



AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, NOVEMBER 4, 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. Gene Rovak
Mr. Larry Potashnick
Mr. Todd Streiler
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 21, 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

None

NEW BUSINESS

1. PUBLIC HEARING. Application #19-039: Approval of a Conditional Use Permit for a Sleep Study Clinic Within the Office Building at 275 N. Lindbergh Boulevard

Syed Haider submitted a conditional use permit application for an independent sleep study clinic within the office building at 275 N. Lindbergh Boulevard, Creve Coeur, MO 63141. The sleep clinic is an independent diagnostic testing facility which conducts sleep studies. Outpatient sleep disorder centers and clinics are classified as NAICS 621498 - All Other Outpatient Care Centers which require a conditional use permit in the GC-General Commercial District, for review by the Planning and Zoning Commission and approval by the City Council.

2. Application #19-041: Minor Site Plan Approval For A Mural On The Concrete Retaining Wall At 425 N. New Ballas Road

Alice Benner, of Bamboo Equity Partners, property owner and management for 425 N. New Ballas Road, has submitted approval for a minor site development plan to provide for a Mural on the existing concrete retaining wall along the south property line adjacent to the Post Office at 331 N. New Ballas Road and visible from N. New Ballas Road.

WORK AGENDA

None

DEPARTMENT REPORTS

Director of Community Development

1. 39N Greenway Plan—Review and Adoption Process

ADJOURNMENT

Posted: _____
Jason W. Jaggi
Director of Community Development



DRAFT MINUTES
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, OCTOBER 21, 2019
6:30 PM

CALL TO ORDER

Ms. Kistner, chair, called the meeting to order at 6:30 pm.

ROLL CALL

Larry Potashnick	Commission Member	
Beth Kistner	Commission Chair	
Tim Carney	Commission Member	
Gene Rovak	Commission Member	
Muriel Hall	Commission Member	(Absent)
James Myers	Commission Member	

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

ACCEPTANCE OF THE AGENDA

Mr. Rovak made a motion to accept the agenda, Mr. Carney seconded. All in favor.

APPROVAL OF MINUTES

1. October 7, 2019 Planning and Zoning Commission Draft Meeting Minutes

Mr. Potashnick requested that the record show that he and his wife were affiliated with NJCW as previously stated.

Mr. Myers made a motion to accept the minutes, Mr. Carney seconded. All in favor.

PUBLIC COMMENT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

1. #19-032: Conditional Use Permit for Roof Mounted Wireless Communication Equipment at Barnes Jewish West County Hospital. Request to Table.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Gene Rovak, Commission Member
SECONDER:	James Myers, Commission Member
AYES:	Potashnick, Kistner, Carney, Rovak, Myers
ABSENT:	Hall

2. PUBLIC HEARING. #19-036: Minor Site Plan Amendment and Conditional Use Permit for a Football Field Video Scoreboard for De Smet Jesuit School

Mr. George Stock, of Stock & Associates, said he was before the commission with a request to replace the scoreboard with a video scoreboard. He said the sign is 14' x 25' and is slightly larger than the existing scoreboard. He said they are asking for the same conditions that are on the board now. He said they would be moving it slightly, away from neighbors.

Mr. Carney asked if the lettering above the scoreboard would be lit.

Mr. Stock said the lettering would not be lit.

Ms. Kistner asked if the scoreboard would emit sound.

Mr. Stock said it would, but he was unsure of where the speakers would be located. He said the source of the sound would be closer to the stands than what was there today. Mr. Stock informed the commission that the board wouldn't replace the PA system. He said they were aware of the sound restrictions from the previous CUP.

Mr. Steven Burr of De Smet said the scoreboard had the capabilities to be integrated with the PA system.

Ms. Kistner asked if De Smet would be amenable to having staff on site when testing the system. They agreed.

Mr. Stock wanted to clarify that the scoreboard would also be used during practices and the video portion would not be used outside of games.

Mr. Carney asked about the size of the scoreboard.

Ms. Kelly explained how she came up with the size.

Mr. Carney asked if there was a size standard for scoreboards in Creve Coeur.

Ms. Kelly there were not at this time, but it is something that could be looked at.

Ms. Kistner asked who else could request a similar scoreboard.

Ms. Kelly said it is a component of the playing field so institutions who fell outside Higher Education Districts would be required to go before City Council.

Mr. Earl Schwartz, resident of Carlyle Lake, said he could he hear the games now. He would like there to be less noise.

Ms. Kistner suggested testing it during a game.

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

Mr. Carney moved to approve with the added conditions that the video screen (rather than the entire structure) not be used outside games, and the sound be tested to ensure it is no more than 70 decibels along with the conditions listed in the staff report. Mr. Rovak seconded. All in favor.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Carney, Commission Member
SECONDER:	Gene Rovak, Commission Member
AYES:	Potashnick, Kistner, Carney, Rovak, Myers
ABSENT:	Hall

3. #19-037: Boundary Adjustment Plat for 11665, 11685 and 11753 Olive Boulevard, for Ameren Missouri for a New Substation

Mr. Joshua Skelly said they would like to move the substation further north. He showed where the shifts and changes would occur on the map.

Ms. Kelly said this would be the first step in the process and would allow the applicant to proceed to the next stage and site development plan.

Mr. Carney asked if Cityplace had given their approval regarding the cross access.

Mr. Skelly said Cityplace was agreeable in concept.

Ms. Kelly said there were no new non-conforming issues and they meet the lot requirements.

Mr. Nick Sepac said he owned the parking lot and the changes would allow a better access drive location.

Mr. Myers made a motion to approve subject to the conditions in the staff report, Mr. Carney seconded. All in favor.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James Myers, Commission Member
SECONDER:	Tim Carney, Commission Member
AYES:	Potashnick, Kistner, Carney, Rovak, Myers
ABSENT:	Hall

WORK AGENDA

DEPARTMENT REPORTS

Ms. Kelly informed the commission of what items would be before the commission next.

ADJOURNMENT

Mr. Potashnick made a motion to adjourn. All in favor. Meeting closed at 7:16 Pm



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

APPLICATION TO PLANNING AND ZONING COMMISSION
#19-039: APPROVAL OF A CONDITIONAL USE PERMIT FOR A SLEEP
STUDY CLINIC WITHIN THE OFFICE BUILDING AT
275 N. LINDBERGH BOULEVARD

FOR THE MEETING OF: Monday, November 4, 2019

LOCATION: 275 N. Lindbergh Blvd, Zoned GC General Commercial District.

REQUEST: Syed Haider submitted a conditional use permit application for an independent sleep study clinic within the office building at 275 N. Lindbergh Boulevard, Creve Coeur, MO 63141. The sleep clinic is an independent diagnostic testing facility which conducts sleep studies. The proposed facility is approximately 550 square feet. Operations of the study lab will be overnight from 8 PM to 8 AM, seven days a week.

ADDITIONAL INFORMATION: Outpatient sleep disorder centers and clinics are classified as NAICS 621498 - All Other Outpatient Care Centers which require a conditional use permit in the GC-General Commercial District, for review by the Planning and Zoning Commission and approval by the City Council. The property was originally developed in 1986, and has largely remained as was originally approved since that time. However, this was prior to the enactment of the current ordinance, and therefore, there may be some pre-existing non-conformities on the site.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request follow the Design Guidelines?
- Is the request consistent with the required findings for a conditional use permit?

