



FLORISSANT CITY COUNCIL AGENDA

City Hall

955 rue St. Francois

Monday, June 12, 2017

7:30 PM

Karen Goodwin, MMC/MRCC



I. PLEDGE OF ALLEGIANCE

II. ROLL CALL OF MEMBERS

III. APPROVAL OF MINUTES

- Meeting Minutes and Executive Session of May 22nd, 2017

IV. ELECTION OF COUNCIL OFFICERS

V. HEARING FROM CITIZENS

(Speaker cards are available at the entrance to the Council Chambers)

VI. PROCLAMATION

- Joy Rouse

VII. BEAUTIFUL HOME AWARDS

Ward 1 1400 Madison Ln.
Ward 2 21 Hammes Dr.
Ward 3 145 Albert Dr.
Ward 4 532 Rancho Ln.
Ward 5 4 Fountain Ct.
Ward 6 1295 Fox Run Dr.
Ward 7 1415 Acredale
Ward 8 3755 Estates Dr.
Ward 9 3655 Meserta Ln.

Mayor's Choice

Ward 9 12 Club Grounds Dr. N.

William Busby
Brian & Karen McNatt
Lawrence & Christine McCullough
Nancy Martin
Cleve & Carol Tegtmeyer
Michele & Steve Arthur
Peggy & James Ragland
McKinley & Latanya Smith
James & Barb Herschbach

Doug & Marlo Stuart

VIII. COMMUNICATIONS

None

IX. PUBLIC HEARINGS

17-06-015 (Ward 3) Application Staff Rpt Plans	Request to amend B-5 Ordinance No. 6792 to allow for an ice machine kiosk in the parking lot for the property located at 350 Howdershell Road. (Planning and Zoning Commission recommended approval on 5/15/17)	Roy Williams/Tim O'Toole
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X. OLD BUSINESS

A. SECOND READINGS

9283	Ordinance to authorize a Special Permit to Shackelford Associates, LLC to allow for a shopping center ground sign for the property located at 1106-1148 Shackelford Road.	2 ND Reading Jones
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9284	Ordinance amending section 220.040 "Containers-Specifications" by deleting the section in its entirety and replacing it with a new section and amending section 405.245 "Screen And Berming" by adding "R-5" And "R-6" zoning districts for the purpose of modifying regulations regarding commercial dumpsters.	2 nd Reading Siam
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XI. NEW BUSINESS

A. BOARD APPOINTMENTS

B. BILLS FOR FIRST READING

9285	Ordinance to amend B-5 Ordinance No. 6792 to allow for an ice machine kiosk in the parking lot for the property located at 350 Howdershell Road.	Eagan
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9286 Memo	Ordinance to amend the miscellaneous revenue account no. 03-40330 in the amount of \$25,276 and appropriate the same amount from the General Revenue Fund to account no. 03-6149 "Capital Additions" for the replacement of a totaled police car.	Pagano
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XII. COUNCIL ANNOUNCEMENTS

XIII. MESSAGE FROM THE MAYOR

XIV. ADJOURNMENT

<p>THIS AGENDA WAS POSTED AT THE FLORISSANT CITY HALL JUNE 9, 2017 AT 12:00 PM ON THE BULLETIN BOARD OUTSIDE THE COUNCIL CHAMBERS. ANY ONE WISHING TO ATTEND THE COUNCIL MEETING WHO HAS SPECIAL NEEDS SHOULD CONTACT THE CITY CLERK'S OFFICE AT 839-7630 OR TDD 839-5142 BY NOON ON MONDAY, JUNE 12, 2017.</p>
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CITY OF FLORISSANT



COUNCIL MINUTES

May 22, 2017

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, May 22, 2017 at 7:30 p.m. with Council President Pagano presiding. The Chair asked everyone in attendance to stand and join in the Pledge of Allegiance.

On Roll Call the following Councilmembers were present: Henke, Pagano, Parson, Siam, Lee, Jones, Eagan, Caputa and Schildroth. Also present was Mayor Thomas P. Schneider, City Attorney John Hessel and Deputy City Clerk Anita Moore. A quorum being present the Chair stated that the Council Meeting was in session for the transaction of business.

Councilman Eagan moved to amend the Executive Minutes of May 9, 2017 to remove the name "Schmidt" where occurring, and replace with the name "Parson," seconded by Parson. Motion carried. Councilman Eagan moved to approve the Meeting Minutes and the amended Executive Minutes of May 9, 2017, seconded by Parson. Motion carried.

Councilwoman Pagano moved to amend the agenda to allow for a presentation by St. Louis Metropolitan Sewer District (MSD), seconded by Eagan. Motion carried.

Brian Hoelscher, Executive Director & CEO of MSD, addressed the impact of the recent flooding in Florissant. Mr. Hoelscher stated that MSD was under a "consent decree," which is a legal agreement with a federal judge to resolve sanitary sewer issues within the waste water system. The main issue that needs to be addressed is "Project Clear," which removes ground water and storm water from the waste water system. This is what is causing overflows and backups in residents' basements. Their aim tonight is to have MSD staff meet with the residents individually so that it can be determined that MSD has the most accurate, appropriate and up-to-date data for their database. They would like to know exactly what the individual problems are that each resident is dealing with. They will work with the City of Florissant to formulate a plan and program to help resolve the overflow issue. The Council and Mayor thanked Mr. Hoelscher and MSD for their efforts in working with the City to resolve this problem.

33 The Chair stated the next item on the agenda was Hearing from Citizens.

34 Greg Fisher, 351 Summit Rd., representative of "Show Me PACE," Clean Energy District,
35 informed the Council that they had passed similar legislation on the "Residential PACE Program" in
36 December of last year. In regards to funding PACE, a non-profit organization, uses local monies to
37 fund projects that stay in Missouri which benefit homeowners. Mr. Fisher distributed information for
38 the Council and asked them to pass the appropriate legislation.

39 Paul Manganelli, 1600 Estes, thanked the Mayor and Council for maintaining an excellent golf
40 course. The staff is excellent; the course was in great shape and the greens were immaculate.

41 Rose Marie Koerner, 1720 Waterford Dr., resident for over 50 years, stated that her basement
42 has been continuously flooded. She documented the dates and as to whether the flooding was water or
43 sewage. The most recent flood was 4/29/17.

44 Jennifer Iqbal, 1700 Waterford, stated that the first 21 years she lived in the house they never
45 had any flooding. After they "concreted-in" the creek behind the house, the basement flooding began.
46 The citizens are not causing the flooding and they should not be held responsible. Each time, the
47 residents have done what MSD has instructed them to do at their own cost, but to no avail. MSD is
48 responsible for the sewage in their basements and must correct the problem.

49 William Haley, 375 Maple Dr., stated that he will never be able to sell his home with the
50 flooding problem and will have to take a considerable loss. His home is not in the flood plain. He feels
51 the flooding problem involved hooking his subdivision's sewer system onto the existing neighboring
52 sewer system many years ago. He asked MSD when they removed the pump station at Bangert Park.
53 He had 18" of raw sewerage in his basement and the clean-up was horrendous.

54 Kris Matson, 2300 N. Waterford, stated that he has had continuous flooding and raw sewage
55 problems for years. He took advantage of the city's sewer lateral program, hoping it would help.
56 Unfortunately it made matters worse. He has completely lost his HVAC system and his totally
57 refinished basement twice. He currently has no heat or air conditioning.

58 Jim Wood, 2740 N. Waterford Dr., stated that he has had this flooding/sewer problem since
59 2008; the most recent flooding being the fourth incident. After the 2nd flooding, MSD told them to
60 install a separation valve which he did, but it was ineffective and he flooded again. His insurance was
61 denied after the next flooding/sewer incident. These "100 year flooding events" are occurring every
62 few years and involving more people. He has done everything possible and now MSD needs to fix this

63 problem. The bacteria and raw sewage can cause serious health issues from even a simple cut on a
64 person's hand. He asked the City to notify residents about this health risk as soon as possible.

65 Antoinette Boyer, 3125 Parker Rd., has been hospitalized because of the sewage back up and
66 the health issues caused from the black mold that followed. She stated that \$2500 would not begin to
67 solve the problem, either now or in the long run. They are still making repairs from the 2015 flood
68 when the most recent one hit. Their insurance has dropped their policy and no one will buy their home.
69 MSD needs to be held accountable. (This information was relayed from her daughter.)

70 Ingrid Nebel, 2660 N Waterford, thanked the Police Department for their help over the years.
71 For many years, she has never had a flooding issue. Starting in 2015, serious sewer backup began. She
72 has always been a strong advocate for the city, but now she could not recommend buying a home in her
73 neighborhood. It is a serious health and safety concern for everyone.

74 Kenneth McClendon, 2 Lynn Meadows, Chronicles Christian Center, thanked the Public Works
75 staff for working to help him over the last 18 months to get his commercial building completed. He
76 addressed his concerns about the proposed fencing at the new courts building (prior Dick Weber Lanes)
77 and how the fencing adversely affects his property.

78 Donyel Johnson, 3225 Parker Rd., stated that the contaminated waste and sewer backup in her
79 basement is a failure on MSD's part. They have been living with this problem since 1995 and her
80 husband has been hospitalized as a result. They have spent a considerable amount of money
81 completing the suggestions by MSD after previous back-ups, but to no avail. She asked the city to do
82 what was right and in the best interest of the residents.

83 Bertha Myers, 4090 Highwillow Dr., stated her concerns regarding the behavior of the group
84 home residents who live next door. The people at that home use drugs, change occupancy, burglarize
85 the area, play loud music and leave trash in their yard. She asked the city to solve this problem. Many
86 concerned residents who live on the street were in attendance this evening.

87 Michael and Tammie Tyse, 3425 Amblerwood, stated that the last two years has been a
88 nightmare. FEMA came out to help clean the sewage from their basement because their insurance
89 refused to pay for the extensive damage. During the last flood, they were out of their home for 3
90 months because it was inhabitable. His wife has Lupus and the situation is dangerously unhealthy for
91 her. He asked MSD or the city to accept the responsibility for this terrible situation.

93 Robert Carmack, 1200 Lindsay Lane, stated that this flooding/sewer issue is totally the
94 responsibility of MSD and not the City. For 20 years, he never had a flooding issue. His basement
95 started leaking so he paid a contractor to waterproof his basement at considerable expense. He still had
96 flooding that ruined his basement. MSD demanded they install a back flow preventer. He has done
97 everything possible and now it is MSD's turn to step up-quickly and correct this dangerous situation.

98 Jennifer Jordan Hatten, Easter Seals Midwest, stated that she is the new director of the home at
99 4095 Highwillow Drive which supports four developmentally challenged individuals. Easter Seal
100 employees, with different vehicles, do frequently go to the home at different times of the day/night to
101 help those individuals. No drugs are tolerated and the prior trash situation has been straightened out
102 with Meridian.

103 The next item on the Agenda is a VFW National Association Public Service Award presented to
104 Police Officers Freddie Lee and Kim Berry, Resource Officers, for initiating a very successful
105 mentoring program for at risk students in the local elementary schools. Chief Lowery made the
106 introductions, commending these outstanding officers for taking their own ideas and turning them into
107 an incredibly successful program for area youth. Officer Berry is also a veteran. The local VFW Post
108 4105 also presented an award to Officers Lee and Berry and thanked them for their service to the
109 community.

110 The next item on the Agenda was Communications of which there were none.

111 The City Clerk reported that Public Hearing #17-05-014 to be held this night on a request to
112 authorize a Special Permit to Shackelford Associates, LLC to allow for a shopping center ground sign
113 for the property located at 1106-1148 Shackelford Road had been advertised in substantially the same
114 form as appears in the foregoing publication and by posting the property. The Chair declared the
115 Public Hearing to be open and invited those who wished to be heard to come forward.

116 John Krone, petitioner with Warren Signs, appeared before the Council and explained that he
117 had worked through all the concerns of the Planning and Zoning Commission. The sign is now
118 setback further than was originally placed. This location is safer and has more visibility. Mr. Krone
119 stated that he felt this petition's "hardship request" was because, driving northbound on Shackelford,
120 none of the wall signs of the tenants are visible. This sign will display all tenants in the shopping center
121 and, most importantly, the new Urgent Care. The sign is 19 1/2 feet off of the road. The Chair asked if
122 there were any citizens who would like to speak on said public hearing.

Being no citizens who wished to speak, Councilman Jones moved to close P.H. #17-05-014, seconded by Lee. Motion carried.

Councilman Henke moved that Bill No. 9277 An Ordinance amending Chapter 125.056 “Wage Increase & Schedule” by amending Subsection A “Job Classification and Grade Level” by changing the grade level for the court clerk from “8” to “9” be read for a second time, seconded by Pagano. Councilman Lee moved to table Bill No. 9277, seconded by Caputa. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9277 to have been tabled.

Councilman Caputa moved that Bill No. 9279 An Ordinance to authorize a Special Use Permit for True Dreams Banquet & Rental Space to allow for a banquet hall for the property located at 47 Florissant Oaks Shopping Center be read for a second time, seconded by Siam. Motion carried and Bill No. 9279 was read for a second time. Councilman Jones moved that Bill No. 9279 be read for a third time, seconded by Schildroth. Motion carried and Bill No. 9279 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9279 to have passed and said Bill became Ordinance No. 8319.

Councilwoman Pagano moved that Bill No. 9280 An Ordinance authorizing a supplemental appropriation of \$3,571 to Acct. No. 4010 “Salaries” and \$273 to Acct. No. 4013 “Employee Benefits” for a part-time City Hall cashier for an interim period of 8 weeks be read for a second time, seconded by Caputa. Motion carried and Bill No. 9280 was read for a second time. Councilwoman Pagano moved that Bill No. 9280 be read for a third time, seconded by Caputa. Motion carried and Bill No. 9280 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9280 to have passed and said Bill became Ordinance No. 8320.

Councilman Parson moved that Bill No. 9282 An Ordinance authorizing a Transfer of Special Permit No. 8255 from Kolfe, LLC to Parsons Convenience Stores, Inc. for the operation of a convenience store, filling station and existing sign located at 12785 New Halls Ferry Road be read for a second time, seconded by Schildroth. Motion carried and Bill No. 9282 was read for a second time. Councilman Schildroth moved that Bill No. 9282 be read for a third time, seconded by Henke.

Motion carried and Bill No. 9282 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9282 to have passed and said Bill became Ordinance No. 8321.

The next item on the agenda was Board Appointments.

Councilman Caputa moved to accept the Mayor's reappointment of Robert Smith, 2823 Chapel View, to the Emergency Management Commission as a member from Ward 4 for a term expiring on 3/24/2020, seconded by Pagano. Motion carried.

Councilman Lee moved to appoint Ron Azzanni, 1070 Cedar, to the Minimum Standard Board of Appeals as a member from Ward 1 for a term expiring on 5/22/2020, seconded by Eagan. Motion carried.

Councilman Jones introduced Bill No. 9283 An Ordinance to authorize a Special Permit to Shackelford Associates, LLC, to allow for a shopping center ground sign for the property located at 1106-1148 Shackelford Road and said Bill was read for the first time by title only.

Councilman Siam introduced Bill No. 9284 An Ordinance amending Section 220.040 "Containers-Specifications" by deleting the Section in its entirety and replacing it with a new Section and amending Section 405.245 "Screening and Berming" by adding "R-5" and "R-6" Zoning Districts for the purpose of modifying regulations regarding commercial dumpsters and said Bill was read for the first time by title only.

The next item on the Agenda was Council Announcements.

Councilman Henke thanked the letter carriers and residents who contributed to the recent letter carrier food drive. He announced that "Wednesday Night Out" will be starting in Old Town Florissant on rue St. Francois.

Councilman Schildroth encouraged all the residents to nominate a home for the "Beautiful Home Award." On July 9th he will be hosting the "Friends of Betty Schildroth" golf tournament at the Florissant Golf Club to benefit Mercy Hospital.

