



FLORISSANT CITY COUNCIL AGENDA

City Hall

955 rue St. Francois

Monday, December 8th, 2014

7:30 PM

Karen Goodwin, MMC/MRCC



I. PLEDGE OF ALLEGIANCE

II. ROLL CALL OF MEMBERS

III. APPROVAL OF MINUTES

- Meeting Minutes of December 1st, 2014

IV. PROCLAMATIONS

- Eagle Scout Paul Feldmann

V. HEARING FROM CITIZENS

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

VI. COMMUNICATIONS

VII. PUBLIC HEARINGS

14-12-032 (Ward 4) Application Staff Rpt Plans	Request to rezone for New Halls Ferry Real Estate LLC, the property located at 15275 & 15267 New Halls Ferry Rd. from a B-4 Single Family District to a B-5 Planned Commercial District to allow for a sit down, carry-out restaurant. (Planning and Zoning recommended approval on 11/17/14)	Cary Corbett
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14-12-033 (Ward 6) Application Staff Rpt Plans	Request to amend B-5 ordinance No. 8058 issued to S&H Foods d/b/a Culver's to allow for the addition of a digital sign to an approved monument sign for the property located at 955 N. Hwy 67. (Planning and Zoning recommended approval on 11/17/14)	Mark Wessell
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VIII. OLD BUSINESS

A. SECOND READINGS

9054 Memo	Ordinance amending the Floodplain Management Ordinance.	Council as a whole
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IX. NEW BUSINESS

A. BOARD APPOINTMENTS

B. BILLS FOR FIRST READING

9056 Application Staff Rpt Plans	Ordinance to rezone for Missouri CVS Pharmacy, LLC the property located at 696 & 698 N. Hwy 67 from a B-3 Extensive Commercial District to a B-5 Planned Commercial District to allow for the operation of a 24 hour drive through pharmacy, retail, liquor sales and medical clinic.	Henke
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9057 Application Staff Rpt Plans	Ordinance authorizing an amendment to B-5 ordinance No. 8058 issued to S&H Foods d/b/a Culver's to allow for the addition of a digital sign to an approved monument sign for the property located at 955 N. Hwy 67.	Henke
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E9058 Memo	Ordinance amending Ordinance No. 8059 pertaining to wage range and job classification for full time employees by adding a new job classification of "Civil Engineer 1".	Eagan
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9059 Memo	Ordinance amending Chapter 120 "Boards, Commissions and Committees" Article VII "Youth Advisory Commission" Section 120.340 "Membership-Appointment-Terms by reducing the required age for young members of the commission.	Council as a whole
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XI. COUNCIL ANNOUNCEMENTS

XII. MESSAGE FROM THE MAYOR

XIII. ADJOURNMENT

***HAPPY HOLIDAYS TO ALL FROM YOUR
MAYOR AND CITY COUNCIL!!!***

THIS AGENDA WAS POSTED AT THE FLORISSANT CITY HALL ON DECEMBER 5TH, 2014 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, DECEMBER 8TH, 2014.

CITY OF FLORISSANT



COUNCIL MINUTES

December 1, 2014

The Florissant City Council met in regular session at Florissant City Hall at 955 rue St. Francois on Monday, December 1, 2014 at 7:30 p.m. with Council President Joseph Eagan presiding. The Chair asked everyone in attendance to stand and join in the Pledge of Allegiance.

On Roll Call the following were present: Schildroth, Henke, Schmidt, Hernandez, Lee, Jones, Eagan and Caputa. Councilwoman Pagano was excused. Also present was Mayor Thomas P. Schneider, City Attorney John Hessel and City Clerk Karen Goodwin. A quorum being present the Chair stated that the Council meeting was in session for the transaction of business.

Councilman Schildroth moved to approve the Executive and Meeting Minutes of 11/10/2014, seconded by Jones. Motion carried.

The next item on the Agenda was *Certificates of Appreciation*.

The Mayor presented certificates to those residents in the City who have hosted block parties. This activity is a wonderful way for citizens to get to know their neighbors and ultimately results in safer communities. The Mayor and Council expressed their appreciation to the following residents:

Earl Burgdorf
Diana Sikora
Kevin C. Enz
Gary and Dianne Lehmann
Matt Benning
Jaime Jenkins
Paul and Jen Baxter

The next item on the Agenda was *Hearings from Citizen* of which there were none.

The next item on the Agenda was *Communication*.

1. Letter, dated November 11, 2014 from Terra Troll regarding the current animal regulation codes.
2. Letter, dated November 17, 2014 from Vivian Bernsen regarding the removal of an Ameran UE light pole.

The next item on the agenda was *Public Hearings*.

The City Clerk reported that Public Hearing #14-11-031 to be held this night on a request to rezone for Missouri CVS Pharmacy, LLC, the property located at 696 & 698 N. Hwy. 67 from a B-3 Extensive Commercial District to a B-5 Planned Commercial District to allow for the operation of a 24 hour drive through pharmacy, retail, liquor sales and medical clinic 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.

John King, attorney and Matt Forgarty, civil engineer appeared before the Council as representatives for CVS. The proposed site is located in the Florissant Meadows Shopping Center and is 1.49 acres in size. The 13,225 square foot building will have one drive through and one curb cut (right-in, right-out) off of Lindbergh, with a full access curb-cut off of St. Denis. CVS is asking for permission to be open 24 hours, 7 days a week for both the pharmacy and the retail portions, although they might not start with those hours. There are 60 parking spaces around the site with landscaping plans submitted. In order to address flood plain issues, they are not sure if the store will be open by next year. Mr. Fogarty explained that the medical clinics are installed after the store meets certain criteria, for example the number of prescriptions filled. The entrance to the store will be facing the shopping center.

Being no persons who wished to speak, Councilman Lee moved to close P.H. #14-11-031, seconded by Henke. Motion carried.

Councilman Eagan moved that Bill No. 9048 An Ordinance to authorize a Special Use Permit to JX Restaurants, Inc. d/b/a Lu Lu Chinese Express to allow for the operation of a sit-down, carry-out restaurant for the property located at 8461 N. Lindbergh be read for a second time, seconded by Caputa. Motion carried and Bill No. 9048 was read for a second time.

68 Councilman Lee moved that Bill No. 9048 be read for a third time, seconded by
69 Schmidt. Motion carried and Bill No. 9048 was read for a third and final time and
70 placed upon its passage. Before the final vote all interested persons were given an
71 opportunity to be heard. On roll call the Council voted: Schildroth yes, Henke yes,
72 Pagano absent, Schmidt yes, Hernandez yes, Lee yes, Jones yes, Eagan yes and Caputa
73 yes. Whereupon the Chair declared Bill No. 9048 to have passed and said Bill became
74 Ordinance No. 8096.

75 Councilman Eagan moved to accept Substitute Bill 9049 An Ordinance to
76 authorize a Special Use Permit to Avi Khemlani d/b/a Jimmy John's to allow for the
77 operation of a sit-down, carry-out and drive through restaurant for the property located
78 at 370 N. Highway 67, seconded by Schmidt. Motion carried. Councilman Eagan
79 moved that Substitute Bill 9049 be read for a second time, seconded by Schmidt.
80 Motion carried and Substitute Bill 9049 was read for a second time.

81 Councilman Schildroth moved that Substitute Bill 9049 be read for a third time,
82 seconded by Jones. Councilman Hernandez stated that he would not be supporting this
83 Bill because he did not approve of the stained black brick. Councilman Eagan stated the
84 owner of the building was not painting the brick, but was using stained brick. He would
85 be supporting the Bill. Motion carried and Substitute Bill 9049 was read for a third and
86 final time and placed upon its passage. Before the final vote all interested persons were
87 given an opportunity to be heard. Kevin O'Donnell, 512 Rancho Lane, stated that he
88 felt this bill violated the masonry ordinance.

89 On roll call the Council voted: Schildroth yes, Henke yes, Pagano absent,
90 Schmidt yes, Hernandez no, Lee yes, Jones yes, Eagan yes and Caputa yes.
91 Whereupon the Chair declared Substitute Bill 9049 to have passed and said Bill became
92 Ordinance No. 8097.

93 Councilman Lee moved that Bill No. 9050 An Ordinance providing for boundary
94 adjustment between St. Louis County and the City of Florissant be read for a second
95 time, seconded by Schmidt. Motion carried and Bill No. 9050 was read for a second
96 time.

97 Councilman Schildroth moved that Bill No. 9050 be read for a third time,
98 seconded by Hernandez. Motion carried and Bill No. 9050 was read for a third and final

time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard. On roll call the Council voted: Schildroth yes, Henke yes, Pagano absent, Schmidt yes, Hernandez yes, Lee yes, Jones yes, Eagan yes and Caputa yes. Whereupon the Chair declared Bill No. 9050 to have passed and said Bill became Ordinance No. 8098.

Councilman Lee moved that Bill No. 9051 An Ordinance repealing Ordinance No. 7930 and authorizing the Mayor of the City of Florissant to enter into a contract with the law firm of Lewis, Rice & Fingersh represented by John M. Hessel for legal services for the City of Florissant commencing on December 1, 2014 and ending on November 30, 2016 be read for a second time, seconded by Caputa. Motion carried and Bill No. 9051 was read for a second time.

Councilman Jones moved that Bill No. 9051 be read for a third time, seconded by Henke. Motion carried and Bill No. 9051 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard. On roll call the Council voted: Schildroth yes, Henke yes, Pagano absent, Schmidt yes, Hernandez yes, Lee yes, Jones yes, Eagan yes and Caputa yes. Whereupon the Chair declared Bill No. 9051 to have passed and said Bill became Ordinance No. 8099.

The next item on the agenda was *Board Appointments* of which there were none.

Council as a Whole introduced Bill No. 9054 An Ordinance amending the floodplain management ordinance and said Bill was read for the first time by title only.

Council as a Whole introduced Bill No. 9055 An Ordinance authorizing the Mayor of the City of Florissant to enter into a program agreement for federal funding for Project Number BRM-5595(616) known as the St. Anthony Lane Bridge Project and said Bill was read for the first time. Councilman Schildroth moved that Bill No. 9055 be read for a second time, seconded by Schmidt. Motion carried and Bill No. 9055 was read for a second time. Councilman Henke moved that Bill No. 9055 be read for a third time, seconded by Hernandez. On roll call the Council voted: Schildroth yes, Henke yes, Pagano absent, Schmidt yes, Hernandez yes, Lee yes, Jones yes, Eagan yes and Caputa yes. Having received the unanimous vote of all members present Bill No. 9055 was read for the third and final time and placed upon its passage.

Before the final vote all other interested persons were given an opportunity to be heard. Being no persons who wished to be heard, on roll call the Council voted: Schildroth yes, Henke yes, Pagano absent, Schmidt yes, Hernandez yes, Lee yes, Jones yes, Eagan yes and Caputa yes. Whereupon the Chair declared Bill No. 9055 to have passed and said Bill became Ordinance No. 8100.

Councilman Eagan moved to cancel the City Council Meeting of December 22, seconded by Caputa. Motion carried.

The next item on the Agenda was Council Announcements. Councilman Jones stated the car wash on Lindbergh had broken ground. He thanked Pirrone's Pizza for sending pizzas to the first responders. He also thanked the police officers and firefighters for their efforts in keeping everyone safe.

Councilman Schildroth agreed with Councilman Jones's statements and specifically thanked Chief Lowery and the Florissant Police Department for their dedication. He also thanked the residents of Cades Cove who recently hosted a block party.

Councilman Lee stated that he will be hosting a ward meeting on December 4th at both 11 a.m. and 7 p.m. at the JFK Center.

Councilman Eagan cautioned residents about vehicles that are stolen when being warmed up.

The next item on the Agenda was Mayor Announcements.

The Mayor thanked Chief Lowery and the Florissant Police Department for their dedication and professionalism in protecting the City. December 5th there will be a winter blood drive from 10 a.m. until 7 p.m. at the Eagan Center. Jennifer Tomason, *Stems Florist*, has been selected as one of 70 to decorate the White House in Washington D.C. Project Liftoff will be held this weekend at the Eagan Center. From 2-5 this Saturday, Santa will be arriving at City Hall. Along with face painting, there will be cookie decorating and other children activities. The tree lighting at City Hall will be at 5 p.m. Letters to Santa can be sent to the JFK Center. There will be a winter break camp during the holidays sponsored by the City's Parks Department as well as a snowman building contest. There will be a Christmas House Decorating Contest and applications can be picked up at the JJE or JFK Centers. Several Holiday and nature

activities will be held at the Nature Lodge at Sunset Park. He thanked the North County Christian School for providing meals to those in Haiti. On Nov. 18, there was a Mass at the Shrine honoring St. Rose Philippine Duchesne and at 6:30 a plaque for Rosemary Davison was installed on the "Walk of History" on rue St. Francois.

The next City Council Meeting is scheduled for December 8, 2014 at 7:30 pm.

Councilman Schildroth moved to adjourn the meeting, seconded by Henke. Motion carried. The meeting was adjourned at 8:07 p.m.

Karen Goodwin, City Clerk

The following Bills were signed by the Mayor:

Bill No. 9048	Ord. No. 8096
SBill No. 9049	Ord. No. 8097
Bill No. 9050	Ord. No. 8098
Bill No. 9051	Ord. No. 8099
Bill No. 9055	Ord. No. 8100

**** It was noted for the record that this meeting was held to replace the regularly scheduled meeting of November 24, 2014 which had been cancelled.**

WHEREAS: The Scouting movement was established in February 1910. Throughout these 97 years, the Boy Scouts of America have instilled devotion to God and Country in the young men of our Nation; and

WHEREAS: The ranks of Scouting have offered the young men of America the opportunity to learn and to demonstrate the qualities of leadership; and

WHEREAS: Paul Feldmann began his is scouting career in 2001 At Russell Elementary; and

WHEREAS: For Paul's Eagle Scout Project, he recruited and organized his fellow scouts and friends to construct a stone border around the St. Ferdinand Church electronic sign on Charbonier Road in Florissant, Missouri. In addition, Paul designed and organized the plantings around the sign inside of the stone border; and

WHEREAS: Paul was proud to beautify his neighborhood parish grounds, even though he is not a member of this parish. Paul has had the opportunity to participate with the athletic association of this parish as a team player. In addition he has volunteered countless hours with a charity basketball tournament for the past four; and

WHEREAS: This project could never have been accomplished without the assistance and generosity of many organizations within the parish as well as "Landworks, Inc." and "Waldbart & Sons Nursery". This project was completed in June 2012; and

WHEREAS: On November 29, 2014 Paul Feldmann was presented his Eagle Scout Badge at his Eagle Court of Honor. At this event the Eagle Scout Four Winds Ceremonial Team led the ceremony along with Dr. Kevin McClain as the Master of Ceremonies, Mr. Chuck Woods as the Eagle Presented and the Rev. Dr. Mark P Bangert (Paul's Grandfather) as the efficient.

NOW, THEREFORE, I, Thomas P. Schneider., MAYOR OF THE CITY OF FLORISSANT, MISSOURI, do hereby recognize and congratulate Paul Feldmann on this outstanding achievement and urge all the youth in the City of Florissant to undertake and achieve similar goals.



CITY OF FLORISSANT

PUBLIC HEARING NOTICE

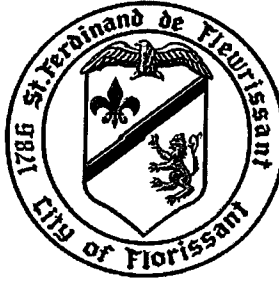
A Public Hearing will be held by the Florissant City Council in the Council Chambers, 955 rue St. Francois, Florissant, MO., on Monday, December 8, 2014 at 7:30 p.m. on the following proposition, to-wit:

To rezone for New Halls Ferry Real Estate, LLC the property located at 15275 & 15267 New Halls Ferry Rd. from a B-4 Single Family District to a B-5 Planned Commercial District to allow for a sit-down, carry-out restaurant.

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.

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant – Public Works
314-839-7648

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

Please Print or Type The Following Information

Property Address: 15275 & 15267 New Halls Ferry Road

Property Owners Name: Wedgewood Bath & Tennis Club, The New Wedegwood Bath and Tennis Club Phone #: _____

Property Owners Address: P.O. Box 762, Florissant, MO 63032

Business Owners Name: New Halls Ferry Real Estate, LLC Phone #: 314-605-4757

Business Owners Address: 1346 Fairmount Ct., St. Louis, MO 63139

DBA (Doing Business As) _____

Authorized Agents Name: Thomas Realty Group, LLC CO. Name: Tom Palitzsch
(Authorized Agent to Appear Before The Commission)

Agents Address: 300 S. Second Street, St. Charles, MO 63301 Phone #: 314-298-1234

Request Approval to rezone property from R4 to B5 and approval of a preliminary development plan.

State complete request (print or type only). _____

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

Applicant's Signature _____

Date 10/26/2014

Received by: lt

Receipt # 582404

OFFICE USE ONLY

Amount Paid: 125.00

Date: 11/3/14

STAFF REMARKS: _____

DATE APPLICATION REVIEWED: _____

COMMISSION ACTION TAKEN: _____

SIGNATURE OF STAFF WHO REVIEWED APPLICATION _____

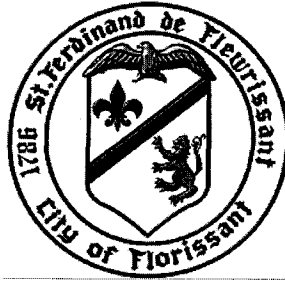
Planning & Zoning Application
Page 1 of 1 – Revised 9/28/10

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

SIGN. Paul Stoltz

DATE: 11-17-2014

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



PLANNING & ZONING ACTION:

Address of Property:

15275 & 15267 New Halls Ferry Road

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

Council Ward _____ Zoning _____

SIGN.

Paul Stou

DATE: 11-17-2014

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

PETITION FOR A B-5 RE-ZONING:

1) Comes Now New Halls Ferry Real Estate, 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 Purchaser

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 5.001 AC
2. The petitioner(s) hereby further state(s) that the property herein described in this petition is presently zoned in a R4 District and is presently being used for: vacant bath and tennis club

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

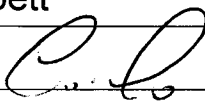
3. The petitioner(s) hereby state(s) the following purpose to justify the re-zoning to a B-5:
Allow for redevelopment of property and allow for multiple uses which may include restaurant, retail, etc.

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 Cary Corbett

Print Name

PETITIONER(S) SIGNATURE (S)  member

FOR New Halls Ferry Real Estate, LLC

(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.
- (X) 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

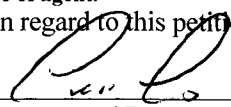
SIGNATURE 

ADDRESS 300 S. Second St St. Charles MO 63301

STREET CITY STATE ZIP CODE

TELEPHONE NUMBER 314-298-1234

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

 CARY CORBETT
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 Cary Corbett, Bill Jennings
- (2) Telephone numbers 314-605-4757
- (3) Business address 1346 Fairmount Ct., St. Louis, MO 63139
- (4) State of corporation & a photocopy of incorporation papers Missouri
- (5) Date of corporation 6/17/14
- (6) Missouri Corporate Number LC1410311
- (7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration.
- (8) Name in which business is operated _____
- (9) 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 New Halls Ferry Real Estate, LLC

Address 1346 Fairmount Ct., St. Louis, MO 63139

Property Owner Wedgewood Bath & Tennis Club, The New Wedgewood Bath and Tennis Club

Location of property 15275 & 15267 New Halls Ferry Road

Dimensions of property 5.001 AC

Current Use of Property vacant

Proposed Use of Property retail/restaurant

Type of Sign monument Height _____

Type of Construction _____ Number Of Stories 1

Square Footage of Building 2,400 sf Number of Curb Cuts 1

Number of Parking Spaces _____ Sidewalk Length approximately 55 ft

Landscaping: No. of Trees see attached landscape plan Diameter _____

No. of Shrubs _____ Size _____

Fence: Type vinyl Length 225 ft Height 6 ft

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.

