



AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, OCTOBER 19, 2020

6:30 PM

As a precautionary measure to help prevent exposure and spread of COVID-19, the Planning and Zoning Commission scheduled for Monday October 19, 2020, at 6:30 p.m. will be livestreamed online.

The Council Chambers will be closed to the public; however, citizens are encouraged to participate and submit public comments in the following ways:

1. **Video Livestream** — Watch a live video broadcast of the Planning and Zoning Commission meeting here: <https://us02web.zoom.us/j/83612853548>. The public will be required to provide a name and email address to enter the meeting. The email address will not be saved or used to contact you. Citizens will have the opportunity to make public comments live during the meeting using the video livestream program ([How to Participate in Online Public Meetings](#)).
2. **Teleconference** — Call in to the meeting by dialing 1 312 626 6799/// Webinar ID: webinar ID: 836 1285 3548.
3. **Email** — Public comment may also be emailed to the City no later than 5:00 p.m. on Monday, October 19, 2020. Submit public comments to Whitney Kelly, City Planner, at wkelly@crevecoeurmo.gov.
4. **Live Audio** — Listen to a live audio broadcast of the Planning and Zoning Commission meeting by visiting the [Agendas & Minutes](#) page and clicking on the "Audio" link at the start of the meeting (audio only).

For agenda items that require a public hearing, the City's court reporter will swear in all persons who wish to speak on the application, however, the Planning and Zoning Commission may vote to suspend this rule for agenda items where significant public participation is expected in recognition of the logistical constraints of audio/ video conferencing. When the Chair believes it is in the best interest of the Commission to suspend this requirement, he/she shall call for a vote of the Commission to affirm the suspension prior to opening the public hearing. If the requirement is suspended, speakers in the hearing will nonetheless be expected to be truthful.

Members of the public will have three (3) minutes to provide comments. The Commission will utilize a timer that is visible to the public to monitor the time, subject to limits of technology. The Chair reserves the right to end the public comment for that individual if the time allowance is not being respected. The Chair will also have the discretion to end public comment for an individual for disruption of the hearing. Citizens are encouraged to select one or two members of a group to address the Commission as a spokesperson. Time limits for spokespersons may be extended at the discretion of the Chair.

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 5, 2020 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 #20-030: Conditional Use Permit for Pathways to Independence and LifeBridge Partnership, Services for the Elderly and Persons with Disabilities (NAICS 624120), at 11457 Olde Cabin Road

Jodi Woessner, of Pathways to Independence, and Karen Schuster, of LifeBridge Partnership, have submitted an application for a conditional use permit to operate a non-profit organization that offers on-site services to individuals with disabilities within an approximately 5,900 square foot office space at 11457 Olde Cabin Road, Suite 235, Creve Coeur, MO 63141. Services for the Elderly and Persons with Disabilities (NAICS 624120) requires a conditional use permit with review by the Planning and Zoning Commission and approval of an ordinance by the City Council in the PO-Planned Office District.

- 2. Application #20-031: Minor Site Plan for a Fence Within the Front-Yard Setback Along Barbezieux Drive for the Property Addressed as 832 Ariege Drive**
Paul Myers, homeowner of 832 Ariege Drive, has submitted an application for a 6-foot-tall wood, sight-proof fence at the property line within the setback along Barbezieux Drive. The subject property is zoned D Single Family Residential which has a front yard setback of 20 feet. The City of Creve Coeur's Zoning Ordinance Section 405.640 (C) *Fences Within The Front Yard Section And Along Street Right-Of-Way* states that no fence shall be located within the front yard setback or along street right-of-way, within the area equivalent to the front yard setback of the applicable zoning district, unless approved by site development plan by the Planning and Zoning Commission. Staff may approve a fence within this area if the fence to the side and rear of the home, is setback at least fifteen (15) feet from the property line, no more than four (4) feet in height, and is an open slatted decorative metal fencing. City Council action is not required.

WORK AGENDA

- 1. Proposed East Olive Corridor Zoning Updates: Overlay District and C-Single Family District Review Work Session**

DEPARTMENT REPORTS

Director of Community Development

ADJOURNMENT

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.

Posted: _____
Jason W. Jaggi
Director of Community Development



DRAFT MINUTES
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, OCTOBER 5, 2020
6:30 PM

CALL TO ORDER

Ms. Kistner called the meeting to order at 6:35pm.

ROLL CALL

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

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

ACCEPTANCE OF THE AGENDA

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

APPROVAL OF MINUTES

1. September 21, 2020 Planning and Zoning Commission Draft Meeting Minutes

Mr. Carney made a motion to accept the September 21st minutes. Mr. Streiler seconded. All in favor.

PUBLIC COMMENT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Application #20-029: New Led Parking Lot Lighting for Temple Emanuel at 12166 Conway Road

Mr. Matt Ward, of Schaeffer Electric, gave a brief overview of the request.

Mr. Michael Freud, of Temple Emanuel, said the lights in the lot are obsolete and since Mercy uses the lot, they would like to provide an update.

Ms. Kelly went over the request. She said they are requesting 24-foot-tall lights and staff sees no problems given the distance from residents and proximity to Mercy.

Mr. Potashnick asked if it could create a precedent.

Ms. Kelly said she did not think it would given the distance, the highway separation, and that this property is not adjacent to any residents.

RESULT:	APPROVED [6 TO 0]
MOVER:	Tim Carney, Commission Member
SECONDER:	James Myers, Commission Member
AYES:	Kistner, Rovak, Carney, Potashnick, Myers, Streiler
AWAY:	Hall

WORK AGENDA

1. Creve Coeur Ethics Policy Discussion

Mr. Lumley led the ethics discussion and answered questions from the members.

DEPARTMENT REPORTS

Mr. Jaggi said staff was working on the tree ordinance and they hoped to have something to bring before the commission before the end of the year.

He said they also had some items to review the second meeting of November.

He said they were revisiting the East Olive Overlay. He said the southern area has reached the 4-year mark and it is time to think about revisiting that area for review. He said half that area is vacant. He said leaving that stretch as single-family residential is not ideal. He suggested they look at some options for that specific area.

Mr. Jaggi said there was a fence application and a CUP up for review at the next meeting.

Mr. Carney asked when the drive thru ordinance would be revisited.

Mr. Jaggi said they did need to revisit the ordinance, but a few things need to come first.

ADJOURNMENT

Mr. Potashnick made a motion to adjourn. All in favor. Meeting closed at 7:00pm.



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
#20-030: CONDITIONAL USE PERMIT FOR PATHWAYS TO
INDEPENDENCE AND LIFEBRIDGE PARTNERSHIP, SERVICES FOR THE
ELDERLY AND PERSONS WITH DISABILITIES (NAICS 624120),
AT 11457 OLDE CABIN ROAD

FOR THE MEETING OF: Monday, October 19, 2020, 6:30 PM

LOCATION: 11457 Olde Cabin Road, zoned PO-Planned Office District.

REQUEST: Jodi Woessner, of Pathways to Independence, and Karen Schuster, of LifeBridge Partnership, have submitted an application for a conditional use permit to operate a non-profit organization that offers on-site services to individuals with disabilities within an approximately 5,900 square foot office space at 11457 Olde Cabin Road, Suite 235, Creve Coeur, MO 63141. Services for the Elderly and Persons with Disabilities (NAICS 624120) requires a conditional use permit with review by the Planning and Zoning Commission and approval of an ordinance by the City Council in the PO-Planned Office District.

ADDITIONAL INFORMATION: The subject property was originally developed as an office development in 1985, as part of the Creve Coeur Executive Office Park under the PO-Planned Office District and has largely remained unchanged since that time. The three-story office building is approximately 38,561 square feet, located on 2.07 acres. Pathways to Independence and LifeBridge Partnership are part of a collaboration to share office space that will be used primarily for administrative purposes, as well as some small group services/training that will occur on site, and therefore prompts review for the conditional use permit. As Pathways to Independence and LifeBridge Partnership are utilizing the same office space, a single conditional use permit for the entire space is being considered with this application.

Key Issues:

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

Comprehensive Plan References

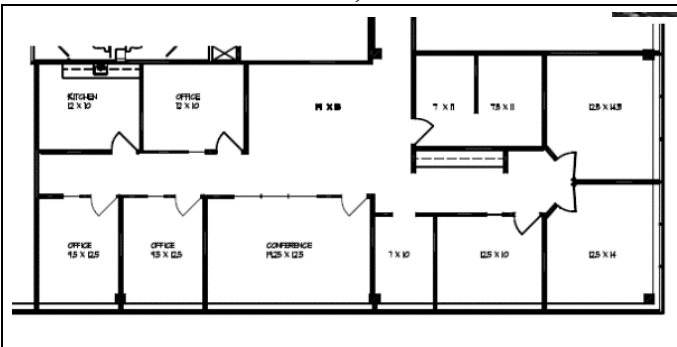
- West Olive & Large Commercial Property Recommendations Mixed-Use District (MU)
- Central Business District (CBD)

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.320: PO-Planned Office District
- Section 405.470: Conditional Uses
- Article VII: Off-Street Parking and Loading Regulations.
- Section 405.1080 Site Concept, Site Development and Minor Site Plan Approval

APPLICANT: Jodi Woessner, Pathways to Independence, and Karen Schuster, LifeBridge Partnership
11457 Olde Cabin Road, Suite 235
Creve Coeur, MO 63141

PROPERTY MANAGEMENT: The Logan Partnership, LLC
C/o Gerschman Commercial Real Estate
150 N. Meramec, Suite 500
St. Louis, MO 63105



Google image

REPORT PREPARED BY: Whitney Kelly, AICP, City Planner

DATE: 10/13/2020

ATTACHMENTS: Applicant's Materials received September 28, 2020
Draft Ordinance

No changes to the exterior of the building or the site are proposed with this application.



LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office	PO-Planned Office District	NA
South	Creve Coeur Golf Course	Un-zoned	Olde Cabin Road
East	Office	PO-Planned Office District	NA
West	Office	PO-Planned Office District	NA

COMPREHENSIVE PLAN REVIEW

Creve Coeur 2030 Plan

The *Creve Coeur 2030 Plan* includes the subject property in the West Olive & Large Commercial Property Mixed-Use District (MU) as well as within the Central Business District boundary (CBD) as part of the Town Center Alternative District. Creve Coeur's Center Business District vision is to create a vibrant, walkable, amenity-rich mixed-use commercial center for the Community surrounding a high-intensity Downtown Core (p.72). As the Applicants will utilize approximately 5,900 square feet, within an existing 38,561 square feet, office building mostly from an 8-5 Monday through Friday, with some group settings on the weekend or in the evenings, and are not making any changes to the building or the site. Therefore, the proposal meets with the purpose of the District in as much as this request can.

ZONING REVIEW

As discussed above, Pathways to Independence and LifeBridge Partnerships, are classified as NAICS 624120 Services for the Elderly and Persons with Disabilities which require a conditional use permit in the PO-Planned Office District under Table A of the Zoning Ordinance. The site has remained largely the same as was originally developed, including the original landscaping. No changes to the exterior of the building or site have been requested. There are no specific requirements for NAICS 624120-Services for the Elderly and Persons with Disabilities, with the exception of Adult Day Care Facilities, therefore review for the conditional use permit is related to the general conditions for the site, per the discussion below:

Parking

Section 405.820(B)(4) Required Off-Street Parking Spaces for general offices provides that for office buildings less than fifteen thousand (15,000) square feet, four (4) stalls per one thousand (1,000) square feet of gross leasable floor area are required. For buildings greater than fifteen thousand (15,000) square feet, three and three-tenths (3.3) stalls per one thousand (1,000) square feet of gross leasable floor area are required. For office development, a simple calculation provides the gross leasable floor area shall be interpreted as eighty-five percent (85%) of the gross floor area of the entire building, under Section 405.820(A)(1). [other more detailed calculations may be provided, by detailing the usable space, but for the purposes here, Staff is using the simple formula]. Staff is not aware of any other conditional uses within the building which consists of office uses. Therefore, for a 38,561 square foot office building, at 85% of the gross leasable floor area, and at 3.3 spaces per 1,000 square feet of gross leasable floor area, would require a minimum of 109 parking spaces where 132 spaces are provided on this site.

Social Services have additional parking requirements due to the on-site services provided, under Section 405.820(H)(11) below:

11. Social assistance (NAICS 6244).
- a. Child day care services (NAICS 62441). One and one-half (1.5) spaces per staff person required for the licensed capacity of the facility. In addition, day care facilities shall provide safe drop-off areas near the main entrance to the facility.
- b. All other social service uses. One (1) space per three hundred (300) square feet of floor area.

Therefore, for this request, the parking would be 1 space for 300 square feet of floor area, of the 5,900 square foot suite. This specific use requires 17 spaces. This would fall under the calculation for the entire building and given that the group services provided on site are generally after hours, or on the weekends, Staff does not foresee a parking impact with this request.

RECOMMENDED CONDITIONS FOR APPROVAL

Based on the above analysis, the request for a conditional use permit meets all of the recommendations for a conditional use of the Comprehensive Plan and requirements of the Zoning Ordinance. Staff recommends approval subject to the conditions below which are included in the draft ordinance:

1. The Conditional Use Permit shall be for a 5,900 square foot office space for Services for the Elderly and Persons with Disabilities (NAICS 624120) within the building at 11457 Olde Cabin Road, Suite 235, Creve Coeur, MO 63141 for Pathways to Independence and LifeBridge Partnerships.
2. On-site services provided shall be for up to a maximum of 10 individuals. The Zoning Administrator shall be authorized to approve additional individuals, so long as the client services remain a minor component of the office space for the use.
3. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning 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. 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.
7. 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.
8. 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.
9. 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.

ACTION

If the Planning and Zoning Commission finds the attached draft conditional use permit ordinance to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council. Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

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

“I move to recommend approval of Application #20-030 for a Conditional Use Permit for Pathways to Independence and LifeBridge Partnership, subject to the conditions discussed in the Staff Report and Draft Ordinance for the meeting of October 19, 2020” (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.

Attachment: 20-030.11457 Olde Cabin, Pathways-LifeBridge Partnership CUP.Staff Report.10-19-2020 (#20-030: Pathways-LifeBridge Partnership CUP,



APPENDIX 4: SITE PHOTOGRAPH

Photo Dates: 10/13/2020



Description: View of the
subject property from
Olde Cabin Road.

Conditional Use Permit Request
11457 Olde Cabin Rd, Ste 235
Rationale

LifeBridge Partnership and Pathways to Independence are part of a collaboration to share office space located at 11457 Olde Cabin Rd, Ste 235, St. Louis MO 63141. This office space is used primarily for administrative purposes in the operation of the nonprofits, which both provide community support services to individuals with disabilities.

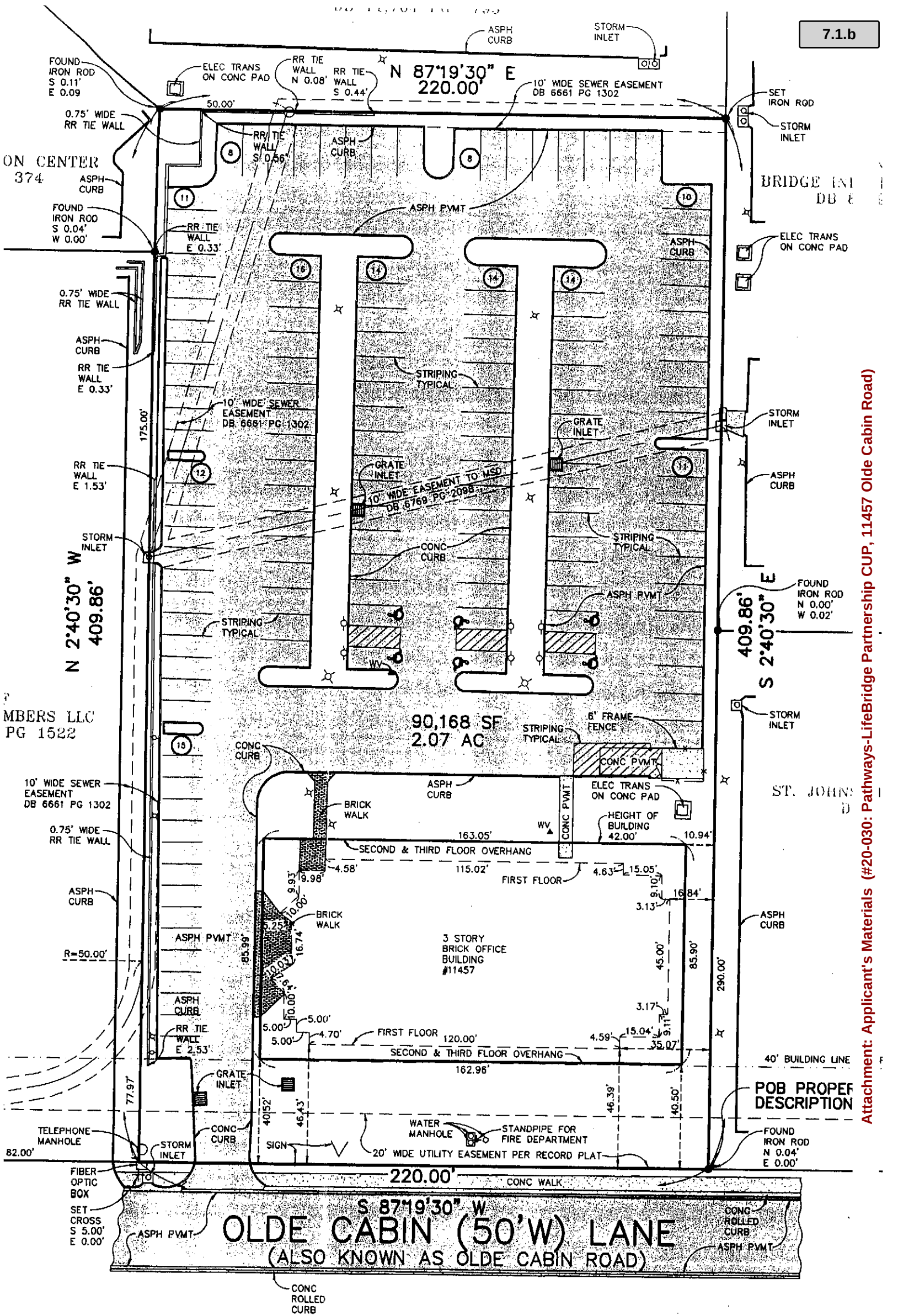
The nature of our client services is to support the development of skills for independence in accessing the community and to support active participation in community life. While up to 10% of client services may occur in the subject space, client services are generally provided in community-based settings throughout the St. Louis region. Client services provided in the subject space will be conducted in small group settings with a focus on socialization, self-advocacy, and safely navigating the community.