Councilman Jones invited everyone to a Labor Club Barbeque on June 5th at St. Ferdinand Park. He encouraged any resident who had flooding or sewage issues to contact the City Engineer or MSD as soon as possible so that it can be documented. He thanked the City's Senior office for putting together

a wonderful “Cardinal Day” over at the Eagan Center. He also thanked the mail carriers for their recent food drive and encouraged all residents to volunteer/donate to T.E.A.M.

Councilman Eagan stated that he had received several complaints regarding the taste of the city’s water. Missouri American Water assured him that it was a seasonal change and will be taken care of in several days. There will be an Explorer Trivia Night scheduled for June 3. The Maryland Heights Police Officers Golf Tournament will be held on June 9th to benefit Ranken Jordan Hospital.

Councilman Caputa encouraged residents to secure their firearms and not leave them in their vehicles. All residents should leave their porch lights on for added security. He also encouraged everyone to become members of their local Neighborhood Watch.

Councilwoman Pagano announced that there will be a city wide BBQ on June 14 at the Eagan Center: “Neighbors Meeting Neighbors.” The rain-out location will be at the JJE ice rink.

The next item on the Agenda was Mayor Announcements. There has been a change of location for the Memorial Day Celebration from Koch Park to the VFW Post on St. Francois at 11 a.m. on May 29th. The Missouri Torch Run for Special Olympics will take place on May 25th. The “Mother-Son, Daddy-Daughter Dance” will be held at the Nature Lodge on Friday, June 2. The annual summer playground camp will be held June 5 to July 14.

The Mayor read a proclamation announcing National Public Works Week on May 21-27. He commended Lou Jearls, Director of Public Works and the entire public works department for all their efforts in maintaining the city’s infrastructure.

The next City Council Meeting is scheduled for Monday, June 12, 2017 at 7:30 pm. Councilman Siam moved to adjourn the meeting, seconded by Parson. Motion carried. The meeting was adjourned at 9:03 p.m.

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Anita Moore, Deputy City Clerk

The following Bills were signed by the Mayor:

Bill No. 9279	Ord. 8319
Bill No. 9280	Ord. 8320
Bill No. 9282	Ord. 8321

CITY OF FLORISSANT
CITY COUNCIL

OPEN EXECUTIVE SESSION

May 22, 2017



The City Council of the City of Florissant met in open Executive Session on Monday, May 22, 2017 at 6:30 pm. in Council Chambers at the Florissant City Hall, 955 rue St. Francois, with Council President Jackie Pagano presiding. On Roll Call the following Council members were present: Henke, Pagano, Parson, Siam, Lee, Jones, Eagan, Caputa and Schildroth. Also present was Mayor Schneider, Deputy City Clerk Anita Moore and City Attorney John Hessel. Staff in attendance included Public Works Director Lou Jearls, Building Commissioner Phil Lum and Plan Reviewer Aaron Tossey.

Council President Pagano stated that the only item on the agenda was a review of the Building Code updates.

Aaron Tossey presented a review of the Building Division's recommendation to upgrade nine building codes and the adoption of an additional two. The primary focus of the review was on the Property Maintenance and Residential codes because these were most modified in the city ordinance. Mr. Tossey outlined the codes currently adopted and those proposed.

Phil Lum presented information regarding updating the 2015 Commercial Codes. He informed the Council that regular code updates are recommended every 6 years to keep up the city's rating and to lower insurance rates on new projects. The net result of the 2015 update to the IBC, commercial code, is that a few sections regarding hazardous occupancies were upgraded and reorganized. He highlighted commercial code changes from the 2009 to the 2015 International Building Code.

Councilwoman Pagano suggested updating the codes every three years in order to keep up with the changes. She added that if the updates were done on a three year schedule, it would not be such a time consuming project for staff, as it would be if updated every 6 years.

There being no further business to discuss, Councilman Caputa motioned to adjourn, seconded by Schildroth. Motion carried and the meeting adjourned at 7:12 pm.

Anita Moore
Deputy City Clerk

2017 Beautiful Home Awards Winners List

	<u>Addresses</u>	<u>Owners Name</u>
Ward 1	<u>1400 Madison Ln.</u>	William Busby
Ward 2	<u>21 Hammes Dr.</u>	Brian & Karen McNatt
Ward 3	<u>145 Albert Dr.</u>	Lawrence & Christine McCullough
Ward 4	<u>532 Rancho Ln.</u>	Nancy Martin
Ward 5	<u>4 Fountain Ct.</u>	Cleve & Carol Tegtmeyer
Ward 6	<u>1295 Fox Run Dr.</u>	Michele & Steve Arthur
Ward 7	<u>1415 Acredale</u>	Peggy & James Ragland
Ward 8	<u>3755 Estates Dr.</u>	McKinley & Latanya Smith
Ward 9	<u>3655 Meserta Ln.</u>	James & Barb Herschbach

Mayor's Choice

Ward 9	<u>12 Club Grounds Dr. N.</u>	Doug & Marlo Stuart
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2017 *Beautiful Home Awards*

Presented by the Citizens Participation Committee

Ward 1



*1400 Madison
William Busby*

Ward 2



21 Hammes
Brian & Karen McNatt

Ward 3



145 Albert
Lawrence & Christine McCullough

Ward 4



*532 Rancho
Nancy Martín*

Ward 5



*4 Fountain Ct.
Cleve & Carol Tegtmeyer*

Ward 6



*1295 Fox Run Dr.
Steve & Michele Arthur*

Ward 7



1415 Acredale
James & Peggy Ragland

Ward 8



3755 Estates
McKinley & Latanya Smith

Ward 9



*3655 Meserta
James & Barb Herschbach*

Mayor's Choice Award



*12 Club Grounds Drive North
Doug & Marlo Stuart*



*Congratulations
to All of the
Beautiful Home Award
Winners!*

*Thank You for your dedication
and hard work!*

CITY OF FLORISSANT



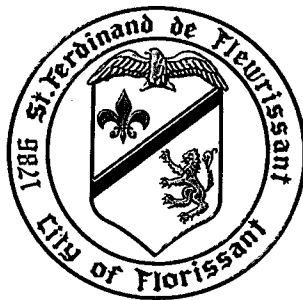
PUBLIC HEARING NOTICE

Notice is hereby given in accordance with Section 405.135 of the Florissant City Code, the Zoning Ordinance, as amended, that a Public Hearing will be held by the City Council of the City of Florissant, St. Louis County, Missouri, in the Council Chambers, 955 rue St. Francois, on Monday, June 12, 2017 at 7:30 P.M. on the following proposition, to wit:

To issue an amendment to B-5 Ordinance No. 6792 to allow for an ice machine kiosk in the parking lot for the property located at 350 Howdershell Road (legal description to govern). Citizens and parties of interest will have the opportunity to be heard at said public hearing. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

Karen Goodwin, MMC City Clerk.

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant – Public Works
314-839-7648

Application is hereby made to the Building Commissioner of the Department of Public works Office at the City of Florissant, Missouri, to appear before the Planning & Zoning Commission

Please Print or Type The Following Information

Property Address: 350 Howdershell
Property Owners Name: Family Video Phone #: 847-904-9000
Property Owners Address: 2500 Lehigh Av. Glenview, Ill. 60026
Business Owners Name: Highland Pure Water and Ice Phone #: 847-904-9000
Business Owners Address: Same
DBA (Doing Business As) Highland Pure Water + Ice
Authorized Agents Name: Roy Williams / Tim Ofoole CO. Name: HAWI
(Authorized Agent to Appear Before The Commission)
Agents Address: 710 Eaglebrook Dr. Ballwin, 63024 Mo. Phone #: 314-308-1258
Request Amend B-5 Ordinance # 6792
to place Ice/Water Machine in Parking lot.
State complete request (print or type only).

IF A TRAFFIC STUDY IS REQUIRED FOR CERTAIN DEVELOPMENTS AND USES THE COST OF THE TRAFFIC STUDY SHALL BE PAID BY THE APPLICANT. PLEASE SUBMIT FOLDED PLANS

Applicant's Signature

Date

4-13-17

Received by: CT

Receipt # 1001160

OFFICE USE ONLY

Amount Paid: 125

Date: 4/13/17

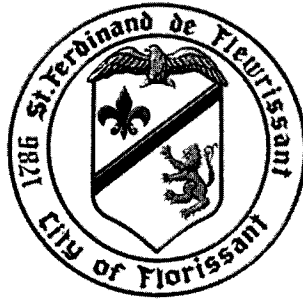
STAFF REMARKS: see staff report

DATE APPLICATION REVIEWED: 4.25.17

COMMISSION ACTION TAKEN:

SIGNATURE OF STAFF WHO REVIEWED APPLICATION

APPLICATION TO THE CITY OF FLORISSANT PLANNING AND ZONING
COMMISSION TO AMEND THE PROVISIONS OF AN EXISTING B-5
PLANNED COMMERCIAL DISTRICT ORDINANCE



PLANNING & ZONING ACTION:

Address of Property:

350 Howdershell Road

Council Ward 4 Zoning B-5

Initial Date Petitioner Filed _____
**Building Commissioner to complete
ward, zone & date filed**

PETITION TO AMEND B-5 ORDINANCE # _____

6192

Enter ordinance number or number requesting to amend.

1) Comes Now Family Video Movie Club

(Individual's name, corporation, partnership, etc.)

Enter name of petitioner. If a corporation, state as such. If applicable include DBA (Doing Business As).

and states to the Planning and Zoning Commission that he (she) (they) has (have) the following legal interest in the tract of land located in the City of Florissant, State of Missouri, described on page 3 of this petition.

Legal interest in the Property owner

State legal interest in the property. (i.e., owner of property, lease); also submit copy of deed or lease or letter of authorization from owner to seek a special use.

- A. The petitioner (s) hereby states that he (she) (they) is (are) submitting a description of the property for which the Permit is petitioned by giving bearings & distances (metes and bounds). Not required if description is identical to "B".
- B. The petitioner (s) hereby states that he (she) (they) is (are) submitting a survey or plat of the property drawn to a scale of 100 feet or less to the inch, referenced to a point easily located on the ground as street intersection, centerline of creek having a generally known name, etc., showing dimensions, bearings and distances of the property, north arrow and scale.
- C. Acreage to nearest tenth of an acre of the property for which rezoning is petitioned 2.11 Acres
2. The petitioner(s) hereby further state(s) that the property herein described in this petition is presently zoned in a B-5 District and is presently being used for Family Video store with associated parking lot

State current use of property, (or, state: vacant).

3. The petitioner(s) hereby state(s) the following reasons to justify the amendment to the existing B-5 ordinance:
For the addition of an Ice Kiosk to the parking lot, as shown.

List reason for the amendment request.

4. The petitioner(s) further states(s) that they (he) (she) can comply with all of the requirements of the City of Florissant, including setback lines and off-street parking.
5. The petitioner(s) further state(s) that they (he) (she) further represent(s) and warrants that they (he) (she) has (have) not made any arrangement to pay any commission, gratuity or consideration, directly or indirectly, to any official employee or appointee of the City of Florissant, with respect to this application.

PRINT PETITIONER'S NAME Mr. Roy Williams, III

Print Name

PETITIONER(S) SIGNATURE (S) _____

FOR Family Video Movie Club

(company, corporation, partnership)

Print and sign application. If applicant is a corporation or partnership signature must be a CORPORATE OFFICER or PARTNER. NOTE: Corporate officer is an individual named in corporate papers.

6. I (we) hereby certify that (indicate one of the following):
- (☒) I (we) have a legal interest in the herein above described property.
 - (☒) I am (we are) the duly appointed agent(s) of the petitioner (s), and that all information given here is true and a statement of fact.

Petitioner may assign an agent to present petition to the Commission and Council. The agent must sign the petition in this section, and provide address and telephone number

SIGNATURE _____

ADDRESS 22 Richmond Center Court St. Peters MO 63376
STREET CITY STATE ZIP CODE

TELEPHONE NUMBER 636-397-1211

BUSINESS

I (we) the petitioner (s) do hereby appoint Doug Tiemann, PE, Pickett, Ray, and Silver, Inc. as
my (our) duly authorized agent to represent me (us) in regard to this petition.

Print name of agent.

Signature of Petitioner(s) or Authorized Agent

NOTE: Be advised when the petitioner and/or his duly authorized agent appears before the Planning and Zoning Commission and make the presentation, the same individuals must also appear before the City Council for that presentation. Also if the descriptions of plats or surveys are incorrect, or if the petition form is not correctly and completely filled out it will be returned for corrections and may have to be re-submitted.

Please fill in applicable information requested.

Name Family Video Movie Club

Address 1022 East Adams St. Springfield, IL 62703

Property Owner Family Video Movie Club

Location of property SouthEast corner of Howdershell Road and Keeven Lane

Dimensions of property Approx. 325' wide by 280' deep, see attached

Property is presently zoned B-5 per ordinance # _____

Current & Proposed Use of Property Family Video Retail Store

Type of Sign _____ Height _____

Type of Construction Ice Kiosk Number Of Stories 1

Square Footage of Building 13,000 Number of Curb Cuts _____

Number of Parking Spaces _____ Sidewalk Length _____

Landscaping: No. of Trees _____ Diameter _____

No. of Shrubs _____ Size _____

Fence: Type _____ Length _____ Height _____

PLEASE SUBMIT NINE (9) FOLDED COPIES OF THE FOLLOWING:

1. Plan or drawing showing zoning of adjoining properties.
2. Plan or drawing showing location of property in relation to major streets and all adjoining properties.
3. Drawing showing measurement of tract and overall area of tract.
4. Plan or drawing showing proposed parking layout, landscaping, parking lighting, signage and trash enclosure.

Please check the box for the appropriate type of operation then fill in applicable section (a), (b) or (c).
Corporations are to submit copy of Missouri corporate papers with registration papers.

1) Type of Operation: Individual: ☒ Partnership: ☒ Corporation: ☒

(a) If an individual:

- (1) Name and Address _____
- (2) Telephone Number _____
- (3) Business Address _____
- (4) Date started in business _____
- (5) Name in which business is operated if different from (1) _____
- (6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a partnership:

- (1) Names & addresses of all partners _____
- (2) Telephone numbers _____
- (3) Business address _____
- (4) Name under which business is operated _____
- (5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

✓ (c) If a corporation:

- Keith Housland - President*
1125 Long Valley
Glenview, Ill. 60025
- (1) Names & addresses of all partners _____
 - (2) Telephone numbers *847-904-9000*
 - (3) Business address *2500 Lehigh Ave. Glenview, Ill. 60026*
 - ✗ (4) State of Incorporation & a photocopy of incorporation papers *Illinois*
 - ✗ (5) Date of Incorporation *1985*
 - ✗ (6) Missouri Corporate Number *(See attached)*
 - ✗ (7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. *See attached*
 - (8) Name in which business is operated *Family Video*
 - (9) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping information.

**PROVIDE LEGAL DESCRIPTION OF PROPERTY PERTAINING TO THIS
PETITION**

(Close legal description with acreage to the nearest tenth of an acre).

Provide a legal description of the property. If part of a shopping center list address and state part of what shopping center (i.e.: 351 N. Highway 67 part of Florissant Meadows Shopping Center). If property is a single lot, list full written legal description with bearings and distances.

Lot 102 and 103 of Crest Aire
Plat 2

PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION

Provide a drawing of a location map showing the nearest major intersection or include on plans.

See attached.

Note: address of Family Video - 350 Howdershell

(m)

INTRODUCED BY COUNCILWOMAN DEBO
OCTOBER 28, 2002

BILL NO. 7664

ORDINANCE NO. 6792

AN ORDINANCE AMENDING APPENDIX B OF THE FLORISSANT CITY CODE, THE ZONING ORDINANCE, AS AMENDED, BY REZONING THE FOLLOWING DESCRIBED PROPERTY, GENERALLY KNOWN AND NUMBERED AS 2035 KEEVEN LANE, 2055 KEEVEN LANE, AND 2075 KEEVEN LANE FROM R-3, SINGLE FAMILY DISTRICT, TO A B-5 PLANNED COMMERCIAL DISTRICT DEVELOPMENT AND AMENDING A PART OF 300 HOWDERSHELL TO BE INCLUDED IN THE B-5 PLANNED COMMERCIAL DEVELOPMENT DISTRICT UNDER THE ORDINANCES OF THE CITY OF FLORISSANT.

