



**MINUTES  
CITY OF CREVE COEUR  
CITY COUNCIL  
300 NORTH NEW BALLAS RD  
OCTOBER 13, 2014  
7:00 PM**

**CALL TO ORDER**

A regular meeting of the City Council of the City of Creve Coeur was called to order by Mayor Glantz at the Creve Coeur Government Center, 300 N. New Ballas Road on Monday, October 13, 2014 at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Glantz led the Pledge of Allegiance.

**INVOCATION**

Mayor Glantz gave the invocation.

**ROLL CALL**

Mayor Glantz	
Mr. Kreuter	Council Member Ward I
Ms. Kramer	Council Member Ward I
Mrs. Lawrence	Council Member Ward II
Mr. Wang	Council Member Ward II
Mrs. D'Alfonso	Council Member Ward III
Mr. Hoffman	Council Member Ward III
Mr. Kent	Council Member Ward IV

\* - Council Member Saunders was absent.

**COMMENTS FROM THE GENERAL PUBLIC**

**(Citizens are asked to limit comments to three minutes and to complete a speaker card)**

Dr. Friedman resident of 7 Spoede Woods Drive requested Council pass an ordinance requiring businesses to display their addresses.

Mark Perkins stated staff has received Dr. Friedman's request and has been working with the Arts Commission and Council to come up with an identification system for commercial storefronts along Olive Blvd.

**ACCEPTANCE OF THE AGENDA**

Council Member Hoffman moved, seconded by Council Member Wang to approve the agenda as presented, with the vote upon such motion:

Council Member Kreuter – Aye  
Council Member Wang – Aye  
Council Member Kent – Aye  
Council Member D'Alfonso – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence – Aye  
Council Member Kramer – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

**MINUTES**  
**300 NORTH NEW BALLAS RD**  
**OCTOBER 13, 2014**  
**7:00 PM**

**ANNOUNCEMENTS**

*The City Council meets the 2nd and 4th Monday of each month*  
*6:00 p.m. - 7:00 p.m. - Work Session*  
*7:00 p.m. - Regular Meeting of the City Council*

**CONSENT AGENDA**

Council Member Hoffman moved, seconded by Council Member D'Alfonso to approve the consent agenda as presented.

**1. Council Minutes Dated September 22, 2014**

Mayor Glantz called the question to approve the consent agenda as presented, with the vote upon such motion:

Council Member Kramer – Aye  
Council Member Lawrence – Aye  
Council Member Hoffman – Aye  
Council Member D'Alfonso – Aye  
Council Member Kreuter – Aye  
Council Member Wang – Aye  
Council member Kent – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

**BILLS PAYABLE REPORT**

*For Information Only*  
**Summary:** For Information Only

**UNFINISHED BUSINESS**

**2. Bill No. 5513 - an Ordinance Approving the Site Development Plan and Conditional Use Permit for a Jimmy John's Restaurant with Drive-Thru Facilities at 13140 Olive Boulevard. Final Reading and Passage**

City Clerk read Bill No. 5513 for the final time.

Council Member Hoffman moved, seconded by Council Member Kramer to approve Bill No. 5513.

Carl Lumley stated the Bill that is in the packet has a few minor changes in it from the last Council meeting. First, the closing time was changed to 9 p.m., typographical errors were corrected in terms of cross references between various sections of the ordinance, the plan dates were corrected to reflect the final submittal that is being approved and there was one condition about changing the stacking lanes but they had already met in the plan and it was deleted to avoid confusion. He requested a motion to substitute.

Council Member Hoffman moved, seconded by Council Member Lawrence to substitute Bill No. 5513, with the vote upon such motion:

Council Member Kent – Aye  
Council Member Wang – Aye  
Council Member Kreuter – Aye  
Council Member Kramer – Aye

**MINUTES**  
**300 NORTH NEW BALLAS RD**  
**OCTOBER 13, 2014**  
**7:00 PM**

Council Member Lawrence – Aye  
Council Member Hoffman – Aye  
Council Member D'Alfonso – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

Council Member Kent asked in regard to the sidewalk development and is it consistent with the overall continuation and completion of the sidewalk from Fernview west and didn't see it listed as a requirement in the CUP.

Paul Langdon stated the ordinance requires conformance with the plan and since the plan shows the sidewalk, it has to be installed.

Mayor Glantz called the question to approve the Substitute Bill No. 5513 as presented, with the vote upon such motion:

Council Member D'Alfonso – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence- Aye  
Council Member Kramer- Aye  
Council Member Kent – Aye  
Council Member Wang – Aye  
Council Member Kreuter – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried. Substitute Bill No. 5513 becomes Ordinance No. 5392.

**3. Bill No. 5514 - an Ordinance Amending Section 405.470, Conditional Uses, of the Creve Coeur Zoning Ordinance to Allow for Drive-Thru Restaurants on Sites of Two or More Acres with Certain Requirements, and to Correct a Clerical Error. First Reading**

City Clerk read Bill No. 5514 for the first time.

Paul Langdon, Community Development Director made a presentation regarding this application.

Council Member Lawrence asked about the service area requirements in Section d.7 and if they are stand alone, Section C abuts residential and felt that the 50 ft requirement is way too shallow and asked if the times of operation would be called out in the individual CUP's.

Paul Langdon stated yes on the hours of operation and the setback could become an issue depending on the property and application.

Brea Schmitz of 2 CityPlace Drive and representing the Chamber of Commerce read and presented a statement for the record. (Exhibit A)

Paul Hilton resident of 16 Mosley Acres stated he is in support of Steve Wolff's letter dated October 10, 2014 (Exhibit B) and asked the Council to consider developments with drive thrus. Proposed ordinance needs flexibility. Many higher-end areas have drive-thrus.

