



**JOINT WORKSESSION AGENDA
CITY COUNCIL/PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, DECEMBER 6, 2021
6:00 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

DISCUSSION ITEM

1. Long-Range Planning Implementation Priorities for Calendar Year 2022

The joint work session between the City Council and members of the Planning and Zoning Commission provides the opportunity to review several long-range planning initiatives in order to identify priorities for the upcoming year. Staff has identified six (6) areas for consideration. The City has made significant progress with respect to implementing the comprehensive plan with many of the Early Action items (pages 132-134) having been accomplished. Nonetheless, there remains a great deal of work to do in order to further implement the larger goals of the plan and other topics of interest. Staff will present this information to facilitate the discussion.

Posted: _____

Jason W. Jaggi
Director of Community Development



city of CREVE COEUR

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MEMO TO PLANNING AND ZONING COMMISSION, MAYOR AND CITY COUNCIL

Meeting Date: December 6, 2021 Joint Work Session: City Council, Planning and Zoning Commission

Subject: Long-Range Planning Implementation Priorities for Calendar Year 2022

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

Attachments: Drive through Restaurant Conditional Use Requirements (Sec. 405.470.A.14)
 Gas Station Conditional Use Requirements (Sec. 405.470.A.13)
 Tree Conservation Code for New Subdivisions (Sec. 410.320)

The scheduled joint work session between the City Council and members of the Planning and Zoning Commission provides the opportunity to review several long-range planning initiatives in order to identify priorities for the upcoming year. Staff has identified six (6) areas for consideration. This memo will provide a brief summary of these topics with supplemental information noted for further review. Staff will present this information at the meeting to facilitate the discussion.

39 North Zoning Review and Updates

The 39 North Master Plan was adopted by the Planning and Zoning Commission on June 5, 2017. This plan was followed by the 39 North Old Olive Great Streets Plan, which was adopted on August 19, 2019 and the 39 North Greenways Plan which was adopted on January 21, 2020. These long-range plans were adopted by the Planning and Zoning Commission as components of the City's comprehensive plan.

The 39 North District continues to receive a great deal of interest and support throughout the region and beyond. Currently underway is the reconfiguration of the Olive/Lindbergh overpass, which was a recommendation of the 39N Master Plan. Further, the City has received funding to provide a full-access intersection at Old Olive and Lindbergh. This project is currently in the design phase. Private development has also occurred in the area with the opening of the Edge@BRDG office/research building on the Danforth campus and Benson Hill's research facility at 1200 Research Blvd.

These plans create a new vision for this area of Creve Coeur in support of the 39N District. As such, a review of the existing zoning districts and land use requirements is needed for the entire District to determine the appropriate code updates. A particular focus in such an effort would be for the Old Olive corridor which provides recommendations for development of properties adjacent to the roadway.

All of these plans can be viewed on the Planning Division website:
<https://www.crevecoeurmo.gov/179/Comprehensive-Plan-and-Design-Guidelines>

Drive-through Restaurant Zoning Requirements

The City has a long tradition of limiting drive-through restaurants. After considerable discussion by the Planning and Zoning Commission and City Council, the drive-through ordinance for restaurants was

amended in 2014 and remains in place today. The ordinance reflects the desire at the time to tightly regulate these uses and, as a result, is highly prescriptive with numerous, detailed standards that must be met. A key component of the ordinance is the distinct standards for these uses that are adjacent to residential properties compared to those that are not. Applications approved under the current ordinance are the St. Louis Bread Company drive through at 447 North New Ballas Road and the Panda Express at 10445 Olive Blvd., within the Creve Coeur Pavilion shopping center.

The Creve Coeur 2030 Comprehensive Plan does not directly address drive through uses; however, the PlaceType recommendations of the plan should be considered as part of any review.

Based on discussions with commercial property owners, the demand for drive through services, including restaurants in Creve Coeur, remains very high. The pandemic has also likely played a role in the continued high demand for these uses.

Staff will provide an overview of the existing ordinance (attached for reference) and the challenges associated with implementation.

Gas Stations Zoning Requirements

Similarly to drive through restaurants, gas stations, as a land use category, are not specifically addressed in the comprehensive plan. They are allowed with approval of a conditional use permit in most commercial zoning districts and further subject to specific standards by Section 405.470.A.13, attached for reference.