Creve Coeur 2030 References

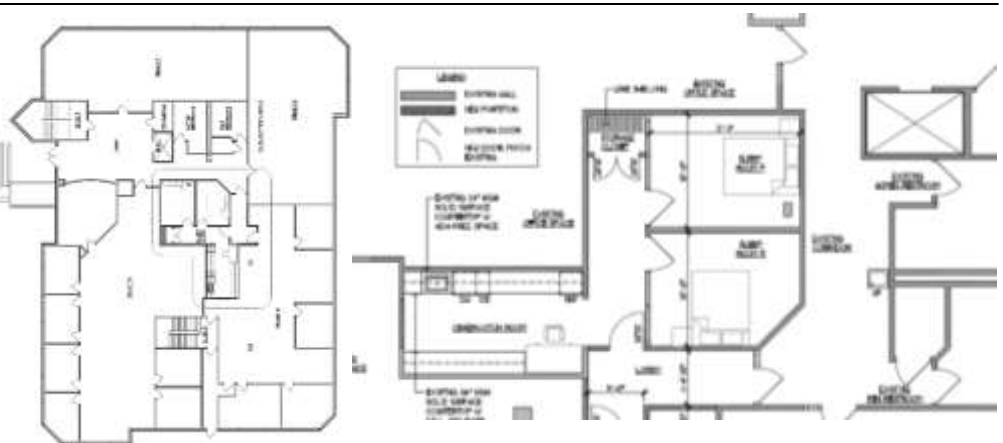
- Lindbergh Boulevard Mixed Use (MU) Place Type

Zoning Code References

- Table A: Permitted and Conditional Uses
- Section 405.360: General Commercial District
- Section 1080: Site Concept, Site Development and Minor Site Plan Approval.

APPLICANT: Syed Haider
Inner Imaging LLC
11901 W. Florissant
Florissant, MO 63033

PROPERTY OWNER: Dr. Gurpreet Padda
Chippewa Loft LLC
5203 Chippewa, St. 301
St. Louis, MO 63109



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 10/30/2019
ATTACHMENTS: Applicant's Materials submitted October 4, 2019
Draft Ordinance

PROPOSAL SUMMARY

Syed Haider is seeking approval of a conditional use permit for an independent sleep study clinic within the office building at 275 N. Lindbergh Boulevard. The proposed clinic is approximately 550 square feet located on the ground floor of the office building, consisting of two sleep rooms and observation room, with up to two employees. Operations will be overnight from 8PM to 8AM, seven days a week. The sleeping patient-to-staff ratio will never exceed 2:1, as recommended by the building code, and the staff supervising the sleeping patients will be EMS trained.

According to the information submitted by the Applicant, the Sleep Clinic will be an Independent Diagnostic Testing Facility (IDTF) with the following operations:

- The Sleep Clinic will provide physicians with the most complete evaluation of sleep. Patients will be required to stay overnight at the Sleep Clinic.
- The Clinic will conduct in-lab sleep studies, also known as a polysomnogram, which records brain waves, heartbeats and breathing during sleep. It also charts eye movements, limb movements and oxygen in the blood. This data will help physicians make a diagnosis and develop treatment plans.
- The Sleep Clinic will provide a supervising physician who is responsible for direct and ongoing oversight of the quality of the polysomnography (sleep study) test performed, proper operation and calibration of any equipment.

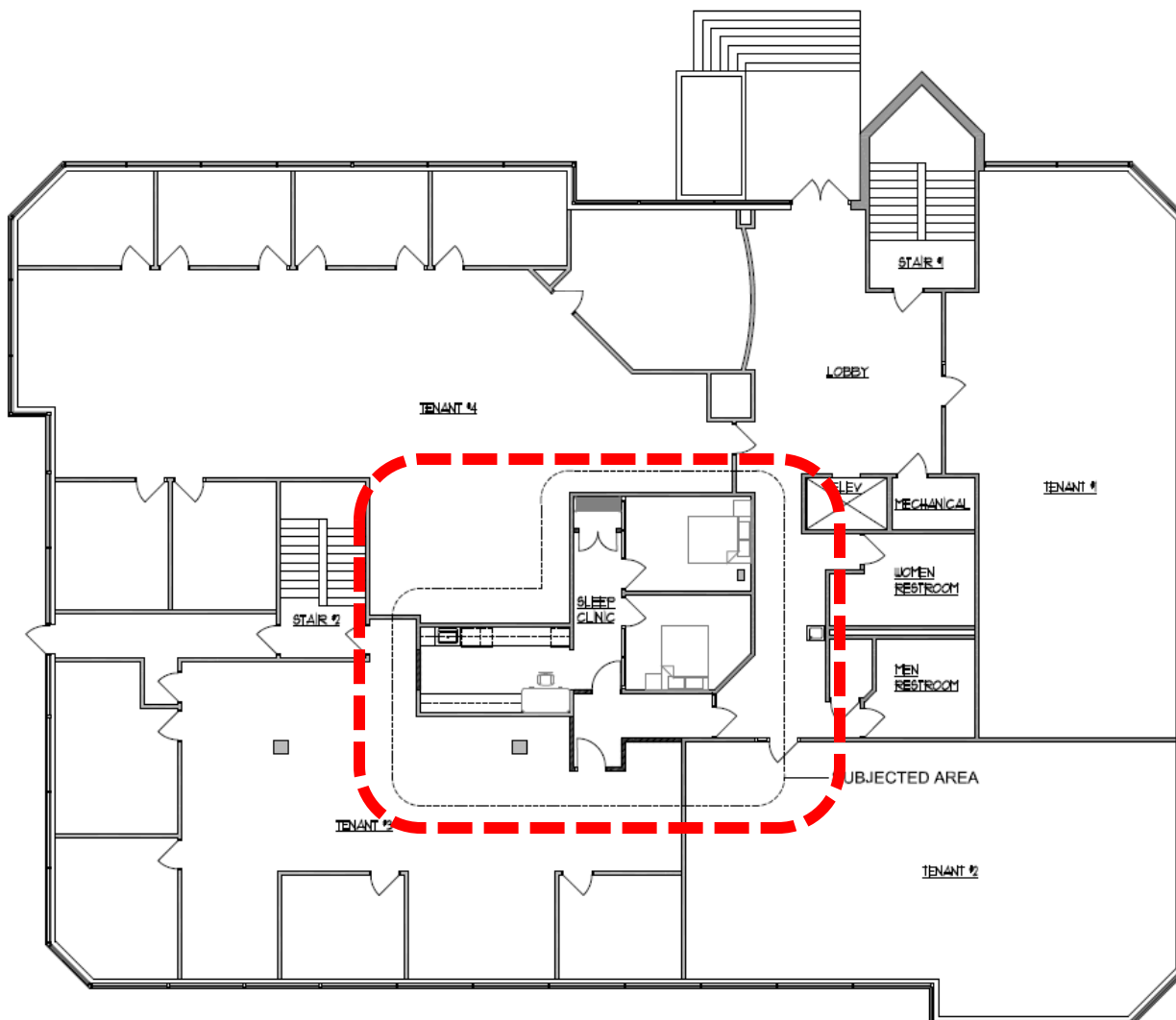


Figure 1: Floor Plan of the building at 275 N. Lindbergh Blvd, the area in red is the proposed Sleep Clinic

