

AGENDA

PLANNING AND ZONING COMMISSION MEETING

CITY OF CREVE COEUR, MISSOURI

MONDAY, NOVEMBER 18, 1996

7:30 P.M.

1. ROLL CALL

MRS. PEGGY VICKROY, CHAIRMAN
MR. TED BROWN
MR. MICHAEL GEIGERMAN
MR. RICHARD MEYER
MRS. SUSAN MURPHY
MR. DAVID RAPP
MR. ROBERT SCHWARTZ
MR. W. DUDLEY McCARTER, CITY ATTORNEY
MR. T. MICHAEL McDOWELL, CITY ADMINISTRATOR
MR. DAVID KREUTER, CITY COUNCIL REPRESENTATIVE
MR. RICHARD SHEARER, HBA, INC., CITY PLANNING CONSULTANT
MR. VIJAY K. BHASIN, P.E., DIRECTOR OF PUBLIC WORKS
MR. RICHARD HEARNES, P.E., ASSISTANT CITY ENGINEER
MR. RANDAL E. GARNER, DIRECTOR OF COMMUNITY DEVELOPMENT
MRS. MARLENE SMITH, ADVISORY MEMBER
MRS. PAT ROSENBLATT, SECRETARY

2. UNFINISHED BUSINESS

A. <u>GARVEY'S GLEN SUBDIVISION</u> 16 COLONIAL HILLS PARKWAY RE: APPROVAL OF PRELIMINARY SUBDIVISION PLAT	REP: <u>MR. LAWRENCE WURM, JR.</u> JAMES ENGINEERING & SURVEYING 7810 FORSYTH BOULEVARD CLAYTON, MO 63105 727-4008
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3. NEW BUSINESS

A. <u>ROOSEVELT BANK</u> 12680 OLIVE BOULEVARD RE: APPROVAL OF SITE DEVELOPMENT PLAN FOR ATM INSTALLATION	REP: <u>MR. PAUL MENNER</u> ROOSEVELT BANK 900 ROOSEVELT PARKWAY CHESTERFIELD, MO 63017 532-6351
B. <u>CHILI'S / ON THE BORDER</u> OLIVE BLVD. AND QUESTOVER LANE RE: APPROVAL (1) TO REZONE FROM "A", "AR" AND "GC" TO "MX", (2) C.U.P., AND (3) SITE DEVELOPMENT PLAN	REP: <u>MR. BRUCE I. POEHLMAN</u> STEPHANS, POEHLMAN & PROST 9433 OLIVE BOULEVARD, PO BOX 8340 ST. LOUIS, MO 63132 997-5777
C. <u>MILL CROSSING</u> OLIVE BLVD. WEST OF FERN VIEW RE: APPROVAL OF SITE DEVELOPMENT PLAN FOR 180 APARTMENT UNITS	REP: <u>MR. TIMOTHY L. BERRY</u> MICHELSON COMMERCIAL REALTY 7701 FORSYTH BLVD., SUITE 900 ST. LOUIS, MO 63105 862-7080
D. <u>CONGREGATION TEMPLE ISRAEL</u> #1 RABBI ALVAN D. RUBIN DRIVE RE: APPROVAL OF C.U.P. AND SITE DEVELOPMENT PLAN FOR ADD'N TO DAY CAMP FACILITIES	REP: <u>MR. JIM WOLTERMAN</u> SWT ASSOCIATES 6752 DEVONSHIRE AVENUE ST. LOUIS, MO 63109 481-2332
E. <u>BJC WELLNESS CENTER</u> MASON RD. & OLIVE BLVD. RE: APPROVAL OF C.U.P. AND SITE DEVELOPMENT PLAN	REP: <u>MR. ROBERT L. BOLAND</u> BOLAND ASSOCIATES 1716 HIDDEN CREEK COURT ST. LOUIS, MO 63131 821-6222

F. CITYPLACE TWO
CITYPLACE DRIVE

RE: APPROVAL TO AMEND SITE
CONCEPT PLAN

REP: MR. THOMAS B. ROOF
T.R.I. ARCHITEKTS
721 EMERSON ROAD, SUITE 500
CREVE COEUR, MO 63141
569-3355

4. OTHER BUSINESS

A. NORTHWEST SECTOR LAND USE PLAN

B. HBA REPORT

REP: MR. RICHARD SHEARER
CITY PLANNING CONSULTANT

C. CITY ATTORNEY REPORT

REP: MR. W. DUDLEY McCARTER
CITY ATTORNEY

D. CITY COUNCIL REPORT

REP: MR. DAVID KREUTER
CITY COUNCIL REPRESENTATIVE

5. APPROVAL OF MINUTES OF A REGULAR MEETING OF OCTOBER 21, 1996

6. ADJOURNMENT



CITY OF CREVE COEUR

300 North New Ballas Rd. • Creve Coeur, MO 63141 • (314) 432-6000 • Fax (314) 872-2539
Relay MO 1-800-735-2966

November 13, 1996

TO: Planning and Zoning Commission Members
FROM: Randal E. Garner, Director of Community Development *RE Garner*
SUBJECT: Review of P&Z Agenda Items - November 18, 1996

**2A. GARVEY'S GLEN SUBDIVISION - APPROVAL OF PRELIMINARY
SUBDIVISION PLAT**

Final action on this item was deferred by the Planning and Zoning Commission at their meeting on October 21, 1996 to allow the Applicant time to meet with the Trustees of the parkway and discuss their concerns.

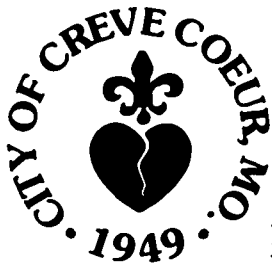
The Applicant has submitted a revised Preliminary Subdivision Plat which indicates a shortened extension for the newly created Lot "B". This revision leaves Lot "A" with the proper amount of lot frontage on the parkway to comply with the current City regulations, and it is understood that the revised plat addresses the Trustees' concerns.

Attached, for your use and information, is the report of the Assistant City Engineer regarding this Preliminary Subdivision Plat. The Applicant should submit written verification of Trustee approval.

Action on this item will be in the form of a motion for approval, approval with conditions, or denial. No action by the City Council is required.

REG/pr
attachment

135/213



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PUBLIC WORKS MEMORANDUM

DATE: November 14, 1996

TO: Mr. Randal E. Garner, Director
Community Development

FROM: Richard W. Hearn, P.E. 
Assistant City Engineer

RE: **Garvey's Glen Preliminary Subdivision Plat**

The following comments are based on a review of the above referenced document prepared by James Engineering and Surveying Company, Inc., dated August 7, 1996 and received by the City November 1, 1996.

- In my previous review of this site, I requested improvements be shown to accommodate stormwater runoff and minimize erosion, none have been added and the site engineer has indicated that no improvements are proposed. I do not believe this should be an issue to delay the approval of this preliminary plat, however, I do feel this issue should be addressed prior to a final plat approval.
- The City is still awaiting the existing protective covenants (deed restrictions) and any proposed covenants. If there are no existing or proposed restrictions or covenants, please state that on this plat. Should subdivision approval be required by restrictions or covenants, please provide this in writing, or provide a written statement that such approval is not required.

12344/44

November 14, 1996

**3A. ROOSEVELT BANK - APPROVAL OF MINOR SITE DEVELOPMENT PLAN
FOR ATM INSTALLATION**

The Roosevelt Bank, located at 12680 Olive Boulevard on the southwest corner of Olive Boulevard and Mason Road, is seeking approval of a Minor Site Development Plan for the installation of two drive-up Automatic Teller Machines. This bank/office building was built under the jurisdiction of St. Louis County. This area was annexed into the City of Creve Coeur in November of 1995. The property has been zoned "GC" General Commercial by the City.

The specific request involves the installation of two ATM machines with a canopy and an expansion and reorganization of the eastern portion of the parking lot serving this site. The proposed ATM's will be located to the northeast of the existing building. The installation of the ATM's will involve a significant amount of reorganization of the eastern parking area and landscape islands. The parking lot will be extended to the east toward Mason Road by approximately 18 or 19 feet. The edge of the extended parking area will be 10 feet from the right-of-way line of Mason Road, which meets the minimum setback requirements. The proposed parking stall and drive aisle dimensions meet the requirements of the parking regulations.

The overall net increase in site coverage resulting from this project is less than 5,000 square feet so it is considered a Minor Site Development Plan. The ATM units are proposed to be approximately 5 feet 7 inches in height and 4 feet 9 inches in length, with a freestanding canopy covering the units. The canopy would be a total of 10 feet in height. The colors proposed are silver, maroon, and white. Any circulation or queuing problems would easily be contained within the site.

The following comments are applicable to this request:

1. This site plan review does not include approval of any proposed signage. All proposed signs and their details must be submitted to the Department of Community Development for review and permit issuance.
2. Since there is excess parking spaces on site, at least two landscaped islands should be added to the extended row of parking along Mason Road to break up the extensive amount of asphalt.
3. The proposed Landscape Plan should be forwarded to Mr. Richard Shearer for his review and comments.