Part of Lot 4 of the Elisha Patterson Estate partition situated in part of U.S. Survey 105 and fractional sections 11 and 14, T47N, R6E, of the Fifth Principal Meridian, City of Florissant, St. Louis County, MO.

* See attached survey

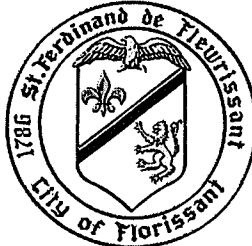
PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION

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

* See attached ALTA Survey and Preliminary Development Plan.

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MEMORANDUM



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CITY OF FLORISSANT

9 To: Planning and Zoning Commissioners Date: November 13, 2014
10
11 From: Philip E. Lum, AIA-Building Commissioner cc: Louis B. Jearls, Jr.- P.E.
12 Director of Public Works,
13 Tim Barrett, P.E.,
14 City Engineer
15 Applicant,
16 File
17
18 Subject: Request recommended approval to rezone to a B-5 to allow a sit-down,
19 carryout restaurant (Imo's) at 15275 and 15267 New Halls Ferry in an
20 existing 'R-4' Zoning District.
21

22
23
24

STAFF REPORT
CASE NUMBER PZ-111714-2

25
26

I. PROJECT DESCRIPTION:

27 This is a request for recommended approval to rezone to a **B-5 to allow a sit-down,**
28 **carryout restaurant (Imo's) at 15275 and 15267 New Halls Ferry** in an existing
29 'R-4' Zoning District
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31
32

II. EXISTING SITE CONDITIONS:

33 The existing addresses at **15275 and 15267 New Halls Ferry** have been vacant for
34 approximately the last 3 years as the former Wedgewood Bath and Tennis Club.
35

36 The structures existing on the site would be removed for the new development.
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38
39

III. SURROUNDING PROPERTIES:

The properties adjacent and to the North are to remain in an 'R-4' District. The addresses adjacent are 5, 6, 7 & 8 Weymouth Ct. and 603 Shadow Rock Dr.

IV. STAFF ANALYSIS:

The application is accompanied by professionally completed plans sealed and signed Alta Survey 1 and 2 of 2 dated 10/7/14, Sheets A100 and A200 dated 11/12/14. Preliminary Development Plan 1, 2 and 3 of 3 dated October 2014.

The following are staff comments:

Consolidation Plan or Subdivision Process: Since there are 2 properties this plan, if the re-zoning occurs, either a 2-Lot Boundary Adjustment must be submitted to the City Engineer for approval or the applicant appears to be setting up a separate common ground lot for the stormwater detention area and thus should be applying for a Major Subdivision into 3 parcels. Whichever process is to be proposed, can occur simultaneously and as contingent to the re-zoning.

Sheet 1 and 2 of the ALTA Survey Comments:

1. Site plan indicates site conditions, sign, pool, building and parking structures.

Sheet 1 of 3 Preliminary Development Plan Comments:

1. The size of the overall development is 5 acres.
2. The lot size shown for the IMO's is 0.87 acres.
3. The new building is shown out of the flood zone 'x'.
4. Landscape calculation table meets City requirements for minimum landscaping.
5. Greenspace minimums for less than 1 acre is not required per 405.245 para. 9.
6. Trash enclosure is noted to be masonry.
7. Note 22 indicates that irrigation of landscape will be installed.
8. A 6' vinyl privacy screen is shown along the north property line, and includes detail of the fence.
9. 32 parking spaces are shown with accessible parking. The new parking ordinance only allows for 110% of the maximum number required, therefore a maximum of 12 seating are anticipated on the patio.
10. Parking compliance and screening compliance is indicated in a note by the engineer's seal.
11. There is a monument sign shown near the front of the new parking lot, no details given.

Sheet 2 of 3 Comments:

1. Lighting photometric plan and details shown.
2. Dumpster enclosure details shown.
3. A metal fence is shown for division of paving from outdoor sidewalk areas.

Sheet 3 of 3 Cross Sections Comments:

4. Plan indicates topographic, traffic flow and building height information.

Sheet A100 Comments:

12. The plan indicates 48 seats, a maximum of 12 seating are anticipated on the patio.

86
87
88
89 **Sheet A200 Comments:**

- 90 1. The building is shown to be constructed of walls using all brick, however the
91 lower 3 courses appear to be block, inconsistent with masonry ordinance, unless
92 this material is natural cut stone.
93 2. The trim are not indicated as to what material, stone, EIFS or metal coping (cap
94 metal).
95 3. The windows are topped with canopies that form "marquee signs" as defined in
96 the sign code. There is no limitation on size of marquee signs.
97 a. "SECTION 520.100: MARQUEES AND MARQUEE SIGNS
98 *No marquee or marquee sign shall be erected which does not comply with*
99 *this Article and any other requirements of this Code or any other*
100 *ordinances of the City. Marquees and marquee signs may extend to a*
101 *point two (2) feet back of the curb line, but no such marquee or sign shall*
102 *be less than eleven (11) feet in the clear above the level of the sidewalk at*
103 *its lowest level. There may be placed thereon an illuminated sign which*
104 *may extend the entire length and width of the marquee, provided such sign*
105 *does not extend more than nine (9) feet above nor one (1) foot below such*
106 *marquee. Under no circumstances shall the sign or signs have a vertical*
107 *width greater than nine (9) feet. No additional sign shall be attached to a*
108 *marquee. (Code 1980 §23-10; CC 1990 §5-200)"*
109 4. Interesting brick dentils appear to give the building a period look.
110
111

112 **VI. STAFF RECOMMENDATIONS:**

113
114 See attached suggested motion.
115
116

(end report)

1 **November 13, 2014 Suggested Motion** for recommended approval to rezone to a B-5
2 to allow a sit-down, carryout restaurant (**Imo's**) at **15275 and 15267 New Halls Ferry** in
3 an existing 'R-4' Zoning District.:

4
5 I move to recommend approval to rezone to a B-5 to allow a sit-down, carryout restaurant
6 (**Imo's**) at **15275 and 15267 New Halls Ferry** in an existing 'R-4' Zoning District,
7 according to plans presented by the petitioner, including:

8
9 Drawings Sheets A100 and A200 dated 11/12/14. Preliminary Development Plan 1, 2 and
10 3 of 3 dated October 2014, depicting the development, subject to the regulations of the B-
11 5 "Planned Commercial District", and the following additional requirements:

12
13 **1. PERMITTED USES**

14 The uses permitted for this property shall be limited to a sit-down, carryout
15 restaurant and other uses listed as permitted uses in the B-3 Extensive
16 Business District. Other uses shall require approval by amendment to this B-5
17 Ordinance.

18
19 **2. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS**

20 The total gross floor area of the retail center shall not exceed 9100 square feet.

21
22 **3. PERFORMANCE STANDARDS**

23 The uses within the B-5 Planned Commercial District identified herein shall
24 conform to the most restrictive performance standards as set forth in Section
25 405.135H of the Florissant Zoning Ordinance.

26
27 **4. TRASH ENCLOSURES**

28 Trash shall be kept within the area as shown on drawing **Preliminary**
29 **Development Plan 1 dated 10/2014**, attached.

30
31 **5. PLAN SUBMITTAL REQUIREMENTS**

32 Final Development Plan shall be submitted to the Building Commissioner
33 and shall include improvements as shown on drawing plans as listed above
34 and shall be indicated on the Final Development Plan.

35
36 **6. SITE DEVELOPMENT PLAN CRITERIA:**

37
38 **a. Structure Setbacks:**

39 (1) All setbacks shall be as shown on drawing **Preliminary Development**
40 **Plan 1 of 3 dated 10/2014**, attached.

41
42 **b. Internal Drives:**

43 (1) There shall be internal drives as shown on **Preliminary Development**
44 **Plan 1 of 3 dated 10/2014**, attached.

46 c. Minimum Parking/Loading Space Requirements.

- 47 (1) There shall be **32 required parking spaces** provided on the property,
48 **minimum 180 s.f.** , which includes accessible spaces.
49

50 d. Road Improvements, Access and Sidewalks

- 51 (1) There shall be new sidewalks and curb ramps provided as shown on
52 **Preliminary Development Plan 1 of 3 dated 10/2014**, attached.
53

54 e. Lighting Requirements.

- 55
56 (1) Location of lighting standards shall be as shown on **Preliminary**
57 **Development Plan 2 of 3, attached.**
58

59 f. Sign Requirements.

- 60
61 (1) **There shall be one monument sign as shown on Preliminary**
62 **Development Plan 1 of 3, dated 10/2014 attached.**
63

- 64 (2) All other signage shall comply with the City of Florissant sign
65 ordinance for commercial districts.
66

67 g. Landscaping and Fencing.

- 68
69 (1) Landscaping provided shall be as shown on **Preliminary**
70 **Development Plan 1 of 3, dated 10/2014**, attached.
71

72 h. Miscellaneous Design Criteria.

- 73 (1) All applicable parking, circulation, sidewalks, and all other site design
74 features shall comply with the Florissant City Code.
75

- 76 (2) **The façades of the building shall be clay fired brick or natural**
77 **stone, meeting the masonry ordinance of the City, 500.040.**
78

- 79 (3) **Pipe bollards @ 5' o.c. shall be included to protect outdoor seating**
80

- 81 i. Off-Street Loading Regulations. The off-street loading facilities required with
82 respect to the establishment shall comply with section 405.135 of the City Code.
83

84 **7. FINAL SITE DEVELOPMENT PLAN**

85 The Final Development Plan shall be submitted to the Building
86 Commissioner to review for compliance with the applicable "B-5"
87 Planned Commercial Development ordinance prior to recording. Any
88 variations from this ordinance approved by the City Council and/or the
89 conceptual plans attached to this ordinance shall be processed in
90 accordance with the procedure established in the Florissant Zoning Code.
91

Permittee shall file for record with the St. Louis County Recorder of Deeds a copy of this ordinance; the Permit shall not be effective until Permittee shall have submitted proof of such filing and submitted to the City Engineer a written acknowledgment and acceptance of the conditions specified herein.

8. AMENDMENTS TO THE SITE AND EXTERIOR BUILDING PLANS:

Any changes from the approved Site Development Plan 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:

To amend the site development plan or site development concept plan approved for the "B-5" Planned Commercial District:

a. Submission/initial review regarding consistency requirement. The property owner or authorized representative may submit an amended site development (concept) plan to the Building Commissioner for review. The Building Commissioner shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally or previously advertised for public hearing, with conditions of the pertinent existing Planned Commercial District ordinance and with any previously approved site development plans. If the submission of the amended site development plan is necessitated by the enactment of an amended Planned Commercial District ordinance hereunder, the changes sought shall be deemed major and shall require a review thereof by the Planning and Zoning Commission.

b. Initial determination of non-consistency. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is not consistent in purpose and content with the nature of the proposal as originally or previously advertised for public hearing or does not meet all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall so report to the applicant and the Planning and Zoning Commission. If the applicant wishes to proceed with such proposed amendment, such applicant may elect to thereafter proceed in accordance with the provisions of this Section.

c. Initial determination of consistency/minor changes. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is minor in nature and is not in conflict with the nature of the proposal as originally or previously advertised for public hearing and meets all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall notify the Planning and Zoning Commission thereof and may conditionally approve such proposed amendment, which approval shall

138 be deemed ratified by the Planning and Zoning Commission unless
139 five (5) or more members thereof thereafter request at the first (1st)
140 regularly scheduled and conducted meeting after notification that such
141 proposed amendment be submitted to the Planning and Zoning
142 Commission for review. In lieu of a grant of conditional approval, the
143 Building Commissioner or designated representative may submit the
144 proposed amendment to the Planning and Zoning Commission for
145 review. In case of disapproval of the proposed amendment by the
146 Building Commissioner, the applicant shall be notified and may
147 thereafter request review thereof by the Planning and Zoning
148 Commission.
149

150 d. Initial determination of consistency/major changes. If the Building
151 Commissioner determines that the proposed amendment to the
152 previously approved site plan is major in nature, but it is not in conflict
153 with the nature of the proposal as originally or previously advertised
154 for public hearing and meets all of the conditions of the pertinent
155 Planned Commercial District ordinance, the Building Commissioner
156 shall notify the Planning and Zoning Commission thereof and shall
157 submit the proposed amendment to the Planning and Zoning
158 Commission for review.
159

160 **9. GENERAL DEVELOPMENT CONDITIONS.**

- 161 a. Written approval and all necessary permits must be obtained from Metropolitan
162 St. Louis Sewer District, Missouri Department of Transportation, Missouri
163 Department of Natural Resources and the Army Corps of Engineers in addition to
164 obtaining all the permits required by the City of Florissant.
- 165 b. Unless, and except to the extent, otherwise specifically provided in this ordinance,
166 development shall be effected only in accordance with all ordinances of the City
167 of Florissant.
- 168 c. The Department of Public Works shall enforce the conditions of this ordinance in
169 accordance with the Final Development Plan approved by the Planning & Zoning
170 Commission and all other ordinances of the City of Florissant.
- 171 d. **Subject to approval of a Major Subdivision (for 3-lots) per Section 410.020 of**
172 **the City Code or Boundary Adjustment procedure (for 2-lots) for the parcels**
173 **indicated on the Site Development Plan.**


174 **10. PROJECT COMPLETION.**

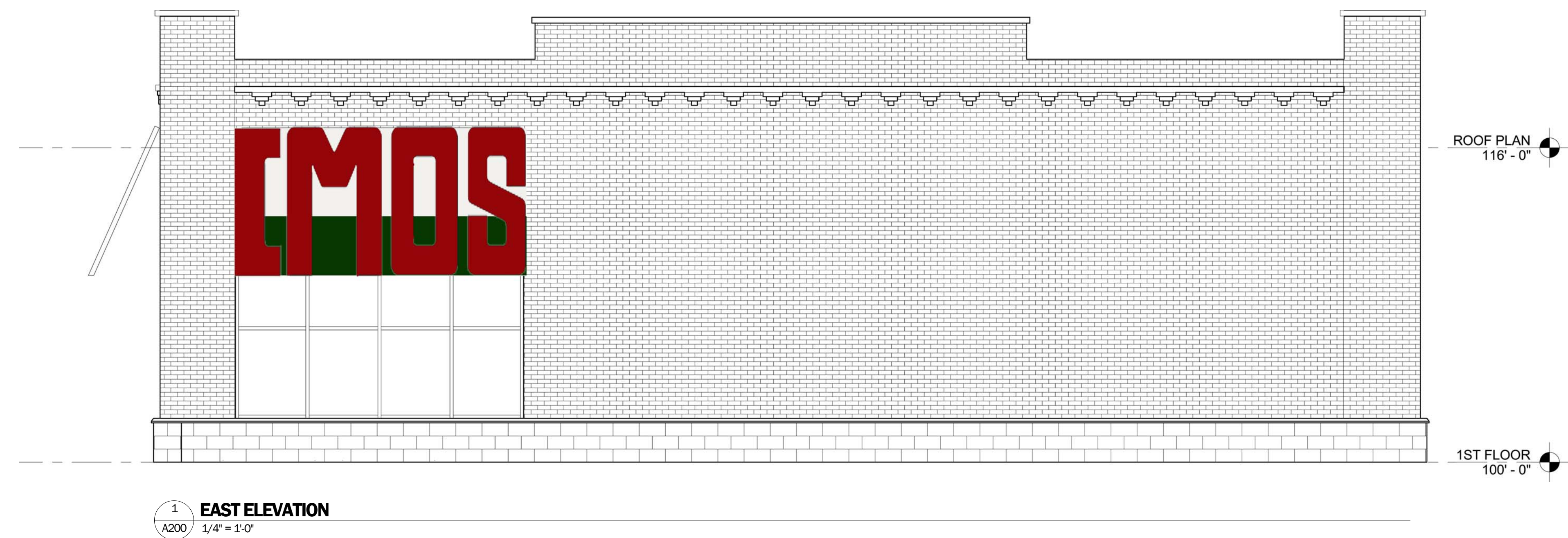
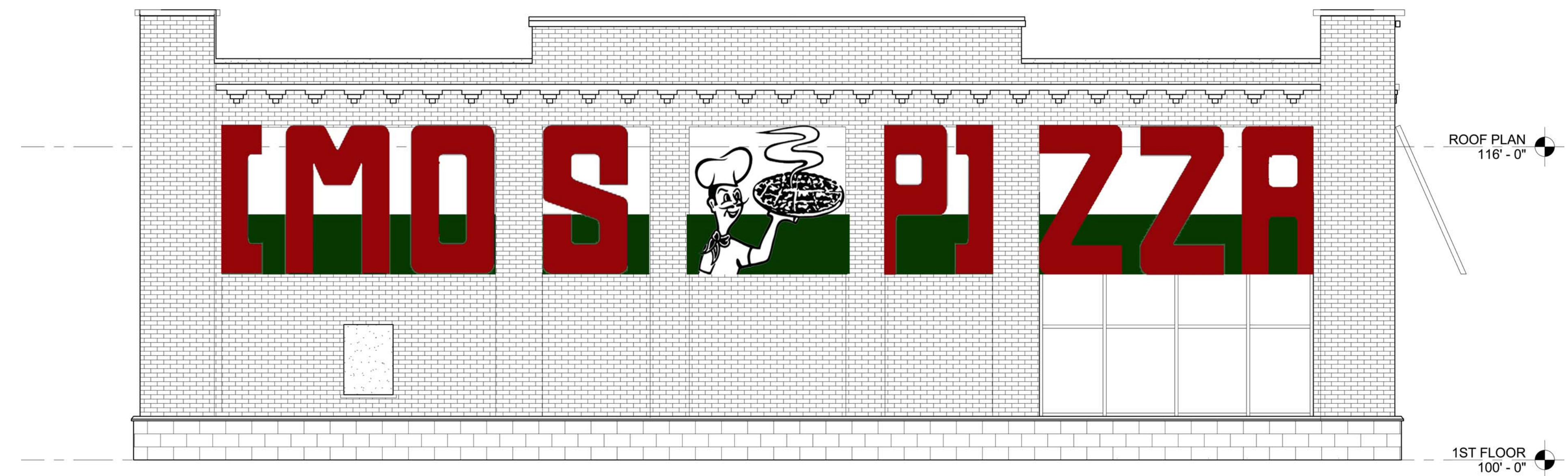
175

176 Construction shall start within 120 days of the issuance of building permits for
177 the project and shall be developed in accordance of the approved final
178 development plan within 360 days of start of construction.
179

180 (End of suggested motion November 13, 2014)



		
RATAJ-KRUEGER ARCHITECTS, INC. 10777 Sunset Office Dr., Ste. 300, Sunset Hills, MO 63127 (314) 822-4007 www.rkai.net (314) 822-3839 f		
STATE OF MISSOURI CERTIFICATE OF AUTHORITY # A - 2013038641		
NOT FOR CONSTRUCTION		
KURTIS ROY KRUEGER NUMBER A - 6259 I hereby specify, pursuant to RSMo 327.411, this drawing sheet is authenticated by my seal.		
IMO'S FLORISSANT		
SCHEMATIC DESIGN		
MARK	DATE	DESCRIPTION
THIS SHEET IS PART OF A COMPLETE SET. REFER TO GENERAL NOTES FOR COMPLETE LIST OF DOCUMENTS. SHEET SIZE 30 X 42		
RKAI PROJECT NO.:		14159
ISSUE DATE:		11/12/2014
SHEET NAME: FLOOR PLAN		
SHEET NO. A100		
© 2014 RKAI		



**NOT FOR
CONSTRUCTION**

KURTIS ROY KRUEGER
NUMBER A - 6259

I hereby specify, pursuant to RSMo 327.411,
this drawing sheet is authenticated by my seal.