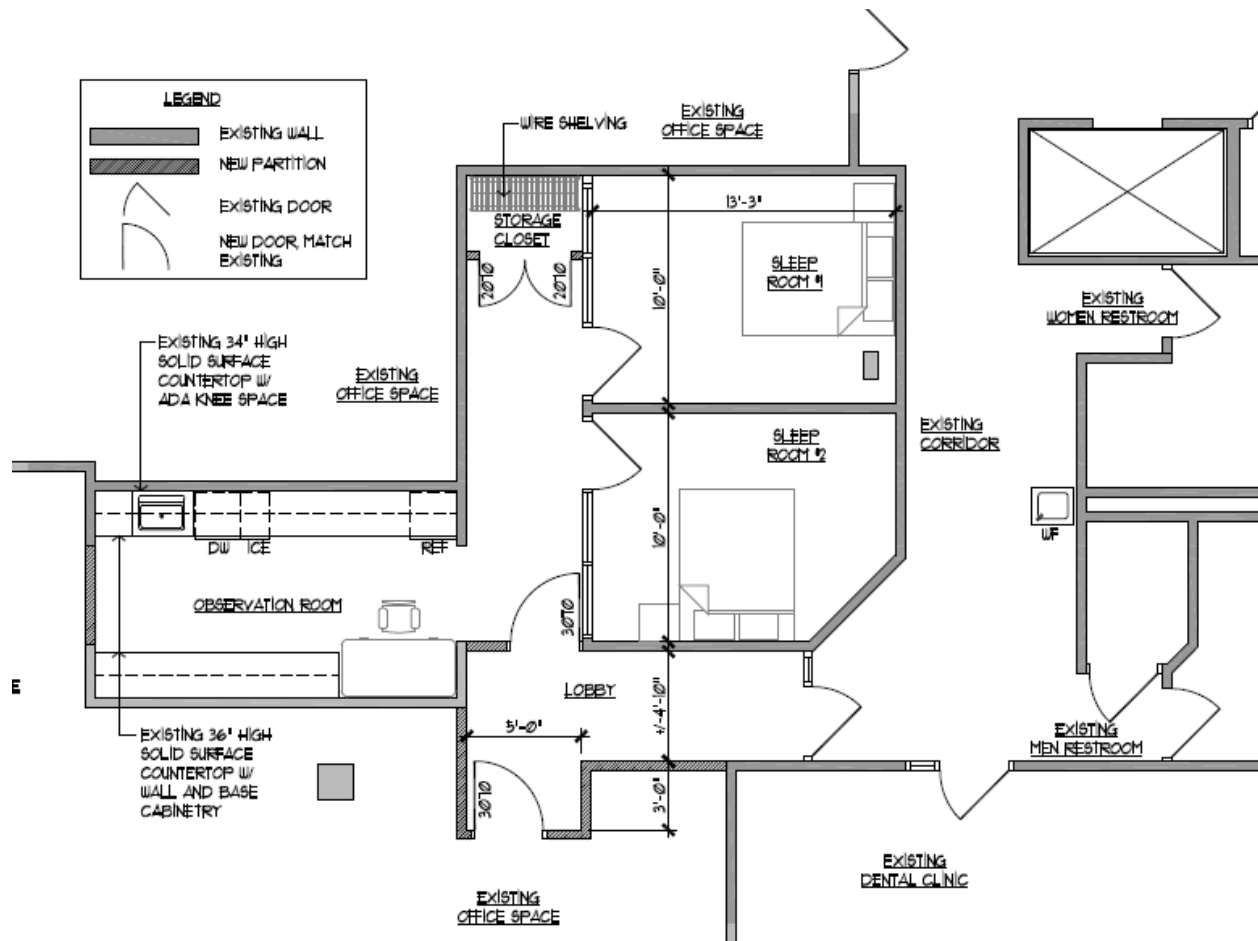


Figure 2: Close-up of the proposed Sleep Clinic Floor Plan

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Commercial/Office	GC-General Commercial	NA
South	Commercial/ AOA Office Building	GC-General Commercial	NA
East	Residential/ MICDS St Louis Country Day School	City of Ladue	Lindbergh Boulevard
West	Residential	B-Single Family Residential	NA

COMPREHENSIVE PLAN REVIEW

Creve Coeur 2030 Plan vision of the Lindbergh Boulevard Corridor is to create a visually-distinctive mixed-use and office corridor that provides enhances bicycle and pedestrian infrastructure for improved City-wide connectivity and supports adjacent institutions and future development. The Creve Coeur 2030 plan anticipated that the development character of Lindbergh Boulevard will evolve to use not impacted by the current conditions in the area, and could include office or laboratory development supporting the 39N area, or multi-family residential. In the meant time, Lindbergh Boulevard are intended to accommodate existing land uses and development patterns while allowing new uses, thus facilitating the long-term evolution of the corridor. The proposed sleep clinic, will introduce a 24 hour operation to the property, but is limited to within the existing office building, and is small in scale at approximately 550

square feet, with a maximum of two sleeping rooms. There are no proposed changes to the exterior of the building or the site. Therefore, the request meets with the Goals and Objectives of the Comprehensive Plan, in as much as this project can provide.

ZONING REVIEW

As discussed above. As an independent sleep clinic not associated with a doctor's office, outpatient sleep disorder centers and clinics are classified as NAICS 621498 - All Other Outpatient Care Centers which require a conditional use permit in the GC-General Commercial District under Table A of the Zoning Ordinance. The site has remained largely the same as was originally approved, including the original landscaping. No changes to the exterior of the building or site have been requested. Therefore, review is limited to the discussion below:

Buffer Yard Regulations

Section 405.360(E)(4)(d) within the GC District regulations requires any tract or site abutting or adjoining a single-family residential zoning district shall provide a buffer yard of 20 feet on all sides that abut the single-family district. The minimum required buffer yard shall be increased in 5 foot increments, up to a maximum of 40 feet, for each acre of the subject property over 2 acres in area. All acreage shall be rounded up to the next whole number for buffer yard calculation purposes. The buffer yard shall not contain any impervious surface and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission. In the original development plans from 1986, the site is showing a 25 foot buffer yard, with a 6 foot tall wood fence. The fence is no longer up, and Staff is not aware of any complaints regarding screening. The existing landscaping appears to provide for sufficient screening at this time. Therefore, Staff has not included a condition that the fence should be replaced at this time, and Staff does not anticipate any issues with regard to parking availability.

Parking

Section 405.820 Required Off-Street Parking Spaces include that Ambulatory health care services (NAICS 621) for which the proposed use falls within includes the following:

8. Health care and social assistance (NAICS 62).
 - a. Ambulatory health care services (NAICS 621).
 - (1) Buildings under fifteen thousand (15,000) square feet. Four (4) spaces per one thousand (1,000) square feet of gross leasable floor area.
 - (2) Buildings greater than fifteen thousand (15,000) square feet. Three and three-tenths (3.3) spaces per one thousand (1,000) square feet of gross leasable floor area.

