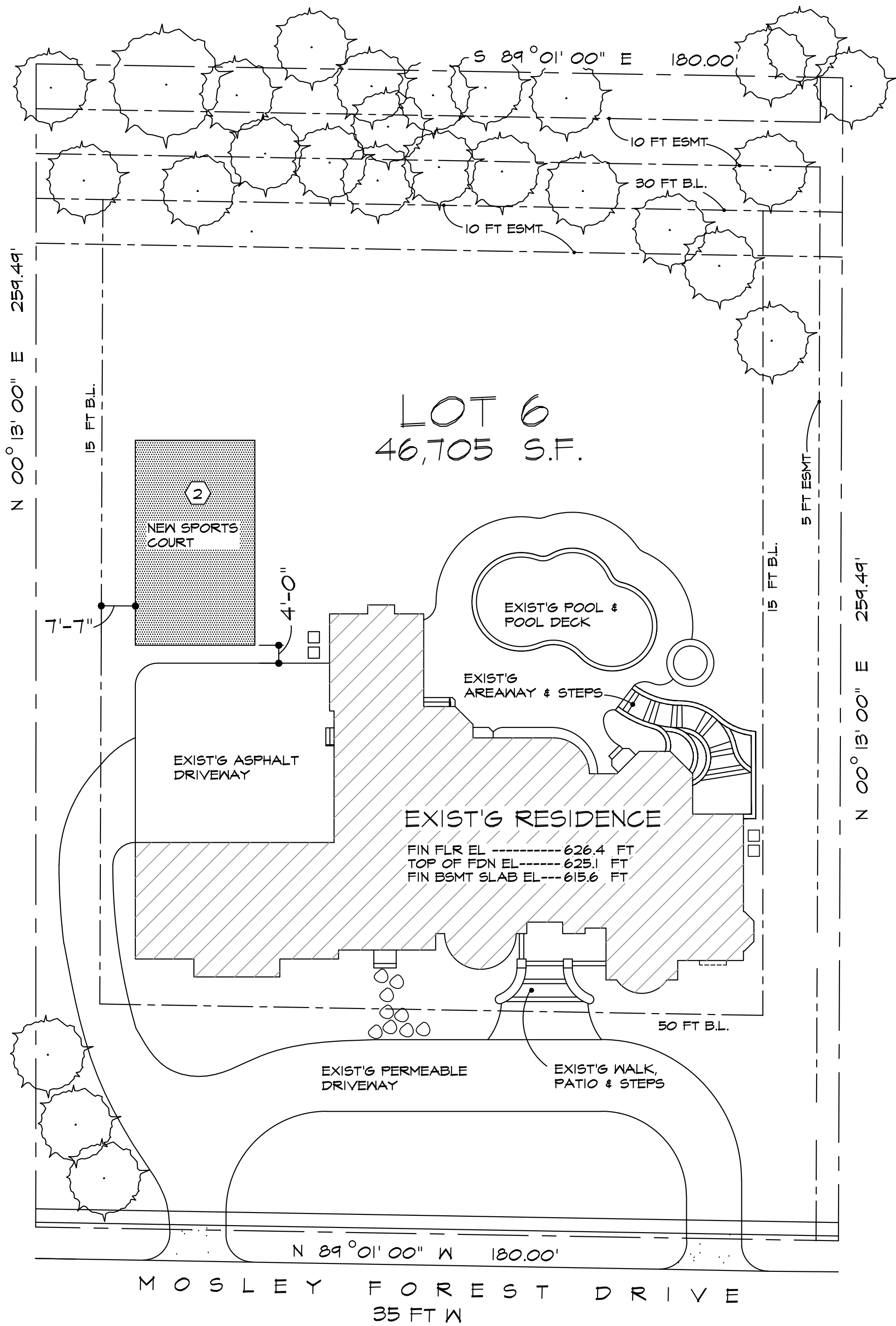
Description: View of the subject property looking north from across Mosley Forest Road.



Description: View of the subject property looking north along the west property line. The trampoline and existing hockey goal indicates the approximate location of the proposed court.



Description: View of the proposed location of the sports court looking north from the garage.

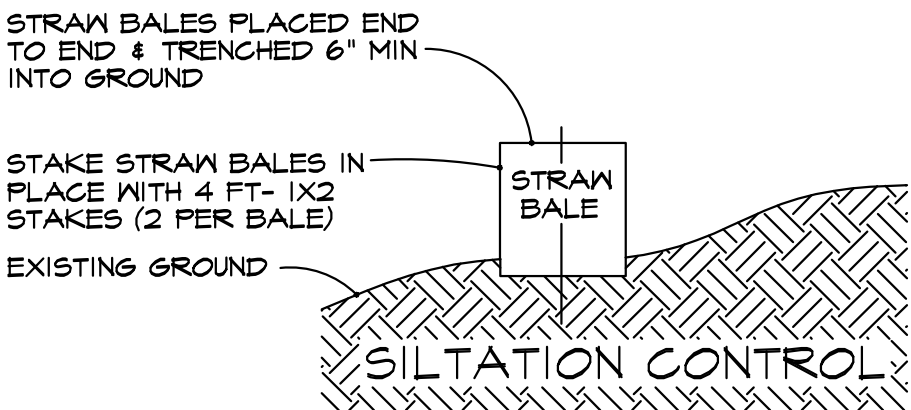


S I T E P L A N SCALE : 0 20 FT

© 2015 WILLIAM D. COVER ARCHITECT LLC

1. VERIFY ALL SITE CONDITIONS, DIMENSIONS, EASEMENTS, UTILITIES, SOIL CONDITIONS, GRADES, ETC.
- ② NEW SPORTS COURT - 26'-8" WIDE X 45'-4" LONG

SITE AREA CALCULATION : 46,705 S.F. LOT X.25 = 11,676 S.F. AVAILABLE		
HOUSE	4767	11,542 S.F.
GARAGE	1215	
IMPERVIOUS DRIVE	1750	
WALKS / PATIO	530	
AREAWAY & STEPS	390	
POOL DECK	1670	
SPORTS COURT	1220	
GREEN SPACE = 75.3 %		
PERMEABLE DRIVE = 3900		
FLOOR AREA RATIO: 7032 S.F. / 46705 S.F. = 15 %		



New Sports Court for:
Mike & Debbie Lefton Residence
11363 Mosley Forest Dr, Creve Coeur, Missouri 63141

DATE: 6.17.15
REVISIONS :

SHEET NO.

