



**FLORISSANT CITY COUNCIL AGENDA**  
**City Hall**  
**955 rue St. Francois**  
**Monday, January 22, 2018**  
**7:30 PM**  
**Karen Goodwin, MMC/MRCC**



**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL OF MEMBERS**

**III. APPROVAL OF MINUTES**

- Meeting minutes of January 8, 2018

**IV. CERTIFICATE OF APPRECIATION**

- Attorney Robert Ritter

**V. HEARING FROM CITIZENS**

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

**VI. COMMUNICATIONS**

**VII. PUBLIC HEARINGS**

None		
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**VIII. OLD BUSINESS**

**A. SECOND READINGS**

9343	Ordinance to authorize a Special Permit to Handyman Hardware, Inc. to change the existing ground sign including a digital sign in a B-3 Zoning district for the property located at 500 W. Washington.	2 <sup>nd</sup> Reading Siam
9344	Ordinance to rezone for Dunkin Donuts the property located at 8115 N. Lindbergh from B-3 “Extensive Business District” to B-5 “Planned Commercial District” to allow for the development of a sit-down, carry-out restaurant with drive-up service.	2 <sup>nd</sup> Reading Eagan

9345	Ordinance to approve a final subdivision plat for 15275 New Halls Ferry in an existing B-5 "Planned Commercial District".	2 <sup>nd</sup> Reading Caputa

**IX. NEW BUSINESS**

**A. BOARD APPOINTMENTS**

**B. REQUESTS**

Ward 3	Request for a Malt Liquor and Wine by the Drink license for Thai Kitchen located at 8458 N. Lindbergh Blvd.	Sasimonthon Ongartsutthikul
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**C. BILLS FOR FIRST READING**

None		
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**X. COUNCIL ANNOUNCEMENTS**

**XI. MESSAGE FROM THE MAYOR**

**XII. ADJOURNMENT**

**THIS AGENDA WAS POSTED AT THE FLORISSANT CITY HALL JANUARY 19, 2018 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, JANUARY 22, 2018.**

# CITY OF FLORISSANT



## COUNCIL MINUTES

January 8, 2018

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, January 8, 2018 at 7:30 p.m. with Council President Pagano presiding. The Chair asked everyone in attendance to stand and join in reciting the Pledge of Allegiance.

On Roll Call the following Councilmembers were present: Caputa, Schildroth, Pagano, Parson, Siam, Lee, Jones and Eagan. Also present was City Attorney John Hessel and Acting City Clerk Anita Moore. The Chair announced that Mayor Schneider was unable to attend the meeting because he was ill with the flu. Councilman Henke was excused. A quorum being present the Chair stated that the Council Meeting was in session for the transaction of business.

Councilman Lee moved to approve the Executive and Meeting Minutes of December 11, 2017, seconded by Eagan. Motion carried.

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

John Engelmeyer, 1281 Graham Rd., stated that he would like to sit at the press table, which is closer to the podium, in order for him to speak on several topics.

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

The next item on the Agenda was Public Hearings.

The City Clerk reported that Public Hearing #18-01-001 to be held this night on a Request for a Special Use Permit to allow for a cocktail lounge in an existing HB Historic Business District for the property located at 411 rue St. Francois had been advertised in substantially the same form as appears in the foregoing publication and by posting the property. The Chair declared the Public Hearing to be open and invited those who wished to be heard to come forward.

Mr. Anthony Bowlsen, owner, presented his business plan for "Smoke & Sip," a cocktail lounge in Old Town Florissant. Cigars and cocktails will be available to create a relaxing environment for patrons. They also plan to support community events and fund raisers. He and his partner, Marvin Walden, have made a substantial investment in Florissant and upgrades to the property. They plan on

33 being open for business 7 days a week. In regards to their liquor license, they have obtained all the  
34 required signatures from the individuals and businesses surrounding their property. They have also  
35 secured the necessary cross-access agreements from neighboring property.

36 Dewayne Thompson, architect, displayed the plan updates for the interior of the building. The  
37 walk-in cooler will be located on the lower level. They also have outdoor seating for 32 patrons which  
38 was currently set up with a mini bar if they chose to use it.

39 In response to Councilman Eagan's question, Mr. Bowlsen responded that they would be  
40 limiting the age of patrons to 21 years of age. There will be no food served. They plan on having live  
41 music, usually jazz, inside the building, with no plans for outside music at the present time.  
42 Councilman Eagan asked Mr. Bowlsen to keep the door shut when they have live music performing, to  
43 respect the nearby neighbors to which he agreed.

44 In response to Councilman Parson, the petitioner stated that there would be no smoking inside  
45 the building. Mr. Bowlsen had asked St. Louis County about smoking and St. Louis County responded  
46 that it was up to the City of Florissant. Florissant has no code or ordinance regarding smoking and  
47 referred him back to St. Louis County. Ultimately it is up to the city of Florissant to decide whether to  
48 allow smoking or not. They hope to open in May, but they aren't sure.

49 Councilman Jones asked the petitioner to place a trash can at the exit/entrance of the building in  
50 order to keep the property from getting littered.

51 Councilman Lee suggested the possibility that if Mr. Bowlsen asked for a rezoning at some time  
52 in the future and it was approved, they might be allowed to smoke inside.

53 The Chair asked if there were any citizens who would like to speak on said public hearing.

54 John Engelmeyer, 1281 Graham Rd., asked if the petitioner would have and vending machines  
55 or pool tables in the lounge, to which the petitioner replied no.

56 Being no other citizens who wished to speak, Councilman Lee moved to close P.H. #18-01-001,  
57 seconded by Caputa. Motion carried.

58 The City Clerk reported that Public Hearing #18-01-002 to be held this night on a Request to  
59 authorize a Special Permit to Handyman Hardware, Inc. to allow for changes to a ground sign including  
60 a digital sign in a B-3 Zoning District for the property located at 500 W. Washington had been  
61 advertised in substantially the same form as appears in the foregoing publication and by posting the  
62 property. The Chair declared the Public Hearing to be open and invited those who wished to be heard  
63 to come forward.

64 Mr. Dave Otto and Mr. John Hellman, petitioners, stated that Handyman Hardware would like  
65 to install a digital sign at the Washington store which would be similar to the sign at their store on N.  
66 Hwy. 67. The proposed sign will actually be lower in height than the current sign. This sign will be  
67 updated, streamlined and more modern.

68 The Chair asked if there were any citizens who would like to speak on said public hearing.

69 Being no citizens who wished to speak, Councilman Eagan moved to close P.H. #18-01-002,  
70 seconded by Parson. Motion carried.

71 The City Clerk reported that Public Hearing #18-01-003 to be held this night on a Request to  
72 rezone for Dunkin Donuts the property located at 8115 N. Lindbergh from B-3 Extensive Business  
73 District to B-5 Planned Commercial District to allow for the development of a sit-down, carry-out  
74 restaurant with drive-up service had been advertised in substantially the same form as appears in the  
75 foregoing publication and by posting the property. The Chair declared the Public Hearing to be open  
76 and invited those who wished to be heard to come forward.

77 Mr. Tim Kaufmann, petitioner and owner, stated that he was proposing a free standing Dunkin  
78 Donuts with a drive-thru. There are 15 parking spaces proposed and approximately 4 employees will  
79 be hired. He added that this proposal was basically the same as the one that he had presented  
80 approximately a year ago. Dunkin Donuts had tabled that request because of problems with the  
81 franchisee. The lighting proposed is downward facing LED lighting, predominately located on the front  
82 of the building and at the parking spaces on the right-hand side of the building. The lighting will be  
83 diminished as one proceeds to the rear of the site so as not to affect the homeowners. They will repair  
84 and replace the fencing and have increased the landscaping buffer on the west side of the property.

85 Dunkin Donuts will open at 5 a.m. and close at 10 pm; they will not be open 24 hours. They  
86 will turn the outside speaker system away from the residences and move it more towards the tire store.  
87 The speaker volume will be reduced at night. The building is constructed with full cement masonry  
88 except for a small section over the drive through to reflect the Donkin Donuts coloring. Mr.  
89 Kaufmann will check and report back to the Council on the longevity of the siding to be used.

90 The entire existing building will be torn down. In response to Councilman Jones, the petitioner  
91 stated that he had contacted the abutting homeowners when he first put the proposal through, about a  
92 year ago. He asked that Dunkin Donuts put a trash can at the entrance/exit of the restaurant. In regards  
93 to site remediation, there is no contamination and the tanks have been removed. In the rear of the

94 building there is an oil tank that was used for oil changes which is still under ground. They will be  
95 removing it and treating the soil around the tank.

96 The Chair asked if there were any citizens who would like to speak on said public hearing.

97 Gene Reay, 855-51 Southwell, expressed his concerns regarding the change to Ord. 1625. He  
98 was under the assumption that at least 1 acre of land was needed to change zoning of a property to a B-  
99 5 and this site was far from an acre. He stated that the residents entered into a covenant when the  
100 subdivision was built and Dunkin Donuts would violate that covenant. He also expressed concern  
101 regarding water runoff, the close proximity of the drive-thru to the residences, trash dumpster, parking,  
102 lighting and noise. He agreed that the existing building needed to come down, but he felt that it should  
103 not be rezoned to allow for a Dunkin Donuts. He felt that the property was not big enough for the  
104 proposal presented.

105 The Chair asked if there were any citizens who would like to speak on said public hearing.

106 John Engelmeyer, 1281 Graham Rd, stated his concern regarding parking, traffic flow and the  
107 need for additional handicapped parking spaces.

108 Mr. Kaufmann responded that his engineer had met with the Metropolitan Sewer District, MSD.  
109 An installed inlet will bring the water run-off forward to the front of the site and off of the back  
110 residential properties. MSD has indicated that this is what they would prefer. The trash enclosure  
111 will match the vinyl fencing and will include solid, latched gate doors.

112 In regards to traffic off of Lindbergh, the petitioner stated that it will be a right-in, right –out  
113 turn only. The median will be extended to prevent left hand turns. Bollards will also be installed to  
114 prevent crashes into the fencing.

115 John Hessel, City Attorney, explained that restrictive covenants are almost always private  
116 property agreements that occur in a subdivision where deed restrictions are placed upon the properties.  
117 Cities do not enforce private property covenants and he is unaware of the City of Florissant having  
118 placed any on private property. Mr. Hessel added that the B-5 Ordinance has never had any size  
119 requirements or restrictions. He asked the petitioner to provide the City Clerk with a copy of the title  
120 reports to which Mr. Kaufmann responded that he would.

121 Councilman Parson asked if Mr. Kaufmann was aware of any covenants on the property when  
122 he purchased it. Mr. Kaufmann responded that he did a complete title search on the property and there  
123 were no covenants or deed restrictions. Councilman Parson expressed concern about the noise from  
124 trash truck affecting the residents. Mr. Kaufmann stated that he planned to restrict trash truck pick up

125 to daylight hours, between 7 – 7. Also, he will have his civil engineer calculate the distance from the  
126 trash dumpster to Mr. Reay's property. He will then forward those calculations to the city clerk's office.  
127 He will check with his engineer to determine if there could be another possible location for the  
128 dumpster.

129 Mr. Lum, Building Commissioner, stated that in reviewing the B-5 Ordinance, he found nothing  
130 indicating that acreage or square footage applied. He is unaware of any covenants.

131 Councilman Jones stated that he would not be supporting this bill because of the proximity of  
132 the trash enclosure to the residential property.

133 Mr. Reay read sections of and presented a copy of the subdivision covenant to Mr. Hessel. Mr.  
134 Hessel reiterated that this was a typical, private property subdivision covenant. It was not in any way  
135 affiliated with the City.

136 The Chair asked if there were any citizens who would like to speak on said public hearing.  
137 Being no one who wished to speak, Councilman Eagan moved to close P.H. #18-01-003, seconded by  
138 Jones. Motion carried.

139 The City Clerk reported that Public Hearing #18-01-004 to be held this night on a Request to  
140 approve a final subdivision plat for 15275 New Halls Ferry Rd. in an existing B-5 Planned Commercial  
141 District had been advertised in substantially the same form as appears in the foregoing publication and  
142 by posting the property. The Chair declared the Public Hearing to be open and invited those who  
143 wished to be heard to come forward.

144 Ms. Lauren Doll, petitioner with Cochran Engineering, stated that they would like to subdivide  
145 a five acre tract of land into three separate pieces of property. Lot 2 is proposed to be a Dollar  
146 General, Lot 1 will be an Imo's Pizza and Lot 3 is to be determined.

147 The Chair asked if there were any citizens who would like to speak on said public hearing.

148 Being no citizens who wished to speak, Councilman Caputa moved to close P.H. #18-01-004,  
149 seconded by Siam. Motion carried.

150 At the request of the petitioner, Councilman Schildroth moved to postpone Bill No. 9339 An  
151 Ordinance authorizing an amendment to B-5 Ord. No. 6836 to allow for an addition of the Siteman  
152 Cancer Center and parking in an existing B-5 Zoning District located at 1225 Graham Rd. be postponed  
153 to 2/12/2018, seconded by Parson. Motion carried.