The existing office building was approved and developed in 1986, as a two story office building with approximately 30,648 square feet, with a gross leasable floor area of 24,000 square feet, located on 2.14 acres. For general office developments, the parking is determined by the gross leasable floor area of 85% of the building. Therefore, for the entire building 80 spaces are required at 3.3 spaces, per 1,000 square feet of the gross leasable floor area, and where currently there are 81 spaces provided on site. Therefore, the entire building meets with the regulations. Given that the proposed use is during the evening, opposite of the general office hours, a specific accounting of all of the tenants has not been completed at this time.

The original plan in 1986 indicated that there are four accessible parking spaces, and currently only two are shown on site. The Chief Building Official has indicated that with 81 spaces provided, the building code would require four accessible parking spaces be provided, with one of those being van accessible. Therefore, Staff has included a condition of approval that two additional accessible parking spaces are to be provided at a location determined by the Chief Building Official.

Signs

The property has an illegal real estate sign that does not comply with Section 405.950(F) Multi-Tenant Real Estate Information Signs. Staff has repeatedly tried to have the sign brought into compliance. Therefore, a condition of approval includes that the illegal real estate sign shall be removed prior to the issuance of any building permits for the property, and any new signs shall comply with the City's Sign Regulations.

CONCLUSION

The proposed conditional use appears to meet the goals of the Comprehensive Plan and Design Guidelines, and satisfies the regulations contained in the Zoning Code. If the members of the Planning Commission are satisfied that the proposal meets goals and objectives of the Comprehensive Plan and the applicable requirements of the Zoning Ordinance, it may recommend approval of the conditional use permit for a Sleep Clinic. Below are the recommended conditions of approval.

1. The Conditional Use Permit shall be for the operation of an Independent Sleep Study Lab (NAICS 621498 - All Other Outpatient Care Centers) within the office building at 275 N. Warson Road, in substantial compliance with the referenced floor plan submitted on October 4, 2019 as bound together and submitted in conjunction with Application #19-039 by Syed Haider, except as modified below.
2. The Sleep Study Clinic is limited to 550 square feet and operations will occur from 8 PM to 8 AM, seven days a week. The sleeping patient-to-staff ratio will never exceed 2:1, as required by the building code.
3. The Applicant shall obtain a building permit to address any building code issues associated with the use and any property maintenance issues, including the restriping of the parking lot to provide the four accessible parking spaces required by Code.
4. All Landscaping shall be maintained per the prior approved plan and vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, and should the street trees be removed, sufficient landscaping shall be provided on the property to be consistent with the Landscape Plan to the extent possible, as required under Section 405.540 Landscaping, as determined by the Zoning Administrator.
5. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.
6. The illegal real estate sign shall be removed prior to issuance of any building permit. Any new signs shall require a permit and all signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
7. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
8. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
9. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.

10. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

MOTION

The following is an example of an appropriate motion for this application:

“I move to recommend approval of the conditional use permit for a 550 square foot Independent Sleep Clinic at 275 N. Lindbergh Boulevard as shown in the floor plan submitted with application #19-039, subject to the conditions listed in the Staff Report and Draft Ordinance for the meeting of November 4, 2019” (Conditions may be added, eliminated, altered, and modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO

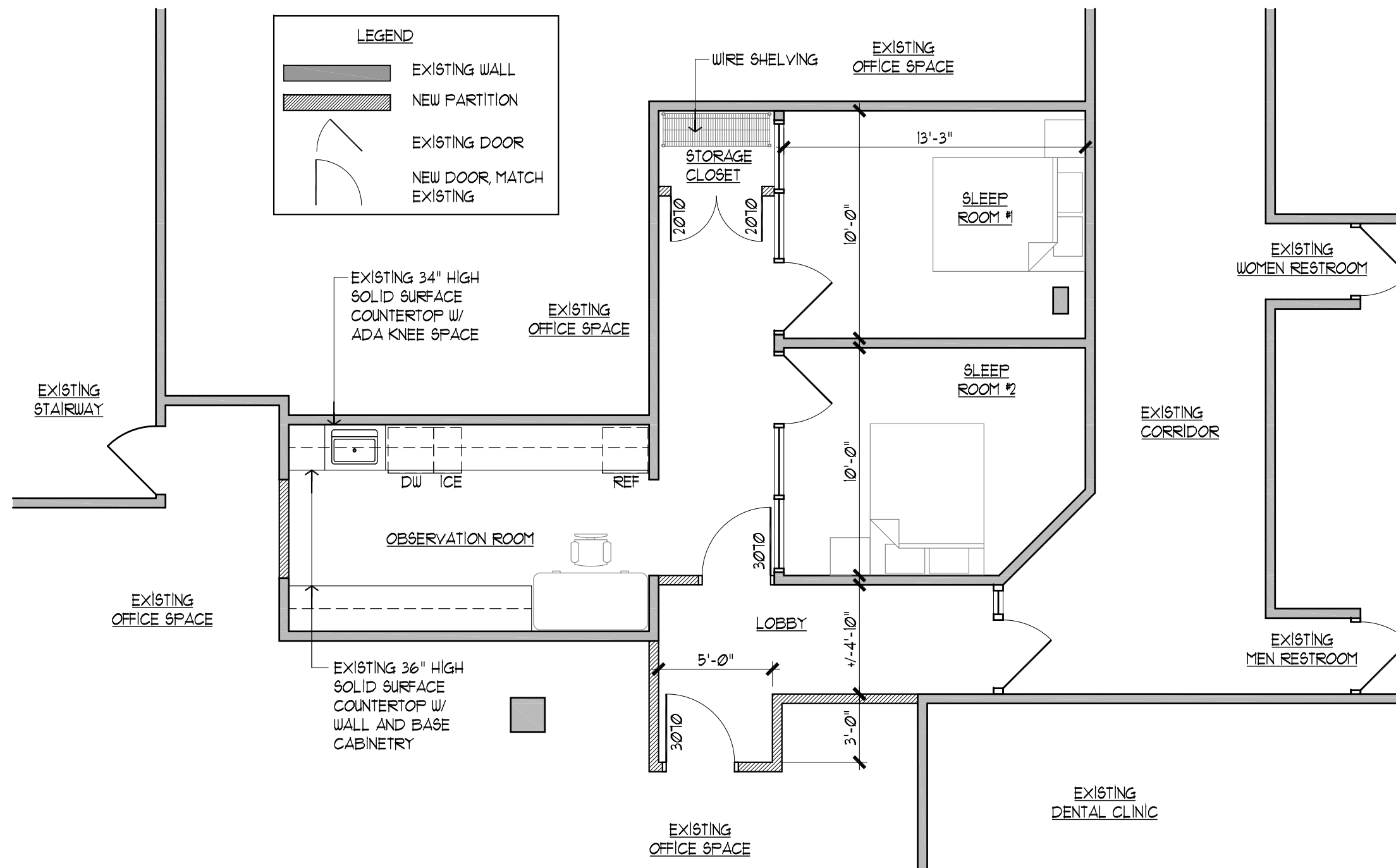
275 N. Lindbergh Boulevard



APPENDIX 4: SITE PHOTOGRAPHS

Date: 10/31/2019

		Description: View of the property looking south from Lindbergh Boulevard
		Description: View of the property from the rear parking lot looking east at the building.
		Description: View of the property looking west to the rear property line and adjacent residences.



