



Board of Adjustment
Meeting Agenda
City of Creve Coeur Government Center
300 North New Ballas Rd

November 19, 2020

4:00 PM

City Council Chamber

As a precautionary measure to help prevent exposure and spread of COVID-19, the Board of Adjustment meeting scheduled for Thursday, November 19, 2020, at 4:00 p.m. will be livestreamed online.

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

1. **Video Livestream** — Watch a live video broadcast of the Board of Adjustment Meeting here: <https://us02web.zoom.us/j/84316079142>. The public will be required to provide a name and email address to enter the meeting. The email address will not be saved or used to contact you. Citizens will have the opportunity to make public comments live during the meeting using the video livestream program (**How to Participate in Online Public Meetings**).
2. **Teleconference** — Call in to the meeting by dialing 1 301 715 8592/// Webinar ID: webinar ID: 843 1607 9142.
3. **Email** — Public comment may also be emailed to the City no later than 5:00 p.m. on Monday, November 16, 2020. Submit public comments to Whitney Kelly, City Planner, at wkelly@crevecoeurmo.gov.
4. **Live Audio** — Listen to a live audio broadcast of the Planning and Zoning Commission meeting by visiting the **Agendas & Minutes** page and clicking on the "Audio" link at the start of the meeting (audio only).

I. CALL TO ORDER

Ms. DP Villacis (Alternate, Vice-Chair)
Mr. Martin Satz
Mr. Glenn Wilen
Mr. Robert Mooney
Mr. James Kostelc (Alternate)
Ms. Alexandra Gada (Alternate)

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, AICP, Director of Community Development
Ms. Whitney Kelly, AICP, City Planner
Ms. Jessica Stutte, Planning Assistant/Recording Secretary

Pursuant to Section 610.022 RSMO, the Board of Adjustment 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 confidential or privileged communications with the City Attorney as provided under Section 610.021(1)RSMO or other matters as permitted by Chapter 610.

Reports, documents, plans, and related materials are available for examination at the Creve Coeur Government Center, 300 North New Ballas Road, prior to the meeting.

Special disabled service may be arranged by contacting the Office of the City Administrator in advance.

II. ADDITIONS TO-ACCEPTANCE OF THE AGENDA

III. APPROVAL OF MINUTES

1. March 21, 2019 Board of Adjustment Draft Meeting Minutes

IV. NEW BUSINESS

None

V. OTHER BUSINESS

1. Staff and City Attorney will conduct training regarding roles and responsibilities for the Board of Adjustment
2. Election of Chair and Vice-Chair
3. 2021 meeting schedule.

VI. ADJOURNMENT

Posted: _____
Jason W. Jaggi
Director of Community Development



Board of Adjustment
Meeting Draft Minutes
City of Creve Coeur Government Center
300 North New Ballas Rd

March 21, 2019

4:00 PM

City Council Chamber

I. CALL TO ORDER

Ivan Schenberg Chair
 Alexandra Gada Board Member (Absent)
 Robert Mooney Board Member
 Martin Satz Board Member (Absent)
 Glenn Wilen Board Member
 James Kostelc Board Member (Absent)
 Todd Streiler Board Member
 DP Villacis Board Member

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

II. ADDITIONS TO-ACCEPTANCE OF THE AGENDA

Mr. Mooney made a motion to approve the agenda, Ms. Villacis seconded. All in favor.

III. APPROVAL OF MINUTES

1. May 17, 2018 Board of Adjustment Draft Meeting Minutes

Mr. Streiler made a motion to approve the May 17, 2018 minutes, Mr. Wilen seconded. All in favor.

IV. NEW BUSINESS

1. A Variance Request to Allow for an Approximately 84.5 Foot Variance from the Required 134.5 Foot Buffer Yard to Allow the Construction of Carports to be Placed 50-Feet from the Rear Property Line Within the Required Buffer Yard Behind the Pre-Existing, Non-Conforming Building Located at 11318 Olive Boulevard (Aka 11330 Olive Boulevard), Zoned CB-Core Business District

Richard Marti, Intelica Real Estate, on behalf of HB717 Creve Coeur, LLC, has submitted an application for a variance request to allow for an approximately 84.5 foot variance from the required 134.5 foot buffer yard to allow the construction of carports to be placed 50-feet from the rear property line within the required buffer yard. Section 405.370(E)(4)(d) requires the setback for non-residential buildings exceeding 3 stories or 45 feet shall be increased to 200 feet and the buffer yard is increased from 50 feet to 134.5 feet, and shall not contain any impermeable surface. The existing six (6) story building encroaches within the setback at 137 feet from the rear property line, with surface parking and accessory structures behind the building.