Council Member Kramer asked where.

**MINUTES**  
**300 NORTH NEW BALLAS RD**  
**OCTOBER 13, 2014**  
**7:00 PM**

Paul Hilton stated he hadn't prepared a list.

Janet Schoppe resident of 12345 Gallard Drive and representative of the Chamber of Commerce stated she supported drive thrus as they will provide additional sales tax. CUP would be the best place to discuss individual sites. National retailers won't come to Creve Coeur because we don't have drive thrus.

Council Member Kramer asked which ones.

Janet Schoppe stated she was prepared to list names.

Nick Cascella resident of 12976 Burning Bush Court and commercial real estate broker stated he supports Steve Wolff's letter. Would like to rebuild Starbucks and area around that site but the prototype for a new Starbucks is 1,500 sq ft and that would not be allowed under the proposed ordinance.

Council Member D'Alfonso asked what the sq ft of the current Starbucks is.

Nick Cascella stated 2,500 sq ft.

John Pennington representative of three property owners along Olive Blvd with five total acres stated the current and proposed ordinance will not allow a drive thru or many other developments in this area and requested Council consider more flexibility.

Yi Hu resident of 862 Larkin Ave stated he is opposed to additional drive thrus.

Linda Rezny resident of 104 Graeser Acres stated she is opposed to drive thrus and requested restricted numbers if allowed.

Patty Taylor Phillip resident of 650 Country Manor Lane stated she is opposed to drive thru and the decrease of residential property values when a commercial drive thru is allowed to be constructed 50 feet from the property line of a residential property.

Tom Stern of Gershman Properties urged Council for more flexibility and stated the proposed ordinance is too strict.

David Caldwell resident of 257 Brooktrail Court stated this is about the character and developability of Creve Coeur. Suggested staying with three acres.

Scott Saunders resident of 508 Randy Drive and Trustee of the Balmoral Subdivision stated he is opposed to the addition of drive thrus due to the increase in the noise levels of a business and disruption to the surrounding residential property owners.

Chris Sedlack resident of 13150 Olive Blvd stated Hilton Head is a high end area with many drive thrus and regulation could take place during the CUP process for a proposed drive thru.

Lee Cannon of CBB or 12400 Olive Blvd stated he is in support of drive thrus and his firm has been part of many of the developments within the city and the traffic and roads will handle drive thrus.

Patrick Bennett of Core States Group requested guidelines for drive thrus with some flexibility.

**MINUTES**  
**300 NORTH NEW BALLAS RD**  
**OCTOBER 13, 2014**  
**7:00 PM**

Mike Turnquist of Panera Bread stated he is in support of drive thrus.

John Grist of 11970 Rocky Mound Drive stated he supports drive thrus as the current restrictions are keeping businesses from coming to the city.

Council Member Kent requested Hutkin and the Chamber to bring fourth suggestions in new language to allow more drive thrus.

David Hutkin stated he feels staff has created a good proposed ordinance.

Council Member Kramer stated she is looking to strike the right balance.

**4. Bill No. 5515 - an Ordinance of the City Council of the City of Creve Coeur, Missouri Authorizing the Execution of a STP-Urban Program Grant Project Agreement with the Missouri Highways and Transportation Commission to Enable the City to Construct the Warson Road Improvement Project. Final Reading and Passage**

City Clerk read Bill No. 5515 for the final time.

Council Member Hoffman moved, seconded by Council Member Kramer to approve Bill No. 5515, with the vote upon such motion:

Council Member Kent – Aye  
Council Member Wang – Aye  
Council Member Kreuter – Aye  
Council Member Kramer – Aye  
Council Member Lawrence – Aye  
Council Member Hoffman – Aye  
Council Member D'Alfonso – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried. Bill No. 5515 becomes Ordinance No. 5393.

**5. Bill No. 5516 - an Ordinance Amending Section 340.150.C.2 Regarding Use of Center Lanes and Schedule IX to Title III of the Code of Ordinances of the City of Creve Coeur Regarding Stopping and Standing on Decker Lane. Final Reading and Passage**

City Clerk read Bill No. 5516 for the final time.

Council Member Wang moved, seconded by Council Member D'Alfonso to approve Bill No. 5516, with the vote upon such motion:

Council Member Kramer – Aye  
Council Member Lawrence – Aye  
Council Member Hoffman – Aye  
Council Member D'Alfonso – Aye  
Council Member Kent – Aye  
Council Member Wang – Aye  
Council Member Kreuter – Aye

**MINUTES**  
**300 NORTH NEW BALLAS RD**  
**OCTOBER 13, 2014**  
**7:00 PM**

The vote on the motion being 7 ayes and 0 nays, motion carried. Bill No. 5516 becomes Ordinance No. 5394.

**6. Bill No. 5517 - an Ordinance Authorizing the Installation of One (1) Fire Hydrant for North Side of Dauster Lane in the City of Creve Coeur, Missouri. Final Reading and Passage**

City Clerk read Bill No. 5517 for the final time.

Council Member Hoffman moved, seconded by Council Member Kramer to approve Bill No. 5517, with the vote upon such motion:

Council Member D'Alfonso – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence – Aye  
Council Member Kramer – Aye  
Council Member Kreuter – Aye  
Council Member Wang – Aye  
Council Member Kent – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried. Bill No. 5517 becomes Ordinance No. 5395.

