



AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, MAY 6, 2019

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. James Myers
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. April 1, 2019 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**NEW BUSINESS**

1. **Application #19-010: Approval Of A Minor Site Plan For The Placement Of Carports Behind The Building Located At 11318 Olive Boulevard (AKA 11330 Olive Boulevard). Request to Postpone**

Richard Marti, Intelica Real Estate, on behalf of 717HB Creve Coeur, LLC, has submitted an application for a minor site plan to allow for the construction of carports behind the existing non-conforming building at 11318 (also addressed as 11330 Olive Boulevard). The Applicant has requested to postpone to the May 20th Planning and Zoning Commission meeting.

2. **Application #19-015: Amendment Of The Minor Site Plan Approved For Exterior Modifications To The Building For The Aldi Tenant Space At 11745 Olive Boulevard**

Adam Noga, APD Engineering and Architecture, PLLC, on behalf of Aldi Inc. has submitted an application for the revised exterior renovations to the Aldi's tenant space at 11745 Olive Boulevard that includes a new entrance canopy structure and lighting. Section 405.1080 requires minor site plan approval by the Planning and Zoning Commission for any proposed alteration that would significantly affect the exterior of a building.

3. **Application #19-016: A Minor Site Development Plan For A Replacement White Vinyl Fence Within The Front-Yard Setback Along N Spoede For The Property At 420 N Spoede Road**

Rachel Nolan, homeowner, has submitted an application for a 4 foot tall, stockade post and rail style, white vinyl fence to replace the existing wood fence of a similar style within the setback along Spoede Road, for the property addressed as 420 N Spoede Rd. In 2008, the Applicant received approval of a wood fence in front of the home. The change in material is prompting a review by the Planning and Zoning Commission.

4. **Application #19-020: 11921 Olive And 942 Orchard Lakes Boundary Adjustment Plat**

Jason Jaggi, Director of Community Development on behalf of the City of Creve Coeur, has submitted an application to consolidate and adjust the boundary lines of four (existing parcels) in association with the sale of Fountain Park to Drury Development Corporation. The subject properties are zoned CB Core Business District and St Louis County R3, but because of annexation will all be CB as result of this consolidation.

WORK AGENDA

1. **Review of Replacement Fences Within a Front-Yard Setback**

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, APRIL 1, 2019
6:30 PM

CALL TO ORDER

Ms. Kistner opened the meeting at 6:30 pm. She announced this would be Don Magruder's last meeting and thanked him for his service to the city.

ROLL CALL

Beth Kistner	Commission Chair
Tim Carney	Commission Member
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 accept the agenda as amended. Mr. Carney seconded. All in favor.

APPROVAL OF MINUTES

1. March 4, 2019 Planning and Zoning Commission Draft Meeting Minutes

Mr. Magruder made a motion to approve the minutes for March 4, 2019. Mr. Myers seconded. All in favor.

PUBLIC COMMENT

None

UNFINISHED BUSINESS

1. Application #19-002: Text Amendments to Various Sections of the Zoning Ordinance (Chapter 405) to Provide for Regulations Regarding Medical Marijuana Businesses.

Those speaking to the request were sworn in.

Mr. Jason Jaggi told the Commission what the city had done to inform the public regarding State requirements. He went over the draft ordinance. He said manufacturing and cultivation were listed in the LI and RO Districts as a conditional use, indoors only. He said adding a separation requirement for these uses seems too restrictive.

He said that testing facilities also would be allowed in the LI District and RO district, but as a permitted use.

He said dispensaries are the retail component. He said they did impose a separation requirement in the proposed ordinance. He said there would need to be a 300 foot separation requirement from schools, day cares, and churches. He said the 300 ft separation would be measured from property boundary to property boundary.

Ms. Kistner asked if the state rules differently than the 300ft, could the city change the distance.

Mr. Jaggi said the state had suggestions, not requirements, as long as not more than 1000ft.

Dr. Bob Baldwin said he was very concerned about allowing marijuana. He said marijuana has traditionally been used for 100's of years but mixed with other chemicals. He said use by itself is dangerous. He said only 2 chemicals in marijuana have been studied. He said that THC and CBD are dangerous. He suggested not allowing marijuana use.

Dr. Elan Simkus was sworn in. He said he did not agree with his colleague. He said in states where medical marijuana was legal there was a significant decrease in heroin overdoses. He said he is not in favor of recreational marijuana. He said medical marijuana helps cancer patients.

Mr. Lumley offered the exhibits for the record and the public hearing was closed.

Ms. Kistner said the city had taken measures to make sure the item was fully understood and thought out before presenting the ordinance.

Mr. Myers said the changes staff had made, struck a good balance.

Mr. Carney said this was a good approach for the city.

Motion made to recommend approval of the draft ordinance as presented by staff at this meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James Myers, Commission Member
SECONDER:	Don Magruder, Commission Member
AYES:	Kistner, Carney, Hall, Magruder, Myers, Schuh

2. PUBLIC HEARING. Application #19-006: an Amended Conditional Use Permit for the Creve Coeur Racquet Club at 12691 Conway Road

Those speaking to the request were sworn in.

Mr. Dan Apted, the applicant and owner of Creve Coeur Racquet Club, spoke to the application. He said they had updated the site plan, landscape plan and parking area. He said they have confirmed C4 will complete their contract in September and leave.

Ms. Kistner asked if Mr. Apted was in agreement with the drafted conditions.

Mr. Apted said he agreed.

Mr. Jaggi said that the applicant had worked hard with staff to come to an agreement. He said staff was comfortable with the recommendation.

Mr. Jim Steger said he is quite near to the pool and the tennis courts. He said his concerns were addressed by the proposed ordinance. He said all the proposals he has read have been reasonable. He said he feels appropriate limits have been addressed as to noise and parking. He said the landscaping plan may be more expansive and expensive than necessary.

Mr. Lumley entered the exhibits for the record and the public hearing was closed.

Motion made to recommend approval of the draft ordinance presented by staff and the applicant at this meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Carney, Commission Member
SECONDER:	Matthew Schuh, Commission Member
AYES:	Kistner, Carney, Hall, Magruder, Myers, Schuh

3. Capital Improvement Program Update FY2020-FY2024

{this item was taken up prior to items 1 & 2}

Mr. Matt Wohlberg gave an update on the CIP. He said they intended to take the CIP to City Council next Monday. He said there were some changes and went over them. He said the Park/Trails Study had been moved to FY20, they added 2 projects, new electrical feed for golf course fountains, and they added a new outside pavement evaluation.

Ms. Kistner asked Mr. Wohlberg about the equipment shelters.

Mr. Wohlberg said they wanted to take the time required for thorough review and bring it back for the next CIP.

Mr. Myers asked about the storage buildings in the parks.

Mr. Wohlberg said it is an ongoing discussion and there is a Council work session to discuss it in June. He said the funding is remaining the same for FY2020 at this point.

Motion made to recommend approval of the CIP as presented at this meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James Myers, Commission Member
SECONDER:	Don Magruder, Commission Member
AYES:	Kistner, Carney, Hall, Magruder, Myers, Schuh

NEW BUSINESS

1. PUBLIC HEARING. Application #19-009: Amend the Conditional Use Permit and Site Development Plan for the Renovation of the Waterway Gas and Wash Located at 10559 Old Olive Street Road

Those speaking to the request were sworn in.

Mr. Mike Goldman said the plans they submitted nearly a year ago needed to be scaled back. He said they cleaned up the site. He said the traffic flow should be better. He said the site is nearly identical to what is there now. He said they would like to stain the brick white. He said the patio would get permanent umbrellas. He said the hours would be the same as they are today.

Mr. Carney asked if employee parking had decreased.

Mr. Goldman said they had a parking agreement across the street.

Mr. Carney asked if they would continue to have greeting cards.

Mr. Goldman said they would.

Mr. Schuh asked about the safety bar.

Mr. Goldman pointed out the area that was blocked off.

Mr. Myers asked about the roofing.

Mr. Goldman said it would remain the same.

Mr. Schuh asked to see the sample of the stained brick.

Mr. Goldman passed it around.

Ms. Kelly said this was largely the same application as proposed a year ago. She said the design guidelines does recommend not painting the brick, but the stain is acceptable.

Mr. Lumley entered the exhibits for the record and the public hearing was closed.

Motion made to recommend approval of the proposed ordinance presented at this meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Magruder, Commission Member
SECONDER:	Muriel Hall, Commission Member
AYES:	Kistner, Carney, Hall, Magruder, Myers, Schuh

2. Application #19-010: Approval of a Minor Site Plan for the Placement of Carports Behind the Building Located at 11318 Olive Boulevard (AKA 11330 Olive Boulevard). Request to Postpone

RESULT:	CONTINUED [UNANIMOUS]	Next: 5/6/2019 6:30 PM
MOVER:	Don Magruder, Commission Member	
SECONDER:	James Myers, Commission Member	
AYES:	Kistner, Carney, Hall, Magruder, Myers, Schuh	

3. Application #19-011: Approval of a Minor Site Plan for the Façade Improvements to the Existing Building for American Cleaners at 11041 Olive Boulevard

Mr. Kevin Dean said the building was dated and they would like to modernize the look. He said they would like to remove the barrels and install EIFS parapet at the front. He said they would like to paint the brick to match the EIFS.

Ms. Kistner expressed some concern with limiting the EIFS to the front.

Mr. Carl Uhlig, the project architect, said part of the reason they requested the brick and EIFS the way they had was to utilize the gutters.

Mr. Carney asked what color the awnings were.

Mr. Dean provided samples for the Commission.

Mr. Carney confirmed the barrels would be painted to match the awnings.

There was discussion about the barrels and the parapets.

Ms. Kelly said the property was developed in 1974 and had stayed relatively the same. Ms. Kelly said they do recommend the building parapet carry around. She said the area to the north is heavily wooded and a fence isn't necessary. She said when traveling east a prominent portion of the west side of the building is visible.

Mr. Magruder asked about the sign.

Ms. Kelly said it appears to meet code and the applicant is aware the sign process is separate.

There was some discussion about the building and its visibility.

Mr. Myers said he thought the parapet should continue on the east and west.

Mr. Carney said he agreed.

There was some discussion of what would have to be done to extend the parapet to the east and west.

Mr. Magruder made a motion to approve the application as contained in the staff report, with the added condition that the parapet be extended on the east and west sides.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Magruder, Commission Member
SECONDER:	Matthew Schuh, Commission Member
AYES:	Kistner, Carney, Hall, Magruder, Myers, Schuh

4. Application #19-012, 19-013, #19-014 and : TEXT AMENDMENT, REZONING AND SITE CONCEPT PLAN APPROVAL FOR BALMORAL OFFICE DEVELOPMENT. WITHDRAWN

RESULT:	WITHDRAWN
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WORK AGENDA

None

DEPARTMENT REPORTS

Mr. Jaggi said the next scheduled meeting for April is canceled. He said the next meeting would be in May. Mr. Jaggi said he has been working with the Economic Development Committee regarding zoning updates pursuant to the Comprehensive Plan and there will be a presentation May 8th at 4 PM hosted by the EDC.