1
OF 2

William D. Cover, Architect LLC
2464 TAYLOR RD # 246 WILDMOOD, MISSOURI 63040
636-456-6161 wdcove@gmail.com wdcovearchitect.com



**SPORT
COURT
ST. LOUIS**

Lefton Family Sport Court

DIMENSIONS

26' x 44'

COURT

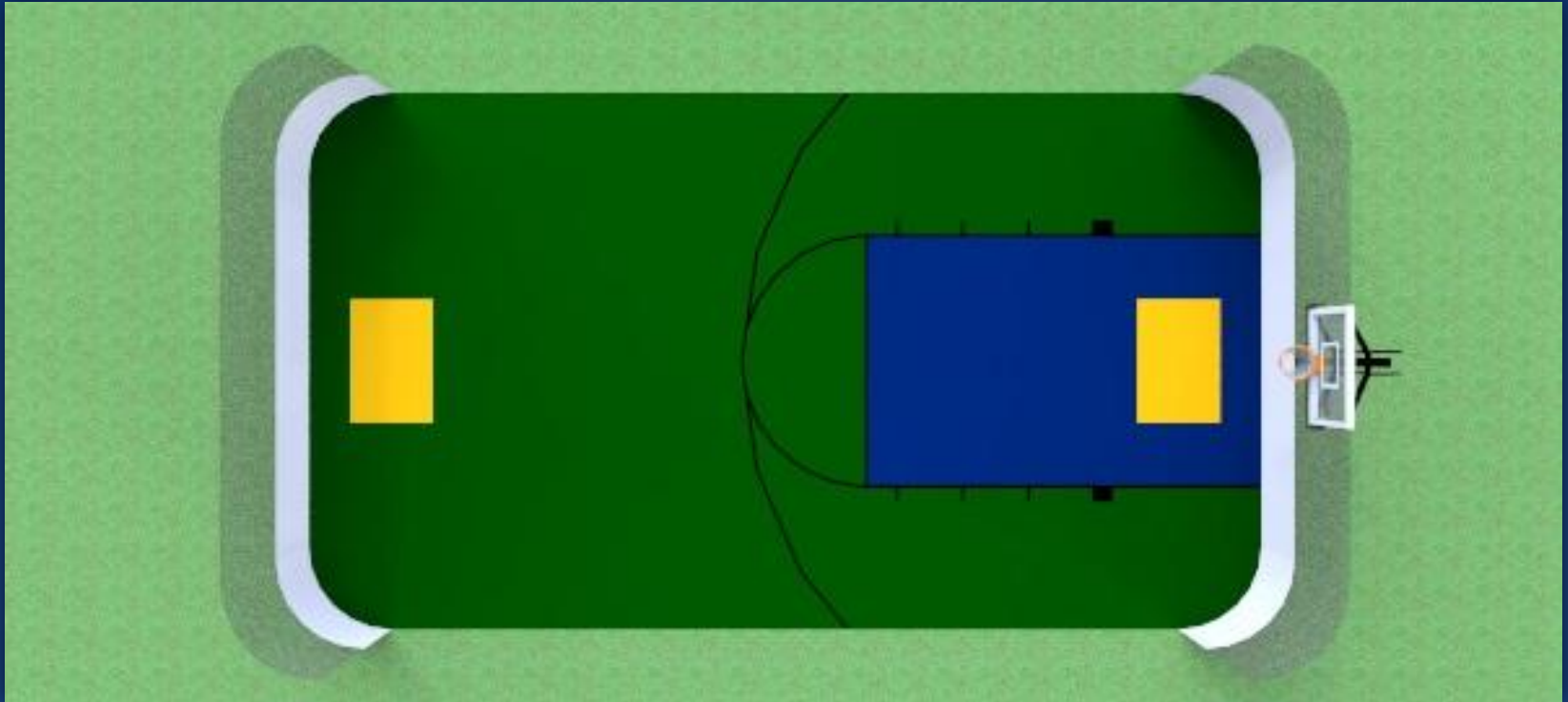
GREEN

LANE

BRIGHT BLUE

GOAL

MUSTARD



**SPORT
COURT
ST. LOUIS**

Lefton Family Sport Court

DIMENSIONS

26' x 44'

COURT

GREEN

LANE

BRIGHT BLUE

GOAL

MUSTARD



**SPORT
COURT
ST. LOUIS**

Lefton Family Sport Court

DIMENSIONS

26' x 44'

COURT

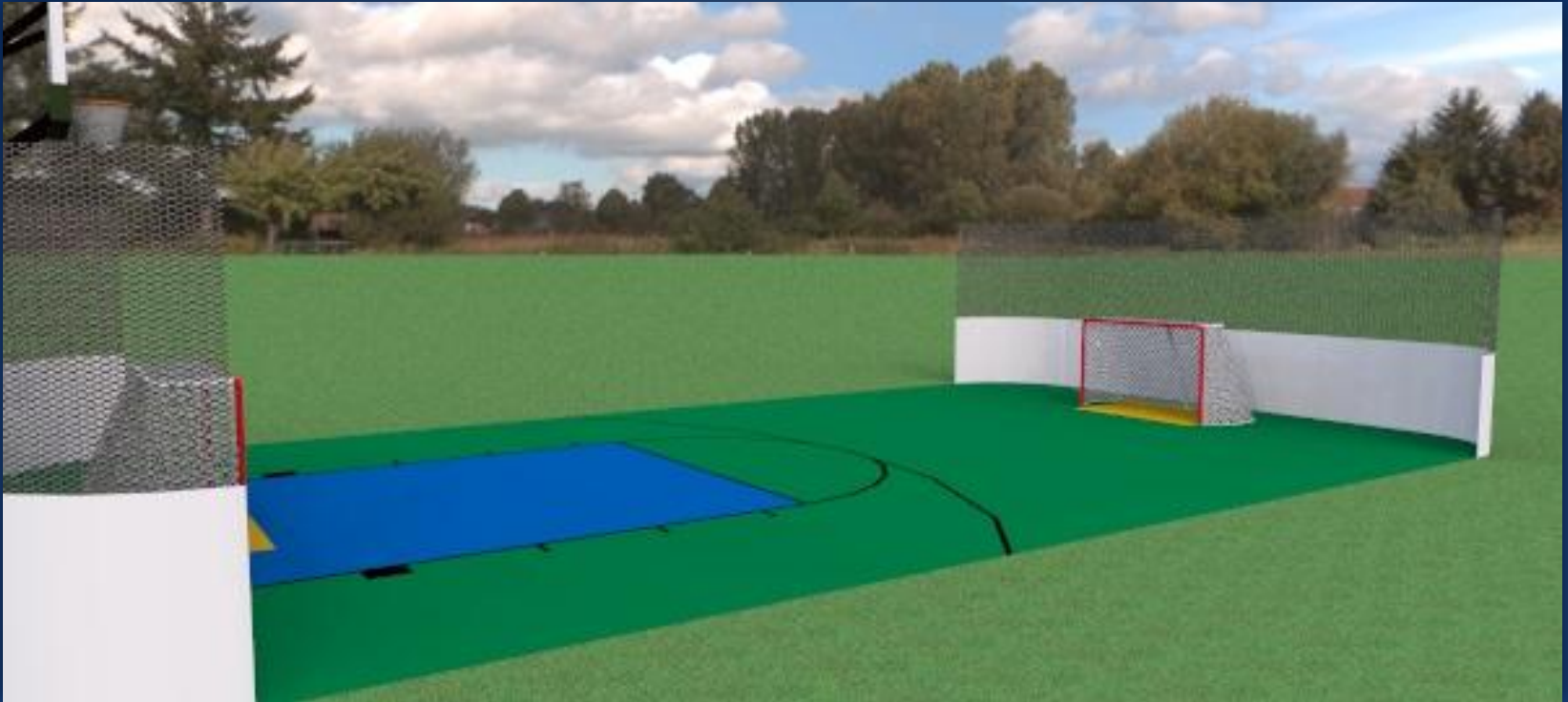
GREEN

LANE

BRIGHT BLUE

GOAL

MUSTARD



**SPORT
COURT
ST. LOUIS**

Lefton Family Sport Court

DIMENSIONS

26' x 44'

