



AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, OCTOBER 15, 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. October 1, 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. PUBLIC HEARING. Application #18-038: Conditional Use Permit for EM Logistics, a Specialized Freight Trucking in Conjunction with Exotic Motors Used Car Sales. Application Withdrawn

Danny Baker, EM Logistics, LLC, submitted an application for a new conditional use permit for EM Logistics, a Specialized Freight Trucking Long Distance business, except used goods (NAICS 484230) located at 10640 Gateway Boulevard. Specialized Freight Trucking is permitted as a conditional use in the City's LI-Light Industrial District with review by the Planning and Zoning Commission and approval by the City Council. Based upon additional information, the operation will function solely within the office space of Exotic Motors, and the vehicles are parked at a separate facility outside the City. Staff found that revising the Exotic Motors Conditional Use Permit was not necessary and the Application has been withdrawn.

2. PUBLIC HEARING. Application #18-039: Conditional Use Permit For An Automobile And Other Motor Vehicle Merchant Wholesaler, I Buy Luxury Cars, At 1155 N. Warson Road

Danny Baker, of I Buy Luxury Cars, has submitted an application for a conditional use permit for an Automobile and Other Motor Vehicle Merchant Wholesalers business (NAICS 423110) at 1155 N. Warson Road, where all cars are stored inside and are not open to the public. Automobile and Other Motor Vehicle Merchant Wholesalers (NAICS 423110) are permitted as a conditional use in the City's LI-Light Industrial District with review by the Planning and Zoning Commission and approval by the City Council.

3. PUBLIC HEARING. Application #18-040: Conditional Use Permit and Site Development for PK Construction at 1200 Research Boulevard. Request to Continue

Troy Duncan, of PK Construction, has submitted an application for a conditional use permit for a Residential Remodelers (NAICS 236118) business at 1200 Research Boulevard. Residential Remodelers (NAICS 236118) are permitted as a conditional use in the City's LI-Light Industrial District with review by the Planning and Zoning Commission and approval by the City Council. Applicant has requested to postpone the review of this Application until the November 5th, Planning and Zoning Commission Meeting.

4. Application #18-041: Minor Site Development Plan for a Fence Within the Front-Yard Setback Along Ladue Road for the Property at 10490 Ladue Road

Joe Kaminski, homeowner, has submitted an application for a 6 foot tall gate and columns, and a 3.5 foot wrought iron fence along the front yard, 12-13 feet from property line, with the larger columns and gate approximately 25 feet from the property line within the setback along Ladue Road for the property addressed as 10490 Ladue Road. The

subject property is zoned A Single Family Residential which has a front yard setback of 50 feet.

5. Application #18-042: Boundary Adjustment For Lots 1, 2, And 3 Of Oak Lake Estates, And Lots 3, 4 And 5 Of The Subdivision Of S.S. Maston, Located At 11109-11141 Olive Boulevard & 11100-11114 Oak Lake Court, Currently Zoned Gc General Commercial And C Single Family Residential

Kevin Kamp, of Civil & Environmental Consultants, Inc. has submitted an application on behalf of Wallis Companies (Arch Energy, LLC), seeking a boundary adjustment, for the above mentioned properties to create two lots. The site received approval to rezone the properties for a Mobil on the Run and Bright Worxs car wash all zoned GC General Commercial with Ordinance No. 5569, and a boundary adjustment plat to consolidate all of the existing lots into one lot. The Applicants are requesting that the two entities be on two separate lots, thus amending the Boundary Adjustment for the development.

6. Application #18-043: Minor Site Development Plan for a Fence Within the Front-Yard Setback Along Graeser Road for the Property at 4 West Windrush Creek Lane

Setu Patolia, homeowner, has submitted an application for a 6-foot tall, wood privacy fence and gate within the setback along Graeser Road for the property addressed as 4 W. Windrush Creek Ln. The subject property is zoned A Single Family Residential which has a front yard setback of 50 feet. The subject property is zoned A Single Family District, which has a front yard setback of 50 feet, where the home is non-conforming at 30.2 feet from Graeser Road.

WORK AGENDA

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, OCTOBER 1, 2018
6:30 PM

CALL TO ORDER

ROLL CALL

Beth Kistner	Commission Chair	
Tim Carney	Commission Member	
Gene Rovak	Commission Member	
Muriel Hall	Commission Member	
Don Magruder	Commission Member	(Absent)
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. Rovak made a motion to approve the agenda, Mr. Carney seconded. All in favor.

APPROVAL OF MINUTES

1. September 17, 2018 Planning and Zoning Commission Draft Meeting Minutes

Mr. Myers made a motion to approve the September 17, 2018 minutes, Mr. Rovak seconded. All in favor.

PUBLIC COMMENT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Application #18-036: a Minor Site Development Plan for a Fence Within the Front-Yard Setback Along Larkin Ave for the Property at 5 Colonial Hills Parkway

Mr. William Levinson said he would like to build a fence at 5 Colonial Hills. He showed some photos and said the trees that were recently planted do not provide sufficient privacy. He said the grade allows the neighbors to have a higher view into the yard.

Mr. Rovak asked if the fence was open slatted.

Mr. Levinson said it was closed.

Mr. Carney asked if the fence would be on the property line.

Mr. Levinson said yes.

Mr. Carney asked what was there before.

Mr. Levinson said nothing was there before.

Ms. Kistner asked if any consideration was given to a landscape buffer.

Mr. Levinson said it takes several years to get a good landscape buffer.

Mr. Carney asked if the trees would be on the inside of the fence.

Mr. Levinson said they would be.

Mr. Carney asked if they could put some trees on the outside of the fence.

Mr. Levinson said it would be difficult to maintain trees outside the fence.

Ms. Kelly said the fence would not enclose the entire yard. She said it would provide privacy toward Larkin.

Ms. Kistner asked for some clarification regarding rear- side yard fence requirements.

Ms. Kelly clarified why this project was before the Commission.

The homeowner of #3 Colonial Hills wanted to know where the fence would be built.

Ms. Kistner said emails were received from some residents of Larkin.

Some discussion was held regarding the home that was directly by the proposed fence.

Mr. Carney made a motion to approve the 6 ft tall fence as described in the staff report, Mr. Schuh seconded.

Mr. Rovak said the home with the Spoede address is the only home that would have a view of the fence.

Some discussion was held as to whether other homes would have a view.

Ms. Kistner pointed out the fence went at an angle.

Mr. Myers said he thought a mound with landscaping would be sufficient as the fence would not shield the view from the neighbors with a 2nd floor deck. He thought it would be unattractive.

Ms. Kistner asked staff if it was still a front yard setback fence if the fence is not along Larkin Ave.

Ms. Kelly said the majority is in the front yard setback. Ms. Kelly said staff could only approve 4 ft open wrought iron fence at 15 ft with additional landscaping.

Mr. Carney asked where they could put a wood fence with staff approval.

Ms. Kelly said 45 ft from the setback which is 5 ft from the home.

Mr. Carney said to him it is a special lot that deserves a special exemption.

Mr. Rovak said the grade goes up and a 4 ft fence would accomplish the desired effect. He suggested a shadow box type of fence.

Ms. Kelly pointed out the neighbor's picket fence to the west.

Mr. Levinson said they were making a well thought out proposal. He said that prospective buyers were concerned with the noise level from neighbors. Mr. Levinson said that nearby neighbors had no opposition.

Ms. Kistner said the Commission had to consider the opinions of the other neighbors who opposed the fence.

Mr. Myers made a motion to amend the motion to read 4ft instead of 6 ft. and a shadow box style. Mr. Schuh seconded. All in favor.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
AYES:	Kistner, Carney, Rovak, Hall, Myers, Schuh
ABSENT:	Magruder

WORK AGENDA

1. Zoning Ordinance Update - East Olive Corridor

Mr. Jaggi said they were focusing on the East Olive Corridor. He spoke about base site coverage at 55% with a maximum of 70%. He said the GC district is at 63%.

Mr. Jaggi said they are looking at a tiered system for site coverage bonuses, but the matrix is not complete.

Mr. Rovak asked if the tiers should be cumulative.

Mr. Jaggi said it was an attempt to show enhancements. He said more work needed to be done to develop the tiers.

Ms. Kistner asked if just one item was required to get to the next tier.

Ms. Kelly said it was up to the Commission to determine what they would require. She requested the Commissions feedback.

Mr. Rovak said some things should be required, but not all items are equal must-haves.

Some discussion was held regarding site incentives.

Ms. Kistner asked how to determine investment and tiering them accordingly.

Mr. Myers asked about bio retention.

Ms. Kelly gave an explanation and said it is not always required.

Mr. Myers said he thought it should be required.

Mr. Jaggi said it was already required for some, but how they implemented it would be a bonus. He said they would continue working on the tiered system.

He continued with building height. He said he wanted to make sure they left appropriate room for redevelopment. He suggested keeping the 3 stories but requiring an additional setback.

Mr. Myers suggested townhomes be limited to 2 1/2 stories.

Mr. Jaggi said they could impose a limit of 2 1/2 stories if that was the desire.

Ms. Kelly said there were differences in requirements for commercial and residential.

Mr. Carney asked if we would require a greater buffer.

Mr. Jaggi said that was the case with the HBE building. He said they needed to be careful about creating too strict requirements. He said density is scary, but can be appropriate.

Ms. Kistner said residents feel like the structures are looming over them.

Mr. Jaggi said that is the case on Lindbergh with some buildings close to residents.

Some discussion was held about putting the greater height of building towards the street but avoiding a canyon effect.

Mr. Jaggi moved on to buffers and parking. He showed an old plan showing the struggle between landscaping, parking and buffers. He said retailers are not going to be happy with one strip of front row parking. Mr. Jaggi showed a few plans that prompted some discussion regarding parking, buffers and setbacks.

He suggested having a landscape guideline that would provide a better understanding of what the city was looking for.

Ms. Kelly went over a few items in the East Corridor with respect to converting residential structures for commercial use.

Ms. Hall said she noticed a business that had someone living there.

Ms. Kelly said there were some gray areas regarding home occupations.

Mr. Carney asked how much fixing up can be done before the owner has to come before P&Z.

Ms. Kelly explained the procedure. She said if they have outside employees it becomes a business. She asked if they wanted to include the current language about business in residential structure in the NC district.

Mr. Carney said he thought they should.

Mr. Jaggi said he thought they were perpetuating the use of the homes as minor offices. He suggested making it residential or making it fully commercial.

Mr. Jaggi asked Mr. Lumley if he had anything to add.

Mr. Lumley said it was a gray area. He said there were examples all over the country of businesses thriving in homes because they didn't have to invest in the building.

Ms. Kistner said some of those small businesses did really well and the abutting neighbors had no issues.

Ms. Hall said her concern was regulation.

Ms. Kelly mentioned Renee Dr, Woodshire, and Olive. She said they were looking to rezone these to have them fit in better.

She mentioned carwashes and how they would like to clarify the code and suggested removing it as a standalone use not in connection with a gas station and convenience store. The Commission agreed.

She asked if town houses should be considered as allowable.

Some discussion was held, and it was agreed that they should be allowed.

Mr. Jaggi brought up traffic studies. He said currently they are not required unless a significant change were to occur.

Mr. Jaggi went over the next steps for staff. He said they would then develop a draft ordinance and conduct public hearings.

Ms. Linda Rezny asked about bio retention.

Mr. Jaggi said it required plantings.

Ms. Rezny voiced some concern about eliminating residents from the homes on Olive while allowing some commercial use.

DEPARTMENT REPORTS

Mr. Jaggi said there will be several items on the next agenda. He said there would be a joint session October 22 with City Council to hear about the Old Olive streetscape plan.

Ms. Kelly said there would be an Old Olive design party October 11 at the Pavillion Shopping Center.

Mr. Jaggi said the Elks will take the conditions to their committee and there will be a delay before they take it to City Council.

ADJOURNMENT

Mr. Rovak made a motion to adjourn. All were in favor. Meeting adjourned at 8:12 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
#18-039 FOR A CONDITIONAL USE PERMIT FOR AN AUTOMOBILE AND
OTHER MOTOR VEHICLE MERCHANT WHOLESALER,
I BUY LUXURY CARS, AT 1155 N. WARSON ROAD**

FOR THE MEETING OF: Monday, October 15, 2018

LOCATION: 1155 N. Warson Road, zoned LI-Light Industrial.

REQUEST: Danny Baker, of I Buy Luxury Cars, has submitted an application for a conditional use permit for an Automobile and Other Motor Vehicle Merchant Wholesalers business (NAICS 423110) at 1155 N. Warson Road, where all cars are stored inside and are not open to the public. Automobile and Other Motor Vehicle Merchant Wholesalers (NAICS 423110) are permitted as a conditional use in the City's LI-Light Industrial District with review by the Planning and Zoning Commission and approval by the City Council.

ADDITIONAL INFORMATION: The site is 31,500 square feet (0.72 acres), and the building is 12,028 sq. ft. and was originally developed in 1960 as part of the Lindbergh Warson Industrial Center under St. Louis County jurisdiction. The entire area was annexed into the City of Creve Coeur in 1990 and subsequently zoned LI (Light Industrial) District. The property has remained largely unchanged since that time, and may have some pre-existing, non-conformities regarding site development. No changes to the exterior of the building or site are proposed, with the exception of replacing some of the existing landscaping that are beyond their life-span, with boxwoods, and adding two street trees to comply with the landscaping requirement.

APPLICANTS: Danny Baker
I Buy Luxury Cars, LLC
10640 Gateway Boulevard
Creve Coeur, MO 63132

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan and Design Guidelines?
- Is the request consistent with the required findings for a conditional use permit?

Comp. Plan References

- Mixed-Use Innovation Campus District (MUIC)

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.380: LI-Light Industrial District
- Section 405.470: Conditional Uses
- Section 405.540: Landscaping
- Section 405.1080: Site Concept, Site Development And Minor Site Plan Approval

Attachment: 18-039.1155 N. Warson.IBuyCarsCUP.Staff Report.10-15-2018 (#18-039: I Buy Luxury Cars CUP)



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner

DATE: 10/11/2018

ATTACHMENTS: Applicant's Materials received September 10, 2018 and the Landscape Plan received October 11, 2018
Draft Ordinance

PROJECT DESCRIPTION

The Applicant is under contract to purchase the building for the proposed use of a Merchant Wholesale of high end used cars. According to the Applicant, as a merchant wholesale license, they will not be open to the public, and they are only allowed to sell the vehicles to other dealers and via wholesale car auction off property. At no time will a car be "for sale or service" on premises. The majority of cars are picked up from the seller and delivered directly to the buyer without having to be stored on site. A few cars may be located on site but will be stored in-doors at the back of the building, until they are able to process the sale to the buying dealer. As a use under NAICS 423110 Automobile and Other Motor Vehicle Merchant Wholesalers, the minimum one acre requirement for a Used Car Dealer (NAICS 441120) is not required.