Action on this item will be in the form of a motion for approval, approval with conditions, or denial.

/pr

November 14, 1996

3B. CHILI'S / ON THE BORDER - APPROVAL TO (1) REZONE FROM "A", "AR", AND "GC" TO "MX", (2) C.U.P. AND (3) SITE DEVELOPMENT PLAN

This Applicant is seeking approval of a three part request to rezone, to receive Conditional Use Permits, and a Site Development Plan. This proposed project is located on the south side of Olive Boulevard between Questover Drive and Barnes West Drive. The project contains 3.82 acres and is bordered on the west by an animal hospital; on the south by the Union Electric right-of-way, with the Questover Place Subdivision beyond the right-of-way; to the east is an attached residential development known as Questover Crossing currently under development; and additional residential structures fronting on Olive Boulevard which have been or can be converted to limited commercial uses.

REZONING

This project currently incorporates four different zoning districts within its boundaries. The bulk of the project is zoned "GC" General Commercial District (2.59 acres), a small portion is zoned "MX" Mixed Use District (0.75 acres), the area of the detention basin is zoned "AR" Attached Residential (0.23 acres) and the northern half of the Union Electric right-of-way is zoned "A" Single Family Residential (0.25 acres).

The request is to rezone the "GC", "AR" and "A" Districts to the "MX" Mixed Use District. This parcel is currently a part of the area covered by the West Olive Area Land Use Plan, adopted by the City in November of 1995. This land use plan recommends that the property that is a part of this project be designated as a "mixed use" land use and the recommended zoning district is "MX" Mixed Use. The only issue noted is the fact that the land use plan indicates the entire area of the U.E. right-of-way as a single family land use designation.

It would seem reasonable that the northern half of the U.E. right-of-way could be utilized as "mixed use" because to the east of the proposed project, the northern half of the right-of-way has already been zoned "AR" Attached Residential and has been incorporated in the Questover Crossing project. The land use plan also indicates a "mixed use" land use for the area containing the proposed detention basin which also incorporates the northern half of the right-of-way. This application would provide a straight line between the land uses by using the center of the U.E. right-of-way as the dividing line running from the western edge of this project all the way to Questover Lane on the east.

The "MX" Zoning District regulations would consider restaurants as a conditional use on a parcel which contains between three and four acres. On the current Zoning Map, this rezoning would extend the "MX" District westward along the Olive Boulevard frontage from Questover Lane to the veterinary office which would remain zoned "GC" General Commercial. It is possible that the owner of the veterinary office could also petition for rezoning to the "MX" District to complete the zoning designation between Questover Drive and the Barnes West Campus.

C.U.P. AND SITE DEVELOPMENT PLAN

As stated, restaurants are a conditional use within the "MX" District. This application seeks approval of two freestanding restaurants to be located on this 3.82 acre parcel. One restaurant, Chili's, would be 6,000 square feet and the second restaurant, On The Border, would be 7,850 square feet. Each building would be one story in height and would share a common parking lot.

The proposed access to the site is via two curb cuts onto Olive Boulevard--one at the west end of the property and one at the east end. These curb cuts are proposed to be full service curb cuts for both left and right turns. The Assistant City Engineer, in his attached report, has expressed a recommendation that the site access be consolidated into a single entrance near the center of the project. The Staff has expressed concerns about having left turn access for this property onto Olive Boulevard. One of the suggested solutions for this concern is the provision and construction of a cross access easement across this project and across the veterinary property to the west and eventually connecting to Barnes West Drive and the signalized intersection. At a minimum, this Applicant should escrow one-half the construction cost of this access drive to the west. Also, as noted in the engineer's report, the access easement and pavement should extend from the eastern property line to the western property line. This access drive cannot count as a part of the required greenspace, and two or three parking spaces may be lost at the eastern property line.

Much of the southern half of this property is wooded and covered with undergrowth. This development would remove a majority of the existing tree cover. However, the plan indicates that two large trees along Olive Boulevard will be saved as well as a row of large trees along the eastern property line, which appear to be partially on this property and partially on the adjoining parcel. It is also proposed to save a 22 inch tree in front of the On The Border Restaurant and two large trees around the detention area in the southern portion of the property. The landscape portion of the plan should be reviewed by Mr. Richard Shearer for his comments and recommendation.

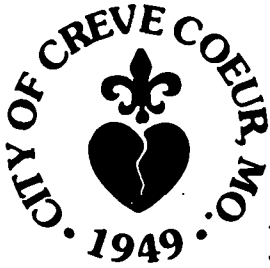
Other general comments or questions regarding the proposed Site Development Plan include:

1. Does the required parking count calculation include the required parking for the outdoor seating area? Current regulations require one space for every eight seats within the patio area.
2. There is a concern regarding the noise generated by the outdoor patio because of the close proximity of residential areas. Possibly a masonry wall along the southern edge of the patio could help reduce the noise level, and limiting the hours of usage of the patio and prohibiting outdoor music or loudspeakers could also help mitigate this concern.
3. There appears to be a slight rise or berm in the existing topography along the southern property line of this project, but it may be necessary to construct a higher berm with dense landscaping along that southern line to insure adequate protection for the residential areas from car headlights, noise and visual intrusion.

4. Identification signage is not a part of this review process or approval. A separate application shall be made with the Department of Community Development for review and approval of the sign permits.
5. The parking calculations on Sheet 2 of the submittal do not coincide with current parking regulations. The current regulations require one parking space per 50 square feet of building area or 20 per 1,000 square feet and does not require the calculation of employee parking.
6. The square footages used for the parking calculation do not match the restaurant square footages shown on Sheet 1.

Action on these items will be in the form of a recommendation to the City Council for approval, approval with conditions, or denial. Attached, for your use and review, is a draft C.U.P. for the restaurants, which can be amended as deemed appropriate by the Commission. The next available date for a Public Hearing is Monday, December 16, 1996.

/pr
attachments



CITY OF CREVE COEUR

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PUBLIC WORKS MEMORANDUM

DATE: November 8, 1996

TO: Mr. Randal E. Garner, Director
Community Development

FROM: Richard W. Hearn, P.E. 
Assistant City Engineer

RE: **Chilis/On the Border, Site Development Plan**

The following comments are based on a review of the site development plan referenced above, prepared by Stephans, Poehlman and Prost, Inc., dated August 9, 1996, received by the City October 16, 1996.

Sheet 1 of 2

1. Indicate proposed use of each building on site (restaurant), and provide required set back lines.
2. Provide written legal description of the parcel to include all site dimensions and area.
3. Indicate elevation of highest point on building, place this elevation in building foot print.
4. Indicate the location of all proposed easements.
5. Indicate under the location map that this site is in Ward 3.
6. Label existing and proposed sewage collection system, and stormwater collection system. Indicate final destination to discharge point or connection with an approved system.
7. Provide Cross Access Agreement, show area to be covered by this agreement as hatched on this sheet. Pavement and curbing to be revised to show pavement in this area to extend to the property lines.
8. Indicate Zone "C" limits.
9. Indicate location and height of all light poles and trash enclosures.
10. Increase density of landscaping in the area adjacent to the "AR" District. We suggest evergreen landscaping.

Mr. Randal E. Garner
November 8,, 1996
Page 2

Sheet 2 of 2

1. Permits must be obtained from MoDOT for the curb cuts on Olive Boulevard. We suggest a single entrance centered on the site to reduce the impact on traffic on Olive Boulevard and allow for acceleration/deceleration lanes to be placed.

Preliminary Detention Calculations

1. Revise to include calculations from both sites involved in shared detention basin.

On 8-1/2 x 11 Exterior Elevations

1. Indicate materials to be used.

Provide Separately

1. MSD approval of storm and sanitary systems.
2. Existing private restrictions and trusteeships which may exist on the subject parcel, if no restrictions exist, provide a statement signed and sealed by the site development engineer.

12323/43

BILL NUMBER _____

ORDINANCE NUMBER _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR TWO RESTAURANTS TO BE KNOWN AS CHILI'S BAR AND GRILL AND ON THE BORDER CAFE, TO BE LOCATED ON THE SOUTH SIDE OF OLIVE BOULEVARD WEST OF QUESTOVER LANE IN THE "MX" MIXED USE DISTRICT, SUBJECT TO THE FOLLOWING CONDITIONS HEREIN SET FORTH.

