



**MINUTES
CITY OF CREVE COEUR
CITY COUNCIL
300 NORTH NEW BALLAS RD
FEBRUARY 9, 2015
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, February 9, 2015 at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Glantz led the Pledge of Allegiance.

INVOCATION

Mayor Glantz asked for a moment of silence for the Perkins family and gave a brief invocation. Mayor Glantz read a statement regarding the shooting at the AMC Theater last weekend.

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. Saunders	Council Member Ward IV
Mr. Kent	Council Member Ward IV

* - Absent: Council Member Hoffman

COMMENTS FROM THE GENERAL PUBLIC (Citizens are asked to limit comments to three minutes and to complete a speaker card)

No one requested to speak.

ACCEPTANCE OF THE AGENDA

Council Member Saunders moved, seconded by Council Member Wang to accept the agenda as presented, with the vote upon such motion, as follows:

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

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

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*



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CONSENT READING

- A. Bill No. 5535 -an Ordinance Amending Chapter 600 of the Code of Ordinances of the City of Creve Coeur Regarding Alcoholic Beverages. Final Reading**
- B. Bill No. 5536 -an Ordinance Amending Section 300.010 of the Code of the Ordinance of the City of Creve Coeur Regarding Traffic Regulations. Final Reading**

City Clerk read Bill Nos. 5535 and 5536 for the final time.

CONSENT AGENDA

Council Member Saunders moved, seconded by Council Member Kramer to approve the consent agenda as presented.

- 1. Council Minutes Dated January 26, 2015**
- 2. Bill No. 5535 -an Ordinance Amending Chapter 600 of the Code of Ordinances of the City of Creve Coeur Regarding Alcoholic Beverages. Final Passage**
- 3. Bill No. 5536 -an Ordinance Amending Section 300.010 of the Code of the Ordinance of the City of Creve Coeur Regarding Traffic Regulations. Final Passage**

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

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

The vote on the motion being 7 ayes and 0 nays, motion carried. Bill No. 5535 becomes Ordinance No. 5413 and Bill No. 5536 becomes Ordinance No. 5414.

BILLS PAYABLE REPORT

For Information Only

Bills Payable Report Summary: Bills Payable Report

UNFINISHED BUSINESS

- 4. Bill No. 5532 -an Ordinance Authorizing a Master Sign Plan for DeSmet Jesuit High School Located at 233 N. New Ballas Road and Zoned "B" Single Family Residential. Continuance to March 9 Requested**

City Clerk read Bill No. 5532.



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Council Member Wang stated that his wife is a part time teacher at DeSmet and recused himself from the dais.

Council Member Kent moved, seconded by Council Member Kramer to continue the application until March 9, 2015 as requested by the applicant, with the vote upon such motion, as follows:

Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member D'Alfonso – Aye
Council Member Saunders – 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.

5. Bill No. 5537 -an Ordinance Authorizing the Issuance of a New Conditional Use Permit for a 3,303 Square-Foot Eating and Drinking Establishment, Crushed Red, Located at 11635 Olive Boulevard Within the CityPlace Mixed-Use/Retail Development. Final Reading and Passage

City Clerk read Bill No. 5537 for the final time.

Council Member Saunders moved, seconded by Council Member Kramer to approve Bill No. 5537, with the vote upon such motion, as follows:

Council Member Kreuter – 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

The vote on the motion being 7 ayes and 0 nays, motion carried. Bill No. 5537 becomes Ordinance No. 5415.

6. Bill No. 5538 -an Ordinance Accepting Dedication of Little Creek Lane as a Public Street. Final Reading and Passage

City Clerk read Bill No. 5538 for the final time.

Council Member Saunders moved, seconded by Council Member Lawrence to approve Bill No. 5538, with the vote upon such motion, as follows:

Council Member Saunders – Aye
Council Member Kent – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye
Council Member Kramer – Aye
Council Member Lawrence- Aye



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Council Member D'Alfonso – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried. Bill No. 5538 becomes Ordinance No. 5416.