COURT

GREEN

LANE

BRIGHT BLUE

GOAL

MUSTARD



**SPORT
COURT
ST. LOUIS**

Lefton Family Sport Court

DIMENSIONS

26' x 44'

COURT

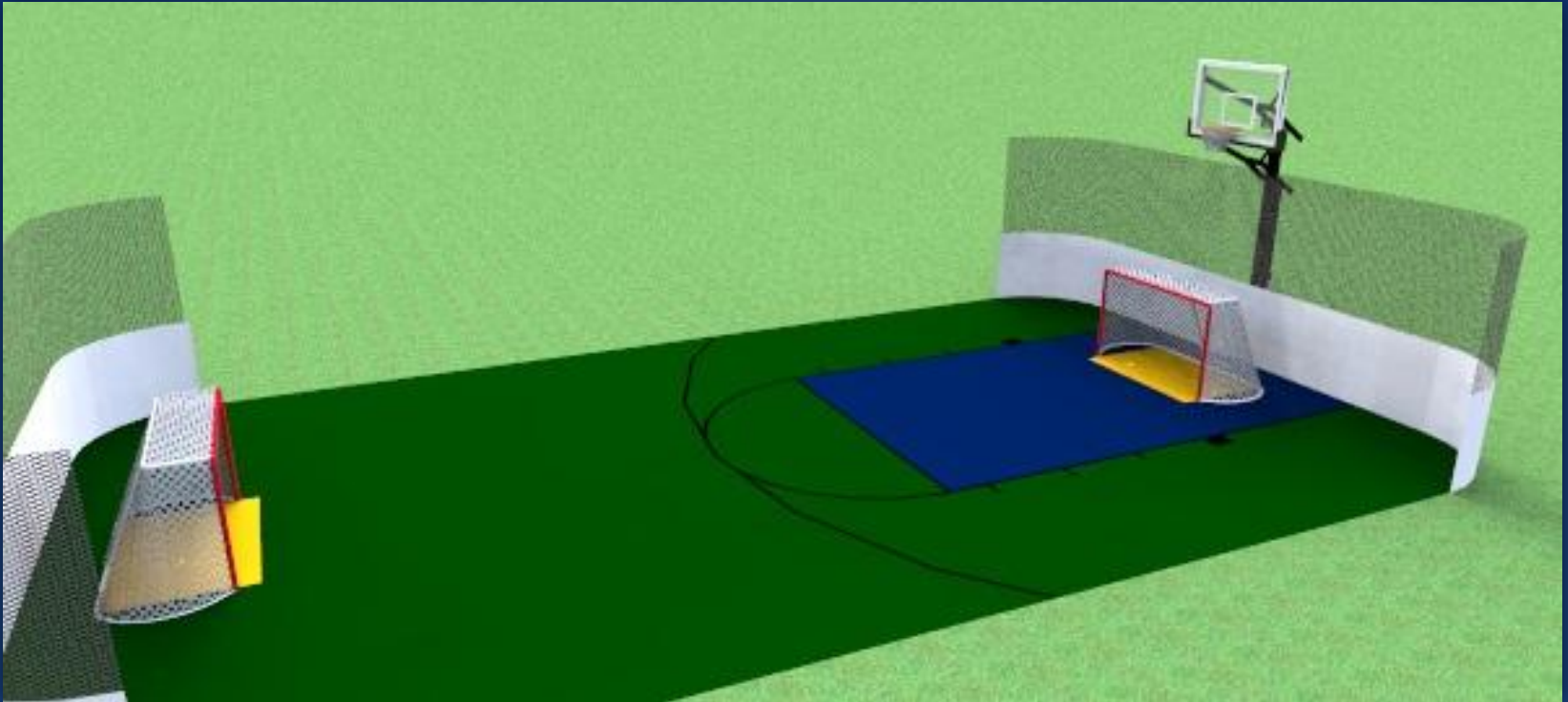
DARK BLUE

LANE

TITANIUM

GOAL

MUSTARD



**SPORT
COURT
ST. LOUIS**

Lefton Family Sport Court

DIMENSIONS

26' x 44'

COURT

EVERGREEN

LANE

DARK BLUE

GOAL

MUSTARD



Backyard Courts

A Sport Court® backyard court lets you play almost every sport imaginable.

Since 1974 Sport Court has been building custom backyard courts and turning them into places where kids can be themselves, be with their friends, and still be close to home. It may just be the best investment you ever make.

Visit us at www.sportcourt.com or call **800-421-8112**



**SPORT
COURT**

WORLD'S LARGEST
COURT BUILDER

Attachment: Lefton Sport Court-Applicant's Materials (1419 : 11363 Mosley Forest Drive Game/Sports Court)

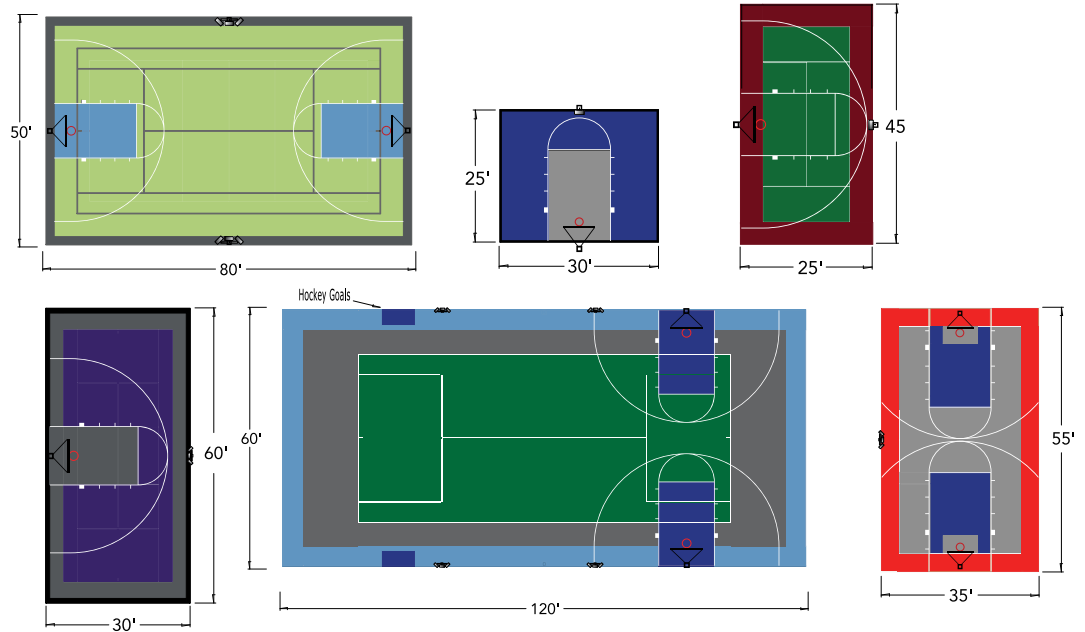
Backyard Courts

One of the amazing aspects of your Sport Court® backyard court is its boundless versatility. There are literally dozens of games you and your family can play with all the competitive vigor of the pros. Backyards come in all shapes and sizes and so do our courts. Because we custom fit every court we install, you're sure to get a court that accommodates your yard, your family, your favorite sports and your budget.

