



**JANUARY 15, 2025**

**REGULAR COUNCIL MEETING AGENDA**

Posted: 2:00 p.m., Friday, January 10, 2025

Voting Order M-1-2-3

***This meeting of the Council will be in-person at the Ellisville Government Center, #1 Weis Avenue, Ellisville, MO 63011. For viewing only, a livestream of the meeting will be available, go to [www.ellisville.mo.us](http://www.ellisville.mo.us) for link.***

**7:00 P.M. CITY OF ELLISVILLE – PARKS AND RECREATION BUILDING**

- I. Call to Order – Mayor Mike Roemerman
- II. Pledge of Allegiance
- III. Roll Call
- IV. Approval of Agenda
- V. Approval of Minutes – December 18, 2024 Regular Council Meeting [Pages 3-10](#)
- VI. Public Comments I
- VII. Receipt/filing Planning and Zoning Recommendation Report
  - A. Receipt and filing of Planning and Zoning Commission’s positive recommendation dated January 9, 2025 relative to the petition of 510 Old State, LLC for: (1) rezoning of the property known and numbered as 510 Old State Road from “R-1” Single-Family Residential Zoning District to “R-2” Planned Residential Zoning District; and (2) approving a site development plan and subdivision plat to allow for 22 lots. [Pages 11-14](#)
- VII. Public Hearings
  - A. The Council will discuss and consider the petition of 510 Old State, LLC for: (1) rezoning of the property known and numbered as 510 Old State Road from “R-1” Single-Family Residential Zoning District to “R-2” Planned Residential Zoning District; and (2) approving a site development plan and subdivision plat to allow for 22 lots. *Continued from the December 18, 2024 Council Meeting.* [Pages 15-60 and plans](#)
- VIII. Legislation
  - A. [Bill #3829](#) [Pages 73-76](#) AN ORDINANCE AUTHORIZING A CHANGE IN ZONING OF THE PROPERTIES AT THE LOCATIONS KNOWN AND NUMBERED AS 510 AND 510A OLD STATE ROAD FROM THE “R-1” SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE “R-2” PLANNED RESIDENTIAL ZONING DISTRICT; AND APPROVING THE ASSOCIATED SITE DEVELOPMENT PLAN FOR THE PROPERTY.

- B. Bill #3830 AN ORDINANCE APPROVING A SUBDIVISION PLAT FOR THE PARCELS KNOWN AND NUMBERED AS 510 AND 510A OLD STATE ROAD, WITHIN THE CITY OF ELLISVILLE, MISSOURI.  
Pages 77-80
- C. Res #01-15-2025A A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PRELIMINARY FUNDING AGREEMENT ON BEHALF OF THE CITY OF ELLISVILLE WITH ELLISVILLE MARKEPTLACE LLC IN CONNECTION WITH THE ELLISVILLE MARKETPLACE COMMUNITY IMPROVEMENT DISTRICT.  
Pages 81-91
- D. Res #01-15-2025B A RESOLUTION AUTHORIZING THE COUNCIL TO EXECUTE A GRANT APPLICATION ON BEHALF OF THE CITY OF ELLISVILLE WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY AND TRAFFIC DIVISION FOR VIOLATIONS ENFORCEMENT.  
Pages 93-96

IX. Public Comments II

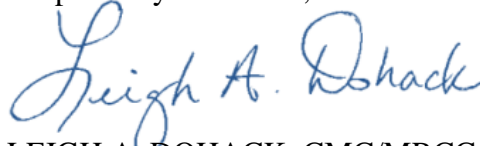
X. Mayor/Council Business/Reports

XI. Active Committee Status/Updates

XII. Closed Session: Notice is hereby given that the City Council of the City of Ellisville may, subject to a motion duly made and adopted, conduct a closed session, for the purpose of considering one or more of the following matters pursuant to Section 610.021, RSMo: (1) legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys, (2) real estate, and/or (3) hiring/firing or individually identifiable personnel information.

XIII. Adjournment

Respectfully submitted,



LEIGH A. DOHACK, CMC/MRCC  
City Clerk

Individuals who require an accommodation to attend a meeting should contact City Hall, 636-227-9660 (V/TDD) at least 48 hours in advance. Representatives of the news media may obtain copies of the notice by contacting the City Clerk at (636) 227-9660.

**CITY OF ELLISVILLE  
COUNCIL MEETING**

**DECEMBER 18, 2024**

Mayor Roemerman opened this Regular at 7:05 p.m. In attendance were Council Members Boggs, Hildebrand, Compton, Niebling, Sanborn and Cahill.

Also present were: Assistant City Attorney Lyndee Fritz, City Manager Schwer, City Planner Hood, Chief Steve Lewis, and City Clerk Dohack.

All those in attendance recited the Pledge of Allegiance led by Council Member Cahill.

**APPROVAL OF AGENDA**

Mayor Roemerman moved to approve the evening's agenda, seconded by Council Member Niebling. The votes on the approval were all "AYES".

**APPROVAL OF MINUTES**

Mayor Roemerman moved to approve the minutes from November 20, 2024 Council Meeting, seconded by Council Member Compton. The votes for approval of the minutes were: Boggs "AYE", Hildebrand "AYE", Roemerman "AYE", Compton "AYE", Niebling "AYE", Sanborn "AYE", and Cahill "AYE".

**PUBLIC COMMENTS I**

Sean Flower, 437 Parkview Lane, Eureka, MO – Developer for 510 Old State Road, stated that after the December Planning and Zoning Commission he has spoke with neighboring property owners to address some on their concerns and also requested that consideration of the Planning and Zoning recommendation be sent back to Commission for additional discussion.

Council Member Cahill questioned if public comments would be allowed during the public hearing. It was noted that the public hearing would be opened and comments would be heard.

**RECEIPT/FILING OF PLANNING AND ZONING COMMISSION**

Mayor Roemerman moved to receive and file of the following Planning and Zoning Commission's recommendations. The motion was seconded by Council Member Compton.

- A. Receipt and filing of Planning and Zoning Commission's positive recommendation dated December 12, 2024 relative to the petition of McBride Berra Land Company LLC for: (1) rezoning of the properties known and numbered as 300 Old State Road and 311 Old State Road from "C-5" Planned Commercial Zoning District to "R-2" Planned Residential Zoning District; (2) rezoning of the properties known and numbered as 340 Old State Road and 404 Old State Road from PDR to "R-2" Planned Residential Zoning District; and (3) approving a site development plan and subdivision plat for 300 Old State Road, 311 Old State Road, 340 Old State Road, and 404 Old State Road.

- B. Receipt and filing of Planning and Zoning Commission’s negative recommendation dated December 12, 2024 relative to the petition of 510 Old State, LLC for: (1) rezoning of the property known and numbered as 510 Old State Road from “R-1” Single-Family Residential Zoning District to “R-2” Planned Residential Zoning District; and (2) approving a site development plan and subdivision plat for 510 Old State Road.

The votes on this motion were: Boggs “AYE”, Hildebrand “AYE”, Roerman “AYE”, Compton “AYE”, Niebling “AYE”, Sanborn “AYE”, and Cahill “AYE”.

## **PUBLIC HEARINGS**

### 300, 311, 340 and 404 Old State Road (McBride Berra – Regal Pines), rezoning to R-2, site development plan and subdivision plat

Mayor Roerman opened the public hearing to consider the petition of McBride Berra Land Company LLC for: (1) rezoning of the properties known and numbered as 300 Old State Road and 311 Old State Road from “C-5” Planned Commercial Zoning District to “R-2” Planned Residential Zoning District; (2) rezoning of the properties known and numbered as 340 Old State Road and 404 Old State Road from PDR to “R-2” Planned Residential Zoning District; and (3) approving a site development plan and subdivision plat for 300 Old State Road, 311 Old State Road, 340 Old State Road, and 404 Old State Road. Asst. City Attorney Fritz entered the following exhibits: Exhibit 1, Certified Copy of the Code of the City of Ellisville, Missouri; Exhibit 2, Zoning District Map; Exhibit 3, Comprehensive Plan; Exhibit 4, Notice published in the *Legal Ledger* on November 26, 2024; Exhibit 5, Notice of Public Hearing before Commission and Council; Exhibit 6, Public Posting of Notice and Affidavit of Code Enforcement Officer dated November 26, 2024 and Photographs; Exhibit 7, Letter mailed to Property Owners within 185 Feet of Project dated November 25, 2024 and list of Property Owner and Addresses; Exhibit 8, Memorandum from the City Planner to Chairman Becker dated December 11, 2024; Exhibit 9, Application for Planned Development, Site Plan Review, Rezoning, Subdivision Plat, and Architectural Review dated November 8, 2024; Exhibit 10, Letter from McBride Berra Land Company, LLC dated December 4, 2024; Exhibit 11, Correspondence to City Manager and City Planner dated November 27, 2024; Exhibit 12, Site Development Plan; Exhibit 13, Subdivision Plan; Exhibit 14, Planning and Zoning Commission Report and Recommendation dated December 12, 2024; Exhibit 15, Memorandum from the City Planner to the City Manager dated December 18, 2024; Exhibit 16, Sample Addendum to Real Estate Sale Contract; and Exhibit 17, Correspondence from City Manager dated December 13, 2024.

Jeanie Aumiller with McBride Berra Land Company, City Planner Hood and City Manager Schwer were sworn in by City Clerk Dohack. Ms. Aumiller began with a presentation on the proposed development, noting that the four (4) pieces of property will utilized for the subdivision and outlined how approximately 18 acres (14.7 acres to the west and 3.5 acres to the east) would comprise the development. Ms. Aumiller went on to described that there would be 49 proposed lots (37 on the west side and 12 on the east side), the landscaping specifics and the approximate selling prices for the proposed homes. Ms. Aumiller also noted that the proposed rezoning to R-2 could be less dense option at 3.3 homes per acre, as compared to a C-5 zoning which could allow for a commercial apartment complex. Finally, Ms. Aumiller noted some concerns have been addressed after comments from the Planning and Zoning Commission meeting and also stated that the Commissioners recommendation to the Council was unanimously approved. Consideration of a waiver for the fencing to not be on the Old State Road was brought up by Ms. Aumiller.

Mayor Roemerma continued the discussion on the fencing around the proposed development. Ms. Aumiller explained the request to waive the fencing requirement only along Old State Road. Council Member Cahill questioned the type of fencing and it was noted that the proposed fencing would be vinyl. Council Member Cahill also noted that other properties have privacy fencing along Old State Road.

Mayor Roemerma discussed what would be allowed with the current zoning of the property and staff explained what would be allowed with the current C-5 property zoning including multi-family housing, such as an apartment complex. Mayor Roemerma asked about the typical number of homes per acre within an R-2 development and it was noted that approximately five (5) per acre was average. Discussion continued on higher density in commercial apartment developments.

Council Member Cahill commented on the communications tower that was just approved on the property adjacent to the proposed development and its safety so near to homes. Ms. Aumiller stated that safety of the tower has been addressed and disclosure would be given to the buyer. Council Member Cahill also expressed concern for the number of homes on smaller lots and the additional traffic this may cause for Old State Road.

Council Member Niebling asked about the lot sizes, setbacks and driveway sizes. These concerns were addressed by Ms. Aumiller. Council Member Compton also questioned setbacks between the proposed homes and the widths of the lots. Ms. Aumiller noted that there would be five-foot setbacks on the side yard and 70-foot wide lot for homes with three car garage and 40-foot wide lot for homes with two car garage. Council Member Compton continued discussion of lot sizes and if there would be an option for a connection to Canterbury. Discussion ensued on the setbacks and sidewalks. Ms. Aumiller stated that the front setbacks would be more consistent and the back setbacks will be adjusted and also note that sidewalks will be five-feet in width.

Council Member Compton noted the waiver request for exterior finishes and asked if there was enough information to decide. City Planner Hood noted that this would go to the Architectural Review Board for consideration.

#### *Public Comments*

Benjamin Kay, 1520 Pheasant Ridge, spoke in opposition to the proposed development and noted he is happy to see new homes, but would like to see fewer homes with larger lots and more park space.

Mayor Roemerma polled the audience, no residents/property owners were in support and eight (10) residents/property owners opposed the petition. Mayor Roemerma closed the public hearing.

#### 310 Old State Road (Napoli Estates), rezoning to R-2, site development plan and subdivision plat

Mayor Roemerma opened the public hearing to consider the petition of 510 Old State, LLC for: (1) rezoning of the property known and numbered as 510 Old State Road from "R-1" Single-Family Residential Zoning District to "R-2" Planned Residential Zoning District; and (2) approving a site development plan and subdivision plat for 510 Old State Road.

The petitioner, Sean Flower with Flower and Fendler Homes, spoke previously during Public Comments pertaining to this petition.

Mayor Roerman moved to send this petition back to the Planning and Zoning Commission for further consideration given that the information provided earlier that there will be some changes to address concerns from adjacent property owners. Mayor Roerman noted that before the vote to send this back to Planning and Zoning, public comments will be accepted. Council Member Compton noted that public comments will be allowed at the continued public hearings. The motion was seconded by Council Member Hildebrand. Mayor Roerman called for public comments.

### *Public Comments*

Dan Christie, 502 Old State Road, stated that he purchased his property in 1975 and provided some history. Mr. Christie said he tried to be a good neighbor and said he daughter owns the business (Metropolitan Forestry) which has 7500 residential customers. Mr. Christie proposed fewer than 20 homes would be better and also noted his concerns with the trees.

Bill Ziegler, 16055 Kerryton Place, stated that his property backs up to the proposed development and expressed concerns with setback waivers.

Meggan Hargrave, 502 Old State Road, owner of Metropolitan Forestry Service, spoke in opposition to the proposed development. Ms. Hargrave stated the business has been there for 50 years and the access road has been there that long, expressed concerns with the setbacks and how their business and the homes would be affected by the proposed property lines. Ms. Hargrave suggested that less homes would be better which would allow for better setbacks.

Matt Hargrave, 502 Old State Road, owner of Metropolitan Forestry Service, expressed his concerns with the proposed development is too grand for the narrow lot. Mr. Hargrave feels that the proposed does not meet the City's regulations and has concerns with water runoff, landscaping issues and traffic.

James Vanek, 708 Lakeshore Manor Court, stated his concerns with traffic within this area due to these developments on Old State Road and would like to have pedestrian and cyclist safety along this area. Mr. Vanek represents a group that is working for a safer area for all and states that traffic is still going to fast on this road. Mr. Vanek requested five minutes to discuss this matter over the three minutes.

Council Member Compton move to suspend rules to allow for an additional two additional minutes, seconded by Council Member Cahill. The votes were: Boggs "AYE", Hildebrand "AYE", Roerman "AYE", Compton "AYE", Niebling "AYE", Sanborn "AYE", and Cahill "AYE". Mr. Vanek was granted an additional two minutes. Mayor Roerman called the meeting back to order.

Mr. Vanek continued about the dangerous situation with speeding traffic. Mr. Vanek suggested a partnership with Ellisville, Wildwood and St. Louis County to install a roundabout at Ridge Road and additional sidewalks for safety.

Janice Suuti, 305 Dover Way Court, expressed concerned about the retention pond and the danger to the trees within the proposed development.

Chris Zimmer, 510 Old State Road (property owner), stated that he looks forward to get this petition back to the Planning and Zoning Commission. Mr. Zimmer also stated that he is the 3<sup>rd</sup> generation owner of the property and is ready to move on to the next phase with this proposed development.

Debbie Loso, 16000 Kerryton Place Drive, noted that Mr. Flower met with the Kerryton Homeowners Association to discuss the development and has addressed some of the concerns. Ms. Loso stated that it would be best to get this proposal back in front of the Planning and Zoning Commission for further consideration and if the property is going to be developed it should be done right.

Mayor Roemerma called for the vote on the motion to send this petition back to the Planning and Zoning Commission for further consideration. The votes were: Boggs "AYE", Hildebrand "AYE", Roemerma "AYE", Compton "AYE", Niebling "AYE", Sanborn "AYE", and Cahill "AYE".

Mayor Roemerma noted that this public hearing will remain open and continued to the January 15, 2025 Council Meeting, after additional consideration by the Planning and Zoning Commission.

## **LEGISLATION**

Ord. #3592 - 300, 311, 340, and 404 Old State Road (McBride Berra – Regal Pines), rezoning to R-2 and associated site development plan

Council Member Sanborn introduced Bill #3827, AN ORDINANCE AUTHORIZING A CHANGE IN ZONING OF THE PROPERTIES AT THE LOCATIONS KNOWN AND NUMBERED AS 300 AND 311 OLD STATE ROAD FROM THE "C-5" PLANNED COMMERCIAL ZONING DISTRICT TO THE "R-2" PLANNED RESIDENTIAL ZONING DISTRICT; AND AUTHORIZING A CHANGE IN ZONING OF THE PROPERTIES AT THE LOCATIONS KNOWN AND NUMBERED AS 340 AND 404 OLD STATE ROAD FROM THE "PDR" ZONING DISTRICT TO THE "R-2" PLANNED RESIDENTIAL ZONING DISTRICT; AND APPROVING THE ASSOCIATED SITE DEVELOPMENT PLAN FOR THE PROPERTIES. Council Member Sanborn moved for consideration and perfection of Bill #3827, seconded by Council Member Cahill.

Mayor Roemerma noted that these decisions are difficult for the Council with all the concerns expressed, but the market drives this type of development and noted his favor for this proposal. Council Member Compton discussed the requested waivers and made some recommendations for the minimum building setbacks. Council Member Compton discussed that a 10-foot backyard would be unmanageable. Council Member Compton moved to amend Bill #3827 to accept minimum building setbacks with the minimum depth of the rear yard to be 20-feet, seconded by Council Member Cahill. Discussion ensued on the sump pump discharge from the property line and City Manager Schwer noted that the requirement is 10-feet from the property line. Ms. Aumiller stated that the 20-foot rear yard setback would work for the building, but if the homeowner wanted to build a deck or patio that might encroach into the 20-foot setback. It was clarified by staff that if a deck or patio was to be built and it would encroach into the setback, the homeowner could petition the Council for a waiver. Mayor Roemerma asked if the motion could be amended to include that a deck or patio could be allowed in the rear setback. Council Member Compton was amenable to that change to the motion. Council Member Niebling asked for clarification that this would not be an enclosed deck with a roof and all were amenable to this

notation. Council Member Compton amended his motion of Bill #3592 to accept minimum building setbacks with the minimum depth of the rear yard to be 20-feet and a deck or patio may not encroach more than 10-feet of the rear property line. The motion was seconded by Council Member Cahill. Boggs “AYE”, Hildebrand “AYE”, Roemerma “AYE”, Compton “AYE”, Niebling “NAY”, Sanborn “AYE”, and Cahill “AYE”.

Discussion ensued on the requirement for fencing and the common ground around the whole development. The Council Members discussed where the need for a fence should be as a buffer between the adjacent commercial properties. Ms. Aumiller asked for clarification as the ordinance states fencing around the all sides of the two property sites and stated the concerns with drainage with the fencing solid vinyl fencing. Mayor Roemerma asked for clarification on where the fencing would be installed. Ms. Aumiller pointed out the landscaping plan that would utilize planting in place of the fencing along Old State Road. Council Member Niebling asked to call the question. Council Member Hildebrand stepped out of the room for a moment. Council Member Compton moved to amend Bill #3827 to waive the requirement for fencing around the entire project and amend fencing requirement for the development along all property lines abutting non-residential uses. The motion was seconded by Council Member Sanborn. Council Member Cahill clarified that there would be no requirement for a fence along Old State Road. Boggs “AYE”, Hildebrand “AYE”, Roemerma “AYE”, Compton “AYE”, Niebling “AYE”, Sanborn “AYE”, and Cahill “AYE”.

The votes on the first reading of Bill #3827, as amended, were: Boggs “AYE”, Hildebrand “AYE”, Roemerma “AYE”, Compton “AYE”, Niebling “NAY”, Sanborn “AYE”, and Cahill “NAY”. Council Member Sanborn introduced Bill #3827 for final passage, as amended, AN ORDINANCE AUTHORIZING A CHANGE IN ZONING OF THE PROPERTIES AT THE LOCATIONS KNOWN AND NUMBERED AS 300 AND 311 OLD STATE ROAD FROM THE “C-5” PLANNED COMMERCIAL ZONING DISTRICT TO THE “R-2” PLANNED RESIDENTIAL ZONING DISTRICT; AND AUTHORIZING A CHANGE IN ZONING OF THE PROPERTIES AT THE LOCATIONS KNOWN AND NUMBERED AS 340 AND 404 OLD STATE ROAD FROM THE “PDR” ZONING DISTRICT TO THE “R-2” PLANNED RESIDENTIAL ZONING DISTRICT; AND APPROVING THE ASSOCIATED SITE DEVELOPMENT PLAN FOR THE PROPERTIES. Council Member Sanborn moved for final passage of Bill #3827, as amended, seconded by Council Member Niebling. The votes on the second reading were: Boggs “AYE”, Hildebrand “AYE”, Roemerma “AYE”, Compton “AYE”, Niebling “NAY”, Sanborn “AYE”, and Cahill “NAY”. Bill #3827 becomes ORDINANCE #3592.

Ord. #3593 - 300, 311, 340, and 404 Old State Road (McBride Berra/Regal Pines), subdivision plat

Council Member Cahill introduced Bill #3828, AN ORDINANCE APPROVING A SUBDIVISION PLAT FOR THE PARCELS KNOWN AND NUMBERED AS 300, 311, 340 AND 404 OLD STATE ROAD, WITHIN THE CITY OF ELLISVILLE, MISSOURI. Council Member Cahill moved for consideration and perfection of Bill #3828, seconded by Council Member Compton. The votes on the first reading of Bill #3828 were: Boggs “AYE”, Hildebrand “AYE”, Roemerma “AYE”, Compton “AYE”, Niebling “NAY”, Sanborn “AYE”, and Cahill “NAY”. Council Member Cahill introduced Bill #3828 for final passage, AN ORDINANCE APPROVING A SUBDIVISION PLAT FOR THE PARCELS KNOWN AND NUMBERED AS 300, 311, 340 AND 404 OLD STATE ROAD, WITHIN THE CITY OF ELLISVILLE, MISSOURI. Council Member Cahill moved for final passage of Bill #3828, seconded by Council Member Compton. The votes on the second reading were: Boggs “AYE”, Hildebrand “AYE”,

Roerman “AYE”, Compton “AYE”, Niebling “NAY”, Sanborn “AYE”, and Cahill “NAY”. Bill #3828 becomes ORDINANCE #3593.

Bill #3829, 510 Old State Road (Napoli Estates), rezoning to R-2 and site development plan  
AN ORDINANCE AUTHORIZING A CHANGE IN ZONING OF THE PROPERTIES AT THE LOCATIONS KNOWN AND NUMBERED AS 510 AND 510A OLD STATE ROAD FROM THE “R-1” SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE “R-2” PLANNED RESIDENTIAL ZONING DISTRICT; AND APPROVING THE ASSOCIATED SITE DEVELOPMENT PLAN FOR THE PROPERTY.

Bill #3830, 510 Old State Road (Napoli Estates), subdivision plat  
AN ORDINANCE APPROVING A SUBDIVISION PLAT FOR THE PARCELS KNOWN AND NUMBERED AS 510 AND 510A OLD STATE ROAD, WITHIN THE CITY OF ELLISVILLE, MISSOURI.

After Council approval to send the petition for 510 Old State Road back to the Planning and Zoning Commission for additional review, Mayor Roerman moved to table Bill #3829 and Bill #3830 until after Planning and Zoning recommendation. The motion was seconded by Council Member Compton. The votes on the postponement were: Boggs “AYE”, Hildebrand “AYE”, Roerman “AYE”, Compton “AYE”, Niebling “AYE”, Sanborn “AYE”, and Cahill “NAY”.

Ord. #3594, County-Wide Emergency Communications Agreement  
Council Member Compton introduced Bill #3831, AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF ELLISVILLE, MISSOURI TO EXECUTE AN AGREEMENT WITH THE ST. LOUIS COUNTY EMERGENCY COMMUNICATIONS COMMISSION TO PARTICIPATE IN THE COUNTY-WIDE EMERGENCY COMMUNICATIONS RADIO SYSTEM ON BEHALF OF THE CITY OF ELLISVILLE. Council Member Compton moved for consideration and perfection of Bill #3831, seconded by Council Member Hildebrand. The votes on the first reading of Bill #3831 were: Boggs “AYE”, Hildebrand “AYE”, Roerman “AYE”, Compton “AYE”, Niebling “AYE”, Sanborn “AYE”, and Cahill “AYE”. Council Member Compton introduced Bill #3831 for final passage, AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF ELLISVILLE, MISSOURI TO EXECUTE AN AGREEMENT WITH THE ST. LOUIS COUNTY EMERGENCY COMMUNICATIONS COMMISSION TO PARTICIPATE IN THE COUNTY-WIDE EMERGENCY COMMUNICATIONS RADIO SYSTEM ON BEHALF OF THE CITY OF ELLISVILLE. Council Member Compton moved for final passage of Bill #3831, seconded by Council Member Cahill. The votes on the second reading were: Boggs “AYE”, Hildebrand “AYE”, Roerman “AYE”, Compton “AYE”, Niebling “AYE”, Sanborn “AYE”, and Cahill “AYE”. Bill #3831 becomes ORDINANCE #3594.

Ord. #3595, Amends Code pertaining to texting while driving  
Council Member Niebling introduced Bill #3832, AN ORDINANCE AMENDING TITLE II: PUBLIC HEALTH, SAFETY AND WELFARE, CHAPTER 210: OFFENSES, BY REPEALING AND REPLACING SECTION 210.186 AND REPEALING SECTION 210.605 OF THE CODE OF THE CITY OF ELLISVILLE, MISSOURI, REGARDING TEXTING WHILE DRIVING. Council Member Niebling moved for consideration and perfection of Bill #3832, seconded by Council Member Compton.

Mayor Roemerman noted that this legislation clarifies the City Code to match State Statutes on this matter.

The votes on the first reading of Bill #3832 were: Boggs “AYE”, Hildebrand “AYE”, Roemerman “AYE”, Compton “AYE”, Niebling “AYE”, Sanborn “AYE”, and Cahill “AYE”. Council Member Niebling introduced Bill #3832 for final passage, AN ORDINANCE AMENDING TITLE II: PUBLIC HEALTH, SAFETY AND WELFARE, CHAPTER 210: OFFENSES, BY REPEALING AND REPLACING SECTION 210.186 AND REPEALING SECTION 210.605 OF THE CODE OF THE CITY OF ELLISVILLE, MISSOURI, REGARDING TEXTING WHILE DRIVING. Council Member Niebling moved for final passage of Bill #3832, seconded by Council Member Cahill. The votes on the second reading were: Boggs “AYE”, Hildebrand “AYE”, Roemerman “AYE”, Compton “AYE”, Niebling “AYE”, Sanborn “AYE”, and Cahill “AYE”. Bill #3832 becomes ORDINANCE #3595.

### **PUBLIC COMMENTS**

There were no public comments.

### **MAYOR/COUNCIL BUSINESS/REPORTS**

Mayor Roemerman state that the next Council Meeting will be held at the new Government Center.

### **ACTIVE COMMITTEE STATUS/UDPATES**

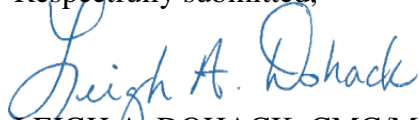
Council Member Compton has been working on scanning historical photos and Mayor Roemerman stated that some photos could be used for the upcoming Route 66 100 Year Anniversary.

### **CLOSED SESSION**

Closed Session was not closed after the work session and would continue after the Architectural Review Board meeting.

Mayor Roemerman adjourned the meeting at 9:16 p.m.

Respectfully submitted,



LEIGH A. DOHACK, CMC/MRCC  
City Clerk



# City of Ellisville

1 Weis Avenue  
Ellisville, Missouri 63011  
636-227-9660

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## PLANNING AND ZONING COMMISSION REPORT AND RECOMMENDATION

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January 9, 2025

Mayor Mike Roerman  
City Council  
City of Ellisville

Petition #25-01-01: Petition of 510 Old State, LLC for: (1) rezoning of the property known and numbered as 510 Old State Road from “R-1” Single-Family Residential Zoning District to “R-2” Planned Residential Zoning District; and (2) approving a site development plan and subdivision plat to allow 22 lots.

After consideration at the December 18, 2024 meeting, the Council has referred this petition back to the Planning and Zoning Commission for further study before making its final decision, in accordance with Section 400.180(E) of the Code of the City of Ellisville, Missouri. The Planning and Zoning Commission, in its role as the City’s primary land use advisory board, reviewed Petition #25-01-01: Petition of 510 Old State, LLC for: (1) rezoning of the property known and numbered as 510 Old State Road from “R-1” Single-Family Residential Zoning District to “R-2” Planned Residential Zoning District; and (2) approving a site development plan and subdivision plat to allow 22 lots.

The Planning and Zoning Commission held an open meeting on January 9, 2025 and discussed the following comments and concerns:

- The density of the project and size of the homes. The petitioner responded the homes would measure 1600 ft.<sup>2</sup> to 3300 ft.<sup>2</sup> and density would remain the same as the prior iteration at 3.58 units per acre.
- Questions about the proposed language in the home-buyer’s noise disclosure. The petitioner stated the disclosures will use the sample language found in McBride’s disclosure to Amber Trail subdivision home-buyers and any additional language desired by the city.
- Questions about proposed trees and fencing. The petitioner indicated proposed evergreens will measure 4 to 5 feet in height and the fencing will be 6 feet in height.
- Details regarding the dead-end street. The petitioner referred back to the site plan and indicated the street would feature a hammerhead turnaround.

- Whether the required setbacks for the R1 residential zoning district were the same as the required setbacks for the R2 planned residential zoning district. City Planner Hood indicated no and added that generally the setbacks approved in an R2 planned residential zoning district are less than those required for the R1 zoning district.
- How many cars could be accommodated on the driveway. The petitioner responded up to four cars on the homes with a two-car garage and up to six cars on the homes with a three-car garage.
- Questions about the width of the sidewalk. City planner Hood responded that the city requires a 5-foot wide sidewalk.
- Questions regarding staff recommendations. City planner Hood responded it was up to the planning and zoning commission to determine which recommendations to include.
- Questions about the height of the fences along old State Road. The petitioner indicated the fences along old State Road would be 4 feet in height and were intended to protect kids from running onto old State Road. He added that the homes sit 25 feet off of old State Road and that they will install a 5-foot sidewalk along Old State Road, the entire entirety of their frontage.
- Clarity on whether cars parked on the driveways would overhang onto the sidewalk. The petitioner indicated the driveways would be 20 feet and length.
- Questions regarding parking on the street. City planner Hood responded that Metro West Fire Protection District would determine on street parking.

The following comments were made by the public:

- Mike Hummel (16066 Pierside Lane): Praised Metropolitan Forestry Services as a good neighbor and expressed confidence in Sean Petitioner Flowers as a developer.
- Dan Kristi (502 Old State Rd.): As the property owner of Metropolitan Forestry Services, he expressed strong opposition to the project, citing concerns about tree loss, increased stormwater runoff, and the potential for increased commercial traffic.
- Nathan Mueller (729 Summer Oak Drive): Raised concerns about the safety of children walking to school due to the reduction of Old State Road to two lanes at this location.
- Matt Hargrave (502 Old State Rd.): Advocated for a high-impact buffer between Metropolitan Forestry Services and the subject property, citing concerns about noise and visual impacts.
- Megan Hargrave (502 Old State Rd.): Megan Hargrave disputed the petitioner's decibel readings, stating that they were taken during periods of reduced activity. She also emphasized the significant noise and traffic increases during certain periods of the year.
- James Vanek (708 Lakeshore Manor Court): Representing "Citizens for a Safer Old State Road," he emphasized concerns about traffic congestion and the lack of a designated left-turn lane.
- Bill Ziegler (16053 Kerryton Place): Emphasized the importance of adhering to existing setback requirements and expressed concerns about the proposed lot density.
- Chris Zimmer (owner of 510 Old State Rd.): Stated that he had been a good neighbor and never complained about Metropolitan Forestry Services' operations. He also noted that Metropolitan Forestry Services had been given the first option to purchase the property but did not match the petitioner's offer.

- Jim Rocca (1547 Virginia): Emphasized the importance of trees and expressed concerns about the adequacy of two trees per lot and the suitability of arborvitae. He also advocated for a disclosure signed by residents on both sides of the street.
- James Mazzola (580 Autumn Bluff Drive): Expressed concerns about traffic during school hours, citing a past accident. He questioned the waiver process for setbacks and expressed concerns that new residents would be misled.