IMO'S FLORISSANT

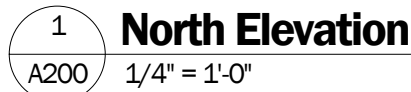
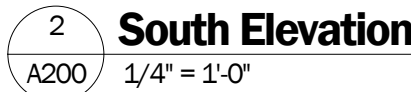
[illegible]

THIS SHEET IS PART OF A COMPLETE SET. REFER
TO GENERAL NOTES FOR COMPLETE LIST OF
DOCUMENTS. SHEET SIZE 30 X 42

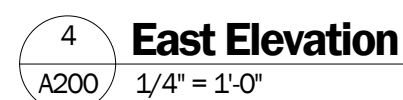
PKAI PROJECT NO.:	14159
ISSUE DATE:	11/12/2014

SHEET NAME:
EXTERIOR ELEVATIONS

SHEET NO.
A200
© 2014 RKAI



West Elevation



CITY OF FLORISSANT



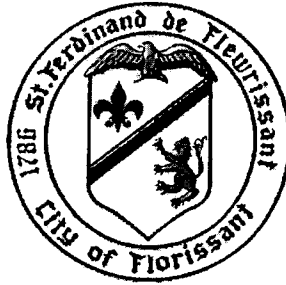
PUBLIC HEARING NOTICE

Notice is hereby given in accordance with Section 405.135 of the Florissant City Code, the Zoning Ordinance, as amended, that a Public Hearing will be held by the City Council of the City of Florissant, St. Louis County, Missouri, in the Council Chambers, 955 rue St. Francois, on Monday, December 8, 2014 at 7:30 P.M. on the following proposition, to wit:

To issue an amendment to B-5 Ordinance No. 8058 to allow for the addition of a digital sign to an approved monument sign for the property located at 955 N. Hwy. 67 (legal description to govern). Citizens and parties of interest will have the opportunity to be heard at said public hearing. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

Karen Goodwin, MMC City Clerk.

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant – Public Works
314-839-7648

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

Please Print or Type The Following Information

Property Address: 955 Lindbergh Blvd Florissant, MO 63031

Property Owners Name: Beres Foods Phone #: 414-640-7533

Property Owners Address: 1650 E. Main Street Waukesha, WI 53189

Business Owners Name: Gary Beres Phone #: 414-640-7533

Business Owners Address: 1650 E. Main Street Waukesha, WI 53189

DBA (Doing Business As) Beres Foods

Authorized Agents Name: Mark Wessell CO. Name: Springfield Sign and Neon
(Authorized Agent to Appear Before The Commission)

Agents Address: 2531 N. Patterson Springfield, MO 65803 Phone #: 417-862-2454

Request UPDATE DEVELOPMENT PLAN TO CORRECT

MONUMENT SIGN PER ATTACHMENTS

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

11-3-14
Date

Received by: CB

Receipt # 582434

OFFICE USE ONLY

Amount Paid: 125.00

Date: 11/5/14

STAFF REMARKS: _____

COMMISSION ACTION TAKEN: _____

DATE APPLICATION REVIEWED: _____

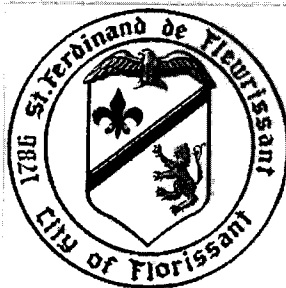
SIGNATURE OF STAFF WHO REVIEWED APPLICATION

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

SIGN. [Signature]

DATE: 11-17-2014

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



PLANNING & ZONING ACTION:

Address of Property:

955 Lindbergh Blvd

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

Council Ward _____ Zoning _____

SIGN.

DATE: 11-17-2014

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

PETITION TO AMEND B-5 ORDINANCE # 8058

Enter ordinance number or number requesting to amend.

1) Comes Now Mark Wessell

Springfield Sign & Graphics, Inc dba Springfield Sign & Neon

(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 Gary Beres, owner LOH attached

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 1.17 Ac.
2. The petitioner(s) hereby further state(s) that the property herein described in this petition is presently zoned in
a B-5 District and is presently being used for operation of Culver's Restaraunt

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

3. The petitioner(s) hereby state(s) the following reasons to justify the amendment to the existing B-5 ordinance:

Correction of development plan to include monument

sign with electronic message board per attachment.

List reason for the amendment request.

4. The petitioner(s) further states(s) that they (he) (she) can comply with all of the requirements of the City of Florissant, including setback lines and off-street parking.

5. The petitioner(s) further state(s) that they (he) (she) further represent(s) and warrants that they (he) (she) has (have) not made any arrangement to pay any commission, gratuity or consideration, directly or indirectly, to any official employee or appointee of the City of Florissant, with respect to this application.

PRINT PETITIONER'S NAME Mark Wessell

Print Name

PETITIONER(S) SIGNATURE (S) [Signature]

FOR Gary Beres

(company, corporation, partnership)

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

6. I (we) hereby certify that (indicate one of the following):

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

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

SIGNATURE _____

ADDRESS _____

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: ☐

(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 Gary Beres and Jill Beres
- (2) Telephone numbers 414-640-7533
- (3) Business address 1650 E. Main St. Waukesha, WI 53189
- (4) Name under which business is operated Beres Foods, LLC
- (5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(c) If a corporation:

- (1) Names & addresses of all partners _____
- (2) Telephone numbers _____
- (3) Business address _____
- (4) State of Incorporation & a photocopy of incorporation papers _____
- (5) Date of Incorporation _____
- (6) Missouri Corporate Number _____
- (7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration.
- (8) Name in which business is operated _____
- (9) 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 Mark Wessell

Address 2531 N. Patterson Springfield, MO 65803

Property Owner Gary Beres

Location of property 955 Lindbergh Blvd Florissant, MO 63031

Dimensions of property see attached site plan

Property is presently zoned B-5 per ordinance # 8058

Current & Proposed Use of Property Culver's Restaraunt

Type of Sign Free-standing monument per attached art Height 9'7"

Type of Construction _____ Number Of Stories _____

Square Footage of Building _____ Number of Curb Cuts _____

Number of Parking Spaces _____ Sidewalk Length _____

Landscaping: No. of Trees _____ Diameter _____

No. of Shrubs _____ Size _____

Fence: Type _____ Length _____ Height _____

PLEASE SUBMIT 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.

St. Ferdinand Commons Bldg.
Pks. 96 and 97

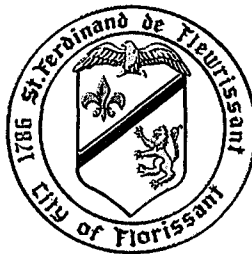
PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION

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

reference attached site plan

1

MEMORANDUM



2

3

4

CITY OF FLORISSANT

5 To: Planning and Zoning Commissioners Date: November 12, 2014

6

7 From: Philip E. Lum, AIA-Building Commissioner c: Louis B. Jearls, Jr. P.E.-

8 Director of Public Works

9 Applicant

10 File

11

12 Subject: **955 N. Hwy 67 (Culver's) – Request recommended approval to amend**

13 **conditions** of an existing B-5, Ordinance 8058, to allow for the addition of

14 a digital sign to an approved monument sign.

15

16

STAFF REPORT

17

PZ 111714-3

18

19

I. PROJECT DESCRIPTION:

20

21 This is request for recommended approval to amend conditions of an existing B-5,

22 Ordinance 8058, to allow for the addition of a digital sign to an approved monument sign.

23

24 Under the Zoning Code, Section 405.135, minor changes to a previously recorded

25 development plan may be approved without a public hearing if the Building

26 Commissioner deems the changes to be minor in nature and is ratified by P&Z, the

27 Building Commissioner submits the proposed amendment to P&Z for review and

28 approval by motion to ratify conditional approval by staff. The proposed project consists

29 of relocation of a post sign and a monument sign.

30

31 Excerpt from Zoning Code, section 405.135. para. L1:

32 "L. Procedure For Amendment Of Conditions Or Plans. In order to amend the provisions of an

33 existing "B-5" Planned Commercial District ordinance or to amend the recorded site development plan,

34 site development concept plan or site development section plan approved for the "B-5" Planned

35 Commercial District, the procedure shall be as follows:

36 1. To amend the "B-5" District ordinance.

37 a. Submission/advisory determination regarding necessity for public hearing. The

38 property owner or authorized representative may submit a written request to amend ordinance conditions

39 to the Building Commissioner for review. The Building Commissioner shall evaluate the request for

40 consistency in purpose and content with the nature of the proposal as originally or previously advertised

41 for public hearing and shall make an advisory determination regarding the necessity of public hearing.

b. *Determination of necessity for public hearing. If the Building Commissioner determines that the requested amendment is not consistent in purpose and content with the nature of the proposal as originally or previously advertised for public hearing, the Building Commissioner or designated representative shall so report to the applicant and the Planning and Zoning Commission. In such event, if the applicant wishes to proceed with its request to amend ordinance conditions, further action with respect thereto shall be required to be in accordance with the provisions of this Section and shall require a new public hearing by the City Council before enactment of any ordinance amending conditions of the existing ordinance.*

c. *Advisory determination of non-necessity for public hearing/Planning and Zoning Commission action and determinations.*

(1) *If the Building Commissioner or designated representative determines that the requested amendment is consistent in purpose and content with the nature of the proposal as originally or previously advertised for public hearing, the Building Commissioner or designated representative shall make an advisory determination of non-necessity of public hearing and so report to the Planning and Zoning Commission. The Planning and Zoning Commission shall thereafter review the request and the report of the Building Commissioner or designated representative.*

(2) *If the Planning and Zoning Commission agrees that the requested amendment is consistent in purpose and content with the nature of the proposal as originally or previously advertised for public hearing, it shall make a preliminary determination of non-necessity of public hearing and shall report such determination and a recommendation to the City Council with respect to the proposed amendment, which recommendation shall be in accordance with the provisions of this Section and shall note any recommended changes in conditions.*

(3) *If the Planning and Zoning Commission determines that the requested amendment is not consistent in purpose and content with the nature of the proposal as originally or previously advertised for public hearing, it shall issue a determination of necessity for public hearing and so report to the applicant and the City Council, in which event, if the applicant wishes to proceed with its request to amend ordinance conditions, further action with respect thereto shall be required to be in accordance with the provisions of this Section and shall require a new public hearing by the City Council before enactment of any ordinance amending conditions of the existing ordinance.*

d. *Council action.*

(1) *The City Council may, by ordinance enacted after submission of a recommendation from the Planning and Zoning Commission, upon a determination by it that the amendments provided for therein are consistent in purpose and content with the nature of the proposal as originally or previously advertised for public hearing, amend the pertinent existing ordinance.*

(2) *The City Council may, by motion, determine that the requested amendments are not consistent in purpose and content with the nature of the proposal as originally or previously advertised for public hearing, in which event, if the applicant wishes to proceed with its request to amend ordinance conditions, further actions with respect thereto shall be required to be in accordance with the provisions of this Section and shall require a new public hearing by the City Council before enactment of any ordinance amending conditions of the existing ordinance.*

(3) *Nothing herein shall obligate the City Council to take any actions with regard to a recommendation of disapproval or any other recommendation by the Planning and Zoning Commission relative to a request under this Section to amend ordinance conditions.*

e. *Election by applicant to proceed. Nothing herein shall prevent or prohibit an applicant from electing to petition for a new or amended ordinance."*

II. EXISTING SITE CONDITIONS:

The existing property at 955 N. Hwy 67 (Culver's) is owned by S&H Foods. The new building space is a about 3954 s.f. The establishment has targeted opening date of 12/15/14 and is currently in a 'B-5' Planned Commercial Development District.

Copy of Ordinance Site plan is attached and owner's proposed changes are shown on the drawing marked in red **which include a monument sign**. The change to the design is to add a digital sign onto the approved monument sign. Since there were 2 signs approved and locations amended, one on N. Hwy 67 and the other on St. Ferdinand, but both did not originally have a digital sign, staff has chosen not to conditionally approve. For final approval, recommendation by P&Z is required by 405.135 1L.

VI. STAFF RECOMMENDATIONS:

1. See the following suggested motion:

I move to recommend approval of the Conditions of Ordinance 8058 to allow for an additional digital sign according to the proposal prepared by the Owner and related drawing presented. These changes in the ordinance are not in conflict with the nature of the development, but are required to accurately describe conditions of the ordinance 8058. Approval is subject to the regulations of this B-5 "Planned Commercial District", and the following additional requirements:

Changes to Section 3, which shall read:

f. Sign Requirements.

- (1) There shall be one Post sign and one Ground (monument) sign as shown located on the **Plan Sheet 1 of 1, dated 8/27/14** attached.
- (2) **The monument sign shall be as shown on attached drawing, dated 9/25/14, marked 'Exhibit A', attached.**
- (3) All other signage shall comply with the City of Florissant sign ordinance for commercial districts.

Changes to Section 8, which shall read:

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:

- a. *Submission/initial review regarding consistency requirement. The property owner or authorized representative may submit an amended site development (concept) plan to the Building Commissioner for review. The Building Commissioner shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally or previously advertised for public hearing, with conditions of the pertinent existing Planned Commercial District ordinance and with any previously approved site development plans. If the submission of the amended site development plan is necessitated by the enactment of an amended Planned*

Commercial District ordinance hereunder, the changes sought shall be deemed major and shall require a review thereof by the Planning and Zoning Commission.

b. Initial determination of non-consistency. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is not consistent in purpose and content with the nature of the proposal as originally or previously advertised for public hearing or does not meet all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall so report to the applicant and the Planning and Zoning Commission. If the applicant wishes to proceed with such proposed amendment, such applicant may elect to thereafter proceed in accordance with the provisions of this Section.

c. Initial determination of consistency/minor changes. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is minor in nature and is not in conflict with the nature of the proposal as originally or previously advertised for public hearing and meets all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall notify the Planning and Zoning Commission thereof and may conditionally approve such proposed amendment, which approval shall be deemed ratified by the Planning and Zoning Commission unless five (5) or more members thereof thereafter request at the first (1st) regularly scheduled and conducted meeting after notification that such proposed amendment be submitted to the Planning and Zoning Commission for review. In lieu of a grant of conditional approval, the Building Commissioner or designated representative may submit the proposed amendment to the Planning and Zoning Commission for review. In case of disapproval of the proposed amendment by the Building Commissioner, the applicant shall be notified and may thereafter request review thereof by the Planning and Zoning Commission.

d. Initial determination of consistency/major changes. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is major in nature, but it is not in conflict with the nature of the proposal as originally or previously advertised for public hearing and meets all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall notify the Planning and Zoning Commission thereof and shall submit the proposed amendment to the Planning and Zoning Commission for review.

1. GENERAL DEVELOPMENT CONDITIONS.

a. Unless, and except to the extent, otherwise specifically provided in Ordinance 8058, development shall be effected only in accordance with all ordinances of the City of Florissant.

187 2. PROJECT COMPLETION.
188

189 Sign construction shall start within 30 days of the passage of this motion
190 for the project and shall be developed in accordance of the approved
191 amendments to the final development plan within 60 days of start of
192 construction.
193

194 (End of suggested motion and staff report.)

PYLON SIGN AREA CALCULATIONS	
SIGN	AREA*
SIZE (APPROX.)	
(13'-4" (W) x 8'-0" (H))	
+(8'-3" (W) x 4'-5" (H))	120.22 S.F.

MONUMENT SIGN AREA CALCULATIONS		
SIGN	SIZE (APPROX.)	AREA*
ME-27	$(6'-8'' (W) \times 4'-0'' (H))$ $+ (6'-3'' (W) \times 2'-5'' (H))$	36.04 S.F.

*AREA IS AREA OF OVAL AND EMC--SEE ARTWORK

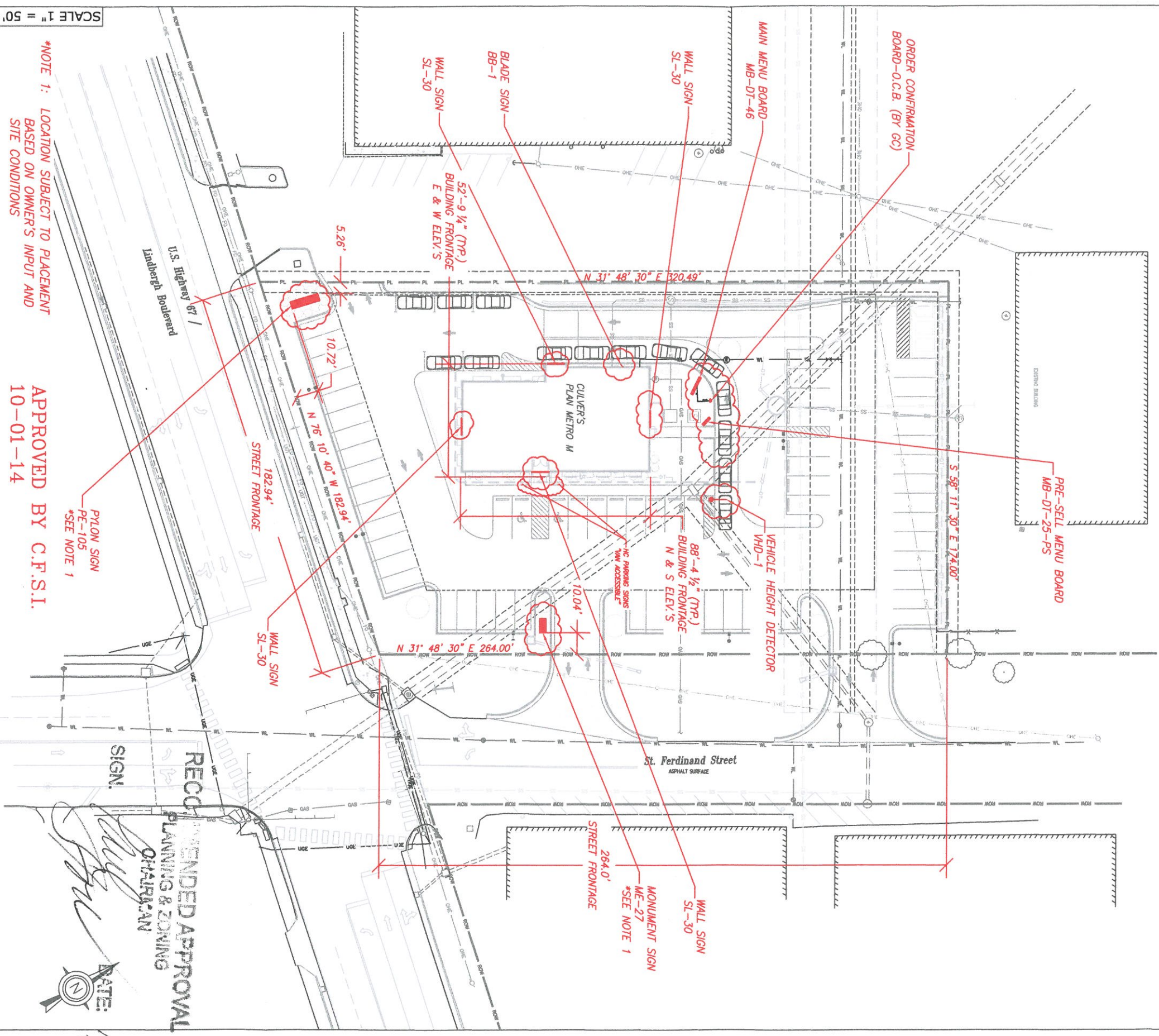
WALL SIGN AREA CALCULATIONS		
SIGN	SIZE (APPROX.)	AREA
SL-30	7'-10 1/2" (W) x 3'-8 3/8" (H)	29.12 S.F.
SL-30	7'-10 1/2" (W) x 3'-8 3/8" (H)	29.12 S.F.
SL-30	7'-10 1/2" (W) x 3'-8 3/8" (H)	29.12 S.F.
SL-30	7'-10 1/2" (W) x 3'-8 3/8" (H)	29.12 S.F.
BB-1	17.665' (W) x 27.875' (H)	3.42 S.F.
WALL SIGN TOTAL		= 119.90 S.F.

