



**AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
NOVEMBER 7, 2022
6:00 PM**

CALL TO ORDER

ROLL CALL

Ms. Julie LaBonte (Chair)
Ms. Muriel Hall
Mr. Larry Potashnick
Ms. Marjorie Richter
Mr. AJ Wang
Ms. Rhonda O'Brien
Mr. Thomas Buelter

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, Director of Community Development
Ms. Bethany L. Moore, City Planner
Ms. Megan Waller, Administrative Supervisor/Recording Secretary

ACCEPTANCE OF THE AGENDA

APPROVAL OF MINUTES

- 1. October 17, 2022 Planning and Zoning Commission Draft Meeting Minutes**

PUBLIC COMMENT

An opportunity for members of the public to address the Planning and Zoning Commission regarding issues or concerns not already on the agenda for this meeting. Those wishing to speak will be asked to limit comments to three minutes and to complete a speaker card.

UNFINISHED BUSINESS

NEW BUSINESS

- 1. #22-026: Boundary Adjustment Plat For the 48,335 Square Foot Lot at 11387 Mosley Forest To Include 371 Square Feet from 13 Ladue Meadows**
Summary: Raj Clement, owner of 11387 Mosley Forest Drive, is requesting approval of a boundary adjustment to add 371 square feet from 13 Ladue Meadows to 11387 Mosely Forest Drive, creating a 1.118-acre lot. The owner of 11387 Mosley Forest Drive has been maintaining the area for several years and both property owners are in agreement to adjust the boundary between their lots to include the area into 11387 Mosley Forest Drive. The boundary adjustment



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would leave 13 Ladue Meadows with 43,560 square feet, or 1 acre, which is the minimum lot size for "A" zoning district.

2. PUBLIC HEARING #22-030: Amended Conditional Use Permit and Site Development Plan for Courtyard Marriott at 828 N. New Ballas Road

Summary: Eli Tuttle, of Johnson Braund, Inc., on behalf of CBM Two Hotels LP, has submitted an application to the amend the conditional use permit to allow for exterior modifications to the Courtyard by Marriott hotel at 828 N. New Ballas Road, Creve Coeur, MO 63141. NAICS 721110 Hotels (except Casino Hotels) and Motels requires a conditional use permit with review by the Planning and Zoning Commission and approval of an ordinance by the City Council.

3. 2023 Planning and Zoning Commission Meeting Schedule

WORK AGENDA

DEPARTMENT REPORTS

ADJOURNMENT

Pursuant to Section 610.022 RSMo., the Planning and Zoning Commission could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. And/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

Posted by: _____

Date/Time posted: _____



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If you need special accommodations to attend a meeting, services may be arranged by contacting the Office of the City Administrator in advance.



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING COMMISSION
CITY OF CREVE COEUR, MISSOURI
MONDAY, OCTOBER 17, 2022
6:00 PM**

CALL TO ORDER

The meeting was called to order at 6:00 PM.

ROLL CALL

Ms. Julie LaBonte (Chair)
Ms. Muriel Hall
Mr. Larry Potashnick
Ms. Marjorie Richter
Mr. AJ Wang
Ms. Rhonda O'Brien
Mr. Thomas Buelter

The following staff were also present:

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, Director of Community Development
Ms. Bethany L. Moore, City Planner
Ms. Megan Waller, Administrative Supervisor/Recording Secretary

ACCEPTANCE OF THE AGENDA

Mr. Potashnick made a motion to accept the October 17th, 2022 meeting agenda. Mr. Wang seconded. All in Favor.

APPROVAL OF MINUTES

1. October 3, 2022 Planning and Zoning Commission Draft Meeting Minutes

Mr. Wang made a motion to approve the October 3rd, 2022 meeting minutes. Mr. Potashnick seconded. All in favor.

PUBLIC COMMENT

None

UNFINISHED BUSINESS

None



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING COMMISSION
CITY OF CREVE COEUR, MISSOURI
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NEW BUSINESS

1. PUBLIC HEARING Application #22-029 Conditional Use Permit for White Glove Exotic Services Located at 10640 Gateway Boulevard

Those speaking to the request were sworn in.

Mr. Alex David, 4362 W Pine Blvd. St. Louis Mo, stated that he acquired White Glove Exotic Services in March 2022. He explained that the service department had been in operation for many years in association with a used car dealership.

Mr. David explained that a new conditional use permit was not received after the sale of the business two years ago.

Mr. David presented photos of the location and signage on the building.

Mr. David stated that there are currently 17 employees, and they hope to continue to grow.

Mr. David stated the business provides full service for luxury vehicles, including finishing touches and detailing.

Mr. David stated that the showroom space is typically used as car storage for customers who are out of town.

Mr. David stated that the typical hours of operation are 7:00 AM - 6:00 PM Monday through Friday. He explained that there are currently no weekend hours except for special events.

Mr. David stated that the site is 1.32 acres with one existing service bay.

Mr. David stated that the existing trash enclosure will continue to be utilized.

Mr. Wang asked why body work and upholstery are not services offered. Mr. David stated that painting is highly regulated, and he does not care to expand to include this service in the future. Mr. David explained that upholstery services are subcontracted.

Ms. Bethany Moore, City Planner, stated that no exterior changes to the building are proposed.

Ms. Moore confirmed that the brick trash enclosure will remain.



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CITY OF CREVE COEUR
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CITY OF CREVE COEUR, MISSOURI
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Ms. Moore stated that the site will only allow for one service bay.

Ms. Moore stated that onsite parking is not an issue for the proposed use and existing uses.

Ms. Moore stated that per the zoning code, there should be a 10ft landscape buffer around the edges of the property. She stated that given the parking layout, this is not possible.

Ms. Moore stated that a new landscaping plan to be approved by staff is a condition of approval.

Ms. Moore stated that there are three existing street trees and presented photos of the existing landscape and parking lot.

Ms. Moore stated that conditions of approval include operations shall be conducted inside the building, used parts must be stored within the existing enclosure or indoors, no body or fender work shall be permitted on the premises, and a final landscape plan shall be submitted and approved by staff before the approval of any permits.

Ms. LaBonte had concerns that body work may be too vague of a term. Mr. Jaggi stated that this is not referring to paintless dent removal per the ordinance.

Mr. Buelter asked if electric vehicles are serviced and if there are charging stations. Mr. David stated that currently there are not.

Mr. Carl Lumley, City Attorney, offered the exhibits to the record.

Mr. Potashnick made a motion to recommend approval to the City Council of the conditional use permit for White Glove Exotic Services subject to the conditions outlined in the staff report. Mr. Wang seconded. All in favor.

RESULT: Passed

MOVER: Larry Potashnick

SECONDER: AJ Wang

AYES: AJ Wang, Larry Potashnick, Muriel Hall, Julie LaBonte, Thomas Buelter, Rhonda O'Brien, Marjorie Richter

NAYS: None



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING COMMISSION
CITY OF CREVE COEUR, MISSOURI
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6:00 PM**

WORK AGENDA

None

DEPARTMENT REPORTS

Mr. Jason Jaggi, Director of Community Development, stated that the City Council did approve the Drive Thru text amendment with modifications which he outlined.

Mr. Jaggi stated that the November 7th meeting may include the Chick-Fil-A proposal, Marriott Courtyard Conditional Use Permit, a boundary adjustment, and a new restaurant called Mexican Barrelhouse, and the 2023 Meeting calendar.

Mr. Jaggi stated that the Marriott team has asked to participate through Zoom from Seattle if the commission approves. The commission agreed to allow zoom participation.

Mr. Jaggi stated that there are many Creve Coeur participants in this year's Planning and Zoning Chancellor Certificate program through UMSL.

ADJOURNMENT

Ms. O'Brien made a motion to adjourn. Mr. Wang seconded. All in favor. The meeting adjourned at 6:32 PM.

Submitted by:

Recording Secretary

Chair

"BOUNDARY ADJUSTMENT PLAT OF 11387 MOSLEY FOREST DRIVE AND 13 LADUE MEADOWS"

PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 45 NORTH, RANGE 5 EAST,
CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI
ZONED "A" SINGLE FAMILY RESIDENTIAL

CITY OF CREVE COEUR

It is hereby certified that this Boundary Adjustment Plat was approved by the Creve Coeur Planning and Zoning Commission on the _____ day of _____, 2022, pursuant to Section 410.030.D of the Subdivision Regulations, in Chapter 410 of the Municipal Code of the City of Creve Coeur.

City of Creve Coeur, Missouri

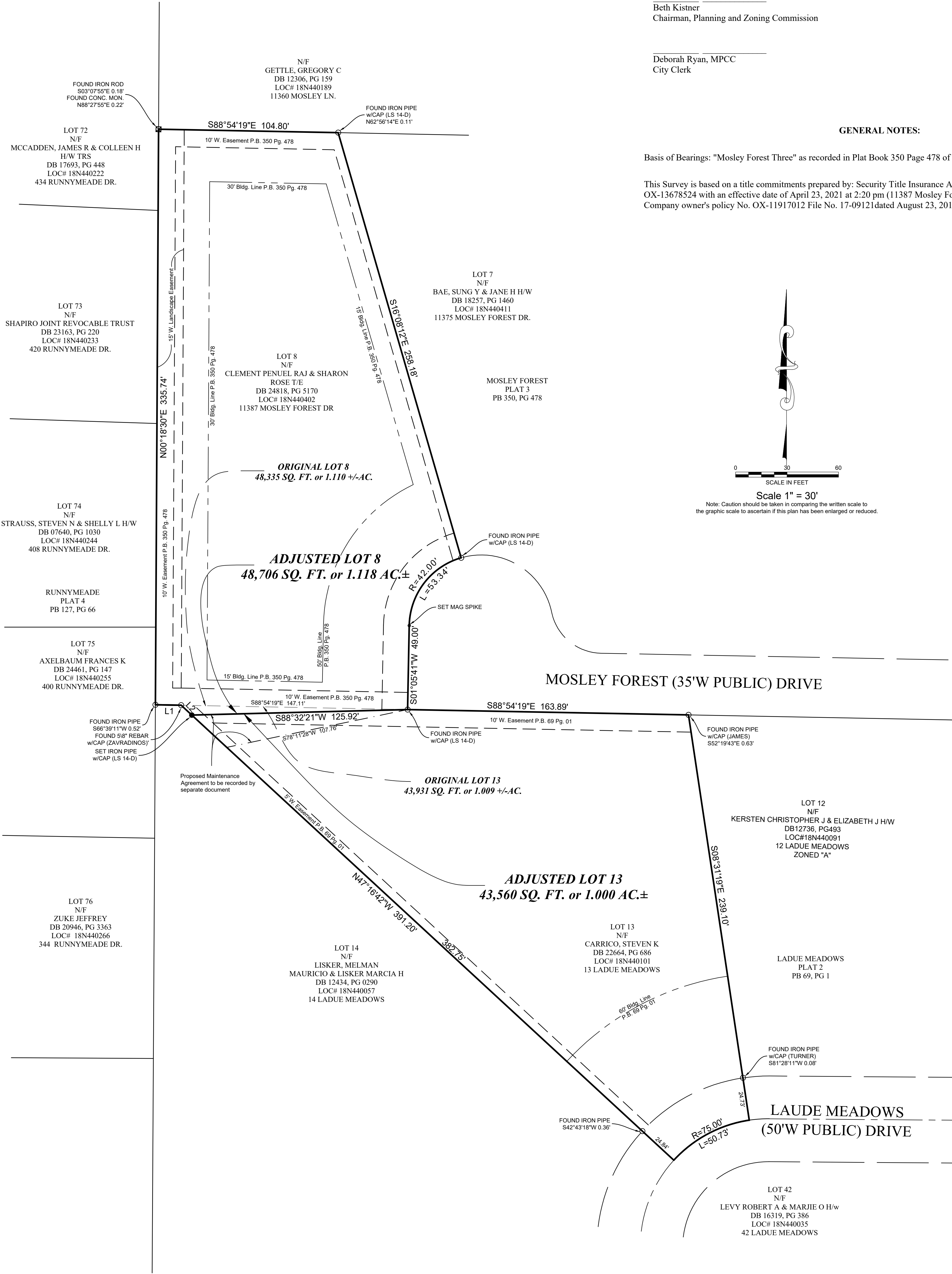
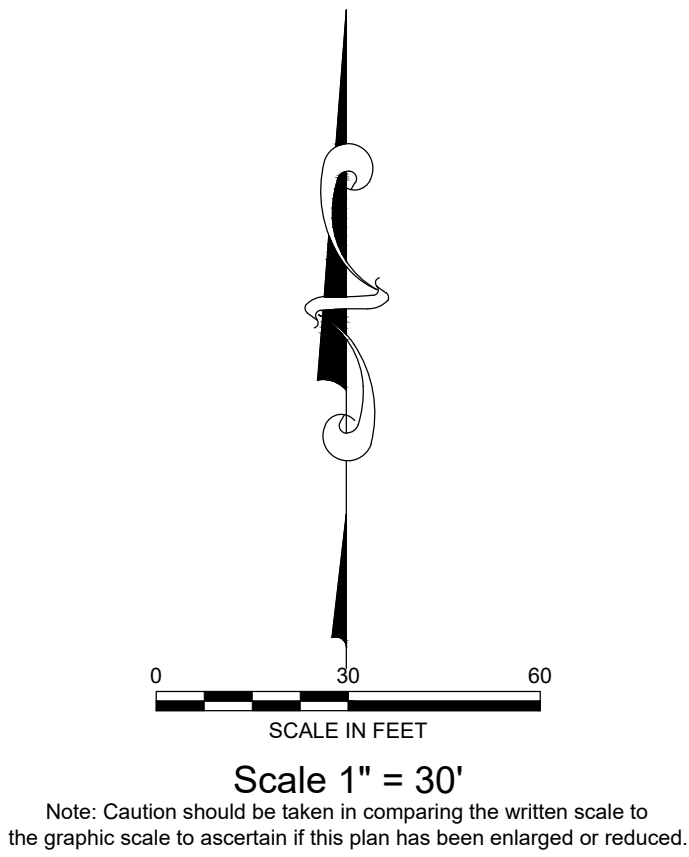
Beth Kistner
Chairman, Planning and Zoning Commission

Deborah Ryan, MPCC
City Clerk

GENERAL NOTES:

Basis of Bearings: "Mosley Forest Three" as recorded in Plat Book 350 Page 478 of the St. Louis County records

This Survey is based on a title commitments prepared by: Security Title Insurance Agency, LLC owner's policy No. OX-13678524 with an effective date of April 23, 2021 at 2:20 pm (11387 Mosley Forest Drive) and U.S. Title Guaranty Company owner's policy No. OX-11917012 File No. 17-09121dated August 23, 2017 at 9:10 am (13 Ladue Meadows)



Proposed Maintenance Agreement to be recorded by separate document

Call Before you DIG

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1-800-344-7483

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MISSOURI ONE-CALL SYSTEM INC.

Underground facilities, structures & utilities have been plotted from available surveys, records & information, and therefore, do not necessarily reflect the actual existence, nonexistence, size, type, number of, or location of these facilities, structures, & utilities.

The Contractor shall be responsible for verifying the actual location of all underground facilities, structures, & utilities, either shown or not shown on these plans. The underground facilities, structures, & utilities shall be located in the field prior to any grading, excavation or construction of improvements. These provisions shall in no way absolve any party from complying with the Underground Facility Safety and Damage Prevention Act.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N88°54'19"W	15.00'
L2	N47°16'42"W	8.45'

The original signed and sealed of this drawing is on file at the office of The Clayton Engineering Company. Any modifications to this drawing shall release said The Clayton Engineering Company, the Engineer and/or Surveyor whose seal appears hereon from any liability resulting from said unauthorized modifications. The signed and sealed original is the official document and shall take precedence over any digital version.

ORIGINAL LAND DESCRIPTIONS
(from record)

11387 Mosley Forest Drive: Lot 8 of Mosley Forest Three, a subdivision in St. Louis County, Missouri, according to the plat thereof recorded in Plat Book 350 Page 478 of the St. Louis County records.

13 Ladue Meadows: Lot 13 of Ladue Meadows Plat 2, a subdivision in St. Louis County, Missouri, according to the plat thereof recorded in Plat Book 69 Page 01 of the St. Louis County records.

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ENGINEERS • SURVEYORS • PLANNERS

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info@claytoneng.com www.claytoneng.com
U.S. Dept. of Commerce • International Trade Administration • Export Administration Regulations • E.O. 12812, 12958, 13312, 13526, 13527, 13528, 13529, 13530, 13531, 13532, 13533, 13534, 13535, 13536, 13537, 13538, 13539, 13540, 13541, 13542, 13543, 13544, 13545, 13546, 13547, 13548, 13549, 13550, 13551, 13552, 13553, 13554, 13555, 13556, 13557, 13558, 13559, 13560, 13561, 13562, 13563, 13564, 13565, 13566, 13567, 13568, 13569, 13570, 13571, 13572, 13573, 13574, 13575, 13576, 13577, 13578, 13579, 13580, 13581, 13582, 13583, 13584, 13585, 13586, 13587, 13588, 13589, 13590, 13591, 13592, 13593, 13594, 13595, 13596, 13597, 13598, 13599, 13600, 13601, 13602, 13603, 13604, 13605, 13606, 13607, 13608, 13609, 13610, 13611, 13612, 13613, 13614, 13615, 13616, 13617, 13618, 13619, 13620, 13621, 13622, 13623, 13624, 13625, 13626, 13627, 13628, 13629, 13630, 13631, 13632, 13633, 13634, 13635, 13636, 13637, 13638, 13639, 13640, 13641, 13642, 13643, 13644, 13645, 13646, 13647, 13648, 13649, 13650, 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Bethany Moore <blmoore@crevecoeurmo.gov>

November 7, 2022 Planning and Zoning Commission Meeting

Austin DeSain <adesain@claytoneng.com>

Thu, Oct 20, 2022 at 3:40 PM

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

Cc: Michael Blansit <mblansit@claytoneng.com>, Penuel RAJ Clement <penuelc@gmail.com>, "Steven Carrico (Neighbor) (LDC)" <steven@ldc-properties.com>

Good afternoon Bethany,

Attached is the powerpoint presentation that I have prepared for the November 7th meeting. Also, see the below email from Mr. Carrico with his approval of the boundary adjustment.

Please don't hesitate to reach out to me if you need anything else related to this boundary adjustment plat prior to this meeting.

Thank you,

Austin DeSain P.L.S.

Survey Manager, VP

The Clayton Engineering Company

Direct: 314-341-2678 Cell: 314-629-6843

www.claytoneng.com

From: Steven Carrico [mailto:steven@ldc-properties.com]

Sent: Wednesday, October 19, 2022 11:33 AM

To: Penuel RAJ Clement <penuelc@gmail.com>; Austin DeSain <adesain@claytoneng.com>

Cc: Michael Blansit <mblansit@claytoneng.com>

Subject: RE: November 7, 2022 Planning and Zoning Commission Meeting

My name is Steven Carrico, I am the homeowner at [13 Ladue Meadows](#). Due to the land contour, existing fence line and properties best uses I feel the boundary adjustment is logical for highest and best use of both properties. I approve of the adjustment.

Greatly appreciated!

Steven Carrico, CLS

Director of Real Estate

[10929 Page Ave.](#)

ST. LOUIS, MO 63132

D: 314-710-5515

C: 314.580.4095

STEVEN@LDC-PROPERTIES.COM

www.ldc-properties.com



**APPLICATION TO PLANNING AND ZONING COMMISSION
#22-026: BOUNDARY ADJUSTMENT PLAT FOR THE 48,335 SQUARE FOOT
LOT AT 11387 MOSLEY FOREST TO INCLUDE 371 SQUARE FEET FROM 13
LADUE MEADOWS**

FOR THE MEETING OF: Monday, November 7, 2022

LOCATION: 11387 Mosley Forest Drive and 13 Ladue Meadows, Zoned "A"
Single-Family Residential

REQUEST: Raj Clement, owner of 11387 Mosley Forest Drive, is requesting approval of a boundary adjustment to add 371 square feet from 13 Ladue Meadows to 11387 Mosley Forest Drive, creating a 1.118-acre lot. The owner of 11387 Mosley Forest Drive has been maintaining the area for several years and both property owners agree to adjust the boundary between their lots to include the area into 11387 Mosley Forest Drive. The boundary adjustment would leave 13 Ladue Meadows with 43,560 square feet, or 1 acre, which is the minimum lot size for "A" zoning district.

ADDITIONAL INFORMATION: The sale or transfer of small parcels of land to or between adjoining property owners, where such sale does not create additional lots is a ministerial act; if the drawings are technically accurate and do not raise issues of concern, they can be approved by the Planning and Zoning Commission.

Key Issues:

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

Subdivision Code References

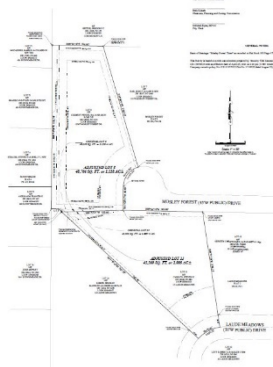
- Section 410.030(D)

Zoning Code References

- Section 405.250: "A"
Single-Family Residential

APPLICANT: Raj Clement
11387 Mosley Forest Drive
Creve Coeur, MO 63141

**APPLICANT'S
REPRESENTATIVE:** Mike Blansit
Clayton Engineering
2268 Welsch Industrial Court
St. Louis, MO 63146



REPORT PREPARED BY: Bethany L. Moore, City Planner
DATE: 11/01/2022
ATTACHMENTS: Applicant's Materials

DISCUSSION

The owner of 11387 Mosley Forest Drive has been maintaining the area in question, currently located within the property boundaries of 13 Ladue Meadows, for several years. The owner maintains the area with landscaping and treats it as part of his property. The owner at 13 Ladue Meadows does not maintain the area in question and has an existing fence around his property that does not include this area. The owner of 13 Ladue Meadows agrees with the proposed boundary adjustment and has provided consent for this request.