Figure 1: Proposed Interior Floor Plan

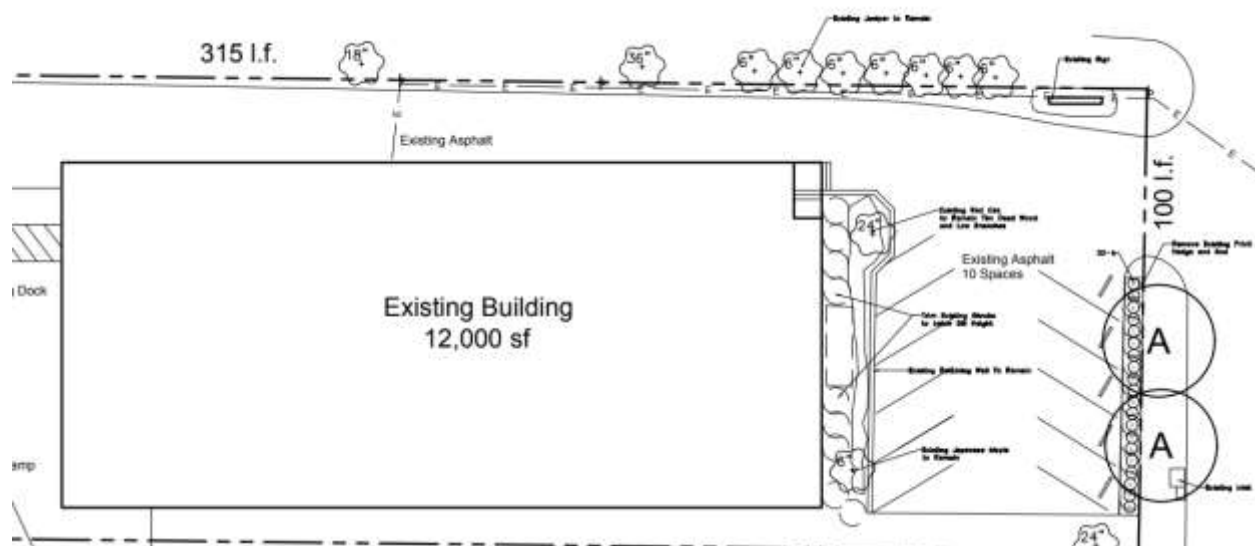


Figure 2: Close-up of the Applicants Landscape Plan

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office/Industrial	LI-Light Industrial	N/A
South	Office/Industrial	LI-Light Industrial	N/A
East	Commercial/ Elementary School	Unincorporated St. Louis County/City of Olivette	N. Warson Road
West	Office/Industrial	LI-Light Industrial	N/A

The subject property is located within the Mixed-Use Innovation Campus District and the 39 North Master Plan. The vision for the Mixed-Use Innovation Campus District (MUIC) is a sustainable hub for cutting-edge research, job opportunities, and community amenities that encourages innovation, collaboration, and entrepreneurship in a vibrant, mixed-use environment. As the proposal is utilizing a vacant warehouse building, and the nature of the use requires that a clean, well-kept appearance be maintained that is of a higher caliber than is typically seen in traditional light industrial uses, the proposed use would satisfy the goals and objectives of the Comprehensive Plan in as much as this request can.

Automobile and Other Motor Vehicle Merchant Wholesalers business (NAICS 423110) is listed a conditional use in the City's LI-Light Industrial District. The Applicant deals in high end used vehicles and has a conditional use permit for Exotic Motors at 10640 Gateway Boulevard, just to the west of the subject property. This facility will be for the wholesale of vehicles, and will not be open to the public. The building has largely remained the same since its original development. As the property was originally developed in 1960 under St. Louis County jurisdiction, there may be some pre-existing site related non-conformities.

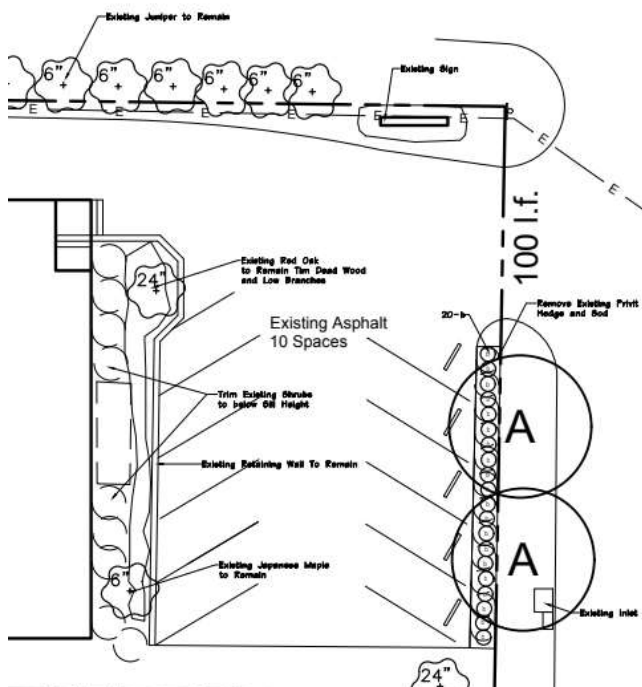


Figure 3: Close-up of the proposed Landscape Plan.

As the Applicant is utilizing the existing building with no exterior modifications, zoning review for the site-related issues is largely based upon the proposed changes to the existing landscaping. The Applicant's Landscape Architect has indicated that the hedge along the front property line has grown beyond its lifespan, and will be replacing them with boxwood shrubs. Two street trees have been included to meet with the requirements of Section 405.540(F)(1) of the Landscaping Regulations. However, due to the limited space on the property line they are placed within the right-of-way. Staff has included a condition of approval that should these get removed for some reason, they should be replaced on the property. Further the plan indicates that these are 2.5" caliper, where the minimum caliper is 3", therefore a condition of approval includes a revised landscape plan to be submitted to meet with the minimum requirements of Section 405.540 including the minimum caliper size of the street trees. The existing hedge adjacent to the building will be trimmed.

RECOMMENDATION

Based on the above analysis, the request for a conditional use permit meets all of the requirements of the Comprehensive Plan and Zoning Ordinances to the same degree or greater than the current development with a few recommended revisions. The following are Staff recommended conditions of approval, along with the standard regulations for similar uses, as found in the Draft Ordinance:

1. The Conditional Use Permit shall be for the operation of an Automobile and Other Motor Vehicle Merchant Wholesalers business (NAICS 423110) at 1155 N. Warson Road, for I Buy Luxury Cars.
2. All business operations shall take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors.
3. There shall be no body work or major repairs of vehicles, or testing of engines, associated with this use at this location.
4. The Applicant shall obtain a building permit to address any building code issues associated with the use and any property maintenance issues.
5. A revised Landscape Plan shall be submitted indicating that the trees shall be a minimum caliper of three inches, in compliance with Section 405.540 Landscaping of the Zoning Ordinance.
6. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, and should the street trees be removed, sufficient landscaping shall be provided on the property to be consistent with the Landscape Plan to the extent possible, as required under Section 405.540 Landscaping
7. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.
8. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
9. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
10. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations

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 #18-0.39 for a conditional use permit for I Buy Luxury Cars, located at 1155 N. Warson Road, subject to the conditions contained in the draft ordinance for the meeting of October 15, 2018” (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

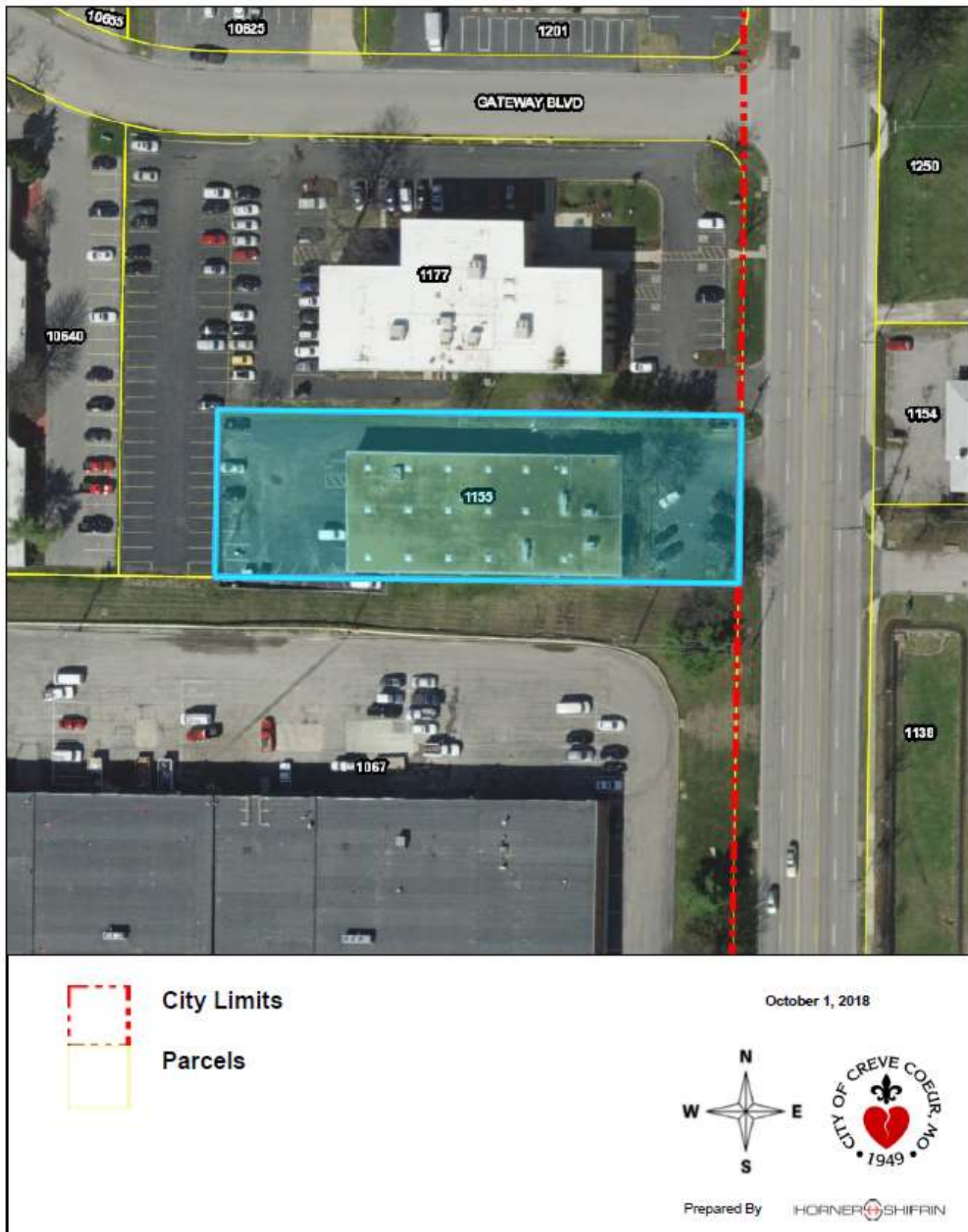
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO

1155 N. Warson Road



APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 10/05/2018



Description: View of the building at the north east corner of the property along N. Warson Road.



Description: View of the existing landscaping adjacent to the building.

	Description: View of the building from the rear property line.
	Description: View of the existing hedge along N. Warson Road to be removed and replaced with Wintergreen Boxwoods, and two Red Maple street trees.



city
of

CREVE COEUR

PLANNING DIVISION

300 North New Ballas Road, Creve Coeur, Missouri 63141

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

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

File No. _____

Applicant: <u>Danny Baker</u> Name <u>iBuy Luxury Cars, LLC</u> Company (If Applicable) <u>10640 Gateway Blvd.</u> Address <u>Creve Coeur, MO 63132</u> Address <u>314-267-9890</u> Telephone # <u>636-246-0037</u> Fax # <u>danny@exoticmotorsag.com</u> Email: <u>Danny Baker</u> Applicant's Signature	Applicant's Representative (if applicable): _____ Name _____ Company (If Applicable) _____ Address _____ Address _____ Telephone # _____ Fax # _____ Email: _____ Applicant's Representative's Signature
Property Information: <u>1155 N. Warson Rd.</u> Address <u>Creve Coeur, MO 63132</u> Address _____ Development Name (if any) <u>082 LI</u> Current Zoning _____ Prior CUP Approvals (if known)	Owner's Acknowledgement (if different from applicant): _____ Name _____ Company (If Applicable) _____ Address _____ Address _____ Telephone # _____ Fax # _____ Email: _____ Owner's Signature

Attachment: Applicant Materials received Sept 10 (#18-039: iBuy Luxury Cars CUP)

Description of Requested Use (attach additional sheets as needed)

General Description of Business: Used Luxury Car Wholesale Business. We buy cars directly from the public via our website and sell them directly to other dealers. This will be our main office

Gross Floor Area – Existing and Proposed: 12,028 and same

Number of Seats (for restaurant only): _____

Number of Employees at the busiest shift: 10

Hours of Operation: M-F 9:00 AM - 6:00 PM

Current or Most Recent Use of the Property: Office Space

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

Rationale

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

Submittal Checklist

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

Preferred Public Hearing Date: Monday, Oct. 15th (or Oct 1st if possible) 2018.

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

Office Use Only

____ All Sections Complete

Received By: _____

____ All Documents, incl. e-Copies

____ Fees Paid

Date: _____

Jason Jaggi, AICP, Director of Community Development

Whitney Kelly, AICP, City Planner

Jessica Stutte, Administrative Assistant (314-872-2501)

Revised: 10/15

Attachment: Applicant Materials received Sept 10 (#18-039: I Buy Luxury Cars CUP)

iBuy Luxury Cars, LLC Rationale for SUP at 1155 N. Warson Rd.

iBuy Luxury Cars, LLC is a wholesale luxury car dealership. We do not have a retail sales license, so we can only sell cars to other dealers. We cannot sell cars to the public.

Our process for buying cars from the public is simple. We market over the internet and in magazines. Customers come to our website, submit information about their car electronically, we reply with a cash offer, agree to a deal, then have a customer sign our purchase contract electronically. We then dispatch a truck to pick up the car. Once the driver arrives at the customer's home, he inspects the car and if it looks good we wire the payment in full on the spot. After the money posts in the customer's account (usually within 10 minutes) our driver takes the car and title and delivers it to the buying dealer. If the customer is local, we simply make an appointment to have the customer come to our office, we inspect car in person, then provide the customer payment in the form of a wire or check.

The facility at 1155 N. Warson will provide a perfect place for us to meet customers, inspect cars and store them until they are sold, which is usually within a day or two of purchase.

The requested conditional use should be approved as the business's proposed use fits within the definition of "office space" and the building's current zoning. Further, this action will take a property that has been vacant for nearly 3 years and put it to good use. Finally, there is not negative impact to the surrounding community, only positive. We will improve the property's value with modest cosmetic improvements and clean up the property's curb appeal.

Thank you

Danny Baker

Attachment: Applicant Materials received Sept 10 (#18-039: I Buy Luxury Cars CUP)

iBuy Luxury Cars, LLC Landscape Plan for SUP at 1155 N. Warson Rd.

We will remove the row of hedges along Warson. We will replace with sod.

We will remove the row of hedges along the front of the building as they block the view from the street and replace with small box woods.

We will trim all the trees for prolonged health of the tree and to allow the building to be better seen from the street.

We will trim all other existing shrubs and flower bushes as is recommended by a professional to preserve the life and beauty of the plants.

Thank you,

Danny Baker

iBuy Luxury Cars, LLC Access and Parking Plan for SUP at 1155 N. Warson Rd.

There will be no change to the current parking and access configuration.

The parking lot will be re-sealed and striped exactly as it is now.