Those speaking to the request were sworn in.

Attachment: BOA DRAFT Minutes 3.21.2019 (March 21, 2019 Board of Adjustment Draft Meeting Minutes)

Mr. Marti, of Intelica Real Estate, spoke to the variance request. He said a tenant of the building has asked to have executive level parking to provided protection for their high-end cars. He said it is a typical request for an Executive. He said the spaces are already existing and the carport would simply cover the existing spaces. He said it would not be visible from Olive as it is in the shadow of the building. He said it may be visible from Mosley.

Mr. Schenberg asked if anything separated the property from the residents.

Mr. Marti said there was a berm, some trees and bushes, a residential fence, a maintenance shed and dumpsters. He said there is also diesel storage for the generator.

Mr. Schenberg asked if he stood at the residential properties behind where the carports would go, would be visible.

Mr. Marti said about 50% of the carport would be visible.

Mr. Schenberg said it would be less visible than the maintenance shed. He said the shed is 3 feet higher than the carport.

Mr. Wilen asked when the building was built.

Mr. Marti said 1982.

Mr. Wilen asked if the company making the request had already signed the lease.

Mr. Marti said it was written into the lease that they should apply for the variance to build covered parking.

Mr. Wilen asked how vacant the building is currently.

Mr. Marti said it was 99% vacant.

Mr. Mooney asked about the structure of the carport.

Mr. Marti said it has steel I beams with aluminum framing.

Mr. Mooney said he looked at carports and the ones he saw had 2 posts, gutters and down spouts. Mr. Mooney said he was concerned about the water runoff.

Mr. Marti said they are structurally engineered for wind and weight loads and will need approval by the city building department.

Ms. Villacis asked if they would be coming back asking for more in the future.

Mr. Marti said this would be the last request for covered parking.

Ms. Kelly said at the time the building was built the buffer was in conformance, but then the standards changed. She said the existing buffer prohibits the carport. She said carports are generally standard in all districts. She said in residential districts, carports can be as close as 5 feet to the rear property line. She said it is standard that the carport be in the rear of the building. Ms. Kelly said if the variance were granted it would require review by the Planning & Zoning Commission.

Mr. Streiler asked if the regulations that changed in 1997/98 were changed all over the city or just the CB district.

Ms. Kelly said the change was for building 3 stories or taller, which is limited to the CB district.

Ms. Villacis asked what other buildings fall under the buffer yard requirement in the CB district.

Ms. Kelly said some hospital structures, the Cityplace buildings and some on the west side of the city.

Mr. Streiler asked if anything was done to blend the carport.

Ms. Kelly said that kind of review would be done by the Planning & Zoning Commission.

Mr. Streiler asked about the fence and why it doesn't extend further.

Ms. Kelly pointed out where the fence was on the property. She said she did not know when the fence was put up or why.

There was discussion about putting a fence on the berm.

Ms. Ellen Lawrence, a council member, said the landscaping doesn't exist. She said the landscaping shown was from the hotel plan. She said the berm was 2-3 feet in the back. She asked them to consider an 8 foot fence with landscaping or move the carport to the west of the HBE building.

Mr. Michael McDonald said he had similar concerns to Ms. Lawrence. He said the majority of the seasons they can see the back of the building. He would like to see a fence with landscaping, including evergreens that would grow to 40-50 feet.

Mr. Schenberg asked if the variance could have landscaping requirements.

Ms. Kelly confirmed it could.

Ms. Diane Bomkamp, a trustee, said they were concerned about the proximity of the car port. She said some of the suggestions had been helpful.

Ms. Villacis asked how many properties directly about HBE.

Ms. Bomkamp said 5-6.