In light of the recent application concerning a new gas station/convenience store within the East Olive Corridor, staff would like to review the existing requirements to determine whether adjustments should be made with respect to the zoning requirements for gas station and convenience stores.

Tree Ordinance

The City does not have a tree preservation or replacement ordinance for existing single family lots. For new subdivisions (applies when two or more lots are created) the City requires a tree conservation plan as a component of the preliminary plat review by the Planning and Zoning Commission. The Tree Conservation ordinance is provided in Section 410.320 of the Subdivision Ordinance (Chapter 410) and attached for reference. Based on the current review of a new two-lot subdivision, the limitations and effectiveness of the existing ordinance have been called into question. On November 10th, Planning staff met with the Horticulture and Environment Committee to obtain their input on the existing ordinance and to gauge support for amending the ordinance. Overall, the HEB was supportive of the need to review the ordinance in consideration of amendments that would provide a more desirable outcome.

Within the past two years, there was discussion on the desire to establish a tree ordinance for existing single family lots to require tree replacements for existing trees removed as part of new construction. An outline of the components for such an ordinance was presented to the Planning and Zoning Commission and City Council in March 2021. After review and discussion, the City Council decided not to pursue further review of such an ordinance.

Staff will review this topic to determine if additional regulations are desirable in association with single family home construction.

Form-Based/Overlay Zoning Code for Downtown Creve Coeur

The Creve Coeur 2030 Comprehensive Plan supports the development of a unique zoning district to guide future development of a town center for Creve Coeur (Pages 60, 78-79). A draft form-based code was developed over a series of meetings with the Planning and Zoning Commission approximately 8 years ago. Prior to that effort, other planning studies were conducted; however, no specific zoning district was established to facilitate the development of a town center.

Staff would like to discuss zoning options for supporting the future development of the downtown concept.

East Olive Corridor

Similar to the Town Center zoning work, the City has a long planning history within the East Olive Corridor. The Creve Coeur 2030 Comprehensive Plan continues to recommend zoning updates to facilitate re-investment within this section of Olive Boulevard (Pages 88-94). Since the plan adoption, staff and the Planning and Zoning Commission have reviewed draft components of a new overlay zoning district that would implement the development recommendations of the plan, including new forms of residential uses (townhome and multi-family). Public outreach meetings were scheduled for Spring 2020 but were canceled due to the onset of the pandemic. Over the summer, staff and the Ward 1 Council members held a neighborhood meeting to discuss the residentially-zoned properties east of Graeser Road and west of North Spoeede Road.

Staff will recap the challenges of the East Olive corridor and plan recommendations to facilitate discussion on the priorities within the Corridor.

Summary

The City has made significant progress with respect to implementing the comprehensive plan with many of the Early Action items (pages 132-134) having been accomplished. Nonetheless, there remains a great deal of work to do in order to further implement the larger goals of the plan and other topics of interest.

Staff will present the items in this memo at the work session to facilitate discussion and to determine priorities for the upcoming year.

Section 405.470.A

14. Food services and drinking places — (NA/CS 722). Shall be located on sites of not less than two (2) acres with the following exceptions and conditions:

[Ord. No. 5400 §2, 11-10-2014]

a. The acreage requirement does not apply to restaurants without drive-thru services within the "GC" District;

b. The acreage requirement does not apply to restaurants without drive-thru services in the "CB," "PO," "PC" and "LI" Districts that are located within a retail or office building, provided that such restaurants do not collectively occupy more than forty percent (40%) of the building square footage;

c. Drive-thru services on sites in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that abut residential uses are subject to the following:

(1) Drive-thru facilities shall be limited to one (1) restaurant with no more than two (2) service windows, two (2) order facilities and two (2) designated stacking lanes which shall all be located on the rear or one (1) end of a multi-tenant retail building having a continuous structure frontage of at least two hundred (200) feet. Such frontage may include one (1) passageway or arcade (not open on the sides).

(2) The drive-thru order facility and service window shall only be on or adjacent to a wall not facing a street, unless otherwise approved, and shall be completely screened from the ground-floor level of adjacent residences with a property line wholly or partially within two hundred (200) feet of either the order facility or the service window by means of a solid barrier or topographic change. Vegetation cannot be used to meet this requirement but may be needed to address aesthetic concerns.

(3) The drive-thru restaurant shall have no less than two thousand four hundred (2,400) square feet of gross floor area (area under roof) and a minimum of fifty-five (55) indoor seats for customers.