SLEEP CLINIC

275 N. LINDBERGH BLVD
ST. LOUIS, MISSOURI

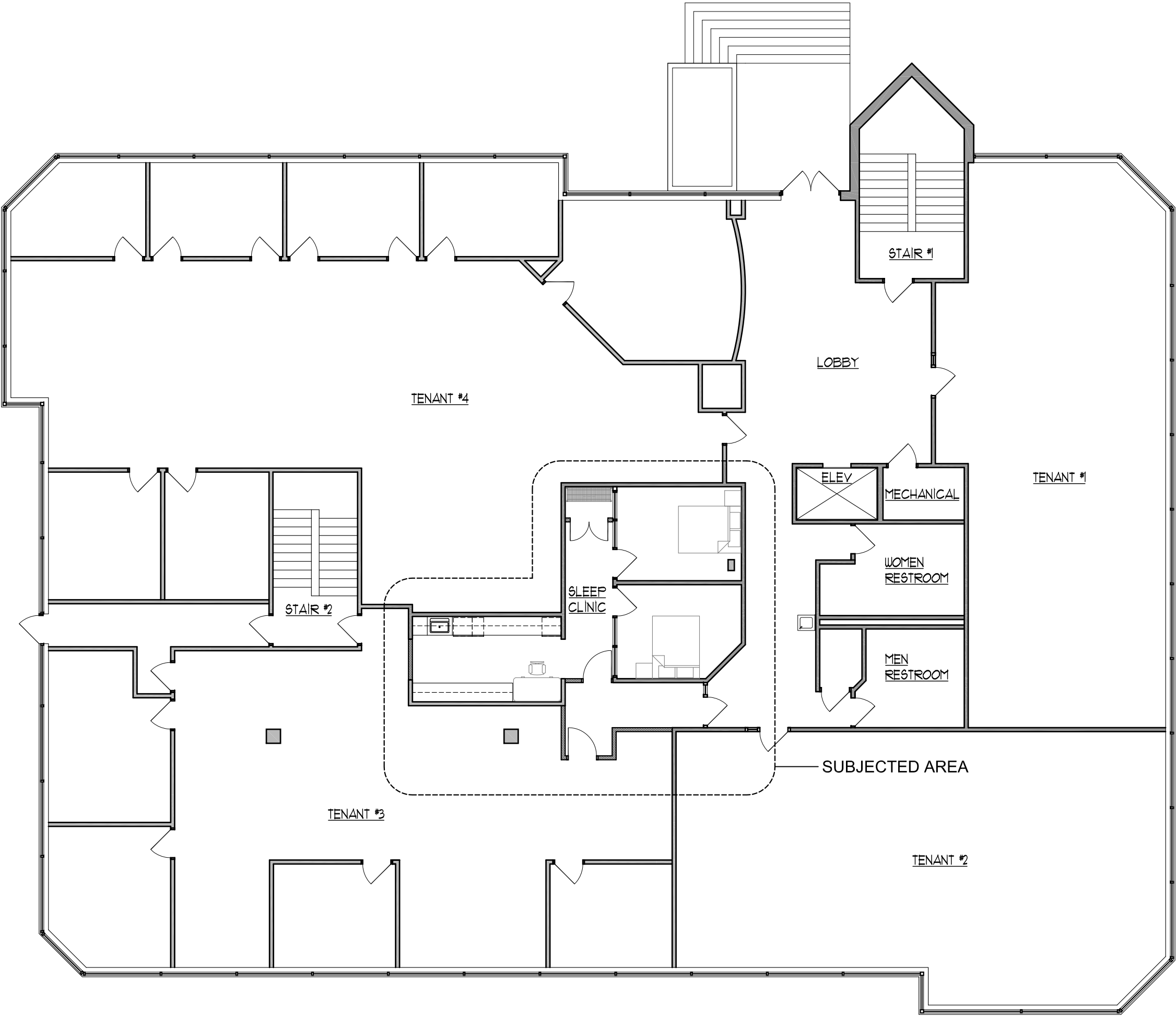
09-09-19

PROPOSED FLOOR PLAN 550 sf

SCALE: 3/16" = 1'-0"

RANGWALA ARCHITECTS

ARCHITECTURE SITE PLANNING
(314) 863-6661



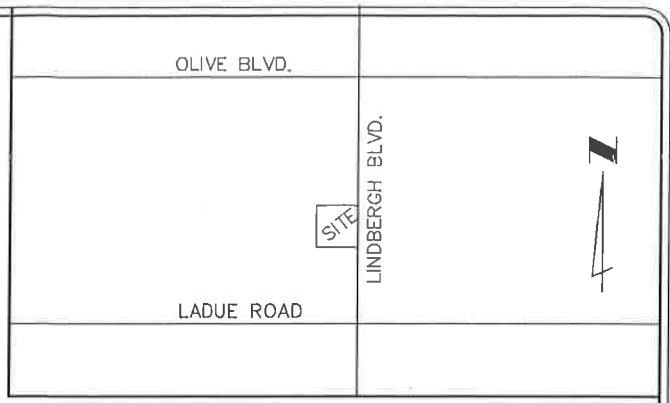
BUIDING FIRST FLOOR PLAN
SCALE: 3/32" = 1'-0"

SLEEP CLINIC
275 N. LINDBERGH BLVD
ST. LOUIS, MISSOURI
10-16-19

RANGWALA ARCHITECTS
ARCHITECTURE SITE PLANNING
(314) 863-6661

ALTA SURVEY
A TRACT OF LAND IN THE NORTHWEST 1/4 OF
SECTION 12, TOWNSHIP 45 NORTH, RANGE 5 EAST
ST. LOUIS COUNTY, MISSOURI

18M440124
N/F
MISSOURI PHYSICIANS
MUTUAL
DB 7852, PG 1668



LOCATION MAP

18M440432
275 N. LINDBERGH BLVD.

Land Description

Parcel 1:
A tract of land in the Northwest 1/4 of Section 12, Township 45 North, Range 5 East, in St. Louis County, Missouri, and described as follows:
Beginning at a point in the West line of Lindbergh Boulevard, 100 feet wide, being the Southeast corner of a tract conveyed to Harry Dielmann and wife by deed recorded in Book 1801 page 451 of the St. Louis County Records; thence North along the West line of Lindbergh Boulevard, 200.09 feet to a point; thence North 89 degrees 30-1/2 minutes West, 300 feet to the East line of property conveyed to Fred W. Ahlmeier Realty Company by deed recorded in Book 3392 page 440 of the St. Louis County Records; thence along the East line of said Ahlmeier property, South 0 degrees 30-1/2 minutes West, 200.09 feet more or less, to a point in the South line of aforesaid Dielmann tract; thence along said South line, South 89 degrees 30-1/2 minutes East, 300 feet to the beginning.

Parcel 2:
A tract of land in the Northwest 1/4 of Section 12, Township 45 North, Range 5 East, in St. Louis County, Missouri, and described as follows:
Beginning at a point in the West line of Lindbergh Boulevard, 100 feet wide, being the Northeast corner of a tract conveyed to Harry Dielmann and wife by deed recorded in Book 1801 page 451 of the St. Louis County Records; thence North 89 degrees 30-1/2 minutes West, 300 feet to a point; thence South 0 degrees 31 minutes West, 100 feet to a point; thence South 89 degrees 30-1/2 minutes East, 300 feet to a point in the West line of Lindbergh Boulevard; thence North 0 degrees 31 minutes East along the West line of Lindbergh Boulevard, 100 feet to the point of beginning.

