



AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, JULY 16, 2018
6:30 PM

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.

CALL TO ORDER

ROLL CALL

Ms. Beth Kistner (Chair)
Mr. Tim Carney
Ms. Muriel Hall
Mr. Don Magruder
Mr. James Myers
Mr. Gene Rovak
Mr. Matthew Schuh
Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, Director of Community Development
Ms. Whitney Kelly, City Planner
Ms. Jessica Stutte, Planning Assistant/Recording Secretary

ACCEPTANCE OF THE AGENDA

APPROVAL OF MINUTES

- 1. June 18, 2018 Planning and Zoning Commission Draft Meeting Minutes**

PUBLIC COMMENT

An opportunity for members of the public to address the Planning and Zoning Commission regarding issues or concerns not already on the agenda for this meeting. Those wishing to speak will be asked to limit comments to three minutes and to complete a speaker card.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Application #18-025: Boundary Adjustment for Enclave Bellerive Plat Four of Lots 1 through 4 and Common Ground and Part of Vacated Mason Road

Greg Vatterott, of C.F. Vatterott Construction, on behalf of the property owners of Nomini Court for the above referenced addresses, is seeking a boundary adjustment, along with a municipal boundary adjustment to formally include the former vacated right-of-way that was the original Mason Road to each of the adjoining lots and have all of the properties within the City of Creve Coeur.

2. PUBLIC HEARING. Application #18-026: Conditional Use Permit for a New Café Coeur Restaurant at 10477-10479 Old Olive Street Road, Within the Willowbrook Shopping Center

Moshe Plotnik, of Cafe Coeur, LLC, submitted an application for a conditional use permit for a 2,300 square foot, full service restaurant at 10477-10479 Old Olive Street Road, with 70 indoor seats, within the Willowbrook Shopping Center. All full service restaurants (NAICS 722511) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission.

3. Application #18-027: Minor Site Plan for a Fence Within the Front Setback for the Immanuel Lutheran Cemetery at 646 N. Warson Road

Dick Crane, on behalf of Immanuel Lutheran Cemetery, at 646 N. Warson Road, Creve Coeur, MO, has submitted an application for a minor site plan for two, four-feet by six feet, open slatted fence panels to attach to the existing monument sign. The existing monument sign is approximately 6-10 feet from the property line. The subject property is zoned C Single Family Residential, where the Cemetery is a pre-existing non-conforming use, which has a front-yard setback of 50 feet along any street right-of-way.

4. PUBLIC HEARING. Application #18-028: Conditional Use Permit and Site Development Plan for New 3,000 +/- Square Foot Building Addition for St. Louis Elks Lodge at 12481 Ladue Road

Dan Koziatsek, of Civil & Environmental Consultants, Inc. on behalf of Hal Dygert of St. Louis Lodge No. 9 Benevolent and Protective Order of Elks, at 12481 Ladue Road, has submitted an application for a new conditional use permit to allow for an approximately 3,000 sq. ft. building addition. Staff needs time to research this matter and therefore Staff is requesting that the item be tabled.

WORK AGENDA

None

DEPARTMENT REPORTS

Director of Community Development

ADJOURNMENT

Posted: _____
Jason W. Jaggi
Director of Community Development



DRAFT MINUTES
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, JUNE 18, 2018
6:30 PM

CALL TO ORDER

ROLL CALL

Beth Kistner	Commission Chair	
Tim Carney	Commission Member	
Gene Rovak	Commission Member	(Absent)
Muriel Hall	Commission Member	
Don Magruder	Commission Member	
James Myers	Commission Member	
Matthew Schuh	Commission Member	

The following staff were also present: Carl Lumley, City Attorney; Jason Jaggi, Director of Community Development; Whitney Kelly, City Planner; and, Jessica Stutte, Planning Assistant/ Recording Secretary.

ACCEPTANCE OF THE AGENDA

Mr. Magruder made a motion to approve the agenda, Mr. Myers seconded. All in favor.

APPROVAL OF MINUTES

1. May 21, 2018 Planning and Zoning Commission Draft Meeting Minutes

Mr. Schuh made a motion to approve the minutes, Ms. Hall seconded. All in favor.

PUBLIC COMMENT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Application #18-024: Minor Site Development Plan for a Six-Foot Tall Tan Vinyl Fence and 4 Foot Aluminum Fence Within the Front-Yard Setback Along Litcheford Way and Litcheford Court for the Property at 227 Litcheford Court

Mr. Jim Graeler, the applicant's representative, said the applicant had decided to revise their request and now seek to replace the existing wooden fence with wood, and put an aluminum fence resembling wrought iron at the retaining wall. He said the current fence is in disrepair.

Mr. Myers asked what the height would be.

Mr. Graeler said the wood fence would be 6' and the aluminum 4'.

Mr. Magruder asked what type of wood they would use.

Mr. Graeler said it was treated pine and it would be treated in a few months after installation.

Ms. Kistner said she thought it would look nice.

Mr. Myers asked about the aluminum regulations mandated by the city.

Ms. Kelley explained the minimum standard is 4' open style picket for safety by a pool. She said within a backyard the fence can go up to 6', but since this request is in the front yard setback going to the property line it requires P&Z approval

Mr. Schuh made a motion to approve the application as amended with a 6 ' wooden slatted fence and a 4' aluminum fence on the retaining wall, with the condition that a landscape plan be submitted for staff approval.

RESULT:	APPROVED [5 TO 1]
MOVER:	Matthew Schuh, Commission Member
SECONDER:	James Myers, Commission Member
AYES:	Kistner, Carney, Hall, Magruder, Schuh
NAYS:	Myers
ABSENT:	Rovak

WORK AGENDA

1. Zoning Code Updates to Implement Creve Coeur 2030 Comprehensive Plan

Mr. Jaggi gave an update on the adoption of zoning changes to implement the 2030 Comprehensive Plan. He said staff had some suggestions on which areas to focus on first and said they were seeking direction from the Commission before moving forward with the zoning code changes.

He suggested setting aside time at every meeting or every other meeting. He said there could also be a sub-committee that works with staff. He said they hoped to get moving on this by the end of the summer.

Mr. Schuh asked how long it would take and how many meetings it would take to review.

Mr. Jaggi said he thought to the end of the year. Ms. Kelly said she thought it would take longer.

There was some discussion about the volume and the continuation of projects could be a problem.

There was some discussion about having a sub-committee.

Ms. Kelly said it likely would eliminate the need for meetings.

Ms. Kistner asked about the order of the review.

Ms. Kelly said they would do it in pieces.

Mr. Jaggi said he thought once they got through the first two topics the rest would fall a little easier into place.

There was discussion as to what would work best.

There was discussion about geographic based districts.

There was more discussion on sub-committees.

Mr. Schuh suggested loading the meetings when the agenda is sparser.

Mr. Jaggi said there is an application deadline and applicants expect to be heard at a certain time.

Mr. Schuh said the Commission should honor that.

Mr. Jaggi said there would be times that they would have to hear small items, but then could work on the Comprehensive Plan implementation.

There was consensus that Staff should revise the calendar to provide that every other meeting would focus on Comp Plan implementation.

DEPARTMENT REPORTS

Mr. Jaggi said there were 4 items that would come before the Commission for the meeting on July 16th.

ADJOURNMENT

Mr. Magruder made a motion to adjourn. All in favor.
Meeting Adjourned at 7:16 PM



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
#18-025: APPLICATION FOR A BOUNDARY ADJUSTMENT FOR
ENCLAVE BELLERIVE PLAT FOUR OF LOTS 1 THROUGH 4 AND
COMMON GROUND AND PART OF VACATED MASON ROAD**

FOR THE MEETING OF: Monday, July 16, 2018.

LOCATION: 501, 505, 509, 513, 517 and 519 Nomini Hall Ct., within the Enclave Bellerive Subdivision, zoned B-Single Family Residential, with RDD Designation.

REQUEST: Greg Vatterott, of C.F. Vatterott Construction, on behalf of the property owners of Nomini Court for the above referenced addresses, is seeking a boundary adjustment, along with a Municipal boundary adjustment to formally include the former vacated right-of-way that was the original Mason Road to each of the adjoining lots and have all of the properties within the City of Creve Coeur.

ADDITIONAL INFORMATION: The sale or transfer of small parcels of land to or between adjoining property owners, where such sale does not create additional lots is a ministerial act; if the drawings are technically accurate they must be approved by the Planning and Zoning Commission.

Key Issues:

- Does the adjustment create non-conformities on any of the lots?

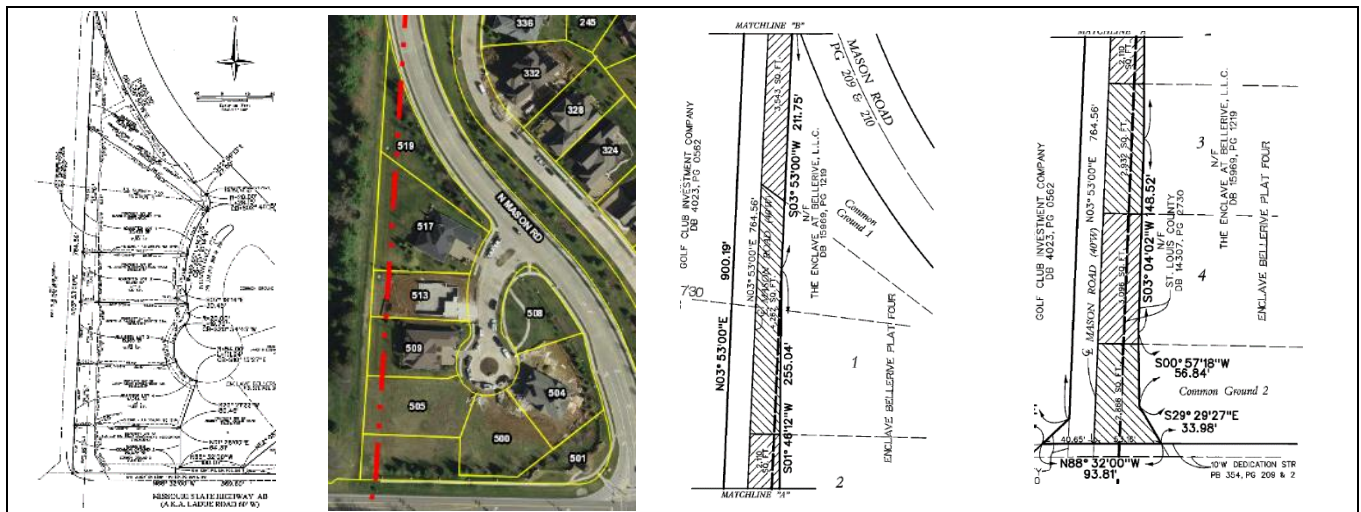
Subdivision Code References

- Section 410.030(D)

Zoning Code References

- Section 405.260: B Single Family Residential
- Section 405.450.C: Residential Designed Development Procedure

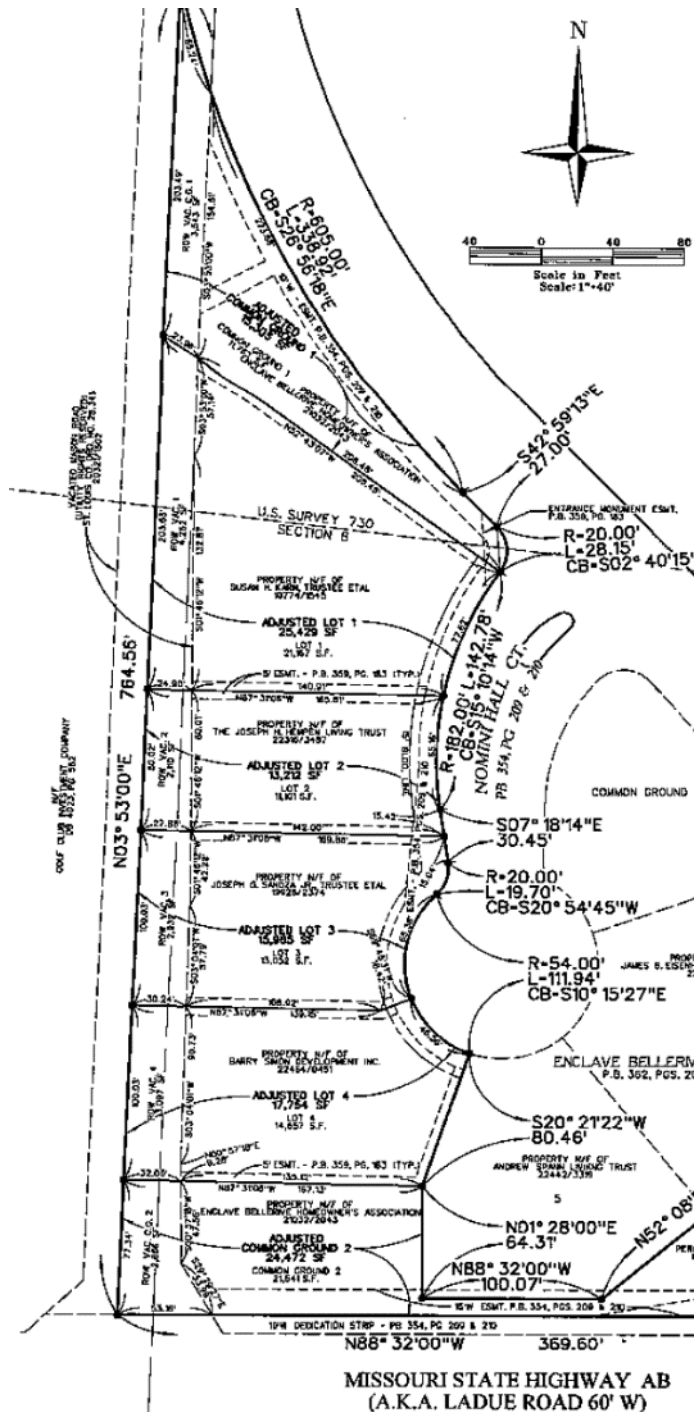
APPLICANTS: Gregory B. Vatterott St.
CF Vatterott Construction
10143 Paget Drive
St. Louis, MO 63132