Ms. Betty Mueller said she lives directly behind the building. She said she is opposed to the request as it is not a necessity or a hardship. She said the landscape is lacking and only is a screen in the summer months. She said City Council recommended an 8 foot fence when HBE came before them for the hotel.

Mr. Ray Mueller said this meeting being held at 4 is an inconvenience as many people are unable to attend. He read from the dictionary and said their car port did not meet the definition.

Mr. Wilen asked Mr. Mueller if he was implying only sedans should go in the carport.

Mr. Mueller said that is what the dictionary says.

Ms. Patti Trout said the building is non-conforming and has no hardship. She said there is plenty of space and parking. She said it is a commercial building and the parking should be to the west of the building not to the south.

She said HBE is not in compliance.

Mr. Marti showed the board a photo of trees that shielded the neighbors to the south. He said the existing lights will get new heads which will be angled toward the building.

Ms. Villacis asked if the lights could be motion activated lights.

Mr. Marti said it could be done, but they are not proposing lights in the carport.

Mr. Streiler asked if they had considered putting the carport to the west.

Mr. Marti said it was a possibility. He said he did not think the city would approve the carport to the west.

Mr. Willen asked staff about putting the carport to the west.

Ms. Kelly said the code and design guidelines recommend that it go behind the building in the least visible place. She said it would still require a variance.

Mr. Marti said parking to the west was still quite far from the door. He said the workforce has changed.

Ms. Villacis asked how far they could go with their recommendations to the Planning and Zoning Commission.

Mr. Lumley said they could recommend fencing, lighting, sound proofing and other concepts, but to stay away from specifics. He suggested they examine if it is a hardship for the applicant.

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

Mr. Mooney made a motion to approve the variance, Ms. Villacis seconded.

Mr. Streiler made a motion to amend with the addition that the Planning Commission review the required berm to aid in the buffering of the carport, the applicant add a fence along the berm and landscaping on the south side of the fence to create a buffer.

Ms. Villacis seconded.

The vote was 3 ayes, 2 nays. Motion passed

Mr. Schenberg restated the motion to approve the variance subject to the conditions that the Planning Commission review the design and the berm to aid in the buffering of the carport, the applicant add a fence along the berm and landscaping on the south side of the fence to create a buffer and general compliance.

All in favor.

A motion was made for the findings of facts and conclusions of law.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Todd Streiler, Board Member
SECONDER:	DP Villacis, Board Member
AYES:	Gada, Mooney, Wilen, Streiler, Villacis
ABSENT:	Schenberg, Satz, Kostelc

V. OTHER BUSINESS

VI. ADJOURNMENT

Ms. Villacis made a motion to adjourn. All in favor. Meeting adjourned at 5:15PM.



**CITY OF CREVE COEUR
BOARD OF ADJUSTMENT
MEETING SCHEDULE
2021**

SCHEDULED MEETING*	APPLICATION DEADLINE
THURSDAY, JANUARY 21, 2021	FRIDAY DECEMBER 11, 2020
THURSDAY FEBRUARY 18, 2021	FRIDAY JANUARY 16, 2021
THURSDAY MARCH 18, 2021	FRIDAY FEBRUARY 13, 2021
THURSDAY APRIL 15, 2021	FRIDAY MARCH 11, 2021
THURSDAY MAY 20, 2021	FRIDAY APRIL 17, 2021
THURSDAY JUNE 17, 2021	FRIDAY MAY 15, 2021
THURSDAY JULY 15, 2021	FRIDAY JUNE 12, 2021
THURSDAY AUGUST 19, 2020	FRIDAY JULY 17, 2021
THURSDAY SEPTEMBER 16, 2021	FRIDAY AUGUST 14, 2021
THURSDAY OCTOBER 21, 2021	FRIDAY SEPTEMBER 17, 2021
THURSDAY NOVEMBER 18, 2021	FRIDAY OCTOBER 15, 2021
THURSDAY DECEMBER 16, 2021	FRIDAY NOVEMBER 12, 2021

Attachment: 2021 BOA Meeting Schedule (2021 Meeting Schedule.)

*Meetings are held at 4:00 PM in the Council Chambers of the Creve Coeur Government Center the third Thursday of the month unless otherwise specified.

Applications are due approximately one month prior to the scheduled meeting.