ADJOURNMENT

Mr. Magruder made a motion to adjourn and the meeting was adjourned at 8:00 pm.



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**APPLICATION TO PLANNING AND ZONING COMMISSION
#19-015 TO AMEND THE MINOR SITE PLAN APPROVED FOR
EXTERIOR MODIFICATIONS TO THE BUILDING FOR THE
ALDI TENANT SPACE AT 11745 OLIVE BOULEVARD**

FOR THE MEETING OF: Monday, May 6, 2019

SUBJECT PROPERTY LOCATION: 11745 Olive Boulevard, (see attached map). The property is zoned CB-Core Business District.

REQUEST: Adam Noga, APD Engineering and Architecture, PLLC, on behalf of Aldi Inc. has submitted an application for the revised exterior renovations to the Aldi's tenant space at 11745 Olive Boulevard that includes a new entrance canopy structure and lighting. Section 405.1080 requires minor site plan approval by the Planning and Zoning Commission for any proposed alteration that would significantly affect the exterior of a building.

ADDITIONAL INFORMATION: The property was originally developed in 1996 for the Borders Bookstore. The Planning and Zoning Commission reviewed and approved elevation and exterior changes at the February 4, 2019 meeting. Aldi's proposed revised elevations are substantially different, prompting new review for approval by the Planning and Zoning Commission.

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 Design Guidelines?

Comprehensive Plan References

- Design Guidelines

Zoning Code References

- Section 405.370: CB-Core Business District
- Section 405.540: Landscaping
- Section 405.680: Lighting
- Section 1080: Site Concept, Site Development and Minor Site Plan Approval.

APPLICANT: Adam Noga
APD Engineering and
Architecture, PLLC
615 Fishers Run
Victor, NY 14565

**APPLICANT'S
REPRESENTATIVE:**

Vern Wunnenberg
Aldi Director of Real Estate
Aldi Inc. O'Fallon Division
475 Pearl Drive
P.O. Box 8800
O'Fallon, MO 63366



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner

DATE: 4/29/2019

ATTACHMENTS: Applicant's Materials received April 1, 2019, and revised elevation emailed on May 1, 2019

PROJECT DESCRIPTION AND REVISIONS SINCE FEBRUARY 4, 2019

The original building was developed in 1996 for the Borders Bookstore. At the time the maximum site coverage was 70% with a bonus coverage for outstanding site planning, water features, and landscaping of up to 10%. The property received approval site coverage of 73.3%. The current site plan is showing a site coverage of 77.5%, which could be due to road widening of N. New Ballas Road and Olive Boulevard since 1996 (which pursuant to Code Chapter 400 does not count against the Applicant). The site coverage bonus was for extensive landscaping throughout the site and dense landscaping at the southwest corner surrounding the feature wall/sitting area. The site coverage has since been lowered to 63% with a maximum site coverage bonus of up to 70%. Therefore, the site is pre-existing non-conforming. The property has remained largely the same since that time, with the exception that landscaping is missing throughout the site.

When Borders Bookstore vacated the space, Aldi took over a portion in 2012, and new tenant spaces was created at the west side of the building. Aldi received approval to update the exterior of the building on February 4, 2019. However, Aldi is now seeking modification to the approval, for a new elevation for a simpler design. Instead of the slopped roof of the new entrance element, the new proposal includes a squared-off tower element with brick on the lower portion instead of the Nicha "Bark" wood fiber cement panels and maintaining the existing EIFS cornice detail of the building. The triangle parapet over the adjacent tenants will be removed to create a more cohesive design in consideration of the prior discussion for the entire center. The Applicants will have material samples available at the meeting.



Figure 1: Existing elevation



Figure 2: Close-up of the elevation approved in February.



Figure 3: Close-up of the new proposed elevation.



Figure 4: Close-up of the proposed new front entrance.

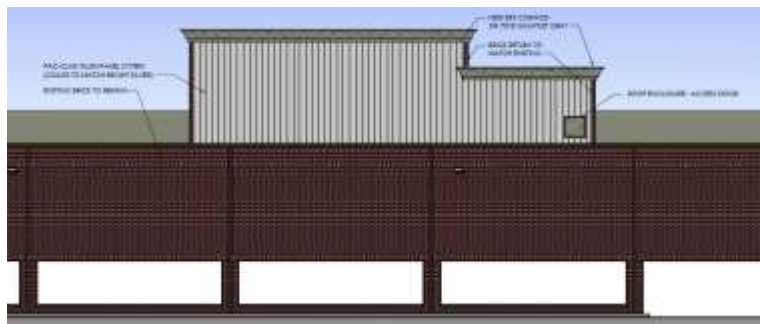


Figure 5: Close-up of the rear elevation and west elevation.

The brick is carried around to the side, with a pack-clad panel system in a bright silver along the rear parapet. All other site related conditions of approval from February 4th will remain in effect.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Hotel	"CB" Core Business District	NA
South	Retail Shopping Center	"CB" Core Business District	Olive Boulevard
East	City Place, Office, Retail	"CB" Core Business District	NA
West	Restaurant, Condo	"CB" Core Business District	N. New Ballas Road

COMPREHENSIVE PLAN REVIEW

As the property was reviewed under the prior proposal regarding the overall site, review of this request will only be on the façade changes.

Design Guidelines

The City's Design Guidelines recommend that materials should have good architectural character, be durable, and be selected for compatibility with adjoining building and properties. Natural traditional building materials and "green" building materials are preferred, along with architectural consistency of colors and materials that provided for a sense of architectural continuity. Large parapet walls should reflect the function behind them and should not be freestanding. (P.9) Further, shopping centers should have a unified architectural design incorporated into each commercial center (p.12). The Applicants have incorporated design elements throughout the center. The proposed new entrance element utilizes similar materials of the prior proposal, but represents a simpler design. Instead of the metal coping for a more modern streamlined design for the entire center, the new design includes a new EIFS cornice that matches the existing cornice detail on the building. Staff prefers the prior design, in that it created a more visually striking design. The proposal does improve on the existing conditions. However, Staff has a concerns with the large expanse of the bright silver, aluminum composite panels, and would recommend that they be broken up. Staff also has a concern with the rear of the new parapet utilizing a different material than the remaining structure, with the brick ending at the corner. The Design Guidelines recommend that building elements, such as parapet walls, penthouses or screen walls should be treated as an integral part of the architecture, incorporating similar design, detail and materials as the primary structure. (Chapter 2/ Buildings, C. Design, 9, pg. 8). Additionally, material or color changes at the outside corner of structure that give the impression of thinness and artificiality of the material is discouraged. And details of soffits and other architectural elements visible to the public are to be finished in a material compatible with other exterior materials. (Chapter 2/ Buildings, E. Materials/Colors, 5 & 6, pg. 10). The prior proposal included the same aluminum composite that was carried on the side and around the back for a more consistent design. Therefore, Staff recommends that the brick be carried further inward around to the back to eliminate the appearance of thinness, and/or utilize the same material as the front elevation to further the design toward the recommendations. The Commission should discuss these options with the Applicant and a recommendation will need to be included.

Lighting

As proposed elevations and discussed in the prior approval, the plans indicate new down lighting at the canopy entrance. Section 405.680 *Lighting* states that the Planning and Zoning Commission shall review proposed lighting for non-residential building construction. Section 405.680(B)(7) also states that lighting intended to illuminate building elevations, landscaping or signage shall shine directly onto the intended surface. While no photometrics were provided, the lighting proposed is meant to illuminate the building façade, shining directly onto the surface, and not cast outward to create a glare from the illumination source. Therefore, Staff does not have a concern with the proposed lighting. A condition of approval has been included to require that all lighting shall be in compliance with Section 405.680 of the Zoning Ordinance.

RECOMMENDATION

Based on the above analysis, the request for the Site Development Plan, and Façade Improvements generally meets the requirements of the Comprehensive Plan and Zoning Ordinance. Any modifications to the proposed elevation including those proposed by Staff above should be discussed, and may require modification to the recommendations. Below are the recommended conditions of approval, including those from the previous approval regarding the site and landscaping:

1. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the "Exterior Elevations" and received as bound together and submitted in conjunction with Application #19-015 by APD Engineering and Architecture, PLLC submitted on April 1, 2019.
2. The Applicant is required to submit a Site Improvement Permit application, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code. The permit application shall be in substantial conformance with the "Site Development Plan" and "Landscape Plan" emailed on January 30, 2019 and hard copy received on February 1, 2019, as

bound together and submitted in conjunction with Application #19-001 by CEDC Civil Engineering Design and Consultants, except as modified below.

3. A revised Landscape Plan shall be submitted to bring the site into conformance with the Landscape Plan from 1996 when the site received a site coverage bonus, and the landscaping approved for N. New Ballas Road in 2012, for the Zoning Administrator's approval.
4. All landscaping shall be maintained per the approved Landscape Plan and any vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
5. All lighting shall be in conformance with Section 405.680, Lighting, of the Zoning Code, and Section 405.810 Design and Maintenance Standards of Off-Street Parking and Loading Regulations.
6. All property maintenance and building code issues shall be addressed to the Building Official's satisfaction to be included as part of this work, and that the parking underneath the building shall be restored.
7. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code
8. No site development plan or minor site plan approval shall be valid for a period longer than twelve (12) months from the date it is approved, unless within such period a building permit is obtained and substantial construction is commenced. Substantial construction shall be deemed to consist of clearing the site, completion of footings, basement or building slab and inspection of such work. The Planning and Zoning Commission and the City Council, when required, may grant extensions not exceeding twelve (12) months each upon written request of the original applicant prior to the expiration of such period and resubmission of the application if the application as resubmitted is substantially the same as the initially approved application. However, the Commission and the Council, as applicable, have the power in such cases to attach new conditions to their re-approval or to disapprove the reapplication. Where the application for re-approval contains changes which the Zoning Administrator concludes materially alter the initial application, the Zoning Administrator shall initiate a new site development plan review procedure as stated in Section 405.1080 or a new minor site plan review procedure as stated in Section 405.1080.

