

III. I.

**City Council – PPW Committee  
Memorandum  
Department of Planning and Public Works**



**To: Mike Herring, City Administrator**  
**From: Michael O. Geisel, Director of Planning and Public Works**  
**Date: 8/19/2011**  
**Re: Municipal Boundary Adjustment**

The City of Creve Coeur has requested that Chesterfield consider an adjustment of the common municipal boundary line for a parcel of land at 13150 Olive Boulevard. As it currently exists, said parcel is divided between both municipalities. This creates obvious problems with regard to zoning, development and administration. This parcel exists entirely on the east side of Creve Coeur Creek and cannot be accessed from within the City of Chesterfield.

It is extremely desirable to create municipal boundaries which are coincidental with physical features, such as creeks or roadways which create natural barriers and readily identifiable boundaries for service delivery. As such, staff wholeheartedly concurs and recommends that the attached request from the City of Creve Coeur and the enclosed be forwarded to the Planning and Public Works Committee for review and consideration. If received favorably by the committee, the boundary adjustment ordinance would subsequently be forwarded to the full council for vote.

If you have any questions or require additional information, please advise.

Enclosures

Cc Rob Heggie, City Attorney



city  
of

# CREVE COEUR

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

August 16, 2011

Michael G. Herring, ICMA-CM  
City Administrator  
690 Chesterfield Parkway West  
Chesterfield, Missouri 63017-0760

RE: BOUNDARY ADJUSTMENT AT 13150 OLIVE BOULEVARD

Dear Mike,

I am writing to request a minor adjustment to the municipal boundary between our respective cities. This request arises from a private development request on a piece of property that straddles the boundary but lies mostly within the City of Creve Coeur.

The property, addressed as 13150 Olive Boulevard, contains a former pit mine that has naturally filled with water, along with the vacant shell of a large house originally built by the owner of the Leonard Masonry company. The current owner wishes to restore the house but rezone the front five acres to "GC" General Commercial and develop two small commercial buildings, possibly becoming a bank and a small restaurant. The proposed buildings are entirely within Creve Coeur, however, the most westerly limits of the property are in the City of Chesterfield including a small portion of the driveway and parking lot. A reduced copy of the site plan is attached for your reference. It is the wish of the property owner and the City of Creve Coeur that the municipal boundary be adjusted to bring the entire property within Creve Coeur.

If the City of Chesterfield is agreeable to this action, I would ask that an ordinance similar in effect to the one attached hereto pending before the City Council of Creve Coeur (scheduled for approval at their August 22, 2011 meeting), be submitted for approval by your City Council and an official copy be forwarded to our City Clerk for our records. If there are any questions I can answer or additional information I can provide, please do not hesitate to contact me directly.

Sincerely,

Mark Perkins, ICMA-CM  
City Administrator

✓ JMSH  
8/18/11  
→ Mike Beisel  
cc: Rob Haggie

MIKE: PLEASE PREPARE REPORT  
ENDORSEMENT TELLS, PER OUR DISCUSSIONS,  
AND FORWARD TO P/PW - TY! JMSH

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADJUSTING THE MUNICIPAL  
BOUNDARY AT THE PROPERTY KNOWN AND  
NUMBERED AS 13150 OLIVE BOULEVARD.**

**WHEREAS**, Orson Properties, LLC is the owner of property known and numbered as 13150 Olive Boulevard, which is at least largely within the City of Creve Coeur and located at the boundary between Creve Coeur and the City of Chesterfield, and

**WHEREAS**, Orson Properties, LLC has submitted a rezoning application regarding the property and in connection therewith has requested that the municipal boundary be adjusted as may be necessary so that the entire property lies within the City of Creve Coeur, and

**WHEREAS**, the City Council has determined pursuant to Section 71.011 RSMo. that such request is appropriate for efficient municipal regulation of and service to the property as a whole, and that such adjustment is in the best interests of all concerned, and

**WHEREAS**, there are currently no residents on the property, and

**WHEREAS**, the City's Planning and Zoning Commission unanimously recommended approval of the proposed rezoning and the corresponding boundary adjustment by 7-0 vote on July 18, 2011; and

**WHEREAS**, the proposed annexation qualifies as a boundary adjustment that is not subject to review by the St. Louis County Boundary Commission, and

**WHEREAS**, the portion of the property annexed hereunder shall be considered as zoned AR like the rest of the property until such time as the City changes zoning regulations for such property, and