Details on client services that may be offered on site:

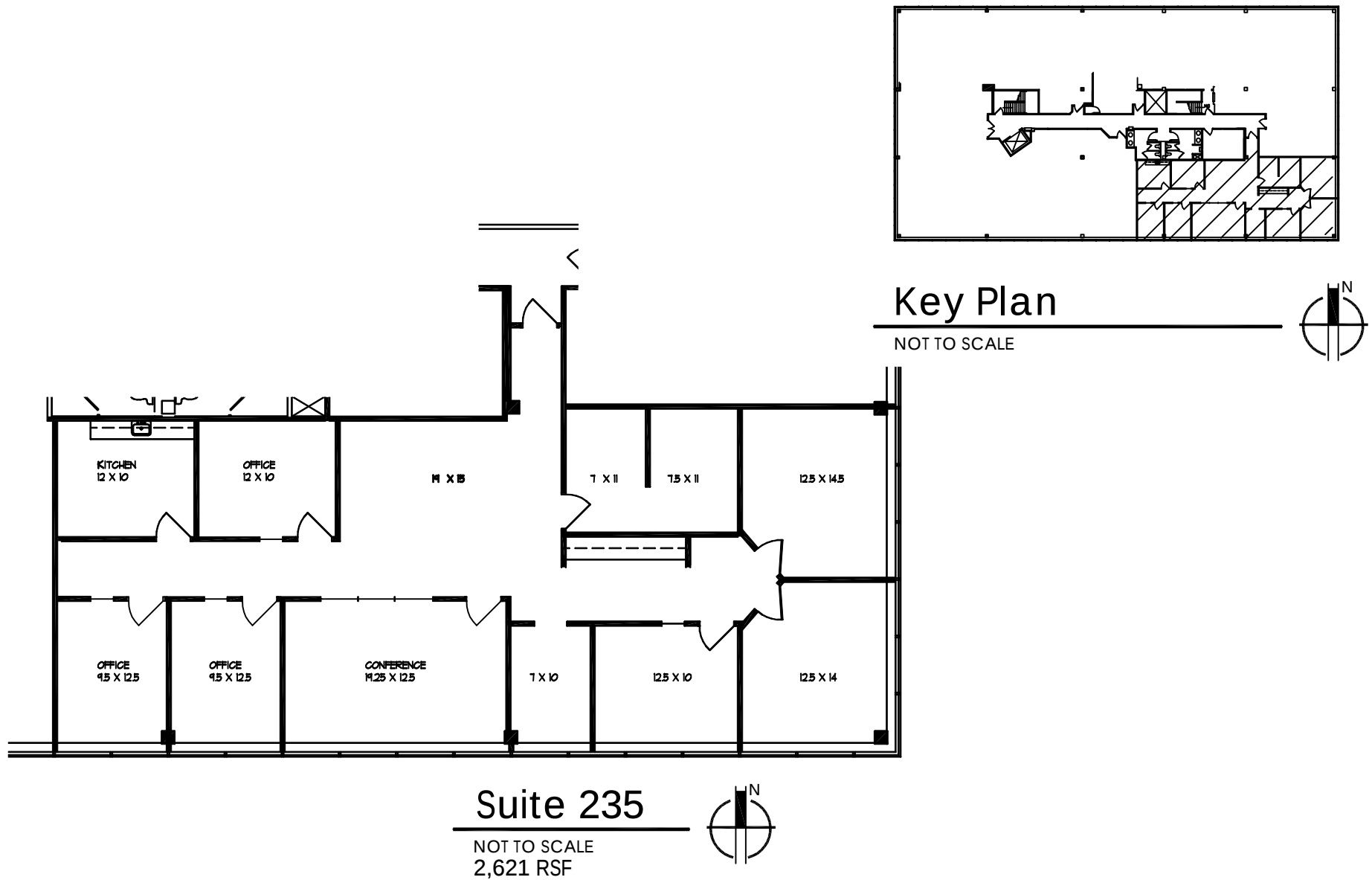
1. Client groups of no more than 10 individuals may be hosted at the space up to two evenings or weekend days per week.
2. Client services include supporting individuals in participating in activities such as playing games, practicing money skills, engaging in socialization with peers, and learning how to navigate the community.
3. Transportation may be provided by the agency or clients utilize public transportation.

We are requesting the conditional use permit based on the following:

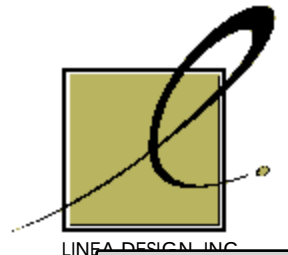
1. Use of the space appears consistent with the zoning.
2. We are not making any alterations to the space (interior or exterior).
3. Our occupancy will not have any impact on the surrounding businesses or other tenants of the building.



Attachment: Applicant's Materials (#20-030: Pathways-LifeBridge Partnership CUP, 11457 Olde Cabin Road)



Suite 235
11457 Olde Cabin Road
Creve Coeur, Missouri



BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A NEW CONDITIONAL USE PERMIT FOR SERVICES FOR THE ELDERLY AND PERSONS WITH DISABILITIES (NAICS 624120), PROVIDED BY PATHWAYS TO INDEPENDENCE AND LIFEBRIDGE PARTNERSHIP, AT 11457 OLDE CABIN ROAD, SUITE 235, ZONED PO-PLANNED OFFICE DISTRICT

WHEREAS, under Section 405.320(C), all Services for the Elderly and Persons with Disabilities (NAICS 624120) in the PO-Planned Office District require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Jodi Woessner, of Pathways to Independence, and Karen Schuster, of LifeBridge Partnership, have submitted an application for a conditional use permit to operate a non-profit organization that offers on-site services to individuals with disabilities within an approximately 5,900 square foot office space at 11457 Olde Cabin Road, Suite 235, Creve Coeur, MO 63141; and,

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, October 19, 2020, beginning at 6:30 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and,

WHEREAS, notice of publication for said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a ____ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on October 19, 2020; 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 a Services for the Elderly and Persons with Disabilities (NAICS 624120) at 11457 Olde Cabin Road, Suite 235, Creve Coeur, MO 63141, whose legal description is as follows:

Tract of Land being part of Section D of Creve Coeur Executive Office Park, a subdivision according to the plat thereof recorded in Plat Book 139 Pages 42 and 43 of the St. Louis County Records; and described as follows:

Beginning at the point of intersection of the Southward prolongation of the Western line of property conveyed to HBE Corporation by deed recorded in Book 6643 Page 383 of the St. Louis County Records with the Northern line of Olde Cabin Lane, 50 feet wide; thence along said Northern road line, South 87 degrees 19 minutes 30 seconds West, 220.00 feet to a point; thence leaving said Northern line and running North 2 degrees 40 minutes 30 seconds West, 409.86 feet to a point; thence North 87 degrees 19 minutes 30 seconds East, 220.00 feet to a point on the Western line of HBE Corporation, as aforementioned; thence along said Western line and its prolongation Southwardly, South 2 degrees 40 minutes 30 seconds East, 409.86 feet to the point of beginning, according to survey by Clayton Surveying and Engineering Company during the month of June, 1973.

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 a 5,900 square foot office space for Services for the Elderly and Persons with Disabilities (NAICS 624120) within the building at 11457 Olde Cabin Road, Suite 235, Creve Coeur, MO 63141 for Pathways to Independence and LifeBridge Partnerships.
2. On-site services provided shall be for up to a maximum of 10 individuals. The Zoning Administrator shall be authorized to approve additional individuals, so long as the client services remain a minor component of the office space for the use.
3. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning 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. 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.
7. 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.
8. 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

BILL NO. _____

ORDINANCE NO. _____

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.

9. 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.

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 _____, 2020.

HEATHER SILVERMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2020.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN
CITY CLERK



city of CREVE COEUR

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

APPLICATION TO PLANNING AND ZONING COMMISSION #20-031: MINOR SITE PLAN FOR A FENCE WITHIN THE FRONT-YARD SETBACK ALONG BARBEZIEUX DRIVE FOR THE PROPERTY ADDRESSED AS 832 ARIEGE DRIVE

FOR THE MEETING OF: Monday, October 19, 2020.

SUBJECT PROPERTY LOCATION: 832 Ariege Drive, zoned D-Single Family Residential.

REQUEST: Paul Myers, homeowner of 832 Ariege Drive, has submitted an application for a 6-foot-tall wood, sight-proof fence at the property line within the setback along Barbezieux Drive. The subject property is zoned D Single Family Residential which has a front yard setback of 20 feet.

ADDITIONAL INFORMATION: The City of Creve Coeur's Zoning Ordinance Section 405.640 (C) *Fences Within The Front Yard Section And Along Street Right-Of-Way* states that no fence shall be located within the front yard setback or along street right-of-way, within the area equivalent to the front yard setback of the applicable zoning district, unless approved by site development plan by the Planning and Zoning Commission. Staff may approve a fence within this area if the fence to the side and rear of the home, is setback at least fifteen (15) feet from the property line, no more than four (4) feet in height, and is an open slatted decorative metal fencing. City Council action is not required.

Key Issues:

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

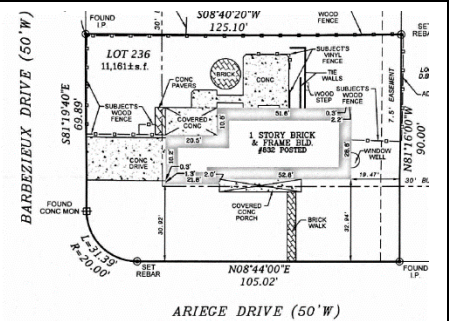
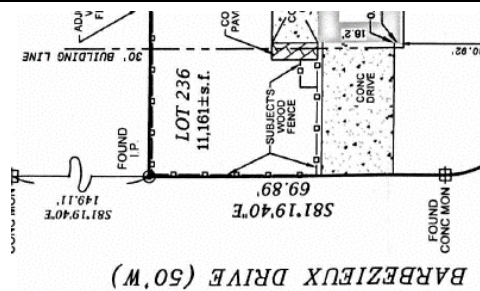
Creve Coeur 2030 References

- Suburban Neighborhood 2 (SR-2)
- Design Guidelines

Zoning Code References

- Section 405.280: D-Single Family Residential
- Section 405.640: Fences and Walls
- Section 405.1080: Site Concept, Site Development, and Minor Site Plan Approval

APPLICANT/ Paul Myers
PROPERTY OWNER: 832 Ariege Drive
Creve Coeur, MO 63141



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 10/12/2020
ATTACHMENTS: Applicant's Materials received September 29, 2020
Public Comment Received

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Single family residence	D Single Family Residential	Barbezieux Dr.
South	Single family residence	D Single Family Residential	NA
East	Single family residence	D Single Family Residential	NA
West	Single family residence	D Single Family Residential	Ariege Dr.