WHEREAS, APPLICATION WAS MADE BY BRINKER INTERNATIONAL, MR. BRUCE POEHLMAN, REPRESENTATIVE, FOR A CONDITIONAL USE PERMIT TO OPERATE TWO (2) RESTAURANTS ON THE SOUTH SIDE OF OLIVE BOULEVARD WEST OF QUESTOVER LANE IN THE "MX" MIXED USE DISTRICT OF THE CITY OF CREVE COEUR, AND

WHEREAS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF CREVE COEUR RECOMMENDED _____ OF SAID APPLICATION, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE CREVE COEUR CITY COUNCIL ON MONDAY, _____, 1996, BEGINNING AT 7:30 P.M., OR IMMEDIATELY FOLLOWING THE CLOSE OF THE PREVIOUS PUBLIC HEARING, ON SAID APPLICATION FOR THE CONDITIONAL USE PERMIT AS PROVIDED BY ARTICLE VIII, SECTION 26-114 OF ORDINANCE NUMBER 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD BEEN PREVIOUSLY PUBLISHED ON _____, 1996 IN THE ST. LOUIS COUNTIAN AND ON _____, 1996 IN THE WEST COUNTY JOURNAL, NEWSPAPERS OF GENERAL CIRCULATION IN THE CITY OF CREVE COEUR, 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 THREE TIMES BEFORE FINAL PASSAGE BY THE CITY COUNCIL, AND

WHEREAS, THE CITY COUNCIL BEING FULLY INFORMED FINDS THAT THE GRANTING OF THE APPLICATION WOULD BE IN HARMONY WITH AND BEAR A SUBSTANTIAL RELATION TO THE THE PUBLIC WELFARE, HEALTH, SAFETY, COMFORT AND CONVENIENCE OF THE CITIZENS OF THE CITY OF CREVE COEUR AND IN THE PUBLIC INTEREST AND IN CONFORMANCE WITH GOOD ZONING PRACTICE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1: A CONDITIONAL USE PERMIT IS AUTHORIZED TO BE ISSUED PURSUANT TO SECTION 3 HEREOF FOR THE CONSTRUCTION AND OPERATION OF TWO RESTAURANTS TO BE LOCATED ON THE SOUTH SIDE OF OLIVE BOULEVARD WEST OF QUESTOVER LANE IN THE "MX" MIXED USE DISTRICT, SUBJECT TO THE HEREINAFTER STATED CONDITIONS ON THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND IN U.S. SURVEY 1923, TOWNSHIP 45 NORTH, RANGE 6 EAST, CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, BEING PART OF LOT 2 OF QUESTOVER SUBDIVISION, A SUBDIVISION RECORDED IN PLAT BOOK 51, PAGE 83 OF THE ST. LOUIS COUNTY RECORDS; ALL OF ADJUSTED LOT 1 OF THE BOUNDARY ADJUSTMENT PLAT OF PART OF LOT 1 OF QUESTOVER SUBDIVISION, A BOUNDARY ADJUSTMENT PLAT RECORDED IN PLAT BOOK 296, PAGE 8 OF SAID RECORDS; PART OF TRACT OF LAND DESCRIBED TO THOMAS D. AND ANDREA M. LENZEN BY DEED RECORDED IN DEED BOOK 7672, PAGE 1778 AND BY DEED BOOK 7854, PAGE 1298 AND PART OF THE CREVE COEUR BRANCH OF THE OF THE MISSOURI PACIFIC RAILROAD RIGHT OF WAY, 100.00 FEET WIDE, DESCRIBED TO UNION ELECTRIC COMPANY BY DEED RECORDED IN DEED BOOK 6354 PAGE 1740 AND TOGETHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2 OF QUESTOVER SUBDIVISION, AFORESAID, WITH THE SOUTH LINE OF OLIVE BOULEVARD, 145.00 FEET WIDE; SAID BEGINNING POINT BEING THE SOUTHEAST CORNER OF THAT PART OF LOT 2 DESCRIBED TO THE STATE OF MISSOURI BY DEED RECORDED IN BOOK 6780, PAGE 1329, THENCE ALONG THE EAST LINE OF SAID LOT 2, SOUTH 29 DEGREES 36 MINUTES 00 SECONDS WEST 330.60 FEET TO A POINT 36.00 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 2, THENCE NORTH 60 DEGREES 24 MINUTES 00 SECONDS WEST AND PARALLEL TO THE SOUTH LINE OF SAID LOT 2, 100.00 FEET TO A POINT, THENCE SOUTH 58 DEGREES 39 MINUTES 17 SECONDS WEST 41.18 FEET TO A POINT ON THE SOUTH LINE OF LOT 1 OF QUESTOVER SUBDIVISION, SAID POINT BEING 20.00 FEET WEST OF THE SOUTHEAST CORNER OF LOT 1, THENCE SOUTH 29 DEGREES 36 MINUTES 00 SECONDS WEST 136.84 FEET TO A POINT ON THE CENTERLINE OF THE FORMER CREVE COEUR BRANCH OF THE MISSOURI PACIFIC RAILROAD, 100.00 FEET WIDE, THENCE ALONG SAID CENTERLINE THE FOLLOWING: NORTH 41 DEGREES 33

MINUTES 00 SECONDS WEST 99.81 FEET, NORTH 37 DEGREES 51 MINUTES 00 SECONDS WEST 198.00 FEET, NORTH 33 DEGREES 51 MINUTES 00 SECONDS WEST 2.99 FEET TO A POINT ON THE DIRECT PROLONGATION SOUTH OF THE WEST LINE OF ADJUSTED LOT 1; AFORESAID, THENCE ALONG SAID PROLONGATION LINE AND ALONG THE WEST LINE OF SAID ADJUSTED LOT 1; ALSO BEING THE EAST LINE OF A TRACT OF LAND DESCRIBED TO RAYMOND AND JUNE ROGERS BY DEED RECORDED IN DEED BOOK 6849, PAGE 498, NORTH 29 DEGREES 36 MINUTES 00 SECONDS EAST 393.52 FEET TO THE SOUTH LINE OF OLIVE BOULEVARD, THENCE ALONG SAID SOUTH LINE, SOUTH 60 DEGREES 27 MINUTES 30 SECONDS EAST 400.00 FEET TO THE POINT OF BEGINNING CONTAINING 3.82 ACRES MORE OR LESS.

SECTION 2: THE CONDITIONAL USE PERMIT GRANTED SHALL BE SUBJECT TO ALL APPLICABLE STATUTES, ORDINANCES, RULES AND REGULATIONS, AND THE FOLLOWING CONDITIONS:

1. THIS CONDITIONAL USE PERMIT SHALL BE FOR THE OPERATION OF A 6,000 SQ. FT. RESTAURANT AND A 7,850 SQ. FT. RESTAURANT LOCATED ON THE SAME LOT WITH COMMON ACCESS AND PARKING.

2. THE HOURS OF OPERATION SHALL BE FROM 11:00 A.M. TO 11:00 P.M. DAILY.

3. THE FLOOR PLAN FOR THE PROPOSED RESTAURANTS SHALL BE FILED WITH THE CITY'S ZONING ADMINISTRATOR SHOWING THE TYPE AND LOCATION OF ALL EQUIPMENT, FURNITURE, SEATING CAPACITY, AND OTHER INFORMATION WHICH MAY BE REQUESTED BY THE BUILDING OFFICIAL.

4. SIGNS FOR THE RESTAURANTS MUST BE IN CONFORMANCE WITH THE CITY'S SIGN REGULATIONS, AND PERMITS MUST BE OBTAINED FOR THE ERECTION OR MODIFICATION OF ANY SIGN ON THE PREMISES. BANNERS, PENNANTS, FRINGE, LIGHT PINWHEELS OR OTHER SIMILAR DEVICES FOR ATTRACTING ATTENTION MAY BE DISPLAYED ONLY IN CONFORMANCE WITH THE CITY'S CURRENT SIGN REGULATIONS. EXPOSED NEON SIGNS SHALL ONLY BE USED IN CONFORMANCE WITH THE CURRENT SIGN REGULATIONS OF THE CITY OF CREVE COEUR.

5. THE REFUSE CONTAINERS SHALL BE FOR THE EXCLUSIVE USE OF THE RESTAURANTS AND SHALL BE LOCATED IMMEDIATELY BEHIND THE RESTAURANTS. THE REFUSE CONTAINERS SHALL BE LOCATED WITHIN A SCREENED SIGHT-PROOF STORAGE AREA WITH THE INSTALLATION OF A HOSE BIBB TO SERVICE THE TRASH ENCLOSURE AREA.

6. THERE SHALL BE NO OUTDOOR STORAGE OR PLACEMENT OF ANY MATERIALS OR EQUIPMENT USED IN CONJUNCTION WITH THE RESTAURANTS, INCLUDING STORAGE OF OUTDOOR TABLES, CHAIRS AND UMBRELLAS.

7. ANY MECHANICAL EQUIPMENT INSTALLED FOR THE RESTAURANTS SHALL BE PROPERLY SCREENED WITH APPROVED MATERIALS.

8. DELIVERY AND COMPANY VEHICLES SHALL BE PARKED IN THE REAR PARKING AREA OF THE RESTAURANTS.

9. ANY FUTURE ENLARGEMENT, EXTENSION, EXPANSION OR ALTERATION IN THE USE OF THE STRUCTURES OR SITE MUST BE APPROVED BY THE CITY COUNCIL UPON RECEIPT OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION AS AN AMENDMENT TO THE CONDITIONAL USE PERMIT BEFORE A BUILDING PERMIT FOR THE ENLARGEMENT OR ALTERATION MAY BE ISSUED.