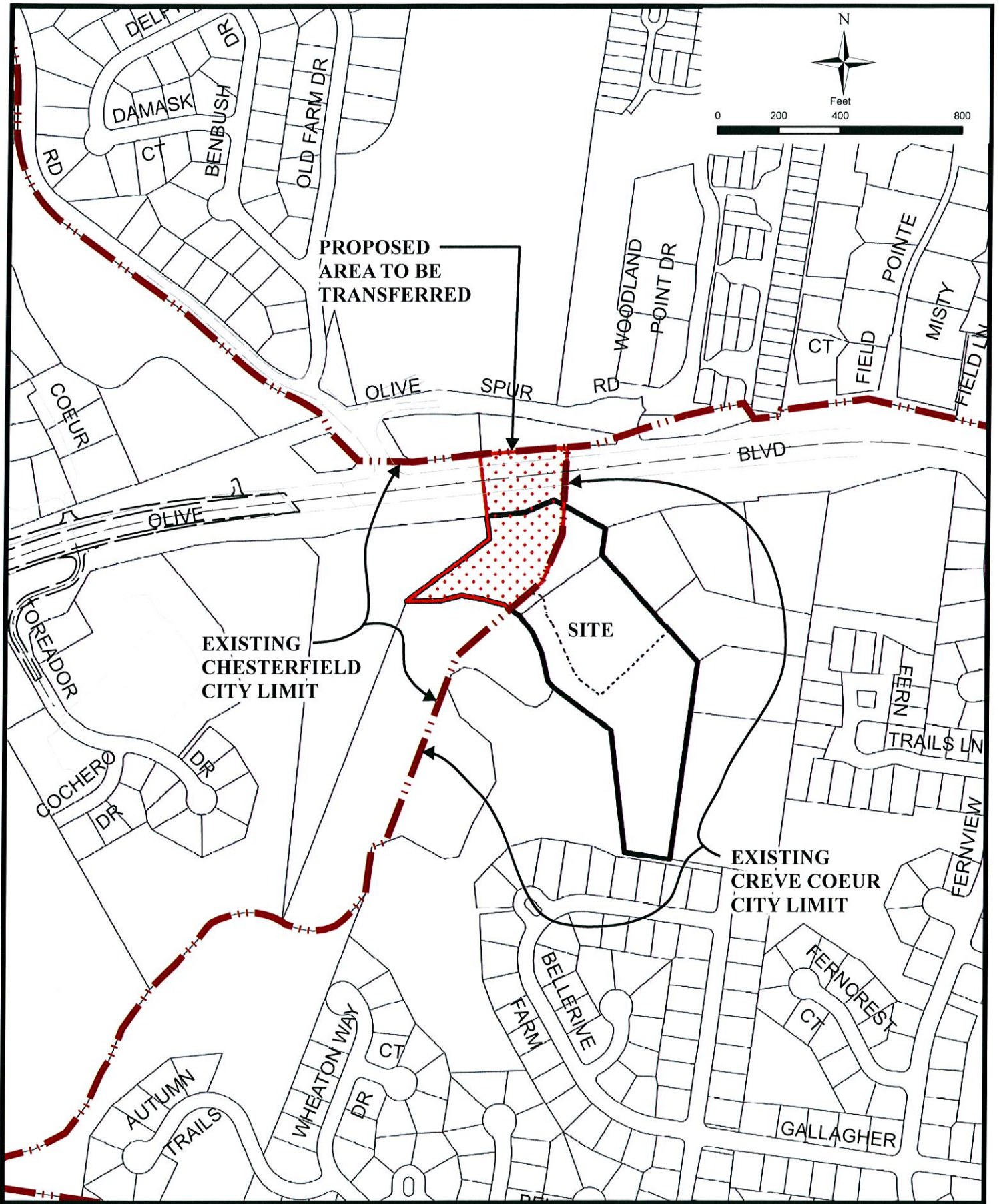
**WHEREAS**, copies of this proposed Ordinance have been made available for public inspection prior to consideration by the City Council, and this Bill has been read by title in open meeting twice before final passage by the City Council,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AS FOLLOWS:**

**SECTION 1.** The City hereby extends its corporate limits as may be necessary to include all of the property described herein, subject to consent thereto by ordinance of the City of Chesterfield, Missouri:

# Chesterfield, Missouri





**MUNICIPAL BOUNDARY ADJUSTMENT AT  
13150 OLIVE BOULEVARD  
ST LOUIS COUNTY MISSOURI**

(PROPOSED LOT 1)

A tract of land being located in US Surveys 367 and 923, Township 46 North, Range 5 East of the Fifth Principal Meridian, City of Creve Coeur, Missouri being more particularly described as follows:

Beginning at the northeastern corner of a tract of land as conveyed to Richard Schoenberg by instrument recorded in Book 8472, Page 579 of the St. Louis County Records, said point also being located on the southern right-of-way line of Olive Boulevard, variable width; thence continuing along said southern right-of-way line the following courses and distances: North 84 degrees 07 minutes 01 seconds East, 122.80 feet; North 67 degrees 25 minutes 04 seconds East, 104.40 feet and South 61 degrees 22 minutes 29 seconds East, 191.56 feet to the northwestern corner of a tract of land as conveyed to the International Development Corporation by instrument recorded in Book 10505, Page 2416 of above said records; thence along the western and southwestern lines of said International Development Corporation tract the following courses and distances: South 08 degrees 08 minutes 00 seconds West, 78.51 feet; South 56 degrees 10 minutes 00 seconds West, 8.20 feet and South 42 degrees 35 minutes 00 seconds East, 331.99 feet; thence departing last said line the following courses and distances: South 47 degrees 25 minutes 00 seconds West, 309.69 feet; North 53 degrees 46 minutes 50 seconds West, 83.08 feet; North 35 degrees 29 minutes 20 seconds West, 30.45 feet; North 24 degrees 52 minutes 46 seconds West, 182.82 feet; North 37 degrees 51 minutes 47 seconds West, 22.96 feet; North 11 degrees 25 minutes 38 seconds West, 60.53 feet to the beginning of a non-tangent curve to the right; thence along said curve having a radius of 54.00 feet, a chord which bears South 87 degrees 20 minutes 55 seconds West, 71.94 feet and an arc length of 78.73 feet; South 35 degrees 43 minutes 17 seconds West, 48.38 feet to the northeastern line of a tract of land as conveyed to Union Electric by instrument recorded in Book 1197, Page 205 of above said records, said point also being the centerline of a creek; thence continuing along last said northeastern lines and said centerline the following courses and distances: North 54 degrees 16 minutes 43 seconds West, 24.34 feet; North 74 degrees 59 minutes 49 seconds West, 72.92 feet; North 80 degrees 19 minutes 54 seconds West, 70.19 feet; South 75 degrees 37 minutes 16 seconds West, 68.74 feet and South 87 degrees 19 minutes 59 seconds West, 113.38 feet to the southeastern line of above said Richard Schoenberg tract; thence along the southeastern and eastern lines of said Richard Schoenberg tract, North 52 degrees 57 minutes 00 seconds East, 339.42 feet and North 07 degrees 09 minutes 29 seconds West, 74.34 feet to the Point of Beginning and containing 217,784 square feet or 5.000 acres more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc. on June 29, 2011.