**NEW BUSINESS**

**7. Bill No. 5518 - an Ordinance of the City Council of the City of Creve Coeur, Missouri Authorizing the Execution of a Maintenance Agreement with the Missouri Highways and Transportation Commission for the Maintenance of New Stop Signs & Street Name Signs Mounted on Decorative Black Posts and Located in the MoDOT Right-Of-Way Throughout the City. First Reading**

City Clerk read Bill No. 5518 for the first time.

**8. Bill No. 5519 - an Ordinance Revising Section 370.130 of the Code of Ordinances Regarding the Required Use of Bicycle Helmets and Child Safety Seats. First Reading**

City Clerk read Bill No. 5519 for the first time.

Mark Perkins stated this Ordinance came from Council Member Hoffman and was reviewed by the Police and Safety Committee.

Council Member D'Alfonso stated if this is approved, there should be an article in the city newsletter about it.

John Grist of 11970 Rocky Mound Drive stated helmet requirements are no substitute for designated biking infrastructure.

**9. Bill No. 5520 - an Ordinance Amending Various Sections of the Code of Ordinances of the City of Creve Coeur Regarding Weapons. First Reading**

City Clerk read Bill No. 5520 for the first time.

**MINUTES**  
**300 NORTH NEW BALLAS RD**  
**OCTOBER 13, 2014**  
**7:00 PM**

Mark Perkins stated this Ordinance will make change to the city code as required under state statute and will bring the city into compliance.

Carl Lumley stated there is a substitute from the Bill that was presented in the packet.

Council Member Hoffman moved, seconded by Council Member Lawrence to substitute Bill No. 5520 as requested, with the vote upon such motion:

Council Member Kreuter – Aye  
Council Member Wang – Aye  
Council Member Kent – Aye  
Council Member Kramer – Aye  
Council Member Lawrence – Aye  
Council Member Hoffman – Aye  
Council Member D'Alfonso – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

**10. Bill No. 5521 - an Ordinance Approving a Settlement Agreement with CenturyLink. First Reading**

City Clerk read Bill No. 5521 for the first time.

Mark Perkins stated the settlement for the city, is less than \$2,000 and this will approve the settlement agreement.

**11. Resolution No. 1131 - a Resolution of the City Council of the City of Creve Coeur, Missouri Authorizing the Execution of a Contract Increase with Intuition & Logic, for Engineering Services Related to the Dam and Channel Rehabilitation Project for the Amount of \$6,300.00.**

City Clerk read Resolution No. 1131.

Council Member Hoffman moved, seconded by Council Member Kramer to approve Resolution No. 1131.

Matt Wohlberg reviewed the project.

Steven Brody, Storm Water Chair stated the committee approved to get information to mend the dam and then an eventual solution to permanently fix the dam.

Council Member Kent stated he feels that the dam is not in imminent danger of collapsing.

Council Member D'Alfonso asked Council Member Kent if the proposals could be evaluated within a month.

Council Member Kent stated yes and we could hold off on repairs to the dam until then.

Council Member D'Alfonso asked how long it would take to review the proposals.

Mark Perkins stated possibly 30 days and maybe as long as the end of December or January.

**MINUTES**  
**300 NORTH NEW BALLAS RD**  
**OCTOBER 13, 2014**  
**7:00 PM**

Council Member Lawrence asked if some flexibility can be built into the contract for a wait and see approach.

Mark Perkins stated yes.

\* - Council Member Hoffman left the Council Chambers at 9:43 p.m.

**BUSINESS FROM MAYOR AND CITY COUNCIL**

Mark Perkins recommended moving up the Mosley Road discussion for the residents left in attendance.

Council unanimously agreed and moved Item 16 next in the discussion.

**16. Mosley Road Concept Plan Review - Staff Report**

Matt Wohlberg made a presentation regarding this project. (Exhibit C)

Council Member Lawrence stated many of the residents along Mosley do not want the "S" curve fixed.

Matt Wohlberg stated on the east side it would stay the same and it is on the north side where the possible shift in the center line would be. The shift would have to be explored more and all variables reviewed. Any changes would be in line with design standards to make the road up to current guidelines.

Council Member Kent stated residents were very concerned about storm water.

Matt Wohlberg stated we are in the preliminary stage of a concept design, and option 1 that staff is recommending to pursue would have grading on the east side.

Council Member D'Alfonso stated she is comfortable with Option 1a but would like the engineering company to know that she would like to keep the "S" curve.

Carl Lumley stated safe design of roadways is a primary area for potential liability for the city. The traveling public, if injured in an accident, is not going to care what the residents wanted in terms of aesthetics. It is important that we allow the engineers to evaluate it and let us know if it is safe.

Matt Wohlberg stated staff is looking to see if Council has any additional ideas for the project and is recommending the most affordable option to proceed with this project. Late winter there will be a work session regarding this project with additional review.

Mark Perkins stated staff is looking to submit a grant for this project in early winter and if we are awarded the grant then construction would be about three years out.

**12. Council Liaison Reports**

Council Member D'Alfonso requested Council to ask around for people to apply for the new Energy and Environment Committee.

Council Member Kent stated he attended both a Parks and Storm Water Committee meetings and will wait until minutes are out and then report back to Council.

**MINUTES**  
**300 NORTH NEW BALLAS RD**  
**OCTOBER 13, 2014**  
**7:00 PM**

Council Member Kreuter stated he had a meeting last week with the HEB and they are considering memorial trees for the Arbor Day celebration.

**13. Commercial Storefront Street Numbers**

Council Member Kreuter stated he is not sure what the solution is, but some commercial numbers are not visible from Olive Blvd.

Mark Perkins stated there isn't an easy solution but there is already a requirement for commercial properties to display their addresses.