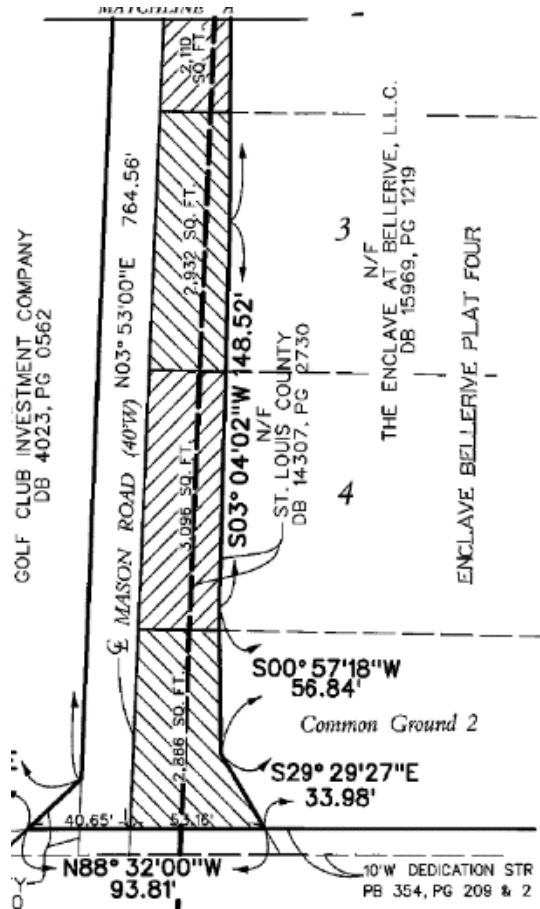


REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 7/11/2018
ATTACHMENTS: Applicant's Materials received June 4, 2018

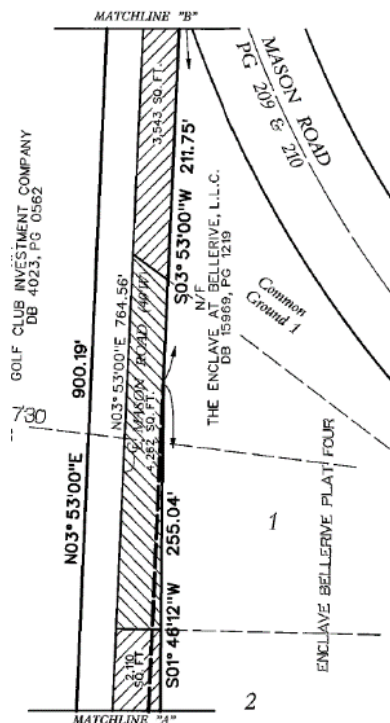
BACKGROUND

The Planning and Zoning Commission recommended approval of the preliminary subdivision plat for Enclave Bellerive on January 3, 2005. The City Council subsequently approved the development of Enclave Bellerive on January 24, 2005, when the property was rezoned from "A" to "B" Single-Family Residential with an "RDD" Residential Design Development preliminary plat that included the realignment of Mason Road. A site development plan was also approved at that time for fifty-five (55) houses. The Final Subdivision Plat 4 was approved in 2011. The original Mason Road was vacated, however it was not properly assigned to the adjoining properties, and falls just outside of the City Boundary with Town and Country. Therefore the Applicant is seeking to properly include the vacated Mason Road right-of-way to the adjoining properties within Nomini Hall Court, and to have the Municipal Boundary with Town and Country adjusted so that all of the lots fall within the City of Creve Coeur. Town and Country has indicated agreement with the boundary adjustment.

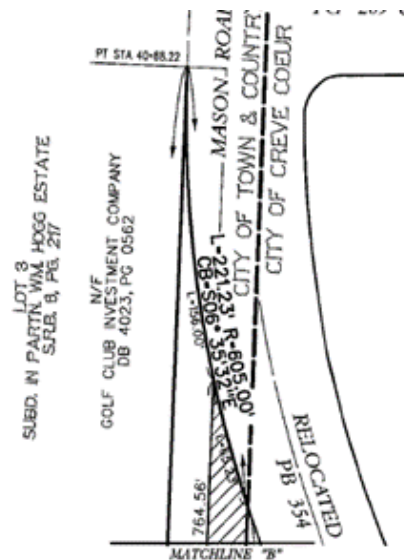




The adjusted common ground lot addressed as 501 Nomini Hall Ct, will increase to 24,472 square feet; Lot 4, addressed as 505 Nomini Hall Ct, will increase to 17,754 square feet; Lot 3 addressed as 509 Nomini Hall Ct, will increase to 15,985 square feet



Lot 2 addressed as 513 Nomini Hall Ct, will increase to 15,212 square feet; Lot 1 addressed as 517 Nomini Hall Ct, will increase to 25,429 square feet; And the common ground lot addressed as 519 Nomini Hall Ct, will increase to 15,305 square feet.



The Applicant has obtained Town and Country approval for the adjusted municipal boundary. City Council approval is required for the municipal boundary prior to the final signature and recording of the boundary adjustment for each of the individual lots.

DISCUSSION

A boundary adjustment, which is not a subdivision plat, is possible when the following regulation from the Subdivision Code is satisfied:

410.030(D) Sale or transfer of small parcels of land to or between adjoining property owners, where such sale does not create additional lots, is exempt from the requirement of recording by plat; provided, however, that certification by the Planning and Zoning Commission shall be required prior to such sale or transfer. This certification shall be recorded with the title of the property by the St. Louis County Recorder of Deeds.

This appears to be the case with the current application. The survey submitted indicates that the property changes will not create any non-conformities for the properties, and will be adding additional land area to each of the lots and the common ground area. As such, and given the staff conclusion that the drawings are technically accurate the adjustment should be approved by the Planning and Zoning Commission, with the condition that the final drawing be prepared for signature and recording, and that the City Council and the City of Town and Country approve ordinances approving the municipal boundary adjustment, so that the affected properties are solely within the City of Creve Coeur.

ACTION

If the members of the Planning Commission are satisfied that the requested boundary adjustment meets the applicable requirements of the Subdivision Code, the Planning Department staff request that a final decision be voted upon.

MOTION

The following are examples of a motion for this application:

“I move to approve the boundary adjustments attached to the staff report on application #13-044 for the meeting of July 16, subject to the condition that the City Council and Town and Country authorize the municipal boundary adjustment for the related properties, and a final drawing be prepared for signature and recording.” (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 (CHAPTER 405 OF THE CREVE COEUR MUNICIPAL CODE)

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

APPENDIX 3: CREVE COEUR SUBDIVISION AND LAND DEVELOPMENT REGULATIONS (CHAPTER 410 OF THE CREVE COEUR MUNICIPAL CODE)

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

APPENDIX 4: AERIAL PHOTO



CHARLES F. VATTEROTT CONSTRUCTION CO

May 30, 2018

Mr. Jason Jaggi
Director Community Development
300 N. New Ballas Rd.
Creve Coeur, MO 63141

In Re: Municipal Boundary Adjustment affecting Plat 4, Enclave Bellerive

Dear Mr. Jaggi:

On behalf of the owners of the affected lots in Plat 4 of Enclave Bellerive, we would request that a Municipal Boundary Adjustment be secured between the City of Creve Coeur and the City of Town & Country. Once obtained, a Boundary Adjustment Plat for these certain lots can be applied for from Creve Coeur. This process becomes necessary due to the vacation of the old Mason Road ROW which resulted in the affected adjoining lots having the rear of their lot in Town & Country and the remaining lot and improvement in the City of Creve Coeur. I have been advised that an ordinance to accomplish such a result needs to be introduced and passed by the City Council. The same process would apply to Town & Country.

Once the ordinance is perfected by both cities and filed with the Boundary Commission, the property owners would submit a Boundary Adjustment Plat to be taken up by P & Z, then to be approved by the City Council. I have been informed that St. Louis County ordinances do not allow a metes and bounds legal description to consolidate the rear and front of the parcels unless the property/lot is greater than 10 acres.

Please consider this correspondence as an application for such an ordinance and Boundary Adjustment. Attached please find the following:

- 1- A list of the lots with ownership information and consents;
- 2- Plat Four Boundary Adjustment Plat;
- 3- Vacation Reversion Exhibit containing 3 pages;
- 4- The legal descriptions of the 6 parcels;
- 5- Creve Coeur legal description.

Enclosed please find the \$250 application fee and a \$2,000 escrow to cover processing costs.

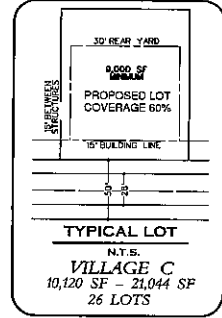
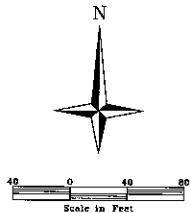
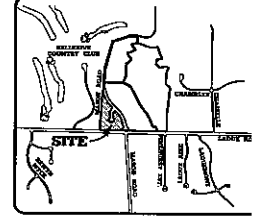
Sincerely,

Gregory B. Vatterott

Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)

ENCLAVE BELLERIVE PLAT FOUR BOUNDARY ADJUSTMENT PLAT OF LOTS 1 THROUGH 4 AND COMMON GROUND 1 & 2 AND PART OF VACATED MASON ROAD

TRACTS OF LAND BEING PARTS OF U.S. SURVEY 730
AND FRACTIONAL SECTION 8 TOWNSHIP 45 NORTH, RANGE 5 EAST
CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI



PROJECT NOTES:	
AREA OF SITE:	2.57 ACRES
ADDRESS:	301.200.1337.7 & 516 HOMER HALL CRT ST. LOUIS, MO. 63141
LOGATOR NUMBER:	18P18644, 18P181022, 18P190411, 18P191030 18P191040, 18P191032
EXISTING ZONING:	SINGLE-FAMILY - R2
OWNER:	NON-URBAN
SCHOOL DISTRICT:	PARKWAY
WATER DISTRICT:	WENTZ COUNTY LMS & F&B
ELECTRIC CO:	CREVE COEUR UTILITIES
SEWER CO:	AMERICAN
PREPARED FOR:	THE ENCLAVE AT BELLERIVE, LLC 1040 ST. CHARLES ROCK RD ST. ANN, MO 63074 314-427-4000

ROW VACATION LOT 1

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 23446(2012) Approved December 18, 2012 and recorded in Book 20321 page 1502 of the St. Louis County Records, in U.S. Survey 730 and in Fractional Section 8, Township 45 North - Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Lot 1 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records, thence Southwesterly along the West line of said Lot 1, South 03 degrees 05 minutes 00 seconds West 57.14 feet and South 01 degrees 46 minutes 12 seconds West 152.81 feet to the South line of said Lot 1; thence Northwesterly along the Westward prolongation of said South line North 87 degrees 01 minutes 00 seconds West 24.00 feet to the original centerline of Vacated Mason Road, varying width; thence Northwesterly along said centerline North 03 degrees 05 minutes 00 seconds East 203.65 feet to the Northwest prolongation of the Northeast line of said Lot 1; thence Southwesterly along said Northwesterly prolongation of the Northeast line of said Lot 1, South 52 degrees 40 minutes 07 seconds East 23.96 feet to the point of beginning and containing 4,282 square feet according to calculations by Volz Inc. during May, 2017.

ROW VACATION LOT 2

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 23446(2012) Approved December 18, 2012 and recorded in Book 20321 page 1502 of the St. Louis County Records, in U.S. Survey 730 and in Fractional Section 8, Township 45 North - Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Lot 2 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records, thence Southwesterly along the West line of said Lot 2, South 01 degrees 46 minutes 12 seconds West 57.14 feet to the South line of said Lot 2; thence Northwesterly along the Westward prolongation of said South line North 87 degrees 01 minutes 00 seconds West 22.00 feet to the original centerline of Vacated Mason Road, varying width; thence Northwesterly along said centerline North 03 degrees 05 minutes 00 seconds East 80.02 feet to the Westward prolongation of the North line of said Lot 2; thence Northwesterly along said Westward prolongation of the North line of said Lot 2, South 87 degrees 01 minutes 00 seconds East 24.96 feet to the point of beginning and containing 2,116 square feet according to calculations by Volz Inc. during May, 2017.

ROW VACATION LOT 3

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 23446(2012) Approved December 18, 2012 and recorded in Book 20321 page 1502 of the St. Louis County Records, in U.S. Survey 730 and in Fractional Section 8, Township 45 North - Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Lot 3 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records, thence Southwesterly along the West line of said Lot 3, South 01 degrees 46 minutes 12 seconds West 57.14 feet and South 01 degrees 46 minutes 12 seconds West 152.81 feet to the South line of said Lot 3; thence Northwesterly along the Westward prolongation of said South line North 87 degrees 01 minutes 00 seconds West 30.24 feet to the original centerline of Vacated Mason Road, varying width; thence Northwesterly along said centerline North 03 degrees 05 minutes 00 seconds East 100.00 feet to the Westward prolongation of the North line of said Lot 3; thence Eastwardly along said Westward prolongation of the North line of said Lot 3, South 87 degrees 01 minutes 00 seconds East 27.86 feet to the point of beginning and containing 2,932 square feet according to calculations by Volz Inc. during May, 2017.