(PROPOSED LOT 2)

A tract of land being located in US Surveys 367 and 923, Township 46 North, Range 5 East of the Fifth Principal Meridian, City of Creve Coeur, Missouri being more particularly described as follows:

Commencing at the northwestern corner of a tract of land as conveyed to the International Development Corporation by instrument recorded in Book 10505, Page 2416 of the St. Louis County Records, said point also being located on the southern right-of-way line of Olive Boulevard, variable width; thence along the western and southwestern lines of said International Development Corporation tract the following courses and distances: South 08 degrees 08 minutes 00 seconds West, 78.51 feet; South 56 degrees 10 minutes 00 seconds West, 8.20 feet and South 42 degrees 35 minutes 00 seconds East, 331.99 feet to the POINT OF BEGINNING of the herein described tract; thence continuing along said southwestern and western lines the following courses and distances: South 42 degrees 35 minutes 00 seconds East, 136.83 feet and South 07 degrees 51 minutes 00 seconds West, 645.81 feet to the northern line of Bellerive Farm Estates Plat One a subdivision according to the plat thereof as recorded in Plat Book 347, Pages 193 and 194 of above said records; thence along the northern lines of said Bellerive Farm Estates Plat One the following courses and distances: North 81 degrees 19 minutes 25 seconds West, 153.03 feet; North 06 degrees 34 minutes 25 seconds West, 397.63 feet; North 53 degrees 46 minutes 50 seconds West, 230.68 feet and North 43 degrees 41 minutes 27 seconds West, 28.77 feet to the northeastern line of a tract of land as conveyed to Union Electric by instrument recorded in Book 1197, Page 205 of above said records, said point also being the centerline of a creek; thence continuing along last said northeastern lines and said centerline the following courses and distances: North 12 degrees 36 minutes 03 seconds West, 94.89 feet; North 24 degrees 52 minutes 46 seconds West, 72.97 feet; North 37 degrees 51 minutes 47 seconds West, 69.04 feet and North 54 degrees 16 minutes 43 seconds West, 29.15 feet; thence departing last said northern line the following courses and distances: North 35 degrees 43 minutes 17 seconds East, 48.38 feet to the beginning of a non-tangent curve to the left; along said curve having a radius of 54.00 feet, a chord which bears North 87 degrees 20 minutes 55 seconds East, 71.94 feet and an arc length of 78.73 feet; South 11 degrees 25 minutes 38 seconds East, 60.53 feet; South 37 degrees 51 minutes 47 seconds East, 22.96 feet; South 24 degrees 52 minutes 46 seconds East, 182.82 feet; South 35 degrees 29 minutes 20 seconds East, 30.45 feet; South 53 degrees 46 minutes 50 seconds East, 83.08 feet and North 47 degrees 25 minutes 00 seconds East, 309.69 feet to the Point of Beginning and containing 186,498 square feet or 4.281 acres more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc, on June 29, 2011.

**SECTION 2.** Upon verification of adoption of such consent ordinance by the City of Chesterfield, any portion of the property described herein that was previously located within the City of Chesterfield shall be concurrently detached therefrom and annexed into the City of Creve Coeur for the reasons recited herein, and the City Clerk shall cause certified copies of this ordinance to be filed with the Clerk of St. Louis County, the Assessor for St. Louis County, the Recorder of Deeds of St. Louis County, the Clerk of the Circuit Court of St. Louis County, the St. Louis Boundary Commission, and the Election Authority for St. Louis County, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of the City as so extended.

**SECTION 3.** This Ordinance shall become effective pursuant to the provisions of Section 3.11(g) of the Charter and as provided herein.

ADOPTED BY THE CITY COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

\_\_\_\_\_  
TARA NEALY  
PRESIDENT OF THE CITY COUNCIL

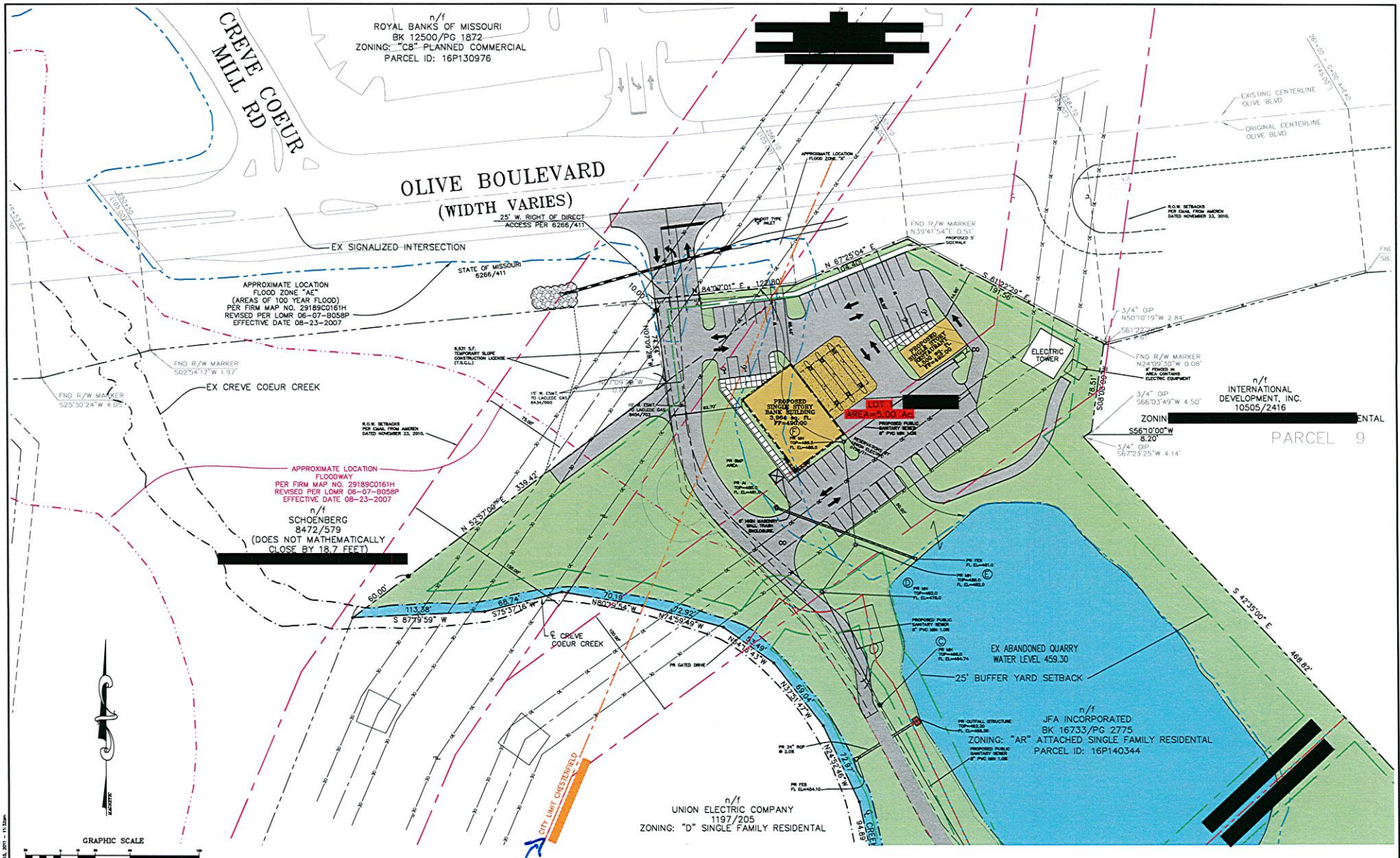
APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