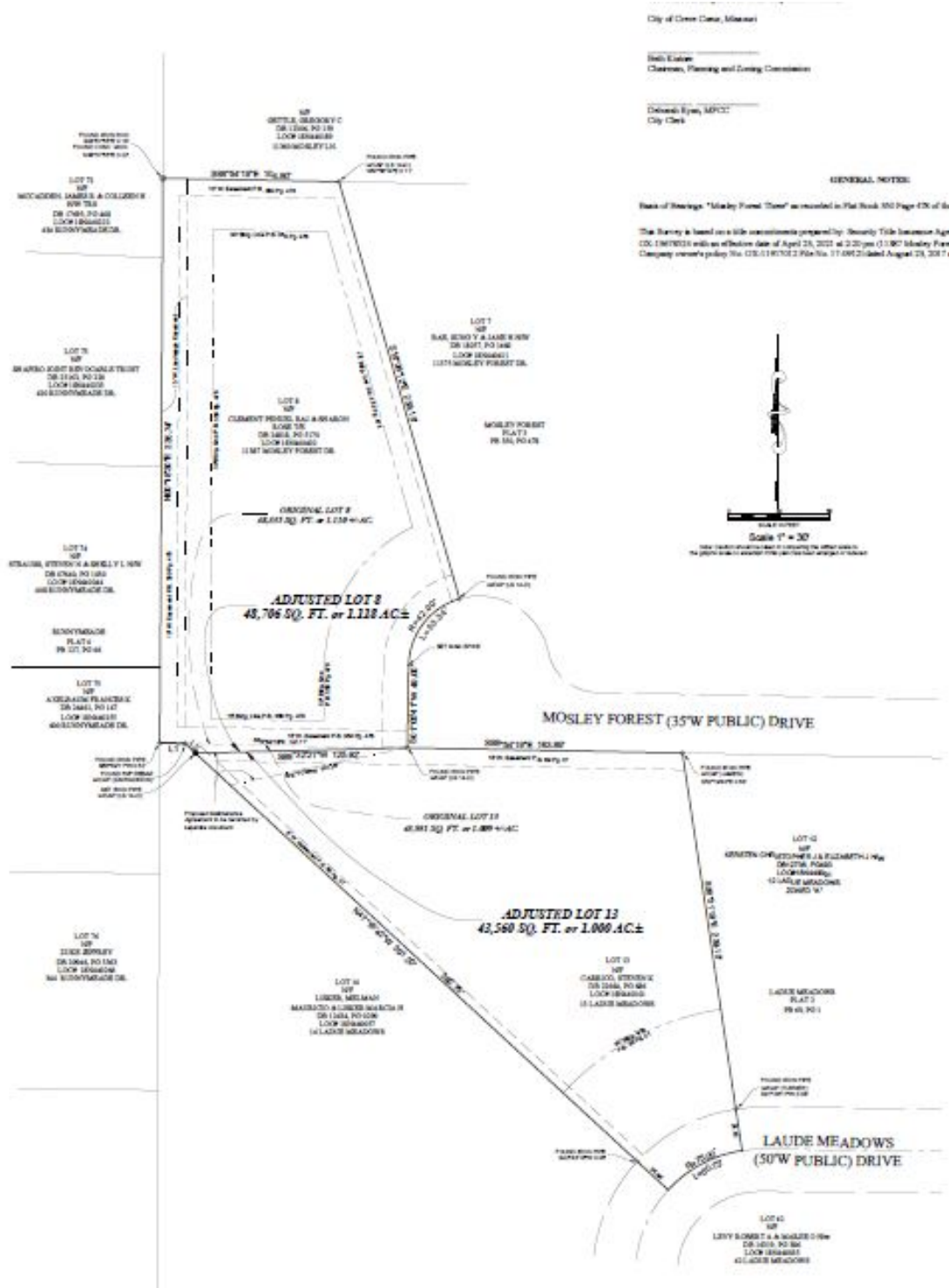


Figure 1: Close up of the Boundary Adjustment Plat.

Technical Review

A boundary adjustment, which is not a subdivision plat, is possible when the following regulation from the Subdivision Code is satisfied:

410.030(D) Sale or transfer of small parcels of land to or between adjoining property owners, where such sale does not create additional lots, is exempt from the requirement of recording by plat; provided, however, that certification by the Planning and Zoning Commission shall be required prior to such sale or transfer. This certification shall be recorded with the title of the property by the St. Louis County Recorder of Deeds.

This appears to be the case with the current application. The drawings are technically accurate, and the adjustment does not create any known non-conformities on the site, nor will it create any additional non-conformities. The minimum lot size and dimensions for properties in the A District, under Section 405.250 of the zoning regulations are a minimum of 1 acre lot area, with a lot width of 150 feet and lot depth of 150 feet. The adjusted Lot 8, 11387 Mosley Forest Drive, is 1.118 acres and the adjusted Lot 13, 13 Ladue Meadows, is 1 acre. Staff concludes that the adjustment should be approved by the Planning Commission, subject to the conditions in the example motion.

ACTION

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

MOTION

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

“I move to approve the boundary adjustment to add 371 square feet from 13 Ladue Meadows to 11387 Mosely Forest Drive, creating a 1.118-acre lot and a 1-acre lot described in the staff report on application #22-026 received September 27, 2022 subject to the condition that a final drawing be prepared for signature and recording, and a pdf drawing be provided to the City.” (Conditions may be added, eliminated, or modified by preceding motion).

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

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

APPENDIX 2: CREVE COEUR SUBDIVISION AND LAND DEVELOPMENT REGULATIONS (CHAPTER 410 OF THE CREVE COEUR MUNICIPAL CODE)

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

APPENDIX 3: AERIAL PHOTO





city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539
www.crevecoeurmo.gov

APPLICATION TO PLANNING AND ZONING COMMISSION #22-030: AMENDED CONDITIONAL USE PERMIT AND SITE DEVELOPMENT PLAN FOR COURTYARD MARRIOTT AT 828 N. NEW BALLAS ROAD

FOR THE MEETING OF: Monday, November 7, 2022

SUBJECT PROPERTY LOCATION: 828 N. New Ballas. Zoned CB Core Business District

REQUEST: Eli Tuttle, of Johnson Braund, Inc., on behalf of CBM Two Hotels LP, has submitted an application to amend the existing conditional use permit to allow for exterior modifications to the Courtyard by Marriott hotel at 828 N. New Ballas Road, Creve Coeur, MO 63141. NAICS 721110 Hotels (except Casino Hotels) and Motels requires a conditional use permit with review by the Planning and Zoning Commission and approval of an ordinance by the City Council.

ADDITIONAL INFORMATION: The original conditional use permit for the hotel was issued in 1985, Ordinance 1121, and has largely remained the same since that time. The Courtyard Marriott is seeking to update the site with new entrance elements and paint scheme to create a more linear, modern appearance, and new landscaping throughout the site. The existing hotel has 154 rooms and two conference rooms, along with a restaurant for the hotel guests that is limited to 2,000 square feet with seating for 50, per Ordinance 1121. The existing site coverage is 60.73% and the proposed site coverage is 60.94%, and an overall site area of 4.37 acres. In 2020, a similar proposal was approved via Ordinance 5721 by the Planning and Zoning Commission and City Council but has now lapsed.

Key Issues:

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

Comprehensive Plan References

- Central Business District
- Design Guidelines

Zoning Code References

- 405.370: CB-Core Business District
- Section 405.470: Conditional Use Permit
- Section 405.540: Landscaping
- Section 1080: Site Concept, Site Development and Minor Site Plan Approval.

APPLICANT: Eli Tuttle
Johnson Braund, Inc.
15200 62nd Ave South
Seattle, WA 98188

APPLICANT'S REPRESENTATIVE: Charles R. Lathem
CBM Two Hotels LP
1717 McKinney Ave. Suite 1900
Dallas, TX 75202



PROJECT DESCRIPTION

A Conditional Use Permit amendment for proposed exterior alterations was approved by the Planning and Zoning Commission on September 21, 2020 and the City Council on October 12, 2020 via Ordinance #5721 (attached for reference). The applicant received an extension for this approval on September 13, 2021 for 180-days. The extension terminated on April 10, 2022, and the project did not proceed to construction. Since the prior approval has lapsed, the applicant has applied for review and approval of nearly the same scope of work, with minor revisions, including changes to the proposed exterior colors. This staff report is largely carried over from when this proposal was last presented to the City in 2020, with the minor changes noted.

The original building received approval for the conditional use permit in 1985 and has largely remained unchanged since that time. The Applicants are seeking to update the existing façade with new metal cladding and EIFS for a more modern linear façade, at the entrance elements. The overall site coverage will increase from 60.73% to 60.94%. According to the Applicant, the existing building is natural stucco, and the new EIFS will be used at the dark frames (pilasters and parapets) that outline the metal cladding at the front and the two corner stair towers in a texture that will closely match that of the existing stucco building.



Figure 1: Close up of the front proposed entrance element

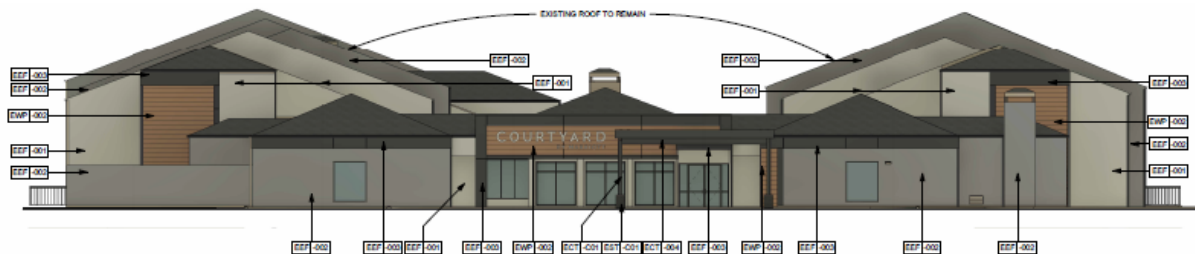


Figure 2: Proposed West Elevation



Figure 3: Proposed South Elevation



Figure 4: Proposed East Elevation

Below are the images of the proposed materials. A sample board will be available at the Government Center for review.

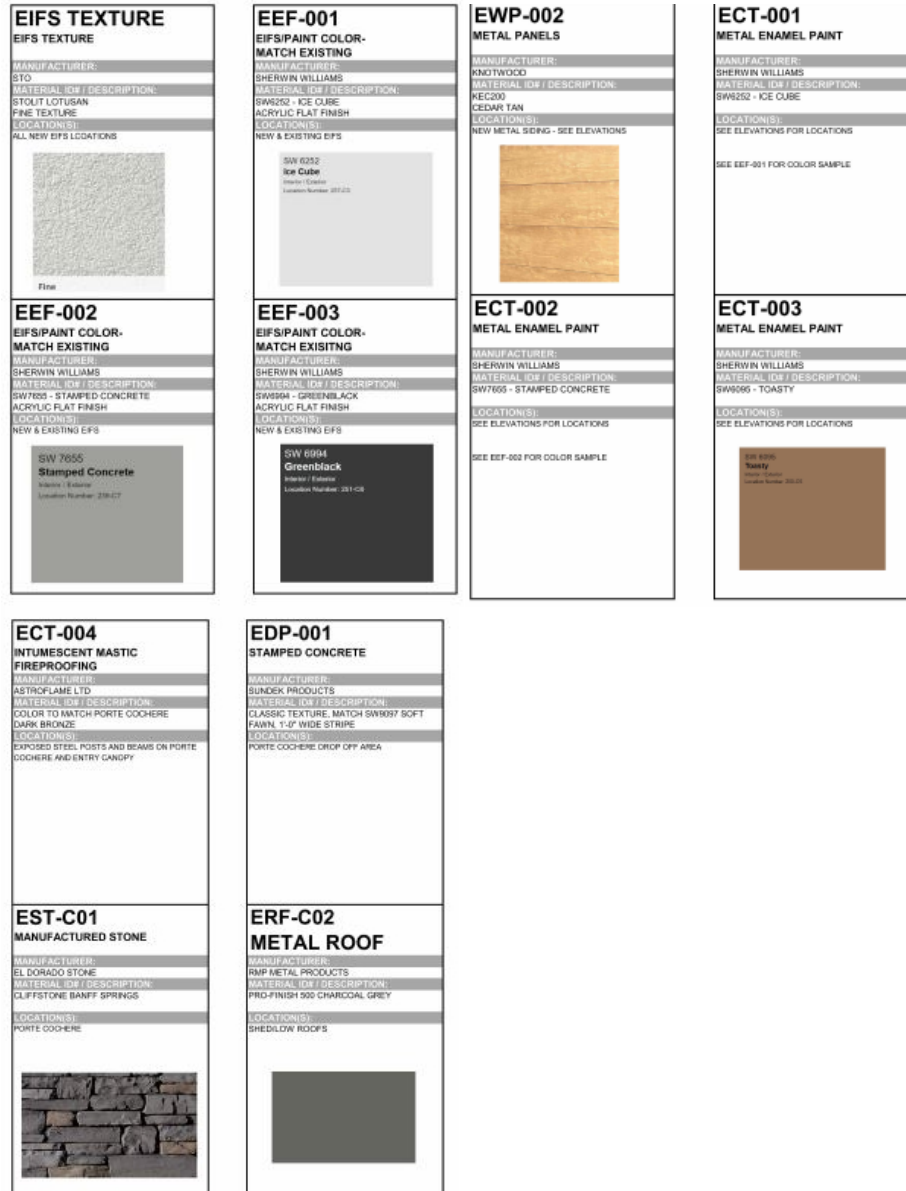


Figure 5: Proposed Material Samples.

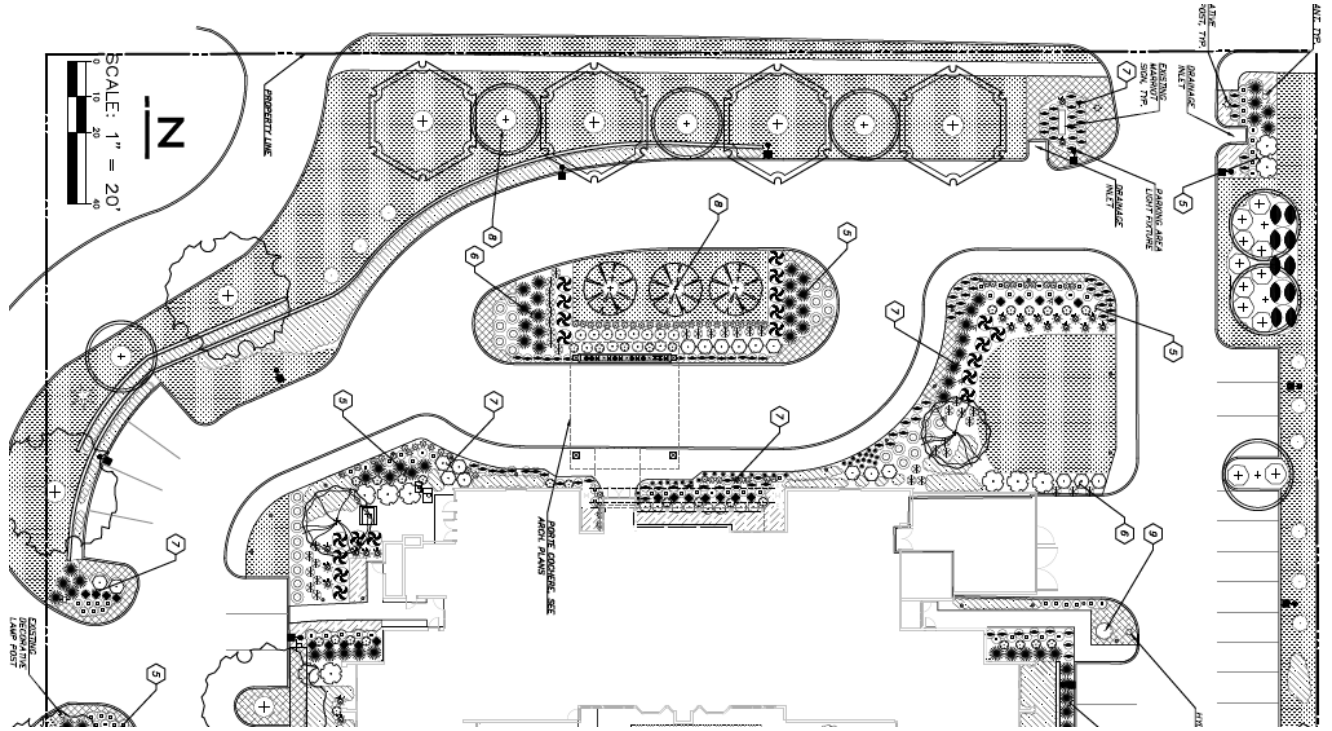


Figure 6: Close-up of the Landscape Plan along N. New Ballas Road and at the front entrance area.

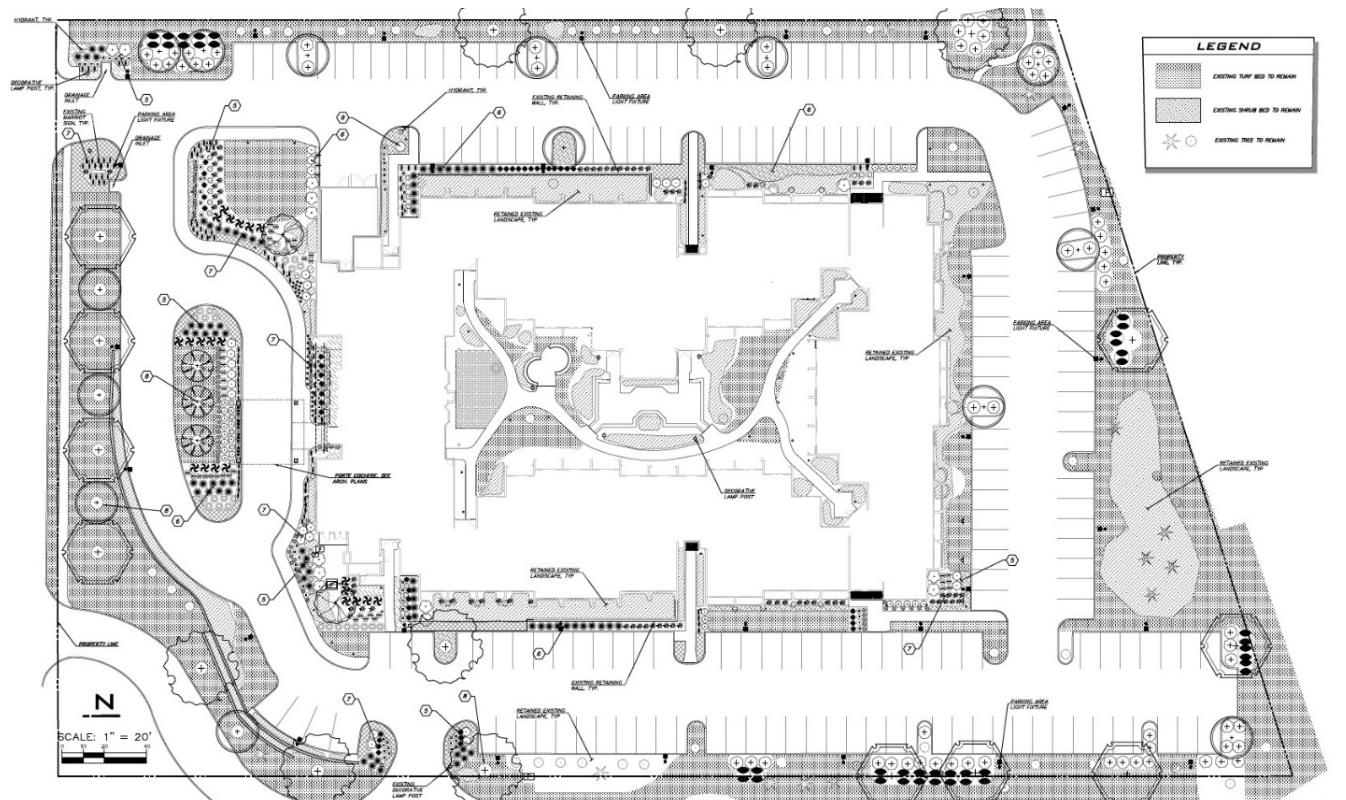


Figure 7: Full Landscape Plan. (The Scale does make it difficult to see the entire design, please review the full set attached.)

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	City Place 2	CB - Core Business District	NA
South	Retail Shopping Center	CB - Core Business District	NA
East	City Place, Office, Retail	CB - Core Business District	NA
West	Condo	CB - Core Business District	N. New Ballas Road

COMPREHENSIVE PLAN REVIEW

The *Creve Coeur 2030 Plan* includes the subject property in the Central Business District Place Type that includes recommendations for providing public site amenities, including outdoor dining, plazas, fountains, “parklets” and other elements to promote district vibrancy and a walkable area. Additionally consistent landscaping should be provided along all primary streets. The proposal is renovating an existing hotel to provide for a more modern aesthetic design, without significantly altering the site. The proposed new entrance element provides for a greater design interest to the main entrance, along with new landscaping throughout the site. The Applicants propose a new sidewalk from the existing sidewalk to the main entrance where one is not currently provided. Therefore, in as much as this proposal can, it meets with the recommendations of the Comprehensive Plan.

Design Guidelines

The City’s Design Guidelines recommend against the use of “corporate” or franchise style (p.8) in the attempt to make the building appear as advertising, and that materials should have good architectural character, be durable, and be selected for compatibility with adjoining building and properties. Natural traditional building materials and “green” building materials are preferred, along with architectural consistency of colors and materials that provided for a sense of architectural continuity; EIFS should be used as a way to accentuate an architectural element and should be limited to areas not subject to damage or abuse; Large parapet walls should reflect the function behind them and should not be freestanding; and EIFS should be used as a way to accentuate an architectural element and should be limited to areas not subject to damage or abuse (P.9). And material or color changes should occur at a change of plane, where material or color changes at the outside corners of structures that give the impression of “thinness” and artificiality of the material are discourage, and inconsistent adornment and frequent changes in material should be avoided. (p. 10).

The proposed changes to the building are for the most part consistent with the Design Guidelines, where the EIFS is limited in use and designed to mimic the existing natural stucco building, and limited to serve as a blocking/box around the use of the metal cladding, and that the metal cladding is carried around to the south and north elevations, and around on all sides, ending at the inside corners, with the paint scheme changing with the changes in the plane. The Commission should review the use of the materials and discuss if the design provides for something unique to the City of Creve Coeur. Also, the metal cladding on the north and south elevations end at the ground floor at the entrances on the east end of the building. While these are out of the way entrances, for the south elevation, this is most visible from Olive Boulevard at the entrance for the Aldi, as well as visible from 2 CityPlace Drive for the north elevation. Therefore, Staff has included a condition that the cladding on the tower elements is to be carried all the way up to be consistent with the same elements elsewhere on the building. This condition was required with the prior approval in 2020. The color palette has been revised since the prior approval with more muted shades of similar colors.

The City’s Comprehensive Plan and Design Guidelines recommend high quality landscaping that accentuates the building and site and softens the effects of the parking area; that there should a consistency of landscape design throughout a development; and that landscaped areas are to be maximized and balanced throughout the site. Tree and shrub planting should be grouped together to create strong accent points with the site plan. The original ordinance for the conditional use permit

conditions 8-10 required heavily landscaped areas throughout the site to screen the parking lot areas along the sides and the rear of the building.