7. Bill No. 5539 -an Ordinance Amending Section 405.950, Signs in Non-Residential Districts, of the City of Creve Coeur Sign Regulations to Provide Signs for Two-Floor Office Building Subject to Certain Criteria. Final Reading and Passage

City Clerk read Bill No. 5539 for the final time.

Council Member Saunders moved, seconded by Council Member Kramer to approve Bill No. 5539, with the vote upon such motion, as follows:

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

The vote on the motion being 6 ayes and 1 nay, motion carried. Bill No. 5539 becomes Ordinance No. 5417.

8. Bill No. 5540 -an Ordinance Amending Section 405.450.C, Residential Design Development Procedure, of the Creve Coeur Zoning Ordinance to Allow Certain Residential Lots to Utilize the Same Site Coverage as the Next Higher Intensity Residential Zoning District. Final Reading and Passage

City Clerk read Bill No. 5540 for the final time.

Council Member Saunders moved, seconded by Council Member Wang to approve Bill No. 5540.

Paul Langdon made a presentation and reviewed information in the staff report on this application dated February 9, 2014. (Exhibit A)

Council Member D'Alfonso stated if the applicant has additional site coverage on their land, that does increase storm water runoff and doesn't that add to the contributories.

Paul Langdon stated yes.

Council Member D'Alfonso stated many of the lots affected are in Wards 3 and 4 and is a very hilly area. In staff's presentation, it was stated that code changes should be considered on meaningful public benefit. Council Member D'Alfonso stated the concerns that the benefit here could potentially create a problem for all of the surrounding neighbors.

Paul Langdon stated the rules in these subdivisions were changed in 1983, because when those subdivisions were built, there were not rules on site coverage. If we were to correctly zone these subdivisions and get rid of the notion of RDD, it would be to move them to the B district which then increases the site coverage to thirty-five percent for all of the lots. It is hard to go back and make



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changes without there being impact but that is something that staff is constantly dealing with in regards to setbacks, coverage and FAR. When we give someone the opportunity to utilize their land more, then there could be impacts next door and if we deny then it diminishes an opportunity for an individual to use their land.

Council Member Kent asked if the information that is being presented tonight was available for Planning and Zoning Commission when they made their decision.

Paul Langdon stated it was not.

Council Member Kent stated the city is highiring a consultant to do the Comprehensive Plan.

Paul Langdon stated correct.

Council Member Kent suggested this be sent back to Planning and Zoning Commission to discuss the new information and work out this new information into the comp plan and storm water master plan.

Jeff Bernstein applicant for the property owner stated when the RDD was created no one considered or thought that the site coverage would become an issue. When a half acre lot was subjected to an RDD, automatically the site coverage penalized the lot owner. That was not the intention of the city, but that is what happened.

Council Member Kramer stated the houses are not built the same today as they were in 1983 and storm water is a big issue here.

Council Member Lawrence asked if permeable surfaces have gone down in cost of the years.

Paul Langdon stated he can't speak to the cost but there are two choices either a paver based or asphalt system.

Jeff Bernstein stated it is unequal from the rest of the city to put an additional cost like permeable surface just because a home owner owns a lot in an RDD.

David Caldwell resident of 257 Brooktrail Court stated there is an issue with storm water runoff and suggested going to 30 instead of 35 to preserve some green space. This change is not necessary and will cause issues with many and there are plenty of areas within the city to build a larger home.

Paul Langdon stated when Planning and Zoning discussed this application one of the points brought up was that a lot of the issues with coverage arises from back yard issues. Asthetics was in their minds was not a critical issue. Commission members were looking at somebody to use their lot based on the size. The notion of an RDD and the limitations it brings is lost on most homeowners. The comp plan brings a lot of opportunity to review the character of the city and look at the notion of tear downs. As far as storm water runoff, not sure if the comp plan can cover that. It isn't law and shouldn't be used to judge one particular ordinance requirement. If it is to have stronger language regarding storm water runoff as a concern, then it would be looked at under the comp plan, but not as a specific ordinance amendment.