WHEREAS, Appendix B of the Florissant City Code, known as the Zoning Ordinance of the City Code of the City of Florissant, as set out in Ordinance No. 1625, as amended, provides for the establishment of a B-5 Planned Commercial District; and

WHEREAS, an application has been filed by Family Video Movie Club, Inc. d/b/a Family Video for the rezoning and development, as a B-5 Planned Commercial District, of a tract of land hereinafter described, which is zoned R-3, Single Family District, and B-5 Planned Commercial District; and

WHEREAS, the Planning and Zoning Commission of the City of Florissant has recommended that such rezoning and the B-5 Planned Commercial District be approved by the Florissant City Council subject to certain conditions; and

WHEREAS, due notice of a public hearing on said application to be held on the 14th day of October, 2002 was published and such hearing was duly held and concluded; and

WHEREAS, the Council, following said public hearing and after due and careful consideration has concluded that the rezoning of the property hereinafter described as a B-5 Planned Commercial District would be in the best interest of the City of Florissant.

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

Section 1: The Zoning Code of the City of Florissant, as heretofore amended, is hereby further amended, with respect to certain property heretofore zoned as a R-3 Single Family District and B-5 Planned Commercial Development District, to establish a B-5 Planned Commercial District, for the location and development of a planned commercial development on the following described property:

A tract of land being Lots 102, 102 and 104 of "Crest Aire Plat Two" as recorded in Plat Book 124 Pages 12 and 13 of the St. Louis County Records and in Surveys 164 and 165 of the Commonfields of St. Ferdinand, in Township 47 North - Range 6 East, St. Louis County, Missouri.

Section 2: The authority and approval embodied in this Ordinance is granted subject to all ordinances of the City of Florissant and on condition that the development and plan for the B-5 Planned Commercial District be carried out in accordance with the preliminary plans filed with the Planning & Zoning Commission of the City of Florissant and forwarded by said Planning & Zoning Commission to the Florissant City Council, and as further revised and depicted on the Preliminary Development Plan and Concept Plan dated 9/3/02, and the Elevation Plan dated 10/7/02, all of which are attached hereto and jointly referred to as Exhibit "A", which plans, except as otherwise provided herein, are hereby approved, adopted and incorporated herein by reference as if fully set out in this ordinance and made a part of this ordinance, subject to the following conditions:

1. PERMITTED USES

The uses permitted in the B-5 Planned Commercial District shall be for the development of a video store, medical office and all permitted uses in a B-3 Extensive Commercial District.

2. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

- a. Total gross floor area of the building shall be 13,000 square feet, with the video store comprising 7,000 square feet and the medical offices comprising 6,000 square feet.
- b. The building shall be of single story, masonry (as defined by Florissant City Code) construction, at a height of 22 feet with the exception of a sign band and mansard area, and with a 24 foot glass tower located in the façade.

3. PERFORMANCE STANDARDS

Uses within the B-5 Planned Commercial District identified herein shall conform to the most restrictive performance standards as set forth in Section 20 of the Florissant Zoning Ordinance.

4. PLAN SUBMITTAL REQUIREMENTS

Within ninety (90) days of the effective date of this ordinance, and prior to issuance of any building or occupancy permit, the petitioner shall submit the Final Site Development Plan to the Planning & Zoning Commission for review and approval in accordance with Section 14.5, subsection 10 (D) of the Florissant Zoning

Ordinance. Where due cause is shown by the developer, this time interval may be extended by the Planning & Zoning Commission. The existing and proposed contours, profile, ingress and egress shall be established as illustrated, per the plans submitted.

5. SITE DEVELOPMENT PLAN GENERAL CRITERIA:

The above Site Development Plan shall include the following :

- a. Location and size, including height of all buildings and structures, landscaping and general use of the building.
- b. Gross square footage of buildings.
- c. Existing and proposed roadways, drives, and walkways on and adjacent to the property in question.
- d. Location and size of parking areas and internal drives.
- e. Building and parking setbacks.
- f. Curb cut locations.
- g. Existing and proposed contours at intervals of not more than two (2) feet.
- h. Preliminary stormwater and sanitary sewer facilities.
- i. Identification of all applicable cross access and cross-parking easements or agreements.

6. SITE DEVELOPMENT PLAN DESIGN CRITERIA

The above Final Site Development Plan shall adhere to the following specific design criteria:

a. Structure Setbacks.

- 1) The building shall be located 70 feet from the residential property, 155 feet from Keeven Lane, and at least 86 feet from Howdershell.
- 2) An 8 foot 6 inch tall by 6 inch wide monument sign shall be at least 20 feet from the property line mounted on a four foot masonry base with a total height of 12 feet 6 inches.
- 3) All other setbacks shall be as approved by the Planning & Zoning Commission.

b. Parking, Loading and Internal Drives Setbacks.

- 1) Parking, loading spaces, internal drives and roadways shall be located in accordance with the Plans attached as Exhibit "A".
- 2) All other setbacks shall be as approved by the Planning & Zoning Commission.

c. Minimum Parking/Loading Space Requirements.

- 1) Parking requirements shall be as required by Section 14.5, subsection 5, and Section 17 of the Florissant Zoning Ordinance, except as otherwise varied herein. There shall be 107 parking spaces. Handicapped parking spaces shall be provided as required by Florissant City Code.
- 2) An appropriate parking/loading space distribution shall be provided as determined by the Planning & Zoning Commission.

d. Road Improvements, Access and Sidewalks.

- 1) Access to the property shall be substantially as shown on Exhibit "A".
- 2) A cross access agreement satisfactory to the City Attorney shall be obtained from the owner of the adjacent Dairy Queen property prior to the issuance of building permits.

e. Lighting Requirements.

The parking lot light standards shall comply with the Photometric Plan dated 8/19/02, which must be revised to meet the maximum 1/2 foot candle at the property line.

f. Sign Requirements.

All signs shall comply with the Florissant City Code, including sign and zoning ordinances. Additional traffic signage shall be approved by the Director of Public Works unless otherwise approved by this ordinance.

g. Landscape Plan.

Landscaping shall be installed in general accordance with the Landscape Plan dated 7/11/02 attached hereto as Exhibit "B" or as otherwise approved by the Planning and Zoning Commission.

- 1) Landscaping shall be provided in parking areas in sufficient quantity to at least meet the minimum requirements specified in Section 17 (9) of the Florissant Zoning Ordinance.

- 2) Landscaping shall be maintained in good condition and shall be subject to review by the Director of Public Works. In the event that such landscaping is not maintained in accordance herewith and with directives of the Director of Public Works of maintenance thereof, renewal of the business license for the property may be refused until, or conditioned on, correction of the maintenance problems, as determined by the Director of Public Works.

h. Stormwater.

Stormwater and drainage facilities shall comply with the following standards and requirements:

- 1) Any required stormwater detention for the property shall be constructed to be below ground and be adequately maintained.
- 2) Written approval of any below ground stormwater detention by the Metropolitan St. Louis Sewer District shall be filed with the Department of Public Works
- 3) A recorded copy of any easements for the stormwater and drainage facilities and/or improvements or alterations thereto shall be filed with the Department of Public Works.

i. Miscellaneous Design Criteria.

- 1) All applicable parking, circulation, sidewalks, and all other site design features shall comply with the Florissant City Code.
- 2) The minimum yard requirements shall be as shown on the preliminary site plan attached hereto and incorporated herein as Exhibit "A" with the exception that the eight employee parking spaces located on the southeast edge of the lot be eliminated, allowing for a grass area of 25 feet in width to extend across the back of the parking line and create a 25 foot setback and that a white vinyl, 6 foot wide sight-proof fence be installed along the rear of the property, in accordance with drawings dated 9/2/02. An internal traffic plan indicating signage and striping shall be submitted to the Department of Public Works for approval prior to issuance of Building Permits.
- 3) The building and trash enclosure shall be constructed of brick masonry.
- 4) The dumpster shall be screened in accordance with the preliminary site plan attached hereto as Exhibit "A".
- 5) All stormwater and drainage facilities shall be constructed, and all landscaping shall be installed, prior to the use of the property, unless remitted by the Director of Public Works due to weather related factors.

- 6) Unless and except to the extent otherwise specifically provided herein, the Final Site Development Plan shall comply and be in accordance with all other ordinances of the City of Florissant.
- 7) The Planning & Zoning Commission may permit recontouring and reconfiguration of parking areas to coordinate with developments on adjacent properties.
- 8) Mechanical Equipment Screening: All mechanical equipment shall be screened. Such screening shall be approved by the Planning and Zoning Commission.

7. VERIFICATION PRIOR TO FINAL SITE DEVELOPMENT PLAN APPROVAL.

Prior to the approval of the Final Site Development Plan, the petitioner shall:

a. Stormwater.

- 1) Submit to the Planning & Zoning Commission a preliminary engineering plan showing that adequate handling of the stormwater drainage of the site is provided and that the Preliminary Engineering Plan has been approved by the Metropolitan Sewer District and is in accordance with accepted engineering standards.
- 2) No increase in surface water runoff to adjacent property shall result. Documentation shall be provided to the Director of Public Works for verification, if requested.
- 3) Curbing shall be constructed to deflect water runoff from adjacent properties.

b. Layout Plan.

A layout plan shall be submitted, reviewed and approved by the Public Works Department prior to the commencement of any and all pavement marking. The layout plan shall include proper striping and signing of fire lanes. Fire lanes shall be established by separate ordinance after approval by the Fire District and Director of Public Works, pursuant to Section 15-9, 15-311 and 15-505 of the Florissant City Code.

c. Cross Access Agreement.

The cross access agreement shall be submitted to the Department of Public Works and approved and recorded prior to issuance of the building permits.

8. RECORDING

Within sixty (60) days of approval of the Final Site Development Plan by the Planning & Zoning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

9. VERIFICATION PRIOR TO BUILDING PERMITS

After approval of the Final Site Development Plan and prior to the issuance of any building permit, the following verifications shall be provided:

a. Sanitary Sewers.

Written verification of sanitary sewer plan approval from the Metropolitan St. Louis Sewer District and the Department of Public Works.

b. Stormwater Sewers.

Written verification of stormwater plan approval from the Metropolitan St. Louis Sewer District and the department of public works.

c. Landscaping/Screening Bonds or Escrows.

If the estimated cost of new landscaping and/or screening indicated on or forming part of the Final Site Development Plan, as required by the Planning & Zoning Commission, exceeds an estimated cost of one thousand dollars (\$1,000.00), as determined by the Director of Public Works, a bond, escrow or letter of credit shall be furnished so as to be a sufficient amount to guarantee the installation of said landscaping and/or screening.

d. Street Improvement/Parking/Curbing Signs/Pavement Marking/Sidewalks/Traffic Signals. Bond or Escrows.

The petitioner shall furnish a two (2) year bond, escrow or letter of credit, sufficient in amount, as determined by the Director of Public Works, to guarantee the street improvements, if necessary, parking lot pavement, curbing, sidewalks, signs and pavement markings, lighting and fire lanes.

e. Filing a Recorded Site Development Plan.

Two (2) copies of such recorded Final Site Development Plan, showing book, page, and recording date, shall be filed with the director of public works.

f. Notification of the Department of Public Works.

Prior to the issuance of foundation or building permits, all approvals from the Metropolitan St. Louis Sewer District, MODOT and other appropriate organizations must be received by the Department of Public Works unless otherwise approved by the Director of Public Works.

10. VERIFICATION PRIOR TO OCCUPANCY PERMIT

- a. Required roadway improvements shall be completed prior to the issuance of any final occupancy permit.
- b. Underground stormwater detention shall be completed prior to the issuance of any occupancy permit.
- c. All fencing and/or landscaping intended as screening properties shall be completed prior to the issuance of any occupancy permit, unless remitted by the Director of Public Works due to weather related factors.

11. GENERAL DEVELOPMENT CONDITIONS

- a. Adequate surfaced temporary off-street parking for construction employees shall be provided.
- b. Unless, and except to the extent, otherwise specifically provided herein, development shall be effected only in accordance with all ordinances of the City of Florissant.
- c. The Department of Public Works shall enforce the conditions of this ordinance in accordance with the Final Site Development Plan approved by the Planning & Zoning Commission and all other ordinances of the City of Florissant.

12. PROJECT COMPLETION

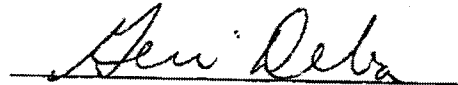
Construction shall start within ninety (90) days of the issuance of building permits, and completion of the planned commercial development, in accordance with the approved Final Site Development Plan, shall be effected within two hundred (200) days of the start of construction.

Section 3: The application and preliminary plans are returned to the Planning and Zoning Commission for consideration of a Final Site Development Plan, pursuant to Section 14.5, subsection 10 (4), of the Florissant Zoning Ordinance.

Section 4: Failure to develop the said Planned Commercial District in accordance with the above-described procedures and restrictions shall be cause for revision of the zoning of said property back to a B-3 Extensive Commercial District, in accordance with Section 14.5, subsection 13, of the Florissant Zoning Ordinance.

Section 5: This ordinance shall become in full force and effect immediately upon its passage and approval.

Adopted this 25 day of November, 2002.



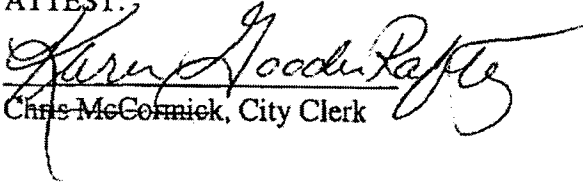
Geri Debo
President of the Council
City of Florissant

Approved this 26th day of November, 2002.