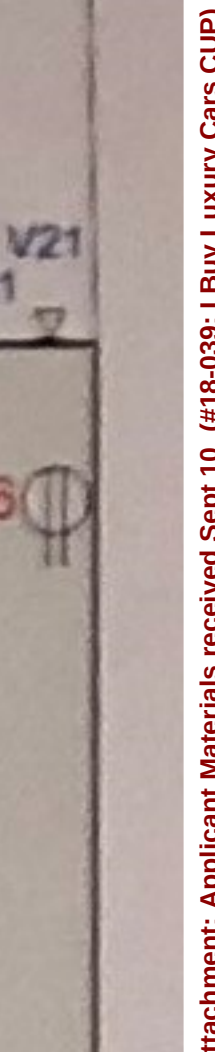
The handy cap access will stay on the rear of the building as it is now.

Thank you,

Danny Baker

Attachment: Applicant Materials received Sept 10 (#18-039: I Buy Luxury Cars CUP)



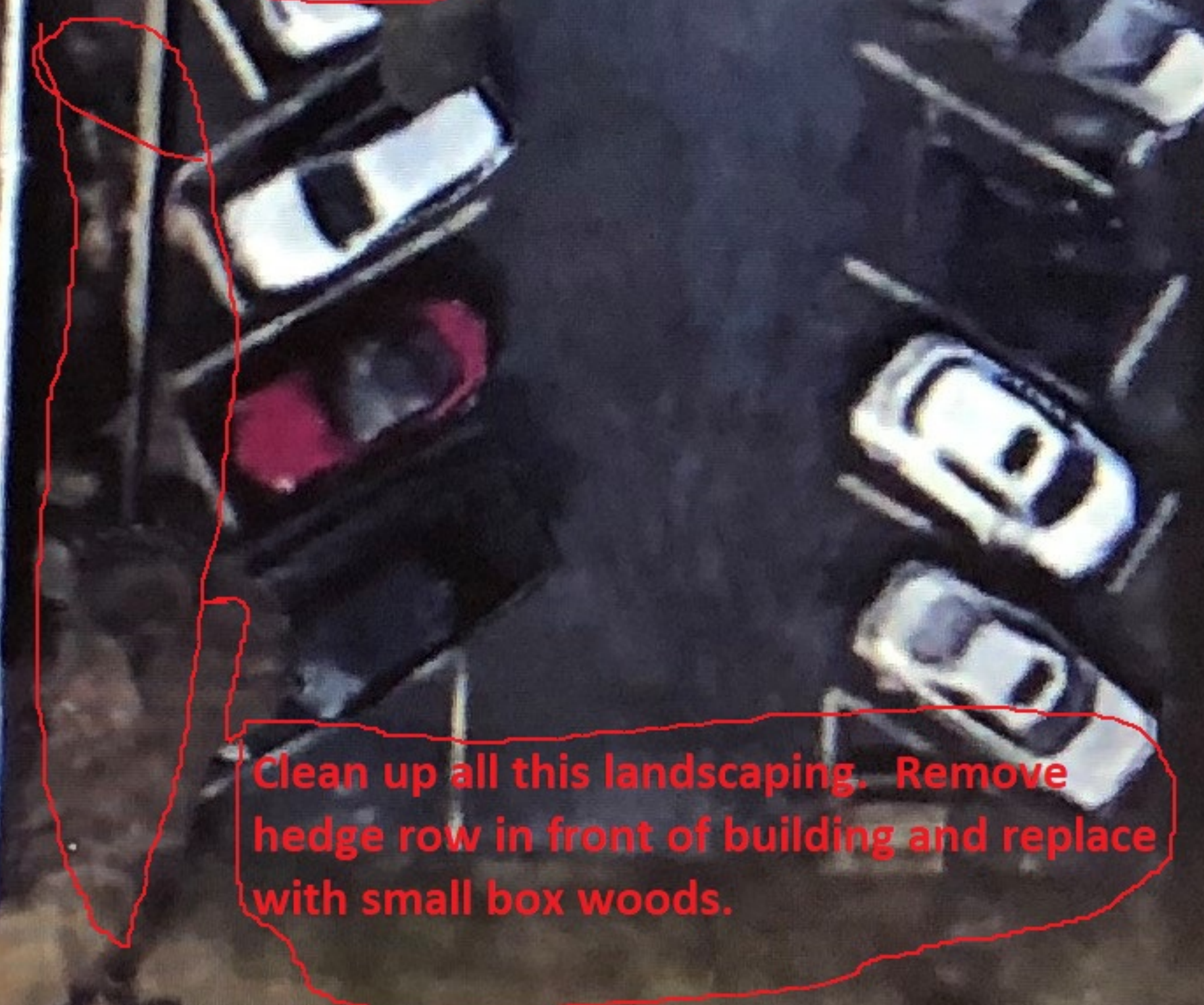




1155 North Warson Road

Trim this big tree.

Remove Hedges here and replace with Sod.



Clean up all this landscaping. Remove hedge row in front of building and replace with small box woods.



Current Monument sign. Old and dated. Replace with new silver sign like Exotic Motors Midwest Building.



Douglas A. DeLong, Landscape Architect LA-81

Consultants:

1155 North Warson Road
Exotic Motors Midwest
Creve Coeur, MO.63132

Revisions:

Date	Description	No.

Drawn: BAD
Checked: DAD

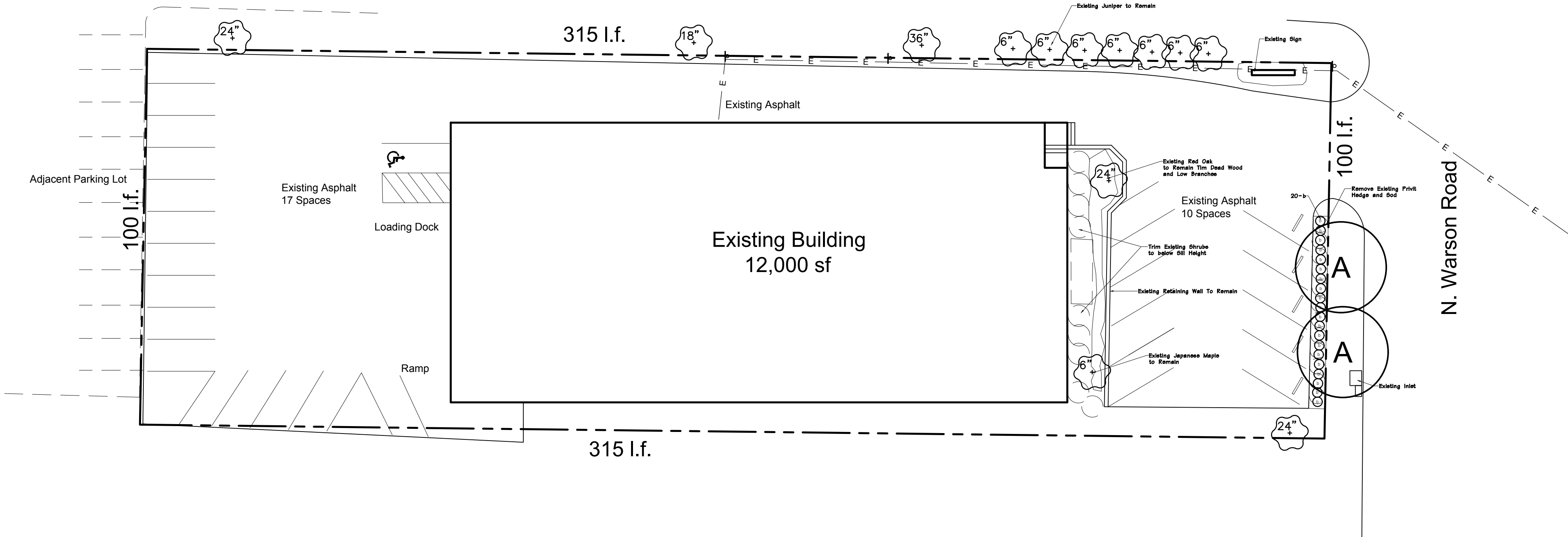
DeLong

andscape Architecture, LLC

7620 West Bruno Ave
St. Louis, MO. 63117
(314) 346-4856
delong.la@gmail.com

Missouri State Certificate of Authority: #2013000145

Sheet Title:	Landscape Plan
Sheet No:	L1
Date:	10/5/2018
Job #:	190.001



Landscape Plan

Scale: 1"=20'

PLANTING SCHEDULE					
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
A	2	Acer rubrum 'Sun Valley'	Sun Valley Red Maple	2 1/2"	
b	20	Buxus sinica var. 'Wingergreen'	Wingergreen Boxwood	24-30"	2.5' O.C.

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE
PERMIT FOR AN AUTOMOBILE AND OTHER MOTOR VEHICLE MERCHANT
WHOLESALE BUSINESS, I BUY LUXURY CARS, LLC
AT 1155 N. WARSON ROAD**

WHEREAS, under Section 405.380(C), Automobile and Other Motor Vehicle Merchant Wholesalers business (NAICS 423110) in the “LI” Light Industrial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Danny Baker, of I Buy Luxury Cars, for a conditional use permit for the Wholesale of luxury used vehicles, where all activity will occur inside the building and not open to the public; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, October 15, 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 October 15, 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:

BILL NO. _____

ORDINANCE NO. _____

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of an Automobile and Other Motor Vehicle Merchant Wholesalers business (NAICS 423110) at 1155 N. Warson Road, in LI (Light Industrial) District, whose legal description is as follows:

Lot 10 of RESUBDIVISION OF SECTIONS 2, 3 AND 4 OF LINDBERGH-WARSON INDUSTRIAL CENTER ADDITION NO. 1, according to the plat thereof recorded in Plat Book 100 page 52 of the St. Louis County Records.

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

1. The Conditional Use Permit shall be for the operation of an Automobile and Other Motor Vehicle Merchant Wholesalers business (NAICS 423110) at 1155 N. Warson Road, for I Buy Luxury Cars.
2. All business operations shall take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors.
3. There shall be no body work or major repairs of vehicles, or testing of engines, associated with this use at this location.
4. The Applicant shall obtain a building permit to address any building code issues associated with the use and any property maintenance issues.
5. A revised Landscape Plan shall be submitted indicating that the trees shall be a minimum caliper of three inches, in compliance with Section 405.540 Landscaping of the Zoning Ordinance.
6. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, and should the street trees be removed, sufficient landscaping shall be provided on the property to be consistent with the Landscape Plan to the extent possible, as required under Section 405.540 Landscaping
7. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.
8. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
9. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
10. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
11. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
12. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved

BILL NO. _____

ORDINANCE NO. _____

Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

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

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

ADOPTED THIS ____ DAY OF _____, 2018.

DR. SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2018.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

Attachment: 18-039.Draft Ordinance.10-15-2018 (#18-039: I Buy Luxury Cars 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 #18-041 A MINOR SITE DEVELOPMENT PLAN FOR A FENCE WITHIN THE FRONT-YARD SETBACK ALONG LADUE ROAD FOR THE PROPERTY AT 10490 LADUE ROAD

FOR THE MEETING OF: October 15, 2018

SUBJECT PROPERTY LOCATION: 10490 Ladue Road, zoned A Single Family Residential.

REQUEST: Joe Kaminski, homeowner, has submitted an application for a 6-foot-tall gate and columns, and a 3.5-foot wrought iron fence along the front yard, 12-13 feet from property line, with the larger columns and gate approximately 25 feet from the property line within the setback along Ladue Road for the property addressed as 10490 Ladue Road. The subject property is zoned A Single Family Residential which has a front yard setback of 50 feet.

ADDITIONAL INFORMATION: The City of Creve Coeur's Zoning Ordinance Section 405.640 (C) *Fences Within The Front Yard Section And Along Street Right-Of-Way* states that no fence shall be located within the front yard setback or along street right-of-way, within the area equivalent to the front yard setback of the applicable zoning district, unless approved by site development plan by the Planning and Zoning Commission. Staff may approve a fence within this area if the fence to the side and rear of the home, 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. City Council action is not required.

APPLICANT/PROPERTY OWNER: Joe Kaminski
10490 Ladue Road
Creve Coeur, MO
63141

Key Issues:

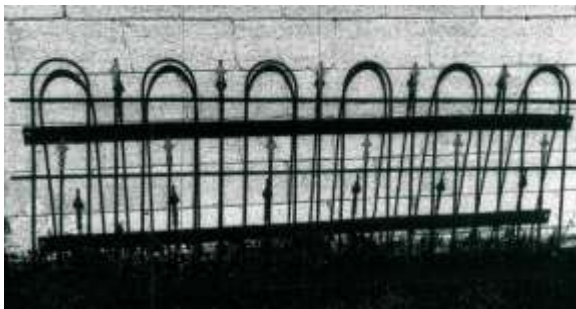
- Does the request further the goals and/or implement the Comprehensive Plan?
- Maintaining open green spaces
- Visual impact along Ladue Road

Creve Coeur 2030 References

- Estate Neighborhood 2 (ER-2)
- Design Guidelines

Zoning Code References

- Section 405.250: A Single-Family
- 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: 10/9/2018

ATTACHMENTS: Revised site plan submitted October 10, 2018 and materials received September 14, 2018

Attachment: 18-041.10490 Ladue Road Fence.Staff Report.10-15-2018 (#18-041: 10490 Ladue Road Fence)

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Chatfield Place Townhomes Residences	B-RDD Single Family Residential	Ladue Road
South	Single family residence	A Single Family Residential	NA
East	Single family residence	A Single Family Residential	NA
West	Single family residence	A Single Family Residential	NA

FENCE PLACEMENT AND DESIGN

The Applicant is seeking to install a 3 and half foot-tall antique wrought iron fence, with a 6-foot gate and columns at the driveway entrance at the front property line along Ladue Road. The Applicant has revised the site plan to have the fence placed 12-13 feet from the front property line, with the landscaping in front. The 6 foot tall columns and gates will be further into the property at approximately 25 feet.

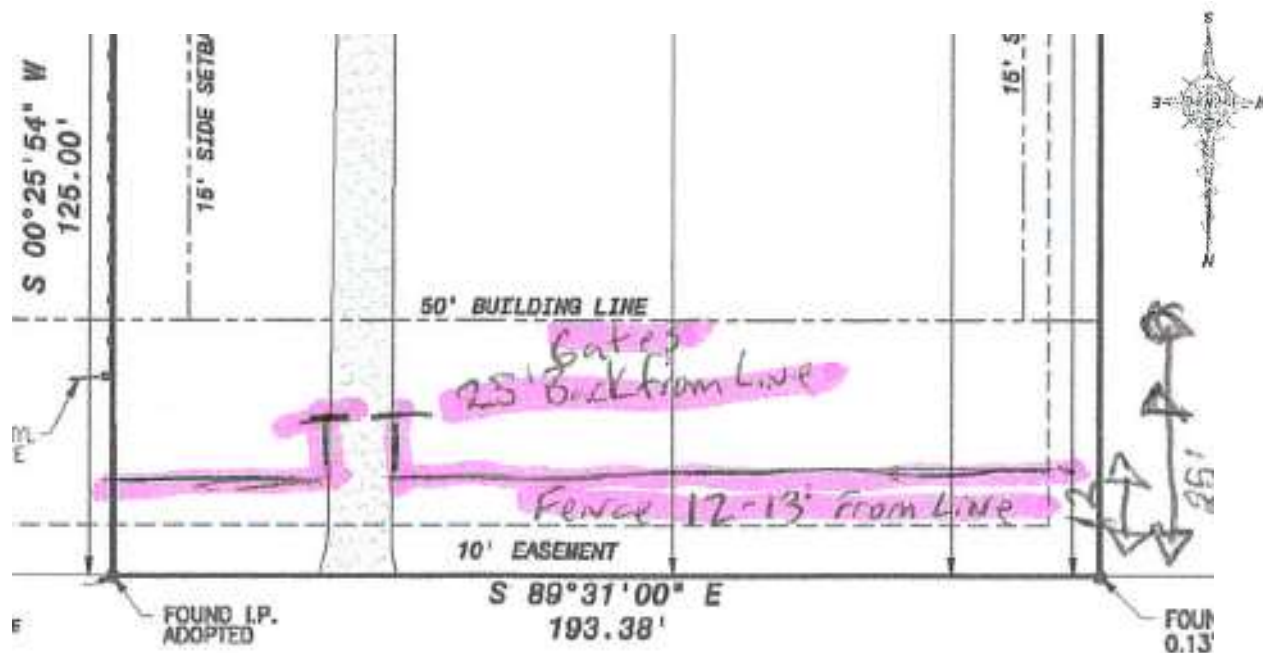


Figure 1: Close-up of the Applicant's Revised Site Plan submitted October 10th



Figure 2: Fence detail.