When you decide to have a court installed in your backyard by Sport Court, you're doing more than purchasing the world's finest outdoor recreation surface and equipment, you're investing in a new family plan — focused on a lifetime of improved health and increased family time.

Choose any court design, or Customize to Fit Your Backyard!

Here are some samples of courts that can be built in your backyard. Our experienced network of Court Builders has installed over 100,000 projects worldwide. Let one of our professionals build a dream court for you.



PARTNERS FOR BETTER QUALITY AND PERFORMANCE



Volleyball



Volleyball



Basketball



Futsal



UNITED STATES TENNIS ASSOCIATION

Tennis



Tennis

SPORT COURT® IS NOW
ZeroWaste
CONNOR SPORT COURT INTERNATIONAL, INC.
and
ISO 9001:2008
CERTIFIED
ISO 14001:2004
CERTIFIED



Made in the U.S.A.

©2013 Sport Court is a registered trademark of Connor Sport Court International, Inc. NCAA is a registered trademark of the National Collegiate Athletic Association.

Visit us at www.sportcourt.com or call **800-421-8112**

Printed on recycled paper.

SC104 Rev.6

Other Outdoor Performance Surfaces

SportGame™

Advanced Athletic Surface Technology for Multi-Sport Play

- Patent Pending design provides excellent traction and low abrasion for safe play at an affordable price
- Lateral Forgiveness™ – Helps reduce joint stress and fatigue
- Ball Bounce – Excellent ball bounce and response

SportDeck™

Ideal surface for tennis players of all abilities

- Retrofits over most hard surfaces and outlasts conventional acrylic surfaces
- The stalwart of outdoor surfaces for nearly two decades
- Provides excellent ball control and pace of play – ITF 5
- Lateral Forgiveness™ – Helps reduce joint stress and fatigue
- Ball response design provides great control at an economical price

Color Availability

Bright Blue	Burgundy	Dark Blue	Evergreen	Green	Bright Red	Titanium	Sand	Gray	Clover	Beige
Brick Red	Steel Blue	Black	Tennis Blue	Granite	Earth	Terra-Cotta	Kiwi	Purple	Mustard	Pearl Orange

NOTE: Color samples are reproduced as closely as possible. They may not represent an exact color match to the modular court surface.



SPORT COURT

WORLD'S LARGEST COURT BUILDER



SAFE CHILDREN

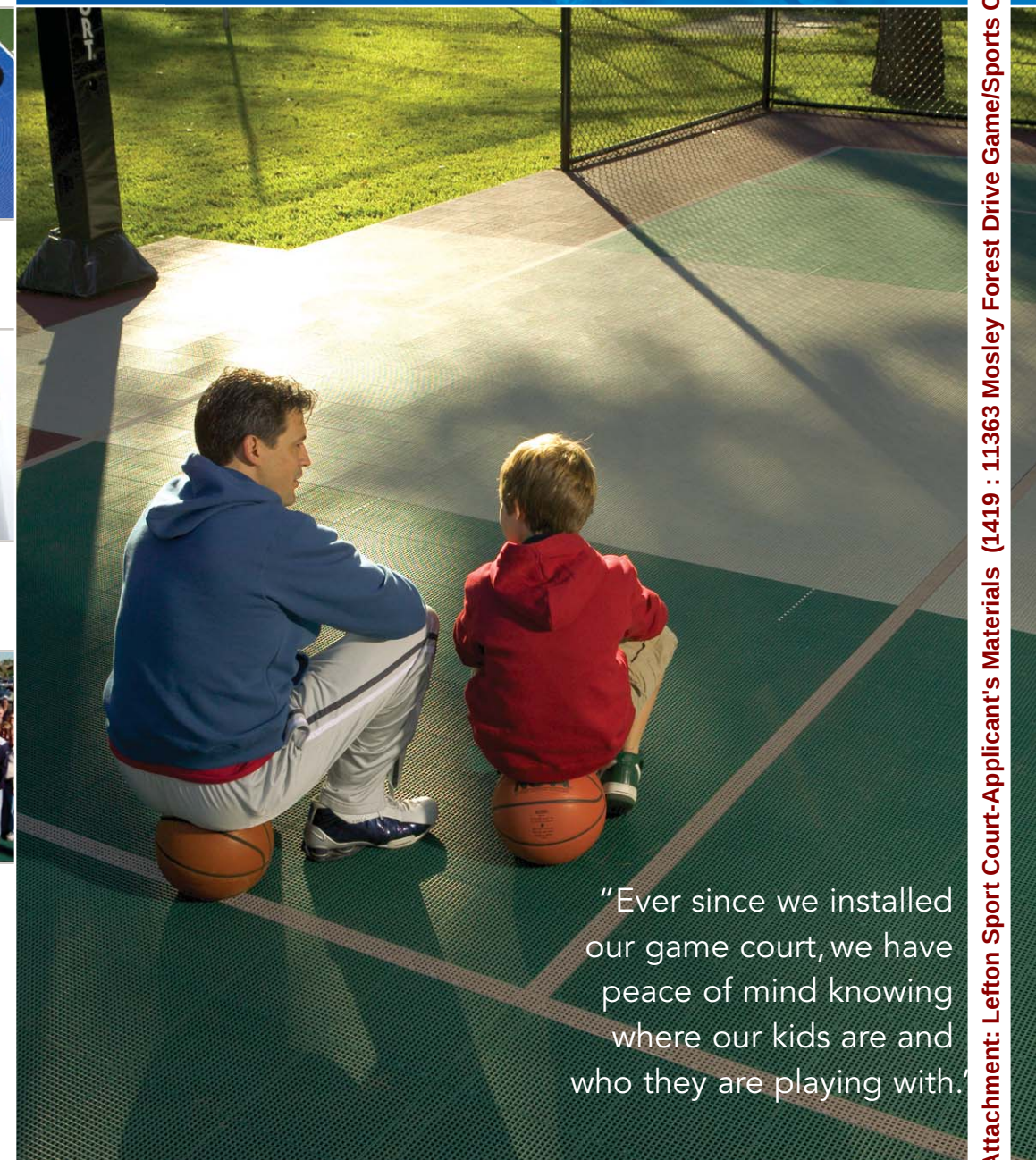


STRONG FAMILY



SECURE INVESTMENT

Residential Courts



"Ever since we installed our game court, we have peace of mind knowing where our kids are and who they are playing with."