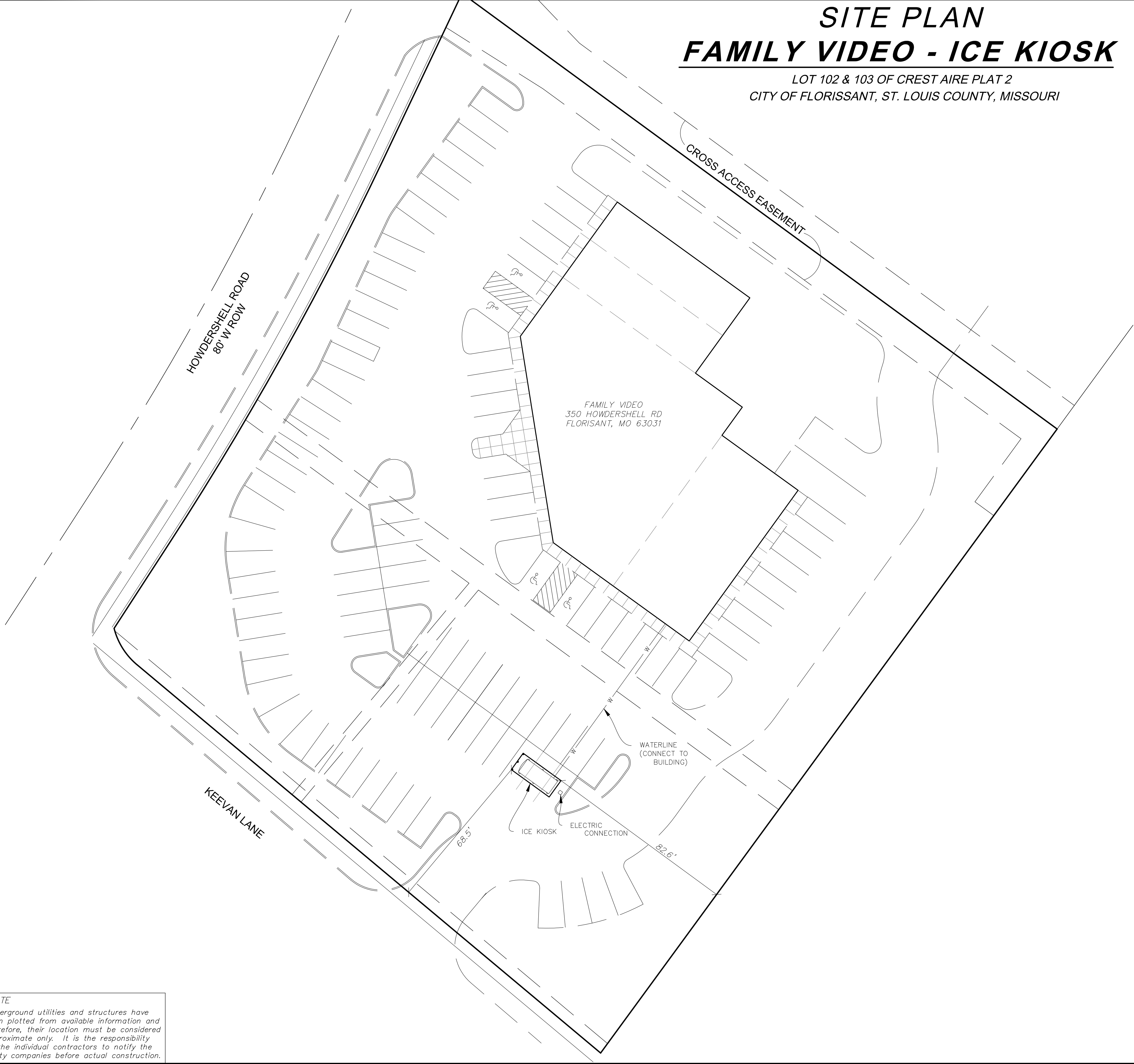
Robert G. Lowery, Sr.
Mayor, City of Florissant

ATTEST:

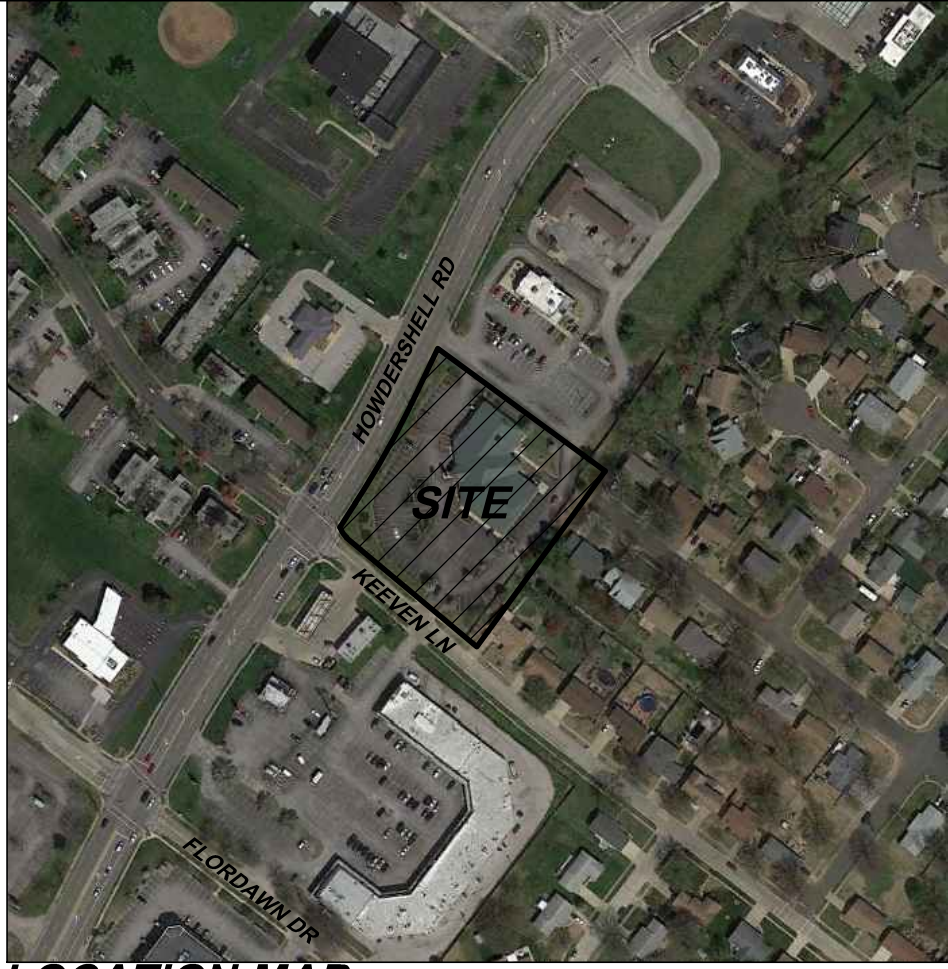

Chris McCormick, City Clerk

SITE PLAN
FAMILY VIDEO - ICE KIOSK

LOT 102 & 103 OF CREST AIRE PLAT 2
CITY OF FLORISSANT, ST. LOUIS COUNTY, MISSOURI



NOTE
Underground utilities and structures have been plotted from available information and therefore, their location must be considered approximate only. It is the responsibility of the individual contractors to notify the utility companies before actual construction.



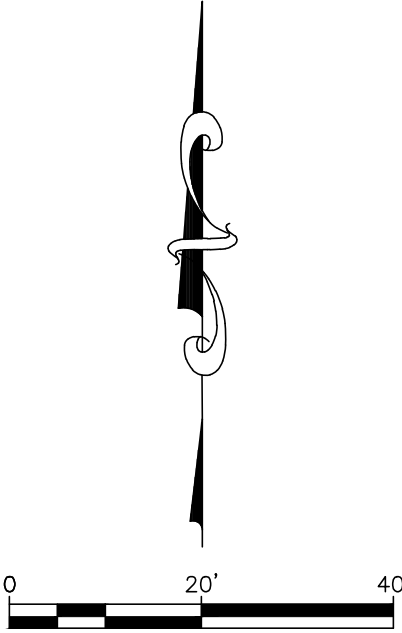
LOCATION MAP
N.T.S.

GENERAL NOTES

- CURRENT ZONING: "B-5", PLANNED COMMERCIAL DISTRICT
- PROPERTY ADDRESS: 530 HOWDERSHELL, 2055 KEEVEN LN, 2075 KEEVEN LN, FLORISSANT, MO 63031
- PROPERTY OWNER: FAMILY VIDEO MOVIE CLUB, 1022 EAST ADAMS STREET, SPRINGFIELD, IL 62703
- ST LOUIS COUNTY LOCATOR NUMBER 07L340894, 07L340883, 07L340906
- AREA OF TRACT: 2.11 ACRES
- PROPOSED USE: COMMERCIAL DEVELOPMENT
- THIS TRACT IS IN OR SERVED BY:
 - A. FIRE DISTRICT: FLORISSANT VALLEY FIRE DISTRICT
 - B. SEWER: MSD
 - C. WATER: MISSOURI AMERICAN WATER CO.
 - D. TELEPHONE: CENTURYTEL
 - E. ELECTRIC: AMEREN UE
 - F. GAS: LACLEDE GAS COMPANY
- REGULATIONS AND PERFORMANCE STANDARDS:
 - MINIMUM SITE AREA: NONE
 - MINIMUM LOT WIDTH: 0 FEET
 - FRONT: 40' MIN.
 - SIDE: 35' MIN. (ONLY APPLIES WHEN ABUTTING A RESIDENTIAL DISTRICT)
 - REAR: 35' MIN.
 - HEIGHT REQUIREMENTS: 45' MAX OR THREE (3) STORIES
- MAXIMUM LOT COVERAGE DICTATED BY OTHER AREA AND PERFORMANCE REQUIREMENTS.
- ALL UTILITIES SHALL BE LOCATED UNDERGROUND.
- BUILDING AND SITE SHALL BE IN COMPLIANCE WITH THE AMERICAN DISABILITIES ACT REGULATIONS.
- NO SLOPE SHALL BE GREATER THAN 3:1. ALL DISTURBED AREAS SHALL BE RESTORED.

PARKING CALCULATION

EXISTING USE:	COMMERCIAL RETAIL CENTER
PARKING REQUIREMENT:	FOUR (4) SPACE FOR EVERY ONE THOUSAND (1,000) SQUARE FEET OF GROSS FLOOR AREA.
PARKING REQUIRED:	12,966 SQ FT OF BUILDING $4 * (12,966/1000) = 51.86$ 52 PARKING SPACES REQUIRED
PARKING PROVIDED:	101 SPACES, INCLUDES 4 H/C PARKING SPACES (2 VAN ACCESSIBLE SPACE)



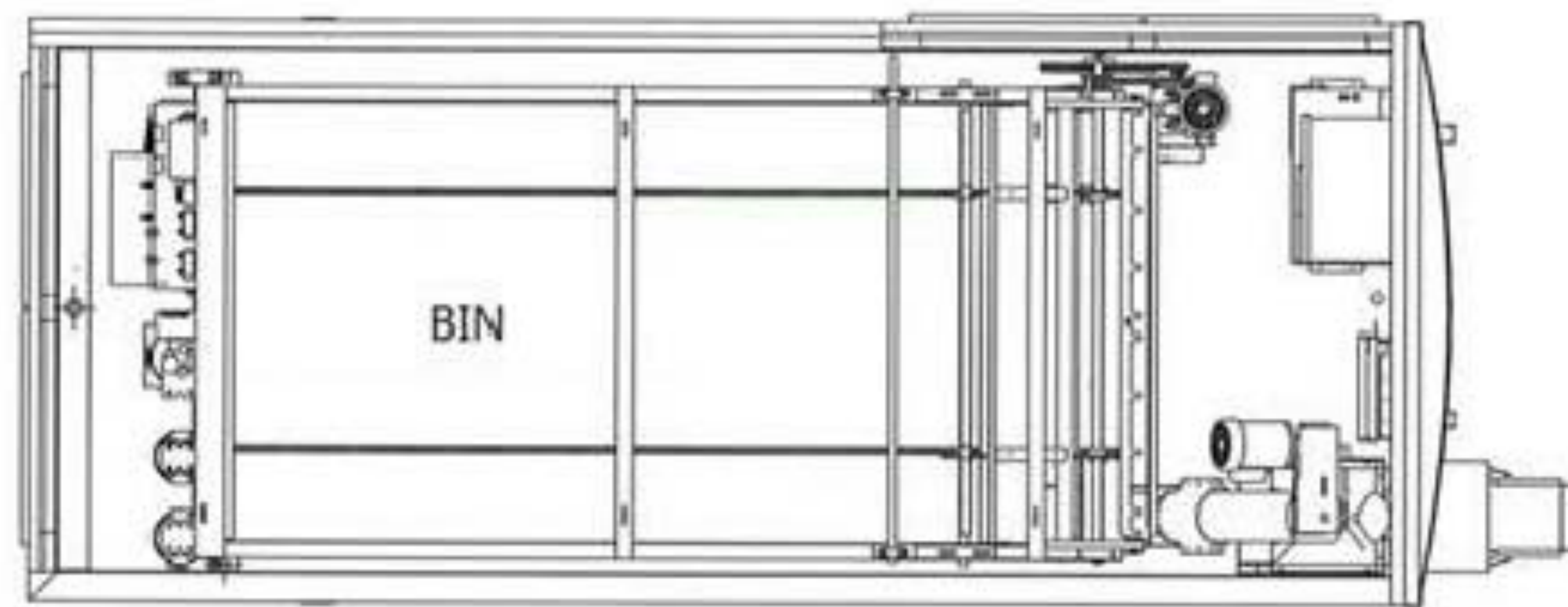
PICKETT, RAY & SILVER INC.
CIVIL ENGINEERING, LAND SURVEYING,
AND NATURAL RESOURCES SERVICES
St. Peters
22 Richmond Center Court
St. Peters, MO 63376
Phone (636) 397-1211
www.prs3.com
Branson
110 West Adams Suite 201
Branson, MO 65616
Fax (636) 397-1104
1-800-708-3918

SITE PLAN
FAMILY VIDEO
ICE KIOSK
ST LOUIS, MISSOURI
Contact: Mr. Ray Williams, III
Address: 710 East Olive
Baltimore, MO 63021
Phone: (314) 308-1258
PREPARED FOR:
FAMILY VIDEO

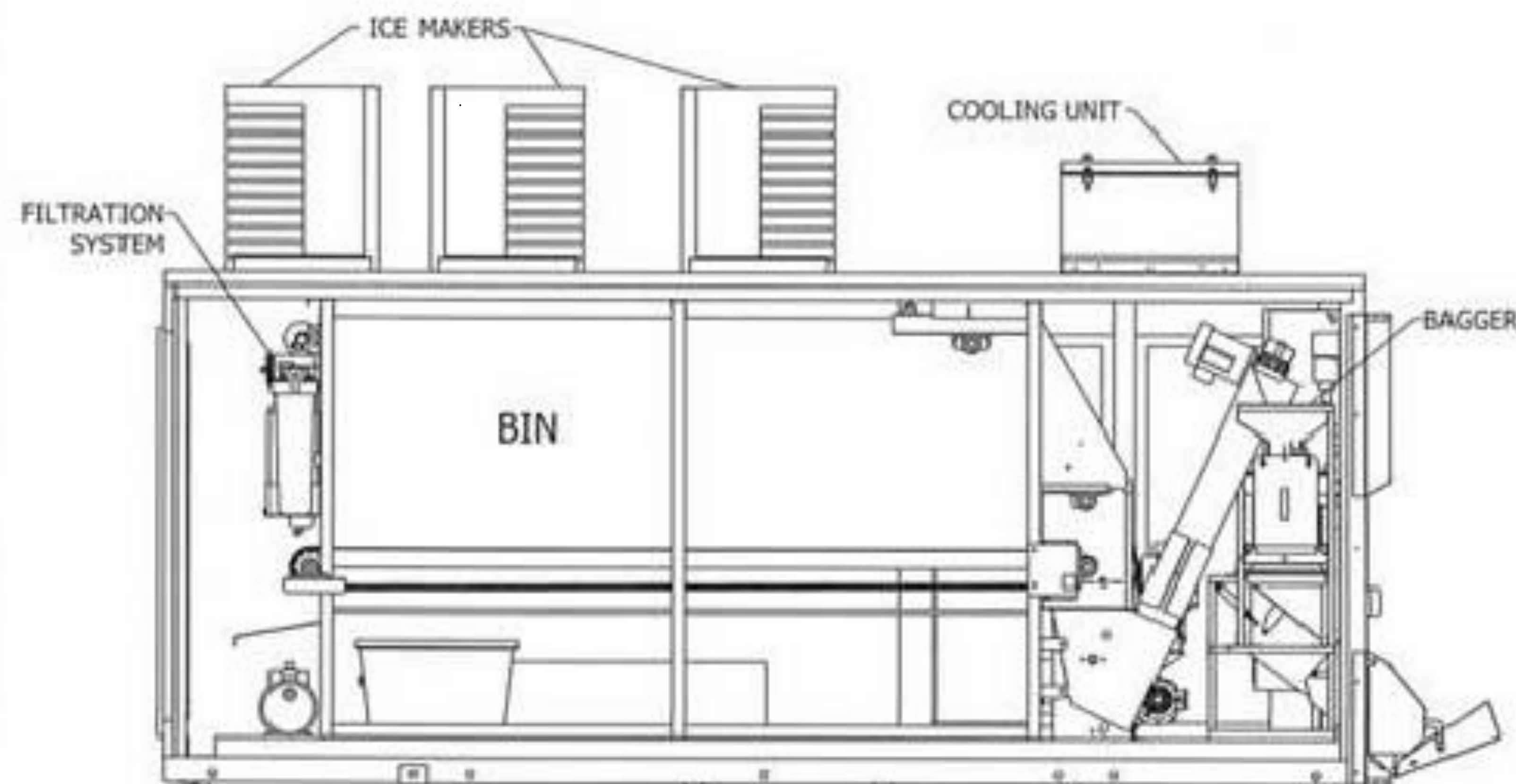
ENGINEER'S AUTHENTICATION
THE RESPONSIBILITY FOR PROFESSIONAL ENGINEERING LIABILITY ON THIS PROJECT IS HEREBY LIMITED TO THE SET OF PLANS AUTHENTICATED BY THE SEAL, SIGNATURE, AND DATE HEREINAFTER ATTACHED. RESPONSIBILITY IS DISCLAIMED FOR ALL OTHER ENGINEERING PLANS INVOLVED IN THIS PROJECT AND SPECIALLY EXCLUDES REVISIONS AFTER THIS DATE UNLESS REAUTHENTICATED.
PICKETT, RAY & SILVER, INC. - NO LICENSE 2000325
KARL ANTHONY SCHOENIKE
STATE OF MISSOURI
PROFESSIONAL ENGINEER
NUMBER PE-2003015039
04-12-17
Karl A. Schoenike, P.E. ELECTRONIC SEAL
PROFESSIONAL ENGINEER - LICENSE 2003015039

