



FLORISSANT CITY COUNCIL AGENDA

City Hall

955 rue St. Francois

Monday, March 14, 2016

7:30 PM

Karen Goodwin, MMC/MRCC



I. PLEDGE OF ALLEGIANCE

II. ROLL CALL OF MEMBERS

III. APPROVAL OF MINUTES

- Meeting Minutes and Executive Meeting Minutes from February 22, 2016

IV. CERTIFICATE OF RECOGNITION

- Sergeant Andy Hale - Irish Officer of the Year

V. HEARING FROM CITIZENS

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

VI. COMMUNICATIONS

VII. PUBLIC HEARINGS

16-03-002	Request to authorize an amendment to Special Use Permit No.	Mark Gillette
Ward 3	8130 to Mag Automotive, LLC to allow for the expansion of the	
Application	existing auto body repair business to include a paint shop in a B-3	
Staff Rpt	Zoning District for the property located at 8461 N. Lindbergh.	

VIII. OLD BUSINESS

A. SECOND READINGS

None

IX. NEW BUSINESS

X. BOARD APPOINTMENTS

XI. RESOLUTIONS

988	A resolution approving participation in a friend of the court (amicus) brief on the authority of municipalities to set standards above state mandated minimum standards and against unconstitutional restrictions on local control.	Council as a whole
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XII. BILLS FOR FIRST READING

9167	Ordinance authorizing an amendment to Special Use Permit No. 8130 to Mag Automotive, LLC to allow for the expansion of the existing auto body repair business to include a paint shop in a B-3 Zoning District for the property located at 8461 N. Lindbergh.	Eagan
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XIII. COUNCIL ANNOUNCEMENTS

XIV. MESSAGE FROM THE MAYOR

XV. ADJOURNMENT

THIS AGENDA WAS POSTED AT THE FLORISSANT CITY HALL MARCH 11TH, 2016 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, MARCH 14TH, 2016.

CITY OF FLORISSANT



COUNCIL MINUTES

February 22, 2016

The Florissant City Council met in regular session at Florissant City Hall at 955 rue St. Francois on Monday, February 22, 2016 at 7:30 p.m. with Council President Joe Eagan presiding. The Chair asked everyone in attendance to stand and join in the Pledge of Allegiance.

On Roll Call the following were present: Lee, Jones, Eagan, Caputa, Schildroth, Henke, Pagano, Schmidt and Siam. 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 Caputa moved to approve the Meeting and Executive Meeting Minutes of 2/8/2016, seconded by Pagano. Motion carried.

The next item on the agenda was Hearing from Citizens.

John Engelmeyer, 1281 Graham Rd., stated that he would like Bill No. 9162 to either be read in its entirety or receive an explanation from the City Engineer, Tim Barrett. He also questioned a proposed work session bill which dealt with assumed "criminal activity" of citizens living in rental property.

Kevin O'Donnell, 512 Rancho, noted the violation regarding painting the exterior of the new Jimmy John's restaurant. He was under the assumption that the ordinance required that it be stained. Councilman Eagan stated that he would look into the situation.

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

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

32 Councilman Eagan moved that Bill No. 9162 An Ordinance approving the
33 Florissant Complete Streets Policy be read for a second time, seconded by Schildroth.
34 Motion carried and Bill No. 9162 was read for a second time. Councilman Eagan
35 moved that Bill No. 9162 be read for a third time, seconded by Caputa. Motion carried
36 and Bill No. 9162 was read for a third and final time and placed upon its passage.
37 Councilman Eagan moved to suspend the rules to hear from the City Engineer, seconded
38 by Schildroth. Motion carried.

39 Mr. Tim Barrett explained to the Council and residents exactly what the
40 *Complete Streets* ordinance was. He stated that AARP and Trailnet have been
41 encouraging the passage of this bill. *Complete Streets* will be a program that provides
42 for streets that are safe for all users, regardless of their mobility and/or access to
43 transportation. Safe design, efficient access and the encouragement of residents to
44 walk/bike are all part of the program. The ordinance sets forth how the city will
45 accomplish this goal: retrofitting existing sidewalks, working with incoming developers
46 to make sure there is sufficient access, that ADA facilities are provided for and by
47 providing bike lanes where possible. This will help the city obtain federal grant money
48 since these types of programs are highly encouraged.