The Landscape Designers have indicated that proposed landscape rehabilitation is focused on disturbances to the existing landscape needing repair post façade renovation and updating/enhancing the site landscape to create a cohesive updated look. These goals are accomplished through the use of a mixed palette of deciduous and evergreen shrubs, grasses and perennials, deciduous trees, and varying groundcover plantings. The mix of the new plantings with the existing on-site landscape will create a dynamic landscape providing year-round interest and restored/added screening for the side and rear parking areas. There is a substantial existing tree cover along the North, East, and South sides of the building with several trees that have died or been removed over the years. The proposed landscape design selectively replants and adds new trees and shrubs to restore the parking lot screening while taking in to account updated site features since the original design. For example, the pedestrian connection at the NE corner. We have proposed additional low landscape to buffer sightlines while maintaining safety for pedestrian users. As proposed in the guidelines, trees and shrubs have been grouped together to create a balanced and impactful landscape the enhances the building, softens/screens the parking, and speaks to the original intent of the ordinance.

Overall, the proposed landscape plan provides for new landscaping throughout the site and along the N. New Ballas in keeping with the recommendations of the Comprehensive Plan and Design Guidelines.

ZONING REVIEW

NAICS 721110 Hotels (except Casino Hotels) and Motels requires a conditional use permit with review by the Planning and Zoning Commission and approval of an ordinance by the City Council. As the original ordinance references out of date sections of the Zoning Code, Staff is requesting a repeal and replacement with a new ordinance to replace the lapsed Ordinance 5721. Section 405.470(A)(15) Hotels and motels (NAICS 721110) of the Conditional Uses requires that hotels shall be located on lots of not less than three (3) acres in the “PC”, “GC”, “CB” and “LI” districts. The subject property is approximately 4.37 acres in the CB District. As indicated in the original ordinance, the hotel is approximately 44,000 square feet with 154 rooms, and two conference room. The hotel restaurant is limited to approximately 2,000 square feet with 50 seats. As the use is pre-existing Zoning analysis is limited to the proposed changes to the site.

Landscaping:

As indicated above, the existing site is under the maximum site coverage at 60.73%, is only being slightly increased to 60.94%. The proposed landscape plan provides for significant new landscaping along N. New Ballas Road, and around the main entrance for the hotel. The landscaping includes new deciduous shade trees that a minimum of 3” caliper, as required by Section 405.540(F)(1) and 405.540(F)(6) with the appropriate street trees and filling in the missing plantings around the site. The Applicant has indicated that the landscape design includes street trees spaced a minimum of 30’ on-center across the frontage and trees were added throughout the parking lot to provide for the minimum of 1 shade tree for every 100 feet of parking. A variety of deciduous shade trees have been specified on the project to avoid any potential large-scale tree loss in the future, as has been a concern at Council. Section 405.540(F)(10) Landscaping of the Zoning Ordinance requires that all landscaping be maintained per the approved plans. The hotel utilizes an existing underground irrigation system to maintain all landscaping.

Lighting

The proposed does not include any new lighting on the site. Much of the existing lighting is compliant, however there are several bulb lighting fixtures at the entrances that are non-compliant with Section 405.680 Lighting, as they are not downcast and fully shielded. Therefore, as was the case with the prior approval, Staff has included a condition that these lights should be replaced, if needed, to comply with the zoning regulations.



Figure 8: Google images of the non-conforming bulb lights at the entrances to the site.

Sidewalks.

Section 405.730 requires that all non-residential developments requiring site concept plan and/or site development plan approval must provide safe, clearly defined and direct access between buildings and from the principal building's entrance to the public sidewalk, and that all sidewalks are to be a minimum of 6 feet or 8 feet if not used as a curb stop. The Applicants have included a new sidewalk to the street, near the entrance drive, with stripping over the existing asphalt, just south of the landscaped area but no dimension had been provided. Therefore, consistent with the prior approval, Staff has included a condition that final drawings shall provide for the sidewalk to be a minimum of 6 feet.

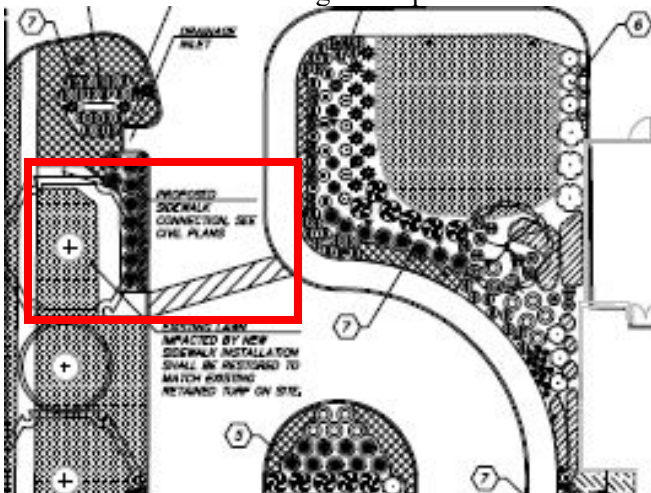


Figure 9: Close-up of the entrance area of the Landscape Plan, showing the location of the sidewalk extension.

Parking

While the existing use is pre-existing, it should be noted that the use appears to be non-conforming with regard to parking, where the current regulations under Section 405.820(H)(1) Accommodation (NAICS 721110) are to provide for one and three-tenths (1.3) spaces per rentable room plus one (1) space for each three (3) seats in the restaurant and lounge plus one (1) space per five hundred (500) square feet of conference rooms. The square footage of the two conference rooms were not provided. However, with just the room count and restaurant seating, the total required parking for the use would be 217 spaces, where 156 spaces are provided. Staff is not aware of a parking issue with the use, and the proposed changes would not affect the parking.

Signs

The proposal does show a new wall sign for the front element, and that the existing monument sign on the property will be reworked. The appropriate landscaping for the sign has been provided, however all signs are to be approved at Staff level per the Article VIII Sign Regulations. Any approval of the site development plan and amended conditional use permit does not constitute any approval of the signs. Ordinance 1121 also references the monument sign along Olive Boulevard at the Aldi entrance. This sign is non-conforming, where the City prohibits off-site signs. Therefore, this provision from the prior ordinance is not continued with the new ordinance and if damaged or destroyed, it cannot be replaced.

RECOMMENDED CONDITIONS FOR APPROVAL

Based on the above analysis, the request for a conditional use permit meets all of the recommendations of the Comprehensive Plan, Design Guidelines, and Zoning Ordinance. Staff recommends approval subject to the conditions below which are included in the draft ordinance, as well as the standard conditions for such uses. The suggested conditions mirror those that are found in the prior, expired conditional use permit Ordinance No. 5721

1. The Conditional Use Permit shall be for the operation of an 44,000 square foot, 154-bed hotel at 828 N. New Ballas Road, with an approximately 2,000 square foot restaurant, with 50 seats for hotel guests.
2. The Applicant is required to submit Grading and Site Improvement Plans, showing all exterior improvements, for all new construction to the Division of Planning for review, as required by Section 410.380 of the Subdivision and Land Development Regulations (Subdivision Code). The Grading and Site Improvement Plans shall be in substantial conformance with the Site Development Plans and the Landscape Plan as bound together received on October 27, 2022 as bound together and submitted in conjunction with Application #22-030 by Johnson Braund, Inc., and as amended below.
3. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the "Exterior Elevations" submitted on October 27, 2022 as bound together and submitted in conjunction with Application #22-030 by Johnson Braund, Inc., and as amended below.
4. The metal cladding on the north and south elevations shall be carried up on all the tower elements in a consistent with the same elements elsewhere on the building.
5. The Site Plans shall be revised to be in compliance with Section 405.730 Sidewalks for sidewalk widths.
6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
7. All lighting shall comply with Section 405.680 Lighting of the Zoning Ordinance. The non-conforming decorative lighting shall be replaced, if needed, with light fixtures that are downcast and fully shielded.
8. All Landscaping shall be maintained according to the Landscaping Plan submitted October 27, 2022 as bound together and submitted in conjunction with Application #22-030. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, sufficient landscaping shall be provided on the property to be consistent with the Landscape Plan

to the extent possible, as required under Section 405.540 Landscaping, as determined by the Zoning Administrator.

9. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.
10. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
11. 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.
12. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
13. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

ACTION

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

MOTION

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

“I move to recommend approval of Application #22-030 for an amendment to the conditional use permit for the Courtyard by Marriott Hotel subject to the conditions discussed in the Staff Report and Draft Ordinance for the meeting of November 7, 2022” (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO





city
of

CREVE COEUR

PLANNING DIVISION

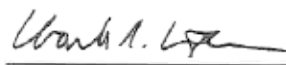
300 North New Ballas Road, Creve Coeur, Missouri 63141

Tel. (314) 872-2501 • Fax (314) 872-2505

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:	Applicant's Representative (if applicable):
Name <u>ELI TUTTLE</u>	Name _____
Company (If Applicable) <u>JOHNSON BRAUND, Inc</u>	Company (If Applicable) _____
Address <u>15200 62ND AVE South</u>	Address _____
Address <u>SEATTLE, WA 98188</u>	Address _____
Telephone # <u>(206) 229-4577</u>	Telephone # _____
Fax # <u>(206) 766-8080</u>	Fax # _____
Email: <u>elit@johnsonbraund.com</u>	Email: _____
 Applicant's Signature	_____ Applicant's Representative's Signature

Property Information:	Owner's Acknowledgement (if different from applicant):
Address <u>828 N. NEW BALLAS RD.</u>	Name <u>Charles R. Lathem</u>
Address <u>CREVE COEUR, MO 63146</u>	Company (If Applicable) <u>CBM Two Hotels LP</u>
Development Name (if any) _____	Address <u>1717 McKinney Ave, Suite 1900</u>
Current Zoning <u>CURE BUSINESS</u>	Address <u>Dallas, TX 75205 75202</u>
Prior CUP Approvals (if known) _____ _____ _____	Telephone # <u>214-647-4900</u>
	Fax # <u>214-775-7600</u>
	Email: <u>Charles.Lathem@clarionpartners.com</u>
	 Authorized Signatory
	_____ Owner's Signature

Description of Requested Use (attach additional sheets as needed)

General Description of Business: The property is an existing Courtyard by Marriott hotel that will remain. The scope of work includes exterior reimagining, including a new porte cochere to replace the existing one, a new front feature frame with EIFS frames and wood-looking metal cladding, the same EIFS frames and metal cladding at the front stair towers, same metal cladding at the side and rear entries, and all new paint on the exterior of the building.

Gross Floor Area – Existing and Proposed: Unchanged - 101,950 sf

Number of Seats (for restaurant only): NA

Number of Employees at the busiest shift: 22

Hours of Operation: 24 hours

Current or Most Recent Use of the Property: Unchanged - Current Hotel

Will the applicant apply for a liquor license: Yes ☐ No ☒

Rationale

Please describe in detail, on an attached sheet, the reasons why you believe the request for a conditional use permit should be approved and what steps are being taken to lessen any impacts on surrounding residences and businesses. An explanation of the building and landscape designs (if changes are proposed) should also be included.

Submittal Checklist

☒ Rationale	☒ Building elevations for new construction
☒ Site plan	☒ Photographs of existing structures
☒ Access and parking plan; (may be shown on site plan)	☒ Materials samples
☒ Landscape plan	☒ Legal Description in Word format
☒ Floor plan	☒ Fees: \$250 (non-refundable) \$2000 (refundable deposit)
☒ Electronic copies of all materials	☐ Other items as requested by staff

Preferred Public Hearing Date: Monday, November 7, 2022.

****See attached schedule and confirm available meeting dates with Planning Division staff****

Office Use Only

☐ All Sections Complete

Received By: _____

☐ All Documents, incl. e-Copies

☐ Fees Paid

Date: _____

Jason Jaggi, AICP, Director of Community Development

Whitney Kelly, AICP, City Planner

Jessica Stutte, Administrative Assistant (314-872-2501)

Revised: 5/19

October 03, 2022

City of Creve Coeur
Planning Division
300 North New Ballas Road
Creve Coeur, MO 63141
314-872-2501

RE: COURTYARD BY MARRIOTT – HOTEL EXTERIOR REIMAGE

**COURTYARD BY MARRIOTT
828 N. NEW BALLAS RD., CREVE COEUR, MO 63146**

To Whom It May Concern:

The Courtyard by Marriott in Creve Coeur, Missouri is an existing hotel in which we are proposing to do an exterior reimagining at the front entry, side entries and stair towers, and rear entries. This includes removing the finishes at the existing porte cochere, leaving the existing structure and adding a new flat roof and finishes. At the front of the building, we are adding a new parapet that has minimal impact to the existing building. The new parapet finishes include EIFS and metal panels with a wood-look. We are removing the old bay windows and installing a new flat wall and new storefront windows. We are also installing a new sign and painting the existing stucco building.

The façade at the two stair towers near the front of the building are to receive the same EIFS surrounds and metal panels with a wood-look as the front of the building.

The existing side entries, one on each side of the building near the middle, are to receive the metal panels with a wood-look on the walls around and above the entry. The low shed roof is to receive a new metal standing seam roof.

The existing rear entries, on either side near the end of the building, are to receive the metal panels with a wood-look at the lower portion of the wall near the entry. The low shed roof is to receive a new metal standing seam roof.

The existing monument sign located at the north entry drive off of N. New Ballas Rd. is to be replaced as well. The monument sign is internally lit. The front building sign is 80 SF, the free-standing monument sign is 30 SF.

The landscaping will be modified in all areas that will be disturbed during construction. The work includes some maintenance to the existing landscaping as well, as shown in the landscape plans included with this submittal.

We will also be replacing like-for-like the exterior light fixtures to include bollards and wall sconces.

These exterior reimagining updates will enhance the look of the existing hotel and give it a more modern look with linear lines that the porte cochere and the metal cladding at the new features bring. The impacts on the surrounding businesses are minimal, since we are not increasing the height of the building, the new cooler colors will match some of the surrounding new construction in this area, and the building will have nice ambient updates to the nighttime lighting at the new features.

Please see the submitted plans, elevations, photos, digital color board and physical sample board for more information on the details of the proposed exterior reimagining.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Eli Tuttle', with a long horizontal flourish extending to the right.

Eli Tuttle, Principal
for Jeffrey A. Williams, AIA

CREVE COEUR, MO -
EXTERIOR REIMAGING

OWNER:
ING CLARION PARTNERS
C/O TOM YOUNG
3605 SANDY PLAINS ROAD
SUITE 240 #414
MARIETTA, GA 30066
PHONE: (404) 229-6078

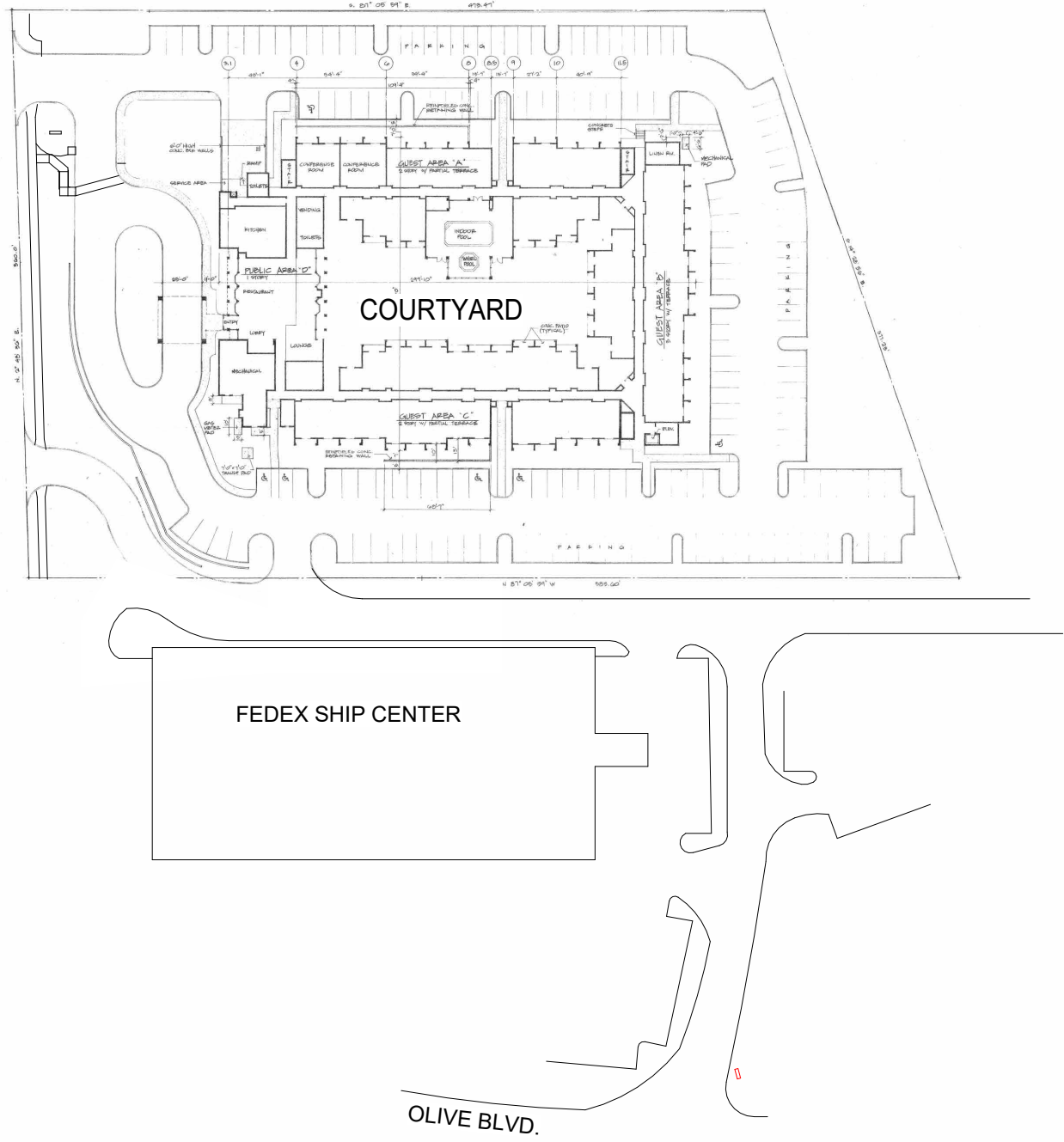
ARCHITECT:
JEFF WILLIAMS
15200 52ND AVE. S
SUITE 300
SEATTLE, WA 98188
PHONE: (206) 766-8300
EMAIL: elit@johnsonbraund.com



1 AERIAL VIEW - EXISTING

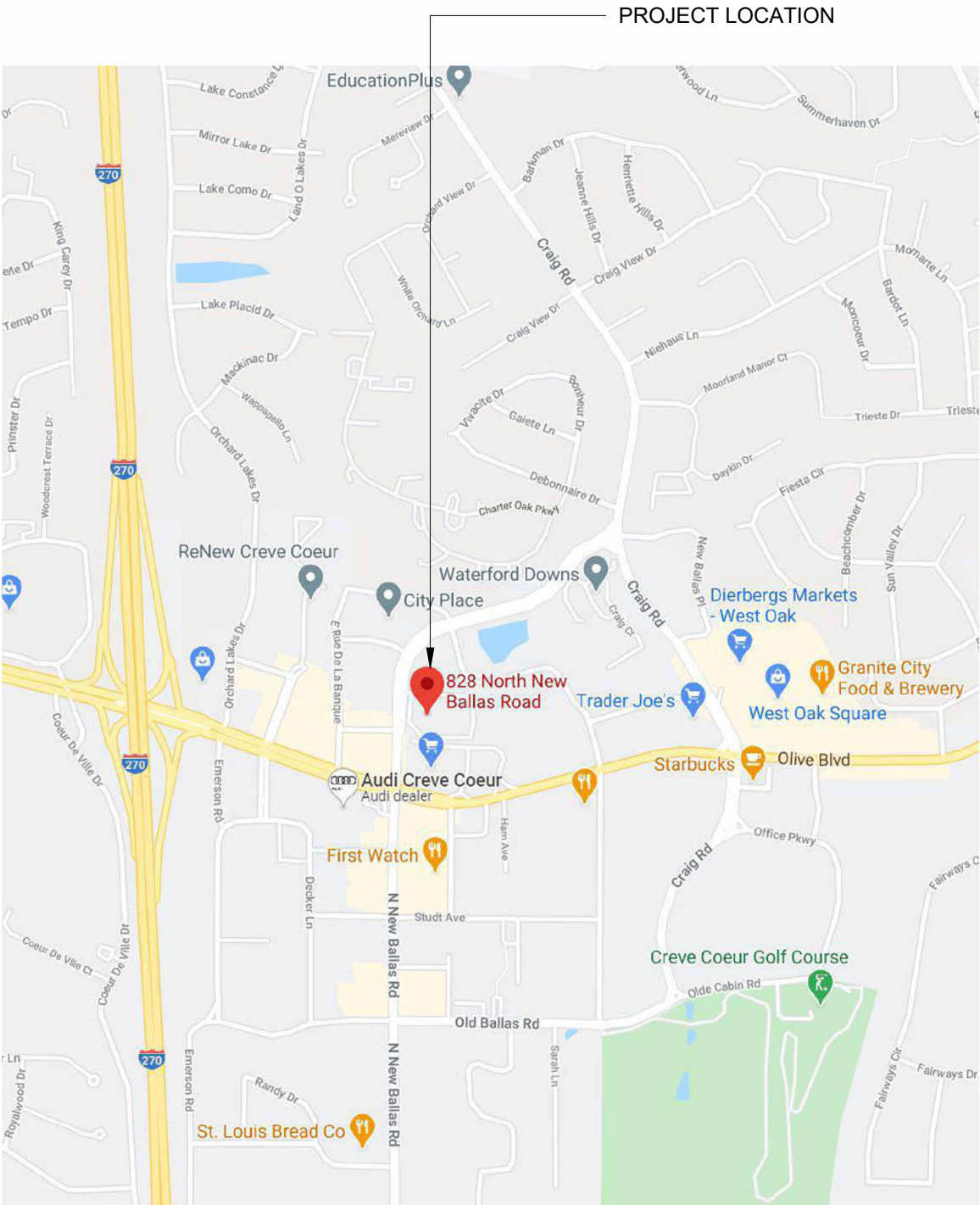
SHEET INDEX	
Sheet #	Sheet Name
P-01	PRESENTATION - AERIAL VIEW
P-02	PRESENTATION - 3D VIEW OF ENTRY
P-03	PRESENTATION - 3D VIEW OF ENTRY
P-04	PRESENTATION - FIRST FLOOR PLAN
P-05	PRESENTATION - ROOF PLAN
P-06	PRESENTATION - EXISTING SITE PLAN - FOR REFERENCE ONLY
P-07	PRESENTATION - NORTHWEST STAIR
P-08	PRESENTATION - SOUTHWEST STAIR
P-09	PRESENTATION - SIDE ENTRIES
P-10	PRESENTATION - REAR ENTRIES
P-11	PRESENTATION - EXTERIOR ELEVATIONS
P-12	PRESENTATION - EXTERIOR ELEVATIONS
P-13	PRESENTATION - EXTERIOR ELEVATIONS
P-14	PRESENTATION - EXTERIOR ELEVATIONS
P-15	EXTERIOR MATERIAL BOARD
P-16	EXTERIOR PHOTOS - EXISTING
P-17	EXTERIOR PHOTOS - EXISTING COURTYARD
Grand total: 17	