Council Member Kent stated the public needs an opportunity to voice their opinion and staff needs to update the comp plan.



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Council Member Kramer asked how long has Mr. Langdon been with the city.

Paul Langdon stated seven years.

Council Member Kramer asked in those years, how many homes have been approved since the 1983 change.

Paul Langdon stated there have been dozens with no issues.

Council Member Saunders stated he likes the notion of recoupling the RDD with rain gardens.

Paul Langdon stated there is a high cost and maintenance issue with rain gardens and a lot of complexity with monitoring them through the city.

Council Member Wang asked if there is a procedure to check and see if Planning and Zoning Commission is interested in reviewing again in light of the new information provided tonight.

Council Member Kent stated his recommendation is to deny this and send the application back to Planning and Zoning Commission and review with the comp plan. Allow Mr. Bernstein to submit another application for his lot for the Council to consider at a later date.

Council Member Kreuter stated he could go both ways on this issue and suggested sending it back to Planning and Zoning.

Council Member Saunders stated if this goes back to Planning and Zoning for consideration then the Council needs to be very specific as to what we are looking for.

Council Member Lawrence moved, seconded by Council Member D'Alfonso to amend C.1.d from seventy percent (70%) to fifty-one percent (51%) of maximum site and reduce underlying zoning district shall be subjected to the following site coverage percentage: for an A-RDD lot, thirty percent (30%); for a B-RDD lot, thirty-seven and a half percent (37.5%).

Council Member Lawrence stated this is keeping more in line with B zoning.

Council Member Saunders stated he is comfortable with the compromise.

Council Member Kent stated the compromise is a good one.

Mayor Glantz called the question to amend C.1.d from seventy percent (70%) to fifty-one percent (51%) of maximum site and reduce underlying zoning district shall be subjected to the following site coverage percentage: for an A-RDD lot, thirty percent (30%); for a B-RDD lot, thirty-seven and a half percent (37.5%), with the vote upon such motion, as follows:

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



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

Mayor Glantz called the question to approve Bill No. 5540, as amended, with the vote upon such motion, as follows:

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

The vote on the motion being 7 ayes and 0 nays, motion carried. Amended Bill No. 5540 becomes Ordinance No. 5418.

**9. Bill No. 5541 -an Ordinance Amending the Adopted 2014-2015 General, Capital, and Sewer Lateral Funds Budgets of the City of Creve Coeur by Authorizing Additional Appropriations and Unappropriations from Operating Departments.
Final Reading and Passage**

City Clerk read Bill No. 5541 for the final time.

Council Member Saunders moved, seconded by Council Member Wang to approve Bill No. 5541, with the vote upon such motion, as follows:

Council Member Kreuter – 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

The vote on the motion is 7 ayes and 0 nays, motion carried. Bill No. 5541 becomes Ordinance No. 5419.

NEW BUSINESS

10.Resolution No. 1151 -a Resolution of the City Council of the City of Creve Coeur, Missouri Authorizing the Execution of a Contract with Horner & Shifrin, Inc. for Engineering Services Related to the Emerson Sidewalk Improvement Project for the Amount of \$40,000.00.

City Clerk read Resolution No. 1151.

Council Member Kreuter moved, seconded by Council Member Kramer to approve Resolution No. 1151, with the vote upon such motion, as follows:

Council Member Kramer – Aye



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Council Member Lawrence – Aye
Council Member D’Alfonso – Aye
Council Member Saunders – Aye
Council Member Kent – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye

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

11. Resolution No. 1152 -a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing an Addendum to the Contract with Hastings & Chiveta Architects for Architectural Services and Construction Administration for Renovation of Dielmann Recreation Complex for the Sum of \$11,420.