DRAWN KAS	DATE 12/27/16
CHECKED DST	DATE 12/27/16
PROJECT # 16055.FAV0.00R	FIELD BOOK X

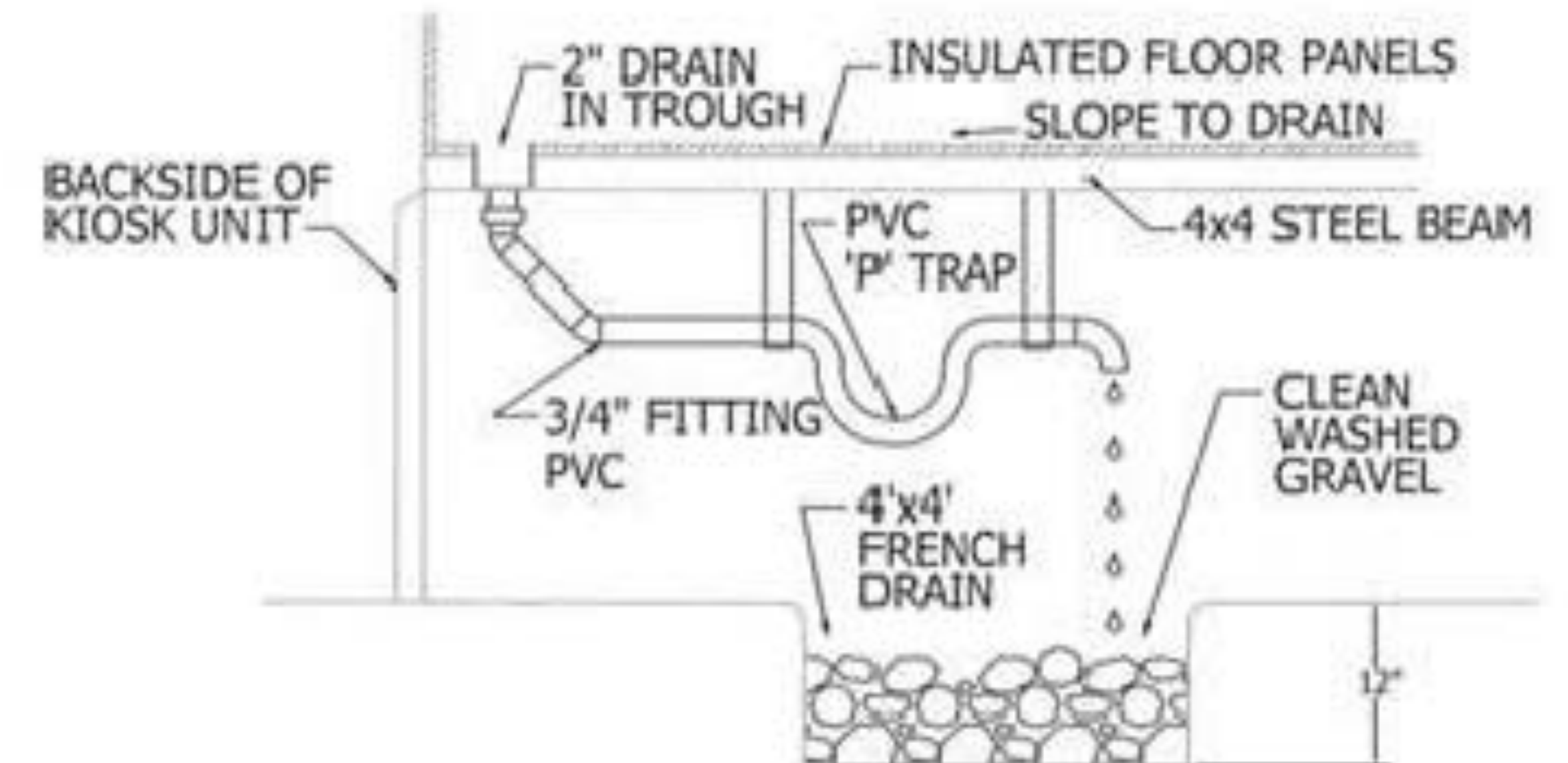
FAMILY VIDEO
ICE KIOSK
SHEET 1 OF 1
© Copyright 2017 by Pickett, Ray & Silver Inc.



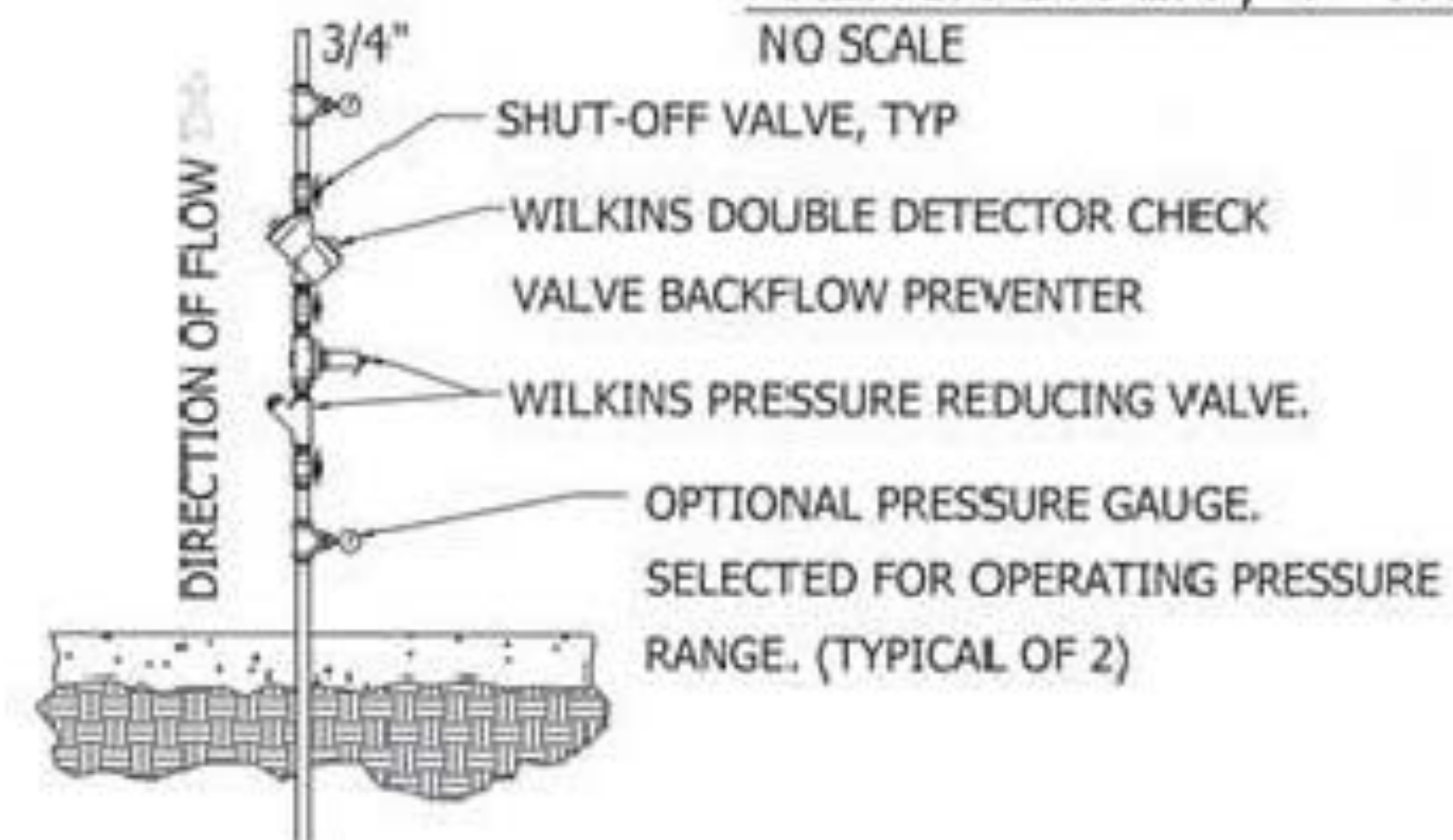
PLAN VIEW
SCALE 1 / 15



ELEVATION VIEW
SCALE 1 / 15



FRENCH DRAIN / 'P' TRAP DIAGRAM
NO SCALE

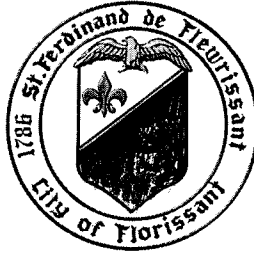


3/4" DOMESTIC WATER SERVICE LINE
FROM METER
WATER SERVICE DETAIL
NO SCALE

March Adams & Associates Consulting Engineers 310 Dodds Ave. P.O. Box 3689 Chattanooga, Tennessee 37404 PH: (423) 698-6675 MAA #: 16-280	ICE HOUSE AMERICA 1597 The Greens Way Jacksonville Beach, Florida 32250 904-241-7535	
	EQUIPMENT INFORMATION 16' KIOSK	Missouri EQ-1
DATE: 08/04/2016		DESIGNED BY:

1

MEMORANDUM



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CITY OF FLORISSANT- BUILDING DEPARTMENT

"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant; while at the same time maintaining property values and improving the quality of life in the City of Florissant."

To: Planning and Zoning Commissioners

Date: April 25, 2017

From: Philip E. Lum, AIA-Building Commissioner c:

Louis B. Jearls, Jr. - P.E.,
PWL Director Public Works
Deputy City Clerk
Applicant
File

Subject: Request Recommended Approval of **Ice Machine Equipment at 350 Howdershell (Family Video)** in a 'B-5' Zoning District.

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STAFF REPORT

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CASE NUMBER PZ-050117-2

I. **PROJECT DESCRIPTION:**

23 This is request for recommended approval to amend the 'B-5' ordinance to allow for Ice
24 Machine Equipment in a B-5 District. The current video store is within a 'B-5' District
25 within the City of Florissant. There is an existing ordinance no. 6792 that describes
26 permitted uses, which include retail as amended for restaurant, however, since the
27 existing Video Establishment wishes to expand their business with new exterior changes,
28 it requires an amendment to the ordinance.

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31

II. **EXISTING SITE CONDITIONS:**

32 The existing property at 350 Howdershell is owned by Family Video Movie Club per
33 County records. The existing retail space is a video store. The existing building total
34 area is 13,040 s.f. The building consists of masonry walls and metal roofing.

35
36 The parking ordinance has been changed since the establishment of this 'B-5' Zoning
37 District.

38
39
40

III. **SURROUNDING PROPERTIES:**

41 The adjacent property to the North is 300 Howdershell (a Dairy Queen) in a 'B-5'
42 Planned Commercial District. There are 2 contiguous properties to the South which
43 comprise the South parking lot for this establishment. They appear in the County record
44 as 2055 and 2075 Keeven. Properties to the East are 2015 Keeven, 2025 and 2030
45 Bobbinray, all in the 'R-4' Single Family Dwelling District.

46
47 **IV. STAFF ANALYSIS:**
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49 The application is accompanied by a photo, Site Plan 1 of 1 dated 12/27/16 by Picket,
50 Ray & Silver, Inc. Civil Engineer. Staff highlights review comments as follows:

- 51 1. The City Attorney has advised in the past that ownership of contiguous properties
52 on record at County shall not hinder the applicant from amending the ordinance.
- 53 2. Site Plan indicates location of proposed equipment in excess of 40 feet from the
54 property lines: 68.5' from Keeven and 82.6' from the neighbor to the East at 2015
55 Keeven.
- 56 3. There were several ordinances connected to the property:
 - 57 a. No. 7217 for Steak Out restaurant, (which is no longer in use).
 - 58 b. No. 8304 for St. Louis Fish and Chicken in place of the Steak Out.
 - 59 c. No. 7356 for Little Caesar's Pizza.
 - 60 d. No. 6792 'B-5' Rezoning for Family Video.
- 61 4. Parking: existing parking lot is 101 spaces. New calculations by the Civil
62 Engineer shows 52 required parking at 4/1000 s.f. which is approximately correct.
63 There may be 1 or 2 more parking required for the restaurants spaces both under
64 1500 s.f., but the point is moot.
- 65 5. Signs: The largest sign can be the ice sign on the side = 88 s.f. if the photo of the
66 ice cubes is considered a part of the sign. All other signs are less than 40 s.f.
- 67 6. The machine dispenses ice cubes and reverse osmosis water at reduced prices. No
68 block ice is sold. Proposed is 24 hour operation.
- 69 7. The unit proposed is about 16'x8' and will have a security system with cameras
70 and owner's remote operation by cell phone. Maintenance or Police can be called
71 24/7 if there is a problem.
- 72 8. The unit is permanently bolted to the ground and is designed to resist 170 mph
73 winds.
- 74 9. A finished skirt around the lower portion will be provided to conceal utility
75 connections.
- 76 10. The unit has recessed can lights in the top canopy so as not to shine light upon
77 neighboring property and to reduce glare.
- 78 11. Noise at close range 10-15' is about the same level as a window air conditioner.

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80 **VI. STAFF RECOMMENDATIONS:**
81

82 After a public hearing considering the exact proposal at another location, see the
83 **Suggested Motion:**
84

85 I move to recommend approval to amend a Special Use, ordinance 6792 to allow
86 **Ice Machine Equipment at 350 Howdershell (Family Video)** in a 'B-5' Zoning
87 District with the following additional requirements:
88

- 89 1. Finished pipe bollards will be installed to protect the installation and
90 customers, as approved by the Building Commissioner.
- 91 2. Location of the equipment shall be as shown on Site Plan 1 of 1 dated
92 12/27/16 by Picket, Ray & Silver, Inc. Civil Engineer.

93 3. *Permanent trash can in/around machine.*
94 **PROJECT COMPLETION.**

95 Construction shall start within 30 days of the issuance of building permits, and
96 the structure shall be completed in accordance with the plans within 100 days
97 of start of construction.
98

99 (End report and suggested motion)

INTRODUCED BY COUNCILMAN JONES
MAY 22, 2017

BILL NO. 9283

ORDINANCE NO.

ORDINANCE TO AUTHORIZE A SPECIAL PERMIT TO SHACKELFORD ASSOCIATES, LLC TO ALLOW FOR A SHOPPING CENTER GROUND SIGN FOR THE PROPERTY LOCATED AT 1106-1148 SHACKELFORD ROAD.

WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of Florissant, by Special Permit, after public hearing thereon, to permit the location and maintenance of monument signs in the City of Florissant; and

WHEREAS, an application has been filed by Shackelford Associates LLC; and

WHEREAS, the Planning and Zoning Commission of the City of Florissant at their meeting on May 1st, 2017 has recommended that a Special Permit be granted with conditions; and

WHEREAS, due notice of public hearing no. 17-05-014 on said application to be held on the 22nd or May, 2017 at 7:30 P.M. by the Council of the City of Florissant was duly published, held and concluded; and

WHEREAS, the Council, following said public hearing, and after due and careful consideration, has concluded that the issuance of a Special Permit for a Monument sign would be in the best interest of the City of Florissant.