FENCE PLACEMENT AND DESIGN

The Applicant is seeking to install a 6-foot-tall wood fence at the property line along Barbezieux Drive, for the property addressed 832 Ariege Drive, at the corner of Barbezieux Drive. The prior fence on the property was pre-existing at various height, that was beyond repair. The property owner contracted with a company to remove the prior fence and replace it with a new fence at 6 feet tall, without obtaining a permit from the City, and a stop work order was issued on the site. The property was originally developed in unincorporated St. Louis County, and the area was annexed into the City and subsequently zoned D Single Family Residential with a 20-foot front yard setback along Barbexieux Dr. and Ariege Drive. The Applicant's survey indicated that the original plat had a front building line of 30 feet.



Figure 1: Applicant's Google Image of the prior fence design

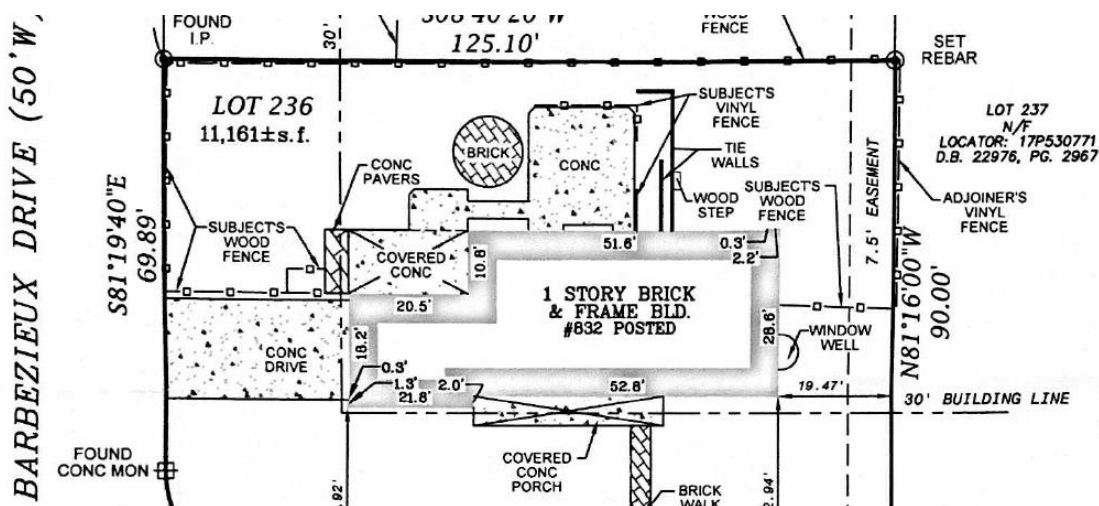


Figure 2: Applicant's survey of the property showing the placement of the prior and proposed placement of the fence.

The Applicant is seeking to place the new 6-foot-tall wood fence at the property line in the same manner as the prior fence location.

5/8 in. x 5.5 in. x 6 ft. Color Pro Treated Red Pine Fence Picket



Figure 3: Applicant's 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 [other] 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 Suburban Neighborhood 2 (SR-2) consisting of compact lots with stately homes in a classic suburban subdivision. Homes should be architecturally-harmonious, and built to a consistent setback from the street. Streets should follow a grid pattern, with multiple intersections, and

sidewalks and street trees should be provided on both sides of the street. Wooded common ground should be used to accommodate natural features (p. 69).

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

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

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

Further, the Design Guidelines recommend the use of natural “green” materials, and discourage the use of synthetic, and highly reflective materials. The proposed wood material is consistent with the Design Guidelines; however, it is the placement of the fence that requires review by the Planning and Zoning Commission. The fence, which is proposed to be six feet in height at the property line along Barbezieux Drive would be a departure from prior approvals and with the recommendations above, and would effectively block in the adjacent property owner at 12906 Barbezieux Drive, and is a departure from other similar properties in the area, where the other homes on corner lots have kept the fence in line with the homes and not come out toward the street. Therefore, Staff would recommend that the fence be a more open design, and setback from the property line and additional landscaping be provided to break up the fence line. If the Applicant wishes to maintain the sight-proof fence design, it may be constructed at the 20-foot building setback of the D Single Family District.

CONCLUSION AND ACTION

If the members of the Planning Commission find the applicant’s reasons for the fence location, height and design sufficient, they can approve it as proposed. If the Commission wishes to have the fence further back from the property line between the 20-foot setback and the property line, and a more open design to be in keeping Zoning Regulations, discussion with the Applicant and a revised motion would be necessary. If the request is denied, the Applicant may construction the fence gate at the 20-foot building setback line. Staff has included a condition of approval that a building permit be obtained for the fence in accordance with the applicable decision from the Commission.

MOTION

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

“I move to approve the site plan for a six-foot-tall, sight-proof wood fence to be located at the property line along Barbezieux Drive for the property addressed as 832 Ariege Drive as discussed within the Staff Report on Application #20-031 for the October 19, 2020, Planning and Zoning Commission meeting, on condition that Applicant obtain the required building permit”
(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



Attachment: 20-031.832 Ariege Dr. Fence.Staff Report.10-19-2020 (#20-031: 832 Ariege Drive Fence)

APPENDIX 4: SITE PHOTOGRAPHS		Photo Dates: 10/13/2020
		Description: View of the proposed fence location, where the prior fence had been removed and the new fence had started construction, from Barbezieux Drive.
		Description: Closer view of the proposed fence location, where the prior fence had been removed and the new fence had started construction, from Barbezieux Drive.
		Description: View of the proposed fence location, where the prior fence had been removed and a portion of the new fence had started construction, from Ariege Drive

Description

The fence was pre-existing when the home was purchased in November of 2019. The fence was falling apart, and in need of repair. The plot plan included does not indicate that the fence line was grandfathered. We are requesting a variance to be able to replace the fence as it was, to maintain the value, function, and ascetics of the home based on what we purchased.

Rationale

As indicated above, we are not asking for a change, we are simply asking to replace the fence back where it was originally located. The fence was in disrepair. We had a choice to continue to fix parts of the fence that were failing, and becoming a safety hazard, or replace the fence. Additionally, we worked with our neighbor to include replacing the fence between our properties, that was also failing, and becoming a safety hazard. Our belief is the impact to the community is minimal, since the fence has existed since before the property was annexed into the city of Creve Coeur for the county of Saint Louis. Speaking with all our neighbors, and even neighbors passing by, they like what we have planned, and liked how it looked for the community.

If we are not able to replace the fence where it originally stood, the impact will be on our property's yard actives, ascetics, and resale value. The plot plan, and evaluation included with this application, did not reveal any pre-existing non-compliance issues with the fence. To the contrary, it indicates no variances or issues of any kind. If any of this had been revealed on plot plans or other legal registers in the city of Creve Coeur, we would not have purchased the property. In fact, we purchased the property knowing we would have to start with a fence replacement, and since we are new to the City of Creve Coeur laws it seemed logical to hire a recommended contractor to correctly manage the process.

In closing, we humbly request the variance, this has been extremely hard on our family, it has been going on for 4 months, and I am now just understanding the level of failure by this contractor, which is why I am now taking over. I cannot correct his miss-steps, and as I understand all of them now, I can only pick up the pieces, and ask the City to help me put our home back together.

Thank you for your time. Paul Myers





ALTEA
GEOSPATIAL LAND SERVICES
WWW.ALTEALS.COM

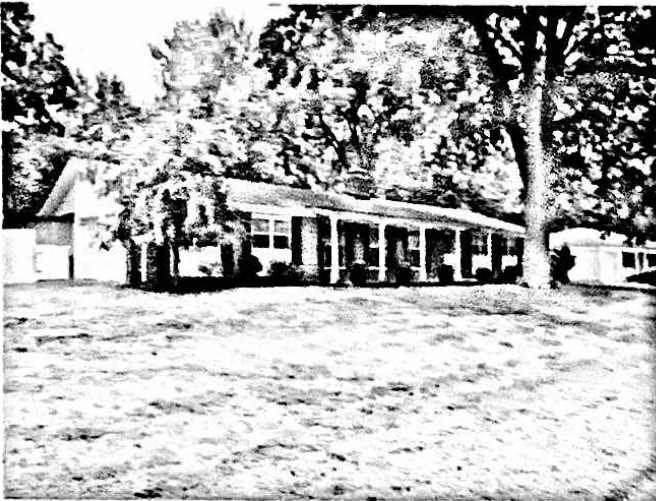
DATE: 08/23/2019
ALTEA FILE #: 19-1527

PURCHASER: PAUL MYERS AND JENNIFER SEIDLER

PROPERTY ADDRESS: 832 ARIEGE DRIVE, ST. LOUIS COUNTY, MISSOURI

LOT / PARCEL #: 236

SUBDIVISION: BELLERIVE ESTATES ADDITION PLAT 8

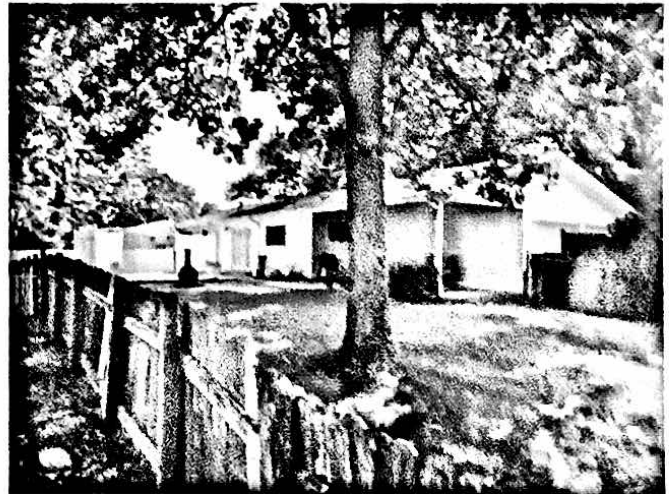


PLAT BOOK: 107 PAGE: 64 - 65
OF THE:
ST. LOUIS
COUNTY RECORDS

**FOR THE BENEFIT AND USE OF:
SELECT TITLE GROUP & JP MORGAN
CHASE BANK**

**POTENTIAL ENCROACHMENTS OR
VIOLATIONS OBSERVED:**

NONE REPORTED



Attachment: 832 Ariege Dr Site Deve Plan Info (#20-031: 832 Ariege Drive Fence)