SITE PLAN



2 AERIAL VIEW - NEW

VICINITY MAP





1 ENTRY - EXISTING



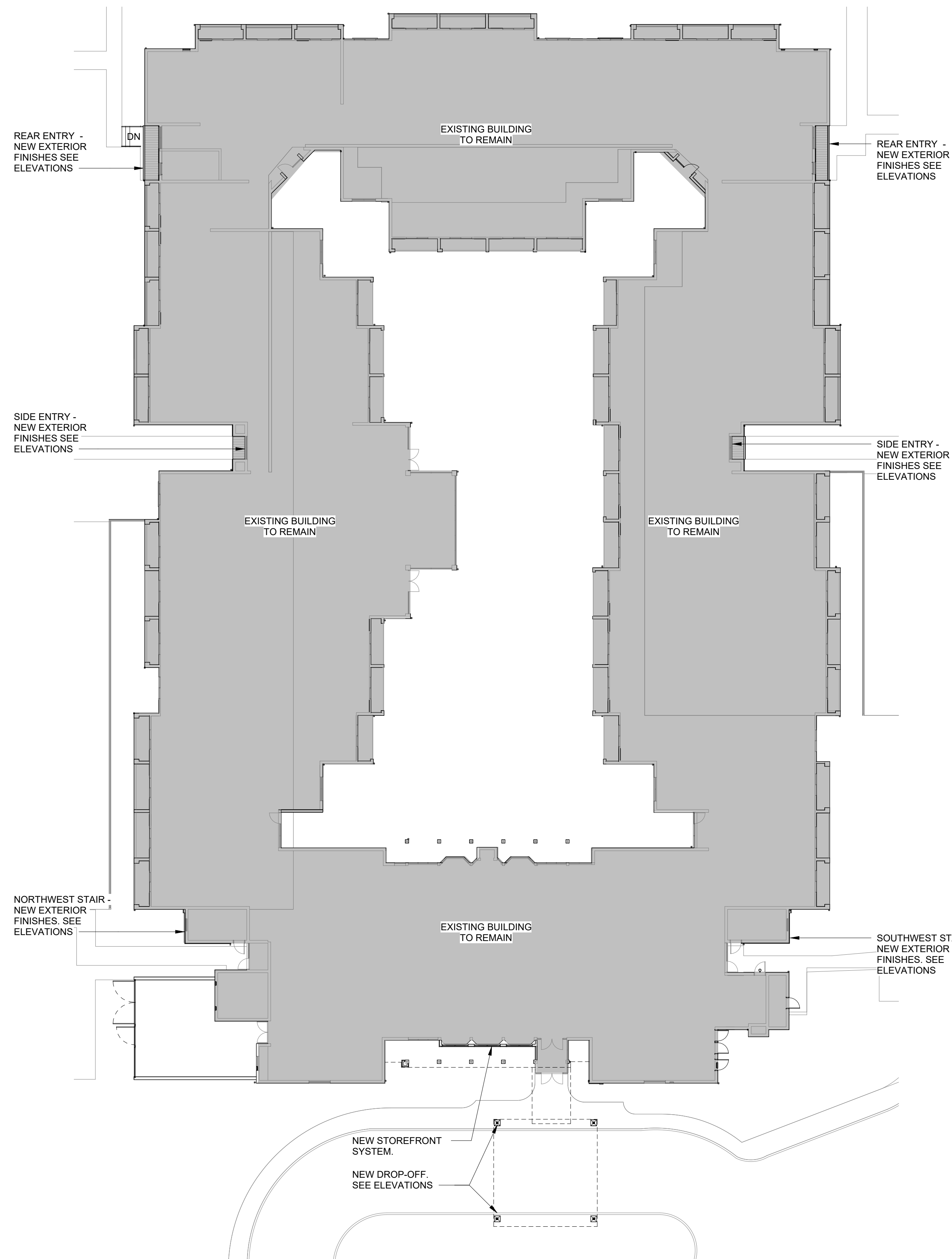
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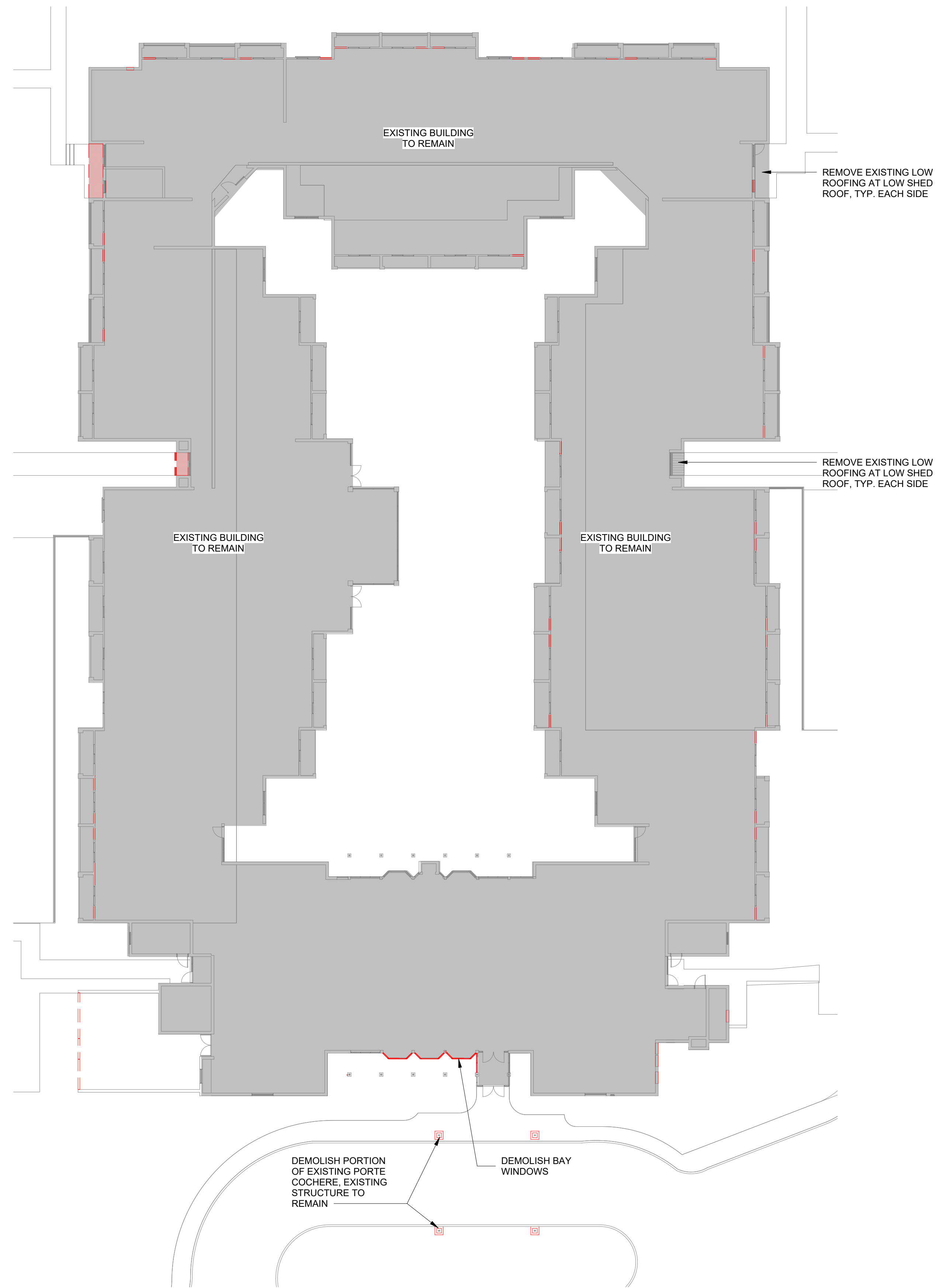
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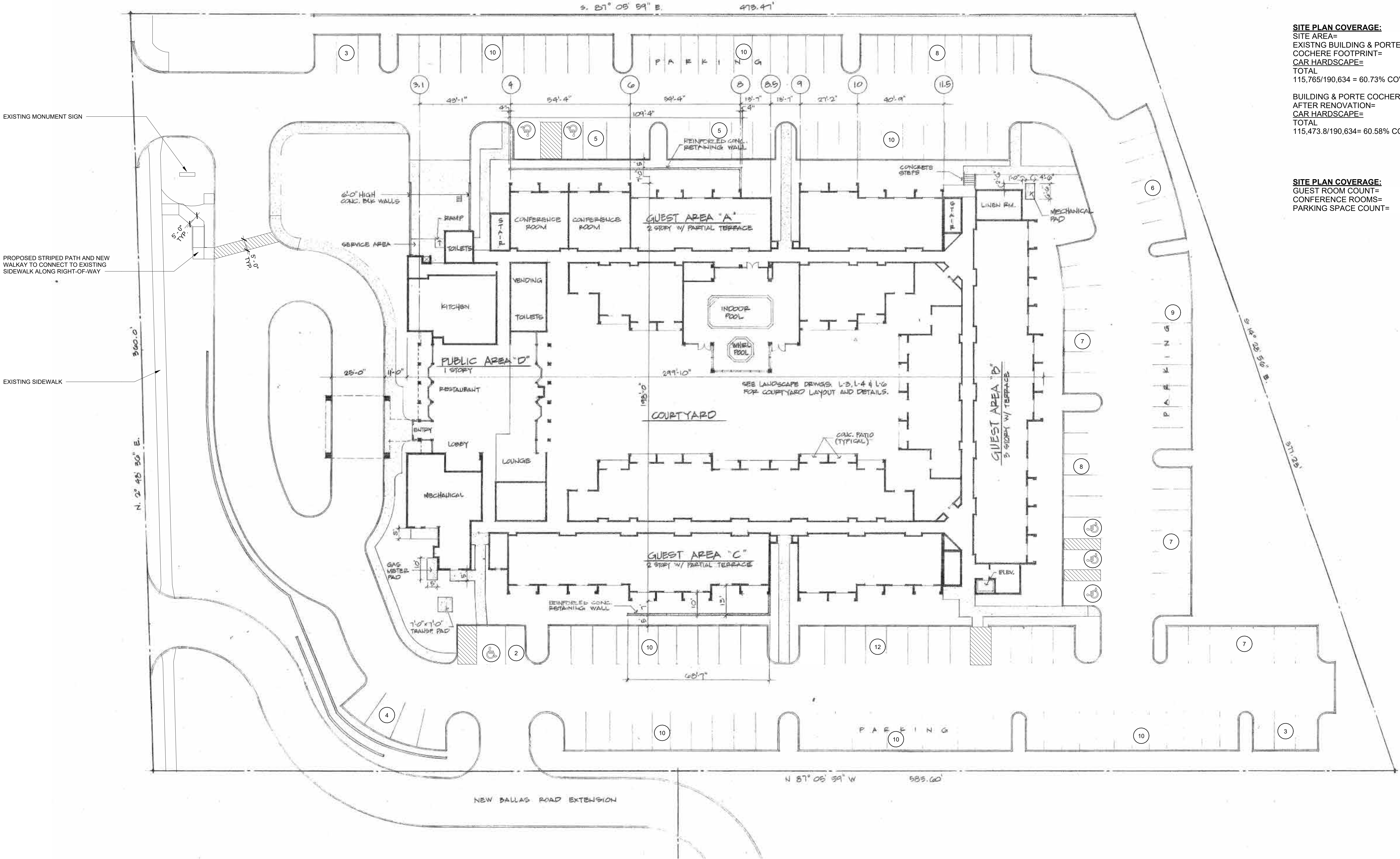
2 ENTRY - NEW



2 NEW 1ST FLOOR PLAN
1" = 20'-0"



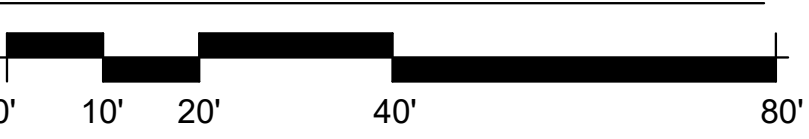
1 EXISTING 1ST FLOOR PLAN
1" = 20'-0"



SITE PLAN COVERAGE:	
SITE AREA=	190,634.0 SF
EXISTING BUILDING & PORTE	
COCHERE FOOTPRINT=	43,451.8 SF
CAR HARDSCAPE=	72,313.2 SF
TOTAL	115,765 SF
115,765/190,634 = 60.73% COVERAGE	
BUILDING & PORTE COCHERE AREA	
AFTER RENOVATION=	43,160.6 SF
CAR HARDSCAPE=	72,313.2 SF
TOTAL	115,473.8 SF
115,473.8/190,634 = 60.58% COVERAGE	

SITE PLAN COVERAGE:	
GUEST ROOM COUNT=	154 ROOMS
CONFERENCE ROOMS=	2 CONFERENCE ROOMS
PARKING SPACE COUNT=	156 SPACES

GRAPHIC SCALE





1 NORTHWEST STAIR - EXISTING



2 NORTHWEST STAIR - NEW



1 SOUTHWEST STAIR - EXISTING



2 SOUTHWEST STAIR - NEW



3 SOUTH SIDE ENTRY - EXISTING



1 NORTH SIDE ENTRY - EXISTING



4 SOUTH SIDE ENTRY - NEW



2 NORTH SIDE ENTRY - NEW



3 SOUTH REAR ENTRY - EXISTING



1 NORTH REAR ENTRY - EXISTING



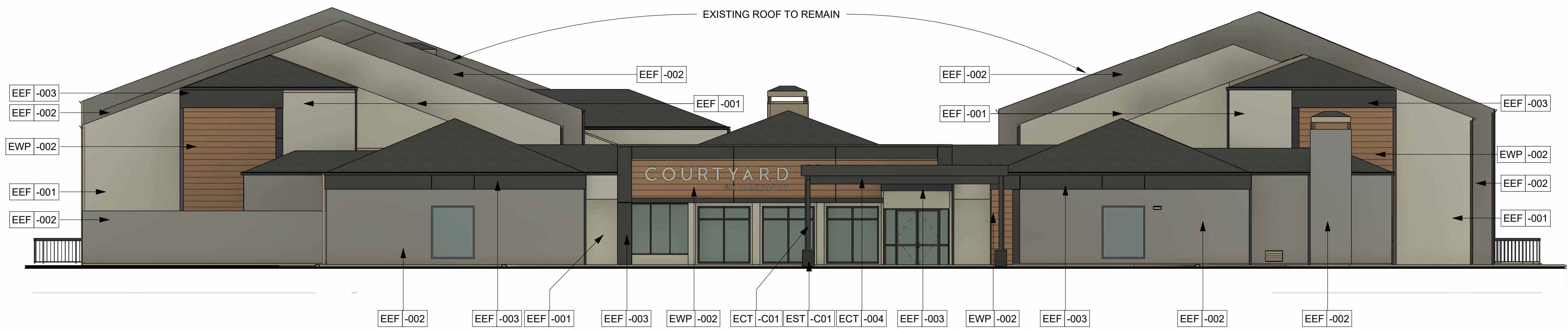
4 SOUTH REAR ENTRY - NEW



2 NORTH REAR ENTRY - NEW



1 WEST ELEVATION - EXISTING
3/32" = 1'-0"



2 WEST ELEVATION - NEW
3/32" = 1'-0"



1 SOUTH ELEVATION - EXISTING
3/32" = 1'-0"



2 SOUTH ELEVATION - NEW
3/32" = 1'-0"



1 EAST ELEVATION - EXISTING
3/32" = 1'-0"



2 EAST ELEVATION - NEW
3/32" = 1'-0"



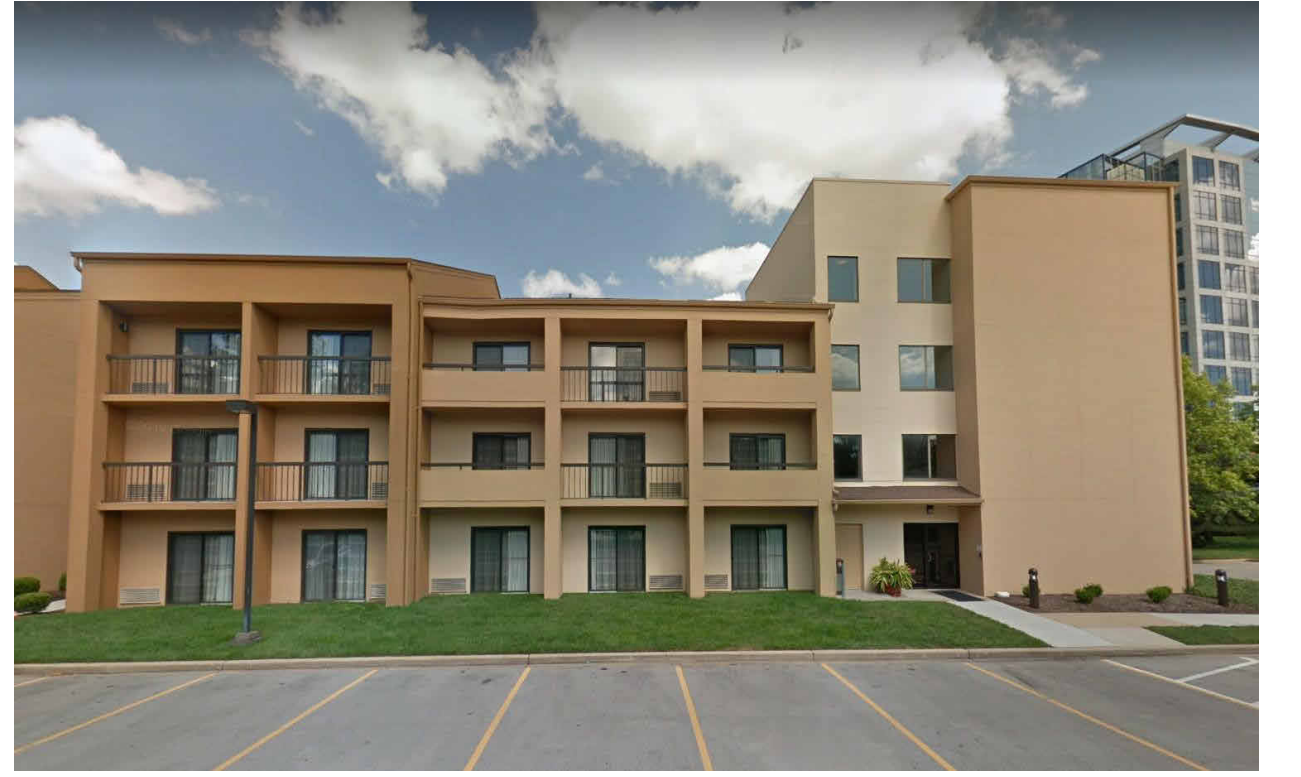
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3/32" = 1'-0"



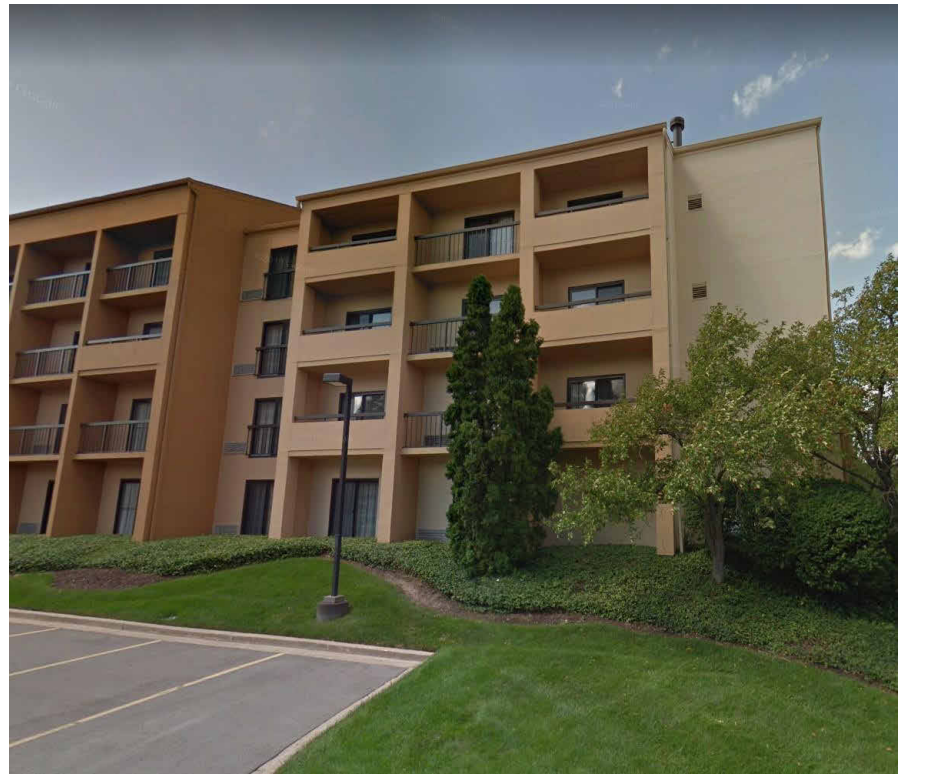
2 NORTH ELEVATION - NEW
3/32" = 1'-0"