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

Section I: A Special Permit is hereby granted to allow for a shopping center ground sign in a B-3, Extensive Business District for the property located at 1106-1148 Shackelford Rd., subject to the conditions set forth below with these conditions being part of the record:

- 1) Sign shall be located 19'6" behind the property line and as otherwise shown on attached partial site plan by Stolwyk & Ferrenbach, dated June 13, 1997, as amended by the sign drawings attached thereto.
- 2) Sign shall be indicated on drawing labeled 'Design Option: A', dated 3/15/17 by Warren Sign.

1. GENERAL DEVELOPMENT CONDITIONS.

- a. Unless, and except to the extent otherwise specified, development shall be effected only in accordance with all ordinances of the City of Florissant.

2. PROJECT COMPLETION.

- a. Construction shall start within 90 days of the issuance of building permits for the project and shall be developed in accordance of the approved final development plan within 180 days of start of construction.

Section 2: This ordinance shall become in force and effect immediately upon its passage and approval.

Adopted this ____ day of _____, 2017.

Jackie Pagano
President of the Council

Approved this ____ day of _____, 2017.

Thomas P. Schneider
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MMC/MRCC
City Clerk

CITY OF FLORISSANT

Public Hearing



Posted
5-10-17
[Signature]

In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 rue St. Francois, on Monday, May 22, 2017 at 7:30 p.m. on the following proposition:

To authorize a Special Permit to Shackelford Associates, LLC to allow for a shopping center ground sign for the property located at 1106-1148 Shackelford Road (legal description to govern). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

CITY OF FLORISSANT, Karen Goodwin, City Clerk

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant – Public Works 314-839-7648

"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant; while at the same time maintaining property values and improving the quality of life in the City of Florissant."

Application is hereby made to the Building Commissioner, Department of Public Works at the City of Florissant, Missouri, to appear before the Planning & Zoning Commission.

Property Address: 1106-1148 Please Print neatly or Type the Following Information:
1100-1148 Shackelford Road, Florissant MO

Property Owners Name: Shackelford Associates, LLC Phone/email: 344-863-8000 xt.312/andyL@Liptongroup.com

Property Owners Address: 7211 Delmar Blvd., St. Louis MO 63130

Business Owners Name: same as property owner Phone/email: same as above

Business Owners Address: same as above

DBA (Doing Business As) n/a

Authorized Agents Name: Randy Lipton Co. Name: Shackelford Associates, LLC
(Authorized Agent to Appear Before The Commission)

Agents Address: same as above Phone/email: same as above

Request Installation of a monument sign

State complete request (print or type only).

IF A TRAFFIC STUDY IS REQUIRED FOR CERTAIN DEVELOPMENTS AND USES THE COST OF THE TRAFFIC STUDY SHALL BE PAID BY THE APPLICANT. PLEASE SUBMIT FOLDED PLANS

Applicant's Signature: [Signature] Date: 3-15-17

Received by: ct Receipt # 600998 OFFICE USE ONLY Amount Paid: 125.00 Date: 4/4/17

STAFF REMARKS: _____

DATE APPLICATION REVIEWED: 4/11/17

SIGNATURE OF STAFF WHO REVIEWED APPLICATION
[Signature]

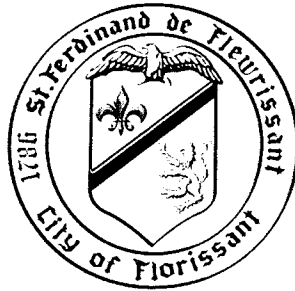
Planning & Zoning Application
Page 1 of 1 – Revised 7/15/15

COMMISSION ACTION TAKEN:

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

SIGN. [Signature] DATE: 5/1/2017

**SPECIAL USE PERMIT APPLICATION
TO THE CITY OF FLORISSANT
PLANNING AND ZONING COMMISSION**



**City Of Florissant – Public Works
314-839-7648**

"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant; while at the same time maintaining property values and improving the quality of life in the City of Florissant."

**PLANNING & ZONING ACTION
RECOMMENDED APPROVAL**

PLANNING & ZONING

CHAIRMAN

SIGN.

DATE: 5/1/2017

Council Ward _____ **Zoning** _____

Initial Date Petitioner Filed _____

**Building Commissioner to complete
ward, zone & date filed**

SPECIAL PERMIT FOR Permit for installation of a monument sign on Shackelford Road

Statement of what permit is being sought. (i.e., special permit for operation of a restaurant).

AMEND SPECIAL PERMIT # 1106 - 1148 **TO ALLOW FOR** _____
ordinance # Statement of what the amendment is for.

LOCATION 110-1148 Shackelford Road, Florissant MO

Address of property.

1) Comes Now Shackelford Associates, LLC a Missouri Limited Liability Company

Enter name of petitioner. If a corporation, state as such. If applicable include DBA (Doing Business As)

and states to the Planning and Zoning Commission that he (she) (they) has (have) the following legal interest in the tract of land located in the City of Florissant, State of Missouri, as described on page 3 of this petition.

Legal interest in the Property) Property Owner

State legal interest in the property. (i.e., owner of property, lease).

Submit copy of deed or lease or letter of authorization from owner to seek a special use.

2) The petitioner(s) further state(s) that the property herein described is presently being used for retail and
service providers and that the deed restrictions for the property do not prohibit the use which
would be authorized by said Permit.

3) The petitioner(s) further states (s) that they (he) (she) are submitting a detailed site plan of the proposed or existing development showing location and use of all structures, off-street parking, and all other information required by the Zoning Ordinance or determined necessary by the Building Commissioner.

- 4) The petitioner(s) further state(s) that (he) (she) (they) shall comply with all of the requirements of the City of Florissant, including setback lines and off- street parking.
- 5) The petitioner (s) further (represent (s) and warrants (s) that they (he) (she) has (have) not made any arrangement to pay any commission gratuity or consideration, directly or indirectly to any official, employee or appointee of the City of Florissant, with respect to this application.
- 6) The petitioner(s) further state (s) that the Special Use Permit is sought for the following purposes, and no other, as listed in detail, all activities sought to be covered by the permit (i.e.; operation of a business, approval of building and/or site plans (preliminary and / or final), plan approval for signage, etc.):
- 7) The petitioner (s) state (s) the following factors and reason to justify the permit:
(If more space is needed, separate sheets maybe attached)

Randy Lipton

PRINT NAME

SIGNATURE

/ RandyL@Liptongroup.com/314-863-8000

email and phone

FOR

Shackelford Associates, LLC

(company, corporation, partnership)

Print and sign application. If applicant is a corporation or partnership signature must be a CORPORATE OFFICER or a PARTNER. NOTE: Corporate officer is an individual named in corporate papers.

8) I (we) hereby certify that, as applicant (circle one of the following):

1. I (we) have a legal interest in the herein above described property.
2. I am (we are) the duly appointed agent(s) of the petitioner (s), and that all information given here is true and a statement of fact.

Permission granted by the Petitioner assigning an agent (i.e. Architect) to present this petition in their behalf, to the Commission and/or Council. The petitioner must sign below, and provide contact information:

PRESENTOR SIGNATURE _____

ADDRESS **7211 Delmar Blvd., St. Louis MO 63130**

STREET CITY STATE ZIP CODE

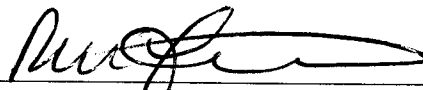
TELEPHONE / EMAIL **314-863-8000 xt.312 / RandyL@Liptongroup.com**

BUSINESS

I (we) the petitioner (s) do hereby appoint **Randy Lipton** as

Print name of agent.

my (our) duly authorized agent to represent me (us) in regard to this petition.



Signature of Petitioner authorizing an agent

NOTE: When the petitioner and/or his duly authorized agent appears before the Planning and Zoning Commission and to make a presentation, the same individuals must also appear before the City Council at the Public Hearing to make the presentation and no one else will be permitted to make the presentation to the City Council without authorized approval.

IF DESCRIPTIONS, PLATS OR SURVEYS ARE INACCURATE, OR IF THE PETITION APPLICATION IS NOT CORRECT OR COMPLETE, IT WILL BE RETURNED FOR ADDITIONS OR CORRECTIONS.

REQUIRED INFORMATION

Please mark an "X" in the appropriate type of operation, then fill in applicable section (a), (b) or (c).
Corporations are to submit copy of Missouri corporate papers with registration papers.

1) Type of Operation:
Individual _____ Partnership LLC Corporation _____

(a) If an individual:

- (1) Name and Address _____
- (2) Telephone Number _____
- (3) Business Address _____
- (4) Date started in business _____
- (5) Name in which business is operated if different from (1) _____
- (6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a partnership:

- (1) Names & addresses of all partners See Attached
- (2) Telephone numbers _____
- (3) Business address _____
- (4) Name under which business is operated Shackelford Associates, LLC
- (5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(c) If a corporation:

- (1) Names & addresses of all partners _____
- (2) Telephone numbers _____
- (3) Business address _____
- (4) State of Incorporation & a photocopy of incorporation papers _____
- (5) Date of Incorporation _____
- (6) Missouri Corporate Number _____
- (7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. _____
- (8) Name in which business is operated _____
- (9) Copy of latest Missouri Anti-Trust. (annual registration of corporate officers) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping Information.

SHACKELFORD ASSOCIATES, LLC

Members:

Randy Lipton
7211 Delmar Blvd.
St. Louis, MO 63130
314-863-8000 xt.312

Doug Lipton
4250 W. Dry Creek Road
Healdsburg, CA 95448
707-433-2094

Gregg Lipton
1 Mill Ridge Road
Cumberland, Maine 04021
207-829-5010

Peter McMillan
7632 Walinca Terrance
St. Louis, MO 63105
314-862-7346

Donn H. Lipton GST Residuary Trust
7211 Delmar Blvd.
St. Louis, MO 63130
314-863-8000 xt.312

Please fill in applicable information requested. If the property is located in a shopping center, provide the dimensions of the tenant space under square footage and landscaping information may not be required.

Name _____

Address _____

Property Owner _____

Location of property _____

Dimensions of property _____

Property is presently zoned _____ Requests Rezoning To _____

Proposed Use of Property _____

Type of Sign _____ Height _____

Type of Construction _____ Number Of Stories _____

Square Footage of Building _____ Number of Curb Cuts _____

Number of Parking Spaces _____ Sidewalk Length _____

Landscaping: No. of Trees _____ Diameter _____

No. of Shrubs _____ Size _____

Fence: Type _____ Length _____ Height _____

PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:

1. Zoning of adjoining properties.
2. Show location of property in relation to major streets and all adjoining properties.
3. Show measurement of tract and overall area of tract.
4. Proposed parking layout and count, parking lighting.
5. Landscaping and trash screening.
5. Location, sizes and elevations of signage.

EXHIBIT A

LANDMARK PLAZA SHOPPING CENTER
SHACKELFORD ROAD AT MULLANPHY ROAD FLORISSANT, MISSOURI

- Tenants**
- 1. Subway 2,200 SF
 - 2. Great Clips 1,090 SF
 - 3. Sally Beauty 2,020 SF
 - 4. SSM HealthCare 14,920 SF
 - 5. China King 1,870 SF



DESIGN OPTION: A

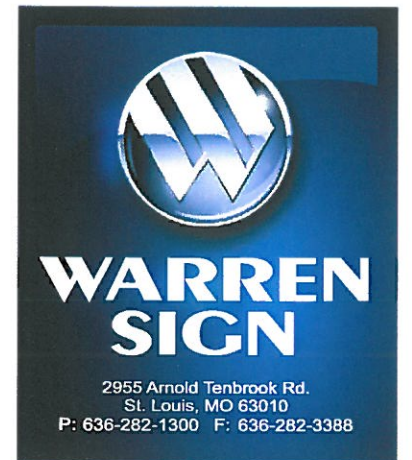
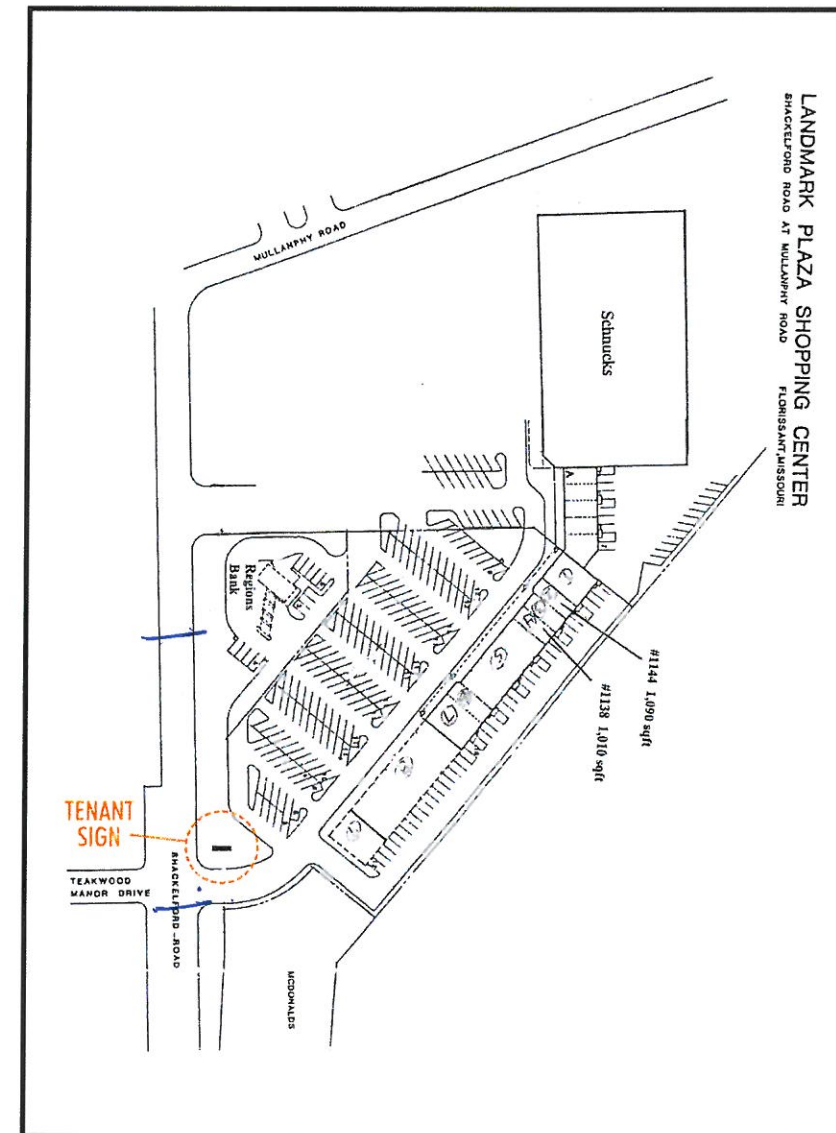
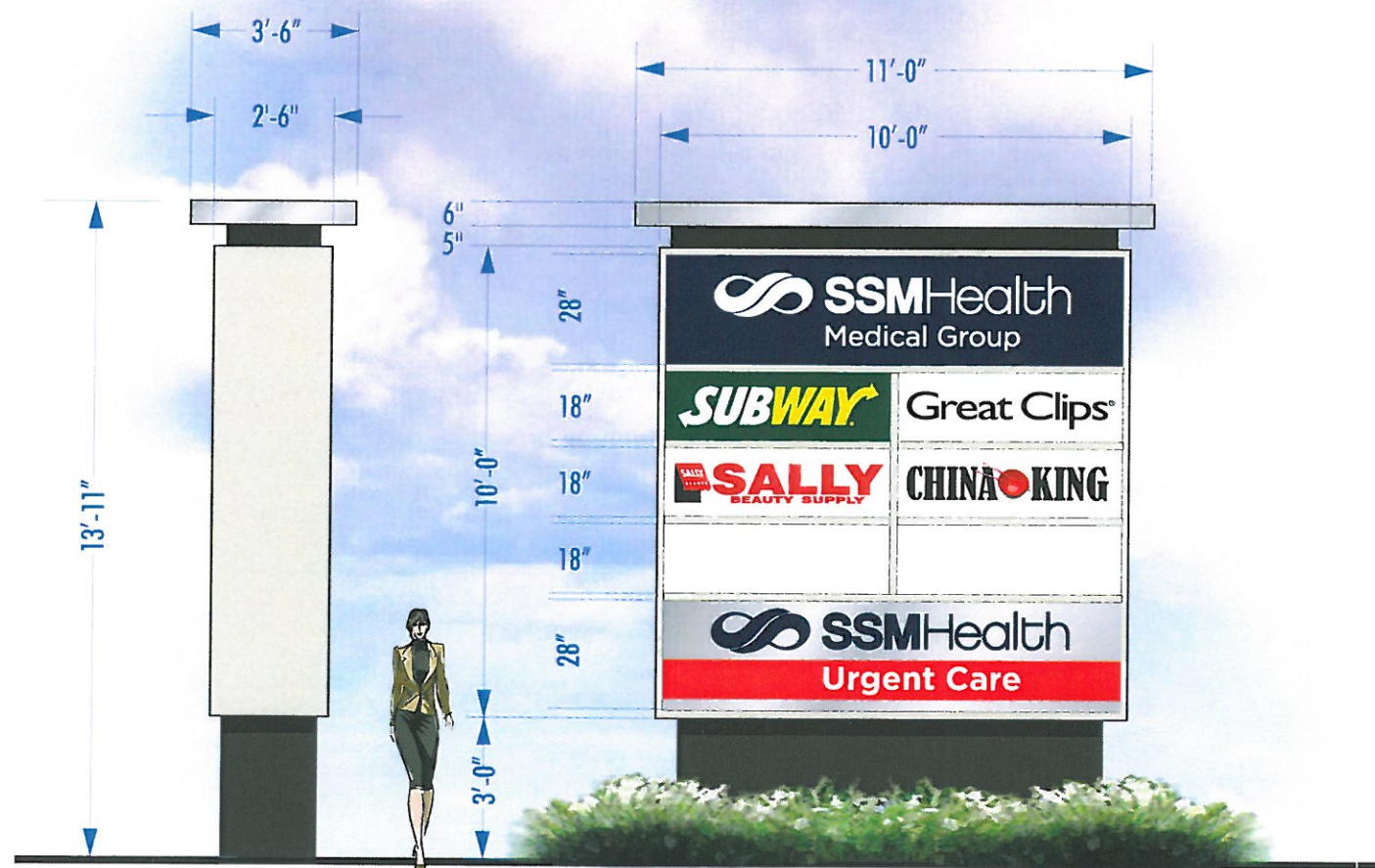
RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