10. THIS CONDITIONAL USE PERMIT PROVIDES FOR AN OUTDOOR SEATING AREA AT THE 7,850 SQUARE FOOT RESTAURANT AND THE PATIO AREA SHALL NOT BE USED BEYOND 10:00 P.M. THE PATIO AREA SHALL BE LIMITED TO _____ SEATS.

11. THE SEATING AREA MUST HAVE SUFFICIENT PROPER SIGNS TO COMPLY WITH THE "NO SMOKING" ORDINANCE NUMBER 1392 AND AMENDING ORDINANCE NUMBER 1548.

12. A COPY OF ALL HEREIN ATTACHED CONDITIONS SHALL BE FURNISHED BY THE OWNER OR PETITIONER TO THE OPERATOR(S) OR MANAGER(S) INCLUDING SUCCESSIVE OPERATOR(S), OWNER(S) OR MANAGER(S) WHO SHALL FORWARD TO THE ZONING ENFORCEMENT OFFICER AN ACKNOWLEDGEMENT THAT HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

13. ALL CONDITIONS CONTAINED WITHIN THIS PERMIT SHALL BE POSTED UPON THE PROPERTIES IN SUCH A MANNER THAT IT IS VISIBLE TO THE PUBLIC AND THE OPERATOR OF SAID FACILITIES.

14. 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.

15. 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 NOT EXCEEDING ONE HUNDRED AND EIGHTY (180) DAYS EACH, UPON WRITTEN APPLICATION FILED AND GRANTED PRIOR TO THE EXPIRATION OF THE CONDITIONAL USE PERMIT PERIOD.

16. 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.

17. THE USE OF OUTDOOR SPEAKERS FOR THE AMPLIFICATION OF MUSIC OR SPOKEN WORD SHALL BE PROHIBITED.

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.

SECTION 4: THIS ORDINANCE SHALL BECOME EFFECTIVE AT THE EXPIRATION OF FIFTEEN (15) DAYS AFTER ADOPTION BY THE CITY COUNCIL AND THE SIGNING THEREOF BY THE MAYOR.

PASSED THIS _____ DAY OF _____, 1996.

BARRY GLANTZ, PRESIDENT
CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 1996.

WILLIAM E. WINTER
MAYOR

ATTEST:

LAVERNE COLLINS, CMC
CITY CLERK

141/213

November 15, 1996

3C. MILL CROSSING - APPROVAL OF SITE DEVELOPMENT PLAN

This Applicant is seeking approval of a Site Development Plan for an approximate 12 acre tract of land to develop an apartment complex. This parcel of land is located on the south side of Olive Boulevard, just west of Fernwood Drive and the Holy Cross Evangelical Lutheran Church. The parcel, which used to contain several homes, is currently vacant except for a single home in the northeast corner of the site. Access is gained to the site via an access road which intersects Olive Boulevard near the bottom of the hill just east of the intersection of Olive Boulevard and Creve Coeur Mill Road.

The property is bordered on the north by Olive Boulevard with a condominium development beyond Olive; on the east by the Holy Cross Lutheran Church and single family homes in the Greengate Subdivision; on the south by open farm land and floodplain; and to the west by a large estate-style, single family home on approximately 10 acres. The property sits substantially higher than the elevation of Olive Boulevard, anywhere from 10 to 20 feet higher depending on location. The grade of the property generally slopes from the high point near the center of the site to the east, south and west.

BRIEF HISTORY

This property was annexed into the City of Creve Coeur in November of 1995. The zoning for the Ward IV area, of which this parcel is a part, was established on January 22, 1996. On that date, this parcel was zoned "MR" Multifamily Residential by Creve Coeur.

This property has a long and controversial history while in the County, with various developments proposed, including the range from a car dealership to an apartment complex. The most recent action by the County was a rezoning to an R-6 AA zoning district with a Planned Environmental Unit (PEU) designation. The R-6 AA is a 3,000 square foot residence district. These ordinances were adopted by the County in July of 1992.

According to the County zoning procedures, a developer must submit a development plan for approval within 18 months of the PEU designation and may also request an 18 month extension to that timeframe. The maximum amount of time for the submission of a development is three years from the date of approval. In this instance, that three year timeframe was reached in July of 1995. At that point, the PEU designation expired and before any development could take place on that parcel, a new Public Hearing would have had to be held to determine whether to renew the PEU designation or to revert the underlying zoning of R-6 AA back to its original zoning of 10,000 square feet. A copy of the section of the St. Louis County Zoning Ordinance dealing with PEU procedures is attached for your information.

The County had placed various restrictions on the development through the PEU ordinance including a maximum of 166 units, three building levels with not more than two stories entirely above grade; the buildings were to have a masonry exterior finish; the building ends were oriented to the adjoining property lines; and various other restrictions relating to parking, setbacks and landscaping. However, as stated, that PEU ordinance expired in July of 1995 and the County never held a new Public Hearing concerning the

rezoning of the property to the 10,000 square foot district. In November of 1995, the annexation by Creve Coeur became effective and in January of 1996, the zoning classification of "MR" Multifamily Residential was given to the property. This project is being reviewed under the City's regulations regarding the "MR" District. Attached is some correspondence from the City Attorney regarding the validity of the "MR" Zoning District designation.

SITE DEVELOPMENT PLAN

This proposed development contains 12.017 acres and it is proposed to develop a total of 180 apartment units on the site. These units would be located in a total of seven buildings generally located at the perimeter of the site. These buildings would generally be three stories in height, plus a below-grade parking garage beneath each building. The plan also indicates a clubhouse and a pool located in the center of the site.

Access to the development is from a service road which runs parallel with Olive Boulevard and connects with Olive just east of the intersection of Olive Boulevard and Creve Coeur Mill Road. The entrance drive for the development is located about in the center of the property frontage and is the only access point to the development. The drive aisles and parking areas are generally located within the internal portions of the site and away from property lines.

The proposed buildings are set back a minimum of 50 feet from the side and rear property lines. The minimum setback for buildings up to 35 feet in height within the "MR" District is 50 feet. The proposed buildings are three stories, with each floor having 9 foot high ceilings and steeply pitched roofs to increase the livability and quality of the overall development. The issue these facts raise relates to the building height and setbacks as noted above. When the building height is calculated in accordance with the definition in Section 26-131 of the Zoning Code, these buildings have a height in the range of 38 to 39 feet. The Zoning Code defines the building height as the distance from elevation of the finished grade at the front of the building to the mean height level between the eaves and ridge line of a gable roof. Because of the 9 foot ceilings and the steeply pitched roofs, this definition would classify the buildings as over 35 feet in height. The only options available to the developer to address this issue includes the following:

1. Lower ceiling heights and roof pitch and lower the overall quality.
2. Move the buildings to a distance of a minimum of 75 feet from the property line. This may reduce the number of buildings but increase the height to four stories to maintain the same density.
3. Seek a variance from the Board of Zoning Adjustment.
4. Request an amendment to the zoning ordinance to allow a greater height than 35 feet.

Another comment or concern by the Staff relates to the access to the site. The only access is via a 19 foot wide service road, which is assumed to be maintained by the Missouri Department of Transportation. It is unknown how this size of a development and its access will impact the traffic on Olive Boulevard and how safe that access point will be. It is suggested that a traffic impact study be done in order to provide current data and information to help assess this factor. In addition, no access should be permitted from this development to the east through the parking lot of the Lutheran Church. Possibly a gate system could be

Mill Crossing - Page 3

installed to control such access. Another aspect of access which could be possibly addressed by a traffic study is a suggestion by Staff that a north/south connection through this project be established to begin to provide for alternate routes to Olive Boulevard for undeveloped property further to the south.

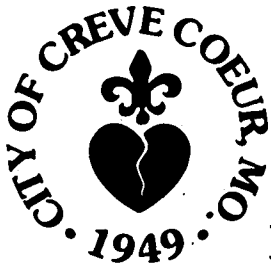
The southern portion of the property drops off steeply and contains some 100 year flood plain area from a tributary to Creve Coeur Creek. Stormwater runoff from this site will need to be monitored and reviewed very closely. Attached, for your review, is the report of the Assistant City Engineer regarding this project.

A Concept Landscape Plan is also included which could be reviewed by Mr. Richard Shearer for comment and suggestions.

Action on this item will be in the form of a motion for approval, approval with conditions, or denial. No action by City Council is required.