154 The next item on the Agenda was Board Appointments of which there were none.

155 Councilman Lee moved to approve the request for a Full Liquor by the Drink license for Smoke  
156 & Sip located at 411 rue St. Francois, seconded by Eagan. Motion carried. On roll call the Council  
157 voted: Caputa yes, Schildroth yes, Henke absent, Pagano yes, Parson yes, Siam yes, Lee yes, Jones  
158 yes and Eagan yes. The license was approved.

159 Councilman Siam moved to approve the request for a Beer & Wine by the Drink liquor license  
160 for Galaxy Nail Bar located at 2092 N. Hwy. 67, seconded by Schildroth. Motion carried. On roll call  
161 the Council voted: Caputa no, Schildroth yes, Henke absent, Pagano yes, Parson yes, Siam yes, Lee  
162 yes, Jones no and Eagan yes. The license was approved.

163 Councilwoman Pagano introduced Bill No. 9342 An Ordinance authorizing a Special Use  
164 Permit to allow for a cocktail lounge in an existing HB Historic Business District for the property  
165 located at 411 rue St. Francois and said Bill was read for the first time. Councilman Lee moved that  
166 Bill No. 9342 be read for a second time, seconded by Pagano. Motion carried and Bill No. 9342 was  
167 read for a second time. Councilman Lee moved that Bill No. 9342 be read for a third time, seconded  
168 by Pagano. On roll call the Council voted: Caputa yes, Schildroth yes, Henke absent, Pagano yes,  
169 Parson yes, Siam yes, Lee yes, Jones yes and Eagan yes. Having received the unanimous vote of all  
170 members present Bill No. 9342 was read for the third and final time and placed upon its passage.

171 Before the final vote all interested persons were given an opportunity to be heard. Kevin  
172 O'Donnell, 512 Rancho Lane, stated that last year the Council had announced that they would rarely  
173 support three readings of a bill in one night and then, only in extenuating circumstances.

174 Councilman Lee called for "Point of Order" and informed Mr. O'Donnell that three readings of  
175 the bill had already occurred and the Council was ready to vote. He asked Mr. O'Donnell if he had  
176 any specific comments regarding the plan put forth by the petitioner.

177 Being no other persons who wished to be heard, on roll call the Council voted: Caputa yes,  
178 Schildroth yes, Henke absent, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes and Eagan yes.  
179 Whereupon the Chair declared Bill No. 9342 to have passed and said Bill became Ordinance No.  
180 8379.

181 Councilwoman Pagano introduced Bill No. 9343 An Ordinance authorizing a Special Permit to  
182 Handyman Hardware, Inc. to change the existing ground sign, including a digital sign, in a B-3 Zoning  
183 District for the property located at 500 W Washington and said Bill was read for the first time by title  
184 only.



185 Councilwoman Pagano introduced Bill No. 9344 An Ordinance rezoning for Dunkin Donuts  
186 the property located at 8115 N Lindbergh from a B-3 Extensive Commercial District to B-5 Planned  
187 Commercial District to allow for the development of a sit-down, carry-out restaurant with drive-up  
188 service and said Bill was read for the first time by title only.

189 Councilwoman Pagano introduced Bill No. 9345 An Ordinance to approve a final subdivision  
190 plat for 15275 New Halls Ferry Rd. in an existing B-5 Planned Commercial District and said Bill was  
191 read for the first time by title only.

192 Councilwoman Pagano introduced Bill No. 9346 An Ordinance releasing and vacating a  
193 portion of Washington Street and said Bill was read for the first time. Councilman Lee moved that  
194 Bill No. 9346 be read for a second time, seconded by Jones. Motion carried and Bill No. 9346 was  
195 read for a second time. Councilman Lee moved that Bill No. 9346 be read for a third time, seconded  
196 by Caputa. On roll call the Council voted: Caputa yes, Schildroth yes, Henke absent, Pagano yes,  
197 Parson yes, Siam yes, Lee yes, Jones yes and Eagan yes. Having received the unanimous vote of all  
198 members present Bill No. 9346 was read for the third and final time and placed upon its passage.

199 Being no persons who wished to be heard, on roll call the Council voted: Caputa yes, Schildroth  
200 yes, Henke absent, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes and Eagan yes. Whereupon  
201 the Chair declared Bill No. 9346 to have passed and said Bill became Ordinance No. 8380.

202 The next item on the Agenda was Council Announcements.

203 Councilman Lee announced that long time Florissant resident, Roseanne Beers, recently passed  
204 away. Both Ms. Beers and her husband have been very active in the community.

205 Councilman Jones encouraged everyone to donate and volunteer for TEAM. He also stated that  
206 the City is aware of the many water main breaks due to the weather and has contacted Missouri  
207 American Water regarding the problems.

208 Councilman Parson continued to encourage residents to participate in "Florissant Five" by  
209 making the effort to get to know at least 5 of their neighbors in an effort to reduce crime,

210 Councilman Caputa reminded residents to keep their firearms secured and not to leave them in  
211 their vehicles. He also encouraged residents not to leave their cars running in order to reduce car theft.  
212 He asked citizens to call the police/Councilperson if there is a water main break in their neighborhood.

213 Councilman Schildroth offered his condolences to the family of Kay Spring, long time  
214 Florissant employee and historic activist for many years.

215 Councilwoman Pagano encouraged residents check on their neighbors and family during this flu  
216 season. More flu cases are being experienced this year.

217 The Council President announced that the next regular City Council Meeting was scheduled for  
218 Monday, January 22, 2018 at 7:30 pm.

219 Councilman Schildroth moved to adjourn the meeting, seconded by Siam. Motion carried.  
220 The meeting was adjourned at 9:08 p.m.

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222

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224

225 The following Bills were signed by the Mayor:

226 Bill No. 9342 Ord. 8379

227 Bill No. 9346 Ord. 8380

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Anita Moore, Deputy City Clerk

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**CITY OF FLORISSANT**

955 rue St. Francois  
Phone: 314-921-5700

**APPLICATION FOR LIQUOR LICENSE**

**TYPE OF LICENSE REQUESTED:**

- ( ) Full Liquor by the Drink ( ) Full Package Liquor ( ) Consumption of Liquor  
( X ) Malt Liquor & Wine by the Drink ( ) Malt Liquor & Wine Package ( ) Tasting  
( ) Full Liquor by Drink (Non-Profit)

**To the City Clerk, City of Florissant, St. Louis County Missouri:**

The undersigned hereby makes application for a liquor license issued under Chapter 600 of the Florissant City Code

**TYPE OF OPERATION:**

- ( ) Individual ( ) Partnership ( ) Corporation - Attach list of ( X ) Limited Liability Corp  
(Attach list of Partners) officers, addresses, phone no.

**Name of Business** Thai Kitchen

**Business Address** 8458 N Lindbergh Blvd., Florissant, MO 63031 Phone 314-716-3356

**Names of Applicant, Corporation, or LLC** Ou Leng LLC

**Address of Owner** 69 Jakes Ct., O Fallon MO 63366 Phone 314-363-3993  
Street City State Zip

**Name of Managing Officer** Sasimonthon Ongartsutthikul

**Home Address** 69 Jakes Ct., O Fallon MO 63366 Years at address 3 Year +  
Street City/State Zip Home Phone 314-363-3993

**Managing Officer Date & Place of Birth** 11/27/1968 Cell Phone 314-363-3993

**Managing Officer Driver's License No.** [REDACTED] **Social Security Number\*** [REDACTED]  
(Provide a copy of driver's license) \* Social Security Number will be used for purposes of identification in running record check.

**Managing Officer Personal Property Taxes 2016** Paid? ( X ) Yes ( ) No (Attach most recent copy)

**Managing Officer Register Voter of Missouri?** ( X ) Yes ( ) No (Attach a Voter Registration Certificate)

**Have you ever been arrested?:** NO **What Charge?** \_\_\_\_\_  
**Where?** \_\_\_\_\_ **Disposition?** \_\_\_\_\_

**Citizen of U.S.A.?** ( X ) Yes ( ) No **Naturalized?** ( X ) Yes Date 9/10/2010 ( ) No 32673766  
**If Naturalized, Give Number:** A095418533 **Dist.** US DISTRICT COURT EASTERN MISSOURI  
(Provide naturalization documentation)

**Do you have an interest in any liquor license which is now in force?** NO  
**If so, give details** \_\_\_\_\_

**Have you previously held a liquor license of any type?** YES  
**If so, when and where** CURRENT, THAI KITCHEN OFALLON

1-16-18  
cc to Council  
Hessell + [Signature]  
+ Mayo  
am

Have you ever had a liquor license suspended or revoked? NO  
If so, give details \_\_\_\_\_

Have you ever been convicted of any violation of any federal or state law? NO  
If so, give details \_\_\_\_\_

Have you ever been convicted of any municipal or county ordinance violation? NO  
If so, give details \_\_\_\_\_

Have you ever been convicted of any violation of a federal law, state statute or local ordinance relating to intoxicating liquor? NO  
If so, give details \_\_\_\_\_

Has the location previously been occupied as a liquor establishment, liquor store or tavern? YES  
If so, state name VIET-THAI RESTAURANT

Is the location within 200 feet of property used for church, school or public playground? NO

If Individual Applicant, sign below:

If Partnership, corporation or LLC complete the following:

N

THAI KITCHEN

Trade Name [Signature]

Signature of Managing Officer

STATE OF MISSOURI ) SS  
COUNTY OF ST. LOUIS )

\_\_\_\_\_, of lawful age, being first duly sworn upon \_\_\_\_\_ oath  
(Individual or Managing Officer)

deposes and states that he/she is the (applicant) (the managing officer of the corporation or partnership seeking the license hereunder), that he/she has read this application and fully understands same, that said license will be subject to all of the ordinances of the City pertaining to the operation of said business and agrees that he will abide by all lawful ordinances, regulations and rules adopted by the City relating to the conduct of said business, that he is in all respect qualified in law to receive such license, and that the answers and statements set out in the above application are true.

[Signature]

Signature of Individual or Managing Officer

Subscribed and sworn to before me this 21 day of November, 2017



[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_

**NOTE: APPLICATION MUST BE SWORN TO BEFORE A NOTARY PUBLIC**

**SUPPLEMENT TO APPLICATION FOR LIQUOR LICENSE**

**CORPORATION & LIMITED LIABILITY COMPANY:**

Copy of Certificate of Incorporation/ Registration &  
Articles of Organization papers must be attached

To the Florissant City Council,  
Florissant, St. Louis County, Missouri \_\_\_\_\_

DATE 10/20/2017

**TO BE COMPLETED BY ALL PARTNERS, OR IF CORPORATION OR LIMITED  
LIABILITY CORPORATION BY ALL OFFICERS OR MEMBERS:**

1. FULL NAME Sasimonthon Ongartsutthikul  
SOC. SEC. NO. [REDACTED] PLACE OF BIRTH THAILAND  
DATE OF BIRTH [REDACTED] SEX F  
PHONE NUMBER 314-363-3993  
ADDRESS 69 Jakes Ct., O Fallon, MO 63366  
LAST PREVIOUS ADDRESS 2308 YELLOW STONE PARK, MARYLAND HTS. MO 63043  
NO. OF YRS. 3 Year +
  
2. FULL NAME \_\_\_\_\_  
SOC. SEC. NO. \_\_\_\_\_ PLACE OF BIRTH \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_ SEX \_\_\_\_\_  
PHONE NUMBER \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
LAST PREVIOUS ADDRESS \_\_\_\_\_  
NO. OF YRS. \_\_\_\_\_
  
3. FULL NAME \_\_\_\_\_  
SOC. SEC. NO. \_\_\_\_\_ PLACE OF BIRTH \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_ SEX \_\_\_\_\_  
PHONE NUMBER \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
LAST PREVIOUS ADDRESS \_\_\_\_\_  
NO. OF YRS. \_\_\_\_\_
  
4. FULL NAME \_\_\_\_\_  
SOC. SEC. NO. \_\_\_\_\_ PLACE OF BIRTH \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_ SEX \_\_\_\_\_  
PHONE NUMBER \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
LAST PREVIOUS ADDRESS \_\_\_\_\_  
NO. OF YRS. \_\_\_\_\_

**PLEASE FILL OUT THIS FORM AND RETURN WITH YOUR LICENSE APPLICATION**

In order for the Police Department to provide you with the best possible service, it is necessary for them to have certain information concerning your business:

**EMERGENCY INFORMATION**

OWNER OF PROPERTY Keeven Development PHONE 314-921-2624  
ADDRESS 8460 N Lindergh Blvd. CITY Florissant STATE MO ZIP 63031

NAME OF BUSINESS Thai Kitchen PHONE 314-716-3356  
ADDRESS 8458 N Lindergh Blvd. CITY Florissant STATE MO ZIP 63031

BUSINESS HOURS 10 am - 11 pm

OWNER/MANAGER Sasimonthon Ongartsutthikul PHONE 314-363-3993  
HOME ADDRESS 69 Jakes Ct. CITY O Fallon STATE MO ZIP 63366

**PLEASE LIST PERSONS TO BE CONTACTED AFTER BUSINESS HOURS IN CASE OF AN EMERGENCY OR IF THERE IS A DOOR OR WINDOW FOUND INSECURE.**

**CONTACT #1**

NAME Sasimonthon Ongartsutthikul ADDRESS 8458 N Lindergh Blvd.  
CITY & STATE Florissant MO ZIP 63031 PHONE 314-363-3993  
HAS KEY: YES () NO ( ) 314-921-2624

**CONTACT #2**

NAME Patrick Chau ADDRESS 1420 Heritage Landing #201  
CITY & STATE St. Charles MO ZIP 63303 PHONE 314-971-7884  
HAS KEY: YES ( ) NO ()

ARE THERE LIGHTS LEFT ON AFTER BUSINESS HOURS: YES ( ) NO ()

IS ANYONE AUTHORIZED TO BE ON THE PREMISES AFTER BUSINESS HOURS: YES ( ) NO ()

IF YES, WHO: \_\_\_\_\_

ARE ANY VEHICLES PARKED AT YOUR BUSINESS AFTER HOURS: YES ( ) NO ()

DESCRIBE: \_\_\_\_\_

(YEAR) (MAKE/MODEL) (COLOR) (LICENSE NO.)