MAIL@ALTEALS.COM

3906 S. OLD HWY 94, SUITE 600
ST. CHARLES, MO, 63304

ALTEA LAND SERVICES

WWW.ALTEALS.COM

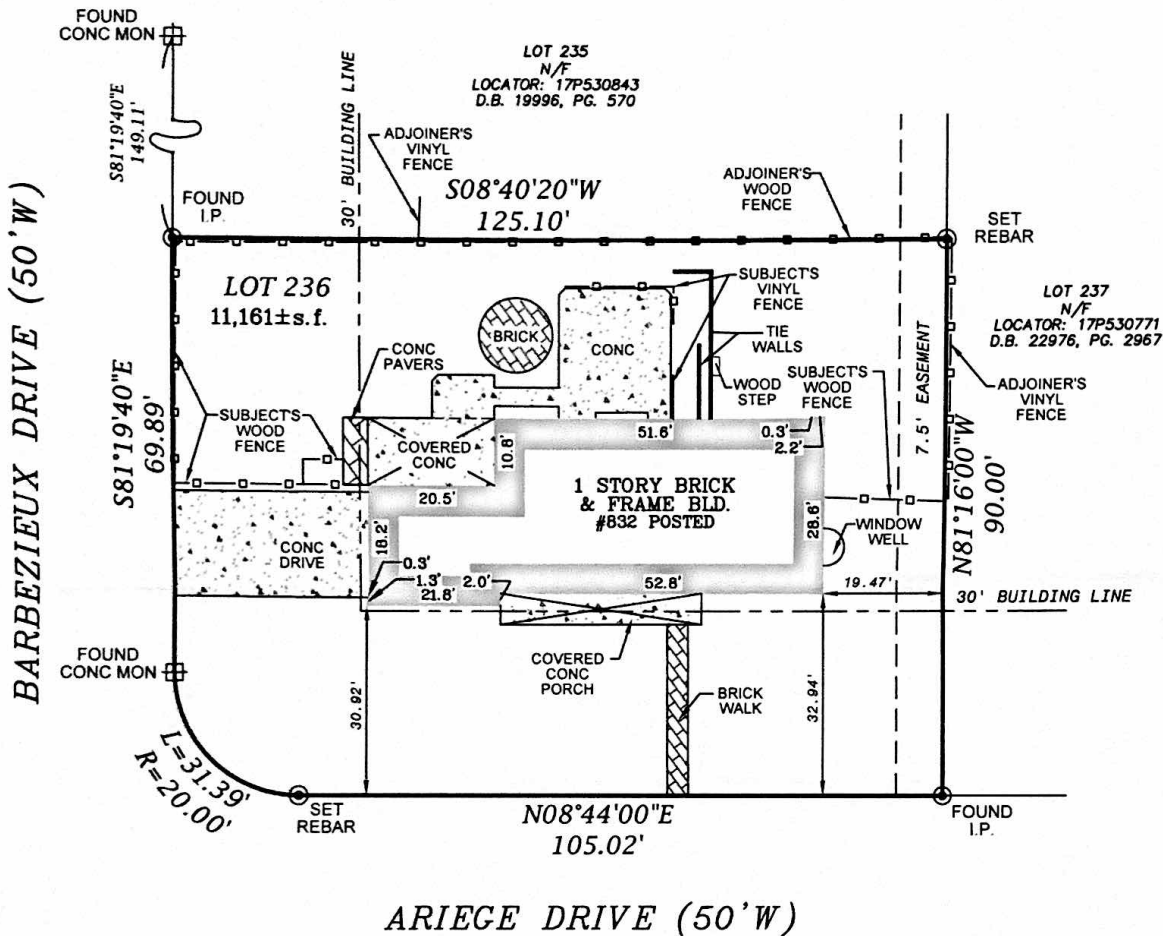
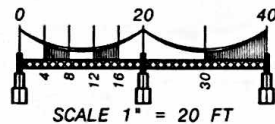
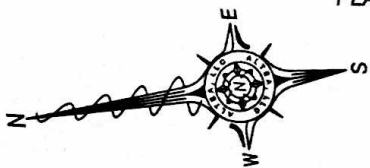
PHONE: 636-477-6000

FAX: 636-477-6000

Packet Pg. 28

BOUNDARY AND IMPROVEMENT SURVEY
LOT 236 OF BELLERIVE ESTATES ADDITION
PLAT EIGHT

PLAT BOOK: 107 PAGE(S): 64-65
ST. LOUIS COUNTY, MO



ARIEGE DRIVE (50'W)

TITLE NOTES

FOR THE SOURCE OF PROPERTY DESCRIPTION, EASEMENTS, DEDICATIONS AND EXCEPTIONS, ALTEA, LLC, EXCLUSIVELY USED THE TITLE DOCUMENTS PROVIDED BY SELECT TITLE GROUP, FILE NUMBER STG-2019-08-2157-S09.

BASIS OF BEARINGS

BELLERIVE ESTATES ADDITION PLAT EIGHT
PLAT BOOK: 107 PAGE(S): 64-65

BOUNDARY LINE
EASEMENT LINE
SETBACK LINE
BUILDING FOOTPRINT
CENTERLINE
PARCEL LINE

I.P. = IRON PIPE I.R. = IRON ROD
(R) = RECORD (S) = SURVEYED
D.B. = DEED BOOK PG. = PAGE
N/F = NOW OR FORMERLY NR = NON-RADIAL



ALTEA, LLC
Consulting Land Surveyors
3906 S. OLD HWY 94, SUITE 600
ST. CHARLES, MO 63304
PHONE: (636) 477-6000
FAX: (636) 898-0950
WWW.ALTEALS.COM
© 2019 ALTEA, LLC

ALTEA, LLC
PROFESSIONAL LAND SURVEYING
CERTIFICATE OF AUTHORITY: 2013023731

PROJECT NUMBER: **19-1527**

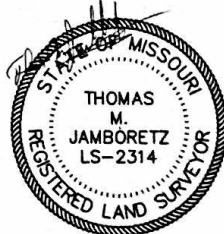
SHEET	FIELD CREW:	JAM
1 OF 1	DRAFTER:	ECR
	DRAFTED ON:	08/23/2019
	REVIEWER:	BLH
	REVIEWED ON:	08/23/2019

SURVEYOR'S STATEMENT

THIS IS TO DECLARE TO PAUL SAMUEL MEYERS, JENNIFER REBECCA SEIDLER AND SELECT TITLE GROUP, THAT AT THEIR REQUEST, ALTEA, LLC, HAS DURING THE MONTH OF AUGUST, 2019, EXECUTED A BOUNDARY RETRACEMENT SURVEY OF LOT 236 OF BELLERIVE ESTATES ADDITION PLAT EIGHT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 107, PAGE(S) 64-65 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS, TOGETHER WITH THE LOCATION OF OBSERVED IMPROVEMENTS THEREON, AND THAT THE RESULTS OF SAID SURVEY ARE IN MY PROFESSIONAL OPINION, CORRECTLY INDICATED ON THE ABOVE PLAT. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR URBAN CLASS PROPERTY. BUILDING SETBACK INFORMATION DEPICTED HEREON IS FROM THE RECORD PLAT OR CITY BLOCK MAP (IF APPLICABLE). PLANNING AND ZONING RESTRICTIONS WERE NOT OBTAINED OR ADDRESSED AS A PART OF THIS SURVEY. DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THIS SURVEY ONLY AND IS NOT TRANSFERABLE. UTILITY LOCATES WERE NOT REQUESTED AND NO UTILITIES OR SEWERS WERE LOCATED IN CONJUNCTION WITH THIS SURVEY. THE OPINION OF THE ORIGIN OF THE FENCES SHOWN HEREON IS FROM EVIDENCE OBSERVED DURING THE COURSE OF THIS SURVEY, AND MAY INCLUDE: FENCE CONSTRUCTION, OCCUPANT TESTIMONY, OR OTHER AVAILABLE INFORMATION. NO GUARANTEE IS MADE OR CERTAINTY GIVEN AS TO THE ORIGIN OR OWNERSHIP OF FENCES.