Surveyor's Notes

1. This Property Boundary Survey was prepared with the benefit of a title report prepared by Old Republic National Title Insurance Company File No.: 20120225. Effective Date: 1/24/2012.
2. Basis of Bearings - Bearings assumed using the west right-of-way line of Lindbergh (100' W.) Blvd. as N00°31'30"W.
3. Record Source: A tract of land in the Northwest 1/4 of Section 12, Township 45 North, Range 5 East, in St. Louis County, Missouri, conveyed to Two Eight One N Lindbergh Partnership by a Warranty Deed recorded in deed book 7852, page 1668 of the St. Louis County Recorder's Office.
4. All dimensions are shown in feet and decimal fractions thereof.
5. Underground utilities have been plotted from observed evidence, markings, and available records. Therefore, their location must be considered approximate only. The verification of all underground utilities either shown or not shown on this plan shall be the responsibility of the contractor.
6. Field work for this property boundary survey was performed during the month of February, 2012.
7. ALTA/ACSM Table "A" optional survey responsibilities and specifications: Items 1 through 4 and 7 through 13 and Item 16, except for Sub Item 7c and Item 12. All existing building, sidewalks and pavement within the surveyed parcels have been shown.

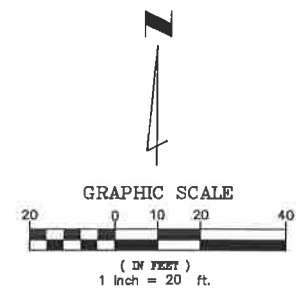
Surveyor's Certificate

This is to certify that we have during the month of February, 2012, at the request of Adam Parker of Emanuel Real Estate Group, performed a Class "C" Urban Property Boundary Survey of A tract of land in the Northwest 1/4 of Section 12, Township 45 North, Range 5 East, in St. Louis County, Missouri, as shown hereon. The results of said survey is, to the best of my knowledge and belief, correctly represented on the above plat and was performed in accordance with the current requirements of the Missouri Minimum Standards for Property Boundary Surveys adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this ____ day of _____, 2012.

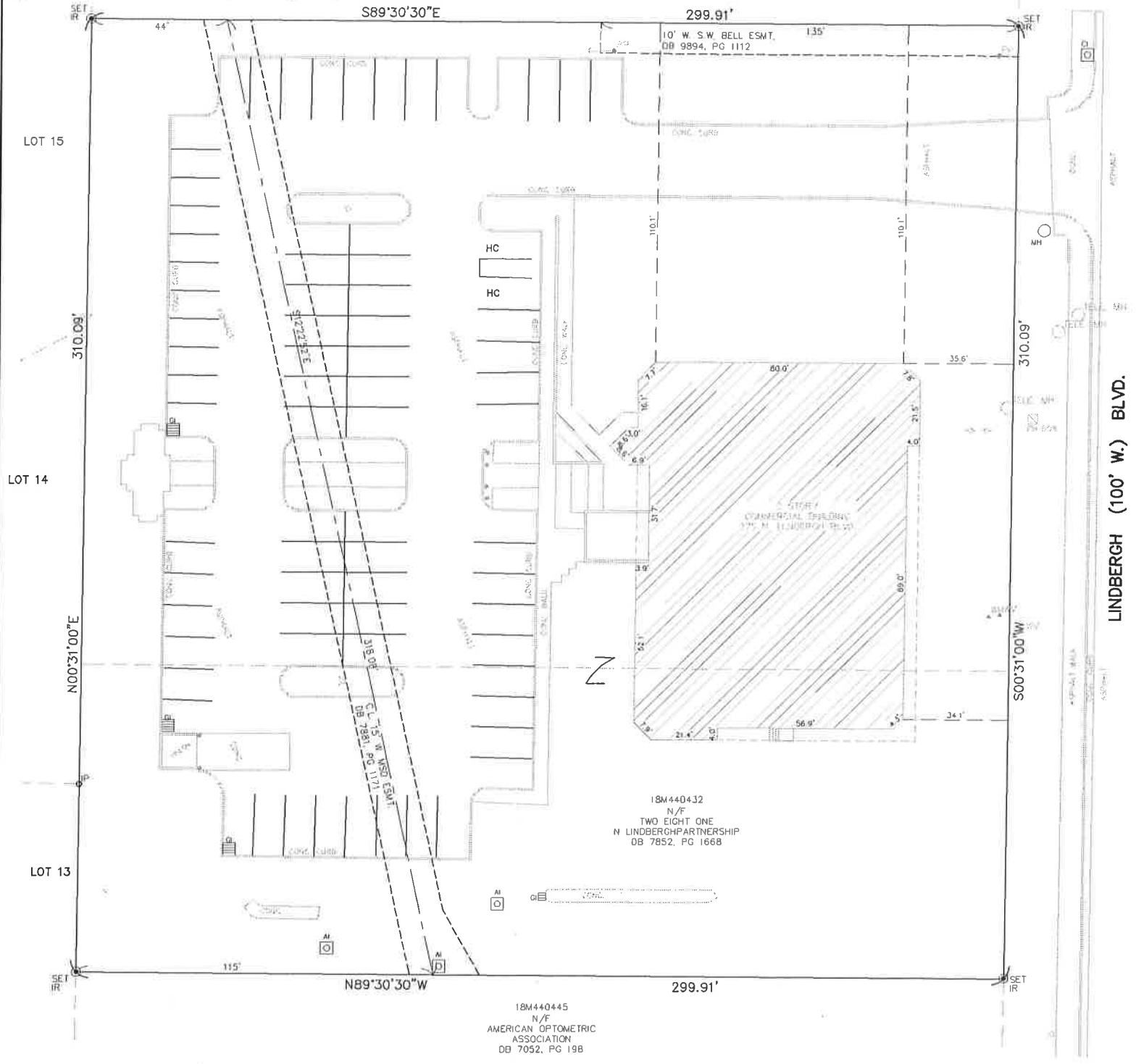
DES Land Surveying, LLC
LS-201200030
2612 Cynthia Ct.
Farmington, Mo. 63640
(636)-208-8511

By: _____
Donald E. Simms PLS
Missouri Land Surveyor #2005019218



LEGEND

- RR DENOTES FOUND RAIL ROAD SPIKE UNLESS NOTED OTHERWISE
- CUT CROSS DENOTES CUT CROSS UNLESS NOTED OTHERWISE
- SET 5/8" IRON ROD WITH CAP
- P DENOTES FOUND IRON ROD UNLESS NOTED OTHERWISE
- CUT ANCHOR DENOTES CUT ANCHOR UNLESS NOTED OTHERWISE
- ANCHOR DENOTES FOUND ANCHOR UNLESS NOTED OTHERWISE
- (R) RECORD MEASUREMENT
- FENCE AS NOTED



UNDERGROUND UTILITY NOTE:
UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS, AND THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. IT IS POSSIBLE THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS NOT KNOWN OR SHOWN.

NO.	DATE	REVISION DESCRIPTION	BY	CHKD

CREATED
DES

CHECKED
DES

ALTA SURVEY
275 N. LINDBERGH BLVD.