MENU BOARD AREA CALCULATIONS		
SIGN	SIZE (APPROX.)	AREA
MB-DT-46	8'-10 1/4" (W) x 5'-2 3/4" (H)	46.30 S.F.
MB-DT-25-PS	4'-6" (W) x 5'-2 3/4" (H)	24.40 S.F.

WALL SIGN AREA CALCULATIONS		
SIGN	SIZE (APPROX.)	AREA
SL-30	7'-10 1/2" (W) x 3'-8 3/8" (H)	29.12 S.F.
SL-30	7'-10 1/2" (W) x 3'-8 3/8" (H)	29.12 S.F.
SL-30	7'-10 1/2" (W) x 3'-8 3/8" (H)	29.12 S.F.
SL-30	7'-10 1/2" (W) x 3'-8 3/8" (H)	29.12 S.F.
BB-1	17.665" (W) x 27.875" (H)	3.42 S.F.
WALL SIGN TOTAL		= 119.90 S.F.

MENU BOARD TOTAL = 70.70 S.F.

OVERALL SIGN AREA TOTAL = 346.91 S.F.



*NOTE 1: LOCATION SUBJECT TO PLACEMENT
BASED ON OWNER'S INPUT AND
SITE CONDITIONS

APPROVED BY C.F.S.I.
10-01-14

RECOMMENDED APPROVAL
PLANNING & ZONING
OFFICIAL: *[Signature]*
DATE: *[Signature]*
SIGN: *[Signature]*

DATE:

11-17
2019

Project No.:	4820
Drawn By:	DEN
Reviewed By:	MW
Date:	8-27-14
Sheet Number:	1 OF 1

CULVER FRANCHISING SYSTEM, INC.
NEW CULVER'S-SIGNAGE
955 N. HWY. 67
FLORISSANT, MO 63031
SITE PLAN

LOCATION: FLORISSANT, MO

Client:
Culver Franchising
System, Inc.
540 Water Street
Prairie du Sac, WI 53578
p (608) 643-7980

SPRINGFIELD SIGN & NEON
2531 N. Patterson
Springfield, MO 65803
(417) 862-2454

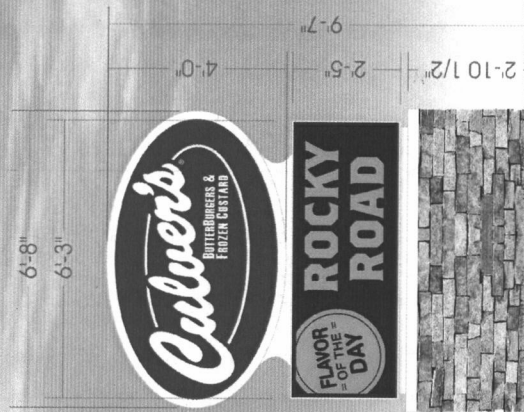
Exhibit A Requested change for development for this monument sign



ME-27 MONUMENT SIGN WITH EMC OPTION 2

FLORISSANT, MO

D/F ILLUMINATED MONUMENT WITH EMC



RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

SIGN: *[Signature]* DATE: *11-17-2014*

SIGN SPECIFICATIONS

D/F ILLUMINATED PYLON SIGN WITH THERMOFORMED PAN OVER FACE.
FULL COLOR WATCHFIRE EMC WITH A 32X96 19MM MATRIX.
STONE BASE TO MATCH BUILDING ARCHITECTURAL ELEMENTS.

SIGN CALCULATIONS

SQUARE FOOTAGE:
OVAL (ELLIPSE) 4'-0" X 6'-8" = 20.95 SQ. FT.
EMC: 2'-5" X 6'-3" = 15.10 SQ. FT.
TOTAL: 36.05 SQ. FT.

FILE PATH: ART/CULVERS/FLORISSANT, MO

*SCALE AND COLORS NOT REPRESENTATIVE FROM EMAIL ATTACHMENTS.
*ALL MEASUREMENTS ARE APPROXIMATE.

CLIENT

CULVER'S

SALESPERSON

MARK WESSELL

DESIGNED BY

JUDGE BOCKMAN/JW

DATE

9/25/2014

SCALE

1/4" = 1'

AO #

4820

APPROVED BY

DATE

REVISION HISTORY

6/17/14 - NEW (JB)
9/25/14 - OPT-2 AMBER EMC (JW)

This drawing is Copyrighted material, it remains the property of Springfield Sign & Neon unless otherwise agreed upon in writing. It is unlawful to use this drawing for bidding purposes, nor can it be reproduced, copied or used in the production of a sign without written permission from Springfield Sign & Neon, Inc.

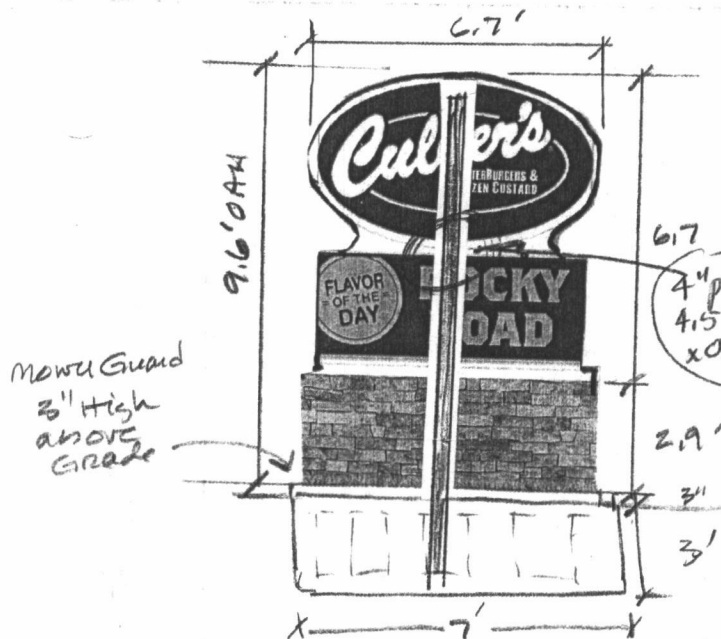


WWW.SIGNHIT.COM

MONUMENT
6.7' W x 9.6' H

SPRINGFIELD SIGN - NEW
CULVERS

955 Lindbergh Blvd
FLORISSANT MO



$$Q_2 = 0.00256(0.85)(1)(1)(90)(1) = 17.6$$

$$F = (17.6)(.85)(1.2) = 17.9$$

use 20 PSF

Steel

$$6.7 \times 9.6 \times 20 = 1286 \times 6.2 = 8040 \text{ lbs}$$

$$S_R = \frac{8040 \times 12}{21,600 \times 1.35} = 3.3 \text{ in}^3$$

$$S_P = \frac{1'' \text{ pipe } 4.50'' \text{ OD} \times 0.237'}{1} = 3.3 \text{ in}^3$$

$S_P = S_R$
OK

CONC

$$P = 1286$$

$$M = 8040$$

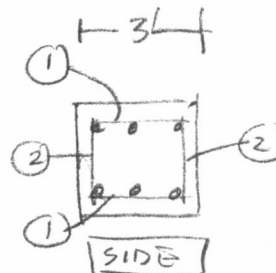
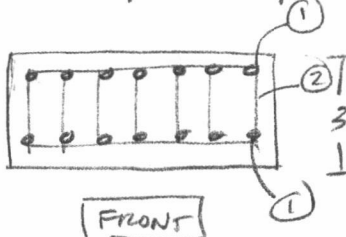
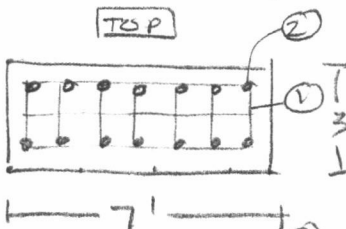
$$h = 6.2$$

$$b = \sqrt{7^2 + 3^2} = 8.4$$

$$S_x = (200)(2)\left(\frac{4}{3}\right)\left(\frac{2}{3}\right) = 533$$

$$d = \frac{(1.17)(1286)}{(8.4)(533)} \left[1 + \sqrt{1 + \frac{1.86(533)(8.4)(6.2)}{1286}} \right]$$

$$d = 2.5' \text{ read use } 3' \text{ deep}$$



Rebar

- ① Horiz #1's 12" OC B/W Top/Bottom
- ② Vert #1's 12" OC Front/Rear

WIND @ 20 PSF 90 mph cl II st
SNOW @ 20 PSF
SOILS AT 2000 PSF (ASSUMED)
LATERAL SOIL LOADING AT
FOOTING/FOUNDATION 200
3' x 7' x 3' dp

POUR CONCRETE AGAINST UNDISTURBED SOILS, NOT BACKFILL
ALL DESIGN, DETAILING, FABRICATION, AND CONSTRUCTION
SHALL CONFORM TO THE FOLLOWING CODES AND
SPECIFICATIONS:

- IBC 2004 EXP "C" (3-SEC GUST)
- CURRENT INTL BLDG CODE (IBC)
- AMERICAN SOCIETY OF TEST'G MAT'L'S (ASTM)
- BLDG CODE REQMT - REINF CONC (ACI 318-83)
- CODE FOR WELDING IN BUILDING CONSTRUCTION OF THE AMERICAN WELDING SOCIETY
- CURRENT SPECS - AMERICAN INST OF STEEL CONST (AISC) - DESIGN, FAB, & ERECTION
- CONCRETE 3000 P.S.I. @ 28 DAYS COMP STR, (150 P.C.F.)
- REINF ST'L - ASTM 615, GR 60, (IF REQD), WELDED WIRE FABRIC (WVF) - ASTM A185
- ALL REINF SHALL BE FREE FROM MUD, OIL, RUST OR COATINGS THAT WOULD REDUCE OR DESTROY BOND
- ALL REINF BARS SHALL LAP 30 DIAMETERS OR 12" MINIMUM, EXCEPT AS NOTED
- MIN CONC COVER ON TIES, STIRRUPS AND MAIN BARS SHALL BE 1 INCH FOR SLAB, WALL AND SURFACES NOT EXPOSED TO WEATHER OR IN CONTACT WITH GROUND 3 INCHES FOR UNFORMED SURFACES DEPOSITED AGAINST GROUND EXCEPT AS NOTED

- STRUCTURAL STEEL AND PLATES - A-36
- STRUCTURAL TUBING - ASTM A-500, GR B, FY=46 KSI
- STRUCT PIPE - ASTM A-53, GR B, FY=36 KSI
- ANCHOR BOLTS - ASTM A-307, EXCEPT AS NOTED
- HIGH STRENGTH BOLTS - CONNECTIONS - ASTM A-325, U.N.O.
- WELDING ELECTRODES - AWS D1.1-85, E70xx
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD BEFORE ERECTION AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES
- NO CABINET ENGINEERING PROVIDED. IF CABINET ENGRG IS REQ'D, CONTACT THE ENGINEER FOR ADD'L SVCS
- 6" OF CONCRETE OR GRAVEL PLACED IN BOTTOM OF FOUNDATION PRIOR TO MAIN POUR
- ISOLATE ALUMINUM FROM STEEL
- ALL BOLT HOLES TO BE DRILLED OR PUNCHED
- ALL PIPE SIZES SHOWN ARE MINIMUM SIZES. PIPE WITH A LARGER DIAMETER, GREATER YIELD STRENGTH, AND/OR GREATER SECTN MOD MAY BE SUBSTITUTED
- ALL STRUCTURAL LENGTHS REQUIRED ARE APPROXIMATIONS ONLY. ACTUAL LENGTH MAY SLIGHTLY VARY DEPENDING ON SIGN CABINET CONDITIONS
- ALL WORK PERFORMED ON SITE SHALL BE DONE ACCORDING TO APPLICABLE OSHA REGULATIONS
- WATER SHOULD NOT BE ALLOWED TO POND IN THE EXCAVATION PRIOR TO CONCRETE PLACEMENT OR ABOVE CONCRETE AFTER THE FDN IS COMPLETED
- EXERCISE CARE DURING EXCAVATION OF THE FOUNDATION TO MINIMIZE DISTURBANCE TO THE SURROUNDING SOILS

CALCULATIONS SHOWN ON THESE SHEETS ARE ONLY FOR THE BASE POLE(S) AND CONCRETE BASE-FOUNDATION
SR = SECTION MODULUS REQUIRED
SP = SECTION MODULUS PROVIDED



CA #2008010470
CROCKER
3211 E. SHADY GLEN ST
SPRINGFIELD MO 65804
417-883-4056

1 INTRODUCED BY COUNCIL AS A WHOLE
2 NOVEMBER 24, 2014

3
4 BILL NO. 9054

ORDINANCE NO.

5
6 **AN ORDINANCE AMENDING THE FLOODPLAIN MANAGEMENT**
7 **ORDINANCE.**
8

9 WHEREAS, the City of Florissant previously adopted a Floodplain Management
10 Ordinance, and

11 WHEREAS, the Federal Emergency Management Agency (FEMA) and the State
12 Emergency Management Agency (SEMA) require the adoption of new regulations consistent
13 with a Flood Insurance Study, and

14 WHEREAS, the City Engineer recommends the adoption of these new regulations.
15

16 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
17 OF FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:
18

19 Section 1: Article I, Chapter 415, is hereby deleted in its entirety and replaced with the
20 following new Chapter 415:

21
22 **CHAPTER 415: FLOODPLAIN MANAGEMENT ORDINANCE**
23

24 **SECTION 415.010 STATUTORY AUTHORIZATION, FINDINGS OF FACT, AND**
25 **PURPOSES**
26

27 **A. STATUTORY AUTHORIZATION**
28

29 The Legislature of the State of Missouri has in RSMo 89.020 delegated the responsibility to
30 local governmental units to adopt floodplain management regulations designed to protect
31 the health, safety, and general welfare. Therefore, the City Council of the City of Florissant,
32 Missouri ordains as follows:
33

34 **B. FINDINGS OF FACT**
35

36 1. *Flood Losses Resulting from Periodic Inundation*
37

38 The special flood hazard areas of the City of Florissant, Missouri are subject to
39 inundation which results in loss of life and property, health and safety hazards, disruption
40 of commerce and governmental services, extraordinary public expenditures for flood
41 protection and relief, and impairment of the tax base; all of which adversely affect the
42 public health, safety and general welfare.
43
44
45

2. *General Causes of the Flood Losses*

These flood losses are caused by (1) the cumulative effect of development in any delineated floodplain causing increases in flood heights and velocities; and (2) the occupancy of flood hazard areas by uses vulnerable to floods, hazardous to others, inadequately elevated, or otherwise unprotected from flood damages.

3. *Methods Used To Analyze Flood Hazards*

The Flood Insurance Study (FIS) that is the basis of this ordinance uses a standard engineering method of analyzing flood hazards which consist of a series of interrelated steps.

- a. Selection of a base flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this ordinance is representative of large floods which are characteristic of what can be expected to occur on the particular streams subject to this ordinance. It is in the general order of a flood which could be expected to have a one percent chance of occurrence in any one year as delineated on the Federal Insurance Administrator's FIS, and illustrative materials for St. Louis County dated February 4, 2015 as amended, and any future revisions thereto.
- b. Calculation of water surface profiles are based on a standard hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.
- c. Computation of a floodway required to convey this flood without increasing flood heights more than one (1) foot at any point.
- d. Delineation of floodway encroachment lines within which no development is permitted that would cause any increase in flood height.
- e. Delineation of flood fringe, i.e., that area outside the floodway encroachment lines, but still subject to inundation by the base flood.

C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare; to minimize those losses described in Section 415.010B (1); to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(d) by applying the provisions of this ordinance to:

1. restrict or prohibit uses that are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities;
2. require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
3. protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

SECTION 415.020 GENERAL PROVISIONS

A. LANDS TO WHICH ORDINANCE APPLIES

This ordinance shall apply to all lands within the jurisdiction of the City of Florissant, Missouri identified as numbered and unnumbered A zones and AE zones, on the Flood Insurance Rate Maps (FIRMs) for St. Louis County on map panels, 29189C0035K, 29189C0042K, 29189C0053K, 29189C0054K, 29189C0058K, 29189C0061K, 29189C0062K, 29189C0064K, 29189C0066K, 29189C0067K, and 29189C0068K dated February 4, 2015 as amended, and any future revisions thereto. In all areas covered by this ordinance, no development shall be permitted except through the issuance of a floodplain development permit, granted by the City Council or its duly designated representative under such safeguards and restrictions as the City Council or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in Section 415.040.

B. FLOODPLAIN ADMINISTRATOR

The City Engineer is hereby designated as the Floodplain Administrator under this ordinance.

C.. COMPLIANCE

No development located within the special flood hazard areas of this community shall be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

D. ABROGATION AND GREATER RESTRICTIONS

It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

138 E. INTERPRETATION

139
140 In their interpretation and application, the provisions of this ordinance shall be held to be
141 minimum requirements, shall be liberally construed in favor of the governing body, and shall not
142 be deemed a limitation or repeal of any other powers granted by State statutes.
143

144 F. WARNING AND DISCLAIMER OF LIABILITY

145
146 The degree of flood protection required by this ordinance is considered reasonable for regulatory
147 purposes and is based on engineering and scientific methods of study. Larger floods may occur
148 on rare occasions or the flood heights may be increased by man-made or natural causes, such as
149 ice jams and bridge openings restricted by debris. This ordinance does not imply that areas
150 outside the floodway and flood fringe or land uses permitted within such areas will be free from
151 flooding or flood damage. This ordinance shall not create a liability on the part of the City of
152 Florissant, any officer or employee thereof, for any flood damages that may result from reliance
153 on this ordinance or any administrative decision lawfully made thereunder.
154

155 G. SEVERABILITY

156
157 If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or
158 invalid by a court of appropriate jurisdiction, the remainder of this ordinance shall not be
159 affected thereby.
160

161 **SECTION 415.030 ADMINISTRATION**

162
163 A. FLOODPLAIN DEVELOPMENT PERMIT

164
165 A floodplain development permit shall be required for all proposed construction or other
166 development, including the placement of manufactured homes, in the areas described in Section
167 415.020A. No person, firm, corporation, or unit of government shall initiate any development or
168 substantial-improvement or cause the same to be done without first obtaining a separate
169 floodplain development permit for each structure or other development.
170

171 B. DESIGNATION OF FLOODPLAIN ADMINISTRATOR

172
173 The City Engineer is hereby appointed to administer and implement the provisions of this
174 ordinance.
175

176 C. DUTIES AND RESPONSIBILITIES OF FLOODPLAIN ADMINISTRATOR

177
178 Duties of the City Engineer shall include, but not be limited to:

- 179
180 1. review of all applications for floodplain development permits to assure that sites are
181 reasonably safe from flooding and that the floodplain development permit requirements
182 of this ordinance have been satisfied;
183

2. review of all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from Federal, State, or local governmental agencies from which prior approval is required by Federal, State, or local law;
3. review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
4. issue floodplain development permits for all approved applications;
5. notify adjacent communities and the Missouri State Emergency Management Agency (Mo SEMA) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
6. assure that the flood carrying capacity is not diminished and shall be maintained within the altered or relocated portion of any watercourse.
7. verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures;
8. verify and maintain a record of the actual elevation (in relation to mean sea level) that the new or substantially improved non-residential structures have been flood proofed;
9. when flood proofing techniques are utilized for a particular non-residential structure, the City Engineer shall require certification from a registered professional engineer or architect.