Figure 3: Gate and column detail.

ANALYSIS

The Zoning Code provides standards for evaluating requests for fences within the front 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 Estate Neighborhood 2 (ER-2) consisting of consisting of large lots with stately homes in a park-like setting. Homes should be architecturally-harmonious, located to provide large front lawns and preserve existing trees, and built to a consistent setback from the street. Streets should terminate in cul-de-sacs or circles to create small, secluded neighborhoods, and sidewalks are not necessary. Curvilinear streets can be used to preserve landscape vistas. (P. 67).

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 discourage the use of synthetic, and highly reflective materials. The proposed fence material is a wrought iron material which is consistent with the Design Guidelines and in keeping with the style of the home. It is important to note that the properties on either side of the subject property have white open picket fences and columns however, they are set back further from Ladue Road. According to the City’s GIS image below, the property addressed as 10454 Ladue Road (to the right) the fence is setback approximately 45 feet, and the property addressed as 10510 Ladue Road (to the left) is approximately 35 feet from the property line.



Figure 4: Image of the City's GIS of the two adjacent properties with the subject property in the middle.

There is also a significant amount of landscaping along Ladue Road. The Applicant has moved the location of the proposed fence to beyond the existing landscaping at approximately 12-13 feet south of the property line. The larger gate and columns are further back from the property line at 25 feet, thus have limited visibility from Ladue Road, and largely in keeping with the recommendations. The property is unique in that it was originally developed in 1927, and having a large entry gate may be appropriate in this setting, where in other areas of the City the Commission may have not approved such features.

CONCLUSION AND ACTION

If the members of the Planning Commission find the applicant's reasons for the fence and gate location, height and design sufficient, they can approve it as proposed. If the Commission wishes to have the fence and or gate further back to be in keeping with the two properties on either side, discussion with the Applicant and a revised motion would be necessary. Because this is in front of the home, and not to the side or rear on a corner lot or a property that backs up to a road, if the request is denied, the Applicant may construction the fence gate and columns at the 50 foot building setback line. Staff has included a condition of approval that a building permit be obtained for the columns and gate.

MOTION

The motion for the fence, column and gate within the setback of Ladue Road. as shown in the enclosed site plan will be in the form of approval, approval with conditions, or deferral. City Council action is not required. The following is an example motion for this application:

"I move to approve the site plan for a 3.5 foot tall ornamental fence to be located 12-13 feet from the property line, and 6 foot tall gate and columns located at 25 feet from the property line for the property addressed as 10490 Ladue Road as discussed within the Staff Report on Application #18-041 for the October 15th Planning and Zoning Commission meeting" (Modification or revisions may be included by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

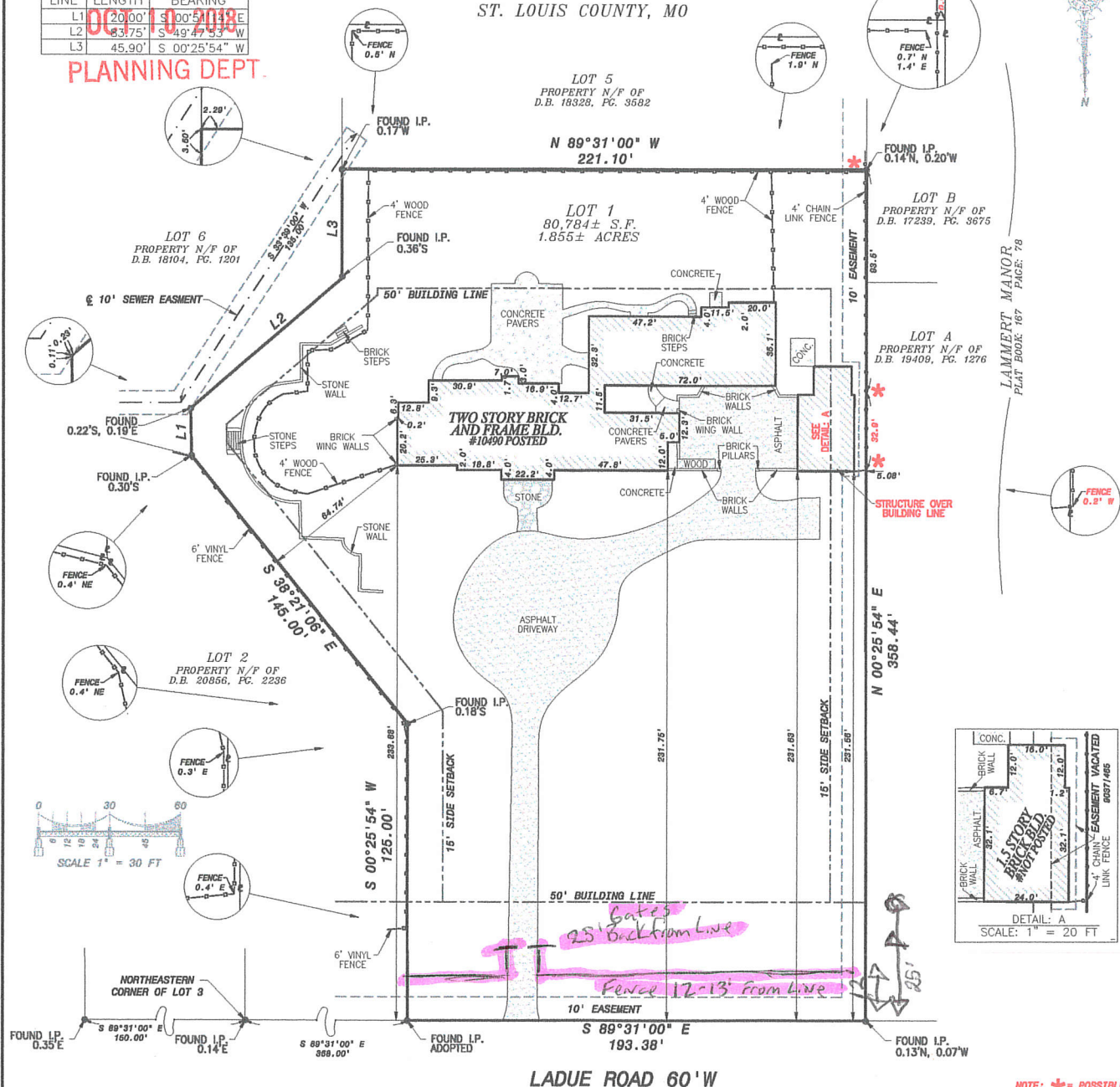
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 4: SITE PHOTOGRAPHS	Photo Date:10/05/2018
	Description: View of the subject property looking south from across Ladue Road.
	Description: View of the adjacent property to the west looking southwest from across Ladue Road.

	Description: View of the adjacent property to the east looking southeast from across Ladue Road.
	Description: View looking northwest at the existing landscaping from the approximate building line on the subject property.

ST. LOUIS COUNTY, MO

PLANNING DEPT.



NOTE: * = POSSIBLE
FENCE ISSUE TO BE
CONFIRMED BY OTHERS

NOTE: FOUND AND ADOPTED AN
IRON PIPE LOCATED ON THE
NORTHEASTERN CORNER OF LOT 3.

SCHEDULE B-2 EASEMENTS THAT RELATE TO SURVEY MATTERS:

- 14) - RIGHT OF ENCROACHMENT AND RELEASE AGREEMENT WITH SOUTHWESTERN BELL TELEPHONE COMPANY (9037/465); AS SHOWN HEREON.

SOURCE OF RECORD DESCRIPTION:

CHICAGO TITLE INSURANCE COMPANY,
COMMITMENT NO.: CL170716,
EFFECTIVE DATE: 04/25/2017 AT 08:00 AM

BASIS OF BEARING OR ANGLES:

CARBERRY HEIGHTS
PLAT BOOK: 297 PAGE: 41

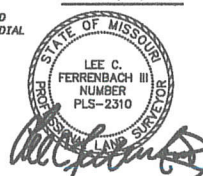
SURVEYOR'S STATEMENT:

THIS IS TO CERTIFY TO ELIZABETH ANDERSON, STEFEL BANK AND TRUST AND TRUE TITLE COMPANY, LLC, THAT AT THEIR REQUEST, MERIDIAN SURVEYING SERVICES L.L.C., HAS DURING THE MONTH OF MAY, 2017, EXECUTED A RESURVEY OF LOT 1 OF CARRBERRY HEIGHTS, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 297, PAGE 41 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, TOGETHER WITH THE LOCATION OF IMPROVEMENTS THEREON, IMPROVEMENT OWNERSHIP IS BASED OFF OF FIELD OBSERVATIONS THAT HAVE NOT BEEN VERIFIED WITH PROPERTY OWNER(S), THE FENCE OWNERSHIP IS BASED OFF OF FIELD OBSERVATIONS. THE RESULTS OF THE RESURVEY ARE AS FOLLOWS: THEREFORE, THE RESULTS OF SAID RESURVEY ARE SHOWN ON ABOVE PLAT. THIS RESURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR AN URBAN CLASS PROPERTY. PRIOR TO ANY CONSTRUCTION, THE ZONING AUTHORITY SHOULD BE CONSULTED TO VERIFY CURRENT RESTRICTIONS. CERTIFICATION IS MADE TO THE ORIGINAL PURCHASER OF THIS SURVEY AND ANY SUBSEQUENT OWNERS. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTES, AGENCIES, PARTIES, OR SUBSEQUENT OWNERS.

GENERAL NOTES:

I.P. = IRON PIPE
I.R. = IRON ROD
(R) = RECORD
(S) = SURVEYED
(NR) = NON-RADIAL

DATE: 5/08/2017



MERIDIAN LAND SURVEYING
4141 MEXICO ROAD, ST. PETERS, MO 63376
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FAX: 636-946-9099
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CONFIDENTIAL EXCERPT NO: 2010021044

DRAFTER: _____ REVIEWER: _____

KMG	LCF
FIELD CREW:	DATE:

FIELD CREW:	DATE:
KAT/MJM	06/08/2017

DRAWING NO:	PROJECT NO:
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DRAFTER:	REVIEWER:
KMG	LCF
FIELD CREW:	DATE:
KAT/MJM	06/08/201
DRAWING NO:	PROJECT N
01	61074

SHEET
1
OF 1

9-15-2018

Dear Planning and Zoning/Board of Directors

I own the property at 10490 Ladue Rd, (Former Lamert Horse Farm/Cardinal mansion). Please review my request to install antique wrought iron fence across the Ladue Rd side of my property. We have chosen this style of fence to preserve the original historic English style of our home. (please see pics/original blueprints from 1927) Upon your approval we would also request permission to install a custom iron driveway gate, with an automatic opener. The exact detail/style will be similar to the fencing panels but we won't have detailed renderings until we contract them to be made.

Thank you for your consideration, Joe and Erica Kaminski

Attachment: Applicants Materials submitted September 14, 2018 (#18-041: 10490 Ladue Road Fence)