**14. Court Meeting Review**

Mayor Glantz stated on September 24 he was invited to attend a municipal court meeting with the Judges, Court Administrator, City Administrator, Finance Director, City Attorney, Prosecutor and Police. Mayor Glantz stated he was very impressed with the meeting and it was designed to review if our current system needs updating. We have a great court department here at Creve Coeur and any new changes to laws are always being implemented and updated.

**BUSINESS FROM CITY ADMINISTRATOR**

**15. Creve Coeur Creek Letter - Staff Report**

Jim Heines stated staff has drafted a proposed letter that was included in the packet to the Missouri Department of Natural Resources that comments on the proposed water quality regulations. The letter is part of a joint effort by the Metropolitan St. Louis Sewer District and other area municipalities. Staff is seeking approval from Council to send letter.

Council unanimously agreed to allow staff to send the letter.

**17. Updated RFQ for Artist Designed Transit Shelter in Front of Danforth Plant Science Center**

Mark Perkins stated the Arts Commission has decided to move the location of the artist designed transit shelter from in front of Laverne Collins Park to the Danforth Science Center. The Committee felt this was more of an entrance to the city.

Mark Perkins stated the Parks Department is working to extend the Farmers Market and move it to inside the middle school to hold the market at least once a month through the winter months until next spring just to keep the interest and the market going. Staff will report back once they reach an agreement with the school.

Council Member Hoffman moved, seconded by Council Member D'Alfonso to adjourn at 9:08 p.m., with the vote upon such motion begin as follows to-wit:

Council Member Kreuter – Aye  
Council Member Hoffman – Aye  
Council Member Wang – Aye  
Council Member Kent - Aye  
Council Member Saunders - Aye  
Council Member D'Alfonso - Aye  
Council Member Lawrence – Aye  
Council Member Kramer - Aye

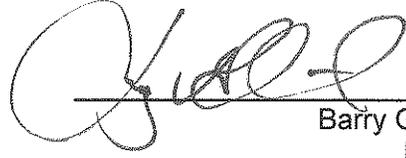
MINUTES  
300 NORTH NEW BALLAS RD  
OCTOBER 13, 2014  
7:00 PM

The vote on the motion being 8 ayes and 0 nays, motion carried.

Submitted by:



Deborah Ryan  
City Clerk



Barry Glantz  
Mayor



Chamber Of Commerce

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Wyne & Merritt PC  
Director Emeritus

October 13, 2014

Honorable Mayor Barry Glantz  
City of Creve Coeur  
300 North New Ballias Road  
Creve Coeur MO 63141

Dear Mayor Glantz:

The Creve Coeur-Olivette Chamber of Commerce wrote a letter dated September 9, with a list of concerns for the proposed drive-thru ordinance. While some changes were made we have continued meeting with stakeholders to address remaining concerns.

Steve Wolff of Wolff Properties is a member of our chamber and has been attending these stakeholder meetings. In Mr. Wolff's letter dated October 10 to you and the Council Members he outlined six points still of concern. We support the points he makes in his letter including:

- The minimum square footage of 2,000 and 3,000 is much larger than most standard restaurant prototypes provide
- Stacking lanes are extraordinarily long
- A bypass lane takes up too much land and wastes space
- The three building requirement restricts the developer and the City of Creve Coeur from creatively using the parcel to its best potential
- Complete architectural harmony should be tempered but not mandated, thereby allowing a small amount of identity
- The plate glass requirement is too restrictive and has the unintended result of controlling the interior branding and fixture placement

A copy of Mr. Wolff's letter and our September 9 letter is included in this packet. We are grateful for your deliberation of the suggested changes to the drive-thru ordinance and will support an amendment that implements our recommendations.

Sincerely,

Nancy M. Gray  
Executive Vice President

10/13/14  
Exhibit A



**Wolff Properties**  
INVESTMENT MANAGEMENT BROKERAGE

October 10, 2014

Honorable Mayor Barry Glantz and  
Members of the Creve Coeur City Council  
c/o City of Creve Coeur  
300 North New Ballas Road  
Creve Coeur, Missouri 63141

Re: Bill Number:  
5514 Amending Section 405.470 of the Creve Coeur Zoning Ordinance

Dear Mayor and City Council Members:

I am writing you to voice my concerns with certain provisions of the proposed amendment to the referenced ordinance. I am grateful to have been part of the process (through direct dialogue with the City's Planning Department and City Manager) that resulted in many of the proposed changes and, am pleased that the City recognizes the importance of modernizing its drive-thru ordinance. However, I also note that many of the recommendations from both the Chamber of Commerce and me were not included into the proposed language. In addition, I also wish to inform the Council that after surveying our neighboring and peer communities, drive-thru restaurants are tremendously underrepresented in our City. Finally, and perhaps most importantly, the resident survey was compromised by failing to solicit responses from the City's 30,000 daytime employees and by failing to segment responses by age group.

The proposed Amendment is beneficial in providing a framework for the developer of retail and mixed-use projects which include a drive-thru restaurant feature. Also, I recognize the need to control the design and number of drive-thru restaurants within our commercial districts. At the same time, it should be obvious to the Council that over the past thirty (30) years no new drive-thru restaurants have opened in the City, making it safe to conclude that our commercial districts will never become a restaurant row of drive-thru(s). So the existing ordinance, whatever its flaws, has not led to an abundance of drive-thru restaurants in Creve Coeur. Thus, this leaves room for modernization and growth in the City.

With the foregoing in mind, I wish to address six provisions in the proposed bill that I believe should be modified.