(4) The drive-thru order facility and service window shall be no less than fifty (50) feet from any property line of any residential use.

(5) The designated stacking lane shall be no less than one-hundred ninety (190) feet long [approximately ten (10) cars] excluding the space being served by the window, which shall be no less than nine (9) feet wide by nineteen (19) feet long. The lane shall, at a minimum, provide for vehicular escape prior to the point of the facility order board, which escape route can be shared with the general parking lot circulation.

(6) The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.

(7) The designated stacking lane shall not cross between the building and principal street frontage.

(8) A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City, that the required drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site.

(9) The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.

(10) An acoustical study shall be submitted demonstrating that the order facility and service windows will not produce sounds exceeding sixty (60) dB as measured at any property line abutting a residential use, up to a height of eight (8) feet above ground at the property line and

demonstrating that the order facility and service windows will not increase ambient sound levels at other property lines above the average Monday to Friday midday level.

d. Drive-thru services on sites in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that only abut non-residential uses are subject to the following:

(1) Drive-thru facilities shall be limited to one (1) restaurant with no more than two (2) service windows, two (2) order facilities and two (2) designated stacking lanes in a coordinated development located on one (1) or more lots totaling three (3) or more acres, with shared access and two (2) or more buildings, one (1) of which shall have a continuous structure frontage of at least two hundred (200) feet. Such frontage may include one (1) passageway or arcade (not open on the sides). All buildings shall be designed with similar use of materials and design elements such that the buildings are aesthetically complementary to each other.

(2) The drive-thru order facility and service window shall only be on or adjacent to a wall not facing a street, unless otherwise approved.

(3) The drive-thru restaurant shall have pedestrian-oriented landscape adjacent to the building equivalent in area to fifty percent (50%) of the gross floor area of the entire restaurant use (area under roof).

(4) If the drive-thru restaurant is freestanding, an eight-foot-wide planted landscape strip shall be adjacent to at least two (2) other sides of the building, exclusive of the pedestrian area.

(5) If the drive-thru restaurant is freestanding, it shall have no less than two thousand five hundred (2,500) square feet of gross floor area (area under roof) and a minimum of fifty-five (55) indoor seats for customers.

(6) Any service areas, including, but not limited to, trash receptacles, compactors, transformers, outdoor cooking or refrigeration equipment and utility connections, must be fully enclosed. Such enclosures shall appear as a part of the restaurant building to the maximum extent as found to be practicable by the City.

(7) The designated stacking lane shall be no less than one-hundred ninety (190) feet long [approximately ten (10) cars], excluding the space being served by the window, which shall be no less than nine (9) feet wide by nineteen (19) feet long. The lane shall, at a minimum, provide for vehicular escape prior to the point of the facility order board, which escape route can be shared with the general parking lot circulation.

(8) The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.

(9) The designated stacking lane shall not cross between the building and principal street frontage.

(10) A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City, that the required drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site.

(11) The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.

(12) An acoustical study shall be submitted demonstrating that the order facility and service windows will not increase ambient sound levels at the property lines above the average Monday to Friday midday level.

e. "Drive-thru" shall mean service to on-premises patrons who do not enter the restaurant/patio area, but rather receive service through a drive-up window.

Section 405.470.A Conditional Uses

13. *Gasoline service stations — NAICS 447110 and 447190 (conditional use in the "PC", "GC" and "CB" districts).* The following specific development standards shall be met before a conditional use permit may be issued for a gasoline service station in accordance with Section **405.1070**, so as to control the mode of development, method of operation and to ensure that the location does not adversely affect the health, safety and welfare of the community, especially from the traffic point of view.

a. *Site size.* Service station sites shall contain a minimum area of twenty thousand (20,000) square feet, a minimum lot frontage of one hundred (100) feet and a minimum of twenty-five hundred (2,500) square feet for each dispenser, whichever is greater. A dispenser may have more than one (1) hose.

b. *Setbacks.* All buildings shall be set back at least fifty (50) feet from the street right-of-way line and at least ten (10) feet from any other property line unless a greater setback is required by other provisions of this Chapter. Dispenser islands shall be set back twenty (20) feet from any property line. Canopies may be erected to within ten (10) feet of a property line or street right-of-way to protect automobiles positioned for service at pump islands.

c. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays are to be contained entirely within the building. Where adjacent to a residential district ("A", "B", "C", "D", "AR" or "MR"), no more than three (3) service bays shall be permitted. Service bay doors shall not face residentially zoned property.