Key For Plot Layout

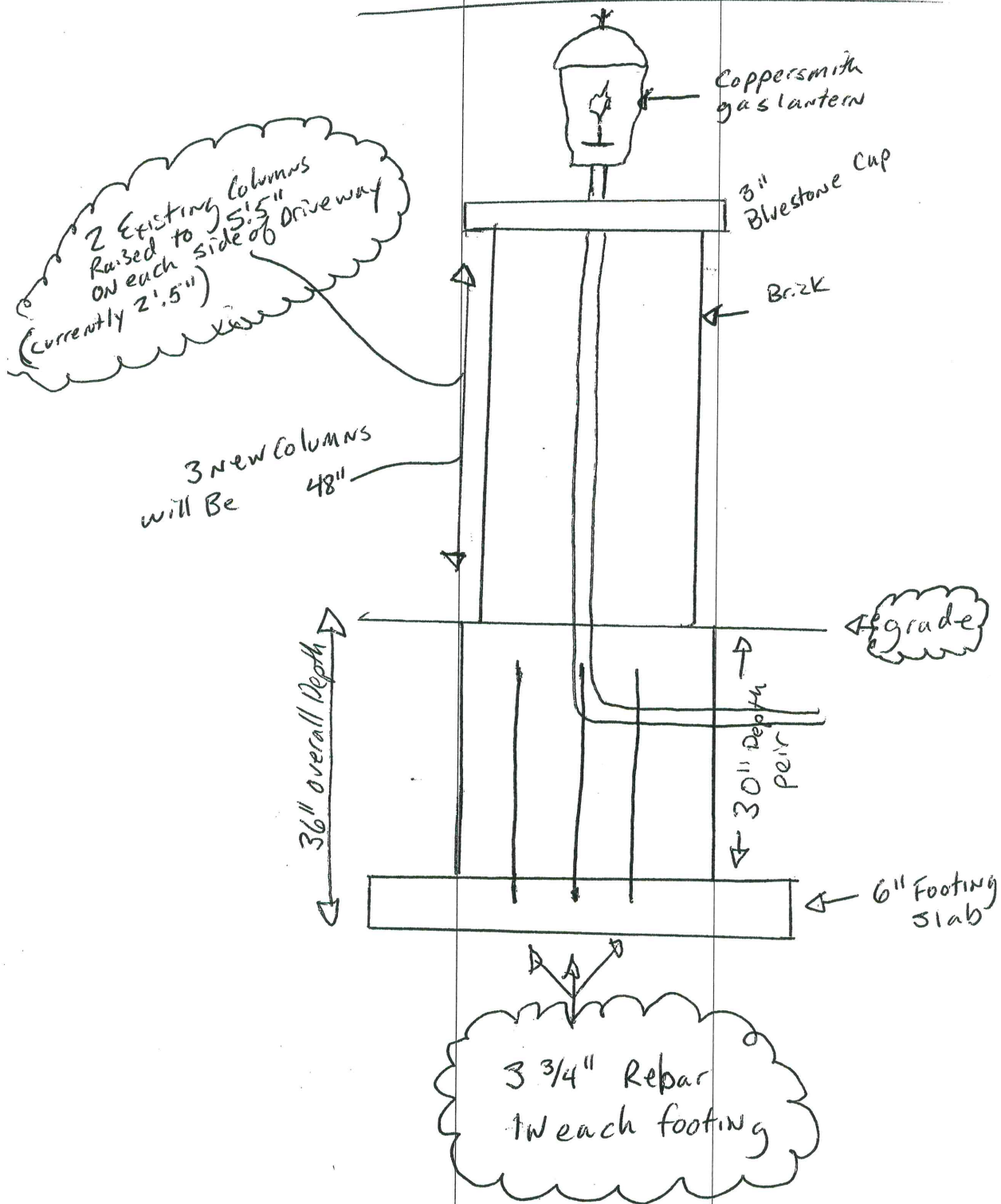
○ = new column

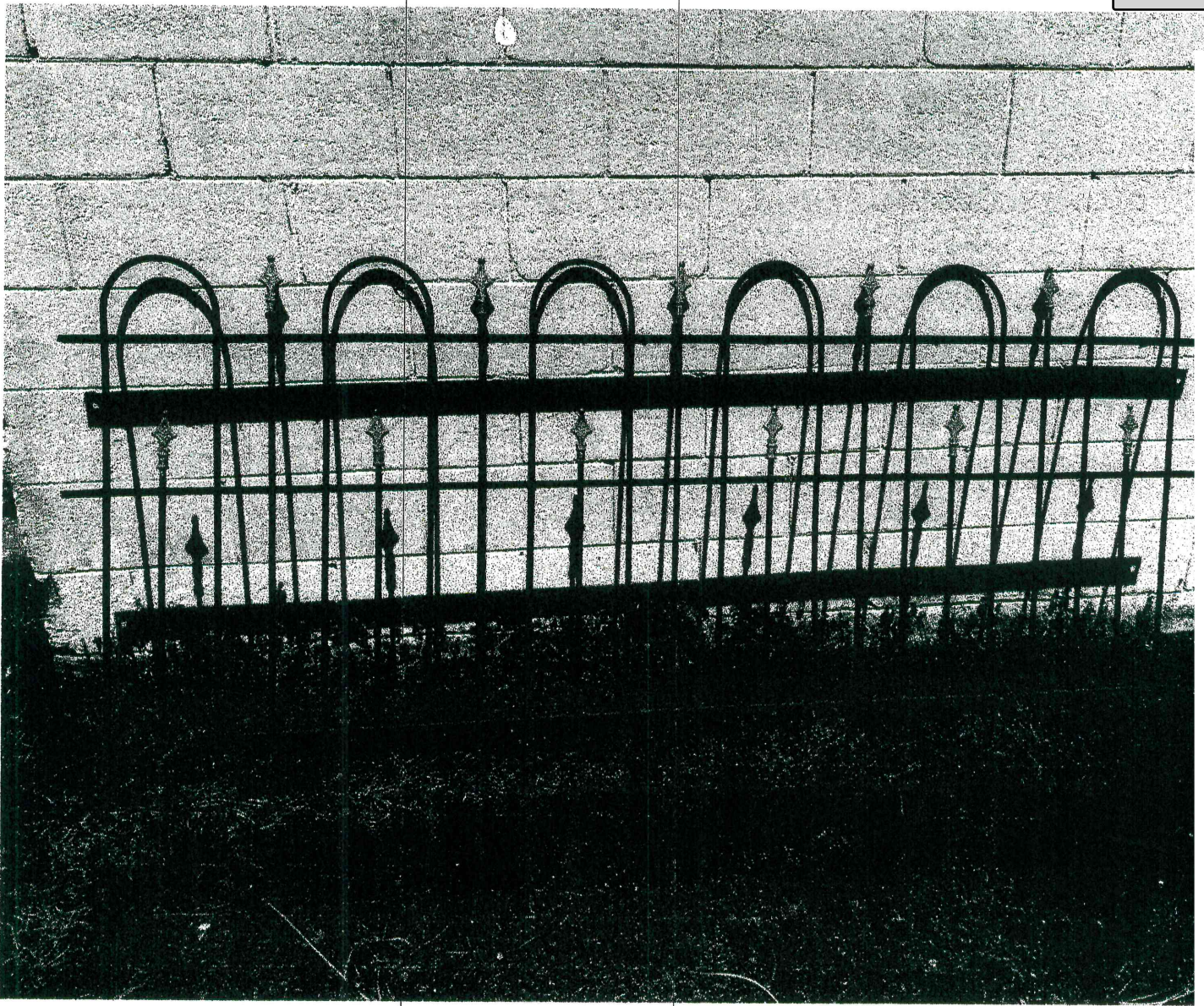
□ = Existing column to be raised

----- = wrought iron fence to be installed

———— = Automatic sliding driveway gate
candiliers

Brick Column Detail

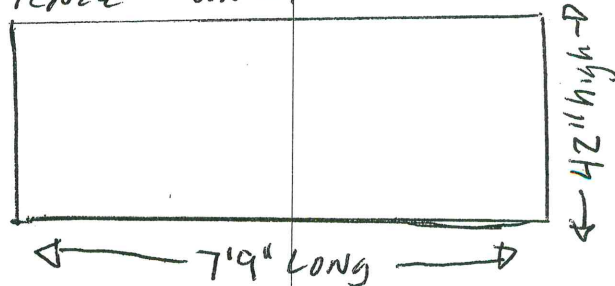




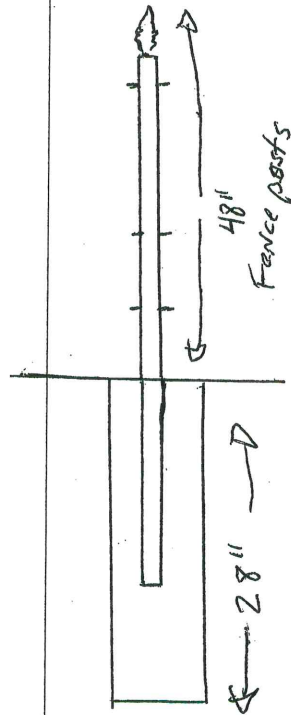
Attachment: Applicants Materials submitted September 14, 2018 (#18-041: 10490 Ladue Road Fence)

Wrought Iron fence to be installed. This fence will be sand blasted and refinished (Black with gold to match the 1927 Era of our home.

Fence Panel Details



Fence Post Details

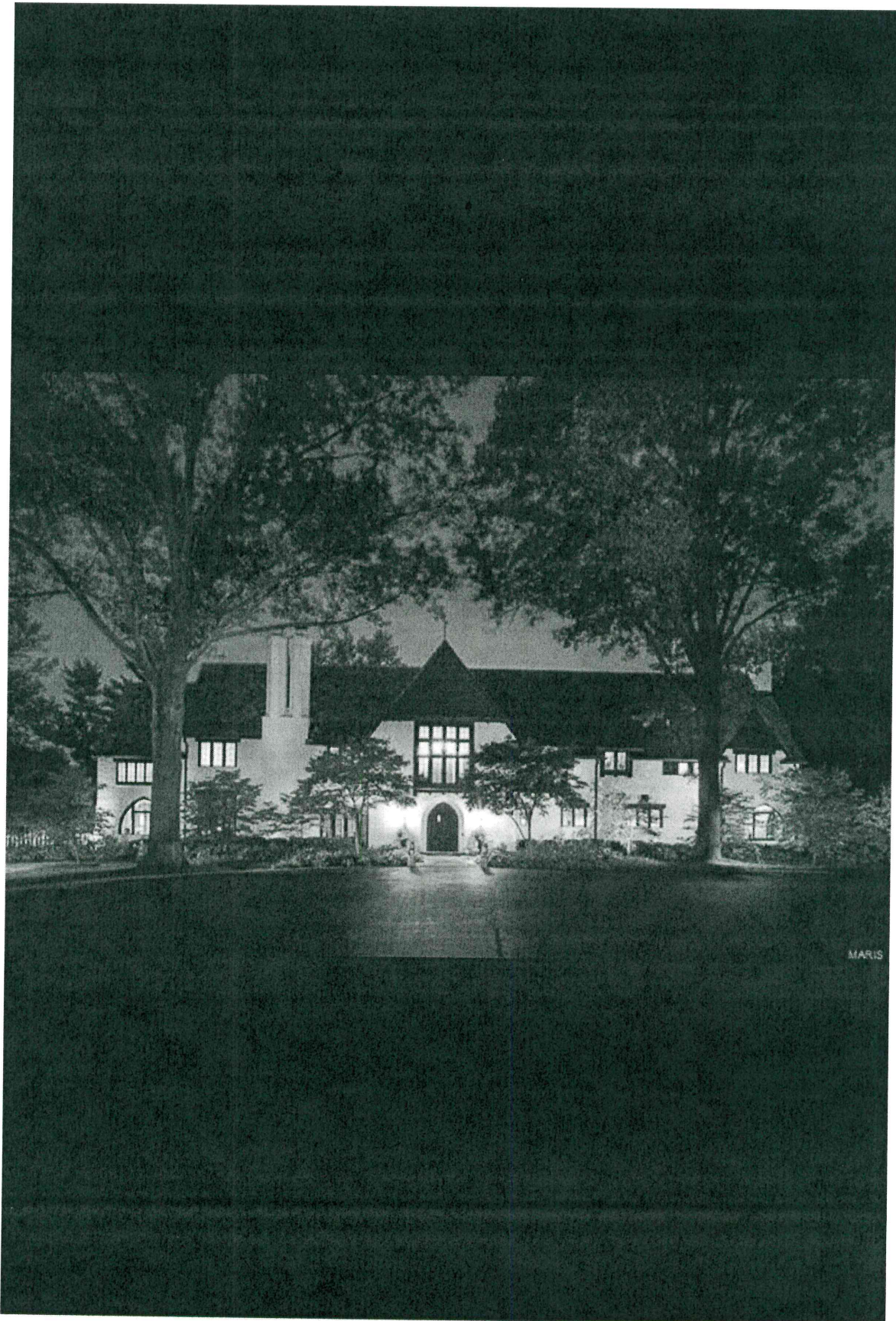


Fence Pole
Pair Depth





 Zillow, Inc.

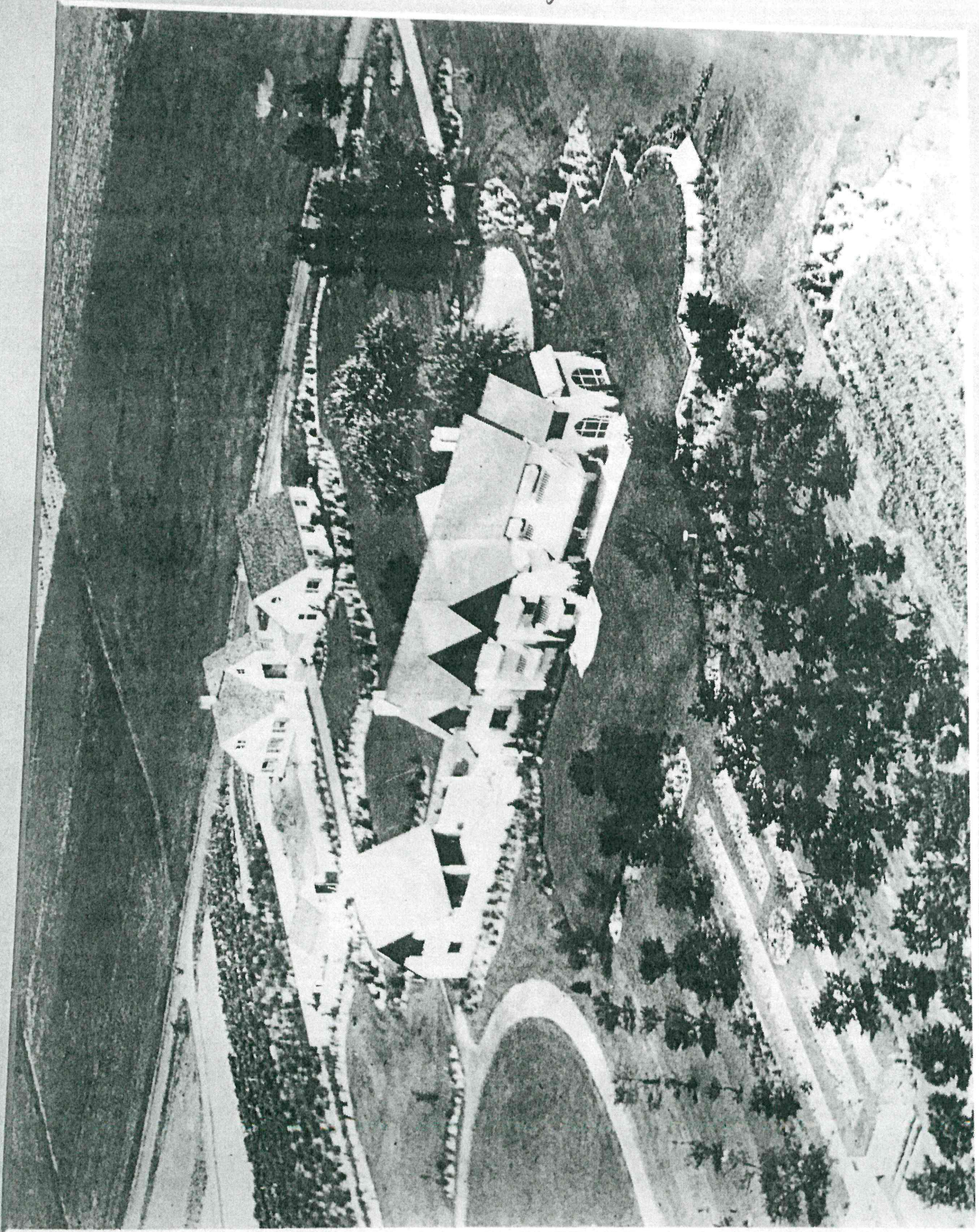


MARIS

Attachment: Applicants Materials submitted September 14, 2018 (#18-041: 10490 Ladue Road Fence)



Photo of original Lamert Horse Farm



Current street view





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www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION
#18-042: APPLICATION FOR A BOUNDARY ADJUSTMENT FOR LOTS 1,
2, AND 3 OF OAK LAKE ESTATES, AND LOTS 3, 4 AND 5 OF THE
SUBDIVISION OF S.S. MASTON, LOCATED AT 11109-11141 OLIVE
BOULEVARD & 11100-11114 OAK LAKE COURT, CURRENTLY ZONED
GC GENERAL COMMERCIAL AND C SINGLE FAMILY RESIDENTIAL

FOR THE MEETING OF: Monday, October 15, 2018

LOCATION: 11109 – 11141 Olive Boulevard, and 11100, 11108, and 11114 Oak Lake Court, including portions of unincorporated St. Louis County, at the northwest corner of Schulte Road and Olive Boulevard

REQUEST: Kevin Kamp, of Civil & Environmental Consultants, Inc. has submitted an application on behalf of Wallis Companies (Arch Energy, LLC), seeking a boundary adjustment, for the above-mentioned properties to create two lots. The site received approval to rezone the properties for a Mobil on the Run and Bright Worxs car wash all zoned GC General Commercial with Ordinance No. 5569, and a boundary adjustment plat to consolidate all of the existing lots into one lot. The Applicants are requesting that the two entities be on two separate lots due to financial reasons, thus amending the Boundary Adjustment for the development.

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 it must be approved by the Planning and Zoning Commission. The site development plan for the car wash and gas station with convenience store was approved with Ordinance 5569 on February 26, 2018.