MOTION

The motion to approve the site development plans as shown in the Applicant's materials will be in the form of approval, approval with conditions, denial or deferral. City Council action is not required for minor site development plans. The following is an example of an appropriate motion for this proposal:

"I move to recommend approval of the minor site plan for the façade improvements for the Aldi tenant space at 11745 Olive Boulevard as bound together with Application #19-015, as presented to the Planning and Zoning Commission, subject to the conditions contained in the staff report for the meeting of May 6, 2019" (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

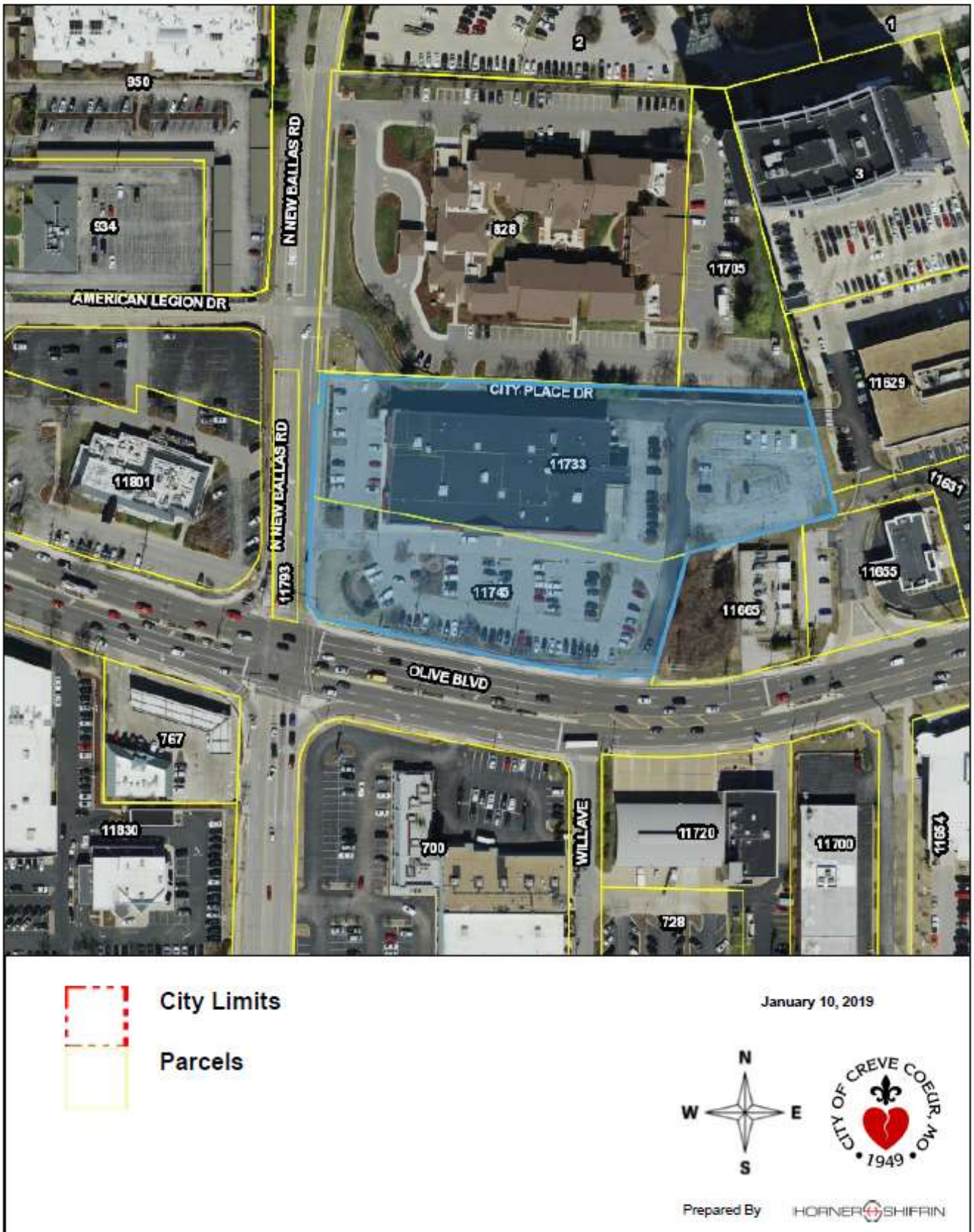
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO

11745 Olive Boulevard, Aldi



APPENDIX 4: SITE PHOTOGRAPHS

Taken: 1/17/2019



Description: View of the existing façade looking north



Description: View of the existing façade looking west from the entrance along N. New Ballas Road.



Description: View of the temporary shoring of the garage parking.



SIGNAGE			
DESCRIPTION	QUANTITY	SQ. FT. PER SIGN	TOTALS
TOWER SIGN	1	46.6	46.6
TOTAL SIGNAGE			46.6
SIGNAGE IS SHOWN FOR REFERENCE ONLY AND SHALL BE UNDER SEPARATE PERMIT SUBMITTAL			

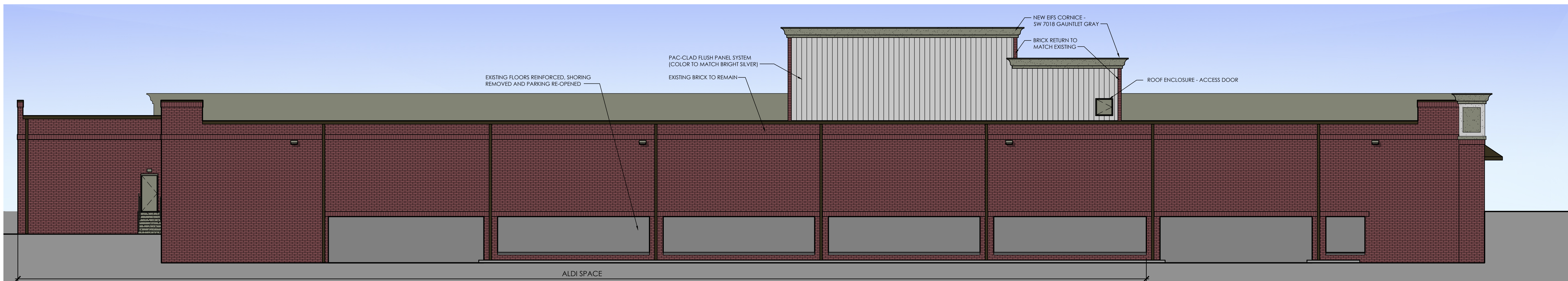
5 South Elevation -Existing

SCALE: 3/32" = 1'-0"



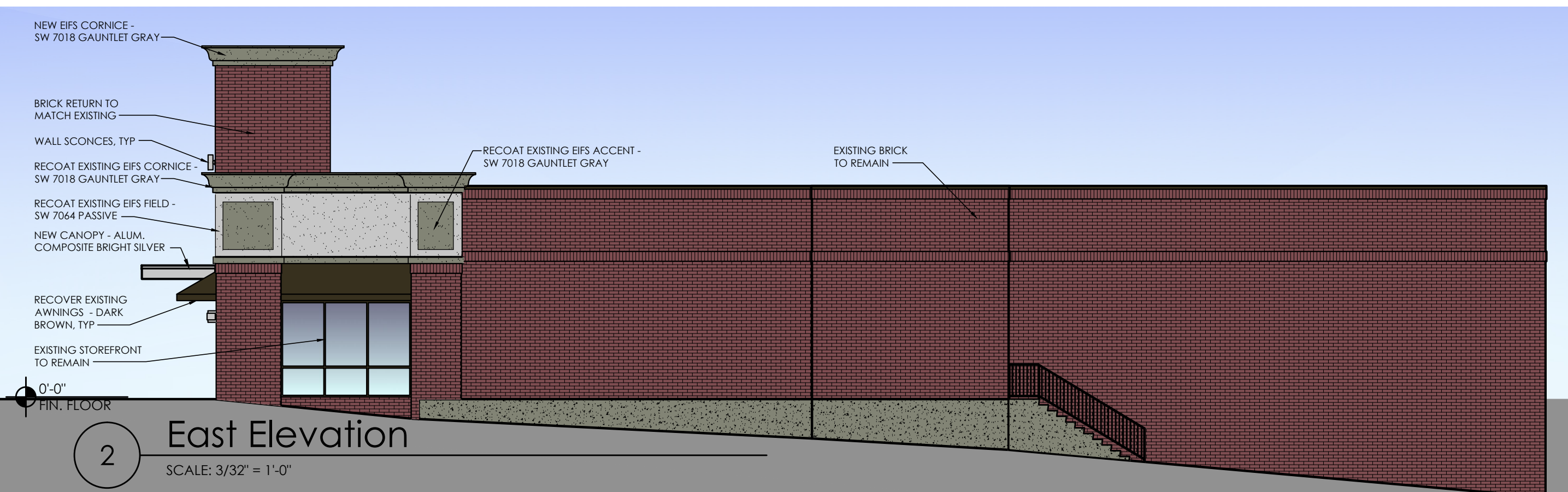
4 South Elevation -Proposed

SCALE: 3/32" = 1'-0"



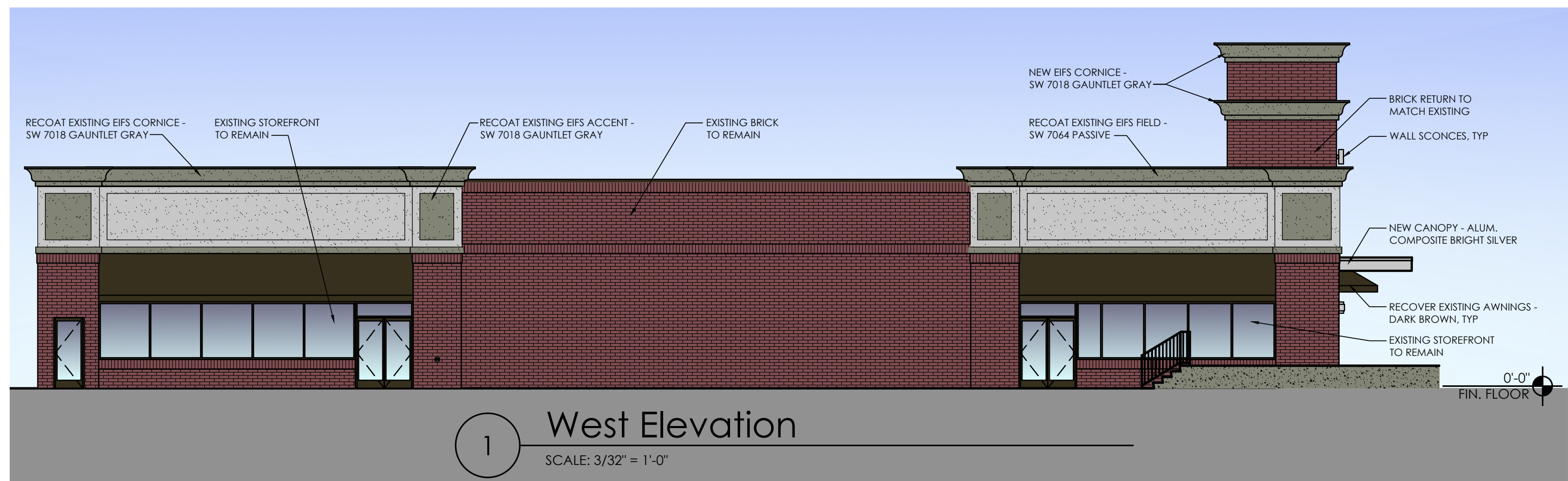
3 North Elevation

SCALE: 3/32" = 1'-0"



2 East Elevation

SCALE: 3/32" = 1'-0"



1 West Elevation

SCALE: 3/32" = 1'-0"

Issued: Date:

A	Issued for Planning Review	12/20/19
B	Issued for Planning Review	01/28/19
C	Issued for Planning Review	02/07/19
D	Issued for Planning Review	02/14/19
E	Issued for Planning Review	03/29/19

Revisions: Date:

1		
2		
3		
4		
5		
6		
7		
8		
9		

Seal PROJECT ARCHITECT/ENGINEER DATE

PROJECT LEAD DATE

PROJECT DESIGNER DATE

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Creve Coeur, MO
11745 Olive Blvd.
Creve Coeur, MO 63141
St. Louis County
Project Name & Location:

Concept Exterior Elevations
Drawing Name:

Date: 12/12/18	Project No. 18-0435A
Type: Remodel	
Drawn By: ACN	CEE-2
Scale: As Noted	Drawing No.