4 EXTERIOR PHOTOS - NORTH
12" = 1'-0"



3 EXTERIOR PHOTOS - EAST
12" = 1'-0"



2 EXTERIOR PHOTOS - SOUTH
12" = 1'-0"



1 EXTERIOR PHOTOS - WEST
12" = 1'-0"



4 EXTERIOR PHOTOS - NORTH COURTYARD
12" = 1'-0"



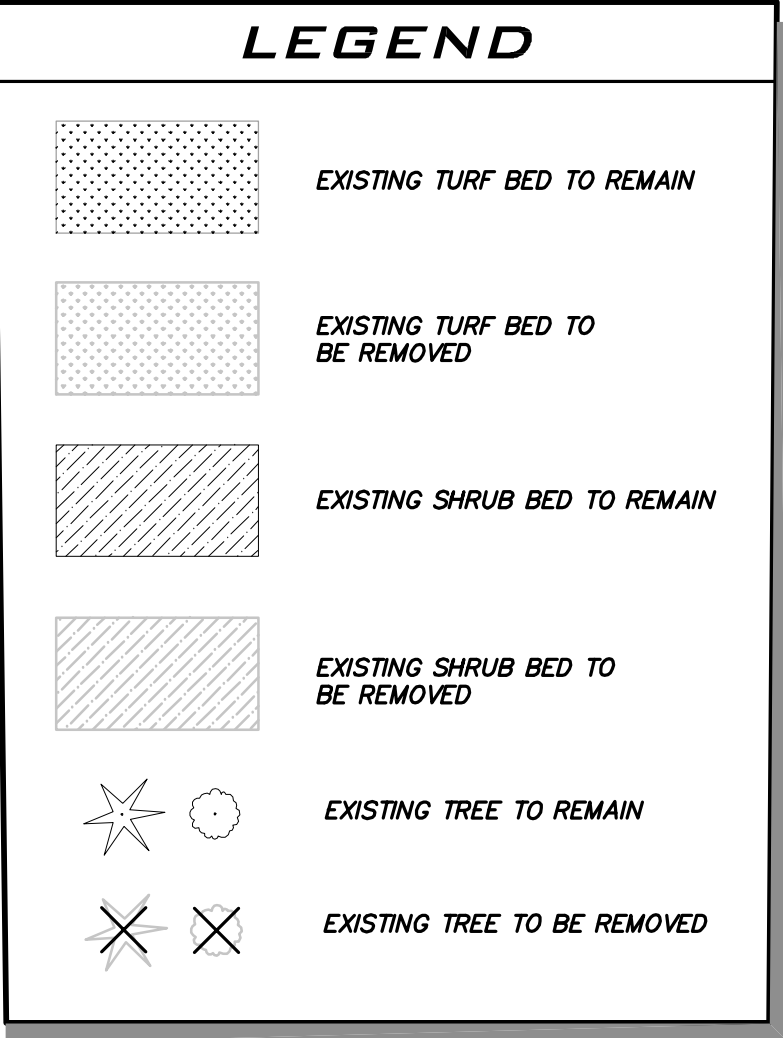
3 EXTERIOR PHOTOS - EAST COURTYARD
12" = 1'-0"



2 EXTERIOR PHOTOS - SOUTH COURTYARD
12" = 1'-0"



1 EXTERIOR PHOTOS - WEST COURTYARD
12" = 1'-0"



1. CARE SHALL BE TAKEN TO PROTECT RETAINED EXISTING TREES, SHRUBS, AND PLANTINGS DURING CONSTRUCTION. ALL IMPACTED TREES SHALL BE PROTECTED IN ACCORDANCE WITH CITY AND COUNTY CODES, TO BE VERIFIED BY THE CONTRACTOR.
2. ALL IRRIGATION ZONES SHALL BE REVIEWED BY THE CONTRACTOR TO VERIFY FULL COVERAGE OF THE LAWN AND PLANTING AREAS AND VERIFY THE LAWN AREAS AND PLANTING BEDS ARE ZONED SEPARATELY. CONTRACTOR TO PERFORM ANY NECESSARY MODIFICATIONS AND CORRECTIONS TO EFFICIENTLY IRRIGATE THE NEW & RETAINED LANDSCAPES.
3. IRRIGATION SYSTEM SHALL CONFORM TO AND MEET ALL REQUIRED CITY AND COUNTY CODES. CONTRACTOR TO VERIFY CURRENT SYSTEMS COMPLIANCE AND MAKE ANY REQUIRED UPDATES.
4. ALL EXISTING TREES ON SITE SHALL BE EVALUATED BY THE CONTRACTOR TO IDENTIFY ANY HEALTH AND SAFETY CONCERNS. ALL DEAD AND DYING BRANCHES, AND TREES, SHALL BE REMOVED AND DISPOSED OF, OFF SITE, IN ACCORDANCE WITH ALL CITY AND COUNTY RULES, CODES, & REGULATIONS.
5. ANY GRADING AND DRAINAGE WORK, IF REQUIRED, SHALL BE INSTALLED TO KEEP/DIRECT WATER AWAY FROM EXISTING AND PROPOSED STRUCTURES. ALL GRADING AND DRAINAGE WORK SHALL ADHERE TO ALL PERTINENT CITY AND COUNTY CODES.

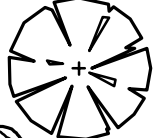
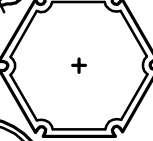
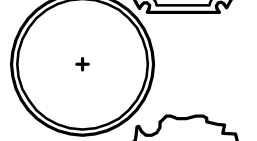
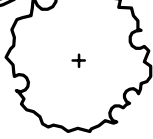
- 1 REMOVE TREES AS IDENTIFIED. TREES TO BE REMOVED HAVE BEEN DETERMINED TO BE DEAD OR IN POOR HEALTH, IN CONFLICT WITH THE FACADE AND OR FOUNDATION, OR WILL BE IMPACTED BY THE PROPOSED BUILDING RENOVATIONS AND SHALL BE REMOVED.
- 2 EXISTING TURF, SHRUBS, AND TREES ALONG THE PERIMETER OF THE PROPERTY ARE TO REMAIN UNDISTURBED UNLESS OTHERWISE NOTED.
- 3 EXISTING UNDERSTORY PLANTINGS TO BE REMOVED AS IDENTIFIED. (CARE SHALL BE TAKEN DURING REMOVAL AND INSTALLATION NOT TO DAMAGE THE MATURE TREES AND THEIR ROOTS. HAND TOOLS ONLY SHALL BE USED WITHIN THE DRIPLINE OF ALL TREES.
- 4 PORTIONS OF EXISTING TURF BEDS ARE TO REMAIN. TURF TO BE REMOVED AS IDENTIFIED. (CARE SHALL BE TAKEN DURING REMOVAL AND INSTALLATION NOT TO DAMAGE THE MATURE TREES AND THEIR ROOTS; HAND TOOLS ONLY SHALL BE USED WITHIN THE DRIPLINE OF ALL TREES.)

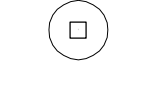
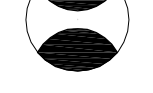
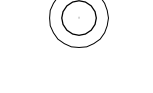
UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES, TO DETERMINE ACTUAL LOCATIONS, DEPTHS, AND MATERIAL. THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTING ALL SITES UTILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 8-1-1 (MOTICALL.COM) AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.

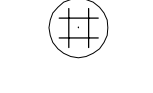
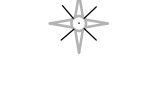
Page 47 of 76

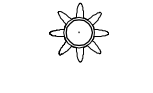
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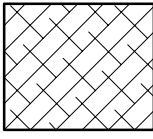
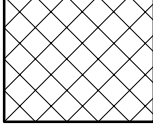
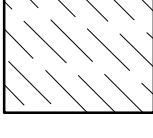
PLANT SCHEDULE

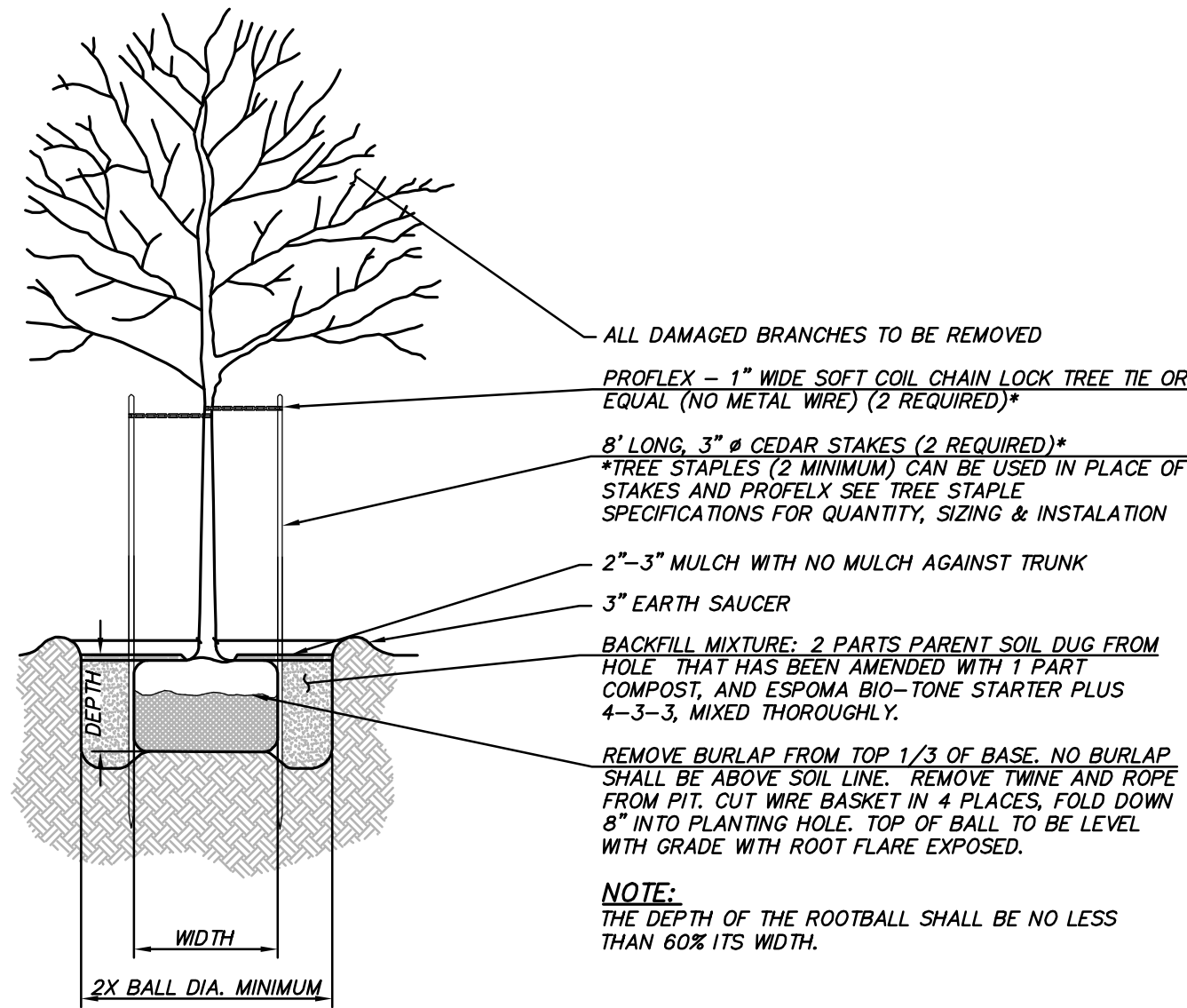
TREES	QTY	BOTANICAL / COMMON NAME	CONT	SIZE
	3	ACER PALMATUM 'BLOODGOOD' / BLOODGOOD JAPANESE MAPLE	B & B	3" CAL; MIN. 6' LIMB HT.
	2	CORNUS KOUSA 'SAMZAM' TM / SAMARITAN VARIEGATED KOUSA DOGWOOD	B & B	3" CAL; MIN. 6' LIMB HT.
	9	GLEDTISIA TRIACANTHOS INERMIS / THORNLESS HONEYLOCUST	B & B	3" CAL; MIN. 6' LIMB HT.
	14	NYSSA SYLVATICA / SOUR GUM	B & B	3" CAL; MIN. 6' LIMB HT.
	7	TILIA CORDATA 'GREENSPIRE' / GREENSPIRE LITTLELEAF LINDEN	B & B	3" CAL; MIN. 6' LIMB HT.

SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	FIELD2	SPACING
	39	BERBERIS THUNBERGII 'ORANGE ROCKET' / ORANGE ROCKET BARBERRY	3 GAL		30" o.c.
	75	CORNUS SERICEA 'KELSEYI' / KELSEYI DOGWOOD	2 GAL		30" o.c.
	13	HYDRANGEA QUERCIFOLIA 'SNOW QUEEN' / SNOW QUEEN OAKLEAF HYDRANGEA	5 GAL		72" o.c.
	21	ILEX CRENATA 'HELLERI' / HELER JAPANESE HOLLY	5 GAL		54" o.c.
	34	ILEX CRENATA 'SOFT TOUCH' / SOFT TOUCH JAPANESE HOLLY	2 GAL		36" o.c.
	26	LAGERSTROEMIA INDICA 'POCOMOKE' / POCOMOKE CRAPE MYRTLE	3 GAL		54" o.c.
	63	RHUS AROMATICA 'GRO-LOW' / GRO-LOW FRAGRANT SUMAC	5 GAL		72" o.c.
	20	RIBES ODORATUM / GOLDEN CURRANT	5 GAL		84" o.c.
	32	SPIRAEA X BUMALDA 'GOLDMOUND' / GOLD MOUND SPIREA	2 GAL		42" o.c.

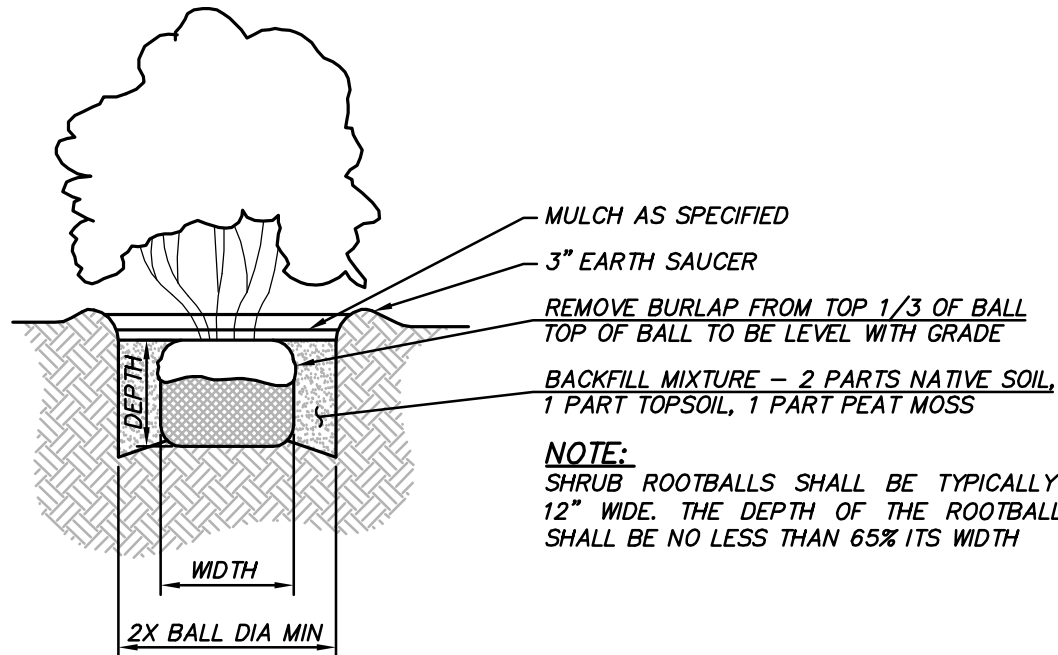
ANNUALS/PERENNIALS	QTY	BOTANICAL / COMMON NAME	SIZE	FIELD2	SPACING
	87	COREOPSIS X 'MOONLIGHT' / MOONBEAM COREOPSIS	1 GAL		24" o.c.
	12	HEUCHERA X 'FIRE ALARM' / FIRE ALARM CORAL BELLS	1 GAL		18" o.c.
	41	LAVANDULA X INTERMEDIA 'GROSSO' / GROSSO LAVENDER	1 GAL		30" o.c.
	3	MUEHLENBECKIA AXILLARIS / CREEPING WIRE VINE	1 GAL		18" o.c.
	111	NEPETA X FAASSENII 'NOVANEPUJUN' TM / JUNIOR WALKER CATMINT	1 GAL		30" o.c.
	43	PEROVSKIA ATRIPLICIFOLIA 'BLUE JEAN BABY' / BLUE JEAN BABY RUSSIAN SAGE	2 GAL		30" o.c.

GRASSES	QTY	BOTANICAL / COMMON NAME	SIZE	FIELD2	SPACING
	74	PANICUM VIRGATUM 'NORTH WIND' / NORTHWIND SWITCH GRASS	2 GAL		36" o.c.
	33	PENNISETUM ALOPECUROIDES 'BURGUNDY BUNNY' / BURGUNDY BUNNY DWARF FOUNTAIN GRASS	1 GAL		18" o.c.
	86	PENNISETUM ALOPECUROIDES 'KARLEY ROSE' / KARLEY ROSE FOUNTAIN GRASS	2 GAL		48" o.c.

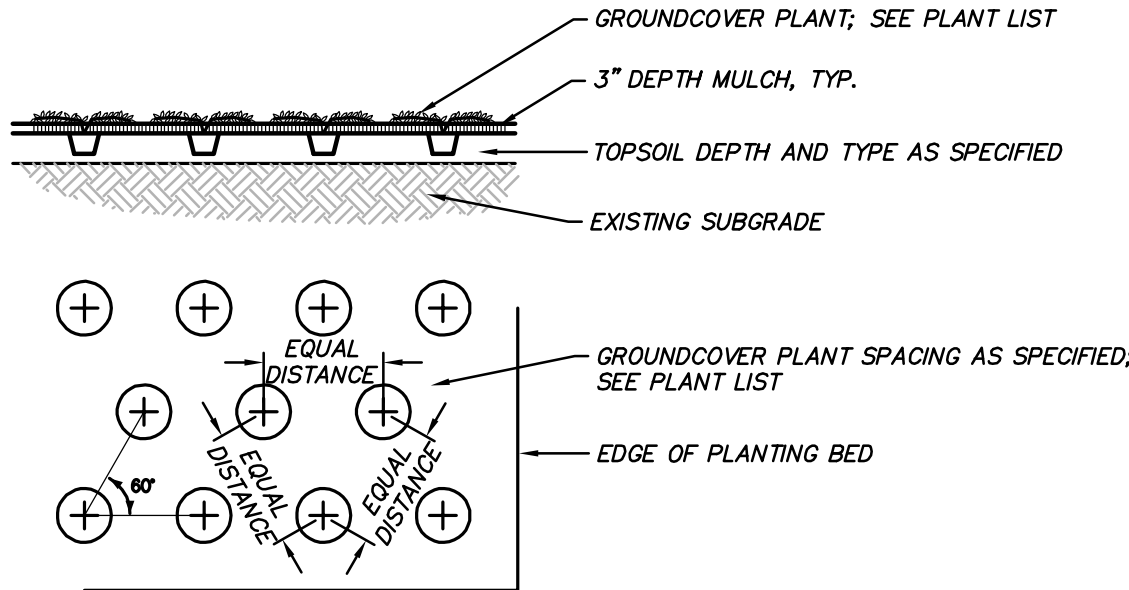
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	CONT	SPACING
	276	ARCTOSTAPHYLOS UVA-URSI / KINNIKINNICK	1 GAL	24" o.c.
	184	JUNIPERUS CONFERTA / SHORE JUNIPER	1 GAL	36" o.c.
	89	LIRIOPE MUSCARI 'LOVE POTION NO. 13' TM / EMERALD GODDESS LILYTURF	1 GAL	30" o.c.



DECIDUOUS TREE DETAIL
NOT TO SCALE



SHRUB DETAIL
NOT TO SCALE



GROUNDCOVER DETAIL
NOT TO SCALE

GENERAL LANDSCAPE NOTES:

1. IN THE EVENT THAT ANY DISCREPANCIES BETWEEN THE QUANTITIES OF PLANTS INDICATED ON THE PLANT SCHEDULE AND THOSE INDICATED ON THE PLAN, THE QUANTITIES INDICATED ON THE PLAN SHALL GOVERN.
2. NO SUBSTITUTIONS SHALL BE ACCEPTED, EXCEPT WITH THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT OR HIS AGENT.
3. THE LANDSCAPE ARCHITECT OR HIS AGENT SHALL BE THE SOLE JUDGE OF THE QUALITY AND ACCEPTABILITY OF THE MATERIALS. ALL REJECTED MATERIALS SHALL BE IMMEDIATELY REPLACED WITH ACCEPTABLE MATERIAL AT NO ADDITIONAL COST.
4. ALL PROPOSED PLANT MATERIAL SHALL BE FULLY GUARANTEED FOR ONE (1) YEAR FROM DATE OF ACCEPTANCE AND SHALL BE IN HEALTHY AND VIGOROUS CONDITION. ANY PLANT MATERIAL WHICH DIES WITHIN THAT PERIOD SHALL BE REPLACED WITH THE SAME SIZE AND SPECIES OF PLANT MATERIAL.
5. FINISH GRADE OF MULCHED LANDSCAPE AREAS SHALL BE GRADED TO 1/2" MAX. BELOW CONCRETE OR OTHER PAVED SURFACES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLANTING AT CORRECT GRADES AND ALIGNMENT.
7. PLANTS SHALL BE TYPICAL OF THEIR SPECIES AND VARIETY; HAVE NORMAL GROWTH HABITS; WELL DEVELOPED BRANCHES, DENSELY FOLIATED, VIGOROUS ROOT SYSTEMS AND BE FREE FROM DEFECTS AND INJURIES.
8. THE CONTRACTOR SHALL REPORT ANY SOIL OR DRAINAGE CONDITION CONSIDERED DETRIMENTAL TO THE GROWTH OF PLANT MATERIAL.
9. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH "AMERICAN STANDARDS FOR NURSERY STOCK" ANSI Z60 (MOST RECENT EDITION) AS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC.
10. B & B PLANTS SHALL BE HANDLED FROM THE BOTTOM OF THE ROOT BALL ONLY. PLANTS WITH BROKEN, SPLIT OR DAMAGED ROOT BALLS SHALL BE REJECTED.
11. PLANTING OPERATIONS SHALL BE PERFORMED DURING PERIODS WITHIN THE PLANTING SEASON WHEN WEATHER AND SOIL CONDITION ARE SUITABLE.
12. SET ALL PLANTS PLUMB AND STRAIGHT. SET AT SUCH LEVEL THAT, AFTER SETTLEMENT, A NORMAL OR NATURAL RELATIONSHIP TO THE CROWN OF THE PLANT WITH THE GROUND SURFACE WILL BE ESTABLISHED. LOCATE PLANTS IN THE CENTER OF THE PLANTING PIT.
13. THE LOCATION OF ALL PLANT MATERIAL IS DIAGRAMMATIC. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE DETERMINED IN THE FIELD UNDER THE DIRECTION OF THE LANDSCAPE ARCHITECT OR HIS AGENT.
14. THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY BEARING UPON THE PERFORMANCE OF THE WORK.
15. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL FOR UTILITY LOCATIONS, IF NECESSARY.
16. PLANTING BEDS SHALL BE PREPARED IN ACCORDANCE WITH CITY OF CREVE COEUR DESIGN AND CONSTRUCTION STANDARDS.
17. ALL LANDSCAPE AREAS ARE TO BE MAINTAINED BY A LICENSED PROFESSIONAL LANDSCAPE MAINTENANCE COMPANY (TASKS TO INCLUDE BUT NOT LIMITED TO WEEDING, PRUNING, & WATERING).
18. ALL AREAS LEFT UNPLANTED SHALL BE DRESSED WITH EXISTING 3" DEPTH BARK MULCH MIN. UNLESS OTHERWISE NOTED.