Key Issues:

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

Subdivision Code References

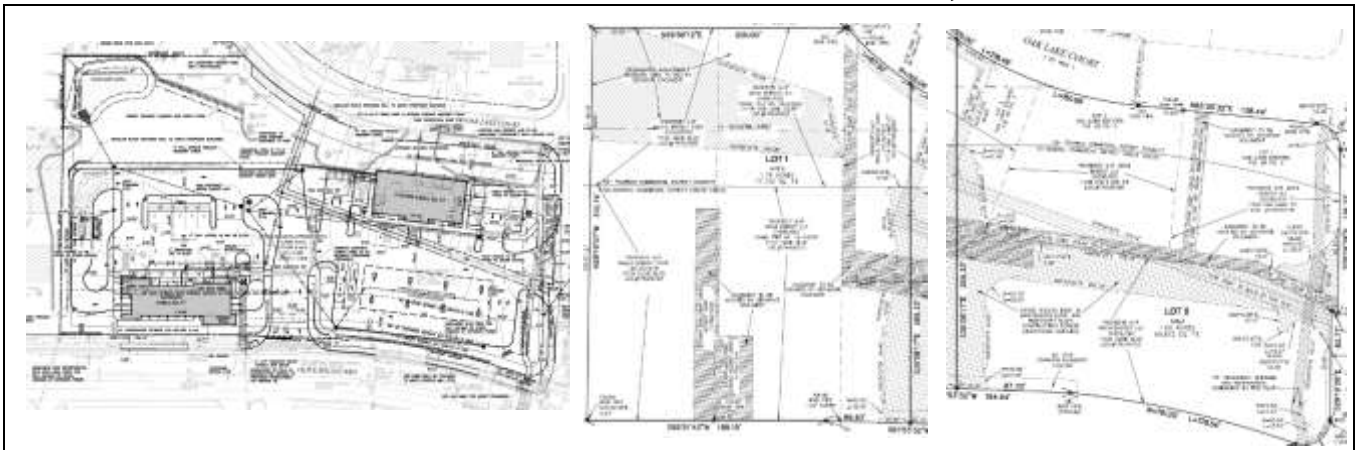
- Section 410.030(D)

Zoning Code References

- Section 405.360 GC-General Commercial District

APPLICANT: Kevin Kamp
Civil & Environmental Consultants, Inc.
4848 Park 370 Boulevard, Suite F
Hazelwood, MO 63042

PROPERTY OWNER: Mark Jordan
Wallis Companies
(Arch Energy, LLC)
106 East Washington
Cuba, MO 65453



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 10/10/2018
ATTACHMENTS: Applicant's Materials received September 19, 2018

BACKGROUND

The Planning and Zoning Commission recommended approval of the rezoning, boundary adjustment, conditional use permit, and site development plans for the Mobil on the Run and the BriteWorxs Car Wash Facility on January 16, 2018. City Council authorized the rezoning and conditional use permit on February 26, 2018 with Ordinance 5569. At that time, the Boundary Adjustment was submitted to consolidate the development into one 3.320-acre lot. However, that plat has not been fully recorded while the Applicants have been finalizing the purchasing of the properties and the financing for the development. The Applicants are now seeking to amend the boundary adjustment plat to create two lots with a shared access drive in the middle.

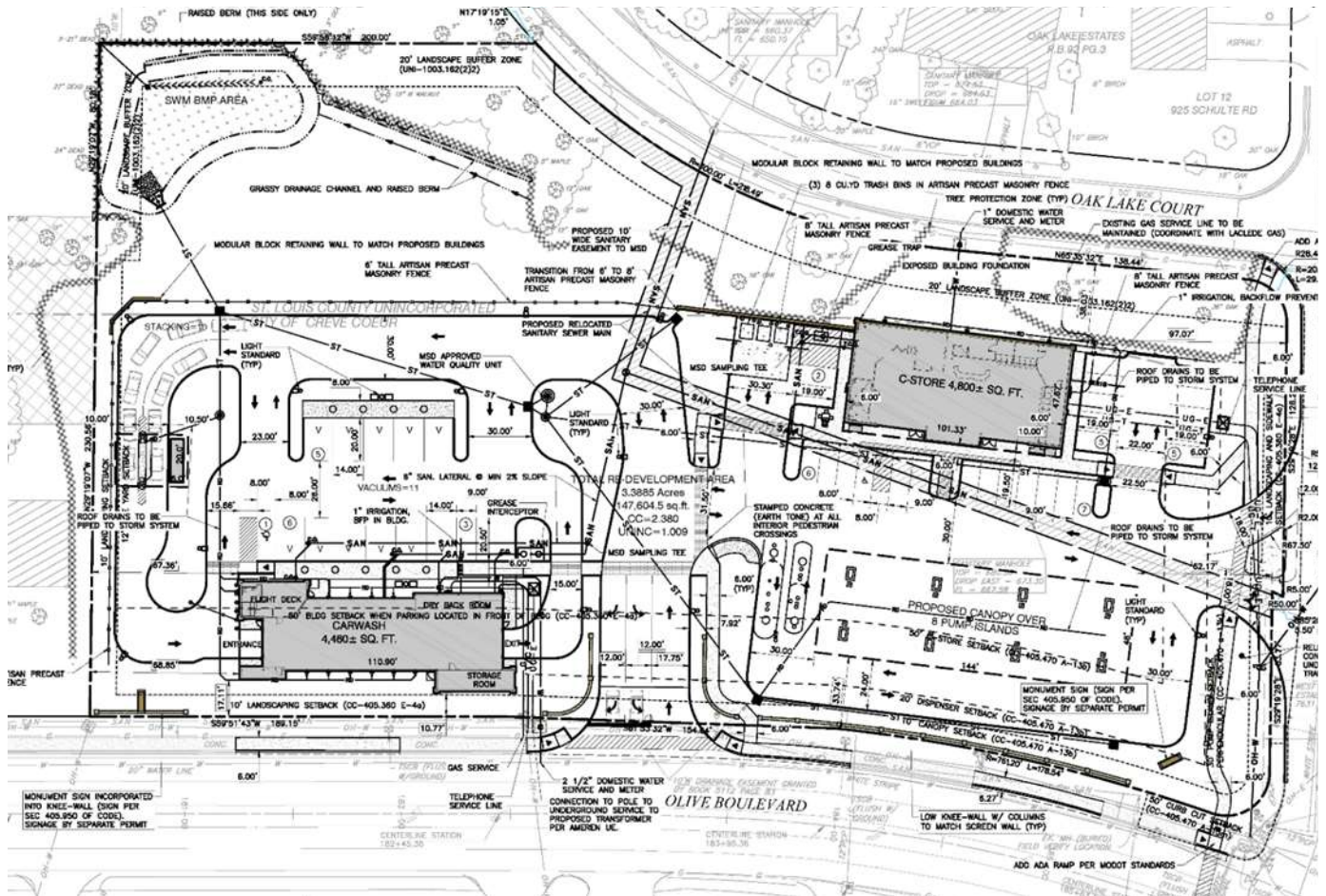


Figure 1: Site Development Plan from December 4, 2017 under Application #16-031

The new Lot 1 will be 1.78 acres, with 256 feet along Olive Boulevard, and a lot depth of 269.3 feet and will have the BriteWorxs Car Wash facility. Lot 2 will be 1.6 Acres with 266.24 feet along Olive Boulevard, for the Mobil on the Run Gas Station and Convenience Store. Both lots will be zoned GC-General Commercial, where the minimum lot area is one-half acre, minimum lot width is 75 feet and minimum lot depth is 150 feet.

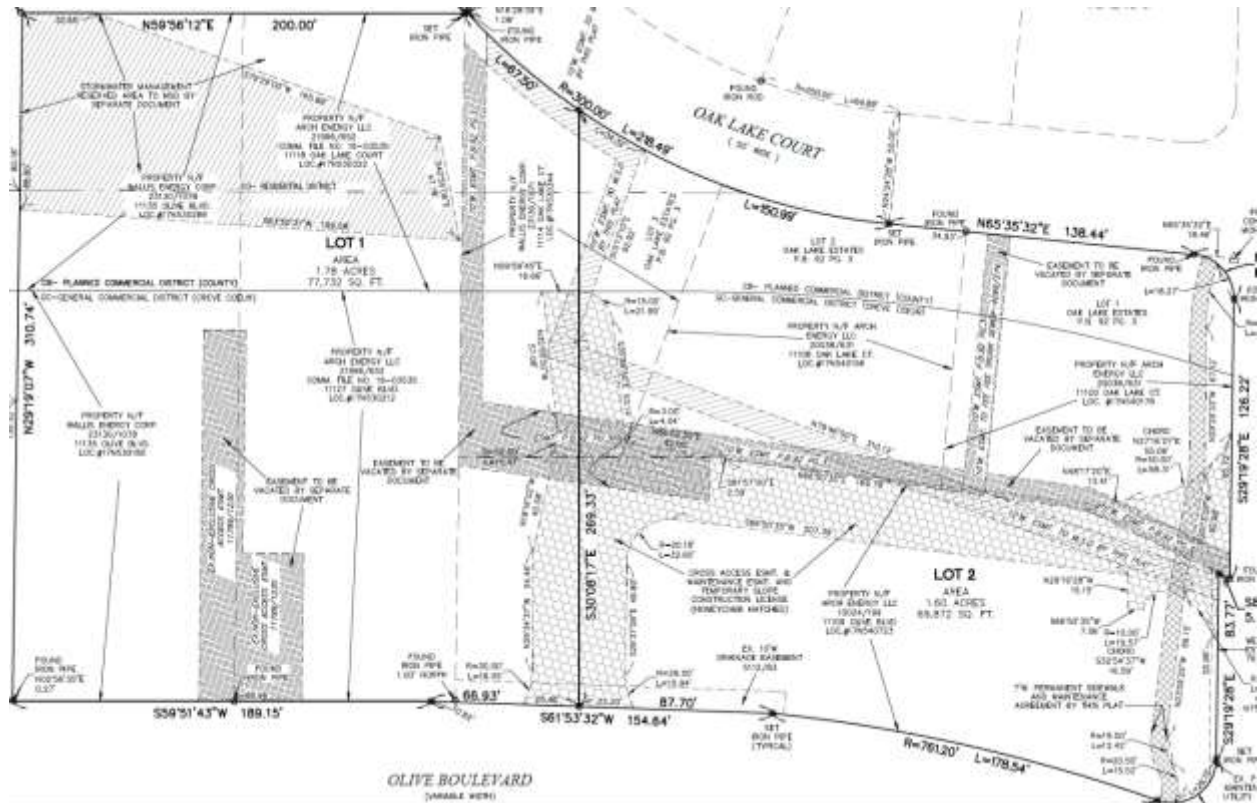


Figure 2: Close-up of the Applicants proposed Boundary Adjustment Plat

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 not substantially change the prior approval for the development. 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.

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 amended boundary adjustment plat attached to the staff report on application #18-042 for the meeting of October 15, 2018, subject to the condition that 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)

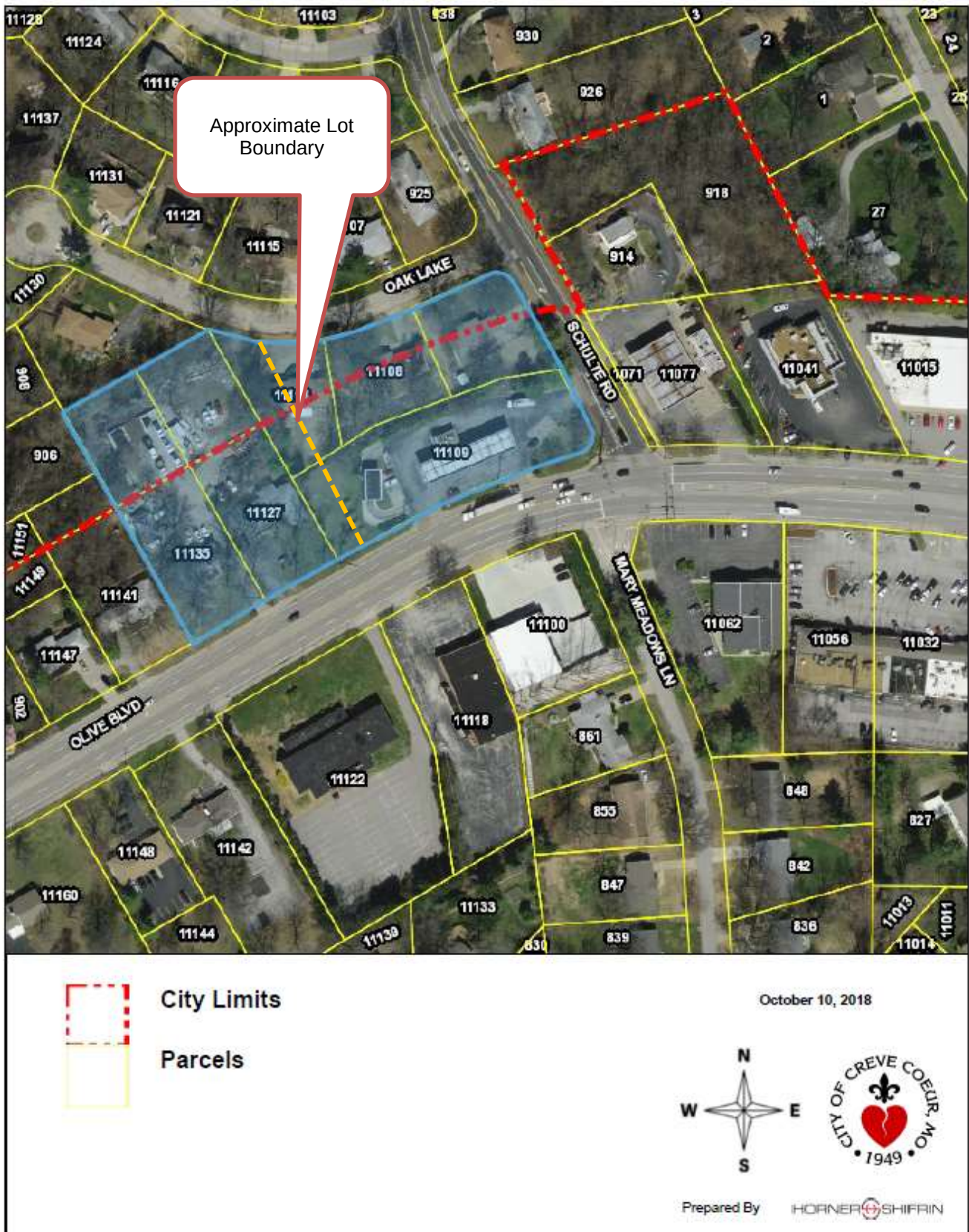
Included and attached by reference. See body of report for specific excerpts.