ROW VACATION LOT 4

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 23446(2012) Approved December 18, 2012 and recorded in Book 20321 page 1502 of the St. Louis County Records, in U.S. Survey 730 and in Fractional Section 8, Township 45 North - Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Lot 4 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records, thence Southwesterly along the West line of said Lot 4, South 03 degrees 05 minutes 00 seconds West 57.14 feet and South 01 degrees 46 minutes 12 seconds West 152.81 feet to the South line of said Lot 4; thence Northwesterly along the Westward prolongation of said South line North 87 degrees 01 minutes 00 seconds West 30.24 feet to the original centerline of Vacated Mason Road, varying width; thence Northwesterly along said centerline North 03 degrees 05 minutes 00 seconds East 100.00 feet to the Westward prolongation of the North line of said Lot 4; thence Eastwardly along said Westward prolongation of the North line of said Lot 4, South 87 degrees 01 minutes 00 seconds East 30.24 feet to the point of beginning and containing 3,038 square feet according to calculations by Volz Inc. during May, 2017.

ROW VACATION COMMON GROUND 1

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 23446(2012) Approved December 18, 2012 and recorded in Book 20321 page 1502 of the St. Louis County Records, in U.S. Survey 730 and in Fractional Section 8, Township 45 North - Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Common Ground 1 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records, thence Southwesterly along the West line of said Common Ground 1, South 03 degrees 05 minutes 00 seconds West 154.61 feet to the Southwest line of said Common Ground 1; thence Northwesterly along the Northwesterly prolongation of said Southwest line North 52 degrees 43 minutes 07 seconds West 23.96 feet to the original centerline of Vacated Mason Road, 40 feet wide; thence Northwesterly along said centerline North 03 degrees 05 minutes 00 seconds East 200.40 feet to the Northeast line of that portion of Vacated Mason Road, as described in the aforementioned St. Louis County Ordinance No. 23446(2012), thence Southwesterly along said Northeast line of Vacated Mason Road, along a curve to the left whose radius point bears North 78 degrees 06 minutes 36 seconds East 655.00 from the last mentioned point, a distance of 55.24 feet to the point of beginning and containing 3,543 square feet according to calculations by Volz Inc. during May, 2017.

ROW VACATION COMMON GROUND 2

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 23446(2012) Approved December 18, 2012 and recorded in Book 20321 page 1502 of the St. Louis County Records, in U.S. Survey 730 and in Fractional Section 8, Township 45 North - Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Common Ground 2 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records, thence Southwesterly along the West line of said Common Ground 2, South 00 degrees 57 minutes 18 seconds West 47.55 feet and South 29 degrees 20 minutes 27 seconds East 33.96 feet to the North line of Missouri State Highway AB, 70 feet wide, (here known as Ludue Road) said point being 49 feet perpendicular distance Northwesterly of the original centerline of said Missouri State Highway AB; thence Northwesterly along said North line of Missouri State Highway AB, North 06 degrees 32 minutes 00 seconds East 27.34 feet to the Westward prolongation of the North line of said Common Ground 2; thence Northwesterly along said centerline North 03 degrees 05 minutes 00 seconds East 100.00 feet to the Westward prolongation of the North line of said Common Ground 2; thence Eastwardly along said Westward prolongation of the North line of said Common Ground 2, South 87 degrees 01 minutes 00 seconds East 30.20 feet to the point of beginning and containing 3,486 square feet according to calculations by Volz Inc. during May, 2017.

LOT 1

A tract of land being Lot 1 of Enclave Bellerive Plat Four as shown on the plat recorded in Plat Book 359 Page 183 of the St. Louis County Records.

LOT 2

A tract of land being Lot 2 of Enclave Bellerive Plat Four as shown on the plat recorded in Plat Book 359 Page 183 of the St. Louis County Records.

LOT 3

A tract of land being Lot 3 of Enclave Bellerive Plat Four as shown on the plat recorded in Plat Book 359 Page 183 of the St. Louis County Records.

LOT 4

A tract of land being Lot 4 of Enclave Bellerive Plat Four as shown on the plat recorded in Plat Book 359 Page 183 of the St. Louis County Records.

COMMON GROUND 1

A tract of land being Common Ground 1 of Enclave Bellerive Plat Four as shown on the plat recorded in Plat Book 359 Page 183 of the St. Louis County Records.

COMMON GROUND 2

A tract of land being Common Ground 2 of Enclave Bellerive Plat Four as shown on the plat recorded in Plat Book 359 Page 183 of the St. Louis County Records.

MISSOURI STATE HIGHWAY AB
(A.K.A. LADUE ROAD 60' W)

VOLZ
Incorporated
10400 Indian Head (rte. 64)
St. Louis, Missouri 63132
314.425.6212 main • 314.680.1250 fax
WWW.VOLZINC.COM

MISSOURI CORPORATE CERTIFICATE OF AUTHORITY
NO. 18 EXPIRES: DECEMBER 31, 2017 - LAND SURVEY
NO. 003 EXPIRES: DECEMBER 31, 2017 - LAND SURVEY

Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)

We the undersigned owners of the tracts of land herein plat and further described in the foregoing Surveyor's Certificate, have caused the same to be surveyed and boundary adjusted in the manner shown on this plat and shall hereafter be known as ENCLAVE BELLERIVE PLAT FOUR BOUNDARY ADJUSTMENT PLAT OF LOTS 1 THROUGH 4 AND COMMON GROUND 1 & 2 AND PART OF VACATED MASON ROAD.

LOT 1

IN WITNESS WHEREOF, we have hereunto set our hand, this ____ day of ____ 2017.

SUSAN H. KARN REVOCABLE TRUST DATED DECEMBER 28, 1998

Susan H. Karn, Trustee Robert B. Karn III, Trustee

STATE OF _____ } SS
COUNTY OF _____ }

On this ____ day of ____ 2017, before me personally appeared Susan H. Karn and Robert B. Karn III, to me personally known, who being by me duly sworn, did say that they are the Trustees of the Susan H. Karn Revocable Trust dated December 28, 1998.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

My commission expires: _____

Notary Public
Printed

LOT 2

IN WITNESS WHEREOF, we have hereunto set our hand, this ____ day of ____ 2017.

THE JOSEPH H. HEMPHEN LIVING TRUST AGREEMENT DATED JANUARY 17, 1997

Joseph H. Hemphen, Trustee

STATE OF _____ } SS
COUNTY OF _____ }

On this ____ day of ____ 2017, before me personally appeared Joseph H. Hemphen, to me personally known, who being by me duly sworn, did say that he is the Trustee of the Joseph H. Hemphen Living Trust Agreement Dated January 17, 1997.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

My commission expires: _____

Notary Public
Printed

LOT 3

IN WITNESS WHEREOF, we have hereunto set our hand, this ____ day of ____ 2017.

JOSEPH G. SANDAZ JR. REVOCABLE TRUST DATED MARCH 21, 1983

Joseph G. Sandaz Jr., Trustee Helen L. Sandaz, Trustee

STATE OF _____ } SS
COUNTY OF _____ }

On this ____ day of ____ 2017, before me personally appeared Joseph G. Sandaz Jr. and Helen L. Sandaz, to me personally known, who being by me duly sworn, did say that they are the Trustees of the Joseph G. Sandaz Jr. Revocable Trust Dated March 21, 1983.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

My commission expires: _____

Notary Public
Printed

LOT 4

IN WITNESS WHEREOF, we have hereunto set our hand, this ____ day of ____ 2017.

BARRY SIMON DEVELOPMENT INC.

Barry Simon, President

STATE OF MISSOURI }
COUNTY OF ST. LOUIS } SS

On this ____ day of ____ 2017, before me appeared Barry Simon, to me personally known, who being by me duly sworn, did say that he is the President of Barry Simon Development Inc., a Missouri Corporation duly organized and existing under the laws of the State of Missouri, and that the seal affixed to the foregoing instrument is the Corporate Seal of said Corporation and that said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and he further acknowledges said instrument to be the true act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

My commission expires: _____

Notary Public
Printed

COMMON GROUND 1 & 2

IN WITNESS WHEREOF, we have hereunto set our hand, this ____ day of ____ 2017.

ENCLAVE BELLERIVE HOMEOWNERS ASSOCIATION

Signature _____

Print Name & Title _____

STATE OF MISSOURI }
COUNTY OF ST. LOUIS } SS

On this ____ day of ____ 2017, before me appeared _____, to me personally known, who being by me duly sworn, did say that (s/he is the _____ of Enclave Bellerive Homeowner's Association, a Missouri Nonprofit Corporation and he further acknowledges said instrument to be the true act and deed of said Nonprofit Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

My commission expires: _____

Notary Public
Printed

Deed of Trust Holder - Lot 1

The undersigned legal owners and holder of notes secured by Deed of Trust recorded in Deed Book _____ Page _____ of the St. Louis County Records, do hereby consent to every detail on this Boundary Adjustment Plat.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our corporate seal, this ____ day of ____ 2017.

Corporation _____

By: _____ (Corporate Officer)

(Printed name of Corporate Officer, Title)

STATE OF MISSOURI }
COUNTY OF ST. LOUIS } SS

On this ____ day of ____ 2017, before me appeared _____, to me personally known, who being by me duly sworn, did say that (s/he is the _____ of _____, a Missouri Corporation duly organized and existing under the laws of the State of Missouri, and that the seal affixed to the foregoing instrument is the Corporate Seal of said Corporation and that said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and (s/he further acknowledges said instrument to be the true act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

My commission expires: _____

Notary Public
Printed

Deed of Trust Holder - Lot 2

The undersigned legal owners and holder of notes secured by Deed of Trust recorded in Deed Book _____ Page _____ of the St. Louis County Records, do hereby consent to every detail on this Boundary Adjustment Plat.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our corporate seal, this ____ day of ____ 2017.

Corporation _____

By: _____ (Corporate Officer)

(Printed name of Corporate Officer, Title)

STATE OF MISSOURI }
COUNTY OF ST. LOUIS } SS

On this ____ day of ____ 2017, before me appeared _____, to me personally known, who being by me duly sworn, did say that (s/he is the _____ of _____, a Missouri Corporation duly organized and existing under the laws of the State of Missouri, and that the seal affixed to the foregoing instrument is the Corporate Seal of said Corporation and that said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and (s/he further acknowledges said instrument to be the true act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

My commission expires: _____

Notary Public
Printed

Deed of Trust Holder - Lot 3

The undersigned legal owners and holder of notes secured by Deed of Trust recorded in Deed Book _____ Page _____ of the St. Louis County Records, do hereby consent to every detail on this Boundary Adjustment Plat.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our corporate seal, this ____ day of ____ 2017.

Corporation _____

By: _____ (Corporate Officer)

(Printed name of Corporate Officer, Title)

STATE OF MISSOURI }
COUNTY OF ST. LOUIS } SS

On this ____ day of ____ 2017, before me appeared _____, to me personally known, who being by me duly sworn, did say that (s/he is the _____ of _____, a Missouri Corporation duly organized and existing under the laws of the State of Missouri, and that the seal affixed to the foregoing instrument is the Corporate Seal of said Corporation and that said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and (s/he further acknowledges said instrument to be the true act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

My commission expires: _____

Notary Public
Printed

This is to certify that we have, during the month of May, 2017, by order of The Enclave Bellerive, L.L.C., prepared a Boundary Adjustment Plat of a tract of land being Lots 1 through 4 and Common Ground 1 and 2 of Enclave Bellerive Plat Four and Part of Vacated Mason Road in U.S. Survey 730 and Fractional Section 8, Township 45 North, Range 5 East, in the City of Creve Coeur and The City of Town & Country, St. Louis County, Missouri. This Survey, made in accordance with the "Missouri Minimum Standards for Property Boundary Surveys" established by the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, meets the accuracy requirements of an Urban Plod Survey, as defined therein, and the results are as shown on this plat.

Volz Incorporated

Eric J. R.
Professional Land Surveyor
No. PL6 No. 2005006

General Notes:

1. Booking system adopted from Enclave Bellerive Plat Four as recorded in Plat Book 1 page 183 of the St. Louis County Records.
2. A title commitment was not provided, property may be subject to additional easements record.

CITY OF TOWN & COUNTRY

I, Ashley McNamara, City Clerk for the City of Town and Country, hereby certify that I have approved this Boundary Adjustment Plat of Enclave Bellerive Plat Four Boundary Adjustment Plat of Lots 1 through 4 and Common Ground 1 & 2 and Part of Vacated Mason Road was passed and approved by the City of Town and Country, Missouri by Ordinance No. _____ dated 1 day of May, 2017.

CITY OF TOWN & COUNTRY, MISSOURI

By: _____ Ashley McNamara, City Clerk

Date: _____

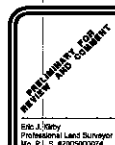
It is hereby certified that this Boundary Adjustment Plat was approved on the ____ day of ____ 2017, pursuant to the Subdivision Regulations of the City of Creve Coeur, Missouri, as outlined in said regulations in Section 410.030.D of Ordinance Number 5123.

Planning and Zoning Commission
City of Creve Coeur, Missouri

Chair: _____

I, Deborah Ryan, City Clerk for and within the City of Creve Coeur, Missouri, do hereby certify that this Boundary Adjustment Plat is in complete compliance with Ordinance Number 5123 approved on the 22nd day of February, 2010, as approved by the City Council of the City of Creve Coeur.