DO YOU HAVE A SAFE OF ANY KIND? YES ( ) NO ()

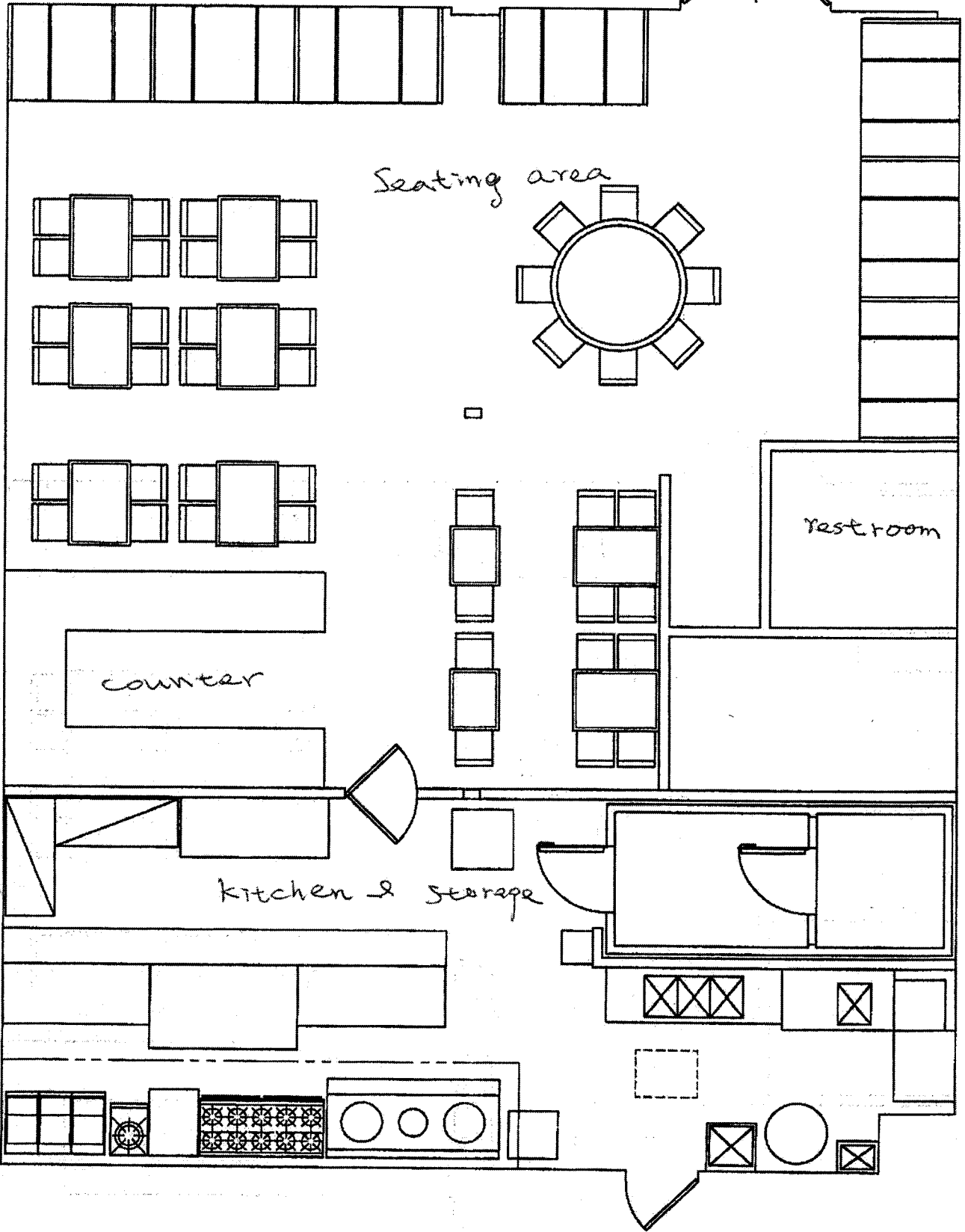
IF YES, WHERE IS IT LOCATED: \_\_\_\_\_

CAN IT BE SEEN FROM THE OUTSIDE? YES ( ) NO ()

IS YOUR BUSINESS PROTECTED WITH AN ALARM SYSTEM? YES ( ) NO ()

**IF AT ANY TIME THERE IS A CHANGE IN THE ABOVE INFORMATION, PLEASE NOTIFY THE POLICE DEPARTMENT IMMEDIATELY, ESPECIALLY IN THE CASE OF THOSE PERSONS TO NOTIFY IN CASE OF AN EMERGENCY. THANK YOU.**

Front Door



Seating area

Restroom

counter

kitchen & storage

S:\Engineering\Auto\Auto2011\Proj\THALNBRI\FE-1.dwg, 7/15/2015 4:26:18 PM, dtharison

15  
TO THE CITY CLERK, CITY OF FLORISSANT, ST. LOUIS COUNTY, MISSOURI

**APPLICATION FOR SUNDAY LIQUOR LICENSE**

Authorizing the sale of retail liquor by the drink or package in Florissant on **Sunday** from 9:00 a.m. to Midnight

TYPE OF OPERATION: Individual \_\_\_\_\_ Partnership \_\_\_\_\_ Corporation \_\_\_\_\_ LLC X

NAME OF BUSINESS: Thai Kitchen

LOCATION: 8458 N Lindergh Blvd., Florissant, MO 63031 Telephone: 314-716-3356

NAME OF APPLICANT (partnership or corporation, give exact trade, LLC or corporate name):

Ou Leng LLC

TRADE NAME IF DIFFERENT: THAI KITCHEN

The undersigned (Individual) (Partnership) (Corporation) (LLC), hereby makes application to the City Clerk, City of Florissant, St. Louis County, Missouri for a By the drink/Package Liquor License authorizing the sale of retail liquor on Sundays from **9:00 a.m. to Midnight** for the period beginning \_\_\_\_\_, and expiring June 30, 20\_\_\_\_, on the above described premises and agrees that if the license herein applied for is granted, and the licensee shall violate any provisions of the State Liquor Control Act or of the Florissant City Code and particularly any provision of Chapter 600 of the Florissant City Code pertaining to alcoholic beverages or permit any other person to do so upon the licensed premises, the City Council, by a majority vote, may suspend or revoke such license.

1) I/WE presently hold License No. \_\_\_\_\_ authorizing the sale of retail liquor by the drink/package in Florissant for premises described in this application.

STATE OF MISSOURI )SS  
COUNTY OF \_\_\_\_\_ )

I/WE Sasimonthon Ongartsutthikul of lawful age, being first duly sworn upon (my) (our) oath(s), name of managing officer ( or owner or partner)

depose and say that (I) (we) have read this application and that (I) (we) fully understand the same; that (I) (we) know the contents thereof and the statements contained therein and that the same are true of (my) (our) own knowledge.

N [Signature]  
Signature of managing officer (or owner or partner)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21 DAY OF November 2017

MY COMMISSION EXPIRES Oct 21, 2018

[Signature]  
Notary Public

MEGAN HAFERKAMP  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for St. Charles County  
My Commission Expires: October 21, 2018  
Commission Number: 14630912



# STATE OF MISSOURI



**John R. Ashcroft**  
**Secretary of State**

## CERTIFICATE OF ORGANIZATION

WHEREAS,

*OU LENG LLC*  
*LC001558583*

filed its Articles of Organization with this office on the 5th day of October, 2017, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, John R. Ashcroft, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on the 5th day of October, 2017, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri.  
Done at the City of Jefferson, this 5th day of October, 2017.

  
Secretary of State



8



State of Missouri
John R. Ashcroft, Secretary of State
Corporations Division
PO Box 778 / 600 W. Main St., Rm. 322
Jefferson City, MO 65102

LC001558583
Date Filed: 10/5/2017
John R. Ashcroft
Missouri Secretary of State

Articles of Organization

(Submit with filing fee of \$105.00)

1. The name of the limited liability company is
OU LENG LLC

(Must include "Limited Liability Company," "Limited Company," "LC," "L.C.," "LLC," or "LLC")

2. The purpose(s) for which the limited liability company is organized:

THE TRANSACTION OF ANY LAWFUL BUSINESS FOR WHICH A LIMITED LIABILITY COMPANY MAY BE ORGANIZED UNDER THE MISSOURI LIMITED LIABILITY COMPANY ACT. CHAPTER 347 RSMO

3. The name and address of the limited liability company's registered agent in Missouri is:

Sasimonthon

Ongartsutthikul

69 Jake Ct

O Fallon MO 63366

Name

Street Address: May not use PO Box unless street address also provided

City/State/Zip

4. The management of the limited liability company is vested in: [X] managers [ ] members (check one)

5. The events, if any, on which the limited liability company is to dissolve or the number of years the limited liability company is to continue, which may be any number or perpetual: Perpetual

(The answer to this question could cause possible tax consequences, you may wish to consult with your attorney or accountant)

6. The name(s) and street address(es) of each organizer (PO box may only be used in addition to a physical street address):

(Organizer(s) are not required to be member(s), manager(s) or owner(s))

Name

Address

City/State/Zip

ONGARTSUTTHIKUL,

SASIMONTHON

ONGARTSUTTHIKUL

69 JAKE CT

O FALLON MO 63366

7. [ ] Series LLC (OPTIONAL) Pursuant to Section 347.186, the limited liability company may establish a designated series in its operating agreement. The names of the series must include the full name of the limited liability company and are the following:

New Series:

[ ] The limited liability company gives notice that the series has limited liability.

New Series:

[ ] The limited liability company gives notice that the series has limited liability.

New Series:

[ ] The limited liability company gives notice that the series has limited liability.

(Each separate series must also file an Attachment Form LLC 1A.)

Name and address to return filed document:
Name: Mobile Accounting
Address: Email: 1040ongo@gmail.com
City, State, and Zip Code:



1 INTRODUCED BY COUNCILMAN SCHILDROTH  
2 JANUARY 8, 2018

3  
4 BILL NO. 9343

ORDINANCE NO.

5  
6 **AN ORDINANCE AUTHORIZING A SPECIAL PERMIT TO HANDYMAN**  
7 **HARDWARE, INC. TO CHANGE THE EXISTING GROUND SIGN**  
8 **INCLUDING A DIGITAL SIGN, IN A B-3 ZONING DISTRICT FOR THE**  
9 **PROPERTY LOCATED AT 500 W. WASHINGTON.**

10  
11 WHEREAS, PURSUANT TO Section 520.050 the City Council of the City of Florissant  
12 is authorized to issue a special permit, to permit the location and maintenance of ground signs in  
13 the City of Florissant; and

14 WHEREAS, an application has been filed Otto Partnership, LLC d/b/a Handyman  
15 Hardware Inc. for changes to a pre-existing ground sign including a digital sign; and

16 WHEREAS, the Planning and Zoning Commission of the City of Florissant has  
17 recommended that a Special Permit be granted; and

18 WHEREAS, due notice of public hearing no. 18-01-002 on said application to be held on  
19 the 8th of January, 2018 at 7:30 P.M. by the Council of the City of Florissant was duly  
20 published, held and concluded; and

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

24  
25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
26 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

27  
28 Section 1: A Special Permit is hereby granted to Otto Partnership, LLC d/b/a  
29 Handyman Hardware Inc. for changes to a pre-existing ground sign, including a digital sign in  
30 accordance with the drawings attached hereto and incorporated by reference herein and with the  
31 following restrictions:

- 32 A. Digital sing shall display only static images for a minimum of 10 second intervals;  
33 Digital sign shall display no glare, flashing, scrolling or animation.  
34 B. There shall be no affects between static images displayed.  
35 C. The sign shall be dimmable at night to prevent glare.  
36 D. Digital sing shall conform to the City's ordinance regarding digital sign code once  
37 adopted.