SIGN.

Paul D. R.

DATE:

5/1/2017



CLIENT
LANDMARK PLAZA

PROJECT
TENANT PYLON SIGN

LOCATION
1112 SHACKELFORD
FLORISSANT, MO

DATE
8/17/16

SAVED AS
LANDMARK PLAZA 8 TENANT PYLON

DRAWING NO.
JK 080716

REVISED
3/15/17

DESIGNED BY
Keith Hempen



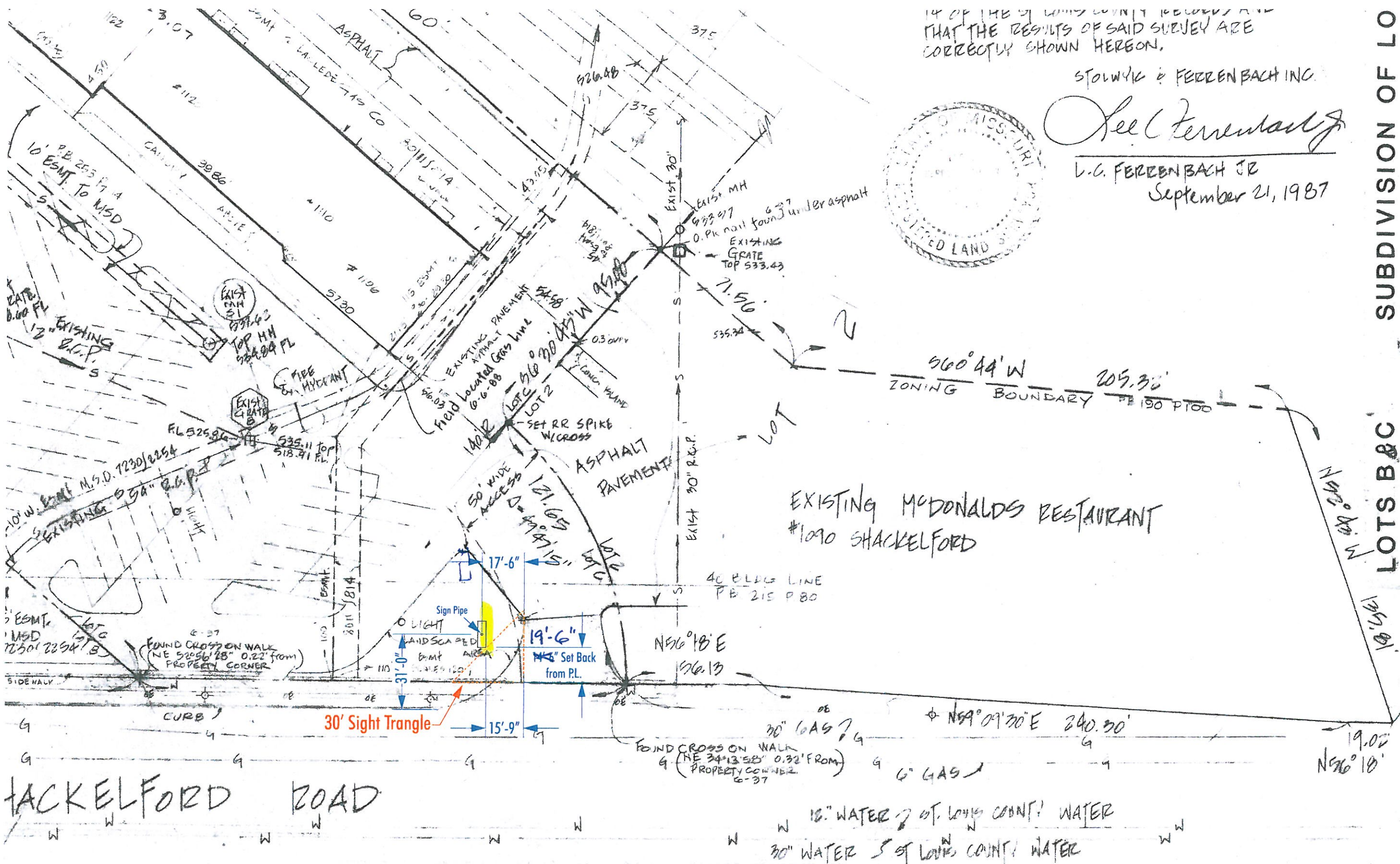
This drawing has been prepared for your exclusive viewing and is the intellectual property of Warren Sign. It may not be reproduced in whole or in part without written permission.

DOUBLE SIDED PYLON SIGN: 1/4" = 1'-0" (100sf TENANT DIRECTORY)

FABRICATE AND INSTALL ONE DOUBLE SIDED PYLON SIGN WITH WHITE LED INTERNAL ILLUMINATION. ALUMINUM CABINET CONSTRUCTION WITH ACRYLIC POLYURETHANE PAINT FINISHES PER CUSTOMER COLOR CHOICES. FACES SHALL BE WHITE ACRYLIC DECORATED WITH TRANSLUCENT VINYL FILM GRAPHICS PER EACH TENANT STYLE AND COLOR CHOICE. SIGN SUPPORTED BY A STEEL UPRIGHT DIRECT BURIED IN A CONCRETE FOOTING PER SEALED ENGINEER'S DRAWING. 120V PRIMARY ELECTRICAL SERVICE SHALL BE BROUGHT TO SIGN BY OTHERS. WARREN SIGN SHALL MAKE FINAL CONNECTION AT TIME OF INSTALLATION. SIGN SHALL HAVE A UL LISTED DISCONNECT SWITCH AND BEAR UL LABEL PER SIGN ORDINANCE REQUIREMENTS. COORDINATE PLACEMENT WITH SITE PLAN.



THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



14 OF THE ST. LOUIS COUNTY RECORDS AND THAT THE RESULTS OF SAID SURVEY ARE CORRECTLY SHOWN HEREBY.

STOLWYK & FERRENBACH INC.

See Certificate

L.C. FERRENBACH JR
September 21, 1987



SUBDIVISION OF LOT 1 OF NATIONAL'S FLORISSANT SUBDIVISION PLAT NO. 1, OF A "NON-EXCLUSIVE DRIVEWAY AND PARKING EASEMENT OR SERVITUDE UPON, OVER AND ACROSS DRIVEWAYS AND PARKING AREAS NOW OR HEREAFTER CONSTRUCTED..."

PREPARED AT THE REQUEST OF:

SHACKELFORD ASSOCIATES
A GENERAL PARTNERSHIP
RANDALL M. LIPTON
9100 OVERLAND PLAZA
ST. LOUIS, MO. 63114

LANDMARK PLAZA
SHOPPING CENTER

SCALE	
VERTICAL: 1" =	
HORIZONTAL: 1" = 40'	
SUR. LCF III	D.E.S.
DRW. CAT	CHK. LCF
DATE: 6-19-86	
MSD No. P	
S&F 9178	

in Book 6661 Page 1263 establishes lines by Metropolitan Sewer Ordinance roadway Reservation area lies outside according to plat recorded in Plat Book Floodway Reservation is plotted from

Declaration of Easements, Restrictions and Agreements, Book 7919 page 1526. This document describes the mutual granting, between the owners of Lots A, B, C and D of the "Subdivision of Lot 1 of National's Florissant Subdivision Plat No. 1", of a "...non-exclusive driveway and parking easement or servitude upon, over and across driveways and parking areas now or hereafter constructed..."

REVISED JUNE 13, 1987 LCF

1 **INTRODUCED BY COUNCILMAN SIAM**
2 **MAY 22, 2017**

3
4 **BILL NO. 9284**

ORDINANCE NO.

5 **AN ORDINANCE AMENDING SECTION 220.040 “CONTAINERS-**
6 **SPECIFICATIONS” BY DELETING THE SECTION IN ITS ENTIRETY**
7 **AND REPLACING IT WITH A NEW SECTION AND AMENDING**
8 **SECTION 405.245 ‘SCREEN AND BERMING’ BY ADDING “R-5” AND**
9 **“R-6” ZONING DISTRICTS FOR THE PURPOSE OF MODIFYING**
10 **REGULATIONS REGARDING COMMERCIAL DUMPSTERS.**

11 WHEREAS, commercial dumpster enclosures are necessary for businesses and multi-
12 family buildings to keep their property free from litter and debris; and

13 WHEREAS, the City Council believes that improved regulations concerning dumpster
14 locations is in the best interest of the city.

15
16 NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
17 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

18
19 Section 1: Section 220.040 “Containers – Specifications” is hereby deleted and replaced
20 with the following:

21
22 **Section 220.040 Containers — Specifications.**
23

24 All containers for the disposal of garbage or rubbish, with the exception of recycling containers
25 used for the purpose of disposing of newspaper, aluminum, glass or plastic for the purpose of
26 recycling, shall be containers made of heavy plastic polyethylene or heavy gauge metal or
27 watertight construction equipped with **fly-proof type** lids; and the lids shall be kept on at all
28 times, except when garbage or rubbish is being deposited in such containers. Each such container
29 shall have the capacity of not less than five (5) gallons nor more than **ninety-five (95)** gallons
30 and within these limits shall be of sufficient capacity to hold all the garbage and rubbish
31 accumulated on the premises between collections; and the contents thereof shall be kept in such
32 condition that it can, at all times, be readily and fully removed by a garbage or rubbish collector.
33 Uncovered recycling containers shall be approved by the Director of Public Works or any of
34 his/her assistants or designated subordinates to insure that health and safety standards of the City
35 of Florissant are maintained. Containers having a capacity of more than **ninety-five (95)** gallons
36 may be used provided they are in compliance with all of the other requirements of this Chapter
37 and shall have first been approved by the Director of Public Works or any of his/her assistants or
38 subordinates and such approval shall be placed on such container; and provided further that any
39 container that has a capacity of more than **ninety-five (95)** gallons must likewise be approved by
40 the applicable trash hauler of his/her capacity to handle such increased container. When rubbish
41 or garbage emanating from any multiple dwelling, business house, store, restaurant, school,
42 hotel, **motel**, hospital or other **institution, business and/or establishment** of any kind shall

43 accumulate to an amount of one (1) cubic yard or more between collection dates, a sanitary
44 container as prescribed and approved by the Director of Public Works or any of his/her assistants
45 or subordinates shall be used. **All one (1) cubic yard or larger containers shall be placed on a**
46 **six (6) inch thick reinforced PCC (Portland cement concrete) pad the full width of and**
47 **extending out twenty (20) feet in front of the container enclosure or screening.** All
48 containers not in accordance with the requirements set forth in this Section shall be removed,
49 torn down and eliminated.

50
51 Section 2: Section 405.245 “Screen And Berming” is hereby amended by adding “R-6
52 and R-5” to subsection B-1.

53
54 Section 3: This ordinance shall become in force and effect immediately upon its passage
55 and approval.

56
57 Adopted this _____ day of _____, 2017.

58
59
60 _____
61 Jackie Pagano
62 President of the Council
63 City of Florissant
64

65 Approved this _____ day of _____, 2017.

66
67
68 _____
69 Thomas P. Schneider
70 Mayor, City of Florissant
71

72 ATTEST:

73
74 _____
75 Karen Goodwin, MMC/MRCC
76 City Clerk
77

1 INTRODUCED BY COUNCILMAN EAGAN
2 JUNE 12, 2017

3
4 BILL NO. 9285

ORDINANCE NO.

5
6 **AN ORDINANCE AMENDING B-5 ORDINANCE NO. 6792 TO ALLOW**
7 **FOR AN ICE MACHINE KIOSK IN THE PARKING LOT FOR THE**
8 **PROPERTY LOCATED AT 350 HOWDERSHELL ROAD.**
9

10 WHEREAS, the shopping center for this address was previously annexed from St. Louis
11 County and placed into a B-5, "Planned Commercial District" designation within the City of
12 Florissant; and

13 WHEREAS, the City Council passed and approved Ordinance No. 6792 and authorized a
14 planned commercial development at 350 Howdershell Road; and

15 WHEREAS, as a part of this B-5 development, the owners of Family Video have
16 requested authorization to install an ice machine kiosk in the parking lot at 350 Howdershell
17 Road; and

18 WHEREAS, the Planning and Zoning Commission of the City of Florissant has
19 recommended to the City Council at their meeting of May 15, 2017 that Ordinance No. 6792 be
20 further amended to allow for the addition of an Ice Machine Kiosk in the parking lot located at
21 350 Howdershell Road; and

22 WHEREAS, due and lawful notice of a public hearing no. 17-06-015 on said proposed
23 change was duly published, held and concluded on the 12th day of June, 2017 by the Council of
24 the City of Florissant; and

25 WHEREAS, the Council, following said public hearing, and after due and careful
26 deliberation, has concluded that the amendment of Ordinance No. 6792, as hereinafter set forth,
27 to be in the best interest of the public health, safety and welfare of the City of Florissant; and

28
29 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
30 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:
31

32
33 Section 1: B-5 Ordinance No. 6792 is hereby amended to allow ice machine equipment
34 located at 350 Howdershell Road (Family Video) in a B-5 Zoning District with the following
35 additional requirements:

1. Finished pipe bollards will be installed to protect the installation and customers, as approved by the Building Commissioner.
2. Location of the equipment shall be as shown on Site Plan 1 of 1, dated 12/27/16 by Picket, Ray & Silver, Inc. Civil Engineer.
3. Permanent trash can to be placed in or around the machine.