NOTES:

1. THIS DRAWING IS FOR GENERAL FIXTURING LAYOUT AND REFERENCE TO EQUIPMENT ONLY. ALL INFORMATION IS FOR ALDI OPERATIONAL USE ONLY AND SHALL NOT BE USED FOR CONSTRUCTION OR BIDDING PURPOSES.
2. ALL DIMENSIONS TO WALLS ARE TO FACE OF STUD
3. THIS FACILITY DOES NOT CONTAIN A BAKERY, A BUTCHER, A DELI OR FISH COUNTER.
4. ALL FOOD IS PREPACKAGED. THERE IS NO ON SITE FOOD PREPARATION.
5. GONDOLA LOCATIONS ARE MEASURED FROM THE FACE OF THE STAINLESS STEEL PRICE TAG MOLDING (SSPTM).

1 Operations Plan





city of CREVE COEUR

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www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION #19-016 A MINOR SITE DEVELOPMENT PLAN FOR A REPLACEMENT WHITE VINYL FENCE WITHIN THE FRONT-YARD SETBACK ALONG N SPOEDE FOR THE PROPERTY AT 420 N SPOEDE ROAD

FOR THE MEETING OF: Monday, May 6, 2019

SUBJECT PROPERTY LOCATION: 420 N Spoede Road, zoned A Single Family Residential.

REQUEST: Rachel Nolan, homeowner, has submitted an application for a 4 foot tall, stockade post and rail style, white vinyl fence to replace the existing wood fence of a similar style within the setback along Spoede Road, for the property addressed as 420 N Spoede Rd. In 2008, the Applicant received approval of a wood fence in front of the home. The change in material is prompting a review by the Planning and Zoning Commission.

ADDITIONAL INFORMATION: 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. The subject property is zoned A Single Family District, which has a front yard setback of 50 feet. City Council action is not required. Staff is also seeking direction and guidance on the review of replacement of non-conforming fences within a setback.

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 2 (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

APPLICANT/PROPERTY OWNER: Rachel Nolen
420 N Spoede Road
Creve Coeur MO 63141



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 4/30/2019
ATTACHMENTS: Materials received April 5, 2019

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Single family residence	A Single Family Residential	NA
South	Single family residence	A Single Family Residential	NA
East	Single family residence	A Single Family Residential	NA
West	Spoele Elementary School	A Single Family Residential	N. Spoele Road

The Applicant is seeking to install a post and rail white vinyl fence to replace the existing wood fence within the setback along N. Spoede Road. In 2008, the property received approval of a four foot tall post and rail, wood fence painted white, within in front yard of the home along N. Spoede Road. The Applicant is seeking to replace the entire fence with a new white vinyl fence of in a similar style as the existing fence in a Camelot Crossing 4-Rail style.



Figure 1: Close-up of the Applicant's Site Plan and the City's GIS Image

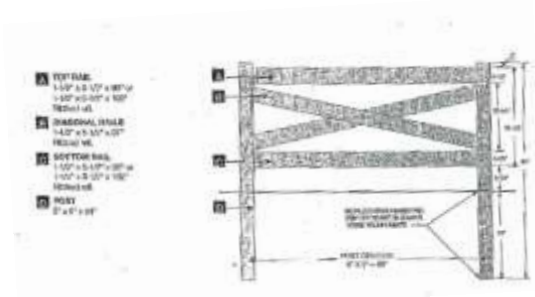


Figure 2: Fence detail.

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 2 (ER-2) 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.

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)

The Design Guidelines also recommend the use of natural “green” materials, and discourage the use of synthetic, and highly reflective materials. The proposed fence material while similar in style to the existing fence, is a vinyl product which is inconsistent with the Design Guidelines.

The City has allowed for the repair and replacing of existing fences within the setback provided that it was like for like, i.e. same material, height, etc. Therefore, while the use of the white vinyl in the open design would be permissible in the rear of the home, because it is along N. Spoede Road, the change in material in this setting is prompting the review by the Planning and Zoning Commission.

CONCLUSION AND ACTION

If the members of the Planning and Zoning Commission find the Applicant's reasons for the fence material and location, height and design sufficient, they can approve it as proposed as presented. If the Commission wishes to have a more natural material, or eliminate a fence in the front of the home, discussion with the Applicant and a revised motion will be necessary.

MOTION

The motion for the four foot tall, post and rail style fence within the setback of N. Spoede 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 four foot tall, white vinyl post and rail fence as discussed within the Staff Report on Application #19-016 for 420 N. Spoede Road for the May 6, 2019 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

420 N. Spoele Road



Attachment: 19-016.420 N. Spoele Fence.Staff Report.5-6-2019 (#19-016: 420 N. Spoele Road Fence)

APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 5/2/2019



Description: View looking southeast from Spoede Road at the existing wooden fence.



Description: View looking south along Spoede Road at the existing wooden fence.



Description: View looking northeast from Spoede Road at the existing fence.

File No. 191016

Planning and Zoning Commission Agenda Application
City of Creve Coeur, Missouri

RECEIVED
APR 05 2019
BUILDING DEPT.

Title of Project: FenceLocation of Project: 420 N. Spoeck Rd. Locator # _____Subject for Agenda: Vinyl white fence along Spoeck

Applicant:	Applicant's Representative (if applicable):
Name <u>Rachel Nolen</u>	Name _____
Company (If Applicable) <u>420 N. Spoeck</u>	Company (If Applicable) _____
Address <u>Creve Coeur, MO 63141</u>	Address _____
Address _____	Address _____
Telephone # <u>314-749-6237</u>	Telephone # _____
Fax # _____	Fax # _____
Email: <u>rachel.s.nolen@gmail.com</u>	Email: _____

APPLICANT:
 Architect _____ Engineer _____ Contractor _____ Agent _____ Owner ☒

 The undersigned hereby requests to be placed on the Agenda for the Planning and Zoning Commission meeting at 6:30 P.M. on Monday, May 6, 2019.
SUBMITTAL CHECKLIST

- _____ P&Z Agenda Application
- _____ Fees paid \$250.00
- _____ Site Development Plan
- _____ Landscape Plan
- _____ Architectural Elevations
- _____ Lighting Plan
- _____ Tree Preservation Plan
- _____ Electronic copy of all documents submitted.

Signature Rachel NTitle OwnerDate 4-5-19

Jason Jaggi, AICP, Director of Community Development
 Whitney Kelly, AICP, City Planner
 Jessica Stutte, Administrative Assistant (872-2501)

Attachment: Applicants Materials (#19-016: 420 N. Spoeck Road Fence)

RECEIVED

APR 05 2019

BUILDING DEPT.



FENCE PERMIT APPLICATION

CITY OF CREVE COEUR
BUILDING DIVISION

Permit # _____

Permit Fee \$25.00
(CIRCLE IF PAID)

COMPLETE INFORMATION REQUIRED FOR ALL SECTIONS BELOW. PLEASE PRINT CLEARLY

Please submit two (2) plot plans showing fence location, house location, property lines and swimming pool (if applicable). Trustee approval requested. Provide a fence detail with dimensions.

(Minimum pier depth 24")

Application date 4/5/19 Project address 420 N. Spoele
 Applicant e-mail rachel.s.nolen@gmail.com Trustees: yes ☐ no ☒
 Applicant name Rachel Nolen owner / agent / contractor
 Applicant address 420 N. Spoele City Creve Coeur State MO Zip 63141
 Applicant phone 314-749-6237 fax N/A

Description of Fence (check all that apply)

Wood ☐ Wrought Iron ☐ Vinyl ☒ Chain Link ☐ Plastic ☐ Aluminum ☐ Brick ☐Split Rail ☐ Dog Eared ☐ Picket ☐ Solid ☐ Shadowbox ☐ Lattice ☐ Stockade ☐Height of fence: 3 feet ☐ 4 feet ☒ 5 feet ☐ 6 feet ☐ Other ☐Swimming pool enclosure ☐ Yard enclosure ☒ Major Repair ☐Other descriptive information Prestige Vinyl Veka white Post & Rail Camelot CrossingOwner name Same as above e-mail _____

Street address _____ City _____ State _____ Zip _____

Phone _____ Fax _____

Contractor name TBO Contact _____

Street address _____ City _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

I certify that I am the owner in fee or agent and am authorized to apply for this permit and that all information is true and correct.

Applicant signature

4/5/19
Date

Attachment: Applicants Materials (#19-016: 420 N. Spoele Road Fence)

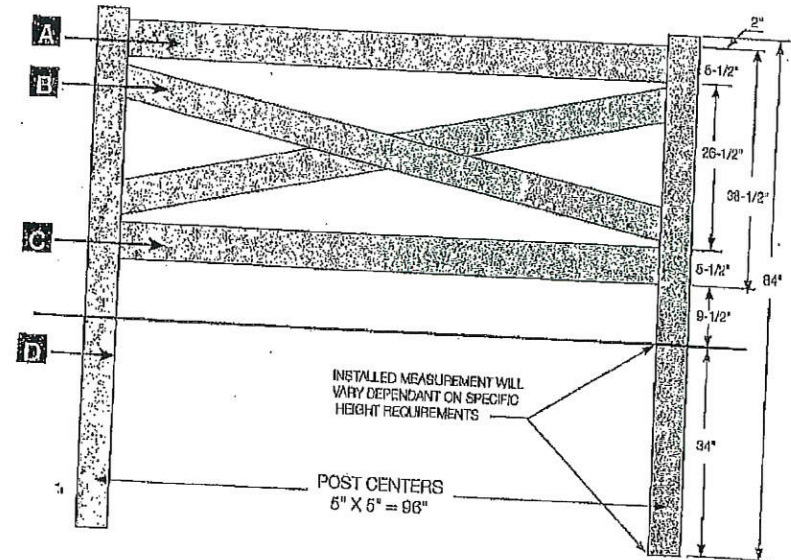
RECEIVED
APR 05 2019
BUILDING DEPT.



IMG_0721.JPG

4/5/2019

- A TOP RAIL**
 $1\frac{1}{2}" \times 5\frac{1}{2}" \times 96"$ or
 $1\frac{1}{2}" \times 5\frac{1}{2}" \times 192"$
 Ribbed rail.
- B DIAGONAL RAILS**
 $1\frac{1}{2}" \times 5\frac{1}{2}" \times 97"$
 Ribbed rail.
- C BOTTOM RAIL**
 $1\frac{1}{2}" \times 5\frac{1}{2}" \times 96"$ or
 $1\frac{1}{2}" \times 5\frac{1}{2}" \times 192"$
 Ribbed rail.
- D POST**
 $5" \times 5" \times 84"$



112

RECEIVED
 APR 05 2019
 Building Dept.