City Clerk read Resolution No. 1152.

Council Member Saunders moved, seconded by Council Member Kramer to approve Resolution No. 1152, with the vote upon such motion as follows:

Council member D’Alfonso – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye
Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member Kent – Aye
Council Member Saunders – Aye

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

APPOINTMENTS

12. Appointment of Chamber Representative to the Economic Development Committee

Council Member Wang moved, seconded by Council Member Kreuter to appoint Stephen Bisch as the Chamber of Commerce representative to the Economic Development Committee as recommended by the Nominating Committee, with the vote upon such motion, as follows:

Council Member Saunders – Aye
Council Member Kent – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye
Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member D’Alfonso – Aye

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

BUSINESS FROM MAYOR AND CITY COUNCIL

13. Council Liaison Reports

Council Member Saunders stated the EDC meeting was last week and there are a lot of good,



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motivated new members. Council Member Kramer made a presentation to the EDC regarding the STEAM event that will be taking place. The event date has changed from March 14 to April 18th due to scheduling conflicts.

Council Member Lawrence stated the Finance Committee met on January 29 and discussed the quarterly financial report and has a joint meeting coming up with the Employee Pension Board.

Council Member D'Alfonso stated the Energy and Environment Committee met for the first time on February 4 and the monthly meetings have been set for the second Tuesday of each month at 5:30 p.m.

BUSINESS FROM CITY ADMINISTRATOR

14. Graeser Road Sidewalk Staff Report

Matt Wohlberg reviewed and responded to several concerns raised by residents and the City Council regarding the quality of the sidewalk work underway along Graeser Road. Mr. Wohlberg stated that it was his opinion that the contractor for the project (Krupp Construction) had performed the work to the City's standards and as directed by staff, but he acknowledged that the work site could be cleaned up more. Mr. Wohlberg also recommended that the City Council reconsider its moratorium on payment to Krupp Construction that was discussed at the City Council meeting on January 26, 2015, and to authorize payment for work completed to date.

Council Member Lawrence stated she has walked the sidewalks and she is concerned that the contractor was not paying attention during construction. There are areas where there are no expansion joints, areas where the concrete is already chipping. Council Member Lawrence asked what type of redress the city has if this concrete work doesn't hold up.

Matt Wohlberg stated if there are areas that are already chipping then the contractor would be asked to replace. Typically the city will have a year to correct issues but this is a federal grant and we have less recourse, but would expect cooperation from the contractor if there are issues for future work with municipalities.

Lynn Berry resident of 626 Graeser Road stated this is not a good quality project and the city should stop work until the contractor improves. The ADA requirements on slopes are not correct.

Tony Kardis resident of Graeser had specific concerns and questions regarding his driveway and the project.

Mayor Glantz suggested that Mr. Kardis meet with staff and his Council Members to address his specific concerns.

Carl Lumley stated staff needs direction relative to the direction of the last meeting about holding payments for the project.

Mark Perkins recommended that the city stay on track with this contractor in regards to payments as we have a long project ahead with them. Staff will work with the contractor to address any issues along the way.

Mayor Glantz stated he agrees but the contractor needs to go on notice that the city expects higher standards than what the current work is showing.



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Council Member Kramer stated she would like to see the contractor and city staff meet at the site and address the concerns and issues.

Council Member Kreuter moved, seconded by Council Member Wang to approve payment for the contractor with the condition that a meeting is set with the contractor on site and the issues and concerns are addressed, with the vote upon such motion being, as follows:

Council Member Kreuter – 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

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

15. Second Quarter FY 2015 Financial Analyses

Dan Smith stated overall the revenues in the General Fund are projected to be over what was originally estimated at budget time, primarily in two areas. Building permit revenues are up significantly over \$500,000 already this year and the sales tax is up significantly. This appears to be a general trend around the state. The Enterprise Fund we are ahead on the revenue basis but estimate the revenues will come in on budget or a little under. Currently the golf course/food service area and are not performing as hoped. Ice Arena revenues are up from last year but that was due to an extended closure due to repairs. The hope is that the shortfall in revenues will be offset by savings and expenditures. Mr. Smith stated the revenues and expenditures will both be down in the Capital Fund due to projects that were scheduled to begin this year but will probably be pushed into the next budget year.