SPORT COURT

SPORT COURT® IS NOW **ZerOWaste** AND **ISO 9001:2008 CERTIFIED** **ISO 14001:2004 CERTIFIED**  Made in the U.S.A.

Printed on recycled paper. SC174 Rev.2

©2011 Sport Court is a registered trademark of Connor Sport Court International, Inc. NCAA is a registered trademark of the National Collegiate Athletic Association.

Visit us at www.sportcourt.com or call 800-421-8112

SPORT COURT®: THE ONLY
MODULAR FLOOR
ENDORSED BY THESE
LEADERS IN SPORT

Championship tested and continually improved to meet the standards of the most demanding athletes of the world.



FIBA – the international governing body for basketball – has approved Sport Court® products for competition. Sport Court is the only ISO 9001:2008 and ISO 14001:2004 manufacturer with an approved surface by FIBA.

Visit us at www.sportcourt.com or call **Packet Pg. 43**



An Investment in Your Family

Safe Children

"Make your home available and inviting to your teen and his or her friends. It is easier to keep track of your children when they are at home."

Family and Consumer Sciences Ohio State University

Strong Family

"Arguably one of the most important relationships of all in our society is that of parent and child. Children need their parents' attention."

Louisiana State University AgCenter

"Immersing our kids in various sports is truly a valuable endeavor, for the things it could bring to our well-loved ones is priceless, and even more valuable as they get older."

Eugene V. Geminiano

Secure Investment Over 100,000 Courts Built

- World's Largest Courtbuilder – Average Distributor has been with Sport Court® for 19 years
- Chosen by the world's top sporting organizations – NBA®, NCAA®, FIBA®, FIVB®, Youth Olympic Games® and several others
- The only ISO 9001:2008 and ISO 14001:2004 certified sport flooring manufacturer in the United States
- 15-year limited warranty – Best in the Industry



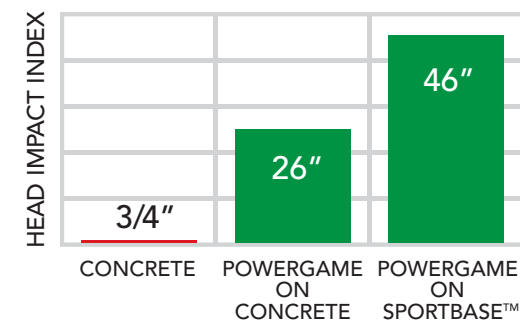
PowerGame The #1 Outdoor Court Surface

Safety and Performance

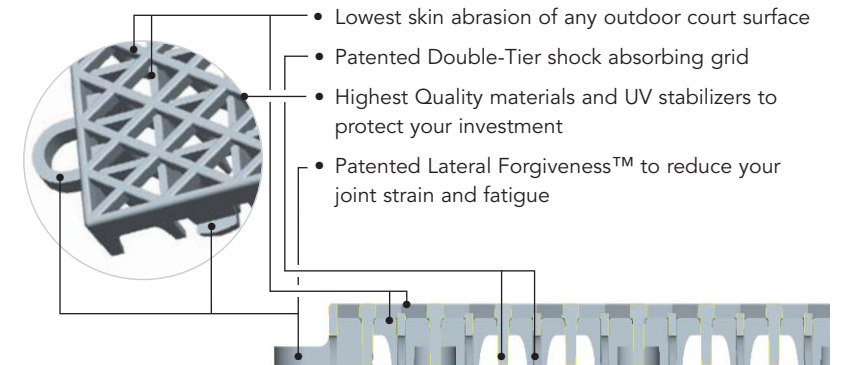
"PowerGame™ was found to significantly reduce the shock attenuated by the body."

*Steve Swanson, Director of the Biomechanics Lab
The Orthopedic Specialty Hospital (TOSH)*

PowerGame™ SAFETY COMPARISON



HealthDay referenced in the US News and World Report magazine (2009) states long-term health effects resulting from a concussion can show up as much as 30 years after it was suffered.



Sport Court® is proud to manufacture the only surface approved for outdoor competition by FIBA®, IHF®, AFC® and other leaders in sport around the world.

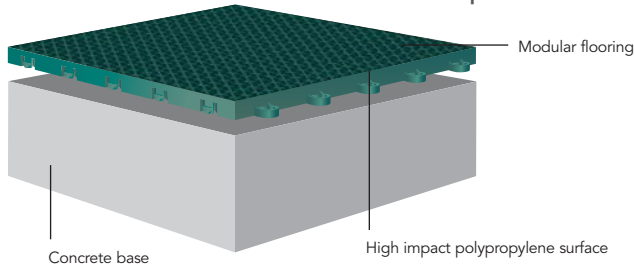




THE UNDISPUTED CHAMP FOR OUTDOOR SPORTS SURFACES

Since 1974, Sport Court has developed more than 50,000 projects worldwide with our network of over 220 independent dealers. We continually surpass the expectations of even the most demanding coaches, players, architects and builders. Our low maintenance courts are unrivaled when it comes to safety and performance.

PowerGame™ Sports Surface



SPECS

SYSTEM TYPE	Modular- Polypropylene
BALL BOUNCE	101.8%
ROLLING LOAD	170 psi
FRICTION	ASTM C1028: Dry / Wet 0.53 / 0.55
SHOCK ABSORPTION	ASTM F 1292* 2 feet drop height pass
SURFACE PACE	ITF CS/01/01-05-133: 52.1 (Fast Surface)
ABRASION RESISTANCE	.31 grams
TILE DIMENSIONS	12" x 12" x 5/8" (30.5cm x 30.5cm x 15.8mm)
COLOR AVAILABILITY	Bright Blue, Burgundy, Dark Blue, Evergreen, Gray, Clover, Grape, Bright Red, Titanium, Sand, Mustard, Steel Blue, Green, Tennis Blue, Granite, Earth, Terra-Cotta, Kiwi, Brick Red, Black Special orders available

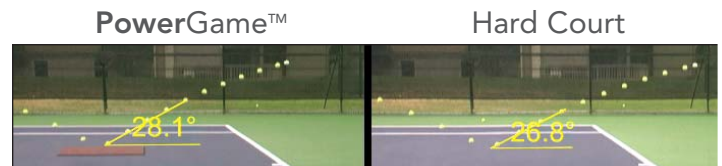


**SPORT
COURT**

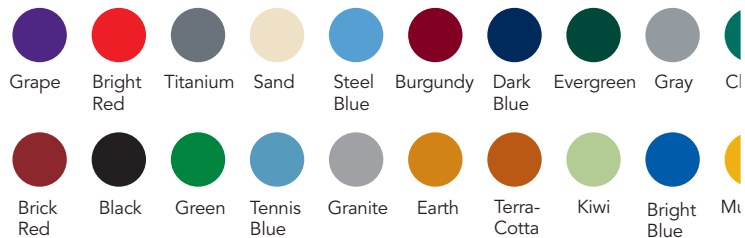
YOUR SPORT. OUR COURT
SINCE 1974

BENEFITS

- Lateral Forgiveness™ - Helps reduce joint stress and fatigue
- Fast speed rating by International Tennis Federation
- Patented Design - A uniform layer surface, that helps whisk away water from the court while providing superior ball bounce and traction
- Highest safety rating - Industry leader in minimizing skin abrasion and providing surface impact protection
- PowerGame™ provides a near identical ball bounce as concrete while providing a best in class, comfortable surface for active and repetitive play.