A.) 14 c (3) and 14 d (5):

The minimum square footage under roof area requirement of 2,000 and 3,000 square feet are quite problematic. A substantial percentage of drive thru restaurant building templates, particularly those that are freestanding, are less than 3,000 square feet. Starbucks' standard store prototype is 1,875 square feet for example. This minimum area requirement should be eliminated altogether. If it is the Council's concern to avoid Kiosks, perhaps the ordinance should contain a requirement that all drive-thru restaurants have a minimum number of interior seats.

B.) 14 c (5) and 14 d (8):

The stacking lane length requirement is exceedingly long and should be reduced. While I recognize the need for a stacking lane, the length requirement and the number of cars which it must accommodate should be based upon a variety of factors, such as peak use, traffic studies, restaurant size and services. I recommend the stacking lane lengths be modified to require drive-thru restaurants accommodate a minimum of six vehicles and provide that City staff has the discretion to require more if they believe the particular use merits such.

C.) 14 c (5) and 14 d (8):

The by-pass lane will take up an inordinate amount of land, with minimal benefit as it will rarely be used. This is a case of over-design. It would make far more sense to have an escape for vehicles from the stacking lane immediately prior to the location where orders are taken.

D.) 14 d (1):

The three (3) building minimum for sites abutting non-residential uses are unnecessary. This would preclude for example, drive-thru restaurants in mixed use developments featuring only one or two buildings. Additionally, the three (3) building requirement, or for that matter any minimum building requirement, severely restricts both the developer and the City from creating an aesthetically pleasing development featuring multi-uses. I see no reason why developments should be burdened with this requirement.

E.) 14 d (1):

Relatedly, the requirement that all buildings be architecturally harmonious is somewhat problematic. While I consider this a legitimate objective, the requirement that all three buildings look alike is overkill. A project can be attractive and well-designed without all structures being similar in design. I would not object to a separate provision requiring partial de-branding.

F.) 14 d (6):

The plate glass requirement is simply too restrictive. This provision for example is likely to adversely impact the ability of a restaurant to fixture and layout its seating. I do not understand what objective the City is seeking to accomplish in this instance. If the concern is safety, other design criteria should be substituted which have less of an impact on the operations of the drive-thru restaurant.

On a related note, it is my belief that the existing front setbacks along Olive Boulevard are extremely restrictive making it nearly impossible for a drive-thru restaurant to be configured on a site which otherwise meets the design criteria outlined in the ordinance. These need to be relaxed significantly. The position of the development community is that Olive is not a walkable street, it is a commercial thoroughfare. The City should adopt setbacks which recognize and embrace this fact. A relaxation of setbacks will in the development community's collective judgment result in significant new development and redevelopment within our commercial corridor. If the City persists in attempting to turn Olive into a series of retail centers fronting Olive with twenty (20) foot setbacks, development will continue to be retarded and the City will fall further behind its peers in attracting new retail development.

I sincerely hope that you will take the above addressed concerns into consideration and incorporate them into the final Amendment. Additionally, I would be pleased to meet with City officials and work together to craft language which incorporates these thoughts as well as those put forward by the Chamber of Commerce.

I greatly appreciate having the opportunity to voice my concerns and look forward to the City adopting sensible revisions to the drive-thru restaurant ordinance which both enhance retail development and addresses the legitimate concerns and wishes of its residents and commercial interests. With kindest regards.

Sincerely,



Stephen Wolff  
Manager  
Creve Coeur Real Estate Venture II, LLC

cc: Paul Langdon, Director of Community Development  
Deborah Ryan, City Clerk  
Nancy Gray, Executive Vice President, Creve Coeur-Olivette Chamber of Commerce  
Nick Cascella, Senior Associate, Cassidy Turley  
Joshua Roedemeier, Vice President, Cassidy Turley



Chamber Of Commerce

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T&T
- Stephen Ricci  
AI Insurance Group
- Dea Schmitz  
De Koman Group
- Deaf Reuther Schopp  
Ruffer Automotive Group
- Chris Sedlak  
Rmy John's
- Tom Wyne  
Wyne & Merritt PC  
Sector Emeritus

September 9, 2014

Honorable Mayor Barry L. Glantz  
City of Creve Coeur  
300 N. New Ballas Road  
Creve Coeur, Missouri 63141

Dear Mayor Glantz:

As you may be aware, the Creve Coeur-Olivette Chamber of Commerce ("CCOCC") has taken an active interest in the pending drive-thru text amendment. Representatives of CCOCC have attended every meeting and have provided extensive testimony and information to the Creve Coeur Planning & Zoning Commission (the "Commission") to inform them of CCOCC's concerns. CCOCC's board is made up of representatives of a number of key businesses within the City.

CCOCC is troubled by the lack of consideration of its expressed concerns by the Commission. The Commission's comments seem to focus on making the new ordinance so restrictive that virtually no drive-thru restaurants could obtain an approval in Creve Coeur. The list of restrictions is long and unprecedented for a city's conditional use. Typically, such uses are reviewed by a CUP process where denial or appropriate conditions may be included in conjunction with approval, to protect against adverse effects to adjoining property as such considerations are to each property.

While CCOCC understands concerns about a proliferation of stand-alone drive-thru restaurants, the objective of allowing some drive-thrus and particularly allowing highly desirable, quality establishments to have a drive-thru, has become totally lost in the process.