PROJECT COMPLETION.

Construction shall start within 60 days of the issuance of building permits and the construction shall be completed in accordance with the plans within 100 days of start of construction.

Section 2: Except as herein amended Ordinance No. 6792 shall remain in full force and effect.

Section 3: This ordinance shall become in full force and effect immediately upon its passage and approval.

Adopted this _____ day of _____, 2017.

Jackie Pagano
President of the Council

Approved this _____ day of _____, 2017.

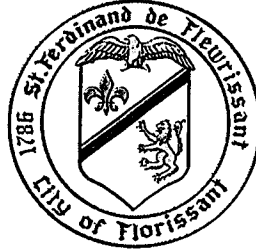
Thomas P. Schneider
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MMC/MRCC
City Clerk

1

MEMORANDUM



CITY OF FLORISSANT

"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant; while at the same time maintaining property values and improving the quality of life in the City of Florissant."

2
3
4
5
6
7
8 To: Planning and Zoning Commissioners Date: April 25, 2017
9
10 From: Philip E. Lum, AIA-Building Commissioner cc: Louis B. Jearls, Jr. PE-PWLF
11 Director of Public Works
12 Applicant
13 File
14
15 Subject: **1106-1148 Shackleford:** Request recommended approval of a **Special**
16 **Permit** for a Shopping Center Ground Sign and location in a 'B-3' Zoning
17 District.
18

19
20 **STAFF REPORT**
21 **CASE NUMBER PZ-041717-1**

22 I. **PROJECT DESCRIPTION:**
23

24 This is a request for Recommended Approval of **Special Permit** for a Shopping Center
25 Ground Sign and location at **1106-1148 Shackleford** in a 'B-3' Zoning District.
26
27

28 II. **EXISTING SITE CONDITIONS:**
29

30 The existing property at **1106-1148 Shackleford** is a property in the 'B-3' zoning district
31 and has been occupied by SSM and other tenants, having relocated several tenants in
32 order to accommodate the expanded offices of SSM.
33

34 The subject property is approximately 3.07 Acres and is shown on County Record as
35 having the parcel locator number of 07K530953 with the address of 1106 Shackleford,
36 There are several Special Use Permits within the property for various restaurants. This
37 proposal will be associated with all addresses in the City database, **1106-1148**
38 **Shackleford**. Drawings attached show the proposed location of the proposed sign and
39 setbacks.
40

41 **III. SURROUNDING PROPERTIES:**

42
43 The properties to the East are 1110 Shackleford owned by the applicant, 1150 and 1160
44 Shackleford owned by TCC Shackleford LLC and located in the 'B-3' Extensive
45 Business District and the property to the South is 1092 Shackleford, Zoned 'B-3' owned
46 by TCC Shackleford LLC and the property to the West is 1090 Shackleford
47 (McDonald's) located in a 'B-5' Planned Commercial District.
48

49 **IV. STAFF ANALYSIS:**

50
51 Drawings include Signage proposed Sign dated rev. 3/15/17 and Site Plan, dated rev.
52 June 13, 1997 partial survey.
53

54 There is a drawing labeled 'Design Option: A', dated 3/15/17 by Warren Sign that shows
55 the tenant sign areas with dimensions. A human figure that appears on the sign appears
56 to be out of scale. This woman figure is shown as 5'-4" tall, which is below average, but
57 she is also shown only 12" wide max. at the shoulders and hips which would be highly
58 uncommon. Figures not shown to scale could give the impression of the sign being a bit
59 larger than it would be in real life.
60

61 The proposed sign falls within the requirements of a ground sign, but the establishment of
62 a Shopping Center Sign and its location in front of the setback is not permitted in the 'B-
63 3' District without Council approval per the zoning code under section 520.050:
64

65 **SECTION 520.050: GROUND SIGNS**

66 A. *Material.* All ground signs for which a permit is required under this Article shall have a surface
67 or facing of incombustible material, but combustible structural trim may be used thereon.

68 B. *Letters, Figures, Etc.* All letters, figures, characters or representations in cut-out, irregular form,
69 maintained in conjunction with, attached to or superimposed upon any sign, which shall be safely and
70 securely built or attached to the sign structure, shall comply with all the requirements of this Article.

71 C. *Height.* It shall be unlawful to erect any ground sign whose total height is greater than twenty-
72 five (25) feet above the level of the street upon which the sign faces or above the adjoining ground level if
73 such ground level is above the street level; however, such sign or signs may be erected and maintained to a
74 total height of forty (40) feet upon approval by a majority of the Planning and Zoning Commission, subject
75 to conditions and restrictions deemed appropriate by the Planning and Zoning Commission and as
76 otherwise required by this Article.

77 D. *Location.* No ground sign shall be nearer than two (2) feet to any other sign, building or
78 structure. No ground sign shall be nearer the street than the building line established by law. Ground
79 signs are prohibited in shopping centers and all existing ground signs in a shopping center shall be
80 removed by July 31, 1973; however, a special permit authorizing the location of a ground sign may be
81 issued by the Council if the Council finds that the issuance of such permit shall alleviate a hardship and is
82 not simply for the convenience of the applicant, that such proposed sign would be consistent with good
83 planning practices, can be maintained in a manner which is visually compatible with the use of the
84 property in the surrounding area and other sign structures within the surrounding area and is not located
85 in the historic district.

86 E. *Support.* All ground signs shall be securely built, constructed and erected upon posts and
87 standards designed by standard engineering practice and shall not be supported and braced by timbers or
88 metal rods.

89 F. *Treating Of Posts.* All posts of wood shall be treated to protect them from moisture by creosoting
90 or other approved methods when they rest upon or enter into the ground.

Philip Lum

Subject:

FW: Monument Signs

I think it was Mr. Baranowski stated that most banks in the city did not have ground or pole signs. Here is a list of banks in the city database:

1000 N. Highway 67 (Mercantile Bank) has a monument sign, ord 4523 now US Bank.
2100 N. Highway 67 now US Bank has a pole sign permit 2002
2900 N. Highway 67 Commerce Bank, now vacant for Raisin Canes. Never had a sign permit except for a wall sign.
495 Howdershell Rd Bank of America- Ground sign in 2000
8190 N. Lindbergh Blvd, Commerce Bank B-5 ord. no. 7201
8417 N. Lindbergh, Special Use #5093 Ground Sign (First Community Bank)
1100 Shackelford Rd, Regions Bank, Special Use 2005 for a pole sign. Ord no. 7138
430 Rue St Ferdinand, Citizens Bank, canopy signs
880 Rue St Francois, Bank of America, 4 post sign 1999
400 W. Washington St, Commercial Bank, SUP Ord. No. 5974, with 85 s.f. sign permit 2012
1281 Graham Rd, First Bank Savings Bank, Pole sign 80 s.f. 2003.

Thanks,

Philip E. Lum, AIA
Building Commissioner
955 Rue St. Francois
Florissant, MO 63031
314-839-7642
plum@florissantmo.com

1 INTRODUCED BY COUNCILWOMAN PAGANO
2 JUNE 12, 2017
3

4 BILL NO. 9286

ORDINANCE NO.

5
6 **ORDINANCE TO AMEND THE MISCELLANEOUS REVENUE**
7 **ACCOUNT NO. 03-40330 IN THE AMOUNT OF \$25,276 AND**
8 **APPROPRIATE THE SAME AMOUNT FROM THE GENERAL**
9 **REVENUE FUND TO ACCOUNT NO. 03-6149 "CAPITAL ADDITIONS"**
10 **FOR THE REPLACEMENT OF A TOTALED POLICE CAR.**
11

12 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLORISSANT, ST. LOUIS
13 COUNTY, MISSOURI, AS FOLLOWS:
14

15 Section 1: Revenue account no. 03-4-03300 "Miscellaneous Revenue" is hereby
16 amended by adding the amount of \$25,276 to reflect a reimbursement received from Travelers
17 Insurance for a totaled Dodge Charger police vehicle; and

18 Section 1: There is hereby appropriated and set apart from the General Revenue Fund of
19 the City of Florissant the sum of \$25,276 to Budget Account No. 036149 "Capital Additions"
20 for the purchase of a new police vehicle for the Police Department.

21 Section 2: This ordinance shall become in force and effect immediately upon its
22 passage and approval.

23
24 Adopted this ____ day of _____, 2017.
25

26 _____
27 Jackie Pagano
28 President of the Council
29 City of Florissant
30

31 Approved this ____ day of _____, 2017.
32

33 _____
34 Thomas P. Schneider
35 Mayor, City of Florissant
36
37

38 ATTEST:
39

40 _____
41 Karen Goodwin, MMC/MRCC
42 City Clerk
43

FLORISSANT CITY COUNCIL

AGENDA REQUEST FORM

Date: 5/31/17

Mayor's Approval:

Agenda Date Requested: 6/12/17

Description of request: Request to amend Account 03-40330 in the amount of \$25,276.00 and appropriate the same amount from Act 036149 (Capital Addn) for the replacement of a Dodge Charger that was totaled in an accident. Travelers has reimbursed

Department: Police use for this vehicle.

Recommending Board or Commission:

Type of request:

Ordinances	X	Other	X
Appropriation	<input checked="" type="checkbox"/>	Liquor License	
Transfer		Hotel License	
Zoning Amendment		Special Presentations	
Amendment	<input checked="" type="checkbox"/>	Resolution	
Special Use Transfer		Proclamation	
Special Use		Subdivision	
Budget Amendment			
	Y/N		Y/N

Public Hearing needed: Yes / No

3 readings? : Yes / No

Back up materials attached:	Back up materials needed:
Minutes	Minutes
Maps	Maps
Memo	Memo
Draft Ord.	Draft Ord.

Note: Please include all attachments necessary for documents to be generated for inclusion on the Agenda. All agenda requests are to be turned in to the City Clerk by 5pm on Tuesday prior to the Council meeting.

For City Clerk Use Only:

Introduced by: _____

PH Speaker: _____

KGR 8/9/2006

*cc to council
6/5/17
KGR*

FLORISSANT POLICE DEPARTMENT

MEMORANDUM

Date: 05-19-2017

To: Chief Timothy Lowery

From: Captain Randy Boden

Subject New Police Vehicle Purchase 2017 Dodge Charger

1/33

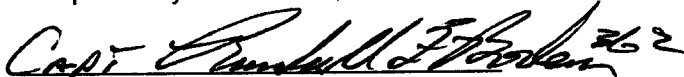
Sir;

The Department needs to purchase a replacement police vehicle for vehicle #11, which was involved in a vehicle crash on 04/15/2017. Vehicle #11 was declared total loss by our insurance carrier. They are issuing replacement funds to the City of Florissant in the amount of \$25,276.00.

I received a quote from Lou Fusz Dodge in O'Fallon, Missouri for the exact same equipped vehicle as represented on the state bid. The quote from Lou Fusz is \$23,126.00. The Lou Fusz quote is from the Mid America council cooperative which consists of several states. I request that we purchase this vehicle from Lou Fusz Dodge. This is the same bid we purchased our vehicles through for FY 2017, which saved us approximately \$320.00 per vehicle. Lou Fusz in the past has been an approved vendor with the city providing new vehicles to the city. This purchase is from Account ~~4030: Vehicle Repair~~. For further see quotes attached.

036149 Capital Addn

Respectfully Submitted,



Captain Randy Boden #362

Bureau of Support Services



3480 Highway K
O'FALLON, MO 63358
(636) 442-8100

SALESPERSON BenSTOCK # TBD - ORDERDATE 05-11-2017

PURCHASER'S NAME(S) CITY OF FLORISSANT
AS APPEARS ON DRIVER'S LICENSE

☒ NEW ☐ USED ☐ DEMO

MAKE <u>DODGE</u>	MODEL <u>CHARGER AUD</u>	BODY STYLE <u>PRICE/SEDAN</u>	COLOR <u>WHITE</u>	MILES <u>TBD</u>	MODEL YEAR <u>2017</u>
TO BE DELIVERED ON OR ABOUT			MO <u>NOV</u>	DAY <u>15</u>	YEAR <u>2017</u>

<input type="checkbox"/> CASH <input type="checkbox"/> FINANCE	PRICE OF VEHICLE	<u>23,126</u>
LENDER:		
<input type="checkbox"/> OUTSIDE LIEN TO:	<u>INCLUDED IN PRICE C/N/C</u>	
	<u>- FLEET PARK ASSIST, AS PART OF -</u>	
	<u>- OFFICER PROTECTION PACKAGE</u>	
	<u>AND PRICED OFF</u>	
	<u>MID-AMERICA COOPERATIVE #2016-002</u>	
<input type="checkbox"/> LEASE		
# MONTHS	LESS: AUTO AWARDS POINTS REDEMPTION	()
RECEIVED	TOTAL CASH SALE PRICE	
PMT: \$	ADMINISTRATIVE FEE	<u>14 400.00</u>
SEC DEP: \$	TOTAL	<u>23,126</u>
1ST MO. PMT: \$		
MILES PER YEAR	OFFER TRADE ALLOWANCE	

CONTRACTUAL DISCLOSURE FOR USED VEHICLES ONLY This information you see on the (Federal Trade Commission) Window Panel is part of this agreement. Information on the Window Panel overrides any contract provisions in this contract of sale.		*AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE AND IS NOT REQUIRED BY LAW BUT MAY BE CHARGED BY A DEALER. THIS ADMINISTRATIVE FEE MAY RESULT IN A PROFIT TO DEALER. NO PORTION OF THIS ADMINISTRATIVE FEE IS FOR THE DRAFTING, PREPARATION, OR COMPLETION OF DOCUMENTS OR THE PROVIDING OF LEGAL ADVICE. THIS NOTICE IS REQUIRED BY LAW.		CASH PRICE FOR TRADE DEFERMENT <u>23,126</u>
FINANCIAL INSTITUTION	GOOD TITLE			
ADDRESS				
DEPOSITS				
BALANCE DUE ON DELIVERY				<u>23,126</u>

The front and back of this Order represent the entire agreement affecting this purchase, and no other agreement or understanding of any nature concerning same has been made or entered into or will be recognized. I hereby certify that no credit has been advanced to me for the purchase of this motor vehicle except as appears in writing on the face of this agreement. I have read the matter printed on the back hereof and agree to it as a part of this order the same as if it were printed above my signature. I certify that I am 18 years of age, or older, and hereby acknowledge receipt of a copy of this order. I CERTIFY THAT BY SIGNING THIS VEHICLE BUYER'S ORDER, I GIVE LOU FUSZ AUTOMOTIVE NETWORK THE RIGHT TO OBTAIN MY CREDIT INFORMATION.

We, Lou Fusz, and our staff, provide the highest quality of service to our customers. We would like your authorization for this Dealership to contact you in order to ensure you are happy with your purchase, keep you informed of new product offerings and promotions, remind you of necessary vehicle maintenance or service, and for any other reason we feel is necessary or appropriate. **UNLESS YOU CHECK THE BOX BELOW** by signing this form, you give this Dealership permission to contact you **either personally, via text messages or with prerecorded telemarketing messages** at the telephone numbers (which may include **wireless phone numbers**) fax number and/or e-mail address listed. This **AUTHORIZATION** allows us to better serve you in compliance with federal and state regulations and in no way is a condition to receiving goods or services.

☐ Please do not contact me as provided above.

100 Reynolds and Reynolds Company CKE0001 (1-11-16)

SIGNED ☒ ADDRESS 955 AVE ST. FRANCOIS
FLORISSANT, MO 63031
RES PHONE _____ BUS PHONE 314-830-5000
EMAIL _____ CELL PHONE _____
APPROVED _____

THIS ORDER IS NOT VALID UNLESS SIGNED AND ACCEPTED BY DEALER. THIS IS AN OFFER TO PURCHASE ONLY.