On January 8, 2025 the Planning and Zoning Commission duly-adopted a motion to forward a favorable recommendation to the City Council of the aforementioned Petition #25-01-01, with the following conditions:

1. That the applicant secures approval from Metropolitan Forestry Service's (MFS) for the driveway relocation on MFS' property 10' to the north from its current location; and
2. That the applicant secures approval from MFS to install an appropriate tree buffer to mitigate/reduce noise and visual impacts within the aforementioned 10', subject to the City's third-party landscape architect's approval; and
3. Alternatively, if MFS does not approve the driveway relocation and tree buffer installation (as described in Recommendations #1-2), staff recommends the following alternatives:
  - a. Reduced Lot Depth: Reduce the lot depth by 10-feet for lots 12-22.
  - b. Common Ground Strip: Create a 10-foot common ground strip along the northern property line of these lots.
  - c. Reduced Setbacks: Reduce the proposed setbacks from the currently proposed 20 feet to 10 feet for lots 12-22.
  - d. Install an appropriate tree buffer, subject to approval by the City's third-party landscape architect.
4. That the applicant agrees to include an addendum to the sale contract for each lot notifying each buyer of the noise potential (see example); and
5. That all sidewalks measure 5' in width; and
6. That the applicant secures approval from the Metropolitan St. Louis Sewer District including sewer easements, water quality features and associated maintenance agreements, etc.; and
7. That the applicant aligns Marion's Way with the full access driveway across Old State; and
8. That the applicant obtains a land disturbance permit, including SWMPP, from the Missouri Department of Natural Resources; and
9. That the applicant prepares and submits a landscape plan, including woodland preservation, subject to the approval by the City's third-party landscape architect as part of the permit review process; and
10. That the applicant prepares and submits a photometric plan for staff review and approval as part of the permit review process; and
11. That all street lighting be per City of Ellisville requirements; and
12. That the applicant prepares and submits a final plat for staff review and approval as part of the permit review process; and
13. That the residential subdivision indentures/by-laws be submitted to the City Attorney for review and approval prior to residential building permit issuance; and
14. That all storm water outfall structures feature an aesthetically appealing surface/skin; and
15. That the petitioner files a surety bond or escrow cash or an equivalent in the amount of equal to one hundred (100) percent of the estimated cost of construction of the development improvements; and

- 16. That the applicant secures approval from Metro West Fire Protection District; and
- 17. That the applicant secures approval from St. Louis County; and
- 18. That the petitioner complies with all applicable Codes as part of building permit issuance.

<u>Vote Call</u>	<u>Aye</u>	<u>Abstain</u>	<u>Nay</u>	<u>Absent</u>
Mike Becker .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nancy Bengtson .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sandie McGrath .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mindy Kelley.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Julie Smith.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Stuart.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Foster.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kameron Lawson.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Scatizzi .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Pursuant to Operation Rules and Procedures Article I, Section 6, approval by the Commission shall require the affirmative vote of at least five (5) members of the Commission. As five affirmative votes were received, the motion passes and the Commission forwards a positive recommendation.

Sincerely,


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MIKE BECKER, Chair



# Memo

To: Bill Schwer, City Manager

From: Ada Hood, City Planner 

Meeting

Date: January 15, 2025

Re: Petition of 510 Old State, LLC for: (1) rezoning of the property known and numbered as 510 Old State Road (including 510A Old State Road) from "R-1" Single-Family Residential Zoning District to "R-2" Planned Residential Zoning District; and (2) approving a site development plan and subdivision plat to allow 22 lots.

## BACKGROUND/SUMMARY

The proposed project is as follows:

Address	Original Proposal	Current Proposal
<b>Gross Area:</b>	6.13 acres	6.13 acres
<b>Current Zoning</b>	R-1 Single Family Residential Zoning District	R-1 Single Family Residential Zoning District
<b>Proposed Zoning</b>	R-2 Planned Residential Zoning District	R-2 Planned Residential Zoning District
<b>No. Lots</b>	22	22
<b>Proposed Lot Size</b>	5,910 SF-8,632 SF	5,910 SF-8,632 SF
<b>Proposed Setbacks</b>	FY: 20' SY: 5' RY: 10'	FY: 20' SY: 5' RY: 20'
<b>Proposed Density</b>	3.58 lots/acre	3.58 lots/acre
<b>Proposed Common Ground</b>	2.25 acres	2.25 acres

<b>Existing Tree Canopy</b>	3.7 acres	3.7 acres
<b>Proposed Tree Canopy</b>	1.4 acres (37%)	1.4 acres (37%)
<b>Proposed Clearing</b>	2.3 acres (63%)	2.3 acres (63%)

COMPREHENSIVE PLAN

As per the adopted Comprehensive Plan, the subject site is designated for Mixed Use, as follows:

**Mixed-Use**

**Mixed-Use areas will primarily consist of walkable development or redevelopment where dense residential and small-scale retail, commercial, or institution uses support each other. Development can include horizontal (low-rise; 1 to 2 stories) or vertical (mid-rise; 3 to 4 stories) mixed-use patterns. Mixed-Use areas provide pedestrian and bicycle connections to the commercial area and should emphasize opportunities for gathering in green or open spaces. Parking is less prominent than pedestrian features.**

**Density: maximum of forty-five dwelling units per acre (45 DU/acre)**

**Additional Approved Uses: schools, churches, government buildings, parks, and similar institution and recreation uses commonly found in residential or commercial areas; multi-family residential use is allowed and encouraged**

**Associated Zoning: C-5 (Planned Commercial)**

The abutting property features a commercial tree removal and mulching company.

REZONING/R-2 PLANNED RESIDENTIAL

The subject site measures 6.13 acres in size. The applicant is proposing to rezone the property to R-2 Planned Residential Zoning District.

The Zoning Code requires the following area regulations within the R-2 Planned Residential Zoning District:

- *Floor area (excluding basement).* One thousand five hundred (1,500) square feet minimum
- *Maximum height.* Two and one-half (2½) stories or thirty-five (35) feet, excluding basements.
- *Setbacks.* See Section **400.210(F)**, or as may be approved by the City Council.

The applicant must comply with the minimum floor area and maximum height restrictions. The minimum home size will be 1,500 SF minimum in compliance with the code. The building height will range from one to two story units with a maximum height of 35 feet.

The applicant is requesting the City Council approve setbacks as follows:

Front Yard – 20 feet minimum

Side Yard- 5 feet minimum

Rear Yard – 20 feet minimum

## SITE DEVELOPMENT PLAN

The applicant is proposing single family homes and will comply with the 1,500 SF minimum square footage. The project will consist of 22 lots total and feature a new public street, Marion's Way, which will access off Old State Road. The street pavement will measure 26' in width on a 40' right-of-way. As per Section 405.310, the City Council is authorized to approve the reduced right of way width of 40'. The plans show a typical pavement section which annotates a new 4' wide sidewalk. However, a 5' wide sidewalk is required for all new developments.

Each home will feature a two-car garage, minimum, as required by Code. A fence is proposed abutting the commercial use. The applicant is also proposing a 4' high fence along Old State Road.

The applicant agrees to comply with all landscape requirements and street lighting requirements. The applicant requests to submit a landscape plan and a lighting plan as part of the permit process.

## SUBDIVISION

The applicant is proposing to subdivide the subject site to create 22 lots. The City Council is authorized to approve the subdivision plat as proposed under the R-2 Planned Residential Zoning District designation.

The applicant has been made aware that they need to obtain approval from the Metropolitan St. Louis Sewer District including sewer easements, water quality features and associated maintenance agreements, and to obtain a land disturbance permit, including SWMPP, from the Missouri Department of Natural Resources.

## LANDSCAPE

The applicant is proposing to submit a landscape plan as part of the permit review process.

## TRAFFIC

The City's third-party Traffic Consultant has reviewed the site plan and determined a traffic impact report is not triggered nor necessary due to the low volume use. Her comments are as follows:

- From a trip generation perspective, no concerns as 22 SFH would generate 25 or less peak hour trips during the AM or PM commuter hours.
- There doesn't appear to be any sight distance issues along this stretch of Old State Road.
- Proposed access location satisfies spacing requirements with regards to Kerryton Place Drive. I do recommend, and can't tell from the SDP, that they align with the full access driveway across Old State from them.
- No other comments.

## PLANNING AND ZONING COMMISSION: DECEMBER 11, 2024 PUBLIC HEARING

Based on comments received during the Planning and Zoning Commission and City Council public hearings, staff is recommending that the applicant agrees to include an addendum to the sale contract for each lot notifying each buyer of the noise potential. An example used for Amber Trails Subdivision is included.

The Planning and Zoning Commission consists of nine (9) members and five (5) positive votes are required to forward a favorable recommendation on any proposed project. For the December 11<sup>th</sup> meeting, three (3) of the nine (9) members notified me they were not available to attend the meeting due to work or medical conflicts. Therefore, one third of the members were absent resulting in added difficulty attaining the five (5) requisite votes. The Commission voted 4 to 2 in favor of the proposed project, but as the five (5) requisite votes were not secured, a negative recommendation is forwarded by the Commission.

#### CITY COUNCIL: DECEMBER 18, 2024 PUBLIC HEARING

The petitioner requested to be sent back to the Planning and Zoning Commission to amend the plan to address neighbors' concerns and be considered by the full Commission. The City Council voted to refer the project back to the Planning and Zoning Commission January 8, 2025 meeting date.

#### PLANNING AND ZONING COMMISSION: JANUARY 8, 2025 MEETING

The Planning and Zoning Commission held an open meeting on January 8th to discuss the project. This meeting had a larger number of commissioners in attendance compared to the meeting held on December 11, 2024.

The Commission's Report and Recommendation is attached for your review. The Commission voted 6-2 in favor of the project.

#### CURRENT CHANGES

The applicant has revised the development plan to address neighbors' concerns. The applicant has submitted a list of the changes and his letter is attached for your review. Staff believes the proposed changes are a significant improvement to the overall development and will enhance noise and visual buffering. One of the proposed changes is contingent on Metropolitan Forestry Service allowing changes on their property, as follows:

- Increased Rear Yard Setbacks: The minimum rear yard setback has been increased from 10 feet to 20 feet for all lots.
- Metropolitan Forestry Service (MFS) Driveway Relocation: The applicant has proposed relocating the existing driveway 10 feet northwards on MFS' property, creating an additional 10-foot buffer. The City has received a copy of the response from MFS regarding this proposal and it is attached for your review.

Staff believes that a combination of increased rear yard setbacks and the driveway relocation offers a more effective noise buffer than a sound barrier wall. This solution is particularly beneficial if MFS approves the relocation and allows the installation of appropriate trees along the buffer zone (on MFS's property) to further mitigate noise and visual impacts.

#### Alternative Solution:

If MFS does not approve the driveway relocation and tree buffer installation, staff recommends the following alternative:

- Reduced Lot Depth: Reduce the lot depth by 10-feet for lots 12-22.
- Common Ground Strip: Create a 10-foot common ground strip along the northern property line of these lots.

- Reduced Setbacks: Reduce the proposed setbacks from the currently proposed 20 feet to 10 feet for lots 12-22.
- Install an appropriate tree buffer, subject to approval by the City's third-party landscape architect.

This alternative solution aims to provide adequate noise and visual buffering while accommodating the project within the constraints of MFS's potential response.

### **RECOMMENDATION**

Staff recommends that the City Council continues the public hearing, solicits public input and includes the following conditions as part of any favorable recommendation:

1. That the applicant secures approval from MFS for the driveway relocation on MFS' property 10' to the north from its current location; and
2. That the applicant secures approval from MFS to install an appropriate tree buffer to mitigate/reduce noise and visual impacts within the aforementioned 10', subject to the City's third-party landscape architect's approval; and
3. Alternatively, if MFS does not approve the driveway relocation and tree buffer installation (as described in Recommendations #1-2), staff recommends the following alternatives:
  - a. Reduced Lot Depth: Reduce the lot depth by 10-feet for lots 12-22.
  - b. Common Ground Strip: Create a 10-foot common ground strip along the northern property line of these lots.
  - c. Reduced Setbacks: Reduce the proposed setbacks from the currently proposed 20 feet to 10 feet for lots 12-22.
  - d. Install an appropriate tree buffer, subject to approval by the City's third-party landscape architect.
4. That the applicant agrees to include an addendum to the sale contract for each lot notifying each buyer of the noise potential (see example); and
5. That all sidewalks measure 5' in width; and
6. That the applicant secures approval from the Metropolitan St. Louis Sewer District including sewer easements, water quality features and associated maintenance agreements, etc.; and
7. That the applicant aligns Marion's Way with the full access driveway across Old State; and
8. That the applicant obtains a land disturbance permit, including SWMPP, from the Missouri Department of Natural Resources; and
9. That the applicant prepares and submits a landscape plan, including woodland preservation, subject to the approval by the City's third-party landscape architect as part of the permit review process; and
10. That the applicant prepares and submits a photometric plan for staff review and approval as part of the permit review process; and
11. That all street lighting be per City of Ellisville requirements; and
12. That the applicant prepares and submits a final plat for staff review and approval as part of the permit review process; and

13. That the residential subdivision indentures/by-laws be submitted to the City Attorney for review and approval prior to residential building permit issuance; and
14. That all storm water outfall structures feature an aesthetically appealing surface/skin; and
15. That the petitioner files a surety bond or escrow cash or an equivalent in the amount of equal to one hundred (100) percent of the estimated cost of construction of the development improvements; and
16. That the applicant secures approval from Metro West Fire Protection District; and
17. That the applicant secures approval from St. Louis County; and
18. That the petitioner complies with all applicable Codes as part of building permit issuance.

## Ada Hood

---

**From:** Sean Flower <seanf@flowerandfendler.com> on behalf of Sean Flower  
**Sent:** Monday, December 30, 2024 4:51 PM  
**To:** Meggan Hargrave  
**Cc:** Ada Hood; Chris Zimmer  
**Subject:** Napoli Estates  
**Attachments:** 502 Relocated Gravel Drive Proposal.pdf; Letter to MF 12-31-24.pdf

Hi Meggan,

Attached is a letter with an update on our Napoli Estates project. I wanted to give you information on what we changed.

I am also providing you with a no cost proposal which could also help decrease your concerns on the sound issue.

Please take a look at the attached letter and drawing, and let me know if you'd like to discuss further.

Just as a heads up I copied Ada at the city and Chris Zimmer so they could see what I was proposing.

Thanks

Sean Flower  
President  
Flower & Fendler Homes  
seanf@flowerandfendler.com  
314-596-2587 W

# FLOWER & FENDLER HOMES

December 30, 2024

Via email only to: [mfs@metropolitanforestry.com](mailto:mfs@metropolitanforestry.com)

Ms. Meggan Hargrave  
Municipal Forestry  
502 Old State Road  
Ellisville, Missouri 63011

Re: *Proposed Napoli Estates Subdivision*

Dear Ms. Hargrave:

We are planning on presenting our updated plans for Napoli Estates at the upcoming Ellisville Planning and Zoning meeting. We acknowledge that you have expressed concern about our project at the public hearings, and we wanted to make you aware of changes we have made to the project that impact you, as well as provide you with an additional proposal.

The current steps we are taking to buffer our project from you are: (1) 20' lot set backs (we increased this from 10' to 20'), (2) The 6' tall privacy fence will extend behind lots 12-22 (prior lots 13 and 14 had no fence), (3) We put two trees per lot in the backyard of each home, and (4) we will provide a disclosure that each new buyer has to sign prior to contract so they are next to a commercial operation. We believe our homeowners will be fully satisfied with this, and that no further barrier is necessary, but we wanted to try and take another step to put you at ease with our project.

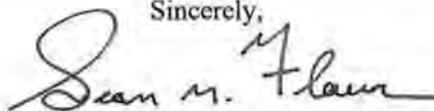
We propose the following:

You have a gravel service drive that is directly on the property line you share with 510 Old State Road. This road is what you seemed most concerned about at the hearing. We propose to relocate your gravel road as it runs between lots 14-17 such that it would be 10' from the property line. We would assist with moving the stacked trees on your site and grind them up and mulch them in coordination with the development our of site if that is helpful to you. We would do this proposal at no cost to you and would coordinate the work so as not to interfere with any of your business operations.

Please review the attached drawing of this proposal and let me know if we could meet to discuss. I met with the Kerryton Homeowner's Association, and we worked well together. I hope that you will work with us to try and provide the additional space you desire, while at the same time allowing Chris Zimmer to move forward with his sale of the property.

You can reach me at either at **314-486-0596**, or [seanf@flowerandfendler.com](mailto:seanf@flowerandfendler.com).

Sincerely,



Sean M. Flower, President

PO Box 270255 St. Louis, Missouri 63127  
Phone: 314.486.0596 Fax: 314.667.3174 Email: [seanf@flowerandfendler.com](mailto:seanf@flowerandfendler.com)



**Ada Hood**

---

**From:** Sean Flower <seanf@flowerandfendler.com> on behalf of Sean Flower  
**Sent:** Wednesday, January 8, 2025 3:51 PM  
**To:** Ada Hood  
**Subject:** Fwd: RE: Napoli Estates

FYI received this response just now.

Sean Flower  
President  
Flower & Fendler Homes  
seanf@flowerandfendler.com  
314-596-2587 W

----- Forwarded message -----

**From:** Meggan Hargrave <MHargrave@metropolitanforestry.com>  
**Date:** Jan 8, 2025 at 3:42 PM -0600  
**To:** Sean Flower <seanf@flowerandfendler.com>  
**Subject:** RE: Napoli Estates

Mr. Flowers,

We appreciate you sending this over. We have viewed your documents. The proposal does not eliminate our concerns or change our position on an appropriate buffer being installed.



**Meggan Hargrave**

ISA Board Certified Master Arborist #MW-5389B

Certified Treecare Safety Professional - CTSP#02987

Tree Risk Assessment Qualified

Office: 636.394.6597 | Cell: 314.482.0766 | Fax: 636.394.8930

[www.metro-forestry.com](http://www.metro-forestry.com)



## Ada Hood

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**From:** Deborah Loso <drloso@charter.net> on behalf of Deborah Loso  
**Sent:** Wednesday, January 8, 2025 5:49 PM  
**To:** ahood@ellisville.mo.us  
**Cc:** Sean Flower, Flower & Fendler Homes; Mike Tracy; William(Bill) Ziegler  
**Subject:** 510 old State Road

I am Debbie Loso. I live at 16000 Kerryton Place Drive. I am a board member of the HOA of Kerryton Place Villas.

At the First Planning and Zoning meeting on December 11, 2024, I spoke about some concerns our community had regarding this proposed development. They consisted of stormwater runoff, setback decreases particularly as it applies to the rear yard and the current landscape buffer between the two properties.

On Friday, December 13, 2024, myself and another of the trustees, Mike Tracy, met with Sean Flower and Chris Zimmer at the 510 Old State property. Sean presented some changes he would make to the plans to address those issues. We appreciate he quickly came back to us with some changes to address our concerns.

We spoke with most of the residents backing up to 510 Old State. While all would like to see nothing change they also recognize this property will be sold and some type of development will take place. The hope is that when that happens the City of Ellisville ensures an adequate buffer and compatibility with the existing residential community to the south.

Thank you.

Debbie Loso, Trustee  
Kerryton Place Villas  
[drloso@charter.net](mailto:drloso@charter.net)  
314-623-3650

## Ada Hood

---

**Subject:** FW: Napoli Estates

-----Original Message-----

From: bilzigkelpe@gmail.com <bilzigkelpe@gmail.com>

Sent: Wednesday, January 8, 2025 1:00 PM

To: Idohack@ellisville.mo.us

Subject: Napoli Estates

Good afternoon Leigh

I wanted to speak tonight in opposition to the Napoli Estates proposal. I was informed by Ada Hood that is not an option during tonight's meeting.

I'm forwarding my response as directed by Ada.

Thank you

Bill Ziegler

(314)581-5308

Submitted by Matt Hargrave at the January 8, 2025 PZ meeting



Figure 22: Landscape Buffer Requirement Matrix

**Legend**

- NA: Landscape Buffer Not Required
- L: Low Impact Landscape Buffer Required
- M: Medium Impact Landscape Buffer Required
- H: High Impact Landscape Buffer Required

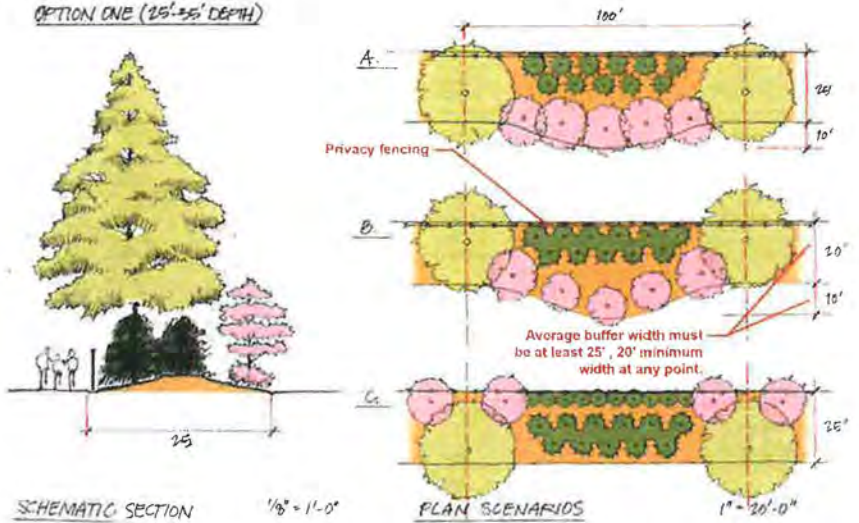
LAND USES	LAND USES				
	Single-Family Residential Uses*	Multi-Family Residential & Retirement Living Uses	Low-Intensity Commercial & Institutional/School Uses	High-Intensity Commercial Uses	Industrial / Business Park Uses
Single-Family Residential Uses*	L	M	M	H	H
Multi-Family Residential & Retirement Living Uses	M	L	M	M	H
Low-Intensity Commercial & Institutional/School Uses	M	M	NA	L	M
High-Intensity Commercial Uses	H	M	L	NA	M
Industrial / Business Park Uses	H	H	M	M	NA

\*Low Impact Landscape Buffer required, between single family subdivisions that vary more than fifty percent (50%) in lot size.

Figure 23: High Impact Buffer - Option One

- (a) High Impact Buffer Requirements - Option 1
- [1] Minimum Depth: 25'
  - [2] Fence Required: Yes, 6' min. Height Privacy fence
  - [3] Canopy Trees: 1 per 40 lineal ft. of buffer
  - [4] Ornamental Trees: 1 per 60 lineal ft. of buffer
  - [5] Lg. Evergreen Trees: NA
  - [6] Evergreen Shrubs: 1 per 10 lineal ft. of buffer, Min. 6' Mature Height

HIGH IMPACT BUFFER. OPTION ONE (25'-25' DEPTH)



**Legend**

- CANOPY TREES
- EVERGREEN SHRUBS
- LARGE EVERGREEN TREES
- NATIVE PLANTING AREA
- ORNAMENTAL TREES

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**ADDENDUM TO REAL ESTATE SALE CONTRACT  
DISCLOSURE**

Purchaser(s): \_\_\_\_\_ Subdivision: \_\_\_\_\_  
Phone: \_\_\_\_\_ (H) \_\_\_\_\_ (W) Lot No.: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Residence \_\_\_\_\_  
Contract dated: \_\_\_\_\_ (the "Contract")

Capitalized words and phrases used in this Addendum shall be given the same meaning ascribed to such words and phrases in the Contract unless a specific meaning is ascribed herein. The provisions of this Addendum are hereby incorporated in and made a part of the Contract.

**Traffic/Noise:**

Seller is providing the following disclosure to each homeowner at \_\_\_\_\_ pursuant to the City of Ellisville Ordinance No. \_\_\_\_\_

"There is significant commercial delivery traffic and associated noise on both the north and the south side of the development; and

There is no time restriction on nearby commercial or industrial traffic; and

Buffers from industrial uses are not as large as in other areas."

By signature below, Purchaser acknowledges its understanding of the terms, conditions and restrictions described above.

**Purchaser:**

\_\_\_\_\_  
Purchaser Date: \_\_\_\_\_

**Seller:**

\_\_\_\_\_  
Missouri United Liability Company

By: \_\_\_\_\_

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# City of Ellisville

One Weis Avenue  
Ellisville, MO 63011  
(636) 227-9660 FAX: (636) 227-9486

rec. 11-22-24  
pd. #1960  
clerk #18715

## APPLICATION COVER SHEET

(please type or print)

ALL APPLICABLE SECTIONS OF APPLICATION MUST BE COMPLETE  
AND CONSISTENT WITH SUBMITTED MATERIALS

Property Address: **510 OLD STATE ROAD**  
Project Description: **PROPOSED SINGLE FAMILY RESIDENTIAL SUBDIVISION**  
Project Name: **NAPOLI ESTATES**

### PART A: PARTIES IN INTEREST

The full legal name of each party listed below (partnership, corporation, etc.) is required for review of the application(s). Having different individuals represent an Applicant at different meetings during the review process may result in unnecessary confusion and delay. Consequently, in the interest of promoting clarity, consistency, and expediency, the City requests all Applicants, at the time of filing their Application, to identify a primary or principal **APPLICANT** (either attorney or non-attorney; corporations should see Notice below) who can be expected to attend each of the meetings during the Petition review process.

**Notice to Applicants:** In matters which qualify as contested cases under Section 536.010(2) R.S.Mo. corporations may not be represented by non-attorneys when the Council sits as an administrative tribunal. Non-attorney representation in such matters may constitute the practice of law under Section 484.010 R.S.Mo. All Applicants are cautioned to consult with an attorney prior to undertaking non-attorney representation.

Name and Title of **APPLICANT**: 510 Old State, LLC  
Address: PO Box 270255, St. Louis, MO 63127

Phone Number: 314-486-0596 Email: seanf@flowerandfendler.com

Name of Business Owner(s) - if different than above: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Name of Property Owner(s) - if different than above: Christopher Zimmer  
Address: 510 Old State Road, Ellisville, MO 63038

Phone Number: 314-608-7764 Email: czimmer1966@yahoo.com

Name of Architect, Landscape Architect, Planner or Engineer: Sterling Engineering  
Address: 5055 New Baumgartner Road, St. Louis, MO

Phone Number: 314-487-0440 Email: mfalkner@sterling-eng-sur.com

### PART B: SITE DESCRIPTION

Legal Address of Property: **510 : OLD STATE ROAD** Locator No.: **24U620503 & 24U620512**

Lot No.: \_\_\_\_\_ Block No.: \_\_\_\_\_ Current Zoning: **R-1**

Current Use of Site: **SINGLE FAMILY RESIDENTIAL**

Proposed Use of Site: **SINGLE FAMILY RESIDENTIAL**

Revised: June 2, 2020

**PART C: PART A: COST/BENEFIT DATA** (ALL INFORMATION PROVIDED WILL BECOME A MATTER OF PUBLIC RECORD)

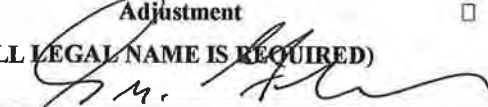

Description	Quantity	
	Existing	Proposed
Property value:		
Property tax to the City:		
Property tax to the School District:		
Property tax to the Fire District:		
Adjacent property values:		
Retail sales tax generated:		
Maintenance cost to the City (new street/trail/park maintenance, additional police services, trash/recycle service):		

Type of business:	# similar businesses already existing in the City:
Does the project compete with other existing uses in the City:	To what degree (qualitative and quantitative):
Will project result in loss of retail sales tax revenue from other businesses in the City?	Project potential loss:

**PART D: APPLICATIONS FILED** (Check the applications you will submit. A Letter addressed to the City must be submitted. The letter should completely describe who, what, why, where, when, etc.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> Rezoning                 | <input checked="" type="checkbox"/> Subdivision Plat |
| <input type="checkbox"/> Site Plan              | <input type="checkbox"/> Text Amendment                      | <input type="checkbox"/> Lot Consolidation Plat      |
| <input type="checkbox"/> Architectural Review   | <input checked="" type="checkbox"/> Planned Development      | <input type="checkbox"/> Boundary Adjustment Plat    |
| <input type="checkbox"/> Other: _____           | <input type="checkbox"/> Variance to the Board of Adjustment | <input type="checkbox"/> Condominium Plat            |

**PART E: AUTHORIZATION (FULL LEGAL NAME IS REQUIRED)**

Signature of Applicant (Required):  Date: 11/19/24  
 PRINT NAME: SEAN FLOWAN Title/Interest in Property: OWNER UNDER CONTRACT  
 Signature of Property Owner (Required):  Date: \_\_\_\_\_  
 PRINT NAME: CHRISTOPHER ZIMMER Title/Interest in Property: OWNER

# FLOWER & FENDLER HOMES

November 19, 2024

Ms. Ada Hood  
Director of Planning and Community Development  
#1 Weis Avenue  
Ellisville, Missouri 63011

Re: *Proposed Napoli Estates Subdivision*

Dear Director Hood:

Enclosed with this letter is a proposed plan to rezone 510 Old State Road to a R-2 District, as well as the accompanying site plan. The following is a summary of our zoning request:

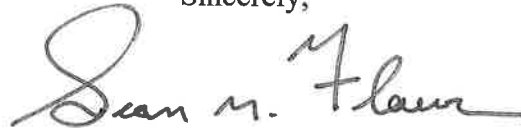
1. The Applicant. 510 Old State, LLC. This is an entity related to Flower & Fendler, Inc. It will purchase and develop the site into lots. Flower & Fendler, Inc. would market, sell, and build the homes on the site.
2. Site Zoning Summary. We propose to rezone the 6.13 acre site from R-1 to R-2 so that we can develop 22 – 5,901 square foot (most common size) single family detached lots. 37% of the existing tree canopy would remain undisturbed.
3. Homes. We intend to build ranch, two story, and 1.5 story homes that range in size from 1,500 SF to 3,600 SF. Two and three car garage options would be available depending on the model selected. The homes would be similar in style to those offered at our recent Ellisville Meadows (located off Ranchmoor Drive). We estimate home prices would be in the \$475,000 – \$650,000 range.
4. Brick Requirement. We are going to propose a variance from the brick ordinance from the ARB for our smaller square footage houses (we are going to propose full brick on the frontage, but adjust the ratio so that side and rear brick is not required).
5. Surrounding Area. We believe our proposal will work well with the surrounding area. The subdivision to the west of our site consists of attached villas, and the site to the east is a commercial tree removal and mulching company. We are going to leave as much of the natural barrier between our site and the villas as possible and are proposing a fence between our site and the commercial.
6. Timing. If approved, we would commence our improvement plans and would hope to complete development of the site by the fall of 2025, and complete home sales by the fall of 2027.

We appreciate your consideration of our proposal. Please let me know if you need any

PO Box 270255 St. Louis, Missouri 63127  
Phone: 314.486.0596 Fax: 314.667.3174 Email: [seanf@flowerandfendler.com](mailto:seanf@flowerandfendler.com)

further information, and I look forward to speaking with you and the planning and zoning commission at our hearing. You can reach me at either at **314-486-0596**, or [seanf@flowerandfendler.com](mailto:seanf@flowerandfendler.com).

Sincerely,

A handwritten signature in black ink that reads "Sean M. Flower". The signature is written in a cursive style with a large initial "S" and a stylized "F".

Sean M. Flower, President



# City of Ellisville

One Weis Avenue  
Ellisville, MO 63011  
(636) 227-9660 FAX: (636) 227-9486

## APPLICATION FOR PLANNED DEVELOPMENT

*(please type or print)*

**ALL APPLICABLE SECTIONS OF APPLICATION MUST BE COMPLETE.  
APPLICATION MUST BE CONSISTENT WITH SUBMITTED MATERIALS.  
PLANS MUST BE SIGNED & SEALED DRAWINGS AND FOLDED TO APPROXIMATELY 8 ½  
x 11 or 8 ½ x 14 IN SIZE. A \$500.00 APPLICATION FEE AND \$50.00 PUBLIC HEARING  
DEPOSIT MUST ACCOMPANY THIS APPLICATION**

**NOTE: IF FILING MULTIPLE APPLICATIONS WHICH REQUIRE A PUBLIC HEARING,  
ONLY SUBMIT ONE FEE (\$50) TO COVER ALL PUBLIC HEARINGS.**

Property Address: 510 Old State Road, Ellisville MO, 63038

Applicant: 510 Old State, LLC

Project Name: Napoli Estates

### PART A: PROPOSED PROJECT

Briefly describe the project and intended use(s) Napoli Estates is a proposed 22 lot single family detached home community.