COLOR OPTIONS



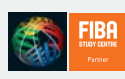
NOTE: Color samples are reproduced as closely as possible. They may not represent an exact color match to the modular court surface.

800.653.6527 sportcourt.com/flooring

The following organizations have approved and use SPORT COURT® flooring:



Track



Basketball



Volleyball



Volleyball



Tennis



Futsal



Roller Hockey



Futsal



Futsal



Badminton



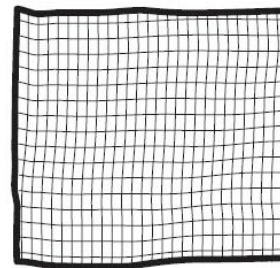


**S P O R T
C O U R T**

ISO 9001:2008 Certified Company
Manufacturer's Specifications
Ball Containment

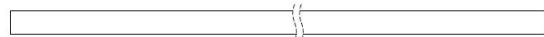
Net

Color: Black – UV stabilized
 Height: 10' & 5'
 Length: 150' & Custom
 Yarn: #21 knotted nylon
 Mesh Size: 1 3/4" square
 Finishing: Bound on all edges
 Black 1" width tape



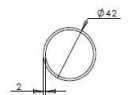
Horizontal Pole

Length: 10'
 Diameter: 1 3/8" (34mm)
 Tube Thickness: 16 gauge (1.5mm)
 Weight: 8.2 lbs
 Unit of Measure: 10 count box



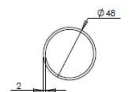
Vertical Pole

Length: 10' & 5'
 Diameter: 1 5/8" (42mm)
 Tube Thickness: 14 gauge (2mm)
 Weight: 10' – 14lbs
 5' – 7lbs
 Unit of Measure: 5 count box



Corner Pole

Length: 10' & 5'
 Diameter: 1 7/8" (48mm)
 Tube Thickness: 14 gauge (2mm)
 Weight: 10' – 16 lbs
 5' – 8 lbs
 Unit of Measure: 4 count box



Support Post

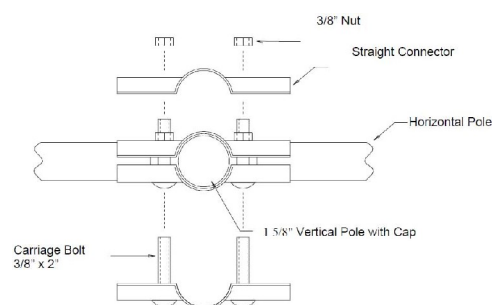
Length: 3'
 Diameter: 1 3/8" (34mm)
 Tube Thickness: 14 gauge (2mm)
 Weight: 3.2 lbs
 Unit of Measure: 10 count box

**Corner Support Post**

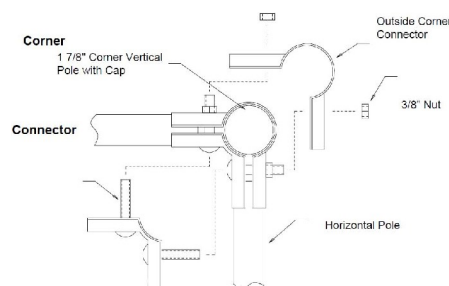
Length: 3'
 Diameter: 1 5/8" (42mm)
 Tube Thickness: 14 gauge (2mm)
 Weight: 4 lbs
 Unit of Measure: 8 count box

**Straight Connector**

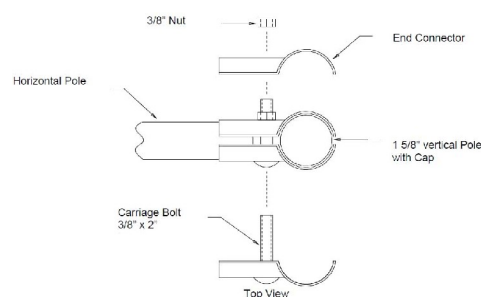
Length: 5"
 Width: 2"
 Diameter: 1 5/8" (42mm)
 Weight: 0.2 lbs
 Unit of Measure: 10 count box

**Corner Connector**

Length: 4"
 Width: 4"
 Diameter: 1 7/8" (48mm)
 Weight: 0.6 lbs
 Unit of Measure: 8 count box

**End Connector**

Length: 4"
 Width: 2"
 Diameter: 1 5/8" (42mm)
 Weight: 0.4 lbs
 Unit of Measure: 8 count box

**Paint Process**

Galvanized
 High Quality Outdoor
 Grade Powder Coat with substrate
 Phosphate protection package

*Support posts are galvanized
 but not powder coated

Colors

Black orange peel

Bolt & Nut, Carriage – Set
Aglock – 150 Ft.
Pole Clip & Sleeve Cap Assembly – 1 count
Self Drilling Screw – 1 count
1 7/8" Cap For Corner Posts – 20 count
Tension Rod – 10 count
6' Straps for Net Positioning – 1 count
1/8" Coated Black Cable – 1 count
3/16" Wire Clamp – 1 count
1/8" Aluminum Oval – 1 count
1 5/8" Cap For Vertical Pole – 20 count
Cable Tie 14" – 1 count



SPORT COURT® POWERGAME™**SECTION 09624 - MODULAR ATHLETIC SURFACING****PART 1 - GENERAL****1.1 DESCRIPTION**

- A. Scope
 - 1. The complete installation of modular athletic surfacing system including the interlocking high-impact polypropylene copolymer tile of proprietary formulation and striping.
- B. Related work specified under other sections.
 - 1. CONCRETE SUBFLOORS - SECTION 03__ _
 - a. The general contractor shall furnish and install the concrete subfloors.
 - b. The slab shall be a medium broom finish with level tolerances of $\pm 1/8"$ (3.2mm) in any 10' (3m) radius. Floor Flatness and Floor Levelness (FF and FL) numbers are not recognized. High spots shall be ground level and low spots filled with approved leveling compound.
 - c. The slab shall have a slope no more than 0.5%, or 1 inch in 16 feet, all in one plane. Optionally, concrete slab may be crowned at the court center line and sloping down at 0.5% towards the edge of the slab.
 - 2. GAME STANDARD INSERTS - SECTION 11__ _

1.2 REFERENCES

- A. ASTM (American Society for Testing & Materials)
 - 1. ASTM D 256
 - 2. ASTM D 638
 - 3. ASTM D 648
 - 4. ASTM D 785
 - 5. ASTM D 792
 - 6. ASTM C 1028
 - 7. ASTM G 21
- B. ISO (International Organization for Standardization)
 - 1. ISO 1183
 - 2. ISO 527-1, -2
 - 3. ISO 179
 - 4. ISO 180
 - 5. ISO 75B-1, -2
- C. EN (European Norm)
 - 1. EN 13036-4
 - 2. EN 12235:2004
 - 3. EN 14877:2006
 - 4. EN 12616
 - 5. EN ISO 5470-1
- D. ITF (International Tennis Federation)

1.3 SUBMITTALS

- A. Sport Court® PowerGame™ modular athletic surfacing specifications.
- B. One sample of specified system, if requested by Architect.
- C. Sport Court modular athletic surfacing installation guide.
- D. Sport Court modular athletic surfacing care and maintenance guide.
- E. Sport Court Warranty.