IN ORDER TO PRESENT A HEALTHY, NEAT AND ORDERLY APPEARANCE, ALL LANDSCAPED AREAS INCLUDING INTERIOR PARKING LOT ISLANDS AND GRASS AREAS SHALL BE PROVIDED WITH ADEQUATE IRRIGATION FOR THE MAINTENANCE OF GRASS, SHRUBS, GROUND COVERING AND OTHER LANDSCAPING. WHERE NOT ALREADY PRESENT, AN UNDERGROUND IRRIGATION SYSTEM SHALL BE INSTALLED, OPERATED AND MAINTAINED TO MEET THE INTENT OF THE CITY OF CREVE COEUR CODES & REGULATIONS

UNDERGROUND UTILITY NOTE

UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES, TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL. THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 8-1-1 (MOTCALL.COM) AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.



BLUELINE

15200 52nd Avenue S, Suite 210,
Tukwila, WA 98188
P: 206.204.0507
WWW.THEBLUELINEGROUP.COM

SCALE:

AS NOTED

PROJECT MANAGER:

BLAKE ERLANDSON

LANDSCAPE ARCHITECT:

BLAKE ERLANDSON

DESIGNER:

RAYLEE MCKINLEY

ISSUE DATE:

10/7/2022

NO	DATE	BY	REVISIONS	
			PLANNING SUBMITTAL	VE REVISIONS
	9/15/20	BE		
	10/7/22	BE		

LANDSCAPE DETAILS & NOTES

COURTYARD BY MARRIOTT
828 N NEW BALLAS RD

MISSOURI
CITY OF CREVE COEUR

JOB NUMBER:

20-121

SHEET NAME:

L-03

SHT 3 OF 3



ST1:
EL DORADO STONE— CLIFFSTONE BANFF SPRINGS
LOCATION: PORTE COCHERE

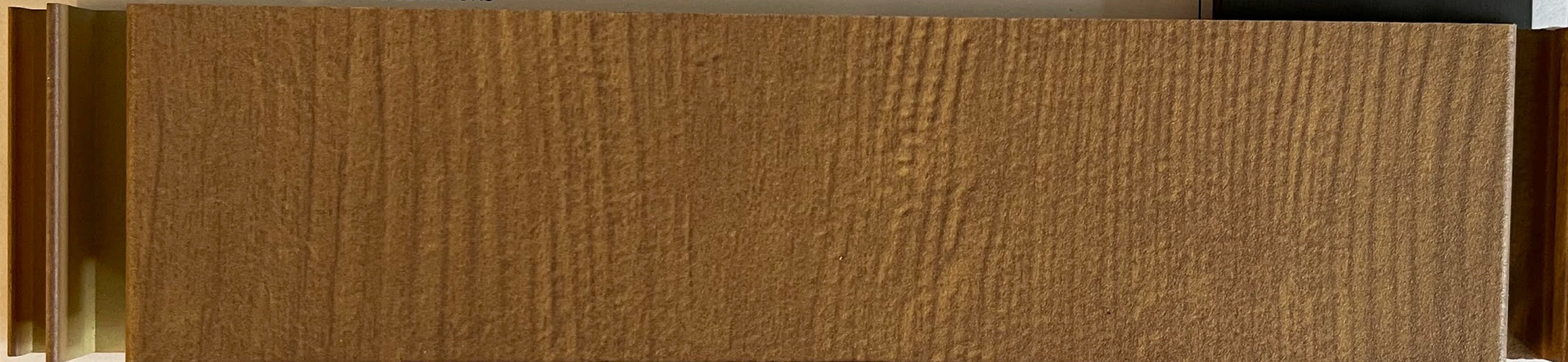


R1:
MANUFACTURER: RMP METAL PRODUCTS
MATERIAL ID# / DESCRIPTION:
PRO-FINISH 500 CHARCOAL GREY

MT4:
PAINT COLOR TO MATCH PORTE
COCHERE "DARK BRONZE"
LOCATIONS: BREAK METAL AND
TRIM



MP1:
MANUFACTURER: KNOTWOOD
MATERIAL ID# / DESCRIPTION: KEC200, CEDAR
TAN, METAL CLADDING SYSTEM
LOCATION(S): ALL NEW METAL SIDING LOCATIONS



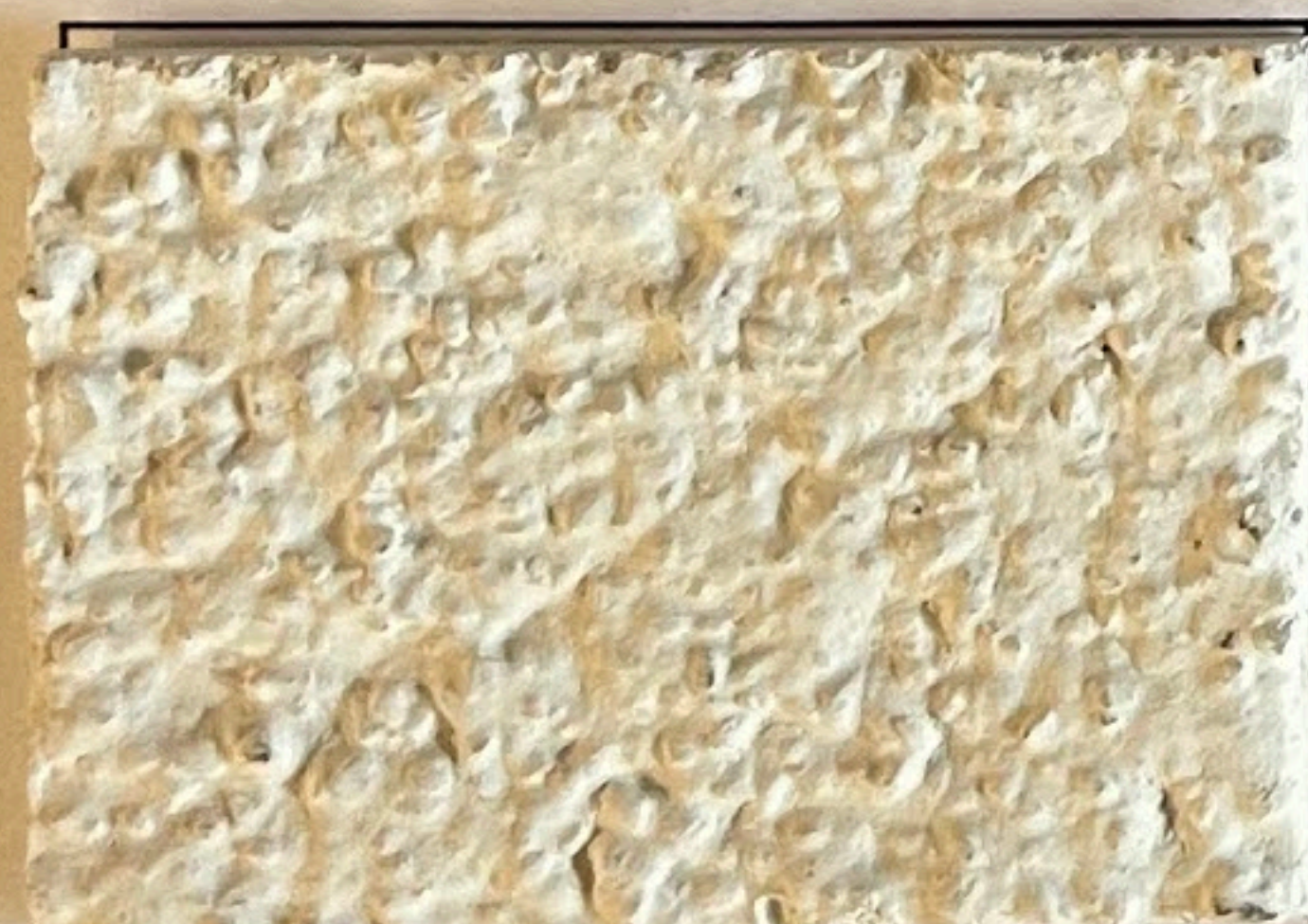
CY ST. LOUIS, CREVE COEUR—
EXTERIOR RENOVATION

COURTYARD
BY MARRIOTT

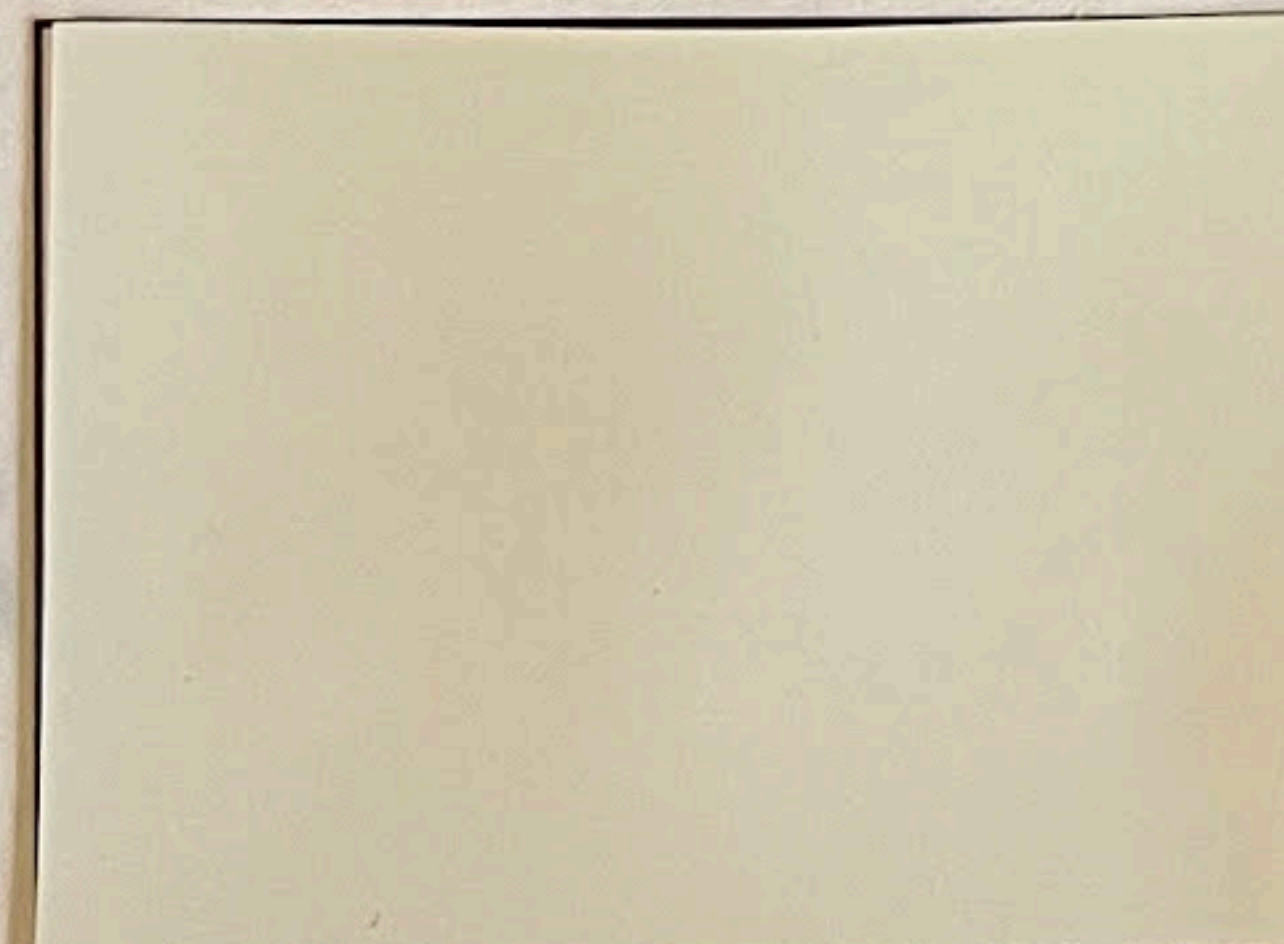
PROJECT #: 2012

ADDRESS:
828 N NEW BALLAS RD.
CREVE COEUR, MO
63146

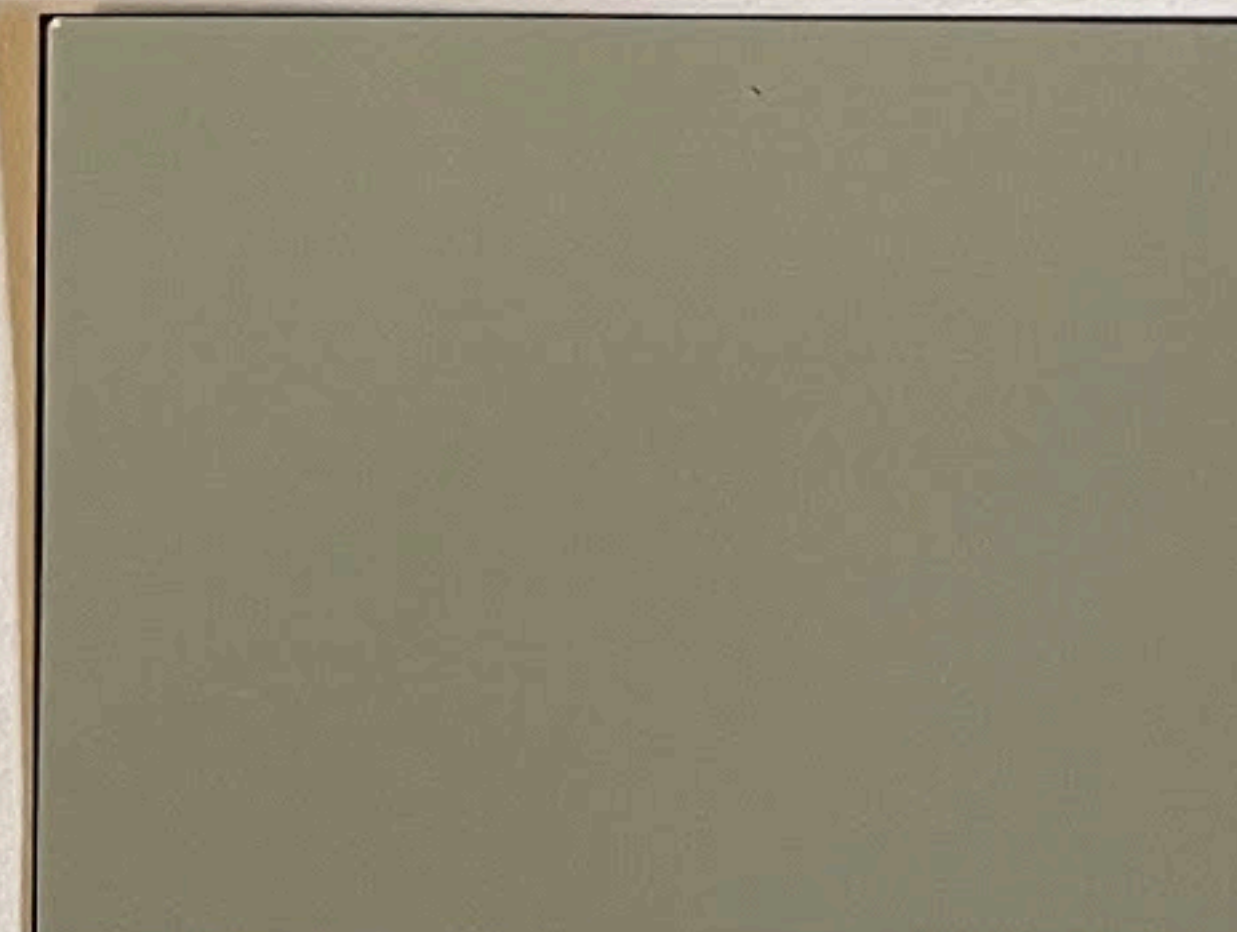
PHYSICAL MATERIAL
BOARD



EIFS TEXTURE:
MANUFACTURER: STO
MATERIAL ID# / DESCRIPTION:
STOLIT LOTUSAN, FINE TEXTURE
LOCATION(S): ALL NEW EIFS



EF1:
SHERWIN WILLIAMS- SW6252-
ICE CUBE, ACRYLIC FLAT FINISH
LOCATION(S): NEW & EXISTING EIFS



EF2:
SHERWIN WILLIAMS- SW7655-
STAMPED CONCRETE, ACRYLIC
FLAT FINISH
LOCATION(S): NEW & EXISTING EIFS



EF3:
SHERWIN WILLIAMS- SW6994-
GREENBLACK, ACRYLIC FLAT FINISH
LOCATION(S): NEW & EXISTING EIFS

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ORDINANCE NO.1121 AND AUTHORIZING A NEW
CONDITIONAL USE PERMIT FOR A 154 ROOM HOTEL FOR COURTYARD
MARRIOTT AT 828 N. NEW BALLLAS ROAD, ZONED CB-CORE BUSINESS
DISTRICT**

WHEREAS, under Section 405.370(C), NAICS 721110 Hotels (except Casio Hotels) and Motels require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Ordinance 1121, issued in 1986, authorized the operation of a 154-room hotel, and references outdated codes; and

WHEREAS, Ordinance 5721, was issued in 2020, but has expired due to inactivity; and

WHEREAS, Eli Tuttle, of Johnson Braund, Inc., on Behalf of CBM Two Hotels LP, has submitted an application to amend the conditional use permit to allow for exterior modifications to Courtyard by Marriott hotel at 828 N. new Ballas Road, Creve Coeur, MO 63141; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, November 7, 2022, beginning at 6:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a ____ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on November 7, 2022; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.
3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.
4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

BILL NO. _____

ORDINANCE NO. _____

5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

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

Section 1: Ordinance Number 1121 is hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a hotel at 828 N. New Ballas Road under the category of NAICS 721110 Hotels (except Casino Hotels) and Motels), in the CB-Core Business zoning district, the legal description is as follows:

TRACT I:

A TRACT OF LAND BEING PARCEL "B" OF MARRIOTT COURTYARD PLAZA PLAT 1, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 245, PAGE 42 OF THE ST. LOUIS COUNTY RECORDS, IN SECTION 3, TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERN LINE OF THE PROPERTY DESCRIBED IN DEED TO MI COUNTY REAL ESTATE PARTNERSHIP AS RECORDED IN BOOK 7562, PAGE 1772 OF THE ST. LOUIS COUNTY RECORDS AT ITS INTERSECTION WITH THE ASTERN LINE OF NEW BALLAS ROAD, NORTH 02 DEGREES 48 MINUTES 36 SECONDS EAST, 360.00 FEET TO THE NORTHWEST CORNER OF PARCEL "B", SAID POINT BEING LOCATED ON THE SOUTHERN LINE OF PROPERTY DESCRIBED IN DEED TO CITY PLACE ASSOCIATES AS RECORDED IN BOOK 8146 PAGE 823 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG SAID SOUTHERN LINE, SOUTH 87 DGREES 05 MINUTES 59 SECONDS EAST, 433.84 FEET TO THE NORHTEAST CORNER OF PARCEL "B"; THENCE LEAVING SAID POINT AND RUNNING ALONG THE LINE DIVIDIN PARCEL "A" AND PARCEL "B" OF MARRIOTT COURTYARD PLAZA PLAT 1, SOUTH 02 DEGREES 54 MINUTES 01 SECONDS WEST, 360.00 FEET TO AN ANGLE POINT IN PARCEL "A" AND ALONG THE NORTHERN LINE OF PROPERTY DESCRIBED IN DEED TO MID COUNTY REAL ESTATE PARTNERSHIP, AS AFOREMENTIONED, NORTH 87 DEGREES 05 MINUTES 59 SECONDS WEST, 433.27 FEET TO THE POINT OF BEGINNING.

TRACT II:

A NON-EXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS AS CREATED BY EASEMENT AGREEMENT RECORDED IN BOOK 7873 PAGE 667 OVER AND ACROSS THE FOLOWING-DESCRIBED TRACTOR PARCEL OF LAND:

A TRACT OF LAND BEING PART OF PARCEL "A" AND PARCEL "B" OF MARRIOTT COURTYARD PLAZA PLAT 1, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 245, PAGE 12 OF THE ST. LOUIS COUNTY RECORDS, AND PART OF A TRACT OF LAND DESCRIBED IN DEED TO MID COUNTY RECORDS, IN SECTION 3, TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHERN LINE OF PROPERTY DESCRIBED IN DEED TO MID COUNTY REAL ESTATE PARTNERSHIP, AS AFOREMENTIONED AT ITS

BILL NO. _____

ORDINANCE NO. _____

INTERSECTION WITH THE EASTERN LINE OF NEW BALLAS ROAD, SAID POINT BEING THE SOUTH WEST CORNER OF PARCEL "B"; THENCE ALONG THE EASTERN LINE OF NEW BALLAS ROAD, NORTH 2 DEGREES 48 MINUTES 36 SECONDS EAST, 54.94 FEET TO THE POINT OF BEGINNING OF THE HEREIN-DESCRIBED TRACT OF LAND; THENCE CONTINUING ALONG SAID EASTERN ROAD LINE, NORTH 2 DEGREES 48 MINUTES 36 SECONDS EAST, 30.00 FEET TO A POINT; THENCE LEAVING SAID ROAD LINE AND RUNNING THE FOLLOWING: SOUTH 88 DEGREES 07 MINUTES 59 SECONDS EAST, 12.51 FEET TO A POINT OF CURVE; THENCE SOUTHEASTWARDLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET AND ARC DISTANCE OF 78.28 FEET TO A POINT OF TANGENCY; THENCE SOUTH 19 DEGREES 07 MINUTES 59 SECONDS EAST, 7.63 FEET TO A POINT OF CURVE; THENCE SOUTHEASTWARDLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 60.00 FEET AN ARC DISTANCE OF 71.17 FEET TO A POINT OF TANGENCY, SAID POINT BEING LOCATED ON THE LINE DIVIDING PARCEL "B" AND MID COUNTY REAL ESTATE PARTNERSHIP; THENCE ALONG SAID DIVIDING LINE, SOUTH 87 DEGREES 05 MINUTES 59 SECONDS EAST, 115.31 FEET TO THE NORTHEAST CORNER OF MID COUNTY REAL ESTATE PARTNERSHIP AT THE NORTHWEST CORNER OF SAID PARCEL "A"; THENCE ALONG THE LINE DIVIDING MID COUNTY REAL ESTATE PARTNERSHIP AND PARCEL "A", SOUTH 2 DEGREES 49 MINUTES 04 SECONDS WEST, 2.52 FEET TO A POINT; THENCE LEAVING SAID POINT AND RUNNING THE FOLLOWING: SOUTHEASTWARDLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET AN ARC DISTANCE OF 83.86 FEET TO A POINT OF TANGENCY; THENCE SOUTH 2 DEGREES 49 MINUTES 04 SECONDS WEST, 219.05 FEET AND SOUTH 2 DEGREES 48 MINUTES 16 SECONDS EAST, 60.91 FEET TO A POINT ON THE NORTHERN LINE OF OLIVE STREET ROAD 90 FEET WIDE (OLIVE STREET ROAD, STATE HIGHWAY K340); THENCE NORTHWESTWARDLY ALONG SAID NORTHERN ROAD LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 910.05 FEET AN ARC DISTANCE OF 36.23 FEET TO A POINT THENCE LEAVING SAID ROAD LINE AND RUNNING NORTH 2 DEGREES 49 MINUTES 04 SECONDS EAST, 146.27 FEET AND NORTH 87 DEGREES 05 MINUTES 59 SECONDS WEST, 17.00 FEET TO A POINT ON THE EASTERN LINE OF MID COUNTY REAL ESTATE PARTNERSHIP; THENCE ALONG SAID EASTERN LINE, NORTH 2 DEGREES 49 MINUTES 04 SECONDS EAST, 30.00 FEET TO A POINT; THENCE LEAVING SAID EASTERN LINE AND RUNNING SOUTH 87 DEGREES 05 MINUTES 59 SECONDS EAST, 17.00 FEET AND NORTH 2 DEGREES 49 MINUTES 04 SECONDS EAST, 99.05 FEET TO A POINT OF CURVE; THENCE NORTHWESTWARDLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET AN ARC DISTANCE OF 36.07 FEET TO A POINT ON THE EASTERN LINE OF MID COUNTY REAL ESTATE PARTNERSHIP; THENCE CONTINUING ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 18.86 FEET TO POINT OF TANGENCY; THENCE NORTH 87 DEGREES 05 MINUTES 59 SECONDS WEST, 97.40 FEET TO A POINT OF CURVE; THENCE NORTHWESTWARDLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 90.00 FEET AN ARC DISTANCE OF 75.70 FEET TO A POINT ON THE NORTHERN LINE OF MID COUNTY REAL ESTATE PARTNERSHIP; THENCE CONTINUING ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 31.06 FEET TO A POINT OF TANGENCY; THENCE NORTH 19 DEGREES 07 MINUTES 59 SECONDS WEST, 7.63 FEET TO A POINT OF CURVE; THENCE NORTHWESTWARDLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET AND ARC DISTANCE OF 42.15 FEET TO POINT OF TANGENCY; THENCE NORTH 88 DEGREES 07 MINUTES 59 SECONDS WEST, 13.00 FEET TO THE POINT OF BEGINNING.