Please provide a tabulation of how the Total Square Footage in the project breaks down for each intended use. Examples of uses are the principle building, parking, storage, landscaping, deck/patio, or other:

<u>Intended Use</u>	<u>Designated Square Footage of Floor Area</u>	<u>Percentage</u>	<u>Conditional Use or Permitted Use</u>
Private Home Lots	3.09 Acres	50%	
Public Right of Way	.78 Acres	13%	
Common Ground	2.25 Acres	37%	

### PART B: AMENDMENT TO A PLANNED DEVELOPMENT

Briefly describe the project as approved: \_\_\_\_\_

Briefly describe the amendment to the project: \_\_\_\_\_

**PART C: COMPREHENSIVE PLAN AND ZONING**

How does proposed development meet good planning practices, enhance the City and surrounding neighborhood?

The project provides a transition between the multi family residential and commercial properties that border it. It preserves the large majority of trees on the site, and retains intact the area that borders the drainage creek to the East.

How does the proposed development meet the general planning goal of the City and the City's Comprehensive Plan?

The City Comprehensive plan indicates that there is a need for single family homes in the city. This site locations, the lot sizes, and homes to be built will provide residents a much needed and desired home in the City.

How does the development implement the Great Streets Master Plan and the Bikeable Walkable Community Plan?

We will be providing sidewalk along our right away on Old State, and its a walkable development with internal sidewalk.

Give a statement showing how the proposed Planned Development differs from the zoning ordinance:

We are requesting lot size and set back requirements be reduced in order to build on the developable area of the site, retain trees, and provide single family homes in the area.

Explain why this difference from the zoning ordinance is necessary for the project to proceed:

Without the adjustments to the zoning, the site would be very difficult to develop into a subdivision due to its narrow shape.

What aspects of this project make it unusual and desirable enough for the City to allow the flexibility from the zoning ordinance: This property is narrow, so this lot type allows marketable single family homes to be built, and the adjustments also allow us to group these homes on the upper half of the site so that we can avoid development of the rear where the Steep Grade/Trees are.

What, if any, public benefit is the developer willing to provide the City: The development would pay the Park Fee required.

**Adjacent Land Use:**

How is the proposed development compatible with the surrounding neighborhood?

This project would be a transition between the neighboring multi family residential and commercial property both adjacent.

Describe impact on the surrounding neighborhood or the City as a whole?

This provides an opportunity to attract residents that desire single family residential homes to the City.

Describe buffering be provided to protect adjacent land uses from light, noise, etc.?

The tree/brush buffer between our site and the adjacent residential is on the other property and will remain, and we are installing a privacy fence between the commercial adjacent.

How are the operating and delivery hours compatible with the adjacent land use?

Our residential will blend well with the operating and delivery hours in the area.

**Architecture:**

How are the architecture and building materials consistent with a high quality development and adjacent area?

We build with high quality materials, mostly with masonry frontage. We have built in the city, and believe our product is well received.

Describe how the development preserves significant architectural/environmental features of the property.

There is no significant architectural feature on the property. We do retain almost all the trees on the site.

Describe how the development preserves the designated historical features of the property.

There are no historical features of note, but we have named the development and street after the long term owners of the site.

**Landscape:**

Demonstrate how the landscaping is appropriate for the scale of the development and enhances greenspace in the City. We provide landscaping with each home, and try and provide an attractive entrance to our subdivision.

What provisions will be made for care and maintenance of greenspace areas?

An HOA will be established to maintain the common areas of the site.

**Traffic:**

Will street and other means of access to the proposed development be suitable and adequate to any anticipated traffic without overloading the adjacent streets? \_\_\_\_\_

We believe that our development would not overload adjacent streets.

If not, how will this be resolved? \_\_\_\_\_

How does the internal circulation of the proposed development allow for movement of vehicles and pedestrians?

Each home has a driveway, and there is a turn around at the rear of the development.

**Utilities:**

Are the existing or proposed utility services adequate for the proposed development? \_\_\_\_\_

Yes.

**PART D: CRITERIA**

It shall be the responsibility of the applicant to clearly establish that the following criteria are met: (Respond Yes or No).

- No a. Will the character of the neighborhood be negatively affected?
- No b. Will traffic conditions be negatively affected?
- No c. Will the change increase fire hazards?
- No d. Will public utility facilities be negatively affected?
- No e. Will other matters pertaining to the public health, safety and general welfare of the community be negatively affected?

For Planned Residential Developments:

- Yes Will the project create a district suitable for low density, urban low density and medium-density residential developments?
- Yes Will the project feature modern, integrated, imaginative architectural design, site arrangement and City planning?
- Yes Will the project be laid out and developed as a unified development?

For Planned Commercial Developments:

- Are the proposed plans and conditions consistent with good planning practice?
- Is the project compatible with permitted developments and uses in adjoining districts?
- Does the project protect and promote the general welfare?
- Is the project based on guidance from the land use element narrative and land use plan contained in the Ellisville Comprehensive Plan?

**PART E: PERFORMANCE STANDARDS**

All land, buildings and uses must comply with the following performance standards. Other project or use specific factors may be regulated to protect the public health, welfare and safety as well as to protect the character of the neighborhood.

**Vibration.** Will the use be operated so that the maximum ground vibration generated is not perceptible (without instruments) at any point on the lot line of the lot on which the use is located; excluding vehicular traffic unrelated to the subject use?  Yes.

**Noise.** Will the use be operated so that the maximum volume of sound or noise generated does not exceed seventy (70) decibels at any point on the lot line of the lot on which the use is located?  Yes.

**Odor.** Will the use be operated so that no offensive or objectionable odor is perceptible at any point on the lot line of the lot on which the use is located? Yes.

**Smoke.** Will the use be operated so that no smoke from any source is emitted of a greater density than the density described as No. 1 on the Ringelmann Chart as published by the United States Bureau of Mines? Yes.

**Toxic gases.** Will the use be operated so that there is no emission of toxic, noxious or corrosive fumes or gases? Yes.

**Emission.** Emission of dirt, dust, fly ash and other forms of particulate matter. Emission of dirt, dust, fly ash and other forms of particulate matter shall not exceed eighty-five hundredths (85/100) pounds per one thousand (1,000) pounds of gases of which amount not to exceed five-tenths (5/10) pounds per one thousand (1,000) pounds of gases shall be of such size as to be retained on a three hundred twenty-five (325) mesh U.S. Standard Sieve. In the case of emission of fly ash or dust from a stationary furnace or combustion, device these standards shall apply to a condition of fifty (50) percent excess air on the stack at full load, which standards shall be varied in proportion to the deviation of the percentage of excess air from fifty (50) percent. Will the project comply with this standard? Yes.

**Air pollution.** Every form of objectionable odors, smoke, toxic gases, particulate matter such as dirt, dust, fly ash, must be restricted to specific low levels of emissions as set forth in Ord. No. 3347 of St. Louis County Code titled; Air Pollution Control Code, Chapter 612, as amended from time to time. Will the project/use comply with this standard? Yes.

**Radiation.** Every amount of radioactive emissions must be restricted to that considered safe by the Federal Radiation Board Standards, as amended from time to time. Will the use/project comply with this standard? Yes.

**Operations, heat and glare.** Every operation producing intense glare or heat must be enclosed so that they are imperceptible at any lot line without instruments. Will the project/use comply with this standard? Yes.

*Additional Standards applicable to all new restaurants and fast food restaurants, and upon change of ownership of existing restaurants and fast food restaurants, with the exception of Bar B Que Restaurants as defined in Section 30-18: (Ord. #2288, Sect. 2, 11-18-99)*

**Grease extraction efficiency:** Exhaust system shall have grease extraction efficiency of at least 90% as tested by an approved agency. Will the use/project comply with this standard? N/A

**Maintenance:** Equipment shall be maintained at intervals as recommended by the manufacturer and property maintenance performed in accordance with manufacturer's instructions. Will the use/project comply with this standard? N/A

**Cleaning:** Hoods, grease removal devices, fans, ducts and other appurtenances shall be cleaned to bare metal at frequent intervals prior to surfaces becoming heavily contaminated with grease or oily sludge. Will the use/project comply with this standard? N/A.

## PART F: ENVIRONMENTAL STATEMENT

Will the proposed request will not adversely impact the environment? Will not adversely impact the environment.

Has a Phase I Assessment or Phase II Environmental Report/Study been prepared in association with this request? N (Yes or No) If yes, please submit a copy of the report/study with this application.

By filing this application you acknowledge and are aware that the City may require a partial or comprehensive environmental assessment, impact analysis, or report, in conformity with Chapter 415, Environmental Report of the Land Use Regulations, at any time during the application or approval process.

## PART G: PROCESS

1. The City offers all applicants the opportunity to meet with City staff at any time to discuss a project. Please contact the City Planner to schedule a meeting: Ada Hood, [ahood@ellisville.mo.us](mailto:ahood@ellisville.mo.us) or via phone 636-227-9660.

2. The City also offers all applicants the opportunity to meet with the City Council in a Preliminary Conceptual Meeting. The Preliminary Conceptual Meeting is designed to provide the applicant with an opportunity to present a concept to the City Council for initial feedback, before the applicant incurs significant costs for detailed drawings or plans. The meeting is informal and non-binding. There is no cost to schedule a meeting, an applicant need only submit the Preliminary Conceptual Meeting form at least seven (7) days prior to the regularly scheduled City Council meeting date.
3. All requests for Planned Developments must be made by submitting the Application Cover Sheet and the Planned Development Application form, associated fees and plans.
4. To initiate the process, please submit one copy of the application forms and nine (9) copies of the plans for 'staff review.' This initial submittal must be made a minimum of thirty (30) days prior to the Planning and Zoning Commission meeting date. In the case of high traffic uses, where a traffic impact study will be required, the submittal should be made at least forty-five (45) days prior to the Planning and Zoning Commission meeting date. Staff will route the plans to various departments and applicable agencies for their review. Within fifteen (15) days of receipt of submittal, the City Planner shall notify the applicant of any deficiencies or the application shall be accepted for consideration by the Planning and Zoning Commission, unless said timeframe is mutually waived. The applicant must respond to the City Planner's list of deficiencies within seven (7) days to be scheduled at the next Planning and Zoning Commission meeting. Delays in resubmitting will delay consideration of the application to the following month. Applicants must respond to the City Planner's list of deficiencies within thirty (30) days or the application is deemed void, unless such timeframe is mutually waived. The resubmittal should include revised applications and documents, as applicable, and twenty-five (25) sets of plans, folded to approximately 8 ½ x 11 or 8 ½ x 14 in size.
5. The Planning and Zoning Commission shall hold a public hearing. The Planning and Zoning Commission will consider the request and make a recommendation to the Council within sixty (60) days of official submission to the Commission unless said time period is extended by mutual agreement in writing. The failure of the Commission to act within sixty (60) days after the date of official submission to it shall be deemed approved. The "*date of official submission*" shall mean the date of the first (1st) official Planning and Zoning Commission meeting during which the application is received and placed on the agenda for consideration.
6. Upon receipt of the recommendation, the City Council shall hold a public hearing in relation to the request. The City Council may, at its discretion, add to or delete conditions recommended by the Planning and Zoning Commission. The City Council may refer the application back to the Planning and Zoning Commission for further study before making its final decision. The decision rendered by the City Council shall require a simple majority vote except that a vote of at least five (5) members of the City Council will be required to approve any application contrary to the Planning and Zoning Commission recommendation.

**PART H: CHECKLIST**

- \_\_\_\_\_ Completed Application Cover form (only one form is needed per project) and Application for Rezoning
- \_\_\_\_\_ Letter describing the proposed project (who, what, where, when, why, etc)
- \_\_\_\_\_ One fully executed copy of the sale contract or lease agreement, if applicable.
- \_\_\_\_\_ \$800 deposit for Landscape Plan Review, if applicable. Depending on what the actual cost of the third party review, an applicant may be owed a refund or may be billed for additional monies.
- \_\_\_\_\_ \$6,000 deposit for Traffic Report, if applicable. Depending on what the actual cost of the third party review, an applicant may be owed a refund or may be billed for additional monies.
- \_\_\_\_\_ Landscape Plan, Tree Preservation Plan, Street Tree Planting Plan
- \_\_\_\_\_ Landscaping plan must show existing to remain, existing to be removed and proposed new landscaping. Note name, size and number of trees, shrubs and other plant material. Include plans for preserving existing trees and replacing removed trees.

- \_\_\_\_\_ Lighting Plan and Photometric Plan in compliance with Section 400.350. A Sidewalk Luminaire plan in compliance with Section 400.351, if applicable.
- \_\_\_\_\_ Location map, including north arrow and map scale.
- \_\_\_\_\_ Zoning district, subdivision name, lot number, dimensions and area, and zoning of adjacent parcels where different than site.
- \_\_\_\_\_ Proposed use of the building, construction type and distance from adjacent property lines.
- \_\_\_\_\_ Proposed uses. In single lot developments approximate location of buildings and other structures as well as parking areas shall be indicated. In multiple-lot developments, conceptual location and configuration of buildings, approximate locations of common ground areas, major utility easements, and storm water retention areas shall be indicated. Off-street parking spaces, required and proposed, including the number, size, and location of those designated for the handicapped.
- \_\_\_\_\_ Type and availability of all utilities and of sanitary sewage treatment and storm water drainage facilities, including detention and retention ponds.
- \_\_\_\_\_ Dimensions of existing and proposed roadway pavement and right-of-way width for streets abutting the site.
- \_\_\_\_\_ Existing and proposed landscaping, including name and size of plant material.
- \_\_\_\_\_ Approximate location of all isolated trees having a trunk diameter of six (6) inches or more, all tree masses, and proposed landscaping. Existing and proposed landscaping, including name and size of plant material.
- \_\_\_\_\_ Existing and proposed contour lines or elevations based on mean sea level datum, at intervals of five (5) feet or less.
- \_\_\_\_\_ Location and size of existing and proposed freestanding signs.
- \_\_\_\_\_ Location and identification of all right-of-ways and easements (existing and proposed).
- \_\_\_\_\_ Location and height of all light poles and type of lighting and shielding.
- \_\_\_\_\_ Overall dimensions of all buildings and the gross floor area of each building.
- \_\_\_\_\_ Preliminary plan for sanitation and drainage facilities, including location of any storm water drainage facilities, retention or detention facilities, sink holes and springs, silt berms, and other siltation control facilities.
- \_\_\_\_\_ Off-street parking spaces, required and proposed, including the number, size, and location of those designated for the handicapped.
- \_\_\_\_\_ At least two (2) section profiles through the site showing existing and/or proposed structures, as well as existing natural grade and/or proposed final grade.
- \_\_\_\_\_ Proposed ingress and egress to the site, including adjacent streets, and approximate alignments of internal roadway systems.
- \_\_\_\_\_ Demonstration of capacity to fulfill requirements imposed in conjunction with the application if approved in original or amended form.



# City of Ellisville

One Weis Avenue  
Ellisville, MO 63011  
(636) 227-9660 FAX: (636) 227-9486

## APPLICATION FOR SUBDIVISION, LOT CONSOLIDATION, BOUNDARY ADJUSTMENT OR CONDOMINIUM PLAT

*(please type or print)*

**ALL APPLICABLE SECTIONS OF APPLICATION MUST BE COMPLETE.  
APPLICATION MUST BE CONSISTENT WITH SUBMITTED MATERIALS.  
PLANS MUST BE FOLDED TO APPROXIMATELY 8 1/2 x 11 or 8 1/2 x 14 IN SIZE. A \$400.00  
APPLICATION FEE MUST ACCOMPANY THIS APPLICATION**

Property Address: 510 Old State Road, Ellisville, MO 63088

Applicant: 510 Old State, LLC

Project Name: Napoli Estates

### PART A: LOT INFORMATION

#### EXISTING LOT

Lot size: 6.12 Acres  
Topography: Flat to a steep wooded grade to creek  
Existing Zoning: R-1

#### PROPOSED LOT

No. Lots: 22 Lot Size(s): 5,900 SF on average  
Topography: Same

Water features/creeks/wetland and stormwater detention

Existing: Creek at the East end of the site.

Proposed: Will not be impacted.

Layout of streets, right of way widths and street names:

Existing: One gravel driveway.

Proposed: One 26' wide paved street, see plan for street name and layout.

Location and width of pedestrian ways and easements:

Existing: none.

Proposed: Sidewalks for pedestrians.

Location of all utilities:

Existing: All on site, not all connected.

Proposed: All normal subdivision utilities will be provided at the site.



**PART F: STORM WATER QUALITY PROTECTION STANDARDS:**

All development and redevelopment must comply with storm water quality protection standards. To the maximum extent feasible, the development plan should preserve and/or protect existing natural resource areas that facilitate pollutant removal and reduce runoff.

1. As proposed, has land disturbance been minimized to the maximum extent feasible? Yes.
2. Can additional greenspace be preserved within the project boundary? No.
3. Can the proposed development be located in already developed areas? No.
4. Has stormwater been captured and infiltrated into the ground as part of the project? Yes.
5. Has stormwater been captured and reused for irrigation or décor as part of the project? If not, why not? No, but homeowners may do this on their lots if they desire.
6. Have permeable surface materials been used to promote infiltration and limit runoff? No.
7. Can land disturbance be restricted to less sensitive areas within the project? No.
8. Is the development located outside the 100 year flood plain? No.
9. Is the development located outside the stream bank setback buffer? No.
10. Does the development warrant engineering channel protection controls (because of size or stream bank erosion problems)? No,
11. Does the development plan avoid sensitive areas? Yes.
12. Does the site development plan utilize stormwater credits? No.
13. Does the site development plan show structural BMPs? What is the acreage of drainage to the BMP? Will the BMP be above or below ground? Yes. 3.09 Acres. BMP will be above ground.
14. Who will be responsible for maintaining storm water controls? Are the structural BMP shown on the plan appropriate for the entity or person responsible for maintenance? The Developer initially, then the HOA. Yes.
15. Is over 1 acre of impervious area being added? Yes.
16. Is the development tributary to any existing basins that need to be upgraded? No.

**PART G: CRITERIA**

In addition to the plat requirements, all plats must meet the following criteria as determined by the Planning and Zoning Commission and/or the City Council. Please respond to each criteria. 'Yes' to indicate compliance. 'No' to indicate non-compliance:

- Yes. 1. Is your plat consistent with the Comprehensive Plan?
- Yes. 2. Does your plat feature lot size(s) and density which is consistent with adjacent properties?
- Yes. 3. Are you proposing the creation of a lot or lots, which provide(s) adequate dimensions to construct improvements of similar size and nature to the surrounding area?
- Yes. 4. Are you proposing the creation of a lot which is in compliance with the area and frontage requirements (no flag lots), as specified in Chapter 400, Zoning Regulations, and provides for an orderly pattern of development?
- Yes. 5. Are you proposing the creation of a lot with substantially rectangular dimensions (no irregularly shaped lots)?
- Yes. 6. Are you promoting a creative approach to the use of land and related physical facilities resulting in better site layout and development?
- Yes. 7. Are you preserving and enhancing desirable site characteristics, such as natural topography, vegetation and geologic features and the prevention of soil erosion?

- Yes 8. Are you improving or enhancing water quality?
- Yes. 9. Are you eliminating incompatible land configurations?
- Yes 10. Is your project consist with good planning practices?
- Yes 11. Is your project in compliance with all applicable codes, ordinances, and standards?

**PART H: PROCESS**

1. The City offers all applicants the opportunity to meet with City staff at any time to discuss a project. Please contact the City Planner to schedule a meeting: Ada Hood, [ahood@ellisville.mo.us](mailto:ahood@ellisville.mo.us) or via phone 636-227-9660.
2. The City also offers all applicants the opportunity to meet with the City Council in a Preliminary Conceptual Meeting. The Preliminary Conceptual Meeting is designed to provide the applicant with an opportunity to present a concept to the City Council for initial feedback, before the applicant incurs significant costs for detailed drawings or plans. The meeting is informal and non-binding. There is no cost to schedule a meeting, an applicant need only submit the Preliminary Conceptual Meeting form at least seven (7) days prior to the regularly scheduled City Council meeting date.
3. All requests for Plat approval must be made by submitting the Application Cover Sheet and the Plat Application form, associated fees and plats.
4. To initiate the process, please submit one copy of the application forms and nine (9) copies of the plans for 'staff review.' This initial submittal must be made a minimum of thirty (30) days prior to the Planning and Zoning Commission meeting date. In the case of high traffic uses, where a traffic impact study will be required, the submittal should be made at least forty-five (45) days prior to the Planning and Zoning Commission meeting date. Staff will route the plans to various departments and applicable agencies for their review. Within fifteen (15) days of receipt of submittal, the City Planner shall notify the applicant of any deficiencies or the application shall be accepted for consideration by the Planning and Zoning Commission, unless said timeframe is mutually waived. The applicant must respond to the City Planner's list of deficiencies within seven (7) days to be scheduled at the next Planning and Zoning Commission meeting. Delays in resubmitting will delay consideration of the application to the following month. Applicants must respond to the City Planner's list of deficiencies within thirty (30) days or the application is deemed void, unless such timeframe is mutually waived. The resubmittal should include revised applications and documents, as applicable, and twenty-five (25) sets of plans, folded to approximately 8 ½ x 11 or 8 ½ x 14 in size.
5. The Planning and Zoning Commission will consider the request and make a recommendation to the Council within sixty (60) days of official submission to the Commission unless said time period is extended by mutual agreement in writing. The failure of the Commission to act within sixty (60) days after the date of official submission to it shall be deemed approved. The "date of official submission" shall mean the date of the first (1st) official Planning and Zoning Commission meeting during which the application is received and placed on the agenda for consideration.
6. Upon receipt of the recommendation, the City Council consider the request. The City Council may, at its discretion, add to or delete conditions recommended by the Planning and Zoning Commission. The City Council may refer the application back to the Planning and Zoning Commission for further study before making its final decision. The decision rendered by the City Council shall require a simple majority vote except that a vote of at least five (5) members of the City Council will be required to approve any application contrary to the Planning and Zoning Commission recommendation.

**PART I: CHECKLIST (submit only applicable items)**

- \_\_\_\_\_ Completed Application Cover form (only one form is needed per project)
- \_\_\_\_\_ Letter describing the proposed project (who, what, where, when, why, etc)
- \_\_\_\_\_ \$800 deposit for Landscape Plan Review, if applicable. Depending on what the actual cost of the third party review, an applicant may be owed a refund or may be billed for additional monies.
- \_\_\_\_\_ \$6,000 deposit for Traffic Report, if applicable. Depending on what the actual cost of the third party review,

an applicant may be owed a refund or may be billed for additional monies.

- \_\_\_\_\_ Landscape Plan, Tree Preservation Plan, Street Tree Planting Plan
- \_\_\_\_\_ Existing and proposed landscaping, including name and size of plant material.
- \_\_\_\_\_ Wooded areas indicating Young and Mature Woodlands.
- \_\_\_\_\_ Lighting Plan and Photometric Plan in compliance with Section 400.350. A Sidewalk Luminaire plan in compliance with Section 400.351, if applicable.
- \_\_\_\_\_ Location and height of all light poles and type of lighting and shielding.
- \_\_\_\_\_ Name of subdivision, which name shall not duplicate or be alike in pronunciation of the name of any plat theretofore recorded in the City.
- \_\_\_\_\_ Location by section, town, range or by other legal description and small scale map showing location. Municipal, township and county.
- \_\_\_\_\_ Names and addresses of the owner, subdivider, surveyor and designer of the plat.
- \_\_\_\_\_ North point, graphic scale, date of preparation, total acreage
- \_\_\_\_\_ Property lines, layout of platted streets, location and width of proposed pedestrian ways, utility easements showing right-of-way widths, minimum front and side street building setback lines indicating dimensions, and names of streets.
- \_\_\_\_\_ Areas, other than streets, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such area or areas in acres.
- \_\_\_\_\_ Permanent buildings and other structures, existing sewers, water mains, culverts or other underground facilities.
- \_\_\_\_\_ Topography showing lakes, watercourses, swamp areas and contour at vertical intervals of not more than two (2) feet unless steep terrain enables five-foot contours to adequately portray the land conditions; contour lines shall be shown by means of dashed lines on the preliminary plat and shall be numbered to the United State Geological datum
- \_\_\_\_\_ Layout, numbers and minimum dimensions of lots. Proposed use of all parcels
- \_\_\_\_\_ Whenever a portion of a tract is proposed for platting and it is intended or of a size for future enlargement of such platted portions from time to time, a tentative plat for the future subdivision of the entire tract shall be submitted.
- \_\_\_\_\_ Draft of protective covenants whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.
- \_\_\_\_\_ A grading plan shall be included in the preliminary plat showing existing and proposed contours at intervals sufficient to clearly show the slope of the existing ground surfaces and the extent of the proposed grading. It shall be prepared on a plat showing the subdivision layout as proposed on the final plat, the location and first floor elevation of each building proposed to be built in the subdivision, and all existing trees 2.5 inches caliper and larger and other pertinent site features which could be affected by grading.
- \_\_\_\_\_ If applicable supplemental engineering data may be required by the Commission on (1) water supply (2) sewage disposal (3) drainage (4) flood control (5) soil and test borings (6) grading and street profiles.

- \_\_\_\_\_ True angles and distance tied to the nearest established street lines or official monuments which shall be accurately described in the plat. Complete curve data, including radii, internal angles, tangent bearings, and length of all arcs.
- \_\_\_\_\_ Accurate location of all monuments.
- \_\_\_\_\_ Certification by a registered land surveyor to the effect that the plat represents a survey made by him and that monuments and markers shown thereon exist as located and that all dimensional and geodetic details are correct.
- \_\_\_\_\_ Notarized certification by owner, and by any mortgage holder of record, of the adoption of the plat and the dedication of streets and other public areas in the form approved by the city attorney.



**Vibration.** Will the use be operated so that the maximum ground vibration generated is not perceptible (without instruments) at any point on the lot line of the lot on which the use is located; excluding vehicular traffic unrelated to the subject use? Yes.

**Noise.** Will the use be operated so that the maximum volume of sound or noise generated does not exceed seventy (70) decibels at any point on the lot line of the lot on which the use is located? Yes.

**Odor.** Will the use be operated so that no offensive or objectionable odor is perceptible at any point on the lot line of the lot on which the use is located? Yes.

**Smoke.** Will the use be operated so that no smoke from any source is emitted of a greater density than the density described as No. 1 on the Ringelmann Chart as published by the United States Bureau of Mines? Yes.

**Toxic gases.** Will the use be operated so that there is no emission of toxic, noxious or corrosive fumes or gases? Yes.

**Emission.** Emission of dirt, dust, fly ash and other forms of particulate matter. Emission of dirt, dust, fly ash and other forms of particulate matter shall not exceed eighty-five hundredths (85/100) pounds per one thousand (1,000) pounds of gases of which amount not to exceed five-tenths (5/10) pounds per one thousand (1,000) pounds of gases shall be of such size as to be retained on a three hundred twenty-five (325) mesh U.S. Standard Sieve. In the case of emission of fly ash or dust from a stationary furnace or combustion, device these standards shall apply to a condition of fifty (50) percent excess air on the stack at full load, which standards shall be varied in proportion to the deviation of the percentage of excess air from fifty (50) percent. Will the project comply with this standard? Yes.

**Air pollution.** Every form of objectionable odors, smoke, toxic gases, particulate matter such as dirt, dust, fly ash, must be restricted to specific low levels of emissions as set forth in Ord. No. 3347 of St. Louis County Code titled; Air Pollution Control Code, Chapter 612, as amended from time to time. Will the project/use comply with this standard? Yes.

**Radiation.** Every amount of radioactive emissions must be restricted to that considered safe by the Federal Radiation Board Standards, as amended from time to time. Will the use/project comply with this standard? Yes.

**Operations, heat and glare.** Every operation producing intense glare or heat must be enclosed so that they are imperceptible at any lot line without instruments. Will the project/use comply with this standard? Yes.

*Additional Standards applicable to all new restaurants and fast food restaurants, and upon change of ownership of existing restaurants and fast food restaurants, with the exception of Bar B Que Restaurants as defined in Section 30-18: (Ord. #2288, Sect. 2, 11-18-99)*

**Grease extraction efficiency:** Exhaust system shall have grease extraction efficiency of at least 90% as tested by an approved agency. Will the use/project comply with this standard? \_\_\_\_\_

**Maintenance:** Equipment shall be maintained at intervals as recommended by the manufacturer and property maintenance performed in accordance with manufacturer's instructions. Will the use/project comply with this standard? \_\_\_\_\_

**Cleaning:** Hoods, grease removal devices, fans, ducts and other appurtenances shall be cleaned to bare metal at frequent intervals prior to surfaces becoming heavily contaminated with grease or oily sludge. Will the use/project comply with this standard? \_\_\_\_\_

**PART D: STORM WATER QUALITY PROTECTION STANDARDS:**

All development and redevelopment must comply with storm water quality protection standards. To the maximum extent feasible, the development plan should preserve and/or protect existing natural resource areas that facilitate pollutant removal and reduce runoff.

1. As proposed, has land disturbance been minimized to the maximum extent feasible? Yes.
2. Can additional greenspace be preserved within the project boundary? No.
3. Can the proposed development be located in already developed areas? No.

4. Has stormwater been captured and infiltrated into the ground as part of the project? yes.
5. Has stormwater been captured and reused for irrigation or décor as part of the project? If not, why not? No. That would be an option for individual homeowners.
6. Have permeable surface materials been used to promote infiltration and limit runoff? No.
7. Can land disturbance be restricted to less sensitive areas within the project? No.
8. Is the development located outside the 100 year flood plain? Yes.
9. Is the development located outside the stream bank setback buffer? Yes.
10. Does the development warrant engineering channel protection controls (because of size or stream bank erosion problems)? No.
11. Does the development plan avoid sensitive areas? Yes.
12. Does the site development plan utilize stormwater credits? No.
13. Does the site development plan show structural BMPs? What is the acreage of drainage to the BMP? Will the BMP be above or below ground? Above ground BMP shown on plans.
14. Who will be responsible for maintaining storm water controls? Are the structural BMP shown on the plan appropriate for the entity or person responsible for maintenance? The HOA, which is standard practice.
15. Is over 1 acre of impervious area being added? Yes.
16. Is the development tributary to any existing basins that need to be upgraded? No.

**PART E: ENVIRONMENTAL STATEMENT**

Will the proposed request adversely impact the environment?: No.

Has a Phase I Assessment or Phase II Environmental Report/Study been prepared in association with this request? No. (Yes or No) If yes, please submit a copy of the report/study with this application.

By filing this application you acknowledge and are aware that the City may require a partial or comprehensive environmental assessment, impact analysis, or report, in conformity with Chapter 415, Environmental Report of the Land Use Regulations, at any time during the application or approval process.

**PART F: PROCESS**

1. The City offers all applicants the opportunity to meet with City staff at any time to discuss a project. Please contact the City Planner to schedule a meeting: Ada Hood, [ahood@ellisville.mo.us](mailto:ahood@ellisville.mo.us) or via phone 636-227-9660.
2. The City also offers all applicants the opportunity to meet with the City Council in a Preliminary Conceptual Meeting. The Preliminary Conceptual Meeting is designed to provide the applicant with an opportunity to present a concept to the City Council for initial feedback, before the applicant incurs significant costs for detailed drawings or plans. The meeting is informal and non-binding. There is no cost to schedule a meeting, an applicant need only submit the Preliminary Conceptual Meeting form at least seven (7) days prior to the regularly scheduled City Council meeting date.
3. All requests for Site Plan review must be made by submitting the Application Cover sheet, the Application for Site Plan form, associated fees and plans.
4. To initiate the process, please submit one copy of the application forms and nine (9) copies of the plans for 'staff review.' This initial submittal must be made a minimum of thirty (30) days prior to the Planning and Zoning Commission meeting date. In the case of high traffic uses, where a traffic impact study will be required, the submittal should be made at least forty-five (45) days prior to the Planning and Zoning Commission meeting date. Staff will route the plans to various departments and applicable agencies for their review. Within fifteen (15) days of receipt of submittal, the City Planner shall notify the applicant of any deficiencies or the application shall be accepted for consideration by the Planning and Zoning Commission, unless said timeframe is mutually waived. The applicant must respond to the City Planner's

list of deficiencies within seven (7) days to be scheduled at the next Planning and Zoning Commission meeting. Delays in resubmitting will delay consideration of the application to the following month. Applicants must respond to the City Planner's list of deficiencies within thirty (30) days or the application is deemed void, unless such timeframe is mutually waived. The resubmittal should include revised applications and documents, as applicable, and twenty-five (25) sets of plans, folded to approximately 8 ½ x 11 or 8 ½ x 14 in size.