\_\_\_\_\_  
HAROLD DIELMANN, MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH RYAN, MRCC  
CITY CLERK





n/f  
 ROYAL BANKS OF MISSOURI  
 BK 12500/PG 1872  
 ZONING: "C8" PLANNED COMMERCIAL  
 PARCEL ID: 16P130976

**OLIVE BOULEVARD**  
 (WIDTH VARIES)  
 25' W. RIGHT OF DIRECT  
 ACCESS PER 6266/411

**CREVE COEUR  
 MILL RD**

APPROXIMATE LOCATION  
 FLOOD ZONE "AE"  
 (AREAS OF 100 YEAR FLOOD)  
 PER FIRM MAP NO. 29189C0161H  
 REVISED PER LOMR 06-07-8058P  
 EFFECTIVE DATE 08-23-2007

EX CREVE COEUR CREEK

APPROXIMATE LOCATION  
 FLOODWAY  
 PER FIRM MAP NO. 29189C0161H  
 REVISED PER LOMR 06-07-8058P  
 EFFECTIVE DATE 08-23-2007  
 n/f  
 SCHOENBERG  
 8472/579  
 (DOES NOT MATHEMATICALLY  
 CLOSE BY 18.7 FEET)

PROPOSED SINGLE STORY  
 BUILDING  
 3,000 SQ. FT.  
 LOT AREA = 5,000 SQ. FT.

ELECTRIC TOWER

n/f  
 INTERNATIONAL DEVELOPMENT, INC.  
 10505/2416

PARCEL 9

n/f  
 JFA INCORPORATED  
 BK 16733/PG 2775  
 ZONING: "AR" ATTACHED SINGLE FAMILY RESIDENTIAL  
 PARCEL ID: 16P140344

n/f  
 UNION ELECTRIC COMPANY  
 1197/205  
 ZONING: "D" SINGLE FAMILY RESIDENTIAL

CONCEPTUAL SITE COVERAGE CALCULATIONS:  
 LOT 1:  
 MAXIMUM SITE COVERAGE FOR "CC" = 63%  
 PROPOSED COVERAGE = 47,787 SF OR 1.10 AC  
 PROPOSED COVERAGE = 22%

CONCEPTUAL FAR CALCULATIONS:  
 MAXIMUM FAR FOR "CC" = 0.4  
 PROPOSED FAR = 0.03

CONCEPTUAL PARKING CALCULATIONS:  
 BANK: 1 SPOT PER 1,000 SF = 16 SPOTS  
 RESTAURANT: 1 SPOT FOR EVERY 3 SEATS AT MAXIMUM  
 OCCUPANCY PLUS 1 SPOT FOR EVERY 250 SF = 16 SPOTS  
 TOTAL REQUIRED PARKING = 32 SPOTS  
 PARKING PROVIDED = 47 SPOTS (INCLUDING 4 HANDICAP)

△ 1/14/11 REVIEWED PER CITY COMMENTS  
 △ 1/29/11 REVIEWED PER CITY COMMENTS  
 △ 1/19/11 REVIEWED PER CITY COMMENTS

M.S.D. P# P-27467-01  
 BASE MAP # 16-P

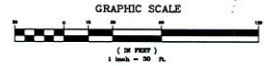
13150 OLIVE BOULEVARD  
 COMMERCIAL SITE CONCEPT PLAN

**STOCK & ASSOCIATES**  
 Consulting Engineers, Inc.

297 Chesterfield Business Parkway  
 St. Louis, MO 63095  
 PH: (636) 530-9800  
 FAX: (636) 530-9800  
 e-mail: general@stockassoc.com  
 Web: www.stockassoc.com

GEORGE W. STOCK E-25116  
 CIVIL ENGINEER  
 CERTIFICATE OF AUTHORITY  
 NUMBER: 000996

DATE PREPARED: 5/10/11  
 DATE CHECKED: 5/10/11  
 DATE APPROVED: 5/10/11  
 SHEET NUMBER: 210-4658 4 of 7



- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPOSED SETBACK LINE
- MUNICIPAL LINE
- PROPOSED AUE ROW
- EXISTING FLOODZONE "AE"
- EXISTING FLOODWAY