38 1. GENERAL DEVELOPMENT CONDITIONS.

39 Unless, and except to the extent, otherwise specifically provided, the sign shall be  
40 effected only in accordance with all ordinances of the City of Florissant.

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2. PROJECT COMPLETION.

Construction shall start within 30 days of the issuance of building permits for the project and shall be installed in accordance of the approved construction 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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jackie Pagano  
President of the Council

Approved this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Thomas P. Schneider  
Mayor, City of Florissant

ATTEST:

\_\_\_\_\_  
Karen Goodwin, MMC/MRCC  
City Clerk

# **CITY OF FLORISSANT**

## **Public Hearing**

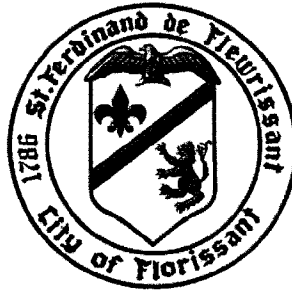


**In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 Rue St. Francois, on Monday, January 8, 2018 at 7:30 P.M. on the following proposition:**

**To authorize a Special Use Permit to Handyman Hardware, Inc. to allow for changes to a ground sign including a digital sign, in a 'B-3' Zoning District for the property located at 500 W. Washington (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, MMC City Clerk**

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



RECOMMENDED APPROVAL  
PLANNING & ZONING  
CHAIRMAN

SIGN.

*[Handwritten Signature]*

DATE:

12/4/2017

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: 500 W. Washington, 63031

Property Owners Name: Otto Partnership, LLC (Dave Otto) Phone #: 314-831-0220

Property Owners Address: 2635 N. Hwy 67, Florissant, MO 63033

Business Owners Name: Handyman Hardware, Inc. - Dave Otto Phone #: 314-831-0220

Business Owners Address: 2635 N. Hwy 67, 63033

DBA (Doing Business As) \_\_\_\_\_

Authorized Agents Name: John Hellmann CO. Name: AdMedia LED Signs, LLC  
(Authorized Agent to Appear Before The Commission)

Agents Address: 1343 Parmer Dr, Florissant 63031 Phone #: 314-496-0596

Request ~~Amend~~ special permit # ~~\_\_\_\_\_~~ to allow for modifications to include digital 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

John Hellmann  
Applicant's Signature

11/20/17  
Date

Received by: [Signature] Receipt # 604815 OFFICE USE ONLY Amount Paid: \$125 Date: 11-20-17

STAFF REMARKS: \_\_\_\_\_

COMMISSION ACTION TAKEN:

DATE APPLICATION REVIEWED: 11-29-17

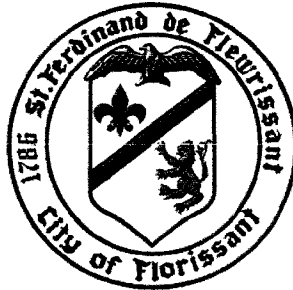
SIGNATURE OF STAFF [Signature] WHO REVIEWED APPLICATION

~~APPROVED  
PLANNING & ZONING  
CHAIRMAN~~

SIGN.

DATE:

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



City Of Florissant - Public Works  
314-839-7648

**PLANNING & ZONING ACTION**

Council Ward 3 Zoning B-3

Initial Date Petitioner Filed 11/20/17  
Building Commissioner to complete  
ward, zone & date filed

SPECIAL PERMIT FOR ~~Amending~~ special use for ground sign.  
Statement of what permit is being sought. (i.e., special permit for operation of a restaurant.

AMEND SPECIAL PERMIT #- \_\_\_\_\_ TO ALLOW FOR ~~Modifications to include digital sign.~~  
ordinance # \_\_\_\_\_ Statement of what the amendment is for.

LOCATION 500 W. Washington  
Address of property.

1) Comes Now Dave Otto, Handyman Hardware, Inc.  
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) Owner of property  
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 Hardware Store 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) can 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, List 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 sign, etc.):

7) The petitioner (s) state (s) the following factors and reason to justify the permit: *Amending existing sign.*  
 (If more space is needed, separate sheets maybe attached)

*Dave Otto* / *Dave W. Otto*; *11/20/17*  
 PRINT NAME SIGNATURE

FOR *Handyman Hardware, Inc.*  
 (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 (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 below, and provide address and telephone number

SIGNATURE *John Hellmann*

ADDRESS *1343 Parmer Dr., Florissant, MO 63031*  
 STREET CITY STATE ZIP CODE

TELEPHONE NUMBER *314-496-0596*  
 BUSINESS

I (we) the petitioner (s) do hereby appoint *John Hellmann* as  
 my (our) duly authorized agent to represent me (us) in regard to this petition.  
 Print name of agent.

*Dave W. Otto*  
 Petitioner or authorized agent's signature

**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.

IF DESCRIPTIONS OF PLATS OR SURVEYS ARE INCORRECT, OR IF THE PETITION FORM IS NOT CORRECTLY AND COMPLETELY FILLED OUT, IT WILL BE RETURNED FOR ADDITIONS OR CORRECTIONS AND WILL HAVE TO BE RE-SUBMITTED.

## 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 \_\_\_\_\_ Corporation   X  

(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:

- (1) Names & addresses of all partners DAVID W. OTTO GLENN R. OTTO
- (2) Telephone numbers 314-831-0220 SAME
- (3) Business address 2635 N. HWY 67 SAME
- (4) State of Incorporation & a photocopy of incorporation papers MO.
- (5) Date of Incorporation \_\_\_\_\_
- (6) Missouri Corporate Number 10818332
- (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 HANDYMAN HARDWARE, INC.
- (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.

Please fill in applicable information requested. If the property is located in a strip center, give the dimensions of your space under square footage and do not give landscaping information.

Name Handyman TrueValue Hardware

Address 500 W. Washington

Property Owner Otto Partnership, LLC

Location of property St. Ferdinand Common Fields - Parcel ID: 08K610726

Dimensions of property See site plan,

Property is presently zoned \_\_\_\_\_ Requests Rezoning To —

Proposed Use of Property Existing Hardware Store

Type of Sign Ground sign w/digital display Height \_\_\_\_\_

Type of Construction Existing Number Of Stories Existing

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:**

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 and trash enclosure.
5. If Special Permit is for a sign show location of sign on plot plan.

**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.**

*500 W. Washington - Amending Existing Ordinance #*

*St. Ferdinand Common Fields - Parcel ID: 08K610726*

**PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION**

**Provide a drawing of a location map showing the nearest major intersection.**

---

**OFFICE USE ONLY**

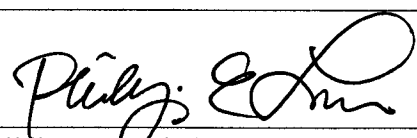
Date Application reviewed \_\_\_\_\_

STAFF REMARKS: \_\_\_\_\_

\_\_\_\_\_

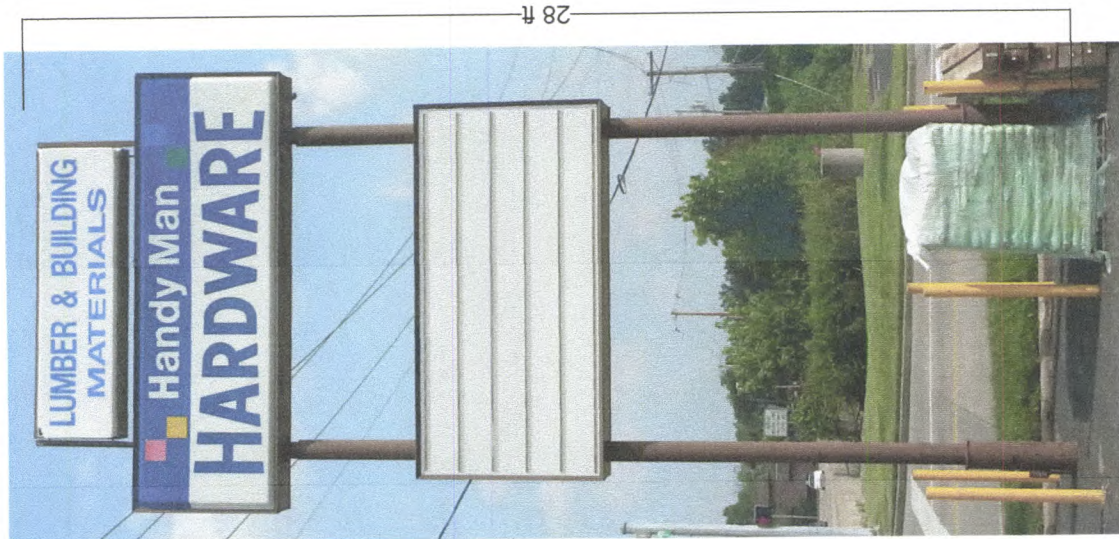
\_\_\_\_\_

\_\_\_\_\_



**Building Commissioner or Staff Signature**

**EXISTING**



30" x 97"  
20.2 sq ft

48" x 144 1/2"  
49.2 sq ft

60 1/2" x 120 1/2"  
50.5 sq ft

119.9 Sq Ft  
TOTAL  
EXISTING

**PROPOSED**



**UL LISTED**

Handyman True Value Hardware  
500 W. Washington  
Florissant, MO 63031



**AdMedia**  
**LED signs**  
Outdoor LED Advertising Solutions  
(314) 496-0596  
AdMediasigns@gmail.com



Sign is 59 ft. from center line of street and 20 ft. from edge of curb.

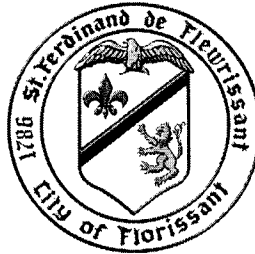
Handyman True Value Hardware  
 500 W Washington  
 Florissant, MO 63031

**AdMedia**  
**LED signs**  
 Outdoor LED Advertising Solutions  
 (314) 496-0596  
 AdMediasigns@gmail.com

**watchfire**  
 Time-O-Matic  
 AUTHORIZED DEALER

1

**MEMORANDUM**



2

**CITY OF FLORISSANT- BUILDING DEPARTMENT**

3

*"The mission of the Building Department is to enforce building, zoning, and property maintenance codes and to provide life safety services that result in enhancing the quality of life for the residents of the City of Florissant."*

4

5

6

7

To: Planning and Zoning Commissioners Date: November 29, 2017

8

9

From: Philip E. Lum, AIA-Building Commissioner cc: Louis B. Jearls, Jr., P.E. PWLF  
Director of Public Works  
Applicant  
File

10

11

12

13

14

Subject: **500 W Washington (Handy Man Hardware) - Request recommended approval** for a Special Use to allow for changes to a ground sign including a digital sign, in a 'B-3' Zoning District.

15

16

17

18

**STAFF REPORT**

19

**CASE NUMBER PZ-120417-2**

20

21

**I. PROJECT DESCRIPTION:**

22

This is a request for Request **recommended approval** for a Special Use to allow for changes to a ground sign including a digital sign, in a 'B-3' Zoning District.

23

24

25

26

**II. EXISTING SITE CONDITIONS:**

27

The existing property at **500 W Washington** is currently Handyman Hardware location.

28

29

The site has a stand-alone brick building with metal trim and off-street parking lot first built in 1958 with subsequent additions.

30

31

32

There is an existing ground sign on premises adjacent to Washington, built under permit first approved in 1983 for Airport Lumber.

33

34

35

36

**III. SURROUNDING PROPERTIES:**

37

The property to the South and West is Dierberg's located within the 'B-3' Zoning District. Abutting to the West are 306 N Hwy 67 in the 'B-3' Zoning District and Jimmy John's located in a 'B-5' Zoning District.

38

39

40

41 **IV. STAFF ANALYSIS:**

42 The application is accompanied by a site map and proposed change to replace and  
43 enclose and to include new digital sign. Staff has the following review comments:  
44

45 **Signage**

- 46 1. Proposed change to replace existing signs with approximate same area from a  
47 total of 119.9 s.f. to a total of 120.8 s.f.  
48 2. Posts are shown to be enclosed by metal.  
49  
50 3. A new digital sign is proposed.  
51  
52 4. The height of the existing sign is 28 feet. The proposed new height is 24 feet.