**PART G: CHECKLIST**

- \_\_\_\_\_ Completed Application Cover form (only one form is needed per project)
- \_\_\_\_\_ Letter describing the proposed project (who, what, where, when, why, etc)
- \_\_\_\_\_ One fully executed copy of the sale contract or lease agreement, if applicable.
- \_\_\_\_\_ \$800 deposit for Landscape Plan Review, if applicable. Depending on what the actual cost of the third party review, an applicant may be owed a refund or may be billed for additional monies.
- \_\_\_\_\_ \$6,000 deposit for Traffic Report, if applicable. Depending on what the actual cost of the third party review, an applicant may be owed a refund or may be billed for additional monies.
- \_\_\_\_\_ Landscape Plan, Tree Preservation Plan, Street Tree Planting Plan
  - \_\_\_\_\_ Landscaping plan must show existing to remain, existing to be removed and proposed new landscaping. Note name, size and number of trees, shrubs and other plant material. Include plans for preserving existing trees and replacing removed trees.
- \_\_\_\_\_ Lighting Plan and Photometric Plan in compliance with Section 400.350. A Sidewalk Luminaire plan in compliance with Section 400.351, if applicable.
  - \_\_\_\_\_ Type, location, height, shielding and degree of brightness of all exterior lighting.
  - \_\_\_\_\_ Boundary Map showing all boundaries, existing setbacks and other physical features.
  - \_\_\_\_\_ Location map showing north arrow.
  - \_\_\_\_\_ Zoning district, subdivision name, lot number, dimensions and area, and zoning of adjacent parcels where different than site.
  - \_\_\_\_\_ Dimensions of existing and proposed roadway pavements, sidewalks and right-of-way width for streets abutting the site. The proposed ingress and egress to the site including adjacent streets.
  - \_\_\_\_\_ Location and identification of all easements (existing and proposed).
  - \_\_\_\_\_ Off-street parking spaces, required and proposed, including the number, size, and location of those designated for the handicapped. Depict loading areas.
  - \_\_\_\_\_ Topographical survey showing all topography and drainage. Existing and proposed contour lines or elevations based on mean sea level datum at intervals of five (5) feet or less. Plan must depict any changes to topography and the natural flow of drainage. Note type, size and location of storm water drainage facilities and sanitary sewage treatment.
  - \_\_\_\_\_ Approximate location of any storm water retention or detention facilities, sink holes and springs, silt berms, and other siltation control facilities.
  - \_\_\_\_\_ Location, dimension, and character of all proposed infrastructure improvements.
  - \_\_\_\_\_ Plans showing all existing and proposed utilities.
  - \_\_\_\_\_ Proposed use of the building and its construction type and distance from adjacent property lines. Overall dimensions of all buildings and the gross floor area of each building.
  - \_\_\_\_\_ At least two (2) section profiles through the site showing preliminary building form, existing natural grade and proposed final grade.

- \_\_\_\_\_ Natural Resources Plan must show all existing resources; Show all wetlands, major waterways, 100 and 500 year flood plains, stream buffer, areas prone to flooding, stream erosion areas, sinkholes, springs, seeps, other karst features, areas with shallow depth to bedrock, existing topography, identify areas with slopes greater than 20%, show site soil type, areas with erodible soil, gullies, swales, ditches, ponds, existing detention basins, show forests and prairie areas, existing impervious areas and utilities and stormwater “credit areas.”
- \_\_\_\_\_ Provide an existing and proposed BMP area drainage map.
- \_\_\_\_\_ Location and screening of trash and recycling containers.
- \_\_\_\_\_ Location and screening of HVAC equipment.
- \_\_\_\_\_ Location of proposed amenities.
- \_\_\_\_\_ Location and size of existing and proposed freestanding signs.
- \_\_\_\_\_ The seal, signed and dated, of the licensed person who prepared the drawing or under whose immediate personal supervision the drawing has been prepared.
- \_\_\_\_\_ All amendments should be “clouded” and note referenced.





# City of Ellisville

One Weis Avenue  
Ellisville, MO 63011  
(636) 227-9660 FAX: (636) 227-9486

## APPLICATION FOR REZONING/TEXT AMENDMENT

*(please type or print)*

**ALL APPLICABLE SECTIONS OF APPLICATION MUST BE COMPLETE.  
APPLICATION MUST BE CONSISTENT WITH SUBMITTED MATERIALS. PLANS MUST BE  
FOLDED TO APPROXIMATELY 8 ½ x 11 or 8 ½ x 14 IN SIZE. A \$200.00 APPLICATION FEE AND  
\$50.00 PUBLIC HEARING DEPOSIT MUST ACCOMPANY THIS APPLICATION**

**NOTE: IF FILING MULTIPLE APPLICATIONS WHICH REQUIRE A PUBLIC HEARING,  
ONLY SUBMIT ONE FEE (\$50) TO COVER ALL PUBLIC HEARINGS.**

Property Address: 510 Old State Road, Ellisville MO 63038

Applicant: 510 Old State, LLC

Project Name: Napoli Estates

### PART A: REZONING (LOT AND ZONING INFORMATION)

Existing No. of Lots: 1 Lot Size(s): 6.12 acre Proposed No. of Lots: 22 Lot Size(s): Approximately 5,900 sf.

Existing zoning R-1 Proposed Zoning: R-2

### PART B: TEXT AMENDMENT

Existing Text:

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Proposed Text:

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### PART C: COMPREHENSIVE PLAN

Explain how the proposed rezoning/text amendment is consistent with the Comprehensive Plan.

The City Comprehensive plan indicates there is a need for single family detached homes in the city. By rezoning the property as requested, the city will create 22 new single family homes that would be targeted at first move up buyers, a group that are desirable to many sales tax based cities. In addition, this zoning allows the development to move forward, while preserving most of the trees on site.

**PART D: CRITERIA**

It shall be the responsibility of the applicant to clearly establish that the following criteria are met: (Respond Yes or No).

- No. a. Will the character of the neighborhood be negatively affected?
- No. b. Will traffic conditions be negatively affected?
- No. c. Will the change increase fire hazards?
- No. d. Will public utility facilities be negatively affected?
- No. e. Will other matters pertaining to the public health, safety and general welfare of the community be negatively affected?

**PART E: ENVIRONMENTAL STATEMENT**

Will the proposed request will not adversely impact the environment?: No.

Has a Phase I Assessment or Phase II Environmental Report/Study been prepared in association with this request?  
No. (Yes or No) If yes, please submit a copy of the report/study with this application.

By filing this application you acknowledge and are aware that the City may require a partial or comprehensive environmental assessment, impact analysis, or report, in conformity with Chapter 415, Environmental Report of the Land Use Regulations, at any time during the application or approval process.

**PART F: PROCESS**

1. The City offers all applicants the opportunity to meet with City staff at any time to discuss a project. Please contact the City Planner to schedule a meeting: Ada Hood, [ahood@ellisville.mo.us](mailto:ahood@ellisville.mo.us) or via phone 636-227-9660.
2. The City also offers all applicants the opportunity to meet with the City Council in a Preliminary Conceptual Meeting. The Preliminary Conceptual Meeting is designed to provide the applicant with an opportunity to present a concept to the City Council for initial feedback, before the applicant incurs significant costs for detailed drawings or plans. The meeting is informal and non-binding. There is no cost to schedule a meeting, an applicant need only submit the Preliminary Conceptual Meeting form at least seven (7) days prior to the regularly scheduled City Council meeting date.
3. All requests for Rezoning and Text Amendments must be made by submitting the Application Cover Sheet and the Rezoning/Text Amendment Application form, associated fees and plans.
4. To initiate the process, please submit one copy of the application forms and nine (9) copies of the plans for 'staff review.' This initial submittal must be made a minimum of thirty (30) days prior to the Planning and Zoning Commission meeting date. In the case of high traffic uses, where a traffic impact study will be required, the submittal should be made at least forty-five (45) days prior to the Planning and Zoning Commission meeting date. Staff will route the plans to various departments and applicable agencies for their review. Within fifteen (15) days of receipt of submittal, the City Planner shall notify the applicant of any deficiencies or the application shall be accepted for consideration by the Planning and Zoning Commission, unless said timeframe is mutually waived. The applicant must respond to the City Planner's list of deficiencies within seven (7) days to be scheduled at the next Planning and Zoning Commission meeting. Delays in resubmitting will delay consideration of the application to the following month. Applicants must respond to the City Planner's list of deficiencies within thirty (30) days or the application is deemed void, unless such timeframe is mutually waived. The resubmittal should include revised applications and documents, as applicable, and twenty-five (25) sets of plans, folded to approximately 8 ½ x 11 or 8 ½ x 14 in size.
5. The Planning and Zoning Commission shall hold a public hearing. The Planning and Zoning Commission will consider the request and make a recommendation to the Council within sixty (60) days of official submission to the Commission unless said time period is extended by mutual agreement in writing. The failure of the Commission to act within sixty (60) days after the date of official submission to it shall be

deemed approved. The "date of official submission" shall mean the date of the first (1st) official Planning and Zoning Commission meeting during which the application is received and placed on the agenda for consideration.

6. Upon receipt of the recommendation, the City Council shall hold a public hearing in relation to the request. The City Council may, at its discretion, add to or delete conditions recommended by the Planning and Zoning Commission. The City Council may refer the application back to the Planning and Zoning Commission for further study before making its final decision. The decision rendered by the City Council shall require a simple majority vote except that a vote of at least five (5) members of the City Council will be required to approve any application contrary to the Planning and Zoning Commission recommendation.

**PART G: CHECKLIST**

- \_\_\_\_\_ Completed Application Cover form (only one form is needed per project)
- \_\_\_\_\_ Letter addressed to the City Council describing the request (who, what, where, when, why, etc)
- \_\_\_\_\_ Additional information to be placed on or submitted with the application/site plan beyond the requirements listed below may be requested by the Council and/or the City Planner. The Council and/or the City Planner may also waive the submission requirement for any of the same.

**For Zone Change:**

- \_\_\_\_\_ a. Location map, including north arrow and map scale.
- \_\_\_\_\_ b. Existing and proposed zoning district, subdivision name, lot number, dimensions and area of the property proposed for rezoning, and zoning of adjacent parcels where different than said subject property.
- \_\_\_\_\_ c. A certified metes and bounds description of the property which would be affected by the proposed zoning district change.
- \_\_\_\_\_ d. Proposed use of the subject property, if any.
- \_\_\_\_\_ e. Location and identification of all right-of-ways and easements (existing and proposed).

**For Text Amendment:**

- \_\_\_\_\_ a. A detailed description of the proposed amendment, supplement, change, modification or repeal of any provision of the Land Use Regulations.
- \_\_\_\_\_ b. The specific reason(s) the applicant is seeking the desired amendment, supplement, change, modification or repeal of any provision of the Land Use Regulations.
- \_\_\_\_\_ c. The Section(s) of the Land Use Regulations that would be impacted and the extent of this impact. If more than one (1) Section would be affected, each individual impact is to be detailed separately.
- \_\_\_\_\_ d. Name, address and telephone number of the person or firm submitting the application, the submitter's legal interest





# City of Ellisville

One Weis Avenue  
Ellisville, MO 63011  
(636) 227-9660 FAX: (636) 227-9486

## APPLICATION COVER SHEET

*(please type or print)*

**ALL APPLICABLE SECTIONS OF APPLICATION MUST BE COMPLETE AND CONSISTENT WITH SUBMITTED MATERIALS**

Property Address: **510 OLD STATE ROAD**

Project Description: **PROPOSED SINGLE FAMILY RESIDENTIAL SUBDIVISION**

Project Name: **NAPOLI ESTATES**

### PART A: PARTIES IN INTEREST

The full legal name of each party listed below (partnership, corporation, etc.) is required for review of the application(s). Having different individuals represent an Applicant at different meetings during the review process may result in unnecessary confusion and delay. Consequently, in the interest of promoting clarity, consistency, and expediency, the City requests all Applicants, at the time of filing their Application, to identify a primary or principal **APPLICANT** (either attorney or non-attorney; corporations should see Notice below) who can be expected to attend each of the meetings during the Petition review process.

**Notice to Applicants:** In matters which qualify as contested cases under Section 536.010(2) R.S.Mo. corporations may not be represented by non-attorneys when the Council sits as an administrative tribunal. Non-attorney representation in such matters may constitute the practice of law under Section 484.010 R.S.Mo. All Applicants are cautioned to consult with an attorney prior to undertaking non-attorney representation.

Name and Title of **APPLICANT**: **510 Old State, LLC**

Address: **PO Box 270255, St. Louis, MO 63127**

Phone Number: **314-486-0596** Email **seanf@flowerandfendler.com**

Name of Business Owner(s) - if different than above: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email \_\_\_\_\_

Name of Property Owner(s) - if different than above: **Christopher Zimmer**

Address: **510 Old State Road, Ellisville, MO 63038**

Phone Number: **314-608-7764** Email **czimmer1966@yahoo.com**

Name of Architect, Landscape Architect, Planner or Engineer: **Sterling Engineering**

Address: **5055 New Baumgartner Road, St. Louis, MO**

Phone Number: **314-487-0440** Email **mfalkner@sterling-eng-sur.com**

### PART B: SITE DESCRIPTION

Legal Address of Property: **510 ; OLD STATE ROAD** Locator No.: **24U620503 & 24U620512**

Lot No.: \_\_\_\_\_ Block No.: \_\_\_\_\_ Current Zoning: **R-1**

Current Use of Site: **SINGLE FAMILY RESIDENTIAL**

Proposed Use of Site: **SINGLE FAMILY RESIDENTIAL**

**PART C: PART A: COST/BENEFIT DATA** (ALL INFORMATION PROVIDED WILL BECOME A MATTER OF PUBLIC RECORD)

Description	Quantity	
	Existing	Proposed
Property value:		
Property tax to the City:		
Property tax to the School District:		
Property tax to the Fire District:		
Adjacent property values:		
Retail sales tax generated:		
Maintenance cost to the City (new street/trail/park maintenance, additional police services, trash/recycle service):		

Type of business:	# similar businesses already existing in the City:
Does the project compete with other existing uses in the City:	To what degree (qualitative and quantitative):
Will project result in loss of retail sales tax revenue from other businesses in the City?	Project potential loss:

**PART D: APPLICATIONS FILED** (Check the applications you will submit. A Letter addressed to the City must be submitted. The letter should completely describe who, what, why, where, when, etc.)

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> Rezoning                 | <input checked="" type="checkbox"/> Subdivision Plat |
| <input type="checkbox"/> Site Plan              | <input type="checkbox"/> Text Amendment                      | <input type="checkbox"/> Lot Consolidation Plat      |
| <input type="checkbox"/> Architectural Review   | <input checked="" type="checkbox"/> Planned Development      | <input type="checkbox"/> Boundary Adjustment Plat    |
| <input type="checkbox"/> Other: _____           | <input type="checkbox"/> Variance to the Board of Adjustment | <input type="checkbox"/> Condominium Plat            |

**PART E: AUTHORIZATION (FULL LEGAL NAME IS REQUIRED)**

Signature of Applicant (Required):

*[Handwritten Signature]*

Date: 11/19/24

PRINT NAME: SEAN FLOWAN

Title/Interest in Property: OWNER UNDER CONTRACT

Signature of Property Owner (Required):

*[Handwritten Signature]*

Date:

PRINT NAME: CHRISTOPHER ZIMMER

Title/Interest in Property: OWNER

## Ada Hood

---

**From:** Bill Schwer <bschwer@ellisville.mo.us> on behalf of Bill Schwer  
**Sent:** Friday, December 13, 2024 8:10 AM  
**To:** JAMES VANEK; Mike Roemerman; Ada Hood; Mick Cahill; Greg Sanborn  
**Cc:** Mark Harder; Joe Kulesa; Cathy Lenny; Joe Garritano; rick@cityofwildwood.com  
**Subject:** RE: New housing developements and more congestion for Old State

Hi Mr. Vanek,

Thank you for your e-mail. I have responses to your questions shown below. I wanted to let you know Ellisville hopes to bid the sidewalk on Old State in the spring and start construction shortly thereafter. Thank you

Bill Schwer, P.E.  
City Manager  
City of Ellisville  
1 Weis Ave  
Ellisville, MO 63011  
636.227.9660 work  
314.223.2962 cell  
636.227.9486 fax  
[www.ellisville.mo.us](http://www.ellisville.mo.us)

**From:** JAMES VANEK [mailto:[teamvanek@aol.com](mailto:teamvanek@aol.com)]  
**Sent:** Thursday, December 12, 2024 1:17 PM  
**To:** Mike Roemerman <[mroemerman@ellisville.mo.us](mailto:mroemerman@ellisville.mo.us)>; Bill Schwer <[bschwer@ellisville.mo.us](mailto:bschwer@ellisville.mo.us)>; [ahood@ellisville.mo.us](mailto:ahood@ellisville.mo.us); Mick Cahill <[mcahill@ellisville.mo.us](mailto:mcahill@ellisville.mo.us)>; [gsanborn@ellisville.mo.us](mailto:gsanborn@ellisville.mo.us)  
**Cc:** Mark Harder <[mharder@stlouiscountymo.gov](mailto:mharder@stlouiscountymo.gov)>; Joe Kulesa <[jkulesa@stlouiscountymo.gov](mailto:jkulesa@stlouiscountymo.gov)>; Cathy Lenny <[cathy.lenny@sbcglobal.net](mailto:cathy.lenny@sbcglobal.net)>; Joe Garritano <[jgarritano@cityofwildwood.com](mailto:jgarritano@cityofwildwood.com)>; [rick@cityofwildwood.com](mailto:rick@cityofwildwood.com)  
**Subject:** New housing developements and more congestion for Old State

Last night I attended the Ellisville Planning and Zoning commission hearing regarding the new housing developements bringing 72 new homes to what i refer to as the Ellis-wood area. The meeting was very well attended and many of the community spoke voicing their concerns specifically about the traffic concerns. Many questions were left unanswered, a few of which are...

1. Current plans to do not allow for a designated left turn lane into Napoli Estates (much like Kerrington Estates). Are there any plans to improve this portion of the road to allow for this? I have had many residents tell me how uncomfortable it is having people race up behind you at 50 mph while your blocking traffic trying to enter your community. At the bare minimum the setbacks for Napoli Estates should allow for this eventuality. The City of Ellisville has no plans to construct a turn lane in this location.
2. Do we know if these communities will be provided bus service for Ridge Elementary students or will they have to walk to school.... has the city considered that? I'm not aware of Rockwood's policy for bus service.
3. I can not speak with complete confidence for Wildwood but I can say I think they would be open to consider a three way cost share with the County and Ellisville to finally improve the intersection at Ridge Road that will only become more dangerous with this additional traffic. This cost share would bring the costs down to an

affordable \$200,000 to \$300,000 range per entity if funded through East West Gateway. The City of Ellisville was part of two grant applications for improvements to Old State. St. Louis County did not have the resources to consider a third grant application. If that changes, I would take this information to my City Council for consideration.

Thank you for hearing our groups concerns regarding this matter and as always we look forward to engaging constructively with all groups to improve this area and to make this very dangerous road safer.

Kindest Regard,

James Vanek  
Citizens for a Safer Old State (now approaching 700 members)



A screenshot of a Facebook post by James Vanek. The post text reads: "Tonight the larger housing project was approved the smaller one, Napoli Estates, was not. Please notice Napoli does not have a dedicated left turn lane for those trying to enter this community driving southbound (much like Kerrington Estates). I'm sure if Ellisville would step up and commit to improving this portion of Old State, such as a roundabout at Ridge, widening Old State to provide a left turn lane, and adding sidewalks and crosswalks, a lot of this group's concerns would disappear. Unfortunately, Ellisville seems to want the property taxes without providing the necessary infrastructure. I guess it's not unexpected it is just what a lot of municipalities do." The post includes a link to an article in the St. Louis Business Journal, a "View Insights" button, and a "264 Post Reach" indicator. There are also two small satellite map images showing the area around Old State.



**GENERAL NOTES:**

- THIS SITE IS IN THE FOLLOWING DISTRICTS:  
METROPOLITAN ST. LOUIS SEWER DISTRICT  
METRO-WEST FIRE PROTECTION DISTRICT  
ROCKWOOD R6 SCHOOL DISTRICT
- THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS:  
MISSOURI AMERICAN WATER COMPANY  
AMERICAN MISSOURI  
AT&T  
SPIRE  
CHARTER COMMUNICATIONS
- SANITARY SEWER CONSTRUCTION AND CONNECTIONS SHALL BE AS APPROVED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT AND IN ACCORDANCE WITH THE STANDARD CONSTRUCTION SPECIFICATIONS FOR SEWERS AND DRAINAGE FACILITIES.
- STORM WATER SYSTEMS SHALL BE DESIGNED PURSUANT TO CITY OF ELLISVILLE AND METROPOLITAN ST. LOUIS SEWER DISTRICT REQUIREMENTS AND DISCHARGE AT AN ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE DISCHARGE POINTS.
- THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL LOCATIONS SHALL BE DETERMINED BY FIELD CONDITIONS AND SHALL BE INDICATED ON THE IMPROVEMENT PLANS.
- ALL GRADING AND DRAINAGE TO BE IN CONFORMANCE WITH CITY OF ELLISVILLE AND MSD STANDARDS.
- STREET TREES, STREET LIGHTS AND SIDEWALKS SHALL BE PER CITY OF ELLISVILLE STANDARDS.
- SUBDIVISION IDENTIFICATION SIGN SHALL BE PER CITY OF ELLISVILLE ZONING CODE (CHAPTER 410, ARTICLE IV, SEC. 410.120)
- THE CLOSEST MAJOR STREET INTERSECTION IS MANCHESTER ROAD/HIGHWAY 100 AND OLD STATE ROAD 0.7 MILES TO THE NORTH.
- ALL SIDEWALKS SHALL BE CONSTRUCTED TO CITY OF ELLISVILLE AND A.D.A. STANDARDS. SIDEWALK LIGHTING SHALL BE INSTALLED AS SHOWN PER ELLISVILLE CODE SECTION 400.493
- ALL PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED TO CITY OF ELLISVILLE STANDARDS.
- PROPOSED LIGHT STANDARDS SHALL BE 16" TALL MAXIMUM.
- ALL PATIOS AND UNCOVERED DECKS MAY ENCRoACH INTO THE REAR YARD SETBACK, BUT SHALL NOT BE CLoSER THAN 10 FEET TO THE REAR PROPERTY LINE.
- ALL COVERED DECKS AND PATIOS WILL COMPLY WITH THE PROPOSED SETBACK REQUIREMENTS.
- CONTRACTOR SHALL COMPLY WITH CITY OF ELLISVILLE WORK HOURS PER ELLISVILLE CODE 500.040.
- STREET LIGHTING SHALL MEET CURRENT ELLISVILLE CODE SECTION 400.492.
- LANDSCAPING PER ELLISVILLE CODE SECTION 400.480 AND BE APPROVED BY CITY THIRD PARTY LANDSCAPE ARCHITECT.

**CURRENT OWNER:**

CHRISTOPHER ZIMMER  
510 OLD STATE ROAD  
ELLISVILLE, MISSOURI 63038

**OWNER UNDER CONTRACT:**

510 OLD STATE, LLC  
350 S. CENTRAL AVE.  
EUREKA, MISSOURI 63025

**DEVELOPMENT NOTES:**

LOCATOR NUMBER: 24U620503 & 24U620512  
EXISTING ZONING: R-1 SINGLE FAMILY RESIDENTIAL  
PROPOSED ZONING: R-2 PLANNED RESIDENTIAL  
EXISTING USE: SINGLE FAMILY RESIDENTIAL  
PROPOSED USE: SINGLE FAMILY RESIDENTIAL  
GROSS AREA OF SITE: 6.13 ACRES  
PROPOSED COMMON GROUND: 2.25 AC.  
PROPOSED RIGHT-OF-WAY: 0.78 AC.  
TOTAL LOTS PROPOSED: 22  
PROPOSED DENSITY: 3.58 LOTS/AC.  
PARKING CALCULATIONS: SPACED REQUIRED: 44 (2 SPACE/LOT)  
SPACES PROVIDED: 44 (2 SPACES/LOT)

**LOT DATA:**

MINIMUM LOT 5,910 SQ.FT.  
AVERAGE LOT 6,143 SQ.FT.  
MAXIMUM LOT 8,632 SQ.FT.

AREA LOT COVERAGE:  
HOME AND STREET COVERAGE = 33% OF TOTAL LOT AREA

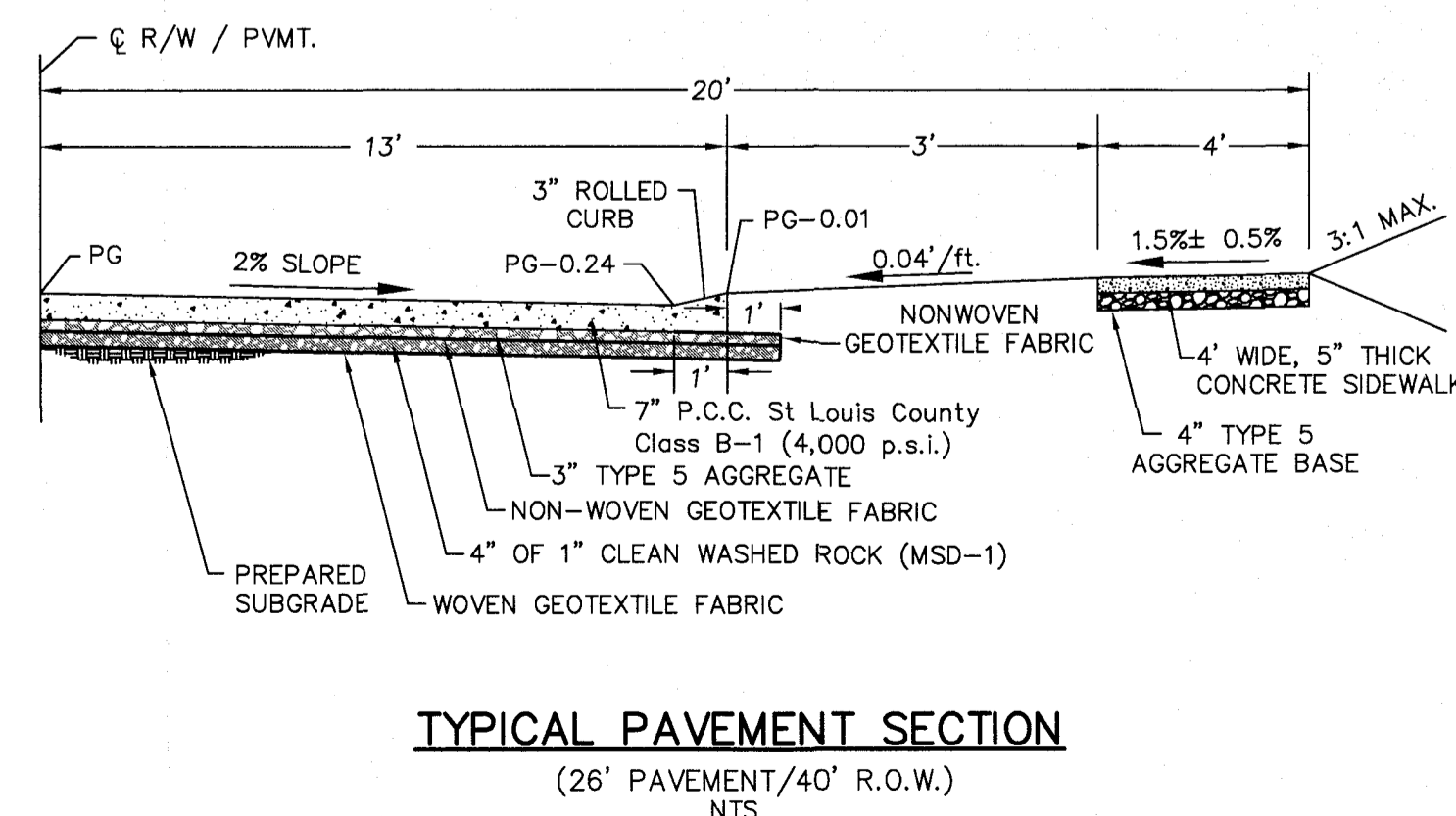
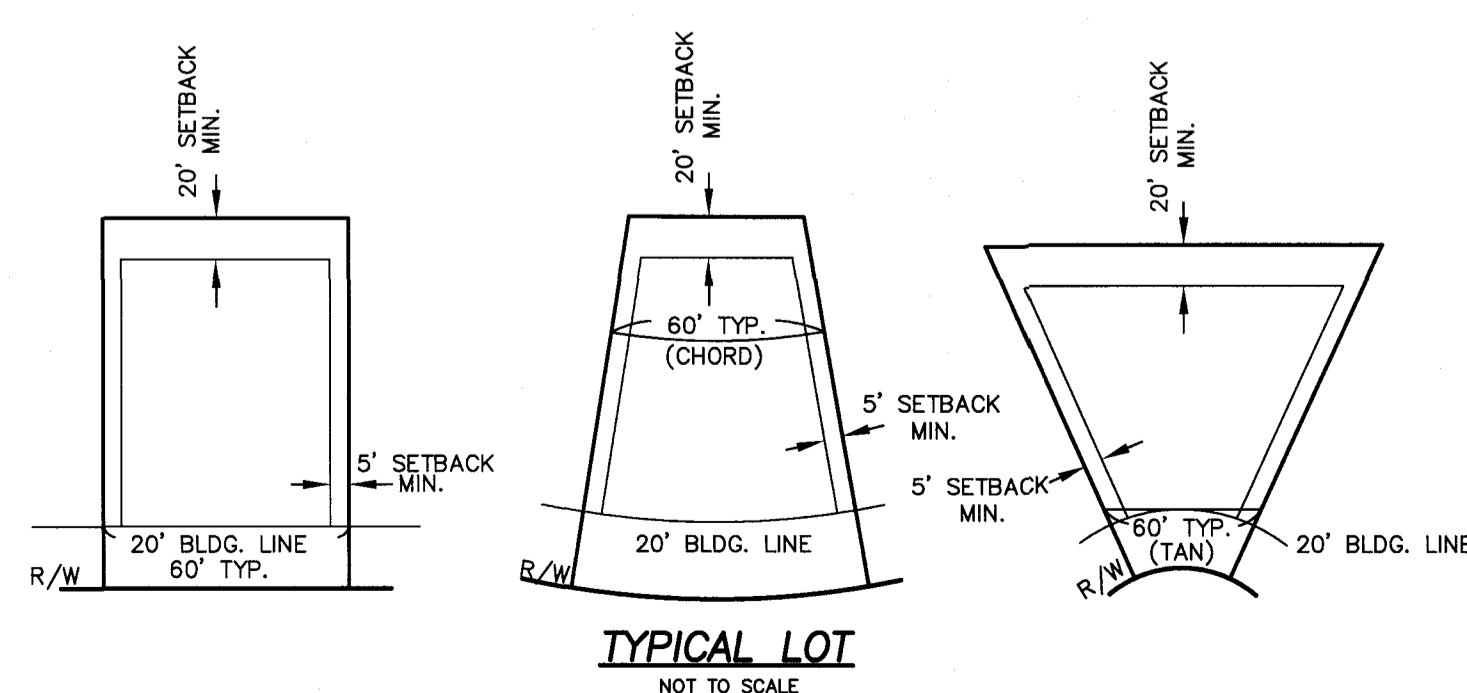
**CLEARING DATA:**

EXISTING TREE CANOPY = 3.7 AC.  
PROPOSED TREE CANOPY = 1.4 AC. (37%)  
PROPOSED CLEARING = 2.3 AC. (63%)

**REQUESTED WAIVERS FROM FROM R-2 PLANNED RESIDENTIAL ZONING DISTRICT:**

**MINIMUM BUILDING SETBACKS**

R-2 SPECIFICATIONS: REQUESTED WAIVERS:  
FRONT YARD = 35' FRONT YARD = 20'  
SIDE YARD = 10' SIDE YARD = 5'  
REAR YARD = 30' REAR YARD = 20'