/pr
attachments

145/213



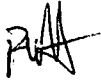
CITY OF CREVE COEUR

300 North New Ballas Rd. • Creve Coeur, MO 63141 • (314) 432-6000 • Fax (314) 872-2539
Relay MO 1-800-735-2966

PUBLIC WORKS MEMORANDUM

DATE: November 14, 1996

TO: Mr. Randal E. Garner, Director
Community Development

FROM: Richard W. Hearn, P.E. 
Assistant City Engineer

RE: **Mill Crossing, Site Concept Plan**

The following comments are based on a review of the above referenced development and documents prepared by Wind Engineering Company, dated October 22, 1996, received by the City on October 23, 1996.

Please add the following to Sheet 1 of 1:

- Provide the height and number of stories of all proposed buildings and structures.
- Approximate locations of existing and proposed utility easements and stormwater retention areas.
- Show existing flood plain limits in the area of the 100 year flood plain. Because of the proposed location of the detention basin, and the amount of fill and regrading required in this area, the City can not give conceptual approval to this plan without the site engineer obtaining the same from the Department of Natural Resources.
- Provide street names for interior roadways.
- Provide a swale detail for the area along the eastern portion of this site, this swale must be able to intercept and handle all runoff from this site.
- Identify owner of access road (approximately 19' asphalt) and indicate church parking lot. Applicant must provide proof of access rights and any limits that may exist on this access.
- Remove detention basin calculations from this document and add a note that detention calculations shall be as required by MSD at the time of development.

Agenda Application

- Please revise agenda application to read subject for agenda site concept plan.

12342/44



10. Time Periods for Submission of Plans and Commencement of Construction and Extensions of Time.

(1) Site Development Concept Plan.

The site development concept plan shall be submitted to the Planning Commission for review within eighteen (18) months after approval of the application by the County Council unless such time is extended by the Planning Commission. One such extension shall be allowed for a maximum of eighteen (18) months.

(2) Commencement of Construction.

Substantial construction shall commence within two (2) years of approval of the site development concept plan, unless otherwise authorized by ordinance. Where due cause is shown by the petitioner, the Commission may extend the period to commence construction for not more than one (1) additional year. As used in this section, substantial construction shall mean final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary and storm sewers.

(3) Appeal of a Denial of an Extension of Time.

Upon the denial by the Planning Commission of a request to extend the time for the filing or recording of a site development concept plan, or to commence construction, the applicant may file an appeal with the County Council requesting a determination from that body, except in such instances where the maximum time extensions have been granted.

A notice of appeal shall be filed within fifteen (15) days of action by the Commission. Notice of appeal to the County Council shall be in writing and shall be filed in duplicate with the County Clerk of the County Council. The applicant shall have an additional thirty (30) days to file the appeal. The appeal shall set forth the specific causes why the previously approved time for the filing or recording of a site development concept plan, or beginning construction could not be met, and within what period of time such requirement can be met.

Upon receipt of an appeal for a time extension, the County Council shall refer same to the Planning Commission for report therein as to whether or not the facts offered in the appeal have or have not justified the requested time extension. The County Council on receipt of the Commission's report may affirm, reverse, or modify, in whole or in part, any determination of the Planning Commission or may grant or deny any request for an extension of time upon which the Planning Commission has taken action. An affirmative vote of five members of the whole County Council shall be required to reverse, modify, or amend any determination of the Planning Commission. A majority vote of the whole County Council shall be sufficient to affirm any determination of the Planning Commission.

(4) Termination of Planned Environment Unit.

In the event the site development concept plan is not submitted or substantial construction has not commenced within the prescribed time limits, the Planned Environment Unit shall terminate, and the Planning Commission shall within forty-five (45) days initiate a resolution of intent for the purpose of a new public hearing to revert the property to its prior classification in accord with the proceedings specified in Section 1003.300 Procedure for Amending the Zoning Ordinance. Where rezoning has been granted in conjunction with a Planned Environment Unit and said Planned Environment Unit has terminated, no building permit shall be issued on that property until completion of action by the County Council on a resolution of intent to rezone said property in accord with the provisions of the above noted Section.

BEHR, MANTOVANI, MCCARTER & POTTER, P. C.

ATTORNEYS AT LAW

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ANTHONY R. BEHR *
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JOHN W. MAUPIN

KELLY CARTER KUEHNLEIN *
THOMAS J. HAYEK *
DARREN E. DALEY *
CHRISTOPHER L. KANZLER *
JOHN D. SCHOLD *
MICHAEL J. ZARRILLI

* ALSO LICENSED IN ILLINOIS

November 15, 1996

Mr. T. Michael McDowell
City Administrator
City of Creve Coeur
300 N. New Ballas Rd.
Creve Coeur, MO 63141

Re: Property at Olive and Fernview

Dear Mike:

As you requested, I have reviewed the materials from St. Louis County that you recently forwarded to me regarding the above-referenced property. I will outline below my thoughts regarding this.

From my review of these materials, it appears that, on July 24, 1992, St. Louis County adopted Ordinance Nos. 16049 and 16050 rezoning this property and approving a Planned Unit proposal, submitted by the owner of the property, International Development, Inc.

Ordinance No. 16049 changed the zoning of this property from "R-3" to "R-6AA." Among other things, Ordinance No. 16050 approved a development of not more than 166 multi-family residences, consisting of nine buildings. The ordinance also specifically required that, within 18 months from the date of approval, the developer shall submit a Site Development Plan (meeting numerous criteria set forth in the ordinance). The ordinance allowed for the 18 month time interval to be extended pursuant to St. Louis County ordinances.

St. Louis County ordinances also require that a Site Development Plan be submitted to St. Louis County for review within 18 months after approval of the application by the County Council and allow one extension of that time period, for a maximum of 18 months. Although I could not find in the documents you sent me a request for an 18 month extension, I am assuming that such an extension was obtained. If so, the developer was required to submit a Site Development Plan by July 24, 1995. I further understand that a Site Development Plan was not submitted to St. Louis County by that time.

Mr. T. Michael McDowell
November 15, 1996
Page 2

As you know, Creve Coeur's annexation of this property took effect in November of 1995. I understand that, based on the St. Louis County zoning map we received at the time of the annexation, the City zoned this property for multi-family.

There is some question about the validity of the St. Louis County zoning map we relied on. St. Louis County ordinances state that if a Site Development Plan is not submitted within the prescribed time limits, the prior approval of the planned unit shall terminate and the St. Louis County Planning Commission shall, within 45 days thereafter, initiate proceedings to "revert" the property to its prior classification. Further, no building permit shall be issued on that property until completion of action by the St. Louis County Council to rezone said property. Thus, it is questionable whether this property retained its "R-6AA" zoning after all of the time extensions for submission of the Site Development Plan expired, even though St. Louis County did not take formal action to rezone the property or have it revert to its prior zoning.

In summary, the current owner of this property would be required to submit a new Site Concept and Site Development Plan to the City of Creve Coeur for its approval since any approval of the prior Site Plan by St. Louis County has expired. Also, Creve Coeur's adoption of multi-family zoning for this area may be of questionable validity, since St. Louis County ordinances seem to require the property to revert to its prior zoning once the Site Development Plan is not timely submitted.

Please call me if you would like to discuss this further.

Yours truly,



W. Dudley McCarter

WDM:mp

BEHR, MANTOVANI, MCCARTER & POTTER, P. C.

ATTORNEYS AT LAW

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* ALSO LICENSED IN ILLINOIS

November 15, 1996

Mr. T. Michael McDowell
City Administrator
City of Creve Coeur
300 N. New Ballas Rd.
Creve Coeur, MO 63141

Re: Property at Olive and Fernview

Dear Mike:

As a follow-up to my first letter on the above matter, I wanted you to know that I received a call from Gary Eberhardt, who advised me that he is representing the property owners who live near Olive and Fernview and who will be protesting the Michelson Development.

He advised me that his clients would be submitting a protest petition pursuant to Section 89.060 RSMo. He also advised that he would be sending a letter to the City setting forth several legal arguments why the City cannot proceed on the Michelson application. He believes that, because no Site Development Plan was submitted by the developer before July 24, 1995, the property reverted back to its prior zoning, even though St. Louis County never officially took action to do that. It is his position that this occurred as a matter of law because the St. Louis County ordinances are mandatory, rather than discretionary, in this regard. He further believes that the action of Creve Coeur zoning this property multi-family was void because the City relied on an incorrect St. Louis County zoning map and because the City did not then follow all of the procedures required by our ordinances for the rezoning of property.

As a secondary argument, he believes that Creve Coeur's zoning of this property as multi-family was erroneous because it allows for much greater density than St. Louis County's multi-family designation of R-6AA. This attorney has raised some very interesting and significant legal arguments. It is likely that I will recommend to the Planning & Zoning Commission on November 18,

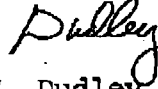
Mr. T. Michael McDowell

November 15, 1996

Page 2

that it defer voting on this application until the next meeting, so that I will have some additional time to research these issues.