In addition to the lack of consideration for the development of highly desirable establishments, citizens that seem to have no voice or advocate on the Commission have been neglected as well. Some of the groups not represented in this discussion include:

- Elderly, handicapped and/or special needs residents and visitors for whom parking and walking into a restaurant is a hardship. Not allowing drive-thru restaurants as an alternative for these individuals increases dangerous situations for them especially when attempting to park and walk into a restaurant during cold, icy weather and in heavy rain storms,
- Families and single parent families of young children that may not have resources for childcare for whom parking and walking into a restaurant is an extreme hardship,
- Employees of companies in the area who have limited lunch time, often 30 minutes or less, who would be forced to drive, park, wait for service, and then quickly return to work...often difficult to impossible during a 30 minute lunch, and

- Residents traveling with pets, not allowed in restaurant establishments, that cannot be left unattended in a vehicle during extreme temperatures.

Further, there were a number of additional concerns expressed by business owners about the validity of the survey so heavily relied upon by the Commission. One of our board members is a senior marketing executive, former marketing professor at Lindenwood University, and current owner of a marketing services firm. He reviewed not only the survey utilized to support the Commission's opinion, but the firm that was contracted to develop and analyze the survey. His opinion is:

- Marketing Research, the field that develops and conducts professional surveys is a science-based field combining psychology with mathematics. ETC, the firm utilized by the City to develop and conduct its surveys is not led by a person holding a degree in marketing research. Instead, she holds a degree in education, unrelated to market research. The firm doesn't appear to be professionally qualified to develop and analyze valid surveys.
- An important point of surveys is that people "self-select." That means that a survey is most likely to be completed by someone with an underlying agenda at the time that they first see it.
- Consideration should be made that all those sent the survey may not have had sufficient time to complete it and so only those with free time responded.
- Others polled may notice a single item or issue contained in the survey for which they have a strong opinion...more likely negative than positive.
- Just because the above mentioned people respond to a survey doesn't mean they are representative of the general population or of voters especially when such a small number of the population was surveyed.
- Marketing Research is a science because of the complexity of the subject...people's opinions. The way questions are asked and the order in which they are asked heavily influences the way people answer.
- Questions 28-30 contained a strong negative bias, something that a professional market researcher would not do. These questions were designed to provide for only negative answers, ignoring any positive opinions held by the respondents. There were no counterbalanced positive questions indicating the important benefits that drive-thru restaurants provide.

A similar survey was also distributed to all 3,400 employees at the CityPlace campus and yielded a result of over 60% in favor of drive-thru restaurants. By comparison, the City randomly selected only 2,000 residents to poll, whereas the entire CityPlace business community was surveyed which is nearly one and a half times the outreach of the City's survey. In addition, CCOCC's own survey to all of its business members showed 80% were in favor of drive-thru restaurants. No consideration has been given to these results.

Instead of focusing on the exercise of good planning practice, the Commission appears to be more focused on the fears of a few residents who do not want a Chick-Fil-A at Graeser and Olive, and on the personal issues of certain Commission members about whether a drive-thru could be located near their homes. To the contrary, testimony and information provided by CCOCC has barely been acknowledged.

Of even more concern to CCOCC is the lack of confidence shown by the Commission in the recommendations of the professional planning staff. The planning staff has provided information and insight into appropriate ways to address legislative issues, yet the discussion continues to return to certain fears of residents and personal

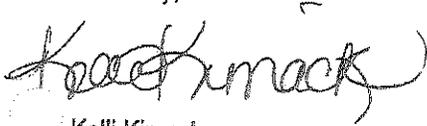
apprehensions of certain Commission members. Moreover, this discussion at the Commission level has gone on far too long.

Creve Coeur is already viewed as unfriendly to development and this process appears to be making that perception even worse. As pointed out at some of the Commission meetings, quality drive-thru restaurants may create stimulus for additional development and interest in a project. Some recent retail developments in Creve Coeur have been short of the standards residents have come to expect. Further, the direction of the proposed ordinance will only make it worse as it limits the pool of opportunity for higher quality establishments.

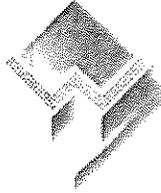
The CCOCC feels the ultimate goal for the City of Creve Coeur is a shared vision between business and residents alike. Residents, businesses and city officials all aspire for a more vibrant, successful city. The CCOCC hopes the ordinance will be amended in a way that will bridge the gap between business/residential goals and find a useable solution that allows for business growth while maintaining our beautiful city.

The CCOCC respectfully requests on behalf of our entire membership and Board of Directors that the Commission, as well as the elected City officials, reconsider the position being advocated by the Commission.

Sincerely,



Kelli Kimack  
President



Wolff Properties

ENVIRONMENT MANAGEMENT BROKERAGE

October 10, 2014

Honorable Mayor Barry Glantz and  
Members of the Creve Coeur City Council  
c/o City of Creve Coeur  
300 North New Ballas Road  
Creve Coeur, Missouri 63141

Re: Bill Number:  
5514 Amending Section 405.470 of the Creve Coeur Zoning Ordinance

Dear Mayor and City Council Members:

I am writing you to voice my concerns with certain provisions of the proposed amendment to the referenced ordinance. I am grateful to have been part of the process (through direct dialogue with the City's Planning Department and City Manager) that resulted in many of the proposed changes and, am pleased that the City recognizes the importance of modernizing its drive-thru ordinance. However, I also note that many of the recommendations from both the Chamber of Commerce and me were not included into the proposed language. In addition, I also wish to inform the Council that after surveying our neighboring and peer communities, drive-thru restaurants are tremendously underrepresented in our City. Finally, and perhaps most importantly, the resident survey was compromised by failing to solicit responses from the City's 30,000 daytime employees and by failing to segment responses by age group.