d. *Parking and access.* In addition to providing parking in accordance with Section **405.820(F)**, there should be adequate space on site for automobiles to wait in line for each dispenser island and dispenser.

e. *Fencing.* The site shall be fenced with a six (6) foot brick or stone masonry wall or solid fence of wood or other material deemed appropriate by the Planning and Zoning Commission along each property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").

f. *Retail sales.* Sales shall be restricted for the service station to gasoline, oil, tires, batteries and automotive accessories and food and beverages sold from vending machines, unless permission is explicitly granted as part of the conditional use permit for the sale of other items or classes of items such as food, beverages, personal care or other convenience items or car washing services.

g. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.

h. *Major repairs prohibited.* Major engine or transmission dismantling, body and fender work, top and upholstery work shall not be permitted on the premises of the service station.

i. *Trailer and equipment rental prohibited.* Trailer and equipment rentals shall not be permitted to operate on the premises of a service station.

j. *Gasoline deliveries.* No delivery tanker shall park on public right-of-way during gasoline delivery, nor shall any hose be permitted on the public right-of-way.

k. *Pump island location.* Pump islands located parallel to the street should observe a twenty (20) foot setback. Pump islands located perpendicular to the street should observe a thirty (30) foot setback.

l. *Landscaping and buffering.* A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entranceways. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.

m. *Curb cuts and corner radius.* On corner sites a twenty (20) foot curb radius shall be provided and no curb entrance shall be located within less than fifty (50) feet from the end of such curve. At intersections where a primary flow of right turn traffic is anticipated, a thirty-five (35) foot corner curb radius of curvature shall be provided, again with a fifty (50) foot curb cut setback from the end of the curve.

n. *Sight lines.* Landscaping provided along the street frontage in accordance with paragraph (13)(l) "Landscaping and Buffering" above should preserve sight lines for entering and exiting traffic. This does not preclude careful placement of street trees with high foliage or low growing shrubbery (below thirty (30) inches).

City of Creve Coeur, MO
Thursday, December 2, 2021

Chapter 410. Subdivision and Development of Land

Article III. Land Development Standards

Section 410.320. Tree Conservation.

[R.O. 2008 App. B, §22A-32; Ord. No. 1045, 7-25-1983; Ord. No. 1789 §1, 4-8-1996; Ord. No. 4071 §3, 4-9-2007; Ord. No. 5068 §1, 11-10-2008]

- A. Any subdivision preliminary plat submitted after the effective date of this Section shall provide for the conservation of existing trees on the site. Nothing in this Section is intended to preclude the removal of existing trees after the receipt of an initial occupancy permit.
1. A tree census shall accompany every preliminary plat application. The tree census shall graphically depict the general location of all tree masses and all trees of eight (8) inch caliper size or larger. In addition, such census shall indicate which tree masses and trees are to remain and which tree masses and trees are to be removed. Not more than seventy-five percent (75%) of the area of such tree masses nor seventy-five percent (75%) of such eight (8) inch caliper trees shall be proposed for removal.
 2. After approval of subdivision improvement plans and during construction of subdivision infrastructure, the City staff may approve removal of not more than ten percent (10%) of the area of tree masses and not more than ten percent (10%) of the eight (8) inch caliper trees which were indicated as tree masses and trees to remain as depicted on the tree census submitted with the preliminary plat. For example, if the preliminary plat indicated two hundred (200) eight (8) inch caliper trees on the site and fifty (50) were indicated to remain, the City staff could approve the removal of not more than five (5) of those trees. This approval may be granted only if such tree masses or trees are determined to interfere with the construction of such infrastructure. Inadvertent damage to or removal of any such tree mass or such eight (8) inch caliper tree shall be counted towards the maximum ten percent (10%) removal of tree masses and trees to remain.
 3. Any tree mass removal or tree removal not approved with the preliminary plat or subsequently approved by the City staff shall cause the City to require the developer to plant three (3) three (3) inch caliper trees for each ten (10) square feet or portion thereof of tree mass area removed and three (3) three (3) inch caliper trees for each tree removed. Such three (3) inch caliper trees shall be of a species contained in the City's list of approved street trees and shall be in addition to the street trees required by Section **410.300**. The Department of Public Works shall maintain a list of recommended street trees.
 4. After receipt of an initial occupancy permit, additional trees may be removed from individual lots at the discretion of the lot owner.