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

Mobile on the Run and BriteWorxs Car Wash



WALLIS ENERGY CREVE COEUR
A TRACT OF LAND BEING ALL OF LOTS 1, 2 AND 3 OF "OAK LAKE ESTATES",
AS RECORDED IN PLAT BOOK 92, PAGE 3, AND PART OF LOTS 3, 4 AND 4 OF THE SUBDIVISION OF THE FARM OF S.S.
MATSON, WITHIN U.S. SURVEY 1962, TOWNSHIP 45 NORTH, RANGE 5 EAST OF THE FIFTH PRINCIPAL MERIDIAN,
ST. LOUIS COUNTY, MISSOURI

GENERAL NOTES

1. BASIS OF BEARINGS FOR THIS SURVEY ADOPTED FROM MISSOURI STATE PLANE COORDINATE SYSTEM, EAST ZONE.
2. ALL TIES SHOWN ON THIS SURVEY ARE PERPENDICULAR TO THE PROPERTY LINES TO WHICH THEY ARE TIED UNLESS NOTED OTHERWISE.
4. THE PARCEL LOCATOR NUMBERS AND ADDRESSES ARE AS SHOWN ON THE COUNTY INTERACTIVE MAP WEB SITE.
5. ALL DIRECTIONS ALONG PROPERTY LINES ARE AS SURVEYED UNLESS NOTED OTHERWISE.
6. ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE CITY OF CREVE COEUR, MISSOURI (COMMUNITY PANEL NUMBER 290344 0166 K, EFFECTIVE DATE FEBRUARY 04, 2015), AND THE FLOOD INSURANCE RATE MAP OF ST. LOUIS COUNTY, MISSOURI (UNINCORPORATED AREAS) (COMMUNITY PANEL NUMBER 290327 0166 K, EFFECTIVE DATE FEBRUARY 04, 2015) THIS PROPERTY LIES WITHIN ZONE X. ZONE X IS DEFINED AS AN AREA OF MINIMAL FLOOD HAZARD.
7. PLANS FOR OLIVE BOULEVARD OBTAINED FROM MISSOURI DEPARTMENT OF TRANSPORTATION, PROJECT NUMBER (SEC-96(1) UA).
8. A PORTION OF THIS PROPERTY LIES WITHIN THE CITY OF CREVE COEUR AND IS ZONED AS "GC" GENERAL COMMERCIAL. THE REMAINDER LIES WITHIN ST. LOUIS COUNTY UNINCORPORATED, AND IS ZONED AS "C8 PLANNED COMMERCIAL DISTRICT".

THE BUILDING SETBACKS FOR GC GENERAL COMMERCIAL ZONING ARE AS FOLLOWS:
10' FRONT/ROW SETBACK, OLIVE BLVD., 0' SCHULTE (IN LIEU OF ROW GIVEN TO COUNTY)
12' SIDE SETBACK

THE SETBACKS FOR C8 PLANNED COMMERCIAL DISTRICT ZONING ARE AS FOLLOWS:
SETBACKS FOR PARKING AREAS, INTERNAL DRIVES, LOADING SPACES, AND STRUCTURES SHALL BE ESTABLISHED IN THE CONDITIONS OF THE ORDINANCE GOVERNING THE PARTICULAR PLANNED COMMERCIAL DISTRICT.

OWNERS CERTIFICATE

THE UNDERSIGNED OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE HAS CAUSED SAID TRACT OF LAND TO BE SUBDIVIDED AS SHOWN ON THIS PLAT, WHICH SUBDIVISION SHALL HEREAFTER BE KNOWN AS "WALLIS ENERGY CREVE COEUR".

THE UNDERSIGNED DESIGNATES THE 10 FOOT WIDE SEWER EASEMENT AND THE MSD MAINTENANCE/BMP RESERVE AREA ARE HEREBY DEDICATED TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FOR THE PURPOSE OF IMPROVING, CONSTRUCTING, MAINTAINING, REPLACING AND REPAIRING OF SEWER OR SEWERS, STORM WATER IMPROVEMENTS AND DRAINAGE FACILITIES, WITH THE RIGHT OF TEMPORARY USE OF ADJACENT GROUND NOT OCCUPIED BY IMPROVEMENTS FOR THE EXCAVATION AND STORAGE OF MATERIALS DURING INSTALLATION, REPAIR OR REPLACEMENT OF SAID SEWER OR SEWERS, STORM WATER IMPROVEMENTS AND DRAINAGE FACILITIES.

THE UNDERSIGNED DESIGNATES THE 24 FOOT WIDE CROSS ACCESS EASEMENT IS HEREBY DEDICATED FOR THE USE OF THE CURRENT AND FUTURE OWNERS OF LOTS 1 AND 2 AND THE SUCCESSORS AND ASSIGNS FOR THE PURPOSE OF INGRESS AND EGRESS.

THE UNDERSIGNED DESIGNATES THE 7 FOOT WIDE PERMANENT SIDEWALK AND MAINTENANCE AGREEMENT IS HEREBY DEDICATED TO THE CITY OF CREVE COEUR, MISSOURI AND ST. LOUIS COUNTY, MISSOURI.

ALL BUILDING LINES AS SHOWN HEREON ARE HEREBY ESTABLISHED.

ALL TAXES WHICH ARE DUE AND PAYABLE AGAINST THIS PROPERTY HAVE BEEN PAID IN FULL.

IN WITNESS WHEREOF, WE HAVE SIGNED THE FOREGOING THIS ____ DAY OF _____, 2018.

BY: _____

NAME: _____

TITLE: _____

STATE OF MISSOURI)
COUNTY OF ST. LOUIS)

ON THIS ____ DAY OF _____, 2018, BEFORE ME, PERSONALLY APPEARED _____ WHO BY ME DULY SWORN DID SAY THAT HE OR SHE IS THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AS HIS OR HER FREE ACT AND DEED AND AS THE FREE ACT AND DEED OF THE UNITED METHODIST CHURCH OF THE SHEPARD AS OWNER OF THE PROPERTY DESCRIBED IN THE PLAT OF "WALLIS ENERGY CREVE COEUR".

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND AFFIXED MY SEAL ON THE DAY AND YEAR FIRST ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

LENDER'S CERTIFICATE

THE UNDERSIGNED HOLDER OR LEGAL OWNER OF NOTES SECURED BY A DEED OF TRUST RECORDED IN BOOK _____ PAGE _____ OF THE ST. LOUIS COUNTY, MISSOURI RECORDER OF DEEDS OFFICE, JOINS IN AND APPROVES THIS "WALLIS ENERGY CREVE COEUR" PLAT.

IN WITNESS WHEREOF, WE HAVE SIGNED THE FOREGOING THIS ____ DAY OF _____, 2018.

BY: _____

NAME: _____

TITLE: _____

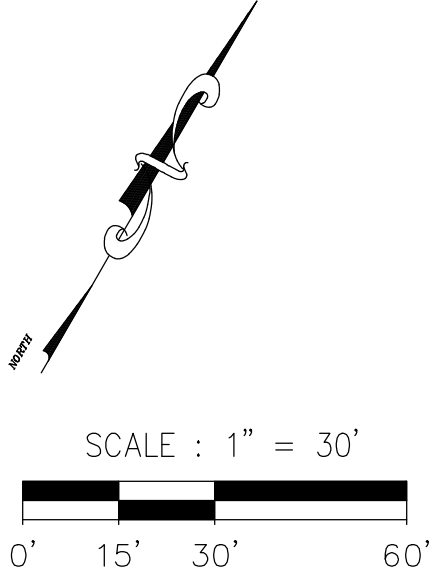
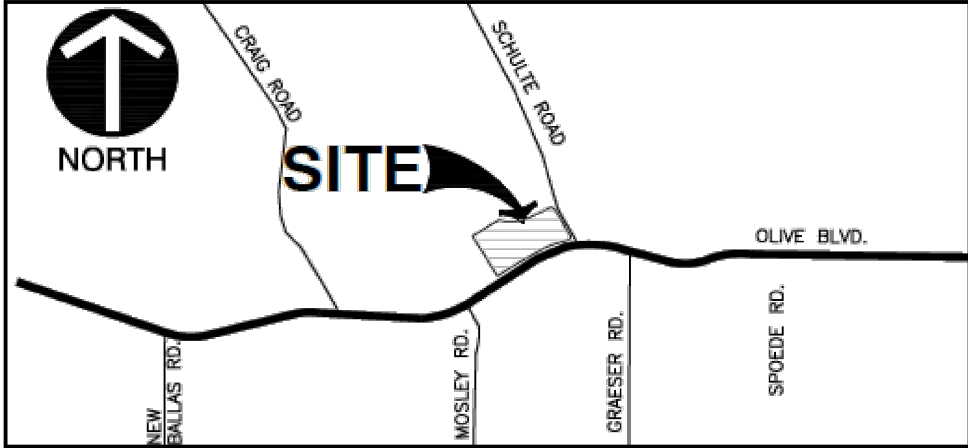
STATE OF MISSOURI)
COUNTY OF ST. LOUIS)

ON THIS ____ DAY OF _____, 2018, BEFORE ME, PERSONALLY APPEARED _____ WHO BY ME DULY SWORN DID SAY THAT HE OR SHE IS THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AS HIS OR HER FREE ACT AND DEED AND AS THE FREE ACT AND DEED OF THE _____ AS THE GRANTEE UNDER THE DEED OF TRUST RECORDED AGAINST THE PROPERTY DESCRIBED IN THE "WALLIS ENERGY CREVE COEUR" PLAT.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND AFFIXED MY SEAL ON THE DAY AND YEAR FIRST ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____



SURVEYORS CERTIFICATION

THIS IS TO CERTIFY THAT WE HAVE DURING MARCH 2016 AND JULY 2018, AT THE REQUEST OF CIVIL AND ENVIRONMENTAL CONSULTANTS, INC., EXECUTED A PROPERTY BOUNDARY SURVEY AND PREPARED A BOUNDARY ADJUSTMENT PLAT ON A TRACT OF LAND BEING ALL OF LOTS 1, 2, 3 AND 4 OF "OAK LAKE ESTATES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 92, PAGE 3 OF THE ST. LOUIS COUNTY RECORDS, AND PART OF LOTS 3, 4 AND 5 OF THE SUBDIVISION OF THE FARM OF S. S. MATSON, IN U. S. SURVEY 1962, TOWNSHIP 45 NORTH, RANGE 5 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. LOUIS COUNTY, MISSOURI. THIS SURVEY BEEN EXECUTED IN ACCORDANCE WITH THE CURRENT STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR URBAN PROPERTY.

DENNIS C. FRAZIER
MISSOURI PROFESSIONAL LAND SURVEYOR #2002000247
FRAZIER LAND SURVEYING SERVICES, INC.
CORP. #2008003911

CITY CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS BOUNDARY ADJUSTMENT PLAT WAS APPROVED BY THE CREVE COEUR PLANNING AND ZONING COMMISSION ON THE ____ DAY OF _____, 20____ PURSUANT TO SECTION 410.030.D OF THE SUBDIVISION REGULATIONS, IN CHAPTER 410 OF THE MUNICIPAL CODE OF THE CITY OF CREVE COEUR.

CITY OF CREVE COEUR, MISSOURI

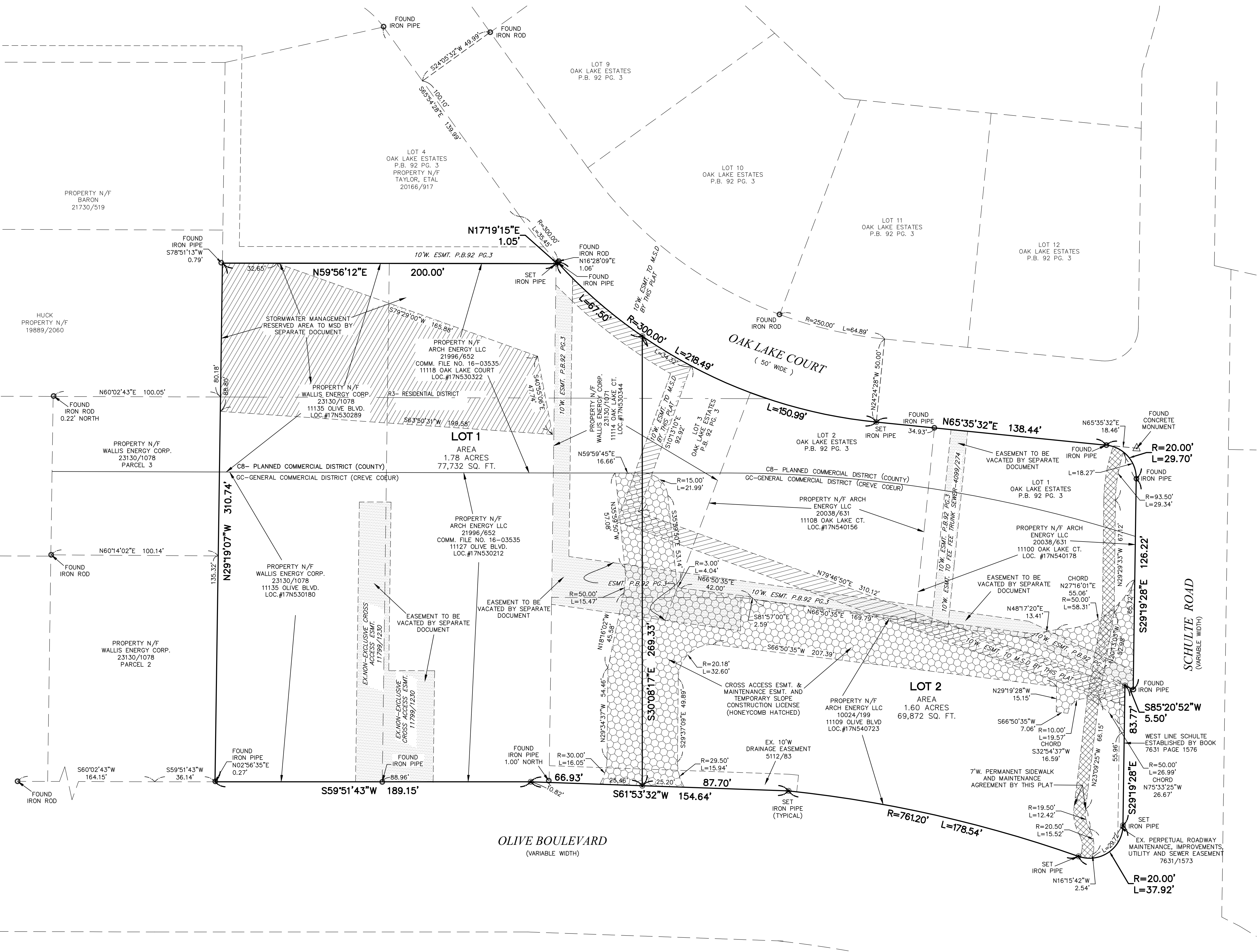
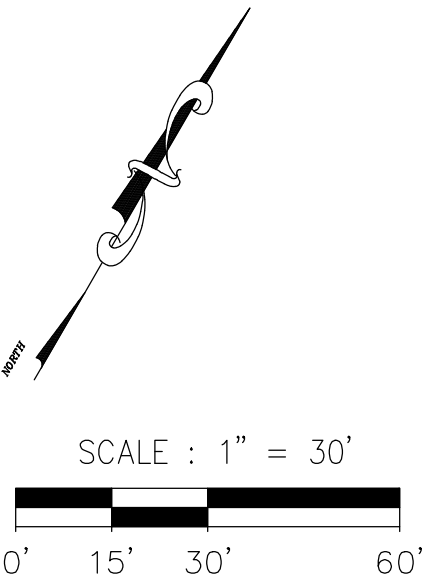
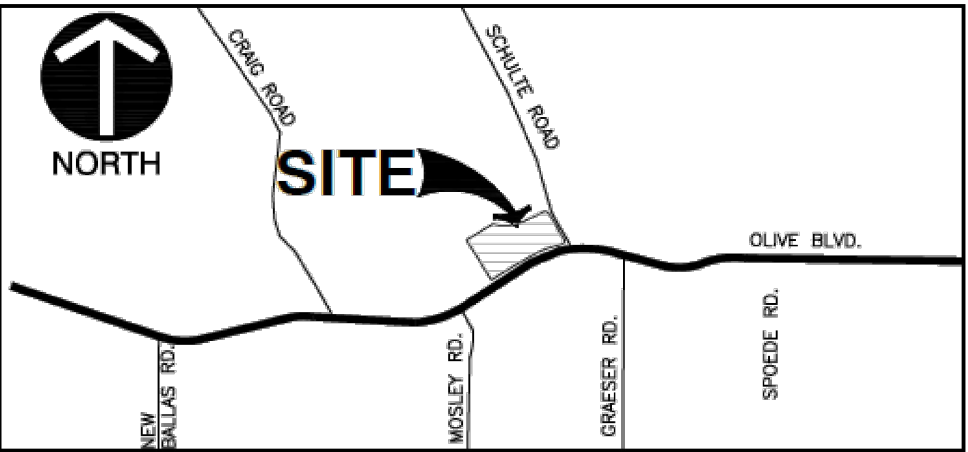
BETH KISTNER
CHAIRMAN, PLANNING AND ZONING COMMISSION