Deborah Ryan, MCOC, City Clerk



MISSOURI CORPORATE CERTIFICATES OF AUTHORITY
AD. TO EXPIRE 12/31/2017 - LAND SURVEY
NO. 200 EXPIRES 06/30/2017 - ENGINEER

**CONSENT TO MUNICIPAL BOUNDARY ADJUSTMENT
BETWEEN THE CITY OF TOWN & COUNTRY AND
THE CITY OF CREVE COEUR OF PROPERTY OF PLAT
FOUR OF ENCLAVE BELLERIVE**

PROPERTY: Common ground 1
Locator No. 18P510433
519 Nomini Hall Ct.

OWNERSHIP: Enclave Bellerive Homeowners Association

LEGAL DESCRIPTION: TO BE ATTACHED

The Enclave Bellerive Homeowners Association is the owner of Common Ground 1, known as 519 Nomini Hall Court, Creve Coeur, MO. We consent to the proposed municipal boundary adjustment reflecting the vacation of the Right of Way of Mason Road.

IN WITNESS WHEREOF, the above-named Owner has signed these presents this
10TH day of MAY, 2010


Signature

Robert E. Courtney, Trustee
Print Name

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

On this 10th day of May 2018, before me personally appeared Robert E. Country, to me known, who, being by me duly sworn, did say that he/she is the Trustee of and that said instrument was signed and sealed in behalf of said Enclave Bellerive Homeowners Association, by authority of its Trustees: and said _____ acknowledged said instrument to be the free act and deed of said Enclave Bellerive Homeowners Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County of St. Louis, and State aforesaid, this 10 day May 2018.

My Commission Expires 3/29/19

Linda LT

Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)

**CONSENT TO MUNICIPAL BOUNDARY ADJUSTMENT
BETWEEN THE CITY OF TOWN & COUNTRY AND
THE CITY OF CREVE COEUR OF PROPERTY OF PLAT
FOUR OF ENCLAVE BELLERIVE**

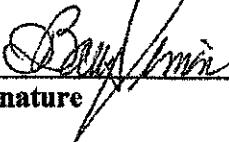
PROPERTY: Locator No. 18P510422
505 Nomini Hall Ct.

OWNERSHIP: Barry Simon Development Inc.

LEGAL DESCRIPTION: Lot 4 of Enclave Bellerive Plat Four, a Subdivision according to the plat thereof recorded in Plat Book 359 Page 183 of the St. Louis County Records.

Barry Simon Development Inc. is the owner of Lot 4, known as 505 Nomini Hall Court, Creve Coeur, MO. I consent to the proposed municipal boundary adjustment reflecting the vacation of the Right of Way of Mason Road.

IN WITNESS WHEREOF, the above-named Owner has signed these presents this
17 day of April, 2018


Signature

Barry Simon
Print Name

**CONSENT TO MUNICIPAL BOUNDARY ADJUSTMENT
BETWEEN THE CITY OF TOWN & COUNTRY AND
THE CITY OF CREVE COEUR OF PROPERTY OF PLAT
FOUR OF ENCLAVE BELLERIVE**

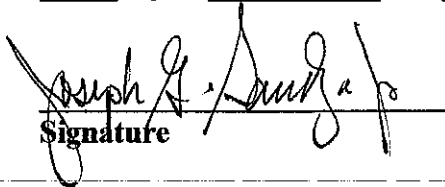
PROPERTY: **Locator No. 18P510411
509 Nomini Hall Ct.**

OWNERSHIP: **Joseph G Sandza Jr. Trust**

LEGAL DESCRIPTION: Lot 3 of Enclave Bellerive Plat Four, a Subdivision according to the plat thereof recorded in Plat Book 359 Page 183 of the St. Louis County Records.

Joseph G. Sandza Jr Trustee is the owner of Lot 3, known as 509 Nomini Hall Court, Creve Coeur, MO. I consent to the proposed municipal boundary adjustment reflecting the vacation of the Right of Way of Mason Road.

IN WITNESS WHEREOF, the above-named Owner has signed these presents this 23 day of MARCH, 2018


Signature

Joseph G. SANDZA Jr.
Print Name

MAR 26 2018

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

On this 23 day of March 2018, before me personally appeared Joseph G. SANDZA JR. to me known, who, being by me duly sworn, did say that he/she is the TRUSTEE of and that said instrument was signed and sealed in behalf of said Joseph G Sandza Jr. Trust by authority of its Trustees: and said Joseph G. SANDZA JR. acknowledged said instrument to be the free act and deed of said Trust.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County of St. Louis, and State aforesaid, this 23 day March 2018.

My Commission Expires 9-11-2020

Karon Bennett



**CONSENT TO MUNICIPAL BOUNDARY ADJUSTMENT
BETWEEN THE CITY OF TOWN & COUNTRY AND
THE CITY OF CREVE COEUR OF PROPERTY OF PLAT
FOUR OF ENCLAVE BELLERIVE**

PROPERTY: Locator No. 18P510400
513 Nomini Hall Ct.

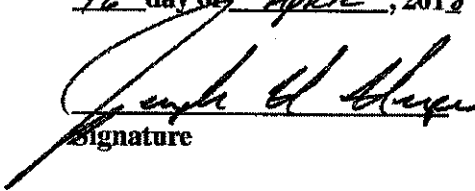
OWNERSHIP: The Living Trust of Joseph H. Hempen

LEGAL DESCRIPTION: Lot 2 of Enclave Bellerive Plat Four, a Subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records.

The Living Trust of Joseph H. Hempen is the owner of Lot 2, known as 513 Nomini Hall Court, Creve Coeur, MO. I consent to the proposed municipal boundary adjustment reflecting the vacation of the Right of Way of Mason Road.

IN WITNESS WHEREOF, the above-named Owner has signed these presents this

16 day of April, 2018


Signature

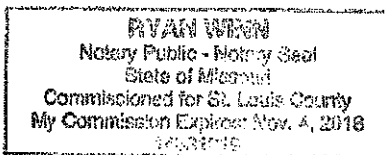
JOSEPH H. HEMPEN
Print Name

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

On this 16th day of April 2018, before me personally appeared Joseph H. Hempen, to me known, who, being by me duly sworn, did say that he/she is the administrator of and that said instrument was signed and sealed in behalf of said Barry Simon Development Inc. by authority of its Board: and said Joseph H. Hempen acknowledged said instrument to be the free act and deed of said Barry Simon Development Inc.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County of St. Louis, and State aforesaid, this 16th day April 2018.

My Commission Expires 11/6/2018



**CONSENT TO MUNICIPAL BOUNDARY ADJUSTMENT
BETWEEN THE CITY OF TOWN & COUNTRY AND
THE CITY OF CREVE COEUR OF PROPERTY OF PLAT
FOUR OF ENCLAVE BELLERIVE**

PROPERTY: Lot 1

OWNERSHIP: Susan H. Karn Revocable Trust dated 12/28/98

LEGAL DESCRIPTION: Lot 1 of Enclave Bellerive Plat Four, a Subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records.

I am the owner of Lot 1, known as 517 Nomini Hall Court, Creve Coeur, MO. I consent to the proposed municipal boundary adjustment reflecting the vacation of the Right of Way of Mason Road.

IN WITNESS WHEREOF, the above-named Owner has signed these presents this 23 day of March, 2018

Susan H. Karn
Signature

SUSAN H. KARN
Print Name

MAR 27 2018

FLORIDA
 STATE OF ~~MISSOURI~~)
LEE) SS
 COUNTY OF ~~ST. LOUIS~~)

On this 23rd day of MARCH 2018, before me personally appeared SUSAN H. KARN, to me known, who, being by me duly sworn, did say that he/she is the OWNER of Susan H. Karn Revocable Trust dated 12/28/98 and that said instrument was signed and sealed in behalf of said Trust, by authority of its Trustees: and said SUSAN H KARN acknowledged said instrument to be the free act and deed of said TRUST.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County of ~~St. Louis~~, and State aforesaid, this 23rd day MARCH 2018.

LEE
 My Commission Expires 12-12-19



Deborah K. Lohan

Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)

**CONSENT TO MUNICIPAL BOUNDARY ADJUSTMENT
BETWEEN THE CITY OF TOWN & COUNTRY AND
THE CITY OF CREVE COEUR OF PROPERTY OF PLAT
FOUR OF ENCLAVE BELLERIVE**

PROPERTY: Common ground 2
Locator No. 18P510444
501 Nomini Hall Ct.

OWNERSHIP: Enclave Bellerive Homeowners Association

LEGAL DESCRIPTION: TO BE ATTACHED

The Enclave Bellerive Homeowners Association is the owner of Common Ground 2, known as 501 Nomini Hall Court, Creve Coeur, MO. We consent to the proposed municipal boundary adjustment reflecting the vacation of the Right of Way of Mason Road.

IN WITNESS WHEREOF, the above-named Owner has signed these presents this
10TH day of MAY, 2018

Robert E. Courtney, Trustee
Signature

Robert E. Courtney, Trustee
Print Name

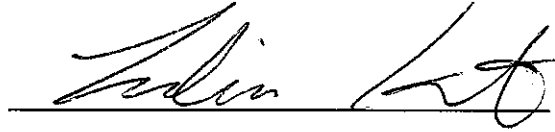
Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)

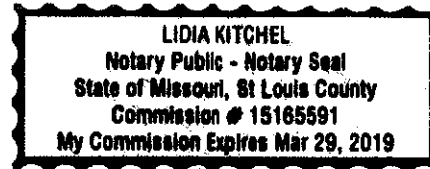
STATE OF MISSOURI)
) SS
 COUNTY OF ST. LOUIS)

On this 10 day of May 2018, before me personally appeared Roger E. Cooney to me known, who, being by me duly sworn, did say that he/she is the Trustee of and that said instrument was signed and sealed in behalf of said Enclave Bellerive Homeowners Association, by authority of its Trustees: and said _____ acknowledged said instrument to be the free act and deed of said Enclave Bellerive Homeowners Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County of St. Louis, and State aforesaid, this 10th day May 2018.