49 Before the final vote all interested persons were given an opportunity to be
50 heard. John Engelmeyer, 1281 Graham Rd., asked many questions including, would the
51 Safe Streets Project be implemented if no grant was awarded? He asked if the city's
52 street and public works departments would be involved in the project. Also he
53 questioned if any taxes would be used, what was the cost and who would maintain the
54 work once completed?

55 On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes,
56 Schildroth yes, Henke yes, Pagano yes, Schmidt yes and Siam yes. Whereupon the
57 Chair declared Bill No. 9162 to have passed and said Bill became Ordinance No. 8204.

58 Councilman Schildroth moved that Bill No. 9163 An Ordinance authorizing a
59 Special Use Permit to RF Alternatives, LLC d/b/a Collective Solutions, LLC to allow for
60 the construction and operation of a telecommunications facility for the property located
61 at 837 Dunn Road be read for a second time, seconded by Henke. Motion carried and
62 Bill No. 9163 was read for a second time. Councilman Schildroth moved that Bill No.

9163 be read for a third time, seconded by Pagano. Motion carried and Bill No. 9163 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.

Wesley Thomas, 90 Mission Walk Ct., stated his opposition to the construction of the cell tower on the grounds of North County Christian School. Mr. Thomas felt that the setbacks established for that site were there for a reason and should be maintained according to the city's zoning ordinances. No variances or exceptions should be given. Secondly, he gave examples where monopolies do collapse and he had serious safety concerns. Finally, although he understood that there was a monetary benefit to the school, the monopoly will not look the same as the other lights on the field and will devalue the property aesthetically. He asked the Council to postpone passing the bill so that they could hear from other parents.

On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes and Siam yes. Whereupon the Chair declared Bill No. 9163 to have passed and said Bill became Ordinance No. 8205.

Councilman Schildroth moved that Bill No. 9165 An Ordinance transferring Special Use Permit No. 8068 from Phat Boys BBQ, LLC to Sho-Mo BBQ, LLC for the location and operation of a carry-out restaurant located at 300 St. Ferdinand be read for a second time, seconded by Caputa. Motion carried and Bill No. 9165 was read for a second time. Councilman Schildroth moved that Bill No. 9165 be read for a third time, seconded by Siam. Motion carried and Bill No. 9165 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: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes and Siam yes. Whereupon the Chair declared Bill No. 9165 to have passed and said Bill became Ordinance No. 8206.

Councilman Eagan moved to approve the Mayor's appointment of Ginger Mulanax, 730 Bellarmine, to the Disability Awareness Commission as a member from Ward 3, for a term expiring on 2/22/2019, seconded by Pagano. Motion carried.

Council as a Whole introduced Resolution No. 986 A Resolution supporting the East-West Gateway Council of Governments Transportation Improvement Program FY 17-20 for improvements to the intersection of N. Highway 67 and St. Ferdinand Streets and said Resolution was read for the first time. Councilman Siam moved that Resolution No. 986 be read for a second time, seconded by Lee. Motion carried and Resolution No. 986 was read for a second time. Councilman Jones moved that Resolution No. 986 be read for a third time, seconded by Caputa. On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes and Siam yes. Having received the unanimous vote of all members present Resolution No. 986 was read for the third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Kevin O'Donnell, 512 Rancho, stated that he opposed this Resolution because the city would have to pay a large portion of the expense. Also, he had expressed his concern about this intersection at the public hearing for Culvers Restaurant over a year ago. At that time, he had been assured by several Council Members that the intersection would be an issue that MODOT would address, not the City.

Being no other persons who wished to be heard, on roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes and Siam yes. Whereupon the Chair declared Resolution No. 986 to have been adopted.

Council as a Whole introduced Resolution No. 987 A Resolution of the City of Florissant application to the St. Louis County Department of Public Health Waste Reduction Grant Program and said Resolution was read for the first time. Councilman Eagan moved that Resolution No. 987 be read for a second time, seconded by Henke. Motion carried and Resolution No. 987 was read for a second time. Councilman Eagan moved that Resolution No. 987 be read for a third time, seconded by Schmidt. On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes and Siam yes. Having received the unanimous vote of all members present Resolution No. 987 was read for the third and

123 final time and placed upon its passage. Before the final vote all interested persons were
124 given an opportunity to be heard.

125 Being no persons who wished to be heard, on roll call the Council voted: Lee
126 yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt
127 yes and Siam yes. Whereupon the Chair declared Resolution No. 987 to have been
128 adopted.