TRACT III:

BILL NO. _____

ORDINANCE NO. _____

AN EASEMENT FOR SIGN PURPOSES AS ESTABLISHED BY SIGN EASEMENT AGREEMENT RECORDED IN BOOK 7881 PAGE 1595 AND BEING SITUATED UPON THE FOLLOWING-DESCRIBED TRACT OR PARCEL OF LAND:

A TRACT OF LAND BEING PART OF PARCEL "A" OF MARRIOTT COURTYARD PLAZA PLAT 1, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 245, PAGE 12 OF THE ST. LOUIS COUNTY RECORDS, IN SECTION 3, TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERN LINE OF OLIVE STREET ROAD HIGHWAY K (340) AT THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE LEAVING SAID ROAD LINE AND RUNNING ALONG THE WESTERN LINE OF PARCEL "A", NORTH 2 DEGREES 49 MINUTES 04 SECONDS EAST, 50.00 FEET TO A POINT; THENCE LEAVING SAID WESTERN LINE AND RUNNING SOUTH 87 DEGREES 10 MINUTES 59 SECONDS EAST, 10.00 FEET TO A POINT; THENCE SOUTH 2 DEGREES 49 MINUTES 04 SECONDS WEST, 51.44 FEET TO A POINT ON THE NORTHERN LINE OF OLIVE STREET ROAD, AS AFOREMENTIONED; THENCE ALONG SAID ROAD LINE, NORTH 78 DEGREES 57 MINUTES 52 SECONDS WEST, 10.10 FEET TO THE POINT OF BEGINNING.

TRACT IV:

AN EXCLUSIVE PERPETUAL EASEMENT AS ESTABLISHED BY AGREEMENT RECORDED IN BOOK 7881 PAGE 1582 OVER AND ACROSS THE FOLLOWING-DESCRIBED TRACT OR PARCEL OF LAND:

A TRACT OF LAND BEING PART OF PARCEL "A" OF MARRIOTT COURTYARD PLAZA PLAT 1, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 245, PAGE 12 OF THE ST. LOUIS COUNTY RECORDS, IN SECTION 3, TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHERN LINE OF PROPERTY DESCRIBED IN DEED TO MID COUNTY REAL ESTATE PARTNERSHIP AS RECORDED IN BOOK 7562, PAGE 1772 OF THE ST. LOUIS COUNTY RECORDS AT ITS INTERSECTION WITH THE EASTERN LINE OF NEW BALLAS ROAD, SAID POINT BEING THE SOUTHWEST CORNER OF PARCEL "B"; THENCE ALONG THE NORTHERN LINE OF MID COUNTY REAL ESTATE PARTNERSHIP AND ALONG THE NORTHERN LINE OF PARCEL "A", SOUTH 87 DEGREES 05 MINUTES 59 SECONDS EAST, 433.27 FEET TO AN ANGLE POINT IN PARCEL "A" AT THE SOUTHEAST CORNER OF PARCEL "B" AND THE POINT OF BEGINNING OF THE HEREIN-DESCRIBED TRACT OF LAND; THENCE ALONG THE LINE DIVIDING PARCEL "A" AND PARCEL "B", NORTH 02 DEGREES 54 MINUTES 01 SECOND EAST, 360.00 FEET TO A POINT ON THE SOUTHERN LINE OF PROPERTY DESCRIBED IN DEED TO CITY PLACE ASSOCIATES AS RECORDED IN BOOK 8146, PAGE 823 OF THE ST. LOUIS COUNTY RECORDS AT THE NORTHWEST CORNER OF PARCEL "A"; THENCE ALONG THE SOUTHERN LINE OF CITY PLACE ASSOCIATES, SOUTH 87 DEGREES 05 MINUTES 59 SECONDS EAST, 39.63 FEET TO A POINT ON THE WESTERN LINE OF PROPERTY DESCRIBED IN DEED TO THE CITY OF CREVE COEUR AS RECORDED IN BOOK 7154, PAGE 37 OF THE ST. LOUIS COUNTY RECORDS AT THE NORTHEAST CORNER OF PARCEL "A"; THENCE ALONG SAID WESTERN LINE BEING ALSO THE EASTERN LINE OF PARCEL "A", SOUTH 14 DEGREES 28 MINUTES 56 SECONDS EAST, 377.23 FEET TO A POINT ON THE DIRECT EASTWARD PROLONGATION OF THE SOUTHERN LINE OF PARCEL "B"; THENCE LEAVING SAID POINT AND RUNNING ALONG SAID PROLONGATION NORTH 87 DEGREES 05 MINUTES 59 SECONDS WEST, 152.33 FEET TO THE POINT OF BEGINNING. BEING THE SAME PROPERTY LEASED BY

BILL NO. _____

ORDINANCE NO. _____

COURTYARD II ASSOCIATES, LP., A DELAWARE LIMITED PARTNERSHIP, AS TO THE LEASEHOLD ESTATE AS EVIDENCED BY A MEMORANDUM OF LEASE BETWEEN ESSEX HOUSE CONDOMINIUM CORPORATION AND MARRIOTT CORPORATION DATED OCTOBER 1, 1987 AND FILED IN BOOK 8233 AT PAGE 180; ASSIGNED TO COURTYARD BY MARRIOTT II LIMITED PARTNERSHIP BY AN ASSIGNMENT OF LEASE AND WARRANTY AND ASSUMPTION OF OBLIGATIONS DATED OCTOBER 1, 1987 AND FILED IN BOOK 8233 AT PAGE 1815; ASSIGNED TO COURTYARD II ASSOCIATES, LP., BY AN ASSIGNMENT AND ASSUMPTION OF GROUND LEASE AND NOTICE OF AMENDMENT AND SUBORDINATION AGREEMENT DATED JANUARY 24, 1996 AND FILED IN BOOK 10729 AT PAGE 2257.

TRACTV:

TOGETHER WITH ALL RIGHTS, TITLE AND INTEREST IN EASEMENTS GRANTED PURSUANT TO EASEMENT AGREEMENT MADE FEBRUARY 15, 1996 AND RECORDED IN BOOK 10743 AT PAGE 804.

Section 3: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The Conditional Use Permit shall be for the operation of an 44,000 square foot, 154-bed hotel at 828 N. New Ballas Road, with an approximately 2,000 square foot restaurant, with 50 seats for hotel guests.
2. The Applicant is required to submit Grading and Site Improvement Plans, showing all exterior improvements, for all new construction to the Division of Planning for review, as required by Section 410.380 of the Subdivision and Land Development Regulations (Subdivision Code). The Grading and Site Improvement Plans shall be in substantial conformance with the Site Development Plans and the Landscape Plan as bound together received on October 27, 2022 as bound together and submitted in conjunction with Application #22-030 by Johnson Braund, Inc., and as amended below.
3. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the "Exterior Elevations" submitted on October 27, 2022 as bound together and submitted in conjunction with Application #22-030 by Johnson Braund, Inc., and as amended below.
4. The metal cladding on the north and south elevations shall be carried up on all the tower elements in a consistent with the same elements elsewhere on the building.
5. The Site Plans shall be revised to be in compliance with Section 405.730 Sidewalks for sidewalk widths.
6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
7. All lighting shall comply with Section 405.680 Lighting of the Zoning Ordinance. The non-conforming decorative lighting shall be replaced, if needed, with light fixtures that are downcast and fully shielded.
8. All Landscaping shall be maintained according to the Landscaping Plan submitted October 27, 2022 as bound together and submitted in conjunction with Application #22-030. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, sufficient landscaping shall be provided on the property to be consistent with the Landscape Plan to the extent possible, as required under Section 405.540 Landscaping, as determined by the Zoning Administrator.
9. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.

BILL NO. _____

ORDINANCE NO. _____

10. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
11. 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.
12. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
13. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 4: 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 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2022.

JOSEPH MARTINICH
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2022.

BILL NO. _____

ORDINANCE NO. _____

DR. ROBERT
HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK

BILL NO. 5847**ORDINANCE NO. 5721**

**AN ORDINANCE REPEALING ORDINANCE NO. 1121 AND AUTHORIZING A NEW
CONDITIONAL USE PERMIT FOR A 154 ROOM HOTEL FOR COURTYARD
MARRIOTT AT 828 N. NEW BALLAS ROAD, ZONED CB-CORE BUSINESS DISTRICT**

WHEREAS, under Section 405.370(C), NAICS 721110 Hotels (except Casino Hotels) and Motels require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Ordinance 1121, issued in 1986, authorized the operation of a 154-room hotel, and references outdated codes; and

WHEREAS, Eli Tuttle, of Johnson Braund, Inc., on behalf of CBM Two Hotels LP, has submitted an application to amend the conditional use permit to allow for exterior modifications to the exterior of the Courtyard by Marriott hotel at 828 N. New Ballas Road, Creve Coeur, MO 63141; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, September 21, 2020, beginning at 6:30 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a 7-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on September 21, 2020; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.
3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.
4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

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

Section 1: Ordinance Number 1121 is hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a hotel at 828 N. New Ballas Road under the category of NAICS 721110 Hotels (except Casino Hotels) and Motels), in the CB-Core Business zoning district, whose legal description is as follows:

BILL NO. 5847**ORDINANCE NO. 5721****TRACT I:**

A TRACT OF LAND BEING PARCEL "B" OF MARRIOTT COURTYARD PLAZA PLAT 1, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 245, PAGE 42 OF THE ST. LOUIS COUNTY RECORDS, IN SECTION 3, TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERN LINE OF PROPERTY DESCRIBED IN DEED TO MID COUNTY REAL ESTATE PARTNERSHIP AS RECORDED IN BOOK 7562, PAGE 1772 OF THE ST. LOUIS COUNTY RECORDS AT ITS INTERSECTION WITH THE EASTERN LINE OF NEW BALLAS ROAD, NORTH 02 DEGREES 48 MINUTES 36 SECONDS EAST, 360.00 FEET TO THE NORTHWEST CORNER OF PARCEL "B", SAID POINT BEING LOCATED ON THE SOUTHERN LINE OF PROPERTY DESCRIBED IN DEED TO CITY PLACE ASSOCIATES AS RECORDED IN BOOK 8146 PAGE 823 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG SAID SOUTHERN LINE, SOUTH 87 DEGREES 05 MINUTES 59 SECONDS EAST, 433.84 FEET TO THE NORTHEAST CORNER OF PARCEL "B"; THENCE LEAVING SAID POINT AND RUNNING ALONG THE LINE DIVIDING PARCEL "A" AND PARCEL "B" OF MARRIOTT COURTYARD PLAZA PLAT 1, SOUTH 02 DEGREES 54 MINUTES 01 SECONDS WEST, 360.00 FEET TO AN ANGLE POINT IN PARCEL "A" AND ALONG THE NORTHERN LINE OF PROPERTY DESCRIBED IN DEED TO MID COUNTY REAL ESTATE PARTNERSHIP, AS AFOREMENTIONED, NORTH 87 DEGREES 05 MINUTES 59 SECONDS WEST, 433.27 FEET TO THE POINT OF BEGINNING.

TRACT II:

A NON-EXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS AS CREATED BY EASEMENT AGREEMENT RECORDED IN BOOK 7873 PAGE 667 OVER AND ACROSS THE FOLOWING-DESCRIBED TRACTOR PARCEL OF LAND:

A TRACT OF LAND BEING PART OF PARCEL "A" AND PARCEL "B" OF MARRIOTT COURTYARD PLAZA PLAT 1, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 245, PAGE 12 OF THE ST. LOUIS COUNTY RECORDS, AND PART OF A TRACT OF LAND DESCRIBED IN DEED TO MID COUNTY RECORDS, IN SECTION 3, TOWNSHIP 45 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHERN LINE OF PROPERTY DESCRIBED IN DEED TO MID COUNTY REAL ESTATE PARTNERSHIP, AS AFOREMENTIONED AT ITS INTERSECTION WITH THE EASTERN LINE OF NEW BALLAS ROAD, SAID POINT BEING THE SOUTH WEST CORNER OF PARCEL "B"; THENCE ALONG THE EASTERN LINE OF NEW BALLAS ROAD, NORTH 2 DEGREES 48 MINUTES 36 SECONDS EAST, 54.94 FEET TO THE POINT OF BEGINNING OF THE HEREIN-DESCRIBED TRACT OF LAND; THENCE CONTINUING ALONG SAID EASTERN ROAD LINE, NORTH 2 DEGREES 48 MINUTES 36 SECONDS EAST, 30.00 FEET TO A POINT; THENCE LEAVING SAID ROAD LINE AND RUNNING THE FOLLOWING: SOUTH 88 DEGREES 07 MINUTES 59 SECONDS EAST, 12.51 FEET TO A POINT OF CURVE; THENCE SOUTHEASTWARDLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET AND ARC DISTANCE OF 78.28 FEET TO A POINT OF TANGENCY; THENCE SOUTH 19 DEGREES 07 MINUTES 59 SECONDS EAST, 7.63 FEET TO A POINT OF CURVE; THENCE SOUTHEASTWARDLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 60.00 FEET AN ARC DISTANCE OF 71.17 FEET TO A POINT OF TANGENCY, SAID POINT BEING LOCATED ON THE LINE DIVIDING PARCEL "B" AND MID COUNTY REAL ESTATE PARTNERSHIP; THENCE ALONG SAID DIVIDING LINE, SOUTH 87 DEGREES 05 MINUTES 59 SECONDS EAST, 115.31 FEET TO THE NORTHEAST CORNER OF MID COUNTY REAL ESTATE PARTNERSHIP AT THE NORTHWEST CORNER OF SAID PARCEL "A"; THENCE ALONG THE LINE DIVIDING MID COUNTY REAL ESTATE

BILL NO. 5847**ORDINANCE NO. 5721**

PARTNERSHIP AND PARCEL "A", SOUTH 2 DEGREES 49 MINUTES 04 SECONDS WEST, 2.52 FEET TO A POINT; THENCE LEAVING SAID POINT AND RUNNING THE FOLLOWING: SOUTHEASTWARDLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET AN ARC DISTANCE OF 83.86 FEET TO A POINT OF TANGENCY; THENCE SOUTH 2 DEGREES 49 MINUTES 04 SECONDS WEST, 219.05 FEET AND SOUTH 2 DEGREES 48 MINUTES 16 SECONDS EAST, 60.91 FEET TO A POINT ON THE NORTHERN LINE OF OLIVE STREET ROAD 90 FEET WIDE (OLIVE STREET ROAD, STATE HIGHWAY K340); THENCE NORTHWESTWARDLY ALONG SAID NORTHERN ROAD LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 910.05 FEET AN ARC DISTANCE OF 36.23 FEET TO A POINT THENCE LEAVING SAID ROAD LINE AND RUNNING NORTH 2 DEGREES 49 MINUTES 04 SECONDS EAST, 146.27 FEET AND NORTH 87 DEGREES 05 MINUTES 59 SECONDS WEST, 17.00 FEET TO A POINT ON THE EASTERN LINE OF MID COUNTY REAL ESTATE PARTNERSHIP; THENCE ALONG SAID EASTERN LINE, NORTH 2 DEGREES 49 MINUTES 04 SECONDS EAST, 30.00 FEET TO A POINT; THENCE LEAVING SAID EASTERN LINE AND RUNNING SOUTH 87 DEGREES 05 MINUTES 59 SECONDS EAST, 17.00 FEET AND NORTH 2 DEGREES 49 MINUTES 04 SECONDS EAST, 99.05 FEET TO A POINT OF CURVE; THENCE NORTHWESTWARDLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET AN ARC DISTANCE OF 36.07 FEET TO A POINT

Section 3: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The Conditional Use Permit shall be for the operation of an 44,000 square foot, 154-bed hotel at 828 N. New Ballas Road, with an approximately 2,000 square foot restaurant, with 50 seats for hotel guests.
2. The Applicant is required to submit Grading and Site Improvement Plans, showing all exterior improvements, for all new construction to the Division of Planning for review, as required by Section 410.380 of the Subdivision and Land Development Regulations (Subdivision Code). The Grading and Site Improvement Plans shall be in substantial conformance with the Site Development Plans and the Landscape Plan received on September 15, 2020 as bound together and submitted in conjunction with Application #20-026 by Johnson Braund, Inc., and as amended below.
3. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the "Exterior Elevations" submitted on September 15, 2020 as bound together and submitted in conjunction with Application #20-026 by Johnson Braund, Inc., and as amended below.
4. The metal cladding on the north and south elevations shall be carried up on all the tower elements consistent with the same elements elsewhere on the building.
5. The Site Plans shall be revised to provide for a sidewalk extension in compliance with Section 405.730 Sidewalks
6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
7. All lighting shall comply with Section 405.680 Lighting of the Zoning Ordinance. The non-conforming decorative lighting shall be removed or replaced with light fixtures that are downcast and fully shielded.
8. All Landscaping shall be maintained per the prior approved plan and vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed, and should the street trees be removed, sufficient landscaping shall be provided on the property to be consistent with the Landscape Plan to the extent possible, as required under Section 405.540 Landscaping, as determined by the Zoning Administrator.
9. The Property Owners will work with the Public Works staff in the future to provide the necessary easements or boundary adjustments for planned future roadway improvements when more information becomes available.

BILL NO. 5847**ORDINANCE NO. 5721**

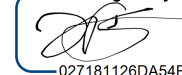
10. Any new mechanical equipment installed for the site shall be properly screened with approved materials by the Zoning Administrator.
11. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
12. 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.
13. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
14. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 4: 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 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS 12th DAY OF October, 2020.

DocuSigned by:

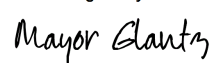


027181126DA54B5

HEATHER SILVERMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS 12th DAY OF October, 2020.

DocuSigned by:

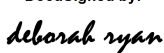


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BARRY GLANTZ
MAYOR

ATTEST:

DocuSigned by:



3BF7E95BA23D47C...

DEBORAH RYAN
CITY CLERK

BILL NUMBER 1149

ORDINANCE NUMBER 1121

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A HOTEL AND RESTAURANT LOCATED ON THE PROPERTY LOCATED ON THE NORTH SIDE OF OLIVE BOULEVARD WEST OF THE CREVE COEUR GOVERNMENT CENTER ON PROPERTY FORMERLY KNOWN AS THE ROHAN WOODS SCHOOL IN THE "CB" CORE BUSINESS DISTRICT, SUBJECT TO CONDITIONS SET FORTH HEREIN.

WHEREAS, AN APPLICATION WAS MADE FOR A CONDITIONAL USE PERMIT FOR A HOTEL AND RESTAURANT BY THE MARRIOTT CORPORATION TO BE LOCATED ON THE PROPERTY ON THE NORTH SIDE OF OLIVE BOULEVARD WEST OF THE CREVE COEUR GOVERNMENT CENTER ON PROPERTY FORMERLY KNOWN AS THE ROHAN WOODS SCHOOL IN THE "CB" CORE BUSINESS DISTRICT, AND

WHEREAS, A HEARING WAS HELD BY THE PLANNING AND ZONING COMMISSION RECOMMENDING APPROVAL OF SAID APPLICATION, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE BOARD OF ALDERMEN ON SEPTEMBER 23, 1985, AT 7:30 P.M. ON SAID APPLICATION FOR A CONDITIONAL USE PERMIT AS PROVIDED BY SECTION 26-114 OF ORDINANCE NO. 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD PREVIOUSLY BEEN PUBLISHED IN THE ST. LOUIS COUNTIAN ON SEPTEMBER 3, 1985, SEPTEMBER 10, 1985 AND SEPTEMBER 17, 1985, AND

WHEREAS, ALL PARTIES DESIRING TO BE HEARD, EITHER FOR OR AGAINST SAID APPLICATION WERE GIVEN AN OPPORTUNITY TO BE HEARD, AND

WHEREAS, THE BOARD OF ALDERMEN BEING FULLY INFORMED FINDS THAT THE GRANTING OF THE APPLICATION WOULD BE IN HARMONY WITH THE PUBLIC HEALTH, SAFETY, COMFORT AND CONVENIENCE OF THE CITIZENS OF THE CITY OF CREVE COEUR AND IN CONFORMANCE WITH GOOD ZONING PRACTICE;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CREVE COEUR AS FOLLOWS:

SECTION 1: THE BOARD OF ALDERMEN HEREBY DETERMINES AND FINDS THAT THE ISSUANCE OF A CONDITIONAL USE PERMIT BY THE CITY ADMINISTRATOR AS REQUESTED BY THE MARRIOTT CORPORATION IN THEIR APPLICATION FOR A CONDITIONAL USE PERMIT ON THE HEREINAFTER DESCRIBED PROPERTY, WILL CONFORM AND COMPLY WITH THE REQUIRED STANDARDS FOR CONDITIONAL USE

PERMIT AS SET FORTH IN SECTION 26.114.5 OF ORDINANCE NO. 1044 AND THEREFORE A CONDITIONAL USE PERMIT IS HEREBY AUTHORIZED TO BE ISSUED FOR A HOTEL AND RESTAURANT ON THE FOLLOWING DESCRIBED PROPERTY IN THE "CB" CORE BUSINESS DISTRICT:

A NEW BUILDING TO BE CONSTRUCTED ON THE NORTH SIDE OF OLIVE BOULEVARD WEST OF THE CREVE COEUR GOVERNMENT CENTER ON PROPERTY FORMERLY KNOWN AS ROHAN WOODS SCHOOL CONTAINING APPROXIMATELY 44,000 SQUARE FEET AND 154 HOTEL ROOMS.