0.10 0.20 0.30 0.40 0.50 0.60 0.70 0.80 0.90 1.00 1.10 1.20 1.30 1.40 1.50 1.60 1.70 1.80 1.90 2.00 2.10 2.20 2.30 2.40 2.50 2.60 2.70 2.80 2.90 3.00 3.10 3.20 3.30 3.40 3.50 3.60 3.70 3.80 3.90 4.00 4.10 4.20 4.30 4.40 4.50 4.60 4.70 4.80 4.90 5.00 5.10 5.20 5.30 5.40 5.50 5.60 5.70 5.80 5.90 6.00 6.10 6.20 6.30 6.40 6.50 6.60 6.70 6.80 6.90 7.00 7.10 7.20 7.30 7.40 7.50 7.60 7.70 7.80 7.90 8.00 8.10 8.20 8.30 8.40 8.50 8.60 8.70 8.80 8.90 9.00 9.10 9.20 9.30 9.40 9.50 9.60 9.70 9.80 9.90 10.00



# city of CREVE COEUR

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

**APPLICATION TO PLANNING AND ZONING COMMISSION  
#11-014 FOR REZONING 5 ACRES FROM "AR" ATTACHED SINGLE-FAMILY  
RESIDENTIAL TO "GC" GENERAL COMMERCIAL AND 4.28 ACRES FROM  
"AR" ATTACHED SINGLE-FAMILY RESIDENTIAL TO "D" SINGLE FAMILY  
RESIDENTIAL, FOR SITE CONCEPT PLAN APPROVAL, AND FOR BOUNDARY  
ADJUSTMENT OF THE PROPERTY LOCATED AT 13150 OLIVE BOULEVARD**

**FOR THE MEETING OF:** July 18, 2011

**LOCATION:** 13150 Olive Boulevard

**REQUEST:**

George Stock, of Stock and Associates Consulting Engineers, Inc., on behalf of Orson Properties LLC, has submitted an application for site concept plan, boundary adjustment, and rezoning of 5 acres of the property at 13150 Olive Boulevard from "AR" Attached Single-Family Residential to "GC" General Commercial and rezoning the remaining 4.28 acres from "AR" Attached Single-Family Residential to "D" Single Family Residential.

**ADDITIONAL INFORMATION:**

Section 405.360 "GC" General Commercial District requires a minimum area of five acres, if not expanding an existing "GC" District. The residential unit on the property will be renovated and utilized as a single-family residence. No other residential units are being proposed. There also appears to be a discrepancy between the cities of Creve Coeur and Chesterfield regarding the location of the shared municipal boundary and whether or not it divides this property. This question will also have to be resolved before the project can proceed.

**Key Issues:**

- Does the request further the goals and/or implement the Comprehensive Plan?
- Does the request meet with the minimum standards of the proposed "GC" General Commercial and "D" Single Family Residential districts?

**Comp. Plan References**

- Residential Preservation and Economic Development
- Community Health and Connectivity

**Zoning Code References**

- Section 405.280 "D" Single-Family Residential District
- Section 405.360 "GC" General Core Business District
- Section 405.1060 Zoning Changes and Text Amendments

**APPLICANTS:** George M. Stock, P.E.  
Stock and Associates Consulting  
Engineers, Inc.  
257 Chesterfield Business Parkway  
Chesterfield, MO 63117

**OWNER:** Orson Properties LLC  
7201 Olive Boulevard,  
University City, MO 63130



**REPORT PREPARED BY:**

*Whitney Kelly*  
Whitney Kelly, AICP, City Planner

*7/15/2011*  
Date

**ATTACHMENTS:** Applicant's Materials revised July 14, 2011  
Applicant's Boundary Adjustment Plat dated July 15, 2011  
Draft Ordinance

**INTRODUCTION**

George Stock, of Stock and Associates Consulting Engineers, Inc., on behalf of Orson Properties LLC, has submitted an application for boundary adjustment and rezoning of five acres of the property at 13150 Olive Boulevard from “AR” Attached Single-Family Residential to “GC” General Commercial and rezoning the remaining 4.28 acres from “AR” Attached Single-Family Residential to “D” Single Family Residential. The existing three lots will be re-subdivided to form two lots along the district lines. The applicant is also requesting approval of the conceptual site plans for the commercial development that includes two buildings: a proposed bank and a restaurant, both with drive-through facilities. No tenants have been identified, so the drive-through facilities cannot be approved at this stage. In the meantime, the rezoning of the property would allow for any use permitted within the “GC” General Commercial District zoning regulations. If a tenant needing a drive-through is later identified, the applicant will have to return to the Planning and Zoning Commission for approval of a site development plan and any conditional use permits necessary. Further, the Site Development Plan has not been submitted, because no architectural drawings can be included without the identification of a tenant and use of the site.

The green space to the southwest, within the “GC” General Commercial District, is currently the leaf transfer lot used by the City’s Public Works Department. This area is within the floodway and is not otherwise developable. Therefore, the applicant is proposing to continue to allow the City to utilize this area, as open green space. The “GC” General Commercial District will also include a large portion of the former quarry lake in order to meet with the five acre minimum requirement for a “GC” District. Finally, a portion of the proposed “GC” District falls within the City of Chesterfield, and a municipal boundary adjustment will be necessary.

The residential rezoning from “AR” Attached Single Family Residential to “D” Single Family Residential will allow for the renovation of the existing house as a single family home. No other housing units are being proposed with this project. Access from Olive Boulevard will be granted through an access easement.

**BACKGROUND**

The residential structure, in-ground pool, pool house, and a quarry lake are currently located on the subject property. The house was built in 1989 and is approximately 10,000 square feet in size. The area was annexed into the city in 1995. The property was sold in 1999, and has been vacant since. Creve Coeur Country Club purchased the site and with approval of a Conditional Use Permit (Ordinance Number 2115, approved March 12, 2001) proposed to rehab the structure to operate a private club, however this project was never completed.