The proposed Amendment is beneficial in providing a framework for the developer of retail and mixed-use projects which include a drive-thru restaurant feature. Also, I recognize the need to control the design and number of drive-thru restaurants within our commercial districts. At the same time, it should be obvious to the Council that over the past thirty (30) years no new drive-thru restaurants have opened in the City, making it safe to conclude that our commercial districts will never become a restaurant row of drive-thru(s). So the existing ordinance, whatever its flaws, has not led to an abundance of drive-thru restaurants in Creve Coeur. Thus, this leaves room for modernization and growth in the City.

With the foregoing in mind, I wish to address six provisions in the proposed bill that I believe should be modified.

A.) 14 c (3) and 14 d (5):

The minimum square footage under roof area requirement of 2,000 and 3,000 square feet are quite problematic. A substantial percentage of drive thru restaurant building templates, particularly those that are freestanding, are less than 3,000 square feet. Starbucks' standard store prototype is 1,875 square feet for example. This minimum area requirement should be eliminated altogether. If it is the Council's concern to avoid Kiosks, perhaps the ordinance should contain a requirement that all drive-thru restaurants have a minimum number of interior seats.

B.) 14 c (5) and 14 d (8):

The stacking lane length requirement is exceedingly long and should be reduced. While I recognize the need for a stacking lane, the length requirement and the number of cars which it must accommodate should be based upon a variety of factors, such as peak use, traffic studies, restaurant size and services. I recommend the stacking lane lengths be modified to require drive-thru restaurants accommodate a minimum of six vehicles and provide that City staff has the discretion to require more if they believe the particular use merits such.

C.) 14 c (5) and 14 d (8):

The by-pass lane will take up an inordinate amount of land, with minimal benefit as it will rarely be used. This is a case of over-design. It would make far more sense to have an escape for vehicles from the stacking lane immediately prior to the location where orders are taken.

D.) 14 d (1):

The three (3) building minimum for sites abutting non-residential uses are unnecessary. This would preclude for example, drive-thru restaurants in mixed use developments featuring only one or two buildings. Additionally, the three (3) building requirement, or for that matter any minimum building requirement, severely restricts both the developer and the City from creating an aesthetically pleasing development featuring multi-uses. I see no reason why developments should be burdened with this requirement.

E.) 14 d (1):

Relatedly, the requirement that all buildings be architecturally harmonious is somewhat problematic. While I consider this a legitimate objective, the requirement that all three buildings look alike is overkill. A project can be attractive and well-designed without all structures being similar in design. I would not object to a separate provision requiring partial de-branding.

F.) 14 d (6):

The plate glass requirement is simply too restrictive. This provision for example is likely to adversely impact the ability of a restaurant to fixture and layout its seating. I do not understand what objective the City is seeking to accomplish in this instance. If the concern is safety, other design criteria should be substituted which have less of an impact on the operations of the drive-thru restaurant.

On a related note, it is my belief that the existing front setbacks along Olive Boulevard are extremely restrictive making it nearly impossible for a drive-thru restaurant to be configured on a site which otherwise meets the design criteria outlined in the ordinance. These need to be relaxed significantly. The position of the development community is that Olive is not a walkable street, it is a commercial thoroughfare. The City should adopt setbacks which recognize and embrace this fact. A relaxation of setbacks will in the development community's collective judgment result in significant new development and redevelopment within our commercial corridor. If the City persists in attempting to turn Olive into a series of retail centers fronting Olive with twenty (20) foot setbacks, development will continue to be retarded and the City will fall further behind its peers in attracting new retail development.

I sincerely hope that you will take the above addressed concerns into consideration and incorporate them into the final Amendment. Additionally, I would be pleased to meet with City officials and work together to craft language which incorporates these thoughts as well as those put forward by the Chamber of Commerce.

I greatly appreciate having the opportunity to voice my concerns and look forward to the City adopting sensible revisions to the drive-thru restaurant ordinance which both enhance retail development and addresses the legitimate concerns and wishes of its residents and commercial interests. With kindest regards.

Sincerely,



Stephen Wolff  
Manager  
Creve Coeur Real Estate Venture II, LLC

cc: Paul Langdon, Director of Community Development  
Deborah Ryan, City Clerk  
Nancy Gray, Executive Vice President, Creve Coeur-Olivette Chamber of Commerce  
Nick Cascella, Senior Associate, Cassidy Turley  
Joshua Roedemeier, Vice President, Cassidy Turley

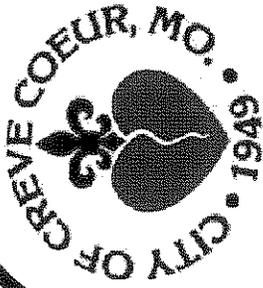
*Preliminary Review of Mosley Road Concept Plan*

**PRELIMINARY REVIEW  
MOSLEY ROAD CONCEPT PLAN**

**City Council Meeting  
October 13, 2014**

*City Council Meeting – October 13, 2014*

10/13/14  
Exhibit C



## **PURPOSE**

What will improvements to Mosley involve?

How much will the project(s) cost?

What options does the City have?

What makes the most sense, considering the available options?