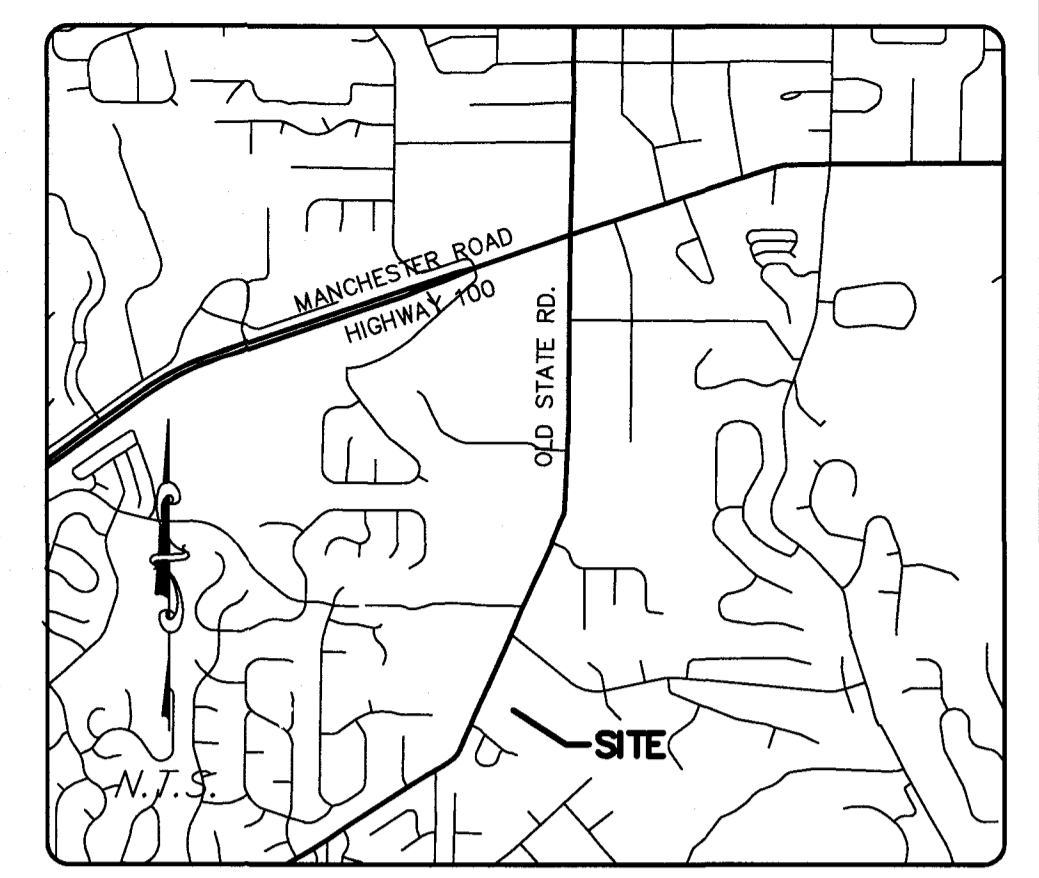
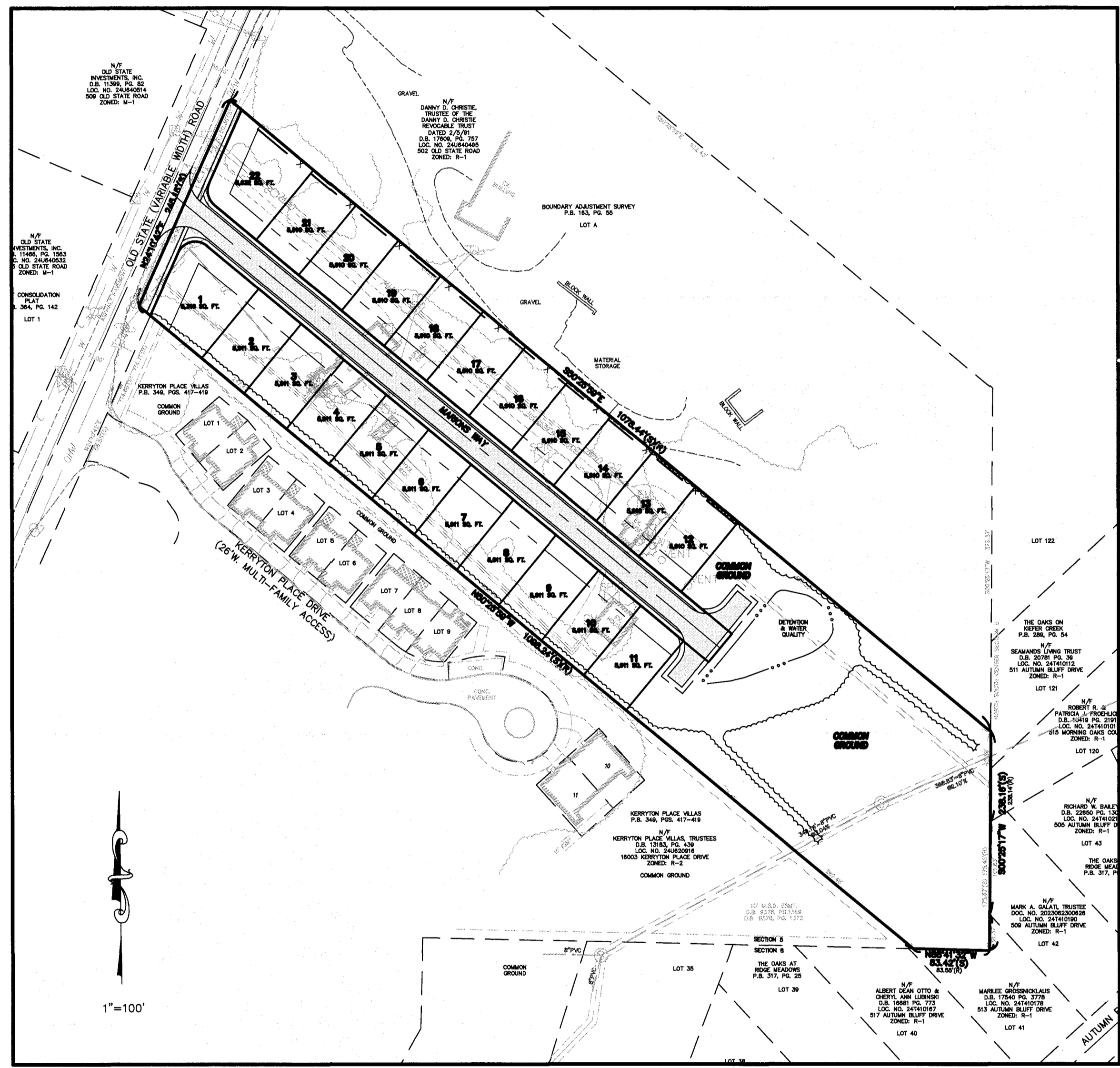


**TYPICAL PAVEMENT SECTION**  
(26' PAVEMENT/40' R.O.W.)  
N.T.S.

# Napoli Estates

A TRACT OF LAND BEING PART OF  
THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5,  
TOWNSHIP 44 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN,  
CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI

## Site Development Plan



**LOCATION MAP**  
N.T.S.

PROJECT ZIP CODE 63038

**LEGEND**

EXISTING	PROPOSED	EXISTING	PROPOSED
542	(542)	UTILITY OR POWER POLE	
X536	536.0	FIRE HYDRANT	
		TEST HOLE	
		PAVEMENT	
		2" G GAS MAIN & SIZE	(2" G)
		6" W WATER MAIN & SIZE	(6" W)
		T TELEPHONE	(T)
		E ELECTRIC (U) UNDERGROUND	(E)
		OWW ELECTRIC (O) OVERHEAD	(OWW)
		TC TO BE REMOVED	TBR
		SWALE	(TC)
		X LIGHT STANDARD	X
		P.S. PARKING STALLS	P.S.
		YARD LIGHT	Y

**FLOOD NOTE:**

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE COUNTY OF ST. LOUIS, MISSOURI, UNINCORPORATED AREAS (COMMUNITY PANEL NUMBER 29189C0278K, DATED MARCH 15, 2015), THIS PROPERTY LIES ENTIRELY OUTSIDE THE 500-YEAR FLOODPLAIN.

**PROPERTY DESCRIPTION:**

A TRACT OF LAND BEING PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 44 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON PIPE AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF OLD STATE (VARIABLE WIDTH) ROAD AND THE PROJECTION OF THE NORTH-EASTERN LINE OF KERRYTON PLACE VILLAS, A SUBDIVISION THEREOF RECORDED IN PLAT BOOK 349, PAGES 417-419 OF THE ST. LOUIS COUNTY, MISSOURI RECORDER'S OFFICE, AND; THENCE LEAVING SAID CORNER ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 24°10'42" EAST, 245.15 FEET TO A FOUND IRON ROD AT THE WESTERNMOST CORNER OF PROPERTY NOW OR FORMERLY TO DANNY D. CHRISTIE, TRUSTEE OF THE DANNY D. CHRISTIE REVOCABLE TRUST DATED 2/5/91, AS RECORDED IN DEED BOOK 17609, PAGE 757 OF SAID RECORDER'S OFFICE; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE ALONG SAID WEST LINE OF SAID CHRISTIE PROPERTY, SOUTH 50°25'59" EAST, 1,078.44 FEET TO THE SOUTHERNMOST CORNER OF SAID CHRISTIE PROPERTY, WHERE A FOUND IRON ROD BEARS SOUTH 38°44'29" EAST, 0.51 FEET, SAID CORNER BEING ON THE WEST LINE OF THE OAKS ON KIEFER CREEK, A SUBDIVISION THEREOF RECORDED IN PLAT BOOK 289, PAGE 54 OF SAID RECORDER'S OFFICE; THENCE LEAVING SAID SOUTHWEST LINE ALONG SAID WEST LINE OF THE OAKS ON KIEFER CREEK AND ALONG THE WEST LINE OF THE OAKS AT RIDGE MEADOWS, A SUBDIVISION THEREOF RECORDED IN PLAT BOOK 317, PAGE 25 OF SAID RECORDER'S OFFICE, SOUTH 0°22'11" WEST, 238.16 FEET TO A FOUND STONE AT THE SOUTHWEST CORNER OF THE ABOVEMENTIONED SECTION 5, IN TOWNSHIP 44 NORTH, RANGE 4 EAST; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 88°41'32" WEST, 83.42 FEET TO THE EASTERNMOST CORNER OF THE ABOVEMENTIONED KERRYTON PLACE VILLAS, WHERE A FOUND AXLE BEARS, SOUTH 86°41'32" EAST, 0.17 FEET, THENCE LEAVING SAID WEST LINE ALONG THE NORTH-EASTERN LINE OF SAID KERRYTON PLACE VILLAS, NORTH 50°25'59" WEST, 1,098.24 FEET TO THE POINT OF BEGINNING AND CONTAINS 267,173 SQUARE FEET OR 6.1334 ACRES, MORE OR LESS, ACCORDING TO A PROPERTY BOUNDARY SURVEY PERFORMED BY THE STERLING COMPANY DURING THE MONTH OF AUGUST AND SEPTEMBER, 2024, IN ORDER NUMBER 24-05-112.

EXCEPTING THEREFROM THAT PART RESERVED FOR CEMETERY PURPOSES, AS RECITED IN DEED RECORDED IN BOOK 271 PAGE 575.

**SURVEYOR'S CERTIFICATION:**

THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF NOVEMBER, 2024, AT THE REQUEST OF 510 OLD STATE, LLC, PREPARED A SITE DEVELOPMENT PLAN OF "NAPOLI ESTATES", A TRACT OF LAND BEING PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 44 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI. THIS PLAN IS NOT A SURVEY AND DOES NOT MEET THE "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" IN EFFECT AT THE DATE OF THIS PLAN.

THE STERLING COMPANY

JAMIE A HENSON  
NUMBER 12-30-2024  
MO. REG. PLS #2007017963



MSD Base Map 24U  
MSD P #  
H&T #

**SHEET INDEX**

1.1	COVER SHEET
2.1	PRELIMINARY SITE / GRADING PLAN
3.1	PRELIMINARY SITE PLAN
4.1	NATURAL RESOURCES MAP
5.1	SITE SECTIONS
6.1	SIGHT DISTANCE STUDY

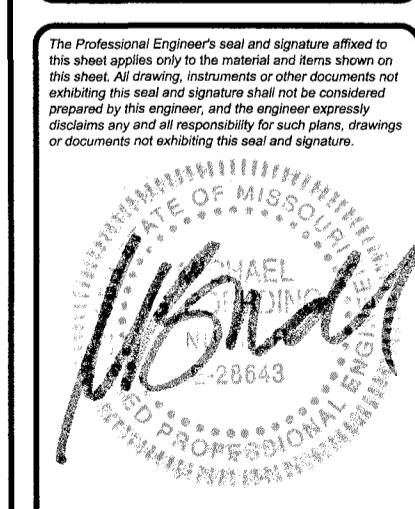
ISSUE/REMARKS/DATE

1	12-30-2024	1st SUBMITTAL
2	12-30-2024	COMMENTS/MARKUPS

510 Old State, LLC  
350 S. CENTRAL AVE.  
EUREKA, MISSOURI 63025

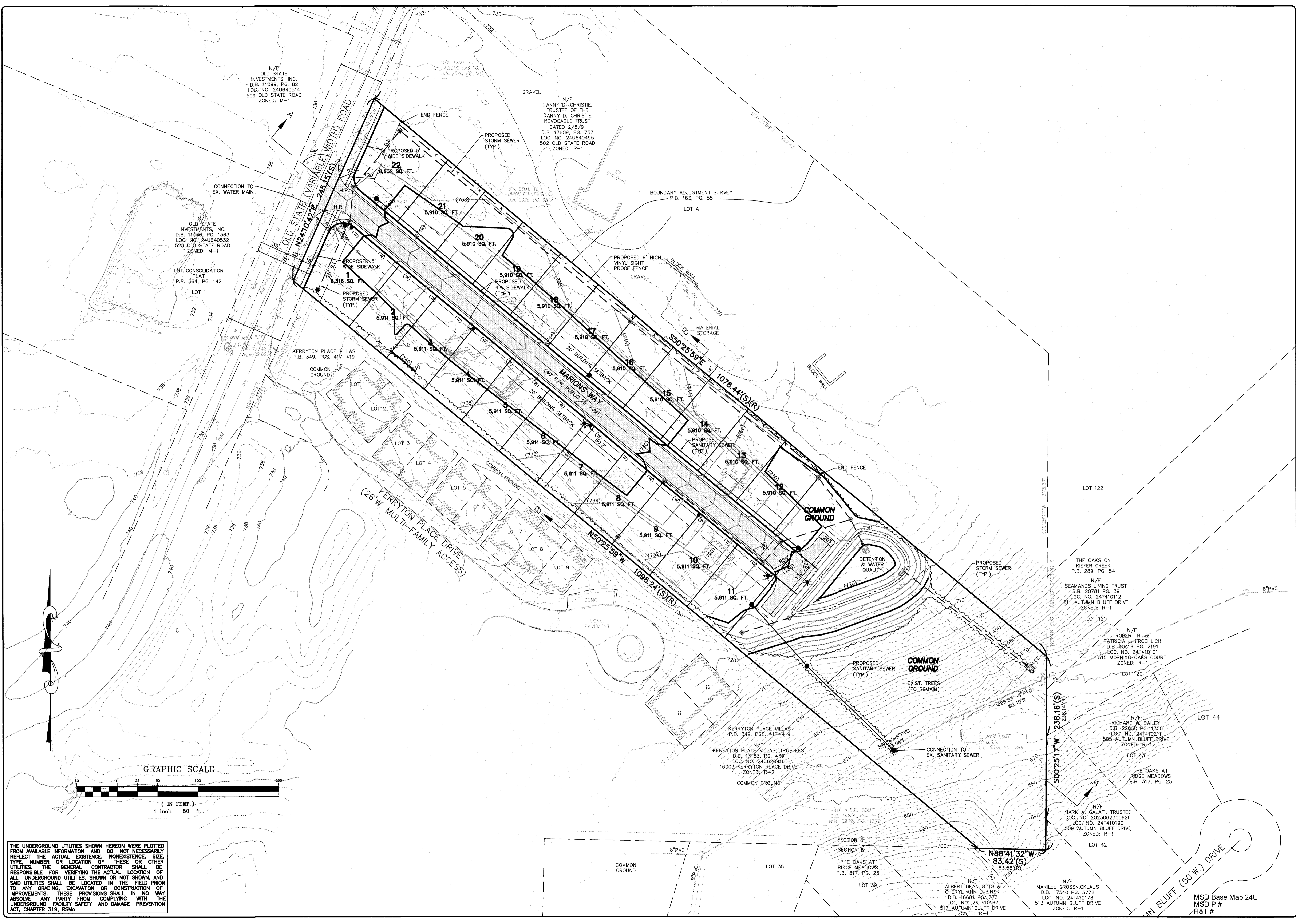
THE STERLING CO.  
ENGINEERS & SURVEYORS  
5055 New Baumgartner Road  
St. Louis, Missouri 63129  
Ph 314-487-0440 Fax 314-487-8944  
www.sterling-eng-sur.com  
Corporate Certificate of Authority #007348

Napoli Estates  
510 OLD STATE ROAD, ELLISVILLE, MO 63038  
SITE DEVELOPMENT PLAN  
COVER SHEET



PRELIMINARY PLAN  
Date: 12-30-2024  
MICHAEL S. BOERDING  
License No. E-28643  
Professional Engineer

Job Number: 24-05-112  
Date: Dec. 30, 2024  
Designed: MF Sheet  
Drawn: MF  
Checked: MF  
Scale: 1.1  
Status: PRE



N/F  
OLD STATE INVESTMENTS, INC.  
D.B. 11399, PG. 82  
LOC. NO. 24U640514  
509 OLD STATE ROAD  
ZONED: M-1

N/F  
OLD STATE INVESTMENTS, INC.  
D.B. 11466, PG. 1563  
LOC. NO. 24U640532  
525 OLD STATE ROAD  
ZONED: M-1

LOT CONSOLIDATION PLAT  
P.B. 364, PG. 142  
LOT 1

KERRYTON PLACE VILLAS  
P.B. 349, PGS. 417-419

KERRYTON PLACE VILLAS  
P.B. 349, PGS. 417-419

KERRYTON PLACE VILLAS, TRUSTEES  
D.B. 13185, PG. 439  
LOC. NO. 24U620916  
16003 KERRYTON PLACE DRIVE  
ZONED: R-2

THE OAKS ON KIEFER CREEK  
P.B. 289, PG. 54

N/F  
SEAMANDS LIVING TRUST  
P.B. 20781, PG. 39  
LOC. NO. 24T410112  
811 AUTUMN BLUFF DRIVE  
ZONED: R-1

N/F  
ROBERT R. & PATRICIA J. FROELICH  
D.B. 10419, PG. 2191  
LOC. NO. 24T410101  
515 MORNING OAKS COURT  
ZONED: R-1

N/F  
RICHARD W. BAILEY  
D.B. 22650, PG. 1300  
LOC. NO. 24T410211  
505 AUTUMN BLUFF DRIVE  
ZONED: R-1

N/F  
MARK A. GALATI, TRUSTEE  
D.B. 202306230626  
LOC. NO. 24T410190  
809 AUTUMN BLUFF DRIVE  
ZONED: R-1

N/F  
MARILEE GROSSICKLAUS  
D.B. 17540, PG. 3778  
LOC. NO. 24T410178  
513 AUTUMN BLUFF DRIVE  
ZONED: R-1

GRAPHIC SCALE



( IN FEET )  
1 inch = 50 ft.

THE UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES, SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMo.

ISSUE	REMARKS/DATE
1	12-20-2024, 1st SUBMITTAL
2	12-30-2024, COMMENTS/MARKUPS

510 Old State, LLC  
360 S. CENTRAL AVE. □  
EUREKA, MISSOURI 63025

THE **STERLING** CO.  
ENGINEERS & SURVEYORS  
5055 New Baumgartner Road  
St. Louis, Missouri 63129  
Ph 314-487-0440 Fax 314-487-8944  
www.sterling-eng-sur.com  
Corporate Certificate of Authority #001348

**Napoli Estates**  
510 OLD STATE ROAD, ELLISVILLE, MO 63038  
SITE DEVELOPMENT PLAN  
PRELIMINARY SITE & GRADING PLAN

The Professional Engineer's seal and signature affixed to this drawing shall be the professional seal and signature of the engineer. All drawings, statements or other documents not including the seal and signature of the engineer shall be void. The engineer shall be responsible for the accuracy of the information provided to him or her and shall be responsible for the accuracy of the information provided to him or her and shall be responsible for the accuracy of the information provided to him or her.

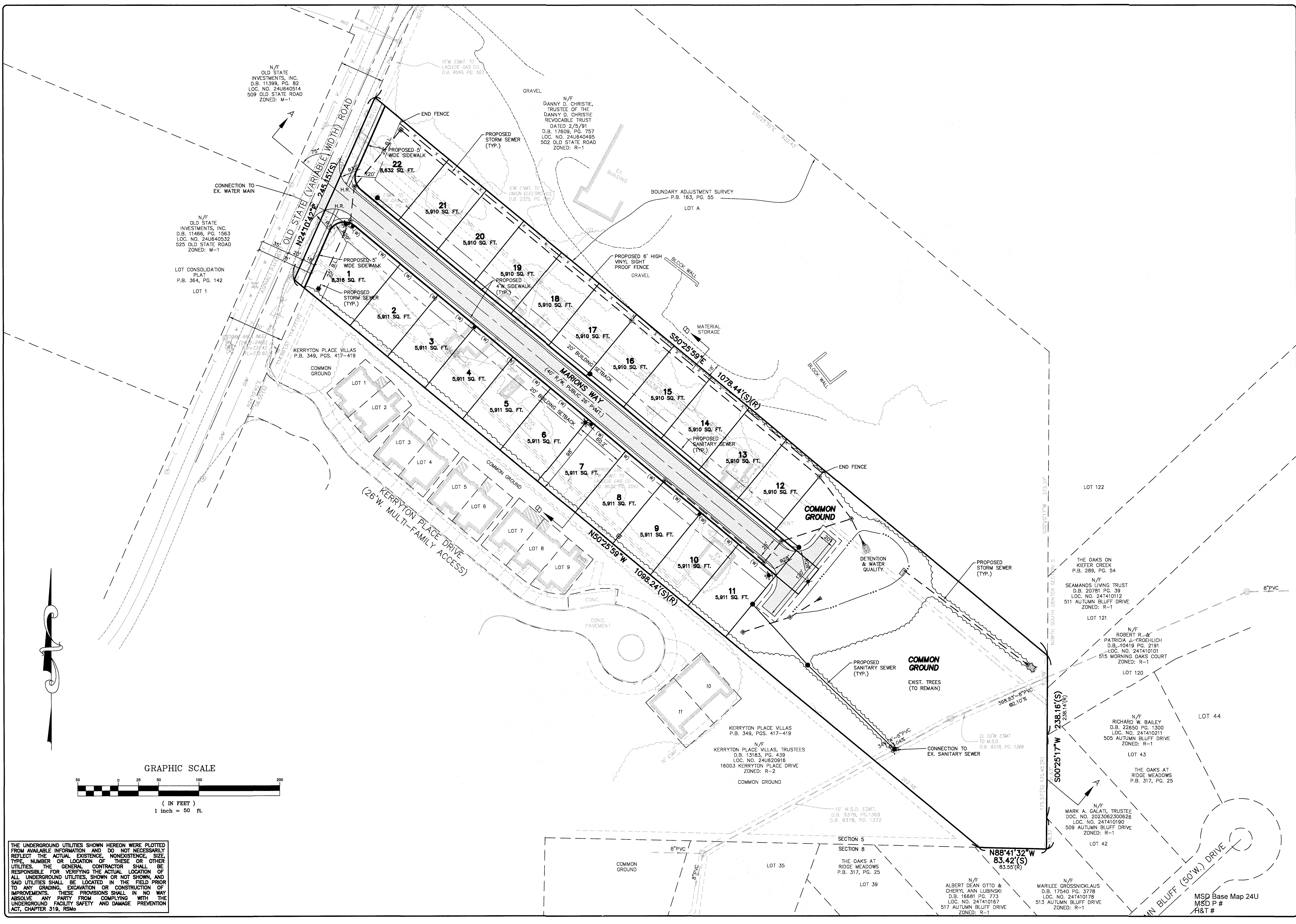
PRELIMINARY PLAN  
Date: 12-30-2024  
MICHAEL G. BOERDING  
License No. E-28643  
Professional Engineer

Job Number  
**24-05-112**

Date  
**Dec. 30, 2024**

Designed: MF Sheet  
Drawn: MF **2.1**  
Checked: MF PRE

Drawing name: V:\2025\12 30 Old State Rd\Drawings\Preliminary\123024\123024.dwg Plotted on: Dec 30, 2024 - 1:20pm Plotted by: stovless



N/F OLD STATE INVESTMENTS, INC. D.B. 11399, PG. 82 LOC. NO. 24U640514 509 OLD STATE ROAD ZONED: M-1

N/F OLD STATE INVESTMENTS, INC. D.B. 11466, PG. 1563 LOC. NO. 24U640532 525 OLD STATE ROAD ZONED: M-1

LOT CONSOLIDATION PLAT P.B. 364, PG. 142 LOT 1

KERRYTON PLACE VILLAS P.B. 349, PGS. 417-419

KERRYTON PLACE VILLAS P.B. 349, PGS. 417-419

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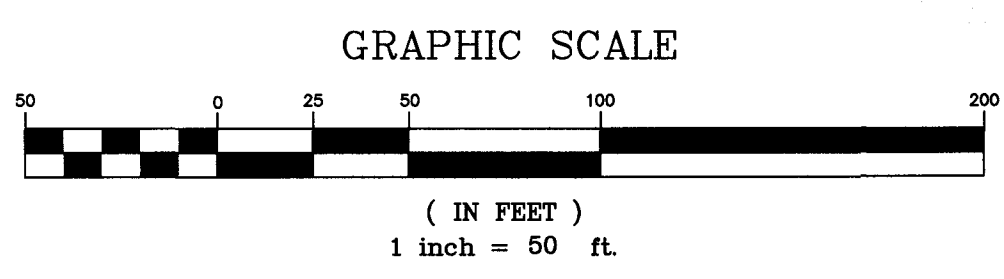
KERRYTON PLACE VILLAS P.B. 349, PGS. 417-419

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ISSUE	REMARKS/DATE
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2	12-30-2024, COMMENTS/MARKUPS

510 Old State, LLC  
350 S. CENTRAL AVE. □  
EUREKA, MISSOURI 63025

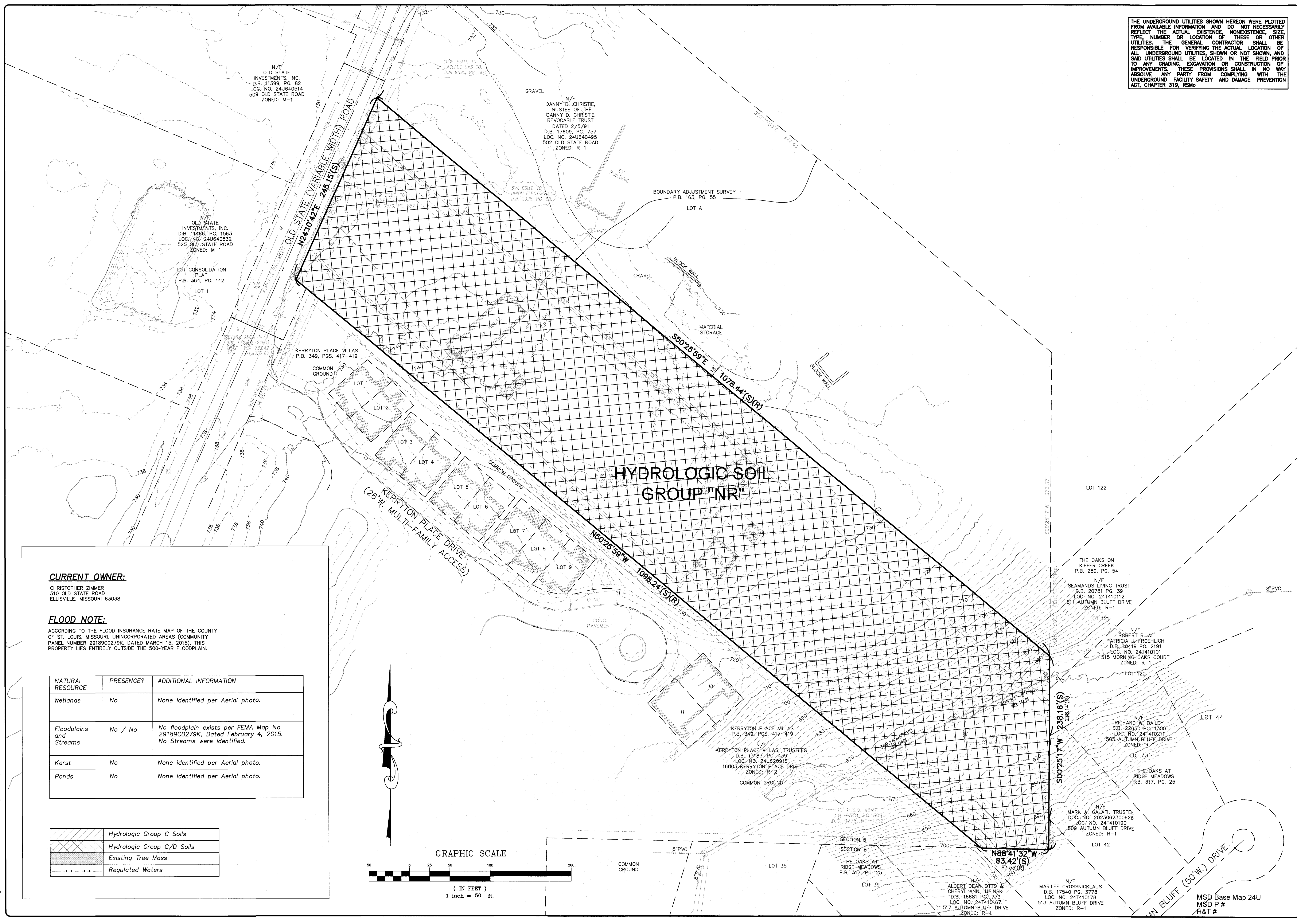
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www.sterling-eng-survey.com  
Corporate Certificate of Authority #0071346

**Napoli Estates**  
610 OLD STATE ROAD, ELLISVILLE, MO 63038  
SITE DEVELOPMENT PLAN  
PRELIMINARY SITE PLAN

The Professional Engineer's seal and signature affect to this sheet and only to the work and items shown on this sheet. All drawings, measurements or other documents not exhibiting the seal and signature of the Professional Engineer are void and responsibility for such drawings or documents not exhibiting the seal and signature.

PRELIMINARY PLAN  
Date: 12-30-2024  
MICHAEL G. BOERDING  
License No. E-28643  
Professional Engineer

Job Number  
**24-05-112**  
Date  
**Dec. 30, 2024**  
Designed: MF Sheet  
Drawn: MF **3.1**  
Checked: MF PRE



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510 Old State, LLC  
 350 S. CENTRAL AVE.  
 EUREKA, MISSOURI 63025

THE **STERLING** CO.  
 ENGINEERS & SURVEYORS  
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 Corporate Certificate of Authority #001348

**Napoli Estates**  
 510 OLD STATE ROAD, ELLISVILLE, MO 63038  
 SITE DEVELOPMENT PLAN  
 NATURAL RESOURCES MAP

The Professional Engineer's seal and signature affixed to this drawing are a part of the contract documents. All drawings, instruments or other documents not authorized by this seal and signature shall be void and of no effect. The Professional Engineer's seal and signature shall be placed on all drawings, instruments or other documents not authorized by this seal and signature.