8-23-19

DATE



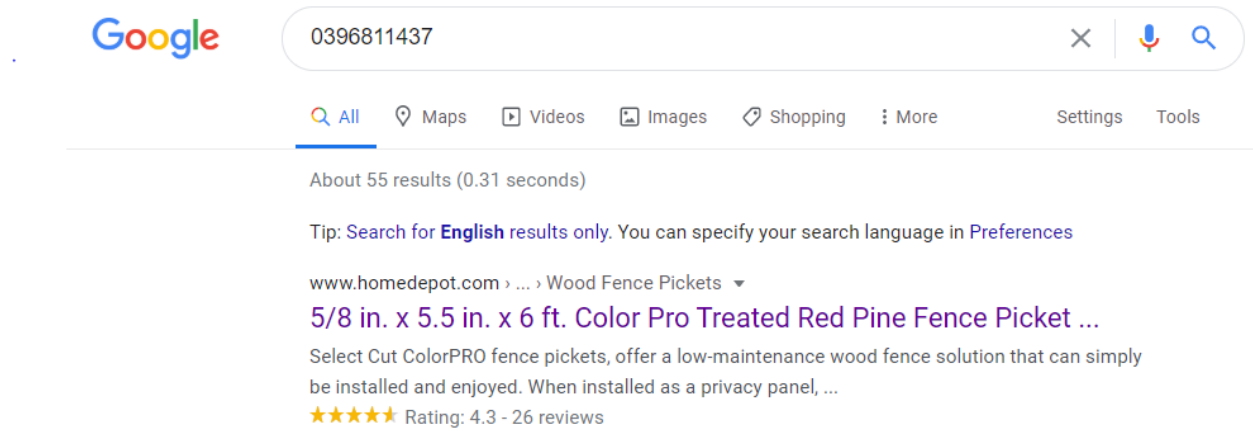
832 Ariege Drive information on fence building material based on what was purchased and on property.

Pictures from Back patio at 832 Ariege where fence material is stacked.



Attachment: Fence details (#20-031: 832 Ariege Drive Fence)

Search on barcode in Google, shows pickets were bought at home depot. Description matches.



Home depot product description from their website

5/8 in. x 5.5 in. x 6 ft. Color Pro Treated Red Pine Fence Picket



Attachment: Fence details (#20-031: 832 Ariege Drive Fence)

832 Ariege Drive information on fence building material based on what was purchased and on property.

Internet #312072965 Model # 58806de320b-PRO Store SKU #1005216641



5/8 in. x 5.5 in. x 6 ft. Color Pro Treated Red Pine Fence Picket

★★★★★ (26) [Write a Review](#) [Questions & Answers \(8\)](#)

\$1⁸⁷

Save up to \$100* on your qualifying purchase.
Apply for a Home Depot Consumer Card

Overview

Select Cut ColorPRO fence pickets, offer a low-maintenance wood fence solution that can simply be installed and enjoyed. When installed as a privacy panel, this beautiful pre-stained picket will complement your outdoor living space. ColorPRO... [See Full Description](#)

How to Get It



Product Overview

Select Cut ColorPRO fence pickets, offer a low-maintenance wood fence solution that can simply be installed and enjoyed. When installed as a privacy panel, this beautiful pre-stained picket will complement your outdoor living space. ColorPRO is proudly manufactured in the US.

- Low maintenance wood fence system, pre-stained to save you time and money
- Beautiful earth tone shade that allows natural wood characters to remain visible
- Professional, factory applied color for uniform coverage
- 2-year color fade warranty
- Certified treated for above ground use
- 7-year rot, decay and termite warranty
- California residents [see Prop 65 WARNINGS](#)

Specifications

Dimensions

Actual picket height (in.)	72	Nominal picket height (ft.)	6
Actual picket thickness (in.)	0.625	Nominal picket thickness (in.)	0.625
Actual picket width (in.)	5.5	Nominal picket width (in.)	5.5

Details

Application Type	Line	Number of Pickets Included	1
Chemical retention (lb./cu. ft.)	.04	Pressure treatment chemical	MCA - Micronized Copper Azole
Color Family	Brown	Product Weight (lb.)	6.25 lb
Contact Type Allowed	Above Ground	Recommended Fastener	Nails
Features	Pressure Treated	Shape	Rectangular
Material	Wood	Top Style	Dog-Eared



Whitney Kelly <wkelly@crevecoeurmo.gov>

application #20-031

Linda Ray <lindaray295@yahoo.com>

Mon, Oct 12, 2020 at 10:37 AM

Reply-To: Linda Ray <nvd6e35433517@yahoo.com>

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

Dear Mr. Kelly, regarding the application by Mr. Paul Meyers for an exemption to the zoning requirements for fencing at 832 Ariege Drive, I would prefer that the exemption not be granted and that the zoning ordinance be maintained. I have been a resident at 12915 Barbezieux for 47 years and the proposed fence is directly across from part of my property. I believe that erecting the fence at the required 20 feet from the street would better preserve the aesthetics of the neighborhood.

Sincerely, Linda Ray

Attachment: Public Comment received (#20-031: 832 Ariege Drive Fence)



city of CREVE COEUR

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

8.1.a

MEMO TO PLANNING AND ZONING COMMISSION

Meeting Date: October 19, 2020

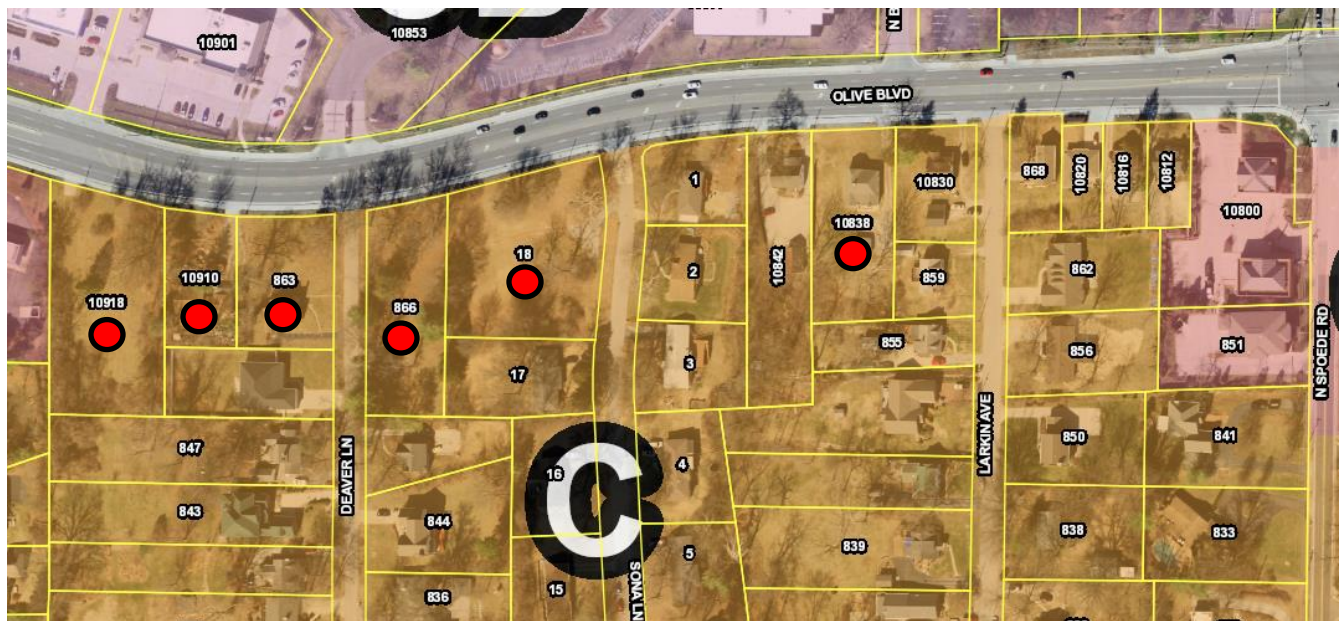
Subject: **Proposed East Olive Corridor Zoning Updates: Overlay District and C-Single Family District Review Work Session**

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

Attachments: East Olive Corridor Comprehensive Plan Section (pp. 88-94)
East Olive Corridor Overlay Zoning District-Revised Draft (with recent minor changes)
Revised Zoning Ordinance Section 405.470 (Definitions) Draft
Revised Zoning Ordinance Section 405.120 (Multifamily and Townhouses) Draft

Staff would like to re-visit the East Olive Corridor zoning updates that were under consideration earlier this year. Due to the pandemic, public stakeholder meetings that were previously scheduled for March 2020 were cancelled. Further, since that time, the Commission reviewed a significant development proposal within the corridor consisting of a new QT and renovation of the adjacent retail building which was met with a high degree of opposition. This application was ultimately denied by the City Council upon receiving a negative recommendation from P&Z.

Staff would also like to review the status of the residentially zoned properties on the south side of the corridor, located between Graeser Road and North Spoeede Road as shown on the map below. As of the date of this memorandum, the properties identified with a red circle are vacant, unoccupied, or are listed for sale.



The comprehensive plan encourages the City to review this specific area to determine the level of improvements in the short to medium term (p. 88).

Attachment: Overlay and TH MF Memo PZ 10-19-20 (East Olive Corridor Zoning Updates)

As the map indicates, approximately half of the properties that front Olive Boulevard are now vacant or are seeking buyers. With the current zoning in place, only single family residences are allowed along with a limited number of other uses requiring a conditional use permit such as places of worship, schools, daycare centers, etc., all of which would require a minimum of 3 acres, for an institutional use in the C Single Family District. Given these existing conditions, it seems appropriate for the City to take a proactive approach to outline a land use strategy and commensurate regulations specific for these properties within the East Olive corridor consistent with the recommendations of the comprehensive plan.

The East Olive Corridor section of the comprehensive plan suggests that a wide range of commercial and non-single-family residential uses would be appropriate for this section of Olive Boulevard. As noted in the plan, this area is particularly challenging for development given the configuration of the lots along Olive, the very close proximity of existing single-family residential neighborhoods, and the need to assemble multiple properties. These challenges are specifically prevalent within the area adjacent to Deaver, Sona and Larkin, currently zoned C-single family residential along with the lack of signalized access to Olive.

For these reasons, staff believes that consideration should be given to establish a unique zoning district for this sub-area of the East Olive corridor that would allow other forms of residential uses with increased density, such as townhomes, or low-density multi-family developments, that would not target commercial redevelopment. These uses are supported by the comprehensive plan within the East Olive Corridor but would be applied in a targeted manner within this area. Any change of land use regulations within this area would need to involve significant public input given the proximity of adjacent residential areas.