Yours truly,



W. Dudley McCarter

WDM:mp

November 14, 1996

3D. CONGREGATION TEMPLE ISRAEL - APPROVAL OF C.U.P. AND SITE DEVELOPMENT PLAN FOR ADDITION TO DAY CAMP FACILITIES

The Congregation Temple Israel has made application for a Conditional Use Permit to enlarge their current day camp facilities on their site located at #1 Rabbi Alvan D. Rubin Drive on the northeast corner of the intersection of Ladue Road and Spoede Road.

This property is zoned "A" Single Family Residential by the City of Creve Coeur and a religious institution is a conditional use within a residential zoning district. The campus currently contains a Temple Building, Chapel Building, Lounge Building, School Building, Tot Lot, associated parking and roadway system.

The campus is bordered on the north by the Chilton Lane subdivision, on the east by Chatfield Place subdivision and the Ranken/Jordan Home, on the south by Ladue Road with single family homes beyond, and on the west by Spoede Road with a vacant parcel of land zoned "A" Single Family and single family homes beyond.

The Temple desires to expand their existing summer day camp capabilities by constructing some new facilities which would accommodate outdoor activities for the summer campers from the pre-kindergarten age through the second grade. The expansion would allow the camp to grow from the present enrollment of 85 children up to a maximum of 135 children.

The main construction of the day camp facilities would take place to the north of the existing school building and to the south of the entrance drive from Spoede Road. The construction in this area would include an instructional swimming pool, a shade structure, a small game area, spray pool, and courtyard all surrounded by a 4 foot high fence. This construction will replace an existing parking area and some landscaped area and will be directly connected to the north end of the school building.

In the wooded area to the west of the school building between the drop off/pick up drive and Spoede Road, it is proposed to construct a Picnic Pavilion with restrooms, tot playground, youth playground, and a handicapped accessible walking path all surrounded by a 4 foot high fence. This area is somewhat shielded from Spoede Road because the terrain raises from the sidewalk along Spoede before sloping away to the east toward the creek which runs between the school building and the Temple. The construction in this area would be accomplished without the removal of any existing trees.

The third phase of the development would involve the area to the north of the existing entrance drive from Spoede Road. This phase would provide for the continuation of the walking path and a small meditation area. To the east of the creek, which runs north and south through the property, a portion of the parking lot will be removed and the area made into a turf sports field. It would be a relatively small playing field measuring approximately 75 feet wide by 150 feet long. Another small pavilion with a storage area would also be constructed in the area of the field. The field would not be illuminated and existing vegetation would remain along the northern property line.

Congregation Temple Israel - Page 2

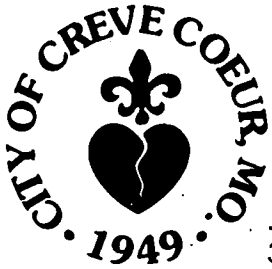
Overall the proposed implementation of the full concept would only involve a net increase of 3,637 square feet of additional site coverage on this approximate 23 acre site, which is less than a 1/2 of 1 percent increase. The project would do very little damage in the way of existing vegetation and should not be a great hindrance on the surrounding neighborhoods.

Action on this item will be in the form of a recommendation to the city council for approval, approval with conditions or denial. The next available public hearing date is Monday, December 16, 1996.

The Commission may amend the attached draft of the C.U.P. in any manner deemed appropriate. Attached is the report of the Assistant City Engineer regarding this project.

/bg
attachments

142/213



CITY OF CREVE COEUR

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Relay MO 1-800-735-2966

PUBLIC WORKS MEMORANDUM

DATE: November 8, 1996

TO: Mr. Randal E. Garner, Director
Community Development

FROM: Richard W. Hearn, P.E. 
Assistant City Engineer

RE: **Congregation Temple Israel, Conditional Use Permit**

Upon the applicant receiving a favorable recommendation, this Department will require the submittal of site improvement plans for review and approval by the Planning and Zoning Commission and this Department.

12322/43

BILL NUMBER _____

ORDINANCE NUMBER _____

AN ORDINANCE AUTHORIZING AN AMENDMENT TO A CONDITIONAL USE PERMIT FOR CONGREGATION TEMPLE ISRAEL FOR THE EXPANSION OF CAMPUS FACILITIES AT #1 RABBI ALVAN D. RUBIN DRIVE, IN THE "A" SINGLE FAMILY RESIDENTIAL DISTRICT, SUBJECT TO THE CONDITIONS HEREIN SET FORTH.

WHEREAS, APPLICATION WAS MADE BY CONGREGATION TEMPLE ISRAEL FOR A CONDITIONAL USE PERMIT TO ENLARGE THE CAMPUS FACILITIES, LOCATED AT #1 RABBI ALVAN D. RUBIN DRIVE, TO ALLOW THE EXPANSION OF THE CAMPUS FACILITIES IN ACCORDANCE WITH AN APPROVED SITE DEVELOPMENT PLAN, IN THE "A" SINGLE FAMILY RESIDENTIAL DISTRICT OF THE CITY OF CREVE COEUR, AND

WHEREAS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF CREVE COEUR RECOMMENDED _____ OF SAID APPLICATION, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE CREVE COEUR CITY COUNCIL ON MONDAY, _____, 1996 BEGINNING AT 7:30 P.M., OR IMMEDIATELY FOLLOWING THE CLOSE OF THE PREVIOUS PUBLIC HEARING, ON SAID APPLICATION FOR THE CONDITIONAL USE PERMIT AS PROVIDED BY ARTICLE VIII, SECTION 26-114 OF ORDINANCE NUMBER 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD BEEN PREVIOUSLY PUBLISHED ON _____, 1996 IN THE ST. LOUIS COUNTIAN AND ON _____, 1996 IN THE WEST COUNTY JOURNAL, NEWSPAPERS OF GENERAL CIRCULATION IN THE CITY OF CREVE COEUR, 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 THREE TIMES BEFORE FINAL PASSAGE BY THE CITY COUNCIL, AND

WHEREAS, THE CITY COUNCIL BEING FULLY INFORMED FINDS THAT THE GRANTING OF THE APPLICATION WOULD BE IN HARMONY WITH AND BEAR A SUBSTANTIAL RELATION TO THE PUBLIC WELFARE, HEALTH, SAFETY, COMFORT

AND CONVENIENCE OF THE CITIZENS OF THE CITY OF CREVE COEUR AND IN THE PUBLIC INTEREST AND IN CONFORMANCE WITH GOOD ZONING PRACTICE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI AS FOLLOWS:

SECTION 1: A CONDITIONAL USE PERMIT IS AUTHORIZED TO BE ISSUED PURSUANT TO SECTION 3 HEREOF FOR THE OPERATION OF THE FACILITIES OF CONGREGATION TEMPLE ISRAEL, LOCATED AT #1 ALVAN D. RUBIN DRIVE, IN THE "A" SINGLE FAMILY RESIDENTIAL DISTRICT, SUBJECT TO THE HEREINAFTER STATED CONDITIONS ON THE FOLLOWING DESCRIBED PROPERTY:

(TO BE INSERTED)

SECTION 2: THE CONDITIONAL USE PERMIT GRANTED SHALL BE SUBJECT TO ALL APPLICABLE STATUTES, ORDINANCE, RULES AND REGULATIONS, AND THE FOLLOWING CONDITIONS:

1. THIS CONDITIONAL USE PERMIT SHALL BE FOR THE OPERATION OF A RELIGIOUS INSTITUTION, SCHOOL AND CUSTOMARILY ASSOCIATED FUNCTIONS AND RELATED OPERATIONS.

2. THE SITE SHALL BE DEVELOPED AND MAINTAINED IN CONFORMANCE TO THE SITE DEVELOPMENT PLAN PREPARED BY S.W.T. ASSOCIATES, WITH AN ISSUE DATE OF OCTOBER 29, 1996 OR AS FURTHER REVISED AS REQUIRED AND APPROVED BY THE CITY OF CREVE COEUR.

3. THE TURF SPORT FIELD LOCATED IN THE NORTH PORTION OF THE CAMPUS SHALL NOT BE ILLUMINATED FOR THE PURPOSE OF PLAYING ORGANIZED SPORTS AFTER DARK.

4. ANY NEW MECHANICAL EQUIPMENT INSTALLED FOR THE CAMPUS SHALL BE PROPERLY SCREENED WITH APPROVED MATERIALS.

5. ANY FUTURE ENLARGEMENT, EXTENSION, EXPANSION OR ALTERATION IN THE USE OF THE STRUCTURES OR SITE, ABOVE AND BEYOND THE APPROVED SITE DEVELOPMENT PLAN, 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 OR ALTERATION MAY BE ISSUED.

6. THE CAMPUS FACILITIES MUST HAVE SUFFICIENT PROPER SIGNS TO COMPLY WITH THE "NO SMOKING" ORDINANCE NUMBER 1392 AND AMENDING ORDINANCE NUMBER 1548.