PRELIMINARY PLAN  
 Date: 12-30-2024  
 MICHAEL G. BOERDING  
 License No. E-28543  
 Professional Engineer

Job Number: 24-05-112  
 Date: Dec. 30, 2024  
 Drawn: MF Sheet: 4.1  
 Checked: MF PRE

**CURRENT OWNER:**

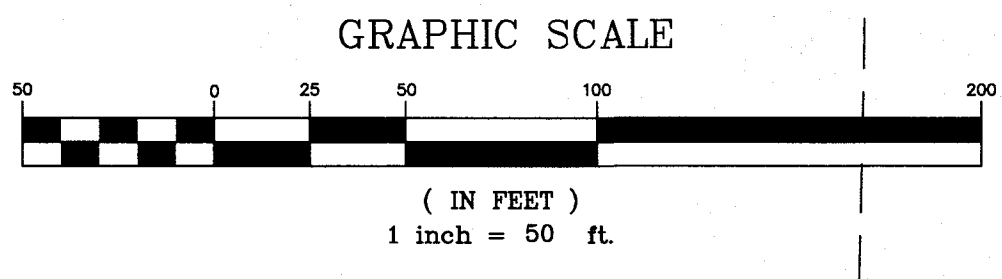
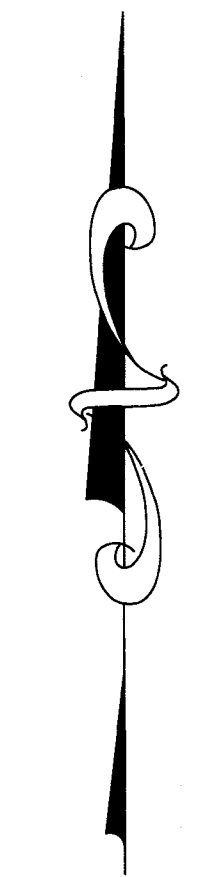
CHRISTOPHER ZIMMER  
 510 OLD STATE ROAD  
 ELLISVILLE, MISSOURI 63038

**FLOOD NOTE:**

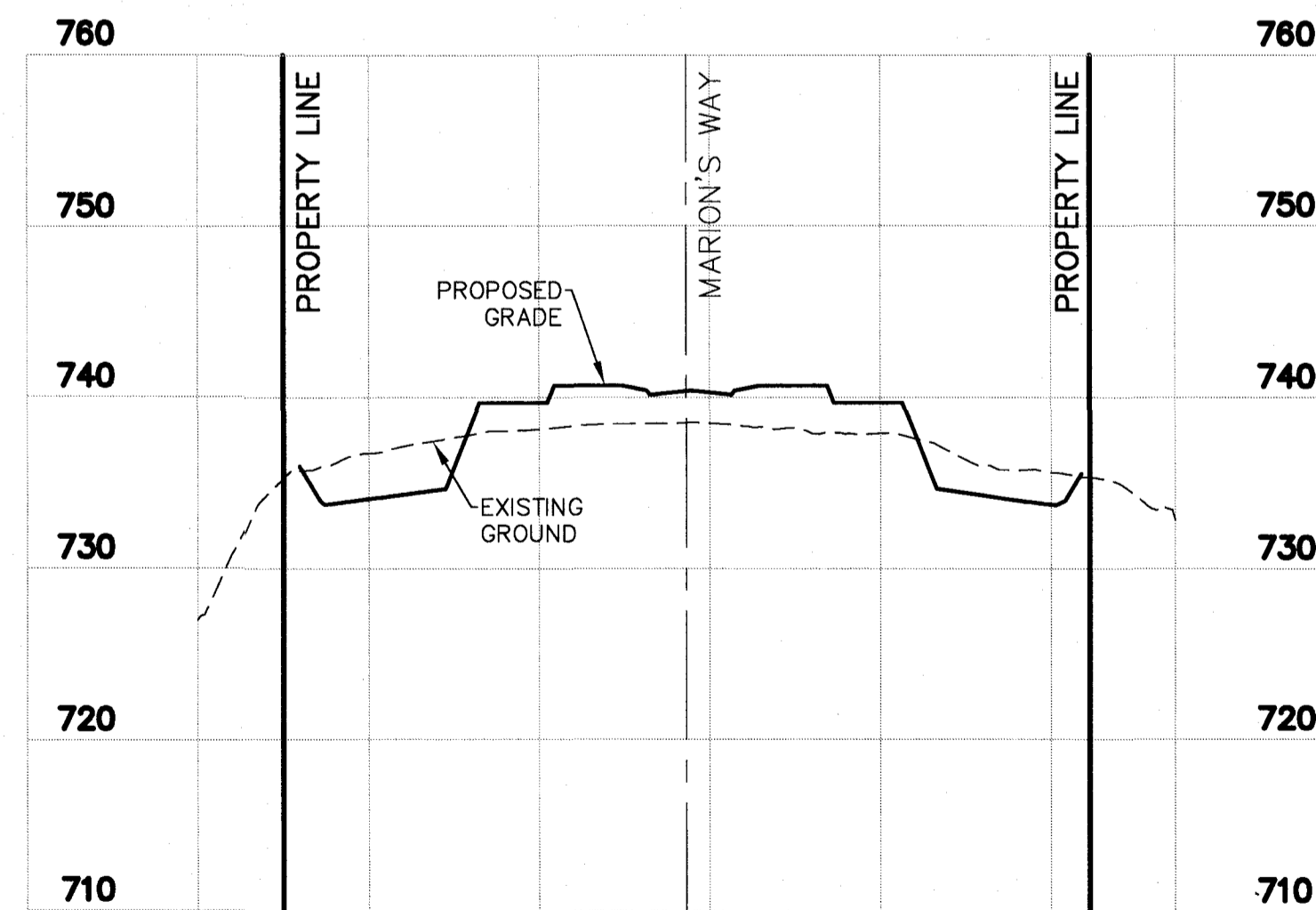
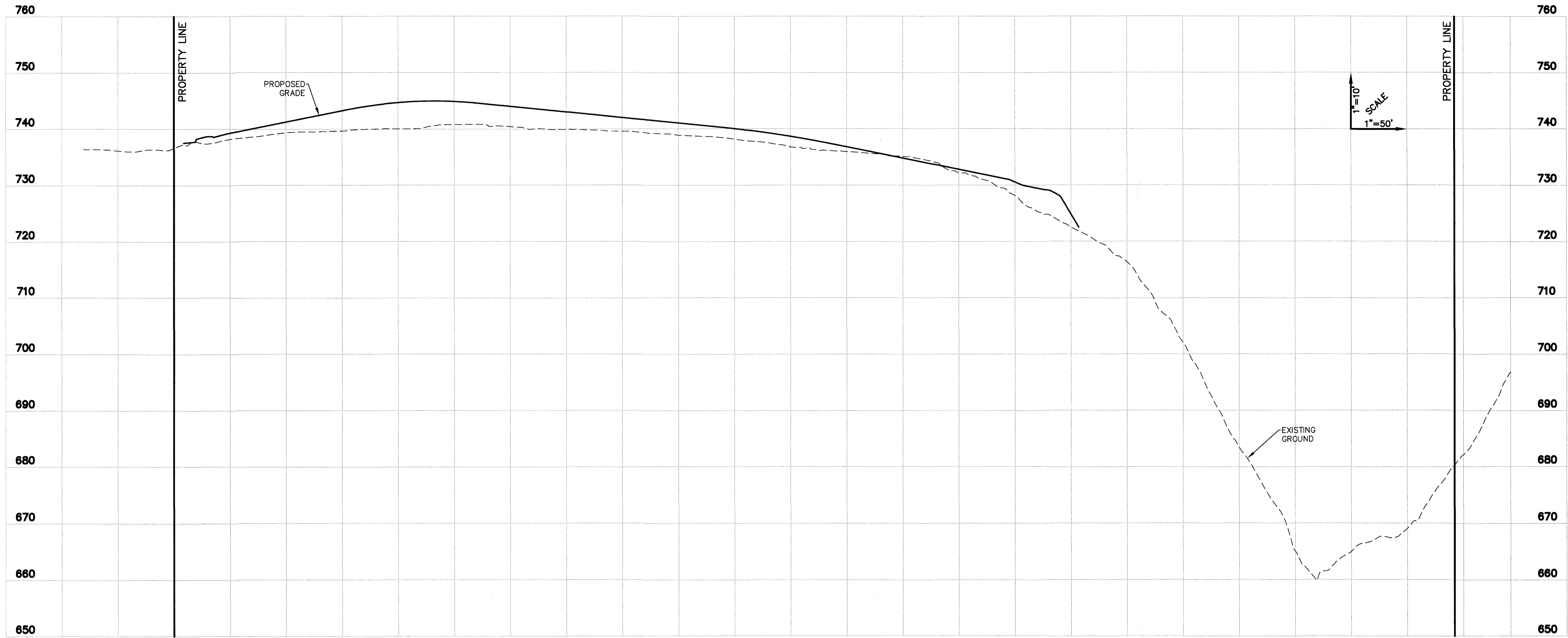
ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE COUNTY OF ST. LOUIS, MISSOURI, UNINCORPORATED AREAS (COMMUNITY PANEL NUMBER 29189C0279K, DATED MARCH 15, 2015), THIS PROPERTY LIES ENTIRELY OUTSIDE THE 500-YEAR FLOODPLAIN.

NATURAL RESOURCE	PRESENCE?	ADDITIONAL INFORMATION
Wetlands	No	None identified per Aerial photo.
Floodplains and Streams	No / No	No floodplain exists per FEMA Map No. 29189C0279K, Dated February 4, 2015. No Streams were identified.
Karst	No	None identified per Aerial photo.
Ponds	No	None identified per Aerial photo.

	Hydrologic Group C Soils
	Hydrologic Group C/D Soils
	Existing Tree Mass
	Regulated Waters



Drawing name: \\2405112 510 Old State Rd\Drawings\Preliminary\5112pre.dwg, Plotted on: Dec 30, 2024 - 1:20pm, Plotted by: shveless



ISSUE	REMARKS/DATE
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*Napoli Estates*  
 510 OLD STATE ROAD, ELLISVILLE, MO 63038  
 SITE DEVELOPMENT PLAN  
 SITE SECTIONS

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*Michael G. Boerding*  
 MICHAEL G. BOERDING  
 E-28643  
 PROFESSIONAL ENGINEER

PRELIMINARY PLAN  
 Date: 12-30-2024  
 MICHAEL G. BOERDING  
 License No. E-28643  
 Professional Engineer

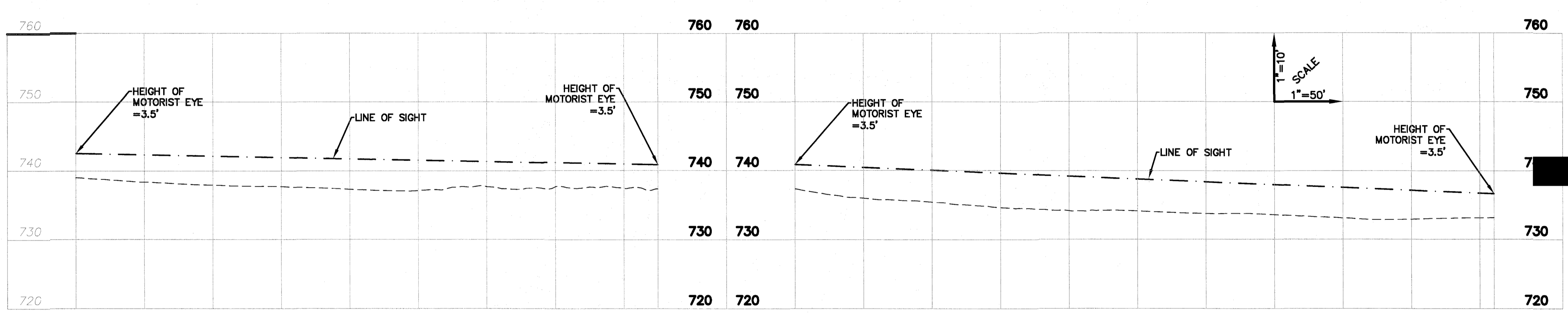
Job Number  
**24-05-112**

Date  
**Dec. 30, 2024**

Designed: MF  
 Drawn: MF  
 Checked: MF

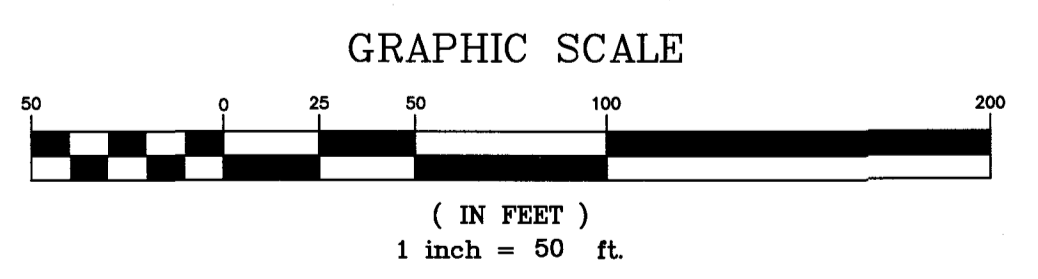
Sheet  
**5.1**  
 PRE

MSD Base Map 24U  
 MSD P #  
 H&T #



LINE OF SIGHT LEFT

LINE OF SIGHT RIGHT



- NOTES:**
1. POSTED SPEED LIMIT: 40 M.P.H.
  2. DESIGN SPEED: 45 M.P.H.
  3. MINIMUM REQUIRED SIGHT DISTANCE:  
LEFT = 430 FT.  
RIGHT = 500 FT.

ISSUE	REMARKS/DATE
1	12-2-2024, 1st SUBMITTAL
2	12-30-2024, COMMENTS/MARKUPS

**510 Old State, LLC**  
 350 S. CENTRAL AVE.  
 EUREKA, MISSOURI 63025

**THE STERLING CO.**  
**ENGINEERS & SURVEYORS**  
 5065 New Baumgartner Road  
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**Appli Estates**  
 STATE ROAD, ELLISVILLE, MO 63038  
 DEVELOPMENT PLAN  
 SIGHT DISTANCE STUDY

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PRELIMINARY PLAN  
 Date: 12-30-2024  
 MICHAEL S. BOERDING  
 License No. E-28643  
 Professional Engineer

Job Number: 24-05-112  
 Date: Dec. 30, 2024  
 Designed: MF Sheet  
 Drawn: MF 6.1  
 Checked: MF PRE

MSD Base Map 24U  
 MSD P #  
 H&T #

Drawing name: V:\2405112 510 Old State Rd\Drawings\Preliminary\5112pre.dwg Plotted on: Dec 30, 2024 - 1:20pm Plotted by: skweless

**GENERAL NOTES:**

- THIS SITE IS IN THE FOLLOWING DISTRICTS:  
METROPOLITAN ST. LOUIS SEWER DISTRICT  
METRO-WEST FIRE PROTECTION DISTRICT  
ROCKWOOD R6 SCHOOL DISTRICT
- THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS:  
MISSOURI AMERICAN WATER COMPANY  
AMEREN MISSOURI  
AT&T  
SPIRE  
CHARTER COMMUNICATIONS
- SANITARY SEWER CONSTRUCTION AND CONNECTIONS SHALL BE AS APPROVED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT AND IN ACCORDANCE WITH THE STANDARD CONSTRUCTION SPECIFICATIONS FOR SEWERS AND DRAINAGE FACILITIES.
- STORM WATER SYSTEMS SHALL BE DESIGNED PURSUANT TO CITY OF ELLISVILLE AND METROPOLITAN ST. LOUIS SEWER DISTRICT REQUIREMENTS AND DISCHARGE AT AN ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE DISCHARGE POINTS.
- THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL LOCATIONS SHALL BE DETERMINED BY FIELD CONDITIONS AND SHALL BE INDICATED ON THE IMPROVEMENT PLANS.
- ALL GRADING AND DRAINAGE TO BE IN CONFORMANCE WITH CITY OF ELLISVILLE AND MSD STANDARDS.
- STREET TREES, STREET LIGHTS AND SIDEWALKS SHALL BE PER CITY OF ELLISVILLE STANDARDS.
- SUBDIVISION IDENTIFICATION SIGN SHALL BE PER CITY OF ELLISVILLE ZONING CODE (CHAPTER 410, ARTICLE IV, SECT. 410.120)
- THE CLOSEST MAJOR STREET INTERSECTION IS MANCHESTER ROAD/HIGHWAY 100 AND OLD STATE ROAD 0.7 MILES TO THE NORTH.
- ALL SIDEWALKS SHALL BE CONSTRUCTED TO CITY OF ELLISVILLE AND A.D.A. STANDARDS. SIDEWALK LIGHTING SHALL BE INSTALLED AS SHOWN PER ELLISVILLE CODE SECTION 400.493
- ALL PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED TO CITY OF ELLISVILLE STANDARDS.
- PROPOSED LIGHT STANDARDS SHALL BE 16' TALL MAXIMUM.
- ALL PATIOS AND UNCOVERED DECKS MAY ENCRoACH INTO THE REAR YARD SETBACK, BUT SHALL NOT BE CLOSER THAN 10 FEET TO THE REAR PROPERTY LINE.
- ALL COVERED DECKS AND PATIOS WILL COMPLY WITH THE PROPOSED SETBACK REQUIREMENTS.
- CONTRACTOR SHALL COMPLY WITH CITY OF ELLISVILLE WORK HOURS PER ELLISVILLE CODE 500.040.
- STREET LIGHTING SHALL MEET CURRENT ELLISVILLE CODE SECTION 400.492.
- LANDSCAPING PER ELLISVILLE CODE SECTION 400.480 AND BE APPROVED BY CITY THIRD PARTY LANDSCAPE ARCHITECT.

**CURRENT OWNER:**

CHRISTOPHER ZIMMER  
510 OLD STATE ROAD  
ELLISVILLE, MISSOURI 63038

**OWNER UNDER CONTRACT:**

510 OLD STATE, LLC  
350 S. CENTRAL AVE.  
EUREKA, MISSOURI 63025

**DEVELOPMENT NOTES:**

LOCATOR NUMBER: 24U620503 & 24U620512  
EXISTING ZONING: R-1 SINGLE FAMILY RESIDENTIAL  
PROPOSED ZONING: R-2 PLANNED RESIDENTIAL  
EXISTING USE: SINGLE FAMILY RESIDENTIAL  
PROPOSED USE: SINGLE FAMILY RESIDENTIAL  
GROSS AREA OF SITE: 6.13 ACRES  
PROPOSED COMMON GROUND: 2.25 AC.  
PROPOSED RIGHT-OF-WAY: 0.78 AC.  
TOTAL LOTS PROPOSED: 22  
PROPOSED DENSITY: 3.58 LOTS/AC.  
PARKING CALCULATIONS: SPACED REQUIRED: 44 (2 SPACES/LOT)  
SPACES PROVIDED: 44 (2 SPACES/LOT)

**LOT DATA:**

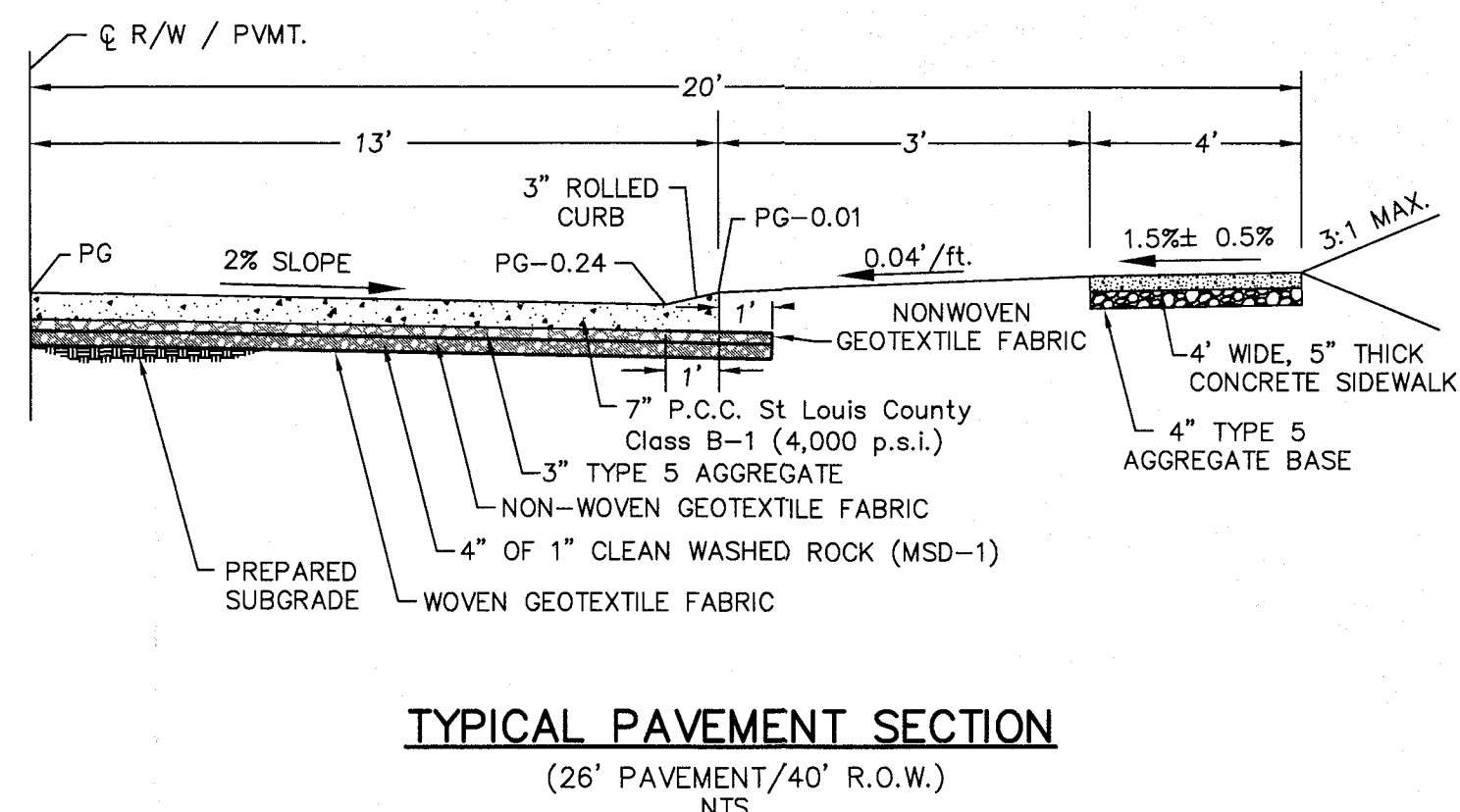
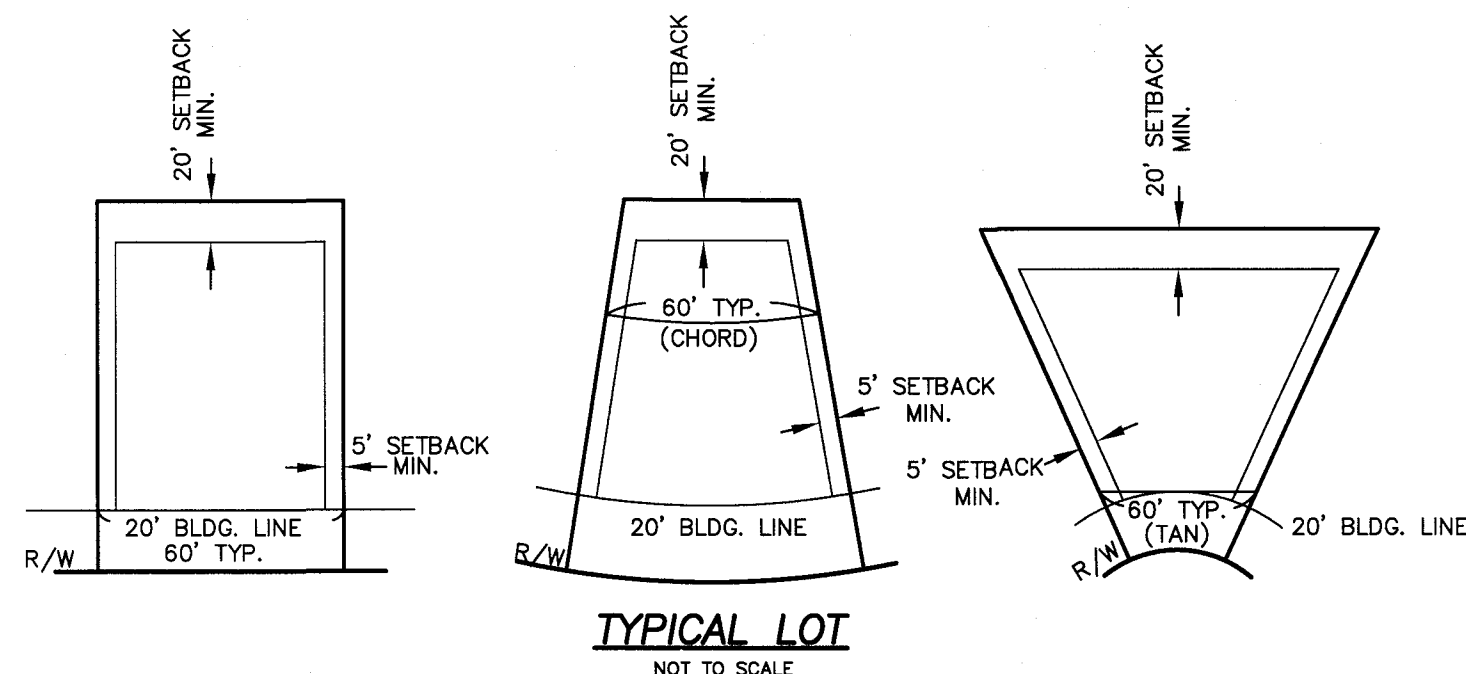
MINIMUM LOT 5,910 SQ.FT.  
AVERAGE LOT 6,143 SQ.FT.  
MAXIMUM LOT 8,632 SQ.FT.  
AREA LOT COVERAGE:  
HOME AND STREET COVERAGE = 33% OF TOTAL LOT AREA

**CLEARING DATA:**

EXISTING TREE CANOPY = 3.7 AC.  
PROPOSED TREE CANOPY = 1.4 AC. (37%)  
PROPOSED CLEARING = 2.3 AC. (63%)

**REQUESTED WAIVERS FROM FROM R-2 PLANNED RESIDENTIAL ZONING DISTRICT:**

MINIMUM BUILDING SETBACKS  
R-2 SPECIFICATIONS: REQUESTED WAIVERS:  
FRONT YARD = 35' FRONT YARD = 20'  
SIDE YARD = 10' SIDE YARD = 5'  
REAR YARD = 30' REAR YARD = 20'



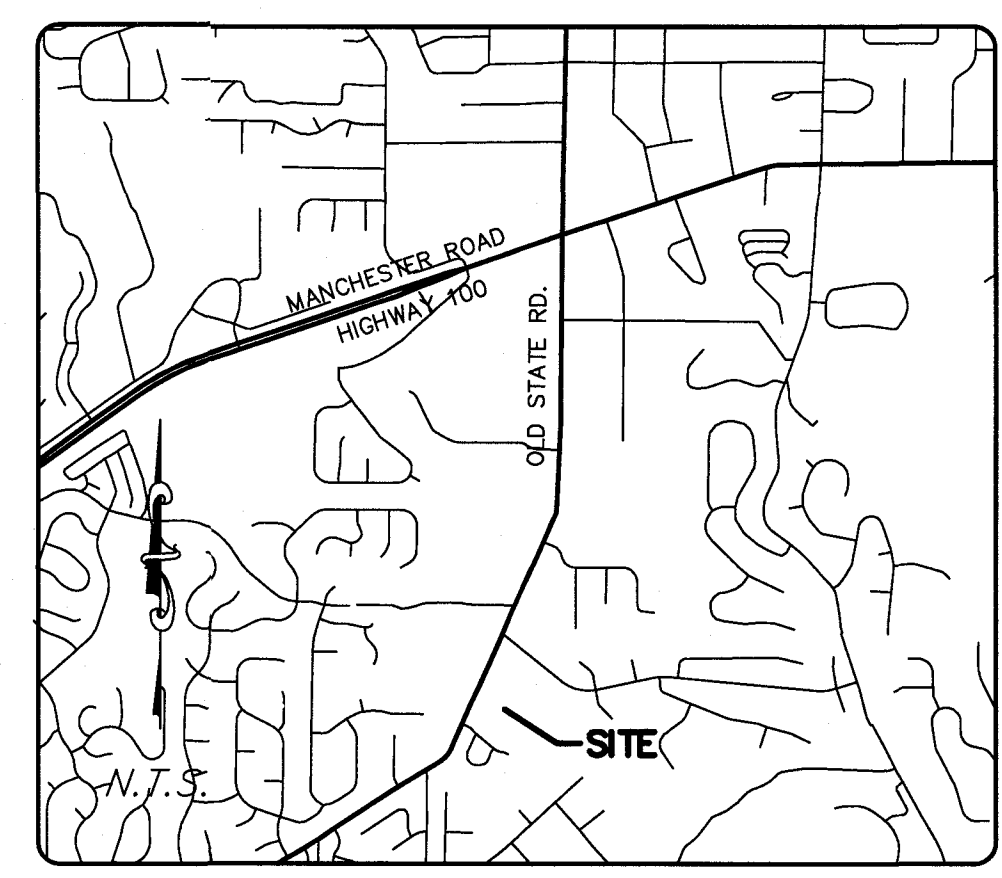
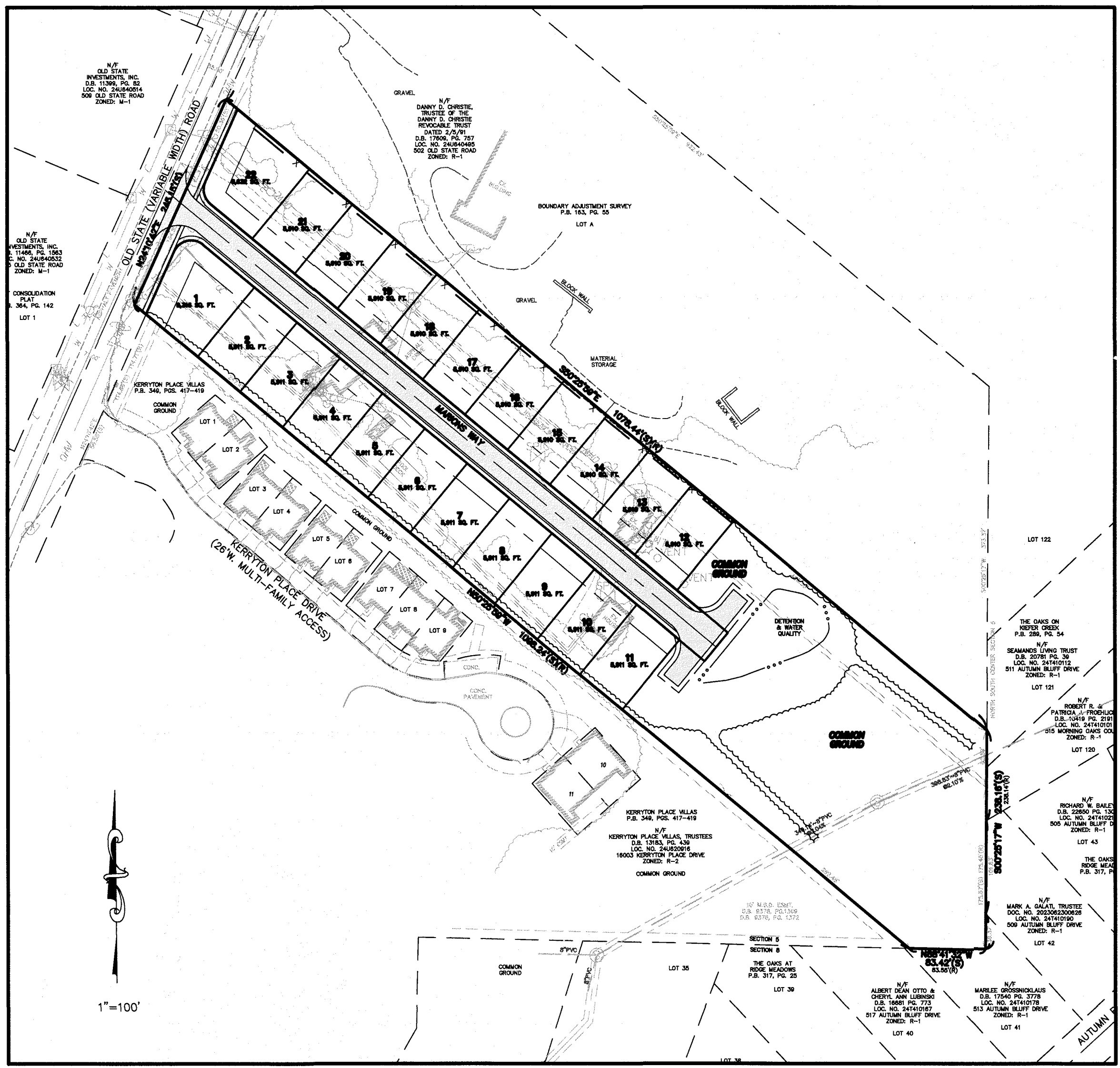
**SHEET INDEX**

1.1	COVER SHEET
2.1	PRELIMINARY SITE / GRADING PLAN
3.1	PRELIMINARY SITE PLAN
4.1	NATURAL RESOURCES MAP
5.1	SITE SECTIONS
6.1	SIGHT DISTANCE STUDY

# Napoli Estates

A TRACT OF LAND BEING PART OF  
THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5,  
TOWNSHIP 44 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN,  
CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI

## Subdivision Plat



**LOCATION MAP**  
N.T.S.  
**PROJECT ZIP CODE 63038**

**LEGEND**

EXISTING	PROPOSED	EXISTING	PROPOSED
542	(542)	UTILITY OR POWER POLE	
X536	536.0	FIRE HYDRANT	
		TEST HOLE	
		PAVEMENT	
		2" GAS MAIN & SIZE	(2")
		6" WATER MAIN & SIZE	(6")
		TELEPHONE	(T)
		ELECTRIC (U) UNDERGROUND	(E)
		ELECTRIC (O) OVERHEAD	(OH)
		FLOW LINE	
		TO BE REMOVED	TBR
		TOP OF CURB	(TC)
		SWALE	
		LIGHT STANDARD	
		STREET SIGN	
		P.S. BEE	
		PARKING STALLS	
		YARD LIGHT	

**FLOOD NOTE:**

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE COUNTY OF ST. LOUIS, MISSOURI, UNINCORPORATED AREAS (COMMUNITY PANEL NUMBER 29189C0278K, DATED MARCH 15, 2015), THIS PROPERTY LIES ENTIRELY OUTSIDE THE 500-YEAR FLOODPLAIN.