SECTION 2: THE ISSUANCE OF THIS CONDITIONAL USE PERMIT AND THE OPERATION AND MAINTENANCE OF SAID FACILITIES PROVIDED FOR BY THIS ORDINANCE SHALL BE SUBJECT TO ALL ORDINANCES, RULES AND REGULATIONS OF THE CITY OF CREVE COEUR AND THE FOLLOWING CONDITIONS:

- (1) THE CONDITIONAL USE PERMIT IS FOR THE OPERATION OF AN APPROXIMATELY 44,000 SQUARE FOOT, 154 ROOM HOTEL AND RESTAURANT.
- (2) SAID RESTAURANT SHALL BE LIMITED IN AREA TO APPROXIMATELY 2,000 SQUARE FEET WITH A SEATING CAPACITY OF 50 PERSONS.
- (3) THE HOURS OF OPERATION FOR SAID RESTAURANT SHALL BE LIMITED TO SUNDAY THROUGH SATURDAY FROM 5:00 A.M. TO 11:00 P.M.
- (4) THE SERVING OF ALCOHOLIC BEVERAGES SHALL BE PERMITTED ONLY BY AN EMPLOYEE FROM A SERVICE BAR.
- (5) THE PROPOSED PROJECT SIGNAGE, FOR THE 14.8 ACRE DEVELOPMENT, TO BE LOCATED ON OLIVE BOULEVARD, SHALL BE RESTRICTED TO THE LOCATION AND SIZE FOR LOW MONUMENT TYPE SIGNS AS SPECIFIED IN SECTION 26.104.2(A) 2 OF ORDINANCE NO. 1044.
- (6) APPROVAL OF THIS PROJECT SIGN STRUCTURE AND THE ONE PROPOSED ON BALLAS ROAD EXTENSION SHALL BE BY SITE DEVELOPMENT PLAN APPROVAL SHOWING COMPLETE DETAILS OF LOCATION AND CONSTRUCTION.
- (7) THE DEVELOPMENT OF THE DESCRIBED SITE SHALL BE IN ACCORDANCE WITH THE PRELIMINARY SITE DEVELOPMENT PLAN DATED JULY 31, 1985, AS PREPARED BY THE CLAYTON ENGINEERING COMPANY AND STAMPED "RECOMMENDED FOR APPROVAL" BY THE PLANNING AND ZONING COMMISSION ON AUGUST 19, 1985.
- (8) THE ENTIRE HOTEL AND RESTAURANT COMPLEX IS TO BE HEAVILY LANDSCAPED WITH HIGH QUALITY LANDSCAPING MATERIALS TO ENHANCE THE QUALITY OF THE DEVELOPMENT.

(9) THE PARKING AREAS ARE TO BE SCREENED FROM VIEW OF THE ADJOINING PROPERTIES THROUGH THE USE OF LANDSCAPING MATERIALS, BERMS, ETC.

(10) THE EASTERN PROPERTY LINE OF THE PROJECT IS TO BE HEAVILY LANDSCAPED INCLUDING THE PLANTING OF LARGE TREES TO SCREEN THE PARKING LOT AND REAR OF THE BUILDING AND PROPERTY.

(11) THE PROPOSED STUCCO FINISH FOR THE STRUCTURE SHALL BE PROPERLY DESIGNED AND INSTALLED, AS APPROVED BY THE CITY, FOR LOCAL WEATHER CONDITIONS.

(12) THE CONDITIONAL USE PERMIT AUTHORIZED BY THIS ORDINANCE SHALL NOT BE ISSUED UNTIL THE CITY HAS RECEIVED ASSURANCE OF COMPLETION, FROM BALLAS & OLIVE ASSOCIATES, OWNER OF THE 14.8 ACRE DEVELOPMENT AREA, THAT DEDICATION OF PUBLIC ROAD RIGHT-OF-WAY, PAYMENT FOR ONE-HALF THE CONSTRUCTION COST OF SAID ROADWAY, AND DEDICATION OF LAND FOR AN AREA STORMWATER RETENTION BASIN, ALL AS PROVIDED FOR IN THE DEVELOPMENT PLAN IN THE CITY OF CREVE COEUR ORDINANCE NO. 1097, WHEN REQUESTED BY THE CITY FOR CONSTRUCTION OF SAID ROADWAY AND STORMWATER CONTROL FACILITIES.

(13) ALL STORMWATER FROM THE SITE IS TO BE PIPED TO THE CENTRAL DETENTION BASIN TO BE CONSTRUCTED BY THE CITY. HOWEVER, IF THIS FACILITY IS NOT READY FOR USE BY THE TIME THIS PROJECT IS BEGUN, TEMPORARY DETENTION MUST BE PROVIDED ON THE SITE, UNTIL SUCH TIME AS THE CENTRAL DETENTION BASIN IS COMPLETED.

(14) 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 ADMINISTRATOR AN ACKNOWLEDGEMENT THAT HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

(15) 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 CONDITIONS HEREIN SET FORTH AND APPROVED DEVELOPMENT PLAN FOR THE PROPERTY.

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

(17) 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 BOARD OF ALDERMEN, PROVIDED, HOWEVER, NO PERMIT SHALL BE REVOKED WITHOUT REASONABLE NOTICE TO THE OWNER OF THE INTENTION OF THE BOARD OF ALDERMEN TO REVOKE AND REASONABLE TIME GRANTED THE OWNER TO CORRECT ANY SUCH BREACH OF CONDITION.

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 BOARD OF ALDERMEN AND THE SIGNING THEREOF BY THE MAYOR.

PASSED THIS 11TH DAY OF NOVEMBER 1985.

Peggy Vickroy
PEGGY VICKROY, MAYOR

APPROVED THIS 11TH DAY OF NOVEMBER 1985.

Peggy Vickroy
PEGGY VICKROY, MAYOR

ATTEST:

Laverne Collins
LAVERNE COLLINS, CMC
CITY CLERK

CONDITIONAL USE PERMIT

By authority of Ordinance No. 1121 adopted by the Board of Aldermen of the City of Creve Coeur, Missouri, pursuant to authority of Ordinance No. 1044, Section 26-114 (the Zoning Ordinance), permission is hereby granted to The Marriott Corporation for the use of property hereinafter described for the construction of a hotel and restaurant to be located on the north side of Olive Boulevard west of the Creve Coeur Government Center. Said property being more particularly described as follows:

A tract of land in Section 3, Township 45 North, Range 5 East, St. Louis County, Missouri, and described as follows:

Commencing at a point on the Northern line of Olive Street Road, Missouri State Highway K (340) at the Southeast corner of property conveyed to Mid County Real Estate Partnership by Deed recorded in Book 7562, Page 1772 of the St. Louis County Records; thence leaving said road line and running along the Eastern line of said property, north 2 degrees 49 minutes 04 seconds East, 337.84 feet to the Northeast corner thereof and the point of beginning of the herein described tract of land; thence along the Northern line of said Mid County property, North 87 degrees 05 minutes 59 seconds West, 243.68 feet to a point in the East line of a proposed extension of Ballas Road 60 feet wide; thence leaving said point and running North 1 degree 52 minutes 01 second East, 360.06 feet along said proposed extension to a point; thence South 87 degrees 05 minutes 59 seconds East, 475.49 feet to a point on the Western line of property conveyed to the City of Creve Coeur by Deed recorded in Book 7154, Page 37 of the St. Louis County Records; thence along said Western line, South 14 degrees 28 minutes 56 seconds East, 377.23 feet to a point; thence leaving said Western line and running North 87 degrees 05 minutes 59 seconds West, 338.02 feet to the point of beginning and containing 4.369 acres. (Excluding proposed 60 foot wide road.)

subject to the following stipulations and conditions:

- (1) The Conditional Use Permit is for the operation of an approximately 44,000 square foot, 154 room hotel and restaurant.
- (2) Said restaurant shall be limited in area to approximately 2,000 square feet with a seating capacity of 50 persons.
- (3) The Hours of operation for said restaurant shall be limited to Sunday through Saturday from 5:00 A.M. to 11:00 P.M.
- (4) The serving of alcoholic beverages shall be permitted only by an

employee from a service bar.

(5) The proposed project signage, for the 14.8 acre development, to be located on Olive Boulevard, shall be restricted to the location and size for low monument type signs as specified in section 26.104.2(A) 2 of Ordinance No. 1044.

(6) Approval of this project sign structure and the one proposed on Ballas Road Extension shall be by site development plan approval showing complete details of location and construction.

(7) The development of the described site shall be in accordance with the Preliminary Site Development Plan dated July 31, 1985, as prepared by The Clayton Engineering Company and stamped "Recommended for Approval" by the Planning and Zoning Commission on August 19, 1985.

(8) The entire hotel and restaurant complex is to be heavily landscaped with high quality landscaping materials to enhance the quality of the development.

(9) The parking areas are to be screened from view of the adjoining properties through the use of landscaping materials, berms, etc.

(10) The eastern property line of the project is to be heavily landscaped including the planting of large trees to screen the parking lot and rear of the building and property.

(11) The proposed stucco finish for the structure shall be properly designed and installed, as approved by the City, for local weather conditions.

(12) The Conditional Use Permit authorized by this Ordinance shall not be issued until the City has received assurance of completion, from Ballas & Olive Associates, Owner of the 14.8 acre development area, that dedication of public road right-of-way, payment for one-half the construction cost of said roadway, and dedication of land for an area stormwater retention basin, all as provided for in the development plan in the City of Creve Coeur Ordinance No. 1097, when requested by the City for construction of said roadway and stormwater control facilities.

(13) All stormwater from the site is to be piped to the central detention basin to be constructed by the city. However, if this facility is not ready for use by the time this project is begun, temporary detention must be provided on the site, until such time as the central detention basin is completed.

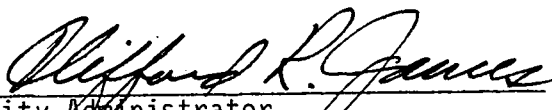
(14) A copy of all herein attached conditions shall be furnished by the owner or petitioner to the operator(s), owner(s) or manager(s) who shall forward to the Zoning Administrator an acknowledgement that he or she has read and understood each of these conditions and agrees to comply therewith.

(15) 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 conditions herein set forth and approved development plan for the property.

(16) All conditions contained within this permit shall be posted upon the property in such a manner that it is visible to the public and to the operation of said facility.

(17) 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 Board of Aldermen, provided, however, no permit shall be revoked without reasonable notice to the owner of the intention of the Board of Aldermen to revoke and reasonable time granted the owner to correct any such breach of condition.

Granted this 19th day of February, 1986.



City Administrator
City of Creve Coeur

ATTEST:



City Clerk
City of Creve Coeur

AGREEMENT

AN 23 RL
1986

This Agreement is made and entered into as of the 21st day of February 1986, by and between the City of Creve Coeur, a municipal corporation, hereinafter referred to as "City", and Ballas and Olive Associates, a Missouri general partnership, hereinafter referred to as "Associates".

WHEREAS, the City has adopted by Ordinance No. 1097, a Development Plan for an area that includes land owned by the Associates, and said Development Plan includes a road through Associates' property, extending from Ballas Road to the north and east, and

WHEREAS, Associates has agreed to dedicate a portion of their land for the Ballas Road Extension R.O.W. and has further agreed to pay half of the construction expense of said road, and

WHEREAS, the City's adopted Development Plan for the area provides for a common stormwater retention lake to serve the Development Plan area, and

WHEREAS, the Associates have agreed to donate certain land necessary for the City's construction of the common stormwater detention lake,

NOW THEREFORE, for and in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. City agrees:

- a) The City Engineers, Booker and Associates, have prepared a cost estimate attached as Exhibit A dated January 20, 1986 for the full project of constructing the road along the west boundary of the property to be known as the Courtyard by Marriott and thence north and east to the Associates' east property line. Said cost estimate includes all construction and contingencies as well as separate prices for grading, drainage structures, paving of one set of two lanes, paving of a second set of two

lanes, divided from the first set by a median, sidewalks, and landscaping.

- b) To build said road at its discretion, or let a contract for the construction of a portion of said road, to serve Associates' projects, within ninety (90) days after the issuance of a building permit for said projects.
- c) To make an accounting of construction expenditures per Par. 2 a) (2) herein.
- d) To give Associates credit for all grading and other work they may do, as determined by the City's engineer, and agreed to by the City and the Associates, per Par. 1 a) and Par. 2 a) (1) herein.
- e) To credit to Associates all unused portion of the letter of credit for construction funds at the termination of the agreement or upon the prior completion of roadway, subject to the conditions set forth in 3 a).

2. Associates agree to the following:

- ~~a) -(1)- Associates agree to issue to the City of Creve Coeur a Letter~~
of Credit in the amount of \$235,000.00, drawn on Landmark Bank, in a form acceptable to the City. Said Letter of Credit shall guarantee the Associates' total obligation to perform all clearing, grubbing, and earthwork for the roadway project from Associates' southern boundary to their eastern boundary as determined by the City's engineer, Booker and Associates, per Par. 1 d) herein; and being further described in Exhibit A hereto attached. Upon completion of phase I of the earthwork, and approval and verification by Booker and Associates and Clayton Engineering Company, 60% of the Letter of Credit shall be

released. Upon completion of the balance of the earthwork to the Associates' east property line the balance of the Letter of Credit will be released.

- a) (2) To deposit with the City of Creve Coeur a Letter of Credit in the amount of \$115,000.00, drawn on Landmark Bank, said Letter of Credit to guarantee and pay for Associates' portion of expenses for the paving-construction of said road other than that described in Par.2 a)(2). An accounting shall be made of costs therein and shall be provided to Associates. Draws against the Letter of Credit to be paid within ten days of billing, by City as work progresses.
- b) To dedicate the right-of-way for the road, to be constructed along the west boundary of the Courtyard by Marriott project, to the City for public use: 1) at the time the City requests bids for the construction of said road, or 2) at the time a building permit is issued for the construction of the Courtyard by Marriott, whichever occurs first.

- c) To dedicate for public use the necessary roadway right-of-way and provide needed construction and slope easements to the City for the construction of the balance of the road as described in the preliminary design prepared by Booker and Associates dated December 12, 1985:
 - 1) at the time the City requests bids for construction of the balance of the road, or 2) at the time a building permit is issued for a project adjacent to the balance of the road, whichever occurs first.
- d) That a Notice of this agreement shall be filed with the St. Louis County Recorder of Deeds
- 3. a) This agreement shall terminate six (6) years from the date of

its signing, subject to the following condition: If bids for a contract for the construction of the remaining portion of the road over the Associates' land have been requested prior to the termination of this agreement, and the City commits to and proceeds to construct remaining portion of road, the Letter of Credit shall remain in force and effect subject to this agreement until completion of the roadway, acceptance thereof by the City, and payment therefore has been made.

- b) The Associates will dedicate, at no cost to the City, a rectangular parcel of land located in the northeast portion of their Parcel 'C', approximately 120 feet wide and 252 feet long, and having a northern common boundary with the south line of the 80 foot right-of-way of the Ballas Road extension. Said dedication of land will be made only upon the request of the City for the construction of the common stormwater detention lake.

- 4. It is expressly understood and agreed to by the City and by the Associates that the maximum contribution of \$115,000.00 towards ~~construction of the Ballas Road roadway, the dedication of the~~ right-of-way for said construction, as defined herein, and the completion of "B- Other Work" per Par. 2 a)(2) and Exhibit A, shall be the total and maximum liability of the Associates for said road improvements. It shall be the direct and full obligation of the City to install said roadway as described herein, upon the Associates maximum contribution of \$115,000.00, the dedication of said right-of-way and the completion of the earthwork per Par. 2 a)(1) and Exhibit A.

It is further understood that relying upon the City to perform under the terms and conditions as herein defined, the Associates

has committed and obligated itself to the Marriott Corporation and other parties as to the construction of the extension of the Ballas roadway as herein described and in the event said construction is not completed as per this Agreement, due to the failure of the City to perform, unless the City is legally restrained from so doing, under the terms and conditions as described herein, the Associates would suffer financial harm and in that event the City shall be held liable for said damages, but said damages shall not exceed an amount above that paid by the Associates into the roadway project through their two Letters of Credit required of the Associates herein.

IN WITNESS WHEREOF, the parties set their hand the day and year first above written.

ATTEST

LaVerne Collins
LaVerne Collins, CMC
City Clerk

CITY OF CREVE COEUR

By

Clifford R. James

BALLAS AND OLIVE ASSOCIATES,
a partnership

By

Robert Kaplan

EXHIBIT A

New Ballas Road Extension
City of Creve Coeur, Missouri
SP-14519

ADJUSTED
ESTIMATE OF PROBABLE COST
ROADWAY CONSTRUCTION
THROUGH WOODSON DEVELOPMENT TRACT

<u>Description</u>	<u>Cost</u>
<u>A - Grading Work</u>	
Clearing & Grubbing	\$4,000.00
Earthwork	<u>\$231,000.00</u>
Total - A	\$235,000.00
<u>B - Other Work</u>	
Pavement	\$180,835.00
Concrete Sidewalk	\$10,724.00
Concrete Retaining Wall	\$120,556.00
60" R.C. Pipe Culvert	\$61,040.00
Pavement Drainage	\$30,658.00
Landscaping, Etc.	<u>\$18,914.00</u>
Sub-Total - B	\$422,727.00
10% Contingency	<u>\$42,273.00</u>
Total - B	\$465,000.00
Total A & B	<u>\$700,000.00</u>

January 20, 1986

RELEASE

WHEREAS, the City of Creve Coeur, a municipal corporation, and the Ballas and Olive Associates, a partnership, entered into an agreement dated January 23, 1986, wherein Ballas and Olive Associates agreed to perform certain acts and assume certain responsibilities in the building of a roadway known as the Ballas Rd. Extension, and

WHEREAS, in order to guaranty the performance of the above responsibilities Ballas and Olive Associates established two Letters of Credit, and

WHEREAS, the final costs of construction of that portion of the road included in the agreement of January 23, 1986, has been determined.

NOW, THEREFORE, in consideration of the release and payment to the City of Creve Coeur by Ballas and Olive Associates of the sum of One Hundred Fifteen Thousand Dollars (\$115,000.00) from the first Letter of Credit and the sum of Twenty Six Thousand Two Hundred Fifty Dollars (\$26,250.00) from the second Letter of Credit the City of Creve Coeur releases and forever discharges Ballas and Olive Associates from all further responsibilities, liabilities, claims or demands under the terms of the agreement between the parties dated January 23, 1986.

Dated:

July 22, 1988

City of Creve Coeur,
a municipal corporation

BY

Clifford R. James
Clifford R. James
City Administrator



CITY OF CREVE COEUR
PLANNING & ZONING COMMISSION
MEETING SCHEDULE
2023

SCHEDULED MEETING

APPLICATION DEADLINE

***TUESDAY, JANUARY 3, 2023**
(IN OBSERVANCE OF NEW YEAR'S DAY)

FRIDAY, DECEMBER 2, 2022

***TUESDAY, JANUARY 17, 2023**
(IN OBSERVANCE OF MARTIN LUTHER KING DAY)

FRIDAY, DECEMBER 16, 2022

MONDAY, FEBRUARY 6, 2023
***TUESDAY, FEBRUARY 21, 2023**
(IN OBSERVANCE OF PRESIDENTS DAY)

FRIDAY, JANUARY 6, 2023
FRIDAY, JANUARY 20, 2023

MONDAY, MARCH 6, 2023
MONDAY, MARCH 20, 2023

FRIDAY, FEBRUARY 3, 2023
FRIDAY, FEBRUARY 17, 2023

MONDAY, APRIL 3, 2023
MONDAY, APRIL 17, 2023

FRIDAY, MARCH 3, 2023
FRIDAY, MARCH 17, 2023

MONDAY, MAY 1, 2023
MONDAY, MAY 15, 2023

FRIDAY, MARCH 31, 2023
FRIDAY, APRIL 14, 2023

MONDAY, JUNE 5, 2023
MONDAY, JUNE 19, 2023

FRIDAY, MAY 5, 2023
FRIDAY, MAY 19, 2023

MONDAY, JULY 3, 2023
MONDAY, JULY 17, 2023

FRIDAY, JUNE 2, 2023
FRIDAY, JUNE 16, 2023

MONDAY, AUGUST 7, 2023
MONDAY, AUGUST 21, 2023

FRIDAY, JULY 7, 2023
FRIDAY, JULY 21, 2023

***TUESDAY, SEPTEMBER 5, 2023**
(IN OBSERVANCE OF LABOR DAY)
MONDAY, SEPTEMBER 18, 2023

FRIDAY, AUGUST 4, 2023
FRIDAY, AUGUST 18, 2023

MONDAY, OCTOBER 2, 2023
MONDAY, OCTOBER 16, 2023

FRIDAY, SEPTEMBER 1, 2023
FRIDAY, SEPTEMBER 15, 2023

MONDAY, NOVEMBER 6, 2023
MONDAY, NOVEMBER 20, 2023

FRIDAY, OCTOBER 6, 2023
FRIDAY, OCTOBER 20, 2023

MONDAY, DECEMBER 4, 2023
MONDAY, DECEMBER 18, 2023

FRIDAY, NOVEMBER 3, 2023
FRIDAY, NOVEMBER 17, 2023

*Meetings are held at 6:00 PM in the Council Chambers of the Creve Coeur Government Center the first and third Mondays of the month unless otherwise specified.

Applications are due by 5:00 P.M. on the dates listed.