My Commission Expires 3/29/19





ENCLAVE BELLERIVE
7607

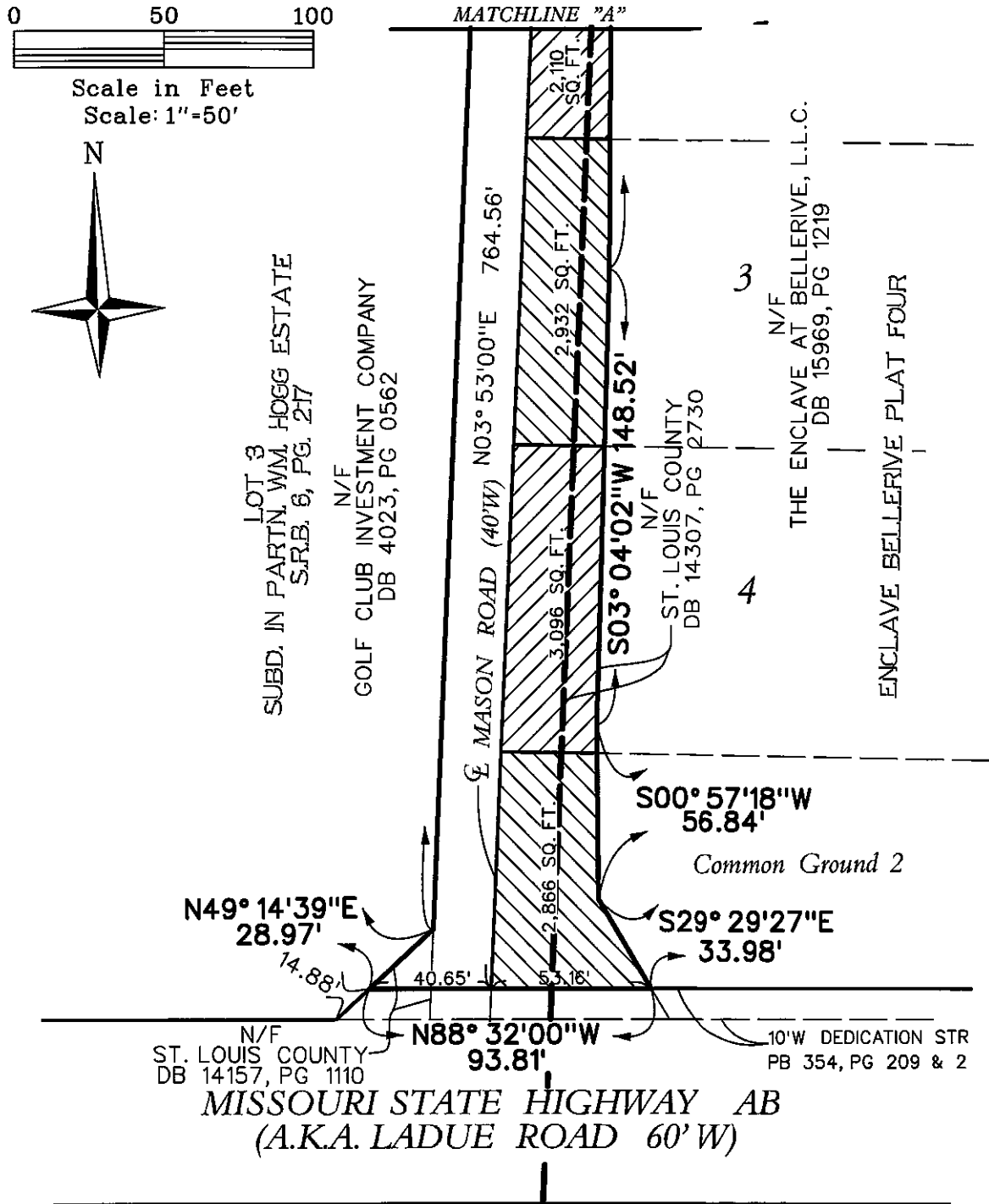


EXHIBIT "A" SHEET 1 OF 3

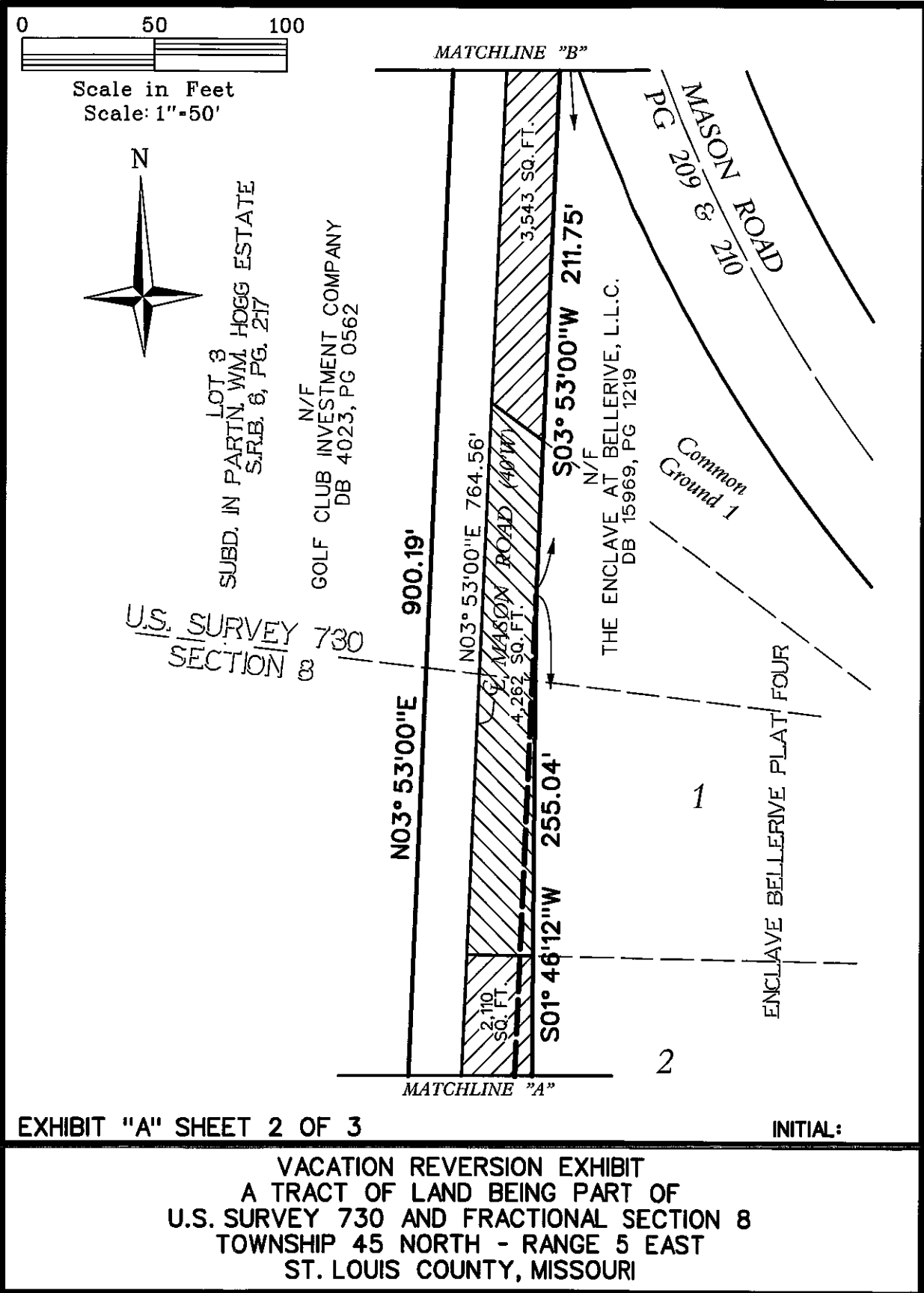
INITIAL:

VACATION REVERSION EXHIBIT
A TRACT OF LAND BEING PART OF
U.S. SURVEY 730 AND FRACTIONAL SECTION 8
TOWNSHIP 45 NORTH - RANGE 5 EAST
ST. LOUIS COUNTY, MISSOURI

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Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)

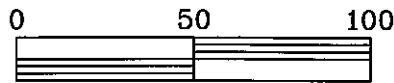
ENCLAVE BELLERIVE
7607



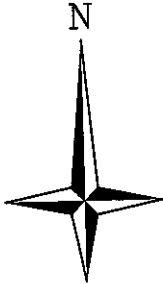
Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)

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ENCLAVE BELLERIVE
7607



Scale in Feet
Scale: 1"=50'



LOT 3
SUBD. IN PARTN. WM. HOGG ESTATE
S.R.B. 8, PG. 217

N/F
GOLF CLUB INVESTMENT COMPANY
DB 4023, PG 0562

PT STA 40+88.22

MASON ROAD (40'W)

L-221.23' R-605.00'
CB-S06.35132"E

CITY OF TOWN & COUNTRY

CITY OF CREVE COEUR

MULBERRY
ROW COURT

PB 354,
PG 209 & 210

RELOCATED
PB 354

MATCHLINE "B"

EXHIBIT "A" SHEET 3 OF 3

INITIAL:

VACATION REVERSION EXHIBIT
A TRACT OF LAND BEING PART OF
U.S. SURVEY 730 AND FRACTIONAL SECTION 8
TOWNSHIP 45 NORTH - RANGE 5 EAST
ST. LOUIS COUNTY, MISSOURI

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Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)



ENGINEERING
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONSTRUCTION MANAGEMENT

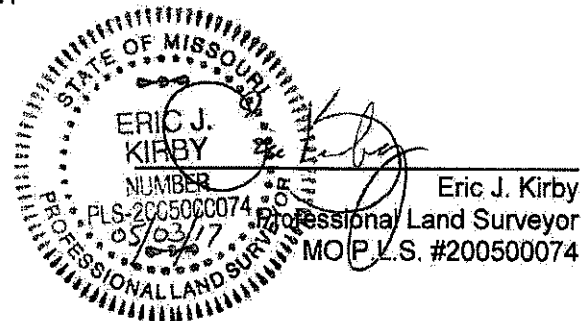
May 03, 2017

EJK

RE: Vacated Mason Rd R-O-W
Common Ground 1
7607-43

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 25346(2012) Approved December 18, 2012, in U.S. Survey 730, Township 45 North – Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Common Ground 1 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records; thence Southwardly along the West line of said Common Ground 1 South 03 degrees 53 minutes 00 seconds West 154.61 feet to the Southwest line of said Common Ground 1; thence Northwestwardly along the Northwestward prolongation of said Southwest line North 52 degrees 43 minutes 07 seconds West 23.96 feet to the original centerline of Vacated Mason Road, 40 feet wide; thence Northwardly along said centerline North 03 degrees 53 minutes 00 seconds East 203.49 feet to Northeast line of that portion of Vacated Mason Road, as described in the aforementioned St. Louis County Ordinance No. 25346(2012); thence Southeastwardly along said Northeast line of Vacated Mason Road, along a curve to the left whose radius point bears North 79 degrees 06 minutes 36 seconds East 605.00 from the last mentioned point, a distance of 65.24 feet to the point of beginning and containing 3,543 square feet according to calculations by Volz Inc. during May 2017



Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)



ENGINEERING
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONSTRUCTION MANAGEMENT

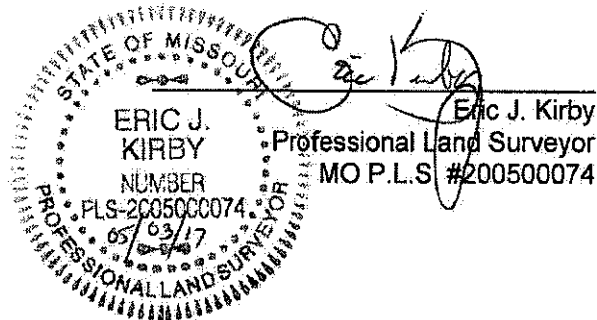
May 03, 2017

EJK

RE: Vacated Mason Rd R-O-W
Lot 1
7607-43

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 25346(2012) Approved December 18, 2012, in U.S. Survey 730 and in Fractional Section 8, Township 45 North – Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Lot 1 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records; thence Southwardly along the West line of said Lot 1 South 03 degrees 53 minutes 00 seconds West 57.14 feet and South 01 degrees 46 minute 12 seconds West 132.81 feet to the South line of said Lot 1; thence Westwardly along the Westward prolongation of said South line North 87 degrees 31 minutes 06 seconds West 24.90 feet to the original centerline of Vacated Mason Road, varying width; thence Northwardly along said centerline North 03 degrees 53 minutes 00 seconds East 203.65 feet to the Northwestward prolongation of the Northeast line of said Lot 1; thence Southeastwardly along said Northwestward prolongation of the Northeast line of said Lot 1 South 52 degrees 43 minutes 07 seconds East 23.96 feet to the point of beginning and containing 4,262 square feet according to calculations by Volz Inc. during May, 2017.



Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)



ENGINEERING
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONSTRUCTION MANAGEMENT

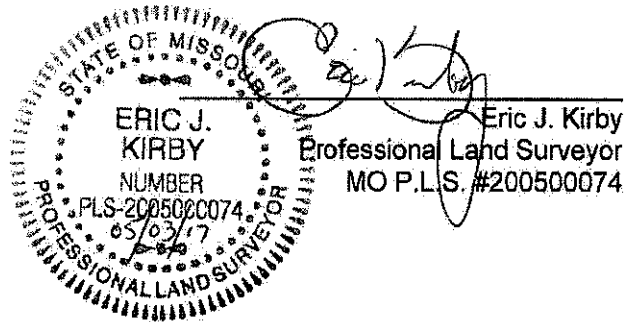
May 03, 2017

EJK

RE: Vacated Mason Rd R-O-W
Lot 2
7607-43

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 25346(2012) Approved December 18, 2012, in Fractional Section 8, Township 45 North – Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Lot 2 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records; thence Southwardly along the West line of said Lot 2 South 01 degrees 46 minute 12 seconds West 80.01 feet to the South line of said Lot 2; thence Westwardly along the Westward prolongation of said South line North 87 degrees 31 minutes 06 seconds West 27.86 feet to the original centerline of Vacated Mason Road, varying width; thence Northwardly along said centerline North 03 degrees 53 minutes 00 seconds East 80.02 feet to the Westward prolongation of the North line of said Lot 2; thence Eastwardly along said Westward prolongation of the North line of said Lot 2 South 87 degrees 31 minutes 06 seconds East 24.90 feet to the point of beginning and containing 2,110 square feet according to calculations by Volz Inc. during May, 2017.



Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)



ENGINEERING
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONSTRUCTION MANAGEMENT

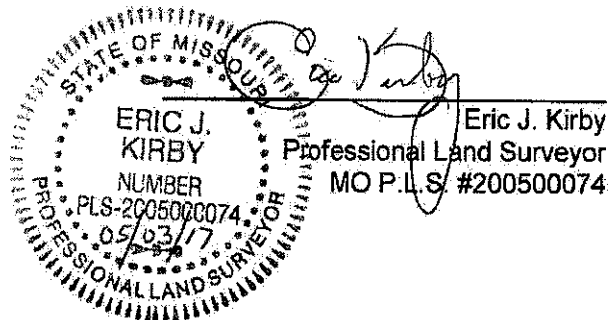
May 03, 2017

EJK

RE: Vacated Mason Rd R-O-W
Lot 3
7607-43

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 25346(2012) Approved December 18, 2012, in Fractional Section 8, Township 45 North – Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Lot 3 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records; thence Southwardly along the West line of said Lot 3 South 01 degrees 46 minute 12 seconds West 42.22 feet and South 03 degrees 04 minutes 01 seconds West 57.79 feet to the South line of said Lot 3; thence Westwardly along the Westward prolongation of said South line North 87 degrees 31 minutes 06 seconds West 30.24 feet to the original centerline of Vacated Mason Road, varying width; thence Northwardly along said centerline North 03 degrees 53 minutes 00 seconds East 100.03 feet to the Westward prolongation of the North line of said Lot 3; thence Eastwardly along said Westward prolongation of the North line of said Lot 3 South 87 degrees 31 minutes 06 seconds East 27.86 feet to the point of beginning and containing 2,932 square feet according to calculations by Volz Inc. during May, 2017.



Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)



ENGINEERING
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONSTRUCTION MANAGEMENT

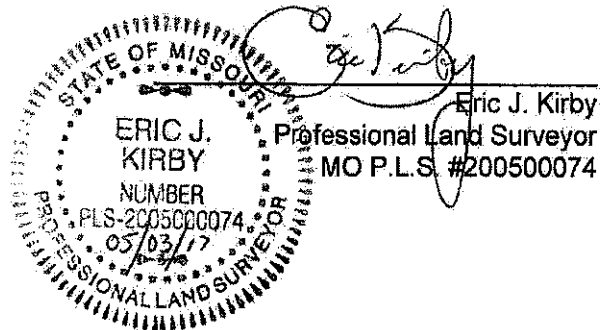
May 03, 2017

EJK

RE: Vacated Mason Rd R-O-W
Lot 4
7607-43

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 25346(2012) Approved December 18, 2012, in Fractional Section 8, Township 45 North – Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Lot 4 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records; thence Southwardly along the West line of said Lot 4 South 03 degrees 04 minute 02 seconds West 90.73 feet and South 0 degrees 57 minutes 18 seconds West 9.28 feet to the South line of said Lot 4; thence Westwardly along the Westward prolongation of said South line North 87 degrees 31 minutes 06 seconds West 32.00 feet to the original centerline of Vacated Mason Road, varying width; thence Northwardly along said centerline North 03 degrees 53 minutes 00 seconds East 100.03 feet to the Westward prolongation of the North line of said Lot 4; thence Eastwardly along said Westward prolongation of the North line of said Lot 4 South 87 degrees 31 minutes 06 seconds East 30.24 feet to the point of beginning and containing 3,096 square feet according to calculations by Volz Inc. during May, 2017.



Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)



ENGINEERING
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONSTRUCTION MANAGEMENT

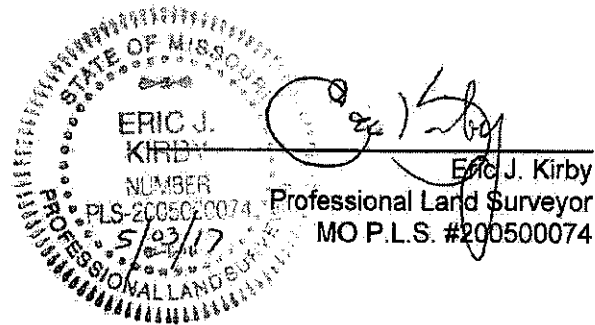
May 03, 2017

EJK

RE: Vacated Mason Rd R-O-W
Common Ground 2
7607-43

A tract of land being part of Vacated Mason Road, varying width, vacated by St. Louis County Ordinance No. 25346(2012) Approved December 18, 2012, in Fractional Section 8, Township 45 North – Range 5 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning of the Northwest corner of Common Ground 2 of "Enclave Bellerive Plat Four" a subdivision according to the plat thereof recorded in Plat Book 359 page 183 of the St. Louis County Records; thence Southwardly along the West line of said Common Ground 2 South 00 degrees 57 minutes 18 seconds West 47.56 feet and South 29 degrees 29 minute 27 seconds East 33.98 feet to the North line of Missouri State Highway AB, 70 feet wide, (also known as Ladue Road) said point being 40 feet perpendicular distance Northwardly of the original centerline of said Missouri State Highway AB; thence Westwardly along said North line of Missouri State Highway AB North 88 degrees 32 minutes 00 seconds West 53.16 feet to the original centerline of Vacated Mason Road, varying width; thence Northwardly along said centerline North 03 degrees 53 minutes 00 seconds East 77.34 feet to the Westward prolongation of the North line of said Common Ground 2; thence Eastwardly along said Westward prolongation of the North line of said Common Ground 2 South 87 degrees 31 minutes 06 seconds East 32.00 feet to the point of beginning and containing 2,866 square feet according to calculations by Volz Inc. during May, 2017.



Attachment: Applicant's materials (#18-025: Boundary Adjustment for Enclave Bellerive Plat Four)



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
#18-026: APPLICATION FOR A CONDITIONAL USE PERMIT FOR A
NEW CAFÉ COEUR RESTAURANT AT 10477-10479 OLD OLIVE
STREET ROAD, WITHIN THE WILLOWBROOK SHOPPING CENTER**

FOR THE MEETING OF: Monday, July 16, 2018.

LOCATION: 10477-10479 Old Olive Street Road, within the Willowbrook Shopping Center, zoned GC-General Commercial.

REQUEST: Moshe Plotnik, of Cafe Coeur, LLC, submitted an application for a conditional use permit for a 2,300 square foot, full service restaurant at 10477-10479 Old Olive Street Road, with 70 indoor seats, within the Willowbrook Shopping Center. All full service restaurants (NAICS 722511) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission.

ADDITIONAL INFORMATION: The Applicant is not pursuing any changes to the exterior of the building or site. Staff has included a condition of approval that the addition of outdoor seating maybe reviewed and approved at Staff level, with review of a site plan for Building Code compliance and all applicable Zoning Code review, without the need to amend the ordinance. There was a prior Ordinance for a carry out restaurant at 10447 Old Olive that has since been abandoned (Ordinance No. 1079). Therefore a condition of approval includes a repeal of this Ordinance.

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?

Comp. Plan References

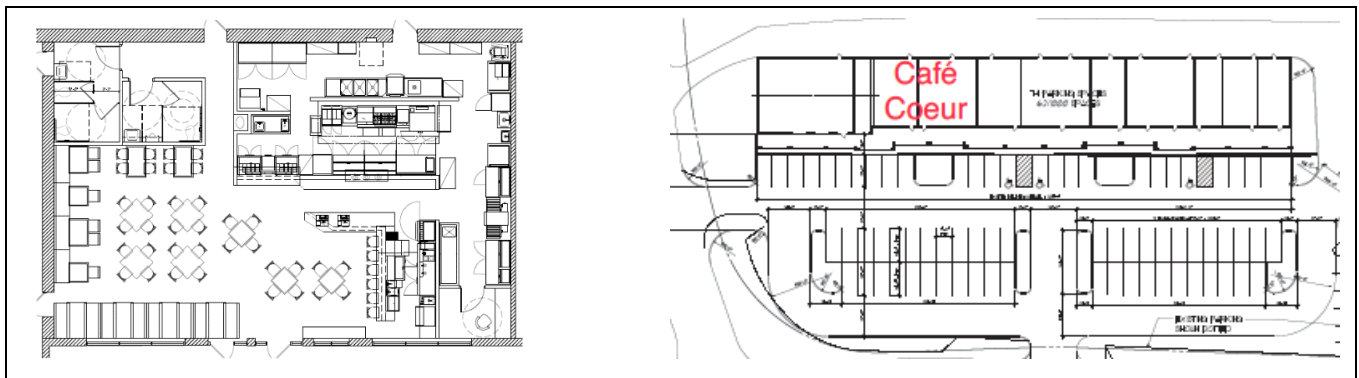
- 39 N. Master Plan
- Mixed-Use Innovation Campus District

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.360: GC-General Commercial
- Section 405.470 Conditional Uses
- Section 405.820 Required Off-Street Parking Spaces

APPLICANTS: Moshe Plotnik
Café Coeur, LLC.
10477-10479 Old Olive
Street Road
Creve Coeur, MO 63141

**APPLICANT'S
REPRESENTATIVE:** DCM Management Company
Robert Goltermann, President
8300 Eager Road, Ste. 601
St. Louis, MO 63144



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 7/10/2018
ATTACHMENTS: Applicant's Materials received
Draft Ordinance
Ordinance No. 1079

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Willow Brook Condominiums	Unincorporated St. Louis County	N/A
South	Offices; Creve Coeur Pavilion Shopping Center	Partial GC-General Commercial District/CB-Core Business District	Old Olive Street Road
East	Offices	GC-General Commercial District	N/A
West	Office	GC-General Commercial District	N/A

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Mixed-Use Innovation Campus District and the 39 N. Master Plan that encourages a variety of active, office, and residential ground floor uses, and encourages public site amenities, including outdoor dining, plazas, fountains, bicycle parking, “parklets”, and other elements to promote district vibrancy. The Applicant will be filling a portion of a vacant tenant space within the Willowbrook Shopping Center. Outdoor dining has not been requested. However, Staff has included a condition that should the Applicant wish to pursue such at a later date, it may be approved as Staff level to ensure adequate access is maintained. Therefore, the request meets with the Goals and Objectives of the Comprehensive Plan, in as much as this project can provide.

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 Willowbrook Shopping Center that includes a mixture of retail, services, and offices. No changes to the exterior of the building or site have been requested. At this time, the Applicant is proposing a maximum of 70 indoor seats.



Figure 1: Close-up of the Applicant's proposed floor plan.

Use Intensity:

Section 405.470(14)(b) limits food services and drinking places to no more than 40% of the building square footage collectively in the "CB", "PO", "PC" and "LI" Districts for properties that are less than two acres. The acreage requirement does not apply to restaurants without drive-thru services within the GC District, and this is the only restaurant within the Center.

Parking:

Parking regulations for restaurants are discussed under Section 405.820(F)(5) Required Off-Street Parking Spaces: One (1) parking space per every three (3) seats of maximum occupancy recorded under the conditional use permit plus one (1) parking space per every two hundred fifty (250) square feet of total building floor area, plus one (1) parking space per each eight (8) seats in an outdoor seating area. Thus, for this request a total of 46 spaces is required. 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).

Below is the parking table for the entire center:

Tenant	Use	Size (sq. ft.)	Parking Regulations	# of spaces
Creve Coeur Tailor	Tailor	800	4/1000 sq. ft.	3.2
Cerutti Hair Salon	Hair Salon	1,000	4/1000 sq. ft.	4
State Farm	Office	800	4/1000 sq. ft.	3.2
Willowbrook Vet	Vet Office	2,200	1/200 sq. ft.	11
Ed Jones	Office	800	4/1000 sq. ft.	3.2
Merle School of Dance	Dance Studio	1,600	1/200 sq. ft.	11
I Love Kickboxing	Fitness	2,860	1/200 sq. ft.	14.3
*Proposed Café Coeur	Restaurant	2,300 (+70 indoor seats)	1/3 seats in C.U.P., + 1/250 sq. ft.	33.2
Sub-total:				83.10
Minus 15% Reduction				12.47
Total # of Parking Spaces Required:				71
Total Available On-site:				73
Excess Parking:				2

Should the Applicant wish to add additional outdoor dining, Staff has included a condition of approval that the Zoning Administrator would have the ability to authorize such additional seating without the need to revise the Ordinance, based up review of an outdoor seating plan to ensure adequate pedestrian access is provided, and all other Zoning Code and Building Code requirements are met.

RECOMMENDATION

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 Ordinances. Staff recommends approval subject to the conditions below which are included in the draft ordinance:

1. The Conditional Use Permit shall be for the operation of a 2,300 square foot eating and drinking establishment at 10477-10479 Old Olive Street Road.

2. Maximum seating permitted is limited to 70 indoor seats. The Zoning Administrator may authorize additional outdoor seating, based up review of an outdoor seating plan to ensure all relevant Zoning and Building Codes are adequately addressed.
3. Hours of operation shall be 9:00 a.m. to 11:00 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 interior to the site and as far from the public right-of-way as possible.
5. Outdoor speakers may be used in the patio area only and shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater.
6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

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 #18-026 for a Conditional Use Permit for an eating and drinking establishment for Cafe Coeur located at 10477-10479 Old Olive Street Road within the Willowbrook Shopping Center subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of July 16, 2018" (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

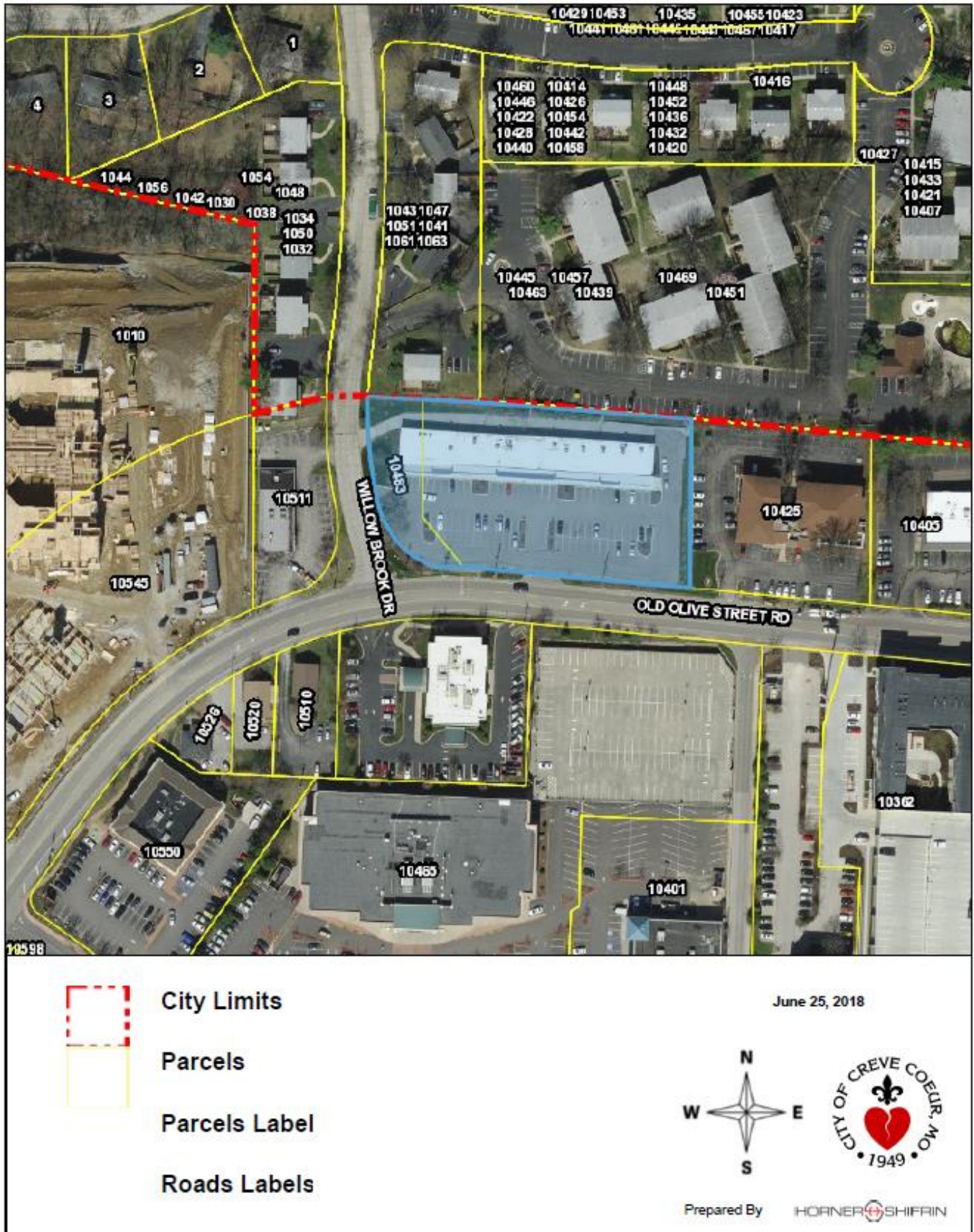
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO

Willowbrook Shopping Center



APPENDIX 4: SITE PHOTOGRAPHS

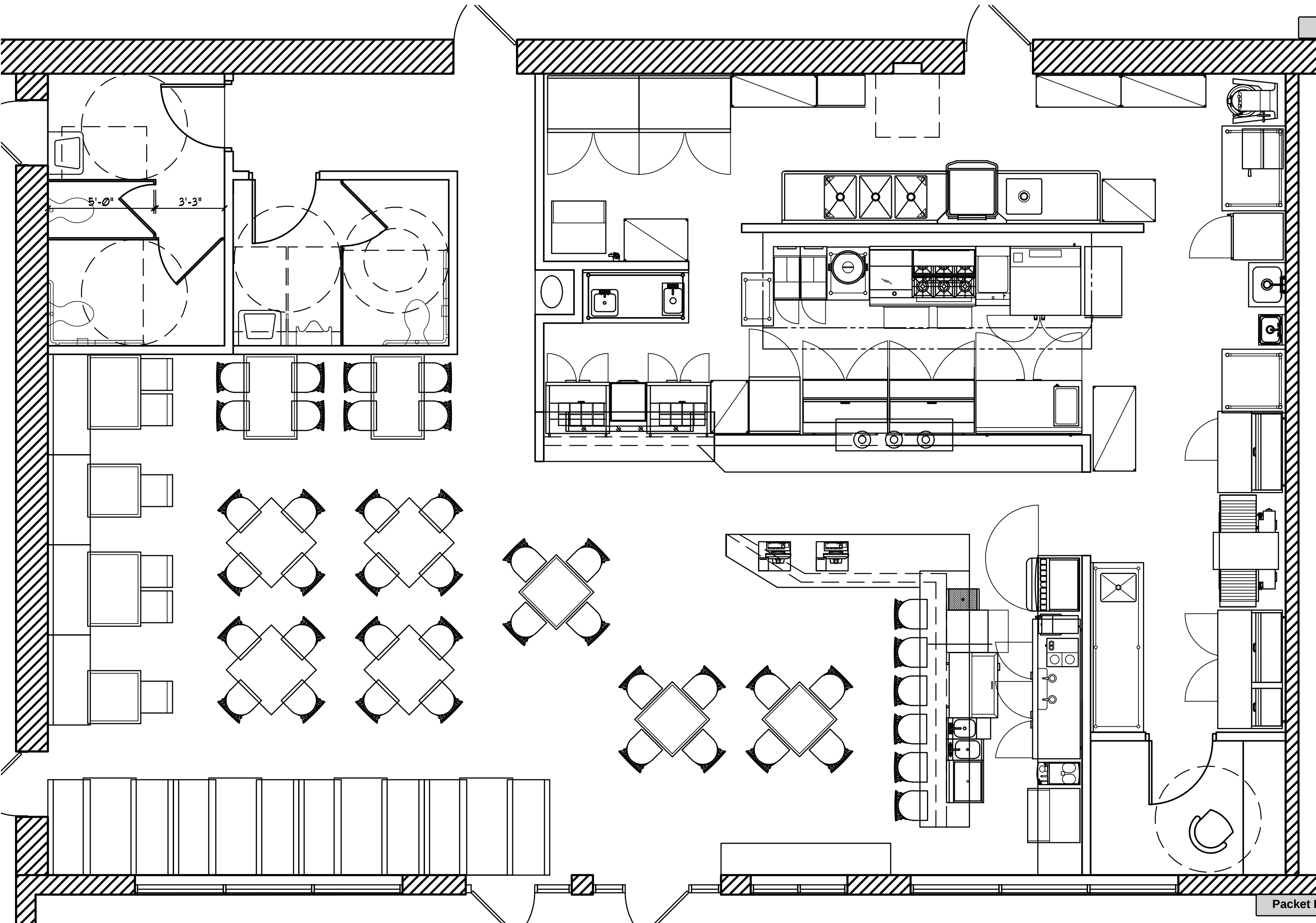
Photo Date: 7/11/2018



Description: Close-up view of the existing tenant space.



Description: View of the Willowbrook Shopping Center of the area of the proposed restaurant facility



Aedifica | case
engineering

St. Louis - Montreal
Ædifica Case Engineering
782 Merus Court
St. Louis, MO 63026
CERTIFICATE OF AUTHORITY NO. E-2000155319-D

New Front Facade for:

Willowbrook Center

110400-10490 OLD OLIVE STREET RD.
CREVE COEUR, MO 63141

PRELIMINARY BID:	10-08-13
98% PROGRESS SET:	10-28-13
99% PROGRESS SET:	11-18-13
PERMIT APPLICATION:	04-28-14
FOR CONSTRUCTION:	05-21-14

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STATE OF MISSOURI REGISTERED ARCHITECT:
DAVID WILLIAM DIAL - LICENSE NUMBER A-7331
DAVID W. DIAL ARCHITECTS, P.C.
ARCHITECTURAL CORPORATION #2000149091

THE ARCHITECTS SEAL AFFIXED TO THIS SHEET INDICATES THAT THE NAMED ARCHITECT HAS PREPARED OR DIRECTED THE PREPARATION OF THE MATERIAL SHOWN ONLY ON THIS SHEET. OTHER DRAWINGS AND DOCUMENTS, NOT EXHIBITING THIS SEAL, SHALL NOT BE CONSIDERED PREPARED BY OR THE RESPONSIBILITY OF THE UNDERSIGNED.

dial architects

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636 230 0400 www.dialarchitects.com

SHEET NUMBER

SITE PLAN

PROJECT NUMBER: 12180 DATE: 05-21-14

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ORDINANCE NO. 1079 AND AUTHORIZING THE
ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A 2,300 SQUARE-FOOT
EATING AND DRINKING ESTABLISHMENT, FOR CAFÉ COEUR,
LOCATED AT 10477-10479 OLD OLIVE STREET ROAD WITHIN THE
WILLOWBROOK SHOPPING CENTER**

WHEREAS, under Section 405.360(C), all eating and drinking places in the “GC”, General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Moshe Plotnik, of Cafe Coeur, LLC for a new conditional use permit for a 2,300 square foot, full service restaurant (NAICS 722511), with 70 indoor seats, within the Willowbrook Shopping Center at 10477-10479 Old Olive Street Road; and,

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, July 16, 2018, 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 ____ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on July 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 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 No. 1079 is hereby repealed

BILL NO. _____

ORDINANCE NO. _____

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a restaurant located at 10477-10479 Old Olive Street Road, in the "GC" General Commercial zoning district, within the Willowbrook Shopping Center, whose legal description is as follows:

To be added...

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 2,300 square foot eating and drinking establishment at 10477-10479 Old Olive Street Road.
2. Maximum seating permitted is limited to 70 indoor seats. The Zoning Administrator may authorize additional outdoor seating, based up review of an outdoor seating plan to ensure all relevant Zoning and Building Codes are adequately addressed.
3. Hours of operation shall be 9:00 a.m. to 11:00 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 interior to the site and as far from the public right-of-way as possible.
5. Outdoor speakers may be used in the patio area only and shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater.
6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
7. Any mechanical equipment installed for the site shall be properly screened with approved materials.
8. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
9. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
10. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
11. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

BILL NO. _____

ORDINANCE NO. _____

Section 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

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

ADOPTED THIS ____ DAY OF _____, 2018.

DR. SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2018.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN
CITY CLERK

Attachment: 18-026.10477 Old Olive, CafeCoeur CUP.Draft Ordinance.7-16-2018 (#18-026: Cafe Coeur Restaurant CUP)

BILL NUMBER 1106ORDINANCE NUMBER 1079

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR A RESTAURANT TO BE LOCATED AT 10447 OLD OLIVE STREET ROAD IN THE WILLOWBROOK SHOPPING CENTER IN THE "GC" GENERAL COMMERCIAL DISTRICT, SUBJECT TO CONDITIONS SET FORTH HEREIN.

WHEREAS, APPLICATION WAS MADE FOR A CONDITIONAL USE PERMIT FOR A RESTAURANT TO BE LOCATED AT 10447 OLD OLIVE STREET ROAD IN THE WILLOWBROOK SHOPPING CENTER IN THE "GC" GENERAL COMMERCIAL DISTRICT, AND

WHEREAS, A HEARING WAS HELD BY THE PLANNING AND ZONING COMMISSION RECOMMENDING APPROVAL OF SAID APPLICATION, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE BOARD OF ALDERMEN ON SEPTEMBER 24, 1984, AT 8:30 P.M. ON SAID APPLICATION FOR THE CONDITIONAL USE PERMIT AS PROVIDED BY SECTION 26-114 OF ORDINANCE NO. 1044 OF THE CITY OF CREVE COEUR; AND

WHEREAS, NOTICE BY PUBLICATION FOR SAID PUBLIC HEARING HAD PREVIOUSLY BEEN PUBLISHED IN THE ST. LOUIS COUNTIAN ON SEPTEMBER 4, 1984, SEPTEMBER 11, 1984 AND SEPTEMBER 18, 1984; AND

WHEREAS, ALL PARTIES DESIRING TO BE HEARD, EITHER FOR OR AGAINST SAID APPLICATION, WERE GIVEN AN OPPORTUNITY TO BE HEARD; AND

WHEREAS, THE BOARD OF ALDERMEN BEING FULLY INFORMED FINDS THAT THE GRANTING OF THE APPLICATION WOULD BE IN HARMONY WITH THE PUBLIC HEALTH, SAFETY, COMFORT AND CONVENIENCE OF THE CITIZENS OF THE CITY OF CREVE COEUR AND IN CONFORMANCE WITH GOOD ZONING PRACTICE;

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

SECTION 1: THE BOARD OF ALDERMEN HEREBY DETERMINES AND FINDS THAT THE ISSUANCE OF A CONDITIONAL USE PERMIT, AS REQUESTED BY MR. D. J. MERTENS OF PANTERA'S PIZZA, IN ITS APPLICATION FOR A CONDITIONAL USE PERMIT ON THE HEREINAFTER DESCRIBED PROPERTY LOCATED IN THE WILLOWBROOK SHOPPING CENTER WILL CONFORM AND COMPLY WITH THE REQUIRED STANDARDS FOR CONDITIONAL USE PERMITS AS SET FORTH IN SECTION 26-114.5 OF ORDINANCE NO. 1044 AND THEREFORE A CONDITIONAL USE PERMIT IS HEREBY GRANTED FOR A CARRY OUT RESTAURANT ON THE FOLLOWING

Attachment: Ord No. 1079 (#18-026: Cafe Coeur Restaurant CUP)

DESCRIBED PROPERTY IN THE "GC" GENERAL COMMERCIAL DISTRICT:

RETAIL STORE TYPE PREMISES LOCATED AT 10447 OLD OLIVE STREET ROAD IN THE WILLOWBROOK SHOPPING CENTER AND OCCUPYING A SPACE OF APPROXIMATELY ONE THOUSAND THREE HUNDRED (1,300) SQUARE FEET.

SECTION 2: THE CONDITIONAL USE PERMIT GRANTED HEREIN SHALL BE SUBJECT TO ALL ORDINANCES, RULES AND REGULATIONS OF THE CITY OF CREVE COEUR AND THE FOLLOWING CONDITIONS:

(1) THE CONDITIONAL USE PERMIT IS FOR A CARRY OUT RESTAURANT ONLY.

(2) THERE SHALL BE NO CONSUMPTION OF FOOD OR BEVERAGES ON THE PREMISES EXCEPT FOR THE PERSONAL CONVENIENCE OF THE EMPLOYEES.

(3) SAID CARRY OUT RESTAURANT IS LIMITED TO ONE THOUSAND THREE HUNDRED (1,300) SQUARE FEET OF FLOOR SPACE.

(4) THE HOURS OF OPERATION SHALL BE LIMITED TO: SUNDAY THRU THURSDAY, 11:00 A.M. TO 11:30 P.M. FRIDAY THRU SATURDAY 11:00 A.M. TO 1:30 A.M.

(5) A FLOOR PLAN FOR THE PROPOSED RESTAURANT SHALL BE FILED WITH THE ZONING ADMINISTRATOR SHOWING THE TYPE AND LOCATION OF ALL EQUIPMENT AND FURNITURE.

(6) THERE SHALL BE NO ADDITIONAL SIGNS, UNLESS ALLOWED BY THE CITY'S SIGN ORDINANCES AND PERMITS ISSUED THEREFORE.

(7) NO PENNANTS, FRINGE, LIGHTS, PINWHEELS OR OTHER SIMILAR DEVICES FOR ATTRACTING ATTENTION MAY BE DISPLAYED AT ANY TIME IN CONNECTION WITH THE OPERATION OF THE RESTAURANT.

(8) NO ADDITIONAL CURB CUTS SHALL BE GRANTED IN CONNECTION WITH THE OPERATION OF SAID RESTAURANT.

(9) 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.

(10) ANY TRANSFER OR 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 CONDITIONS HEREIN SET FORTH AND APPROVED DEVELOPMENT PLAN FOR THE PROPERTY.

(11) ALL CONDITIONS CONTAINED WITHIN THIS PERMIT SHALL BE POSTED UPON THE PROPERTY IN SUCH A MANNER THAT IT IS VISIBLE TO THE PUBLIC AND TO THE OPERATION OF SAID FACILITY.