1.4 QUALITY ASSURANCE

- A. MATERIAL SUPPLIER:
 - 1. Shall be Sport Court International, Inc. (manufacturer)
 - 2. Manufacturer shall be ISO 9001:2008 and ISO 14001:2004 Certified to assure proper quality and environmental control.
 - 3. Manufacturer shall be a Zero Waste company.
 - 4. Manufacturer shall have produced sports surfaces for a longer period of time than their stated

SPORT COURT® POWERGAME™

warranty.

5. Surfaces must be certified for competition by the international federations for basketball (FIBA), volleyball (FIVB), handball (IHF) and badminton (BWF).
- B. INSTALLER:
1. The complete installation of the surfacing system as described in these specifications shall be carried out by an experienced installer (Contractor), and the work shall be performed in accordance with current Sport Court installation instructions.
 2. Installer (Contractor) shall be liable for all matters related to installation for a period of one year after the floor has been substantially installed and completed.
 3. Successful bidder shall submit a minimum of five (5) completed modular projects of similar magnitude and complexity within the last two (2) years.
 4. Bidder shall provide all sample tile and documentation.

1.5 DELIVERY, STORAGE AND HANDLING

- A. Materials shall be delivered in manufacturer's original, unopened and undamaged packaging with identification labels intact.
- B. Store material on a clean, dry, and flat surface, protected from exposure to harmful weather conditions or possible damage.

1.6 SITE CONDITIONS

- A. In order to prevent damage and not void the warranty, installation of modular materials shall not commence until all other finishes and overhead mechanical trades have completed their work in the athletic surfacing areas.
- B. Subfloors shall be clean, dry and free from dirt, dust, oil, grease, paint, or other foreign materials.
- C. Surfacing installation shall not begin until the levelness requirements of concrete subfloors have been met.
- D. The installation area shall be closed to all traffic and activity for a period to be set by the Contractor.
- E. Environmental Limitations
 1. Comply with the Sport Court requirements.
 2. Adhere to all MSDS requirements for materials employed in the work.
 3. Protect all persons from exposure to hazardous materials at all times.
- F. After athletic surfacing is installed and the game lines painted, the area is to be closed to allow curing time for the system, typically 3-5 days. No other trades or personnel are allowed on the floor until it has been accepted by the owner.

1.7 WARRANTY

- A. Sport Court provides a limited warranty of fifteen (15) years on the materials it has supplied. (A copy of the full warranty, with its Terms and Exclusions, is available from the authorized Sport Court Dealer.) This 15-Year Limited Warranty is subject to the Outdoor Surface Warranty and all of its provisions. The Outdoor Surface Warranty is expressly limited to the surfacing materials (goods) supplied by Sport Court. During the period covered under the Outdoor Surface Warranty, Sport Court will repair/replace any defective tiles with the same or substantially similar product according to the schedule in the Outdoor Surface Warranty. The warranty does not cover floor damage caused (wholly or in part) by fire, winds, floods, moisture, other unfavorable atmospheric conditions or chemical action, nor does it apply to damage caused by ordinary wear, misuse, abuse, negligent or intentional misconduct, aging, faulty building construction, concrete slab separation, faulty or unsuitable subsurface or site preparation, settlement of the building walls or faulty or unprofessional installation of Sport Court surfacing systems.
- B. Sport Court shall not be liable for incidental or consequential losses, damages or expenses directly or indirectly arising from the sale, handling or use of the materials (goods) or from any other cause relating thereto, and their liability hereunder in any case is expressly limited to the replacement of materials (goods) not complying with this agreement or, at their election, to the repayment of, or crediting buyer with, an amount equal to the purchase price of such materials (goods), whether such claims are for breach of warranty or negligence. Any claim shall be deemed waived by buyer unless submitted to Sport Court in writing within 30 days from the date buyer discovered, or should have discovered, any claimed breach.

SPORT COURT® POWERGAME™**PART 2 - PRODUCTS****2.1 MATERIALS**

- A. Sport Court PowerGame™ modular athletic surfacing shall be:
1. Grid-top design.
 2. Size: 12" x 12" x 5/8" (30.48cm x 30.48cm x 15.8mm)
 3. High-impact polypropylene copolymer suspended modules.
 4. 907 support leg structure.
 5. The tile shall have a positive locking system.
- B. Standard Colors: Bright Blue, Burgundy, Dark Blue, Evergreen, Green, Bright Red, Titanium, Sand, Gray, Clover, Brick Red, Steel Blue, Black, Open Tennis Blue, Granite, Earth, Terra-Cotta, Kiwi, Purple, Mustard, Shamrock Green, Pearl Orange, Black.
- C. Color Consistency: $\Delta E_{CMC} < 1.0$
- D. Weight: 0.70 lbs. (315 grams)
- E. Packaging: Product is shipped in pre-assembled sheets (2x4 modules per sheet, 5 sheets per box).
- F. Material Test Results
- | | | |
|----------------------------|------------------------------|--------------------------------|
| 1. Rockwell hardness: | (ASTM D 785) | 65 R |
| 2. Heat deflection: | (ASTM D 648 @ 66 psi) | 85°C |
| | (ISO 75B-1, -2 @ 40.45 MPa): | 73°C Unannealed |
| 3. Tensile Yield Strength: | (ASTM D 638) | 3,000psi |
| | (ISO 527-1, -2) | 20 MPa |
| 4. Elongation at Yield: | (ASTM D 638) | 5% |
| | (ISO 527-1, -2) | 5% |
| 5. Notched Izod: | (ASTM D 256) | No break at 23°C |
| | (ISO 180) | 31kJ/m ² |
| 6. Charpy Notched Impact: | (ISO 179 @ 23°C) | 26kJ/m ² |
| 7. Density: | (ASTM D 792) | 0.902 specific gravity 23/23°C |
| | (ISO 1183 @ 23°C) | 0.90 g/cm ³ |
- G. Product Test Results
- | | | | |
|----------------------------|--------------------------------|---------|------------|
| 1. Friction: | (ASTM C1028) | Dry: | 0.65 |
| | (EN 13036-4) | Dry: | 103 |
| 2. Vertical Ball Behavior: | (EN 12235:2004) | Tennis: | 93% |
| 3. Angled Ball Behavior: | (EN 14877:2006) | Tennis: | 50 Fast |
| 4. Permeability: | (EN 12616) | | >2000 mm/h |
| 5. Flatness: | 0.0" (0.0mm) | | |
| 6. Lateral Forgiveness™: | +0.065" / -0" (+1.65mm / -0mm) | | |
- H. Load Bearing Capacity: 170 psi (1.17MPa)
- I. Court Pace Classification: (ITF) Category 5 - Fast
- J. Sanitary Information
1. Resistance to fungi (when tested in compliance with ASTM G-21 and MIL standard 810-D procedure 508.3). All basic organisms tested (ATCC #6205-11797) and were found to have zero growth.
 2. Resistance to the following:
 - a. Bacteria and mildew resistance
 - b. Gram-positive bacterial Staphylococcus Aureus
 - c. Gram-negative Klebsiella Pneumoniae
 - d. Pink-staining organism
 - e. STV Reticulum
 - f. Surface fungi growth prior to and following leaching
- K. Game Line Paint
1. Adhesion promoter – proprietary tile adhesion promoter as supplied by Sport Court.
 2. Paint – aliphatic polyurethane as recommended by Sport Court. Select from standard colors.