**PROPERTY DESCRIPTION:**

A TRACT OF LAND BEING PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 44 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON PIPE AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF OLD STATE (VARIABLE WIDTH) ROAD AND THE PROJECTION OF THE NORTHEASTERN LINE OF KERRYTON PLACE VILLAS, A SUBDIVISION THEREOF RECORDED IN PLAT BOOK 349, PAGES 417-419 OF THE ST. LOUIS COUNTY, MISSOURI RECORDER'S OFFICE; AND; THENCE LEAVING SAID CORNER ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 24°10'42" EAST, 245.15 FEET TO A FOUND IRON ROD AT THE WESTERMOST CORNER OF PROPERTY NOW OR FORMERLY TO DANNY D. CHRISTIE, TRUSTEE OF THE DANNY D. CHRISTIE REVOCABLE TRUST DATED 2/5/91, AS RECORDED IN DEED BOOK 17609, PAGE 757 OF SAID RECORDER'S OFFICE; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE ALONG THE SOUTHWEST LINE OF SAID CHRISTIE PROPERTY, SOUTH 50°25'59" EAST, 1,078.44 FEET TO THE SOUTHERNMOST CORNER OF SAID CHRISTIE PROPERTY; WHERE A FOUND IRON ROD BEARS SOUTH 38°44'29" EAST, 0.51 FEET, SAID CORNER BEING ON THE WEST LINE OF THE OAKS ON KIEFER CREEK, A SUBDIVISION THEREOF RECORDED IN PLAT BOOK 289, PAGE 54 OF SAID RECORDER'S OFFICE; THENCE LEAVING SAID SOUTHWEST LINE ALONG SAID WEST LINE OF THE OAKS ON KIEFER CREEK AND ALONG THE WEST LINE OF THE OAKS AT RIDGE MEADOWS, A SUBDIVISION THEREOF RECORDED IN PLAT BOOK 317, PAGE 25 OF SAID RECORDER'S OFFICE, SOUTH 00°25'17" WEST, 238.16 FEET TO A FOUND STONE AT THE SOUTH QUARTER CORNER OF THE ABOVEMENTIONED SECTION 5, IN TOWNSHIP 44 NORTH, RANGE 4 EAST; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 88°41'32" WEST, 83.42 FEET TO THE EASTERNMOST CORNER OF THE ABOVEMENTIONED KERRYTON PLACE VILLAS, WHERE A FOUND AXLE BEARS, SOUTH 88°41'32" EAST, 0.17 FEET; THENCE LEAVING SAID WEST LINE ALONG THE NORTHEASTERN LINE OF SAID KERRYTON PLACE VILLAS, NORTH 50°25'59" WEST, 1,098.24 FEET TO THE POINT OF BEGINNING AND CONTAINS 267,173 SQUARE FEET OR 6.1334 ACRES, MORE OR LESS, ACCORDING TO A PROPERTY BOUNDARY SURVEY PERFORMED BY THE STERLING COMPANY DURING THE MONTH OF AUGUST AND SEPTEMBER, 2024, IN ORDER NUMBER 24-05-112.

EXCEPTING THEREFROM THAT PART RESERVED FOR CEMETERY PURPOSES, AS RECITED IN DEED RECORDED IN BOOK 271 PAGE 575.

**SURVEYOR'S CERTIFICATION:**

THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF NOVEMBER, 2024, AT THE REQUEST OF 510 OLD STATE, LLC, PREPARED A SUBDIVISION PLAT OF "NAPOLI ESTATES", A TRACT OF LAND BEING PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 44 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI. THIS PLAN IS NOT A SURVEY AND DOES NOT MEET THE "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" IN EFFECT AT THE DATE OF THIS PLAN.

THE STERLING COMPANY

JAMEY A. HENSON  
NUMBER PLS-2007017963  
12-30-2024  
MSD Base Map 24U  
MSD P #  
H&T #

**ISSUE REMARKS/DATE**

1	12-2-2024	18 SUBMITTAL
2	12-30-2024	COMMENT/REMARKS

510 Old State, LLC  
350 S. CENTRAL AVE. #  
EUREKA, MISSOURI 63025

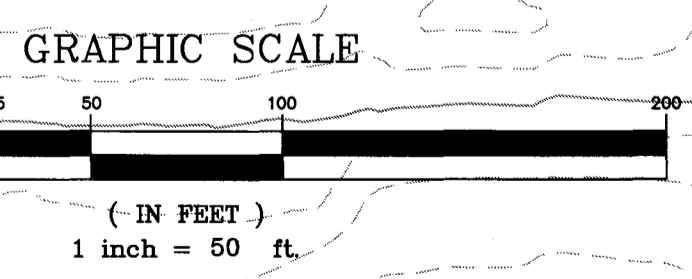
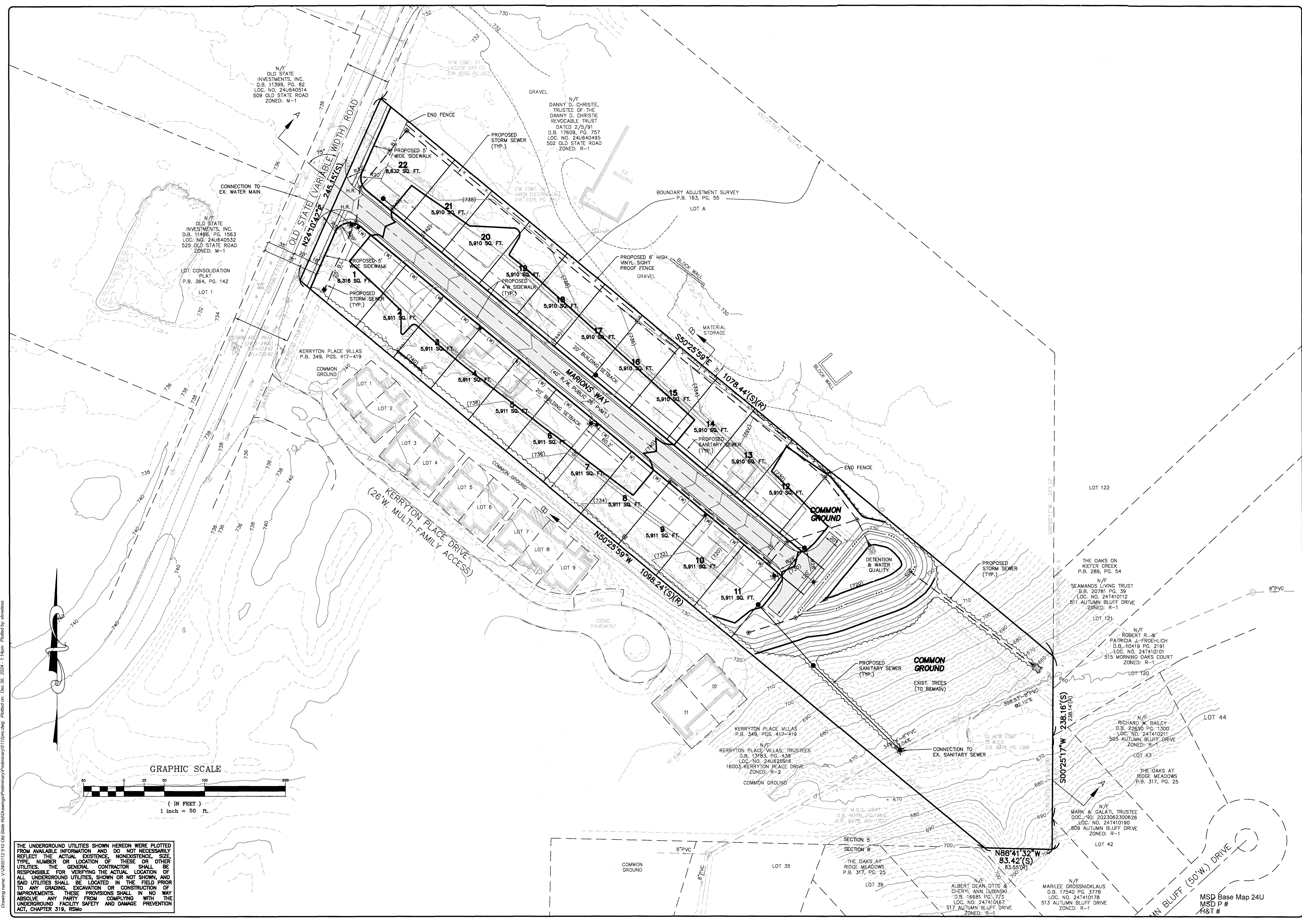
**THE STERLING CO.**  
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**Napoli Estates**  
510 OLD STATE ROAD, ELLISVILLE, MO 63038  
SUBDIVISION PLAT  
COVER SHEET

The Professional Engineer's seal and signature shall be on this sheet. All drawings, instruments or other documents not exhibiting this seal and signature shall not be considered prepared by this engineer, and the engineer expressly disclaims any and all responsibility for such plans, drawings or documents not exhibiting this seal and signature.

PRELIMINARY PLAN  
Date: 12-30-2024  
MICHAEL G. BOERDING  
License No. E-28643  
Professional Engineer  
Job Number: 24-05-112  
Date: Dec. 30, 2024  
Designed: MF Sheet  
Drawn: MF 1.1  
Checked: MF PRE

Drawing name: V:\2025\12\31\01 Old State Rd\Drawings\Pre\main\1512pre.dwg Plotted on: Dec 30, 2024 - 1:10pm Plotted by: slwelles



THE UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES, SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMO

ISSUE	REMARKS/DATE
1	12-2-2024, 1ST SUBMITTAL
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**510 Old State, LLC**  
 350 S. CENTRAL AVE. □  
 EUREKA, MISSOURI 63025

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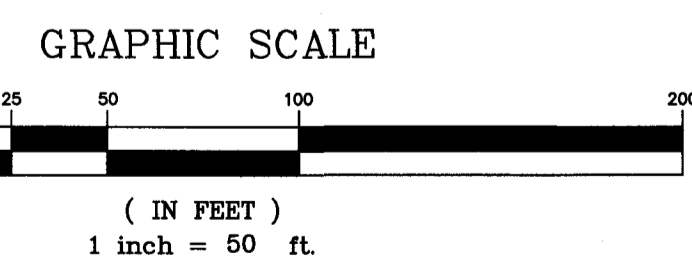
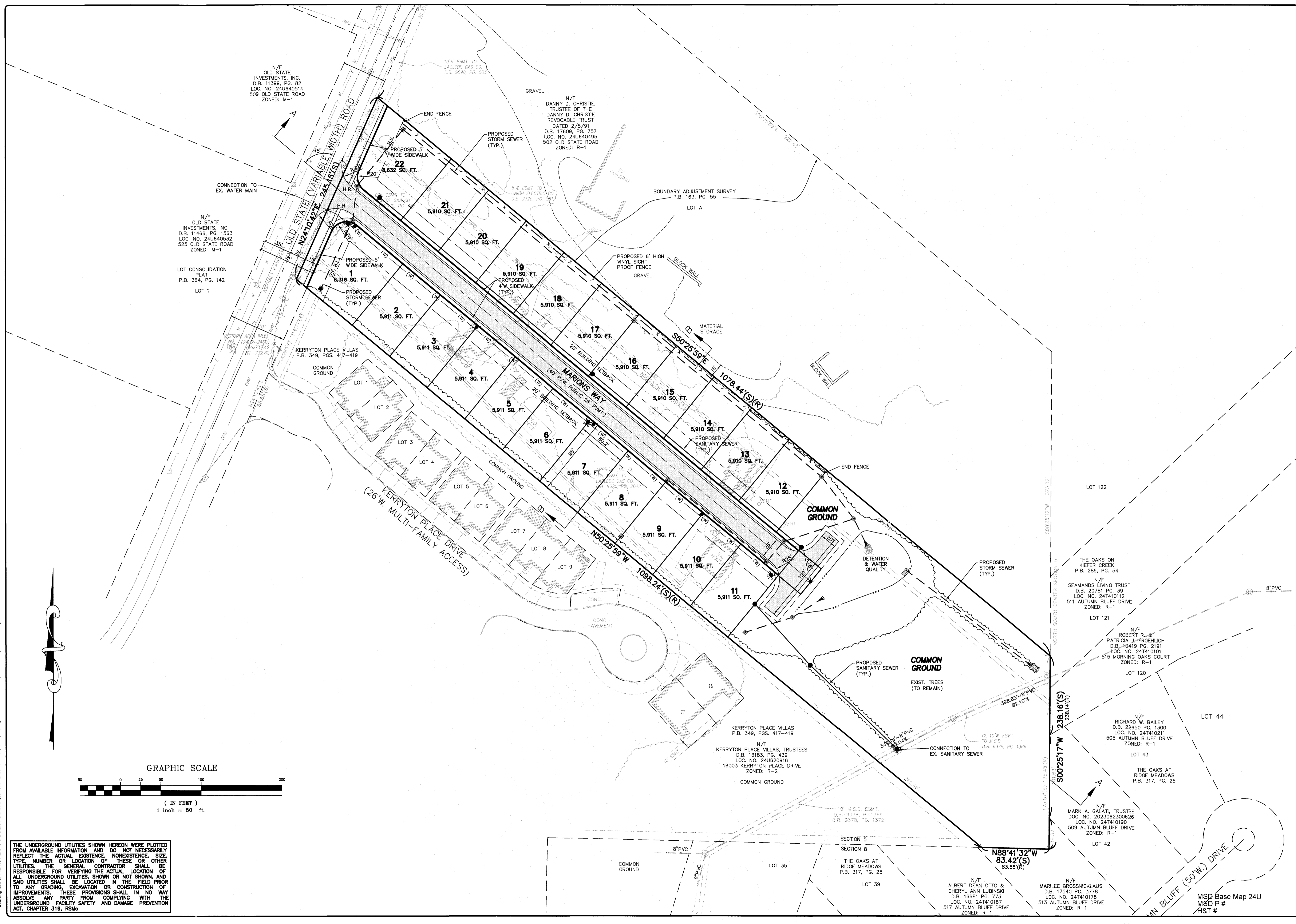
**Napoli Estates**  
 510 OLD STATE ROAD, ELLISVILLE, MO 63038  
 SUBDIVISION PLAN  
 PRELIMINARY SITE & GRADING PLAN

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Drawing name: V:\2405112 510 Old State Rd\Drawings\Preliminary\5112pre.dwg Plotted on: Dec 30, 2024 - 11:40am Plotted by: skweless



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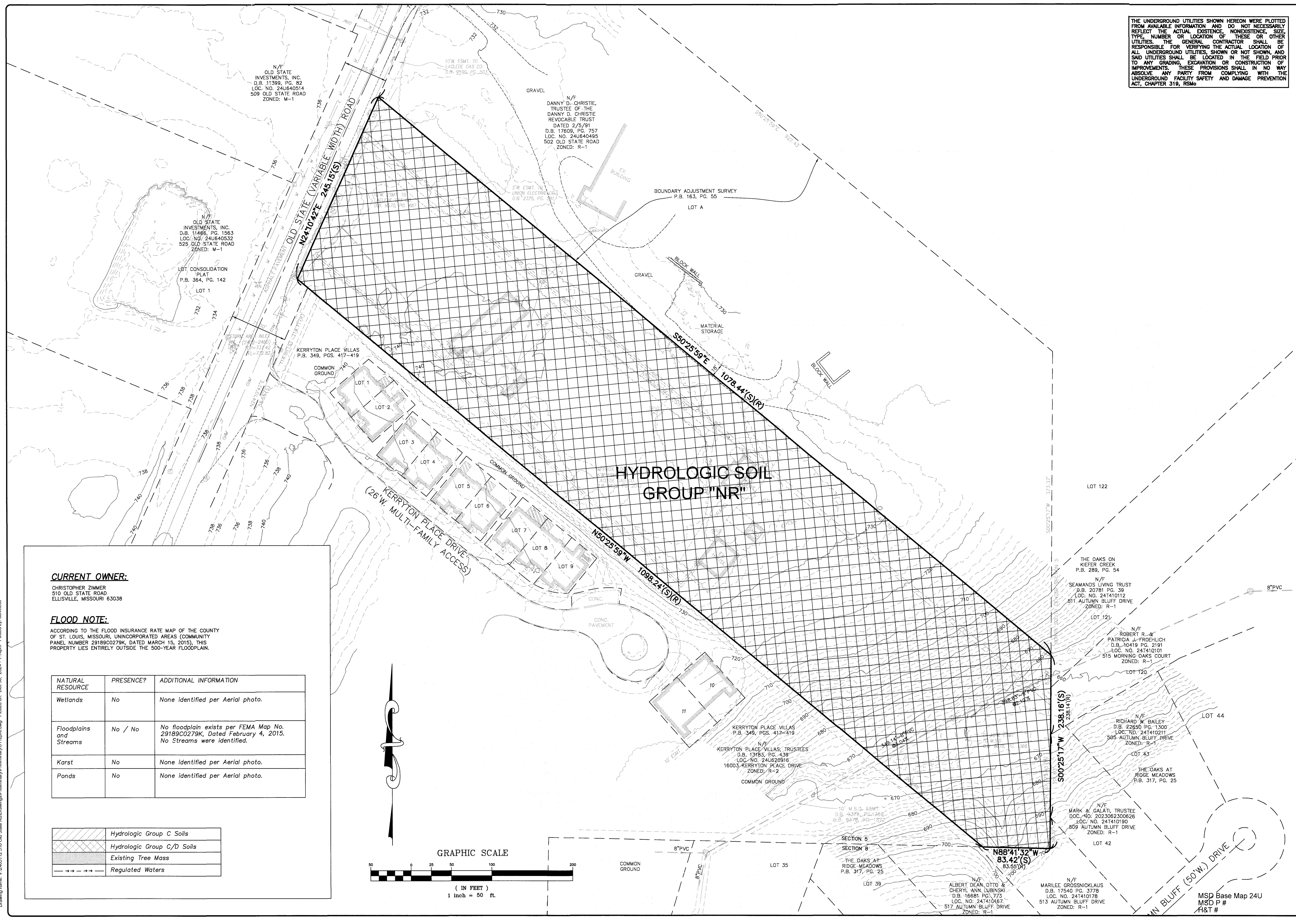
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*Napoli Estates*  
510 OLD STATE ROAD, ELLISVILLE, MO 63038  
SUBDIVISION PLAT  
PRELIMINARY SITE PLAN

THE PROFESSIONAL ENGINEER'S SEAL AND SIGNATURE AFFIXED TO THIS SHEET IS VALID ONLY FOR THE PROJECT AND INFORMATION ON THIS SHEET. ALL DRAWING INSTRUMENTS OR OTHER DOCUMENTS NOT ENDORSED BY THE ENGINEER, AND THE ENGINEER'S SIGNATURE, SHALL BE VOID AND OF NO EFFECT FOR ANY PROJECT, DRAWING OR DOCUMENT NOT ENDORSED BY THE SEAL AND SIGNATURE.

*Michael G. Boerding*  
MICHAEL G. BOERDING  
PROFESSIONAL ENGINEER

Job Number  
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Date  
**Dec. 30, 2024**  
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**Napoli Estates**  
 510 OLD STATE ROAD, ELLISVILLE, MO 63038  
 SUBDIVISION PLAT  
 NATURAL RESOURCES MAP

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*Michael G. Boerding*  
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 License No. E-28643  
 Professional Engineer

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**CURRENT OWNER:**

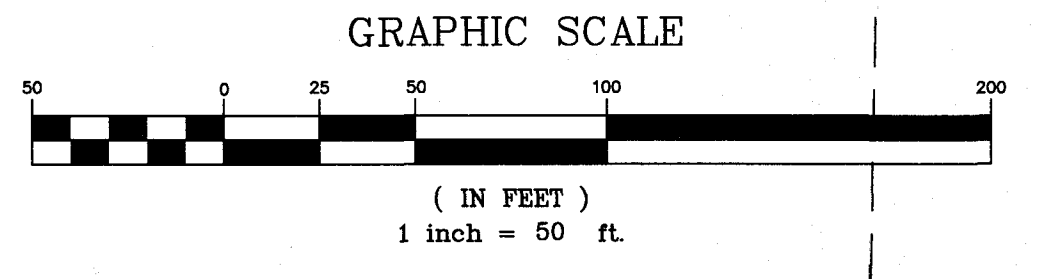
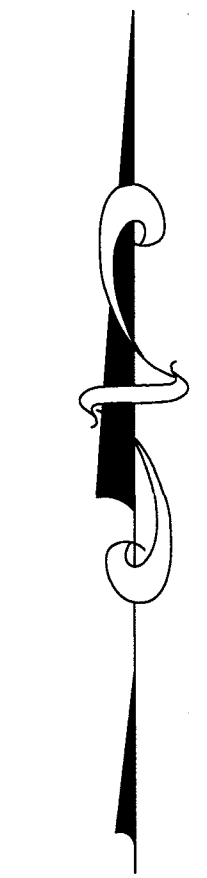
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**FLOOD NOTE:**

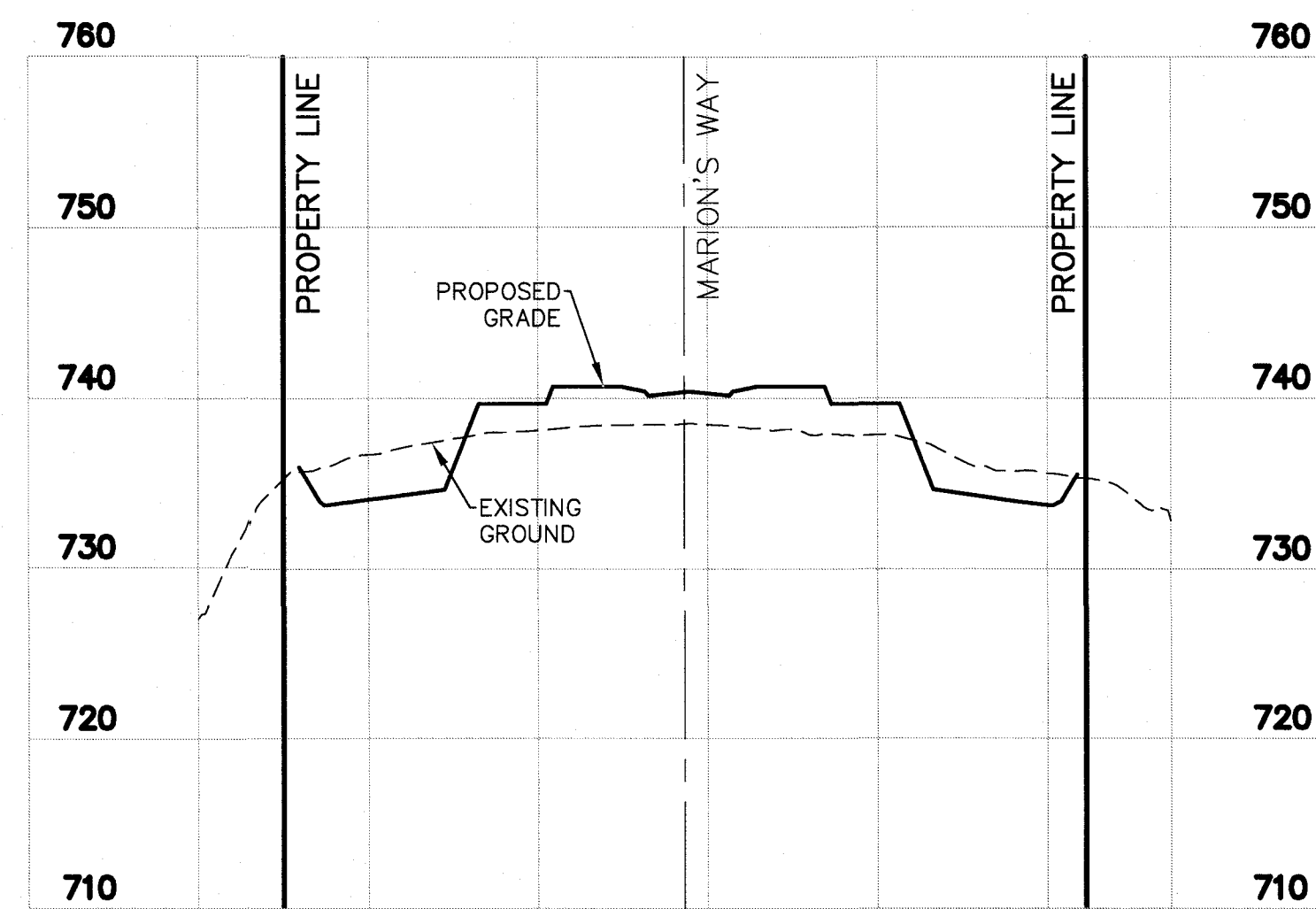
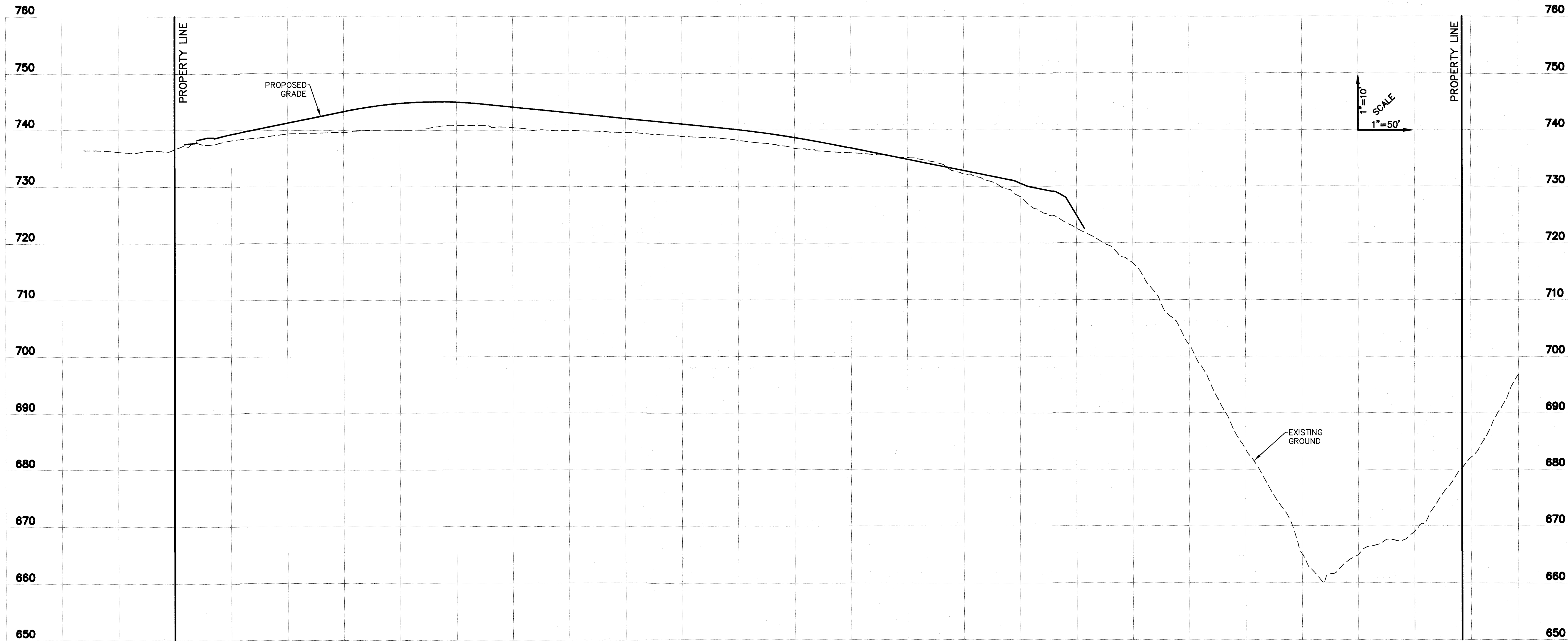
ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE COUNTY OF ST. LOUIS, MISSOURI, UNINCORPORATED AREAS (COMMUNITY PANEL NUMBER 29189C0279K, DATED MARCH 15, 2015), THIS PROPERTY LIES ENTIRELY OUTSIDE THE 500-YEAR FLOODPLAIN.

NATURAL RESOURCE	PRESENCE?	ADDITIONAL INFORMATION
Wetlands	No	None identified per Aerial photo.
Floodplains and Streams	No / No	No floodplain exists per FEMA Map No. 29189C0279K, Dated February 4, 2015. No Streams were identified.
Karst	No	None identified per Aerial photo.
Ponds	No	None identified per Aerial photo.

	Hydrologic Group C Soils
	Hydrologic Group C/D Soils
	Existing Tree Mass
	Regulated Waters



Drawing name: V:\2025\12-30-2024\12-30-2024 - 11:49am Plotted by: skweiss



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 510 OLD STATE ROAD, ELLISVILLE, MO 63038  
 SUBDIVISION PLAN  
 SITE SECTIONS

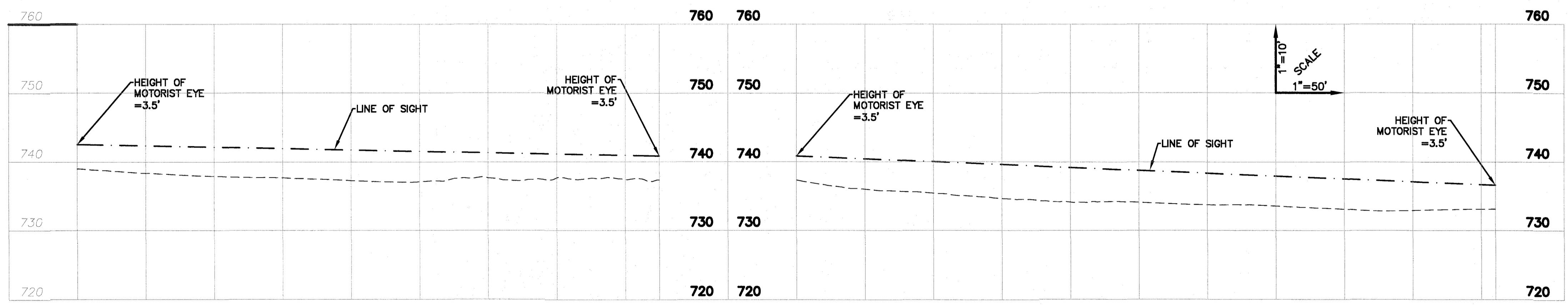
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*M. Boarding*  
 MISSOURI PROFESSIONAL ENGINEER  
 LICENSE NO. E-28643

PRELIMINARY PLAN  
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 License No. E-28643  
 Professional Engineer

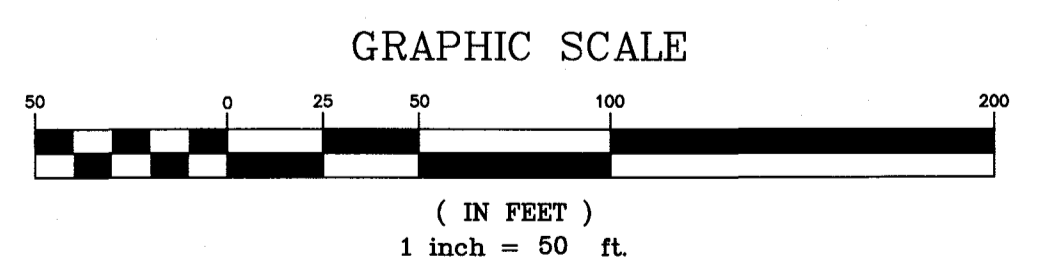
Job Number  
**24-05-112**  
 Date  
**Dec. 30, 2024**  
 Designed: MF Sheet  
 Drawn: MF **5.1**  
 Checked: MF PRE

MSD Base Map 24U  
 MSD P #  
 H&T #



LINE OF SIGHT LEFT

LINE OF SIGHT RIGHT



- NOTES:**
1. POSTED SPEED LIMIT: 40 M.P.H.
  2. DESIGN SPEED: 45 M.P.H.
  3. MINIMUM REQUIRED SIGHT DISTANCE:  
LEFT = 430 FT.  
RIGHT = 500 FT.