WESTMINSTER

Heights: 4', 5' & 6' and
4' with 1' Lattice or Victorian Accent
5' with 1' Lattice or Victorian Accent
Picket Style: 7/8" x 7" Tongue & Groove

BENNINGTON

4-1/2' with 1-1/2' Accent
7/8" x 7" Tongue & Groove
with 1-1/2" Square Pickets



POST & RAIL

Camelot 2-Rail, Camelot 3-Rail,
Camelot 4-Rail, and Camelot Crossing
Rail Size: 1.5" x 5.5" Ribbed Rail

Attachment: Applicants Materials (#19-016: 420 N. Spoele Road Fence)



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
#19-020: 11921 OLIVE AND 942 ORCHARD LAKES BOUNDARY
ADJUSTMENT PLAT**

FOR THE MEETING OF: Monday, May 6, 2019, 6:30 PM

LOCATION: 11921 Olive Boulevard, 11915 Olive Boulevard & 942 Orchard Lakes Drive

REQUEST: Jason Jaggi, Director of Community Development on behalf of the City of Creve Coeur, has submitted an application to consolidate and adjust the boundary lines of four (existing parcels) in association with the sale of Fountain Park to Drury Development Corporation. The subject properties are zoned CB Core Business District and St Louis County R3, but because of annexation all will be CB with this consolidation.

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 discretionary act; if the drawings are technically accurate and do not raise issues of concern, they can be approved by the Planning and Zoning Commission.

Key Issues:

- Does the adjustment create non-conformities on the lot?

Subdivision Code References

- Section 410.030(D)

Zoning Code References

- Section 405.370 CB Core Business District
- Section 405.190.B.3

APPLICANT: City of Creve Coeur
300 North New Ballas Rd
Creve Coeur, MO 63141

APPLICANT'S REPRESENTATIVE: Jason Jaggi
Director of Community Development
300 North New Ballas Road
Creve Coeur, MO 63141



REPORT PREPARED BY:

Jason Jaggi, AICP, Director of Community Development

DATE:

4/30/19

ATTACHMENTS:

Boundary Adjustment Plat prepared by THD Design submitted on 5/3/19

Attachment: 19-020.Staff Report.5-6-2019 (#19-020:11921 Olive Blvd & 942 Orchard Lakes BA)

DISCUSSION

In 2014, the City Council entered into a contract to sell Fountain Park to Drury Development Corporation having determined that Fountain Park was no longer needed as a public park due to its location and need for extensive repairs. As part of the sale agreement, the City is responsible for preparing and presenting a plat for Planning and Zoning Commission approval to consolidate the properties that are subject to the sale. A portion of Orchard Lakes Drive, west of the Creve Coeur Shopping Center and 942 Orchard Lakes Drive was annexed into the City in December 2018. All of the properties subject to this boundary adjustment plat are located within the City of Creve Coeur. Upon sale of the properties to Drury Development Corporation by the City, all properties affected by this plat will be owned by Drury Development Corporation.

The submitted plat involves adjusting and consolidating the boundary lines of four (4) parcels. Two parcels, owned by the City of Creve Coeur, are located north of the Creve Coeur Plaza Shopping Center and were acquired by the City in the 1990's in order to construct the east-west roadway that connects Orchard Lakes Drive to West Rue de Le Banque Drive. This road provides the residents of the Orchard Lakes subdivision access to a signalized intersection at Olive Boulevard. The other two (2) parcels consist of the main parcel for the Creve Coeur Shopping Center and the parcel for Fountain Park.

The plat consolidates the two (2) parcels north of the center (identified as Original Parcels 2 and 3) into one parcel, shown as Consolidated Lot B. Parcel 3 consists of 17,851 square feet and Parcel 2 consists of 14,804 square feet. Together, Consolidated Lot B will be 32,655 square feet in size. Section 405.190.B.3 of the Zoning Code states that when parcels are combined, the existing zoning of the larger parcel will prevail. In this case, Parcel 3 is larger and is zoned CB—Core Business, and subsequently, upon approval of the consolidation with Parcel 2, Consolidated Lot B will be zoned CB.

Upon sale, Drury Development Corporation, will grant an easement to the City of Creve Coeur for the existing roadway and adjacent sidewalk to be maintained by the City for public use. The extent of the public roadway and access easement is shown on the plat.

The lot dimensions of the CB District require a minimum lot size of ½ acre with a minimum lot width of 100 feet and a minimum lot depth of 100 feet. Consolidated Lot B exceeds the minimum lot size and lot width; however, the minimum lot depth is approximately 70-feet at its minimum dimension. Nonetheless, the consolidation of these two parcels does not create any additional non-conformities and results in meeting the requirements of the minimum lot size of the district.



Figure 1: Close up view of Consolidated Lot B.

The shopping center parcel, (identified as Original Parcel 4) and the Fountain Park parcel (shown as Original Parcel 1) are to be consolidated into a single parcel, Consolidated Lot A. The newly consolidated lot will be 119,570 square feet (2.74 acres) in size. The consolidated lot meets all of the minimum lot standards of the CB District.

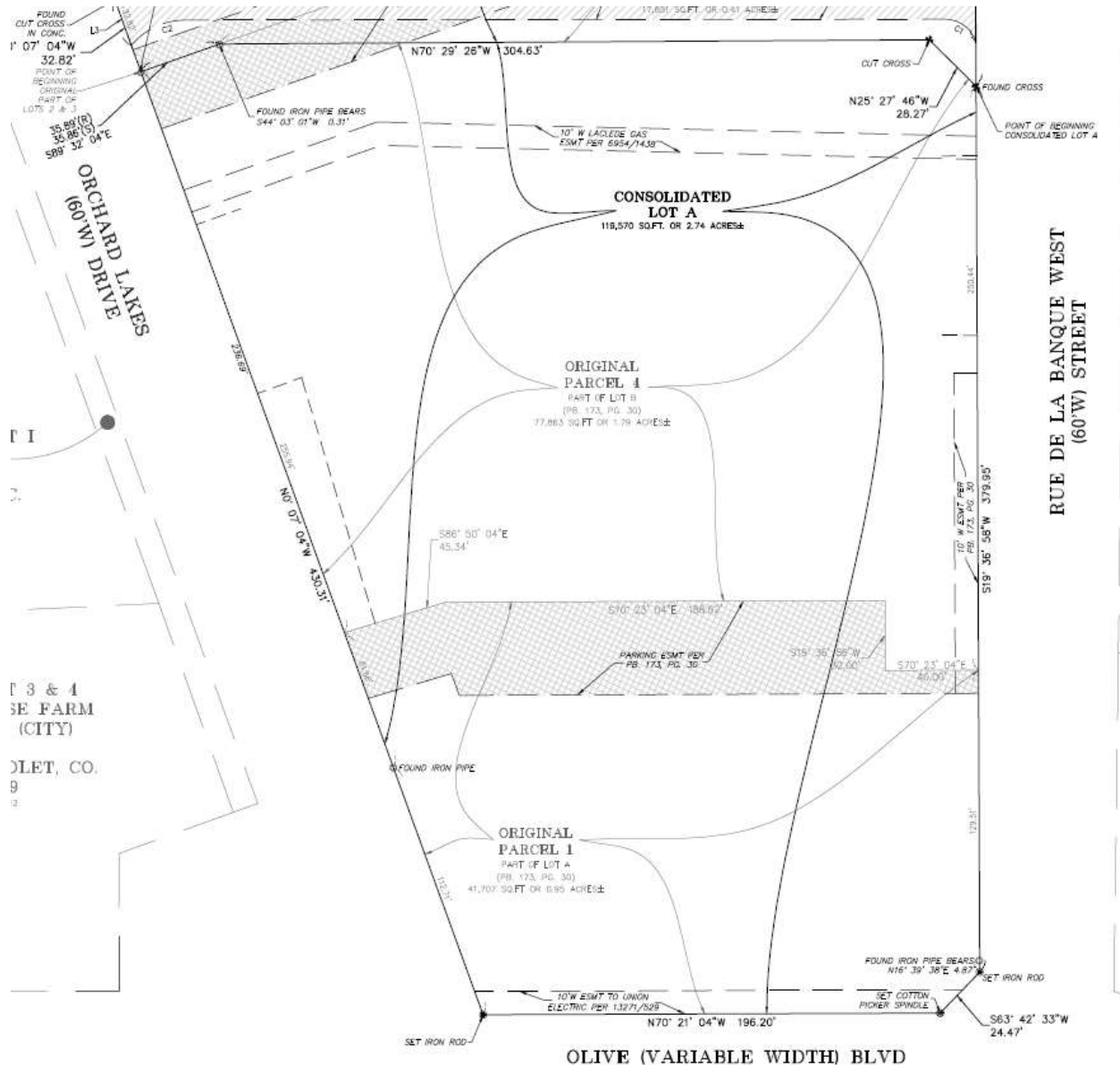


Figure 2: Close up view of Consolidated Lot A.

Technical Review

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 drawings are technically accurate and the adjustment will not create any additional non-conformities.

Staff concludes that the adjustment should be approved by the Planning Commission, subject to the conditions in the example motion.

ACTION

If the members of the Planning Commission are satisfied that the requested boundary adjustment meets the applicable requirements of the Subdivision Code and is otherwise appropriate, the Planning Department staff request that a final decision be voted upon; no action by the City Council is required.

MOTION

The following are examples of a motion for this application: attached to the staff report on application #19-020 received May 3, 2019.

“I move to approve the boundary adjustment for the properties shown on the plat, addressed 11915 Olive Boulevard, 11921 Olive Boulevard, and 942 Orchard Lakes Drive attached to the staff report on application #19-020 received May 2, 2019 subject to the conditions that closing on the sale of the property by the City to Drury Development Corporation occurs including receipt of road and sidewalk easement by the City, that a final drawing be prepared for signature and recording, that a CAD drawing on CD be provided to the City, and that a recorded electronic copy of the plat be provided to the City.” (Conditions may be added, eliminated, or modified by preceding motion).