129 Council as a Whole introduced Bill No. 9166 An Ordinance amending
130 Ordinance No. 8197 appointing nine registered voters to a redistricting Commission by
131 removing Bernice Foley, representing Ward 8, and adding Steve Podry and said Bill
132 was read for the first time. Councilman Schmidt moved that Bill No. 9166 be read for
133 a second time, seconded by Lee. Motion carried and Bill No. 9166 was read for a
134 second time. Councilman Schmidt moved that Bill No. 9166 be read for a third time,
135 seconded by Pagano. Councilman Schmidt explained that Ms. Foley would be unable
136 to serve on the Commission due to health concerns and, as a result, Mr. Podry agreed
137 to take her place.

138 On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes,
139 Schildroth yes, Henke yes, Pagano yes, Schmidt yes and Siam yes. Having received
140 the unanimous vote of all members present Bill No. 9166 was read for the third and
141 final time and placed upon its passage. Before the final vote all interested persons were
142 given an opportunity to be heard.

143 Being no persons who wished to be heard, on roll call the Council voted: Lee
144 yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt
145 yes and Siam yes. Whereupon the Chair declared Bill No. 9166 to have passed and said
146 Bill became Ordinance No. 8207.

147 The next item on the Agenda was Council Announcements.

148 Councilman Jones encouraged everyone to contribute to the T.E.A.M. food
149 pantry. He thanked all the residents who attended the recent Ward 2 Neighborhood
150 Watch Meeting. He especially thanked Carol Webb, the Ward captain, for all her hard
151 work.

Councilman Schmidt stated that he was putting together a Ward 8 Neighborhood Watch Meeting for some time toward the end of March, possibly March 31st. He will let everyone know when the date is finalized.

Councilwoman Pagano stated the Emergency Management Commission will be holding classes on being a “weather spotter” for the National Weather Service at the JJE Center on March 28 from 6:30 to 9:30 pm. She encouraged interested residents to attend.

Councilman Eagan announced that due to health concerns, his current Neighborhood Watch captain had to resign. He asked anyone who lives in Ward 3 and would like to serve to please contact him. Also, he announced that the St. Ferdinand Charity Basketball is scheduled to begin on February 26th with proceeds to benefit the Handing family whose child, Nicholas, was diagnosed with cancer.

The next item on the Agenda was Mayor Announcements.

At the Mayor’s request, Councilman Eagan moved to suspend the rules to hear from Tim Barrett, City Engineer, regarding Duchesne Park, seconded by Henke. Motion carried.

Mr. Barrett stated that the Army Corp of Engineers will be working in one area of Duchesne Park behind the pavilion. In a conservative move, the City would like to keep the park closed during the operation for safety concerns. They will be providing air monitoring, dust control, and screening along the roads. The Corp will take the material out, load it onto a train and ship it to a licensed storage facility in another state. Late spring or early summer the park should be restored to full use. They will begin the next round of sampling from St. Denis to Halls Ferry Road later in the year, with all the sampling completed and areas cleaned up by 2020.

The Mayor stated that Deaver’s Restaurant closed recently, but the Grewe property owners stated that they will be able to find another restaurant type establishment for that location before long.

He congratulated Senator Gina Walsh who was able to find the funds to complete the I - 270 Project.

The Mayor’s Shamrock Ball, “The Prom of North County,” is scheduled for March 5th.

Councilman Eagan mentioned that the Polar Plunge was scheduled for Saturday, 2/27 at Creve Coeur Lake with a team of Florissant Police participating. The plunge benefits the Special Olympics.

The Mayor encouraged residents to participate in a “Spring Clean Up” before the Valley of Flowers Festival. March 19 is the date for the annual Trash Bash, which is coordinated by Tim Barrett and is an effort to clean up the creeks in the area. April 16th is the Electronic Recycling Day at St. Ferdinand Park for residents and non-residents alike. Document Shredding will be held on April 23rd at St. Ferdinand Park. There will also be a Florissant Garage Sale on April 30th from 9 to noon.

“Party on the Ice,” a DARE event, will be held at the ice rink on March 4th for 8th graders. Jedi-Night Training for 2-5 year olds and 6-10 year olds will be held on March 6th. Spring Break Camp for students will be held March 21-25.

The next City Council Meeting is scheduled for Monday, March 14, 2016 at 7:30 pm.