D. APPLICATION FOR FLOODPLAIN DEVELOPMENT PERMIT

To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every floodplain development permit application shall:

1. describe the land on which the proposed work is to be done by lot, block and tract, house and street address, or similar description that will readily identify and specifically locate the proposed structure or work;
2. identify and describe the work to be covered by the floodplain development permit;
3. indicate the use or occupancy for which the proposed work is intended;
4. indicate the assessed value of the structure and the fair market value of the improvement;
5. specify whether development is located in designated flood fringe or floodway;
6. identify the existing base flood elevation and the elevation of the proposed development;

7. give such other information as reasonably may be required by the City Engineer;
8. be accompanied by plans and specifications for proposed construction; and
9. be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

SECTION 415.040 PROVISIONS FOR FLOOD HAZARD REDUCTION

A. GENERAL STANDARDS

1. No permit for floodplain development shall be granted for new construction, substantial-improvements, and other improvements, including the placement of manufactured homes, within any numbered or unnumbered A zones and AE zones, unless the conditions of this section are satisfied.
2. All areas identified as unnumbered A zones on the FIRM are subject to inundation of the 100-year flood; however, the base flood elevation is not provided. Development within unnumbered A zones is subject to all provisions of this ordinance. If Flood Insurance Study data is not available, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources.
3. Until a floodway is designated, no new construction, substantial improvements, or other development, including fill, shall be permitted within any numbered A zone or AE zone on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
4. All new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other developments shall require:
 - a. design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - b. construction with materials resistant to flood damage;
 - c. utilization of methods and practices that minimize flood damages;
 - d. all electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

- e. new or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination; and
- f. subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
- (1) all such proposals are consistent with the need to minimize flood damage;
 - (2) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 - (3) adequate drainage is provided so as to reduce exposure to flood hazards; and
 - (4) all proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data.
- a. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
- b. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.

6. *Critical Facilities*

- a. All new or substantially improved critical nonresidential facilities including, but not limited, to governmental buildings, police stations, fire stations, hospitals, orphanages, penal institutions, communication centers, water and sewer pumping stations, water and sewer treatment facilities, transportation maintenance facilities, places of public assembly, emergency aviation facilities, and schools shall be elevated above the 500-year flood level or together with attendant utility and sanitary facilities, be flood proofed so that below the 500-year flood level the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in the National Flood Insurance Program (NFIP) regulations.
- b. All critical facilities shall have access routes that are above the elevation of the 500-year flood.

328 7. *Hazardous Materials*

329 All hazardous material storage and handling sites shall be located out of the floodplain.

331
332
333 B. SPECIFIC STANDARDS

- 334
335 1. In all areas identified as numbered and unnumbered A zones and AE zones, where base
336 flood elevation data have been provided, as set forth in Section 415.040A(2), the
337 following provisions are required:

338
339 a. *Residential Construction*

340
341 New construction or substantial-improvement of any residential structures,
342 including manufactured homes, shall have the lowest floor, including basement,
343 elevated to one (1) foot above base flood elevation.

344
345 b. *Non-Residential Construction*

346
347 New construction or substantial-improvement of any commercial, industrial, or
348 other non-residential structures, including manufactured homes, shall have the
349 lowest floor, including basement, elevated to one (1) foot above the base flood
350 elevation or, together with attendant utility and sanitary facilities, be flood
351 proofed so that below the base flood elevation the structure is watertight with
352 walls substantially impermeable to the passage of water and with structural
353 components having the capability of resisting hydrostatic and hydrodynamic loads
354 and effects of buoyancy. A registered professional engineer or architect shall
355 certify that the standards of this subsection are satisfied. Such certification
356 shall be provided to the Floodplain Administrator as set forth in Section
357 415.030C(9).

- 358
359 c. Require, for all new construction and substantial-improvements that fully
360 enclosed areas below lowest floor used solely for parking of vehicles, building
361 access, or storage in an area other than a basement and that are subject to flooding
362 shall be designed to automatically equalize hydrostatic flood forces on exterior
363 walls by allowing for the entry and exit of floodwaters. Designs for meeting this
364 requirement must either be certified by a registered professional engineer or
365 architect or meet or exceed the following minimum criteria:

366
367 (1) A minimum of two openings having a total net area of not less than one
368 square inch for every square foot of enclosed area subject to flooding shall
369 be provided; and

370
371 (2) the bottom of all opening shall be no higher than one foot above grade.
372 Openings may be equipped with screens, louvers, valves, or other
373 coverings or devices provided that they permit the automatic entry and
374 exit of floodwaters.
375

376 C. MANUFACTURED HOMES
377

- 378 1. All manufactured homes to be placed within all unnumbered and numbered A zones and
379 AE zones, on the community's FIRM shall be required to be installed using methods and
380 practices that minimize flood damage. For the purposes of this requirement,
381 manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral
382 movement. Methods of anchoring may include, but are not limited to, use of over-the-top
383 or frame ties to ground anchors.
384
- 385 2. Require manufactured homes that are placed or substantially improved within
386 unnumbered or numbered A zones and AE zones, on the community's FIRM on sites:
387
- 388 a. outside of manufactured home park or subdivision;
 - 389
 - 390 b. in a new manufactured home park or subdivision;
 - 391
 - 392 c. in an expansion to and existing manufactured home park or subdivision; or
 - 393
 - 394 d. in an existing manufactured home park or subdivision on which a manufactured
395 home has incurred substantial-damage as the result of a flood,
396
397 be elevated on a permanent foundation such that the lowest floor of the manufactured
398 home is elevated to one (1) foot above the base flood elevation and be securely attached
399 to an adequately anchored foundation system to resist flotation, collapse, and lateral
400 movement.
401
- 402 3. Require that manufactured homes to be placed or substantially improved on sites in an
403 existing manufactured home park or subdivision within all unnumbered and numbered A
404 zones and AE zones, on the community's FIRM, that are not subject to the provisions of
405 Section 415.040C(2) of this ordinance, be elevated so that either:
406
- 407 a. the lowest floor of the manufactured home is at one (1) foot above the base flood
408 level; or
 - 409
 - 410 b. the manufactured home chassis is supported by reinforced piers or other
411 foundation elements of at least equivalent strength that are no less than thirty-six
412 (36) inches in height above grade and be securely attached to an adequately
413 anchored foundation system to resist flotation, collapse, and lateral movement.
414

415 D. FLOODWAY
416

417 Located within areas of special flood hazard established in Section 415.020A are areas
418 designated as floodways. Since the floodway is an extremely hazardous area due to the velocity
419 of flood waters that carry debris and potential projectiles, the following provisions shall apply:
420

- 421 1. The community shall select and adopt a regulatory floodway based on the principle that
422 the area chosen for the regulatory floodway must be designed to carry the waters of the
423 base flood without increasing the water surface elevation of that flood more than one foot
424 at any point.
425

2. The community shall prohibit any encroachments, including fill, new construction, substantial- improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
3. If Section 415.040D(2) is satisfied, all new construction and substantial-improvements shall comply with all applicable flood hazard reduction provisions of Article 4.
4. In unnumbered A zones, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources as set forth in Section 415.040A(2).

E. RECREATIONAL VEHICLES

1. Require that recreational vehicles placed on sites within all unnumbered and numbered A zones and AE zones on the community's FIRM either:
- a. be on the site for fewer than 180 consecutive days,
 - b. be fully licensed and ready for highway use*; or
 - c. meet the permitting, elevation, and the anchoring requirements for manufactured homes of this ordinance.

*A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

SECTION 415.050 FLOODPLAIN MANAGEMENT VARIANCE PROCEDURES

A. ESTABLISHMENT OF APPEAL BOARD

The Board of Adjustment as established by the City of Florissant shall hear and decide appeals and requests for variances from the floodplain management requirements of this ordinance.

B. RESPONSIBILITY OF APPEAL BOARD

Where an application for a floodplain development permit or request for a variance from the floodplain management regulations is denied by the City Engineer, the applicant may apply for such floodplain development permit or variance directly to the Board of Adjustment, as defined in Section 415.050A.

The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the City Engineer in the enforcement or administration of this ordinance.

478 C. FURTHER APPEALS

479
480 Any person aggrieved by the decision of the Board of Adjustment or any taxpayer may appeal
481 such decision to the St. Louis County Circuit Court as provided in RSMo 89.110.

482
483 D. FLOODPLAIN MANAGEMENT VARIANCE CRITERIA

484
485 In passing upon such applications for variances, the Board of Adjustment shall consider all
486 technical data and evaluations, all relevant factors, standards specified in other sections of this
487 ordinance, and the following criteria:

- 488
489 1. the danger to life and property due to flood damage;
490
491 2. the danger that materials may be swept onto other lands to the injury of others;
492
493 3. the susceptibility of the proposed facility and its contents to flood damage and the effect
494 of such damage on the individual owner;
495
496 4. the importance of the services provided by the proposed facility to the community;
497
498 5. the necessity to the facility of a waterfront location, where applicable;
499
500 6. the availability of alternative locations, not subject to flood damage, for the proposed use;
501
502 7. the compatibility of the proposed use with existing and anticipated development;
503
504 8. the relationship of the proposed use to the comprehensive plan and floodplain
505 management program for that area;
506
507 9. the safety of access to the property in times of flood for ordinary and emergency vehicles;
508
509 10. the expected heights, velocity, duration, rate of rise and sediment transport of the flood
510 waters, if applicable, expected at the site; and,
511
512 11. the costs of providing governmental services during and after flood conditions, including
513 maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and
514 water systems; streets; and bridges.

515
516 E. CONDITIONS FOR APPROVING FLOODPLAIN MANAGEMENT VARIANCES

- 517
518 1. Generally, variances may be issued for new construction and substantial-improvements to
519 be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots
520 with existing structures constructed below the base flood level, providing items 2 through
521 6 below have been fully considered. As the lot size increases beyond the one-half acre,
522 the technical justification required for issuing the variance increases.
523
524 2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures
525 listed on the National Register of Historic Places, the State Inventory of Historic Places,
526 or local inventory of historic places upon determination provided the proposed activity
527 will not preclude the structures' continued historic designation.
528

- 529 3. Variances shall not be issued within any designated floodway if any increase in flood
530 levels during the base flood discharge would result.
531
- 532 4. Variances shall only be issued upon a determination that the variance is the minimum
533 necessary, considering the flood hazard, to afford relief.
534
- 535 5. Variances shall only be issued upon (a) a showing of good and sufficient cause, (b) a
536 determination that failure to grant the variance would result in exceptional hardship to the
537 applicant, and (c) a determination that the granting of a variance will not result in
538 increased flood heights, additional threats to public safety, extraordinary public expense,
539 create nuisances, cause fraud on or victimization of the public, or conflict with existing
540 local laws or ordinances.
541
- 542 6. A community shall notify the applicant in writing over the signature of a community
543 official that (1) the issuance of a variance to construct a structure below base flood level
544 will result in increased premium rates for flood insurance up to amounts as high as
545 \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood
546 level increases risks to life and property. Such notification shall be maintained with the
547 record of all variance actions as required by this ordinance.
548

549 **SECTION 415.060 PENALTIES FOR VIOLATION**

550

551 Violation of the provisions of this ordinance or failure to comply with any of its requirements
552 (including violations of conditions and safeguards established in connection with granting of
553 variances) shall constitute a misdemeanor. Any person who violates this ordinance or fails to
554 comply with any of its requirements shall, upon conviction thereof, be fined not more than \$
555 1,000.00, and in addition, shall pay all costs and expenses involved in the case. Each day such
556 violation continues shall be considered a separate offense. Nothing herein contained shall
557 prevent the City of Florissant or other appropriate authority from taking such other lawful action
558 as is necessary to prevent or remedy any violation.
559

560 **SECTION 415.070 AMENDMENTS**

561

562 The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be
563 amended, supplemented, changed, or appealed to reflect any and all changes in the National
564 Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until
565 after a public hearing in relation thereto, at which parties of interest and citizens shall have an
566 opportunity to be heard. Notice of the time and place of such hearing shall be published in a
567 newspaper of general circulation in the City of Florissant least 20 days shall elapse between the
568 date of this publication and the public hearing. A copy of such amendments will be provided to
569 the Region VII office of the Federal Emergency Management Agency (FEMA). The regulations
570 of this ordinance are in compliance with the National Flood Insurance Program (NFIP)
571 regulations.
572

573 **SECTION 415.080 DEFINITIONS**

574

575 Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so
576 as to give them the same meaning they have in common usage and to give this ordinance its most
577 reasonable application.

"100-year Flood" *see "base flood."*

"Accessory Structure" means the same as *"appurtenant structure."*

"Actuarial Rates" *see "risk premium rates."*

"Administrator" means the Federal Insurance Administrator.

"Agency" means the Federal Emergency Management Agency (FEMA).

"Agricultural Commodities" means agricultural products and livestock.

"Agricultural Structure" means any structure used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities.

"Appeal" means a request for review of the Floodplain Administrator's interpretation of any provision of this ordinance or a request for a variance.

"Appurtenant Structure" means a structure that is on the same parcel of property as the principle structure to be insured and the use of which is incidental to the use of the principal structure.

"Area of Special Flood Hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means any area of the structure having its floor subgrade (below ground level) on all sides.

"Building" *see "structure."*

"Chief Executive Officer" or "Chief Elected Official" means the official of the community who is charged with the authority to implement and administer laws, ordinances, and regulations for that community.

"Community" means any State or area or political subdivision thereof, which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

623 **"Elevated Building"** means for insurance purposes, a non-basement building which has its
624 lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers,
625 pilings, or columns.

626
627 **"Eligible Community" or "Participating Community"** means a community for which the
628 Administrator has authorized the sale of flood insurance under the National Flood Insurance
629 Program (NFIP).

630
631 **"Existing Construction"** means for the purposes of determining rates, structures for which the
632 *"start of construction"* commenced before the effective date of the FIRM or before January 1,
633 1975, for FIRMs effective before that date. *"Existing construction"* may also be referred to as
634 *"existing structures."*

635
636 **"Existing Manufactured Home Park or Subdivision"** means a manufactured home park or
637 subdivision for which the construction of facilities for servicing the lots on which the
638 manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the
639 construction of streets, and either final site grading or the pouring of concrete pads) is completed
640 before the effective date of the floodplain management regulations adopted by a community.

641
642 **"Expansion to an Existing Manufactured Home Park or Subdivision"** means the preparation
643 of additional sites by the construction of facilities for servicing the lots on which the
644 manufactured homes are to be affixed (including the installation of utilities, the construction of
645 streets, and either final site grading or the pouring of concrete pads).

646
647 **"Flood" or "Flooding"** means a general and temporary condition of partial or complete
648 inundation of normally dry land areas from (1) the overflow of inland and/or (2) the unusual and
649 rapid accumulation or runoff of surface waters from any source.

650
651 **"Flood Boundary and Floodway Map (FBFM)"** means an official map of a community on
652 which the Administrator has delineated both special flood hazard areas and the designated
653 regulatory floodway.

654
655 **Flood Elevation Determination"** means a determination by the Administrator of the water
656 surface elevations of the base flood, that is, the flood level that has a one percent or greater
657 chance of occurrence in any given year.

658
659 **"Flood Elevation Study"** means an examination, evaluation and determination of flood hazards.

660
661 **"Flood Fringe"** means the area outside the floodway encroachment lines, but still subject to
662 inundation by the regulatory flood.

663
664 **"Flood Hazard Boundary Map (FHBM)"** means an official map of a community, issued by
665 the Administrator, where the boundaries of the flood areas having special flood hazards have
666 been designated as (unnumbered or numbered) A zones.

668 **"Flood Insurance Rate Map (FIRM)"** means an official map of a community, on which the
669 Administrator has delineated both the special flood hazard areas and the risk premium zones
670 applicable to the community.

671
672 **"Flood Insurance Study (FIS)"** means an examination, evaluation and determination of flood
673 hazards and, if appropriate, corresponding water surface elevations.

674
675 **"Floodplain" or "Flood-prone Area"** means any land area susceptible to being inundated by
676 water from any source (*see "flooding"*).

677
678 **"Floodplain Management"** means the operation of an overall program of corrective and
679 preventive measures for reducing flood damage, including but not limited to emergency
680 preparedness plans, flood control works, and floodplain management regulations.

681
682 **"Floodplain Management Regulations"** means zoning ordinances, subdivision regulations,
683 building codes, health regulations, special purpose ordinances (such as floodplain and grading
684 ordinances) and other applications of police power. The term describes such state or local
685 regulations, in any combination thereof, that provide standards for the purpose of flood damage
686 prevention and reduction.

687
688 **"Floodproofing"** means any combination of structural and nonstructural additions, changes, or
689 adjustments to structures that reduce or eliminate flood damage to real estate or improved real
690 property, water and sanitary facilities, or structures and their contents.

691
692 **"Floodway" or "Regulatory Floodway"** means the channel of a river or other watercourse and
693 the adjacent land areas that must be reserved in order to discharge the base flood without
694 cumulatively increasing the water surface elevation more than one foot.

695
696 **"Floodway Encroachment Lines"** means the lines marking the limits of floodways on Federal,
697 State and local floodplain maps.

698
699 **"Freeboard"** means a factor of safety usually expressed in feet above a flood level for purposes
700 of floodplain management. *"Freeboard"* tends to compensate for the many unknown factors that
701 could contribute to flood heights greater than the height calculated for a selected size flood and
702 floodway conditions, such as bridge openings and the hydrological effect of urbanization of the
703 watershed.

704
705 **"Functionally Dependent Use"** means a use that cannot perform its intended purpose unless it
706 is located or carried out in close proximity to water. This term includes only docking facilities
707 and facilities that are necessary for the loading and unloading of cargo or passengers, but does
708 not include long-term storage or related manufacturing facilities.

709
710 **"Highest Adjacent Grade"** means the highest natural elevation of the ground surface prior to
711 construction next to the proposed walls of a structure.