53 **Location**

- 54 5. The pole sign location is proposed to remain, approximately 11 feet from the  
55 r.o.w.  
56

57 **VI. STAFF RECOMMENDATIONS:**

58 **Suggested Motion:**

59 I move to **recommend approval** of the sign presented, according to the proposal  
60 prepared by the petitioner as described related documents and incorporating the  
61 site map and sign drawing by AdMedia Signs for the proposed sign. Approval is  
62 subject to the regulations of the City of Florissant building code, and the  
63 following additional requirements:  
64

65  
66 There shall be one (1) digital ground sign, as shown on site map drawing by  
67 AdMedia Signs of the proposed sign with the following restrictions:

- 68 a. Digital sign shall display only static images for a minimum of 10  
69 second intervals, Digital sign shall display no glare, flashing, scrolling  
70 or animation.  
71 b. There shall be no affects between static images displayed.  
72 c. The sign shall be dimmable at night to prevent glare.  
73 d. Digital sign shall conform to the City's ordinance regarding digital  
74 sign code once adopted.  
75

76 **1. GENERAL DEVELOPMENT CONDITIONS.**

77  
78 Unless, and except to the extent, otherwise specifically provided, the sign shall be  
79 effected only in accordance with all ordinances of the City of Florissant.  
80

81 **2. PROJECT COMPLETION.**

82 Construction shall start within 30 days of the issuance of building permits for the  
83 project and shall be installed in accordance of the approved construction plan  
84 within 180 days of start of construction.

85 (end report)



INTRODUCED BY COUNCILMAN EAGAN  
JANUARY 8, 2018

BILL NO. 9344

ORDINANCE NO.

**AN ORDINANCE REZONING THE PROPERTY KNOWN AND NUMBERED AS 8115 N. LINDBERGH FROM B-3 “EXTENSIVE BUSINESS DISTRICT” TO B-5 “PLANNED COMMERCIAL DISTRICT” TO ALLOW FOR THE DEVELOPMENT OF A SIT-DOWN, CARRY-OUT RESTAURANT WITH DRIVE-UP SERVICE.**

WHEREAS, Ordinance No. 1625, as amended, establishes within the City of Florissant district classifications for the purpose of regulating their construction and use of land, buildings and property within the said various districts, and said Ordinance provides the nature, kind and character of buildings that may be erected in each of the said districts and the use to which the land and buildings may be put; and

WHEREAS, the Planning and Zoning Commission of the City of Florissant has recommended to the City Council at their meeting of December 4<sup>th</sup>, 2017 that Ordinance No. 1625 be amended to change the classification of the property at 8115 N. Lindbergh from a B-3 Extensive Commercial District to a new B-5 Planned Commercial District; and

WHEREAS, due and lawful notice of a public hearing no. 18-01-003 on said proposed zoning change was duly published, held and concluded on Monday, January 8<sup>th</sup>, 2017 at 7:30 P.M. by the Council of the City of Florissant; and

WHEREAS, the Council, following said public hearing, and after due and careful deliberation, has concluded that the amendment of Ordinance No. 1625, as amended, by changing the classification of the property known and number as 8115 N. Lindbergh from B-3 to B-5 is in the best interest of the public health, safety and welfare 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: Ordinance No. 1625, as amended, is hereby further amended by changing the classification of the property known and numbered as 8115 N. Lindbergh and more particularly described below from a B-3 Extensive Commercial District to a B-5 Planned Commercial District:

### SURVEY DESCRIPTION

*A tract of land being part of Parcel K of De Smet Circle, a subdivision according to the plat thereof recorded in Plat Book 83, Page 45 of the St. Louis County Records and part of vacated Southwell Lane according to City of Florissant Ordinance No. 6985 recorded in Deed Book 16147, Page 707 of the St. Louis County Records, in Surveys 157 and 158 of St. Ferdinand Common Fields, Township 47 North – Range 6 East, City of Florissant, St. Louis County, Missouri and being more particularly described as:*

*Beginning at the Northwest corner of said Parcel K; thence North 56 degrees 37 minutes 40 seconds East, a distance of 112.70 feet along the Northwest line of said Parcel K to the most Northern corner thereof, said point being on the Southwest right-of-way line of Southwell Lane, 50.00 feet wide; thence along said right-of-way line the following courses and distances: along a curve to the left having a radius of 150.00 feet, an arc length of 3.44 feet, a chord which bears South 48 degrees 02 minutes 19 seconds East, a chord distance of 3.44 feet and South 48 degrees 41 minutes 44 seconds East, a distance of 3.32 feet to the most western corner of vacated Southwell Lane, as described in aforesaid City of Florissant Ordinance No. 6985; thence North 41 degrees 18 minutes 16 seconds East, a distance of 25.00 feet along the Northwest line of said vacated Southwell Lane, 50.00 feet wide, to the center line thereof; thence South 48 degrees 41 minutes 44 seconds East, a distance of 120.00 feet along said center line to the Northwest right-of-way line of State Highway Route M 140, Lindbergh Boulevard as established by Condemnation Suite #285655; thence South 41 degrees 18 minutes 16 seconds West, a distance of 150.00 feet along said Northwest right-of-way line to the Southwest line of aforesaid Parcel K; thence along said Southwest line the following courses and distances: North 48 degrees 41 minutes 44 seconds West, a distance of 35.01 feet and along a curve to the right having a radius of 460.00 feet, an arc length of 123.00 feet, a chord which bears North 41 degrees 02 minutes 07 seconds West, a chord distance of 122.63 feet to the point of beginning and containing 20,293 square feet or 0.47 acres more or less.*

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 dated 9/7/17 filed with the Planning & Zoning Commission of the City of Florissant, and having received a recommended approval by the Planning & Zoning Commission on 12/4/17 with certain conditions, and forwarded by said Planning & Zoning Commission to the Florissant City Council, and is attached hereto marked as Exhibit “A”, 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 use permitted in this 'B-5' Planned Commercial District shall be limited to a sit down, carry out and drive-thru restaurant.

### **2. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS**

The building space shall be limited to a single story 2,041 square foot building with uses permitted within the B-3 "Extensive Business District" without a Special Permit.

### **3. PERFORMANCE STANDARDS**

In addition to all other requirements, uses within the "B-5" Planned Commercial District shall conform to the most restrictive performance standards as follows:

1. Vibration. Every use shall be so operated that the maximum ground vibration generated is not perceptible without instruments at any point on the lot line of the lot on which the use is located.
2. Odor. Every use shall be so operated that no offensive or objectionable odor is perceptible at any point on the lot line on which the use is located.
3. Smoke. Every use shall be so operated that no smoke from any source shall be emitted of a greater density than the density described as No. 1 on the Ringelmann Chart as published by the United States Bureau of Mines.
4. Toxic gases. Every use shall be so operated that there is no emission of toxic, noxious or corrosive fumes or gases.
5. Emission of dirt, dust, fly ash and other forms of particulate matter. Emission of dirt, dust, fly ash and other forms of particulate matter shall not exceed eighty-five one-hundredths (0.85) pounds per one thousand (1,000) pounds of gases of which amount not to exceed five-tenths (0.5) pound per one thousand (1,000) pounds of gases shall be of such size as to be retained on a 325-mesh U.S. standard sieve. In the case of emission of fly ash or dust from a stationary furnace or a combustion device, these standards shall apply to a condition of fifty percent (50%) excess air in the stack at full load, which standards shall be varied in proportion to the deviation of the percentage of excess air from fifty percent (50%).
6. Radiation. Every use shall be so operated that there is no dangerous amount of radioactive emissions.
7. Glare and heat. Any operation producing intense glare or heat shall be performed in an enclosure in such a manner as to be imperceptible along any lot line.
8. Screening.
  - a. All mechanical equipment, air-handling units, cooling towers, condensers, etc., on roof or grade shall be screened architecturally in such a manner as to be a part of the design of the building.
  - b. Incinerators and stacks shall be enclosed in the same material as the main exterior building material.

#### 4. TRASH SCREENING

Trash container shall be kept within a metal gated sight-proof fenced area.

#### 5. PLAN SUBMITTAL REQUIREMENTS

A final site development plan shall be submitted to the Building Commissioner to review for compliance to this ordinance and other city ordinances prior to issuance of land disturbance permits or building permits. Final Development Plan shall include improvements as shown on Drawings **1 of 2 dated 9/7/16 by Pickett, Ray, Silver, 2 of 2 dated 8/30/16 by Pickett, Ray, Silver, 5.0, SP1.0 and 5P2.0 all dated 11/13/15 by Rheinhardt & Associates, Architects.**

#### 6. SITE DEVELOPMENT PLAN CRITERIA:

a. Height, Area And Bulk Restrictions:

1. Height, Area And Bulk Regulations. The height, area and bulk regulations for uses in the "B-3" Extensive Commercial District

b. Internal Drives:

(1) There shall be parking to be indicated on the Final Development Plan.

c. Minimum Parking/Loading Space Requirements.

(1) There shall be a minimum of **15** parking spaces provided on the property.

d. Road Improvements, Access and Sidewalks

Final Development shall include Lindbergh Improvement Plan enhancements along the frontage.

e. Lighting Requirements.

Lighting of the property shall comply with the following standards and requirements:

(1) The light level for parking lot lighting shall be 0.5 fc minimum as indicated on **SP-2.0 attached.**

(2) All site lighting and exterior building lighting shall be directed down and inward.

f. Sign Requirements.

(1) **There shall be one post sign, wall signs as shown on A-5.0 and a**

**directional sign as shown located on the attached plan by Pickett, Ray & Silver.**

- (2) All other signage shall comply with the City of Florissant sign ordinance for commercial districts.

g. Landscaping and Fencing.

- (1) Landscaping indicated on the Final Development Plan **shall be as shown on the attached sheet 1 of 2.**
- (2) Any modifications to the landscaping shall be reviewed and approved by the Planning and Zoning Commission.

h. Storm Water.

Storm Water and drainage facilities shall comply with the following standards and requirements:

- (1) The Director of Public Works shall review the storm water plans to assure that storm water flow will have no adverse effect the neighboring properties.
- (2) No building permits shall be issued until the storm water plan has been approved by the St. Louis Metropolitan Sewer District.

i. Miscellaneous Design Criteria.

- (1) All applicable parking, circulation, sidewalks, and all other site design features shall comply with the Florissant City Code.
- (2) All dumpsters and grease containers shall be contained within a trash enclosure with gates, compatible with existing building.
- (3) All storm water and drainage facilities shall be constructed, and all landscaping shall be installed, prior to occupancy of the building, unless remitted by the Director of Public Works due to weather related factors.

1 (4) All mechanical equipment, electrical equipment, and communication  
2 equipment shall be screened in accordance with the Florissant Zoning  
3 Code.

4 (5) The exterior design of the buildings shall be constructed in accordance  
5 with the renderings as approved by the Florissant Planning and Zoning  
6 Commission and attached hereto.

7 (6) All other requirements of the Florissant Municipal Code and other  
8 ordinances of the city shall be complied with unless otherwise allowed  
9 by this ordinance.

10  
11 **7. FINAL SITE DEVELOPMENT PLAN**

12 A final site development plan shall be submitted to the Building Commissioner to review for  
13 compliance with the applicable "B-S" Planned Commercial Development ordinance prior to  
14 recording. Any variations from the ordinance approved by the City Council and/or the  
15 conceptual plans attached to such ordinance shall be processed in accordance with the procedure  
16 established in the Florissant Zoning Code.

17  
18 **8. AMENDMENTS TO THE SITE AND EXTERIOR BUILDING PLANS:**

19 Any changes to the approved plans attached hereto must be reviewed by the Building  
20 Commissioner. The Building Commissioner must make a determination as to the extent of the  
21 changes per the following procedure:

- 22 1. The property owner or designate representative shall submit in writing a request for an  
23 amendment to the approved plans. The building commissioner shall review the plans for  
24 consistency with the purpose and content of the proposal as originally or previously  
25 advertised for public hearing and shall make an advisory determination.
- 26 2. If the building commissioner determines that the requested amendment is not consistent  
27 in purpose and content with the nature of the purpose as originally proposed or previously  
28 advertised for the public hearing, then an amendment to the special use permit shall be  
29 required and a review and recommendation by the planning and zoning commission shall  
30 be required and a new public hearing shall be required before the City Council.
- 31 3. If the building commissioner determines that the proposed revisions are consistent with  
32 the purpose and content with the nature of the public hearing then a determination of non-  
33 necessity of a public hearing shall be made.
- 34 4. Determination of minor changes: If the building commissioner determine that an  
35 amendment to the special use permit is not required and that the changes to the plans are  
36 minor in nature the Building Commissioner may approve said changes.
- 37 5. Determination of major changes: If the Building Commissioner determines that an  
38 amendment to the B-S is not required but the changes are major in nature, then the owner  
39 shall submit an application for review and approval by the Planning and Zoning  
40 commission.

41 **9. VERIFICATION PRIOR TO OCCUPANCY PERMIT**

- 42 a. Any new roadway improvements shall be completed prior to the issuance of any final  
43 occupancy permit.
- 44 b. Any new storm water detention shall be completed prior to the issuance of any  
45 occupancy permit.

46 c. All fencing and/or landscaping intended as screening properties shall be completed  
47 prior to the issuance of any occupancy permit, unless remitted by the Director of Public  
48 Works due to weather related factors.  
49

50 **10. GENERAL DEVELOPMENT CONDITIONS.**

51 a. Unless, and except to the extent, otherwise specifically provided herein, development  
52 shall be effected only in accordance with all ordinances of the City of Florissant.