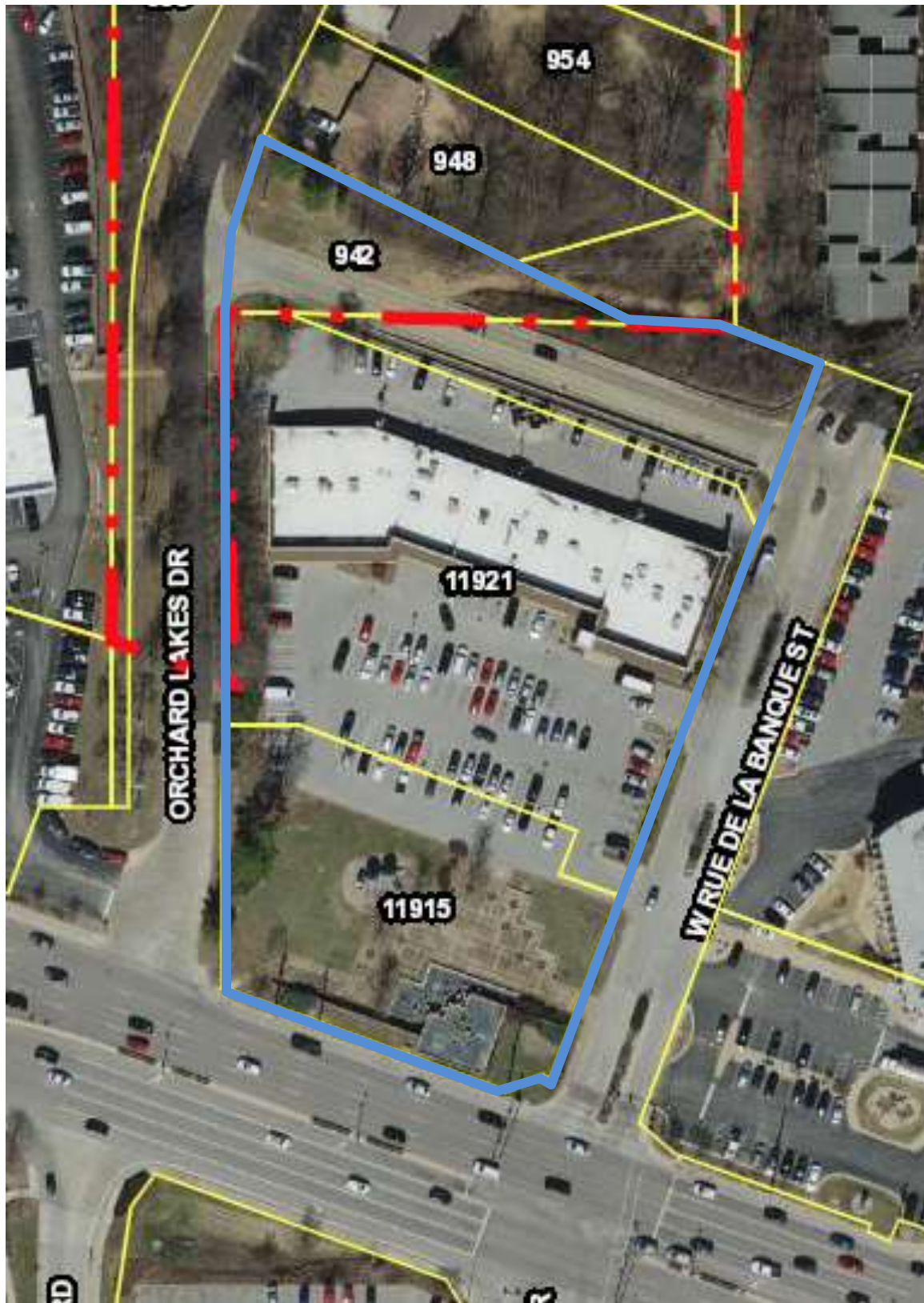
APPENDIX 1: ZONING CODE (CHAPTER 405 OF THE CREVE COEUR MUNICIPAL CODE)

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

APPENDIX 2: 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 3: AERIAL PHOTO



Attachment: 19-020.Staff Report.5-6-2019 (#19-020:11921 Olive Blvd & 942 Orchard Lakes BA)

A BOUNDARY ADJUSTMENT PLAT FOR
11921 OLIVE BOULEVARD &
942 ORCHARD LAKES DRIVE
SEVERAL TRACTS OF LAND BEING PART OF LOT 121 OF
ORCHARD LAKES PLAT 1, PB. 97, PG. 20,
PART OF LOTS A & B OF BANQUE WEST, PB. 173, PG. 30
SEC. 3, TOWNSHIP 45 NORTH, RANGE 5 EAST,
ST. LOUIS COUNTY, MISSOURI

DEVELOPMENT NOTES:

1. SITE ADDRESS:
PARCEL 1:
11915 OLIVE BLVD
CREVE COEUR, MO 63141
LOC.#170612315
- PARCEL 2:
942 ORCHARD LAKES DRIVE
CREVE COEUR, MO 63141
LOC.#170630014
- PARCEL 3:
NO ADDRESS
CREVE COEUR, MO 63141
LOC.#010612005
- PARCEL 4:
11921 OLIVE BLVD
CREVE COEUR, MO 63141
LOC.#170612139
2. OWNER INFORMATION:
DRURY DEVELOPMENT CORPORATION
721 EMERSON RD, SUITE 200
CREVE COEUR, MO 63141
DEED BOOK 19305, PAGE 5967
3. AREA OF TRACT: PARCEL 1-- 41,707 SQUARE FEET OR 0.95 ACRES, MORE OR LESS
PARCEL 2-- 18,904 SQUARE FEET OR 0.34 ACRES, MORE OR LESS
PARCEL 3-- 17,851 SQUARE FEET OR 0.41 ACRES, MORE OR LESS
PARCEL 4-- 77,863 SQUARE FEET OR 1.79 ACRES, MORE OR LESS
TOTAL -- 152,225 SQUARE FEET OR 3.49 ACRES, MORE OR LESS
4. PRESENT ZONING: "CB" CORE BUSINESS DISTRICT (CITY OF CREVE COEUR)
- "CB" CORE BUSINESS DISTRICT DIMENSIONAL REQUIREMENTS
- | | |
|-----------------------------|------------------------|
| MAXIMUM FRONT YARD SETBACK: | 80 FEET |
| MINIMUM SIDE YARD SETBACK: | 10 FEET |
| MINIMUM REAR YARD SETBACK: | 10 FEET |
| MINIMUM SITE AREA: | 1/2 AC (21,780 SQ.FT.) |
| MINIMUM LOT WIDTH: | 100 FEET |
| MINIMUM LOT DEPTH: | 100 FEET |
| MAXIMUM LOT COVERAGE: | 63% |
5. UTILITY PROVIDER DISTRICTS:
- | | | |
|------------------|-------------------------|--------------|
| WATER: | MISSOURI AMERICAN WATER | SITUS SERVED |
| SEWER: | MSD | YES |
| TELEPHONE: | AT&T | YES |
| GAS: | LACLEDE GAS | YES |
| ELECTRIC: | AMEREN UE | YES |
| FIRE DISTRICT: | CREVE COEUR | |
| SCHOOL DISTRICT: | PARKWAY | |
6. ACCORDING TO THE FIRM FLOOD INSURANCE RATE MAP 29189C0187 K DATED FEBRUARY 4, 2015, THIS DEVELOPMENT IS LOCATED IN ZONE X UNSHADED, AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE ANNUAL FLOODPLAIN.
7. THD DESIGN GROUP HAS USED EXCLUSIVELY THE TITLE COMMITMENT POLICIES SUPPLIED BY ST. LOUIS TITLE, LLC. AGENTS FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FILE NO. 2256STL REVISION 4, HAVING AN EFFECTIVE DATE OF APRIL 9, 2019. THE RESULTS OF THE SCHEDULE B, SECTION II ARE LISTED BELOW.
- FILE NO. 2256STL, REV 4, EFFECTIVE APRIL 9, 2019
- ITEM 1--4: ARE NOT OF A SURVEY NATURE.
- ITEM 5: BUILDING LINES, EASEMENTS, COVENANTS AND RESTRICTIONS ESTABLISHED BY THE PLAT RECORDED IN PLAT BOOK 97 PAGE 20. (SHOWN HEREON)
- ITEM 6: BUILDING LINES, EASEMENTS, COVENANTS AND RESTRICTIONS ESTABLISHED BY THE PLAT RECORDED IN PLAT BOOK 173 PAGE 30. (SHOWN HEREON)
- ITEM 7: EASEMENT GRANTED TO UNION ELECTRIC COMPANY OF MISSOURI BY THE INSTRUMENT RECORDED IN BOOK 2921 PAGE 394 AND BOOK 3470 PAGE 233. (DOES NOT AFFECT THE SUBJECT PARCEL)
- ITEM 8: EASEMENT GRANTED TO FEE FEE TRUNK SEWER, INC. BY THE INSTRUMENT RECORDED IN BOOK 4364 PAGE 40. (DOES NOT AFFECT SUBJECT PROPERTY)
- ITEM 9: TERMS AND PROVISIONS OF CONTRACT FOR SANITARY SEWER MAINTENANCE, BY THE INSTRUMENT RECORDED IN BOOK 4364 PAGE 46 AND ADDENDUM TO CONTRACT FOR SANITARY SEWER MAINTENANCE RECORDED IN BOOK 4539 PAGE 389. (DOES NOT AFFECT SUBJECT PROPERTY)
- ITEM 10: EASEMENT FOR HIGHWAY CONSTRUCTION, ACCORDING TO THE INSTRUMENT RECORDED IN BOOK 5262 PAGE 523. (EASEMENT FOUND HEREIN HAS EXPIRED AND DOES NOT AFFECT THE SUBJECT PARCEL)
- ITEM 11: EASEMENT FOR HIGHWAY CONSTRUCTION GRANTED TO THE STATE OF MISSOURI, ACTING BY AND THROUGH THE STATE HIGHWAY COMMISSION OF MISSOURI BY THE INSTRUMENT RECORDED IN BOOK 5369 PAGE 403 (DOES NOT AFFECT THE SUBJECT PARCEL)
- ITEM 12: EASEMENT GRANTED TO STATE OF MISSOURI, EX REL STATE HIGHWAY COMMISSION OF MISSOURI BY THE INSTRUMENT RECORDED IN BOOK 5462 PAGE 161. (DOES NOT AFFECT THE SUBJECT PARCEL)
- ITEM 13: INDENTURE FOR BANQUE WEST SUBDIVISION, ACCORDING TO THE INSTRUMENT RECORDED APRIL 20, 1977 IN BOOK 6946 PAGE 1754. (SHOWN HEREON)
- ITEM 14: AGREEMENT WITH FEE FEE TRUNK SEWER, INC., AS TO TREATMENT AND DISPOSAL OF SANITARY SEWAGE WITH PROVISIONS FOR ASSESSMENTS, ACCORDING TO THE INSTRUMENT RECORDED IN BOOK 6946 PAGE 1760. (NOT PLOTTABLE)
- ITEM 15: EASEMENT GRANTED TO LACLEDE GAS COMPANY BY THE INSTRUMENT RECORDED IN BOOK 6954 PAGE 1438. (SHOWN HEREON)
- ITEM 16: EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY BY THE INSTRUMENT RECORDED IN BOOK 8742 PAGE 680. (SHOWN HEREON)
- ITEM 17: AGREEMENT AND EASEMENT BY AND BETWEEN ERLICH FAMILY PARTNERSHIP, A MISSOURI GENERAL PARTNERSHIP AND THE CITY OF CREVE COEUR, MISSOURI, DATED AS OF JUNE 30, 1992 AND RECORDED JULY 21, 1992 IN BOOK 9383 PAGE 2105. (EASEMENTS FOUND HEREIN HAVE EITHER EXPIRED OR DO NOT AFFECT THE SUBJECT PARCEL)
- ITEM 18: INTENTIONALLY DELETED
- ITEM 19: EASEMENT GRANTED TO UNION ELECTRIC COMPANY BY THE INSTRUMENT RECORDED IN BOOK 9482 PAGE 1362. (SHOWN HEREON)
- ITEM 20: EASEMENT GRANTED TO UNION ELECTRIC COMPANY BY THE INSTRUMENT RECORDED IN BOOK 13271 PAGE 529. (SHOWN HEREON)
- ITEM 21--27: ARE NOT OF A SURVEY NATURE.
8. BASIS OF BEARINGS: GRID NORTH, MISSOURI STATE PLANE COORDINATES, NAD 83' (2011), EAST ZONE.