Council Member Wang moved, seconded by Council Member Saunders to adjourn at 9:12 p.m., with the vote upon such motion being as follows:

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

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

Submitted by:

Deborah Ryan
City Clerk

Barry Glantz
Mayor



city of CREVE COEUR

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MEMORANDUM TO CITY ADMINISTRATOR AND CITY COUNCIL

Meeting Date: February 9, 2014

Subject: Amendment to Increase Site Coverage For Subdivisions That Received “RDD” Designation

Prepared by: Paul Langdon, AICP, Community Development Director

During the meeting of January 26, 2015, the City Council reviewed an application by Jeffrey Bernstein, on behalf of the owners of 169 South Graeser Road, for a text amendment to Section 405.450.C.d to allow for those properties approved under the RDD process prior to 1983 to increase the site coverage percentage to that of the next higher (more dense) zoning district unless otherwise set out in the subdivision approval. For the 169 South Graeser Road property, site coverage is limited to 25%. If approved, the amendment would allow the homeowner to increase site coverage to that of the “B” Single-Family Zoning District, which has a maximum site coverage of 35%, and similarly for any other RDD-designated subdivisions that were approved without prior site coverage limits. The application has been further refined by the Planning Commission to apply it only to lots whose area was less than 70% of the minimum allowed lot size within the underlying district. In the A Zoning District, the minimum lot size is one acre (43,560 square feet) and in the B Zoning District the minimum lot size is 20,000 square feet.

In the course of discussion, concerns were raised with the number of properties that would fall under the proposed amendment and the amount of additional stormwater run-off that could result. The most direct way to further limit the number of properties is to further reduce the size of the lots that would be eligible to take advantage of the proposed provision. Staff have prepared maps displaying the changing dispersal of lots as the maximum percentage of lot size is decreased from 70% to 45%, in 5% increments. However, the maps are difficult to read at a scale that fits within the limits of the Council’s laptop screens so they will be projected during the meeting of February 9th. For this report, the table on the following page shows the numerical impact of reducing the eligible lot size.

As shown in the table, reducing the eligible size of the A-zoned lots has a progressive effect on the total number of affected lots, from 313 lots platted in 1983 or earlier that are 70% of standard lot size down to 82 lots at 45% of standard lot size. The minimum lot that still applies to the applicants’ property is 55% of standard lot size where there are a total of 161 lots. In the B district, the effect is much less dramatic because such a high proportion of the lots in the Country Forest subdivision are substantially smaller than the standard 20,000 square foot minimum. In that district, there are 159 lots that were platted in 1983 or earlier and that are 70% or less of the standard lot size. Reducing that to 45% of standard lot size decreases the total quantity to 88. At the 55% level, there are still 152 lots.

The total number of single family residential lots in the city is 4,718.

Staff members will present the associated maps at the City Council meeting and will be available to answer any questions regarding these changes during the meeting.

Table of Single Family Residential Lots Filtered for Year Platted and Size Relative to Underlying District Minimum

	Total Lots (quantity)	Lots Platted 1983 and Earlier (Prior to Site Coverage Regulations)					
		70% of Standard Minimum Lot Size (quantity)	65% of Standard Minimum Lot Size (quantity)	60% of Standard Minimum Lot Size (quantity)	55% of Standard Minimum Lot Size (quantity)	50% of Standard Minimum Lot Size (quantity)	45% of Standard Minimum Lot Size (quantity)
"A" District 1 acre minimum lot size	2020	313	275	215	161	106	82
"B" District 20,000 sq.ft. minimum lot size	1328	159	158	156	152	129	88