53 b. The Department of Public Works shall enforce the conditions of this ordinance in  
54 accordance with the Final Site Development Plan approved by the Planning & Zoning  
55 Commission and all other ordinances of the City of Florissant.  
56

57 **9. PROJECT COMPLETION.**

58 Construction shall start within 90 days of the issuance of building permits for the project and  
59 shall be developed in accordance of the approved final development plan within 12 months of  
60 start of construction.  
61

62 Section 3: The application and preliminary plans are returned to the Building  
63 Commissioner for consideration of a Final Site Development Plan, pursuant to Title IV of the  
64 Florissant Zoning Ordinance.

65 Section 4: Failure to develop the said Planned Commercial District in accordance with  
66 the above-described procedures and restrictions shall be cause for revision of the zoning  
67 of said property back to the previous zoning classification, in accordance with Title IV of the  
68 Florissant Zoning Ordinance.  
69

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

72 Adopted this \_\_\_\_ day of \_\_\_\_\_, 2018.  
73

74 \_\_\_\_\_  
75 Jackie Pagano  
76 President of the Council  
77 City of Florissant

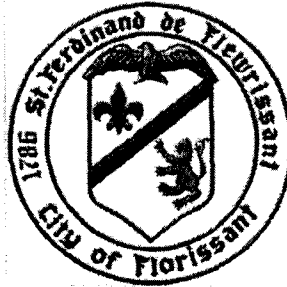
78 Approved this \_\_\_\_ day of \_\_\_\_\_, 2018.  
79

80 \_\_\_\_\_  
81 Thomas P. Schneider  
82 Mayor, City of Florissant

83 ATTEST:

84 \_\_\_\_\_  
85  
86 Karen Goodwin, MMC/MRCC  
87 City Clerk

APPLICATION TO THE CITY OF FLORISSANT PLANNING AND ZONING COMMISSION TO ESTABLISH A B-5 PLANNED COMMERCIAL DISTRICT



PLANNING & ZONING ACTION:

Address of Property:

8115 N. Lindbergh Blvd.

RECOMMENDED APPROVAL  
PLANNING & ZONING  
CHAIRMAN

Council Ward 3 Zoning B-5

SIGN.

DATE: 12/4/2017

Initial Date Petitioner Filed \_\_\_\_\_  
Building Commissioner to complete  
ward, zoning & date filed

PETITION FOR A B-5 RE-ZONING:

1) Comes Now Roaring Fork Capital, LLC

(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 .47

2. The petitioner(s) hereby further state(s) that the property herein described in this petition is presently zoned in a B3 District and is presently being used for: Vacant

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



3. The petitioner(s) hereby state(s) the following purpose to justify the re-zoning to a B-5:  
To allow for a new freestanding Dunkin Donuts with Drive-Thru

**List purpose for this 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 Tim Kaufmann  
PETITIONER(S) SIGNATURE (S) 

FOR \_\_\_\_\_  
(company, corporation, partnership)

**Print and sign application. If applicant is a corporation or partnership signature must be a CORPORATE OFFICER or LLC Managing 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 \_\_\_\_\_  
STREET CITY STATE ZIP CODE

TELEPHONE NUMBER \_\_\_\_\_  
BUSINESS

I (we) the petitioner (s) do hereby appoint \_\_\_\_\_ as  
Print name of agent.  
my (our) duly authorized agent to represent me (us) in regard to this petition.

**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 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/LLC:

(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 or LLC:

- (1) Names & addresses of all partners Tim Kaufmann, 4 Willow Hill Rd. 63124
- (2) Telephone numbers 314-280-2540
- (3) Business address 34 N. Brentwood Blvd. Suite 201, 63105
- (4) State of corporation & a photocopy of incorporation papers Missouri
- (5) Date of corporation August, 2014
- (6) Missouri Corporate Number LC001415949
- (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 Roaring Fork Capital, LLC
- (9) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping information.

Please fill in applicable information requested.

Name Tim Kaufmann

Address 4 Willow Hill Rd, 63124

Property Owner Lampe, LP

Location of property 8115 N. Lindbergh Blvd. Florissant, MO 63031

Dimensions of property 151'x 120'/155' IRR.

Current Use of Property Automotive repair (B-3)

Proposed Use of Property Fast food

Type of Sign Pole Height 25'

Type of Construction Wood Frame/masonry Number Of Stories 1

Square Footage of Building 2,041 Number of Curb Cuts 1

Number of Parking Spaces 15 Sidewalk Length 85'

Landscaping: No. of Trees 12 Diameter 2.5" minimum

No. of Shrubs 96 Size 5 gallon

Fence: Type Vinyl Length 300' Height 6'

**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.

**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.**

**PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION**

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

## Legal Description

Lot K of DeSmet Circle, a subdivision in the County of Saint Louis, Missouri, according to the recorded plat thereof, as recorded in Plat Book 83, Page 45 Saint Louis County Records. EXCEPTING THEREFROM that part taken by Condemnation Suit 285655 of the Circuit Court of St. Louis County, Missouri, for right of way of State Highway M "140". ALSO, That part of Southwell Lane one hundred and twenty feet (120) back from North Lindbergh Boulevard between the properties of 8125 and 8115 North Lindbergh Boulevard and 8231 North Lindbergh released and vacated by an Ordinance of the City of Florissant, Missouri, a copy of which is recorded in Book 16147 Page 707.

**STAFF CHECK LIST / REVIEW SHEET**

ADDRESS OF PROPERTY \_\_\_\_\_ CURRENT ZONING \_\_\_\_\_

PROPERTY OWNER OF RECORD \_\_\_\_\_ PHONE NO. \_\_\_\_\_

AUTHORIZED AGENT \_\_\_\_\_ PHONE NO. \_\_\_\_\_

PROPOSAL \_\_\_\_\_

1) a. Uses - Are uses stipulated Yes / No

b. What current District would this proposal be a permitted use: \_\_\_\_\_

c. Proposed uses for out lots: \_\_\_\_\_

2) Performance Standards:

a) Vibration: Is there any foreseen vibration problems at the property line? Yes / No

b) Noises: Will the operation or proposed equipment exceed 70 decibels? Yes / No

c) Odor is there any foreseen problem with odor? Yes / No

d) Smoke: Will the operation emit any smoke which could exceed a density described as No. I on the Ringleman Chart? Yes / No

e) Toxic gases: Is there any foreseen emission of toxic gases from the operation? Yes / No

f) Is there foreseen emission of dirt, dust, fly ash, and other forms of particle matter? Yes / No

g) Is there any dangerous amount of radiation produced from the operation? Yes / No

h) Is there any glare or heat which would be produced outside of an enclosure? Yes / No

i) Is screening of trash dumpsters, mechanical equipment, incinerators, etc, shown? Yes / No

j) Is buildings screened from adjoining residential? Yes / No

3) Are height of structures shown? Yes / No

4) Are all setbacks shown? Yes / No

5) Are building square footages shown? Yes / No

6) What is the exterior construction of the buildings? \_\_\_\_\_

7) Is off street loading shown? Yes / No

8) Parking:

a) Does parking shown meet the ordinance? Yes / No

b) Is a variance required in accordance with the ordinance? Yes / No

c) Ratio shown \_\_\_\_\_ to \_\_\_\_\_

d) Total Number \_\_\_\_\_

e) Will cross access and cross parking agreements be required? Yes / No

f) Is the parking lot adequately landscaped? Yes / No

9) Are there any signs? Yes / No

Number of signs shown \_\_\_\_\_

Type of Signs \_\_\_\_\_

Are sizes, heights, details, and setbacks shown? Yes / No

10) Are existing and proposed contours shown at not more than five (5) feet intervals? Yes / No

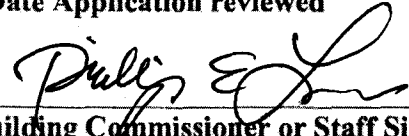
11) Is the approximate location of all isolated trees having a trunk diameter of six inches or all tree masses and proposed landscaping shown? Yes / No

- 12) Are two section profiles through the site showing preliminary building form, existing natural grade and proposed final grade shown? Yes / No
- 13) Is proposed ingress/egress onto the site and internal traffic movements shown? Yes / No
- 14) Was a traffic study submitted? Yes / No  
Does the City Staff recommend a traffic study? Yes / No
- 15) Are preliminary plans for sanitation and drainage (sanitary & storm water) facilities shown? Yes / No
- 16) Is a legal description of the property shown? Yes / No  
Does legal description appear to be proper? Yes / No
- 17) Is an out-boundary plat of the property submitted? Yes / No
- 18) Suggested time limitations of construction: Start \_\_\_\_\_ Finish \_\_\_\_\_
- 19) Is parking lot lighting shown? Yes / No
- 20) Are new walkways required? Yes / No
- 21) Is there sufficient handicapped access? Yes / No
- 22) a) Are there proposed curb-cuts? Yes / No  
b) Do the curb-cuts meet the City ordinances? Yes / No
- 23) Will this project require any street improvements? Yes / No
- 24) Staff recommendations for site development plans: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

25) Staff Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11.29.17

Date Application reviewed



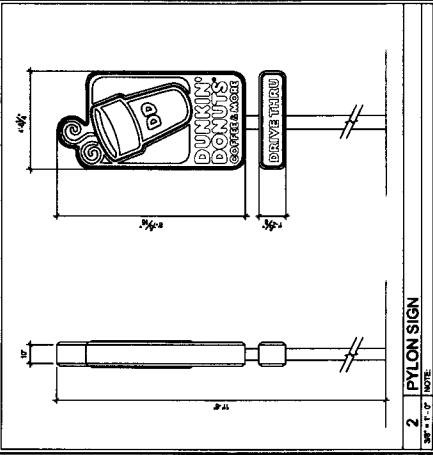
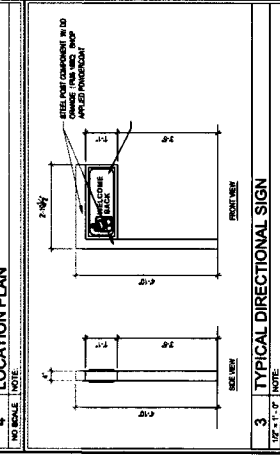
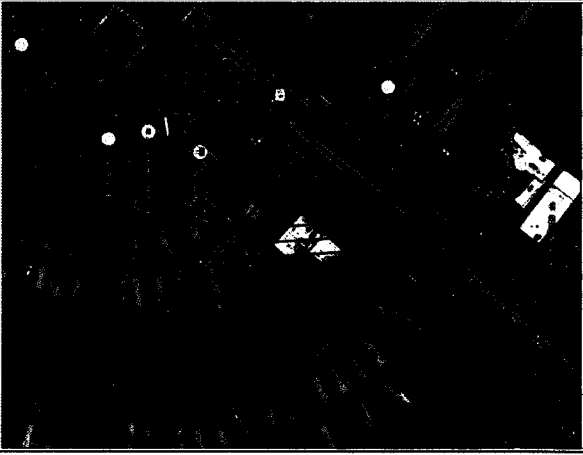
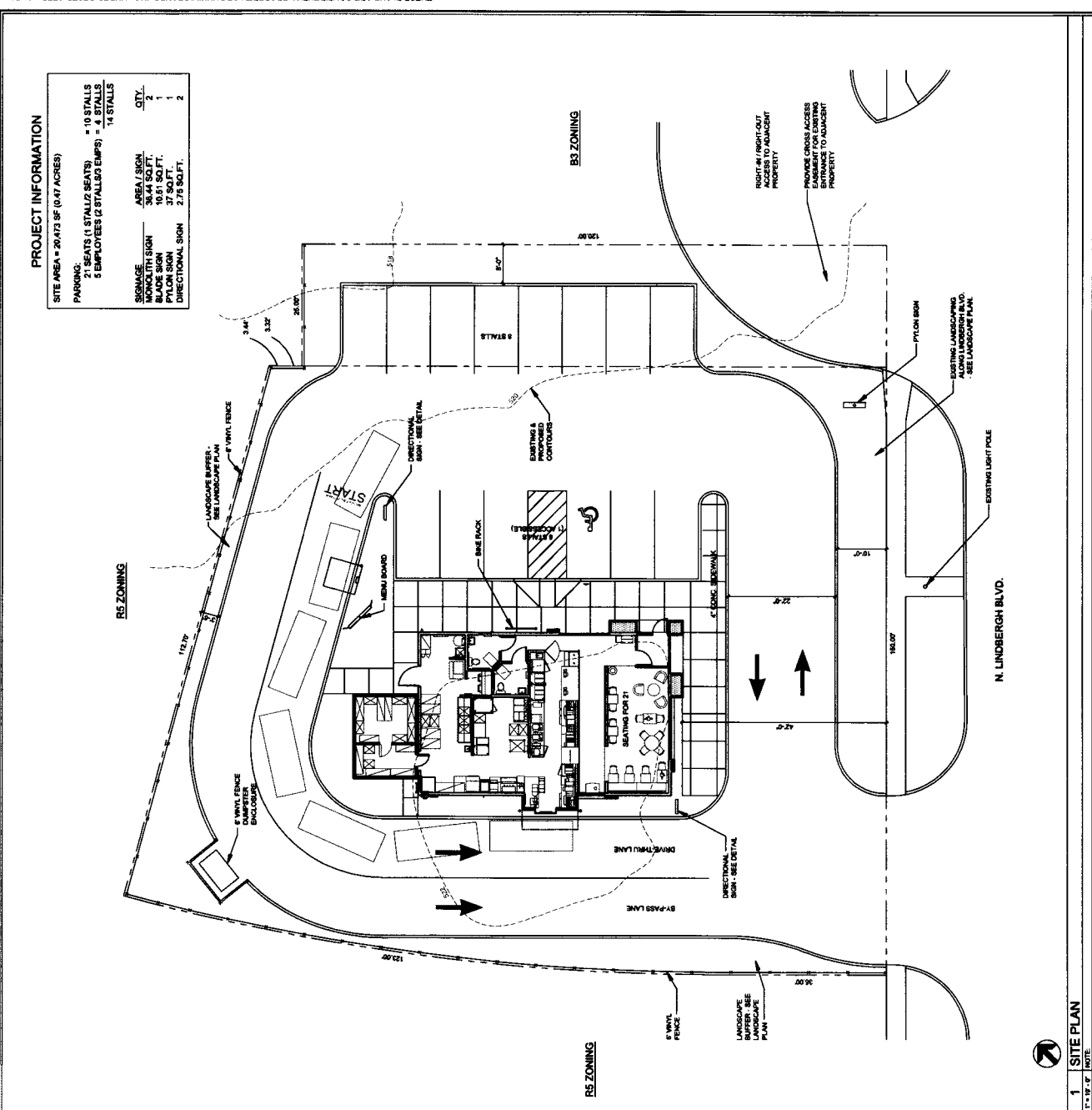
Building Commissioner or Staff Signature