713 **"Historic Structure"** means any structure that is (a) listed individually in the National Register
714 of Historic Places (a listing maintained by the Department of Interior) or preliminarily
715 determined by the Secretary of the Interior as meeting the requirements for individual listing on
716 the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as
717 contributing to the historical significance of a registered historic district or a district preliminarily
718 determined by the Secretary to qualify as a registered historic district; (c) individually listed on a
719 state inventory of historic places in states with historic preservation programs which have been
720 approved by the Secretary of the Interior; or (d) individually listed on a local inventory of
721 historic places in communities with historic preservation programs that have been certified either
722 (1) by an approved state program as determined by the Secretary of the Interior or (2) directly by
723 the Secretary of the Interior in states without approved programs.
724

725 **"Lowest Floor"** means the lowest floor of the lowest enclosed area, including basement. An
726 unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or
727 storage, in an area other than a basement area, is not considered a building's lowest floor,
728 **provided** that such enclosure is not built so as to render the structure in violation of the
729 applicable flood proofing design requirements of this ordinance.
730

731 **"Manufactured Home"** means a structure, transportable in one or more sections, that is built on
732 a permanent chassis and is designed for use with or without a permanent foundation when
733 attached to the required utilities. The term *"manufactured home"* does not include a
734 *"recreational vehicle."*
735

736 **"Manufactured Home Park or Subdivision"** means a parcel (or contiguous parcels) of land
737 divided into two or more manufactured home lots for rent or sale.
738

739 **"Map"** means the Flood Hazard Boundary Map (FHBM), Flood Insurance Rate Map (FIRM), or
740 the Flood Boundary and Floodway Map (FBFM) for a community issued by the Federal
741 Emergency Management Agency (FEMA).
742

743 **"Market Value" or "Fair Market Value"** means an estimate of what is fair, economic, just
744 and equitable value under normal local market conditions.
745

746 **"Mean Sea Level"** means, for purposes of the National Flood Insurance Program (NFIP), the
747 National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood
748 elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.
749

750 **"New Construction"** means, for the purposes of determining insurance rates, structures for
751 which the *"start of construction"* commenced on or after the effective date of an initial
752 FIRM or after December 31, 1974, whichever is later, and includes any subsequent
753 improvements to such structures. For floodplain management purposes, *"new construction"*
754 means structures for which the *"start of construction"* commenced on or after the effective date
755 of the floodplain management regulations adopted by a community and includes any subsequent
756 improvements to such structures.
757

758 **"New Manufactured Home Park or Subdivision"** means a manufactured home park or
759 subdivision for which the construction of facilities for servicing the lot on which the
760 manufactured homes are to be affixed (including at a minimum, the installation of utilities, the
761 construction of streets, and either final site grading or the pouring of concrete pads) is completed
762 on or after the effective date of floodplain management regulations adopted by the community.
763

764 **"(NFIP)"** means the National Flood Insurance Program (NFIP).
765

766 **"Participating Community"** also known as an *"eligible community,"* means a community in
767 which the Administrator has authorized the sale of flood insurance.
768

769 **"Person"** includes any individual or group of individuals, corporation, partnership, association,
770 or any other entity, including Federal, State, and local governments and agencies.
771

772 **"Principally Above Ground"** means that at least 51 percent of the actual cash value of the
773 structure, less land value, is above ground.
774

775 **"Recreational Vehicle"** means a vehicle which is (a) built on a single chassis; (b) 400 square
776 feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled
777 or permanently towable by a light- duty truck; and (d) designed primarily not for use as a
778 permanent dwelling but as temporary living quarters for recreational, camping, travel, or
779 seasonal use.
780

781 **"Remedy A Violation"** means to bring the structure or other development into compliance with
782 Federal, State, or local floodplain management regulations; or, if this is not possible, to reduce
783 the impacts of its noncompliance.
784

785 **"Repetitive Loss"** means flood-related damages sustained by a structure on two separate
786 occasions during a 10-year period for which the cost of repairs at the time of each such flood
787 event, equals or exceeds twenty-five percent of the market value of the structure before the
788 damage occurred.
789

790 **"Risk Premium Rates"** means those rates established by the Administrator pursuant to
791 individual community studies and investigations which are undertaken to provide flood
792 insurance in accordance with Section 1307 of the National Flood Disaster Protection Act of 1973
793 and the accepted actuarial principles. *"Risk premium rates"* include provisions for operating
794 costs and allowances.
795

796 **"Special Flood Hazard Area"** *see "area of special flood hazard."*
797

798 **"Special Hazard Area"** means an area having special flood hazards and shown on an FHBM,
799 FIRM or FBFM as zones (unnumbered or numbered) A and AE.
800
801
802

"Start of Construction" includes substantial-improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements were within 180 days of the permit date. The **actual start** means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial-improvement, the **actual start of construction** means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" means that agency of the state government, or other office designated by the governor of the state or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program (NFIP) in that state.

"Structure" means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. *"Structure"* for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

"Substantial-Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term includes Repetitive Loss buildings (see definition).

For the purposes of this definition, "repair" is considered to occur when the first repair or reconstruction of any wall, ceiling, floor, or other structural part of the building commences.

The term does not apply to:

- a.) Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b.) Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure", or
- c.) Any improvement to a building.

"Substantial Improvement" means any combination of reconstruction, alteration, or improvement to a building, equals or exceeds fifty percent of the current market value of the building. For the purposes of this definition, an improvement occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. This term includes structures, which have incurred "repetitive loss" or "substantial damage", regardless of the actual repair work done.

The term does not apply to:

- a.) any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b.) Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure." Or
- c.) Any building that has been damaged from any source or is categorized as repetitive loss.

"Variance" means a grant of relief by the community from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the community.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this ordinance is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified) of floods of various magnitudes and frequent frequencies in the floodplain.

Section 2: This ordinance shall be in full force and effect immediately upon its passage and approval as provided by law.

Adopted this _____ day of _____, 2014.

Joseph Eagan
President of the Council

893 Approved this _____ day of _____, 2014.

894

895

896

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900

901

902

903

ATTEST:

Karen Goodwin, MMC/MRCC
City Clerk

Thomas P. Schneider
Mayor

FLORISSANT CITY COUNCIL

AGENDA REQUEST FORM

Date: 11/17/14

Mayor's Approval:

Agenda Date Requested: 11/24/2014

Description of request:

Flood plain management ordinance update as required by SEMA and FEMA.

Department:

Recommending Board or Commission:

Type of request:

Ordinances	X	Other	X
Appropriation		Liquor License	
Transfer		Hotel License	
Zoning Amendment		Special Presentations	
Amendment	x	Resolution	
Special Use Transfer		Proclamation	
Special Use		Subdivision	
Budget Amendment			
	Y/N		Y/N

Public Hearing needed: Yes / No

3 readings? : Yes / No

Back up materials
attached:

Minutes	
Maps	
Memo	
Draft Ord.	

Back up materials
needed:

Minutes	
Maps	
Memo	
Draft Ord.	

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

For City Clerk Use Only:

Introduced by: _____

PH Speaker: _____

MODEL FLOODPLAIN MANAGEMENT ORDINANCE

60.3(d)

The following model ordinance pertains only to the special flood hazard areas in a community that participates in the Regular Program Phase of the National Flood Insurance Program (rather than the Emergency Program Phase). It has been designed to meet minimum Federal requirements as published in Title 44 of the Code of Federal Regulations.

Not all sections in this model ordinance may be applicable to a community that wishes to adopt a floodplain management ordinance. **Before adoption, this model ordinance should be thoroughly studied by community officials, planning commissions, and the community's attorney, as to its adequacy and suitability to the community's needs.** This will ensure that the community's specific floodplain management issues are governed in a reasonable manner without inflicting unnecessary hardships on people living in flood-prone areas.

This model does not prohibit development in the special flood hazard areas. It does set forth minimum performance standards for new construction or substantially improved structures. Communities may apply stricter regulations than the minimum Federal requirements. For assistance in tailoring this ordinance to meet your community's specific needs, a Community Mitigation Programs Specialist may be contacted at the following address:

DHS/FEMA Region VII, Mitigation Division
Floodplain Management & Insurance Branch
9221 Ward Parkway, Suite 300
Kansas City, MO 64114



**City of Florissant
Engineering Division
Interoffice Memorandum**

Memo To: Louis B. Jearls, Jr., P.E.
Director of Public Works

Date: November 11, 2014

From: Tim Barrett, P.E., C.F.M.
City Engineer

Copy: Mayor Thomas P. Schneider

Subject: Floodplain Management Ordinance

A new Flood Insurance Study (FIS) and corresponding Flood Insurance Rate Maps (FIRMs) for St. Louis County, including Florissant, are set to go into effect on February 5, 2015. The City is required by the Federal Emergency Management Agency (FEMA) to adopt an updated Floodplain Management Ordinance. The updated ordinance must meet FEMA's minimum requirements as well as those of the State Emergency Management Agency (SEMA).

This mandated updating of our ordinance provides the City a logical opportunity to review whether any further revisions are merited. As the City's Floodplain Manager I have reviewed our existing ordinance and I am recommending some modifications in addition to those required by FEMA and SEMA.

Here is a list of the proposed changes to the Floodplain Management Ordinance:

- The prohibition of the storage or processing of materials within the special flood hazard that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life. Storage of other materials would be permitted provided they are anchored or readily removable from the area. Storage of materials is not addressed by the existing ordinance.
- New or substantially improved critical facilities would be required to be elevated above the 500-year flood level and shall have access routes that are above the elevation of the 500-year flood. A critical facility includes: governmental buildings, police stations, fire stations, hospitals, orphanages, penal institutions, communication centers, water and sewer pumping stations, water and sewer treatment facilities, transportation maintenance facilities, places of public assembly, emergency aviation facilities, and schools. Critical facilities are currently required to be elevated above only the 100-year flood elevation.
- Hazardous materials storage and handling sites would be prohibited within the floodplain. Hazardous materials are not specifically addressed in the current ordinance.
- The requirement of a cut/fill balance within the floodplain fringe from Section 415.120(6) would be removed. This existing requirement is a higher regulatory standard than required by FEMA or SEMA. All new construction or substantial improvement would still be required to be elevated to a minimum of 1 foot above the base flood elevation. A "No-Rise" certification would still be required for all work within the floodway.

I feel these changes will result in reduced risk to life and property during flood events and will also remove a roadblock to the redevelopment of built-out areas that are currently below the regulatory flood levels.

The City recently achieved Class 8 status within the National Flood Insurance Program's Community Rating System (CRS). This status provides discounts on flood insurance premiums for policies within the City. The City will maintain a Class 8 standing in the CRS with the proposed revisions.

Please let me know if you would like to discuss this further.

Thank you,

Timothy J. Barrett, P.E., C.F.M.
City Engineer

Attachment

Proposed Floodplain Ordinance

1 INTRODUCED BY COUNCILMAN HENKE
2 SEPTEMBER 23, 2013
3

4 BILL NO. 9056

ORDINANCE NO.

5
6
7 **AN ORDINANCE TO REZONE FOR CVS PHARMACY, LLC THE**
8 **PROPERTY LOCATED AT 696 & 698 N. HWY 67 FROM B-3**
9 **EXTENSIVE COMMERCIAL DISTRICT TO A B-5 PLANNED**
10 **COMMERCIAL DISTRICT TO ALLOW FOR THE LOCATION AND**
11 **OPERATION OF A 24 HOUR DRIVE THROUGH PHARMACY,**
12 **RETAIL SALES, MEDICAL CLINIC AND LIQUOR SALES.**
13
14

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

20 WHEREAS, the Planning and Zoning Commission of the City of Florissant has
21 recommended to the City Council at their meeting of November 3rd, 2014 that Ordinance No.
22 1625 be amended to change the classification of the property at 696 & 698 N. Hwy 67 from B-3
23 Extensive Commercial District to a B-5 Planned Commercial District for the location and
24 operation of a 24 hour drive through pharmacy, retail sales, medical clinic and liquor sales; and

25 WHEREAS, due and lawful notice of a public hearing No. 14-11-031 on said proposed
26 zoning change was duly published, held and concluded on Monday, November 24th, 2014 at
27 7:30 P.M. by the Council of the City of Florissant; and

28 WHEREAS, the Council, following said public hearing, and after due and careful
29 deliberation, has concluded that the amendment of Ordinance No. 1625, as amended, as
30 hereinafter set forth, to be in the best interest of the public health, safety and welfare of the City
31 of Florissant; and
32

33 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
34 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:
35
36
37

Section 1: Ordinance No. 1625, as amended, is hereby further amended by changing the classification of the following described property from B-3 Extensive Commercial District to a B-5 Planned Commercial District for the location and operation of a 24 hour drive through pharmacy, retail sales, medical clinic and liquor sales:

696 & 698 N. Hwy 67

A TRACT OF LAND IN SURVEYS 172, 173 AND 174 OF ST. FERDINAND COMMON FIELDS IN TOWNSHIP 47 NORTH, RANGE 6 EAST, AND IN LOTS D, E, F, G AND 106 OF THE NEW TOWN OF ST. FERDINAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTHWESTERN LINE OF A TRACT CONVEYED TO JOSEPH NIEHOFF AND WIFE BY DEED RECORDED IN BOOK 876 PAGE 554 OF THE ST. LOUIS COUNTY RECORDS, AT ITS INTERSECTION WITH THE SOUTHEASTERN RIGHT-OF-WAY LINE OF LINDBERGH BLVD. AS ESTABLISHED AT THAT TIME; THENCE ALONG A BEARING ADOPTED FROM THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD83, EAST ZONE, SOUTH 52 DEGREES 16 MINUTES 27 SECONDS EAST 25.00 FEET TO A POINT IN THE SOUTHEASTERN RIGHT-OF-WAY LINE OF LINDBERGH BLVD. AS CURRENTLY ESTABLISHED BY THE DEED RECORDED IN BOOK 5734 PAGE 441 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG SAID SOUTHEASTERN RIGHT-OF-WAY LINE OF LINDBERGH BLVD. AS CURRENTLY ESTABLISHED BY BOOK 5734 PAGE 441 THE FOLLOWING COURSES AND DISTANCES; NORTH 38 DEGREES 27 MINUTES 33 SECONDS EAST 244.58 FEET TO A POINT; NORTH 34 DEGREES 52 MINUTES 48 SECONDS EAST 80.09 FEET TO A POINT; ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1223.57 FEET, A CHORD BEARING NORTH 39 DEGREES 12 MINUTES 30 SECONDS EAST 32.73 FEET, AN ARC DISTANCE OF 32.73 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE WITH A RADIUS OF 1223.57 FEET, A CHORD BEARING NORTH 47 DEGREES 38 MINUTES 46 SECONDS EAST 326.69 FEET, AN ARC DISTANCE OF 327.67 FEET TO A POINT; THENCE LEAVING SAID SOUTHEASTERN RIGHT-OF-WAY LINE, SOUTH 46 DEGREES 17 MINUTES 23 SECONDS EAST 182.46 FEET TO A POINT; THENCE SOUTH 43 DEGREES 35 MINUTES 55 SECONDS WEST 320.74 FEET TO A POINT ;THENCE NORTH 47 DEGREES 44 MINUTES 03 SECONDS WEST 205.57 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.5 ACRES MORE OR LESS.

Section 2: The development of the B-5 Planned Commercial District for the property known as 696 & 698 N. Hwy 67 is hereby approved according to the drawings Sheets 1, 2, 3 dated 10/15/14. Photometric Plan 1472078 dated 10/17/14, V3 Boundary Adjustment Plat dated 4/1/14 and Elevations dated 10/17/14 depicting the development, subject to the regulations of the B-5 "Planned Commercial District" attached hereto, and the following additional requirements:

82 1. **PERMITTED USES**

83 The uses permitted for this property shall be limited to a Pharmacy including a drive
84 through, retail, liquor sales and a medical clinic and other uses listed as permitted
85 uses in the B-3 Extensive Business District. Other uses shall require approval by
86 amendment to this B-5 Ordinance.

87
88 2. **FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS**

89 The total gross floor area of the retail center shall not exceed 13,225 square feet.

90
91 3. **PERFORMANCE STANDARDS**

92 The uses within the B-5 Planned Commercial District identified herein shall conform
93 to the most restrictive performance standards as set forth in Section 405.135H of the
94 Florissant Zoning Ordinance.

95
96 4. **TRASH ENCLOSURES**

97 Trash shall be kept within a compactor area as shown on drawing **Sheet 1 dated**
98 **10/15/14**, attached.

99
100 5. **PLAN SUBMITTAL REQUIREMENTS**

101 Final Development Plan shall be submitted to the Building Commissioner and
102 shall include improvements as shown on drawing plans as listed above to be
103 indicated on the Final Development.

104
105 6. **SITE DEVELOPMENT PLAN CRITERIA:**

106
107 a. Structure Setbacks:

108 (1) All setbacks shall be as shown on drawing **Sheet 1 dated 10/15/14**, attached.

109
110 b. Internal Drives:

111 (1) There shall be internal drives **as shown on Sheet 1 dated 10/15/14, attached.**

112
113 c. Minimum Parking/Loading Space Requirements.

114 (1) There shall be a minimum of **60 required parking spaces** provided on the
115 property, **minimum 180 s.f.** , which includes accessible spaces.

116
117 d. Road Improvements, Access and Sidewalks

118 (1) There shall be new sidewalks and curb ramps provided as shown on **Sheet 1**
119 **dated 10/15/14**, attached.

120
121 e. Lighting Requirements.

122
123 (1) Location of lighting standards shall be **as shown on Sheet 1 dated**
124 **10/15/14 photometric plan 1472078 dated 10/17/14, attached.**

125
126 f. Sign Requirements.

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

g. Landscaping and Fencing.

(1) Landscaping provided shall be as shown on **Sheet 2 dated 10/15/14**, attached.

h. Miscellaneous Design Criteria.

(1) All applicable parking, circulation, sidewalks, and all other site design features shall comply with the Florissant City Code.

(2) The façades of the retail building shall be clay fired brick meeting the masonry ordinance of the City, 500.040.

i. Off-Street Loading Regulations. The off-street loading facilities required with respect to the approximate store shall be as shown on **Sheet 1 dated 10/15/14**, attached.

7. FINAL SITE DEVELOPMENT PLAN

The Final 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 this ordinance approved by the City Council and/or the conceptual plans attached to this ordinance shall be processed in accordance with the procedure established in the Florissant Zoning Code.

Permittee shall file for record with the St. Louis County Recorder of Deeds a copy of this ordinance; the Permit shall not be effective until Permittee shall have submitted proof of such filing and submitted to the City Engineer a written acknowledgment and acceptance of the conditions specified herein.

8. AMENDMENTS TO THE SITE AND EXTERIOR BUILDING PLANS:

Any changes from the approved Final Development Plan 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:

- a. Submission/initial review regarding consistency requirement. The property owner or authorized representative may submit an amended site development (concept) plan to the Building Commissioner for review. The Building Commissioner shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally or previously advertised for public hearing, with conditions of the pertinent existing Planned Commercial District ordinance and with any previously approved site development plans. If the submission of the amended site development plan is necessitated by the enactment of an amended Planned

Commercial District ordinance hereunder, the changes sought shall be deemed major and shall require a review thereof by the Planning and Zoning Commission.

- b. Initial determination of non-consistency. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is not consistent in purpose and content with the nature of the proposal as originally or previously advertised for public hearing or does not meet all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall so report to the applicant and the Planning and Zoning Commission. If the applicant wishes to proceed with such proposed amendment, such applicant may elect to thereafter proceed in accordance with the provisions of this Section.
- c. Initial determination of consistency/minor changes. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is minor in nature and is not in conflict with the nature of the proposal as originally or previously advertised for public hearing and meets all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall notify the Planning and Zoning Commission thereof and may conditionally approve such proposed amendment, which approval shall be deemed ratified by the Planning and Zoning Commission unless five (5) or more members thereof thereafter request at the first (1st) regularly scheduled and conducted meeting after notification that such proposed amendment be submitted to the Planning and Zoning Commission for review. In lieu of a grant of conditional approval, the Building Commissioner or designated representative may submit the proposed amendment to the Planning and Zoning Commission for review. In case of disapproval of the proposed amendment by the Building Commissioner, the applicant shall be notified and may thereafter request review thereof by the Planning and Zoning Commission.
- d. Initial determination of consistency/major changes. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is major in nature, but it is not in conflict with the nature of the proposal as originally or previously advertised for public hearing and meets all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall notify the Planning and Zoning Commission thereof and shall submit the proposed amendment to the Planning and Zoning Commission for review.