For reference, attached are several documents that were reviewed earlier this year, including the East Olive Corridor Section of the comprehensive plan, East Olive Corridor Overlay District standards, draft requirements for townhouse and multi-family developments, and updated definitions related to these uses. Staff will review this information with the Commission at the meeting to determine if there is merit for further study, particularly related to the existing C-Single Family Zoning District along Olive Boulevard.

5.

East Olive Corridor

The Vision for East Olive is to create a walkable corridor of destination retail boutiques, neighborhood service businesses, small-scale restaurants, attached townhomes, and low-density multi-family homes and single family homes. Development of the East Olive corridor should encourage pedestrian access from adjacent neighborhoods and prioritize walkability between neighboring lots while accommodating car access and easy parking.

Revitalization of East Olive has continued to falter due to the challenges of shallow lot depths, direct adjacency to established residential neighborhoods, and frontages onto Olive Boulevard. Existing lot constraints limit development options for these properties. In many cases, current zoning regulations have made the redevelopment of existing commercial buildings financially infeasible. This is due to current parking and landscaping requirements, which often dictate that an existing building must be rebuilt with a smaller square footage to meet requirements.

The East Olive corridor comprises the Neighborhood Commercial District (NC) place type, and for existing residentially-zoned properties on the south side of Olive Boulevard between Graesser Road and North Spoele Road, the Estate

Neighborhood 1 place type (ER-1). The NC place type supports the development of a variety of medium- to low-density commercial, retail, office, neighborhood service business, and residential development in a commercial corridor with shallow lot depths. This district is designed to provide a transition between more intense commercial districts to the east and west. Existing properties in this district are ideal for many types of smaller, specialty retail, service, and office businesses, providing both easy automobile access and a walkable, pedestrian environment. The Neighborhood Commercial District provides for lot-by-lot, incremental revitalization and redevelopment that builds toward a coherent corridor identity.

For the residentially-zoned properties fronting the south side of Olive Boulevard between Graesser Road and North Spoele Road, within the ER-1 place type, continued review should be undertaken to ensure progress towards redevelopment or improvement to existing properties are being met. Examples of such progress include the removal and replacement of existing residential structures; the construction of new residential structures on existing vacant lots, or renovations to existing residential structures substantially affecting the exterior appearance. The Planning and Zoning Commission should review this area in the short/medium term (approximately 5 years) to determine if the appropriate level of residential development or reinvestment has occurred based upon these stated objectives.



 Primary Streets
 Secondary Streets
 Service Streets

- » Olive Boulevard
- » N. Mosely Road
- » Graeser Road
- » N. Spoede Road

- » Park West Drive
- » Bal Harbour Drive
- » Renee Lane

There are no streets classified as Service Streets in the East Olive Corridor.

East Olive Corridor

Existing Conditions Character Images



SCOTSMAN COIN & JEWELRY (OLIVE BOULEVARD @ GRAESER ROAD)



EAST OLIVE CORRIDOR



EAST OLIVE CORRIDOR

Vision & Best Practices Character Images



MARKETPLACE – CLAYTON ROAD (LADUE, MISSOURI)



MARKETPLACE – CLAYTON ROAD (LADUE, MISSOURI)



DEMUN POINTE (CLAYTON, MISSOURI)



MARKETPLACE – CLAYTON ROAD (LADUE, MISSOURI)



STATION PLAZA (KIRKWOOD, MISSOURI)



MARKET AT MCKNIGHT (ROCK HILL, MISSOURI)

East Olive Corridor

Proposed Development Examples

The diagrams below illustrate the Plan concepts for redevelopment in the East Olive Corridor, including pedestrian and vehicular access, cross-lot connections, parking, buffering, and other recommendations contained herein. These diagrams are not site plans nor do they convey specific dimensional or regulatory requirements.



Existing Conditions



Proposed Consistent Setback and Buffer Zone Examples

- A. Existing Parcels
- B. Primary Street Consistent Setback Zone (dimension to be determined)
- C. Side Setback Zone (dimension to be determined)
- D. Buffer Zone (from adjacent residential properties; dimension to be determined)



New Building and Parking Configuration Examples

- E. Example New Buildings
- F. Example Frontage Shared Parking with cross-lot access and optional public space and landscape amenities
- G. Consistent "Second-Tier" Pedestrian Zone with cross-lot access
- H. Example Rear- and Side-Lot Shared Auxiliary Parking and service areas

Recommendations for the East Olive Corridor

FRONTAGE RECOMMENDATIONS – PRIMARY STREETS

- » Encourage uniform setbacks on neighboring lots to establish a consistent location and orientation of building facade frontages to Primary Streets.
- » Require primary building entrances to face the Primary Street.
- » Parking can be located in front of buildings, but parking to the side or rear of buildings and in shared facilities, through the use of cross-access easements, is encouraged.
- » When parking is located in front of buildings, a consistent zone of pedestrian amenities (i.e. a sidewalk, landscaping, trees, and pedestrian lighting) must be provided along the front facade of each building to create a “second tier” private sidewalk along the building, break up parking facilities, support active uses, and provide a buffer zone between parking and buildings.
- » Develop consistent landscaping standards along Olive Boulevard with street trees, lighting, and pedestrian amenities.
- » Encourage outdoor dining and retail site amenities.

FRONTAGE RECOMMENDATIONS – SECONDARY STREETS

- » Encourage uniform setbacks on neighboring lots to establish a consistent location and orientation of building facade frontages to Secondary Streets.
- » Encourage side-lot and rear lot parking frontages and parking lots.
- » Encourage outdoor dining and retail site amenities.

SIGNAGE RECOMMENDATIONS – PRIMARY & SECONDARY STREETS

- » Allow and encourage the use of building signs on all buildings.
- » Allow smaller monument signs on Primary Streets for developments meeting a minimum size and give consideration to increased sign area for multi-tenant monument signs. Monument signs on secondary streets should be discouraged. Secondary and service streets should allow for small, ground-mounted directional signs.

LOT DEVELOPMENT STANDARDS

- » Establish pedestrian facility requirements to encourage walkable access, including 1) the provision of walkways between buildings and the public sidewalk; 2) walkways that provide pedestrian cross-access between neighboring lots; and 3) walkways connecting parking facilities to buildings.
- » Promote cross-access between adjacent sites to encourage shared parking and reduce curb cuts onto Primary Streets.
- » Establish standards for buffers between Neighborhood Commercial district (NC) lots and adjacent residential district lots.
- » Support sustainable and low impact site development practices such as permeable pavement, bio-retention, native landscaping, and energy efficient lighting through the use of zoning incentives such as site or density bonuses.
- » Develop design guidelines to achieve the desired character of the place type.

STREET & CONNECTIVITY STANDARDS

- » Provide street and public realm facility enhancements according to street type classifications (**refer to pages 118-122**).
- » Develop bicycle facilities, pedestrian, and multi-use pathways (**refer to pages 116-117**).

STORMWATER & RUNOFF MITIGATION

- » Complete development of and enact a local Stormwater Ordinance to address land disturbance of less than one (1) acre; this Ordinance should aim to limit the adverse effects of runoff produced by development, using on-site mitigation and site design to limit runoff to what exists today.

TREE COVERAGE STANDARDS

- » Establish minimum tree coverage requirements for commercial surface parking lots.
- » Establish tree planting and coverage standards for non-residential lots subject to redevelopment.

GREEN SPACE PRESERVATION

- » Establish a minimum percentage of green space to be preserved on site.

December 12, 2019 DRAFT

Revised February 3, 2020

Revised October 19, 2020

East Olive Corridor Overlay Zoning District

Purpose Statement

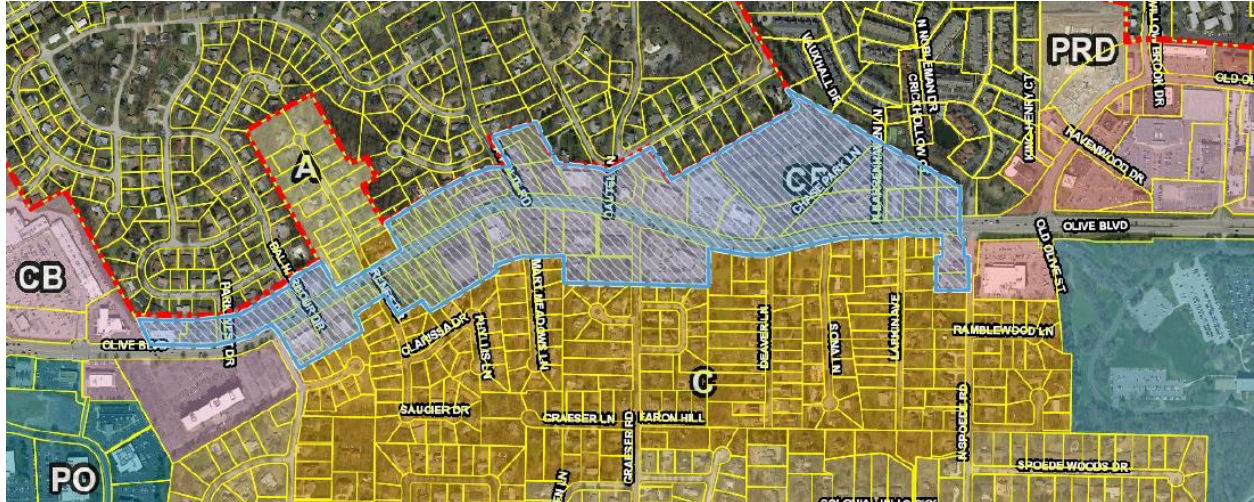
The intent of these regulations and standards is to support redevelopment of properties within the East Olive Corridor to provide a transition between the adjacent residential neighborhoods and commercial areas while forming a coherent identity for the corridor in a manner consistent with the goals and objectives of the comprehensive plan.