NO	DESCRIPTION	DATE
1	INITIAL ISSUE	4-1-13
2	DMB UPDATE	7-2-13
3	GENERAL UPDATES	2-10-14
4	GENERAL UPDATES	11-13-15
SHEET REVISIONS		
APPD		
CD		
DATE	7-15-16	

PROPOSED DEVELOPMENT, MO	PC NUMBER
8115 N. Lindbergh Blvd., Florissant, MO	
<b>CONCEPT SITE PLAN</b>	

**SP-1.0**















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**PARKING, DRIVEWAYS AND STACKING:**

There are **15 parking spaces proposed**, 9 feet wide by 19 feet long. Parking spaces will be provided primarily on the north side of the property. The traffic flow is one-way in a counterclockwise direction. There is a dual drive proposed around the West and South sides of the building. One is a drive- up order lane and the other is a bypass lane. The drive up area shown contains 1 vehicle at the window and 6 vehicles stacked per code. There is a curb cut onto the highway and one right-out curb cut shown with shared access. Connection has been cut off between this property and the adjacent gas station as shown. The curb cut on the property is shown about 35 feet wide.

**WALKWAYS:**

There are no new proposed, however, front walkway in accord with the Lindbergh Improvement Program is existing and is shown to remain.

**LANDSCAPING:**

The Lindbergh Improvement Program plantings shown outside the property lines, There are landscaped areas at the corners of the main parking area. There are **96** shrubs shown. The perimeter of the building appears to contain a planting bed on the south and west sides of the building. Since the building is about 65'x35', the required number of shrubs for building planting is about 40, also 3 frontage trees are required and 1 landscaped island. Sheet 1 of 2 shows 12 ornamental trees. Therefore the proposed plan exceeds the requirements.

**STORMWATER AND SANITARY SEWER:**

**The proposed storm water management is now shown as inlets on the Sheet 1 of 2.**

**SITE LIGHTING:**

As indicated on Sheet SP-2.0, There are 5 light poles provided on the site. The Photometric drawing indicates the light level range on site.

**SIGNAGE:**

The proposal includes a new post sign 17 feet from the property line, 33.6 feet from the curb **and approximately 6.5' from the property line**. One directional sign is shown at 4'-10" high, not near the property line (one has been omitted). There will also be a menu board for the drive up order lane. There will also be wall signs at 10 feet tall x8.5 feet wide=85 s.f.x 0.67= 57 s.f.

**II. EXISTING SITE CONDITIONS:**

87 The property is currently a vacant building to be removed and parking area which also  
88 must undergo demolition. The applicant has reviewed the project with MoDOT.  
89  
90

91 **III. SURROUNDING PROPERTIES:**  
92

93 The property to the west 855 Southwell and three properties to the south, 860, 870 and  
94 890 Loyola are zoned 'R-4' a single family residential. The property to the NE is 8123  
95 N. Lindbergh, in a 'B-3' Zoning District.  
96  
97

98 **IV. STAFF ANALYSIS:**  
99

100 The building is not in compliance with the masonry ordinance. Instead, the petitioner  
101 proposes consideration of specific areas of cement siding that does have long lifespan and  
102 EIFS. It is shown on the plans that a trash enclosure is proposed no material is called out.  
103 The height of the building is a maximum of twenty one feet three inches in height.  
104

105 The parking calculations are shown on 1 of 1, compliant with ordinance as well as the  
106 parking lot landscaping, which states:  
107 *1 space for every 2 seats plus 2 spaces for every 3 employees on the maximum shift and*  
108 *5 stacking plus 1 at order station*  
109

110 The site plan indicates a cross access easement with the car lot at the right out entrance of  
111 the gas station  
112

113 Because this is a 'B-5' adjacent to residential districts, the zoning code requires  
114 screening. There will be a need to screen this property from the adjacent residentially  
115 zoned property to the south and west. A 6 foot vinyl fence is shown along these property  
116 lines.  
117

118 Because this property is not over one acre, an irrigation system is not required per section  
119 405-250 of the zoning code.  
120

121 The proposal includes locating one directional sign to within ten feet of the North  
122 Lindbergh property line.  
123

124 **VI. STAFF RECOMENDATIONS:**  
125

- 126 1. Subject to Council Approval, that all exterior walls be constructed of masonry per  
127 section 500.040 of the City Code  
128

129 **Suggested Motion:**  
130

131 I move to recommend approval to rezone **8115 N. Lindbergh, Dunkin Donuts**  
132 from 'B-3' to a 'B-5' Planned Commercial District to allow a sit-down, carryout

133 and drive-thru restaurant subject to the conditions set forth below with these  
134 conditions being part of the record:

135  
136  
137 **1. PERMITTED USES**

138  
139 The use permitted in this 'B-5' Planned Commercial District shall be limited  
140 to a sit down, carry out and drive-thru restaurant.

141  
142 **2. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS**

143 The building space shall be limited to a single story 2,041 square foot building  
144 with uses permitted within the B-3 "Extensive Business District" without a  
145 Special Permit.

146  
147 **3. PERFORMANCE STANDARDS**

148 In addition to all other requirements, uses within the "B-5" Planned  
149 Commercial District shall conform to the most restrictive performance  
150 standards as follows:

- 151 1. Vibration. Every use shall be so operated that the maximum  
152 ground vibration generated is not perceptible without instruments  
153 at any point on the lot line of the lot on which the use is located.
- 154 2. Odor. Every use shall be so operated that no offensive or  
155 objectionable odor is perceptible at any point on the lot line on  
156 which the use is located.
- 157 3. Smoke. Every use shall be so operated that no smoke from any  
158 source shall be emitted of a greater density than the density  
159 described as No. 1 on the Ringelmann Chart as published by the  
160 United States Bureau of Mines.
- 161 4. Toxic gases. Every use shall be so operated that there is no  
162 emission of toxic, noxious or corrosive fumes or gases.
- 163 5. Emission of dirt, dust, fly ash and other forms of particulate matter.  
164 Emission of dirt, dust, fly ash and other forms of particulate matter  
165 shall not exceed eighty-five one-hundredths (0.85) pounds per one  
166 thousand (1,000) pounds of gases of which amount not to exceed  
167 five-tenths (0.5) pound per one thousand (1,000) pounds of gases  
168 shall be of such size as to be retained on a 325-mesh U.S. standard  
169 sieve. In the case of emission of fly ash or dust from a stationary  
170 furnace or a combustion device, these standards shall apply to a  
171 condition of fifty percent (50%) excess air in the stack at full load,  
172 which standards shall be varied in proportion to the deviation of  
173 the percentage of excess air from fifty percent (50%).
- 174 6. Radiation. Every use shall be so operated that there is no  
175 dangerous amount of radioactive emissions.
- 176 7. Glare and heat. Any operation producing intense glare or heat  
177 shall be performed in an enclosure in such a manner as to be  
178 imperceptible along any lot line.



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- 8. Screening.
  - a. All mechanical equipment, air-handling units, cooling towers, condensers, etc., on roof or grade shall be screened architecturally in such a manner as to be a part of the design of the building.
  - b. Incinerators and stacks shall be enclosed in the same material as the main exterior building material.

4. **TRASH SCREENING**

Trash container shall be kept within a metal gated sight-proof fenced area.

5. **PLAN SUBMITTAL REQUIREMENTS**

A final site development plan shall be submitted to the Building Commissioner to review for compliance to this ordinance and other city ordinances prior to issuance of land disturbance permits or building permits. Final Development Plan shall include improvements as shown on Drawings **1 of 2 dated 9/7/16 by Pickett, Ray, Silver, 2 of 2 dated ~~9/7/16~~ 8/30/16 by Pickett, Ray, Silver, 5.0, SP1.0 and SP2.0 all dated 11/13/15 by Rheinhardt & Associates, Architects.**

3. **SITE DEVELOPMENT PLAN CRITERIA:**

a. Height, Area And Bulk Restrictions:

- 1. Height, Area And Bulk Regulations. The height, area and bulk regulations for uses in the "B-3" Extensive Commercial District

b. Internal Drives:

- (1) There shall be parking to be indicated on the Final Development Plan.

c. Minimum Parking/Loading Space Requirements.

- (1) There shall be a minimum of **15** parking spaces provided on the property.

d. Road Improvements, Access and Sidewalks

Final Development shall include Lindbergh Improvement Plan enhancements along the frontage.

e. Lighting Requirements.

Lighting of the property shall comply with the following standards and requirements:

- (1) The light level for parking lot lighting shall be 0.5 fc minimum as indicated on **SP-2.0 attached.**

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(2) All site lighting and exterior building lighting shall be directed down and inward.

f. Sign Requirements.

- (1) There shall be one post sign, wall signs as shown on A-5.0 and a directional sign as shown located on the ~~SP-1.0 Plan~~ attached. *by Pickett, Ray. Silver*  
*1 of 2*
- (2) All other signage shall comply with the City of Florissant sign ordinance for commercial districts.

g. Landscaping and Fencing.

- (1) Landscaping indicated on the Final Development Plan shall be as shown on the attached sheet 1 of 2.
- (2) Any modifications to the landscaping shall be reviewed and approved by the Planning and Zoning Commission.

h. Storm Water.

Storm Water and drainage facilities shall comply with the following standards and requirements:

- (1) The Director of Public Works shall review the storm water plans to assure that storm water flow will have no adverse affect the neighboring properties.
- (2) No building permits shall be issued until the storm water plan has been approved by the St. Louis Metropolitan Sewer District.

i. Miscellaneous Design Criteria.

- (1) All applicable parking, circulation, sidewalks, and all other site design features shall comply with the Florissant City Code.
- (2) All dumpsters and grease containers shall be contained within a trash enclosure with gates, compatible with existing building.
- (3) All storm water and drainage facilities shall be constructed, and all landscaping shall be installed, prior to occupancy of the building, unless remitted by the Director of Public Works due to weather related factors.

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- (4) All mechanical equipment, electrical equipment, and communication equipment shall be screened in accordance with the Florissant Zoning Code.
- (5) The exterior design of the buildings shall be constructed in accordance with the renderings as approved by the Florissant Planning and Zoning Commission and attached hereto.
- (6) All other requirements of the Florissant Municipal Code and other ordinances of the city shall be complied with unless otherwise allowed by this ordinance.

**7. FINAL SITE DEVELOPMENT PLAN**

A final site development plan shall be submitted to the Building Commissioner to review for compliance with the applicable "B-5" Planned Commercial Development ordinance prior to recording. Any variations from the ordinance approved by the City Council and/or the conceptual plans attached to such ordinance shall be processed in accordance with the procedure established in the Florissant Zoning Code.