ISSUE	REMARKS/DATE
1	12-2-2024, 1st SUBMITTAL
2	12-30-2024, COMMENTS/MARKUPS

510 Old State, LLC  
 350 S. CENTRAL AVE  
 EUREKA, MISSOURI 63025

**THE STERLING CO.**  
**ENGINEERS & SURVEYORS**  
 5065 New Baumgartner Road  
 St. Louis, Missouri 63129  
 Ph 314-487-0440 Fax 314-487-8944  
 www.sterling-eng-sur.com  
 Corporate Certificate of Authority #001348

*Napoli Estates*  
 610 OLD STATE ROAD, ELLISVILLE, MO 63038  
 SUBDIVISION PLAN  
 SIGHT DISTANCE STUDY

*Michael G. Boarding*  
 MICHAEL G. BOARDING  
 License No. E-28643  
 Professional Engineer

PRELIMINARY PLAN  
 Date: 12-30-2024  
 MICHAEL G. BOARDING  
 License No. E-28643  
 Professional Engineer

Job Number  
**24-05-112**

Date  
**Dec. 30, 2024**

Designed: MF  
 Drawn: MF  
 Checked: MF

Sheet  
**6.1**  
 PRE

MSD Base Map 24U  
 MSD P #  
 H&T #

Drawing name: V:\2405112 510 Old State Rd\Drawings\Preliminary\5112pre.dwg Plotted on: Dec 30, 2024 - 1:15pm Plotted by: skevless

**SPONSORED BY:** \_\_\_\_\_  
**INTRODUCED BY:** \_\_\_\_\_

**BILL NO. 3829**  
**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A CHANGE IN ZONING OF THE PROPERTIES AT THE LOCATIONS KNOWN AND NUMBERED AS 510 AND 510A OLD STATE ROAD FROM THE “R-1” SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE “R-2” PLANNED RESIDENTIAL ZONING DISTRICT; AND APPROVING THE ASSOCIATED SITE DEVELOPMENT PLAN FOR THE PROPERTY.**

**WHEREAS**, 510 Old State, LLC (the “Applicant”), has petitioned the City of Ellisville, Missouri (the “City”) for: (1) a change in zoning of the properties known and numbered as 510 (parcel locator no. 24U620503) and 510A (parcel locator no. 24U620512) Old State Road (the “Properties”) from the “R-1” Single Family Residential Zoning District to the “R-2” Planned Residential Zoning District; and (2) the approval of the associated site development plan for the Property; and

**WHEREAS**, a public hearing was held by the Planning and Zoning Commission at an open meeting on December 11, 2024, pursuant to legal notices and Title IV: Land Use, of the Code of the City of Ellisville, Missouri, and the Planning and Zoning Commission forwarded a negative recommendation of said petition to the City Council; and

**WHEREAS**, at the request of the Applicant, on December 18, 2024, pursuant to Section 400.180(E) of the Code of the City of Ellisville, Missouri, the City Council referred the petition back to the Planning and Zoning Commission for further study before consideration of the petition; and

**WHEREAS**, the petition was considered again by the Planning and Zoning Commission at an open meeting on January 8, 2025, pursuant to Title IV: Land Use, of the Code of the City of Ellisville, Missouri, and the Planning and Zoning Commission forwarded a positive recommendation of said petition to the City Council; and

**WHEREAS**, the public hearing before the City Council was resumed at an open meeting on January 15, 2025, pursuant to legal notices and Title IV: Land Use, of the Code of the City of Ellisville, Missouri, regarding said petition; and

**WHEREAS**, all persons present at such hearing were given an opportunity to be heard and were heard; and

**WHEREAS**, the Council finds that the change in zoning: (1) would not adversely affect the character of the neighborhood; (2) would not have any negative effect upon traffic conditions; (3) would not substantially increase fire hazards; (4) would not overtax the sewage or public utilities; and (5) would not adversely affect the public health, safety and general welfare of the community; and

**WHEREAS**, a copy of the proposed ordinance was available for public inspection prior to consideration by the Council; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**SECTION 1:** The zoning classification for the properties known and numbered as 510 and 510A Old State Road, are hereby changed from the “R-1” Single Family Residential Zoning District to the “R-2” Planned Residential Zoning District, within the City of Ellisville, Missouri. The City Planner is hereby directed to update the City’s Zoning District Map and file a copy of same with the City Clerk.

**SECTION 2:** The Council hereby approves the site development plan in substantially the form of Exhibit A, attached hereto and incorporated herein by reference, submitted by 510 Old State, LLC, for the locations known and numbered as 510 and 510A Old State Road, within the City of Ellisville, Missouri, subject to the following conditions in addition to all other applicable regulations and requirements:

1. That the Applicant secures approval from Metropolitan Forestry Service (“MFS”) to relocate the driveway onto MFS’ property, located at 502 Old State Road (St. Louis County Locator ID 24U640495), 10’ to the north from its current location; and
2. That the Applicant secures approval from MFS to install an appropriate tree buffer to mitigate/reduce noise and visual impacts within the aforementioned 10’ area on MFS’s property, subject to the City’s third-party landscape architect’s approval; and
3. In the alternative to Conditions 1 and 2 in this Section, if MFS does not approve the driveway relocation and tree buffer installation (as described in Conditions #1-2 herein), the Applicant comply with the following alternatives:
  - a. Reduced Lot Depth: Reduce the lot depth by 10-feet for lots 12-22.
  - b. Common Ground Strip: Create a 10-foot common ground strip along the northern property line of lots 12-22.
  - c. Reduced Setbacks: Reduce the proposed setbacks from the currently proposed 20 feet to 10 feet for lots 12-22.
  - d. Install an appropriate tree buffer between the Properties and the MFS property, subject to approval by the City’s third-party landscape architect.
4. That the Applicant agrees to include an addendum to the sale contract for each lot notifying each buyer of the noise potential; and
5. That all sidewalks measure 5’ in width; and
6. That the Applicant secures approval from the Metropolitan St. Louis Sewer District including sewer easements, water quality features and associated maintenance agreements, etc.; and
7. That the Applicant aligns Marion’s Way with the full access driveway across Old State; and
8. That the Applicant obtains a land disturbance permit, including SWMPP, from the Missouri Department of Natural Resources; and
9. That the Applicant prepares and submits a landscape plan, including woodland preservation, subject to the approval by the City’s third-party landscape architect as part of the permit review process; and
10. That the Applicant prepares and submits a photometric plan for staff review and approval as part of the permit review process; and

11. That all street lighting be per the City’s requirements in Section 400.493 of the Code of the City of Ellisville, Missouri; and
12. That the Applicant prepares and submits a final plat for staff review and approval as part of the permit review process; and
13. That the residential subdivision indentures/by-laws be submitted to the City Attorney for review and approval prior to residential building permit issuance; and
14. That all storm water outfall structures feature an aesthetically appealing surface/skin; and
15. That the Applicant files a surety bond or escrow cash or an equivalent in the amount equal to one hundred (100) percent of the estimated cost of construction of the development improvements; and
16. That the applicant secures approval from Metro West Fire Protection District; and
17. That the applicant secures approval from St. Louis County; and
18. That the Applicant complies with all applicable Codes as part of building permit issuance.

**SECTION 3:** This Ordinance shall be in full force and effect after its passage and approval of the Council.

This Bill No. \_\_\_\_\_ having been read by title or in full two times prior to passage, and having been duly considered and voted upon was finally passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**First Reading votes:**

**DATE:** \_\_\_\_\_

	AYE	NAY	ABSTAIN
<b>COMPTON</b>	_____	_____	_____
<b>NIEBLING</b>	_____	_____	_____
<b>SANBORN</b>	_____	_____	_____
<b>CAHILL</b>	_____	_____	_____
<b>BOGGS</b>	_____	_____	_____
<b>HILDEBRAND</b>	_____	_____	_____
<b>ROEMERMAN</b>	_____	_____	_____

**Second Reading votes:**

**DATE:** \_\_\_\_\_

	AYE	NAY	ABSTAIN
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**ATTEST:**

**CITY OF ELLISVILLE**

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**MAYOR MIKE ROEMERMAN**

Approved as to form:

\_\_\_\_\_  
City Attorney

**Exhibit A**

[ *insert Site Development Plan* ]

**SPONSORED BY:** \_\_\_\_\_  
**INTRODUCED BY:** \_\_\_\_\_

**BILL NO. 3830**  
**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE APPROVING A SUBDIVISION PLAT FOR THE PARCELS KNOWN AND NUMBERED AS 510 AND 510A OLD STATE ROAD, WITHIN THE CITY OF ELLISVILLE, MISSOURI.**

**WHEREAS**, 510 Old State, LLC (the “Applicant”), has petitioned for the approval of a subdivision plat for the locations known and numbered as 510 (St. Louis County Locator ID 24U620503) and 510A (St. Louis County Locator ID 24U620512) Old State Road (the “Properties”), located within the “R-2” Planned Residential Zoning District of the City of Ellisville, Missouri, to subdivide the Properties into a total of twenty-two (22) parcels; and

**WHEREAS**, said petition was reviewed by City staff for completeness and for compliance with all applicable requirements, standards, codes and ordinances, in accordance with Article III of Chapter 405 of the Code of the City of Ellisville, Missouri, and copies of the subdivision plat and supporting documents were submitted to the Planning and Zoning Commission for its review and approval; and

**WHEREAS**, the petition was considered at an open meeting by the Planning and Zoning Commission on December 11, 2024, pursuant to Title IV, Land Use, of the Code of the City of Ellisville, Missouri, and the Planning and Zoning Commission forwarded a negative recommendation of said petition to the City Council; and

**WHEREAS**, at the request of the Applicant, on December 18, 2024, pursuant to Section 405.110 of the Code of the City of Ellisville, Missouri, the City Council referred the petition back to the Planning and Zoning Commission for further study before consideration of the petition; and

**WHEREAS**, an amended plat was submitted by the Applicant on December 30, 2024, and was considered at an open meeting by the Planning and Zoning Commission on January 8, 2025, and the Planning and Zoning Commission forwarded a positive recommendation of said petition to the City Council; and

**WHEREAS**, the petition was considered at an open meeting by the City Council on January 15, 2024, pursuant to Title IV, Land Use, of the Code of the City of Ellisville, Missouri, regarding said petition; and

**WHEREAS**, the Council finds that the amended subdivision plat: (1) would be consistent with the Comprehensive Plan; (2) would be compatible in terms of lot size and density; (3) would provide adequate dimensions to construct improvements of similar size and nature to the surrounding area; (4) would comply with area and frontage requirements as specified in Chapter 400 of the Code of the City of Ellisville, Missouri; (5) would create lots with substantially rectangular dimensions; (6) would promote a creative approach to the use of land and related physical facilities, resulting in better site layout and development; (7) would preserve and enhance desirable site characteristics, such as natural topography, vegetation and geologic features and the prevention of soil erosion; (8) would enhance water quality; (9) would eliminate incompatible land configurations; (10) would be consistent with good planning practices; and (11) would comply with all applicable codes, ordinances, and standards; and

**WHEREAS**, the Council finds that the amended subdivision plat will substantially meet all land development standards of Chapter 405 of the Code of the City of Ellisville, Missouri; and

**WHEREAS**, a copy of the proposed ordinance was available for public inspection prior to consideration by the Council; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**SECTION 1:** The Council hereby approves the amended subdivision plat for the parcels known and numbered as 510 and 510A Old State Road, as submitted by 510 Old State, LLC. A true and correct copy of the Subdivision Plat is attached hereto as Exhibit A and incorporated herein by reference. This approval is granted subject to the following conditions, in addition to all other applicable regulations and requirements:

1. That the Applicant secures approval from the Metropolitan St. Louis Sewer District including sewer easements, water quality features, and associated maintenance agreements, pursuant to Section 405.150 of the Code of the City of Ellisville, Missouri; and
2. That the Applicant shall submit residential subdivision indentures/by-laws to the City for review and approval by the City Attorney, pursuant to Section 405.140 of the Code of the City of Ellisville, Missouri.

**SECTION 2:** The applicant shall submit proof that the approved plat has been filed and recorded with the St. Louis County Recorder of Deeds within one year of the effective date of this Ordinance. After that time, the applicant shall be required to resubmit the original or a revised plat for consideration and approval, or request that the City Council grant an extension, as set forth in Section 405.200 of the Code of the City of Ellisville, Missouri.

**SECTION 3:** Notwithstanding any other provision of this Ordinance to the contrary, the approval of this subdivision plat is contingent upon the City Council' s approval and passage of Bill No. \_\_\_\_\_, considered contemporaneously herewith, rezoning the Properties to "R-2" Planned Residential District.

**SECTION 4:** This Ordinance shall be in full force and effect after its passage and approval of the Council.

This Bill No. \_\_\_\_\_ having been read by title or in full two times prior to passage, and having been duly considered and voted upon was finally passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**First Reading votes:**

**DATE:** \_\_\_\_\_

**Second Reading votes:**

**DATE:** \_\_\_\_\_

	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
<b>COMPTON</b>	_____	_____	_____
<b>NIEBLING</b>	_____	_____	_____
<b>SANBORN</b>	_____	_____	_____
<b>CAHILL</b>	_____	_____	_____
<b>BOGGS</b>	_____	_____	_____
<b>HILDEBRAND</b>	_____	_____	_____
<b>ROEMERMAN</b>	_____	_____	_____

<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**ATTEST:**

**CITY OF ELLISVILLE**

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**MAYOR MIKE ROEMERMAN**

Approved as to form:

\_\_\_\_\_  
City Attorney

**EXHIBIT A**

[ *insert Amended Subdivision Plat* ]

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**TO:** City of Ellisville  
**SUBJECT:** Ellisville Market Place CID at 15682 Manchester Rd  
**DATE** 11/13/2024

---

On January 12<sup>th</sup>, 2015, the City of Ellisville approved Board Bill No. 3414, establishing the Ellisville Marketplace Community Improvement District (CID) as a Political Subdivision of the State of Missouri to levy a 1% sales tax for a 23-year term. The City Council also approved a blight finding, included as Exhibit C in the original CID Petition.

The developer plans to retrofit the 62,000-square-foot building to accommodate two additional tenants while retaining the three existing ones. Exterior and façade improvements will support the interior renovations, though CID revenues will not reimburse the interior improvements. Instead, the amendment seeks to designate the exterior and façade improvements as reimbursable expenses.

The original CID included eligible expense of \$2.3 million. The Developer estimates the CID eligible improvements to be approximately \$500,000 to \$750,000 for the proposed retrofit and exterior and façade upgrades.

**Current Tenant Buildout:**

1. Dogwood Wine and Spirits: 22,000-SF
2. Dogwood Social House: 22,000-SF
3. The Tile Shop: 22,000-SF

**Proposed SF at Project Completion:**

1. Dogwood Wine and Spirits: 14,000-SF
2. Dogwood Social House: 20,000-SF
3. The Tile Shop: 22,000-SF
4. Famous Toastery: 2,000-SF
5. Pool Supply Store: 8,000-SF

**Exterior Improvements**

The proposed improvements to the exterior common areas will enhance the accessibility, functionality, and visual appeal of the property. These improvements aim to create a more welcoming environment for tenants and visitors while increasing the overall property value.

- **Replacement of Sidewalks:** Sidewalks will be replaced to improve pathways throughout the site, contributing to the building's overall walkability in connection with the additional tenants.
- **Improvements to Landscaping:** New landscaping elements will be introduced to enhance the aesthetic appeal of the common areas in parking lot greenery and the Northeast side of the building. This may include the planting of trees, shrubs and flowers. These upgrades aim to provide a more pleasant environment for customers and increase curb appeal.

- **Parking Lot Improvements:** The parking lot will undergo improvements to enhance its functionality, including seal coating and repainting.
- 

### **Pool Supply Store**

#### **Exterior Facade Improvements:**

- **Demolition and Reconstruction of North Wall Façade:** The existing north wall façade will be demolished to make way for a new entrance.
- **Addition of Decorative Popout Column:** A new decorative column will be added to the northeast corner of the building to balance the appearance of the new entrance.
- **Glass Door Entrance:** The Pool Supply Store will feature a glass door entrance, similar to that of the Tile Shop, to provide a sleek and modern look while enhancing visibility and accessibility.

#### **Interior Improvements:**

- **Erection of New Interior Wall:** A new interior wall will be constructed to separate the Pool Supply Store from the adjacent Dogwood Liquor Store. The new wall will follow the alignment of the existing columns and extend the full length of the building. This partition will define the space while maintaining the overall structure's integrity.
- 

### **3. Dogwood Liquor Store**

#### **Exterior Facade Improvements:**

- **Demolition and Consolidation of Entrance:** The existing entrance to the Dogwood Liquor Store will be demolished to realign the façade and balance the new entrance of the Pool Supply Store. This will ensure a cohesive and symmetrical look for the building's exterior, enhancing the overall visual appeal.

#### **Interior Improvements:**

- **Construction of Partition Wall:** An interior partition wall will be erected to divide the space between the Dogwood Liquor Store and the newly partitioned Pool Supply Store. This wall will ensure clear separation of tenant spaces while maintaining proper access and flow within the building.
- 

### **4. Famous Toastery – Breakfast Restaurant**

#### **Exterior Façade Improvements:**

- **Demolition of Existing Brick Wall:** The current brick wall will be demolished to make room for the restaurant entry and outdoor patio seating.
- **Addition of Glass Garage Doors:** Two glass garage doors will be installed on either side of the primary entrance door. These will provide greater flexibility for the restaurant's entrance, allowing for an open, airy atmosphere during favorable weather conditions and improving the overall guest experience.
- **New Patio Area:** A newly poured patio will extend into the parking lot, reducing the number of parking spots by approximately seven spaces. The patio will be fenced in to separate it from the sidewalk and parking area, ensuring a secure and enjoyable dining experience for customers.

- **Addition of Decorative Column and Awning:** To maintain a symmetrical building facade, a new decorative popout column with an awning will be added to the FT entrance. This design element will align with the building's existing columns and provide a cohesive architectural style across the property.

**Interior Improvements:**

- **Carving Out Space from Dogwood Social House:** Partial walls will be constructed to carve out additional space for the Famous Toastery within the existing Social House. This will allow the restaurant to operate more independently while sharing common services such as the HVAC.
- **Addition of Interior Door and Bathroom:** A new door will be installed between the Famous Toastery and Dogwood Social House spaces, allowing Famous Toastery to use the Dogwood Social House kitchen. Additionally, a new dedicated bathroom will be constructed for Famous Toastery customers, improving the restaurant's functionality and guest services.
- **Expansion of Party Room:** The current party room along the north exterior wall of DSH will be partially opened up to the interior. Two new glass garage doors will be installed to create a seamless connection between the restaurant's new foyer and the outdoor patio.

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## **5. Dogwood Social House**

**Interior Improvements:**

- **Partial Partitioning for FT:** A section of the DSH will be partially partitioned off to create space for the Famous Toastery. The walls will not extend to the ceiling, allowing for the continued use of the existing HVAC system without major changes to the building's infrastructure. The partitioned area includes the party room and will maintain the overall flow of the DSH space.
  - **Limited Operational Hours:** As the Dogwood Social House primarily operates in the late afternoons and evenings, the internal modifications will not impact the overall use of the space during daytime hours, ensuring minimal disruption to its operations.
-

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**SPONORED BY:** \_\_\_\_\_  
**INTRODUCED BY:** \_\_\_\_\_

**RESOLUTION #-01-15-2025A**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PRELIMINARY FUNDING AGREEMENT ON BEHALF OF THE CITY OF ELLISVILLE WITH ELLISVILLE MARKEPTLACE LLC IN CONNECTION WITH THE ELLISVILLE MARKETPLACE COMMUNITY IMPROVEMENT DISTRICT.**

**WHEREAS**, the City of Ellisville approved and established the Ellisville Marketplace Community Improvement District (the “CID”) via Ordinance No. 3414 on February 18, 2015, to provide public improvements and services within the boundaries of the CID, approximately 8.23 acres of land generally located at 15678 and 15698 Manchester Road located within the City (the “Property”); and

**WHEREAS**, the owner of the Property, Ellisville Marketplace LLC (the “Developer”) wishes to amend certain terms of the CID petition to provide for further development of the Property (the “CID Amendment”); and

**WHEREAS**, in order to allow the City to fully consider and evaluate the CID Amendment, the City and Developer wish to enter into a Preliminary Funding Agreement reimburse the City for the City’s actual out-of-pocket expenses necessary to perform a full evaluation of the CID Amendment and engage consultants as needed for such evaluation; and

**WHEREAS**, a copy of this Resolution has been provided for public inspection prior to consideration by the Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**SECTION 1:** The City of Ellisville hereby authorizes the Mayor to sign and execute the Preliminary Funding Agreement, in substantially the form attached hereto and incorporated herein as Exhibit A, with Ellisville Marketplace LLC to assist with the City’s actual out-of-pocket expenses in connection with the proposed CID Amendment.

**SECTION 2:** The Mayor and City Manager are hereby authorized and directed to take such further action as may be reasonably necessary to effectuate the intent of this Resolution.

**SECTION 3:** This Resolution shall be in full force and effect from and after its passage and approval by the Council.

**THIS RESOLUTION READ IN FULL AND ADOPTED BY THE COUNCIL OF THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI, ON THIS 15<sup>th</sup> DAY OF JANUARY, 2025.**

	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
<b>COMPTON</b>			
<b>NIEBLING</b>			
<b>SANBORN</b>			
<b>CAHILL</b>			
<b>BOGGS</b>			
<b>HILDEBRAND</b>			
<b>ROEMERMAN</b>			

**CITY OF ELLISVILLE**

\_\_\_\_\_

\_\_\_\_\_

**MAYOR**

Approved as to form:

\_\_\_\_\_

City Attorney

**EXHIBIT A**

**PRELIMINARY FUNDING AGREEMENT**

This **PRELIMINARY FUNDING AGREEMENT** (this “**Agreement**”) is made and entered into as of January \_\_, 2025, by and between the **CITY OF ELLISVILLE, MISSOURI** (the “**City**”) and **ELLISVILLE MARKETPLACE LLC**, a Missouri limited liability company (the “**Company**”).

**RECITALS**

**A.** The Ellisville Marketplace Community Improvement District (the “**CID**”) was established pursuant to Section 67.1401 to 67.1571 of the Revised Statutes of Missouri (“**RSMo**”) by Ordinance No. 3414 of the City of Ellisville, Missouri on February 18, 2015. The CID was created to provide public improvements and services within the boundaries of the CID, approximately 8.26 acres of land generally located at 15676, 15678 and 15698 Manchester Road located within the City (the “**Property**”), as outlined in the original petition.

**B.** In connection with the Company’s proposed redevelopment of the Property, the Company has advised the City that the costs of redeveloping the Property will be extraordinarily high and, to make the redevelopment of the Property financially feasible, has requested that the City consider an amendment to the existing CID to include the addition of [\$500,000 to \$750,000] to the total sizing of the CID (the “**CID Amendment**”).

**C.** The Company has advised the City that even with the CID Amendment, in order to make the redevelopment of the Property financially feasible the Company may request at a later date that the City consider certain additional economic development incentives for the Property.

**D.** In order for the City to fully consider and evaluate the CID Amendment, the City has requested the Company deposit funds with the City to be used by the City to pay for the City’s actual out-of-pocket expenses necessary to perform a full evaluation of the CID Amendment and engage consultants as needed for such evaluation.

**NOW THEREFORE**, in consideration of the covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

**1. Reimbursement of Expenses.** The Company shall reimburse the City for Reimbursable Expenses (as defined herein) incurred by the City in connection with the Project, such reimbursement to not initially exceed \$10,000 (the “**Initial Reimbursement Amount**”), and thereafter, in an additional amount to be agreed upon by the City and Company in the manner described in Section 4 of this Agreement. Within ten calendar days of executing this Agreement, the Company shall deposit \$7,500 of the Initial Reimbursement Amount with the City, for use in payment of the City’s Reimbursable Expenses. “**Reimbursable Expenses**” include paying or

reimbursing the City for payment of actual out-of-pocket costs and expenses incurred by the City for services provided by such consultants and advisors (including, but not limited to, attorneys (including both Lashly & Baer, P.C. as City Attorney, and Gilmore & Bell as Bond Counsel), administrators, and planners) associated with the redevelopment of the Property; including, but not limited to, preparation and review of resolutions, ordinances, agreements, and other related documents, and for fees and expenses incurred by the City (such as mailing, publication and similar costs) in connection with the foregoing. Subject to the terms hereof, the Company shall provide reimbursement to the City for Reimbursable Expenses incurred from time to time within ten (10) days after delivery by the City of request for reimbursement together with copies of invoices for such Reimbursable Expenses. Notwithstanding anything to the contrary herein, neither the City, the City Attorney nor Bond Counsel shall have any obligation to refund any funds or other City costs to Company, except to the extent of any excess funds remaining after the payment of expenses of the City.

**2. Consideration of CID Amendment.** The City agrees to work with the Company and attempt to agree upon a mutually acceptable CID Amendment, and take all other reasonable actions precedent to the favorable consideration by the City Council of the approval of the CID Amendment; provided, that nothing herein shall obligate the City to approve a CID Amendment. Notwithstanding the foregoing, the parties acknowledge and agree that the ultimate determination of the formation and approval of the CID Amendment is in the sole discretion of the Mayor and City Council.

**3. Company's Right of Termination.** The Company may terminate this Agreement at any time in its sole discretion upon giving the City ten (10) days' written notice, whereupon ten (10) days following the Company's delivery of said notice this Agreement shall be deemed terminated. Upon receipt of such notice, the City shall cease incurring expenditures under this Agreement as soon as reasonably possible. Upon termination, the Company shall pay to the City all then outstanding, unpaid Reimbursable Expenses incurred by the City through the date of termination, such amount to be paid within twenty (20) days after delivery to Company of invoices documenting such outstanding amount.

**4. City's Right of Termination.** The City may terminate this Agreement upon giving the Company ten (10) days' written notice if the City has incurred expenses up to the Initial Reimbursement Amount and the Company does not agree to additional reimbursement above the Initial Reimbursement Amount within fourteen (14) days after written request for such increase from the City.

**5. No Third Party Beneficiaries.** This Agreement constitutes a contract solely between the City and Company. No third party has any beneficial interest in or derived from this Agreement.

**6. Notices.** All notices or other communications required or desired to be given hereunder shall be in writing and shall be deemed duly given and received when (i) mailed by registered or certified mail, postage prepaid, or (ii) sent by overnight delivery or other delivery service which requires written acknowledgment of receipt by the addressee, addressed as follows:

**If to the City:**

Ellisville City Hall  
1 Weis Avenue  
Ellisville, Missouri 63011  
Attn: Bill Schwer, City Manager  
Email: bschwer@ellisville.mo.us

**If to Company:**

Ellisville Marketplace LLC  
Attn: Andy Patel  
15678-15686 Manchester Road  
Manchester, MO 63011  
Email: andy.patel@appleig.com

or to such other address with respect to any party as that party may, from time to time, designate in writing and forward to the other parties. All such notices or other communications shall be deemed given three business days following deposit in the United States of America mail with respect to registered or certified letters or earlier upon receipt, and one business day following deposit if delivered to an overnight courier guaranteeing next day delivery. Attorneys for each party shall be authorized to give and receive notices for each such party.

**7. City Requirements and Prior Approval.** The Company agrees to comply with all applicable laws and City ordinances, including, but not limited to, the City's zoning ordinances, subdivision regulations and all planning or infrastructure requirements related to the development of the Property. The parties agree that execution of this Agreement in no way constitutes a waiver of any requirements of applicable City ordinances or policies with which the Company must comply and does not in any way constitute prior approval of any future proposal for development, including the CID or its Amendment. The parties understand that the City may not lawfully contract away its police powers and that approval of the CID Amendment cannot be contractually guaranteed. This Agreement does not alter or diminish the City's ability to exercise its legislative discretion to consider the CID in accordance with the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended, and all applicable laws and any other applications with respect to development of the Property.

**8. Miscellaneous.**

a. **Severability.** If any provision of this Agreement is unenforceable, the remainder of this Agreement shall be enforced as if such provision were not contained herein.

b. **No Waiver.** Failure of any party hereto to enforce its rights hereunder at any time shall not be deemed a waiver of any such rights.

c. **Representations and Warranties.** The Company and the City each represent that (i) this Agreement has been duly executed by them or on their behalf, as the case may be, pursuant to due authorization, and is not in violation of any such party's governing documents, charter or ordinances, as the case may be, (ii) no consents are necessary for the execution, delivery, and performance of this Agreement by such party, and (iii) this Agreement is valid, binding and enforceable against such party in accordance with its terms.

d. **Assignment.** This Agreement may not be assigned by either party without the written consent of the other.

e. **Counterparts; Electronic Transmission.** This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. The City and the Company agree that the transactions described herein may be conducted and related documents may be received or stored by electronic means. Copies, telecopies, facsimiles, electronic files, and other reproductions of original executed documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action, or suit in the appropriate court of law.

f. **Modification.** The terms, conditions, and provisions of this Agreement can be neither modified nor eliminated except in writing and by mutual agreement among the parties. Any modification to this Agreement as approved shall be attached hereto and incorporated herein by reference.

g. **Governing Law.** This Agreement shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

h. **Limitation of Liability.** Notwithstanding any provision hereof to the contrary, the City and its officials, officers, agents, employees and representatives shall not be liable to the Company for damages or otherwise if this Agreement, any prospective adoption of any economic development incentive or plan or agreement relating thereto, is declared invalid or unconstitutional in whole or in part by the final (as to which all rights of appeal have expired or have been exhausted) judgment of any court of competent jurisdiction, and by reason thereof either the City is prevented from performing any of the covenants and agreements herein or the Company is prevented from enjoying the rights and privileges contemplated hereunder.

*[Remainder of Page Intentionally Left Blank.]*

**IN WITNESS WHEREOF**, the parties hereto have caused this Preliminary Funding Agreement to be duly executed as of the date first above written.

**CITY OF ELLISVILLE, MISSOURI**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ELLISVILLE MARKETPLACE LLC**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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SPONSORED BY: \_\_\_\_\_  
INTRODUCED BY: \_\_\_\_\_

RESOLUTION # 01-15-2025B

**A RESOLUTION AUTHORIZING THE COUNCIL TO EXECUTE A GRANT APPLICATION ON BEHALF OF THE CITY OF ELLISVILLE WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY AND TRAFFIC DIVISION FOR VIOLATIONS ENFORCEMENT.**

**WHEREAS**, the Missouri Department of Transportation Highway Safety and Traffic Division (“MoDOT”) utilizes grant campaigns to increase safety on Missouri roadways and help reduce the number of fatalities and serious injuries; and

**WHEREAS**, the Ellisville Police Department intends to seek a Law Enforcement Grant from MoDOT to conduct traffic enforcement details to reduce accidents and deter dangerous driving habits; and

**WHEREAS**, a copy of this Resolution has been provided for public inspection prior to consideration by the Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ELLISVILLE, MISSOURI, AS FOLLOWS:**

**SECTION 1.** The Council hereby directs that a project proposal be prepared on behalf of the City of Ellisville and submitted to the Missouri Department of Transportation Highway Safety and Traffic Division to and participate in Missouri’s Highway Safety Program and seek a Law Enforcement Grant award for the Cost of Violation Enforcement.

**SECTION 2.** The Council is hereby authorized to sign and execute Exhibit A, attached hereto and made part hereof as if fully set forth herein, forwarding the application for a grant under the Highway Safety and Traffic Division.

**THIS RESOLUTION, \_\_\_\_\_, IS ADOPTED BY THE COUNCIL OF THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.**

	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
<b>COMPTON</b>	_____	_____	_____
<b>NIEBLING</b>	_____	_____	_____
<b>SANBORN</b>	_____	_____	_____
<b>CAHILL</b>	_____	_____	_____
<b>BOGGS</b>	_____	_____	_____
<b>HILDEBRAND</b>	_____	_____	_____
<b>ROEMERMAN</b>	_____	_____	_____

**ATTEST:**

**CITY OF ELLISVILLE**

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**MAYOR MIKE ROEMERMAN**

Approved as to legal form:

\_\_\_\_\_  
City Attorney

**Exhibit A**

[ *insert City Council Authorization form* ]



### CITY COUNCIL AUTHORIZATION

On January 15, 2025 the Council of the City of Ellisville  
\_\_\_\_\_ held a meeting and discussed the City's participation  
in Missouri's Highway Safety Program.

It is agreed by the Council that the City of Ellisville, Missouri  
\_\_\_\_\_ will participate in Missouri's Highway Safety Program.

It is further agreed by the Council that the Chief of Police will investigate the financial assistance available under the Missouri Highway Safety Program for Traffic Enforcement and report back to the Council his/her recommendations. When funding through the Highway Safety Division is no longer available, the local government entity agrees to make a dedicated attempt to continue support for this traffic safety effort.

\_\_\_\_\_  
Council Member

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Council Member

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Council Member

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Council Member

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Council Member

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Mayor