Amendment of Zoning Map

The boundaries of this overlay zoning district and the regulations set forth herein are hereby established as an amendment to the official Zoning Map established by Chapter 405 of the Municipal Code.

Location of Overlay Zone

The East Olive Overlay Zoning District consists of all properties located on Olive Boulevard generally bounded by North Mosley Road on the west to Spode Road on the east, as depicted on the map below.



Applicability

The regulations of this overlay zoning district shall supersede or supplement, as applicable, the regulations of the base zoning district. For properties with a base zoning district of single family residential, an application for rezoning to establish a base commercial zoning district must accompany any application for site development plan or conditional use permit approval pursuant hereto. Where conflict results between the regulations of the overlay zoning district

December 12, 2019 DRAFT

Revised February 3, 2020

Revised October 19, 2020

and the provisions of the base zoning district, the provisions of the overlay zoning district shall control.

Uses Permitted

The uses permitted by right and by conditional use permit are listed in Table A. If a "P" (permitted by right) or a "C" (permitted by conditional use permit) is not indicated for a use in the Table, it is prohibited.

1. Multi-family and Townhouse Developments

Multi-family and townhouse residential uses meeting the definitions of such uses as provided in Section 405.120 may be approved as conditional uses within the East Olive Corridor Overlay Zoning District provided that such uses meet the requirements of Section 405.470.

2. Mixed-use Buildings

Mixed-use Buildings meeting the definition as provided in Section 405.120 are permitted uses within the East Olive Corridor Overlay Zoning District, except any mixed-use building containing residential uses shall require approval of a conditional use permit and meet the requirements of Section 405.470 as a multi-family use. Non-residential uses for the mixed-use building shall follow the requirements of Table A for the base zoning district.

Planned Development

In instances where the standards of the base zoning district or these overlay district standards cannot be met and provided that the development site is a minimum of 2.5 acres in size, the development proposal shall be eligible for consideration under the planned development option per the provisions of Section 405.390.

Setbacks

The following building setbacks are required in the East Olive Overlay:

Front Yard: To accommodate convenient parking located in front of buildings and to establish a consistent building line, the maximum setback for properties that front Olive Boulevard is 90-feet. For all other properties located on other street frontages, the minimum front yard setback is 45-feet.

Side Yard: 5 feet.

Rear Yard: 25 feet.

December 12, 2019 DRAFT

Revised February 3, 2020

Revised October 19, 2020

Site Coverage

The maximum site coverage for each lot is 60%. Site coverage bonus increasing the maximum up to 70% may be earned in accordance with the Site Coverage Bonus Table found in Section 405.XXX, as determined by the Planning and Zoning Commission or City Council, as appropriate. For coordinated developments on more than one lot with shared entrances such as a retail center with multiple buildings, site coverage shall be calculated based upon the total size of the development as shown on the approved site development plan.

Building Height

The maximum building height is 3-stories or 45-feet in height, whichever is greater. For properties with a base zoning of CB-Core Business District, the maximum building height is 4 stories or 60-feet in height, provided that the Sky Exposure Plane as defined in Section 405.120 is met.

Building Orientation

Buildings shall be oriented to the primary street in which they are located. Examples of an acceptable orientation would include an accentuation of the building design to address the primary street and the presence of an entrance facing the primary street.

Circulation

Pedestrian circulation shall be provided which incorporates the following elements:

- A. Direct access providing safe passage from the building entrance to the public sidewalk on all street frontages is required. The pedestrian route may traverse parking lots provided that the sidewalk pavement is differentiated from the parking lot surface material.
- B. If multiple buildings are proposed, a sidewalk connecting all buildings shall be provided. The Planning and Zoning Commission may require a sidewalk connecting to neighboring commercial developments.
- C. If not provided in accordance with Section A above, a sidewalk shall be provided from the parking area to the building entrance.
- D. All sidewalks shall be a minimum dimension of 6-feet in width or 8-feet if located adjacent to parking stalls that do not have a curb stop.

At least one bicycle rack shall be provided for each building. The location of the bicycle rack shall be shown on the site development plan.

Vehicular and pedestrian cross-access shall be provided between one or more neighboring properties based upon the recommendations of a traffic impact study prepared by a certified

December 12, 2019 DRAFT

Revised February 3, 2020

Revised October 19, 2020

traffic and transportation engineer or when otherwise determined to be necessary by the Planning and Zoning Commission. Further, the Planning and Zoning Commission may require cross-access easements to be provided on the subject property to facilitate future pedestrian and vehicular connections, when feasible.

Landscaping, Screening and Buffering

At a minimum, the first ten (10) feet of the front yard setback from the right-of-way shall be provided with and maintained with sidewalks, unless improved sidewalks exist in the abutting public right-of-way, and with landscaping including, but not limited to, deciduous street trees at regular intervals and shrubs to provide screening from adjacent parking areas and to provide highly landscaped streetscapes. The plant material shall be varied to provide enhanced visual interest. All other requirements of Section 405.540 Landscaping shall be provided.

A minimum buffer yard of 20-feet shall be provided on all sides that abut a single-family residential zoning district. The buffer yard shall not contain any impervious surface other than retaining walls and fencing and shall provide a combination of regularly spaced deciduous or coniferous trees and a continuous sight-proof fence of no less than 8-feet in height other than within the front yard.

Building Materials

To ensure quality development utilizing durable materials, the following primary building materials are required for each new building or significant exterior renovations of existing buildings requiring site development plan approval:

- Masonry such as brick or stone, except concrete masonry units of any kind.
- Aluminum panels

Acceptable accent materials include:

- Exterior Insulation Finishing System (EIFS)
- Wood
- Fiber Cementous Siding

Concrete masonry units and vinyl siding may not be used as primary or accent materials on any building elevation.

For the purposes of this section, the term primary refers to 75 percent (75%) or more of the surface area, excluding fenestration, on each elevation. The Planning and Zoning Commission may consider modifications to these requirements based on just cause considering such factors as the scale, visibility, intended use, or for existing buildings where full compliance would be impractical.

December 12, 2019 DRAFT

Revised February 3, 2020

Revised October 19, 2020

February 3, 2020 Draft

East Olive Corridor Overlay Zoning District

Section 405.120 Definitions

DUPLEX: A single-family dwelling unit constructed in a group of two attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

TOWNHOUSE: A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

MIXED-USE BUILDING: A building including a combination of at least two (2) of the following components: residential uses, commercial uses or office uses.

February 3, 2020 Draft

East Olive Corridor Overlay Zoning District

Section 405.470 Conditional Uses

31. Townhouse Dwellings (conditional use in the East Olive Corridor Zoning Overlay District) (NAICS CC814112).

- a. A development of townhouse dwellings occupying more than one (1) platted lot shall require a subdivision plat in accordance with the requirements of Chapter 410 Subdivision and Development of Land to be reviewed and approved in conjunction with the Conditional Use permit. Each lot must meet the following standards:
 - i. Minimum Lot Area: 1,400 square feet/unit
 - ii. Minimum Lot Width: 20 feet
 - iii. Minimum Lot Depth: 70 feet
 - iv. Maximum individual site coverage per lot: 85%, provided that the overall maximum site coverage of the subdivision is 65%.
- b. Townhouse dwellings may be constructed on adjacent separate lots (fee simple) with a party wall connecting the units and, in such cases, each individual lot shall meet the minimum lot width and lot area requirements provided in this Article, but the side yard setback requirement at the common wall between units shall not apply.
- c. No row of townhouse dwellings shall contain more than five (5) connected dwelling units.
- d. **Minimum dwelling unit size: 1,500 square feet.**
- e. Maximum Floor Area Ratio (FAR) for entire development: 0.65
- f. The combined side yard distance between groups of townhouses shall be a minimum of 8 feet.
- g. Parking structures shall be located underneath or to the side or rear and interior to the site and shall be architecturally integrated into each unit.
- h. **In addition, each dwelling unit shall be provided with outdoor living area in the form of individual patios, balconies, decks, yards or terraces equal to at least twenty percent (20%) of the floor area of the dwelling unit.**
- i. Pedestrian connections shall be provided between all buildings and to the public sidewalk along the street frontages, if any.
- j. Predominant building materials shall be brick, stone, glass, or cement fiber lap siding, wood-look accents, and shall be carried around to all elevations, with each individual dwelling unit architecturally articulated to avoid monotony, such as by including bay windows, balconies, offsets, or changes in material and color.
- k. Front yard masonry garden walls, planting boxes, retaining walls, plantings or ornamental or decorative fences may be erected as part of new construction, up to four (4) feet above the grade level in the front yard, provided such structure is an integral part of the architecture of the principal structure, is in compliance with sight distance standards, and is approved by the Planning and Zoning Commission and City Council for the Conditional Use Permit.
- l. The trust indentures shall ensure proper maintenance of private streets, common ground, and landscaping, as approved by the Conditional Use Permit, and shall be recorded prior to issuance of building permits, upon City Attorney approval.

February 3, 2020 Draft

32. Low and Medium Density Multi-Family Residential (conditional use in the East Olive Corridor Zoning Overlay District) (NAICS CC814120 & CC814130).
- a. Shall be located on sites of at least one (1) acre.
 - b. **The average dwelling unit size shall not be less than eight hundred sixty (860) square feet per unit, and no unit shall be less than six hundred fifty (650) square feet.**
 - c. Predominant building materials shall be brick, stone, glass, or cement fiber lap siding, wood-look accents, and shall be carried around to all elevations, and architecturally articulated to avoid monotony, such as by including bay windows, balconies, offsets, or changes in material and color.
 - d. At a minimum, fifty percent (50%) of the required vehicular parking shall be provided within a covered parking structure located underneath or to the side, rear the principal structure that is aesthetically compatible with the principal structure.