In 2005, Mr. Jim Fong, of JFA, Inc., received approval (Ordinance Number 3072) for rezoning and a site development plan to the current zoning of “AR” Attached Single Family Residential with the intent to construct twenty-five (25) townhouse units. This project was also never completed and the property has remained un-used in its current state.

**LAND USE AND ZONING OF SURROUNDING PROPERTIES**

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Commercial: Bank and drive through restaurant	‘C-8’ Planned Commercial District (Unincorporated St. Louis County)	Olive Boulevard
South	Residential: Bellerive Farm Estates subdivision	“D” Single Family Residential District	NA
East	Residential: Mill Crossing	“AR” Attached Single Family Residential	NA

West	Vacant	"FPR-3" Flood Plain Residential District (City of Chesterfield)	NA
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**COMPREHENSIVE PLAN REVIEW**

The Comprehensive Plan does not provide much discussion regarding this property. However, the general goals and strategies call for the preservation and protection of residential neighborhoods from encroachment by commercial development, as well as the preservation of the long-term economic strength of the City (Residential Preservation and Economic Development, page 21). Community Health and Connectivity discusses the preservation, protection and acquisition of open spaces, natural areas, and creeks in an effort to improve the quality of life, environment, and air. Further the Community Health and Connectivity Goals and Strategies requires that new commercial, institutional and multi-family development or redevelopment include public amenities such as pedestrian connections, bicycle facilities, public sitting/ gathering areas and open, space as appropriate (page 22). The applicant's site concept plan indicates that roughly 70% of the commercial development will be maintained as greenspace and includes a sidewalk along the Olive Boulevard frontage to help complete the pedestrian network in this area. Thus to this extent the proposed development is in keeping with the Comprehensive Plan. Site Development Plan review will be necessary to ensure further compliance with the Comprehensive Plan.

The Creve Coeur Northwest Sector Land Use Plan was developed in 1996 for the area of West Olive Boulevard. Discussion of this area within the plan calls for the preservation of open space and the maintenance of green space. The plan further includes this site with the proposed development of a park space for recreational use that is passive in nature. This plan was completed prior to the development of Millennium Park, which largely satisfies the intent of the plan for open park space in the Ward IV area of the city. While the commercial development is approximately one-third of the five acres, leaving a majority of the proposed "GC" district as open space, any use of this area for commercial purposes is in conflict with the Northwest Sector plan.

On the other hand, the commercial development will provide the property owner the means to preserve the house in its original setting and maintain a lush residential character adjacent to the surrounding residential development, thus providing a better transition to the surrounding neighborhoods in keeping with the goals of the Comprehensive Plan, arguably more so than the previously approved rezoning to "AR" Attached Single Family Residential. It is also unlikely that this small project will significantly extend any negative impacts of the commercial development north of Olive Boulevard, in Saint Louis County, to the south side of Olive Boulevard, in Creve Coeur, as topographic and development constraints to the east (Mill Crossing) and topographic and hydrologic constraints to the west (Creve Coeur Creek) will limit future development in the area.

**ZONING REVIEW**

Section 405.1060: Zoning Changes and Text Amendments requires that all rezoning of property to "GC" General Commercial shall be accompanied by a site concept or site development plan and the action of the Planning and Zoning Commission approving, disapproving or conditionally approving the site concept or site development plan shall accompany its recommendation to the City Council regarding the rezoning.

Further, Section 405.1060.E provides for the standards for rezoning a property:

*Zoning regulations should be changed if the public welfare is not served by the zoning or if the public interest served by the zoning is greatly outweighed by the detriment to private interests. In making this determination, the City should consider the adaptability of the subject property to its zoned use and the effect of zoning on property value in assessing private detriment. The character of the neighborhood, the zoning and uses of nearby property, and the detrimental effect that a change in zoning would have on other property in the area are relevant to the determination of public benefit.*

As discussed earlier, the property has remained in derelict condition for twelve years, and has been subject to vandalism and trespassing that could lead to significant public hazards. It is unlikely that the development of this property as a single-family residence and the maintenance of open greenspace are likely to occur, given the current condition of the property. As discussed under the Comprehensive Plan review, the commercial development will allow the property owner to restore the existing house as a single family residence, thus limiting the detrimental effect the commercial development would have on the surrounding neighborhoods, particularly to the south.

Olive Boulevard has been the commercial corridor within the City of Creve Coeur. With any property that has frontage along Olive Boulevard, commercial development pressure will continue to occur, even more so with the expansion of MO Route 141. The Code has recognized the potential for conversion of residences along Olive Boulevard to office and retail service uses. Specifically:

*Section 405.450.E: Commercial Uses Of Single-Family Residential Structures. The Planning and Zoning Commission may authorize by site development plan approval in accordance with Section 405.1080 the use and conversion of existing single-family residential structures located within the "A", "B", "C", "D" and "AR" residential districts to office or certain prescribed retail service uses, provided said structures front on and have direct access available from a numerically designated State highway (Lindbergh Boulevard--140; Olive Boulevard--340)....*

So while this section allows commercial development on this property even without rezoning, in this instance the property owner is providing an honest review of the site for commercial development without the false pretense of creating a single family residence style structure that will be used for commercial purposes.

The "GC" General Commercial District (Section 405.360) is intended to accommodate, by site development plan approval, convenience retail shopping, services and offices which are freestanding or part of small scale planned commercial development and which are compatible in scale and intensity of use with adjacent residential uses.