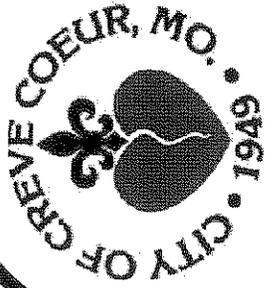


## **GOALS**

Improve Mosley Road:

- Pavement surface
- Ride-ability
- Safety
- Drainage
- Pedestrian Facilities

Maintain the residential nature of Mosley Road



## **CONCEPT PLAN DEVELOPMENT**

Survey

Pavement Cores

Definition/Limitation of Goals

- Sidewalk along east side of Mosley → no



## **CONCEPT PLAN DEVELOPMENT**

### Four Options Discussed:

- Open Drainage (1) versus New Curb (2)
- Resurfacing (A) versus Reconstruction (B)

1A: Resurface Mosley, Maintain Drainage

*Cost estimate: \$ 1,200,000*

1B: Reconstruct Mosley, Maintain Drainage

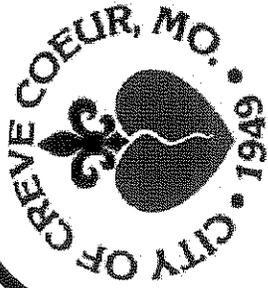
*Cost estimate: \$ 1,940,000*

2A: Resurface, Mosley, Add Curbing

*Cost estimate: \$ 1,600,000*

2B: Reconstruct Mosley, Add Curbing

*Cost estimate: \$ 2,300,000*



## **PUBLIC INFORMATIONAL MEETING**

Held on July 29, 2014

Good turnout: at least 55 residents attended

Main concerns stated:

- Keep "S" curve
- Maintain residential nature of Mosley
- Keep vehicle speeds down
- Improve drainage



## **RECOMMENDED IMPROVEMENTS**

Resurfacing with open drainage on east (Option 1A)

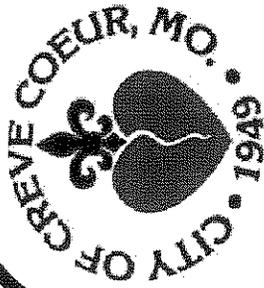
Modify/fix vertical alignment (three hills)

Modify horizontal alignment (soften "S" curve)

Keep existing curb and sidewalk in place

Variable widening along east side:

- Create consistent lane width
- Move south-bound traffic off of drains



## **RECOMMENDED IMPROVEMENTS**

Plan meets project goals:

Pavement Improvements

Ride-ability Improvements

Safety Improvements

- Vertical and horizontal alignments
- Sight distances at intersections

Drainage Improvements

- Update and upgrade existing system

Pedestrian Facilities

- Achieve ADA compliance

Maintain Residential Nature



*Preliminary Review of Mosley Road Concept Plan*

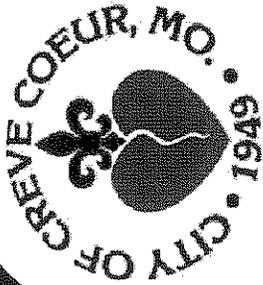
## **PURPOSE (REVISITED)**

What will improvements to Mosley involve?

How much will the project(s) cost?

What options does the City have?

What makes the most sense, considering the available options?



## **REQUEST FOR COUNCIL**

Does the resurfacing option seem like a reasonable design to pursue?

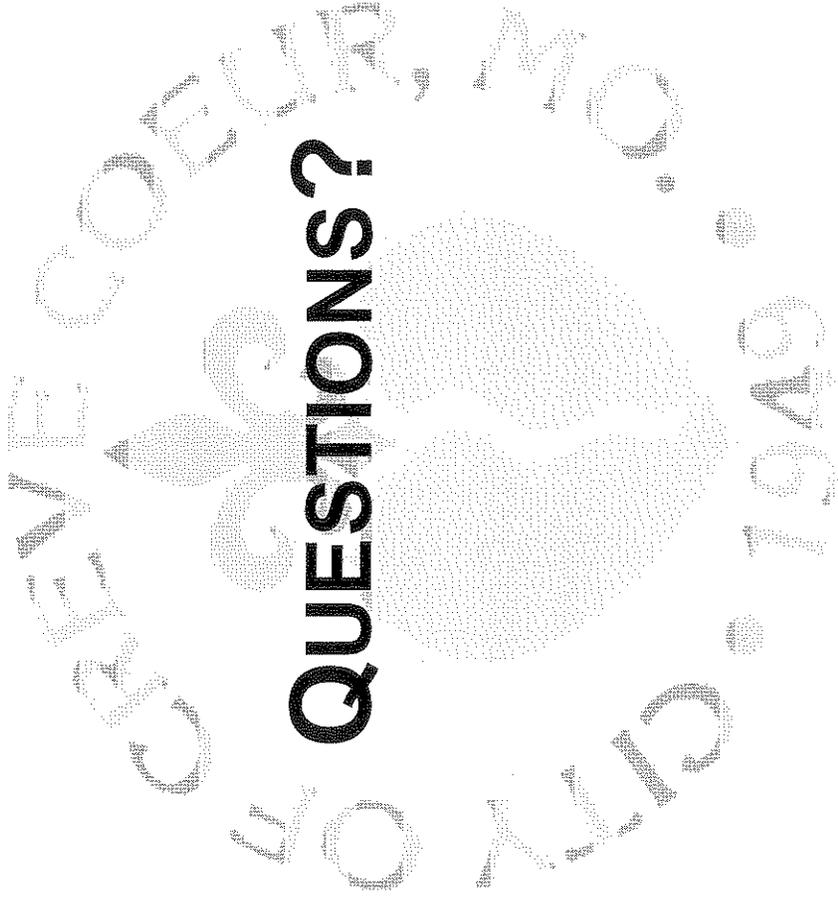
Are there any additional or different goals that the Council would like to investigate or incorporate into the project?



*Preliminary Review of Mosley Road Concept Plan*

## **PROJECT TIMELINE**

- October      Guidance from Council
- November    Request for roadway reclassification
- February    Concept Plan Complete  
                  City Council Work Session
- March        Grant application (if applicable)



# **QUESTIONS?**