9. GENERAL DEVELOPMENT CONDITIONS.

- a. Written approval and all necessary permits must be obtained from Metropolitan St. Louis Sewer District, Missouri Department of Transportation, Missouri Department of Natural Resources and the Army Corps of Engineers in addition to obtaining all the permits required by the City of Florissant.

b. Unless, and except to the extent, otherwise specifically provided in this ordinance, development shall be effected only in accordance with all ordinances of the City of Florissant.

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

10. PROJECT COMPLETION.

Construction shall start within 120 days of the issuance of building permits for the project and shall be developed in accordance of the approved final development plan within **300** days of start of construction.

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

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

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

Adopted this ____ day of _____, 2014.

Joseph Eagan
President of the Council
City of Florissant

Approved this ____ day of _____, 2014.

Thomas P. Schneider
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MMC/MRCC
City Clerk



CITY OF FLORISSANT

PUBLIC HEARING NOTICE

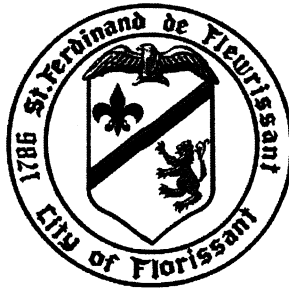
A Public Hearing will be held by the Florissant City Council in the Council Chambers, 955 rue St. Francois, Florissant, MO., on Monday, November 24, 2014 at 7:30 p.m. on the following proposition, to-wit:

To rezone for Missouri CVS Pharmacy, LLC the property located at 696 & 698 N. Hwy 67 from a B-3 Extensive Commercial District to a B-5 Planned Commercial District to allow for the operation of a 24 hour drive through pharmacy, retail, liquor sales and medical clinic.

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.

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant – Public Works
314-839-7648

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

Please Print or Type The Following Information

Property Address: 696 N. Highway 67

Property Owners Name: Florissant Meadows Associates Phone #: N/A

Property Owners Address: P.O. Box 411273 St. Louis, MO 63141

Business Owners Name: Missouri CVS Pharmacy, LLC Phone #: 312-953-6322

Business Owners Address: One CVS Drive Woonsocket, RI 82895 (send mail to Engineer)

DBA (Doing Business As) CVS Health

Authorized Agents Name: Matt Fogarty CO. Name: Premier Civil Engineering
(Authorized Agent to Appear Before The Commission)

Agents Address: 308 TCW Court, Lake Saint Louis, MO 63367 Phone #: 314-925-7452

Request Rezone 696 N. Highway 67 and 698 N. Highway 67 to B-5. CVS operations will consist of a 24-hr. drive-thru pharmacy, retail sales, medical clinic, 24-hr. operations and beer, wine and liquor sales.
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

10-20-14
Date

Received by: pel Receipt # 582223 Amount Paid: 125⁰⁰ Date: 10/20/14

STAFF REMARKS: _____

DATE APPLICATION REVIEWED: 10/20/14
[Signature]
SIGNATURE OF STAFF WHO REVIEWED APPLICATION

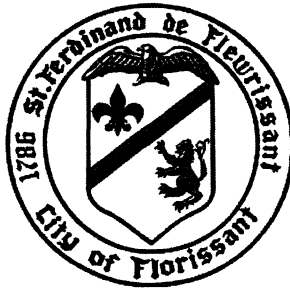
COMMISSION ACTION TAKEN:

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

SIGN. [Signature]

DATE: 11/3/2014

APPLICATION TO THE CITY OF FLORISSANT PLANNING AND ZONING
COMMISSION TO ESTABLISH A B-5 PLANNED COMMERCIAL
DEVELOPMENT OR TO AMEND AN EXISTING B-5 COMMERCIAL
DEVELOPMENT



City Of Florissant – Public Works
314-839-7648

PLANNING & ZONING ACTION:

Address of Property: 696 N. Highway 67

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

Council Ward 6 Zoning B3

Initial Date Petitioner Filed 10/20/14
Building Commissioner to complete
ward, zone & date filed

SIGN: 

DATE: 11-3-2014

Petition to Establish a B-5 Ordinance: X ☐ Petition to Amend Existing B-5 Ordinance # _____

1) Comes Now Missouri CVS Pharmacy, 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 Contract to purchase 696 & 698 N. Highway 67
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 ±1.49 Acres
2. The petitioner(s) hereby further state(s) that the property herein described in this petition is presently zoned in
a B-5 District and is presently being used for 696 N. Hwy. 67 - Restaurant; 698 N. Hwy. 67 - Office
State current use of property, (or, state: vacant).

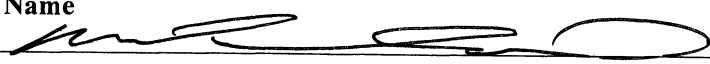
3. The petitioner(s) hereby state(s) the following reasons to justify the amendment to the existing B-5 ordinance:
N/A

List reason for the amendment request.

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

PRINT PETITIONER'S NAME Matt Fogarty, Authorized Agent

Print Name

PETITIONER(S) SIGNATURE (S) 

FOR Missouri CVS Pharmacy, LLC

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

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

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

SIGNATURE 


ADDRESS	<u>308 TCW Court</u>	<u>Lake Saint Louis</u>	<u>MO</u>	<u>63367</u>
	<small>STREET</small>	<small>CITY</small>	<small>STATE</small>	<small>ZIP CODE</small>

TELEPHONE NUMBER 314-925-7452 Premier Civil Engineering

BUSINESS

I (we) the petitioner (s) do hereby appoint Matt Fogarty 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: ☒

(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 _____
- (2) Telephone numbers _____
- (3) Business address _____
- (4) State of Incorporation & a photocopy of incorporation papers _____
- (5) Date of Incorporation _____
- (6) Missouri Corporate Number _____
- (7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. _____
- (8) Name in which business is operated _____
- (9) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping information.
Missouri CVS Pharmacy is a united liability corporation. See attached State of Missouri Certificate.

Please fill in applicable information requested.

Name Matt Fogarty

Address 308 TCW Court Lake Saint Louis, MO 63367

Property Owner Florissant Meadows Associates, a Partnership Bianco Properties

Location of property SWC N. Lindbergh and St. Denis St.

Dimensions of property Irregualr dimensions: ±1.49 Ac., ±321' x ±205'

Property is presently zoned B-5 per ordinance # N/A

Current & Proposed Use of Property Existing restaurant and office building, Proposed CVS Pharmacy

Type of Sign Existing monument sign Height _____

Type of Construction Demo and new construction Number Of Stories. 1 Story Building ±28'

Square Footage of Building ±13,225 sq. ft. Number of Curb Cuts 2

Number of Parking Spaces 60 Sidewalk Length ±335'

Landscaping: No. of Trees 20 Diameter 1.5

No. of Shrubs 85 Size Varies 1 Gal - 5 Gal

Fence: Type N/A Length N/A Height N/A

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.

EXHIBIT A

CVS PARCEL - LEGAL DESCRIPTION

A TRACT OF LAND IN SURVEYS 172, 173 AND 174 OF ST. FERDINAND COMMON FIELDS IN TOWNSHIP 47 NORTH, RANGE 6 EAST, AND IN LOTS D, E, F, G AND 106 OF THE NEW TOWN OF ST. FERDINAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTHWESTERN LINE OF A TRACT CONVEYED TO JOSEPH NIEHOFF AND WIFE BY DEED RECORDED IN BOOK 876 PAGE 554 OF THE ST. LOUIS COUNTY RECORDS, AT ITS INTERSECTION WITH THE SOUTHEASTERN RIGHT-OF-WAY LINE OF LINDBERGH BLVD. AS ESTABLISHED AT THAT TIME; THENCE ALONG A BEARING ADOPTED FROM THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD83, EAST ZONE, SOUTH 52 DEGREES 16 MINUTES 27 SECONDS EAST 25.00 FEET TO A POINT IN THE SOUTHEASTERN RIGHT-OF-WAY LINE OF LINDBERGH BLVD. AS CURRENTLY ESTABLISHED BY THE DEED RECORDED IN BOOK 5734 PAGE 441 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG SAID SOUTHEASTERN RIGHT-OF-WAY LINE OF LINDBERGH BLVD. AS CURRENTLY ESTABLISHED BY BOOK 5734 PAGE 441 THE FOLLOWING COURSES AND DISTANCES; NORTH 38 DEGREES 27 MINUTES 33 SECONDS EAST 244.58 FEET TO A POINT; NORTH 34 DEGREES 52 MINUTES 48 SECONDS EAST 80.09 FEET TO A POINT; ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1223.57 FEET, A CHORD BEARING NORTH 39 DEGREES 12 MINUTES 30 SECONDS EAST 32.73 FEET, AN ARC DISTANCE OF 32.73 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE WITH A RADIUS OF 1223.57 FEET, A CHORD BEARING NORTH 47 DEGREES 38 MINUTES 46 SECONDS EAST 326.69 FEET, AN ARC DISTANCE OF 327.67 FEET TO A POINT; THENCE LEAVING SAID SOUTHEASTERN RIGHT-OF-WAY LINE, SOUTH 46 DEGREES 17 MINUTES 23 SECONDS EAST 182.46 FEET TO A POINT; THENCE SOUTH 43 DEGREES 35 MINUTES 55 SECONDS WEST 320.74 FEET TO A POINT ;THENCE NORTH 47 DEGREES 44 MINUTES 03 SECONDS WEST 205.57 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.5 ACRES MORE OR LESS.

STAFF CHECK LIST / REVIEW SHEET

ADDRESS OF PROPERTY 696 N Hwy 67 CURRENT ZONING B-3

PROPERTY OWNER OF RECORD _____ PHONE NO. _____

AUTHORIZED AGENT _____ PHONE NO. _____

PROPOSAL CUS

1) a. Uses - Are uses stipulated

☒ Yes ☐ No

b. What current District would this proposal be a permitted use: B-5

c. Proposed uses for out lots: n/a

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. 1 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 building screened from adjoining residential?

Yes / ☐ No n/a

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? Brick/EIFS

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 60 shown 53 req'd

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 (4) canopy (1) wall

Type of Signs _____

Are sizes, heights, details, and setbacks shown? n/a

☒ 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?

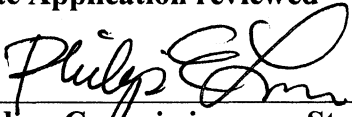
☒ Yes ☐ No

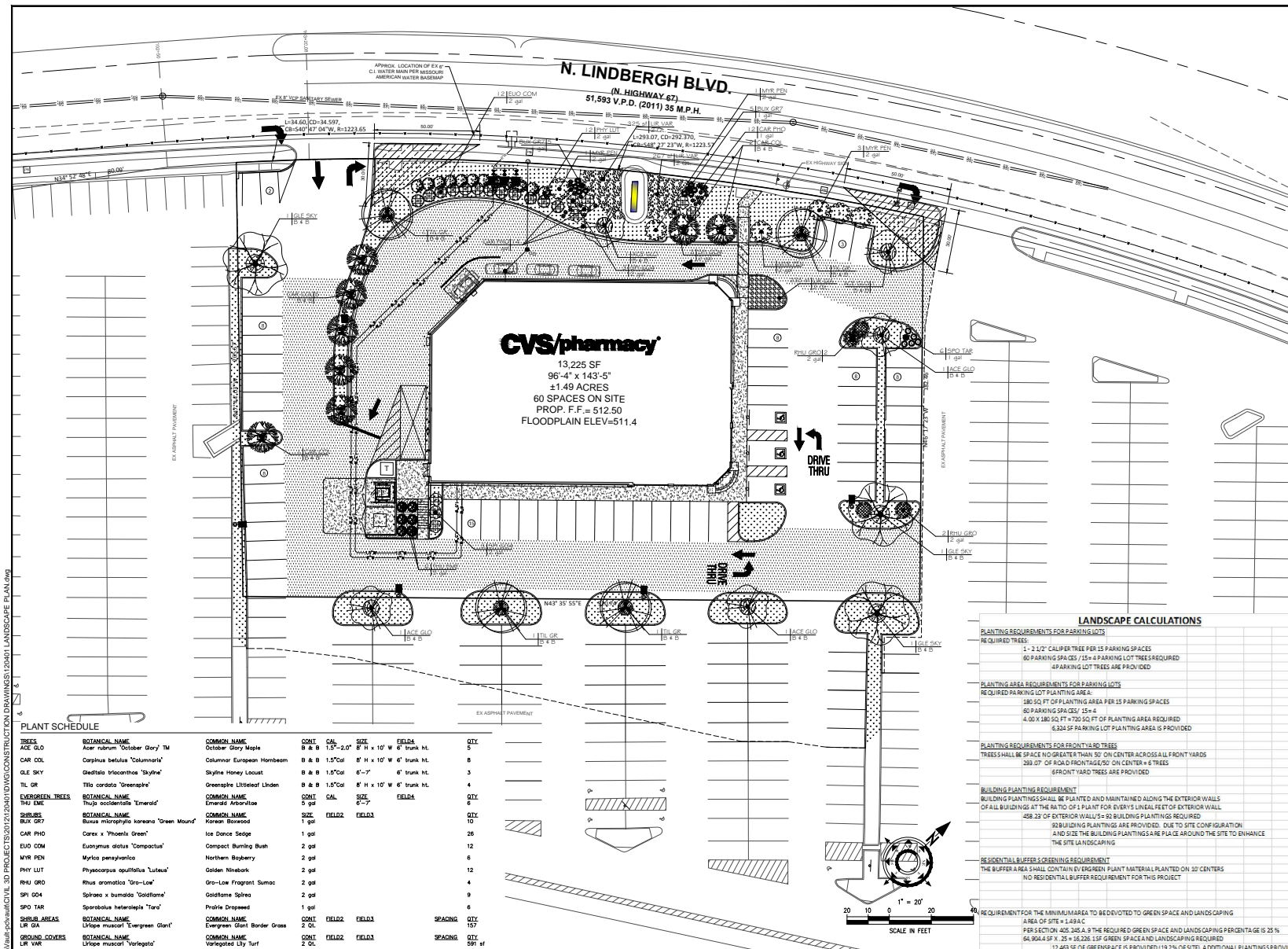
Re-Zoning Application, check list & script

Page 6 of 7 - Revised 6/2/13

- 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?
Does the City Staff recommend a traffic study? Yes / ☒ No
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?
Does legal description appear to be proper? ☒ Yes / ☐ No
☒ 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?
b) Do the curb-cuts meet the City ordinances? Yes / ☒ No
Yes / ☐ No *NA*
- 23) Will this project require any street improvements? Yes / ☒ No
- 24) Staff recommendations for site development plans: _____

- 25) Staff Comments: _____

10/20/14
Date Application reviewed

Building Commissioner or Staff Signature



CVS pharmacy
NORTHERN 13,225-LEFT
CHAMFER DRIVE-THRU
STORE NUMBER: 10171
SVC. LINDBERGH AND ST. DENIS
FLORISSANT, MO
PROJECT TYPE: NEW CONSTRUCTION
DEAL TYPE: FREE FOR SERVICE
CS PROJECT NUMBER: 67204

ARCHITECT OF RECORD:

CONSULTANT:
PREMIER CIVIL ENGINEERING
Lake Saint Louis
308 TCW Court
Lake Saint Louis, MO 63397
Phone: (314) 925-7444 Fax: (314) 925-7457
Missouri Certificate of Authority # E-2011000031
Missouri Certificate of Authority # L-2012007969

DEVELOPER:
T.M. CROWLEY & ASSOCIATES

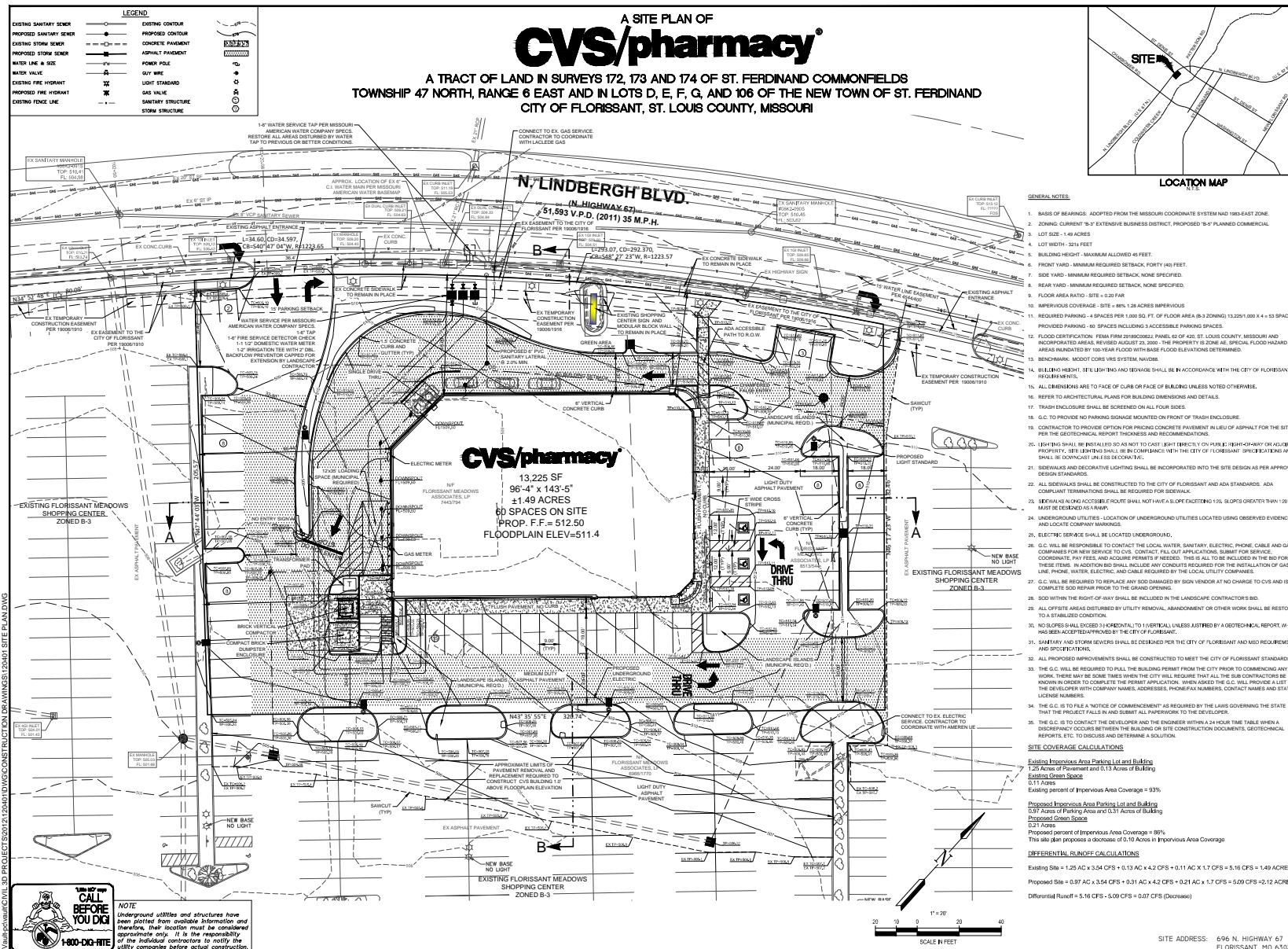
REVISIONS:

DRAWING BY: M. FOGARTY
DATE: 10-15-2014
JOB NUMBER: 120401
TITLE:

LANDSCAPE PLAN

SHEET NUMBER:
SHEET 2 OF 3

COMMENTS:
NOT RELEASED FOR CONSTRUCTION



CVS pharmacy®
NORTHERN 13,225-LEFT
CHAMFER DRIVE-THRU
STORE NUMBER: 10171
SVC. N. LINDBERGH AND ST. DENIS ST.
FLORISSANT, MO
PROJECT TYPE/NEW CONSTRUCTION
DEAL TYPE/FEE FOR SERVICE
CS PROJECT NUMBER: 67204

ARCHITECT OF RECORD
NORR
ARCHITECTS BUSINESS PLANNERS

CONSULTANT:
PREMIER CIVIL ENGINEERING
Lake Saint Louis
308 TOW COURT
Lake Saint Louis, MO 63367
Phone: (314) 925-7444 Fax: (314) 925-7457
Missouri Certificate of Authority # E-2011000031
Missouri Certificate of Authority # LS-2012007449

DEVELOPER
T.M. CROWLEY & ASSOCIATES

REVISIONS:

REVISIONS:

REVISIONS:

1 **July 30, 2013 Suggested Motion** for recommended approval of a **B-5 to allow a**
2 **Pharmacy (CVS) at 696 and 698 N Hwy 67** in existing B-3, Zoning District.:

3
4 I move to recommend approval of a **B-5 to allow a Pharmacy (CVS) at 696 and 698 N**
5 **Hwy 67** in existing B-3, Zoning District.), according to plans presented by the petitioner,
6 including:

7
8 Drawings Sheets 1, 2, 3 dated 10/15/14. Photometric Plan 1472078 dated 10/17/14, V3
9 Boundary Adjustment Plat dated 4/1/14 and Elevations dated 10/17/14 depicting the
10 development, subject to the regulations of the B-5 “Planned Commercial District”, and
11 the following additional requirements:

12
13 1. **PERMITTED USES**

14 The uses permitted for this property shall be limited to a Pharmacy and other
15 uses listed as permitted uses in the B-3 Extensive Business District. Other
16 uses shall require approval by amendment to this B-5 Ordinance.