A "GC" General Commercial District requires a minimum of five acres, if not expanding an existing "GC" District; and all of the following:

*Section 405.360: "GC" GENERAL COMMERCIAL DISTRICT*

*D. Site Development Plan Required. Site development plan approval by the Planning and Zoning Commission shall be required for all proposed developments within the "GC" District as provided for in Section 405.1080.*

*E. Dimensional Regulations. The following area and yard regulations apply in the "GC" General Commercial District.*

- 1. Minimum district size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned "GC" General Commercial District when it is contiguous to an existing "GC" District.*
- 2. Lot size requirements.*
  - a. Minimum lot area. One-half (1/2) acre (twenty-one thousand seven hundred eighty (21,780) square feet).*
  - b. Minimum lot width. Seventy-five (75) feet.*
  - c. Minimum lot depth. One hundred fifty (150) feet.*
- 3. Building bulk regulations.*
  - a. Maximum structure height. No building or structure shall exceed three (3) stories or forty-five (45) feet.*

- b. *Maximum site coverage. Sixty-three percent (63%). The Planning and Zoning Commission may, in its discretion, allow the permitted coverage to be increased as a bonus by an additional factor (not to exceed a total of seventy percent (70%) site coverage) in consideration of special or outstanding landscape and site planning features as demonstrated by a site development plan submitted in accordance with Section 405.1080. The features to be considered in the granting of any bonus coverage may include, but not be limited to, the provisions of:*
    - (1) *Special pedestrian facilities and features such as gardens, fountains, seating areas and outdoor recreation amenities;*
    - (2) *Objects of art or beautification; statuary or other unique visual features;*
    - (3) *Burial of overhead transmission lines and removal of utility poles.*
  - c. *Maximum floor area ratio. Four-tenths (0.4).*
4. *Yard and setback requirements.*
- a. *Minimum front yard. No building or structure shall be located closer than ten (10) feet from a public right-of-way. In the event that parking is to be located in front of a building or structure, said building or structure shall be set back a minimum of fifty (50) feet from the right-of-way. The provisions of Section 405.240 shall prevail where applicable on major streets and highways. In every instance, the first ten (10) feet of the front yard setback from the right-of-way shall be provided with and maintained with sidewalks, unless improved sidewalks exist in the abutting public right-of-way, and with landscaping including, but not limited to, deciduous street trees at regular intervals.*
    - b. *Minimum side yard. Twelve (12) feet.*
    - c. *Minimum rear yard. Twenty (20) feet.*
    - d. *Buffer yards. Notwithstanding the provisions of Sections 405.360(E)(4)(b) and 405.360(E)(4)(c) above, any tract or site abutting or adjoining a single-family residential zoning district shall provide a buffer yard of twenty (20) feet on all sides that abut the single-family district. The minimum required buffer yard shall be increased in five (5) foot increments, up to a maximum of forty (40) feet, for each acre of the subject property over two (2) acres in area. All acreage shall be rounded up to the next whole number for buffer yard calculation purposes. The buffer yard shall not contain any impervious surface and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission.*

As was discussed during the prior meeting, the site concept plan submitted by the applicants indicates a free standing bank and restaurant. However, no specific tenant has been identified and neither conditional use permit application, nor building architecture elevations have been submitted. Therefore, a condition of approval includes that any development of the site will require further approval of a Site Development Plan and any other applicable permit application review per Section 405.360(D): *Site Development Plan Required: Site development plan approval by the Planning and Zoning Commission shall be required for all proposed development with the "GC" District as provided by Section 405.1080.*

The site concept plan shows that the proposed development will have site coverage of 22%, and that all of the requirements of the district will be met. The inclusion of the quarry creates a significant buffer to the residential development to the south. Parking and other site conditions related to future use will require further review once a tenant has been identified and a site development plan

application has been submitted. However, the applicant is showing conceptual parking calculations that would fulfill the City's requirements.

Also during the prior meeting, the applicant discussed the issues relating to the municipal boundary. The City does not have the authority to rezone a property outside its jurisdiction, and this could limit the five acre requirement necessary for the "GC" District. Therefore, the draft ordinance includes a condition that the boundary will need to be resolved within twelve months or the rezoning of the property will be voided.

The applicant is also seeking approval of rezoning the remaining 4.28 acres as "D" Single-Family Residential. The development regulations for this district are as follows:

**SECTION 405.280: "D" SINGLE-FAMILY RESIDENTIAL DISTRICT**

*E. Dimensional Regulations. The following area and yard regulations apply in the "D" Single-Family Residential District.*

1. *Lot size requirements.*
  - a. *Minimum lot area. Ten thousand (10,000) square feet.*
  - b. *Minimum lot width. Seventy (70) feet.*
  - c. *Minimum lot depth. One hundred (100) feet.*
2. *Building bulk regulations.*
  - a. *Maximum structure height for all uses except schools, churches and other places of worship. Two and one-half (2½) stories or thirty-five (35) feet, whichever is less.*
  - b. *Maximum structure height for schools, churches and other places of worship. Fifty (50) feet. In addition, such uses shall meet a sky exposure plane requirement. The sky exposure plane will be measured from a line located thirty-five (35) feet above grade and fifty (50) feet from the property line on the conditional use site and will have a slope of thirty degrees (30°) rising towards the center of the site. No portion of the building or structure shall penetrate this sky exposure plane.*
  - c. *Minimum dwelling unit floor area. Twelve hundred (1,200) square feet enclosed living area excluding accessory structures.*
  - d. *Maximum floor area ratio (FAR). Four-tenths (0.4).*
  - e. *Maximum site coverage. Forty-five percent (45%).*

As discussed earlier, the applicant has indicated that the owner is intending to renovate the pre-existing home as a primary residence. No other site improvements are being proposed for the lot associated with the "D" Single Family Residential Zoning District, and the current conditions meet the minimum standards.

**BOUNDARY ADJUSTMENT**

The applicant is revising the property lines of the two parcels along the proposed district lines, thus requiring a boundary adjustment. The resulting two parcels will be five acres, along Olive Boulevard zoned "GC" General Commercial, and 4.28 acres zoned "D" Single Family Residential. The lots meet the minimum lot size requirements of the "GC" and "D" Single Family district. However, the preliminary boundary adjustment plan contains minor errors in the notation, but the drawing itself is accurate. The City Clerk name also needs to be corrected to Deborah Ryan for final recording. As a ministerial act, the boundary adjustment should be approved with the condition that the errors be corrected prior to final signature.