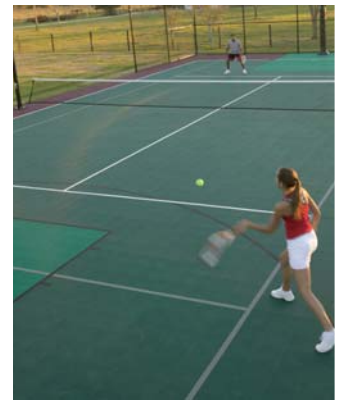
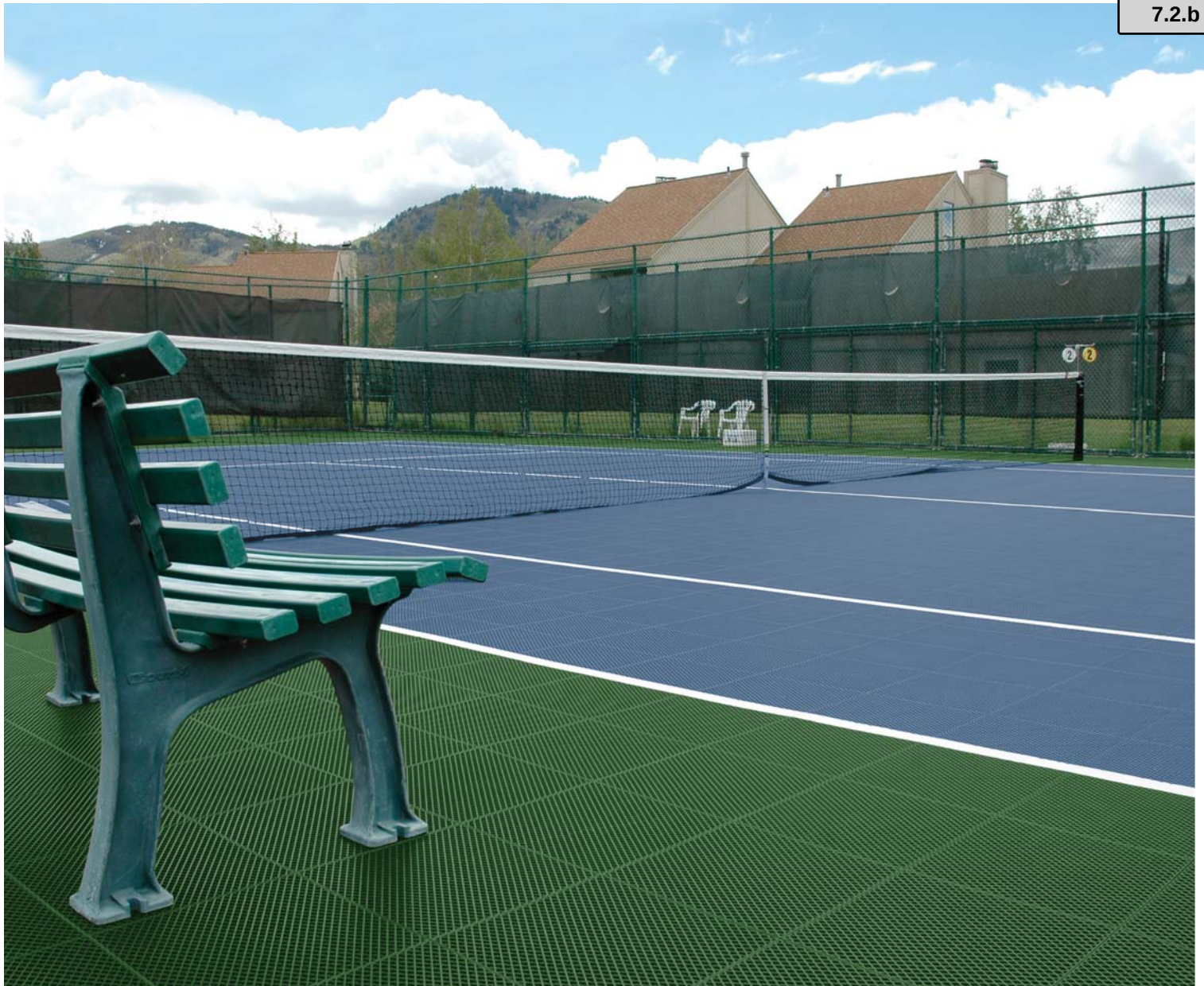
SPORT COURT® POWERGAME™**PART 3 - EXECUTION****3.1 INSPECTION**

- A. Inspect concrete slab for contamination, dryness and levelness. Report any discrepancies to the general contractor.
- B. Concrete slab shall be broom swept and dust free by the general contractor.
- C. Installer (Contractor) shall document all working conditions as specified in PART 1 – GENERAL prior to starting installation. Report any discrepancies to the general contractor.

3.2 INSTALLATION

- A. Sports surface shall be installed to pre-approved layout.
- B. Tiles shall be trimmed to accommodate thermal expansion and contraction according to *Sport Court Thermal Expansion and Concrete Size Adjustment* document.
- C. Sports surface shall be clean and dust free.
- D. Game Lines
 - 1. Use only high quality masking tape approved by Sport Court.
 - 2. Lines shall be primed and painted using Sport Court proprietary adhesion promoter and recommended aliphatic polyurethane paint.
 - 3. Provide game lines as indicated on drawings.
- E. Remove all excess and waste materials from the work area. Dispose of empty containers in accordance with federal and local statutes.

END OF SECTION 09624



Attachment: Lefton Sport Court-Applicant's Materials (1419 : 11363 Mosley Forest Drive Game/Sports Court)

Sport Court® outdoor PowerGame™ surface is used in sports centers around the world and is the ideal solution for your facility, competition venue or backyard game court. Sport Court PowerGame goes over any new or existing hard surface, and outlasts conventional outdoor courts. Regardless of the level of play, athletes of all ages will enjoy the benefits of Sport Court competitive performance and safety at an affordable price.