7. A COPY OF ALL HEREIN ATTACHED CONDITIONS SHALL BE FURNISHED BY THE OWNER OR PETITIONER TO THE OPERATOR(S) OR MANAGER(S), INCLUDING SUCCESSIVE OPERATOR(S), OWNER(S) OR MANAGER(S), WHO SHALL FORWARD TO THE ZONING ENFORCEMENT OFFICER AN ACKNOWLEDGEMENT THAT HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

8. ALL CONDITIONS CONTAINED WITHIN THIS PERMIT SHALL BE POSTED UPON THE PROPERTY IN SUCH A MANNER THAT IT IS VISIBLE TO THE PUBLIC AND THE OPERATOR OF SAID FACILITY.

9. FAILURE TO COMPLY WITH ANY ONE OR ALL OF THE CONDITIONS OF THIS PERMIT SHALL BE ADEQUATE CAUSE FOR THE REVOCATION OR MODIFICATION OF SAID PERMIT BY THE CITY COUNCIL PROVIDED, HOWEVER, NO PERMIT SHALL BE REVOKED OR MODIFIED WITHOUT PRIOR NOTICE TO THE OWNER OF THE INTENTION OF THE CITY COUNCIL TO REVOKE OR MODIFY THIS PERMIT AND REASONABLE TIME GRANTED TO THE OWNER TO CORRECT OR REMEDY ANY SUCH BREACH OF CONDITION, EXCEPT FOR REPEATED BREACHES OR VIOLATIONS

10. 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 NOT EXCEEDING ONE HUNDRED AND EIGHTY (180) DAYS EACH, UPON WRITTEN APPLICATION FILED AND GRANTED PRIOR TO THE EXPIRATION OF THE CONDITIONAL USE PERMIT PERIOD.

11. 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.

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.

SECTION 4: THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT
UPON THE EXPIRATION OF FIFTEEN (15) DAYS AFTER THE ADOPTION BY THE
CITY COUNCIL AND THE SIGNING THEREOF BY THE MAYOR.

ADOPTED BY CITY COUNCIL THIS ____ DAY OF _____, 1997.

BARRY GLANTZ
CITY COUNCIL PRESIDENT

APPROVED THIS ____ DAY OF _____, 1997.

WILLIAM E. WINTER
MAYOR

ATTEST:

Laverne COLLINS, CMC
CITY CLERK

146/213

DRAFT

November 14, 1996

3E. BJC WELLNESS CENTER - APPROVAL OF C.U.P. AND SITE DEVELOPMENT PLAN

The BJC Health System is making application for approval of a Conditional Use Permit to operate a Wellness Center within the now vacant Central Hardware building within the Bellerive Center near the intersection of Olive Boulevard and Mason Road. This property is currently zoned "GC" General Commercial by the City of Creve Coeur. This area was annexed by the City in November of 1995. The Central Hardware Store completed the liquidation of it's stock in the summer of 1996 and the building has been vacant since that time.

BJC proposes to renovate the existing building and convert it into a Wellness Center operated by the BJC Health Systems. The renovation would also include a proposed expansion to the building. The expansion area would contain basketball/volleyball courts and a exercise equipment area. The existing building would contain Physician Offices, meeting rooms, support work stations, physical therapy area, cardio/pulmonary area, lap pool, therapy pool, men's and women's locker rooms, small cafe and boutique, child care area, and various other exercise and equipment areas.

The difference in this facility and other rehabilitation facilities run by health organizations is that this facility will not only provide physical therapy and rehabilitative services and follow up but will also sell memberships like a private health club to encourage a more healthy lifestyle.

The staff has classified this facility as a recreational use within the "GC" District and thus is being reviewed as a conditional use because indoor recreational facilities are conditional uses. Other private health clubs and exercise facilities have been required to obtain a C.U.P. within the city. Because this facility will sell memberships like a private club the staff felt this was the proper use classification. Other rehabilitation facilities operated by Health Care providers are not classified as conditional uses because use of the facilities are limited to those referred by a physician and are not open to the general public.

The proposed renovation will include a total upgrade of the exterior appearance and new entrance. The proposed expansion to the west side of the building will be into an existing paved area which was used as the garden shop and outdoor storage area by Central Hardware.

The applicant proposes to add internal landscaped islands to the parking area in front of the building which should help break up the existing large expanse of asphalt. The required parking has been calculated based on 5 cars per 1000 square feet of floor space which is the ratio for amusement and recreation facilities in Section 26-93.8(g). However, after staff review and input it may be reasonable to calculate the portion of the facility used as surgical and medical rehab as "other health services" which requires a parking ratio 1 space per 250 square feet of floor area. This would reduce the required parking slightly and provide the opportunity to create additional greenspace in front of the building, especially close to the main access drive along the

north side of the parking area. The current site coverage is over the maximum allowable by the "GC" District, however the proposed renovations of adding landscape islands and the potential to add some additional landscape area would move the site closer to conformity and not increase the degree of non-conformity.

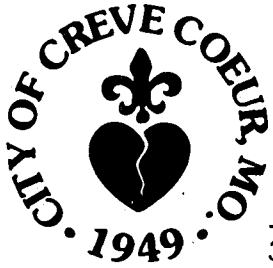
This proposed use would seem to be a good adaptive reuse of a vacant building and should not have a significant impact on the traffic patterns in the area, over and above the impact that the Central Hardware store or other retail user of this building would have. Because it is located in the center of an existing commercial area and has been used in a commercial sense for many years it would not have an adverse impact on surrounding neighborhoods.

Action on this item will be in the form of a recommendation to the City Council for approval, approval with conditions or denial. The suggested date for the Public Hearing is Monday, January 13, 1997.

Attached for your use and review is the report of the Assistant City Engineer and a draft C.U.P. which can be modified in any manner deemed appropriate by the Commission.

/bg
attachments

143/213



CITY OF CREVE COEUR

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PUBLIC WORKS MEMORANDUM

DATE: November 8, 1996

TO: Mr. Randal E. Garner, Director
Community Development

FROM: Richard W. Hearnese, P.E. 
Assistant City Engineer

RE: **BJC Wellness Center, Conditional Use Permit**

Upon the applicant receiving a favorable recommendation, this Department will require the submittal of site improvement plans for review and approval by the Planning and Zoning Commission and this Department.

12321/43

BILL NUMBER _____

ORDINANCE NUMBER _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO OPERATE A WELLNESS CENTER BY BJC HEALTH SYSTEM AT 1045 EXECUTIVE PARKWAY IN THE BELLERIVE CENTER, IN THE "GC" GENERAL COMMERCIAL DISTRICT OF THE CITY OF CREVE COEUR, SUBJECT TO THE CONDITIONS HEREIN SET FORTH.

WHEREAS, APPLICATION WAS MADE BY BJC HEALTH SYSTEM, MR. ROBERT BOLAND REPRESENTATIVE, FOR A CONDITIONAL USE PERMIT TO OPERATE A WELLNESS CENTER AT 1045 EXECUTIVE PARKWAY IN THE BELLERIVE CENTER, IN THE "GC" GENERAL COMMERCIAL DISTRICT OF THE CITY OF CREVE COEUR, AND

WHEREAS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF CREVE COEUR RECOMMENDED _____ OF SAID APPLICATION, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE CREVE COEUR CITY COUNCIL ON MONDAY, _____, 1997 BEGINNING AT 7:30 P.M., OR IMMEDIATELY FOLLOWING THE CLOSE OF THE PREVIOUS PUBLIC HEARING, ON SAID APPLICATION FOR THE CONDITIONAL USE PERMIT AS PROVIDED BY ARTICLE VIII, SECTION 26-114 OF ORDINANCE NUMBER 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD BEEN PREVIOUSLY PUBLISHED ON _____ 1996 IN THE ST. LOUIS COUNTIAN AND ON _____, 1996 IN THE WEST COUNTY JOURNAL, NEWSPAPERS OF GENERAL CIRCULATION IN THE CITY OF CREVE COEUR, 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 THREE TIMES BEFORE FINAL PASSAGE BY THE CITY COUNCIL, AND

WHEREAS, THE CITY COUNCIL BEING FULLY INFORMED FINDS THAT THE GRANTING OF THE APPLICATION WOULD BE IN HARMONY WITH AND BEAR A SUBSTANTIAL RELATION TO THE PUBLIC WELFARE, HEALTH, SAFETY, COMFORT AND CONVENIENCE OF THE CITIZENS OF THE CITY OF CREVE COEUR AND IN THE PUBLIC INTEREST AND IN CONFORMANCE WITH GOOD ZONING PRACTICE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI AS FOLLOWS:

SECTION 1: A CONDITIONAL USE PERMIT IS AUTHORIZED TO BE ISSUED PURSUANT TO SECTION 3 HEREOF FOR THE OPERATION OF THE BJC WELLNESS CENTER, TO BE LOCATED AT 1045 EXECUTIVE PARKWAY IN THE BELLERIVE CENTER, IN THE "GC: GENERAL COMMERCIAL DISTRICT, SUBJECT TO THE HEREINAFTER STATED CONDITIONS ON THE FOLLOWING DESCRIBED PROPERTY:

(TO BE INSERTED)

SECTION 2: THE CONDITIONAL USE PERMIT GRANTED SHALL BE SUBJECT TO ALL APPLICABLE STATUTES, ORDINANCE, RULES AND REGULATIONS, AND THE FOLLOWING CONDITIONS:

1. THIS CONDITIONAL USE PERMIT SHALL BE FOR THE OPERATION OF AN APPROXIMATE 68,295 SQUARE FOOT WELLNESS FACILITY.

2. THE OPERATION OF A CAFE SHALL BE SOLELY FOR THE CONVENIENCE OF THE MEMBERS OR PATRONS AND SHALL NOT HAVE EXTERIOR SIGNAGE.