EMANUEL REAL ESTATE GROUP
1010 CORPORATE
SQUARE DRIVE
SUITE 200
CREAT. CO. INC., MO.
63102

DES

DES Land Surveying, LLC
2612 Cynthia Ct.
Farmington, Mo. 63640
Cell: (636) 208-8511
des@landsurveying.com

LS-201200030
02/29/2012

ALTA

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE
PERMIT FOR AN INDEPENDENT SLEEP STUDY CLINIC, WITHIN THE OFFICE
BUILDING AT 275 N. LINDBERGH BOULEVARD**

WHEREAS, an application was submitted by Syed Haider for a conditional use permit for an independent sleep study clinic within the office building at 275 N. Lindbergh Boulevard, Creve Coeur, MO 63141; and

WHEREAS, under Section 405.360(C), outpatient sleep disorder centers and clinics are classified as NAICS 621498 - All Other Outpatient Care Centers in the GC-General Commercial District which requires the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, November 4, 2019, 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 November 4, 2019; 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 Independent Sleep Study Clinic (NAICS 621498 - All Other Outpatient Care Centers) at 275 N. Lindbergh Boulevard, in GC-General Commercial District, with legal description as follows:

To be Added...

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 Independent Sleep Study Lab (NAICS 621498 - All Other Outpatient Care Centers) within the office building at 275 N. Warson Road, in substantial compliance with the referenced floor plan submitted on October 4, 2019 as bound together and submitted in conjunction with Application #19-039 by Syed Haider, except as modified below.
2. The Sleep Study Clinic is limited to 550 square feet and operations will occur from 8 PM to 8 AM, seven days a week. The sleeping patient-to-staff ratio will never exceed 2:1, as required by the building code.
3. The Applicant shall obtain a building permit to address any building code issues associated with the use and any property maintenance issues, including the restriping of the parking lot to provide the four accessible parking spaces required by Code.
4. All Landscaping shall be maintained per the prior approved plan and vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, and should the street trees be removed, sufficient landscaping shall be provided on the property to be consistent with the Landscape Plan to the extent possible, as required under Section 405.540 Landscaping subject to the approval of the Zoning Administrator.
5. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.
6. The illegal real estate sign shall be removed prior to issuance of building permit. Any new signs require a permit and all signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
7. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
8. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
9. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
10. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved

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 _____, 2019.

DR. ELLEN LAWRENCE
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2019.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



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**APPLICATION TO PLANNING AND ZONING COMMISSION
#19-041 FOR A MINOR SITE PLAN APPROVAL FOR A MURAL ON THE
CONCRETE WALL AT 425 N. NEW BALLAS ROAD**

FOR THE MEETING OF: Monday, November 4, 2019

LOCATION: 425 N. New Ballas Road, Zoned GC General Commercial District

REQUEST: Alice Benner, of Bamboo Equity Partners, property owner and management for 425 N. New Ballas Road, has submitted approval for a minor site development plan to provide for a Mural on the existing concrete retaining wall along the south property line adjacent to the Post Office at 331 N. New Ballas Road and visible from N. New Ballas Road.

ADDITIONAL INFORMATION: The City's Arts Committee reviewed the proposed mural and provided a positive recommendation to the Planning and Zoning Commission at its meeting on October 23, 2019. Section 405.1080 requires approval of a minor site development plan for an alteration that would significantly affect the exterior of a building or site.

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 405.360: General Commercial District
- Section 1080: Site Concept, Site Development and Minor Site Plan Approval.

APPLICANT: Alice C. Benner
Principal, Managing Director
Bamboo Equity Partners
600 Emerson, Suite 210
Creve Coeur, MO 63141

PROPERTY OWNER: BMO-I Ballas Place, LLC
600 Emerson Road, Ste. 210
Creve Coeur, MO 63141



REPORT PREPARED BY: Jason W. Jaggi, AICP, Director of Community Development
DATE: 10/31/2019
ATTACHMENTS: Applicant's Materials submitted, October 28, 2019
Draft Resolution and License Agreement for Mural Donation

BACKGROUND

The property ownership group for the office building at 425 N. New Ballas Road, known as Ballas Place, has submitted a minor site development application to allow a public art work in the form of a painted mural to be applied to the surface of the existing exposed concrete wall located along the southern property line, adjacent to the Post Office property. As proposed, the applicant would be donating the mural to the City as public art but will be responsible for all costs including installation and maintenance. A draft resolution for City Council approval of an agreement for the public art donation has been included in the packet for reference.

The applicant first presented concepts for the mural to the City Council on September 23, 2019 for initial feedback and also for staff to outline the City's review process for public art. The process consists of a review and recommendation by the Arts Committee with final approval by the Planning and Zoning Commission in the form of a minor site development plan. If approved by P&Z, the aforementioned resolution to accept the art piece as a donation from the property owner and accompanying agreement will be placed on the next available City Council meeting agenda.

PROPOSAL SUMMARY

The property owners have engaged the services of an artist, Grace McCammond, who has developed the design of the mural and will also be the responsible for painting the mural on the concrete wall. The artist has past experience with creating several murals in The Grove neighborhood in St. Louis. The artist's biography has been included in the packet for review.

The applicant presented two concepts for review by the Art Committee. These designs are shown below:



Figure 1: Mural option #1



Figure 2: Mural option #2

The Arts Committee reviewed the murals on October 23, 2019 and provided the following recommendation:

The Committee approved the motion to recommend the "abstract" mural design with suggestions for two changes: (1) Change the color scheme, specifically the background baby blue color, to something more bold and less childlike; (2) Adjust the design elements in the far left sector, removing the circuit board imagery that could be misinterpreted as religious imagery, and instead incorporating symbols for healthcare with a little connection to commerce.

In response to the Arts Committee recommendation, the artist has submitted a revised design for the Planning and Zoning Commission's consideration:



Figure 3: Revised mural design incorporating Arts Committee recommendations

The reference to the medical community is now included on the left side of the mural, the background blue color is now darker and the remainder of the wall is shown to be painted in the same gray color as the Ballas Place office building. This revised design has been shared with the Arts Committee and one or more members may be in attendance to speak to their review of the proposal.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

Direction	Use	Zoning District	Separated by
North	Retail /Office Single Family Residential	"GC" General Commercial and "C" Single-Family Residential	Partial Rocky Drive
South	Post Office	"B" Single-family Residential	N/A
East	Office	PO Planned Office	N. New Ballas Road
West	DeSmet School	C Single Family Residential	N/A

COMPREHENSIVE PLAN AND DESIGN GUIDELINES REVIEW

Creve Coeur 2030 Plan, includes the subject property in the Mixed-Use District (MU) Place Type that supports the development of a variety of medium-density commercial, retail, office, institutional, dining community services, and multi-family residential within a suburban context. These land uses are supported primarily through vehicular access with improved walkability, pedestrian connections to adjacent neighborhoods, and beautifully landscaped street frontages (p. 82). Under the Placemaking and Community Identity objective, the comprehensive plan encourages the celebration of the community through identifiable gateways and public art (p. 45).

The proposed mural, while in a different format than traditional sculptural art, meets with the objectives of the comprehensive plan for community celebration through public art.

The Design Guidelines encourage the use of public art to enhance the streetscape and pedestrian environment (p. 5). The mural does not afford a great degree of opportunities for close pedestrian viewing due to its location; however, the mural is consistent with this guideline with respect to the objective of enhancing the streetscape by reducing the negative appearance of an unfinished concrete wall along the North New Ballas streetscape.