**8. AMENDMENTS TO THE SITE AND EXTERIOR BUILDING PLANS:**

Any changes to the approved plans attached hereto must be reviewed by the Building Commissioner. The Building Commissioner must make a determination as to the extent of the changes per the following procedure:

- 1. The property owner or designate representative shall submit in writing a request for an amendment to the approved plans. The building commissioner shall review the plans for consistency with the purpose and content of the proposal as originally or previously advertised for public hearing and shall make an advisory determination.
- 2. If the building commissioner determines that the requested amendment is not consistent in purpose and content with the nature of the purpose as originally proposed or previously advertised for the public hearing, then an amendment to the special use permit shall be required and a review and recommendation by the planning and zoning commission shall be required and a new public hearing shall be required before the City Council.
- 3. If the building commissioner determines that the proposed revisions are consistent with the purpose and content with the nature of the public hearing then a determination of non-necessity of a public hearing shall be made.
- 4. Determination of minor changes: If the building commissioner determines that an amendment to the special use permit is not required and that the changes to the plans are minor in nature the Building Commissioner may approve said changes.

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5. Determination of major changes: If the Building Commissioner determines that an amendment to the B-5 is not required but the changes are major in nature, then the owner shall submit an application for review and approval by the Planning and Zoning commission.

**9. VERIFICATION PRIOR TO OCCUPANCY PERMIT**

- a. Any new roadway improvements shall be completed prior to the issuance of any final occupancy permit.
- b. Any new 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.

**10. GENERAL DEVELOPMENT CONDITIONS.**

- a. 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.
- b. 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.

**9. PROJECT COMPLETION.**

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 12 months of start of construction.

(End of report and suggested motion)

# **CITY OF FLORISSANT**

## **Public Hearing**



**In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the Florissant City Council in the Council Chambers, 955 rue St. Francois, Florissant, MO., on Monday, January 8, 2018 at 7:30 p.m. on the following proposition:**

**To rezone for Dunkin Donuts the property located at 8115 N. Lindbergh from the 'B-3' Extensive Business District to a 'B-5' Planned Commercial District to allow for a development of a sit-down, carryout restaurant with drive-up service. 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 MMC.**

1 INTRODUCED BY COUNCILMAN SIAM  
2 JANUARY 8, 2018

3  
4 BILL NO. 9345 ORDINANCE NO.  
5

6 **AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR**  
7 **15275 NEW HALLS FERRY IN AN EXISTING B-5 “PLANNED**  
8 **COMMERCIAL DISTRICT”**  
9

10 **WHEREAS**, Chapter 410 of the Florissant City Code, known as the Subdivision Ordinance,  
11 authorizes the subdivision of properties with in the City; and

12 **WHEREAS**, an application has been filed by Cissell Mueller Construction, Inc. requesting  
13 approval of Final Subdivision Plat for 15275 New Halls Ferry Road; and

14 **WHEREAS**, the Planning and Zoning Commission of the City of Florissant, at their meeting  
15 of December 4, 2018 has recommended that said Final Subdivision Plat be approved; and

16 **WHEREAS**, due notice of public hearing no. 18-01-004 on said application to be held on the  
17 8<sup>th</sup> day of January, 2018 at 7:30 pm by the Council of the City of Florissant was duly published, held and  
18 concluded; and

19 **WHEREAS**, the Council, following said public hearing, and after due and careful  
20 consideration, has concluded that the approval of the Final Subdivision Plat would be in the best interest  
21 of the City of Florissant.  
22

23 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**  
24 **FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**  
25

26 Section 1: The Final Subdivision Plat for 15275 New Halls Ferry Road City of Florissant, St.  
27 Louis County, Missouri a copy of which is attached hereto and made a part hereof as if fully set out  
28 herein, is hereby approved.

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

31 Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018.  
32

33 \_\_\_\_\_  
34 Jackie Pagano  
35 President of the City Council

36 Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018.  
37

38 \_\_\_\_\_  
39 Thomas P. Schneider  
40 Mayor

41 ATTEST:  
42

43 \_\_\_\_\_  
44 Karen Goodwin, MMC/MRCC  
45 City Clerk

# **CITY OF FLORISSANT**

## **Public Hearing**

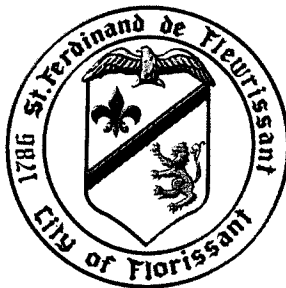


**Notice is hereby given in accordance with Chapter 410.020 of the Florissant Code of Ordinances, the Subdivision Ordinance, as amended, that a Public Hearing will be held by the Florissant City Council in the Council Chambers, 955 rue St. Francois, Florissant, MO., on Monday, January 8, 2018 at 7:30 p.m. on the following proposition:**

**To approve the final subdivision plat for 15275 News Halls Ferry in an existing 'B-5' Zoning District. 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.**

**CITY OF FLORISSANT, Karen Goodwin, CMC, City Clerk.**

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



SECRETARY

SIGN. *[Signature]* DATE: 12-4-17

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.

Please Print neatly or Type the Following Information:

Property Address: 15275 New Halls Ferry Road

Property Owners Name: New Halls Ferry Real Estate, LLC Phone/email: 636-359-1047

Property Owners Address: 8 Claychester Drive; St. Louis, Missouri 63131

Business Owners Name: Cissell Mueller Construction, Inc Phone/email: 636-970-0330

Business Owners Address: 5530 Salt River Road; St. Peters, MO 63376

DBA (Doing Business As) N/A

Authorized Agents Name: Cochran Co. Name: (Authorized Agent to Appear Before The Commission)

Agents Address: 8 East Main St.; Wentzville, Missouri 63385 Phone/email: 636-332-4574

Request Approval of a Final Plat for 15275 New Halls Ferry

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

*[Signature]*  
Applicant's Signature

11-30-17  
Date

OFFICE USE ONLY

Received by: \_\_\_\_\_ Receipt # \_\_\_\_\_ Amount Paid: \_\_\_\_\_ Date: \_\_\_\_\_

STAFF REMARKS: \_\_\_\_\_

DATE APPLICATION REVIEWED: \_\_\_\_\_

COMMISSION ACTION TAKEN:

RECOMMENDED APPROVAL  
PLANNING & ZONING  
CHAIRMAN

SIGN. *[Signature]* DATE: 12/4/2017

SIGNATURE OF STAFF WHO REVIEWED APPLICATION









40  
41 **IV. STAFF ANALYSIS:**

42 1. The application is accompanied by professionally completed Plat identified as  
43 **drawings 1 of 2 and 2 of 2 dated November 15, 2017 by Cochran.**  
44

45 2. Final Plat Review: Major Subdivision Administrative Review was completed by the  
46 City Engineer. This review covers comments for both Preliminary Plat review and Final  
47 Plat Review. Mr. Goldkamp has informed us that all comments were answered in  
48 satisfactory manner by the revision drawings and the items were to be placed on the  
49 agenda.  
50

51 3. A recommendation from the Commission is required per 410.020 of the Zoning  
52 Code:

53 3. "Final plat.

54 a. *After all public or common use improvement plans have been approved by the Director of Public*  
55 *Works, the petitioner shall submit two (2) copies of the final plat for review and approval. The*  
56 *Director of Public Works will review the final plat for conformity to the requirements of the*  
57 *subdivision and zoning ordinances and with current engineering practice and shall complete the*  
58 *applicable portion of the administrative review form. If the final plat does not comply with all*  
59 *requirements, one (1) copy will be returned, with deficiencies noted, for correction and*  
60 *resubmittal. Should more than one (1) resubmittal be required, an additional application fee will*  
61 *be charged.*

62 b. *Upon approval of the final plat by the Director of Public Works, the petitioner shall submit the*  
63 *original of the final plat, fully signed and executed by all parties having a legal interest in the*  
64 *property, including mortgage holders, together with twenty-one (21) copies of the approved final*  
65 *plat. The date shown on the plat shall be the date of approval by the Director of Public Works.*  
66 *The original of the plat shall be on tracing cloth (linen), drafting film (mylar) or equivalent*  
67 *material suitable for recording and permanent recordkeeping.*

68 c. *The petitioner shall also submit with the original of the approved final plat the following:*

- 69 1) *A copy of the indentures, if any, containing deed restrictions and establishing trusts, unless*  
70 *these items are set out in full text on the final plat. If separate indentures are to be recorded,*  
71 *they shall be referenced by notes on the final plat. If no indentures pertain to the subdivision,*  
72 *this fact shall be noted on the final plat.*  
73 2) *A certificate from St. Louis County showing that all taxes due have been paid.*  
74 3) *A set of plans for each type of building to be constructed in the subdivision, including floor*  
75 *plans, elevations, color scheme, materials of construction, landscaping and siting of the*  
76 *buildings on the lots. Such plans must be sufficient to allow review of the structural and*  
77 *landscaping improvements proposed against the standards of good architecture, civic design,*  
78 *the character of the neighborhood, and the requirements of all other ordinances of the City of*  
79 *Florissant. When the petitioner intends to sell improved lots in all or part of the subdivision*  
80 *without buildings erected thereon, he/she may certify this intent in writing in lieu of this*  
81 *requirement.*  
82 4) *A letter from the local postmaster approving the names of the proposed streets and the*  
83 *proposed system of addresses along such streets.*  
84 5) *A letter from the St. Louis County Recorder's office approving the proposed name of the*  
85 *subdivision.*  
86 6) *A completed and executed land subdivision surety bond, escrow agreement or certificate of*  
87 *completion of all required improvements as required by Sections 410.050(8)(a) and*  
88 *410.050(8)(b).*  
89 7) *A completed and executed water main agreement, if the subdivision is to be served by the City*  
90 *of Florissant Water Company, or proof that water lines and hydrants have been or will be*  
91 *installed and maintained by another public utility in conformance with Sections*  
92 *410.050(8)(c)(10) or 410.050(8)(c)(11).*

- 93 d. No final plat shall be placed on the agenda for review by the Planning and Zoning Commission  
94 until all above items have been received by the Director of Public Works. Upon receipt of the  
95 required documentation, the final plat shall be placed upon the next available agenda for  
96 consideration by the Planning and Zoning Commission.
- 97 e. The Planning and Zoning Commission may recommend approval, approval with conditions or  
98 disapproval of the proposed final plat. If the Commission recommends approval with conditions  
99 and the conditions are acceptable to the petitioner, the petitioner shall make any necessary  
100 changes in the final plat and shall resubmit the original and twenty-one (21) copies of the revised  
101 plat to the Director of Public Works for verification that the conditions required have been  
102 incorporated. The date of the revisions shall be shown on the plat. The Commission may require  
103 that the revised final plat be resubmitted for their review, or they may elect to allow the plat to be  
104 presented to the City Council directly after verification of the revisions by the Director of Public  
105 Works.
- 106 f. The recommendation of the Commission shall be noted on the original plat over the signatures of  
107 both the Chairman and the Secretary of the Commission. The original plat shall then be  
108 forwarded to the City Council for their consideration.
- 109 g. Upon the issuance of a recommendation by the Planning and Zoning Commission, the City  
110 Council shall set a public hearing on such final plat provided that the petitioner has deposited  
111 funds with the City Clerk sufficient to cover the anticipated cost of advertising such public  
112 hearing. If no recommendation has been made by the Planning and Zoning Commission within  
113 sixty (60) days of the first (1st) meeting of the Commission to consider such final plat, the  
114 petitioner may request the City Council to set a public hearing on such final plat by filing a  
115 written request thereof with the City Clerk together with any required deposit to cover the  
116 anticipated costs of advertising such public hearing. Upon receipt of such written request and the  
117 deposit for advertising costs, the City Council shall set a public hearing and in the absence of a  
118 recommendation from the Planning and Zoning Commission, the Planning and Zoning  
119 Commission shall be deemed to have made a recommendation of approval.
- 120 h. At least fifteen (15) days' notice of such public hearing shall have been published in a legal  
121 newspaper of general circulation within the City of Florissant giving the time, date, place and  
122 purpose of such hearing, but no public hearing shall be commenced until the petitioner has  
123 provided payment for the notice of publication of such public hearing. If such payment is not  
124 provided by the petitioner within sixty (60) days of submission of a bill thereto, the petition shall  
125 be deemed abandoned and the request for public hearing withdrawn.
- 126 i. Upon enactment of an ordinance approving a final plat, the City Clerk shall certify such  
127 enactment on the face of the original plat and shall return the plat to the petitioner for recording.  
128 Two (2) copies of the final plat, with the book and page where recorded noted thereon, shall be  
129 filed with the City Clerk after recording. No building permits shall be issued for any subdivision  
130 until said two (2) copies of the recorded plat have been filed with the City Clerk."

131  
132 **V. STAFF RECOMMENDATIONS:**

133 The Final Plat was reviewed and approved by the City Engineer as part of the process and  
134 as a condition required for submission of a mylar for recording. Staff recommends the  
135 Subdivision as submitted and any additional requirements the Commission would  
136 entertain regarding this development.

137  
138  
139 **Suggested Motion**

140 I move to recommend approval the final plat as presented, per the **drawings 1 of 2 and 2**  
141 **of 2 dated November 15, 2017 by Cochran.**

142 and recommend that the Final Plat be forwarded for consideration by the City Council.

143 (end report)