(12) 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 BOARD OF ALDERMEN, PROVIDED, HOWEVER, NO PERMIT SHALL BE REVOKED WITHOUT REASONABLE NOTICE TO THE OWNER OF THE INTENTION OF THE BOARD OF ALDERMEN TO REVOKE AND REASONABLE TIME GRANTED TO THE OWNER TO CORRECT ANY SUCH BREACH OF CONDITION.

PASSED THIS 22ND DAY OF OCTOBER 1984.


HAROLD L. DIELMANN, MAYOR

APPROVED THIS 22ND DAY OF OCTOBER 1984.


HAROLD L. DIELMANN, MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

Attachment: Ord No. 1079 (#18-026: Cafe Coeur Restaurant CUP)



Whitney Kelly <wkelly@crevecoeurmo.gov>

Cafe Coeur

julie hennicke <juliehennicke@gmail.com>
To: wkelly@crevecoeurmo.gov

Fri, Jul 13, 2018 at 9:10 AM

Very excited to read the public hearing notice about zoning for Cafe Coeur!

While I live in Willowbrook and not actually Creve Coeur, I've been hoping more restaurants like this would enter the area verse the chains that are/have recently moved into the AMC center at Old Olive.

Hope to see more smaller type restaurant concepts not chains to the area. Thanks! -Julie

Attachment: Public Comment (#18-026: Cafe Coeur Restaurant CUP)



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 #18-027: APPLICATION FOR A MINOR SITE PLAN FOR A FENCE WITHIN THE FRONT SETBACK FOR THE IMMANUEL LUTHERAN CEMETERY AT 646 N. WARSON ROAD

FOR THE MEETING OF: July 16, 2018

SUBJECT PROPERTY LOCATION: 646 N. Warson Road, C Single Family Residential.

REQUEST: Dick Crane, on behalf of Immanuel Lutheran Cemetery, at 646 N. Warson Road, Creve Coeur, MO, has submitted an application for a minor site plan for two, four-foot by six feet, open slatted fence panels to attach to the existing monument sign. The existing monument sign is approximately 6 feet from the property line. The subject property is zoned C Single Family Residential, where the Cemetery is a pre-existing non-conforming use, that has been at this location since prior to the City's incorporation. Cemeteries not associated with a place of worship are conditional uses in the A Single Family Residential, HE District, and PC Districts. Conditional uses in the C District has a front-yard setback of 50 feet along any street right-of-way.

ADDITIONAL INFORMATION: The City of Creve Coeur's Zoning Ordinance Section 405.640(A) *Height Of Fences And Walls* states that no fence or wall shall exceed six (6) feet in height unless specifically approved by the Planning and Zoning Commission in consideration of a unique screening problem, and Subsection (C) *Fences Within The Front Yard Section And Along Street Right-Of-Way* provides that any fence over 4 feet in height or other than an open slatted decorative metal fencing, and closer than 15 feet to the front yard setback or the area equivalent to the front yard setback shall be subject to site development plan approval in accordance with Section 405.1080.

APPLICANT: Dick Crane
Immanuel Lutheran Cemetery
646 N. Warson Road
Creve Coeur, MO 63141

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?
- Visual Impact along N. Warson Road.

Creve Coeur 2030 References

- NA
- Design Guidelines

Zoning Code References

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



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 7/10/2018
ATTACHMENTS: Materials received June 13, 2018

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Stacy Park	C Single Family Residential; City of Olivette: PA Public Activity	N/A
South	Single family residence	C Single Family Residential	N/A
East	Single family residence	City of Olivette: SR Single Family Residential	N/A
West	Monsanto/Bayer	RO - Research and Office Park District	N. Warson Road

FENCE PLACEMENT AND DESIGN

The Applicant is seeking to upgrade the existing ground monument sign to include two decorative fence panels on either side. The fence panels are approximately 4 feet by six feet in width that will extend from the sign which is at approximately a 45 degree angle, and end within a few feet from the property line. The fence panels will be an open slatted black wrought-iron style fencing.

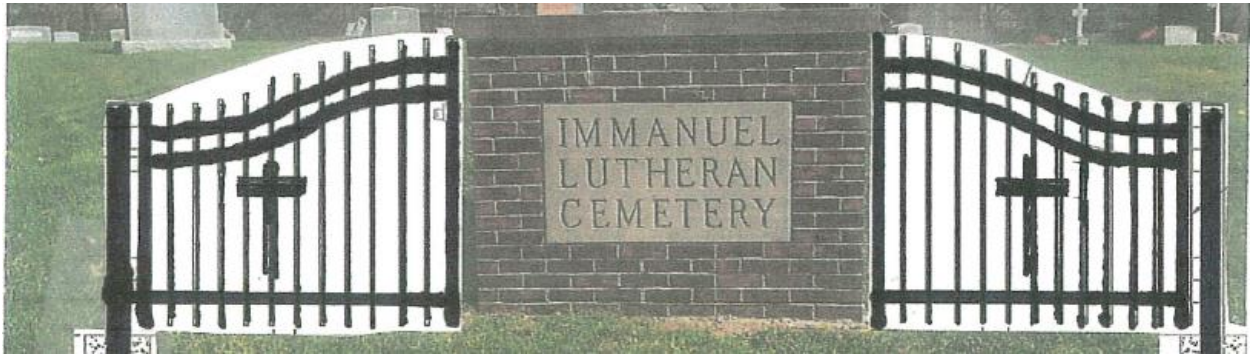


Figure 1: Close-up of the Applicant's Materials of the proposed fence panels.



Figure 2: Close-up of the Site Plan showing the location of the existing sign with proposed decorative fence, and photo of the existing sign in relation to N. Warson Road.

ANALYSIS

The Zoning Code provides some guidance in evaluating requests for fences within the setback under Section 405.640 Fences and Walls:

- A. Height Of Fences And Walls. No fence or wall shall exceed six (6) feet in height unless specifically approved by the Planning and Zoning Commission in consideration of a unique screening problem.

- C. Fences Or Walls Within The Front Yard Section And Along Street Right-Of-Way. A fence may project within the area equivalent to the front yard setback of the applicable zoning district, when clearly to the side or rear of the home, provided that such fence is setback at least fifteen (15) feet from the property line, no more than four (4) feet in height, and is an open slatted decorative metal fencing, similar in style for swimming pool enclosures as provided in Subsection (D). Walls, entry columns, gates and fence designs within the front yard setback or the area equivalent to the front yard setback shall be subject to site development plan approval in accordance with Section 405.1080.*
- F. The horizontal and vertical support posts must be inside of the fence area or otherwise hidden from both the neighbor's and general public's view. Fences with a shadowbox design shall be considered to hide support posts.*
- G. Fence materials shall be wood or metal style fencing. The design, color and material of the fence shall be complementary or shall match the principal structure on the property. Solid sight-proof, white vinyl fences are prohibited; Vinyl fencing may be permitted provided it maintains a natural wood color and/or dark color or style. Except as otherwise provided herein, raw metal chain link fencing is prohibited for all residential development, but dark coated fencing is allowed.*

The *Creve Coeur 2030* Comprehensive Plan includes general recommendations for residential neighborhoods to preserve the character and property values of existing neighborhoods (p. 64). The subject property is within the Countryside Estate Place Type that are large lots (1 acre and larger) with sprawling homes in a rural, wooded setting. Homes should be located to provide large front lawns and preserve existing trees, and streets should be curvilinear lanes to maximize landscape vistas, and sidewalks are not necessary (p. 66).

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

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

1. All new sound walls, masonry walls or fences are to be designed to minimize visual monotony through changes in plane, height, material, texture or significant landscape massing.
2. The design of fencing, sound walls, trash enclosures, and similar site elements is to be compatible with the architecture of the main buildings and should use similar materials.
3. All fencing should be designed as an integrated part of the site, rather than as a separate fence, such as a planter wall or continuation of an architectural wall feature.
5. In highly visible public areas where fencing is needed, decorative fencing is encouraged. (p.18-19)

Further, the Design Guidelines recommend the use of natural “green” materials, and discourages the use of synthetic, and highly reflective materials. The proposed decorative fence panels are in keeping with the recommendations. Given the location, limited height and width of the fence panels, and the grade change adjacent to the sign, Staff does not foresee a significant impact to those traveling along N. Warson Road.

CONCLUSION AND ACTION

If the members of the Planning Commission find the applicant’s reasons for the fence design and location sufficient, they can approve it as proposed. If the request is denied, the Applicant will need to seek a revised design for the existing monument sign. The motion for the fence within the setback of N. Warson Road Way as shown in the enclosed Applicant’s Materials will be in the form of approval, approval with conditions, denial or deferral. City Council action is not required.

MOTION

The following is an example motion for this application:

“I move to approve the site plan for the four foot tall, by six foot fence panels on either side of the existing Monument sign within the setback of N. Warson Road for the for the Immanuel Lutheran Cemetery at 646 N. Warson Road, as discussed within the Staff Report on Application #18-027 for the July 16th Planning and Zoning Commission meeting with the condition that a fence permit is required.” (Modification or revisions may be included by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

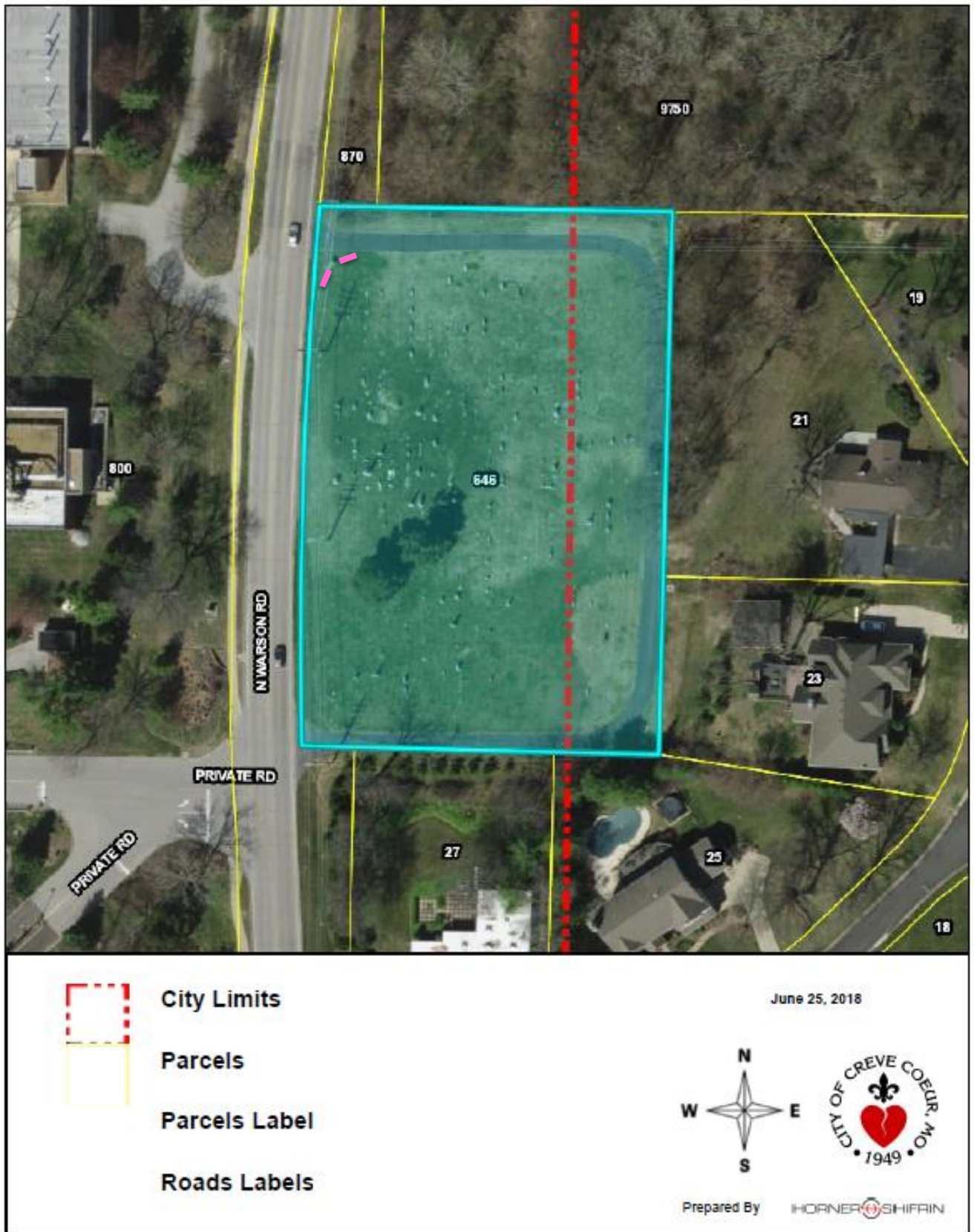
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

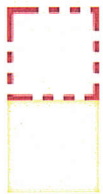
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL MAP

Immanuel Lutheran Cemetery, 646 N. Warson Road



APPENDIX 4: SITE PHOTOGRAPHS	Photo Date: 6/26/2018
	Description: View of the existing monument sign looking south along N. Warson Road.
	Description: View looking north from the entrance into the Cemetery along N. Warson Road



City Limits

Parcels

Parcels Label

Roads Labels

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June 13, 2018



Prepared By

HORNER & SHIFRIN

Attachment: Applicant's Materials (#18-027 Immanuel Lutheran Cemetery Fence)



Attachment: Applicant's Materials (#18-027 Immanuel Lutheran Cemetery Fence)

RECEIVED

JUN 13 2018

PLANNING DEPT.