Councilman Siam moved to adjourn the meeting, seconded by Caputa. Motion carried. The meeting was adjourned at 8:27 p.m.

Karen Goodwin, City Clerk

The following Bills were signed by the Mayor:

9162	Ord 8204
9163	Ord 8205
9165	Ord 8206
9166	Ord 8207

CITY OF FLORISSANT
CITY COUNCIL
OPEN EXECUTIVE SESSION

February 22, 2016



The City Council of the City of Florissant met in open Executive session on Monday, February 22, 2015 at 7:00 pm. in the Council Conference Room at 955 rue St. Francois, with President Eagan presiding. On Roll Call the following Council members were present: Schildroth, Jones, Schmidt, Pagano, Lee, Caputa, Siam, Eagan and Henke. Also present were Mayor Thomas Schneider, City Clerk Karen Goodwin, City Attorney John Hessel, Finance Director Randy McDaniel, City Engineer Tim Barrett and Parks Director Todd Schmidt.

Councilman Lee moved to call for a closed meeting to confer with the City Attorney regarding real estate matters pursuant to Section 610.021 (1) of the Revised Statutes of Missouri, seconded by Pagano. On roll the Council voted: Schildroth yes, Pagano yes, Henke yes, Eagan yes, Jones yes, Caputa yes, Lee yes, Siam yes and Schmidt yes. Motion carried.

The Council conferred with the City Attorney regarding real estate matters.

Councilman Schmidt moved to open the closed executive session, seconded by Jones. On roll call the Council voted: Schildroth yes, Pagano yes, Henke yes, Eagan yes, Jones yes, Caputa yes, Lee yes, Siam yes and Schmidt yes. Motion carried.

There being no further business to discuss Councilman Lee motioned to adjourn, seconded by Schmidt. Motion carried and the meeting adjourned at 7:29 pm.

Karen Goodwin
City Clerk

CITY OF FLORISSANT

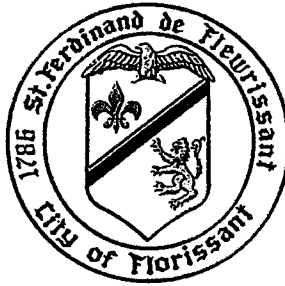
Public Hearing



In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 Rue St. Francois, on Monday, March 14, 2016 at 7:30 P.M. on the following proposition:

To authorize an amendment to Special Use Permit No. 8130 to Mag Automotive, LLC to allow for the expansion of the existing auto body repair business to include a paint shop in a B-3 Zoning District for the property located at 8461 N. Lindbergh (legal description to govern). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142. CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



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: 8461^{peak} N. Lindbergh Blvd. Florissant, MO 63031

Property Owners Name: JX Restaurant Phone #: (314) 239-1430

Property Owners Address: 8224 Olive Blvd. University City, MO 63132

Business Owners Name: Mark Gillette Phone #: (314) 327-8219

Business Owners Address: 1160 Lindsay Ln. Florissant, MO 63031

DBA (Doing Business As) MAG Automotive LLC

Authorized Agents Name: SAME AS ABOVE CO. Name: _____
(Authorized Agent to Appear Before The Commission)

✕ Agents Address: _____ Phone #: _____

Request Amend special use ordinance #8130 to all

allow for an expansion of existing business in a B-3 Zoning District
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

Allen Mark Mithel
Applicant's Signature

1/13/16
Date

Received by: CA Receipt # 592752 OFFICE USE ONLY Amount Paid: 125 Date: 2/3/16

STAFF REMARKS: _____

COMMISSION ACTION TAKEN:

DATE APPLICATION REVIEWED: _____

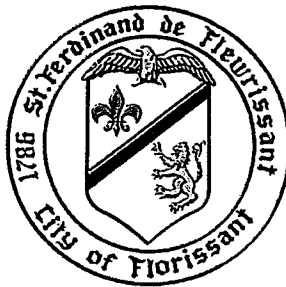
SIGNATURE OF STAFF WHO REVIEWED APPLICATION

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

John P. Baranowski
SIGN:

2/16/2016
DATE:

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



**RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN**

City Of Florissant – Public Works
314-839-7648

SIGN. L. Baranowski **DATE:** 2/16/2014

PLANNING & ZONING ACTION

Council Ward 3 Zoning _____

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

SPECIAL PERMIT FOR

Auto body Repair and paint shop.