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNERS OF THE TRACT OF LAND HEREIN PLATTED AND FURTHER DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE HAS CAUSED THESE LOTS TO BE ADJUSTED AND LOT LINES DEPICTED IN THE MANNER SHOWN ON THIS PLAT, AND A BOUNDARY ADJUSTMENT PLAT BE PREPARED IN THE MANNER SHOWN HEREON, WHICH PLAT SHALL HEREAFTER BE KNOWN AS "11921 OLIVE BOULEVARD & 924 ORCHARD LAKES DRIVE".

THIS PLAT IS BEING PREPARED SPECIFICALLY TO CONSOLIDATE THE FOUR PARCELS INTO TWO INDIVIDUAL PARCELS.

THERE ARE NO DIMENSIONAL CHANGES TO THE LOTS.

THE PERMANENT ROADWAY, UTILITY, SEWER AND SIDEWALK EASEMENT OVER THE PORTION OF EXISTING ROADWAY KNOWN AS ORCHARD LAKES LOOP ROAD SHOWN AS [] HACHURED HEREON, IS HEREBY DEDICATED TO THE CITY OF CREVE COEUR, MISSOURI ITS SUCCESSORS AND ASSIGNS AS THEIR INTEREST MAY APPEAR TO INSTALL, USE, REPAIR, MAINTAIN, AND RECONSTRUCT PUBLIC ROADWAYS, UTILITIES, SEWERS, SIDEWALKS AND ASSOCIATED APPURTENANCES INCLUDING BUT NOT LIMITED TO RETAINING WALLS, UNDER AND UPON THE PREMISES DESCRIBED BY THIS EASEMENT.

ALL EASEMENTS, DIMENSIONS, AND BUILDING LINES WERE CREATED ON THE AFOREMENTIONED PLATS, ARE EXISTING AND HAVE NOT CHANGED.

THE CURRENT TITLE COMMITMENT POLICY SUPPLIED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FILE NO 2256STL, HAVING AN EFFECTIVE DATE OF APRIL 9, 2019. WAS USED EXCLUSIVELY FOR THIS PLAT, RESULTS OF THE SCHEDULE B, SECTION II ITEMS CAN BE FOUND IN GENERAL NOTE NO. 7.

THE UNDERSIGNED FURTHER STATES THAT SAID TRACT IS NOT ENCUMBERED BY DELINQUENT TAXES, IN TESTIMONY WHEREOF, WE HAVE HERETO SET OUR HANDS THIS _____ DAY OF _____, 2019.

DRURY DEVELOPMENT CORPORATION

BY: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

OWNER'S NOTARY - DRURY DEVELOPMENT CORPORATION

STATE OF _____)
COUNTY OF _____)SS

ON THIS _____ DAY OF _____, 2019, BEFORE ME, APPEARED _____, WHO BEING BY ME DULY SWORN, DID SAY THAT HE/SHE IS THE _____ A CORPORATION DULY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF _____ AND THAT THE SEAL, AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION AND THAT THE SAID INSTRUMENT WAS SIGNED AND SEALED ON BEHALF OF SAID CORPORATION BY AUTHORITY OF THE BOARD OF DIRECTORS AND THAT SAID HE, DECLARED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION.

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

NOTARY PUBLIC: _____

PRINT NAME: _____

MY TERM EXPIRES: _____

PLANNING AND ZONING APPROVAL

IT IS HEREBY CERTIFIED, THAT THIS SUBDIVISION PLAT WAS APPROVED ON THE _____ DAY OF _____, 2019 PURSUANT TO THE BOUNDARY ADJUSTMENT REGULATIONS OF THE CITY OF CREVE COEUR, MISSOURI AND OUTLINED IN CHAPTER 410 OF ORDINANCE NUMBER 1045.

PLANNING AND ZONING COMMISSION
CITY OF CREVE COEUR, MISSOURI

CHAIRMAN

CITY APPROVAL

I, _____, CITY CLERK, FOR THE CITY OF CREVE COEUR, MISSOURI, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT IS IN COMPLETE COMPLIANCE WITH ORDINANCE NO. 1045 APPROVED ON THE TWENTY-FIFTH DAY OF JULY, 1983, AS APPROVED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR.

CITY CLERK

LAND DESCRIPTIONS:

ORIGINAL PARCEL 1: TITLE COMMITMENT FILE NO. 22565STL

LOT "A" OF BANQUE WEST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 173 PAGE 30 OF THE ST. LOUIS COUNTY RECORDS; EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE COUNTY OF ST. LOUIS, AND STATE OF MISSOURI, AND THE STATE STATE OF MISSOURI, ACTING BY AND THROUGH THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION, ACCORDING TO THE INSTRUMENT RECORDED NOVEMBER 12, 1999 IN BOOK 12351 PAGE 1735.

ORIGINAL PARCEL 2: TITLE COMMITMENT FILE NO. 22565STL

LOT 121 OF ORCHARD LAKES PLAT 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 97 PAGE 20 OF THE ST. LOUIS COUNTY RECORDS

ORIGINAL PARCEL 3: TITLE COMMITMENT FILE NO. 22565STL

A TRACT OF LAND BEING A PART OF LOTS 2 AND 3 OF LAKE HOUSE FARM SUBDIVISION ACCORDING TO THE PLAT THEREOF IN PLAT BOOK 9 PAGE 74 OF THE ST. LOUIS CITY (FORMERLY COUNTY) RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT B OF BANQUE WEST, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 173 PAGE 30 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTH 89 DEGREES 19 MINUTES 00 SECONDS EAST, A DISTANCE OF 35.89 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE SOUTHEASTERLY ALONG THE NORTH LINE OF LOT B OF THE AFORESAID BANQUE WEST TO THE NORTHEAST CORNER THEREOF, SAID POINT BEING IN THE WEST LINE OF RUE DU BANQUE WEST (60 FEET WIDE); THENCE SOUTHWESTERLY ALONG THE WEST LINE OF THE AFORESAID "RUE DU BANQUE WEST", A DISTANCE OF 112.56 FEET TO A POINT; THENCE NORTH 25 DEGREES 14 MINUTES 42 SECONDS WEST, A DISTANCE OF 28.27 FEET TO A POINT; THENCE NORTH 70 DEGREES 16 MINUTES 22 SECONDS WEST, A DISTANCE OF 304.62 FEET TO THE POINT OF BEGINNING; ALSO KNOWN AS PART OF LOT B OF BANQUE WEST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 173 PAGE 30 OF THE ST. LOUIS COUNTY RECORDS

ORIGINAL PARCEL 4: (DEED BOOK 19305, PAGE 5967)

A TRACT OF LAND BEING PART OF LOT B OF BANQUE WEST, A SUBDIVISION RECORDED IN PLAT BOOK 173, PAGE 30 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID LOT B AND THE WEST RIGHT-OF-WAY LINE OF RUE DU BANQUE WEST, 60 FEET WIDE, AS DEDICATED IN PLAT BOOK 118 PAGE 93 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG THE SOUTH LINE OF SAID LOT B NORTH 70 DEGREES 10 MINUTES 00 SECONDS WEST, 40.00 FEET TO AN ANGLE POINT; THENCE NORTH 19 DEGREES 50 MINUTES 00 SECONDS EAST, 30.00 FEET TO AN ANGLE POINT; THENCE NORTH 70 DEGREES 10 MINUTES 00 SECONDS WEST, 188.62 FEET TO AN ANGLE POINT; THENCE NORTH 86 DEGREES 37 MINUTES 00 SECONDS WEST, 45.34 FEET TO THE EAST RIGHT-OF-WAY LINE OF ORCHARD LAKES (PRIVATE), 60 FOOT WIDE, THENCE ALONG SAID EAST LINE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 250.44 FEET TO THE NORTHWESTERN CORNER OF SAID LOT B; THENCE ALONG THE NORTH LINE OF SAID LOT B SOUTH 89 DEGREES 19 MINUTES 00 SECONDS EAST, 35.89 FEET TO THE SOUTHERN LINE OF RIGHT-OF-WAY CONVEYED TO THE CITY OF CREVE COEUR BY DEED RECORDED IN 9383 PAGE 2100 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 70 DEGREES 16 MINUTES 22 SECONDS EAST, 304.60 FEET TO AN ANGLE POINT; THENCE SOUTH 25 DEGREES 14 MINUTES 42 SECONDS EAST, 28.27 FEET TO THE WESTERN LINE OF AFORESAID RUE DU BANQUE WEST RIGHT-OF-WAY, THENCE ALONG LAST MENTIONED LINE SOUTH 19 DEGREES 50 MINUTES 00 WEST, 250.44 FEET TO THE POINT OF BEGINNING.

CONSOLIDATED LOT A:

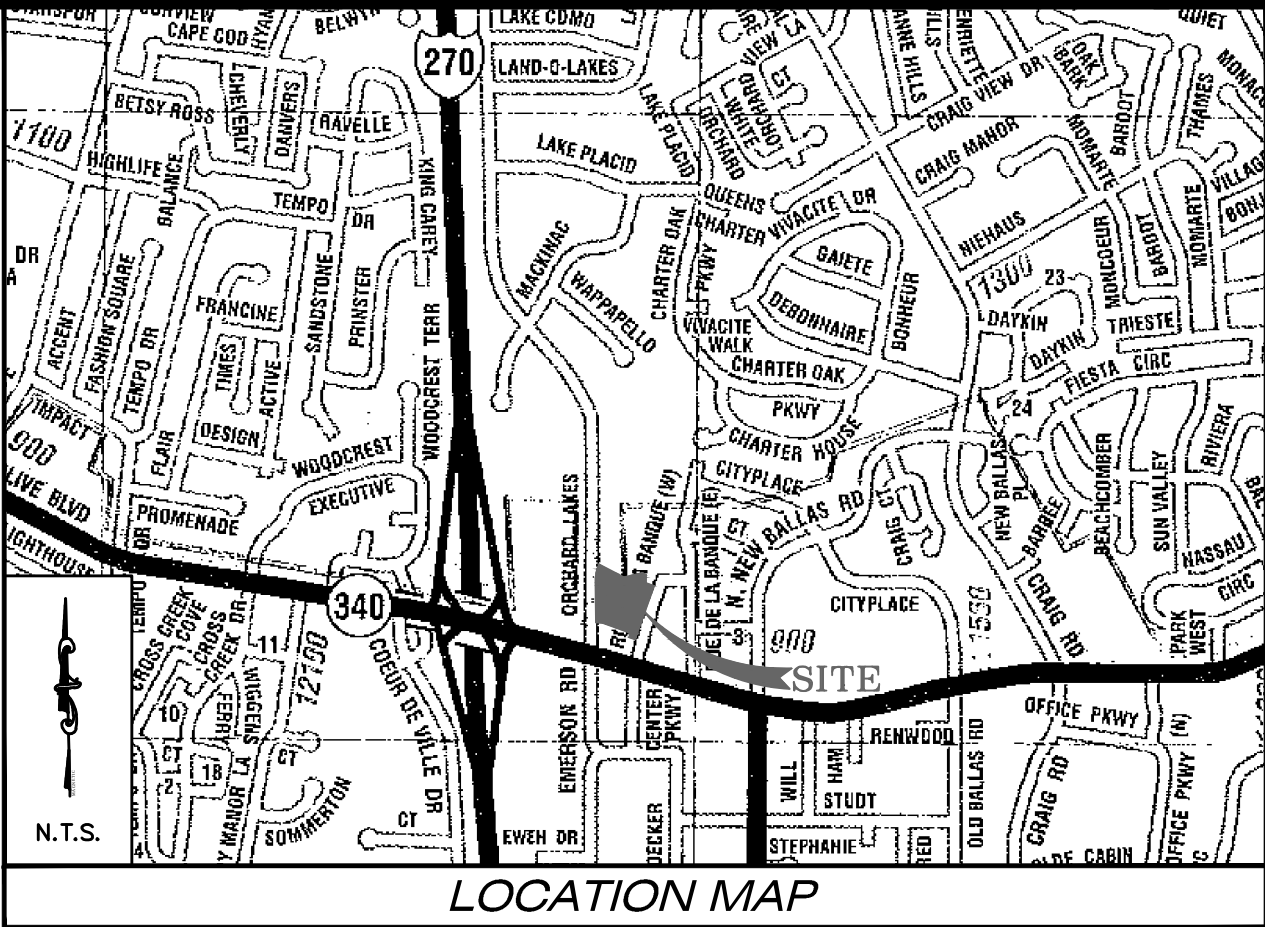
A TRACT OF LAND BEING PART OF LOTS A & B OF BANQUE WEST, PB. 173, PG. 30 SEC. 3 TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SET IRON ROD AT THE NORTHEAST CORNER OF LOT B OF BANQUE WEST A SUBDIVISION RECORDED IN PLAT BOOK 173, PAGE 30 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS; THENCE ALONG THE EASTERN LINE OF SAID LOT B SOUTH 19 DEGREES 36 MINUTES 56 SECONDS WEST, A DISTANCE OF 112.57 FEET TO A FOUND CROSS IN CONCRETE ON THE EASTERN LINE OF SAID LOT B SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE CONTINUING ALONG THE EAST LINE OF SAID LOT B SOUTH 19 DEGREES 36 MINUTES 56 SECONDS WEST, A DISTANCE OF 379.95 FEET TO A SET IRON ROD AT THE SOUTHEAST CORNER OF SAID LOT A, SAID POINT BEING ON THE WESTERN LINE OF RUE DU BANQUE WEST (60 FEET WIDE); THENCE SOUTH 63 DEGREES 42 MINUTES 33 SECONDS WEST, A DISTANCE OF 24.47 FEET TO A SET COTTON PICKER SPINDLE, SAID POINT BEING ON THE NORTHERN LINE OF OLIVE BOULEVARD (VARIABLE WIDTH); THENCE CONTINUING ALONG SAID NORTHERN LINE NORTH 70 DEGREES 16 MINUTES 22 SECONDS EAST, A DISTANCE OF 196.20 FEET TO A SET IRON ROD BEING THE SOUTHWEST CORNER OF SAID LOT A; THENCE DEPARTING SAID NORTH LINE OF OLIVE BOULEVARD (VARIABLE WIDTH) AND CONTINUING ALONG THE EAST LINE OF ORCHARD LAKES DRIVE (60 FEET WIDE) NORTH 00 DEGREES 07 MINUTES 04 SECONDS WEST, A DISTANCE OF 430.31 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT B OF BANQUE WEST, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 173 PAGE 30 OF THE ST. LOUIS COUNTY RECORDS FROM WHICH A FOUND IRON PIPE BEARS SOUTH 36 DEGREES 12 MINUTES 43 SECONDS WEST, 0.32 FEET; THENCE DEPARTING SAID EAST LINE OF ORCHARD LAKES DRIVE, (60 FEET WIDE) SOUTH 89 DEGREES 32 MINUTES 04 SECONDS EAST, A DISTANCE OF 35.86 FEET TO A POINT FROM WHICH AN OLD IRON ROD BEARS SOUTH 44 DEGREES 03 MINUTES 01 SECONDS WEST A DISTANCE OF 0.31 FEET; THENCE SOUTH 70 DEGREES 29 MINUTES 28 SECONDS EAST, A DISTANCE OF 304.63 FEET EAST TO A CROSS CUT IN A CONCRETE; THENCE SOUTH 25 DEGREES 27 MINUTES 46 SECONDS EAST, A DISTANCE OF 28.27 FEET TO THE POINT OF BEGINNING, CONTAINING 119,570 SQUARE FEET OR 2.74 ACRES MORE OR LESS.

CONSOLIDATED LOT B:

A TRACT OF LAND BEING LOT 121 OF ORCHARD LAKES PLAT 1, PB. 90, PG. 20, & PART OF LOT B OF BANQUE WEST, PB. 173, PG. 30 SEC. 3, TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET IRON ROD AT THE NORTHEAST CORNER OF LOT B OF BANQUE WEST A SUBDIVISION RECORDED IN PLAT BOOK 173, PAGE 30 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS; THENCE ALONG THE EASTERN LINE OF SAID LOT B SOUTH 19 DEGREES 36 MINUTES 56 SECONDS WEST, A DISTANCE OF 112.57 FEET TO A SET IRON ROD ON THE EASTERN LINE OF SAID LOT B THENCE LEAVING SAID EASTERN LINE NORTH 25 DEGREES 27 MINUTES 46 SECONDS WEST, A DISTANCE OF 28.27 FEET TO A FOUND CROSS IN CONCRETE; THENCE NORTH 70 DEGREES 16 MINUTES 22 SECONDS WEST, A DISTANCE OF 304.63 FEET TO A POINT FROM WHICH A FOUND IRON PIPE BEARS SOUTH 44 DEGREES 03 MINUTES 01 SECONDS EAST 0.31 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 04 SECONDS WEST A DISTANCE OF 35.86 FEET TO A POINT ON THE EASTERN LINE OF ORCHARD LAKES DRIVE (60 FEET WIDE) FROM WHICH A FOUND IRON ROD BEARS SOUTH 36 DEGREES 12 MINUTES 43 SECONDS WEST, 0.32 FEET; THENCE ALONG SAID EAST LINE NORTH 0 DEGREES 07 MINUTES 04 SECONDS WEST A DISTANCE OF 32.82 FEET TO A FOUND CROSS CUT IN CONCRETE; THENCE ALONG A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 168.35 FEET, AN ARC LENGTH OF 81.83 FEET, A CHORD BEARING OF NORTH 13 DEGREES 28 MINUTES 22 SECONDS EAST, A CHORD DISTANCE OF 81.12 FEET TO A SET IRON ROD; THENCE NORTH 27 DEGREES 24 MINUTES 50 SECONDS EAST, A DISTANCE OF 3.66 FEET TO A FOUND CROSS IN CONCRETE; THENCE SOUTH 19 DEGREES 36 MINUTES 56 SECONDS WEST, A DISTANCE OF 73.88 FEET TO A FOUND IRON PIPE; THENCE SOUTH 70 DEGREES 23 MINUTES 04 SECONDS EAST, A DISTANCE OF 56.33 FEET TO THE POINT OF BEGINNING, CONTAINING 32,655 SQUARE FEET OR 0.75 ACRES MORE OR LESS.



LOCATION MAP

THD DESIGN GROUP, INC.
"your solution for engineering and surveying"
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WEB: THDGROUP.COM
Corporate Certificate of Authority #2011004415

A BOUNDARY ADJUSTMENT PLAT FOR
11921 OLIVE BOULEVARD &
942 ORCHARD LAKES DRIVE
SEVERAL TRACTS OF LAND BEING PART OF
LOT 121 OF ORCHARD LAKES PLAT 1, PB. 90, PG. 20, &
PART OF LOTS A & B OF BANQUE WEST, PB. 173, PG. 30
SEC. 3, TOWNSHIP 45 NORTH, RANGE 5 EAST,
ST. LOUIS COUNTY, MISSOURI



Date: May 03, 2019
Brian J. Fischer
License No. LS-002584
Professional Land Surveyor

PROJECT NUMBER: 18-5011

DATE: 05/03/2019

DRAWN BY: MLP

1 OF 2





city of CREVE COEUR

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MEMO TO PLANNING AND ZONING COMMISSION

Meeting Date: May 6, 2019

Subject: Review of Replacement Fences within a Front-Yard Setback

Memo Prepared by: Whitney Kelly, AICP, City Planner, and Jason Jaggi, Director of Community Development

Staff is seeking direction on the review of proposed replacements of pre-existing fences within the area equivalent to the front yard setback. As stated in Application #19-016, prior interpretation has been to allow for the replacement of fences on a like-for-like basis. In general, non-conformities may be maintained, repaired or remodeled, but once a fence is removed, any new structure must comply with the regulations. Many cities further have a requirement that once more than 50% of the fence is being replaced, then it must comply with the new regulations, i.e. in Creve Coeur's case to seek review before the Planning and Zoning Commission. This facilitates the eventual elimination of non-conformities, to further the goals and intent of the regulations, instead of allowing such non-conformities to continue indefinitely.

Staff recommends that if a fence is beyond its life span, and/or is to be replaced in its entirety, such fence should be reviewed to comply with current design requirements of the Zoning Ordinances. The recent application of a fence within the setback along Graeser Road for the property addressed at 4 W. Windrush Creek, highlights the issue. The neighbor had a non-conforming fence that was beyond its original lifespan and dilapidated. Staff allowed for it to be replaced in whole with a new sight-proof wood fence at the property line, in that the replacement fence was the same height and material. Yet, new proposals for fences are often required to be more open in design and set further from the property line to provide additional landscaping for screening in keeping with the recommendations of the Design Guidelines and Comprehensive Plan.



Figure 1: Google image of a recent fence proposal where the adjacent neighbor was able to replace in its entirety a non-conforming fence, while the new proposal included landscaping and a more open design.

Staff believes that allowing the replacement of fences without review does not fairly address the regulations. However, requiring that any replacement of a fence be reviewed by the Planning and Zoning Commission would be a change in prior direction, and the City might receive complaints from residents about the need for such a review. Therefore, Staff would like to discuss the issue and get direction regarding the review of replacement of fences within the area equivalent to the front yard setback.

Attachment: Replacement Fences Memo to P&Z.5-6-2019 (Review of Replacement Fences Within a Front-Yard Setback)