17
18 2. **FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS**

19 The total gross floor area of the retail center shall not exceed 13,225 square
20 feet.

21
22 3. **PERFORMANCE STANDARDS**

23 The uses within the B-5 Planned Commercial District identified herein shall
24 conform to the most restrictive performance standards as set forth in Section
25 405.135H of the Florissant Zoning Ordinance.

26
27 4. **TRASH ENCLOSURES**

28 Trash shall be kept within a compactor area as shown on drawing **Sheet 1**
29 **dated 10/15/14**, attached.

30
31 5. **PLAN SUBMITTAL REQUIREMENTS**

32 Final Development Plan shall be submitted to the Building Commissioner
33 and shall include improvements as shown on drawing plans as listed above
34 to be indicated on the Final Development.

35
36 6. **SITE DEVELOPMENT PLAN CRITERIA:**

37
38 a. Structure Setbacks:

39 (1) All setbacks shall be as shown on drawing **Sheet 1 dated 10/15/14**,
40 attached.

41
42 b. Internal Drives:

43 (1) There shall be internal drives **as shown on Sheet 1 dated 10/15/14**,
44 **attached.**

46 c. Minimum Parking/Loading Space Requirements.

47 (1) There shall be a minimum of **60 required parking spaces** provided on
48 the property, **minimum 180 s.f.** , which includes accessible spaces.

50 d. Road Improvements, Access and Sidewalks

51 (1) There shall be new sidewalks and curb ramps provided as shown on
52 **Sheet 1 dated 10/15/14**, attached.

54 e. Lighting Requirements.

55
56 (1) Location of lighting standards shall be **as shown on Sheet 1 dated**
57 **10/15/14 photometric plan 1472078 dated 10/17/14, attached.**

59 f. Sign Requirements.

60
61 (1) All signage shall comply with the City of Florissant sign ordinance for
62 commercial districts.

64 g. Landscaping and Fencing.

65
66 (1) Landscaping provided shall be as shown on **Sheet 2 dated 10/15/14**,
67 attached.

69 h. Miscellaneous Design Criteria.

70 (1) All applicable parking, circulation, sidewalks, and all other site design
71 features shall comply with the Florissant City Code.

72
73 (2) **The façades of the retail building shall be clay fired brick meeting**
74 **the masonry ordinance of the City, 500.040.**

75
76 i. Off-Street Loading Regulations. The off-street loading facilities required with
77 respect to the approximate store shall be as shown on **Sheet 1 dated 10/15/14**,
78 attached.

80
81 **7. FINAL SITE DEVELOPMENT PLAN**

82 The Final Development Plan shall be submitted to the Building
83 Commissioner to review for compliance with the applicable "B-5"
84 Planned Commercial Development ordinance prior to recording. Any
85 variations from this ordinance approved by the City Council and/or the
86 conceptual plans attached to this ordinance shall be processed in
87 accordance with the procedure established in the Florissant Zoning Code.

88
89 Permittee shall file for record with the St. Louis County Recorder of
90 Deeds a copy of this ordinance; the Permit shall not be effective until
91 Permittee shall have submitted proof of such filing and submitted to the

City Engineer a written acknowledgment and acceptance of the conditions specified herein.

8. AMENDMENTS TO THE SITE AND EXTERIOR BUILDING PLANS:

Any changes from the approved Final Development Plan 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:

- a. Submission/initial review regarding consistency requirement. The property owner or authorized representative may submit an amended site development (concept) plan to the Building Commissioner for review. The Building Commissioner shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally or previously advertised for public hearing, with conditions of the pertinent existing Planned Commercial District ordinance and with any previously approved site development plans. If the submission of the amended site development plan is necessitated by the enactment of an amended Planned Commercial District ordinance hereunder, the changes sought shall be deemed major and shall require a review thereof by the Planning and Zoning Commission.
- b. Initial determination of non-consistency. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is not consistent in purpose and content with the nature of the proposal as originally or previously advertised for public hearing or does not meet all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall so report to the applicant and the Planning and Zoning Commission. If the applicant wishes to proceed with such proposed amendment, such applicant may elect to thereafter proceed in accordance with the provisions of this Section.
- c. Initial determination of consistency/minor changes. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is minor in nature and is not in conflict with the nature of the proposal as originally or previously advertised for public hearing and meets all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall notify the Planning and Zoning Commission thereof and may conditionally approve such proposed amendment, which approval shall be deemed ratified by the Planning and Zoning Commission unless five (5) or more members thereof thereafter request at the first (1st) regularly scheduled and conducted meeting after notification that such proposed amendment be submitted to the Planning and Zoning Commission for review. In lieu of a grant of conditional approval, the Building Commissioner or designated representative may

submit the proposed amendment to the Planning and Zoning Commission for review. In case of disapproval of the proposed amendment by the Building Commissioner, the applicant shall be notified and may thereafter request review thereof by the Planning and Zoning Commission.

- d. Initial determination of consistency/major changes. If the Building Commissioner determines that the proposed amendment to the previously approved site plan is major in nature, but it is not in conflict with the nature of the proposal as originally or previously advertised for public hearing and meets all of the conditions of the pertinent Planned Commercial District ordinance, the Building Commissioner shall notify the Planning and Zoning Commission thereof and shall submit the proposed amendment to the Planning and Zoning Commission for review.

9. GENERAL DEVELOPMENT CONDITIONS.

- a. Written approval and all necessary permits must be obtained from Metropolitan St. Louis Sewer District, Missouri Department of Transportation, Missouri Department of Natural Resources and the Army Corps of Engineers in addition to obtaining all the permits required by the City of Florissant.
- b. Unless, and except to the extent, otherwise specifically provided in this ordinance, development shall be effected only in accordance with all ordinances of the City of Florissant.
- c. The Department of Public Works shall enforce the conditions of this ordinance in accordance with the Final Development Plan approved by the Planning & Zoning Commission and all other ordinances of the City of Florissant.

10. PROJECT COMPLETION.

Construction shall start within 120 days of the issuance of building permits for the project and shall be developed in accordance of the approved final development plan within **300** days of start of construction.

(End of suggested motion **October 29, 2014**)

1 INTRODUCED BY COUNCILMAN HENKE
2 DECEMBER 8, 2014
3
4

5 BILL NO. 9057

ORDINANCE NO.

6
7 **ORDINANCE AUTHORIZING AN AMENDMENT TO B-5 ORDINANCE**
8 **NO. 8058 ISSUED TO S&H FOODS D/B/A CULVER'S TO ALLOW FOR**
9 **THE ADDITION OF A DIGITAL SIGN TO AN APPROVED MONUMENT**
10 **SIGN FOR THE PROPERTY LOCATED AT 955 N. HWY 67.**
11
12

13 WHEREAS, the Planning and Zoning Commission of the City of Florissant met on
14 November 17th, 2014 and recommended approval of an amendment to B-5 Ordinance No. 8058
15 to allow for the addition of a digital sign to an approved monument sign for the property located
16 at 955 N. Hwy 67; and

17 WHEREAS, due and lawful notice of a public hearing on said proposed change was duly
18 published, held and concluded on 8th of December, 2014 by the Council of the City of
19 Florissant; and

20 WHEREAS, the Council, following said public hearing, and after due and careful
21 deliberation, has concluded that the amendment to B-5 Ordinance No. 8058, as hereinafter set
22 forth, to be in the best interest of the public health, safety and welfare of the City of Florissant;
23 and
24

25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:
27
28

29 Section 1: Ordinance No. 8058 heretofore granted to S&H Foods d/b/a Culver's for a
30 B-5 Planned Commercial District Development is hereby amended to allow for the addition of a
31 digital sign to an approved monument sign for the property located at 955 N. Hwy 67 in
32 accordance with the drawings attached hereto and made a part hereof as if fully set out herein.
33

34 Section 2: Except as herein amended Ordinance No. 8058 shall remain in full force and
35 effect.

36 Section 3: This ordinance shall become in full force and effect immediately upon its
37 passage and approval.
38

39 Adopted this _____ day of _____, 2014.

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57

Joseph Eagan
President of the Council

Approved this _____ day of _____, 2014.

Thomas P. Schneider
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MMC/MRCC
City Clerk

1 INTRODUCED BY COUNCILMAN EAGAN
2 DECEMBER 8, 2014
3

4 BILL NO. 9058

ORDINANCE NO.

5
6 **AN ORDINANCE AMENDING ORDINANCE NO. 8059 PERTAINING TO**
7 **WAGE RANGE AND JOB CLASSIFICATION FOR FULL TIME**
8 **EMPLOYEES BY ADDING A NEW JOB CLASSIFICATION OF “CIVIL**
9 **ENGINEER 1”**

10
11 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLORISSANT, ST.
12 LOUIS COUNTY, MISSOURI, AS FOLLOWS:
13

14 Section 1: Ordinance no. 8059 is hereby amended by adding the position of “Civil
15 Engineer 1” to section 2.A “Job Classification and Grade Level”

16 Section 2: Per the adoption of the 2015 budget the Civil Engineer 1 job
17 classification is hereby listed at a grade level 8.

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

20
21 Adopted this ____ day of _____, 2014.
22
23

24 _____
25 Joseph Eagan
26 President of the Council
27 City of Florissant
28

29 Approved this ____ day of _____, 2014.
30
31

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

36 ATTEST:
37

38 _____
39 Karen Goodwin, MMC/MRCC
40 City Clerk
41

FLORISSANT CITY COUNCIL

AGENDA REQUEST FORM

Date: December 4, 2014

Mayor's Approval:

Agenda Date Requested: December 8, 2014

Description of request: An amendment to Ordinance #8059 to add the job classification of "Civil Engineer I" to Section 2.A Job Classification and Grade Level. The job classification of Civil Engineer I is to be listed at Grade Level 8. This position was authorized through the adoption of the 2015 budget but is not reflected in the list of job classifications.

Department: Finance

Recommending Board or Commission: N/A

Type of request:

Ordinances	X	Other	X
Appropriation		Liquor License	
Transfer		Hotel License	
Zoning Amendment		Special Presentations	
Amendment	X	Resolution	
Special Use Transfer		Proclamation	
Special Use		Subdivision	
Budget Amendment			
	Y/N		Y/N
Public Hearing needed: Yes / No	No	3 readings? : Yes / No	Yes

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

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

For City Clerk Use Only:

Introduced by: _____

PH Speaker: _____

City of Florissant Operating Budget
December 1, 2014 through November 30, 2015

PUBLIC WORKS DEPARTMENT

<u>Account</u>	<u>Actual</u> <u>2013</u>	<u>Budget</u> <u>2014</u>	<u>Proposed</u> <u>2015</u>	<u>Adopted</u> <u>2015</u>
4810-Salaries	2,090,038	2,273,378	2,404,518	2,404,518
4813-Employee's Benefits	838,134	928,392	1,014,425	1,014,425
4821-Uniforms & Allowance	7,916	8,800	9,700	9,700
4826-Utilities	75,273	95,000	96,000	96,000
4827-Gasoline	54,615	69,000	81,000	81,000
4832-Office Supplies & Maint.	14,042	19,200	19,000	19,000
4839-Ice/Snow Removal	104,012	181,250	276,000	276,000
4842-Dues, Travel, Training	47,598	56,300	35,500	36,361
4850-Professional Service	49,232	72,600	68,000	68,000
4851-Street Lighting	424,919	570,000	550,000	550,000
4852-Street Contracts	0	250,000	0	0
4861-Capital Additions	0	25,000	0	0
4875-Gasoline Control Account	<u>2,740</u>	<u>25,000</u>	<u>25,000</u>	<u>25,000</u>
Total	3,708,519	4,573,920	4,579,143	4,580,004

PERSONNEL SERVICES

Full-time	1,951,996	2,170,209	2,170,209
Part-time	161,182	109,309	109,309
Overtime	155,000	125,000	125,000
Stand-by pay	<u>5,200</u>	<u>0</u>	<u>0</u>
Total Personnel Services	2,273,378	2,404,518	2,404,518

PERSONNEL SCHEDULE

<u>Office of the Director</u>		<u>Engineering Division</u>	
Director of Public Works	1.0	City Engineer	1.0
Executive Assistant	<u>1.0</u>	<u>Civil Engineer I</u>	<u>1.0</u>
Total	2.0	Permit/Inspection Clerk	1.0
<u>Street Division</u>		Custodian	2.0
Street Superintendent	1.0	Custodian p/t	0.7
Permit/Inspection Clerk	1.0	Chief Engineer	1.0
Class "A" Foreman	1.0	Building Maintenance	<u>2.0</u>
Class "A" Person	2.0	Total	8.7
Class "B" Person	2.0	<u>Building Division</u>	
Class "C" Person	4.0	Building Commissioner	1.0
Street Sweeper	1.0	Plan Reviewer	1.0
Equipment Maintenance Supv.	1.0	Multi-Building Inspector	7.0
Equipment Maint. Mechanic	2.0	Permit/Inspection Clerk	7.0
Summer Laborers p/t	<u>1.2</u>	Permit/Inspection Clerk p/t	0.7
Total	16.2	Housing Inspector p/t	<u>1.5</u>
<u>Sewer Lateral</u>		Total	18.2
Permit/Inspection Clerk	1.0	Full-time 45.0 Full-time Equivalent (Part-time) 4.1	
Class "A" Person	1.0		
Class "B" Person	1.0		
Class "C" Person	<u>1.0</u>		
Total	4.0		
Total Personnel	49.1		

1 INTRODUCED BY COUNCIL AS A WHOLE
2 DECEMBER 8, 2014

3
4 BILL NO. 9059

ORDINANCE NO.

5
6
7 **AN ORDINANCE AMENDING CHAPTER 120 "BOARDS,**
8 **COMMISSIONS AND COMMITTEES" ARTICLE VII "YOUTH**
9 **ADVISORY COMMISSION" SECTION 120.340 "MEMBERSHIP-**
10 **APPOINTMENT-TERMS BY REDUCING THE REQUIRED AGE FOR**
11 **YOUNG MEMBERS OF THE COMMISSION.**
12

13
14 WHEREAS, the Mayor and City Council believe it to be in the best interests of the City
15 of Florissant to reduce the ages of the youth member of the commission to encourage additional
16 participation and offer a valuable learning experience for the members.
17

18 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
19 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:
20

21 Section 1. Chapter 120 "Boards, Commissions and Committees" Article VII "Youth
22 Advisory Commission" section 120.340 "Membership-Appointment-Terms" is hereby amended
23 by deleting it in its entirety and replacing it with the following:
24

25 The Youth Advisory Commission shall consist of twenty-four (24) residents of
26 the City, including eighteen (18) young persons, with at least one (1) from each
27 ward who are at least eleven (11) years of age and not to exceed sixteen (16)
28 years of age. The remaining six (6) persons shall be representatives of youth-
29 oriented governmental and private agencies. In addition, one (1) Juvenile
30 Officer and one (1) recreation leader shall serve as ex officio members of the
31 Commission. The Commission shall be appointed by the Mayor with the
32 approval of the Council. The terms of such members shall be three (3) years,
33 provided however, those residents presently serving on the Commission shall
34 continue to serve until their term expires. Members may be reappointed, except
35 those appointed as young persons may not be reappointed as such in the event
36 that they have passed the age of sixteen (16); however, all members shall
37 continue to serve on the Commission until their successors have been duly
38 appointed and qualified.
39

40
41
42 Section 2. This Ordinance shall become in full force and effect upon its passage and
43 approval as provided by law.
44
45
46

47 ADOPTED THIS ____ DAY OF _____, 2014.
48
49

50 _____
51 Joseph Eagan
52 President of the Council
53

54
55 Approved this ____ day of _____, 2014.
56

57
58 _____
59 Thomas P. Schneider
60 Mayor
61

62 Attest:
63
64

65 _____
66 Karen Goodwin, MMC/MRCC
67 City Clerk
68
69

Bright Ideas Campaign!!

(Employee Suggestion Reward Program)

30

Submit your ideas for:

- Ways to reduce costs or ways to increase revenue for the City as a whole or your department
- Ways to better serve the Residents of Florissant
- Ways to increase employee morale... "Morale Boosters"

Name: _____

Department _____

Idea/Suggestion Title: **Youth Advisory Commission Ages**

Idea/Suggestion Detailed Description:
I think that we should lower the eligible ages to 11-16 or 5th-10th graders for the Youth Advisory Commission. As
As it stands, the only people consistently participating are the "adult" members. Since the majority of events
planned through the commission are for 5th-8th graders, I think it would be a valuable experience for the kids
and the city to have youth in that age range serving on the commission. I think that it would really help grow
the programs currently offered for middle schoolers, as well as help create viable new programs. This seems
to be an underserved age range as it is difficult to find activities that they will participate in. If youth of this
age were able to serve on the commission, they could help us by telling us what kinds of things they and their
peers would like to see from our city. This would also provide a great extracurricular activity for middle
schoolers and early high schoolers, who could really take ownership of the recreational programs that we
offer for their age. Parents would also be well served, because they would have more activities to take their
children to with the peace of mind that they will be well supervised in a safe environment. If the age were
to be lowered, we could recruit new members at the area middle schools, and through the D.A.R.E. program
if possible. I think that lowering the age, and opening it to middle schoolers would be extremely beneficial
to all.