Restoration and repair

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

AMEND SPECIAL PERMIT # 8130

TO ALLOW FOR Expansion of existing business

ordinance #

Statement of what the amendment is for.

LOCATION

8461 ^{Rear} N. Lindbergh Blvd. Florissant, MO 63031

Address of property.

1) Comes Now

Mark Gillette DBA MAG Automotive LLC

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

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

Legal interest in the Property) LEASE

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

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

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

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

REQUIRED INFORMATION

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

1) Type of Operation:

Individual X Partnership _____ Corporation _____

(a) If an individual:

- (1) Name and Address Mag Auto Motive
(2) Telephone Number 314-839-5353
(3) Business Address 8461 N Lindbergh Rear
(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:

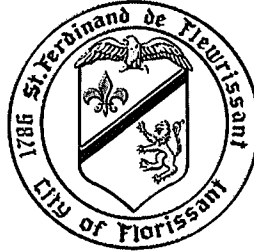
- (1) Names & addresses of all partners _____
(2) Telephone numbers _____
(3) Business address _____
(4) Name under which business is operated _____
(5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(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) Copy of latest Missouri Anti-Trust. (annual registration of corporate officers) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping Information.

1

MEMORANDUM



2

CITY OF FLORISSANT

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

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To: Planning and Zoning Commissioners

Date: February 10, 2016

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

Louis B. Jearls, Jr. - P.E.

11

Director of Public Works

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Applicant

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File

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Subject: Request **Recommended Approval** to amend a Special Use Permit to allow for expansion of an Auto Repair shop at **8461 North Lindbergh (MAG Automotive)** to include Auto Body work in a 'B-3' Zoning District.

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STAFF REPORT

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CASE NUMBER PZ-021616-1

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I. PROJECT DESCRIPTION:

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This is a request for Recommended Approval to amend a Special Use Permit to allow for expansion of an Auto Repair shop to include Auto Body work at 8461 North Lindbergh (MAG Automotive) in a 'B-3' Zoning District.

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II. EXISTING SITE CONDITIONS:

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The existing property at 8461 North Lindbergh has been MAG Automotive for a year. This applicant requests an expansion on the site which will rescind Ordinance No. 7722 which allowed an individual to work on personal vehicles at the same location. The site is a Shopping Center that has multiple tenants and the proposal is to use add the accessory structure to the Special Use for a paint spray booth for vehicles, therefore, continuation of Mr. Pierce's Special Use is not plausible since it marks a clear intent not to continue.

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The site is predominantly paved. The affect of the new parking ordinance on the number of parking spaces required for Auto Repair is 1 space for every employee on the maximum shift and 3 spaces for every service bay and one space for every vehicle customarily used in the operation of the use. This proposal would reduce the number of vehicles required on the site, see below:

The proposed would minimally be: 6 spaces for (2) bays along the south side of the building, (1) space for employees, plus parking for cars waiting to be repaired, 9 total parking for the Cellular Store based upon 4/1000 s.f. and Parking will now be based upon the 3 spaces for the additional bay, instead of per Ord. No. 7722 As many as (5) parked cars and one for Mr. Pierce.= 6 total.

Therefore, total cars on the lot must be a minimum of $7+9+3=19$.

The accessory building on the property contains 840 square feet. The walls of the building are concrete block unpainted.

There is currently no additional signage or landscaping proposed.

III. SURROUNDING PROPERTIES:

The property to the Southwest is the Pizza Hut restaurant at 8457 N Lindbergh in a 'B-3' District, it is also bounded by 8471 to the Northeast (Penn Station) in a 'B-5' District and the property to the rear, 700 and 710 Thompson are in an 'R-6' District.

IV. STAFF ANALYSIS:

The petitioner wishes to essentially install paint spray booth equipment without changes to the exterior of the facility.

The current zoning allows for Auto Repair or Auto body, by Special Use if granted by City Council.

There is existing signage for this business under permit.

There are no landscape plans presented for this proposal. Landscape requirements for this property would include (52) shrubs and (2) frontage trees at 2 ½" caliper if stipulated to be as approved by the Building Commissioner. Two landscaped islands of 180 s.f. are required within the parking lot.

There is some brick on the front of the Building but is predominantly concrete block which is currently painted white.