DEBORAH RYAN, MPCC
CITY CLERK

PREPARED FOR: CIVIL AND ENVIRONMENTAL CONSULTANTS, INC. 4848 PARK 370 BLVD., SUITE F HAZELWOOD, MO. 63042 866-250-3679		DATE: 07/13/18 SCALE: 1"=30' PROJECT NO: 16-3975 FILE NAME: 16-3975.DWG	BOUNDARY ADJUSTMENT PLAT	1 OF 2 SHEET
REV-				
REV-2-				
REV-3-				
REV-4-			FRAZIER LAND SURVEYING SERVICES, INC. 116 E. PEARCE BLVD., P.O. BOX 65 WENTZVILLE, MO. 63385 PHONE: 636-332-0610 FAX: 636-332-0710	

WALLIS ENERGY CREVE COEUR

A TRACT OF LAND BEING ALL OF LOTS 1, 2 AND 3 OF "OAK LAKE ESTATES",
AS RECORDED IN PLAT BOOK 92, PAGE 3, AND PART OF LOTS 3, 4 AND 4 OF THE SUBDIVISION OF THE FARM OF S.S.
MATSON, WITHIN U.S. SURVEY 1962, TOWNSHIP 45 NORTH, RANGE 5 EAST OF THE FIFTH PRINCIPAL MERIDIAN,
ST. LOUIS COUNTY, MISSOURI



SURVEYORS CERTIFICATION

THIS IS TO CERTIFY THAT WE HAVE DURING MARCH 2016 AND JULY 2018, AT THE REQUEST OF CIVIL AND ENVIRONMENTAL CONSULTANTS, INC., EXECUTED A PROPERTY BOUNDARY SURVEY AND PREPARED A BOUNDARY ADJUSTMENT PLAT ON A TRACT OF LAND BEING ALL OF LOTS 1, 2, 3 AND 4 OF "OAK LAKE ESTATES", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 92, PAGE 3 OF THE ST. LOUIS COUNTY RECORDS, AND PART OF LOTS 3, 4 AND 5 OF THE SUBDIVISION OF THE FARM OF S. S. MATSON, IN U. S. SURVEY 1962, TOWNSHIP 45 NORTH, RANGE 5 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. LOUIS COUNTY, MISSOURI. THIS SURVEY BEEN EXECUTED IN ACCORDANCE WITH THE CURRENT STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR URBAN PROPERTY.

DENNIS C. FRAZIER
MISSOURI PROFESSIONAL LAND SURVEYOR #2002000247
FRAZIER LAND SURVEYING SERVICES, INC.
CORP. #2008003911

PREPARED FOR: CIVIL AND ENVIRONMENTAL CONSULTANTS, INC. 4848 PARK 370 BLVD., SUITE F HAZELWOOD, MO. 63042 866-250-3679	DATE: 07/13/18 SCALE: 1"=30' PROJECT NO: 16-3975 FILE NAME: 16-3975.DWG	BOUNDARY ADJUSTMENT PLAT	
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		REV-2-	
		REV-3-	
		REV-4-	



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 #18-043: A MINOR SITE DEVELOPMENT PLAN FOR A FENCE WITHIN THE FRONT-YARD SETBACK ALONG GRAESER ROAD FOR THE PROPERTY AT 4 WEST WINDRUSH CREEK LANE

FOR THE MEETING OF: October 15, 2018

SUBJECT PROPERTY LOCATION: 4 W. Windrush Creek, zoned A Single Family Residential.

REQUEST: Setu Patolia, homeowner, has submitted an application for a 6-foot tall, wood privacy fence and gate within the setback along Graeser Road for the property addressed as 4 W. Windrush Creek Ln. The subject property is zoned A Single Family Residential which has a front yard setback of 50 feet. . The subject property is zoned A Single-Family District, which has a front yard setback of 50 feet, where the home is non-conforming at 30.2 feet from Graeser Road.

ADDITIONAL INFORMATION: The City of Creve Coeur's Zoning Ordinance Section 405.640 (C) *Fences Within The Front Yard Section And Along Street Right-Of-Way* states that no fence shall be located within the front yard setback or along street right-of-way, within the area equivalent to the front yard setback of the applicable zoning district, unless approved by site development plan by the Planning and Zoning Commission. Staff may approve a fence within this area if the 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. City Council action is not required.

APPLICANT/PROPERTY OWNER: Setu Patolia
4 W. Windrush Creek Lane
Creve Coeur, MO 63141

Key Issues:

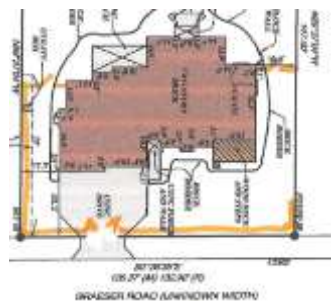
- Does the request further the goals and/or implement the Comprehensive Plan?
- Maintaining open green spaces
- Visual impact along Graeser Road

Creve Coeur 2030 References

- Estate Neighborhood 1 (ER-1)
- Design Guidelines

Zoning Code References

- Section 405.250: A Single-Family
- Section 405.640: Fences and Walls
- Section 405.1080: Site Concept, Site Development, and Minor Site Plan Approval



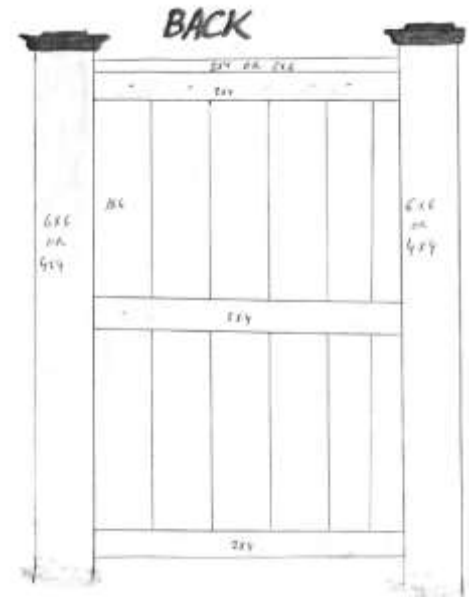
REPORT PREPARED BY: Whitney Kelly, AICP, City Planner

DATE: 10/10/2018

ATTACHMENTS: Materials received September 21, 2018 and Site Plan submitted on September 12, 2018
Public Comment Received



Figure 2: Fence detail.



ANALYSIS

The Zoning Code provides standards for evaluating requests for fences within the front 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 Estate Neighborhood 1 (ER-1) consisting of medium-sized lots with stately homes in quiet enclaves. Homes should be architecturally-harmonious and built to a consistent setback from the street. Streets should be short and terminate in cul-de-sacs or circles to create small, secluded neighborhoods and sidewalks should be built on one side. Curvilinear streets can be used to preserve geographic features and views. (p. 68).

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 discourage the use of synthetic, and highly reflective materials. The proposed fence material is a wood material which is consistent with the Design Guidelines. The property just to the north has a pre-existing wood fence at the property line, and the property to the south has a white open slatted fence setback from the property line that serves as a pool barrier.

Staff also has a concern that if the gate and fence are placed at the property line, that vehicles waiting for the gate to open to enter into the property would be within the Graeser Road public right-of-way and could create a traffic hazard. A typical parking space is 19 feet in length. And the property line is approximately 10 feet from the road pavement. The landscaping area is approximately 5-6 feet in width.



Figure 3: GIS Image of the subject property.

Given that the home is pre-existing non-conforming, where the setback along Graeser Road and 4 W. Windrush Creek is 50 feet, and the home is 30.2 feet from Graeser Road, moving the fence to 15 feet would be impractical in this situation. Therefore, Staff recommends moving the fence beyond the existing landscaping approximately 5 feet and limiting the height and/or having a more open design which would make the request more in line with the recommendations of the Design Guidelines and with prior Commission action.

CONCLUSION AND ACTION

If the members of the Planning Commission find the Applicant's reasons for the fence and gate location, height and design sufficient, they can approve it as proposed at the property line. If the Commission wishes to maintain the existing landscaping in front of the fence, a lower height, or more open design, discussion with the Applicant and a revised motion would be necessary. If the request is denied, a 4 foot tall, open slatted metal fence could be installed 15 feet from the property line.

MOTION

The motion for the fence within the setback of Graeser Road, as shown in the enclosed site plan will be in the form of approval, approval with conditions, or deferral. City Council action is not required.

The following is an example motion for this application:

“I move to approve the site plan for the six-foot tall, wood fence, as shown on the site plan along Graeser Road for the property addressed as 4 W. Windrush Creek as discussed within the Staff Report on Application #18-43 for the October 15th Planning and Zoning Commission meeting”
(Modification or revisions may be included by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL MAP

4 W. Windrush Creek Lane



APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 10/05/2018& 10/10/2018



Description: View looking west from across Graeser Road at the subject property.



Description: View looking north along Graeser Road at the existing landscaping and the neighbor's fence in the background.

	Description: View looking south from the subject property along Graeser Road.
	Description: View looking north from the intersection Graeser Road and Windrush Creek Lane. With the existing fence for the property to the south of the subject property and to the north of the subject property.

7.6.b

SPECIFICATIONS OF GOODS TO BE SUPPLIED

JOB DETAIL SHEET

MAP #:

DIRECTIONS: ☒ ATTACHED

Installed Footage

No. of Gates

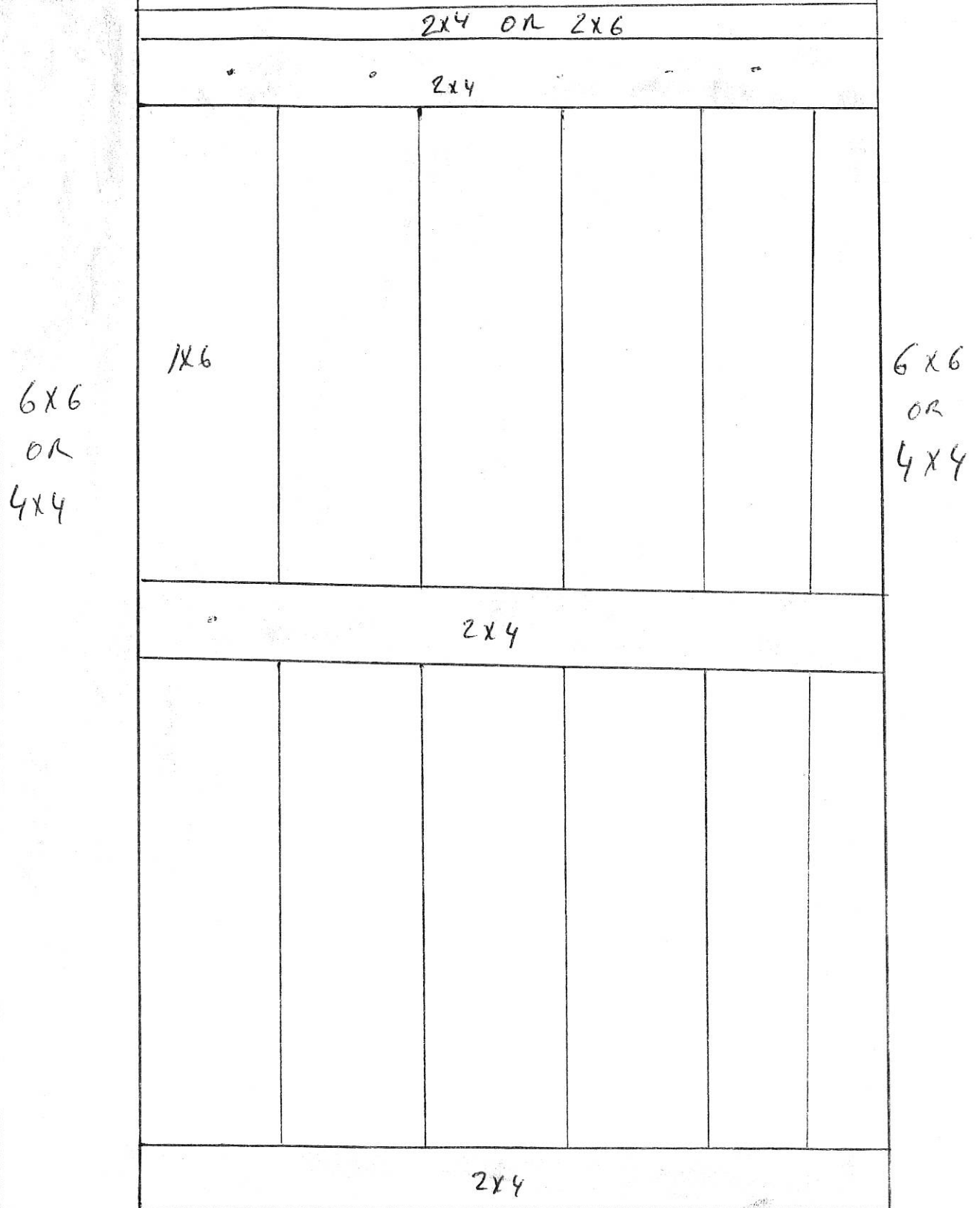
Pickets off Ground

Packet Pg. 61

ADDITIONAL COMMENTS:

Attachment: Applicants Materials (#18-043: 4 W. Windrush Creek Ln Fence)

BACK



Attachment: Applicants Materials (#18-043: 4 W. Windrush Creek Ln Fence)



LEGEND

--- **ESMT LINE** ---

SETBACK LINE

Packet Pg. 63







Whitney Kelly <wkelly@crevecoeurmo.gov>

Fence at 4 West Windrush Creek

1 message

Debby Fiscus-Meyer <debfuscusmeyer@cjthomas.com>

Wed, Oct 10, 2018 at 1:02 PM

To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>

Hello, we are unable to attend the meeting on 10-15-18 however we wish to make known our opposition to the approval of a six foot privacy fence along Graeser Road. We feel it would be unsightly and we drive by there several times each day.

Thank you,

Dan & Debby Meyer

[5 Wyndtop Lane](#)

[Creve Coeur, MO 63141](#)

314-567-0403

Attachment: Public Comment (#18-043: 4 W. Windrush Creek Ln Fence)