ZONING REVIEW

There are no specific zoning code requirements with respect to this application. The site development plan process does, however, require the Planning and Zoning Commission to consider the aesthetic impacts of this amendment to the site. The Arts Committee has reviewed the proposal and has recommended that it be approved with minor revisions as an additional contribution to the City's public art amenities. The applicant has submitted the revised mural design for the Commission's review that incorporates these recommended revisions.

CONCLUSION

The proposed mural appears to meet with the goals of the Comprehensive Plan and Design Guidelines. If the members of the Planning Commission are satisfied that the proposal meets goals and objectives of the Comprehensive Plan and represents an appropriate amendment to the site, it may approve the minor site plan amendment for the mural. Below are the recommended conditions of approval.

1. The mural shall be in substantial conformance with the artist's design received October 28, 2019, which incorporates the recommendations of the Arts Committee and located on the southern face of the existing concrete wall shown on the Site Development Plan submitted on October 28, 2019 as bound together as submitted in conjunction with Application #19-041 by Alice Benner, of Bamboo Equity Partners
2. The painting of the mural may not begin until the City Council approves a resolution approving the donation of the public art mural.
3. Any substantial revisions to the mural design will require review by the Arts Committee and approval by the Planning and Zoning Commission.

MOTION

The following is an example of an appropriate motion for this application:

"I move to recommend approval of the minor site plan for the public art mural to be located on the property addressed 425 North New Ballas Road as discussed with application #19-041, subject to the conditions listed in the Staff Report for the meeting of November 4, 2019" (Conditions may be added, eliminated, altered, and modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO

425 N. New Ballas Road, Ballas Place



City Limits

Parcels

November 5, 2018



Prepared By

HORNER SHIFFRIN

APPENDIX 4: SITE PHOTOGRAPHS

Date: September 2018



Description:
View of the existing exposed concrete wall as seen looking north on North New Ballas Road taken from Google Maps. The mural would be painted on this side of the wall with the remaining portion painted a light gray to match the exterior of the Ballas Place office building.



Attachment: Ballas Place mural option 1 (#19-041: 425 N. New



Attachment: Ballas Place mural option 2 (#19-041: 425 N. New



RESOLUTION NO. _____

A RESOLUTION ACCEPTING A DONATION FOR PUBLIC ART BY BMO-I BALLAS PLACE, LLC

WHEREAS, The Creve Coeur Arts Committee was established in 2011 to serve as curator for the City's public art collection, to work to obtain the funding for arts related projects, and to advise the City on all matters relating to cultural arts; and

WHEREAS, BMO-I Ballas Place, LLC has offered to donate physical wall space and funds for the creation of public art in the form of a mural, with the design to be reviewed by the Arts Committee;

WHEREAS, the City Council wishes to accept the donation in accordance with the City's Donation Policy;

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

Section 1: The City of Creve Coeur accepts the donation for public art as stated in the License Agreement attached hereto as Exhibit 1.

Section 2: This resolution shall become effective upon approval.

ADOPTED THIS _____ DAY OF November 2019.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

LICENSE

License made this ____ day of _____, 2019, by and between BMO-I Ballas Place, LLC, 425 North New Ballas Rd, Creve Coeur Missouri 63141 (hereinafter “Ballas Place”), and the City of Creve Coeur, Missouri, 300 North New Ballas, Creve Coeur, Missouri 63141 (hereinafter “City”).

WHEREAS, Ballas Place own certain real property located at 425 North New Ballas Rd, Creve Coeur Missouri, on the southern portion of which there is located a concrete retaining wall near the street (the “Wall”), and

WHEREAS, Ballas Place desires to donate to the City space on the southern face of the Wall for public art in the form of a mural (the “Mural”), as well as the funds for the design, creation and maintenance of the Mural, and

WHEREAS, City desires to accept such donation;

NOW, THEREFORE, the parties agree as follows:

1. Ballas Place hereby donates and grants a License to City to have the Mural on the southern face of the Wall. Such License may be revoked by Bamboo upon written notice to the City.

2. Ballas Place will engage an artist to design and create the Mural. The final design shall be as approved by the Creve Coeur Arts Commission and shall require approval of the City Planning and Zoning Commission as a minor site plan under the City Zoning Code.

3. Ballas Place shall maintain the Mural in good condition, as determined by the Creve Coeur Arts Commission.

4. Ballas Place shall pay all costs and expenses related to the design, creation and maintenance of the Mural. Ballas Place shall indemnify and hold harmless the City from and against any and all claims arising from the engagement of the artist and the design, creation and maintenance of the Mural.

4. Upon revocation of the License granted in Section 1 as provided herein, Ballas Place shall remove or paint over the Mural at its discretion or if and when so directed by the Creve Coeur Arts Commission.

5. The City shall reasonably cooperate with any effort by Ballas Place to claim a charitable deduction for donations made pursuant to this License but shall not be required to incur any expense related thereto.

6. The parties' rights and obligations under this License shall inure to the benefit of and bind their respective successors and assigns.

IN WITNESS WHEREOF, the parties affix their hands hereto on the date first stated above.

BMO-I BALLAS PLACE, LLC,
a Missouri limited liability company

By: Bamboo Micro Opportunity Fund
I, LP, a Delaware limited partnership,
its Manager

By: Bamboo Equity Partners,
LLC, a Missouri limited
liability company
Its: General Partner

By: _____
Dejan (Dan) Dokovic, Manager

CITY OF CREVE COEUR

By Mark Perkins, City Administrator



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www.creve-coeur.org

MEMORANDUM

Memo To: Planning and Zoning Commission

Meeting Date: November 4, 2019

Subject: 39N Greenway Plan—Review and Adoption Process

Memo Prepared By: Jason W. Jaggi, AICP, Director of Community Development

Attachments: None

In early 2018, the St. Louis Economic Development Partnership along with the Great Rivers Greenway District commissioned a study to identify possible alignments for the 39N Greenway. The development of a greenway to serve the District and to connect to the surrounding areas, including the Centennial Greenway, was a goal of the 39N Master Plan, which was adopted by the City in 2017. The City did not contribute direct funds for the 39N Greenway plan; however, City staff participated in the development of the plan as a member of the Core Working Group. The plan was funded by the Great Rivers Greenway District.

The consultant, Reitz and Jens, has submitted a first draft of the plan which is under review by City staff and other members of the Core Working Group. Upon receiving a final draft of the plan, Staff recommends that the Planning and Zoning Commission review the plan and consider adopting it as a component of the City's comprehensive plan. Such action will result in the City's formal endorsement of the plan to support the continued development of the 39N District in the same manner as the 39N Master Plan and Old Olive Great Street Plan.

For the review and adoption of the 39N Greenway Plan, staff has developed the following schedule:

- Posting of the final draft on the City's website for review by the public on November 11, 2019.
- After posting of the draft plan, utilization of the City's communication outlets to provide awareness of the draft plan for review.
- Work Session to be held on November 25 with the City Council, Planning and Zoning Commission, and Parks Historic Preservation Committee. The consultant will review the plan to answer questions

and accept feedback.

- Public Hearing by the Planning and Zoning Commission on December 16th. Possible adoption by resolution or at a future date as determined by the Commission.

Staff looks forward to receiving feedback from the Commission on this review and adoption process.