3. THE HOURS OF OPERATION MAY BE FROM 5:00 A.M. TO 12:00 MIDNIGHT SEVEN DAYS A WEEK.

4. THE FLOOR PLAN FOR THE PROPOSED WELLNESS FACILITY SHALL BE FILED WITH THE CREVE COEUR ZONING ADMINISTRATOR, SHOWING THE TYPE AND LOCATION OF ALL EQUIPMENT, FURNITURE, AND OTHER INFORMATION WHICH MAY BE REQUESTED BY THE BUILDING OFFICIAL.

5. SIGNS FOR THE WELLNESS FACILITY MUST BE IN CONFORMANCE WITH THE CITY'S SIGN REGULATIONS, AND PERMITS MUST BE OBTAINED FOR THE ERECTION OR MODIFICATION OF ANY SIGN ON THE PREMISES. BANNERS, PENNANTS, FRINGE, LIGHTS, PINWHEELS OR OTHER SIMILAR DEVICES FOR ATTRACTING ATTENTION MAYBE DISPLAYED ONLY IN CONFORMANCE WITH THE CITY'S CURRENT SIGN REGULATIONS. EXPOSED NEON SIGNS SHALL ONLY BE USED IN CONFORMANCE WITH THE CURRENT SIGN REGULATIONS OF THE CITY OF CREVE COEUR.

6. THERE SHALL BE NO OUTDOOR STORAGE OR PLACEMENT OF ANY MATERIALS OR EQUIPMENT USED IN CONJUNCTION WITH THE WELLNESS FACILITY.

7. ANY MECHANICAL EQUIPMENT INSTALLED FOR THE WELLNESS FACILITY SHALL BE PROPERLY SCREENED WITH APPROVED MATERIALS.

8. 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 OR ALTERATION MAY BE ISSUED.

9. THE FACILITY MUST BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE SITE DEVELOPMENT PLANS PREPARED BY BOLAND ASSOCIATES WITH AN ISSUE DATE OF 10/29/96 OR AS FURTHER REVISED AS REQUIRED AND APPROVED BY THE CITY OF CREVE COEUR.

10. THE FACILITY MUST HAVE SUFFICIENT PROPER SIGNS TO COMPLY WITH THE "NO SMOKING" ORDINANCE NUMBER 1392 AND AMENDING ORDINANCE NUMBER 1548.

11. THERE SHALL BE A REFUSE CONTAINER ENCLOSURE POSITIONED FOR THIS FACILITY WHICH CONFORMS TO STANDARDS SET BY THE CITY FOR THIS PARTICULAR SITE AND SHALL INCLUDE THE INSTALLATION OF A HOSE BIBB TO SERVICE THE TRASH ENCLOSURE AREA.

12. A COPY OF ALL HEREIN ATTACHED CONDITIONS SHALL BE FURNISHED BY THE OWNER OR PETITIONER TO THE OPERATOR(S) OR MANAGER(S), INCLUDING SUCCESSIVE OPERATOR(S), OWNER(S) OR MANAGER(S), WHO SHALL FORWARD TO THE ZONING ENFORCEMENT OFFICER AN ACKNOWLEDGEMENT THAT HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

13. ALL CONDITIONS CONTAINED WITHIN THIS PERMIT SHALL BE POSTED UPON THE PROPERTY IN SUCH A MANNER THAT IT IS VISIBLE TO THE PUBLIC AND THE OPERATOR OF SAID FACILITY.

14. FAILURE TO COMPLY WITH ANY ONE OR ALL OF THE CONDITIONS OF THIS PERMIT SHALL BE ADEQUATE CAUSE FOR THE REVOCATION OR MODIFICATION OF SAID PERMIT BY THE CITY COUNCIL PROVIDED, HOWEVER, NO PERMIT SHALL BE REVOKED OR MODIFIED WITHOUT PRIOR NOTICE TO THE OWNER OF THE INTENTION OF THE CITY COUNCIL TO REVOKE OR MODIFY THIS PERMIT AND REASONABLE TIME GRANTED TO THE OWNER TO CORRECT OR REMEDY ANY SUCH BREACH OF CONDITION, EXCEPT FOR REPEATED BREACHES OR VIOLATIONS

15. 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 NOT EXCEEDING ONE HUNDRED AND EIGHTY (180) DAYS EACH, UPON WRITTEN APPLICATION FILED AND GRANTED PRIOR TO THE EXPIRATION OF THE CONDITIONAL USE PERMIT PERIOD.

16. 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.

17. THE USE OF OUTDOOR SPEAKERS FOR THE AMPLIFICATION OF MUSIC OR SPOKEN WORD SHALL BE PROHIBITED.

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.

SECTION 4: THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON THE EXPIRATION OF FIFTEEN (15) DAYS AFTER THE ADOPTION BY THE CITY COUNCIL AND THE SIGNING THEREOF BY THE MAYOR.

ADOPTED BY CITY COUNCIL THIS _____ DAY OF _____, 1997.

BARRY GLANTZ
CITY COUNCIL PRESIDENT

APPROVED THIS _____ DAY OF _____, 1997.

ATTEST:

WILLIAM E. WINTER
MAYOR

Laverne Collins, CMC
CITY CLERK

147/213

November 14, 1996

3F. CITYPLACE TWO - APPROVAL TO AMEND SITE CONCEPT PLAN

This applicant is seeking approval of a revision to a Site Concept Plan for the CityPlace development on the north side of Olive Boulevard between Craig Road and the North New Ballas Extension. This area is zoned "CB" Core Business District and is governed by the Town Centre Land Use Plan adopted in May of 1995.

The CityPlace development has two phases which have been completed and include a retail building, two parking structures and a 6 story, 230,000 square foot gross leasable office building. In 1990 the third phase was approved and construction begun on a second 6 story office building with 150,000 square feet of gross leasable floor area. Construction on this office building, which was located on the west side of the existing lake, was halted after construction was complete on the piers and footings.

This request is seeking approval of a revised Site Concept Plan to change the general layout of the Phase III Office building by reducing it to 4 floors with 90,000 square feet of gross leasable area. The parking structure would be reduced from 5 levels to 2 levels, from 675 spaces to 360 spaces based on current parking ratios.

The building would be situated in a similar manner as previously approved along the west side of the lake. The 2 level parking deck is also situated in a similar fashion as previously approved following the curve to the North New Ballas Extension.

This proposed land use fits within the requirements of the Town Centre Land Use Plan which specifies an office use for this site.

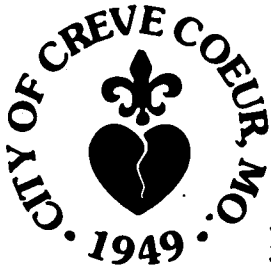
With this revision the amount of greenspace for the entire development increases as a whole from 47.6% to 48.6%, well above the minimum of 30% greenspace.

Should the request receive approval, the applicant would need to return to the P&Z Commission with a Site Development Plan for review and approval prior to resuming construction of the facility.

Action on this item will be in the form of a recommendation to the City Council for approval, approval with conditions or denial. Their approval is required because this development is a part of the Town Centre Land Use Area. This item could be forwarded to the Council for their consideration at the November 25, 1996 meeting.

Attached for your review is the report of the Assistant City Engineer.

/bg
attachments
144/213



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PUBLIC WORKS MEMORANDUM

DATE: November 13, 1996

TO: Mr. Randal E. Garner, Director
Community Development

FROM: Richard W. Hearn, P.E. 
Assistant City Engineer

RE: **CityPlace II, Master Site Plan Revision**

The following comments are based on a review of the above referenced development and documents prepared by T. R. I. Architects, dated October 29, 1996, received by the City on the same date.

Please add the following to Sheet DP-1:

- Indicate current zoning of all adjacent parcels.
- Indicate the boundaries of the parcel, these boundaries should agree with the written legal description.
- Provide the height of all proposed buildings and structures.
- Provide approximate locations of existing and proposed utility easements.
- Provide two (2) section profiles through the site showing preliminary building form, existing natural and proposed final grade.
- Show and label sanitary and drainage facilities (existing and proposed).

Note to the Engineer - In the future, no drawing with a scale smaller than one inch (1") equals fifty feet (50') will be accepted.

12337/43