86
87
88 **VI. STAFF RECOMMENDATIONS:**
89

90 Each Special Use proposal is site specific. Since multiple tenants are involved at this
91 property, exterior items may be considered if applicable to this proposed tenant.
92

93 Enclosed with Ord. no. 7722 are older ordinances, no's. 3892 (1980), 5313 which both
94 allowed Auto Body work. Ordinance no. 5313 allowed only touch-up work using aerosol
95 cans.
96

97 (end report)
98

99 **Suggested Motion for 8461 North Lindbergh (MAG Auto)**
100

101 I move to recommend approval of a Special Use for an Auto Repair shop at **8461**
102 **North Lindbergh**, with the following stipulations:
103

- 104 1. Ord. 7722 shall be rescinded.
105
106

107 **PROJECT COMPLETION.**
108

109 Construction shall start within 60 days of the issuance of building permits, and
110 the structure shall be completed in accordance with the plans within 120 days
111 of start of construction.

112 (end of Suggested Motion)
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1 INTRODUCED BY COUNCILMAN EAGAN
2 MARCH 23, 2015

3
4 BILL NO. 9082

ORDINANCE NO. 8130

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6
7 **REQUEST TO AUTHORIZE A SPECIAL USE PERMIT TO MAG**
8 **AUTOMOTIVE, LLC D/B/A MAG AUTOMOTIVE TO ALLOW FOR THE**
9 **OPERATION OF AN AUTOMOTIVE REPAIR SHOP FOR THE PROPERTY**
10 **LOCATED AT 8461 N. LINDBERGH.**

11
12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the operation of an auto
14 repair business; and

15 WHEREAS, an application has been filed by Mark Gillette d/b/a M.A.G. Automotive, LLC
16 for the operation of an auto repair business located at 8461 N. Lindbergh; and

17 WHEREAS, the Planning and Zoning Commission of the City of Florissant, at their meeting
18 of March 2, 2015, has recommended that the said Special Use Permit be granted; and

19 WHEREAS, due notice of a public hearing no. 15-03-006 on said application to be held on
20 the 23rd day of March, 2015 at 7:30 P.M. by the Council of the City of Florissant was duly published,
21 held and concluded; and

22 WHEREAS, the Council, following said public hearing, and after due and careful
23 consideration, has concluded that the granting of the Special Use Permit as hereinafter provided
24 would be in the best interest of the City of Florissant.

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

28
29
30 Section 1: A Special Use Permit is hereby granted to Mark Gillette d/b/a M.A.G. Automotive
31 LLC for the operation of an auto repair business located at 8461 N. Lindbergh with the following
32 stipulation:

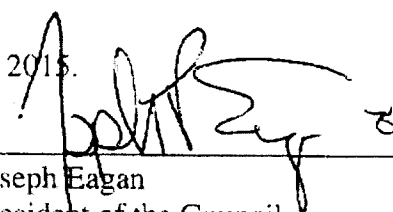
33 1. The number of vehicles for repair shall be clearly marked on the parking plan.

34 Section 2: When the named permittee discontinues the operation of said business, the Special
35 Use Permit herein granted shall no longer be in force and effect.

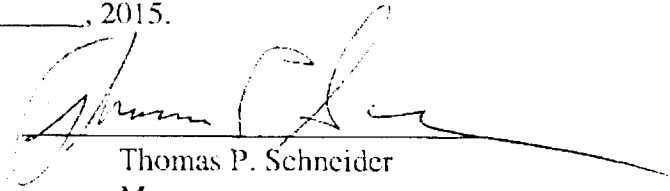
36 Section 3: This ordinance shall become in force and effect immediately upon its passage and
37 approval.

38

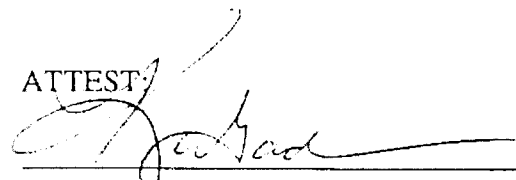
Adopted this 13 day of April, 2015.


Joseph Eagan
President of the Council

Approved this 14 day of APRIL, 2015.