**ACTION**

If the Planning and Zoning Commission finds the attached draft rezoning ordinance and site concept plan approval subject to the stated conditions, to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it must vote on a recommendation to the City Council. Any changes to the draft ordinances should be discussed and made by separate actions. The boundary adjustment does not require City Council approval but must be approved by motion and vote of the Planning Commission.

**MOTION**

The following are examples of the motions for this application:

*Rezoning and site concept plan*

“I move to approve the draft rezoning and site concept plan ordinance attached to the staff report on application #11-014, subject to the conditions contained in the draft ordinance attached to the staff report dated July 18, 2011” (conditions may be added, eliminated, or modified by preceding motion).

*Boundary adjustment*

“I move to approve the “13150 Olive Boundary Adjustment” attached to the staff report on application #11-014, dated July 15, 2011, subject to the condition that a final drawing be corrected and prepared for signature and recording.”

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**APPENDIX 1: COMPREHENSIVE PLAN**

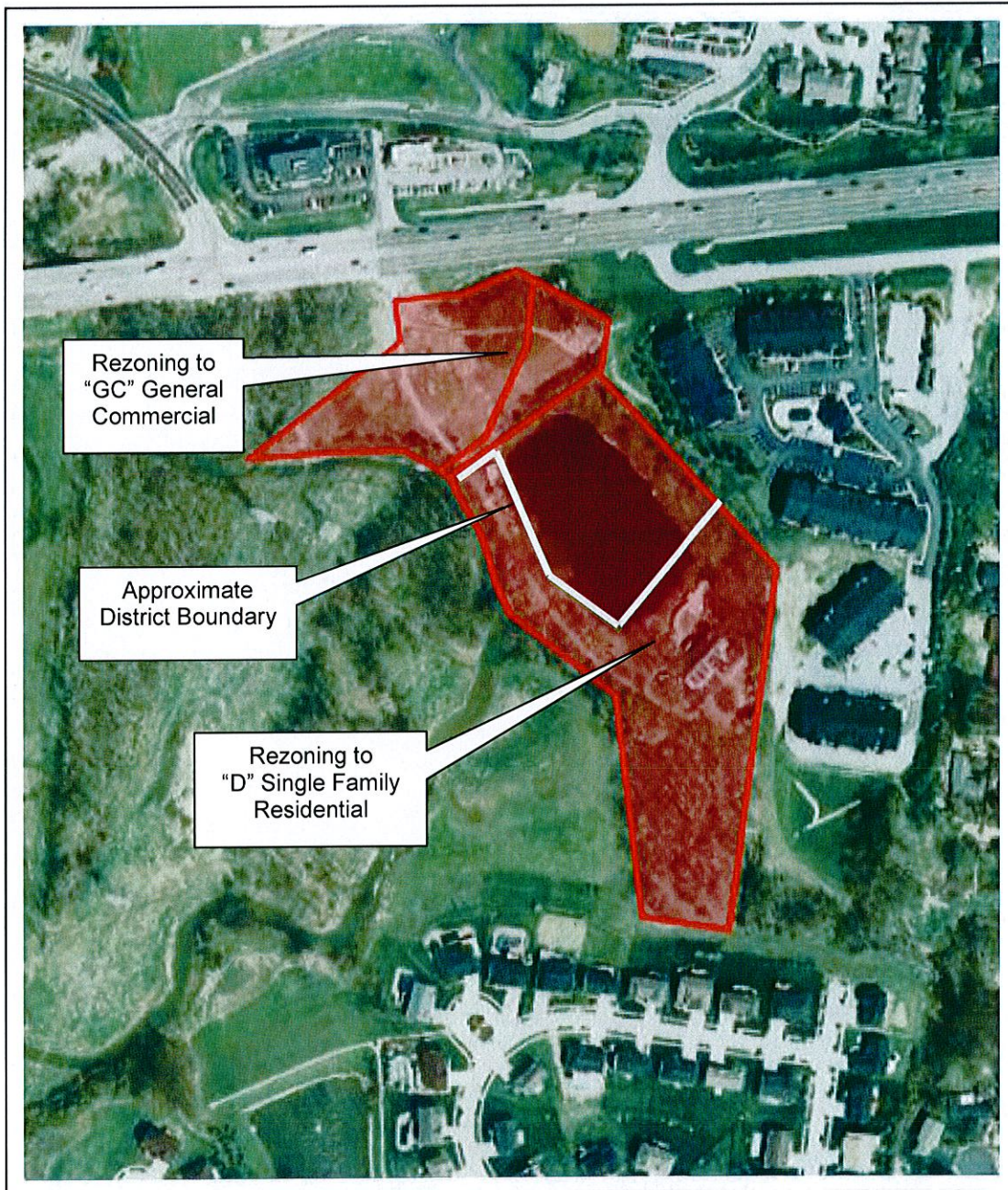
Included and attached by reference. See body of report for specific excerpts.

**APPENDIX 2: ZONING CODE**

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



**APPENDIX 3: AERIAL MAP**



**St. Louis County Property Viewer**



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**APPENDIX 4: SITE PHOTOGRAPHS**

Photo Date: 05/26/2011



Description: View of the property looking south from Olive Blvd. toward the area of the proposed commercial development.



Description: View of the property looking southwest from Olive Blvd. at the leaf transfer lot within the floodway.



Description: View of the property looking south from Olive Blvd. along the proposed access easement.



Description: View looking northwest from Olive Blvd. at the existing commercial development in un-incorporated St. Louis County.



Description: View looking northeast from Olive Blvd. at the existing commercial development in un-incorporated St. Louis County.



Description: View looking east from the property entrance along Olive Blvd.