Thomas P. Schneider
Mayor

ATTEST:


Karen Goodwin, MMC/MRCC
City Clerk

**INTRODUCED BY COUNCIL AS A WHOLE
MARCH 14, 2016**

RESOLUTION NO. 988

A RESOLUTION APPROVING PARTICIPATION IN A FRIEND OF THE COURT (AMICUS) BRIEF ON THE AUTHORITY OF MUNICIPALITIES TO SET STANDARDS ABOVE STATE MANDATED MINIMUM STANDARDS AND AGAINST UNCONSTITUTIONAL RESTRICTIONS ON LOCAL CONTROL

WHEREAS, the Missouri Supreme Court has before it two cases concerning the authority of local governments to set standards appropriate for their communities on matters of local concern; and

WHEREAS, recent circuit court rulings in St. Louis and Kansas City have placed limits on that authority; and

WHEREAS, the City believes that while state government has an important role in setting minimum standards for Missouri's citizens, local governments should be allowed to build upon and improve upon those standards to meet local needs; and

WHEREAS, because municipalities vary in size and demographics, there is no one size fits all approach that meets the needs of every different municipality in Missouri; and

WHEREAS, the City believes it is best positioned to determine policies that best meets the needs of its citizens; and

THEREFORE, be it resolved that The City Council approves the City's participation in pending litigation in the Missouri Supreme Court in cases arising out of St. Louis and Kansas City, and authorizes Counsel from the Saint Louis University Legal Clinic and other private counsel who provide legal assistance to the Legal Clinic to file amicus briefs in those cases under the City's name and on the City's behalf arguing in favor of the authority of local governments to set standards higher than state minimums and against unconstitutional restrictions on local control.

The City Attorney will coordinate with Counsel from the Saint Louis University Legal Clinic and other private counsel who are providing legal assistance at no charge to the City in preparation of briefs for the Missouri Supreme Court.

The City Attorney will keep the City Council apprised of all developments and arguments in the pending litigation.

APPROVED THIS ____ DAY OF _____, 2016

Joseph Eagan, Council President

Karen Goodwin, MMC/MRCC
City Clerk

1 INTRODUCED BY COUNCILMAN EAGAN
2 MARCH 14, 2016

3
4 BILL NO. 9167

ORDINANCE NO.

5
6 **ORDINANCE AUTHORIZING AN AMENDMENT TO SPECIAL USE**
7 **PERMIT NO. 8130 TO MAG AUTOMOTIVE, LLC TO ALLOW FOR**
8 **THE EXPANSION OF THE EXISTING AUTO BODY REPAIR BUSINESS**
9 **TO INCLUDE A PAINT SHOP IN A B-3 ZONING DISTRICT FOR THE**
10 **PROPERTY LOCATED AT 8461 N. LINDBERGH**
11

12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the location and
14 operation of an auto body repair business; and

15 WHEREAS, the Florissant City Council has heretofore granted a Special Use Permit to
16 MAG Automotive, LLC. for the location and operation of an automotive repair shop on the
17 property known as 8461 N. Lindbergh and described in Ordinance No. 8130; and

18 WHEREAS, an application has been filed by MAG Automotive LLC, for an amendment
19 to the said Special Use Permit heretofore granted under Ordinance No. 8130 to allow for the
20 expansion of the existing auto body repair business to include a paint shop; and

21 WHEREAS, the Planning and Zoning Commission of the City of Florissant at their
22 meeting of February 16, 2016 has recommended that the said Special Use Permit be amended;
23 and

24 WHEREAS, due notice of public hearing no. 16-03-002 on said application to be held on
25 the 14th Day of March, 2016 at 7:30 P.M. by the Council of the City of Florissant was duly
26 published, held and concluded; and

27 WHEREAS, the Council, following said public hearing, and after due and careful
28 consideration, has concluded that the granting of an amendment to the Special Use Permits
29 authorized by Ordinance No. 8130, as hereinafter provided would be in the best interest of the
30 City of Florissant.

31 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
32 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:
33

34 Section 1: The Special Use Permit heretofore granted to MAG Automotive LLC, for the
35 location and operation of an auto repair business on the property known as 8461 N.
36 Lindbergh and described in Ordinance No. 8130 is hereby amended by allowing the
37 expansion of the existing auto body repair business to include a paint shop.

Section 2: Ordinance no. 7722 is hereby rescinded and replaced with this ordinance.

Section 3: Said Special Permit shall be conditioned on and shall remain in full force and effect so long as the conditions set out in Ordinance . 8130, as now amended, are adhered to.

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

Adopted this ____ day of _____, 2016.

Joseph Eagan
President of the Council
City of Florissant

Approved this ____ day of _____, 2016.

Thomas P. Schneider
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MMC/MRCC
City Clerk